

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE
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Th5b



RECORD PACKET COPY

Filed: 11/10/98
 49th day: 12/29/98
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 Staff: SM-SC
 Staff Report: 02/17/99
 Hearing Date: 03/11/99
 Commission Action:
 Open and Continue 12/8/98

**STAFF REPORT: APPEAL
 NO SUBSTANTIAL ISSUE**

LOCAL GOVERNMENT: San Luis Obispo County
 DECISION: Approval with Conditions
 APPEAL NUMBER: A-3-SLO-98-099
 APPLICANT: **Jay and Patricia Burbank**
 APPELLANT: Ann and Walter Picker
 PROJECT LOCATION: 4696 Windsor Boulevard, Cambria
 PROJECT DESCRIPTION: Construct detached 4-car garage with workshop, office and storage space
 FILE DOCUMENTS: San Luis Obispo County Local Coastal Program (LCP), Notice of Final Local Action for County Permit No. D970230P.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission, after public hearing, determine that **no** substantial issue exists with respect to the grounds on which the appeal has been filed. The project is a 2,880 square foot, two-story structure consisting of a 4-car garage, workshop, storage space, and an upstairs office (project plans attached as Exhibit 3). It is located in a single-family, residential area of Cambria known as Seaclift Estates. The appellants contend that the project does not comply with aspects of the San Luis Obispo County Local Coastal Program regarding community character and small-scale neighborhoods, recreational opportunities, and water use. The appeal also alleges that the project is inconsistent with Section 23.08.032 of the Coastal Zone Land Use Ordinance, which regulates the size of accessory structures. These contentions do not raise a substantial issue because the project, as conditioned by the County: conforms to the residential character of the neighborhood; will not impact coastal recreation opportunities; and, will not involve additional water use. The Coastal Zone Land Use Ordinance allows

accessory structures over 1,000 square feet in size with issuance of a Minor Use Permit, as is the case here.

I. STAFF RECOMMENDATION ON SUBSTANTIAL ISSUE

The staff recommends that the Commission determine that **no substantial issue** exists with respect to the grounds on which the appeal was filed, pursuant to Coastal Act section 30603.

MOTION. Staff recommends a **YES** vote on the following motion:

I move that the Commission determine that Appeal No. A-3-SLO-98-099 raises **NO** substantial issue with respect to the grounds on which the appeal has been filed.

A majority of the Commissioners present is required to pass the motion.

II. SUMMARY OF APPELLANT'S CONTENTIONS (Please see Exhibit 1 for the full text of the appeal. Additional correspondence from the appellants regarding the appeal is attached as Exhibit 5.)

In summary, the appellants contend that the project does not comply with the San Luis Obispo County certified Local Coastal Program as follows:

- The project's function, scale, and appearance are out of character with the surrounding neighborhood and will adversely affect the recreation opportunities along Windsor Boulevard. This is inconsistent with Coastal Plan Policy 6 for Visual and Scenic Resources and Coastal Plan Policy 1 for Recreation and Visitor-Serving Facilities);
- Additional water use associated with the project has not been adequately addressed, inconsistent with Coastal Plan Policy 1 for Public Works; and
- The size of the project exceeds the maximum size of accessory structures permitted by the Coastal Zone Land Use Ordinance.

The appellants also contend that the project does not comply with the Covenants, Codes and Restrictions (CC&R's) for Seaclift Estates. This contention, however, is not a valid ground for an appeal pursuant to Section 30603 of the Coastal Act. (Please see Section IV of this report regarding appeal procedures.)

III. LOCAL GOVERNMENT ACTION

The San Luis Obispo County Hearing Officer conditionally approved Coastal Development Permit D970230P for the proposed project on September 4, 1998 (conditions of approval attached as Exhibit 4). This decision was appealed to the San Luis Obispo County Board of Supervisors on October 27, 1998, where the appeal was denied and the Hearing Officer's approval upheld.

IV. APPEAL PROCEDURES

Coastal Act section 30603 provides for the appeal of approved coastal development permits in jurisdictions with certified local coastal programs for development that is (1) between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance; (2) on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff; (3) in a sensitive coastal resource area; (4) for counties, not designated as the principal permitted use under the zoning ordinance or zoning district map; and (5) any action on a major public works project or energy facility. This project is appealable because it is within 300 feet of a coastal bluff and because it is not a principally permitted use under the LCP.

The grounds for appeal under section 30603 are limited to allegations that the development does not conform to the standards set forth in the certified local coastal program or the public access policies of the Coastal Act. Section 30625(b) of the Coastal Act requires the Commission to conduct a *de novo* coastal development permit hearing on an appealed project unless a majority of the Commission finds that "no substantial issue" is raised by such allegations. Under section 30604(b), if the Commission conducts a *de novo* hearing, the Commission must find that the proposed development is in conformity with the certified local coastal program. Section 30604(c) also requires an additional specific finding that the development is in conformity with the public access and recreation policies of Chapter Three of the Coastal Act, if the project is located between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone. Although this project is on the inland side of Windsor Boulevard, Windsor Boulevard is not a through road. As a result, a finding regarding the project's consistency with the public access and recreation policies of Chapter 3 of the Coastal Act must be made in a *de novo* review in this case.

V. RECOMMENDED FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

1. Project Location and Description

The project is a 2-story, 2,880 square foot structure that includes a 4-car garage (1000 square feet maximum), a workshop/storage area (approximately 1,280 square feet), and a 600 square foot upstairs loft with a bathroom for use as an office (please see Exhibit 3 for a copy of project plans). The new structure will be accessory to the applicant's existing residence at 4696 Windsor Boulevard (the garage contained in the existing residential structure has been converted to residential use), and located on an adjacent vacant lot. As required by the County's approval, the lot on which the new structure will be constructed must be merged with the lot on which the applicant's residence is currently located.

The project is located in the Cambria urban area of San Luis Obispo County, within an area known as Seacliff Estates that is zoned for and characterized by single-family residences (location map attached as Exhibit 2). It is located on the inland side of Windsor Boulevard, which is an important public right-of-way in terms of providing opportunities for coastal access

and recreation. The property backs up to an undeveloped, open area known as the East-West Ranch, and is surrounded by single family residences on its other two sides.

2. Community Character

Coastal Plan Policy 6 for Visual and Scenic Resources, entitled "Special Communities and Small-Scale Neighborhoods", states:

Within the urbanized areas defined as small-scale neighborhoods or special communities, new development shall be designed and sited to complement and be visually compatible with existing characteristics of the community which may include concerns for the scale of new structures, compatibility with unique or distinguished architectural historical style, or natural features that add to the overall attractiveness of the community.

Section 23.11.030 of the Coastal Zone Land Use Ordinance (CZLUO) provides the following definition for Small-Scale Neighborhoods:

Neighborhoods that have primary use by residents and secondary use by the general public using accessways to scenic shoreline areas and include:

- a. Baywood Peninsula – the Residential Single-Family category within Tract 40.
- b. Oceano – Residential Single Family and Multi-Family categories west of Highway One.

The same section of the CZLUO defines Special Communities as follows:

Areas and communities with unique, visually pleasing characteristics which serve as visitor destination points and include:

- a. Avila Beach – Commercial and Recreation categories along Front Street.
- b. Cambria – Commercial and Recreation categories along Main Street.
- c. Cambria – Commercial and Recreation categories along Moonstone Beach Drive.
- d. Cayucos – Commercial and Recreation categories along Ocean Avenue.
- e. South Bay – Baywood Village Commercial area.
- f. San Luis Bay/Port San Luis – Public Facilities Category
- g. San Simeon Acres – Residential Single Family and Residential Multi-Family categories.
- h. San Simeon Village – Commercial category.

While the area of the subject project is not specifically listed by the above definitions, it could be considered a "small-scale neighborhood" due to its primary use as a residential area, and its secondary use by the general public for coastal access and recreation purposes. (As noted by the LCP's definition for small-scale neighborhoods, Oceano and the Baywood Peninsula are

examples of such neighborhoods; small-scale neighborhoods are not limited to these examples.)

In terms of compliance with Policy 1, the appeal raises concerns regarding the project's scale and community compatibility. Clearly, the 2,880 square foot, two-story accessory structure represents a very large-scale development when compared to the size and scale of typical garages. When considering the scale of the project, it is important to recognize that it will be located on an existing lot of record that could otherwise be developed with a single-family residence which would likely be of equal or greater scale when compared to the proposed development. As required by the County's condition of approval, the lot on which the accessory structure will be located must be merged with the adjacent lot on which the applicant's residence currently stands. It is also important to note that the project complies with all applicable provisions of the CZLUO, including height and setback requirements.

In addition, the fact that it will be detached from the associated residence, in an area where there are no similar detached structures (most, if not all garages in the vicinity are attached to the residences they serve), is a deviation from the dominant architectural style of the neighborhood. The architectural style of the neighborhood is not, however, characterized by particularly unique or historical styles. Rather, the attractiveness of the community is more directly linked to the beautiful natural surroundings provided by the Pacific Ocean and open space hillsides. The proposed development represents infill of a vacant lot between two existing residences that will not have a significant impact on the natural surroundings.

Regarding the architectural compatibility of the project, the staff report prepared by the County for the appeal to the Board of Supervisors states:

"the [project design], including roof treatment and exterior materials (shingled façade) will be similar in character [to the existing residence] and the landscaping proposed to tie the two structures together as a single residential site. The lower structure has been proposed to be buried into the hillside to lower the structure. The small office area is 600 square feet as allowed by ordinance and is located in the rear portion of the building to reinforce a more residential character to the project. To break-up the solid façade of garage doors the project proposes a stepped arrangement of the garages; and in fact the workshop was relocated to the side garage area closest to the residence with French doors to avoid a constant wall of garage doors. Two of the garages were located as tandem spaces, again to allow the front façade to be broken up. Many of these were suggestions proposed by planning staff that the architect and applicant chose to incorporate into the project to address neighborhood compatibility issues."

In addition, according to the same staff report, "[t]he Hearing Officer proposed changes to the conditions that required that the wide sweep of the paving in front of the garage structure be further broken up by requiring that the area in front of the two-recessed spaces (one with French doors and one with garage door) be planted by the use of grass-crete and/or landscaping." Thus, it is clear that the County addressed the architectural compatibility of the project during local review.

Finally, the appeal raises concerns that the proposed structure could be used for multi-family residential, industrial, or commercial purposes that would be incompatible with the single-family

residential designation and character of the area. For example, the concern has been raised that the development could be used for industrial manufacturing of furniture, for the commercial sale of such items, or for an additional residence. To address these concerns, the County attached 3 conditions of approval.

First, as previously noted, the County required that the lot on which the accessory structure will be located be merged with the lot on which the existing residence currently exists. As stated in the County's findings for approval, "[t]he properties are required to be merged to ensure that the garage/workshop/office is directly tied permanent with the residential us[e] of the property".

Second, the local approval prohibits the use of the structure as a second residence or as an industrial or commercial facility that would be inconsistent with the single-family residential designation for the site. Condition 6 of the County's approval states:

The proposed office shall not contain or accommodate cooking or laundry facilities, and shall not be used for residential occupancy independent from the principal residence or as a dwelling unit for rental. The office is for personal use by members of the household residing on the premises, any business conducted from the project site is subject to the requirements specified in Section 23.08.030 (Home Occupations) of the Coastal Zone Land Use Ordinance and will be subject to business license clearance if required by the county tax collector.

Third, as further assurance that the project will not be used in a manner inconsistent with the residential character of the neighborhood, Condition 7 of the County's approval prohibits "the on-site use of equipment requiring more than standard household electrical current at 110 or 220 volts or that produces noise, dust, odor or vibration detrimental to occupants of adjoining dwellings and the immediate neighborhood".

In conclusion, while the appellants concerns regarding the size and character of the proposed project are not unfounded, they do not raise a substantial issue in terms of LCP compliance. As conditioned by the County, the development complies with all applicable standards for the single-family residential district within which the project will be located. In recognition of the appellants' concern that the project sets a precedent for similarly large accessory structures, they are encouraged to work with the County to develop appropriate revisions to the relevant standards during upcoming updates of the LCP.

3. Coastal Recreation

LCP Policy 1 for Recreation and Visitor Serving Facilities states, in relevant part:

Coastal recreational and visitor-serving facilities, especially lower-cost facilities, shall be protected, encouraged and where feasible provided by both public and private means. ...

The street on which the project is located (Windsor Boulevard) is used by visitors and local people for recreational walking and sightseeing purposes. The recreational assets of this street are related to its proximity to the ocean, available views of the ocean, and because it provides one of the two main gateways to the Fiscalini Ranch (East-West Ranch), which also is used for recreation purposes.

The appellants contend that the project will detract from these recreational opportunities based on its size, appearance, and functions. This contention is based on an opinion that the project is unattractive, will disrupt the special character of the surrounding community, and will be incompatible with recreational uses of the area by the public.

As concluded in Section V.2 of this report, the appeal does not raise a substantial issue in terms of the project's compliance with LCP standards regarding scale, appearance, function, and community character. Further, the project will have not impact on the public's ability to use and enjoy Windsor Boulevard as a recreational resource. Thus, no substantial issue is raised by the appeal with respect to the public recreation provisions of the LCP or the Coastal Act.

4. Water Supply

LCP Policy 1 for Public Works states:

New development (including divisions of land) shall demonstrate that adequate public or private service capacities are available to serve the proposed development. Priority shall be given to infilling within existing subdivided areas. Prior to permitting all new development, a finding shall be made that there are sufficient services to serve the proposed development given the already outstanding commitment to existing lots within the urban services line for which services will be needed consistent with the Resource Management System where applicable. Permitted development outside the USL shall be allowed only if it can be serviced by adequate private on-site water and waste disposal systems.

The applicant shall assume responsibility in accordance with County ordinances or the rules and regulations of the applicable service district or other providers of services for costs of service extensions or improvements that are required as a result of the project. Lack of proper arrangements for guaranteeing service is grounds for denial of the project or reduction of the density that could otherwise be approved consistent with available resources.

The need to ensure that adequate public services are available to serve new development is particularly important within the urban areas of Cambria, where demand for water exceeds the available supply.

The subject project includes a new bathroom in the proposed office. Water for the bathroom will be supplied via the existing water meter on the applicant's property.

The appellants contend that the proposed development does not comply with the above policy because the development will result in additional water usage that was not contemplated when the existing water meter was issued for the existing single family residence. More specifically, the appeal contends that this additional water use will result from the new plumbing, and from the potential use of the new structure for residential purposes. The appellants allege that the applicant currently has a non-family tenant renting space in the existing residential structure. As a result, the appellants are concerned that the proposed office is at risk of being utilized for rental by a second non-family member tenant. If this were to occur, the project would unfairly

bypass all of those property owners who presently are on the waiting list for water meters in Cambria.

As previously discussed, the County 's approval specifically prohibits the use of the office for residential purposes. Since the project will not increase in the number of residents requiring water, there will not be an increase in water use. In addition, Condition 1 of the local approval prohibits the installation of cooking or laundry facilities within the office and bathroom. This will not only preclude use of the development for residential purposes, but will prevent any significant increase in water use by the existing residents. Thus, the appeal does not raise a substantial issue in terms of project compliance with LCP water supply requirements.

5. Project Size

Coastal Zone Land Use Ordinance Section 23.08.032 regarding Residential Accessory Uses provides, in relevant part:

- a. Permit Requirement. Plot Plan approval, unless the accessory structure is included among the structures authorized by the land use permit for the principal residential use, or where another permit requirement is specified by this section. ...
- c. Garages: A detached accessory garage shall not occupy more than 1,000 square feet in area per dwelling unit, unless authorized by a Minor Use Permit. The size of an accessory garage attached by a common wall to a dwelling is not limited, except as may be required by the Uniform Building Code. Workshop or storage space within a garage is included in determining conformance with this standard. ...
- g. Workshops or studios. Any accessory structure intended solely or primarily for engaging in artwork, crafts, light hand manufacturing, mechanical work, etc. is subject to the following standards when located in a residential category.
 - (1) Limits on use. An accessory structure may be constructed or used as a workshop or studio in any residential category solely for non-commercial hobbies or amusements; for maintenance of the principal structure or yards; for artistic endeavors such as painting, photography or sculpture; maintenance or mechanical work on vehicles owned or operated by the occupants; or for other similar purposes. Any use of accessory workshops for any commercial activity shall meet the standards for Home Occupants (Section 23.08.030).
 - (2) Floor area. A workshop is not to occupy an area greater than 40 percent of the floor area of the principal structure; except where a workshop is combined with a garage, subsection c. of this section applies.

The appeal contends that the project does not comply with the above ordinance because it is greater than 1,000 square feet in size.

Sections c. and g. of the ordinance, however, allows garages, workshops, and studios over 1,000 square feet when a Minor Use Permit is obtained. This requirement has been met, as the County approved a Minor Use Permit/Coastal Development Permit for the project on October 27, 1998. Thus, no substantial issue is raised by the contention that the project size exceeds that which is allowed under Section 23.08.032 of the Coastal Zone Land Use Ordinance.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

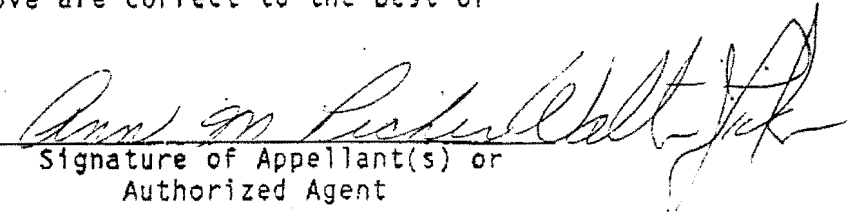
State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

- 1. The project is inconsistent with the established physical scale of the neighborhood.
- 2. The proposed project does not comply with the Coastal Zone Land Use Ordinance standards
- 3. The project does not comply with the CC and R's for Seabright Estates.
See attachment B. -- Attorney's letter

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.


 Signature of Appellant(s) or
 Authorized Agent

Date 10-30-98

NOTE: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize _____ to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

EXHIBIT NO. 1, p. 1
APPLICATION NO. A-3-SLO-98-099
APPEAL

B

P. TERENCE SCHUBERT

ATTORNEY AT LAW
1220 MARSH STREET
P.O.-BOX 13908
SAN LUIS OBISPO, CALIFORNIA 93406
(805) 543-1113
FAX (805) 543-1205

October 26, 1998

Michael P. Ryan, Chairperson
San Luis Obispo County Board of Supervisors
County Government Center
San Luis Obispo, California, 93401

RE: Appeal of Burbank Minor Use Permit/Coastal Development Permit
(D9700230P); Board of Supervisors' Agenda Item C-3

Dear Chairperson Ryan:

I represent Walt and Ann Picker in their appeal of the Minor Use Permit/Coastal Development Permit (D9700230P) that has been applied for by Jay and Patricia Burbank and tentatively approved by the County Planning Department Hearing Officer. It is my clients' position that their appeal should be upheld by the Board of Supervisors, since the proposed 2,880 square foot detached building (1) will not conform with the established character of the neighborhood, (2) is not a permissible use of the subject property under the Declaration of Conditions, Restrictions, and Reservations ("CC&R'S") for Seaclift Estates, and (3) does not comply with the applicable land use ordinance standards.

The Proposed Project Does Not Conform With the Established Character of the Neighborhood

Seaclift Estates is a small subdivision located immediately adjacent to the Pacific Ocean in Cambria. It consists of 43 homes, **none of which have accessory buildings.**

The vast majority (33) of these homes (including the Burbank residence) have two-car garages, while only one other home in the subdivision has a four-car garage.

There are no known or permitted office or home occupation uses in Seaclift Estates; in fact, the CC&R's prohibit such use.

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Exhibit 1, p. 2

Michael P. Ryan
Page 2
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The Proposed Project Does Not Comply With the CC&R's

The proposed project is a 2,880 square foot accessory building, consisting of a four-car garage with a workshop, office, and storage. A copy of the pertinent provisions of the CC&R's for Seaclift Estates is provided for your reference with this letter.

The first numbered paragraph of the CC&R's specifically restrict the type of structures that can be constructed to a (1) single family residence, (2) garage, (3) guesthouse¹, or (4) servants' quarters. The CC&R's do not allow the construction of a workshop or an office. The project proponent admits that the proposed use does not comply with the CC&R's (see the last paragraph on page 91 of Agenda Item C-3).

The County also recognizes that the proposed office can be used for any of the occupations set forth in Section 23.08.030 of the Coastal Zone Land Use Ordinance, which would allow for activities such as the manufacturing of electronic components, woodworking, antique furniture restoration, [See Section 23.08.030(f)(2)] and "office-type or personal services." Under Section 23.08.030(e), the hours of operation are unrestricted, except if the home occupation generates sounds which are audible off-site, in which case the hours of operation would be limited to the period of 7:00 a.m. to 10:00 p.m. It is clear that the CC&R's do not allow this type of activity in Seaclift Estates. Similarly, the County should not allow the establishment of an office use in this residential neighborhood.

The Proposed Project Does Not Comply With the Coastal Zone Land Use Ordinance

The proposed project does not comply with the Coastal Zone Land Use Ordinance standards. In the Tentative Notice of Action, effective August 1, 1998 (see Agenda Item C-3, page 32), it is erroneously stated that the land use ordinance has been complied with. The Staff Report cites Sections 23.08.032(c), 23.08.032(g), and 23.08.032(e), as authority for allowing construction of the proposed 2,880 square foot accessory building. This interpretation of the land use ordinance standards appears to be contrary to the specific language contained in these Sections.

Under Section 23.08.032(c), a proposed accessory building cannot be more than 1,000 square feet. This interpretation is acknowledged at page 32 of the Staff Report, where it is stated that the "attached garage is limited to 1,000 square feet." The Staff Report appears to add 1,435 square feet to the proposed building under Section 23.08.032(g). However, 23.08.032(g)(2) states that "where a workshop is combined with a garage, subsection c [of

¹Although the CC&R's allow a guesthouse, this use is prohibited under CZLUO 23.08.1699(c)(ii).

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Exhibit 1, p. 3

Michael P. Ryan
Page 3
October 26, 1998

23.08.032] applies." As set forth above, that section limits the size of the accessory building to 1,000 square feet.

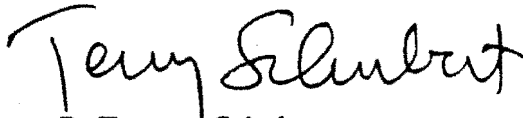
The Staff Report goes on to cite Section 23.08.032(e) as authority for allowing an additional 600 square feet. However, this Section applies to a "guesthouse," which has no applicability to the proposed project. Moreover, Section 23.08.169(c)(ii) prohibits secondary dwelling units in Tract 159. Accordingly, the maximum size of this detached accessory building, pursuant to the Planning Area standards, should be 1,000 square feet.

A copy of the applicable standards are enclosed with this letter.

Considering the foregoing, it is clear that this proposed project should not be permitted to be constructed in the Seaclift Estates. It is not consistent with the character of the houses that have already been constructed in this tract, nor does it comply with the CC&R's or the land use ordinance standards applicable to the North Coast Planning Area and Tract 159. Accordingly, it is respectfully requested that the Board of Supervisors uphold the appeal of Walt and Ann Picker and that the applicants be permitted to resubmit a project which is compatible with the established character of the Seaclift Estates, and which complies with the CC&R's and the applicable county land use provisions.

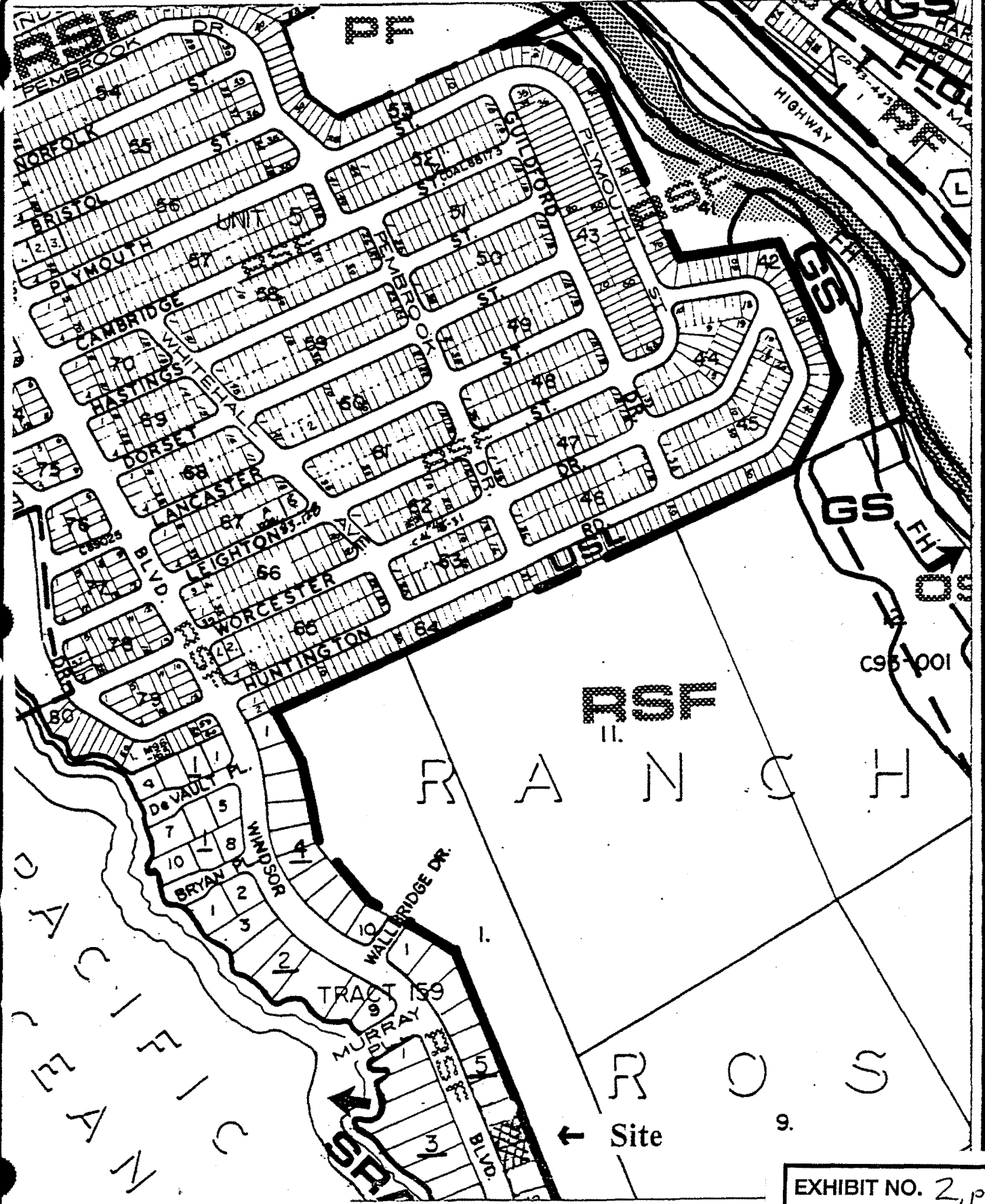
Thank you for your consideration of this appeal. If you have any questions or concerns regarding this matter, or if you need any additional information, please feel free to call me.

Very truly yours,


P. Terence Schubert

cc: Drs. Walter and Ann Picker
James B. Orton, Esq.
Michael Drazo
Jay and Patricia Burbank
Bruce Beery

A-3-SLO-98-099
Exhibit 1, p. 4



PROJECT
 D970230P - Burbank



EXHIBIT
 Board Appeal -

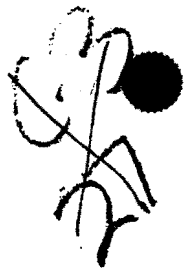
EXHIBIT NO. 2, p.1
 APPLICATION NO.
 A-3-510-98-099
 Location

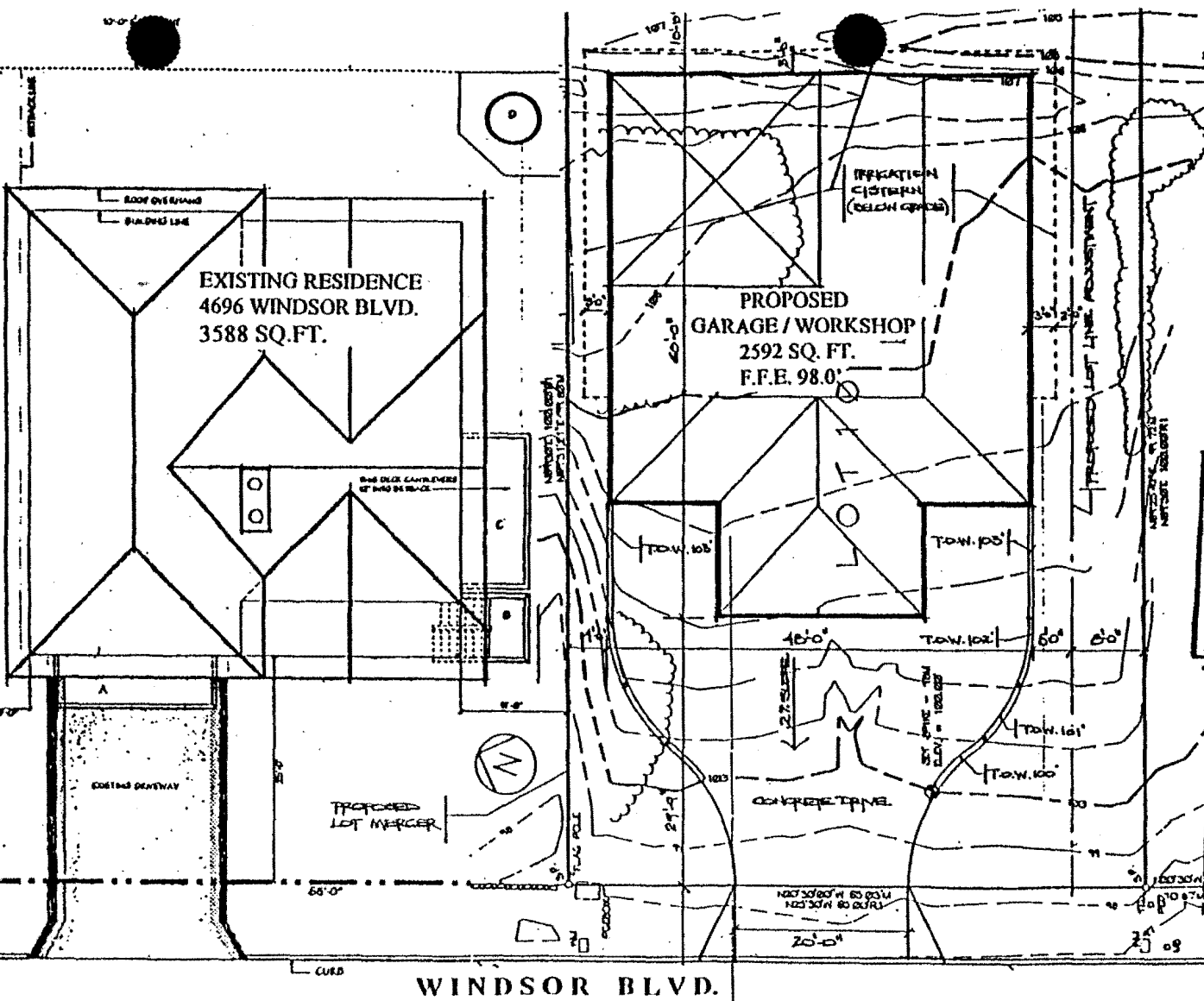
PROJECT LOCATION



This is the vacant lot that the proposed project will be located on. The existing residence is shown on the adjoining lot.

A-3-SLO-98-099
Exhibit 2, p. 2





EXISTING RESIDENCE
4696 WINDSOR BLVD.
3588 SQ. FT.

PROPOSED
GARAGE / WORKSHOP
2592 SQ. FT.
F.F.E. 98.0'

**GARAGE ADDITION FOR:
JAY & PATRICIA BURBANK
4696 WINDSOR BLVD.
CAMBRIA**

A.P.N. 13-324-010

BEERY ASSOCIATES
DESIGN & DEVELOPMENT

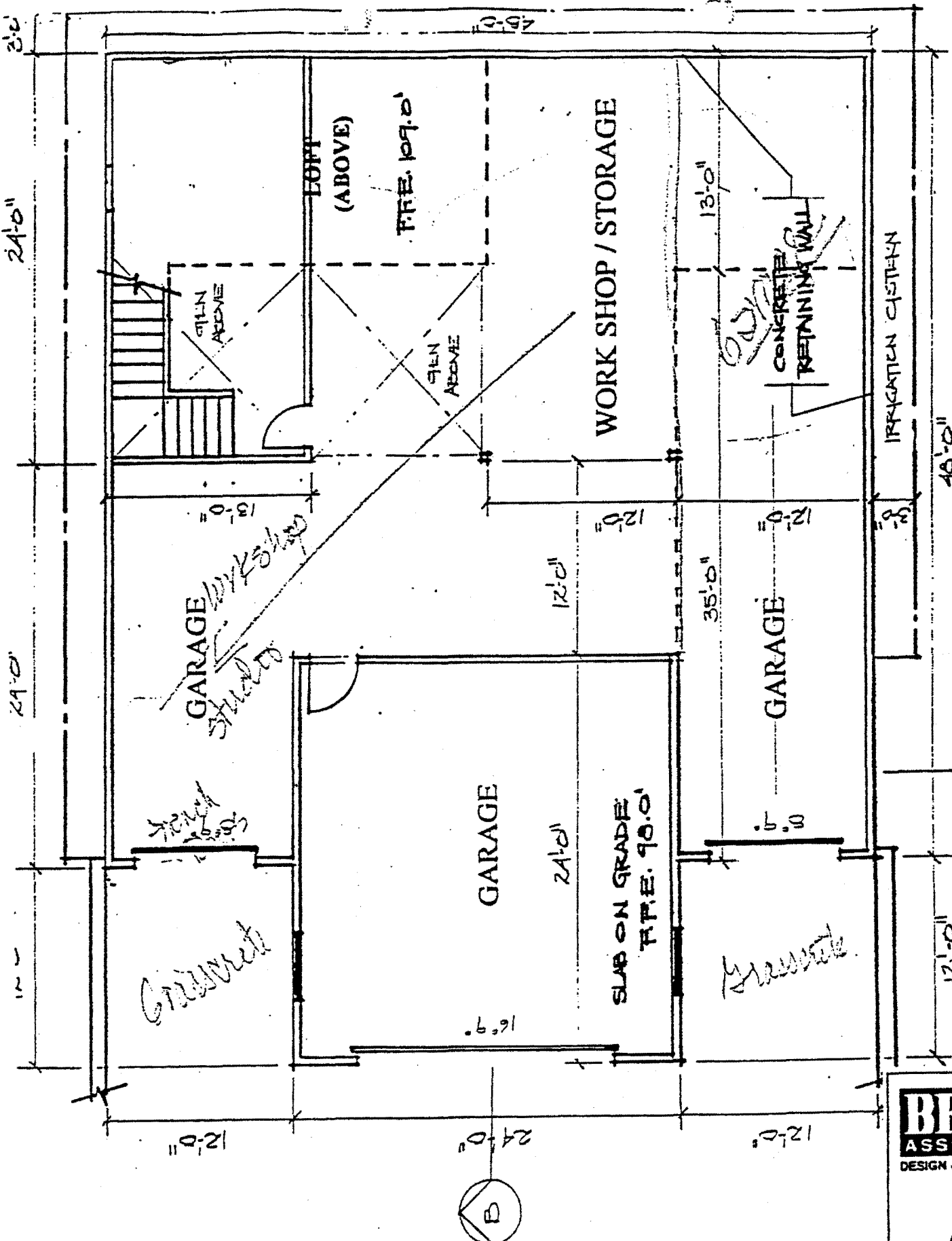
1

B. BEERY ASSOCIATES
P.O. BOX 12, CAMBRIA
CALIFORNIA 93428
(805) 927-7130

SITE PLAN SCALE: 3/32" = 1'-0"

May 4, 1998

EXHIBIT NO. 3, p. 1
APPLICATION NO. A-3-SUD-98-099
Project Plans

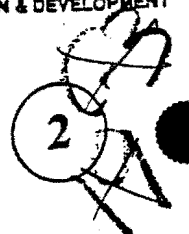


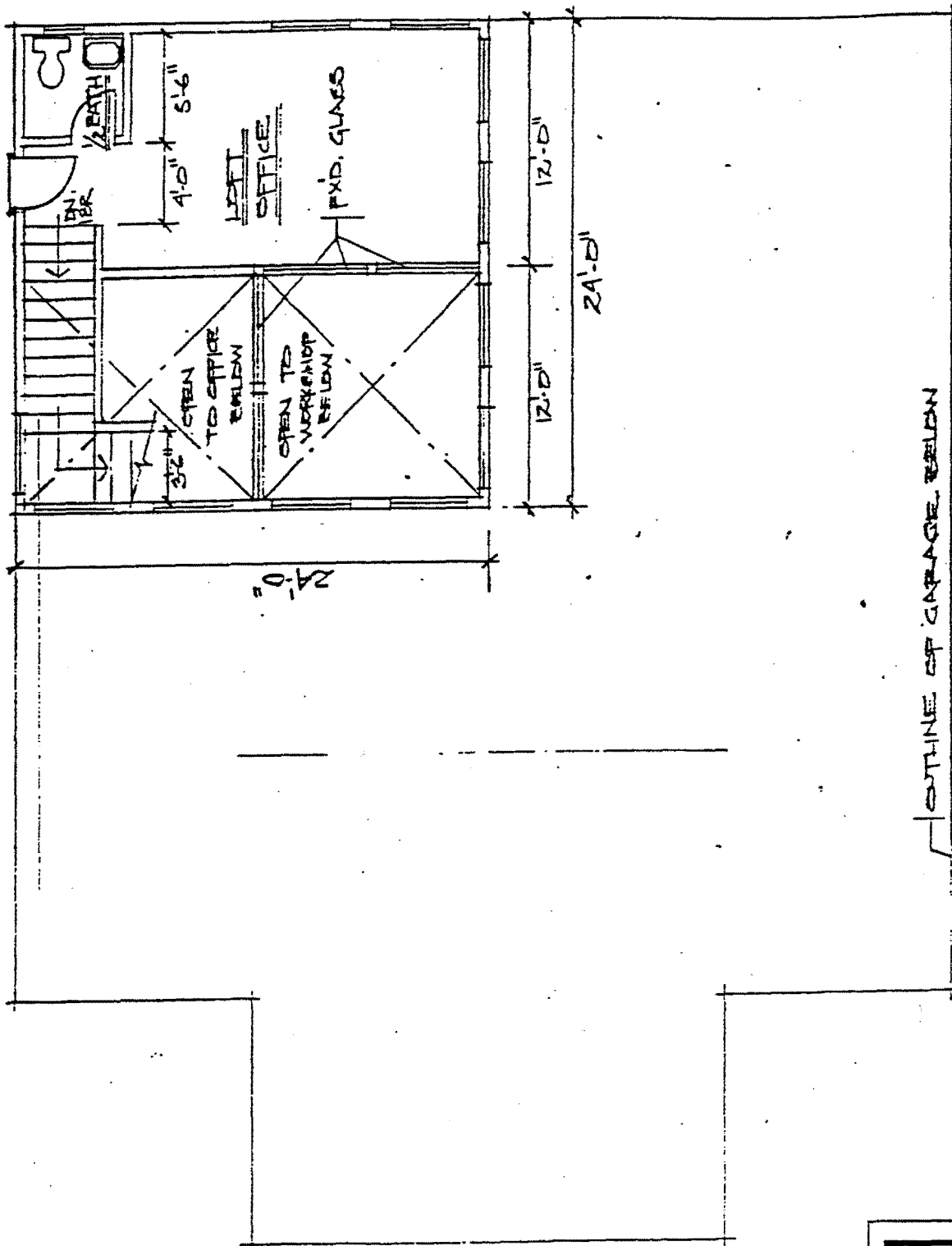
FLOOR PLAN SCALE: 1/8" = 1'-0"
 2592 SQ. FT. / (LOFT 288 SQ. FT.)

A-3-SLO-98-099
 Exhibit 3, p. 2

BEERY
 ASSOCIATES
 DESIGN & DEVELOPMENT

B. BEERY ASSOCIATES
 P.O. BOX 12, CAMBRIA
 CALIFORNIA 93428





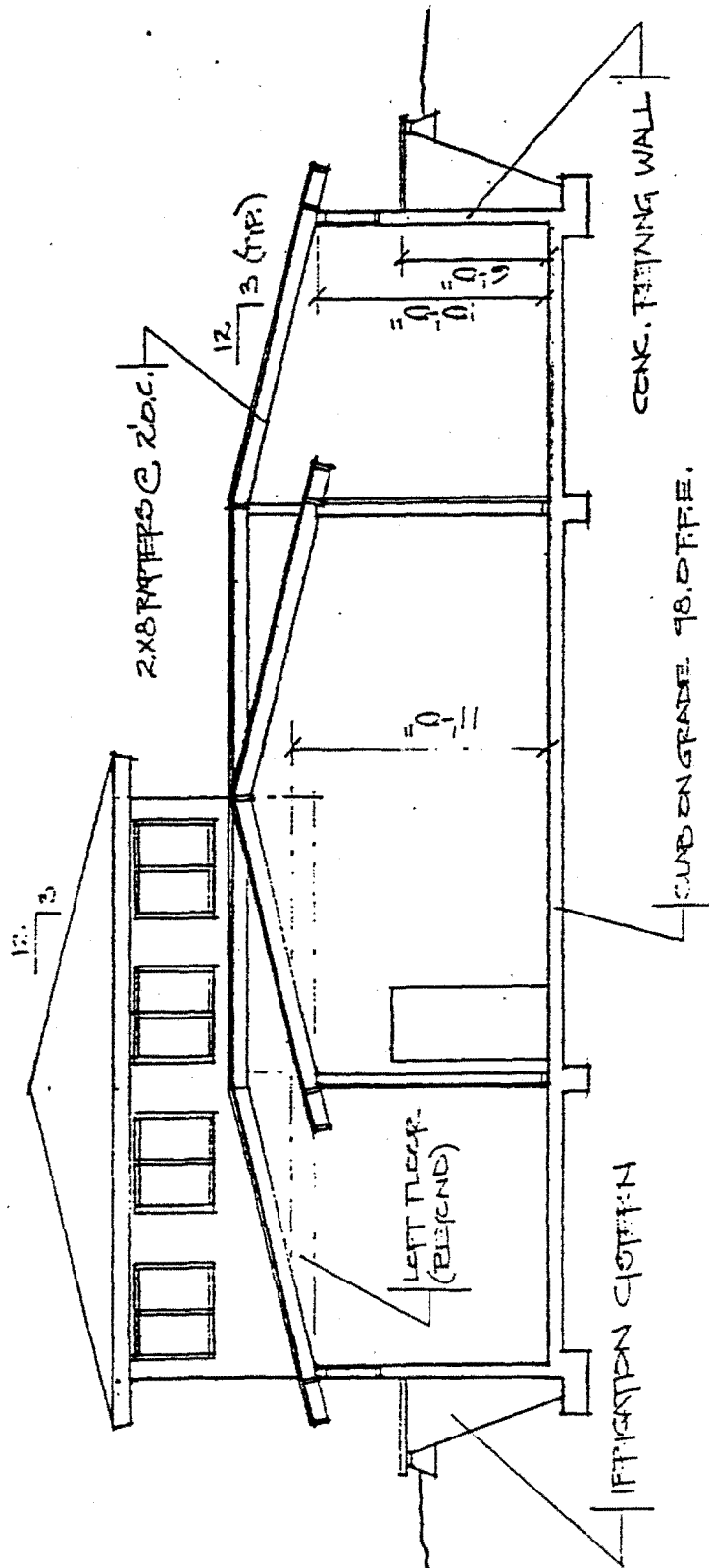
A-3-SLO-98-099
 Exhibit 3, p. 3

LOFT PLAN
 SCALE: 1/8" = 1'-0"

BEERY ASSOCIATES
 DESIGN & DEVELOPMENT

3

B. BEERY ASSOCIATES
 P.O. BOX 12, CAMBRIA
 CALIFORNIA 94623



A-3-SLO-98-099
 Exhibit 3, p. 4

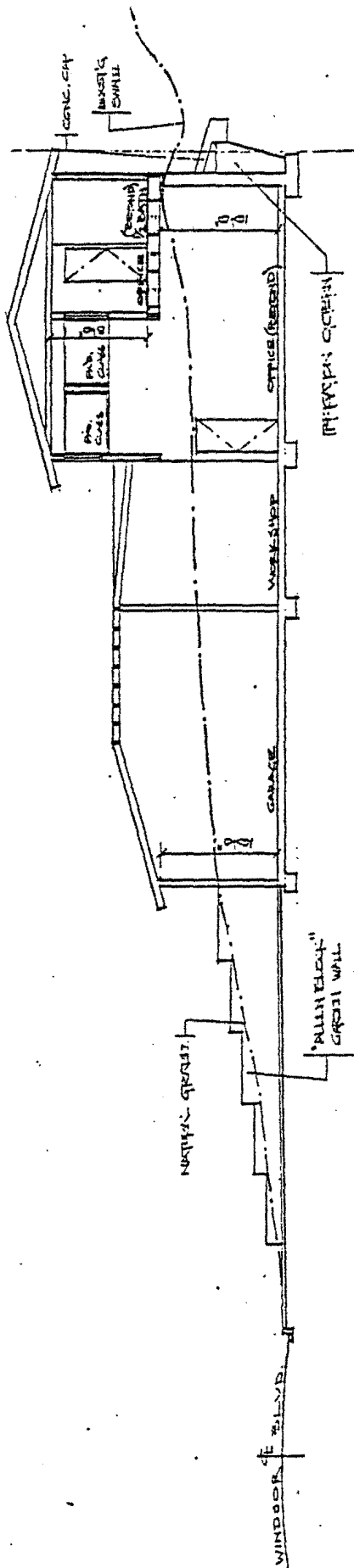
BEERY ASSOCIATES
 DESIGN & DEVELOPMENT

5

B. BEERY ASSOCIATES
 P.O. BOX 12, CAMBRIA
 CALIFORNIA 93428

(905) 927-7130

SECTION A SCALE: 1/8" = 1'-0"



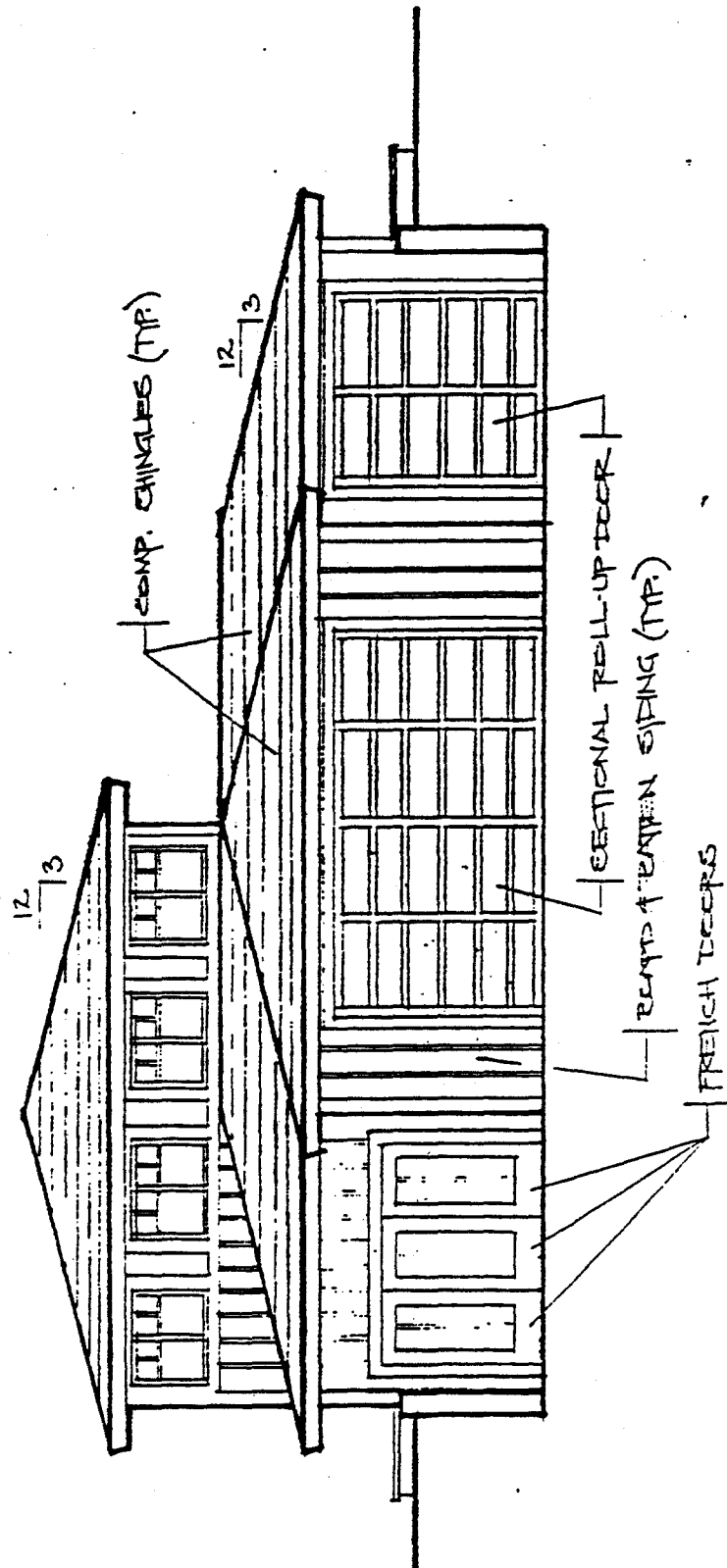
BRADY ASSOCIATES
DESIGN & DEVELOPMENT

6

B. BRADY ASSOCIATES
PO BOX 17, CALIFORNIA 91112

SECTION B

A-3-SLO-98-099
Exhibit 3, p. 5

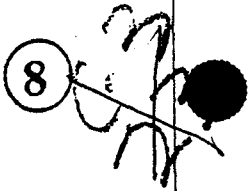


A-3-SLO-98-099
 Exhibit 3, p. 6

WEST / FRONT ELEVATION

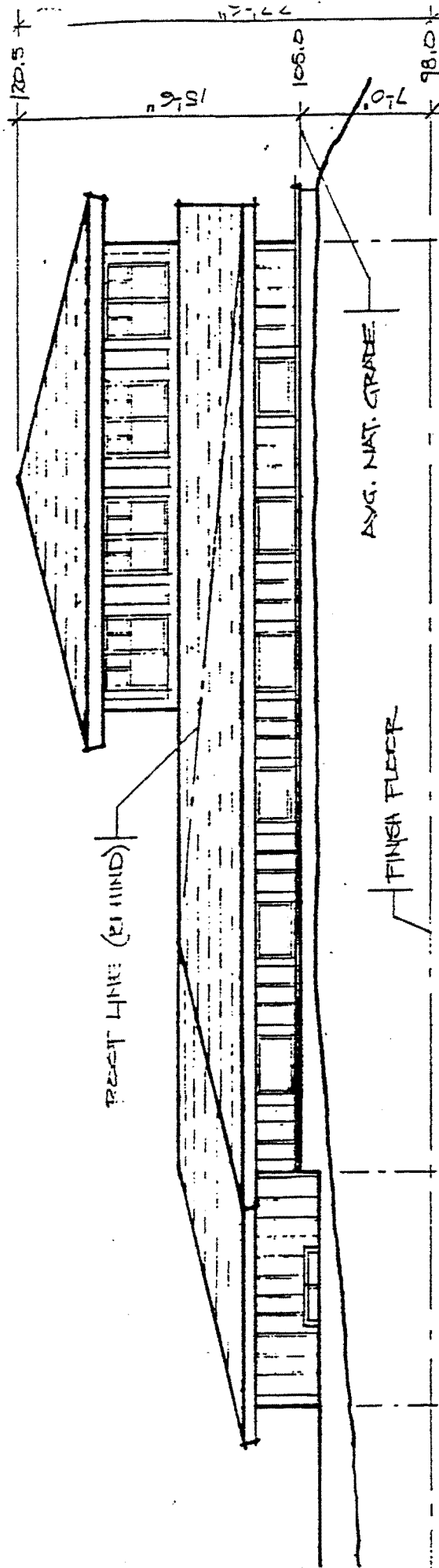
SCALE: 1/8" = 1'-0"

BEERY
ASSOCIATES
 DESIGN & DEVELOPMENT



B. BEERY ASSOCIATES
 P.O. BOX 12, CAMBRIA
 CALIFORNIA 93428

(805) 927-7130



HIGH CONTACT (w/GRADE)	107.0'
LOW CONTACT	103.0'
AVERAGE	105.0'

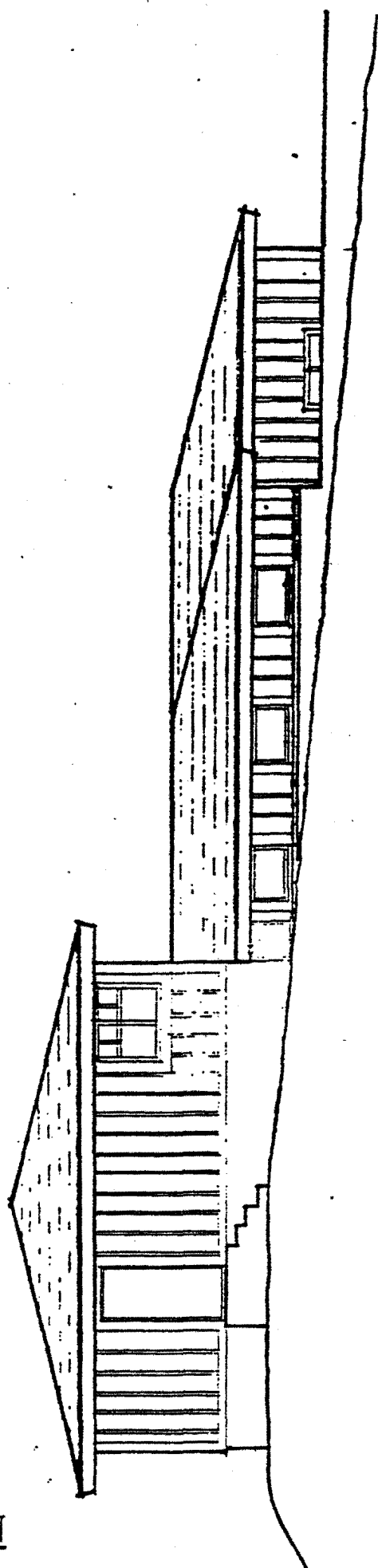
A-3-SLO-98-099
 Exhibit 3, p. 7

SOUTH / RIGHT ELEVATION

BERRY ASSOCIATES
 DESIGN & DEVELOPMENT

9

B. BERRY ASSOCIATES
 P.O. BOX 12, CAMBRIA
 CALIFORNIA 93428

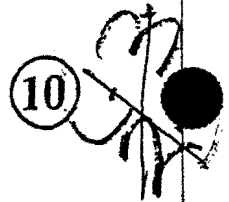


A-3-SLO-98-099
Exhibit 3, p. 8

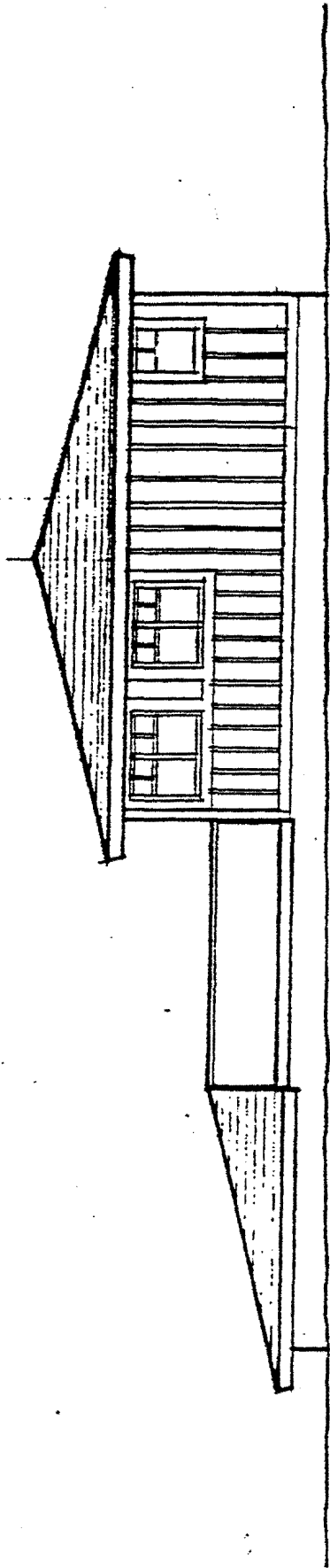
NORTH / LEFT ELEVATION

SCALE: 1/8" = 1'-0"

BEERY
ASSOCIATES
DESIGN & DEVELOPMENT



B. BEERY ASSOCIATES
P.O. BOX 12, CAMBRIA
CALIFORNIA 93428



A-3-SLO-98-099
Exhibit 3, p. 9

EAST / BACK ELEVATION

SCALE: 1/8" = 1'-0"

BEERY
ASSOCIATES
DESIGN & DEVELOPMENT

11

B. BEERY ASSOCIATES
P.O. BOX 12, CAMBRIA
CALIFORNIA 93428

EXHIBIT B
CONDITIONS OF APPROVAL
D970230P/JAY & PATRICIA BURBANK

1. This approval authorizes the following:

Construction of a detached residential accessory structure of approximately 2,880 square feet containing the following:

- a. Four car garage - maximum 1000 square feet
- b. Office with bathroom - maximum 600 square feet. No cooking or laundry facilities permitted.
- c. Work shop with storage - approximately 1280 square feet
- d. Irrigation cistern

Maximum height - 16' above average natural grade

Minimum setbacks - Front - 25'
Side - 5'
Rear - 10'

2. Prior to issuance of building permits, the applicant shall provide to the Development Review Division of the Department of Planning and Building a revised site plan for review and approval showing the following:
- a. the relocation of the tandem garage and workshop area.
 - b. grass-crete and/or landscape material in front of the French doors and single garage door.
 - c. landscaping proposed with the project.

Site development shall be consistent with the approved site plan, elevations, and floor plans.

Water and Sewer Will Serve Letter

3. Prior to issuance of building permits, the applicant shall provide a valid water and sewer will serve letter from CCSD.

Fire Safety

4. Prior to issuance of building permits, the applicant shall fulfill all requirements of the CCSD Fire District.

Soils & Geology

5. Prior to issuance of building permits, the applicant shall provide a soils report and a Certified Engineering Geologist report and recommendations to the County Building Division for review and approval.

EXHIBIT NO. 4, p. 1
APPLICATION NO. A-3-560-98-099
Local Conditions of Approval

Restrictions on Use

6. The proposed office shall not contain or accommodate cooking or laundry facilities, and shall not be used for residential occupancy independent from the principal residence or as a dwelling unit for rental. The office is for personal use by members of the household residing on the premises, any business conducted from the project site is subject to the requirements specified in Section 23.08.030 (Home Occupations) of the Coastal Zone Land Use Ordinance and will be subject to business license clearance if required by the county tax collector.

Noise

7. The applicant shall not engage in activities that involve the on-site use of equipment requiring more than standard household electrical current at 110 or 220 volts or that produces noise, dust, odor or vibration detrimental to occupants of adjoining dwellings and the immediate neighborhood.

Miscellaneous

8. **Prior to issuance of a construction permit, the applicant shall record a voluntary merger combining lots 9 and 10 in block 5 of Tract No. 159.**

A-3-SLO-98-099
Exhibit 4, p. 2



Non-Compliance Issues

4800 Windsor Boulevard
Cambria, CA 93428
February 10, 1999

California Coastal Commission
Attention: Mr. Steve Monowitz
Suite 300
725 Front Street
Santa Cruz, CA 95060

RECEIVED
via E-Mail
FEB 09 1999

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Dear Mr. Monowitz,

Our original request for an appeal of the Burbank Project [now known as Appeal No. A-3-SLO-98-099] provided the California Coastal Commission with the fundamental reasons for our appeal.

The purpose of this letter is to further define these original reasons by providing greater specificity regarding non-compliance with the Local Coastal Plan. In brief, this letter identifies the specific elements within the LCP with which the proposed Burbank Project fails to comply.

The proposed Burbank project does not conform to the standards set forth in the LCP regarding preservation of community character.

1. In the Coastal Plan Policies document, Chapter 10: Visual and Scenic Resources contains Policy 6: Special Communities and Small-Scale Neighborhoods on page 10-12. This policy states the intent that the character of special communities and small-scale neighborhoods is to be maintained.

Policy 6, in turn, refers to Chapter 23.11 of the Coastal Zone Land Use Ordinance. Page 11-39 of the CZLUO provides some examples. It is important to note that the wording immediately preceding this list of examples indicates that the list is inclusive but not exclusive. Use of the term "include" clearly implies that the list includes - but is not limited to - the given examples.

Seacliff Estates is a community and small-scale neighborhood fully within the intent of Policy 6 since it is a widely used destination for recreational walking and sightseeing purposes by visitors and local people and, in fact, is one of the two main gateways to the Fiscalini Ranch [East-West Ranch].

The proposed project would damage the character of this special small-scale community.

EXHIBIT NO. 5, p. 1
APPLICATION NO. A-3-SLO-98-099
Correspondence

Failure to be consistent with the character of the surrounding small-scale community is a major issue with the Burbank project. This can be easily demonstrated by examining such factors as scale, function and appearance.

Scale: The minor use permit approved by San Luis Obispo County resulted in a proposed non-residential structure that is almost three times larger than the 1000 sq. ft. upper limit stipulated for a detached garage structure. The proposed non-residential structure itself is larger than many homes in Seaclift Estates.

The combined size of the existing residence and the proposed non-residential building is almost 6500 sq. ft. on a single lot. This far exceeds the average building in the area and, in fact, actually is over 50 percent larger than the largest home in Seaclift Estates.

Function: The proposed 2880 sq. ft. structure is totally non-residential and, in fact, is functionally industrial in nature. It would consist of four garages, a very large workshop and storage space for materials and an office. No other residence in Seaclift Estates has an accessory building or even a separate garage.

The industrial capability of the proposed structure is completely at variance with the totally R-1 character of the surrounding community. It is very apparent that the intended use of the building is far from being incidental and subordinate to the principal use of the overall property as a residential site.

Appearance: Three-quarters [36 feet] of the front face of the proposed non-residential structure [facing Windsor Boulevard] consists of garage door entrances. Its driveway and parking apron stretch across the entire front width of the building [48 feet], narrowing toward the street to become a legal exit at the curb.

Despite the cosmetic efforts of the owners to disguise the non-residential nature of the building, the fact remains that [1] garage entrances cover three fourths of the front face of the building and [2] the driveway/parking area extends across the full width of the building. This does not constitute a fully residential appearance.

The existing residence and the proposed non-residential building combine for a total of six garages and two driveways on a single property. This is completely out of character for the community.

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Exhibit 5, p. 2

2. In the Coastal Plan Policies document, Chapter 3 deals with Recreation and Visitor-Serving Facilities. As stated above, the Seaclift Estates neighborhood serves as a non-commercial recreational area for visitors and local people.

In addition, the Seaclift Estates community provides one of the only two entrances serving as gateways to the trails on the Fiscalini Ranch. On page 3-4 of the Coastal Plan Policies, the paragraph headed Cambria refers to the Fiscalini Ranch in this visitor-serving context.

Page 3-10 of the Coastal Plan Policies, Policy 1: Recreation and Opportunities refers to the intent to protect coastal recreational and visitor-serving facilities. Particular emphasis is placed on lower-cost facilities.

It should be noted that Windsor Boulevard [the single street in Seaclift Estates] is not a through street. Consequently, the first public road paralleling the sea in this area is not Windsor Boulevard but, instead, is Route 1. This fact, in turn, means this appeal complies fully with the provisions of Section 30603 (a)(1) of the California Coastal Act.

Windsor Boulevard is an important street in Cambria in terms of its use for recreation and visitor services purposes. Due to its immediate proximity to the ocean, visitors and local residents heavily use the long level surface of Windsor Boulevard for recreational purposes.

In addition to recreational walking, Windsor Boulevard has three cul-de-sacs at the top of the bluffs that are directly on the oceanfront in Seaclift Estates. These large areas are used extensively for ocean viewing and provide a no-cost recreational and visitor-serving facility.

The northern entrance to the recreational and visitor-serving walking trails of the Fiscalini Ranch [East West Ranch] can only be reached via Windsor Boulevard in Seaclift Estates.

The proposed Burbank project would detract from these recreational functions. This unsuitably large complex of non-residential and residential structures and their many garages and driveways should not be imposed on the surrounding community.

The scale, function and appearance of this unattractive project all are disruptive of the special character of the surrounding community and are incompatible with recreational uses of the area by the public.

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Exhibit 5, p. 3

The proposed project as well as the current use of the property by the owners is inconsistent with the intent of the Coastal Plan Policies regarding water usage.

The Coastal Plan Policies document deals in Chapter 8: Public Works with the availability of services from public works. This is particularly relevant in Cambria due an inherent need for water conservation.

The proposed large non-residential structure includes additional plumbing for its new services and for its bathroom. Water used within the proposed new structure is planned to be supplied by the single water meter in the owners already-existing separate residence.

Chapter 8: Public Works of the Coastal Plan Policies [on page 8-1] Policy 1: Availability of Service Capacity deals with service capacities to serve a proposed new development. The intent of this policy is to ensure that adequate services exist to serve the proposed development given the outstanding commitment to existing lots within the USL for which services will be needed consistent with the resource management system.

This raises three issues regarding questionable water usage:

First, the additional new plumbing in the proposed non-residential structure obviously will result in additional water usage that was not contemplated when the R-1 water meter was originally issued for use in the owners existing residence.

Second, the non-family tenant already renting space in the existing residential structure constitutes a two-family use of a single-family residence. The additional water used by this tenant was not contemplated when the R-1 water meter was originally issued for single-family residential use.

Third, the owner already has a track record of having brought a non-family tenant into a single-family residence. Consequently, it is realistic to consider that the "office" in the non-residential structure is at risk of being utilized at a later date for rental by a second non-family member tenant. This would be additional water usage not contemplated when the R-1 water meter was originally issued for single-family residential use.

The net result of these three issues is that the property owners intend to gain unwarranted additional water uses from their existing water meter [1] which were not contemplated when it was issued and [2] which unfairly bypass all of those property owners who presently are on the waiting list for water meters in Cambria.

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Exhibit 5, p. 4

Finally, if approved by the California Coastal Commission, there is a very real concern about this project setting an undesirable precedent for future non-residential development in the entire coastal residential area of Cambria.

This subject of setting an undesirable precedent is explained in Objection 2 within the accompanying Appeal Statement document [which describes our three major areas of objection to the Burbank Project].

Please contact me if there are any questions regarding the above information.

Very truly yours,

Walter J. Picker

A-3-SLO-98-099
Exhibit 5, p. 5

Statement by Appellants

Introduction

We bought our property in Cambria's Seacliff Estates in the mid-80's and built our home there in 1991. Seacliff is an oceanfront single-family residential neighborhood with 43 homes that range up to over a million dollars in value.

The single street in Seacliff Estates parallels the ocean. This street is used heavily by visitors and local residents for recreational walking and for enjoyment of the three large viewing areas within Seacliff Estates that provide the public with direct access to the oceanfront bluffs.

The issues underlying this appeal are not difficult to understand.

The Burbanks want to construct a 2880 sq. ft. non-residential building on a single lot that already contains their residence. This lot is well within 300 feet of the oceanfront in a totally R-1 neighborhood.

It is our position that the scale, function and appearance of the proposed non-residential structure are widely incompatible with the established character of the surrounding community. In addition, the project, if approved, would set a very undesirable precedent for future development in residential coastal neighborhoods.

There are no other separate non-residential buildings in the surrounding neighborhood – not even a garage. And, obviously, there certainly are no separate non-residential buildings consisting of four garages, an office, a large workshop and storage space for materials.

The result would be a complex of two structures totaling almost 6500 sq. ft. on a single lot with a total of six garages and two driveways. Water for the entire complex would be taken from the single water meter of the existing residence.

Specifically, there are three major areas of objection to the Burbank Project.

[1] Considering the established character of the surrounding small-scale coastal R-1 neighborhood, the project is inappropriate.

[2] If approved, the project would establish an undesirable precedent for future development in the entire coastal residential area of Cambria.

[3] Improper water consumption results from non-residential and multiple-family use of the owners R-1 water meter.

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Exhibit 5, p. 6

Objection 1 – Inconsistent with Established Community Character

The proposed 2880 sq. ft. structure is totally non-residential and, in fact, is functionally industrial in nature. It would consist of four garages, a very large workshop, storage space for materials and an office. This non-residential structure is totally at variance with the established residential character of the surrounding R-1 community.

The owners claim that the primary use of the proposed building will be to produce artistic furniture solely for members of their immediate family. This is not credible in view of the size and functional capacity of the proposed building.

The intended non-residential use of the building is far from being incidental and subordinate to the principal use of the overall property as a residential site.

This would be the first non-residential building in any of the Cambria's waterfront residential neighborhoods [other than in Moonstone Beach, which is designated as Cambria's motel area]. No other homes in Seaclift Estates have accessory buildings or even separate garages.

In addition, the proposed non-residential structure itself is larger than many of the residences in the neighborhood.

If this large non-residential building is allowed, the resulting property would then consist of a two building complex totaling almost 6500 sq. ft. on a single lot. The two building complex would have two driveways and six garages.

No other property in the immediate neighborhood is remotely as large as this proposed complex. None have two driveways and six garages. In fact, 84 percent of the homes in Seaclift Estates have only either one or two car garages. Six garages and two driveways on a single property definitely are out of character for the neighborhood.

Overall, the proposed complex is far larger than the established scale of the neighborhood and is contrary to its totally residential character.

Three-quarters [36 feet] of the front face of the non-residential building would consist solely of garage door entrances. [See Figure 1].

The driveway/parking area would be 48 feet wide across the entire front width of the building, narrowing toward the street to become a legal exit at the curb. [See Figure 2].

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Exhibit 5, p. 7

Despite the cosmetic efforts of the owners to disguise the non-residential nature of the building, the garage-like front face of the structure and its 48-foot wide driveway/parking area cannot present a fully residential appearance.

The driveway/parking area is designed to stretch across the entire front of the proposed non-residential building [not just in front of the garages]. It is realistic to expect that the owners will use this area for outside parking since the residents of the proposed complex never park any of their many vehicles within the two garages of their existing residence.

It is not surprising that the owners fail to disclose that the entire lower floor of their existing R-1 residence is rented out to a non-family member tenant.

Basically, the owners have turned their existing home into a two-family duplex residence in a single-family residence neighborhood.

This use of a significant portion of their existing residence for rental purposes is a major underlying reason for the Burbank's claimed need for additional space. Obviously, in addition to occupying residential space, this tenant adds to the many vehicles already on the premises.

Objection 2 - Undesirable Precedent for Future Developments

A decision to allow the construction of a large non-residence building of this magnitude [the first of its kind] in this Cambria coastal R-1 neighborhood would set an undesirable precedent for future non-residential coastal development.

It is important to contrast [1] the owners claim that the building is intended to support a hobby with [2] the large size and functional capability of the structure.

Such a comparison clearly raises a question of credibility about the claim that this functionally industrial building will never be used for anything but production of a few pieces of furniture intended solely for the immediate family.

It also is important to note that San Luis Obispo County has a history of businesses evolving out of residential facilities. Violations of non-commercial restrictions have been found to be difficult to enforce and are not given a high priority by the County.

The usual three to two vote by the San Luis Obispo Supervisors approved the intended non-residential structure exactly as proposed.

From this point, in order to move from informal to formal commercial usage, the owners only need to take a proposal through the same review path with the same San Luis Obispo County Board of Supervisors.

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Exhibit 5, p. 8

This same possibility also exists for any future owner who might want to take advantage of a building configured for industrial use.

Given the track record of the majority members of the San Luis Obispo Board of Supervisors, this is a frightening prospect and could result in a highly undesirable precedent being set for commercial use in a residential coastal area.

Objection 3 – Use of R-1 Water Meter for Unwarranted Water Consumption

The Coastal Commission should be concerned about unwarranted added water consumption that is inherent in both the present use and future use of the owners R-1 water meter. This additional consumption comes from the following three uses:

[1] The additional new plumbing installed in the non-residential structure obviously will result in additional water consumption using the single R-1 water meter.

[2] The non-family member tenant currently occupying the lower half of the owners' single-family residence already has resulted in additional water consumption that clearly is not R-1.

[3] Given the owners track record of renting part of their home to non-family members, it is not unreasonable to consider that the "office" in the new structure will be utilized at a later date for rental by a second non-family member tenant. This would result in additional water consumption.

These are unwarranted additional water uses from the existing R-1 water meter. These additional uses were not contemplated when the meter was issued and, consequently, the many property owners who have remained on the waiting list for Cambria water meters for a long time have been unfairly bypassed.

Conclusion

It is clear that this project, while straining to meet the letter of the law for zoning, is not compliant with the provisions of the LCP. In addition, taking the LCP as a whole, the project falls far short of the intent of the LCP.

We urge the Coastal Commission to uphold our Appeal on the basis that the proposed project is inappropriate for a small-scale coastal R-1 neighborhood and would create an undesirable precedent for future development in Coastal Cambria.

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Exhibit 5, p. 9

Support for the Appeal

San Luis Obispo County Supervisors:

Letter from Shirley Bianchi – SLO County Supervisor [former chairperson of the San Luis Obispo County Planning Commission]

Letter from Peg Pinnard – SLO County Supervisor

Relevant Organizations:

Letter from Claudia M. Harmon – North Coast Advisory Council - Chairperson

Letter from Wayne Ryburn – The Cambria Forum - Chairperson

Letter from Richard Breen – Seaclift CC&R Committee

Letter from Arthur Van Rhyn – Moonstone Beach Association - Founder

Letter from Norman Fleming – Citizens for Fair Land Use - Chairperson

Letters of Support from Property Owners in Seaclift Estates:

Dr. and Mrs. Lyle E. Tyler
4919 Windsor Blvd.
Cambria, CA 93428

Mr. and Mrs. James Olevsky
4762 Windsor Blvd.
Cambria, CA 93428

Mr. and Mrs. Ralph Mendenhall
275 DeVault Place
Cambria, CA 93428

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Exhibit 5, p. 10

Mr. and Mrs. David Jones
4849 Windsor Blvd.
Cambria, CA 93428

Mr. Richard P. Lindley
4920 Windsor Blvd
Cambria, CA 93428

Gwen McCann and Barbara Seely [co-owners]
4774 Windsor Blvd.
Cambria, CA 93428

Mr. J. E. Berkley
4835 Windsor Blvd.
Cambria, CA 93428

Mr. and Mrs. Lawrence M. Schryer
303 Wallbridge St.
Cambria, CA 93428

Mr. Richard Breen
4855 Windsor Blvd.
Cambria, CA 93428

Mr. and Mrs. Gene Ross
4809 Windsor Blvd.
Cambria, CA 93428

Mr. and Mrs. Robert Gray
4885 Windsor Blvd.
Cambria, CA 93428

Drs. Ann and Walter Picker
4800 Windsor Blvd.
Cambria, CA 93428

A-3-SLO-98-099
Exhibit 5, p. 11

Alternative Solution

In an effort to meet the claimed needs of the owners for additional space, the following alternative approach might be considered.

1. Eliminate the non-family member tenant. This will free up the currently rented residential space in the lower half of the existing residence and will make available a large area of additional workspace for the owners. It also eliminates the need to provide a garage space for the vehicle of the tenant.
2. Convert the space in the two-vehicle garage of the existing residence into workspace.
3. Items 1 and 2 above should provide adequate workspace for all of the owners claimed needs [excluding garage space].
4. Remove the driveway and the present garage entrance to the existing residence and replant the area.
5. Extend the south side of the existing residence by constructing attached new garage space. This new garage space should be located as an extension of the south side of the existing residence with the vehicle entrances facing the neighboring property to the south [so that the garage doors do not face Windsor Boulevard].
6. Create a new driveway [single vehicle width] from Windsor Boulevard eastward into the lot and turning north into an apron in front of the new garage entrances.
7. Landscape the entire property.

The above steps would meet the claimed needs of the owners while mitigating the deficiencies of the proposed project as follows:

1. Reduces [by elimination of the proposed stand-alone non-residential structure] the proposed complex of two buildings down to a single residential structure consistent with the rest of the neighborhood.
2. Reduces the negative impact that the scale, function and appearance of the proposed project would have on the character of the neighborhood.
3. Reduces the proposed project to a single driveway and far fewer than six garages. The garages no longer face the street.

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Exhibit 5, p. 12

4. Reduces the possibility of setting an undesirable precedent for future inappropriate non-residential development in the neighborhood.
5. Eliminates the current two-family duplex utilization of the existing single-family residence by eliminating the non-family member tenant.
6. Reduces the number of vehicles on the property by eliminating the non-family member tenant.
7. Reduces unjustifiable water consumption.

A-3-560-98-099
Exhibit 5, p. 13

BOARD OF SUPERVISORS

COUNTY GOVERNMENT CENTER, Room 370 • SAN LUIS OBISPO, CALIFORNIA 93408-2040 • 805.781.5450

February 8, 1999

SUPERVISOR PEG PINARD
DISTRICT THREECalifornia Coastal Commission
Attention: Mr. Steve Monowitz
725 Front Street, Suite 300
Santa Cruz, CA 95060

Dear Mr. Monowitz,

I am writing to you regarding Appeal No. A-3-SLO98-099 [Burbank].

This is an appeal brought to the California Commission by Drs. Ann and Walter Picker regarding the proposed construction of a 2880 sq. ft. non-residential building in Seacrift Estates which is a small-scale R-1 coastal neighborhood in Cambria. The proposed non-residential structure would consist of a large workshop and material storage area, an office and four garages.

As a member of the Supervisory Board in San Luis Obispo County, I heard the appeal made by the Pickers on October 27, 1998 and want to state that their appeal was totally warranted. I was strongly in favor of the appeal and voted to support it. Unfortunately, as happens all too often with inappropriate development projects in San Luis Obispo County these days, the appeal was defeated 3 to 2.

Basically, the proposed development is entirely out of character with the surrounding community. The proposed development is not compliant with the provisions of the LCP and certainly is inconsistent with the intent of the LCP.

If approved by the Coastal Commission, the result would be an existing residence and the new non-residential building on a single lot. These buildings would total almost 6500 sq. ft. With two driveways and six garages. There is nothing remotely like this in the surrounding community in terms of scale, function and appearance. This project would set an unfavorable precedent for other coastal non-residential projects in the future.

It is my hope that the California Coastal Commission will support the appeal of this project and either eliminate it or seek a very significant reduction in its scope.

Sincerely,

Peg Pinard
San Luis Obispo County SupervisorA-3-SLO-98-099
Exhibit 5, p. 14

BOARD OF SUPERVISORS

COUNTY GOVERNMENT CENTER, Room 370 • SAN LUIS OBISPO, CALIFORNIA 93408-2040 • 805.781.5450



SHIRLEY BIANCHI
SUPERVISOR DISTRICT TWO

January 28, 1999

California Coastal Commission
Mr. Rusty Areias, Chair
1400 N Street, Suite 9
Sacramento CA 95814

Dear Mr. Areias,

This letter is in reference to the appeal by Doctors Ann and Walter Picker on the approval of the San Luis Obispo County's Minor Use Permit and Coastal Development Permit D970230P.

I support this appeal on the basis that this project may on the surface fit the ordinances, but does not fit the logic of development. The detached garage is 2880 square feet, and is to be used as a hobby work shop - ostensibly to make furniture for family members. Even with a large family, all of whom have separate housing, just how much furniture can be absorbed by a family? It would appear that this has the potential, even if not subsequently converted into a 2880 square foot home, of being converted into a commercial shop - definitely neither a coastal dependent use nor prime agriculture.

There are the concerns by the appellants which they have defined very well. This project really requires either more stringent conditions of approval than now exist on it, or outright denial.

Sincerely,

SHIRLEY BIANCHI
Supervisor District Two

cc: Drs. Ann & Walter Picker

A-3-SLO-98-099
Exhibit E, p. 15

416 Dorset Street
Cambria, CA 93428
January 27, 1999

RECEIVED

FEB 01 1999

California Coastal Commission
Attn: Mr. Steve Monowitz
Suite 300
725 Front Street
Santa Cruz, CA 95060

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Dear Mr. Monowitz,

This letter is relevant to the appeal by Drs. Ann and Walter Picker regarding the proposed Burbank project in Cambria -- your Appeal No. A-3-SLO-98-099.

I am the Chairperson of the North Coast Advisory Council. This is an elected body that is used by the San Luis Obispo County Supervisor for District 2 for local advice on issues dealing with planning and development.

I have been requested to inform the Coastal Commission about the proposed Burbank project.

This proposed development was referred to the North Coast Advisory Council and was subsequently given to our committee responsible for evaluating proposed local developments.

After a thorough study, the committee concluded that the proposed Burbank development is inappropriate for its intended location in a totally residential coastal neighborhood and would set an undesirable precedent for future coastal development in Cambria.

Very truly yours,


Claudia M. Harmon

A-3-SLO-98-099
Exhibit 5, p.16

Mr. Steve Monowitz
California Coastal Commission
Suite 300
725 Front Street
Santa Cruz, CA 95060

February 5, 1999

RECEIVED

FEB 10 1999

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Dear Sir:

I am writing to support Appeal #A-3-SLO-98-099 (Burbank) as submitted by Walter and Ann Picker

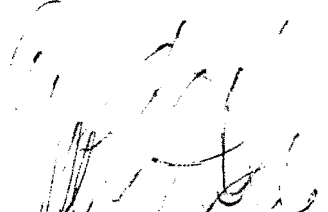
I am currently president of the Moonstone Beach Association, however, this letter is not being written in that official capacity.

It is extremely important that our beach front communities retain their intended design. It is obvious that the proposed Burbank project is an attempt to shoehorn commercial usage into a residential area. This project would set a dangerous precedent for a fragile area.

The current use of R-1 property as multifamily clearly constitutes a zoning infraction. This indicates that the applicant has not shown good faith, and will certainly do no better in the future.

Please give this matter all consideration.

Thank you,


Arthur E. Van Rhyn
P.O.Box 43
Cambria, CA 93428

A-3-SLO-98-099
Exhibit 5, p. 17

February 15, 1999

To: California Coastal Commission
Attention: Peter Douglas, Exec. Dir., Rusty Areias, Chairman
Staff: Charles Lester, Steve Guiney

Subj: Request To Deny Permit To Burbank Project, Sea Cliff Estates
Cambria, California Ref A-3-SLO-98-099

From: Citizens for Fair Land Use
P.O. Box 1442, Cambria, CA 93428

The planned development in Sea Cliff Estates by owner Burbank, violates Coastal Policy 6 in that it is not in keeping with the character of the existing developments in this coastal community. The main access to this development is Windsor Drive which is about two hundred feet from the ocean. Many tourists cruise this street exploring the area for beachfront homes, or just looking at the ocean views.

The developer plans a commercial-size workshop and storage space where his garage area now is. This workshop will consist of several buildings, separated from his house, approximately 3000 square feet in area with about 48 feet of frontage facing Windsor Dr. Parking at the front of the workshop is also planned.

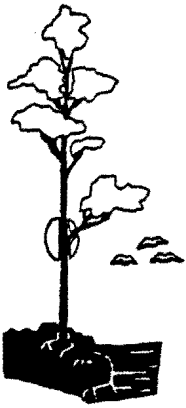
This is a development trend that should not be encouraged.

Sincerely,

Norman Fleming
Citizens For Fair land Use

□

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Exhibit 5, p. 18



North Coast Advisory Council

P.O. Box 533

Cambria, CA 93428

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CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

February 9, 1999

Steve Monowitz
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 95060

re: Appeal No. A-3-SLO-98-099 -- Burbank

Dear Mr. Monowitz:

I am Chair of the Land Use and Project Review Committee of the North Coast Advisory Council, an elected body of San Simeon and Cambria residents. This Committee voted unanimously to deny the Burbank "warehouse" project, based on its inappropriate size in an established residential area, and the dangerous precedent it would set for similar projects in the future.

The Committee's recommendation was upheld by the entire Council which ruled that the project was inappropriate for a coastal R-1 neighborhood and that, if approved, would establish an undesirable precedent for future development in Coastal Cambria.

Thank you for taking into consideration the concerns of the community in weighing the merits of the appeal.

Sincerely,

Doug Buckmaster
Corresponding Secretary

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Exhibit 5, p. 19