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## Letters to the Editor

Dear Editor,

The Lafayette City Council is poised to allow a colleague to disrupt privacy, destroy a redwood grove, and ignore 22 neighbors who oppose a new home proposed by none other than the former chair of the Lafayette Planning Commission, Richard Holt.

Holt and a group of investors, dba Lamorinda Properties, bought "Lot 66" for about \$20K from the Petar Jakovina estate. For more than 50 years, the city ruled Lot 66 was unbuildable because Sessions Rd. runs through the middle of the lot and homeowners in two uphill subdivisions hold deeded easements over the entire lot for access to their homes.

The planning department should have rejected the application from day one. Neighbors found gross errors in the application including the size of the road easement, omission of a trail easement and a home within setbacks without a variance application. In unauthorized private meetings, Holt and his attorney, David Bowie, persuaded the city attorney to deem the lot buildable - based on erroneous information.

After two years of hearings, Planning Commission unanimously denied Holt's application. Now Holt has appealed to the Council but has modified his plans in attempts to squeak it through. One thing that is supposed to distinguish an appeal proceeding from a trial de novo is that new evidence may not ordinarily be presented. Council members are giving Mr. Holt "special privilege."

At the December 8 council meeting, the Council seemed ready to approve the appeal and force the easement holders to sue Holt at great expense. Wake up Lafayette council members! Lot 66 is severely constrained by its size, slope, redwood tree grove, easements running lot line-to-lot line, and Sessions Rd. runs through the middle of it!

If Richard Holt were any other Lafayette property owner and not "connected," his appeal would have been denied immediately. The council is granting Holt "special privilege" or they are afraid to go against Mr. Bowie who won previous lawsuits against the city. Either way, if the City Council reverses the Planning Commission's decision, it should expect the floodgates to open for any developer who wants to skirt the rules to make a profit.

Pam Swarts, Lafayette

Dear Editor,

In response to Diane Druss' letter to the Editor in your last issue, I would like to thank her for her remarks. If I had seen children being used to promote the Yes on 8 cause, I would have included that in my letter, also. I believe children should not be asked to demonstrate on public streets for an adult agenda. Get your adult friends to stand on the corner with you.

As far as where you live, welcome to LaMorinda! Are your boys brought up to be tolerant of people who don't agree with your/their viewpoints?

Respectfully,  
Nancy Baker, Moraga

Editor:

Acting more like Scrooge than Santa Claus, the Orinda Union School District offers only an extremely stingy property-tax exemption for senior citizens.

Unanimously, the school district voted in November to put a property (parcel) tax on the March 2009 ballot. The tax, if passed, will raise the current \$385 annual parcel tax to \$509 -- a 32 percent increase! The tax needs a two-thirds vote to pass.

In 2003, Orinda voters approved an parcel tax of \$385. This 2003 measure offered, under certain conditions, a property-tax exemption for senior citizens.

Currently (for the 2008-09 school year), the district eliminates the school tax for a household owned and occupied by a person age 65 or older if the household has an annual income of \$43,050. There must be one to four people living in the household.

The exemption threshold is adjusted annually as income levels change.

The current \$43,050 exemption level is simply too stingy when one considers what senior citizens have to pay for food, Medicare, prescription drugs, an automobile, home repairs, insurance, utilities, and taxes. In fact, this tiny exemption is a brutal assault on the wallets of senior citizens, who form a vital part of Orinda's community.

The tax measure on the March 2009 ballot does nothing to alter the current, trivial tax exemption.

If the proposed school tax offered an exemption for senior citizens having incomes of \$90,000 or less, then the tax might be worth considering.

Because an exemption level of \$90,000 is not granted, Orinda's residents should vote against the proposed tax.

Richard S. Colman, Orinda

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