



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 and
Development
Department No.: 053
For Agenda Of: November 10, 2009
Placement: Set Hearing
Estimated Time: 1 hour on December 1,
2009
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Glenn Russell, PhD, Director, 568-2085
Director Planning and Development
Contact Info: Dave Ward, Deputy Director, 568-2520
Development Review Division - South County
SUBJECT: Set Hearing to consider the applicant's appeal of the Planning Commission's denial of preliminary architectural approval and denial of the Coastal Development Permit for the Bean Blossom Lot X single-family residence and accessory structures

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:

Set Hearing for the December 1, 2009 Departmental Agenda to consider the request of Christopher Jacobs, agent for Bean Blossom LLC, to consider the appeals, Case Numbers 08APL-00000-00040 and 08APL-00000-00041 [appeals filed November 5, 2008], of the Planning Commission's denial of Preliminary Architectural Approval, Case Number 03BAR-00000-00164, and denial of the Coastal Development Permit for the Bean Blossom Lot X single-family residence, guest house, driveway and other accessory structures, Case Number 02CDP-00000-00023, in compliance with Section 35-182 of the Article II Coastal Zoning Ordinance, on property located in the AG-II-100 and AG-II-320 zones. The application involves AP No. 081-210-047, located at 14000 Calle Real in the Gaviota Area, Third Supervisorial District.

On December 1, 2009, staff recommends your Board take the following action:

1. Make the findings for denial of the project, Case Numbers 03BAR-00000-00164 and 02CDP-00000-00023, specified in the Planning Commission's action letter dated November 10, 2008.
2. Deny the appeals, Case Numbers 08APL-00000-00040 and 08APL-00000-00041.

3. Deny the project, Case Numbers 03BAR-00000-00164 and 02CDP-00000-00023.

The applicant plans to request your Board to consider and approve a modified project in lieu of the original project. Refer back to staff for additional review if your Board decides that the applicant's modified project, including the siting of the project, size of the residence and amount of grading, appear potentially consistent with the applicable provisions of the Comprehensive Plan and Coastal Zoning Ordinance.

The Planning and Development Department (P&D) will docket a Board Agenda Letter on November 19, 2009 that describes the original project, modified project, appeal issues and recommended actions.

Fiscal Impacts:

Budgeted: Yes

The applicant/appellant paid \$300.00 to file this appeal according to the fee schedule (Resolution No. 09-005, Land Development Fees for Planning and Development). The County's 2009-2010 fiscal year budget (Permitting and Compliance Division of the Development Review South Division, page D-308) includes funds for processing appeals. Processing this appeal will require approximately 100 planner hours starting when the applicant filed the appeal on November 5, 2008 and ending when the County makes a final decision, for an estimated cost of \$15,225.00.

Staffing Impacts:

None.

Special Instructions:

The Clerk of the Board shall publish a legal notice at least 10 days prior to the hearing on December 1, 2009. The notice shall appear in the Santa Barbara Daily Sound. The Clerk of the Board shall fulfill the noticing requirements. A minute order and a copy of the notice and proof of publication shall be returned to P&D, attention David Villalobos.

Authored by:

Allen Bell, Senior Planner (568-2033)

cc:

Glenn Russell, PhD, Director, P&D

Dianne Black, Director Development Services, P&D

Dave Ward, Deputy Director, Development Review Division, P&D

Alice McCurdy, Supervising Planner, Development Review Division, P&D

John E. Vallance, Vice President, MAZ Properties, Inc. (P.O. Box 1984, Santa Monica, CA 90406)

Christopher Jacobs, Brownstein Hyatt Farber Schreck (21 E. Carrillo Street, Santa Barbara, CA 93101)

Michael Lunsford, President, Gaviota Coast Conservancy (P.O. Box 1099, Goleta, CA 93116)

Marc Chytilo, Law Office of Marc Chytilo (P.O. Box 92233, Santa Barbara, CA 93190)