Jacob, Melinda

From: Zoning Adjustments Board (ZAB)
Subject: FW: Use Permit application #ZP2024-0014 1048 Keith Agenda item for 10/10

From: John Doppke <john@doppke.com>
Sent: Wednesday, October 9, 2024 7:13 PM
To: Zoning Adjustments Board (ZAB) <Planningzab@berkeleyca.gov>
Subject: Use Permit application #ZP2024-0014 1048 Keith Agenda item for 10/10

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Hello,

I live at 1051 Keith Ave, and wanted to add a comment to the permit application for 1048 Keith:

Like a number of my neighbors I've spoken to, I'm very concerned by the prospect of my neighbors trying to claim land from one another in a well-known landslide zone. I have no interest in being the judge of who should own the disputed area—that's not my job. But if this process continues, it threatens to upend our whole street, leading to a chain of neighbors suing one another only to wind up with the same amount of land, just a few feet up the hill. That seems like madness to me, and not the spirit in which we've lived alongside each other for years.

I'm also disturbed by the fact that the permit applicant has already destroyed property in the disputed area—the fence, an unused chicken coop, and I believe some trees. It's possible that those actions were provoked; I don't claim to know everything that has transpired. But regardless, I think it's only fair to block any further permanent actions, including building in the disputed area, until the dispute has been resolved.

Thank you,
John Doppke

Jacob, Melinda

From: Zoning Adjustments Board (ZAB)
Subject: FW: Use Permit application #ZP2024-0014 1048 Keith Agenda item for 10/10

-----Original Message-----
From: Margit Stange <mkstange@sbcglobal.net>
Sent: Tuesday, October 8, 2024 4:02 PM
To: Zoning Adjustments Board (ZAB) <Planningzab@berkeleyca.gov>
Subject: Use Permit application #ZP2024-0014 1048 Keith Agenda item for 10/10

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ATTN: ZAB Secretary
RE: Use Permit application #ZP2024-0014 1048 Keith OBJECTION
FROM: Margit Stange 1058A Keith Ave. 510 693 7032

I own the property at 1058A Keith Ave., four plots uphill from 1048 Keith. I oppose granting the referenced demo/building permit or allowing any building on the site until the ongoing property line dispute with the uphill neighbor at 1050 Keith has been settled. We on the lower side of Keith Ave. sit on the Keith Avenue Landslide. Since the original property lines were laid out more than a century ago, the land--and our structures and property lines -- has been moving downhill (S/SW) by as much as two inches a year. As long as we retained the use of the original square footage shown on the deed, we have lived peaceably with the situation, refraining from interfering with our neighbors' use of their original plot area. The owners of 1048 Keith contend there has been no land movement. Their building plan is based on a survey which redraws the property lines such that 1050's plot would shrink significantly. But this survey, like previous surveys on the Slide, includes a disclaimer: "Due to significant land motion. . . . The boundary shown could vary . . . . on the order of 5.0' or more." (11/16/20 Moran Engineering Survey of 1048 Keith). Do not approve use permit application #ZP2024-0014, as it is based on uncertain and disputed plot boundaries.

Jacob, Melinda

From: Zoning Adjustments Board (ZAB)
Subject: FW: Comments on Public Hearing for 1048 Keith Avenue on 9.26.24

-----Original Message-----
From: khortan@mac.com <khortan@mac.com>
Sent: Thursday, September 26, 2024 5:52 PM
To: Zoning Adjustments Board (ZAB) <Planningzab@berkeleyca.gov>
Subject: Comments on Public Hearing for 1048 Keith Avenue on 9.26.24

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Zoning Adjustment Board Members,

We are homeowners of 1040 Keith Avenue. We respectfully request that you do NOT issue a permit to build in the disputed area until after this land dispute is resolved. To issue a permit at this time when the land dispute has not been resolved would unnecessarily further complicate matters. It would also suggest that the Board is already taking sides prematurely in favor of one side of this dispute over the other when there is no formal resolution on this land dispute.

As a matter of consistent practice, it seems prudent NOT to issue any new building permit in any disputed area in our City which has not been officially resolved.

Thank you for considering this.

Respectfully Yours,

Shu Yang Tan & Karen Khor
Homeowners of 1040 Keith Avenue, Berkeley, CA 94708