

# MONO COUNTY PLANNING COMMISSION

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PO Box 347  
Mammoth Lakes, CA 93546  
760.924.1800, fax 924.1801  
commdev@mono.ca.gov

PO Box 8  
Bridgeport, CA 93517  
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[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

## **Comment letters after agenda packet was distributed Transient Rental Overlay Districts May 14, 2015**

### **GPA 15-001(a) / Hackamore Place**

- Walter R. & Linda C. Briggs
- George W. Gilstes
- Peter Siphron
- Marvin Testerman & Sandra Pritchett

**NOTE:** The applicant contacted staff early Wednesday afternoon to withdraw the application for a TROD at 317 Hackamore Place in Bridgeport.

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### **GPA 15-001(b) / Shear Development**

- Melvin & Patricia J. Dorin
- Rod Goodson & Jill Malone
- Patrick & Catherine Hoefler
- David & Wendy Rosky
- Blake & Carol Sibla
- Ann Tozier & Joe Blommer
- Homeowner petition & emails

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DISTRICT #1  
COMMISSIONER  
Mary Pipersky

DISTRICT #2  
COMMISSIONER  
Rodger B. Thompson

DISTRICT #3  
COMMISSIONER  
Daniel Roberts

DISTRICT #4  
COMMISSIONER  
Scott Bush

DISTRICT #5  
COMMISSIONER  
Chris I. Lizza

**Walter & Linda Briggs**  
**14270 O'Halleran Lane**  
**Olalla, WA 98359**

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MAY 11 2015

MONO COUNTY  
Community Development

06 May 2015

Secretary to the Planning Commission  
P.O. Box 347  
Mammoth Lakes, CA 93546

To Whom It May Concern:

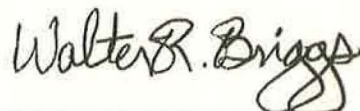
On Tuesday 05 May 2015 we received by mail your notice regarding a proposed "Transient Rental Overlay District (TROD) ... on a single parcel at 317 Hackamore Place, Bridgeport, CA (APN 010-390-002)." We object to and are opposed to this proposal. We own the land and residence at 450 Hackamore Place.

We oppose this proposal because it is inconsistent with adjoining land uses of the other parcels and houses, to wit, single family residential use, not commercial use. Changing the General Land Use Designation Map to allow a TROD at 317 Hackamore Place, Bridgeport, CA, is not consistent with nor in the best interests of the adjacent landowners. The Conditions, Covenants and Restrictions (CCRs) pertaining to the HUDECO, Inc., Subdivision on Hackamore Lane are recorded in Volume 60 Pages 163 et seq. of the Official Records of Mono County, California and run with the land. They state, in part, "No business or profession shall be carried on or conducted upon any portion of said premises." The operation of a transient rental unit is an obvious commercial business and is, therefore, prohibited by the CCRs.

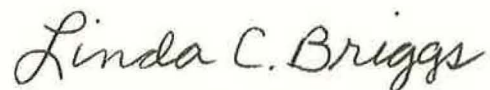
Again, we object to and are opposed to the proposal to establish a TROD at 317 Hackamore Place (APN 010-390-002). We request that the County Planning Commission deny the application for a TROD on subject property.

We request that the County Planning Commission notify us by mail at the above address of their deliberations and decision in this case.

Sincerely,



Walter R. Briggs



Linda C. Briggs

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MAY 11 2015

5/8/15

MONROE COUNTY

Community Development

Regarding the proposal to allow special rental permission (TROP) to the 317 Hackamore place address. We received a notice of this action on MAY 5 - ONLY 9 days prior to the meeting. We have a long-planned foreign trip starting MAY 10 so we have very limited time to respond and this document is the majority of our response.

The residence at 317 HACKAMORE PL is not on Hackamore PL NOR is it on any other street. Because the residence was built on the opposite side of Robinson Creek from the street, the creek separates the residence from Hackamore PL (the street).

As a result the only automotive access to the residence is via a one lane, unpaved, and unplowed (in winter) road at the rear of the property. Much of the road is bordered by brush and trees so that, in general, two cars can't pass each other.

The road initially ~~crosses~~ <sup>crosses</sup> forest-service land with sage brush on the side. It then enters land owned by the Hunevill Ranch bordered by a barbed wire fence. Part of the road has raised rocks which could damage the bottom of a standard car if not driven carefully. The road then crosses an irrigation ditch on a wood bridge which could be broken if an exceptionally heavy vehicle (possibly a motor home) attempted to cross.

The road then provides access to 3 residences via <sup>short</sup> spur roads to the right. The first

~~My~~ residence is 317 (the one requesting the code change), the second is 329 and the third is 367 (which is ours). All these residences are on the back side of Robinson Creek - isolated from Hackamore pl. After our ~~and~~ residence (367) there is a plot of land used by the Honewill DUDE RANCH FOR guest meals (BBQ) and there the road ends.

The road is at present only lightly used. All 3 residences are used only seasonally (not continuous) and the ranch drives in only the cooks, servers, and food. The guests primarily enter either by foot or horse. The ranch only serves meals on specific days.

Despite this light usage, some problems have occurred in the use of this road (which is the only car access to our residence). Our son reported that twice he found his exiting blocked by vehicles coming out from 317. In one case, a vehicle went off the road and was stuck in wet ground. A tree had to be cut down to free it and his trip home was delayed considerably to free it.

In another case, a young man drove thru a <sup>claw</sup> barbed wire gate at the edge of the forest service land and destroyed it. I don't know if it was done because of fright or anger - but it was a significant event. The barbed wire gate was rebuilt by a friend of the Honewill family, but it was built so tight that I had trouble opening it, and certainly my wife could not. Of late, the gate has been left open but it is

still there. If it is ever closed, handicapped drivers could not exit without other help.

All of these problems of passage on this road have centered on residence 217 where the request is to bring in a lot more people - many of them new to the area.

It is easy to imagine a situation of an emergency that drives some to flee ~~out~~ out the road when emergency vehicles are trying to enter and meeting nose-to-nose. It is incompatible with safe operation of a rental.

There is a pedestrian bridge crossing Robinson Creek from Harborone place at the property line between 317 and 329. This bridge, with moderate walking could be a route to the 317 residence but would ~~require~~ require parking on the street which is specifically forbidden by the "Parking" portion of the TROD.

I initially thought that the County rules allow for effectively a motel or hotel. But with further thought, I believe it is much worse. With a motel or hotel (and Mr Doe & Mr's) there is always a full time resident who acts as a manager and can immediately settle any problem or conflict that occurs. With the proposed rental situation there is no such resident and a manager in a remote location

- potentially 10's or even 100's of miles away is in charge.

What has to happen if some rental action destroys our enjoyment of our residence or surrounding? FIRST we have to get the name and phone number of the assigned manager. This requires trespassing on the rented property (hopefully the renter won't mind, where is the front door in this case). We don't have a telephone in our residence and there is no cell phone coverage in the residential area. There is a pay phone in Doc & Al's we could drive to (if the road isn't blocked by a renter on an offroad vehicle). The statement is made that the manager is available 24 hrs (VERY UNLIKELY). If he answers and willingly travels to the rental residence, it is likely that the problem is long gone by the time he arrives.

The other approach is for me to confront the problem renter directly. That ~~may~~ <sup>might</sup> result in violence against me.

NONE of this is a really effective approach

People that pay for lodging, in many cases, have a much different mind-set than those who lodge by a friendship agreement. If people pay for lodging, they often feel they have paid to be able to do pretty much all that pleases them and have little concern for other residents around them. That is just human nature - they want

to get their moneys worth.

When you consider that over the years there may be hordes of people including dogs and children renting, it is likely we will be subjected to the following problems as a residence only 2 lots separated from the rental property:

- Noise and dust from offroad and recreation vehicles running around the area
- Barking dogs
- Scream and Children
- Loud Music
- Throwing Rocks
- Shooting guns
- Trespassing over property lines
- Throwing trash in creek to see it float away
- Loud parties

If you allow this plan to proceed, it will make an already precarious car access situation worse for us and others. To annoy, inconvenience and potentially endanger numerous others for the financial benefit of one - should not be allowed and certainly not sanctioned by the county.

George W. Gilster

BRIDGEPORT ADDRESS 367 HACKAMORE PL, BRIDGEPORT  
 MAIL ADDRESS 592 CITATION WAY THOUSAND OAKS  
 CA 91320  
 HOME PHONE 805-499-2827

**CD Ritter**

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**From:** Tim Fesko  
**Sent:** Monday, May 11, 2015 9:35 AM  
**To:** Peter Siphron  
**Cc:** CD Ritter  
**Subject:** Re: Oppose TROD at Twin Lakes

RECEIVED  
MAY 11 2015  
MONO COUNTY  
Community Development

Thank you for your letter. We will make sure that it gets into the commission packet.

Tim Fesko  
Chairman of the Board  
Mono County Supervisor, District 4  
530-208-6259

*CONFIDENTIALITY NOTICE: This e-mail, including attachments, is intended solely for the person or entity to which it is addressed and may contain confidential, privileged and/or proprietary information. Any review, dissemination, distribution, copying, printing, or other use of this e-mail by persons or entities other than the addressee or his/her authorized agent is prohibited. If you have received this e-mail in error, please contact the sender and delete the material from your computer.*

On May 7, 2015, at 7:16 PM, Peter Siphron <[psiphron@gmail.com](mailto:psiphron@gmail.com)> wrote:

Dear Mono County Officials:

I am a property owner along Hackamore Place, a quiet residential street located between the town of Bridgeport and the Twin Lakes resort area. It has come to my attention that someone with VRBO (vacation rental by owner) aspirations would like to "establish a transient rental overlay district (TROD) at Twin Lakes." I oppose this proposal for the reasons stated below.

I have been coming to the Bridgeport area since I was a teenager nearly four decades ago. Over that time span, it has been refreshing to see that the beautiful and tranquil nature of the Bridgeport area has remained largely intact.

Unfortunately, I have also seen what happens when residential neighborhoods are opened up to short-term rentals. Bringing unlimited strangers into an otherwise quiet and peaceful neighborhood generally increases the occurrence of vandalism, robbery, and disturbing the peace. People renting out a vacation or "party" house simply don't have the same consideration that homeowners do. So disturbances of the peace, destruction of property, and personal harm are all potential issues.

What worries me even more is what might happen if one of the many transient renters, with no vested interest in our community, gets careless and starts a fire. Given Bridgeport's location, these rentals would be almost exclusively during the summer months, when drought and fire hazard conditions are at their peak. It thus seems that, on balance, the costs and legally liability risks far outweigh the modest tax income that Mono County might collect from potential rental activities.

I would therefore like to cast my vote as "NO" with respect to the TROD proposal to be presented at the hearing on May 14, 2015.

Respectfully submitted,  
Peter Siphron



PO Box 584  
Bridgeport, CA 93517

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MONO COUNTY  
Community Development

May 8, 2015

Secretary to the Planning Commission  
PO Box 347  
Mammoth Lakes, CA 93546

Dear Planning Commissioners:

My wife and I are the owners of a home at 467 Hackamore Place, Bridgeport, CA. We purchased this property 20 years ago and have lived as year round residents of Rancheria since before our purchase. We bought this property because of the quiet, beautiful and safe nature of the neighborhood.

We are in receipt of the notice from you indicating a meeting to be held to address a proposal "to amend the General Plan Land Use Designation Map to establish a Transient Rental Overlay District (TROD) at Twin Lakes to allow for nightly rentals on a single parcel at 317 Hackamore Place, Bridgeport, CA."

We are **very much opposed** to the proposed zoning change from residential to commercial in the Rancheria subdivision. Our neighborhood is a quiet, peaceful one, where neighbors know one another and share a sense of community and residential stability. Establishing a transient district changes and jeopardizes the residential character of Rancheria. This subdivision was created as a single-family neighborhood, not one of high occupant turnover on a daily, weekly or monthly basis. We would much rather embrace a permanent resident moving to Rancheria who would become a part of the community with a vested interest in the long term life of Bridgeport. There already exist numerous locales for tourists in the Twin Lakes drainage and Bridgeport that are designated commercial with various lodging options and onsite supervision.

Over the years we've confronted tourists regarding trespass, dogs harassing wildlife, camping, etc. We do not want to police the neighborhood concerning wildlife harassment, pet/human trespass or our greatest fear, the extreme fire hazard in Rancheria because of transient stays.

Again, we reiterate, we want to maintain the residential, community feel of our neighborhood without encroachment of strangers. We will take legal action to prevent this change in zoning if necessary.

Sincerely,

Marvin Testerman/Sandra Pritchett

Secretary to the Planning Commission  
PO Box 347  
Mammoth Lakes, CA 93546

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**MAY 11 2015**

**MONO COUNTY  
Community Development**

RE: General Plan Amendment 15-001 (b)

May 5, 2015

We are writing to give notice of our opposition to the proposed General Plan Amendment 15-001 (b). We do not believe that "Transient Vacation Rentals" zoning is appropriate in a residential area and the current zoning should therefore not be changed to allow this use. We believe that this re-zoning will adversely affect property values in the immediate areas adjacent to the proposed re-zoned location and also create undesirable noise and traffic problems in an otherwise quiet residential area of the Clark Tract in June Lake.

We are the property owners of Parcel 16151022000 registered under the Dorin Trust, 8-8-06, 2510 Banbury Road, Cambria, CA 93428.

Sincerely,

Melvin Dorin, Trustee, The Dorin Trust, 8-8-06



Patricia J. Dorin, Trustee, The Dorin Trust, 8-8-06



2510 Banbury Road  
Cambria, CA 93428  
(408) 734-2307  
dorins1234@gmail.com

**TO:** Mono County Community Development Department Planning Division  
P.O. Box 347, Mammoth Lakes, CA 93546

**FROM:** Rod Goodson and Jill Malone  
100 Mountain View Lane, June Lake, CA 93529

**DATE:** May 7, 2015

**RE:** General Plan Amendment 15-001 (b)  
Transient Rental Overlay District  
June Lake APNs 016-143-040, -019, -039, and 016-152-007, -009, -010

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MAY 11 2015  
MONO COUNTY  
Community Development

Dear Ms. Ritter and the members of the Planning Commission:

We are writing in regard to the proposed Transient Rental Overlay District for the properties referenced above, and we wish to state our strong opposition to this proposal.

We purchased our property on Mountain View Lane in 2001 with the understanding that this neighborhood was, under the law, a non-rental district. To allow a few homeowners (who also purchased their properties knowing this was a non-rental district) to alter the living conditions for the rest of us is both disingenuous and hazardous as outlined by the points below:

The roads in this area are private, are not maintained by the County, and do not have a contract for snow removal. In fact, snow removal on Mountain View Lane is a persistent problem for the residents of this community due to the narrowness, steepness and camber of the road. These circumstances make for risky driving in all seasons, but they are especially dangerous in winter. With the increased traffic this Transient Rental Overlay would bring, Mountain View Lane would become even more precarious, especially for visiting motorists unprepared for such steep, icy, off-camber conditions.

Other issues with the proposed Transient Rental Overlay District for the properties listed above include inadequate parking space for the multiple vehicles that renters would bring, lack of regular trash removal service, inappropriate storage and/or disposal of trash thereby increasing the danger of bear disturbances, an increase in the number of dogs running through the neighborhood off-leash, and loud, disruptive noise from renters who have no investment in a neighborhood where peace and solitude are treasured by its homeowners.

We respectfully ask the Planning Commission to protect the June Lake Clark tract and to show consideration for the homeowners who do abide by the zoning laws that exist here. These zoning ordinances are in place for a good reason and are highly valued by the people in this neighborhood. Changing the zoning in the Clark tract is not only unnecessary, it invites a host of problems that include increased traffic on roads unable to accommodate it and an escalation in accidents, noise, animal disturbances, and debris.

Sincerely,

Rod Goodson and Jill Malone

JILL MALONE  
ROD GOODSON

100 MOUNTAIN VIEW LANE, JUNE LAKE, CA 93529  
760-633-1177

RECEIVED  
MAY 13 2015  
MONO COUNTY  
Community Development

*Patrick & Catherine Hoefer*

*8 Wyoming Street*

*June Lake, CA 93529*

*Secretary to the Planning Commission*

*P.O. Box 347*

*Mammoth Lakes, CA 93546*

*RE: General Plan Amendment 15-001(b)*

*Dear members of the Planning Commission*

- The County has failed the homeowners in the Clark Tract except for a select few who have violated the law for years*
- And the County is tearing apart the heart and soul of our community*

*Where most home owners of the tract have followed the local laws and ordinances a select few have been allowed to illegally rent their properties for years to the detriment of home owners in the tract and now the county is about to reward them for their behavior.*

*We believe the county has intentionally turned a blind eye to the illegal activity because in over seven years of us complaining to the county with rental activity almost weekly the county inspector has never caught them renting. Even though the rentals are listed on a number of internet sites i.e. Vacation Rentals by Owner which includes comments from previous renters and the county has been powerless in enforcing the laws. The county has one inspector for all of Mono County and the inspector cannot inspect or try to enforce laws and regulations throughout the entire county by himself. The county has failed to adequately staff the inspector's office and require that office to enforce the laws and regulations.*

*Another example of how the county has failed our tract is there appears to have been no impact studies on the community. The tract has no association and everything that is done is done voluntarily by the home owners. Snow removal is done through voluntary contributions each year. A few citizens have taken upon themselves to acquire asphalt and fill our pot holes in an attempt to maintain the roads. My wife and I have gone to Lee Vining over six different years and purchased the asphalt and had it placed in our pickup truck and we would go fill the pot holes from the Whispering Pines all the way to our house on Wyoming Street. Many people have told me they thought it was the*

*Whispering Pines doing the repairs but on the contrary they contribute nothing...I understand they do not even contribute for snow removal.*

*Now if one takes a look at the amount of additional traffic created by this rental activity it is easy to see that our roads deteriorate much faster with the additional amount of vehicles driving on our roads. If there are only six properties that are allowed to rent and each rental unit has an average of four cars that equates 24 additional vehicles going back and forth all day and night long plus the vehicles from the maids, managers, garbage, spa, and guests. This impacts the entire tract not just those next to the rental units. I believe those citizens who like us have made voluntary repairs to the roads will finally say why are we doing this for the renters. At that point the roads will be totally destroyed. And when it comes to our roads the county uses the excuse it is a private tract.*

*The process that the county employs to inform homeowners is seriously flawed. Only those owners next to the property in question are notified. The rest of the tract is not informed although the entire tract will be impacted. And one has less than two weeks to respond. The county is slicing out small pieces in the tract where they are changing the zoning but the zoning next to and around the tract remain the same. The tract will end up with a hodge podge of zoning where parts are commercial and other parts are residential. This is ridiculous! I have one petitioner (from an application on Washington Street that was approved) who said he was notified but he was gone on vacation and didn't know until he came back which was already too late. Another petitioner told me they were informed but had just purchased their house and did not know what was going on. This is no way to treat the law abiding homeowners of the tract. Some homeowners who when constructing or purchasing their homes had the intent up front to rent out their homes knowing the zoning was residential and rentals were not allowed. If they cannot afford their home then they should sell.*

*These changes in our tract will in all likely hood remain for the life of the tract...forever. We placed our property on the market because of what the county is doing. We had one renter next door who told me they were really interested in our property but decided that no way did they want to own another property next to a rental because they had gone through that before. So we have languished on the market for three years with no luck at all. Yes we are priced appropriately and will take a huge loss when and if it sells.*

*The sense of community is being taken away from us by the county. One likes to know who their neighbors are... not go outside every other day and one has a new crowd of neighbors and vehicles who cares less about our community. Community is our heart and soul and this is being destroyed.*

*We are helping subsidize the rentals and the businesses in June Lake. We thought this was a conservative county so why don't we let capitalism and the market place do its thing without us home owners subsidizing these people. It is neither our fault nor our responsibility if a business owner makes wrong decisions or is just incompetent.*

*The safety and liability issues that could arise are tremendous. It only takes one person to be injured on ones non rental property even if they are trespassing and be sued and held liable.*

*The county and the current and last supervisor have failed us personally. I communicated and tried to work with both supervisors but I noticed quickly what their agendas were...and those agendas were not for all the people but only for select people who violated the laws.*

*The county states this overlay is to help improve the economic viability of June Lake. This is totally inaccurate because it creates no additional economic viability for June Lake. Here is why...many of the renters I have talked to had previously rented rooms at many of our local motels including the double eagle. It's called spread the wealth away from local business owners and place that money in the pockets of home owners.*

*It's all about beds! There had been a push by Rusty Gregory along with a few of our leading business owners to create more beds. Guess what...if the mountain gets snow or would make snow the people would come and the beds would come naturally without creating havoc by allowing rentals in a residential private tract. More beds do not bring more people and in turn bring more snow to the mountain it is just the opposite. This is simple economics. I wonder how much more money these motel owners would have made if illegal rentals were not occurring? Especially over the past four years! When an entrepreneur sees an opportunity to make money the beds will be created.*

*Transient Rental Overlay has been codified now for about two years. In the code it states any violation of the code will incur a \$1000 fine for the first rental and \$2000 for each rental thereafter. There has been no enforcement of this new code since it was codified. What makes the county think that if these homes are approved that there would be enforcement of the new code since the county has never enforced any code relating to illegal renting?*

*My home will be surrounded by rental homes with at least three homes adjacent to my property, and one property where I provided an easement to cross my property to get to the paper road to construct his house on the other side of the paper road. According to the county attorney I was told that paper roads not used as a road would be shared for use by adjacent property owners. So I have property on the other side of the easement road that cuts through my property and fifty percent use of the paper road. However, the Shea property took over the entire paper road and turned it into his driveway for his renters and the county refusing to rectify the matter. This is not fair and in total contravention of what the county attorneys' stance is on paper roads. Neither Shea or his property manager know where the property limits are.*

*- Problems we have encountered because of illegal rentals:*

*Physical and personal intimidation.*

*Beer bottles, cans and other garbage thrown onto our property.*

*Garbage placed outside for the animals even though I have read the rules provided to the renters to not place garbage outside. It happens anyway and our bears are then exterminated!*

*We have had RV's, campers, boats, trucks, and cars parked on our property and have counted as many as sixteen cars staying at Shea's property where they are parked on the road, on our property, and other owners property.*

*I have had parts of our driveway damaged from renters who use chains to get up the hill or damaged in the summer when the asphalt warms up the big trucks tear up the asphalt.*

*Most of these rental units have no land for the renters to play so they come onto my property.*

*Renters slide down above my property and onto my driveway which in good winters can be as high as eight feet. They have damaged or destroyed numerous young trees I had planted where they do their sledding.*

*I have had rocks thrown onto my roof of the house and chunks of lose pavement from the road dug up and thrown by children all over my driveway while their mother was watching.*

*Renters have entered my driveway and laid huge patches of rubber.*

*We have found ski boots thrown high up into the Juniper tree.*

*Renters have come to our door at all times asking if we had the key to the rental unit or asking for assistance to jump their battery or could they borrow a shovel or our snow blower.*

*Parties late at night ending up on the road under our bedroom keeping us up.*

*Wild flowers which we have tried to maintain are trampled or cut on our property.*

*Pets allowed doing their thing or running loose on my property and they do not pick it up.*

*About half of the renters speed through tract and right through my property on the easement road where most home owners do not speed because they know the dangers that exist on such roads as ours in the Clark tract.*

*Many renters believe they are renting in the wilderness and have the right to go anywhere not realizing these are really private properties.*

*In summary:*

*The illegal renters have joined with the county to bully the entire tract in getting what they want by pulling the blanket over to them...this is not fair.*

*There was no county enforcement before the new code and no enforcement by the county after the new code.*

*The code is forcing neighbors to police other neighbors which in turn creates hate and discontent in the community.*

*The increased wear and tear on the Clark Tract roads would be borne by all homeowners on a voluntary basis and therefore our infrastructure would fall apart in short order.*

*The current owner and manager of the Shea property on California St. have caused physical and personal intimidation therefore how could we ever complain to either one about their renters' violations per the code?*

*Once there is a violation that impacts the neighbor of the rental unit it is already too late...the harm has been done!*

*The safety and liability concerns of the homeowners have not been addressed and these are serious concerns.*

*This activity will not create any additional economic benefit as a whole but in fact just transfer revenue from the motel owners to the homeowners renting their properties.*

*The process the county is employing in notifying homeowners within 100 feet of the proposed rental overlay is flawed because the entire community is impacted because of the roads, increased traffic, and noise.*

*What was once a nice friendly community has changed to seeing new strangers every week who do not care about the community and have no interest in the community.*

*We do not know who these renters are which creates an unsafe feeling throughout the community let alone trespass, vandalism, and possibly home break-ins.*

*Most owners purchased their property knowing the zoning was residential and knowing that would mean no commercial activities would take place around their homes.*

*Of the five proposed homes to be added to this overlay at least two of them I have had problems with their renters and their owners refusing to fix the problem.*

*The list of problems encountered shown above are still continuing to this day.*

*Our property is too close to three of the proposed properties.*

*Sincerely,*

  
Patrick & Catherine Hoefler



**CD Ritter**

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**From:** Scott Burns  
**Sent:** Monday, May 11, 2015 1:17 PM  
**To:** Courtney Weiche; CD Ritter  
**Subject:** FW: Transient Rental Overlay District

**RECEIVED**  
MAY 11 2015  
MONO COUNTY  
Community Development

**From:** Rosky, Wendy [<mailto:Wendy.Rosky@ti.com>]  
**Sent:** Monday, May 11, 2015 8:47 AM  
**To:** Scott Burns  
**Subject:** Transient Rental Overlay District

Hi Scott,

Please enroll our property in June Lake to be part of this Amendment 15-001(b).  
Unfortunately, we cannot be there in person to present.  
Please let us know the procedure to enroll.

Our June Lake home address is: 88 Mountain View Ln.

Our contact information: David Rosky 530-320-0404  
Wendy Rosky 530-718-0628  
Email contact: [Wendy.rosky@gmail.com](mailto:Wendy.rosky@gmail.com)

Thank you and Best Regards,

Wendy Rosky

RECEIVED  
MAY 11 2015  
MONO COUNTY  
Community Development

Mono County Planning Commission  
May 12, 2015

Dear Ladies and Gentlemen,

I wanted to share with you our concerns and objections over the proposed Transient Rental Overlay District (TROD) in June Lake's Clark Tract and ask for your careful deliberation before adjudicating this contentious issue now before you.

As a long-time resident and practicing local area real estate broker for over 35-years, I believe I know this property well. We developed Mountain View Lane, deliberately choosing to make this our home, and undertook great and costly measures to create a desirable and pristine 'residential' neighborhood over the past quarter century.

I've represented all of the Clark Tract properties under consideration and furthermore informed all of the proponents of the 'Land-Use' regulations. All tacitly acknowledged the Use Restrictions and enthusiastically elected to purchase and/or build in this neighborhood because of its beauty and unspoiled character. Unfortunately, many of the TROD proponents have neglected to observe the setback requirements (therefore the parking limitations or in some instances NO on-sight parking), have added 'bootlegged' or non-permitted additions and have violated the zoning regulations with impunity.

And now before us is this controversial and ill-advised proposal. My wife and I, amongst many other local residents, believe the 'zoning use amendment' to be most inappropriate given the residential characteristics of the neighborhood with road, snow removal (or lack thereof), and parking issues, amongst a host of other very real and valid concerns. To wit:

1. **ROAD AND ACCESS:** Clark Tract Roads are not County maintained. The proponents' properties are served by a narrow, one-lane and steep roadway with no turn around. I've witnessed a number of accidents in this location, the last occurring July 4<sup>th</sup> weekend at the Mountain View location.



2. **SNOW REMOVAL:** Mono County does not provide snow removal services. Clark Tract residents' have been forced to take up voluntary-contributions to employ a snow removal company. I personally oversaw and managed that service for nearly 25-years. The snow removal contractor, a professional and experienced operator (Rob Morgan/Marzano & Sons) refuses to plow and remove snow from

Mountain View Lane because the conditions are too dangerous, potential damage to his equipment and liability issues. We on that street have had to fend for ourselves with our individual and haphazard efforts. None of the TROD proponents' have yet truly observed major snow calamities. Snow removal and 'snow-storage,' coupled with 100% 'build-out,' is a real and ongoing problem.



3. **PARKING:** Many of the houses within the proposed district have not observed the required and standardized County setback-requirements nor the provision to provide snow storage. As a result limited or NO-onsite-parking issues have arisen. I've witnessed our neighbors and their guest having to park on the neighboring properties of others and/or forced to park vehicles in the subdivision road right-of-way. Further, as indicated in the proponents' application letters, garage parking is off-limits thereby exacerbating this very issue and violating the minimum standards for adoption and passage of the proposal.
4. **TRASH, LIGHTING AND NUSANCE ISSUES:** I've observed carelessly discarded trash, litter and dog defecation which I've gathered and disposed of on my morning walks. This occurs most frequently when transient occupants are in residency. Bears have been drawn to these 'nightly-rentals' and wreaked havoc.



Frequent exterior-lighting from these properties is obnoxious and pollutes the 'night-sky,' which in some instances is not only 'ON' into the late-hours, but all night. Also visiting guests, or trespassers, have entered onto our property, climbing rocks and rambling through our property with lack of restraint or inhibition. Not knowing these strangers and, with lack of readily-available protection, is disturbing and unsettling.

5. ENFORCEMENT AND ECONOMIC BENEFIT: The aforementioned properties are 'managed' by a woman, not actively licensed by the Dept. of Real Estate, who has described herself to me as 'simply running a cleaning-service.' Further research indicates Debra Bryan Mahony, whom I've personally known for many years, operating a business entity named June Lake Choice Rentals, LLC. Ms. Mahony and the proponents of the TROD have operated contrary to zoning regulations for sometime now with impunity. Enforcement officials have been summoned, the M/C Sheriff has been called innumerable times and ongoing disturbances have been repeatedly reported. And yet enforcement of regulations is sorely lacking. How are we to believe that the compulsory and strict 'rules and operating regulations' will be observed and enforced? I too am dubious of economic benefit both to the area and to the County coffers. Transient guests will be redirected and usurped from nearby licensed and legitimate tax-reporting motels and innkeepers. I'm certain none of those illegally renting their properties have made TOT reporting to the county and, by the way, how will that be inspected for veracity and authenticity?

I hope you and your colleagues would physically visit the location site to objectively assess the issues-at-hand and more fully comprehend the concerns and objections to this proposal. We don't want to be crying 'NIMBY' but there is a time and a place for everything. This certainly isn't the place for a 'mini-hotel' district! We implore you to carefully and deliberately evaluate our concerns when considering this proposal.

Respectfully submitted,

*Blake & Carol Sibba*

136 Mountain View Lane, June Lake  
Licensed & Managing Real Estate Broker  
June Lake Properties, Inc.  
2662 Boulder Drive, June Lake CA  
BRE# 00545435

RECORDING REQUESTED BY  
CHICAGO TITLE COMPANY  
AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE INSTRUCTED, THE TAX STATEMENT TO:

RECORDED IN MONO  
COUNTY CALIFORNIA

90 JAN -4 AM 10: 09

REMI HOLLAN  
COUNTY RECORDER

FEE: \$7.00

NAME BERNARD JOSEPH SHERIDAN, TRUSTEE  
ADDRESS 1673 CATALUNA PLACE  
PALOS VERDE ESTATES, CA 90274

91 MOUNTAIN VIEW LN

Title Order No. 32234-50 Escrow No. 32234 - GL

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

The undersigned declares that the documentary transfer tax is 57.20 and is  
 computed on the full value of the interest or property conveyed, or is

computed on the full value less the value liens or encumbrances remaining thereon at the time of sale. The land,  
incements or realty is located in

unincorporated area  city of June Lake

FOR A VALUABLE CONSIDERATION receipt of which is hereby acknowledged,  
NANCY L. POULOS

hereby GRANT(S) to  
BERNARD JOSEPH SHERIDAN and MARY ISABEL SHERIDAN, TRUSTEES OF THE SHERIDAN FAMILY  
TRUST

the following described real property in the City of June Lake  
County of Mono, State of California:

Lots 7, 8, 9 and 10, Block 16, Silver Lake Pines Tract No. 3, in the County of Mono,  
State of California, as per map recorded in Book 1, page 11 of Maps, in the office of  
the County Recorder of said County.

This Grant is subject to the conditions and restrictions attached hereto as Exhibit "A"  
and incorporated herein by this reference.

Dated December 14, 1989

Nancy L. Poulos  
Nancy L. Poulos

STATE OF CALIFORNIA  
COUNTY OF VENTURA 1<sup>st</sup> SS  
On this the 14<sup>th</sup> day of DECEMBER 1989, before me the undersigned a Notary  
Public in and for said county and State, personally appeared  
NANCY L. POULOS

personally known  
to me or proved to me on the basis of satisfactory evidence to be the  
person whose name NS subscribed to the within instrument  
and acknowledged that SN executed the same.

Signature of Notary

FOR NOTARY SEAL OR STAMP  
OFFICIAL SEAL  
AL F STAZ  
VENTURA COUNTY  
My Comm. Expires AUG 10, 1992  
Assessor's Parcel No. 16-152-10

This grant is expressly conditioned upon the property being used by grantees, their heirs, successors, and assigns, solely, exclusively and perpetually as set herein:

1. No mobilehome, trailer, camper, tent trailer, recreational vehicle, satellite dish, pre-fabricated or any other manufactured dwelling shall ever be placed on the property, whether such mobilehome, pre-fabricated or manufactured dwelling is affixed to a permanent foundation or not.

2. Neither the roof nor any other exposed portion of the exterior of any building constructed on the property, except windows, shall be constructed with or made of metal, aluminum, or any other material which has, as one of its properties, the ability to reflect sunlight.

3. The property shall be developed as a single family residence only. No secondary housing unit or 'granny housing' shall be permitted.

These conditions are expressly intended to run with the land.

If any party to this deed, their heirs, successors or assigns institutes suit to enforce or interpret any provision of this deed, the prevailing party in such suit shall be entitled to an award of reasonable attorney's fee as determined by a court of law.

EXHIBIT "A"

Mono County Planning Commission

May 14, 2015

RECEIVED  
MAY 13 2015  
MONO COUNTY  
Community Development

Dear Commissioners:

Due to the magnitude of the potential negative impacts to my neighborhood, I (Ann) have taken a half day off from our fulltime job to attend this meeting in opposition to the proposed TROD for six parcels in the Clark tract. My husband and I live above the parcels in the proposed General Plan Amendment, and we believe such a designation would be inappropriate and troublesome. Although our property does not directly adjoin any of the parcels in question, we are aware that some of our neighbors have already had conflicts with at least one of the properties, one that we are aware has been conducting illegal short-term rentals for many years, blatantly advertising with a listing on VRBO.

Some of the reasons why we feel this way follows:

1. As we mentioned, we have become acutely aware that some of our neighbors have been negatively impacted by the illegal rental activity that has already occurred. We support our neighbors, and the character of our neighborhood is highly important to us. Furthermore, we would not want to be subjected to similar experiences by future TROD which might directly adjoin our home.
2. Our neighborhood is designated "SFR", single family residence, not commercial, resort or otherwise. The reason we live here, and we can assume also the reason why our neighbors live here, is to enjoy a quiet, peaceful community environment. We have consciously chosen not to live in a "mini-hotel" district, as these short-term rental areas are popularly referred to.
3. We have no road maintenance in our area because the roads are deemed unsuitable for county maintenance, or so we have been told by county officials. Even though we do not own the roads, they are called "private roads." The snow removal and any maintenance is up to the residents, and snow storage and parking is minimal because of the narrowness of the roads. As a result, our roads are not well suited for short-term rental properties which often rent at such high prices that they may require multiple families at one time to occupy them (\$600 per night, as we can see looking on VRBO for the listing mentioned earlier), resulting in multiple vehicles needing parking. The particular VRBO listing noted actually offers "parking, parking off street and parking for RV/boat/trailer."
4. As stated, we are not living next to these properties directly, but living above and looking down on them, and have observed, in the six years we have occupied our home, that there

is no regard to the "dark sky" concept... their outside lighting is on all the time. People that live here fulltime seem to have more regard for the importance of the dark night sky. In conjunction, we do not believe that short-term renters would have the same awareness and regard for other issues particular to our area, such as wildlife and snow storage.

5. In theory we have supported the concept of the TOT overlay, as long as it is suited for the community in which it is placed, and most importantly, in an area where property owners agree that this is what they want. In talking with our neighbors this is not the case in the Clark tract. There are apparently a few fulltime residents who feel otherwise, but there is a predominance of ones who are very much against it. We feel it is extremely important for the County to acknowledge and respond to their feelings. Again we reiterate that this is not about NIMBY-ism; we do not support short-term rentals in our neighborhood because we do not think they belong here, however, we would be supportive of them wherever there is a community in agreement that wants them. We do not agree with forcing this on any community where residents take issue with it.

6. As we remember, this TOT overlay concept arose out of the perceived need, by a few, for more warm beds in June Lake. We would however be shocked to find out that there was ever 100% occupancy of existing hotels and motels in June Lake, other than perhaps during some of the major holidays. As a result, we see that TROD designations in the Clark tract, and actually anywhere on the loop, could take away business from some of the local establishments like the Double Eagle Resort and the Whispering Pines.

7. We have seen information posted online that points out other issues with short-term rentals, which can also have relevance here. Hotels and motels are subject to numerous health and safety requirements, as well as ADA compliance standards. Short-term rentals are not subject to such regulatory programs and may not provide the same level of safety for renters.

8. In our search for information on the topic at hand, we came across a law suit that occurred in Carmel where the owners of single family homes brought suit against the city challenging the constitutionality of a zoning ordinance which prohibited vacation rentals from operating within residential properties. The Court of Appeal resoundingly rejected the plaintiffs' claims. And in quoting the article, *The Court recognized that residential character of a neighborhood is threatened when a significant number of residences are occupied not by permanent residents but by a stream of short-term visitors. "Such rentals undoubtedly affect the essential character of a neighborhood and the stability of a community," because such visitors "have little interest in the public agencies or in the welfare of the citizenry."* Carmel's ordinance precisely sought to remedy such ill effects of vacation rentals, which was a proper exercise of the City's police powers. Similarly, numerous other courts throughout the Country have similarly upheld local vacation rental prohibitions.



In summary we are hoping that the Planning Commission will reject this proposed General Plan Amendment, instead wishing to be sensitive to the needs and opinions of many of the fulltime residents currently living in the Clark tract who do not want to live in an area of short-term rentals. Furthermore, we would like to respectfully request that notification of future General Plan Amendments be mailed out to residents sooner than 10-15 days prior to the hearings. There were other of our neighbors who wanted to attend this meeting, but made plans prior to receiving notification. Perhaps a month ahead would be much better.

Thank you for considering our concerns,

Ann Tozier and Joe Blommer

302 W. Steelhead Rd.

June Lake



June Lake, Gold Country & High Sierra, California

06/22/2015

06/26/2015

I don't have dates yet

Search

Back to search Home USA California Gold Country & High Sierra June Lake VRBO Listing #161259



## Exquisite New 4,000 Sq. Foot Home June Lake, CA



Photos Map Calendar

\$600  
per night (USD)

06/22/2015

06/26/2015

Minimum stay: 1 nights

Get an Instant quote

Save to my favorites

Reviews ★★★★★ 13  
Sleeps 9  
Bedrooms 4  
Bathrooms 4  
Property type House



Owner

Feedback x



Overview Reviews Rates Calendar Location Owner Info Photos

Minimum stay: 1 night Pets considered: No  
 Internet: Yes Wheel chair accessible: N/A

**Property description**

Beautiful 4 bedroom, 4 bath custom home. 2 Master bedrooms with king-size beds, 2 guest rooms with queen beds, bunk beds & 4 couches. Amazing views from every window including Horse Tail Falls, and magnificent Carson Peak. Radiant heat throughout house, heated 2 car garage. Jacuzzi on private balcony. Sauna located in master bathroom. Flat screen TVs, surround sound, DVD, CD, Satellite.

Top of the line amenities including Dacor commercial grade oven and range, miele, G.E. Monogram 48" Refrigerator, micro, Dacor 30" warming drawer, L.G. washer and dryer - large laundry room. 3 private decks equipped with satellite music, barbeque and jacuzzi. Exquisite materials used throughout such as granite slabs, tumbled marble, slate, Italian tile, cherry and fir cabinets, seely posturepedic pillowtop beds, down comforters and ample storage. 9 PERSON MAXIMUM. Truly, an amazing home.

Hardwood floors such as Hickory, Brazilian Cherry, mahogany and tiger wood used throughout. Abundant cable lighting, ceiling fans, custom fixtures and brass/copper cans. Heated steel roof. Walking distance to Double Eagle Resort; restaurant, bar, Indoor pool, gym and world famous spa. June Mountain 5 min. drive, Mammoth Mountain 25 min. drive/12 miles. During winter snow months, 4 wheel drive necessary. Summer there are endless things to do; hiking, biking, kayaking, fishing, swimming, etc. or just simply relax and barbeque. Winter activities including skiing, snowboarding, back country skiing, hiking, snow shoeing, snowmobiling, sledding, etc.

**Owner**  
 Member since: 2007  
 Speaks: English  
  
 Response time  
**Within 24 hours**  
 Response rate  
**90%**  
 Calendar last updated  
**05/11/2015**

[Email owner](#)  
[Show Phone Number](#)



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[Feedback](#)

This is addressed to the Planning Commission concerned about the Transient Rental Overlay.

We who are homeowners in the Clark Tract of June Lake are opposed to any transient overlay in our community because of the increased wear and tear on our fragile roads, garbage, parking, and trespass.

Name	Address	Phone #	
D. Wayne Wallsten	32 W Washington	760 648 7952	Res,
Robert Shenberg	133 Washington	760 648 9936	Res,
Frank Hammetton	60 Wyoming	<del>760 648</del> 760 648 7678	2nd
Pat Harper	8 Wyoming	760-648-1659	Res
Catherine Hooper	"	"	"
Julie Wallentune	32 Washington St.	760 937-5597	Res
Roxanna Folsom	82 Waterfall St.	760 648-7898	
Tony FODERH	82 Waterfall St.	760 648-7898	
Justin Byers	151 Wyoming St.	678-617-5981	2nd
Denise M. Craig	64 California St.	760-648-1135	Res
John Elyworth	108 CA St	760 914 0094	
Bill Reynolds	14 Wyoming St.	949-499-5672	2ND
Wally	105 Washington St.	760-648-1085	
Paul Dering	105 Washington St.	760-648-1085	
Blake Dibia	136 North View Lane	760 937-5910	
Carol Dibia	136 North View Lane	760-937-1577	

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Alaska Auction

Aleckson

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cilla herpe

consulate

cousins

Credit Agricole

Delta 1

dominique

Eldorado 9

fabie Bardin

folley sophie

Fred

Greentrees Hydroponics

HP

Isabelle

Janmie Nash

## Clark Tract Overlay



Lynda Biederman (lgbiederman@yahoo.com)

To: pch1951@msn.com

Parts of this message have been blocked for your security. [Show content](#) | [I trust lgbiederman@yahoo.com content.](#)

I Lynda Biederman am opposed to allowing rentals in the Clark Tract. I live at 140 Wynn in the Clark Tract as a full time resident of June Lake and strongly believe that transient rentals in the Clark Tract would be dangerous due to the private roads and hills.

Lynda Biederman

**Lynda Biederman**

REALTOR® - Associate

**JUNE LAKE PROPERTIES, INC.**

BRE License #01444897

[lgbiederman@yahoo.com](mailto:lgbiederman@yahoo.com)

<http://junelakerealestate.com>

(760) 648-7505 Office

(760) 914-0950 Cell

(888) 522-9652 Fax, Toll Free e-fax

Escape the Crowds, Discover the June Lake Loop!

Information Deemed Reliable, but Not Guaranteed

Rentals

601club@adelphia.net (601club@adelphia.net)

Add to contacts

5/05/15

[Keep this message at the top of your inbox]

To: pch1951@msn.com

601club@adelphia.net

I trust 601club@adelphia.net. Always show content.

We do not support another rental property on Wyoming St in June Lake.

Gregory & Marsha Bock

128 Washington St

June Lake, CA 93529

Get an instant quote

Save to my favorites

**Location Type**

**Mountain View:** Stunning mountain views with two breathtaking waterfalls  
**Resort:** The Double Eagle Resort and Spa are within walking distance just behind the house and sits between June and...more  
**Village:** June Lake Village is 2 miles from the house and sits between June and...more

**Sports & Adventure Activities**

- |                      |                    |                |
|----------------------|--------------------|----------------|
| Cross Country Skiing | Hunting Small Game | Roller Blading |
| Cycling              | Ice Skating        | Sailing        |
| Fishing              | Jet Skiing         | Skating        |
| Fly Fishing          | Kayaking           | Snowboarding   |
| Freshwater Fishing   | Mountain Biking    | Snowmobiling   |
| Golf                 | Mountain Climbing  | Swimming       |
| Hiking               | Mountaineering     | Tennis         |
| Hunting              | Rafting            | Water Skiing   |
| Hunting Big Game     | Rock Climbing      | Water Tubing   |
|                      |                    | Wind-Surfing   |



**Owner**  
 Member since: 2007  
 Response time  
**Within 24 hours**  
 Response rate  
**90%**  
 Calendar last updated  
**05/11/2015**

Email owner

Show Phone Number

**Dining**

Dining Dining Area Seating for 10 people

**General**

- |               |                             |                   |
|---------------|-----------------------------|-------------------|
| Clothes Dryer | Internet                    | Telephone         |
| Fireplace     | Linens Provided             | Towels Provided   |
| Garage        | Living Room                 | Washing Machine   |
| Gas Fireplace | Parking                     | Wireless Internet |
| Hair Dryer    | Parking Off Street          | Wood Fireplace    |
| Heating       | Parking For RV/Boat/Trailer |                   |

Feedback x