County of Santa Cruz

DEPARTMENT OF COMMUNITY DEVELOPMENT AND INFRASTRUCTURE

701 OCEAN STREET, FOURTH FLOOR, SANTA CRUZ, CA 95060-4070
Planning (831) 454-2580 Public Works (831) 454-2160

September 11, 2026

Agenda Date: **October 28, 2026**

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

Subject: A public hearing to consider an appeal of the Zoning Administrator's decision to approve application 251357; a Coastal Development Permit and Variance to recognize the construction of a storage shed (approximately 234 square feet) located behind the existing residence on property located at 154 Sunny Cove Drive in the Live Oak Planning Area.

Members of the Commission:

Application 251357 for a Coastal Development Permit and Variance to recognize construction of a storage shed was reviewed at the August 21, 2026 Zoning Administrator hearing. Prior to the public hearing, correspondence was received from neighbors in the vicinity of the subject property. This correspondence is attached to the Zoning Administrator staff report (Exhibit 1B) and includes letters that are both in support of and in opposition to the issuance of a variance to recognize construction of the storage shed located in the rear yard of 154 Sunny Cove Drive.

Planning Department staff and the Zoning Administrator reviewed all of the correspondence prior to the hearing. One of the items of correspondence noted and error is the staff report in regard to parcel size and the report was revised to correct that error prior to the public hearing. A revised staff report was duly posted on the CDI/Planning website and copies of the revised report were provided to the Zoning Administrator, applicant, and neighbor. During the public hearing, the Zoning Administrator heard the staff presentation and oral comments from the applicants and the neighbors. The Zoning Administrator considered the revised report and the testimony provided prior to granting an approval for this item.

The Appellant asserts that the granting of a variance for the construction and placement of a storage shed on the subject property was not adequately addressed by the Zoning Administrator at the public hearing on August 21, 2026. An appeal of the Zoning Administrator's decision was formally made on September 3, 2026 by David Bernstein, the manager and representative of Milly Rose LLC which owns the property located immediately behind the subject property at 145 18th Avenue.

Appeal of Zoning Administrator's Action

This letter to your Commission has been prepared in response to the Appellant's letter, dated September 3, 2026 (Exhibit 1A).

Revised Staff Report

The Appellant has stated that the staff report was revised prior to the August 21, 2026 Zoning Administrator public hearing, including the variance findings.

Staff identified an error in the staff report related to the parcel size and revised the staff report prior to the public hearing. The error was identified in response to correspondence provided by the appellant in regard to the original staff report that was circulated. The revised staff report was a corrected version and was duly posted on the CDI/Planning website and distributed to the Zoning Administrator, applicant, and appellant prior to the public hearing. The appellant submitted additional correspondence, disputing the revised report and the revised variance findings, prior to the public hearing. This additional correspondence was provided to the Zoning Administrator and was considered prior to taking the action to approve the project.

Parcel Size

The appellant has stated that the parcel size was inconsistently stated and that the parcel size has not been properly established.

There was an error in the staff report regarding parcel size that was inconsistent with other documentation and the error was corrected. The error was that the parcel size was incorrectly noted as less than 4,000 square feet. This is because the County GIS has the parcel size listed as 3,833 square feet. Staff commonly use the County GIS as a reference for the parcel size unless other more accurate information is available. The project applicant and designer had correctly listed the parcel size at 4,000 square feet on the project plans, and that number should have been used as a more accurate reference in the original staff report.

In the correspondence submitted prior to the public hearing, the Appellant asked about the discrepancy between the two parcel size numbers. Upon receiving the correspondence, staff confirmed that the dimensions of the rectangular parcel are 40 feet by 100 feet (as indicated on the Assessor parcel map) and that the smaller parcel size noted by the GIS was likely in error. The Assessor parcel map is attached to the Zoning Administrator staff report (Exhibit 1B). Even without a survey (calculating the exact bearings for each of the four parcel boundary lines), it can be assumed that the property is a 40 foot by 100 foot rectangle and that 4,000 square feet is likely more accurate as the parcel size for the subject property than the estimated 3,833 square feet listed in the County GIS. The parcel size error was corrected in response to the correspondence received and a revised staff report was duly posted on the CDI/Planning website and distributed to the Zoning Administrator, applicant, and appellant prior to the public hearing.

Location of the Shed

The appellant has stated that the location of the shed is not accurately represented in the materials provided by the project applicant and may encroach onto neighboring property.

The shed is existing and in place and was able to be viewed by staff and the Zoning Administrator prior to the public hearing. The walls of the structure appear to be located within the established fence line, but a formal survey has not been provided.

The variance approval authorizes the construction of a storage shed to within 0 feet of the side and

rear property lines and does not authorize the encroachment onto any adjacent property. Any eaves, overhangs, or other structural elements that may project into adjacent properties are proposed to be removed. If the structure is not located as indicated in the approved exhibit, the Building Inspector can require a survey to ensure that the structure is properly located on the subject property. If any portion of the structure extends across the property boundary, the building would need to be modified or reconstructed in order to comply with the 0 foot setback requirement.

Issuance of Variance - Findings

The appellant has stated that variance findings have not been properly made.

County Code section 13.10.230(C) states the required findings for variance approvals. The required variance findings have been made and are included in the revised staff report (Exhibit 1B). The variance findings were reviewed and considered by the Zoning Administrator as part of the action to approve the project at the public hearing on August 21, 2026.

Storage Sheds and Garages in Rear Yards

The following is a brief summary of how the County Code allows the construction of small non-habitable accessory structures (sheds) and garages located within the required rear and side yards of residential properties. County Code allows the construction of smaller sheds to within three feet of the side and rear property lines without any discretionary review and construction of larger garages to within 0 feet of the side and rear lines with an administrative approval.

County Code allows small non-habitable accessory structures (not to exceed 120 square feet in floor area and 10 feet in height) to be located to within three feet of the side and rear property lines without any form of variance or other development approval. Staff advised the applicant to reconstruct the shed to conform to this standard, but the applicant decided to proceed with a variance request to recognize the existing structure.

County Code also allows garages to be located within the required side and rear yard setbacks with up to a 50% reduction in setbacks without any form of variance or other development approval. Detached garages can be up to 16 feet in height within the urban services line. With an administrative site development approval, a garage may be constructed to zero feet at the side and rear property lines on smaller parcels (under 10,000 square feet in area). The proposed storage shed is less than 12 feet in height and is no larger than any garage that could be built under this code provision.

Within the immediate neighborhood surrounding the subject property there are several accessory structures that are located within rear yard areas. Many of these structures appear to be near or adjacent to side and/or rear property lines. The storage shed was approved through the variance process to allow reduced setbacks and is similar, in regard to both size and location, to the existing pattern of development in the neighborhood.

Summary

The issues raised in the appeal letter are similar to issues reviewed and addressed by the Zoning Administrator prior to the decision to approve the application on August 21, 2026. Any additional concerns regarding the location of the structure relative to property lines, including but not limited

to compliance with Fire requirements, the California Building Code, and stormwater management requirements, will be addressed through the Building Permit phase of the project.

Recommendation

Staff recommends that your Commission **UPHOLD** the Zoning Administrator's action to approve Application Number **251357**, including acceptance of the environmental determination per the requirements of the California Environmental Quality Act.

Prepared By:

Randall Adams
Project Planner
Development Review

Reviewed By:

Nathan MacBeth
Principal Planner
Development Review

Exhibits:

1A. Appeal letter, prepared by David Bernstein, dated 9/3/26.
1B. Staff report to the Zoning Administrator, from the 8/21/26 public hearing.
1C. Public correspondence received after the 8/21/26 Zoning Administrator hearing.

Appeal Letter
prepared by David Bernstein, dated 9/3/26

Application Number 251357

EXHIBIT 1A

APPEAL TO THE PLANNING COMMISSION

Appeal of the Zoning Administrator's Approval of Application No. 251357

TO: Planning Commission, County of Santa Cruz — filed with the Planning Division, 701 Ocean Street, 4th Floor, Santa Cruz, CA 95060

APPELLANT: Milly Rose LLC, owner of 145 18th Avenue, Santa Cruz, CA 95062 (APN 028-221-24), by David Bernstein, Manager

APPLICATION: No. 251357 — 154 Sunny Cove Drive, Santa Cruz (APN 028-221-16). Owner of record: 2880 Stevens Creek LLC (Edward L. Shimmon, manager). Applicant: Dee Murray.

ACTION APPEALED: Approval of a Variance and Coastal Development Permit by the Deputy Zoning Administrator on August 21, 2026 (Item 2)

DATE: September 3, 2026

Interest of the appellant. Milly Rose LLC owns 145 18th Avenue, the parcel immediately adjoining the subject property. As established by the survey submitted with this appeal, the structure at issue stands at and across the shared property line between the two parcels. The LLC is a property owner aggrieved by the action and appeals under Chapter 18.10 of the Santa Cruz County Code. The appeal fee accompanies this letter.

Grounds. This appeal is taken on the grounds, stated pursuant to SCCC 18.10.310(B), that there was error and abuse of discretion on the part of the Zoning Administrator; that the decision is not supported by the facts presented for consideration; and that the appellant was denied a fair and impartial hearing. The specific grounds are set forth in Sections I through VII below, and warrant an additional hearing on this application.

The LLC filed written opposition on August 18, 2026, together with supplements on August 18 and August 19, all posted to the hearing agenda and part of the administrative record. Those documents are incorporated by reference and the grounds stated in them are preserved.

References. Bold references to Exhibits A through F are to the exhibits attached to this appeal. References to exhibits "of the staff report" are to the lettered exhibits of the Zoning Administrator staff report already in the administrative record.

Owner of record. The Notice of Violation recorded by the County on June 5, 2025 (Doc. 2025-0011745) names 2880 Stevens Creek LLC as owner. The application materials and the proposed Stipulation and Order name Edward L. Shimmon individually. The appellant identifies the owner as the County's own recorded notice does. **Exhibit F.**

I. THE APPROVED STRUCTURE ENCROACHES ONTO 145 18TH AVENUE

A survey performed September 2, 2026 by Vernon Little, PLS No. 8701, of GV Land Surveying (Job No. V26077) locates the roof overhang of the structure at 154 Sunny Cove Drive **0.49 feet and 0.47 feet over the boundary onto 145 18th Avenue**, and locates the shed body — the flat wall — at the property line (0.01 and 0.03 feet). The surveyor's note states that **the metal building frame and ribs are over the property line, and the main building roof beam is over the property line**. He recovered the monument

EXHIBIT 1A

set by Edmundson & Associates (LS 8307) and worked from the recorded boundary. Because of the height of the intervening fence, he was unable to locate the concrete foundation. **Exhibit A.**

The boundary was not uncertain when this structure was built. A monument on the shared line was found dating to 2006. In 2020, Edmundson & Associates (Olin S. Edmundson, LS 8307) set monuments at the parcel corners, filed Corner Record CR-1167, and prepared a stamped Licensed Surveyor's Map locating the existing wood fence relative to that line. **Exhibits B and C.** Both predate this structure by years.

Five consequences follow, each independently sufficient.

The County cannot authorize this development. A variance modifies the County's setback standards as applied to the applicant's parcel. It confers no right to occupy the appellant's land. The County has no authority to permit a roof assembly, wall assembly, or foundation on or over 145 18th Avenue, and no condition of approval can cure that defect.

The approval describes a structure that is not there. Condition I recognizes the structure "as indicated on the approved Exhibit 'D.'" The surveyed detail on Exhibit D of the staff report, bearing the stamp of Jeff S. Nielsen, LS 6832, Mid Coast Engineers Job No. 25085, annotates the foundation at two tenths and five tenths of a foot *inside* the property lines. The measured position is at the line, with the building frame, the main roof beam, and the entire roof overhang beyond it. The cap of the appellant's fence is notched to receive the shed wall (Written Opposition, Exhibit C) — physical evidence that the wall was built to the fence, not held two tenths of a foot inside the line. The Zoning Administrator approved a plan set that misstates the only dimension the variance turns on.

The applicant's own surveyor drew the fence and the property line as separate lines. The Nielsen detail plots the "EXISTING FENCE" as a distinct line lying outside the "PROP LINE," and draws the shed inside the property line with clearance. Whatever assumptions may have been made during construction, the applicant's professional record shows that the boundary was identified, that it was known not to coincide with the fence, and that clearance was drawn which the structure as built does not have.

The eave line was never dimensioned to the property lines. The Nielsen detail draws a dashed "EAVE LINE" only on the two sides facing the applicant's residence. On the two sides facing the property lines it draws no eave line at all, and no dimension anywhere in the plan set states the distance from the roof edge to either boundary. The manufacturer's order sheet within the same approved plan set specifies roof overhang eaves of eighteen inches on Side A and six inches on Sides B, C and D. Six inches is half a foot; on the applicant's own annotated foundation offsets, the overhang crosses the property line on either surveyor's figures.

The foundation has never been located by anyone. The appellant's surveyor could not reach it. The applicant's surveyor has had access to this property throughout, and no Record of Survey appears of record for Job No. 25085. As the appellant's surveyor further advises, County building practice requires a licensed surveyor's certification, before concrete is poured, that foundation forms comply with the boundary and the required setbacks. No such certification was ever obtained for this structure, because no permit was ever sought — and none could be given now for a foundation at the line beneath a frame and roof that cross it. The appellant renews its request for the complete Nielsen survey and field notes, and for written confirmation whether a Record of Survey was filed pursuant to Business and Professions Code section 8762, and if not, the basis on which one was not required.

II. THE COUNTY DETERMINED FOUR TIMES, IN WRITING, THAT THIS VARIANCE WAS NOT NECESSARY — AND THEN REVERSED WITHOUT EXPLANATION

The Project Planner issued the identical determination in four letters to the applicant — September 26, 2025; November 20, 2025; March 11, 2026; and May 27, 2026. **Exhibit D.** Each states that the requested setback reduction "may not be necessary and there are alternatives that could result in a functional amount of rear yard storage without the need for a Variance approval," and each recommends redesign to a structure no larger than 120 square feet, no taller than 10 feet, and no closer than three feet to the side and rear property lines, per SCCC 13.10.611(D)(2).

The fourth of those letters, dated May 27, 2026, is the letter deeming the application complete. The County therefore carried its determination that the necessity finding could not be made through to the day it declared the application ready for decision.

The County's written position was consistent from the outset. The Notice of Violation it recorded on June 5, 2025 describes the violation as an "oversized accessory structure within side and rear yard in coastal zone without permits." **Exhibit F.** From that recorded notice through the completeness letter of May 27, 2026, every written County determination on this structure said the same thing.

Nothing in the County's records produced to the appellant explains what changed between May 27, 2026 and the staff report recommending approval. No redesign was submitted. No survey was performed. No new evidence of any special circumstance entered the file. The recommendation reversed; the record did not.

A variance requires a determination of necessity. SCCC 13.10.230(C); Gov. Code § 65906. Findings must "bridge the analytic gap between the raw evidence and ultimate decision." *Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 515. Where the agency's own file contains four written determinations that the necessity finding cannot be made, and nothing explaining their abandonment, there is no bridge at all.

III. THE PARCEL AREA IS UNESTABLISHED, AND IT DETERMINES WHETHER THE PROJECT MEETS MAXIMUM LOT COVERAGE

Three parcel areas appear in this record:

- 3,833 square feet — the original staff report and its Exhibit F, sourced to County GIS. The County's Parcel Research Report of August 16, 2026 states 3,833.28 (ESTIMATE).
- 3,883 square feet — the applicant's own written Variance Findings.
- 4,000 square feet — the applicant's plan set and stormwater submittal.

No document in this record states the parcel area as a measured fact. A licensed surveyor was retained by the applicant and was on the property. He was not asked for the area.

The figure is not merely narrative. It decides compliance with a site standard that was never varied. The lot coverage table on Exhibit D of the staff report totals 1,745 square feet and reports 43.6 percent against a 45 percent maximum. That percentage is derived from a 4,000 square foot denominator:

- 1,745 ÷ 4,000 = 43.6 percent — complies
- 1,745 ÷ 3,883 = 44.9 percent — marginally complies

— 1,745 ÷ 3,833 = 45.5 percent — exceeds the maximum

On the County's own recorded figure the project exceeds maximum lot coverage. No variance to lot coverage was applied for, noticed, or granted, so no finding cures it. Separately, the Project Data block on the same sheet states 1,651 square feet and 41 percent, contradicting the coverage table printed beside it.

The special circumstance was replaced three days before the hearing while the recommendation stayed the same. On the afternoon of August 18, 2026, hours after the appellant's written opposition identified the parcel area as unestablished, the staff report was revised in strikethrough: the parcel area was changed from 3,833 to 4,000; the source of that figure was changed from the County's own GIS to the applicant's plans; and the special circumstance was changed from the small size of the parcel to the location of the existing residence. No survey was performed in the interval. The revision simultaneously rescued the special-circumstances finding and moved the project from over the coverage maximum to under it, by adopting an unverified plan notation over the agency's own record.

IV. NO SPECIAL CIRCUMSTANCE APPLICABLE TO THIS PROPERTY EXISTS ON EITHER PARCEL FIGURE

A variance may be granted only where, because of special circumstances applicable to the property, strict application of the zoning ordinance deprives the property of privileges enjoyed by other property in the vicinity under identical zoning classification. Gov. Code § 65906; SCCC 13.10.230(C).

The parcel size fails as a special circumstance on either figure in the record. If the parcel is 4,000 square feet it meets the R-1-4 minimum and is a standard lot — there is no special circumstance. If it is 3,833 square feet, the appellant demonstrated on the applicant's own dimensions that a fully conforming structure fits behind the residence as it stands — there is no deprivation of any privilege. A small lot explains a small structure; it does not explain a zero setback.

The parcel is otherwise indistinguishable from its neighbors in every respect the ordinance recognizes. It is rectangular. Exhibit F of the staff report reports slopes of 2 to 3 percent and maps no geologic hazard, no fire hazard, no sensitive habitat, and no other constraint. The residence was sited in 2013–14 through a coastal development permit and design review in compliance with every setback; the parcel's discretionary history — Applications 06-0414, 09-0126, 121174 and 131098 — contains no variance of any kind before this application.

After the August 18 revision, the only attribute that distinguishes this parcel from every other parcel in the vicinity is the unpermitted structure that seeks approval. A condition the applicant created by building without permits is not a special circumstance applicable to the property; it cannot supply its own justification.

The reason the appellant is entitled to insist on this is the one the Supreme Court gave in *Topanga*: a zoning scheme is similar to a contract, in which each owner foregoes rights to use its land as it wishes in return for the assurance that neighboring property will be similarly restricted, and unjustified variance awards for neighboring land work a "subversion of the critical reciprocity upon which zoning regulation rests." (11 Cal.3d at pp. 517–518.) For that reason, review of variances "must not be perfunctory or mechanically superficial." *Orinda Assn. v. Board of Supervisors* (1986) 182 Cal.App.3d 1145, 1161. The appellant gave up fifteen feet of its own rear yard to the same standard. It is entitled to the reciprocal restriction it bargained for.

The replacement finding fails on its own terms. In *Committee to Save the Hollywoodland Specific Plan v. City of Los Angeles* (2008) 161 Cal.App.4th 1168, findings that the unique location and existing development of the site constituted special circumstances were held insufficient. "Location of the existing residence on the property" is that finding in different words. See also *Stolman v. City of Los Angeles* (2003) 114 Cal.App.4th 916 (a variance is the exception rather than the rule; the hardship must inhere in the property, not the owner's preferences); *Broadway, Laguna, Vallejo Assn. v. Board of Permit Appeals* (1967) 66 Cal.2d 767.

The claimed circumstance and the relief granted do not correspond. The residence lies on the opposite side of the shed from the property lines. The variances granted reduce the rear and side yard setbacks — the standards protecting the neighboring parcels. Whether this structure stands at zero feet or three feet from a neighbor's boundary is unaffected by where the applicant's house sits. A variance is meant to remediate the identified hardship; this one relieves standards that have nothing to do with it.

Finding 3 relies on structures whose legality is never established. The finding rests on other accessory structures in the neighborhood, "many of which are located within required yard setbacks." Neighbors testified that the structures relied upon date from the 1930s and 1940s and that others in the vicinity are unpermitted. Section 65906 measures deprivation against privileges *lawfully* enjoyed. Lawful nonconforming structures are not privileges that new construction may replicate, and unpermitted structures are not privileges lawfully enjoyed at all. The applicant's own submission relies on structures in setbacks nearby, including the appellant's garage at 145 18th Avenue, which is lawfully nonconforming and predates current standards. The existence of other nonconforming structures is the definition of a special privilege, not a defense to one.

V. THE DECISION-MAKER'S STATED REASONS AND THE ADOPTED FINDINGS ARE DIFFERENT DOCUMENTS

The appellant has transcribed the Zoning Administrator's decision from the County's own audio recording of the August 21, 2026 hearing. **Exhibit E.** The recording is available from Commission support staff and from the appellant on request.

The finding was reverse-engineered, and the Zoning Administrator described the process. He stated that he was "pretty happy to see" the revised report "come through," because he felt "the location and surroundings were more of a justification for variance than let's say a reduced parcel size of 170 square feet." A deficit of 170 square feet describes a 3,833 square foot parcel — the figure the revision struck. The decision-maker's stated reasoning rests on one parcel area while the report he adopted states another.

He identified the applicant's preference as the reason for the placement. He stated: "perhaps that's why the Applicant chose that location in the first place or maybe to get a little more functionality out of their rear yard." A choice made to gain functionality in one's own rear yard is a personal circumstance, not a circumstance of the property, and it is the opposite of the adopted finding that the residence's location compelled the placement.

He relied on a condition that does not exist. He asked whether the eaves along the south and east sides were to be removed. Staff answered that "the recommended conditions say as you know indicated on the exhibit those eaves need to be trimmed back to zero feet." He then found: "I believe the removal of the eaves will be an improvement … and reduce potential impacts." Exhibit C of the staff report, the signed Conditions of Approval, contains no eave condition. The mitigation the decision-maker weighed is absent

from the document he signed, nothing requires its verification, and those eaves are now measured at approximately half a foot over the appellant's boundary.

He set aside the legality of the structures supporting Finding 3, citing other structures with reduced setbacks as speaking "to the character of the neighborhood, non-conformities aside."

He narrowed the hearing to exclude the findings he was signing. He stated that "today is really just a matter of whether or not the setback reduction would be appropriate," after staff advised that "the building will likely need to be modified to comply with the building code given where its openings are, relative to the property lines," and that elements of "that whole wall assembly on both the side and rear … need to be modified, to meet the fire code requirements." Discretionary Permit Finding (a) requires a determination that the project will not be detrimental to health and safety. That finding was signed over staff's contemporaneous advice that the approved design cannot be built as drawn.

VI. THE DOCUMENT PRODUCED AT THE HEARING TO ESTABLISH THE PARCEL SIZE IS A THIRTEEN-YEAR-OLD GRADING PLAN

The site plan submitted by the applicant at the hearing, produced by the County afterward, is a Grading & Drainage Plan prepared by Hanna & Brunetti, Sheet 1 of 3, Job No. 13031, dated September 2013, for Michael E. Dunn of Building Enterprises, Inc. It is not a survey, it is not a boundary determination, and it was prepared for the prior builder before the residence was constructed. The "4,000 S.F." figure appears in a Project Summary block as a design input.

Its title block identifies the property as being in the "City of Santa Cruz" and in "Santa Clara County, California." The property is in neither. The document offered to fix this parcel's area to the square foot misidentifies both the city and the county in which it sits.

It also states a building footprint of 1,583 square feet, inconsistent with the 1,651 and 1,745 square feet stated on Exhibit D of the staff report. The record contains four building-area figures and three parcel areas, none reconciled.

These circumstances denied the appellant a fair and impartial hearing. The appellant filed written opposition directed at the stated basis for the variance; within hours the stated basis was replaced, and the appellant was given two days to respond to a different theory. At the hearing, a document not in the noticed record was produced by the applicant to establish the disputed parcel area, and the appellant had no opportunity to examine it or respond to it before the decision. The hearing was then narrowed, in the decision-maker's words, to "just … whether or not the setback reduction would be appropriate," excluding the health-and-safety, coastal, and zoning-conformance findings that were signed the same morning. An appellant who answers one rationale, is confronted with a second, and is then denied a hearing on the findings actually adopted has not had a fair opportunity to be heard.

VII. GROUNDS PRESERVED FROM THE WRITTEN OPPOSITION

The appellant preserves each ground stated in its written opposition and supplements, including:

- The Coastal Development Permit findings: development undertaken in the coastal zone with no coastal authorization of any kind; the internally inconsistent finding that a non-habitable accessory structure is "a principal permitted use"; and the absence of any analysis of the LCP access, recreation, visitor-serving and scenic policies as required by Public Resources Code section 30604(c) for development between the shoreline and the first public road.

— The separation between the structure and the light well, a permitted feature of the residence constructed under building permits B-132628 and B-141384 and counted at 35 square feet in the applicant's own lot coverage table. SCCC 13.10.611(D)(7) requires a minimum three-foot separation between an accessory structure and any other structure on the parcel. That dimension appears nowhere in the plan set, and no modification of that standard was applied for, noticed, or analyzed.

— The glazed openings in walls sited within a few tenths of a foot of the property lines, and the County's own zero-setback garage standard at SCCC 13.10.611(D)(6)(a)(i), which prohibits openings on garage walls less than five feet from side or rear property lines — the very comparison staff selected to support Finding 2.

— The absence of any fire district review of the structure as built. Conditions II.A.3 and II.B defer building, fire code, and Central Fire Protection District review to the building permit stage. The structure was cited for having electric; because it was built without a permit, none of that wiring has been inspected.

— The interference with light, air and privacy caused by an eighteen-foot run of solid wall, eleven feet nine inches high, standing on the property line, with a transom window above the fence line overlooking the appellant's rear yard.

— The CEQA determination. The Notice of Exemption relies on the Class 3 exemption for new construction of small structures and states without analysis that none of the conditions in CEQA Guidelines section 15300.2 apply, on a site inside the coastal zone, within a mapped scenic beach viewshed, and between the shoreline and the first public road — for construction already completed without permits.

VIII. RELIEF REQUESTED

1. Grant this appeal and deny Application No. 251357. The findings required for the variance and for the coastal development permit cannot be made on this record. The County cannot approve development located on the appellant's property.

2. In the alternative, if the approval is affirmed in any form, the appellant requests that the Commission modify the conditions to require:

— Written verification by a licensed surveyor, prior to issuance of any building permit, that no portion of the structure, its wall assembly, its foundation, or its roof assembly lies on or over the boundary with 145 18th Avenue;

— Removal of all eaves, roof edges, drip edges and flashing beyond the wall plane on the side and rear property lines, as an express condition, verified by survey after removal;

— A dimensioned survey establishing the parcel area, and recomputation of lot coverage against it, prior to issuance of any building permit;

— Application for a building permit within 90 days of the effective date, the development permit to be void on failure;

— A one-year expiration in place of three; and

— Written findings stating which parcel area, and which special circumstance applicable to the property, the approval rests on.

3. The appellant requests that the Commission decide this matter and not remand it. The record before the Commission is complete. When this application's stated basis was challenged on August 18, the response was to change the rationale within three days without gathering a single additional fact. Remand invites a further rationale, not a measurement.

Requested finding. The appellant respectfully requests that the Commission find: *the subject parcel possesses no special circumstance within the meaning of Government Code section 65906 and SCCC 13.10.230(C) — it is flat, rectangular, of standard or near-standard size for its zone district, developed with a conforming residence, and a code-compliant accessory structure location remains available on the parcel — and the findings required for a variance from the required side and rear yard setbacks therefore cannot be made.*

A denial takes nothing from the applicant. A non-habitable accessory structure of up to 120 square feet and 10 feet in height, at three-foot side and rear setbacks, requires no variance, no coastal development permit, and no discretionary approval of any kind. That is what the County told the applicant to do in April 2025, and in four letters thereafter.

SCHEDULING

The appellant will be unavailable and out of the area on the following dates, inclusive:

- September 15 through September 17, 2026
- September 21 through September 24, 2026
- October 6 through October 13, 2026
- December 22, 2026 through January 6, 2027

The appellant respectfully requests that the hearing on this appeal not be scheduled on those dates. The appellant is available on all other regular Commission meeting dates and does not seek any delay of the hearing.

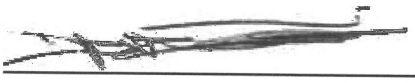
EX PARTE DISCLOSURE

This is a quasi-judicial appeal. The appellant respectfully requests that each Commissioner disclose on the record, before this item is heard, any communication outside the public record concerning Application 251357 — including communications with the owner, the applicant, their representatives, County staff, or any other person — and any site visit, so that all parties may respond to the same record.

RESERVATION

The survey at Exhibit A was completed on September 2, 2026 and is submitted signed and stamped. The appellant will provide any Record of Survey filed with the County Surveyor as soon as available. The appellant has requested further records from the County concerning the period from May 27, 2026 forward. All grounds stated in the written opposition and supplements filed August 18 and 19, 2026 are preserved.

Respectfully submitted,



David Bernstein, Manager
Milly Rose LLC, owner of 145 18th Avenue, Santa Cruz, CA 95062
408 857 9872 | davidrbernstein@yahoo.com

QUESTIONS THE APPELLANT ASKS THE COMMISSION TO PUT TO STAFF

Appeal of Application No. 251357 — Milly Rose LLC

Each question below is answerable from a document already before the Commission. The appellant respectfully requests that the Commission put these questions to staff on the record before acting on this appeal.

1. What changed between May 27, 2026 and the staff report recommending approval? On May 27, 2026 staff wrote, for the fourth time, that the requested variance may not be necessary and that a conforming structure was the alternative — and declared the application complete. What new fact, document, redesign, or evidence of a special circumstance entered the file after that date? *(Exhibit D.)*

2. What is the parcel area, and what measured document establishes it? The County's own Parcel Research Report states 3,833.28 square feet, marked ESTIMATE. The revised staff report states 4,000, citing the applicant's plans. Has any licensed surveyor ever measured this parcel? *(Section III; Exhibit F of the staff report.)*

3. Where in the signed Conditions of Approval is the eave removal? The Zoning Administrator was told at the hearing that the recommended conditions require the eaves trimmed back to zero feet, and relied on that in approving. Please identify the condition. *(Exhibit E; Exhibit C of the staff report.)*

4. Can the County approve a structure that a licensed survey shows is partly on the neighboring parcel? The approved plans show the walls two tenths and five tenths of a foot inside the property lines. The survey shows the building frame, the main roof beam, and the roof overhang over the line onto 145 18th Avenue. Which structure is the County approving? *(Exhibit A; Exhibit D of the staff report.)*

INDEX OF EXHIBITS

Appeal of Application No. 251357 — Milly Rose LLC

Exhibits A through F are attached to this appeal. Documents already contained in the administrative record for the August 21, 2026 Zoning Administrator hearing are identified below by their location in that record and are not reproduced here.

ATTACHED TO THIS APPEAL

EXHIBIT A

Results of Survey Map, 145 Eighteenth Avenue, APN 028-221-24. GV Land Surveying, Vernon Little, PLS No. 8701, Job No. V26077, dated September 2, 2026. Shows the roof overhang of the structure at 154 Sunny Cove Drive at 0.49 and 0.47 feet over the boundary and the shed body (flat wall) at the property line at 0.01 and 0.03 feet; states that the metal building frame and ribs, and the main building roof beam, are over the property line; and states that the concrete foundation could not be located due to the height of the intervening fence.

ATTACHED. *Signed and stamped. Not previously in the administrative record.*

EXHIBIT B

Corner Record CR-1167, APN 028-221-24. Edmundson & Associates, Olin S. Edmundson, LS 8307, Job No. 20067, filed with the County of Santa Cruz.

ATTACHED. *Not previously in the administrative record.*

EXHIBIT C

Licensed Surveyor's Map of Assessor's Parcel No. 028-221-24. Edmundson & Associates, LS 8307, dated August 5, 2020. Shows the boundary and the location of the existing wood fence.

ATTACHED. *Not previously in the administrative record.*

EXHIBIT D

Four letters from Project Planner Randall Adams to the applicant regarding Application 251357, dated September 26, 2025; November 20, 2025; March 11, 2026; and May 27, 2026. The letter of May 27, 2026 deems the application complete.

ATTACHED. *Obtained through Public Records Act request PRA 26-926; not included in the Zoning Administrator hearing packet.*

EXHIBIT E

Transcript of the Zoning Administrator's decision on Application 251357, August 21, 2026, transcribed by the appellant from the County's audio recording of the hearing.

ATTACHED. *Not previously in the administrative record. The County's audio recording is available from Commission support staff.*

EXHIBIT F

Notice of Violation, Code Compliance Case No. NV25236, recorded June 5, 2025, Document No. 2025-0011745, naming 2880 Stevens Creek LLC as owner of record of APN 028-221-16.

ATTACHED. *Obtained through Public Records Act request PRA 26-926; not included in the Zoning Administrator hearing packet.*

ALREADY IN THE ADMINISTRATIVE RECORD — NOT REPRODUCED

The following documents are cited in this appeal and are already before the Commission as part of the record for the August 21, 2026 Zoning Administrator hearing on Application 251357.

- Staff Report to the Zoning Administrator, Application 251357, and the revised version issued August 18, 2026

  Administrative record — hearing packet, Item 2, August 21, 2026.

- Exhibit B to the staff report — Variance, Coastal Development Permit, Discretionary Permit and Site Development Permit Findings

  Administrative record — staff report, Exhibit B.

- Exhibit C to the staff report — Conditions of Approval, signed August 21, 2026

  Administrative record — staff report, Exhibit C.

- Exhibit D to the staff report — Project Plans prepared by Robin Alaga, revised December 2025, including the surveyed detail by Jeff S. Nielsen, LS 6832, Mid Coast Engineers Job No. 25085, the lot coverage table, and the Modern Shed manufacturer's order sheet specifying roof overhang eaves of 18 inches on Side A and 6 inches on Sides B, C and D

  Administrative record — staff report, Exhibit D.

- Exhibit F to the staff report — Parcel Information, and the County Parcel Research Report for APN 028-221-16 generated August 16, 2026

  Administrative record — staff report, Exhibit F.

- Exhibit A to the staff report — CEQA Notice of Exemption

  Administrative record — staff report, Exhibit A.

- Grading & Drainage Plan, Hanna & Brunetti, Job No. 13031, September 2013, submitted by the applicant at the August 21, 2026 hearing

  Administrative record — submitted by the applicant at the hearing; transmitted to the appellant by the Planning Division on August 21, 2026.

- Written Opposition to Application No. 251357, filed by Milly Rose LLC August 18, 2026, with photographic exhibits A through G

  Administrative record — correspondence, posted to the hearing agenda.

- Supplement to Written Opposition, filed August 18, 2026

  Administrative record — correspondence, posted to the hearing agenda.

- Second Supplement to Written Opposition, filed August 19, 2026

  Administrative record — correspondence, posted to the hearing agenda.

- Applicant's written Variance Findings, and correspondence from Mark A. Massara dated April 28, 2026

  Administrative record — application file and correspondence.

APPEAL TO THE PLANNING COMMISSION
Application No. 251357 — 154 Sunny Cove Drive, APN 028-221-16
Appellant: Milly Rose LLC, owner of 145 18th Avenue (APN 028-221-24)

EXHIBIT A

Results of Survey Map

---

145 Eighteenth Avenue, Santa Cruz

Assessor's Parcel No. 028-221-24

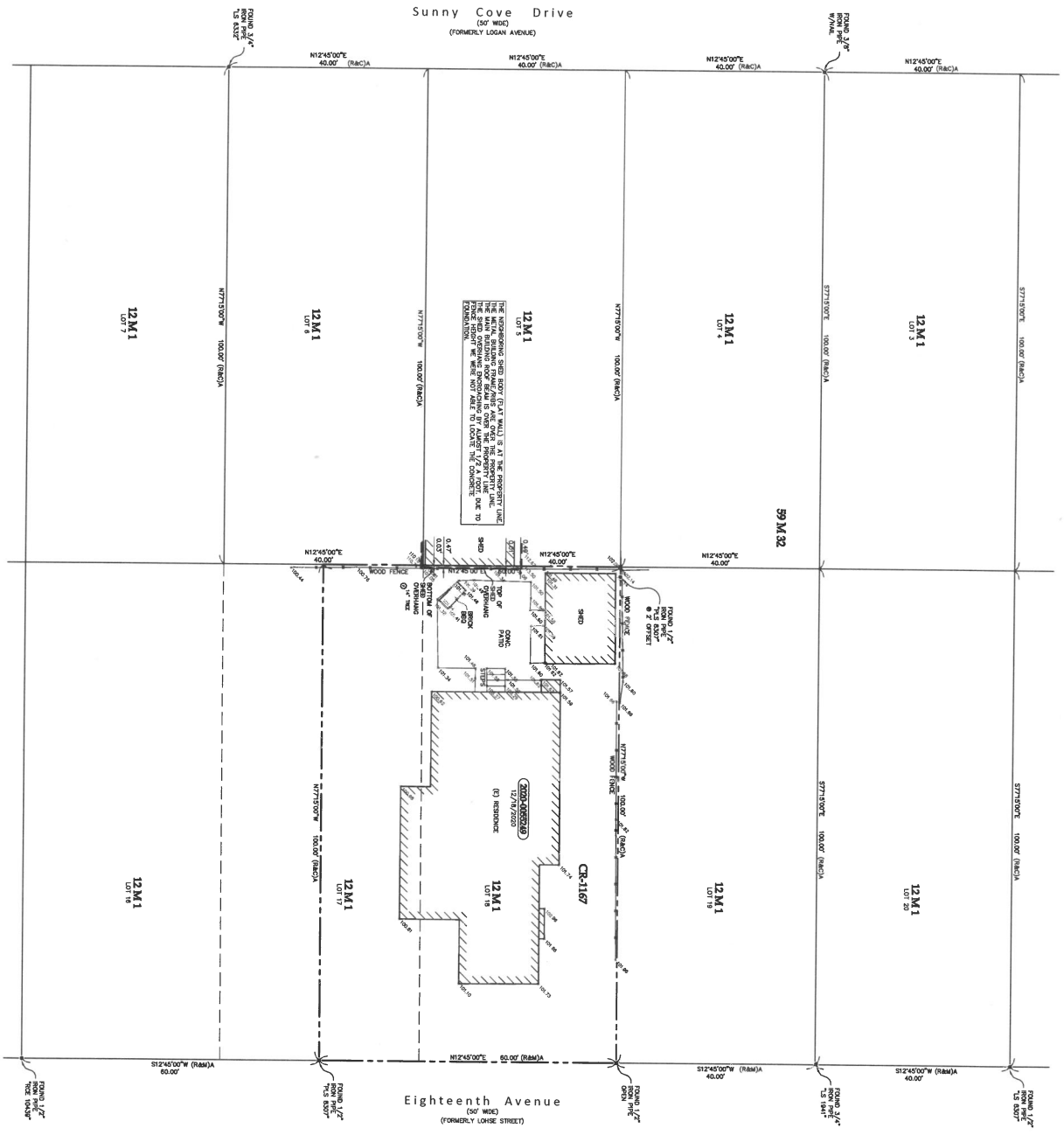
GV Land Surveying — Vernon Little, PLS No. 8701

Job No. V26077 — Dated September 2, 2026

Locates the roof overhang of the structure at 154 Sunny Cove Drive at 0.49 and 0.47 feet over the boundary onto 145 18th Avenue; locates the shed body (flat wall) at the property line at 0.01 and 0.03 feet; states that the metal building frame and ribs, and the main building roof beam, are over the property line; and states that the concrete foundation could not be located due to the height of the intervening fence.

Signed and stamped by the surveyor. Not previously in the administrative record.

ATTACHED TO THIS APPEAL



Basis of Bearings

THE BASIS OF BEARINGS FOR THIS SURVEY IS BETWEEN MONUMENTS FOUND ON THE NORTHWESTERLY LINE OF EIGHTEENTH AVENUE (FORMERLY LOHSE STREET) AS SHOWN ON THAT MAP FILED IN VOLUME 12 OF MAPS, AT PAGE 1, SANTA CRUZ COUNTY RECORDS.

BASIS OF BEARINGS = S12°45'00"W

Legend

- ● MONUMENT FOUND AS NOTED
- ( ) RECORDED RECORD DATA
- ( )A 12 M 1
- R&C RECORD & CALCULATED DATA
- SNF SEARCHED FOR NEITHER NOTHING FOUND OR SET
- BUILDING FOOTPRINT
- CONCRETE
- FENCE
- ADJOINING PROPERTY LINE
- PROPERTY BOUNDARY

ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.

GRAPHIC SCALE: 1 INCH = 10 FEET

JOB NO. V26077	SHEET 1 OF 1 SHEETS	APN 028-221-24	Results of Survey Map
		DATE 09/02/26	145 Eighteenth Avenue
		SCALE 1"=10' DRAWN VCL	Santa Cruz, CA

GV Land Surveying
4113 Scotts Valley Drive, Suite 102
Scotts Valley, CA 95066
gvlandsurveying.com

REVISIONS

APPROVED

LICENSED LAND SURVEYOR VERNON LITTLE No. 8307 STATE OF CALIFORNIA

APPEAL TO THE PLANNING COMMISSION
Application No. 251357 — 154 Sunny Cove Drive, APN 028-221-16
Appellant: Milly Rose LLC, owner of 145 18th Avenue (APN 028-221-24)

EXHIBIT B

Corner Record CR-1167

Assessor's Parcel No. 028-221-24

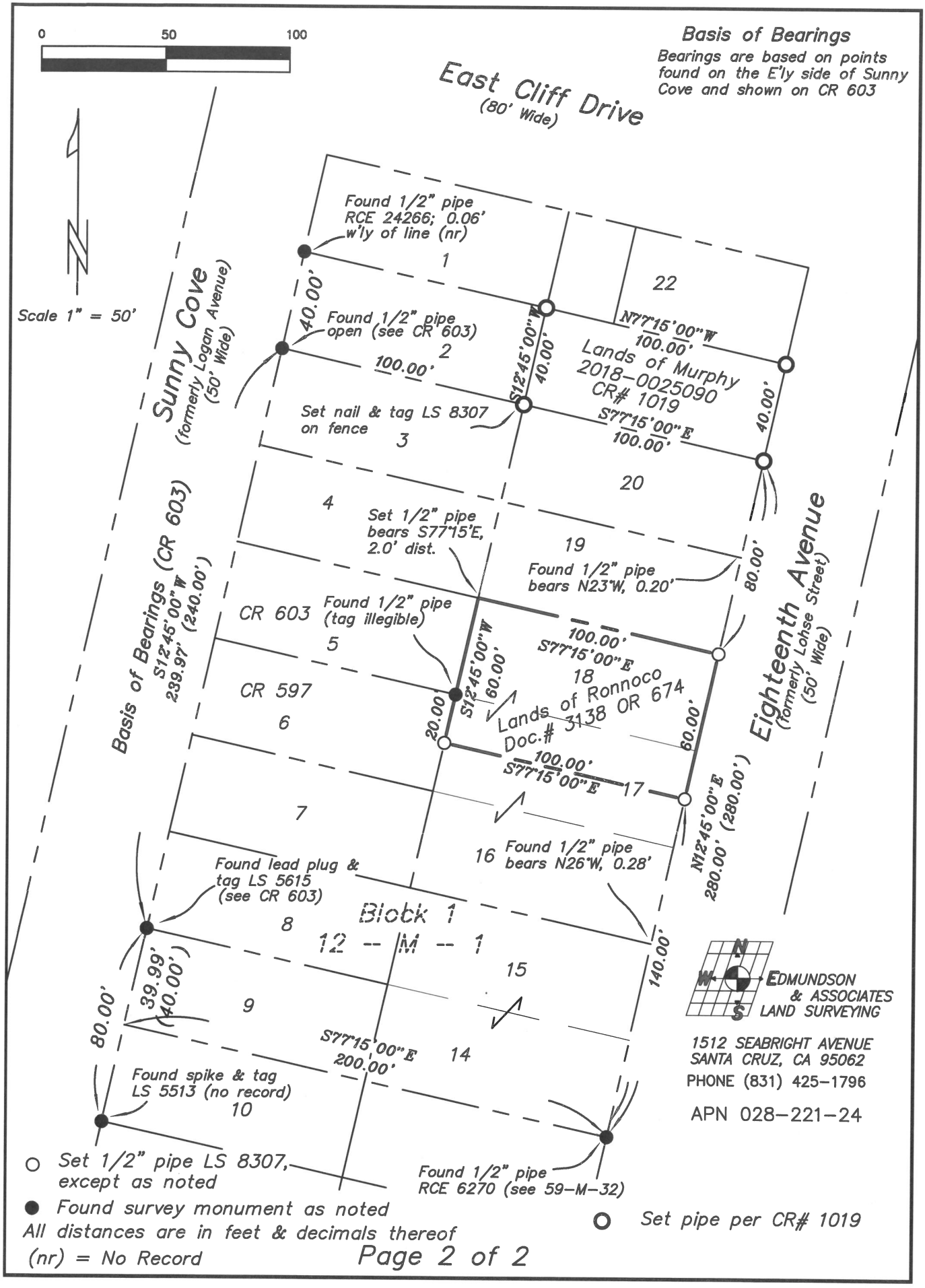
Edmundson & Associates — Olin S. Edmundson, LS 8307

Job No. 20067 — Filed with the County of Santa Cruz

Establishes the monumented boundary of 145 18th Avenue, including the shared line with 154 Sunny Cove Drive. Monuments were set at the parcel corners in 2020, years before the structure at issue was built.

Not previously in the administrative record.

ATTACHED TO THIS APPEAL


0
50
100
Scale 1" = 50'
Basis of Bearings
Bearings are based on points found on the E'ly side of Sunny Cove and shown on CR 603
East Cliff Drive
(80' Wide)
Sunny Cove
(formerly Logan Avenue)
(50' Wide)
Eighteenth Avenue
(formerly Lohse Street)
(50' Wide)
Basis of Bearings (CR 603)
S12°45'00"W
239.97' (240.00')
CR 603
CR 597
Found 1/2" pipe
RCE 24266; 0.06'
w'ly of line (nr)
Found 1/2" pipe
open (see CR 603)
Set nail & tag LS 8307
on fence
Set 1/2" pipe
bears S77°15'E,
2.0' dist.
Found 1/2" pipe
(tag illegible)
Found 1/2" pipe
bears N23°W, 0.20'
Found 1/2" pipe
bears N26°W, 0.28'
Found lead plug &
tag LS 5615
(see CR 603)
Found spike & tag
LS 5513 (no record)
Found 1/2" pipe
RCE 6270 (see 59-M-32)
Lands of Murphy
2018-0025090
CR# 1019
Lands of Ronnoco
3138 OR 674
Doc.#
Block 1
12 -- M -- 1
1
2
3
4
5
6
7
8
9
10
14
15
16
17
18
19
20
22
40.00'
100.00'
S12°45'00"W
40.00'
N77°15'00"W
100.00'
S77°15'00"E
100.00'
40.00'
80.00'
100.00'
S77°15'00"E
60.00'
S12°45'00"W
20.00'
60.00'
100.00'
S77°15'00"E
N12°45'00"E
280.00' (280.00')
140.00'
39.99'
(40.00')
80.00'
S77°15'00"E
200.00'
N
W
E
S
EDMUNDSON
& ASSOCIATES
LAND SURVEYING
1512 SEABRIGHT AVENUE
SANTA CRUZ, CA 95062
PHONE (831) 425-1796
APN 028-221-24
○ Set 1/2" pipe LS 8307, except as noted
● Found survey monument as noted
All distances are in feet & decimals thereof
(nr) = No Record
○ Set pipe per CR# 1019

APPEAL TO THE PLANNING COMMISSION
Application No. 251357 — 154 Sunny Cove Drive, APN 028-221-16
Appellant: Milly Rose LLC, owner of 145 18th Avenue (APN 028-221-24)

EXHIBIT C

Licensed Surveyor's Map

Assessor's Parcel No. 028-221-24

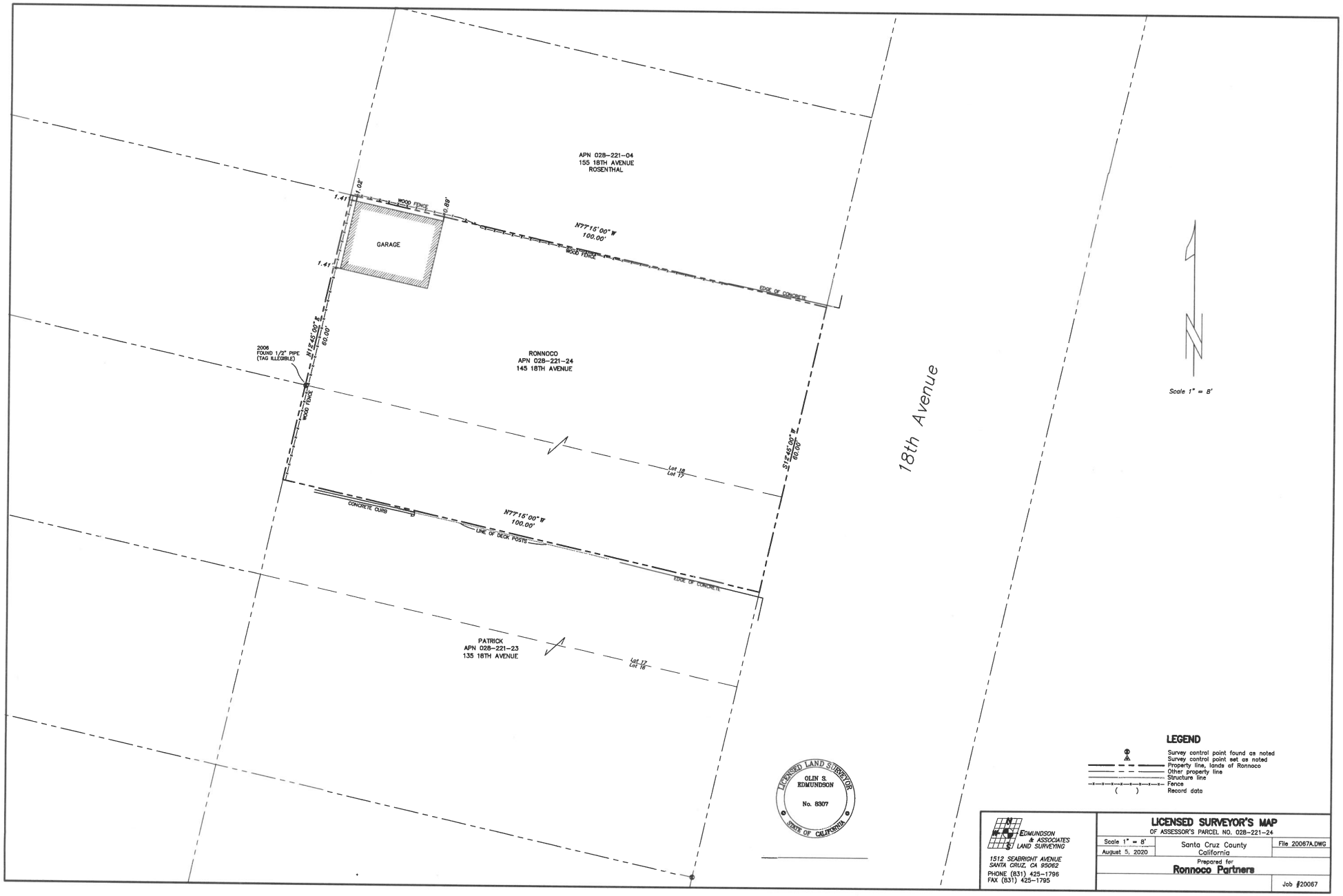
Edmundson & Associates — Olin S. Edmundson, LS 8307

Dated August 5, 2020

Shows the boundary of 145 18th Avenue and the located position of the existing wood fence relative to that boundary — a dimension absent from the application record.

Not previously in the administrative record.

ATTACHED TO THIS APPEAL



EDMUNDSON & ASSOCIATES LAND SURVEYING
1512 SEABRIGHT AVENUE
SANTA CRUZ, CA 95062
PHONE (831) 425-1796
FAX (831) 425-1795

LICENSED SURVEYOR'S MAP

OF ASSESSOR'S PARCEL NO. 028-221-24

Scale 1" = 8'	Santa Cruz County California	File 20067A.DWG
August 5, 2020		
	Prepared for Ronnoco Partners	
		Job #20067

APPEAL TO THE PLANNING COMMISSION

Application No. 251357 — 154 Sunny Cove Drive, APN 028-221-16

Appellant: Milly Rose LLC, owner of 145 18th Avenue (APN 028-221-24)

EXHIBIT D

Letters from the Project Planner to the Applicant

County of Santa Cruz Planning Division

Randall Adams, Project Planner

Application No. 251357

Each letter states that the requested setback reduction "may not be necessary and there are alternatives that could result in a functional amount of rear yard storage without the need for a Variance approval," and recommends a conforming alternative of no more than 120 square feet, no taller than 10 feet, at three-foot side and rear setbacks.

D-1 — September 26, 2025 *D-2 — November 20, 2025*

D-3 — March 11, 2026 *D-4 — May 27, 2026 (application deemed complete)*

Obtained through Public Records Act request PRA 26-926. Not included in the Zoning Administrator hearing packet.

ATTACHED TO THIS APPEAL

APPEAL TO THE PLANNING COMMISSION
Application No. 251357 — 154 Sunny Cove Drive, APN 028-221-16
Appellant: Milly Rose LLC, owner of 145 18th Avenue (APN 028-221-24)

EXHIBIT D-1

Letter dated September 26, 2025

Randall Adams, Project Planner, to the applicant

Application No. 251357

County file: 251357in.pdf

County of Santa Cruz

DEPARTMENT OF COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
701 OCEAN STREET, FOURTH FLOOR, SANTA CRUZ, CA 95060-4070
Planning (831) 454-2580 Public Works (831) 454-2160
https://cdi.santacruzcountyca.gov/

September 26, 2025

Dee Murray
2272 Kinsley Street
Santa Cruz, Ca 95062

Subject: **Incomplete Application - Additional Information Required**
Application #: **251357**; Assessor's Parcel #: **028-221-16**
Owner: **Shimmon**

Dear Dee Murray:

This letter is to inform you of the status of your application. On 8/28/25, the above-referenced application was submitted for a development permit with the Santa Cruz County Planning Division. The Planning Division and reviewing agencies have examined your application for completeness under the Permit Streamlining Act (Cal. Gov. Code 65943) and determined that it is **incomplete** and additional information is required.

Please submit all requested materials digitally through the ePlan portal. Additional physical (paper) copies of plans and materials will be separately required prior to the public hearing for the project.

Items of Incomplete Application

1. Please submit full and complete sets of revised plans which include the following information:

   - Please show the extent and location(s) of all structures that are over 18 inches in height (above grade) on the site plan, including all decks, sheds, hot/cold tubs, etc. It appears that the extent of the existing front deck is not accurately depicted, and the existing hot/cold tubs are not shown on the site plan submitted.

   - Please provide existing and proposed lot coverage calculations for the subject property on the site plan/cover sheet, including the existing residence, the proposed non-habitable accessory structure, and all other existing structures (including decks, hot/cold tubs, etc.) over 18 inches in height on the property.

   - Please provide existing and proposed Floor Area Ratio calculations for the subject property on the site plan/cover sheet, including the floor area of the existing residence and the proposed non habitable accessory structure.

2. Please review the attached comments from all agencies. Material responsive to "completeness" comments must be submitted prior to your application being considered

complete under the Permit Streamlining Act and able to move forward with further review and processing. The agencies listed below have comments which will require additional information to be submitted before your application will be deemed complete. Questions related to these comments and the specific information that is required should be addressed to each separate agency:

- Code Compliance (Shawna Rooks - Reviewer's Telephone): Please contact Code Compliance staff to pay the Code Compliance investigation fees for this property.

Paper Plans

Please note that one or more sets of full-size plan sets may be required prior to the public hearing for this project.

Public Notice

Please note that you will be required to install signage on the subject property that notifies the public of your development permit application. Please refer to the Neighborhood Notification Guidelines for the standards for preparing your sign. Please do not prepare or install the sign until all other completeness issues have been resolved as the project description may change during the review process. Guidelines for Neighborhood Notification (including sign format and installation certificate) online: https://cdi.santacruzcountyca.gov/UPC/FormsPublications.aspx If you do not have internet access and require a paper copy, please let us know and one can be provided.

Compliance Issues

In addition to evaluating the completeness of your application, we have begun an initial review of your application materials for compliance with County and State codes and policies. We have identified areas in which your proposal appears to be in significant conflict with applicable County and State codes and policies. Additional compliance issues may be identified as we continue our compliance review. Although it is not necessary for you to address these issues for your application to be declared complete, your application will need to comply with the codes and policies that pertain to your development proposal to be supported and/or approved. Planning staff strongly suggest that the proposed project be modified prior to resubmittal to address significant compliance issues. The areas of apparent conflict with applicable codes and policies identified to date in this preliminary review are listed below:

1. County Code Section 13.10.323-1 (Residential Site Standards) & 13.10.611(D)(2) (Accessory Structures - Detached Sheds): The current proposal includes recognizing a structure that is proposed to be located at less than one foot from the adjacent side and rear property lines. The structure is also proposed to be less than four feet from the primary dwelling located on the property. Although a Variance to site standards has been requested, subject to the required variance findings listed in SCCC 13.10.230(C), the requested reduction in side and rear yard setbacks (to less than one foot) may not be necessary and there are alternatives that could result in a functional amount of rear yard storage without the need for a Variance approval. It is recommended that the project be redesigned to propose a storage building that is no more than 120 square feet in area and no taller than 10 feet in height and that also maintains a minimum of 3 feet from the side and rear property lines, consistent with SCCC 13.10.611(D)(2).

Additional Information

The following items are included as general information, which are intended to assist you in understanding the application review process and County requirements, and do not need to be

addressed in order for your application to be declared complete.

1. The eplan portal will be unlocked for resubmittal upon the issuance of this letter. Please notify Planning staff when you have uploaded the requested materials into the eplan portal.

2. Please note that the separation distance between property lines and adjacent structures is less than 5 feet and additional building code requirements may be required as a result (regarding fire resistive construction and/or restricted openings). Please discuss with your building design team to ensure that all building and fire safety requirements can be met. If changes to the structure are needed to comply, please revise the proposed plans accordingly prior to resubmittal.

3. Please consider clarifying why the site plan is rotated 180 degrees so that the north direction is facing downward on the site plan, when other documentation is in the opposite orientation. As this inconsistency may cause some confusion for people referencing the plan set, it is recommended that the site plan be reoriented on the plan sheet so that the plan north faces in the general upward direction on the sheet.

Resubmittals

You must submit the required materials to the Santa Cruz County Planning Division at one time. Please submit an annotated list detailing where the required information has been provided in your next submittal. Revisions to plans must be included in complete, updated sets of plans.

You have until **11/26/25**, to submit all of the information required in this letter. Pursuant to Section 18.10.430 of the Santa Cruz County Code, failure to submit the required information may lead to abandonment of your application and forfeiture of fees. Alternatively, you may withdraw the application and any unused fees will be refunded to you. If you wish to withdraw the application, please notify me in writing.

Permit Streamlining Act and Appeals

As mandated by the Permit Streamlining Act, the County follows the application completeness deadlines set forth in Section 65943 of the Government Code as follows: not later than 30 calendar days after any public agency has received an application for a development project, the agency shall determine in writing whether the application is complete and shall immediately transmit the determination to the applicant for the development project. If the application is determined to be incomplete, the lead agency shall provide the applicant with an exhaustive list of items that were not complete. That list shall be limited to those items actually required on the lead agency's submittal requirement checklist. In any subsequent review of the application determined to be incomplete, the local agency shall not request the applicant to provide any new information that was not stated in the initial list of items that were not complete. If the written determination is not made within 30 days after receipt of the application, and the application includes a statement that it is an application for a development permit, the application shall be deemed complete for purposes of this chapter. Upon receipt of any resubmittal of the application, a new 30-day period shall begin, during which the public agency shall determine the completeness of the application. If the application is determined not to be complete, the agency's determination shall specify those parts of the application which are incomplete and shall indicate the manner in which they can be made complete, including a list and thorough description of the specific information needed to complete the application. The applicant shall submit materials to the public agency in response to the list and description.

The property owner or applicant has the right to appeal the determination that the application is incomplete pursuant to Section 65943 of the Government Code. Appeals of application completeness determinations are considered by the Planning Commission. To appeal, submit the required fee for appeals to the Planning Commission and a letter addressed to the Planning Director, stating the determination appealed from and the reasons you believe the completeness determination is erroneous and/or unjustified. The appeal letter and fee must be received by the Planning Division no later than 5:00 p.m., 10/10/25.

Should you have further questions concerning this application, please contact me at:
(831) 454-3218, or e-mail: randall.adams@santacruzcountyca.gov

Sincerely,

Randall Adams
Project Planner
Development Review

County of Santa Cruz, Planning Division

Discretionary Application Comments 251357

Your plans have been sent to several agencies for review. The comments that were received are printed below. Please read each comment, noting who the reviewer is and which of the three categories (Completeness, Policy Considerations/Compliance, and Permit Conditions/Additional Information) the comment is in.

Completeness: A comment in this section indicates that your application is lacking certain information that is necessary for your plans to be reviewed and your project to proceed.

Policy Considerations/Compliance: Comments in this section indicate that there are conflicts or possible conflicts between your project and the County General Plan, County Code, and/or Design Criteria. We recommend that you address these issues with the project planner and the reviewer before investing in revising your plans in any particular direction.

Permit Conditions/Additional Information: These comments are for your information. No action is required at this time. You may contact the project planner or the reviewer for clarification if needed.

Review Agency Comments

Code Compliance Review

Routing No: 1 | Review Date: 09/09/2025
Shawna Rooks (SROOKS) : Incomplete

9/9/25: Submitted plans appear to address the cited violation, though code fees are due and payable for NV25236 in the amount of $640.00. Fees can be paid online at cdi.santacruzcountyca.gov. For any question related to this review please contact shawna.rooks@santacruzcountyca.gov

Coastal Commission Review

Routing No: 1 | Review Date: 09/16/2025
Complete

I do not have any comments on this project.

Thanks,

Nolan Clark
Coastal Planner

Central Coast District
California Coastal Commission
(831) 427-4863

APPEAL TO THE PLANNING COMMISSION
Application No. 251357 — 154 Sunny Cove Drive, APN 028-221-16
Appellant: Milly Rose LLC, owner of 145 18th Avenue (APN 028-221-24)

EXHIBIT D-2

Letter dated November 20, 2025

Randall Adams, Project Planner, to the applicant

Application No. 251357

County file: 251357in2.pdf

County of Santa Cruz

DEPARTMENT OF COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
701 OCEAN STREET, FOURTH FLOOR, SANTA CRUZ, CA 95060-4070

Planning (831) 454-2580 Public Works (831) 454-2160
https://cdi.santacruzcountyca.gov/

November 20, 2025

Dee Murray
2272 Kinsley Street
Santa Cruz, Ca 95062

Subject: **Incomplete Application - Additional Information Required**
Application #: **251357**; Assessor's Parcel #: **028-221-16**
Owner: **Shimmon**

Dear Dee Murray:

This letter is an update on the status of your application. The most recent submittal has been reviewed and it has been determined that your application remains **incomplete**. Additional information continues to be necessary to allow further processing of your application.

Please submit all requested materials digitally through the ePlan portal. Additional physical (paper) copies of plans and materials will be separately required prior to the public hearing for the project.

Items of Incomplete Application

1. Please submit full and complete sets of revised plans which include the following information:

   - Please include the floor area of the proposed shed in the Floor Area Ratio calculations. The shed does not qualify for the exemption for 'small detached non-habitable accessory structures that do not require a building permit' as noted in SCCC 13.10.700-F(Floor area, gross)(6)(a).

   - Please clarify if the existing hot and cold tub indicated on the project plans are proposed to be recognized as part of the current application or are proposed to be removed. If these features are proposed to be retained/recognized, then please indicate the setback and separation dimensions on the project plans.

2. Please review the attached comments from all agencies. Material responsive to "completeness" comments must be submitted prior to your application being considered complete under the Permit Streamlining Act and able to move forward with further review and processing. The agencies listed below have comments which will require additional information to be submitted before your application will be deemed complete. Questions related to these comments and the specific information that is required should be addressed to each separate agency:

- Code Compliance (Shawna Rooks - Reviewer's Telephone): Please contact Code Compliance staff to pay the Code Compliance investigation fees for this property.

Paper Plans

Please note that one or more sets of full-size plan sets may be required prior to the public hearing for this project.

Public Notice

Please note that you will be required to install signage on the subject property that notifies the public of your development permit application. Please refer to the Neighborhood Notification Guidelines for the standards for preparing your sign. Please do not prepare or install the sign until all other completeness issues have been resolved as the project description may change during the review process. Guidelines for Neighborhood Notification (including sign format and installation certificate) online: https://cdi.santacruzcountyca.gov/UPC/FormsPublications.aspx If you do not have internet access and require a paper copy, please let us know and one can be provided.

Compliance Issues

In addition to evaluating the completeness of your application, we have begun an initial review of your application materials for compliance with County and State codes and policies. We have identified areas in which your proposal appears to be in significant conflict with applicable County and State codes and policies. Additional compliance issues may be identified as we continue our compliance review. Although it is not necessary for you to address these issues for your application to be declared complete, your application will need to comply with the codes and policies that pertain to your development proposal to be supported and/or approved. Planning staff strongly suggest that the proposed project be modified prior to resubmittal to address significant compliance issues. The areas of apparent conflict with applicable codes and policies identified to date in this preliminary review are listed below:

1. County Code Section 13.10.323-1 (Residential Site Standards) & 13.10.611(D)(2) (Accessory Structures - Detached Sheds): The current proposal includes recognizing a structure that is proposed to be located at less than one foot from the adjacent side and rear property lines. The structure is also proposed to be less than four feet from the primary dwelling located on the property. Although a Variance to site standards has been requested, subject to the required variance findings listed in SCCC 13.10.230(C), the requested reduction in side and rear yard setbacks (to less than one foot) may not be necessary and there are alternatives that could result in a functional amount of rear yard storage without the need for a Variance approval. It is recommended that the project be redesigned to propose a storage building that is no more than 120 square feet in area and no taller than 10 feet in height and that also maintains a minimum of 3 feet from the side and rear property lines, consistent with SCCC 13.10.611(D)(2).

2. County Code Section 13.10.323-1 (Residential Site Standards) & 13.10.611(D)(3) (Accessory Structures - Development Standards for Residential Accessory Structures): Please note that the existing hot and cold tub improvements indicated on the revised site plan do not comply with required site standards (located within the required rear and side yard setbacks) and may require additional review(s) and or permit(s) to be installed. Please clarify if the existing hot and cold tub indicated on the project plans are proposed to be recognized as part of the current application. A Variance would be required for the installation of structures within the required yard setbacks. If these features are proposed for removal as part of this application, then no further action needs to be taken at this time.

Additional Information

The following items are included as general information, which are intended to assist you in understanding the application review process and County requirements, and do not need to be addressed in order for your application to be declared complete.

1. The eplan portal will be unlocked for resubmittal upon the issuance of this letter. Please notify Planning staff when you have uploaded the requested materials into the eplan portal.

Resubmittals

You must submit the required materials to the Santa Cruz County Planning Division at one time. Please submit an annotated list detailing where the required information has been provided in your next submittal. Revisions to plans must be included in complete, updated sets of plans.

You have until **1/21/26**, to submit all of the information required in this letter. Pursuant to Section 18.10.430 of the Santa Cruz County Code, failure to submit the required information may lead to abandonment of your application and forfeiture of fees. Alternatively, you may withdraw the application and any unused fees will be refunded to you. If you wish to withdraw the application, please notify me in writing.

Permit Streamlining Act and Appeals

As mandated by the Permit Streamlining Act, the County follows the application completeness deadlines set forth in Section 65943 of the Government Code as follows: not later than 30 calendar days after any public agency has received an application for a development project, the agency shall determine in writing whether the application is complete and shall immediately transmit the determination to the applicant for the development project. If the application is determined to be incomplete, the lead agency shall provide the applicant with an exhaustive list of items that were not complete. That list shall be limited to those items actually required on the lead agency's submittal requirement checklist. In any subsequent review of the application determined to be incomplete, the local agency shall not request the applicant to provide any new information that was not stated in the initial list of items that were not complete. If the written determination is not made within 30 days after receipt of the application, and the application includes a statement that it is an application for a development permit, the application shall be deemed complete for purposes of this chapter. Upon receipt of any resubmittal of the application, a new 30-day period shall begin, during which the public agency shall determine the completeness of the application. If the application is determined not to be complete, the agency's determination shall specify those parts of the application which are incomplete and shall indicate the manner in which they can be made complete, including a list and thorough description of the specific information needed to complete the application. The applicant shall submit materials to the public agency in response to the list and description.

The property owner or applicant has the right to appeal the determination that the application is incomplete pursuant to Section 65943 of the Government Code. Appeals of application completeness determinations are considered by the Planning Commission. To appeal, submit the required fee for appeals to the Planning Commission and a letter addressed to the Planning Director, stating the determination appealed from and the reasons you believe the completeness determination is erroneous and/or unjustified. The appeal letter and fee must be received by the Planning Division no later than 5:00 p.m., 12/5/25.

Should you have further questions concerning this application, please contact me at:

(831) 454-3218, or e-mail: randall.adams@santacruzcountyca.gov

Sincerely,

Randall Adams
Project Planner
Development Review

County of Santa Cruz, Planning Division

Discretionary Application Comments 251357

Your plans have been sent to several agencies for review. The comments that were received are printed below. Please read each comment, noting who the reviewer is and which of the three categories (Completeness, Policy Considerations/Compliance, and Permit Conditions/Additional Information) the comment is in.

Completeness: A comment in this section indicates that your application is lacking certain information that is necessary for your plans to be reviewed and your project to proceed.

Policy Considerations/Compliance: Comments in this section indicate that there are conflicts or possible conflicts between your project and the County General Plan, County Code, and/or Design Criteria. We recommend that you address these issues with the project planner and the reviewer before investing in revising your plans in any particular direction.

Permit Conditions/Additional Information: These comments are for your information. No action is required at this time. You may contact the project planner or the reviewer for clarification if needed.

Review Agency Comments

Code Compliance Review

Routing No: 2 Review Date: 10/31/2025
Shawna Rooks (SROOKS) : Incomplete

Fees are due and payable for NV25236 in the amount of $640.00. Fees can be paid online at cdi.santacruzcountyca.gov. For any question related to this review please contact shawna.rooks@santacruzcountyca.gov

APPEAL TO THE PLANNING COMMISSION
Application No. 251357 — 154 Sunny Cove Drive, APN 028-221-16
Appellant: Milly Rose LLC, owner of 145 18th Avenue (APN 028-221-24)

EXHIBIT D-3

Letter dated March 11, 2026

Randall Adams, Project Planner, to the applicant

Application No. 251357

County file: 251357in3.pdf

County of Santa Cruz

DEPARTMENT OF COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
701 OCEAN STREET, FOURTH FLOOR, SANTA CRUZ, CA 95060-4070

Planning (831) 454-2580 Public Works (831) 454-2160
https://cdi.santacruzcountyca.gov/

March 11, 2026

Dee Murray
2272 Kinsley Street
Santa Cruz, Ca 95062

Subject: **Incomplete Application - Additional Information Required**
Application #: **251357**; Assessor's Parcel #: **028-221-16**
Owner: **Shimmon**

Dear Dee Murray:

This letter is an update on the status of your application. The most recent submittal has been reviewed and it has been determined that your application remains **incomplete**. Additional information continues to be necessary to allow further processing of your application.

Please submit all requested materials digitally through the ePlan portal. Additional physical (paper) copies of plans and materials will be separately required prior to the public hearing for the project.

Items of Incomplete Application

1. Please provide evidence that you have installed signage on the subject property that notifies the public of your development permit application. Please refer to the Neighborhood Notification Guidelines for the standards for preparing your sign. Please use the following project description in the preparation of your notification sign:

   Proposal to recognize an existing storage shed and two above ground spa tub structures. Requires a Coastal Development Permit and Variances to reduce the required 15 foot rear yard setback to about 0 feet to the shed and to about 1 foot to each of the two spa tub structures, to reduce the required 5 foot side yard setback to about 0 feet to the shed and to about 1 foot to the larger spa tub structure. Property located at 154 Sunny Cove in the Live Oak Planning area.

   Guidelines for Neighborhood Notification (including sign format and installation certificate) online: https://cdi.santacruzcountyca.gov/UPC/FormsPublications.aspx If you do not have internet access and require a paper copy, please let us know and one can be provided.

Compliance Issues

In addition to evaluating the completeness of your application, we have begun an initial review of your application materials for compliance with County and State codes and policies. We have identified areas in which your proposal appears to be in significant conflict with applicable County

and State codes and policies. Additional compliance issues may be identified as we continue our compliance review. Although it is not necessary for you to address these issues for your application to be declared complete, your application will need to comply with the codes and policies that pertain to your development proposal to be supported and/or approved. Planning staff strongly suggest that the proposed project be modified prior to resubmittal to address significant compliance issues. The areas of apparent conflict with applicable codes and policies identified to date in this preliminary review are listed below:

1. County Code Section 13.10.323-1 (Residential Site Standards) & 13.10.611(D)(2) (Accessory Structures - Detached Sheds): The current proposal includes recognizing a structure that is proposed to be located at less than one foot from the adjacent side and rear property lines. The structure is also proposed to be less than four feet from the primary dwelling located on the property. Although a Variance to site standards has been requested, subject to the required variance findings listed in SCCC 13.10.230(C), the requested reduction in side and rear yard setbacks (to less than one foot) may not be necessary and there are alternatives that could result in a functional amount of rear yard storage without the need for a Variance approval. It is recommended that the project be redesigned to propose a storage building that is no more than 120 square feet in area and no taller than 10 feet in height and that also maintains a minimum of 3 feet from the side and rear property lines, consistent with SCCC 13.10.611(D)(2).

2. County Code Section 13.10.323-1 (Residential Site Standards) & 13.10.611(D)(3) (Accessory Structures - Development Standards for Residential Accessory Structures): Please note that the existing hot and cold tub improvements indicated on the revised site plan do not comply with required site standards (located within the required rear and side yard setbacks). The inclusion of the two spa tub structures indicates that they are proposed to be recognized as part of the current application. Please note that a Variance is required for any structures within the required yard setbacks unless exempted by SCCC 13.10.611(D)(3). Please note that above ground hot/cold tubs are not exempt from compliance with required site and development standards.

Additional Information

The following items are included as general information, which are intended to assist you in understanding the application review process and County requirements, and do not need to be addressed in order for your application to be declared complete.

1. The completed Sign Installation Certificate and photo of the installed neighborhood notification sign can be emailed to me directly and does not need to be resubmitted through the eplan portal.

Resubmittals

You must submit the required materials to the Santa Cruz County Planning Division at one time. Please submit an annotated list detailing where the required information has been provided in your next submittal. Revisions to plans must be included in complete, updated sets of plans.

You have until **5/11/26**, to submit all of the information required in this letter. Pursuant to Section 18.10.430 of the Santa Cruz County Code, failure to submit the required information may lead to abandonment of your application and forfeiture of fees. Alternatively, you may withdraw the application and any unused fees will be refunded to you. If you wish to withdraw the application, please notify me in writing.

Permit Streamlining Act and Appeals

As mandated by the Permit Streamlining Act, the County follows the application completeness deadlines set forth in Section 65943 of the Government Code as follows: not later than 30 calendar days after any public agency has received an application for a development project, the agency shall determine in writing whether the application is complete and shall immediately transmit the determination to the applicant for the development project. If the application is determined to be incomplete, the lead agency shall provide the applicant with an exhaustive list of items that were not complete. That list shall be limited to those items actually required on the lead agency's submittal requirement checklist. In any subsequent review of the application determined to be incomplete, the local agency shall not request the applicant to provide any new information that was not stated in the initial list of items that were not complete. If the written determination is not made within 30 days after receipt of the application, and the application includes a statement that it is an application for a development permit, the application shall be deemed complete for purposes of this chapter. Upon receipt of any resubmittal of the application, a new 30-day period shall begin, during which the public agency shall determine the completeness of the application. If the application is determined not to be complete, the agency's determination shall specify those parts of the application which are incomplete and shall indicate the manner in which they can be made complete, including a list and thorough description of the specific information needed to complete the application. The applicant shall submit materials to the public agency in response to the list and description.

The property owner or applicant has the right to appeal the determination that the application is incomplete pursuant to Section 65943 of the Government Code. Appeals of application completeness determinations are considered by the Planning Commission. To appeal, submit the required fee for appeals to the Planning Commission and a letter addressed to the Planning Director, stating the determination appealed from and the reasons you believe the completeness determination is erroneous and/or unjustified. The appeal letter and fee must be received by the Planning Division no later than 5:00 p.m., 3/25/26.

Should you have further questions concerning this application, please contact me at:
(831) 454-3218, or e-mail: randall.adams@santacruzcountyca.gov

Sincerely,

Randall Adams
Project Planner
Development Review

APPEAL TO THE PLANNING COMMISSION
Application No. 251357 — 154 Sunny Cove Drive, APN 028-221-16
Appellant: Milly Rose LLC, owner of 145 18th Avenue (APN 028-221-24)

EXHIBIT D-4

Letter dated May 27, 2026

Randall Adams, Project Planner, to the applicant

Application No. 251357

County file: 251357comp.pdf — application deemed complete

County of Santa Cruz

DEPARTMENT OF COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
701 OCEAN STREET, FOURTH FLOOR, SANTA CRUZ, CA 95060-4070
Planning (831) 454-2580 Public Works (831) 454-2160
https://cdi.santacruzcountyca.gov/

May 27, 2026

Dee Murray
2272 Kinsley Street
Santa Cruz, Ca 95062

Subject: **Complete Application Submittal**
Application #: **251357**; Assessor's Parcel #: **028-221-16**
Owner: **Shimmon**

Dear Dee Murray:

On 8/28/25, you applied for a development permit with the County of Santa Cruz. The first phase in the processing of your application is the determination of the "completeness" of the application. The determination of "completeness" is made based on the preliminary review of the materials that you have submitted, by all the reviewing agencies, and site visits by Santa Cruz County Planning staff. As of this time, the reviewing agencies and Santa Cruz County Planning staff have made comments on the materials that you have submitted. This letter is to inform you of the status of your application.

As of 5/27/26, this application has been considered **complete** for further processing. The next phase in the processing of your application will be the preparation of a staff report with recommendations to the appropriate decision-making body, and the scheduling of a public hearing (only for Zoning Administrator, Agricultural Policy Advisory Commission, Planning Commission, or Board of Supervisors items). If additional materials or information are necessary to prepare the staff report, Santa Cruz County Planning staff will contact you. You will receive notice of the public hearing (for applicable project types) and a copy of the staff report prior to the hearing date. At the public hearing you will have the opportunity to discuss your project with the decision-making body, and a decision will be made. Possible outcomes of the public hearing include: approval (with conditions), denial, or continuance (with specific reasons for continuance; or requests for additional information) of your proposed project. Decisions of the Zoning Administrator can be appealed to the Planning Commission, and decisions of the Planning Commission and the Agricultural Policy Advisory Commission can be appealed to the Board of Supervisors. Decisions of some projects in the coastal zone may be appealable to the California Coastal Commission.

Significant Compliance Issues

In addition to evaluating the completeness of your application, we have begun an initial review of your application materials for compliance with County codes and policies. We have identified areas in which your proposal appears to be in significant conflict with applicable County codes and policies. Additional compliance issues may be identified as we continue our compliance review. Although it is not necessary for you to address these issues for your application to be declared complete, your application will need to comply with the codes and policies that pertain to your development proposal to be supported and/or approved. Planning staff strongly suggest that the proposed project be modified prior to resubmittal to

address significant compliance issues. The areas of apparent conflict with applicable codes and policies identified to date in this preliminary review are listed below:

- County Code Section 13.10.323-1 (Residential Site Standards) & 13.10.611(D)(2) (Accessory Structures - Detached Sheds): The current proposal includes recognizing a structure that is proposed to be located at less than one foot from the adjacent side and rear property lines. The structure is also proposed to be less than four feet from the primary dwelling located on the property. Although a Variance to site standards has been requested, subject to the required variance findings listed in SCCC 13.10.230(C), the requested reduction in side and rear yard setbacks (to less than one foot) may not be necessary and there are alternatives that could result in a functional amount of rear yard storage without the need for a Variance approval. It is recommended that the project be redesigned to propose a storage building that is no more than 120 square feet in area and no taller than 10 feet in height and that also maintains a minimum of 3 feet from the side and rear property lines, consistent with SCCC 13.10.611(D)(2).

Environmental Review

It is important to understand that although your application has been found to be complete for further processing, Santa Cruz County Planning may, in the course of processing the application, request that you clarify, amplify, correct, or otherwise supplement the information required for this application, or to submit additional information to comply with the provisions of Division 13 (California Environmental Quality Act) of the Public Resources Code. Please note that the environmental determination for this project has not been made at this time and the environmental determination for this project, required by the California Environmental Quality Act, shall be made at the time the final action is taken on this project by the appropriate decision-making body.

Should you have further questions concerning this application, please contact me at:
(831) 454-3218 or e-mail: **randall.adams@santacruzcountyca.gov**

Sincerely,

Randall Adams
Project Planner
Development Review

APPEAL TO THE PLANNING COMMISSION

Application No. 251357 — 154 Sunny Cove Drive, APN 028-221-16

Appellant: Milly Rose LLC, owner of 145 18th Avenue (APN 028-221-24)

EXHIBIT E

Transcript of the Zoning Administrator's Decision

Application No. 251357 — Item 2

Zoning Administrator Hearing, August 21, 2026

Transcribed by the appellant from the County of Santa Cruz audio recording of the hearing. The County's audio recording is available from Commission support staff and from the appellant on request.

Passages quoted in the appeal letter are shown in bold.

Not previously in the administrative record.

ATTACHED TO THIS APPEAL

EXHIBIT E

Transcript of the Zoning Administrator's Decision

Application No. 251357 — Item 2
Zoning Administrator Hearing, August 21, 2026

Transcribed by the appellant from the County of Santa Cruz audio recording of the August 21, 2026 Zoning Administrator hearing. The County's audio recording is available from Commission support staff and from the appellant on request.

Speaker labels have been added for clarity. The words are transcribed as spoken, including self-corrections and incomplete sentences. Passages shown in bold are those quoted in the appellant's appeal letter.

DEPUTY ZONING ADMINISTRATOR (NATHAN MACBETH)

I've read the staff report, I visited the site, and I've read all of the correspondence including the late correspondence. I'm pretty familiar with the project areas as well.

Randall I saw that you had provided a revised staff report with slight modifications to the analysis and variance findings and actually I was **pretty happy to see** that come through because as I was reading the report I felt that **the location and surroundings were more of a justification for variance than let's say a reduced parcel size of 170 square feet**, so it's really a matter of there not being anywhere else on the parcel to place the proposed shed and I think that came through in your revised report so, thank you for that.

Now **perhaps that's why the Applicant chose that location in the first place or maybe to get a little more functionality out of their rear yard** and that said I believe it. Staff has adequately evaluated the project, for appropriateness of the variance, I think it's relevant to note that there's several other code exceptions as you called out that allow for reductions in setbacks, for garages and sheds, and I think that the project and the site conditions are such that would support a setback reduction.

I mean in my mind you know the shed, or at least the back wall of the shed, functions similar to that of a fence. There are examples as been pointed out of other structures in the area, with reduced setbacks. I think that really speaks **to the character of the neighborhood, non-conformities aside**.

Randall the neighbor raised some questions about the eaves, in the correspondence, and I just, it's my understanding that the eaves along the South and East side are to be removed, is that correct?

STAFF (RANDALL ADAMS, PROJECT PLANNER)

Correct that's shown on the Project plan, and so the, **the recommended conditions say as you know indicated on the exhibit those eaves need to be trimmed back to zero feet**, that's what the authorization would be for. The existing building is more than zero feet from the side rear lines, it's not built on the fence, it's built adjacent to the fence. But generally when something is less than a foot we would just typically say zero feet, yea. Getting down to fractional inches is difficult with

thicknesses of siding, it's just yea, we say zero feet at that point. It's less than a foot is another way of saying it.

DEPUTY ZONING ADMINISTRATOR (NATHAN MACBETH)

OK. I'd also like to point to one of the conditions that you called and I just wanted to confirm that based on any conversations that you might have had with our building staff did, whether or not the shed would require a building permit and if review for compliance with fire requirements, drainage requirements, and building code requirements, would happen at that time.

STAFF (RANDALL ADAMS, PROJECT PLANNER)

Yea, correct, the thing about this review, or this recommendation for approval indicates that the building itself complies with building or fire code, that would be determined during the building permit review process and my understanding is **the building will likely need to be modified to comply with the building code given where its openings are, relative to the property lines**, however, I am not a build plans examiner, I am not a Fire inspector, so I am not going to say that I make that call that's my understanding, that the building may need to be modified in that regard.

DEPUTY ZONING ADMINISTRATOR (NATHAN MACBETH)

Right and so **today is really just a matter of whether or not the setback reduction would be appropriate**.

STAFF (RANDALL ADAMS, PROJECT PLANNER)

Correct, maybe the other elements of **that whole wall assembly on both the side and rear that need to be modified, to meet the fire code requirements**, and that will be enforced by our building staff at the time it is required.

DEPUTY ZONING ADMINISTRATOR (NATHAN MACBETH)

Thank you. I understand the neighbors concerns that about, kind of what got us here, the unpermitted construction,

APPELLANT (DAVID BERNSTEIN), FROM THE AUDIENCE

But he CHOSE a larger shed.

DEPUTY ZONING ADMINISTRATOR (NATHAN MACBETH)

I am sorry the public hearing is closed. Thank you. **I believe the removal of the eaves will be an improvement,** would be an improvement to site conditions, and **reduce potential impacts**, as I mentioned before I think the wall of the shed sort of serves as a buffer between properties, it serves as kind of, kind of as a fence.

The applicant submitted a good faith application, submitted in good faith an application to address the code violation. For the reasons outlined by staff I think the variance, and the coastal, the variance and the coastal development permit required, and I think staff has adequately evaluated the project, for and provided supported findings, which I agree with.

That said I will determine the project is exempt from further environmental review under California environmental quality act, and approve application 251357. That concludes item number 2.

End of transcript.

APPEAL TO THE PLANNING COMMISSION
Application No. 251357 — 154 Sunny Cove Drive, APN 028-221-16
Appellant: Milly Rose LLC, owner of 145 18th Avenue (APN 028-221-24)

EXHIBIT F

Recorded Notice of Violation

Code Compliance Case No. NV25236

Recorded June 5, 2025 — Document No. 2025-0011745

Official Records of Santa Cruz County

Names 2880 Stevens Creek LLC as owner of record of APN 028-221-16. Describes the violation as an "oversized accessory structure within side and rear yard in coastal zone without permits," citing County Code sections 12.10.430(A), 13.10.277(A), 13.10.279(A) and 13.20.170(A). Signed by Code Compliance Investigator Shawna Rooks, June 3, 2025.

Obtained through Public Records Act request PRA 26-926. Not included in the Zoning Administrator hearing packet.

ATTACHED TO THIS APPEAL

FREE RECORDING REQUESTED
PURSUANT TO GOVERNMENT
CODE SECTION 27383
Recorded at the Request of:
County of Santa Cruz
Planning Department

Return recorded form to:

Planning Department
County of Santa Cruz
Attn: Code Enforcement
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

APN: 028-221-16

2025-0011745 06/05/2025 02:02:03 PM
OFFICIAL RECORDS OF Santa Cruz County
Sheri Thomas Recorder
RECORDING FEE: $0.00
COUNTY TAX: $0.00
CITY TAX: $0.00
NVIO
2 PGS
RCD181

Notice of Violation

This page added to provide adequate space for recording information
(California Government Code §27361.6)

RECORDED AT REQUEST OF:
The County of Santa Cruz
WHEN RECORDED MAIL TO:
County of Santa Cruz
Planning Department
Code Compliance
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

NOTICE OF SANTA CRUZ COUNTY CODE VIOLATION(S)

Notice is hereby given that the following code violation(s) exist(s) on that property situated in the County of Santa Cruz identified as follows:

OWNER(S): 2880 Stevens Creek LLC
MAILING ADDRESS: PO BOX 907
MENLO PARK, CA 94026

VIOLATION ADDRESS: 154 Sunny Cove Drive
Santa Cruz, CA 95062

ASSESSOR PARCEL NUMBER: **028-221-16**

CASE NUMBER: **NV25236**

COUNTY CODE SECTION(S) VIOLATED:

12.10.430(A); 13.10.77(A); 13.10.279(A); 13.20.170(A)

DESCRIPTION OF VIOLATION(S):

Oversized accessory structure within side and rear yard in coastal zone without permits.

The above listed violation(s) may cause legal proceedings to be initiated if conformance to County Code is not attained. These legal proceedings may result in the imposition of all accrued and unpaid enforcement costs, civil penalties, recovery of any rents received from an illegal unit(s) and reasonable attorney fees.

Shawna Rooks, Code Compliance Investigator — 6/3/25 Date

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California, County of Santa Cruz

On 6/4/25, before me, Micaela Lopez, Notary Public, personally appeared Shawna Rooks who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

MICAELA LOPEZ
Notary Public - California
Santa Cruz County
Commission # 2475212
My Comm. Expires Dec 5, 2027

(Signature of Notary Public)

Staff Report to the Zoning Administrator
(from 8/21/26 Public Hearing)

(Staff Report available online at: cdi.santacruzcountyca.gov)

Application Number 251357

Zoning Administrator Staff Report

EXHIBIT 1B

Staff Report to the Zoning Administrator

Application Number: 251357

Applicant: Dee Murray
Owner: Ed Shimmon
APN: 028-221-16
Site Address: 154 Sunny Cove Drive, Santa Cruz

Agenda Date:
Agenda Item #:
Time: After 9:00 a.m.

Project Description: Proposal to recognize the construction of a storage shed (approximately 234 square feet) located behind the existing residence. Requires a Coastal Development Permit and Variances to reduce the required 15-foot rear yard setback to about 0 feet to the shed and to reduce the required 5-foot side yard setback to about 0 feet to the shed.

Location: Property located at 154 Sunny Cove Drive in the Live Oak Planning area.

Permits Required: Coastal Development Permit, Variance

Supervisorial District: 1st District (District Supervisor: Manu Koenig)

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 251357, based on the attached findings and conditions.

Project Description & Setting

This application is a proposal to recognize the construction of a non-habitable accessory structure (storage shed) approximately 234 square feet in floor area located behind the existing residence.

The subject property is located in a single family residential neighborhood in the Live Oak Planning Area. The area is characterized by single family homes, many of which are located on small lots, with a variety of architectural styles and accessory structures in the surrounding neighborhood.

A Coastal Development Permit is required because the project includes new building area that exceeds 10 percent of the existing building area within the appealable area of the coastal zone.

A Variance is required because modifications are requested to zone district site standards (reduced yard setbacks).

Zoning & General Plan Consistency

The subject property is a ~~3,833~~ **4,000** square foot lot, located in the R-1-4 (Single Family Residential - 4,000 square foot minimum) zone district, a designation which allows residential uses. The proposed non-habitable accessory structure is ancillary to the principal permitted residential use within the zone district and the zoning is consistent with the site's R-UM (Urban Medium Density Residential) General Plan designation.

Variance

This proposal is a request to reduce the required side and rear yard setbacks to recognize the construction of a 234 square foot storage shed that is approximately 11 feet in height. The shed was constructed to within less than one foot from the side and rear property lines and results in a request for a variance to the required 5-foot side yard setback and the required 15-foot rear yard setback to approximately 0 feet on the side and rear. The applicant is also proposing to remove any eaves or other extensions that extend beyond the walls of the shed along the side and rear property lines.

County Code allows small non-habitable accessory structures (not to exceed 120 square feet in floor area and 10 feet in height) to be located to within three feet of the side and rear property lines without any form of variance or other development approval. The applicant was advised to reduce the size of the proposed structure and to construct a storage shed with no more than 120 square feet of floor area and in compliance with the three-foot side and rear setback requirement or, alternatively, request a variance to recognize the existing structure.

County Code also allows garages to be located within the required side and rear yard setbacks with up to a 50% reduction in setbacks without any form of variance or other development approval. Detached garages can be up to 16 feet in height within the urban services line. With an administrative site development approval, a garage may be constructed to zero feet at the side and rear on smaller parcels (under 10,000 square feet in area).

Within the immediate neighborhood surrounding the subject property there are several accessory structures that are located within rear yard areas. Many of these structures appear to be near or adjacent to side and/or rear property lines. The proposed structure, in regard to both size and location, is similar to the existing pattern of development in the neighborhood.

Due to the ~~**small size of the parcel (less than 4,000 square feet in the R-1-4 zone district)**~~ **location of the existing residence on the property** and the presence of other detached accessory structures in the surrounding neighborhood, the request for a variance to allow a similar sized and situated structure can be allowed with a variance. The special circumstance in this case is the ~~**small size of the parcel (at less than the minimum lot size for the zone district)**~~ **location of the existing residence on the property**.

Design Review and Scenic resources

The proposed non-habitable accessory structure complies with the requirements of the County Design Review Ordinance, in that the proposed project will utilize compatible colors and materials that are consistent with the existing residence. Other properties in the vicinity contain accessory

existing pattern of development in the neighborhood.

The subject property is located within a mapped scenic area. The proposed accessory structure is located behind the existing residence and is painted and finished to be compatible with the existing residence. The shed will not result in visual impacts to coastal scenic resources.

Local Coastal Program Consistency

The proposed non-habitable accessory structure is in conformance with the County's certified Local Coastal Program, in that the structure is accessory to the existing residence and other properties in the vicinity contain accessory structures within rear yard areas. The project is located between the shoreline and the first public road, with public beach access available at Sunny Cove, 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.

Conclusion

As proposed and conditioned, the project is 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

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

- **APPROVAL** of Application Number **251357,** based on the attached findings and conditions.

Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Division, 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.sccoplanning.com

Report Prepared By: Randall Adams
Santa Cruz County Planning
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3218
E-mail: randall.adams@santacruzcountyca.gov

Exhibits

A. Categorical Exemption (CEQA determination)

B. Findings
C. Conditions
D. Project plans
E. Assessor's, Location, Zoning and General Plan Maps
F. Parcel information
G. Comments & Correspondence

CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF EXEMPTION

The Santa Cruz County Planning Division 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: 251357
Assessor Parcel Number: 028-221-16
Project Location: 154 Sunny Cove Drive, Santa Cruz

Project Description: Proposal to recognize construction of a detached non-habitable accessory structure

Person or Agency Proposing Project: Dee Murray

Contact Phone Number: 831-475-5334

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. _____ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

E. X Categorical Exemption

Specify type: Class 3 - New Construction or Conversion of Small Structures (Section 15303)

F. Reasons why the project is exempt:

Residential accessory structure in an area designated for residential uses.

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

_____ Date: 8/21/26
Randall Adams, Project Planner

EXHIBIT A

Application #: 251357
APN: 028-221-16
Owner: Ed Shimmon

Variance Findings

1. That because of special circumstances applicable to the property, including size, shape, topography, location, and surrounding existing structures, the strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

This finding can be made, in that the proposed variances to reduce the required rear yard setback from 15 feet to approximately 0 feet and to reduce the required side yard setback from 5 feet to approximately 0 feet are recommended in order to allow a small accessory structure located in the rear yard behind the existing residence. The ~~**small size of the parcel and the**~~ location of the existing residence on the lot ~~**are**~~ **is** the special circumstance~~s~~ affecting the subject property.

2. That the granting of the variance will be in harmony with the general intent and purpose of zoning objectives and will not be materially detrimental to public health, safety, or welfare or injurious to property or improvements in the vicinity.

This finding can be made, in that the variance will allow the construction of a rear yard storage shed on a residentially zoned parcel consistent with the general intent and purpose of zoning objectives and, similar to garages that are allowed to be constructed to a zero foot setback on smaller parcels, the proposed accessory structure will not be materially detrimental to public health, safety, or welfare or injurious to property or improvements in the vicinity.

3. That the granting of such variances shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such is situated.

This finding can be made, in that the granting of the variances will allow construction of a rear yard storage shed similar to other properties in the neighborhood that are developed with single family dwellings and accessory structures located in rear yards, many of which are located within required yard setbacks. Therefore, it would not be a grant of a special privilege for the construction of a detached accessory structure at the rear of the subject property behind the existing residence consistent with the existing pattern of development in the neighborhood.

Application #: 251357
APN: 028-221-16
Owner: Ed Shimmon

Coastal Development Permit Findings

(A) That the project is a use allowed in one of the basic zone districts that are listed in LCP Section 13.10.170(D) as consistent with the LCP Land Use Plan designation of the site.

This finding can be made, in that the property is zoned R-1-4 (Single Family Residential - 4,000 square foot minimum), a designation which allows residential uses. The proposed non-habitable accessory structure is a principal permitted use within the zone district, and the zoning is consistent with the site's R-UM (Urban Medium Density Residential) General Plan designation.

(B) 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 no such easements or restrictions are known to encumber the project site.

(C) That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to SCCC 13.20.130 and 13.20.140 et seq.

This finding can be made, in that the proposed structure is consistent with the colors and materials of the existing residence; the site is surrounded by lots developed to an urban density; and the colors will be natural in appearance and complementary to the site.

(D) That the project conforms with the public access, recreation, and visitor-serving policies, standards and maps of the LCP Land Use Plan, including Chapter 2: Section 2.5 and Chapter 7.

This finding can be made, in that the project site is not identified as a priority acquisition site in the County Local Coastal Program and public beach access is available at Sunny Cove.

(E) That the project conforms to all other applicable standards of the certified LCP.

This finding can be made, in that the structure is sited and designed to be visually compatible and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the R-1-4 (Single Family Residential - 4,000 square foot minimum) zone district, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single family dwellings with detached accessory structures. Accessory structure sizes and styles vary in the area, and the design submitted is consistent with the pattern of accessory structures within the surrounding neighborhood.

(F) If the project is located between the nearest through public road and the sea or the shoreline of any body of water located within the Coastal Zone, that the project conforms to the public access and public recreation policies of Chapter 3 of the Coastal Act.

This finding can be made, in that the project site is located between the shoreline and the first public road with beach access available at Sunny Cove. The non-habitable accessory structure will be located in the rear yard, behind the existing residence, and 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.

(G) In the event of any conflicts between or among the required findings, required findings in subsections (E) and (F) of this section shall prevail.

This finding can be made, in that there are no conflicts among the required Coastal Development Permit findings.

Discretionary Permit Findings

(a) Health and Safety. The proposed location of the project and the conditions under which it would be developed, 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 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, including detached accessory structures. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to ensure that the project 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 be materially injurious to properties or improvements in the vicinity.

(b) Zoning Conformance. The proposed location of the project and the conditions under which it would be developed, operated, or maintained will be in substantial conformance with the intent and requirements of 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 non-habitable accessory structure and the conditions under which it would be operated or maintained will in substantial conformance with all pertinent County ordinances and the purpose of the R-1-4 (Single Family Residential - 4,000 square foot minimum) zone district as the primary use of the property will continue to be on single family residence and variance findings for reduced setbacks to the proposed accessory structure have been made.

(c) General Plan Conformance. The proposed project is in substantial conformance with the intent, goals, objectives, and policies of all elements of the County General Plan and any specific plan which has been adopted for the area.

This finding can be made, in that the existing single family residential use is in substantial conformance with the use and density requirements specified for the R-UM (Urban Medium Density Residential) land use designation in the County General Plan.

The proposal is consistent with General Plan policies ARC-5.1.2 (Development Within Visual Resource Areas) & ARC-5.1.3 (Protection of Public Vistas and Scenic Assets), in that the proposed accessory structure will be located behind the existing residence and is painted and finished to be compatible with the existing residence. The shed will not result in visual impacts to coastal scenic resources.

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

(d) CEQA Conformance. The proposed project complies with the requirements of the California Environmental Quality Act (CEQA) and any significant adverse impacts on the natural environment will be mitigated pursuant to CEQA.

This finding can be made, in that the project has been determined to be exempt from further review under the California Environmental Quality Act, as indicated in the Notice of Exemption for this

project.

(e) Utilities and Traffic Impacts. The proposed use will not overload utilities, result in inefficient or wasteful use of energy, or generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the proposed non-habitable accessory structure will not generate additional traffic (no increase in bedroom or unit count) and will not adversely impact existing roads or intersections in the surrounding area. In addition, all construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to ensure that the project will not overload utilities or otherwise result in an inefficient or wasteful use of energy.

(f) Neighborhood Compatibility. The proposed use will be compatible with the existing and proposed land uses, land use intensities, and dwelling unit densities of the neighborhood, as designated by the General Plan and Local Coastal Program and implementing ordinances.

This finding can be made, in that the proposed structure will be ancillary to the principal remitted residential use of the property which is consistent with the land use intensity and density of the neighborhood as designated by the General Plan and implementing ordinances.

(g) Local Coastal Program Consistency. For proposed projects located within the coastal zone, the proposed project is consistent with the provisions of the certified Local Coastal Program.

This finding can be made, in that the required Coastal Development Permit findings have been made for this project and the project is consistent with the provisions of the certified Local Coastal Program.

Site Development Permit Findings

(a) Siting and Neighborhood Context. The proposed development is designed and located on the site so that it will complement and harmonize with the physical design aspects of existing and proposed development in the neighborhood, as designated by the General Plan and Local Coastal Program and implementing ordinances.

This finding can be made, in that the proposed project will utilize compatible colors and materials that are consistent with the existing residence. Other properties in the vicinity contain accessory structures in rear yard areas and the proposed accessory structure will be consistent with the existing pattern of development in the neighborhood.

(b) Design. The proposed development is in substantial conformance with applicable principles in the adopted Countywide Design Guidelines, except as prohibited by site constraints, and any other applicable requirements of SCCC 13.11 (Site Development and Design Review). If located in the Coastal Zone, the site plan and building design are also in substantial conformance with the policies of the Local Coastal Program and coastal regulations of SCCC 13.20.

This finding can be made, in that the proposed accessory structure is located behind the existing residence and is painted and finished to be compatible with the existing residence. The shed will not result in visual impacts to coastal scenic resources.

EXHIBIT B

Application #: 251357
APN: 028-221-16
Owner: Ed Shimmon

Conditions of Approval

Exhibit D: Project plans, prepared by Robin Alaga, revised 12/2025.

I. This permit recognizes the construction of a non-habitable accessory structure located within the rear and side yard setbacks as indicated on the approved Exhibit "D" for this permit. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. 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 Santa Cruz County Planning one copy of the approval to indicate acceptance and agreement with the conditions thereof.

B. Obtain a Building Permit from the Santa Cruz County Building Official.

1. Any outstanding balance due to the Santa Cruz County Planning Division must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.

II. Prior to issuance of a Building Permit the applicant/owner shall:

A. Submit final architectural plans for review and approval by the Santa Cruz County Planning Division. The final plans shall be in substantial compliance with the plans marked Exhibit "D" on file with Santa Cruz County Planning. Any changes from the approved Exhibit "D" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:

1. A copy of the text of these conditions of approval incorporated into the full size sheets of the architectural plan set.

2. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material sheet in 8 1/2” x 11” format for Santa Cruz County Planning Division review and approval.

3. Notes and details indicating compliance with all applicable building and fire code requirements.

B. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.

C. Meet all requirements of the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.

1. The discretionary application has not been reviewed for compliance with Part 3 of the County Design Criteria. Prior to issuance of a building, grading, or other permit, final Stormwater Management documents shall be submitted for review and approval by Stormwater Management Section that adhere to the County Design Criteria and County Code 7.79.

2. Pre-development runoff patterns and rates shall be maintained, and safe stormwater overflow shall be incorporated into the project design.

3. New and/or replaced impervious and/or semi-impervious surface area shall not exceed 5,000 square feet.

D. Complete and record a Declaration of Restriction to construct a Non-Habitable Accessory Structure. **You may not alter the wording of this declaration**. Follow the instructions to record and return the form to Santa Cruz County Planning.

III. All construction shall be performed according to the 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. Pursuant to Sections 16.40.040 and 16.42.080 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 Sections 16.40.040 and 16.42.080, shall be observed.

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.

V. Indemnification

The applicant/owner shall indemnify, defend with counsel approved by the COUNTY, and hold harmless the COUNTY, its officers, employees, and agents from and against any claim (including reasonable attorney's fees, expert fees, and all other costs and fees of litigation), against the COUNTY, its officers, employees, and agents arising out of or in connection to this development approval or any subsequent amendment of this development approval which is requested by the applicant/owner, regardless of the COUNTY's passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the COUNTY. Should the COUNTY in its sole discretion find the applicant's/owner's legal counsel unacceptable, then the applicant/owner shall reimburse the COUNTY its costs of defense, including without limitation reasonable attorney's fees, expert fees, and all other costs and fees of litigation. The applicant/owner shall promptly pay any final judgment rendered against the COUNTY (and its officers, employees, and agents) covered by this indemnity obligation. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this development approval.

A. The COUNTY shall promptly notify the applicant/owner of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. The COUNTY shall cooperate fully in such defense.

B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:

1. COUNTY bears its own attorney's fees and costs; and

2. COUNTY defends the action in good faith.

C. Settlement. The applicant/owner shall not be required to pay or perform any settlement unless such applicant/owner has approved the settlement. When representing the COUNTY, the applicant/owner shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the COUNTY.

D. Successors Bound. The "applicant/owner" shall include the applicant and/or the owner and the successor'(s) in interest, transferee(s), and assign(s) of the applicant and/or the owner.

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 three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the

development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

Approval Date: 8/21/26

Effective Date: 9/4/26

Expiration Date: 9/4/29

Nathan MacBeth
Deputy Zoning Administrator

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.

OWNER:

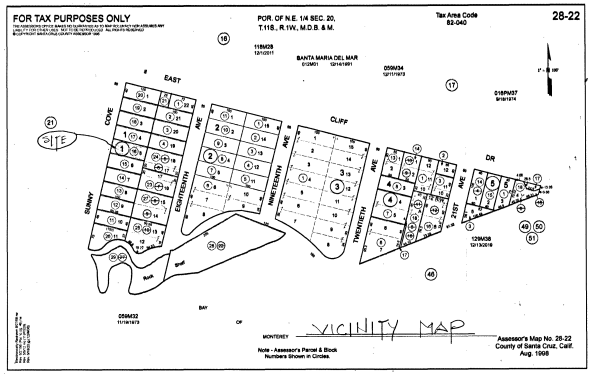
Eddie Shimmon
154 Sunny Cove Drive
Santa Cruz, CA 95062

PROJECT DATA:

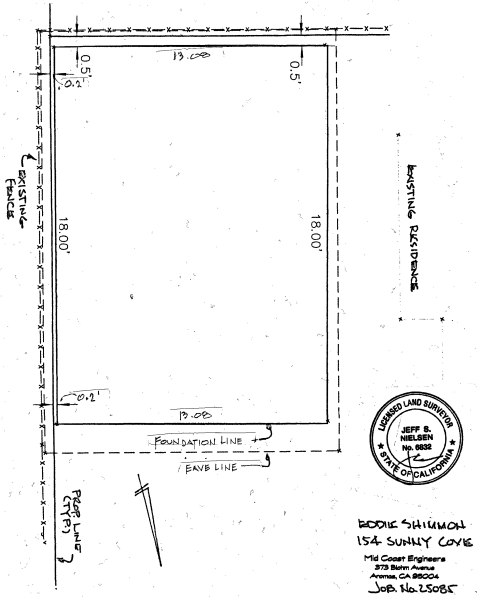
A.P.N.	028-221-16
Zoning	R-1-4
Occupancy Group	R-3
Construction Type	V Non-Sprinkled
Parcel Size	4,000 sq. ft.
Lot Coverage	1,651 sq. ft. (41 %)
Existing Residence	1,985 sq. ft.
Existing Garage	240 sq. ft.
Proposed Shed	*234 sq. ft.*

SCOPE OF WORK:

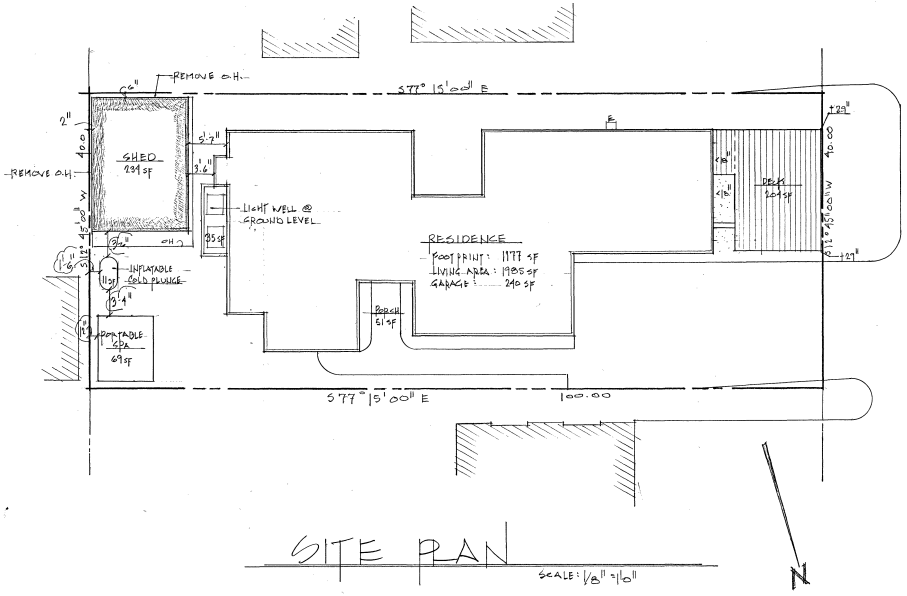
Recognize an existing 13'-1" x 18', 234 sq. ft. shed, 11'-9" in height



Lot Coverage		Floor Area Ratio
Lower Level	1177 sf	1177 sf
Upper Level	N/A	808 sf
Garage	240 - 225 sf credit = 15 sf	240 sf - 225 credit = 15 sf
Porch	51 sf - 140 sf credit = 0	N/A
Deck	201 sf	
Shed	234 sf	234 sf
Spa - Portable	69 sf	N/A
Light Well	35 sf	N/A
Inflatable Cold Plunge	11 sf	N/A
Total	1745 sf = 43.6 %	2,234 sf = 56 %
	45% MAX	60% MAX



EDDIE SHIMMON
154 SUNNY COVE
Mid Coast Engineers
373 Bahn Avenue
Aromas, CA 95004
Job. No. 250B5



SITE PLAN

SCALE: 1/8" = 1'0"

EXHIBIT D

REVISIONS	BY
1. Dec. 25	RA

ROBIN ALAGA
250 Evening Hill Lane Corralitos, CA 95076
Phone: (831)724-4994 Cell: (831)419-4919
e-mail: alagainc@gmail.com

SHIMMON SHED

Eddie Shimmon 650.804.5119 eddieshimmon@gmail.com
154 Sunny cove Santa Cruz, CA 95062

A.P.N. 028 - 221 - 16

Robin Alaga

DRAWN	Robin
CHECKED	
DATE	Oct. 20. 2025
SCALE	NOTED
JOB NO.	25.38
SHEET	OF SHEETS

Docusign Envelope ID: 330CB581-6F80-4493-877D-54DE045114EF

Modern Shed

Specifications						
Date:	12/23/24	Model:	Front Wall	Customer name:	Ed Shimmon	
Sales Rep/Ph #:	Jeff Bergerson	Revised:	RS	Location:	154 Sunny Cove Dr	
	360-789-7822	Job #:	2410-141		Santa Cruz, CA 95062	
Installer:	Dave W	Height restriction:	0	Size:	18	X 13
Quote expires:	01/06/25	Permitting:	No	Use:	Custom Shop	

Base Framing Package INITIAL

Sides B and D 12x, 14x

Standard walls include: (exceptions/options listed lower on page), 2x4 studs, R13 batt insulation, 7/16" OSB exterior sheathing, (ZipWall on open joint siding), pre-assembled top cap and transom glass frames with insulated double pane glass units. Roof and floor: see below

Wall Framing and Insulation:

2x6 replaces 2x4 wall framing-May be required for permitting- holes drilled for roping

R-21 Insulation-May be required for permitting

Front Wall Bearing Design

Front wall bears roof weight (eliminates roof beam) exchanges transom igus for traditional windown

Options

Customized design or violates panelization rules

Interior Wall Covering

8" MDF shiplap-primed

Electrical Preparations

Ceiling chase in all roof panels except ends above rake walls.(Allows overhead electrical box connection.)

Roof System

Roof system includes 1/2" plywood sheathing, roofing felt, snap-loc standing seam metal roofing and trim, glulam beam, ceiling liner, flashing and fascia. See below for rafter size and insulation value.

Classic - roof style

Water & ice shield roofing underlayment -required in snowy or rainy climates and coastal regions

Specialty Finishes 24GA roofing upgrade - Ocean Guard

2x8 joist-rafters, R-50 rigid foam insulation - unvented, (1) 6.75x9.5 Glulam 14'

Upgrade roof overhang eaves: 18" Side A. 6" sides, B, C, D

Ceiling Liner

1x6 Cedar tight knot Tongue & Groove (replaces standard Pine T & G)

Floor System: 05 ES

No floor system-Concrete slab by others. (Pressure treated bottom plate included)

Exterior Siding: (Unpainted unless specified below)

Open Joint rain screen. Factory PAINTED includes ZipWall and special vapor — Side A,C,D

Hardie Board w battens ***16" O.C. Smooth finish, Includes house wrap, window/door/corner trim (UNPAINTED) — Side B

Upper trim-Top cap/fascia - Unpainted

Extra Wall Height 05 ES

0.50 Taller walls for more ceiling height-(number of feet in decimal to left)

Doors: - All doors include lock-sets

1 Framing for Larger Door (door by others)

Windows: - includes framing (all operable windows include screens)

Milgard Windows

Custom ordered A250 Thermally Improved Aluminum windows (Int. & Ext. Anodized Aluminum - Silver)

1 48 x 18 Awning (annealed) with screen

1 120 x 18 (Split) Picture Transoms (annealed)

2 82 x 18 (Short leg = 7.75) Picture Transom (annealed)

Interior window trim:

Window trim by others

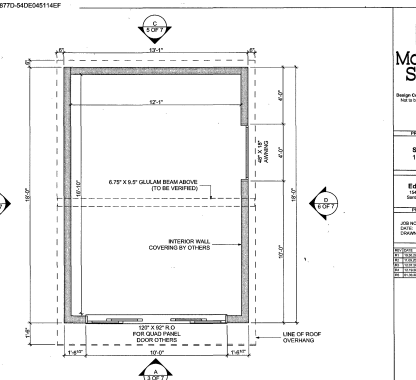
Crating / Loading

Hand loading into enclosed trailer for delivery

NOTES TO FABRICATION:

Custom Footprint: 18' x 13'-1"
Custom Roof Beam: 6.75"x9.5" > two rows of roof panels supported mid-span by beam.
RO for 120x92 door (door - by others)
Custom Transoms - Sides A, B, D

Docusign Envelope ID: 330CB581-6F80-4493-877D-54DE045114EF



FLOOR PLAN
SCALE: 1/4" = 1'-0"

234 sq.ft.

Modern Shed

Design Confirmation Drawings
Not to be used for permitting

PROJECT TITLE
SHIMMON
18 X 13'-1"

OWNER
Ed Shimmon
154 Sunny Cove Dr
Santa Cruz, CA 95062

PROJECT INFO:
JOB NO: 2410-141
DATE: 10.23.2024
DRAWN BY: JD

REVISIONS

NO	DATE	DESCRIPTION
A1	11.01.2024	ADD'D WINDOW
A2	11.06.2024	ADD'D DOOR
A3	11.07.2024	SWITCH TO SECTRUM
A4	12.19.2024	Transoms
A5	01.06.2025	R.O. 120X92

☐ APPROVED - AS DRAWN
☐ APPROVED - WITH MINOR CHANGES AS NOTE CHANGES ABOVE
CLIENT SIGNATURE Ed Shimmon
DATE 2/3/2025

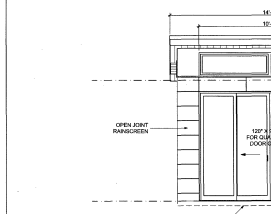
PLEASE NOTE:
ANY CHANGES AFTER SIGNATURE APPROVING THESE DRAWINGS WILL INCUR EXTRA CHANGES TO STRUCTURAL AND POSSIBLY AN ADDITIONAL ACAD DRAWING FEE.

SMALL PRINT

THIS DRAWING IS CONSIDERED PROPRIETY. IT'S NOT TO BE REPRODUCED, NOR THE INFORMATION CONTAINED TO BE USED TO PRODUCE PRODUCTS, UNLESS WRITTEN CONSENT IS FIRST OBTAINED FROM DESIGN SHED. ALL DRAWINGS PRIOR TO IN PRODUCTION ARE SUBJECT TO CHANGES. ALL CHANGES ARE TO BE AGREED UPON BY BOTH PARTIES. THE PURCHASER IS RESPONSIBLE TO FINAL CHANGES AFTER APPROVAL WILL RESULT IN ADDITIONAL FEES AND MAY ALSO AFFECT THE DELIVERY DATE. THE PURCHASER IS RESPONSIBLE TO ALL LOCAL JURISDICTIONS, AND ANY APPLICABLE "CC+R'S AND HOA'S AND/OR AGENCIES. SHED, INC. OR ANY OF IT'S AGENTS HARMLESS IN ANY SUIT OR LITIGATION WHICH MAY ARISE FROM SUCH LAWS OR REGULATIONS.

DRAWING NUMBER
2 OF 7

Docusign Envelope ID: 330CB581-6F80-4493-877D-54DE045114EF



A FRONT ELEVATION
SCALE: 1/4" = 1'-0"

Modern Shed

Design Confirmation Drawings
Not to be used for permitting

PROJECT TITLE
SHIMMON
18 X 13'-1"

OWNER
Ed Shimmon
154 Sunny Cove Dr
Santa Cruz, CA 95062

PROJECT INFO:
JOB NO: 2410-141
DATE: 10.23.2024
DRAWN BY: JD

REVISIONS

NO	DATE	DESCRIPTION
A1	11.01.2024	ADD'D WINDOW
A2	11.06.2024	ADD'D DOOR
A3	11.07.2024	SWITCH TO SECTRUM
A4	12.19.2024	Transoms
A5	01.06.2025	R.O. 120X92

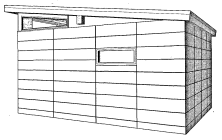
☐ APPROVED - AS DRAWN
☐ APPROVED - WITH MINOR CHANGES AS NOTE CHANGES ABOVE
CLIENT SIGNATURE Ed Shimmon
DATE 2/3/2025

PLEASE NOTE:
ANY CHANGES AFTER SIGNATURE APPROVING THESE DRAWINGS WILL INCUR EXTRA CHANGES TO STRUCTURAL AND POSSIBLY AN ADDITIONAL ACAD DRAWING FEE.

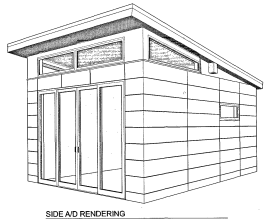
SMALL PRINT

THIS DRAWING IS CONSIDERED PROPRIETY. IT'S NOT TO BE REPRODUCED, NOR THE INFORMATION CONTAINED TO BE USED TO PRODUCE PRODUCTS, UNLESS WRITTEN CONSENT IS FIRST OBTAINED FROM DESIGN SHED. ALL DRAWINGS PRIOR TO IN PRODUCTION ARE SUBJECT TO CHANGES. ALL CHANGES ARE TO BE AGREED UPON BY BOTH PARTIES. THE PURCHASER IS RESPONSIBLE TO ALL CHANGES AFTER APPROVAL WILL RESULT IN ADDITIONAL FEES AND MAY ALSO AFFECT THE DELIVERY DATE. THE PURCHASER IS RESPONSIBLE TO ALL LOCAL JURISDICTIONS, AND ANY APPLICABLE "CC+R'S AND HOA'S AND/OR AGENCIES. SHED, INC. OR ANY OF IT'S AGENTS HARMLESS IN ANY SUIT OR LITIGATION WHICH MAY ARISE FROM SUCH LAWS OR REGULATIONS.

DRAWING NUMBER
3 OF 7

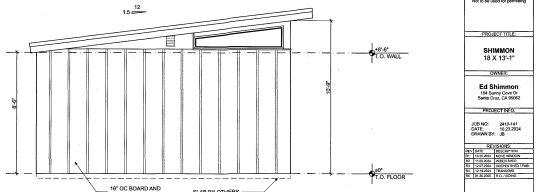


SIDE D/C RENDERING



SIDE A/D RENDERING

Docusign Envelope ID: 330CB581-6F80-4493-877D-54DE045114EF



B LEFT ELEVATION
SCALE: 1/4" = 1'-0"

Modern Shed

Design Confirmation Drawings
Not to be used for permitting

PROJECT TITLE
SHIMMON
18 X 13'-1"

OWNER
Ed Shimmon
154 Sunny Cove Dr
Santa Cruz, CA 95062

PROJECT INFO:
JOB NO: 2410-141
DATE: 10.23.2024
DRAWN BY: JD

REVISIONS

NO	DATE	DESCRIPTION
A1	11.01.2024	ADD'D WINDOW
A2	11.06.2024	ADD'D DOOR
A3	11.07.2024	SWITCH TO SECTRUM
A4	12.19.2024	Transoms
A5	01.06.2025	R.O. 120X92

☐ APPROVED - AS DRAWN
☐ APPROVED - WITH MINOR CHANGES AS NOTE CHANGES ABOVE
CLIENT SIGNATURE Ed Shimmon
DATE 2/3/2025

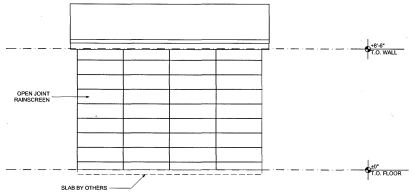
PLEASE NOTE:
ANY CHANGES AFTER SIGNATURE APPROVING THESE DRAWINGS WILL INCUR EXTRA CHANGES TO STRUCTURAL AND POSSIBLY AN ADDITIONAL ACAD DRAWING FEE.

SMALL PRINT

THIS DRAWING IS CONSIDERED PROPRIETY. IT'S NOT TO BE REPRODUCED, NOR THE INFORMATION CONTAINED TO BE USED TO PRODUCE PRODUCTS, UNLESS WRITTEN CONSENT IS FIRST OBTAINED FROM DESIGN SHED. ALL DRAWINGS PRIOR TO IN PRODUCTION ARE SUBJECT TO CHANGES. ALL CHANGES ARE TO BE AGREED UPON BY BOTH PARTIES. THE PURCHASER IS RESPONSIBLE TO ALL CHANGES AFTER APPROVAL WILL RESULT IN ADDITIONAL FEES AND MAY ALSO AFFECT THE DELIVERY DATE. THE PURCHASER IS RESPONSIBLE TO ALL LOCAL JURISDICTIONS, AND ANY APPLICABLE "CC+R'S AND HOA'S AND/OR AGENCIES. SHED, INC. OR ANY OF IT'S AGENTS HARMLESS IN ANY SUIT OR LITIGATION WHICH MAY ARISE FROM SUCH LAWS OR REGULATIONS.

DRAWING NUMBER
4 OF 7

Docusign Envelope ID: 330CB581-6F80-4493-877D-54DE045114EF



C REAR ELEVATION
SCALE: 1/4" = 1'-0"

Modern Shed

Design Confirmation Drawings
Not to be used for permitting

PROJECT TITLE
SHIMMON
18 X 13'-1"

OWNER
Ed Shimmon
154 Sunny Cove Dr
Santa Cruz, CA 95062

PROJECT INFO:
JOB NO: 2410-141
DATE: 10.23.2024
DRAWN BY: JD

REVISIONS

NO	DATE	DESCRIPTION
A1	11.01.2024	ADD'D WINDOW
A2	11.06.2024	ADD'D DOOR
A3	11.07.2024	SWITCH TO SECTRUM
A4	12.19.2024	Transoms
A5	01.06.2025	R.O. 120X92

☐ APPROVED - AS DRAWN
☐ APPROVED - WITH MINOR CHANGES AS NOTE CHANGES ABOVE
CLIENT SIGNATURE Ed Shimmon
DATE 2/3/2025

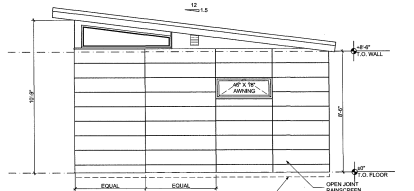
PLEASE NOTE:
ANY CHANGES AFTER SIGNATURE APPROVING THESE DRAWINGS WILL INCUR EXTRA CHANGES TO STRUCTURAL AND POSSIBLY AN ADDITIONAL ACAD DRAWING FEE.

SMALL PRINT

THIS DRAWING IS CONSIDERED PROPRIETY. IT'S NOT TO BE REPRODUCED, NOR THE INFORMATION CONTAINED TO BE USED TO PRODUCE PRODUCTS, UNLESS WRITTEN CONSENT IS FIRST OBTAINED FROM DESIGN SHED. ALL DRAWINGS PRIOR TO IN PRODUCTION ARE SUBJECT TO CHANGES. ALL CHANGES ARE TO BE AGREED UPON BY BOTH PARTIES. THE PURCHASER IS RESPONSIBLE TO ALL CHANGES AFTER APPROVAL WILL RESULT IN ADDITIONAL FEES AND MAY ALSO AFFECT THE DELIVERY DATE. THE PURCHASER IS RESPONSIBLE TO ALL LOCAL JURISDICTIONS, AND ANY APPLICABLE "CC+R'S AND HOA'S AND/OR AGENCIES. SHED, INC. OR ANY OF IT'S AGENTS HARMLESS IN ANY SUIT OR LITIGATION WHICH MAY ARISE FROM SUCH LAWS OR REGULATIONS.

DRAWING NUMBER
5 OF 7

Docusign Envelope ID: 330CB581-6F80-4493-877D-54DE045114EF



D RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

Modern Shed

Design Confirmation Drawings
Not to be used for permitting

PROJECT TITLE
SHIMMON
18 X 13'-1"

OWNER
Ed Shimmon
154 Sunny Cove Dr
Santa Cruz, CA 95062

PROJECT INFO:
JOB NO: 2410-141
DATE: 10.23.2024
DRAWN BY: JD

REVISIONS

NO	DATE	DESCRIPTION
A1	11.01.2024	ADD'D WINDOW
A2	11.06.2024	ADD'D DOOR
A3	11.07.2024	SWITCH TO SECTRUM
A4	12.19.2024	Transoms
A5	01.06.2025	R.O. 120X92

☐ APPROVED - AS DRAWN
☐ APPROVED - WITH MINOR CHANGES AS NOTE CHANGES ABOVE
CLIENT SIGNATURE Ed Shimmon
DATE 2/3/2025

PLEASE NOTE:
ANY CHANGES AFTER SIGNATURE APPROVING THESE DRAWINGS WILL INCUR EXTRA CHANGES TO STRUCTURAL AND POSSIBLY AN ADDITIONAL ACAD DRAWING FEE.

SMALL PRINT

THIS DRAWING IS CONSIDERED PROPRIETY. IT'S NOT TO BE REPRODUCED, NOR THE INFORMATION CONTAINED TO BE USED TO PRODUCE PRODUCTS, UNLESS WRITTEN CONSENT IS FIRST OBTAINED FROM DESIGN SHED. ALL DRAWINGS PRIOR TO IN PRODUCTION ARE SUBJECT TO CHANGES. ALL CHANGES ARE TO BE AGREED UPON BY BOTH PARTIES. THE PURCHASER IS RESPONSIBLE TO ALL CHANGES AFTER APPROVAL WILL RESULT IN ADDITIONAL FEES AND MAY ALSO AFFECT THE DELIVERY DATE. THE PURCHASER IS RESPONSIBLE TO ALL LOCAL JURISDICTIONS, AND ANY APPLICABLE "CC+R'S AND HOA'S AND/OR AGENCIES. SHED, INC. OR ANY OF IT'S AGENTS HARMLESS IN ANY SUIT OR LITIGATION WHICH MAY ARISE FROM SUCH LAWS OR REGULATIONS.

DRAWING NUMBER
6 OF 7

REVISIONS	BY

ROBIN ALAGA
250 Evening Hill Lane Corralitos, CA 95076
Phone: (831)724-4994 Cell: (831)419-4919
e-mail: alagarobin@gmail.com

SHIMMON SHED

Eddie Shimmon 650 804-5119 eddieshimmon@gmail.com
154 Sunny cove Santa Cruz, CA 95062

A.P.N. 028 – 221 – 16

Robin Alaga

DRAWN: R-BIN
CHECKED:
DATE: 10. AUGUST. 25
SCALE: NOTED
JOB NO. 15-36
SHEET: 7 OF SHEETS

FOR TAX PURPOSES ONLY

THE ASSESSORS OFFICE 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 1998

POR. OF N.E. 1/4 SEC. 20,
T.11S., R.1W., M.D.B. & M.

Tax Area Code
82-040

28-22



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

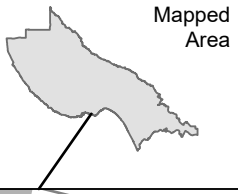
Assessor's Map No. 28-22
County of Santa Cruz, Calif.
Aug. 1998

Electronically Redrawn 8/27/98 rw
Rev. 8/27/98 (Por. to pg. 46) rw
Rev. 9/9/12 mc (118RS28)
Rev. 6/18/20 jg (129M38)

EXHIBIT E

Santa Cruz County Planning Department

Parcel Location Map





Parcel: 02822116

Subject Parcel

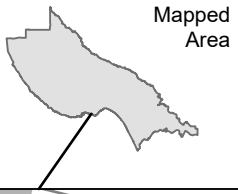
Map printed: 17 Jun. 2026

0 20 40

Feet

Santa Cruz County Planning Department

Parcel General Plan Map



028-221-16

R-UM

O-R

SUNNY COVE DR

18TH AV

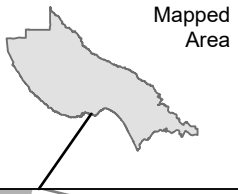
Subject Parcel

0 20 40

Feet

Santa Cruz County Planning Department

Parcel Zoning Map



PR-D

PR

SUNNY COVE DR

R-1-4

028-221-16

18TH AV

Subject Parcel

0 20 40

Feet

Application #: 251357
APN: 028-221-16
Owner: Ed Shimmon

Parcel Information

Services Information

Urban/Rural Services Line:	_X_ Inside __ Outside
Water Supply:	City of Santa Cruz
Sewage Disposal:	Santa Cruz County Sanitation District
Fire District:	Central Fire Protection District
Drainage District:	Zone 5 Flood Control District

Parcel Information

Parcel Size:	~~3,833~~ **4,000** square feet (~~GIS~~ **Plans**)
Existing Land Use - Parcel:	Single family residence
Existing Land Use - Surrounding:	Single family residential neighborhood, public beach
Project Access:	Sunny Cove Drive
Planning Area:	Live Oak
Land Use Designation:	R-UM (Urban Medium Density Residential)
Zone District:	R-1-4 (Single Family Residential - 4,000 square foot minimum)
Coastal Zone:	_X_ Inside __ Outside
Appealable to Calif. Coastal Comm.	_X_ Yes __ No

Technical Reviews: None

Environmental Information

Geologic Hazards:	Not mapped/no physical evidence on site
Fire Hazard:	Not a mapped constraint
Slopes:	2-3%
Env. Sen. Habitat:	Not mapped/no physical evidence on site
Grading:	No grading proposed
Tree Removal:	No trees proposed to be removed
Scenic:	Scenic beach viewshed
Archeology:	Not mapped/no physical evidence on site

EXHIBIT F

January 7, 2026

David Bernstein
145 18th Ave. Santa Cruz, CA 95062
408-857-9872 mobile
davidrbernstein@yahoo.com

Santa Cruz County Planning Department
Attn: Zoning Administrator & Project Planner
To: randall.adams@santacruzcountyca.gov

701 Ocean Street, 4th Floor Santa Cruz, CA 95060
Cc: Code.Compliance@santacruzcountyca.gov
Cc: Shawna.Rooks@santacruzcountyca.gov

RE: OBJECTION to Variance & Coastal Development Permit Application
Subject Property: 154 Sunny Cove Dr. (APN: 028-221-16)
Applicant/Owner: Ed Shimmon

To the Planning Department and Zoning Administrator,

I am writing to formally oppose the variance and Coastal Development Permit application for the structure recently constructed at **154 Sunny Cove Dr.** I am the owner of the property at **145 18th Ave**, which directly abuts the subject property. My home has been in my family since its construction in the 1930s; we are long-term stakeholders in the preservation of this neighborhood's character and safety.

The applicant is seeking to legitimize a 12' x 18' structure that was knowingly built without permits, in direct violation of zoning standards, and with total disregard for adjacent properties. I urge you to **deny** this application because the findings required for a variance cannot be met.

1. No Special Circumstances Exist (Violation of County Code 13.10.230) The applicant cannot demonstrate that the land possesses unique physical characteristics (such as topography or shape) that forced this placement.

- **Fact:** The lot is flat and buildable.
- **Self-Imposed Hardship:** The applicant chose to place a 216 sq. ft. structure with a **zero (0) foot setback** simply to maximize his own usage. He constructed it rapidly over the course of six days to evade notice. The only "special circumstance" here is that the applicant chose to break the law before asking for permission.
- **Failure to Plan:** The applicant constructed the main residence on this lot relatively recently. If a large accessory structure was required for his needs, it should have been included in the original comprehensive site plan and permit application for the main

EXHIBIT G

house. By engaging in piecemeal development, the applicant is attempting to bypass the holistic review of the site's capacity.

2. Invalid Comparison to Historical "Non-Conforming" Structures The applicant may attempt to justify this variance by pointing to other detached garages or structures on our street that have reduced setbacks. This is a false equivalence.

- **Historical Context:** Many homes on Sunny Cove and 18th Ave were built well before 1950, prior to the adoption of the 1961 Santa Cruz County General Plan and modern zoning setbacks.
- **Legal Distinction:** These older structures are "Legal Non-Conforming" (grandfathered). They are permitted to remain solely because of their age, not because the placement is currently safe or desirable.
- **No Precedent:** The existence of a 1940s garage with a reduced setback does not constitute a legal precedent for *new* construction in [Current Year]. Granting a variance for a new build based on pre-zoning historical layouts would render the current Zoning Ordinance meaningless.

3. Severe Intrusion and "Special Privilege" Granting a variance for a zero-setback structure of this magnitude would constitute a grant of special privilege not enjoyed by any other property owner in the Live Oak area.

- **Encroachment:** The structure is not merely close to the property line; it is physically intrusive. The builders actually **trimmed the cap of my fence** to make the wall flush, and the roofline **hangs over the property line** into my airspace.
- **Massing:** This is not a garden shed. It is 13 feet tall, creating a massive wall that looms over my yard, blocking light and creating an eyesore.
- **Privacy:** The structure includes windows positioned above the fence line that look directly into my backyard, destroying the privacy my family has enjoyed for nearly a century.

4. Adverse Impact on Coastal Zone Resources and Parking Because this property is located in the Coastal Zone at Sunny Cove, specific protections regarding public access and density apply.

- **Elimination of Required Parking:** It appears this structure has been built over an area previously designated (or naturally used) as on-site parking for the main residence. The applicant must demonstrate that the main residence still meets current off-street parking standards with this new footprint.
- **Public Access Impact:** This property faces the beach at Sunny Cove, an area already plagued by severe traffic congestion and limited public parking. By reducing his own on-site parking capacity to build this structure, the applicant will inevitably force more vehicles onto the street. In the Coastal Zone, private development that displaces vehicles onto public streets—thereby competing with public beach access—is a violation of the Coastal Act's intent.

5. Safety Hazards and Unpermitted Infrastructure The structure presents immediate safety concerns that a variance would permanently lock in:

- **Fire Safety:** The structure is located only roughly **2 feet from the main residence** on the lot and 0 feet from my fence. This lack of separation creates a fire bridge between properties and prevents emergency access.
- **Drainage:** The placement of a new concrete slab right against the property line alters natural drainage, threatening runoff issues for my property.

6. The "Trojan Horse" ADU Concern While the applicant describes this as storage, the physical characteristics suggest it is designed for future habitation.

- The structure is sized like a studio ADU (12' x 18').
- It has been wired for electricity.
- It includes windows suitable for a dwelling.
- The variance process should not be used as a loophole to establish a building footprint that bypasses the stricter life-safety setbacks required for habitable ADUs. If this footprint is approved now as "storage," it creates a pathway to convert it to an ADU later, permanently bypassing the 5-foot and 15-foot setbacks required for safe housing.

Conclusion The applicant has admitted to me verbally that he knew the construction was non-compliant but proceeded anyway. To grant a variance now would reward bad faith actions and set a precedent that zoning codes can be ignored if one has the resources to fight the legal battle later.

I respectfully request that the Planning Department **deny** the requested variances and order the removal of the structure and the concrete slab to restore the required setbacks.

Sincerely,

David Bernstein

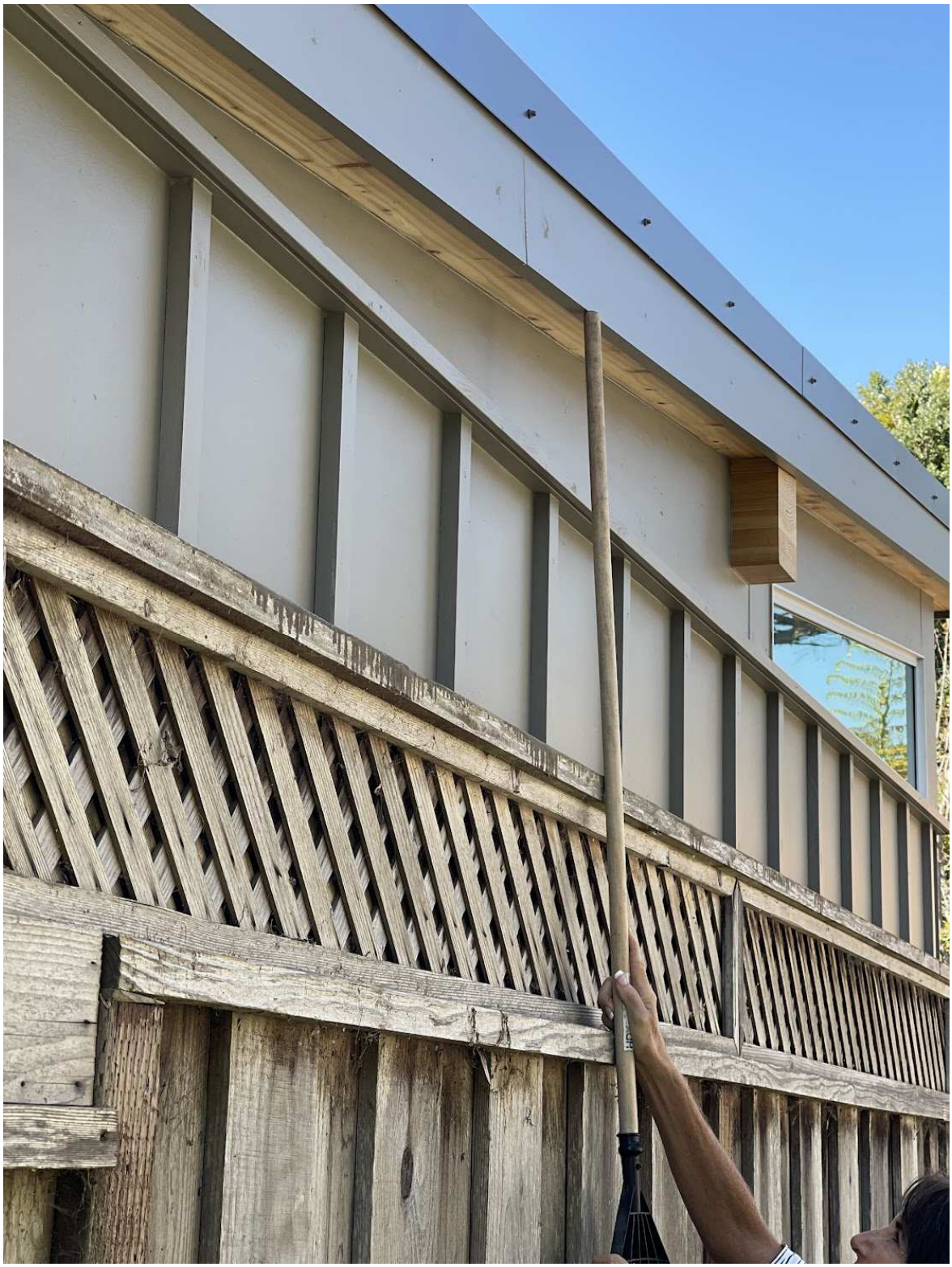
Attachments: "Media and Photos: Physical Encroachment."

Please see the video at https://photos.app.goo.gl/USWfHtp5jNzFjiwe8

FURTHER PHOTOS FOLLOW:



Showing the Structure Towering over my Back Fence
Note the window which overlooks my backyard
Note the Sun this blocks, the Shadow in my Backyard mid-afternoon
Is from this Structure



Showing the roof actually intruding over the property line
Note the roof beam they had to cut off not to further overhang into my yard



Showing how the Cap of my Fence was cut into so that
Structure could eliminate even **1** inch of Setback to Zero Inches



Another View of the Zero Setback
And the Overhang into my Yard



Showing Zero Setback to the other home on the Left as well!



Showing how close this is (about 2 feet) to the Main Structure
The ground floor skylights (not vents!) you see on the main structure
Indicate that it is a basement/living space.
These two structures are unsafely close to each other there is no Fire access

NOTE THE WINDOWS AND SLIDING GLASS DOORS ON THE “SHED”
NOTE THE HOUSE NUMBER ON THE “STORAGE SHED” ??
DOES THIS LOOK LIKE IT WILL ULTIMATELY BE A STORAGE SHED OR A FUTURE ADU?

Randall Adams

From: Kathleen Gleitsmann <kathygleitsmann@gmail.com>
Sent: Saturday, January 17, 2026 8:31 PM
To: Randall Adams
Subject: Public Comments on APN: 02822116 154 SUNNY COVE DR, SANTA CRUZ CA 95062 (APP: 251357)

****CAUTION:This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Dear Mr. Adams,

I am writing to express my strong opposition to permit application #251357. As a direct neighbor at #135 18th Avenue - adjacent to the homeowner at 145 18th Avenue, I have first-hand knowledge of the history of this structure and have been personally impacted by its construction.

I want to bring the following points to the County's attention:

• Lack of Transparency and Permits:

I was present when this structure was originally built. I saw someone on 145 18th Avenue who I thought was trespassing. When I asked the worker to show me the permit for the structure, I was told he was not the owner. Thirty-minutes later, the owner approached me at my home on 18th Avenue and proceeded to argue with me saying he did not need a permit.

• Misrepresentation of Use:

At the time of construction, I was told the building was "just a tool shed." It is now clear that it was built as a larger, illegal unit intended to bypass standard code requirements.

• Encroachment and Safety:

The structure is built on the property line and right up to the fence, completely ignoring the required 5-foot setbacks. This creates a safety hazard and a total lack of buffer between the properties.

• History of Trespassing:

During the construction phase, I witnessed a worker trespassing onto 145 18th Avenue property with a ladder. At that time the worker did not have permission to enter the property from the owner of 145 18th avenue.

• Illegal Structure:

The new structure is intrusive and negatively impacts the character and safety of our neighborhood. Allowing a variance for a structure that was built willfully and knowingly out of code would set a poor precedent for our community.

I respectfully request that this variance be denied and the structure be removed. If a structure is to be built there it must follow the standard permitting and review process to meet the County building code requirements.

Thank you for your time and for considering the input of a long-term resident of this neighborhood.

Kathy Gleitsmann

MARK A. MASSARA
ATTORNEY AT LAW
65 VENTURA STREET
HALF MOON BAY, CALIFORNIA 94019
T: 805.895.0963
MARKMASSARA@COASTALADVOCATES.COM
WWW.MARKMASSARA.COM

Via Electronic Mail

Randall Adams
Project Planner
Development Review
Department of Community Development and Infrastructure
701 Ocean Street, 4th Fl.
Santa Cruz CA 95060

April 28, 2026

Re: Incomplete Application Additional Information Request
Application #251357
154 Sunny Cove Drive
Santa Cruz County CA 95062
APN 028-221-16
Owner: Shimmon

Dear Mr. Adams,

Thank you for your 3rd Routing Review correspondence dated March 11, 2026, and subsequent correspondence with architect Robin Alaga on March 12 clarifying the Project Description.

This correspondence confirms the Project Description, and responds to other comments in your 3rd Routing Review letter.

Project Description

Proposal to recognize an existing storage shed. Requires a Coastal Development Permit and Variances to reduce the required 15 foot rear yard setback to about 0 feet to the shed and to reduce the required 5 foot side yard setback to about 0 feet to the shed. Property located at 154 Sunny Cove in the Live Oak Planning area.

Notice of Proposed Development Posting

Regarding "Items of Incomplete Application," attached here as Exhibit A is evidence of signage and notification of the development permit application as required by the Neighborhood Notification Guidelines, which includes the above referenced Project Description.

Compliance Issues

With respect to "Compliance Issues," we appreciate that you have again referenced one alternative, and cited County Code Sections which allow for sheds of 120 square feet in size, and your view that we reduce the size of the project from 240 square feet to 120 square feet. SCCC 13.10.611(D)(2).

However, as previously explained, the basis of *this* application is that 120 square feet is not a structure of sufficient size to be able to reasonably park and store the Applicant's bikes and scooters. Instead, it would require Applicant to park and store bikes *outside* where ocean adjacent weather deterioration and theft will certainly result. Worse the consequence of your view is that Applicant will be forced abandon these modes of transport in favor of additional gasoline chugging vehicles that will clog Sunny Cove Drive and reduce neighborhood parking for high priority public coastal access. Given the properties' proximate location to the eastside, mid and downtown Santa Cruz, the option of going bikeless isn't preferrable to the Applicant's family.

As shown clearly in attached Exhibit B photograph, the existing shed comfortably contains Applicant's bikes, but is in no way overly large or unsightly. Viewed more closely, the blue tape on the floor of Exhibit B is the outline of what a 120 square foot alternative sized shed would be like. Obviously, it isn't able to hold a reasonable number of bikes, or accessory tools and even a single chair.

Thus, the original proposed Findings in support of a variance per SCCC 13.10.230(c) remain appropriate and we urge you recommend they be adopted consistent with the unique circumstances of this Project. Among other things, Applicant's lot is small, the shed cannot be seen for the coast or surrounding streets or public

property, and there are numerous other similarly sized and sited sheds throughout the immediate vicinity. See Exhibit C attached here.

In addition to the previously provided Exhibit C Findings, also attached is Exhibit D. Exhibit D an aerial photo map of the existing neighborhood and the numerous existing sheds and structures with limited and/or no rear yard or side yard setbacks. Exhibit D is the area immediately surrounding the Applicant's property in the Sunny Cove Live Oak Planning area. By our rough count there are currently *at least* seven other rear yard shed structures with no side or rear yard setbacks, including the very large double sized structure *immediately adjacent* to the backyard fence line of the Project site. All of these shed structures are within approximately 200-ft of the Applicant's property.

Obviously, when viewed within the context of the immediate character of the surrounding community, the proposed Project is neither out of place nor overly large. It is, in fact, completely consistent with the surrounding land uses and accessory structures.

Nor can the Applicant's shed be seen from any public or scenic vantage point. In fact, given its location, it is shielded and 'tucked in' between existing large trees and landscaping on one side and the neighbors much larger shed (with no setback) on the other. It is virtually unnoticeable to anyone but persons in the Applicant's own backyard.

Thus, the project is consistent with both the neighborhood, and the proposed use, and is consistent with findings needed for a variance and approval.

Neighbor Support

Neighbor support for the project also underscores the banality of the proposal. Attached hereto as Exhibit E are letters of support for the project from owners of properties surrounding 154 Sunny Cove, including support from the owners 134, 183 & 190 Sunny Cove Drive.

Conclusion

When viewed within the context of the property, and the unique setting and practical reality of the existing currently developed neighborhood, and the fact Applicant's shed cannot be seen from any public property, the facts clearly underscore that a variance is appropriate for this small Project.

We trust these materials are adequate for your support for a variance and recommendation of approval for the Project. If you have any remaining questions or would like additional information, please do not hesitate to contact us.

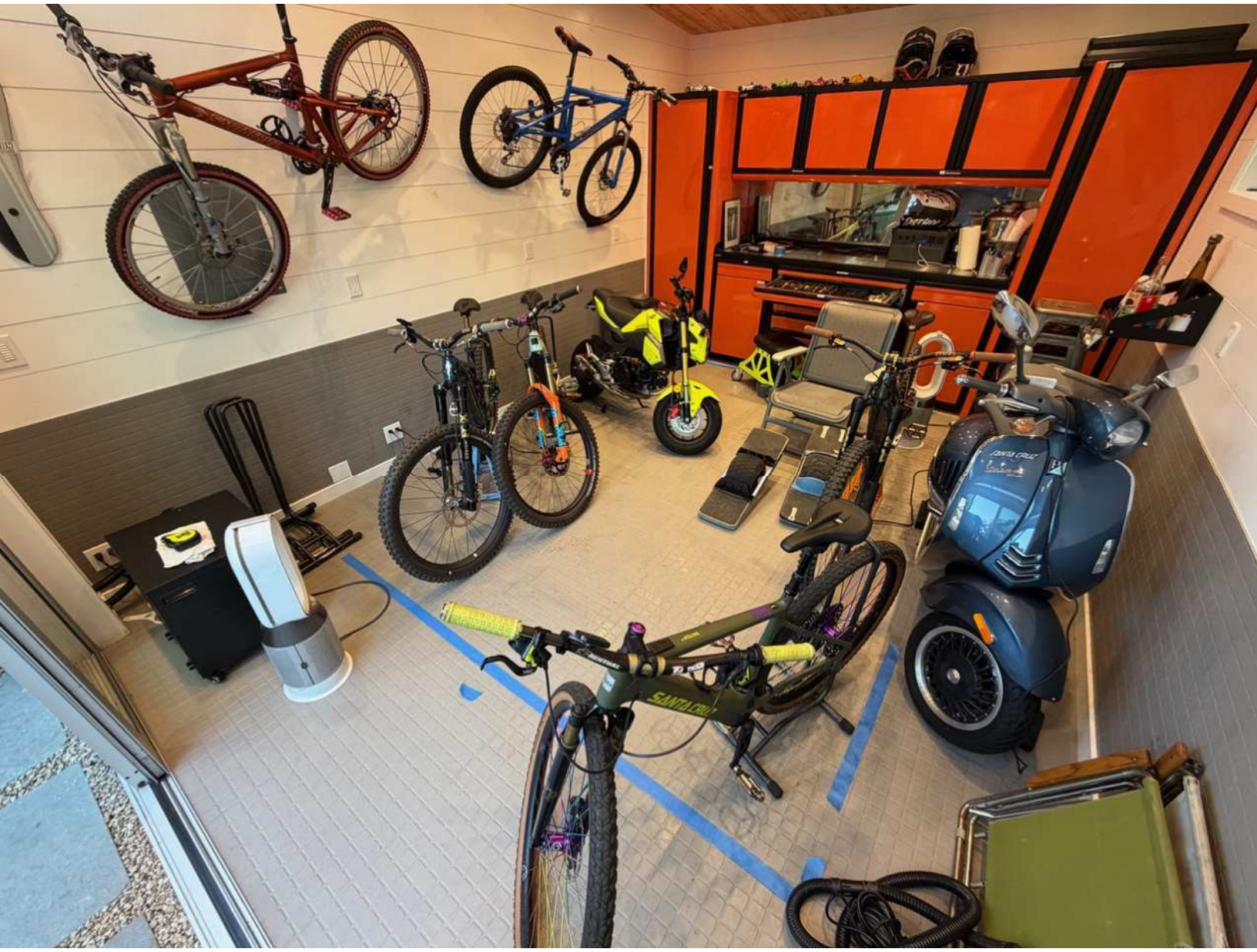
Very truly yours,



Mark A. Massara, Esq.

cc: Eddie Shimmon
Dee Murray
Robin Alaga


NOTICE OF PROPOSED DEVELOPMENT
APPLICATION # 251357
PROPOSAL TO RECOGNIZE AN EXISTING STORAGE SHED. REQUIRES A COASTAL DEVELOPMENT PERMIT AND VARIANCES TO REDUCE THE REQUIRED 15 FOOT REAR YARD SETBACK TO ABOUT 0 FEET TO THE SHED AND TO REDUCE THE REQUIRED 5 FOOT SIDE YARD SETBACK TO ABOUT 0 FEET TO THE SHED.
PROPERTY LOCATED AT 154 SUNNY COVE IN THE LIVE OAK PLANNING AREA.
APN: 028-221-16
FOR FURTHER INFORMATION CONTACT:
APPLICANT:
DEE MURRAY
Tel. 831475.5334
deeInduse@yahoo.com
PROJECT
RANDALL ADA
PLANNING DEPART
Tel. 831.454.3218
randall.adams@santacruzcountyca.


SANTA CRUZ

Ed Shimmon
154 Sunny Cove Drive
APN: 028-221-16

VARIANCE FINDINGS:

The special circumstances related to this property are the size and location Size:

1 The size of the property is only 3,883 sq. ft. It has only a small one car garage. It is adverse to the reasonable storage of ancillary residential activity items such as bicycles, beach chairs, golf clubs, surfboards, stand up surfboards, kayaks, motorcycles, tools, etc. that cannot be stored outside without environmental degradation, erosion and damage. An enclosed shed will provide an opportunity to safely storage recreation and accessory equipment and tools outside of the weather, lengthen their expected lifetime and reduce consumer waste.

Location: The house is located immediately adjacent to Sunny Cove Beach and recreation area. The location adjacent to the ocean provides excellent recreation opportunities but also presents weather exposure that directly and adversely affects items stored outside as described above such as bikes and motorcycles. Shed storage will protect these items.

Equally important, the Sunny Cove area is an extremely popular public beach recreation area. Adjacent public sidewalk and street areas are crowded with pedestrians and vehicle traffic at all hours during the weekends and throughout the summer. It is also known for large public gatherings and frequent nighttime beach recreation that requires careful oversight by the Santa Cruz County Sheriff's. The Sheriff has advised neighbors in the immediate vicinity that outside storage of residential recreation accessory equipment (surfboards, et al) is not recommended. Safe storage inside a shed is an ideal method for safe and secure storage of accessory recreation items.

2. The variance will meet the intent of the zoning and will not be detrimental to public health, safety and welfare, and not detrimental to other property in the neighborhood.

The shed is not visible and has no adverse impact to any scenic resource in the area, public or private. It is entirely located within the backyard of the adjacent residence and not visible from the beach, sidewalk and street. It does not interfere with air or light or privacy of adjoining or adjacent properties.

3. Maintaining the development will not be a grant of special privilege inconsistent with other properties in the neighborhood.

The non-habitable storage structure in the rear and within the side yard at 154 Sunny Cove is not a special privilege or disadvantage to other properties in the area. In fact, many nearby residential properties already have such structures. They are very common. For example, the houses at 120, 130 and 134 Sunny Cove Drive, have similar structures. The garage at 165 – 18th Avenue encroaches into the rear setback. Please reference Google Satellite pictures for other structures encroaching into the required setbacks.

3D
180 Sunny Cove
170 Sunny Cove
165 18th Ave
145 18th Ave
154 Sunny Cove
Shed
134 Sunny Cove
130 Sunny Cove
120 Sunny Cove
180
175
170
165
168
155
145
134
120
110
101
100

To Whom it May Concern,

As a neighbor of the property located at 154 Sunny Cove Drive, Santa Cruz, CA, I am writing to express my support for approval of the existing shed structure on their property.

I understand that the shed is currently under review related to height, size, and proximity to setback requirements. Based on my personal observations, I can confirm that the shed does not obstruct my view, interfere with the use or enjoyment of my property, or negatively impact the look and feel of our neighborhood.

In fact, the shed is modern, brand new, and visually well-designed. It complements the surrounding neighborhood and environment and is a clear improvement over older or more intrusive outbuildings often found in similar coastal properties. I find it to be attractive, well-maintained, consistent with and respectful of the neighborhood aesthetic.

I fully support the owners' efforts to retain the structure as-is, and I appreciate that they are working with legal and planning professionals to address this matter properly and responsibly.

Please accept this letter as my formal support for the shed remaining in place at 154 Sunny Cove Drive, and I encourage the Zoning Administrator to approve the variance and coastal development permit.

Sincerely,

Neighbor Name: Ed Malloy

Neighbor Address: 134 Sunny Cove Dr

Signature: _____

Date: 6/26/2025

To Whom It May Concern,

As a neighbor of the property located at 154 Sunny Cove Drive, Santa Cruz, CA, I am writing to express my support for the existing shed structure on their property.

I understand that the shed is currently under review due to concerns related to height, size, and proximity to setback requirements. Based on my personal observations, I can confirm that the shed does not obstruct my view, interfere with the use or enjoyment of my property, or negatively impact the look and feel of our neighborhood.

In fact, the shed is modern, brand new, and visually well-designed. It complements the surrounding environment and is a clear improvement over older or more intrusive outbuildings often found in similar coastal properties. I find it to be attractive, well-maintained, and respectful of the neighborhood aesthetic.

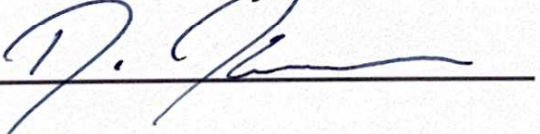
I fully support the owners' efforts to retain the structure as-is, and I appreciate that they are working with legal and planning professionals to address this matter properly and responsibly.

Please accept this letter as my formal support for the shed remaining in place at 154 Sunny Cove Drive.

Sincerely,

Neighbor Name: Don Kinnamon

Neighbor Address: 183 Sunny Cove Dr

Signature: 

Date: 06/27/2025

To Whom it May Concern,

As a neighbor of the property located at 154 Sunny Cove Drive, Santa Cruz, CA, I am writing to express my support for approval of the existing shed structure on their property.

I understand that the shed is currently under review related to height, size, and proximity to setback requirements. Based on my personal observations, I can confirm that the shed does not obstruct my view, interfere with the use or enjoyment of my property, or negatively impact the look and feel of our neighborhood.

In fact, the shed is modern, brand new, and visually well-designed. It complements the surrounding neighborhood and environment and is a clear improvement over older or more intrusive outbuildings often found in similar coastal properties. I find it to be attractive, well-maintained, consistent with and respectful of the neighborhood aesthetic.

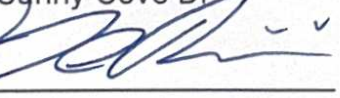
I fully support the owners' efforts to retain the structure as-is, and I appreciate that they are working with legal and planning professionals to address this matter properly and responsibly.

Please accept this letter as my formal support for the shed remaining in place at 154 Sunny Cove Drive, and I encourage the Zoning Administrator to approve the variance and coastal development permit.

Sincerely,

Neighbor Name: Richard Rivoir

Neighbor Address: 190 Sunny Cove Dr

Signature: 

Date: 6-30-25

Randall Adams

From: David Bernstein <davidrbernstein@yahoo.com>
Sent: Saturday, August 15, 2026 12:19 PM
To: Randall Adams
Subject: Application 251357 (APN 028-221-16) — request for appeal jurisdiction basis and parcel area clarification

****CAUTION:This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Subject: Application 251357 (APN 028-221-16) — request for appeal jurisdiction basis and parcel area clarification

Dear Mr. Adams,

I am the owner of 145 18th Avenue, the parcel immediately adjoining 154 Sunny Cove Drive, and I will be commenting on Application 251357 at the hearing. Ahead of that, I would appreciate clarification on three items in the staff report so that my comments are accurate.

1. Appeal jurisdiction. Exhibit F states that the project is appealable to the California Coastal Commission. Could you confirm the basis for that determination under Public Resources Code section 30603(a)(1) — whether the parcel is treated as lying between the sea and the first public road paralleling the sea, or within 300 feet of the inland extent of the beach, or both? If the County has a post-LCP-certification appeal jurisdiction map covering APN 028-221-16, I would appreciate a copy or a link.

2. Parcel area. The record contains three different figures. The staff report and Exhibit F state 3,833 square feet (GIS). The applicant's written variance findings state 3,883 square feet. The Project Data block on the plan set, Exhibit D, states 4,000 square feet. Since the sole special circumstance identified in Variance Finding 1 is that the parcel is less than the 4,000 square foot minimum for the R-1-4 district, could you confirm which figure the Planning Division is relying on?

3. Lot coverage. The lot coverage calculation on Exhibit D reports 1,745 square feet as 43.6 percent against a 45 percent maximum, which appears to be derived from a 4,000 square foot parcel. The same sheet's Project Data block separately states 1,651 square feet, or 41 percent. Could you confirm which calculation the Division has reviewed, and what the coverage percentage is when computed against the parcel area identified in item 2?

Separately, please add me to the notice list for all further actions on this application and this parcel, and please serve me with the Final Local Action Notice if the application is approved in any form.

Thank you for your time. I am happy to pick any of this up by phone if that is easier.

David Bernstein
145 18th Avenue
Santa Cruz, CA 95062
408 857 9872

Randall Adams

From: David Bernstein <davidrbernstein@yahoo.com>
Sent: Saturday, August 15, 2026 1:15 PM
To: Randall Adams
Subject: Re: Application 251357 (APN 028-221-16) — request for appeal jurisdiction basis and parcel area clarification

****CAUTION:This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Subject: Application 251357 (APN 028-221-16) — follow-up: Nielsen survey and roof position at the property lines

Dear Mr. Adams,

Following up on my earlier email with one further item, which I think is narrower and more easily answered.

The site plan sheet in Exhibit D includes a detail bearing the stamp of Jeff B. Nielsen, Licensed Land Surveyor No. 6832, of Mid Coast Engineers, Job No. 25085. It annotates the shed at 13.00 by 18.00 feet with offsets from the property line of 0.5 feet on one line and 0.2 feet on the other, and it distinguishes a "foundation line" from an "eave line."

The eave line appears to be drawn only on the two sides of the structure facing the existing residence and rear yard. On the two sides facing the property lines, I do not see an eave line shown. Since the staff report states at page 2 that the applicant is proposing to remove eaves and other extensions that extend beyond the walls along the side and rear property lines, I would like to understand what the survey does and does not establish about the roof.

Could you provide or confirm the following:

1. The complete, full-size Nielsen survey and the surveyor's field notes, rather than the reduced detail printed on the plan sheet.

2. Whether the eaves along the side and rear property lines had already been removed at the time the survey was performed, or whether they were present and simply not measured.

3. The dimension from each property line to the outermost edge of the roof assembly, including any drip edge, flashing or trim.

4. Whether the existing fence was located by the survey, and if so, its offset from the property line.

5. Whether a Record of Survey or corner record has been filed with the County Surveyor for this work pursuant to Business and Professions Code section 8762, and if not, the basis on which one was not required.

My interest is straightforward: the annotated wall offsets are two tenths and five tenths of a foot, so a roof edge projecting further than that would cross onto my parcel, and I cannot tell from the record whether it does. If the answer is that the roof does not cross, I would like that confirmed in the record before the hearing.

Thank you again for your help.

David Bernstein
145 18th Avenue
Santa Cruz, CA 95062
408 857 9872

On Saturday, August 15, 2026 at 12:18:49 PM PDT, David Bernstein <davidrbernstein@yahoo.com> wrote:

Subject: Application 251357 (APN 028-221-16) — request for appeal jurisdiction basis and parcel area clarification

Dear Mr. Adams,

I am the owner of 145 18th Avenue, the parcel immediately adjoining 154 Sunny Cove Drive, and I will be commenting on Application 251357 at the hearing. Ahead of that, I would appreciate clarification on three items in the staff report so that my comments are accurate.

1. Appeal jurisdiction. Exhibit F states that the project is appealable to the California Coastal Commission. Could you confirm the basis for that determination under Public Resources Code section 30603(a)(1) — whether the parcel is treated as lying between the sea and the first public road paralleling the sea, or within 300 feet of the inland extent of the beach, or both? If the County has a post-LCP-certification appeal jurisdiction map covering APN 028-221-16, I would appreciate a copy or a link.

2. Parcel area. The record contains three different figures. The staff report and Exhibit F state 3,833 square feet (GIS). The applicant's written variance findings state 3,883 square feet. The Project Data block on the plan set, Exhibit D, states 4,000 square feet. Since the sole special circumstance identified in Variance Finding 1 is that the parcel is less than the 4,000 square foot minimum for the R-1-4 district, could you confirm which figure the Planning Division is relying on?

3. Lot coverage. The lot coverage calculation on Exhibit D reports 1,745 square feet as 43.6 percent against a 45 percent maximum, which appears to be derived from a 4,000 square foot parcel. The same sheet's Project Data block separately states 1,651 square feet, or 41 percent. Could you confirm which calculation the Division has reviewed, and what the coverage percentage is when computed against the parcel area identified in item 2?

Separately, please add me to the notice list for all further actions on this application and this parcel, and please serve me with the Final Local Action Notice if the application is approved in any form.

Thank you for your time. I am happy to pick any of this up by phone if that is easier.

David Bernstein
145 18th Avenue
Santa Cruz, CA 95062
408 857 9872

Randall Adams

From: David Bernstein <davidrbernstein@yahoo.com>
Sent: Monday, August 17, 2026 10:38 AM
To: Randall Adams
Subject: Re: Application 251357 (APN 028-221-16) — request for appeal jurisdiction basis and parcel area clarification

****CAUTION:This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Good Morning Mr. Adams

Thanks for trying to get the questions below answered before the Friday meeting. In particular answers on the NV25236 status and whether a Stipulation and Order was executed are of particular interest.

Thank you again for your help.

David Bernstein
145 18th Avenue
Santa Cruz, CA 95062
408 857 9872
==========
On Saturday, August 15, 2026 at 01:14:32 PM PDT, David Bernstein <davidrbernstein@yahoo.com> wrote:

Subject: Application 251357 (APN 028-221-16) — follow-up: Nielsen survey and roof position at the property lines

Dear Mr. Adams,

Following up on my earlier email with one further item, which I think is narrower and more easily answered.

The site plan sheet in Exhibit D includes a detail bearing the stamp of Jeff B. Nielsen, Licensed Land Surveyor No. 6832, of Mid Coast Engineers, Job No. 25085. It annotates the shed at 13.00 by 18.00 feet with offsets from the property line of 0.5 feet on one line and 0.2 feet on the other, and it distinguishes a "foundation line" from an "eave line."

The eave line appears to be drawn only on the two sides of the structure facing the existing residence and rear yard. On the two sides facing the property lines, I do not see an eave line shown. Since the staff report states at page 2 that the applicant is proposing to remove eaves and other extensions that extend beyond the walls along the side and rear property lines, I would like to understand what the survey does and does not establish about the roof.

Could you provide or confirm the following:

1. The complete, full-size Nielsen survey and the surveyor's field notes, rather than the reduced detail printed on the plan sheet.

2. Whether the eaves along the side and rear property lines had already been removed at the time the survey was performed, or whether they were present and simply not measured.

3. The dimension from each property line to the outermost edge of the roof assembly, including any drip edge, flashing or trim.

4. Whether the existing fence was located by the survey, and if so, its offset from the property line.

5. Whether a Record of Survey or corner record has been filed with the County Surveyor for this work pursuant to Business and Professions Code section 8762, and if not, the basis on which one was not required.

My interest is straightforward: the annotated wall offsets are two tenths and five tenths of a foot, so a roof edge projecting further than that would cross onto my parcel, and I cannot tell from the record whether it does. If the answer is that the roof does not cross, I would like that confirmed in the record before the hearing.

Thank you again for your help.

David Bernstein
145 18th Avenue
Santa Cruz, CA 95062
408 857 9872

==========

On Saturday, August 15, 2026 at 12:18:49 PM PDT, David Bernstein <davidrbernstein@yahoo.com> wrote:

Subject: Application 251357 (APN 028-221-16) — request for appeal jurisdiction basis and parcel area clarification

Dear Mr. Adams,

I am the owner of 145 18th Avenue, the parcel immediately adjoining 154 Sunny Cove Drive, and I will be commenting on Application 251357 at the hearing. Ahead of that, I would appreciate clarification on three items in the staff report so that my comments are accurate.

1. Appeal jurisdiction. Exhibit F states that the project is appealable to the California Coastal Commission. Could you confirm the basis for that determination under Public Resources Code section 30603(a)(1) — whether the parcel is treated as lying between the sea and the first public road paralleling the sea, or within 300 feet of the inland extent of the beach, or both? If the County has a post-LCP-certification appeal jurisdiction map covering APN 028-221-16, I would appreciate a copy or a link.

2. Parcel area. The record contains three different figures. The staff report and Exhibit F state 3,833 square feet (GIS). The applicant's written variance findings state 3,883 square feet. The Project Data block on the plan set, Exhibit D, states 4,000 square feet. Since the sole special circumstance identified in Variance Finding 1 is that the parcel is less than the 4,000 square foot minimum for the R-1-4 district, could you confirm which figure the Planning Division is relying on?

3. Lot coverage. The lot coverage calculation on Exhibit D reports 1,745 square feet as 43.6 percent against a 45 percent maximum, which appears to be derived from a 4,000 square foot parcel. The same sheet's Project Data

block separately states 1,651 square feet, or 41 percent. Could you confirm which calculation the Division has reviewed, and what the coverage percentage is when computed against the parcel area identified in item 2?

Separately, please add me to the notice list for all further actions on this application and this parcel, and please serve me with the Final Local Action Notice if the application is approved in any form.

Thank you for your time. I am happy to pick any of this up by phone if that is easier.

David Bernstein
145 18th Avenue
Santa Cruz, CA 95062
408 857 9872

Randall Adams

From: David Bernstein <davidrbernstein@yahoo.com>
Sent: Tuesday, August 18, 2026 2:34 PM
To: Riley Rhodes
Cc: Randall Adams
Subject: Written opposition — Application 251357, Item 2, Zoning Administrator hearing August 21, 2026
Attachments: Opposition_Brief_App_251357 (v5).pdf

****CAUTION:This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Subject: Written opposition — Application 251357, Item 2, Zoning Administrator hearing August 21, 2026

Dear Ms. Rhodes,

Attached is written opposition to Application No. 251357 (APN 028-221-16, 154 Sunny Cove Drive), which is Item 2 on the Zoning Administrator's agenda for Friday, August 21, 2026 at 9:00 a.m.

I submit this on behalf of Milly Rose LLC, owner of the adjoining property at 145 18th Avenue, Santa Cruz. I am a manager of the LLC.

Could you please confirm that the brief has been received, that it will be transmitted to the Zoning Administrator in advance of the hearing, and that it will be made part of the administrative record for this application. I also ask that Milly Rose LLC be added to the notice list for all further actions on this application and this parcel, and that the LLC be served with the Final Local Action Notice if the application is approved in any form.

I intend to speak briefly at the hearing.

Thank you for your help.

David Bernstein, Manager
Milly Rose LLC
145 18th Avenue, Santa Cruz, CA 95062
408 857 9872
davidrbernstein@yahoo.com

WRITTEN OPPOSITION TO APPLICATION NO. 251357

Variance and Coastal Development Permit — APN 028-221-16 — 154 Sunny Cove Drive, Santa Cruz

TO: Deputy Zoning Administrator, County of Santa Cruz; Randall Adams, Project Planner

FROM: David Bernstein, Manager, Milly Rose LLC, owner of 145 18th Avenue, Santa Cruz, CA 95062 (APN 028-221-24)

DATE: August 21, 2026 — Zoning Administrator hearing, 9:00 a.m., Item 2

RE: Application No. 251357 — Owner Ed Shimmon / Applicant Dee Murray — request to DENY, or in the alternative to CONTINUE as not ripe for decision

---

I. INTEREST AND CAPACITY

145 18th Avenue immediately adjoins the subject parcel. The rear wall of the structure at issue is built directly on the shared fence line between the two properties.

The property is owned by Milly Rose LLC. I am a manager of the LLC and I appear in that capacity, not as an individual owner. The house has been in my wife's family since the 1930s, through four generations, and the LLC exists to keep it in the family. Family members have occupied it at various times; it is presently occupied by a long-term tenant rather than by the family.

Milly Rose LLC is a property owner aggrieved by the proposed action within the meaning of Chapter 18.10 of the Santa Cruz County Code. Please direct all notices on this application to the LLC at the address above.

The sequence

I reported this structure to the County on April 21, 2025 (Service Request 19285). It was red tagged on April 24, 2025. Code Compliance opened Case No. NV25236 on April 25, 2025, citing the structure for exceeding 120 square feet, having electric, and being located within the side and rear yard setbacks. Application 251357 was filed on August 26, 2025, four months after the red tag. So far as I have been informed, NV25236 remains open, no Stipulation and Order has been executed, and the red tag has not been lifted.

None of this appears anywhere in the staff report. The project description before the Zoning Administrator reads only "Proposal to recognize the construction of a storage shed." The County's own citation of the same structure, by its own investigator, is not mentioned.

II. THE RECORD IS NOT RIPE FOR DECISION

Setting aside for a moment whether the findings can be made at all, the record before the Zoning Administrator is missing facts that each of the required findings depends on. The following eleven items are unresolved on the face of the staff report and its exhibits. Each is identified in detail in the sections that follow.

1. Parcel area. The record states three different figures — 3,833, 3,883 and 4,000 square feet. The sole special circumstance supporting the variance is that the parcel is below the 4,000 square foot minimum. (Section III)

2. Lot coverage. The coverage calculation on Exhibit D is computed against 4,000 square feet, and the same sheet states a second, different coverage figure. Recomputed against the County's own parcel area, coverage appears to exceed the maximum. (Section III)

3. The position of the roof relative to both property lines. The surveyed detail locates the walls and draws an eave line only on the two sides facing the applicant's residence. (Section VII)

4. Whether the eaves along the side and rear property lines had been removed when the survey was performed, or were present and not measured. (Section VII)

5. The location of the existing fence relative to the property line, which the record does not state. (Section VII)

6. Whether a Record of Survey has been filed with the County Surveyor for this work. (Section VII)

7. Fire district review. Conditions II.A.3 and II.B defer all building and fire code review, and Central Fire Protection District review, to the building permit stage. No fire agency has evaluated this structure as built. (Sections VI and VIII)

8. The separation between the structure and the light well, and whether it meets the three-foot minimum separation between structures required by SCCC 13.10.611(D)(7). No dimension on the plans states it. (Section VIII)

9. Whether the structure contains built-in heating or cooling. Under Table 13.10.611-1 that is the amenity distinguishing a non-habitable accessory structure from a habitable one, and every finding in the packet rests on the non-habitable classification. The record does not say. (Section VIII)

10. The basis for the determination in Exhibit F that the project is appealable to the California Coastal Commission, and the applicable appeal jurisdiction map. (Section V)

11. The status of Code Compliance Case No. NV25236 — whether it remains open, whether a Stipulation and Order has been executed, and whether the red tag posted April 24, 2025 remains in effect. (Section I)

A finding must rest on evidence in the record. Where the evidence has not been gathered, the finding cannot be made, and the proper disposition is denial or a continuance — not approval subject to conditions that defer the missing facts to a later, non-public stage of review.

III. THE RECORD CONTAINS THREE DIFFERENT PARCEL AREAS, AND THE ONLY SPECIAL CIRCUMSTANCE DEPENDS ON WHICH ONE IS CORRECT

The staff report identifies a single special circumstance supporting the variance: "the small size of the parcel (at less than the minimum lot size for the zone district)." The record does not establish that fact. It contains three conflicting figures:

- Staff Report, page 2, and Exhibit F (Parcel Information): 3,833 square feet (GIS).
- Applicant's own written variance findings: 3,883 square feet.
- Applicant's plan set, Exhibit D, Project Data block: 4,000 square feet.

If the parcel is 4,000 square feet it meets the R-1-4 minimum, and the sole stated special circumstance disappears entirely.

The lot coverage calculation is computed on the disputed figure

The coverage table on Exhibit D totals 1,745 square feet and reports it as 43.6 percent against a 45 percent maximum. That percentage is derived from a 4,000 square foot parcel. Using the County's own GIS figure of 3,833 square feet, the same 1,745 square feet is approximately 45.5 percent — over the maximum. Separately, the Project Data block on the same sheet states lot coverage of 1,651 square feet (41 percent), a third figure inconsistent with the calculation table beside it.

The County's own Parcel Research Report for APN 028-221-16, dated August 16, 2026, states the parcel area as "3,833.28 (ESTIMATE)." The County expressly labels its own figure an estimate. The Parcel Location Map does not resolve the conflict either: scaled against the scale bar printed on that map, the parcel measures approximately 40 feet by 96 to 98 feet, which brackets both figures and cannot distinguish between them at the precision this finding requires.

No document in this record states the parcel area as a measured fact. A licensed surveyor was retained by the applicant and was on the property. He was not asked for the area. The sole special circumstance supporting this variance rests on a number nobody has established.

No finding of conformance with site standards can be supported until the parcel area is fixed by the County and the coverage calculation is redone against it. I request that this reconciliation be made in writing, on the record, before any action is taken.

IV. THE VARIANCE FINDINGS ARE NOT SUPPORTED BY SUBSTANTIAL EVIDENCE

A decision-making body must bridge the analytic gap between the raw evidence and the ultimate decision. *Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 515. Findings that restate the conclusion do not satisfy that requirement. Each of the three variance findings in Exhibit B has that defect.

A. Finding 1 (special circumstances) is circular, and a code-compliant alternative was available

Finding 1 states that the variances "are recommended in order to allow a small accessory structure located in the rear yard behind the existing residence." That is the outcome sought, offered as the reason for granting it. It identifies no physical constraint that prevents a conforming structure.

The record affirmatively establishes that a conforming structure is feasible. Page 2 of the staff report states that County Code permits non-habitable accessory structures up to 120 square feet and 10 feet in height within three feet of the side and rear property lines with no discretionary approval at all, and that the applicant was advised to build to that standard or, alternatively, to seek a variance. The lot is not what prevents storage on this parcel; the desired size of the structure is.

Government Code section 65906 permits a variance only where, because of special circumstances, strict application of the ordinance deprives the property of privileges enjoyed by other property in the vicinity under identical zoning classification. A preference for a larger structure than the code allows is a personal circumstance, not a property circumstance. See *Broadway, Laguna, Vallejo Assn. v. Board of Permit Appeals* (1967) 66 Cal.2d 767. A small lot explains a small structure. It does not explain a zero setback.

B. Finding 2 (not detrimental) rests on an analogy, not on evidence about this structure

Finding 2 supports the conclusion that the project is not materially detrimental by reasoning that it is "similar to garages that are allowed to be constructed to a zero foot setback on smaller parcels." A garage

is a different structure type with different code treatment, and the comparison is not evidence about the conditions actually presented here. The finding does not address:

- Combustible construction. Exhibit D specifies 2x4 studs, 7/16-inch OSB exterior sheathing and 1/2-inch plywood sheathing.
- Glazed openings in the walls sited within a few tenths of a foot of the property lines (Section VI below, and Exhibits A, B and D).
- The fire load documented in the application file — e-scooters, e-bikes and gas motorbikes stored in a wood-framed structure against the property line (Exhibit G).
- The clear width of the passage between the structure and the residence, which the plans never dimension (Section VIII below).

The County itself cited this structure for having electric. Because it was built without a permit, none of that wiring has ever been inspected.

No fire agency finding exists in this record. Condition II.B defers Central Fire Protection District review, and Condition II.A.3 defers building and fire code compliance details, to the building permit stage. The Zoning Administrator is being asked to find no material detriment before the agency responsible for that judgment has looked at the structure as built.

That has been the position since April 2025. For sixteen months the structure has remained in use, with uninspected wiring and the contents described above, while enforcement has been held in abeyance with no Stipulation and Order and no compliance deadline. Deferring the safety review again, to a stage that follows this approval, extends that condition rather than resolving it.

C. Finding 3 (special privilege) relies on structures whose legality is never established

Finding 3 rests on other accessory structures in the neighborhood, “many of which are located within required yard setbacks.” Our own parcel is one of them: the garage at 145 18th Avenue is a lawful nonconforming structure predating current setback standards. It was lawful when it was built and remains lawful for that reason — and it is not a privilege any property may replicate by new construction. As to the rest, the record does not establish that any of them was permitted at its location.

Section 65906 measures deprivation against privileges lawfully enjoyed by comparable property. Whether these structures are lawfully nonconforming, as ours is, or were never permitted at all, neither category supports this variance — and the report establishes neither.

See *Minney v. City of Azusa* (1958) 164 Cal.App.2d 12. To the extent the referenced structures are lawful nonconforming uses predating current standards, the zoning scheme contemplates their eventual elimination rather than their replication. *City of San Diego v. McClurken* (1951) 37 Cal.2d 683.

V. THE COASTAL DEVELOPMENT PERMIT FINDINGS ARE NOT SUPPORTED, AND THE PROJECT IS NOT SHOWN TO CONFORM TO THE CERTIFIED LOCAL COASTAL PROGRAM

This application seeks a coastal development permit as well as a variance, and the coastal findings in Exhibit B are separate, independently required, and separately deficient. Exhibit F states that the site is inside the Coastal Zone and that the project is appealable to the California Coastal Commission. I raise each of the following as an issue of conformity with the certified Local Coastal Program and with the public access policies of Chapter 3 of the Coastal Act, and I expressly preserve them.

— Development was undertaken without any coastal authorization. The structure was built in the coastal zone with no coastal development permit. The application asks the County to recognize it after the fact. That history is relevant to LCP conformity and is not addressed anywhere in the findings.

— Finding (A) is internally inconsistent. It states that the non-habitable accessory structure "is a principal permitted use within the zone district." Page 2 of the same report states that the structure is "ancillary to the principal permitted residential use." An accessory structure is by definition not the principal permitted use.

— Finding (B) — that no easement or development restriction encumbers the site — is supported only in part. The surveyed detail locates the walls inside the property line but does not locate the roof relative to either line. See Section VII.

— Finding (C) is supposed to establish consistency with the coastal design criteria and special use standards of SCCC 13.20.130 and 13.20.140. Its entire support is that the colors and materials match the existing residence. That is a design review answer to a coastal standards question.

— Findings (D) and (F) — public access. Staff concedes the project is located between the shoreline and the first public road. The analysis is that beach access is available at Sunny Cove and the site is not a priority acquisition parcel. The findings do not analyze the LCP access, recreation and visitor-serving policies as applied to development on this parcel.

— Finding (E) — other LCP standards. Exhibit F identifies the site as a mapped "Scenic beach viewshed." The finding asserts visual compatibility and does not analyze the LCP scenic resource policies.

The setting described in the applicant's own findings is the setting the LCP access policies govern

The applicant's written variance findings describe this location as an extremely popular public beach recreation area; state that the adjacent public sidewalk and street areas are crowded with pedestrians and vehicle traffic at all hours on weekends and throughout the summer; and state that the area is known for large public gatherings and frequent nighttime beach recreation requiring oversight by the Sheriff's Office. The applicant offered that description to justify the need for enclosed storage.

It is also, in the applicant's own words, a description of an intensely used public access and recreation node. The parcel fronts Sunny Cove Drive directly opposite the head of the public paths down to the beach. That is precisely the context in which the LCP access, recreation and visitor-serving policies are meant to be applied, and the findings apply none of them. The County cannot rely on the intensity of public use as the reason a variance is warranted and simultaneously treat the availability of public access as the reason no access analysis is required.

Statutory findings and appeal jurisdiction

The County has determined that this site lies between the shoreline and the first public road: Coastal Development Permit Finding (F) so states, and the staff report repeats it. That phrase is a term of art. The "first public road paralleling the sea" is defined by regulation — a road that connects with other public roads to form a continuous public access system and that generally parallels and follows the shoreline — and is not simply the nearest street to the parcel.

Public Resources Code section 30604(c) therefore applies. For development between the nearest public road and the sea, the approving body must make a specific finding that the development is in conformity

with the public access and public recreation policies of Chapter 3 of the Coastal Act. Findings (D) and (F) recite two conclusions and cite no policy. That is not the finding the statute requires.

Exhibit F states that the project is appealable to the California Coastal Commission. Appeal jurisdiction under Public Resources Code section 30603(a)(1) extends to development approved by a local government between the sea and the first public road paralleling the sea, or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.

Appeal jurisdiction therefore does not turn on how Sunny Cove Drive is characterized. The 300-foot alternative applies whichever distance is greater, and either basis is independently sufficient. The County has already made the determination. The record does not, however, disclose which basis applies or contain the applicable post-certification appeal jurisdiction map. I request that the basis for the Exhibit F determination be stated in the record, and that Milly Rose LLC be served with the Final Local Action Notice for this application.

VI. THE PLANS SHOW A WINDOW IN A WALL AT THE PROPERTY LINE, WHICH THE COUNTY'S OWN ZERO-SETBACK STANDARD PROHIBITS

Finding 2 is supported by the reasoning that this structure is "similar to garages that are allowed to be constructed to a zero foot setback on smaller parcels." If that comparison is sound, it resolves this question, because the County's zero-setback garage provision carries an express condition.

SCCC 13.10.611(D)(6)(a) permits a detached garage on a residentially zoned parcel smaller than 10,000 square feet to be located within the side and rear setback areas, and subsection (D)(6)(b) permits a garage up to zero feet from the rear or interior side property line with an administrative site development permit. Subsection (D)(6)(a)(i) provides: "There shall be no windows, doors, or other openings on garage walls that are less than five feet from the side or rear property lines."

The surveyed detail on Exhibit D places the walls of this structure approximately two tenths and five tenths of a foot from the property lines. The window schedule on Exhibit D lists a 128-inch split picture transom and an 82-inch picture transom, and Exhibits A, B and D below show a transom window in the wall facing 145 18th Avenue.

The comparison selected to support the finding is therefore the same comparison that forbids the openings. Either the garage standard is an apt measure of what is acceptable at a zero setback in this County, in which case a wall with windows two tenths of a foot from a property line does not meet it; or the comparison is not apt, in which case Finding 2 rests on nothing at all. It cannot support the approval and be set aside as to the openings at the same time.

The building code reaches the same result on the walls facing the property lines

California Residential Code section R302.1 and Table R302.1(1) require fire-resistance-rated construction for exterior walls with a fire separation distance of less than five feet, and prohibit openings where the fire separation distance is less than three feet. Fire separation distance is measured at right angles from the face of the wall to the closest interior lot line.

So that this objection is understood precisely: R302.1 contains an exception for walls of a dwelling and its accessory structures located on the same lot. That exception addresses the relationship between this structure and the applicant's own residence. It has no application to the walls facing the property lines, which is where this objection is directed.

Condition II.A.3 defers all of this to the building permit, requiring only that final plans include “notes and details indicating compliance with all applicable building and fire code requirements.” The consequence is that the Zoning Administrator would approve a specific design that cannot be built as drawn, and any conforming redesign will differ materially from the approved Exhibit D.

VII. THE SURVEY LOCATES THE WALLS. IT DOES NOT LOCATE THE ROOF ON EITHER PROPERTY LINE

Exhibit D includes a detail bearing the stamp of Jeff B. Nielsen, Licensed Land Surveyor No. 6832, of Mid Coast Engineers (Job No. 25085). It shows the shed footprint at 13.00 by 18.00 feet and annotates the offset from the property line as five tenths of a foot on one line and two tenths of a foot on the other. It expressly distinguishes a “foundation line” from an “eave line.”

The eave line, however, is drawn only on the two sides of the structure that face the applicant’s own residence and rear yard. On the two sides that face the property lines, no eave line is shown at all — only the wall dimension. The record therefore establishes where the walls sit and is silent on where the roof edge sits relative to either property line.

That silence is the whole question. The annotated wall offsets are two tenths and five tenths of a foot. A roof edge, drip edge or flashing projecting further than that distance crosses the line. The staff report states at page 2 that the applicant “is also proposing to remove any eaves or other extensions that extend beyond the walls of the shed along the side and rear property lines,” which indicates that projections along those two lines presently exist. Exhibit D itself carries two “REMOVE O.H.” annotations on those same two sides. The photographs at Exhibits B and D below show the roof assembly extending past the shared fence, and Exhibit B shows a roof beam that has been cut back.

The record also does not state where the fence sits relative to the property line. That single dimension determines whether a roof edge overhanging the fence also crosses the boundary, and it is not given anywhere.

I request that the following be placed in the record before any action is taken: (a) the complete full-size Nielsen survey and the surveyor’s field notes, rather than the reduced detail printed on the plan sheet; (b) whether the eaves along the side and rear property lines had been removed at the time the survey was performed, or were present and not measured; (c) the dimension from each property line to the outermost edge of the roof assembly, including drip edge and flashing; (d) whether the existing fence was located by the survey, and its offset from the property line; and (e) written confirmation of whether a Record of Survey has been filed with the County Surveyor pursuant to Business and Professions Code section 8762, and if not, the basis on which one was not required.

A roof projection over a neighboring parcel is not cured by a setback variance and the County has no authority to authorize one. If the application is approved in any form, I request that it be conditioned on removal of all eaves, roof edges, drip edges and flashing beyond the wall plane on the side and rear property lines, and on written verification by a licensed surveyor, after that removal, that no portion of the structure or its roof assembly crosses onto 145 18th Avenue.

VIII. THE SEPARATION BETWEEN THE STRUCTURE AND THE LIGHT WELL IS NOT DIMENSIONED, AND MAY NOT MEET THE COUNTY'S THREE-FOOT MINIMUM

SCCC 13.10.611(D)(7) provides that the minimum separation between an accessory structure and any other structure on a parcel, "including encroachments included in subsection (D)(6)(a) of this section, shall be no less than three feet, or as provided by the California Building Code, whichever is greater." The standard applies by its terms even to structures permitted into a reduced setback; no allowance elsewhere in the section buys relief from it. The exceptions, at subsections (D)(7)(a) and (b), are limited to water tanks, garden trellises, garden statuary, birdbaths, freestanding barbecues, play equipment, swimming pool equipment, freestanding air conditioners, heat pumps and similar HVAC equipment, and ground-mounted solar systems. A light well is not among them.

Exhibit D annotates two dimensions in the space between this structure and the residence: five feet seven inches at the upper portion, and three feet six inches where the residence steps out. Projecting into that same space, the plan shows a structure labeled "LIGHT WELL @ GROUND LEVEL." The applicant's own lot coverage table on the same sheet counts the light well at 35 square feet, so the applicant has treated it as a structure for the purpose of calculating coverage.

It is also a permitted feature of the residence. Building permit B-132628 constructed the dwelling with a 1,032 square foot basement, and change order B-141384, issued March 6, 2014, added the "skylight @ lightwell." The light well is established construction in the County's own permit record, not an incidental site feature.

The three-foot-six-inch dimension is measured to the wall of the residence, not to the light well. The light well projects further into the passage than that wall, and the resulting separation is not dimensioned anywhere in the plan set. Scaled from the drawing it appears to be materially less than three feet, though the plan's own two annotated dimensions do not scale consistently against one another. The point is not my estimate; it is that no figure is given.

This is a site standard of the zone district, not a building code question. The variances sought are to the required side and rear yard setbacks. No modification of the separation standard in subsection (D)(7) has been applied for, noticed, or analyzed anywhere in the record. If the separation is less than three feet, the structure does not comply with a County standard that this application does not even ask to vary, and Discretionary Permit Finding (b) — substantial conformance with the intent and requirements of all pertinent County ordinances — cannot be made.

The light well is glazed at grade. It is not a walking surface and cannot be traversed on foot or with equipment, so whatever separation exists is not usable as a passage. Condition II.B defers Central Fire Protection District review to the building permit stage, so the agency that would evaluate access along that passage has not seen it and could not evaluate it from these plans in any event, because the dimension is not on them.

The record does not establish the amenity that governs the non-habitable classification

Every finding in this packet — variance, coastal, discretionary and site development — rests on the classification of this structure as a non-habitable accessory structure. Under Table 13.10.611-1 the amenity that distinguishes the two classes is built-in heating and cooling: not allowed in a non-habitable accessory structure, and heating required in a habitable one. Use for sleeping purposes is likewise not allowed in a non-habitable structure.

The record nowhere states whether this structure contains built-in heating or cooling. The applicant asserts the classification and should be asked to state it. I make no argument from the interior finish of the structure, because Table 13.10.611-1 allows insulation and finished wall covering in both classes.

Three measurements would resolve Sections VII and VIII

Together with the items requested in Section VII above, the applicant should be required to produce a single dimensioned survey showing three things: the outermost edge of the roof assembly, including drip edge and flashing, relative to each property line; the location of the existing fence relative to those lines; and the clear separation between the wall of this structure and the light well.

Three measurements. None of them appears anywhere in this record, and each is required by a different standard the Zoning Administrator is being asked to apply — the first by the limits of the County's authority over a neighboring parcel, the second because it determines whether a roof edge overhanging the fence also crosses the boundary, and the third by SCCC 13.10.611(D)(7). A licensed surveyor has already been retained for this project and has been on the site.

IX. THE STRUCTURE DOES INTERFERE WITH LIGHT, AIR AND PRIVACY, CONTRARY TO THE APPLICANT'S WRITTEN ASSERTION

The applicant's written variance findings state, at page 2: "It does not interfere with air or light or privacy of adjoining or adjacent properties."

That statement is not correct. The structure interferes with all three, and it does so as a matter of the dimensions and orientation shown on the applicant's own plans, not as a matter of anyone's impression of it.

The structure stands in the rear yard of 154 Sunny Cove Drive, immediately behind the fence that divides the two properties. It presents a solid wall approximately 18 feet long and 11 feet 9 inches high, standing on the property line. A transom window is set in that wall above the fence line, looking into the rear yard of 145 18th Avenue. The Exhibit D window schedule lists a 128-inch split picture transom and an 82-inch picture transom; Exhibits A, B and D below show the installed window above the fence.

- Light. It takes light. A solid wall of that height and length standing on the property line blocks direct sun across the adjoining rear yard through the afternoon. The shade it casts is visible in Exhibit A below.
- Air. It obstructs air. An 18-foot run of solid wall placed on the line replaces what the Zoning Ordinance requires to be 15 feet of open rear yard, and blocks air movement across the boundary along that entire run.
- Privacy. It overlooks the yard. A window set above the fence line, in a wall standing on the property line, looks directly into the adjoining rear yard, which is occupied by a tenant. There is no separation, no screening, and no distance for either to occur in.

The required rear yard setback in this district is 15 feet. What a 15-foot rear yard setback exists to protect is light, air and separation between adjoining rear yards. Reducing it to zero for a wall of these dimensions is not an incidental consequence of the variance; it is the precise impact the standard was adopted to prevent. Neither Variance Finding 2 nor Discretionary Permit Finding (a) mentions light, air or privacy anywhere, so the assertion went into the record untested.

The point also returns to the comparison staff selected. SCCC 13.10.611(D)(6)(b) permits a garage at a zero setback on a parcel of this size only upon a finding that it "will not unreasonably infringe on adequate light, air, or privacy of adjacent residences," and subsection (D)(6)(d) applies the same test to a garage exceeding the height or story limit in a required setback. Staff selected that comparison. On this record the finding it requires cannot be made.

X. THE CEQA DETERMINATION IS NOT SUPPORTED

The Notice of Exemption relies on the Class 3 categorical exemption for new construction of small structures (CEQA Guidelines section 15303) and states, without analysis, that none of the conditions in section 15300.2 apply. Section 15300.2 withholds the Class 3 exemption where the project is located in a particularly sensitive environment, where cumulative impacts of successive projects of the same type are significant, or where unusual circumstances create a reasonable possibility of a significant effect. This site is inside the coastal zone, within a mapped scenic beach viewshed, and between the shoreline and the first public road. The exemption also describes new construction, while this application seeks recognition of construction already completed without permits. The Notice of Exemption in the packet is unsigned and undated.

XI. RELIEF REQUESTED

- Deny Application No. 251357. The findings required for the variance and the coastal development permit cannot be made on this record.
- Or continue the item until the eleven matters identified in Section II are resolved. If continued, I ask that it be continued to a date certain. Case NV25236 has been open since April 2025 with no Stipulation and Order and no compliance deadline of any kind.

Denial takes nothing from the applicant. Shawna Rooks, the Code Compliance Investigator assigned to Case No. NV25236, wrote to me on July 31, 2025:

> *"If compliance cannot be met, they will need to remove and/or reduce and move the accessory unit to meet exempt requirements."*

A non-habitable accessory structure of up to 120 square feet and 10 feet in height, at the three-foot side and rear setbacks, requires no variance, no coastal development permit and no discretionary approval of any kind. That is what the County told the applicant to do when it first found out.

Each point above is detailed in the sections of this brief.

Respectfully submitted,

David Bernstein, Manager

Milly Rose LLC, owner of 145 18th Avenue, Santa Cruz, CA 95062

EXHIBITS — PHOTOGRAPHS OF THE STRUCTURE AS BUILT

Photographs A through F were taken from 145 18th Avenue or from the shared property line. Exhibit G is from the application file.



Exhibit A. *View from the rear yard of 145 18th Avenue. The structure stands above the shared fence, with a window above the fence line looking into the yard. The shade it casts is visible across the yard.*

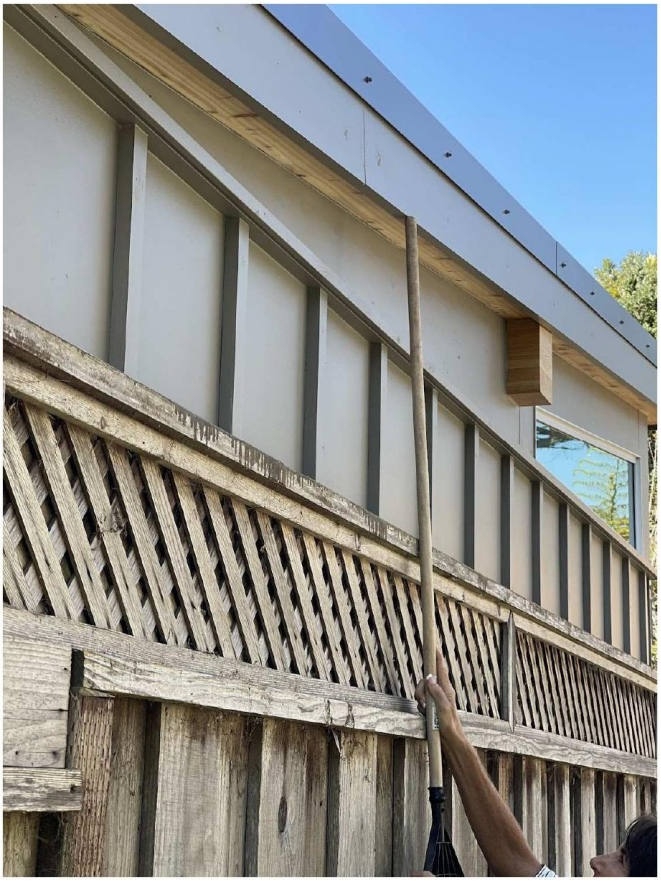


Exhibit B. *The roof assembly projecting past the fence line. The roof beam has been cut back at the line.*



Exhibit C. *The cap of the shared fence, notched to accommodate the wall of the structure.*



Exhibit D. *The wall at the property line, with a glazed opening, and the roof edge above the fence.*



Exhibit E. *The same condition on the opposite side line, toward the adjoining property.*



Exhibit F. *Windows and sliding glass doors in the wall facing the residence, and the glazing at grade on the residence visible at right — the light well discussed in Section VIII.*

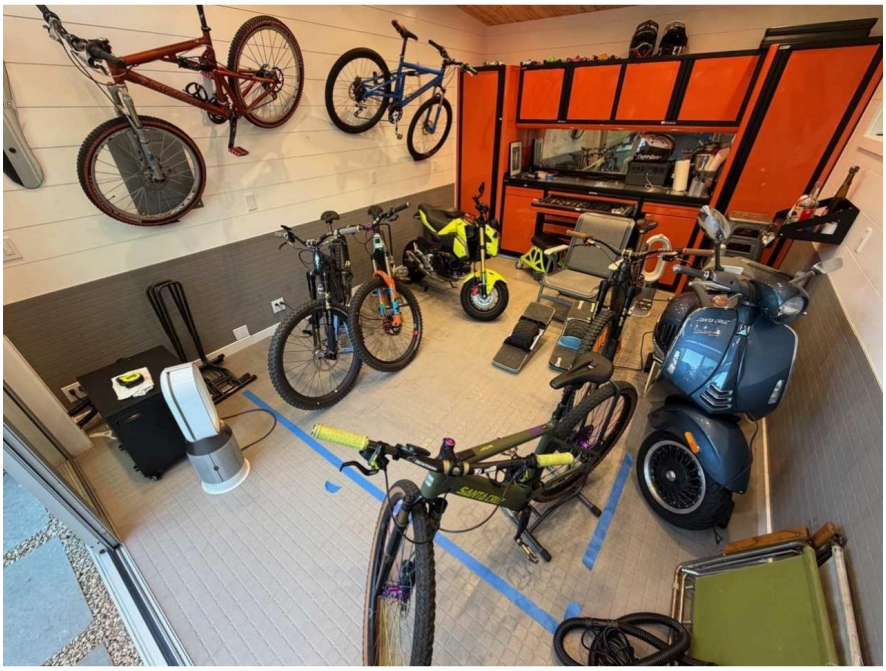


Exhibit G. *Interior as documented in the application file: e-scooters, e-bikes and gas motorbikes, with finished flooring, cabinetry and electrical outlets.*

Randall Adams

From: David Bernstein <davidrbernstein@yahoo.com>
Sent: Tuesday, August 18, 2026 2:43 PM
To: Riley Rhodes
Cc: Randall Adams; Shawna Rooks
Subject: Re: Written opposition — Application 251357, Item 2, Zoning Administrator hearing August 21, 2026

****CAUTION:This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Subject: Supplement to written opposition — Application 251357, Item 2, August 21 hearing

Dear Ms. Rhodes,

Further to the written opposition I filed earlier today on Application No. 251357, I am submitting one short supplement. Section II, item 11 of my brief asked whether a Stipulation and Order has been executed in Code Compliance Case No. NV25236. That question has now been answered by the County.

Shawna Rooks, the Code Compliance Investigator assigned to the case, wrote to me this afternoon, copying Mr. Adams:

> On Tuesday, August 18, 2026 at 02:34:19 PM PDT, Shawna Rooks <shawna.rooks@santacruzcountyca.gov> wrote:
>
> Hello David,
>
> A Stipulation and Order was created and proposed to the property owner, but they were not interested in signing as they were preparing to submit for the Discretionary. As there is a permit in review, the code case is at a standstill until the end of the Discretionary review timeline.

Shawna Rooks
(she/her)
Code Compliance Investigator III
Community Development & Infrastructure-Planning Division

Two points follow, and I state them without characterizing anyone's decision. First, a compliance agreement setting deadlines was drawn up and offered, and it was not signed. Case NV25236 has therefore been open since April 2025 with no compliance deadline of any kind. If the Zoning Administrator continues this item, I respectfully ask that it be continued to a date certain, since nothing else in the record establishes any schedule. Second, the County confirms that enforcement resumes at the conclusion of the discretionary review, which bears directly on the relief requested in Section XI of my brief.

Please include this supplement with my written opposition in the administrative record for Application No. 251357, and confirm receipt.

Thank you.

David Bernstein, Manager
Milly Rose LLC
145 18th Avenue, Santa Cruz, CA 95062
408 857 9872
davidrbernstein@yahoo.com

==========

On Tuesday, August 18, 2026 at 02:34:07 PM PDT, David Bernstein <davidrbernstein@yahoo.com> wrote:

Subject: Written opposition — Application 251357, Item 2, Zoning Administrator hearing August 21, 2026

Dear Ms. Rhodes,

Attached is written opposition to Application No. 251357 (APN 028-221-16, 154 Sunny Cove Drive), which is Item 2 on the Zoning Administrator's agenda for Friday, August 21, 2026 at 9:00 a.m.

I submit this on behalf of Milly Rose LLC, owner of the adjoining property at 145 18th Avenue, Santa Cruz. I am a manager of the LLC.

Could you please confirm that the brief has been received, that it will be transmitted to the Zoning Administrator in advance of the hearing, and that it will be made part of the administrative record for this application. I also ask that Milly

Rose LLC be added to the notice list for all further actions on this application and this parcel, and that the LLC be served with the Final Local Action Notice if the application is approved in any form.

I intend to speak briefly at the hearing.

Thank you for your help.

David Bernstein, Manager
Milly Rose LLC
145 18th Avenue, Santa Cruz, CA 95062
408 857 9872
davidrbernstein@yahoo.com

Randall Adams

From: David Bernstein <davidrbernstein@yahoo.com>
Sent: Wednesday, August 19, 2026 10:16 AM
To: Riley Rhodes
Cc: Randall Adams; Shawna Rooks
Subject: Re: Written opposition — Application 251357, Item 2, Zoning Administrator hearing August 21, 2026
Attachments: Second_Supplement_App_251357.pdf

****CAUTION:This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Subject: RE: Written opposition — Application 251357, Item 2, hearing August 21, 2026

Ms. Rhodes, Mr. Adams,

Attached is a second supplement to my written opposition on Application No. 251357, responding to the staff report as revised on the afternoon of August 18 — hours after my opposition was filed.

The staff report revisions are four, and they are visible in strikethrough on the face of the revised report. The parcel grew from 3,833 to 4,000 square feet. The stated source of that figure changed from the County's own GIS to the applicant's plans. And in two places — the variance discussion and Finding 1 — the special circumstance was replaced: the small size of the parcel gave way to the location of the existing residence.

No survey was performed in the interval. The County's own Parcel Research Report, generated August 16, still states 3,833.28 (ESTIMATE).

The recommendation did not change. Only the reason for it did.

The figure is not incidental. The lot coverage table on the applicant's plans reports 1,745 square feet as 43.6 percent — which holds only on a 4,000 square foot denominator. On the County's own recorded figure of 3,833, the same 1,745 square feet is approximately 45.5 percent, against a 45 percent maximum. The parcel size therefore determines whether this project complies with lot coverage at all, and it remains unmeasured. The applicant's licensed surveyor has been on this property and has still not been asked for the area.

The supplement sets out why the replacement finding cannot be made either: the parcel's discretionary history contains no variance of any kind before this application, the residence was sited in full compliance in 2013–14 and left a rear yard which is actually larger than the code requires, and on the applicant's own dimensions a fully conforming 120 square foot shed fits behind that residence today. As the supplement puts it, a special circumstance identified only after the previous one failed, stated in different words but supporting the identical recommendation, is not a finding — it is a conclusion in search of a reason.

Please include this supplement with my written opposition in the administrative record for Application No. 251357, forward it to the Zoning Administrator in advance of Friday's hearing, and confirm receipt. I would also ask that the Zoning Administrator be advised that I will request he state on the record which parcel-size figure, and which special circumstance, any decision rests on.

Thank you.

David Bernstein, Manager
Milly Rose LLC
145 18th Avenue, Santa Cruz, CA 95062
408 857 9872
davidrbernstein@yahoo.com

======

On Tuesday, August 18, 2026 at 02:42:54 PM PDT, David Bernstein <davidrbernstein@yahoo.com> wrote:

Subject: Supplement to written opposition — Application 251357, Item 2, August 21 hearing

Dear Ms. Rhodes,

Further to the written opposition I filed earlier today on Application No. 251357, I am submitting one short supplement. Section II, item 11 of my brief asked whether a Stipulation and Order has been executed in Code Compliance Case No. NV25236. That question has now been answered by the County.

Shawna Rooks, the Code Compliance Investigator assigned to the case, wrote to me this afternoon, copying Mr. Adams:

> On Tuesday, August 18, 2026 at 02:34:19 PM PDT, Shawna Rooks <shawna.rooks@santacruzcountyca.gov> wrote:
>
> Hello David,
>
> A Stipulation and Order was created and proposed to the property owner, but they were not interested in signing as they were preparing to submit for the Discretionary. As there is a permit in review, the code case is at a standstill until the end of the Discretionary review timeline.

Shawna Rooks
(she/her)
Code Compliance Investigator III
Community Development & Infrastructure-Planning Division

Two points follow, and I state them without characterizing anyone's decision. First, a compliance agreement setting deadlines was drawn up and offered, and it was not signed. Case NV25236 has therefore been open since April 2025 with no compliance deadline of any kind. If the Zoning Administrator continues this item, I respectfully ask that it be continued to a date certain, since nothing else in the record establishes any schedule. Second, the County confirms that enforcement resumes at the conclusion of the discretionary review, which bears directly on the relief requested in Section XI of my brief.

Please include this supplement with my written opposition in the administrative record for Application No. 251357, and confirm receipt.

Thank you.

David Bernstein, Manager
Milly Rose LLC
145 18th Avenue, Santa Cruz, CA 95062
408 857 9872
davidrbernstein@yahoo.com

==========

On Tuesday, August 18, 2026 at 02:34:07 PM PDT, David Bernstein <davidrbernstein@yahoo.com> wrote:

Subject: Written opposition — Application 251357, Item 2, Zoning Administrator hearing August 21, 2026

Dear Ms. Rhodes,

Attached is written opposition to Application No. 251357 (APN 028-221-16, 154 Sunny Cove Drive), which is Item 2 on the Zoning Administrator's agenda for Friday, August 21, 2026 at 9:00 a.m.

I submit this on behalf of Milly Rose LLC, owner of the adjoining property at 145 18th Avenue, Santa Cruz. I am a manager of the LLC.

Could you please confirm that the brief has been received, that it will be transmitted to the Zoning Administrator in advance of the hearing, and that it will be made part of the administrative record for this application. I also ask that Milly Rose LLC be added to the notice list for all further actions on this application and this parcel, and that the LLC be served with the Final Local Action Notice if the application is approved in any form.

I intend to speak briefly at the hearing.

Thank you for your help.

David Bernstein, Manager
Milly Rose LLC
145 18th Avenue, Santa Cruz, CA 95062
408 857 9872
davidrbernstein@yahoo.com

SECOND SUPPLEMENT TO WRITTEN OPPOSITION — APPLICATION NO. 251357

Response to the Staff Report as Revised August 18, 2026

TO: Deputy Zoning Administrator, County of Santa Cruz; Randall Adams, Project Planner

FROM: David Bernstein, Manager, Milly Rose LLC, owner of 145 18th Avenue, Santa Cruz, CA 95062 (APN 028-221-24)

DATE: August 19, 2026 — for the hearing of August 21, 2026, 9:00 a.m., Item 2

On the afternoon of August 18, hours after my written opposition was filed, the staff report for this application was revised. This supplement responds to that revision. The changes are shown in strikethrough on the face of the revised report, so they can be stated exactly.

I. WHAT CHANGED

- Page 2: "The subject property is a ~~3,833~~ 4,000 square foot lot." The parcel grew 167 square feet.
- Exhibit F: "Parcel Size: ~~3,833~~ 4,000 square feet (~~GIS~~ Plans)." The source of the County's parcel figure changed from the County's own GIS to the applicant's plans.
- The variance discussion: "The special circumstance in this case is ~~the small size of the parcel (at less than the minimum lot size for the zone district)~~ location of the existing residence on the property."
- Finding 1: "~~The small size of the parcel and~~ the location of the existing residence on the lot ~~are~~ is the special circumstance affecting the subject property."

The recommendation did not change. Only the reason for it did.

II. THE PARCEL SIZE WAS NOT RESOLVED. IT WAS CONCEDED AND REPLACED

My opposition identified three conflicting parcel areas in the record — 3,833, 3,883 and 4,000 square feet — and asked that the figure be established as a measured fact before any finding rests on it. The revision does not establish anything. No survey was performed between the morning the discrepancy was identified and the afternoon the number changed. The County simply set aside its own GIS figure and adopted the notation on the applicant's plans, and Exhibit F now cites "Plans" — with "GIS" struck out — as the source of the County's own parcel data.

The County's records now contradict each other. The County's Parcel Research Report for APN 028-221-16, generated August 16, 2026 — two days before the revision — states the parcel area as "3,833.28 (ESTIMATE)." The revised staff report states 4,000. An applicant's unverified plan notation, adopted over the agency's own record without measurement, is not substantial evidence of anything. It is a choice.

The choice also has consequences the revision does not address. The lot coverage table on Exhibit D reports 1,745 square feet as 43.6 percent — a figure that is lawful only on the 4,000 square foot denominator. On the County's own recorded figure of 3,833, the same coverage is approximately 45.5 percent, over the 45 percent maximum. The parcel size now selects between a lawful project and an

unlawful one, and it remains unmeasured. The applicant's licensed surveyor has been on this property. He has still not been asked for the area.

III. THE NEW SPECIAL CIRCUMSTANCE FAILS AS A MATTER OF LAW

Findings exist to "bridge the analytic gap between the raw evidence and ultimate decision." *Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 515. They run from evidence to conclusion. Here the conclusion has stood still for a year while the finding beneath it was replaced — in tracked changes, three days before the hearing, immediately after the original finding was shown to be unsupportable. Analysis performed in that direction is not the analysis *Topanga* requires. And the strikethrough itself is an admission: the County has now conceded, on the face of its own report, that the sole special circumstance relied upon since August 2025 could not be made.

The replacement fares no better. In *Committee to Save the Hollywoodland Specific Plan v. City of Los Angeles* (2008) 161 Cal.App.4th 1168, the approving body found that the "unique location" and "existing development of the site" were special circumstances supporting a variance. The Court of Appeal held findings of exactly that shape insufficient. "Location of the existing residence on the property" is "existing development of the site" in different words. The finding the County adopted on Tuesday is the finding that case rejected.

See also *Stolman v. City of Los Angeles* (2003) 114 Cal.App.4th 916, annulling a variance and reaffirming that the grant of a variance is the exception rather than the rule, and that the hardship must inhere in the property rather than in the owner's preferences; and Government Code section 65906, under which the circumstance must deprive the property of privileges enjoyed by other property in the vicinity under identical zoning.

The case that upholds a variance grounded in an existing residence's location is instructive for what it required. In *Eskeland v. City of Del Mar* (2014) 224 Cal.App.4th 936, the site fell approximately 50 feet, slopes exceeded 25 percent, the existing house occupied the one small level building pad, the house predated the setback standard, and alternative designs were studied and found to be limited by the topography. Every element of that record is inverted here. This parcel's slope is 2 to 3 percent — the County's own Exhibit F — with no mapped geologic, fire, or habitat constraint of any kind. The residence was built in 2013–2014 under current standards. And no alternatives analysis exists, because none is needed: the staff report itself states that a conforming alternative exists and that the applicant was advised to build it.

IV. THE RESIDENCE SITS EXACTLY WHERE THE CODE PLACES A RESIDENCE ON THIS LOT

The County's own records answer whether the location of this residence is "special."

The parcel's complete discretionary history consists of Application 06-0414 (certificate of compliance), 09-0126 (the coastal development permit under which the residence was built), 121174 (a time extension), and 131098 (a minor variation limited to interior floor plans and exterior finishes). No variance has ever been applied for or granted on this parcel before Application 251357. The residence was sited through a full coastal development permit and design review, in compliance with every setback of the R-1-4 district. A placement the County itself approved as fully conforming is the standard condition of the lot. It cannot twelve years later become the special circumstance that excuses noncompliance.

The applicant's own plans confirm it arithmetically. Exhibit D annotates the shed's rear offset at 0.5 feet, the shed's depth at 13.08 feet, and the gap between shed and residence at 3 feet 6 inches at the step and 5 feet 7 inches beyond it. Adding those dimensions, the residence's rear wall stands approximately 17.1 to 19.2 feet from the rear property line. The required rear yard in this district is 15 feet. The residence therefore left a rear yard larger than the code minimum — on a flat, rectangular lot — precisely as every neighboring residence has done. The aerial photograph in the applicant's own submission shows the pattern: a row of mid-lot houses, each with a rear yard, none distinguishable from this one. A circumstance shared by every property in the vicinity is the opposite of a special circumstance under section 65906.

V. ON THE APPLICANT'S OWN DRAWINGS, A CONFORMING SHED FITS BEHIND THE RESIDENCE WHERE IT STANDS

The decisive test of the new finding is whether the residence's location actually deprives this property of the privilege its neighbors enjoy — a code-exempt storage structure of up to 120 square feet and 10 feet in height, at three-foot side and rear setbacks. It does not, and the applicant's own dimensions prove it.

Place a 120 square foot shed — ten feet deep by twelve feet wide — at the three-foot rear setback. It occupies the yard from 3 feet to 13 feet off the rear line. The distance remaining to the residence is 17.1 minus 13, or 4.1 feet: clear of the three-foot minimum separation between structures required by SCCC 13.10.611(D)(7), with margin, and with greater margin still on the 19.2-foot portion of the yard. The fully conforming shed fits behind the residence exactly as the residence is placed.

What does not fit is a 234 square foot shed: three feet of setback plus 13.08 feet of depth leaves roughly one foot to the residence. The constraint on this lot is therefore not the location of the house. It is the size of the structure the applicant chose to buy. That is a personal preference, not a circumstance of the property. *Broadway, Laguna, Vallejo Assn. v. Board of Permit Appeals* (1967) 66 Cal.2d 767. The lot does not prevent a lawful shed. The residence does not prevent a lawful shed. The only thing either prevents is this shed.

VI. THE CLAIMED CIRCUMSTANCE AND THE RELIEF REQUESTED DO NOT CORRESPOND

There is a final defect, and it is geometric. The residence lies on the opposite side of the shed from the property lines. The variances requested reduce the rear and side yard setbacks — the standards protecting the neighboring parcels. Whether this structure stands at zero feet or at three feet from a neighbor's boundary is entirely unaffected by where the applicant's house sits; the house's location bears only on the gap on the other side of the shed. A variance is supposed to remediate the identified hardship. This one relieves standards that have nothing to do with it. If the location of the residence were genuinely the hardship, the relief sought would concern the separation from the residence — and no such relief has been requested, noticed, or analyzed.

VII. WHAT REMAINS AFTER THE REVISION

Take the revised report on its own terms. The parcel is now 4,000 square feet — a standard lot meeting the district minimum. It is rectangular. It is flat, at 2 to 3 percent. The County's Exhibit F maps no geologic hazard, no fire hazard, no sensitive habitat. The residence was placed in full compliance, through the County's own permit process, without a variance. Every attribute in the County's own parcel sheet now describes an ordinary property, indistinguishable from its neighbors. Under Government Code

section 65906 the special circumstance must be what sets this property apart from the others in the vicinity. After Tuesday's revision, the only thing that sets it apart is the unpermitted structure seeking approval — and a special circumstance identified only after the previous one failed, stated in different words but supporting the identical recommendation, is not a finding. It is a conclusion in search of a reason.

The variance findings could not be made on the original report. They cannot be made on the revised one. I renew the requests in my written opposition: deny the application, or continue it to a date certain with the parcel actually surveyed — its area, the position of the roof assembly on both property lines, the location of the fence, and the separation from the light well — by the licensed surveyor the applicant has already retained. I also ask that, whatever action is taken, the Zoning Administrator state on the record which parcel-size figure, and which special circumstance, the decision rests on.

Please include this supplement with my written opposition in the administrative record for Application No. 251357.

Respectfully submitted,

David Bernstein, Manager

Milly Rose LLC, owner of 145 18th Avenue, Santa Cruz, CA 95062

Randall Adams

From: John Stott <jpstott@gmail.com>
Sent: Thursday, August 20, 2026 11:34 AM
To: Randall Adams
Cc: Code Compliance; Shawna Rooks
Subject: Opposition to application No. 251357 - APN: 028-221-16

****CAUTION:This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Santa Cruz County Planning Department
Attn: Zoning Administrator & Project Planner
701 Ocean Street, 4th Floor Santa Cruz, CA 95060

RE: OBJECTION to Variance & Coastal Development Permit Application
Subject Property: 154 Sunny Cove Dr. (APN: 028-221-16)
Applicant/Owner: Ed Shimmon

Dear Members of the Planning Commission,

I am writing as a nearby property owner to formally object to the proposal to recognize the construction of the approximately 234-square-foot storage shed at the subject property. This application is essentially an after-the-fact request to legalize a non-compliant structure that was built in clear violation of local zoning ordinances. I strongly urge the Commission to deny both the Coastal Development Permit and the requested variances, and to reject the proposed California Environmental Quality Act (CEQA) exemption.

I would appreciate the following points being added into the official comments record :

- **Excessive Setback Violations and Encroachment:** The applicant is requesting a major reduction of the mandatory 15-foot rear yard setback to 0 feet, and the mandatory 5-foot side yard setback to 0 feet. Eliminating these setbacks entirely leaves zero clearance between the structure and the property line fence. This poses severe safety hazards, completely eliminates emergency access corridors, and prevents proper structural maintenance. My particular property has a fence directly attached to the common fence between 154 Sunny Cove Dr. and 145 18th Ave.
- **Loss of Natural Light and Airflow:** Due to its significant 234-square-foot footprint and zero-foot positioning, this oversized structure severely blocks natural sunlight and restricts essential airflow. This creates an oppressive, suffocating effect on the adjacent properties and drastically reduces the ambient livability of our backyard spaces.
- **Potential for Unpermitted Living Space and Traffic Congestion:** A 234-square-foot structure is roughly the size of a studio apartment or a single-car garage. It is entirely large enough to be converted into an unpermitted dwelling unit. My understanding is that it actually has a separate address sign, which could suggest that this is already in place. Our neighborhood

already suffers from traffic and parking congestion issues. Allowing an accessory structure of this scale on the property line creates an unacceptable risk of adding unvetted residential density to an already overwhelmed area.

- **Inappropriate CEQA Exemption:** The agenda indicates the Commission is considering a determination that this project is exempt from CEQA analysis. A zero-lot-line, 234-square-foot encroachment should not be granted a blanket exemption. The cumulative environmental and spatial impacts on neighboring properties demand rigorous scrutiny, not a rubber-stamped dismissal.
- **Adverse Precedent and Neighborhood Character:** If the Planning Commission grants variances to reduce 15-foot and 5-foot setbacks down to zero, it sets a dangerous, destructive precedent. It signals to other property owners that they can build first and ask for forgiveness later. This will systematically destroy the open-space character of our residential coastal neighborhood and ultimately depress surrounding property values.

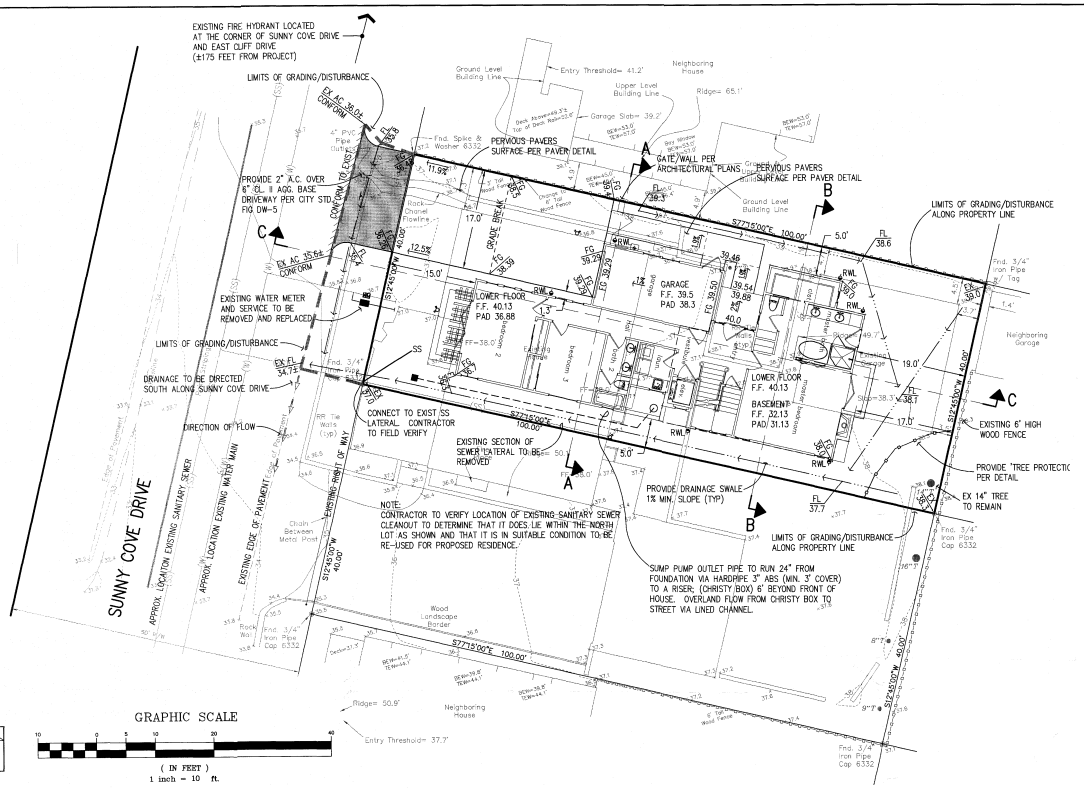
Zoning setbacks and Coastal Development standards exist to protect residents, preserve community aesthetics, and ensure public safety. This project represents a severe abuse of those protections. I respectfully request that the Planning Commission deny the Coastal Development Permit, deny the variances, and require the applicant to bring the structure into full compliance with local laws.

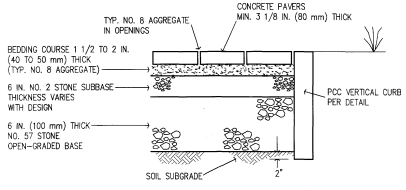
Thank you for your time, consideration, and continued commitment to serving and protecting our community.

Sincerely,

John Stott
137 18th Ave.
Santa Cruz, CA 95062

THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE. REPRODUCTION OR PUBLICATION BY ANY METHOD, IN WHOLE OR PART, IS PROHIBITED. TITLE TO THE PLANS AND SPECIFICATIONS REMAINS IN THE ENGINEER WITHOUT PREJUDICE. VISUAL CONTACT WITH THESE PLANS AND SPECIFICATIONS SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THESE RESTRICTIONS.





TYPICAL PERMEABLE PAVER DETAIL
NO SCALE

THESE QUANTITIES DO NOT INCLUDE ANY SHRINKAGE, SUBSIDENCE, OVER-EXCAVATION, OR ANY SPECIAL CONDITIONS OR REQUIREMENTS THAT MAY BE SPECIFIED IN THE GEOTECHNICAL INVESTIGATION REPORT. THESE QUANTITIES IN THE AREA FOR PERMIT PURPOSES ONLY. ALL CONTRACTORS BIDDING ON THIS PROJECT SHOULD MAKE THEIR OWN DETERMINATION OF EARTHWORK QUANTITIES PRIOR TO SUBMITTING A BID.

NOTE:
THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SURVEY MONUMENTS AND OTHER SURVEY MARKERS DURING CONSTRUCTION. ALL SUCH MONUMENTS OR MARKER'S DESTROYED DURING CONSTRUCTION SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.

NOTE:
WHERE THE FIRM OF HANNA & BRUNETTI DOES NOT PROVIDE CONSTRUCTION STAKES, SAID FIRM WILL ASSUME NO RESPONSIBILITY WHATSOEVER FOR IMPROVEMENTS CONSTRUCTED THEREFROM.

NOTE TO CONTRACTOR
CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR ENGINEER.

EXISTING UNDERGROUND UTILITIES ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED ON RECORD INFORMATION AVAILABLE TO THE ENGINEER AT THE TIME OF PREPARATION OF THESE PLANS. LOCATION MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. THE CONTRACTOR SHALL NOTIFY UTILITY COMPANIES AT LEAST 2 WORKING DAYS IN ADVANCE OF CONSTRUCTION TO FIELD LOCATE UTILITIES. CALL UNDERGROUND SERVICE ALERT (U.S.A.) AT 1-800-642-2444. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF UTILITIES SHOWN ON THESE PLANS, INDICATED IN THE FIELD BY LOCATING SERVICES, OR EVIDENCE BY FACILITIES VISIBLE AT OR ADJACENT TO THE JOB SITE. ANY ADDITIONAL COST INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY LOCATIONS OF EXISTING UTILITIES PRIOR TO BEGINNING CONSTRUCTION SHALL BE BORNE BY THE CONTRACTOR AND IS DEEMED INCLUDED AND MERGED IN THE CONTRACT UNIT PRICE.

UTILITY NOTES

1. SANITARY SEWER PIPES TO BE PVC SDR-35, EXCEPT WHERE COVER IS LESS THAN 1.5 FEET IN WHICH CASE DUCTILE IRON PIPE IS TO BE USED.
2. INSTALLATION OF SANITARY SEWER PIPES SHALL COMPLY WITH COUNTY OF SANTA CRUZ DESIGN STANDARDS FIG. SS-11.
3. SANITARY SEWER CLEANOUTS TO BE PER COUNTY OF SANTA CRUZ DESIGN STANDARDS FIG. SS-10.
4. SANITARY SEWER LATERALS TO BE 4 INCH DIAMETER, AND SHALL BE INSTALLED PER COUNTY OF SANTA CRUZ DESIGN STARDARDS FIG. SS-12.
5. UTILITIES SHALL BE PLACED UNDERGROUND TO THE NEAREST UTILITY POLE IN ACCORDANCE WITH PUBLIC WORKS DEPARTMENT REQUIREMENTS.

GRADING NOTES

REGULATORY NOTE

1. ALL GRADING WITHIN BOUNDARIES OF THE SUBDIVISION SHALL BE DONE UNDER THE OBSERVATION OF THE SOILS ENGINEER UPON COMPLETION OF ALL GRADING A FINAL SOILS REPORT SHALL BE SUBMITTED TO THE PUBLIC WORKS DEPARTMENT BY THE SOILS ENGINEER STATING THAT THE GRADING HAS BEEN PERFORMED IN GENERAL CONFORMANCE WITH THE REQUIREMENTS AND SPECIFICATIONS. THE REPORT SHALL INCLUDE LOCATIONS AND ELEVATIONS OF FIELD DENSITY TESTS, SUMMARIES OF FIELD AND LABORATORY TESTS, AND ANY OTHER SUBSTANTIATING DATA DEVELOPED BY THE SOILS ENGINEER.
2. ALL WORK SHALL BE DONE IN ACCORDANCE WITH RECOMMENDATIONS SPECIFIED IN THE GEOTECHNICAL INVESTIGATION REPORT PREPARED FOR THIS PROJECT.
3. ALL CLEARING, SITE PREPARATION OR EARTH WORK SHALL BE PERFORMED UNDER OBSERVATION OF THE SOILS ENGINEER AND TO THE SATISFACTION OF THE SOILS ENGINEER.
4. THE CONTRACTOR SHALL CONDUCT ALL GRADING OPERATIONS IN SUCH A MANNER AS TO PRECLUDE WIND BLOWN DIRT AND DUST, AND RELATED DAMAGE TO NEIGHBORING PROPERTIES. DUST CAUSED BY THE GRADING OPERATION SHALL BE CONTROLLED BY PROPER WATERING. THE CONTRACTOR SHALL ASSUME LIABILITY FOR CLAIMS RELATED TO WIND BLOWN MATERIALS.
5. A GRADING PERMIT FROM THE CHIEF BUILDING OFFICIAL WILL BE REQUIRED PRIOR TO COMMENCEMENT OF WORK.
6. SAMPLES OF ANY PROPOSED IMPORTED FILL PLANNED FOR USE ON THIS PROJECT SHOULD BE SUBMITTED TO THE GEOTECHNICAL ENGINEER FOR APPROVAL AND APPROPRIATE TESTING NOT LESS THAN FOUR (4) WORKING DAYS BEFORE THE ANTICIPATED JOBSITE DELIVERY.
7. CALTRANS CLASS 2 AGGREGATE BASE MATERIAL SHALL BE COMPACTED TO A RELATIVE COMPACTION OF 95%
8. NO FILL MATERIAL SHALL BE PLACED, SPREAD, OR ROLLED DURING UNFAVORABLE WEATHER CONDITIONS. WHEN THE WORK IS INTERRUPTED BY HEAVY RAINS, FILL OPERATIONS SHALL NOT RESUME UNTIL FIELD DENSITY TESTS TAKEN BY THE GEOTECHNICAL ENGINEER INDICATE THAT THE MOISTURE CONTENT AND DENSITY OF THE FILL MEET THE SPECIFIED REQUIREMENTS.
9. IN THE EVENT THAT ANY UNUSUAL CONDITIONS, NOT COVERED IN THE GEOTECHNICAL REPORT, ARE ENCOUNTERED DURING GRADING OPERATIONS, THE GEOTECHNICAL ENGINEER SHALL BE IMMEDIATELY NOTIFIED FOR DIRECTIONS.

CONSTRUCTION NOTES

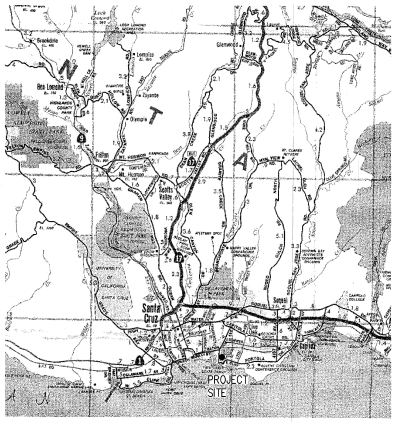
1. UNLESS OTHERWISE NOTED, ALL SPOT ELEVATIONS SHOWN ARE TO FINISH GRADE.
2. THE PLACEMENT AND SPREADING OF FILL MATERIALS AND ITS PROCESSING AND COMPACTION SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR, HOWEVER, COMPACTION OF FILL MATERIALS BY FLOODING, PONDING, OR JETTING SHALL NOT BE PERMITTED WITHOUT THE PRIOR APPROVAL OF THE GEOTECHNICAL ENGINEER.
3. TRENCHING FOR UNDERGROUND PIPING, ELECTRICAL CONDUITS, ETC., SHALL BE DONE BY THE TRADE INSTALLING THE PIPE, CONDUITS, ETC., BACKFILL FOR UNDERGROUND UTILITIES PLACED ON THE SITE SHALL CONSIST OF THE APPROVED ON SITE, NEAR SURFACE SOILS OR OTHER GRANULAR SOILS SO AS TO MAINTAIN THE UPPER STRATUM SOIL AS UNIFORM AS POSSIBLE BACKFILL WITHIN THE UTILITY TRENCHES SHALL BE COMPACTED TO A MINIMUM RELATIVE COMPACTION OF 95% IN STREET AREAS, AND 90 % IN OTHER LOCATIONS. WATER MAIN TRENCHES AREA PER S.C.W.D. DWG. NO. 3537B.
4. THE EXISTING TOPSOIL, BUILDING DEBRIS, AND TREES, NOT USED FOR LANDSCAPING SHALL BE REMOVED TO AN OFF-SITE LOCATION UNLESS SPECIAL ARRANGEMENTS CAN BE PROVIDED FOR THEIR ON SITE DISPOSAL AS APPROVED BY THE GEOTECHNICAL ENGINEER.
5. MINIMUM GRADES AWAY FROM HOUSE SHALL BE 2% PER (CBC) SECTION 1804.3
6. ALL DOWNSPOUTS SHALL DISCHARGE ON TO AWAY FROM BUILDING SPLASH BLOCKS DIRECTING RUNOFF INTO GRADED SWALES.
7. SEE ARCHITECTURAL PLANS FOR DOWNSPOUT LOCAITONS. ALL DOWNSPOUTS TO HAVE SPLASH BLOCK DIRECTING WATER AWAY FROM HOUSE TOWARD DRAINAGE SWALE.
8. ALL OFF-HAULED MATERIAL MUST GO TO THE LANDFILL OR A PERMITTED GRADING SITE PRE-APPROVED BY THE COUNTY.

PROJECT SUMMARY

TOTAL SITE AREA	4,000 S.F.
BUILDING FOOTPRINT AREA	1,583 S.F.
DRIVEWAY/PATIO AREA	662 S.F.
TOTAL COVERAGE AREA	2,245 S.F.
PERCENT COVERAGE AREA	56.1%

GRADING QUANTITIES

CUT	±4 C.Y.
FILL	±63 C.Y.
BASEMENT GRADING	
CUT	±249 C.Y.
FILL	±0 C.Y.



VICINITY MAP
NO SCALE

BENCHMARK ELEVATION

BENCHMARK ID: #7A
ORGANIZATION: SANTA CRUZ COUNTY
ELEVATION: 44.15 FEET (NGVD)

DESCRIPTION:
SOUTHWEST MEDIAN AT PORTOLA DRIVE; EAST CLIFF DRIVE; 17TH AVENUE INTERSECTION; 25 FEET WEST FROM CENTERLINE OF 17TH AVENUE AND 40 FEET SOUTH FROM CENTERLINE EAST CLIFF DRIVE.

UTILITY DATA

WATER SUPPLY	CITY OF SANTA CRUZ
SEWER DISPOSAL	COUNTY OF SANTA CRUZ SANITATION DISTRICT
GAS AND ELECTRIC	PACIFIC GAS AND ELECTRIC CO.
CABLE	COMCAST
TELEPHONE	AT&T

OWNER

MICHAEL E. DUNN
BUILDING ENTERPRISES, INC.
3111 FALLON ROAD
HOLLISTER, CA 95023

OFFICE: 831-637-9056
CELL: 831-902-5187

CIVIL ENGINEER

HANNA & BRUNETTI
7651 EIGLEBERRY STREET
GILROY, CA 95020

VOICE: 408-842-2173
FAX: 408-842-3662
EMAIL: ENGINEERING@HANNABRUNETTI.COM

STRUCTURAL ENGINEER

CONTACT: WESLEY LIU

WESLEY LIU ENGINEERING, INC.
7246 SHARON DRIVE #D
SAN JOSE, CA 95129

VOICE: 408-973-1839

DESIGNER

CONTACT: SCOTT ZAZUETA

D&Z DESIGN ASSOCIATES, INC.
17705 HALE AVENUE, SUITE H4
MORGAN HILL, CA 95037

VOICE: 408-778-7005
FAX: 408-778-7004

GEOTECHNICAL ENGINEER

CONTACT: RICK L. PARKS

HARA, KASUNICH AND ASSOCIATES
116 EAST LAKE AVENUE
WATSONVILLE, CA 95076

VOICE: 831-722-4175 EXT 212
FAX: 831-722-3202

SHEET INDEX

1 GRADING & DRAINAGE PLAN
2 SECTIONS, DETAILS AND CITY STANDARD DETAILS
3 EROSION CONTROL PLAN

REVISIONS:		
DATE	DESCRIPTION	BY:

Hanna·Brunetti
•Civil Engineers • Land Surveyors•
•Construction Managers•
Gilroy California (408) 842-2173

DATE: SEPTEMBER 2013
HORIZ. SCALE: 1"=10'
VERT. SCALE: NONE
DESIGNED BY: DH
CHECKED BY:
DRAWN BY: TM

REFERENCES

CITY OF SANTA CRUZ
SEPTEMBER 2013

Grading & Drainage Plan

154 Sunny Cove Drive - apn 028-221-16

SANTA CLARA COUNTY
CALIFORNIA

SHEET 1 OF 3

JOB NO. 13031

Public Comments and Correspondence
Received after the 8/21/26 Zoning Administrator Hearing

Application Number 251357

EXHIBIT 1C

SUPPLEMENTAL CORRESPONDENCE NO. 1

What the County's Records Show About This Approval

Appeal of Application No. 251357
154 Sunny Cove Drive (APN 028-221-16)
Appellant Milly Rose LLC

TO: Planning Commission, County of Santa Cruz, via the Planning Division

FROM: David Bernstein, Manager, Milly Rose LLC, 145 18th Avenue, Santa Cruz

DATE: October 2, 2026

HEARING: October 28, 2026

After the appeal was filed, the County produced its records on this application (PRA 26-1051, September 11, 2026). Those records establish several things the Commission should know before it votes, set out below in the order of the appeal letter. The chronology and exhibits follow. This supplement raises no new ground of appeal; it corrects one statement in the appeal letter and documents the grounds already stated.

1. After the appeal was filed, the owner's builder acknowledged the encroachment. The correction proposed addresses only the overhang.

A licensed survey shows the structure's frame, main roof beam, and roof overhang over the property line onto 145 18th Avenue (Appeal Ex. A). On September 22, 2026, the owner's builder contacted the appellant's surveyor. The surveyor reported that the builder **"is aware of the overhang issue,"** asked to have points set on the line "so they can move / adjust the building," and offered to **"replace the top board that was cut"** on the appellant's fence. (Ex. S-11.) The encroachment and the damage to the fence are no longer in dispute. The cap board cannot in fact be replaced along that run: the wall of the structure occupies the space the board requires.

The correction proposed addresses only the encroachment. At the hearing, staff advised the Zoning Administrator that **"the building will likely need to be modified to comply with the building code given where its openings are, relative to the property lines,"** and that elements of "that whole wall assembly on both the side and rear" will need to be modified to meet fire code. (Appeal Ex. E.) No change to the openings or the wall assembly has been proposed. Nor is anything proposed for the concrete foundation, which no one has ever located relative to the line: the appellant's surveyor could not reach it because of the fence, and no surveyor's certification was obtained before it was poured, because no permit was sought. A correction confined to the overhang leaves the frame, the walls, the openings, the undimensioned separation from the residence's light well (SCCC 13.10.611(D)(7); Appeal Section VII), and the foundation exactly where they are. Moving or altering the structure also requires a building permit, which under County practice cannot issue while an appeal is pending; and a structure moved from its location on Exhibit D is not the structure the approval describes.

2. For eight months staff told the applicant in writing that he could build a conforming shed with no variance at all. He declined. The recommendation then reversed, with no record of why.

Four letters from the project planner — September 26, November 20, March 11, and May 27 — state that the requested setback reduction "may not be necessary" and recommend a conforming 120-square-foot structure. The May 27 letter is the one that deemed the application complete. The applicant declined that alternative: counsel's April 28 letter states that 120 square feet "is not a structure of sufficient size" for the applicant's bikes and scooters. (Ex. S-9.) The variance exists only because of that choice. The applicant's final submittal, on April 27, stated that **"no changes"** had been made to the project. **The draft staff report recommending approval was created July 14. Between May 27 and July 14 the County's file contains nothing — no submittal, no correspondence, no record from any party.** The staff report does not mention the earlier position, does not state that the structure was built without a permit, and contains no lot coverage analysis.

The question this leaves is the one the appellant asks the Commission to put to staff: **what changed between May 27 and July 14?**

3. The appellant asked which parcel size the finding rested on. Three days later the number was changed to the applicant's figure instead of being measured — and the change was prepared for oral delivery at the hearing.

On August 15 the appellant asked the planner in writing which of the three parcel areas in the record (3,833, 3,883, or 4,000 square feet) the Division relied on, noting that **both the special-circumstance finding and the 45 percent lot coverage maximum turn on the answer** (on 3,833 square feet the project exceeds the maximum; on 4,000 it does not), and asked what coverage was on the real figure. Three days later — with nothing from any other party entering the file in between, and four hours before the appellant's written opposition was filed — on August 18 at 10:39 AM the planner sent the Deputy Zoning Administrator three pages of "corrections" **"that I intend to read into the record at the ZA hearing."** The corrections changed the parcel area to 4,000, changed its stated source from County GIS to the applicant's plans, and struck the parcel-size basis from the special-circumstance finding. No measurement was made. No coverage figure was computed. At the hearing the applicant produced a September 2013 grading plan, prepared for a prior owner and captioned "City of Santa Cruz" and "Santa Clara County," as the basis for 4,000.

Four months earlier, the applicant's own counsel had told the County that **"Applicant's lot is small."** The applicant has argued both parcel sizes. The County adopted the applicant's figure without measuring either.

4. The applicant's stated basis for the variance is the size needed to store his belongings.

Counsel's April 28, 2026 letter: **"the basis of this application is that 120 square feet is not a structure of sufficient size to be able to reasonably park and store the Applicant's bikes and scooters."** That is a circumstance of the owner, not of the property. Government Code section 65906 and SCCC 13.10.230(C) require the latter. The same letter supports the neighborhood-character finding with "our rough count" from an aerial photograph, and describes the appellant's garage as "very large double sized" with "no setback"; it is a one-car garage located 1.41 feet from the line on the recorded 2020 survey (Appeal Ex. C).

5. The County wrote that a compliance order or hearing was required. The applicant declined any deadline. Nothing followed — and the approval adds no deadline of its own.

In September 2025 the code compliance investigator proposed a Stipulation and Order with a January 2027 completion date, writing that the County **"does require some type of agreement or order to be in place"** and **"really do need [to] set some type of bookends for this project,"** and that the alternative was an Administrative Hearing. The applicant's counsel declined, proposing instead of dates certain **"a periodic check in."** No stipulation was signed. No hearing was held. On September 3, 2026 the investigator confirmed in writing that the case remains open "until the building is approved through a discretionary and building permit with final inspection or demoed" — with no date on either. The recorded Notice of Violation cites SCCC 12.10.430(A), which makes it unlawful to *maintain* a structure without a permit, and SCCC 13.10.279(A), continuing violations. The structure has been maintained, in use, for eighteen months as of this hearing.

On September 15, 2026 the investigator explained in writing that she prepared the Stipulation **"in hopes to avoid the potentially lengthy process associated with discretionary review, possible appeals, and other related proceedings,"** that she did not proceed with an Administrative Hearing because a discretionary application had been submitted, and that where owners are "demonstrating good faith" enforcement action "is generally not necessary." No written policy is cited. The one instrument that would have set dates was declined by the applicant; the alternative was not pursued; and the standard that replaced both — good faith — has no deadline attached to it. (Ex. S-10.)

The approval on appeal requires the applicant to do nothing by any date. It expires in September 2029 unless a building permit is obtained; extensions are available on request.

6. The record behind the "good faith" finding

The Zoning Administrator's approval relied in part on the applicant having "submitted in good faith an application to address the code violation." (Appeal Ex. E.) The sequence, in the order it occurred:

1. **February 3, 2025 — the order.** The Modern Shed order for a 234-square-foot structure, dated December 23, 2024 and signed by the owner February 3, 2025, lists the use as "Custom Shop" and records "Permitting: No." (Approved plan set, Exhibit D of the staff report.)
2. **Construction — no permit, over an objection.** A neighbor asked for the permit while the structure was being built; the owner said none was needed. (Gleitsmann letter, January 2026, in the record.)
3. **No notice to the adjoining owner.** Milly Rose LLC was not told before construction began.
4. **The fence cap was cut to fit the wall.** (Written Opposition, Exhibit C.) In September 2026 the owner's builder offered to "replace the top board that was cut." (Ex. S-11.)
5. **The County's safeguard was bypassed.** Before concrete is poured on a permitted structure, the County requires a surveyor's letter certifying that the foundation forms meet the boundary and setbacks. None was obtained, because no permit was sought. (Appellant's surveyor, September 3, 2026.)
6. **April–June 2025 — red-tagged and recorded.** Notice of Violation recorded June 5, 2025: "oversized accessory structure within side and rear yard in coastal zone without permits." (Appeal Ex. F.)

7. **August 22, 2025 — the application.** Filed four months after the red tag, two days after the investigator named an Administrative Hearing date. Deemed complete nine months later, after three incomplete-application letters. (Ex. S-1; Appeal Ex. D.)
8. **September 2025 — deadlines declined.** The County proposed completion dates; counsel declined and proposed "a periodic check in" instead. (Ex. S-1.)
9. **The survey — requested, not produced.** The owner's consultant reported having the survey in August 2025. The appellant asked for it on August 15, 2026. Only the reduced detail on the plan sheet has appeared. (Ex. S-1, S-4.) That survey was performed after construction. Its detail draws the existing fence and the property line as separate lines and places the walls 0.2 and 0.5 feet inside the line — the line a licensed retracement now shows the building frame and roof beam cross — and draws no eave line on the two sides facing the property lines. (Exhibit D of the staff report; Appeal Ex. A.)
10. **September 2026 — work proposed during the appeal.** With the approval stayed, the owner's builder asked the appellant's surveyor to set points so they could "move / adjust the building." (Ex. S-11.)

Questions the appellant asks the Commission to put to staff

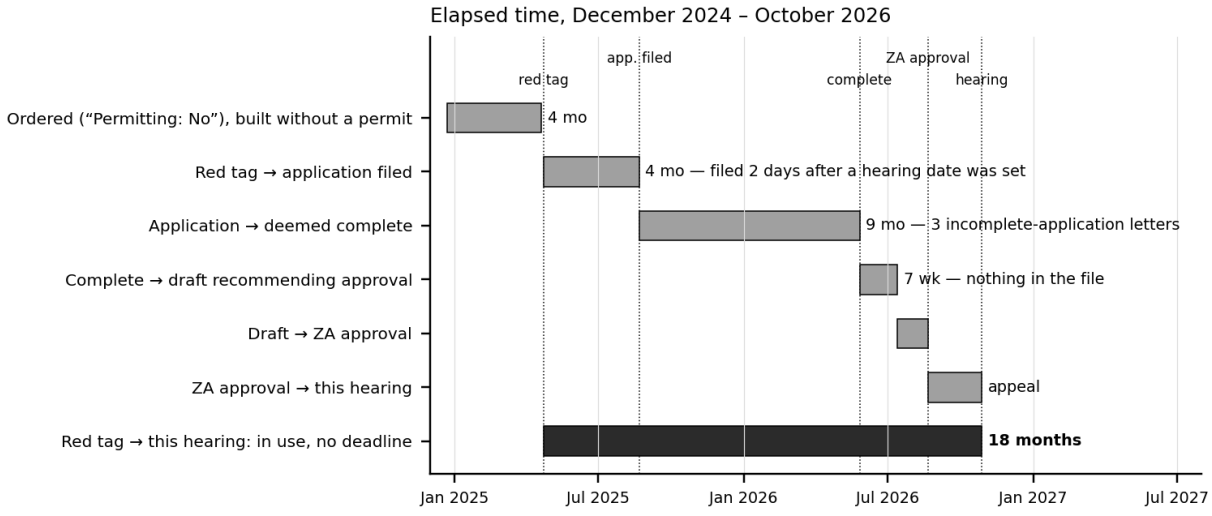
1. **What is the special circumstance?** The parcel-size basis was struck on August 18. What remains is the location of a residence that was sited in full compliance, with room behind it for a conforming shed. What about the residence's location deprives this parcel of a privilege its neighbors enjoy?
2. **What changed between May 27 and July 14, 2026?** On May 27 staff deemed the application complete while stating the variance may not be necessary; on July 14 the draft recommending approval was created. Identify any document, submittal, or communication in between.
3. **What is the parcel area, and what measured document establishes it?** Has any licensed surveyor ever measured this parcel? What is lot coverage on the County's own recorded figure?
4. **What does this approval actually require the applicant to do, and by what date?** The Zoning Administrator relied on removal of the eaves; where in the signed Conditions of Approval is that requirement? And what deadline, if any, applies to obtaining a building permit, completing the work, or passing final inspection?
5. **Which structure is the County approving — the one drawn on Exhibit D, or the one on the ground?** The approved plans show the walls inside the property lines. A licensed survey shows the frame, the main roof beam, and the overhang over the line onto 145 18th Avenue.

Chronology (supporting detail)

Dec. 23, 2024	Modern Shed order dated: 234 sq ft, use “Custom Shop,” “Height restriction: 0,” “Permitting: No.” Signed by the owner Feb. 3, 2025. (Exhibit D of the staff report.)
Feb.–Apr. 2025	Structure built without permits. A neighbor asks for the permit during construction and is told by the owner none is needed; a worker enters 145 18th Avenue with a ladder. (Gleitsmann letter, Jan. 17, 2026, in the record.)
Apr. 21, 2025	Appellant reports the structure to the County (Service Request 19285).
Apr. 24, 2025	Structure red-tagged; Case NV25236 opened Apr. 25. Posted notice states corrective action: “obtain required permits to recognize, or resize structure and move to meet shed exemptions, or remove structure.”
Jun. 5, 2025	Notice of Violation recorded (Doc. 2025-0011745): “oversized accessory structure within side and rear yard in coastal zone without permits.”
Jul. 19, 2025	Applicant’s consultant to investigator: plans not ready; surveyors “all out months.” (Ex. S-1.)
Aug. 18, 2025	Investigator: “additional complaints”; “I do need to make sure that the permitting process is moving forward.” Consultant: survey “soon.” (Ex. S-1.)
Aug. 20, 2025	Investigator proposes a Stipulation and Order for the Aug. 29 Administrative Hearing. Consultant, same day: “We have the survey.” (Ex. S-1.)
Aug. 22, 2025	Application filed — four months after the red tag, two days after the investigator named a hearing date.
Sept. 4–9, 2025	Investigator proposes Stipulation and Order (Jan. 2027 completion); counsel declines, proposes “a periodic check in”; investigator states an order or Administrative Hearing is required. No further action in the file. (Ex. S-1.)
Sept. 26, 2025	First incomplete-application letter: the variance “may not be necessary”; build a conforming 120 sq ft structure. (Appeal Ex. D.)
Nov. 20, 2025	Second letter, same determination, after the applicant’s resubmittal.
Mar. 11, 2026	Third letter, same determination; notice description expanded to include two above-ground spa tubs.
Apr. 27–28, 2026	Applicant's final submittal: “no changes made to the project”; counsel's letter stating the basis of the application and that “Applicant's lot is small.” (Ex. S-9.)
May 27, 2026	Fourth letter: application deemed complete; the variance still “may not be necessary.” Nine months after filing.
May 28 – Jul. 13, 2026	No record from any party.
July 14, 2026	Draft staff report recommending approval created. Planner submits the Aug. 21 hearing reservation: “Staff report will be provided to Sheila for review.” (Ex. S-2.)
July 21, 2026	Staff report transmitted to hearing clerk. (Ex. S-3.)
Aug. 15, 2026	Appellant asks in writing which parcel size the County relies on and what lot coverage is on that figure; separately asks for the Nielsen survey, eave and roof positions, fence location, and whether a Record of Survey was filed. (Ex. S-4.)
Aug. 17, 2026	Appellant follows up.

Aug. 18, 10:39 AM	Planner sends Deputy ZA three pages of “corrections” “to read into the record at the ZA hearing”: parcel area 3,833 → 4,000; source GIS → applicant's plans; parcel-size basis struck from Finding 1. (Ex. S-5, S-6.)
Aug. 18, 2:34 PM	Appellant's written opposition filed; supplement at 2:42 PM with the investigator's confirmation that no Stipulation was signed.
Aug. 18, p.m.	Revised report posted in strikethrough.
Aug. 19, 2026	Appellant's second supplement responds to the revised finding.
Aug. 21, 2026	Hearing. Applicant produces 2013 grading plan. Appellant's survey questions unanswered. Approval.
Sept. 2, 2026	Licensed survey (GV Land Surveying): roof overhang 0.49/0.47 ft over the line; frame, ribs, and main roof beam over the line. (Appeal Ex. A.)
Sept. 3, 2026	Investigator confirms in writing: Stipulation never signed; case open until final inspection or demolition; no deadline. (Ex. S-7.)
Sept. 8, 2026	Coastal Commission staff confirm their review covers coastal resource issues, not zoning requirements. (Ex. S-8.)
Sept. 15, 2026	Investigator explains in writing that no Administrative Hearing was pursued because the discretionary application had been submitted, and that enforcement is “generally not necessary” where owners show good faith. (Ex. S-10.)
Sept. 22, 2026	The owner’s builder contacts the appellant’s surveyor: aware of the overhang issue; asks for points on the line to “move / adjust the building”; offers to replace the fence cap board that was cut. (Ex. S-11.)

Elapsed time. Red tag to application: four months. Application to completeness: nine months and three incomplete-application letters, each resubmittal following a County request. Completeness to approval: three months, with nothing in the file. Red tag to this hearing: eighteen months. No deadline at any point.



Correction to the appeal letter

The appeal letter (Sections III and VI) states that the August 18 revision followed the appellant's written opposition filed that afternoon. The County's records show it was prepared that morning and followed the appellant's written inquiry of August 15. The appellant corrects the record. The appeal letter also describes the special circumstance as “changed from the small size of the parcel to the location of the existing residence.” For precision: the report's analysis identified only the parcel size; Finding 1 listed both; the corrections struck the parcel-size basis from both, leaving only the location of the residence.

Exhibits

S-1	Code compliance correspondence, July 19 – Sept. 9, 2025 (Rooks / Murray / Massara)
S-2	Email, R. Adams to R. Rhodes (cc S. McDaniel, N. MacBeth), July 14, 2026, 11:36 AM, submitting the Aug. 21 hearing reservation
S-3	Email, R. Adams to R. Rhodes, July 21, 2026, transmitting the staff report
S-4	Emails, D. Bernstein to R. Adams, Aug. 15 (12:18 PM and 1:14 PM) and Aug. 17, 2026
S-5	Email, R. Adams to N. MacBeth, Aug. 18, 10:39 AM
S-6	“251357 ZA Report_corrections.pdf” — the three-page corrections sheet
S-7	Email, S. Rooks to D. Bernstein, Sept. 3, 2026
S-8	Email, N. Clark (California Coastal Commission) to D. Bernstein, Sept. 8, 2026
S-9	Letter, M. Massara to R. Adams, Apr. 28, 2026, with the Apr. 27, 2026 submittal cover
S-10	Email, S. Rooks to D. Bernstein, Sept. 15, 2026
S-11	Email, V. Little (GV Land Surveying) to D. Bernstein, Sept. 22, 2026

Respectfully submitted,

David Bernstein, Manager
Milly Rose LLC — 145 18th Avenue, Santa Cruz, CA 95062
408 857 9872 | davidrbernstein@yahoo.com

SUPPLEMENTAL CORRESPONDENCE NO. 1
Appeal of Application No. 251357 — 154 Sunny Cove Drive, APN 028-221-16
Appellant: Milly Rose LLC, owner of 145 18th Avenue (APN 028-221-24)

EXHIBIT S-1

Code Compliance Correspondence

July 19 – September 9, 2025
Code Compliance Investigator S. Rooks
Consultant D. Murray
Counsel M. Massara

Includes the investigator's September 4 and September 9, 2025 emails proposing a Stipulation and Order with completion dates and identifying the Administrative Hearing alternative, and counsel's reply proposing "a periodic check in" instead.

County records, PRA 26-1051

Outlook

RE: APN: 028-221-16

From Shawna Rooks <Shawna.Rooks@santacruzcountyca.gov>
Date Tue 9/9/2025 7:25 AM
To mark massara <markmassaraesq@gmail.com>
Cc Dee Murray <deelnduse@yahoo.com>; Eddie Shimmon <eddieshimmon@gmail.com>; Robin Alaga <alagainc@gmail.com>

Good morning all,

I apologize for my delay in response; I was out of the office for a few days.

I do understand that the property owner is moving towards compliance on this date in time, however, the County does require some type of agreement or order to be in place to make sure that violations are addressed in a timely manner. The County does need to secure timelines for compliance and the Stipulation and Order helps keep everyone on track with dedicated timelines to follow. It also helps me to monitor the case with more definitive dates, instead of checking in periodically, as I do have multiple cases that I need to track. As I stated before, if delays happen, we can grant extensions if Mr. Shimmon has continued to make good faith efforts in the permitting process. This will also give the County actionable enforcement if the project goes void or if is not permittable and no further compliance is acted upon by the property owner. We really do need set some type of bookends for this project.

If the Stipulation and Order cannot be agreed upon, we will need to take the matter to an Adminstarive Hearing to have a decision and order given, with most likely a recommended mirrored order of the proposed stipulation. If this is the direction the property owner is choosing, please let me know so I can start the process for an Administrative Hearing.

Thank you for your understanding of the situation and I look forward to hearing the decision to either an agreed upon stipulation or moving towards an Administrative Hearing.

Kind regards,

Shawna Rooks
(she/her)
Code Compliance Investigator III
Community Development & Infrastructure-
Planning Division

Phone: 831-454-3442
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

From: mark massara <markmassaraesq@gmail.com>
Sent: Thursday, September 4, 2025 11:51 AM

To: Shawna Rooks <Shawna.Rooks@santacruzcountyca.gov>
Cc: Dee Murray <deelnduse@yahoo.com>; Eddie Shimmon <eddieshimmon@gmail.com>; Robin Alaga <alagainc@gmail.com>
Subject: Re: APN: 028-221-16

****CAUTION:This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Hi Shawna,

Thank you for your email and update. To date, as discussed we've engaged professionals and been working quickly to respond. We have already submitted a complete permit application for the project and paid substantial application fees. We have been assigned to County Planner Randall Adams, and Dee has already reached out to facilitate review. Under the circumstances, and our good faith participation in being responsive to the expedited review of the project I'd like to propose that rather than a Stipulation with specified dates certain for planning events not yet known and relying on future efforts for extensions that we instead simply agree to a periodic check in with you to ensure our progress remains timely. We already have a commitment to work with you and your division not only on the permitting but on rescission of the recorded Notice you filed on June 4. We've been transparent in this process to date and look forward to working with you in good faith to complete the process as soon as possible. Thank you for your consideration.

Mark Massara
markmassaraesq@gmail.com

Attorney at Law

T: 805 895 0963

CONFIDENTIALITY NOTICE
This email is covered by the Electronic Communications Privacy Act, 18 U.S.C. Sections 2510-2521. This email and any documents accompanying this email contain legally privileged and confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this email communication is strictly prohibited. If you have received this email in error, please notify us immediately by telephone or email and permanently delete the email, any attachments, and all copies thereof from any networks, drives, cloud, or other storage media and please destroy any printed copies of the email or attachments. Neither this email nor the contents thereof are intended to nor shall create an attorney-client relationship between the Law Offices of Mark A. Massara and the recipient(s), and no such attorney-client relationship shall be created unless established in a separate, written retainer agreement or by court order.

> On Sep 4, 2025, at 10:12 AM, Shawna Rooks <Shawna.Rooks@santacruzcountyca.gov> wrote:
>
> Hello all,
>
> Thank you for the quick submittal for the Discretionary application. As this project may take some time for all submittals, reviews, permit issuances , and inspection completion, I think it's best to have some timelines agreed upon for compliance. Prior to my plan review on the

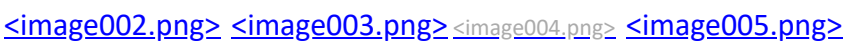
Discretionary, I would like to have some assurances in place for project completion and clear direction if any of the applications get denied, and that the removal, resizing, or relocating of the shed will be an agreed upon step to compliance. Please take a look and review the attached proposed Stipulation and Order. I have given some dates that I believe are sufficient for Coastal review, Discretionary approval, building plans submittal to issuances with time enough to address any review correction to pass inspections, with a final date in January of 2027. If this proposal looks agreeable, I can send to collect signatures in DocuSign. Please note that if any delays happen during the Stipulation timelines, we can grant an extension if forward progress for permit issuance has been made in good faith. Please let me know if you have any questions.

Kind regards,



Shawna Rooks
(she/her)
Code Compliance Investigator III
Community Development & Infrastructure-Planning Division

Phone: 831-454-3442
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060



From: Dee Murray <deelnduse@yahoo.com>
Sent: Friday, August 22, 2025 1:21 PM
To: Shawna Rooks <Shawna.Rooks@santacruzcountyca.gov>
Cc: Mark Massara <markmassaraesq@gmail.com>; Eddie Shimmon <eddieshimmon@gmail.com>; Robin Alaga <alagainc@gmail.com>
Subject: Re: APN: 028-221-16

****CAUTION:This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Hi Shawna,

I want to let you know we submitted the discretionary permit application today for the above APN. Watsonville Blue Print sent it through the e-plan portal.

If you get anymore complaints you can let them know.

Thanks, and have a good weekend.

Dee Murray
Land Use Consultant
(831) 475-5334
Cell (831) 332-4630
deelnduse@yahoo.com

On Wednesday, August 20, 2025 at 02:50:05 PM PDT, Shawna Rooks <shawna.rooks@santacruzcountyca.gov> wrote:

Thanks Dee! I will wait to hear from Mark in hopes of getting a Stipulation and Order agreed upon. As for the complaints, our Planning Tech handles all complaints received and then forwards to the investigator assigned to the case. Reporting parties' information is held confidential.

<image001.png>

Shawna Rooks

(she/her)

Code Compliance Investigator III

Community Development & Infrastructure-Planning Division

Phone: 831-454-3442

701 Ocean Street, 4th Floor

Santa Cruz, CA 95060

<image002.png> <image003.png> <image004.png> <image005.png>

From: Dee Murray <deelnduse@yahoo.com>
Sent: Wednesday, August 20, 2025 2:20 PM
To: Shawna Rooks <Shawna.Rooks@santacruzcountyca.gov>
Cc: Mark Massara <markmassaraesq@gmail.com>; Eddie Shimmon <eddieshimmon@gmail.com>; Robin Alaga <alagainc@gmail.com>
Subject: Re: APN: 028-221-16

****CAUTION:**This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Hi Shawna,

We have the survey and the Building Designer went out today to measure, etc to prepare plans for the discretionary application.

As I understand it you are receiving complaints from the family members that filed the code violation.

Mark Massara, the Attorney, is out of town until the first of next week when he will respond to your email.

Dee Murray

Land Use Consultant

(831) 475-5334

Cell (831) 332-4630

deelnduse@yahoo.com

On Wednesday, August 20, 2025 at 07:57:34 AM PDT, Shawna Rooks <shawna.rooks@santacruzcountyca.gov> wrote:

Good morning Dee,

Thanks for getting back to me. As we are within the 90 days of posted violation and it sounds to be a project that will move forward with the permitting process, would your client be open to a Stipulation and Order with manageable timelines for compliance? I know that would help if we do receive any future complaints. Please let me know if agreeable and I can start working on an Order that we could potentially present it at the next Adminstarive Hearing on August 29th.

Kind regards,

<image001.png> **Shawna Rooks**

(she/her)

Code Compliance Investigator III

Community Development & Infrastructure-Planning Division

Phone: 831-454-3442

701 Ocean Street, 4th Floor

Santa Cruz, CA 95060

From: Dee Murray <deelnduse@yahoo.com>
Sent: Monday, August 18, 2025 6:07 PM
To: Shawna Rooks <Shawna.Rooks@santacruzcountyca.gov>
Cc: Mark Massara <markmassaraesq@gmail.com>; Eddie Shimmon <eddieshimmon@gmail.com>; Robin Alaga <alagainc@gmail.com>
Subject: Re: APN: 028-221-16

****CAUTION:**This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Hi Shawna,

We should have the survey soon. Then getting the Building Designer out there very soon also. We are making progress to get everything together to submit for the discretionary permit application.

Thanks for letting me know about the neighbor.

Have a good evening.

Dee Murray

Land Use Consultant

(831) 475-5334

Cell (831) 332-4630

deelnduse@yahoo.com

On Monday, August 18, 2025 at 02:37:24 PM PDT, Shawna Rooks <shawna.rooks@santacruzcountyca.gov> wrote:

Hello Dee,

I hope you are doing well. I wanted to reach out and see if any determination or survey has been made recently regarding the posted violation. I have had additional complaints about the storage shed at 154 Sunny Cove and I do need to make sure that the permitting process is moving forward. Please let me know at your soonest convenience the current status for the property.

Kind regards,

<image001.png>

Shawna Rooks

(she/her)

Code Compliance Investigator III

Community Development & Infrastructure-Planning Division

Phone: 831-454-3442

701 Ocean Street, 4th Floor

Santa Cruz, CA 95060

<image002.png> <image003.png> <image004.png> <image005.png>

From: Dee Murray <deelnduse@yahoo.com>
Sent: Sunday, July 20, 2025 5:52 PM
To: Shawna Rooks <Shawna.Rooks@santacruzcountyca.gov>
Cc: Mark Massara <markmassaraesq@gmail.com>; Eddie Shimmon <eddieshimmon@gmail.com>
Subject: Re: APN: 028-221-16

****CAUTION:This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Hi Shawna.

Please let me know that you received this email.

Thank you.

Dee Murray

Land Use Consultant

(831) 475-5334

Cell (831) 332-4630

deelnduse@yahoo.com

On Saturday, July 19, 2025 at 12:23:03 PM PDT, Dee Murray <deelnduse@yahoo.com> wrote:

Hi Shawna,

We have been working diligently to have the plans ready to submit for the coastal development permit/variance. We ran into a problem trying to find a surveyor to survey the property. They were all out months. I finally received an email from a

surveyor who can possibly start in a couple of weeks.

I'll keep you updated.

Best,

Dee Murray

Land Use Consultant

(831) 475-5334

Cell (831) 332-4630

deelnduse@yahoo.com

<154 Sunny Cove Proposed Stipulation&Order.pdf>

SUPPLEMENTAL CORRESPONDENCE NO. 1
Appeal of Application No. 251357 — 154 Sunny Cove Drive, APN 028-221-16
Appellant: Milly Rose LLC, owner of 145 18th Avenue (APN 028-221-24)

EXHIBIT S-2

Hearing Reservation

Email, R. Adams to R. Rhodes (cc S. McDaniel, N. MacBeth)
July 14, 2026, 11:36 AM

Submits the August 21, 2026 Zoning Administrator hearing reservation for Application 251357: "Staff report will be provided to Sheila for review."

County records, PRA 26-1051

Randall Adams

From: Randall Adams
Sent: Tuesday, July 14, 2026 11:36 AM
To: Riley Rhodes
Cc: Sheila McDaniel; Nathan MacBeth
Subject: 8/21 ZA reservation - 251357
Attachments: 251357 ZA res.pdf

Hi Riley,

Please see the attached reservation form for 251357 on the 8/21 ZA agenda (along with my other item - 231473).

Sheila is aware that this one is coming for 8/21. I am including Nate in case you need a manager to sign off on the reservation request in Sheila's absence.

Staff report will be provided to Sheila for review.

Thanks,

Randall

SUPPLEMENTAL CORRESPONDENCE NO. 1
Appeal of Application No. 251357 — 154 Sunny Cove Drive, APN 028-221-16
Appellant: Milly Rose LLC, owner of 145 18th Avenue (APN 028-221-24)

EXHIBIT S-3

Staff Report Transmittal

Email, R. Adams to R. Rhodes
July 21, 2026

Transmits the staff report for Application 251357 for the August 21, 2026 Zoning Administrator agenda.

County records, PRA 26-1051

Randall Adams

From: Randall Adams
Sent: Tuesday, July 21, 2026 11:46 AM
To: Riley Rhodes
Subject: 8/21 ZA - 251357
Attachments: 251357 ZA Staff Report.pdf

Hi Riley,

Please see the attached staff report for 251357 on the 8/21 ZA agenda.

Thanks,

Randall

SUPPLEMENTAL CORRESPONDENCE NO. 1
Appeal of Application No. 251357 — 154 Sunny Cove Drive, APN 028-221-16
Appellant: Milly Rose LLC, owner of 145 18th Avenue (APN 028-221-24)

EXHIBIT S-4

Appellant's Written Inquiries to the Project Planner

Emails, D. Bernstein to R. Adams
August 15, 2026 (12:18 PM and 1:14 PM) and August 17, 2026

Asks which of the three parcel areas in the record the Division relies on and what lot coverage is on that figure; requests the Nielsen survey and field notes, the eave and roof positions, the fence location, and whether a Record of Survey was filed.

Appellant's correspondence

Re: Application 251357 (APN 028-221-16) — request for appeal jurisdiction basis and parcel area clarification

From: David Bernstein (davidrbernstein@yahoo.com)

To: randall.adams@santacruzcountyca.gov

Date: Monday, August 17, 2026 at 10:38 AM PDT

Good Morning Mr. Adams

Thanks for trying to get the questions below answered before the Friday meeting. In particular answers on the NV25236 status and whether a Stipulation and Order was executed are of particular interest.

Thank you again for your help.

David Bernstein
145 18th Avenue
Santa Cruz, CA 95062
408 857 9872

==========

On Saturday, August 15, 2026 at 01:14:32 PM PDT, David Bernstein <davidrbernstein@yahoo.com> wrote:

Subject: Application 251357 (APN 028-221-16) — follow-up: Nielsen survey and roof position at the property lines

Dear Mr. Adams,

Following up on my earlier email with one further item, which I think is narrower and more easily answered.

The site plan sheet in Exhibit D includes a detail bearing the stamp of Jeff B. Nielsen, Licensed Land Surveyor No. 6832, of Mid Coast Engineers, Job No. 25085. It annotates the shed at 13.00 by 18.00 feet with offsets from the property line of 0.5 feet on one line and 0.2 feet on the other, and it distinguishes a "foundation line" from an "eave line."

The eave line appears to be drawn only on the two sides of the structure facing the existing residence and rear yard. On the two sides facing the property lines, I do not see an eave line shown. Since the staff report states at page 2 that the applicant is proposing to remove eaves and other extensions that extend beyond the

walls along the side and rear property lines, I would like to understand what the survey does and does not establish about the roof.

Could you provide or confirm the following:

1. The complete, full-size Nielsen survey and the surveyor's field notes, rather than the reduced detail printed on the plan sheet.

2. Whether the eaves along the side and rear property lines had already been removed at the time the survey was performed, or whether they were present and simply not measured.

3. The dimension from each property line to the outermost edge of the roof assembly, including any drip edge, flashing or trim.

4. Whether the existing fence was located by the survey, and if so, its offset from the property line.

5. Whether a Record of Survey or corner record has been filed with the County Surveyor for this work pursuant to Business and Professions Code section 8762, and if not, the basis on which one was not required.

My interest is straightforward: the annotated wall offsets are two tenths and five tenths of a foot, so a roof edge projecting further than that would cross onto my parcel, and I cannot tell from the record whether it does. If the answer is that the roof does not cross, I would like that confirmed in the record before the hearing.

Thank you again for your help.

David Bernstein
145 18th Avenue
Santa Cruz, CA 95062
408 857 9872

==========

On Saturday, August 15, 2026 at 12:18:49 PM PDT, David Bernstein <davidrbernstein@yahoo.com> wrote:

Subject: Application 251357 (APN 028-221-16) — request for appeal jurisdiction basis and parcel area clarification

Dear Mr. Adams,

I am the owner of 145 18th Avenue, the parcel immediately adjoining 154 Sunny Cove Drive, and I will be commenting on Application 251357 at the hearing. Ahead of that, I would appreciate clarification on three items in the staff report so that my comments are accurate.

1. Appeal jurisdiction. Exhibit F states that the project is appealable to the California Coastal Commission. Could you confirm the basis for that determination under Public Resources Code section 30603(a)(1) — whether the parcel is treated as lying between the sea and the first public road paralleling the sea, or within 300 feet of the inland extent of the beach, or both? If the County has a post-LCP-certification appeal jurisdiction map covering APN 028-221-16, I would appreciate a copy or a link.

2. Parcel area. The record contains three different figures. The staff report and Exhibit F state 3,833 square feet (GIS). The applicant's written variance findings state 3,883 square feet. The Project Data block on the plan set, Exhibit D, states 4,000 square feet. Since the sole special circumstance identified in Variance Finding 1 is that the parcel is less than the 4,000 square foot minimum for the R-1-4 district, could you confirm which figure the Planning Division is relying on?

3. Lot coverage. The lot coverage calculation on Exhibit D reports 1,745 square feet as 43.6 percent against a 45 percent maximum, which appears to be derived from a 4,000 square foot parcel. The same sheet's Project Data block separately states 1,651 square feet, or 41 percent. Could you confirm which calculation the Division has reviewed, and what the coverage percentage is when computed against the parcel area identified in item 2?

Separately, please add me to the notice list for all further actions on this application and this parcel, and please serve me with the Final Local Action Notice if the application is approved in any form.

Thank you for your time. I am happy to pick any of this up by phone if that is easier.

David Bernstein
145 18th Avenue
Santa Cruz, CA 95062
408 857 9872

SUPPLEMENTAL CORRESPONDENCE NO. 1
Appeal of Application No. 251357 — 154 Sunny Cove Drive, APN 028-221-16
Appellant: Milly Rose LLC, owner of 145 18th Avenue (APN 028-221-24)

EXHIBIT S-5

Staff Report Corrections — Transmittal

Email, R. Adams to N. MacBeth
August 18, 2026, 10:39 AM

"SR corrections (attached) that I intend to read into the record at the ZA hearing."

County records, PRA 26-1051

Randall Adams

From: Randall Adams
Sent: Tuesday, August 18, 2026 10:39 AM
To: Nathan MacBeth
Subject: 251357 ZA Report - corrections
Attachments: 251357 ZA Report_corrections.pdf; 251357 ZA Staff Report.pdf

SR corrections (attached) that I intend to read into the record at the ZA hearing. (3 pages - Discussion p.2, Ex B, Ex F).

SUPPLEMENTAL CORRESPONDENCE NO. 1
Appeal of Application No. 251357 — 154 Sunny Cove Drive, APN 028-221-16
Appellant: Milly Rose LLC, owner of 145 18th Avenue (APN 028-221-24)

EXHIBIT S-6

Staff Report Corrections

"251357 ZA Report_corrections.pdf"
Attachment to Exhibit S-5 — three pages

Discussion page 2, Exhibit B, and Exhibit F, in strikethrough: parcel area changed from 3,833 to 4,000 square feet; source changed from County GIS to the applicant's plans; parcel-size basis struck from the special-circumstance finding.

County records, PRA 26-1051

Zoning & General Plan Consistency

The subject property is a ~~3,833~~ **4,000** square foot lot, located in the R-1-4 (Single Family Residential - 4,000 square foot minimum) zone district, a designation which allows residential uses. The proposed non-habitable accessory structure is ancillary to the principal permitted residential use within the zone district and the zoning is consistent with the site's R-UM (Urban Medium Density Residential) General Plan designation.

Variance

This proposal is a request to reduce the required side and rear yard setbacks to recognize the construction of a 234 square foot storage shed that is approximately 11 feet in height. The shed was constructed to within less than one foot from the side and rear property lines and results in a request for a variance to the required 5-foot side yard setback and the required 15-foot rear yard setback to approximately 0 feet on the side and rear. The applicant is also proposing to remove any eaves or other extensions that extend beyond the walls of the shed along the side and rear property lines.

County Code allows small non-habitable accessory structures (not to exceed 120 square feet in floor area and 10 feet in height) to be located to within three feet of the side and rear property lines without any form of variance or other development approval. The applicant was advised to reduce the size of the proposed structure and to construct a storage shed with no more than 120 square feet of floor area and in compliance with the three-foot side and rear setback requirement or, alternatively, request a variance to recognize the existing structure.

County Code also allows garages to be located within the required side and rear yard setbacks with up to a 50% reduction in setbacks without any form of variance or other development approval. Detached garages can be up to 16 feet in height within the urban services line. With an administrative site development approval, a garage may be constructed to zero feet at the side and rear on smaller parcels (under 10,000 square feet in area).

Within the immediate neighborhood surrounding the subject property there are several accessory structures that are located within rear yard areas. Many of these structures appear to be near or adjacent to side and/or rear property lines. The proposed structure, in regard to both size and location, is similar to the existing pattern of development in the neighborhood.

Due to the ~~**small size of the parcel (less than 4,000 square feet in the R-1-4 zone district)**~~ **location of the existing residence on the property** and the presence of other detached accessory structures in the surrounding neighborhood, the request for a variance to allow a similar sized and situated structure can be allowed with a variance. The special circumstance in this case is the ~~**small size of the parcel (at less than the minimum lot size for the zone district)**~~ **location of the existing residence on the property**.

Design Review and Scenic resources

The proposed non-habitable accessory structure complies with the requirements of the County Design Review Ordinance, in that the proposed project will utilize compatible colors and materials that are consistent with the existing residence. Other properties in the vicinity contain accessory

Application #: 251357
APN: 028-221-16
Owner: Ed Shimmon

Variance Findings

1. That because of special circumstances applicable to the property, including size, shape, topography, location, and surrounding existing structures, the strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

This finding can be made, in that the proposed variances to reduce the required rear yard setback from 15 feet to approximately 0 feet and to reduce the required side yard setback from 5 feet to approximately 0 feet are recommended in order to allow a small accessory structure located in the rear yard behind the existing residence. The ~~**small size of the parcel and the**~~ location of the existing residence on the lot ~~**are**~~ **is** the special circumstance~~s~~ affecting the subject property.

2. That the granting of the variance will be in harmony with the general intent and purpose of zoning objectives and will not be materially detrimental to public health, safety, or welfare or injurious to property or improvements in the vicinity.

This finding can be made, in that the variance will allow the construction of a rear yard storage shed on a residentially zoned parcel consistent with the general intent and purpose of zoning objectives and, similar to garages that are allowed to be constructed to a zero foot setback on smaller parcels, the proposed accessory structure will not be materially detrimental to public health, safety, or welfare or injurious to property or improvements in the vicinity.

3. That the granting of such variances shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such is situated.

This finding can be made, in that the granting of the variances will allow construction of a rear yard storage shed similar to other properties in the neighborhood that are developed with single family dwellings and accessory structures located in rear yards, many of which are located within required yard setbacks. Therefore, it would not be a grant of a special privilege for the construction of a detached accessory structure at the rear of the subject property behind the existing residence consistent with the existing pattern of development in the neighborhood.

Application #: 251357
APN: 028-221-16
Owner: Ed Shimmon

Parcel Information

Services Information

Urban/Rural Services Line:	_X_ Inside __ Outside
Water Supply:	City of Santa Cruz
Sewage Disposal:	Santa Cruz County Sanitation District
Fire District:	Central Fire Protection District
Drainage District:	Zone 5 Flood Control District

Parcel Information

Parcel Size:	~~3,833~~ **4,000** square feet (~~GIS~~ **Plans**)
Existing Land Use - Parcel:	Single family residence
Existing Land Use - Surrounding:	Single family residential neighborhood, public beach
Project Access:	Sunny Cove Drive
Planning Area:	Live Oak
Land Use Designation:	R-UM (Urban Medium Density Residential)
Zone District:	R-1-4 (Single Family Residential - 4,000 square foot minimum)
Coastal Zone:	_X_ Inside __ Outside
Appealable to Calif. Coastal Comm.	_X_ Yes __ No

Technical Reviews: None

Environmental Information

Geologic Hazards:	Not mapped/no physical evidence on site
Fire Hazard:	Not a mapped constraint
Slopes:	2-3%
Env. Sen. Habitat:	Not mapped/no physical evidence on site
Grading:	No grading proposed
Tree Removal:	No trees proposed to be removed
Scenic:	Scenic beach viewshed
Archeology:	Not mapped/no physical evidence on site

EXHIBIT F

SUPPLEMENTAL CORRESPONDENCE NO. 1
Appeal of Application No. 251357 — 154 Sunny Cove Drive, APN 028-221-16
Appellant: Milly Rose LLC, owner of 145 18th Avenue (APN 028-221-24)

EXHIBIT S-7

Code Compliance — Case Status

Email, S. Rooks to D. Bernstein
September 3, 2026

Confirms that the Stipulation and Order was never signed and that the case remains open "until the building is approved through a discretionary and building permit with final inspection or demoed."

Appellant's correspondence

Re: Code Compliance Case No. NV25236 — status of Stipulation and Order

From: Shawna Rooks (shawna.rooks@santacruzcountyca.gov)

To: davidrbernstein@yahoo.com

Cc: randall.adams@santacruzcountyca.gov

Date: Thursday, September 3, 2026 at 03:55 PM PDT

Hello David,

Yes, the case is the same. I must have mistyped on the Stipulation. The Stipulation was never signed. My case notes are in the PRA. The case is still open until the building is approved through a discretionary and building permit with final inspection or demoed.

Shawna Rooks
(she/her)
Code Compliance Investigator III
Community Development & Infrastructure-
Planning Division

Phone: 831-454-3442
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Book time to meet with me

The Department's Building, Zoning, Code Compliance, and Environmental Planning counters are open **BY APPOINTMENT**, **Monday through Thursday from 8:00 to 11:30 AM** in-person or telephone.
Self-schedule your appointment here.

From: David Bernstein <davidrbernstein@yahoo.com>
Sent: Thursday, September 3, 2026 2:43 PM
To: Shawna Rooks <Shawna.Rooks@santacruzcountyca.gov>
Cc: Randall Adams <Randall.Adams@santacruzcountyca.gov>
Subject: Code Compliance Case No. NV25236 — status of Stipulation and Order

****CAUTION:**This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Hi Ms. Rooks,

Following the Zoning Administrator's August 21 approval of Application 251357, I filed an appeal to the Planning Commission today on behalf of Milly Rose LLC, owner of 145 18th Avenue.
In reviewing the County's records for Case No. NV25236, I found a proposed Stipulation and Order that is unsigned and captioned Case No. 25-NV25235, while the recorded and posted notices both read NV25236. I'd like to make sure I understand the current status correctly. Could you confirm in writing:

1. Whether a Stipulation and Order was ever executed in this case, and if so, its date and current compliance status.
2. Whether any compliance deadline or penalty date is currently in effect, including any deadline to file a complete building permit application.
3. Whether the red tag posted April 24, 2025 remains in effect.
4. Whether the case remains at a standstill pending the discretionary process, and what event would resume it.

If 25-NV25235 and NV25236 are the same case, a quick confirmation of that would help as well.
Thank you — I appreciate your straightforward answers throughout this.
David Bernstein Milly Rose LLC — 145 18th Avenue, Santa Cruz 408 857 9872 | davidrbernstein@yahoo.com

SUPPLEMENTAL CORRESPONDENCE NO. 1
Appeal of Application No. 251357 — 154 Sunny Cove Drive, APN 028-221-16
Appellant: Milly Rose LLC, owner of 145 18th Avenue (APN 028-221-24)

EXHIBIT S-8

California Coastal Commission

Email, N. Clark to D. Bernstein
September 8, 2026

States that Coastal Commission review of local coastal permits is focused on coastal resource issues and not typically on zoning requirements, and that staff has no record of comment on setbacks or variances in the Sunny Cove area.

Appellant's correspondence

RE: Follow-up to our call — Application 251357 (154 Sunny Cove Drive, Santa Cruz County)

From: Clark, Nolan@Coastal (nolan.clark@coastal.ca.gov)

To: davidrbernstein@yahoo.com

Date: Tuesday, September 8, 2026 at 11:04 AM PDT

Hi David,

Thanks for following up—I believe I answered these questions before but here are my answers again below.

To your first question, our office has commented on projects in the Sunny Cove area focused primarily on private encroachments into the public right of way, which impact public access. However, I don't have any recent record of written comments related to yard setbacks and/or variance approvals. As I mentioned over the phone, our comments on local coastal development permits are focused on coastal resource issues and not typically focused on more straightforward zoning requirements unless there is a clear coastal resource nexus. I'm sorry that I don't have materials to share on that front.

Regarding your second question, I do not foresee our office commenting on the appeal to the Planning Commission. We did not have any comments on the project when it was routed to our office for review last year during the permitting process so I do not expect us to comment now.

Best regards,

Nolan Clark
Coastal Planner

Central Coast District
California Coastal Commission
(831) 427-4863
coastal.ca.gov

From: David Bernstein <davidrbernstein@yahoo.com>
Sent: Thursday, September 3, 2026 2:46 PM
To: Clark, Nolan@Coastal <nolan.clark@coastal.ca.gov>
Subject: Follow-up to our call — Application 251357 (154 Sunny Cove Drive, Santa Cruz County)

Dear Mr. Clark,

You don't often get email from davidrbernstein@yahoo.com. Learn why this is important

Thank you for speaking with me last week about Application 251357. As you confirmed, because the County charges a local appeal fee, a coastal appeal remains available without exhausting local appeals. I filed the local appeal with the County Planning Commission today, September 3.

Two things:

1. Has Coastal staff previously corresponded with the County — comment letters, LCP or periodic review — about variance practice or setback implementation in the Sunny Cove / Live Oak area? I've reviewed the County's file and found only the August 29, 2025 routing of this application to your office and your reply; if anything else is public on your side, I'd appreciate a copy or a pointer.
2. The appeal will be heard in a public hearing this fall (date to follow). If your office comments on pending items in the appealable area, a staff letter would be welcome: this approval recognizes development built with no coastal authorization at all, and granting after-the-fact variances without the special property circumstances a variance requires sets a precedent for how the certified LCP's setback standards are applied throughout the area. If that's outside what your office does, I understand.

One note for your file: the County's August 29, 2025 routing identified the subject parcel as APN 028-211-16. The correct parcel is APN 028-221-16.

Best regards,

David Bernstein
Manager, Milly Rose LLC
145 18th Avenue, Santa Cruz, CA 95062
408 857 9872 | davidrbernstein@yahoo.com

SUPPLEMENTAL CORRESPONDENCE NO. 1
Appeal of Application No. 251357 — 154 Sunny Cove Drive, APN 028-221-16
Appellant: Milly Rose LLC, owner of 145 18th Avenue (APN 028-221-24)

EXHIBIT S-9

Applicant's Final Submittal and Counsel's Letter

Submittal form, April 27, 2026, and letter, M. Massara to R. Adams, April 28, 2026

The submittal states "no changes" were made to the project. Counsel's letter states that "the basis of this application is that 120 square feet is not a structure of sufficient size" for the applicant's bikes and scooters, and that "Applicant's lot is small."

County records, PRA 26-1051 (letter exhibits omitted; in the record)

County of Santa Cruz
Community Development & Infrastructure
701 Ocean Street 4th Floor, Santa Cruz, CA 95060
www.sccoplanning.gov

Discretionary Permit Resubmittal

Form **PLG-130**

It is important to note that this document (PLG-130) is completed and submitted via the LTR file and is required at each resubmittal. Please submit your updated/revised documents in the appropriate LTR, APP, PLN, or SUP file. A minimum of two files is required to resubmit a project.

A. Resubmittal Process

While your ePlan Portal is unlocked, you may resubmit your updated files any workday from 8am to 5pm. Log into ePlan, locate your project and open it, upload your files, and click "Send Notification" to finalize submitting your materials. If the "Send New Permit Notification" button is not clicked staff will not be aware of your new materials. If you do not hear from staff within 24 hours, please contact discretionary.eplanreview@santacruzcountyca.gov

B. File Standards

- → Files must be in PDF format.
- → Revised documents must contain all sheets / pages (not simply revised items).
- → All files must be unlocked & flattened (no layers).
- → Bookmarks must be set to Fit Page with names matching the File Index.
- → Stamps/signatures must be embedded.

C. Submittal Files

Fill out the information below to indicate your project and which files you are resubmitting.

Project Information All applicants must fill out this section.

ePlan Project Name (ie 701Deck_XXXXX): _____

ePlan Account Email: _____

Application Number:

APN(s): _____

Additional Notes (not required)

_____

_____

_____

_____

Technical Report Reviews If a new or updated report has been included in this resubmittal, please indicate all applicable reports below.

- ☐ Arborist Report
- ☐ Archeological Report
- ☐ Biotic Report
- ☐ Geological Report
- ☐ Geotechnical Report
- ☐ Geotechnical Waiver
- ☐ Registered Forester Report
- ☐ Agricultural Viability Report

☐ REQUIRED FILE: The LTR (letter) file: The LTR file must contain this form (PLG-130) with all fields completed. You must detail all changes made to the project documents and additional materials, as outlined in the incomplete letter. You may attach a document to this form and submit both together as the LTR file.

Annotated List: (please include below or attach a separate document to this letter form)

☐ The APP (application) file: This file is used to resubmit the application form (PLG-100) and the List of Required Information. As applicable, such as for a change in applicant, major change in scope of work, etc.

☐ The PLN (project plans) file: This file is used to resubmit the plan set. Be sure to provide the complete plan set, not just the revised sheets.

☐ The SUP (supplemental documents) file: The first page of the SUP file is the Supplement Forms Index - PLG135 form (available online here). The index will list the documents included in the SUP file such as a Soils Report or other technical reports and design review materials. As applicable, in the case where additional reports and materials are submitted.

The undersigned applicant hereby authorizes the filing of this application and authorizes staff to visit the subject property. I understand that staff may visit the property both during the review process and following the issuance of the permit. I certify to the best of my ability that the submittal information is true and correct, and that I have read and understand the above.

Applicant Signature: Robin Alaga Date: _____

MARK A. MASSARA
ATTORNEY AT LAW
65 VENTURA STREET
HALF MOON BAY, CALIFORNIA 94019
T: 805.895.0963
MARKMASSARA@COASTALADVOCATES.COM
WWW.MARKMASSARA.COM

Via Electronic Mail

Randall Adams
Project Planner
Development Review
Department of Community Development and Infrastructure
701 Ocean Street, 4th Fl.
Santa Cruz CA 95060

April 28, 2026

Re: Incomplete Application Additional Information Request
Application #251357
154 Sunny Cove Drive
Santa Cruz County CA 95062
APN 028-221-16
Owner: Shimmon

Dear Mr. Adams,

Thank you for your 3rd Routing Review correspondence dated March 11, 2026, and subsequent correspondence with architect Robin Alaga on March 12 clarifying the Project Description.

This correspondence confirms the Project Description, and responds to other comments in your 3rd Routing Review letter.

Project Description

Proposal to recognize an existing storage shed. Requires a Coastal Development Permit and Variances to reduce the required 15 foot rear yard setback to about 0 feet to the shed and to reduce the required 5 foot side yard setback to about 0 feet to the shed. Property located at 154 Sunny Cove in the Live Oak Planning area.

Notice of Proposed Development Posting

Regarding "Items of Incomplete Application," attached here as Exhibit A is evidence of signage and notification of the development permit application as required by the Neighborhood Notification Guidelines, which includes the above referenced Project Description.

Compliance Issues

With respect to "Compliance Issues," we appreciate that you have again referenced one alternative, and cited County Code Sections which allow for sheds of 120 square feet in size, and your view that we reduce the size of the project from 240 square feet to 120 square feet. SCCC 13.10.611(D)(2).

However, as previously explained, the basis of *this* application is that 120 square feet is not a structure of sufficient size to be able to reasonably park and store the Applicant's bikes and scooters. Instead, it would require Applicant to park and store bikes *outside* where ocean adjacent weather deterioration and theft will certainly result. Worse the consequence of your view is that Applicant will be forced abandon these modes of transport in favor of additional gasoline chugging vehicles that will clog Sunny Cove Drive and reduce neighborhood parking for high priority public coastal access. Given the properties' proximate location to the eastside, mid and downtown Santa Cruz, the option of going bikeless isn't preferrable to the Applicant's family.

As shown clearly in attached Exhibit B photograph, the existing shed comfortably contains Applicant's bikes, but is in no way overly large or unsightly. Viewed more closely, the blue tape on the floor of Exhibit B is the outline of what a 120 square foot alternative sized shed would be like. Obviously, it isn't able to hold a reasonable number of bikes, or accessory tools and even a single chair.

Thus, the original proposed Findings in support of a variance per SCCC 13.10.230(c) remain appropriate and we urge you recommend they be adopted consistent with the unique circumstances of this Project. Among other things, Applicant's lot is small, the shed cannot be seen for the coast or surrounding streets or public

property, and there are numerous other similarly sized and sited sheds throughout the immediate vicinity. See Exhibit C attached here.

In addition to the previously provided Exhibit C Findings, also attached is Exhibit D. Exhibit D an aerial photo map of the existing neighborhood and the numerous existing sheds and structures with limited and/or no rear yard or side yard setbacks. Exhibit D is the area immediately surrounding the Applicant's property in the Sunny Cove Live Oak Planning area. By our rough count there are currently *at least* seven other rear yard shed structures with no side or rear yard setbacks, including the very large double sized structure *immediately adjacent* to the backyard fence line of the Project site. All of these shed structures are within approximately 200-ft of the Applicant's property.

Obviously, when viewed within the context of the immediate character of the surrounding community, the proposed Project is neither out of place nor overly large. It is, in fact, completely consistent with the surrounding land uses and accessory structures.

Nor can the Applicant's shed be seen from any public or scenic vantage point. In fact, given its location, it is shielded and 'tucked in' between existing large trees and landscaping on one side and the neighbors much larger shed (with no setback) on the other. It is virtually unnoticeable to anyone but persons in the Applicant's own backyard.

Thus, the project is consistent with both the neighborhood, and the proposed use, and is consistent with findings needed for a variance and approval.

Neighbor Support

Neighbor support for the project also underscores the banality of the proposal. Attached hereto as Exhibit E are letters of support for the project from owners of properties surrounding 154 Sunny Cove, including support from the owners 134, 183 & 190 Sunny Cove Drive.

Conclusion

When viewed within the context of the property, and the unique setting and practical reality of the existing currently developed neighborhood, and the fact Applicant's shed cannot be seen from any public property, the facts clearly underscore that a variance is appropriate for this small Project.

We trust these materials are adequate for your support for a variance and recommendation of approval for the Project. If you have any remaining questions or would like additional information, please do not hesitate to contact us.

Very truly yours,



Mark A. Massara, Esq.

cc: Eddie Shimmon
Dee Murray
Robin Alaga

SUPPLEMENTAL CORRESPONDENCE NO. 1
Appeal of Application No. 251357 — 154 Sunny Cove Drive, APN 028-221-16
Appellant: Milly Rose LLC, owner of 145 18th Avenue (APN 028-221-24)

EXHIBIT S-10

Code Compliance — Enforcement History

Email, S. Rooks to D. Bernstein
September 15, 2026

Explains that the Stipulation was prepared "in hopes to avoid the potentially lengthy process associated with discretionary review, possible appeals," and that no Administrative Hearing was pursued because the discretionary application had been submitted.

Appellant's correspondence

Re: NV25236 — one follow-up question on the 2025 timeline

From: Shawna Rooks (shawna.rooks@santacruzcountyca.gov)

To: davidrbernstein@yahoo.com

Date: Tuesday, September 15, 2026 at 07:52 AM PDT

I prepared the Stipulation in an effort to establish clear, definitive dates for compliance in hopes to avoid the potentially lengthy process associated with discretionary review, possible appeals, and other related proceedings. Conversations with their attorney was that they were preparing to submit for a discretionary and did not want to sign a Stipulation.

I did not proceed with an Administrative Hearing because a discretionary application had already been submitted. The goal of Code Compliance is to achieve compliance, whether that occurs through the permitting process or through correction/removal of the violations.

When property owners are demonstrating good faith by actively working to obtain the required permits and resolve the violations, legal enforcement action is generally not necessary. In cases where an Administrative Hearing is required, the Hearing Officer's directives typically include obtaining the necessary permits and bringing the property into compliance. That is essentially the process currently underway at 154 Sunny Cove.

Shawna Rooks
(she/her)
Code Compliance Investigator III
Community Development & Infrastructure-
Planning Division

Phone: 831-454-3442
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Book time to meet with me

The Department's Building, Zoning, Code Compliance, and Environmental Planning counters are open **BY APPOINTMENT**, **Monday through Thursday from 8:00 to 11:30 AM** in-person or telephone.
Self-schedule your appointment here.

From: David Bernstein <davidrbernstein@yahoo.com>
Sent: Friday, September 11, 2026 6:28 PM
To: Shawna Rooks <Shawna.Rooks@santacruzcountyca.gov>
Subject: NV25236 — one follow-up question on the 2025 timeline

****CAUTION:This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Hi Ms. Rooks,

Thank you again for confirming last week that the Stipulation was never signed and that the case remains open. I've now been through the code compliance file in the County's records — the posted notice and your corrective-action note, the recorded notice, the June 2025 photos, the proposed Stipulation, and the correspondence through September 2025. It's a thorough file, and I appreciate the work that went into it.

One question I can't answer from the documents. On September 9, 2025 you wrote that if the Stipulation couldn't be agreed upon, the matter would need to go to an Administrative Hearing, and you asked the applicant's counsel to let you know which direction they were choosing so you could start the process. The file has no reply and no hearing. Could you tell me whether a hearing was ever scheduled, and if not, when and how the decision was made to hold the case pending the discretionary review — and whether that hold reflects a written County policy or general practice?

I'm not asking you to characterize anyone's decisions — just to understand the sequence, since it bears on what the approval now on appeal does and doesn't require.

If it's easier to walk me through it by phone, I'm at 408 857 9872 most afternoons this week before I'm away October 6–13.

Thanks again for your straightforward help throughout.

David Bernstein 408 857 9872
Milly Rose LLC — 145 18th Avenue, Santa Cru

SUPPLEMENTAL CORRESPONDENCE NO. 1
Appeal of Application No. 251357 — 154 Sunny Cove Drive, APN 028-221-16
Appellant: Milly Rose LLC, owner of 145 18th Avenue (APN 028-221-24)

EXHIBIT S-11

Owner's Builder Contacts Appellant's Surveyor

Email, V. Little (GV Land Surveying) to D. Bernstein
September 22, 2026

Reports that the owner's builder "is aware of the overhang issue," asked for points on the line "so they can move / adjust the building," and offered to "replace the top board that was cut."

Appellant's correspondence

Re: 145 18th Avenue

From: Vernon Little (vern@gvlandsurveying.com)

To: davidrbernstein@yahoo.com

Date: Tuesday, September 22, 2026 at 12:56 PM PDT

David, I got a call today from your neighbors' builder, Mike Dunn.
He is aware of the overhang issue and is going to take a look at the metal grid.

He would like to hire us to set some points on-line on his side so they can move / adjust the building.
I told him that I would have to get your permission to work for them also.

Let me know if you would like them to replace the top board that was cut?

Let us know if you are okay with us setting the property line on their side of the fence?
If it gets fixed you won't need us on the 28th.

Thanks,
Vern

Vernon Little, PLS, CFedS
Principal

GV Land Surveying

4113 Scotts Valley Drive, Suite 102
Scotts Valley, CA 95066
Cell# (831) 278-0479
vern@gvlandsurveying.com

MARK A. MASSARA
ATTORNEY AT LAW
65 VENTURA STREET
HALF MOON BAY, CALIFORNIA 94019
T: 805.895.0963
MARKMASSARA@COASTALADVOCATES.COM
WWW.MARKMASSARA.COM

Via Electronic Mail

Santa Cruz County Planning Commission
Santa Cruz County Community Development and Infrastructure
701 Ocean Street, 4th Fl.
Santa Cruz CA 95060

October 15, 2026

Attn: Rebecca Rockom Rebecca.Rockom@santacruzcountyca.gov
Randall Adams Randall.Adams@santacruzcountyca.gov
Riley Rhodes Riley.Rhodes@santacruzcountyca.gov.

Re: Neighbor Bernstein Appeal (aka Milly Rose LLC)
Application #251357
154 Sunny Cove Drive
Santa Cruz County CA 95062
APN 028-221-16

Dear Members of the Planning Commission,

This office represents the Applicant, owners of the property at 154 Sunny Cove, Santa Cruz County (APN 028-221-16). The appeal, by neighbor David Bernstein (aka Milly Rose LLC) is meritless and we urge you support your staff and the decision of the Zoning Administrator, and approve the project.

Project Description and Location[1]

Proposal to recognize the construction of a storage shed (approximately 234 square feet) located behind the existing residence. Requires a Coastal Development Permit and Variances to reduce the required 15-foot rear yard setback to about 0 feet to the shed and to reduce the required 5-foot side yard setback to about 0 feet to the shed.

Property located at 154 Sunny Cove in the Live Oak Planning area.

A. The Approved Project was Analyzed by Staff and the Decision of the Zoning Administrator Is Supported by Substantial Evidence and Should be Upheld by the Planning Commission.

Following review of the project application, plans, all the materials and exhibits, a comprehensive Staff Report and a full public hearing on August 21, the Santa Cruz County Zoning Administrator (ZA) found substantial evidence for approval of the project and approved the project.[2]

Specifically, the ZA found that the small, 234 square foot non-habitable storage shed is an ancillary use of the property allowed for the principally permitted residential use within the zone district and that such use is consistent with the site's R-UM (Urban Medium Density Residential) General Plan designation. See Attachment 2, and Exhibit B thereto.

Regarding the variance and the request for reduced rear and side yard setbacks, the ZA specifically found the project is consistent with the existing neighborhood and the existing community character in the immediate vicinity. There are numerous other sheds and structures located within those same reduced setbacks in the immediate vicinity of the project and throughout the neighborhood, including the Appellants own structure, which backs up to the shared backyard fence and which also has no setback.[3]

[1] County of Santa Cruz, Planning Division Coastal Development Permit & Variance, Permit No. 251357 (APN 028-221-16), Approval Date August 21, 2026, referenced here as Attachment 1.
[2] County of Santa Cruz, Staff Report to the Zoning Administrator (Revised, with exhibits), Application No. 251357 (APN 028-221-16), referenced here as Attachment 2.
[3] Correspondence from Mark A. Massara to Randall Adams, Project Planner, Santa Cruz County Dept. of Community Development and Infrastructure, dated April 28, 2026, referenced here as Attachment 3.



Neighbor Bernstein's shed as viewed from Applicant's backyard

As Applicant demonstrated, the proposed project is small, attractive and would serve a critical ancillary purpose by storing bikes and equipment in a secure and weather safe environment, and that the Applicant's shed was entirely consistent with numerous other structures in neighborhood, including Appellants property (see photo above, and Attachment 3, and Exhibit D thereto).

In fact, among the approximately 15 homes that face either Sunny Cove or 18th Avenue, *at least seven* have similar ancillary structures with little or no rear and side yard setbacks. See Attachment 3, and Exhibit D thereto.

In addition, the ZA took account of the fact that other neighbors supported the application, and that only Appellant Milly Rose LLC - absentee landlords with an existing shed along the shared back fence line - opposed the project. See Attachment 3, and Exhibit E thereto.

Further, the ZA found the Variance Findings not only showed the project was consistent with the existing neighborhood character, but that the project was harmonious with public health and other improvements in the area. See Attachment 2, and Exhibit B thereto.

Specifically, the project would allow for bikes, equipment and motorized scooters to be maintained indoors, which will prolong their durability, conserve fossil fuel, reduce vehicular commuter traffic, prevent theft and beautify the neighborhood by reducing street clutter. See Attachment 3, and Exhibit B.

Additionally, the ZA found that the Applicant's shed is not visible from the street or any public vista and results in no loss or adverse impacts on public coastal views whatsoever. In fact, the shed is entirely hidden behind Applicant's home and Appellant Bernstein's own rental house and shed. See Attachment 3, and Exhibit D.

Lastly the ZA incorporated the Conditions of Approval for the project and Project Plans dated December 12, 2025[4], that *require* the project comply with all Conditions of Approval, including issuance of a Building Permit, which addresses all Appellant's concerns. See Attachments 1 and 2, and Exhibit C thereto and Attachment 4.

B. The Appeal is Meritless.

While the Appeal is lengthy, it appears largely reliant on Artificial Intelligence research and generalized land use principals without the nuance or facts of the specific project. The Appeal also reiterates the arguments presented by Appellant at the ZA hearing, which were dismissed and are now relitigated with no new information or facts that would change the outcome of ZA's approval.

1. The "New" Survey Provided by Appellant Merely Confirms Two Existing Surveys and a Fourth Subsequent Survey All of Which Are Consistent With the ZA's Approval.

After the ZA Hearing on August 21 the Appellant had yet another survey produced on September 2, 2026. That survey, by Vernon Little of GV Land Surveying, found that a bit of the Applicant's shed roof and a small strip of trim overhang above the 6" wide top plate of the shared fence.

This was already known, was the basis of application for removal and will be resolved by the ZA's approval of the project and the Conditions of Approval. In other words, the ZA's approval of the project will result in the overhang being removed. See Attachments 1 & 2.

Ironically, Appellant's latest survey provides no new information. In fact, a survey was commissioned by the Applicant that was included in the Project Plans that were approved by the ZA. See Attachment 4.

[4] Shimmon Shed Revised Plans, dated December 12, 2025, referenced here as Attachment 4. The Plans include Applicant's initial survey prepared by Jeff S. Neilson (6832), Mid-Coast Engineers.

Appellant's survey does not impeach or differ from Applicant's survey.

Incredibly, both the Applicant's initial survey and Appellant's recent survey are also consistent with the official survey approved by Santa Cruz County that was prepared in 2009 when the County approved the lot line adjustment and construction of the home at 154 Sunny Cove, proving the lot established at 154 Sunny Cove is 4,000 square feet in size, a fact that Appellant continues to disbelieve.[5]

And to leave no doubt and dispel any confusion that may have been caused by the neighbor's September 2 backyard survey, the Applicant commissioned yet a *fourth survey* conducted on October 6, 2026, using the Leica TS16 Red Laser with 360 Prism. This device is regarded as a top-tier industry-leading robotic total survey station, with a reported accuracy of 2mm (.008' ft.).[6]

Consistent with prior surveys the definitive fourth (and hopefully final) survey (Attachment 6) confirms that Applicant's project slightly overhangs the fence top cap (as previously known) in two regards. First, the shed roof eave overhangs by approximately four inches (0.333'). Second, the side trim cap overhangs by approximately one-half inch (0.04166').

Both the eave and the trim cap overhang are required to be removed as part of the project proposal and approval and their removal has been sought by Applicant since this project application was first initiated. Applicant looks forward to removing the slight encroachments at the earliest opportunity following denial of the Appeal.

Thus, all the surveys are consistent. And the project, as proposed, and the permit and plans, as approved, both include removal of the overhang encroachment. To further memorialize and require the fence overhang be removed, the ZA incorporated the Revised Project Plans into the approval, and the approved project and Conditions of Approval for the Permit require removal of the shed eave. See Attachments 1, 2 & 4.

What more does Appellant want? A fifth survey? Will the Appellant then finally be convinced the Applicant's property is 4,000 square feet in size? Or will the Appellant suddenly realize the approved project will result in removal of the tiny overhang above the fence cap?

In fact, if the project were to be denied, or further delayed or appealed, Appellant only succeeds in delaying removal of the overhang. Strategically, if the Appellant

[5] Existing Conditions and Site Demolition Plan (C1), dated June 2, 2009, prepared by David Heinrichsen (49167), referenced here as attachment 5.
[6] Boundary Survey, Mid Coast Engineers, Jeff S. Neilson (6832), dated October 6, 2026, and referenced here as attachment 6.

actually desires removal of the overhang, it should urge the Planning Commission to expeditiously approve the project so the miniscule encroachment can be quickly removed.[7]

2. The Appeal Raises No Other Issues

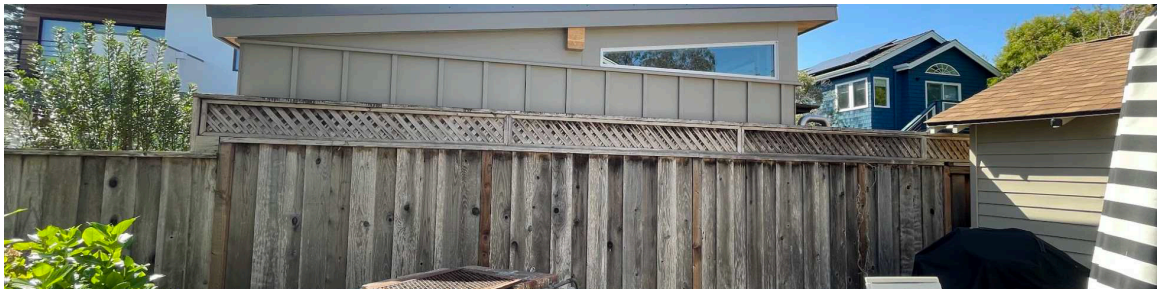
Aside from relitigating complaints about the size of Applicant's property and the eave overhang, Appellant also attempts to make a mountain out of a mole hill arguing that the County has no legal jurisdiction to authorize Applicant to "occupy" Appellant's property. *The County is not authorizing an occupation.*

The allegation underscores that Appellant either doesn't understand the ZA's approval (which requires removal of the overhang) or is deliberately engaged in a campaign of prolonging the encroachment.

Appellant also alleges that since the property line and the fence line are not identical the project approval is illegitimate.

Factually, however, all the surveys show the fence(s) are not exactly aligned with the property line. Appellant's own September 2 survey shows that. *In reality*, there is more than one backyard fence along the property line.

If one carefully reviews the pictures of the Appellant, and Appellant's backyard fence, and then pictures of Applicant's backyard fence (see pictures below), it is obvious there are *two* back-to-back fences along the property line, and a 6" wide cap that the Applicant's property developer installed over *both* fences when he constructed Applicant's home.



Appellant's backyard fence and lattice, with Appellant's shed shown on left and Appellant's shed on right.

[7] The unfortunate nuance of land use law for Appellant, that AI research might not disclose, is that the project is subject to the jurisdiction of the County, and Applicant is not permitted to simply remove the overhang at its own discretion, or that of Appellant. Instead, the structure can only be modified upon issuance of the Building Permit.



Applicant's backyard fence, with Appellant's shed in foreground and Appellant's rental house in background.

Thus, while the exact placement of the various fences, and their alignment to the surveyed property line and the space in between may be the smoke from which Appellant seeks to create a fire, what is undeniable is that the four corners of Applicant's shed are within Applicant's property, and that the ZA's approval of Applicant's shed is supported by substantial evidence. Any portion of the eave or trim cap that overhangs the fence will be removed by approval of the project.

C. The ZA's Approval of the Project Should be Upheld by the Planning Commission.

Following full consideration of all the materials, including two surveys, and staff's thorough analysis and recommendations, the ZA appropriately approved the project on August 21. The ZA's determination is supported by substantial evidence and the existing immediate community character, including Appellant's own backyard shed.

Thus, the Appeal is meritless, raises no new issues and should be denied by the Planning Commission.

Very truly yours,



Mark A. Massara, Esq.

cc: Eddie Shimmon
Dee Murray
Robin Alaga

Attachment 1

COUNTY OF SANTA CRUZ
Planning Division

Coastal Development Permit & Variance

Owner: Ed Shimmon
Address: 154 Sunny Cove Drive
Santa Cruz CA 95062

Permit Number: 251357
Parcel Number(s): 028-221-16

PROJECT DESCRIPTION AND LOCATION

Permit to recognize the construction of a storage shed (approximately 234 square feet) located behind the existing residence. Requires a Coastal Development Permit and Variances to reduce the required 15-foot rear yard setback to about 0 feet to the shed and to reduce the required 5-foot side yard setback to about 0 feet to the shed.

Property located at 154 Sunny Cove Drive in the Live Oak Planning area.

SUBJECT TO ATTACHED CONDITIONS

Approval Date: 8/21/2026
Exp. Date (if not exercised): See Conditions
Denied by: _____

Effective Date: 9/4/2026
Coastal Appeal Exp. Date: Contact Coastal
Denial Date: _____

___ This project requires a coastal zone permit which is not appealable to the California Coastal Commission. It may be appealed to the Planning Commission. The appeal must be filed within 14 calendar days of action by the decision body.

__X__ This project requires a Coastal Zone Permit, the approval of which is appealable to the California Coastal Commission. (Grounds for appeal are listed in the County Code Section 13.20.110.) The appeal must be filed with the Coastal Commission within 10 business days of receipt by the Coastal Commission of notice of local action. Approval or denial of the Coastal Zone Permit is appealable. The appeal must be filed within 14 calendar days of action by the decision body.

This permit cannot be exercised until after the Coastal Commission appeal period. That appeal period ends on the above indicated date. Permittee is to contact Coastal staff at the end of the above appeal period prior to commencing any work.

A Building Permit must be obtained (if required) and construction must be initiated prior to the expiration date in order to exercise this permit. **THIS PERMIT IS NOT A BUILDING PERMIT.**

By signing this permit below, the owner agrees to accept the terms and conditions of this permit and to accept responsibility for payment of the County's costs for inspections and all other actions related to noncompliance with the permit conditions. This permit shall be null and void in the absence of the owner's signature below.

Ed Shimmon — 8/25/26
Signature of Owner/Agent — Date

[signature] — 8/21/26
Staff Planner — Date

Distribution: Applicant, File, Clerical, California Coastal Commission

Attachment 1

Attachment 2

Staff Report to the Zoning Administrator

Application Number: 251357

Applicant: Dee Murray
Owner: Ed Shimmon
APN: 028-221-16
Site Address: 154 Sunny Cove Drive, Santa Cruz

Agenda Date:
Agenda Item #:
Time: After 9:00 a.m.

Project Description: Proposal to recognize the construction of a storage shed (approximately 234 square feet) located behind the existing residence. Requires a Coastal Development Permit and Variances to reduce the required 15-foot rear yard setback to about 0 feet to the shed and to reduce the required 5-foot side yard setback to about 0 feet to the shed.

Location: Property located at 154 Sunny Cove Drive in the Live Oak Planning area.

Permits Required: Coastal Development Permit, Variance

Supervisorial District: 1st District (District Supervisor: Manu Koenig)

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 251357, based on the attached findings and conditions.

Project Description & Setting

This application is a proposal to recognize the construction of a non-habitable accessory structure (storage shed) approximately 234 square feet in floor area located behind the existing residence.

The subject property is located in a single family residential neighborhood in the Live Oak Planning Area. The area is characterized by single family homes, many of which are located on small lots, with a variety of architectural styles and accessory structures in the surrounding neighborhood.

A Coastal Development Permit is required because the project includes new building area that exceeds 10 percent of the existing building area within the appealable area of the coastal zone.

A Variance is required because modifications are requested to zone district site standards (reduced yard setbacks).

Zoning & General Plan Consistency

The subject property is a ~~3,833~~ **4,000** square foot lot, located in the R-1-4 (Single Family Residential - 4,000 square foot minimum) zone district, a designation which allows residential uses. The proposed non-habitable accessory structure is ancillary to the principal permitted residential use within the zone district and the zoning is consistent with the site's R-UM (Urban Medium Density Residential) General Plan designation.

Variance

This proposal is a request to reduce the required side and rear yard setbacks to recognize the construction of a 234 square foot storage shed that is approximately 11 feet in height. The shed was constructed to within less than one foot from the side and rear property lines and results in a request for a variance to the required 5-foot side yard setback and the required 15-foot rear yard setback to approximately 0 feet on the side and rear. The applicant is also proposing to remove any eaves or other extensions that extend beyond the walls of the shed along the side and rear property lines.

County Code allows small non-habitable accessory structures (not to exceed 120 square feet in floor area and 10 feet in height) to be located to within three feet of the side and rear property lines without any form of variance or other development approval. The applicant was advised to reduce the size of the proposed structure and to construct a storage shed with no more than 120 square feet of floor area and in compliance with the three-foot side and rear setback requirement or, alternatively, request a variance to recognize the existing structure.

County Code also allows garages to be located within the required side and rear yard setbacks with up to a 50% reduction in setbacks without any form of variance or other development approval. Detached garages can be up to 16 feet in height within the urban services line. With an administrative site development approval, a garage may be constructed to zero feet at the side and rear on smaller parcels (under 10,000 square feet in area).

Within the immediate neighborhood surrounding the subject property there are several accessory structures that are located within rear yard areas. Many of these structures appear to be near or adjacent to side and/or rear property lines. The proposed structure, in regard to both size and location, is similar to the existing pattern of development in the neighborhood.

Due to the ~~**small size of the parcel (less than 4,000 square feet in the R-1-4 zone district)**~~ **location of the existing residence on the property** and the presence of other detached accessory structures in the surrounding neighborhood, the request for a variance to allow a similar sized and situated structure can be allowed with a variance. The special circumstance in this case is the ~~**small size of the parcel (at less than the minimum lot size for the zone district)**~~ **location of the existing residence on the property**.

Design Review and Scenic resources

The proposed non-habitable accessory structure complies with the requirements of the County Design Review Ordinance, in that the proposed project will utilize compatible colors and materials that are consistent with the existing residence. Other properties in the vicinity contain accessory

existing pattern of development in the neighborhood.

The subject property is located within a mapped scenic area. The proposed accessory structure is located behind the existing residence and is painted and finished to be compatible with the existing residence. The shed will not result in visual impacts to coastal scenic resources.

Local Coastal Program Consistency

The proposed non-habitable accessory structure is in conformance with the County's certified Local Coastal Program, in that the structure is accessory to the existing residence and other properties in the vicinity contain accessory structures within rear yard areas. The project is located between the shoreline and the first public road, with public beach access available at Sunny Cove, 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.

Conclusion

As proposed and conditioned, the project is 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

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

- **APPROVAL** of Application Number **251357,** based on the attached findings and conditions.

Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Division, 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.sccoplanning.com

Report Prepared By: Randall Adams
Santa Cruz County Planning
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3218
E-mail: randall.adams@santacruzcountyca.gov

Exhibits

A. Categorical Exemption (CEQA determination)

B. Findings
C. Conditions
D. Project plans
E. Assessor's, Location, Zoning and General Plan Maps
F. Parcel information
G. Comments & Correspondence

CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF EXEMPTION

The Santa Cruz County Planning Division 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: 251357
Assessor Parcel Number: 028-221-16
Project Location: 154 Sunny Cove Drive, Santa Cruz

Project Description: Proposal to recognize construction of a detached non-habitable accessory structure

Person or Agency Proposing Project: Dee Murray

Contact Phone Number: 831-475-5334

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. _____ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

E. X Categorical Exemption

Specify type: Class 3 - New Construction or Conversion of Small Structures (Section 15303)

F. Reasons why the project is exempt:

Residential accessory structure in an area designated for residential uses.

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

_____ Date:_____
Randall Adams, Project Planner

EXHIBIT A

Application #: 251357
APN: 028-221-16
Owner: Ed Shimmon

Variance Findings

1. That because of special circumstances applicable to the property, including size, shape, topography, location, and surrounding existing structures, the strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

This finding can be made, in that the proposed variances to reduce the required rear yard setback from 15 feet to approximately 0 feet and to reduce the required side yard setback from 5 feet to approximately 0 feet are recommended in order to allow a small accessory structure located in the rear yard behind the existing residence. The ~~**small size of the parcel and the**~~ location of the existing residence on the lot ~~**are**~~ **is** the special circumstance~~s~~ affecting the subject property.

2. That the granting of the variance will be in harmony with the general intent and purpose of zoning objectives and will not be materially detrimental to public health, safety, or welfare or injurious to property or improvements in the vicinity.

This finding can be made, in that the variance will allow the construction of a rear yard storage shed on a residentially zoned parcel consistent with the general intent and purpose of zoning objectives and, similar to garages that are allowed to be constructed to a zero foot setback on smaller parcels, the proposed accessory structure will not be materially detrimental to public health, safety, or welfare or injurious to property or improvements in the vicinity.

3. That the granting of such variances shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such is situated.

This finding can be made, in that the granting of the variances will allow construction of a rear yard storage shed similar to other properties in the neighborhood that are developed with single family dwellings and accessory structures located in rear yards, many of which are located within required yard setbacks. Therefore, it would not be a grant of a special privilege for the construction of a detached accessory structure at the rear of the subject property behind the existing residence consistent with the existing pattern of development in the neighborhood.

Application #: 251357
APN: 028-221-16
Owner: Ed Shimmon

Coastal Development Permit Findings

(A) That the project is a use allowed in one of the basic zone districts that are listed in LCP Section 13.10.170(D) as consistent with the LCP Land Use Plan designation of the site.

This finding can be made, in that the property is zoned R-1-4 (Single Family Residential - 4,000 square foot minimum), a designation which allows residential uses. The proposed non-habitable accessory structure is a principal permitted use within the zone district, and the zoning is consistent with the site's R-UM (Urban Medium Density Residential) General Plan designation.

(B) 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 no such easements or restrictions are known to encumber the project site.

(C) That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to SCCC 13.20.130 and 13.20.140 et seq.

This finding can be made, in that the proposed structure is consistent with the colors and materials of the existing residence; the site is surrounded by lots developed to an urban density; and the colors will be natural in appearance and complementary to the site.

(D) That the project conforms with the public access, recreation, and visitor-serving policies, standards and maps of the LCP Land Use Plan, including Chapter 2: Section 2.5 and Chapter 7.

This finding can be made, in that the project site is not identified as a priority acquisition site in the County Local Coastal Program and public beach access is available at Sunny Cove.

(E) That the project conforms to all other applicable standards of the certified LCP.

This finding can be made, in that the structure is sited and designed to be visually compatible and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the R-1-4 (Single Family Residential - 4,000 square foot minimum) zone district, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single family dwellings with detached accessory structures. Accessory structure sizes and styles vary in the area, and the design submitted is consistent with the pattern of accessory structures within the surrounding neighborhood.

(F) If the project is located between the nearest through public road and the sea or the shoreline of any body of water located within the Coastal Zone, that the project conforms to the public access and public recreation policies of Chapter 3 of the Coastal Act.

This finding can be made, in that the project site is located between the shoreline and the first public road with beach access available at Sunny Cove. The non-habitable accessory structure will be located in the rear yard, behind the existing residence, and 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.

(G) In the event of any conflicts between or among the required findings, required findings in subsections (E) and (F) of this section shall prevail.

This finding can be made, in that there are no conflicts among the required Coastal Development Permit findings.

Discretionary Permit Findings

(a) Health and Safety. The proposed location of the project and the conditions under which it would be developed, 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 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, including detached accessory structures. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to ensure that the project 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 be materially injurious to properties or improvements in the vicinity.

(b) Zoning Conformance. The proposed location of the project and the conditions under which it would be developed, operated, or maintained will be in substantial conformance with the intent and requirements of 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 non-habitable accessory structure and the conditions under which it would be operated or maintained will in substantial conformance with all pertinent County ordinances and the purpose of the R-1-4 (Single Family Residential - 4,000 square foot minimum) zone district as the primary use of the property will continue to be on single family residence and variance findings for reduced setbacks to the proposed accessory structure have been made.

(c) General Plan Conformance. The proposed project is in substantial conformance with the intent, goals, objectives, and policies of all elements of the County General Plan and any specific plan which has been adopted for the area.

This finding can be made, in that the existing single family residential use is in substantial conformance with the use and density requirements specified for the R-UM (Urban Medium Density Residential) land use designation in the County General Plan.

The proposal is consistent with General Plan policies ARC-5.1.2 (Development Within Visual Resource Areas) & ARC-5.1.3 (Protection of Public Vistas and Scenic Assets), in that the proposed accessory structure will be located behind the existing residence and is painted and finished to be compatible with the existing residence. The shed will not result in visual impacts to coastal scenic resources.

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

(d) CEQA Conformance. The proposed project complies with the requirements of the California Environmental Quality Act (CEQA) and any significant adverse impacts on the natural environment will be mitigated pursuant to CEQA.

This finding can be made, in that the project has been determined to be exempt from further review under the California Environmental Quality Act, as indicated in the Notice of Exemption for this

project.

(e) Utilities and Traffic Impacts. The proposed use will not overload utilities, result in inefficient or wasteful use of energy, or generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the proposed non-habitable accessory structure will not generate additional traffic (no increase in bedroom or unit count) and will not adversely impact existing roads or intersections in the surrounding area. In addition, all construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to ensure that the project will not overload utilities or otherwise result in an inefficient or wasteful use of energy.

(f) Neighborhood Compatibility. The proposed use will be compatible with the existing and proposed land uses, land use intensities, and dwelling unit densities of the neighborhood, as designated by the General Plan and Local Coastal Program and implementing ordinances.

This finding can be made, in that the proposed structure will be ancillary to the principal remitted residential use of the property which is consistent with the land use intensity and density of the neighborhood as designated by the General Plan and implementing ordinances.

(g) Local Coastal Program Consistency. For proposed projects located within the coastal zone, the proposed project is consistent with the provisions of the certified Local Coastal Program.

This finding can be made, in that the required Coastal Development Permit findings have been made for this project and the project is consistent with the provisions of the certified Local Coastal Program.

Site Development Permit Findings

(a) Siting and Neighborhood Context. The proposed development is designed and located on the site so that it will complement and harmonize with the physical design aspects of existing and proposed development in the neighborhood, as designated by the General Plan and Local Coastal Program and implementing ordinances.

This finding can be made, in that the proposed project will utilize compatible colors and materials that are consistent with the existing residence. Other properties in the vicinity contain accessory structures in rear yard areas and the proposed accessory structure will be consistent with the existing pattern of development in the neighborhood.

(b) Design. The proposed development is in substantial conformance with applicable principles in the adopted Countywide Design Guidelines, except as prohibited by site constraints, and any other applicable requirements of SCCC 13.11 (Site Development and Design Review). If located in the Coastal Zone, the site plan and building design are also in substantial conformance with the policies of the Local Coastal Program and coastal regulations of SCCC 13.20.

This finding can be made, in that the proposed accessory structure is located behind the existing residence and is painted and finished to be compatible with the existing residence. The shed will not result in visual impacts to coastal scenic resources.

EXHIBIT B

Application #: 251357
APN: 028-221-16
Owner: Ed Shimmon

Conditions of Approval

Exhibit D: Project plans, prepared by Robin Alaga, revised 12/2025.

I. This permit recognizes the construction of a non-habitable accessory structure located within the rear and side yard setbacks as indicated on the approved Exhibit "D" for this permit. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. 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 Santa Cruz County Planning one copy of the approval to indicate acceptance and agreement with the conditions thereof.

B. Obtain a Building Permit from the Santa Cruz County Building Official.

1. Any outstanding balance due to the Santa Cruz County Planning Division must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.

II. Prior to issuance of a Building Permit the applicant/owner shall:

A. Submit final architectural plans for review and approval by the Santa Cruz County Planning Division. The final plans shall be in substantial compliance with the plans marked Exhibit "D" on file with Santa Cruz County Planning. Any changes from the approved Exhibit "D" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:

1. A copy of the text of these conditions of approval incorporated into the full size sheets of the architectural plan set.

2. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material sheet in 8 1/2” x 11” format for Santa Cruz County Planning Division review and approval.

3. Notes and details indicating compliance with all applicable building and fire code requirements.

B. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.

C. Meet all requirements of the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.

1. The discretionary application has not been reviewed for compliance with Part 3 of the County Design Criteria. Prior to issuance of a building, grading, or other permit, final Stormwater Management documents shall be submitted for review and approval by Stormwater Management Section that adhere to the County Design Criteria and County Code 7.79.

2. Pre-development runoff patterns and rates shall be maintained, and safe stormwater overflow shall be incorporated into the project design.

3. New and/or replaced impervious and/or semi-impervious surface area shall not exceed 5,000 square feet.

D. Complete and record a Declaration of Restriction to construct a Non-Habitable Accessory Structure. **You may not alter the wording of this declaration**. Follow the instructions to record and return the form to Santa Cruz County Planning.

III. All construction shall be performed according to the 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. Pursuant to Sections 16.40.040 and 16.42.080 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 Sections 16.40.040 and 16.42.080, shall be observed.

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.

V. Indemnification

The applicant/owner shall indemnify, defend with counsel approved by the COUNTY, and hold harmless the COUNTY, its officers, employees, and agents from and against any claim (including reasonable attorney's fees, expert fees, and all other costs and fees of litigation), against the COUNTY, its officers, employees, and agents arising out of or in connection to this development approval or any subsequent amendment of this development approval which is requested by the applicant/owner, regardless of the COUNTY's passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the COUNTY. Should the COUNTY in its sole discretion find the applicant's/owner's legal counsel unacceptable, then the applicant/owner shall reimburse the COUNTY its costs of defense, including without limitation reasonable attorney's fees, expert fees, and all other costs and fees of litigation. The applicant/owner shall promptly pay any final judgment rendered against the COUNTY (and its officers, employees, and agents) covered by this indemnity obligation. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this development approval.

A. The COUNTY shall promptly notify the applicant/owner of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. The COUNTY shall cooperate fully in such defense.

B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:

1. COUNTY bears its own attorney's fees and costs; and

2. COUNTY defends the action in good faith.

C. Settlement. The applicant/owner shall not be required to pay or perform any settlement unless such applicant/owner has approved the settlement. When representing the COUNTY, the applicant/owner shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the COUNTY.

D. Successors Bound. The "applicant/owner" shall include the applicant and/or the owner and the successor'(s) in interest, transferee(s), and assign(s) of the applicant and/or the owner.

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 three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the

development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

_____
Deputy Zoning Administrator

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.

OWNER:

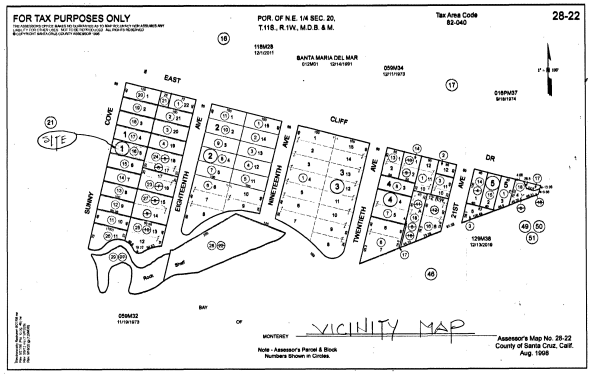
Eddie Shimmon
154 Sunny Cove Drive
Santa Cruz, CA 95062

PROJECT DATA:

A.P.N.	028-221-16
Zoning	R-1-4
Occupancy Group	R-3
Construction Type	V Non-Sprinkled
Parcel Size	4,000 sq. ft.
Lot Coverage	1,651 sq. ft. (41 %)
Existing Residence	1,985 sq. ft.
Existing Garage	240 sq. ft.
Proposed Shed	*234 sq. ft.*

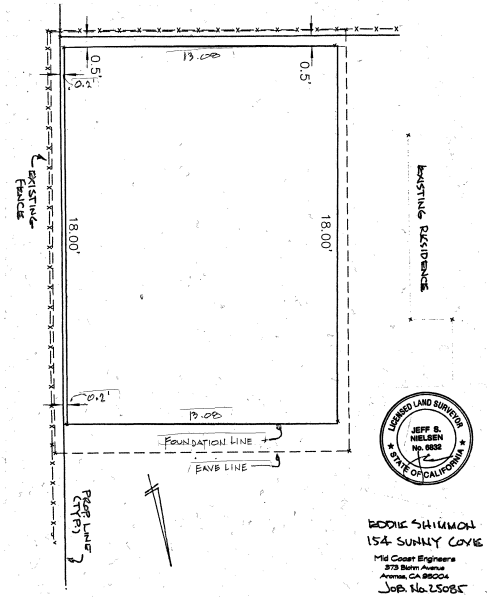
SCOPE OF WORK:

Recognize an existing 13'-1" x 18', 234 sq. ft. shed, 11'-9" in height



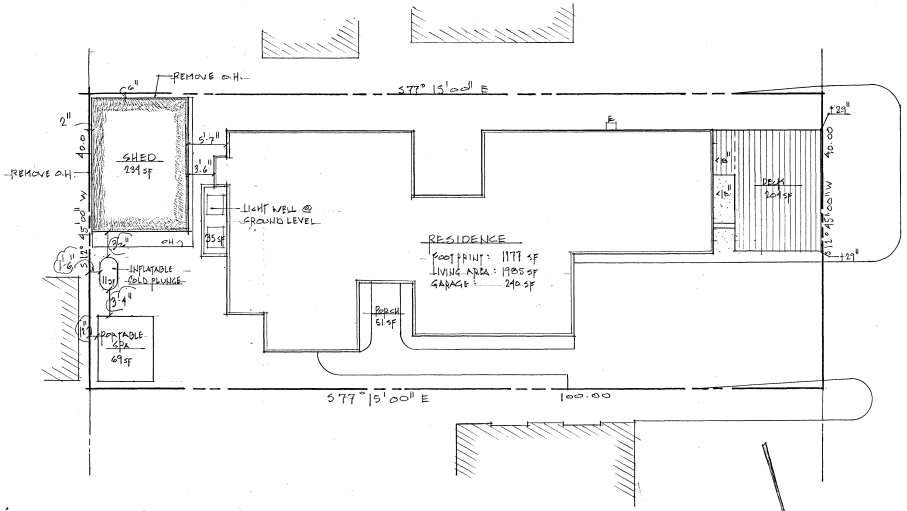
VICINITY MAP

	Lot Coverage	Floor Area Ratio
Lower Level	1177 sf	1177 sf
Upper Level	N/A	808 sf
Garage	240 - 225 sf credit = 15 sf	240 sf - 225 credit = 15 sf
Porch	51 sf - 140 sf credit = 0	N/A
Deck	204 sf	
Shed	234 sf	234 sf
Spa - Portable	69 sf	N/A
Light Well	85 sf	N/A
Inflatable Cold Plunge	11 sf	N/A
Total	1715 sf = 43.6 %	2,234 sf = 56 %
	45% MAX	60% MAX



LICENSED LAND SURVEYOR
JEFF B. NIELSEN
No. 6832
STATE OF CALIFORNIA

EDDIE SHIMMON
154 SUNNY COVE
Mid Coast Engineers
379 Bahn Avenue
Aromas, CA 95004
Job. No. 250B5



SITE PLAN

SCALE: 1/8" = 1'0"

EXHIBIT D

REVISIONS	BY
1. Dec. 25	RA

ROBIN ALAGA
250 Evening Hill Lane Corralitos, CA 95076
Phone: (831)724-4994 Cell: (831)419-4919
e-mail: alagaino@gmail.com

SHIMMON SHED

Eddie Shimmon 650.804.5119 eddieshimmon@gmail.com
154 Sunny cove Santa Cruz, CA 95062

A.P.N. 028 - 221 - 16

Robin Alaga

DRAWN	ROBIN
CHECKED	
DATE	Oct. 20. 2025
SCALE	NOTED
JOB NO.	25.38
SHEET	OF SHEETS

Docusign Envelope ID: 330CB581-6F80-4493-877D-54DE045114EF

Modern Shed

Specifications						
Date:	12/23/24	Model:	Front Wall	Customer name:	Ed Shimmon	
Sales Rep/Ph #:	Jeff Bergerson	Revised:	RS	Location:	154 Sunny Cove Dr	
	360-789-7822	Job #:	2410-141		Santa Cruz, CA 95062	
Installer:	Dave W	Height restriction:	0	Size:	18	X 13
Quote expires:	01/06/25	Permitting:	No	Use:	Custom Shop	

Base Framing Package INITIAL

Sides B and D 12x, 14x

Standard walls include: (exceptions/options listed lower on page), 2x4 studs, R13 batt insulation, 7/16" OSB exterior sheathing, (ZipWall on open joint siding), pre-assembled top cap and transom glass frames with insulated double pane glass units. Roof and floor: see below

Wall Framing and Insulation:

2x6 replaces 2x4 wall framing-May be required for permitting- holes drilled for roping

R-21 Insulation-May be required for permitting

Front Wall Bearing Design

Front wall bears roof weight (eliminates roof beam) exchanges transom igus for traditional windown

Options

Customized design or violates panelization rules

Interior Wall Covering

8" MDF shiplap-primed

Electrical Preparations

Ceiling chase in all roof panels except ends above rake walls.(Allows overhead electrical box connection.)

Roof System

Roof system includes 1/2" plywood sheathing, roofing felt, snap-loc standing seam metal roofing and trim, glulam beam, ceiling liner, flashing and fascia. See below for rafter size and insulation value.

Classic - roof style

Water & ice shield roofing underlayment -required in snowy or rainy climates and coastal regions

Specialty Finishes 24GA roofing upgrade - Ocean Guard

2x8 joist-rafters, R-50 rigid foam insulation - unvented, (1) 6.75x9.5 Glulam 14'

Upgrade roof overhang eaves: 18" Side A. 6" sides, B, C, D

Ceiling Liner

1x6 Cedar tight knot Tongue & Groove (replaces standard Pine T & G)

Floor System: 05 ES

No floor system-Concrete slab by others. (Pressure treated bottom plate included)

Exterior Siding: (Unpainted unless specified below)

Open Joint rain screen. Factory PAINTED includes ZipWall and special vapor — Side A,C,D

Hardie Board w battens ***16" O.C. Smooth finish, Includes house wrap, window/door/corner trim (UNPAINTED) — Side B

Upper trim-Top cap/fascia - Unpainted

Extra Wall Height 05 ES

0.50 Taller walls for more ceiling height-(number of feet in decimal to left)

Doors: - All doors include lock-sets

1 Framing for Larger Door (door by others)

Windows: - includes framing (all operable windows include screens)

Milgard Windows

Custom ordered A250 Thermally Improved Aluminum windows (Int. & Ext. Anodized Aluminum - Silver)

1 48 x 18 Awning (annealed) with screen

1 120 x 18 (Split) Picture Transoms (annealed)

2 82 x 18 (Short leg = 7.75) Picture Transom (annealed)

Interior window trim:

Window trim by others

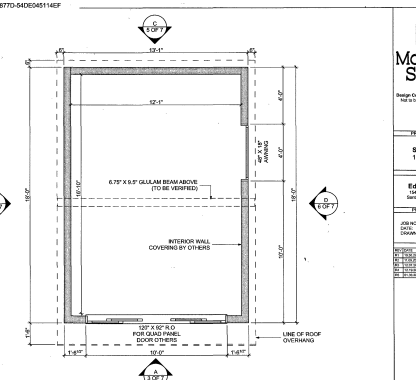
Crating / Loading

Hand loading into enclosed trailer for delivery

NOTES TO FABRICATION:

Custom Footprint: 18' x 13'-1"
Custom Roof Beam: 6.75"x9.5" > two rows of roof panels supported mid-span by beam.
RO for 120x92 door (door - by others)
Custom Transoms - Sides A, B, D

Docusign Envelope ID: 330CB581-6F80-4493-877D-54DE045114EF



FLOOR PLAN
SCALE: 1/4" = 1'-0"

234 sq.ft.

Modern Shed

Design Confirmation Drawings
Not to be used for permitting

PROJECT TITLE
SHIMMON
18 X 13'-1"

OWNER
Ed Shimmon
154 Sunny Cove Dr
Santa Cruz, CA 95062

PROJECT INFO:
JOB NO: 2410-141
DATE: 10.23.2024
DRAWN BY: JD

REVISIONS

NO	DATE	DESCRIPTION
A1	11.01.2024	ADD'D WINDOW
A2	11.06.2024	ADD'D DOOR
A3	11.07.2024	SWITCH TO SECTRUM
A4	12.19.2024	Transoms
A5	01.06.2025	R.O. 120X92

☐ APPROVED - AS DRAWN
☐ APPROVED - WITH MINOR CHANGES AS NOTE CHANGES ABOVE
CLIENT SIGNATURE Ed Shimmon
DATE 2/3/2025

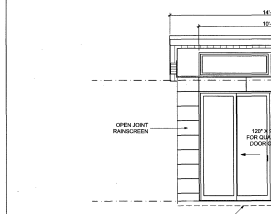
PLEASE NOTE:
ANY CHANGES AFTER SIGNATURE APPROVING THESE DRAWINGS WILL INCUR EXTRA CHANGES TO STRUCTURAL AND POSSIBLY AN ADDITIONAL ACAD DRAWING FEE.

SMALL PRINT

THIS DRAWING IS CONSIDERED PROPRIETY. IT'S NOT TO BE REPRODUCED, NOR THE INFORMATION CONTAINED TO BE USED TO PRODUCE PRODUCTS, UNLESS WRITTEN CONSENT IS FIRST OBTAINED FROM DESIGN SHED. ALL DRAWINGS PRIOR TO IN PRODUCTION ARE SUBJECT TO CHANGES. ALL CHANGES ARE TO BE AGREED UPON BY BOTH PARTIES. THE PURCHASER IS RESPONSIBLE TO FINAL CHANGES AFTER APPROVAL WILL RESULT IN ADDITIONAL FEES AND MAY ALSO AFFECT THE DELIVERY DATE. THE PURCHASER IS RESPONSIBLE TO ALL LOCAL JURISDICTIONS, AND ANY APPLICABLE "CC+R'S AND HOA'S AND/OR AGENCIES. SHED, INC. OR ANY OF IT'S AGENTS HARMLESS IN ANY SUIT OR LITIGATION WHICH MAY ARISE FROM SUCH LAWS OR REGULATIONS.

DRAWING NUMBER
2 OF 7

Docusign Envelope ID: 330CB581-6F80-4493-877D-54DE045114EF



A FRONT ELEVATION
SCALE: 1/4" = 1'-0"

Modern Shed

Design Confirmation Drawings
Not to be used for permitting

PROJECT TITLE
SHIMMON
18 X 13'-1"

OWNER
Ed Shimmon
154 Sunny Cove Dr
Santa Cruz, CA 95062

PROJECT INFO:
JOB NO: 2410-141
DATE: 10.23.2024
DRAWN BY: JD

REVISIONS

NO	DATE	DESCRIPTION
A1	11.01.2024	ADD'D WINDOW
A2	11.06.2024	ADD'D DOOR
A3	11.07.2024	SWITCH TO SECTRUM
A4	12.19.2024	Transoms
A5	01.06.2025	R.O. 120X92

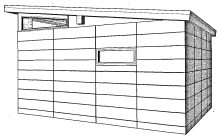
☐ APPROVED - AS DRAWN
☐ APPROVED - WITH MINOR CHANGES AS NOTE CHANGES ABOVE
CLIENT SIGNATURE Ed Shimmon
DATE 2/3/2025

PLEASE NOTE:
ANY CHANGES AFTER SIGNATURE APPROVING THESE DRAWINGS WILL INCUR EXTRA CHANGES TO STRUCTURAL AND POSSIBLY AN ADDITIONAL ACAD DRAWING FEE.

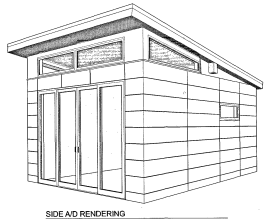
SMALL PRINT

THIS DRAWING IS CONSIDERED PROPRIETY. IT'S NOT TO BE REPRODUCED, NOR THE INFORMATION CONTAINED TO BE USED TO PRODUCE PRODUCTS, UNLESS WRITTEN CONSENT IS FIRST OBTAINED FROM DESIGN SHED. ALL DRAWINGS PRIOR TO IN PRODUCTION ARE SUBJECT TO CHANGES. ALL CHANGES ARE TO BE AGREED UPON BY BOTH PARTIES. THE PURCHASER IS RESPONSIBLE TO ALL CHANGES AFTER APPROVAL WILL RESULT IN ADDITIONAL FEES AND MAY ALSO AFFECT THE DELIVERY DATE. THE PURCHASER IS RESPONSIBLE TO ALL LOCAL JURISDICTIONS, AND ANY APPLICABLE "CC+R'S AND HOA'S AND/OR AGENCIES. SHED, INC. OR ANY OF IT'S AGENTS HARMLESS IN ANY SUIT OR LITIGATION WHICH MAY ARISE FROM SUCH LAWS OR REGULATIONS.

DRAWING NUMBER
3 OF 7

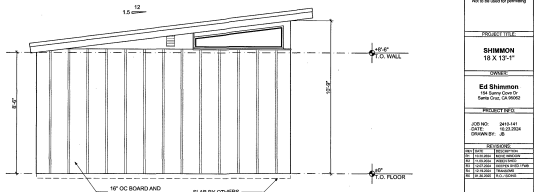


SIDE D/C RENDERING



SIDE A/D RENDERING

Docusign Envelope ID: 330CB581-6F80-4493-877D-54DE045114EF



B LEFT ELEVATION
SCALE: 1/4" = 1'-0"

Modern Shed

Design Confirmation Drawings
Not to be used for permitting

PROJECT TITLE
SHIMMON
18 X 13'-1"

OWNER
Ed Shimmon
154 Sunny Cove Dr
Santa Cruz, CA 95062

PROJECT INFO:
JOB NO: 2410-141
DATE: 10.23.2024
DRAWN BY: JD

REVISIONS

NO	DATE	DESCRIPTION
A1	11.01.2024	ADD'D WINDOW
A2	11.06.2024	ADD'D DOOR
A3	11.07.2024	SWITCH TO SECTRUM
A4	12.19.2024	Transoms
A5	01.06.2025	R.O. 120X92

☐ APPROVED - AS DRAWN
☐ APPROVED - WITH MINOR CHANGES AS NOTE CHANGES ABOVE
CLIENT SIGNATURE Ed Shimmon
DATE 2/3/2025

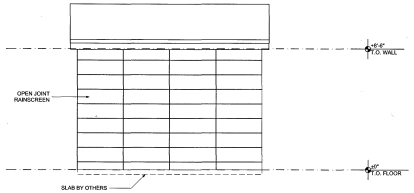
PLEASE NOTE:
ANY CHANGES AFTER SIGNATURE APPROVING THESE DRAWINGS WILL INCUR EXTRA CHANGES TO STRUCTURAL AND POSSIBLY AN ADDITIONAL ACAD DRAWING FEE.

SMALL PRINT

THIS DRAWING IS CONSIDERED PROPRIETY. IT'S NOT TO BE REPRODUCED, NOR THE INFORMATION CONTAINED TO BE USED TO PRODUCE PRODUCTS, UNLESS WRITTEN CONSENT IS FIRST OBTAINED FROM DESIGN SHED. ALL DRAWINGS PRIOR TO IN PRODUCTION ARE SUBJECT TO CHANGES. ALL CHANGES ARE TO BE AGREED UPON BY BOTH PARTIES. THE PURCHASER IS RESPONSIBLE TO ALL CHANGES AFTER APPROVAL WILL RESULT IN ADDITIONAL FEES AND MAY ALSO AFFECT THE DELIVERY DATE. THE PURCHASER IS RESPONSIBLE TO ALL LOCAL JURISDICTIONS, AND ANY APPLICABLE "CC+R'S AND HOA'S AND/OR AGENCIES. SHED, INC. OR ANY OF IT'S AGENTS HARMLESS IN ANY SUIT OR LITIGATION WHICH MAY ARISE FROM SUCH LAWS OR REGULATIONS.

DRAWING NUMBER
4 OF 7

Docusign Envelope ID: 330CB581-6F80-4493-877D-54DE045114EF



C REAR ELEVATION
SCALE: 1/4" = 1'-0"

Modern Shed

Design Confirmation Drawings
Not to be used for permitting

PROJECT TITLE
SHIMMON
18 X 13'-1"

OWNER
Ed Shimmon
154 Sunny Cove Dr
Santa Cruz, CA 95062

PROJECT INFO:
JOB NO: 2410-141
DATE: 10.23.2024
DRAWN BY: JD

REVISIONS

NO	DATE	DESCRIPTION
A1	11.01.2024	ADD'D WINDOW
A2	11.06.2024	ADD'D DOOR
A3	11.07.2024	SWITCH TO SECTRUM
A4	12.19.2024	Transoms
A5	01.06.2025	R.O. 120X92

☐ APPROVED - AS DRAWN
☐ APPROVED - WITH MINOR CHANGES AS NOTE CHANGES ABOVE
CLIENT SIGNATURE Ed Shimmon
DATE 2/3/2025

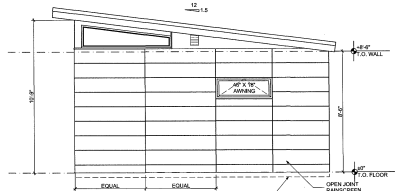
PLEASE NOTE:
ANY CHANGES AFTER SIGNATURE APPROVING THESE DRAWINGS WILL INCUR EXTRA CHANGES TO STRUCTURAL AND POSSIBLY AN ADDITIONAL ACAD DRAWING FEE.

SMALL PRINT

THIS DRAWING IS CONSIDERED PROPRIETY. IT'S NOT TO BE REPRODUCED, NOR THE INFORMATION CONTAINED TO BE USED TO PRODUCE PRODUCTS, UNLESS WRITTEN CONSENT IS FIRST OBTAINED FROM DESIGN SHED. ALL DRAWINGS PRIOR TO IN PRODUCTION ARE SUBJECT TO CHANGES. ALL CHANGES ARE TO BE AGREED UPON BY BOTH PARTIES. THE PURCHASER IS RESPONSIBLE TO ALL CHANGES AFTER APPROVAL WILL RESULT IN ADDITIONAL FEES AND MAY ALSO AFFECT THE DELIVERY DATE. THE PURCHASER IS RESPONSIBLE TO ALL LOCAL JURISDICTIONS, AND ANY APPLICABLE "CC+R'S AND HOA'S AND/OR AGENCIES. SHED, INC. OR ANY OF IT'S AGENTS HARMLESS IN ANY SUIT OR LITIGATION WHICH MAY ARISE FROM SUCH LAWS OR REGULATIONS.

DRAWING NUMBER
5 OF 7

Docusign Envelope ID: 330CB581-6F80-4493-877D-54DE045114EF



D RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

Modern Shed

Design Confirmation Drawings
Not to be used for permitting

PROJECT TITLE
SHIMMON
18 X 13'-1"

OWNER
Ed Shimmon
154 Sunny Cove Dr
Santa Cruz, CA 95062

PROJECT INFO:
JOB NO: 2410-141
DATE: 10.23.2024
DRAWN BY: JD

REVISIONS

NO	DATE	DESCRIPTION
A1	11.01.2024	ADD'D WINDOW
A2	11.06.2024	ADD'D DOOR
A3	11.07.2024	SWITCH TO SECTRUM
A4	12.19.2024	Transoms
A5	01.06.2025	R.O. 120X92

☐ APPROVED - AS DRAWN
☐ APPROVED - WITH MINOR CHANGES AS NOTE CHANGES ABOVE
CLIENT SIGNATURE Ed Shimmon
DATE 2/3/2025

PLEASE NOTE:
ANY CHANGES AFTER SIGNATURE APPROVING THESE DRAWINGS WILL INCUR EXTRA CHANGES TO STRUCTURAL AND POSSIBLY AN ADDITIONAL ACAD DRAWING FEE.

SMALL PRINT

THIS DRAWING IS CONSIDERED PROPRIETY. IT'S NOT TO BE REPRODUCED, NOR THE INFORMATION CONTAINED TO BE USED TO PRODUCE PRODUCTS, UNLESS WRITTEN CONSENT IS FIRST OBTAINED FROM DESIGN SHED. ALL DRAWINGS PRIOR TO IN PRODUCTION ARE SUBJECT TO CHANGES. ALL CHANGES ARE TO BE AGREED UPON BY BOTH PARTIES. THE PURCHASER IS RESPONSIBLE TO ALL CHANGES AFTER APPROVAL WILL RESULT IN ADDITIONAL FEES AND MAY ALSO AFFECT THE DELIVERY DATE. THE PURCHASER IS RESPONSIBLE TO ALL LOCAL JURISDICTIONS, AND ANY APPLICABLE "CC+R'S AND HOA'S AND/OR AGENCIES. SHED, INC. OR ANY OF IT'S AGENTS HARMLESS IN ANY SUIT OR LITIGATION WHICH MAY ARISE FROM SUCH LAWS OR REGULATIONS.

DRAWING NUMBER
6 OF 7

REVISIONS	BY

ROBIN ALAGA
250 Evening Hill Lane Corralitos, CA 95076
Phone: (831)724-4994 Cell: (831)419-4919
e-mail: alagarobin@gmail.com

SHIMMON SHED

Eddie Shimmon 650 804-5119 eddieshimmon@gmail.com
154 Sunny cove Santa Cruz, CA 95062

A.P.N. 028 – 221 – 16

Robin Alaga

DRAWN: R-BIN
CHECKED:
DATE: 10. AUGUST. 25
SCALE: NOTED
JOB NO. 15-36
SHEET: 7 OF SHEETS

FOR TAX PURPOSES ONLY

THE ASSESSORS OFFICE 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 1998

POR. OF N.E. 1/4 SEC. 20,
T.11S., R.1W., M.D.B. & M.

Tax Area Code
82-040

28-22



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

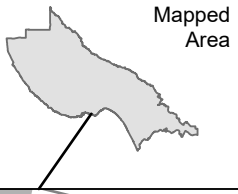
Assessor's Map No. 28-22
County of Santa Cruz, Calif.
Aug. 1998

Electronically Redrawn 8/27/98 rw
Rev. 8/27/98 (Por. to pg. 46) rw
Rev. 9/9/12 mc (118RS28)
Rev. 6/18/20 jg (129M38)

EXHIBIT E

Santa Cruz County Planning Department

Parcel Location Map





Parcel: 02822116

Subject Parcel

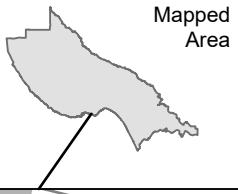
Map printed: 17 Jun. 2026

0 20 40

Feet

Santa Cruz County Planning Department

Parcel General Plan Map



028-221-16

R-UM

O-R

SUNNY COVE DR

18TH AV

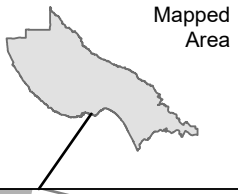
Subject Parcel

0 20 40

Feet

Santa Cruz County Planning Department

Parcel Zoning Map



PR-D

PR

SUNNY COVE DR

R-1-4

028-221-16

18TH AV

Subject Parcel

0 20 40

Feet

Application #: 251357
APN: 028-221-16
Owner: Ed Shimmon

Parcel Information

Services Information

Urban/Rural Services Line:	_X_ Inside __ Outside
Water Supply:	City of Santa Cruz
Sewage Disposal:	Santa Cruz County Sanitation District
Fire District:	Central Fire Protection District
Drainage District:	Zone 5 Flood Control District

Parcel Information

Parcel Size:	~~3,833~~ **4,000** square feet (~~GIS~~ **Plans**)
Existing Land Use - Parcel:	Single family residence
Existing Land Use - Surrounding:	Single family residential neighborhood, public beach
Project Access:	Sunny Cove Drive
Planning Area:	Live Oak
Land Use Designation:	R-UM (Urban Medium Density Residential)
Zone District:	R-1-4 (Single Family Residential - 4,000 square foot minimum)
Coastal Zone:	_X_ Inside __ Outside
Appealable to Calif. Coastal Comm.	_X_ Yes __ No

Technical Reviews: None

Environmental Information

Geologic Hazards:	Not mapped/no physical evidence on site
Fire Hazard:	Not a mapped constraint
Slopes:	2-3%
Env. Sen. Habitat:	Not mapped/no physical evidence on site
Grading:	No grading proposed
Tree Removal:	No trees proposed to be removed
Scenic:	Scenic beach viewshed
Archeology:	Not mapped/no physical evidence on site

EXHIBIT F

January 7, 2026

David Bernstein
145 18th Ave. Santa Cruz, CA 95062
408-857-9872 mobile
davidrbernstein@yahoo.com

Santa Cruz County Planning Department
Attn: Zoning Administrator & Project Planner
To: randall.adams@santacruzcountyca.gov

701 Ocean Street, 4th Floor Santa Cruz, CA 95060
Cc: Code.Compliance@santacruzcountyca.gov
Cc: Shawna.Rooks@santacruzcountyca.gov

RE: OBJECTION to Variance & Coastal Development Permit Application
Subject Property: 154 Sunny Cove Dr. (APN: 028-221-16)
Applicant/Owner: Ed Shimmon

To the Planning Department and Zoning Administrator,

I am writing to formally oppose the variance and Coastal Development Permit application for the structure recently constructed at **154 Sunny Cove Dr.** I am the owner of the property at **145 18th Ave**, which directly abuts the subject property. My home has been in my family since its construction in the 1930s; we are long-term stakeholders in the preservation of this neighborhood's character and safety.

The applicant is seeking to legitimize a 12' x 18' structure that was knowingly built without permits, in direct violation of zoning standards, and with total disregard for adjacent properties. I urge you to **deny** this application because the findings required for a variance cannot be met.

1. No Special Circumstances Exist (Violation of County Code 13.10.230) The applicant cannot demonstrate that the land possesses unique physical characteristics (such as topography or shape) that forced this placement.

- **Fact:** The lot is flat and buildable.
- **Self-Imposed Hardship:** The applicant chose to place a 216 sq. ft. structure with a **zero (0) foot setback** simply to maximize his own usage. He constructed it rapidly over the course of six days to evade notice. The only "special circumstance" here is that the applicant chose to break the law before asking for permission.
- **Failure to Plan:** The applicant constructed the main residence on this lot relatively recently. If a large accessory structure was required for his needs, it should have been included in the original comprehensive site plan and permit application for the main

EXHIBIT G

house. By engaging in piecemeal development, the applicant is attempting to bypass the holistic review of the site's capacity.

2. Invalid Comparison to Historical "Non-Conforming" Structures The applicant may attempt to justify this variance by pointing to other detached garages or structures on our street that have reduced setbacks. This is a false equivalence.

- **Historical Context:** Many homes on Sunny Cove and 18th Ave were built well before 1950, prior to the adoption of the 1961 Santa Cruz County General Plan and modern zoning setbacks.
- **Legal Distinction:** These older structures are "Legal Non-Conforming" (grandfathered). They are permitted to remain solely because of their age, not because the placement is currently safe or desirable.
- **No Precedent:** The existence of a 1940s garage with a reduced setback does not constitute a legal precedent for *new* construction in [Current Year]. Granting a variance for a new build based on pre-zoning historical layouts would render the current Zoning Ordinance meaningless.

3. Severe Intrusion and "Special Privilege" Granting a variance for a zero-setback structure of this magnitude would constitute a grant of special privilege not enjoyed by any other property owner in the Live Oak area.

- **Encroachment:** The structure is not merely close to the property line; it is physically intrusive. The builders actually **trimmed the cap of my fence** to make the wall flush, and the roofline **hangs over the property line** into my airspace.
- **Massing:** This is not a garden shed. It is 13 feet tall, creating a massive wall that looms over my yard, blocking light and creating an eyesore.
- **Privacy:** The structure includes windows positioned above the fence line that look directly into my backyard, destroying the privacy my family has enjoyed for nearly a century.

4. Adverse Impact on Coastal Zone Resources and Parking Because this property is located in the Coastal Zone at Sunny Cove, specific protections regarding public access and density apply.

- **Elimination of Required Parking:** It appears this structure has been built over an area previously designated (or naturally used) as on-site parking for the main residence. The applicant must demonstrate that the main residence still meets current off-street parking standards with this new footprint.
- **Public Access Impact:** This property faces the beach at Sunny Cove, an area already plagued by severe traffic congestion and limited public parking. By reducing his own on-site parking capacity to build this structure, the applicant will inevitably force more vehicles onto the street. In the Coastal Zone, private development that displaces vehicles onto public streets—thereby competing with public beach access—is a violation of the Coastal Act's intent.

5. Safety Hazards and Unpermitted Infrastructure The structure presents immediate safety concerns that a variance would permanently lock in:

- **Fire Safety:** The structure is located only roughly **2 feet from the main residence** on the lot and 0 feet from my fence. This lack of separation creates a fire bridge between properties and prevents emergency access.
- **Drainage:** The placement of a new concrete slab right against the property line alters natural drainage, threatening runoff issues for my property.

6. The "Trojan Horse" ADU Concern While the applicant describes this as storage, the physical characteristics suggest it is designed for future habitation.

- The structure is sized like a studio ADU (12' x 18').
- It has been wired for electricity.
- It includes windows suitable for a dwelling.
- The variance process should not be used as a loophole to establish a building footprint that bypasses the stricter life-safety setbacks required for habitable ADUs. If this footprint is approved now as "storage," it creates a pathway to convert it to an ADU later, permanently bypassing the 5-foot and 15-foot setbacks required for safe housing.

Conclusion The applicant has admitted to me verbally that he knew the construction was non-compliant but proceeded anyway. To grant a variance now would reward bad faith actions and set a precedent that zoning codes can be ignored if one has the resources to fight the legal battle later.

I respectfully request that the Planning Department **deny** the requested variances and order the removal of the structure and the concrete slab to restore the required setbacks.

Sincerely,



David Bernstein

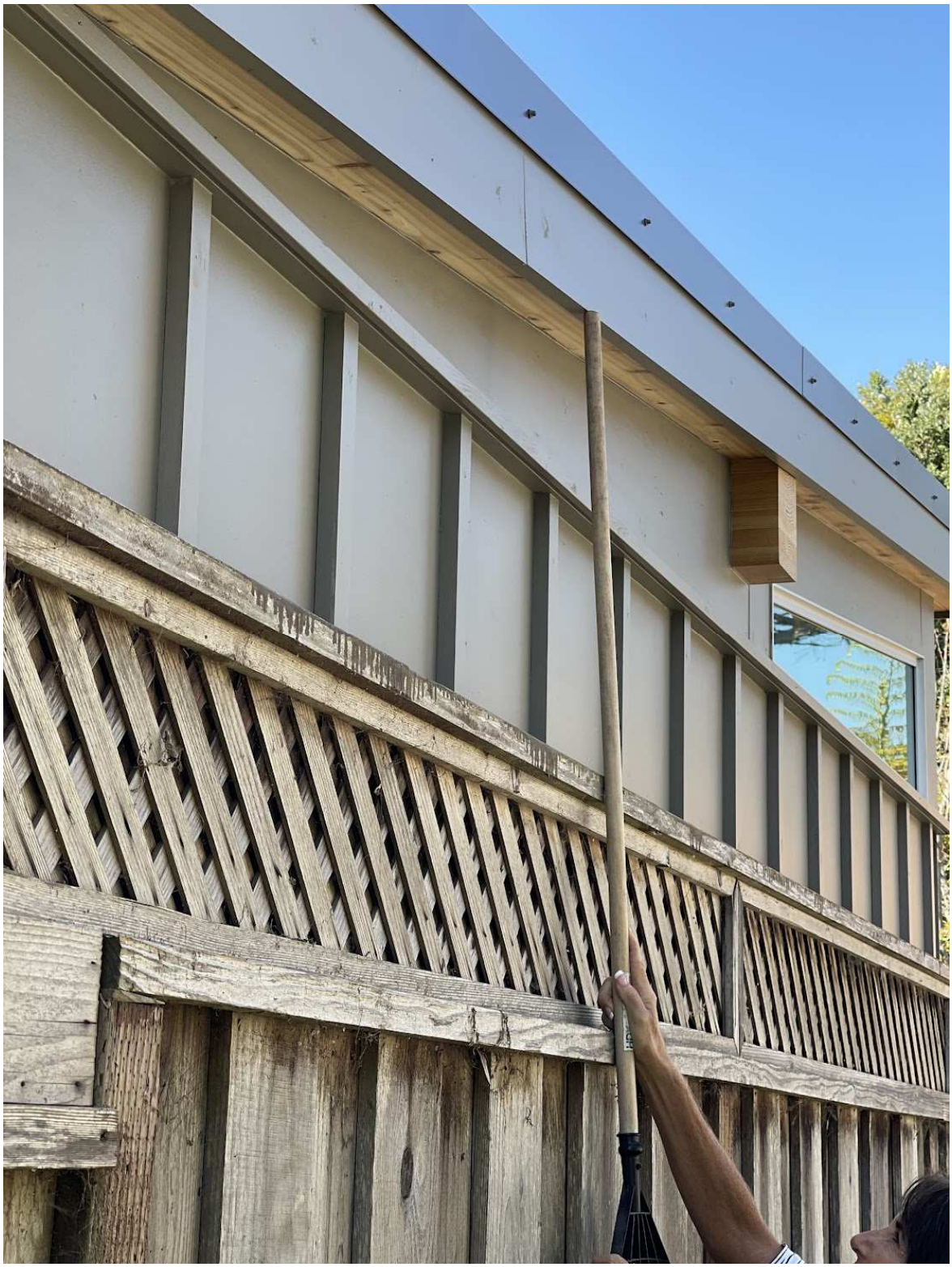
Attachments: "Media and Photos: Physical Encroachment."

Please see the video at https://photos.app.goo.gl/USWfHtp5jNzFjiwe8

FURTHER PHOTOS FOLLOW:



Showing the Structure Towering over my Back Fence
Note the window which overlooks my backyard
Note the Sun this blocks, the Shadow in my Backyard mid-afternoon
Is from this Structure



Showing the roof actually intruding over the property line
Note the roof beam they had to cut off not to further overhang into my yard



Showing how the Cap of my Fence was cut into so that
Structure could eliminate even **1** inch of Setback to Zero Inches



Another View of the Zero Setback
And the Overhang into my Yard



Showing Zero Setback to the other home on the Left as well!



Showing how close this is (about 2 feet) to the Main Structure
The ground floor skylights (not vents!) you see on the main structure
Indicate that it is a basement/living space.
These two structures are unsafely close to each other there is no Fire access

NOTE THE WINDOWS AND SLIDING GLASS DOORS ON THE “SHED”
NOTE THE HOUSE NUMBER ON THE “STORAGE SHED” ??
DOES THIS LOOK LIKE IT WILL ULTIMATELY BE A STORAGE SHED OR A FUTURE ADU?

Randall Adams

From: Kathleen Gleitsmann <kathygleitsmann@gmail.com>
Sent: Saturday, January 17, 2026 8:31 PM
To: Randall Adams
Subject: Public Comments on APN: 02822116 154 SUNNY COVE DR, SANTA CRUZ CA 95062 (APP: 251357)

****CAUTION:This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Dear Mr. Adams,

I am writing to express my strong opposition to permit application #251357. As a direct neighbor at #135 18th Avenue - adjacent to the homeowner at 145 18th Avenue, I have first-hand knowledge of the history of this structure and have been personally impacted by its construction.

I want to bring the following points to the County's attention:

• Lack of Transparency and Permits:

I was present when this structure was originally built. I saw someone on 145 18th Avenue who I thought was trespassing. When I asked the worker to show me the permit for the structure, I was told he was not the owner. Thirty-minutes later, the owner approached me at my home on 18th Avenue and proceeded to argue with me saying he did not need a permit.

• Misrepresentation of Use:

At the time of construction, I was told the building was "just a tool shed." It is now clear that it was built as a larger, illegal unit intended to bypass standard code requirements.

• Encroachment and Safety:

The structure is built on the property line and right up to the fence, completely ignoring the required 5-foot setbacks. This creates a safety hazard and a total lack of buffer between the properties.

• History of Trespassing:

During the construction phase, I witnessed a worker trespassing onto 145 18th Avenue property with a ladder. At that time the worker did not have permission to enter the property from the owner of 145 18th avenue.

• Illegal Structure:

The new structure is intrusive and negatively impacts the character and safety of our neighborhood. Allowing a variance for a structure that was built willfully and knowingly out of code would set a poor precedent for our community.

I respectfully request that this variance be denied and the structure be removed. If a structure is to be built there it must follow the standard permitting and review process to meet the County building code requirements.

Thank you for your time and for considering the input of a long-term resident of this neighborhood.

Kathy Gleitsmann

MARK A. MASSARA
ATTORNEY AT LAW
65 VENTURA STREET
HALF MOON BAY, CALIFORNIA 94019
T: 805.895.0963
MARKMASSARA@COASTALADVOCATES.COM
WWW.MARKMASSARA.COM

Via Electronic Mail

Randall Adams
Project Planner
Development Review
Department of Community Development and Infrastructure
701 Ocean Street, 4th Fl.
Santa Cruz CA 95060

April 28, 2026

Re: Incomplete Application Additional Information Request
Application #251357
154 Sunny Cove Drive
Santa Cruz County CA 95062
APN 028-221-16
Owner: Shimmon

Dear Mr. Adams,

Thank you for your 3rd Routing Review correspondence dated March 11, 2026, and subsequent correspondence with architect Robin Alaga on March 12 clarifying the Project Description.

This correspondence confirms the Project Description, and responds to other comments in your 3rd Routing Review letter.

Project Description

Proposal to recognize an existing storage shed. Requires a Coastal Development Permit and Variances to reduce the required 15 foot rear yard setback to about 0 feet to the shed and to reduce the required 5 foot side yard setback to about 0 feet to the shed. Property located at 154 Sunny Cove in the Live Oak Planning area.

Notice of Proposed Development Posting

Regarding "Items of Incomplete Application," attached here as Exhibit A is evidence of signage and notification of the development permit application as required by the Neighborhood Notification Guidelines, which includes the above referenced Project Description.

Compliance Issues

With respect to "Compliance Issues," we appreciate that you have again referenced one alternative, and cited County Code Sections which allow for sheds of 120 square feet in size, and your view that we reduce the size of the project from 240 square feet to 120 square feet. SCCC 13.10.611(D)(2).

However, as previously explained, the basis of *this* application is that 120 square feet is not a structure of sufficient size to be able to reasonably park and store the Applicant's bikes and scooters. Instead, it would require Applicant to park and store bikes *outside* where ocean adjacent weather deterioration and theft will certainly result. Worse the consequence of your view is that Applicant will be forced abandon these modes of transport in favor of additional gasoline chugging vehicles that will clog Sunny Cove Drive and reduce neighborhood parking for high priority public coastal access. Given the properties' proximate location to the eastside, mid and downtown Santa Cruz, the option of going bikeless isn't preferrable to the Applicant's family.

As shown clearly in attached Exhibit B photograph, the existing shed comfortably contains Applicant's bikes, but is in no way overly large or unsightly. Viewed more closely, the blue tape on the floor of Exhibit B is the outline of what a 120 square foot alternative sized shed would be like. Obviously, it isn't able to hold a reasonable number of bikes, or accessory tools and even a single chair.

Thus, the original proposed Findings in support of a variance per SCCC 13.10.230(c) remain appropriate and we urge you recommend they be adopted consistent with the unique circumstances of this Project. Among other things, Applicant's lot is small, the shed cannot be seen for the coast or surrounding streets or public

property, and there are numerous other similarly sized and sited sheds throughout the immediate vicinity. See Exhibit C attached here.

In addition to the previously provided Exhibit C Findings, also attached is Exhibit D. Exhibit D an aerial photo map of the existing neighborhood and the numerous existing sheds and structures with limited and/or no rear yard or side yard setbacks. Exhibit D is the area immediately surrounding the Applicant's property in the Sunny Cove Live Oak Planning area. By our rough count there are currently *at least* seven other rear yard shed structures with no side or rear yard setbacks, including the very large double sized structure *immediately adjacent* to the backyard fence line of the Project site. All of these shed structures are within approximately 200-ft of the Applicant's property.

Obviously, when viewed within the context of the immediate character of the surrounding community, the proposed Project is neither out of place nor overly large. It is, in fact, completely consistent with the surrounding land uses and accessory structures.

Nor can the Applicant's shed be seen from any public or scenic vantage point. In fact, given its location, it is shielded and 'tucked in' between existing large trees and landscaping on one side and the neighbors much larger shed (with no setback) on the other. It is virtually unnoticeable to anyone but persons in the Applicant's own backyard.

Thus, the project is consistent with both the neighborhood, and the proposed use, and is consistent with findings needed for a variance and approval.

Neighbor Support

Neighbor support for the project also underscores the banality of the proposal. Attached hereto as Exhibit E are letters of support for the project from owners of properties surrounding 154 Sunny Cove, including support from the owners 134, 183 & 190 Sunny Cove Drive.

Conclusion

When viewed within the context of the property, and the unique setting and practical reality of the existing currently developed neighborhood, and the fact Applicant's shed cannot be seen from any public property, the facts clearly underscore that a variance is appropriate for this small Project.

We trust these materials are adequate for your support for a variance and recommendation of approval for the Project. If you have any remaining questions or would like additional information, please do not hesitate to contact us.

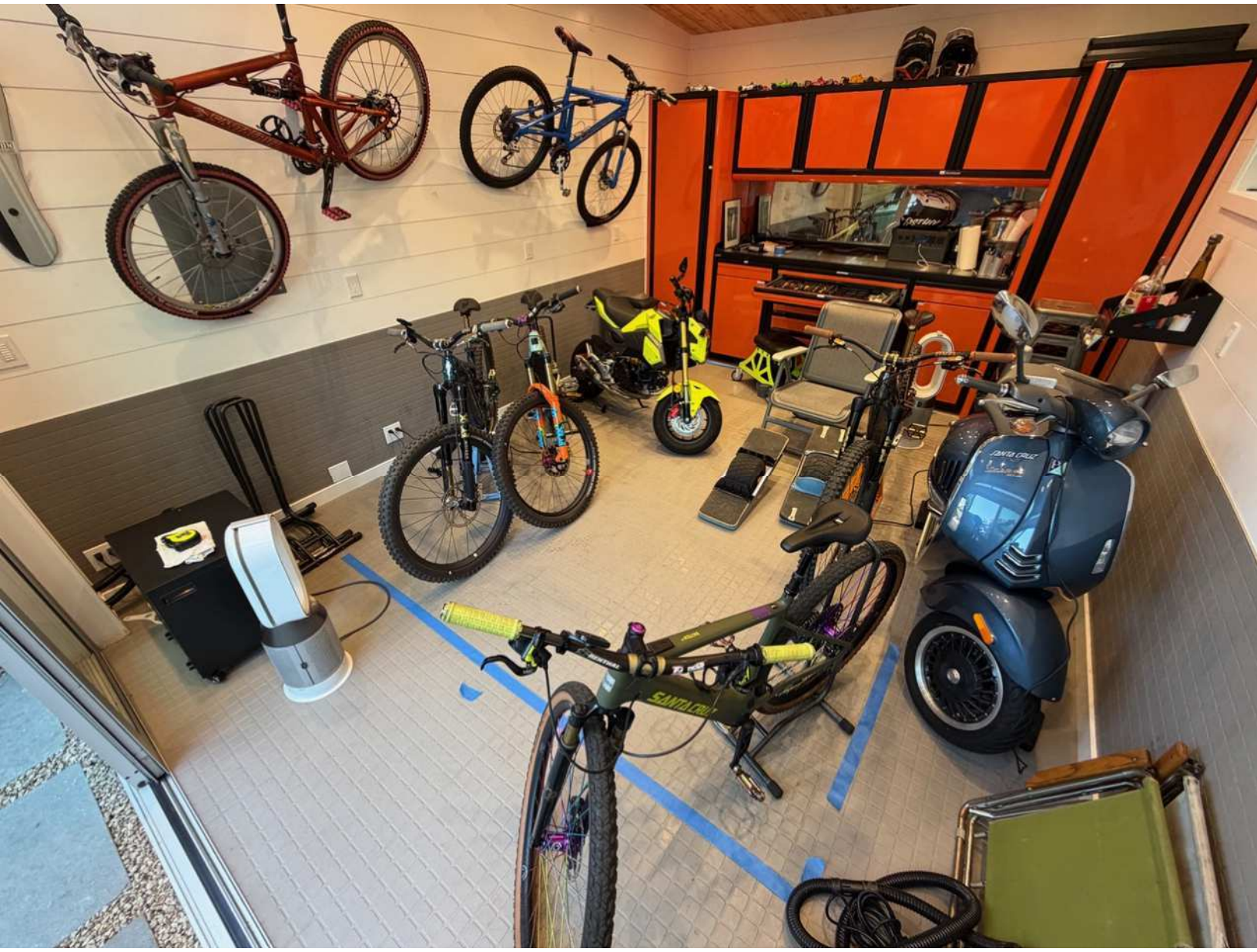
Very truly yours,



Mark A. Massara, Esq.

cc: Eddie Shimmon
Dee Murray
Robin Alaga


NOTICE OF PROPOSED DEVELOPMENT
APPLICATION # 251357
PROPOSAL TO RECOGNIZE AN EXISTING STORAGE SHED. REQUIRES A COASTAL DEVELOPMENT PERMIT AND VARIANCES TO REDUCE THE REQUIRED 15 FOOT REAR YARD SETBACK TO ABOUT 0 FEET TO THE SHED AND TO REDUCE THE REQUIRED 5 FOOT SIDE YARD SETBACK TO ABOUT 0 FEET TO THE SHED.
PROPERTY LOCATED AT 154 SUNNY COVE IN THE LIVE OAK PLANNING AREA.
APN: 028-221-16
FOR FURTHER INFORMATION CONTACT:
APPLICANT:
DEE MURRAY
Tel. 831475.5334
deeInduse@yahoo.com
PROJECT
RANDALL ADA
PLANNING DEPART
Tel. 831.454.3218
randall.adams@santacruzcountyca.


SANTA CRUZ

Ed Shimmon
154 Sunny Cove Drive
APN: 028-221-16

VARIANCE FINDINGS:

The special circumstances related to this property are the size and location Size:

1 The size of the property is only 3,883 sq. ft. It has only a small one car garage. It is adverse to the reasonable storage of ancillary residential activity items such as bicycles, beach chairs, golf clubs, surfboards, stand up surfboards, kayaks, motorcycles, tools, etc. that cannot be stored outside without environmental degradation, erosion and damage. An enclosed shed will provide an opportunity to safely storage recreation and accessory equipment and tools outside of the weather, lengthen their expected lifetime and reduce consumer waste.

Location: The house is located immediately adjacent to Sunny Cove Beach and recreation area. The location adjacent to the ocean provides excellent recreation opportunities but also presents weather exposure that directly and adversely affects items stored outside as described above such as bikes and motorcycles. Shed storage will protect these items.

Equally important, the Sunny Cove area is an extremely popular public beach recreation area. Adjacent public sidewalk and street areas are crowded with pedestrians and vehicle traffic at all hours during the weekends and throughout the summer. It is also known for large public gatherings and frequent nighttime beach recreation that requires careful oversight by the Santa Cruz County Sheriff's. The Sheriff has advised neighbors in the immediate vicinity that outside storage of residential recreation accessory equipment (surfboards, et al) is not recommended. Safe storage inside a shed is an ideal method for safe and secure storage of accessory recreation items.

2. The variance will meet the intent of the zoning and will not be detrimental to public health, safety and welfare, and not detrimental to other property in the neighborhood.

The shed is not visible and has no adverse impact to any scenic resource in the area, public or private. It is entirely located within the backyard of the adjacent residence and not visible from the beach, sidewalk and street. It does not interfere with air or light or privacy of adjoining or adjacent properties.

3. Maintaining the development will not be a grant of special privilege inconsistent with other properties in the neighborhood.

The non-habitable storage structure in the rear and within the side yard at 154 Sunny Cove is not a special privilege or disadvantage to other properties in the area. In fact, many nearby residential properties already have such structures. They are very common. For example, the houses at 120, 130 and 134 Sunny Cove Drive, have similar structures. The garage at 165 – 18th Avenue encroaches into the rear setback. Please reference Google Satellite pictures for other structures encroaching into the required setbacks.

3D
175
165
165 18th Ave
155
145 18th Ave
145
101
Shed
180 Sunny Cove
170 Sunny Cove
180
170
168
164 Sunny Cove
134
134 Sunny Cove
130 Sunny Cove
120 Sunny Cove
120
110
100

To Whom it May Concern,

As a neighbor of the property located at 154 Sunny Cove Drive, Santa Cruz, CA, I am writing to express my support for approval of the existing shed structure on their property.

I understand that the shed is currently under review related to height, size, and proximity to setback requirements. Based on my personal observations, I can confirm that the shed does not obstruct my view, interfere with the use or enjoyment of my property, or negatively impact the look and feel of our neighborhood.

In fact, the shed is modern, brand new, and visually well-designed. It complements the surrounding neighborhood and environment and is a clear improvement over older or more intrusive outbuildings often found in similar coastal properties. I find it to be attractive, well-maintained, consistent with and respectful of the neighborhood aesthetic.

I fully support the owners' efforts to retain the structure as-is, and I appreciate that they are working with legal and planning professionals to address this matter properly and responsibly.

Please accept this letter as my formal support for the shed remaining in place at 154 Sunny Cove Drive, and I encourage the Zoning Administrator to approve the variance and coastal development permit.

Sincerely,

Neighbor Name: Ed Malloy

Neighbor Address: 134 Sunny Cove Dr

Signature: _____

Date: 6/26/2025

To Whom It May Concern,

As a neighbor of the property located at 154 Sunny Cove Drive, Santa Cruz, CA, I am writing to express my support for the existing shed structure on their property.

I understand that the shed is currently under review due to concerns related to height, size, and proximity to setback requirements. Based on my personal observations, I can confirm that the shed does not obstruct my view, interfere with the use or enjoyment of my property, or negatively impact the look and feel of our neighborhood.

In fact, the shed is modern, brand new, and visually well-designed. It complements the surrounding environment and is a clear improvement over older or more intrusive outbuildings often found in similar coastal properties. I find it to be attractive, well-maintained, and respectful of the neighborhood aesthetic.

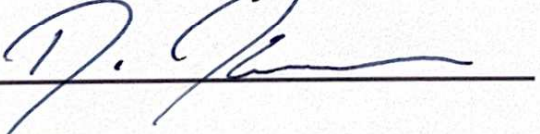
I fully support the owners' efforts to retain the structure as-is, and I appreciate that they are working with legal and planning professionals to address this matter properly and responsibly.

Please accept this letter as my formal support for the shed remaining in place at 154 Sunny Cove Drive.

Sincerely,

Neighbor Name: Don Kinnamon

Neighbor Address: 183 Sunny Cove Dr

Signature: 

Date: 06/27/2025

To Whom it May Concern,

As a neighbor of the property located at 154 Sunny Cove Drive, Santa Cruz, CA, I am writing to express my support for approval of the existing shed structure on their property.

I understand that the shed is currently under review related to height, size, and proximity to setback requirements. Based on my personal observations, I can confirm that the shed does not obstruct my view, interfere with the use or enjoyment of my property, or negatively impact the look and feel of our neighborhood.

In fact, the shed is modern, brand new, and visually well-designed. It complements the surrounding neighborhood and environment and is a clear improvement over older or more intrusive outbuildings often found in similar coastal properties. I find it to be attractive, well-maintained, consistent with and respectful of the neighborhood aesthetic.

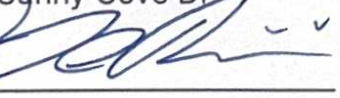
I fully support the owners' efforts to retain the structure as-is, and I appreciate that they are working with legal and planning professionals to address this matter properly and responsibly.

Please accept this letter as my formal support for the shed remaining in place at 154 Sunny Cove Drive, and I encourage the Zoning Administrator to approve the variance and coastal development permit.

Sincerely,

Neighbor Name: Richard Rivoir

Neighbor Address: 190 Sunny Cove Dr

Signature: 

Date: 6-30-25

Attachment 3

MARK A. MASSARA
ATTORNEY AT LAW
65 VENTURA STREET
HALF MOON BAY, CALIFORNIA 94019
T: 805.895.0963
MARKMASSARA@COASTALADVOCATES.COM
WWW.MARKMASSARA.COM

Via Electronic Mail

Randall Adams
Project Planner
Development Review
Department of Community Development and Infrastructure
701 Ocean Street, 4th Fl.
Santa Cruz CA 95060

April 28, 2026

Re: Incomplete Application Additional Information Request
Application #251357
154 Sunny Cove Drive
Santa Cruz County CA 95062
APN 028-221-16
Owner: Shimmon

Dear Mr. Adams,

Thank you for your 3rd Routing Review correspondence dated March 11, 2026, and subsequent correspondence with architect Robin Alaga on March 12 clarifying the Project Description.

This correspondence confirms the Project Description, and responds to other comments in your 3rd Routing Review letter.

Attachment 3

Project Description

Proposal to recognize an existing storage shed. Requires a Coastal Development Permit and Variances to reduce the required 15 foot rear yard setback to about 0 feet to the shed and to reduce the required 5 foot side yard setback to about 0 feet to the shed. Property located at 154 Sunny Cove in the Live Oak Planning area.

Notice of Proposed Development Posting

Regarding "Items of Incomplete Application," attached here as Exhibit A is evidence of signage and notification of the development permit application as required by the Neighborhood Notification Guidelines, which includes the above referenced Project Description.

Compliance Issues

With respect to "Compliance Issues," we appreciate that you have again referenced one alternative, and cited County Code Sections which allow for sheds of 120 square feet in size, and your view that we reduce the size of the project from 240 square feet to 120 square feet. SCCC 13.10.611(D)(2).

However, as previously explained, the basis of *this* application is that 120 square feet is not a structure of sufficient size to be able to reasonably park and store the Applicant's bikes and scooters. Instead, it would require Applicant to park and store bikes *outside* where ocean adjacent weather deterioration and theft will certainly result. Worse the consequence of your view is that Applicant will be forced abandon these modes of transport in favor of additional gasoline chugging vehicles that will clog Sunny Cove Drive and reduce neighborhood parking for high priority public coastal access. Given the properties' proximate location to the eastside, mid and downtown Santa Cruz, the option of going bikeless isn't preferrable to the Applicant's family.

As shown clearly in attached Exhibit B photograph, the existing shed comfortably contains Applicant's bikes, but is in no way overly large or unsightly. Viewed more closely, the blue tape on the floor of Exhibit B is the outline of what a 120 square foot alternative sized shed would be like. Obviously, it isn't able to hold a reasonable number of bikes, or accessory tools and even a single chair.

Thus, the original proposed Findings in support of a variance per SCCC 13.10.230(c) remain appropriate and we urge you recommend they be adopted consistent with the unique circumstances of this Project. Among other things, Applicant's lot is small, the shed cannot be seen for the coast or surrounding streets or public

property, and there are numerous other similarly sized and sited sheds throughout the immediate vicinity. See Exhibit C attached here.

In addition to the previously provided Exhibit C Findings, also attached is Exhibit D. Exhibit D an aerial photo map of the existing neighborhood and the numerous existing sheds and structures with limited and/or no rear yard or side yard setbacks. Exhibit D is the area immediately surrounding the Applicant's property in the Sunny Cove Live Oak Planning area. By our rough count there are currently *at least* seven other rear yard shed structures with no side or rear yard setbacks, including the very large double sized structure *immediately adjacent* to the backyard fence line of the Project site. All of these shed structures are within approximately 200-ft of the Applicant's property.

Obviously, when viewed within the context of the immediate character of the surrounding community, the proposed Project is neither out of place nor overly large. It is, in fact, completely consistent with the surrounding land uses and accessory structures.

Nor can the Applicant's shed be seen from any public or scenic vantage point. In fact, given its location, it is shielded and 'tucked in' between existing large trees and landscaping on one side and the neighbors much larger shed (with no setback) on the other. It is virtually unnoticeable to anyone but persons in the Applicant's own backyard.

Thus, the project is consistent with both the neighborhood, and the proposed use, and is consistent with findings needed for a variance and approval.

Neighbor Support

Neighbor support for the project also underscores the banality of the proposal. Attached hereto as Exhibit E are letters of support for the project from owners of properties surrounding 154 Sunny Cove, including support from the owners 134, 183 & 190 Sunny Cove Drive.

Conclusion

When viewed within the context of the property, and the unique setting and practical reality of the existing currently developed neighborhood, and the fact Applicant's shed cannot be seen from any public property, the facts clearly underscore that a variance is appropriate for this small Project.

We trust these materials are adequate for your support for a variance and recommendation of approval for the Project. If you have any remaining questions or would like additional information, please do not hesitate to contact us.

Very truly yours,



Mark A. Massara, Esq.

cc: Eddie Shimmon
Dee Murray
Robin Alaga

NOTICE OF PROPOSED DEVELOPMENT

APPLICATION # 251357

PROPOSAL TO RECOGNIZE AN EXISTING STORAGE SHED. REQUIRES A COASTAL DEVELOPMENT PERMIT AND VARIANCES TO REDUCE THE REQUIRED 15 FOOT REAR YARD SETBACK TO ABOUT 0 FEET TO THE SHED AND TO REDUCE THE REQUIRED 5 FOOT SIDE YARD SETBACK TO ABOUT 0 FEET TO THE SHED.

PROPERTY LOCATED AT 154 SUNNY COVE IN THE LIVE OAK PLANNING AREA.

APN: 028-221-16

FOR FURTHER INFORMATION CONTACT:

APPLICANT:
DEE MURRAY
Tel. 831475.5334
deelnduse@yahoo.com

PROJECT
RANDALL ADA
PLANNING DEPART
Tel. 831.454.3218
randall.adams@santacruzcountyca.g


SANTA CRUZ
SANTA CRUZ
SANTA CRUZ

Ed Shimmon
154 Sunny Cove Drive
APN: 028-221-16

VARIANCE FINDINGS:

The special circumstances related to this property are the size and location Size:

1 The size of the property is only 3,883 sq. ft. It has only a small one car garage. It is adverse to the reasonable storage of ancillary residential activity items such as bicycles, beach chairs, golf clubs, surfboards, stand up surfboards, kayaks, motorcycles, tools, etc. that cannot be stored outside without environmental degradation, erosion and damage. An enclosed shed will provide an opportunity to safely storage recreation and accessory equipment and tools outside of the weather, lengthen their expected lifetime and reduce consumer waste.

Location: The house is located immediately adjacent to Sunny Cove Beach and recreation area. The location adjacent to the ocean provides excellent recreation opportunities but also presents weather exposure that directly and adversely affects items stored outside as described above such as bikes and motorcycles. Shed storage will protect these items.

Equally important, the Sunny Cove area is an extremely popular public beach recreation area. Adjacent public sidewalk and street areas are crowded with pedestrians and vehicle traffic at all hours during the weekends and throughout the summer. It is also known for large public gatherings and frequent nighttime beach recreation that requires careful oversight by the Santa Cruz County Sheriff's. The Sheriff has advised neighbors in the immediate vicinity that outside storage of residential recreation accessory equipment (surfboards, et al) is not recommended. Safe storage inside a shed is an ideal method for safe and secure storage of accessory recreation items.

2. The variance will meet the intent of the zoning and will not be detrimental to public health, safety and welfare, and not detrimental to other property in the neighborhood.

The shed is not visible and has no adverse impact to any scenic resource in the area, public or private. It is entirely located within the backyard of the adjacent residence and not visible from the beach, sidewalk and street. It does not interfere with air or light or privacy of adjoining or adjacent properties.

3. Maintaining the development will not be a grant of special privilege inconsistent with other properties in the neighborhood.

The non-habitable storage structure in the rear and within the side yard at 154 Sunny Cove is not a special privilege or disadvantage to other properties in the area. In fact, many nearby residential properties already have such structures. They are very common. For example, the houses at 120, 130 and 134 Sunny Cove Drive, have similar structures. The garage at 165 – 18th Avenue encroaches into the rear setback. Please reference Google Satellite pictures for other structures encroaching into the required setbacks.


100
110
120
120 Sunny Cove
130 Sunny Cove
134 Sunny Cove
134
154 Sunny Cove
158
170
170 Sunny Cove
180 Sunny Cove
180
Shed
101
145
145 18th Ave
155
165 18th Ave
165
175
3D

To Whom it May Concern,

As a neighbor of the property located at 154 Sunny Cove Drive, Santa Cruz, CA, I am writing to express my support for approval of the existing shed structure on their property.

I understand that the shed is currently under review related to height, size, and proximity to setback requirements. Based on my personal observations, I can confirm that the shed does not obstruct my view, interfere with the use or enjoyment of my property, or negatively impact the look and feel of our neighborhood.

In fact, the shed is modern, brand new, and visually well-designed. It complements the surrounding neighborhood and environment and is a clear improvement over older or more intrusive outbuildings often found in similar coastal properties. I find it to be attractive, well-maintained, consistent with and respectful of the neighborhood aesthetic.

I fully support the owners' efforts to retain the structure as-is, and I appreciate that they are working with legal and planning professionals to address this matter properly and responsibly.

Please accept this letter as my formal support for the shed remaining in place at 154 Sunny Cove Drive, and I encourage the Zoning Administrator to approve the variance and coastal development permit.

Sincerely,

Neighbor Name: Ed Malloy

Neighbor Address: 134 Sunny Cove Dr

Signature: _____

Date: 6/26/2025

To Whom It May Concern,

As a neighbor of the property located at 154 Sunny Cove Drive, Santa Cruz, CA, I am writing to express my support for the existing shed structure on their property.

I understand that the shed is currently under review due to concerns related to height, size, and proximity to setback requirements. Based on my personal observations, I can confirm that the shed does not obstruct my view, interfere with the use or enjoyment of my property, or negatively impact the look and feel of our neighborhood.

In fact, the shed is modern, brand new, and visually well-designed. It complements the surrounding environment and is a clear improvement over older or more intrusive outbuildings often found in similar coastal properties. I find it to be attractive, well-maintained, and respectful of the neighborhood aesthetic.

I fully support the owners' efforts to retain the structure as-is, and I appreciate that they are working with legal and planning professionals to address this matter properly and responsibly.

Please accept this letter as my formal support for the shed remaining in place at 154 Sunny Cove Drive.

Sincerely,

Neighbor Name: Don Kinnamon

Neighbor Address: 183 Sunny Cove Dr

Signature: _____

Date: 06/27/2025

To Whom it May Concern,

As a neighbor of the property located at 154 Sunny Cove Drive, Santa Cruz, CA, I am writing to express my support for approval of the existing shed structure on their property.

I understand that the shed is currently under review related to height, size, and proximity to setback requirements. Based on my personal observations, I can confirm that the shed does not obstruct my view, interfere with the use or enjoyment of my property, or negatively impact the look and feel of our neighborhood.

In fact, the shed is modern, brand new, and visually well-designed. It complements the surrounding neighborhood and environment and is a clear improvement over older or more intrusive outbuildings often found in similar coastal properties. I find it to be attractive, well-maintained, consistent with and respectful of the neighborhood aesthetic.

I fully support the owners' efforts to retain the structure as-is, and I appreciate that they are working with legal and planning professionals to address this matter properly and responsibly.

Please accept this letter as my formal support for the shed remaining in place at 154 Sunny Cove Drive, and I encourage the Zoning Administrator to approve the variance and coastal development permit.

Sincerely,

Neighbor Name: Richard Rivoir

Neighbor Address: 190 Sunny Cove Dr

Signature: _____

Date: 6-30-25

Attachment 4

OWNER:

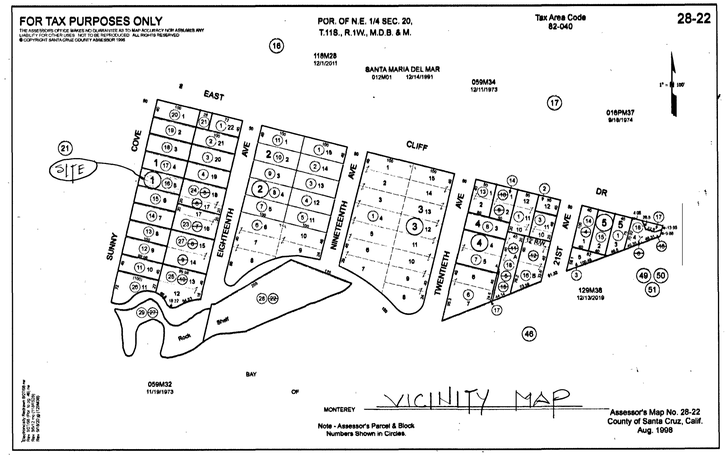
Eddie Shimmon
154 Sunny Cove Drive
Santa Cruz, CA 95062

PROJECT DATA:

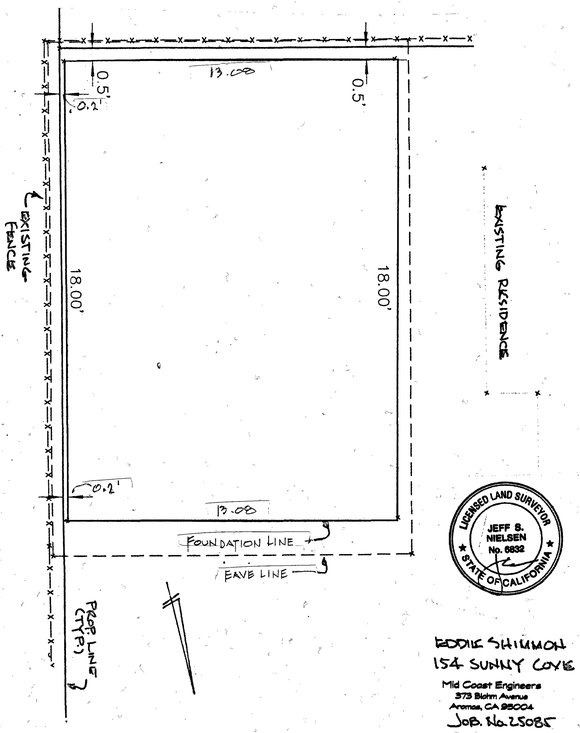
A.P.N.	028-221-16
Zoning	R-1-4
Occupancy Group	R-3
Construction Type	U Non-Sprinkled
Parcel Size	4,000 sq. ft.
Lot Coverage	1,651 sq. ft. (41 %)
Existing Residence	1,985 sq. ft.
Existing Garage	240 sq. ft.
Proposed Shed	*234 sq. ft.*

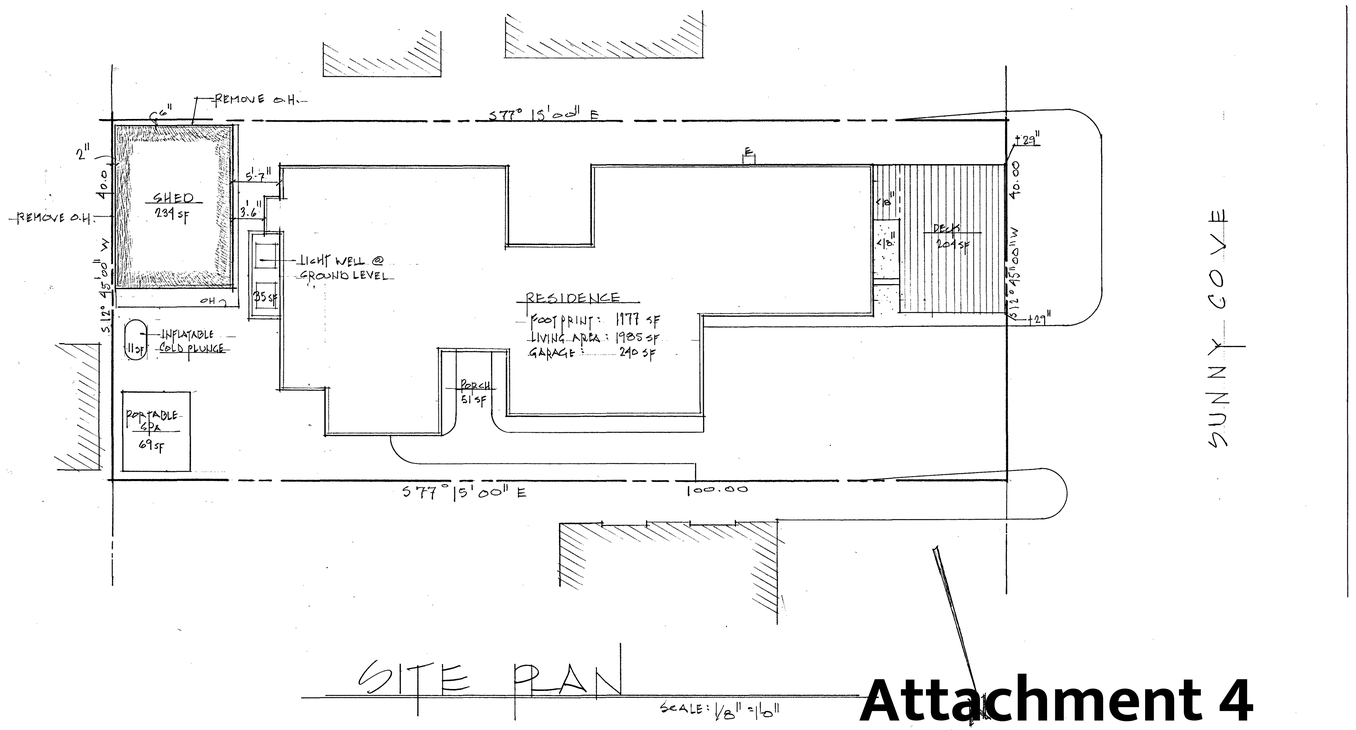
SCOPE OF WORK:

Recognize an existing 13'-1" x 18', 234 sq. ft. shed, 11'-9" in height



	Lot Coverage	Floor Area Ratio
Lower Level	1177 SF	1179 SF
Upper Level	N/A	808 SF
Garage	240 - 225 SF credit = 15 SF	240 SF - 225 credit = 15 SF
Porch	51 SF - 140 SF credit = 0	N/A
Deck	201 SF	
Shed	234 SF	N/A
Spa - portable	69 SF	N/A
Light well	35 SF	N/A
Inflatable cold plunge	11 SF	N/A
Total	1715 SF = 43.6 % 45% MAX	2,000 SF = 50% 60% MAX





SITE PLAN

SCALE: 1/8" = 1'0"

Attachment 4

REVISIONS	BY

ROBIN ALAGA
250 Evening Hill Lane Corralitos, CA 95076
Phone: (831)724-4994 Cell: (831)419-4919
e-mail: alagainc@gmail.com

SHIMMON SHED

Eddie Shimmon 650.804.5119 eddieshimmon@gmail.com
154 Sunny cove Santa Cruz, CA 95062

A.P.N. 028 – 221 – 16

Robin Alaga

DRAWN	Robin
CHECKED	
DATE	Oct. 20. 2025
SCALE	NOTED
JOB NO.	25.38
SHEET	
OF	SHEETS

Docusign Envelope ID: 330CB581-6F80-4493-877D-54DE045114EF

Modern Shed

Date:	12/23/24	Model:	**Front Wall**
Sales Rep/Ph #:	Jeff Bergerson	Revised:	R5
	360-789-7822	Job #:	2410-141
Installer:	Dave W	Height restriction:	0
Quote expires:	01/06/25	Permitting:	No

Specifications

Customer name:	Ed Shimmon			
Location:	154 Sunny Cove Dr			
	Santa Cruz, CA 95062			
Size:	18	X	13	
Use:	Custom Shop			

Base Framing Package — INITIAL

Sides B and D 12x, 14x
Standard walls include: (exceptions/options listed lower on page), 2x4 studs, R13 batt insulation, 7/16" OSB exterior sheathing, (ZipWall on open joint siding), pre-assembled top cap and transom glass frames with insulated double pane glass units. Roof and floor: see below

Wall Framing and Insulation:
2x6 replaces 2x4 wall framing-May be required for permitting- holes drilled for roping
R-21 Insulation-May be required for permitting

Front Wall Bearing Design
Front wall bears roof weight (eliminates roof beam) exchanges transom igus for traditional windows

Options
Customized design or violates panelization rules
Interior Wall Covering
8" MDF shiplap-primed

Electrical Preparations
Ceiling chase in all roof panels except ends above rake walls.(Allows overhead electrical box connection.)

Roof System
Roof system includes 1/2" plywood sheathing, roofing felt, snap-loc standing seam metal roofing and trim, glulam beam, ceiling liner, flashing and fascia. See below for rafter size and insulation value.

Classic - roof style
Water & ice shield roofing underlayment -required in snowy or rainy climates and coastal regions
Specialty Finishes 24GA roofing upgrade - Ocean Guard
2x8 joist-rafters, R-50 rigid foam insulation - unvented, (1) 6.75x9.5 Glulam 14'
Upgrade roof overhang eaves: 18" Side A. 6" sides, B, C, D

Ceiling Liner
1x6 Cedar tight knot Tongue & Groove (replaces standard Pine T & G)

Floor System:
No floor system-Concrete slab by others. (Pressure treated bottom plate included)

Exterior Siding: (Unpainted unless specified below)
Open Joint rain screen. Factory PAINTED Includes ZipWall and special vapor — Side A,C,D
Hardie Board w battens ***16" O.C. Smooth finish, Includes house wrap, window/door/corner trim (UNPAINTED) — Side B
Upper trim-Top cap/fascia - Unpainted
Extra Wall Height
0.50 Taller walls for more ceiling height-(number of feet in decimal to left)

Doors: - All doors include lock-sets
1 Framing for Larger Door (door by others)

Windows: - includes framing (all operable windows include screens)

Milgard Windows
Custom ordered A250 Thermally Improved Aluminum windows (Int. & Ext. Anodized Aluminum - Silver)
1 48 x 18 Awning (annealed) with screen
1 120 x 18 (Split) Picture Transoms (annealed)
2 82 x 18 (Short leg = 7.75) Picture Transom (annealed)

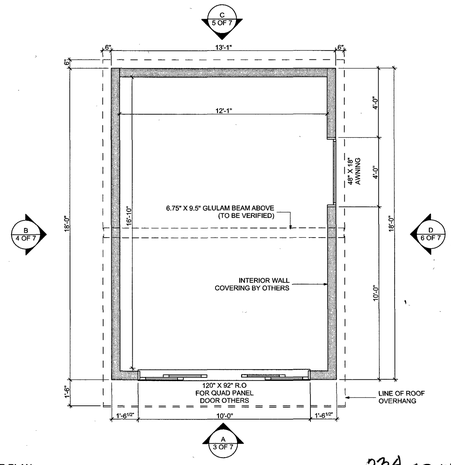
Interior window trim:
Window trim by others

Crating / Loading
Hand loading into enclosed trailer for delivery

NOTES TO FABRICATION:

Custom Footprint: 18' x 13'-1"
Custom Roof Beam: 6.75"x9.5" > two rows of roof panels supported mid-span by beam.
RO for 120x92 door (door - by others)
Custom Transoms - Sides A, B, D

Docusign Envelope ID: 330CB581-6F80-4493-877D-54DE045114EF



FLOOR PLAN
SCALE: 1/4" = 1'-0"

234 sq.ft.

Modern Shed

Design Confirmation Drawings
Not to be used for permitting

PROJECT TITLE:
SHIMMON
18 X 13'-1"

OWNER:
Ed Shimmon
154 Sunny Cove Dr
Santa Cruz, CA 95062

PROJECT INFO:
JOB NO: 2410-141
DATE: 10.23.2024
DRAWN BY: JB

REVISIONS

REV	DATE	DESCRIPTION
R1	10.30.2024	MOVE WINDOW
R2	11.09.2024	WIDEN SHED
R3	12.07.2024	DEEPEN SHED / FWB
R4	12.19.2024	TRANSOMS
R5	01.30.2025	R.O. / SIDING

☐ APPROVED - AS DRAWN
☐ APPROVED - WITH MINOR CHANGES
☐ NOTE CHANGES ON PLANS

PLEASE NOTE:
ANY CHANGES AFTER SIGNATURE APPROVING THESE DRAWINGS WILL INCUR EXTRA CHANGES TO STRUCTURAL AND POSSIBLY AN ADDITIONAL ACAD (DRAWING) FEE.

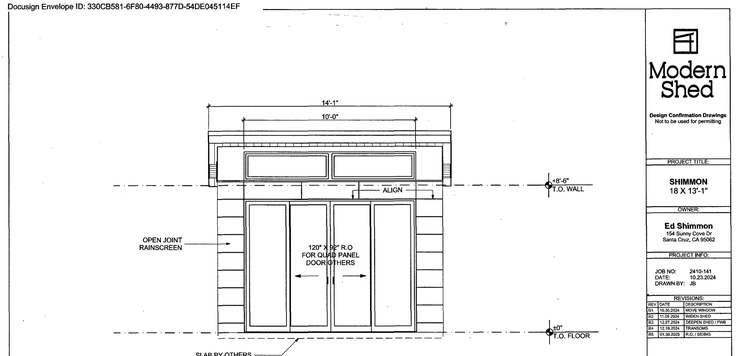
CLIENT SIGNATURE: Ed Shimmon Signed by: 0267C0CD379C40F... DATE: 2/3/2025

SMALL PRINT

THIS DRAWING IS CONSIDERED PROPRIETY. IT'S NOT TO BE REPRODUCED, NOR THE INFORMATION CONTAINED TO BE USED TO PRODUCE PRODUCTS, UNLESS WRITTEN CONSENT IS FIRST OBTAINED FROM MODERN SHED. I AUTHORIZE PRODUCTION AS DRAWN OR WITH CHANGES NOTED. I UNDERSTAND ANY FURTHER CHANGES WILL RESULT IN ADDITIONAL FEES, ANY ADDITIONAL CHANGES AFTER APPROVAL WILL RESULT IN ADDITIONAL FEES AND DELAY IN SHIPPING. THE PURCHASER IS RESPONSIBLE FOR ALL GOVERNMENTAL REGULATIONS, ZONING LAWS, HOA, CC&'S, APPLICABLE BUILDING LAWS INCLUDING PERMITTING REQUIREMENTS BY LOCAL JURISDICTIONS, AND ANY APPLICABLE TAX LAWS AND HOLDS MODERN SHED, INC. OR ANY OF ITS AGENTS HARMLESS IN ANY SUIT OR LITIGATION WHICH MAY ARISE FROM SUCH LAWS OR REGULATIONS.

DRAWING NUMBER
2 OF 7

Docusign Envelope ID: 330CB581-6F80-4493-877D-54DE045114EF



A FRONT ELEVATION
SCALE: 1/4" = 1'-0"

Modern Shed

Design Confirmation Drawings
Not to be used for permitting

PROJECT TITLE:
SHIMMON
18 X 13'-1"

OWNER:
Ed Shimmon
154 Sunny Cove Dr
Santa Cruz, CA 95062

PROJECT INFO:
JOB NO: 2410-141
DATE: 10.23.2024
DRAWN BY: JB

REVISIONS

REV	DATE	DESCRIPTION
R1	10.30.2024	MOVE WINDOW
R2	11.09.2024	WIDEN SHED
R3	12.07.2024	DEEPEN SHED / FWB
R4	12.19.2024	TRANSOMS
R5	01.30.2025	R.O. / SIDING

☐ APPROVED - AS DRAWN
☐ APPROVED - WITH MINOR CHANGES
☐ NOTE CHANGES ON PLANS

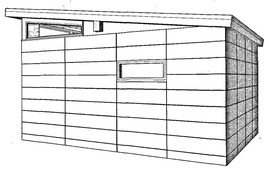
PLEASE NOTE:
ANY CHANGES AFTER SIGNATURE APPROVING THESE DRAWINGS WILL INCUR EXTRA CHANGES TO STRUCTURAL AND POSSIBLY AN ADDITIONAL ACAD (DRAWING) FEE.

CLIENT SIGNATURE: Ed Shimmon Signed by: 0267C0CD379C40F... DATE: 2/3/2025

SMALL PRINT

THIS DRAWING IS CONSIDERED PROPRIETY. IT'S NOT TO BE REPRODUCED, NOR THE INFORMATION CONTAINED TO BE USED TO PRODUCE PRODUCTS, UNLESS WRITTEN CONSENT IS FIRST OBTAINED FROM MODERN SHED. I AUTHORIZE PRODUCTION AS DRAWN OR WITH CHANGES NOTED. I UNDERSTAND ANY FURTHER CHANGES WILL RESULT IN ADDITIONAL FEES, ANY ADDITIONAL CHANGES AFTER APPROVAL WILL RESULT IN ADDITIONAL FEES AND DELAY IN SHIPPING. THE PURCHASER IS RESPONSIBLE FOR ALL GOVERNMENTAL REGULATIONS, ZONING LAWS, HOA, CC&'S, APPLICABLE BUILDING LAWS INCLUDING PERMITTING REQUIREMENTS BY LOCAL JURISDICTIONS, AND ANY APPLICABLE TAX LAWS AND HOLDS MODERN SHED, INC. OR ANY OF ITS AGENTS HARMLESS IN ANY SUIT OR LITIGATION WHICH MAY ARISE FROM SUCH LAWS OR REGULATIONS.

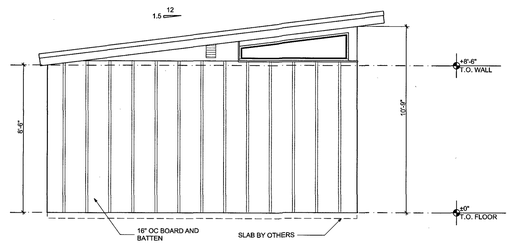
DRAWING NUMBER
3 OF 7



SIDE D/C RENDERING

SIDE A/D RENDERING

Docusign Envelope ID: 330CB581-6F80-4493-877D-54DE045114EF



B LEFT ELEVATION
SCALE: 1/4" = 1'-0"

Modern Shed

Design Confirmation Drawings
Not to be used for permitting

PROJECT TITLE:
SHIMMON
18 X 13'-1"

OWNER:
Ed Shimmon
154 Sunny Cove Dr
Santa Cruz, CA 95062

PROJECT INFO:
JOB NO: 2410-141
DATE: 10.23.2024
DRAWN BY: JB

REVISIONS

REV	DATE	DESCRIPTION
R1	10.30.2024	MOVE WINDOW
R2	11.09.2024	WIDEN SHED
R3	12.07.2024	DEEPEN SHED / FWB
R4	12.19.2024	TRANSOMS
R5	01.30.2025	R.O. / SIDING

☐ APPROVED - AS DRAWN
☐ APPROVED - WITH MINOR CHANGES
☐ NOTE CHANGES ON PLANS

PLEASE NOTE:
ANY CHANGES AFTER SIGNATURE APPROVING THESE DRAWINGS WILL INCUR EXTRA CHANGES TO STRUCTURAL AND POSSIBLY AN ADDITIONAL ACAD (DRAWING) FEE.

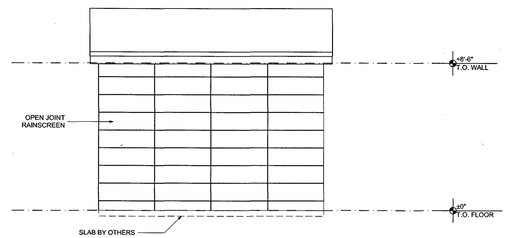
CLIENT SIGNATURE: Ed Shimmon Signed by: 0267C0CD379C40F... DATE: 2/3/2025

SMALL PRINT

THIS DRAWING IS CONSIDERED PROPRIETY. IT'S NOT TO BE REPRODUCED, NOR THE INFORMATION CONTAINED TO BE USED TO PRODUCE PRODUCTS, UNLESS WRITTEN CONSENT IS FIRST OBTAINED FROM MODERN SHED. I AUTHORIZE PRODUCTION AS DRAWN OR WITH CHANGES NOTED. I UNDERSTAND ANY FURTHER CHANGES WILL RESULT IN ADDITIONAL FEES, ANY ADDITIONAL CHANGES AFTER APPROVAL WILL RESULT IN ADDITIONAL FEES AND DELAY IN SHIPPING. THE PURCHASER IS RESPONSIBLE FOR ALL GOVERNMENTAL REGULATIONS, ZONING LAWS, HOA, CC&'S, APPLICABLE BUILDING LAWS INCLUDING PERMITTING REQUIREMENTS BY LOCAL JURISDICTIONS, AND ANY APPLICABLE TAX LAWS AND HOLDS MODERN SHED, INC. OR ANY OF ITS AGENTS HARMLESS IN ANY SUIT OR LITIGATION WHICH MAY ARISE FROM SUCH LAWS OR REGULATIONS.

DRAWING NUMBER
4 OF 7

Docusign Envelope ID: 330CB581-6F80-4493-877D-54DE045114EF



C REAR ELEVATION
SCALE: 1/4" = 1'-0"

☐ APPROVED - AS DRAWN
☐ APPROVED - WITH MINOR CHANGES
☐ NOTE CHANGES ON PLANS

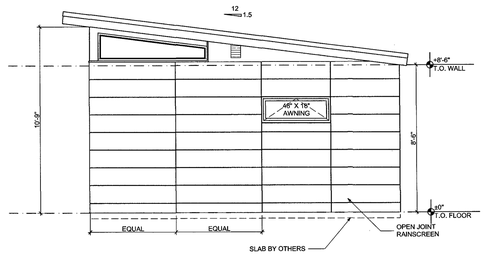
PLEASE NOTE:
ANY CHANGES AFTER SIGNATURE APPROVING THESE DRAWINGS WILL INCUR EXTRA CHANGES TO STRUCTURAL AND POSSIBLY AN ADDITIONAL ACAD (DRAWING) FEE.

CLIENT SIGNATURE: Ed Shimmon Signed by: 0267C0CD379C40F... DATE: 2/3/2025

SMALL PRINT

THIS DRAWING IS CONSIDERED PROPRIETY. IT'S NOT TO BE REPRODUCED, NOR THE INFORMATION CONTAINED TO BE USED TO PRODUCE PRODUCTS, UNLESS WRITTEN CONSENT IS FIRST OBTAINED FROM MODERN SHED. I AUTHORIZE PRODUCTION AS DRAWN OR WITH CHANGES NOTED. I UNDERSTAND ANY FURTHER CHANGES WILL RESULT IN ADDITIONAL FEES, ANY ADDITIONAL CHANGES AFTER APPROVAL WILL RESULT IN ADDITIONAL FEES AND DELAY IN SHIPPING. THE PURCHASER IS RESPONSIBLE FOR ALL GOVERNMENTAL REGULATIONS, ZONING LAWS, HOA, CC&'S, APPLICABLE BUILDING LAWS INCLUDING PERMITTING REQUIREMENTS BY LOCAL JURISDICTIONS, AND ANY APPLICABLE TAX LAWS AND HOLDS MODERN SHED, INC. OR ANY OF ITS AGENTS HARMLESS IN ANY SUIT OR LITIGATION WHICH MAY ARISE FROM SUCH LAWS OR REGULATIONS.

Docusign Envelope ID: 330CB581-6F80-4493-877D-54DE045114EF



D RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

Modern Shed

Design Confirmation Drawings
Not to be used for permitting

PROJECT TITLE:
SHIMMON
18 X 13'-1"

OWNER:
Ed Shimmon
154 Sunny Cove Dr
Santa Cruz, CA 95062

PROJECT INFO:
JOB NO: 2410-141
DATE: 10.23.2024
DRAWN BY: JB

REVISIONS

REV	DATE	DESCRIPTION
R1	10.30.2024	MOVE WINDOW
R2	11.09.2024	WIDEN SHED
R3	12.07.2024	DEEPEN SHED / FWB
R4	12.19.2024	TRANSOMS
R5	01.30.2025	R.O. / SIDING

☐ APPROVED - AS DRAWN
☐ APPROVED - WITH MINOR CHANGES
☐ NOTE CHANGES ON PLANS

PLEASE NOTE:
ANY CHANGES AFTER SIGNATURE APPROVING THESE DRAWINGS WILL INCUR EXTRA CHANGES TO STRUCTURAL AND POSSIBLY AN ADDITIONAL ACAD (DRAWING) FEE.

CLIENT SIGNATURE: Ed Shimmon Signed by: 0267C0CD379C40F... DATE: 2/3/2025

SMALL PRINT

THIS DRAWING IS CONSIDERED PROPRIETY. IT'S NOT TO BE REPRODUCED, NOR THE INFORMATION CONTAINED TO BE USED TO PRODUCE PRODUCTS, UNLESS WRITTEN CONSENT IS FIRST OBTAINED FROM MODERN SHED. I AUTHORIZE PRODUCTION AS DRAWN OR WITH CHANGES NOTED. I UNDERSTAND ANY FURTHER CHANGES WILL RESULT IN ADDITIONAL FEES, ANY ADDITIONAL CHANGES AFTER APPROVAL WILL RESULT IN ADDITIONAL FEES AND DELAY IN SHIPPING. THE PURCHASER IS RESPONSIBLE FOR ALL GOVERNMENTAL REGULATIONS, ZONING LAWS, HOA, CC&'S, APPLICABLE BUILDING LAWS INCLUDING PERMITTING REQUIREMENTS BY LOCAL JURISDICTIONS, AND ANY APPLICABLE TAX LAWS AND HOLDS MODERN SHED, INC. OR ANY OF ITS AGENTS HARMLESS IN ANY SUIT OR LITIGATION WHICH MAY ARISE FROM SUCH LAWS OR REGULATIONS.

DRAWING NUMBER
6 OF 7

REVISIONS	BY

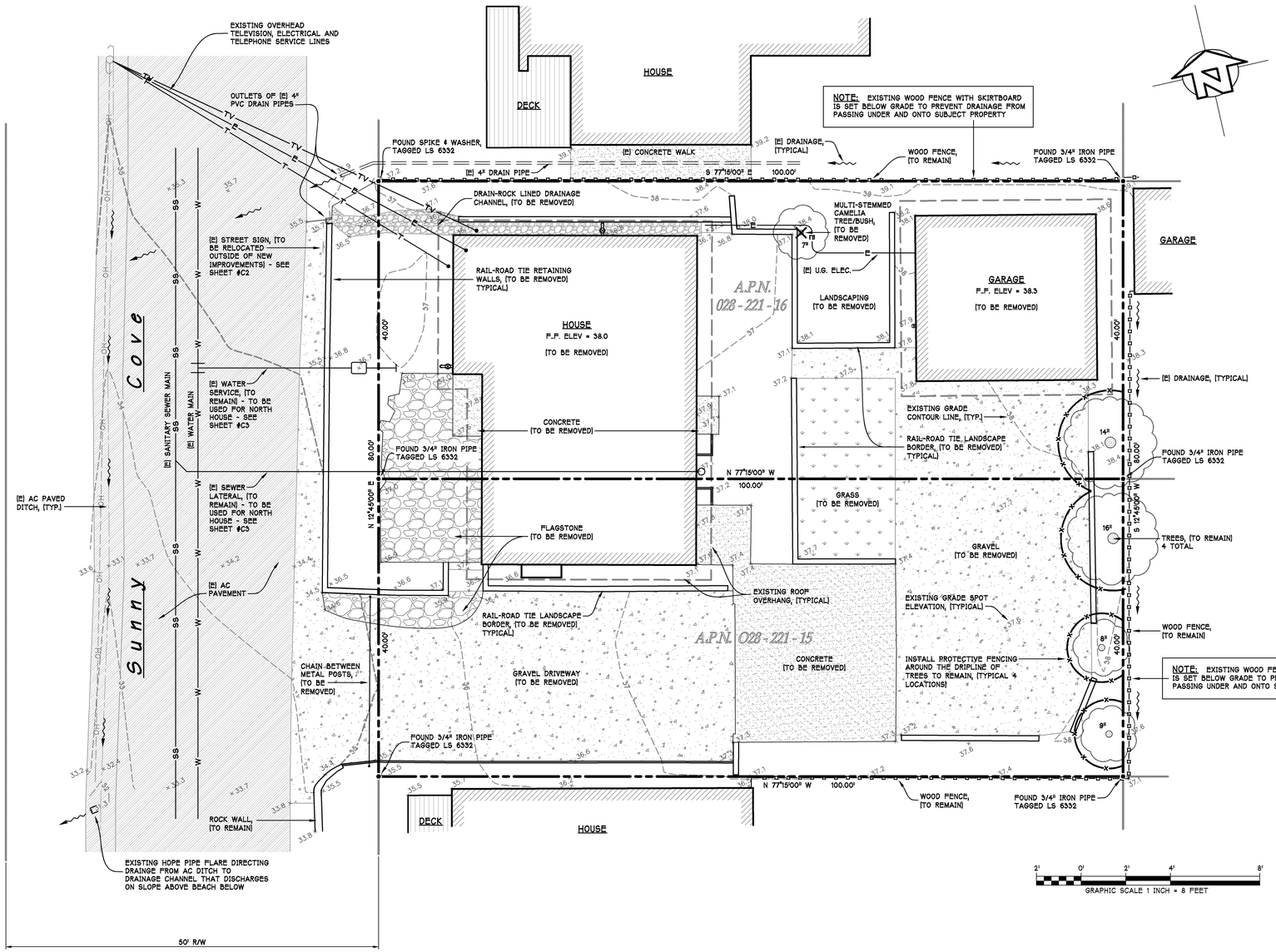
ROBIN ALAGA
250 Evening Hill Lane Corralitos, CA 95076
Phone: (831)724-4994 Cell: (831)419-4919
e-mail: alagainc@gmail.com

SHIMMON SHED
Eddie Shimmon 650.804.5119 eddieshimmon@gmail.com
154 Sunny cove Santa Cruz, CA 95062
A.P.N. 028 – 221 – 16

Robin Alaga

DRAWN	R-BIN
CHECKED	
DATE	20. AUGUST. 25
SCALE	NOTED
JOB NO.	25.30
SHEET	2
OF	SHEETS

Attachment 5



Demolition Notes

1. BUILDINGS TO BE DEMOLISHED WILL BE VACATED AND THEIR USE DISCONTINUED BEFORE START OF THE WORK.
2. OWNER ASSUMES NO RESPONSIBILITY FOR BUILDINGS AND STRUCTURES TO BE DEMOLISHED.
3. BUILDINGS IMMEDIATELY ADJACENT TO DEMOLITION AREA WILL BE OCCUPIED. CONDUCT BUILDING DEMOLITION SO OPERATIONS OF OCCUPIED BUILDINGS WILL NOT BE DISRUPTED.
4. PROVIDE NOT LESS THAN 72 HOURS' NOTICE OF ACTIVITIES THAT WILL AFFECT OPERATIONS OF ADJACENT OCCUPIED BUILDINGS.
5. MAINTAIN ACCESS TO EXISTING WALKWAYS, EXITS, AND OTHER FACILITIES USED BY OCCUPANTS OF ADJACENT BUILDINGS.
6. DO NOT CLOSE OR OBSTRUCT WALKWAYS, EXITS, OR OTHER FACILITIES USED BY OCCUPANTS OF ADJACENT BUILDINGS WITHOUT WRITTEN PERMISSION FROM AUTHORITIES HAVING JURISDICTION.
7. EXISTING FACILITIES: PROTECT ADJACENT WALKWAYS, BUILDING ENTRIES, AND OTHER BUILDING FACILITIES DURING DEMOLITION OPERATIONS. MAINTAIN EXITS FROM EXISTING ADJACENT BUILDINGS.
8. SITE ACCESS AND TEMPORARY CONTROLS: CONDUCT BUILDING DEMOLITION AND DEBRIS REMOVAL OPERATIONS TO ENSURE MINIMUM INTERFERENCE WITH ROADS, STREETS, WALKS, WALKWAYS, AND OTHER ADJACENT OCCUPIED AND USED FACILITIES.
9. DO NOT CLOSE OR OBSTRUCT STREETS, WALKS, WALKWAYS, OR OTHER ADJACENT OCCUPIED OR USED FACILITIES WITHOUT PERMISSION FROM OWNER AND AUTHORITIES HAVING JURISDICTION. PROVIDE ALTERNATE ROUTES AROUND CLOSED OR OBSTRUCTED TRAFFIC WAYS IF REQUIRED BY AUTHORITIES HAVING JURISDICTION.
10. ERECT A PLAINLY VISIBLE FENCE AROUND DRIP LINE OF INDIVIDUAL TREES OR AROUND PERIMETER DRIP LINE OF GROUPS OF TREES TO REMAIN.
11. PROVIDE TEMPORARY BARRICADES AND OTHER PROTECTION REQUIRED TO PREVENT INJURY TO PEOPLE AND DAMAGE TO ADJACENT BUILDINGS AND FACILITIES TO REMAIN.
12. USE WATER MIST AND OTHER SUITABLE METHODS TO LIMIT SPREAD OF DUST AND DIRT. COMPLY WITH GOVERNING ENVIRONMENTAL-PROTECTION REGULATIONS. DO NOT USE WATER WHEN IT MAY DAMAGE ADJACENT CONSTRUCTION OR CREATE HAZARDOUS OR OBJECTIONABLE CONDITIONS, SUCH AS ICE, FLOODING, AND POLLUTION
13. VERIFY THAT UTILITIES HAVE BEEN DISCONNECTED AND CAPPED BEFORE STARTING DEMOLITION OPERATIONS.
14. EXISTING UTILITIES: LOCATE, IDENTIFY, DISCONNECT, AND SEAL OR CAP OFF INDICATED UTILITIES SERVING BUILDINGS AND STRUCTURES TO BE DEMOLISHED. DO NOT START DEMOLITION WORK UNTIL UTILITY DISCONNECTING AND SEALING HAVE BEEN COMPLETED AND VERIFIED IN WRITING.
15. OWNER WILL ARRANGE TO SHUT OFF INDICATED UTILITIES WHEN REQUESTED BY CONTRACTOR.
16. GENERAL: DEMOLISH INDICATED EXISTING BUILDING COMPLETELY AND SITE IMPROVEMENTS ACCORDING TO CIVIL DRAWINGS. USE METHODS REQUIRED TO COMPLETE THE WORK WITHIN LIMITATIONS OF GOVERNING REGULATIONS.
17. HAZARDOUS MATERIALS: IT IS NOT EXPECTED THAT HAZARDOUS MATERIALS WILL BE ENCOUNTERED IN THE WORK. IF MATERIALS SUSPECTED OF CONTAINING HAZARDOUS MATERIALS ARE ENCOUNTERED, DO NOT DISTURB; IMMEDIATELY NOTIFY ARCHITECT AND OWNER. HAZARDOUS MATERIAL WILL BE REMOVED BY OWNER UNDER A SEPARATE CONTRACT.
18. REMOVE DEMOLITION WASTE MATERIALS FROM PROJECT SITE AND LEGALLY DISPOSE OF THEM IN AN EPA-APPROVED LANDFILL ACCEPTABLE TO AUTHORITIES HAVING JURISDICTION.
19. DO NOT ALLOW DEMOLISHED MATERIALS TO ACCUMULATE ON-SITE.
20. REMOVE AND TRANSPORT DEBRIS IN A MANNER THAT WILL PREVENT SPILLAGE ON ADJACENT SURFACES AND AREAS.
21. DO NOT BURN DEMOLISHED MATERIALS.

Existing Land Area

80' x 100' = 8,000 SQUARE FEET / 0.18 ACRES

Existing Impervious Surfaces

ROOFS -	(HOUSE) = 1,672 S.F.	}	(INCLUDES OVERHANG)
	(GARAGE) = 728 S.F.		
CONCRETE	= 630 S.F.		
GRAVEL (50%)	= 1,600 S.F.		
FLAGSTONE	= 380 S.F.		
TOTAL	= 5,010 S.F. / 0.12 AC.		

Existing Pre-Development Runoff

RAINFALL INTENSITY - 10 YEAR = 2.10 INCHES PER HOUR

Q10 = C.I.A

Q10 = (0.90)(2.10)(0.12) + (0.30)(2.10)(0.04)

Q10 = 0.26 C.F.S.

Attachment 5

NOTE:

THE BOUNDARY AND/OR TOPOGRAPHIC DATA SHOWN HEREON WAS PROVIDED TO IFLAND ENGINEERS, INC. BY... BASELINE LAND SURVEYORS AND IS BASED UPON A FIELD SURVEY DATED... JANUARY 15, 2009

WHILE IFLAND ENGINEERS HAS MADE A SITE VISIT TO FIELD CHECK THE DATA PROVIDED, WE ASSUME NO RESPONSIBILITY FOR THE ACCURACY, COMPLETENESS AND SUFFICIENCY OF THE BOUNDARY AND/OR TOPOGRAPHIC DATA.

Existing Conditions & Site Demolition Plan

SCALE: 1" = 8'

APPLICATION NO. 09-0126

REGISTERED PROFESSIONAL ENGINEER — DAVID J. HELIN CASEN — NO. C49187 EXP. 9-30-10 — CIVIL — STATE OF CALIFORNIA

BY	REVISION	DATE
APPROVED		DATE

RCE NO. 49187

5200 SOQUEL AVE. SUITE 101
SANTA CRUZ, CA 95062
TEL (831) 426-5313
FAX (831) 426-1763
www.ifandengineers.com
IFLAND ENGINEERS
CIVIL ENGINEERING ▪ LAND PLANNING ▪ STRUCTURAL DESIGN

Existing Conditions & Site Demolition Plan

Mike Carey

150 Sunny Cove, Santa Cruz, California

ASSESSORS PARCEL NUMBERS 028-221-15 & 16

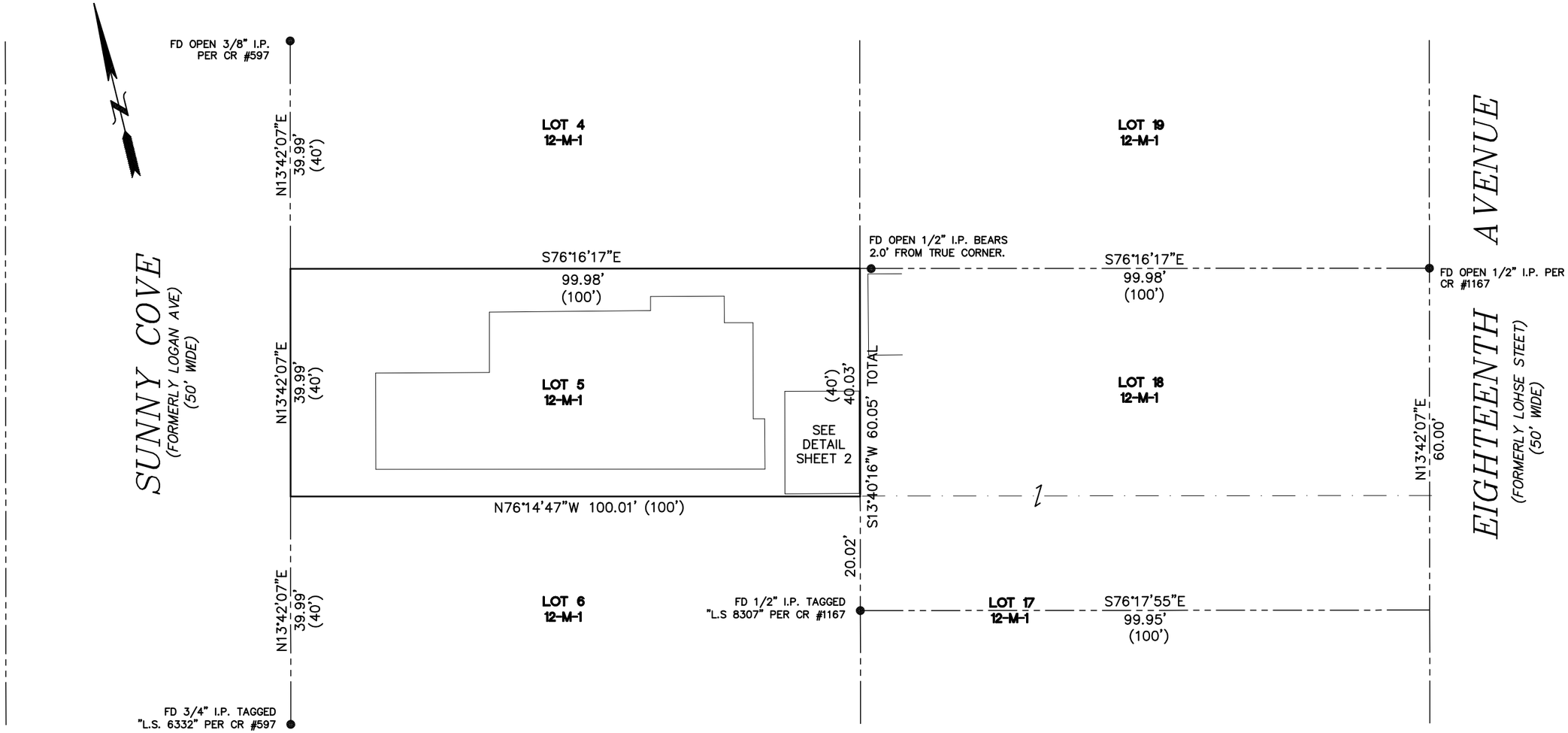
DRAWN JA:I | DESIGN GH:I | DATE 06/02/09

SHEET C1

JOB NO. 09007

T:_PROJECTS\2009\09007 Mike Carey Sunny Cove_GH\CAD\dwg\P - Coastal Permit Set\C01 - Existing Conditions & Site Demolition Plan.dwg, 06Dec11 11:12:12 AM, alhorton © IFLAND ENGINEERS, INC.

Attachment 6



LEGEND

- ● FOUND MONUMENT AS SHOWN
- ——— SUBJECT PROPERTY BOUNDARY
- — — — ADJACENT PROPERTY BOUNDARY

DISTANCES ARE IN FEET AND DECIMALS THEREOF.

( ) DATA IN PARENTHESES IS RECORD DATA PER 12–M–1

SURVEYED ON AUGUST 1, 2025 AT THE REQUEST OF EDDIE SHIMMON.

RE–SURVEYED ON SEPTEMBER 30, 2026 AT THE REQUEST OF EDDIE SHIMMON; SEE DETAIL ON SHEET 2.

PROFESSIONAL LAND SURVEYOR
JEFF S. NIELSEN
L.S. 6832
STATE OF CALIFORNIA

20 0 20 40

SCALE = 1" = 20'

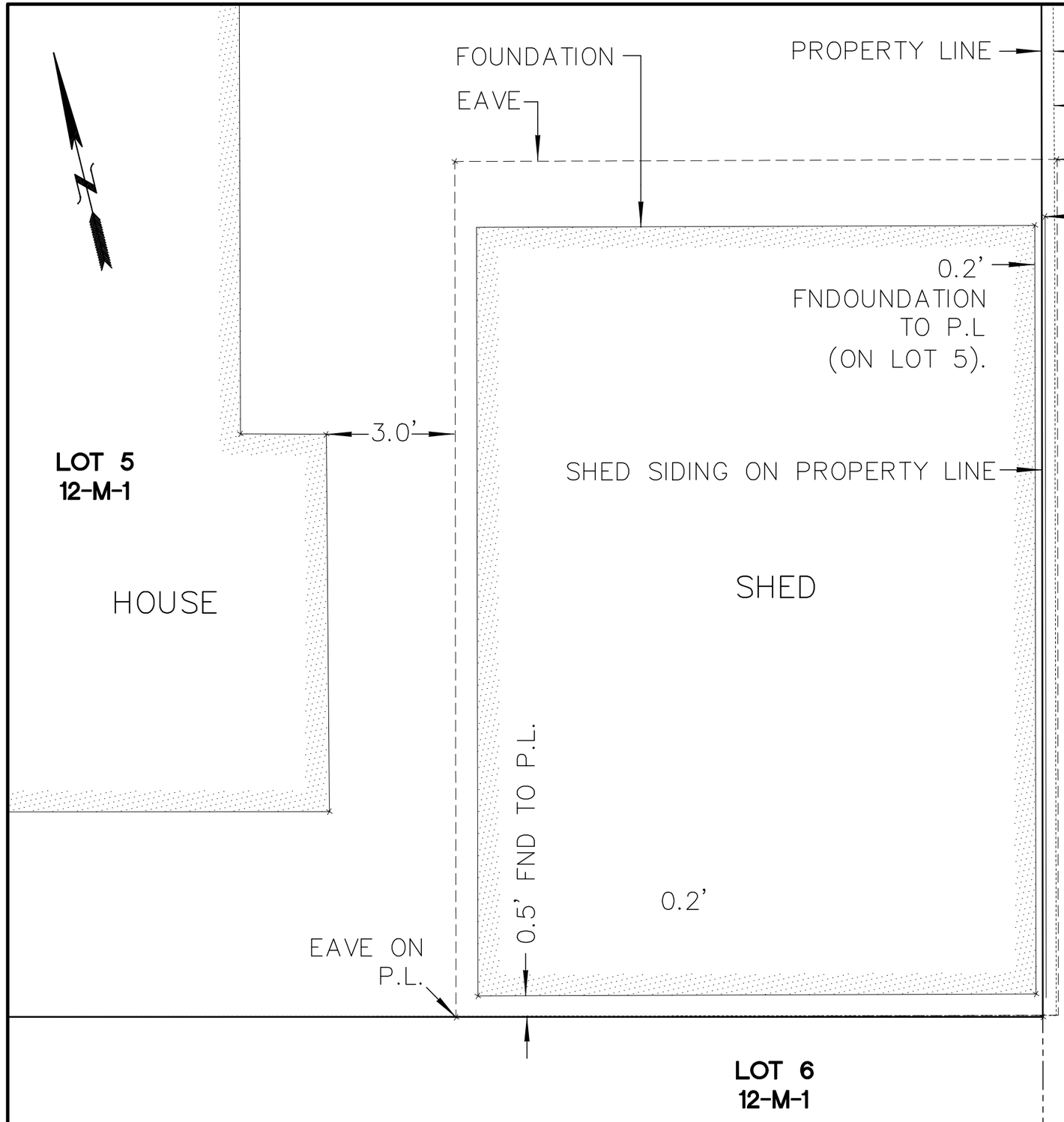
BOUNDARY SURVEY

LOT 5, BLOCK ONE, SANTA MARIA DEL MAR, RECORDED IN VOLUME 12 OF MAPS AT PAGE 1, SANTA CRUZ COUNTY RECORDS.

154 SUNNY COVE, SANTA CRUZ
SANTA CRUZ COUNTY CALIFORNIA

MID COAST ENGINEERS
CIVIL ENGINEERS AND LAND SURVEYORS
373 BLOHM AVENUE, ARCATA, CA 95004
(831) 724-2580

SCALE:	1" = 20'
JOB NO.	25085
DATE:	OCT 6 2026
SHEET:	1 OF 2



NOTE: ALL SHED POINTS AND FENCE SURVEYED USING THE LEICA TS16 RED LASER WITH 360 PRISM; MANUFACTURER'S REPORTED ACCURACY IS 2MM (.008' FT).



SCALE: NO SCALE
JOB NO. 25085
DATE: OCT 5 2026
SHEET: 2 OF 2

MID COAST ENGINEERS
CIVIL ENGINEERS AND LAND SURVEYORS
373 BLOHM AVENUE, AROMAS, CA 95004
(831) 724-2580

BOUNDARY SURVEY

DETAIL SHEET

LOT 5, BLOCK ONE, SANTA MARIA DEL MAR, RECORDED IN VOLUME 12 OF MAPS AT PAGE 1, SANTA CRUZ COUNTY RECORDS.

154 SUNNY COVE, SANTA CRUZ
SANTA CRUZ COUNTY CALIFORNIA

Attachment 6

SUPPLEMENTAL CORRESPONDENCE NO. 2

Photographs of 145 18th Avenue
Appeal of Application No. 251357
154 Sunny Cove Drive (APN 028-221-16)
Appellant Milly Rose LLC

The appellant submits two recent photographs taken from 145 18th Avenue. They are offered for context and raise no new ground of appeal.

Photo 1.



The back yard of 145 18th Avenue — the open space between the family's houses, kept since the 1930s. The structure at 154 Sunny Cove Drive rises above the fence at the rear lot line. The single-car garage at right is the appellant's.

Photo 2.



Looking down at the cap of the appellant's fence. The cap board is cut to fit around the structure's wall and frame; there is no clearance. The sign on the structure reads "19."

Respectfully submitted,

David Bernstein, Manager
Milly Rose LLC — 145 18th Avenue, Santa Cruz, CA 95062
408 857 9872 | davidrbernstein@yahoo.com