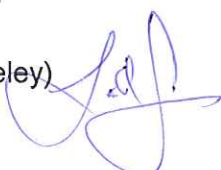


COMMUNITY DEVELOPMENT AGENCY
PLANNING DIVISION

MEMORANDUM

TO: Ben Berto, Deputy Zoning Administrator

FROM: Lorene Jackson, Planner (for Scott Greeley) 

DATE: December 11, 2012

RE: Deputy Zoning Administrator Hearing – December 13, 2012
Project ID: 12-0215
Assessor's Parcel 146-180-46
571 McClay Road, Novato
Pacific Residential LLC Land Division (LD 13-1)

DISCUSSION

At the November 29, 2012 public hearing, David Ongaro, the neighbor at 575 McClay Road, raised a question about whether the existing access easement could benefit all three lots in the proposed land division. The hearing was continued to give staff time to review the easement and determine who the beneficiaries of the easement. Staff reviewed the deed and verified that all the lots in the proposed land division would have legal access through this easement. The access easement is for roadway and utility purposed that does not exclusively limit access to one parcel. No additional information was provided by Mr. Ongaro to support his assertion.

Similarly, the property southerly of the Ongaro parcel was split into two parcels after the original land division. This implies that further divisions of these original parcels was contemplated or intended when the original parcel map (9 PM 63) was filed.

RECOMMENDATION

Staff recommends the resolution remain as revised at the November 29, 2012 hearing whereby Conditions of Approval 21 and 23 were deleted.

c.c. DPW*
Pacific Residential*
Richard Souza*
David Ongaro

*via email