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## Mini storage – big problems

*Local residents ban together to overturn decision*

**By Ryan Rose**

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Ryan Rose/THE Telegraph From their deck, Mark and Laura Obrochta see the tree filled ridge that will be replaced by a mini-storage.

By approving a mini-storage facility on Green Valley Road to avoid one lawsuit, the El Dorado County Board of Supervisors may have stumbled upon an even greater legal landmine.

Local residents affected by the development have banded together to overturn the board's decision – by any legal means necessary.

“The people of El Dorado Hills are not about to sit back and allow the county to make decisions about development that do not reflect what is best for the community now and for the future,” said Laura Obrochta. With her husband, Mark, Obrochta is spearheading the group protesting the development.

While there is no legal precedence for overturning board decisions in El Dorado County, such cases have occurred elsewhere in California. A residential group working with an ecological conservation organization overturned the San Bernardino County Board of Supervisor's decision to construct additional home developments, claiming the area is an “important habitat for imperiled wildlife.”

The Obrochtas said they have received dozens of emails pledging support as well as monetary donations. The controversial decision was delivered last Tuesday with a final vote of 3 to 2. Supervisors Helen Baumann and Rusty Dupray, who both represent El Dorado Hills, opposed the development.

As proposed, the mini-storage will occupy 6 acres of a 17-acre property approximately 800 feet west of the intersection of Green Valley Road and Francisco Drive. The land, visible from Telegraph Hill, the Hidden Acres quarter, and the future site of the Francisco Oaks development, is currently populated by hundreds of oak trees.

Originally denied in August 2003, the supervisors allowed a rehearing on the issue after the property developer, Peninsula Group Inc., threatened a lawsuit, claiming the county was limiting their development rights.

The board had previously denied two proposals from the development group. Peninsula Group Inc. did not return calls to the Telegraph by press time.

Lawyers from both sides approved a settlement agreement last month to curtail further litigation. The arrangement stipulated the county would rehear the proposition, while under no obligation to approve the plans.

County Counsel Lou Green said the agreement also included benefits if supervisors voted to approve. According to Green, developers would cede an easement situated on their property to the county's Department of Transportation for use in a pedestrian/bike trail. The agreement also includes a condition where the remaining 11 acres on the property would stay undeveloped as an “oak tree sanctuary.”

However, had the board denied the group's proposal, litigation on the matter would continue, according to Green.

“The truth is, I understand the [Board of Supervisors] is in a sticky situation, but if they're not here to enforce the public

will, then who is," said Mark Obrochta. "It's not as if there was a split in public opinion about this issue. Nobody has ever come to speak in favor of the project except the developer."

Such feelings on both sides have left the county between a rock (legal battle) and a hard place (public outcry.) With no end in sight that satisfies all parties, the board's decision may become a big battle over mini-storage.

The Obrochtas are available for more information at [nostorage@sbcglobal.net](mailto:nostorage@sbcglobal.net).