Joseph and Carolyn Maguire
1369 Schoolhouse Road
Santa Barbara CA 93108

ATTACHMENT 1

City Council
City Hall
Santa Barbara, California

Re: 1642 & 1654 Calle Canon, 2418 Calle Montilla
Lot split application (APNs 041 – 140 - 0066, 008, 009)

Dear Mme. Mayor and City Council Members,

With reference to the above captioned addresses and APNs, we respectfully and hopefully request that you re-examine and seriously consider exercising your powers to override the Santa Barbara Planning Commission's decision of May 14, 2009, in which it rejected our request to approve our thoughtfully- and professionally-developed, modest plans to conform with our parents' last wishes to develop our property in a dramatically scaled-down version, to the benefit of the public and that of our three sisters and children.

The following abbreviated list of episodes and circumstances have occurred during several decades of attempting to receive fair and equitable treatment from the City. We trust you will strongly disapprove of the discriminatory nature of some of the Planning Department's tactics and practices. Many may have been caused by unusually frequent turnover of personnel and their lack of sufficient time to familiarize themselves with important details. Arbitrary, retroactive, quasi-punitive policy changes and harsh fee structures were created with complete disregard for the devastating financial strain on well-meaning clients. This has created an atmosphere of desperation, affecting our physical and fiscal health, well beyond what our small plans should have triggered.

At the meeting of May 14, 2009, Mr. Kato, the Planning Staff's designated analyst, publicly uttered and recorded his much-appreciated statement of admission that Staff has failed to communicate with us and our team in a clear, unambiguous manner, when extremely consequential, time-sensitive demands were made on us. The consequences - devastating! Ms. Jan Hubbell expressed her displeasure with the mistakes and vague style in which Staff often communicated with us, also. Perhaps, Staff employees could be sensitized to the 'Art' of "walking in their clients' moccasins".

We hope that you will understand the merits and fairness of our Application, finding an equitable and satisfactory solution to our long duration of conscientious efforts. These efforts will significantly enhance the neighborhood at no expense to the City, while also respecting our vested interest in our property.

Sincere thanks to you for your courtesy in allowing us to present our case -

Joe & Carolyn
Maguire
969-3900

Points to Ponder

Calle Canon Property

8/29/05

1. Family Home, owned for a quarter Century, inherited by four sisters in 1990, suitable for dense building of 20 sites by Public Works map, had only 3 dwellings.

2. Was family home in semi-rural area. Paid taxes, maintained avocado orchard in anticipation of modest future development, when funds were available.

3. Application for dividing into 5 lots pending for 10 years, but frustrated by City Staff's various schemes, taking of the potential value and simplicity of plans, to create confiscatory policies financially and punitive, "retroactive" requirements.

4. Each time a plateau of progress was achieved, City Staff changed, reinterpreted, procrastinated and created more hurdles and unjustifiable expenses and delays.

5. Slope/Density concerns were resolved by a State Licensed Contractor, Civil Engineer and prominent Architects through meticulous, professional recalculations and redesigns.

6. Biological Evaluation was required, provided, paid for, accepted two years ago. Additional Biological Report is demanded by the DART Report. This is another obvious attempt to create delays which could be eliminated by a simle Addendum to the previous Report prior to issuing "Conditional Permits". Two

updated addenda were recently submitted.

7. Fire Department approved elaborate entrance, turn-about. Fire hydrants and in-dwelling fire sprinkling home system.

8. Precedents of other major hillside projects - 7 houses on Manitou that have been built in the last 10 year. The hill was steeper and they had to fill in 40' hole. Also, Rogers Tract, with much grading in the plans and steeper driveways. More townhouses and luxury homes capturing the harbor and ocean views.

9. $556.25 New Fee. No time limit for City. Just another punitive measure to wear out the client and force us into submission.

10. Abusive, confiscatory schemes should no longer be tolerated. City staff should be accountable for lost income, diminution of value, inefficient , understaffed Permit Processing System.

11. Postpone DART Meeting due to mistaken dates and insufficient notice to attend, much less prepare a response.

12. There has been much communication and many studies done at City's request since 2005. There has been a lot of malfeasance in the way this has been handled. We proceeded, in good faith, with all that was asked of us, following all City regulations.

10,000 sq. ft. lots (now recommended to 12,500) easily in 2002

Elings Park - sev. hundred acres

Extend one acre boundary because of slopes

approved Fire Dept. approach to area on Calle Cañon

Driveways in area

SANTA BARBARA CITY VIEW PROPERTY - 5.85 ACRES +/-