

Midcoast Community Council

An elected Municipal Advisory Council to the San Mateo County Board of Supervisors

Serving 12,000 coastal residents

Post Office Box 248, Moss Beach, CA 94038-0064

<http://mcc.sanmateo.org>

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March 9, 2011

Dennis Aguirre
San Mateo County Planning Department
455 County Center,
Redwood City, CA 94063

Re: PLN2010-00112, 101 Seventh Street, Montara

The Midcoast Community Council would like to make the following comments regarding the above planning item. We request that you take them into consideration in making recommendations regarding this application.

The project has a non-conforming fence blocking public access to the bluff at the end of Seventh Street. This fence was installed by the owner prior to 1974 and the current coastal act, pursuant to an encroachment permit issued by the Department of Public Works. The fence, at 77 inches, exceeds the 6 foot legal height for side yard fences and blocks sight of the bluff to anyone approaching the end of Seventh Street. The fence is solid wood with a solid wood door which is closed at all times. Although the owner has stated the door is kept unlocked, the fence and door give the appearance of private property to anyone approaching them.

A neighbor has written a letter stating their concern about blockage of public access to the bluff, stating that their family walked along the bluff path for years prior to the current fence being put in place. While the current fence is a violation of the California Coastal Act, the fact that it was built prior to the Act, and current fence height regulations, it as therefore considered "legal nonconforming". Planning, in consultation with county counsel, has determined it has no recourse to require removal of the fence.

The staff report makes the following public access recommendations in addition to other maintenance requirements:

1. Installation of "Coastal Bluff Public Access" fence signage, including signage informing the public of bluff hazard.
2. Fence door and gate shall remain unlocked and open at all times for public access.

3. Relocation of house number signage from the public right-of-way area further into the private property area to clearly delineate such areas.

The Midcoast Community Council agrees with the staff recommendations as a condition to the current permit for building an extension on the residence. We request that the county vigorously pursue any remedy at its disposal to assure public access to the bluff at this location now and in the future. Since the wooden fence is aged and has a limited life span we recommend that the county monitor the fence and assure that a replacement or repairs to extend the life are not permitted.

We appreciate the opportunity to comment and thank you for your consideration.

Sincerely,

[SIGNED]

Len Erickson
Chair, Midcoast Community Council

Cc:
Board of Supervisors
Midcoast Community Council