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March 11, 2008

VIA EMAIL

Jim Heaton
Planning & Development
123 East Anapamu Street
Santa Barbara CA 93101

Re: Wayne Ni and Peter McKee Appeal of 6346 Via Real

Dear Mr. Heaton:

I am writing on behalf of the appellants, whom I represent, with respect to the scheduling of the captioned appeal.

The appeal was initially set for April 2, 2008. Mr. Ni made arrangements to attend and to have witnesses attend.

On March 7 you called to advise Mr. Ni that a conflict had arisen on April 2, and to ask if the hearing could be moved up to March 26. Mr. Ni advised you that he will not be in Santa Barbara on that date; he is out of town due to an important, previously scheduled public appearance in northern California. You advised him, therefore, that the hearing would be set for April 23, which is a date that will work for the appellants.

However, you then called back a few minutes later to say that the hearing would be set for March 26, notwithstanding the conflict in the appellant's schedule and over his objections, adding that he does not need to attend his own appeal.

I must respectfully advise you that I believe it is improper to reschedule an appeal to a date earlier than previously noticed, over the appellant's objections and to a date when he is not available. Of course he is represented. But he has a right to attend his own appeal.

I respectfully request the County to reconsider the decision to move the hearing up to March 23. If the date is not altered I will want to address my concerns to the Planning Commission.

Sincerely,

Derek A. Westen
Attorney at Law

cc. Wayne Ni
Peter McKee
David Wood