

# 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:** May 23, 2005  
**Department Name:** Planning & Development  
**Department No.:** 053  
**Agenda Date:** June 7, 2005  
**Placement:** Administrative  
**Estimate Time:** 1.5 hours on July 19, 2005.  
**Continued Item:** NO  
**If Yes, date from:**  
**Document File Name:** G:\GROUP\Permitting\Case Files\APL\2000s\05 cases\05APL-00000-00005\Board letter set hearing.DOC

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**TO:** Board of Supervisors

**FROM:** Dianne Meester, Assistant Director  
Planning and Development

**STAFF CONTACT:** Steve Goggia, Supervising Planner (x2067)  
Alice Daly, Planner (x2059)

**SUBJECT:** Set Hearing for the Gerrity Appeal of the Planning Commission Procedural Denial of the Gerrity Duplex Addition, Coastal Development Permit under case number 03CDP-00000-00155 [Appeal Case No. 05APL-00000-00005]

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## Recommendation:

That the Board of Supervisors set a hearing to consider the Gerrity Appeal of the Planning Commission procedural denial, on appeal, of the Gerrity Duplex Addition (03CDP-00000-00155), 6774 Sueno Road/ 6773 Estero Road, Isla Vista, APN 075-091-003, Third Supervisorial District.

**Set Hearing for July 19, 2005 (Estimated time 1.5 hours).**

## Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with actions required by law or by routine business necessity.

## Executive Summary and Discussion:

On November 10, 2004, P&D staff gave ministerial approval to Coastal Development Permit 03CDP-00000-00155 to allow for a two-bedroom first floor addition to an existing one-story duplex at 6774 Sueno Road and 6773 Estero Road. Staff approval was based on the consistency of the project with the requirements of the 7-R-2 zone district of Article II of Chapter 35 of the County Code and BAR approval of the project.

On November 10, 2004, neighbor Stephen Johnson submitted an appeal of the P&D approval. On February 23, 2005, the Planning Commission heard the appeal and continued the hearing to April 6, 2005. At the April 6<sup>th</sup> Planning Commission hearing, a 2-2 vote resulted in a procedural denial of the proposed project. (Commissioner McGinnes abstained as he was not present during the original hearing on February 23, 2004).

On April 6, 2005, applicant David Gerrity filed an appeal to the Board of Supervisors of the Planning Commission denial of his project. A full discussion of the appeal issue will be provided in the final Board Letter for the July 5, 2005 Board hearing.

**Mandates and Service Levels:**

Section 35-182.3.1 of Article II (the Coastal Zoning Ordinance) of Chapter 35 of the County Code provides that the decisions of the Planning Commission may be appealed to the Board of Supervisors.

Pursuant to Government Code Sections 65355 and 65090, a notice shall be published in at least one newspaper of general circulation.

Pursuant to Government Code Section 65091, required mailed notice required to property owners within 300 feet of the project property boundaries, including the real property owners, and residents within 100 feet of the property, project applicant and local agencies expected to provide essential services, shall be done at least 10 days prior to the hearing.

**Fiscal and Facilities Impacts:**

As this is an applicant appeal to the Board, an appeal application flat fee of \$2,000 is required per the Planning & Development fee schedule (Resolution No. 04-060, adopted by the Board of Supervisors on March 15, 2004). Any costs borne by the department for processing this appeal over the amount of \$2,000 represent a net County cost. These funds are budgeted in the Permitting and Compliance program in the Development Review South Division on page D-290 of the adopted 04/05 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 the hearing (mailing labels attached.)

Clerk of the Board shall forward a copy of the Minute Order to Planning and Development Hearing Support Section, Attention Cintia Mendoza.

**Concurrence:** None