



Request for Release of Covenant

Application: # 29710
Applicant: Harding (original applicant was Clague)
Location: The southwest corner of Burns and Stapley Road north of Courtney
Original Proposal: To allow a mobile home as a second dwelling for the applicants parents
Original Decision: June 1995
Allowed, subject to a covenant being placed on the property that the mobile home would be removed when the applicant's parents were no longer living there.
Resolution: #483/1995

Basis for Current Request for Release of Covenant

Tony Harding, the owner of the property since 2003, submitted a letter dated April 14, 2008 asking for a release of the covenant. When the Clague's (original applicants) sold the property, the mobile home was not removed, as per the requirements of the covenant. Mr. Harding and his family currently use the mobile home. It appears they contacted the ALC in 2003 to have it released, but it was never followed through. The Regional District has contacted them and instructed that unless the covenant is removed, he will take enforcement action.

Staff Comments

Approval from the Commission is needed to release the condition of the previous file. The property appears to have high agricultural capability (Class 2-3), however the mobile home does not appear to be on any field areas. As this file is over 10 years old, a site visit may be appropriate to determine the impact of the mobile home on the property.

Attachments

- ◇ ALC Maps (2)
- ◇ Letter from Applicant
- ◇ Minutes of Resolution #29710

END OF REPORT

Signature

Date