

**From:** [Deb Robinson](#)  
**To:** [Amy Ow](#)  
**Subject:** FW: ZHO Hearing re VIO2017-00054  
**Date:** Tuesday, August 2, 2022 1:59:00 PM  
**Attachments:** [Attachment to March 31 Inquiry .docx](#)

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**From:** Anne Martin <annemartinmk@gmail.com>  
**Sent:** Thursday, March 31, 2022 1:31 PM  
**To:** Steve Monowitz <smonowitz@smcgov.org>; Lisa Aozasa <laozasa@smcgov.org>  
**Cc:** Camille Leung <cleung@smcgov.org>; Deb Robinson <d robinson@smcgov.org>  
**Subject:** ZHO Hearing re VIO2017-00054

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Dear Steve and Lisa

I'm writing to inquire when the appeal of the county citation for the illegal fence on APN 048-076-120 will be heard. Six months have passed since the owners of the lot, TEG Partners LLC ("TEG") filed their appeal of the citation on September 22.

**Meanwhile, the illegal fence continues to be a public safety hazard in our neighborhood. Since October, I have documented several near accidents and numerous instances of vehicles forced to drive backwards down a steep gravel road into our neighborhood because they were unable to turn around because of the illegal fence. They are listed on the Attachment to this email.**

Moreover, it's my understanding that pending the appeal, enforcement and fines are suspended. This is outrageous given the continuous hazard this fence poses to all of us who live, walk, and drive in this neighborhood – including the eight children who live here.

## **Summary of History of Fence Violation**

**February 2017 – TEG erected the fence on their undeveloped parcel**

**March 2017 – TEG informed that a CDP was needed for fence.**

**September 2017 – TEG's application for CDP deemed incomplete**

**November 3, 2017 – Violation notice sent to TEG**

**November 2017 – July 2021 – Three and half years of denial, delay, and arguments by TEG during which they were informed they didn't qualify for a CDX.**

**July 8, 2021 - County issued Notice of Violation after several residents of Miramar Drive expressed concerns about the hazards posed by the fence.**

**September 8, 2021 - Administrative citation for \$100 was issued to TEG.**

**September 22, 2021 - TEG paid the fine and appealed to the Zoning Hearing Officer ("ZHO")**

## **ZHO Hearing on TEG appeal scheduled for November 18**

**November 9 - Ms. Robinson emailed me that the November 18 ZHO hearing had been cancelled and that the next meeting would be December 16.**

**December 6 - Ms. Robinson emailed me that she had been told that the TEG appeal was expected to be heard in January 2022.**

**The appeal has not appeared on any Zoning Officer Agenda since November and is not on the upcoming April 4 agenda.**

## **TEG's Illegal Fence Continues to pose a Threat to Our Neighborhood Safety**

As I've mentioned in prior correspondence, the illegal fence makes it difficult and sometimes impossible for vehicles to turn around in the CCWD lot by the Miramar water tank. This forces the drivers to drive backwards 231 feet (77 yards) down a steep, curved one lane gravel road ("Upper Miramar Drive") that extends from the CCWD lot to the paved portion of Miramar Drive which is an intersection with vehicles and pedestrians coming from four different directions.

We have documented dozens of instances of reverse driving in our neighborhood caused by this fence as well as a few near accidents. Attached to this email is a list of near accidents and dangerous driving incidents created by the illegal fence since October 2021.

## **Questions and Request for Call**

Considering the clear and present danger to neighborhood safety posed by TEG's illegal fence, I have several questions:

- 1. Why has the hearing on TEG's appeal of the citation for their illegal fence not been scheduled?**
- 2. How long can a hearing on an appeal be delayed when a zoning violation posing a danger to the community exists?**
- 3. Under what circumstances can the County remove this documented threat to public safety prior to the appeal hearing? Does there have to be a tragic accident caused by the fence to justify this action?**

As long as TEG's illegal fence remains in place, a neighborhood resident or visitor driving, walking, or biking on Miramar Drive is at risk of being struck by a reverse driving vehicle that loses control or skids down the steep hill. Several years ago, soon after the illegal fence was installed, a Sheriff's vehicle driving backwards down Upper Miramar Drive lost control, skidded into and knocked over several mailboxes along

Miramar Drive. It's a miracle that no one was hurt.

It's only a matter of time before another accident is caused by the illegal fence.

I would appreciate the opportunity to speak with you at your earliest convenience.

Thank you

Sincerely,

Anne Martin

620 Miramar Drive Half Moon Bay