



Agenda Date: 10/16/2007
Agenda Placement: 8A
Set Time: 9:00 AM PUBLIC HEARING
Estimated Report Time: 5 Minutes

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Susan Ingalls for Robert Westmeyer - County Counsel
County Counsel
REPORT BY: CHRIS APALLAS, ATTORNEY I , 259-8248
SUBJECT: Findings of Fact and Decision on Appeal - Mueller LLA

RECOMMENDATION

County Counsel requests consideration and adoption of a Resolution of Findings of Fact and Decision on Appeal denying the appeal filed by the Trustees of Albert Jessee McDowell Trust to a decision of the Director of Public Works of the Lot Line Adjustment application filed by Allan F. and Nancy L. Mueller for the property located on Glos Lane at State Highway 29 in St. Helena, Napa County, California. (Assessor's Parcel Nos. 030-190-013 and 030-190-014)

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

(CONTINUED FROM OCTOBER 2, 2007)

EXECUTIVE SUMMARY

At the appeal hearing of August 28, 2007, the Board heard and considered evidence submitted from the Applicant, the Appellant, Staff and members of the public regarding the Project. After considering all evidence presented, the Board closed the public hearing and adopted a motion of intent to: (1) deny the Appeal in its entirety; and (2) uphold the Planning Commission's approval of the Project.

The Resolution and the Finding of Facts will be available on the day of the meeting.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

On April 6, 2007, Allan F. and Nancy L. Mueller (Applicant) filed an application for Lot Line Adjustments (LLA) of APN Numbers 030-190-013 and 030-190-014 with the Napa County Department of Public Works (Public Works), pursuant to Napa County Code (NCC) Section 17.46.030 (A) for the property located on Glos Lane at State Highway 29 in St. Helena, California. The application was distributed by Public Works to the Departments of Environmental Management and Conservation, Development and Planning for comment and review pursuant to NCC 17.46.040 (A). On June 5, 2007, a recommendation for approval was received from the Department of Environmental Management and on May 31, 2007, a recommendation for approval was received from the Conservation, Development and Planning Department.

The application was approved by the Assistant Director of Public Works on June 8, 2007. On June 25, 2007, a completed appeal package was received from Appellant, in accordance with the procedures set forth in Napa County Code Chapter 2.88 and within the prescribed appeal period.

At the appeal hearing of August 28, 2007, the Board heard and considered evidence submitted from the Applicant, the Appellant, Staff and members of the public regarding the Project. After considering all evidence presented, the Board closed the public hearing and adopted a motion of intent to: (1) deny the Appeal in its entirety; and (2) uphold the Planning Commission's approval of the Project. The proposed resolution reflects the Board's intent as expressed on August 28, 2007.

The Resolution and the Finding of Facts will be available on the day of the meeting.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Maiko Klieman