

18 August 2016

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CONTRA COSTA  
2016 AUG 18 AM 11:51  
APPLICATION & PERMIT CENTER

TO: Department of Conservation and Development  
Contra Costa County

RE: Development Plan for New House at 158 Lawson Road, Kensington  
County File #DP15-3030

Appeal of Planning Commission Ruling to CCC Board of Supervisors

To Whom It May Concern:

This letter constitutes our official appeal of the ruling on August 9, 2016, by the Contra Costa County Planning Commission against the Findings of the Zoning Administrator. Please find attached the required fee of \$125.

There is no documentation of the particular Findings that the Planning Commission found objectionable as opposed to which Findings were acceptable. Review of the video of the hearing does not yield this specificity either. We consulted with Planning Staff, who confirmed that the ruling simply states that the Commission does not agree in general with the Findings. Per policy, this technically means that the only statement that can definitively be made is that Planning Commission does not agree with any of the Findings.

We point out, as the Staff will note in their report to the Board, that the Kensington Municipal Advisory Council (KMAC) supported all Findings presented to the Planning Commission, as did the Zoning Administrator (subject to a number of conditions). Staff also wrote the supporting document for all these Findings and Conditions of Approval prior to the Planning Commission hearing.

Staff is now required to write a supporting document for the Planning Commission's reversal of these Findings, countermanding their previous position of affirmation of the Findings. Similarly, as a matter of procedure, Staff will also be required to create negative responses to any comments we make in this appeal letter about the correctness of the original Findings by KMAC and the Zoning Administrator.

We therefore will reserve our comments for the meeting of the Board of Supervisors when this agenda item is addressed.

In addition to noting the previous work that we did with KMAC in modifying the design to comply with the Kensington Ordinance, we call attention to the fact that we were in continual discussion with the neighbor at 153 Lawson from May 2013 through December 2015, trying to resolve issues, the result of which were several unilateral concessions on our part that have since been incorporated into the design as submitted. Prior to the Board of Supervisors meeting when we present our appeal, we will continue to attempt to reach compromises with this neighbor where technically possible and where such compromises result in a design that meets the goals of the Kensington Ordinance.

Sincerely,



Darlene Tong



Edward Dean