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Appeal to Board of Supervisors regarding Parcel #4287 Division

To the Madera County Board of Supervisors:

We are writing to appeal the decision by the Planning Commission to deny our appeal of the division of Parcel #4287 (done on August 2nd, 2022). Please see our initial appeal letter (dated May 2nd, when we received the notice regarding the division of the neighboring lot), as well as both of our written statements (dated August 1st) submitted to the Planning Commission ahead of the meeting, as was advised in the notice regarding the meeting.

One of our main concerns is that the lot in question would be the ONLY 5 acre parcel to be subdivided in the entire Valley Lake Ranchos (please see attached Google Maps satellite view). As you can see, the only lots located north of Ave 21 ½ smaller than 5 acres directly abut Ave 22 and are therefore zoned differently. It is concerning to us that without our appeal, the parcel division would have been approved and set the precedent for more lots to be divided. Item 4 on the "Finding of Facts" presented in the Staff Report states ***"the proposed project will not for any reason cause a substantial adverse effect on the property values and general desirability of the surrounding properties."*** Given that we are the direct neighbors of this property, if we are the only 5 acre property that is next to two smaller parcels instead of one larger parcel, this could significantly affect our property value and ability to sell our house, especially since most people move into the Valley Lake Ranchos due to the larger lot size and decreased density of neighbors.

During the Planning Commission meeting, one of the commissioners stated that he did not feel that subdivision of most of the lots north of Ave 21 ½ would be feasible given lack of infrastructure (ie road access) and therefore there was not a concern about setting a new precedent. Clearly he did not review the plans that were submitted that note that there is a 30 foot easement at the back of each 5 acre lot for future road construction, which would allow the lots further north to be split later on. (see attached paperwork noting easements for future road construction). As a side note, while staff were clearly aware of these easements, at no point did they correct the commissioner when he was speaking to let him know that there were in fact provisions in place for future development.

Another concern we had about the process is that the packet we received prior to the planning commission meeting stated that we should submit written statements ahead of time ***and they would be read aloud at the meeting***, provided they could be read in under 3 minutes. My husband and myself both submitted statements, as did at least one of our neighbors. At no point in the meeting were any of our statements read. It seems to me that if you are going to tell people to submit statements ahead of the meeting so that they can be read aloud, you should

read them aloud so that they are part of the permanent record (see attached paperwork with highlighted section)

As you can see from our written statements, our main concern about the division of the parcel is water use. While the Planning Commission did put a stipulation that only one well can be placed on the property (even when divided—must have a shared well agreement), we do have some concerns about the enforcement of this stipulation. Fernando Garcia Cortes owns and operates Oasis FG Drilling, a well drilling company. I assume that he will be drilling his own well for the property. **Will there be limitations placed on the size of the well and the casing he can install?** One large bore well (greater than the standard 5-6 inch casing used in residential wells) would negate any sort of water conservation achieved with the shared well agreement.

We are also concerned about the owner's intended use for the property. While they stated that they intend to build a single family home (and potentially have sold the second lot pending approval of the division of the parcel), the condition of their current residence concerns us. On their current property, there are multiple derelict travel trailers (at least 4-5), as seen on both Google Maps as well as visible from Ave 21 when driving by. While there is no way to determine if they are occupied, we are concerned that while Mr. Garcia Cortes and family may only build a single home, if they set up multiple travel trailers with inhabitants on the property, there will be significantly more water use than if there is just a single family home. Also, please review the attached Google Maps image of their property. As you can see, there are many abandoned/non-operable vehicles present. So far, the only thing Mr. Cortes has done with his newly purchased property on Ave 21 ½ is dump a pile of trash and a non-operable rusting limo on it (see attached photo). The prospect of having a large amount of trash, non-operable vehicles and dilapidated travel trailers directly adjacent to our property is unappealing. **Also, if Mr. Cortes is not willing to keep his current place of residence clean and up to code, is it possible that he will not follow all county regulations in regards to well drilling, structure building, waste disposal and the like?** The state of his current residence is also in direct violation of Item 4 on the Finding of Facts that was referenced above. If his intent for the property is to render it to the state of his current residence, that will pose ***"a substantial adverse effect on the property values and general desirability of the surrounding properties."***

We urge you to please consider all of the facts when reviewing this case and to carefully consider the impact it will have on the surrounding properties as well as the precedent it sets for future parcel divisions within the Valley Lake Ranchos.

Referenced attachments were included in the initial packet that contained the original appeal letter, which was dropped off in August 2022 along with the check payment.

Paul M. G.
12-02-2022