

## CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA  
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## RECORD PACKET COPY



Filed: 6/10/96  
49th Day: 7/29/96  
180th Day: 12/7/96  
Staff: MHC  
Staff Report: 6/21/96  
Hearing Date: 7/10-12/96  
Commission Action:

STAFF REPORT:      APPEAL

SUBSTANTIAL ISSUE

**W28a**

LOCAL GOVERNMENT: City of Santa Barbara

DECISION: Approval with Conditions

APPEAL NO.: A-4-SB-96-105

APPLICANT: James and Kari Ann Gerlach

PROJECT LOCATION: 3349 Cliff Drive, Santa Barbara

PROJECT DESCRIPTION: Miscellaneous modifications to single family residence, including existing non-conforming fence

APPELLANT: James and Kari Ann Gerlach

SUBSTANTIVE FILE DOCUMENTS: CDP95-0052, Appeal A-4-SB-96-105

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that 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 Coastal Development Permit issued pursuant to a certified Local Coastal Program is received. An appeal of the above described decision was received in the Commission office on June 7, 1996, and filed on Monday, June 10, 1996. In accordance with the above cited section of the Administrative Regulations, staff requested on July 10, 1995 that the local government forward all relevant documents and materials regarding the subject permit. These documents have not been received in time to prepare a staff report and recommendation for the July 10-12, 1996 hearing. The next available commission meeting is August 13-16, 1996, which is beyond the 49 days from the date of the filing of the appeal. Therefore, pursuant to Section 13112 of the Commission's Administrative Regulations, the Commission should open and continue the Substantial Issue hearing at the July 10-12, 1996 meeting. The appeal will be scheduled for a full substantial issue hearing at the next available Commission hearing.

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