

PC 1-11-18  
#3  
Planning Department <planning@edcgov.us>  
25 pages



**Fwd: Items in support of upholding the County decision on ADM17-0077**

1 message

Denae Beland <belandda@tjssl.edu>  
To: planning@edcgov.us

Thu, Jan 4, 2018 at 8:52 PM

----- Forwarded message -----

From: Denae Beland <belandda@tjssl.edu>  
Date: Thu, Jan 4, 2018 at 8:49 PM  
Subject: Items in support of upholding the County decision on ADM17-0077  
To: Roger Trout <roger.trout@edcgov.us>, rommel.pabalinas@edcgov.us, charlene.tim@edcgov.us, Mikol Maitland <mmaitland@archtterradesign.com>

To Whom It may Concern:

Please see attached 10 documents in support of the county decision to approve the administrative review of the Beland application ADM17-0077. This hearing is set for January 11, 2018, and we plan to use the following documents to support the county decision and may have more.

Thank you for your time. If you have any questions, please e mail me or call (209) 200-0118.

Sincerely,

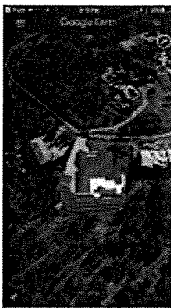
Denae Beland

**10 attachments**

June 26, 2017

Dear Denise K. Brain,  
I am following up on yesterday's telephone conversation concerning your building plans. As I stated on the phone, we are not interested in signing a variance on the County's wall height threshold for anything that is within our vision, from our property (it is my understanding from you that maximum wall height allowable is 7 feet). For retaining walls, too within our vision, we are willing to sign a variance, on three conditions:  
1) It meets with the approval of your two other neighbors.  
2) Your proposed home and pool continue to face in the exact same direction as depicted in the plans you previously shared with us.  
3) Your proposed home and pool are not situated any lower on the property as depicted in the plans you previously shared with us.  
Sincerely,  
Richard Brecek

**Breck letter agreeing with conditions.jpg**  
132K



**google earth both houses.jpg**  
40K

**Realtor letter about bidders.pdf**  
241K

**E Mail responding that all conditions have been completed.pdf**  
313K

1/5/2018

Edcgov.us Mail - Fwd: Items in support of upholding the County decision on ADM17-0077



**Brecek's House Plans.pdf**

4091K



**Brecek house plan zoomed with note.docx**

476K



**Grading pain NEW 2017-12-28 GP - Beland - G2-GP w-3.1-Ft Planter-1.pdf**

666K



**El Dorado County Codes on Administrative Review.docx**

87K



**Administrative Review Permit Approved ADM17-0077 Review Signed-1.pdf**

1803K



**Appeal From the Brecek's ADM17-0077-A Appeal Form-1.pdf**

1730K

June 26, 2017

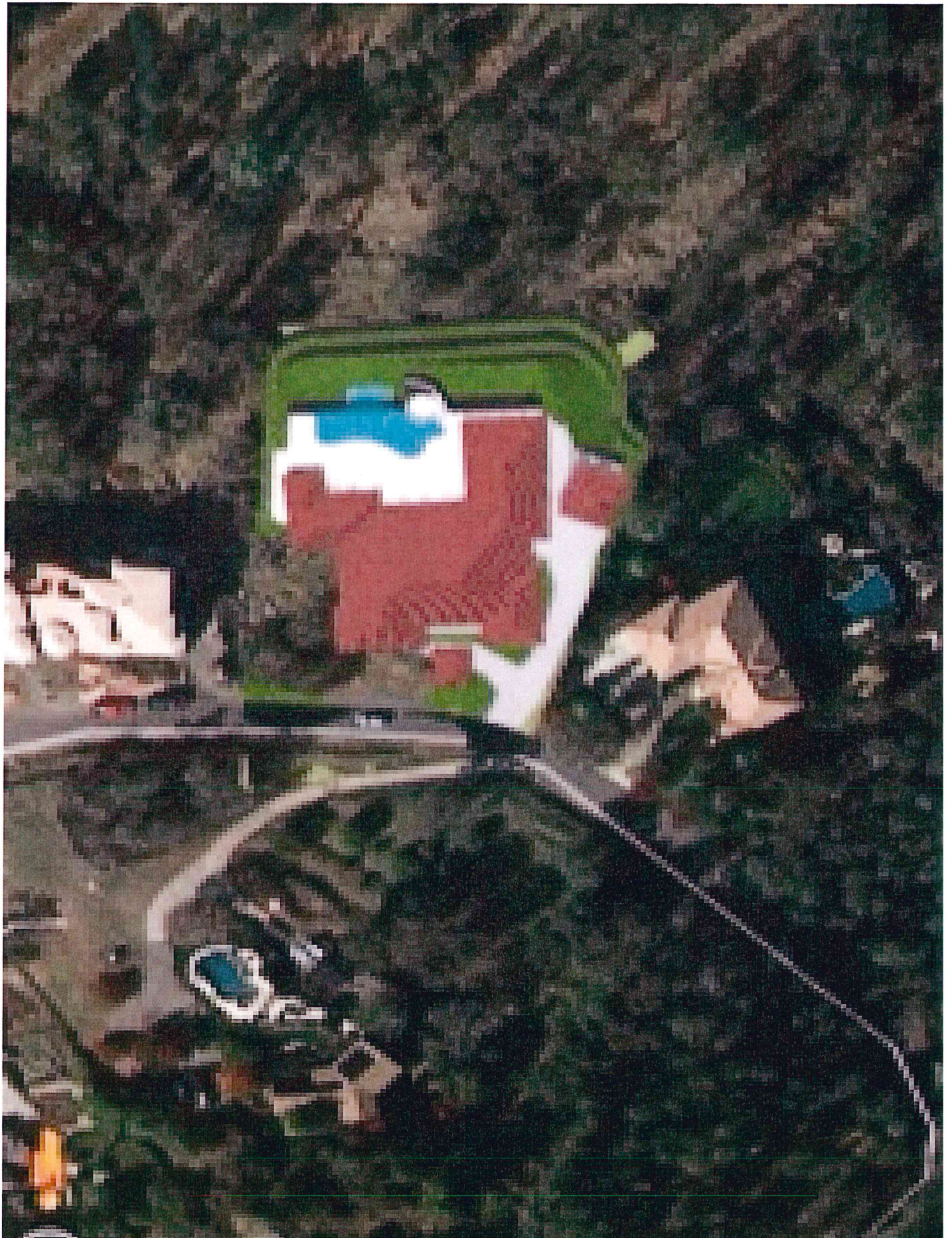
Dear Denae & Brian,

I am following up on yesterday's telephone conversation concerning your building plans. As I stated on the phone, we are not interested in signing a variance on the County's wall height threshold for anything that is within our vision, from our property (It is my understanding from you that maximum wall height allowable is 7 foot). For retaining walls, not within our vision, we are willing to sign a variance, on three conditions:

- 1) It meets with the approval of your two other neighbors;
- 2) Your proposed home and pool continue to face in the exact same direction as depicted in the plans you previously shared with us;
- 3) Your proposed home and pool are not situated any lower on the property as depicted in the plans you previously shared with us.

Sincerely,

Roland Brecek





December 29, 2017

Re: 75 Guadalupe Drive, El Dorado Hills CA 95762

To Whom it may concern,

On August 2, 2017 the above property was sold through bankruptcy court sale at the Federal Courthouse in Sacramento. I was the listing agent for this property. There were 3 people bidding on this property during this process:

Bidder #1: Christopher Crosby. He was the original buyer under contract to purchase and was overbid during the hearing by both of the following bidders.

Bidder #2: Brian Beland. Came as a qualified overbidder, participated in bidding at the sale hearing and was the winning bidder.

Bidder #3: Roland Brecek. Came as a qualified overbidder participated in bidding at the sale hearing and was overbid by Brian Beland. He was given first back-up position in the event that Brian Beland failed to consummate the sale.

Please feel free to contact me if you have any questions about this.

Reed Block, Broker/Owner

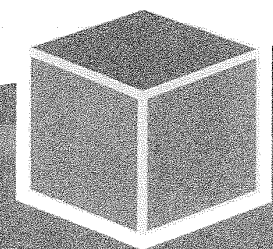
916.266.1575

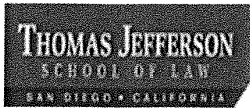
2377 Gold Meadow Way, Suite 100, Gold River, CA 95670

ReedBlockHomes.com

reed@reedblockrealty.com

CA BRE# 01238049





Denae Beland <belandda@tjsl.edu>

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## New Grading plans and letter :)

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Denae Beland <belandda@tjsl.edu>  
To: Roland Brecek <rbrecek@aol.com>

Wed, Aug 9, 2017 at 7:19 PM

Hi Roland and Penny,

I hope this e mail finds you well. Hopefully you had a fun and enjoyable summer so far.

We finally received the updated grading plans with the revisions you requested. Please see attached.

You can see that all the walls adjacent to your parcel are now 7' tall max or shorter which now is in compliance with El Dorado County Building codes and regulations. I hope this solves any issues and you feel you are able to sign the letter we need to get our permits. Please let us know if you have any questions.

I am also attaching the letter that we need signed with the notary acknowledgment and a cover letter explaining the need for the letter. If you feel you are able to sign this letter please let us know when and we can send a notary to you to get it taken care of.





Thank you for your time with this matter,

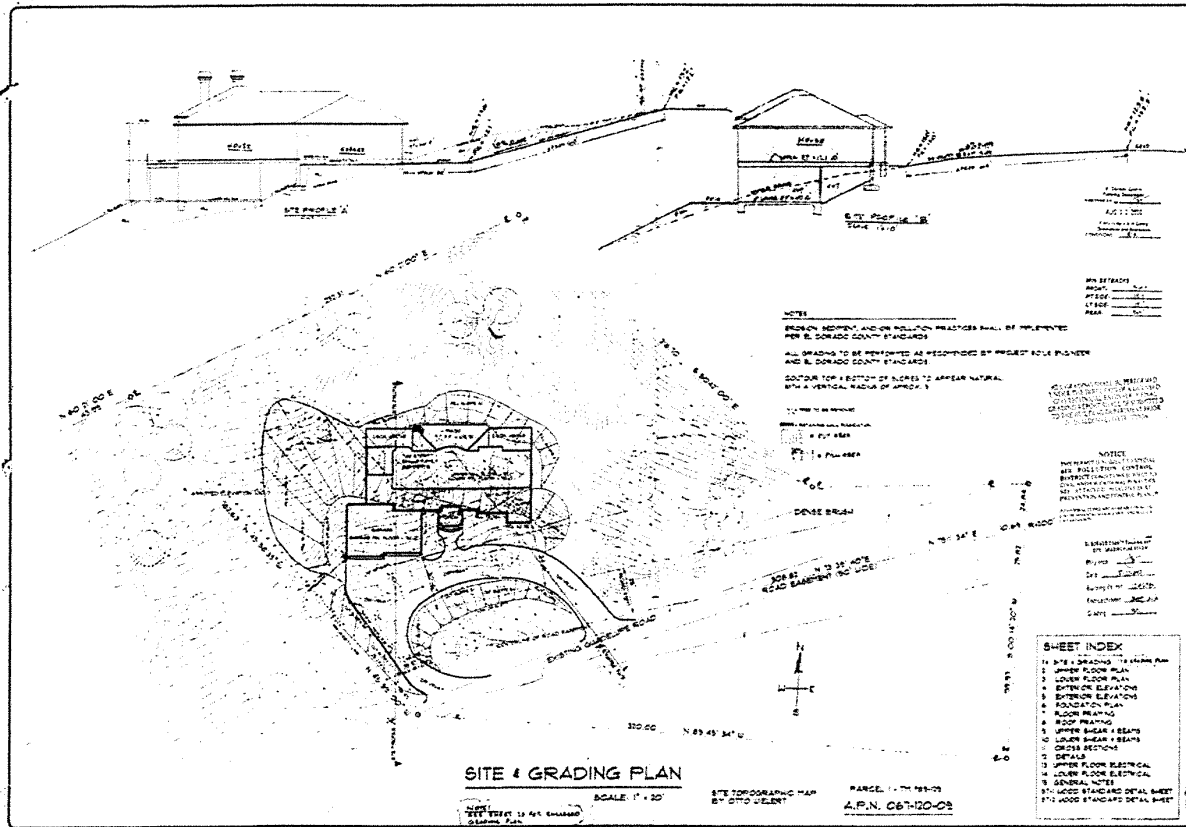
Sincerely,

The Beland's

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### 4 attachments

-  **grading plan 2017-07-27 GP - Beland - G2-GP.pdf**  
742K
-  **Beland Cover Letter Brececk-1.docx**  
15K
-  **Administrative review letter Brecek.docx**  
15K
-  **Notary acknowledgment.pdf**  
241K



**NOTES**

GROUND MOVEMENT AND/OR POLLUTION PREVENTION SHALL BE IMPLEMENTED PER S. DORADO COUNTY STANDARDS

ALL GRADING TO BE PERFORMED AS SPECIFIED BY PROJECT SOIL ENGINEER AND S. DORADO COUNTY STANDARDS

SOILS FOR A SECTION OF SLOPES TO APPEAR NATURAL WITH A VERTICAL RADIUS OF APPROX. 1'

TO BE TO BE MAINTAINED

SEE SEPARATE SHEETS FOR:

- 1. SITE PLAN
- 2. FLOOR PLAN

SEE SHEET 18-0039-002 FOR DENSE BRUSH

SEE SHEET 18-0039-003 FOR DENSE BRUSH

SEE SHEET 18-0039-004 FOR DENSE BRUSH

SEE SHEET 18-0039-005 FOR DENSE BRUSH

SEE SHEET 18-0039-006 FOR DENSE BRUSH

SEE SHEET 18-0039-007 FOR DENSE BRUSH

SEE SHEET 18-0039-008 FOR DENSE BRUSH

SEE SHEET 18-0039-009 FOR DENSE BRUSH

SEE SHEET 18-0039-010 FOR DENSE BRUSH

SEE SHEET 18-0039-011 FOR DENSE BRUSH

SEE SHEET 18-0039-012 FOR DENSE BRUSH

SEE SHEET 18-0039-013 FOR DENSE BRUSH

SEE SHEET 18-0039-014 FOR DENSE BRUSH

SEE SHEET 18-0039-015 FOR DENSE BRUSH

SEE SHEET 18-0039-016 FOR DENSE BRUSH

SEE SHEET 18-0039-017 FOR DENSE BRUSH

SEE SHEET 18-0039-018 FOR DENSE BRUSH

SEE SHEET 18-0039-019 FOR DENSE BRUSH

SEE SHEET 18-0039-020 FOR DENSE BRUSH

**SHEET INDEX**

1	SITE GRADING TO BE MAINTAINED
2	UPPER FLOOR PLAN
3	LOWER FLOOR PLAN
4	EXTENSION ELEVATIONS
5	EXTENSION ELEVATIONS
6	FOUNDATION PLAN
7	FLOOR PLAN
8	UPPER FLOOR ELECTRICAL
9	LOWER FLOOR ELECTRICAL
10	UPPER FLOOR ELECTRICAL
11	LOWER FLOOR ELECTRICAL
12	UPPER FLOOR ELECTRICAL
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98	UPPER FLOOR ELECTRICAL
99	LOWER FLOOR ELECTRICAL
100	UPPER FLOOR ELECTRICAL

DATE	10/15/18
BY	DEAN STEVENSON
CHECKED	DEAN STEVENSON
SCALE	AS SHOWN
PROJECT	18-0039
SHEET	18-0039-002
TOTAL SHEETS	18-0039-001 TO 18-0039-010
DATE	10/15/18
BY	DEAN STEVENSON
CHECKED	DEAN STEVENSON
SCALE	AS SHOWN
PROJECT	18-0039
SHEET	18-0039-002
TOTAL SHEETS	18-0039-001 TO 18-0039-010

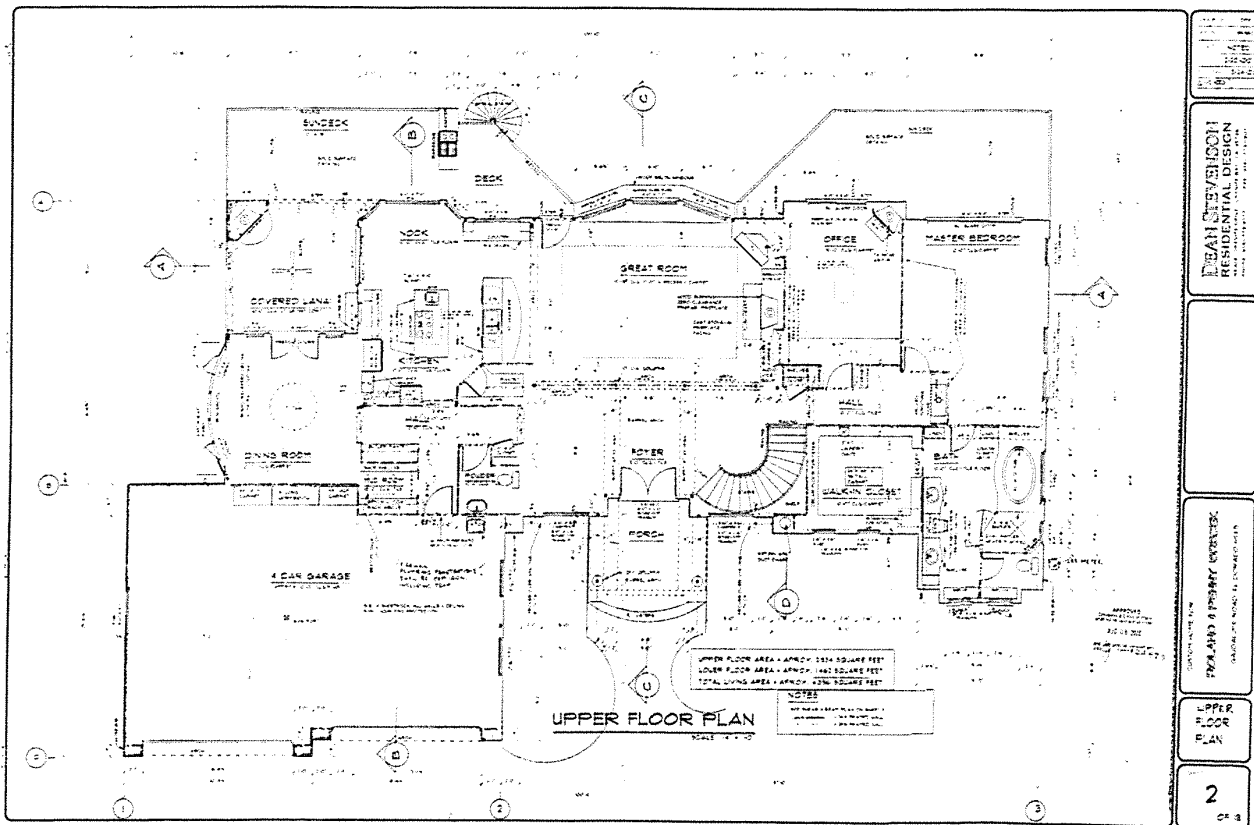
**DEAN STEVENSON**  
RESIDENTIAL DESIGN  
1000 N. GARDEN ROAD, SUITE 100, DENVER, CO 80202  
TEL: 303.733.1111  
WWW.DENVERDESIGN.COM

**DEAN STEVENSON**  
CONSULTING ENGINEER  
1000 N. GARDEN ROAD, SUITE 100, DENVER, CO 80202  
TEL: 303.733.1111  
WWW.DENVERDESIGN.COM

**SITE 4 GRADING PLAN**

**IA**

18-0039-002



DATE: 01/05/18  
DRAWN BY: [Name]  
CHECKED BY: [Name]

**DEAN STEVENSON**  
RESIDENTIAL DESIGN  
12345 MAIN STREET  
CITY, STATE, ZIP

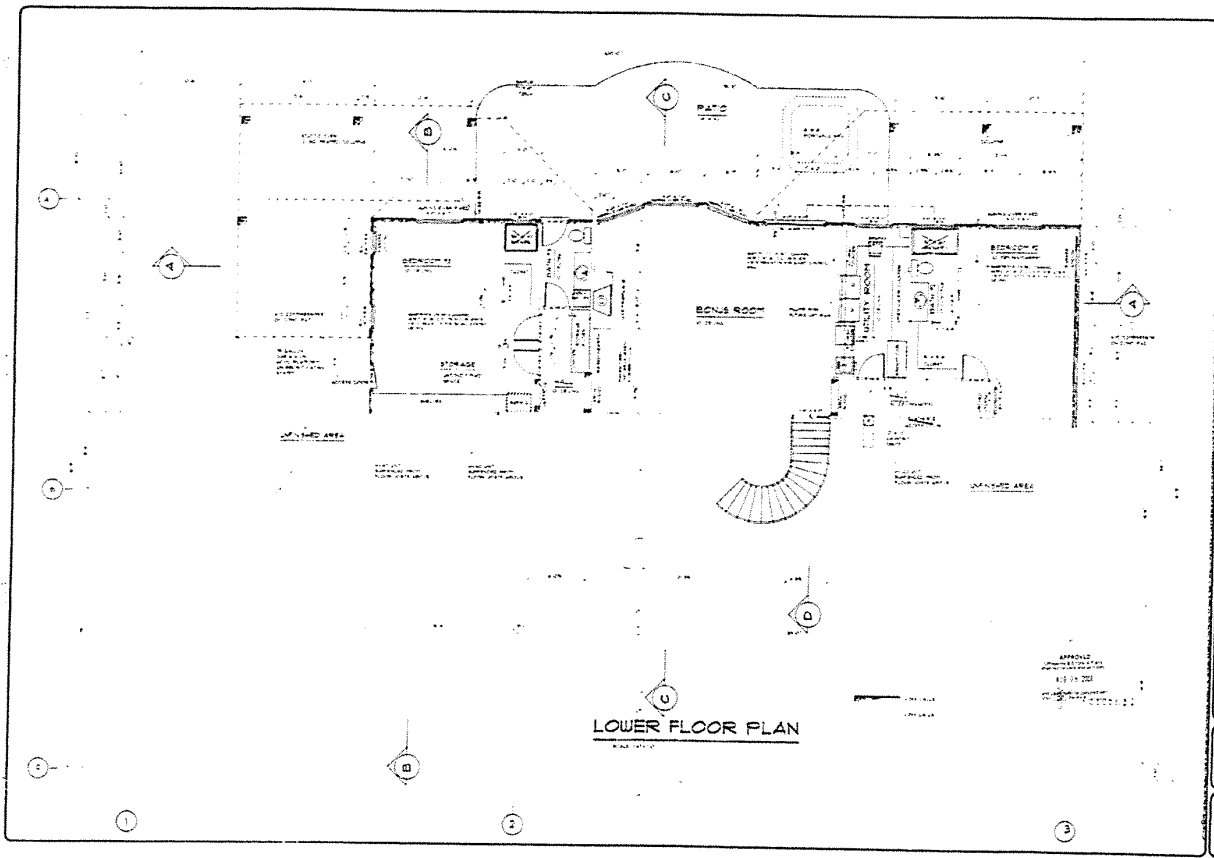
CONTRACT NO. [Number]  
PROJECT NAME: [Project Name]

PREPARED BY: [Name]  
DATE: 01/05/18

UPPER FLOOR PLAN

2  
OF 3





**LOWER FLOOR PLAN**

DATE: _____
SCALE: _____
PROJECT: _____
DESIGNER: _____
<b>LEAH STEVENSON</b>
<b>RESIDENTIAL DESIGN</b>
1000 W. 10TH AVENUE, SUITE 100
BOULDER, CO 80502
PHONE: 303.440.1111
FAX: 303.440.1112
WWW.LEAHSTEVENSON.COM
APPROVE: _____
DATE: _____
PROJECT: _____
DESIGNER: _____
DATE: _____
<b>LOWER FLOOR PLAN</b>
<b>3</b>
OF 8

#9333

# EL DORADO COUNTY BUILDING DEPARTMENT

PLACERVILLE 530-621-5315    TAHOE 530-573-3330    EL DORADO HILLS 916-941-4967  
 INSPECTIONS: 530-621-5377    OR 530-621-5582  
 APPLICANT: BRECEK ROLAND    APPLICATION DATE: 03/31/2000  
 APPL PHONE: (916) 933-4221    DATE ISSUED: 12/27/2000  
 SCHOOL DIST: RESCUE UNION    EXPIRATION DATE: 12/27/2002  
 JOB ADDRESS: 81 GUADALUPE DR  
 RESIDENTIAL BUILDING    PERMIT: 124678-6    APN: 067-120-60-1

DIRECTIONS: HWY 50 TO EL DORADO HILLS BLVD NORTH TO FRANCISCO TO THE END ON THE LEFT TO GAUDALUPE THRU THE GATE AND 1/2 MILE ON RIGHT  
 PAGE 26    A    4

NOTE:

SETBACKS: F: 0    LS: 0    RS: 0    R: 0    LOT SIZE: 1.900    COUNTY ROAD: YES

SPECIFIC USE	TYPE	AREA	SPECIFIC USE	TYPE	AREA
COV PORCH	-	292	DECK	-	642
DWELLING	R3 V-N	4,396	GARAGE	-	1,200
GRADING	-				

# SCAN

1. Site 3/20/01 TJC

INSPECTION	DATE	INSPECTOR	INSPECTION	DATE	INSPECTOR
STRUCTURAL			44. GAS FLUES	10/16/01	TJC
2. SETBACK	3/20/01	TJC	45. DIRECT VENTS	7/15/01	RETTA
* 4. FOOTINGS/FND	4/3/01	TJC	46. CHIMNEYS	10/16/01	TJC
6. CONC.BLK COM			47. THROAT		
9. SLAB	4/3/01	TJC	49. WOODSTOVE		
10. GIRDERS	2/12/01	TJC	50. PELLET STOVE		
14. SHEAR (INT)	10/16/01	TJC	51. MASONRY FIRE		
15. SHEAR (EXT)	4/12/01	TJC	52. HVAC-UNIT	6/25/02	SF
17. FRAMING	11/25/01	R.M. TJC	54. WALL HEATER		
220. BRACE/EXT			INSULATION		
219. BRACE/INT			60. INSUL-FLOOR	11/15/01	EDU
18. SHEETROCK	1/8/02	JSV	61. INSUL-WALL	12/10/01	TJC
19. FIREWALL	1/8/02	JSV	62. INSUL-BATTS		
20. LATHING OK	1/8/02	JSV	63. INSUL-BLOWN		
21. STUCCO/SCRAT			UTILITIES		
PLUMBING			67. TEMP. POWER		
24. WATER SUPPLY	6/11/02	SF	68. PERM. POWER		
25. SEWER	6/14/02	SF	69. GAS SER LP/AD	3/2/02	DKK
26. UNDER-SLAB	4/3/01	TJC	70. L.P. SNOW PR		
27. UNDERFLOOR P			GRADING		
28. TOPOUT PLUMB			72. ROUGH GRADE	3/20/01	TJC
29. SHOWER PAN/H	10/16/01	TJC	76. STORM DRAIN		
32. GAS TEST (IN	3/5/02	DKK	78. LINE GRADE/P		
31. GAS TEST (EX			79. STORM DRAIN		
34. WATER HEATER	6/25/02	SF	ENCROACHMENT		
ELECTRICAL			71. SUBGRADE	3/20/01	TJC
35. GND ELECTROD	4/3/01	TJC	77. TRENCH/BEDDI		
37. UNDERGROUND			APPROVALS		
38. GFI	6/25/02	SF	94. SEPTIC SYSTE		
39. ROUGH ELECT	11/27/01	TJC/TJC	95. EID FINAL	6/29/02	CID
40. MAIN PANEL	6/25/02	SF	96. ENCROACHMT F		
41. SUB PANEL	6/25/02	SF	97. DRIVEWAY FIN	7/5/02	TJC/SF
MECHANICAL			98. GRADING FINA		
42. UND. FLR. DU			101. BUILDING FIN	7/5/02	SF/TJC
43. DUCTWORK	11/27/01	TJC/TJC	102. PERMIT FINAL		

36. TYPE 4/13/01 TJC  
 #3 CU

FOR BUILDING DEPARTMENT PERMITS

ROLE OF THE PROPERTY OWNER: The owner of the property is responsible for the completeness of the plans and conformance to construction code standards. A Contractor is an agent for the property owner and, as such, has the authority to make changes to the project.

ROLE OF THE BUILDING DEPARTMENT: The plan review and inspection process of the Building Department is designed to achieve substantial compliance with the California Building Code. This code is a minimum construction standard.

GENERAL INFORMATION: Issuance of a permit or prior inspection approval based on plans and/or other submitted data does not preclude the Building Official from requiring the correction of errors that may be contained in these documents. (See 1998 California Building Code Section 106.4.3).

Generally, a permit is valid for 2 years (3 years in the Tahoe basin) and is renewable with progress shown. Since California Building Code prohibits the occupancy or use of a structure prior to final inspection approval, renewal of a permit for a separate structure requires a signed statement that the structure is neither being occupied nor used.

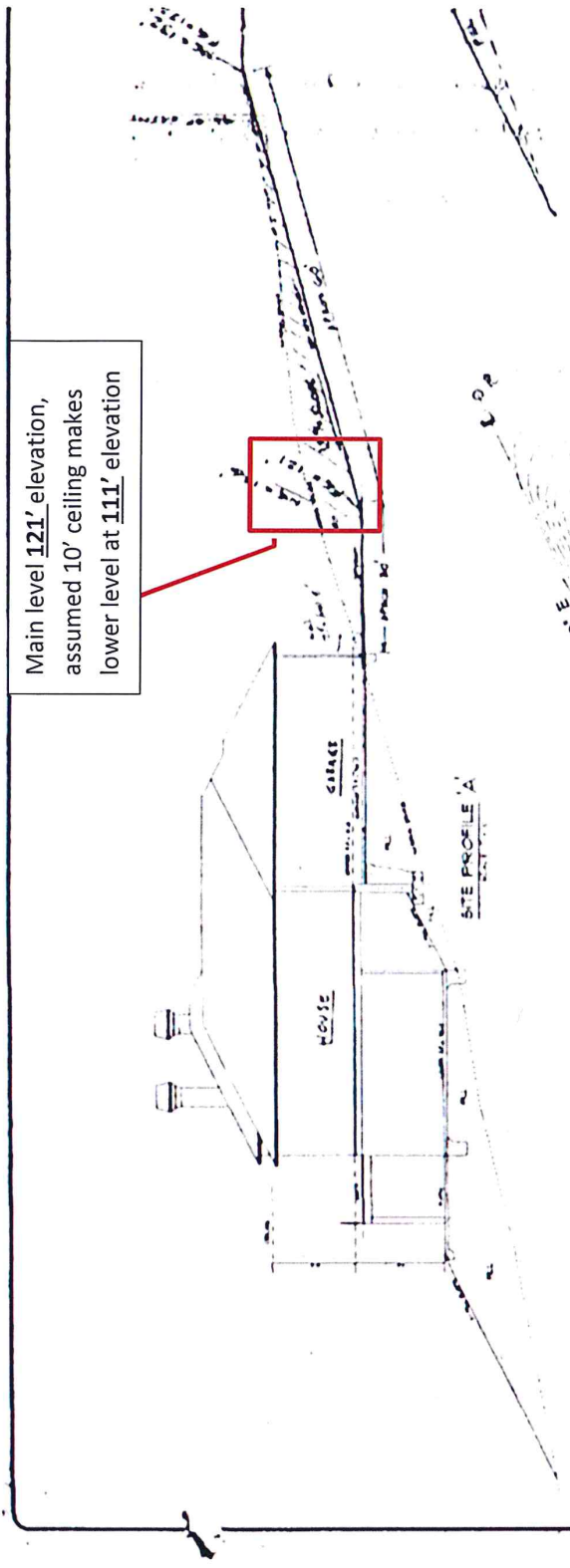
ADDITIONAL REMARKS: 124678

- 3-30-01 Footing Partial Footing inspected only OK to Pour
- 4-3-01 Footing / slab (TJL)
- 8-10-01 Shear
- 10-16-01 Frame
- 11-27-01 Soud
- 12-14-01 re frame
- 12-18-01 insulation
- 1-8-02 Sheetrock
- 11-16-02 Power
- 1-24-02 Power
- 3-5-02 Gas
- 6-7-02 Sewer
- 6-14-02 RE Sewer
- 6-26-02 Final
- Charlize Final - CANCEL by phone

SCAN

07/03/02 BLMRP OWNER HAS SECURED SEPARATE PERMIT FOR RETAINING WALL #140398

7-5-02 Final



Main level 121' elevation,  
assumed 10' ceiling makes  
lower level at 111' elevation

LEBECK • YOUNG  
ENGINEERING, INC.  
3400 ROCKY LANE, SUITE 200  
CAMPBELL, CA 95008  
PH: (415) 877-4000 FAX: (415) 877-4006



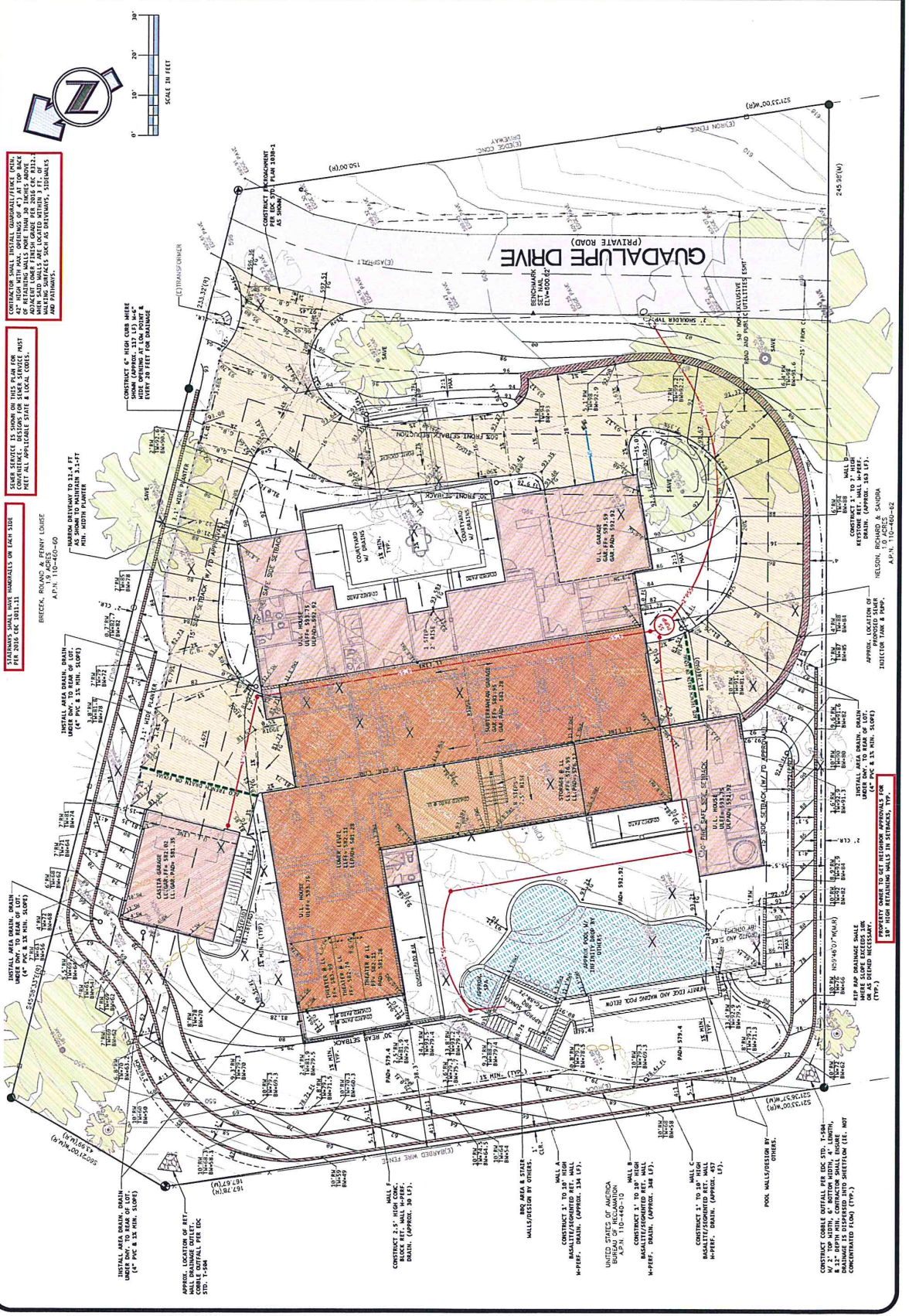
# GRADING PLANS

## GRADING PLAN

Parcel 2, PM 47/25  
75 Guadalupe Dr., El Dorado Hills, CA APN: 110-460-61

PREPARED FOR:  
BRIAN & DENAE BELAND  
2729 CAPTAINS DRIVE  
EL DORADO HILLS, CA 95762  
209-200-0118  
EMAIL: belandda@jdsf.edu

PROJECT # 11-13-2017  
DATE: APRIL 2017  
SCALE: 1" = 30'  
DESIGNED BY: E. Leland  
DRAWN BY: E. Leland  
SHEET NO.



CONTRACTOR SHALL INSTALL GRADUALITY/FLATNESS CONT. OF HIGH WITH WALL GRADINGS OF 4% AT TOP RAKE AND 1% AT BOTTOM. CONTRACTOR SHALL VERIFY AND ADJUST TO MEET THESE GRADINGS PER 2009 CEC 91211. WALLING SURFACES SHALL BE FINISHED WITH CONCRETE AND FINISHES.

SLABS SHALL BE SHOWN ON THESE PLANS FOR CONTRACTORS. DESIGNERS FOR SLAB SERVICE MUST VERIFY ALL APPLICABLE STATE & LOCAL CODES.

STATEMENTS SHALL HAVE HANDWRITTEN ON EACH SIDE OF THE BOARD OR 3011-31

BRICKER, RICHARD, 25 RIVINGTON LANE  
APN: 110-460-60

INSTALL AREA DRAIN, DRAIN (4" PVC @ 1% MIN. SLOPE) LOCATED ON TO REAR OF LOT.

INITIAL AREA DRAIN, DRAIN (4" PVC @ 1% MIN. SLOPE)

APPROX. LOCATION OF RET. WALL DRAINAGE OUTLET, STD. 1'-8" DIA.

CONTRACT 1.5' TO 3.0' HIGH REINFORCED CONCRETE WALL M-PREF. DRAIN, (APPROX. 134 FT.)

APPROX. LOCATION OF PROPOSED SLUR INJECTION TANK & PUMP, M-PREF. DRAIN, (APPROX. 134 FT.)

CONTRACT 1.5' TO 3.0' HIGH REINFORCED CONCRETE WALL M-PREF. DRAIN, (APPROX. 134 FT.)

CONTRACT 1.5' TO 3.0' HIGH REINFORCED CONCRETE WALL M-PREF. DRAIN, (APPROX. 134 FT.)

CONTRACT 1.5' TO 3.0' HIGH REINFORCED CONCRETE WALL M-PREF. DRAIN, (APPROX. 134 FT.)

## Applicable Codes

### 130.30.050 Fences, Walls, and Retaining Walls

C. **Side and Rear Yards.** In all zones, **fences, walls, cut retaining walls, or fences and walls** that are erected within five feet of a **retaining wall** shall be allowed within required side and rear yard setbacks to a maximum cumulative height of seven feet. Fences, walls, or fences and walls that are erected within five feet of a retaining wall such that the cumulative height exceeds seven feet, but **does not exceed ten feet in cumulative height, may be allowed subject to the following:**

1. Where the height of the fence or fence and wall is more than seven feet above the natural or finished grade of the adjacent property, **a signed and notarized statement from the adjacent property owners** that the proposed fence or wall, as described or shown in an attached exhibit, will not impact their view nor will it restrict light or movement of air and, therefore, they have no objection to the construction of the fence or wall;
2. **Director review of the notarized statement(s) to determine if it adequately represents the adjacent affected property.** If such determination is made by the Director, the proposed fence or wall shall be approved through the **Administrative Permit process (Section 130.52.010, Administrative Permit, Relief, or Waiver).** The Director may require additional notarized statements from neighboring properties if, in his/her opinion, they may be impacted by the fence or wall; and
3. Issuance of a building permit where required by the applicable Building Code (Title 110 – Building and Construction, of the County Code of Ordinances).

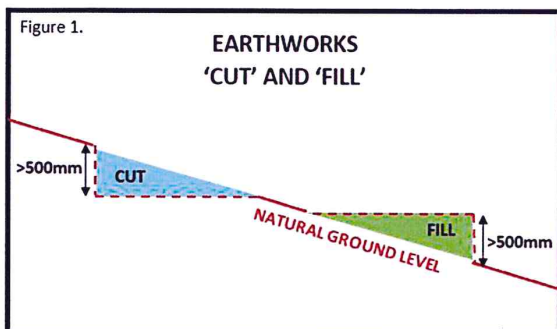
#### Definitions:

**Adjacent:** Adjacent is defined in the Zoning Ordinance as follows: **“Physically touching or boarding upon; sharing a common property line.** (General Plan Glossary)”

**Wall:** “a high thick masonry structure forming a long rampart or an enclosure chiefly for defense, often used in plural; a masonry fence around a garden, park, or estate.” Webster Dictionary.

**Cut Retaining wall:** Excavation required to cut and retain earth back, verses a fill retaining wall. See figure 1 courtesy of:

[https://www.northam.wa.gov.au/profiles/northam/assets/clientdata/cut\\_fill\\_and\\_retaining\\_walls\\_faqs.pdf](https://www.northam.wa.gov.au/profiles/northam/assets/clientdata/cut_fill_and_retaining_walls_faqs.pdf)



### 130.52.010 Administrative Permit, Relief, or Waiver

An Administrative Permit is required in cases where **limited review** of a proposed structure or use through the site plan review process is necessary to verify compliance with established standards adopted to ensure compatibility with adjacent uses and availability of public services and infrastructure. The Administrative Permit shall also be used for the processing of administrative relief or waiver requests in compliance with Subsection B or to establish the legal nonconforming status of a use or structure in compliance with Chapter 130.61.

**The issuance of an Administrative Permit shall be a ministerial project pursuant to CEQA.**

#### A. Administrative Permit

**1. Review Authority and Procedure.** The Director shall be the review authority of original jurisdiction for Administrative Permits. The procedure shall be staff-level **without public notice**, except where Specific Use Regulations in Article 4 provide for public notice.

**2. Standards for Approval.** An Administrative Permit shall comply with the following standards:

- a. The structure(s) or use(s) are in compliance with the applicable zone provisions, standards or requirements of this Title, any applicable specific plans, or any other regulations adopted by the county through ordinance or resolution; and
- b. The structure(s) and use(s) are in compliance with requirements and conditions of previously approved entitlements, such as Minor and Conditional Use Permits, or variances, if applicable.

### 130.52.090 Appeals.

Any decision by the review authority of original jurisdiction may be appealed by the applicant or any other **affected party**, as follows:

A. An appeal must be filed within **10 working days** from the decision by the review authority by completing the appeal form and submitting said form together with the applicable fee, as established by resolution of the Board, to the Department. The appellant shall **clearly identify on the appeal form the specific reasons for the appeal and the relief requested.**

B. The hearing body for the appeal shall consider all issues raised by the appellant and may consider other relevant issues related to the project being appealed. The hearing body for the appeal shall be as follows:

1. All decisions of the Director are appealable to the Commission and then to the Board.
2. All decisions of the Zoning Administrator and the Commission are appealable to the Board.
3. All decisions of the Board are final.

C. The hearing on an appeal shall be set no more than 30 days from receipt of a completed appeal form and fee. If the Board meeting is canceled for any reason on the date on which the appeal would normally be heard, the appeal shall be heard on the first available regularly-scheduled meeting following the canceled meeting date. The 30-day time limitation may be extended by mutual consent of the appellant(s), the applicant, if different from the appellant, and the appeals body. Once the date and time for the hearing is established the hearing may be continued only by such mutual consent.

D. In any appeal action brought in compliance with this Section, the appellant(s) may withdraw the appeal, with prejudice, at any time prior to the commencement of the public hearing. For the purposes of this Section, the public hearing shall be deemed commenced upon the taking of any evidence, including reports from staff.

E. Upon the filing of an appeal, the Commission or the Board shall render its decision on the appeal within 60 days.

F. No person shall seek judicial review of a county decision on a planning permit or other matter in compliance with this Title until all appeals to the Commission and Board have been first exhausted in compliance with this Section.





# COMMUNITY DEVELOPMENT AGENCY

## DEVELOPMENT SERVICES DIVISION

<http://www.edcgov.us/DevServices/>

**PLACERVILLE OFFICE:**

2850 Fairlane Court, Placerville, CA 95667  
**BUILDING**  
(530) 621-5315 / (530) 622-1708 Fax  
[bldgdept@edcgov.us](mailto:bldgdept@edcgov.us)  
**PLANNING**  
(530) 621-5355 / (530) 642-0508 Fax  
[planning@edcgov.us](mailto:planning@edcgov.us)

**LAKE TAHOE OFFICE:**

3368 Lake Tahoe Blvd., Suite 302  
South Lake Tahoe, CA 96150  
(530) 573-3330  
(530) 542-9082 Fax  
[tahoebuild@edcgov.us](mailto:tahoebuild@edcgov.us)

November 14, 2017

Mikol Maitland  
4045 Sunset Lane, Suite D  
Shingle Springs, CA 95682

**RE: Request for Administrative Review**  
Administrative Permit Application ADM17-0077/Beland Retaining Walls  
Assessor's Parcel Number 110-460-61

Dear Mr. Maitland,

Pursuant to the requirements of Zoning Ordinance Sections 130.30.050.C.1 and 130.30.050.C.2 for retaining walls within side and rear yards, an Administrative Permit review has been completed.

Zoning Ordinance Section 130.30.050.C.2 states, "Director review of the notarized statement(s) to determine if it adequately represents the adjacent affected property. If such determination is made by the Director, the proposed fence or wall shall be approved through the Administrative Permit process." It has been determined by the Director of the Planning and Building Department that the requirements to allow retaining walls more than seven feet above the natural grade within the south side and rear yards has been met. Specifically signed and notarized statements from adjacent property owners to the west and south where retaining walls will exceed seven feet have been received. Therefore, the request is consistent with Zoning Ordinance Sections 130.30.050.C.1 and 130.30.050.C.2 for retaining walls within side and rear yards

Adjacent is defined in the Zoning Ordinance as follows, "Physically touching or bordering upon; sharing a common property line. (General Plan Glossary)".

This completed review is a ministerial action related to approval of grading permit number 263768 and is not appealable.

If you have any questions regarding this letter or would like to meet, please contact me at 530/621-5345 or [aaron.mount@edcgov.us](mailto:aaron.mount@edcgov.us).

Sincerely,

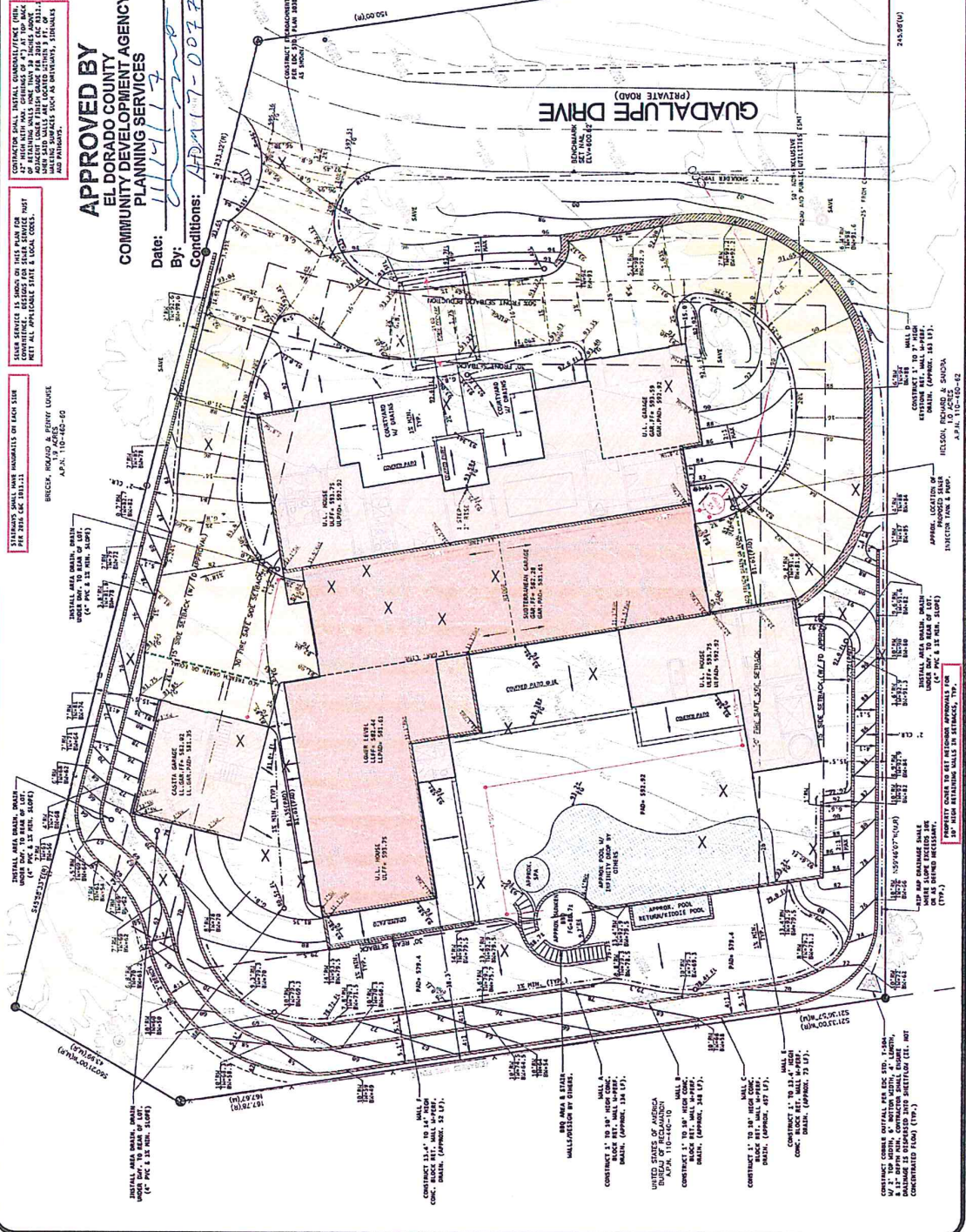
Aaron D. Mount, Associate Planner  
Planning and Building Department

cc: File, ADM17-0077  
Brian and Denae Beland, 75 Guadalupe Dr., El Dorado Hills, CA 95762

Enclosures (1): ADM17-0077 Site Plan

**RECEIVED**  
 PLANNING DEPARTMENT  
 ADM 17-0077  
**RECEIVED**  
 PLANNING DEPARTMENT

PREPARED FOR: BRAN & DENAE BLAND  
 DATE: APRIL 2017  
 SHEET: 2 OF 2  
 DRAWN BY: J. BLAND  
 CHECKED BY: J. BLAND



CONTRACTOR SHALL INSTALL CONCRETE/STAINLESS STEEL WALLS... WITH 2" REINFORCING BARS... WITH ALL APPLICABLE STATE & LOCAL CODES.

SEWER SERVICE IS SHOWN ON THIS PLAN FOR THE ENTIRE LOT... MEET ALL APPLICABLE STATE & LOCAL CODES.

INSTALL AREA GRADE, BRUSH MATS (CP POC & 15 MIN. SLOPE)

BRUSH MATS TO BE INSTALLED IN THE FOLLOWING AREAS:

CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF EL DORADO HILLS, CALIFORNIA.

CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS FROM THE CITY OF EL DORADO HILLS, CALIFORNIA.

ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

**APPROVED BY**  
 EL DORADO COUNTY  
 COMMUNITY DEVELOPMENT AGENCY  
 PLANNING SERVICES  
 Date: 4/11/17  
 By: [Signature]

**ADM 17-0077**

SCALE IN FEET  
 1" = 10'-0"

File Number: ADM 17-0077A Receipt No.: 30696  
Date Received: 12/22/17 Amount: \$ 239

**APPEAL FORM**

(For more information, see Section 130.52.090 of the Zoning Ordinance)

Appeals must be submitted to the Planning Department with appropriate appeal fee. Please see fee schedule or contact the Planning Department for appeal fee information.

APPELLANT Roland & Penny Brecek  
ADDRESS 81 Guadalupe Drive, El Dorado Hills, CA 95762  
DAYTIME TELEPHONE 916-752-7369

A letter from the Appellant authorizing the Agent to act in his/her behalf must be submitted with this appeal.

AGENT David Temblador - Harrison Temblador Hungerford & Johnson, LLP  
ADDRESS 2801 T Street, Sacramento, CA 95816  
DAYTIME TELEPHONE 916-706-2639

APPEAL BEING MADE TO: Board of Supervisors Planning Commission

ACTION BEING APPEALED (Please specify the action being appealed, i.e., approval of an application, denial of an application, conditions of approval, etc., and specific reasons for appeal. If appealing conditions of approval, please attach copy of conditions and specify appeal.)

On November 14, 2017, the Director of the Planning and Building Department approved Administrative PErmit Application No. ADM17-0077 authorizing relief from applicable County Code standards for residential development. Appellants timely appealed the approval on November 16, 2017 (see attached) alleging that the approval was granted in error and without the consent of all adjoining property owners as required by County Code Section 130.30.050. Appellants were erroneously advised by staff that they could not appeal the approval. Appellants November 16, 2017 appeal, however, is authorized by County Code Section 130.52.090 and must be set for hearing accordingly.

DATE OF ACTION BEING APPEALED November 14, 2017

Signature [Handwritten Signature]

Date 12/18/2017

2017 DEC 21 PM 5:16  
RECEIVED  
PLANNING DEPARTMENT

12/7/2017

Edcgov.us Mail - Letter in Opposition to Admin Permit 17-0077



Aaron Mount <aaron.mount@edcgov.us>  
To: Roland Email <rbrecek@aol.com>

Thu, Nov 16, 2017 at 12:34 PM

Roland

Attached is the signed letter completing the review of ADM17-0077.


Roger Trout, Director of Planning and Building Department, can be reached at:

Trout, Roger Development Services	roger.trout@edcgov.us	621-5369
--------------------------------------	-----------------------	----------

Aaron Mount  
Associate Planner

County of El Dorado  
Planning and Building Department  
2850 Fairlane Court  
Placerville, CA 95667  
(530) 621-5355 / FAX (530) 642-0508  
aaron.mount@edcgov.us

[Quoted text hidden]

 ADM17-0077 Review Signed.pdf  
1803K

rbrecek@aol.com <rbrecek@aol.com>  
To: aaron.mount@edcgov.us, roger.trout@edcgov.us

Thu, Nov 16, 2017 at 1:44 PM

Mr Trout & Mr Mount,  
In your letter below, reference is made to notarized signatures of property owners located to the south of the Beland's property. I talked to those neighbors (Rick & Cheree Dunbar at 121 Giotto Way, El Dorado Hills), and they told me that they never signed a notarized form as referenced in your letter. There are only 3 property owners surrounding the Beland property, and two of us have not provided the notarized paperwork as referenced.  
Sincerely,  
Roland Brecek

-----Original Message-----

From: Aaron Mount <aaron.mount@edcgov.us>  
To: Roland Email <rbrecek@aol.com>  
[Quoted text hidden]

Aaron Mount <aaron.mount@edcgov.us>

Thu, Nov 16, 2017 at 2:14 PM

<https://mail.google.com/mail/u/0/?ui=2&ik=61a4576e24&jsver=vPUI2w7Prus.en.&view=pt&q=beland&qs=true&search=query&th=15fc6e76072bf273&s...> 4/5

12/7/2017

Edcgov.us Mail - Letter in Opposition to Admin Permit 17-0077

intended recipient is strictly prohibited. If you are not the intended recipient, please contact the sender immediately and permanently delete the original and any copies of this email and any attachments.

---

rbrecek@aol.com <rbrecek@aol.com>  
To: aaron.mount@edcgov.us

Thu, Nov 16, 2017 at 10:57 AM

Aaron,

Please provide me with the name and contact information for the Director that is making the decision on the Beland property. I do not agree with his determination and would like to talk to him.

Thanks,

Roland Brecek

rbrecek@aol.com

916-752-7369

[Quoted text hidden]

[Quoted text hidden]

WARNING: This email and any attachments may contain private, confidential, and privileged material for the sole use of the intended recipient. Any unauthorized review, copying, or distribution of this email (or any attachments) by other than the intended recipient is strictly prohibited. If you are not the intended recipient, please contact the sender immediately and permanently delete the original and any copies of this email and any attachments.

---

Aaron Mount <aaron.mount@edcgov.us>  
To: Roland Email <rbrecek@aol.com>

Thu, Nov 16, 2017 at 10:59 AM

Roland,

Here are the applicable Zoning Ordinance sections and the definition of adjacent:

130.30.050

C. Side and Rear Yards. In all zones, fences, walls, cut retaining walls, or fences and walls that are erected within five feet of a retaining wall shall be allowed within required side and rear yard setbacks to a maximum cumulative height of seven feet. Fences, walls, or fences and walls that are erected within five feet of a retaining wall such that the cumulative height exceeds seven feet, but does not exceed ten feet in cumulative height, may be allowed subject to the following:

1. Where the height of the fence or fence and wall is more than seven feet above the natural or finished grade of the adjacent property, a signed and notarized statement from the adjacent property owners that the proposed fence or wall, as described or shown in an attached exhibit, will not impact their view nor will it restrict light or movement of air and, therefore, they have no objection to the construction of the fence or wall;
2. Director review of the notarized statement(s) to determine if it adequately represents the adjacent affected property. If such determination is made by the Director, the proposed fence or wall shall be approved through the Administrative Permit process (Section 130.52.010, Administrative Permit, Relief, or Waiver). The Director may require additional notarized statements from neighboring properties if, in his/her opinion, they may be impacted by the fence or wall; and
3. Issuance of a building permit where required by the applicable Building Code (Title 110 – Building and Construction, of the County Code of Ordinances).

130.80.020 Definitions of Specialized Terms and Phrases

Adjacent. Physically touching or bordering upon; sharing a common property line. (General Plan Glossary)

Aaron Mount  
Associate Planner

County of El Dorado  
Planning and Building Department  
2850 Fairlane Court  
Placerville, CA 95667

<https://mail.google.com/mail/u/0/?ui=2&ik=61a4576e24&jsver=vPUIj2w7Prus.en.&view=pt&q=beland&q&s=true&search=query&th=15fc6e76072bf273&s...> 2/5

18-0039 Public Comment  
PC Rcvd 01-05-18

12/7/2017

Edcgov.us Mail - Letter in Opposition to Admin Permit 17-0077

To: Roland Email <rbrecek@aol.com>

Mr. Brecek,

Retaining walls more than seven feet in height within the side and rear setback are adjacent to the properties to the south and the west. As you will see in the attached map these parcels are owned by the Nelson's and the United States Bureau of Reclamation and we received letters from both property owners. I have also attached a scan of the file for your review.


**Aaron Mount**  
Associate Planner


**County of El Dorado**  
Planning and Building Department  
2850 Fairlane Court  
Placerville, CA 95667  
(530) 621-5355 / FAX (530) 642-0508  
aaron.mount@edcgov.us

[Quoted text hidden]

---

2 attachments

 ADM17-0077 Parcels.pdf  
82K

 Application Packet\_ADM17-0077.pdf  
3911K

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Aaron Mount <aaron.mount@edcgov.us>  
To: "roger.trout" <roger.trout@edcgov.us>

Thu, Nov 16, 2017 at 2:16 PM

Roger

I thought I hit reply all but obviously I didn't. Here is the response to Brecek's last email.

**Aaron Mount**  
Associate Planner


**County of El Dorado**  
Planning and Building Department  
2850 Fairlane Court  
Placerville, CA 95667  
(530) 621-5355 / FAX (530) 642-0508  
aaron.mount@edcgov.us


----- Forwarded message -----

From: **Aaron Mount** <aaron.mount@edcgov.us>  
Date: Thu, Nov 16, 2017 at 2:14 PM  
Subject: Re: Letter in Opposition to Admin Permit 17-0077  
[Quoted text hidden]

---

2 attachments

 ADM17-0077 Parcels.pdf  
82K

 Application Packet\_ADM17-0077.pdf  
3911K

Roland & Penny Brecek  
81 Guadalupe Drive  
El Dorado Hills, CA 95762  
916-752-7369  
rbrecek@aol.com

December 14, 2017

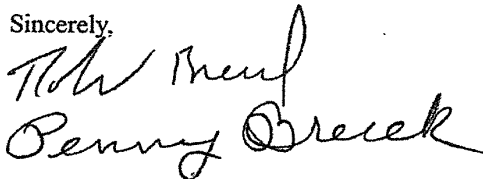
County of El Dorado  
Planning Services  
2850 Fairlane Court  
Placerville, CA 95667

Re: Letter of Agency – Appeal of Administrative Permit No. ADM17-0077

Dear Sir/Madam:

By this letter, we hereby authorize Harrison, Temblador, Hungerford and Johnson, LLP,  
to act as our agent with respect to the above referenced appeal.

Sincerely,

Handwritten signatures of Roland and Penny Brecek. The signature for Roland is written in a cursive style, and the signature for Penny is also in cursive, appearing to be 'Penny Brecek'.

Roland and Penny Brecek

cc: David Temblador, Esq.

RECEIPT #: 30696 01 1  
DATE PAID: 12/22/2017 02 1

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RECEIVED FROM: HARRISON TEMBLADOR HUNGERFORD

ADMINISTRATIVE ADM-17-0077-A  
APPEAL CUR PLAN-PVL-FLAT 239.00

TOTAL \$ 239.00

FOR: BELAND RETAINING WALLS  
RECEIVED BY: EFREN SANCHEZ

ES  
INITIALS CHECK# 4565 \$ 239.00  
CASH \$ 0.00

PLEZS-12/22/17-08:16:10

FILE COPY



HARRISON  
TEMLADOR  
HUNGERFORD  
& JOHNSON

MINING  
LAND USE  
NATURAL RESOURCES

2801 T Street  
SACRAMENTO, CA 95816  
PHONE 916.382.4377  
FAX 916.382.4380  
WWW.HTHJLAW.COM

TRANSMITTAL LETTER

December 18, 2017

VIA OVERNIGHT MAIL

Aaron Mount  
Associate Planner  
County of El Dorado  
Planning and Building Department  
2850 Fairlane Court  
Placerville, CA 95667

2017 DEC 21 PM 5:16  
RECEIVED  
PLANNING DEPARTMENT

RE: Appeal of ADM17-077 / Appellants

- |   |   |
|---|---|
| <input type="checkbox"/> For your information | <input type="checkbox"/> Please sign and return one to me               |
| <input type="checkbox"/> As requested         | <input checked="" type="checkbox"/> File original/return conformed copy |
| <input type="checkbox"/> For your review      | <input checked="" type="checkbox"/> Return not necessary                |
| <input type="checkbox"/> Per our discussion   | <input type="checkbox"/> Call to discuss                                |
| <input type="checkbox"/> For your files       | <input type="checkbox"/> Other -  |

Please find the enclosed appeal forms and appeal check (No. 4565) regarding the above referenced Administrative Permit Application. Please contact me immediately should you have any question on my direct line at 916-706-2639.

Very truly yours,

HARRISON, TEMBLADOR, HUNGERFORD & JOHNSON LLP

By

  
David P. Temblador