

CALIFORNIA COASTAL COMMISSION

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Filed: October 16, 2001
49th Day: December 4, 2001
Staff: Randall Stemler
Staff Report: October 26, 2001
Hearing Date: November 14, 2001
Commission Action:

STAFF REPORT: APPEALSUBSTANTIAL ISSUE

LOCAL GOVERNMENT: County of Mendocino

DECISION: Approval with Conditions

APPEAL NO.: A-1-MEN-01-056

APPLICANT: **Gale and Dorothy Williams**

PROJECT LOCATION: 27560 South Highway One, south of Point Arena,
Mendocino County (APN 027-421-06)

PROJECT DESCRIPTION: Construct a 2,460 square-foot, 23.85-foot-high, single
family residence, with a 632-square-foot attached
garage/mechanical room, with a septic system, connection
to an existing private water system, driveway, concrete
walkway, and wooden decks.

APPELLANTS: Friends of Schooner Gulch, Attn: Peter Reimuller; Sierra
Club, Mendocino-Lake Group, Attn: Rixanne Wehren;
Hillary Adams; Roanne Withers

SUBSTANTIVE FILE:
DOCUMENTS

- 1) Mendocino County CDP No. 35-01, 2001; and
- 2) Mendocino County Local Coastal Program

STAFF RECOMMENDATION:

The staff recommends that the Commission OPEN AND CONTINUE the public hearing to determine whether substantial issue exists with respect to the grounds on which the appeal has been filed for the following reasons:

Pursuant to Section 30621 of the Coastal Act, an appeal hearing must be set within 49 days from the date an appeal of a locally issued coastal development permit is filed. The appeal on the above-described decision was filed on October 16, 2001. The 49th day falls on December 4, 2001. The only Commission meeting within the 49-day period is November 13-17, 2001. In accordance with the California Code of Regulations, on October 22, 2001, staff requested all relevant documents and materials regarding the subject permit from the County, to enable staff to analyze the appeal and prepare a recommendation as to whether a substantial issue exists. However, the filing of the appeal and the subsequent notification of the appeal occurred too soon before the mailing of Commission staff reports for the November meeting to enable the County to copy and submit the requested documents and materials before the mailing. Thus, the requested information was not requested or received in time for the staff to review the information for completeness or prepare a recommendation on the substantial issue question. Consistent with Section 13112 of the California Code of Regulations, since the Commission did not timely receive the requested documents and materials, the Commission must open and continue the hearing until all relevant materials are received from the local government.