

**MINUTES OF THE  
SOLANO COUNTY ZONING ADMINISTRATOR**

**Meeting of March 5, 2009**

The regular meeting of the Solano County Zoning Administrator was called to order at 10:00 a.m. in the Department of Resource Management, Fairfield, California.

STAFF PRESENT:                      Jim Leland, Principal Planner  
   Michael Profant, Assistant Planner  
   Eric Wilberg, Planning Technician  
   Jim Laughlin, County Counsel  
   Kristine Letterman, Zoning Administrator Clerk

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1.     **CONTINUED PUBLIC HEARING** to consider Minor Revision No. 2 to Use Permit No. U-00-13 of **Venoco, Inc.** to drill two natural gas wells over a four year period on an existing well pad. If economic quantities of gas are discovered, permanent well(s) and equipment will be installed. The project is located on Van Sickle Road in an "M-P" Marsh Preservation Zoning District, 8 miles south of the City of Suisun, APN: 0046-210-110. This project is determined to be categorically exempt from the provisions of the California Environmental Quality Act. Project Planner: Eric Wilberg) **Staff Recommendation:** Approval

This item was continued to allow the applicant and staff time to review Condition Nos. 13.a. and 26 of the original permit. The applicant was present at the meeting and agreed to the conditions of approval.

Mr. Leland opened the public hearing. Since there were no speakers either for or against this matter, Mr. Leland closed the public hearing and approved the minor revision subject to the recommended conditions of approval as listed in the staff report dated February 19, 2009.

Mr. Leland stated that any person who believes he or she has been adversely affected by the decision of the Zoning Administrator may file an appeal of the decision to the Planning Commission within ten days

2.     **PUBLIC HEARING** to consider Mobilehome Storage Permit Application No. MH-09-01 of **Richard Martinez** to store a mobilehome on property located at 4180 Cadenasso Lane in an "A-40" Exclusive Agricultural Zoning District, 1.5 miles west of the City of Fairfield, APN: 0027-030-140. This project is determined to be categorically exempt from the provisions of the California Environmental Quality Act (Project Planner: Michael Profant) **Staff Recommendation:** Deny

Michael Profant gave a brief presentation of staff's written report. He stated that staff is recommending denial of the permit based on the opinion of the county's legal counsel.

The applicant, Richard Martinez, stated that in December 2008, Charlotte Biggs, who is part owner of the property, granted him and his wife a 6 month extension on their lease. Mr. Martinez submitted a letter signed by Mrs. Biggs.

Jim Leland opened the public hearing.

Robert Blevans, attorney representing Edward Biggs, submitted a letter stating that Mrs. Biggs does not have the authority to enter into any lease agreement concerning the subject property. He explained that the property is vested in Biggs Realty, Inc. and Edward Biggs is the president of that corporation. Mr. Blevans indicated that he notified Mr. and Mrs. Martinez by hand delivered letter that their lease would not be renewed when it expires on January 23, 2009. He stated that Mr. and Mrs. Martinez are residing on the property unlawfully and noted that his client currently has a court date scheduled with regard to the eviction of these tenants.

Eddie Biggs provided some background information with regard to the residence the Martinez family now occupies. He stated that the previous tenants were not following through with their obligations as caretakers of his and his father's property, and so he evicted those tenants and entered into a lease agreement with Mr. & Mrs. Martinez to occupy the premises as caretakers.

Edward Biggs stated that he was not aware that his son Eddie evicted the previous tenant. He stated that when he was informed that his son was going to let Mr. and Mrs. Martinez move onto the property he raised objection and did not give his approval. His son went ahead and had them sign a lease agreement, and, therefore there was nothing he could do. When the lease was close to its expiration date, Mr. Biggs had his attorney send a letter to Mr. and Mrs. Martinez to inform them that their lease would not be renewed. Mr. Biggs commented that the residence is in very bad repair and should be demolished.

Kelly Martinez stated that she and her husband entered into the lease extension agreement prior to receiving any notice that the lease would not be renewed. She stated that they did not vacate the property because they believed they had a 6 month extension. She commented that the Biggs are in the process of divorcing and this property has not yet been awarded to either party.

Mr. Blevans noted that Biggs Realty Corporation owns the property and the divorce proceedings of Edward and Charlotte Biggs does not have any bearing on this matter.

Jim Laughlin, county counsel, explained that when an applicant files an application, it is under the assumption that the property owner is in agreement with the request, and in this case the property owner has not given the tenant the authority to apply for this permit. Mr. Laughlin stated that this is a dispute between the property owner and the tenant and is not something the county can resolve. He recommended that the Zoning Administrator deny the permit.

Since there were no further speakers, Jim Leland closed the public hearing. Mr. Leland stated that the Biggs Realty Corporation has control of the property and Mr. Biggs is the

president of that corporation, therefore he denied the application for a mobilehome storage permit.

Mr. Leland stated that any person who believes he or she has been adversely affected by the decision of the Zoning Administrator may file an appeal of the decision to the Planning Commission within ten days

3. **ADJOURNMENT**