



Carnes & Ekparian, Inc.

LAND SURVEYORS
9505 Sugar Babe Drive, Gilroy Ca. 95020

Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95030

05-12-2021

Re: Por. Lot 14, "W"-M-33; Doc. 24973296.
Located at 16838 Frank Avenue.
APN: 529-15-087.

Project Summary Description/Letter of Justification:

This Property was a portion of Lot 14 which was created by "Map of the Siekmann Subdivision", which was recorded February 9, 1928, in Book "W" of Maps at Page 33, Records of Santa Clara County, California.

In 1953, Lot 14 was subdivided by a Deed of Reconveyance (2638-OR-612), which created the subject parcel, and a new house was constructed.

According to the Subdivision Map Act, Section 66412.6, (a) For purposes of this division or a local ordinance enacted pursuant thereto, any parcel created March 4, 1972, shall be conclusively presumed to have been lawfully created if the parcel resulted from a division of land in which fewer than five parcels were created and if at the time of the creation of the parcel, there was no local ordinances in effect which regulated divisions of land creating fewer than five parcels.

The Reconveyance Deed from 1953 states that at the time of creation the property resided in the unincorporated area of Santa Clara County. In 1978, the existing house had an addition which expanded the family room and kitchen onto the back of the house. The Plot Plan and Floor Plan for said addition have approval stamps from the County of Santa Clara, not the Town of Los Gatos (please see attached). This further proves that the subject parcel was not within the town limits at the time of creation in 1953. Therefore the Town of Los Gatos Local Ordinance 276 and Ordinance 288 were not applicable at the time of creation.

The property is currently zoned R-1 Single Family Residential. There is currently a residential home with attached garage (1,758 square feet) on the property with a concrete driveway. The driveway is connected to Frank Avenue, which a public paved road. The owners of the property would like to remodel their home and add a second bathroom. This would require them

to tie into the sewer system. This house is currently still on a septic system. In discussions with the town, the issue of Lot Legality was raised which is the reason behind the Certificate of Compliance Application.

Please feel free to call or email with any questions or comments.

Best Regards,

A handwritten signature in black ink, appearing to read 'Drexyl Ekparian', with a long horizontal line extending to the right.

Drexyl Ekparian
Professional Land Surveyor
PLS9362