

File Number: TM 14-1524-A  
Date Received: 04/30/18

Receipt No.: 30950  
Amount: 239.00

**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 Dean Getz

ADDRESS 4560 Gresham Drive

DAYTIME TELEPHONE (916) 807-0876

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

AGENT N/A

ADDRESS \_\_\_\_\_

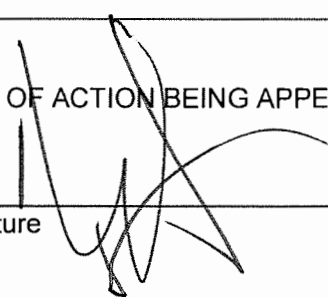
DAYTIME TELEPHONE \_\_\_\_\_

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.)

The Planning Commission improperly approved agenda item 18-0480 related to  
Planned Development PD14-0008/TM14-1524. The Commission approved the re-  
mapping of the 2011, 83-lot map annexed into the HOA in 2013 to 41 lots today thereby  
eliminating 42 actual members of the homeowners association. The County's zoning  
ordinance, Title 130.10.040, subsection E states, "The Zoning Ordinance is not intended  
to interfere with, repeal, abrogate, or annul any easement; covenant; deed restriction;  
Covenants, Conditions, and Restriction (CC&Rs)..." (continued on attached)

DATE OF ACTION BEING APPEALED 4/26/2018

Signature 

Date 4-30-2018

**APPELLANT: GETZ**

**DATE OF ACTION BEING APPEALED: 4/26/2018**

**ACTION BEING APPEALED CONTINUED**

The same zoning ordinance section states, "The County shall not be responsible for monitoring or enforcing private agreements"; however, County has no justification for deliberately violating a private agreement. Appellant (Getz) also notes that the County's adoption of section 130.10.070 which states, "...the applicant shall agree to defend..." the County from any action out of the County approval favors the land use applicant and abrogates the County's responsibility to properly adjudicate land use applications thereby shifting the burden to the public.