

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
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**W14h**

Filed: 12/28/98
 49th day: 2/15/99
 180th day: 6/26/99
 Staff: D. Carl
 Staff report: 1/13/99
 Hearing date: 2/3/99

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STAFF REPORT
APPEAL (OPEN & CONTINUE)

Appeal number **A-3-SCO-98-117, Odenweller & Fleck SFD**
Applicants Norma Odenweller & Robert Fleck (Agent: Tracy Johnson)
Appellants Jim & Judy Craik (Agent: Doug Marshall)
Local government Santa Cruz County
Local decision Approved with conditions, 12/8/98
Project location 413 Beach Drive, Aptos, Santa Cruz County (APN: 043-105-07).
Project description Demolish an existing garage and construct a new single family dwelling.
File documents Santa Cruz County certified LCP & Santa Cruz County permit file 97-0622.
Staff recommendation ... **Open & Continue Substantial Issue Hearing**

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, a Coastal Development Permit appeal must be set for hearing no later than 49 days after the date on which the appeal is filed with the Commission. An appeal of the above-described decision was filed in the Commission's Central Coast District Office on December 28, 1998; the 49th day falls on February 15, 1999 (after the Commission's February meeting but before the Commission's March meeting).

Pursuant to Section 13112 of the California Code of Regulations Regulations, on December 28, 1998 staff notified Santa Cruz County of the appeal and requested all relevant materials regarding the subject decision be forwarded to the Commission's Central Coast District Office. Although these materials have since been received, there was not sufficient time between the receipt of the final documents from the County and the deadline for submission of staff reports for the February 1999 Commission meeting to prepare a staff report and recommendation for the Commission.

Therefore, the Commission should open the substantial issue hearing at its February 1999 meeting and continue the hearing until the next available Commission meeting when a full staff report analysis of the project will be possible.