



County of Calaveras Department of Planning

891 Mt. Ranch Road
San Andreas, CA 95249

Kim Hansen – Director of Planning

Phone number
209/754-6394
Fax number
209/754-6540

August 9, 2001

Michael and Michelle Nemeec
6599 Floppiano Lane
Stockton, CA. 95212

Re: Possible Zoning Violation APN 050-052-003, 8186 Warren Road, Calaveras County

Dear Mr. and Mrs. Nemeec:

This office has received complaints about the possible construction of a private golf course on the 229 acres you recently acquired from the Brehm family. Please be advised that this property is currently zoned Agricultural Preserve (AP) and is under a Williamson Act Contract, Contract 55, with a notice of Non-Renewal filed for the contract in 1997. Non-renewal of the contract will be effective March 1, 2006. Until that date, the property must remain zoned AP.

Enclosed herein is a copy of Chapter 17.18 of the Calaveras County Code that details the permitted and conditional uses in the AP zone. A golf course, whether for private or public use, is not allowed in the Agriculture Preserve Zone as either a permitted or a conditional use. Additionally, Agricultural Preserve Contract 55 expressly specifies that the described property shall not be used for any primary purpose other than the production of agricultural products including timber and compatible uses. The agreement also states that the County expressly retains the right to demand continued agricultural production as a condition for continuance of this agreement. Failure to maintain such agricultural production, or acts otherwise inconsistent with such use by owner, may be deemed by County to be a breach of the agreement. The construction of a golf course on this property, even for your private use, violates both County Code Chapter 17.18 and the provisions of Agricultural Preserve Contract 55.

Please be advised any further golf course construction activity on the property could result in legal action by the County. Please contact this office within 7 days from the date of this letter to discuss these issues. Should you have further questions, please contact our office.

Sincerely,

Dan Hendrycks

Dan Hendrycks
Planner II

Enclosure

cc. Ray Waller, Building Official
Jerry Howard, Agriculture Commissioner
Randy Metzger, County Assessor