

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: 2/28/06
Department Name: Planning & Development
Department No.: 053
Agenda Date: 3/14/06
Placement: Administrative
Estimate Time: 1 hour on 4/18/06
Continued Item: NO
If Yes, date from:
Document File Name: G:\GROUP\Permitting\Case Files\APL\2000s\05 cases\05APL-00000-00030\Board letter set hearing.DOC

TO: Board of Supervisors

FROM: Dianne Meester, Assistant Director
Planning and Development

STAFF

CONTACT: Steve Chase, Deputy Director (x 2520)

SUBJECT: Set Hearing for the Gelber, Flum, Adizes and Grassini Appeals of the Montecito Planning Commission Approvals of the Klink SFD Addition and Klink New SFD, under case numbers 04CDH-00000-00039 and 04CDH-00000-00042, [Appeal Case No. 05APL-00000-00030]

Recommendation:

Set a hearing to consider the Gelber, Flum, Adizes and Grassini appeals of the Montecito Planning Commission approvals of the Klink SFD Addition and Klink New SFD, 1787 Fernald Point Lane, Montecito Community Plan Area, APN 007-380-008, First Supervisorial District.

Set a Hearing for April 18, 2006.

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 October 19, 2005, the Montecito Planning Commission approved the Klink SFD Addition under case number 04CDH-00000-00039, based on the findings set forth in the Montecito Planning Commission Action Letter dated October 20, 2005, the requirements of Article II of Chapter 35 of the County Code, and the project's consistency with the policies and development standards of the Montecito Community Plan and Coastal Land Use Plan. On October 31, 2005, Chip Wullbrandt, on behalf of Robert T. and Darcy Gelber, Paul and Sallie Flum, Ichak and

Nurit Adizes and Larry and Sharon Grassini, submitted an appeal of the Montecito Planning Commission approval.

On November 16, 2005, the Montecito Planning Commission approved the Klink New SFD under case number 04CDH-00000-00042, based on the findings set forth in the Montecito Planning Commission Action Letter dated December 8, 2005, the requirements of Article II of Chapter 35 of the County Code, and the project's consistency with the policies and development standards of the Montecito Community Plan and Coastal Land Use Plan. On November 28, 2005, Chip Wullbrandt, on behalf of Robert T. and Darcy Gelber, Paul and Sallie Flum, Ichak and Nurit Adizes and Larry and Shannon Grassini, submitted an appeal of the Montecito Planning Commission approval. A full discussion of the appeal issue will be provided in the final Board Letter for the April 18, 2006, 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, mailed notice required to property owners within 300 feet of the project, including the real property owners, 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:

The costs for processing appeals of land use projects are typically provided through a fixed fee and funds in P&D's adopted budget. No fees are collected for appeals in the appeals jurisdiction of the Coastal Zone. Planning and Development offsets all costs associated with processing of the appeal, budgeted in Development Review South Division, in the Permitting and Compliance Program on page D-294 of Planning and Development's 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 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

Prepared By: Alice Daly, Planner III