

# ATTACHMENT 2

**CITY OF HESPERIA  
COMMUNITY DEVELOPMENT DEPARTMENT  
9700 Seventh Avenue  
Hesperia, CA 92345  
(760) 947-1200**



## APPLICATION FOR APPEAL

### FEES

\$311.00      Appeal from Staff to Planning Commission or,  
\$324.00      Appeal from Planning Commission to City Council

**NOTICE:** This form must be filed prior to the effective action date for the project action being appealed (normally 10 days). Appeal applications received after this time period will not be accepted.

As every project action is based upon a set of findings and conditions, you should focus your appeal toward changing those findings, and/or conditions. If you need assistance, contact the City of Hesperia, Planning Division at 947-1200.

For appeals to Planning Commission, completed application should be submitted with the specified fee, to the Community Development Department, 9700 Seventh Street, Hesperia.

You may attach additional pages or other documentation to this application.

Project Action Date: January 23, 2018

File No.: SPRE17-0005      Date Appeal Filed: January 22, 2018

Project Applicant(s): Cal Earth, Inc.

Appellant's Name: Cal Earth, Inc.

Appellant's Address: 10177 Baldy Lane

City: Hesperia      Zip: 92345      Phone No.: 760-956-7533

Assessor's Parcel No. of Subject Property: APN Nos. 0405-261-70 and 0405-261-24

General Location of Property: north of Live Oak St between Baldy Lane and Topaz

## APPEAL STATEMENT

1. I/We hereby appeal to the City of Hesperia: (Check One)

☒ Planning Commission

☐ City Council

2. I/We are appealing the project action taken to:

☐ DENY the project ☐ DENY the project without prejudice

☐ APPROVE the project ☒ APPROVE the project with conditions (attach a copy of the conditions, if they are the subject of the appeal).

☐ ADOPT a Negative Declaration

☒ OTHER (specify) \_\_\_\_\_

3. <sup>to be completed by Cal Earth, Inc. on City owned property.</sup> Detail what is being appealed and what action or change you seek. Specifically address the findings, mitigation measures, conditions and/or policies with which you disagree. Also, state exactly what action/ changes you would favor.

(1) The condition that states the Topaz street improvements be completed by August 23, 2018 upon approval of construction drawings on June 23, 2018. We seek to allow for 8 month completion.

(2) The condition that states all of Topaz that borders the Cal Earth, Inc. property be improved. The change we seek is to make improvements on Topaz that include the proposed driveway that extends to Topaz along with street improvements not to exceed ten (10) feet on either side of the driveway curb return onto Topaz (includes curb and gutter and sidewalk improvements).

4. (3) NOTE: Within 8 months Cal Earth, Inc. is able to complete the City specified improvements. State why you are appealing - be specific. Reference any errors or omissions - attach any supporting documentation.

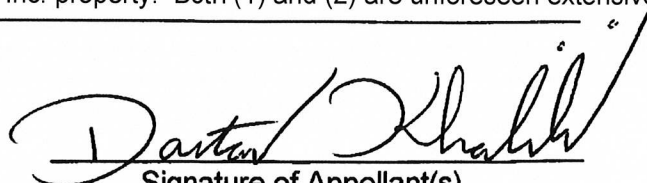
Due to extensive costs and time involved to complete City requests including: (1) ICC review and approval of the Subject with respect to building permits (see attachment) and (2) inclusion of improvements on the length of Topaz that borders Cal Earth, Inc. property. Both (1) and (2) are unforeseen extensive costs and time intensive activities.

I/We certify that I/We are the:

☐ Legal Owner(s)

☒ Authorized Legal Agent(s)

☐ Other Interested Person(s)

  
Signature of Appellant(s)

DATE: 1/22/18