ITEM 3

#12-08 WALDEN VARIANCE REQUESTS
3467 HUMPHREY ROAD, APN: 044-041-020

STAFF REPORT
11/6/12 PLANNING COMMISSION MEETING

REQUEST
Cindy Walden, the applicant/owner, is requesting two (2) Variance approvals on her 0.6268-acre parcel located at 3467 Humphrey Road, north of King Road, APN: 044-041-020. The request is to allow (1) animal keeping structures to encroach into the required setback and (2) to keep 6 additional fowl/poultry on her property than the zoning ordinance allows. The property is zoned Single-Family Residential, 10,000 sq.ft. lot minimum (RS-10) and designated Residential-Medium Density, 2-6 du/acre in the General Plan. The project is Categorically Exempt under CEQA Section 15305.

RECOMMENDATION: Hear staff report, take public comment, and **approve Resolution #12-05 thereby approving the setback variance for the animal-keeping structures and denying the variance for additional fowl/poultry, per the findings in Exhibit A and conditions of approval in Exhibit B.**

PROJECT DESCRIPTION

Site: 3467 Humphrey Road ; APN: 044-041-020 ; 0.6268 acres ; RS-10 zoning

Existing Access: One driveway off of Humphrey Road

Surrounding Uses and Zoning: Surrounding uses and zoning are as follows:

North – Residential parcels, RS-10 zoning
East - Residential parcels, RS-10 zoning
South - Residential parcels, RS-10 zoning
West - Residential parcels, RS-10 zoning

Improvements/Utilities/Service Systems:
Sewer - SPMUD
Water - PCWA
Gas/Electric - PG&E
Trash - Recology Auburn Placer

Fowl/Poultry Animal Keeping Structure(s) Square Footage: 24' x 12' = 288 sq.ft.

Applicable Animal Keeping Ordinance Section (see highlighted):

13.42.060 – Animal Keeping - **TABLE 4-2 - ANIMAL KEEPING STANDARDS**

Type of Animal or Facility [6]	Max. No. of Animals per Site [1]	Minimum Lot Area [2]	Minimum Setbacks [3] [7]	
			From Side/Rear Property Lines	From Streets and Dwellings
Aviary for birds other than fowl and poultry	20 per acre	1/2 acre	25 ft	50 ft
Dogs and cats	4 animals total on a site less than 1 acre; 4 of each species on a site of 1 acre or more.	None required	None required	None required
Fowl and poultry [4] [5]	12 per acre	1/2 acre [5]	20 ft	20 ft
Hogs and swine	1 per acre	2 acres	50 ft	100 feet
Horses and cows	2 per acre	1 acre	25 ft	50 ft
Other household pets and small animals - Including pygmy goats (and other similar, small breeds), birds, chinchillas, guinea pigs, hamsters, pot belly pigs, rabbits, rodents, and other non-poisonous small animals, not raised for commercial purposes.	4 animals total on a site less than 1 acre; 4 of each species on a site of 1 acre or more, where allowed by Table 4-1.	None for 4 or fewer animals; 1 acre for 5 or more animals.	None on a site of less than 1 acre; 10 ft on a site of 1 acre or more.	None on a site of less than 1 acre; 25 ft on a site of 1 acre or more.
Large animals - Emus, goats, llamas, miniature horses and donkeys, ostriches, sheep, and similar-sized animals.	6 per acre	1/2 acre	25 ft	50 feet for accessory structure, none for pasture.

Notes:

(1) Offspring allowed in addition to maximum number until weaned.

(2) Minimum lot area required for the keeping of animals.

(3) Minimum setbacks from all property lines for barns, shelters, pens, coops, cages, and other areas and structures where animals are kept in concentrated confinement; but not including areas continuously maintained as pasture. Animals shall not be kept in any required front yard setback except in pasture areas.

(4) Guinea hens, peacocks, roosters, swans and geese are prohibited in the RS zoning district.

(5) Maximum of four hens allowed if property is under one-half acre in size.

(6) Animal slaughtering shall be prohibited in the RS zone.

(7) The Zoning Administrator may reduce required side and rear yard setbacks to as little as zero for large lots after taking into account the lot size, structure size, and use of the proposed animal structure and determining that: *(a)* the structure will not interfere with emergency vehicle access; *(b)* the structure will comply with any required setback from dwellings; and *(c)* the proposed use of the structure will not create a nuisance. A proposed use will be considered to create a nuisance if the use is likely to cause discomfort or annoyance to any reasonable person of normal sensitivity residing in the area.

ISSUES

VARIANCE REQUEST #1

(Animal-Keeping Structures)

Fowl/Poultry Animal Keeping Structure Setbacks:

	Existing	Required by Code
North (side)	±0 ft.,- Not in compliance	20 feet
South (side)	In compliance	20 feet
East (rear)	±37 feet – in compliance	20 feet
West (front)	In compliance	20 feet

The animal-keeping structures are currently located on a shared property line. The structures are located ±150-feet from the home at 3455 Humphrey (directly to the north and whose shared property line the animal-keeping structures currently sit).

Variance findings for structures in setback area:

13.42.060 Animal Keeping, Table 4-2, Note 7 reads;
The Zoning Administrator may reduce required side and rear yard setbacks to as little as zero for large lots after taking into account the lot size, structure size, and use of the proposed animal structure and determining that:

(a) the structure will not interfere with emergency vehicle access; *will not interfere*

(b) the structure will comply with any required setback from dwellings; *yes,* and

(c) the proposed use of the structure will not create a nuisance. A proposed use will be considered to create a nuisance if the use is likely to cause discomfort or annoyance to any reasonable person of normal sensitivity residing in the area; *moving the structures would not substantively decrease any potential existing nuisance to the one neighbor who considers the structures a nuisance. Furthermore, letters from other surrounding and adjacent neighbors have indicated the structures are not a nuisance.*

VARIANCE REQUEST #2

(Fowl/Poultry Allowance)

Animal Count of the Walden Property:

Animal Type	Allowed per Town Code	Currently Onsite
Dogs and Cats	4 Total	4 (3 dog, 1 cat)
Other household pets & small animals	4 Total	4 (2 pygmy goats, 2 pot-bellied pigs)
Fowl/Poultry	8	14

Note: No prohibited animals were seen on the property by staff.

Variance findings for fowl/poultry to exceed allowed limit:
Required findings must be made by the Review Authority if the variance is to be approved. The required findings are listed below:

13.62.060 - Variance and minor variance.

Findings and Decision. The review authority may approve a variance or minor variance, with or without conditions, only after first making all of the following findings, as applicable.

1. **General Findings**.

   a. There are special circumstances applicable to the property (e.g., location, shape, size, surroundings, topography, or other conditions), so that the strict application of this title denies the property owner privileges enjoyed by other property owners in the vicinity and within the same zoning district; *there are no special circumstances applicable to the property.*

   b. Granting the variance is necessary for the preservation and enjoyment of substantial property rights enjoyed by other property owners in the same vicinity and zoning district and denied to the property owner for which the variance is sought; *other property owners in the vicinity and within the same zoning district do not have more fowl/poultry than is allowed by Town Code*, and

   c. The variance is consistent with the general plan and any applicable specific plan. *No.*

Comments from Neighbors:

Signed template letters were received from the following addresses indicating that C.Walden's fowl/poultry and their associated animal-keeping structures have never created a nuisance (letters and vicinity map attached):

(1) 3447 Humphrey Road
(2) 3477 Humphrey Road
(3) 5653 King Road
(4) 3474 Francis Drive

C.Walden's adjacent neighbor to the north (3455 Humphrey Road) has indicated that C.Walden's fourteen (14) fowl/poultry (6 more than allowed) and the illegal location of her animal-keeping structures (on shared property line) have, and continue to be, a nuisance to her.

RECOMMENDATION: Hear staff report, take public comment, and **approve Resolution #12-05 thereby approving the setback variance for the animal-keeping structures and denying the variance for additional fowl/poultry, per the findings in Exhibit A and conditions of approval in Exhibit B.**

ATTACHMENTS:

1. Resolution #12-05, draft findings and draft conditions of approval
2. Application #12-08
3. Plans (aerial) and other onsite pictures submitted by the applicant
4. Onsite photos taken by staff
5. Vicinity Map and letters of support from neighbors
6. Letter, etc. submitted by neighbor Kathleen Giel (3455 Humphrey Rd)
7. August 10, 2010 letter from Town Manager Perry Beck sent to Cindy Walden

NOTE:

Notice published in Loomis News on 10/25/12 and mailed to neighbors on 10/19/12

Att. 1

RESOLUTION NO. 12-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF LOOMIS APPROVING A SETBACK VARIANCE FOR ANIMAL-KEEPING STRUCTURES AND DENYING AN ANIMAL ALLOWANCE (QUANTITY) VARIANCE FOR CINDY WALDEN AT 3467 HUMPHREY ROAD, ASSESSOR'S PARCEL NUMBER 044-041-020.

WHEREAS, Cindy Walden, the owner, has requested two (2) variance approvals at 3467 Humphrey Road, Assessor's Parcel Number 044-041-020, such application being identified as #12-08; and

WHEREAS, on November 6, 2012, the Planning Commission conducted a public hearing of the application, at which time any person interested in the matter was given an opportunity to be heard; and

WHEREAS, the Planning Commission reviewed and considered the staff report relating to said application, the plans, the written and oral evidence presented to the Planning Commission in support of and in opposition to the application; and

WHEREAS, the Planning Commission of the Town of Loomis hereby makes the findings attached herein as Exhibit A in connection with the conditions set forth in Exhibit B.

NOW THEREFORE, based upon the findings set forth hereinabove, the Planning Commission of the Town of Loomis, at its meeting of November 6, 2012, did resolve as follows:

1. The project is categorically exempt under CEQA section 15305.

2. The approved variance is consistent with the goals, policies and land uses in the Town of Loomis General Plan and Zoning Ordinance.

3. The project application #12-08 is hereby approved per the findings set forth in Exhibit A and the conditions set forth in Exhibit B.

ADOPTED this 6th day of November, 2012, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINED:

_____
Mike Hogan, Chairman

_____
Matt Lopez, Assistant Planner

EXHIBIT A

DRAFT FINDINGS
11/6/2012

VARIANCE (setback for animal-keeping structures):

a. The structure will not interfere with emergency vehicle access; *will not interfere.*

b. The structure will comply with any required setback from dwellings; *yes.*

c. The proposed use of the structure will not create a nuisance. A proposed use will be considered to create a nuisance if the use is likely to cause discomfort or annoyance to any reasonable person of normal sensitivity residing in the area; *moving the structures would not substantively decrease any potential existing nuisance to the one neighbor who considers the structures a nuisance. Furthermore, letters from other surrounding and adjacent neighbors have indicated the structures are not a nuisance.*

VARIANCE (for additional fowl/poultry):

a. There are special circumstances applicable to the property (e.g., location, shape, size, surroundings, topography, or other conditions), so that the strict application of this title denies the property owner privileges enjoyed by other property owners in the vicinity and within the same zoning district; *there are no special circumstances applicable to the property.*

b. Granting the variance is necessary for the preservation and enjoyment of substantial property rights enjoyed by other property owners in the same vicinity and zoning district and denied to the property owner for which the variance is sought; *other property owners in the vicinity and within the same zoning district do not have more fowl/poultry than is allowed by Town Code.*

c. The variance is consistent with the general plan and any applicable specific plan. *No.*

EXHIBIT B

DRAFT CONDITIONS OF APPROVAL
11/6/12

This setback variance request for the animal-keeping structures is approved and the variance request to have more fowl/poultry than allowed is denied for Cindy Walden at 3467 Humphrey Road, Assessor's Parcel Number 044-041-020, per the following conditions.

GENERAL CONDITIONS

1. _____ Owner shall comply with all applicable provisions of the Town of Loomis Municipal Code. **[ADVISORY]**

2. _____ The owner shall indemnify, exonerate and hold harmless the Town of Loomis and all officers and employees thereof against all claims, demands and causes of action arising out of improvements constructed within this project. **[ADVISORY]**

3. _____ The conditions of approval of the application shall prevail over all omissions, conflicting notations, specifications, dimensions, typical sections, and the like, which may or may not be shown on the map or improvement plans. **[ADVISORY]**

4. _____ The existing animal-keeping structures located on the north property line are allowed to remain in their current location. Additional structures are not to be added in this location or anywhere on the property that is not in compliance with Town Code.

5. _____ The six (6) illegal fowl/poultry that are being kept onsite must be removed from the property within 30 days from the date of this approval (12/6/2012).

Att. 2

TOWN OF LOOMIS

6140 Horseshoe Bar Rd, Suite K
Loomis, CA 95650
(916) 652-1840 FAX (916) 652-1847

RECEIVED
JUL 06 2012
TOWN OF LOOMIS

For Town Use
File Number #12-08
Application Fee(s) WAIVED PER T.M.
Receipt # — Date 7-6-12
Date Received 7-6-12
Paid $ —

PLANNING DEPARTMENT — Planning Application

1. **Project Title:** WALDEN VARIANCE
2. **Street Address/ Location:** 3467 Humphrey Rd, Loomis
3. **APN(s):** 044-041-020-000 **Acreage:** .6268

   Zoning: RS-10 **General Plan Designation:**

   Current Site Use: residential + animal keeping

   Surrounding Land Use(s): openspace on 2 sides, housing 2 sides
4. **Property Owner:** Cynthia Walden

   Address: 3467 Humphrey Rd (City) Loomis (State) CA (Zip) 95650

   Telephone: 916-202-9639 **email:** cinwalden@att.net
5. **Project Applicant:** Cynthia Walden

   Address: 3467 Humphrey Rd (City) Loomis (State) CA (Zip) 95650

   Telephone: 916 202-9639 **email:** cinwalden@att.net
6. **Project Engineer/Architect:**

   Address: (City) (State) (Zip)

   Telephone: **email:**
7. **What actions, approvals or permits by the Town of Loomis does the proposed project require?**

[ ]	Appeal	[ ]	Miscellaneous Permit
[ ]	Certificate of Compliance	[ ]	Planned Development
[ ]	Conditional Use Permit	[ ]	Second Unit Permit
[ ]	Design Review	[ ]	Sign Review
[ ]	Development Agreement	[ ]	Tentative Review
[ ]	Environmental Review	[ ]	Minor Land Division
[ ]	General Plan Amendment	[ ]	Subdivision
[ ]	Hardship Mobile Home Permit	[X]	Variance
[ ]	Lot Line Adjustment	[ ]	Zoning Amendment (Rezone)
[X]	~~Other Minor Use Permit~~ CW		

8. **Does the proposed project need approval by other governmental agencies?**
   [ ] Yes [ ] no if yes, which agencies? unknown

9. **Which agencies/utilities provide the following services to the project?** **(Please note if not hooked up to sewer or water)**
   Electricity PG&E Natural Gas PG&E
   Fire Protection Loomis Fire Dept Water/Well Placer Water Agency

High School Del Oro Elem. School Loomis Elem

Other

10. **The Town had informed me of my responsibilities pursuant to California Government Code, Section 65962.5(f), regarding notifying the Town of hazardous waste and/or hazardous substance sites on the project site. I have consulted the lists consolidated by the State Environmental Protection Agency dated** on line **and find:** Regulatory identification number

Date of list No problems identified

Type of problem

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

Dated 1-17-11 / 7/1/12 cw Applicant Cynthia Walker

11. **Project Description (Describe the project so that a person unfamiliar with the project would understand the purpose , size, phasing, duration, required improvements, duration of construction activities, surrounding land uses, etc. associated with the project. Attach additional pages as necessary.)**

SEE STATEMENT OF JUSTIFICATION

12. **Owner Authorization:**

I hereby authorize , the above-listed applicant, to make applications for project approvals by the Town of Loomis, regarding the above-described project and to receive all notices, correspondence, etc., from the Town regarding this project. I also hereby authorize the town staff to place a noticing board (approximately 4' x 3') on my property, visible from the street, at least ten (10) days prior to the first hearing on my project, and for subsequent hearings as determined necessary by the Planning Director.

N/A

Signature(s) of Owner(s)	Printed Name(s)	Date

13. **Applicant and/or Owner Hold Harmless:**

Owner, and Applicant (if different from Owner), agrees to hold Town harmless from all injuries, damages, costs and expenses, including attorney's fees resulting from the negligence of owner, and Applicant (if different from Owner), and their employees, contractors, subcontractors and agents, in connection with any proceeding brought in any State or Federal court with respect to the applicant's project.

Signature(s) of Owner(s)	Printed Name(s)	Date
Cynthia Walker	Cynthia Walker	7/1/12 cw ~~7-1-11~~

14. **Applicant and/or Owner Acknowledgment:**

Owner/Applicant expressly agree they are solely responsible for assuring compliance with all applicable laws, rules, regulations, and practices required to implement this development, and that Town staff's errors or 123 omissions in explaining what is required, whether on this application form or otherwise, do not establish a basis for Owner/Applicant failing to comply with all such laws, rules, regulations and practices.

Signature(s) of Owner(s) and/or Applicant	Printed Name(s)	Date
Cynthia Walker	Cynthia Walker	7-1-12 ~~7-1-11~~ cw

July 1, 2012

Zoning Administrator
Town of Loomis
Loomis, CA 95650

STATEMENT OF JUSTIFICATION

Variance application for: 3467 Humphrey Road
Loomis, CA 95650

As per request of the Town of Loomis I am submitting an application for variance as it relates to the side setbacks for the keeping of chickens on the property of 3467 Humphrey Road. I am requesting the side setbacks be reduced to zero to allow the current chicken enclosure to remain as it is currently located. The enclosure has been in this location for over 10 years.

Town of Loomis Ordinance 250 provides for the Zoning Administrator to make such a decision for larger lots as it relates to setbacks.

Please consider that:
The chickens have been in this enclosure in the exact same location for more than a decade.
The Walden chickens are located on property line on the north side of the Walden property, they are approximately 37 feet from the rear (east) property line (these houses have a Francis address), they are on the east side of Sucker Ravine Creek . The west end of the enclosure is approximately 124 feet from the centerline of the Sucker Ravine creek that divides the Giel property into two areas. The Giel residence is on the west side of Sucker Ravine, with approximately ½ acre on the east side of the creek. The Walden residence is on the east side of Sucker Ravine Creek. The chain link enclosure that the chickens are confined to (especially at night) is 24 feet along that property line. The current location is approximately over 150 feet from the Giel residence.
The chickens are confined in this confinement area at night as there is the Sucker Ravine Creek nearby and with that there is naturally a population of raccoons, skunks and opossums. Chickens need protection from these species of wildlife. Skunks, Opossums, and Raccoons are all nocturnal creatures. The current confinement location is the farthest away from the creek/ wildlife area, therefore providing maximum safety for the chickens. The enclosure is a 6 feet tall chain link, with netting material on the top to assure that the chickens stay confined, as well as to keep unwanted animals out. The chickens do free range in the back yard of the Walden residence when they can be supervised.
The chickens and the enclosure were in the same location when Giel purchased the property.

I have enclosed photographs, maps, neighbor comments, and the variance application.

Cynthia Walden

Cynthia L Walden
3467 Humphrey
Loomis, CA 95650
916-202-9639

RECEIVED
JUL 06 2012
TOWN OF LOOMIS

July 1, 2012

Town Manager

Town of Loomis

Loomis, CA 95650

Per out conversation I want to update you on the number of animals on the property at 3467 Humphrey.

The number of dogs has been reduced to 4, which is the allowable number. (One was gently euthanized October 2011 for health reasons). All are currently vaccinated and licensed with Placer County.

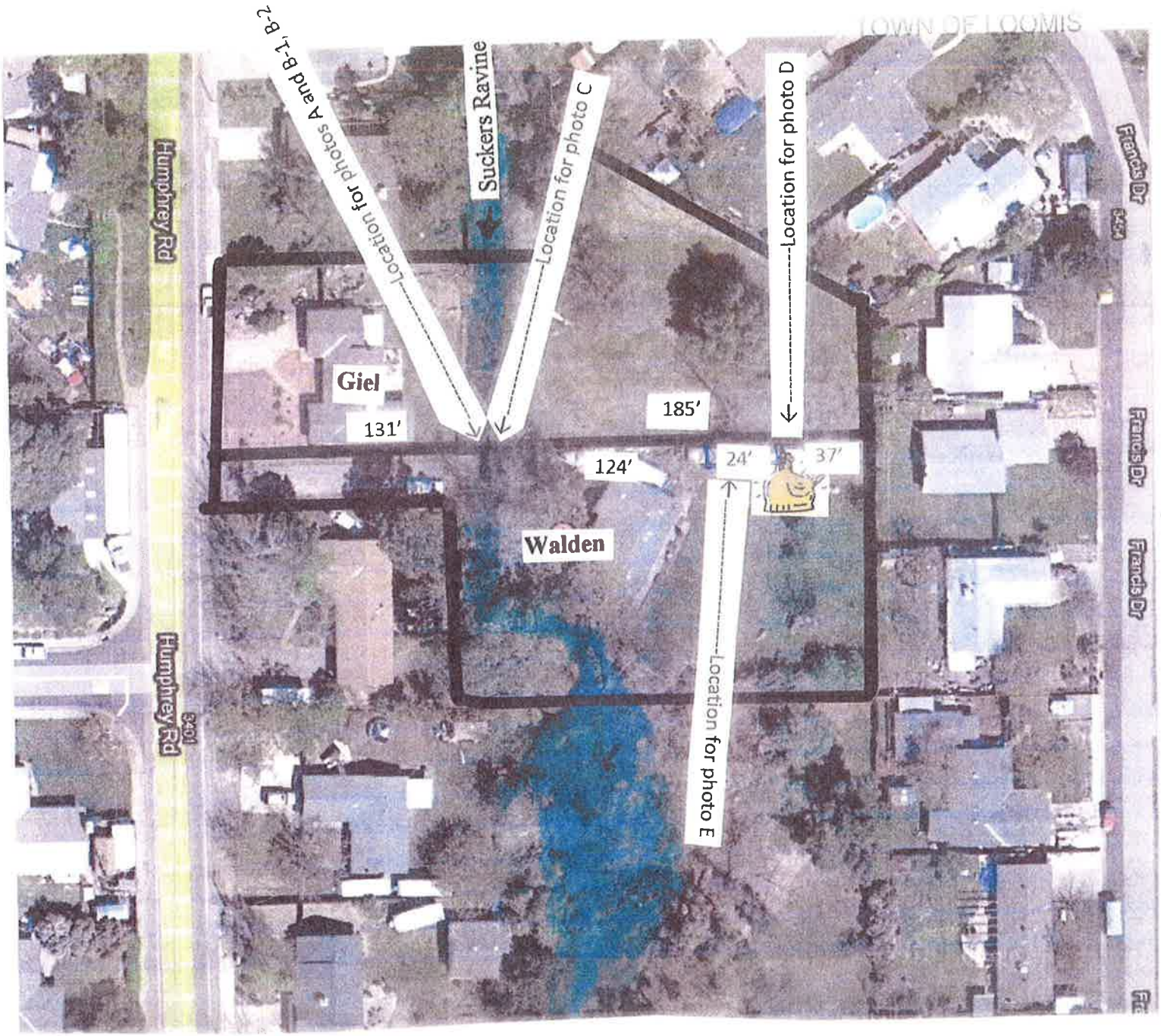
The number of "other small pets" are within the allowable numbers of 4 total.

The number of chickens has reduced to 15 from 22. The reduction has happened by natural attrition. I understand that 8 is now the number allowable, and would request that you allow me to come to that number by natural attrition.

Cynthia Walden

Cynthia L Walden
3467 Humphrey
Loomis, CA 95650
916-202-9639

Att. 3



On the Geil property:

131' is the distance from the middle of the creek to the street property line on the Giel property

185' is the total distance from the middle of the creek to the back property line on the Giel property.

On the Walden property:

37' is the distance from the rear property line to the east end of the current chicken confinement area.

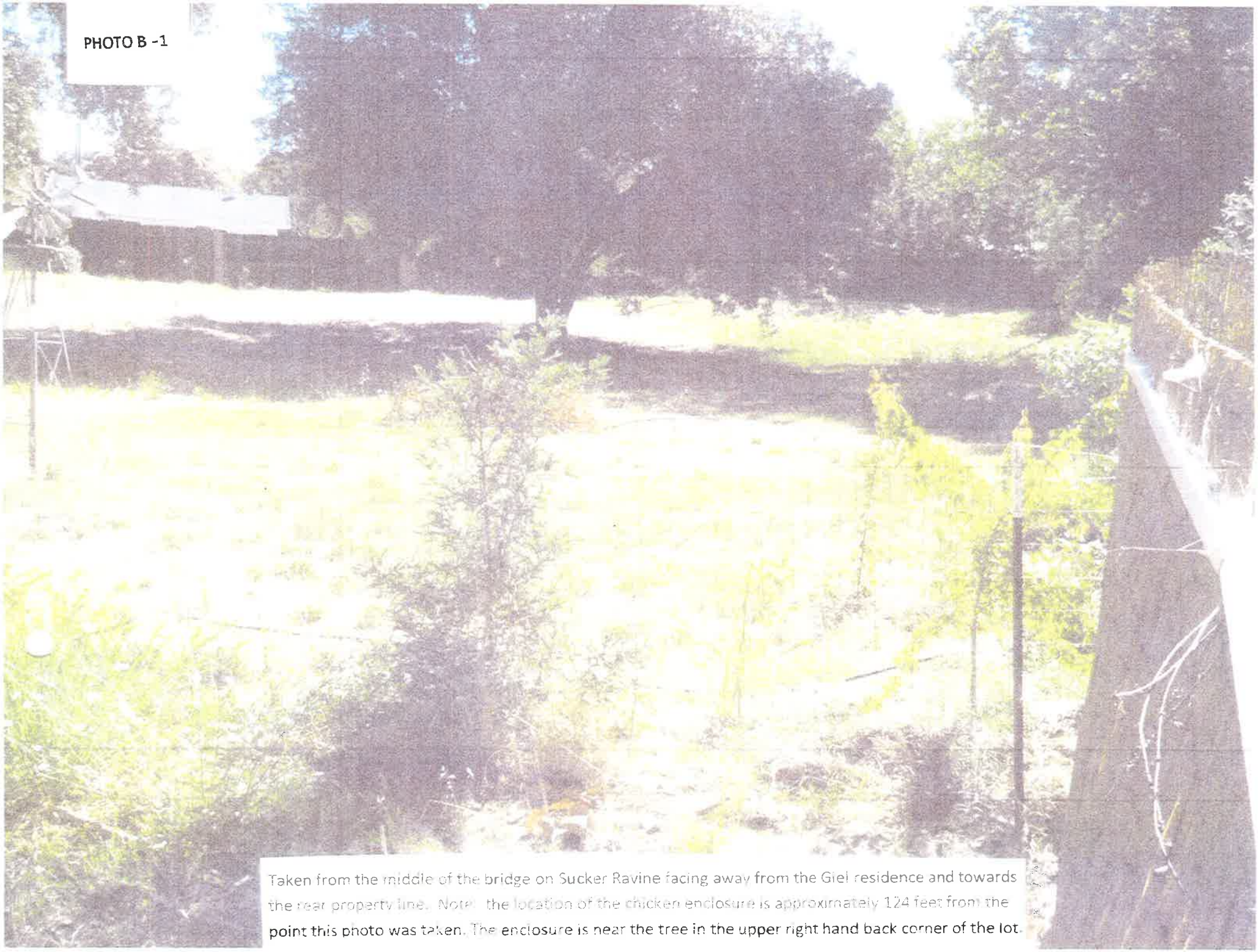
24' is the length of the current chicken confinement area along the Giel / Walden property line (12' Depth)

124' is the distance from the middle of the creek to the west end of the current chicken confinement area

PHOTO A

Taken from the middle of the bridge on Sucker Ravine facing towards the Giel residence.

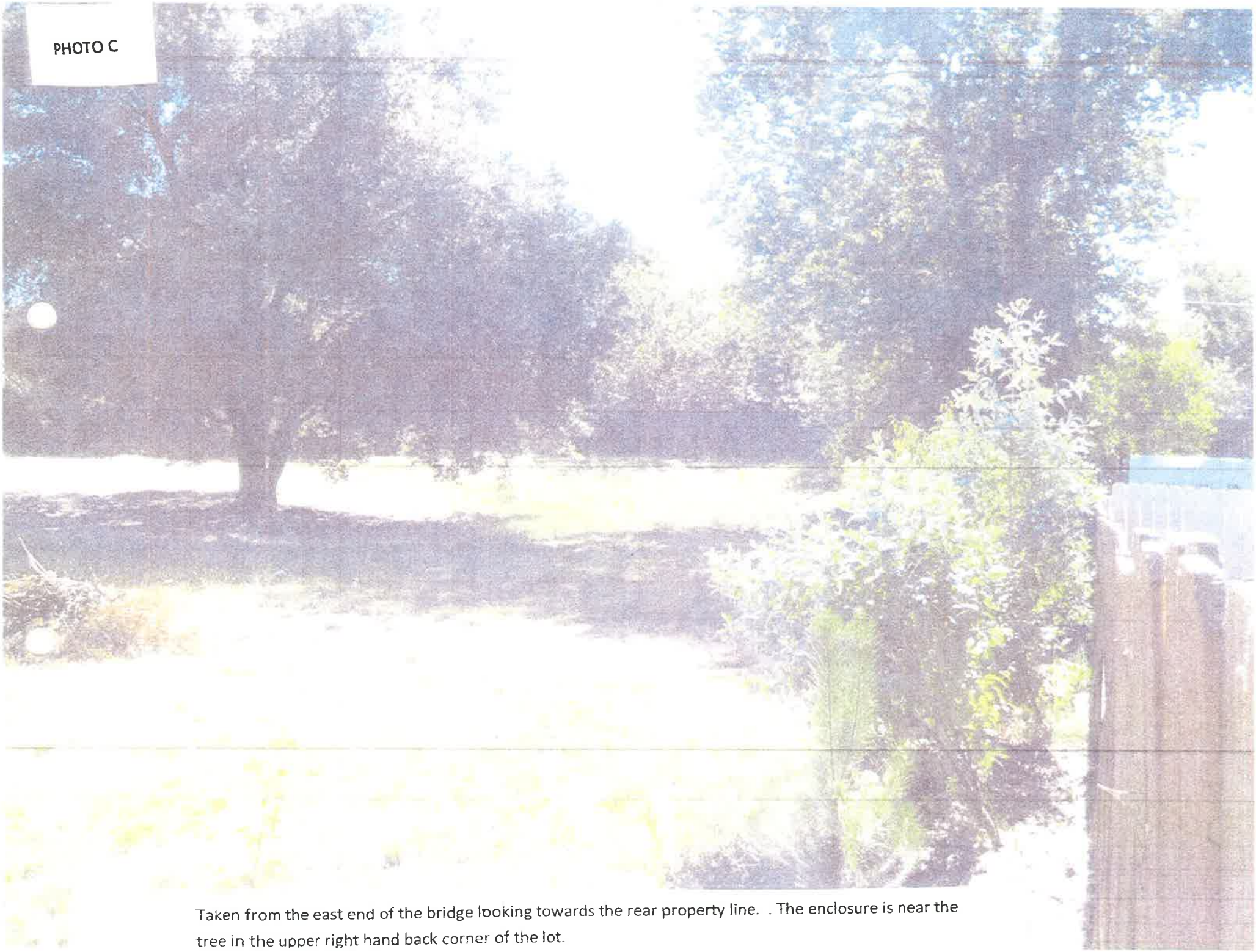
PHOTO B -1



Taken from the middle of the bridge on Sucker Ravine facing away from the Giel residence and towards the rear property line. Note the location of the chicken enclosure is approximately 124 feet from the point this photo was taken. The enclosure is near the tree in the upper right hand back corner of the lot.

PHOTO B-2

PHOTO C



Taken from the east end of the bridge looking towards the rear property line. . The enclosure is near the tree in the upper right hand back corner of the lot.

PHOTO D

Taken from the corner of the chicken enclosure that is approximately 37 feet from the rear property line, and 148 feet from the approximate centerline of Sucker Ravine. Looking towards the rear of the Giel residence.

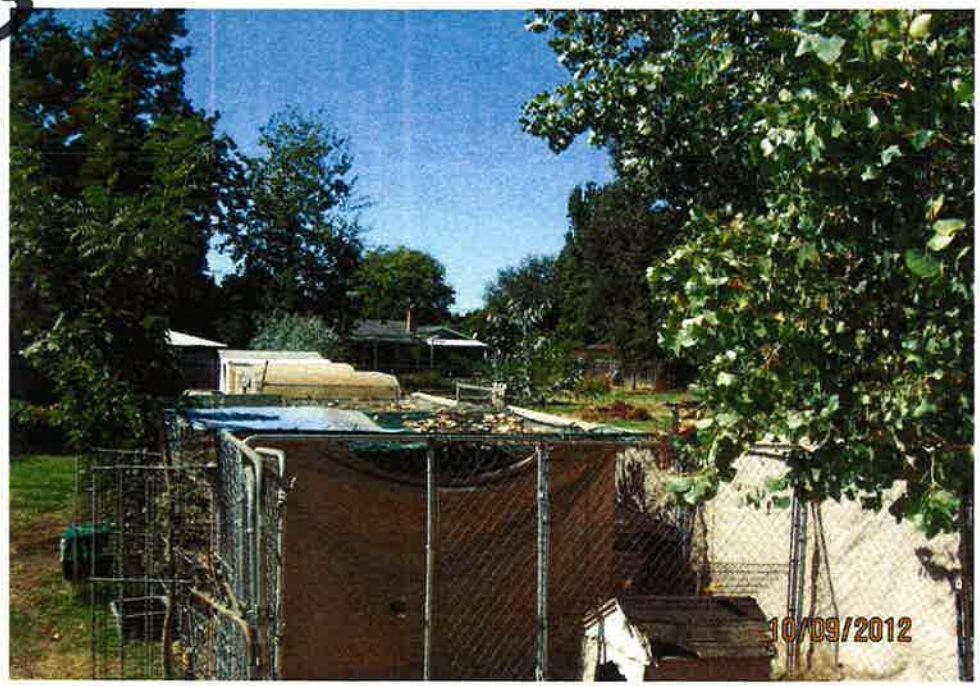
PHOTO E

Chain link enclosure.

1

2

3



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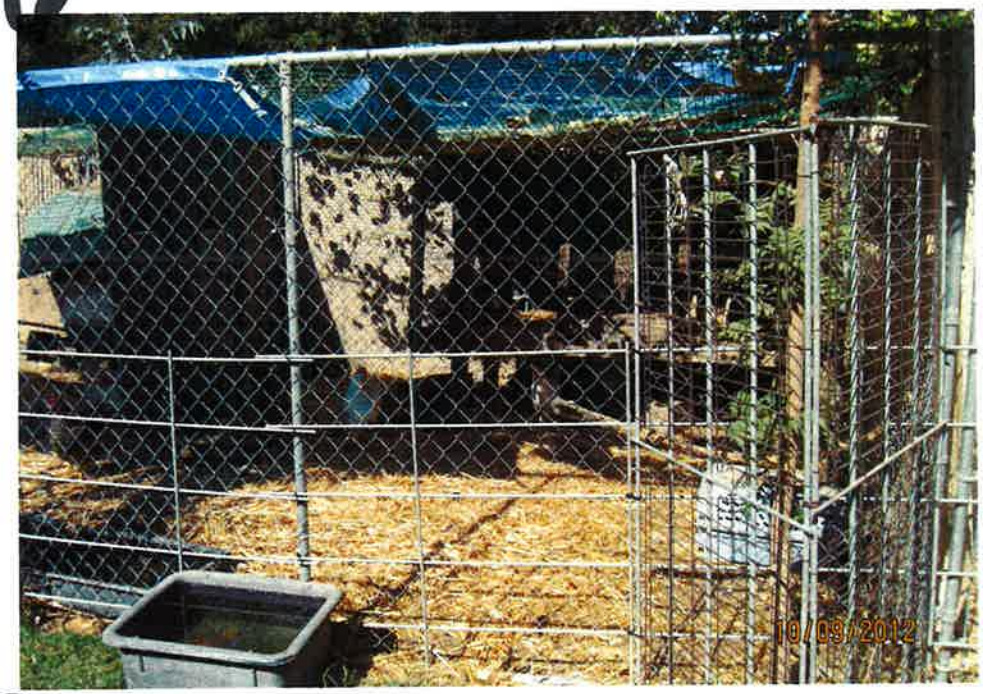

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Att. 5

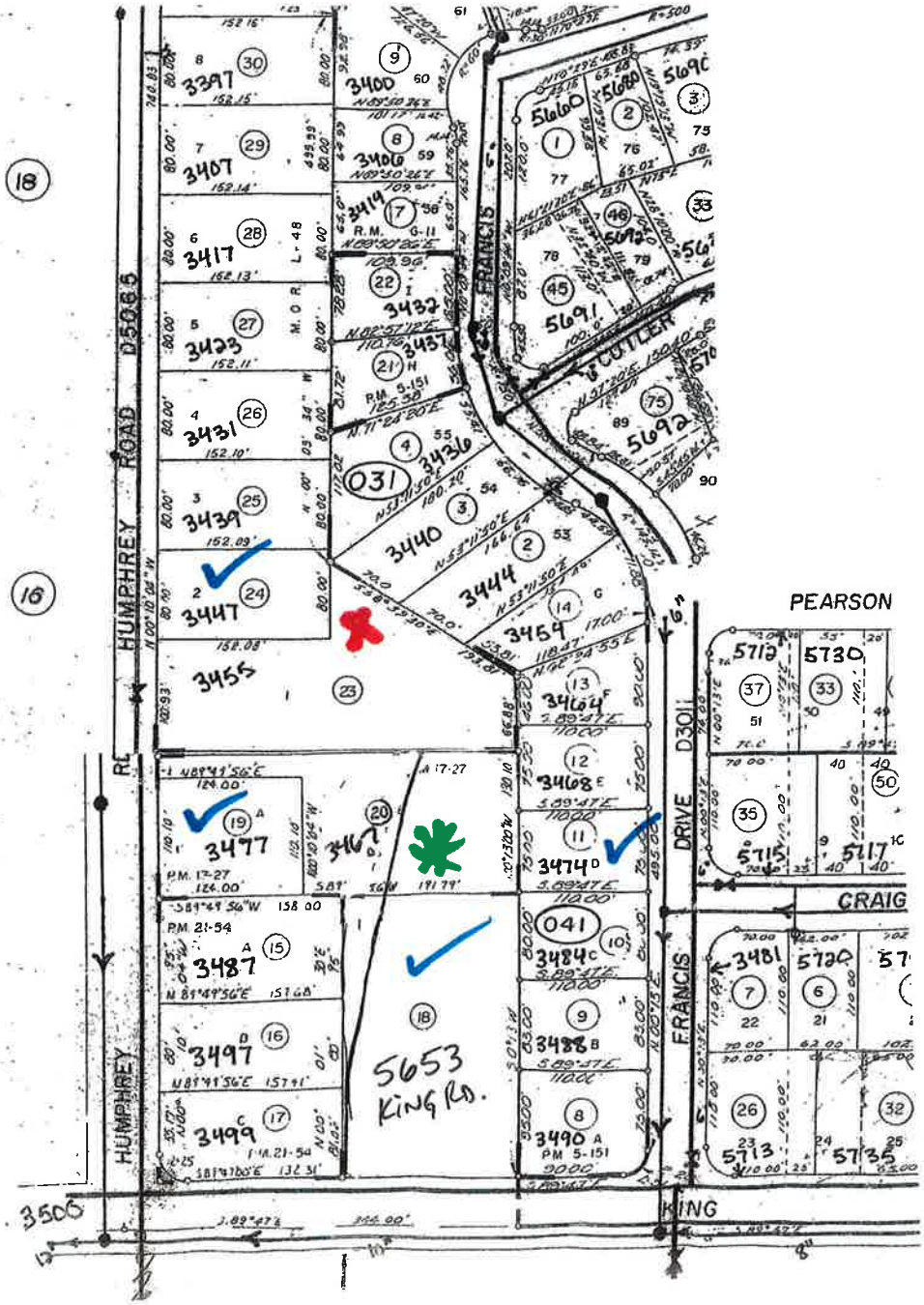
Proj. #12-08
Walden Variance
3467 Humphrey Rd.

LEGEND

= Subject property (3467 Humphrey Rd)

= Neighbor who deems the applicant's animal keeping structure and overall number of fowl/poultry to be a nuisance.

= Neighbors who have submitted signed letters of support for the applicant's request indicating that her animal keeping and total number of fowl/poultry are not a nuisance to them.



I live at 3477 Humphrey Loomis, CA.

My property is near or adjoins the Walden property, of 3467 Humphrey Road, Loomis, CA. I am aware that Walden currently has chickens on the property. The chickens on the Walden property have / have not ever created a nuisance to me or my family (if they have, please explain below). Walden currently has 7 chickens above the allowable number for the property. Her request to the Town of Loomis is to allow natural attrition until she has reduced to the allowable number of chickens. Realizing that all the chickens were rescued animals and are well past their prime egg production, they are not likely adoption candidates, due to their senior age, I agree / disagree with this request.

F&W

I do / do not have any concerns with the request that Walden has made to the Town of Loomis to allow the current enclosure(that has been in the same location for over a decade) to remain directly on the property line that adjoins an empty ½ acre lot that is currently non-buildable due to flood zone designation.

Signed

Print RANDY MANES

Date 7/6/12

RECEIVED
JUL 06 2012
TOWN OF LOOMIS

I live at 3477 Humphrey Rd Apt A Loomis, CA.

My property is near or adjoins the Walden property, of 3467 Humphrey Road, Loomis, CA. I am aware that Walden currently has chickens on the property. The chickens on the Walden property have / (have not) ever created a nuisance to me or my family (if they have, please explain below). Walden currently has 7 chickens above the allowable number for the property. Her request to the Town of Loomis is to allow natural attrition until she has reduced to the allowable number of chickens. Realizing that all the chickens were rescued animals and are well past their prime egg production, they are not likely adoption candidates, due to their senior age, (I agree) / disagree with this request.

I do / (do not) have any concerns with the request that Walden has made to the Town of Loomis to allow the current enclosure(that has been in the same location for over a decade) to remain directly on the property line that adjoins an empty ½ acre lot that is currently non-buildable due to flood zone designation.

Bishop Moses — Bishop Moses — 7/6/12

Signed — Print — Date

RECEIVED
JUL 06 2012
TOWN OF LOOMIS

I live at 5653 King Rd Loomis, CA.

My property is near or adjoins the Walden property, of 3467 Humphrey Road, Loomis, CA. I am aware that Walden currently has chickens on the property. The chickens on the Walden property have / (have not) ever created a nuisance to me or my family (if they have, please explain below). Walden currently has 7 chickens above the allowable number for the property. Her request to the Town of Loomis is to allow natural attrition until she has reduced to the allowable number of chickens. Realizing that all the chickens were rescued animals and are well past their prime egg production, they are not likely adoption candidates, due to their senior age, (agree) / disagree with this request.

I do / (do not) have any concerns with the request that Walden has made to the Town of Loomis to allow the current enclosure(that has been in the same location for over a decade) to remain directly on the property line that adjoins an empty ½ acre lot that is currently non-buildable due to flood zone designation.

I feel this is a personal vendetta (23) ~~too much~~ has cost the city of Loomis too much time and more to continue further

June M Zeri June M. Zeri 7/6/12

Signed Print Date

RECEIVED
JUL 06 2012
TOWN OF LOOMIS

I live at 3474 Francis DR Loomis, CA.

My property is near or adjoins the Walden property, of 3467 Humphrey Road, Loomis, CA. I am aware that Walden currently has chickens on the property. The chickens on the Walden property have / have not ever created a nuisance to me or my family (if they have, please explain below). Walden currently has 7 chickens above the allowable number for the property. Her request to the Town of Loomis is to allow natural attrition until she has reduced to the allowable number of chickens. Realizing that all the chickens were rescued animals and are well past their prime egg production, they are not likely adoption candidates, due to their senior age, I agree / disagree with this request.

I do / do not have any concerns with the request that Walden has made to the Town of Loomis to allow the current enclosure(that has been in the same location for over a decade) to remain directly on the property line that adjoins an empty ½ acre lot that is currently non-buildable due to flood zone designation.

Kelli Cottman Kelli Cottman 07.06.12

Signed Print Date

I live at 3447 Humphrey Rd, Loomis, CA.

My property is near or adjoins the Walden property, of 3467 Humphrey Road, Loomis, CA. I am aware that Walden currently has chickens on the property. The chickens on the Walden property have / have not ever created a nuisance to me or my family (if they have, please explain below). Walden currently has 7 chickens above the allowable number for the property. Her request to the Town of Loomis is to allow natural attrition until she has reduced to the allowable number of chickens. Realizing that all the chickens were rescued animals and are well past their prime egg production, they are not likely adoption candidates, due to their senior age, I agree / disagree with this request.

I do / do not have any concerns with the request that Walden has made to the Town of Loomis to allow the current enclosure(that has been in the same location for over a decade) to remain directly on the property line that adjoins an empty ½ acre lot that is currently non-buildable due to flood zone designation.

Signed | Konnie Hamilton (Print) | 7/6/17 (Date)

RECEIVED
JUL 06 2017
TOWN OF LOOMIS

Att. 6

Kathleen Giel
3455 Humphrey Road/3464 Francis Drive
Loomis, CA 95650
Kathg101@gmail.com

October 30, 2012

To: Loomis Planning Commission

RE: #12-08 Walden Variance Request

As I am unable to attend the November 6, 2012 public hearing regarding the #12-08 Walden Variance Request, I am submitting my written comments to you. Thank you for taking the time and interest to resolve this animal ordinance issue that affects residential property owners.

I am the property owner of 3455 Humphrey Road; I have now purchased and moved into an adjacent property at 3464 Francis Drive. The advantage of my move is that my family is now living in my home at Humphrey Road and I live directly behind. We share the large Humphrey Road lot from both of our homes now. It is wonderful to have my family closer to me and be able to walk across our properties to each other's homes.

Since September 2011, the Planning Commission has repeatedly recommended that the Loomis Animal Keeping Ordinance for residential lots over a half acre require a 25 foot setback for poultry and fowl; this setback was consistent with ordinances of surrounding jurisdictions. After a lot of discussion about many aspects of the Ordinance, the Town Council decided on a 20 foot setback with the following Note regarding large lots setbacks:

"Notes: (7) The Zoning Administrator may reduce required side and rear yard setbacks to as little as zero for large lots after taking into account the lot size, structure size, and use of the proposed animal structure and determining that: (a) the structure will not interfere with emergency vehicle access; (b) the structure will comply with any require setback from dwellings; and (c) the proposed use of the structure will not create a nuisance. A proposed use will be considered to create a nuisance if the use is likely to cause discomfort or annoyance to any reasonable person of normal sensitivity residing in the area."

Regarding the #12-08 request for a setback variance: Ms. Walden keeps chickens in excess of the number allowed by the Ordinance directly on my large lot fence line. In writing and public hearings I have articulated the nuisance that a chicken coop directly on a fence line creates for me; in the interest of being concise, I will summarize my main points with respect to the language and intent of Ordinance13.42.060, particularly Note 7:

1. I use my large lot for relaxation and recreation. I do not consider it a pasture or barnyard, I have outdoor furniture under my oak trees, irrigated landscaping of over 50 shrubs, several huge heritage oaks and a cottonwood, and I keep this large lot well-maintained. It is annoying to have a tarp-covered chicken coop with an excessive number of chickens on my fence line that is both unsightly and creates odors. The odor is particularly bad on hot or rainy days. It makes relaxing on my property discomforting.
2. I have 2 Labrador retrievers that use the large lot for exercise and their yard. Labradors are by instinct bird dogs. They get excited about the chickens on the fence line. I worry about a potential crisis should one of my dogs get through or over the wire fence to harm the chickens. This is extremely discomforting to me. The chickens would not be such a temptation to my dogs if their coop was away from the fence.
3. Ms. Walden has a high wattage lamp on the side of her property facing my property that shines all night which I assume is to keep the vermin (rats, raccoons, skunks, opossums, etc.) away from the chicken coop. This bright light shines into my backyard and my

bedroom which is a nuisance. It is very annoying and I have discussed this with the Town Manager who has seen the lamp location as well.

4. Aside from my desire to have an attractive property, I have to maintain my large lot from being a fire hazard. I am not able to mow up to my fence line, so I use round up and other pesticides to control weeds several times a year along the fence. I spray pesticides right next to the Walden chicken coop. I don't like to be spraying chemicals near animals, but I do have a responsibility to maintain my property. This is very discomforting to me to use chemicals so close to animals, especially chickens that are apparently very sensitive to chemicals. If the chicken coop stays directly on the fence line, the chickens are in danger of being sprayed for their lifetime.

I am a reasonable person. I am an animal supporter, and I have been documented on public record supporting backyard chicken keeping in Loomis. I have 2 licensed dogs. It is very discomforting that my dogs could potentially hurt or kill chickens just through instinctual urges by having chickens directly on the fence line of my dog's yard. In the same vein, it is very discomforting to me that I could accidentally poison or kill a chicken with the pesticides that I use to maintain my property. It is annoying to have the unsightly tarps, bad odors, vermin associated with high densities of animals, and an all-night spot light on my property. The chicken coop as currently located is a nuisance.

In summary, the Walden property has more than adequate space to comply with the recommended setbacks for a chicken coop. If the chicken coop is set back 20 or more feet from my property or even moved to the southern side of the Walden property where there apparently is already an existing animal enclosure it would eliminate the nuisance: The smell and vermin will be further from my fence and home and the spotlight will not shine on my home and property; my dogs have no temptation to cause harm to the chickens and the chickens will not be affected by my spraying. **I therefore respectfully request that the required 20 foot setback as outlined in the 13.42.060 ordinance be enforced and the setback variance requested for the Walden property #12-08 be denied to eliminate the nuisance.**

Regarding the request for a variance for additional chickens being allowed in #12-08, at a 7/20/2010 hearing with Town Manager Perry Beck and Town Planner Matt Lopez the following was documented: "Ms. Walden indicated that there are currently...20 chickens.... Ms. Walden.... also noted .... that the chickens were each about seven years old which was the typical life expectancy of the fowl. Ms. Walden also indicated that the animals came into her possession as a result of rescue activities that she had done and that as the current animals expired, because it was unlikely they would be adopted out, that they would not be replaced." (Page 6, *Appeal Concerning Keeping of Animals at 3467 Humphrey Road,* from Town Manager Perry Beck to Cynthia Walden, attached). On Page 9 of this same document "DECISION...The record indicates, if not always clearly, that the number and type of animals kept are regulated by code, current and past. In the course of the hearing...Ms Walden agreed that as the current animals expire or may be adopted out, that they will not be replaced and some animals are very near completing a natural life span for the type and age of animal. That results in a good solution to the Code Issue of keeping too many animals of a certain type." It is now over 2 years since this meeting which makes the chickens at issue over nine years old. By Ms. Walden's own admission of a life expectancy for chickens of 7 years, all the chickens should be expired. That makes the 14 chickens now on her property replacements in excess of any maximum number ever regulated or considered for a residential large lot which is a breach of the agreement in 2010. The ordinance allows 8 chickens on the large residential lot. **I therefore request that the variance for additional poultry or fowl in #12-08 be denied in light of the above declarations and breach of agreement with the Town.**

Please let me know if you have any further questions. Thank you.
Kathleen Giel

TOWN OF LOOMIS

August 10, 2010

Cynthia Walden
3467 Humphrey Road
Loomis, CA 95650

RE: APPEAL CONCERNING KEEPING OF ANIMALS AT 3467 HUMPHREY ROAD

The enclosed report details the factors that have gone into my decision concerning the keeping of certain types and numbers of animals at the property you own and occupy at 3467 Humphrey Road. In summary the decision is:

1. Lower the number of animals by attrition, can include other means that you find satisfactory, by June 30, 2011:

FROM:	5 dogs	0 cats	20 chickens	2 pygmy goats
TO	: 4 total dogs and/or cats		0 chickens	0 pygmy goats

2. Town will waive Administrative fines until July 1, 2011 at which time a decision will be made as to whether number 1 has been accomplished. If it has then no fines will be levied. If it hasn't then fines (e.g. $100 first day; $300 2nd day; $500 every day thereafter that violation exists) will begin effective July 1, 2011 and continue in the manner provided by law until the fine has been paid and the number and types of animals on site conforms with the regulations in the Town Zoning Code.

If you do not agree to this decision then you, or any other party, can appeal to the Town Council as noted on the last page of the report. If you accept the decision please return a signed note or email indicating agreement.

Sincerely,

Perry Beck, Town Manager

Cc Town Attorney
Planning Director

APPEAL CONCERNING ANIMAL KEEPING AT 3467 HUMPHREY ROAD

INTRODUCTION

On July 20, 2010 Cindy Walden, John Readman and Town Planner Matt Lopez and Town Manager Perry Beck met to hear Ms. Walden's information appealing a Town Planning Staff determination that there were more animals, and types of animals, than what was allowed by the Town Zoning Code on property owned by her at 3467 Humphrey Road.

APPEAL FACTORS

Ms Walden indicated that the appeal factors were:

1. The administrative citation dated 6/17/10 that indicates that as of 6/12/10 Ms. Walden had not complied with a prior letter from the Town dated 12/10/09 to bring the numbers and types of animals in conformance with the Town codes was not properly filed because the June 12th date was a Saturday and that it was unlikely that Matt Lopez, who had filled out the administrative citation, or other Town staff had visited the property on that Saturday to check the number of animals.

   CINDY WALDEN ELABORATION 7/26/10 EMAIL: City employee Matt Lopez signed and issued a citation which included a certification, dated June 17, 2010 that the "foregoing is true and correct and executed on the date below", referencing a date of violation of June 12, 2010. This included a statement that the "violation(s) which was/were observed by the issuer whose signature appears below."
   I do not believe that Mr. Lopez observed the listed violations on June 12, 2010, or any other date.
   This leads me to believe the citation was issued on hearsay, with no personal verification of fact.
   The person whose signature appears on a dated citation, should observe the violation for which the citation is being issued.

2. Town Ordinance 136 dated 12/14/93 allows Ms. Walden to keep more than "four small domesticated animals" because the lot is larger than 10,000 square feet.

   CINDY WALDEN ELABORATION 7/26/10 EMAIL: Ordinance No. 136 approved and adopted Dec. 14, 1993 states the following:
   13.3.020

Permitted Uses...
(8) The keeping of not more than four small-domesticated animals on lots not larger than 10,000 square fee.

13.13.030
Conditionally Permitted Uses
(2) The keeping of more than four small-domesticated animals on lots not larger than 10,000 square feet.

There were no regulations for lots greater than 10,000 sq feet, this ordinance can not apply to my parcel.
My lot is one of a very few that is more than the 10,000 sq feet.

3. That having lived at the 3467 Humphrey Road address since 1987 Ms. Walden has regularly been told by Town staff that the keeping of animals, specifically goats and chickens, was an allowed use and that the numbers of animals Ms. Walden kept had been "grandfathered in" as an allowed use since Ms. Walden has resided at the property. Further that numbers of animals had not changed such that Ms. Walden would forfeit the "grandfathered in" allowance.

   CINDY WALDEN ELABORATION 7/26/10 EMAIL: I do not believe that any violation of animal keeping ordinance has occurred here. For decades, I have been told by Town of Loomis staff that the animals are "grandfathered" in since they have been on the property since 1987 /1988. The types and general numbers of animals on the property have not changed such that I would not forfeit the right to have them.

   In 2006, upon recommendation by a town employee, I requested a fee waiver for the minor use permit, and never received any additional correspondence from the town. I did receive a verbal acknowledgement that it was not needed; as the animals and use were grandfathered in because they had been on the property before Town of Loomis adopted the current code.

4. That the number and type of animals on Ms. Walden's property has never been an issue until Ms. Walden and a neighbor at 3455 Humphrey Road had a falling out as a result of a bridge that the neighbor was required to remove from an intermittent creek in a flood plain in 2009.

CINDY WALDEN ELABORATION 7/26/10 EMAIL: It is not an intermittent creek: it flows year round. It is Suckers Ravine and it has overflowed the banks once since I have been here, forcing sand bagging to protect my home and belongings. The flow has come very close to overflowing the banks a several of other times as well. The flow puts my property, and several others, in a flood plain, forcing us each to pay thousands of dollars each year in flood insurance.

There have never been any issues with the number or types of animals on the property. The 2006 concern was in regards to noise made by the weaning of goat babies (kids) when removed from the mother.

The current neighbor at 3455 Humphrey bought the property in November of 2007, built the bridge in summer of 2009, did not remove it until November 2009, at which time she then filed the complaint(s) about my property. It is my belief that the town had made her aware of the restrictions that applied to flood plain property. As neighbors, we had mentioned it prior to their purchase of the property and several times after the purchase, so I feel she was well aware of the restrictions and ignored them when she put in the bridge. The staff from the town also discussed with me, that goats could be on that property, if they were put there within 1 year of mine being there, as it would be a continued use.

5. That Ms. Walden had responded to the first code enforcement letter that the Town sent to her concerning animal keeping on 7/20/06 as noted in Ms. Walden's response dated 7/27/06 and did not hear anymore about the issue until the matter came up again toward the end of 2009. Also, that the Town did not have a copy of the 7/20/06 response because it was not in documents that the Town provided in response to Ms. Walden's public records requests.

CINDY WALDEN ELABORATION 7/26/10 EMAIL: In 2006, upon recommendation by a town employee, I requested a fee waiver for the minor use permit, and never received any additional correspondence from the town. I did receive a verbal acknowledgement that it was not needed; as the animals and use were grandfathered in because they had been on the property before Town of Loomis adopted the current code.

I did provide a copy of my response letter to the town at the time of the hearing.

I found that there were/are many documents missing from the town's response that should have been included in response to my multiple public records requests.

I was not provided a copy the complaint that generated the citation, until I asked about it, at the hearing. I was told it was not provided to me because it contained the name and address of the complaining party. California Public Records Act, Govt code 6250-6276.48 provides that it should have been provided, even if in redacted form.

A public records request is to obtain or view information requested by a citizen which is held by the agency. This process is to be as open and as complete as possible. As I understand it, all records/ information requested that fall within the parameters of the request should be provided, not merely those the person / agency deems to be "applicable information".

OTHER NOTES:

Please refer to the staff notes prepared for the hearing.

There is one sheet marked "Previous Ordinance". This one page has repeatedly been presented to me as being the previous ordinance, never expanding on the amendments and repeals noted at the bottom. It is in those handwritten notes that Ordinance 136 / 140 and 151 come into effect.

STAFF DETERMINATION ON ANIMAL KEEPING

The Staff Report dated 7/20/10 (attached) details the Town Staff conclusion that Ms. Walden would need to:

1. obtain a Minor Use Permit to keep an excess number of cats and dogs and remove the chickens and goats

   OR

2. bring the numbers of cats and dogs down to a total of 4 animals and remove the chickens and goats and thereby come into compliance with the zoning regulations.

Ms. Walden indicated that she had received a copy of this Report.

CURRENT STATUS OF ANIMALS ON PROPERTY AS OF 7/20/10

The initial code enforcement letter dated 12/10/09 (copy attached) estimated:

4 dogs 2+ cats 22+ chickens 5+ goats

At the 7/20/010 hearing Ms. Walden indicated that there are currently:

5 dogs 0 cats 20 chickens 2 pygmy goats

Ms. Walden and Mr. Readman also noted that one dog was near death and that the chickens were each about seven years old which was the typical life expectancy of the fowl.

Ms. Walden also indicated that the animals came into her possession as a result of rescue activities that she had done and that as the current animals expired, because it was unlikely they would be adopted out, that they would not be replaced.

FINDINGS

The following findings address the appeal factors and were developed using the attached documents and additional discussion with the Town Planner Matt Lopez.

1. Administrative citation dated 6/17/10.

   FINDINGS: The citation was in response to a 12/10/09 letter sent to Ms. Walden that addressed animal keeping and set out a time line of 6 months (ending 6/11/10) to correct the matter. There is no record showing an appeal having been made of that letter. On 6/14/10 Mr. Lopez called Ms Walden and asked if there were any changes to the numbers of animals and was informed that there were no changes. Mr. Lopez prepared the administrative citation on 6/17/10 and used the date of 6/12/10 as the start of fines because it was the day after the code violation should have ceased as noted in the 12/10/09 letter. Though it would have been helpful, it is not necessary for Town staff to have visited the property and physically count the number of animals. A phone call to the property owner, as was done before the citation was prepared, would be sufficient to establish whether the numbers had changed such that there might no longer be a violation. Also, Ms Geer, neighbor to Ms Walden, stopped by Town Hall on 6/11/10 and advised Mr. Lopez that there had been no change in the numbers or types of animals and reminded Mr. Lopez that this was the last day for Ms. Walden to comply with the 12/10/09 letter.

2. Town Ordinance 136 dated 12/14/93 allows keeping more than "four small domesticated animals" because Ms. Walden's lot is larger than 10,000 square feet.

   FINDINGS: The property at 3467 Humphrey Road is a little over a half acre (.6268 acres or 27,303 sq ft) as noted on the 12/10/09 code enforcement letter. In 1985 the property was in an R-1 Single Family residential zone (see attached map). The regulation on animal keeping was contained in Section 16.06 of the Town Zoning Code (copy attached) and indicates that "the keeping of no more than 2 dogs and 2 cats" was an allowed use in that zone "on lots not larger than 10,000 square feet. Further, that a use permit was required for "the keeping of more than four small domesticated animals on lots not larger than 10,000 square feet."

   Ms Walden described that because the Humphrey Road lot is larger than 10,000 square feet, over twice as large, and since the code was silent on lots larger than 10,000 square feet, then the regulations permit the keeping of whatever number and type of animals a property owner may decide. This is not the case according to law. The 1985 Zoning Code also noted that: "Within this Zoning Ordinance any use not expressly permitted within zone districts is a prohibited use." [1985 Loomis Zoning Code Section 3.06] Subsequent codes have continued this or similar language.

3. Since 1987 Town staff had verbally indicated that the keeping of animals, specifically goats and chickens, was an allowed use and that the numbers of animals kept had been "grandfathered in" as an allowed use. Further that numbers of animals had not changed such that there would be a forfeit of the "grandfathered in" allowance.

   FINDINGS: It is unknown who Ms. Walden talked to over the course of years or when. She is of the opinion that whoever she talked to on Town staff did not raise issues concerning the keeping of animals, types or numbers. Town staff may have answered Ms. Walden's questions correctly or incorrectly. It isn't necessary to know what Town staff said or what Ms. Walden heard or to reconcile the two in order to make a determination on the appeal.

   Ms Walden indicated that her use was "grandfathered in." This would concern the continuance of a "non-conforming use" that is defined in the Town Zoning Code as "...a use of land and/or structure (either conforming or nonconforming) that was legally established and maintained prior to the adoption of this title or amendment, but does

not conform to the current title requirements for allowable land uses within the applicable zoning district." [Pg 457 Loomis Zoning Code 11-08]

There is no record that the keeping of the numbers and types of animals being kept was a permitted use by Town Zoning Codes or that a use permit had been obtained for 3467 Humphrey Road to allow keeping certain types or numbers of animals.

4. That the number and type of animals on the property has never been an issue until a neighbor to neighbor dispute arose.

   FINDINGS: For a number of reasons there are some ill feelings between neighbors that likely gave rise to the animal keeping code complaint against Ms. Walden. The neighbor issues however are not a factor in determining whether the numbers and types of animals on the property conform to code requirements.

5. No Town response to Ms. Walden's letter dated 7/27/06. Questions as to why the Town did not have a copy of that response. Issues concerning public records requests.

   FINDING: It is unknown why the Town did not have a copy of the 7/27/06 response letter from Ms. Walden. The copy given to the Town on 7/20/10 was unsigned. It is unknown if an unsigned copy was sent to the Town in 2006 and failed to make it into a file because unsigned documents may or may not get filed or remain in a file. The fact is that there were some changes of personnel in the intervening time, the Town Hall was moved, records were put into a new file system and any of those factors could result in misplaced or lost paperwork. Though the letter is available today it does not help in deciding whether there are too many animals or types of animals on the property.

   State law indicates how the Town is to respond to requests for records. Documents were gathered and forwarded without delay. If some documents were not in the files then the documents could not be provided. There was an error in not providing the written complaint that resulted in the code enforcement action concerning the keeping of animals. That error was corrected on the date of the hearing when a copy of the complaint was given to Ms. Walden.

CONCLUSION

The appeal issues raised by Ms Walden concern the Planning Staff decision that keeping certain types and numbers of animals at the 3467 Humphrey Road site is not allowed by the Town Zoning Code, past or present. The findings indicate that regulations from the past, 1985 Zoning Code and Ordinance 136, or the current Zoning Code, do not allow/permit the keeping of the types and numbers of animals as have been or are currently on the site. A use permit was needed in the past and is currently needed if the numbers and types of animals are to be kept. The regulations from the past or present do not support "grand fathering" or continuing to allow a "non-conforming use."

The argument that on one hand the keeping of the types and numbers of animals was allowed by the Zoning Code (Ordinance 136) and on the other hand that the numbers and types of animals have been continuously on the property and hence should be allowed under some "grandfathering" or "non-conforming" provisions doesn't hold up. In the first argument the keeping of the type and number of animals on site was not allowed before or because of Ordinance 136. Nor has it been allowed since. To use the second argument, "grandfather in" the use, would acknowledge that the number and type of animals was excessive and thereby nullify the first argument that Ordinance 136 allowed the keeping of animals on larger lots because the keeping of animals on larger lots was not addressed in the Ordinance. The second argument doesn't work however because the types and numbers of animals kept were never a legal use to begin with and one of the criteria for considering a "grandfather" exemption is that the use has to have been legal. The use wasn't legal according to the Zoning Code back when and still isn't today.

DECISION

There is no doubt that the number and types of animals, though varying in numbers and types, have been on site for years and pre-date the neighbor to neighbor arguments that have occurred over the last couple of years. There is no record of complaints concerning the numbers and types of animals on site until last year. The record indicates, if not always clearly, that the number and type of animals kept are regulated by code, current and past. In the course of the hearing Mr. Readman suggested, and Ms. Walden agreed, that as the current animals expire or may be adopted out, that they will not be replaced and some animals are very near completing a natural life span for the type and age of animal. That results in a good solution to the Code issue of keeping too many animals of a certain type. So the decision is that Ms Walden lower the number of animals pursuant to the following:

1. Lower the number of animals by attrition, can include other means that you find satisfactory, by June 30, 2011:

FROM: 5 dogs	0 cats	20 chickens	2 pygmy goats
TO : 4 total dogs and/or cats		0 chickens	0 pygmy goats

2. Town will waive Administrative fines until July 1, 2011 at which time a decision will be made as to whether number 1 has been accomplished. If it has then no fines will levied. If it hasn't then fines (e.g. $100 first day; $300 2nd day; $500 every day thereafter that violation exists) will begin effective July 1, 2011 and continue in the manner provided by law until the fine has been paid and the number and types of animals on site conforms with the regulations in the Town Zoning Code.

APPEAL PERIOD

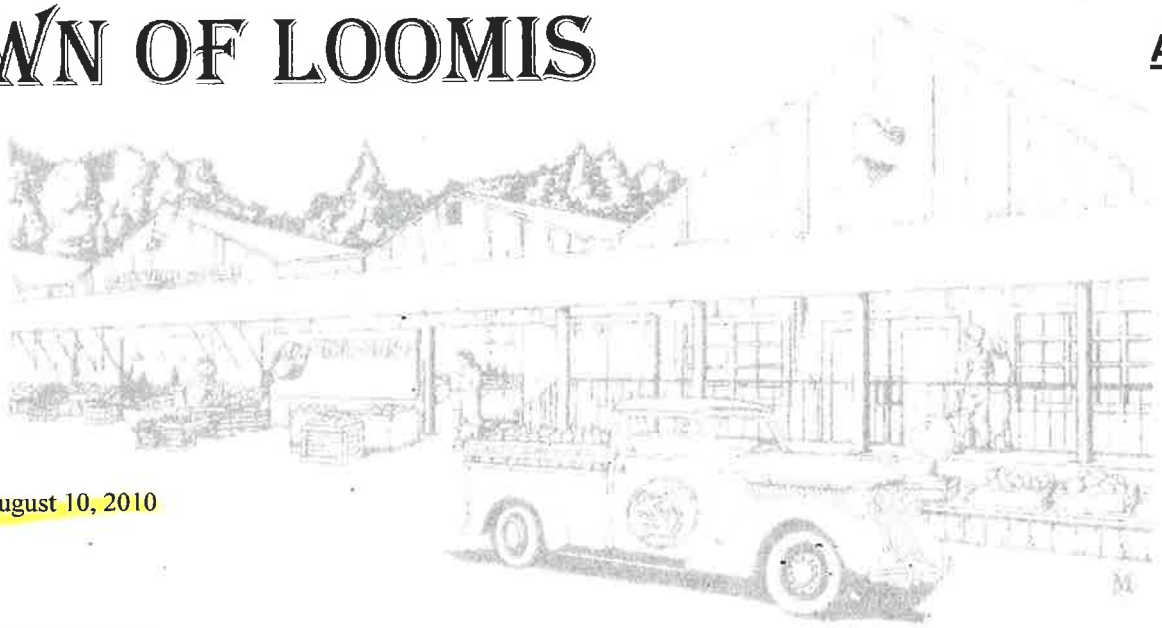
This decision on a code violation appeal can in turn be appealed to the Loomis Town Council by any interested party including a Council Member. The appeal period will run for ten (10) consecutive business days beginning August 11, 2010 and ending 12 noon on August 26, 2010.

ATTACHMENTS

1 page	Excerpt from 1985 Town of Loomis Zoning map showing zoning districts
1 page	Assessor parcel map showing property locations
1 page	Excerpt from 1985 Town of Loomis Zoning Ordinance showing uses in the R-1 Single Family Residential Zone
1 page	Excerpt from 1985 Town of Loomis Zoning Code showing section 3.06 "Nature of Zoning Plan"
6 pages	Ordinance No 136 detailing uses and regulations in the R-1 Single Family Residential Zone
1 page	July 27, 2006 letter from Cynthia Walden to the Town (this letter was not in Town records but was given by Ms. Walden at the 7/20/10 appeal hearing)
2 pages	December 10, 2009 letter from the Town to Cindy Walden notifying that the number and type of animals being kept was not allowed.
4 pages	June 17, 2010 letter and administrative citation from the Town to Cindy Walden notifying that citations begin 7/12/10 or to apply for a minor use permit.
9 pages	July 20, 2010 Staff Report prepared for the 7/20/10 appeal hearing attended by Cindy Walden, John Readman, Town Planner Matt Lopez and Town Manager Perry Beck

TOWN OF LOOMIS

Att. 7



August 10, 2010

Cynthia Walden
3467 Humphrey Road
Loomis, CA 95650

RE: APPEAL CONCERNING KEEPING OF ANIMALS AT 3467 HUMPHREY ROAD

The enclosed report details the factors that have gone into my decision concerning the keeping of certain types and numbers of animals at the property you own and occupy at 3467 Humphrey Road. In summary the decision is:

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If you do not agree to this decision then you, or any other party, can appeal to the Town Council as noted on the last page of the report. If you accept the decision please return a signed note or email indicating agreement.

* (APPEALED TO COUNCIL).

Sincerely,

Perry Beck, Town Manager

Cc Town Attorney
Planning Director