



SAN LUIS OBISPO COUNTY

## DEPARTMENT OF PLANNING AND BUILDING

Promoting the wise use of land - Helping to build great communities

June 3, 2016

Jeff Edwards  
P.O. Box 6070  
Los Osos, CA 93412

Frederick G. Novy  
698 Santa Lucia Ave.  
Los Osos, CA 93402

Charmaine Henderson  
1320 Pasadena Drive  
Los Osos, CA 93402

Re: **FREDERICK G. NOVY**  
**County File Number: DRC2015-00092**

We have received a request for hearing on the above referenced project. The hearing will be held on, **June 17, 2016 at 9:00 a.m.** in the Board of Supervisors Chambers, County Government Center, 1055 Monterey Street Room D170 San Luis Obispo, California. At the hearing all interested persons may express their views for or against, or to change the proposed project. A copy of the hearing request(s) is enclosed.

If you have any questions please contact, **Project Manager, Brandi Cummings**, in the San Luis Obispo County Department of Planning and Building, County Government Center, San Luis Obispo, California 93408. (805) 781-1006.

Sincerely,

A handwritten signature in cursive script that reads "Nicole Retana".

NICOLE RETANA, SECRETARY  
PLANNING DEPARTMENT HEARINGS

cc: Project Manager/File

May 27, 2016

2016 MAY 31 AM 10:47

Brandi Cummings, Planning Manager  
San Luis Obispo County Department of Planning and Building  
976 Osos Street, Room 200  
San Luis Obispo, CA 93408

Subject: Locally Unacceptable Land Use for  
1325 Pasadena Drive, Building Permit  
County File Number: DRC2015-0092  
APN(s): 038-732-016 & 017

Dear Sir or Madam:

**I am writing to request a hearing** concerning the residence to be built on the property at 1325 Pasadena Drive in Los Osos. As a member of the local community where this property is located, I am concerned that the development of the property is not in the best interest of our town. In particular, I am concerned that the variances requested for the property present a traffic hazard on a heavily travelled street and thus, is not safe, and that the encroachment on the bay is deleterious to the bay and its wildlife. I have concerns about the loss of the public access to the bay front as well as its view for the neighbors and visitors. And lastly, I am concerned that we do not have the water supply necessary to support the additional water usage for this residence! I have listed the variances and concerns below;

**1) Maintain 75-foot setback from the wetlands**

The current plan shows that the building does not conform to the 75-foot setback from the bay. Our community desires to keep the 75-foot mark for current and future building as it protects the bay and allows the wildlife the space that they need. The footprint of the building can be reduced in size so that the 75-foot setback can be met.

**MAINTAIN THE 75-FOOT SETBACK**

**2) Maintain 25-foot setback from the road to the building**

The drawing shows the placement of the garage such that the garage doors are facing the east side of the property and not the street. The garage has a workshop located on the road side of the garage. The outside wall of the workshop facing Pasadena Drive does not meet the 25-foot setback.

The location of the garage requires that the car leaving the property must back out making a U-Turn onto a heavily travelled road and is unsafe to cars and pedestrians.

There is no slope to the builder's property that might require a variance to help the homeowner navigate carefully into his or her garage. Therefore, a variance to the 25-foot setback is not needed since the land is level.

Furthermore, the location of the garage and workshop places the new building beyond the setback of the adjacent homes. This does not maintain continuity in the neighborhood where the 25-foot setback has been maintained. Removing the workshop would reduce the footprint of the house which would allow the property owner to meet the 25-foot setback from the road and the 75-foot setback from the wetlands.

MAINTAIN THE 25-FOOT SETBACK FROM THE ROAD AND  
MAINTAIN A CONTINUITY OF BUILDING LINES

**3) Loss of public access to the bay front**

Los Osos is a unique neighborhood where the people walk and enjoy their surroundings. Families, seniors, children and dog-walkers frequent the building site daily to view the bay front. Photographers visit to film the abundant wildlife or the spectacular sunsets. This lot is unique in that it allows easy egress to the bay front as opposed to using the fragile cliffs to the east or crossing the tidal mudflats from the west. The loss of the public access from this lot would be significant to its citizens and visitors. Therefore, allowing a beach access on the west side of the property will assure that the public can access the bay front and continue to enjoy this unique and precious aspect of our community.

ADD PUBLIC ACCESS TO THE WEST SIDE OF THE PROPERTY

**4) Loss of the view of the bay front from the proposed gates**

As previously mentioned in Item #3 above, Los Osos is a unique small-scale neighborhood that is a destination for the public who enjoy the bay front and the wildlife. The current building plan shows two gates on both sides of the property. Gates prevent access and reduce the view of the bay. The proposed gates should be prohibited.

REMOVE THE PROPOSED GATES AND ADD 'NO GATES' TO THE RESTRICTIONS

**5) Loss of public access to enjoy the bay front due to fencing**

Currently, there is no fencing around the property. Neither neighbor has or wants fencing. Therefore, fencing along the sides of the property should be prohibited.

ADD "NO FENCING" TO THE RESTRICTIONS

**6) Loss of public access due to landscaping**

It is important to know that the owner of the property understands that fencing and gates are not allowed on the premises after building is completed. In addition, landscaping plants that block access to or the view to the bay front should be prohibited.

ADD "NO LANDSCAPING PLANTS THAT BLOCK THE VIEW" TO THE RESTRICTIONS

**7) Stress to a delicate and overburdened water system**

The Los Osos water district has been under scrutiny for more than thirty years and perhaps longer. The owners of the septic systems and local farmers and ranchers were blamed for the contamination of the aquifers that provide the water. It was determined that a sewage treatment plant was necessary. In addition, there is seawater intrusion into the aquifers. And hexavalent chromium has been detected in one of the wells. Last winters' rainfall was not as plentiful as expected and the drought continues throughout the state. Customers in the LOCSO were encouraged to continue to conserve as much water as possible and results show that they have complied.

The builder of the proposed residence purchased a certificate from a plumbing company certifying that an adequate number of residences were retrofitted with appropriate fixtures to reduce water use. The certificate is dated early 2014, more than two years ago. The use of this certificate to allow a new customer to begin using a water supply that is already stressed is foolish. A permit to build a new residence in an area that has a shortage of water should not be issued regardless of whether or not homes were retrofitted in previous years. New customers will use more water from a supply that is already overburdened. We must allow the water system to recover before issuing new water permits.

**DO NOT ISSUE A BUILDING PERMIT UNTIL THE WATER SUPPLY IS AVAILABLE**

In order to maintain visual continuity in our neighborhood, protect our sensitive wetlands, preserve the view to the bay, and maintain access to the waterfront, I request that no variances be issued to the property developer. Reducing the footprint or square footage of the building by removing the workshop would allow the builder to meet both the 75 foot setback from the bay and the 25 foot setback from the road. Allowing access to the bay and maintaining views of the water will be greatly appreciated by the neighborhood as well as the visitors to this spectacular area.

If you have any questions, I can be reached by phone at 925.212.5264 or by email at [crhinlaf@gmail.com](mailto:crhinlaf@gmail.com)

Yours truly,



Charmaine Henderson  
1320 Pasadena Drive  
Los Osos, CA 93402