



**COUNTY OF SANTA BARBARA  
PLANNING AND DEVELOPMENT**

**MEMORANDUM**

TO: The Honorable Board of Supervisors

FROM: Glenn Russell, Ph.D, (805) 568-2085  
Director, Planning and Development

DATE: October 17, 2016

RE: Withdrawal of Morton Appeal of Brous Horse and Hay Barn  
Case No. 16APL-00000-00006  
December 6, 2016 Board of Supervisor Hearing

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The Morton Appeal of Brous Horse and Hay Barns is scheduled to be heard by your Board at the meeting of December 6, 2016. The applicant and appellants have concluded their private negotiations, with the applicant withdrawing the Land Use Permit (15LUP-00000-00276) that was the subject of the appeal and the appellants withdrawing their appeal accordingly. As such, the department requests the withdrawal of 16APL-00000-00006 from the Board meeting of December 6, 2016. An existing demolition permit (15CNP-00000-00615) has been updated to abate both the original violation of an unpermitted barn being constructed in the flood plain of the Santa Ynez River, as well as the removal of shower facilities in the existing, permitted tack rooms on-site.

Both withdrawal letters are attached to this Memorandum.

Attachments: Withdrawal of Land Use Permit by Applicant's Agent, dated September 8, 2016  
Withdrawal of Appeal by Appellants' Attorney, dated September 28, 2016

September 8, 2016

County of Santa Barbara  
Planning and Development  
123 East Anapamu Street  
Santa Barbara, CA 93101  
c/o Stephanie Swanson

Re: **Case No.: 15LUP-00000-00276**  
**APN: 141-390-015**  
**Address: 120 Meadowlark Rd.**  
**Santa Ynez, CA 93460**

Dear Ms. Swanson,

At the request of the owners, Mr. and Mrs. Greg Brous, I would like to formally request that the application for 15LUP-00000-00276 be unconditionally withdrawn in its entirety.

The outstanding violation, 15BDV-00000-00071/15ZEV-00000-00232, will be fulfilled by the Brous' by November 8, 2016 by having the structure, old "Barn D", taken down and removed.

Please advise for any further course of action needed by the Brous' to fulfill the withdrawal of 15LUP-00000-00276.

Respectively,

A handwritten signature in black ink, appearing to read "Victor Padilla", with a long horizontal stroke extending to the right.

Victor Padilla

David C. Fainer, Jr.  
Attorney at Law

1114 State Street, Suite 200 • Santa Barbara, CA 93101  
phone 805-899-1300 • fax 805-963-5988 • dfainer@fainerlaw.com

September 28, 2016

Ms. Stephanie Swanson  
Planning & Development Dept.  
County of Santa Barbara  
123 East Anapamu Street  
Santa Barbara, CA 93101

By email to  
sswanson@co.santa-barbara.ca.us

**Re: Morton-Guerrero Appeal of the Brous Horse & Hay Barns  
Your Case Nos. 16APL-00000-00006 and 15LUP-00000-00276**

Dear Ms. Swanson:

As you know, I represent the four appellants in the captioned appeal to the Board of Supervisors. There has been a settlement of all issues between Mr. and Mrs. Brous and the four appellants, which includes but is not limited to County permitting issues.

You have advised me that Mr. and Mrs. Brous have asked to withdraw their pending application for a land use permit for both "Proposed Barn D" and for existing "Hay Barn E" (as discussed in your staff reports), and you mentioned that the County may be attaching some conditions to withdrawal.

You have inquired whether my clients will withdraw their appeal. Consistent with the Settlement Agreement, the four appellants withdraw their appeal, conditioned on and only effective on the County allowing Mr. and Mrs. Bous to withdraw their application.

For your information, consistent with the Settlement Agreement, my clients do not oppose a land use permit for Hay Barn E -- provided that the use of Hay Barn E is restricted such that it may not be used for additional horse stalls. If you have any questions, please let me know.

Very truly yours,



DAVID C. FAINER, JR.

cc: Charles V. Eckert, Esq.  
Dr. and Mrs. Guerrero  
Dr. Morton and Ms. Kramer-Morton