

Daniel

October 8, 2020

Via Email

City of Calabasas
Community Development Department
Planning Division

Re: File No: 180000265
Project Location: 24226 Dry Canyon Cold Creek Rd, Calabasas

Dear City of Calabasas:

I am Daniel and I own , a neighboring parcel exactly to the South of the Project Location.

This letter is written in response to the Supplemental Staff Report dated October 8, 2020, filed by Mr. Klein on behalf of the City.

1. The Applicant Does Not Own All the Land Referenced

The undersigned appreciates and agrees with Mr. Klein's comments that the City is not the Judge of who owns what land, and that ownership shall be determined by the Courts

The Applicant's very own surveyor, Rigdon Land Surveyors, via letter dated September 17, 2020 (Exhibit C), states the following:

Although the legal description is somewhat ambiguous, the property is shown correctly on the submitted improvements plans. APN Parcel 014 being the proposed improvement project is clearly shown as portions of the original Lots 3 and 4 and hooked as one by the County Assessor.

The Applicant's Surveyor has acknowledged the mistaken legal description, yet chooses to rely on the APN, to incorrectly assert legal ownership. Real property is NOT owned by an APN. Real Property is only owned by a legal description.

Mr. Klein states in his report that:

In this particular case, the applicant has submitted a survey prepared by a licensed surveyor (Exhibit C), confirming the property lines of the subject site, which are consistent with the plans that have been provided to the Planning Commission.

However, Exhibit C, submitted by Rigdon Land Surveyor's, is NOT a survey. It is a Site Plan that is based upon an APN only.

This issue needs to be resolved before proceeding further.

2. Proposed Asphalt Driveway on My Land

The undersigned appreciates Mr. Klein's response that an easement exists over a portion of my land. However, the easement is for ingress and egress purposes. I am still the owner of the underlying land. I do not and will not consent to an asphalt driveway being paved over my land.

3. Rainfall Will Significantly Flood My Property Even More By Placing a Driveway Where Applicant Intends to

While the undersigned appreciates Mr. Klein's attempts to rectify the flooding issues, by just recently adding the following requirements to the plans, by, i.e.,

(i) requiring the driveway to have a curb of 4-6 inches, and

(ii) having a 4 foot wide planter areas between property lines,

the same will not rectify the issue. A curb of 4-6 inches is not even to stop the flow of the rainwater onto my property – the Applicant's land is significantly higher in elevation and is sloped down towards me. The four feet of shrubbery along the property line will require water to be maintained in good condition, making the situation worse.

I have substantial rain and high waterfall levels coming onto my property, with force, in the winter months, from rainfall. The Public Works has assumed a rainfall of .7" to 1" inches in their plans, and we have more than that during a drought season.

The Applicant's land is higher in elevation than mine and is sloped down directly to me. I already have flooding issues, and paving just north of my property line will make the problem only worse. The water table is high, and the permeability of the soil is already low, and paving the same will make it even worse.

While I hope that there will NOT be any future flooding onto my property, please be placed on notice, that should this issue not be addressed properly, and should the applicant undertake construction, that should any water travel onto my property, that I would be forced to undertake legal recourse against all parties, including the City.

4. The Septic Tank and Leechfield is too Close to Me and My Pool

While the undersigned is appreciative of Mr. Klein's statement that the Applicant is to install the most "high end" of septic tanks, a Septic Tank is still a septic tank that collects sewage and waste. The placement of the septic tank immediately north of my property fence, just near my swimming pool, on a sloped piece of land that already floods down into my property, is inappropriate. It will create a nuisance and smell.

The leechfield is too close and will cause further issues with drainage and water overflow onto my property (my home is lower in elevation).

5. The Annoyance of the Abutting Driveway

While the undersigned does appreciate Mr. Klein's response that the Fire Department requires an on-site turn around area (located on the South East Corner of the Applicant's Land),

practically, the Fire Department will NOT even be able to reach such a turn-around area should there be even one car parked on the Applicant's proposed driveway (in the section just by the Applicant's proposed garage door).

The Project plan proposes to pave a driveway just to the North of my property line, abutting my property line. This is too close. There will be cars driving, parking, etc. just up against my property line. This will create noise, pollution etc., especially since my backyard and pool area is right there.

Furthermore, the Applicant intends to put the garage door facing my pool (facing the South). This doesn't make sense. Given how minimal the width of the proposed driveway is (it is too tight), Applicant won't even be able to turn into the garage. There is not enough width. If anything, a garage door should face the West.

By: _____
Daniel