



July 4, 2005

FAX/Email

**Mike Schaller**

San Mateo County Planning and Building Division  
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**RE: PLN2004-00327.** CDP and Non-Conforming Use Permit for an addition at 431 Nevada Ave., Moss Beach. APN: 037-138-050 (**Zoning Hearing**

**Officer July7)**

Dear Mike:

The Planning and Zoning Committee of the MidCoast Community Council first reviewed the above-referenced project in September 2004 and sent comments at that time. This project came to our attention again because of a setback issue involving the vacated right-of-way that runs behind this parcel. We reviewed this project again only in terms of the vacated right-of-way on June 29, 2005 with the owner in attendance.

First, we really appreciate several things about this project: the nice design of this addition, the fact that it is staying below the FAR, and that it respects the views of the neighbors by keeping to one story.

Second, we believe the status of this public access right-of-way should be clarified for this parcel and the adjacent parcels i.e. does the public access still exist? We raise this question because fences have been built straight up to the edge of the cliff that block any existing public access and because one neighbor claims to have purchased the vacated right-of way that runs behind his parcel. Clarifying this status is not only helpful in terms of this project, but also in terms of future development in this area and for future trail planning.

Third, any existing public access and potential public use should not be limited or impacted by the location of this the setback. For example, if sometime in the future there were resources available to develop the footpath along the creek, would there be sufficient space left for the path to actually exist along this creek (taking into consideration the erosion that occurs along the creek)?

Fourth, much of our original concern was based on the proximity of this project to the creek and the steep bank. Our site inspection indicates a reasonable setback from the steep parts of the banks, but we are also assuming that the proper geotechnical, soil-stability, and environmental studies have been done to assure that there will not be a problem with extended construction at the site and that the construction will not have a negative impact on the creek bank stability or its habitats. If this is not the case, we recommend these be done before consideration of final approval.

Thank you for your help. We request that you keep us informed of any further developments, redesigns, hearings, approvals or appeals concerning this application.

For the MidCoast Community Council Planning & Zoning Committee,

A handwritten signature in cursive script, appearing to read "Sara Bassler".

Sara Bassler

Chair, MCC Planning and Zoning Committee