

File No.: VIO2017-00350

Assigned CEO: ANA SANTIAGO

Category: 1

Case Closure Target: 180 Days

District: 3

County of San Mateo  
Planning and Building Department  
**CODE VIOLATION CHECKLIST**

1. Violation Type

- Zoning/Use       Tree Removal       Grading/Land Clearing  
 Building       Nuisance       Other: \_\_\_\_\_

**Description of Complaint: GRADING – Unpermitted importation of fill to widen road**

2. Location of Alleged Violation

Address: 18 TERRACE AVE.

APN(s): 048-074-150

MIRAMAR

Zoning: R-1, S-94, DR, CD

Urban     Rural

FEMA Flood Zone: X

3. Names of Alleged Property Owner(s)/Other

Property Owner: TEJINDER SINGH & TRIPATINDER CHOWDHRY

Address: 18 TERRACE AVE. HALF MOON BAY, CA 94019

4. Processing

<u>Step</u>	<u>By</u>	<u>Date</u>
a. Complaint Received	<u>RMM</u>	<u>10/17/17</u>
b. Violation Assigned	<u>AXS</u>	<u>10/17/17</u>
c. First Inspection	_____	_____
d. Notice of Violation	_____	_____
e. Second Inspection	_____	_____
f. Citation	_____	_____
g. Citation	_____	_____
h. Citation	_____	_____

5. Disposition (describe final disposition of case)

\_\_\_\_\_  
\_\_\_\_\_

6. Date file closed: 04/02/18 By: \_\_\_\_\_

7. Senior Code Compliance Officer: [Signature] Date: \_\_\_\_\_

Violation Number: V10 2017-00350  
Assigned To: ANA SANTIAGO

Date: 10-17-17



**COUNTY OF SAN MATEO**  
**PLANNING AND BUILDING DEPARTMENT**  
455 COUNTY CENTER, REDWOOD CITY, CA 94063, (650) 599-7310

# Violation/Complaint Form

Form to be completed by staff.  
Please get cell phones when possible.

OCT 17 2017

Violation Type:  Building  Grading  Nuisance  Abandoned Vehicle  
 Code Enforcement  Zoning  Tree/Vegetation Removal

Address of Alleged Violation: #18 TERRACE AVE APN(s): 048-074-150  
HALF MOON BAY, CA 94019

Zoning: R-1, S-94, DR, CD  
URBAN/FEMA X

Description of Complaint: T.J. SINGH IMPORTED OVER 650-750 CUBIC YARDS OF FILL TO WIDEN TERRACE AVE. ALONG THE ENTIRE FRONTAGE OF MY PROPERTY & POWED OVER IT "WITHOUT" A PERMIT, ENGINEERING, DRAWINGS, COMPACTION, SUBDRAINS. THE FILL IS CREEPING TOWARDS MY LOT ON THE DOWNHILL SIDE OF TERRACE AVE THE ROAD IS SEPERATING & THERE ARE NOW LARGE FISSURES IN THE ASPHALT THAT ARE ALLOWING WATER INTRUSION. THIS HAS CREATED A HAZARDOUS SITUATION FOR LIFE & SAFETY, ADDITIONALLY UNSAFE FOR A FIRE TRUCK.

Relevant Ordinance Section(s):  
8600, 8603.1, 8601.25, 8602, 8604.1, BUILDING & LIFE SAFETY (NFPA)

Name of Alleged Violators: \_\_\_\_\_  
Property Owner: T. J. SINGH  
Address (if other): #18 TERRACE AVE HALFMOON BAY CA  
Phone: Home \_\_\_\_\_ Cell \_\_\_\_\_ Work \_\_\_\_\_  
EMAIL ~~TJ SINGH~~ TJSINGH007@ME.COM

Exact Location of Violation on Parcel: Is violation visible from public right-of-way/street?  Yes &  No  
Please be specific as possible (i.e.: left front, behind shed, attached to home at right rear, etc.).  
THE STREET IS A PRIVATE ACCESS ROAD THAT SERVICES 7 OR 8 RESIDENCES. THE LARGE FISSURES ARE VISIBLE FROM TERRACE AVE ALSO SEPARATING PUBLIC ACCESS. MY LOT IS ON THE CORNER OF MIRAMAR & TERRACE ACROSS FROM #18 TERRACE

Complaint Received By:  
Name: Rm Date: 10-17-17

Method Complaint Received:  Phone  Letter  Counter  Other Department  Fax  
 Inspector  Complaint Received Anonymously  Other EMAIL

## Rita Mclaughlin

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**From:** Camille Leung  
**Sent:** Tuesday, October 17, 2017 10:46 AM  
**To:** Rita Mclaughlin  
**Subject:** FW: Miramar/ Terrace Ave.

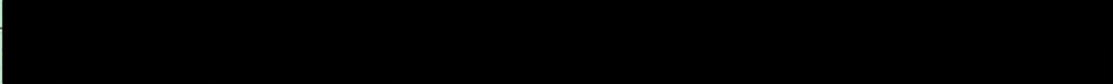
**From:** [REDACTED]  
**Sent:** Tuesday, October 17, 2017 10:42 AM  
**To:** Dennis Aguirre <daguirre@smcgov.org>; Diana Shu <dshu@smcgov.org>; Camille Leung <cleung@smcgov.org>  
**Cc:** [REDACTED]  
**Subject:** Fwd: Miramar/ Terrace Ave.

Please forward this complaint to the proper code enforcement officer: I will forward the additional backup to you as well from the Geotechnical Engineer, Structural Engineer, and Civil Engineer

Sent from my iPhone

Begin forwarded message:

**From:** [REDACTED]  
**Date:** October 17, 2017 at 9:51:01 AM PDT  
**To:** [REDACTED]  
**Subject:** Miramar/ Terrace Ave.

Case Notes	V102017-00350
Date/CCO	Notes/Action taken
10.26.17	Emails about case
	
	Complainant, T
01/10/18	TNIS Fill ans Placed in 1999 • 18 years ago
2/8/18 JK	Brian K gave case back to me talk to Mike C or Hector C for next steps on case

## Ana Santiago

---

**From:** [REDACTED]  
**Sent:** Monday, October 23, 2017 6:24 AM  
**To:** Diana Shu  
**Cc:** John Berry; Austin Harkin; edf@emfassoc.com  
**Subject:** Fwd: Terrace Av

Diana,  
I will forward you a copy of the letter that was forwarded to me by Ed.

Sent from my iPhone

Begin forwarded message:

**From:** Ed Frymoyer <emf1937@mac.com>  
**Date:** October 20, 2017 at 11:39:23 AM PDT  
**To:** [REDACTED]  
**Cc:** Edward Frymoyer <emf1937@mac.com>  
**Subject:** Terrace Av

I uncovered some meticulous records that my staff used to keep on the properties I own.

The closing date on the 22 Terrace house was 6/15/01. This was an extended construction project as I (through Frymoyer Holdings, Inc.) first bought the property in Feb 2001. A construction contract was issued to Joe Guntren and the house was completed in Nov 2001. I have photographs of the house at that time.

The road was in place at the beginning of 2001.

I have a copy of a letter that Joe Guntren's attorneys sent to Chowdry after there numerous failed appeals to the county trying to prevent Joe from digging up the illegal street that they installed to put a water line to my property. It is dated Sept 4, 2001.

The letter states in part:

"3, The paving work you yourself performed on Terrace Avenue was performed in an un-workman like manner and is defective. The outer edge of the roadway is raised— approximately 7 to 10 feet— without any bering or safety railing. The pavement is now cracking. Should the pavement fail in any manner, you will be responsible for its repair."

This indicates that the paving work predates (as is my recollection as well) 2001 and was probably done in 1999 or latest early 2000.

Further is shows that Chowdry was notified of the defects in the roadway and his personal responsibility at that time.

Please let me know if you want to review the file.

Ed Frymoyer

**Ana Santiago**

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**From:** edf <edf@emfassoc.com>  
**Sent:** Monday, October 23, 2017 12:09 PM  
**To:** [REDACTED]  
**Cc:** Diana Shu; John Berry; joeguntre@me.com; Austin Harkin; marshall781@gmail.com; orissa@sbcglobal.net  
**Subject:** Re: Terrace Ave Miramar

The maps show Terrace as 50 ft. Wide at 18 Terrace and 40 ft wide from 22/23 Terrace.

Is that what Austen meant by widening?

Ed F

Sent from my iPad

On Oct 23, 2017, at 7:32 AM, [REDACTED] wrote:

Diana,

All the neighbors on Terrace Ave are attached. Please review the email from Austin.  
[REDACTED]

Sent from my iPhone

Begin forwarded message:

**From:** Austin Harkin <[austin.harkin@gmail.com](mailto:austin.harkin@gmail.com)>  
**Date:** October 20, 2017 at 3:24:55 PM PDT  
**To:** [REDACTED]  
**Subject:** Re: Terrace Ave Miramar

Hi [REDACTED] nice talking to you earlier. With regards to time line on when Terrace Ave got widened, in the fall of 1999 when I was constructing 23 Terrace a paving contractor Alaniz Construction moved in equipment to start work on the street in front of 18 Terrace Ave. Because of the affect this work would have on my project I called the public works department to check if the necessary permits were issued for the work. There was no record of any permit. The following all the equipment was removed and no work was performed at that time.

Some time after I completed my project at 23 Terrace probable in the spring or summer of 2000 Terrace Ave was significantly widened and paved.

Sincerely  
Austin Harkin.

Sent from my iPhone

On Oct 20, 2017, at 7:49 AM, [REDACTED]

[REDACTED] wrote:

Austin, Joe, and Ed,

Can you please give me a rough Idea when Terrace Ave. was widened and paved over by TJ ? Diana Shu

with public works would like to know as I have filed a complaint with the County of San Mateo. The road has progressively creeping towards my lot. The Geotechnical engineer reported that the large cracks in the asphalt have increased significantly and he is concerned with regard to water intrusion. This has now become a life and safety issue and this section of road cannot support a firetruck.

I would appreciate you getting back to us.

[REDACTED]

Sent from my iPhone

COPY

September 4, 2001

## HAND DELIVERED

Tripatinder S. Chowdhry  
18 Terrace Avenue  
Half Moon Bay, CA 94019  
(MIRAMAR)

Dear Mr. Chowdhry:

As you are aware from my past correspondence, we represent Joe Guntren and Guntren Builders. I am writing in response to your July 30, 2001 letter to the San Mateo Board of Supervisors, wherein you make a number of groundless and irresponsible allegations against Mr. Guntren.

Because all of the issues you raised in your letter were addressed in a response letter from Neil Cullen, the County's Public Works Director, I will not add anything further. Suffice it to say that the County finds all of your complaints to be without merit. I trust this will be the end of that discussion.

This does not, however, end Mr. Guntren's concerns over your behavior—namely, your continued harassment of his employees and subcontractors and your defamatory statements against him. Therefore, this letter is to put you on notice of the following:

1. On Tuesday, September 4, 2001, Mr. Guntren will be installing a water line on the side of Terrace Avenue opposite your home. He is performing this work pursuant to a duly issued encroachment permit from the County of San Mateo (attached). This work will involve, among other tasks, cutting of the pavement. Please be advised: should you or anyone associated with you—e.g., family member or friend—in any way interfere, or attempt to interfere, with this work, Mr. Guntren will hold you personally accountable for any damages or delays he incurs as a result of such interference. If necessary, we will petition the San Mateo Superior Court for a restraining order to prevent you from such interference. (As an added precaution, I will provide a copy of this letter to the Sheriff's Department, with a request to have a deputy on call if the circumstances warrant).
2. Even though you refuse to accept the fact, Terrace Avenue is a County right of way, and Mr. Guntren is fully within his rights to perform County approved work within this right of way, even if it is immediately in front of your house. Thus, the work which was the subject of your most recent harassment of him—installation of a temporary mail box post—was legal and duly authorized (by the local Postmaster). You raised this very same issue two years ago before the Board. You lost. You are just as wrong now as you were then. Get over it.
3. The paving work you yourself performed on Terrace was performed in an un-workmanlike manner and is defective. The outer edge of the roadway is raised—approximately 7 to 10 feet—without any berming or safety railing. The pavement is now cracking. Should the pavement fail in any manner, you will be responsible for its repair.

Do not underestimate Mr. Guntren's resolve. He is fed up with you. If filing a lawsuit is what it takes to force you to cease your unlawful and reckless behavior toward him, he will not hesitate to do so. The choice is yours.

Tripotinder S. Chowdhry  
September 4, 2001  
page 2

CADY

There is no need for you to reply. Simply stay out of the way when Mr. Guntren begins the work.

Very truly yours,

McCRACKEN, BYERS & HAESLOOP

MICHAEL D. McCRACKEN

## Ana Santiago

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**From:** Rita Mclaughlin  
**Sent:** Wednesday, October 25, 2017 7:47 AM  
**To:** Ana Santiago  
**Subject:** FW: Terrace Ave Miramar

Ana,  
I thought you might be interested in this email for your file.  
Rita

**From:** Diana Shu  
**Sent:** Tuesday, October 24, 2017 5:48 PM  
**To:** John Berry <BerryAssociates@sbcglobal.net>  
**Cc:** [REDACTED]  
**Subject:** RE: Terrace Ave Miramar

Hi John

Inspection and review are done as part of a building or planning permit for private roads. This subdivision was created in 1907, so the work in question was not done as part of a subdivision.

I don't know who reviewed or inspected it in 1999-2000 as there is no record.

After 17-18 years, the responsibility for repairs on a private road falls to the property owners of the subdivision to correct.

So unless it comes in as a building permit to repair, widen, or reconstruct the road, we have no cause to be involved.

This is no different from a house. If it falls into disrepair, it is not the building department's job to fix it.

Diana

**From:** John Berry [mailto:BerryAssociates@sbcglobal.net]  
**Sent:** Tuesday, October 24, 2017 1:49 PM  
**To:** Diana Shu <dshu@smcgov.org>  
**Cc:** [REDACTED]  
**Subject:** RE: Terrace Ave Miramar

Hi Diana – just to emphasize what we are trying to accomplish here – the department that normally oversees the design and construction of Private Roads within subdivisions should have been included in the original work on Terrace Avenue. Since we now have substandard (and failing) construction on this road, it is incumbent for the County and the property owners to address the repairs and upgrading of this access road to meet industry guidelines that should have been adhered to from the very start.

Thanks

JB

## ***BERRY AND ASSOCIATES***

*Civil Engineering Services*

***John C Berry, RCE 18720***

*1733 Woodside Road, Suite 335*

*Redwood City, CA 94061*

*Tel: (650) 368-0750*

*Fax: (650) 368-1810*

*Mobile: (650) 400-9003*

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**From:** Diana Shu [mailto:dshu@smcgov.org]

**Sent:** Monday, October 23, 2017 6:14 PM

**To:** Ed Frymoyer

**Cc:** [REDACTED] John Berry; joeguntre@me.com; Austin Harkin; marshall781@gmail.com; orissa@sbcglobal.net

**Subject:** RE: Terrace Ave Miramar

Not sure what was required in 1999-2000.

Today:

If you are building a new road or widening an old road you will need a Coastal Development Permit, CDP.

If you are resurfacing an existing asphalt road, you will need a coastal development exemption, CDX.

But these are not encroachment permits from Public Works.

Diana

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**From:** Ed Frymoyer [mailto:edf@emfassoc.com]

**Sent:** Monday, October 23, 2017 5:55 PM

**To:** Diana Shu <dshu@smcgov.org>

**Cc:** [REDACTED] John Berry <berrypress@smcgov.org>; joeguntre@me.com; Austin Harkin <austin.harkin@gmail.com>; marshall781@gmail.com; orissa@sbcglobal.net

**Subject:** Re: Terrace Ave Miramar

It seems to me that Terrace road work requires a county permit like for a house, major landscaping and like for Miramar Drive - adjacent .

See the McCracken letter

Ed Frymoyer  
22 Terrace

Sent from my iPhone

On Oct 23, 2017, at 7:50 PM, Diana Shu <[dshu@smcgov.org](mailto:dshu@smcgov.org)> wrote:

  
I am sorry, but the decision not to dedicate the road for public use was done a long time ago by the people who owned the land.

Seems to me that a bunch of people used this road for 17-18 years. And now the road needs to be repaired. So you need to talk to your neighbors about repairs.

Diana

---

**From:**   
**Sent:** Monday, October 23, 2017 4:26 PM  
**To:** Diana Shu <[dshu@smcgov.org](mailto:dshu@smcgov.org)>  
**Cc:** John Berry <[berrypassociates@sbcglobal.net](mailto:berrypassociates@sbcglobal.net)>; joeguntre@me.com; Austin Harkin <[austin.harkin@gmail.com](mailto:austin.harkin@gmail.com)>; [marshall781@gmail.com](mailto:marshall781@gmail.com); [orissa@sbcglobal.net](mailto:orissa@sbcglobal.net); [edf@emfassoc.com](mailto:edf@emfassoc.com)  
**Subject:** Re: Terrace Ave Miramar

Diana,

You are clearly missing the point!

1. TJ brought in over 600-700 yds of fill. The ordinance says over 250 Yds would of required a CDP. They have created a Life and Safety, Hazardous situation which I want the County to enforce. I want the fill removed as it was imported and placed without a permit or compaction. It is clearly creeping towards my property as well the fill at the toe has been placed all over my property. I will not allow the county to turn its back on this dangerous situation. I have filled out a complaint for for code violations private road or not! If you are telling me this is not of your concern then who do I contact regarding Public Works, Building and Planning?

Thank You

Sent from my iPhone

On Oct 23, 2017, at 3:42 PM, Diana Shu <[dshu@smcgov.org](mailto:dshu@smcgov.org)> wrote:

Thank you for your inquiry and information regarding the road work done on Terrace Ave.

- 1) It appears that the paving work was done around 1999 in the right of way of Terrace Ave. One leg has a 50 ft right of way, the other a 40 ft right of way.
- 2) Terrace Ave is not a publicly maintained street so the work was probably done by contractors hired by the homeowner(s)
- 3) Terrace Ave was not dedicated to the public when the owners created the subdivision and therefore was not accepted by the county in 1907. See attached.
- 4) Per your emails, it seems that someone (TJ?) paved the road 17-18 years ago which others in the subdivision have been allowed to use.
- 5) On private roads, such as this one, it is common practice for property owners on a street to share in the cost of road maintenance and upgrade through formal or informal agreements. Costs are equally divided, or divided by frontage along the road, or some other combination that is agreeable to the private parties.
- 6) The Department of Public Works does not maintain this street and would not have issued an encroachment permit for work on a private road.

Please let us know if you have further questions,

Diana

**From:** [REDACTED]  
**Sent:** Monday, October 23, 2017 7:33 AM

To: Diana Shu <dshu@smcgov.org>

Cc: John Berry <berrypassociates@sbcglobal.net>; joeguntre@me.com; Austin Harkin <austin.harkin@gmail.com>; marshall781@gmail.com; orissa@sbcglobal.net; edf@emfassoc.com

Subject: Fwd: Terrace Ave Miramar

Diana,

All the neighbors on Terrace Ave are attached. Please review the email from Austin.

[REDACTED]

Sent from my iPhone

Begin forwarded message:

**From:** Austin Harkin <austin.harkin@gmail.com>

**Date:** October 20, 2017 at 3:24:55 PM PDT

**To:** [REDACTED]

**Subject: Re: Terrace Ave Miramar**

Hi [REDACTED] nice talking to you earlier. With regards to time line on when Terrace Ave got widened, in the fall of 1999 when I was constructing 23 Terrace a paving contractor Alaniz Construction moved in equipment to start work on the street in front of 18 Terrace Ave. Because of the affect this work would have on my project I called the public works department to check if the necessary permits were issued for the work. There was no record of any permit.

The following all the equipment was removed and no work was performed at that time.

Some time after I completed my project at 23 Terrace probable in the spring or summer of 2000 Terrace Ave was significantly widened and paved.

Sincerely

Austin Harkin.

Sent from my iPhone

<MX-M283N\_20171023\_162507.pdf>



This email has been checked for viruses by Avast antivirus software.  
[www.avast.com](http://www.avast.com)

## Ana Santiago

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**From:** Camille Leung  
**Sent:** Wednesday, October 25, 2017 9:23 AM  
**To:** [REDACTED] Dennis Aguirre  
**Cc:** Ana Santiago; Joe Lo Coco; Diana Shu; Joan Kling  
**Subject:** RE: Terrace Ave

Hi [REDACTED]

As stated in an email on 10/17/17, the case has been assigned to Ana Santiago (650-363-7832) in the Code Compliance Section for investigation. Please forward the additional information to Ana (see email address above). She will work with her supervisor to set up a meeting with Steve and DPW as necessary to address the safety concerns.

Thanks :)

-----Original Message-----

**From:** [REDACTED]  
**Sent:** Wednesday, October 25, 2017 7:34 AM  
**To:** Camille Leung <cleung@smcgov.org>; Dennis Aguirre <daguirre@smcgov.org>  
**Subject:** Terrace Ave

Good Morning Camille,

I have a host of additional information regarding the un-engineered fill that TJ imported onto Terrace Ave.

I also want to include the Planning Director Steve and set up a meeting with the code enforcement officer or who ever is working on the complaint I filled.

Also as a condition of approval regarding the subdivision a maintenance agreement for both Miramar drive and Terrace was supposed to be recorded and never was.

I have all the neighbors now involved and concerned about the stability of Terrace Ave sustaining another Winter. This is clearly a Life and Safety issue.

Thank you Camille and please direct me to the proper agency.

[REDACTED]

Sent from my iPhone

## Ana Santiago

---

**From:** [REDACTED]  
**Sent:** Thursday, October 26, 2017 7:32 AM  
**To:** Ana Santiago; Joe Lo Coco  
**Cc:** 'Steve Peterson'; 'Orlando Tabios'; 'Deborah Marshall'; edf@emfassoc.com; Dennis Aguirre; cleung@smcgov.com  
**Subject:** RE: Terrace Ave  
**Attachments:** Re: Terrace Ave Miramar; Miramar Terrace Ave Guntren Chowdry letter .pdf; Fwd: Terrace Av; Miramar Terrace Conditions

Good Morning Ana,

I have attached information regarding some of the activity that went on regarding the importing of fill with no engineering; which was done with no permit.

Austin Harkin had stopped TJ when TJ had trucks ready to dump loads of fill off the side of the road to widen Terrace Ave. He called the county when he was building the house down the street and the county stopped them TJ as they had no permits. TJ successfully performed the work at a later date and imported approx.. 6-700 yds of fill without a CDP and no engineering. The loads were dumped off the side of 16' interim construction road to increase its width twice of what it was.

That fill is now sliding off onto my property creating a hazardous situation.

I'm asking the county to enforce the code (ordinances ) which would require an after the fact CDP.

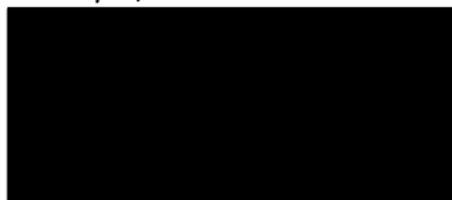
I would also like the county to hold the developer of the subdivision responsible to uphold the conditions of approval a portion of those conditions are attached for your review. You can also review the conditions of approval from the project file itself. Please refer to items number four which includes the department of PUBLIC WORKS.

Please consult Dennis Aguirre for the photos he has of the gravel interim road provided by the Developer Joe Guntren prior to the import of the fill.

The photos also represent a large Eucalyptus tree that TJ cut down and left on property which is still there.

TJ appealed my project all the way to the Board of Supervisors twice and was denied both times. The reason for his appeal: He was trying to extort a retaining wall out of me to support the very fill he imported.

Thank you,



-----Original Message-----

**From:** Camille Leung [mailto:cleung@smcgov.org]

**Sent:** Wednesday, October 25, 2017 9:23 AM

**To:** [REDACTED]; Dennis Aguirre <daguirre@smcgov.org>

**Cc:** Ana Santiago <amsantiago@smcgov.org>; Joe Lo Coco <jlococo@smcgov.org>; Diana Shu <dshu@smcgov.org>; Joan Kling <jkling@smcgov.org>

**Subject:** RE: Terrace Ave

Hi [REDACTED]

As stated in an email on 10/17/17, the case has been assigned to Ana Santiago (650-363-7832) in the Code Compliance Section for investigation.

Please forward the additional information to Ana (see email address above).

She will work with her supervisor to set up a meeting with Steve and DPW as necessary to address the safety concerns.

Thanks :)

-----Original Message-----

From: [REDACTED]  
Sent: Wednesday, October 25, 2017 7:34 AM  
To: Camille Leung <cleung@smcgov.org>; Dennis Aguirre <daguirre@smcgov.org>  
Subject: Terrace Ave

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Also as a condition of approval regarding the subdivision a maintenance agreement for both Miramar drive and Terrace was supposed to be recorded and never was.

I have all the neighbors now involved and concerned about the stability of Terrace Ave sustaining another Winter. This is clearly a Life and Safety issue.

Thank you Camille and please direct me to the proper agency.

[REDACTED]  
Sent from my iPhone

Environmental Services Agency  
Planning and Building Division



Planning Division • 415/363-4161 • FAX 363-4849

Building Inspection Section • 415/363-4601 • FAX 363-4849

## County of San Mateo

Mail Drop 5500 • 590 Hamilton Street, 2nd Floor • Redwood City • California 94063

Board of Supervisors  
Anna G. Eshoo  
Mary Griffin  
Tom Huening  
Tom Nolan  
William J. Schumacher  
Director of  
Environmental Services  
Paul M. Koenig  
Planning Administrator  
Terry L. Burnes

June 4, 1992

Bob Williamson  
775 Railroad Avenue  
Half Moon Bay, CA 94019

Joe Guntren  
P.O. Box 370389  
Montara, CA 94037

Dear Mr. Williamson and Mr. Guntren:

**SUBJECT: NOTICE OF FINAL LOCAL DECISION**

Bob Williamson and Joe Guntren - LLA 92-0001, SMN 91-0017,  
SIE 91-0002 and CDP 91-00553 (Location: Terrace Avenue and  
Miramar Drive, Miramar)

On May 26, 1992, the Board of Supervisors considered an appeal of your applications for a Lot Line Adjustment, Minor Subdivision, Street Improvement Exception and Coastal Development Permit, pursuant to the Regulations of the County Subdivision Ordinance and the State Subdivision Map Act and Sections 8104 and 6328.4 of the County Ordinance Code, respectively, to allow for the creation of seven parcels from four existing legal parcels; the installation of a water service main and a sewer service main; the underground extension of gas, electrical, cable and phone lines; and the creation of a private road which would have a maximum slope of 23.5% where 15% slope is the maximum allowable. A grading permit, which was not part of this application, would be required prior to roadway construction. The Coastal Development Permit for the subdivision only is appealable to the California Coastal Commission (APNs 048-073-010 and 048-074-020).

Based on the information provided by staff and evidence presented at this hearing, the Board of Supervisors denied the appeal and upheld the Planning Commission's approval by making the findings and adopting the recommended conditions of approval, as follows:

**FINDINGS**

**Regarding the Negative Declaration**

1. That the Negative Declaration reflects the independent judgment of San Mateo County.

Ex 2  
P2

Bob Williamson  
Joe Guntren  
June 4, 1992  
Page 4

4. The applicants shall record documents which address maintenance responsibilities of both the private road and any private drainage facilities which may be constructed. Prior to recording these documents, they shall be submitted to the Department of Public Works for review.
5. The applicants shall prepare a plan indicating the proposed method of sewerage for these properties. This plan should be included on the improvement plans (per Condition #2), and submitted to the Department of Public Works for review. Upon completion of this review, the applicants or their engineer shall have these approved plans signed by the appropriate sewer district.
6. The applicants shall dedicate sanitary sewer easements for any portion of the sewer main which lies outside of existing public sanitary sewer easements, if applicable.
7. The applicants shall submit, to both the Department of Public Works and the Planning Division, written certification from the appropriate water district (Redwood City Water) stating that their requirements to provide water service connections to the proposed parcels of this subdivision have been met.
8. Any potable water system work required by the appropriate district within the County right-of-way shall not be commenced until County requirements for the issuance of an encroachment permit have been met. Plans for such work shall be reviewed by the Department of Public Works prior to the issuance of the permit.
9. The applicants shall submit written certification from the appropriate energy and communication utilities to the Department of Public Works and the Planning Division stating that they will provide energy and communication services to the proposed parcels of this subdivision.
10. Any proposed construction work within the County right-of-way shall not begin until County requirements for the issuance of an encroachment permit, including review of the plans, have been met.
11. "As-Built" plans of all construction required by these conditions shall be prepared and signed by the subdivider's engineer upon completion of all work. The "As-Built" plans shall be accompanied by a written certification from the engineer that all private facilities have been completed in conformance with the approved plans.
12. The applicants shall submit a plan to the Department of Public Works showing driveway access to each of the parcels complying with County standards for driveway slopes (not exceeding 20%). This plan and

Ex 2  
p5

Bob Williamson  
Joe Guntren  
June 4, 1992  
Page 3

Regarding the Street Improvement Exception

13. That extraordinary hardship or damage would be imposed on the applicants if the strict application of the County road standards were followed. The modifications proposed in this application are in harmony with the general purpose and objectives of the County street improvement regulations and the public health, safety, and welfare of the people of San Mateo County will be protected.

Regarding the Coastal Development Permit

14. That on the basis of the information contained in the staff report, the project conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program.

CONDITIONS OF APPROVAL

Department of Public Works

1. The applicants shall provide appropriate documentation to the Department of Public Works and to the Planning Division confirming that portions of Hermosa Avenue and portions of Alto Avenue have, in fact, been abandoned and/or vacated as indicated on the Vestino Tentative Map.
2. The applicants shall have designed (by a registered civil engineer) and the applicants shall construct an on-site private street to serve the proposed lots of this subdivision. This street shall be designed and constructed to no less than the standards for an "Urban Private Street." The street shall be posted for no parking and it shall terminate in a turnaround meeting the requirements of the applicable fire jurisdiction and the San Mateo County Department of Public Works.
3. The applicants shall have prepared, by a registered civil engineer, a drainage analysis of the proposed subdivision and submit it to the Department of Public Works for review and approval. The drainage analysis shall consist of a written narrative and a plan. The flow of the storm water onto, over, and off the property being subdivided shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow.

The analysis shall detail the measures necessary to certify adequate drainage. Post development flows and velocities shall not exceed those that existed in the pre-developed state. Recommended measures shall be designed and included in the street improvement plans (per Condition #2), and submitted to the Department of Public Works for review and approval.

Ex 2  
p4

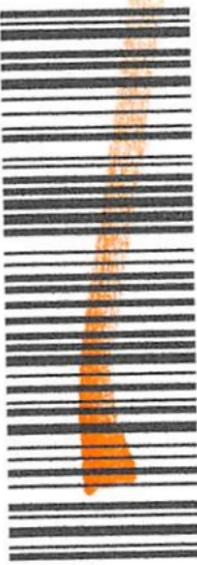
CERTIFIED MAIL™

FIRST-CLASS MAIL

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11/03/2017

US POSTAGE \$006.50

ZIP 94063  
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7009 2820 0001 6648 7639

County of San Mateo  
Planning & Building Department  
455 County Center, 2nd Floor  
Redwood City, California 94063



Ans

11/7  
TEG PARTNERS, LLC  
18 TERRACE AVE  
Half Moon Bay, CA

1st NOTICE 11/18  
2nd NOTICE 11/23  
RETURNED 11/23

SAN MATEO COUNTY  
PLANNING AND BUILDING  
DEPARTMENT

2017 DEC -5

RECEIVED

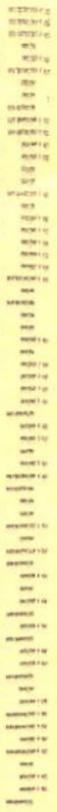
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NIXIE 957 DENY  
RETURN TO COUNTY  
UNCLAIMED  
UNABLE TO FORWARD

1: 94009226413362

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**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

TEG PARTNERS, LLC  
18. TERRACE AVE  
Half Moon Bay, CA 94019

2. Article Number  
(Transfer from service lab)

7009 2820 0001 6648 7639

PS Form 3811, July 2013

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

- Agent  
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Certified Mail®     Priority Mail Express™  
 Registered         Return Receipt for Merchandise  
 Insured Mail         Collect on Delivery

4. Restricted Delivery? (Extra Fee)  Yes

Domestic Return Receipt



VIO: 2017-00054

**NOTICE OF VIOLATION**

COUNTY OF SAN MATEO  
PLANNING AND BUILDING DEPARTMENT  
CODE ENFORCEMENT DIVISION, 455 COUNTY CENTER  
REDWOOD CITY, CA 94063 (650)363-4825

DATE Novemeber 3, 2017

TIME 10:30 AM

An inspection of the premises located at 655 Mirmar Dr. in the County of San Mateo revealed the following San Mateo Code violation(s)

Name of Property Owner: **TEG Partners, LLC**

Address if Different Than Violation(s): **16 Terrace Ave, Half Moon Bay, Ca 94019**

THE VIOLATION(S) MUST BE CORRECTED BY November 17, 2017

**A REINSPECTION WILL BE MADE ON OR AFTER THE CORRECTION DATE TO VERIFY COMPLIANCE. SEE REVERSE SIDE FOR FAILURE TO COMPLY NOTICE**

SECTION(S) VIOLATED Please note items checked below for compliance requirements.

- SMC sec 7.60.140 Inoperative, wrecked, or dismantled vehicle(s), trailer(s), or boat(s):** Remove all inoperable, wrecked, dismantled, and/or not currently registered vehicles from property or relocate into fully enclosed structure. DO NOT relocate onto public street.
- SMC sec 1.08.040 Garbage, litter, debris, junk, lumber, broken/discarded furnitue** Remove all accumulation of garbage, litter, debris, junk, lumbr, broken/discarded furniture and/or household items, including \_\_\_\_\_
- SMC sec 1.08.040 Overgrown Vegetation:** Remove any overgrown and/or dead vegetation, including weeds, tall grass etc.
- SMC sec 6412(a)(b) Fences, walls, and hedges shall not exceed four (4) ft. in height in front yard and six (6) ft. in height in year yard areas:** You must reduce fence, wall, and/or hedge to not exceed the required height limitations.
- SMC sec 8602.0 Excavating, grading, filling, and/or land clearing without an approved grading permit is prohibited:** Immediately cease all work, apply for and obtian a grading permit with the Planning Department.
- SMC sec 11.051 & 12.020. Permit Required to cut, remove, destroy any significant tree, whether indigenous or exotic, on any private property:** You must apply for and obtain an after the fact tree-cutting permit with the Planning Department.
- Contact the San Mateo County Planning Dept. at the above address or (650) 363-1825**
- Other** You must complete the application for the CDP (Coast Development Permit)
- Other** \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on the date shown above.

Ana Santiago

Digitally signed by Ana Santiago  
DN: cn=Ana Santiago, o=Code Enforcement, ou=Planning and Building  
email=ana.santiago@smcgov.org, c=US  
Date: 2017.11.13 10:55:27 -0700

Ana Santiago

SIGNATURE / PRINT NAME OF ISSUING OFFICER

White (responsible person)

Yellow (file)

## ADMINISTRATIVE CITATIONS

### PLEASE READ CAREFULLY

AVISO IMPORTANTE: SI DESEA UNA TRADUCCIÓN, FAVOR DE LLAMAR AL NÚMERO (650) 363-4825

San Mateo County Code of Ordinances Section 1.40.050 provides for the issuance of Administrative Citations for violations of the Code. There are four levels of citations that may be issued progressively for a violation. The levels, as indicated on the front of the citation, are a Warning, a First Citation - \$100, a Second Citation - \$200, and a Third and subsequent Citations - \$500 for violations of the same San Mateo County code section within a 12-month period. Fines are per violation and are cumulative.

#### A. RIGHTS OF APPEAL

You have the right to contest the fact that the violation existed or that you are not the responsible party for said violation. The appeal must be made within 14 days from the date of the Administrative Citation. Within 14 days of issuance of the citation, you must submit a Request for Hearing Form along with a processing fee and an advance deposit of the Administrative Citation penalty.

A Request for Hearing Form may be obtained from the Planning and Building Department and the person specified on the Administrative Citation. The Request for Hearing Form shall include a brief statement of material facts supporting the appellant's claim that no violation occurred or no penalties or other remedies shall be imposed.

A valid and complete Request for Hearing will result in an Administrative Appeal Hearing.

*A warning, if issued, does not incur a fine and, therefore, cannot be appealed.*

#### B. HOW TO PAY FINE

The amount of the fine is indicated on the front of the administrative citation and is due within 14 days of the issue date of the citation. You may pay by mail or in person. Payment should be made by credit card, personal check, cashier's check, or money order payable to the County of San Mateo. Payment should be made at the address below. Please write the citation number on your check or money order.

County of San Mateo  
Planning and Building Department  
455 County Center 2<sup>nd</sup> floor  
Redwood City, CA 94063  
Attention: Code Compliance / Administrative Citations

*Payment of any fine shall not excuse the failure to correct the violation nor shall it stop further enforcement by the County.*

#### C. CONSEQUENCES FOR FAILURE TO PAY THE FINE

If the fine is not paid within 14 days of the issue date of the citation, the County may collect any past due administrative citation penalty, late payment charge, and costs of collection by use of any and all available legal means.

#### D. CONSEQUENCES OF FAILURE TO CORRECT VIOLATIONS

There are numerous other enforcement options that may be used to encourage correction of violations. These options include, but are not limited to: criminal prosecution, civil litigation, abatement, recording the violation with the County Recorder, and forfeiture of certain benefits for substandard residential rental property.

If you need further information about the violation and/or how to comply, please call the officer designated on the front of the citation.

AVISO IMPORTANTE: SI DESEA UNA TRADUCCIÓN, FAVOR DE LLAMAR AL NÚMERO (650) 363-4825

## Joan Kling

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**From:** Tejinder singh <tjsingh007@me.com>  
**Sent:** Friday, April 06, 2018 2:53 PM  
**To:** Joan Kling  
**Subject:** Fwd: Update

Hello Joan,

Trip was delighted to meet with you yesterday.

I responded with the email below to Ana and based on my conversation with her, this case does not need to be reopened again.

We are in the lawsuit with the other party. They keep moving the trial date and never made it to any of the earlier dates. The lawsuit is now set for the week of July 30th. Once the lawsuit is resolved, we will be coming to the county with our new driveway plan (the engineering designs are almost complete) for approval.

Thanks

With kind regards

TJ Singh

Begin forwarded message:

**From:** Tejinder singh <tjsingh007@me.com>  
**Date:** November 16, 2017 7:50:55 PM  
**To:** "Ana M. Santiago" <AMSantiago@smcgov.org>  
**Subject:** Notice

Dear Ana,

I am attaching the Notice of Violation that you gave Trip last Thursday.

I have carefully reviewed the Notice of Violation and I can assure you that we are not in violation of SMC sec 6412(a)(b). We have always strived to be fully compliant with every County, State and Federal codes and believe that we are in compliance with all codes regarding the fence. The fence does not obstruct any views either.

Chapter 13.20, COASTAL ZONE REGULATIONS, 13.20.061 Improvements to existing single-family residences exemption, makes reference to the “fence” permit exception.

“... no coastal development permit is required for improvements to existing single-family residences (including to fixtures and other structures directly attached to the residence; structures on the property normally associated with a single-family residence, such as garages, swimming pools in-ground and above-ground, hot tubs, fences, decks, storage sheds, and attached low-profile solar panels, and landscaping on the property, but not including guest houses or self-contained residential units). Allowed improvements that do not require a coastal development permit include additions of less than 500 square feet outside the appeal jurisdiction of the Coastal Commission, remodels, alterations, replacement of existing water storage tanks, wells or septic systems serving an existing single-family residence where there is no expansion of the replaced feature or its capacity, and new accessory structures except for self-contained residential units including second units (as defined in SCCC 13.10.700-S; see also SCCC 13.20.107 and 13.20.108).” Single family residences may have on for more APNs. The fence is an integral part of the single family residence 655 Miramar, Half Moon Bay, CA 94019 which has existed for several decades as such.

When you get a chance, if you prefer, please suggest a convenient time to schedule an inspection on site. I am on an international travel until early December and anytime after that would work for me.

Since we are not in violation of the cited violation SMC sec 6412(a)(b), I respectfully request that the violation be removed. Further, due to my international travel, I will appreciate if we can schedule a visit on site in early December when I return, to further assure you. In the meantime, I would appreciate that we may not be subject to any deadlines until the on site visit in early December.

Following link has additional details for your kind consideration.

<https://www.dropbox.com/s/fg5rxsl6n899a31/Notice%20of%20Violation%20brief%20response.pdf?dl=0>

If needed, you may please reach me in India at +91 888 289 5878

Thanks

Kind regards

TJ Singh