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RECEIVED

July 15, 2016

JUL 18 2016

Via Certified U.S. Mail

Nicole Lieu, Planner
Santa Barbara County Planning & Development Department
123 E. Anapamu
Santa Barbara, CA 93101

S B COUNTY
PLANNING & DEVELOPMENT

Re: Confirmation of July 13 Phone Conversation.

Dear Ms. Lieu:

This letter will confirm our conversation of July 13, 2016, wherein you called to discuss possible hearing dates on the Vander Meulen appeal in front of the Board of Supervisors. As I informed you, I will attempt to make any date work.

During our conversation, I also asked you whether, after the Planning Commission's modification of the Director's Determination and denial of the Vander Meulen appeal, Mr. Vander Meulen could undertake certain activity on the property without exposing himself to liability under both the LUDC and the Director's Determination. In other words, I asked you what the Planning Commission's denial (and, for that matter, the Director's Determination) actually *meant*.

For example, I asked you whether Mr. Vander Meulen's children could ride a 50cc or 125cc motorcycle or go-cart on the trails of his 7.5 acre property. I further asked you whether he could use a small tractor to till his soil for gardening purposes. You informed me that you were unable answer said questions, and that the Planning & Development Department could only make such determinations on a "case by case basis" and only *after* Mr. Vander Meulen had conducted the activity.

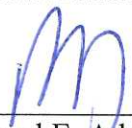
If I am in any way mistaken about your response, please let me know via written response.

Finally, as I informed you that this letter would be forthcoming, you requested to know whether I would like to make this letter part of the administrative record or treat it as separate correspondence. After considering the matter, I believe that it would be best to treat it as both.

Again, thank you for your time.

Sincerely,

BRENNEMAN, JUAREZ & ADAM


Richard E. Adam, Jr., attorneys for Mr.
Vander Meulen



County of Santa Barbara Planning and Development

Glenn S. Russell, Ph.D., Director

Dianne Black, Assistant Director

July 22, 2016

Richard Adam
625 East Chapel Street
Santa Maria, CA 93454

RE: Vander Meulen Appeal, Case No's: 16APL-00000-00003, 16APL-00000-00018
Assessor Parcel No. 105-010-033, located at 4655 Song Lane

Dear Mr. Adam,

Thank you for your letter regarding the Vander Meulen Appeal, dated July 15, 2016 (attached). The Santa Barbara County Planning Commission took action on appeal Case No. 16APL-00000-00003 on June 29, 2016 to support the Director's Determination regarding unpermitted use of the subject property (please see Attachment-2, Planning Commission Action Letter). Subsequently, on July 7, 2016 you filed an appeal (Case No. 16APL-00000-00018) of the Planning Commission's decision to the County Board of Supervisors. The appeal is scheduled to be heard by the Board of Supervisors on September 13, 2016.

As the project is currently under appeal to the Board of Supervisors, the questions raised in your letter which are related to the appeal, will be answered in the Board of Supervisors *de novo* action on the appeal. The determination on appeal to the Board of Supervisors deals with recreational use of motorized vehicles on residential properties, and that is what will be addressed by the Board of Supervisors. Any tractor use for gardening is outside the scope of the appeal and is permitted if it is ancillary to the primary residential use. The forthcoming board letter will be available for the August 30, 2016 set-hearing date and will include staff's recommendations and analysis.

Thank you,

Nicole Lieu
Senior Planner, Planning and Development

Attachment-1: Letter from Richard Adam, dated July 15, 2016
Attachment-2: Planning Commission Action Letter, dated July 1, 2016