

Draft Resolution to be modified by Town Council deliberations and direction.

RESOLUTION 2021-

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS
GRANTING AN APPEAL OF THE DECISION OF THE PLANNING COMMISSION AND
DENYING THE REQUEST FOR A LOT LINE ADJUSTMENT BETWEEN THREE ADJACENT
LOTS ON PROPERTIES ZONED R-1:20.**

**APNS 532-36-075, -076, -077
SUBDIVISION APPLICATION: M-20-012
PROPERTY LOCATION: 17200 LOS ROBLES WAY
APPELLANT: ALISON AND DAVID STEER
APPLICANT: TONY JEANS
PROPERTY OWNERS: DARAN GOODSSELL, TRUSTEE AND MARK VON KAENEL**

WHEREAS, on May 25, 2021, the Development Review Committee held a public hearing and considered a request for Certificate of Compliance of two vacant parcels at 17200 Los Robles Way (APNs 532-36-075 and 532-36-077), zoned R-1:20. Based on the review by the Town’s Consultant Surveyor, the Development Review Committee found that the parcels were legally created in accordance with the Subdivision Map Act and approved the Certificate of Compliance applications subject to the conditions of approval.

WHEREAS, on July 13, 2021, the Development Review Committee held a public hearing and considered a request for a lot line adjustment between three adjacent lots on properties zoned R-1:20. The Development Review Committee found that the Lot Line Adjustment application was complete and in compliance with Town Code and the Subdivision Map Act and approved the application subject to conditions of approval.

WHEREAS, on July 22, 2021, the appellant filed an appeal of the decision of the Development Review Committee approving the Lot Line Adjustment application between three adjacent lots on properties zoned R-1:20.

WHEREAS, on September 8, 2021, the Planning Commission held a public hearing and considered an appeal of the Development Review Committee decision to approve a lot line adjustment on properties zoned R-1:20. The Planning Commission denied the appeal and approved the Lot Line Adjustment application subject to modified conditions of approval.

WHEREAS, on September 20, 2021, the appellant filed an appeal of the decision of the Planning Commission denying the appeal and approving the request for a lot line adjustment between three adjacent lots on properties zoned R-1:20.

WHEREAS, this matter came before the Town Council for public hearing on November 2, 2021, and was regularly noticed in conformance with State and Town law.

WHEREAS, the Town Council received testimony and documentary evidence from the appellant and all interested persons who wished to testify or submit documents. The Town Council considered all testimony and materials submitted, including the record of the Planning Commission proceedings and the packet of material contained in the Council Agenda Report for their meeting on November 2, 2021, along with any and all subsequent reports and materials prepared concerning this application.

NOW, THEREFORE, BE IT RESOLVED:

1. The appeal of the decision of the Planning Commission approving a lot line adjustment between three adjacent lots on properties zoned R-1:20 is granted and the application is denied.
2. The decision constitutes a final administrative decision pursuant to Code of Civil Procedure section 1094.6 as adopted by section 1.10.085 of the Town Code of the Town of Los Gatos. Any application for judicial relief from this decision must be sought within the time limits and pursuant to the procedures established by Code of Civil Procedure section 1094.6, or such shorter time as required by state and federal Law.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 2nd day of November 2021, by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____

ATTEST:

TOWN CLERK OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____

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