

**From:** [Summer Burlison](#)  
**To:** [Lisa Aozasa](#); [John Bologna](#)  
**Subject:** FW: VIO2017-00054 - Traffic Safety Concerns re: Unpermitted fence  
**Date:** Thursday, October 28, 2021 8:51:00 AM

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Hi Lisa, John,

Anne Martin has a few follow up questions (below) to TEG's appeal of their fence violation. My only involvement on this vio has been taking in fee payments at the counter for the citation and appeal though. I'm not sure if a hearing date has been set yet. Let me know if I can help in providing a response to Anne.

Thanks,  
Summer

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**From:** Anne Martin [REDACTED]  
**Sent:** Thursday, October 28, 2021 4:56 PM  
**To:** Summer Burlison <[sburlison@smcgov.org](mailto:sburlison@smcgov.org)>  
**Subject:** Fwd: VIO2017-00054 - Traffic Safety Concerns re: Unpermitted fence

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Hi Summer,

Earlier this week I sent the the email below to Steve, Lisa and Camille relating two incidents that happened during last week's series of storms that clearly demonstrate the continuing safety hazard caused by the illegal fence obstructing access to the residence at 655 Miramar Drive.

I apologize for not including you on the initial email.

If you wish, I can send the videos from my security camera showing the incidents that occurred last week which could have resulted in serious accidents.

I would appreciate being advised of the date of the hearing on TEG's appeal of this violation and would also like to know if we can submit documentation to the hearing officer(s) in addition to making a statement. Also, is it possible for me to obtain the documents submitted by TEG supporting their appeal of the violation.

Thank you so much.

Best,

Anne Martin

----- Forwarded message -----

From: **Anne Martin** [REDACTED]

Date: Mon, Oct 25, 2021 at 4:18 PM

Subject: VIO2017-00054 - Traffic Safety Concerns re: Unpermitted fence

To: Steve Monowitz <[smonowitz@smcgov.org](mailto:smonowitz@smcgov.org)>

Cc: Lisa Aozasa <[laozasa@smcgov.org](mailto:laozasa@smcgov.org)>, <[cleung@smcgov.org](mailto:cleung@smcgov.org)>

Dear Steve,

I wanted to bring to your attention two dangerous traffic incidents that occurred over the last few days related to the illegal fence on the boundary of APN 048-076-120 ("TEG Lot") owned by TEG Partners LLC ("TEG") and the CCWD parcel.

I'm aware that TEG has filed an appeal with respect to this violation, however in light of the fact this unpermitted fence on an undeveloped lot continues to pose a severe safety hazard to our community, especially during the current rainy season, I am requesting that the County consider taking action to have this fence removed before the hearing date due to the hazard this poses to public safety.

Over the last few days, our coastal community has experienced heavy rainfall making our roads – especially dirt roads – extremely hazardous. The ongoing safety issue posed by this unpermitted fence is highlighted by two recent incidents:

- On Thursday October 21, after a night and during a morning of steady rain, my security camera, showed a doggie daycare van drive up the dirt road leading to the Miramar water tank ("Upper Miramar Drive") at approximately 9:03 am to pick up the dog belonging to the Blantons who live at 655 Miramar Drive. Because of the unpermitted fence at the entrance to the Blantons' driveway, the van was unable to turn around to drive safely down Upper Miramar Drive and was forced drive backwards 77 yards down a steep muddy dirt road in order to reach the paved portion of Miramar Drive.

Later that day at around 3 PM, the van attempted to drive up the Blantons' easement driveway but was unable to do so because of the muddy conditions. Once again, because of the illegal fence, the van was unable to turn around at the entrance to the driveway and was forced to drive backwards down Upper Miramar Drive under very muddy., slippery conditions.

This incident underscores the continuing danger posed by the illegal fence in forcing vehicles to drive backwards down a steep dirt road into an intersection where pedestrians, bicyclists and vehicles are coming from four different directions. When Upper Miramar Drive becomes muddy from winter storms, the likelihood of a vehicle skidding and losing control increases which increases the risk of a serious accident.

- The following day, Friday October 22, I witnessed on my security cameras a near

accident caused by the illegal fence restricting vehicles' ability to safely maneuver at the entrance to the easement driveway for the home located at 655 Miramar Drive.

At 6:01 PM, my camera showed Carrie Blanton, one of the homeowners of 655 Miramar Drive, driving up Upper Miramar Drive with her two young children toward her easement driveway. As she was about to turn into her driveway, a large work truck driven by a worker working for TEG, drove quickly down the driveway and stopped. Because the illegal fence creates a chokepoint making it very difficult for two vehicles to safely maneuver in the driveway, it appeared that Carrie was blocked from entering her driveway. The work truck then drove down the driveway toward her car and, because of the inability to maneuver due to the fence, almost hit her car head on. After almost causing an accident, the truck backed into the CCWD lot which allowed Carrie to drive up her driveway to her home. Fortunately, an accident that could have injured young children was avoided. This is another example of the hazardous traffic situation caused by the chokepoint created by the illegal fence. It's only a matter of time before a serious collision occurs in that location.

Since the fence was installed in January 2017, no family has lived in the residence at 655 Miramar for any length of time. The prior owners, the McIvers, had a few tenants who lived there for relatively short periods, who were single people who didn't have children. For much of the time that the fence has been up, no one has been living at 655 Miramar Drive and using the easement driveway on a regular basis.

Now that a family is using this driveway on a regular basis, the illegal fence is becoming more and more of a safety issue. Now that we're in the rainy season, Upper Miramar Drive will become slippery and muddy and even more treacherous for vehicles forced to drive backwards down the road.

My concern is that if the county doesn't take decisive action to remove this fence, it will continue to be a hazard in our community while TEG continues its pattern of delays and appeals that have gone on for four years.

Please consider taking the appropriate action to have this fence removed as soon as possible.

Thank you for your consideration.

Sincerely,

**Anne**

Anne C. Martin

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**Anne**

Anne C. Martin