

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST AREA OFFICE

725 FRONT STREET, SUITE 300

SAN LUIS OBISPO, CA 95060

(408) 427-4863

HEARING IMPAIRED: (415) 904-5200

F6e

Filed: 07/16/98

49th day: 09/03/98

180th day: 01/12/99

Staff: SG

Staff Report: 07/28/98

Hearing Date: 08/14/98

**STAFF REPORT: APPEAL  
SUBSTANTIAL ISSUE**

**LOCAL GOVERNMENT:** County of San Luis Obispo

**LOCAL DECISION:** Approved with conditions, 07/07/98

**APPEAL NUMBER:** A-3-SLO-98-074

**APPLICANT:** TOM AND MARY KING

**APPELLANT:** Pati Hutchinson and Ginger Newman, Commissioners Nava and Reilly

**PROJECT LOCATION:** 3610 Studio Drive, Cayucos, San Luis Obispo County,  
APN: 064-449-030

**PROJECT DESCRIPTION:** Proposal to construct a new single family residence and new seawall, and a variance to reduce the required blufftop setback from 25 feet to 7.5 feet.

**SUBSTANTIVE FILE DOCUMENTS:** San Luis Obispo County Certified Local Coastal Program,

**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 reason:

In accordance with section 13112 of the Commission's Administrative Regulations, staff has requested that the local government forward all relevant documents and materials regarding the subject permit within five working days of receipt of that notice. A Notice of Appeal was sent to the County on July 28, 1998. The County has not yet had time to respond to the Notice of Appeal and request for materials. Without the relevant material from the County it is not possible to analyze the issues and prepare a staff report for this appeal.

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 was received. The appeal of this County permit was filed on July 16, 1998; the 49th day therefore falls on September 3, 1998, after the Commission's August meeting (August 11 - 14) and before the September meeting (8 - 11). Therefore, staff recommends that the Commission open and continue the public hearing. The appeal will then be tentatively scheduled for a substantial issue hearing at the Commission's meeting of September 8 - 11 or October 13 - 16, 1998.