



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX (831) 454-2131 TDD. (831) 454-2123

TOM BURNS, PLANNING DIRECTOR

December 13, 2004

JANUARY 12, 2005

Planning Commission
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

SUBJECT: Appeal of the Zoning Administrator's decision to approve
Application Number **04-0116**

Members of the Commission:

History

This application to demolish an existing single-family dwelling and construct a new two-story single-family dwelling was heard by the Zoning Administrator on 10/15/04 and approved. The staff report to the Zoning Administrator is included as Attachment 3. On 10/29/04, Michael and Ellen Mellon of 107 Farley Drive, Aptos appealed the Zoning Administrator's approval, based on issues raised in their letter dated October 29, 2004 (Attachment 2). The letters from neighbors referenced in the appeal letter are included as Exhibit K to Attachment 3.

This staff report addresses two key *sets* of issues. The first set is a response to the issues raised in the appellant's letter. The second describes the findings that must be made to approve such a project.

Response to the Appellant's Letter

The appellant's letter raised five issues, each are addressed below -

1. Scale and Mass of the two story, replacement dwelling:

The question of compatibility and definition of "neighborhood" are brought up by **the** appellant's letter. Both of these are subjective concepts. Two story homes are allowed within the Urban Services Line. There is a mixture of two stories and one-story homes found on Farley Drive and the surrounding streets, and therefore it is inappropriate to consider that no new two stories home may be built on Farley Drive. There is nothing in the zoning code that would make a two-story home inherently non-conforming. Existing residences may be non-conforming with regard to other criteria such as setbacks, lot coverage or floor area ratio.

The question of "neighborhood" is discussed below, under "Visual Compatibility".

2. Depth features which soften the appearance of muss:

In A Field Guide to American Houses (Virginia and Lee McAlester, 1984), characteristics of the Spanish Eclectic style (also called Spanish Colonial Revival by Walker in American Shelter) are discussed and illustrated. Round turrets, front balconies, arched top doors, iron grillwork, and elaborated chimney tops are all common elements of this style. The questions to be asked might be:

- a. Is the Spanish Eclectic style appropriate for this block or area?
- b. Is this an appropriate example of the Spanish Eclectic style?

Staff believes that there are examples of the Spanish Eclectic style around the Rio Del Mar area and it is an architectural style used frequently in coastal areas within the county. The proposal is a well-conceived combination of elements of this style.

The large rounded top doors which open from the living room to the front of the lot will be less visible and more in scale when a stucco wall is added to the design. The architect shows such a wall on the Site Plan and it is defined in a Condition of Approval:

The plans shall be revised per the following requirements:

A front patio enclosed by a solid wall (stucco coated) which may be increased to beyond the three feet maximum allowed by code to six feet (for privacy and scale). The wall shall be a minimum of four feet from the front property line.

3. Inclusion of a landscape plan:

Staff included the following as a condition of approval within the original report to the Zoning Administrator:

The plans shall be revised per the following requirements.

Planting which will match the scale of the building elements, soften the impact of the musing, add color and texture and complement the style of the architecture. A Landscape Architect shall prepare the landscape plan. The plan shall include 5 - 24 " box min. size trees and/or palms (between 10' to 12' high exposed, when planted).

4. Site development standards:

The proposal reaches to the minimum side yard setbacks on both side of the lot (to 5 ft. and 8 ft.), and some portions of the building touch the minimum front setback (20 ft.). The building comes within 5 ft. of the required 20 feet rear setback. While the project does not

fill the lot to each of the setbacks, it does come very close to the maximum Lot Coverage (29.9% where 30% is maximum) and Floor Area Ratio (.49 where .50 is maximum).

Lot Coverage and Floor Area Ratios *are* not guaranteed maximums, since there are other mandates such as neighborhood compatibility that must be included in the findings of approval. This lot is almost twice as large as the adjacent lots to the northeast and northwest (7965 s.f. to 4,350 s.f.). The percentage and ratio methods of governing size and mass are based on a building being proportional to the size of the lot. Indeed, this is a statement in the General Plan and included in one of the Development Permit Findings:

The proposed singlefamily residence will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed singlefamily residence will comply with the site standards for the R-1-6 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

5. **Massing at the front of the lot:**

The design has been configured so that the immediate neighbor to the north will retain their primary view to the ocean. This was achieved by locating a one-story element on that side and massing two stories enfronting the street.

While the front façade is entirely two stories, the architect has broken this mass into three major elements with minor recesses or protrusions within each (overhangs, recessed doors, bay window, etc.). The elevations presented in the plans are shown flat and do not indicate shades and shadows that would naturally occur and which would assist in relief of the sense of “bulk”.

Staff also believes that the required patio wall at the front, as well as the requirement for planting elements, which soften the architecture and give another sense of scale will mitigate the appearance of the two story massing at the front of the lot.

Support for Findings

Section 13.20.130 of the County of Santa Cruz Zoning Ordinance gives the “Design Criteria for Coastal Zone Developments”. The following section describes the issue of visual compatibility:

(b) Entire Coastal Zone. The following Design Criteria shall apply to projects sited anywhere in the coastal zone:

1. Visual Compatibility. All new development shall be sited, designed and landscaped to be visually compatible and integrated with the character of surrounding neighborhoods or areas.

Is this design visually compatible with the neighborhood? To answer this question, there are two unresolved issues.

- a. What does visually compatible mean?
- b. What is the extent and/or definition of the neighborhood?

Visually Compatible

The dictionary defines compatible as “capable of existing together in harmony”. Typically, this includes having some similar characteristics or characteristics which (at the very least) are not clashing. This does not mean that objects need to be identical to be compatible. The amount of variation is the pivotal question. If an object is totally different from the other objects to be compared, then it is obviously not compatible. The “gray” area in between (absolutely identical and absolutely contrasting) is more difficult to draw a distinct line in determining compatible and non-compatible.

The proposed design uses exterior materials (stucco and clay tile roofing) that are found across the street from the project site. Setbacks for the proposed residence match that of the adjacent residences and two story residences are on this section of Farley Drive. In terms of materials, mass and bulk, this project is not unlike other homes found in the immediate area.

Neighborhood

The dictionary defines neighborhood as “a section lived in by neighbors and usually having distinguishing characteristics.” Neighbors are defined as people who “adjoin immediately or lie relative near to” each other. One jurisdiction describes a neighborhood as the area within which one might be comfortable asking others to borrow a cup of sugar.

In **this** area, the applicable neighborhood appears to be Farley Drive itself. The street has a clear beginning at Cliff Drive and continues to Seaview Drive. The immediate neighborhood for most people would be considered to be the block that they live on. Therefore the adjacent street from the subject property cannot be easily defined within the context of “neighborhood”.

There is an eclectic mix of architecture in **Rio Del Mar**. Most importantly, in this **block** of Farley Drive there are a variety of styles and sizes of residences. Staff believes that the design proposed, as conditioned at the Zoning Administrator’s hearing with appropriate landscaping, will not be out of place on this street.

Summary

In a memorandum, the Urban Designer suggested simplifying elements of the façade, in addition to a screen wall in the front yard, as well as softening with landscape elements to aid in neighborhood compatibility. The redesign of the façade elements was not required as it was felt that neighborhood compatibility should not revolve around matters of detail, but rather larger issues such as bulk and mass, to allow for expression of individual taste in architectural detail.

The Conditions of Approval that were incorporated into the original staff report to the Zoning Administrator addressed the concerns of the Urban Designer, including the addition of a wall for visual screen for privacy and scale at the front façade, and larger landscape elements in the patio, surrounding the wall and adjacent to the building in order to soften the architecture. The design as conditioned will be consistent with the surrounding neighborhood and will meet the intent of County Code Section 13.20.130.

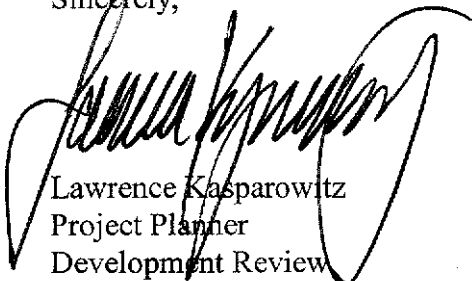
Although the proposed design is not identical to other homes in the area, there are similarities of materials, massing and composition that allow the appropriate finding to be made.

Recommendation

Staff recommends that the Planning Commission:

1. **UPHOLD** the Zoning Administrator's decision to approve Application Number **04-0116**, based on the findings contained in the Staff Report to the Zoning Administrator dated 10/15/04, and the Conditions of Approval.
2. Certify that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

Sincerely,



Lawrence Kasparowitz
Project Planner
Development Review

Reviewed By: 

Cathy Graves
Principal Planner
Development Review

Attachments

1. Project Plans and photomontage
2. Appeal Letter
3. Staff Report to the Zoning Administrator
4. Sketches prepared by staff indicating garden **walls and planting**
5. Correspondence since ZA hearing

107 Farley Drive
Aptos. CA 95003
688-7587 (H),
755-0383 (W)

October 29, 2004

Reference: 106 Farley Drive, Aptos, APN (S) 043-102-09

Tom Bums, Director
Planning Department
County of Santa Cruz
701 Ocean Street Room 400
Santa Cruz, CA 95060



Dear Mr Bums,

As a result of the public hearing on Friday, October 15, 2004, I am writing, representing the majority of our neighborhood, to appeal the findings of the Zoning Administrator regarding the proposal for 106 Farley Drive. We feel the mitigation suggested by the Zoning Administrator to address compatibility with the neighborhood character was insufficient. I am attaching the eleven letters sent to the project planner. Some of the issues are detailed below and others are in the letters attached.

1. The scale and mass of the two-story, replacement dwelling is certainly not consistent nor compatible with the neighborhood character. The architect, Cove Britton, has made reference to other homes in Rio Del Mar that he feels supports his contention that the proposed project is compatible. The properties he uses for comparison are either non-conforming or are not in our neighborhood.
2. The front of the proposed two-story has little depth features on either story to soften the appearance of mass. On the first floor street side, there are multiple large doors across the front (two garage doors, two patio doors which appear to be larger than the garage doors, and a front door), and on the second story there are three turrets, a door, and a deck. These features, which the architect calls "Spanish Eclectic", extenuate the mass across the front of the proposed project.
3. Along with addressing the issues of scale and mass, a landscape plan needs to be included to insure mitigation of any remaining scale and mass issues.
4. The Site Development Standards set maximums for lot coverage and floor area ratio for the development of a site and the proposal for 106 Farley is designed to the maximums. Just because the maximums exist does not equate to an automatic approval of a project without sincere, reasonable and meaningful review of compatibility with neighborhood character.
5. In a letter to neighbors, dated June 3, 2004, Cove Britton admitted to massing the second story towards the front because of an adjacent neighbor's request to protect their view. I respect the neighbor's request, but approving the current proposed plan will force a number of other neighbors to face a full view of a large, incompatible, eclectic mass every minute of the day.

Sincerely,

Michael R. Mellon

ATTACHMENT 2



Staff Report to the Zoning Administrator

Application Number:
04-0116

Applicant: Matson Britton Architects
Owner: Lauren Greene
APN: 043-102-09

Agenda Date: October 15, 2004
Agenda Item #:
Time: after 11:00 a.m. (note time !!)

Project Description: Proposal to demolish an existing single story single family dwelling and construct a new two story single family dwelling and attached garage (approximately 4,000 sq. ft. total).

Location: 106 Farley Drive, Aptos

Supervisory District: Second District (District Supervisor: Ellen Pirie)

Permits Required: Coastal Development Permit

Staff Recommendation:

- Approval of Application 04-0116, based on the attached findings and conditions.
 - a Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

Exhibits

- | | |
|-----------------------------------------------|---------------------------|
| A. Project plans | G. Zoning map |
| B. Findings | H. Assessor's parcel map |
| C. Conditions | I. Urban Designer's memo |
| D. Categorical Exemption (CEQA determination) | J. Discretionary Comments |
| E. Location map | K. Correspondence |
| F. General Plan map | |

Parcel Information

Parcel Size:	7,965 sq. ft. (from survey)
Existing Land Use - Parcel:	Single family residential
Existing Land Use - Surrounding:	Single family residential
Project Access:	Farley Drive
Planning Area:	Aptos
Land Use Designation:	R-UL (Urban Low Density Residential)
Zone District:	R-1-6 (6,000 sq. ft. min. parcel size)
Coastal Zone:	<u>X</u> Inside <u> </u> Outside
Appealable to Calif. Coastal Comm.	<u>X</u> Yes <u> </u> No

County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor, Santa Cruz CA 95060

Environmental Information

Geologic Hazards:	Not mapped/no physical evidence on site
Soils:	Soil report on file
Fire Hazard:	Not a mapped constraint
Slopes:	NIA
Env. Sen. Habitat:	Not mapped/no physical evidence on site
Grading:	No grading proposed
Tree Removal:	No trees proposed to be removed
Scenic:	Not a mapped resource
Drainage:	Existing drainage adequate
Traffic:	NIA
Roads:	Existing roads adequate
Parks:	Existing park facilities adequate
Archeology:	Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line:	<u> X </u> Inside <u> </u> Outside
Water Supply:	Soquel Creek Water District
Sewage Disposal:	Santa Cruz County Sanitation District
Fire District:	Aptos/La Selva Fire Protection District
Drainage District:	Zone 6

History

This application was received on March 16, 2004 and deemed complete on July 9, 2004.

Project Setting

This project is located in the Bayview/Seaview area of Aptos. The lot is not on the coastal bluff, however it is located in the Coastal Zone. The area contains single-family residences that are both one and two stories.

Zoning & General Plan Consistency

The subject property is a **7,965** square foot lot, located in the R-1-6 (Single Family Residential - 6,000 sq. ft. minimum) zone district, a designation that allows residential uses. The proposed single family residence with attached garage is a principal permitted use within the zone district and the project is consistent with the site's (RL) Urban Low Residential General Plan designation.

The **proposed** residence is a two-story structure with stucco siding and clay tile roof. The design is a combination of historically derived elements with variation in mass and form. The design includes

a two-car garage and two parking spaces on the driveway. This lot is relatively flat.

SITE DEVELOPMENT STANDARDS TABLE

	R-1-6 Standards	Proposed Residence
Front yard setback:	20 feet (residence and front of garage)	20'-0"
Side yard setback:	5 feet / 8 feet	5 feet / 8 feet
Lot Coverage:	30 % maximum	29.9 %
Building Height:	28 feet maximum	24'-10"
Floor Area Ratio (F.A.R.):	0.5:1 maximum (50 %)	49 %
Parking	3 bedrooms – 3 (18' x 8.5')	two in garage two uncovered

Environmental Review

Environmental review has not been required for the proposed project in that the project, as proposed, qualifies for an exemption to the California Environmental Quality Act (CEQA). The project qualifies for an exemption because the property is located with the Urban Services line, is already served by existing water and sewer utilities, and no change of use is proposed.

Local Coastal Program Consistency

The project site is not located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

The proposed single family residence with attached garage as submitted is in conformance with the County's certified Local Coastal Program, in that the structure (as conditioned) is designed to be visually compatible, in scale with, integrated with the character of the surrounding neighborhood.

Staff believes that the following can reduce the impact to the street:

1. A front patio enclosed by a solid wall (stucco coated) which may be increased to beyond the three feet maximum allowed by code to six feet (for privacy and scale).
2. Planting which will match the scale of the building elements, soften the impact of the massing, add color and texture and complement the style of the architecture.

The above have been made Conditions of Approval, and staff is recommending that the revisions be reviewed and approved by the Zoning Administrator and Urban Designer prior to submittal of

the plans for Building Permit.

Conclusion

As proposed and conditioned, the project will be consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") **for** a complete listing of findings and evidence related to the above discussion.

Staff Recommendation

- **APPROVAL** of Application Number **04-0116**, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

Report Prepared By: Lawrence Kasparowitz
Santa Cruz County **Planning** Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) **454-2676**
E-mail: pln795@co.santa-cruz.ca.us

Coastal Development Permit Findings

1. That the project is a use allowed in one of the basic zone districts, other than the Special Use (SU) district, listed in section 13.10.170(d) as consistent with the General Plan and Local Coastal Program LUP designation.

This finding can be made, in that the property is zoned R-1-6 (Urban Low Density Residential), a designation that allows residential uses. The proposed single family residence is a principal permitted use within the zone district, consistent with the site's (R-UL) Urban Low Density Residential General Plan designation.

2. That the project does not conflict with any existing easement or development restrictions such as public access, utility, or open space easements.

This finding can be made, in that the proposal does not conflict with any existing easement or development restriction such as public access, utility, or open space easements in that no such easements or restrictions are known to encumber the project site.

3. That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to section 13.20.130 et seq.

This finding can be made, in that the development (as conditioned) will be consistent with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the colors shall be natural in appearance and complementary to the site; the development site is not on a prominent ridge, beach, or bluff top.

4. That the project conforms with the public access; recreation, and visitor-serving policies, standards and maps of the General Plan and Local Coastal Program land use plan, specifically Chapter 2: figure 2.5 and Chapter 7, and, as to any development between and nearest public road and the sea or the shoreline of any body of water located within the coastal zone, such development is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act commencing with section 30200.

This finding can be made, in that the project site is not located between the shoreline and the first public road. Consequently, the single family residence will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

5. That the proposed development is in conformity with the certified local coastal program.

This finding can be made, in that the structure (as conditioned) will be sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the R-1-6 (6,000 sq. ft. min. parcel size) zone district of the area, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single-family dwellings. Size and architectural styles vary widely in the area.

ATTACHMENT 3

EXHIBIT B

Development Permit Findings

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the project is located in an area designated for residential uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed single family residence will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks that ensure access to light, air, and open space in the neighborhood.

2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.

This finding can be made, in that the proposed location of the single family residence and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-6 (6,000 sq. ft. min. parcel size) zone district in that the primary use of the property will be one single family residence that meets all current site standards for the zone district.

3. That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.

This finding can be made, in that the proposed residential use is consistent with the use and density requirements specified for the Urban Low Density Residential (R-UL) land use designation in the County General Plan.

The proposed single family residence will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the single family residence will not adversely shade adjacent properties, and will meet current setbacks for the zone district that ensure access to light, air, and open space in the neighborhood.

The proposed single family residence will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed single family residence will comply with the site standards for the R-1-6 zone district (including setbacks, lot coverage,

floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

A specific plan has not been adopted for this portion of the County.

4. That the proposed use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the proposed single family residence is to be constructed on an existing developed lot. The expected level of traffic generated by the proposed project is anticipated to be only peak trip per day (1 peak trip per dwelling unit), such an increase will not adversely impact existing roads and intersections in the surrounding area.

5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made in that the proposed single family residence will be consistent with the land use intensity and density of the neighborhood.

Conditions of Approval

Exhibit A: Architectural plans prepared by Matson Britton Architects, dated March 1, 2004 (revised 10/14/04).

Topographical Survey prepared Ward Surveying, dated July 11, 2003

- I. This permit authorizes the demolition of an existing one story single-family residence and the construction of a new two story single-family residence with attached garage. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Demolition Permit from the Santa Cruz County Building Official.
 - C. Obtain a Building Permit from the Santa Cruz County Building Official.
 - D. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
11. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).
 - B. Submit revised Architectural Plans for review and approval by the Zoning Administrator and the Urban Designer. The plans shall be revised per the following requirements:
 1. A front patio enclosed by a solid wall (stucco coated) which may be increased to beyond the three feet maximum allowed by code to six feet (for privacy and scale). The wall shall be a minimum of four feet from the front property line.
 2. Planting which will match the scale of the building elements, soften the impact of the massing, add color and texture and complement the style of the architecture. A Landscape Architect shall prepare the landscape plan. The plan shall include 5 – 24 “box min. size trees and/or palms (between 10’ to 12’ high exposed, when planted).
 - C. The final plans shall include the following additional information:
 1. Identify finish of exterior materials and color of roof covering for Planning Department approval. Any color boards must be in 8.5” x 11” format.

ATTACHMENT 3

EXHIBIT C

Conditions of Approval

Exhibit A: Architectural plans prepared by Matson Britton Architects, dated March 1, 2004 (revised 10/14/04).
Topographical Survey prepared Ward Surveying, dated July 11, 2003

- I. This permit authorizes the demolition of an existing one story single-family residence and the construction of a new two story single-family residence with attached garage. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Demolition Permit from the Santa Cruz County Building Official
 - C. Obtain a Building Permit from the Santa Cruz County Building Official.
 - D. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).
 - B. Submit revised Architectural Plans for review and approval by the Zoning Administrator and the Urban Designer. The plans shall be revised per the following requirements:
 1. A front patio enclosed by a solid wall (stucco coated) which may be increased to beyond the three feet maximum allowed by code to six feet (for privacy and scale). The wall shall be a minimum of four feet from the front property line.
 2. Planting which will match the scale of the building elements, soften the impact of the massing, add color and texture and complement the style of the architecture. A Landscape Architect shall prepare the landscape plan. The plan shall include 5 – 24 “box min. size trees and/or palms (between 10’ to 12’ high exposed, when planted).
 - C. The final plans shall include the following additional information:
 1. Identify finish of exterior materials and color of roof covering for Planning Department approval. Any color boards must be in 8.5” x 11” format.

ATTACHMENT 3

EXHIBIT C

3. Details showing compliance with fire department requirements.
 - D. Meet all requirements of and pay Zone 6 drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
 - E. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
 - F. Submit 3 copies of a soils report, if required, prepared and stamped by a licensed Geotechnical Engineer.
 - G. Provide required off-street parking for 3 cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
 - H. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
 - I. All construction shall be limited to between 8 a.m. and 5:30 p.m. on weekdays only, unless an extreme circumstance arises and approvals are obtained from the Planning Department.
 - J. All construction shall be performed in a timely manner
- III. All construction shall be performed according to the final approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
 - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - C. The project must comply with all recommendations any approved soils reports.
 - D. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in

ATTACHMENT 3

EXHIBIT C

Sections 16.40.040 and 16.42.100. shall be observed.

- E. Photo documentation of Farley Drive shall be submitted to Planning Department staff, which verifies the existing conditions of the road surface. The applicant is responsible for any damage to Farley Drive and shall repair the road surface to the pre-construction conditions.


IV. Operational Conditions

- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

Please note: This permit expires two years from the effective date unless you obtain the required permits and commence construction.

Approval Date: 10/15/04
Effective Date: 10/29/04
Expiration Date: 10/29/06


Don Bussey
Deputy Zoning Administrator


Lawrence Kasparowitz
Project Planner

Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 04-0116
Assessor Parcel Number: 043-102-09
Project Location: 106 Farley Drive, Aptos

Project Description: Proposal to demolish an existing single story single family dwelling and construct a new two story single family dwelling and attached garage (approximately 4,000 sq. ft. total)

Person Proposing Project: Matson Britton Architects

Contact Phone Number: (831) 425-0544

- A. _____ The proposed activity is not a project under CEQA Guidelines Section 15378.
B. _____ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060(c).
C. _____ Ministerial Project involving only the use of fixed standards or objective measurements without personal judgment.
D. _____ Statute; Exemption other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

Specify type:

E. X Categorical Exemption

15303 New construction of small structure

F. Reasons why the project is exempt:

New single-family residence in an existing neighborhood.

In addition, none of the conditions described in Section 15300.2 apply to this project.

Lawrence Kasparowitz, Project Planner

Date: _____

ATTACHMENT 3
EXHIBIT D

Location Map



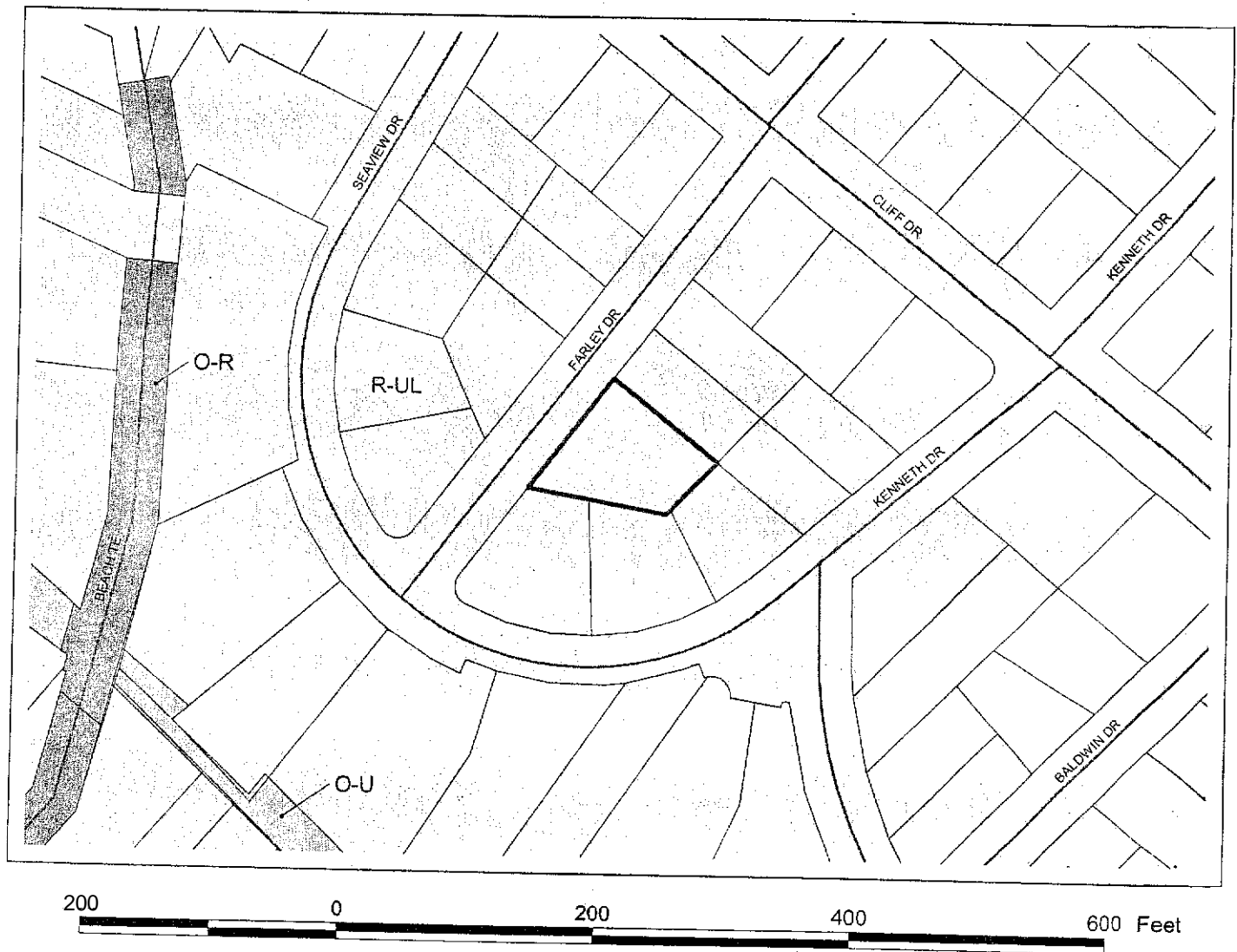
1000 0 1000 Feet

Map created by Santa Cruz County
Planning Department:
March 2004



ATTACHMENT 3
EXHIBIT E

General Plan Map



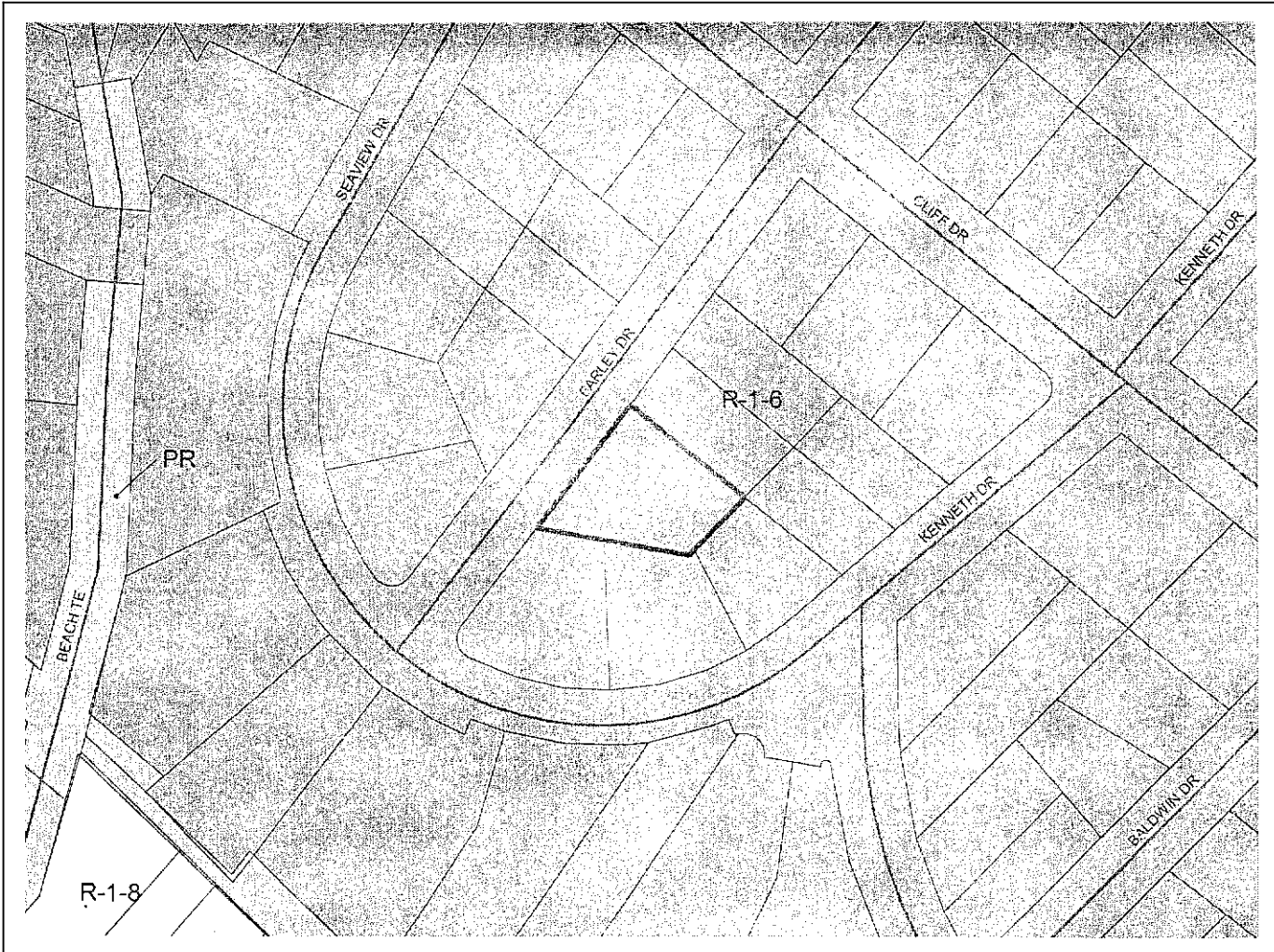
Legend

- APN 043-102-09
- Streets
- Parks and Recreation
- Urban Open Space
- Residential - Urban Low Density

Map created by Santa Cruz County
Planning Department:
March 2004

ATTACHMENT 3
EXHIBIT F

Zoning Map



Legend

	APN 043-102-09
	Streets
	R-1-X
	PR
	R-1-8



Map created by Santa Cruz County
Planning Department:
March 2004

ATTACHMENT 3

EXHIBIT G

FOR TAX PURPOSES ONLY

THE ASSessor MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.

© COPYRIGHT SANTA CRUZ COUNTY, ASSESSOR 1999

POR. APTOS RANCHO

S.E. 1/4 SEC. 18, & NE. 1/4 SEC. 19, T.11S, R.1E., M.D.B. & M.

Tax Area Code
69-273

43-10

APTOS BEACH COUNTRY CLUB.

SUB. NO. 6
23MB35

(04)



(11)

(22)

23/03

45MB44
10/19/66

Rev 10/6/03 CB (Rev. 10/6/03)
Rev 5/26/03 CB (Rev. 5/26/03)
Rev 5/26/03 CB (Rev. 5/26/03)
Rev 5/26/03 CB (Rev. 5/26/03)
Rev 5/26/03 CB (Rev. 5/26/03)
Rev 5/26/03 CB (Rev. 5/26/03)
Rev 5/26/03 CB (Rev. 5/26/03)
Rev 5/26/03 CB (Rev. 5/26/03)
Rev 5/26/03 CB (Rev. 5/26/03)
Rev 5/26/03 CB (Rev. 5/26/03)

CLIFF

SEA

FORMERLY BEACH TRAIL

FORMERLY BEACH TRAIL

FORMERLY BEACH TRAIL

FORMERLY BEACH TRAIL

FORMERLY BEACH TRAIL

FORMERLY BEACH TRAIL

FORMERLY BEACH TRAIL

FORMERLY BEACH TRAIL

FORMERLY BEACH TRAIL

FORMERLY BEACH TRAIL

FORMERLY BEACH TRAIL

FORMERLY BEACH TRAIL

FORMERLY BEACH TRAIL

FORMERLY BEACH TRAIL

FORMERLY BEACH TRAIL

FORMERLY BEACH TRAIL

FORMERLY BEACH TRAIL

FORMERLY BEACH TRAIL

FORMERLY BEACH TRAIL

FORMERLY BEACH TRAIL

FORMERLY BEACH TRAIL

FORMERLY BEACH TRAIL

FORMERLY BEACH TRAIL

FORMERLY BEACH TRAIL

FORMERLY BEACH TRAIL

FORMERLY BEACH TRAIL

FORMERLY BEACH TRAIL

APTOS BEACH COUNTRY CLUB.
SUB. NO. 8
24MB26

BK. 42
11

Assessor's Map No. 43-10
County of Santa Cruz, Calif.
Feb. 1999

9PM39
1/2/73

6PM3
5/9/72

7PM66
8/24/72

Note - Assessor's Parcel & Block
Numbers Shown in Circles.

ATTACHMENT

EXHIBIT H

INTEROFFICE MEMOAPPLICATION NO: **04-0116**

Date: April 12, 2004

To: Project Planner

From: Larry Kasparowitz, Urban Designer

Re: Design Review for a new single family residence at 106 Farley Drive, Aptos (Lauren Greene / owner, Matson Britton Architects / applicant)

COMPLETENESS ISSUES*There is no color board on file.***GENERAL PLAN / ZONING CODE ISSUES****Design Review Authority****13.20.130** The Coastal Zone Design Criteria are applicable to any development requiring a Coastal Zone Approval.**Design Review Standards****13.20.130** Design criteria for coastal zone developments

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Visual Compatibility			
All new development shall be sited, designed and landscaped to be visually compatible and integrated with the character of surrounding neighborhoods or areas		✓	See comments below.
Minimum Site Disturbance			
Grading, earth moving, and removal of major vegetation shall be minimized.	✓		
Developers shall be encouraged to maintain all mature trees over 6 inches in diameter except where circumstances require their removal, such as obstruction of the building site, dead or diseased trees, or nuisance species.	✓		

Special landscape features (rock outcroppings, prominent natural landforms, tree groupings) shall be retained.	✓		
Structures located near ridges shall be sited and designed not to project above the ridgeline or tree canopy at the ridgeline			N/A
Land divisions which would create parcels whose only building site would be exposed on a ridgetop shall not be permitted			N/A
Landscaping			
Developments shall be located, if possible, on parts of the site not visible or least visible from the public view.			N/A
Development shall <i>not</i> block views of the shoreline from scenic road turnouts, rest stops or vista points			N/A
Developments shall be sited and designed to fit the physical setting			N/A
			N/A
Structures shall be designed to fit the topography of the site with minimal cutting, grading, or filling for construction			N/A
Pitched, rather than flat roofs, which are surfaced with non-reflective materials except for solar energy devices shall be encouraged			N/A

Natural materials and colors which blend with the vegetative cover of the site shall be used, or if the structure is located in an existing cluster of buildings, colors and materials shall repeat or harmonize with those in the cluster			N/A
Large agricultural structures			
The visual impact of large agricultural structures shall be minimized by locating the structure within or near an existing group of buildings			N/A
The visual impact of large agricultural structures shall be minimized by using materials and colors which blend with the building cluster or the natural vegetative cover of the site (except for greenhouses).			N/A
The visual impact of large agricultural structures shall be minimized by using landscaping to screen or soften the appearance of the structure			N/A
Restoration			
Feasible elimination or mitigation of unsightly, visually disruptive or degrading elements such as junk heaps, unnatural obstructions, grading scars, or structures incompatible with the area shall be included in site development			N/A
The requirement for restoration of visually blighted areas shall be in scale with the size of the proposed project			N/A
Signs			
Materials, scale, location and orientation of signs shall harmonize with surrounding elements			N/A
Directly lighted, brightly colored, rotating, reflective, blinkin, flashing or moving signs are prohibited			N/A
Illumination of signs shall be permitted only for state and county directional and informational signs, except in designated commercial and visitor serving zone districts			N/A

In the Highway 1 viewshed, except within the Davenport commercial area, only CALTRANS standard signs and public parks, or parking lot identification signs, shall be permitted to be visible from the highway. These signs shall be of natural unobtrusive materials and colors.			N/A
(e.g., decks, patios, structures, trees, shrubs, etc.) in rural areas shall be set back from the bluff edge a sufficient distance to be out of sight from the shoreline, or if infeasible, not visually intrusive.			N/A
No new permanent structures on open beaches shall be allowed, except where permitted pursuant to Chapter 16.10 (Geologic Hazards) or Chapter 16.20 (Grading Regulations).			N/A
The design of permitted structures shall minimize visual intrusion, and shall incorporate materials and finishes that harmonize with the character of the area. Natural materials are preferred.			N/A

URBAN DESIGNER COMMENTS

- *This design fills the lot coverage and floor area ratio to the maximums.*
- *The front elevation takes up the entire street frontage with a two story façade.*
- *The front could be simplified in terms of the details, which would assist in compatibility.*
- *A plan for a fenced front patio would help give a lower element to the design*
- *The front yard landscaping can greatly assist in screening and massing.*

C O U N T Y O F S A N T A R U Z
DISCRETIONARY APPLICATION COMMENTS

Project Planner: Larry Kasparowitz
Application No.: C4-0116
APN: 043-102-09

Date: July 9, 2004
Time: 16:12:35
Page: 1

Environmental Planning Completeness Comments

----- REVIEW ON APRIL 6, 2004 BY ROBIN M BOLSTER -----
NO COMMENT

Environmental Planning Miscellaneous Comments

----- REVIEW ON APRIL 6, 2004 BY ROBIN M BOLSTER -----

Prior to building permit approval please submit a detailed erosion control plan, which specifies proposed erosion control devices (e.g. silt fence, straw rolls, etc.) and provides location and construction details for all devices. Plan must address the construction entrance/exit and prevent any sediment from leaving the construction site.

Dpw Drainage Completeness Comments

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== UPDATED ON JULY 9, 2004 BY CARISA REGALADO =====
Revised plans and memos from Matson Britton Architects and Robert L. DeWitt and Associates, Inc. dated June 10, 2004 and June 2, 2004 respectively were received. From items submitted, the discretionary stage application review is complete for this division, (Please see additional notes in Miscellaneous Comment.)

Dpw Drainage Miscellaneous Comments

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON APRIL 12, 2004 BY CARISA REGALADO =====
No comment. ===== UPDATED ON JULY 9, 2004 BY CARISA REGALADO =====
For the building application stage, please address the following items:

- 1) List amount of impervious area to be constructed by this project.
- 2) List amount of impervious area to be demolished by this project and submit documentation verifying these amounts. Suitable documentation includes photos and Assessor's records. If photos are used, these must clearly define the year it represents; therefore, it is recommended that a copy of the Assessor's records, including the construction page, be submitted accounting for permitted area.
- 3) As described in the memo submitted by DeWitt and Associates, consider maintaining discharge of roof runoff from the rear of the proposed structure into the rear yard area in keeping with the existing drainage pattern. This can be done from various downspouts along the rear side of the structure allowing spreading and infiltration of runoff within the yard rather than directing all roof runoff into proposed drainage pits, altering the current drainage patterns.
- 4) Please show that the amount of overflow to be directed into Farley Drive will not exceed current conditions. Also, describe the condition of the existing off-site

ATTACHMENT 3

Project Planner: Larry Kasparowitz
Application No.: 04-0116
APN: 043-102-09

Date: July 9, 2004
Time: 16:12:35
Page: 2

drainage system.

5) Depending on site conditions. the distance of the proposed drainage pits to the structure foundation and adjacent properties may not be adequate. Consider having this assessed by the project engineer.

Dpw Road Engineering Completeness Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON APRIL 8, 2004 BY GREG J MARTIN =====
Please reduce the width of the driveway on Farley Drive to serve two vehicles only. Show the structural section of the new driveway. Reference the correct figure from the County Design Criteria and make sure it is drawn correctly on the plan view. If you have any questions please contact Greg Martin at 831-454-2811. ===== UPDATED ON JUNE 30, 2004 BY TIM N NYUGEN =====
County driveway requirements are 6" of aggregate base Class II compacted to 95%. Minimum required surface course shall be 2" of type B asphalt concrete. The current plans show only 4" of base.

The existing asphalt is fine to remain and the shape of the new driveway is acceptable.

Dpw Road Engineering Miscellaneous Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON APRIL 8, 2004 BY GREG J MARTIN =====
===== UPDATED ON JUNE 30, 2004 BY TIM N NYUGEN =====
NO COMMENT

Aptos-La Selva Beach Fire Prot Dist Completeness C

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON MARCH 31, 2004 BY ERIN K STOW =====
DEPARTMENT NAME: Aptos/La Selva Fire Dept. Plans approved
A30 foot clearance will be maintained with non-combustible vegetation around all structures or to the property line (whichever is a shorter distance). Single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided they do not form a means of rapidly transmitting fire from native growth to any structure are exempt.
All Fire Department building requirements and fees will be addressed in the Building Permit phase.
Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction.

Aptos-La Selva Beach Fire Prot Dist Miscellaneous

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

ATTACHMENT 3

Discussionary Comments - Continued

Project Planner: Larry Kasparowitz
Application No.: 04-0116
APN: 943-102-09

Date: July 9, 2004
Time: 16:12:35
Page: 3

===== REVIEW ON MARCH 31, 2004 BY ERIN K STOW =====
NO COMMENT



June 3, 2004

Dear Neighbors of 106 Farley Drive,

I would like to introduce myself. My name is Cove Britton with Matson Britton Architects and I am the Architect for Glenn Ceresa and Lauren Greene's new home located at 106 Farley. We have also designed a number of other homes in your neighborhood, such as 310 Cliff Drive, 408 Seaview, and 612 Bayview, etc...

You recently may have received a letter ~~from~~ Ellen Mellon. With all due respect, it appears that Ms. Mellon's letter may be somewhat misleading. We hope to provide some information that may allay some fears and clarify the situation.

1. NEIGHBORS -We believe it is an important fact to know that the home was designed purposefully to allow the Ramos's home (108 Farley) to view over our client's back yard. This was done at Don and Marilyn's request and it was complied with as a good neighbor; the county regulations would not require our client to have provided this. This did have an impact on the design of the home by the second story's mass being placed parallel to the street versus perpendicular. The home most certainly would not have been designed that way if not for the consideration of Don and Marilyn's request to not block their ocean view.

2. SETBACKS -The proposed home is not "maxed out to within inches of all setbacks". The bulk of the home is located well away from the allowed rear setback, approximately 4 feet for the one story portion of the home and 16 feet at the closest portion of the second floor. The home at the front setback reaches the required minimum setback at only two locations for a relatively small area; the majority of the home's bulk is a number of feet away from the front setback (by as much 12 feet for thirty feet of length in one area). The two side yard setbacks are the only setbacks that one could consider "maxed out" but that was done for the reasons described in number 1 above. It is our observation that the setbacks we have provided are not atypical of the neighborhood, of the 4 setbacks the bulk of the proposed home is significantly away from two of them.

3. SIZE-While I personally find pejorative comments such as "monster castle design" less than productive, I certainly respect Ms. Mellon has a right to her opinion. But there are some facts in relationship to the size of the home. The home is actually 3603 feet with a garage of 625 square feet. As a comparison, the home located at 400 Seaview is 4044

72a NORTH
BRANCIORTE
SANTA CRUZ
CA 95062
877-877-3797 3/

ATTACHMENT 3

EXHIBIT K

square feet with an 800 square foot garage (based on county assessors information). Based on the county's method of determining the size allowed, the proposed home is at 49% floor area ratio (50% is the typical maximum allowed in this area). To give some perspective to that number; three (of the five properties directly adjacent) have floor area ratios in the area of 50% (based on county assessors information; 108 Farley is 49.8%, 202 Kenneth Drive is 52.6%, and 103 Kenneth at 46.6%). Based on the facts, it would not appear that there is anything extraordinary about the size of the proposed home. It is certainly not the smallest home in the neighborhood, nor is it the largest.

4. COMPATIBILITY-It may be important to note that, as of yet, I have *not* spoken to Mr. Kasparowitz regarding the "Compatibility" of the proposed home (in regards to Ms. Mellon's letter- "sharply rebuffed"). I did have a meeting with County Planning senior staff where this project was discussed as part of a larger picture. The "larger picture" (in part) about "Visual Compatibility" (Section 13.20.130 of the Coastal Zone Regulations) is that there is also a design review ordinance (Chapter 13.11) which does not apply in many situations (including 106 Farley) where "Visual Compatibility" does. For many years Planning staff had interpreted coastal regulation regarding "Visual Compatibility" as the basis to examine whether there were (for example) other two story homes in the neighborhood (when one was being proposed). The actual aesthetic design of the house was not discussed. In the last few years, some of planning staff has altered their stance so that they are doing extensive design review on the basis of "visual compatibility" without the design review ordinance applying. As President of the Architects Association of Santa Cruz County, and as a representative of multiple clients (and with our attorney present), we were questioning the appropriateness of design review when the design review ordinance did *not* apply. That said...

Whether or not design review is, or is not, appropriate, our response:

- a. The neighborhood has a wide variety of styles. The proposed home is in the Spanish Eclectic style, and a good number of homes in the area are also in this style. The two story massing is not atypical of this style, nor are the so-called "turrets". We have been unable to identify any site specific issue that would be a reasonable basis for not allowing our clients to enjoy aesthetic and stylistic freedom that other neighbors enjoy.
- b. The neighborhood has a wide variety of square footages and floor areas ratios present. The proposed home falls inside that range. We have been unable to identify any site specific issue that would be a reasonable basis for not allowing our clients to enjoy the same size and floor area that other neighbors enjoy.
- c. The neighborhood has a large number of two stories present with a wide variety of placements of mass. The proposed home's second story was placed for the consideration of the neighbor to the north, but the placement certainly is not inappropriate for the style. We

did identify a site specific issue that would be a "good neighbor" basis for designing the home in a particular way.

We hope the facts presented here have been helpful and we invite any of the concerned neighbors to meet with us. We are aware of unfortunate personal issues between Lauren Greene and Ms. Mellon. but we have found Lauren Greene and Glen Ceresa to be people of good fairh. They and we request, and hope, that the neighborhood would not feel it was appropriate for them to be made to follow different rules then those already enjoyed by the neighborhood. While I personally support neighborhoods getting together and identifying what they wish to preserve or enhance in that neighborhood, it does beg the question whether it is fundamentally fair to do that on an ad-hoc and case by case basis that is based on subjective and changeable personal preferences. I believe that rules that apply to each of us equally is one of the best ethical concepts, though not always followed, of this country

Again, please do not hesitate to contact us with my questions or concerns. A thoughtful discussion on any of the neighbors' concerns would be welcome. Enclosed you will also find a reduced copy of the plans for your convenience.

Sincerely,

Cove Britton
Architect

Lawrence Kasparowitz

From: Carrie Shook [ckshook@pacbell.net]
Sent: Saturday July 03, 2004 2:57 PM
To: Lawrence Kasparowitz
Subject: RE: 106 Farley Drive - Aptos

Lawrence Kasparowitz, AIA
 Santa Cruz County Planning Department

Upon return from our trip, amongst all the juke mail, there was a letter from Cove Britton with Matson Britton Architects, and the architect for 106 Farley Drive. Mr. Britton's letter, together with a reduced copy of the plans, has given us enough insight to provide, we hope, more meaningful input to the planning process.

Mr. Britton's letter states that the concept of "Visual Compatibility" does not apply to the design of 106 Farley Drive, and that the Planning staff does not have jurisdiction over the aesthetic design of the house. If true, it would appear that neighborhoods have little or no leverage over what is built, and that the overall consequence will be a neighborhood of two story houses, with 50% floor area ratios and 5 foot side yard setbacks. Mr. Britton's letter also admits that the home was designed with the mass to the front to accommodate the view corridor of one of the neighbors; this design consideration may have the adverse consequence of creating a "monster castle design" look from the street elevation.

On the other hand, there may be a potential problem with the surface drainage that Planning staff can help prevent. You may be aware that the gradient along lower Farley Drive and Seaview Drive is almost non-existent, and that runoff and flooding can be a problem; the increased lot coverage proposed for 106 Farley Drive can only exacerbate the problem. In order to better control this runoff from lower Farley Drive, we hope that as part of the review process the Planning staff recommends the inclusion of street drains with direct underground access to the sewer system. Lamanda Drive had less severe problems with runoff, and a prerequisite for design approval of 104 Lamanda Drive was the inclusion of street drains. If another County Department, such as Public Works, is responsible for the review and improvements of surface drainage, possibly you could forward this e-mail or provide me with the name and contact information of the appropriate individual.

I cannot promise that this will be the last e-mail you receive from me, but I will endeavor to make any further correspondence between us as germane and as on-point as possible.
 Regards,

John Shook
 427 Seaview Drive
 Aptos, California 95003
 (831)685-8630

-----Original Message-----

From: Carrie Shook [mailto:ckshook@pacbell.net]
Sent: Tuesday, May 18, 2004 11:47 AM
To: pln795@co.santa-cruz.ca.us
Subject: 106 Farley Drive - Aptos

Lawrence Kasparowitz, AIA
 Santa Cruz County Planning Department

We are literally leaving on a trip within the hour: I haven't had a chance to review the plans for 106 Farley Drive, but based on comments from neighbors who have reviewed them, we have deep concerns about size, privacy, and compatibility with the neighborhood. We live at 427 Seaview Drive, and our property is backup to 106 Farley Drive. We won't return until June 29th, so we hope that any public review and meetings will be held after that date.

John and Caroline Shook
 427 Seaview Drive
 Aptos, California 95003

ATTACHMENT 3

EXHIBIT K

7/6/2004

July 9, 2004

Larry Kaspowitz
Planning Department
701 Ocean Street
Santa Cruz, California 95060

Dear Larry:

My name is Don Ramos and I live at 108 Farley Drive in Aptos. I am the next door neighbor of Lauren Green and Glen Ceresa. I am writing you this letter to give you some information about the Ceresa's plans for their new house.

I first met them when they purchased the house. I next saw her at a **funeral** for a friend of her son. At this funeral, she and I had a conversation about her plans. I asked her if she would consider leaving some or all of my ocean view when they designed their house. She said that they would take that into consideration.

When you and David Heinlein came to the neighborhood to look at the proposed project, you showed my wife and I a copy of the plans. I took some measurements off of the plans and immediately measured to determine where the rear of the second story would rest. I was happy to see that they did leave me part of the ocean view.

In a subsequent conversation, they told me that their **original plan** for the upstairs called for it to run along the east side of their lot, completely obliterating the ocean view. They moved their upstairs to its present planned location.

I will be forever grateful to them for this kind gesture. Obviously, I strongly support their plans for the new house. If you have any questions, please feel free to contact me at any time.

Sincerely,

—&—

Don Ramos
108 Farley Drive
Aptos, California 95003
831-684-9110

ATTACHMENT 3

35

EXHIBIT K

June 1 304

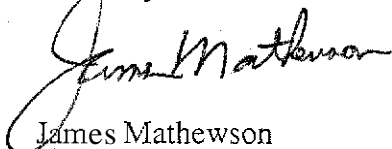
Lawrence Kasparowitz
County of Santa Cruz Planning Department
701 Ocean St.
Santa Cruz, CA
95060

Dear Mr. Kasparowitz:

It has come to my attention that there are plans and the intention to build a new home on the property at 106 Farley Drive in Rio Del Mar, Aptos. As home owner of 111 Farley Drive in Rio Del Mar, I have major concerns with this building project. My primary concern involves the incompatibility of the proposed structure with existing homes in the neighborhood. My home on Farley Drive is less than 1300 square feet. None of the other homes in the "neighborhood" (this would include homes on Farley drive, not those on surrounding streets to include Cliff Dr. and Seaview Dr. which are often used to bolster the argument for neighborhood homes having larger square footage) come close to the size of the proposed home at 106 Farley Drive which is to be over 3600 square feet. Additionally, homes on the block of Farley Drive that includes 106 Farley Drive are for the most part modest homes. none resemble the size and style of the proposed structure – "Spanish eclectic" (whatever that means), replete with turrets.

In writing this letter, I am formerly requesting that you deny the permit for the proposed building construction at 106 Farley Drive in Rio Del Mar due to incompatible scale and design. Again, my reason being incompatibility with other neighborhood homes in the immediate vicinity. I do intend to attend any and all hearings regarding the project at 106 Farley Drive in Rio Del Mar, Aptos. Please find enclosed photographs of homes on Farley Drive located in the same block as 106 Farley Drive. Feel free to contact me for further clarification in this matter.

Sincerely,



James Mathewson
111 Farley Drive
Aptos. CA
831.661.0279

ATTACHMENT 3

36

EXHIBIT K

411 Seaview Drive
Aptos, California
May 24, 2004

Lawrence Kasparowitz, AIA
County of Santa Cruz Planning Dept.
701 Ocean Street, Room 400
Santa Cruz, CA. 95060

Dear Mr. Kasparowitz:

I am writing regarding the proposed home to be built on the property at 106 Farley Drive in Aptos. My main objection to the plan filed in your office is that the house is so big that it will overpower the neighborhood and would therefore be incompatible with the existing homes.

This home **has** the appearance **of** a resort or hotel. Not **only is** it huge, **covering 29.9% of** the lot and filling **49%** of the floor area ratio, but the front of the house facing the street is **very** "busy" with *six* doors, including the garage doors, many, many windows, three turrets, three chimneys and a balcony. In addition there appear to be many different types of materials to be used in the construction of the front of the house.

I would hope some **modifications** could be made to make the house more compatible with the **existing** neighborhood. I **am** worried that if some limitations on proposed houses **and** consideration given to the **look** of existing neighborhoods isn't instituted soon, the character and personality **of** neighborhoods will disappear. These huge homes belong on larger pieces of land and not squeezed in **between** the **smaller** homes, destroying what little privacy one has in this world today.

Sincerely,



Sue Bruemmer

ATTACHMENT 3

Lawrence Kasparowitz

From: Carrie Shook [ckshook@pacbell.net]
Sent: Tuesday, May 18, 2004 11:47 AM
To: Lawrence Kasparowitz
Subject: 106 Farley Drive - Aptos

Lawrence Kasparowitz, AIA
Santa Cruz County Planning Department

We are literally leaving on a trip within the hour; I haven't had a chance to review the plans for 106 Farley Drive, but based on comments from neighbors who have reviewed them, we have deep concerns about size, privacy, and compatibility with the neighborhood. We live at 427 Seaview Drive, and our property is backup to 106 Farley Drive. We won't return until June 29th we hope that any public review and meetings will be held after that date.

John and Caroline Shook
427 Seaview Drive
Aptos, California 95003

5/18/2004

38

ATTACHMENT 3

EXHIBIT K

June 18, 2004

Lawrence Kasparowitz
MA
County of Santa Cruz Planning Department
701 Ocean Street
Room 400
Santa Cruz, CA 95060

Dear Mr. Kasparowitz,

I have received a letter from Cove Britton, the architect for 106 Farley Dr. in Rio Del Mar. The design and size of the planned house is absolutely not fitting in our neighborhood. I am retired and the thought of looking at this monstrosity day and night is enough to be depressing not to mention that the little bit of "ocean view" we have left will completely be blocked. I did not receive any hearing notification about the "yellow monstrosity" at the corner of Seaview and Farley so we now have to live with it.... I would really like to stop another poor design go up. The fact that one mistake was made does not mean we have to keep adding more where we will not have any **visual compatibility** left.

This design might look good on several acres on a hill side but not on Farley street. 408 Seaview was done very tastefully, set back away from the street and not interfering with any one's view.

I would like to see this plan cut back and be more visually compatible.

Would greatly appreciate your assistance in helping achieve a smaller and more compact unit,

Sincerely



Aylin Gulbenkian

407 Seaview AFTOS
(831)689-9935 or (925)932-2986

ATTACHMENT 5

Ellen Mellon
107 Farley Dr.
Aptos, CA. 95003
June 16, 2004

Lawrence Kasparowitz, AIA
County of Santa Cruz Planning Dept.
701 Ocean St., room 400
Santa Cruz, CA. 95060

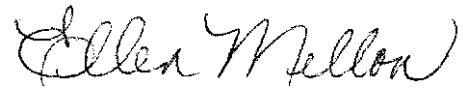
Mr. Kasparowitz:

This letter is being sent to you to express my concerns over the plans for the proposed house at 106 Farley Dr., Aptos (Rio Del Mar area). The massive design of this house is totally incompatible with the existing houses on this street. We only have two 2-story houses on the 100 block of Farley Dr. The other 3 houses are single story. All of the existing houses on Farley are scaled appropriately to the size of their lot. Even the two 2-story houses are compatible in size to the others in this neighborhood. The proposed design for 106 Farley is at 29.9% lot coverage with 30% being the maximum allowed. The design also features the bulk of the house spanning the entire front length of the property making it appear far out of proportion to the lot size.

In addition to the overall massiveness of this structure, the "castle" design is also incompatible to the styles of the existing houses. We have cottage, simple contemporary, and Monterey ranch style homes. A "castle" design just does not fit on Farley Dr. If this structure were to be built on Seaview Dr. or Bayview Dr. there might not be a compatibility issue, as many of those houses are large and feature a wider variety of styles.

Preserving the integrity of existing neighborhoods is part of why we have planning departments. The ambiance and integrity of Farley Dr. is being threatened by the proposed plans for 106 Farley Dr. I entrust you to do all you can to prevent these plans, as they currently exist, from being approved.

Sincerely,


Ellen Mellon

ATTACHMENT 3
EXHIBIT

June 14,2004

~~Lawrence~~ Kasparowitz
AIA

county of Santa Cruz Planning Department
701 Ocean Street
Room 400
Santa Cruz ,CA 95060

Re: The plans for 106 Farley Dr. , Aptos

Dear Mr. Kasparowitz,

I am a co-owner of 407 Seaview, Aptos since 1987. My co-owner & I are now retired and are spending a lot more time at 407 Seaview. Therefore I am concerned about the overall appearance of the Rio Del Mar neighborhood.

From the sketches provided by Cove Britton, the architect for 106 Farley Dr., it appears that the reconstruction of 106 Farley will turn into a massive medieval like structure with turrets that will obstruct our peek of the ocean . We observed the reconstruction of 408 Seaview and it turned out to be tastefully nestled across the street from 407 Seaview. In my opinion the neighborhood does not need another eyesore that now exists at the corner of Farley and Seaview.

I hope this letter will encourage you to persuade the Ceresa & Greene family to reconsider the design.

Sincerely



Wilmonte Nasutavicus

407 Seaview APTOS
(831)689-9935 or (925)937-0648

ATTACHMENT 3

EXHIBIT K

Lawrence Kasparowitz

From: Witham, Bobby [bobby.witham@plantronics.com]
Sent: Thursday, September 16, 2004 1:46 PM
To: Lawrence Kasparowitz
Subject: 106 Farley Dr.

Dear Mr... Kasparowitz

As a 13 year owner of 109 Farley Dr. I would request that you deny permitting the construction of the new house at the 106 Farley Dr address as it is presently proposed. It's size alone should show incompatibility with the existing homes on the same block. The residents of Farley Dr have already endured the 3 year construction of the property at the corner of Seaview and Farley which was represented to the County as the builders (a real estate professional) residence but in fact was a "spec home". This house was also built at the maximum size the lot would allow enhancing it's resale value without soliciting input from the residents. 109 Farley follows the same pattern... represented to the County as the builders (a real estate professional) residence, proposed square footage at the maximum for the lot size without soliciting input from the residents. Regardless of the builders real intentions this house is not a fit for the neighborhood as proposed.

Robert Witham
109 Farley Dr.
Aptos, CA
831-662-9732

CONFIDENTIALITY NOTICE: This e-mail transmission, and any documents, files or previous e-mail messages attached to it, may contain information that is confidential and/or legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, please DO NOT disclose the contents to another person, store or copy the information in any medium, or use any of the information contained in or attached to this transmission for any purpose. If you have received this transmission in error, please immediately notify the sender by reply email or at <mailto:privacy@plantronics.com>, and destroy the original transmission and its attachments without reading or saving in any manner. (2)

ATTACHMENT 3

42

EXHIBIT K

9/16/2004

107 Farley Drive
Aptos, CA 95003
688-7587 (H).
755-0383 (W)

September 19, 2004

Reference: 106 Farley Drive, Aptos, APN (S) 043-102-09

Zoning Administrator
Planning Department
County of Santa Cruz
701 Ocean Street Room 400
Santa Cruz, CA 95060

Dear Zoning Administrator,

I am writing to ask that you request the plan be referred back to Planning for changes to address the issues below

1. The scale and mass of the two-story, replacement dwelling is certainly not consistent nor compatible with the neighborhood character. The architect, Cove Britton, has made reference to other homes in Rio Del Mar that he feels supports his contention that the proposed project is compatible. The properties he uses for comparison are either non-conforming or are not in our neighborhood.
2. The front of the proposed two-story has little depth features on either story to soften the appearance of mass. On the first floor street side, there are multiple large doors across the front (two garage doors, two patio doors which appear to be larger than the garage doors, and a front door), and on the second story there are three turrets, a door, and a deck. These features, which the architect calls 'Spanish Eclectic', extenuate the mass across the front of the proposed project.
3. Along with addressing the issues of scale and mass, a landscape plan needs to be included to insure mitigation of any remaining scale and mass issues.
4. I am concerned about the drainage plan for the proposed development. During our rainy season, 106 Farley is often under several inches of standing water that eventually drains into the soil. The notes on the proposed plan do not address what happens to water from gutters, downspouts, and sloped concrete.
5. In a letter to neighbors dated June 3, 2004: Cove Britton admitted to massing the second story towards the front because of an adjacent neighbor's request to protect their view. I respect the neighbor's request, but approving the current proposed plan will force a number of other neighbors to face a full view of a large, incompatible, eclectic mass every minute of the day.

Sincerely,



Michael R. Mellon

Cc: Lawrence Kasparowitz, AIA

ATTACHMENT 3

Elizabeth Sprinkle
418 Cliff Drive
Aptos, California 95003

September 24, 2004

Lawrence Kasparowitz, AIA
County of Santa Cruz Planning Dept.
701 Ocean Street
Room 400
Santa Cruz, CA 95060

Dear Mr. Kasparowitz,

I am writing to express my concern with the proposed design for the property at 106 Farley Drive in Aptos. While I appreciate the owners' rights to implement a design of their choosing, I feel that the current design will be completely out of place in our neighborhood.

I have reviewed the plans and note that the style of the house is formal and imposing. In a neighborhood of eclectic houses which sit back on their lots, this structure will sit close to the street line, looming over its neighbors and pedestrians. To my eye, this building would look best at the top of a hill, surrounded by vineyards. Instead, it will appear shoehorned into a lot much smaller than it deserves.

I hope that you will be able to influence the owners and architect to go with a design for a house that is more compatible with the neighborhood in which it will live.

Thank you for your help.

Sincerely,

Elizabeth Sprinkle

ATTACHMENT 3

44

EXHIBIT K



TRANSMITTAL

To: Don Bussey

From: Matson Britton Architects
728 N Branciforte Avenue
Santa Cruz, CA 95062
PH: (831) 425-0544 FAX: (831) 425-4795

Date: October 14, 2004

Job: Ceresa Greene Residence. 106 Farley Drive

Note: Enclosed are five letters in **support** of the new two story residence, written by neighbors of 106 Farley Drive.

Oct 6,2004

Mr. Don Bussey
Deputy Zoning Administrator
County of Santa Cruz Planning Department
701 Ocean St. 4th Floor
Santa Cruz, Calif. 95060


Re: 106 Farley Drive
APN 043-10-209

Dear Mr. Bussey,

I have had a chance to review the proposed plans for the Greene's residence located on 106 Farley Drive in Aptos, Calif..

If the project complies with **all** stated restrictions, **I fully support** the design and construction in this neighborhood.

Sincerely,



Brad Peranick
348 Kingsbury Drive
Aptos, Calif.. 95003

Dr. and Mrs. William I. Nowicki
337 Kingsbury Drive
Aptos, CA 95003

October 10, 2004

Mr. Don Bussey
Deputy Zoning Administrator
County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

RE: 106 Farley Drive
Aptos, CA 95003
APN 043-10-209


Dear Mr. Bussey,

We live in the neighborhood **of** 106 Farley in Aptos, and would like to express support for the new house project which the owner Lauren Greene proposes to build at that location. We have studied the plans for the new home and we approve of the home as designed.

It is our opinion that the design is both compatible with, and complimentary to, the existing homes in the neighborhood.

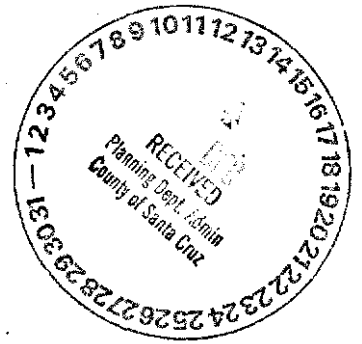
Sincerely,


William I. Nowicki


Elizabeth R. Nowicki

ATTACHMENT 3

Lawrence Kasparowitz, AIA
County of Santa Cruz Planning Department
701 Ocean St. room 400
Santa Cruz, CA. 95060



Dear Mr. Kasparowitz,

As I walk through my neighborhood of Rio Del Mar I enjoy the ambiance and convivial atmosphere that exists here. We are a community of modest family homes with designs that reflect a variety of styles. Recently, major changes in our surroundings have taken place, primarily along the bluffs. Huge structures have come to replace the previously moderate-sized homes. The styles range from castles to country manor to ultra contemporary, but all on basic-sized parcels, not large acreage. Now this same trend of over-sized homes is spreading to the adjacent side streets.

In particular I am referring to the house proposed (and currently under appeal by the neighbors) for 106 Farley Dr. I doubt that one could find a more incompatible design! It certainly will not blend in "harmoniously" with the existing houses on Farley Dr. Those homes are all pretty much under 2,000 sq. ft. This proposed house is over 4,000 sq. ft. ! The design with its full frontal two-story and three towers doesn't even come close to any of the existing houses on Farley or in the immediate surrounding area.

Structures of this nature are destroying our neighborhood. Their massiveness invades neighbor's privacy, cuts down on sunlight to surrounding homes, and ruins the ambiance of our small streets and modest homes. I request that the Planning Commission support the neighbors in their appeal and that no permit be issued for 106 Farley Dr. based on the current plans.

Sincerely,

TERI TAROMA FESSENDEN

ATTACHMENT 3

October 6, 2004

Lawrence Kasparowitz, AIA
County of Santa Cruz Planning Department
701 Ocean Street, Room 400
Santa Cruz, CA 95060

Re: 106 Farley Drive, Aptos

Dear Mr. Kasparowitz:

My wife and I are writing this letter in support of Matson Britton Architects and their client's project at 106 Farley Drive, Aptos.

Matson Britton Architects created the design for our neighboring home at 408 Seaview Drive. When our home was in the planning stages both Martha Matson and Cove Britton listened attentively to our neighbors regarding their issues, and they worked diligently to resolve concerns pertaining to our project. For example, after meeting with our neighbor, great care was given to the redesign of our home, allowing her to retain her ocean view. Copies of the architectural plans were made available by our architects to this neighbor giving her the opportunity to discuss our plans with her architect before the scheduled permit hearing. Matson Britton Architects have shown their willingness to work in this same way with the neighbors on the building plans for 106 Farley Drive.

We both feel fortunate that we live in a neighborhood where many of the new homes and remodels are being designed by architects. The team of Matson Britton Architects brings experience, integrity and creativity to their projects. We believe that Matson Britton home designs will enhance our neighborhood while retaining its unique character.

Sincerely,

Max & Dorothy Malutta

ATTACHMENT 3

September 30,2004

Mr. Don Bussey
Deputy Zoning Administrator
County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

RE: 106 Farley Drive
AFN 043-102-09

Dear Mr. Bussey,

I have just reviewed the construction plans for Lauren Greene's new home which is to be located at 106 Farley; I'd like to enthusiastically support the approval of this home as designed.

In my view, the architectural design elements and chosen materials both compliment and enhance the neighborhood. I love the design, and it is in no way incompatible. Please approve this design for construction.

Sincerely,

Neil Frank
APN 043-104-41
Seaview Drive Aptos, CA 95003

MacKinlay
511 Cliff Drive
Aptos, CA 95003

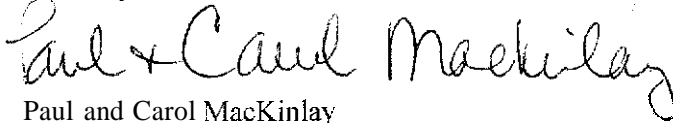
To Whom It May Concern:

We are the owners of a house at 511 Cliff Drive in Aptos. We have been asked to review and comment on the proposed plans for redevelopment of the nearby property at 106 Farley.

We feel the size and style of the home are consistent with other homes in the area. The detailed work that Matson-Britton architects have put forward in creating an interesting and attractive Spanish styling will add to the historic nature of the old Rio Del Mar community.

We would be pleased to discuss this topic with you and can be reached at (831) 462-6319,

Sincerely,

A handwritten signature in cursive script that reads "Paul + Carol MacKinlay". The signature is written in dark ink and is positioned above the printed name.

Paul and Carol MacKinlay

Ward Surveying
 1729 Seabright Ave. Suite A
 Santa Cruz, CA. 95062
 831-425-5005
 Friday, October 08, 2004 8:42:01 AM

PROJECT: C:\Terramodel-Backup\03196a1.pro

CLOSURE REPORT

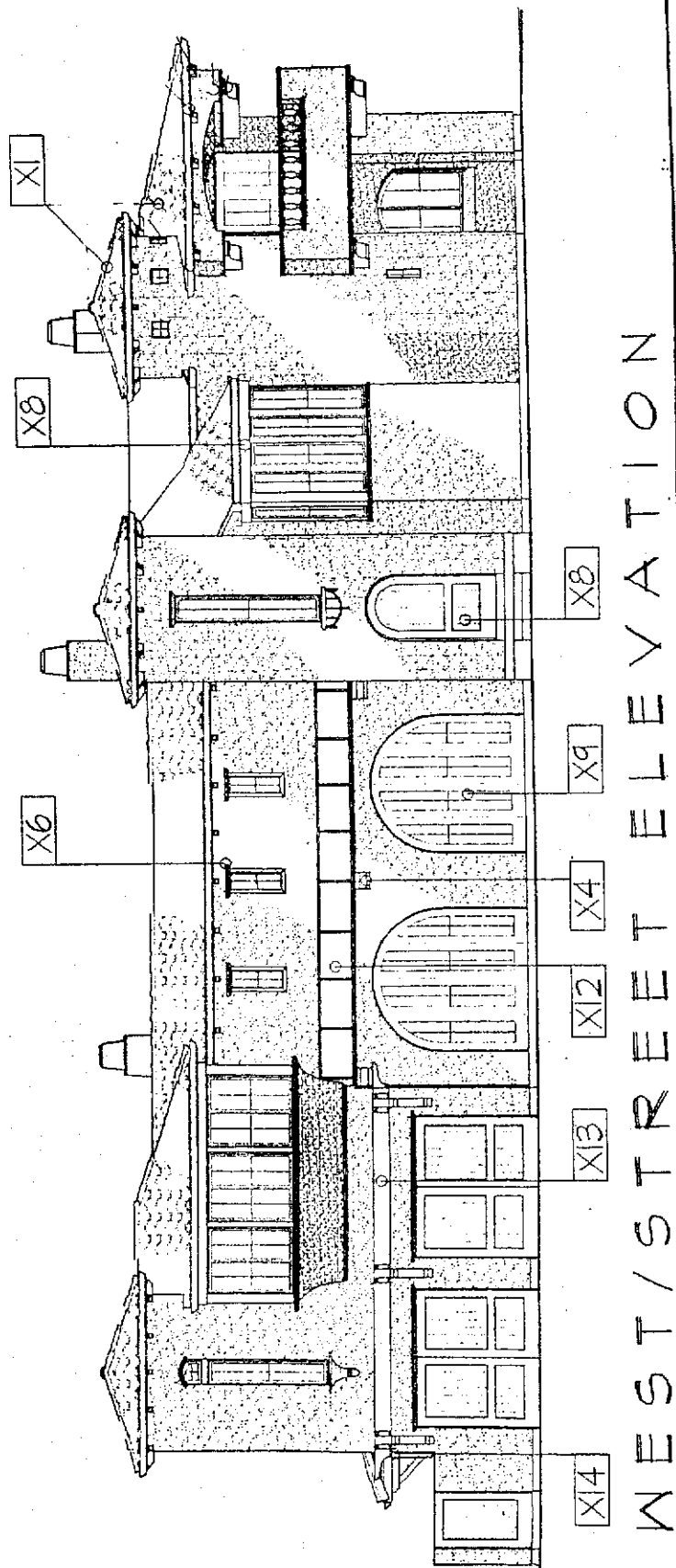
coordinate values shown are computed based on the rounded bearing and distance,
 or chord bearing and chord lengths as indicated herein.
 Boundary Name:

Point Number	Description	Sta	Northing	Easting	Elevation
Bearing	Distance				
70		0+00.00	5772.6374	2704.2431	
S52°15'00"E	100.57 ft				
71		1+00.57	5711.0667	2783.7628	
S42°58'00"W	58.99 ft				
72		1+59.45	5667.9813	2743.6318	
N79°58'00"W	104.33 ft				
73		2+63.78	5686.1578	2640.8973	
N36°14'00"E	107.19 ft				
74		3+70.97	5772.6190	2704.2567	

NOTE: The sat is not closed.

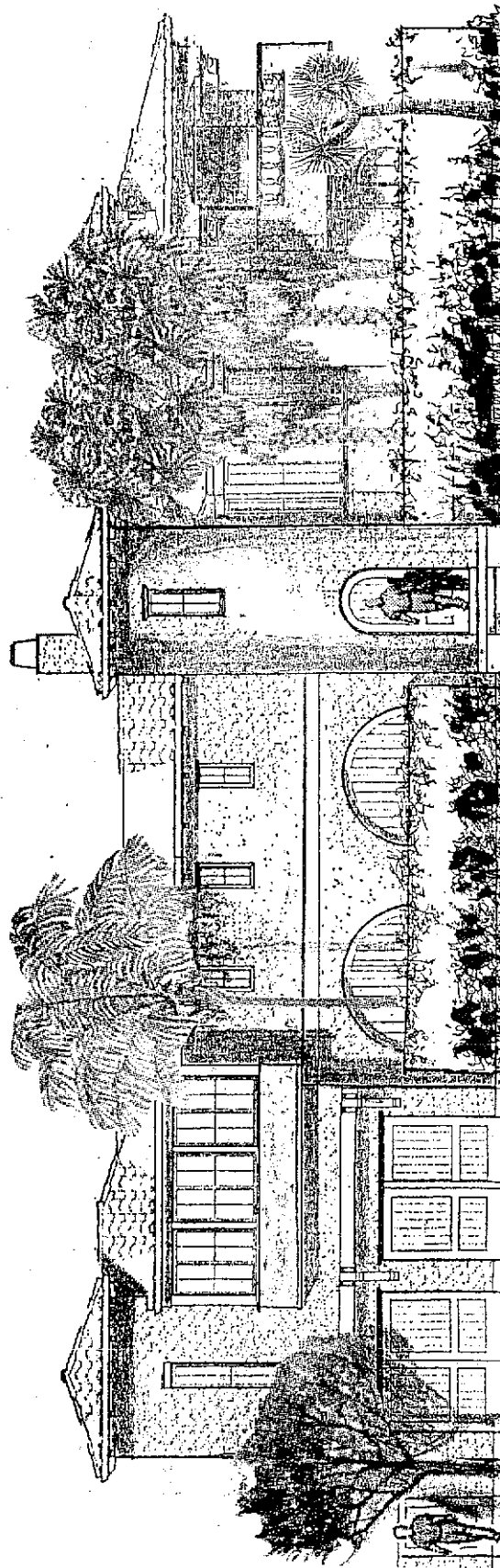
Closing latitude	=	-0.01844
Closing departure	=	0.01154
Closing bearing	=	N32°03'14"W
Closing distance	=	0.02175
Total traverse length	=	370.97 (370.97)
Total error of closure	=	1/17054
Error of closure in latitude	=	1/20122
Error of closure in departure	=	1/32135
Area	=	7965.36 Sq. Ft.
Area	=	0.1829 Acres

ATTACHMENT 3



ATTACHMENT

FRONT FACADE AS PROPOSED BY ARCHITECT



WEST STREET ELEVATION

ATTACHMENT 4

FRONT FACADE AS SUGGESTED BY STAFF

Lawrence Kasparowitz, AIA
County of Santa Cruz Planning Department
701 Ocean St. room 400
Santa Cruz, CA. 95060

Dear Mr. Kasparowitz,

As I walk through my neighborhood of Rio Del Mar I enjoy the ambiance and convivial atmosphere that exists here. **We** are a community of modest family homes with designs that reflect a variety of styles. Recently, major changes in our surroundings have taken place, primarily along the bluffs. Huge structures have come to replace the previously moderate-sized homes. The styles range from castles to country manor to ultra contemporary, but all on basic-sized parcels, not large acreage. Now this same trend of over-sized homes is spreading to the adjacent side streets.

In particular I am referring to the house proposed (and currently under appeal by the neighbors) for 106 Farley Dr. I doubt that one could find a more incompatible design! It certainly will not blend in "harmoniously" with the existing houses on Farley Dr. Those homes are all pretty much under 2,000 sq. ft. This proposed house is over 4,000 sq. ft. ! The design with its full frontal two-story and three towers doesn't even come close to any of the existing houses on Farley or in the immediate surrounding area.

Structures of this nature are destroying our neighborhood. Their massiveness invades neighbor's privacy, cuts down on sunlight to surrounding homes, and ruins the ambiance of our small streets and modest homes. I request that the Planning Commission support the neighbors in their appeal and that no permit be issued for 106 Farley Dr. based on the current plans.

Sincerely,



To: Santa Cruz County Planning Commission,
Lawrence Kasparowitz, AIA, County of Santa Cruz Planning Dept.

Re: proposed structure for 106 Farley Dr., Aptos

Mr. Kasparowitz and members of the Planning Commission:

As a resident of the Rio Del Mar community who lives a short distance from the 100 block of Farley Dr. I am writing to voice my opposition to the proposed structure for 106 Farley Dr. I do not want to see our neighborhoods character destroyed by the increasing number of very large and incompatible new homes and remodels that are appearing throughout the area. I have seen the design for 106 Farley and find it very incompatible based on: the style that features 3 towers, a massive front that stretches the entire width of the property with no break or variation in depth, and it is a full two stories in height making the house very imposing.

We are basically a community of small to medium-sized homes, the majority one-story. Based on the definition of "compatibility" this proposed structure by no means meets the definition. I urge you to support the appeal by the immediate neighbors of the design and size of this project.

Respectfully,

Phyllis Swan

203 Farley

Aptos, CA

95003

ATTACHMENT 5



December 21, 2004

Planning Commission
County of Santa Cruz
701 Ocean Street Room 400
Santa Cruz, CA 95060

Re: 106 Farley Drive
APN 043-102-09

Dear Commissioners,

In response to Mr. Mellon's appeal letter of October 29, 2004 (addressed to Mr. Bums):

Respectfully we must note that it is our understanding that **Mr. Mellon** does not represent the majority of the neighborhood. Mr. Mellon's letters include in many cases more than one letter from the same parcel. This is not to minimize the individual neighbors concerns, but it appears that the number of letters actually representing individual "properties" may be evenly divided with the largest number of the neighborhood residents staying "neutral". This is consistent with our conversations and meetings with the residents of the neighborhood.

Mr. Mellon's numbered comments:

1. *The scale and mass of the two-story, replacement dwelling is certainly not consistent nor compatible with the neighborhood character. The architect, Cove Britton, has made reference to other homes in Rio Del Mar that he feels supports his contention that the proposed project is compatible. The properties he uses for comparison are either non-conforming or are not in our neighborhood.*

Response: Three of the ten homes (on this block) with frontage located on Farley Drive present the long side of their facades towards Farley drive. One of these home's front facades is within five feet of the length of our design. Three of the immediately adjacent properties are nearing 50% FAR. Clearly these homes are in the neighborhood.

We are unclear as to the relevance of non-conformance of these homes and to whether these homes are actually non-conforming or not. But we note that our proposal is conforming.

2. *The front of the proposed two-story has little depth features on either story to soften the appearance of mass. On the first floor street side, there are multiple large doors across the front (two garage doors, two patio doors which appear to be larger than the garage doors, and a front door), and on the second story there are three turrets, a door, and a deck. These features, which the architect calls "Spanish Eclectic", extenuate the mass across the front of the proposed project.*

Response: This home was designed to consider the view and privacy impact of the neighbors immediately adjacent, in particular Don and Marilyn Ramos at 108 Farley. This was a consideration done as a good neighbor. This consideration did require us to place our second floor mass towards the street. We articulated this elevation in order to "break" up the mass. Recessing the upper floor would result in clear impacts on the adjacent neighbor(s) both in blocking views and privacy. There are a series of homes in the Rio Del Mar area that are Spanish Eclectic in style some of which use similar massing and styling details. While we will always attempt to address "practical" concerns of neighbors we find it much more difficult to address subjective aesthetic preferences. Mr. Mellon appears to be primarily discussing elements which pertain to the design review ordinance. We wish to note that this project is not subject to the design review ordinance.

3. *Along with addressing the issues of scale and mass, a landscape plan needs to be included to insure mitigation of any remaining scale and mass issues.*

Response: We have already agreed to the Conditions of Approval which contain the requirement for a landscape plan (with 5- 24" box min. size trees) and a solid wall at the front of the house at 6' tall (four feet from the property line). We agreed to these items as a Condition of Approval to help mitigate the neighbors concerns, though we do not believe that they are actually compatibility items under the ordinances. Especially considering no other house on this block has a similar wall and number of trees. But again, we have already agreed to these Conditions of Approval.

4. *The Site Development Standards set maximums for lot coverage and floor area ratio for the development of a site and the proposal for 106 Farley are designed to the maximums. Just because the maximums exist does not equate to an automatic approval of a project without sincere, reasonable and meaningful review of compatibility with neighborhood character.*

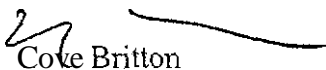
Response: Policy 8.6.1 Maintaining a Relationship Between Structure and Parcel Sizes of the County of Santa Cruz General Plan states *"Recognize the potential for significant impacts to community character from residential structures which are not well-proportioned to the site; and require residential structures to have a direct relationship to the parcel size as per the Residential Site and Development Standards ordinance."* Factually we have designed in a sincere manner for sincere concerns. We have avoided obstructing immediate neighbors views and privacy, we have designed a home that is well below the height limit, and we have designed a home that is well articulated and in a style typical of this area. The majority of the homes that are directly adjacent to this property have been designed to the maximums; we do not question the subjective morality of that. Objectively our neighbors appear to have met the ordinances, and this project has also done so, but with sincere concern to the neighbors that are objectively affected. Where we have designed to the maximums are a reflection of our clients, and the neighborhood circumstances, but we readily admit we did not design to the personal aesthetic preferences of particular neighbors. The living area of the home proposed is 3,576 square feet with a 566 square foot garage. Factually nothing is extraordinary about the size of this home for this neighborhood or extraordinary about the location of its mass.

5. In a letter to neighbors, dated June 3, 2004, Cove Britton admitted to massing the second story towards the front because of an adjacent neighbor's request to protect their view. I respect the neighbor's request, but approving the current proposed plan will force a number of other neighbors to face a full view of a large, incompatible, eclectic mass every minute of the day.

Response: To quote Mr. Mark L. Hinshaw, AIA AICP (*Municipal Research & Services Center of Washington Aesthetic Regulations Design Review: A Thumbnail Primer*) "Design review is *not* the imposition of one person's or one committee's personal tastes upon developers or upon the community as a whole. It is *not* something that concerns superficial: frivolous aspects of a building's appearance."

The proposed home design respected *objective* privacy **and** view concerns of adjacent neighbors. Again, factually there is nothing extraordinarily different about the proposed home in style, mass, and size from other existing homes in the neighborhood. We respect the rights of others to their personal aesthetic preferences; we would hope that respect was returned.

Sincerely,


Cove Britton

Architect

ATTACHMENT 5

10/10/04

Mr. Don Bussey
Deputy Zoning Administrator
County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, Ca. 95060

RE: 106 Farley Drive
APN 043-10-209

Dear Mr. Bussey,

I have reviewed the plans for Lauren Greene's new home at 106 Farley and would like to inform you that I fully support the approval of the home as designed.

I believe the design is very compatible with the area and will be a compliment to the neighborhood.

Sincerely,



Name: Mahmud Assar
Address (of property located in Rio Del Mar)
450 Cliff Dr.
And
422 Sea view

December 22, 2004

Planning Commission
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

RE: 106 Farley Drive

Dear Planning Commissioners.

As the owner of the home located at 212 Elva Drive, I **wish** to fully support the proposed design of the new home located at 106 Farley Drive.

Sincerely,

Cheryl Glover

A handwritten signature in black ink, appearing to be 'Cheryl Glover', with a long horizontal flourish extending to the right.

ATTACHMENT 5