

# RECORD PACKET COPY

STATE OF CALIFORNIA—THE RESOURCES AGENCY

PETE WILSON, Governor

## CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA

45 FREMONT, SUITE 2000

SAN FRANCISCO, CA 94105-2219

(415) 904-5260

Filed:  
49th Day:  
Staff:  
Staff Report:  
Hearing Date:  
Commission Action:

September 6, 1996  
October 25, 1996  
Robert Merrill  
September 20, 1996  
October 11, 1996



### STAFF REPORT: APPEAL

LOCAL GOVERNMENT: Humboldt County

DECISION: Approval with Conditions

APPEAL NO.: A-1-HUM-96-58

APPLICANT: GARY JOHNSON

PROJECT LOCATION: 40 Ridgeview Circle, Shelter Cove area, Humboldt County, APN 109-161-53.

PROJECT DESCRIPTION: Development of a 1,245-square-foot, one bedroom single-family residence with an attached two-car garage with the living area above the garage.

APPELLANTS: William & Mary Lee Rourke

SUBSTANTIVE FILE DOCUMENTS: Humboldt County Local Coastal Program; Humboldt County Coastal Development Permit No. CDP-36-95 and Special Permit No. SP-30-95.

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### SUMMARY OF STAFF RECOMMENDATION:

The staff recommends that the Commission OPEN AND CONTINUE the public hearing to determine whether 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 hearing must be set 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 filed on September 6, 1996. In accordance with the California Code of Regulations, staff has requested all relevant documents and materials regarding the subject permit from the County, to enable staff to analyze the appeal and prepare a recommendation as to whether a substantial issue exists. This information was not received within the limited time available for the staff to prepare a recommendation on the substantial issue question. Pursuant to Section 13112 of the California Code of Regulations, if the Commission fails to receive the documents and materials, the Commission must open the hearing and continue the hearing open until all relevant materials are received from the local government.