

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

March 16, 2003

To: Miroo Brewer

San Mateo County Planning and Building Division
Mail Drop PLN122, 455 County Center
Redwood City, CA 94063
650.363.1853 - FAX: 650.363.4849

re: PLN2002-00576: Coastal Development Permit (CDP), Zoning Non-Conformity Use Permit and Design Review to allow 52.3% FAR where 48% is required, to allow 34.8% lot coverage where 25% is required, and allow 92 sq/ft encroachment of 2nd story addition into left side yard setback at 98 San Lucas in Moss Beach. **APN 037-275-130.**

Miroo:

The MidCoast Community Council Planning and Zoning Committee reviewed the above referenced application at our regular meeting of 03/05/03.

After extensive review of the project, with the applicant, owner, and neighbors in attendance, the committee could not find any substantive or legal reason for supporting the proposed exemptions and exceptions to established regulations. That this request is being made for a severely substandard parcel (only 25% of the required minimal parcel size) only contributes to our reluctance to agree to any variation from the regulations.

Specifically, we do **not** support:

- 1) Exceeding the allowed FAR: These regulations were the result of an inclusive and intense community process. It has been made very clear to our Council and to the County that the MidCoast Communities wish to restrict the proportional bulk of development on residential lots, and we can see no reason why this project should be allowed to exceed those restrictions.
- 2) Exceeding the allowed Lot Coverage: The density of this zoning district was specifically limited to 25% of parcel size to minimize injury, loss of life, and damage to property because of the geological instability of the area. That the existing coverage is already nonconforming is disturbing enough – the Committee cannot support any continuation or increase of this density.
- 3) Encroachment into required setbacks by proposed additions: The Committee has never felt comfortable with the established policy to allow additions onto non-conforming structures as long as *only* the addition was conforming, and has often advocated that improvements and additions should be cause for bringing all of the existing structure into conformance. This approach has resulted in numerous 2-story structures with ground-floor setbacks for single story buildings. In this light, we find it impossible to support the proposed second-story setback encroachment that is proposed.

The applicants noted in their presentation materials that there are numerous examples in the immediate area of structures that are not in conformance in the areas of Lot Coverage, FAR, and Design Review Criteria. While we agree with their assessment, we would hold that the new regulations were adopted in large part to stop the perpetuation of such structures, and that existing non-conforming designs **are not** justification for continued non-conforming proposals.

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

A handwritten signature in black ink that reads "Chuck Kozak". The signature is fluid and cursive, with the first name "Chuck" being larger and more prominent than the last name "Kozak".

Chuck Kozak
Chair, MCC Planning & Zoning Committee
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