

To: Bayside Design Review Committee, Don Horsley SMC Board of Supervisors, Steve Monowitz

Re: County land appears to be used for private use (PLN2021-00089) 140 Winding Way

The proposal appears to use a public resource for a permanent private purpose. (Resent with .pdf file)

At least two parking spaces are legally required to remodel this property. The submitted materials count as a parking space a parking area on a public street to meet this requirement. The parking space in question does not lie within the owner's property. (Please see the lot red lines below or see page 4 of the submitted documentation for detail) but rather is along the public county street known as Winding Way.

Further, the submitted materials do not address the issues raised by the Bayside Design Review Committee members at their meeting on March 12, 2021. In particular, the committee raised issues of parking, traffic, and suggested ways to construct two parking spaces on the owner's property. In addition, committee members noted signage on the owner's fence facing the street claiming exclusive use/ownership of public parking along the street. After this meeting, the proposal was rewritten and recategorized as a remodel and ADU rather than a remodel only.

There are several other questions prompted by this design package:

- 1) Section 6429.1.13 of the SMC Zoning Regulations appear to require 3 parking spaces not 2. Two spaces for the remodeled addition and one for the ADU. An exception is granted for existing structures partially converted to ADUs. A new remodel is not an existing structure, and so this exception seems moot in this situation.
- 2) The other proposed parking space is an existing single car garage. It extends beyond the owner's property and into the public street. Thus, the proposal appears to seek to use county property (assets) to meet county requirements.