

## M E M O R A N D U M

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**TO:** Benjamin Berto, AICP, DZA Hearing Officer  
**FROM:** Curtis Havel, Senior Planner  
**RE:** Schipper Lane Notice of Violation  
Assessor's Tax Parcel Number 188-170-44  
March 1, 2012 DZA Hearing  
**DATE:** February 23, 2012

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The Marin County Community Development Agency received information that Assessor's Tax Parcel 188-170-44 was conveyed in violation of the Subdivision Map Act. Assessor's Tax Parcel 188-170-44 is further identified as Parcel "B" on the "Parcel Map of Division of Lands of Krip Investment Corporation," filed March 17, 1970 in Book 4 of Parcel Maps at Page 81 of Marin County Official Records.

The Krip Investment Corporation Land Division application was a proposal to create 4 new lots. The approved Parcel Map depicted Lots 1 through 4 and identified two remainder parcels: Parcel A and Parcel B. According to the approved Parcel Map, both Parcels A and B were to be dedicated to the County of Marin for roadway purposes. Neither parcel (A or B) was intended or otherwise created as a separate legal lot of record for development purposes. If that were the case, a Tentative Map and Final Map would have been required instead of a Parcel Map (California Government Code Section 66426 and Chapter 20.08 of the Marin County Municipal Code).

Consistent with California Government Code Section 66499.36, a Tentative Notice of Violation dated January 11, 2012 was provided to Romul Chiorean (the current property owner of record) via certified mail. Staff received verification that Mr. Chiorean received the Tentative Notice of Violation on January 20, 2012. To date, staff has not received any communication from Mr. Chiorean presenting evidence demonstrating how the parcel was legally created or otherwise objecting to the recordation of a Notice of Violation.

### **Recommendation**

Staff recommends that the Deputy Zoning Administrator direct staff to record a Notice of Violation for Parcel "B" of the "Parcel Map of Division of Lands of Krip Investment Corporation" (Assessor's Tax Parcel 188-170-44).

Attachments: 1. Tentative Notice of Violation, January 11, 2012  
2. Letter from Neil Sorensen, October 18, 2011  
3. California Government Code Section 66499.36

C: Romul Chiorean  
Neil Sorensen

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