

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877
WEB: WWW.COASTAL.CA.GOV



Important Hearing Procedure Note: This is a substantial issue only hearing. Public testimony will be taken only on the question of whether the appeal raises a substantial issue. Generally, and at the discretion of the Commission's Chair, testimony is limited to 3 minutes total per side. Please plan your testimony accordingly.

Th21a

Appeal Filed: 10/15/2014
49th Day: 12/2/2014
Staff: K. Kahn - SC
Staff Report: 10/31/2014
Hearing Date: 11/13/2014

APPEAL STAFF REPORT: SUBSTANTIAL ISSUE DETERMINATION ONLY

Appeal Number: A-3-PSB-14-0052

Applicant: Hanz Blatzheim

Appellants: Evelyn Delany and Justin Chapel

Local Government: City of Pismo Beach

Local Decision: Approved by the Pismo Beach Planning Commission on August 12, 2014 and upheld by the Pismo Beach City Council on October 7, 2014 (City application number P14-000051).

Location: Vacant lot located at 122 Seacliff Drive within the St. Andrews Tract Planning Area of the City of Pismo Beach (APN 010-505-003).

Project Description: Construction of a new 2,045 square-foot single-family residence and an attached 579 square-foot secondary dwelling unit.

Staff Recommendation: No Substantial Issue

SUMMARY OF STAFF RECOMMENDATION

The City of Pismo Beach approved a coastal development permit (CDP) to construct a new 2,045 square-foot single-family residence with an attached 579 square-foot secondary dwelling unit on a vacant 6,133 square-foot lot located at 122 Seacliff Drive in the St. Andrews Tract Planning Area. The parcel is one of the few vacant lots remaining in this urbanized neighborhood, which

consists of single-family and multi-family residences located west of Highway 101 and upcoast of downtown Pismo Beach.

The Appellants contend that the approved project is inconsistent with City of Pismo Beach certified Local Coastal Program (LCP) standards related to secondary dwelling units, front yard setbacks, and architectural style/neighborhood compatibility. After reviewing the local record, Commission staff has concluded that the approved project does not raise a substantial issue with respect to the project's conformance with the certified Pismo Beach LCP.

Specifically, in terms of the secondary dwelling unit, the approved unit is an allowable use in the single-family residential (R-1) zoning district, meets all applicable planning standards (including for unit size, lot coverage, and parking), and is consistent with the LCP's stated intention of allowing secondary dwelling units in residential neighborhoods as a means to encourage additional housing in existing developed communities. Second, in terms of front yard setbacks, the approved project's 20-foot setback meets the R-1 zoning district standard of 20 feet, is consistent with the range of setback depths of other homes in the neighborhood, and will accommodate the secondary dwelling unit's parked vehicle. Finally, in terms of size, bulk, and architectural design, the approved residence meets or is lower than all applicable LCP development parameters, including for lot coverage and building area, and its single-story nature further ensures a small-scale aesthetic. The residence's modern architecture is consistent with the neighborhood's eclectic styles, with original ranch-style homes set amongst a broad range of other architectural types.

As a result, staff recommends that the Commission determine that the appeal contentions do not raise a substantial LCP conformance issue, and that the Commission decline to take jurisdiction over the CDP for this project. The single motion necessary to implement this recommendation is found on page 4 below.

TABLE OF CONTENTS

I. MOTION AND RESOLUTION.....	4
II. FINDINGS AND DECLARATIONS	4
A. PROJECT DESCRIPTION AND LOCATION	4
B. CITY OF PISMO BEACH CDP APPROVAL	4
C. APPEAL PROCEDURES	5
D. SUMMARY OF APPEAL CONTENTIONS	6
E. SUBSTANTIAL ISSUE DETERMINATION	6
F. CONCLUSION	9

EXHIBITS

- Exhibit 1 – Project Location and Site Map
- Exhibit 2 – Approved Project Plans and Photographic Simulations
- Exhibit 3 – City’s Final Local Action Notice
- Exhibit 4 – Appeals of Pismo Beach’s CDP Decision
- Exhibit 5 – Applicable LCP Standards
- Exhibit 6 – Correspondence

I. MOTION AND RESOLUTION

Staff recommends that the Commission determine that **no substantial issue** exists with respect to the grounds on which the appeal was filed. A finding of no substantial issue would mean that the Commission will not hear the application de novo and that the local action will become final and effective. To implement this recommendation, staff recommends a **YES** vote on the following motion. Passage of this motion will result in a finding of No Substantial Issue and the local action will become final and effective. The motion passes only by affirmative vote of a majority of the Commissioners present.

***Motion:** I move that the Commission determine that Appeal Number A-3-PSB-14-0052 raises no substantial issue with respect to the grounds on which the appeal has been filed under Section 30603. I recommend a yes vote.*

***Resolution to Find No Substantial Issue.** The Commission finds that Appeal Number A-3-PSB-14-0052 does not present a substantial issue with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act regarding consistency with the Certified Local Coastal Program and/or the public access and recreation policies of the Coastal Act.*

II. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION AND LOCATION

The City-approved project is located at 122 Seacliff Drive in the City of Pismo Beach. The project site is located at a vacant lot within the St. Andrews Tract Planning Area, an urbanized neighborhood consisting of single-family and multi-family residences located west of Highway 101 and north of downtown Pismo Beach. The lot, which is zoned Single Family Residential (R-1), is one of the last remaining undeveloped parcels within the entire Planning Area, and is bordered by two existing single-family residences.

The City-approved project allows for the construction of a 2,045 square-foot single-family residence and an attached 579 square-foot secondary dwelling unit, along with an attached two-car garage for the primary unit and an uncovered parking space adjacent to the garage driveway for the secondary unit.

See Exhibit 1 for location and site maps and see Exhibit 2 for the approved project plans and photo-simulations of the proposed residence and secondary dwelling unit.

B. CITY OF PISMO BEACH CDP APPROVAL

On August 12, 2014 the Pismo Beach Planning Commission approved a CDP for the proposed project. The Planning Commission's decision was appealed by the current Appellants to the City Council which, after deliberation, upheld the approval and denied the appeal on October 7, 2014. See Exhibit 3 for the City's Final Local Action Notice.

The City's Final Local Action Notice was received in the Coastal Commission's Central Coast District Office on October 15, 2014. The Coastal Commission's ten-working day appeal period

for this action began on October 15, 2014 and concluded at 5pm on October 29, 2014. Two valid appeals (see below) were received during the appeal period.

C. APPEAL PROCEDURES

Coastal Act Section 30603 provides for the appeal to the Coastal Commission of certain CDP decisions in jurisdictions with certified LCPs. The following categories of local CDP decisions are appealable: (a) approval of CDPs for development that is located (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 tide line 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, and (3) in a sensitive coastal resource area; or (b) for counties, approval of CDPs for development that is not designated as the principal permitted use under the LCP. In addition, any local action (approval or denial) on a CDP for a major public works project (including a publicly financed recreational facility and/or a special district development) or an energy facility is appealable to the Commission. This project is appealable because it is located between the first public road and the sea.

The grounds for appeal under Section 30603 are limited to allegations that the development does not conform to the certified LCP or to the public access policies of the Coastal Act. Section 30625(b) of the Coastal Act requires the Commission to consider a CDP for an appealed project de novo unless a majority of the Commission finds that “no substantial issue” is raised by such allegations.¹ Under Section 30604(b), if the Commission conducts the de novo portion of an appeals hearing and ultimately approves a CDP for a project, the Commission must find that the proposed development is in conformity with the certified LCP. If a CDP is approved for a project that is located between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone, Section 30604(c) also requires an additional specific finding that the development is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act. This project is located between the nearest public road and the sea and thus this additional finding would need to be made if the Commission were to approve the project following the de novo portion of the hearing.

The only persons qualified to testify before the Commission on the substantial issue question are the Applicant, persons who made their views known before the local government (or their representatives), and the local government. Testimony from other persons regarding substantial issue must be submitted in writing. Any person may testify during the de novo CDP determination stage of an appeal.

¹ The term “substantial issue” is not defined in the Coastal Act or in its implementing regulations. In previous decisions on appeals, the Commission has generally been guided by the following factors in making substantial issue determinations: the degree of factual and legal support for the local government’s decision; the extent and scope of the development as approved or denied by the local government; the significance of the coastal resources affected by the decision; the precedential value of the local government’s decision for future interpretations of its LCP; and, whether the appeal raises only local issues as opposed to those of regional or statewide significance. Even when the Commission chooses not to hear an appeal, appellants nevertheless may obtain judicial review of a local government’s CDP decision by filing a petition for a writ of mandate pursuant to the Code of Civil Procedure, Section 1094.5.

D. SUMMARY OF APPEAL CONTENTIONS

The Appellants contend that the City-approved project raises LCP consistency questions relating to the permitting of a secondary dwelling unit, adequacy of front yard and garage setbacks, and consistency with architectural community character. Specifically, the Appellants contend that the approved project would violate applicable LCP standards because: 1) it is inappropriate to allow for a secondary dwelling unit within an existing single-family residential neighborhood; 2) the project's 20-foot front setback is smaller than that required of other existing residences in the neighborhood and is not long enough to park full-size vehicles; and 3) the project's approved design is not visually compatible with the character of the surrounding area, and its size is too intense for the established physical scale of the neighborhood. Please see Exhibit 4 for the appeal contentions.

E. SUBSTANTIAL ISSUE DETERMINATION

Secondary Dwelling Units

The Pismo Beach LCP encourages the development of secondary dwellings units within the coastal zone, defined as “a subordinate dwelling unit added to, or created within, or detached from a single-family dwelling (primary dwelling unit), but on the same parcel, that provides basic requirements for independent living, sleeping, eating, cooking, and sanitation”².

Implementation Plan (IP) Section 17.117 (see Exhibit 5) includes planning standards specific to secondary dwelling units, stating that such units are encouraged because they provide additional housing opportunities within existing urbanized neighborhoods that would not otherwise be allowable under current density standards, make more efficient use of existing infrastructure, and provide an opportunity for the creation of more affordable housing. IP Section 17.117.040 permits secondary dwelling units in five residential zoning districts, including the R-1 zone of which the lot at 122 Seacliff Drive is designated, and lists required development standards, including that such units are allowed on any size lot, cannot exceed 600 square feet on parcels less than 10,000 square feet in size, and shall provide one parking space in addition to the required spaces for the primary dwelling unit, among other standards.

An Appellant contends that the approved residence raises LCP consistency questions relating to the appropriateness of allowing secondary dwelling units within single-family residential neighborhoods. Specifically, the Appellant states that the R-1 zoning designation is intended to solely allow single-family residences intended to be occupied by one family, as opposed to two separate residences occupying a single parcel.

As mentioned above, the Pismo Beach LCP encourages and provides for secondary dwelling units as allowable uses in residential neighborhoods, including the R-1 zoning district, as a means to encourage more efficient use of land by developing additional housing within already existing urbanized communities. The IP includes parameters meant to address potential community impacts of such housing, including requiring off-street parking for the unit and limiting unit size so as to ensure that the increase in density does not overburden the neighborhood with development that is too intense and out-of-scale. The approved 579 square-

² IP Section 17.006.0887

foot secondary dwelling unit is attached to the primary dwelling unit. The total combined lot coverage and building area of both units is 2,624 square feet, well below the parcel's maximum allowance of up to 3,373 square feet of lot coverage³, and below the 600 square-foot maximum size allowed for the secondary unit itself. Additionally, the approved secondary dwelling unit meets all other applicable standards, including providing one uncovered parking space adjacent to the driveway of the primary unit's garage.

Thus, the approved project's secondary dwelling unit is an allowable use per the R-1 zoning district and meets all applicable LCP development parameters, including maximum allowable lot coverage, unit size, and parking requirements. For all of the above reasons, the approved project does not raise a substantial issue of LCP conformance with respect to the secondary dwelling unit.

Front Yard Setback

Implementation Plan Section 17.102.020 (see Exhibit 6) requires a minimum front yard setback of 20 feet in the R-1 zoning district. An Appellant contends that the approved residence's 20-foot setback is shorter than the setbacks of existing homes in the neighborhood, is not long enough to park full size vehicles, and will impede pedestrians using the sidewalk. The approved project will allow the one parking space required for the secondary dwelling unit to be located within the 20-foot front yard setback adjacent to the primary residence's two-car garage driveway. In its approval, the City found that the existing residences in the St. Andrews Tract Planning Area contain a wide range of front yard setback widths, from less than 2 feet to over 30 feet. The homes along the side of Seacliff Drive where the approved project will be located range in size from 20 feet to 23 feet, making the approved project's 20-foot setback consistent with both the LCP's planning standard and also within the neighborhood's setback range. Additionally, a 20-foot building setback is a traditional planning standard for single-family residences because it easily accommodates a parked vehicle, and is codified in LCPs for other adjacent coastal cities within San Luis Obispo County⁴. Thus, this contention does not raise a substantial issue in terms of the project's conformance with the certified LCP.

Community Character and Neighborhood Compatibility

The LCP protects community character and neighborhood compatibility through a suite of standards applying certain design criteria and requiring visual compatibility with surrounding areas (for example, see IP Section 17.124.140(A)(3) in Exhibit 5, which specifically states that an allowable contention for an appeal of a CDP decision is whether "the development is not compatible with the established physical scale of the area or is not consistent with the level and scale of development provided for in the area in the city's certified local coastal program").

An Appellant contends that the approved project is not visually compatible with the character of the surrounding area and is too intense for the established physical scale of the neighborhood.

³ IP Section 17.102.080 allows a combined maximum of 55% lot coverage for both the primary and secondary dwelling units. $6,133 \text{ square feet (size of lot)} \times 0.55 \text{ lot coverage} = 3,373 \text{ square feet of allowable lot coverage}$.

⁴ For example, City of Grover Beach IP Table 2.3 requires a 20-foot front setback in the Coastal Low Density Residential Zone (CR1), and City of Morro Bay IP Table 17.24.040 requires a 20-foot front setback in the Single-Family Residential (R-1) District.

Specifically, the Appellant claims that the approved project's setback from the street is too small and will thus protrude out as an anomaly; that its architectural features of a flat top and stark façade are not compatible with the ranch style bungalows that comprise existing homes in the community, and its size and bulk occupy too much of the lot and is therefore too intense for the neighborhood aesthetic.

As identified above, the approved project consists of a one-story, 2,045 square-foot single-family residence plus an attached 579 square-foot secondary dwelling unit, for a total of 2,624 square feet. The approved project complies with the LCP's applicable site standards for the R-1 zoning district, including for minimum lot size, maximum building height, lot coverage, height, building area, and setbacks.⁵ As previously discussed, in terms of front yard setbacks, the approved project's 20-foot setback meets the LCP's planning standard, and is also within the broad range of setbacks for existing structures in the neighborhood, which range from 2 feet to over 30 feet. Therefore, the structure's 20-foot setback will not be an anomaly in the built landscape. In terms of building size and bulk, in its approval the City stated that while large structures have not traditionally been the norm in the neighborhood, larger homes have recently been built, including seven homes larger than 3,000 square feet and three homes over 4,000 square feet. The two residences immediately adjacent to the approved project are both under 2,000 square feet. Thus, there are a variety of home sizes in the immediate neighborhood and the approved project's size is within the range of home sizes in the community. In addition, the approved residence's single-story design helps reinforce the neighborhood's traditionally smaller-scale aesthetic. Therefore, the project meets, and for some standards such as lot coverage, is lower than, all applicable LCP site development standards. The contention that the project is too large and intense for the neighborhood does not raise a substantial issue in terms of the project's conformance with the certified LCP.

Finally, in terms of community character, the St. Andrews Tract Planning Area is comprised of an eclectic mix of architectural styles and one and two-story homes. In its approval, the City found that the neighborhood contains a variety of styles, materials, heights, and sizes, with a movement away from the original one-story ranch style homes to a more eclectic mix of styles with contemporary architectural features. While the neighborhood's original homes were built in the 1960s as ranch style homes, recent development includes Spanish, modern, craftsman, Mediterranean, and Cape Cod styles. The approved residence employs a mid-century modern style with natural stone veneer in a blend of colors and shapes, as well as redwood siding, and thus would not be atypical in a neighborhood that contains a lively mix of architectural designs.

In summary, as sited and designed the project would fit appropriately into the established community character of the St. Andrews Tract neighborhood. The project is sited, designed and landscaped to be visually compatible and integrated with the character of surrounding neighborhoods and areas, as required by the LCP. For all the above reasons, this contention does

⁵ For the R-1 zoning district, the minimum lot size is 5,000 square feet (the approved project's is 6,133 square feet); the maximum building height is 15 feet above highest point on the lot and 25 feet from the center of the building footprint (the approved project is 15 feet above high point and 16.72 feet above center footprint); maximum lot coverage is 55%, or 3,373 square feet based on parcel size (the approved project's coverage is 2,624 square feet); maximum building area based on the parcel's size is 4,662 square feet (the approved project's is 2,624 square feet); and minimum front yard setback is 20 feet (the approved project's is 20 feet).

not raise a substantial issue of LCP conformance with respect to community character and neighborhood compatibility.

F. CONCLUSION

When considering a project that has been appealed to it, the Commission must first determine whether the project raises a substantial issue of LCP conformity, such that the Commission should assert jurisdiction over a de novo CDP for such development. At this stage, the Commission has the discretion to find that the project does not raise a substantial issue of LCP conformance. As explained above, the Commission is guided in its decision of whether the issues raised in a given case are “substantial” by the following five factors: the degree of factual and legal support for the local government’s decision; the extent and scope of the development as approved or denied by the County; the significance of the coastal resources affected by the decision; the precedential value of the County’s decision for future interpretations of its LCP; and, whether the appeal raises only local issues as opposed to those of regional or statewide significance.

In this case, these five factors, considered together, support a conclusion that this project does not raise a substantial issue of LCP conformance. First, in terms of the secondary dwelling unit, the approved unit is an allowable use in the R-1 zoning district, meets all applicable planning standards (including for size, lot coverage, and parking), and is consistent with the LCP’s stated intention of allowing secondary dwelling units in residential neighborhoods as a means to encourage additional housing in existing developed communities. Second, in terms of front yard setbacks, the approved project’s 20-foot setback meets the R-1 zoning district standard of 20 feet, is consistent with the range of setback depths of other homes in the neighborhood, and will accommodate the secondary dwelling unit’s parked vehicle. Finally, in terms of size, bulk, and architectural design, the approved residence meets or is lower than all applicable LCP development parameters, including for lot coverage and building area, and its single-story nature further ensures a small-scale aesthetic. The residence’s modern architecture is consistent with the neighborhood’s eclectic styles, with original ranch-style homes set amongst a broad range of other architectural types.

Thus, the City has provided adequate factual and legal support for its decision that the approved development would be consistent with the certified LCP. The proposed project is a relatively modest single-family residence within a single-family zoned neighborhood, and it will not adversely impact coastal resources. Because the project is consistent with the LCP, a finding of no substantial issue will not create an adverse precedent for future interpretation of the LCP. Finally, the project does not raise issues of regional or statewide significance.

For the reasons stated above, the Commission finds that Appeal Number A-3-PSB-14-0052 does not present a substantial issue with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act and is consistent with the certified LCP and the public access policies of the Coastal Act.





Project Location



122 Seaclyff Drive

consultants:

client:

Hans Blatzheim
1222 Seaciff Dr
Pismo Beach Ca 93449

1222 Seaciff

1222 Seaciff Dr
Pismo Beach Ca

date/purpose:
2014-01-14 Final Schematic

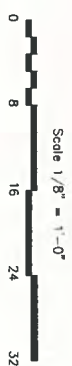
job no: 10294
file: 0-00 survey.dwg
application no:
--

COPYRIGHT

sheet name:
Survey

sheet number:
A-0.0

Exhibit 2



BENCH MARK
CH 17 SEWER STATION 70+00
INTERSECTION OF SEACIFF DR AND RUBY COURT AT THE
WAS USED FOR THIS SURVEY.

CITY OF PISMO BEACH
APPROVED BY CITY COUNCIL

Date: 10/3/14

as submitted
with changes

Planner: M. Lawrence



RECEIVED
REVISED
JUL 18 2014

City of Pismo Beach

Community Development Department

RECEIVED
Ruby Ct.

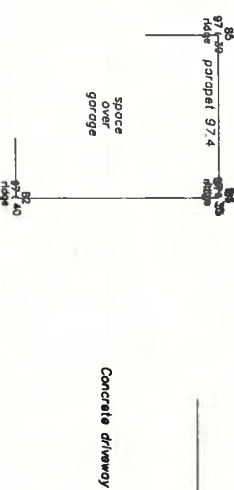
MAR 25 2014

City of Pismo Beach
TOP COMMUNITY DEVELOPMENT DEPARTMENT

LOT 3, BLOCK 5, TRACT NO. 192 "OCEAN VIEW ESTATES #2",
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA.

1222 Seaciff Drive
APN 010-505-003

Architect:
Kathy Hall
75 Higuera St., Suite 165
San Luis Obispo, CA 93401
Phone 805-541-3100
Fax 805-541-3100
May, 2012
Owner:
Jennifer Berthel
Seaciff Drive
Apple Valley, CA 92308





The plans and elevations within are copyrighted and are subject to copyright protection as an Architectural Work under section 102 of the Copyright Act, 17 U.S.C., as amended (December 1976), and receive the same copyright protection under the Copyright Act of 1909.
Copyright 2008, Parallel is California Corporation
All rights reserved.

client: Hans Blatzheim
site: 122 Seacliff
job: Pismo Beach
file:
oppl:

2014-03-14 Permit Submittal
DATE

copyright project data date/purpose

Street Perspective

122 Seacliff
Pismo Beach, Ca. 93449

project & sheet

0 1 2 3
original scale in inches



R-2.1

sheet number

Exhibit 2



The plans and elevations within are copyrighted and are subject to copyright protection as an architectural work under the Copyright Act of 1976, and known as Architectural Work Copyright Protection Act of 1990. Copyright 2008, Parallel o California Corporation. All rights reserved.

client: Hans Blatzheim
site: 122 Seaciff
job: Pismo Beach
file:
apbl:

2014-03-14 Permit Submittal
DATE

project data
date/purpose

Color Elevation

122 Seaciff
Pismo Beach, Ca. 93449

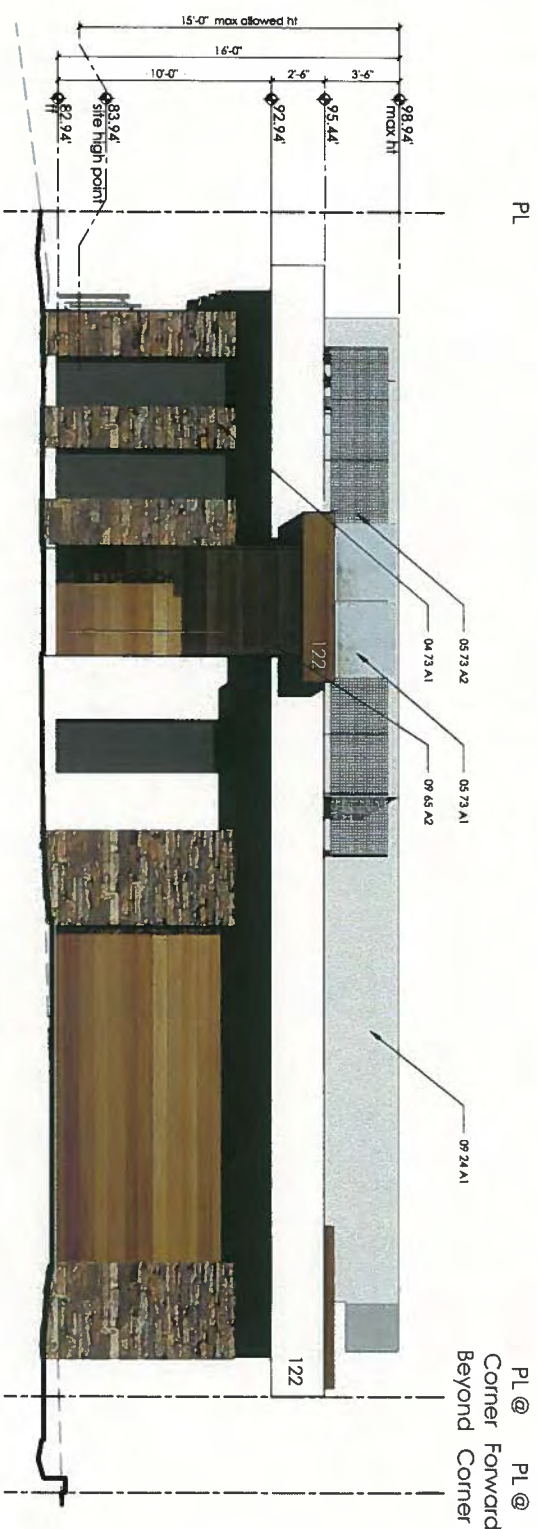
project & sheet

0 1 2 3
original scale in inches

k h A
KENT HALL ARCHITECT
1426 CALIFORNIA STREET, SUITE 200, SAN FRANCISCO, CA 94109
parallel architects

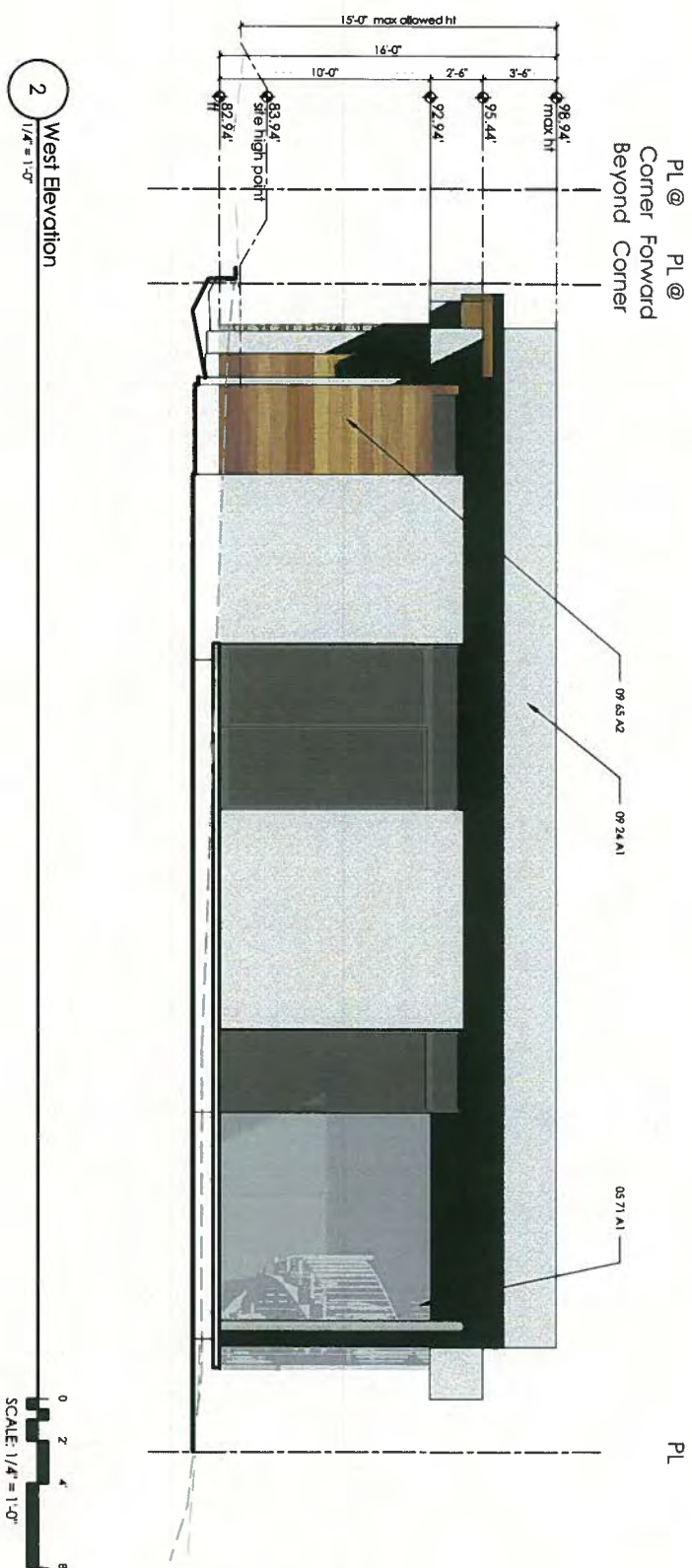
R-2.2

sheet number



REFERENCE KEYNOTES

- DIVISION 04 - MASONRY
- 04.73.00 - MANUFACTURED STONE MAINTORY
- 04.73.01 - NATURAL STONE VENEER, BLEND OF CALCIN AND SPOTIES AS DESIGNED BY ARCHITECT FOR COLOR BOUND, AND REFINISHING AND APPROVED BY ARCHITECT
- DIVISION 05 - METALS
- 05.73.01 - GLASS RAILING
- 05.73.02 - SQUARE PERFORATED STAINLESS STEEL RAILING
- DIVISION 07 - FINISHES
- 07.24.01 - LINCOLN TROWEL PLUMB 7' WALL ON FLYED RAILING METAL LATH OVER THE STUCCO WIPER DETERMINE RAILING WHERE INDICATED, WHERE INSTALLED OVER WOOD BASE SHEATHING PROVIDE A SECOND INTERVENING LAYER OF TYVEK, WATER RESISTIVE BARRIER OR GOMADE D BUILDING PAPER, CLEAR COAT RETIWOOD SIDING
- 07.45.02 -



parallel

PACIFIC COAST DESIGN CENTER
75 INCHBAY STREET, SUITE 115 SAN LUIS OBISPO CALIFORNIA 94060
805.541.7160 • 805.541.9314 • www.pacifichdgcps-juda.com

client:

Hans Blatzheim
122 Seaciff Dr
Pismo Beach Ca 93449

122 SEACLIFF
122 Seaciff Dr
Pismo Beach Ca —

date/purpose:
2014-03-14 Permit Submittal

job no: 10094
file: o-2.2 east & west elevations.dwg
application no:

COPYRIGHT

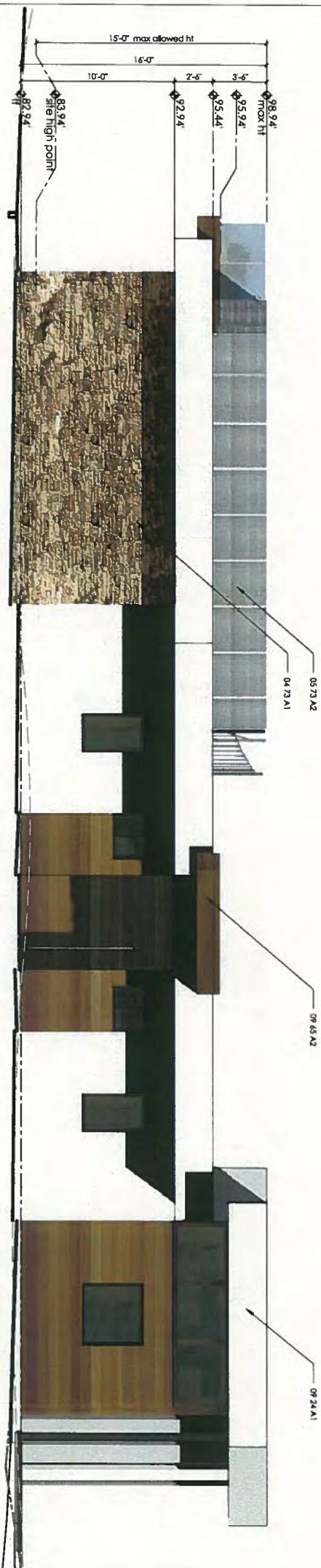
[illegible]

sheet name:

East & West
Elevations

A-2.2.2

Exhibit 2



North Elevation
1/4" = 1'-0"



REFERENCE KEYNOTES

DIVISION 04 - MASONRY

04 73 00 - MANUFACTURED STONE MASONRY

04 73 61 - NATURAL STONE VENEER, BLEND OF COLOR AND SHAPES AS
DEPICTED ON THE DRAWINGS, COLOR BOARD, AND RENDERINGS
AND APPROVED BY ARCHITECT

DIVISION 05 - METALS

05 73 01 - GLASS RAILING

05 73 A2 - SQUARE PERFORATED STAINLESS STEEL RAILING

DIVISION 09 - FINISHES

SMOOTH TROWEL FINISH 7/8" PLASTER ON SELF-FLUERING METAL

09 24 11 - LATH OVER 1/2" SUCCO WRAP OVER PLYWOOD WHEN INDICATED. WHERE INSTALLED OVER WOOD BASE SHEATHING.

PROVIDE A SECOND INTERVENING LAYER OF TYVEK
 WATER RESISTIVE BARRIER OR GRADE BUILT-UPIC BARRIER

parallel

consultants:

Hans Blatzeim
122 Seaciff Dr
Pismo Beach Ca 93449

122 SEACLIFF
122 Seaciff Dr
Pismo Beach Ca —

date/purpose:

job no: 10094

application no:

COPYRIGHT

sheet name:

North & South Elevations

sheet number:

A-2.1

Exhibit 2

REFERENCE KEYNOTES

- DIMENSION 01 - GENERAL REQUIREMENTS
- 01 11 E1 - LINE OF FLOOR BELOW
- DIMENSION 07 - THERMAL AND MOISTURE PROTECTION
- BUILT UP ROOFING, FOUR PLY ASPHALT APPLIED MEMBRANE SYSTEM WITH MINERAL SURFACE CAP SHEET, TOTAL WEIGHT INCLUDING FELT, FELTS, AND SURFACE CAP SHEET SHALL BE 2.50 PLYS PER 100 SQ. FT. MINERAL SURFACE CAP SHEET, ASTM D2059, ASPHALT BINDER, ASTM D312, TYPE III OR AS RECOMMENDED BY ROOFING MANUFACTURER, ASPHALT PRIMER, TYPE, ASTM D 2022.
- DIMENSION 08 - OPENINGS
- 08 62 A1 - STRUPTIGHT, SELF-FLASHING, 30X7'-6" R.O.
- 08 62 A3 - STRUPTIGHT, SELF-FLASHING, 20X7' R.O.
- 08 62 A2 - STRUPTIGHT, SELF-FLASHING, 20X7' R.O.



parallel
architecture planning
development services

1222 SEACLIFF DRIVE, SUITE 100, PISMO BEACH, CALIFORNIA 93549
TEL: 805.763.1150 • FAX: 805.763.1151 • WWW.PARALLELARCHITECT.COM

CONSULTANTS:

client:

Hans Blattheim
1222 Seaciff Dr
Pismo Beach Ca 93449

1222 SEACLIFF
1222 Seaciff Dr
Pismo Beach Ca —

date/purpose:
2014-05-14 Permit Submittal

—

job no.: 10094

file: 01.2 roof plan.dwg

application no:

—

—

COPYRIGHT

This drawing and all contents are the property of K.H.A. ARCHITECT, P.C. and shall remain the property of K.H.A. ARCHITECT, P.C. until such time as the project is completed and the client has accepted the final results. No part of this drawing may be reproduced or transmitted in any form or by any means electronic or mechanical, including photocopying, recording, or by any information storage or retrieval system, without prior written permission from K.H.A. ARCHITECT, P.C. All rights reserved.

sheet name:

Roof Plan

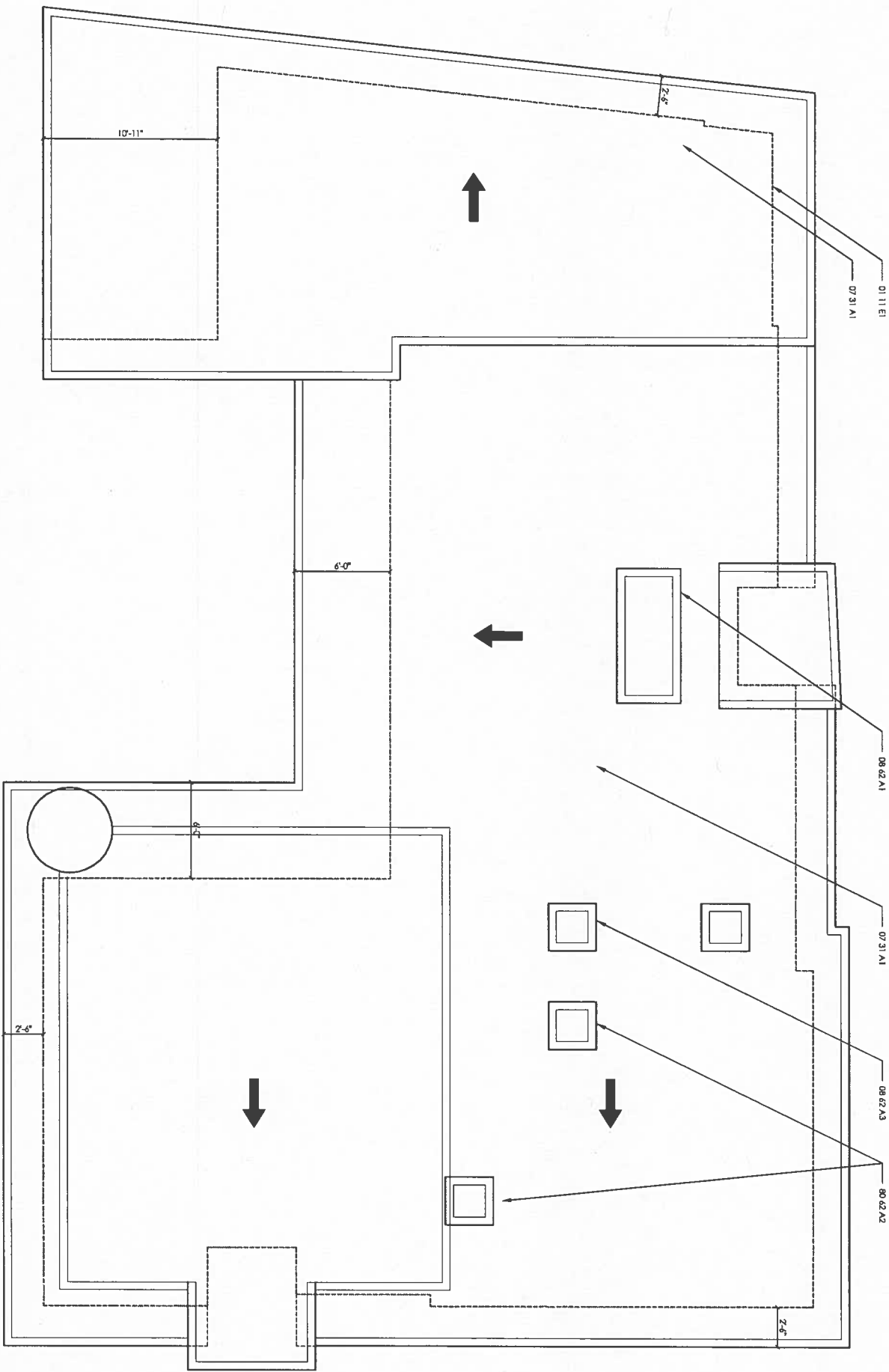
sheet number:

A-1.2

Exhibit 2

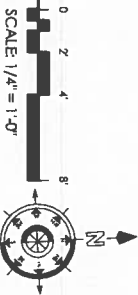
A-3-PSB-14-0052 (Blattheim)

Page 8 of 9



Roof Plan

1/4" = 1'-0"



consultants:

client:

Hans Blatzheim
122 Seaciff Dr
Pismo Beach Ca 93449—

122 Seac Cliff

122 Seaciff Dr
Pismo Beach Ca—

date/purpose:

2014-03-14 Permit Submitted

job no: 10094
file: a-1.1 first floor plan.dwg

application no:

COPYRIGHT

sheet name:

First Floor Plan

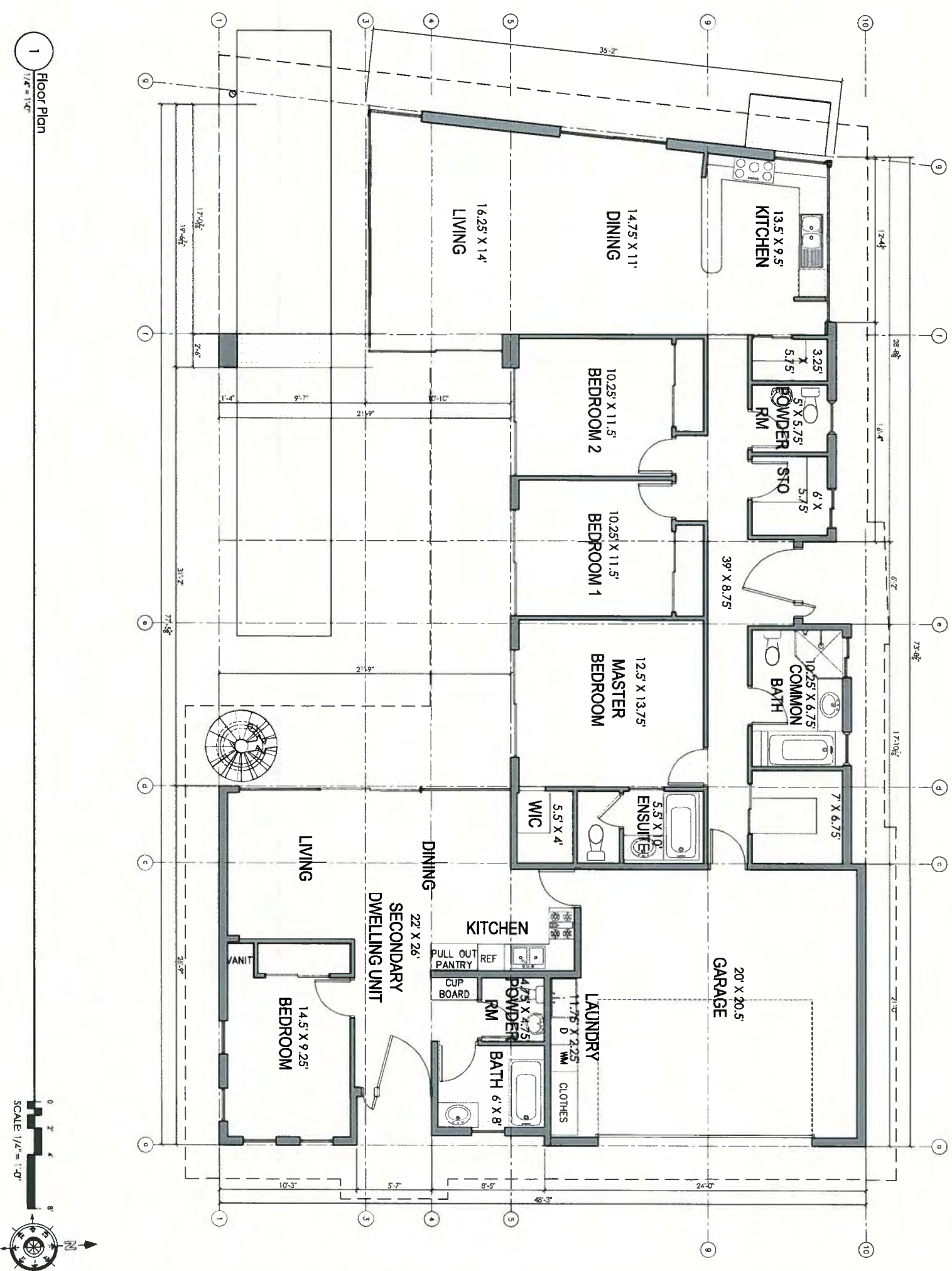
sheet number:

A-1.1

Exhibit 2

A-3-PSB-14-0052 (Blatzheim)

Page 9 of 9



1 **Floor Plan**
1/4" = 1'-0"

SCALE: 1/4" = 1'-0"





CITY OF PISMO BEACH
Community Development Department
760 Mattie Road, Pismo Beach, California 93449
(805) 773-4658 / Fax (805) 773-4684

October 14, 2014

**FINAL LOCAL
ACTION NOTICE**

REFERENCE # 3-PSB-14-0916
APPEAL PERIOD 10/15-10/29/14

On Trac # B10306251120

RECEIVED

OCT 15 2014

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

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

ATTN: Daniel Robinson

**Notice of Final Action
by the City of Pismo Beach City Council
on a Project located within the Pismo Beach Coastal Zone**

Applicant Info:

Name: Keith Hall, Keith Hall Architect (Representative)
Address: 75 Higuera St., Suite 165, San Luis Obispo, CA 93401
Telephone: 805-541-9160
Project No: P14-000051
Site Address: 122 Seacliff
Project Summary: Coastal Development Permit for construction of a new 2,045 square foot single-family residence and attached 579 square foot secondary dwelling unit on a vacant lot. The project is located in the Single-Family Residential Zone of the St. Andrews Tract Planning Area. APN: 010-505-003. This project is appealable to the California Coastal Commission.
Date of Action: 10/07/2014
Action: City Council upheld the Planning Commission decision, and Approved the project
Attachments: CC Resolution & PC Resolution
CC Staff Report & Draft Minutes 10/7/14
Approved Plans
PC Staff Report & Draft Minutes 6/14/14 & 8/12/14
Notification list & Legal Ads published in the Tribune
Appeal Status: Appealable

NOTE: Appealable to the California Coastal Commission pursuant to Coastal Act Section 30503. An aggrieved person may appeal this decision to the Coastal Commission within ten working days following Coastal Commission receipt of this notice. Any appeal of this action must be filed in writing to the Coastal Commission using forms obtainable from the Santa Cruz district office at the address identified above.



CITY OF PISMO BEACH
Community Development Department
760 Mattie Road, Pismo Beach, California 93449
(805) 773-4658 / Fax (805) 773-4684

October 14, 2014

On Trac # B10306251120

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

ATTN: Daniel Robinson

**Notice of Final Action
by the City of Pismo Beach City Council
on a Project located within the Pismo Beach Coastal Zone**

Applicant Info:

Name: Keith Hall, Keith Hall Architect (Representative)
Address: 75 Higuera St., Suite 165, San Luis Obispo, CA 93401
Telephone: 805-541-9160
Project No: P14-000051
Site Address: 122 Seacliff
Project Summary: Coastal Development Permit for construction of a new 2,045 square foot single-family residence and attached 579 square foot secondary dwelling unit on a vacant lot. The project is located in the Single-Family Residential Zone of the St. Andrews Tract Planning Area. APN: 010-505-003. This project is appealable to the California Coastal Commission.
Date of Action: 10/07/2014
Action: City Council upheld the Planning Commission decision, and Approved the project
Attachments: CC Resolution & PC Resolution
CC Staff Report & Draft Minutes 10/7/14
Approved Plans
PC Staff Report & Draft Minutes 6/14/14 & 8/12/14
Notification list & Legal Ads published in the Tribune
Appeal Status: Appealable

NOTE: Appealable to the California Coastal Commission pursuant to Coastal Act Section 30503. An aggrieved person may appeal this decision to the Coastal Commission within ten working days following Coastal Commission receipt of this notice. Any appeal of this action must be filed in writing to the Coastal Commission using forms obtainable from the Santa Cruz district office at the address identified above.

RESOLUTION NO. R-2014-106

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PISMO BEACH UPHOLDING THE AUGUST 12, 2014, PLANNING COMMISSION APPROVAL OF PROJECT NO. P14-000051 FOR A COASTAL DEVELOPMENT PERMIT FOR THE CONSTRUCTION OF A NEW 2,045 SQUARE FOOT SINGLE-FAMILY RESIDENCE AND 579 SQUARE FOOT SECONDARY DWELLING UNIT ON A VACANT LOT AT 122 SEACLIFF DRIVE LOCATED IN THE SINGLE FAMILY RESIDENTIAL (R-1) ZONE OF THE ST. ANDREWS TRACT PLANNING AREA. APN: 010-505-003.

WHEREAS, Hans Bleitzheim ("Applicant") has submitted an application for a Coastal Development Permit for the construction of a new 2,045 square foot single-family residence and 579 square foot secondary dwelling unit on a vacant lot; and

WHEREAS, on June 10 and August 12, 2014, the Planning Commission held a duly noticed public hearing at which all interested persons were given the opportunity to be heard; and

WHEREAS, the Planning Commission conditionally approved Project No. P14-000051 at its August 12, 2014, public hearing; and

WHEREAS, on August 20, 2014, Evelyn Delany appealed the Planning Commission's approval of project P14-000051; and

WHEREAS, on August 22, 2014, Justin Chapel appealed the Planning Commission's approval of project P14-000051; and

WHEREAS, on October 7, 2014, the City Council held a duly notice public hearing to hear these appeals.

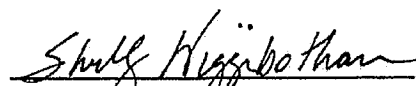
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pismo Beach hereby denies each appeal and upholds the August 12, 2014, Planning Commission findings and action to conditionally approve a Coastal Development Permit for Project No. P14-000051.


UPON MOTION OF Mayor Pro Tem Waage, seconded by Council Member Howell the foregoing resolution was passed, approved and adopted by the City Council of the City of Pismo Beach this 7th day of October 2014, by the following roll call vote:

AYES: 5 Council Members Waage, Howell, Reiss, Vardas, Higginbotham
NOES: 0
ABSENT: 0
ABSTAIN: 0

Approved:

Attest:


Shelly Higginbotham
Mayor


Elaina Cano, CMC
City Clerk

RESOLUTION NO: PC-R-2014-028

**A Resolution of the Planning Commission of the City of Pismo Beach
Approving Project No. P14-000091
Construction of a new 2,045 square foot single-family residence and attached 579
square foot secondary dwelling unit on a vacant lot
122 Seacliff; APN: 010-505-003**

WHEREAS, Hans Blatzheim ("Applicant") has submitted an application to the City of Pismo Beach for a Coastal Development and Architectural Review Permit for the construction of a new 2,045 square foot single-family residence and attached 579 square foot secondary dwelling unit on a vacant lot; and

WHEREAS, the Planning Commission held a duly-noticed public hearing on June 10, 2014, at which all interested persons were given the opportunity to be heard; and

WHEREAS, the Planning Commission continued the project to a date certain; and

WHEREAS, the Planning Commission held a duly-noticed public hearing on August 12, 2014, at which all interested persons were given the opportunity to be heard; and

WHEREAS, the Planning Commission determines that under the provisions of the California Environmental Quality Act (CEQA), the construction of a new 2,045 square foot single-family residence and attached 579 square foot secondary dwelling unit on a vacant lot is exempted per section 15303, of the CEQA Guidelines.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Pismo Beach, California as follows:

A. FINDINGS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

1. The project consists of the construction of a new 2,045 square foot single-family residence and attached 579 square foot secondary dwelling unit on a vacant lot.
2. There are no site constraints or other factors that would create the potential for significant environmental impacts as a result of the construction of a new 2,045 square foot single-family residence and attached 579 square foot secondary dwelling unit on a vacant lot.
3. The construction of a new 2,045 square foot single-family residence and attached 579 square foot secondary dwelling unit on a vacant lot is exempt from CEQA in accordance with section 15303 of the CEQA Guidelines, exempting limited numbers of small structures where all infrastructure is present.

B. FINDINGS FOR APPROVAL OF THE COASTAL DEVELOPMENT PERMIT AND ARCHITECTURAL REVIEW PERMIT:

1. The project improvements comply with the public access and public recreation policies of Chapter 3 (commencing with Section 30220) of the California Coastal Act of 1976.
2. The construction of a new 2,045 square foot single-family residence and attached 579 square foot secondary dwelling unit on a vacant lot is appropriate in size so as to be compatible with the adjacent structures.
3. The architectural and general appearance of the construction of a new 2,045 square foot single-family residence and attached 579 square foot secondary dwelling unit on a vacant lot is in keeping with the character of the neighborhood. The proposed new residence is compatible with the visual quality and character of the surrounding area and is compatible with the immediate neighborhood.
4. The construction of a new 2,045 square foot single-family residence and attached 579 square foot secondary dwelling unit on a vacant lot is consistent with the General Plan, Local Coastal Plan and General Plan Land Use Plan category of Single-Family Low Density Residential.
5. The construction of a new 2,045 square foot single-family residence and attached 579 square foot secondary dwelling unit on a vacant lot is compatible with the nearby existing uses and not detrimental to the health, safety, morals, comfort and general welfare of persons residing or working in the surrounding area of the proposed project.
6. The construction of a new 2,045 square foot single-family residence and attached 579 square foot secondary dwelling unit on a vacant lot will not be detrimental to the orderly development of improvements in the surrounding area, and will not be detrimental to the orderly and harmonious development of the City.
7. The construction of a new 2,045 square foot single-family residence and attached 579 square foot secondary dwelling unit on a vacant lot will not impair the desirability of investment or occupation in the neighborhood.
8. The construction of a secondary dwelling with an open-air parking space in the front yard setback meets the intent of state law and of the secondary dwelling unit regulations, is reasonably necessary for the development of a primary and secondary unit on the site as the new parking does not block access to the two-car garage, and is compatible with the neighborhood in terms of parking within driveways in the front yards of existing residences.

The Planning Commission does hereby approve the Coastal Development Permit subject to the Conditions attached as Exhibit A.

UPON MOTION of Commissioner Woodhouse, seconded by Vice Chairman Hamrick, the foregoing Resolution is hereby approved and adopted the 12th of August, 2014, by the following roll call vote, to wit:

AYES: COMMISSIONERS: White, Hamrick, Overland, Woodhouse
NOES: COMMISSIONERS: None
ABSTAIN: COMMISSIONERS: None
ABSENT: COMMISSIONERS: None

APPROVED:



**DJ WHITE,
CHAIRMAN**

ATTEST:



**ELSA PEREZ, CMC
PLANNING COMMISSION SECRETARY**

EXHIBIT A
PERMIT NO. P14-000051, CDP / ARP
PLANNING COMMISSION MEETING OF AUGUST 12, 2014
122 SEACLIFF, APN: 010-505-003

The conditions imposed on this project shall affect the title and possession of the real property that is the subject of this permit and shall run with the real property or any portion thereof. All the terms, covenants, conditions, and restrictions herein imposed and made available to the applicant shall be binding upon and inure to the benefit of the owner (applicant, developer), his or her heirs, administrators, executors, successors and assigns. Upon any sale, division or lease of real property, all the conditions of this permit shall apply separately to each portion of the real property and the owner (applicant, developer) and/or possessor of any such portion shall succeed to and be bound by the obligations imposed on owner (applicant, developer) by this permit.

AUTHORIZATION: Subject to the conditions stated below, approval of Permit P14-000051 grants planning permits for the construction of a new 2,045 square foot single-family residence and attached 579 square foot secondary dwelling unit on a vacant lot, as shown on the approved plans with City of Pismo Beach stamp of August 12, 2014. Approval is granted only for the construction and use as herein stated; any proposed changes shall require approval of amendments to these permits by the City of Pismo Beach.

Standard conditions, policies and selected code requirements applicable to a new single-family residence, as adopted by the Planning Commission on August 12, 2014, are by this reference included as conditions of this permit. Such standard conditions will be attached to this permit when signed by the applicant. Special project conditions are listed on Exhibit A of this permit. The applicant agrees to comply with all City standard conditions and conditions specific to the project.

EFFECTIVE DATE: This permit shall become effective upon the passage of 20 days following the receipt of notice of this action by the California Coastal Commission, provided that an appeal has not been filed to the City Council within 10 working days or that an appeal has not been filed to the Coastal Commission within the above 20 days. The filing of an appeal shall stay the effective date until an action is taken on the appeal.

EXPIRATION DATE: The applicant is granted two years for inauguration (i.e. building permits issued and construction begun) of this permit. The permits will expire on August 12, 2016 unless inaugurated prior to that date. Time extensions are permitted pursuant to Zoning Code Section 17.121.160 (2).

ACCEPTANCE OF PERMIT AND CONDITIONS: The property owner and the applicant (if different) shall sign these Conditions within ten (10) working days of receipt; the permit is not valid until signed by the property owner and applicant.

COMPLIANCE AGREEMENT: I have read and understood, and I will comply with all applicable requirements of any law or agency of the State, City of Pismo Beach and any other governmental entity at the time of construction. The duty of inquiry as to such requirements shall be my responsibility. I agree to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the project; or my failure to comply with conditions of approval. This agreement shall be binding on all successors and assigns.

I HAVE READ AND UNDERSTOOD, AND I WILL COMPLY WITH ALL ATTACHED STATED CONDITIONS OF THIS PERMIT

Approved by the Planning Commission on August 12, 2014.

Applicant

Date

Property Owner

Date

**CONDITIONS, POLICIES AND SELECTED CODE REQUIREMENTS FOR
PROJECT # P14-000051; 122 Seacliff, APN # 010-505-003**

Conditions are of a substantive nature on the basis of the Planning Commission's decision. These conditions cannot be altered without Planning Commission approval.

A. STANDARD CITY CONDITIONS: Project shall comply with all standard conditions and selected code requirements on file at the Community Development Department, Planning Division located at 760 Mattie Road.

B. SPECIAL CONDITIONS: PRIOR TO ISSUANCE OF A BUILDING PERMIT

Building Division:

1. **BUILDING PERMIT APPLICATION.** To apply for building permits submit five (5) sets of construction plans **ALONG WITH FIVE (5) COPIES OF THE CONDITIONS OF APPROVAL NOTING HOW EACH CONDITION HAS BEEN SATISFIED** to the Building Division.

Planning Division:

2. **COMPLIANCE WITH PLANNING COMMISSION APPROVAL.** Prior to the issuance of a building permit, the Project Planner shall confirm that the construction plot plan and building elevations are in compliance with the Planning Commission's approval and these conditions. Project shall comply with these standards:

ITEM	APPROVED
Lot Area	6,133 sq. ft.
Building Height	15' (98.94') above high point = 83.94'; 16.72' (98.94') above center of footprint
Building Floor Area	2,624 sf (42.7%)
Lot Coverage	2,624 sf
2 nd Unit Size	579 sf
Landscape Area	1,732 sf (28.2%)
Front/ Garage Setback	20'
Side Setbacks	5'
Rear Setback	10'
Parking Spaces	2 space in garage, each 10'x20', 1 tandem open-air space in driveway @ 9'x18'. <i>Applicant to provide pavers or alternative material for open-air space. (added by the Planning Commission on August 12, 2104)</i>

BUILDING DIVISION

3. **FIRE SPRINKLERS**, shall be required by City Codes.

FIRE DEPARTMENT

4. **FIRE SPRINKLERS.** A fire sprinkler system is required for this project per local Fire Code. Local Ordinance 903.2

- END -

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060-4508
VOICE (831) 427-4863 FAX (831) 427-4877



APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

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

SECTION I. Appellant(s)

Name: Evelyn Delany
Mailing Address: 128 Seacliff Dr.
City: Pismo Beach Zip Code: 93449 Phone: 805-773 1389

SECTION II. Decision Being Appealed

1. Name of local/port government:
City of Pismo Beach
2. Brief description of development being appealed:
2 dwelling residence in R1 zone
3. Development's location (street address, assessor's parcel no., cross street, etc.):
122 Seacliff Dr
APN 010-505-003
4. Description of decision being appealed (check one.):
☒ Approval; no special conditions
☐ Approval with special conditions:
☐ Denial

RECEIVED

OCT 14 2014

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

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-3-PSB-14-0052

DATE FILED: ^{Re} Cen 10/15/2014

DISTRICT: Central Coast

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

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

- ☐ Planning Director/Zoning Administrator
☒ City Council/Board of Supervisors
☐ Planning Commission
☐ Other

6. Date of local government's decision: Oct 7-2014

7. Local government's file number (if any): P14-000051

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:

Hanz Blatzheim
20 Rue Rabbat L-6475
Echter nach Luxembourg

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) Justin Chapel 164 Baker Ave - Pismo Beach 93449
Shiela Blake 1320 Longview Pismo Beach 93449
Jeff Purchin 110 Seacliff Dr. Pismo Beach 93449
(2) owner of 116 Seacliff } it is a rental and I
APN 010-505-002 } don't know who ~~owns~~ owns it
Kevin Kreowski - 1801 Shell Beach Rd.
Pismo Beach 93449
(3)
(4)

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

SECTION IV. Reasons Supporting This Appeal

PLEASE 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.
- 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.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient information to allow the staff and/or Commission to support the appeal request.

This is a neighborhood of ordinary single family homes with setbacks of 25 to 35 feet, as you can see in the aerial photograph, Exhibit 1. My driveway is 26 feet long from the garage to the sidewalk. My house is set back 9 feet behind that, 35 feet from the sidewalk. I have a landscaped front yard with trees, roses and other flowers, blueberries, herbs, native plants, and ground cover. Front photos of nearby houses will be sent in November.

The applicant is proposing a 20-foot setback for the entire frontage of his dwellings and garages. 20 feet is hardly long enough to park full size vehicles, and they will hang over onto the sidewalk impeding walkers and runners of all sorts and ages. About half of his front yard will be paved for walkways and driveways.

Two attached dwellings have been approved, with two main entrances, two house numbers, two mail delivery locations and extra driveway parking to accommodate the extra dwelling.

This is not visually compatible with the character of the surrounding area (California Coastal Act Sec. 30251). Front photos of nearby houses will be sent in November.

Seacliff Drive is the main entrance to the neighborhood. As you can see in Exhibit 1, the street goes past 110 and 116 Seacliff Drive. These are typical homes in the track. Then, the street curves a little. Immediately 122 comes into view like a beacon. As currently proposed, 122 will be an anomaly, and stick out like a sore thumb. It is not visually compatible with the character of the surrounding area. Then come 128, 134 and a string of typical homes with long driveways and 35-foot setbacks.

Most of the houses are ranch style or bungalows in stucco with wood trim, soft colors, with peaked roofs. The applicant's house has a flat top and a stark façade, not like the others. It is not visually compatible with the character of the surrounding area.

The proposed house is 2624 square feet of dwellings plus a two-car garage. My house is about 1700 square feet; 116 and 134 are slightly smaller. Nearly all of his lot has some structure on it, including a swimming pool. There is almost no vegetation. I believe this intense development makes it incompatible with the established physical scale of the neighborhood (Pismo Beach Coastal Planning Procedures Sec. 17.124.140.3).

This is a neighborhood of ordinary single family homes with setbacks of 25 to 35 feet, as you can see in the aerial photograph, Exhibit 1. My driveway is 26 feet long from the garage to the sidewalk. My house is set back 9 feet behind that, 35 feet from the sidewalk. I have a landscaped front yard with trees, roses and other flowers, blueberries, herbs, native plants, and ground cover. Front photos of nearby houses will be sent in November.

The applicant is proposing a 20-foot setback for the entire frontage of his dwellings and garages. 20 feet is hardly long enough to park full size vehicles, and they will hang over onto the sidewalk impeding walkers and runners of all sorts and ages. About half of his front yard will be paved for walkways and driveways.

Two attached dwellings have been approved, with two main entrances, two house numbers, two mail delivery locations and extra driveway parking to accommodate the extra dwelling.

This is not visually compatible with the character of the surrounding area (California Coastal Act Sec. 30251). Front photos of nearby houses will be sent in November.

Seacliff Drive is the main entrance to the neighborhood. As you can see in Exhibit 1, the street goes past 110 and 116 Seacliff Drive. These are typical homes in the track. Then, the street curves a little. Immediately 122 comes into view like a beacon. As currently proposed, 122 will be an anomaly, and stick out like a sore thumb. It is not visually compatible with the character of the surrounding area. Then come 128, 134 and a string of typical homes with long driveways and 35-foot setbacks.

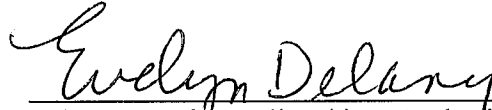
Most of the houses are ranch style or bungalows in stucco with wood trim, soft colors, with peaked roofs. The applicant's house has a flat top and a stark façade, not like the others. It is not visually compatible with the character of the surrounding area.

The proposed house is 2624 square feet of dwellings plus a two-car garage. My house is about 1700 square feet; 116 and 134 are slightly smaller. Nearly all of his lot has some structure on it, including a swimming pool. There is almost no vegetation. I believe this intense development makes it incompatible with the established physical scale of the neighborhood (Pismo Beach Coastal Planning Procedures Sec. 17.124.140.3).

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

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

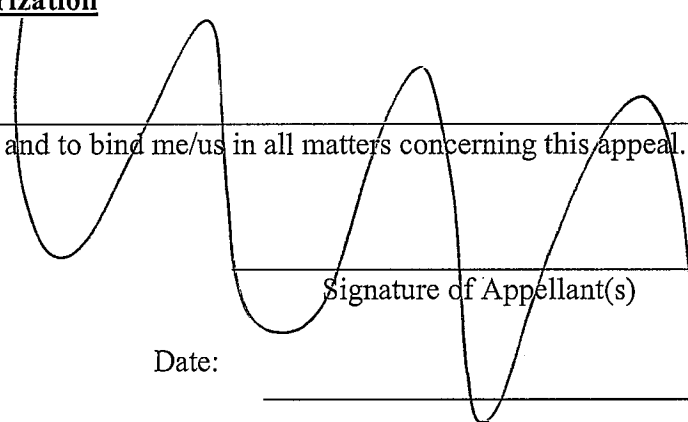
Date: Oct 8-2014

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)

Date: _____

Exhibit 1



Google earth

feet
meters
100 400

garage setbacks
house setbacks

128 Seaside front

20 feet sidewalk front

128 Seaside front

20 feet sidewalk front

128 Seaside front

20 feet sidewalk front

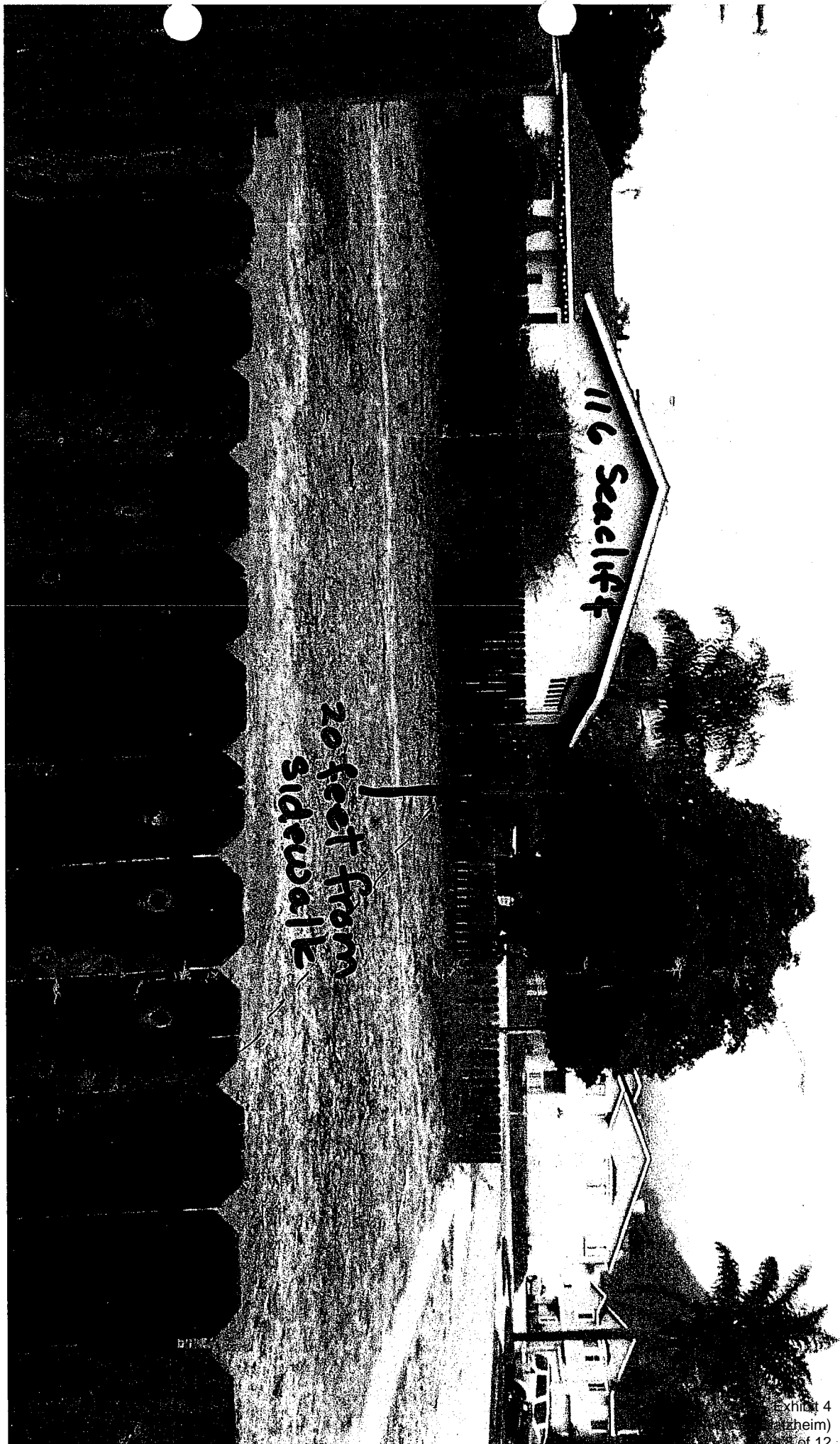


Exhibit 3

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE

725 FRONT STREET, SUITE 300

SANTA CRUZ, CA 95060-4508

VOICE (831) 427-4868 FAX (831) 427-4877



APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

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

SECTION I. Appellant(s)Name: Dustin ChapelMailing Address: 164 Bake Ave.City: Pismo BeachZip Code: 93449Phone: 805 773 2865SECTION II. Decision Being Appealed

1. Name of local/port government:

Pismo Beach

2. Brief description of development being appealed:

A single family residence on a
RI Lot

3. Development's location (street address, assessor's parcel no., cross street, etc.):

122 Seacrift Drive

4. Description of decision being appealed (check one.):

- ☒ Approval; no special conditions
☐ Approval with special conditions:
☐ Denial

RECEIVED

OCT 17 2014

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

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. _____

DATE FILED: _____

DISTRICT: _____

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

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

- ☐ Planning Director/Zoning Administrator
☒ City Council/Board of Supervisors
☐ Planning Commission
☐ Other

6. Date of local government's decision:

10/07/14

7. Local government's file number (if any):

P14 0000 57

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:

HANS Blatzheim
20 Rue Robart
L-6475 Echternach
Luxembourg, FS. 99999

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) Justin Chapel 164 Baker Ave
Pismo Beach, CA 93449

(2) Evelyn Delawry 128 Seacliff Dr.
Pismo Beach, CA. 93449

(3)

(4)

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

SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

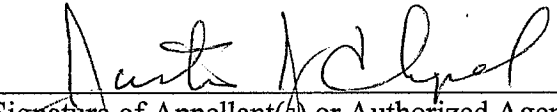
- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local 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.)
- This 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.

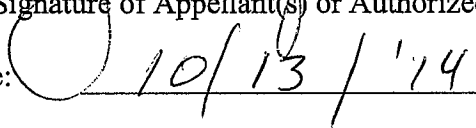
NO government Agency should change
The basic lot and dwelling use of
A neighborhood that has been 99%
developed. IT IS TOTALLY UNFAIR TO
The owner of homes who have lived
here for many years believing that
The R1 designation meant ONE
residence and a single family
dwelling meant ONE family!
IT IS AN OUTRAGE TO change it
now!

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

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: _____
10/13/14

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)

Date: _____

Chapter 17.102 GENERAL PROVISIONS: BUILDING HEIGHTS, YARD, AREA, COVERAGE AND CONSTRUCTION REQUIREMENTS

17.102.020 Minimum front yard requirements.

The minimum front yard setbacks shall be as follows:

A. Residential.

1. In the A-E, R-1 and R-2 zones, each lot shall have a front yard setback of not less than twenty feet.

...

Chapter 17.117 SECONDARY DWELLING UNITS

17.117.010 Intent and purpose.

These regulations are intended to:

A. Provide additional opportunities for developing housing that would otherwise not be possible under the current density standards;

B. Provide a means for purchasers of homes to assist in making payments on home loans;

C. Provide security for homeowners who fear criminal intrusion and personal accidents while living alone;

D. Provide separate but close living quarters for homeowners' relatives who are in need;

E. Provide for greater occupational, household type, and income-level diversity within neighborhoods;

F. Make more efficient use of existing infrastructure.

G. Provide an opportunity for property owners to create housing that is affordable to lower- and moderate-income renters.

17.117.020 Consistency with adopted plans.

Secondary dwelling units developed in accordance with this section are a residential use that is consistent with the existing general plan and zoning designation for the lot.

...

117.117.040 Applicability.

Secondary dwelling units are permitted in R-1, R-2, R-3, R-R, P-R zones, with the exception noted below, on lots or parcels where there is only one existing or planned residence, and where the required number of parking spaces for the primary residence is provided. The requirements in this section apply to new secondary dwelling units and to additions to existing secondary dwelling units. The total number of residences permitted on one lot in accordance with these regulations is two: one primary and one secondary unit, regardless of the zone.

Exception. Secondary dwelling units are not permitted in the R-1 zone above the intersection of Longview and Stratford, in the Pismo Heights planning area.

...

17.117.060 Density.

For purposes of calculating the density on a lot, the primary and secondary dwelling units together shall be considered to be one density unit. Secondary dwelling units do not exceed the allowable density for the lot upon which the unit is located. Only one primary and one secondary unit are permitted per legal lot or parcel.

17.117.070 State law applicability.

The provisions of this section shall be subordinate to and superceded by the controlling provisions of any applicable state law or laws.

17.117.080 Development standards.

The following standards are intended to ensure that second dwelling units do not adversely affect either adjacent residential parcels or the surrounding neighborhood, and are developed in a manner that protects the integrity of the residential district while providing for needed housing opportunities.

A. Occupancy. Neither unit may be used as a transient rental (see definition, Section [17.006.0953](#)). Either the primary or the secondary unit must be occupied by the property owner.

A deed restriction shall be recorded against the title of the property that contains the second dwelling unit, prior to issuance of a building permit. Such deed restriction shall stipulate that the second dwelling unit cannot be sold separately or used as a transient rental and that one of the units must be occupied by the property owner.

B. Lot Area. The lot may be of any size.

C. Lot Coverage, Yards, Height, Maximum Building Area. All new development, shall conform to the development standards of the underlying zone.

D. Parking. One additional parking space is required for the secondary unit, in addition to any spaces required for the primary unit. Parking spaces may be covered or uncovered, must be paved, and must be at least nine feet wide and eighteen feet deep. Spaces may be located within a required side or rear setback (see Sections [17.102.030](#) and [17.102.040](#)) or in a driveway. The space required for the secondary unit may be in tandem with any parking spaces required for the primary residence.

E. Unit Size. The primary and secondary dwelling units together may not exceed the building area or lot coverage allowed for a single dwelling in the underlying zone. Within this maximum building envelope and building area, the maximum building area of a secondary dwelling unit, not including any garage, may not exceed six hundred s.f. for lots less than 10,000 s.f. in area, and one thousand two hundred s.f. for lots ten thousand s.f. or larger in area.

F. Services. The primary and secondary units may be served from the same gas, electricity, and water lines, at the discretion of the property owner. No development shall be approved that would exceed the capacity of the municipal utility systems. Specifically, all applications received for secondary dwelling units shall be accompanied with evidence provided by the municipal utility provider that there are adequate services/capacity to serve the proposed development.

G. Water Conservation. All plumbing fixtures in both the primary and the secondary dwelling units must meet current Title 24 requirements for water conservation.

H. Consistency with Codes. New development shall comply with all local, state, or federal regulations that apply to the property, including the applicable requirements of the general plan/local coastal plan and certified zoning ordinance.

...

17.117.110 Exceptions.

Secondary dwelling units that do not meet all of the above standards may be allowed, subject to discretionary approval of a development or coastal development permit by the planning commission at a public hearing preceded by proper notification pursuant to Sections 17.124.90 and [17.124.100](#). To approve a secondary dwelling unit with exceptions, the planning commission must make all of the following findings:

- A. The project meets the intent of state law and of the secondary dwelling unit regulations;
- B. The exception is reasonably necessary for the development of a primary and secondary unit on the site;
- C. The project will be compatible with the neighborhood.

...

Chapter 17.124 COASTAL PERMITTING PROCEDURES

17.124.140 Grounds for appeal.

A. The grounds for appeals pursuant to Sections [17.124.130](#)(A) shall be limited to one or more of the following:

- 1. The development fails to provide adequate physical access or public or private commercial use or interferes with such uses as set forth in the city's certified local coastal program;
- 2. The development fails to protect public views from any public road or from a recreational area to, and along, the coast as set forth in the city's certified local coastal program;
- 3. The development is not compatible with the established physical scale of the area or is not consistent with the level and scale of development provided for the area in the city's certified local coastal program;

...

Hans Blatzheim
20, rue Rabatt
L-6475 Echternach
Luxembourg

Luxembourg, 22nd October 2014

Attn. Kevin Kahn

California Coastal Commission
Central Coast District Office
725 Front Street, Suite 300
Santa Cruz, California 95060-4508

Commission Appeal No. A-3-PSB-14-0052

Dear members of the California Coastal Commission,

I am the applicant for the proposed residence at 122 Seacliff Drive which was approved by the Planning Commission and the City Council of Pismo Beach and is now subject to an appeal to the California Coastal Commission.

I am personally unable to attend the meeting to address the commission members in person but would like to provide you with my comments.

Before buying the lot on 122 Seacliff drive, I had a meeting with the planning department of the City of Pismo Beach, to develop this vacant lot in compliance with the regulations and the neighborhood. Important factors that we covered included setbacks, height limits, former development, and the guideline to the City's regulations on secondary dwelling units and the bounds of the City's Local Coastal Plan, LCP. Based on these discussions we designed the project to be in conformance with regulations on all of these factors.

Being respectful to the height limit and the neighborhood, we designed a one story home and also left a considerable area in the center of the lot unbuilt (southern side). This allows us to take most advantage of the passive solar gain.

The design has the potential to create an attractive and energy efficient home. It is based on the ideas of the Case Study House Program (Los Angeles 1945 to 1963) and award winning architecture.

The omission of a second floor, the inclusion of passive solar features, such as windows and overhangs, which provide a balance between winter heating and

summer cooling and the allowance for useable outdoor area has had a significant influence on the area available for the living spaces.

Although, the current proposed design achieves a balance between these influences and the size of the home; there is no flexibility to accommodate larger setbacks. The actual living space of both units together is only **2,159** square feet.

The planning approval for the former project on 122 Seacliff, which is still valid, allows a two story home with **3,519** square feet and a 20' setback in the front. That project was adopted by the City Council (CCM-2013-01-15 Motion to adopt Resolution No. R-2013-002 upholding the Planning Commission approval for Project No. P12-000091 at 122 Seacliff Drive) and was not appealed to the California Coastal Commission.

The current proposal is a much smaller home with only one story, and 2,624 square feet in total and with a considerable increase in landscape area.

The following findings were made by the Planning Department and the City Council:

The project is Consistent with all City Zoning & Planning ordinances.

The project is Consistent with the neighborhood both in terms of size and style.

The project is within the bounds of the City's Local Coastal Plan, LCP.

The original comment of Ms. Evelyn Delany in the public hearing on 06-10-14 was:

"Compliments to the applicant on improving the project over the previous one!" (public comment 06-10-14 41:05 - 41:30)

The original comment of Mr. Jeff Purchin, 110 Seacliff Drive in the public hearing on 06-10-14 was:

"A huge improvement to the last home approved before!"

Dean and Angela Pericic are the home owners of 116 Seacliff Drive, next to the vacant lot. They have sent the following message to the City Council on October 6, 2014:

"Pismo City Council,

Just wanted to encourage you to let the project pass that is on 122 Seacliff. We own the property next door at 116 Seacliff. When we bought the home last year, we knew that change was inevitable in that neighborhood. I have found that everything this homeowner has planned is within the city requirements. We have noted the secondary dwelling and the setbacks and again encourage you to let this project pass so my new neighborhood will look even more amazing.

Thank you for your time,

Dean and Angela Pericic, 116 Seacliff 805-423-0801"

Ms. Delany had issues about the former project of Ms. Jennifer Breniff concerning ventilation of her chimney, second story, size and setbacks. We addressed these concerns and designed a much smaller one story home with a lot more space between the two buildings.

1. Style and materials:

It is not particularly credible, when Ms. Delany claims the project as being not visually compatible with the neighborhood, regarding her comments and compliments to the applicant in the public hearing on 06-10-14. That time she had no concerns about design or materials.

We selected only quality materials with richness in style and texture. These include natural stone and wood siding in warm natural colors. These materials are very appropriate to the coastal architectural context.

Quote from the staff report of the City of Pismo Beach page 5:

"The St. Andrews Planning Area consists of 111 single-family residences, with many different architectural styles. A fair number of the existing houses were built in the 1960's as smaller ranch style homes. Since then, other nearby homes have been built in Spanish, modern, craftsman, Mediterranean and Cape Cod styles. The proposed design proposes a mid-century modern style. Photo examples of other architectural styles within the St. Andrews neighborhood can be found on Attachment 3. The trend for new homes in the neighborhood reflects current contemporary styling and a movement away from the older ranch style homes. Policy LU-E-1 notes that replacements should be compatible with the scale a character of the neighborhood, but it does not require that the architectural style of the original houses be replicated."

2. Setbacks:

Ms. Delany does not distinguish between the property line and the side walk.

The project is at least 20 feet away from the property line and 22 – 23 feet away from the sidewalk. Even large luxury cars fit easily in the drive way. A Mercedes S 600 sedan for example has 17.2 feet length in total.

A 20 feet setback in the front is typical for the area and in full compliance with the regulations.

Quote from the staff report of the City of Pismo Beach page 4:

"The front property line is approximately 2' from the back of sidewalk, with the garage and front setbacks at 22' from back of sidewalk."

The setback of garages for existing houses on the project side of Seacliff Drive range in depth from 20' to 23'. Other homes in the neighborhood, including homes directly across the street have setbacks ranging in size from less than 20' to over 30'.

The staff report noticed many houses with even smaller setbacks:

110 Seacliff at 16'

117 Seacliff at 10'

123 Seacliff at less than 2'

177 Seacliff at 21'

182 Seacliff at 20'

183 Seacliff at 16' 9"

188 Seacliff at 15'

These eight homes comprise approximately 30% of the existing houses on Seacliff Drive. There are 35 of the 111 existing single-family residences, or just over 30%, in the St. Andrews neighborhood with front setbacks at 25' or less. The proposed garage setback at 122 Seacliff is consistent with the mix of garage setbacks on the project side of Seacliff Drive and the neighborhood in general."

3. Physical scale:

The project is compatible with the physical scale of the neighborhood. Ms. Delany is wrong when she claims, that the project has 2,624 square feet plus a two-car garage. The actual living space of both units together is only **2,159** square feet. 2,624 square feet include a two-car garage.

The following projects have been previously approved:

122 Seacliff @ 3,519 sq. ft. (design approval)

165 Baker @ 4,424 sq. ft.

188 Seacliff @ 4,317 sq. ft.

185 Naomi @ 4,155 sq. ft.

160 Naomi to 3,456 sq. ft.

109 Naomi @ 3,400 sq. ft.

159 Seacliff @ 3150 sq. ft.

176 Baker @ 3,000 sq. ft.

177 Seacliff @ 3,000 sq. ft.

170 Naomi @ 3,200 sq. ft.

123 Paddock @ 3,305 sq. ft.

Quote from the staff report of the City of Pismo Beach page 3:

“...newer homes in the neighborhood, in excess of 3,000 square feet, have been approved in years past and determined to meet the intent of Policy LU-E-1.”

4. Landscape area and front yard:

The maximum lot coverage is 55 % = 3373 sq. ft. The proposed lot coverage is only 2,624 sf = 42.7%. There is sufficient landscaping area left.

Quote from the staff report of the City of Pismo Beach page 4/5 concerning the front yard:

“The proposed project has approximately 600 square feet of landscaping, 180 square feet of grasscrete pavers for the secondary dwelling unit’s parking space, and 420 square feet for the driveway and walkways. The Planning Commission directed the applicant at the June 10th Hearing to provide an un-covered parking space for the secondary dwelling unit within the front yard setback so that vehicles using the two-car garage would be able to access and leave it independent of vehicles for the secondary unit. The applicant complied with this request, and proposed grasscrete pavers for this parking space to help break up the amount of paved surface visible from the street. The Planning Commission added a condition during the August 12, 2014 Hearing requiring the applicant to provide pavers or an alternative paving material for this parking space instead of the grasscrete.”

5. Secondary Dwelling Unit:

The secondary dwelling is consistent with the City ordinance and State law.

The staff report for the City Council hearing notes that the project is totally in compliance with California State Law and the City of Pismo Beach’s regulations on secondary dwelling units. There are no grounds to deny this proposal for a fully compliant Secondary Dwelling.

The state law was adopted in 2001 and the city ordinance was adopted in 2003. This has given plenty of time for the appellants to have raised their complaints within the appropriate channels instead of waiting till now and directing those complaints at the proposed project.

This project is not the appropriate place to fight against the law of the State of California!

The City of Pismo Beach added in 2003 considerable restrictions within the City Ordinance concerning Secondary Dwelling Units. State law allows up to 1,200 sq. ft. in size but the City reduced the size for lots under 10,000 sq. ft. down to 600 sq. ft.

Further restrictions are that one unit has to be owner occupied. It is not possible to rent out both units. It is not possible to sell the units separately, enforced by deed restrictions. This ensures and protects the character of a single family residential area!

In summary, size and structure of the project are significantly smaller and have less impact on the neighborhood than the existing, valid design approval, previously adopted by the City Council of Pismo Beach.

We have spent nearly one year on developing this project with great respect to the environment, passive solar gain and the neighborhood. We have incorporated the influence of award winning contemporary houses, designed in California between 1945 and 1963, and we have tried diligently to make this home an asset to the neighborhood and believe that it will provide a positive effect on the value of the local properties. It combines highest quality materials, historical and contemporary California design and creates a fresh architectural breeze, close to the ocean.

Therefore, I kindly ask the members of the California Coastal Commission to adopt the project. This home means a lot to me and I have made a great effort to be informed of and follow all regulations.

Best regards,

A handwritten signature in black ink, appearing to read 'Hans Blatzheim', with a stylized, flowing script.

Hans Blatzheim