



CITY OF CAMPBELL
Community Development Department

September 27, 2019

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning Commission of the City of Campbell has set the time of 7:30 p.m., or shortly thereafter, on Tuesday, **October 8, 2019**, in the City Hall Council Chambers, 70 North First Street, Campbell, California, for a Public Hearing to consider the Appeal of Barbie Aknin of the Community Development Director's denial of a Tree Removal Permit (PLN2019-140) to allow the removal of one (1) Laurel tree on property located at **27 La Paloma**. Staff is recommending that this item be deemed Statutorily Exempt under CEQA.

Interested persons may appear and be heard at this hearing. Please be advised that if you challenge the nature of the above project in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this Notice, or in written correspondence delivered to the City of Campbell Planning Commission at, or prior to, the Public Hearing. Questions may be addressed to the Community Development Department at (408) 866-2140.

Plans and architectural drawings may be viewed at the Planning Division office during normal business hours (8:00 a.m. – 5:00 p.m.) and on the City's 'Public Notices' web page (<http://www.cityofcampbell.com/501/Public-Notices>) under 'Planning Commission'.

Decisions of the Planning Commission may be appealed to the City Council. Appeals must be submitted to the City Clerk in writing within 10 calendar days of an action by the Commission.

In compliance with the Americans with Disabilities Act, listening assistive devices are available for all meetings held in the Council Chambers. If you require accommodation, please contact the Community Development Department at (408) 866-2140, at least one week in advance of the meeting.

PLANNING COMMISSION
CITY OF CAMPBELL
PAUL KERMOYAN
SECRETARY

PLEASE NOTE: When calling about this Notice,
please refer to: **27 La Paloma**



27 La Paloma



This map is based on GIS Information and reflects the most current information at the time of this printing. The map is intended for reference purposes only and the City and its staff is not responsible for errors.

DATE RECEIVED
(City Date Stamp)

RECEIVED

AUG 30 2019

CITY OF CAMPBELL
PLANNING DEPT.



CITY OF CAMPBELL
Community Development Department

PROJECT INTAKE
(City Use Only)

File No(s): _____

PLN2019-172

Checked in by: SR

APPEAL APPLICATION

This application form is intended to provide guidance on filing an appeal to a decision of the Community Development Director, or the Planning Commission. Please note that appeals must be submitted in writing and filed with the Community Development Department or City Clerk within 10 calendar days after the date of the decision. Time limits will extend to the following City Hall working day where the last of the specified number of days falls on a weekend, holiday, or other day when City Hall is officially closed.

For more information on filing an appeal, please refer to [Chapter 21.62](#) of the Campbell Municipal Code.

REQUIRED STATEMENT AND EVIDENCE

In accordance with [Section 21.62.40.C. - Required statement and evidence](#), of the Campbell Municipal Code please provide the following information with your appeal on a separate letter:

1. Applications for appeals shall include a statement specifying the basis for the appeal and the specific aspect of the decision being appealed.
2. Appeals shall be based upon an error in fact, dispute of findings, or inadequacy of conditions to mitigate potential project impacts.
3. Appeals shall be accompanied by supporting evidence substantiating the basis for the appeal.

APPEAL INFORMATION

Property address: 27 La Paloma, Campbell 95008 (if applicable)

Brief Description: Tree Removal Permit (e.g. Tree Removal Permit)

File Number(s): PLN2019-140 (please provide all that apply; e.g. PLN2017-123/124/125)

APPELLANT INFORMATION

The following information will be used to contact you regarding the status of your appeal (e.g. hearing dates).

Name: Barbie Aknin Email: barbienaknin@gmail

Address: 1507 Keesling Ave City: San Jose State/Zip: 95125

Phone: (408) 806-5380 Mobile: 408 806-5380 Other: () - -

FILING FEE

\$200.00 - Non-Refundable

August 30, 2019

Mr. Bill Bruckhart and the Community Development Director or Planning Commission

Re: PLN2019-140 appeal

Dear Mr. Bruckhart and committee,

I would like to file a formal appeal to the decision made on case PLN2019-140 regarding.

I recently purchased the mobile home at 27 La Paloma. This home was built in 1966 or 1968. The home is dilapidated and a public hazard due to the abnormal living conditions of the former owner. Mold is spread throughout the house, there is only rotten subflooring remaining, etc.

Due to this, I was able to afford the purchase of the home and replace it with a new home allowing me to afford to stay in the area. My new home is currently under construction with current building codes state standards, etc.

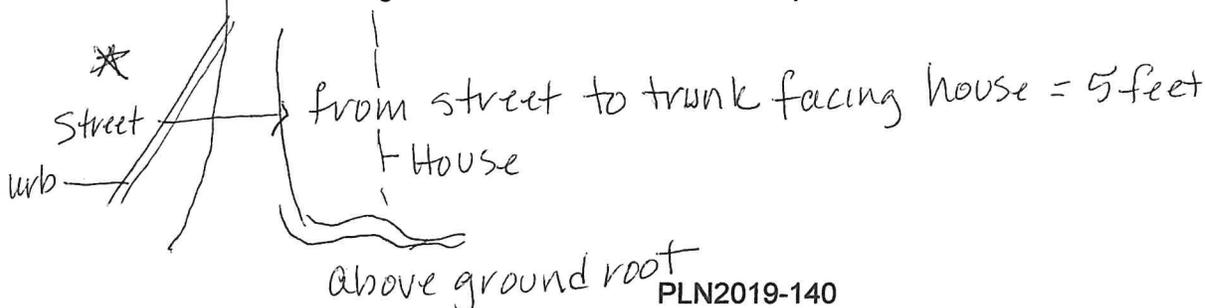
Due to the increased size of the new home, the current prefabricated home building codes required by the state, and the limited designs options, the tree in question interferes with the placement of the home and creates a hazard to the home and fire hazard due to the size of the lot.

I asked the arborist to file the original request to your department as I was in the process of moving. I realize now that Arborwell did not have adequate information from me regarding the details of the new home to make an accurate presentation.

Issues:

Base of the tree:

- The current set back requirement for homes from the street to the front of the home at Paseo de Paloma is 5 feet. The current home is set back 11 feet. **Picture 1 & 4**
- ★ ● My home will be set back 5 feet per the current regulation and will be longer than the original home. This leaves the right amount of space for the rear setback of the home which butts up against the fence separating the apartments on the other side.
 - The current home is 56.9 feet. My home is 60 feet. This leaves approximately 5 to 7 feet at the back of the home which butts up against a fence separating the apartments on the other side.
- From the curb to the backside of the tree (facing the house and not the street) the tree is also 5 feet. The tree will then butt right up against the front of the new home. **Picture 2**
- There is at least one very large root that is above ground heading under the house and will undermine the jacks that will be supporting the new manufactured home. Before the new home is put in, the area must be leveled. The root will be in the way of this and will be protruding up where the house will be placed. This root (from the street) goes 8 feet towards the house and then burrows back down below the ground. **Pictures 1 & 3**
- There is evidence that the root system has broken the driveway cement that is up against the house making the foundation of the home shift up and crack. **Pictures 5 & 6**



PLN2019-140

Crown of the tree:

- The current house is 12.1 feet tall from the tallest point to the ground including the skirting.
- My home will be 12 feet from the tallest point of the pitched roof (all mobile homes are now made with pitched rooves) to the floor **plus** a minimum of 2 to 3 feet for the skirting and underpinning bringing it to a minimum of 14 to 17 feet tall. The property is sloped with the lowest point being the front of the house by the tree making the height of the house in the front approximately 17 feet tall.
- Large branches that hang over the current house are 3 to 4 feet above the house. This would bring many of the branches at the roof level or below the roof. **Pictures 7 & 8**

In conclusion, the current house built with the height and length specifications of a 1960s home has been and is being damaged by the tree. As my home is being built with 2019 style, codes, and the limited choices of a prefabricated home, my home will butt right up against the tree if not more.

Obviously this will damage the home, be a fire hazard with the tree actually against the home plus allow vermin to easily access the roof and also damage the base of the house as it has done to the current home.

I am a widow who has lived in this area moving from Santa Cruz in 1977. This is meant to be my retirement home. I am now renting a room in addition to paying the mortgage of the mobile home while my home is built.

I purchased the home because of the low price and because of the numerous trees on my small lot including two pine trees and several fruit trees. I am a gardening hobbyist and was drawn to this unique park due to the greenbelts with beautiful large trees as well as the many other trees on the property. I am also a chef and if I could keep the tree I would as it's a Bay tree. This tree was planted in an inappropriate spot by the original homeowner I can only assume. But, as mentioned, there is not the space for the tree and the home with current state prefabricated home regulations and design options.

My rep from Alliance Homes is Tran Tran and is happy to answer any questions. He can be reached at tran@alliancemh.com Webiste: <http://www.alliancemh.com>

Thank you for your time in understanding all that I have shared.

Sincerely,

Barbie Aknin





#6

6.

#5

5.
Current
home - front
Right Side

#8

8.

#7

7.

Re: PLN2019-00172 Appeal
August 30, 2019
295 Union Avenue
27 La Paloma

Attention City of Campbell Planning Commission

Due to the shape and small size of the site, any home will be in jeopardy by the location of the tree. The lot is approximately 73' x 47' and is not a rectangle but a parallelogram. The front and rear setbacks are 5' and the location of the utility pedestal restricts the placement of the new home to exactly the same spot on the site as the existing home. The proposed home is approximately the same length as the existing home.

The existing home has been damaged by the tree and the Paseo de Palomas Mobile Home Park requires the removal of the damaged structure and insists on no home smaller than a double wide.

The tree at this size has damaged the existing home and as it grows will structurally undermine a new home.

The main roots are growing above-ground, under the existing structure and have damaged it's foundation and will undermine the foundation of any new home. Removing the root will undermine the health of the tree.

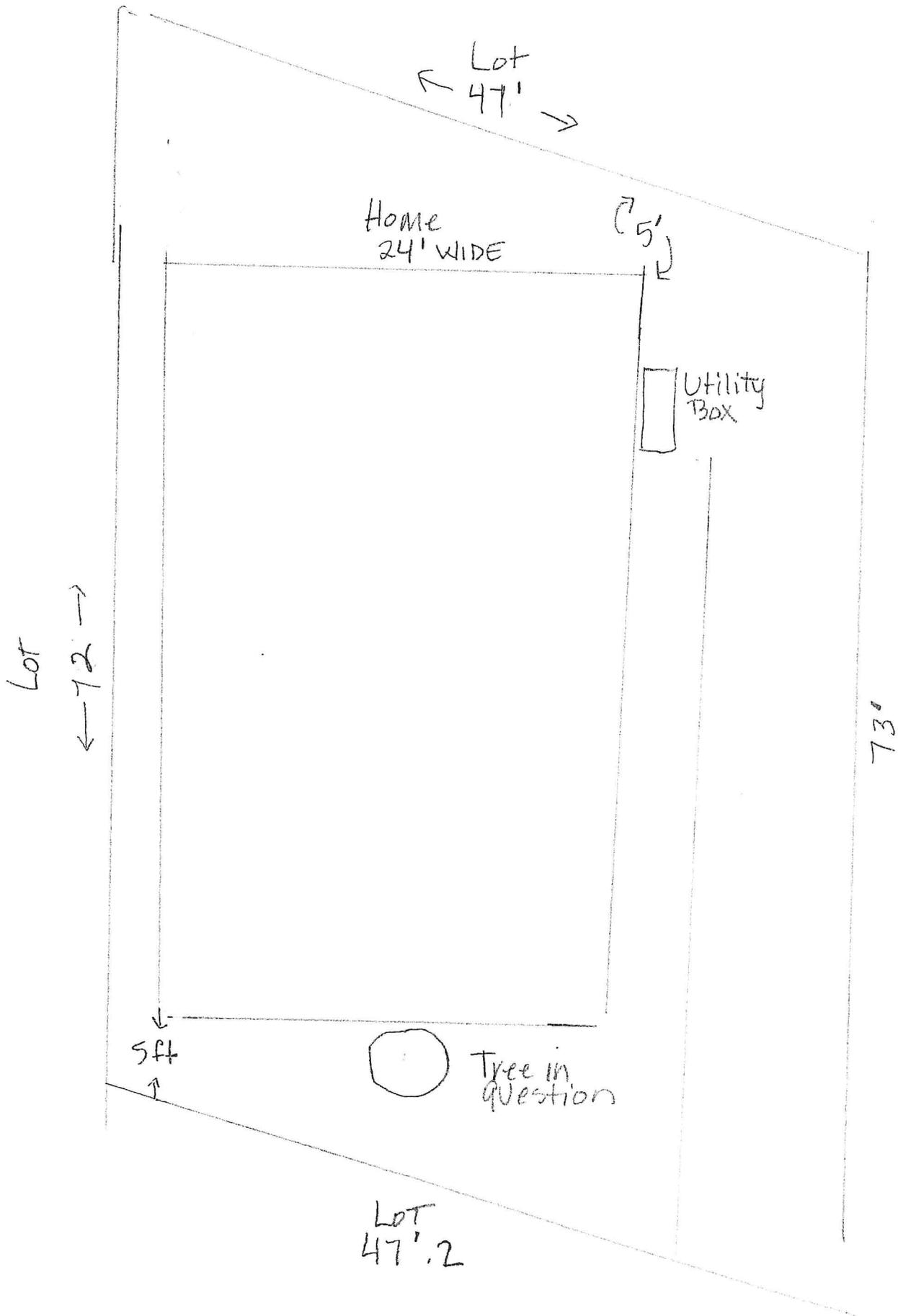
The size of the tree also is a fire hazard due to its close proximity to the structure.

The owner has received approval from the State of California and the Paseo de Palomas Mobile Home Park for the placement of her new home for her three daughters and is in contract for the construction.

Sincerely,

A handwritten signature in cursive script that reads "Barbie Akin".

Barbie Akin



Barbie Aknin
PLN2019 - 140