

RECEIVED
CONTRA COSTA COUNTY

JAN 22 2016

To: Board of Supervisors of Contra Costa County

From: Catherine de Neergaard

Date: January 22, 2016

Subject: Appeal of decisions by County Commissioners and by Zoning Administrator to approve building plans for 148 Highland Blvd. Kensington (County File #DP15-3011) Appeal of decision by conservation and development department to not enforce health, safety, and reasonable design standards and requirement for permits on 148 Highland Blvd.

Dear Supervisors of Contra Costa County,

This is a preliminary letter to inform you that I'm appealing both the approval of the building plans for 148 Highland Blvd and the neglect of the county to enforce permit requirements and healthy, safe design standards on 148 Highland Blvd which should be addressed before any new permits are issued. The latter refers to two issues that the conservation and development department refused to address: 1) a newish exhaust furnace vent and fan oppose my bedroom windows making shooting exhaust and a high pitch whine that worsens my tinnitus and 2) the main roof of 148 gathers and directs water toward my house and property.

The grounds of my appeals include:

1. A system where the desires of the builder trump all considerations for neighbors, property values, and the community.
- ✓ 2. Poor decision and appeal process including undue influence, inadequate (planning department) or non-existent notification (The Kensington MAC [KMAC])
- 3a. The 148 Highland plans ignore the spirit, intent and letter the MAC combining Ordinance for Kensington 3b) #s 3, 4, 5, & 7 of the K Combining Ordinance were underemphasized and glossed over. cdeN
4. The KMAC itself ignores the wishes of many Kensington residents by privileging builders while decreasing in too many cases neighbors' property values and enjoyment.
5. No appeal process for building code decisions
6. A review and appeal process from start to finish that always or almost always results in a permit to build
7. A system that lets considerations for health and safety and reasonable design fall through the cracks between the permit department, the code department, and the planning department.
- ✓ 8. Staff reports that made material misrepresentations
- ✓ 9. 148 Highland has already made 3 additions, all directly facing my property, plus other 'improvements' that have negatively affected my property values and the quiet enjoyment of my home. "It is unfair and unequal under the law to give so much to one property at the expense of the property values of surrounding properties. There is a limit to how much a residential property can expand at the expense of neighboring property."
- ✓ 10. The county isn't adequately protecting us from 148 Highland's plan to build, in effect, a second (illegal) unit, overbuilding, and profit taking at the expense of the overall neighborhood character.
11. The county isn't giving equal rights to me to have a safe, healthy, right-sized house next door.

I'll send you a detailed report of my appeal in the near future.

Sincerely,

Catherine de Neergaard - 152 Highland Boulevard, Kensington, CA 94708-1023 - Ph (510) 525 5779