

**Planning & Zoning  
Committee of the  
MidCoast  
Community Council**  
PO Box 64, Moss Beach  
CA 94038  
*Serving 12,000 residents*

August 15, 2005

FAX/Email

**Farhad Mortazavi and Matt Seubert**  
San Mateo County Planning and Building Division  
Mail Drop PLN122, 455 County Center  
Redwood City, CA 94063  
650.363.1841 - FAX: 650.363.4849

**RE: PLN2005-00248:** DR, staff-level CDP, & staff-level variance for a new SFD with 2-car garage, with a 10' front setback where 20' is required at

779San Carlos St, El Granada. A portion of the parcel is in the Montecito Riparian Corridor. **APN: 047-105-020**

Dear Farhad & Matt:

The Planning and Zoning Committee of the MidCoast Community Council reviewed the above-referenced project on July 20, 2005 without the applicant in attendance because this was an initial review of this complicated application.

We have not received copies of the biological report or other documents pertaining to the environmentally sensitive areas on this property, their delineation, protection and restoration. We request that these materials be forwarded as soon as possible so we may continue our review.

#### Illegal Riparian Vegetation Removal

The On-line Permit Center provides that there is a still-pending an after-the-fact CDP application for illegal riparian vegetation clearing ("*See PLN2004-00398 for still-pending 'after-the-fact' CDP application for illegal riparian clearing.*") We believe that this riparian corridor should be re-vegetated and that this permit should not be allowed to move forward until this is done.

#### House Design

- We agree with and strongly support the following On-Line Permit Center comments regarding the design of this house: "*6/20/5 MAT: LCP policy 8.13.a(3) calls for pitched, not flat roofs. Also, 8.13.a(1) calls for structures to fit with topography of site (ie. stepping).*"
- The house is three stories. This not allowed on a parcel with this slope.
- The house is thirty-six feet tall. The thirty-six foot height limit is limited to parcels with a greater slope than this parcel. Even if the thirty-six foot height limit is found to apply to this parcel, the limit is intended for the peak of the roof not the entire mass of the house.

#### Variance

We do not believe a Variance should be granted for this project:

In order to grant the variance, the county "must make all" the required findings in Chapter 25 of the Zoning Regulations, section 6534.1 which provides as follows:

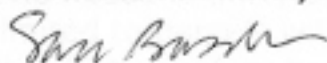
**SECTION 6534.1 VARIANCE FINDINGS.** In order to approve an application for a variance, the approving authority must make all of the following findings in writing:

- (1) The parcel's location, size, shape, topography and/or other physical conditions vary substantially from those of other parcels in the same zoning district or vicinity.
  - (2) Without the variance, the landowner would be denied the rights and privileges that are enjoyed by other landowners in the same zoning district or vicinity.
  - (3) The variance does not grant the landowner a special privilege which is inconsistent with the restrictions placed on other parcels in the same zoning district or vicinity.
  - (4) The variance authorizes only uses or activities which are permitted by the zoning district.
  - (5) The variance is consistent with the objectives of the General Plan, the Local Coastal Program (LCP) and the Zoning Regulations.
- Many parcels in the immediate area are affected by the limitations of the riparian corridor – some have been deemed “un-buildable” by the County. Because of this, the parcel does meet the required finding #1.
  - The project does not meet the required findings for granting a variance because item (2) is not met. If the applicant is not granted the variance they can easily build an 1800 s/f home. There is nothing inappropriate or unduly restrictive about an 1800 s/f home and thus the landowner will not be “denied the same rights and privileges that are enjoyed by other landowners in the same zoning district or vicinity.”
  - The house the applicant is currently proposing is larger than any house currently on the market in El Granada.
  - The fact that the applicant is able to max out the FAR with the variance demonstrates that they can build an adequately-sized house without the variance. The desire to max out the FAR is not grounds for a variance.

Again, this was just an initial review of this project and after receiving copies of the biological report we will submit additional comments.

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,



Sara Bassler  
Chair, MCC Planning and Zoning Committee