

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST AREA OFFICE

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HEARING IMPAIRED: (415) 904-5200



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**W14f**

Filed:	12/22/98
49th day:	2/9/99
180th day:	6/20/99
Staff:	RH
Staff Report:	1/13/99
Hearing Date:	2/3/99

**STAFF REPORT: APPEAL  
OPEN AND CONTINUE**

LOCAL GOVERNMENT: MONTEREY COUNTY

LOCAL DECISION: Approved with conditions, 5/28/98

APPEAL NUMBER: **A-3-MCO-98-109**

APPLICANT: **ROBERT & JANET LESLIE**

APPELLANT: **Commissioner Dave Potter; Commissioner David Armanasco**

PROJECT LOCATION: 36650 Highway 1, Big Sur, Monterey County

PROJECT DESCRIPTION: Allow for the redesign of a previously approved single family dwelling with attached garage, 52 cubic yards of grading, hot tub. Existing residence on site to be demolished.

FILE DOCUMENTS: County coastal permit file PLN980041, *Big Sur Coast Land Use Plan.*

**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:

The Callahan (A-3-MCO-99-001) and Leslie (A-3-MCO-98-109) appeals are integrally related; the Leslie permit is an amendment to the Callahan permit. Thus, these matters need to be acted on together, since they each involve a different design of the same house. 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. The final day for completion of staff reports for the February meeting is January 14, 1999. Staff must receive the material necessary for a complete analysis at least one week prior to the final day for completion of staff reports. As of January 11, 1999, the material necessary for a complete analysis had not yet been received (with regard to the Callahan permit).

Staff has already contacted the applicants' representative regarding the basis for the appeals. Under the certified local coastal program, neither design appears to conform to the *Big Sur Coast Land Use Plan's* policies for protection of public views as seen from Highway One. Therefore, a redesign appears necessary. Under the local coastal program, since these matters only went as far as the Planning Commission, the County Board of Supervisors has the authority to ask for a stay of the appeals to attempt to address the issues. This might happen. Thus, it is premature to bring these matters to the Commission.

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 the Leslie County permit was filed on December 22, 1998, the appeal of the Callahan permit was filed on January 5, 1999; the 49th days, therefore, fall on February 9 and 23, 1999, respectively, after the Commission's February meeting (February 2-5), but before the Commission's March meeting (March 9-12, 1999). Therefore, staff recommends that the Commission open and continue the public hearing. If the matter is not resolved by the Board of Supervisors, then the appeal will be tentatively scheduled for a substantial issue hearing at the Commission's March meeting in Carmel or April meeting in Long Beach.