

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



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

Agenda Number:
Prepared on: 12/15/05
Department Name: Planning and Development
Department No.: 053
Agenda Date: 01/03/06
Placement: Administrative
Estimate Time: 3 hours
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Dianne Meester, Assistant Director
Planning and Development

STAFF: Allen Bell, Planner, Development Review (568-2033)
Tina Ryder, Supervising Planner, Development Review (568-2001)
Steve Chase, Deputy Director, Development Review (568-2520)

SUBJECT: Set Hearing for the Gaviota Coast Conservancy Appeal of the Planning Commission's Approval on May 25, 2005 of Bean Blossom (Lot H) New Single Family Dwelling, Garage, Guesthouse, Pool Cabana and Barn, 02CDP-00000-00022 (Appeal Case No. 05APL-00000-00014)

Recommendation(s):

That the Board of Supervisors set a hearing for February 7, 2006 to consider the Gaviota Coast Conservancy Appeal of the Planning Commission's Approval on May 25, 2005 of Bean Blossom (Lot H) New Single Family Dwelling, Garage, Guesthouse, Pool Cabana and Barn, Case No. 02CDP-00000-00022 (Appeal Case No. 05APL-00000-00014), located at 14200 Calle Real, Gaviota area, 3rd Supervisorial District, APN 081-200-032

(Estimated Time: 3 hours)

1. Adopt the required findings for Case No. 02LUP-00000-00022, as specified in the Planning Commission's action letter dated May 31, 2005, including CEQA findings;
2. Deny the appeal, upholding the Planning Commission's approval of Case No. 02LUP-00000-00022;
3. Grant *de novo* approval of Case No. 02LUP-00000-00022 subject to the revisions to the conditions of approval included in the Planning Commission's action letter.

Alignment with Board Strategic Plan:

The recommendations are primarily aligned with actions required by law or by routine business necessity.

Executive Summary and Discussion:

On February 17, 2004, P&D approved a Coastal Development Permit, Case No. 02CDP-00000-00022, to construct a new 10,366 square foot, two-story residence; a 1,150 square foot, four car attached garage; an 800 square foot guest house; an 800 square foot cabana and a 2,480 square foot barn. On February 27, 2004, the Gaviota Coast Conservancy submitted a timely appeal of P&D's approval to the Planning Commission. On May 25, 2005, the Planning Commission denied the appeal, on a 3-2 vote, thereby upholding P&D's approval and granting *de novo* approval of 02CDP-00000-00022. On June 3, 2005, the Gaviota Coast Conservancy submitted a timely appeal of the Planning Commission's action to the Board of Supervisor. P&D staff will prepare a report for the January 17, 2005 hearing that discusses the appeal issues.

Mandates and Service Levels:

Pursuant to Section 35-182.3 of Article II of Chapter 35 of the County Coastal Zoning Ordinance, the decisions of the Planning Commission may be appealed to the Board of Supervisors by the applicant or an aggrieved person.

Fiscal and Facilities Impacts:

The costs for processing appeals are typically provided through a fixed appeal fee and funds in P&D's adopted budget. In regards to this appeal, the appellant paid an appeal fee of \$435. P&D will absorb the costs beyond that fee. These funds are budgeted in the Permitting and Compliance Program of the Development Review South Division, as shown on page D-294 of the adopted 2005/2006 fiscal year budget.

Special Instructions:

Clerk of the Board shall complete noticing in the Santa Barbara News-Press and shall complete the mailed noticing for the project at least ten (10) days prior to hearing (mailing labels will be attached).

Clerk of the Board shall forward a copy of the Minute Order to P&D, Hearing Support Section, Attention: Cintia Mendoza.

Concurrence: None.