STATE OF CALIFORNIA—THE RESOURCES AGENCY
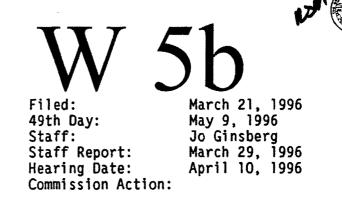
PETE WILSON, *Governor*

## CALIFORNIA COASTAL COMMISSION
NORTH COAST AREA
45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
(415) 904-5260

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| Filed: | March 21, 1996 |
| 49th Day: | May 9, 1996 |
| Staff: | Jo Ginsberg |
| Staff Report: | March 29, 1996 |
| Hearing Date: | April 10, 1996 |
| Commission Action: | |

## STAFF REPORT: APPEAL

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| LOCAL GOVERNMENT: | Mendocino County |
| DECISION: | Approval with Conditions |
| APPEAL NO.: | **A-1-MEN-96-17** |
| APPLICANT: | **PETER AND PATRICIA CLARK** |
| PROJECT LOCATION: | 43600 South Highway One, two and a half miles south of Point Arena, Mendocino County, APN 027-433-11. |
| PROJECT DESCRIPTION: | Construction of a 22'6"-high, 1,441-square-foot single-family residence with a 728-square-foot deck, 13'-high, 500-square-foot detached garage, 100-foot-long fence, septic system, well, and driveway. |
| APPELLANTS: | Peter Reimuller and Friends of Schooner Gulch |
| SUBSTANTIVE FILE DOCUMENTS: | Mendocino County Local Coastal Program; Mendocino County CDP #26-95. |

## 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
March 21, 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 in time 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.

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