

DEPARTMENT: Public Works

BY: Allen Toschi

PHONE: 966-5356

**RECOMMENDED ACTION AND JUSTIFICATION:**

Waive the \$120.00 encroachment <sup>permit</sup> fee for Stacy Piro for work done at 7034 Hites Cove Road.

In addition to a standard private drive approach, the property owner installed additional pavement and minor drainage work to eliminate a low spot in the dirt shoulder/ditch. It has been requested that since additional work was done by the property owner, minimizing the need for (drainage/ditch) maintenance by the Road Division, the standard fee should be waived in recognition of this contribution.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:**

In the past, the Board has waived encroachment fees for various reasons.

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

Do not waive the encroachment fee; the property owner would be required to pay the \$120.00 fee.

Financial Impact? ( ) Yes ( <input checked="" type="checkbox"/> ) No	Current FY Cost: \$120.00	Annual Recurring Cost: \$
Budgeted In Current FY? ( ) Yes ( ) No ( ) Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively
Additional Funding Needed: \$ _____		1. Request for encroachment permit waiver
Source:		2. Encroachment permit
Internal Transfer _____		3. Site pictures
Unanticipated Revenue _____ 4/5's vote		
Transfer Between Funds _____ 4/5's vote		
Contingency _____ 4/5's vote		
( ) General ( ) Other		

**CLERK'S USE ONLY:**

Res. No.: 11-354 Ord. No. \_\_\_\_\_  
 Vote - Ayes: 3 Noes: \_\_\_\_\_  
 Absent: Wagner, Cain  
 Approved  
 Minute Order Attached  No Action Necessary

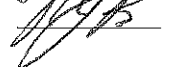
**COUNTY ADMINISTRATIVE OFFICER:**

Requested Action Recommended  
 No Opinion  
 Comments:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

The foregoing instrument is a correct copy of the original on file in this office.

Date: \_\_\_\_\_  
 Attest: MARGIE WILLIAMS, Clerk of the Board  
 County of Mariposa, State of California

By: \_\_\_\_\_  
 Deputy

CAO: 

**From:** Stacey Piro [mailto:stacey\_4442003@yahoo.com]  
**Sent:** Sunday, June 26, 2011 6:21 PM  
**To:** Jim Allen  
**Subject:** Request

RE: Property at 7034 Hites Cove Rd.  
Request: waiver encroachment permit fee

Dear Supervisor Allen,

I own the property referenced above. I made contact with the County Building Department several times regarding the drainage problem in front of this residence, a problem they acknowledged existed since the subdivision was built. My property appears to be 'on the flat' resulting in rain and snow pooling at the entrance of the driveway.

My parents owned the property before me [Joseph & LaVerne Piro] and they contacted the County regarding the lack of drainage. It's my understanding that two drains were place on Hites Cove Rd. and that one was later plugged. I don't know much about the drains, as I wasn't privy to who did what and when. Obviously, the drains didn't do the job. Hites Cove Rd. was not constructed with drainage in mind.

I've attached several photos of the problem and the work I hired out to remedy the problem. Since most of the work completed is on county right-of-way, and included an alteration to the DI to get rid of the water and build-up of the approach area to help move the water, all with the County's blessing, I request that the encroachment fee be waived.

Please come by and take a look at the property and the improvement to the county easement and to my property. I am home on Wednesdays and Thursdays and would enjoy visiting with you.

Stacey Piro  
7034 Hites Cove Rd.  
Mariposa 95338

stacey\_4442003@yahoo.com  
209-966-7371

# COUNTY of MARIPOSA



**Allen Toschi**  
*Director*

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Mariposa, CA 95338  
Phone: (209) 966-5356  
Fax: (209) 966-2828

## DEPARTMENT OF PUBLIC WORKS

### Divisions of:

Administration	Airport
Cemeteries	County Surveyor Design & Engineering
Construction	Parks & Rec.
Facilities	Solid Waste
Roads	Fleet Maintenance
Transportation	

**Stacey Piro**  
7034 Hites Cove Rd  
Mariposa, CA 95338

Permit Issued: **June 2, 2011**  
Permit No.: **4690**  
Permit Expires: **June 2, 2012**

In compliance with your request as of **June 1, 2011**, and subject to all the terms, conditions and restrictions written below or attached as General Provisions on any part of this form.

**On APN: 009-120-014 AT 7034 Hites Cove Road**

Permission granted to construct one encroachment, conditioned as follows:

1. Use **slight dip** of proper length to preserve existing drainage channel.
2. Install 4" Class II aggregate base at edge of pavement 30' from centerline of the County Road.
3. Call for aggregate base rock inspection **before** asphalt paving.
4. Install 2" of asphalt paving 30' from centerline of the County Road.

**OR**

5. Install 4" (Min) of Class B concrete at edge of pavement 30' from centerline of the County Road.
6. Call for forms inspection **before** pouring.

**-Property Owner Is Responsible For Maintaining Encroachment Thus Preventing Damage To The County Road.**

- Proper traffic control and signing will be maintained when working in the County Road or Right-Of-Way.
- Any resulting road failure shall be repaired, upon request of this office, by the applicant or applicant's contractor.
- Any change other than approved above, requires prior approval.
- Notify this office Forty-Eight (48) hours before starting work and/or road closure(s).
- This permit must be in possession of applicant and/or authorized contractor.
- This permit is to be strictly construed and no work other than that specifically mentioned above is hereby authorized.

Inspection By: No Inspection Date: \_\_\_\_\_

Final Approval By: D. Benson Date: 6/2/11

(2)



(3)

ATTACHMENT #3