

Item available for public inspection in the Clerk's office during regular business hours (Monday - Friday, 9 AM - 5 PM)

April 3, 2023

Regular Meeting

Item #7a. - PUBLIC

**HEARING: Appeal of the
Planning Commission's
Approval of an Accessory
Structure Over 20' in Height
(Regular Agenda)**

Community Development

Appeal Comments

From: [Terry Lee](#)
To: [CDD Comments](#)
Cc: [Lindsey Sherer](#)
Subject: Use Permit23-001/Sherer RE: Appeal
Date: Friday, March 31, 2023 12:46:25 PM

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[EXTERNAL EMAIL]

“It hurts the neighbors”: I beg to differ.

I trust that the actions that are the basis of this appeal including my written comments submitted at the time of the hearing have been fully reviewed. The following is a brief response to the appeal:

1. I live directly across the road from the Sherers at 1312 Swall Meadows Road. I have no objection to their garage structure and I urge that they be allowed to complete and use the structure.
2. Since the Sherers purchased the property, they have completely, inside and out, remodeled the house, which was, to put it bluntly, a dump and an eyesore.
The house is now an attractive dwelling. The garage structure will coordinate with the house.
3. The Sherers have landscaped the property which had been totally neglected. They also put in a pond be used as a source of water in case of yet another wildfire.
4. The above improvements have significantly increased the value of nearby properties including those of the persons bringing this appeal.
5. The Sherers have worked closely with the County in an effort to meet their building requirements and have relied upon their guidance. Requiring the Sherers to tear down the building and the infrastructure that supports it at great expense on top of the amounts already spent on materials and labor is, in my opinion, a travesty of justice.
6. If you drive around upper Swall Meadows, the original part of the development, you will see an eclectic collection of houses, old and new, big and small.
The garage structure, when it is finished and landscaped, will fit in just fine in the neighborhood.

For the above reasons, I strongly urge you to deny the appeal and allow the Sherers to complete and use the garage structure.

From: Rico Miledi
To: CDD Comments
Subject: Re: Apr 4 board meeting.
Date: Saturday, April 1, 2023 6:16:33 PM

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[EXTERNAL EMAIL]

Item: Appeal of the Planning Commission's approval of Use Permit 23-001/Sherer for a garage over 20' and less than 35' in height at 1273 Swall Meadows Road, APN 064-140-014- 000.

I do not think building permits should be issued by the County till the relevant architectural committee is satisfied that the structure conforms with the Swall meadows CC&Rs, I believe that these CC&Rs help Swall Meadows keep its somewhat bucolic character and thus maintain property values. If the CC&Rs are not followed what is the point of having them? I followed them and so did almost all the other structures put up in Swall, I do not see why new construction should be able to flout them.

My understanding is that this same problem occurred with a new construction on Pinon drive, the county issued a building permit even though the Swall Meadows architectural committee had indicated that the plans were not in compliance - why have the committee if its verdict is to be ignored? Why should its members spend time reviewing new permits if no one listens?

Rico Miledi

333 Sierra Wave, Swall Meadows

From: [Bob Paull](#)
To: [CDD Comments](#)
Subject: Comments Regarding Appeal of Planning Commission Approval Of Use Permit 23-001/Sherer
Date: Sunday, April 2, 2023 3:03:44 PM

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[EXTERNAL EMAIL]

My name is Robert C. Paull. My wife, Marilyn L. Paull and we reside at 769 Mountain View Drive, Swall Meadows.

We both are opposed to permitting any aspect of the Sherer project that does not comply with current established laws, rules, and practices in accord with the General Plans and zoning laws. We expect the Planning Staff to very carefully follow these laws. Such General Plans and zoning laws are required in all California Counties. It is required that Planning Staff/Commission follow these California laws. They do not provide the county with the authority to have leeway in the numbers of approximately 175%. Zoning laws are meant to provide cohesion in a community and to *protect property values*. We have them so that we don't have to fight with neighbors if they want to build disallowed things; our government is supposed to protect us and provide cohesion and peace in a community. Not following established practice promotes exactly the opposite. Building or not building will set a precedence for the future. It would not be right for people to be allowed gross exceptions to the law, requiring neighbors to bear the burden of defending the General Plan.

Thank you.

Robert C. Paull

From: [Amelia Motroni](#)
To: [CDD Comments](#)
Subject: April 4, 2023 Board of Supervisors meeting, comment supporting Appeal of the Planning Commission's Approval of an Accessory Structure Over 20' in Height
Date: Sunday, April 2, 2023 3:50:13 PM

[EXTERNAL EMAIL]

Dear Supervisors,

We live in Swall Meadows. This comment is submitted in support of the Appeal of the Planning Commission's Approval of an Accessory Structure Over 20' in Height. We oppose Use Permit 23-001/Sherer for a garage over 20' and less than 35' in height at 1273 Swall Meadows Road, which was approved by the Mono County Planning Commission on February 16, 2023. We feel that a "garage" of this size does not belong in the community. It is greatly above the 20' basic permitted height and conflicts with the area's architectural and environmental norms.

At the Commission meeting the commissioners seemed to give great weight to the fact that the Wheeler Crest Design Review Committee approved the building. This reliance was misplaced.

The Wheeler Crest Design Review District Project Information Sheet is seven pages long, but the height of a proposed structure is not among the criteria. In fact, none of the design elements that are at issue in the Sherer's application are among the project features evaluated. Meanwhile, the contents and conclusions of the Wheeler Crest Design Review Committee's report have not been provided to the public for review or comment. Did the committee members know how high the building was proposed to be?

As indicated by the public submissions in favor and opposed to the application there is strong disagreement in the community about this issue. Decisions about this kind of major deviation from current building types should be made only after appropriate local debate. Mono County regulations may not include specific requirements for notice and comment, but county planners should include all of us in their review processes.

Thank you.

Sincerely,

Pete Peterson and Amy Motroni

From: [Lindsey Sherer](#)
To: [Rhonda Duggan](#); kreitz@mono.ca.gov; [Bob Gardner](#); [John Peters](#); [Lynda Salcido](#)
Cc: [Wendy Sugimura](#); [Danielle Espinosa](#)
Subject: April 4th Board of Supervisors Meeting - Use Permit 23-001
Date: Monday, April 3, 2023 10:09:04 AM

[EXTERNAL EMAIL]

To: The Honorable Board of Supervisors

From: Lindsey and Chris Sherer

Re: Appeal of the Planning Commission's approval of Use Permit 23-001 authorizing an accessory structure greater than 20' in height

We are reaching out today to ask that the appeal of our garage at 1273 Swall Meadows Rd, Bishop, CA 93514 be heard at tomorrow's meeting and that the request for the hearing to be continued to May 2nd be denied. We have suffered tremendous emotional and financial hardship throughout this over two year process of trying to build something as simple as a detached garage in an estate residential designated area. We have followed Mono County's direction every step of the way, didn't take any shortcuts, have been respectful/cooperative in the process, and used only licensed contractors. In addition, we don't see any justifiable reason why the appellants need this extension as all of the facts of the case are available. Nothing is going to change between now and May 2nd or beyond.

Since being requested to stop building on Dec. 26, 2022 we have been left with an almost 75% finished building and extreme weather that has taken a toll on the remaining materials left on site. More severe wind events such as what occurred in Swall Meadows last night (an entire outbuilding was blown into the street and trees were blown over) could further destroy the building and cause harm to others and property if the siding is ripped off. On 01/05/2023 we were given permission by Mono County Building Dept. to secure "finish" the building, but the snow in our area has prevented that. We are now finally getting enough snowmelt that we can begin construction again very soon should we be granted permission to continue with our project tomorrow.

We feel the staff report clearly addresses the appellants basis for appeal and we have additional information we'll be presenting you with tomorrow to further address their concerns.

We appreciate your time and look forward to the meeting tomorrow.

Respectfully,

Lindsey and Chris Sherer

From: [Diana Evans](#)
To: [CDD Comments](#)
Subject: Building at 1273 Swall Meadows Road Swall Meadows, Ca 93514
Date: Monday, April 3, 2023 4:27:44 PM

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[EXTERNAL EMAIL]

It has come to my attention that there is a proposed building over 35 feet tall that is being built at the above location. This is described as a commercial steel barn structure. It is my understanding that commercial business is not allowed in Swall Meadows and my husband and I strongly oppose the building of this structure.

We bought our property 21 years ago so we could enjoy the unobstructed views and beauty of the Eastern Sierra without the commercialism that is so prevalent elsewhere. This structure suggests that some commercial industry will be carried out which suggests large commercial vehicles or some other commercial activity. This structure is inappropriately sized for our community.

We strongly oppose this structure

Diana and Dennis Evans
67 N. Valley View Road
Swall Meadows, ca 93514
562-533-8852