



**COUNTY OF NEVADA**  
**COMMUNITY DEVELOPMENT AGENCY**  
**DEPARTMENT OF PUBLIC WORKS**  
950 MAIDU AVENUE, NEVADA CITY, CA 95959-8617  
(530) 265-1411 FAX (530) 265-9849 [www.mynevadacounty.com](http://www.mynevadacounty.com)

Sean Powers  
Community Development Agency Director

Steve Castleberry  
Director of Public Works

April 27, 2016

Mr. Larry Andresen  
P.O. Box 34047  
Truckee, CA 96160

Re: Floriston Avenue/Iceland Road, Encroachment Permit9541

Dear Mr. Andresen:

I am writing in response to your request for an encroachment permit dated April 5, 2016 and the accompanying improvement plans which were previously submitted on January 25, 2016. Your application proposed to widen approximately 440 feet of Floriston Avenue, as well as remove existing landscaping and vegetation. In addition, your permit request required that, as a condition of your planned improvements, the County relocate the power pole and fire hydrant as well as direct removal of existing sheds owned by private parties. Finally, you requested the road be posted for no parking.

For decades, Floriston Avenue has not followed the County right-of-way but meandered out of the right-of-way onto property owned by you and your neighbors. This alignment is shown on Record of Survey Book 15 Page 185. Your proposal is intended to reroute the path of travel depicted on that Record of Survey. At the time of the survey, the road width was approximately 15' to 18' and was adequate for emergency vehicle access.

In September, you constructed a fence into the path of travel depicted in the Record of Survey, narrowing the road width to approximately 9'. As a result, the road does not currently meet the County's minimum width road standard as described in Public Resources Code 4290. From a practical perspective, the fence construction precludes large emergency vehicles from passing the fence location. Your proposed improvements mitigate a risk you created by construction of your fence.

Sec. G-IV 4.A.15.1 of the Nevada County Development Code guides that encroachment permits may be denied if they adversely affect the interest of the County or the convenience or safety of the public. By establishing a new alignment, your plan does not serve the convenience of your

neighbors in the Hirschdale community, nor is it a significant safety improvement over the old alignment, which adequately served the community for years. In this case, the County's interests are best served through reestablishment of the path of travel depicted on the Record of Survey, and not through your proposed disruption of existing buildings and landscaping.

We are therefore denying your request for an encroachment permit and requesting the roadway be restored to its previous width by removal of the fence and boulders from the path of travel. If you would like to modify the path of travel, we recommend you work with your neighbors along the road to formulate and present a proposal to the County.

Please let me know if you have any questions.



STEVE CASTLEBERRY  
DIRECTOR OF PUBLIC WORKS