ATTACHMENT E

GROUNDS FOR APPEAL

Grassini Single Family Dwelling Additions; 1775 Fernald Point Lane
Case Number: 07CDH-00000-00015; APN: 007-380-007

On June 18, 2008, the MPC conducted a very thorough hearing and concluded unanimously that the proposed project was incompatible with the existing developed neighborhood and the Montecito Community Plan. At its hearing on December 17, 2008, scheduled to review and approve the findings in support of that conclusion (at a hearing at which the appellants were not even personally present) the MPC changed its opinion and approved the project despite the fact that no material facts had changed. There was no basis for the MPC to change its original conclusion that the project is incompatible with the existing developed neighborhood and the Montecito Community Plan.

The proposed project is significantly over the applicable FAR, and is incompatible with the neighborhood, especially for a project that already has two residences in addition to a guest house. The proposed project involves a second story addition that would make the dwelling 48.5% greater than the maximum recommended floor area and therefore would exceed the Montecito Architectural Guidelines and Developments Standards. The proposed project will result in a precedent-setting intensification of use allowing too-dense, cheek-to-jowl development in an area with sensitive Highway 101 view corridor issues.

The expansion of the Grassini residence is inappropriate because the residence already intrudes into the "string line" of adjacent residential development along Fernald Point.

Although the applicant purports to address privacy concerns of the neighbor to the east by elimination of some small, windows, the addition of a large window on the main living area will result in an inappropriate intrusion into the privacy of the neighbor to the east.

The proposed project should have been rejected for the reasons set forth in the draft Findings of (Dis)Approval as set forth in the Staff Report dated August 8, 2008 (revised August 21, 2008).