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February 7, 2000

HAND DELIVERED

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Re: Notice of Appeal of Planning Commission Decision
Application No. 99-0288; APN No. 040-012-12;
Owner, Alan Goldstein; Applicant, Michael Zelver

Dear Board of Supervisors:

This office submits the following Notice of Appeal on behalf of James Gerard, who is also a member of Upper Monterey Bay Heights Neighbors, appealing the decision of the Planning Commission to the Board of Supervisors concerning the approval of the above-referenced project. The Planning Commission approved the above referenced project on Wednesday, January 26, 2000. Thus, this appeal is timely filed pursuant to County Code.

The approval of the above-referenced project violates a number of provisions of the County Code and state law, which include, but are not limited to, the following:


- 1) Approval of the subdivision as a minor land division, instead of as a subdivision of five parcels;
- 2) Violation of the California Environmental Quality Act by failing to perform adequate environmental review pertaining to, but not limited to, an adequate evaluation of biotic impacts and adequacy of analysis concerning septic suitability;
- 3) Failure to properly evaluate and score the site according to the Rural Density Matrix and improper density averaging, and therefore, allowing a division of land in excess of what is permissible;
- 4) Failure to conduct an adequate Design Review pursuant to Chapter 13.11.
- 5) Failure to comply with minimum site frontage and width requirements pursuant to the County Code; and,
- 6) Failure to comply with all provisions of the General Plan and the County Code.

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For the foregoing reasons, the Planning Commission abused its discretion by failing to proceed in a manner required by law.

Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "William P. Parkin".

William P. Parkin

cc: James Gerard