

Community Development and Infrastructure

Public hearing to consider an appeal of Zoning Administrator's denial of Application 211316 for a proposal to construct an approximately 110-linear foot pin pier retaining wall located at 266 Cliff Court

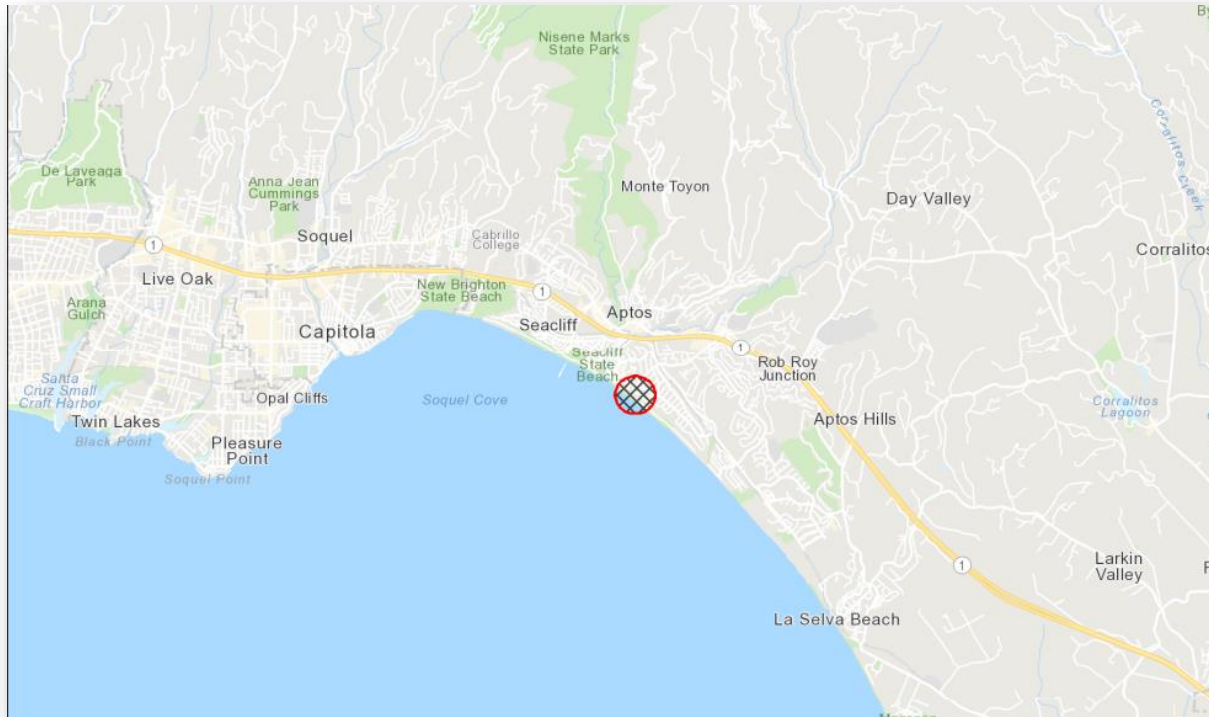
Applicant: Matson Britton Architects

Appellant: Cove Britton

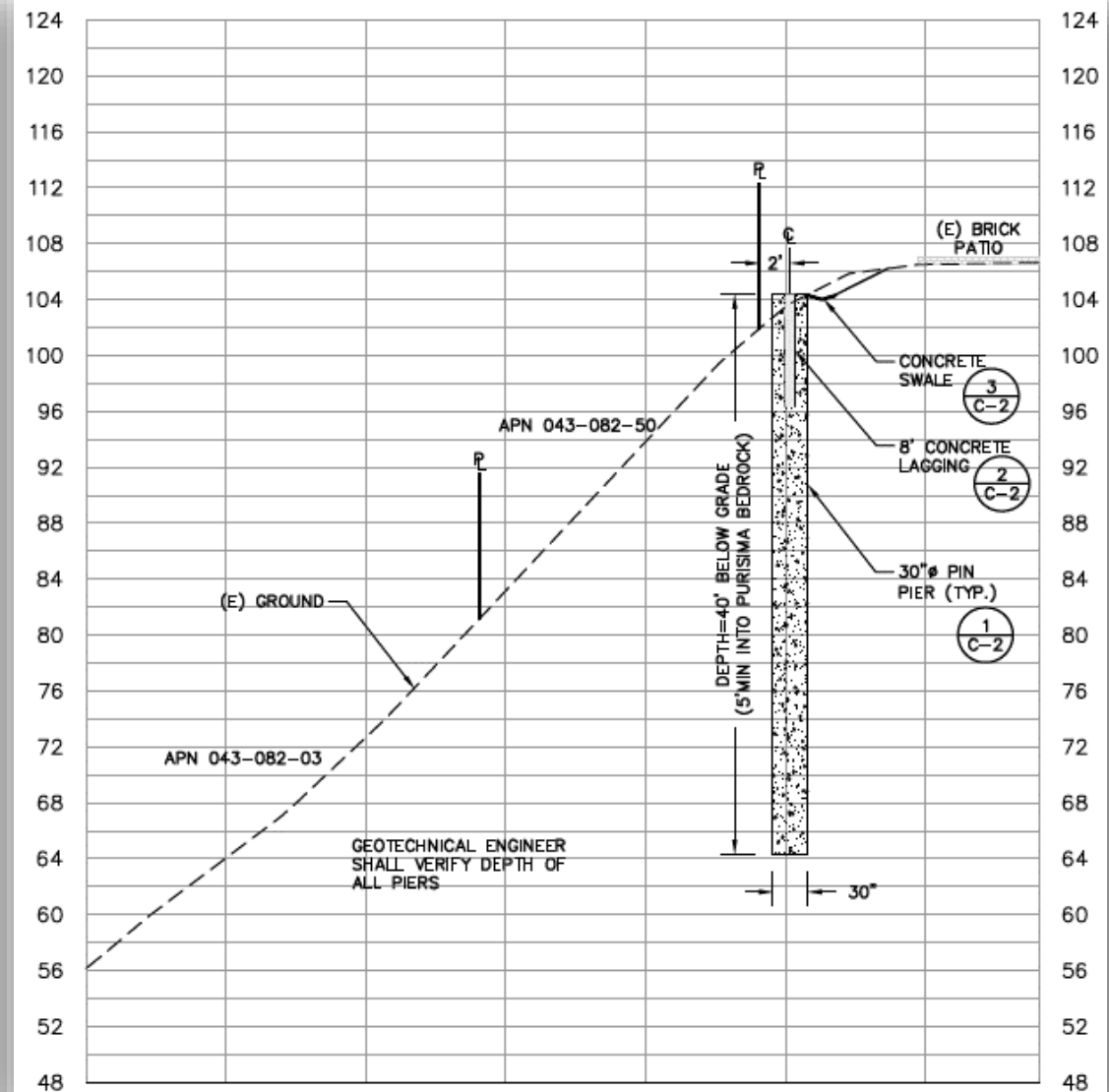
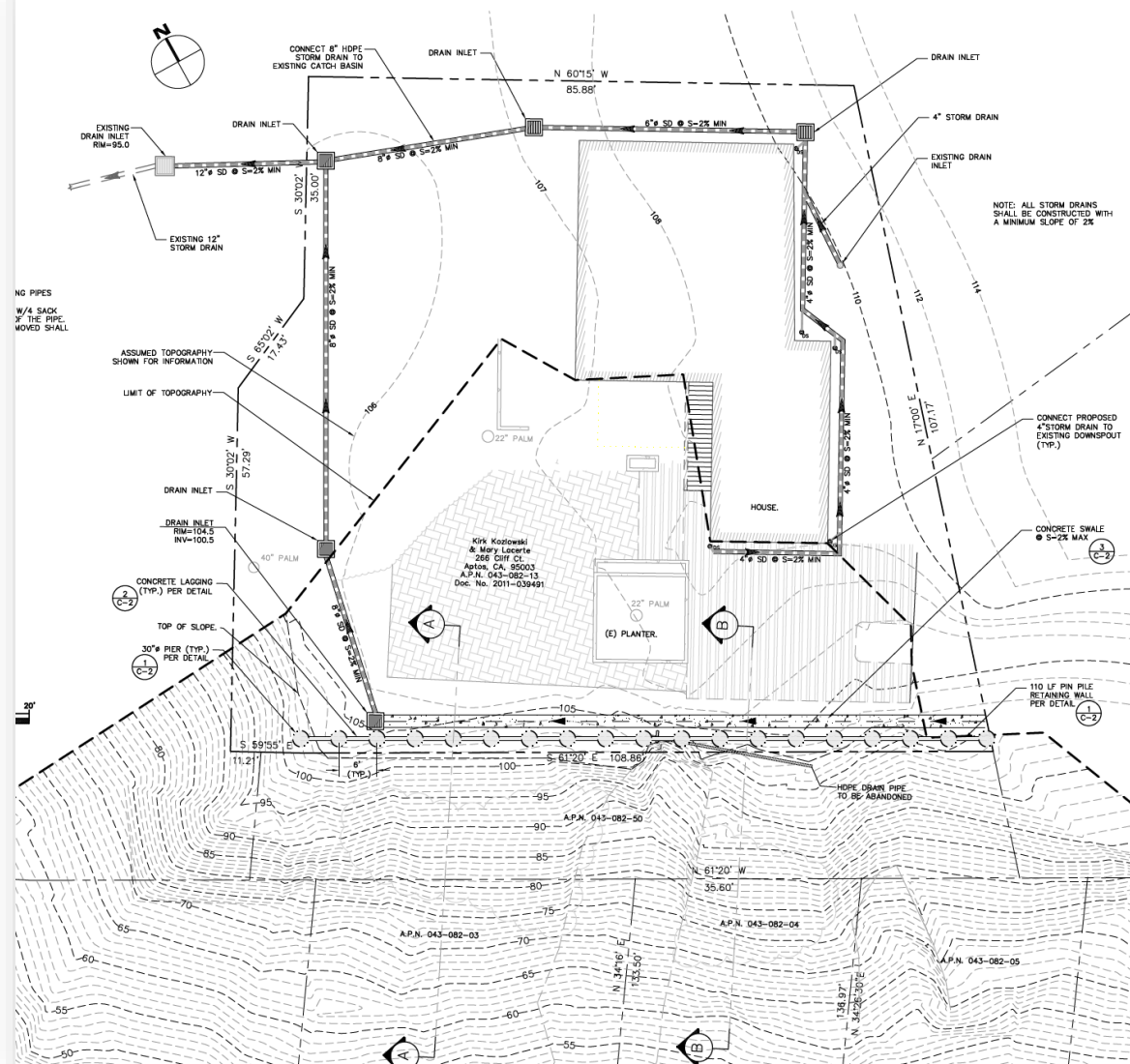
Owner: Kirk Kozlowski and Mary Lacerte

Project Planner: Evan Ditmars

Project Setting



Project Overview



Project History

<u>September 28, 2021:</u>	Project submitted to Planning Department
<u>October 29, 2021:</u>	Project deemed Incomplete with Significant Compliance Issues
<u>March 21, 2022:</u>	Project Resubmitted by Applicant
<u>April 20, 2022:</u>	Project deemed Incomplete with Significant Compliance Issues
<u>May 4, 2022:</u>	Project Incompleteness appealed by Applicant
<u>May 14, 2022:</u>	Planning Department accepts project as Complete with Compliance Issues
<u>November 18, 2022:</u>	Zoning Administrator Hearing, Continued
<u>December 16, 2022:</u>	Zoning Administrator Hearing, Denied
<u>December 27, 2022:</u>	Appealed to Planning Commission by applicant representative, Nossaman LLP
<u>February 22, 2023:</u>	Planning Commission Hearing, Continued
<u>April 25, 2023:</u>	Planning Commission Hearing, Denial upheld
<u>May 9, 2023:</u>	Appealed to Board of Supervisors by Nossaman LLP
<u>June 13, 2023:</u>	Board of Supervisors Jurisdictional hearing, jurisdiction taken and remanded to Zoning Administrator (to be heard within 30-60 days)
<u>August 4, 2023:</u>	Zoning Administrator Hearing, Denied
<u>August 14, 2023:</u>	Appealed to Planning Commission by Project Architect, Cove Britton

Project Non-Compliance with County Code

- Staff cannot make required findings for Coastal Development Permit
 - Findings on pages 14 through 16 of attached report
- Conflict with Chapter 16 of Santa Cruz County Code:
 - Protection to downslope properties is limited to the upper portion of hillside behind the wall
 - Does not site the structure “as close as possible to the development or structure requiring protection”.
 - Alternatives Analysis deems potential alternative infeasible based on self-imposed constraints

Recommended Action

1. Conduct a public hearing to consider the project appeal;
and
2. DENY Application 211316 based on the August 4th,
2023, Zoning Administrator findings