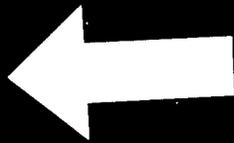


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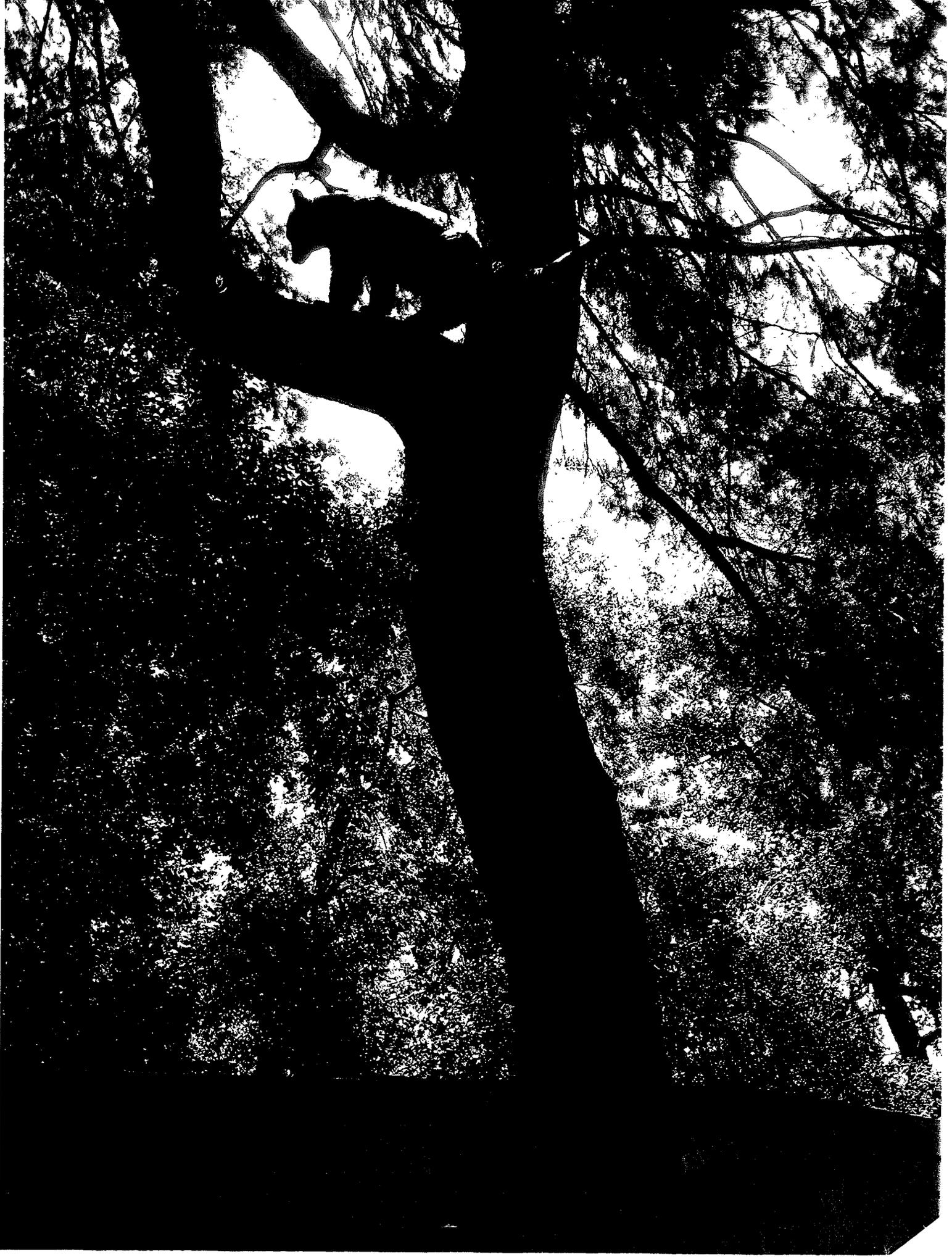
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Google maps Address

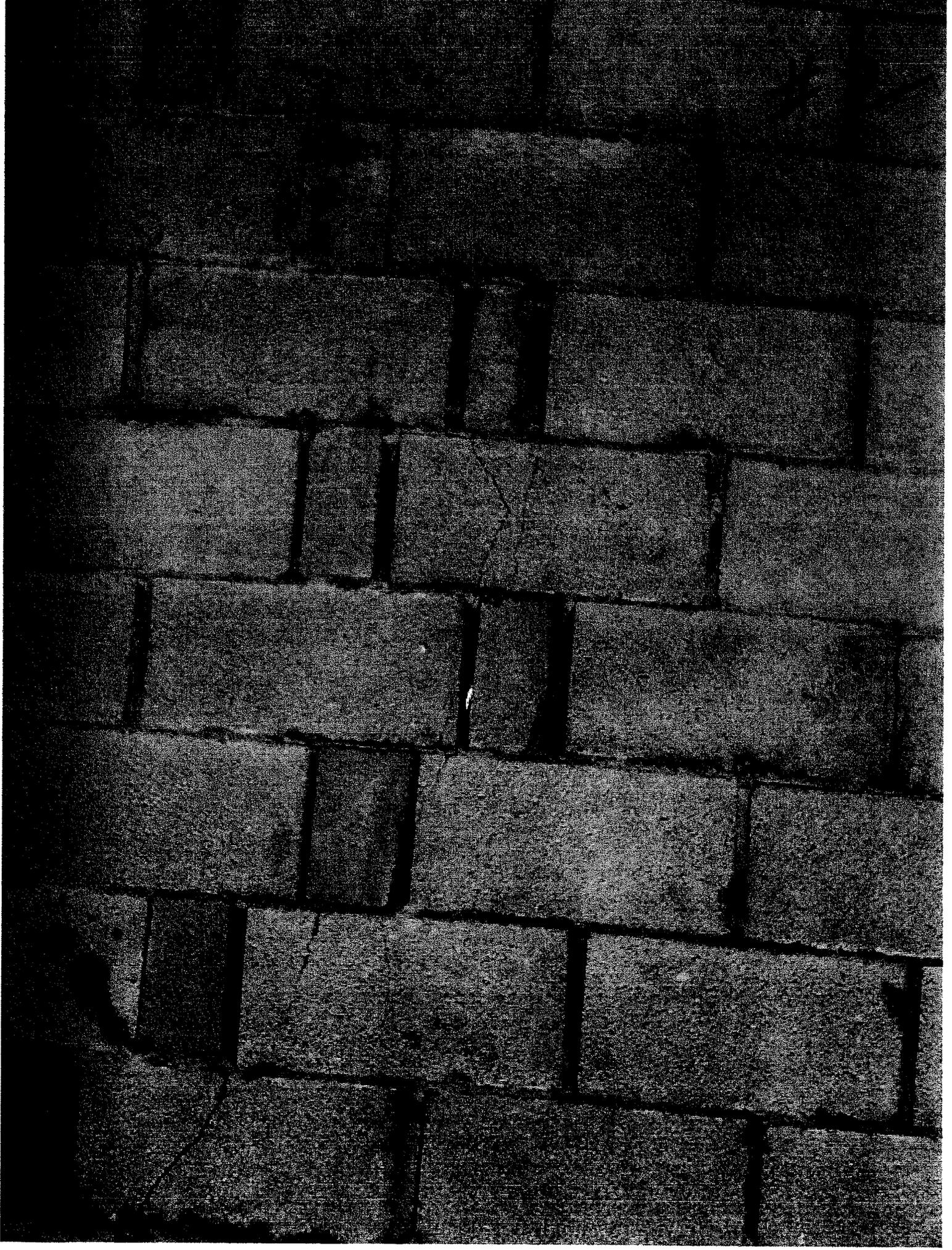
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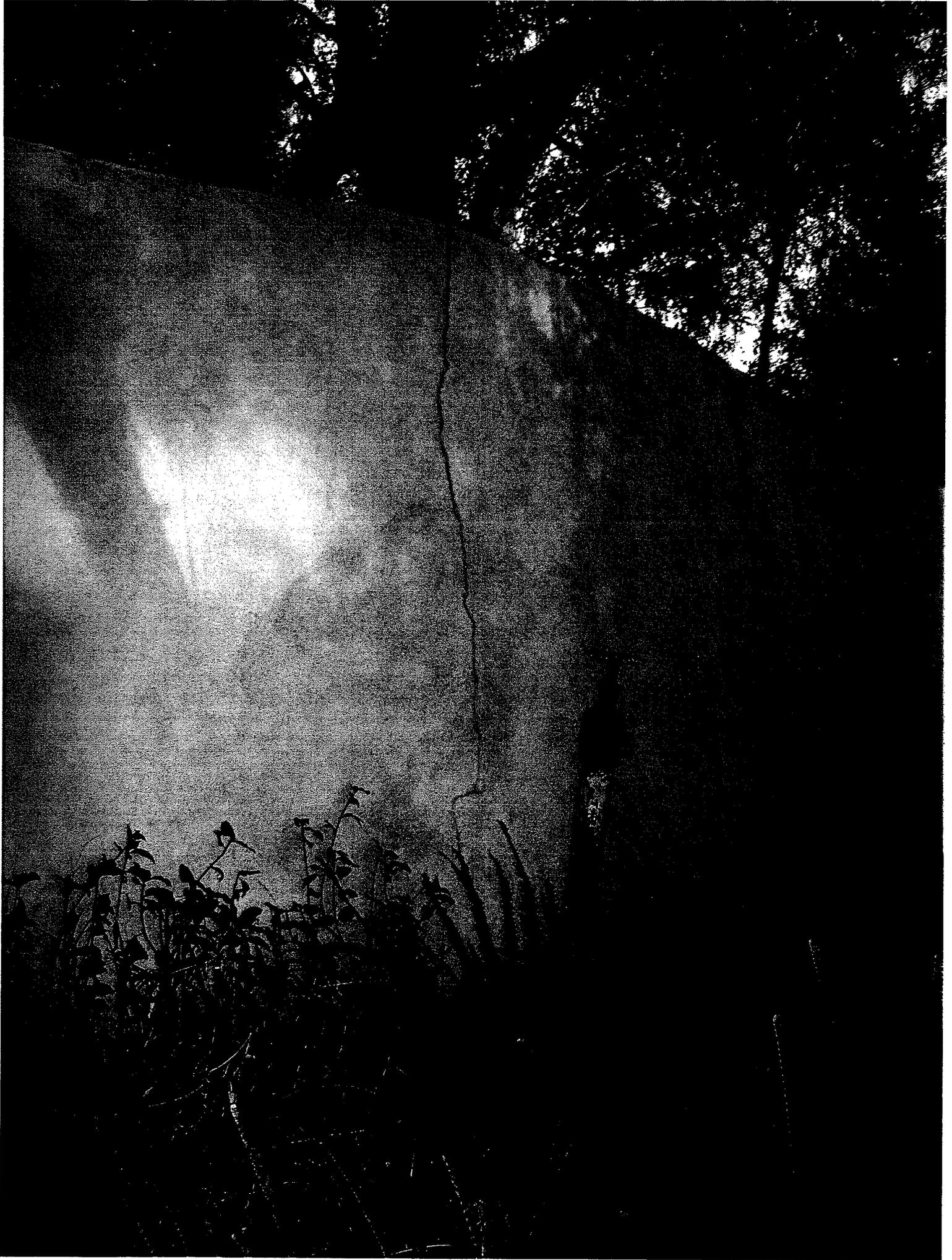


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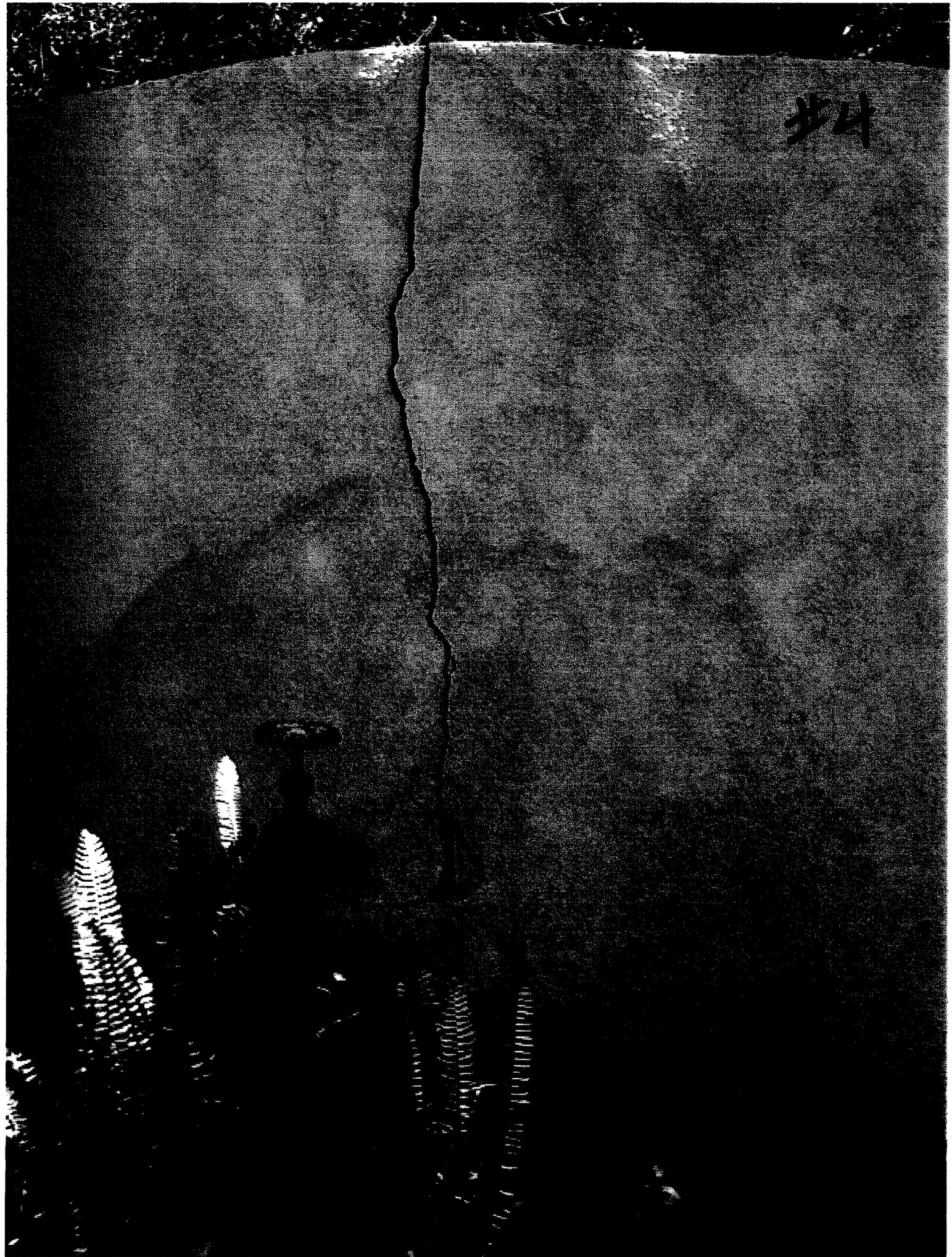
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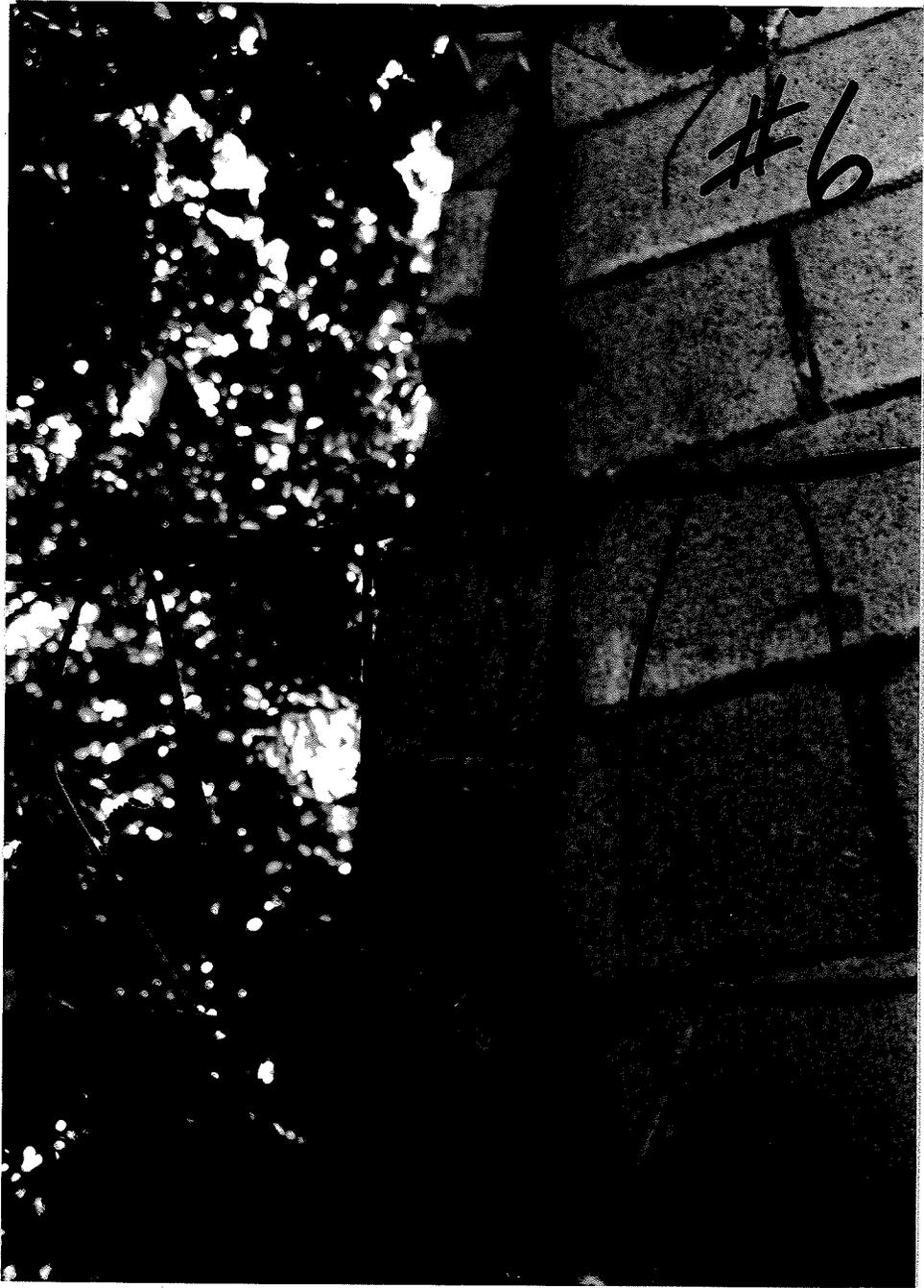




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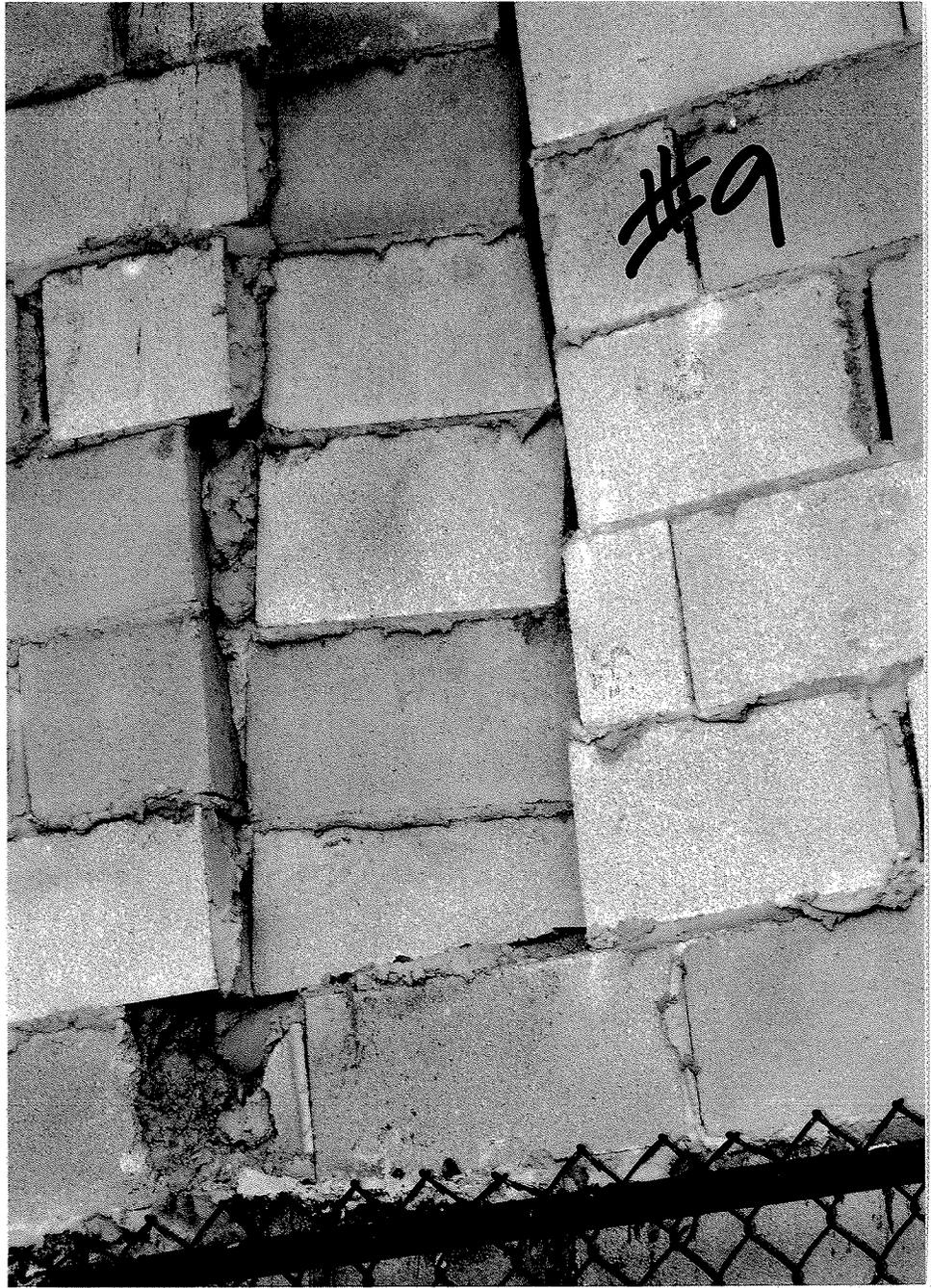
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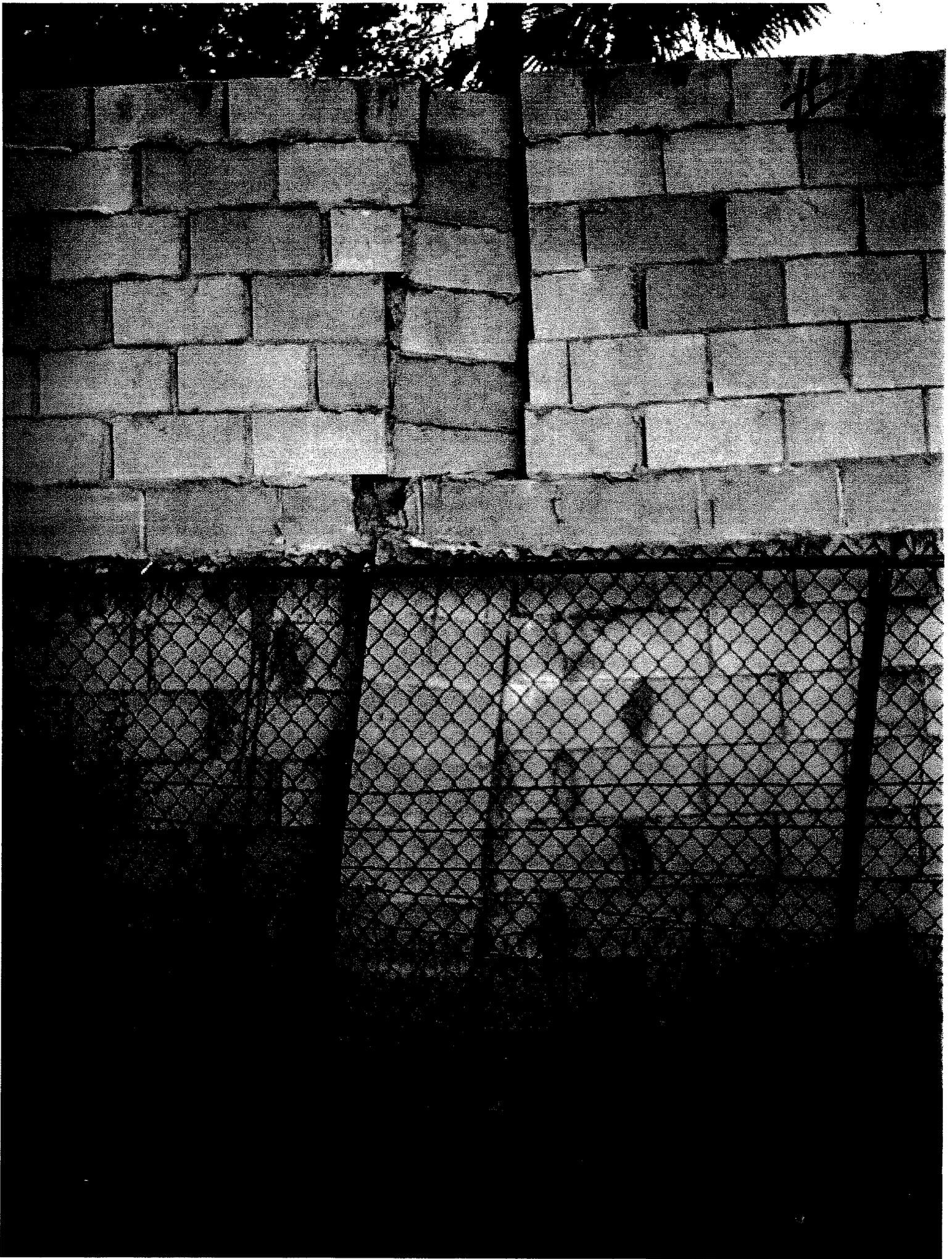












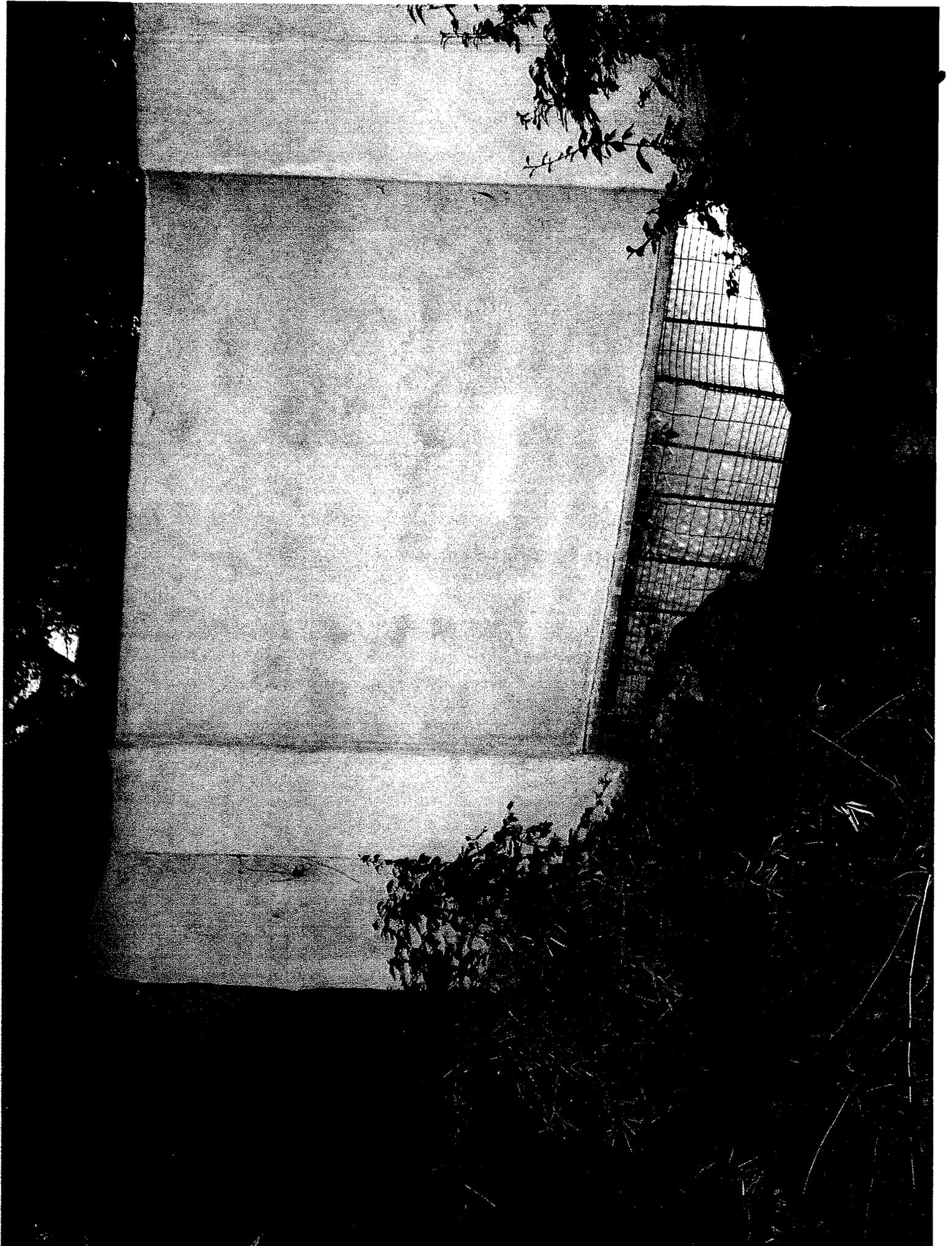


#10A



#11





Item 7

The Applicant appeals the Directors' denial of the yard modification request based on the following grounds:

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1. Directors' decisions was based on inaccurate information
2. determination is not supported by the record
3. Directors' findings referenced inaccurate information and failed to include relevant information and materials.
4. determination is not in accord with the purposes of Title 22 of the Code where the denial of the yard modification request fails to give due and special consideration

IN HIS APPLICATION HE STATES ~

- A. At the direction of the Regional Planning and other County agencies (*Mr. Coane fails to mention that this is after the fact*)
- B. Applicant applied for a Plot Plan and an oak tree permit (*after the fact and Mr. Coane was brought to County planning and made to do this*)
- C. ~~The third line down~~^{HE} mentions "a continuation of an existing perimeter wall on the subject property." (*Mr.*

Coane is making a total exaggeration of the truth. – the previous wall accounts for approximately 7% of the 2,241 feet or ½ half mile of wall.)

- D. The applicant timely submitted information, materials and several professional reports . . . *(Mr. Coane delayed these proceedings several times with his failure to provide documents. Check with staff for details)*
- E. The planning commission decided to convert prior submissions and applications into a separate yard modification request prior to submissions . . . *(This is because Mr. Coane had failed to include the entire property that was walled)*

- HG SAYS ~*
- A. Continuation of a pre-existing perimeter wall that for particular safety reasons discussed below, exceeds, only in limited places the wall height restriction . . . 1. *(As mentioned above – 87% of the wall is completely new and the existing wall was added to for height.)* 2. *In this case Mr. Coane thinks that the excess height of the wall in over 85% of the 2,241 feet is considered “limited places”)*

A. As to the other adjacent neighbors, the wall is only approximately two feet over code height, and those portions of the wall do not create any apparent conditions that wouldn't also exist if the wall was not over that height. *Mr. Coane apparently does not know how to measure 2 feet. The wall is up to 8 feet higher than the limit in some places. And, it does make a difference to all the neighbors. The wall can be seen by at least 30 neighbors.*

HE SAYS

B. Active bear hunting prey, and its different circumstances that are the reason that certain portions of the wall are built over height. *Mr. Coane should have checked to see what the habits of bears are. They do not "hunt prey", they look for garbage left around the yard, food left out for pets and a water source. I, along with others have lived in the area for over 25 years and have never had a problem with the bear except where they have dumped a trash can over for the garbage or eaten the pet food. If the bear is in the yard, it will run when it hears you.*

HE SAYS

A. The principal assertions and conclusions made in Ms. Stone's form opposition letter, and the opposition letters that were solicited and incited by Ms. Stone, are inaccurate, unfounded

and legally irrelevant and should not be considered a finding or a basis for denying the request. He continues – Ms. Stone has resorted to improper scare tactics. *Mr. Coane has a lack of understanding of what the people signing these letters are saying. These people can see the wall and also understand that IT IS UNSAFE AND THAT there are rules that all of us live by. The people signing these letters are educated people and say what they mean.*

He continues to mention Limited areas; the wall exceeds the six-foot height restriction set forth in the code. *Mr. Coane continues to repeat his dramatic understatement of the facts as he did in Page 1; over 85% of the 2,241 feet of wall is over 6 feet – and he knows it.*

These sorts of misstatements continue throughout the applicant's appeal that should be denied.

As far as hardship – he has spent a small portion of what he would have if he had applied for a permit and done the job to code.

Strange he can find standard drawings out of the Green Book that list the Counties construction requirements after the fact.

Frank Griffith
626-665-8510

Item 7

5 July 2009

2222 Kinneloa Ranch Rd
Pasadena, CA 91107

Mr Adam Thurtell, Regional Planning Assistant II
Los Angeles County
Department of Regional Planning
Zoning Permits Section I
320 West Temple St.
Los Angeles, CA 90012

Subject: Yard modification denial appeal of RPP200900637

Dear Mr Thurtell:

As you know, a hearing on the Subject denial has been scheduled for July 8, 2009. On June 17, 2009, James Coane submitted an appeal requesting that the Director's decision denying the yard modification be overturned. Well over one hundred pages of information were submitted therewith to support his appeal. I have read his appeal information and am appalled by its basic thrust to distort the facts of the case. The purpose of my letter today is to point out but a few of the many items of inaccuracy and restate my position against the over-height wall. I could make this a many-page letter pointing out numerous erroneous statements in the appeal but will forgo that because much of what I would say has already been presented to you in my letter dated December 18, 2008, my presentation to the Commission on February 11, 2009 and my written submittal of the presentation and its attachments.

One of the most disturbing things about the appeal is its attempt to trivialize the written objection letters of the neighbors. I know most of the people that have written in and can assure you that they are expressing their heartfelt position and not merely signing a form letter. That is absolutely the case in my December letter and it is an insult to these people to insinuate that their letters are not genuine.

The appeal says that the wall between my property and that of 2288 and 2300 Villa Heights Road and 2199 Kinneloa Ranch Road is six feet or less in height. This is absolutely not true.

The top paragraph on page four states that Ms Stone and Dr Fisher are the only objecting adjacent property owners. That is also false because I am adjacent and I object.

The next paragraph implies that the wall construction has not impacted the oak trees. If there were no impact on the trees after so much damage to their roots and building right up against their trunks with concrete, the regulations would have to be grossly over

restrictive. We all know that it takes time for some of the adverse impacts on trees to manifest themselves.

The appeal does not address the fact that drainage in my far southeast corner has been cut off. Ponding of water must have been evident to Mr. Coane and/or his client because holes were drilled through the wall at its base in this area to let the water through.

The appeal states that the wall is structurally sound and cites an engineering report by Calcivic Engineering, Inc. as documentation. I am a licensed Civil Engineer in California and am knowledgeable about the fundamentals of structures. My submittal at the February 11, 2009 hearing attests to the fact that the wall as built does not conform to code. The Calcivic report that I have seen does not give text explaining and actually stating that the wall is safe. The calculations shown therein are based on a hypothetical design with reinforcing steel carefully placed and a large foundation. I do not believe that any part of the wall as built conforms to this hypothetical design and am certain that much of it does not come close. As shown in my February 11th submittal, a part of the wall has no foundation because it was built right over on old tree stump!! My submittal also shows a photograph of a one quarter inch crack in the wall where it was built up against an oak tree. At that point, you can see through the wall and count reinforcing steel bars if there were any. There is no horizontal steel bar reinforcement in the wall as shown in the hypothetical design at that point. In summary, it is my professional opinion that the structural adequacy of the wall clearly has not been established.

I could go on and on attacking many additional items of the appeal. In summary, the Director's decision to deny the subject Yard Modification request was correct. The Commission should not be fooled by errors and misleading information in the appeal and should not overrule the Director's decision.

In closing, it is depressing to see the many hours of numerous people's time that has been spent in resolving this dispute that was created by someone who tried to do a needless end run around the well established permit system of Los Angeles County. To reward this person by overturning the Director's decision would be an outrage.

If you have any questions or would like additional details on any of the above information, please feel free to call me at your convenience. My phone numbers are given below.

Thank you in advance for consideration of my position on this important issue.

Very truly yours,

Rudy Tekippe, Ph.D., RCE

Home phone: 626 798 0172

Cell phone: 626 893 2735

CONSTRUCTION OF THE WALL

- The wall was not built in intentional disregard of Code requirements. The owner was not told or aware that portions of the wall would require permits.
- Notices of violation were only issued months after the wall was completed.

SAFETY AND STABILITY OF THE WALL

- Several independent studies previously prepared and provided to the County show the wall is safe, stable and does not adversely impact surrounding trees or water flow, and does not encroach.
- The County approved arborist has inspected the oak trees on multiple occasions, and concluded that there are no signs of stress related to the wall construction.
- The Department of Forestry has also reviewed and accepted the arborist's report, and the Planning staff recommends approval.

NEIGHBOR CONCERNS

- Only three of the fifteen neighbors directly adjacent to the subject property or who can view the over height portions of the wall, have objected.
- Thirteen mostly form letter objections were submitted from unaffected property owners outside the immediate neighborhood, ranging from hundreds of feet to more than half a mile away, and hundreds of feet down slope. Due to the topography of the neighborhood and covering vegetation, these owners cannot see the over height portions of the wall and their views and properties are unaffected.
- During construction of the wall, modifications were made to work with adjacent neighbors.
- The property owner has previously offered to lower the height of the wall to six feet where it is abuts two of the three adjacent objecting neighbors.
- During and after construction of the wall, the contractor offered to clean up yards, and stucco, finish and paint the side of the wall facing adjacent neighbors.

MODIFICATION REQUEST

- The wall was constructed to protect the subject property's family, which includes three small children, from large bears that repeatedly hunted and killed prey on the property.
- Bears are particularly drawn to hunt on the subject property because of a variety of conditions unique to this property- including the unusually large size of the property, its numerous water sources, abundant presence of prey wildlife, areas of wide open spaces and dense vegetation, and its close proximity to the natural forest.
- The height of the wall initially averaged six feet, but bears were still climbing over. The height was then raised in certain areas. Since the wall height was raised in those areas, it has been effective as no bears or remains of prey have been seen on the subject property.

- **Because of the unique conditions, it would create an unnecessary hardship and make it impractical to require compliance with the Code height of six feet for these limited portions of the wall, as bears are able to climb over (and did before the height was increased) a six foot wall.**
- **Approval of this yard modification does not create a broad precedent.**
- **A variety of over height perimeter walls and fences exist in the surrounding neighborhoods.**
- **Topographic conditions on the subject property, including a significant grade difference with some adjacent properties, further justifies the yard modification request.**

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Los Angeles County
Regional Planning Commissioners
320 West Temple Street
Los Angeles, CA 90012



July 8, 2009

Dear Regional Planning Commissioners:

The following statement has been agreed upon by a majority of the immediate neighbors adjoining the properties at 2258/2288, 2300 North Villa Heights Road, and 2199 Kinneloa Ranch Road; in addition, the shared view has support from the greater neighborhoods of North Kinneloa Ranch, Villa Mesa, Sierra Madre Villa, and Pasadena Glen:

Approximately 2,241 feet of cinder block wall surrounding approx. 7 acres of what is a oak woodland. Mr. Ren's arborist has identified 49 oak trees yet there are more.

The Arborist states in his Oak tree report: "Several of the neighbor's trees could not be reached legally, but were probably affected." We also need to include the Heritage Oaks and other Oaks from the Glen; now we are probably closer to 60 plus affected Oak trees.

It is unbelievable we are discussing an after-the-fact oak tree permit requesting retroactive permission to encroach on over 49 Oak Trees, two Heritage Oaks with 2,241 feet of cinder block wall. This issue as upsetting or as difficult as it has been for each of us is clearly inappropriate in any community.

It is not conceivable the Architect, Contractor, or Owner or the day laborers didn't know an oak tree permit is needed to trench through the drip lines and next to the trunks of Oak Trees. Everyone knows you need a permit to build around Oak Trees and licensed professionals should be even more accountable for disregard to our County requirements. The responsibility is with these licensed professionals to adhere and abide by County regulations.

The audacity of this blatant disregard of the rules, by the property owner, Mr. Ren, the Architect, Mr. Coane, and the Contractor, Mr. Pendleton is not only unbelievable it's truly horrifying and probably criminal.

The Architect, the Contractor, the laborers, and Mr. Ren knew an Oak Tree permit is required to construct a wall of any height or dimension through a property lined with stunning Oaks. Mr. Coane has said he was brought into this matter after the offense was committed, and he did not know the wall was being constructed without permits.

Mr. Coane has headed up most if not all the projects at Mr. Ren's home since Mr. Ren purchased his home in about 2005. Mr. Coane discussed the placement of a chain link fence with Mr. Teppike (which he even called temporary, at that time). Mr. Coane

discussed the gating of a turnaround – with several neighbors and me. The project included the installation of pillars, which were out of character at the time but strangely now are a perfect match to the new wall. Mr. Coane is the architect of choice for Mr. Ren; and handles all of his projects. He knew about the plans to build the wall.

The other reality is the property owner, architect, and contractor all knew they would have trouble getting the permit they needed unless – they built it first.

They knew this because the site plan would require the clear delineation of the protected zones of any Oak tree and their decision to trench through the root base of 49 plus Oak trees. How did they know the details? Because Mr. Coane is familiar with the process and a chance to skirt the law as he has obtained other after the fact oak tree permits in front of this Commission? Mr. Coane and the licensed contractor, and Mr. Ren also knew they needed permits to add the additional height to the wall.

The hired day labors work hard and don't ask questions – any reputable fence company would have refused to build without the required permits. This was a willful act of non-compliance and complete disregard for the law and the Oaks on theirs and neighboring properties.

In the appeal letter Mr. Coane states: 'Mr. Ren engaged professionals to conduct studies of the wall, including hydrology, structural soundness and safety, and impact, if any, on surrounding trees and provided results of those studies ... and further states the reports established that the wall is safe and does not adversely impact surrounding properties, water flow or trees.'

- First, the Calcivic Engineering hydrology reports discusses improvements that the County DPW further recommends related to grading and drainage in the Jan. 14th letter from Steve Burger. Their comments are based on assumptions that the recommended improvements will take place. This work has not been completed.
- The Calcivic Engineering, Inc Block Wall Calculations are only for two of the properties and is void of text explaining or actually stating the wall is safe. In fact, the last page seems to offer remedial suggestions for the problem with the wall adjoining my property. No seal of approval from Calcivic just a snow of paper. I can now see daylight through the gaps in the wall next to my home. The photographs provided again to you this morning speaks volumes. An Engineer would never approve footings poured on boulders – let alone boulders on a steep slope described in the Initial Study: “project is located in a landslide zone and therefore maybe located in an area having high slope instability” (page 5, Hazards –1. Geotechnical). This is a good example of why you do the necessary reports first. Paul Novak, Planning Deputy to Supervisor Mike Antonovich, while on a site visit stated: “he would not let small children play next to my wall”. On a walk around the perimeter of the wall he also said: “this is the poster child of how not to do something”. The negligence is grossly shocking.

- The Consulting Arborist Greg Applegate has suggested mitigation measures in his February 19, 2008 Report. Measures that still haven't been followed up on – and certainly measures that should have already been completed if you cared about the trees and were acting in faith. We know there is an impact on the Oak trees and according to Mr. Applegate the “severity of the impact may not be known for possibly another decade”. The Arborist identifies trees with mortar debris around the base, trees that are suppressed and too close to the wall, where the wall needs to be cut back within a few years (we are almost at two years; again no consideration or attention has been shown to the endangered trees). Mr. Applegate states, “the wall needs to be chipped away from the base of one Oak tree”. Under the section entitled Soil Contamination – findings on page 8: “Another stress factor on this site is the large amount of mortar and concrete debris in and on the soil? This makes the soil more alkaline and therefore reduces the trees’ ability to absorb micronutrients.” Mr. Applegate outlines mitigation steps in the report of February 2008. The Arborist further states on the Executive Summary: “...If corrective measures are performed carefully and promptly, nearly all these trees should continue in their previous state.” The mitigations, received by their Arborist should have been completed immediately after the report was received in February of 2008.
- Mr. Coane above statement also stated: the wall has not adversely impacted surrounding properties and in the same letter say it has but it doesn't matter. Anyone who takes a look at Rudy and Sherry's property at 2222 is pained to see how the wall cuts across a streambed and ½ of his view destroying most of the esthetic beauty of their property and prohibiting access to the southern portion of his property. Or how the wall eliminates the view of the mountains once enjoyed by Dr. Fisher or myself – it's gone and Mr. Coane stated it doesn't matter as it's gone at 6 feet.

The Los Angeles County Zoning Ordinance Update Program states: ... an approved oak tree permit shall be obtained: 1) prior to the removal of or encroachment into any protected oak tree and/or protected zone on any lot or parcel of land within the unincorporated area of Los Angeles County. There is not an exception to this rule that would apply to the actions taken by Mr. Ren. There is no legitimate reason for the Oaks to be damaged or the wall to be constructed without first obtaining the required Oak tree permit. Today, even after the fact, the applicant still can not supply the required burden of proof to encroach on 49 plus trees with 2,241 feet of trenching and concrete.

We have a great deal of respect for the process and our Commissioners and we feel Staff worked to find a resolution. However, you simply can not continue to grant retroactive Oak Tree requests. To do so creates a mockery of the system. Why does the Regional Planning Commission exist if you don't make us all adhere by the policies and regulations of the County?

This case is not about hardship. Frankly, there needs to be a reality check. Without this necessary reality check you are simply telling others who spent years going through the

procedure that they were foolish. Without the real threat why not just build it, see if you get caught, and if you do request the permits. Where is the protection of our great Oaks if this is the system?

Even if the applicant followed the REQUIRED procedure this permit would not have been granted. There is no justification; Mr. Ren has not met burden of proof to warrant the impact and possible risk to 49 plus Oak trees.

We applaud your renewed focus on protecting our shared Oaks and implore you to stick to your standards, and: **DO NOT GRANT THIS PERMIT.**

Require Mr. Ran to remove the wall in conjunction with the remediation steps for the Oaks that his Arborist has recommended. The remediation can be more effectively done after the removal of the wall (in some cases it can be removed from adjacent property owners properties. Removing the mortar and cement and alkaline in the soil would certainly be better for the oaks where trenching has entered the drip line. If in fact, many of the larger roots were spanned by the wall foundation rather than cut – as suggested by the Arborist then removing the mortar and cement and weight of the wall is helpful and if this is true the wall is even more unstable than previously thought even at 6 feet.

The Arborist gives specific instructions on how to protect and clean the roots and specific instructions on how to work around the oaks without further damage. These steps need to be followed. Why should we be forced to look at the vastness of this concrete block wall that violates the very essence of why my neighbors and I live in this part of the National Forest, while we wait a decade to see if our oaks as well as the applicants oaks will survive?

This illegal, unsightly, unsafe, wall has changed our Oak woodland, the value of our properties, and the quality of our lives. My home is my only significant asset. I can insure it for damages due to fire, home invasion and earthquakes, but I rely on YOU to insure that our laws in the County of Los Angeles will be upheld and followed.

The applicant must go through the process as it is designed – like everyone else. He needs to take the wall down, follow the steps of mitigation in hopes of saving the Oaks and begin the process over. Mr. Ran can enclose his property in a way that is compatible with the Oaks and neighborhood and he can do this to code.

Respectfully submitted,


Rhonda Stone
2256 North Villa Heights Road
Pasadena, CA 91107

Dear Regional Planning Commissioners:

The following statement has been agreed upon by a majority of the immediate neighbors adjoining the properties at 2258/2288, 2300 North Villa Heights Road, and 2199 Kinneloa Ranch Road; in addition, the shared view has support from the greater neighborhoods of North Kinneloa Ranch, Villa Mesa, Sierra Madre Villa, and Pasadena Glen:

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We applaud your renewed focus on protecting our shared Oaks and implore you to stick to your standards, and: **DO NOT GRANT THIS PERMIT.**

Require Mr. Ran to remove the wall in conjunction with the remediation steps for the Oaks that his Arborist has recommended. The remediation can be more effectively done after the removal of the wall (in some cases it can be removed from adjacent property owners properties. Removing the mortar and cement and alkaline in the soil would certainly be better for the oaks where trenching has entered the drip line. If in fact, many of the larger roots were spanned by the wall foundation rather than cut – as suggested by the Arborist then removing the mortar and cement and weight of the wall is helpful and if this is true the wall is even more unstable than previously thought even at 6 feet.

The Arborist gives specific instructions on how to protect and clean the roots and specific instructions on how to work around the oaks without further damage. These steps need to be followed. Why

should we be forced to look at the vastness of this concrete block wall that violates the very essence of why my neighbors and I live in this part of the National Forest, while we wait a decade to see if our oaks as well as the applicants oaks will survive?

This illegal, unsightly, unsafe, wall has changed our Oak woodland, the value of our properties, and the quality of our lives. My home is my only significant asset. I can insure it for damages due to fire, home invasion and earthquakes, but I rely on YOU to insure that our laws in the County of Los Angeles will be upheld and followed.

The applicant must go through the process as it is designed – like everyone else. He needs to take the wall down, follow the steps of mitigation in hopes of saving the Oaks and begin the process over. Mr. Ran can enclose his property in a way that is compatible with the Oaks and neighborhood and he can do this to code.

Respectfully submitted,

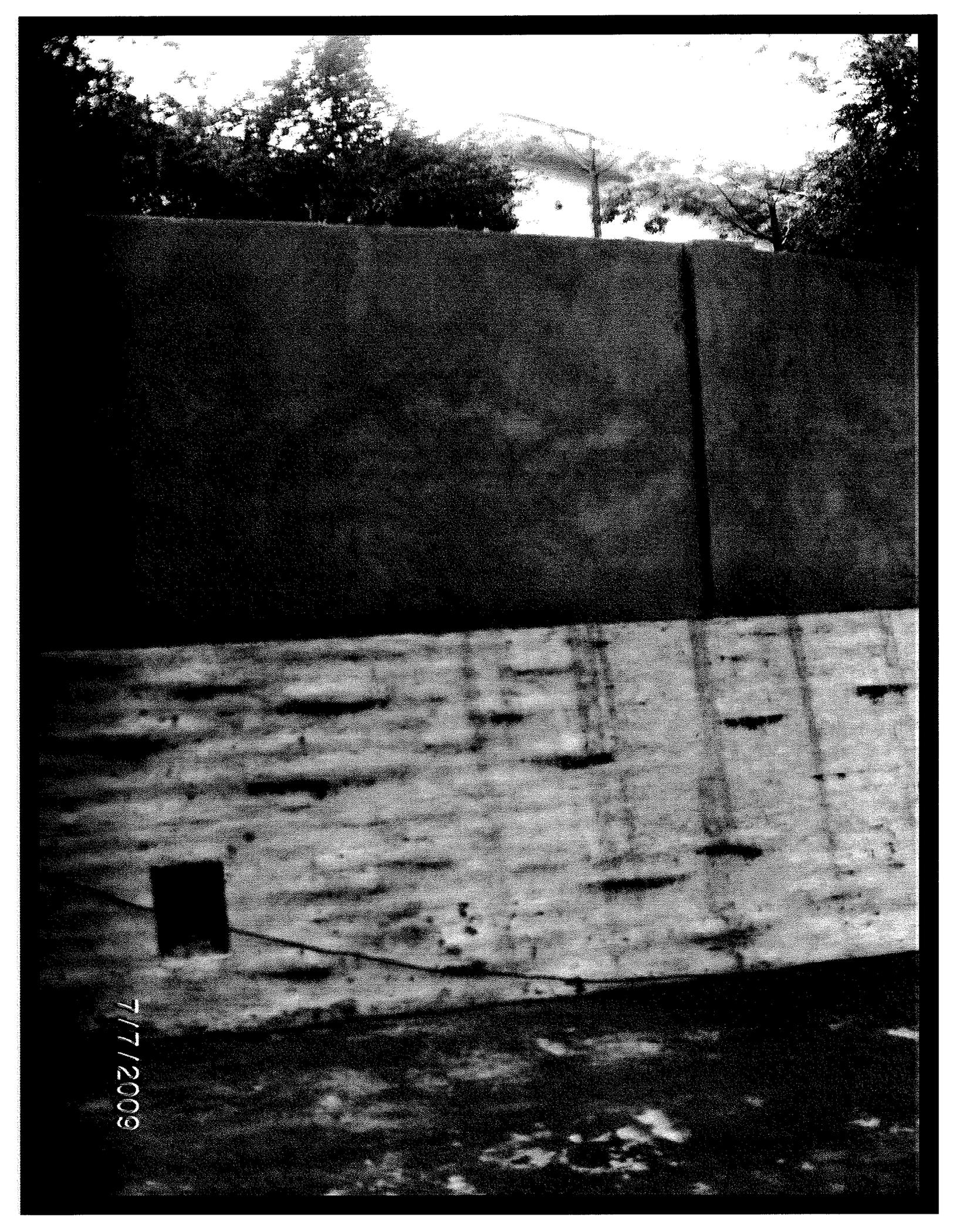
Rhonda Stone
2256 North Villa Heights Road
Pasadena, CA 91107

7/7/2009

7/7/2009



7/17/2009

A black and white photograph showing a concrete wall in the foreground. The wall has a vertical joint on the right side and a small, dark rectangular opening on the left. Behind the wall is a chain-link fence, and further back are trees and a bright sky. The image has a grainy, high-contrast appearance.

7/17/2009

Exhibit presented by testifier



THE REGIONAL PLANNING COMMISSION
County of Los Angeles

REQUEST TO DENY APPEAL

AGENDA ITEM

(Appeal of the Director's denial of 6/3/09)
Project No. R2005-00187-(5) (Mr. Thurtell)

Plot Plan Case No. 2009-00637-(5)

Hui Xian Zhang

To authorize a perimeter wall in excess of the height allowed by the County Zoning Code in the R-1-40000 (Single Family Residential) Zone.
The project is Categorically Exempt under Class 1 (Existing Facilities) of the California Environmental Quality Act.

2288, 2300 N. Villa Heights Rd., 2199 Kinneloa Ranch Road, Pasadena
Northeast Pasadena Zoned District

Presentation July 8, 2009

Presenter: Alan Fisher, MD (property owner)

2020 Windover Road

Pasadena, California 91107

2020 WINDOVER ROAD
PASADENA, CALIFORNIA 91107

July 8, 2009

Regional Planning Commission
Los Angeles County
313 North Figueroa Street
Los Angeles, CA 90012

RE: Permit # T200900637

Dear Commissioners Leslie G. Bellamy, Chair
Wayne Rew, Vice Chair
Esther L. Valdez, Supervisorial District 1
Harold V. Helsley, Supervisorial District 3
Pat Modugno, Supervisorial District 5

I am a homeowner at 2020 Windover Road, Pasadena, California. I have lived peacefully and without incident at this address since 1989. The north border of my property is adjacent to the property located at 2199 Kinneloa Ranch Road.

On or around August 27th 2007, I noticed that construction materials were being delivered and assembled in piles next to the existing black colored chain link fence that runs along the border which separates my property from 2199 Kinneloa Ranch Road. I saw some workers at the site and asked them if construction along the existing fence was planned. They did not answer my questions, but they all departed the site within the hour of my questioning. I then called the Los Angeles County office of building permits to inquire if the property owner of 2199 Kinneloa Ranch Road had a building permit. I was told that no permit had been applied for, issued or granted and that no building permit of any kind had been issued for this property in over 10 years.

Approximately two weeks later, construction began on the wall that is now present. I again asked the workers at the county office if there was an L.A. County issued construction permit for this wall. I was told again that there was no permit on file, and that no building permit had been applied for at 2199 Kinneloa Ranch Road for over 10 years. The county employee said that any work being done would be against the law. I told the woman who was working there that day that if they sent an inspector out they could see for themselves that unauthorized construction was taking place. A couple weeks later, when the wall reached 6 feet tall I went back to the County offices in Arcadia and inquired again about a building permit. I was told that no permit had been applied for or issued. The worker behind the desk offered to take my name and phone number, which I gave, and she said that someone from the County would be calling me regarding my questions and complaints. No call ever came, but incredibly the wall continued to grow! This wall is now in excess of 8' to 10' tall on the property line.

I photographed the changes that occurred before, during and after construction. (***Please see the attached photographs***) A once unobstructed view of the San Gabriel Mountains has been tarnished by the building of this concrete block wall. My backyard now resembles a prison. In addition, the wall has been built close to several trees on my property and there is the possibility that this will lead to permanent injury and death of these trees. This wall was built right along side a perfectly maintained 6' black chain link fence, a fence that allowed the deer to pass safely as they used to do. The deer are now gone. Additionally I now have to pay my gardener to use his leaf blower to try to keep the area between the wire fence and the concrete block wall free of dead leaves that will become a fire hazard if allowed to accumulate.

I have been told by firefighters and law enforcement that access to my property on the northern border has been seriously obstructed and this is a real and serious safety issue; not just for me but for all of the neighbors who are affected by this wall. The natural rain water runoff has been permanently altered and will likely lead to flooding and possibly mudslides during heavy rains. This wall also has changed the way the wind (or breeze) would pass down over my property. Furthermore, the value of my property has been diminished by this unsightly and illegal barrier.

Mr. James Coane refers to me in page 3 of his appeal stating that for the "other objecting adjacent property owners, the height of the perimeter wall, which is the issue here and the subject of the yard modification request, has not affected their views." Mr. Coane then goes on to say that even if the perimeter wall were only six feet in height, instead of the current range of approximately seven to eight feet, where it is adjacent to Ms. Stone's and Dr. Fisher's property, their views across the subject property would still be restricted and/or eliminated." These statements directly contradict each other. The wall cannot have both eliminated my view and not affected my view.

James V. Coane's appeal to the Regional Planning Commission states that that the wall "exceeds, only in certain limited places, the wall height restriction set for in the Code." This is a false statement. For the entire 110' on the northern border of my property, the wall height varies between 8 and 10 feet. At no point is the height less than 8 feet. He further states that "the wall is only approximately two feet over Code height, and those portions of the wall do not create any apparent condition that wouldn't also exist if the wall was not over height." This is not only a false statement, it is irrelevant to the question of a code violation. The wall is at least two and up to four feet over Code height.

Finally, the construction and continued existence of this wall signifies a callous disregard for California law. Los Angeles County Code, Title 22, Chapter 22.48 states "fences and walls within a required interior side or rear yard shall not exceed six feet in height". In addition, this wall is partially built on top of a retaining wall, approximately 3 feet in height and 46 feet in length. Chapter 22.48.160 further states that "where a retaining wall protects a cut below the natural grade and is located on a front, side or rear lot line, such retaining wall may be topped by a fence or wall of the same height that would otherwise be permitted at the location if no retaining wall existed. Where such retaining wall contains a fill, the height of the retaining wall

Page Three

built to retain the fill shall be considered as contributing to the permissible height of a fence or wall..." The attached photograph labeled "***Bear in Back Yard After Wall***" demonstrates that the wall at issue was built on top of a retaining wall, at a height of at least 8 feet above the top of the retaining wall, a clear violation of Los Angeles County Code, Title 22, Chapter 22.48. California code requires that where the 3 foot retaining wall exists on the property line, only an additional **three** foot wall could be allowed (six feet, total) , if properly permitted, rather than the additional 8' to 10' that has been built.

I am urging the County not to grant any permits, variance or mitigation for this wall or for the damage done by it. I believe the only proper course is to demand that this wall be safely and permanently removed.

Sincerely,

A handwritten signature in cursive script that reads "Alan J. Fisher".

Alan J. Fisher, MD

Attachments: 10 Photographs

Los Angeles California, County Code, Title 22, Chapter 22.48

Cc: Los Angeles Times

Pasadena Star-News

Pasadena Weekly

CBS 2

NBC 4 Los Angeles TV

KABC-TV

KTLA-TV

LOS ANGELES CALIFORNIA, COUNTY CODE

Title 22 PLANNING AND ZONING

Division 1 PLANNING AND ZONING

Chapter 22.48 YARDS, HIGHWAY LINES AND HIGHWAYS

22.48.160 Fences and walls.

C. Interior Side and Rear Yards. Fences and walls within a required interior side or rear yard shall not exceed six feet in height; provided, however, that on the street or highway side of a corner lot such fence or wall shall be subject to the same requirements as for a corner side yard.

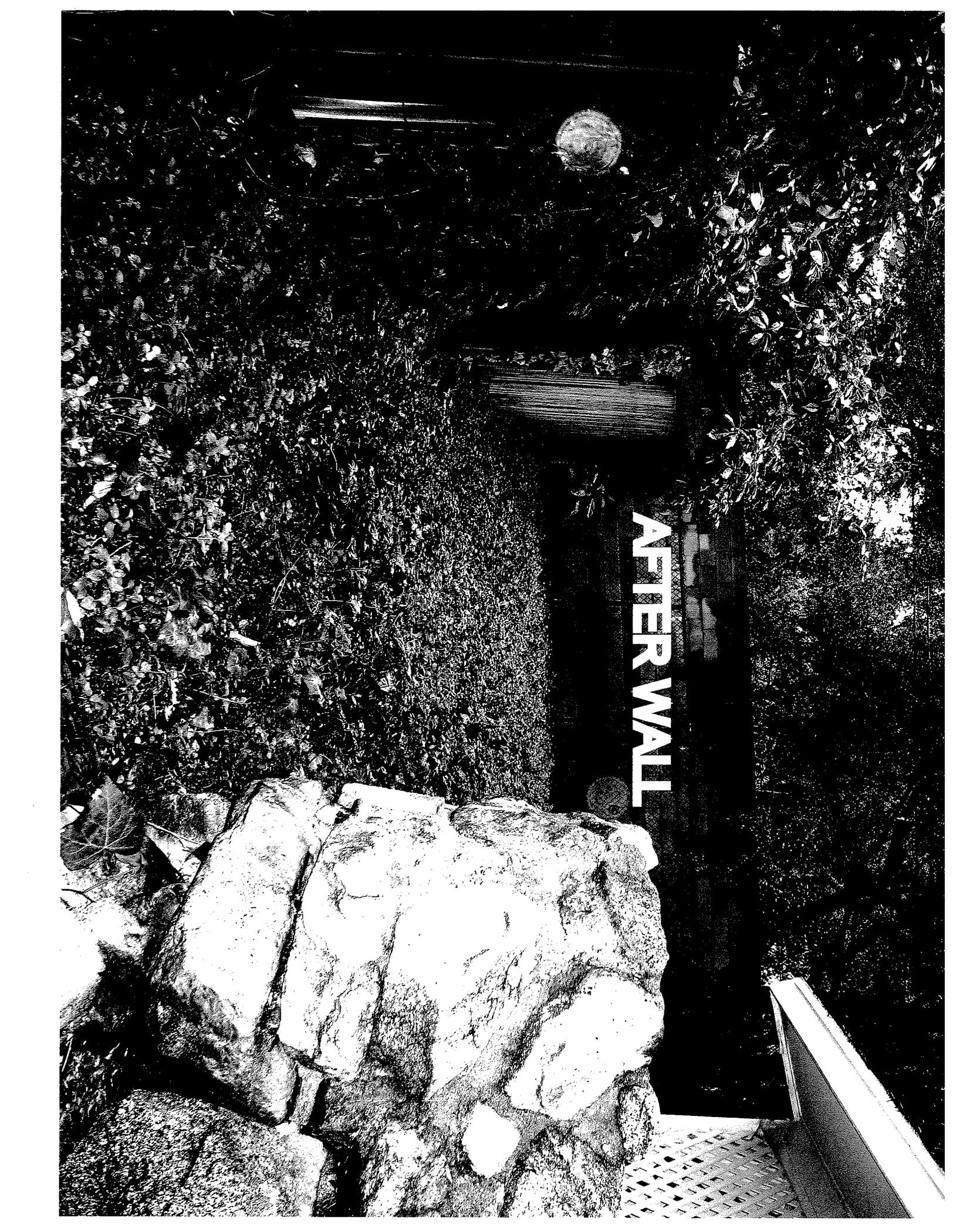
D. Retaining Walls. Retaining walls not to exceed six feet in height are permitted in all yards.

E. Retaining Walls Topped with Walls or Fences.

1. Where a retaining wall protects a cut below the natural grade and is located on a front, side or rear lot line, such retaining wall may be topped by a fence or wall of the same height that would otherwise be permitted at the location if no retaining wall existed. Where such retaining wall contains a fill, the height of the retaining wall built to retain the fill shall be considered as contributing to the permissible height of a fence or wall; providing, however, that in any event an open-work non-view-obscuring fence of three and one-half feet may be erected at the top of the retaining wall for safety protection.

BEFORE WALL



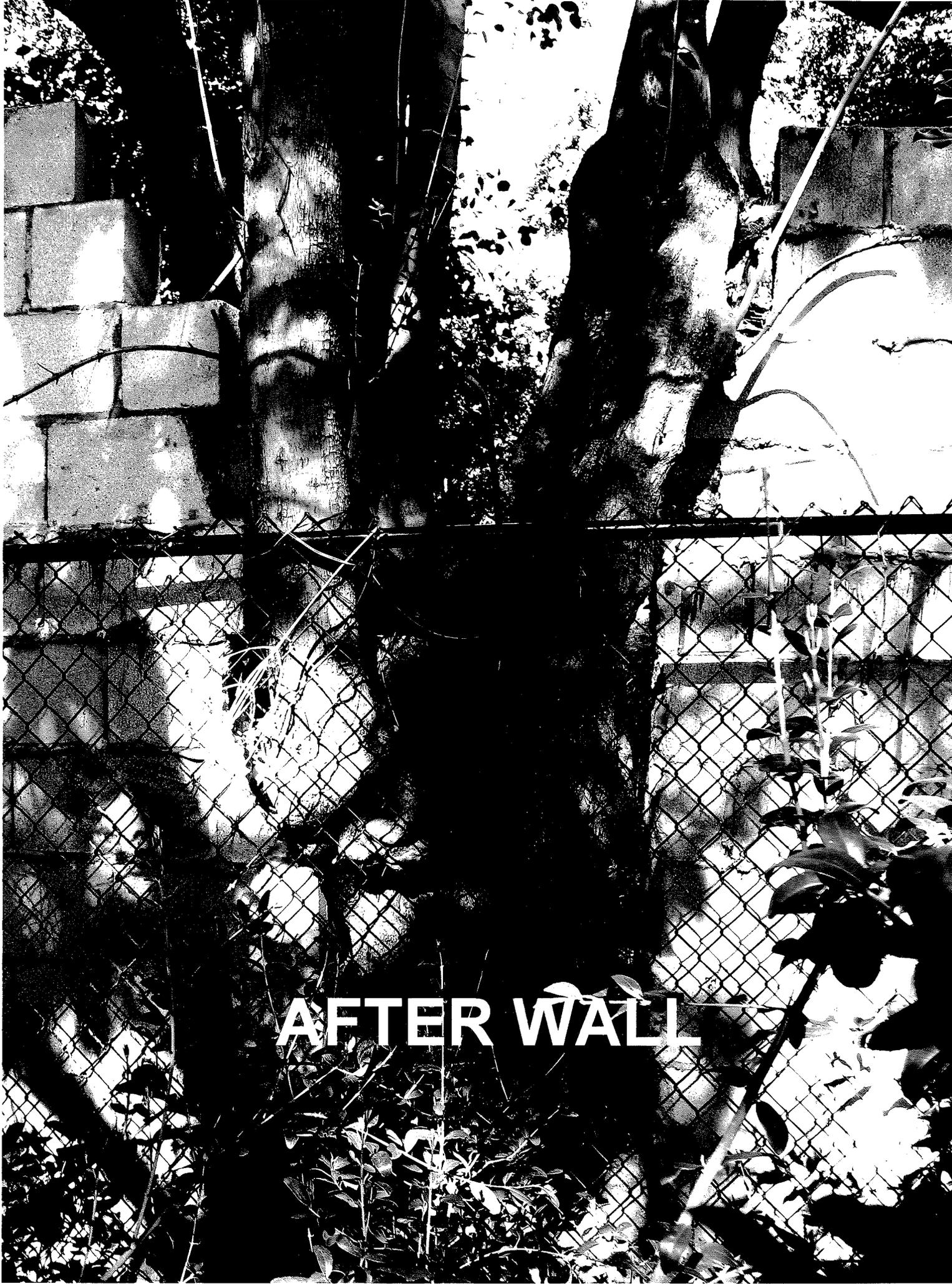
A black and white photograph of a garden path. In the foreground, a large, rough-hewn stone wall runs across the frame. To the right of the wall, a lattice fence is visible. The path leads into a garden area with dense foliage and a large, round, textured object, possibly a globe or a large flower, in the background. The text "AFTER WALL" is printed vertically in white, bold, sans-serif capital letters across the middle of the image.

AFTER WALL

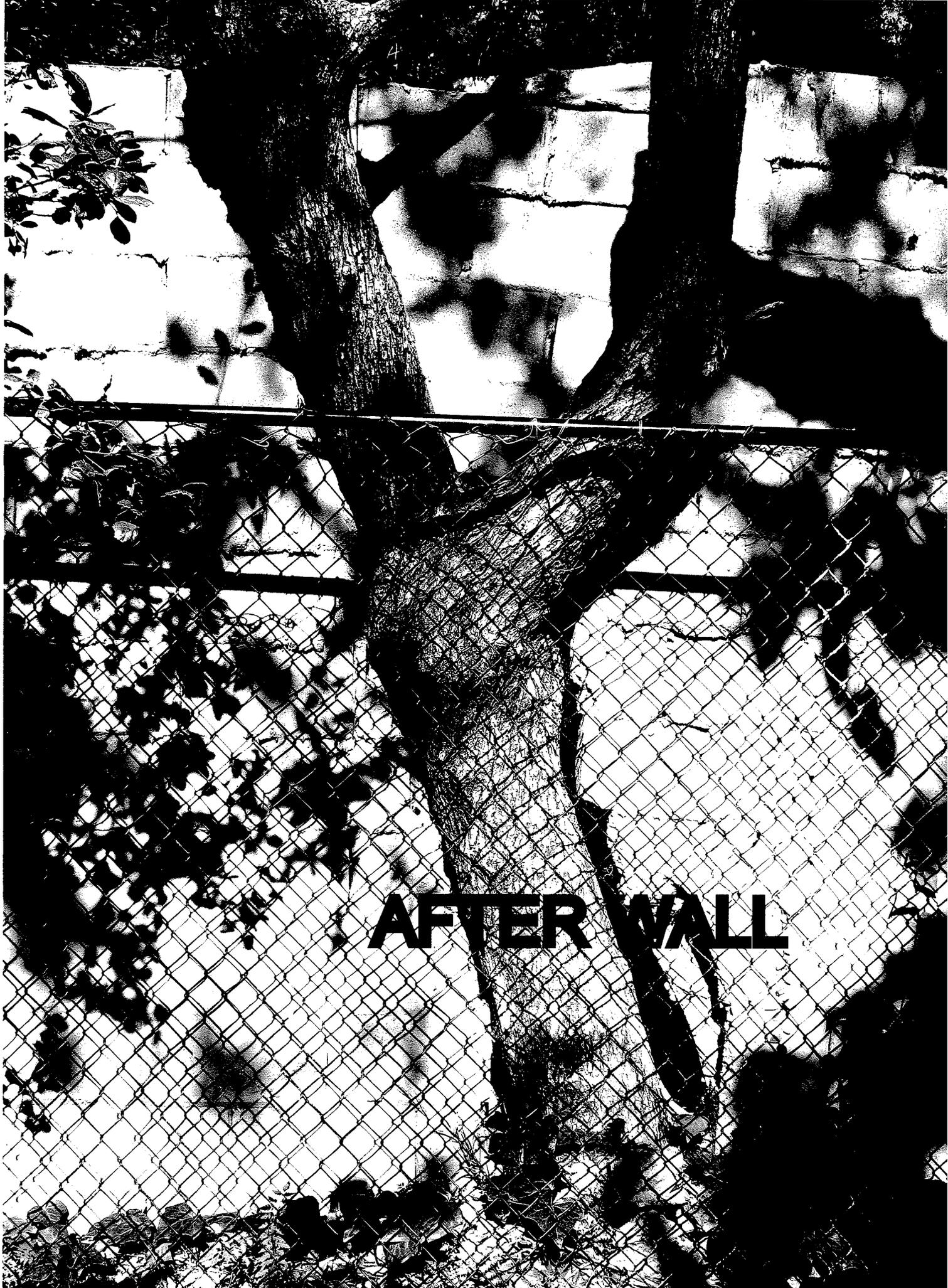


AFTER WALL





AFTER WALL



AFTER WALL

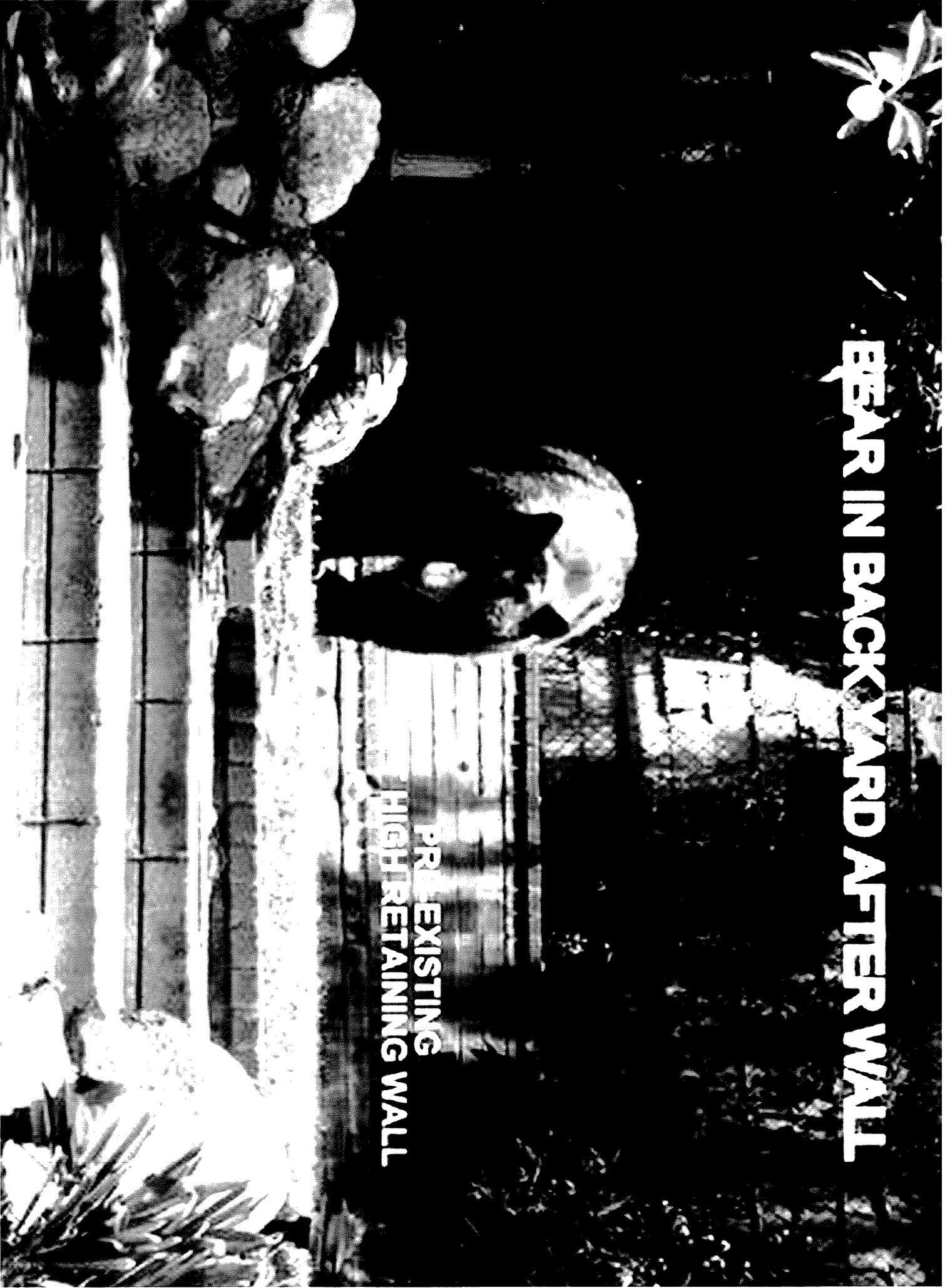
BEAR IN BACKYARD BEFORE WALL





BEAR IN BACKYARD AFTER WALL

PRE-EXISTING
HIGH RETAINING WALL



ADDITIONAL 8' WALL

