

Attachment F

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From: rosrader2177@yahoo.com
To: [ClerkoftheBoard: Pablo_Joel_x5841](#)
Subject: Appeal - Rader-Smith
Date: Thursday, August 20, 2020 2:55:05 PM
Attachments: [Fee Waiver Request - Smith.pdf](#)
[Email August 6th.PNG](#)
[Email on August 17th.PNG](#)

[CAUTION: This email originated from outside of the County. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

Dear Clerk to the Board,

I will be sending our Appeal and supporting documents in multiple emails as they keep bouncing back. Once I send the final email I will let you know the total emails sent.

Thank you,
Rosana Rader



NOTICE OF APPEAL

Monterey County Code
Title 19 (Subdivisions)
Title 20 (Zoning)
Title 21 (Zoning)

RECEIVED
MONTEREY COUNTY

2020 AUG 20 PM 3:57

CLERK OF THE BOARD

J. Pablo
DEPUTY
- E-mailed -

No appeal will be accepted until written notice of the decision has been given. If you wish to file an appeal, you must do so on or before _____ (10 days after written notice of the decision has been mailed to the applicant).

Date of decision: 7/30/2020

1. Appellant Name: Rosana Rader & Michael Smith
Address: 99 Second St Spreckels CA 93962
Mailing: PO Box 7305 Spreckels CA 93962
Telephone: 831 840 4444 or 831 917-2302

2. Indicate your interest in the decision by placing a check mark below:

Applicant

Neighbor

Other (please state) _____

3. If you are not the applicant, please give the applicant's name:

4. Fill in the file number of the application that is the subject of this appeal below:

	Type of Application	Area
a)	Planning Commission: PC- _____	_____
b)	Zoning Administrator: ZA- <u>PLN190255</u>	<u>7/30/2020 Spreckels, CA</u>
c)	Administrative Permit: AP- _____	_____

Notice of Appeal

5. What is the nature of your appeal?

a) Are you appealing the approval or denial of an application? approval

b) If you are appealing one or more conditions of approval, list the condition number and state the condition(s) you are appealing. (Attach extra sheet if necessary)

2a. open wood fence 2b. (same as 2a.) 2c. 4' tall fence @ 20' or nearest structure. Our fence was approved twice. It has been completed. These changes would entail an entirely new fence.

6. Place a check mark beside the reason(s) for your appeal:

There was a lack of fair or impartial hearing
The findings or decision or conditions are not supported by the evidence
The decision was contrary to law

7. Give a brief and specific statement in support of each of the reasons for your appeal checked above. The Board of Supervisors will not accept an application for an appeal that is stated in generalities, legal or otherwise. If you are appealing specific conditions, you must list the number of each condition and the basis for your appeal. (Attach extra sheets if necessary)

(See attached documentation) Based on City of Mty Resource Mgmt. our house is designated as non-historical. Our submitted plans were approved twice. Based on precedence set in Spreckels we should be allowed to keep our fence as is. More than 56% of corner lots have fences taller than ours, 95 homes have solid fences.

8. As part of the application approval or denial process, findings were made by the decision-making body (Planning Commission, Zoning Administrator, or Chief of Planning). In order to file a valid appeal, you must give specific reasons why you disagree with the findings made. (Attach extra sheets if necessary)

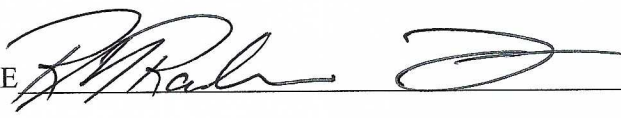
We worked directly with planning and adjusted our approved plans to avoid any future issues. We completed our fence based on directive both verbally, in person meeting, as well as emails from Liz Gonzales, Joshua Bowles, & Chris Lopez. Now we are told we have to replace with a complete re-design & rebuild.

9. You must pay the required filing fee of \$3,540.00 (make check payable to "County of Monterey") at the time you file your appeal. (Please note that appeals of projects in the Coastal Zone are not subject to the filing fee.)

* Sent in fee waiver

10. Your appeal is accepted when the Clerk to the Board accepts the appeal as complete and receives the required filing fee. Once the appeal has been accepted, the Clerk to the Board will set a date for the public hearing on the appeal before the Board of Supervisors.

The appeal and applicable filing fee must be delivered to the Clerk to the Board or mailed and postmarked by the filing deadline to PO Box 1728, Salinas CA 93902. A facsimile copy of the appeal will be accepted only if the hard copy of the appeal and applicable filing fee are mailed and postmarked by the deadline.

APPELLANT SIGNATURE  Date: 8/19/2020

RECEIVED SIGNATURE _____ Date: _____

MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY

Carl P. Holm, AICP, Director



LAND USE & COMMUNITY DEVELOPMENT | PUBLIC WORKS & FACILITIES | PARKS
 1441 Schilling Place, South 2nd Floor (831)755-4800
 Salinas, California 93901-4527 www.co.monterey.ca.us/rma

FEE WAIVER REQUEST

Permit No. _____
 (Complete Section 1 and 3)

Parks Division
 (Complete Section 2 and 3)

(Attach additional information if needed)

Section 1:					
Assessor Parcel Number: _____					
Job Address: _____					
Description of Project: _____					
Fee Waiver Justification: _____					
Section 2:					
Park Name: _____					
Park Area: _____					
Date of Reservation: _____					
Fee Waiver Justification: _____					
Section 3: <input type="checkbox"/> Owner/Applicant <input type="checkbox"/> Agent					
Requestor: _____					
Address: _____					
Phone: _____		Email: _____			
Department Use Only					
Employee Received: _____			Date: _____		
Given to Admin. Secretary: _____			Date: _____		
Review by the following department/agencies:					
<input type="checkbox"/>	RMA - Building	Fee Amount:	Amount Waived:	Approver Initials	Date
<input type="checkbox"/>	RMA – Environmental Services				
<input type="checkbox"/>	RMA – Parks				
<input type="checkbox"/>	RMA – Planning				
<input type="checkbox"/>	RMA – Public Works				
<input type="checkbox"/>	Water Resources Agency				
<input type="checkbox"/>	Health Department				
<input type="checkbox"/>	Other: _____				
County Justification:					
Total Approved Waiver Amount:			\$		
_____ Signature of RMA Director/Deputy Director			_____ Date		
_____ Print Name			<input type="checkbox"/> Approved <input type="checkbox"/> Denied		

Thu 8/6/2020 12:33 PM



Rosana Rader <rosana.rader@redwoodmg.com>

RE: Permit Resolution for PLN190255

To 'Silveira, Felicia M. x4878'

Cc 'Gonzales, Liz x5102'

Fee Waiver Request - Smith.pdf 178 KB	Smith Appraisal.pdf 4 MB	historical report.jpeg 838 KB	timeline.jpeg 613 KB
Fences.jpeg 326 KB	zoning.jpeg 556 KB	email exchange.jpeg 447 KB	Letter.jpeg 548 KB
RT1.jpeg	Red Tag 2.jpeg		

Attached is our fee waiver request. Please let us know if it needs to be sent to anyone else.

Thank you,



Rosana Rader

Sr. Business Development Director

U.S. and Canada Markets | Redwood Art Group

831-840-4444

rosana@redwoodartgroup.com

www.redwoodartgroup.com



From: Silveira, Felicia M. x4878 <SilveiraFM@co.monterey.ca.us>

Sent: Thursday, August 6, 2020 11:30 AM

To: dukelsoconstruction@comcast.net; rosana.rader@redwoodmg.com

Cc: Gonzales, Liz x5102 <gonzalesl@co.monterey.ca.us>

Subject: Permit Resolution for PLN190255

Mon 8/17/2020 1:31 PM

R

roserader2177@yahoo.com

RE: Monterey County Zoning Administrator - Thursday, July 9, 2020

To 'Gonzales, Liz x5102'

Cc 'hog50cal@yahoo.com'

 You forwarded this message on 8/17/2020 1:39 PM.

On August 6th I sent this over and asked if there was anything further needed and you are telling me on the 17th that today is the last day to do what exactly????

From: Gonzales, Liz x5102 <gonzalesl@co.monterey.ca.us>

Sent: Monday, August 17, 2020 12:12 PM

To: roserader2177@yahoo.com

Subject: RE: Monterey County Zoning Administrator - Thursday, July 9, 2020

Importance: High

Hi Rosana,

We are processing your fee waiver, however, I have not received any documentation from the Clerk to the Board regarding your appeal. I just want to clarify that if you appeal the Zoning Administrator's decision of July 30th, you have to do that with the Clerk to the Board (168 West Alisal, Salinas) and today at 5:00 p.m. is when the appeal period ends.

Elizabeth Gonzales, Supervising Planner, Permit Center

County of Monterey, Resource Management Agency

1441 Schilling Place, Salinas CA

Tel: (831) 755-5102 Fax: (831) 757-9516

gonzalesl@co.monterey.ca.us

The Monterey County Resource Management Agency is currently operating with limited in-office staff to reduce risk of COVID-19 transfer to and among its workforce. During this time, responses to e-mail and permit application review may be delayed, but staff is checking email and will respond to you. All construction applications that are submitted will be processed for review as usual. Construction permits, including over-the-counter permits, will be issued via mail or email. If you have an urgent issue that requires immediate attention, please contact our main line at: 831-755-5025

roserader2177@yahoo.com

From: roserader2177@yahoo.com
Sent: Friday, September 13, 2019 7:37 PM
To: 'Gonzales, Liz x5102'
Subject: RE: 99 Second Street, Spreckels- fence issue

Thank you... I will print and give to Michael tonight.

From: Gonzales, Liz x5102 <gonzalesl@co.monterey.ca.us>
Sent: Thursday, September 12, 2019 1:37 PM
To: ROSERADER2177@YAHOO.COM
Subject: FW: 99 Second Street, Spreckels- fence issue
Importance: High

Hi Rosanna,

Here is the approved Design Approval for the fence and house remodel. Would you please do me a favor? Your husband forgot to sign the Design Approval. Would you please sign it and email it back to me. I just want to make sure our records are complete before I close out the permit. Thank you.

*Elizabeth Gonzales, Senior Planner
County of Monterey, Resource Management Agency, Permit Center
1441 Schilling Place, Salinas CA
Tel: (831) 755-5102 Fax: (831) 757-9516
gonzalesl@co.monterey.ca.us*

From: Bowling, Joshua x5227 <BowlingJ@co.monterey.ca.us>
Sent: Thursday, September 12, 2019 8:29 AM
To: Gonzales, Liz x5102 <gonzalesl@co.monterey.ca.us>
Cc: Barba, Priscilla x3019 <BarbaP@co.monterey.ca.us>
Subject: FW: 99 Second Street, Spreckels- fence issue

Liz,

Based on the info, pictures and site visit completed I recommend that the fence be allowed to be completed. If you concur, can you please let Mr. Smith know.

Josh

From: Barba, Priscilla x3019
Sent: Tuesday, September 10, 2019 10:32 AM
To: Bowling, Joshua x5227 <BowlingJ@co.monterey.ca.us>
Subject: 99 Second Street, Spreckels- fence issue

Hi Josh,

Corner homes that have 5' fences or taller

*45 total homes on corner lots

*25 homes on corner lots with 5' fences or higher (**25 of 45**)

***56%** of all homes in Spreckels on corner lots have a 5' fence or higher

*Red highlighted represents homes on the two streets that have traffic to the school
(located on Railroad and Hatton)

*In addition there are **95** homes in Spreckels that do not have an open slatted design
(see attached image from google maps)

10 Railroad

67 Railroad

79 Railroad

93 Railroad

15 Hatton

28 Hatton

54 Hatton

77 Hatton *fence designed to match ours, however entire fence is 6' (picture attached for reference)

93 Hatton

101 Hatton

28 Llano *same cross street our fence is located on

54 Llano *same cross street our fence is located on

94 Llano *same cross street our fence is located on

18 Nacional

28 Nacional

44 Nacional

54 Nacional

68 Nacional

78 Nacional

27 First

99 Second st

90 Third

84 Fourth

92 Fourth

104 Fourth

MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY

Carl P. Holm, AICP, Director



LAND USE & COMMUNITY DEVELOPMENT | PUBLIC WORKS & FACILITIES | PARKS

1441 Schilling Place, South 2nd Floor
Salinas, California 93901-4527

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www.co.monterey.ca.us/rma

LETTER OF TRANSMITTAL

TO: Liz Gonzales DATE: 7-2-2019

FROM: Michael Smith TELEPHONE: 831-917-2302

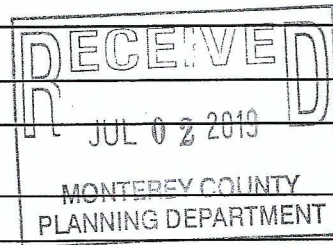
PROPERTY ADDRESS: 99 Second St. Spreckels CA 93962

A.P.N: _____ PERMIT #: _____

NAME OF PROPERTY OWNER: Michael Smith

PURPOSE OF SUBMITTAL: Revise design approval to lower fence

PLEASE LIST ALL ITEMS ATTACHED: _____



COMMENTS / INSTRUCTIONS: _____

RECEIVED BY: [Signature]



MONTEREY COUNTY PLANNING & BUILDING INSPECTION DEPARTMENT

Salinas 755-5027

Coastal Office 883-7501

King City 386-5926

STOP WORK NOTICE

All construction work is to stop until this notice is lifted.

NOTICE: WAIT THREE (3) DAYS BEFORE BRINGING THIS NOTICE TO THE PERMIT CENTER TO ALLOW FOR PROCESSING.

JOB LOCATION: 99 2nd Ave, Sprackles
Salinas

SUBJECT: Stop all unpermitted
work (fence, etc.)

update planning permit

Inspector: W. Nichols Date: 7/19/19



MONTEREY COUNTY PLANNING & BUILDING INSPECTION DEPARTMENT
Salinas 755-5027 Coastal Office 883-7501 King City 386-5926

STOP WORK NOTICE

All construction work is to stop until this notice is lifted.
NOTICE: WAIT THREE (3) DAYS BEFORE BRINGING THIS
NOTICE TO THE PERMIT CENTER TO ALLOW FOR PROCESSING

JOB LOCATION:

99 Second St, Salinas

SUBJECT:

Stop construction of the
fence until permit has
been updated.

Obtain correct permit

Inspector:

W. Nickols

Date:

6/9/19

99 Second St. Spreckels CA 93962 – Parcel 177-061-003-000

11/19/2018 Plans submitted

11/19/2018 Plans approved by Joanne Leon (Designee of Director of Planning)

RED Tag issued

5/31/2019 phone conversation in regards to the permit technician incorrectly issuing design approval (Elizabeth Gonzales to Michael Smith – homeowner)

6/04/2019 letter issued in review of 5/31 phone conversation

6/07/2019 RED Tag issued *stop work notice

Elizabeth Gonzales came by our house and we discussed viable options. It was requested that the 5'11' section not wrap around from rear of home to Llano. We agreed to work with the county and decided to edit our approved plans. This included having our architect redraw the plans and reprint the edited plans to submit.

Met with Jim Riley (at our home) from the neighborhood design "volunteer" committee. Discussed the re-design of fence and what Elizabeth Gonzales's proposed edit was. He had no issue of the edited design over our 2-hour coffee conversation at my kitchen table.

7/2/2019 revised design submitted to planning

7/2/2019 revised designs approved by planning

RED Tag issued

7/19/2019 Red tag issued *stop work notice

8/21/2019 Spreckels neighborhood design review committee meeting. We never received notification (letter mailed to home address versus PO Box, Spreckels does not receive mail).

8/27/2019 email referencing dated 7/31/2019 memorandum sent by Elizabeth Gonzales – Recommendation of approval for an after-the-fact design approval.

*References Policy S2.1 of the Design Guidelines for Standard Pacific Subdivision: fences should "**generally**" be constructed of wood slats in open work pattern; however, **does not state required**. As 95 homes in Spreckels do not have a wood slat open work pattern. In addition, **we are not** a part of the Standard Pacific Subdivision as our home was built in 1961 not 2007 when the subdivision was created.

9/6/2019 Meeting with Elizabeth Gonzales and Chris Lopez

9/12/2019 email received approving design/safety of fence from; Elizabeth Gonzales, Senior Planner, Joshua Bowling, Code Compliance Inspector, Priscilla Barba, Chief of Staff for Chris Lopez, Supervisor District 3.

11/7/2019 HRRB project review meeting

***Above are only a few of the notable dates however there have been multiple communications via phone and email throughout this process. We are only being targeted because as our neighbor originally stated, "You are going to block our daughter's view of the park from her bedroom window".

County of Monterey
Resource Management Agency
1441 Schilling Place, 2nd Floor
Salinas, CA 93901 (831) 755-5025
www.co.monterey.ca.us/rma

Assessor Parcel ID: 177-061-003-000

Parcel Size-Acres: 0.17307

Address: 99 SECOND ST

Community: SPRECKELS

Planning Area: Greater Salinas

Zoning: HDR/5.1-HR-D

Land Use Designation:

Residential - High Density 5 - 20 Units/Acre

Zoning Notes:

None

Land Use Advisory Committee:

Spreckels Neighborhood Design Review Committee

Administrative Boundaries & Districts

City: None

County Service Area:

None

Recreation District:

None

North County Water Impact Area: None

Water Mngmnt Agency: None

MCWRA Zone 2C: Yes

Within a CCC Appeal Area: None

School District-Building Fees:

SPRECKELS UNION, SALINAS UNION HIGH

Fire District: Monterey County Regional FPD

CAL-AM Service Area: None

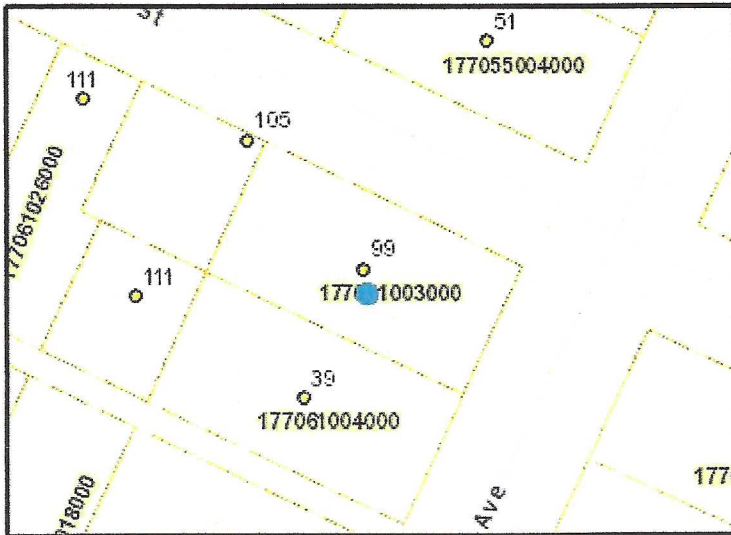
Agricultural & Soil

Williamson Act Contract: None

Important Farmlands:

Urban and built up land

Soil Survey: SbA



LCP Land Use Designation:

None

Potential Hazards

Fire Hazard Zone (SRA Setback):

None

Seismic Hazard Zone:

IV

FEMA Flood: X (shaded)

Floodway: None

Erosion Hazard Rating: Low

Liquefaction Susceptibility: Moderate

Landslide Susceptibility: Low

Slope > 25%: None

Active/Potentially Active Faults (660' buffer): None

Historical Resources

Historical Site: None

Archaeological Sensitivity: low

Spreckels Historic District:

N2-Non-contributing

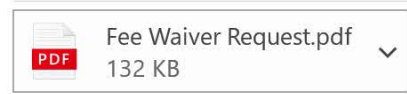


Fri 7/31/2020 10:15 AM

Gonzales, Liz x5102 <gonzalesl@co.monterey.ca.us>

RE: Monterey County Zoning Administrator - Thursday, July 9, 2020

To roserader2177@yahoo.com



Hi Rosana,

While we finalize the resolution, here is the Fee Waiver Request. Please fill it out and return it to me so we can get started on it. This waiver is approved by the RMA Assistant Director. Please provide any documentation that would help with the justification. Thanks!

*Elizabeth Gonzales, Supervising Planner, Permit Center
County of Monterey, Resource Management Agency
1441 Schilling Place, Salinas CA
Tel: (831) 755-5102 Fax: (831) 757-9516
gonzalesl@co.monterey.ca.us*

The Monterey County Resource Management Agency is currently operating with limited in-office staff to reduce risk of COVID-19 transfer to and among its workforce. During this time, responses to e-mail and permit application review may be delayed, but staff is checking email and will respond to you. All construction applications that are submitted will be processed for review as usual. Construction permits, including over-the-counter permits, will be issued via mail or email. If you have an urgent issue that requires immediate attention, please contact our main line at: 831-755-5025

From: roserader2177@yahoo.com <roserader2177@yahoo.com>
Sent: Thursday, July 30, 2020 2:37 PM
To: Gonzales, Liz x5102 <gonzalesl@co.monterey.ca.us>
Subject: RE: Monterey County Zoning Administrator - Thursday, July 9, 2020

[CAUTION: This email originated from outside of the County. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

I was told by Chris Lopez we can request a waiver on the fee

KENT L. SEAVEY

310 LIGHTHOUSE AVENUE
PACIFIC GROVE, CALIFORNIA 93950
(831)375-8739

May 8, 2014

Mr. Larry Williams
99 2nd Street
Spreckels, CA 93962

Dear Mr. Williams:

Thank you for the opportunity to prepare a Phase I Historic Review of the residential property at 99 2nd St. (APN# 177-061-003) in Spreckels, Monterey County, as required by the California Environmental Quality Act (CEQA) and the County of Monterey.

Monterey County Assessor's records show a date of construction for the subject property of 1961 (MCBP #7940). In 1965 a two-car garage was converted to an office space and one-car garage, and in 1976 a bathroom was added to the residence (MCBP# 19388). The original owner/builder was Mr. Clarence Freeze, a former carpenter at Spreckels Sugar Plant who later became a local contractor. The home is in the Freeze Family Trust.

The subject property is a one-story, wood-framed, hipped-roof California Ranch Style residence. It is irregular in plan, resting on a concrete foundation. The exterior wall cladding, is a narrow, horizontal wood siding, w/corner boards.

The low-pitched, hipped-roof has overhanging eaves w/closed soffits and a wide fascia. All roof covering is in wood shakes.

Fenestration is irregular, with a combination of single, paired and banked fixed and sliding aluminum windows. These are of varying sizes and shapes. The principal entry is towards the SE side of the NE facing facade. The entry door, which appears to a wood panel type, is recessed into the building envelope.

The subject property is sited on the SW corner of 2nd St. and Llano, set back from the sidewalk behind a grassed lawn and parking hardscape. It is located in a residential neighborhood of one-story and two-story homes of varying ages, styles and sizes, and rests just inside the boundary for the Spreckels Historic District.

13 Hatton Ave

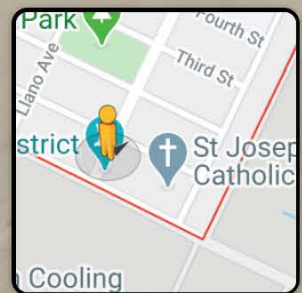
Salinas, California



Street View



Hatton Ave



Google

13 Hatton Ave

Salinas, California



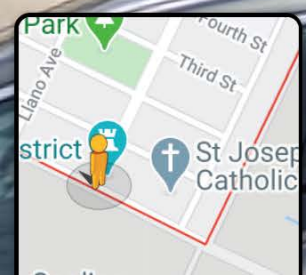
Google



Street View



HATTON

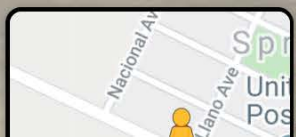


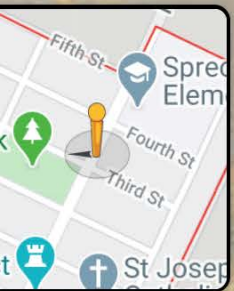
Google

Spreckels Blvd
Salinas, California

← Google

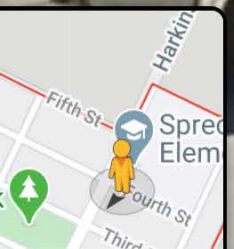
🔄 Street View

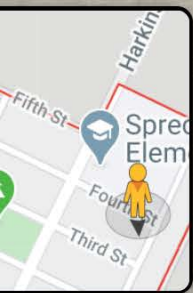




Google

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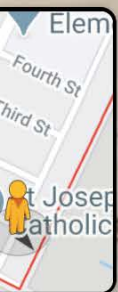
Google



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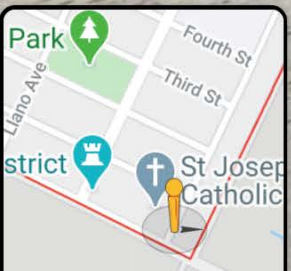
Google



12 Railroad Ave
Salinas, California



Street View



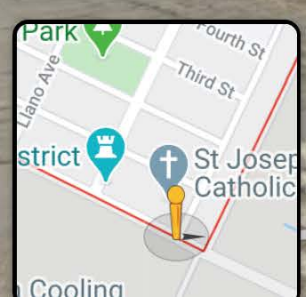
Google

Spreckels Blvd

Salinas, California

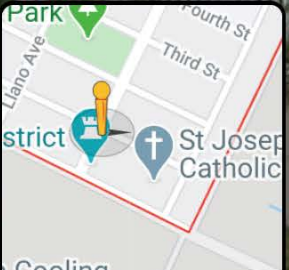


Street View



Google

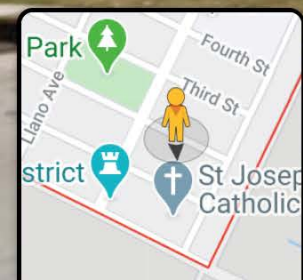
24 Hatton Ave
Salinas, California
Google
Street View



28 Second St
Salinas, California



Street View

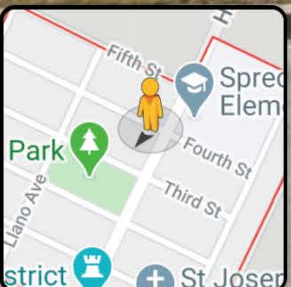


Google

62 Fourth St
Salinas, California



Street View



Google

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