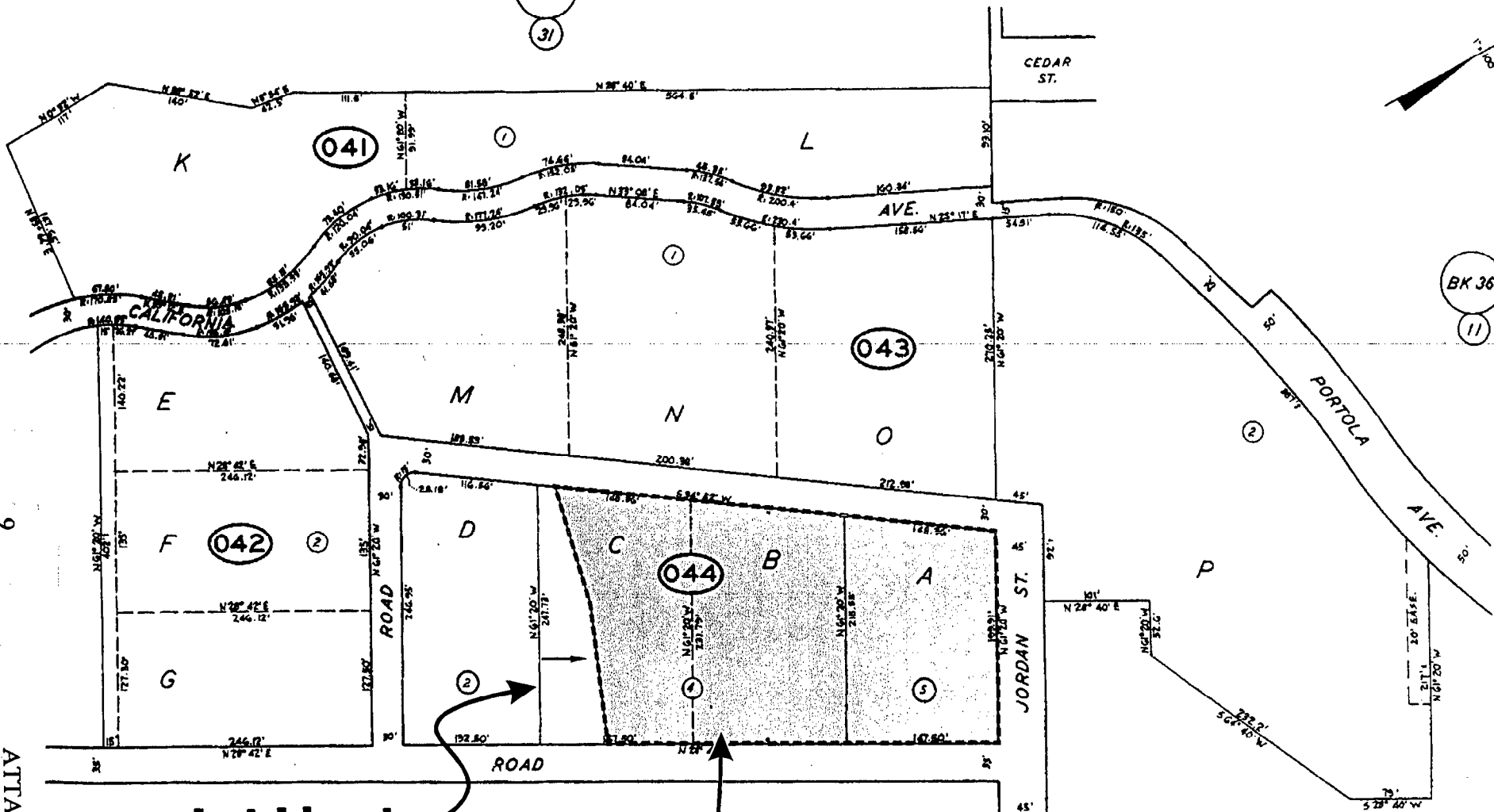
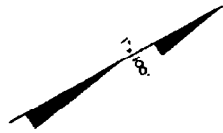


**Urban/Rural  
Boundary**

TAX CODE AREA -----

37-4

BK 36  
31

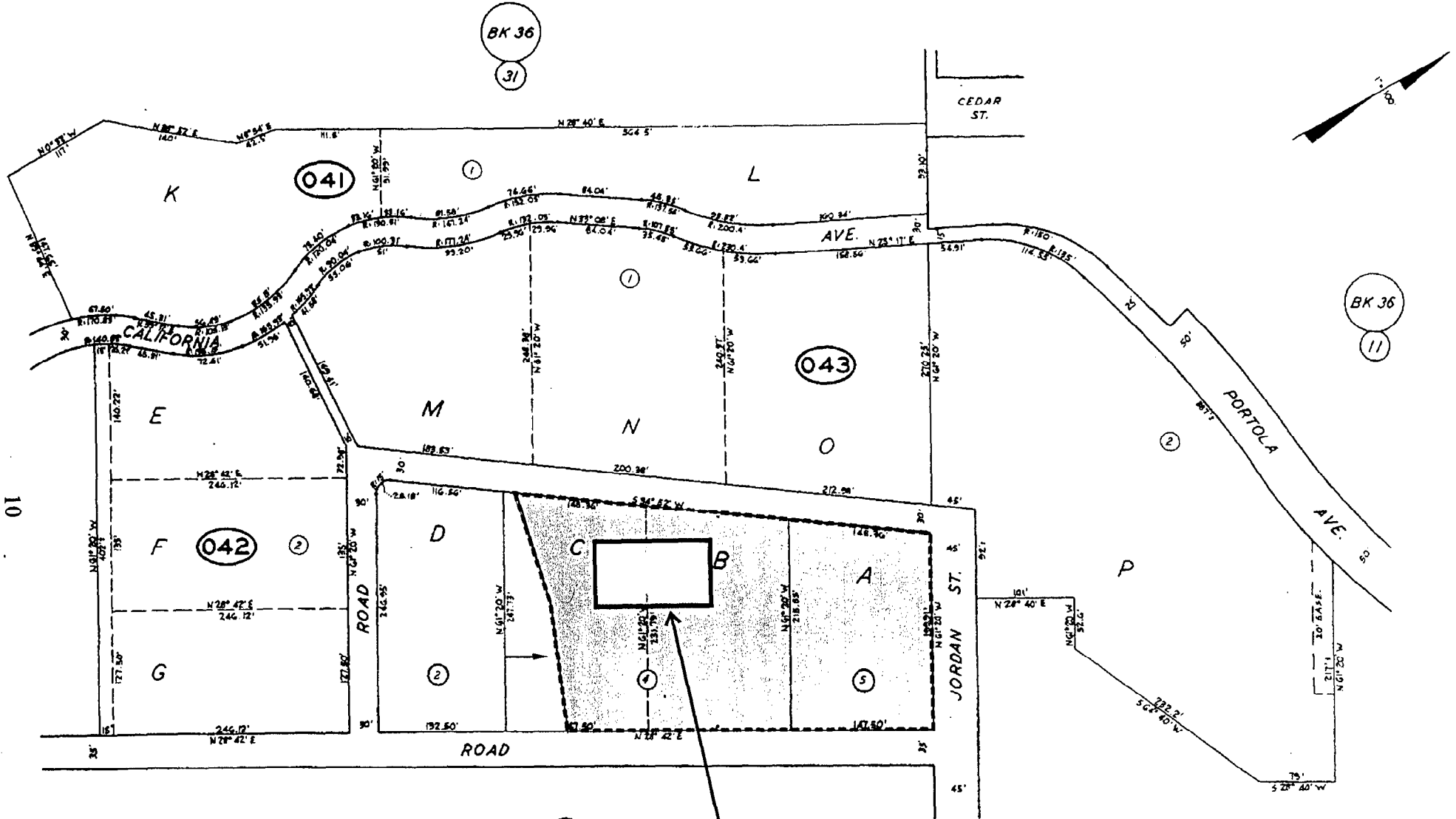


**Lot Line to be moved**

**PARCELS TO BE MERGED (A, B, & C)**

6

ATTACHMENT C



Approximate location of existing house.

△ MONTARA HEIGHTS R.S.M. 8 / 19



Planning and Building Division

County of San Mateo

Mail Drop PLN 122 • 455 County Center • 2nd Floor • Redwood City  
California 94063 • www.co.sanmateo.ca.us/planning • plngbldg@co.sanmateo.ca.us

Board of Supervisors  
Mark Church  
Richard S. Gordon  
Jerry Hill  
Rose Jacobs Gibson  
Michael D. Nevin

Marcia Raines  
Director

Terry Burnes  
Planning Administrator

650/363-4161  
Fax 650/363-4849

Please reply to: Stephanie Willsey  
(650) 363-1829

March 2, 2001

PROJECT FILE

Ernest Thompson  
One Nizhoni Road  
Moss Beach, CA 94038

Julie Spiegler  
P.O. Box 370450  
Montara, CA 94037

**Subject:** File Number PLN2000-00734  
**Location:** 801 June Hollow Road, Montara  
**APN:** 037-044-020, 037-044-040, 037-044-050

On February 28, 2001, the San Mateo County Planning Commission considered your appeal of a decision by the Planning Director to approve a Lot Line Adjustment, pursuant to Government Code Section 66412 (d) and Section 7124 of the San Mateo County Subdivision Ordinance, to reconfigure a lot line affecting two existing lots located at 801 June Hollow Road, in the unincorporated area of Montara.

Based on information provided by staff and evidence presented at the hearing the Planning Commission denied the appeal, made the findings and adopted conditions of approval with changes as follows:

**FINDINGS:**

**For the Environmental Review, Found:**

1. That this project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), Section 15305, Class 5, relating to minor lot line adjustments.

**For the Lot Line Adjustment, Found:**

2. That the processing of the Lot Line Adjustment is in full conformance with Government Code Section 66412 (d) and Section 7124 of the San Mateo County Subdivision Ordinance.

Ernest Thompson  
Julie Spiegler  
March 2, 2001  
Page 2

## CONDITIONS OF APPROVAL

### **Planning Division**

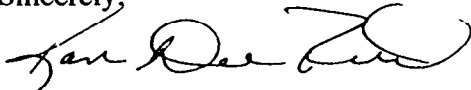
1. The applicant/owner shall merge the resulting portion of Lot C with Lot B and Lot A.
2. This conditional approval is for the Lot Line Adjustment as indicated on the submitted plans dated June 2, 2000.
3. Prior to recordation of the Lot Line Adjustment, the applicant/owner shall provide detailed layout plans and proof of a feasible means of sewage disposal for proposed Parcel I (prior Parcel D) in full compliance with County septic, well, and building regulations to the satisfaction of the Director of Environmental Health.
4. Prior to recordation of the Lot Line Adjustment, the applicant/owner shall provide detailed layout plans and construct a new well to serve the existing residence on proposed Parcel II (prior Parcel A/B/C), the well to be within the boundaries of proposed Parcel II (prior Parcel A/B/C) and to meet all applicable requirements of the County well ordinance and building regulations.

### **Department of Public Works**

5. The applicant shall submit to the Project Planner, for recordation, legal descriptions of the reconfigured parcels. The Project Planner will review these descriptions and forward them to Public Works for approval.

Any interested party aggrieved by the determination of the Planning Commission has the right of appeal to the Board of Supervisors within ten (10) business days from such date of determination. The appeal period for this matter will end at **5:00 p.m. on March 14, 2001.**

Sincerely,



Kan Dee Rud  
Planning Commission Secretary  
Pcd0228L.7kr

Ernest Thompson  
Julie Spiegler  
March 2, 2001  
Page 3

cc: Public Works  
Building Inspection  
Environmental Health  
Assessor  
CDF  
Kerry Burke  
Dave Byers  
Dianne Burr  
Chuck Kozak, MCCC  
Anne Pealman  
Kathryn Slater Carter

# Application for Appeal

## Planning and Building Division

County Government Center - 590 Hamilton St. - Redwood City CA 94063  
Main Drop PLN 122 - 415 - 363 - 4161

To the Planning Commission

To the Board of Supervisors

### 1. Appellant Information

Name: ERNEST B THOMPSON

Address: ONE NIEMONI RA

MOSS BEACH, CA

Phone. W: 650 255 0471 H: 650 728 5935

Zip: 94038

### 2. Appeal Information

Permit Numbers involved:

COUNTY FILE No PLN 2000-00734

APN's 037-044-020 AND 037-044-030

I have read and understood the attached information regarding appeal process and alternatives.

yes

no

I hereby appeal the decision of the:

Staff or Planning Director

Zoning Hearing Officer

Design Review Committee

Planning Commission

Appellant's Signature:

Date: March 13, 2001

made on FEB. 14 <sup>2001</sup> 29 to approve/verify the above-listed permit applications.

### 3. Basis for Appeal

Planning staff will prepare a report based on your appeal. In order to facilitate this, your precise objections are needed. For example: Do you wish the decision reversed? If so, why? Do you object to certain conditions of approval? If so, then which conditions and why?

- Approval of lot line adjustment subverts the intent of zoning for this area by creating a "bigger" parcel. Section 6901 (which cannot be overlooked) states that "parcels smaller than five acres in size shall continue to be legal parcels only if no adjacent property was in the same ownership at the enactment of this ordinance." Subject lots A, B, C, and D were in the same ownership at the time of the enactment of the ordinance.  
The alleged lot line adjustment would not create a "legal parcel" and should therefore be denied.
- Section 6903 states that all development proposed for location with an RM-CZ district shall require the issuance of a permit. Development is defined as the division of land into two or more parcels. In this instance two parcels are being divided. This is a new subdivision of already divided parcels that must be subject to the issuance of a permit.
- The lot line adjustment does not conform to government code section 66412(d) in that the local zoning ordinance has not been adhered to "Section 6901"
- The appellant has ask for an explanation of the reason that the zoning of 6903 does not apply in two prior hearings and attorney for the appellant has discussed with Planning and Building Council. Appellant believes that a satisfactory explanation for the basis of not complying with RM-CZ 6903 has not been forthcoming.

The specific request of the appellant is that the property lot line adjustment be denied or that no building of additional structures/residences be allowed on the tract consisting of lots A,B,C, and D without a building permit subject to section 6903 of Chapter 36, Resource Management Coastal Zone (RM - CZ) District.