



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning &
Development
Department No.: 053
For Agenda Of: 5/4/2010
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from: N/A
Vote Required: No Vote Required

TO: Board of Supervisors
FROM: Department Glenn Russell, Ph.D. Director, Planning and Development
Director(s) (805) 568-2085
Contact Info: Dave Ward, Deputy Director, Development Review South
(805) 568-2520
**SUBJECT: Juergensmeyer Patio Demolition, Emergency Permit 10EMP-00000-00001
Third Supervisorial District**

County Counsel Concurrence

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence:

As to form: N/A

Recommended Actions:

Receive and file this report on Emergency Permit 10EMP-00000-00001, which authorized the demolition of approximately 50 sq. ft. of a concrete patio overhanging the Isla Vista bluff on an approximately 7,500-sq. ft. parcel (Assessor Parcel Number 075-202-020) located at 6637 Del Playa Drive in Isla Vista. A copy of the Emergency Permit is enclosed.

Summary Text:

Section 35-171 of the Coastal Zoning Ordinance (Article II) authorizes the Director of the Planning and Development Department (P&D) to temporarily defer the permit requirements of Article II and issue an Emergency Permit when emergency action is warranted by a person or public agency. Section 35-171.6 of Article II requires the Director to submit a written report describing the emergency action to the Board of Supervisors and the California Coastal Commission after issuing an Emergency Permit.

P&D issued an Emergency Permit to the property owner, Mark Juergensmeyer, on March 29, 2010, to remove approximately 50 sq. ft. of a concrete patio. The subject property is located on Del Playa Drive in Isla Vista. Due to coastal erosion of the Isla Vista bluff, the concrete patio in the rear yard now overhangs the beach below and presents a safety hazard should continued erosion cause a portion of the patio to break off and fall to the beach below.

Demolition of the patio normally requires a Coastal Development Permit; because the project is located within the Coastal Commission Appeal Jurisdiction it requires a hearing. Processing this permit would take approximately four months. The Emergency Permit allows the applicant to immediately begin controlled demolition of the patio, thereby reducing the hazard and minimizing risks to health, safety and property posed by the possible failure of the overhanging patio. The Emergency Permit is conditioned to complete the work within 30 days of issuance. In addition, pursuant to Article II Section 35-171.3.3 an emergency permit does not constitute an entitlement; thus, emergency permit conditions require the owner submit an application for the Coastal Development Permit with Hearing (CDH) within 30 days of issuance of the emergency permit to complete permitting. Because the permit was issued on March 29, 2010, the owner has until April 29, 2010, to submit the final (CDH) permit application.

The project is consistent with the Comprehensive Plan, including the Coastal Land Use Plan, and Article II. In addition, the Emergency Permit includes conditions to ensure that the project complies with policies regarding noise, erosion and sediment control, water quality protection, and to require all access and work be staged from Del Playa through the subject property.

Background:

The project site is located on Del Playa Drive on a property that extends to the ocean bluffs above the beach in Isla Vista (6637 Del Playa Drive, APN 075-202-020). The bluffs in the area have been eroding over time. The project site is developed with a dwelling including a concrete patio in the backyard. Past erosion of the bluff face resulted in exposure of the patio overhanging the bluff face, similar to the current situation. A portion of the patio was removed several years ago. Erosion has continued, resulting again in a portion of the patio and its grade beam foundation hanging over the edge of the bluff. The current condition of the patio was identified by County Building and Safety personnel in their annual Isla Vista investigation into the structural safety of development along the bluff top. Without immediate and controlled demolition of the overhanging patio, subsequent erosion could result in portions of the patio breaking off and falling to the beach below, creating a potential safety issue, as well as introducing debris onto the beach and into the ocean. In addition, the patio in its current condition may be dangerous to property residents. Removal of approximately 50 sq. ft. of patio and relocating the safety fence would remove the threat presented by the overhanging patio and create a safer patio for the continued use by the residents of the property.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

County costs for preparing the Emergency Permit are reimbursed by the applicant in conformance with the current Board approved fee resolution. Permit revenues are budgeted in Departmental Revenues of the Development Review South Division on page D-308 of the adopted 2009-2010 fiscal year budget.

Staffing Impacts:

Legal Positions:

N/A

FTEs:

N/A

Special Instructions:

N/A

Subject: Juergensmeyer Patio Demolition

Agenda Date: May 4, 2010

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Attachments:

Emergency Permit 10EMP-00000-00001

Authored by: Julie Harris (805) 568-3518