



11/20/2024

Steve Lazzar
Planning Division
3015 H St
Eureka, CA 95501

Re: Petition for Exception Request from Construction of Sidewalk Improvements
along Humboldt Hill Road and Skyline Drive
APN 306-102-001, Owner John Kooy & Jennifer Karr-Kooy

Dear Mr. Lazzar

Pursuant to Humboldt County Code Section 325-9, we are requesting an exception to the construction of curb, gutter and sidewalk on Humboldt Hill Road and Skyline Drive as a part of this minor subdivision. Exceptions to the requirements and regulations of the Code may be granted if the following conditions exist:

- 1) *That there are special circumstances or conditions affecting said property.*
- 2) *That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner.*
- 3) *That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.*

In addition, in granting such exceptions, the Advisory Agency must secure, substantially, the objectives of the regulations to which the exceptions are granted as to light, air and public health, safety, convenience and general welfare.

The Humboldt County Land Use Division has proposed construction of curb, gutter, and sidewalks on Humboldt Hill Road and Skyline Drive as a part of this project. These improvements do not make sense for this project for the following reasons.

Almost every portion of sidewalk that exists on Humboldt Hill Road is on the westerly side of the roadway. The one exception is a small stretch of sidewalk on the east side along the frontage of 7241 Humboldt Hill Road. Beginning at the southerly terminus of Humboldt Hill Road, a section of sidewalk runs along the west side frontage of 7302, 7300, and 7290 Humboldt Hill Road. The next stretch of sidewalk is along the westerly side from 7150 Humboldt Hill Road to 7085 Humboldt Hill Road. The next stretch of sidewalk is along the westerly side from 7051 to 7025 Humboldt Hill Road. The next stretch of sidewalk southerly of the project site is again on the westerly side of the road at 6998 Humboldt Hill Road.

Construction of a sidewalk along the frontage of the Kooy parcel (7058 Humboldt Hill Road, although site address is technically 2819 Skyline Drive) would not connect with any existing sidewalks. In addition, the proposed sidewalk would likely require demolition and reconstruction of an existing retaining wall that parallels the Humboldt Hill frontage.

No sidewalks exist on the entire length of Skyline Drive. Sidewalk construction along this frontage would not connect with any existing sidewalks and would be at 12-15% grade, and also require demolition and reconstruction of a concrete retaining wall along the easterly portion of the Skyline Drive right of way.

As can be seen, this is a special circumstance and condition affecting this property. The exception is necessary so the owner can realize the subdivision potential of this property. Granting the exception would not be detrimental to the public welfare or injurious, since the sidewalks in this area would serve no public benefit due to their lack of connectivity.

Since the project, as proposed, satisfies other requirements for land subdivision, granting this exception does not appear to provide special privileges unavailable to others. Denying the exception request would deprive the property owner of the ability to subdivide the subject property to the maximum potential as described in the existing General Plan and Zoning Regulations.

The granting of this exception does not appear to be detrimental to the public welfare or injurious to other properties in the vicinity. Based on the above, I respectfully petition that this exception request be granted.

Sincerely,



Michael Pulley, PLS