

RECEIVED
JAN 05 2015

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

12/31/2014

Dear Coastal Commission

I am writing in response to your letter dated 12/18/2014 concerning the administrative permit # 6-14-1773/ES. Applicants Martin and Beth Gilboa permit location 617 Ridgeline Place, Solana Beach, California APN# 263-270-10

This project is not compatible with the existing residences in overall neighborhood either in scale or character. Other people have tried to meld their additions to the surroundings. This structure will only be an tall eye sore.

The architect Richard Dalgro told me the Gilboas will not be living in it. It apparently is for their grown children and grandchildren.

This structure will totally ruin the profile of those of us living directly below it. There is now back one roof top on the length of the hill which has hillside trees and chaparral.

At least (2) homes on my street, Glencrest Place are rented and they will be moving and therefore not impacted by this project.

When my neighbor to the east of me and I submitted letters to the city and went before the council on Oct 8th - 2014 our request was voted down.

We did not even have an "view assessment" not a cost of \$600.00 each.

I inquired who would do that assessment. I was told one of the commissioners, and then told they are only other residents.

Letter of Opposition

One of the council men, my neighbor
Peter Zahn recused himself.

Laura Debra another council person stated
the virtues of the Gilboas as neighbors and
friends and therefore should also have
recused herself.

Please reconsider this project so our
lovely old neighbor hood will not be
spoiled by this structure or better yet
visit the top of our properties on
Glencrest Place, not just an apparently
drive by as Mr. Sarge did.

Sincerely
Jaime M. Vaughn
623 Glencrest Place
Salina, CA.
92075-1440

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
 7575 METROPOLITAN DRIVE, SUITE 103
 SAN DIEGO, CA 92108-4421
 (619) 767-2370



W7a

Page 1 of 5
 Permit Application No. 6-14-1773/ES
 Date: 12/18/2014

ADMINISTRATIVE PERMIT

APPLICANT: Martin and Ruth Gilboa

PROJECT DESCRIPTION: Construction of a 1,012 sq. ft. addition to an existing 2,924 sq. ft. single family home with an attached garage, and after-the-fact approval of an in-ground swimming pool, a free standing solar panel array, and a detached 185 sq. ft. exercise room on a 21,550 sq. ft. lot.

PROJECT LOCATION: 617 Ridgeline Place, Solana Beach, San Diego County (APN #263-270-10)

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, are discussed on subsequent pages.

NOTE: The Commission's Regulations provide that this permit shall be reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, a permit will not be issued for this permit application. Instead, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

DATE and TIME: Wednesday, January 7, 2014 9:00 AM	LOCATION: Santa Monica Civic Center East Wing 1855 Main Street Santa Monica, CA 90401
Phone: (415) 407-3211	

IMPORTANT - Before you may proceed with development, the following must occur:

For this permit to become effective you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgment and evidence of compliance with all special conditions, we will send you an authorization to proceed with development. BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE PERMIT AUTHORIZATION FROM THIS OFFICE.

CHARLES LESTER
 Executive Director

By: Eric Stevens

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgement. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

Pursuant to Public Resources Code Section 30624, the Executive Director hereby determines that the proposed development, subject to Standard and Special Conditions as attached, is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3, and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. Any development located between the nearest public road and the sea is in conformity with the public access and public recreation policies of Chapter 3.

The proposed project involves the construction of a 1,012 sq. ft. addition to the first and second floor of an existing 2,924 sq. ft. single family home with an attached garage, and after-the-fact approval of an in-ground swimming pool, a free standing solar panel array, and a detached 185 sq. ft. exercise room on a 21,550 sq. ft. lot ([Exhibits 1 & 2](#)). The project site is located at 617 Ridgeline Place, in the City of Solana Beach. The site is approximately one mile east of the shoreline. The proposed residential addition requires a coastal development permit because the home is located between the first public road and the San Elijo Lagoon to the north.

Development has occurred on the subject site without required coastal development permits including, but not limited to, construction of a pool/spa, installation of a ground-mounted solar panel system, and construction of a detached exercise room. The applicant

has provided evidence to the Commission, in the form of the Residential Building Record from the County of San Diego, showing that the pool/spa, solar panel system, and the exercise room were all constructed in the 1980s. In addition, the applicants state that they purchased the property subsequent to the construction of the unpermitted development and were unaware of the fact that coastal development permits were required and not obtained. Thus, the applicant has included after-the-fact approval of the aforementioned development in the proposed project description.

Approval of the subject application will authorize the retention of the pool/spa, solar system, and exercise room. Although development occurred prior to the submission of this permit application, consideration of this application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Commission review and action on this permit application does not constitute a waiver of any legal action with regard to the alleged violations nor does it constitute an admission as to the legality of any development undertaken on the subject sites without a coastal permit.

The existing single family home on the subject site is a pre-Coastal Act structure, constructed in approximately 1960. In 1979, the San Diego Coast Regional Commission approved the construction of an approximately 594 sq. ft. second story addition to the existing home (CDP #F8382). However, the applicant states that the previously approved addition was never constructed.

The City of Solana Beach has a certified Land Use Plan (LUP), but the City has not yet completed an Implementation Plan (IP) and, therefore, there is currently no certified Local Coastal Program (LCP). Thus, the standard of review for the proposed development is the Chapter 3 policies of the Coastal Act, with the City's LUP used as guidance.

Coastal Act policies 30240 and 30251 restrict the alteration of natural landforms and protect sensitive habitats. In addition, the certified LUP includes environmentally sensitive habitat area (ESHA) and potential ESHA area maps for the City, which identify a number of areas within the City's boundaries that contain ESHA and areas of "potential ESHA." A portion of native habitat area that abuts the subject property to the east and northeast is identified in the LUP as potential ESHA, containing primarily Southern Maritime Chaparral vegetation, with is listed as a sensitive resource on Exhibit 3-7 of the LUP.

The policies of the certified LUP require that a site-specific study of areas mapped as potential ESHA be conducted to determine if the mapped vegetation is ESHA if there is a potential for the area to be impacted by development. In addition, Policy 3.22 of the LUP requires that a 100 ft. buffer be established between non-wetland ESHA and new development, Policy 4.71 of the LUP requires new development adjacent to ESHA to be sited and designed to minimize required fuel modification to the maximum extent feasible so as to avoid ESHA disturbance, and Policy 4.79 of the LUP requires that new development shall be sited and designed so that no brush management or the 100 ft. fuel modification encroaches into ESHA. Commission staff has visited the subject site and the

applicant has submitted photographic evidence showing that the area proposed for development and within 100 ft. of the proposed development contains only mature ornamental landscaping, consisting primarily of ice plant and various fruit trees. The applicant does not propose to modify the existing mature landscaping. Therefore, in this particular case, a site specific study of the area of potential ESHA is not necessary because the proposed development will be located farther than 100 ft. from any native habitat, and there is no potential for impacts to ESHA from the proposed addition or new structures.

Policies 4.74 and 4.75 of the LUP require that properties located in the Wildland Urban Interface (WUI) provide a fuel management plan for areas within 100 ft. of a habitable structure. The subject property is mapped as a high fire risk area on the City of Solana Beach WUI map. The applicant has provided a fuel management plan approved by the Solana Beach fire marshal that requires fuel management only within 100 feet of the main residence. Therefore, no impacts to native habitat will result from required brush management activities. [Special Condition #1](#) requires that the applicant undertake fuel management consistent with the submitted plans by Richard Haeger Associates, dated 9/24/2014 and that no changes to the fuel management plan shall occur without a CDP amendment or a determination by the Executive Director of the Commission that no amendment is required.

The subject site is not oriented directly towards San Elijo Lagoon, and there is considerable mature vegetation around the site. Thus, the existing residence is not visible from surrounding public vantage points, including Interstate 5 (I-5) or from public trails within the San Elijo Lagoon. Additionally, the development is located within an existing developed residential area also containing homes of a similar bulk and scale. Thus, the proposed development will be compatible with the character and scale of the surrounding area and will not impact public views. Therefore, as conditioned, the Commission finds that the development conforms to Section 30251 of the Coastal Act.

Coastal Act sections 30210 and 30211 provide for maximum public access to coastal resources and prohibit development from interfering with the public's right of access to said coastal resources. As proposed, the addition to the existing residence and the after-the-fact approval of the pool, solar panels, and exercise room will be located entirely on private property and will not have any impact on nearby public trails or other public access points to or around the lagoon. Thus, the project is consistent with the public access and recreation policies of the Coastal Act.

The project is consistent with all applicable Chapter 3 policies of the Coastal Act. The Executive Director finds that approval of the subject property will not prejudice the ability of the City of Solana Beach to obtain a fully certified local coastal program.

SPECIAL CONDITIONS:

This permit is subject to the following conditions:

1. **Fuel Management Plan.** The applicant shall undertake fuel management consistent with the plans by Richard Haeger Associates, dated 9/24/2014. Any changes to the brush management requirements from the Fire Marshal shall be reported to the Executive Director. No changes to the required brush management shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

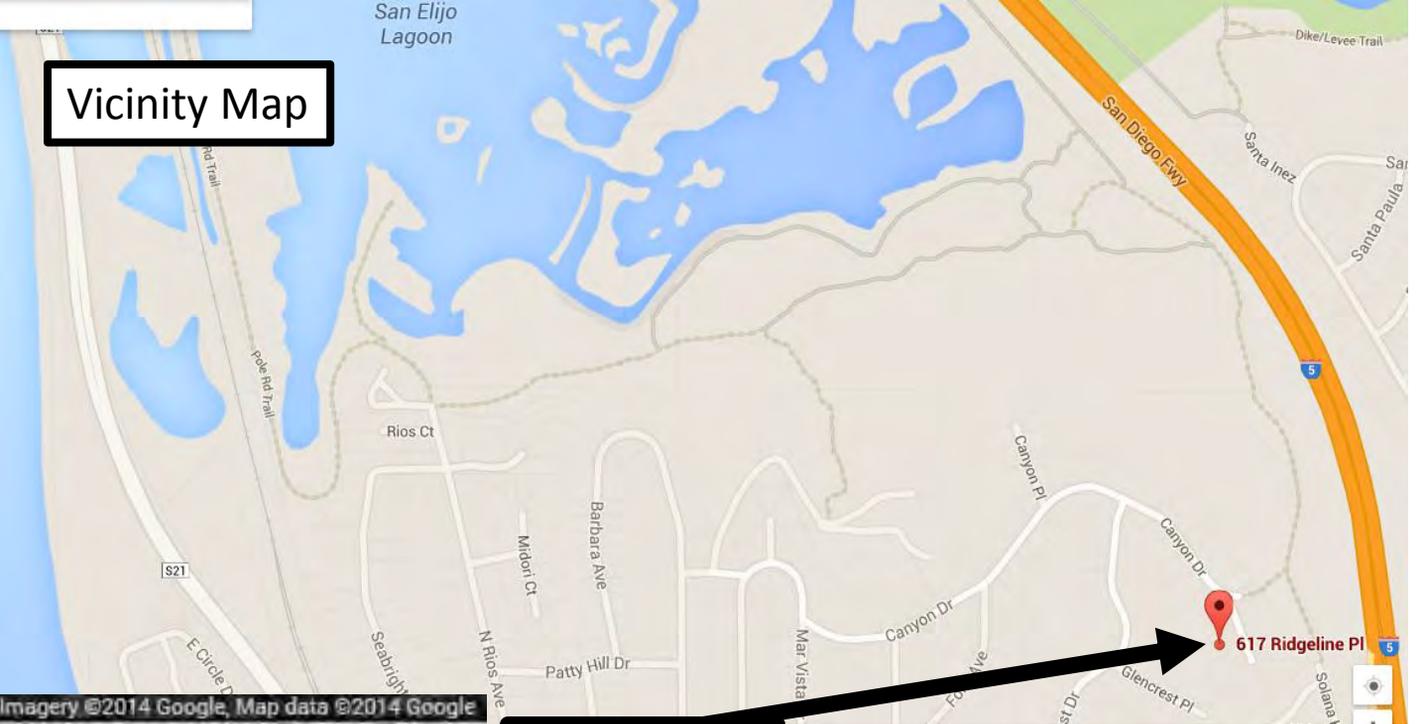
ACKNOWLEDGEMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

Applicant's Signature

Date of Signing

Vicinity Map



Imagery ©2014 Google, Map data ©2014 Google

SITE

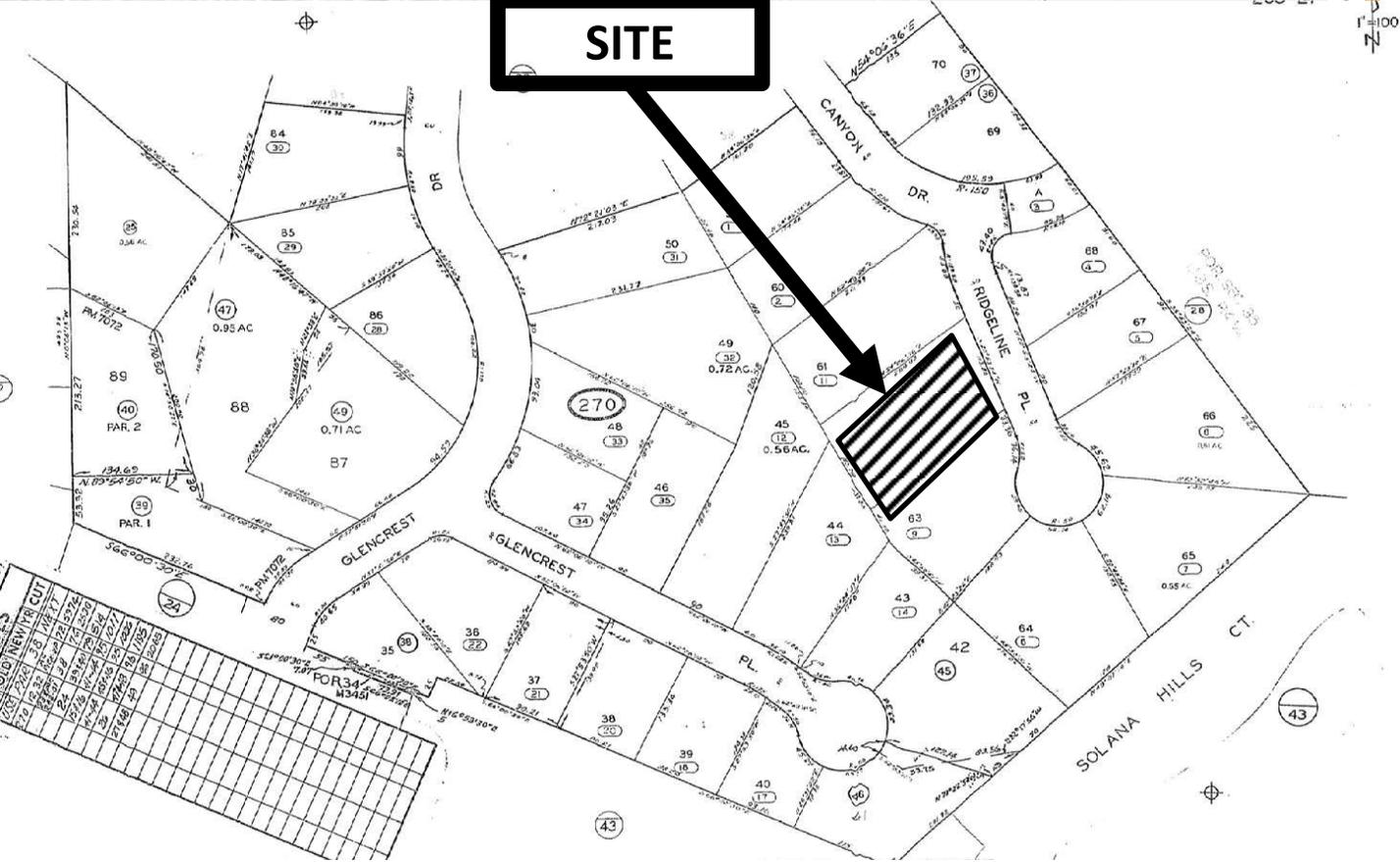


EXHIBIT NO. 1

APPLICATION NO.

6-14-1773

Vicinity Map



California Coastal Commission

Aerial Site Photo

↑
San Elijo
Lagoon
Reserve

Interstate 5 →



Area of
Potential ESHA

Pool/Spa

Solar Panels

Exercise
Room

Area of
Proposed
Addition

Imagery ©2014 Google, Map data ©2014 Google

EXHIBIT NO. 2
APPLICATION NO.
6-14-0734
Aerial Site Photo  California Coastal Commission