CALIFORNIA COASTAL COMMISSION
SAN DIEGO AREA
3111 CAMINO DEL RIO NORTH, SUITE 200
SAN DIEGO, CA 92108-1725
(619) 521-8036

W15b

Filed: February 4, 1999
49th Day: March 25,
180th Day: August 1,
Staff: BP-SD
Staff Report: February 11, 1999
Hearing Date: March 9-12, 1999

STAFF REPORT AND RECOMMENDATION ON APPEAL

LOCAL GOVERNMENT: City of Oceanside

DECISION: Approval with Conditions

APPEAL NO: A-6-OCN-99-20

APPLICANT: James Wilt

PROJECT DESCRIPTION: Construction of a two-story, 27-foot high, 4,215 sq.ft. single family residence on a 4,480 sq.ft. oceanfront lot.

PROJECT LOCATION: 1719 South Pacific Street, Oceanside, San Diego County. (APN 153-091-44)

APPELLANT: Jamie Phillips

SUBSTANTIVE FILE DOCUMENTS: Certified City of Oceanside Local Coastal Program; Regular Coastal Permit RC-2-98

SUMMARY OF STAFF RECOMENDATION:

Staff is recommending that the Commission, after public hearing, determine that no substantial issue exists with respect to the grounds on which the appeal has been filed.

I. Appellant Contends That: The proposed project is inconsistent with the certified LCP with respect to its incompatibility with existing development and the setback (stringline) provisions of the certified LCP.

II. Local Government Action:

The coastal development permit was approved by the City of Oceanside City Council on January 13, 1999. Several special conditions were attached which addressed reconstruction of an existing seawall, an easement for lateral public access along the shoreline adjacent to the property and a deed restriction notifying the applicant that the site may be subject to wave hazard from high tides.

III. Appeal Procedures

After certification of a Local Coastal Program (LCP), the Coastal Act provides for limited appeals to the Coastal Commission of certain local government actions on coastal development permits. Projects within cities and counties may be appealed if they are located within mapped appeallable areas. The grounds for appeal are limited to the assertion that "development does not conform to the certified local coastal program." Where the project is located between the first public road and the sea or within 300 ft. of the mean high tide line, the grounds of appeal are limited to those contained in Section 30603(b) of the Coastal Act. Those grounds are that the development does not conform to the standards set forth in the certified local coastal program or the access policies set forth in the Coastal Act.

Section 30625(b) of the Coastal Act requires the Commission to hear an appeal unless it determines that no substantial issue is raised by the appeal. If the staff recommends "substantial issue" and no Commissioner objects, the Commission will proceed directly to a de novo hearing on the merits of the project.

If the staff recommends "no substantial issue" or the Commission decides to hear arguments and vote on the substantial issue question, proponents and opponents will have 3 minutes per side to address whether the appeal raises a substantial issue. It takes a majority of Commissioners present to find that no substantial issue is raised. If substantial issue is found, the Commission will proceed to a full public hearing on the merits of the project. If the Commission conducts a de novo hearing on the permit application, the applicable test for the Commission to consider is whether the proposed development is in conformity with the certified Local Coastal Program.

In addition, for projects located between the sea and the first public road paralleling the sea, Sec. 30604(c) of the Act requires that a finding must be made by the approving agency, whether the local government or the Coastal Commission on appeal, that the development is in conformity with the public access and public recreation policies of Chapter 3. In other words, in regard to public access questions, the Commission is required to consider not only the certified LCP, but also Chapter 3 policies when reviewing a project on appeal.

The only persons qualified to testify before the Commission at the "substantial issue" stage of the appeal process is the applicant, persons who opposed the application before the local government (or their representatives), and the local government. Testimony from other persons must be submitted in writing. At the time of the de novo hearing, any person may testify.

Staff Recommendation on Substantial Issue.

The staff recommends the Commission adopt the following resolution:

Staff recommends that the Commission determine that NO SUBSTANTIAL ISSUE exists with respect to the grounds on which the appeal was filed, pursuant to PRC Section 30603.

MOTION

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

> I move the Commission determine that Appeal No. A-6-OCN-99-20 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.

IV. FINDINGS ON SUBSTANTIAL ISSUE.

1. Project Description. The proposed development involves the construction of a two-story, 27-foot high, 4,215 sq.ft. living area, single family residence on a 4,480 sq.ft. oceanfront lot. The lot is 28.5 feet wide and extends westerly to the mean high tide line. The proposed structure is two stories over a basement with a maximum height of 27 feet from the existing grade. The street elevation is approximately 23 feet high. The residence is designed with 3 bedrooms, 3 baths, kitchen, living room, 2 offices, lower level beach room and 3 patios/balconies that total approximately 630 sq.ft. An elevator is also proposed which is accessed from the 2-car garage. The architectural theme is contemporary Californian style. The project maintains the required side yard setbacks (3 feet) as well as a 1-foot front yard setback, which is determined by a "block face average" of existing structures within the block area. No construction is proposed beyond the "stringline" which is measured 85 feet seaward from Pacific Street. An existing rock revetment seawall is located on the site and was approved for future repair and maintenance subject to the recommendations of a wave uprush study.

The project site is vacant and is the last undeveloped beachfront property between Buccaneer Beach and Casey Street. The site is a sloping coastal bluff and has a 20-foot

elevation differential from Pacific Street to an existing revetment on the site. Surrounding development consists of one-and two-story single-family and multi-family residential uses on small lots.

The property is zoned Residential Single-Family (R-S) in the City's certified Local Coastal Program.

2. Appellants Statements/Issues of Appeal. The appellant states the project will have a negative impact to area properties, is incompatible with existing development and is inconsistent with the stringeline and other provisions of the certified Local Coastal Program (LCP). The appellant states the major issue in this appeal is the description, placement and application of the "Stringline Setback" to new development. The appellant states the location of the Oceanside "Stringline Setback" is not defined in the LCP except by reference to a 1983 aerial photo of the coast bearing a black line purporting to be the "Stringline of Development", which is referred to as the Stringline Setback Map.

The appellant states the "Stringline", as depicted on the Setback Map requires "skilled persons to guess at its true location", based on the scale of the map (1"= 100'). The applicant states that based on the difficulty of determining the stringline given the scale of the map in this case the stringline is permitted to extend at least 5-feet further toward the public beach than the house six lots south which is presently the most westward structure.

The appellant states the variations and uncertainty of the Oceanside stringline will permit the proposed structure and future structures to encroach into both public and private views from the beach, adjacent properties and from Pacific Street. The appellant states the new development obscures coastal views from all directions and impairs the views from adjoining properties and will result in a substantial diminution of the coastal bluff as private property owners seek to keep up with developments like the proposed residence.

3. Visual Impacts/Compatibility/Stringline. The site is located between the designated first public road in this community and the sea; therefore, under Section 30603(b) of the Coastal Act, the grounds for appeal are conformity with the certified local coastal program. Policy #8 of the "Visual Resources and Special Communities" section of the certified Oceanside Land Use Plan (LUP) states:

8. The City shall ensure that all new development is compatible in height, scale, color and form with the surrounding neighborhood.

Additionally, Section 1703 (e) (Rear Yard Setbacks) of the certified Oceanside zoning ordinance states:

Section 1703 (e) (Rear Yard Setbacks)

> Notwithstanding any other provisions of this section, buildings or structures located on lots contiguous to the shoreline shall be compatible in scale with existing development and shall not extend further seaward than the line established on the "Stringline Setback Map", which is kept on file in the Planning Division. Appurtenances such as open decks, patios and balconies may be allowed to extend seaward of the Stringline Setback line, providing that they do not substantially impair the views from adjoining properties.

The stringline establishes the seawardmost location for future development on beachfronting lots. The City approved the project by finding the project was within the limits of the development stringline as established by the Stringline Setback map certified in the LCP. The map overlays a stringline on an aerial photo. The stringline map was based on existing building patterns, as well as anticipated future developments and remodels/expansions. The goal is to restrict encroachment onto the shoreline and preserve public views along the shoreline.

Regarding the application of the stringline policy certified in the LCP, the Commission concurs with the City's findings. That is, the City properly used the stringline map to determine the appropriate rear yard setback. This map is part of the certified LCP. As noted, the Commission's rationale for adopting the stringline map in its certification of the LCP was to provide a mechanism to limit development onto the shorefront and preserve public views. Based on its review of the map, the City found the proposed project did not extend further seaward than the line established on the certified "Stringline Setback Map" Further, review of the site plan indicates that no open decks, patios and balconies were proposed or approved seaward of the "Stringline Setback" line even though the policy allows such development upon a finding that such development does not substantially impair the views from adjoining properties. The stringline also is meant to preserve public views and not private views.

Regarding the project's impact on public views, although LUP policy 15 of the visual resources section identifies that development on the Strand shall remain below the height of the bluff, this project is not on the Strand which is further north of the project site. Similarly, while other policies in the LUP call for preservation of visual resources there are no other maps or policies in the LUP that specifically identify a public view that would be affected by the proposed project.

Regarding the appellant's contention that the project is out of scale and character with surrounding development, the appellant states that if constructed, the project will be the largest single family structure (4,215 sq.ft.) on the smallest lot in the surrounding neighborhood and extends farther toward the beach than any of the surrounding structures in the neighborhood which constitutes a violation of the LCP. The above cited LUP policy requires new development to be compatible in size, scope and scale to surrounding structures.

The City found the project is compatible in height and scale with the surrounding neighborhood by finding the proposed structure is a "terraced" building which is designed to follow the contour of the site and a design that is commonly used on coastal bluff properties with slopes. The City further found this design technique is used to preserve the existing grade of the site and that combined with the 27-foot height limitation and the requirement to preserve the existing slope grade, the project is responsive to the site's physical characteristics and constraints. The City found that the proposed grading of 450 cubic yards was not excessive with respect to landform alteration. The Commission concurs that the project is typical of shorefront development in the area in design and scale and like other homes in the area is terraced down the bluff face.

The appellants also contend that the size and length of the proposed house is out of scale with surrounding development. In this regard, a list of house sizes in the project area (i.e., between Cassidy and Morse Streets) has been submitted by the appellant and verified by staff to be representative of the house sizes in the area. It indicates that the project would be among the largest houses in the area. However, by reviewing the list it is apparent that the proposed residence is not significantly larger, higher or bulkier than much of the existing development in the area to the point where it could be considered grossly out of scale with surrounding development. The Commission is faced with this issue on occasion and typically finds that a new project must be significantly larger than existing development to be found not in character with the community. Such a finding can not be made in this case. Further, although the residence is one of the largest residences in the area, it is consistent with building regulations and development regulations of the certified LCP with respect to setbacks, % lot coverage, building height etc. The area consists of older and newer buildings with a wide range of architectural styles and sizes. As stated above, regarding the length of the residence and the contention that it is significantly greater than existing development, the project does not extend further seaward than the line established on the certified "Stringline Setback Map". Therefore, the Commission finds the City's decision raises no substantial issue with the certified Local Coastal Program.

4. Public Access. The proposed project is located within 300 feet on the inland extent of the beach in the City of Oceanside. The certified LCP contains provisions that call for the protection and enhancement of public access."

Major Finding #7 of the LUP provides:

> 7. The shoreline between Wisconsin and Witherby Streets is accessed by five 80 foot wide public "pocket" beaches, spaced at 450 foot intervals.

The subject site is located on the seaward side of Pacific Street. Vertical access to the public beach is provided about 400 feet south of the project site at Bucanner Beach, one

of the above identified pocket beaches. Thus, adequate vertical access to the shoreline is located nearby.

Access policy #2 of the LUP provides:

2. New public beach access shall be dedicated laterally along the sandy beach from Witherby Street south to the City limits in conjunction with restoration of the beach or new private development, whichever comes first.

The project proposes to augment an existing revetment on-site in accordance with a wave uprush study. The City conditioned the project to provide a lateral access dedication from the toe of the revetment to the mean high tide line in accordance with the above policy. Thus, the Commission finds the project consistent with the public access and recreation policies of the Act.

Wed 15b

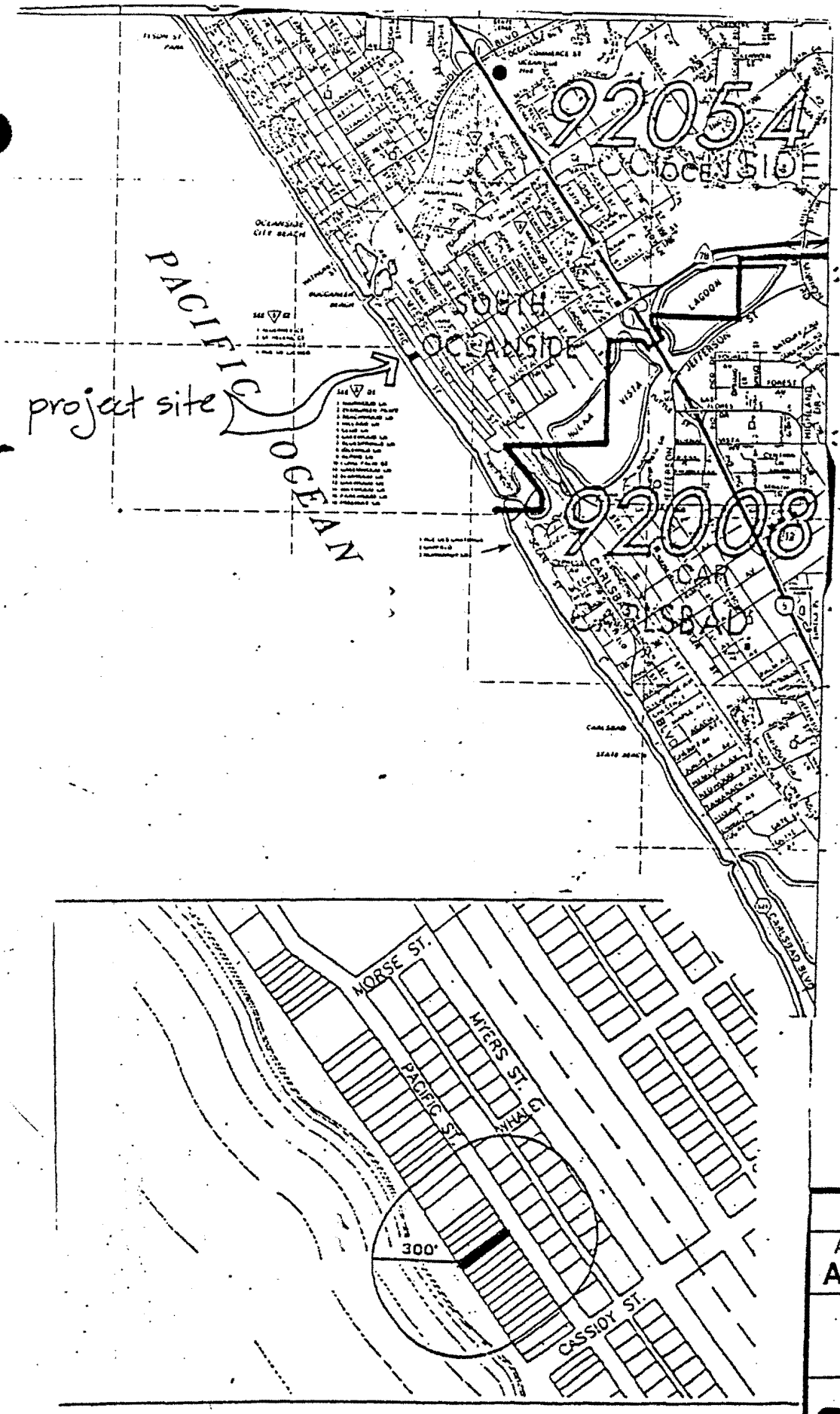


EXHIBIT NO. 1

APPLICATION NO.
A-6-OCN-99-20

Location Map

California Coastal Commission

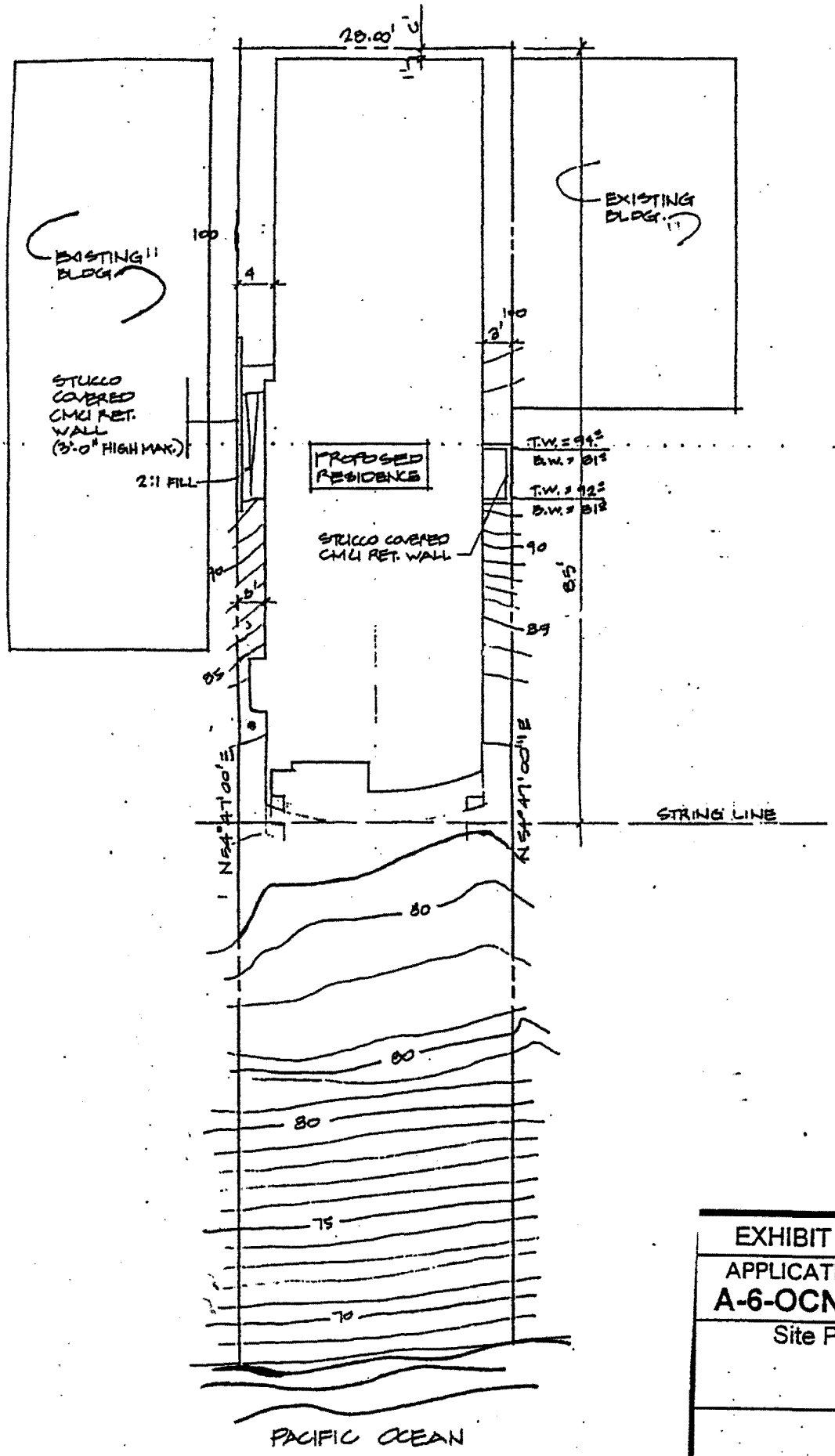


EXHIBIT NO. 2

APPLICATION NO.
A-6-OCN-99-20

Site Plan

JOHN P. JENSEN

WILT RESIDENCE
1719 SOUTH PACIFIC ST.
OCEANSIDE, CA.

8

EXHIBIT NO. 3
APPLICATION NO.
A-6-OCN-99-20
Elevations
California Coastal Commission

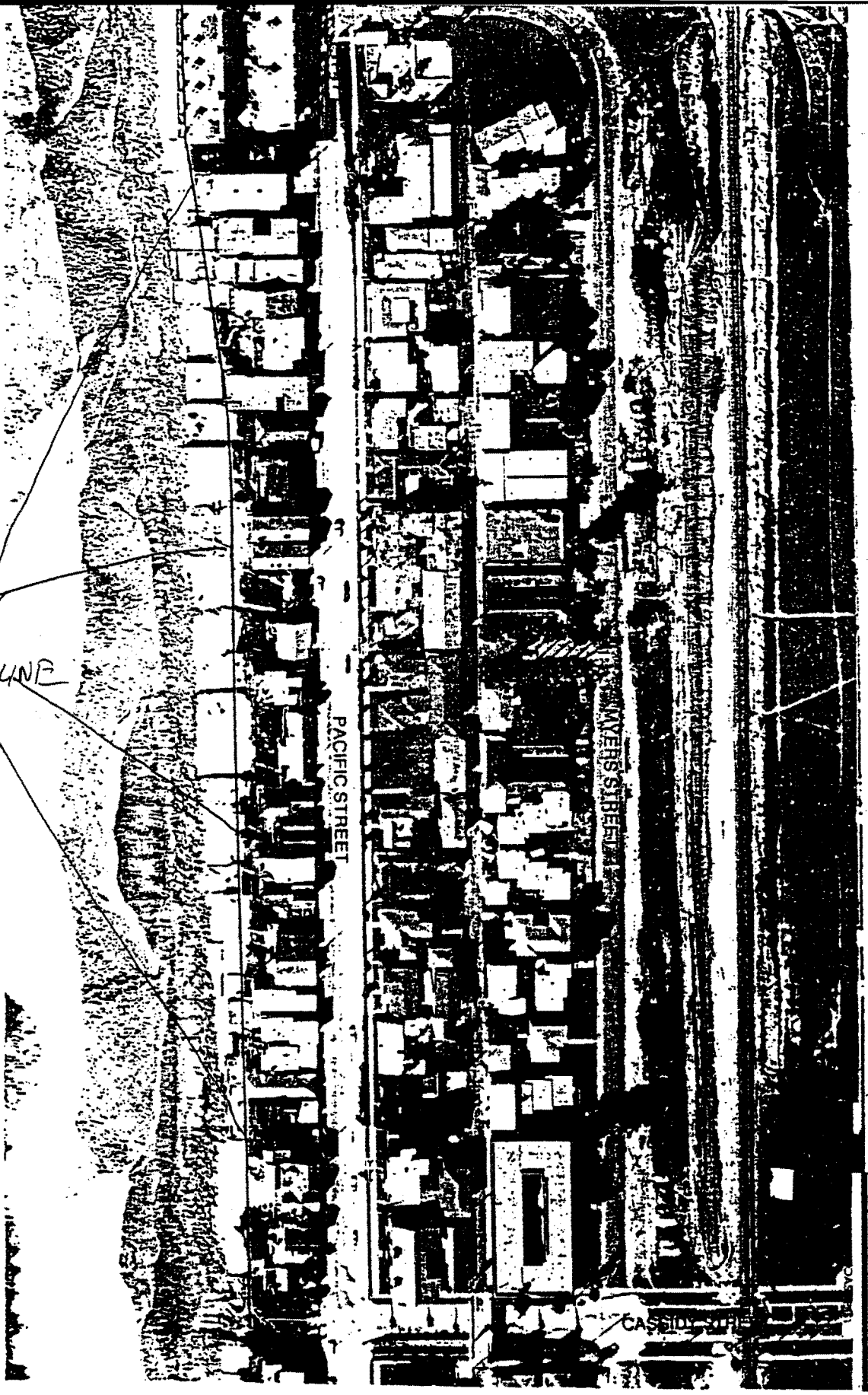


EXHIBIT NO. 4

APPLICATION NO.
A-6-OCN-99-20

Certified Stringline Map

California Coastal Commission

CALIFORNIA COASTAL COMMISSION
SAN DIEGO COAST AREA
3111 CAMINO DEL RIO NORTH, SUITE 200
SAN DIEGO, CA 92108-1725
(619) 521-8036

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant

Name, mailing address and telephone number of appellant:

Jamie Phillips
1721 S. Pacific
Oceanside, Ca 92054 (760) 721-1868
Zip Area Code Phone No.

SECTION II. Decision Being Appealed

1. Name of local/port government: Oceanside City Council

2. Brief description of development being appealed: Wilt Residence

3. Development's location (street address, assessor's parcel no., cross street, etc.): 1719 So. Pacific - cross street Cassidy Oceanside

4. Description of decision being appealed:

a. Approval; no special conditions: X

b. Approval with special conditions: _____

c. Denial: _____

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: A-6-OCN-99-20

DATE FILED: _____

DISTRICT: San Diego

RECEIVED
FEB 04 1999
CALIFORNIA COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

EXHIBIT NO. 5
APPLICATION NO. A-6-OCN-99-20
Appeal Form and Supporting Attachments
Page 1 of 10
California Coastal Commission

5. Decision being appealed was made by (check one):

a. __Planning Director/Zoning Administrator

c. __Planning Commission

b. X City Council/Board of Supervisors

d. __Other_____

6. Date of local government's decision: 1/13/1999

7. Local government's file number (if any): Regular Coastal Permit (RC-2-98)

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:
James and Carolyn Wilt
1133 So. Pacific
Oceanside, CA 92054

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) See attached list

(2)

(3)

(4)

SECTION IV. Reasons Supporting This Appeal

Note: Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section, which continues on the next page.

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.)

See attached

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 knowledge.

Signed Jamie Phillips
Appellant or Agent

Date February 3, 1999

Agent Authorization: I designate the above identified person(s) to act as my agent in all matters pertaining to this appeal.

Signed _____
Appellant

Date _____

0016F

RECEIVED
FEB 04 1999
CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

(1) Name: Noi Phanuchat (Please Print)
Address: 1721 S. Pacific
Sign: Noi Phanuchat

(2) Name: Jamie Phillips (Please Print)
Address: 1721 S. Pacific
Sign: Jamie Phillips

(3) Name: Stephen K. Lightfoot (Please Print)
Address: 1723 So. Pacific
Sign: Stephen K. Lightfoot

(4) Name: Eva L. Dausel (Please Print)
Address: 1717 So. Pacific
Sign: Eva L Dausel

(5) Name: Bonita Trotter (Please Print)
Address: 1725 S. Pacific
Sign: Bonita Trotter

(6) Name: VETHA P. ALLESIO (Please Print)
Address: 1727 So. PACIFIC
Sign: Vetha P Allesio

(7) Name: LEO L. DAUSEL (Please Print)
Address: 1717 So. Pacific St.
Sign: Leo L. Dausel

(8) Name: Bob Witt (Please Print)
Address: 1715 So Pacific
Sign: Carlos Carrion Agent

(9) Name: Penny DOWLING (Please Print)
Address: 1716 S. PACIFIC
Sign: Penny Dowling

(10) Name: Geri Witt (Please Print)
Address: 1715 So Pacific
Sign: Carlos Carrion Agent

(11) Name: KATHLEEN COSGROVE
(Please Print)
Address: 1723 S PACIFIC ST
Sign: Kathleen Cosgrove

(12) Name: _____
(Please Print)
Address: _____
Sign: _____

(13) Name: _____
(Please Print)
Address: _____
Sign: _____

(14) Name: _____
(Please Print)
Address: _____
Sign: _____

(15) Name: _____
(Please Print)
Address: _____
Sign: _____

(16) Name: _____
(Please Print)
Address: _____
Sign: _____

(17) Name: _____
(Please Print)
Address: _____
Sign: _____

(18) Name: _____
(Please Print)
Address: _____
Sign: _____

(19) Name: _____
(Please Print)
Address: _____
Sign: _____

(20) Name: _____
(Please Print)
Address: _____
Sign: _____

BASIS FOR APPEAL

The proposed development of the Wilt Residence is not compatible with existing development. If constructed it will be the largest single family structure (4215 sq. ft.) On the smallest lot in the surrounding neighborhood and extends farther toward the beach than any of the surrounding structures in the neighborhood (see Exhibit 1). This constitutes a violation of the Oceanside Local Coastal Plan - which requires new development to be compatible in size, scope and scale to surrounding structures.

The major issue in this appeal is the description, placement and application of the Stringline Setback to new development. The location of the Oceanside Stringline is not defined in the Oceanside LCP or Zoning Ordinances except by reference to a 1983 aerial photograph of the coast bearing a black line purporting to be the Stringline. This is referred to as the Stringline Setback Map.

The Stringline, as depicted on the Setback Map requires skilled persons to guess at its true location. Based on the scale of the map (1" = 100'), the Stringline itself is between eight and ten feet wide, depending on which side of the line is measured to. In the subject neighborhood, the Stringline's location varies Westward from lot to lot by as much as Eight inches.

As an example of the substantial variation in the Stringline, the proposed development is permitted to extend at least five feet further toward the Public Beach than the house six lots south which is presently the most westward structure.

The variations and uncertainty of the Oceanside Stringline will permit the proposed structure and future structures to encroach into both public and private views from the beach, adjacent properties and from Pacific Street.

Ultimately, it will result in a substantial diminution of the coastal bluff as private property owners seek to keep up with developments like the proposed Wilt residence.

The Oceanside LCP has not been formally amended since its adoption in 1980. The Stringline is not mentioned in the plan. There has been substantial erosion of the beaches over the past eighteen years. The Mayor of Oceanside announced that the Oceanside "Stringline is Certified by the Coastal Commission." If that is a fact, the appellants respectfully request that the Commission define and fix by description a Stringline for the city of Oceanside that meets the intent and purposes of the California Coastal Act.

SQUARE FOOTAGE

Upper Level Living Area	1612 s.f.
Master Bedroom Level Living Area	1052 s.f.
Lower Level Living Area	1055 s.f
Total Living Area (as stated on plan)	**3719 s.f.**
Plus Entry Level Living Area left out on plan (garages need not be included in stated square footage, but halls and entry hall need to be included)	496 s.f.
Corrected Total Living Area	**4215 s.f.**
Plus Garage	399 s.f.
Total Interior Square Footage	**4614 s.f.**
Plus Balcony and Covered Porch	632 s.f.
Total Square Footage	**5246 s.f**

AVERAGE LENGTH OF HOMES IN THE SURROUNDING NEIGHBORHOOD
NEIGHBORHOOD AS DEFINED BY OCEANSIDE TO BE 300'

PROPOSED: 1719 SOUTH PACIFIC, OCEANSIDE CA 92054

NUMBER	STREET	PROJECTION TOWARDS THE OCEAN FEET INCL. DECK/ IF ANY	
1701	SOUTH PACIFIC	71	
1705	SOUTH PACIFIC	35	
1711	SOUTH PACIFIC	58	
1713	SOUTH PACIFIC	56	
1715	SOUTH PACIFIC	66	
1717	SOUTH PACIFIC	71	
1719	SOUTH PACIFIC	85	PROPOSED
1721	SOUTH PACIFIC	43	
1723	SOUTH PACIFIC	73	
1725	SOUTH PACIFIC	64	
1727	SOUTH PACIFIC	58	
1729	SOUTH PACIFIC	67	
1731	SOUTH PACIFIC	78	
1733	SOUTH PACIFIC	74	
1735	SOUTH PACIFIC	74	
1737	SOUTH PACIFIC	74	
1739	SOUTH PACIFIC	73	
AVERAGE		61	FEET TOWARDS THE OCEAN

LIVING AREA (SQUARE FOOTAGE) COMPARISON
NEIGHBORHOOD AS DEFINED BY OCEANSIDE TO BE 300'

PROPOSED: 1719 SOUTH PACIFIC, OCEANSIDE CA 92054

STANDARD LOT SIZE IS 30 FEET WIDE

NUMBER	STREET	SQ FT	LOT	EQUIVALENT SF/LOT	
1701	SOUTH PACIFIC	4465	1.50	2977	
1705	SOUTH PACIFIC	876	3.00	292	
1711	SOUTH PACIFIC	1635	1.00	1635	
1713	SOUTH PACIFIC	1140	1.00	1140	
1715	SOUTH PACIFIC	2658	1.00	2658	
1717	SOUTH PACIFIC	2452	1.00	2452	
1719	SOUTH PACIFIC	4215	0.95	4437	PROPOSED
1721	SOUTH PACIFIC	997	0.95	1049	
1723	SOUTH PACIFIC	2024	1.00	2024	
1725	SOUTH PACIFIC	1752	1.00	1752	
1727	SOUTH PACIFIC	1872	1.00	1872	
1729	SOUTH PACIFIC	828	1.00	828	
*1731	SOUTH PACIFIC	2452	1.00	2452	(PROPOSED REMODEL TO 3501 SF
1733	SOUTH PACIFIC	2405	1.00	2405	
1735	SOUTH PACIFIC	2729	1.00	2729	
1737	SOUTH PACIFIC	2813	1.00	2813	
1739	SOUTH PACIFIC	1828	1.50	1219	
AVERAGE		1937	1.11	1782	

SOURCE: EXPERIAN DATA
* SOUTH STRINGLINE ANCHOR HOUSE

LIVING AREA (SQUARE FOOTAGE) COMPARISON
BUCCANEER BEACH (MORSE ST.)TO CASSIDY ST. S. PACIFIC ST. OCEANSIDE

PROPOSED: 1719 SOUTH PACIFIC, OCEANSIDE CA 92054

STANDARD LOT SIZE IS 30 FEET WIDE

NUMBER	STREET	SQ FT	LOT	EQUIVALENT SF/LOT	
1611	SOUTH PACIFIC	2196	1.50	1464	
1613-15	SOUTH PACIFIC	4047	1.50	2698	
1617	SOUTH PACIFIC	2832	1.00	2832	
1619	SOUTH PACIFIC	2928	1.00	2928	
1621	SOUTH PACIFIC	1714	2.00	857	
1629	SOUTH PACIFIC	1882	1.50	1255	
1631	SOUTH PACIFIC	1882	2.00	941	
1633	SOUTH PACIFIC	3553	1.00	3553	
1635	SOUTH PACIFIC	3991	1.00	3991	
1637	SOUTH PACIFIC	3565	1.00	3565	
1639	SOUTH PACIFIC	3981	1.00	3981	
1643	SOUTH PACIFIC	4465	1.50	2977	
1701	SOUTH PACIFIC	4465	1.50	2977	
1705	SOUTH PACIFIC	876	3.00	292	
1711	SOUTH PACIFIC	1635	1.00	1635	
1713	SOUTH PACIFIC	1140	1.00	1140	
1715	SOUTH PACIFIC	2658	1.00	2658	
1717	SOUTH PACIFIC	2452	1.00	2452	
1719	SOUTH PACIFIC	4215	0.95	4437	PROPOSED
1721	SOUTH PACIFIC	997	0.95	1049	
1723	SOUTH PACIFIC	2024	1.00	2024	
1725	SOUTH PACIFIC	1752	1.00	1752	
1727	SOUTH PACIFIC	1872	1.00	1872	
1729	SOUTH PACIFIC	828	1.00	828	
*1731	SOUTH PACIFIC	2452	1.00	2452	(PROPOSED REMODEL TO 3501 SF)
1733	SOUTH PACIFIC	2405	1.00	2405	
1735	SOUTH PACIFIC	2729	1.00	2729	
1737	SOUTH PACIFIC	2813	1.00	2813	
1739	SOUTH PACIFIC	1828	1.50	1219	
1745	SOUTH PACIFIC	2203	1.50	1469	
1747	SOUTH PACIFIC	806	1.00	806	
AVERAGE		2354	1.21	2052	

SOURCE: EXPERIAN DATA
* SOUTH STRINGLINE ANCHOR HOUSE

WED 15b

TO: CALIFORNIA COASTAL COMMISSIONERS
FROM: JAMIE PHILLIPS & TWENTY-SIX OCEANSIDE RESIDENTS
RE: PERMIT NUMBER A-6OCN-99-120
APPLICANT (S) JAMES WILT
APPELLANT (S) JAMIE PHILLIPS

RECORD PACKET COPY

ONLY THE CALIFORNIA COASTAL COMMISSION HAS THE AUTHORITY TO DEFINITIVELY RULE ON THESE POLICIES. WE STRONGLY FEEL THAT THE PROPOSED DEVELOPMENT DOES NOT SIGNIFICANTLY CONFORM IN HEIGHT, SCALE OR FORM WITH OUR SURROUNDING NEIGHBORHOOD. THE FACT THAT IT EXTENDS 40' FARTHER TOWARDS THE OCEAN THAN THE HOUSE TO THE SOUTH OF IT AND 20' FARTHER THAN THE HOUSE TO THE NORTH PUTS IT OUTSIDE OF ANY REASONABLE SCALE. IT IS MORE THAN TWICE THE AVERAGE SIZE OF THE HOUSES IN THE NEIGHBORHOOD (4215 VS 2052 SF). IS THIS DEVELOPMENT COMPATIBLE WITH THE SURROUNDING NEIGHBORHOOD AS REQUIRED BY THE COASTAL COMMISSION AND OCEANSIDE?

THE SAN DIEGO COAST AREA COASTAL COMMISSION IN ITS STAFF REPORT TO YOU RECOMMENDS THAT NO SUBSTATIAL ISSUE EXISTS WITH RESPECT TO THE GROUNDS ON WHICH THE APPEAL HAS BEEN FILED. THE CITY OF OCEANSIDE HAS A STRINGLINE ESTABLISHED WHICH IS APPLIED INCONSISENTLY. THEIR STRINGLINE'S AERIAL PHOTO WAS MADE IN 1983. THE BEACH THAT EXISTED IN 1983 NO LONGER BEARS ANY RESEMBLENCE TO CONDITIONS IN 1999. THE LCP HAS NEVER BEEN UPDATED TO REFLECT CURRENT REALITY. THE RESULT IS NOW COMING TO HAUNT US – WHILE THE OCEAN RACES FARTHER ONTO THE LAND, THE DEVELOPMENT OF THE LAND RACES FARTHER INTO THE OCEAN. IF THIS PROJECT IS ALLOWED TO PROCEED, IT WILL SET THE PRECEDENT FOR OTHERS TO GO EQUALLY FAR OUT INTO THE OCEAN IN ORDER TO REGAIN (AS THE CASE FOR ESTABLISHED HOMES) OR TO ESTABLISH A VIEW (ANY OTHER NEW DEVELOPMENT.)

WE ALSO HAVE A PROBLEM WITH THE WAY THE OCEANSIDE PLANNING COMMISSION HANDLED THE SIGNIFICANT DISCREPANCY BETWEEN THE PROPOSED DEVELOPMENT'S BLUEPRINTS PORTRAYAL OF THE EXISTING SLOPE OF THE LOT. THE BLUEPRINTS DO NOT CORRESPOND TO THE HERRINGTON ENGINEERING REPORT UPON WHICH THEY STATED THAT THEY BASED THEIR CALCULATIONS.

	SLOPE
HERRINGTON ENGINEERING REPORT	2.3 TO 1
WILTS' BLUEPRINTS	3.6 TO 1

THIS NEGATIVELY IMPACTS THEIR ABILITY TO MEET THE HEIGHT REQUIRMENT OF 27' TO EXISITING GRADE AS WELL AS FITTING THEIR THIRD STORY INTO THE DEFINITION OF A BASEMENT (>50% UNDERGROUND.) WE BELIEVE THE PLANNING COMMISSION SHOULD NOT HAVE GRANTED APPROVAL OF THESE PLANS UNTIL THE BLUEPRINTS WERE RE-DRAWN TO MATCH THE ACTUAL SLOPE AND THEIR HERRINGTON ENGINERRING REPORT

THE NEIGHBORS OF THIS PROPOSED DEVELOMENT INVITED THE WILTS TO AN EVENING DISCUSSION TO TRY TO RESOLVE ISSUES ON BOTH SIDES, TO REACH A COMPROMISE, TO AVOID GOING THROUGH THE APPEAL PROCESS. OBVIOUSLY WE WERE UNABLE TO RECONCILE OUR DIFFERENCES. WHEN ASKED WHY THEY NEEDED TO GO OUT SO FAR, MRS. WILT RESPONDED, "SO THAT NO ONE CAN BLOCK MY VIEW."

(1) Name: Noi Phanuchanan (Please Print)
Address: 1721 S. Pacific
Sign: Noi Phanuchanan

(2) Name: Jamie Phillips (Please Print)
Address: 1721 S. Pacific
Sign: Jamie Phillips

(3) Name: Stephen K. Lightfoot (Please Print)
Address: 1723 So. Pacific
Sign: Stephen K. Lightfoot

(4) Name: Eva L. Dausel (Please Print)
Address: 1717 So. Pacific
Sign: Eva L. Dausel

(5) Name: Bonita Trotter (Please Print)
Address: 1725 S. Pacific
Sign: Bonita Trotter

(6) Name: VETHA B ALLESIO (Please Print)
Address: 1727 So. PACIFIC
Sign: Vetha B Allesio

(7) Name: LEO L. DAUSEL (Please Print)
Address: 1717 So. Pacific #1
Sign: Leo L. Dausel

(8) Name: Bob Witt (Please Print)
Address: 1715 So Pacific
Sign: Carlon Carrion Agent

(9) Name: Reggy DOWLING (Please Print)
Address: 1715 PACIFIC
Sign: Reggy Dowling

(10) Name: Geri Witt (Please Print)
Address: 1715 So Pacific
Sign: Carlon Carrion Agent

(11) Name: Kathleen Cisneros (Please Print)
Address: 1723 S Pacific St
Sign: Kathleen Cisneros

(12) Name: James Rumsey (Please Print)
Address: 1718 BS Pacific St
Sign: James Rumsey

(13) Name: Doug Martin (Please Print)
Address: 1722 S Pacific St
Sign: Doug Martin

(14) Name: Frances J. Sweek (Please Print)
Address: 1722 S. Pacific
Sign: Frances J. Sweek

(15) Name: Don Snyder (Please Print)
Address: 1712 S. Pacific
Sign: Don Snyder

(16) Name: Leigh Anne Severson (Please Print)
Address: 1722 S. Pacific #C
Sign: Leigh Anne Severson

(17) Name: Jim Jones (Please Print)
Address: 1722 S. Pacific #B
Sign: Jim Jones

(18) Name: Steve Bailey (Please Print)
Address: 1718 S Pacific
Sign: Steve Bailey

(19) Name: Alan Melchor (Please Print)
Address: 1722 S. Pacific #D
Sign: Alan C. Melchor

(20) Name: John M. Dowling (Please Print)
Address: 1715 S Pacific St.
Sign: John M Dowling

(1) Name: Colette Evans
(Please Print)
Address: 1729 So. Pacific
Sign: [signature]

(2) Name: Allen Evans
(Please Print)
Address: 1729 S. Pacific
Sign: [signature]

(3) Name: Jennifer Hemmons
(Please Print)
Address: 712 Pacific St #C
Sign: [signature]

(4) Name: Ralph L. Miller
(Please Print)
Address: 1730 S. Pacific
Sign: Ralph L. Miller

(5) Name: Norma Miller
(Please Print)
Address: 1730 S. Pacific
Sign: Norma Miller

(6) Name: _____
(Please Print)
Address: _____
Sign: _____

(7) Name: _____
(Please Print)
Address: _____
Sign: _____

(8) Name: _____
(Please Print)
Address: _____
Sign: _____

(9) Name: _____
(Please Print)
Address: _____
Sign: _____

(10) Name: _____
(Please Print)
Address: _____
Sign: _____

(21) Name: Joseph M. Trotter, Sr (Please Print)
Address: 1725 S. Pacific O'side
Sign: Joseph M. Trotter Sr.

(22) Name: SEE LETTER ATTACHED (Please Print)
Address: (SMITH)
Sign: _____

(23) Name: _____ (Please Print)
Address: _____
Sign: _____

(24) Name: _____ (Please Print)
Address: _____
Sign: _____

(25) Name: _____ (Please Print)
Address: _____
Sign: _____

(26) Name: _____ (Please Print)
Address: _____
Sign: _____

(27) Name: _____ (Please Print)
Address: _____
Sign: _____

(28) Name: _____ (Please Print)
Address: _____
Sign: _____

(29) Name: _____ (Please Print)
Address: _____
Sign: _____

(30) Name: _____ (Please Print)
Address: _____
Sign: _____

March 4, 1999

Calif. Coastal Commission
San Diego Coast Area
3111 Caxino Del Rio North, Suite 200
San Diego, Calif. 92108-1725

Dear Mr. Ponder;

Although we are unable to attend the Calif. Coastal Commission meeting to be held in Monterey on March 10th, we wish to state that we are in total agreement with our surrounding neighbors in their objections being presented regarding the proposed structure to be built at 1719 So. Pacific.

We are of the understanding that should this agenda item be postponed to a later date, the next meeting would be held in Long Beach. If this happens, we will be at that meeting.

Sincerely,
Eva L. Dansel
Leo L Dansel

1717 So. Pacific
Oceanside, Calif. 92054
(760) 433-6573

Points NOT PRESENTED on Staff Report

A.Incompatible in size and scale

- pushes to Max on every issue
- largest house on smallest lot
- proposed structure is in RS-Single Family Residential District. Homes closest in size to proposed structure in the 1600 block,RT-Residential Tourist District. More bulk is acceptable in RS district, but not in a Single Family Residential district.

B.Danger to neighboring properties

- Proposed property extends to 85 feet in length **See Exhibit #2 on Staff Report**
- Wave action run -off will damage adjacent properties

C.Impact on Public

- will extend sea wall into public beach easement
- hinders public lateral access at all times except during low tide
- erodes beach
- This is precedent setting, if approved, others will have to join the race to the ocean in order to reacquire their view, resulting in a wall of houses right up to the Public Beach Access.
- will impair lateral Public Views at Cassidy Street Beach Access (when other property owners will join the race to the sea)

D.Concerns With Plan

- Blueprint not clear
- Square footage understated
- possible violations as to height limits - at about the 35-40 feet mark there seem to be 3 levels plus a basement **See Exhibit #3 on Staff Report**
- Grading irregularities

E.Planning Commissioners -City of Oceanside

- voted 5:1 in favor of project, but comments made by the commissioners reflect "disapproval " of project.

F. Public Input

- Numerous neighbors signed Request For Appeal
- Numerous neighbor were present and/or spoke in support of denying the project at both the Planning Commission and the City Council hearing.
- Not a single person (except their attorney) appeared to support the Wilt's at either hearing.

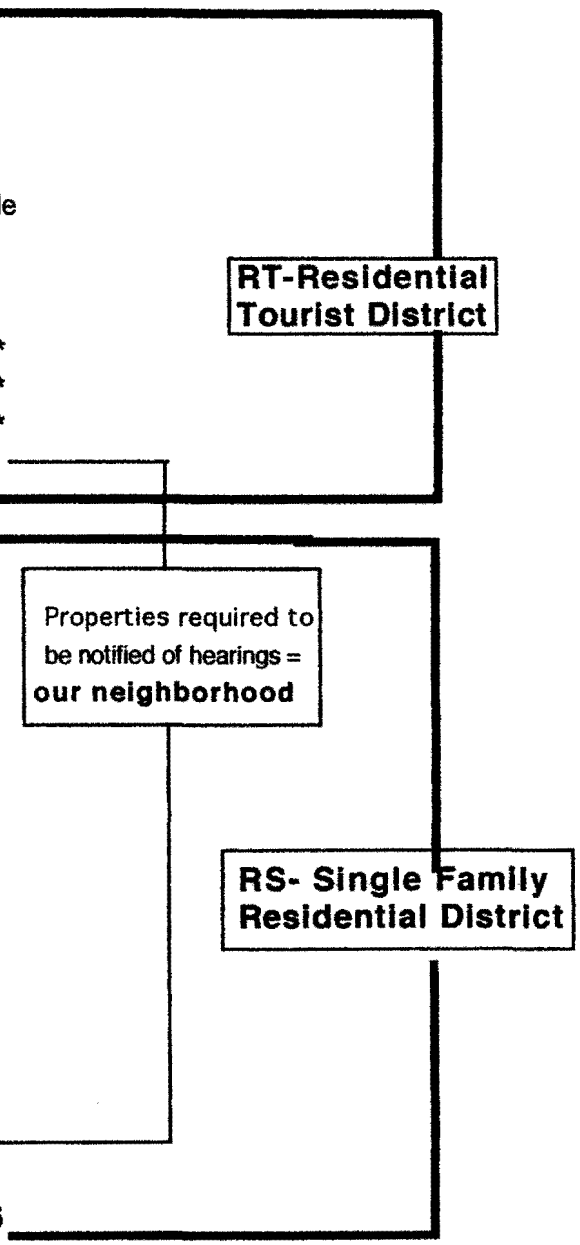
ATTACHED CHARTS,TABLES AND PHOTOGRAPHS CORRESPOND TO LETTERS - A,B,..- USED ON THIS PAGE.

A

Data Showing Floor Ratio

This information clearly shows that 1719 will be the LARGEST HOUSE ON THE SMALLEST LOT. Thus demonstrating that the proposed house is out of scale with the surrounding structures.

APN	Street Address	Floor Ratio
153-091- **05**-00	1611 South Pacific	.3
153-091- **06**-00	16113-15 S. Pacific	.5
153-091-**07**-00	1617 South Pacific	.6
153-091- **08**-00	1619 South Pacific	.6
153-091- **09**-00	1621 South Pacific	.2
153-091- **10**-00	1625 South Pacifiic	no info available
153-091- **11**-00	1629 South Pacific	.4
153-091- **12**-00	1631 South Pacific	.2
153-091- **13**-00	1633 South Pacific	.7
153-091- **14**-00	1635 South Pacific	.8 *
153-091- **42**-00	1637 South Pacific	.7 *
153-091- **43**-00	1639 South Pacific	.8 *
153-091- **17**-00	1643 South Pacific	.6
153-091-**41**-00	1701 South Pacific	.6
153-091- **20**-00	1705 South Pacific	.06
153-091- **21**-00	1711 South Pacific	.3
153-091- **22**-00	1713 South Pacific	.2
153-091- **23**-00	1715 South Pacific	.5
153-091- **24**-00	1717 South Pacific	.5
153-091- 44-00	1719 South Pacific	.9
153-091- **45**-00	1721 South Pacific	.2
153-091- **27**-00	1723 South Pacific	.4
153-091- **28**-00	1725 South Pacific	.3
153-091- **29**-00	1727 South Pacific	.4
153-091- **30**-00	1729 South Pacific	.2
153-091- **31**-00	1731 South Pacific	.5
153-091- **32**-00	1733 South Pacific	.5
153-091- **33**-00	1735 South Pacific	.5
153-091- **34**-00	1737 South Pacific	.5
153-091- **35**-00	1739 South Pacific	.2
153-091- **36**-00	1745 South Pacific	.3
153-091- **37**-00	1747 South Pacific	.16



Source: Experian Data (1996-98) and San Diego County Assessor's Map

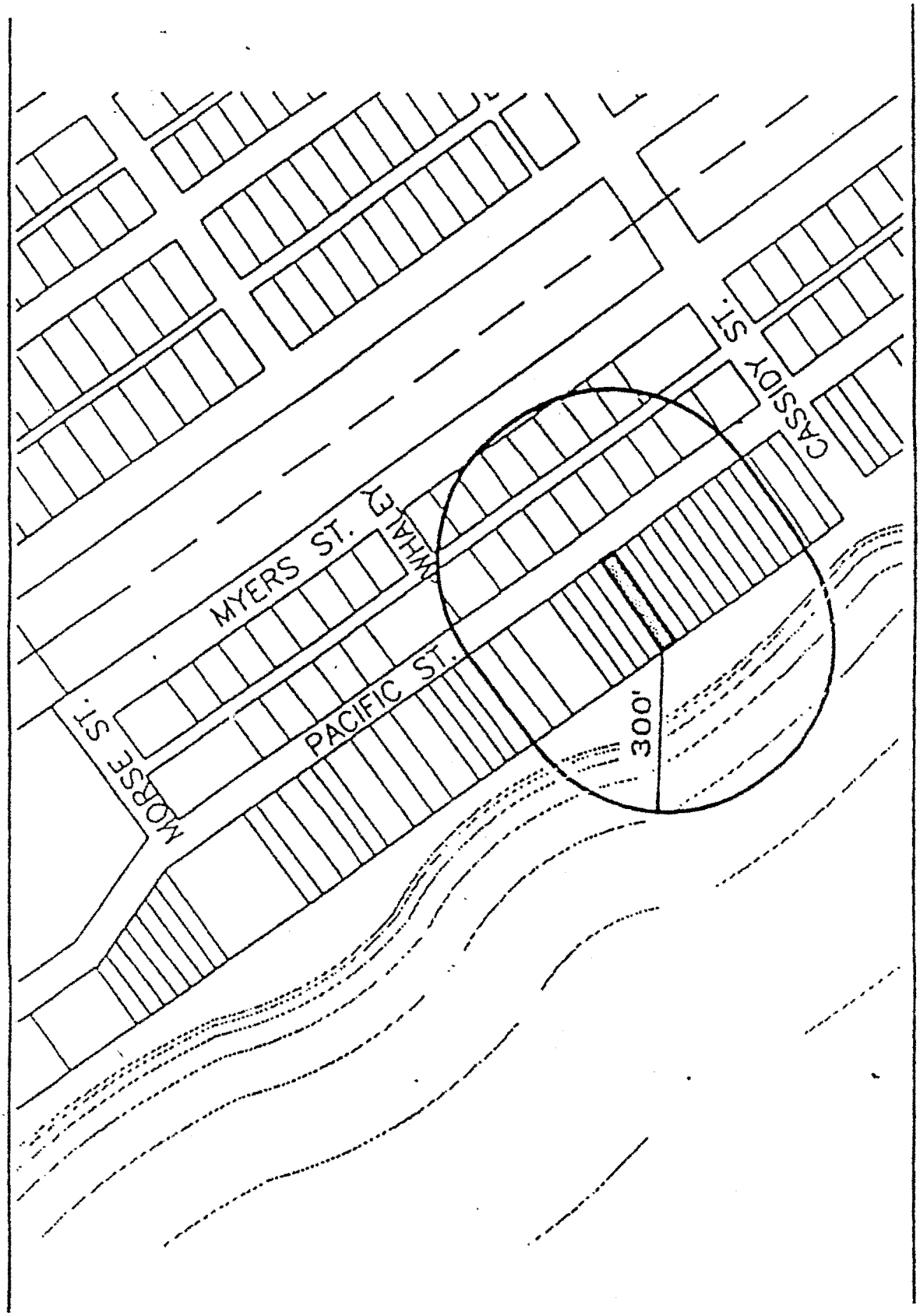
*The builder of 1637-39 received concessions from the city because he gave up land for BEACH ACCESS. The adjacent property owner to the north then enlarged his home towards the west so that he would have the best view. This is an example of what seems to happen- **the race to the sea.**

A

Data used for calculations of **Floor Ratio.** The 160 ft length is taken from the San Diego Assessor's Map and some building plans filed with the Planning Dep.-Oceanside.

APN	Street Address	SQ FT	Lot Size	Floor Ratio
153-091- **05**-00	1611 South Pacific	2196	45 x 160=7200 sq ft	.3
153-091- **06**-00	16113-15 S. Pacific	4047	45 x 160=7200 sq ft	.5
153-091-**07**-00	1617 South Pacific	2832	30 x 160=4800 sq ft	.6
153-091- **08**-00	1619 South Pacific	2928	30 x 160=4800 sq ft	.6
153-091- **09**-00	1621 South Pacific	1714	60 x 160=9600 sq ft	.2
153-091- **10**-00	1625 South Pacific		45 x 160=7200 sq ft	no info available
153-091- **11**-00	1629 South Pacific	1882	45 x 160=72 00 sq ft	.4
153-091- **12**-00	1631 South Pacific	1882	60 x 160=9600 sq ft	.2
153-091- **13**-00	1633 South Pacific	3553	30 x 160=4800 sq ft	.7
153-091- **14**-00	1635 South Pacific	3991	30 x 160=4800 sq ft	.8
153-091- **42**-00	1637 South Pacific	3565	30 x 160=4800 sq ft	.7
153-091- **43**-00	1639 South Pacific	3981	29.92 x 160=4787sq ft	.8
153-091- **17**-00	1643 South Pacific	4465	45 x 160=7200 sq ft	.6
153-091-**41**-00	1701 South Pacific	4465	45 x 160=7200 sq ft	.6
153-091- **20**-00	1705 South Pacific	876	90 x 160=14400 sq f	.06
153-091- **21**-00	1711 South Pacific	1635	30 x 160=4800 sq ft	.3
153-091- **22**-00	1713 South Pacific	1140	30 x 160=4800 sq ft	.2
153-091- **23**-00	1715 South Pacific	2658	30 x 160=4800 sq ft	.5
153-091- **24**-00	1717 South Pacific	2452	30 x 160=4800 sq ft	.5
53-091- 44-00	1719 South Pacific	4215	28.5 x 160=4560 sq ft	.9
153-091- **45**-00	1721 South Pacific	997	28.5 x 160=4560 sq ft	.2
153-091- **27**-00	1723 South Pacific	2024	30 x 160=4800 sq f	.4
153-091- **28**-00	1725 South Pacific	1752	30 x 160=4800 sq ft	.3
153-091- **29**-00	1727 South Pacific	1872	30 x 160=4800 sq ft	.4
153-091- **30**-00	1729 South Pacific	828	30 x 160=4800 sq ft	.2
153-091- **31**-00	1731 South Pacific	2452	30 x 160=4800 sq ft	.5
153-091- **32**-00	1733 South Pacific	2405	30 x 160=4800 sq ft	.5
153-091- **33**-00	1735 South Pacific	2729	30 x 160=4800 sq ft	.5
153-091- **34**-00	1737 South Pacific	2813	30 x 160=4800 sq ft	.5
153-091- **35**-00	1739 South Pacific	1828	45 x 160=7200 sq ft	.2
153-091- **36**-00	1745 South Pacific	2203	45 x 160=7200 sq ft	.3
153-091- **37**-00	1747 South Pacific	806	30 x 160=4800 sq ft	.16

Source: Experian Data(1996-98) and San Diego County Assessor's Map



This map is provided by the Planning Department-City of Oceanside shows the properties which are required to receive notification of hearings in reference to the 1719 S. Pacific St. property. This defines "surrounding" neighborhood - 1643-1739 South Pacific Street. In this defined neighborhood the proposed structure at 1719 is grossly out of character with the neighborhood.

NORTH FACING VIEW

A

SOUTH FACING VIEW

A

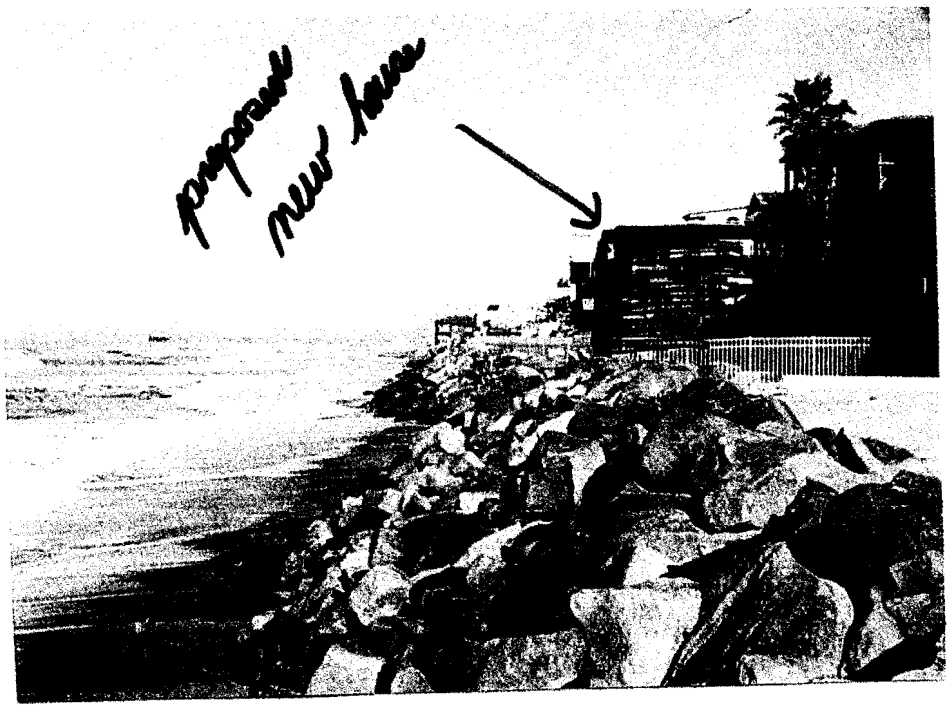
A

Site of proposed house

The proposed house will be 7 feet furtherout towards the beach and 1402 sq. ft. larger than the largest house in view.

A.

The result.....



Low Tide

November 15, 1998

Audrey Smith
3184 Buckingham Road
Glendale, CA 91206

Eugene Ybarra
OCEANSIDE PLANNING COMMISSION

Dear Mr. Ybarra:

I am the owner of the home located at 1711 South Pacific Street in Oceanside. I am writing to say that I am in total agreement with the other residents of Pacific Street who have filed against the proposed plans for the single family home on what is being called 1719 South Pacific Street.

I was shocked to hear that the approved plans for 1719 South Pacific will allow the structure to extend so far toward the sea that there will be little sand to allow the waves to be absorbed and drain. As an owner through many winter storms since 1975, I know how critical it is for the property and for the neighbors on either side to have a sand buffer between every home and the sea.

I hope that you are looking into this dangerous situation and proposing a change in the rules that have allowed this to be approved.

Please advise me if there is anything more that I can do to enlighten the planning commission as to the danger of allowing this precedent to be set and this home to be built as planned.

Your truly,

Audrey Smith

Audrey Smith
(818) 242-8038

cc: Steve Lightfoot

EXHIBIT A

B

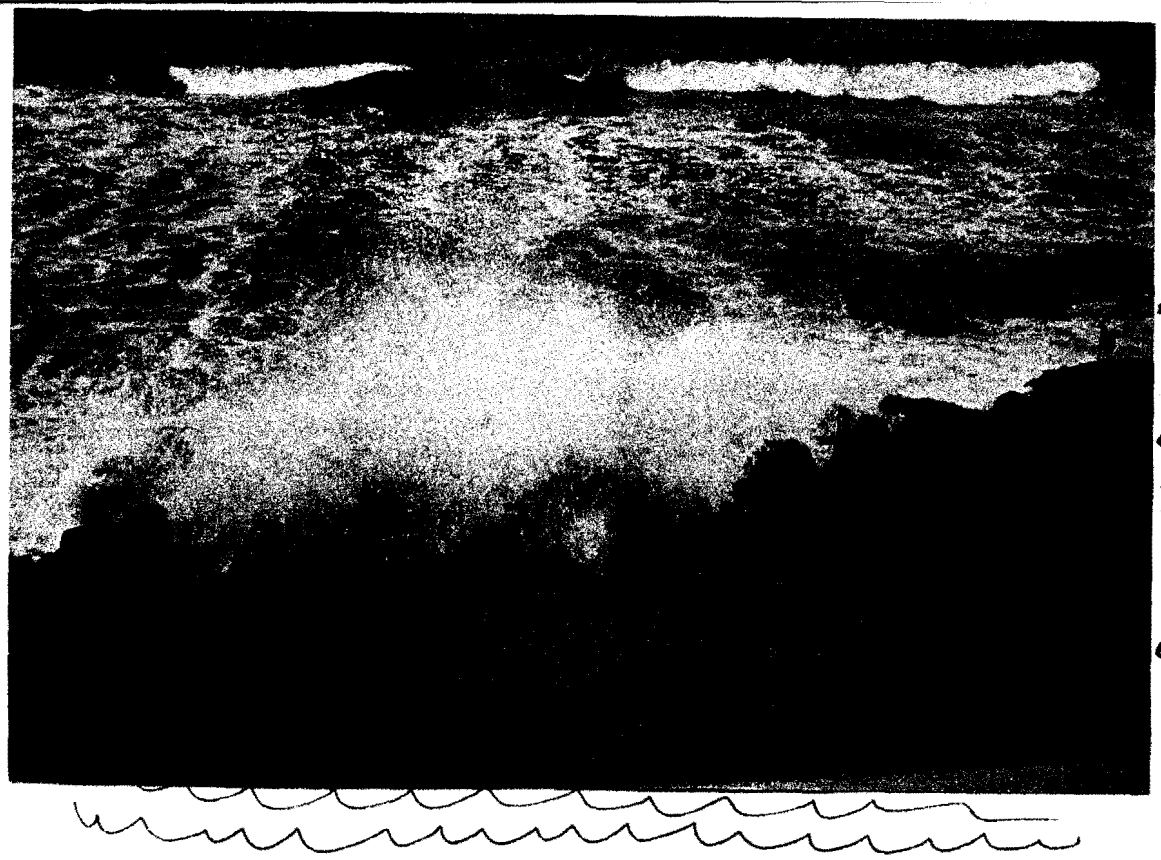
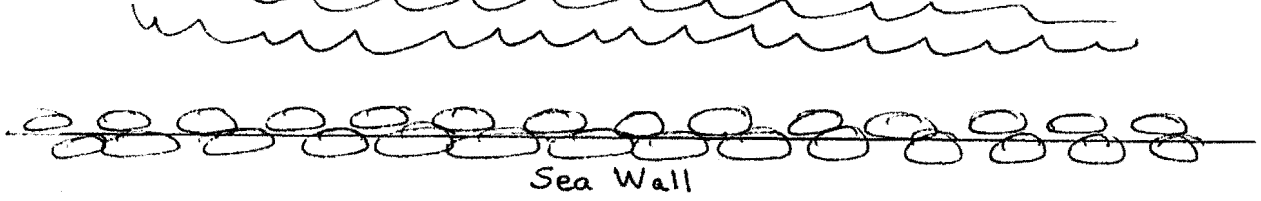


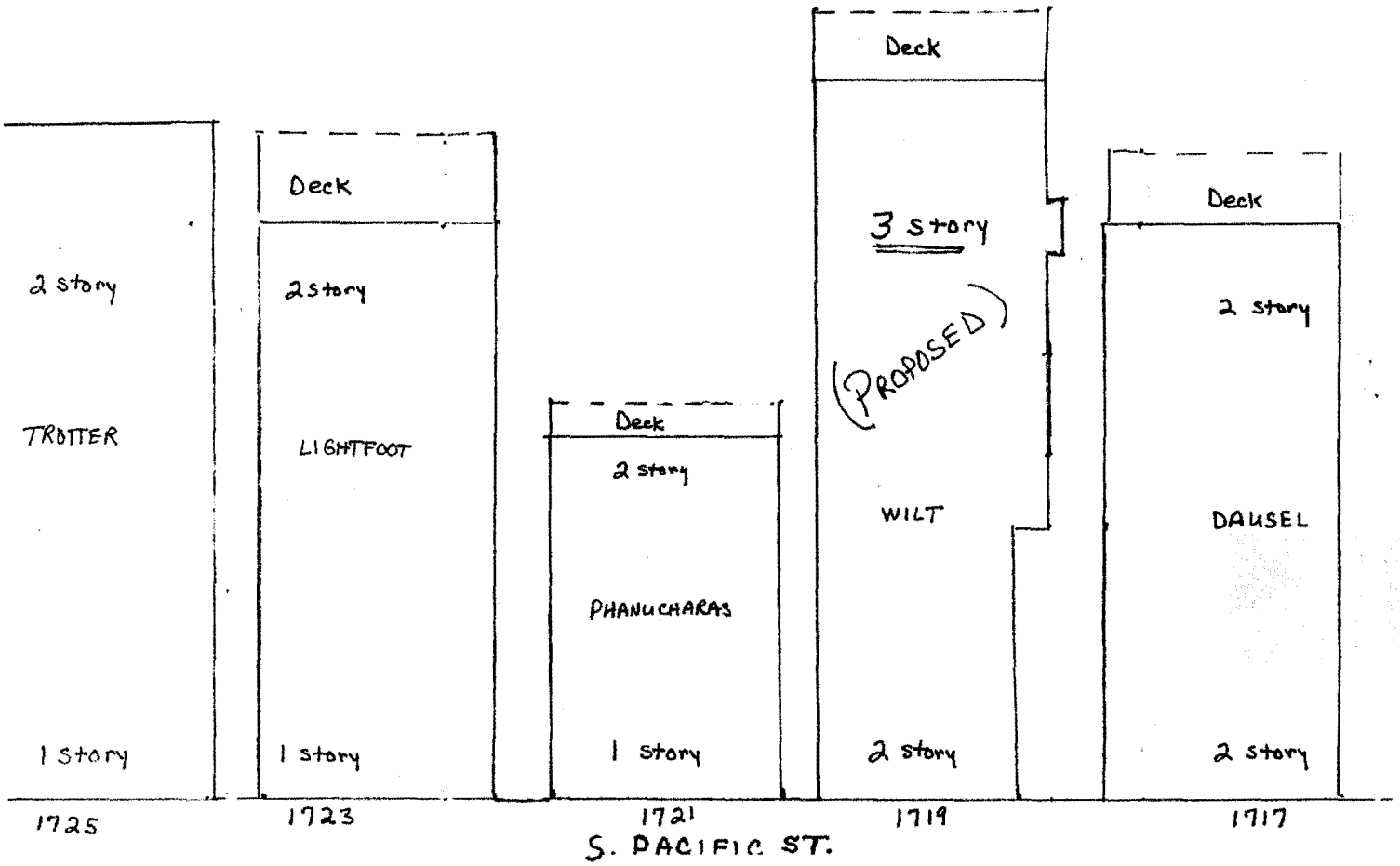
Photo taken March 1998

← Beach at Low Tide

← Seawall

← Proposed Westward Extent of Structure





C.

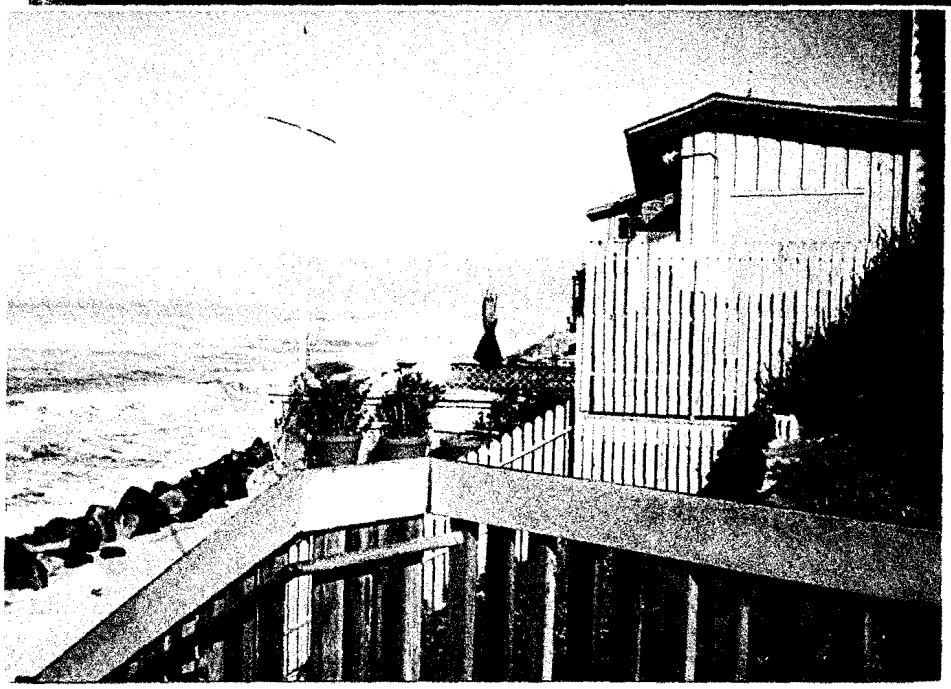
Cassidy Street
Beach Access

↗ to street

— Benches

↙

to beach



Bench.

D.

SQUARE FOOTAGE

Upper Level Living Area	1612 s.f.
Master Bedroom Level Living Area	1052 s.f.
Lower Level Living Area	1055 s.f
Total Living Area (as stated on plan)	**3719 s.f.**
Plus Entry Level Living Area left out on plan (garages need not be included in stated square footage, but halls and entry hall need to be included)	496 s.f.
Corrected Total Living Area	**4215 s.f.**
Plus Garage	399 s.f.
Total Interior Square Footage	**4614 s.f.**
Plus Balcony and Covered Porch	632 s.f.
Total Square Footage	**5246 s.f**

D

GEOTECHNICAL INVESTIGATION
Proposed Multi-Story Duplex
1719 and 1721 South Pacific Street
Oceanside, California

SITE DESCRIPTION

The subject property, located at 1719 and 1721 South Pacific Street, Oceanside, California, presently consists of an undeveloped lot and an existing residence (see Location Map, Figure 1). The undeveloped lot located at 1719 South Pacific Street composes the northern "half" of the property and consists of relatively level ground that extends approximately 30 feet to the west from South Pacific Street to an approximate 16 feet high west descending slope. The slope descends at an inclination of about 2.3:1 (horizontal to vertical) down to a perched beach that backs a rip rap revetment located at the seaward margin of the property.

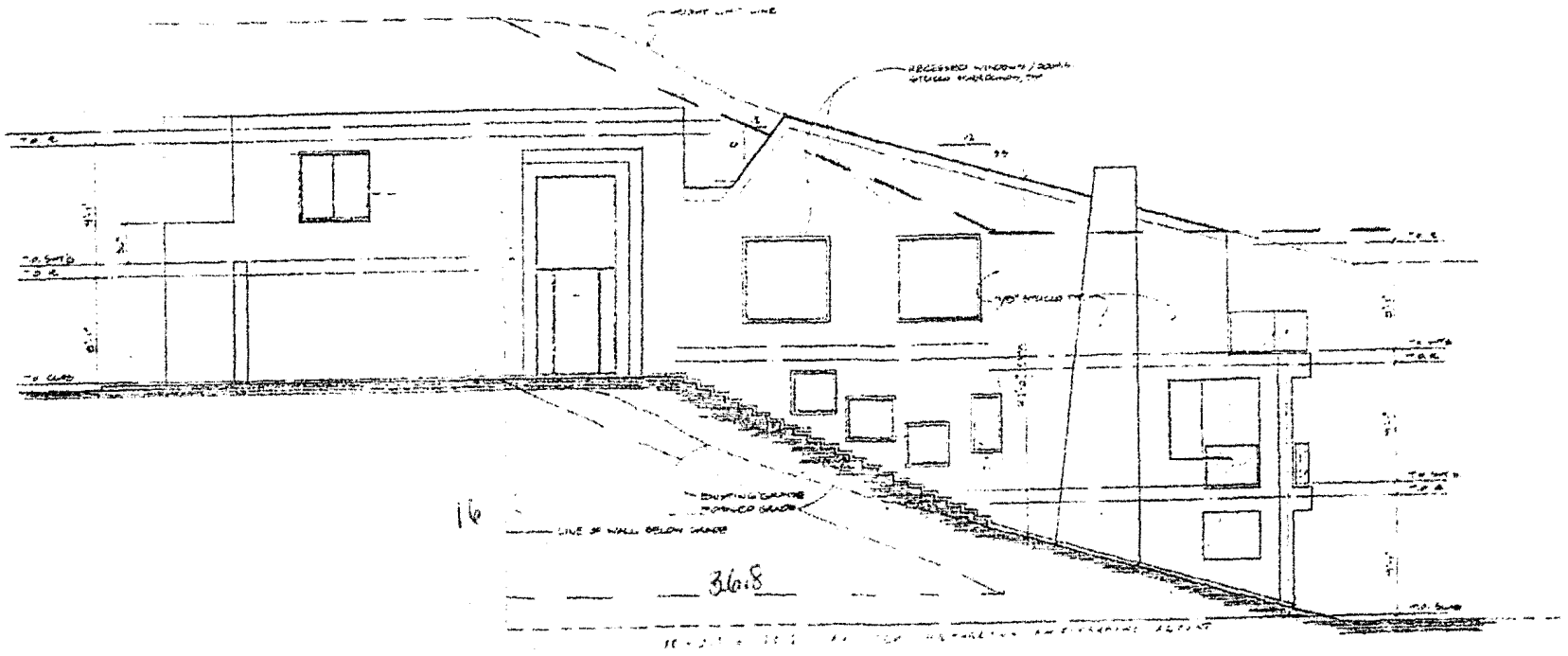
The existing residence at 1721 South Pacific Street consists of a stair-stepped, two-story, wood-frame structure. The western margin of the building is bounded by a concrete patio which is in turn bounded on the west by an ice plant covered slope that descends west to the perched beach. The private perched beach that backs the rip rap revetment along the western margin of the site is about 40 feet wide. The rip rap revetment extends from the western margin of the private perched beach area down to the public beach/Pacific Ocean. The property is bounded by residential properties of similar elevation on the north and south, Pacific Street on the east, and the public beach/Pacific Ocean on the west.

PROPOSED DEVELOPMENT

It is our understanding that the existing residence on the property will be demolished and that proposed development for the site consists of a three-story, wood-frame, duplex structure that will stair-step from the area adjacent to South Pacific Street down to the west to the perched beach (see Geotechnical Map, Figure 3). We anticipate that garages with slab-on-grade floors will be constructed adjacent to South Pacific Street. A patio and spa will be built in the western portion of the lowest level of each "half" of the duplex adjacent to the perched beach. We assume that construction at the perched beach level will be above elevation +17.5 feet NGVD as this is the maximum wave run-up elevation indicated in the referenced "Wave Study...". Building loads for the proposed structure are expected to be typical for this type of relatively light construction.

No grading plans for proposed development were available for review by this office at the time of this report, consequently, exact grading required on-site is not known. We anticipate that construction will be at about existing site grades and that any necessary site grading will likely consist of minor cuts and fills in the relatively level area adjacent to South Pacific Street.

D

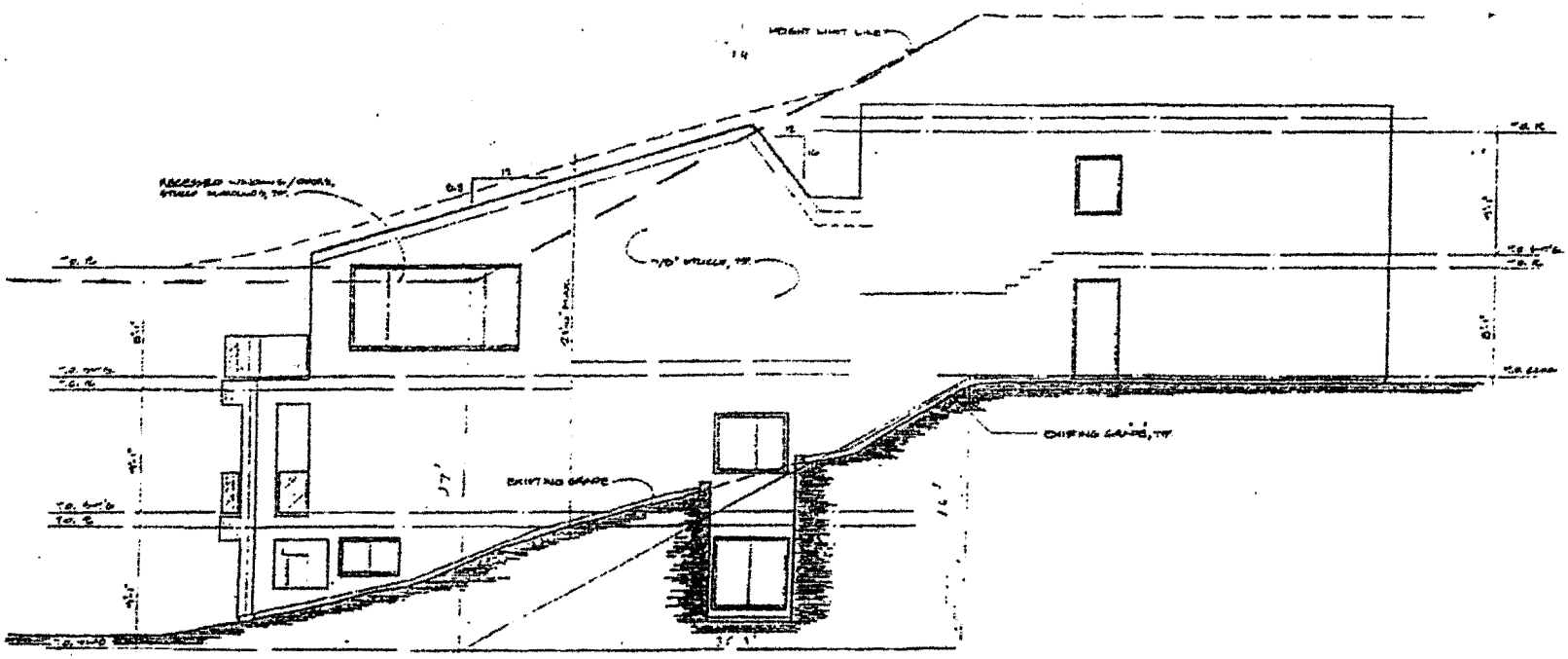


NORTH ELEVATION

SLOPE - ARTHRATON REPORT 2:3 TO 1 (36.8' TO 16')

- BLUE PAINT 3:6 TO 1 (57' TO 16')

D



SOUTH ELEVATION

SLOPE — RETAINING REPORT 2.3 TO 1 (36.8' TO 16')

— RAW PAINT 3:6 TO 1 (57' TO 16')

IN REVIEWING THE OCEANSIDE PLANNING COMMISSION'S HEARING ON NOVEMBER 9, 1998, THE FINAL VOTE FOR APPROVAL OF THE DEVELOPMENT WAS 5 TO 1. THIS MAY SEEM A STRONG VOTE IN FAVOR. HOWEVER, 5 OF THE 6 COMMISSIONERS PRESENT AT THE MEETING EXPRESSED THEIR DISLIKE OF THE PROJECT.

COMMISSIONER BOCKMAN DESCRIBED IT AS A " WAREHOUSE" AND SAID THAT SHE DID NOT THINK THE COMMISSION HAS "EVER LET SOMEONE GO TO THE LIMITS OF EVERY SINGLE REQUIREMENT."

COMMISSIONER PRICE COMPARED THE DEVELOPMENT TO "TRYING TO PUT 10 LBS. IN A 5 LB. BAG!"

COMMISSIONER BARRANTE SAID, "THE APPLICANT IS TAKING ADVANTAGE OF ALL OF THE RULES AS THEY CURRENTLY ARE IN EFFECT TO BUILD THE LARGEST STRUCTURE THEY COULD." "AND IF I WERE A NEIGHBOR, I WOULD FEEL AS THE NEIGHBORS FEEL."

COMMISSIONER MILLER SAID, "THE ARCHITECTURE IS POOR IN COMPARISON TO ITS SURROUNDING AREA AND I DON'T THINK IT MEETS QUALITY STANDARS OF THE AREA."

COMMISSIONER AKIN COMMENTED THAT "I DON'T LIKE THE ARCHITECTURE FROM THE FRONT OF IT – IT'S PRETTY UGLY."

CHAIRMAN SCHAFFER WAS THE LONE VOICE WHO SAID, "I LIKE IT. THE USE OF A BASEMENT IS REALLY RATHER CLEVER."

THE FINAL VOTE TO APPROVE WAS ADOPTED, WITH 3 CONDITIONS REGARDING NO ENCROACHMENTS INTO THE SIDEYARD SETBACKS AS PROPOSED ON THE PLANS, AND THE REQUIREMENT OF A PRECISE GRADING IMPROVEMENT PLAN.

ALTHOUGH THE MAJORITY OF THE PLANNING COMMISSION DID NOT LIKE THE PROPOSED DEVELOPMENT, THEY VOTED FOR IT BECAUSE IT "SOMEHOW" JUST MET THE REQUIREMENTS AND THEREFORE THEY DID NOT HAVE CAUSE TO DENY IT.