



COUNTY OF PLACER
Community Development Resource Agency

Michael J. Johnson, AICP
Agency Director

PLANNING

E.J. Ivaldi
Deputy Planning Director

HEARING DATE: February 20, 2014
TIME: 9:00 A.M.

DATE: February 11, 2014
TO: Zoning Administrator
FROM: Planning Services Division
SUBJECT: Variance to maximum wall heights in the front and side setbacks and to a side setback for an existing playhouse – PVAA 20130277
APPLICANT: Andrey Chuprikov on behalf of Expo Floors LLC
STAFF PLANNER: Roy Schaefer, Associate Planner
ZONING: RA-B-X 4.6 AC. MIN. (Residential Agricultural, combining a Building Site minimum of 4.6 acres)
LOCATION: 8300 Moss Court, Granite Bay
APN: 036-180-046-000

PROPOSAL:

This Variance request was continued from the December 19, 2013, Zoning Administrator meeting to February 20, 2014. This Zoning Administrator meeting date and time was re-noticed by the Planning Services Division.

The applicant is requesting a Variance to the height limitation within the front (Moss Lane and Moss Court) and side (north property boundary) setbacks to allow an existing concrete block wall of up to 8-foot, 6-inches in height to remain as constructed adjacent to the north and northeast property boundary. The maximum height typically allowed for a solid wall in the front setback is 3 feet and in the side setback is 6 feet. The Moss Court front setback is 75 feet from the centerline of Moss Court (20 foot wide road & public utility easement) and the Moss Lane front setback is 75 feet from the centerline of Moss Lane (50 foot wide road right-of-way). This request is also for a Variance to a side (north property line) setback for an existing playhouse to remain as constructed with a 15 foot setback, where typically 30 feet is required.

CEQA COMPLIANCE:

The project is categorically exempt from environmental review pursuant to provisions of Section 15305 of the California Environmental Quality Act Guidelines and Section 18.36.070 of the Placer County Environmental Review Ordinance (Class 5(A) (1), Minor Alterations in Land Use Limitations).

BACKGROUND:

Staff conducted a field review of the project site on December 5, 2013. The 4.39 acre parcel is located at 8300 Moss Court, immediately northwest of the intersection of Moss Lane and Auburn Folsom Road in Granite Bay. The subject property is zoned RA-B-X 4.6 AC. MIN. (Residential Agricultural, combining Building Site minimum of 4.6 acres) and is designated Rural Estate (4.6-20 acre min.) in the Granite Bay Community Plan.

The parcel is currently developed with a large man-made pond, a covered patio structure, a storage building, two playhouse structures (A & B), extensive landscaping, and a gated entry with solid walls and/or wrought iron fencing along property boundaries. There is currently no single-family residence on the property. The surrounding parcels are developed with single family residences and residential accessory structures.

ZONING ADMINISTRATOR MEETING – December 19, 2013

This Variance request was continued so that a new public hearing notice could include the wall exceeding three feet in height within the front setbacks of Moss Lane and Moss Court. In addition, the applicant was asked to provide written documentation that he is allowed to represent the property owners.

Subsequent to the meeting, documentation was submitted to the County indicating that the applicant has the legal authorization to represent the property owners. Documentation was also provided from Norman Scheel Structural Engineer (dated December 12, 2013) regarding the structural calculations for the wall installed along the north and northeast property boundary and elevations for the entire wall from Premier Design was submitted on February 7, 2014. In addition, building plans were submitted to the County on January 24, 2014, for a new single-family residence.

ANALYSIS:

Staff supports this Variance request to allow a concrete block wall of up to only 7 foot, 6 inches in height to remain as constructed (a section of the wall close to the northwest corner would need to be removed to comply with this recommendation) along the north and northeast property boundary. Special circumstances applicable to the subject property include the fact that the existing wall along the north and northeast property boundary enhances security for the site and has a low visibility from Moss Court and Moss Lane because of the distance from the road and the landscaped mounds adjacent to the southeast and northwest property boundaries. Staff also supports the Variance request for the playhouse (Bldg. B) to remain as constructed with a 15-foot side setback because it has a low visibility from Moss Court and only the top of the structure is visible from properties to the north. Due to such circumstances the strict application of the Zoning Ordinance has

been found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications.

The Engineering and Surveying Division and Environmental Health Services support the recommendation of approval for this Variance request, and their memos attached to this staff report.

RECOMMENDATION:

Staff recommends **approval** of this Variance request to allow a concrete block wall to remain as constructed (with the exception of a wall section near the northwest corner of the property that exceeds the recommended height) along the north and northeast (side) setback area with an overall height of up to 7 foot, 6 inches and approval of a Variance to allow a playhouse to remain as constructed with a 15-foot side setback, based on the following findings and recommended conditions of approval.

FINDINGS:

CEQA FINDINGS

1. The project is categorically exempt from environmental review pursuant to provisions of Section 15305 of the California Environmental Quality Act Guidelines and Section 18.36.070 of the Placer County Environmental Review Ordinance (Class 5(A) (1), Minor Alterations in Land Use Limitations).

VARIANCE FINDINGS

1. There are special circumstances applicable to the subject property that include the fact that the existing wall along the north and northeast property boundary enhances security for the site and has a low visibility from Moss Court and Moss Lane because of the distance from the road and the landscaped mounds adjacent to the southeast and northwest property boundaries. Staff also, supports the Variance request for the playhouse (Bldg. B) to remain as constructed with a 15-foot side setback because it has a low visibility from Moss Court and only the top of the structure is visible from properties to the north. Due to such circumstances the strict application of the Zoning Ordinance has been found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications.
2. The granting of this Variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and in the same zone district.
3. The Variance does not authorize a use that is not otherwise allowed in the Residential Agricultural Zone District.
4. The granting of this Variance does not, under the circumstances and conditions applied in this particular case, adversely affect public health or safety, is not materially detrimental to the public welfare, nor injurious to nearby property or improvements.

5. The Variance is consistent with the *Granite Bay Community Plan and Placer County General Plan*.

CONDITIONS OF APPROVAL:

1. Approval of this Variance allows a concrete block wall of up to only 7 foot, 6 inches in height to remain as constructed along the north and northeast property boundary, where typically the maximum height allowed within the front setback is 3 feet and within the side setback is 6 feet. In addition, this approval is for a Variance to allow an existing playhouse (Bldg. B) to remain as constructed with a 15-foot side setback, where typically 30 feet is required. This approval does not include any portion of the foundation and/or concrete block wall that may be beyond the property boundary.
2. The applicant shall satisfy any conditions set forth by the South Placer Fire Protection District.
3. The applicant shall obtain a Building Permit within thirty (30) days of this approval for the concrete block wall from the Placer County Building Department.
4. The applicant shall, upon written request of the County, defend, indemnify, and hold harmless the County of Placer, the County Board of Supervisors, and its officers, agents, and employees, from any and all actions, lawsuits, claims, damages, or costs, including attorney's fees awarded by a certain development project known as PVAA 20130277, Expo Floors LLC Variance for a wall and a playhouse. The applicant shall, upon written request of the County, pay or, at the County's option, reimburse the County for all costs for preparation of an administrative record required for any such action, including the costs of transcription, County staff time, and duplication. The County shall retain the right to elect to appear in and defend any such action on its own behalf regardless of any tender under this provision. This indemnification obligation is intended to include, but not be limited to, actions brought by third parties to invalidate any determination made by the County under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) for the Project or any decisions made by the County relating to the approval of the Project. Upon request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provision of this condition.
5. This Variance (PVAA20130277) shall expire on March 3, 2016 unless previously exercised.

ATTACHMENTS:

- A. Memo from Engineering and Surveying Division
- B. Memo from Environmental Health Services
- C. Site Plan



MEMORANDUM

TO: ROY SCHAEFER, PLANNING DIV
NICOLE HAGMAIER, PLANNING DIV

DATE: DECEMBER 12, 2013

FROM: SHARON BOSWELL, ESD

SUBJECT: PVAA 20130277: SIDE S/B & FENCE HEIGHT; GINZBURG; MOSS CT;
GRANITE BAY; (APN: 036-180-046)

This project requests approval for an "After the Fact" fence up to 8' high and a 15' setback to an "After the Fact" playhouse structure that exists adjacent to the northerly property lines. Additionally, there are a number of improvements that have been constructed within the highway easement of Moss Lane, a privately maintained road in which the public has the right to pass. The Engineering & Surveying Division (ESD) **supports** the Development Review Committee's recommendation for this Variance application subject to the following recommended conditions of approval:

1. Within 90 days of the hearing body's approval, all existing structures (gates, fences, pillars, etc.) that obstruct and/or inhibit the public's right to pass on Moss Lane (Highway easement, Book 1842, Page 75, Placer County Official Records), shall be removed to the satisfaction of the Department of Public Works (DPW).
2. The face of any entry gate and/or keypad shall be located a minimum of 30 feet from the edge of pavement of the intersecting street and shall be able to fully open to allow a stopped vehicle from obstructing traffic on the intersecting street. The clear width of the gated entrances when fully opened shall be at least two feet wider than the width of the traffic lanes(s) serving the gate. (ESD)



**Placer County
Health and Human Services Department**

Richard J. Burton, M.D., M.P.H.
Health Officer and Department Director

Wesley G. Nicks, R.E.H.S.
Director of Environmental Health,
Public Health and Animal Services

MEMORANDUM
DEPARTMENT OF HEALTH & HUMAN SERVICES
ENVIRONMENTAL HEALTH SERVICES

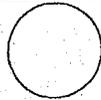
To: Zoning Administrator
From: Mohan Ganapathy
Land Use and Water Resources Section
Date: October 8, 2013
Subject: PVAA 20130277, Expo Floors, APN 036-180-046-000

Environmental Health Services has reviewed the above application for variance and has no objections or recommended conditions of approval.



DAVIDE BARTON
 ARCHITECT
 1000 W. 10TH ST. SUITE 100
 DENVER, CO 80202
 (303) 733-1111
 WWW.PREMIERDESIGN.COM

CONSULTANTS



VARIANCE APPLICATION

130 MOSS CT
 GRAND RAPIDS
 MI 49503

OWNER INFORMATION
 EXPO FLOORING LLC

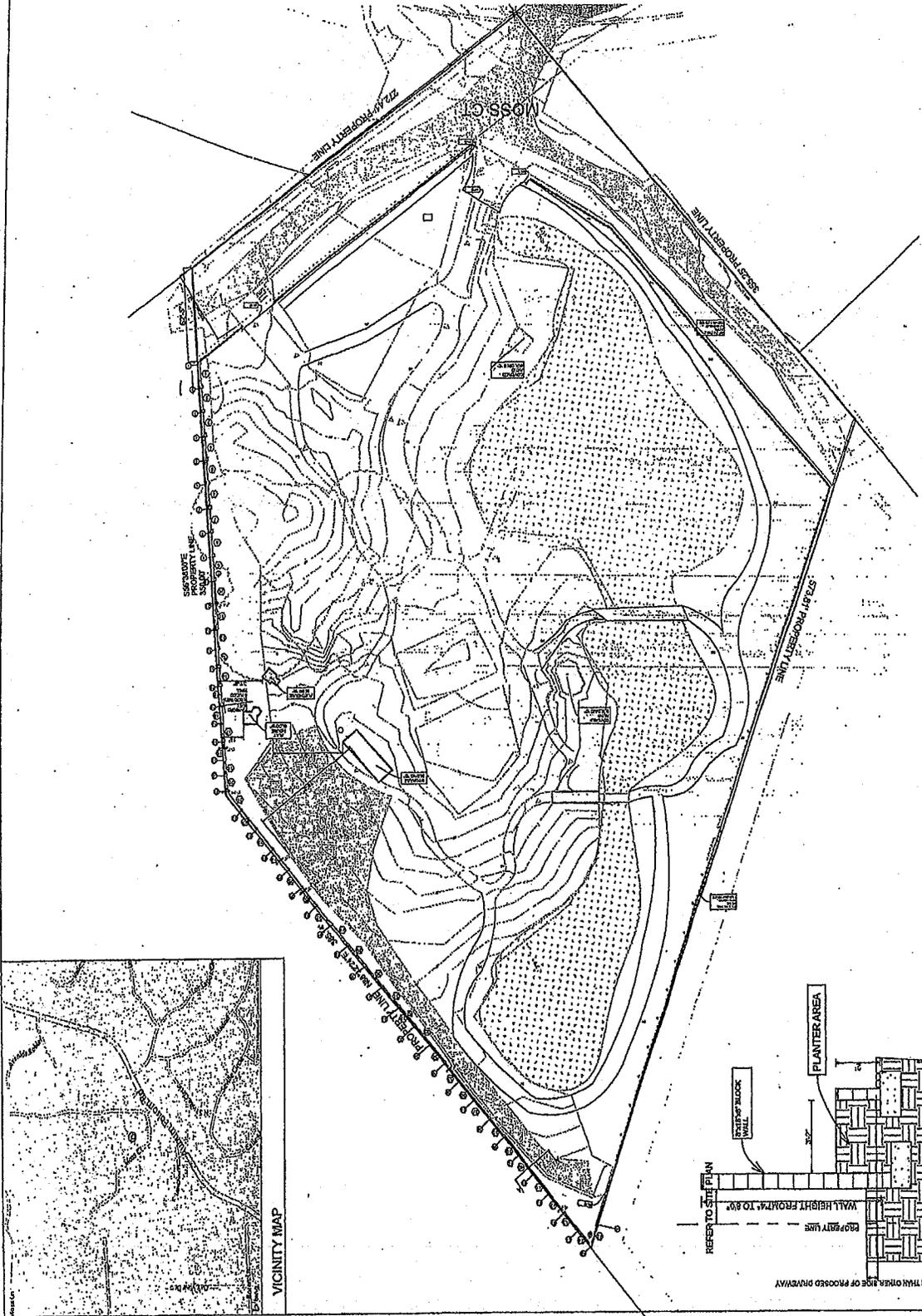
MARK	DATE	DESCRIPTION
A		PLAN CHECK

PROJECT NO:
 DATE REVISED PLAN: 08/20/2012
 DRAWN BY: J. ADAMETZ
 CHECKED BY: J. ADAMETZ
 CUP/PRINT

SHEET TITLE
 SITE PLAN

A-1.0

SHEET 2 OF 10

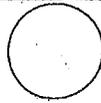


1 SITE PLAN
 SCALE: 1" = 20'

2 SECTION A-A
 SCALE: 1" = 20'

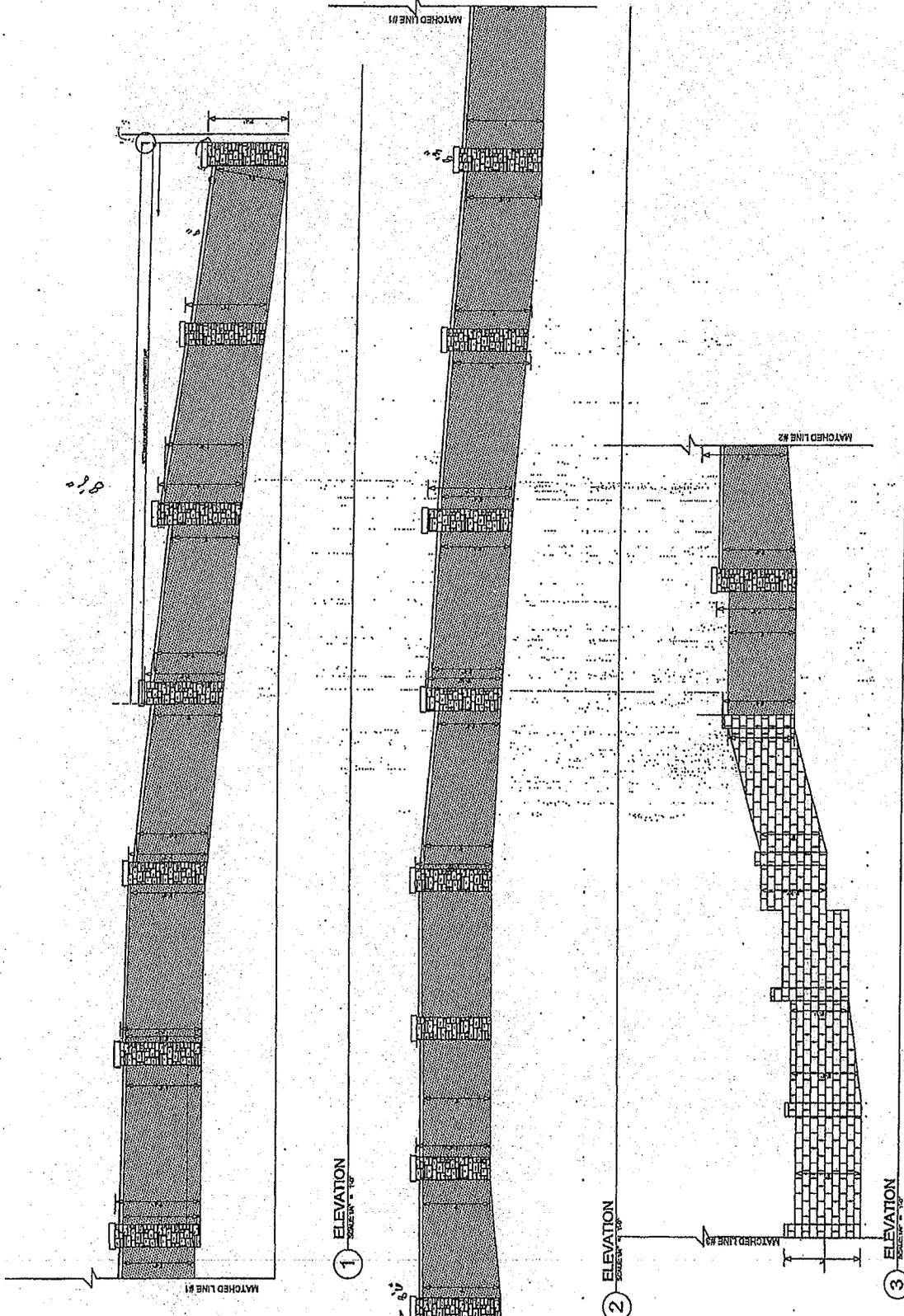
02/18/12 10:00 AM 130 MOSS CT STORAGE PLAN

64



NO.	DATE	BY	DESCRIPTION
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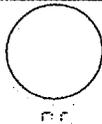
PROJECT NO.
 DATE REVISION
 DRAWN BY
 CHECKED BY
 COPYRIGHT



C:\Users\WRETH\OneDrive\My Documents\2013\20130303 MOSS OF STORAGE.pn



CONSULTANTS



VARIANCE APPLICATION

880 MOSS CT
 GRANITE BAY, CA
 95660

OWNER INFORMATION:
 EXPO FLOORING LLC

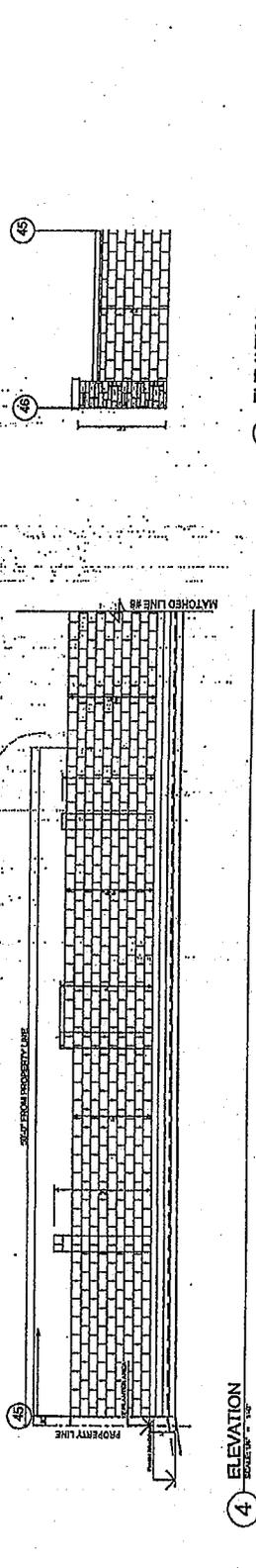
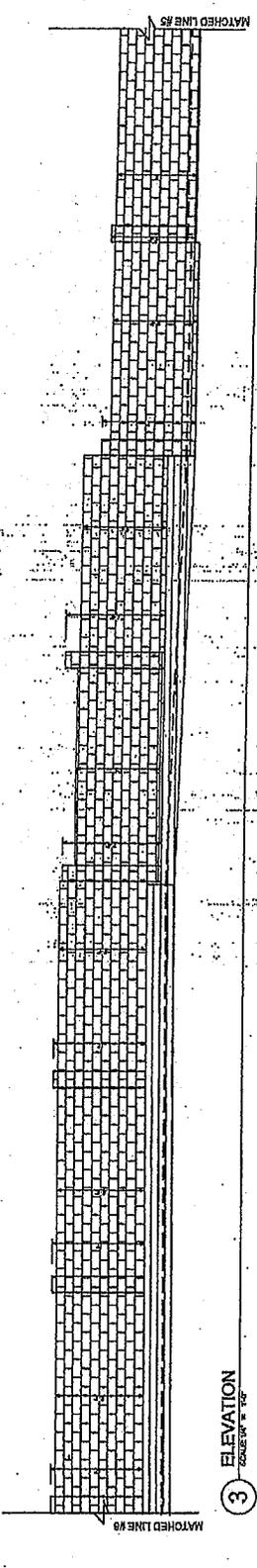
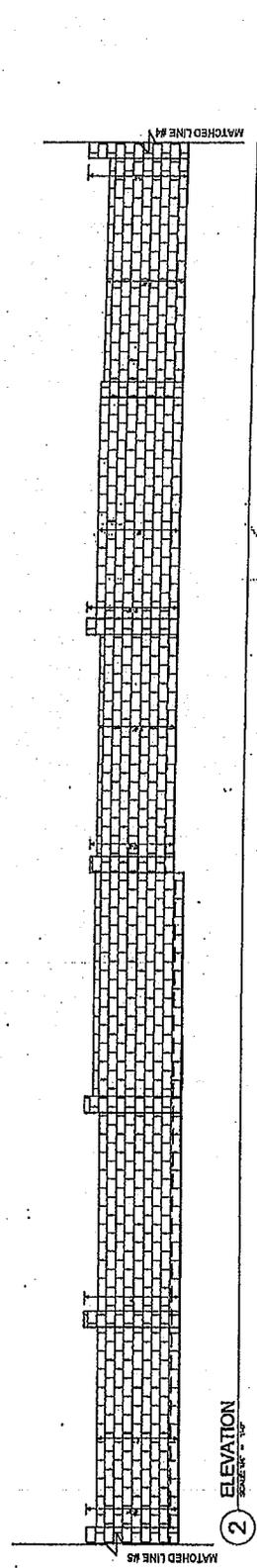
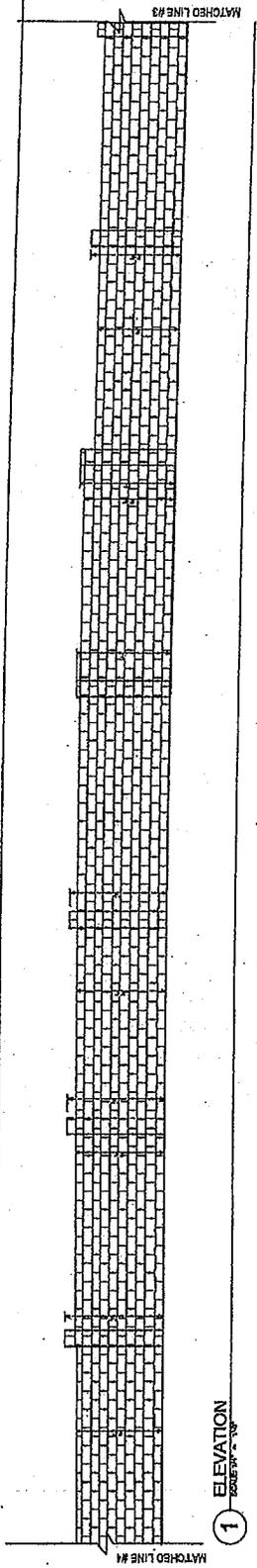
MARK	DATE	PLAN CHECK	DESCRIPTION

PROJECT NO:
 DATE REVISION: FRANK 07/20/2012
 DRAWN BY: ANDREY SINGULERS
 CHECKED BY: ERIC BRETZEL (STRUCTURAL)
 COPYRIGHT

SHEET TITLE

ELEVATION

A-2.2
 OF 10



2/18/14

Placer County Zoning Administrator's Office
Attn: Roy Schaefer-Planning Services Division
3091 County Center Drive, Suite 140
Auburn, CA 95603

RECEIVED
FEB 19 2014

PLANNING DEPT.

Dear Mr. Schaefer:

I live on Moss Lane and have written this letter because neither my husband nor I are able to attend the public hearing scheduled for 2/20/14 at 9:00 A.M. in Auburn regarding property owned by Andre Rakin, at 8300 Moss Court, Granite Bay, CA 95746. It is my understanding numerous issues are planned to be discussed; 1) a solid wall privacy fence, 2) installation of security cameras and a 2nd access gate from Moss Lane (the main entrance to his property is off Moss Court) and, 3) Mr. Rakin's requests for variances regarding that solid wall privacy fence height and renovation/improvements to a "play house" built by the prior owner without verifying building set backs or building permits.

The embellished Las Vegas style landscape and lighted fountains with loud synchronized music, and Greek Goddess gazebo improvements he has made do not compliment the natural beauty of our neighborhood but I am more concerned about a newly installed electric side gate entrance used to access his property off Moss Lane and landscaping he's planted outside the fence (along the road) narrowing the line of vision and room for passing cars. His crews' vehicles and delivery trucks mostly park haphazardly in front of that new side gate, along Moss Lane and partially block access. On numerous occasions I have politely requested workers or delivery trucks to please move inside the gate onto Mr. Rakin's property or driveway(s) or at least move in front of the main entrance off Moss Court so people can safely pass. Any vehicle entering or leaving Moss Lane must also stop when vehicles enter his property using the Moss Lane gate to remotely or hand enter the gate code; this blocks Moss Lane and is not just inconvenient but an increased risk when exiting Auburn-Folsom Road onto Moss Lane, especially at night without street lights.

Everyone should be allowed to build their dream home however, building codes, permits and laws have been established to protect everyone and are supposed to be followed before construction begins; we have lived on Moss Lane for 28 years and love the rural setting and natural beauty of the area, even the narrow and winding road; we have also met Mr. Rakin, like him and believe he is entitled to his own vision of beauty and dream home but not at the point of decreasing the width of Moss Lane with landscaping or using it as a side street access unsafely affecting the flow of traffic for our entire neighborhood.

Sincerely,
Denice French
5720 Moss Lane
Granite Bay, CA 95746

ATTACHMENT F

February 19, 2014

Roy Schaefer, Planning Services Division
Community Development Resource Agency
3091 Country Center Drive, Suite 140
Auburn, CA 95603

RECEIVED
FEB 19 2014
PLANNING DEPT.

Dear Mr. Schaefer:

This letter is being submitted for the public record in **opposition to proposed variance requests** by Expo Floors LLC / Mr. Andrey Rankin, 8300 Moss Court, Granite Bay, CA 95746.

The Placer County Zoning Administrator will be conducting a public hearing Thursday, February 20th at 9:00 am in Auburn to consider a request from Andrey Rakin (Expo Floors LLC, 8300 Moss Court) (PVAA 20130277) to approve variances to allow an *8 foot "SOLID SOUND WALL"*, which he constructed with *no permit*, on the property line. This *eight foot wall*, exceeds the currently allowed maximum "fence" height of *six feet*, specified by the county. This hearing will also address the newly constructed **oversize entrance gates and oversize fencing** at the entrance of Mr. Rankin's and bordering property along Moss Lane and Moss Court.; which causes road blockages when entering this property and also exceeds allowed parameters. Mr. Rankin will also be requesting a variance for his "Playhouse Building" (the cathedral), which is in violation of the 30 foot property set back, as the building code requires, and which was also built *bypassing* the county approval and permitting process.

Mr. Rakin's/Expo Flooring, LLC is requesting these variances after the fact; and once again potentially sets a precedence in the neighborhood and Placer County, which ultimately slowly destroys our neighborhood and would encourage others to disregard the county's building regulations in the future, operating under the assumption that it is easier to sidestep building codes by asking for forgiveness after the fact, rather than permission before.

Many residents of Moss Lane are also expressing concern regarding the posted armed guards, multiple surveillance cameras pointed up and down Moss Lane and Moss Court, surveillance cameras mounted on 20 foot high poles, as well as the loud music that has blasted from the property at various hours day and night, and for which the Placer County Sheriff has been called out on numerous occasions. Also, the "Bellagio" style water cannons and underwater lighting, and other structures that have recently been installed. All of which, have led many to question if the ultimate purpose and use of this property. Will it be some type of commercial venue for Expo Flooring, LLC?

What we also find very confusing that **Andrey** Rakin, a managing partner of Expo Flooring has authorized **Andrey** Chuprikov to oversee improvements at 8300 Moss Court., and on the completed Placer County Fence Wall project application, states that **Andrey** Abramor is the property owner and **Andrey** Ginbhurg is named as the Applicant on Fence Wall project application. But the legal owner of this property is Expo Flooring, LLL. Who is legally responsible?

Among the various issues being decided, and which are respectfully, but vehemently opposed by many Moss Property owners are:

Variance for the 8 foot fence (Which in actuality is an eight foot **solid Stucco WALL**, complete with **electrical lighting** every eight to ten feet); and which also encroaches into the front setback. Violating 17.54.030, Landscape and Fencing regulations for Height Limits for Fencing and Landscaping.

This solid wall within the Front Setback not only conflicts with the Department of Public Works Department which requires the fencing consists of only such materials as do not conflict with vehicle sight distance, such as open rail, chain link etc..

Again, these issues if ignored set a dangerous precedent that will no doubt encourage others to ignore the regulations that serve to protect and maintain the Character of our beautiful road and community.

Thank you for your consideration to OPPOSE Mr. Rakin, owner of Expo Flooring proposed Variance (PVAA 20130277) requests and instead vote to support and protect the integrity of Placer County by following the long standing building codes and regulations set forth, which have been established for years if not decades. Soon Mr. Rankin will build a new house on this lot. It is our understanding that plans have already been submitted to the County. What precedence will be set if you allow Andrey Rakin or Andrey Chuprikov or Andrey Abramoror or Andrey Ginbhurg or Expo Flooring to ignore the regulations and then after the fact ask for approval?

Please oppose all requests for variances regarding this property.

Thank you for your consideration.

James and Alison Thomas
5280 Old Moss Lane
Granite Bay, CA 95746

Cc: Ms. Kathy Heckert

Nicole Hagmaier

From: Roy Schaefer
Sent: Wednesday, February 19, 2014 8:53 AM
To: Nicole Hagmaier
Cc: George Rosasco; EJ Ivaldj; Sharon Boswell; Ben Branaugh
Subject: FW: 8300 Moss Court

Follow Up Flag: Follow up
Flag Status: Flagged

RECEIVED
FEB 19 2014

PLANNING DEPT.

Nicole,

Can you please put this email in the ZA File.

RS

From: Timothy Wegner
Sent: Wednesday, February 19, 2014 8:42 AM
To: Roy Schaefer
Subject: FW: 8300 Moss Court

Good morning Roy,

Understanding you are the Planner assigned this project, please review the information provided by Attorney Garcia below. Mr. Garcia represents the complainant in this case. Please take any action that may be appropriate in this matter.--Tim

From: Timothy Wegner
Sent: Wednesday, February 19, 2014 8:39 AM
To: 'John Garcia'
Subject: RE: 8300 Moss Court

Mr. Garcia,

I'll be sure to pass this information along to the Planner assigned this project. I believe your referencing the most recent staff report where staff may be recommending approval. Please know staff's recommendation is not the findings of the Zoning Administrator, thus no variance has been granted to date. I'll pass along this information to your Planner for his consideration.--Tim

From: John Garcia [<mailto:JGARCIA@VFR.NET>]
Sent: Tuesday, February 18, 2014 4:51 PM
To: Timothy Wegner
Subject: 8300 Moss Court

Mr. Wegner

I received the County's recommendations to grant the variances on the above-referenced property. In an effort to be "upfront" with you and your department, I would inform you that, in addition to the Further Supplement to Opposition filed by my colleague, my client will also be challenging the sufficiency of your department's findings for granting the variance under the current state of the law. Further, the recommendations shall be challenged based on the erroneous height calculations concerning the wall, which, if measured at all, was measured on the 8300 Moss Court side of the Wall on elevated flower beds or retaining walls, and does not include the height of the columns in the wall.

Thank you for your time.

John P. Garcia
Law Offices of Frank L. Rowley
P.O. Box 7
3701 Taylor Road
Loomis, CA 95608
(916) 652-7235 (Telephone)
(916) 652-9433 (Facsimile)



This email is free from viruses and malware because avast! Antivirus protection is active.



To Whom It May Concern:

In August of 2012, Expo Floors LLC ("Expo Floors") purchased the property at 8300 Moss Court in Granite Bay, California (hereinafter the "Property") and is the legal owner. I am the managing member of, and a partner in, Expo Floors.

As the managing member of Expo Floors, I am responsible for overseeing works of improvements and maintenance of the Property. On behalf of Expo Floors I hired a construction manager by the name of Andrey Chuprikov. Mr. Chuprikov is hereby authorized by Expo Floors to represent its interests in all matters regarding the Property including but not limited to the Variance application PVAA 20130277.

Very truly yours,

Andrey Rakin
Managing Member of Expo Floors LLC

Norman
Scheel
Structural
Engineer

5022 Sunrise Blvd.
Fair Oaks, CA 95628
(916) 536-9585
(916) 536-0260 (fax)

1989-2013
24 years of excellence

Norman Scheel, S.E.
LEED AP BD+C
LEED AP Homes
Fellow - SEAOC
Fellow - ASCE
E-mail: norm@nsse.com

Rob Coon
General Manager
E-mail: robcoon@nsse.com

Steve Smith P.E.
Project Manager
E-mail: stevsmith@nsse.com

Steven Cooksey
CAD Supervisor
E-mail: steve@nsse.com

Jackie Winslow
Office Manager
E-mail: jackie@nsse.com

Kao Thao
Drafter
E-mail kao@nsse.com

Thursday, December 12, 2013

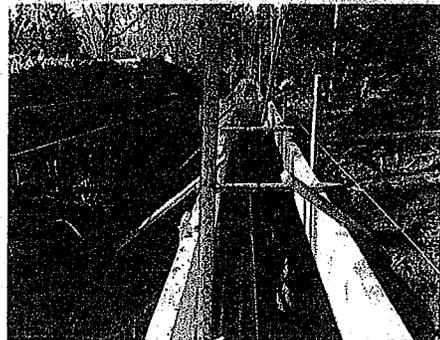
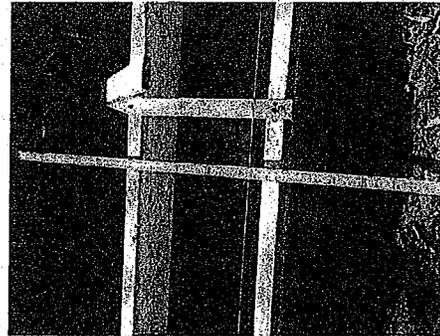
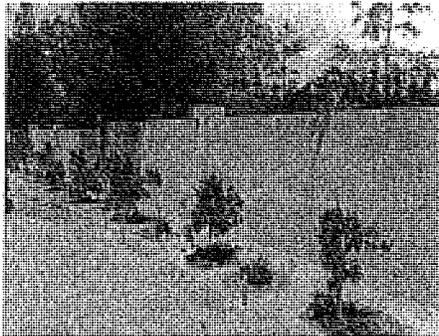
Premier Designs
3333 Sunrise Boulevard, Suite D
Rancho Cordova, CA 95670

Re: Sound Wall / Fence Job #12237 Stair Framing Clarifications

This letter is to clarify that we have been requested review and provide calculations for a CMU fence installed along a property line.

The review and calculations were performed using photos and statements from the builder and designer. Based on this information it is our opinion the wall is stable and built to the minimum load requirements of the CBC.

Included with this letter are the calculations for the fence and photos of the project during construction.



If there are further questions, please contact Rob Coon.


NORMAN SCHEEL
STRUCTURAL ENGINEER



DEC 12 2013

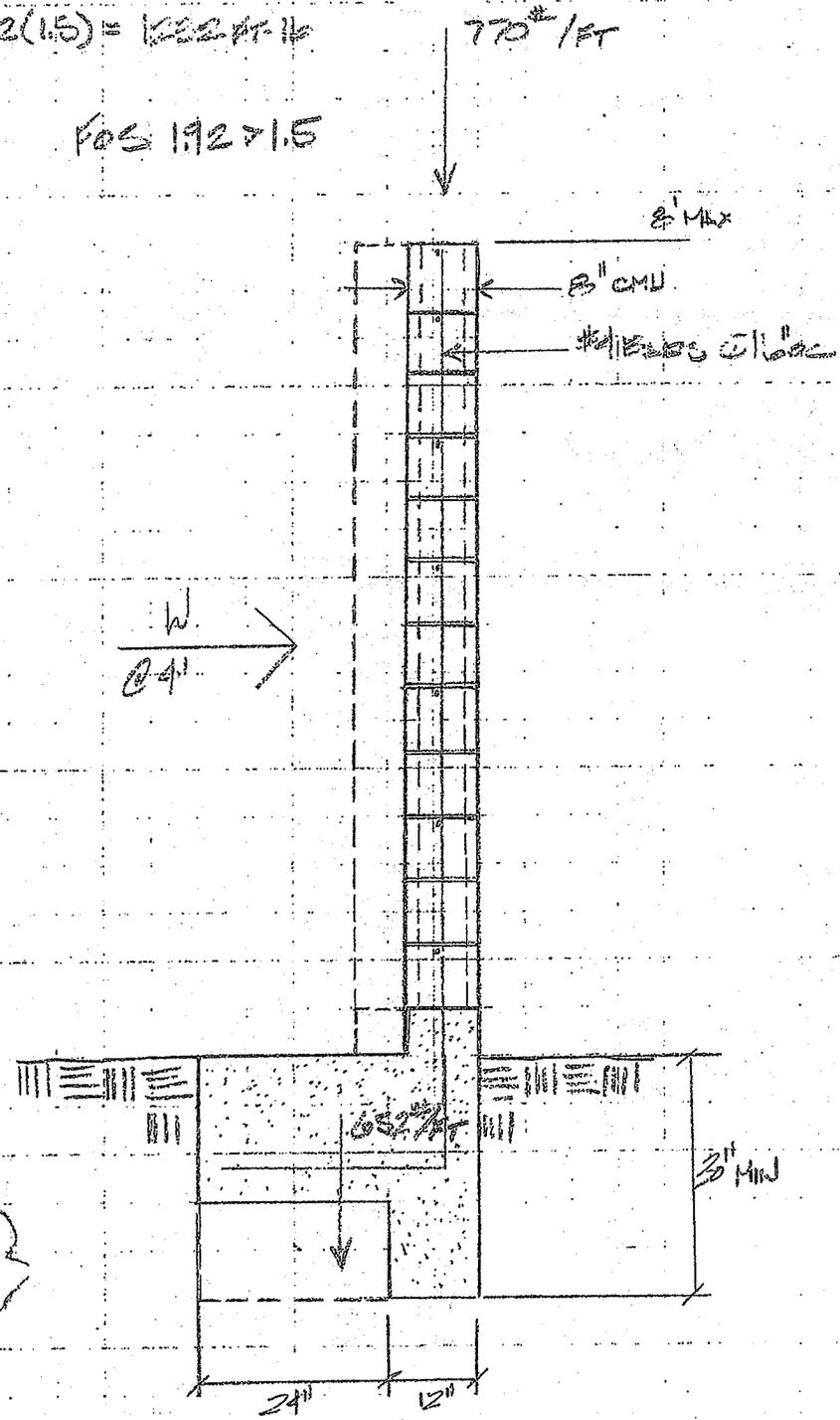
74

WIND LOADS 20PSF
 @ MPH EXP B

$$M_{OT} = 20(8)(4) = 640 \text{ FT-LB}$$

$$M_{BASE} = 770(32) + 652(1.5) = 1232 \text{ FT-LB}$$

$$\frac{M_{OT}}{M_{BASE}} = \frac{640}{1232} = 0.51 \quad \text{FOS } 1.92 > 1.5$$



20PSF
 SOL BRACING

Cantilevered Retaining Wall Design

Criteria

Retained Height = 0.08 ft
Wall height above soil = 7.92 ft
Slope Behind Wall = 0.00 : 1
Height of Soil over Toe = 0.00 in
Water height over heel = 0.0 ft

Wind on Stem = 20.0 psf

Vertical component of active lateral soil pressure options:

NOTUSED for Soil Pressure.
NOTUSED for Sliding Resistance.
NOTUSED for Overturning Resistance.

Surcharge Loads

Surcharge Over Heel = 0.0 psf
NOT Used To Resist Sliding & Overturning
Surcharge Over Toe = 0.0 psf
NOT Used for Sliding & Overturning

Axial Load Applied to Stem

Axial Dead Load = 0.0 lbs
Axial Live Load = 0.0 lbs
Axial Load Eccentricity = 0.0 in

Design Summary

Wall Stability Ratios

Overturning = 3.99 OK
Sliding = 5.40 OK

Total Bearing Load = 1,625 lbs
...resultant ecc. = 1.48 in

Soil Pressure @ Toe = 408 psf OK
Soil Pressure @ Heel = 675 psf OK
Allowable = 1,500 psf
Soil Pressure Less Than Allowable
ACI Factored @ Toe = 490 psf
ACI Factored @ Heel = 810 psf
Footing Shear @ Toe = 1.8 psi OK
Footing Shear @ Heel = 0.0 psi OK
Allowable = 75.0 psi

Sliding Calcs (Vertical Component NOT Used)

Lateral Sliding Force = 162.7 lbs
less 50 % Passive Force = - 390.6 lbs
less 100% Friction Force = - 487.5 lbs

Added Force Req'd = 0.0 lbs OK
...for 1.5: 1 Stability = 0.0 lbs OK

Load Factors

Building Code = CBC 2007
Dead Load = 1.200
Live Load = 1.600
Earth, H = 1.600
Wind, W = 1.600
Seismic, E = 1.000

Soil Data

Allow Soil Bearing = 1,500.0 psf
Equivalent Fluid Pressure Method
Heel Active Pressure = 35.0 psf/ft
Toe Active Pressure = 35.0 psf/ft
Passive Pressure = 250.0 psf/ft
Soil Density, Heel = 110.0 pcf
Soil Density, Toe = 0.00 pcf
Footing||Soil Friction = 0.300
Soil height to ignore for passive pressure = 0.00 in

Footing Dimensions & Strengths

Toe Width = 2.33 ft
Heel Width = 0.67
Total Footing Width = 3.00
Footing Thickness = 18.00 in
Key Width = 12.00 in
Key Depth = 12.00 in
Key Distance from Toe = 2.00 ft
f_c = 2,500 psi
F_y = 60,000 psi
Footing Concrete Density = 150.00 pcf
Min. As % = 0.0018
Cover @ Top = 3.00 in @ Btm. = 3.00 in

Lateral Load Applied to Stem

Lateral Load = 0.0 #/ft
...Height to Top = 0.00 ft
...Height to Bottom = 0.00 ft

Adjacent Footing Load

Adjacent Footing Load = 0.0 lbs
Footing Width = 0.00 ft
Eccentricity = 0.00 in
Wall to Ftg CL Dist = 0.00 ft
Footing Type = Line Load
Base Above/Below Soil at Back of Wall = 0.0 ft
Poisson's Ratio = 0.300

Stem Construction

Top Stem

Design Height Above Ftg ft = 0.00
Wall Material Above "Ht" = Concrete
Thickness = 8.00
Rebar Size = # 4
Rebar Spacing = 16.00
Rebar Placed at = Center

Design Data

fb/FB + fa/Fa = 0.397
Total Force @ Section lbs = 253.6
Moment....Actual ft-# = 1,023.9
Moment....Allowable = 2,580.5
Shear....Actual psi = 5.3
Shear....Allowable psi = 75.0
Wall Weight = 100.0
Rebar Depth 'd' in = 4.00
LAP SPLICE IF ABOVE in = 12.00
LAP SPLICE IF BELOW in =
HOOK EMBED INTO FTG in = 6.00

Masonry Data

f_m psi =
F_s psi =
Solid Grouting =

Modular Ratio 'n' =
Short Term Factor =
Equiv. Solid Thick. =
Masonry Block Type = Medium Weight
Masonry Design Method = ASD

Concrete Data

f_c psi = 2,500.0
F_y psi = 60,000.0

Norman Scheel
 Structural Engineer
 5022 Sunrise Boulevard
 Fair Oaks, CA 95628
 (916) 526-9585

Title : Sound Wall
 Job # : 13329
 Description....
 8' CMU Fence

Dsgnr: Rob

Page: _____
 Date: DEC 11, 2013

This Wall in File: g:\jobfiles\13329\13329.rp5

Retain Pro 2007, 7-Jul-2011, (c) 1989-2011
 www.retainpro.com/support for latest release
 Registration #: RP-1172035 RP2007-S

Cantilevered Retaining Wall Design

Code: CBC 2007

Footing Design Results

	Toe	Heel	
Factored Pressure	= 490	810 psf	
Mu' : Upward	= 1,555	0 ft-#	
Mu' : Downward	= 733	0 ft-#	
Mu: Design	= 822	0 ft-#	
Actual 1-Way Shear	= 1.80	0.01 psi	
Allow 1-Way Shear	= 75.00	75.00 psi	Other Acceptable Sizes & Spacings
Toe Reinforcing	= None Spec'd		Toe: Not req'd, Mu < S * Fr
Heel Reinforcing	= None Spec'd		Heel: Not req'd, Mu < S * Fr
Key Reinforcing	= None Spec'd		Key: Not req'd, Mu < S * Fr

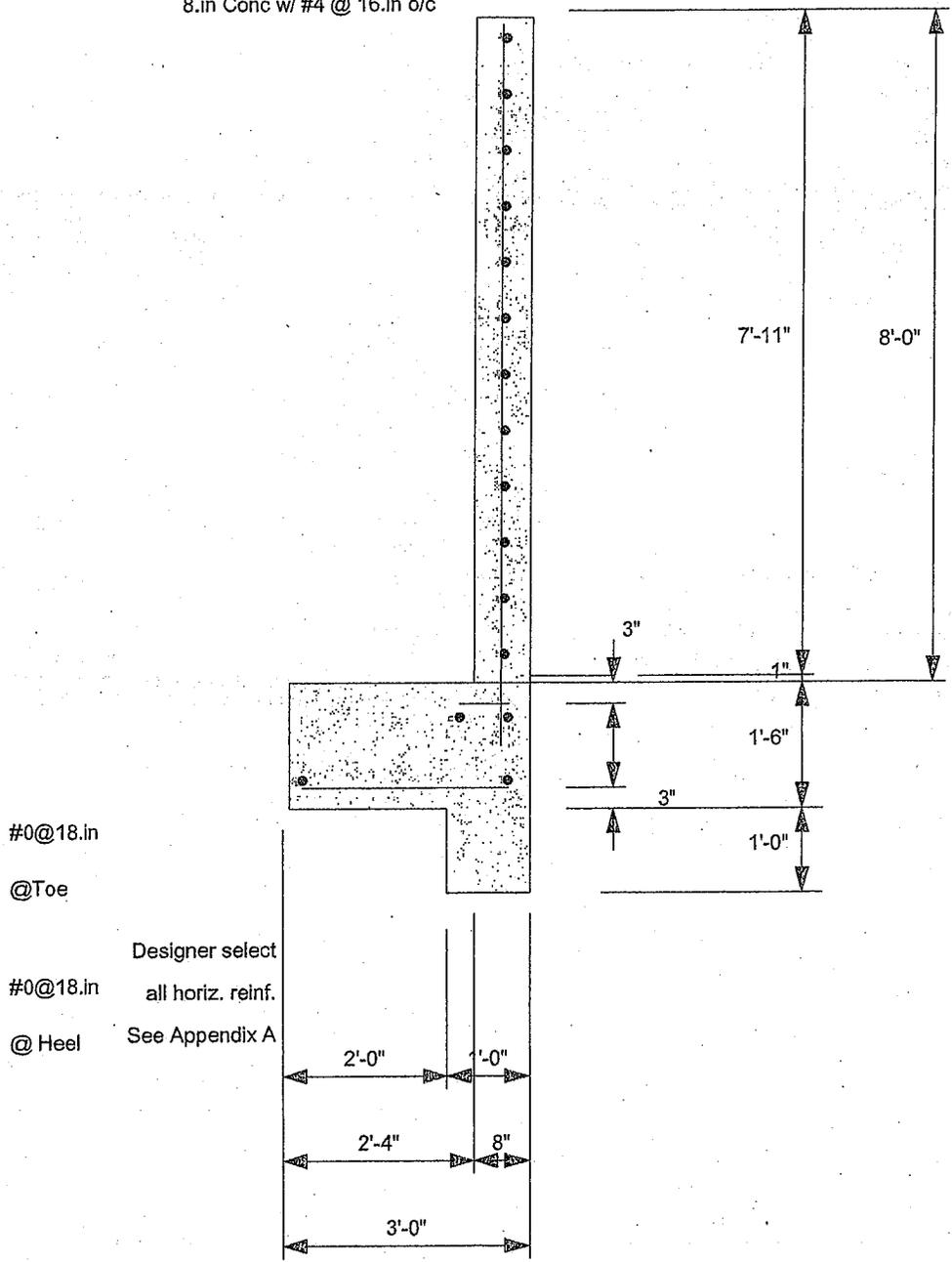
Summary of Overturning & Resisting Forces & Moments

ItemOVERTURNING.....		RESISTING.....			
	Force lbs	Distance ft	Moment ft-#	Force lbs	Distance ft	Moment ft-#	
Heel Active Pressure	= 43.7	0.53	23.0	Soil Over Heel	= 0.0	3.00	0.1
Surcharge over Heel	=			Sloped Soil Over Heel	=		
Toe Active Pressure	= -39.4	0.50	-19.7	Surcharge Over Heel	=		
Surcharge Over Toe	=			Adjacent Footing Load	=		
Adjacent Footing Load	=			Axial Dead Load on Stem	=		
Added Lateral Load	=			* Axial Live Load on Stem	=		
Load @ Stem Above Soil	= 158.4	5.54	877.5	Soil Over Toe	=		
				Surcharge Over Toe	=		
				Stem Weight(s)	= 800.0	2.66	2,130.7
				Earth @ Stem Transitions	=		
Total	= 162.7	O.T.M. =	880.9	Footing Weight	= 675.0	1.50	1,012.5
Resisting/Overturning Ratio		=	3.99	Key Weight	= 150.0	2.50	375.0
Vertical Loads used for Soil Pressure =		1,625.0 lbs		Vert. Component	=		
Vertical component of active pressure NOT used for soil pressure				Total =	1,625.0 lbs	R.M. =	3,518.3

* Axial live load NOT included in total displayed, or used for overturning resistance, but is included for soil pressure calculation.

DESIGNER NOTES:

8.in Conc w/ #4 @ 16.in o/c



#0@18.in

@Toe

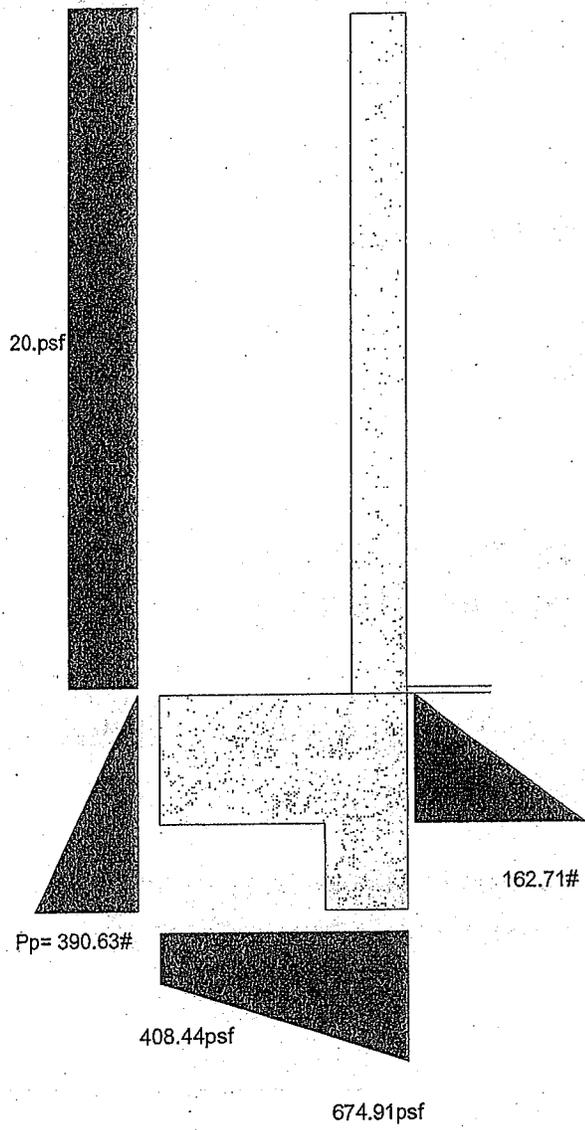
#0@18.in

@Heel

Designer select

all horiz. reinf.

See Appendix A



Opposition to Variance Application

Variance PVAA 20130277

Regarding:

Fence height variance and structure variance from normal setback requirements

Property:

8300 Moss Court, Granite Bay, California

APN: 036-180-046-000

Application filed by Andrey Chuprikov

Owner: Expo Floors, LLC

Hearing Date: December 19, 2013 at 9:20 a.m.
Supervisory District 4 (Uhler)

Opposition filed by Gene and Vicki Satrap by and through their attorney, Peter A. Galgani.

The Satrap's own the property adjacent to the subject property. Their home's address is 5860 Moss Lane, Granite Bay, California

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DEC 17 2013

CDRA

Opposition to Variance Application

**Gene and Vicki Satrap
5860 Moss Lane, Granite Bay, California**

**Variance Hearing: December 19, 2013 at 9:20 a.m.
Supervisory District 4 (Uhler)**

As a preliminary matter, it is unclear to Gene and Vicki Satrap as to why the application is brought by Mr. Chuprikov. He does not appear to be an owner of the property and may not be the licensed contractor responsible for the construction of the play structure and/or fence and therefore, may not be the appropriate person to request the variance.

Introduction.

In late August of 2012, Expo Floors, LLC purchased the property located at 8300 Moss Court. The two principals, Andrey Abramov and Andrey Rakin, have ever since proceeded to act with utter disregard for the law, the environment and the legitimate concerns of their neighbors. While investigation continues, it is strongly believed that they have built without the necessary permits or even engineering plans, poisoned an adjacent pond, torn down at least one healthy oak tree and have set about trying to intimidate and bully their neighbors in their attempts to build whatever they want on the land, codes laws and neighbors be damned.

As discussed below, it is respectfully requested that the variance application be denied in its entirety.

The Fence/Wall

After initially disputing the rather obvious claim that the wall far exceeds the 6 foot limit for the area. Expo Floors has apparently stopped denying what is clear to all and has asked for a variance. However, the size, shape or topography of the land is not unusual for the area and no variance is required to provide Expo Floors with the same use and enjoyment of their property that others around them do.

Using historical pictures from Google Earth, it is clear that a fence within the standard limits did exist and was adequate. The type of fence that was installed was a straightforward split-level style. (An overview photo is attached in Tab 1. Tab 2 contains three different photos covering three different time periods regarding the

property. Tab 3 contains a photo of the mailbox discussed below and a picture of the type of fence that had been previously installed on the property though the fence shown is from an adjacent property.)

The pictures show the existence of the fence on August 13, 2012, just prior to the sale of the property to Expo Floors. Subsequent photos taken in April and August of this year show the new fence that Expo Floors constructed in its place.

Beyond being an eyesore that can't be ignored due to its height, the fence was not engineered and the one engineer who has observed the fence that we know of has declared it to be unsafe and warned all to not be within 12 feet of it. No permits were issued nor have any been requested. (Engineering Observation Report is at Tab 4)

It is unknown whether Mr. Andrey Chuprikov, the applicant before you, was the contractor regarding the fence or even what his involvement with the property is. Perhaps Mr. Chuprikov, if he is a licensed contractor, can clear up why no permits were requested and why the fence was not engineered.

There are cracks in the cinder block portions of the fence and gaps in the foundation. The wood parts of the fence contain either particle board or plywood that has been covered in chicken wire and paper and sprayed with some type of grayish material.¹

Why is the behavior of the property owners relevant to determining whether to grant the variance? Because the fence itself is part and parcel of the aggressive approach the owners have taken with their neighbors. The owners have moved systematically to try to intimidate and bully their neighbors. Numerous video cameras are placed on the property that serve no other purpose but to peer into their neighbors' yards. At least two are placed outward looking on a giant clock tower built by Expo Floors that for lack of a better word towers over the neighborhood. (Please see Tab 5 for a picture of just some of the cameras that are pointed at their neighbors' homes.)

Expo Floors employ aggressive security guards that have harassed neighbors who were using the adjacent roads and even the communal mailbox near the entrance to the property. On one occasion, two security guards left the property and insisted that Steven Brown not use the mailbox any more. The *mailbox*. Steve was shaken by the encounter and considered calling the sheriff's department. The sheriff's department has been notified of the continuing issue. (Please see Tab 3 for a picture of the area where the incident occurred.)

Additionally, apparently either Andrey Abramov or Andrey Rakin or both enjoy using the perch of the clock tower to peer at their neighbors using binoculars. Rick Gouveia was with his five year-old son when he noticed one of the owners using

¹ Due to time constraints, Gene and Vicki Satrap are not filing with this opposition declarations that support the allegations contained within. However, it is expected the declarations will be available by the time of the hearing or within days thereafter.

binoculars to look into neighbors' yards from the height of the clock tower. Rick grabbed his kid's binoculars and used them to stare up at the clock tower. When the owner finally noticed that he had been discovered, he angrily retreated from the tower. Gene and Vicki Satrap have also witnessed this behavior.

It should also be noted that the owners plan to build a three-story fortress/castle on the property of enormous size. (Please see Tab 6 for the picture and drawing of the proposed fortress/castle which were submitted by Andrey Rakin to the Placer County Superior Court in case SCV 0033168)

While the fortress/castle has yet to be approved nor built, the owners have installed a giant fountain and music system that has been used at various parties that they have thrown blaring music and light into the environment well past 10:00 p.m. at night.

Normal use of the property does not require a fence in excess of the six foot limit. One already existed there before the owners purchased the property. There is nothing unique about the property that requires a variance simply to put the owners on equal footing with their neighbors. But if you want to build a giant castle, spy on your neighbors through binoculars from a clock tower or from the comfort of a "play" structure watching them on video monitors, try to expand control of your property beyond your boundaries by making false claims of ownership and using security guards to intimidate people into not using the adjacent roads, than under such a warped scenario, a giant wall might make sense. Granting the application will only encourage more bad behavior on the part of the owners and, as has been demonstrated, there is no unique or special circumstance that requires the variance.

Environmental Concerns

As is clear from the Google Earth photos, at least one oak tree and perhaps more were cut down by the owners to either clear space for the play structure, the fence or both. The cutting down took place at night and thus suggests strongly that no permission was obtained to do so. Additionally, drainage pipes have been installed underneath the fence causing runoff into the nearby pond. It is believed that the reason the fish in the adjacent pond died was because of toxic runoff from the subject property. It is respectfully suggested that no proper evaluation of the CEQA environmental concerns can be made without a thorough evaluation of the area and a review of the actual engineering plans used to build the fence (though it is asserted with confidence that no plans actually exist.)

The Play Structure

Looking at the Google Earth photos, it is not entirely clear whether a structure existed prior to the owners buying the property. However, it is undeniable that dramatic construction/expansion of whatever structure may have existed has taken place. It is also noted that no single-family dwelling plan has been submitted by the owners to the county and at least one deadline has passed for them to submit such plans. Without an approved single-family dwelling plan it is asserted that no structures may be built because there would be no approved use for the property.

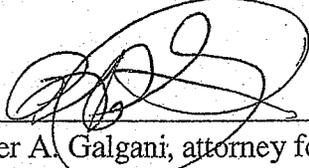
What the owners have done is take what was at most a small, minor structure and built a major one. The property is large (4.6 acres) and does not require a variance from the setback rules requiring 30 feet. There is plenty of room on the property and no unique or special circumstance exists requiring a variance. In fact, had the owners been respectful of the laws of this county, the oak tree or trees cut down to facilitate the structure and/or the fence would likely still be there.

Environmental concerns

As noted regarding the fence, at least one oak tree appears to have been cut down to make way for the play structure and/or fence. Additionally, the violation of the setback rules may lead to more runoff into the adjacent pond with more activity near the fence where the new drainage pipes have been installed. We respectfully request that a thorough on sight evaluation is conducted before granting any variance.

Respectfully submitted:

Dated: 12/16/13



Peter A. Galgani, attorney for Gene and Vicki Satrap