

## CALIFORNIA COASTAL COMMISSION

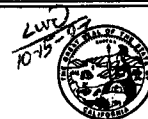
CENTRAL COAST AREA OFFICE

FRONT STREET, STE. 300

SANTA CRUZ, CA 95060

(408) 427-4863

HEARING IMPAIRED: (415) 904-5200



Filed: 10/07/97  
49th Day: 11/25/97  
180th Day: 04/05/98  
Staff: R. Hyman/cm  
Staff Report: 10/15/97  
Hearing Date: 11/04-07/97

STAFF REPORT: APPEAL  
SUBSTANTIAL ISSUE

LOCAL GOVERNMENT: County of Monterey

DECISION: Approval with Conditions

APPEAL NO.: A-3-MCO-97-079

APPLICANT: DALE FEHR AND JAMES AND LORETTA SANDERS

PROJECT LOCATION: Ormart Road, on south side of Castroville Boulevard, North Monterey County (Monterey County) (APN(s) 131-041-22, 131-041-27, 131-042-28, 131-042-01, 131-041-23, 131-042-24, 000-000-12)

PROJECT DESCRIPTION: Major lot line adjustment among five parcels (totalling 24.4 acres) which will result in creation of one new buildable parcel.

APPELLANTS: Commissioner Sara Wan; Commissioner Rusty Areias

SUBSTANTIVE FILE DOCUMENTS: Monterey County Coastal Development Permit 965036; Monterey County Certified Local Coastal Program.

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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 October 6, 1997. The 49th day falls prior to the Commission hearing. Therefore, pursuant to Section 13112 of the Commission's Administrative Regulations, the Commission should open and continue the Substantial Issue hearing at the November 4-7, 1997 meeting. Also, in accordance with the above cited section of the Administrative Regulations, staff requested on October 7, 1997, that the local government forward all relevant documents and materials regarding the subject permit. These documents were requested, but have not been received. Therefore, it is not possible to prepare a staff report and recommendation for the November 4-7, 1997 hearing. The appeal will be scheduled for a full substantial issue hearing at the next available Commission hearing.