

**Planning & Zoning Committee of the MidCoast Community  
Council**

PO Box 64, Moss Beach CA 94038

December 2, 2002

Email/Fax

Dave Holbrook or Current Planner  
San Mateo County Planning and Building Division  
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**RE: 11-20-02 - 6b. PLN 2001-00462:** Revised Application for Coastside Design Review to include 2 decks: 1<sup>st</sup> story deck is 154 sq/ft and the 2<sup>nd</sup> story deck is 170 sq/ft. Original application: Lot merger & Coastside Design Review for a new 3,019 square foot single family residence. Item reviewed as an urgency item at the 11-6-02 P&Z meeting.

**Location: 349 8<sup>th</sup> Street, Montara**

**APN: 036-023-040**

**Applicant:** Ethan Miller

**Owner:** Ethan Miller

**Planner:** Lily Toy

Attendance: C. Kozak, K. Wilson, P. Perkovic, R. Lohman, public comment, fax comments

The above item was reviewed again on 11-20-02, on November 7, the MCC Planning and Zoning Committee requested a **Stop Work Order**, as there are many unresolved issues pending and there is minimal time left to limit the error and omissions if not addressed immediately. To date, ours or the neighbors concerns have not been addressed.

Chuck Kozak and I reviewed this project on site with the applicant prior to the initial review by Planning and Zoning prior to approval by the county. The applicant stated "he would not be adding fill, that there would be no rear decks" these were very serious concerns of our prior to the review, as the home is very large for the neighborhood and would have likely been appealed if these two concerns were not addressed.

However, fill has greatly exceeded the amount proposed; the pictures (attached) and the elevation clearly do not match the amount of actual fill or accurate grade prior to the fill that was added. The new fill is being used to determine a "new" natural grade of the site.

These changes in what was presented to Mr. Kozak, myself, the Planning and Zoning Committee and the county have change significantly and no longer resemble the plans proposed or approved, for this reason we feel this needs immediate attention and a STOP WORK ORDER is urgently needed, not only to correct the errors, but to bring this home into better conform with what was presented while protecting the neighboring properties, value, privacy, peace of mind.

The following is a list of continued problem and concern on this project and further support our desire for immediate resolve and correction of the problem:

1. Given the current set of plans received this project would have been appealed
2. The Spring in the rear of the property has not been addressed
3. Rear French drains are not working correctly and directing water into the rear neighbors yard
4. Ground floor exceeds lot coverage
5. Fill was added to raise natural grade, the county has asked this be removed, however it has not been removed yet
6. County has the authority to stop work on this project and has not taken the action most appropriate for such egregious and outrageous use of the permit process
7. Fill is damaging the rear adjacent property owners fence and property
8. Water run off is building up and collecting in the rear neighbors yard creating a 2' x 2' puddle
9. The natural grade has been changed and damaged and any future plans should specifically be evaluated on the determination of actual grade
10. The current Lot Coverage and Floor Area Ratio need careful re-evaluation to determine if this project is out of conformance with Actual grade.
11. Terry Burns told one of the neighbors that there is a requirement for the fill to be removed, this has not occurred.
12. The amount of fill clearly exceeds 3' and is in need of an engineers report for stability
13. Building height exceeds 28' off natural grade (when the real natural grade is accounted for)
14. Landscape plan is out of scale with the proposed project
15. Building pad higher than any of the plans indicate 3' in plans however, after site inspection and photo's (attached) grade has changed 35 to 6'
16. What was the determination of the building inspector record of the sub floor survey?

We do not support the addition of decks as this project is too large for the proposed site, will destroy the neighbor privacy. The addition of the lower deck will be at the same level as the top of the rear fence. The amount of fill clearly exceeds 3' and is actually 5 to 6 feet above the natural grade at the time of submittal of plans. This project is in need of an engineers report for stability, the one rain we had is moving fill material onto the fence of the rear property owner.

Building height exceeds 28' off natural grade (when the real natural grade is accounted for)

When these types of changes occur on projects, usually, one or two things do not have a significant impact on the project, however, every change and misrepresentation has created a project that clearly no longer what was presented to the community, neighbors or MCC.

Sincerely,



Karen Wilson  
Chair, MCC Planning and Zoning Committee  
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Cc: Rich Gordon  
Marcia Raines  
Terry Burns  
Chuck Kozak  
Attached Photo's  
Attached previous letters (2)