

COUNTY OF SANTA BARBARA
CALIFORNIA

PLANNING COMMISSION

COUNTY ENGINEERING BUILDING
123 E. ANAPAMU ST.
SANTA BARBARA, CALIF. 93101-2035
PHONE: (805) 568-2000
FAX: (805) 568-2030

July 10, 2009

James Malott & Lucinda Malott
987 Tiburon Blvd.
Tiburon, CA 94920

PLANNING COMMISSION
HEARING OF JULY 8, 2009

RE: Nantker Appeal of Tracy Addition; 09APL-00000-00001, 09APL-00000-00005

Hearing on the request of James Malott, Lucinda Malott, and Carol Nantker, appellants, to consider the following:

- a) **09APL-00000-00001** [filed on January 5, 2009] to appeal the decision of the Zoning Administrator to approve the application for a Modification, Case No. 08MOD-00000-00006;
- b) **09APL-00000-00005** [filed on February 23, 2009], to appeal the decision of the Planning Department to approve the application for a Coastal Development Permit, Case No. 08CDP-00000-00032, in compliance with Section 35-182 of Article II, on property zoned 10-R-2; and

to allow a Modification of the 25-foot rear yard setback, as required by Section 35-72.7 of Article II, to 20.5 feet from rear property line, and a Modification of the 10-foot secondary front setback, as required by Section 35-126.2.a of Article II, to 8.5 feet from right-of-way, in compliance with Article II Section 35-179, to accommodate construction of a 364 square foot second story addition, and a Coastal Development Permit, in compliance with section 35-169 of Article II, for construction of the second story addition, a 77 square foot first story addition, and conversion of the garage to a carport; and to accept the Exemption pursuant to Sections 15301(e) and 15305(a) of the State Guidelines for Implementation of the California Environmental Quality Act. The application involves AP No. 005-133-058, located at 2200 Banner Avenue in the Summerland area, First Supervisorial District.
(Continued from 05/06/09)

Dear Mr. and Ms. Malott:

At the Planning Commission hearing of July 8, 2009, Commissioner Cooney moved, seconded by Commissioner Blough and carried by a vote of to:

1. Adopt the required findings for approval of the project, Case Nos. 08MOD-00000-00006 and 08CDP-00000-00032, specified in Attachment A of the staff memorandum, dated June 16, 2009, including CEQA findings;

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2. Accept the exemption, included as Attachment B of the staff memorandum, dated June 16, 2009 and as revised at the hearing of July 8, 2009, pursuant to CEQA Guidelines Sections 15305(a) and 15301(e);
3. Deny the appeals, Case Nos. 09APL-00000-00001 and 09APL-00000-00005; and
4. Approve the project, Case Nos. 08MOD-00000-00006 and 08CDP-00000-00032, subject to the Conditions of Approval in Attachments C and D of the staff memorandum, dated June 16, 2009 and as revised at the hearing of July 8, 2009.

REVISIONS TO THE CONDITIONS OF APPROVAL

The deadline for appeal of the Coastal Development Permit included as Attachment D was changed to read "July 19, 2009".

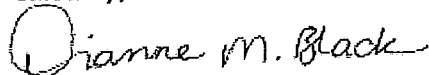
The attached findings and conditions reflect the Planning Commission's actions of July 8, 2009.

The action of the Planning Commission on this project may be appealed to the Board of Supervisors by the applicant or any aggrieved person adversely affected by such decision. To qualify as an aggrieved persons the appellant, in person or through a representative, must have informed the Planning Commission by appropriate means prior to the decision on this project of the nature of their concerns, or, for good cause, was unable to do so.

Appeal applications may be obtained at the Clerk of the Board's office. The appeal form must be filed along with any attachments to the Clerk of the Board. In addition to the appeal form a concise summary of fifty words or less, stating the reasons for the appeal, must be submitted with the appeal. The summary statement will be used for public noticing of your appeal before the Board of Supervisors. The appeal, which shall be in writing together with the accompanying applicable fee must be filed with the Clerk of the Board of Supervisors within the 10 calendar days following the date of the Planning Commission's decision. In the event that the last day for filing an appeal falls on a non-business of the County, the appeal may be timely filed on the next business day. This letter or a copy should be taken to the Clerk of the Board of Supervisors in order to determine that the appeal is filed within the allowed appeal period. **The appeal period for this project ends on Monday, July 20, 2009 at 5:00 p.m.**

If this decision is appealed, the filing fee for both non-applicant and applicant is \$643 and must be delivered to the Clerk of the Board Office at 105 East Anapamu Street, Room 407, Santa Barbara, CA at the same time the appeal is filed.

Sincerely,



Dianne M. Black
Secretary to the Planning Commission

cc: Case File: 09APL-00000-00001, 09APL-00000-00005
Planning Commission File
Owner: Kristina & Reid Tracy, 3535 Fortuna Ranch Road, Encinitas, CA 92024
Agent: Tom V. Smith, 1115 Coast Village Road, Santa Barbara, CA 93108
County Surveyor
Fire Department
Flood Control
Park Department
Public Works

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Environmental Health Services
APCD
Accounting, Planning and Development
Salud Carbajal, First District Supervisor
C. Michael Cooney, First District Commissioner
Rachel Van Mullem, Deputy County Counsel
✓Sarah Clark, Planner

Attachments: **Attachment A – Findings**
 Attachment B – Notice of Exemption
 Attachment C - Conditions of Approval of 08MOD-00000-00006
 Attachment D - Conditions of Approval of 08CDP-00000-00032

DMB/jao