

Robertson -Dworet Appeal of Walker SFD Demo/Rebuild
Case No. 14APL-00000-00022
Hearing Date: November 4, 2014

ATTACHMENT 4: APPEAL APPLICATION LETTER TO BOARD OF SUPERVISORS



14APL-00000-00022

ROBERTSON/DWORET APPEAL OF WALKER S
454 TORO CANYON RD 8/29/14
SANTA BARBARA 155-140-014

**Notice of Appeal to the Board of Supervisors
REQUEST FOR FACILITATION**

DATE: September 8, 2014
TO: Rachel Van Mullem, County Counsel *DMV*
FROM: David Villalobos, PC Hearing Support
Case Name: Appeal of the ZA's CDP Approval of the Walker SFD Demo/Rebuild
Case Number: 14APL-00000-00009
PC Hearing: August 27, 2014
Appeal Date: August 29, 2014
Appellant: Antonia J. Robertson & Lawrence Dworet

An appeal to the Board of Supervisors of the Planning Commission's decision on the above case has been filed and will be scheduled for hearing before the Board of Supervisors. A copy of the appeal is attached and a list of the names and addresses of the affected parties are shown below.

Please consult with the case planner in setting facilitation meeting date. Please send a copy of the meeting notification letter to Hearing Support staff of Planning & Development, Attn: David Villalobos at ext. 2058.

Attachments:

- Appeal to the Board of Supervisors dated August 29, 2014
- Planning Commission Action Letter dated September 5, 2014
- Planning Commission Staff Report dated August 7, 2014
- Planning Commission Memorandum dated August 21, 2014

Names/Addresses of affected parties:

Appellant: Antonia J. Robertson & Lawrence Dworet, 475 Toro Canyon Road, Santa Barbara, CA 93108; (805) 451-9427
Owner: David Walker/IGW Trust, 454 Toro Canyon Road, Santa Barbara, CA 93101; (917) 622-7667
Agent: Chris Belanger, 1187 Coast Village Road, Suite 1-203, Montecito, CA 93108; (805) 252-8260

NOTE TO PLANNERS: County of Santa Barbara procedures provide for an informal consultation meeting among parties involved in land use permit appeals. The consultation meeting occurs after an appeal is filed, and prior to the Board appeal hearing. County Counsel's office will arrange for the meeting.

The purpose of the meeting is to clarify issues pertaining to the appeal, to identify possible solutions, and to notify parties in dispute of available mediation services which may assist in resolving disagreements. An experienced County meeting facilitator will conduct the meeting, and will prepare a report for meeting participants and the County decision-maker on issues and options identified which may assist resolution of the appeal.

cc: Case File: 14APL-00000-00009
Glenn Russell, Director, Planning and Development
Dianne M. Black, Assistant Director
Anne Almy, Supervising Planner
Ryan Cooksey, Planner
Records Management
David Villalobos, Hearing Support

G:\GROUP\PERMITTING\Case Files\APL\2010s\14 cases\14APL-00000-00009 Walker SFD Demo-Rebuild\facilitationrequest.doc

**COUNTY PLANNING COMMISSION DECISION
 APPEALED TO THE BOARD OF SUPERVISORS
 August 29, 2014**

Case Number: 14APL-00000-00009 155-140-014 Area: Toro Canyon District: First	Title: Appeal of the ZA CDP Approval of the Walker SFD Demolition and Rebuild Applicant: Chris Belanger (agent for owner David Walker) Appealed by: Antonia J. Robertson & Lawrence Dworet Date appealed: August 29, 2014 at 3:10 p.m. Planner: Ryan Cooksey, ext. 2046 Supervising Planner: Anne Almy, ext. 2053	
Q	Planning Commission	Board of Supervisors
Hearing Dates:	August 27, 2014	Denied the appeal, approved the project
Fee Paid:		\$0 (Coastal Zone)
APPELLANTS REASON FOR APPEAL: See attached appeal form.		
FACILITATION: N/A		
OUTCOME OF BOS HEARING:		

- cc: Glenn Russell, Director
 Dianne M. Black, Assistant Director
 Alice McCurdy, Deputy Director
 Anne Almy, Supervising Planner
 Ryan Cooksey, Planner
 ✓ Records Management
 ✓ Elisa Moser, Accounting
 ✓ Petra Leyva, Building & Safety
 David Villalobos, Hearing Support



COUNTY OF SANTA BARBARA

Planning and Development

www.sbcountyplanning.org

RECEIVED

AUG 27 2014

S.B. COUNTY
PLANNING & DEVELOPMENT

Appeal to the Board of Supervisors or Planning Commission (County or Montecito)

APPEAL TO THE BOARD OF SUPERVISORS OR PLANNING COMMISSION (APL) on the issuance, revocation, or modification of:

- All Discretionary projects heard by one of the Planning Commissions
- Board of Architectural Review decisions
- Coastal Development Permit decisions
- Land Use Permit decisions
- Planning & Development Director's decisions
- Zoning Administrator's decisions

THIS PACKAGE CONTAINS

- ✓ APPLICATION FORM
- ✓ SUBMITTAL REQUIREMENTS

AND, IF D, ALSO CONTAINS

2014 AUG 29 PM 3:10
 COUNTY OF SANTA BARBARA
 CLERK OF THE BOARD OF SUPERVISORS

South County Office 123 E. Anapamu Street Santa Barbara, CA 93101 Phone: (805) 568-2000 Fax: (805) 568-2030	Energy Division 123 E. Anapamu Street Santa Barbara, CA 93101 Phone: (805) 568-2040 Fax: (805) 568-2522	North County Office 624 W. Foster Road, Suite C Santa Maria, CA 93455 Phone: (805) 934-6250 Fax: (805) 934-6258	Clerk of the Board 105 E. Anapamu Street Santa Barbara, CA 93101 Phone: (805) 568-2240 Fax: (805) 568-2249
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Website: www.sbcountyplanning.org

Bring to zoning counter on 2nd floor of Engineering Dept.

SUBMITTAL REQUIREMENTS

8 Copies of the attached application.

8 Copies of a written explanation of the appeal including:

- If you are not the applicant, an explanation of how you are an "aggrieved party" ("Any person who in person, or through a representative, appeared at a public hearing in connection with the decision or action appealed, or who, by the other nature of his concerns or who for good cause was unable to do either.");
- A clear, complete and concise statement of the reasons or grounds for appeal:
 - o Why the decision or determination is consistent with the provisions and purposes of the County's Zoning Ordinances or other applicable law; or
 - o There was error or abuse of discretion;
 - o The decision is not supported by the evidence presented for consideration;
 - o There was a lack of a fair and impartial hearing; or
 - o There is significant new evidence relevant to the decision which could not have been presented at the time the decision was made.

✓ 1 Check payable to Planning & Development

~~None required~~

~~60922~~ Not applicable because it is in the COASTAL COMMISSION jurisdiction.

✓ Note: There are additional requirements for certain appeals including:

- a. Appeals regarding a previously approved discretionary permit – If the approval of a Land use permit required by a previously approved discretionary permit is appealed, the applicant shall identify: 1) How the Land Use Permit is inconsistent with the previously approved discretionary permit; 2) How the discretionary permit's conditions of approval that are required to be completed prior to the approval of a Land Use Permit have not been completed; 3) How the approval is inconsistent with Section 35.106 (Noticing).
- b. Appeals regarding Residential Second Units (RSUs) – The grounds for an appeal of the approval of a Land Use Permit for a RSU in compliance with Section 35.42.230 (Residential Second Units) shall be limited to whether the approved project is in compliance with development standards for RSUs provided in Section 35.42.230.F (Development Standards).



PLANNING & DEVELOPMENT
APPEAL FORM

SITE ADDRESS: 454 TORO CANYON RD
 ASSESSOR PARCEL NUMBER: 155-140-014
 PARCEL SIZE (acres/sq.ft.): Gross 1.13 acres Net _____
 COMPREHENSIVE/COASTAL PLAN DESIGNATION: RES-110 ZONING: 1-E-1
 Are there previous permits/applications? no yes numbers: 13 CDH-00000-00024
 (include permit# & lot # if tract)
 Are there previous environmental (CEQA) documents? no yes numbers: unknown

1. Appellant: Antonia J. Robertson (H) Laurence D Woret Phone: 805-964-2333 Cell: 805-451-9427 FAX: 805-322-2449

Mailing Address: 475 TORO CANYON RD, Santa Barbara, CA 93106 E-mail: LDWoret@gmail.com
 Street City State Zip Phone FAX

2. Owner: _____ Phone: _____ FAX: _____

Mailing Address: _____ E-mail: _____
 Street City State Zip

3. Agent: _____ Phone: _____ FAX: _____

Mailing Address: _____ E-mail: _____
 Street City State Zip

4. Attorney: _____ Phone: _____ FAX: _____

Mailing Address: _____ E-mail: _____
 Street City State Zip

COUNTY USE ONLY

14APL-00000-00022
 Case Num
 Superviso. ROBERTSON/DWORET APPEAL OF WALKER S
 Applicant 454 TORO CANYON RD
 Project Pl 8/29/14
 Zoning: Di SANTA BARBARA
 155-140-014

Companion Case Number: _____
 Submittal Date: _____
 Receipt Number: _____
 Accepted for Processing: _____
 Comp. Plan Designation: _____

COUNTY OF SANTA BARBARA APPEAL TO THE :

BOARD OF SUPERVISORS

PLANNING COMMISSION: COUNTY MONTECITO

RE: Project Title Walker single Family Dwelling

Case No. 13 CDH

Date of Action April 7

I hereby appeal the approval approval w /conditions denial of the:

Board of Architectural Review – Which Board? _____

Coastal Development Permit decision

Land Use Permit decision

Planning Commission decision – Which Commission? COUNTY

Planning & Development Director decision

~~Zoning Administrator decision~~

Is the appellant the applicant or an aggrieved party?

Applicant

Aggrieved party – if you are not the applicant, provide an explanation of how you are and "aggrieved party" as defined on page two of this appeal form:

Reason of grounds for the appeal – Write the reason for the appeal below or submit 8 copies of your appeal letter that addresses the appeal requirements listed on page two of this appeal form:

- A clear, complete and concise statement of the reasons why the decision or determination is inconsistent with the provisions and purposes of the County's Zoning Ordinances or other applicable law; and
- Grounds shall be specifically stated if it is claimed that there was error or abuse of discretion, or lack of a fair and impartial hearing, or that the decision is not supported by the evidence presented for consideration, or that there is significant new evidence relevant to the decision which could not have been presented at the time the decision was made.

THE PROPOSED STRUCTURE
IS NOT IN CHARACTER
WITH THE NEIGHBORHOOD,
AND NOT CONSISTENT IN
SPIRIT OR LETTER
WITH THE BOARD OF SUPERVISORS
APPROVED (2004) TORO CANYON
PLAN

Specific conditions imposed which I wish to appeal are (if applicable):

- a. _____
- b. _____
- c. _____
- d. _____

Please include any other information you feel is relevant to this application.

CERTIFICATION OF ACCURACY AND COMPLETENESS - Signatures must be completed for each line. If one or more of the parties are the same, please re-sign the applicable line.

Applicant's signature authorizes County staff to enter the property described above for the purposes of inspection. I hereby declare under penalty of perjury that the information contained in this application and all attached materials are correct, true and complete. I acknowledge and agree that the County of Santa Barbara is relying on the accuracy of this information and my representations in order to process this application and that any permits issued by the County may be rescinded if it is determined that the information and materials submitted are not true and correct. I further acknowledge that I may be liable for any costs associated with rescission of such permits.

~~LAURENCE DWORZET~~ LAURENCE DWORZET 8/27/2014

Print name and sign - Firm

Date

Print name and sign - Preparer of this form

Aug 27
Date
~~August~~
2014

LAURENCE DWORZET AND ANTONIA ROSICHON

Print name and sign - Applicant

Date

Print name and sign - Agent

Date

ANTONIA J. ROBERTSON

Print name and sign - Landowner

Date

SANTA BARBARA COUNTY PLANNING COMMISSION

Staff Report for

**Appeal of the Zoning Administrator's Coastal Development Permit Approval of
Walker Single Family Dwelling Demolition & Rebuild**

Hearing Date: August 27, 2014

Staff Report Date: August 7, 2014

Case Nos.: 14APL-00000-00009
(13CDH-00000-00024)

Environmental Document: Notice of Exemption pursuant
to Sections 15301 and 15303 of the CEQA Guidelines

Deputy Director: Alice McCurdy

Division: Development Review

Supervising Planner: Anne Almy

Supervising Planner Phone #: 568-2053

Staff Contact: Ryan Cooksey

Planner's Phone #: 568-2046

OWNER/APPLICANT:

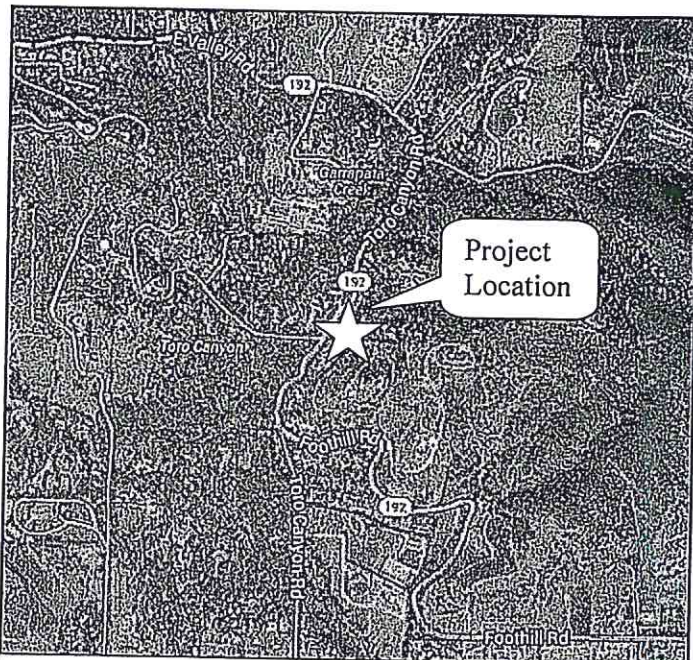
David Walker / IGW Trust
454 Toro Canyon Road
Santa Barbara, CA 93101
917-622-7667

**OWNER'S AGENT &
ARCHITECT:**

Chris Belanger
1187 Coast Village Road
Suite 1-203
Montecito, CA 93108
805-252-8260

APPELLANTS:

Antonia J. Robertson &
Lawrence Dworet
475 Toro Canyon Road
Santa Barbara, CA 93108
805-451-9427



This site is identified as AP No. 155-140-014, located at 454
Toro Canyon Road, Toro Canyon Plan area, First Supervisorial
District.

Applications Submitted:

SBAR Preliminary Approval:

Zoning Administrator's Approved Land Use Permit:

Appeal Filed:

July 9, 2013

July 25, 2014

April 7, 2014

April 7, 2014