

STAFF REPORT TO THE ZONING ADMINISTRATOR

APPLICATION NO. 03-0534

APN:065-141-08

APPLICANT: Pamela Rose Vodrey

OWNER Pamela Rose Vodrey

PROJECT DESCRIPTION Proposal to elevate **an** existing single family dwelling, construct **a** new foundation, garage, and storage **below**, convert bathroom **to utility** room, construct bathroom addition, and construct **new** entry **stairs**, landings, and **decks**.

LOCATION The project is **located** on the north side of Circle Drive, (**204** Circle Drive), about 400 feet **east** from River Road in Felton Grove.

PERMITS REQUIRED Variance to **reduce** the required ten **foot** Separation between the existing garage **and the** dwelling to **about** four feet, to **reduce** the required 20 foot front **yard** setback to about four feet to the deck and seven **feet to the** new walls, and to increase the maximum 30% **lot** coverage to about 35%.

ENVIRONMENTAL DETERMINATION: Exempt per CEQA Section 1805(a)

COASTAL ZONE: y e s **X** no

PARCEL INFORMATION

PARCEL SIZE: **5,691** square feet

EXISTING LAND USE: PARCEL Residential

SURROUNDING: Residential and recreational

PROJECT ACCESS: Construct a new gravel driveway **off** Circle Drive, a privately maintained 40 foot right-of-way.

PLANNING AREA: San Lorenzo Valley

LAND USE DESIGNATION: Suburban Residential

ZONING DISTRICT: R-1-15-GH

SUPERVISORIALDISTRICT: Fifth District

ENVIRONMENTAL INFORMATION

Item

- a. Geologic Hazards
- b. Soils
- c. Fire Hazard
- d. Slopes
- e. Env. Sen. Habitat
- f. Grading
- g. ~~Tree~~ Removal
- h. Scenic
- i. Drainage
- j. Traffic
- k. Roads

Comments

- a. Site is within the floodway; home will be elevated.
- b. Soil Report completed; plan review letter will be required.
- c. Fire protection improvements will be required.
- d. ~~Site~~ is level.
- e. ~~Riparian~~ habitat and endangered species in ~~area~~; none on site
- f. None proposed.
- g. Three large redwoods will be ~~effected~~; attempt to only ~~trim~~.
- h. Not within a scenic corridor or visible from a highway.
- i. Drainage improvements ~~will~~ be installed per plans.
- j. No significant ~~impact~~
- k. New all weather **surface** driveway will be constructed.

SERVICES INFORMATION

W/in Urban Services Line: ___yes **XX** no

Water Supply: American ~~Water~~ Company

Sewage Disposal: **On** site septic system

Fire District: Felton Fire Protection District

Drainage District: Zone 8 Flood Control/Water Conservation District

ANALYSIS & DISCUSSION

The proposed construction is ~~part~~ of a FEMA sponsored, **Santa Cruz** County coordinated house raising project in the Felton Grove Subdivision. The 1928 subdivision is located in the floodway of the San Lorenzo River. The floodway is an extremely hazardous zone due to the quantity and velocity of flood waters, the amount of debris which may be transported, and the high potential for erosion during periods of large stream flows. **Several winters** have resulted in severe damage to the homes within the Felton Grove Subdivision. ~~The~~ Federal Emergency Management **Agency** has been involved in subsequent repairs to the homes following ~~these disasters~~. The objectives of ~~the~~ house raising project is to increase the safety of the residents and decrease the required **funds** for repairs following floods in the **future**. The homes **are** raised enough to ensure they **are** out of the elevation of the floodway and temporarily supported while the new foundation and flood proof walls are erected.

Parcels ~~within~~ the Felton Grove Subdivision are substandard in size by current site regulations. Many parcels are **unusual** in configuration and it is common for homes and **associated** improvements to be nonconforming relative to **setbacks** or even within the right-of-way. This project involves a home which does not meet the required front yard setback of 20 feet, ~~the~~ required 10 foot separation between the garage and home, and which is over lot coverage. It is proposed that the existing house be raised, new walls constructed to support it, **and** a new **stairs** and landing be constructed **to access** the raised home. **This** project will result in a home that is only about seven feet ~~from~~ the front property line to the walls and garage door, **and** four feet to the new entry ~~stairway~~, deck and landing. **In** addition, the laundry will be relocated to **a** new **utility** room which will replace a **bathroom**, and new bathroom addition will be constructed. This is necessary to remove the **laundry**, hot water heater, and furnace out of the floodway. The new entry stairs **and** bath addition will increase the lot coverage to about **35%**. ~~The~~ walls of the new **bathroom** will only be about four feet to **an** existing accessory **structure**. Although the new flood proof walls which support the elevated home **are** considered foundation for the purposes of measuring setbacks, the new **walls** enclosing the **room** addition require a **Variance** if setbacks **are** not met.

RECOMMENDATION

Staff recommends:

1. Approval of the determination ~~that~~ the project is Categorical Exempt from the California Environmental Quality Act; and
2. Approval of Application **No. 03-0534**, based on the attached findings and conditions.

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Application: 03-0534

EXHIBITS

- A. Project Plans
- B. ~~Variance~~ Findings
- C. Development Permit Findings
- D. Conditions
- E. Environmental Determination
- F. Zoning Map
- G. General Plan Map
- H. Location Map
- I. Assessor's Parcel Map

SUPPLEMENTARY REPORTS AND INFORMATION REFERRED TO IN **THIS** REPORT ARE ON FILE AND AVAILABLE FOR VIEWING AT THE SANTA CRUZ COUNTY PLANNING DEPARTMENT, AND ARE HEREBY MADE A PART OF THE ADMINISTRATIVE RECORD FOR THE PROPOSED PROJECT.

Report Prepared By: Darcy Houghton
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA **95060**
Phone Number: **(831) 454-7586**

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**

The special circumstances associated with this variance is the location of the existing structure. Presently there is an accessory structure only four feet from the home. In addition, the dwelling is seven feet from the right-of-way and it is necessary to construct a stairway to access the dwelling once it is raised. This will result in a setback of only four feet in the front to the stairs and decks and seven feet to the new garage door. The right-of-ways are unusually wide surrounding the site and actual road widths are narrow. Therefore, the vehicle backing out of the garage will not actually be backing out onto the road. Adequate sight distance exists for vehicles exiting the garage. The existing structures on the site do not meet the required lot coverage and the new addition and stairway will increase lot coverage further. The new stairs and addition are necessary because the habitable features normally in the garage must be removed due to the floodway and so will be put in a new utility room to replace the existing bath. The room addition will replace that bathroom. The new stairs is required to access the home once it is elevated

- 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.**

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 in that the height and location of the building will not effect the neighbor's privacy, solar access, or open space. Privacy fences exist which will not be affected by the project. The existing roads will not be affected and the project will increase safety for the residents.

- 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.**

The granting of the variance to increase the maximum lot coverage and reduce the required setbacks will not be a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such is situated in that the other homes in Felton Grove which require variances due to the presence of the floodway, wide right-of-ways, narrow roads, and existing building location have similarly been granted the same. In addition, most of the homes do not meet current site standards. Many are over the proper @ lines and into the right-of-ways. Fences and accessory structures exist which are not within the parcel boundaries. This home and it's associated improvements including the fencing will be improved. The home will be elevated and remodeled and the fencing will be reduced in height.

FINDINGS:

1. THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OR THE GENERAL PUBLIC, AND WILL NOT RESULT IN INEFFICIENT OR WASTEFUL USE OF ENERGY, AND WILL NOT BE MATERIALLY INJURIOUS TO PROPERTIES OR IMPROVEMENTS IN THE VICINITY.

*The location of the residence and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will **not** result in inefficient or wasteful use of energy. and will not be materially injurious to properties or improvement in the vicinity in that the project includes elevating the structure which will improve safety. The project will not result in any impacts on sight distance for vehicular traffic, or light, air. and open space for the neighbors*

2. THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL BE CONSISTENT WITH ALL PERTINENT COUNTY ORDINANCES AND THE PURPOSE OF THE ZONE DISTRICT IN WHICH THE SITE IS LOCATED.

*The project site is located in the R-1-15-GH zone district. The project is consistent with the specific purposes of the R-1 zoning to provide areas of primarily residential use, protected from the incompatible effects of nonresidential land uses. The project will **not** interfere with the surrounding recreational, commercial, and public uses.*

The project is consistent with the GH (Geologic Hazards) combining zone district due to its location within the 100 year floodway. This provides early notice of the development constraint and requires that development projects be subject to the Geologic Hazards Ordinance, Section 16.10 of the County Code. The Felton Grove House Raising Project has been designed and monitored to be consistent with the County Code which requires that buildings be elevated within the high flood hazard areas.

3. THAT THE PROPOSED USE IS CONSISTENT WITH ALL ELEMENTS OF THE COUNTY GENERAL PLAN AND WITH ANY SPECIFIC PLAN, WHICH HAS BEEN ADOPTED FOR THE AREA.

The project is located in the Suburban Residential land use designation. The proposed residential use is consistent with all elements of the General Plan in that the home will be compatible in scale and design with the others in the neighborhood. The project is consistent with the General Plan in that it will reduce hazards associated with the floodway. The project is further consistent with the Felton Town Plan in that the neighborhood will remain residential.

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4. **THAT THE PROPOSED USE WILL NOT OVERLOAD UTILITIES AND WILL NOT GENERATE MORE THAN THE ACCEPTABLE LEVEL OF TRAFFIC ON THE STREETS IN THE VICINITY.**

The use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity in that the project does not include an increase in the number of units or bedrooms. The current home already has a water connection and an approved septic system.

5. **THAT THE PROPOSED PROJECT WILL COMPLEMENT AND HARMONIZE WITH THE EXISTING AND PROPOSED LAND USES IN THE VICINITY AND WILL BE COMPATIBLE WITH THE PHYSICAL DESIGN ASPECTS, LAND USE INTENSITIES, AND DWELLING UNIT DENSITIES OF THE NEIGHBORHOOD**

The proposed residence will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood in that the design has incorporated features common to the area and is in scale with the other homes in the neighborhood

6. **THE PROPOSED DEVELOPMENT PROJECT IS CONSISTENT WITH THE DESIGN STANDARDS AND GUIDELINES (SECTIONS 13.11.070 THROUGH 13.11.076), AND ANY OTHER APPLICABLE REQUIREMENTS OF THIS CHAPTER.**

The proposed development is consistent with the Design Standards and Guidelines of the County Code in that it is compatible with the neighborhood, will provide parking, and will maximize compliance with the site standards to the extent possible.

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RECORDING REQUESTED BY:
COUNTY OF SANTA CRUZ

WHEN RECORDED, RETURN TO:
COUNTY OF SANTA CRUZ PLANNING DEPARTMENT
701 OCEAN STREET
SANTA CRUZ CA 95060

CONDITIONS OF APPROVAL

Variance **03-0534**

Property Owner: Pamela Ros Vodrey
Assessor's Parcel No. **065-141-08**
Property location and **address**: 204 Circle Drive, Felton
San Lorenzo Valley Planning Area

Exhibits: **A.** Architectural Plans prepared by **Gary Bartos**, dated October **30,2003**

I. This permit authorizes the elevation of an existing single family dwelling, construct a new foundation and garage below, convert bathroom to utility room, construct a new bathroomroom addition, and construct new decks, stairways, and landings. Prior to completing any rights granted by this permit, including, without limitation, any construction or site disturbance, the applicant/owner shall:

- 1.** Sign, ~~date~~, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
- 2.** **Obtain** a Building Permit from the Santa Cruz County Building Official

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

1. Submit final Architectural Plans for review and approval by the Planning Department and other required agencies. The final plans shall be in substantial compliance with the plans marked "Exhibit A" on file with the Planning Department. Any changes between the approved Exhibit A including, but not limited to the attached exhibits for road improvement, grading, drainage, architectural, and landscaping plans, and the final Architectural Plans must be submitted for review and approval by the decision-making body..

Such proposed changes will be included in a report to the decision-making body to consider if they are sufficiently material to warrant consideration at a public hearing noticed in accordance with Section 18.10.223 of the County code. Any changes that **are** on the final plans that do not conform to the project conditions of approval shall be specifically illustrated on a **separate** sheet and highlighted in yellow **on** any set of plans submitted to the County for review. The final plans shall include, but not be limited to the following:

- a.** Exterior elevations identifying finish materials and colors
- b.** Floor plans identifying each **room** and **its** dimensions.

- c. A site plan showing the location of all site improvements, including, but not limited to, landscaping, points of ingress and egress, parking areas, and accessory structures. The site plan shall indicate vegetated areas and **type** of vegetation. Indicate ~~that~~ some of the downspout discharge flows into the vegetated areas on the parcel. Show limits of the proposed gravel driveway. ~~Not~~ **more than 50%** of the front **yard** shall be used for parking and driveway. Indicate on the site plan that existing redwood **trees** shall be trimmed but not removed. Indicate on the site plan that they will be surrounded by orange construction fencing during the construction project.
2. **Meet all** requirements of the Department of Public Works, Zone **8**. New impervious area shall be less than 500 square feet or a drainage mitigation plan including retention or detention facilities must be submitted and accepted by the Drainage District.
3. **Meet** all the requirements and pay any applicable fees to the Felton Fire Protection District.
4. Meet all the requirements in the soils report and all regulations from the Federal Emergency Management Agency. Submit the soils engineer plan review letter ~~that~~ verifies the plans are in conformance with the recommendations in the soils **report**.
5. Comply with all requirements of the County Environmental Health Department.
6. No increase in the number of bedrooms.

III. All construction shall be performed in accordance with the approved plans. For reference in the field, a copy of these conditions shall be included on all construction plans. Prior to **final** building inspection and building occupancy, the applicant/owner shall meet the following conditions:

1. All site improvements shown on the final approved Building Permit plans shall be installed. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official and the County Civil Engineer.
2. Pursuant to Sections **16.40.040** and **16.42.100** of the County Code, if at any time during site preparation, excavation or site disturbance associated with this development, any artifact or other evidence of an historic archeological 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 **16.40.040** and **16.42.100** shall be observed.
3. Construction activities shall be completed so **as** to not impact the functioning of the existing septic tank, leachfields and **future** expansion leachfield.

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4. Submit the elevation certificate verifying the **structure** is raised to the correct elevation.
5. Convert the accessory structure labeled "garage" on the approved Exhibit back to a garage and record a declaration to maintain it **as** a garage.
6. Remove inoperable vehicles from the driveway and yard **area**.
- 7.

IV. Operational Conditions.

1. 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..
2. All landscaping shall be permanently maintained.

PLEASE NOTE: THIS PERMIT EXPIRES TWO YEARS FROM DATE OF APPROVAL UNLESS YOU BOTH OBTAIN YOUR BUILDING PERMIT AND OBTAIN REQUIRED FIRST BUILDING INSPECTION.

Conditions verified by _____
Don Bussey, Deputy Zoning Administrator

Date ____/____/2001

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NOTICE OF EXEMPTION FROM **THE**
CALIFORNIA ENVIRONMENTAL QUALITY ACT

The County of **Santa Cruz** **has** reviewed the project described below and **has** determined that it is exempt from the provisions of CEQA **as** specified in Sections 15061 - 15329 of CEQA for the reason(s) which have been checked on this document.

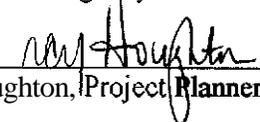
Application No. 03-0534
Assessor's Parcel No. **065-141-08**
Project Location: **The project is located on the north side of Park Avenue and River Road in Felton Grove.**
Project Description: **The project proposes to elevate and relocate an existing single family dwelling.**
Person or Agency Proposing Project: Pamela Rose
Vodrey

- A. The proposed activity is not a project under CEQA Guidelines, Sections 1928 and 501
B. Ministerial Project involving only the use of **fixed standards** or objective measurements without personal judgment.
C. Statutory Exemption **other** than a Ministerial Project.
Specify type:

D. Categorical Exemption

- | | |
|--|--|
| <input checked="" type="checkbox"/> 1. Existing Facility | <input type="checkbox"/> 17. Open Space Contracts or Easements |
| <input type="checkbox"/> 2. Replacement or Reconstruction | <input type="checkbox"/> 18. Designation of Wilderness Areas |
| <input type="checkbox"/> 3. New Construction of Small Structure | <input type="checkbox"/> 19. Annexation of Existing Facilities/ Lots for Exempt Facilities |
| <input type="checkbox"/> 4. Minor Alterations to Land | <input type="checkbox"/> 20. Changes in Organization of Local Agencies |
| <input type="checkbox"/> 5. Alterations in Land Use Limitations | <input type="checkbox"/> 21. Enforcement Actions by Regulatory Agencies |
| <input type="checkbox"/> 6. Information Collection | <input type="checkbox"/> 22. Educational Programs |
| <input type="checkbox"/> 7. Actions by Regulatory Agencies for Protection of the Environment | <input type="checkbox"/> 23. Normal Operations of Facilities for Public Gatherings |
| <input type="checkbox"/> 8. Actions by Regulatory Agencies for Protection of Nat. Resources | <input type="checkbox"/> 24. Regulation of Working Conditions |
| <input type="checkbox"/> 9. Inspection | <input type="checkbox"/> 25. Transfers of Ownership of Interests in Land to Preserve Open Space |
| <input type="checkbox"/> 10. Loans | <input type="checkbox"/> 26. Acquisition of Housing for Housing Assistance Programs |
| <input type="checkbox"/> 11. Accessory Structures | <input type="checkbox"/> 27. Leasing New Facilities |
| <input type="checkbox"/> 12. Surplus Govt. Property sales | <input type="checkbox"/> 28. Small Hydroelectric Projects at Existing Facilities |
| <input type="checkbox"/> 13. Acquisition of Land for Wild-Life Conservation Purposes | <input type="checkbox"/> 29. Cogeneration Projects at Existing Facilities |
| <input type="checkbox"/> 14. Minor Additions to Schools | |
| <input type="checkbox"/> 15. Minor Land Divisions | |
| <input type="checkbox"/> 16. Transfer of Ownership of Land to Create Parks | |

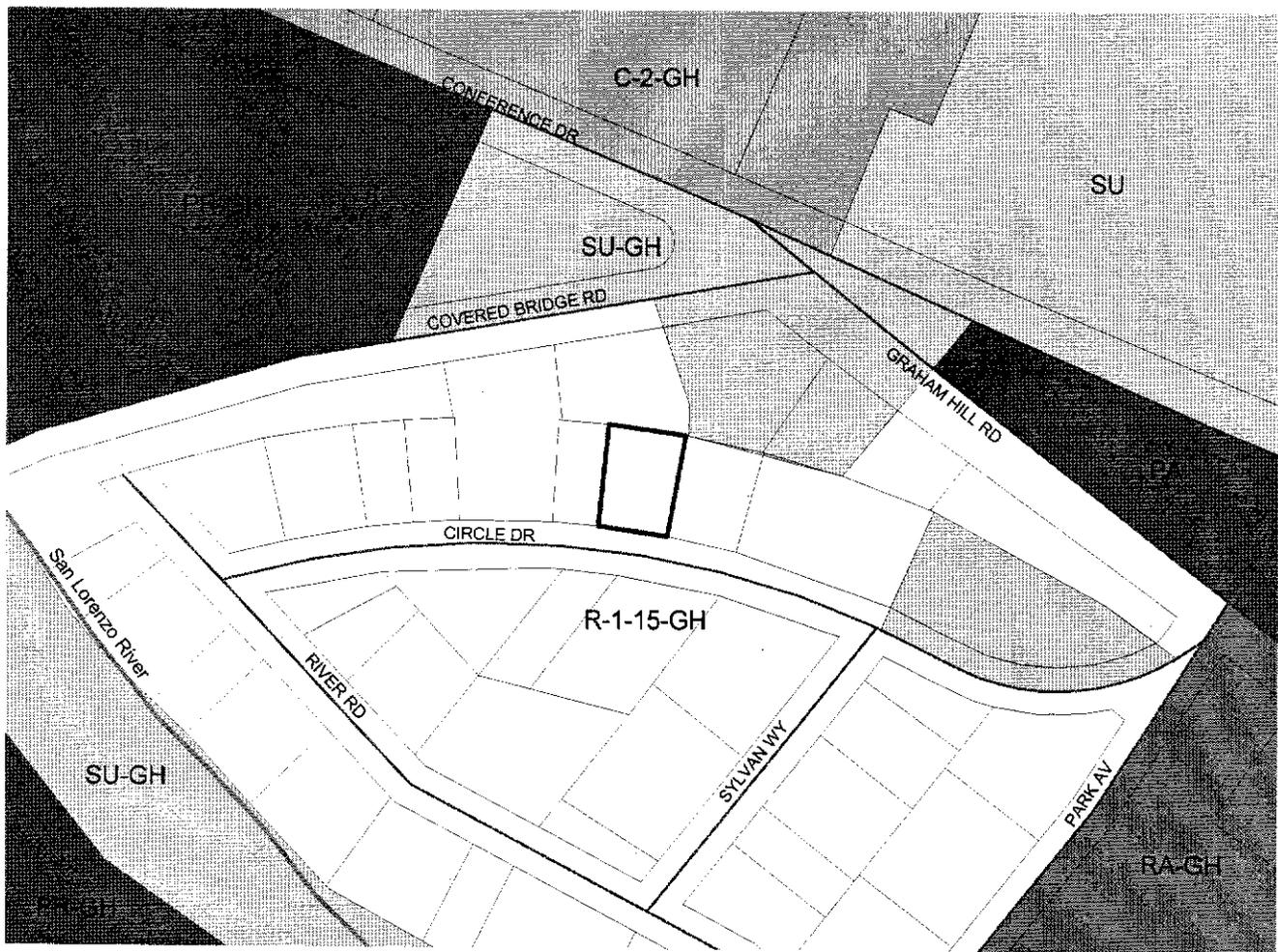
E. Lead Agency Other Than County:



Darcy Houghton, Project **Planner**

Date: 03/31/04

Zoning Map



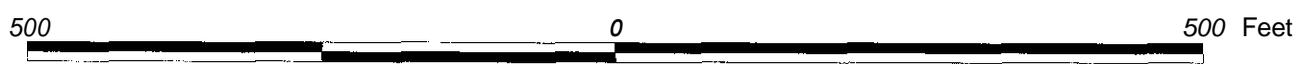
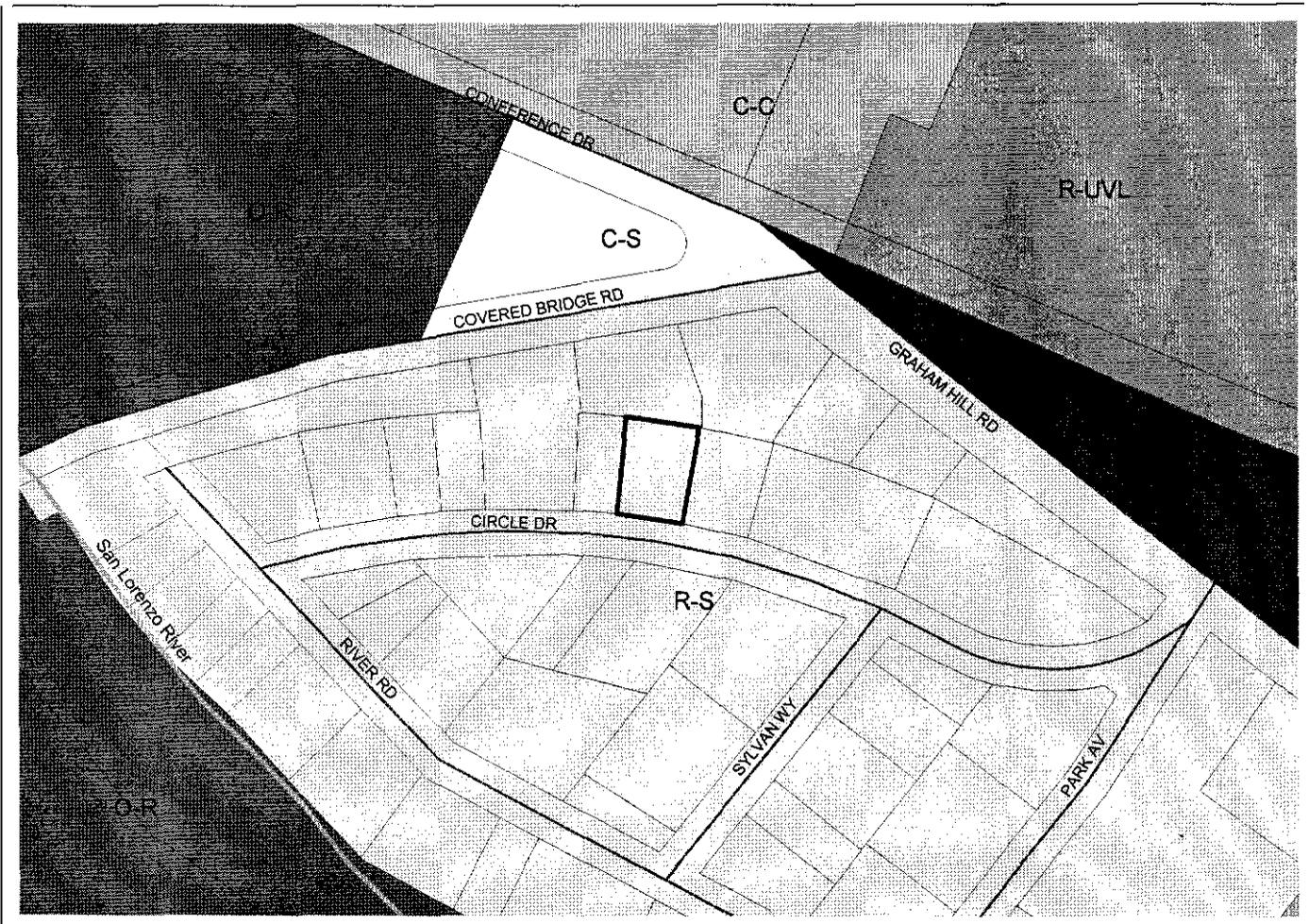
Legend

	APN 065-141-08
	Streets
	Perennial Stream
	R-1-X
	SU
	C-2
	RA
	PA
	PR



Map created by Santa Cruz County
 Planning Department:
 December 2003

General Plan Map



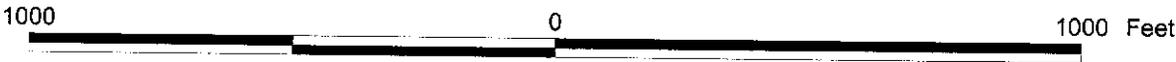
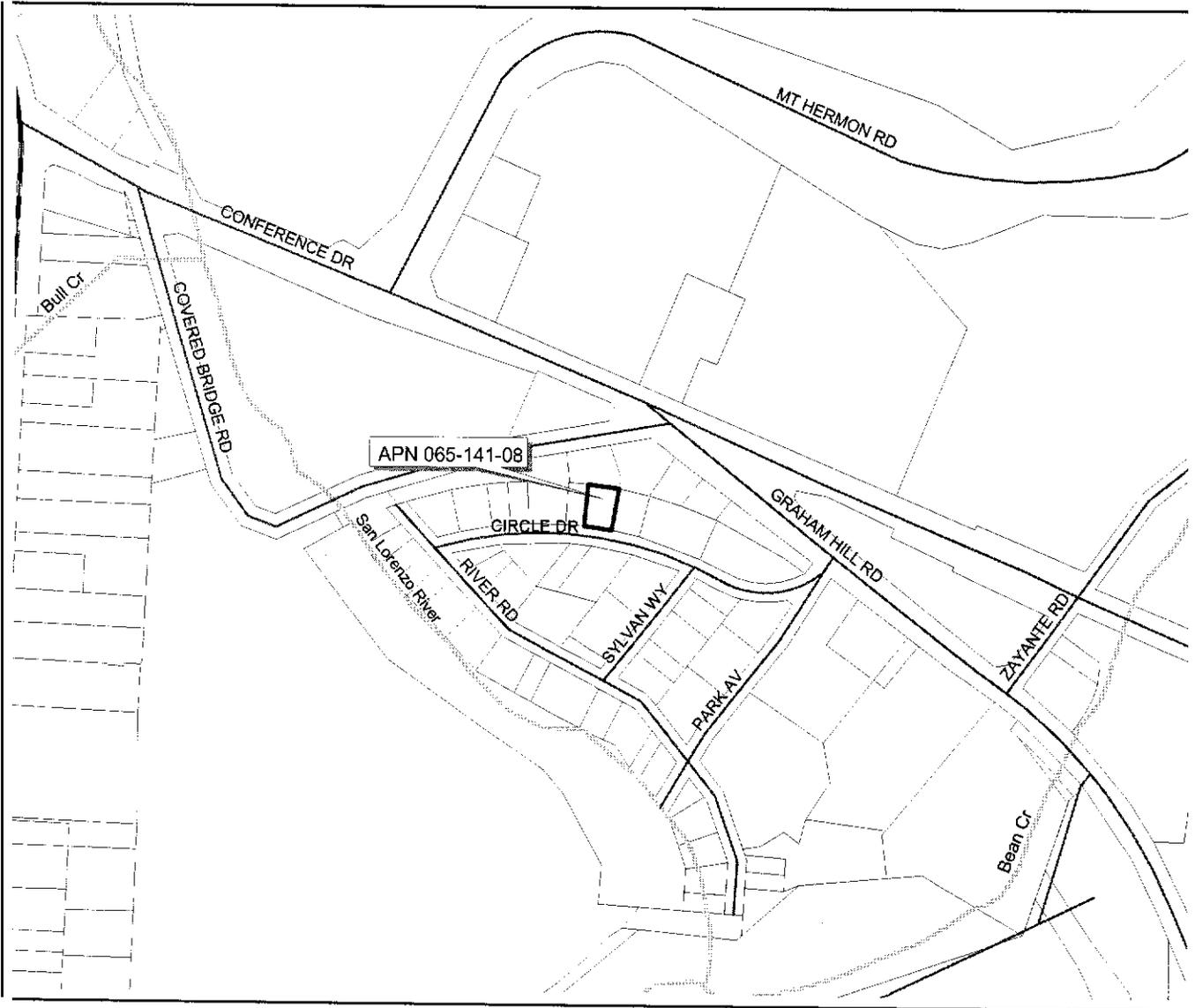
Legend

	APN 065-141-08
	Streets
	Perennial Stream
	Office Commercial
	Parks and Recreation
	Residential - Urban Very Low Density
	Community Commercial
	Suburban Residential
	Service Commercial



Map created by Santa Cruz County
 Planning Department:
 December 2003

Location Map



Map created by Santa Cruz County
Planning Department:
December 2003



FOR TAX PURPOSES ONLY

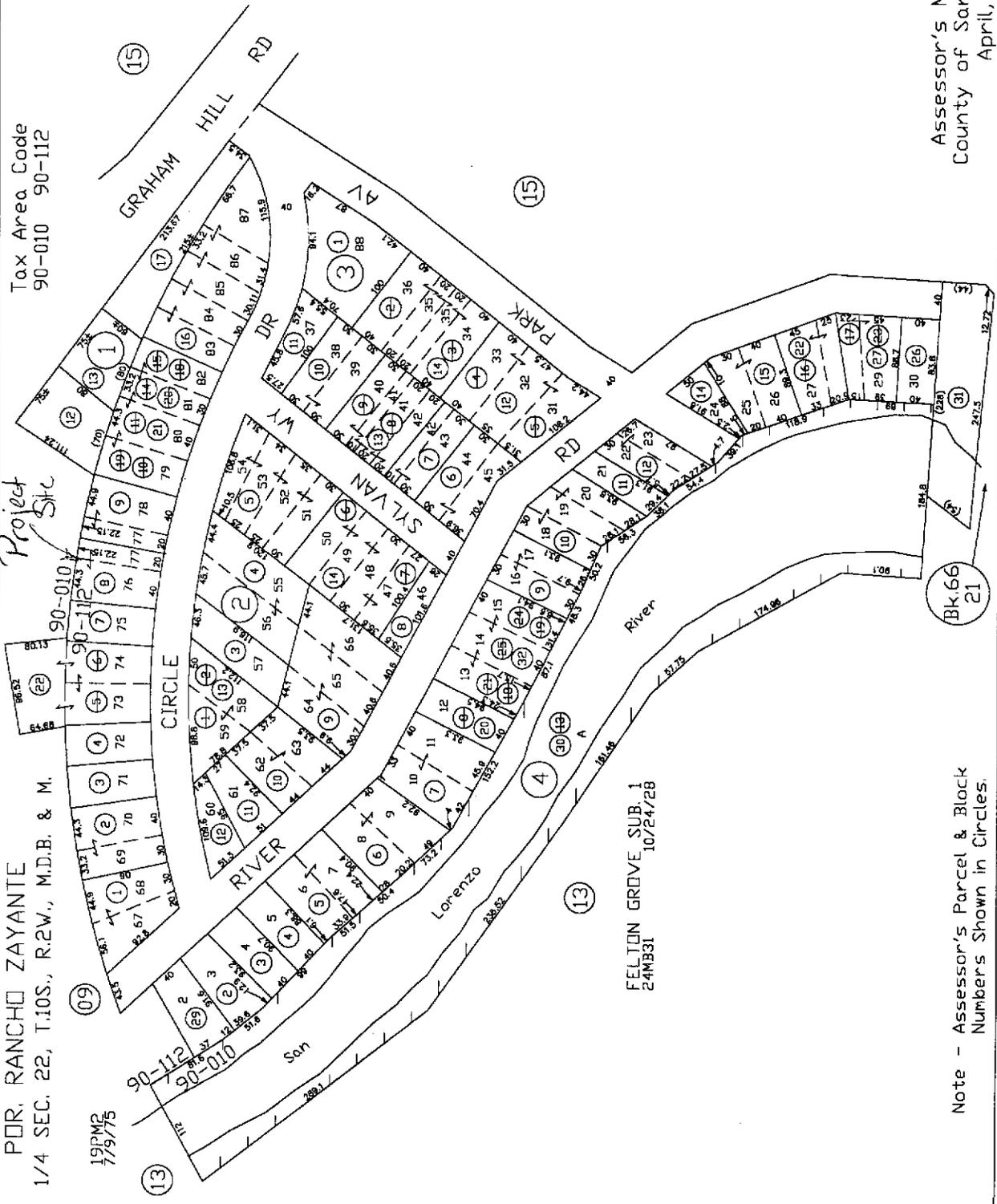
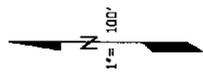
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PDR. RANCHO ZAYANTE
N.W 1/4 SEC. 22, T.10S., R.2W., M.D.B. & M.

192PM2
7/9/75

Tax Area Code
90-010 90-112

65-14



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

Assessor's Map No. 65-14
County of Santa Cruz, Calif.
April, 2000