

EXHIBIT 7

HISTORICAL CONTEXT OF LOT 11 AND SOLIMAR BEACH

The project site is Lot 11 of the Solimar Beach Colony (previously known as the Adrian Wood Tract). The subject lot is located within the Existing Community of Solimar Beach. Solimar Beach is a gated community of 70 homes along the Rincon Coast north of Ventura.

When the first homes were constructed in Solimar Beach in the 1930s, all the land in the community was under a single ownership. The then-landowner divided the property into leasehold parcels, as reflected on a map prepared by Milton Ramelli (June 1944) and filed with the County Surveyor (Unrecorded Map Nos. 50284 through 50288). The landowner granted long-term leases for the individual plots depicted on the Ramelli map to leaseholders who subsequently built homes on these leasehold parcels.

After the landowner passed away, his estate sold the Solimar Beach property to a trust formed by the leaseholders, Solimar Beach Trust. In January 1974, the trust recorded a boundary line survey of the leasehold parcels (Book 38, Page 32 of Records of Survey). The Ventura County Surveyor issued a memorandum on July 16, 1974, recognizing that the lots shown in the Record of Survey were legal lots of record because they “were based upon recorded leases and lines of occupation” from the 1944 Ramelli map. The County Surveyor’s memo also recognized that “there may be other adjustments in the boundaries to fit lines of occupation... and land division would not be required if this adjustment does not violate the County Zoning Ordinance.”

Shortly after the Solimar Beach Trust recorded the Record of Survey, the leaseholders purchased the title to their parcels. The new owners also formed a homeowners’ association, Solimar Beach Colony, which acquired title to common areas, including Solimar Beach Drive, approximately 4,000 linear feet of beach, and pathways providing vertical access to the beach. The northwesterly 1,700 linear feet of beach and three larger parcels with common amenities (e.g., sports courts, vehicle storage, gardens, etc.) were retained by Solimar Beach Trust. At the end of 1974, the trust also deeded a narrow strip of the beach (Parcel A) to several of the fronting landowners. For the subject parcel, this resulted in an additional 13 feet of depth on the seaward side (Book 4343, Page 814 of Official Records). The County Surveyor notes that this strip is “deemed to be part” of Lot 11, as it is consistent with the prior occupation of the leasehold parcel.

The home on Lot 11 was constructed between 1969 and 1970 under Zoning Clearance No. 26262. At that time, the trust had not yet prepared the Record of Survey or separately conveyed the leasehold parcels. No formal easement was in place for Solimar Beach Drive, the private road providing access to the residences. In consideration of these circumstances, the required minimum front setback¹ (10 feet in the RB zone) was

¹ The 1968 Ventura County Zoning Ordinance Article 47 used the term “front yard” rather than “front setback,” the definition of “yard” included easement areas within the same parcel that are unobstructed.

measured from the edge of pavement.² The 1974 Record of Survey established a 40-foot-wide right-of-way for Solimar Beach Drive³, which is larger than the road's present paved width of approximately 24 feet.⁴ The subsequent conveyances also placed the home on its own parcel. The resulting front property line is approximately 10 feet closer to the home than the edge of pavement was in 1969-70.

Under the current Coastal Zoning Ordinance, the front setback is to be taken from the front property line or an easement right-of-way line, not the edge of pavement (see definition of "Setback" in Article 2 of the CZO). As a result, most then-existing residences along Solimar Beach Drive became non-conforming with respect to the front setback once the lots were separately conveyed. Each affected landowner must now address the non-conforming front setbacks when they seek to add-on to their home or to redevelop their property. This can entail bringing the house into conformance with the setback standard or applying for and receiving a Variance. Two major factors have influenced the County's granting of Variances in Solimar Beach: (1) the established development pattern with reduced front setbacks; and (2) the infeasibility of expanding towards the seaward side of a parcel. Due to these factors, the Solimar Beach community has historically been supportive of front setback Variances. The County Planning Commission has granted 12 Variances for front setbacks in Solimar Beach since 1974, including several that authorize development up to the front property line (i.e., 0-foot front setback).

² Solimar Beach lease agreement states structures must be "set back ten (10) feet from the line of the street fronting the... premises." (Section 1, Paragraph 3).

³ The right-of-way width varies; the segment between Lots 8 and 57 (i.e., including the subject parcel's frontage) is 40 feet wide.

⁴ Solimar Beach Drive was narrower at the time the home was constructed.