

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
710 E STREET • SUITE 200
EUREKA, CA 95501-1865
VOICE (707) 445-7833
FACSIMILE (707) 445-7877

MAILING ADDRESS:
P. O. BOX 4908
EUREKA, CA 95502-4908

**RECORD PACKET COPY****W19a**

Filed: July 19, 2001
49th Day: September 6, 2001
Staff: Robert Merrill
Staff Report: July 26, 2001
Hearing Date: August 8, 2001
Commission Action:

STAFF REPORT: APPEAL**SUBSTANTIAL ISSUE**

LOCAL GOVERNMENT: County of Mendocino

DECISION: Approval with Conditions

APPEAL NO.: **A-1-MEN-01-043**

APPLICANT: **David & Suzanne Wright**

AGENT: Bud Kamb

PROJECT LOCATION: At 45501 Headlands Drive, Little River area of Mendocino County (APN 121-260-10).

PROJECT DESCRIPTION: Construct a 2,550-square-foot, 18-foot-high, single-family residence with a 625-square-foot detached garage. Install a septic system, underground utilities, and 2,500 square feet of asphalt paving for a driveway.

APPELLANT: **Wendy Weikel**

SUBSTANTIVE FILE:
DOCUMENTS

- 1) Mendocino County CDP No. 17-01; 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 July 19, 2001. The 49th day falls on September 6, 2001. The only Commission meeting within the 49-day period is August 6-10, 2001. In accordance with the California Code of Regulations, on July 24, 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 August 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.