

## CALIFORNIA COASTAL COMMISSION

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## RECORD PACKET COPY

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Filed: October 29, 2001  
49<sup>th</sup> Day: December 17, 2001  
Staff: Robert S. Merrill  
Staff Report: November 21, 2001  
Hearing Date: December 14, 2001  
Commission Action:

STAFF REPORT: APPEALSUBSTANTIAL ISSUE

LOCAL GOVERNMENT: County of Mendocino

DECISION: Approval with Conditions

APPEAL NO.: A-1-MEN-01-059

APPLICANT: Max & Phyllis Thelen

AGENT: Karl Roth

PROJECT LOCATION: At 31960 Navarro Ridge Road, Mendocino County (APN 126-060-16).

PROJECT DESCRIPTION: Construct a 1,160-square-foot bedroom addition to an existing residence and a 281-square-foot workshop addition to an existing detached garage, and modify rooflines for building-integrated photovoltaic roofing.

APPELLANTS: 1) Navarro Watershed Protection Association; and  
2) Dr. Hillary Adams

SUBSTANTIVE FILE:  
DOCUMENTS

- 1) Mendocino County CDP No. 65-01; 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 29, 2001. The 49<sup>th</sup> day falls on December 17, 2001. The only Commission meeting within the 49-day period is December 11-14, 2001. In accordance with Section 13110 of the California Code of Regulations, on October 30, 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, Commission staff had not received the local record as of November 21, the day before the mailing of Commission staff reports for the December meeting. Thus, the staff was unable to prepare a recommendation on the substantial issue question. Consistent with Section 13112 of the California Code of Regulations, since the Commission did not receive the requested documents and materials, the Commission must open and continue the hearing until all relevant materials are received from the local government.