

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST AREA
 3111 CAMINO DEL RIO NORTH, SUITE 200
 SAN DIEGO, CA 92108-1725
 (619) 521-8036

Filed: November 20, 1995
 49th Day: January 10, 1996
 180th Day: May 21, 1996
 Staff: LRO-SD
 Staff Report: November 29, 1995
 Hearing Date: December 13-15, 1995

STAFF REPORT: APPEAL

TH 156

LOCAL GOVERNMENT: City of San Diego

DECISION: Approved with Conditions

APPEAL NO.: A-6-PEN-95-153

APPLICANT: David and Jean Purcell AGENT: Lynne Heidel

PROJECT LOCATION: 741 Rosecrans Street, Point Loma, San Diego, San Diego County.

PROJECT DESCRIPTION: Demolition of a 2,327 sq.ft., two-story, single-family residence with a two-car garage and the construction of a new two-story, single family residence with a three-car garage (totaling 5,224 sq.ft.) on a 9,089 sq.ft. bayfront lot.

APPELLANTS: George Fleming and Marty Bohl

SUBSTANTIVE FILE DOCUMENTS: Appeal application dated 11/22/95

SUMMARY OF STAFF RECOMMENDATION:

The staff recommends the Commission OPEN AND CONTINUE the public hearing to determine whether a substantial issue exists with respect to the grounds on which the appeal has been filed for the following reasons:

Pursuant to Section 30621 of the Coastal Act, an appeal must be heard within 49 days from the date an appeal of a locally-issued coastal development permit is received. The appeal on the above-described decision was received in the Commission office on November 22, 1995. In accordance with the California Code of Regulations, staff requested all relevant documents and materials regarding the subject permit from the City on November 27, 1995. As of the date of this writing, this information has not been received. The 49th day (January 10, 1996) from the initial filing would be during the January 9-12, 1996 meeting. Pursuant to Section 13112 of the California Code of Regulations, if the Commission fails to receive the documents and materials, the Commission should open and continue the substantial issue hearing at the December meeting, awaiting receipt of the local government's file. It is therefore anticipated that the subject appeal will be heard at the January 9-12, 1996 meeting in Los Angeles, reviewing the matter to determine whether or not a substantial issue exists.