

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 641-0142



Filed: 10/10/95
49th Day: 11/28/95
180th Day: 4/7/96
Staff: MHC
Staff Report: 11/20/95
Hearing Date: 11/12-15/95
Commission Action:

STAFF REPORT: APPEAL

SUBSTANTIAL ISSUE

W20a

LOCAL GOVERNMENT: Santa Barbara County

DECISION: Approve with Conditions

APPEAL NO.: A-4-STB-95-221

APPLICANT: U.S. Legal Court & Information Corp. AGENT: Darryl Genis

PROJECT LOCATION: Parcel 62, Hollister Ranch

PROJECT DESCRIPTION: Conversion of a barn to a guest house, with attached storage area.

APPELLANT: Paul M. Christiansen, Merritt-Masters Ent.

SUBSTANTIVE FILE DOCUMENTS: 94-SUP-050

SUMMARY OF STAFF RECOMMENDATION:

The staff recommends that the Commission, after public hearing, determine that no substantial issue exists with respect to the grounds on which the appeal has been filed for the following reasons: The proposed project is in conformity with the applicable provisions of the County's Local Coastal Program regarding public notices, stream-bed set-backs, and protection of environmentally sensitive habitats.

The Commission received a Notice of Final Action from the County of Santa Barbara on September 28, 1995, and an appeal of the County's action on October 6, 1995; the appeal was therefore filed within 10 working days of receipt of the Notice of Final Action by the County as provided by the Commission's Administrative Regulations. The Commission opened and continued the public hearing on this appeal at the Commission's October meeting pending the receipt of the administrative record for this project from the County of Santa Barbara.

I. Appellants Contentions

The appellant alleges the following inconsistencies with the County of Santa Barbara's Local Coastal Program: (1) applicant has no legal interest in the subject property; (2) County failed to properly notice its action on the Special Use Permit; (3) project is inconsistent with Local Coastal Program Policies dealing with public access; (4) project is an illegally subdivided parcel and is not consistent with the planned development requirements of the County Local Coastal Program; (5) proposed project will generate cumulative impacts on coastal resources which are inconsistent with the County's Local Coastal Program.

II. Local Government Action

The County of Santa Barbara approved a Special Use Permit for the conversion of an existing 794 square foot barn to a guest house with a 544 square foot attached storage area located on Parcel 62, a 103 acre parcel of the Hollister Ranch, Santa Barbara County.

An appeal by the appellant to the Santa Barbara County Board of Supervisors was denied by the Board, thus affirming the approval of the project by the County's Zoning Administrator.

The project was approved with a number of special conditions, regarding limitation on the use of the guest house and storage area to temporary occupancy only, the protection of environmentally sensitive resources on the subject parcel, and control of the remainder of the parcel for residential uses. Additionally, the original development was accompanied by the payment of a \$5,000 public access fee as required by the California Coastal Act and the County's certified Local Coastal Program (LCP).

III. Appeal Procedures

The Coastal Act provides for limited appeals after certification of Local Coastal Programs (LCPs) to the Coastal Commission of local government actions on Coastal Development Permits. Developments approved by cities or counties may be appealed if they are located within the mapped appealable areas, such as those located between the sea and the first public road paralleling the sea, within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is greater, on state tide-lands, or along natural water courses.

For development approved by the local government and subject to appeal to the Commission, the grounds for appeal shall be limited to an allegation that the development does not conform to the standards set forth in the certified Local Coastal Program or the public access policies set forth in Division 20 of the Public Resources Code.

The project is situated between the sea and the first public road paralleling the sea (U.S. Highway 101), and is therefore subject to appeal to the Commission.

Section 30625(b) of the Coastal Act requires the Commission to hear an appeal unless the Commission determines that no substantial issue is raised by the appeal.

If the Staff recommends "substantial issue" and no Commissioner objects, the substantial issue question will be considered moot, and the Commission will proceed directly to a de novo public hearing on the merits of the project. If the staff recommends "no substantial issue" or the Commission decides to hear arguments and vote on the substantial issue question, proponents and opponents will have 3 minutes per side to address whether the appeal raises a substantial issue.

It takes a majority of Commissioners to find that no substantial issue is raised. If substantial issue is found, the Commission will proceed to a full public hearing on the merits of the project. If the Commission conducts a de novo hearing on the merits on the permit application, the applicable test for the Commission to consider is whether the proposed development is in conformity with the certified Local Coastal Program, and the public access and public recreation policies of the Coastal Act.

The only persons qualified to testify before the Commission at the substantial issue stage of the appeal process are the applicant, persons who opposed the application before the local government (or their representatives), and the local government. Testimony from other persons must be submitted in writing. If a de novo hearing is held, testimony may be taken from all interested persons.

Coastal Act Section 30621 requires that a public hearing on appeals shall be set no later than 49 days after the date on which the appeal is filed with the Commission.

IV. Staff Recommendation on Substantial Issue

The staff recommends that the Commission determine that NO substantial issue exists with respect to the grounds on which the appeal was filed, pursuant to PRC Section 30603.

Motion

I move that the Commission determine that Appeal NO. A-4-STB-95-175 raises NO substantial issue with respect to the grounds on which the appeal has been filed.

Staff recommends a YES vote on the motion.

A majority of the Commissioners present is required to pass the motion.

V. Findings and Declarations

A. Project Description

The project consists of the conversion of the existing first floor of a previously permitted barn/storage structure into a guest house. The second floor of the existing structure will be used as a storage area, with no interior access provided or allowed. The proposed guesthouse will contain 749 square feet and the storage area 544 square feet. Neither the guest house nor the storage area will contain cooking facilities, but will have a toilet and wash basin. The guest house will not be occupied more than 120 days in any 12 month period. (See Exhibits 1 - 3.)

Hollister Ranch is a 14,400 acre privately held ranch which has been divided into 135 separate parcels of approximately 100 acres each. In addition there are a number of commonly held parcels for circulation and common open space. The LCP Land Use Plan designation is Ag-II-320 (Agricultural, One residence per 320 Acre Lot Maximum). The LCP Zoning designation is AG-II-20 (320 Acre Minimum Lot Size).

Issues Raised by the Appellant

The appellant alleges the following inconsistencies with the County of Santa Barbara's Local Coastal Program: (1) the applicant does not have a legal interest in the subject property; (2) the County failed to properly notice its action on the Special Use Permit; (3) the project is inconsistent with Local Coastal Program Policies dealing with public access; (4) the project involves an illegally subdivided parcel and is not consistent with the planned development requirements of the County Local Coastal Program; (5) the proposed project will generate cumulative impacts on coastal resources which are inconsistent with the County's Local Coastal Program. (See Exhibits 4 and 5.)

1. Applicant Does Not Have Legal Interest In Subject Parcel

The appellant contends that the applicant does not have a legal interest in the property. The issue is not a grounds for an appeal to the Commission. However, the administrative record provided by the County includes a copy of the Grant Deed for the subject parcel (Parcel 62) in the name of the applicant, United State Court and Legal Information Corporation. (See Exhibit 6.)

The Commission therefore finds that the proposed project, as conditionally approved by the County, is in conformance with the County's certified Local Coastal Program. The appellant's contentions, therefore, raise no substantial issue.

2. Failure to Provide Adequate Notice

The appellant contends that the County failed to provide adequate notice to requesting parties of record, including all members of the Hollister Ranch Homeowners Associate, or owners of easements within 100 feet of the subject parcel. The Santa Barbara County LCP Zoning Ordinance Section 35-181.2 provides that, for all developments appealable to the Commission, public notice be provided at least 10 calendar days before the hearing through a notice published in a newspaper of general circulation. Additionally, individual public notice is to be provided to the following:

1. California Coastal Commission;
2. Applicants;
3. Property owners within 300 feet of the boundaries of the subject parcel;
4. Residents within 100 feet of the subject parcel;
5. Any person who has filed a written request and provided self-addressed stamped envelopes.

The County noticed the proposed project by publishing a legal notice in the Santa Barbara News Press 10 days prior to the County hearing on the item. Further the County had sent, by first class mail, notices of the hearings to the Commission, applicants, property owners within 300 feet, residents within 100 feet of the subject parcel, and to persons who had filed written requests and provided self-addressed stamped envelopes.

The appellant contends that the County's public notice was inadequate because it did not individually notice at least three individuals who had signed a mylar map in the County's possession and requested to be noticed, but had not provided self-addressed envelopes. The County is not required to provide separate notice to those individuals who have not provided written requests accompanied by a self-addressed stamped envelope. However, staff directly contacted the appellant, Mr. Christiansen regarding the continuance of the original public hearing scheduled for this item.

The County has provided public notice for this project consistent with the public notice requirements of the County's certified Local Coastal Program. Further the County provided additional notice to the applicant though not required to do so.

The Commission therefore finds that the proposed project, as conditionally approved by the County, is in conformance with the County's certified Local Coastal Program relative to the noticing requirements. The appellant's contentions, therefore, raise no substantial issue.

3. Project is Not Consistent with Applicable Public Access Policies

The appellant contends that the County has issued a Special Use Permit for the proposed barn conversion in a manner which is inconsistent with Policy 2-16 of the County's certified Local Coastal Program, Land Use Plan. Policy 2-16 provides that:

The County shall not issue permits for non-exempt development on the Hollister Ranch unless the Coastal Commission certified that the requirements of PRC Section 30610.3 have been met by each applicant or the Commission finds that access is otherwise provided in a manner consistent with the access policies of the Coastal Act.

PRC Section 30610.3 sets up a mechanism for adopting access plans for designated areas and collecting in-lieu fees for development which are intended to finance the implementation of such access plans. Such a plan and in-lieu fee program has been established for the Hollister Ranch area. This program requires that an in-lieu fee of \$5,000 be provided in connection with the development of the individual parcels of the Hollister Ranch. The subject parcel has been previously developed with a principal residence, and has provided an in-lieu fee of \$5,000 to the California Coastal Conservancy as required by PRC Sections 30610.3 and 30610.8. (See Exhibit 7.)

The Commission therefore finds that the proposed project, as conditionally approved by the County, is in conformance with the County's certified Local Coastal Program relative to the public access requirements. The appellant's contentions, therefore, raise no substantial issue.

4. Project Constitutes An Illegal Sub-Division of a Planned Development Site

The appellant contends that the proposed project involves an illegal subdivision of a site designated for Planned Development, and that the density of the subdivided parcels as a result been increased, but not recognized in the County analysis.

The subject parcel had been previously recorded as illegal subdivision of Parcel 62. However, prior to the County's final approval of the proposed barn conversion, documents were recorded with the County (#95-045706) which reversed the previous illegal subdivision. The subject parcel is now therefore consistent with the Map Act, the Subdivision Regulations, and the Agricultural Preserve Uniform Rules. (See Exhibit 6.)

The Commission therefore finds that the proposed project, as conditionally approved by the County, is in conformance with the County's certified Local Coastal Program. The appellant's contentions, therefore, raise no substantial issue.

5. Failure to Address Cumulative Impact on the Hollister Ranch

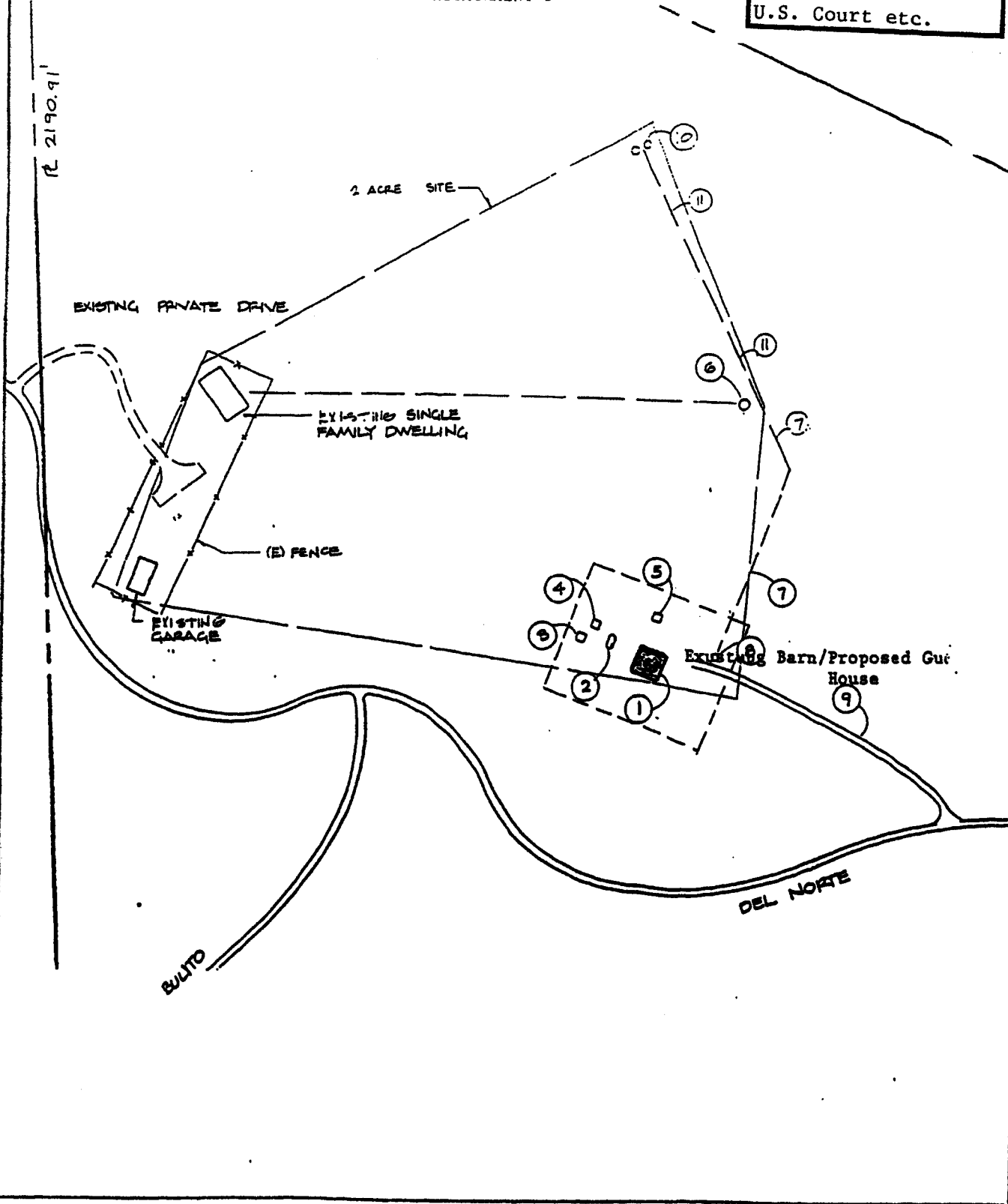
The appellant contends that the County analysis of the proposed project has failed to address the cumulative impacts associated with the conversion of the barn which is the subject of this permit, and other pending or potential conversions.

The Commission has certified the County's LCP with land use plan and zoning designations which allows for residential development within the Hollister Ranch. The proposed development, and those previously permitted by the County under its certified LCP, are within the density allowed by the LCP. The County has made findings in support of the mitigations addressing the individual and cumulative impacts of this project which are supported by evidence in the record. The question of the adequacy of the County's cumulative impacts analysis is properly addressed as part of the County's review under the California Environmental Quality Act, and is itself not grounds for an appeal under the County's LCP.

The Commission therefore finds that the proposed project, as conditionally approved by the County, is in conformance with the County's certified Local Coastal Program relative to cumulative impacts. The appellant's contentions, therefore, raise no substantial issue.

MHC/
6997A

EXHIBIT NO. 2
APPLICATION NO.
A-4-STB-95-221
U.S. Court etc.





County of Santa Barbara Planning and Development

John Patton, Director

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NOTICE OF FINAL ACTION ON A SPECIAL USE PERMIT

This is to inform you that a Special Use Permit has been approved for the project described below. This is an appealable development as defined under Section 30603 of the Coastal Act and Section 35-182.4.1 and .2a of Article III, the County of Santa Barbara's Coastal Zoning Ordinance, and therefore the Special Use Permit shall become final after 10 working days of the receipt date by the California Coastal Commission.

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST DISTRICT

Sincerely,
John Patton
Director

By: Kimberley Heaton
Planner

EXHIBIT NO.	3
APPLICATION NO.	
A-4-STB-95-221	
U.S. Court etc.	

APPLICANT: U.S. Legal Court and Information Corporation, et. al.

PROJECT ADDRESS: Hollister Ranch #62, Gaviota, CA 93117

CASE NUMBER: 94-SUP-050

APN: 083-680-013

DATE OF BOARD OF SUPERVISORS' ACTION: Approved (on appeal)
September 26, 1995

PROJECT DESCRIPTION: Validation of the conversion of an existing barn to a guest house with an attached storage area.

CONDITIONS OF APPROVAL: See attached.

FINDINGS OF APPROVAL: Project as approved is consistent with all Local Coastal Program and Coastal Zoning Ordinance policies.

SPECIAL USE PERMIT
APPEALABLE DEVELOPMENT

On July 10, 1995 the Zoning Administrator approved 94-SUP-050 for the development described below, subject to the attached set of conditions. This approval was appealed to the County of Santa Barbara Board of Supervisors. The Board of Supervisors took final action on September 26, 1995, and upheld the Zoning Administrator's approval of this project, thus denying the appeal.

Approved project: The validation of the illegal conversion of the existing first floor of a permitted barn/storage structure into a guest house. The second floor of the existing structure will remain a storage area with a toilet and wash basin only. There will be no interior access between the guest house and the storage area. The storage area will not contain any bathing or cooking facilities or a wetbar area and it will not be used for sleeping purposes or as a guest house, artist studio or poolhouse/cabana. The proposed guest house will be 794 square feet in size and the storage area will be 544 square feet in size. The guest house will not contain cooking facilities, but will have a wetbar consisting of a counter area a maximum of seven feet in length with cupboards located above the counter and a bar sink. The existing additional counter areas and cupboards will be removed from this structure as depicted on Exhibit Map #1. The guest house will not be occupied on a permanent basis, i.e. no more than 120 days in any 12 month period.

APN and Project Address: 083-680-013, Hollister Ranch #62, Gaviota, CA 93117

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PROJECT CONDITIONS

1. This Special Use Permit, 94-SUP-050 is based upon and limited to compliance with the project description, the hearing exhibits marked Exhibit #1, dated July 11, 1995, and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the Zoning Administrator for conformity with this approval. Deviations may require modification to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows: The validation of the illegal conversion of the existing first floor of a permitted barn/storage structure into a guest house. The second floor of the existing structure will remain a storage area with a toilet and wash basin only. There will be no interior access between the guest house and the storage area. The storage area will not contain any bathing or cooking facilities or a wetbar area and it will not be used for sleeping purposes or as a guest house, artist studio or poolhouse/cabana. The proposed guest house will be 794 square feet in size and the storage area will be 544 square feet in size. The guest house will not contain cooking facilities, but will have a wetbar consisting of a counter area a maximum of seven feet in length with cupboards located above the counter and a bar sink. The existing additional counter areas and cupboards will be removed from this structure as depicted on Exhibit Map #1. The guest house will not be occupied on a permanent basis, i.e. no more than 120 days in any 12 month period.

2. The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the conditions of approval hereto. All plans (such as Landscape and Tree Protection Plans) submitted for review and approval shall be implemented as approved.

2. Compliance with Departmental Conditions:

a. Environmental Health Services letter, dated April 19, 1995.

b. County of Santa Barbara Fire Department letter dated January 3, 1995.

3. Prior to the issuance of the Coastal Development Permit (CDP), all owners of the subject lot shall sign and record a Notice to Property Owner indicating the restriction of residential development to a contiguous two acre radius. An exhibit shall be recorded with this document indicating the two-acre envelope as determined by the existing and proposed non-agricultural development. The document shall be reviewed and approved by Planning and Development prior to recordation.

4. Prior to the issuance of the CDP, all owners of the subject lot shall sign and record a Notice to Property Owner (NTPO) indicating that the use of the guest house, contained within the first floor of the subject structure, shall at all times comply with the requirements and restrictions regarding guest houses as contained within the Article II Coastal Zoning Ordinance. Currently these requirements and restrictions provide that:

8. Prior to issuance of the CDP, applicant shall pay all Planning and Development permit processing fees.
9. This Special Use Permit (SUP) shall expire two years from the date of approval of the SUP by the Zoning Administrator or, if appealed, the date of action by the Board of Supervisors or the California Coastal Commission on the appeal, if the use, building or structure for which the SUP was approved has not been granted a Coastal Development Permit (CDP). Prior to the expiration of such two year period, the Director of Planning and Development may grant one extension of one year for good cause shown. Once the use, building or structure has been granted a CDP, the SUP shall have the same expiration date as the issued CDP.
10. The use, and/or construction of the building or structure, authorized by this SUP cannot commence until a CDP has been issued. Prior to the issuance of the CDP, all of the conditions of this SUP that are required to be satisfied prior to issuance of the CDP must be satisfied. Plans accompanying this CDP, or any subsequent CDP issued for a use, building or structure approved by this SUP, shall contain all the conditions of this SUP.
11. The applicant's acceptance of this permit and/or commencement of construction and/or operations under this permit shall be deemed to be acceptance by the permittee of all conditions of this permit.
12. If the Zoning Administrator determines, at a noticed public hearing, that the permittee is not in compliance with any one of the conditions of this permit, pursuant to the provisions of Section 35-170.6 of Article II of the Santa Barbara County Code, the Zoning Administrator is empowered, in addition to revoking the permit pursuant to said section, to amend, alter, delete or add conditions to this permit.
13. Owner/applicant shall defend, indemnify and hold harmless the County or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void or annul, in whole or in part, the County's approval of this Coastal Special Use Permit. In the event that the County fails promptly to notify the developer of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.
14. In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought in the time period provided for in section 66499.37, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the Zoning Administrator and no approval shall be issued unless substitute feasible mitigation conditions/measures are imposed.

EXHIBIT NO. 4

APPLICATION NO.

A-4-STB-95-221

U.S. Court etc.

MERRITT MASTER ENTERPRISES
PO BOX 9145
SOUTH LAGUNA, CA 92677
714-242-2492

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OCT 06 1995

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

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October 3, 1995

California Coastal Commission
89 S. California St. #200
Ventura, CA 93001

Re: Santa Barbara County Case # 94-SUP-050 aka 95-SUP-050

Appeal to California Coastal Commission
(Per Article II of Chapter 35 SB County Code et sq)

GROUNDS FOR APPEAL:

I

Applicant: United States Court and Legal Information IMC has no legal standing to have processed or proceeded with the planning process. The "Final Action" on the special "use permit" 94-Sup-050 was issued upon the basis of fraud.

Appellant Merritt Master Enterprises (MME) due process and equal protection is violated by the County of Santa Barbara issuance of a permit obtained by the active fraud of the applicant.

The "use permit" denies Appellant MME protection of Calif. State and U.S. Federal Constitutional protections.

II

The County of Santa Barbara did not notify Appellant MME of the final hearing on appeal...heard September 26, 1995. Exhibit A and B (1) (2) were the only communication prior to the final Sept. 26th hearing.

III

Sec. 35-182.5 MME complies, timely, on this filing within 10 working days of the Board of Supervisors decision.

IV

Applicant violates Sec 35-182.2 (3) a Grounds for Appeal

1 #6. The development is not in conformity with the Local Coastal Program.

2 Appellant MME re-states and re-alleges no standing to
3 obtain any permit by Applicant and/or participate in any
4 public planning process before any government body anywhere
5 in California. Applicant admits prior use of the "barn"
6 now "converted" by permit to an "approved" residential
7 structure. Applicant had and has no standing to seek or
8 apply or redress the admitted illegal unpermitted before
9 any governmental agency.

10 Appellant MME appeals, additionally, on the grounds that
11 the Santa Barbara planning staff analysis regarding
12 cumulative impacts of the "barn" to "house" is factually
13 flawed. Santa Barbara staff does not compare the impact of
14 the admitted illegal barn to other "illegal" barns (41) at
15 the Hollister Ranch, Gaviota. Instead, Santa Barbara staff
16 compares legal presently permitted structures, as existing
17 Hollister Ranch homes to the fact(s) of existing illegally
18 occupied barns.

19 MME contends the distorted fact comparison of barns to
20 approved residential homes violates both the L.C.P., and
21 may have required C.E.Q.A. negative declaration. MME
22 purports that the intent of the certified L.C.P. with land
23 use plan and zoning designations is aborted through the
24 concept of taking illegally habituated barns and
25 bootstrapping the structures into residential homes. And,
26 when this method of "re" designation is sanctioned by the
27 Hollister Ranch Designs Committee or the County of Santa
28 Barbara it severely dilutes the planning process.

The cumulative impact (s) not addressed by the county are:

- 1) The failure of legal permit enforcement
- 2) Scenic and aesthetic coastal impact considerations
- 3) Overall degradation of the coastal zone by "changed" approvals
- 4) Economic de-based property values via a scheme of boot-strapping illegal units (by the dozens into a highly regulated planned unit community (Hollister Ranch)).

Y

Inadequate Public Notice
By Applicant and Santa Barbara County

Appellant MME reserves its right herein on Applicants issue of legal standing. However:

- 1) Applicant failed to notify all co-owners of his project.

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- 2) Applicant did not continually notify the HR Association of the project
- 3) Applicant did not notify all record owners of the easements adjacent to the project (within 300 ft.)
- 4) Applicant via the county did not notify parties of record signing the notifications mylar maps.

The County of Santa Barbara failed to inform interested public members of the requirement to "provide" a stamped envelope to be eligible for notice.

IV

Exhibit C pg 1 - 9 is MME appellant's compilation of facts and circumstances wherein the County of Santa Barbara and the Applicant US Court et al., violated the fairness procedures during the hearing(s) and process on approval of the Special Use permit certification.

The information and facts stated above are correct to the best of my/our knowledge.

Merritt Master Enterprises


Paul M. Christiansen

Agent Authorization

I/We hereby authorize Paul M. Christiansen to act as my/our representative and to bind me/us in all matters concerning this appeal.

Merritt Master Enterprises


Signature of Appellant

Dated: 10-4-95

EXHIBIT NO. 5
APPLICATION NO.
A-4-STB-95-221
U.S. Court etc.

MERRITT MASTER ENTERPRISES
PO BOX 9145
SOUTH LAGUNA, CA 92677
714-242-2492

October 23, 1995

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OCT 26 1995
CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

California Coastal Commission
89 S. California St. #200
Ventura, CA 93001

Re: Santa Barbara County Case # 94-SUP-050
aka 95-SUP-050
Re-Appeal to California Coastal Commission
Parcel 62 & 62(B), Hollister Ranch, Gaviota, Ca.

SUPPLEMENTAL APPEAL ADDENDUM

Merritt Master Enterprises (MME), appellant submits the following issues and facts on the above referenced appeal - on submission of this document no prior appellant rights are waived.

I

Santa Barbara County Local Coastal Plan

Information from the County re: Policy 2-15 via PRC Section 30610.3 about the "County's" compliance for Coastal Commission Certification has not been satisfied for issuance of the conditional use permit.

II

Lot Subdivision of Parcel 62 and 62 (B) Violates:

Policy (Santa Barbara County L.C.P.) 2-16 - Appellant contends Gov. Code 65450 is violated when "parcels comprising a site designated as (planned development) were illegally subdivided in separate ownership(s)."

III

The new permit violates County requirement to re-specify density. Policy (SB County, L.C.P.) - 2-19. The applicant parcel 62 and 62(B) remains in its present legal status subdivided... Exhibit "A" is void on its face; and thus appellant MME objects that the County has not re-specified "the maximum density of development permitted under the planned development designation...adopted for a particular parcel(s)".

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IV

62(B) portion of the illegally subdivided parcel has not addressed the "open space" re-designations. Appellant MME position on Policy 2-20 (L.C.P.) should be upheld as void permit. Both applicant and SB County have not complied with the Coastal provision.

Conclusions of Fact and Law: Supporting MME Appeal

- 1) During the "permit" process applicant was revealed as creating an un-authorized land use subdivision. Parcel #62 and 62(B).
- 2) Applicant was cited (county) for illegal habitation (living in) the "barn structure".
- 3) On August 17, 1995, applicant recorded the so-called "clean-up" document Exhibit "A" to "correct" the creation of the illegal subdivision.
- 4) All of the appellants aforecited positions of the SB (County) L.C.P. have not been satisfied by the government agencies and/or the applicant.
- 5) For all of the enumerated codes and Sections; and the fact the "clean-up" Exhibit "A" is void on its face, the permit should be denied.

Merritt Master Enterprises

Paul M. Christiansen
Paul M. Christiansen

93-045706

R	EXHIBIT NO.	6
A	APPLICATION NO.	
C	A-4-STB-95-221	
	U.S. Court etc.	

RECORDING REQUESTED BY

FIRST AMERICAN TITLE Co.

Recorded
 Official Records
 County of
 Santa Barbara
 Kenneth A Pettit
 Recorder
 4:07pm 17-Aug-95

WHEN RECORDED MAIL TO:

Resource Management Department
 123 East Anapamu Street
 Santa Barbara, CA 93101

Attn: Ms. Elizabeth Jaworski

PUBL BB 9

APN: 083-680-013

AMENDED NOTICE TO PROPERTY OWNER

THIS AMENDED NOTICE TO PROPERTY OWNER pertains to that certain Notice to Property Owner previously executed, acknowledged and recorded as Instrument No. 93-097696 in the Official Records of the County Recorder for Santa Barbara County on December 8, 1993 (the "Notice").

RECITALS:

A. The legal description attached to the Notice makes reference to buildings and improvements situated on a portion of property described in such Notice as if such buildings and improvements were a separate parcel of property.

B. The Owners desire to clarify their intention that the buildings and improvements situated on the parcel of land that is the subject of such Notice ~~are~~ are owned ^{by} them as tenants-in-common.

C. The Owners therefore desire to amend the legal description attached to the Notice.

NOW, THEREFORE, the undersigned, being all of the owners of record of the land that is the subject of the Notice (herein, the "Owners"), intending to be legally bound, agree as follows:

1. The legal description attached to the Notice is replaced in its entirety by the legal description attached to this Amended Notice and by this reference incorporated herein.

2. In all other respects, the Notice to Property Owner, as amended hereby, remains in full force and effect.

3. This Amended Notice to Property Owner may be executed in one or more counterparts, each of which shall be considered an original and to be part of the same instrument.

(Signatures appear on the following page)

RECEIVED
 OCT 26 1995
 CALIFORNIA
 COASTAL COMMISSION
 SOUTH CENTRAL COAST DISTRICT

IN WITNESS WHEREOF, the undersigned Owners have executed this Amended Notice to Property Owner at Santa Barbara, California on this 14 day of April, 1995.

George P. Law
George P. Law

Paul E. Huebner
Paul E. Huebner

Helen W. Law
Helen W. Law

Anne F. Huebner
Anne F. Huebner

Georgia Law Carroll
Georgia Law Carroll

UNITED STATES COURT AND LEGAL
INFORMATION CORP.

Kevin Christopher Law
Kevin Christopher Law

By Darryl Genis
Darryl Genis, its President

State of California)
County of Santa Barbara)

On 7/7/95, before me, Kathleen M. Koester, Notary Public,
personally appeared GEORGIA LAW CARROLL,
[] personally known to me -OR- [] proved to me on the basis of satis-

factory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Kathleen M. Koester
Signature of Notary

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER		DESCRIPTION OF ATTACHED DOCUMENT
<input checked="" type="checkbox"/> INDIVIDUAL		<u>Amended Notice to Property Owner</u>
<input type="checkbox"/> CORPORATE OFFICER(S)		TITLE OR TYPE OF DOCUMENT

	Title(s)	
<input type="checkbox"/> PARTNER(S)	<input type="checkbox"/> LIMITED	
	<input type="checkbox"/> GENERAL	
<input type="checkbox"/> ATTORNEY-IN-FACT		_____
<input type="checkbox"/> TRUSTEE(S)		NUMBER OF PAGES
<input type="checkbox"/> GUARDIAN/CONSERVATOR		
<input type="checkbox"/> OTHER: _____		

		DATE OF DOCUMENT
SIGNER IS REPRESENTING:		
Name of person(s) or entity(ies)		

		SIGNER(S) OTHER THAN NAMED ABOVE

STATE OF CALIFORNIA—THE RESOURCES AGENCY

PETE WILSON, Governor

CALIFORNIA STATE COASTAL CONSERVANCY

1330 BROADWAY, SUITE 1100
OAKLAND, CA 94612-2530
ATSS 561-1015
TELEPHONE 415/464-1015
FAX 415/464-0470

EXHIBIT NO. 7

APPLICATION NO.

4-STB-95-221

U.S. Court etc.



September 4, 1992

Ms. Elizabeth Jaworski
Resources Management Department
Santa Barbara County
123 E. Anapamu Street
Santa Barbara, California 93101

ATT: Coastal Development Permits/Hollister Ranch

Re: Hollister Ranch Parcel #62 (Law)

Dear Ms. Jaworski:

This is to confirm that the State Coastal Conservancy has received from George P. Law a cashier's check in the amount of \$5000.00 drawn on the Goleta National Bank. We assume this payment has been made in satisfaction of the in-lieu public access fee condition of a coastal development permit, though no permit information was provided. This tender of payment meets the requirements of Public Resources Code Section 30610.8 for development of a residence at Hollister Ranch.

Please contact the undersigned if you require further information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Marcia Grimm".

Marcia Grimm
Staff Counsel

