AMENDED PROPOSAL STATEMENT

Application: Certificate of Modification to extend building envelope and remove note from parcel map.
Owner/Applicants: Robert Brian Locke and Paige Marie Locke
Address: 19675 Seventh Street East, Sonoma
APN: 127-291-036

BACKGROUND

Owner/Applicants Robert Brian Locke and Paige Marie Locke seek to construct a new structure (the "Barn") to serve as a pool house and Accessory Dwelling Unit, which would provide affordable housing to friends, family or third parties.

The Barn would be located partly outside the existing 50' by 50' building envelope depicted on Parcel Map (the "Map") PLP 05-0102 (Book 736 of Maps, Pages 33 to 35).

Applicants request that the Map be modified to:

1. Extend the existing building envelope an additional 25 feet to the west.

2. Amend Note 15 to remove the prohibition against construction of a second unit on Parcel 1 only.

By separate, concurrent application, Applicants are also requesting a zone change to remove the Z (ADU Exclusion) overlay district from the property.

The Property is 3.02 acres in size and is zoned AR B6 3 Z VOH with a land use designation of RR3. It is bordered to the north by two parcels, one of which is zoned AR B6 5 Z VOH and the other which is zoned AR B6 5 VOH; to the west, by a single parcel zoned AR B6 5 VOH; to the south, by a single parcel zoned RR B6 3 VOH; and to the east, by Seventh Street East.

It appears from the County files pertaining to PLP05-0102, by which application the County approved the subdivision creating both the subject Property and the 4.02-acre parcel to the north, that the building envelope and prohibition against ADUs were imposed to address the privacy concerns of neighbors to the east, at 19657 7th Street East.

Those neighbors, however, as well as the other adjoining neighbors, do not oppose this application.

APPLICATION

County Code § 25-13.8 authorizes certificates of modification where the following findings can be made:

1. That there are changes in circumstances which make any or all of the conditions of such map no longer appropriate or necessary;

2. That the modifications do not impose any additional burden on the present fee owner of the property;

3. That the modifications do not alter any right, title or interest in the real property reflect[ed] on the recorded map; and

4. That the map as modified conforms to all the provisions of the Subdivision Map Act and local implementing ordinances.

The requested modification satisfies each of these requirements:

1. Circumstances have changed. The building envelope and ADU prohibition were imposed 19 years ago to address privacy concerns of neighbors living to the east. The building envelope is proposed to be extended, and the Barn constructed, on the *west* end of the envelope, out of those neighbors' view. They do not oppose this application.

2. The modification would impose no new or greater burden on the Applicants.

3. The modification would not alter any party's right, title, or interest in the property.

4. The modification complies with all provisions of the Subdivision Map Act, including Government Code § 66472.1.

In addition, the Modification would further the County's oft-stated policy of increasing its affordable housing stock.

For these reasons we request approval of this application.

736

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OWNER'S STATEMENT

We, the undersigned, hereby state that we are the owners of or have some right, title or interest in and to the real property shown on this map entitled "Parcel Map PLP 05-0102"; that we are the only persons whose consent is necessary to pass clear title to said real property; and that we hereby consent to the preparation and recording of said map.

Use of said real property is subject to the restrictions of that certain "Declaration of Restrictions" to be recorded concurrently with this map. These restrictions may not be removed, altered or rescinded without the written consent of the Sonoma County Permit & Resource Management Department, Well & Septic Division.

Owners: Douglas A. Lobsinger and Susan E. Lobsinger as Trustees of the Douglas A. Lobsinger and Susan E. Lobsinger Revocable Trust Dated July 8, 2003

Douglas A. Lobsinger, Ttee
by Douglas A. Lobsinger, Trustee

Susan E. Lobsinger, Ttee
by Susan E. Lobsinger, Trustee

STATE OF CALIFORNIA
COUNTY OF SONOMA

On 12-9-09, before me, S. Mills
a Notary Public, personally appeared Douglas A. Lobsinger and Susan E. Lobsinger
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity on behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

S. MILLS
COMM. #1752062
NOTARY PUBLIC - CALIFORNIA
SONOMA COUNTY
My Comm. Expires June 19, 2011

Notary Public Signature

my Commission No. 1752062 my Commission Expires 6-19-11

STATE OF CALIFORNIA
COUNTY OF SONOMA

On_____, before me_____,
a Notary Public, personally appeared_____
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity on behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Notary Public Signature

my Commission No._____ my Commission Expires_____

RECORDER'S STATEMENT:

Filed this 15th day of December, 2009 at 8:00 AM in Book 736 of Maps at Page(s) 33-35, at the request of the County Clerk.

Janice Atkinson — Recorder
Pam Asbury — Deputy

Fee Paid 13.00
Doc. No. 2009119597

TAX COLLECTOR'S STATEMENT

According to the records in the office of the undersigned, there are no liens against this subdivision, or any part thereof, for unpaid State, County, Municipal or local taxes or special assessments collected as taxes, except taxes or special assessments collected as taxes not yet payable. My estimate of taxes ~~and special assessments~~ collected as taxes and not yet payable is $ NA
The land in said subdivision is not subject to a special assessment or bond which may be paid in full.

Security required pursuant to Government Code Sections 66493(a) and 66493(c) are hereby approved and accepted.

Dated: 12/9/2009

Patti Adams, Deputy
Tax Collector
County of Sonoma,
State of California

TRUSTEE/BENEFICIARY:

Signatures of the following Trustees and/or Beneficiaries have been Omitted under the provisions of Section 66436 of the Subdivision Map Act and such signatures are not required by the governing body.

Name:	Recorded:	Nature:
California Reconveyance Company	DN 2002-148598	Trustee
Fidelity National Title Insurance Company	DN 2003-092848	Trustee
Financial Title Company	DN 2005-065422	Trustee
First American Title Insurance Company	DN 2007-067349	Trustee

RECORD TITLE INTEREST

Signatures of the owners of the following interests have been Omitted under the provisions of Section 66436 of the Subdivision Map Act. Their interest is such that it cannot ripen in to a fee Title and such signatures are not required by the governing body.

Name:	Recorded:	Nature:
Frank E. Collecchia & Geraldine E. Collecchia	DN 1997-0109513	Storm Drain Easement

County of Sonoma DN 2003-147500 Observing, testing, sampling, placing and removing of test devices and evaluating and monitoring nonstandard sewage disposal system. (This easement burdens the entire property shown on this map)

SURVEYOR'S STATEMENT

This map was prepared by me or under my direction and is based upon a field survey in conformance with the requirements of the Subdivision Map Act and local ordinance at the request of Susan Lobsinger in October 2007. I hereby state that this Parcel Map substantially conforms to the conditionally approved tentative map, if any, and that all monuments are of the character and occupy the positions indicated, and are sufficient to enable the survey to be retraced.

Dated: Dec. 9, 2009

Signed: Aaron R. Smith, PLS 7901
my license expires 12/31/11

PROFESSIONAL LAND SURVEYOR
AARON R SMITH
No. L 7901
EXP. 12/31/11
STATE OF CALIFORNIA

COUNTY SURVEYOR'S STATEMENT

I hereby state that the map of this subdivision was examined by me or under my direction; that it is substantially as it appears on the tentative map and any approved alterations thereof; that all provisions of the Subdivision Map Act as amended and of any local ordinances applicable at the time of approval of the tentative map have been complied with and I am satisfied that said map is technically correct.

In Witness Whereof, I have hereunto set my hand and affixed my official seal this 10TH day of DECEMBER, 2009.

Gary J. O'Connor, LS 7272
my license expires 12/31/10

Deputy

PROFESSIONAL LAND SURVEYOR
GARY J. O'CONNOR
PLS 7272
Exp. 12/31/10
STATE OF CALIFORNIA

COUNTY CLERK'S STATEMENT

I certify that all bonds, money or negotiable bonds required under the provisions of the Subdivision Map Act to secure payment for taxes and assessments have been filed with and approved by the County of Sonoma, namely bond(s) under Government Code Sections 66493(a) and 66493(c) in the sum of $ 0 and $ 0 respectively.

Dated: December 11, 2009

Signed: Clerk of the Board of Supervisors
County of Sonoma, State of California

SONOMA COUNTY
1850 1950
AGRICULTURE INDUSTRY RECREATION
CALIFORNIA

See Sheet 3 For Local Agency Required Information

Parcel Map PLP 05-0102

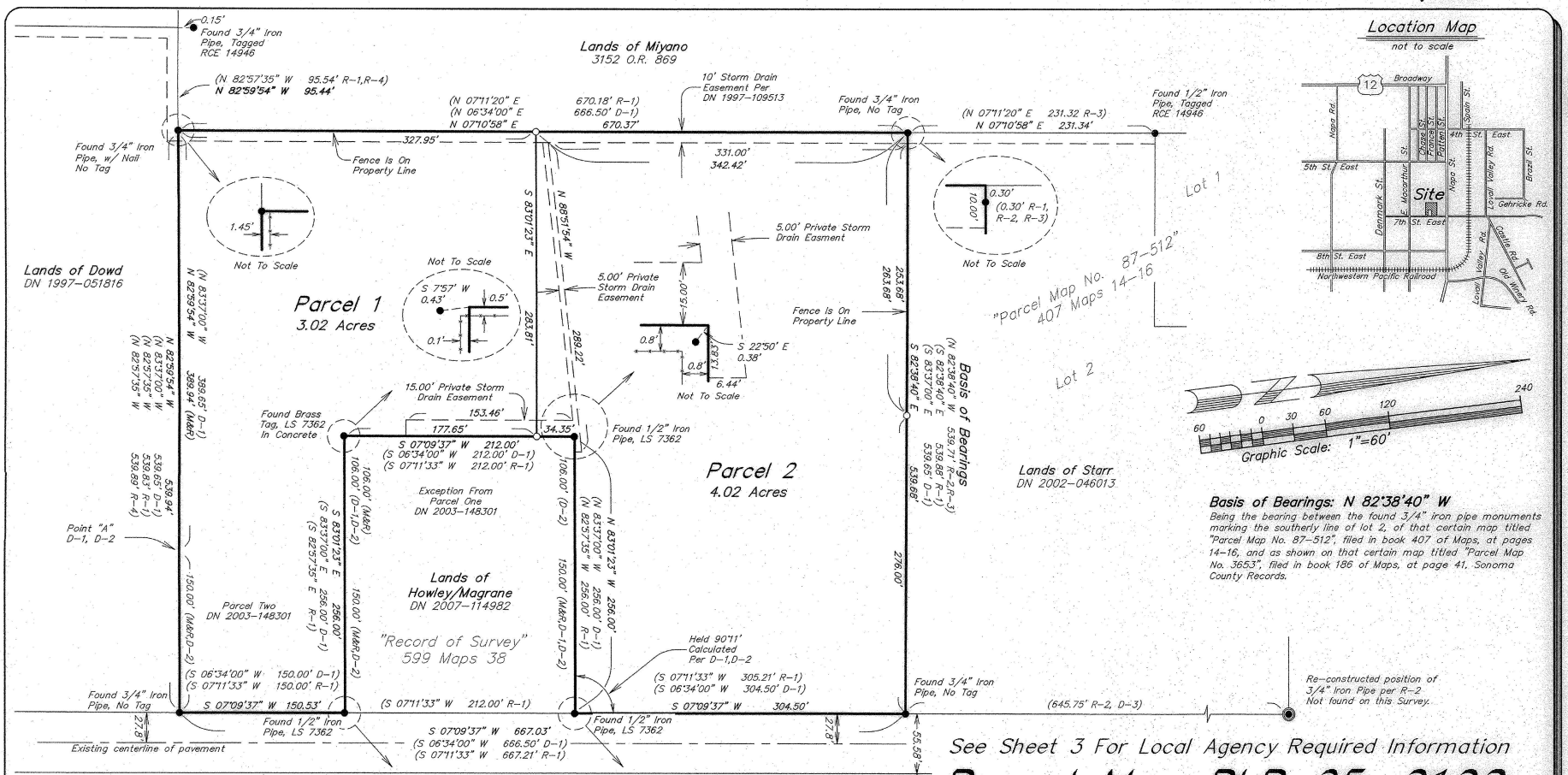
A Division Of The Lands Of Douglas A. Lobsinger and Susan E. Lobsinger, Trustees Of The Douglas A. Lobsinger and Susan E. Lobsinger Revocable Trust Dated July 8, 2003 As Described By Deed Recorded Under Document Number 2003-148301, Sonoma County Records; Being A Portion Of Out Lot 515 As Shown On The Map Of The Former Pueblo of Sonoma.
County of Sonoma, State of California

7.04 Acres
Total Number of Parcels: 2
File Number: PLP 05-0102
Date: October, 2008

Adobe Associates, Inc. Civil Engineering, Land Surveying & Land Development Services
1220 N. Dutton Ave
Santa Rosa, CA 95401
707 541 2300
Fax: 707 541 2301

736

34



Basis of Bearings: N 82°38'40" W

Being the bearing between the found 3/4" iron pipe monuments marking the southerly line of lot 2, of that certain map titled "Parcel Map No. 87-512", filed in book 407 of Maps, at pages 14-16, and as shown on that certain map titled "Parcel Map No. 3653", filed in book 186 of Maps, at page 41, Sonoma County Records.

See Sheet 3 For Local Agency Required Information

Parcel Map PLP 05-0102

A Division Of The Lands Of Douglas A. Lobsinger and Susan E. Lobsinger, Trustees Of The Douglas A. Lobsinger and Susan E. Lobsinger Revocable Trust Dated July 8, 2003 As Described By Deed Recorded Under Document Number 2003-148301, Sonoma County Records; Being A Portion Of Out Lot 515 As Shown On The Map Of The Former Pueblo of Sonoma.

County of Sonoma, State of California

7.04 Acres
Total Number of Parcels: 2
File Number: PLP 05-0102
Date: October, 2008
Scale: 1'=60'

APN 127-291-032

Job Number 02002

Adobe Associates, Inc.
Civil Engineering, Land Surveying & Land Development Services
1220 N. Dutton Ave
Santa Rosa, CA 95401
707 541 2300
Fax: 707 541 2301

sheet 2 of 3

LEGEND:

- ● Found Iron Pipe, as noted
- ○ Set 3/4" Iron Pipe tagged LS 7901
- ◉ Monument Not Found, Referenced as noted
- OR/DN Official Records/Document Number SCR
- __ Maps __ Book of Record Maps at Page
- SCR Sonoma County Records
- M&R Measured and Record

All Distances Are Shown In Feet & Decimals Thereof
All Ties Shown Hereon Are Perpendicular Unless Shown Otherwise.

References:

- R-1 "Record Of Survey" Book 599 Maps, Page 38
- R-2 "Parcel Map No. 3653" Book 186 Maps, Page 41
- R-3 "Parcel Map No. 87-512" Book 407 Maps, Pages 14-16
- R-4 "Map of Laurelwood" Book 368 Maps, Pages 33-34
- R-5 "The Map of the Former Pueblo of Sonoma"
- D-1 "Quitclaim Deed" DN 2003-148301
- D-2 "Grant Deed" DN 2007-114982
- D-3 "Grant Deed" 2191 OR 510

Local Agency Required Information

All "Agency Required Information" is for informational purposes describing conditions as of the date of filing of this map, and is not intended to affect record title interest. Such information is derived from public records and reports, and inclusion hereon does not imply the correctness or sufficiency of those records. All such information is subject to change, alteration or variance in accordance with State, County and/or local ordinances and local agency regulations and procedures.

1. All future sewage disposal system repairs shall be completed in the designated reserve areas and shall meet Class I Standards. Alternate reserve areas may be designated if soil evaluation and testing demonstrate that the alternative reserve area meets or exceeds all of the requirements that would have been met by the original reserve area.

2. Lot 1 shall be provided with a separate water supply meeting all current standards for annular seal and setbacks prior to the occupation of any structures.

3. Prior to constructing any new private driveway intersection with the public road, the applicant shall obtain an encroachment permit from the Permit and Resource Management Department. The intersection improvements shall be constructed in accordance with the Department of Transportation and Public Works standards and the adopted conditions of approval. Improvements shall be completed prior to occupancy of any new dwelling constructed on Parcel 1 as delineated hereon.

4. All entry gates located on the developer's frontage with Seventh Street East shall be located a minimum distance of 30 feet from the edge of the traveled way, in accordance with Sonoma County Mandatory Fire Safe Standards, Section 13–38.

5. New construction on the parcels associated with this approval is subject to payment of a development fee (Traffic Mitigation Fee) to the County of Sonoma before issuance of any building permits, as required by Section 26, Article 98 of the Sonoma County Code.

6. New residential construction on these parcels is subject to payment of parkland fees in accordance with Section 25–58 et. Seq. Of the Sonoma County Subdivision Ordinance. Evidence that fees are paid shall be provided to the Regional Parks Department prior to the issuance of building permits.

7. Agricultural uses occur in this area and pesticide applications, dust, odor and other nuisances associated with agricultural activities may occur.

8. Development on this parcel is subject to the Sonoma County Fire Safe Standards and shall be reviewed and approved by the County Fire Marshal/Local Fire Protection District. Said plan shall include, but not be limited to: emergency vehicle access and turn–around at the building site(s), addressing, water storage for fire fighting and fire break maintenance around all structures. Prior to occupancy, written approval that the required improvements have been installed shall be provided to PRMD from the County Fire Marshal/Local Fire Protection District.

9. Affordable housing requirements apply to each residential lot pursuant to Section 26–89–040 F of the Sonoma County Code. Each non–exempt residential unit shall pay an in–lieu affordable housing fee at the time of issuance of the building permit, unless a building permit for a qualifying affordable unit is approved prior to or concurrent with the building permit for the non–exempt residential unit.

10. Prior to issuance of any development permits involving any of the structures identified and listed in the Sonoma County Historic Property Data File under number 49–5476–0287–0000, historical and archaeological research shall be conducted by a qualified person. The study should focus on preserving the historical and archaeological significance of the buildings. The results of the study shall be submitted to the Permit and Resource Management Department's Landmarks Commission staff and reviewed by the Landmarks Commission in accordance with the County ordinance for historically designated properties.

11. The applicant will be required to pay traffic mitigation fees at the time of construction of a dwelling on Parcel 1.

12. In the event that the archaeological features such as pottery, arrowheads, midden or culturally modified soil deposits are discovered at any time during grading, scraping or excavation within the property, all work should be halted in the vicinity of the find and County PRMD staff shall be notified and a qualified archaeologist shall be contacted immediately to make an evaluation of the find. Artifacts associated with prehistoric sites include humanly modified stone, shell, bone or other cultural materials such as charcoal, ash and burned rock indicative of food procurement or processing activities. Prehistoric domestic features include hearths, firepits, or house floor depressions whereas typical mortuary features are represented by human skeletal remains. Historic artifacts potentially include all by–products of human land use greater than 50 years of age including trash pits older than 50 years of age. When contacted, a member of PRMD Project Review staff and the archaeologist shall visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. No work shall commence until a mitigation plan is approved and completed subject to the review and approval of the archaeologist and Project Review staff. If human remains are encountered, all work must stop in the immediate vicinity of the discovered remains and PRMD staff, County Coroner and a qualified archaeologist must be notified immediately so that an evaluation can be performed. If the remains are deemed to be Native American and prehistoric, the Native American Heritage Commission must be contacted by the Coroner so that a "Most Likely Descendant" can be designated.

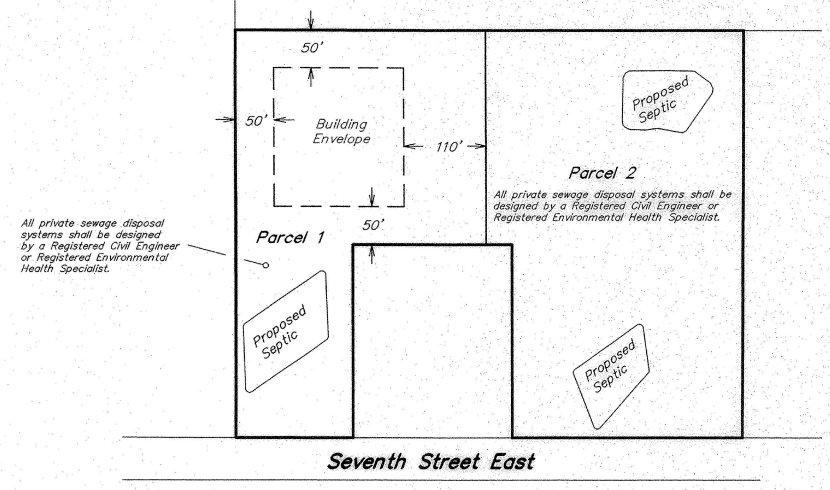
13. All grading and development on site shall be done in compliance with the County Tree Protection Ordinance, including protection of trees during construction with a chain link fence at the dripline, and replacement of damaged or removed trees. The projects grading and landscape plans shall detail all tree protection implementation measures.

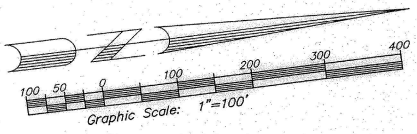
14. Prior to issuance of a grading or building permit, the applicant shall submit for review and approval the grading and drainage Improvement Plans necessary for the proposed project. Drainage improvements shall be designed in accordance with the Sonoma County Water Agency Flood Control Design Criteria and with the HYdrology Study of the Schell/Nathanson Watershed (April 12, 2000) or other equivalent drainage study, and shall maintain sheet flow or existing drainage patterns to the maximum extent practicable. The Improvement Plans shall also include erosion prevention/sediment control measures, details, notes, and specifications to prevent damages and minimize adverse impacts on the environment.

15. No second units shall be allowed on these lots.

Note:

Proposed Septic Areas shown as tested by Adobe Associates, Inc.





Local Agency Required Information Sheet

Parcel Map PLP 05–0102

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Civil Engineering, Land Surveying & Land Development Services
1220 N. Dutton Ave
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707 541 2300
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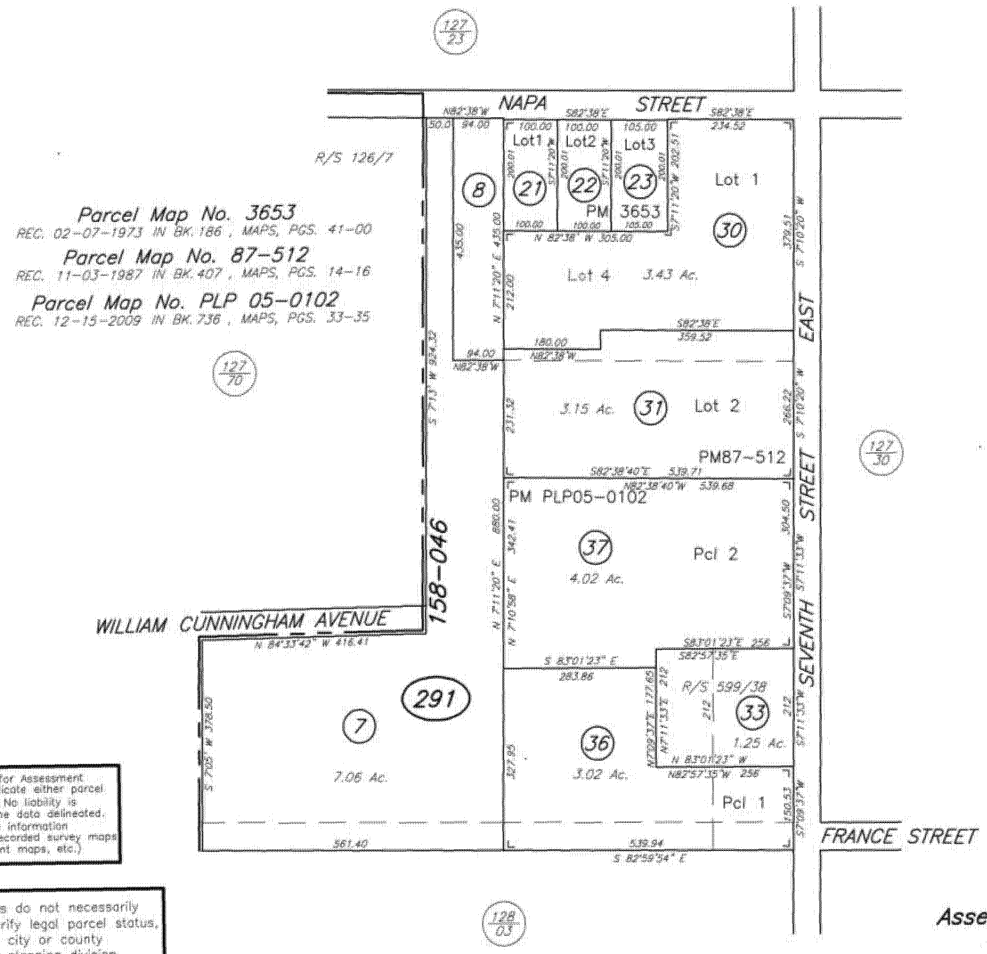
APN 127–291–032 Job Number 02002

COUNTY ASSESSOR'S PARCEL MAP

TAX RATE AREA
158-046

127-29



SCALE: 1"=200'

REVISED

02-14-73
07-20-73
02-07-74
10-26-76=29
11-17-87=31 LF
11-21-91=33 KT
08-10-93=Sub KT
08-20-01=35 KB
09-09-02=26,29,34,36, KB
01-13-10=37 NJF

NOTE: This map was prepared for Assessment purposes only and does not indicate either parcel legality or a valid building site. No liability is assumed for the accuracy of the data delineated. The acreages are based on the information supplied to the Assessor (i.e. recorded survey maps recorded deeds, prior assessment maps, etc.)

NOTE: Assessor's parcels do not necessarily constitute legal lots. To verify legal parcel status, check with the appropriate city or county community development or planning division.

Assessor's Map Bk. 127, Pg. 29
Sonoma County, Calif. (ACAD)

KEY 2/27/09 AG