

## Exhibit C

Sinibaldi Use Permit (UP-22-04) Appeal

## APPEAL OF PLANNING COMMISSION ACTION

Filing Fee: \$1,250.00

**Appeals must be submitted to the County Clerk's Office within 10 calendar days after the Planning Commission action (if the 10<sup>th</sup> day falls on a weekend, the filing period is extended to the next business day by 4:00 p.m.) Please print or type the application. If someone else is appearing on your behalf, you must complete an Agent's Authorization form and submit it at the time the appeal is filed.**

To: Siskiyou County Board of Supervisors  
311 Fourth Street, Room 201  
Yreka, CA 96097

**FILED**

Siskiyou County

MAR 24 2023

LAURA BYNUM, CLERK  
BY: Wendy W...  
Deputy Clerk

### PLEASE PRINT OR TYPE

I am appealing the decision of the Siskiyou County Planning Commission on the following matter:

which was heard on: 3-15-2023

Reason for Appeal: (Be very specific; use additional pages if necessary.)

See attached letter

Anticipated amount of time needed to present your arguments before the Board of

Supervisors: 20-30 mins

Signature: Luis Sinibaldi

Date: 3/22/2023

Name: LUIS SINIBALDI

Phone Number: 923-377-1817

Address: (Street, City, State, Zip) 2404 1/2 5TH AVENUE, LA CA 90018

Contact Person: (If different than above) \_\_\_\_\_

Phone Number: \_\_\_\_\_

Address: (Street, City, State, Zip) \_\_\_\_\_

MY EMAIL IS: SINIARCH@GMAIL.COM

Dear Board of Supervisors Members,

Thank you for taking the time to review our appeal for the vacation rental permit at 1900 Maple Drive. We appreciate the opportunity to address the concerns raised by our neighbors and to provide additional information of why we believe the decision by the Planning Commission should be reversed.

1. For starters, the Assistant planner recommended granting approval of the use permit for a short-term vacation rental, citing that the property has sufficient parking for the intended purpose and satisfies all other legal criteria necessary to obtain the permit for short-term rentals.
2. Furthermore, it should be noted that we received only one written concern the day before the meeting, while the other three statements, one in support and two in opposition, were submitted during the hearing. This left us with no time to prepare adequately for the meeting, and we were unable to articulate our responses to the concerns that were raised.
3. Regarding the issue of the recent surge in traffic, we wish to highlight that we rent our home for roughly 16 days every month, and our guests typically utilize two cars, occasionally three, and rarely four. If we were to reside there with our parents, we would have three to four vehicles, and it is highly likely that we would be using them frequently. Therefore, the argument that the traffic has increased due to the short-term rentals is unfounded. Furthermore, some of the traffic that has increased is a result of our hired personnel, including snow removal and maintenance workers, who would be required regardless of whether we rent out our home or live in it.
4. Concerning the issue of parking on Maple Drive, it is accurate that some of our guests have parked on the street when they were unable to reach our property. However, we wish to highlight that this is a minor inconvenience that can occur to anyone, such as getting stuck in snow on any other street. We take prompt action to resolve the situation and ensure that our guests comply with parking regulations. It's difficult to comprehend why someone's minor inconvenience (occurring only 4-8 times per year) should impede on our fundamental property rights. We urge you to consider the following points that further substantiate our stance on this matter:
  - a. Firstly, we have shared our phone number with all of our neighbors to ensure that they can contact us promptly in the event of such incidents (or any other concerns). Rest assured, they do not hesitate to reach out to us, and we respond promptly.
  - b. Secondly, we want to emphasize that this is a rare occurrence. In the nearly two years that we have owned the property, it has happened only a handful of times, approximately 4-8 times in total.
  - c. Thirdly, we take prompt and proactive measures to resolve the situation whenever it arises. Our handyman or staff have been dispatched numerous times to assist our guests in reaching the property or getting their vehicles unstuck. We take this issue seriously and do not ignore it. Additionally, it's worth noting that our staff may have encountered multiple stranded motorists on their way, which

could delay their arrival time. These incidents have been reported on Maple Drive or Old Stage Road, or essentially any other roadway. So, we know it is not an isolated incident that only happens to our renters. The fact that people get stuck in the snow is a widespread occurrence throughout the region when there is heavy snow.

- d. Our fourth and most crucial point is one that we strongly believe must be considered. The location we are discussing, including Weed, Mount Shasta, and other neighboring towns, experiences heavy winters with a significant amount of snowfall. Even the main highway, the 5 freeway, is shut down multiple times throughout the winter season. We are perplexed by the Planning Commission's decision to deny our request for a short-term vacation rental permit on the grounds that our guests cannot reach our parking location. Meanwhile, other businesses are not held to the same standard and are granted operating permits even when their customers cannot safely reach their parking lots. We understand that getting stuck in the snow is an inconvenience for our guests, and we take every necessary step to assist them in reaching our property. However, this issue is not unique to our rental property. Everyone in the area has, at some point, experienced difficulties with snow and ice, and vehicles getting stuck, which can impede traffic and cause public nuisance. In some cases, it becomes impossible to plow the road properly, which can disrupt the infrastructure of the cities.

It seems unfair that we are being singled out and denied a permit to operate simply because a few of our guests have gotten stuck in the snow. By that logic, all of Mount Shasta, Weed, Dunsmuir, and neighboring towns should be denied permits to operate during winter or winter storms. This standard is unreasonable and unjust. We urge the Board of Supervisors to reconsider the Planning Commission's decision and grant us the permit to operate a short-term vacation rental on our property, which meets all legal requirements.

- e. Fifthly, it's important to note that Maple Drive is not maintained after the private road that leads to our property all the way to Dogwood Drive to the West. Once guests turn onto the private road, there is no further impact on the community. The only affected properties are those of Pauli and Michael Robinson at 1821 Maple Drive, Valery and Chris Yancey at 1906 Maple Drive, and the Nazareno's at 1910 Maple Drive. It's worth mentioning that none of these homeowners reside there full-time, and the private road and hill where vehicles have difficulty climbing are actually on the property of 1910 Maple Drive. Shouldn't the property owner where the road impedes passage take responsibility for the issue? We are also perplexed by the negative impact that our neighbors at 1821 have claimed to experience, especially since they have shared that this is not their primary residence and have purchased a property elsewhere due to their frustration with snow. We have expressed our willingness to address any issues immediately, but unfortunately, some negative attitudes have been directed towards us, even when the issue was not caused by our guests. Additionally, our guests do not abandon their cars in the middle of the road, they pull to the side

allowing room for others to pass still. And even though the passage may be narrowed, this is a common occurrence throughout the area during heavy snow conditions. It's unfair to deny our permit based on a situation that is beyond our control and happens frequently in this region.

- f. Sixth, it's worth noting that we have had conversations with our neighbors about potentially paving the road. Unfortunately, this idea was quickly met with resistance. It seems that many residents prefer dirt roads to discourage speeding, but at the same time, some of these same neighbors complain about the dirt and the danger it poses in case of a fire or other safety concerns. In any case, we have also proposed re-grading the hills to make them more gradual and less of an obstacle during snow conditions. We are even willing to bear the cost of this work ourselves.
- g. Seventh, it is important to note that we took proactive measures to address the snow situation on our property by purchasing a tractor, although it needed some repairs before it could be used effectively. We are committed to finding solutions and being responsible property owners. We understand the importance of being good neighbors and strive to do so while also exercising our legal rights to use our property for short term vacation rentals.
- h. Lastly, I want to address the claim that our property is not suitable for a vacation rental and poses a threat to public safety. The truth is that a vacation rental is no different from a primary residence in terms of its usage - both involve activities such as sleeping, cooking, and relaxing indoors. If the county has approved homes for permanent residents in our area, why would vacation rentals be considered unsafe? The safety concerns related to accessing the location apply to both residents and visitors alike. There is no legal requirement for visitors to have lifted trucks with large tires and 4x4 to access the property. Therefore, I question the idea that the property is safe for owners but not for renters. Don't property owners have guests visiting them too?

It appears that we are being treated unfairly due to our neighbors' fear of strangers driving past their properties. We have spoken to one of our neighbors who expressed concerns about our renters being thieves or drug addicts, which is not the case. Most of our renters are respectable individuals who simply want to enjoy the outdoors and the natural beauty of our location. It is worth noting that our neighbors were against short-term rentals even before the issue of snow and parked cars on Maple Drive arose.

We would also like to highlight the positive impact that our vacation rental has had on the local community. Our guests have contributed significantly to the local economy by spending money in the area, and we have been able to provide employment opportunities to local people who have benefited from our rental property.

We humbly request that you take some time to reconsider the decision made by the Planning Commission and allow us to use our property in a legal manner, just like many of our neighbors do. We understand that there may be concerns from some of our

neighbors about the use of our property as a vacation rental, but we assure you that we are responsible property owners who are committed to being good neighbors and contributing positively to our community.

We are not asking for special treatment or something that others are not already being afforded. We simply want to exercise our legal right to use our property as we see fit, while also being mindful of the concerns of our neighbors and working to address any issues that may arise.

We believe that allowing us to use our property as a vacation rental will not only benefit us, but also the local economy and the community as a whole. Our guests are respectful and responsible individuals who spend money in the area and support local businesses. Additionally, our vacation rental provides job opportunities for locals who are eager to work and contribute to the local economy.

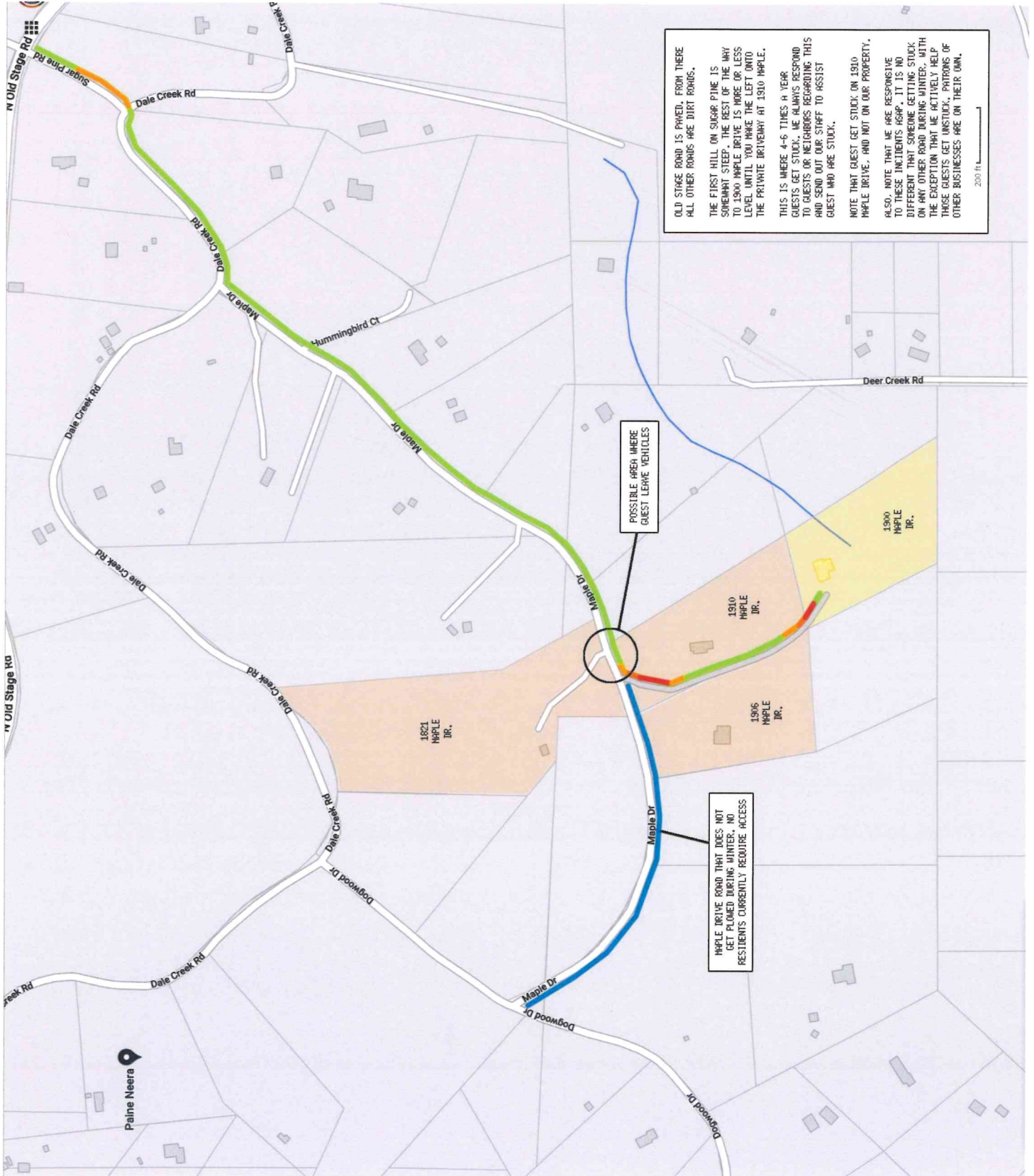
In closing, we ask that you please take some time to reconsider the Planning Commission decision and allow us to use our property in a legal manner. We are willing to work with our neighbors and address any concerns that they may have. Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script, reading "Joan and Luis Sinibaldi". The ink is dark and the signature is fluid and connected.

Joan and Luis Sinibaldi  
323.377.1817

PS: We've included a map that highlights the relevant properties and depicts the route to 1900 Maple Drive from Old Stage Road, along with the road conditions during heavy snowfall. Green indicates easy conditions, orange denotes medium difficulty, and red indicates hard conditions. The blue area marks an area with no traffic and no snow plowing. It's important to note that if a guest were to get stuck going up to our property, only three properties would be affected.



OLD STAGE ROAD IS PAVED. FROM THERE ALL OTHER ROADS ARE DIRT ROADS.

THE FIRST HILL ON SUGAR PINE IS SOMEWHAT STEEP. THE REST OF THE WAY TO 1900 MAPLE DRIVE IS MORE OR LESS LEVEL UNTIL YOU MAKE THE LEFT ONTO THE PRIVATE DRIVEWAY AT 1910 MAPLE.

THIS IS WHERE 4-6 TIMES A YEAR GUESTS GET STUCK. WE ALWAYS RESPOND TO GUESTS OR NEIGHBORS REGARDING THIS AND SEND OUT OUR STAFF TO ASSIST GUEST WHO ARE STUCK.

NOTE THAT GUEST GET STUCK ON 1910 MAPLE DRIVE, AND NOT ON OUR PROPERTY.

ALSO, NOTE THAT WE ARE RESPONSIVE TO THESE INCIDENTS ASAP. IT IS NO DIFFERENT THAT SOMEONE GETTING STUCK ON ANY OTHER ROAD DURING WINTER. WITH THE EXCEPTION THAT WE ACTIVELY HELP THOSE GUESTS GET UNSTUCK. PATRONS OF THOSE BUSINESSES ARE ON THEIR OWN.

POSSIBLE AREA WHERE GUEST LEAVE VEHICLES

MAPLE DRIVE ROAD THAT DOES NOT GET PLOWED DURING WINTER. NO RESIDENTS CURRENTLY REQUIRE ACCESS

200 ft



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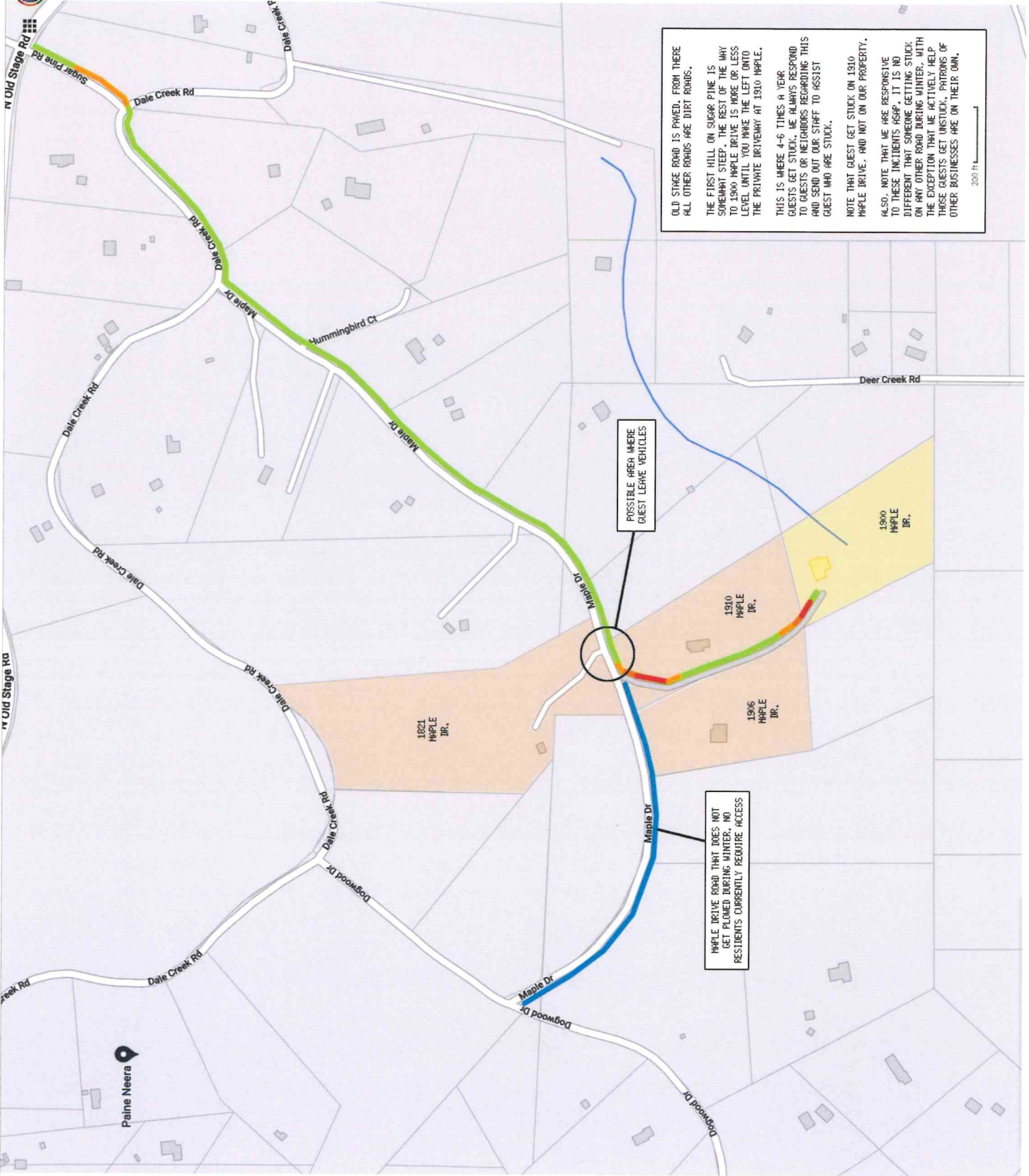
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