

## Letter of Project Proposal/Scope of Work

### Project location / Address

This planning application is to document the square footage of our property at 31329 Halfway Road, Silverado CA 92676.

### Description of entire project proposal and existing site conditions

Our property located at 31329 Halfway Road, Silverado CA 92676 has been cited by Code Enforcement for an unpermitted deck, unpermitted partially enclosed patio structure, unpermitted garage, loft and additions to house, and over-height fence along the front of the property. The Assessor drawing being used to ascertain the square footage of our property is dated 10-8-1966 and lists our property as 573sq.ft. The actual square footage of our property is 1042sq.ft.

We are requesting a variance for any structures that may currently be deemed as not within set-backs. We are requesting for the structures on our property (deck, partially enclosed patio, garage, loft and additions to house to be deemed as legal non-conforming, if necessary/as appropriate, and to be permitted as is. We are requesting our fence height to be allowed to be 12 feet or higher along the road and along the side of our backyard.

### Justifications of request for deviations from development standards

Our property was constructed in 1932 and no blueprints exist. The Assessor drawing appears insufficient to indicate what structures were on our property from 50 to 90 years ago.

The Assessor drawing is ambiguous. The Assessor drawing shows a washroom of 48 sq.ft., why is it not included in the overall square footage? The Assessor drawing lists a structure of 126sq.ft. as being "GONE 72," what part of the house was it and was it part of the original house? The Assessor drawing lists a shed of 180sq.ft., was this actually the garage or partially enclosed patio? The Assessor drawing lists a "CCP" of 40sq.ft., what part of the house was this? The Assessor drawing lists an "ADD" of 259sq.ft. that has a line through it, what part of the house was this and was it part of the original house? The Assessor drawing does not include the retaining wall that was permitted on 11/13/1967 even though there are updates to the document after the date the retaining wall was built.

Unfortunately, no evidence exists showing when our deck, partially enclosed patio structure, garage, loft, and other possible additions to our house were installed. Redfin photographs dating to 2008 show the structures were present at that time. Aerial photographs are too blurry and obstructed by trees. The Assessor drawing is ambiguous. The record of permits for over fifty years ago is incomplete.

Our property and structures were safety inspected as recently as May 2016 when we purchased our house. We further safety inspected our property as well.

Orange County Fire Authority Personnel walk up and down our road (Halfway Road) several times a year and have never had any kind of issue at all with our property.

It seems logical that the railing above the retaining wall and the deck were installed at the same time as the retaining wall. A portion of the railing along the creek is bolted into the retaining wall at a distance of 42" to 49" below the ground level (which is above it). It is extremely unlikely that someone would dig down 42" to 49" into the ground to install rail anchors in such a manner.

Entire properties and houses in our direct neighborhood, and up and down the creek, lie in the hundred-year flood zone as indicated in the map provided by Brian Kurnow.

As for set-backs for our partially enclosed patio structure, garage, loft and other possible additions to our house, all of the property boundaries and lot-lines in Mine-track and along Halfway Road are off center and there is no way of ascertaining where the property boundaries really are due to a high number of missing survey markers. This situation has existed for well over one-hundred years.

Our requested fence height is definitely within the character of our neighborhood. Other factors include the property at 31326 Halfway Road being at a higher elevation than our property, thus providing a view of our house and yard that leaves us no privacy without a high fence. The newly constructed additions to the house at 31332 Halfway Road, lights strung up, and spot lamps from the second story garage windows at 31322 Halfway Road, as well as the sloped road along our fence along the road, further justify a high fence to obtain privacy.

Information supplied to us indicate that the house at 31326 Halfway Road made additions in recent years which cause their structures to come very close to the back of our garage and the side of our house.

Please see the pictures attached in the Supporting Documents section which reveal that all of the structures on our property (deck, partially enclosed patio, garage, loft, and other possible additions to our house, as well as our fence height, front and side set-backs) are the same as the character of our neighborhood. Every house on Halfway Road, Schmidt Road, Mill Road, and nearby Silverado Canyon Road (as well as every road in Silverado) have similar structures and character as does our house. There are decks bordering and overhanging the creek around our property, and all up and down the creek. There are fences and hedges of all heights in the neighborhood around our house, and everywhere in Silverado. It is the status quo of minimal or no front and side set-backs in the neighborhood around our house and everywhere in Silverado.

It would appear that all of the structures on our property (deck, partially enclosed patio, garage, loft, and other additions to our house, as well as our fence height) should be granted a variance, and be considered legal nonconforming, if necessary/as appropriate, just as other properties in our neighborhood are enjoying, as well as all of Silverado.