



Appeal Application and Information Sheet

Date Received	05/06/13
By	D OLSEN
Fee	720.00
Case #	A-01-13

General Information

APPLICANT Frank Hubbard Phone _____ Fax _____

Mailing Address _____ Email _____

City Yucca Valley, CA State CA Zip 92284

REPRESENTATIVE _____ Phone _____ Fax _____

Mailing Address _____ Email _____

PROPERTY OWNER Frank Hubbard Phone _____ Fax _____

Mailing Address _____ Email _____

City Yucca Valley State CA Zip 92284

Project Information

Project Address 8205 Keats Ave. Assessor Parcel Number(s) 588-356-05

Project Location _____

Project Description: Assemble and Sell Firearms

I/We are appealing the following project action taken:

- Denial of project
- Denial of project without prejudice
- Approval of the project
- Adoption of a Negative Declaration
- Modification to Conditions of approval
- Other, please describe _____

- I/We are appealing:
- Staff Determination
 - Hearing Officer Determination
 - Planning Commission Determination

Please attach any additional information that is pertinent to the application.

Town of Yucca Valley
Community Development Department
Planning Division
58928 Business Center Dr
Yucca Valley, CA 92284
760 369-6575 Fax 760 228-0084

Owner/Applicant Authorization

Applicant/Representative: I/We have reviewed this completed application and the attached material. The information included with this application is true and correct to the best of my/our knowledge. All documents, maps, reports, etc., submitted with this application are deemed to be public records. I/We further understand that the Town might not approve the application as submitted, or might set conditions of approval. Further, I understand that all documents, maps, reports, etc., submitted with this application are deemed to be public records.

Signed: _____

Date: _____

Property Owner/ Authorized Agent: I/We certify that I/We are presently the legal owner(s) of the above described property (If the undersigned is different from the legal property owner, a letter of authorization must accompany the form). Further, I/We acknowledge the filing of this application and certify that all of the above information is true and accurate. I/We understand that I/We are responsible for ensuring compliance with conditions of approval I hereby authorize the Town of Yucca Valley and or/its designated agent(s) to enter onto the subject property to confirm the location of existing conditions and proposed improvements including compliance with applicable Town Code Requirements. Further, I understand that all documents, maps, reports, etc., submitted with this application are deemed to be public records.

Signed: Frank J. Hufford

Dated: 5/6/2013

Agreement to Pay All Development Application Fees

In accordance with Town Council Resolution 04-38 the Town collects certain fees based on the actual cost of providing service. The application deposit for this project (as indicated below) may not cover the total cost of processing this application. I/We are aware that if the account has 25% or less remaining prior to completion of the project, staff will notify the undersigned in writing, of the amount of additional deposit required to complete the processing of the application, based on Staff's reasonable estimate of the hours remaining to complete this application process.

Further, I understand that if I do not submit the required additional deposit to the Town within 15 business days from the date of the letter, staff may stop processing of the application and/ or not schedule the project for action by the Planning Commission or Town Council.

Any remaining deposit will be refunded to me at time of closeout after I have submitted any required approved project plans and forms, including signed conditions of approval, or upon my written request to withdraw the application.

As the applicant, I understand that I am responsible for the cost of processing this application and I agree that the actual time spent processing this application will be paid to the Town of Yucca Valley

Deposit Paid: \$ _____

Applicant's Signature _____ Date: _____

Applicants Name _____
(Please print)

May 6, 2013

Frank J. Hubbard

Yucca Valley, CA 92284-6180

H

Town of Yucca Valley
Community Development Department Planning Division
58928 Business Center Dr.
Yucca Valley, CA 92284

Dear Planning Commission:

We are appealing the approval of the Home Occupation Permit which was issued to: Luke Mintz, 8205 Keats Ave. This appeal is supported by practically all of my neighbors. My neighbors contributed \$620 of the \$720 fee to process this appeal.

At the hearing on 4/15/2013 Mr. Mintz stated he was in the process of applying for a Federal Firearms License. The proposed business cannot be legally conducted without this license. I have attached a package of info from the ATF web site about applying for a Federal Firearms License.

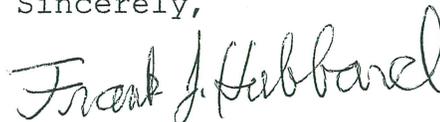
Most of my neighbors appeared at the hearing on 4/15. The concerns expressed were: Negative impact on property values, increased crime (Guns are a popular target for thieves.), safety of our children, negative impact on 2 nearby day care centers and increased traffic on our street. The overwhelming opposition which was expressed by all except Mr. Mintz appears to have been disregarded in the decision making process.

Mr. Mintz stated that he has no business experience and very little capital. We do not feel that we should be forced to participate in this experiment.

A gun shop does not belong in a residential neighborhood.

Please let me know if you have any questions or need further information.

Sincerely,



Frank J. Hubbard

Nalini Maharaj(resident supporting the the appeal as well)

Yucca Valley, 92284

May 03. 2013

The planning Commission

RE: an Appealing the permit granted for Home Occupation Permit HOP 01-13 Luke Mintz 8205 Keats AVE APN-588-356-05

Dear Sir/Madam

This letter is attached to the appeal application that is been submitted today 05/06/13, on behalf of the residents of Keats avenue and some from neighboring streets.

As residents that are affected by the Home Occupation Permit HOP 01-13 Luke Mintz, we are appealing the permission granted to the applicant by the town deputy manager based on the public hearing held on the 04/15/2013. Our reasons for this appeal are as follows:

1. The nature of the proposed business, has created a great safety concern for all the residents, as current legislation in the country still debate background checks of gun owners, the applicant is not ensured us neither has the government that background checks is permissible. Hence this increases the risk of individuals with criminal history entering a residential area, which leads to a greater risk of burglaries , sex offenders, and general crime increase in the area. Please note that more than 50% of the residents in this area are single seniors that are retirees.
2. Furthermore less than a quarter of a mile from 8205 Keats Avenue, is a Day Care Centre and a mile away is an elementary school (this business now puts children that are babies at risk of been victims' of possible crimes such as one that the nation experienced in the town of Sandy hook in December of 2012.
3. By "Appointment only" does not decrease the number of additional vehicles on the street in a weeks period, adding to traffic noise, a danger to local residents (especially the children that play with there bikes) and pollution. Limiting the hours for public access only increases the number of vehicle per hour on our street during those hours, and there are parking concerns. Visitors that are not available at those hours will simply arrange to come at other times, and this would be oversight regarding this (and other) plan Violations. This is a quite street, this and many other elements will disturb the peace, ambience and aesthetics of the home owners and the street.
4. The property values of the residents will definitely be jeopardize if commercial business is in a residential zoning , it would also decrease the potential buyers in the neighborhood. As the seller must disclose a commercial business in residential area that the buyer is purchasing into, (this disclosure must be made by the seller even if it is public knowledge, as it would affect the risk of the buyers equity).
5. As residents we are very confused as to how the Deputy Town Manager granted this Home Occupation Permit, because at the hearing on the 04/15/13 (Mr. Mintz the applicant) expressed that he has not as yet been approved his Federal Fire Arm License neither did he present this to the residents at the hearing . Why is the town granting a permit to sell guns when the federal government has not yet approved him have a gun licenses???

6. According to the California Department of Justice Bureau of Firearms application for Centralized list of firearms dealers, the statutory requirements for becoming a California Licensed firearms dealer, and certain requirements for doing business in California:

- A Valid federal firearm license,
- A valid Sellers permit issued by the State Board of Equalization
- A Certificate of Eligibility issued by the department of Justice
- A valid listing on the DOJ Centralized list of Firearms Dealers, Etc

As residents' we would like to be informed if a background check on the above was done on MR Mintz, as the deputy City Manager certainly did not confirm the above at the hearing. Neither did he indicate if the business was going to have commercial liability insurance or is bonded and for what amount???

Finally Mr. Mintz explained to us at the hearing that this is his first attempt as a business-owner of a gunship, he came across is totally inexperienced in this business, and someone that was not clear on the Operations and handling (or the nature of such a business.)

In light of the above the Town and the applicant is opening themselves to liabilities such as lawsuits. We therefore request that the planning commission take action to change the permit granted to MR Mintz, by the deputy City Manager. Hence this is the residents need for the application of the appeal.

Sincerely



Name

And on behalf all residents