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January 19, 2021

Margaret Mitchell, Planner
CCC Zoning Administrator

Dear Margaret Mitchell,

This letter is to serve as an official appeal of the February 10, 2021 approval for the Blackwood Drive two-lot Subdivision (file # MS19-0007).

On behalf of several Norris Road residents this appeal is based on the following:

1. Residents of Norris Road believe that the County's approval of the Subdivision MS19-0007 is unlawful for the following reasons:

- a) In question is the county's authority to grant access and new address rights to a primary residence on Norris Road. The request to show where two *primary* access rights exist still stands. The staff response on the February 10, 2021 documentation is inadequate.
- b) In the February 10, 2021 meeting, legal counsel for Campos Development referenced the **Abutter's Rights** case as justification for allowing a property to be accessed from a street if that property borders said street. This right is not applicable in this case as Abutter's Rights specifically refers to public roads NOT private roads.
- c) In addition, Campos Development incorrectly stated that the 2216 Blackwood Drive property had been regularly accessed via Norris Road. This is also inaccurate. In the Summer 2015, renters of 2216 Blackwood Drive began accessing the Blackwood property via Norris Road. Norris Road residents deemed this as trespassing and contacted the county for guidance. The county advised the Norris Road residents to contact the Sheriff's office indicating the situation was a criminal matter. Residents contacted the Sheriff and the renters were told to discontinue this access and they complied.

2. Feasibility study for subdivided property entrance on Blackwood Drive has not been produced. We maintain that the entrance for both parcel A and B stay on Blackwood Drive. Campos Development stated that extensive research was conducted showing that an entrance to both parcel A and B via Blackwood Drive was not feasible. This feasibility study has not yet been produced.

3. The 1912 parcel map provided does not specify the rights to have two primary address access points for one property (one via a public road; one via the proposed private road). In the first meeting dated December 21, 2020, County representative Larry Gossett referenced there were specific notes on the 1912 map showing justification of Blackwood property primary access rights via Norris Road.

4. In the meeting dated February 10, 2021, the County did not have legal counsel present. There were several questions raised that could not be confirmed as a result.

5. In meeting dated February 10, 2021, only the underground utility requirement for Parcel A was discussed and an exception for Parcel A was approved. We maintain that the underground utility requirement should be upheld for Parcel B (ie., Underground Utility District requirement 20B) to eliminate fire risk due to downed or exposed power lines.

The approval would be consistent with the underground utilities requirement by the county which applied to the new development completed in the 2006-2008 timeframe (ie., two new homes constructed at 2175 and 2171 Norris Road).

We look forward to working towards a more agreeable and equitable solution.

Regards,

Daniel Schoenberg & Norris Road residents