Diana Higuera

From: Summer Burlison
Sent: Thursday, September 13, 2018 12:18 PM
To: tj singh
Cc: Joan Kling
Subject: Access Easement fence - 655 Miramar Violation Case 2017-00054

Hello TJ,

Code Compliance mentioned they are getting ready to issue a citation for the unpermitted fence installed along the access easement running through your property as there's been no confirmation that it has been removed and no application for a Coastal Development Permit (CDP) to seek legalization. It was agreed that I could reach out to you before a citation is issued (which carries citation fees) to try to get resolution (and avoid any citation fees for you!). Your options are below:

1. Remove the fence and call code compliance to site verify removal, which would address the violation and upon confirmation of removal, the violation case would be closed.
2. Apply for a CDP to legalize the fence, in which staff would likely recommend denial for the fence as it does not serve a permitted use on the property and detracts from the natural surrounding environment. A CDP would require a public hearing before the Planning Commission (PC) and the PC's decision is appealable. The CDP application filing fee for an after-the-fact CDP is approximately $7,800.

One of the above options needs to **completed by Friday, September 28, 2018** in order to avoid the issuance of a citation by the Code Compliance Section.

Regards,
Summer

Summer Burlison
Planner III

County of San Mateo
Planning & Building Department
455 County Center, 2nd Floor
Redwood City, CA 94063
Tel: 650/363-1815
FAX: 650/363-4849
http://planning.smcgov.org

Please be aware that I am out of the office every other Monday. For immediate assistance, contact the Planning counter at 650/363-1825.

Joan Kling

From: Tejinder singh <tjsingh007@me.com>
Sent: Wednesday, December 05, 2018 7:58 AM
To: Joan Kling
Subject: We qualify for an Exemption on the following grounds

Dear Joan,

You had it right all along when you previously closed the violation case.

Since this is crucially important for us and for our neighbors, we have three different law firms working on this and each of them are of the same view, that we qualify for an exemption.

Our secure demarcation and isolation on APN 048-076-120 qualifies for exemption among other, Section 6328.5 (e) and (b). Exemption codes are attached and highlighted. **ALL THIS IS NEW INFORMATION FULLY SUPPORTED BY CODES.**

- (A) PRECEDENT **FOR CDP EXEMPTION ON OUR PROPERTY:** In December 2016, the County granted the CDP exemption on our existing property, APN 048-076-120 for the 405 cubic feet of cut and 405 cubic feet of fill with compressed Baserock causing a change to the gradient from its previous natural gradient. Two large truck of Baserock were brought in for the purpose and compressed over a period of three days. The CDP exemption also included the digging of about 1ft trench all along 225 feet of the north side of an existing driveway on APN 048-076-120 to install and then subsequently remove the wattles, while leaving behind the 1 ft trench. (Please see pages 3, 4 & 5 of the link - https://www.dropbox.com/s/4ps1aa4ijzht7nm/Exemption%20Application%20consolidated.pdf?dl=0)

  Consequently, in line with the above exemption, this application qualifies for the same exemption.

(B) One of the key purposes of the PLN2018-00426 (Secure Demarcation and Isolation) application for exemption is **security for individuals and security for property.** (please refer to the Coastal Development Exemption Permit Application Dated October 29, 2018)

Security alone is a sufficient reason to grant the exemption. Please see –

1. **Public Resources Code – California Coastal Act (2017) originally of 1976**

    1. **Section 30001 (c)**: That to promote the public safety… and to protect public and private property

    1. **ARTICLE 2; Section 30210: …** need to protect public rights, rights of private property owners…

    1. **ARTICLE 2; Section 30253 (a):** Minimize risks to life and property…

1. **ARTICLE 2; Section 30253 (e): ...**protect special communities and neighborhoods...

2. **Zoning Regulations – County of San Mateo (2016)**

   6105. **Section 6105.3 (d) : ...**development is necessary to protect the health or safety of persons or property...

3. **PURPOSE**: Security. To understand the situation, please imagine this to be your home and now you were being told to remove the equivalent of your front gate or front fence or front door, the security holding back all of this dangerous activity from you.

1. Suspicious people deterred by the fence - https://www.dropbox.com/s/lsfomb0ja4pu43y/Suspicious%20Men%20at%20Night%20149516760856 6.mp4?dl=0

1. If we did not have a fence, this would have happened on our property - Graphic content (Please start the video at the 1:10 mark)

https://www.dropbox.com/s/2eqah9d3liu57sh/Naked%20Man%201529989175892.mp4?dl=0

1. The people sent by Tad Sanders to perform illegal activities on our property had covered the license plates of their vehicles.

https://www.dropbox.com/s/31qvbxwtqgwbpb2/Driving%20with%20Masked%20License%20Plate%201006 2.mov?dl=0

1. The illegal activities including the one in the link below, prompted the Sheriff's Deputies to instruct us to install the fences. This illegal activity appears to have been abetted by his attorney (Charlie Bronitsky's law firm partner Peter Brewer) see link - (https://www.dropbox.com/s/2lhhvqbxns52132/Email%20Tad%20Sanders%20and%20McIvers%20-Re%20Illegal%20Grading.pdf?dl=0)

(C) The Secure Demarcation and Isolation exemption application PLN2018-00426 **fully complies with –**

1. **ARTICLE 2; Section 30211 (Public Resources Code – California Coastal Act (2017)):** Development shall not interfere with the public's right of access to the sea

2. **ARTICLE 2; Section 30251 (Public Resources Code – California Coastal Act (2017)):** The scenic and visual qualities of coastal areas shall be considered and protected...Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms...

3. **ARTICLE 2; Section 30253 (Public Resources Code – California Coastal Act (2017)):** Minimization of adverse impacts

   1. **ARTICLE 2; Section 30253 (b):** Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area...

(D) There is still a question whether the property lies within the "Coastal Zone"

1. **Section 30103(a):** "Coastal zone" means ... extending inland generally 1,000 yards from the mean high tide line of the sea

(E) The secure demarcation and isolation as in PLN2018-00426 also qualifies for exemption under the de minimis clause for exemption

1. **ARTICLE 2; Section 30624.7: ...de minimis development...**

...waivers from coastal development permit...A proposed development is de minimis if...no potential for any adverse effect, either individually or cumulatively, on coastal resources...

(F) THE SECURE DEMARCATION AND ISOLATION IS AN ADDITION TO EXISTING STRUCTURES ON PROPERTY: Some of the critical structures on the property APN 048-076-120 are listed below. The secure demarcation and isolation is an addition to these existing structures. Some of the structures include:

1. A large drinking water pump https://www.dropbox.com/s/ft9k8308lhhoxd9/Drinking%20Water%20Pump%20on%20our%20property.jpg?dl=0;
2. Water meter;
3. Backflow control equipment;
4. As also stated in our application for exemption, the secure Demarcation and isolation is also just an addition to pre-existing Fences installed on APN 048-076-120 for the purpose of isolating APN 048-076-120 from Water District and power equipment of the Cell Towers; (Please see the location of these pre-existing fences in bold, on the attached map - https://www.dropbox.com/s/7h4k2klk95enc1u/Map%20with%20Water%20Pump%20Water%20Fences%20and%20P2%20Gate.pdf?dl=0)

Consequently, this **application qualifies for an exemption among other, Section 6328.5(b) of Zoning Regulations – County of San Mateo (2016).**

The above referenced Codes are in the link below for your convenience.

(https://www.dropbox.com/s/tv0keyqv0gaph8b/Referenced%20Codes%20for%20Exemption%20PLN2018-00426.pdf?dl=0)

Thanks

Kind regards

TJ Singh

Joan Kling

From: Tejinder singh <tjsingh007@me.com>
Sent: Thursday, December 06, 2018 10:56 AM
To: Joan Kling
Cc: Timothy Fox
Subject: Feb 22, 2017 Courts denied Tad Sanders McIver request to remove our fences
Attachments: TEG Response to Tad Sanders Complaint.pdf; Tad Sanders - McIver Complaint Feb 22 2018.pdf

Dear Joan,

On February 22, 2017, the Superior Court of the County of San Mateo rejected Tad Sanders and McIver complaint to remove the fences on ALL grounds presented in the complaint.

I am attaching the Complaint filed by Tad Sanders/ McIver and their lawyer and the opposition filed by us in the court for your convenience.

It is not clear why attempts are being made to contradict the courts ruling and our compliance with all of the codes as sent previously. Your previous decision as attached has always been accurate.

Best
Kind regards

TJ
Singh

County of San Mateo
Planning & Building D
455 County Center, 2nd Floor
Redwood City, California 94063
650/363-4161 Fax: 650/363-4849

VIO2017-00054 **Summary of Case Ac**

Activity	Date Assigned	Done By
Enforcement	04/07/2017	Ana Santi
Final Processing	04/07/2017	Ana Santi
Investigation	03/14/2017	Ana Santi
civil issue. Ok to close per Joan.		
Investigation	03/08/2017	Ruemel P
3/8/17 RSP - Applicant came to counter. Notified that fence requires a CD		
Complaint Received	02/22/2017	Rita Mclau

Francois X. Sorba, Esq. [SBN 88092]
1611 Borel Place, Suite 7
San Mateo, CA 94402
(650) 570-0566; Fax (650) 570-7831

Attorney for Defendants
TEG Partners, LLC, Teginder Singh
Tripatinder S. Chowdhry

6-16 CMC

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN MATEO

COURT OF UNLIMITED JURISDICTION

SANDRA P. MCIVER, ET AL.

Plaintiff,

vs.

TEG PARTNERS, LLC. ET AL.,

Defendants.

Case No. 17 CIV 00720

DEFENDANTS' POINTS AND AUTHORITIES IN OPPOSITION TO TEMPORARY RESTRAINING ORDER

Date: Feb. 22, 2017
Time: 2:00 PM
Dept: Law & Motion

Defendants submit the following Points and Authorities:

The opposition to the Application to the Temporary Restraining Oder filed by Plaintiff is based upon the fact that there is no imminent danger, there is no irreparable harm, Plaintiff has unclean hands, and the entire action is without merit.

Plaintiff and Defendants own properties which are adjacent to each other. When Defendants purchased their property (Parcel 1 which includes Lots 1-8 and a portion of Lot 9), their property was burdened by an easement for the benefit of Parcel 2 (which includes Lots 10 to 18 and a portion of Lot 9). A copy of a Map showing the parcels is attached hereto and marked Exhibit A.

The attached Map shows the area described in the Access/roadway Easement (the Easement) and the Driveway Easement.

The Easement is highlighted in yellow for the Court's convenience. Although Defendants dispute the accuracy of the Map based upon the legal Description of the Easement, the inaccuracy is not relevant at this time. The Driveway Easement is highlighted in green for the Court convenience. The reason the distinction is important is that the permit obtained by the County of San Mateo to grade within the easement only references and deals with that portion of the Easement which is the Driveway Easement.

The general location of the fence is shown in pink for the Court's convenience.

No Imminent Danger

The pleadings do not evidence any imminent danger. The fence which is complained about and the boundary markers also complained about do not create any imminent danger.

No Irreparable Injury

Temporary restraining orders may be granted ex parte if it appears from the facts set forth in the affidavit or declaration or the verified complaint that great or irreparable injury would result to the applicant before the matter could be heard on notice [see Code Civ. Proc. § 527(c)(1)].

The affidavits, declarations, or verified complaint must contain specific facts, on personal knowledge, supporting the allegations that are the basis for the request for a TRO. A restraining order may not be granted on an affidavit supported only on information and belief [Low v. Low (1956) 143 Cal. App. 2d 650, 654, 299 P.2d 1022].

It should be pointed out that, although Plaintiff claims that there is an emergency, Plaintiff signed the verification to her complaint on February 13, 2016 – 9 days ago! Plaintiff is therefore in agreement with Defendants that there is no emergency.

The Status Quo Should be Preserved

General purpose of preliminary injunction is to preserve status quo until merits of

action can be determined. Harbor Chevrolet Corp. v. Machinists Local Union (1959, Cal App 2d Dist) 173 Cal App 2d 380, 343. Removal of a fence and boundary markers would not preserve the status quo.

Plaintiff Failed to Provide any Evidence of Interference

Tad Sanders states, in his Declaration filed in support to the TRO, that he is an agent for Plaintiffs (Decl. page 1, para 1) but does not state that he has had engineering or surveyor training to determine the true location of the stakes referred to in his Declaration and/or that stakes are within Easement. Tad Sanders is not qualified to determine whether the stakes are within the easement or outside the easement and his Declaration should be stricken.

Tad Sanders further states that he had a conversation with "a representative of the Fire Department" [not even named by Mr. Sanders] is pure hearsay and should be stricken (Page 2, para 8).

Plaintiff Has Unclean Hands

Injunctions are based upon equity. Plaintiff undertook the grading of the Driveway easement without a permit, Plaintiff's workers masked the license plates of their truck, Plaintiff's agents removed Defendant's surveyor's markers, and Plaintiff damaged Defendants property.

Conclusion

The following should be kept in mind. (1) The fence is located on the property line and NOT within the easement; (2) Defendants have every right to erect a fence on their property line; (3) Plaintiffs are asking the court to redraft the easement description (that Plaintiff's engineer drafted) to create a new easement across Defendants' property. At the time that the easement was created, Defendants did not even own the land where the easement was created.

1. Mr. Sander's general statement that the fence is [now] jeopardizing the safety of the McIver property is not based upon any evidence and is pure speculation.

2. The last statement made by Mr. Sanders is that Defendants "have no right to interfere with the legal use of the easement..." [page 3, para 10]. But there is no interference. The markers are located outside the easement and the fence is located on the property line - NOT on the easement. As a result, there is no interference.

3. The work to be done by Plaintiffs within the easement is described in the Certificate of Exemption attached to Mr. Sanders' Declaration. It states in part: "Project Description: Maintenance of our access easement by scraping the center of the road and distributing the scraping in the wheel ruts along the driveway. Add in 2 inches of gravel and level it." How the planting of the markers and the erection of a fence outside the easement could interference with the work describe above is a mystery.

Plaintiff's request for a Temporary Restraining Order should be denied.

Respectfully Submitted,

Francois X. Sorba

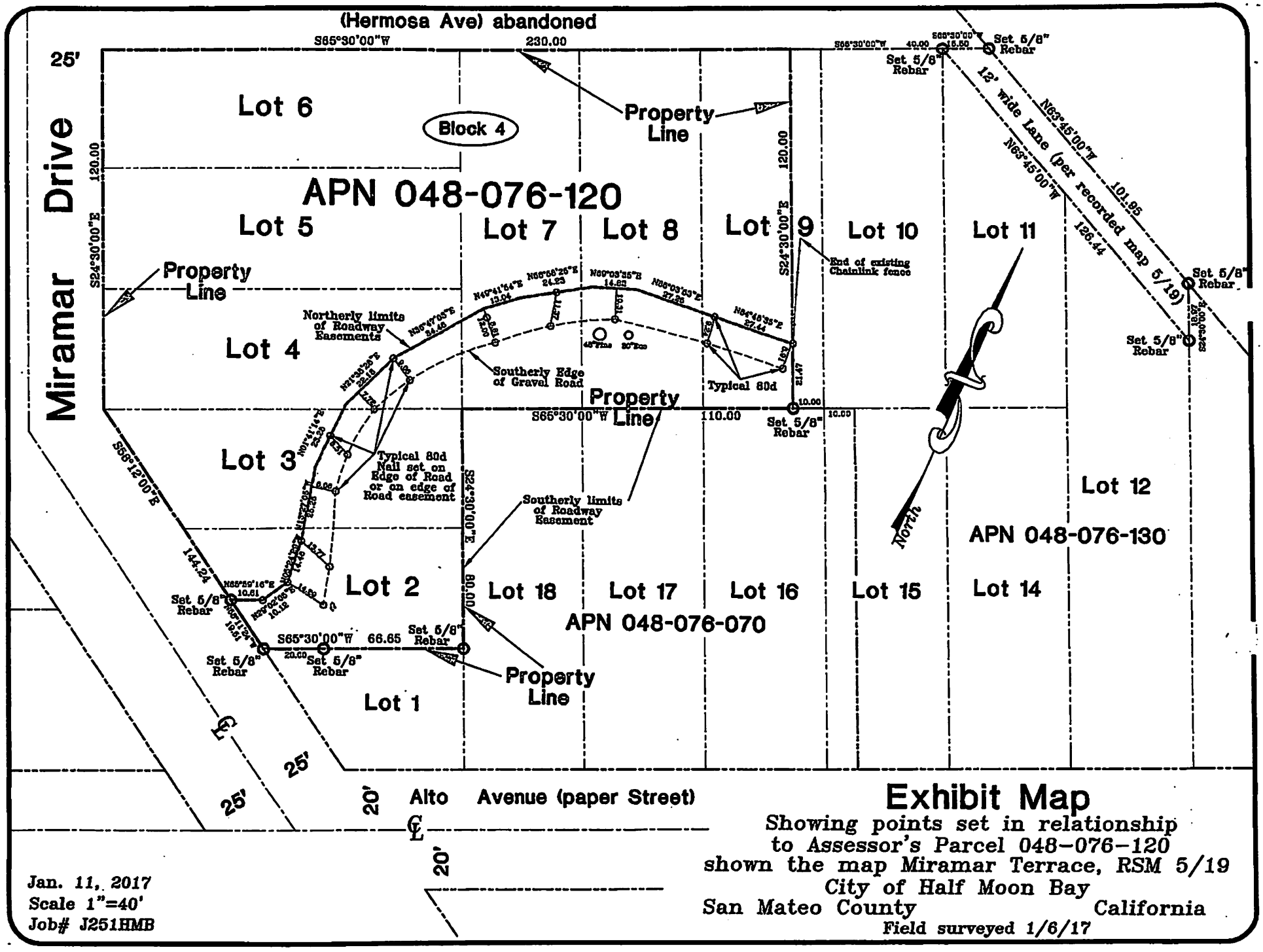
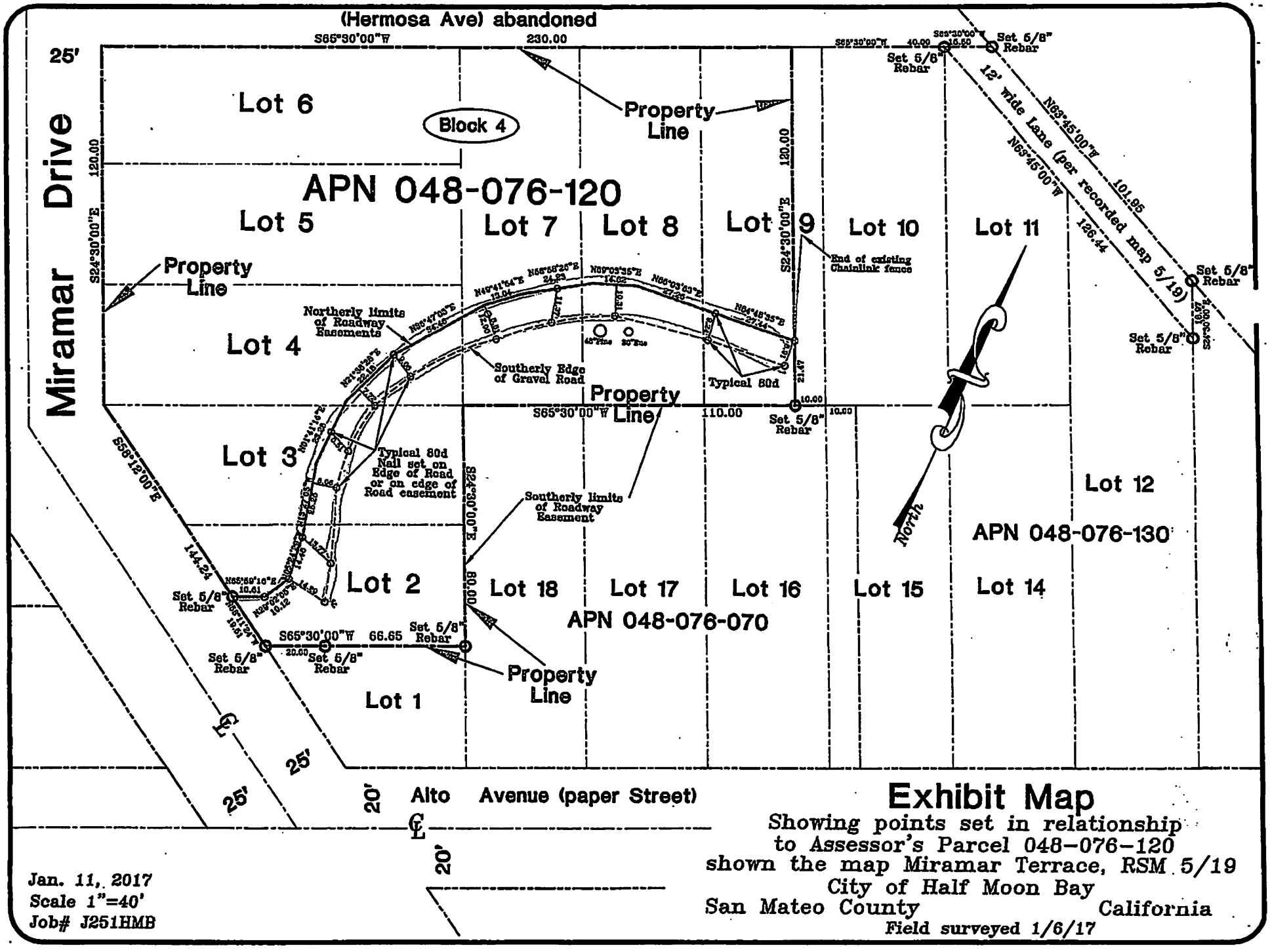


Exhibit Map

Showing points set in relationship to Assessor's Parcel 048-076-120 shown the map Miramar Terrace, RSM 5/19
City of Half Moon Bay
San Mateo County California
Field surveyed 1/6/17

Jan. 11, 2017
Scale 1"=40'
Job# J251HMB



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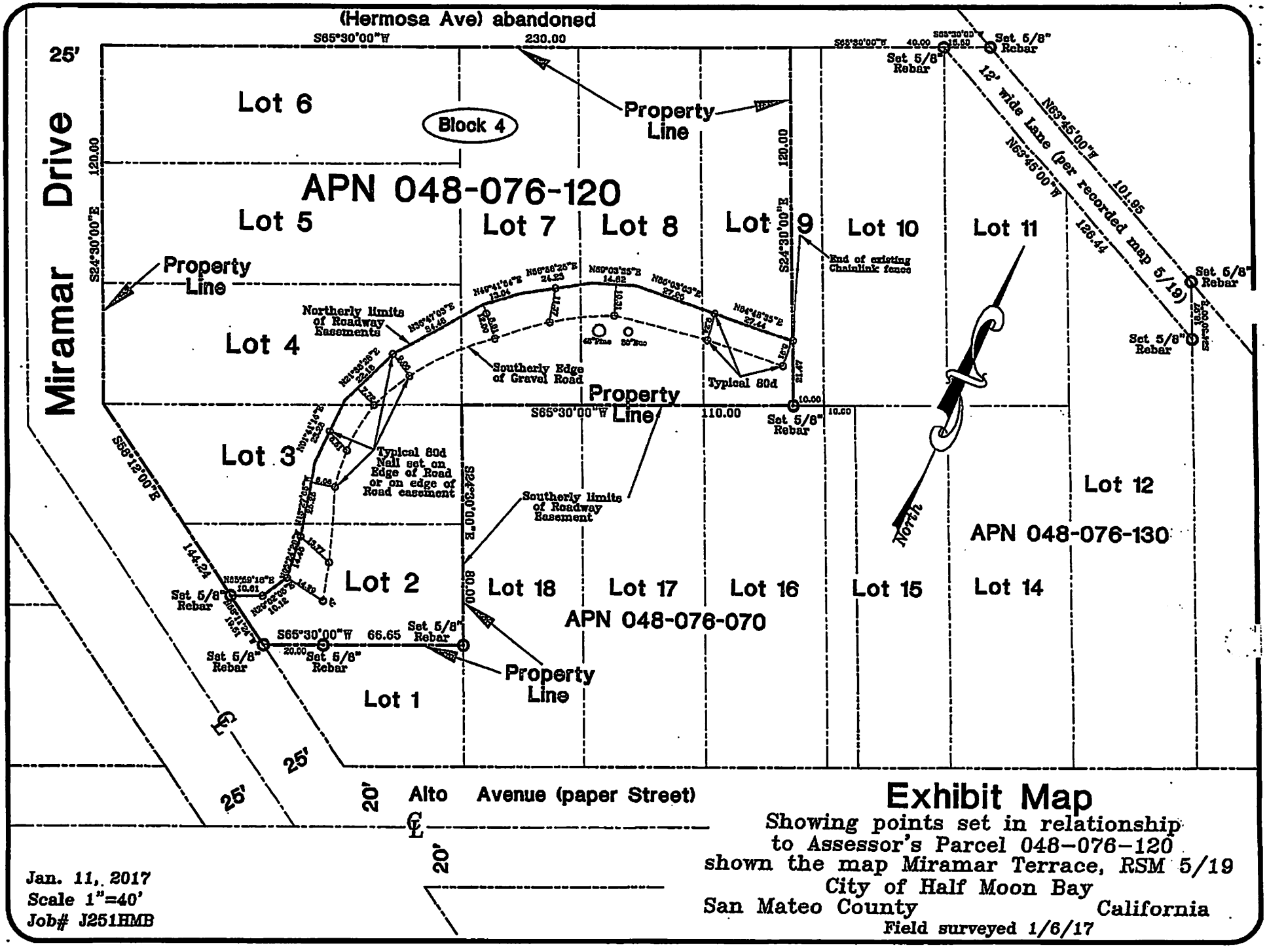
Job# J251HMB



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City of Half Moon Bay
San Mateo County California
Field surveyed 1/6/17

Jan. 11, 2017
Scale 1"=40'
Job# J251HMB

Peter N. Brewer/Bar No. 87971
Charles S. Bronitsky/Bar No. 124332
Law Offices of Peter N. Brewer
2501 Park Boulevard, 2nd Floor
Palo Alto, CA 94306
Tel: (650) 327-2900
Fax: (650) 327-5959

Attorneys for Plaintiff
SANDRA P. McIVER,
TRUSTEE OF THE
EDITH R. STERN TRUST

File By Fax

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN MATEO

UNLIMITED JURISDICTION

SANDRA P. McIVER, TRUSTEE OF THE EDITH R. STERN TRUST DATED JULY 6, 1953 F/B/A/SANDRA P. McIVER,

Plaintiff,

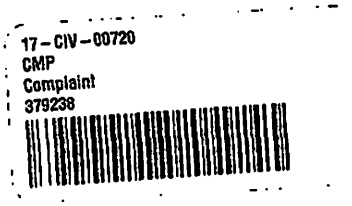
v.

TEG PARTNERS, LLC, a Delaware limited liability company; TEJINDER SINGH, an individual; TRIPATINDER S. CHOWDRY, an individual; ALL PERSONS UNKNOWN CLAIMING ANY LEGAL OR EQUITABLE RIGHT, TITLE, ESTATE, LIEN OR INTEREST IN THE PROPERTY RIGHTS DESCRIBED IN THE COMPLAINT ADVERSE TO PLAINTIFF'S TITLE THERETO and DOES 1-25,

Defendants.

Case No.: 17CIV00720

COMPLAINT FOR QUIET TITLE, TRESPASS; DECLARATORY RELIEF; INJUNCTION



Plaintiff, SANDRA P. McIVER, TRUSTEE OF THE EDITH R. STERN TRUST DATED JULY 6, 1953 F/B/A/SANDRA P. McIVER, for causes of action against Defendants,

TEG PARTNERS, LLC, a Delaware limited liability company; **TEJINDER SINGH,** an individual; **TRIPATINDER S. CHOWDRY,** an individual; **ALL PERSONS UNKNOWN CLAIMING ANY LEGAL OR EQUITABLE RIGHT, TITLE, ESTATE, LIEN OR INTEREST IN THE PROPERTY DESCRIBED IN THE COMPLAINT ADVERSE TO PLAINTIFF'S TITLE THERETO** and DOES 1-25, alleges and complains as follows:

GENERAL ALLEGATIONS

1. Plaintiff **SANDRA P. McIVER, TRUSTEE OF THE EDITH R. STERN TRUST DATED JULY 6, 1953 F/B/A/SANDRA P. McIVER,** is the Trustee of the Trust that is the owner of that certain real property located in the County of San Mateo commonly known as 655 Miramar Drive, Half Moon Bay, California, APN 048,076-130, more patricularly described in the legal description attached hereto as Exhibit A (the "McIver Property"). Included in the ownership of the McIver Property is an easement for driveway access and utility access as described therein.

2. Plaintiff is informed and believes and upon such information and belief alleges that Defendant, **TEG PARTNERS, LLC,** a Delaware limited liability company, is a Delaware limited liabilty company and the owner of that certain parcel of real property located adjacent to the McIver Property and also located in the County of San Mateo as APN 048-076-120 (the "Teg Parcel). The Teg Parcel are burdened by the easement for driveway access and utility access as described in the legal description of the McIver Property.

3. Plaintiff is informed and believes and upon such information and belief alleges that Defendant, **TEJINDER SINGH,** an individual, is one of the members and managers of Teg Partners, LLC and participated personally in the acts alleged herein.

4. Plaintiff is informed and believes and upon such information and belief allege that Defendant, **TRIPATINDER S. CHOWDRY,** an individual, is one of the members and managers of Teg Partners, LLC and participated personally in the acts alleged herein.

5. Plaintiff does not know the true names of defendants **ALL PERSONS UNKNOWN, CLAIMING ANY LEGAL OR EQUITABLE RIGHT, TITLE, ESTATE, LIEN, OR INTEREST IN THE PROPERTY RIGHTS DESCRIBED IN THE COMPLAINT**

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Law Offices of Peter N. Brewer
2501 Park Blvd., 2nd Floor
Palo Alto, CA 94306
650-327-2800

ADVERSE TO PLAINTIFF'S TITLE or any cloud on Plaintiff's title thereto or DOES 1 through 25, inclusive, and therefore sues them by those fictitious names. The names, capacities and relationships of said Defendants and of DOES 1 through 25 will be alleged by amendment to this Complaint when they are known.

6. Plaintiff is informed and believes and upon such information and belief alleges that each of the DOE defendants and each of the UNKNOWN defendants claims, or may claim, some interest in the real property described in paragraph 1 of this Complaint.

7. Plaintiff is informed and believes and upon such information and belief alleges that at all times mentioned in this Complaint Defendants were the agents and employees of their Codefendants, and in doing the things alleged in this complaint were acting within the course and scope of such agency and employment.

8. In or around August, 2007, Plaintiff's predecessors in interest and Defendants' predecessors in interest recorded a Lot Line Adjustment and an Easement affecting the McIver Property and the Teg Parcel. True and correct copies of the recorded documents creating the Lot Line Adjustment and the Easement are attached hereto as Exhibits "B" and "C."

9. The Easement that was recorded was for the benefit of the McIver Property and burdened the Teg Parcel with a driveway and utility easement. A true and correct copy of the legal description of the Easement is attached hereto as Exhibit "D."

10. Defendants, and each of them, have interfered with Plaintiff's use of the easement by placing stakes into the ground in the easement and surrounding those stakes with steel rebar, which are also in the easement and most recently by erecting fences on both sides of the easement some of which are within the easement and some of which block emergency fire access to The McIver Property. True and correct copies of the fences are attached hereto as Exhibit "E."Said interference restricts and endangers the use of the easement for its stated purposes and significantly endangers The McIver Property in that fire apparatus will be unable to reach The McIver Property with the fences erected by Defendants. Unless Defendants interference with the easement is reversed and future interference prevented, including, but not limited to the removal of the newly erected fences, Plaintiff stand to suffer irreparable and continuing injury.

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Law Offices of Peter N. Brewer
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650-327-2800

11. Plaintiff is informed and believes and upon such information and belief alleges that Defendants, directly or through their agent(s) trespassed onto The McIver Property and interfered with the use of the easement and continue to trespass on the Property by interfering with Plaintiff's use of the easement and by erecting fences that endager Plaintiff and Plaintiff's invitees, tenants and others use of Plaitniff's property by preventing access to The McIver Property by fire and other emergency vehicles. Defendants are without legal right to so interefere with the use of the easement and should be ordered to remove the encroachments and cease all future interference with the use of the easement.

FIRST CAUSE OF ACTION
QUIET TITLE

12. Plaintiff incorporates the General Allegations stated in paragraphs 1 through 11, above, as though fully set forth herein.

13. Based on the foregoing, Plaintiff seeks to quiet title to the driveway and utility easement owned by Plaintiff and recorded in favor of the McIver Property and against the Teg Parcel against Defendants **TEG PARTNERS, LLC,** a Delaware limited liability company; **TEJINDER SINGH,** an individual; **TRIPATINDER S. CHOWDRY,** an individual; **ALL PERSONS UNKNOWN CLAIMING ANY LEGAL OR EQUITABLE RIGHT, TITLE, ESTATE, LIEN OR INTEREST IN THE PROPERTY DESCRIBED IN THE COMPLAINT ADVERSE TO PLAINTIFF'S TITLE THERETO** and DOES 1-25.

14. The claims of Defendants **TEG PARTNERS, LLC,** a Delaware limited liability company; **TEJINDER SINGH,** an individual; **TRIPATINDER S. CHOWDRY,** an individual; **ALL PERSONS UNKNOWN CLAIMING ANY LEGAL OR EQUITABLE RIGHT, TITLE, ESTATE, LIEN OR INTEREST IN THE PROPERTY DESCRIBED IN THE COMPLAINT ADVERSE TO PLAINTIFF'S TITLE THERETO** and DOES 1-25 and the uncertainty resulting therefrom, depreciate the market value of the McIver Property.

15. Unless Defendants and each of them are restrained by order of this Court from interfering with Plaintiff's use of the Easement, Plaintiff will suffer irreparable injury and waste to the McIver Property in that the use and economic value of the McIver Property will be

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substantially diminished, and Plaintiff will be deprived of the valuable property rights and comfortable enjoyment of its property. In addition, the erection of fences by Defendants poses an extreme hazard to Plaintiff and to Plaintiff's tenants, guests and invitees as fire and emergency vehicles will be unable to get to the McIver Property in the event of a fire or similar emergency.

16. Plaintiff has no plain, speedy or adequate remedy at law for the injuries sustained and to be sustained by Plaintiff in that the ongoing and threatened injury constitutes a loss of interest in real property, which is unique. Consequently, this is an appropriate action for imposition of injunctive relief by order of this Court, enforcing Plaintiff's title to the Easement benefiting the Property.

WHEREFORE, Plaintiff prays judgment as set forth below:

SECOND CAUSE OF ACTION
TRESPASS

17. Plaintiff incorporates the General Allegations stated in paragraphs 1 through 11, above, as though fully set forth herein.

18. Plaintiff is informed and believes, and on that basis alleges, that unless Defendants **TEG PARTNERS, LLC,** a Delaware limited liability company; **TEJINDER SINGH,** an individual; **TRIPATINDER S. CHOWDRY,** an individual; **ALL PERSONS UNKNOWN CLAIMING ANY LEGAL OR EQUITABLE RIGHT, TITLE, ESTATE, LIEN OR INTEREST IN THE PROPERTY DESCRIBED IN THE COMPLAINT ADVERSE TO PLAINTIFF'S TITLE THERETO** and DOES 1-25 are restrained and enjoined by order of this Court, Defendants will continue to engage in the above-described acts and omissions constituting a trespass on the easement benefiting the McIver Property. Such conduct will result in irreparable harm to Plaintiff. The threat of such irreparable and permanent damage justifies the issuance by this Court of an injunction.

WHEREFORE, Plaintiff prays judgment as set forth below:

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Palo Alto, CA 94306
650-327-2900

THIRD CAUSE OF ACTION
DECLARATORY RELIEF

19. Plaintiff incorporates the General Allegations stated in paragraphs 1 through 11, above, as though fully set forth herein.

20. An actual and justiciable controversy exists between Plaintiff and Defendants **TEG PARTNERS, LLC,** a Delaware limited liability company; **TEJINDER SINGH,** an individual; **TRIPATINDER S. CHOWDRY,** an individual; **ALL PERSONS UNKNOWN CLAIMING ANY LEGAL OR EQUITABLE RIGHT, TITLE, ESTATE, LIEN OR INTEREST IN THE PROPERTY DESCRIBED IN THE COMPLAINT ADVERSE TO PLAINTIFF'S TITLE THERETO** and DOES 1-25 concerning their respective rights, title and interest to the Easement benefiting The McIver Property.

21. Plaintiff desires that the Court make a judicial determination of its rights, title and interest in Plaintiffs' Property, including the Easement, and a declaration that Plaintiff is the owner in fee simple to all of the McIver Property, including the Easement, as described in the legally recorded deed and as of the date this complaint is filed, free and clear of any claim or right of any Defendant.

22. A judicial declaration is necessary and appropriate at this time in order that the parties may ascertain their rights, title and interest in the McIver Property

WHEREFORE, Plaintiff prays judgment as set forth below:

FOURTH CAUSE OF ACTION
INJUNCTIVE RELIEF

23. Plaintiff incorporates the General Allegations stated in paragraphs 1 through 11, above, as though fully set forth herein.

24. Unless Defendants and each of them are restrained by order of this Court from interfering with Plaintiffs' ownership of the McIver Property, including use of the Easement for driveway access and utility access, Plaintiff will suffer irreparable injury and waste to the McIver

Property in that the use and economic value of the McIver Property will be substantially diminished, and Plaintiff will be deprived of the valuable property rights and comfortable enjoyment of its property.

25. As a result of the foregoing, a temporary and permanent injunction, preventing Defendants, **TEG PARTNERS, LLC,** a Delaware limited liability company; **TEJINDER SINGH,** an individual; **TRIPATINDER S. CHOWDRY,** an individual; **ALL PERSONS UNKNOWN CLAIMING ANY LEGAL OR EQUITABLE RIGHT, TITLE, ESTATE, LIEN OR INTEREST IN THE PROPERTY DESCRIBED IN THE COMPLAINT ADVERSE TO PLAINTIFF'S TITLE THERETO** and DOES 1-25, from coming onto the McIver Property or interfering with Plaintiff's use of the Easement is necessary and appropriate in this situation.

WHEREFORE, Plaintiff prays judgment as follows:

1. For a judgment quieting title in the McIver Property, including the Easement for driveway access and utility access in favor of Plaintiff;
2. For an injunction, requiring the removal of the recently erected fences and prohibiting any further trespass and further interference with the use of the Easement by Defendants **TEG PARTNERS, LLC,** a Delaware limited liability company; **TEJINDER SINGH,** an individual; **TRIPATINDER S. CHOWDRY,** an individual; **ALL PERSONS UNKNOWN CLAIMING ANY LEGAL OR EQUITABLE RIGHT, TITLE, ESTATE, LIEN OR INTEREST IN THE PROPERTY DESCRIBED IN THE COMPLAINT ADVERSE TO PLAINTIFF'S TITLE THERETO** and DOES 1-25;
3. For damages in an amount to be determined;
4. For interest as allowed by law;
5. Costs of suit;
6. Such other and further relief that the Court considers just and proper.

///

CHARLES S. BRONITSKY
Law Offices of Peter N. Brewer
2501 Park Blvd., 2nd Floor
Palo Alto, CA 94306
650-327-2900

Dated: February 16, 2017

LAW OFFICES OF PETER N. BREWER

By: _____
Charles S. Bronitsky

CHARLES S. BRONITSKY
Law Offices of Peter N. Brewer
2501 Park Blvd., 2nd Floor
Palo Alto, CA 94306
650-327-2900

VERIFICATION

I, Sandra P. McIver, declare:

I am the Plaintiff in the above entitled action or proceeding. I have read the foregoing Complaint and know the contents thereof and I certify that the same is true of my own knowledge, except as to those matters which are therein stated upon my information and belief and as to those matters, I believe them to be true.

I declare under penalty of perjury, under the laws of the State of California that the foregoing is true and correct

Executed on February 13, 2017, at Sausalito, California.

By: Sandra P. McIver
Sandra P. McIver

CHARLES S. BRONITSKY
Law Offices of Peter N. Brewer
2501 Park Blvd., 2nd Floor
Palo Alto, CA 94306
650-327-2900

EXHIBIT A

A.P.N.: 048-076-130 File No.: 55903-1256530-13

EXHIBIT A

PARCEL ONE:

LOTS 10, 11, 12, 13, 14 AND 15, AND THE NORTHEASTERLY 10 FEET OF LOT 9, MEASURED AT RIGHT ANGLES LYING CONTIGUOUS TO AND SOUTHWESTERLY OF THE NORTHWESTERLY LINE OF LOT 9 AND EXTENDING FROM THE NORTHWESTERLY TO THE SOUTHWESTERLY LINE OF LOT 9, BLOCK 4 AS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP OF SUBDIVISION OF BLOCK 10, MIRAMAR TERRACE", FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF SAN MATEO, STATE OF CALIFORNIA ON AUGUST 5, 1907 IN BOOK 5 OF MAPS AT PAGE 19.

EXCEPTING FROM LOT 15, A STRIP OF LAND 10 FEET WIDE, MEASURED AT RIGHT ANGLES LYING CONTIGUOUS TO AND NORTHEASTERLY OF THE SOUTHWESTERLY LINE OF LOT 15 OF SAID BLOCK 4 AND EXTENDING FROM THE NORTHWESTERLY TO THE SOUTHEASTERLY LINE OF SAID LOT 15.

BEING PARCEL 2 ON "APPROVAL OF LOT LINE ADJUSTMENT" RECORDED AUGUST 24, 2007, SAN MATEO COUNTY RECORDS, SERIES NO. 2007-127571.

PARCEL TWO:

AN EASEMENT FOR DRIVEWAY ACCESS AND UTILITIES ACROSS PARCEL 1 FOR THE BENEFIT OF PARCEL 2 AS SAID PARCELS ARE SHOWN ON THAT LOT LINE ADJUSTMENT FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SAN MATEO AUGUST 24, 2007, SERIES NUMBER 2007-127571. SAID EASEMENT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID PARCEL 1, THENCE ALONG THE SOUTHWESTERLY LINE OF PARCEL 1, NORTH 58° 11' 24" WEST, 19.51 FEET; THENCE LEAVING SAID SOUTHWESTERLY LINE OF PARCEL 1 ALONG THE NORTHERLY EDGE OF AN EXISTING GRAVEL DRIVE THE FOLLOWING COURSES: NORTH 65° 59' 16" EAST, 10.61 FEET; THENCE NORTH 29° 02' 05" EAST, 10.12 FEET; THENCE NORTH 05° 24' 29" WEST, 14.46 FEET; THENCE NORTH 13° 27' 05" WEST, 25.26 FEET; THENCE NORTH 01 O 41' 14" EAST, 23.28 FEET; THENCE NORTH 21° 38' 28" EAST, 22.18; THENCE NORTH 36° 47' 03° EAST, 34.46 FEET; THENCE NORTH 49° 41' 54" EAST, 13.04 FEET; THENCE NORTH 56° 58' 25" EAST, 24.23 FEET; THENCE NORTH 69° 03' 35" EAST, 14.62 FEET; THENCE NORTH 85° 03' 53" EAST, 27.25 FEET, THENCE NORTH 84° 48' 15" EAST, 27.44 FEET TO A POINT ON THE LINE COMMON TO PARCEL 1 AND PARCEL 2; SAID POINT BEARS NORTH 24° 30' 00" WEST 21.47' FROM THE SOUTHERLY CORNER OF PARCEL 1 AND PARCEL 2.

THENCE LEAVING THE EDGE OF THE EXISTING GRAVEL DRIVE, ALONG SAID LINE COMMON TO PARCEL 1 AND PARCEL 2, SOUTH 24° 30' 00" EAST, 21.47 FEET; THENCE ALONG THE SOUTHERLY AND EASTERLY LINE OF PARCEL 1, THE FOLLOWING COURSES: SOUTH 65° 30' 00" WEST, 110.00 FEET; THENCE SOUTH 24° 30' 00" EAST, 80.00 FEET; THENCE SOUTH 65° 30' 00 WEST, 66.67 FEET TO THE POINT OF BEGINNING.

PARCEL THREE:

AN EASEMENT FOR OVERHEAD UTILITIES AND MAINTENANCE THEREOF ACROSS PARCEL 1 FOR THE BENEFIT OF PARCEL 2 AS SAID PARCELS ARE SHOWN ON THAT LOT LINE ADJUSTMENT FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SAN MATEO AUGUST 24, 2007, SERIES NUMBER 2007-127571. SAID EASEMENT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN ANGLE POINT ON THE WESTERLY LINE OF PARCEL 1, SAID POINT BEARS SOUTH

24° 30' EAST 120.00 FEET FROM THE NORTHWESTERLY CORNER OF PARCEL 1, THENCE ALONG THE WESTERLY LINE OF SAID PARCEL 1, NORTH 24° 30' WEST 10.00 FEET, THENCE LEAVING SAID WESTERLY LINE, ACROSS PARCEL 1, NORTH 65° 30' EAST 230.00 FEET TO A POINT ON THE LINE BETWEEN PARCEL 1 AND PARCEL 2, SAID POINT BEARS NORTH 24° 30' WEST 10.00 FEET FROM THE SOUTHERLY TERMINUS OF LINE BETWEEN PARCEL 1 AND PARCEL 2, THENCE ALONG THE LINE BETWEEN PARCEL 1 AND PARCEL 2, SOUTH 24° 30' EAST 10.00 FEET TO THE SOUTHERLY TERMINUS OF THE LINE BETWEEN PARCEL 1 AND PARCEL 2, THENCE SOUTH 65° 30' WEST 230.00 FEET TO THE POINT OF BEGINNING.

EXHIBIT B

Recorded at the Request of, and When Recorded Return to: Stephanie Skangos Planning and Building Department 455 County Center, 2nd Floor Mail Drop PLN122 Redwood City, CA 94063	For Clerk Use Only 2007-127571 09:42am 08/24/07 LL Fee: NO FEE Count of pages 3 Recorded in Official Records County of San Mateo Warren Slocum Assessor-County Clerk-Recorder *20070127571AR*
Exempt from Fees Pursuant to Government Code Section 27383	

County of San Mateo
Planning and Building Department

APPROVAL OF LOT LINE ADJUSTMENT

Pursuant to Government Code Section 66412(d)

3P2

Planning File No. PLN 2007-00153

The application of Lyle S. Church, Successor Trustee of the Lyle and Patricia Church Family Trust, for adjustment of property line between parcels owned by him located at 655 Miramar Drive, Half Moon Bay and the adjacent vacant lot identified as Assessor's Parcel Numbers 048-076-110 and 048-076-080, is hereby approved as follows:

Description of New Property Configurations

All that real property situate in the State of California, County of San Mateo, being more particularly described as follows:

Parcel 1

Lots 2, 3, 4, 5, 6, 7, 8 and 9, Block 4 as shown on that certain map entitled "MAP OF SUBDIVISION OF BLOCK 10, MIRAMAR TERRACE," filed for record in the Office of the Recorder of San Mateo, State of California on August 5, 1907 in Book 5 of Maps at Page 19.

EXCEPTING FROM Lot 9, a strip of land 10 feet wide, measured at right angles lying contiguous to and Southwesterly of the Northeasterly line of Lot 9 of said Block 4 and extending from the Northwesterly to the Southeasterly line of Lot 9.
Contains 35,066 sq. ft. more or less.

Parcel 2

Lots 10, 11, 12, 13, 14 and 15, and the Northeasterly 10 feet of Lot 9, measured at right angles lying contiguous to and Southwesterly of the Northeasterly line of Lot 9 and extending from the Northwesterly to the Southwesterly line of Lot 9, Block 4 as shown on that certain Map entitled "MAP OF SUBDIVISION OF BLOCK 10, MIRAMAR TERRACE," filed for record in the Office of the Recorder of San Mateo, State of California on August 5, 1907 in Book 5 of Maps at Page 19.

EXCEPTING FROM Lot 15, a strip of land 10 feet wide, measured at right angles lying contiguous to and Northeasterly of the Southwesterly line of Lot 15 of said Block 4 and extending from the Northwesterly to the Southeasterly line of said Lot 15.
Contains 31,665 sq. ft. more or less.

The property lines described above are now recognized by this office as the lines dividing the property in question.

Lisa Grote — August 21, 2007
Lisa Grote — Date
Community Development Director

I, as owner of record, hereby acknowledge my consent to the above-described lot line adjustment.

Lyle S. Church — 8-17-07
Lyle S. Church — Date

LCG:SKS/kcd - SKSR0884_WKN.DOC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of San Mateo }

On 8/21/07 (Date) before me, Margaret G. Hernandez, Notary Public (Name and Title of Officer (e.g., "Jane Doe, Notary Public"))

personally appeared Lisa Grote (Name(s) of Signer(s))

☒ personally known to me

☐ (or proved to me on the basis of satisfactory evidence)

to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in ~~his~~/her/~~their~~ authorized capacity(~~ies~~), and that by ~~his~~/her/~~their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

MARGARET G. HERNANDEZ
Commission # 1755802
Notary Public - California
San Mateo County
My Comm. Expires Jul 6, 2011

WITNESS my hand and official seal.

Signature Margaret G. Hernandez (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document
Title or Type of Document: Approval of Lot Line Adjustment
Document Date: August 17, 2007 Number of Pages: 2
Signer(s) Other Than Named Above: None

Capacity(~~ies~~) Claimed by Signer(s)

Signer's Name: Lisa Grote	Signer's Name:
☐ Individual	☐ Individual
☐ Corporate Officer — Title(s):	☐ Corporate Officer — Title(s):
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☒ Other: Community Develop. Director	☐ Other:
Signer Is Representing: County of San Mateo	Signer Is Representing:
RIGHT THUMBPRINT OF SIGNER — Top of thumb here	RIGHT THUMBPRINT OF SIGNER — Top of thumb here

EXHIBIT C

2007-129383

12:55pm 08/28/07 NOT Fee: 16.00
Count of pages 4
Recorded in Official Records
County of San Mateo
Warren Slocum
Assessor-County Clerk-Recorder

200701293 83AR

APN: 048-076-110, 048-076-080

RECORDING REQUESTED BY
Old Republic Title Company

Escrow No: 0353002877

WHEN RECORDED MAIL TO

Lyle Church
655 Miramar Dr.
Half Moon Bay, CA 94019

4 pgs

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF INTENT

APN:

Notice is hereby given that on conveyance of Parcel 1 or Parcel 2 or both of them, as said parcels are set out on Lot Line Adjustment Recorded August 24, 2007, Series Number 2007-127571, San Mateo County Records.

Lyle S. Church, successor Trustee of the Lyle and Patricia Church Family Trust Dated October 19, 1999

Will reserve or grant or cause to be reserved or granted, as the case may be, an easement for driveway access and utilities.

Over and across said Parcel 1 for the benefit of said Parcel 2. Said easement being more particularly described in Exhibit "A" attached hereto and made a part hereof by this reference.

Dated: July 16, 2007

Lyle and Patricia Church Family Trust, dated October 19, 1999

Lyle S. Church

Lyle S. Church, successor Trustee

AB/sm

NOTICE OF INTENT
Dated: July 16, 2007

State of CA

County of San Mateo

On July 20, 2007 before me, S. Morasci,
a Notary Public ~~in and for said State~~, personally appeared Lyle S. Church, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) ~~is/are~~ subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity(ies), and that by ~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

Name: S. Morasci
(typed or printed)

S. MORASCI
COMM. # 1451555
NOTARY PUBLIC-CALIFORNIA
SAN MATEO COUNTY
COMM. EXP. NOV. 18, 2007

(Seal)

COASTSIDE LAND SURVEYING
799 MAIN STREET SUITE #E
HALF MOON BAY, CA 94019
650 726-1715 FAX 650 726-4285

EXHIBIT A

LEGAL DESCRIPTION
DRIVEWAY EASEMENT

All that real property situate in the County of San Mateo, State of California, being an easement for driveway access and utilities across Parcel 1 for the benefit of Parcel 2 as said parcels are shown on that Lot Line Adjustment filed in the Office of the Recorder of the County of San Mateo August 24, 2007, Series Number 2007-127571. Said easement is more particularly described as follows:

Beginning at the Southwesterly corner of said Parcel 1, thence along the Southwesterly line of Parcel 1, North 58°11'24" West, 19.51 feet; thence leaving said Southwesterly line of Parcel 1 along the Northerly edge of an existing gravel drive the following courses: North 65°59'16" East,10.61 feet; thence North 29°02'05" East, 10.12 feet; thence North 05°24'29" West, 14.46 feet; thence North 13°27'05" West, 25.26 feet; thence North 01°41'14" East, 23.28 feet; thence North 21°38'28" East, 22.18; thence North 36°47'03" East, 34.46 feet; thence North 49°41'54" East, 13.04 feet; thence North 56°58'25" East, 24.23 feet; thence North 69°03'35" East, 14.62 feet; thence North 85°03'53" East, 27.25 feet; thence North 84°48'15" East, 27.44 feet to a point on the line common to Parcel 1 and Parcel 2; said point bears North 24°30'00" West 21.47' from the Southerly corner of Parcel 1 and Parcel 2.

Thence leaving the edge of the existing gravel drive, along said line common to Parcel 1 and Parcel 2, South 24°30'00" East, 21.47 feet; thence along the Southerly and Easterly lines of Parcel 1, the following courses:

South 65°30'00" West, 110.00 feet; thence South 24°30'00" East, 80.00 feet; thence South 65°30'00" West, 66.67 feet to the POINT OF BEGINNING.

Contains 8890 Square Feet, more or less.

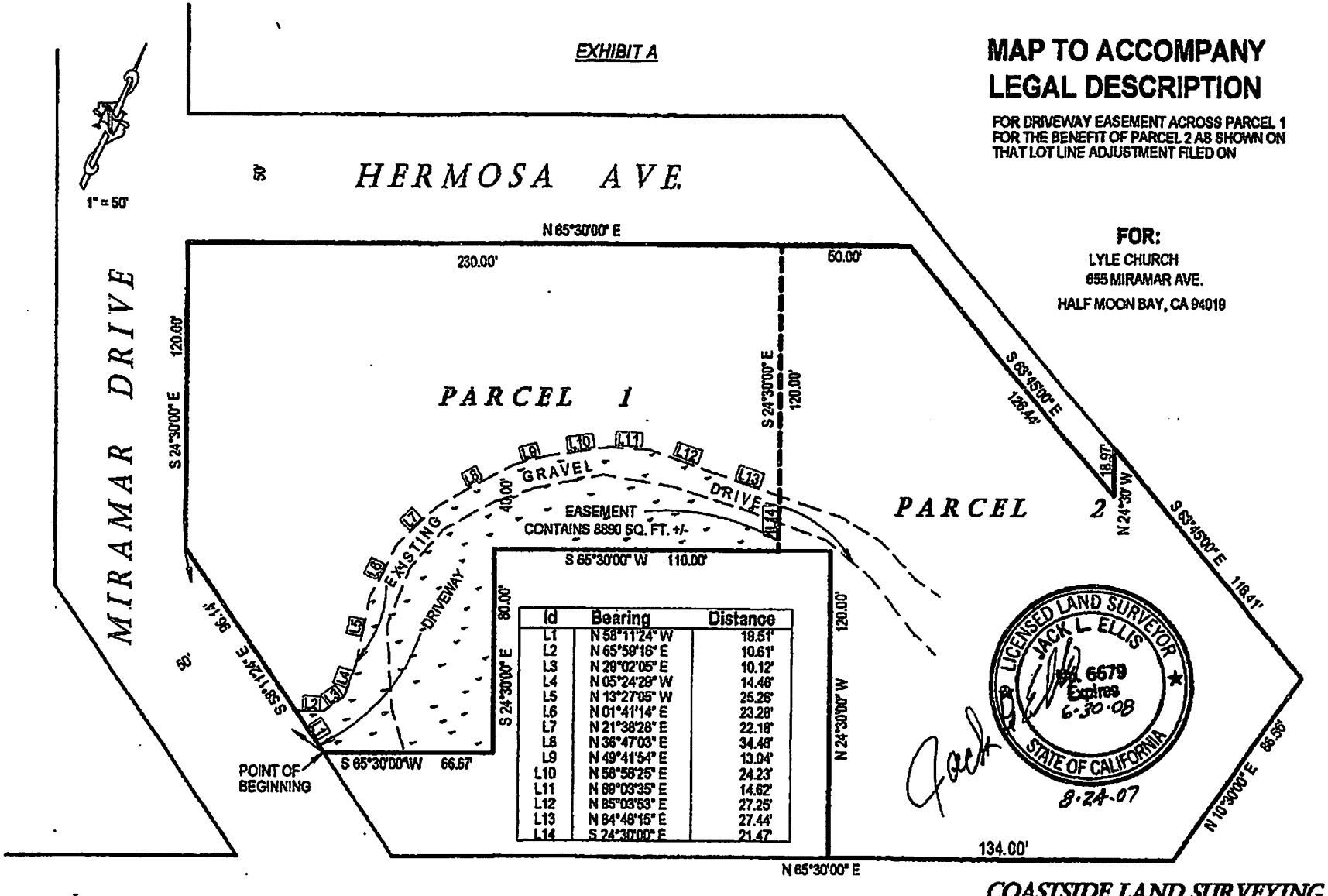
06/08/07
Wo #03-05. Church 03-05dwyease.wpd

EXHIBIT A

MAP TO ACCOMPANY LEGAL DESCRIPTION

FOR DRIVEWAY EASEMENT ACROSS PARCEL 1 FOR THE BENEFIT OF PARCEL 2 AS SHOWN ON THAT LOT LINE ADJUSTMENT FILED ON

FOR:
LYLE CHURCH
655 MIRAMAR AVE.
HALF MOON BAY, CA 94019



Id	Bearing	Distance
L1	N 58°11'24" W	19.51'
L2	N 65°58'16" E	10.61'
L3	N 29°02'05" E	10.12'
L4	N 05°24'29" W	14.46'
L5	N 13°27'05" W	25.26'
L6	N 01°41'14" E	23.28'
L7	N 21°38'28" E	22.18'
L8	N 36°47'03" E	34.48'
L9	N 49°41'54" E	13.04'
L10	N 56°58'25" E	24.23'
L11	N 69°03'35" E	14.62'
L12	N 85°03'53" E	27.25'
L13	N 84°48'15" E	27.44'
L14	S 24°30'00" E	21.47'

COASTSIDE LAND SURVEYING
799 MAIN STREET #E
HALF MOON BAY, CA 94019
650 726-1715

JUNE 2007
WO #03-05 03-05DWYEASE.PCS
PAGE 2 OF 2

EXHIBIT D

COASTSIDE LAND SURVEYING
799 MAIN STREET SUITE #E
HALF MOON BAY, CA 94019
650 726-1715 FAX 650 726-4285

EXHIBIT A

LEGAL DESCRIPTION
DRIVEWAY EASEMENT

All that real property situate in the County of San Mateo, State of California, being an easement for driveway access and utilities across Parcel 1 for the benefit of Parcel 2 as said parcels are shown on that Lot Line Adjustment filed in the Office of the Recorder of the County of San Mateo August 24, 2007, Series Number 2007-127571. Said easement is more particularly described as follows:

Beginning at the Southwesterly corner of said Parcel 1, thence along the Southwesterly line of Parcel 1, North 58°11'24" West, 19.51 feet; thence leaving said Southwesterly line of Parcel 1 along the Northerly edge of an existing gravel drive the following courses: North 65°59'16" East,10.61 feet; thence North 29°02'05" East, 10.12 feet; thence North 05°24'29" West, 14.46 feet; thence North 13°27'05" West, 25.26 feet; thence North 01°41'14" East, 23.28 feet; thence North 21°38'28" East, 22.18; thence North 36°47'03" East, 34.46 feet; thence North 49°41'54" East, 13.04 feet; thence North 56°58'25" East, 24.23 feet; thence North 69°03'35" East, 14.62 feet; thence North 85°03'53" East, 27.25 feet; thence North 84°48'15" East, 27.44 feet to a point on the line common to Parcel 1 and Parcel 2; said point bears North 24°30'00" West 21.47' from the Southerly corner of Parcel 1 and Parcel 2.

Thence leaving the edge of the existing gravel drive, along said line common to Parcel 1 and Parcel 2, South 24°30'00" East, 21.47 feet; thence along the Southerly and Easterly lines of Parcel 1, the following courses:

South 65°30'00" West, 110.00 feet; thence South 24°30'00" East, 80.00 feet; thence South 65°30'00" West, 66.67 feet to the POINT OF BEGINNING.

Contains 8890 Square Feet, more or less.

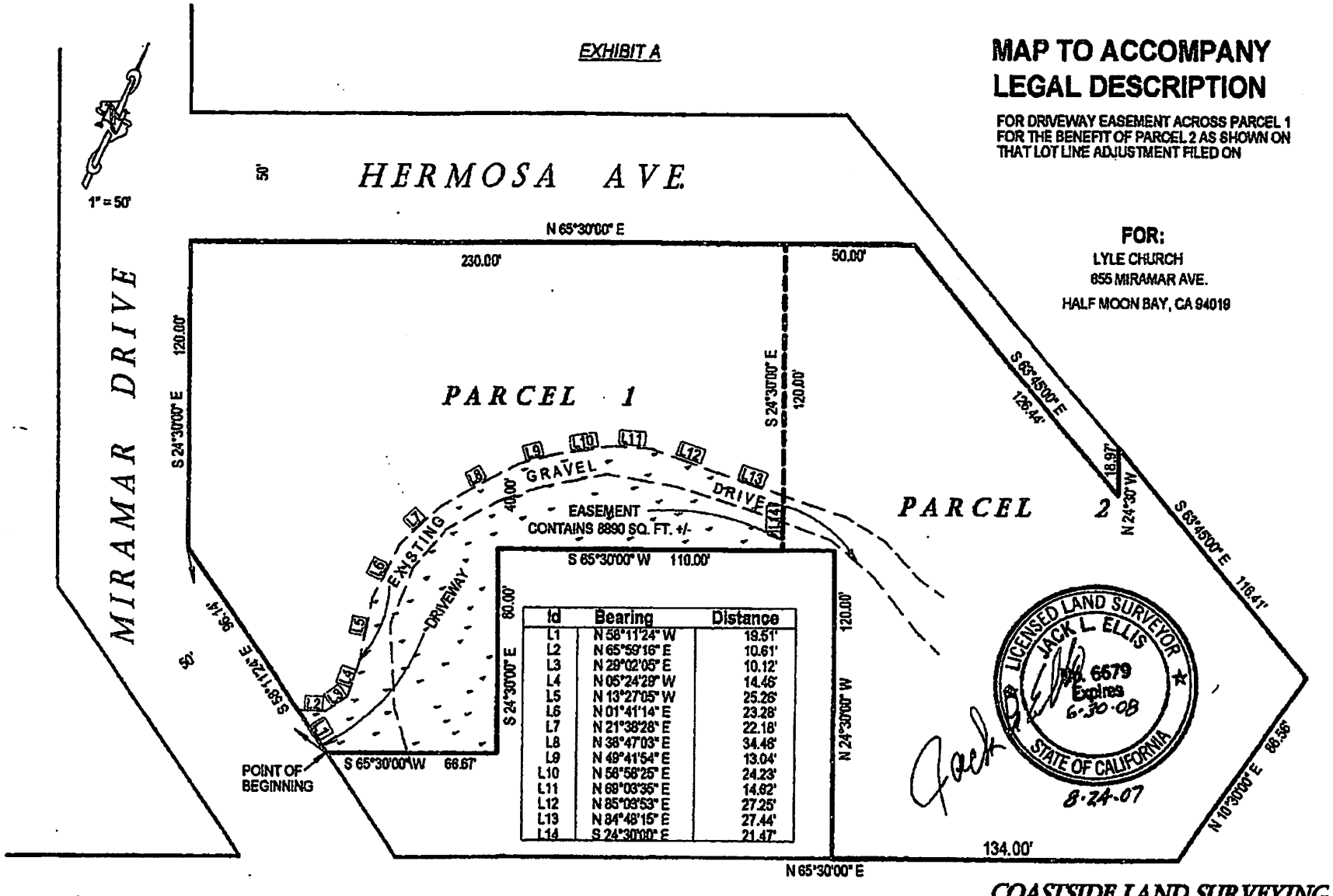
06/08/07
Wo #03-05. Church. 03-05dwyease.wpd

EXHIBIT A

MAP TO ACCOMPANY LEGAL DESCRIPTION

FOR DRIVEWAY EASEMENT ACROSS PARCEL 1 FOR THE BENEFIT OF PARCEL 2 AS SHOWN ON THAT LOT LINE ADJUSTMENT FILED ON

FOR:
LYLE CHURCH
655 MIRAMAR AVE.
HALF MOON BAY, CA 94019



Id	Bearing	Distance
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L7	N 21°38'28" E	22.18'
L8	N 38°47'03" E	34.46'
L9	N 49°41'54" E	13.04'
L10	N 56°56'25" E	24.23'
L11	N 69°03'36" E	14.62'
L12	N 85°03'53" E	27.25'
L13	N 84°48'15" E	27.44'
L14	S 24°30'00" E	21.47'

LICENSED LAND SURVEYOR
JACK L. ELLIS
No. 6679
Expires 6-30-08
STATE OF CALIFORNIA
8-24-07

COASTSIDE LAND SURVEYING
799 MAIN STREET #E
HALF MOON BAY, CA 94019
650 726-1715

JUNE 2007
WO #03-05 03-05DWYEASE.PCS
PAGE 2 OF 2

EXHIBIT E

Joan Kling

[redacted]

From: Tejinder singh [mailto:tjsingh007@me.com]
Sent: Thursday, December 06, 2018 10:53 AM
To: Lisa Aozasa <laozasa@smcgov.org>
Cc: Ruemel Panglao <rpanglao@smcgov.org>
Subject: Feb 22, 2017 Courts denied Tad Sanders McIver request to remove our fences

Dear Lisa,

On February 22, 2017, the Superior Court of the County of San Mateo rejected Tad Sanders and McIver complaint to remove the fences on ALL grounds presented in the complaint.

I am attaching the Complaint filed by Tad Sanders/ McIver and their lawyer and the opposition filed by us in the court for your convenience.

It is not clear why some in your staff are trying to contradict the courts ruling and our compliance with all of the codes as sent previously.

When you have a moment, I will greatly appreciate your assistance in executing our exemption application.

Best
Kind regards
TJ Singh

Joan Kling

From: Tejinder singh <tjsingh007@me.com>
Sent: Monday, December 10, 2018 9:35 AM
To: Joan Kling
Subject: URGENT: PLN2018-00426

CONFIDENTIAL – FOR SAN MATEO COUNTY OFFICIALS & PURPOSES ONLY

Dear Joan,

We have been living in our County at this place in Half Moon Bay, for 21 years. PLN2018-00426 is of crucial importance to us.

Without prejudice I would like to share a few videos of Complainant and the owners of Parcel-2, speeding vehicles on the driveway through the secure demarcation and isolation, which once and for all, addresses ALL misinformation about any issue regarding access.

Please ask yourself – do the complainants (and Tad Sanders) drive like this on their driveway? Where is the access restricted? Where is the access choked?

1. **Parcel-2 Owners and Tad Sanders Speeding on Driveway– Video 1**

https://www.dropbox.com/s/xmnpw0ark8asg9b/Video%20Speeding%201506450502033.mp4?dl=0

2. **Parcel-2 Owners and Tad Sanders continue Speeding on Driveway – Video 2**

https://www.dropbox.com/s/5hw6vpq9chhipnm/Video%20Speeding%201506478126828.mp4?dl=0

3. **Tad Sanders is Speeding on driveway – Video 3**

https://www.dropbox.com/s/7n3wsg3pkeegnsl/Video%20Tad%20Sanders%20Speeding%201529287589674.mp4?dl=0

4. **Tad Sanders is Speeding through the driveway – Video 4**

https://www.dropbox.com/s/sk1ssq9wfv9hm59/Video%20Tad%20Sanders%20Speeding%201529287594344.mp4?dl=0

5. **Tad Sanders Client (Parcel-2 owner) with Huge Truck entering – Video 5**

https://www.dropbox.com/s/jtvp8hcn95kl4td/Video%20Moving%20Truck%201510767787878.mp4?dl=0

6. **Tad Sanders Client (Parcel-2 owner) with Huge Truck exiting at night – Video 6**

https://www.dropbox.com/s/5d7l734am4iko5u/Video%20Moving%20Truck%20night%201510796763823.mp4?dl=0

7. **Fire Truck Access**

https://www.dropbox.com/s/vievy782cwir4zy/No%20obstruction%20Photos.pdf?dl=0

It has been a very long time since we filed our application for exemption and paid our fees. I humbly request your assistance in executing the exemption application PLN2018-00426.

For your convenience, below are the codes and grounds that qualify our application for the exemption.

REF: PLN2018-00426

We request an exemption for the secure demarcation and isolation on APN 048-076-120 based on among other, Section 6328.5 (e) and (b). Exemption codes attached and highlighted.

- **PRECEDENT FOR CDP EXEMPTION ON OUR PROPERTY:** In December 2016, the County granted the CDP exemption on our existing property, APN 048-076-120 for the 405 cubic feet of cut and 405 cubic feet of fill with compressed Baserock causing a change to the gradient from its previous natural gradient. Two large truck of Baserock were brought in for the purpose and compressed over a period of three days. The CDP exemption also included the digging of about 1ft trench all along 225 feet of the north side of an existing driveway on APN 048-076-120 to install and then subsequently remove the wattles, while leaving behind the 1 ft trench. (Please see pages 3, 4 & 5 of the link - https://www.dropbox.com/s/4ps1aa4ijzht7nm/Exemption%20Application%20consolidated.pdf?dl=0)

  Consequently, in line with the above exemption, this application qualifies for the same exemption.

(B) One of the key purposes of the PLN2018-00426 (Secure Demarcation and Isolation) application for exemption is **security for individuals and security for property.** (please refer to the Coastal Development Exemption Permit Application Dated October 29, 2018)

Security alone is a sufficient reason to grant the exemption. Please see –

1. **Public Resources Code – California Coastal Act (2017) originally of 1976**

    1. **Section 30001 (c)**: That to promote the public safety… and to protect public and private property

    1. **ARTICLE 2; Section 30210: …** need to protect public rights, rights of private property owners…

    1. **ARTICLE 2; Section 30253 (a):** Minimize risks to life and property…

    1. **ARTICLE 2; Section 30253 (e): …**protect special communities and neighborhoods…

2. **Zoning Regulations – County of San Mateo (2016)**

    6105. **Section 6105.3 (d) : …**development is necessary to protect the health or safety of persons or property…

3. **PURPOSE**: Security. To understand the situation, please imagine this to be your home and now you were being told to remove the equivalent of your front gate or front fence or front door, the security holding back all of this dangerous activity from you.

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(C) The Secure Demarcation and Isolation exemption application PLN2018-00426 **fully complies with –**

1. **ARTICLE 2; Section 30211 (Public Resources Code – California Coastal Act (2017)):** Development shall not interfere with the public's right of access to the sea

2. **ARTICLE 2; Section 30251 (Public Resources Code – California Coastal Act (2017)):** The scenic and visual qualities of coastal areas shall be considered and protected…Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms…

3. **ARTICLE 2; Section 30253 (Public Resources Code – California Coastal Act (2017)):** Minimization of adverse impacts

    1. **ARTICLE 2; Section 30253 (b):** Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area…

(D) There is still a question whether the property lies within the "Coastal Zone"

1. **Section 30103(a):** "Coastal zone" means … extending inland generally 1,000 yards from the mean high tide line of the sea

(E) The secure demarcation and isolation as in PLN2018-00426 also qualifies for exemption under the de minimis clause for exemption

1. **ARTICLE 2; Section 30624.7: …de minimis development…**

…waivers from coastal development permit…A proposed development is de minimis if…no potential for any adverse effect, either individually or cumulatively, on coastal resources…

(F) THE SECURE DEMARCATION AND ISOLATION IS AN ADDITION TO EXISTING STRUCTURES ON PROPERTY: Some of the critical structures on the property APN 048-076-120 are listed below. The secure demarcation and isolation is an addition to these existing structures. Some of the structures include:

1. A large drinking water pump https://www.dropbox.com/s/ft9k8308lhhoxd9/Drinking%20Water%20Pump%20on%20our%20property.jpg?dl=0;
2. Water meter;
3. Backflow control equipment;
4. As also stated in our application for exemption, the secure Demarcation and isolation is also just an addition to pre-existing Fences installed on APN 048-076-120 for the purpose of isolating APN 048-076-120 from Water District and power equipment of the Cell Towers; (Please see the location of these pre-existing fences in bold, on the attached map - https://www.dropbox.com/s/7h4k2klk95enc1u/Map%20with%20Water%20Pump%20Water%20Fences%20and%20P2%20Gate.pdf?dl=0)

Consequently, this **application qualifies for an exemption among other, Section 6328.5(b) of Zoning Regulations – County of San Mateo (2016).**

The above referenced Codes are in the link below for your convenience.

(https://www.dropbox.com/s/tv0keyqv0gaph8b/Referenced%20Codes%20for%20Exemption%20PLN2018-00426.pdf?dl=0)

Thanks

Kind regards

TJ Singh

Joan Kling

From: Tejinder singh <tjsingh007@me.com>
Sent: Friday, December 14, 2018 9:18 AM
To: Lisa Aozasa
Cc: Joan Kling; Ruemel Panglao
Subject: Re: PLN2018-00426

Thank you Lisa,

We await for early next week with a lot of anxiety since PLN2018-00426 is of crucial importance to us, our private property and for our neighborhood.

Thanks
Kind regards
TJ Singh

On Dec 13, 2018, at 10:19 AM, Lisa Aozasa <laozasa@smcgov.org> wrote:

> Hi Mr. Singh –
>
> We have been working on processing your CDX application, including reviewing all of the many documents, e-mails, videos and pictures you have sent, and Ruemel took the time to meet with you at the site. We do understand that this is of critical importance to you. We have a bit more research and internal discussion to complete, but expect to have a decision regarding the CDX by early next week. We appreciate your patience.
>
> Best,
>
> Lisa Aozasa
>
> Deputy Director
>
> SMC Planning & Building Department
>
> **From:** Tejinder singh [mailto:tjsingh007@me.com]
> **Sent:** Thursday, December 13, 2018 9:50 AM
> **To:** Lisa Aozasa <laozasa@smcgov.org>; Joan Kling <jkling@smcgov.org>
> **Cc:** Ruemel Panglao <rpanglao@smcgov.org>
> **Subject:** PLN2018-00426
>
> Dear Lisa and Joan,
>
> We have been living in Half Moon Bay in our San Mateo County for 21 years. This our community and we are very appreciative of everything you do for our community.
>
> We very very very much need your assistance regarding our exemption application PLN2018-00426. This is of crucial importance to us for our security, for the security of our private property and for the security of our neighborhood.

Further, we qualify for an exemption based on the county codes and precedent as detailed below.

As 21 year residents and tax-payers of San Mateo county we really do not deserve to continue to live in stress and fear. I have sent countless evidences and personally visited your department numerous times regarding our exemption application PLN2018-00426. The PLN2018-00426 is very crucial.

We request an exemption for the secure demarcation and isolation on APN 048-076-120 based on among other, Section 6328.5 (e) and (b). Exemption codes are attached and highlighted.

- **(A) PRECEDENT FOR CDP EXEMPTION ON OUR PROPERTY:** In December 2016, within two weeks the County granted the CDP exemption on our existing property, APN 048-076-120 for the 405 cubic feet of cut and 405 cubic feet of fill with compressed Baserock causing a change to the gradient from its previous natural gradient. Two large truck of Baserock were brought in for the purpose and compressed over a period of three days. The CDP exemption also included the digging of about 1ft trench all along 225 feet of the north side of an existing driveway on APN 048-076-120 to install and then subsequently remove the wattles, while leaving behind the 1 ft trench. (Please see pages 3, 4 & 5 of the link - https://www.dropbox.com/s/4ps1aa4ijzht7nm/Exemption%20Application%20consolidated.pdf?dl=0)

  Consequently, in line with the above exemption, this application qualifies for the same exemption.

(B) One of the key purposes of the PLN2018-00426 (Secure Demarcation and Isolation) application for exemption is **security for individuals and security for property.** (please refer to the Coastal Development Exemption Permit Application Dated October 29, 2018)

Security alone is a sufficient reason to grant the exemption. Please see –

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Thanks

Kind regards

TJ Singh

Joan Kling

From: Ruemel Panglao
Sent: Tuesday, December 18, 2018 4:13 PM
To: tj singh
Cc: Steve Monowitz; Lisa Aozasa; Joan Kling; Camille Leung
Subject: Coastal Development Permit Exemption Decision (PLN2018-00426)

Dear TJ,

After review of your application for an after-the-fact Coastal Development Permit Exemption (PLN2018-00426) for the subject fence, the Community Development Director has determined that the fence does not meet the exemption criteria (see the Exemption/Exclusion Worksheet here: https://planning.smcgov.org/sites/planning.smcgov.org/files/documents/files/Categorical%20Exemption%20Checklist.pdf) and has therefore denied the application. The fence shall require an after-the-fact Coastal Development Permit (CDP) that will be subject to a Planning Commission public hearing for decision because, per Section 6328.3(q) of the Zoning Regulations, the fence is not a principal permitted use and, per Section 6328.9(c) of the Zoning Regulations, a CDP not associated with any other permit shall be subject to decision by the Planning Commission.

The materials you have submitted can be used as a start for your CDP application. We will just need the appropriate forms, fees, and supplemental documentation required for an after-the-fact CDP to get the process going.

The following items are required for the initial submittal. This does not preclude further requests for information, materials, and additional fees during the review process:

1. Planning Permit Application: https://planning.smcgov.org/documents/planning-permit-application-form
2. Coastal Development Permit Application: https://planning.smcgov.org/documents/coastal-development-permit-application-companion-page
3. Environmental Information Disclosure Form: https://planning.smcgov.org/documents/environmental-information-disclosure-form
4. Proof of Ownership (deed or tax bill)
5. Survey which clearly demarcates 1) the location of the fence, 2) the height of the fence, and 3) the boundaries of the access easement.
6. Location Map
7. Site Plan (scaled)
8. Elevation of the chain link fence that notes material and color (scaled)
9. Supporting statements
10. Fees – approximately $7800.00 (you will be provided a complete breakdown of fees at submittal prior to payment)

I will place notes in the system so that any of the counter planners will be able to intake your application. Failure to submit the CDP application within 30 days will result in continued enforcement action by the Code Compliance Section.

Please let me know if you have any questions.

Sincerely,

Ruemel

County of San Mateo
Planning and Building Department

Coastal Development Permit
EXEMPTION/EXCLUSION WORKSHEET
(Categorical Exclusion Order E-81-1)
(This is not a Certificate of Exemption)

To be used by Planning Department staff in determining basis for exemption or exclusion from requirement for a Coastal Development Permit. Use boxes to check category of exclusion, blanks to note that applicable criteria are met.

☐ **A. Existing Single-Family Residences**
Maintenance and alteration of, or addition to, existing single-family dwellings provided the project does not involve the following:

_____ 1. Improvement to a single-family structure on a beach, wetland or seaward of the mean high tide line.

_____ 2. Any significant alteration of landform, including removal or placement of vegetation, on a beach, wetland or sand dune, or within 50 feet of the edge of a coastal bluff.

_____ 3. The expansion or construction of water wells or septic systems.

_____ 4. On property located between the sea and the first through, improved public road paralleling the sea, or within 300 feet of the inland extent of any beach or of the mean high tide of the sea where there is no beach, whichever is the greater distance, an improvement that would result in:

_____ a. An increase of 10% or more of internal floor area of an existing structure;

_____ b. The construction of an additional story (including lofts) in an existing structure; or,

_____ c. The construction or installation of any significant non-attached structure such as garages, fences, shoreline protective work, docks, or trees.

_____ 5. On property located in a County or State scenic road corridor, an improvement that would result in:

_____ a. An increase of 10% or more of internal floor area of an existing structure;

_____ b. The construction of an additional story (including lofts) in an existing structure; or,

_____ c. The construction or installation of any significant non-attached structure such as garages, fences, shoreline protective work, docks, or trees.

_____ 6. In areas determined to have a critically short water supply that must be maintained for the protection of coastal resources or public recreational use, the construction of any specified major water using development not essential to residential use including, but not limited to, swimming pools, or the construction or extension of any landscaping irrigation system.

☐ **B. Existing Structures Other Than Single-Family Residences or Public Works Facilities**
The maintenance and alteration of, or addition to, existing structures other than single-family dwellings and public works facilities provided the project does not involve the following:

_____ 1. Improvement to any structure on a beach, wetland, stream or lake, or seaward of the mean high tide line.

_____ 2. Any significant alteration of landforms, including removal or placement of vegetation, on a beach, wetland or sand dune, or within 100 feet of the edge of a coastal bluff or stream or in areas of natural vegetation designated as a sensitive habitat.

_____ 3. The expansion or construction of water wells or septic systems.

_____ 4. On property located between the sea and the first through, improved public road paralleling the sea, or within 300 feet of the inland extent of any beach or of the mean high tide of the sea where there is no beach, whichever is the greater distance, an improvement that would result in:

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_____ 7. Any improvement to a structure which changes the intensity of use of the structure.

_____ 8. Any improvement made pursuant to conversion of an existing structure from a multiple unit rental use or visitor-servicing commercial use to a use involving a fee ownership or long-term leasehold including, but not limited to, a condominium conversion, stock cooperative conversion or motel/hotel time sharing conversion.

☐ **C. Existing Navigation Channels**
Maintenance, dredging of existing navigation channels or moving dredged material from such channels to a disposal area outside the Coastal Zone, pursuant to a permit from the United States Army Corps of Engineers.

☐ **D. Repair or Maintenance Activities**

Repair or maintenance activities that do not result in an addition to or enlargement or expansion of, the object of such repair or maintenance activities, provided the project does not involve the following:

_____ 1. Any method of repair or maintenance of a seawall, revetment, bluff retaining wall, breakwater, groin, or similar shoreline work that involves:

_____ a. Substantial alteration of the foundation of the protective work, including pilings and other surface or subsurface structures.

_____ b. The placement, whether temporary or permanent, of riprap, artificial berms of sand or other beach materials, or any other forms of solid materials, on a beach or in coastal waters, streams, wetlands, estuaries and lakes or on a shoreline protective work.

_____ c. The replacement of 20% or more of the materials of an existing structure with materials of a different kind.

_____ d. The presence, whether temporary or permanent, of mechanized construction equipment or construction materials on any sand area or bluff or within 20 feet of coastal waters or streams.

_____ 2. The replacement of 50% or more of a seawall, revetment, bluff retaining wall, breakwater, groin or similar protective work under one ownership.

☐ **E. Single-Family Residence Categorical Exclusion Area**

Construction, reconstruction, demolition, repair, maintenance, alteration of, or addition to, any single-family residence or accessory building provided:

_____ 1. The project is located within the area designated on Single-Family Residence Exclusion Area Maps.

_____ 2. The project and the parcel(s) or lot(s) on which it is located conform to regulations of the underlying zoning district.

_____ 3. No variance is required.

_____ 4. Any required Design Review (DR) District approvals are obtained.

_____ 5. Any required geologic report approvals are obtained in designated geologic hazard areas (LCP Policy 9.10).

☐ **F. Agriculturally-Related Development Categorical Exclusion Area**

The agriculturally-related development listed below is excluded. For the purposes of this exclusion, "agriculturally-related development" does not include any residential use, equestrian or other recreational facility, kennel, produce sales building, aquaculture facility, winery or woodlot. This exemption does not apply to any historic structure or to the demolition of any building.

NOTE:

All projects listed below must be located within the area designated on Agricultural Exclusion Area Maps and must not be located in any hazardous area designated on LCP Hazard Maps.

_____ 1. The construction, improvement or expansion of barns, storage buildings, equipment buildings and other buildings necessary for agricultural support purposes, provided such buildings:

_____ a. Do not exceed 36 feet in height.

_____ b. Do not cover more than 10,000 square feet of ground area.

_____ c. Do not include agricultural processing plants, greenhouses or mushroom farms.

_____ d. Are not located within the Coastal Commission appeal jurisdiction as shown on Coastal Commission Jurisdictional Maps (Adopted language: Are not located within 100 feet of blue line streams (dashed or solid) on USGS 7 ½-minute quadrangle maps).

_____ e. Are not located on a slope of over 30%.

_____ 2. Improvement and expansion of existing agriculturally-related processing plants, mushroom farms or greenhouses provided such facilities:

_____ a. Are not located on Prime Agricultural Land.

_____ b. Existing soil dependent greenhouses not on Prime Agricultural Land provided that such improvements do not exceed 36 feet in height or increase ground coverage by more than 25% or 10,000 square feet, whichever is less.

_____ 3. Paving in association with development listed in paragraphs 1, and 2, above, provided it is included within applicable ground cover limits and does not exceed 10% of the ground area covered by the development.

_____ 4. Fences for farm or ranch purposes, provided such fences:

_____ a. Are not solid or chain link.

_____ b. Do not block existing equestrian or pedestrian trails.

_____ 5. New water wells sited outside of the Pillar Point Marsh groundwater basin watershed as depicted on Exhibit 1, well covers, pump houses, water storage tanks of less than 10,000 gallons capacity and water distribution lines, including up to 50 cubic yards of associated grading, provided such water facilities are used for on-site agriculturally-related purposes only. Replacement wells sited within the Pillar Point Marsh groundwater basin watershed are excluded from the requirement to obtain Coastal Development Permits, subject to the following:

Pillar Point Marsh Groundwater Basin only:

a. There would need to be a demonstration that an existing well had failed. The existing well would need to be properly abandoned. The water from the replacement well would be limited to on-site agricultural use.

b. The replacement well would be conditioned to limit its pumping to an amount not to exceed the original well.

c. The location of the replacement well shall not be within the mapped geologic hazards area nor within the required setbacks from streams, and must be located a sufficient distance from existing public water supply wells to avoid any interference.

d. Metering and monitoring (regular reporting to San Mateo County and the Coastal Commission) shall be required.

6. Water impoundments located in drainage areas not identified as blue line streams (dashed or solid) on USGS 7-1/2 minute quadrangle maps, provided such improvements do not exceed 25 acre feet in capacity and any required grading permits are obtained.

7. Water pollution control facilities for agricultural purposes provided such facilities are constructed to comply with waste discharge requirements or other orders of the Regional Water Quality Control Board.

☐ **G. <u>Utility Connections</u>**

The installation, testing, and placement in service or the replacement of any necessary utility connection between an existing service facility and any development, provided that the County may, where necessary, require reasonable conditions to mitigate any adverse impacts on coastal resources, including scenic resources.

☐ **H. <u>Replacement of Structures Following Disaster</u>**

The replacement of any structure, other than a public works facility, destroyed by disaster (any situation in which the force or forces which destroyed the structure to be replaced were beyond the control of its owner), provided such replacement structure:

1. Shall conform to zoning requirements applicable at time of replacement.

2. Shall be for the same use as the destroyed structure.

3. Shall not exceed either the floor area, height, or bulk of the destroyed structure by more than 10% ("bulk" means total interior cubic volume as measured from the exterior surface of the structure).

4. Shall be sited in the same location on the effected property as the destroyed structure.

☐ I. **Emergency Activities**
Projects normally requiring a Coastal Development Permit which are undertaken by a public agency, public utility or person performing a public service as emergency measures to protect life and property from imminent danger or to restore, repair or maintain public works, utilities and services during and immediately following a natural disaster or serious accident, provided such projects are reported to the Community Development Director and an application for a Coastal Development Permit is submitted within five days.

☐ J. **Land Division for Public Recreation**
Land division brought about in connection with the purchase of land by a public agency for public recreational use.

Planning Permit Application Form

Download the form required to apply for a San Mateo County Planning Permit.

PDF Planning Permit Application Form 185.7 KB

Coastal Development Permit Application - Companion Page

PDF Coastal Development Permit Application - Companion Page 130.24 KB

Environmental Information Disclosure Form

PDF Environmental Information Disclosure Form 113.26 KB

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Cc: Ruemel Panglao
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Deputy Director
SMC Planning & Building Department

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1. Suspicious people deterred by the fence - https://www.dropbox.com/s/lsfomb0ja4pu43y/Suspicious%20Men%20at%20Night%20149516760856 6.mp4?dl=0

1. If we did not have a fence, this would have happened on our property - Graphic content (Please start the video at the 1:10 mark)

https://www.dropbox.com/s/2eqah9d3liu57sh/Naked%20Man%201529989175892.mp4?dl=0

1. The people sent by Tad Sanders to perform illegal activities on our property had covered the license plates of their vehicles.

https://www.dropbox.com/s/31qvbxwtqgwbpb2/Driving%20with%20Masked%20License%20Plate%201006 2.mov?dl=0

1. The illegal activities including the one in the link below, prompted the Sheriff's Deputies to instruct us to install the fences. This illegal activity appears to have been abetted by his attorney (Charlie Bronitsky's law firm partner Peter Brewer) see link - (https://www.dropbox.com/s/2lhhvqbxns52132/Email%20Tad%20Sanders%20and%20McIvers%20-Re%20Illegal%20Grading.pdf?dl=0)

(C) The Secure Demarcation and Isolation exemption application PLN2018-00426 **fully complies with –**

1. **ARTICLE 2; Section 30211 (Public Resources Code – California Coastal Act (2017)):** Development shall not interfere with the public's right of access to the sea

2. **ARTICLE 2; Section 30251 (Public Resources Code – California Coastal Act (2017)):** The scenic and visual qualities of coastal areas shall be considered and protected…Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms…

3. **ARTICLE 2; Section 30253 (Public Resources Code – California Coastal Act (2017)):** Minimization of adverse impacts

    1. **ARTICLE 2; Section 30253 (b):** Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area…

(D) There is still a question whether the property lies within the "Coastal Zone"

1. **Section 30103(a):** "Coastal zone" means … extending inland generally 1,000 yards from the mean high tide line of the sea

(E) The secure demarcation and isolation as in PLN2018-00426 also qualifies for exemption under the de minimis clause for exemption

1. **ARTICLE 2; Section 30624.7: …de minimis development…**

…waivers from coastal development permit…A proposed development is de minimis if…no potential for any adverse effect, either individually or cumulatively, on coastal resources…

(F) THE SECURE DEMARCATION AND ISOLATION IS AN ADDITION TO EXISTING STRUCTURES ON PROPERTY: Some of the critical structures on the property APN 048-076-120 are listed below. The secure demarcation and isolation is an addition to these existing structures. Some of the structures include:

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Consequently, this **application qualifies for an exemption among other, Section 6328.5(b) of Zoning Regulations – County of San Mateo (2016).**

The above referenced Codes are in the link below for your convenience.

(https://www.dropbox.com/s/tv0keyqv0gaph8b/Referenced%20Codes%20for%20Exemption%20PLN2018-00426.pdf?dl=0)

Thanks
Kind regards
TJ Singh

Joan Kling

From: Tejinder singh <tjsingh007@me.com>
Sent: Wednesday, December 19, 2018 8:06 AM
To: Lisa Aozasa
Cc: Steve Monowitz; Joan Kling; Camille Leung; Timothy Fox; Ruemel Panglao
Subject: URGENT RESPONSE REQUESTED: Coastal Development Permit Exemption Decision (PLN2018-00426)

Dear Lisa,

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development shall require a permit because they involve a risk of adverse environmental impact:

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Thanks

Kind regards

TJ Singh

On Dec 18, 2018, at 04:13 PM, Ruemel Panglao <rpanglao@smcgov.org> wrote:

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Please let me know if you have any questions.

Sincerely,

Ruemel

Joan Kling

From: Tejinder singh <tjsingh007@me.com>
Sent: Wednesday, December 19, 2018 1:38 PM
To: Joan Kling
Subject: Fwd: URGENT RESPONSE REQUESTED: Coastal Development Permit Exemption Decision (PLN2018-00426)

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I will appreciate some objectivity and your assistance.

Thanks
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> **Date:** December 19, 2018 8:06:06 AM
> **To:** Lisa Aozasa <laozasa@smcgov.org>
> **Cc:** Steve Monowitz <smonowitz@smcgov.org>,Joan Kling <jkling@smcgov.org>,Camille Leung <cleung@smcgov.org>,Tim Fox <tfox@smcgov.org>,Ruemel Panglao <rpanglao@smcgov.org>
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To: Joan Kling
Subject: Re: URGENT RESPONSE REQUESTED: Coastal Development Permit Exemption Decision (PLN2018-00426)

Hello Joan,

Why this discrimination against us and tremendous support for Tad Sanders?

Why picking on us? Why coming up with a fictitious reasoning? Why running this Sham with our honest fact supported application PLN2018-00426?

Why?
Kind regards
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Dear Honorable Mr. Fox,

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Because, I am hurting very badly.

Because, my and my neighbors confidence in the ethical and procedural working of the planning department is in crises.

Because, I have been an owner in our County and tax payer of this County for 21 years, living at the same place in Half Moon Bay.

Because, respectful honorable County officials do not run Shams.

We are all asking Why? Why are some in the staff finding fictitious ways to support Tad Sanders? Why are some in the staff picking on us? Why are we being discriminated against?

For your reference, I have previously emailed you and everyone on this email list the videos of Tad Sanders sending his men with their license plates covered with Blue tape when these men encroached upon our property to increase the width of the hairpin bend.

Tad Sanders, the complainant, is also the person who went to Court on February 22, 2017 to complain about his access being chocked by the fences and the Court ruled against him. Yet as you saw in the videos I previously sent, he and his clients have been speeding through at breakneck speeds.

Why are you causing us and our neighborhood so much damage? Why do our facts and honesty not matter?

Why I ask?
Kind regards
TJ Singh

On Dec 19, 2018, at 6:56 PM, Timothy Fox <tfox@smcgov.org> wrote:

> Mr. Singh:
> As I indicated when you dropped materials off at my office unsolicited, it is my role confidentially to advise the Department as to legal matters. It is not my role to serve as a decisionmaker — a statement with which you agreed when you were in my lobby.
> As I further indicated then, I have passed your information and all materials provided to me along to the persons in the Department who are tasked with processing your request, but the Zoning Regulations make no provision for me to assist you individually or to respond to your legal questions. If I do not respond further to your e-mails, that is not an indication the process is not being followed — to the

contrary, that is the process being followed to the letter. Therefore, please direct all correspondence on this matter solely to the Department, who will consult me or other counsel as they see fit.

Tim Fox
Timothy Fox, Deputy
Office of the County Counsel
<image001.png>
400 County Center, 6th Fl.
Redwood City, CA 94063
650.363.4456
tfox@smcgov.org

From: tj singh <tjsingh007@me.com>
Sent: Wednesday, December 19, 2018 3:28 PM
To: Timothy Fox <tfox@smcgov.org>
Subject: Fwd: URGENT RESPONSE REQUESTED: Coastal Development Permit Exemption Decision (PLN2018-00426)

Dear Honorable Mr. Tim Fox,
Citing Section 6328.3(q) to deny our application PLN2018-00426 and not responding to why our application does not qualify for exemption based on among other, Section 6328.5(b) is making you and the County look very very bad.
Section 6328.3(q) is reproduced below:
6328.3(q) "Principal permitted use" means any use representative of the basic zone district allowed without a use permit in that underlying district. - ***Is this about any so called fence?***
I will appreciate some objectivity and your immediate assistance.
Thanks
Kind regards
TJ Singh

Begin forwarded message:

> **From:** Tejinder singh <tjsingh007@me.com>
> **Date:** December 19, 2018 at 11:06:03 AM EST
> **To:** Lisa Aozasa <laozasa@smcgov.org>
> **Cc:** Steve Monowitz <smonowitz@smcgov.org>, Joan Kling <jkling@smcgov.org>, Camille Leung <cleung@smcgov.org>, Tim Fox <tfox@smcgov.org>, Ruemel Panglao <rpanglao@smcgov.org>
> **Subject: URGENT RESPONSE REQUESTED: Coastal Development Permit Exemption Decision (PLN2018-00426)**
>
> Dear Lisa,
>
> Without prejudice, I will appreciate your assistance with approval of our application PLN2018-00426 and the following. Also, please include my email below on the system for parity as well.
>
> We have been living in our County at this place in Half Moon Bay, for 21 years. PLN2018-00426 is of crucial importance to our safety and security, to our private property and our neighborhood.
>
> The very premise (Section 6328(q)) of Camille's rejection of our Exemption application is a Sham.

The reason cited in the email for rejection is - *"per Section 6328.3(q) of the Zoning Regulations, the fence is not a principal permitted use"*.

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allowed without a use permit in that underlying district.

THIS APPEARS TO BE TESTING SOMEONE'S MORALS & ETHICS AND ANY READER'S INTELLIGENCE - **Where is the reference to what you term as "Fence"?**

PLN2018-00426 application qualifies for an exemption among other, Section 6328.5(b) of Zoning Regulations – County of San Mateo (2016). YOU ARE REQUIRED TO EXPLAIN WHY THIS SECTION 6328.5(b) DOES NOT APPLY FOR OUR EXEMPTION?

On February 22, 2017, the Superior Court of the County Of San Mateo ruled against Tad Sanders complaint about the fences.

Please ask yourself – It appears why is some person on your staff looking for creative ways to contradict the Court's ruling? Why does it appear that this person is instigating Tad Sanders to move aggressively with the complaint? Why does it appear that this person is telling Tad Sanders who to call at the Planning Dept? Why does it appear that this person did reach out to various power cells at the County in favor of Tad Sanders and his lawyer?

Please refer to Section 6328.5(b) of the San Mateo County Zoning Regulations below which is one of the several reasons why our PLN2018-00426 should be allowed. Our Secure Demarcator and Isolator qualifies for an exemption under this Section 6328.5(b). PLEASE EXPLAIN WHY NOT

(b) The maintenance, alteration, or addition to existing structures other than single family
dwellings and public works facilities; however, the following classes of development shall require a permit because they involve a risk of adverse environmental impact:

(1) Improvements to any structure on a beach, wetland, stream or lake, or seaward of the mean high tide line. **Not Applicable to PLN2018-00426**

(2) Any significant alteration of landforms including removal or placement of vegetation, on a beach, wetland or sand dune, or within 100 feet of the edge of a coastal bluff, or stream or in areas of natural vegetation designated as a sensitive habitat. **Not Applicable to PLN2018-00426**

(3) The expansion or construction of water wells or septic systems.

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(4) On property located between the sea and the first public road paralleling the sea or within 300 feet of the inland intent of any beach or of the mean high tide of the sea where there is no beach, whichever is the greater distance, or in scenic road corridors, an improvement that would result in an increase of 10% or more of external floor area of the existing structure, and/or the construction of an additional story (including lofts) in an existing structure.

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(5) In areas determined to have critically short water supply that must be maintained for the protection of coastal recreation or public recreational use, the construction of any specified major water using development including but not limited to swimming pools or the construction or extension of any landscaping irrigation system.

Not Applicable to PLN2018-00426

(6) Any improvement to a structure which changes the intensity of use of the structure. **Not Applicable to PLN2018-00426**

(7) Any improvement made pursuant to a conversion of an existing structure from a multiple unit rental use or visitor-serving commercial use to a use involving a fee ownership or long-term leasehold including but not limited to a condominium conversion, stock cooperative conversion or motel/hotel time-sharing conversion. **Not Applicable to PLN2018-00426**

THE SECURE DEMARCATION AND ISOLATION IS AN ADDITION TO EXISTING STRUCTURES ON PROPERTY: Some of the critical structures on the property APN 048-076-120 are listed below. The secure demarcation and isolation is an addition to these existing structures. Some of the structures include:

1. A large drinking water pump https://www.dropbox.com/s/ft9k8308lhhoxd9/Drinking%20Water%20Pump%20on%20our%20property.jpg?dl=0;
2. Water meter;
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4. As also stated in our application for exemption, the secure Demarcation and isolation is also just an addition to pre-existing Fences installed on APN 048-076-120 for the purpose of isolating APN 048-076-120 from Water District and power equipment of the Cell Towers; (Please see the location of these pre-existing fences in bold, on the attached map - https://www.dropbox.com/s/7h4k2klk95enc1u/Map%20with%20Water%20Pump%20Water%20Fences%20and%20P2%20Gate.pdf?dl=0)

Consequently, this **application qualifies for an exemption among other, Section 6328.5(b) of Zoning Regulations – County of San Mateo (2016).**

Thanks

Kind regards

TJ Singh

On Dec 18, 2018, at 04:13 PM, Ruemel Panglao <rpanglao@smcgov.org> wrote:

Dear TJ,

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The materials you have submitted can be used as a start for your CDP application. We will just need the appropriate forms, fees, and supplemental documentation required for an after-the-fact CDP to get the process going.

The following items are required for the initial submittal. This does not preclude further requests for information, materials, and additional fees during the review process:

1. Planning Permit Application:
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4. Proof of Ownership (deed or tax bill)

5. Survey which clearly demarcates 1) the location of the fence, 2) the height of the fence, and 3) the boundaries of the access easement.

6. Location Map

7. Site Plan (scaled)

8. Elevation of the chain link fence that notes material and color (scaled)

9. Supporting statements

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I will place notes in the system so that any of the counter planners will be able to intake your application. Failure to submit the CDP application within 30 days will result in continued enforcement action by the Code Compliance Section.

Please let me know if you have any questions.

Sincerely,

Ruemel

Joan Kling

From:	Tejinder singh <tjsingh007@me.com>
Sent:	Thursday, December 20, 2018 3:39 PM
To:	Lisa Aozasa
Cc:	Steve Monowitz; Joan Kling; Camille Leung; Timothy Fox; Ruemel Panglao; HMB CA
Subject:	Re: URGENT RESPONSE REQUESTED: Coastal Development Permit Exemption Decision (PLN2018-00426)

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We have been living and paying taxes in our San Mateo County for 21 years. Our application fully complies with your own department's codes as indicated in my email below. Yet someone in your staff has chosen to find fictitious reasons and premises to deny our application PLN2018-00426.

You promised to respond by today. We are eagerly awaiting for your review and subsequent approval of our Application PLN2018-00426 today.

Thanks
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Joan Kling

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Sent: Thursday, December 20, 2018 4:04 PM
To: Lisa Aozasa
Cc: Steve Monowitz; Joan Kling; Camille Leung; Timothy Fox; Ruemel Panglao; HMB CA; Janneth Lujan
Subject: Re: URGENT RESPONSE REQUESTED: Coastal Development Permit Exemption Decision (PLN2018-00426)

Thank you Lisa,

I appreciate your email below. We look forward to meeting with Mr. Steve Monowitz as well. I await an email from Janneth.

We still need a response to my email of On Dec 19, 2018, at 08:06 AM below. Our application PLN2018-00426 is fully compliant with our County Codes as detailed in my previous emails. Further, PLN2018-00426 qualifies for exemption among other, under 6328.5(b) as well. It appears there might have been some oversight in the summaries received from your staff.

Thanks
With kind regards
TJ Singh

On Dec 20, 2018, at 03:50 PM, Lisa Aozasa <laozasa@smcgov.org> wrote:

> Hello –
>
> I met yesterday with Mr. Singh and his mother and agreed that we would extend the deadline for submittal of a CDP application from 30 to 60 days. I also agreed to ask the Director, Steve Monowitz, if he would have time to meet with you after the holidays. Steve has said that he will ask his Executive Secretary, Janneth Lujan, to contact you to set up that meeting sometime after January 1st. I also agreed to research/consider if the CDP application fees might be reduced. I have not had time to do that yet, and will not have time to work on that until after the holidays. I will be out of the office until December 27th.
>
> Happy Holidays to you and your family.
>
> Lisa Aozasa
>
> Deputy Director
>
> SMC Planning & Building Department
>
> **From:** Tejinder singh [mailto:tjsingh007@me.com]
> **Sent:** Thursday, December 20, 2018 3:39 PM
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HMB CA <tripchowdhry@yahoo.com>
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Subject: Re: URGENT RESPONSE REQUESTED: Coastal Development Permit Exemption Decision (PLN2018-00426)

Dear Joan,

Until we get a chance to meet with Mr. Monowitz and/or receive a response to my email of Dec 19, at 8:06 AM below, would you please remove the related VIO 2017-00054 since it is casting a serious cloud over our property and over our reputation. If you decide not to remove this violation today, you are required to explain your decision

Our application PLN2018-00426 qualifies for an exemption under San Mateo County Zonal Code Section 6328.5(b) among others.

The reason cited for rejecting our application is Section 6328.3(q) which is reproduced below:

6328.3(q) "Principal permitted use" means any use representative of the basic zone district allowed without a use permit in that underlying district.- how does this apply to our application?

Until we get a chance to meet with Mr. Monowitz and/or receive a response to my email of Dec 19, at 8:06 AM below, would you please remove the related VIO 2017-00054 since it is casting a serious cloud over our property and over our reputation.

Thanks

With kind regards

TJ Singh

On Dec 19, 2018, at 04:06 PM, tj singh <tjsingh007@me.com> wrote:

> Hello Joan,
>
> Why this discrimination against us and tremendous support for Tad Sanders?

Why picking on us? Why coming up with a fictitious reasoning? Why running this Sham with our honest fact supported application PLN2018-00426?

Why?
Kind regards
TJ Singh

On Dec 19, 2018, at 4:38 PM, Tejinder singh <tjsingh007@me.com> wrote:

> Hello Joan,
>
> Citing Section 6328.3(q) to deny our application PLN2018-00426 and not responding to why our application does not qualify for exemption based on among other, Section 6328.5(b) is making you and the County look very very bad.
>
> Section 6328.3(q) is reproduced below:
>
> *6328(q) "Principal permitted use" means any use representative of the basic zone district*
> *allowed without a use permit in that underlying district.*
>
> I will appreciate some objectivity and your assistance.
>
> Thanks
> Kind regards
> TJ Singh
> Begin forwarded message:
>
> > **From:** Tejinder singh <tjsingh007@me.com>
> > **Date:** December 19, 2018 8:06:06 AM
> > **To:** Lisa Aozasa <laozasa@smcgov.org>
> > **Cc:** Steve Monowitz <smonowitz@smcgov.org>,Joan Kling <jkling@smcgov.org>,Camille Leung <cleung@smcgov.org>,Tim Fox <tfox@smcgov.org>,Ruemel Panglao <rpanglao@smcgov.org>
> > **Subject: URGENT RESPONSE REQUESTED: Coastal Development Permit Exemption Decision (PLN2018-00426)**
> >
> > Dear Lisa,
> >
> > Without prejudice, I will appreciate your assistance with approval of our application PLN2018-00426 and the following. Also, please include my email below on the system for parity as well.

We have been living in our County at this place in Half Moon Bay, for 21 years. PLN2018-00426 is of crucial importance to our safety and security, to our private property and our neighborhood.

The very premise (Section 6328(q)) of Camille's rejection of our Exemption application is a Sham.

The reason cited in the email for rejection is - *"per Section 6328.3(q) of the Zoning Regulations, the fence is not a principal permitted use"*.

Section 6328.3(q) is reproduced below:

6328(q) "Principal permitted use" means any use representative of the basic zone district
allowed without a use permit in that underlying district.

THIS APPEARS TO BE TESTING SOMEONE'S MORALS & ETHICS AND ANY READER'S INTELLIGENCE - **Where is the reference to what you term as "Fence"?**

PLN2018-00426 application qualifies for an exemption among other, Section 6328.5(b) of Zoning Regulations – County of San Mateo (2016). YOU ARE REQUIRED TO EXPLAIN WHY THIS SECTION 6328.5(b) DOES NOT APPLY FOR OUR EXEMPTION?

On February 22, 2017, the Superior Court of the County Of San Mateo ruled against Tad Sanders complaint about the fences.

Please ask yourself – It appears why is some person on your staff looking for creative ways to contradict the Court's ruling? Why does it appear that this person is instigating Tad Sanders to move aggressively with the complaint? Why does it appear that this person is telling Tad Sanders who to call at the Planning Dept? Why does it appear that this person did reach out to various power cells at the County in favor of Tad Sanders and his lawyer?

Please refer to Section 6328.5(b) of the San Mateo County Zoning Regulations below which is one of the several reasons why our PLN2018-00426 should be allowed. Our Secure Demarcator and Isolator qualifies for an exemption under this Section 6328.5(b). PLEASE EXPLAIN WHY NOT

(b) The maintenance, alteration, or addition to existing structures other than single family
dwellings and public works facilities; however, the following classes of
development shall require a permit because they involve a risk of adverse
environmental impact:

(1) Improvements to any structure on a beach, wetland, stream or lake, or seaward of the mean high tide line. **Not Applicable to PLN2018-00426**

(2) Any significant alteration of landforms including removal or placement of vegetation, on a beach, wetland or sand dune, or within 100 feet of the edge of a coastal bluff, or stream or in areas of natural vegetation designated as a sensitive habitat. **Not Applicable to PLN2018-00426**

(3) The expansion or construction of water wells or septic systems.

Not Applicable to PLN2018-00426

(4) On property located between the sea and the first public road paralleling the sea or within 300 feet of the inland intent of any beach or of the mean high tide of the sea where there is no beach, whichever is the greater distance, or in scenic road corridors, an improvement that would result in an increase of 10% or more of external floor area of the existing structure, and/or the construction of an additional story (including lofts) in an existing structure.

Not Applicable to PLN2018-00426

(5) In areas determined to have critically short water supply that must be maintained for the protection of coastal recreation or public recreational use, the construction of any specified major water using development including but not limited to swimming pools or the construction or extension of any landscaping irrigation system.

Not Applicable to PLN2018-00426

(6) Any improvement to a structure which changes the intensity of use of the structure. **Not Applicable to PLN2018-00426**

(7) Any improvement made pursuant to a conversion of an existing

structure
from a multiple unit rental use or visitor-serving commercial use to a use
involving a fee ownership or long-term leasehold including but not limited to
a condominium conversion, stock cooperative conversion or motel/hotel
time-sharing conversion. **Not Applicable to PLN2018-00426**

THE SECURE DEMARCATION AND ISOLATION IS AN ADDITION TO EXISTING STRUCTURES ON PROPERTY: Some of the critical structures on the property APN 048-076-120 are listed below. The secure demarcation and isolation is an addition to these existing structures. Some of the structures include:

1. A large drinking water pump https://www.dropbox.com/s/ft9k8308lhhoxd9/Drinking%20Water%20Pump%20on%20our%20property.jpg?dl=0;
2. Water meter;
3. Backflow control equipment;
4. As also stated in our application for exemption, the secure Demarcation and isolation is also just an addition to pre-existing Fences installed on APN 048-076-120 for the purpose of isolating APN 048-076-120 from Water District and power equipment of the Cell Towers; (Please see the location of these pre-existing fences in bold, on the attached map - https://www.dropbox.com/s/7h4k2klk95enc1u/Map%20with%20Water%20Pump%20Water%20Fences%20and%20P2%20Gate.pdf?dl=0)

Consequently, this **application qualifies for an exemption among other, Section 6328.5(b) of Zoning Regulations – County of San Mateo (2016).**

Thanks

Kind regards

TJ Singh

On Dec 18, 2018, at 04:13 PM, Ruemel Panglao <rpanglao@smcgov.org> wrote:

Dear TJ,

After review of your application for an after-the-fact Coastal Development Permit Exemption (PLN2018-00426) for the subject fence, the Community Development Director has determined that the fence does not meet the exemption criteria (see the Exemption/Exclusion Worksheet here: https://planning.smcgov.org/sites/planning.smcgov.org/files/documents/files/Categorical%20Exemption%20Checklist.pdf) and has therefore denied the application. The fence shall require an after-the-fact Coastal Development Permit (CDP) that will be subject to a Planning Commission public hearing for decision because, per Section 6328.3(q) of the Zoning Regulations, the fence is not a principal permitted use and, per Section 6328.9(c) of the Zoning Regulations, a CDP not associated with any other permit shall be subject to decision by the Planning Commission.

The materials you have submitted can be used as a start for your CDP application. We will just need the appropriate forms, fees, and supplemental documentation required for an after-the-fact CDP to get the process going.

The following items are required for the initial submittal. This does not preclude further requests for information, materials, and additional fees during the review process:

1. Planning Permit Application: https://planning.smcgov.org/documents/planning-permit-application-form

2. Coastal Development Permit Application: https://planning.smcgov.org/documents/coastal-development-permit-application-companion-page

3. Environmental Information Disclosure Form: https://planning.smcgov.org/documents/environmental-information-disclosure-form

4. Proof of Ownership (deed or tax bill)

5. Survey which clearly demarcates 1) the location of the fence, 2) the height of the fence, and 3) the boundaries of the access easement.

6. Location Map

7. Site Plan (scaled)

8. Elevation of the chain link fence that notes material and color (scaled)

9. Supporting statements

10. Fees – approximately $7800.00 (you will be provided a complete breakdown of fees at submittal prior to payment)

I will place notes in the system so that any of the counter planners will be able to intake your application. Failure to submit the CDP application within 30 days will result in continued enforcement action by the Code Compliance Section.

Please let me know if you have any questions.

Sincerely,

Ruemel

Joan Kling

From: Tejinder singh <tjsingh007@me.com>
Sent: Friday, December 21, 2018 12:42 PM
To: Joan Kling
Subject: URGENT: VIO 2017-00054

Dear Joan,

In the interim, until we get a chance to meet with Mr. Monowitz and/or receive a response to my email of Dec 19, at 8:06 AM below, would you please remove the related VIO 2017-00054 since it is casting a serious cloud over our property and over our reputation.

Our application PLN2018-00426 qualifies for an exemption under San Mateo County Zonal Code Section 6328.5(b) among others.

The reason cited for rejecting our application is Section 6328.3(q) which is reproduced below. This is a Sham.

6328.3(q) "Principal permitted use" means any use representative of the basic zone district allowed without a use permit in that underlying district.- how does this apply to our application?

If you did not a corroborate with or induce the above Sham, or participate in this discriminatory and biased decision against us, would you please promptly remove the related VIO 2017-00054 since it is casting a serious cloud over our property and over our reputation.

What is behind this, Joan?

Thanks

With kind regards

TJ Singh

Joan Kling

From: Joan Kling
Sent: Friday, December 21, 2018 12:52 PM
To: 'Tejinder singh'
Subject: RE: URGENT: VIO 2017-00054

Hello,

The Violation case on your property will be closed when all the violations are removed. This will include, but is not limited to, getting all the proper approvals, permits and inspections.

With kind regards,

Joan

From: Tejinder singh [mailto:tjsingh007@me.com]
Sent: Friday, December 21, 2018 12:42 PM
To: Joan Kling <jkling@smcgov.org>
Subject: URGENT: VIO 2017-00054

Dear Joan,

In the interim, until we get a chance to meet with Mr. Monowitz and/or receive a response to my email of Dec 19, at 8:06 AM below, would you please remove the related VIO 2017-00054 since it is casting a serious cloud over our property and over our reputation.

Our application PLN2018-00426 qualifies for an exemption under San Mateo County Zonal Code Section 6328.5(b) among others.

The reason cited for rejecting our application is Section 6328.3(q) which is reproduced below. This is a Sham.

6328.3(q) "Principal permitted use" means any use representative of the basic zone district allowed without a use permit in that underlying district.- how does this apply to our application?

If you did not a corroborate with or induce the above Sham, or participate in this discriminatory and biased decision against us, would you please promptly remove the related VIO 2017-00054 since it is casting a serious cloud over our property and over our reputation.

What is behind this, Joan?

Thanks

With kind regards

TJ Singh

Joan Kling

From: Tejinder singh <tjsingh007@me.com>
Sent: Wednesday, December 26, 2018 9:46 AM
To: Joan Kling
Subject: Fwd: URGENT: VIO 2017-00054

Dear Joan,

Following up on our brief meeting on Monday, when you have a moment, I will appreciate your assistance if you would please respond to my email below and close VIO 2017-00054.

Thanks
With kind regards
TJ Singh

Begin forwarded message:

> **From:** tj singh <tjsingh007@me.com>
> **Date:** December 21, 2018 1:45:30 PM
> **To:** Joan Kling <jkling@smcgov.org>
> **Subject: Re: URGENT: VIO 2017-00054**
>
> Dear Joan,
>
> You have been an honorable Government official. What is making it different?
>
> What is our Violation? The Section 6328.3(q)?
>
> Did you get a chance to inspect this Code and compare it with our structure on site before issuing the violation?
>
> Have you looked at Section 6328.5(b) that among others, qualifies us for exemption? Why should our Violation not be removed while you verify the relevant exemptions?
>
> If you do not remove our Violation today your action will be akin to - hang us to death (issue Violation) since we are being accused by Tad Sanders - until proven innocent.
>
> I think our laws are still - you are innocent until you are proven guilty or proven to have violated a law or code.
>
> Why are you taking directions from Tad Sanders without first verifying everything for yourself including, Section 6328.5(b)?
>
> Please remove this violation asap, Joan.
>
> Thanks
> With kind regards
> TJ Singh

On Dec 21, 2018, at 3:51 PM, Joan Kling <jkling@smcgov.org> wrote:

Hello,

The Violation case on your property will be closed when all the violations are removed. This will include, but is not limited to, getting all the proper approvals, permits and inspections.

With kind regards,

Joan

From: Tejinder singh [mailto:tjsingh007@me.com]
Sent: Friday, December 21, 2018 12:42 PM
To: Joan Kling <jkling@smcgov.org>
Subject: URGENT: VIO 2017-00054

Dear Joan,

In the interim, until we get a chance to meet with Mr. Monowitz and/or receive a response to my email of Dec 19, at 8:06 AM below, would you please remove the related VIO 2017-00054 since it is casting a serious cloud over our property and over our reputation.

Our application PLN2018-00426 qualifies for an exemption under San Mateo County Zonal Code Section 6328.5(b) among others.

The reason cited for rejecting our application is Section 6328.3(q) which is reproduced below. This is a Sham.

6328.3(q) "Principal permitted use" means any use representative of the basic zone district
allowed without a use permit in that underlying district.- how does this apply to our application?

If you did not a corroborate with or induce the above Sham, or participate in this discriminatory and biased decision against us, would you please promptly remove the related VIO 2017-00054 since it is casting a serious cloud over our property and over our reputation.

What is behind this, Joan?

Thanks

With kind regards

TJ Singh

Joan Kling

From: Tejinder singh <tjsingh007@me.com>
Sent: Thursday, December 27, 2018 10:01 AM
To: Joan Kling
Cc: Timothy Fox; Planning_plngbldg
Subject: Re: VIO2017-00411 APN: 048-076-130
Attachments: 655 Miramar yard determination.pdf; VIO 2017-00411 Principal Access.pdf

Dear Joan,

It is getting to be almost two months since I have heard back from you regarding VIO2017-00411 for APN 048-076-130. I appreciate you sending me the relevant codes as well.

The Front fence is greater than 6 feet in violation of the county code. As I explained in my email of November 7, 2018 8:53AM below, in your markings as previously sent (attached for your convenience), you have incorrectly marked the FRONT of the property.

The FRONT of the property APN 048-076-130 is where the 6 feet - 6.5ft high fence is installed.

SECTION 6102.59. LOTLINE, FRONT. In the case of an interior lot, a line separating the lot from the street and, in the case of a corner lot, a line separating the narrowest lot frontage of the lot from the **street**.

The Definition of STREET according to code:

SECTION 6102.74. STREET. A public or private right of way dedicated or conveyed as such or condemned or otherwise acquired for use as such, other than an alley, **which affords the principal means of access to abutting property**.

Consequently, the FRONT PROPERTY LINE is wrongly labeled in your attached map, as it faces Alto, which is **inaccessible with wild vegetation and cliffs,** has not been dedicated, and **does not afford the principal (or any) means of access** to abutting property.

When you have a moment, would you please confirm that the Violation VIO2017-00411 will be reinstated since APN: 048-076-130 have installed the fence on the FRONT PROPERTY LINE of the property, which is 6 ft to 6.5ft high, while code mandates the FRONT PROPERTY LINE fence to be less than 4 ft and is in violation of the County Codes.

Thanks

With Kind regards

TJ Singh

On Nov 07, 2018, at 03:56 PM, Joan Kling <jkling@smcgov.org> wrote:

> I'll let you know if the county finds a violation to enforce. Tks.
>
> **From:** tj singh [mailto:tjsingh007@me.com]
> **Sent:** Wednesday, November 07, 2018 2:39 PM
> **To:** Joan Kling <jkling@smcgov.org>
> **Cc:** Timothy Fox <tfox@smcgov.org>
> **Subject:** Re: VIO2017-00411 APN: 048-076-130
>
> Thanks Joan,
>
> So what is the process to reopen this Violation.
>
> Thanks
>
> Kind regards
>
> TJ Singh
>
> On Nov 7, 2018, at 1:57 PM, Joan Kling <jkling@smcgov.org> wrote:
>
> > Hi TJ,
> >
> > I will pass your concerns on to the planning division.
> >
> > Tks.
> >
> > Joan

From: Tejinder singh [mailto:tjsingh007@me.com]
Sent: Wednesday, November 07, 2018 8:53 AM
To: Joan Kling <jkling@smcgov.org>
Cc: Timothy Fox <tfox@smcgov.org>
Subject: Re: VIO2017-00411 APN: 048-076-130

Thanks Joan,

Based on the codes you provided in your email, the FRONT PROPERTY LINE of APN: 048-076-130 has been wrongly marked. The FRONT PROPERTY LINE is where the violating Fence is installed according to the County code.

SECTION 6102.59. LOTLINE, FRONT. In the case of an interior lot, a line separating the lot from the street and, in the case of a corner lot, a line separating the narrowest lot frontage of the lot from the **street**.

The Definition of STREET according to code:

SECTION 6102.74. STREET. A public or private right of way dedicated or conveyed as such or condemned or otherwise acquired for use as such, other than an alley, **which affords the principal means of access to abutting property**.

Consequently, the FRONT PROPERTY LINE is wrongly labeled in your attached map, as it faces Alto, which is inaccessible with wild vegetation and cliffs, has not been dedicated, and does not afford the principal (or any) means of access to abutting property.

When you have a moment, would you please confirm that the Violation VIO2017-00411 will be reinstated since APN: 048-076-130 have installed the fence on the FRONT PROPERTY LINE of the property, which is 6 ft to 6.5ft high, while code mandates the FRONT PROPERTY LINE fence to be less than 4 ft and is in violation of the County Codes.

Thanks

Kind regards

TJ Singh

On Nov 06, 2018, at 04:02 PM, Joan Kling <jkling@smcgov.org> wrote:

> Again, I thought you had received this. These are the applicable code sections that go along with the map I sent previously and am enclosing again.
>
> Joan
>
> **From:** tj singh [mailto:tjsingh007@me.com]
> **Sent:** Tuesday, November 06, 2018 3:52 PM
> **To:** Joan Kling <jkling@smcgov.org>
> **Cc:** Timothy Fox <tfox@smcgov.org>
> **Subject:** Re: VIO2017-00411 APN: 048-076-130
>
> Thanks Joan,
>
> It will definitely help me to know the code that helps decide the front of a property. If you may be able to send it whenever you get a chance.
>
> Thanks
>
> Kind regards
>
> TJ Singh
>
> On Nov 6, 2018, at 2:33 PM, Joan Kling <jkling@smcgov.org> wrote:
>
> > The code does not regulate or specify the front of the house, but rather the front property line.
> >
> > I hope this answers your questions.

Joan

From: tj singh [mailto:tjsingh007@me.com]
Sent: Tuesday, November 06, 2018 1:49 PM
To: Joan Kling <jkling@smcgov.org>
Cc: Timothy Fox <tfox@smcgov.org>
Subject: Re: VIO2017-00411 APN: 048-076-130

Dear Joan,

Your email does not explain how you decide which is the Front of the house.

Thanks

TJ Singh

On Nov 6, 2018, at 9:47 AM, tj singh <tjsingh007@me.com> wrote:

> Dear Joan,
>
> When you have a moment, as I requested in my email below, would you please let me know how you decide which is the front of the house.
>
> Thanks
>
> Kind regards
>
> TJ Singh
>
> On Oct 30, 2018, at 7:28 AM, Tejinder singh <tjsingh007@me.com> wrote:
>
> > Dear Joan,

When you have a moment, would you please let me know how you decide and if there was code based on which you decide which is the Front of a house.

Thanks

TJ Singh

Joan Kling

From: Ruemel Panglao
Sent: Monday, December 31, 2018 9:22 AM
To: Tejinder singh
Cc: Lisa Aozasa; Joan Kling
Subject: RE: URGENT: 15 Terrace Ave - APN 048-072-290: Peterson wall in public right of way
Attachments: reportShow.pdf

Hello TJ,

I've attached the requested information regarding PLN2018-00426.

Regarding the matter you are referring to below, please contact Code Compliance for further information.

Thanks,
Ruemel

From: Tejinder singh [mailto:tjsingh007@me.com]
Sent: Monday, December 31, 2018 9:12 AM
To: Ruemel Panglao <rpanglao@smcgov.org>
Subject: URGENT: 15 Terrace Ave - APN 048-072-290: Peterson wall in public right of way

Dear Ruemel,

I would like to bring it to your immediate attention that the developer of APN 048-072-290, Peterson, is building a concrete wall as shown in the photo below in the public right of the way.

This wall of concrete is perpendicular to the flow of traffic and is a barrier and obstruction on a right of the way, Terrace Avenue.

Would you please stop this ASAP as this a safety issue for all of the users of Terrace Avenue. This wall of concrete still only has steel rods that can be appropriately sized down to remain well below the level of Terrace Ave (the right of way).

I will appreciate your prompt action.

Thanks

TJ Singh

3

Thanks

County of San Mateo
Planning & Building Department
455 County Center, 2nd Floor
Redwood City, California 94063
650/363-4161 Fax: 650/363-4849
Mail Drop PLN122
plngbldg@smcgov.org
www.co.sanmateo.ca.us/planning

SUMMARY OF CASE ACTIVITY

PLN2018-00426
APN: 048076120
ADDRESS: MIRAMAR DR, HALF MOON BAY, CA 94019-0000

Activity	Date Assigned	Done By	Status	Status Date
Application Submitted	11/06/2018	Tiare Pena	Notes	11/06/2018
11/6/2018 tgp - Had a conversation with Mr. Singh at the desk. The purpose of the fence is to protect the water pump located on the vacant parcel.				
Agency Referrals	12/18/2018	Ruemel Panglao	No Agency Review Require	12/18/2018
Appeals	12/18/2018	Ruemel Panglao	Not Appealable	12/18/2018
Application Submitted	12/18/2018	Ruemel Panglao	Completeness Review	12/18/2018
CEQA Preparation	12/18/2018	Ruemel Panglao	Exemption	12/18/2018
Project Analysis	12/18/2018	Ruemel Panglao	Deemed Complete	12/18/2018
Project Decision	12/18/2018	Ruemel Panglao	Workflow Closed	12/18/2018
Required Advisory Committee	12/18/2018	Ruemel Panglao	No Advisory Committee Re	12/18/2018
Staff Decision - Hearings	12/18/2018	Ruemel Panglao	Denied	12/18/2018

Activity	Date Assigned	Done By	Status	Status Date

12/18/18 RSP- The Coastal Development Permit Exemption (CDX) has been denied per the Community Development Director (SAM). The following email was sent to the applicant:

Dear TJ,

After review of your application for an after-the-fact Coastal Development Permit Exemption (PLN2018-00426) for the subject fence, the Community Development Director has determined that the fence does not meet the exemption criteria (see the Exemption/Exclusion Worksheet here: https://planning.smcgov.org/sites/planning.smcgov.org/files/documents/files/Categorical%20Exemption%20Checklist.pdf) and has therefore denied the application. The fence shall require an after-the-fact Coastal Development Permit (CDP) that will be subject to a Planning Commission public hearing for decision because, per Section 6328.3(q) of the Zoning Regulations, the fence is not a principal permitted use and, per Section 6328.9(c) of the Zoning Regulations, a CDP not associated with any other permit shall be subject to decision by the Planning Commission.

The materials you have submitted can be used as a start for your CDP application. We will just need the appropriate forms, fees, and supplemental documentation required for an after-the-fact CDP to get the process going.

The following items are required for the initial submittal. This does not preclude further requests for information, materials, and additional fees during the review process:

1. Planning Permit Application: https://planning.smcgov.org/documents/planning-permit-application-form
2. Coastal Development Permit Application: https://planning.smcgov.org/documents/coastal-development-permit-application-companion-page
3. Environmental Information Disclosure Form: https://planning.smcgov.org/documents/environmental-information-disclosure-form
4. Proof of Ownership (deed or tax bill)
5. Survey which clearly demarcates 1) the location of the fence, 2) the height of the fence, and 3) the boundaries of the access easement.
6. Location Map
7. Site Plan (scaled)
8. Elevation of the chain link fence that notes material and color (scaled)
9. Supporting statements
10. Fees – approximately $7800.00 (you will be provided a complete breakdown of fees at submittal prior to payment)

I will place notes in the system so that any of the counter planners will be able to intake your application. Failure to submit the CDP application within 30 days will result in continued enforcement action by the Code Compliance Section.

Please let me know if you have any questions.

Sincerely,
Ruemel

Joan Kling

From: Charlie Bronitsky <charlie@brewerfirm.com>
Sent: Wednesday, February 06, 2019 2:42 PM
To: Joan Kling
Cc: Steve Monowitz
Subject: RE: VIO2017-00054

Hi Joan:

Any chance that I can come in and meet with you and someone from the planning staff on this maybe sometime next week. My client is very frustrated and I would like to be able to provide some more specific answers.

Thank you,

Charlie Bronitsky
Attorney, Brewer Offord & Pedersen, LLP
O 650 327-2900 | M 650 576-8441 | charlie@brewerfirm.com
www.brewerfirm.com | Skype: csbronitsky
2501 Park Blvd, 2nd Flr., Palo Alto, CA 94306

On Wed, Jan 23, 2019 at 5:25 PM, Joan Kling <jkling@smcgov.org> wrote:
Hi Charlie,

You are not being a pest. I have no further information than I provided in the email below dated January 15, 2019.

I repeat it again here: The Singhs have submitted an application for the fence. County staff is working on the next steps in the approval process. The violation case is on hold until then.

As soon as I have more information, I will provide it to you.

Thank you,

Joan

From: Charlie Bronitsky [mailto:charlie@brewerfirm.com]
Sent: Wednesday, January 23, 2019 11:11 AM
To: Joan Kling <jkling@smcgov.org>
Cc: Steve Monowitz <smonowitz@smcgov.org>
Subject: Re: VIO2017-00054

Hi Joan:

I am sorry to be a pest but I am finding all this quite frustrating as I cannot seem to get an answer and I have a client that is very troubled by the fact that the home she owns remains in a dangerous condition because of the illegal erection of the fences by her neighbors.

It would be very helpful if I could at least get a status report on the code enforcement issue now that the permit has been denied.

Thank you,

Charlie

Charlie Bronitsky
Attorney, Brewer Offord & Pedersen, LLP
O 650 327-2900 | M 650 576-8441 | charlie@brewerfirm.com
www.brewerfirm.com | Skype: csbronitsky
2501 Park Blvd, 2nd Flr., Palo Alto, CA 94306

From: Charlie Bronitsky <charlie@brewerfirm.com>
Date: Tuesday, January 15, 2019 at 3:17 PM
To: Joan Kling <jkling@smcgov.org>
Cc: Steve Monowitz <smonowitz@smcgov.org>
Subject: Re: VIO2017-00054

Hi Joan:

Thank you for getting back to me so quickly.

Last week we were told by County Planning that the Coastal Development Permit Exemption, application PLN2018-00426, was denied after a review with senior staff and the planning director. It appears this was done in response to a visit by the property owner to the planning department on 12/24 which is noted in the online records. If the Permit Exemption has been denied it would seem that the violation should proceed. In fact, the online records indicate that back in October of 2017 you told the property owner directly that they would not qualify for a CDP Exemption.

It has been the County's position since March of 2017 that these fences are illegal, yet now in 2019 no action has been taken. There are people living on my client's property and if fire engines cannot reach the property, as we have been told, that is a significant problem created solely by the erection of the illegal fences. I do not want to be difficult, but I would like to better understand what is going on with this violation and when the fence issue is going to be resolved.

I am attaching a printout of the online records of this case so that you can see for yourself how long the property owner has dragged this out.

Thank you,

Charlie

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From: Joan Kling <jkling@smcgov.org>
Date: Tuesday, January 15, 2019 at 2:55 PM
To: Charlie Bronitsky <charlie@brewerfirm.com>
Cc: Steve Monowitz <smonowitz@smcgov.org>
Subject: RE: VIO2017-00054

Hi Charlie,

The Singhs have submitted an application for the fence. County staff is working on the next steps in the approval process. The violation case is on hold until then.

Tks.

Joan

From: Charlie Bronitsky [mailto:charlie@brewerfirm.com]
Sent: Tuesday, January 15, 2019 11:07 AM
To: Joan Kling <jkling@smcgov.org>
Cc: Steve Monowitz <smonowitz@smcgov.org>
Subject: Re: VIO2017-00054

Hi Joan:

I am again following up on this code enforcement issue which has been pending for a very long time. It is my understanding that the property owners' permit application was denied and so I would like to know the status of the County's action to have the property owners remove the illegally built fences. These fences have created a dangerous condition on my client's neighboring property in that they render it difficult, if not impossible for fire engines and rescue vehicles to enter my client's residential property. Thus any progress on getting those fences removed would be most appreciated.

Thank you,

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2501 Park Blvd, 2nd Flr., Palo Alto, CA 94306

From: Charlie Bronitsky <charlie@brewerfirm.com>
Date: Wednesday, November 14, 2018 at 10:34 AM
To: Joan Kling <jkling@smcgov.org>
Subject: Re: VIO2017-00054

Hi Joan:

If there is any way to get a status update on this code violation it would be most appreciated.

Thank you,

Charlie Bronitsky

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www.brewerfirm.com | Skype: csbronitsky
2501 Park Blvd, 2nd Flr., Palo Alto, CA 94306

From: Michael Crivello <mcrivello@smcgov.org>
Date: Wednesday, November 14, 2018 at 10:16 AM
To: Charlie Bronitsky <charlie@brewerfirm.com>

Cc: Joan Kling <jkling@smcgov.org>
Subject: RE: VIO2017-00054

Hi Charlie,

VIO2017-00054 is currently assigned to Joan Kling, who is the Code Compliance Departments Manager. I have cc'd her on this email and mentioned that you will reach out to her for answers to your questions regarding this case.
All the best
Mike

From: Charlie Bronitsky [mailto:charlie@brewerfirm.com]
Sent: Wednesday, November 14, 2018 8:47 AM
To: Michael Crivello <mcrivello@smcgov.org>
Subject: VIO2017-00054

Mike:

I am not sure if you are the correct person to address this issue to, but I represent, Sandra McIver, owner of the property adjacent to the above-referenced violation. The initial complaint was filed back in February of 2017 so we are coming close to it being two years old. I see from the file notes that there were multiple visits with the owners of the property in violation and multiple promises to address the issue, but as of today, the fences remain standing.

As you may already know, the erection of the fences was illegal and it places my client's property and those living there is significant additional risk since the fences restrict the ability of fire apparatus to enter my client's property and protect it.

My client has been very patient with this matter, but we cannot continue to take the risk of harm or property damage and ask that the County proceed forward with action to have the fences removed.

I would appreciate it if you would let me know what the County intends to do and when.

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The foregoing name, telephone, telecopy and email information is provided to the recipient for informational purposes only and is not intended to be the signature of sender for purposes of binding sender or any client of sender or the firm to any contract or agreement under the Uniform Electronic Transactions Act or any similar law.

Joan Kling

From: Joan Kling
Sent: Monday, February 11, 2019 5:07 PM
To: 'Charlie Bronitsky'
Cc: Steve Monowitz
Subject: RE: VIO2017-00054

Hi Charlie,

My schedule has a few openings this week. What specific information is your client seeking?

Tks,

Joan

From: Charlie Bronitsky [mailto:charlie@brewerfirm.com]
Sent: Wednesday, February 06, 2019 2:42 PM
To: Joan Kling <jkling@smcgov.org>
Cc: Steve Monowitz <smonowitz@smcgov.org>
Subject: RE: VIO2017-00054

Hi Joan:

Any chance that I can come in and meet with you and someone from the planning staff on this maybe sometime next week. My client is very frustrated and I would like to be able to provide some more specific answers.

Thank you,

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On Wed, Jan 23, 2019 at 5:25 PM, Joan Kling <jkling@smcgov.org> wrote:

Hi Charlie,

You are not being a pest. I have no further information than I provided in the email below dated January 15, 2019.

I repeat it again here: The Singhs have submitted an application for the fence. County staff is working on the next steps in the approval process. The violation case is on hold until then.

As soon as I have more information, I will provide it to you.

Thank you,

Joan

From: Charlie Bronitsky [mailto:charlie@brewerfirm.com]
Sent: Wednesday, January 23, 2019 11:11 AM
To: Joan Kling <jkling@smcgov.org>
Cc: Steve Monowitz <smonowitz@smcgov.org>
Subject: Re: VIO2017-00054

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Joan Kling

From: Joan Kling
Sent: Monday, February 11, 2019 5:35 PM
To: 'Tad Sanders'
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Tad,

My apologies for not responding sooner.

The Singhs have submitted an application for the fence. County staff is working on the next steps in the approval process. The violation case is on hold until then.

As soon as I have an update, I will pass it on to you.

Thanks for your patience and understanding.

Joan

From: Tad Sanders [mailto:tad@tsconsultingcpa.com]
Sent: Tuesday, January 15, 2019 9:07 AM
To: Joan Kling <jkling@smcgov.org>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Joan,
Once again I am reaching out asking for an update on the permits noted above. As we have discussed, we have been engaged in a civil suit with the owners of 048-076-120 for almost two years now which is almost the same length of time the above referenced VIO has been in your office to handle. The County's rules appear clear to us and we really don't understand why these people are being given free reign to step on the county codes and enforcement protocols. We are at our wits end and now you have not responded to my written request or to the two voice messages I have left for you. I understand that this is not the only case on your desk and I am requesting you give me a call or send me an email with a full update of your plan and the timing your plan will be executed by. I was led to believe that the applicants of PLN2018-00426 were given a date by which they either needed to file a CDP or to remove the fences. Please provide that date to me.

We are growing very frustrated by your lack of action in this case and we are looking at all legal alternatives available to us. Once again, we cannot get emergency vehicle access to our property and lives are potentially at risk.
Thank you

Tad Sanders, CPA
1360 19th Hole Drive, Suite 201
Windsor, CA 95492

Tele 707-836-9077
Cell 707-696-9059
Fax 1-866-538-5325

From: Tad Sanders <tad@tsconsultingcpa.com>
Sent: Wednesday, January 9, 2019 3:46 PM
To: Joan Kling <jkling@smcgov.org>
Subject: FW: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Joan,
I understand you are reviewing VIO2017-00054 again. I would like to discuss your plan of action with respect to this violation that will be two years old next month. Please let me know when we can discuss this.
Thank you

Tad Sanders, CPA
1360 19th Hole Drive, Suite 201
Windsor, CA 95492

Tele 707-836-9077
Cell 707-696-9059
Fax 1-866-538-5325

From: Ruemel Panglao <rpanglao@smcgov.org>
Sent: Wednesday, January 9, 2019 3:04 PM
To: Tad Sanders <tad@tsconsultingcpa.com>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hello Tad,

Coastal Development Permit Exemption application PLN2018-00426 was denied after a review with senior staff and our director. I am unaware of the status of the violation case. The Singhs were initially given a deadline in which to remove the fence or apply for the Coastal Development Permit after the denial was issued. Now that the denial has been issued, I have been told that the violation case is also now being re-examined by our Code Compliance staff. Senior staff has opted to remove me from the loop on this one, so I likely will not be receiving continuous updates.

Thanks,
Ruemel

From: Tad Sanders [mailto:tad@tsconsultingcpa.com]
Sent: Monday, January 07, 2019 8:37 AM
To: Ruemel Panglao <rpanglao@smcgov.org>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Ruemel,
I hope all is well & happy new year. I am just circling back on this issue as I have not received an update on this permit/violation. And, I still cannot get into the report info on the County's website to try to do this without taking up your time. Can you please let me know the status of the CDX & the VIO?
Thanks for your time
Tad

From: Tad Sanders <tad@tsconsultingcpa.com>
Sent: Thursday, December 13, 2018 1:45 PM
To: 'Ruemel Panglao' <rpanglao@smcgov.org>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Thank you Ruemel,
Very much appreciated
Tad

From: Ruemel Panglao <rpanglao@smcgov.org>
Sent: Thursday, December 13, 2018 12:19 PM
To: Tad Sanders <tad@tsconsultingcpa.com>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Tad,

I just completed a meeting with senior staff regarding this matter. We will be issuing a decision early next week. I will CC you on that correspondence.

Thanks,
Ruemel

From: Tad Sanders [mailto:tad@tsconsultingcpa.com]
Sent: Thursday, December 13, 2018 11:41 AM
To: Ruemel Panglao <rpanglao@smcgov.org>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Ruemel,
Sorry to bother you, I have been trying to follow the permit process online and the detailed report function is not working. Can you please update me where this is at?
Thanks for your time
Tad

From: Tad Sanders <tad@tsconsultingcpa.com>
Sent: Monday, December 10, 2018 3:24 PM
To: 'Ruemel Panglao' <rpanglao@smcgov.org>
Cc: 'Tom Kline' <tom@tmkbuilders.com>
Subject: FW: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Ruemel,
One thought I want to convey to you with regard to the video of Tom Kline's truck, the one with the license plate covered. Here is the rub, and Tom can also confirm this, TJ and Trip know that it was Tom's truck that had the license plate covered. Therefore, they are actually perpetrating fraud by implying the covered license plant is somehow a security concern for them. As I said when we met, they will say anything if they believe it will help their case.
Please let me know how I can help
Tad

From: Tad Sanders <tad@tsconsultingcpa.com>
Sent: Friday, December 7, 2018 1:59 PM

To: 'Ruemel Panglao' <rpanglao@smcgov.org>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Ruemel,
It was a pleasure meeting you on Wednesday. As we discussed, I have attached several things for your review. Attached are:

1. The title report we obtained when we purchase the property – please note the legal description on page 3. The parcels noted as "Parcel Two and Parcel Three" are easements. When I read this I asked the title company to prepare a color map of the easements which is the last page of the attachment. The easement, known as Parcel Two on the legal description, is the blue easement.
2. The Record of Survey we had completed covering the easement area.
    a. The third attachment is the record of survey I attempted to color.
3. I also spoke to Tom Kline, our contractor who covered his license plate. Tom owns and runs TMK Builders Inc. And, as I mentioned, Tom and possibly some of his crew, covered their license plates because of they were being harassed daily by TJ & Trip and they threatened to sully his firm on social media. Tom said he would discuss the matter with you if you want to verify anything I have said about that particular issue. Tom's direct number is 415-686-1178. I have also copied Tom on this email so he has your name and email information.
4. I have also attached the email I received from Camille Leung that addresses County Counsel comments with regard to our rights to improve the easement.

I would like to also raise one additional point with regard to the confusion about whose water service is located below the water company's large water tank. As I mentioned when we met, the water service is ours. Given the level of issues TJ & Trip have raised, I need to ask you to consider one point, if we were stealing water, don't you think they would tell you we are stealing their water? As we have been able to refute 100% of their allegations we hope the county sees through their assertions for what they are.

Again, thank you for your time and please let me know if I can be of any further service.
Tad

From: Ruemel Panglao <rpanglao@smcgov.org>
Sent: Monday, December 3, 2018 11:10 AM
To: Tad Sanders <tad@tsconsultingcpa.com>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Tad,

Let's aim for 9:45. Where exactly on site do you want to meet?

From: Tad Sanders [mailto:tad@tsconsultingcpa.com]
Sent: Monday, December 03, 2018 10:24 AM
To: Ruemel Panglao <rpanglao@smcgov.org>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Ruemel,
Great, lets meet at the site at 9:30 or a little later; whatever is easiest for you.
Thanks again
Tad

From: Ruemel Panglao <rpanglao@smcgov.org>
Sent: Monday, December 3, 2018 9:07 AM
To: Tad Sanders <tad@tsconsultingcpa.com>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Tad,

I was able to rearrange my schedule a bit for this Wednesday and wanted to take you up on your offer for a site visit if you are still be available that morning. I could do anytime between 9:30 and 12. Please let me know what works for you.

Thanks,
Ruemel

From: Tad Sanders [mailto:tad@tsconsultingcpa.com]
Sent: Friday, November 30, 2018 8:24 AM
To: Ruemel Panglao <rpanglao@smcgov.org>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Thanks Ruemel,
I can talk this morning, after 9:30. Please give me a ring on my office number at your convenience.
Thank you
Tad

Tad Sanders, CPA
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Windsor, CA 95492

Tele 707-836-9077
Cell 707-696-9059
Fax 1-866-538-5325

From: Ruemel Panglao <rpanglao@smcgov.org>
Sent: Thursday, November 29, 2018 5:18 PM
To: tad@tsconsultingcpa.com
Subject: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Tad,

I wanted to ask you a few general questions about the fences along the easement at parcel 048-076-120 in Miramar. The property owners have applied for a permit exemption to legalize the fences. As part of my overall review, I have been speaking to the people involved in this situation and wanted to get your perspective.

Please let me know if there is a time we could talk. I am available tomorrow morning from 9 to 11:30 and next Monday from 1:30 to 4. Please let me know your preference on time, or, if none of these times work for you, I can look further into my calendar. I am anticipating that I will be meeting with senior staff early next week and would ideally like to have your input prior to that discussion.

Thanks,
Ruemel

Ruemel Panglao
Planner II

COUNTY OF SAN MATEO
PLANNING AND BUILDING
Planning and Building Department
455 County Center, 2nd Floor
Redwood City, CA 94063
(650) 363-4582 T
(650) 363-4849 F
www.planning.smcgov.org

Joan Kling

From: Charlie Bronitsky <charlie@brewerfirm.com>
Sent: Tuesday, February 12, 2019 7:44 AM
To: Joan Kling
Cc: Steve Monowitz
Subject: RE: VIO2017-00054

Hi Joan:

I would like to go over the file with you as we are being told by Planning that the application was denied and by Code Enforcement that there is an application pending, so mostly we would like to resolve that conflict and then see what needs to be done to get the fences removed. The rainy season gives us time, but we are very concerned that this will linger past that and then the people living on my client's property will again be at increased risk due to the inability for fire apparatus to reach them with the fences blocking the way.

Thank you,

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On Mon, Feb 11, 2019 at 5:07 PM, Joan Kling <jkling@smcgov.org> wrote:
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Subject: Re: VIO2017-00054

Hi Joan:

I am sorry to be a pest but I am finding all this quite frustrating as I cannot seem to get an answer and I have a client that is very troubled by the fact that the home she owns remains in a dangerous condition because of the illegal erection of the fences by her neighbors.

It would be very helpful if I could at least get a status report on the code enforcement issue now that the permit has been denied.

Thank you,

Charlie

Charlie Bronitsky
Attorney, Brewer Offord & Pedersen, LLP

O 650 327-2900 | M 650 576-8441 | charlie@brewerfirm.com
www.brewerfirm.com | Skype: csbronitsky
2501 Park Blvd, 2nd Flr., Palo Alto, CA 94306

From: Charlie Bronitsky <charlie@brewerfirm.com>
Date: Tuesday, January 15, 2019 at 3:17 PM
To: Joan Kling <jkling@smcgov.org>
Cc: Steve Monowitz <smonowitz@smcgov.org>
Subject: Re: VIO2017-00054

Hi Joan:

Thank you for getting back to me so quickly.

Last week we were told by County Planning that the Coastal Development Permit Exemption, application PLN2018-00426, was denied after a review with senior staff and the planning director. It appears this was done in response to a visit by the property owner to the planning department on 12/24 which is noted in the online records. If the Permit Exemption has been denied it would seem that the violation should proceed. In fact, the online records indicate that back in October of 2017 you told the property owner directly that they would not qualify for a CDP Exemption.

It has been the County's position since March of 2017 that these fences are illegal, yet now in 2019 no action has been taken. There are people living on my client's property and if fire engines cannot reach the property, as we have been told, that is a significant problem created solely by the erection of the illegal fences. I do not want to be difficult, but I would like to better understand what is going on with this violation and when the fence issue is going to be resolved.

I am attaching a printout of the online records of this case so that you can see for yourself how long the property owner has dragged this out.

Thank you,

Charlie

Charlie Bronitsky
Attorney, Brewer Offord & Pedersen, LLP

O 650 327-2900 | M 650 576-8441 | charlie@brewerfirm.com
www.brewerfirm.com | Skype: csbronitsky
2501 Park Blvd, 2nd Flr., Palo Alto, CA 94306

From: Joan Kling <jkling@smcgov.org>
Date: Tuesday, January 15, 2019 at 2:55 PM
To: Charlie Bronitsky <charlie@brewerfirm.com>
Cc: Steve Monowitz <smonowitz@smcgov.org>
Subject: RE: VIO2017-00054

Hi Charlie,

The Singhs have submitted an application for the fence. County staff is working on the next steps in the approval process. The violation case is on hold until then.

Tks.

Joan

From: Charlie Bronitsky [mailto:charlie@brewerfirm.com]
Sent: Tuesday, January 15, 2019 11:07 AM
To: Joan Kling <jkling@smcgov.org>
Cc: Steve Monowitz <smonowitz@smcgov.org>
Subject: Re: VIO2017-00054

Hi Joan:

I am again following up on this code enforcement issue which has been pending for a very long time. It is my understanding that the property owners' permit application was denied and so I would like to know the status of the County's action to have the property owners remove the illegally built fences. These fences have created a dangerous condition on my client's neighboring property in that they render it difficult, if not impossible for fire engines and rescue vehicles to enter my client's residential property. Thus any progress on getting those fences removed would be most appreciated.

Thank you,

Charlie Bronitsky
Attorney, Brewer Offord & Pedersen, LLP

O 650 327-2900 | M 650 576-8441 | charlie@brewerfirm.com
www.brewerfirm.com | Skype: csbronitsky
2501 Park Blvd, 2nd Flr., Palo Alto, CA 94306

From: Charlie Bronitsky <charlie@brewerfirm.com>
Date: Wednesday, November 14, 2018 at 10:34 AM
To: Joan Kling <jkling@smcgov.org>
Subject: Re: VIO2017-00054

Hi Joan:

If there is any way to get a status update on this code violation it would be most appreciated.

Thank you,

Charlie Bronitsky

Charlie Bronitsky
Attorney, Brewer Offord & Pedersen, LLP
O 650 327-2900 | M 650 576-8441 | charlie@brewerfirm.com
www.brewerfirm.com | Skype: csbronitsky
2501 Park Blvd, 2nd Flr., Palo Alto, CA 94306

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From: Michael Crivello <mcrivello@smcgov.org>
Date: Wednesday, November 14, 2018 at 10:16 AM
To: Charlie Bronitsky <charlie@brewerfirm.com>
Cc: Joan Kling <jkling@smcgov.org>
Subject: RE: VIO2017-00054

Hi Charlie,

VIO2017-00054 is currently assigned to Joan Kling, who is the Code Compliance Departments Manager. I have cc'd her on this email and mentioned that you will reach out to her for answers to your questions regarding this case.
All the best
Mike

From: Charlie Bronitsky [mailto:charlie@brewerfirm.com]
Sent: Wednesday, November 14, 2018 8:47 AM
To: Michael Crivello <mcrivello@smcgov.org>
Subject: VIO2017-00054

Mike:

I am not sure if you are the correct person to address this issue to, but I represent, Sandra McIver, owner of the property adjacent to the above-referenced violation. The initial complaint was filed back in February of 2017 so we are coming close to it being two years old. I see from the file notes that there were multiple visits with the owners of the property in violation and multiple promises to address the issue, but as of today, the fences remain standing.

As you may already know, the erection of the fences was illegal and it places my client's property and those living there is significant additional risk since the fences restrict the ability of fire apparatus to enter my client's property and protect it.

My client has been very patient with this matter, but we cannot continue to take the risk of harm or property damage and ask that the County proceed forward with action to have the fences removed.

I would appreciate it if you would let me know what the County intends to do and when.

Thank you,

Charlie

Charlie Bronitsky
Attorney, Brewer Offord & Pedersen, LLP
O 650 327-2900 | M 650 576-8441 | charlie@brewerfirm.com
www.brewerfirm.com | Skype: csbronitsky
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Joan Kling

From: Tad Sanders <tad@tsconsultingcpa.com>
Sent: Tuesday, February 12, 2019 8:48 AM
To: Joan Kling
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Joan,
So if they have filed an application, why isn't it showing up online? And, when will you share details? Is this being processed by you? If not, who then is processing it? As you know, we have grown very frustrated by the lack of both response and forward movement on this issue which is now two years old. And, not to beat an old dog, we still have no emergency vehicle access.
Tad

From: Joan Kling <jkling@smcgov.org>
Sent: Monday, February 11, 2019 5:35 PM
To: Tad Sanders <tad@tsconsultingcpa.com>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Tad,

My apologies for not responding sooner.

The Singhs have submitted an application for the fence. County staff is working on the next steps in the approval process. The violation case is on hold until then.

As soon as I have an update, I will pass it on to you.

Thanks for your patience and understanding.

Joan

From: Tad Sanders [mailto:tad@tsconsultingcpa.com]
Sent: Tuesday, January 15, 2019 9:07 AM
To: Joan Kling <jkling@smcgov.org>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Joan,
Once again I am reaching out asking for an update on the permits noted above. As we have discussed, we have been engaged in a civil suit with the owners of 048-076-120 for almost two years now which is almost the same length of time the above referenced VIO has been in your office to handle. The County's rules appear clear to us and we really don't understand why these people are being given free reign to step on the county codes and enforcement protocols. We are at our wits end and now you have not responded to my written request or to the two voice messages I have left for you. I understand that this is not the only case on your desk and I am requesting you give me a call or send me an email with a full update of your plan and the timing your plan will be executed by. I was led to believe that the applicants of PLN2018-00426 were given a date by which they either needed to file a CDP or to remove the fences. Please provide that date to me.

We are growing very frustrated by your lack of action in this case and we are looking at all legal alternatives available to us. Once again, we cannot get emergency vehicle access to our property and lives are potentially at risk.

Thank you

Tad Sanders, CPA
1360 19th Hole Drive, Suite 201
Windsor, CA 95492

Tele 707-836-9077
Cell 707-696-9059
Fax 1-866-538-5325

From: Tad Sanders <tad@tsconsultingcpa.com>
Sent: Wednesday, January 9, 2019 3:46 PM
To: Joan Kling <jkling@smcgov.org>
Subject: FW: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Joan,
I understand you are reviewing VIO2017-00054 again. I would like to discuss your plan of action with respect to this violation that will be two years old next month. Please let me know when we can discuss this.
Thank you

Tad Sanders, CPA
1360 19th Hole Drive, Suite 201
Windsor, CA 95492

Tele 707-836-9077
Cell 707-696-9059
Fax 1-866-538-5325

From: Ruemel Panglao <rpanglao@smcgov.org>
Sent: Wednesday, January 9, 2019 3:04 PM
To: Tad Sanders <tad@tsconsultingcpa.com>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hello Tad,

Coastal Development Permit Exemption application PLN2018-00426 was denied after a review with senior staff and our director. I am unaware of the status of the violation case. The Singhs were initially given a deadline in which to remove the fence or apply for the Coastal Development Permit after the denial was issued. Now that the denial has been issued, I have been told that the violation case is also now being re-examined by our Code Compliance staff. Senior staff has opted to remove me from the loop on this one, so I likely will not be receiving continuous updates.

Thanks,
Ruemel

From: Tad Sanders [mailto:tad@tsconsultingcpa.com]
Sent: Monday, January 07, 2019 8:37 AM
To: Ruemel Panglao <rpanglao@smcgov.org>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Ruemel,
I hope all is well & happy new year. I am just circling back on this issue as I have not received an update on this permit/violation. And, I still cannot get into the report info on the County's website to try to do this without taking up your time. Can you please let me know the status of the CDX & the VIO?
Thanks for your time
Tad

From: Tad Sanders <tad@tsconsultingcpa.com>
Sent: Thursday, December 13, 2018 1:45 PM
To: 'Ruemel Panglao' <rpanglao@smcgov.org>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Thank you Ruemel,
Very much appreciated
Tad

From: Ruemel Panglao <rpanglao@smcgov.org>
Sent: Thursday, December 13, 2018 12:19 PM
To: Tad Sanders <tad@tsconsultingcpa.com>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Tad,

I just completed a meeting with senior staff regarding this matter. We will be issuing a decision early next week. I will CC you on that correspondence.

Thanks,
Ruemel

From: Tad Sanders [mailto:tad@tsconsultingcpa.com]
Sent: Thursday, December 13, 2018 11:41 AM
To: Ruemel Panglao <rpanglao@smcgov.org>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Ruemel,
Sorry to bother you, I have been trying to follow the permit process online and the detailed report function is not working. Can you please update me where this is at?
Thanks for your time
Tad

From: Tad Sanders <tad@tsconsultingcpa.com>
Sent: Monday, December 10, 2018 3:24 PM
To: 'Ruemel Panglao' <rpanglao@smcgov.org>
Cc: 'Tom Kline' <tom@tmkbuilders.com>
Subject: FW: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Ruemel,
One thought I want to convey to you with regard to the video of Tom Kline's truck, the one with the license plate covered. Here is the rub, and Tom can also confirm this, TJ and Trip know that it was Tom's truck that had the license plate covered. Therefore, they are actually perpetrating fraud by implying the covered license plant is somehow a security concern for them. As I said when we met, they will say anything if they believe it will help their case.
Please let me know how I can help
Tad

From: Tad Sanders <tad@tsconsultingcpa.com>
Sent: Friday, December 7, 2018 1:59 PM
To: 'Ruemel Panglao' <rpanglao@smcgov.org>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Ruemel,
It was a pleasure meeting you on Wednesday. As we discussed, I have attached several things for your review. Attached are:

1. The title report we obtained when we purchase the property – please note the legal description on page 3. The parcels noted as "Parcel Two and Parcel Three" are easements. When I read this I asked the title company to prepare a color map of the easements which is the last page of the attachment. The easement, known as Parcel Two on the legal description, is the blue easement.
2. The Record of Survey we had completed covering the easement area.
    a. The third attachment is the record of survey I attempted to color.
3. I also spoke to Tom Kline, our contractor who covered his license plate. Tom owns and runs TMK Builders Inc. And, as I mentioned, Tom and possibly some of his crew, covered their license plates because of they were being harassed daily by TJ & Trip and they threatened to sully his firm on social media. Tom said he would discuss the matter with you if you want to verify anything I have said about that particular issue. Tom's direct number is 415-686-1178. I have also copied Tom on this email so he has your name and email information.
4. I have also attached the email I received from Camille Leung that addresses County Counsel comments with regard to our rights to improve the easement.

I would like to also raise one additional point with regard to the confusion about whose water service is located below the water company's large water tank. As I mentioned when we met, the water service is ours. Given the level of issues TJ & Trip have raised, I need to ask you to consider one point, if we were stealing water, don't you think they would tell you we are stealing their water? As we have been able to refute 100% of their allegations we hope the county sees through their assertions for what they are.

Again, thank you for your time and please let me know if I can be of any further service.
Tad

From: Ruemel Panglao <rpanglao@smcgov.org>
Sent: Monday, December 3, 2018 11:10 AM
To: Tad Sanders <tad@tsconsultingcpa.com>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Tad,

Let's aim for 9:45. Where exactly on site do you want to meet?

From: Tad Sanders [mailto:tad@tsconsultingcpa.com]
Sent: Monday, December 03, 2018 10:24 AM
To: Ruemel Panglao <rpanglao@smcgov.org>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Ruemel,
Great, lets meet at the site at 9:30 or a little later; whatever is easiest for you.
Thanks again
Tad

From: Ruemel Panglao <rpanglao@smcgov.org>
Sent: Monday, December 3, 2018 9:07 AM
To: Tad Sanders <tad@tsconsultingcpa.com>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Tad,

I was able to rearrange my schedule a bit for this Wednesday and wanted to take you up on your offer for a site visit if you are still be available that morning. I could do anytime between 9:30 and 12. Please let me know what works for you.

Thanks,
Ruemel

From: Tad Sanders [mailto:tad@tsconsultingcpa.com]
Sent: Friday, November 30, 2018 8:24 AM
To: Ruemel Panglao <rpanglao@smcgov.org>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Thanks Ruemel,
I can talk this morning, after 9:30. Please give me a ring on my office number at your convenience.
Thank you
Tad

Tad Sanders, CPA
1360 19th Hole Drive, Suite 201
Windsor, CA 95492

Tele 707-836-9077
Cell 707-696-9059
Fax 1-866-538-5325

From: Ruemel Panglao <rpanglao@smcgov.org>
Sent: Thursday, November 29, 2018 5:18 PM
To: tad@tsconsultingcpa.com
Subject: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Tad,

I wanted to ask you a few general questions about the fences along the easement at parcel 048-076-120 in Miramar. The property owners have applied for a permit exemption to legalize the fences. As part of my overall review, I have been speaking to the people involved in this situation and wanted to get your perspective.

Please let me know if there is a time we could talk. I am available tomorrow morning from 9 to 11:30 and next Monday from 1:30 to 4. Please let me know your preference on time, or, if none of these times work for you, I can look further into my calendar. I am anticipating that I will be meeting with senior staff early next week and would ideally like to have your input prior to that discussion.

Thanks,
Ruemel

Ruemel Panglao
Planner II

COUNTY OF SAN MATEO
PLANNING AND BUILDING
Planning and Building Department
455 County Center, 2nd Floor
Redwood City, CA 94063
(650) 363-4582 T
(650) 363-4849 F
www.planning.smcgov.org

Joan Kling

From: Tejinder singh <tjsingh007@me.com>
Sent: Wednesday, January 02, 2019 5:25 AM
To: Joan Kling
Cc: Timothy Fox; Planning_plngbldg
Subject: Re: VIO2017-00411 APN: 048-076-130
Attachments: 655 Miramar yard determination.pdf; VIO 2017-00411 Principal Access.pdf

Dear Joan,

I wish you, your colleagues and your families a Happy Healthy and Successful New Year and many many years to come.

I am attaching the photographs of the Alto Ave which in your attachment has been incorrectly labeled as FRONT of the property. As you will notice, Alto Ave is inaccessible wild piece of land with cliffs and wild vegetation. Further, you may verify the same on Google Maps including satellite image.

I would appreciate if you would reinstate this VIO2017-00411 at the earliest.

Thanks
Kind
regards

TJ Singh

On Dec 27, 2018, at 10:01 AM, Tejinder singh <tjsingh007@me.com> wrote:

Dear Joan,

It is getting to be almost two months since I have heard back from you regarding VIO2017-00411 for APN 048-076-130. I appreciate you sending me the relevant codes as well.

The Front fence is greater than 6 feet in violation of the county code. As I explained in my email of November 7, 2018 8:53AM below, in your markings as previously sent (attached for your convenience), you have incorrectly marked the FRONT of the property.

The FRONT of the property APN 048-076-130 is where the 6 feet - 6.5ft high fence is installed.

SECTION 6102.59. LOTLINE, FRONT. In the case of an interior lot, a line separating the lot from the street and, in the case of a corner lot, a line separating the narrowest lot frontage of the lot from the **street**.

The Definition of STREET according to code:

SECTION 6102.74. STREET. A public or private right of way dedicated or conveyed as such or condemned or otherwise acquired for use as such, other than an alley, **which affords the principal means of access to abutting property**.

Consequently, the FRONT PROPERTY LINE is wrongly labeled in your attached map, as it faces Alto, which is **inaccessible with wild vegetation and cliffs,** has not been dedicated, and **does not afford the principal (or any) means of access** to abutting property.

When you have a moment, would you please confirm that the Violation VIO2017-00411 will be reinstated since APN: 048-076-130 have installed the fence on the FRONT PROPERTY LINE of the property, which is 6 ft to 6.5ft high, while code mandates the FRONT PROPERTY LINE fence to be less than 4 ft and is in violation of the County Codes.

Thanks

With Kind regards

TJ Singh

On Nov 07, 2018, at 03:56 PM, Joan Kling <jkling@smcgov.org> wrote:

I'll let you know if the county finds a violation to enforce. Tks.

From: tj singh [mailto:tjsingh007@me.com]
Sent: Wednesday, November 07, 2018 2:39 PM
To: Joan Kling <jkling@smcgov.org>
Cc: Timothy Fox <tfox@smcgov.org>
Subject: Re: VIO2017-00411 APN: 048-076-130

Thanks Joan,

So what is the process to reopen this Violation.

Thanks

Kind regards

TJ Singh

On Nov 7, 2018, at 1:57 PM, Joan Kling <jkling@smcgov.org> wrote:

Hi TJ,

I will pass your concerns on to the planning division.

Tks.

Joan

From: Tejinder singh [mailto:tjsingh007@me.com]
Sent: Wednesday, November 07, 2018 8:53 AM
To: Joan Kling <jkling@smcgov.org>
Cc: Timothy Fox <tfox@smcgov.org>
Subject: Re: VIO2017-00411 APN: 048-076-130

Thanks Joan,

Based on the codes you provided in your email, the FRONT PROPERTY LINE of APN: 048-076-130 has been wrongly marked. The FRONT PROPERTY LINE is where the violating Fence is installed according to the County code.

SECTION 6102.59. LOTLINE, FRONT. In the case of an interior lot, a line separating the lot from the street and, in the case of a corner lot, a line separating the narrowest lot frontage of the lot from the **street.**

The Definition of STREET according to code:

SECTION 6102.74. STREET. A public or private right of way dedicated or conveyed as such or condemned or otherwise acquired for use as such, other than an alley, **which affords the principal means of access to abutting property**.

Consequently, the FRONT PROPERTY LINE is wrongly labeled in your attached map, as it faces Alto, which is inaccessible with wild vegetation and cliffs, has not been dedicated, and does not afford the principal (or any) means of access to abutting property.

When you have a moment, would you please confirm that the Violation VIO2017-00411 will be reinstated since APN: 048-076-130 have installed the fence on the FRONT PROPERTY LINE of the property, which is 6 ft to 6.5ft high, while code mandates the FRONT PROPERTY LINE fence to be less than 4 ft and is in violation of the County Codes.

Thanks

Kind regards

TJ Singh

On Nov 06, 2018, at 04:02 PM, Joan Kling <jkling@smcgov.org> wrote:

> Again, I thought you had received this. These are the applicable code sections that go along with the map I sent previously and am enclosing again.
>
> Joan
>
> **From:** tj singh [mailto:tjsingh007@me.com]
> **Sent:** Tuesday, November 06, 2018 3:52 PM
> **To:** Joan Kling <jkling@smcgov.org>
> **Cc:** Timothy Fox <tfox@smcgov.org>
> **Subject:** Re: VIO2017-00411 APN: 048-076-130
>
> Thanks Joan,
>
> It will definitely help me to know the code that helps decide the front of a property. If you may be able to send it whenever you get a chance.
>
> Thanks
>
> Kind regards
>
> TJ Singh
>
> On Nov 6, 2018, at 2:33 PM, Joan Kling <jkling@smcgov.org> wrote:
>
> > The code does not regulate or specify the front of the house, but rather the front property line.
> >
> > I hope this answers your questions.

Joan

From: tj singh [mailto:tjsingh007@me.com]
Sent: Tuesday, November 06, 2018 1:49 PM
To: Joan Kling <jkling@smcgov.org>
Cc: Timothy Fox <tfox@smcgov.org>
Subject: Re: VIO2017-00411 APN: 048-076-130

Dear Joan,

Your email does not explain how you decide which is the Front of the house.

Thanks

TJ Singh

On Nov 6, 2018, at 9:47 AM, tj singh <tjsingh007@me.com> wrote:

> Dear Joan,
>
> When you have a moment, as I requested in my email below, would you please let me know how you decide which is the front of the house.
>
> Thanks
>
> Kind regards
>
> TJ Singh

On Oct 30, 2018, at 7:28 AM, Tejinder singh <tjsingh007@me.com> wrote:

Dear Joan,

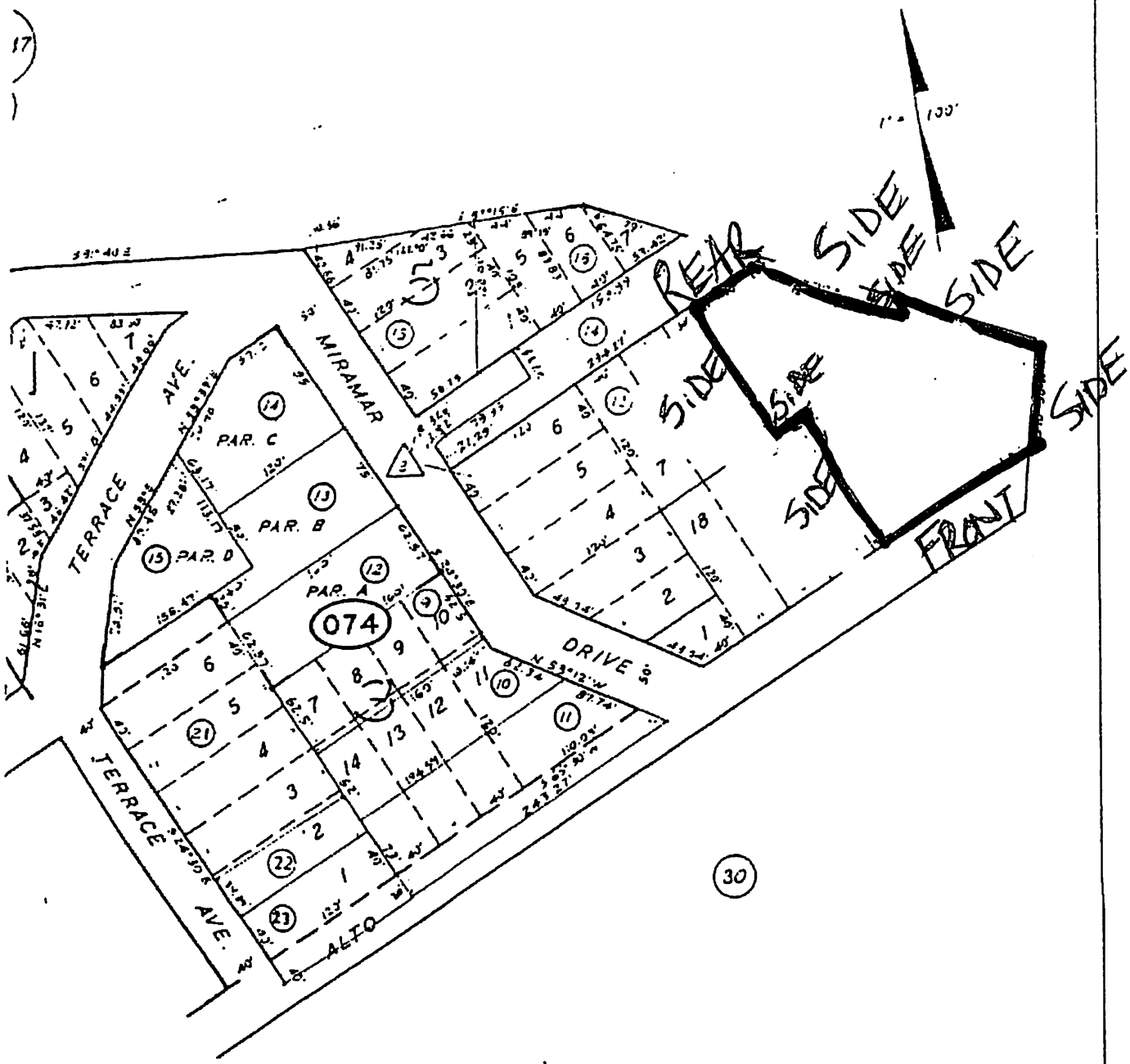
When you have a momen t, would you please let me know how you decide and if there was code based on which you decide which is the Front of a house.

Thanks

TJ Singh

TAX CODE AREA - - - - - - -

48-7



△ PARCEL MAP VOL 68/97-98

△1 MIRAMAR TERRACE RSM 4/12

△2 SUB. OF BLOCK 10 MIRAMAR TERRACE RSM 5/19

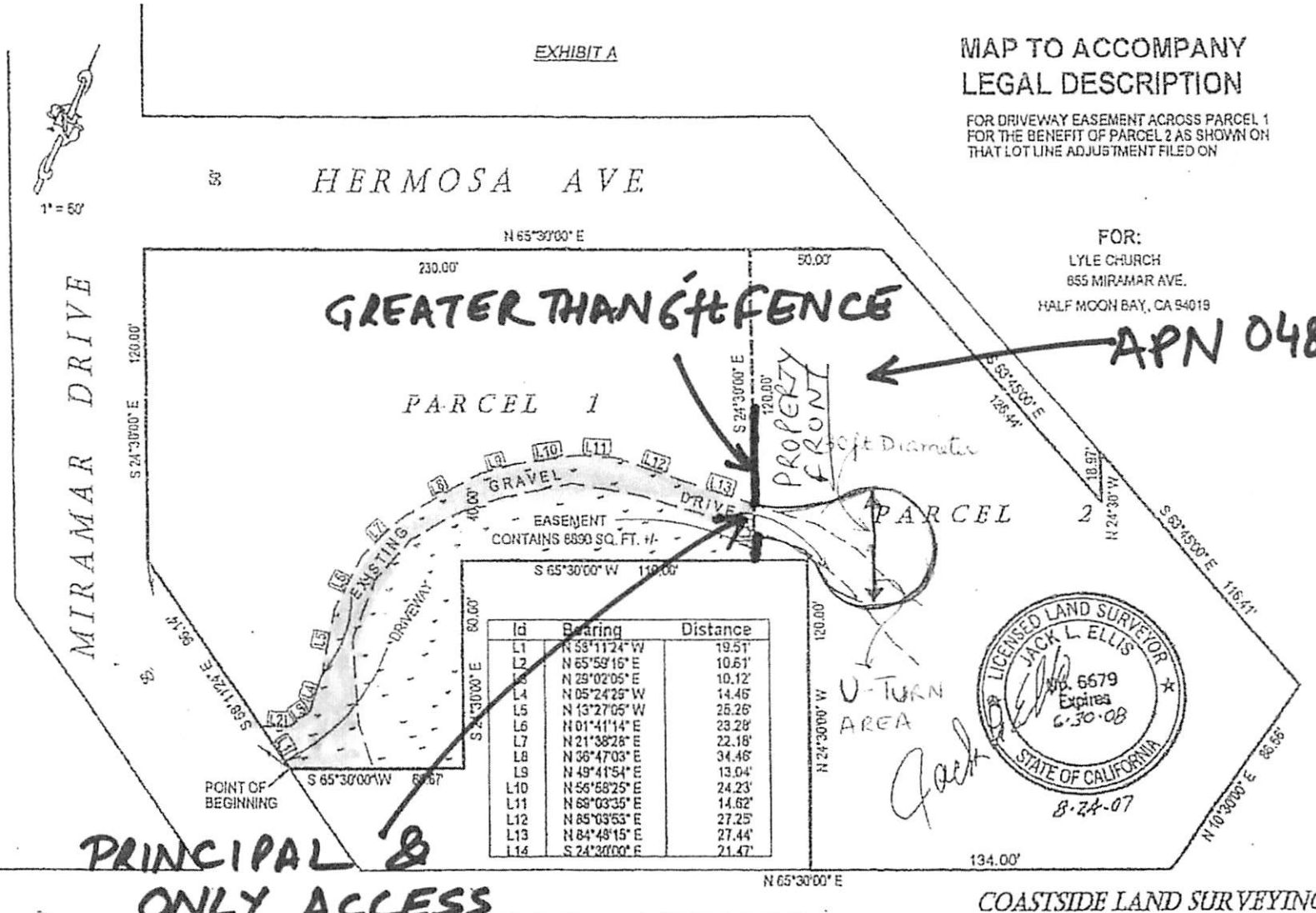
EXHIBIT A

MAP TO ACCOMPANY LEGAL DESCRIPTION

FOR DRIVEWAY EASEMENT ACROSS PARCEL 1 FOR THE BENEFIT OF PARCEL 2 AS SHOWN ON THAT LOT LINE ADJUSTMENT FILED ON

FOR:
LYLE CHURCH
655 MIRAMAR AVE.
HALF MOON BAY, CA 94019

APN 048-076-130



Id	Bearing	Distance
L1	N 58°11'24" W	19.51'
L2	N 65°59'16" E	10.61'
L3	N 29°02'05" E	10.12'
L4	N 05°24'29" W	14.46'
L5	N 13°27'05" W	26.26'
L6	N 01°41'14" E	23.28'
L7	N 21°38'28" E	22.18'
L8	N 36°47'03" E	34.46'
L9	N 49°41'54" E	13.04'
L10	N 56°56'25" E	24.23'
L11	N 69°03'35" E	14.62'
L12	N 85°03'53" E	27.25'
L13	N 84°48'15" E	27.44'
L14	S 24°30'00" E	21.47'

COASTSIDE LAND SURVEYING
799 MAIN STREET #E
HALF MOON BAY, CA 94019
650 726-1715

JUNE 2007
WO #03-05 03-05DWYEASE.PCS
PAGE 2 OF 2

PAGE 2 OF 2

Joan Kling

From: Tejinder singh <tjsingh007@me.com>
Sent: Monday, January 07, 2019 4:17 PM
To: Lisa Aozasa
Cc: Dick Martin; Joan Kling; Anne Martin, J.d.; Ruemel Panglao; Miles Hancock
Subject: Re: URGENT: 15 Terrace Ave - APN 048-072-290: Peterson wall in public right of way

Thank you Lisa,

Best
TJ Singh

On Jan 07, 2019, at 03:31 PM, Lisa Aozasa <laozasa@smcgov.org> wrote:

Hello –

Our Building Official, Miles Hancock, is investigating the issue and will get back to you soon.

Best,

Lisa Aozasa

Deputy Director

SMC Planning & Building Department

From: Tejinder singh [mailto:tjsingh007@me.com]
Sent: Monday, January 07, 2019 6:34 AM
To: Lisa Aozasa <laozasa@smcgov.org>
Cc: Dick Martin <martin@cs.cmu.edu>; Joan Kling <jkling@smcgov.org>; Anne Martin, J.d. <anne@daretoreinvent.com>; Ruemel Panglao <rpanglao@smcgov.org>
Subject: Re: URGENT: 15 Terrace Ave - APN 048-072-290: Peterson wall in public right of way

Dear Lisa,

We and concerned neighbors are looking for your urgent assistance.

The developer of 15 Terrace Ave (APN 048-072-290), is building a concrete Wall on the Right of Way on the Terrace Ave. Please see the attached photographs.

This wall is perpendicular to the flow of traffic and is a safety hazard and obstruction on Terrace Avenue, a right of the way.

Would you please check your permission to the developer since this is a safety issue for all of the users of Terrace Ave.

No such construction should be above the level of the street Terrace Ave. The concrete is still not poured and there is time to fix this. (Does the County allow such construction during the Winter months?)

I will appreciate your prompt action.

Thanks

TJ Singh

On Dec 31, 2018, at 09:21 AM, Ruemel Panglao <rpanglao@smcgov.org> wrote:

> Hello TJ,
>
> I've attached the requested information regarding PLN2018-00426.
>
> Regarding the matter you are referring to below, please contact Code Compliance for further information.
>
> Thanks,
>
> Ruemel

From: Tejinder singh [mailto:tjsingh007@me.com]
Sent: Monday, December 31, 2018 9:12 AM
To: Ruemel Panglao <rpanglao@smcgov.org>
Subject: URGENT: 15 Terrace Ave - APN 048-072-290: Peterson wall in public right of way

Dear Ruemel,

I would like to bring it to your immediate attention that the developer of APN 048-072-290, Peterson, is building a concrete wall as shown in the photo below in the public right of the way.

This wall of concrete is perpendicular to the flow of traffic and is a barrier and obstruction on a right of the way, Terrace Avenue.

Would you please stop this ASAP as this a safety issue for all of the users of Terrace Avenue. This wall of concrete still only has steel rods that can be appropriately sized down to remain well below the level of Terrace Ave (the right of way).

I will appreciate your prompt action.

Thanks

TJ Singh

Thanks

Joan Kling

From: Tad Sanders <tad@tsconsultingcpa.com>
Sent: Wednesday, January 09, 2019 3:46 PM
To: Joan Kling
Subject: FW: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Joan,
I understand you are reviewing VIO2017-00054 again. I would like to discuss your plan of action with respect to this violation that will be two years old next month. Please let me know when we can discuss this.
Thank you

Tad Sanders, CPA
1360 19th Hole Drive, Suite 201
Windsor, CA 95492

Tele 707-836-9077
Cell 707-696-9059
Fax 1-866-538-5325

From: Ruemel Panglao <rpanglao@smcgov.org>
Sent: Wednesday, January 9, 2019 3:04 PM
To: Tad Sanders <tad@tsconsultingcpa.com>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hello Tad,

Coastal Development Permit Exemption application PLN2018-00426 was denied after a review with senior staff and our director. I am unaware of the status of the violation case. The Singhs were initially given a deadline in which to remove the fence or apply for the Coastal Development Permit after the denial was issued. Now that the denial has been issued, I have been told that the violation case is also now being re-examined by our Code Compliance staff. Senior staff has opted to remove me from the loop on this one, so I likely will not be receiving continuous updates.

Thanks,
Ruemel

From: Tad Sanders [mailto:tad@tsconsultingcpa.com]
Sent: Monday, January 07, 2019 8:37 AM
To: Ruemel Panglao <rpanglao@smcgov.org>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Ruemel,

I hope all is well & happy new year. I am just circling back on this issue as I have not received an update on this permit/violation. And, I still cannot get into the report info on the County's website to try to do this without taking up your time. Can you please let me know the status of the CDX & the VIO?
Thanks for your time
Tad

From: Tad Sanders <tad@tsconsultingcpa.com>
Sent: Thursday, December 13, 2018 1:45 PM
To: 'Ruemel Panglao' <rpanglao@smcgov.org>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Thank you Ruemel,
Very much appreciated
Tad

From: Ruemel Panglao <rpanglao@smcgov.org>
Sent: Thursday, December 13, 2018 12:19 PM
To: Tad Sanders <tad@tsconsultingcpa.com>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Tad,

I just completed a meeting with senior staff regarding this matter. We will be issuing a decision early next week. I will CC you on that correspondence.

Thanks,
Ruemel

From: Tad Sanders [mailto:tad@tsconsultingcpa.com]
Sent: Thursday, December 13, 2018 11:41 AM
To: Ruemel Panglao <rpanglao@smcgov.org>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Ruemel,
Sorry to bother you, I have been trying to follow the permit process online and the detailed report function is not working. Can you please update me where this is at?
Thanks for your time
Tad

From: Tad Sanders <tad@tsconsultingcpa.com>
Sent: Monday, December 10, 2018 3:24 PM
To: 'Ruemel Panglao' <rpanglao@smcgov.org>
Cc: 'Tom Kline' <tom@tmkbuilders.com>
Subject: FW: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Ruemel,
One thought I want to convey to you with regard to the video of Tom Kline's truck, the one with the license plate covered. Here is the rub, and Tom can also confirm this, TJ and Trip know that it was Tom's truck that had the license plate covered. Therefore, they are actually perpetrating fraud by implying the covered license plant is somehow a security concern for them. As I said when we met, they will say anything if they believe it will help their case.
Please let me know how I can help

Tad

From: Tad Sanders <tad@tsconsultingcpa.com>
Sent: Friday, December 7, 2018 1:59 PM
To: 'Ruemel Panglao' <rpanglao@smcgov.org>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Ruemel,
It was a pleasure meeting you on Wednesday. As we discussed, I have attached several things for your review. Attached are:

1. The title report we obtained when we purchase the property – please note the legal description on page 3. The parcels noted as "Parcel Two and Parcel Three" are easements. When I read this I asked the title company to prepare a color map of the easements which is the last page of the attachment. The easement, known as Parcel Two on the legal description, is the blue easement.
2. The Record of Survey we had completed covering the easement area.
    a. The third attachment is the record of survey I attempted to color.
3. I also spoke to Tom Kline, our contractor who covered his license plate. Tom owns and runs TMK Builders Inc. And, as I mentioned, Tom and possibly some of his crew, covered their license plates because of they were being harassed daily by TJ & Trip and they threatened to sully his firm on social media. Tom said he would discuss the matter with you if you want to verify anything I have said about that particular issue. Tom's direct number is 415-686-1178. I have also copied Tom on this email so he has your name and email information.
4. I have also attached the email I received from Camille Leung that addresses County Counsel comments with regard to our rights to improve the easement.

I would like to also raise one additional point with regard to the confusion about whose water service is located below the water company's large water tank. As I mentioned when we met, the water service is ours. Given the level of issues TJ & Trip have raised, I need to ask you to consider one point, if we were stealing water, don't you think they would tell you we are stealing their water? As we have been able to refute 100% of their allegations we hope the county sees through their assertions for what they are.

Again, thank you for your time and please let me know if I can be of any further service.
Tad

From: Ruemel Panglao <rpanglao@smcgov.org>
Sent: Monday, December 3, 2018 11:10 AM
To: Tad Sanders <tad@tsconsultingcpa.com>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Tad,

Let's aim for 9:45. Where exactly on site do you want to meet?

From: Tad Sanders [mailto:tad@tsconsultingcpa.com]
Sent: Monday, December 03, 2018 10:24 AM
To: Ruemel Panglao <rpanglao@smcgov.org>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Ruemel,
Great, lets meet at the site at 9:30 or a little later; whatever is easiest for you.

Thanks again
Tad

From: Ruemel Panglao <rpanglao@smcgov.org>
Sent: Monday, December 3, 2018 9:07 AM
To: Tad Sanders <tad@tsconsultingcpa.com>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Tad,

I was able to rearrange my schedule a bit for this Wednesday and wanted to take you up on your offer for a site visit if you are still be available that morning. I could do anytime between 9:30 and 12. Please let me know what works for you.

Thanks,
Ruemel

From: Tad Sanders [mailto:tad@tsconsultingcpa.com]
Sent: Friday, November 30, 2018 8:24 AM
To: Ruemel Panglao <rpanglao@smcgov.org>
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Thanks Ruemel,
I can talk this morning, after 9:30. Please give me a ring on my office number at your convenience.
Thank you
Tad

Tad Sanders, CPA
1360 19th Hole Drive, Suite 201
Windsor, CA 95492

Tele 707-836-9077
Cell 707-696-9059
Fax 1-866-538-5325

From: Ruemel Panglao <rpanglao@smcgov.org>
Sent: Thursday, November 29, 2018 5:18 PM
To: tad@tsconsultingcpa.com
Subject: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Tad,

I wanted to ask you a few general questions about the fences along the easement at parcel 048-076-120 in Miramar. The property owners have applied for a permit exemption to legalize the fences. As part of my overall review, I have been speaking to the people involved in this situation and wanted to get your perspective.

Please let me know if there is a time we could talk. I am available tomorrow morning from 9 to 11:30 and next Monday from 1:30 to 4. Please let me know your preference on time, or, if none of these times work for you, I can look further into my calendar. I am anticipating that I will be meeting with senior staff early next week and would ideally like to have your input prior to that discussion.

Thanks,
Ruemel

Ruemel Panglao
Planner II

COUNTY OF SAN MATEO
PLANNING AND BUILDING
Planning and Building Department
455 County Center, 2nd Floor
Redwood City, CA 94063
(650) 363-4582 T
(650) 363-4849 F
www.planning.smcgov.org

Joan Kling

From: Tad Sanders <tad@tsconsultingcpa.com>
Sent: Tuesday, January 15, 2019 9:07 AM
To: Joan Kling
Subject: RE: Fences at parcel 048-076-120 in Miramar (PLN2018-00426/VIO2017-00054)

Hi Joan,
Once again I am reaching out asking for an update on the permits noted above. As we have discussed, we have been engaged in a civil suit with the owners of 048-076-120 for almost two years now which is almost the same length of time the above referenced VIO has been in your office to handle. The County's rules appear clear to us and we really don't understand why these people are being given free reign to step on the county codes and enforcement protocols. We are at our wits end and now you have not responded to my written request or to the two voice messages I have left for you. I understand that this is not the only case on your desk and I am requesting you give me a call or send me an email with a full update of your plan and the timing your plan will be executed by. I was led to believe that the applicants of PLN2018-00426 were given a date by which they either needed to file a CDP or to remove the fences. Please provide that date to me.

We are growing very frustrated by your lack of action in this case and we are looking at all legal alternatives available to us. Once again, we cannot get emergency vehicle access to our property and lives are potentially at risk.
Thank you

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Thanks,
Ruemel

Ruemel Panglao
Planner II

COUNTY OF SAN MATEO
PLANNING AND BUILDING
Planning and Building Department
455 County Center, 2nd Floor
Redwood City, CA 94063
(650) 363-4582 T
(650) 363-4849 F
www.planning.smcgov.org

Joan Kling

From: Joan Kling
Sent: Tuesday, January 15, 2019 2:55 PM
To: 'Charlie Bronitsky'
Cc: Steve Monowitz
Subject: RE: VIO2017-00054

Hi Charlie,

The Singhs have submitted an application for the fence. County staff is working on the next steps in the approval process. The violation case is on hold until then.

Tks.

Joan

From: Charlie Bronitsky [mailto:charlie@brewerfirm.com]
Sent: Tuesday, January 15, 2019 11:07 AM
To: Joan Kling <jkling@smcgov.org>
Cc: Steve Monowitz <smonowitz@smcgov.org>
Subject: Re: VIO2017-00054

Hi Joan:

I am again following up on this code enforcement issue which has been pending for a very long time. It is my understanding that the property owners' permit application was denied and so I would like to know the status of the County's action to have the property owners remove the illegally built fences. These fences have created a dangerous condition on my client's neighboring property in that they render it difficult, if not impossible for fire engines and rescue vehicles to enter my client's residential property. Thus any progress on getting those fences removed would be most appreciated.

Thank you,

Charlie Bronitsky
Attorney, Brewer Offord & Pedersen, LLP
O 650 327-2900 | M 650 576-8441 | charlie@brewerfirm.com
www.brewerfirm.com | Skype: csbronitsky
2501 Park Blvd, 2nd Flr., Palo Alto, CA 94306

From: Charlie Bronitsky <charlie@brewerfirm.com>
Date: Wednesday, November 14, 2018 at 10:34 AM

To: Joan Kling <jkling@smcgov.org>
Subject: Re: VIO2017-00054

Hi Joan:

If there is any way to get a status update on this code violation it would be most appreciated.

Thank you,

Charlie Bronitsky

Charlie Bronitsky
Attorney, Brewer Offord & Pedersen, LLP
O 650 327-2900 | M 650 576-8441 | charlie@brewerfirm.com
www.brewerfirm.com | Skype: csbronitsky
2501 Park Blvd, 2nd Flr., Palo Alto, CA 94306

From: Michael Crivello <mcrivello@smcgov.org>
Date: Wednesday, November 14, 2018 at 10:16 AM
To: Charlie Bronitsky <charlie@brewerfirm.com>
Cc: Joan Kling <jkling@smcgov.org>
Subject: RE: VIO2017-00054

Hi Charlie,

VIO2017-00054 is currently assigned to Joan Kling, who is the Code Compliance Departments Manager. I have cc'd her on this email and mentioned that you will reach out to her for answers to your questions regarding this case.
All the best
Mike

From: Charlie Bronitsky [mailto:charlie@brewerfirm.com]
Sent: Wednesday, November 14, 2018 8:47 AM
To: Michael Crivello <mcrivello@smcgov.org>
Subject: VIO2017-00054

Mike:

I am not sure if you are the correct person to address this issue to, but I represent, Sandra McIver, owner of the property adjacent to the above-referenced violation. The initial complaint was filed back in February of 2017 so we are coming close to it being two years old. I see from the file notes that there were multiple visits with the owners of the property in violation and multiple promises to address the issue, but as of today, the fences remain standing.

As you may already know, the erection of the fences was illegal and it places my client's property and those living there is significant additional risk since the fences restrict the ability of fire apparatus to enter my client's property and protect it.

My client has been very patient with this matter, but we cannot continue to take the risk of harm or property damage and ask that the County proceed forward with action to have the fences removed.

I would appreciate it if you would let me know what the County intends to do and when.

Thank you,

Charlie

Charlie Bronitsky
Attorney, Brewer Offord & Pedersen, LLP
O 650 327-2900 | M 650 576-8441 | charlie@brewerfirm.com
www.brewerfirm.com | Skype: csbronitsky
2501 Park Blvd, 2nd Flr., Palo Alto, CA 94306

An error has occurred.
We are experiencing a report configuration error. Please try again later or contact the Agency for assistance.

Record VIO2017-00054:
Violation
Record Status: Violation Notice Sent

Record Info Payments Custom Component

Processing Status

Click on the arrows to see more details like status and comments.

If you would like a print out of the case activities, please select *Reports* at the top of the page.

Complaint Received

Marked as Investigation on 02/22/2017 by RMM

Investigation

Marked as Notes on 03/08/2017 by RSP

Comment: 3/8/17 RSP - Applicant came to counter. Notified that fence requires a CDP.

Marked as In Violation on 03/14/2017 by AXS

Comment: See Ruemel's notes on 3/8/17.

Enforcement

Marked as Complied on 04/07/2017 by AXS

Marked as Notes on 09/11/2017 by AXS

Comment: They have applied for the CDP. It was deemed incomplete.

Marked as Notes on 10/25/2017 by AXS

Comment: Property owner spoke with Joan Kling the Code Compliance Manager. He gave her a copy of notes in Accela that she stated it was a civil matter. She explained he needed a CDP and gave him copies of the LCP requiring the Coastal Development Permit and the meaning of exemption, and she showed him where he does not meet the exemption.

Marked as Violation Notice Sent on 11/03/2017 by AXS

Comment: They have not completed the CPD for the fence. I issued the NOV.

Marked as Notes on 11/09/2017 by SSB

Comment: 11/9/17 SSB - Owner came in with letter stating reasons why they don't believe they need a CDP including because the fence is less than 4' in height and non-masonry (it's chain link). He pointed to previous brochure given to him highlighting that building permit is not require for fence less than 6' in height.

Marked as Notes on 12/14/2017 by AXS

Comment: They need a CDP. They want to deny that they need one, and have submitted a letter stating so. I explained again they still need a CDP.

Marked as Notes on 09/13/2018 by JK

Comment: Summer sent email to Singhs saying Code Compliance will soon issue Citations. Deadline is Sept. 28. Citations will be issued after that.

Marked as Notes on 09/13/2018 by SSB

Comment: 9/13/18 SSB - Emailed to TJ Singh, cc'd code compliance officer: Hello TJ, Code Compliance mentioned they are getting ready to issue a citation for the unpermitted fence installed along the access easement running through your property as there's been no confirmation that it has been removed and no application for a Coastal Development Permit (CDP) to seek legalization. It was agreed that I could reach out to you before a citation is issued (which carries citation fees) to try to get resolution (and avoid any citation fees for you!). Your options are below: 1. Remove the fence and call code compliance to site verify removal, which would address the violation and upon confirmation of removal, the violation case would be closed. 2. Apply for a CDP to legalize the fence, in which staff would likely recommend denial for the fence as it does not serve a permitted use on the property and detracts from the natural surrounding environment. A CDP would require a public hearing before the Planning Commission (PC) and the PC's decision is appealable. The CDP application filing fee for an after-the-fact CDP is approximately $7,800. One of the above options needs to completed by Friday, September 28, 2018 in order to avoid the issuance of a citation by the Code Compliance Section. Regards, Summer

---

Marked as Notes on 09/27/2018 by CML

Comment: 9/27/18 CML - I met with TJ and Tripp for the Pre App (PRE2018-00053). I gave them forms, fees, calendar, and told them that the County will not issue any permits, including Deign Review, until the fence violation is resolved. I stated that the only way to resolve the violation is for the fence to be removed. As no permits for construction will be issued until the violation is resolved, he fence cannot be retained as a future fence for the residence or as a construction fence. They asked as to whether they can install 2 "no trespassing signs" in lieu of the fence. I said that this could potentially qualify for a CDX. COunty would need sign specs, post specs, overall height and location map. Prior to approval of any CDX, fence would have to be removed first.

Marked as Notes on 12/24/2018 by MJS

Comment: 12/24/18 mjs - Property owner came in to make request to remove violation. Advised him to submit a letter stating his position and that would be forwarded to Camille or Summer who have been involved with this case previously. They can review and work with Code Enforcement regarding this request.

Marked as TBD on TBD by TBD

Court

Final Processing

Marked as **Workflow Closed on 04/07/2017 by AXS**

Joan Kling

From: Charlie Bronitsky <charlie@brewerfirm.com>
Sent: Tuesday, January 15, 2019 3:17 PM
To: Joan Kling
Cc: Steve Monowitz
Subject: Re: VIO2017-00054
Attachments: 2019-01-15-Printing of Online Violation Records.pdf

Hi Joan:

Thank you for getting back to me so quickly.

Last week we were told by County Planning that the Coastal Development Permit Exemption, application PLN2018-00426, was denied after a review with senior staff and the planning director. It appears this was done in response to a visit by the property owner to the planning department on 12/24 which is noted in the online records. If the Permit Exemption has been denied it would seem that the violation should proceed. In fact, the online records indicate that back in October of 2017 you told the property owner directly that they would not qualify for a CDP Exemption.

It has been the County's position since March of 2017 that these fences are illegal, yet now in 2019 no action has been taken. There are people living on my client's property and if fire engines cannot reach the property, as we have been told, that is a significant problem created solely by the erection of the illegal fences. I do not want to be difficult, but I would like to better understand what is going on with this violation and when the fence issue is going to be resolved.

I am attaching a printout of the online records of this case so that you can see for yourself how long the property owner has dragged this out.

Thank you,

Charlie

Charlie Bronitsky
Attorney, Brewer Offord & Pedersen, LLP
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www.brewerfirm.com | Skype: csbronitsky
2501 Park Blvd, 2nd Flr., Palo Alto, CA 94306

From: Joan Kling <jkling@smcgov.org>
Date: Tuesday, January 15, 2019 at 2:55 PM
To: Charlie Bronitsky <charlie@brewerfirm.com>
Cc: Steve Monowitz <smonowitz@smcgov.org>
Subject: RE: VIO2017-00054

Hi Charlie,

The Singhs have submitted an application for the fence. County staff is working on the next steps in the approval process. The violation case is on hold until then.

Tks.

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Sent: Tuesday, January 15, 2019 11:07 AM
To: Joan Kling <jkling@smcgov.org>
Cc: Steve Monowitz <smonowitz@smcgov.org>
Subject: Re: VIO2017-00054

Hi Joan:

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From: Charlie Bronitsky <charlie@brewerfirm.com>
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Date: Wednesday, November 14, 2018 at 10:16 AM
To: Charlie Bronitsky <charlie@brewerfirm.com>
Cc: Joan Kling <jkling@smcgov.org>
Subject: RE: VIO2017-00054

Hi Charlie,

VIO2017-00054 is currently assigned to Joan Kling, who is the Code Compliance Departments Manager. I have cc'd her on this email and mentioned that you will reach out to her for answers to your questions regarding this case.
All the best
Mike

From: Charlie Bronitsky [mailto:charlie@brewerfirm.com]
Sent: Wednesday, November 14, 2018 8:47 AM
To: Michael Crivello <mcrivello@smcgov.org>
Subject: VIO2017-00054

Mike:

I am not sure if you are the correct person to address this issue to, but I represent, Sandra McIver, owner of the property adjacent to the above-referenced violation. The initial complaint was filed back in February of 2017 so we are coming close to it being two years old. I see from the file notes that there were multiple visits with the owners of the property in violation and multiple promises to address the issue, but as of today, the fences remain standing.

As you may already know, the erection of the fences was illegal and it places my client's property and those living there is significant additional risk since the fences restrict the ability of fire apparatus to enter my client's property and protect it.

My client has been very patient with this matter, but we cannot continue to take the risk of harm or property damage and ask that the County proceed forward with action to have the fences removed.

I would appreciate it if you would let me know what the County intends to do and when.

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Joan Kling

From: Joan Kling
Sent: Wednesday, January 23, 2019 5:25 PM
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Cc: Steve Monowitz
Subject: RE: VIO2017-00054

Hi Charlie,

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I repeat it again here: The Singhs have submitted an application for the fence. County staff is working on the next steps in the approval process. The violation case is on hold until then.

As soon as I have more information, I will provide it to you.

Thank you,

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Joan Kling

From: Joan Kling
Sent: Thursday, January 31, 2019 11:59 AM
To: Don Horsley
Cc: Steve Monowitz
Subject: RE: VIO2017-00054 Singhs property

Hi Don,

This is a long standing neighbor dispute and is quite complicated. Below is a very brief synopsis.

Access to the Charlie Bonitsky's client's property is thru an easement owned by the Singh family. The Singhs maintain that the client has altered the easement and infringed on their property. Therefore, the Singhs put black chain link fencing along the edge of the easement. This makes traversing the easement a bit more difficult for the clients. Since the Singhs' property is undeveloped, the addition of fencing would require a Coastal Development Permit. For more than one year, planning and code have been telling the Singhs to remove the fencing or get a Coastal Development Permit approval to keep the fencing. The Singhs have been very uncooperative in the process.

They recently met with Steve Monowitz and are contending that a water pump on the property constitutes "development" and exempts them from the Coastal Development Permit process. Steve has requested that they submit documentation from the Coast side Water District that the pump is necessary to be "fenced" for safety, security. We are currently waiting for the Singhs info from the Water District.

Does this help? Let me know if you need more info.

Tks.

Joan

From: Don Horsley
Sent: Wednesday, January 30, 2019 1:42 PM
To: Joan Kling <jkling@smcgov.org>
Subject: FW: VIO2017-00054

Joan,

What is the situation here? I don't understand how a fence on someone's property can impede the Fire Department's access on someone else's property?

From: Charlie Bronitsky [mailto:charlie@brewerfirm.com]
Sent: Wednesday, January 30, 2019 9:00 AM
To: Don Horsley <dhorsley@smcgov.org>
Cc: Steve Monowitz <smonowitz@smcgov.org>
Subject: FW: VIO2017-00054

Don:

Happy New Year. I hope this finds you well.

My apology for bothering you with this, but it is an issue that has been going on since 2017 and I represent one of your constituents, Sandra McIver who owns a home in unincorporated Half Moon Bay. Several years ago her neighbors illegally built some fencing which prevents fire trucks from accessing her property. The County opened a code violation case which has been pending for a very long time. We were told by some at the County that the neighbors' request for a permit was denied, while being told by code enforcement that the permit application is still pending. This has been going on for many, many months. In the meantime if there is an emergency at my client's property, the fences will prevent access by fire equipment which is an unacceptable situation.

We have been very patient and cooperative with the County staff, but the length of time this has been pending without resolution is beyond reason, so my client has asked me to reach out to you to see if you can speak with someone who can give us an answer on when the fences are going to be removed.

Charlie Bronitsky

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The foregoing name, telephone, telecopy and email information is provided to the recipient for informational purposes only and is not intended to be the signature of sender for purposes of binding sender or any client of sender or the firm to any contract or agreement under the Uniform Electronic Transactions Act or any similar law.

Joan Kling

From: Joan Kling
Sent: Monday, October 01, 2018 4:55 PM
To: 'Tejinder singh'
Cc: Timothy Fox; Summer Burlison
Subject: RE: Security fence - 655 Miramar Violation Case 2017-00054

Hi Tj,

Thanks for your cooperation.

Joan

From: Tejinder singh [mailto:tjsingh007@me.com]
Sent: Monday, October 01, 2018 4:07 PM
To: Joan Kling <jkling@smcgov.org>
Cc: Timothy Fox <tfox@smcgov.org>; Summer Burlison <sburlison@smcgov.org>
Subject: Re: Security fence - 655 Miramar Violation Case 2017-00054

Hello Joan,

As we discussed today, so as to give me some time to read the new cited code, I appreciate you extending the deadline to respond to October 15th.

Thanks
TJ Singh

On Sep 27, 2018, at 01:39 PM, Joan Kling <jkling@smcgov.org> wrote:

> Hi TJ,
>
> Thank you for your email. The information you provided below does not change the County's position that a Coastal Development Permit is needed for the installed fencing.
>
> I entered a note into the Accela system that were incorrect and understand how you could have been temporarily misled at that time. However, many months have passed and many conversations have been had with you by various staff members explaining that my comment was incorrect and that a Coastal Development Permit is, in fact, needed for your development. Again, I will lay out the County's position to you.
>
> - Your property is located in the Coastal Zone (CD)
> - The installed fencing meets the definition of development 6328.3(h)