

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

RESOLUTION 2020-__

**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF LOS GATOS
GRANTING AN APPEAL OF THE DECISION OF THE PLANNING COMMISSION
APPROVING A REQUEST FOR CONSTRUCTION OF
A NEW SINGLE-FAMILY RESIDENCE AND REMOVAL OF LARGE PROTECTED TREES
ON A VACANT PROPERTY ZONED HR-2 1/2:PD.**

**APN 527-09-036
ARCHITECTURE AND SITE APPLICATION: S-18-052
PROPERTY LOCATION: 15365 SANTELLA COURT
APPELLANT: DAVID WEISSMAN
APPLICANT: HARI SRIPADANNA
PROPERTY OWNER: CHRISTIAN AND HELLEN OLGAARD**

WHEREAS, on January 8, 2020, the Planning Commission held a public hearing and considered a request for construction of a new single-family residence and removal of large protected trees on a vacant property zoned HR-2 ½:PD. The Planning Commission approved the Architecture and Site application subject to conditions of approval; and

WHEREAS, on January 17, 2020, the appellant filed an appeal of the decision of the Planning Commission approving the request for construction of a new single-family residence and removal of large protected trees on a vacant property zoned HR-2 ½:PD; and

WHEREAS, this matter came before the Town Council for public hearing on March 3, 2020, and was regularly noticed in conformance with State and Town law; and

WHEREAS, the Town Council received testimony and documentary evidence from the appellant and all interested persons who wished to testify or submit documents. 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 March 3, 2020, 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 request for construction of a new single-family residence and removal of large protected trees on vacant property zoned HR-2 ½:PD is granted and the application is denied; and

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 3rd day of March, 2020, 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: _____