

STAFF REPORT TO THE ZONING ADMINISTRATOR

APPLICATION NO.: 03-0335

APN: 103-081-02

APPLICANT: Anita Gabriel

OWNER: Anita Gabriel

PROJECT DESCRIPTION: Proposal to replace an existing five (5) foot open rail fence with a three (3) foot and eight (8) foot solid wood fence and gate on a site with a single family dwelling and accessory structures. Requires a Residential Development Permit to exceed the three foot height limitation to eight feet along a 20 foot shared easement and side yard.

LOCATION: Property located on the east side of Olive Springs Road (**704** Olive Springs Road) at approximately 3/4 mile north from Soquel-San Jose Road.

PERMITS REQUIRED: Residential Development Permit

ENVIRONMENTAL DETERMINATION: Categorically Exempt - Class 3

COASTAL ZONE: —Yes X No

APPEALABLE TO CCC: ___ Yes X No

PARCEL INFORMATION

PARCEL SIZE: 1.75 Acres

EXISTING LAND USE:

PARCEL: Single-family residential

SURROUNDING: Single-family residential

PROJECT ACCESS: Olive Springs Road

PLANNING AREA: Summit

LAND USE DESIGNATION: R-R (Rural Residential)

ZONING DISTRICT: RA (Residential Agriculture)

SUPERVISORIAL DISTRICT: 1st (Jan **Beautz**)

ENVIRONMENTAL INFORMATION

- | | |
|------------------------|--|
| a. Geologic Hazards | a. Not mapped/no physical evidence on site |
| b. Soils | b. Soil 130, Elder Sandy Loam and soil 165, Riverwash |
| c. Fire Hazard | c. Not a mapped constraint |
| d. Slopes | d. 2-9% |
| e. Env. Sen. Habitat | e. Yes, upper Soquel creek located at the rear of the parcel, no development is proposed near the mapped biotic areas. |
| f. Grading | f. No grading proposed |
| g. Tree Removal | g. No trees proposed to be removed |
| h. Scenic | h. Not a mapped resource |

- | | |
|-----------------------|--|
| i. Drainage | i. Existing drainage adequate |
| j. Traffic | j. NIA |
| k. Roads | k. Existing roads adequate |
| l. Parks | l. Existing park facilities adequate |
| m. Sewer Availability | m. NIA |
| n. Water Availability | n. NIA |
| o. Archeology | o. Not mapped/no physical evidence on site |

SERVICES INFORMATION

Inside Urban/Rural Services Line: X Yes N o

Water Supply: NIA
Sewage Disposal: N/A
Fire District: Central Fire Protection District
Drainage District: NIA

HISTORY

Application was accepted on August 14th, 2003 and deemed complete on September 14th, 2003.

ANALYSIS AND DISCUSSION

The subject property is a 76,127 square foot lot (1.75 acres EMIS estimate), located in the RA (Residential Agriculture) zone district, a designation which allows single-family residential uses. The proposed fence is a permitted use within the zone district and the project is consistent with the site's (R-R) Rural Residential General Plan designation. The proposed fence is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain rural single-family dwellings. Sizes and architectural styles of fences vary widely in the area, and the design submitted is not inconsistent with the existing range.

The applicant proposes to construct an 8-foot high fence bordering Assessors Parcel Numbers 103-081-02 and 103-081-127 along a shared easement along Olive Springs Road and a 3-foot solid wood fence along the frontage portion of the parcel. The proposed 8-foot high portion of proposed fence is to provide additional privacy from activities on parcel 103-081-127 including the neighbor's use of a car lift to repair automobiles. The car lift on the adjacent parcel raises cars approximately 10-feet in the air. The proposed 8-foot high fence will provide the parcel owner additional screening and privacy from this use. The proposed 8-foot high fence will run along the western portion of the property ending at the rear of the parcel.

The application originally requested that the initial 20-foot section of the shared easement and the frontage portion of the parcel include a 5-foot high solid wood fence. After a site visit to the property and careful analysis by planning staff, it was determined that the proposed 5-foot portion of the wood fence would create line of sight impacts. Staff recommended that the applicant either relocate the 5-foot high portion of the fence closer to the existing single-family residence or lower the proposed height of that portion of the fence to prevent potential of line of

sight impacts. The applicant resubmitted plans on April 5th, 2004, and now proposes to lower the fence along the front portion of the parcel along Olive Springs Road and along the first 12-foot section of the easement to 3-feet. Lowering the proposed height from 5-feet to 3-feet along this portion of the property will allow vehicles using the shared easement adequate sight distance entering and leaving the shared access easement off of Olive Springs Road.

County Code, Section 13.10.525(b) states "the purpose of a fence and/or retaining wall regulations for side and rear yards which do not abut on **streets** are to provide for privacy screening of these yards. The proposed 8-foot high portion of the fence in the side yard setbacks is an allowed use with the Zoning Administrators approval, and will provide privacy and buffer noise from the adjacent property.

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.

RECOMMENDATION

Staff recommends:

1. Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
2. **APPROVAL** of Application Number **03-0335**, based on the attached findings and conditions.

EXHIBITS

- A. Project plans
- B. Findings
- C. Conditions
- D. Categorical Exemption (CEQA determination)
- E. Zoning Map
- F. General Plan Map
- G. Vicinity Map
- H. Comments & Correspondence

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: David Heinlein
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-5321 (or, david.heinlein@co.santa-cruz.ca.us)

DEVELOPMENT PERMIT FINDINGS:

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

The location of the proposed fence as conditioned 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 in the vicinity since the project is a fence that will not impact neighbor's access to light and air. Construction will comply with the Uniform Building Code and the County Building ordinance to insure the optimum in safety.

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 RA (Residential Agriculture) zone district. The proposed eight-foot **high** fence as conditioned will be consistent with all pertinent County ordinances, including Section 13.10.525, regulations for fences and retaining walls. Specifically, the proposed fence will meet the purposes of the fence and retaining wall regulations in that it will provide privacy screening for the subject property and will not cause any line of sight or sight distance impacts.

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 Rural Residential (R-R) land use designation. The proposed single-family residential use is consistent with the General Plan in that it meets the density requirements specified in General Plan Objective (Rural Residential).

The proposed eight-foot high fence as conditioned will not adversely impact the light, solar opportunities, air, and open space available to other structures or properties, since the eight-foot portion of the fence will be at least twenty feet from any adjacent structures

The proposed eight-foot **high** fence as conditioned will not be improperly proportioned to the parcel size or the character of the neighborhood **as** specified in General Plan Policy **8.6.1** (Maintaining a Relationship Between Structure and Parcel Sizes).

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

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

The proposed eight-foot high fence will not use any utilities nor will it generate any traffic.

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 eight foot high fence will complement and harmonize with the existing residential character of the neighborhood since it will be located along the rear portion of the subject property on the southern property line, a location where fences are common to insure privacy. The fence will be compatible with the physical design aspects of the neighborhood since it will be a wood board fence with a one-foot lattice on top, typical of many fences 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.

This project does not require design review.

CONDITIONS OF APPROVAL

Exhibit **A** Surveyors map, prepared February 4th, 2000 revised March 8['], 2000 by John Cadiente.

- I. **This** permit authorizes the construction of an 8-foot ~~high~~ fence in the side yard setbacks and a 3-foot high fence in the front yard setbacks. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy **of** the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).
 - C. Submit Final Architectural Plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. The ~~final~~ plans shall include the following additional information:
 1. Revised plans clearly indicating the approved fence have a minimum 12-foot front yard setback with a maximum height of 3-feet.
 2. Revised plot plan clearly indicating the maximum height of the fence in the side yard setbacks be 3-feet in height for the ~~first~~ 12-feet in the side yard setbacks.
- II. Operational Conditions
 - A. The fence shall be maintained to be free of graffiti.
 - B. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of **this** approval or any violation of the County Code, **the** owner shall pay to **the** County the full cost **of** such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

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

PLEASE NOTE: THIS PERMIT EXPIRES TWO YEARS FROM THE EFFECTIVE

**DATE UNLESS YOU OBTAIN THE REQUIRED PERMITS
AND COMMENCE CONSTRUCTION.**

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

David Heinlein
Project Planner

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

CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

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

Application Number: 03-0335
Assessor Parcel Number: 103-081-02
Project Location: 704 Olive Springs

Project Description: construct a single 5-foot and 8-foot high fence

Person or Agency Proposing Project: Anita Gabriel

Contact Phone Number: (831) 462-4048

- 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).

Specify type:

E. **Categorical Exemption**

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

F. Reasons why the project is exempt:

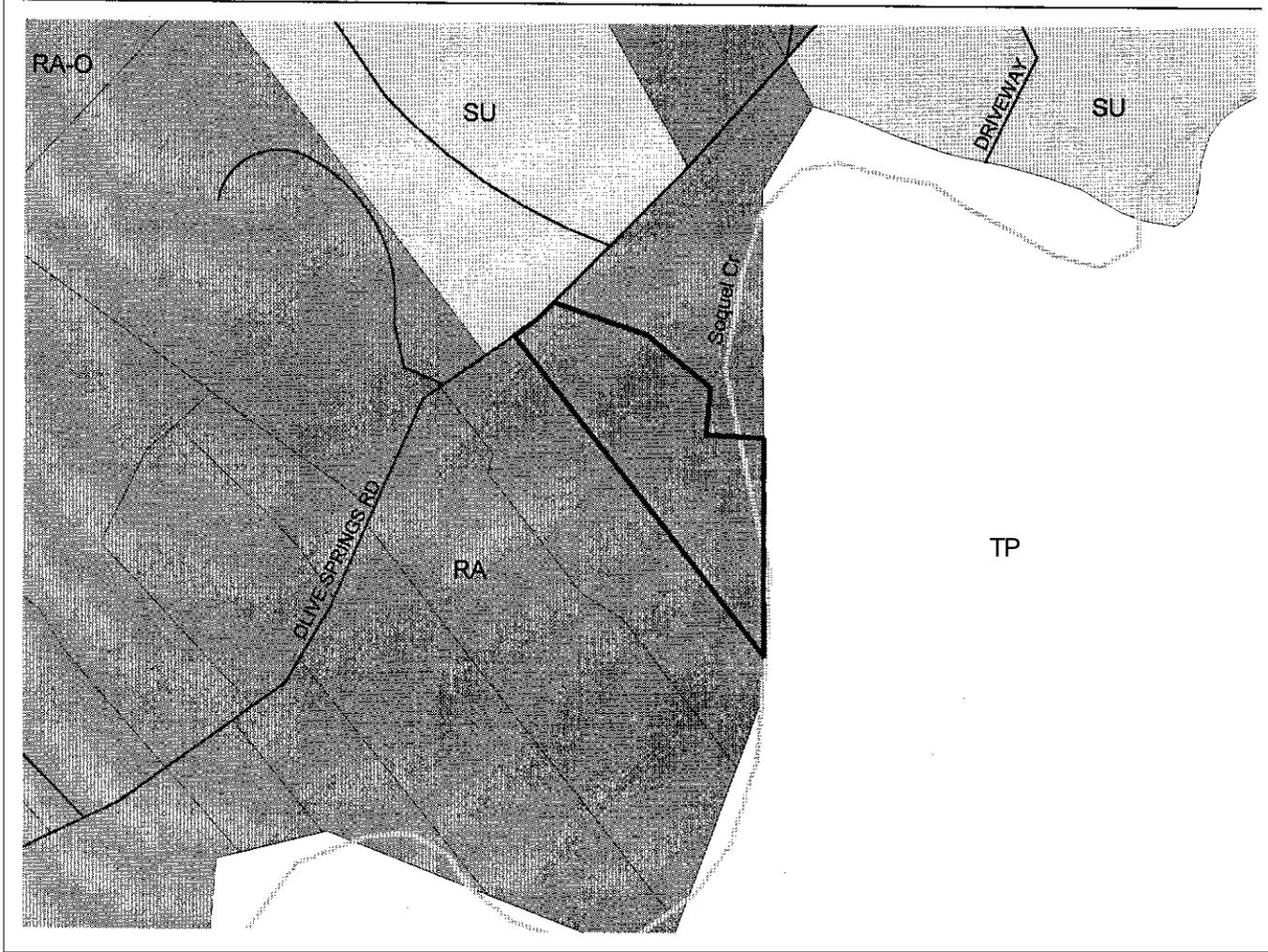
minor construction

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

David Heinlein, Project Planner

Date: _____

Zoning Map



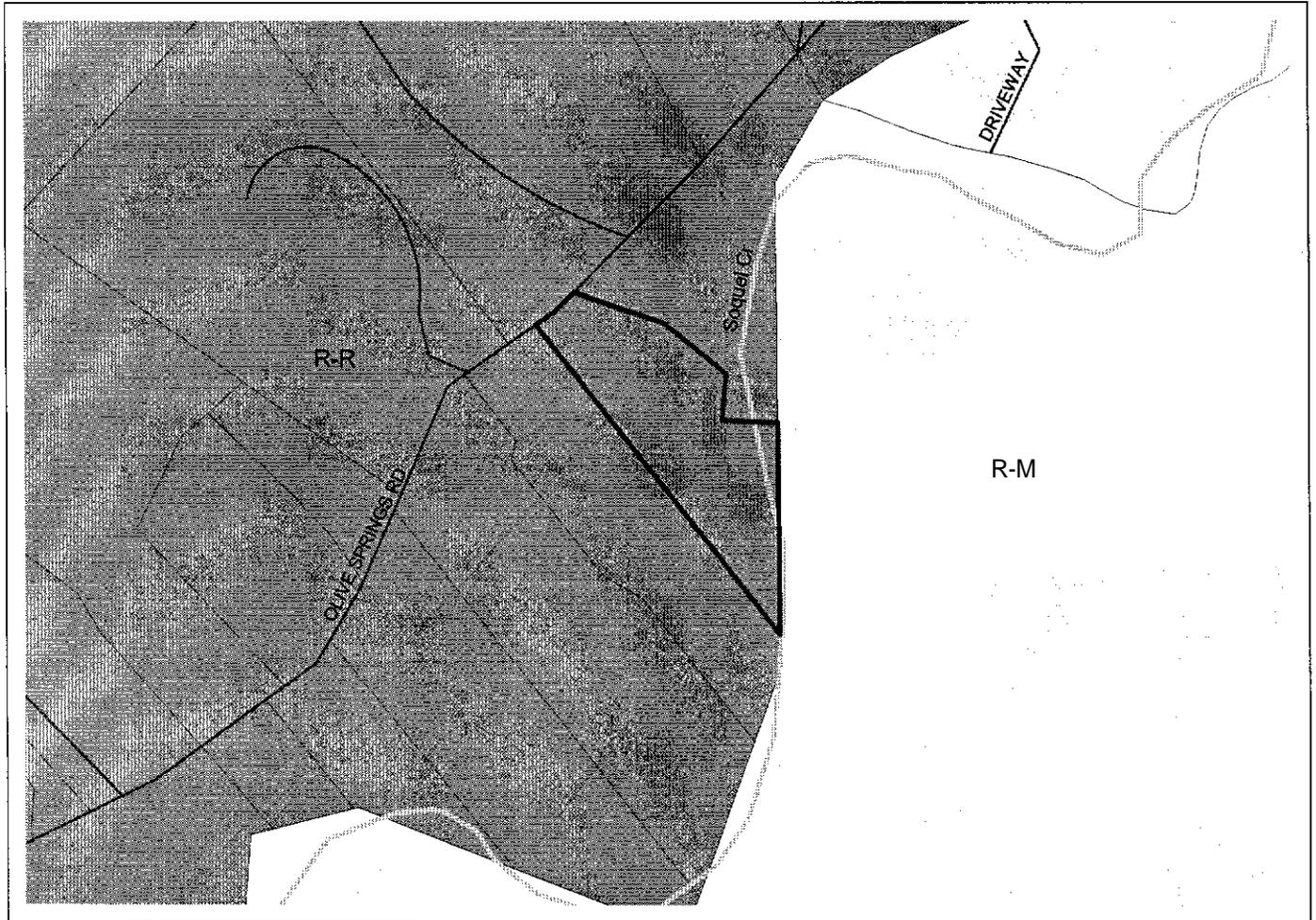
Legend

	APN 103-081-02
	Parcel boundaries
	Streets
	Perennial Stream
	RA
	SU
	TP



Map created by Santa Cruz County
Planning Department:
August 2003

General Plan Map

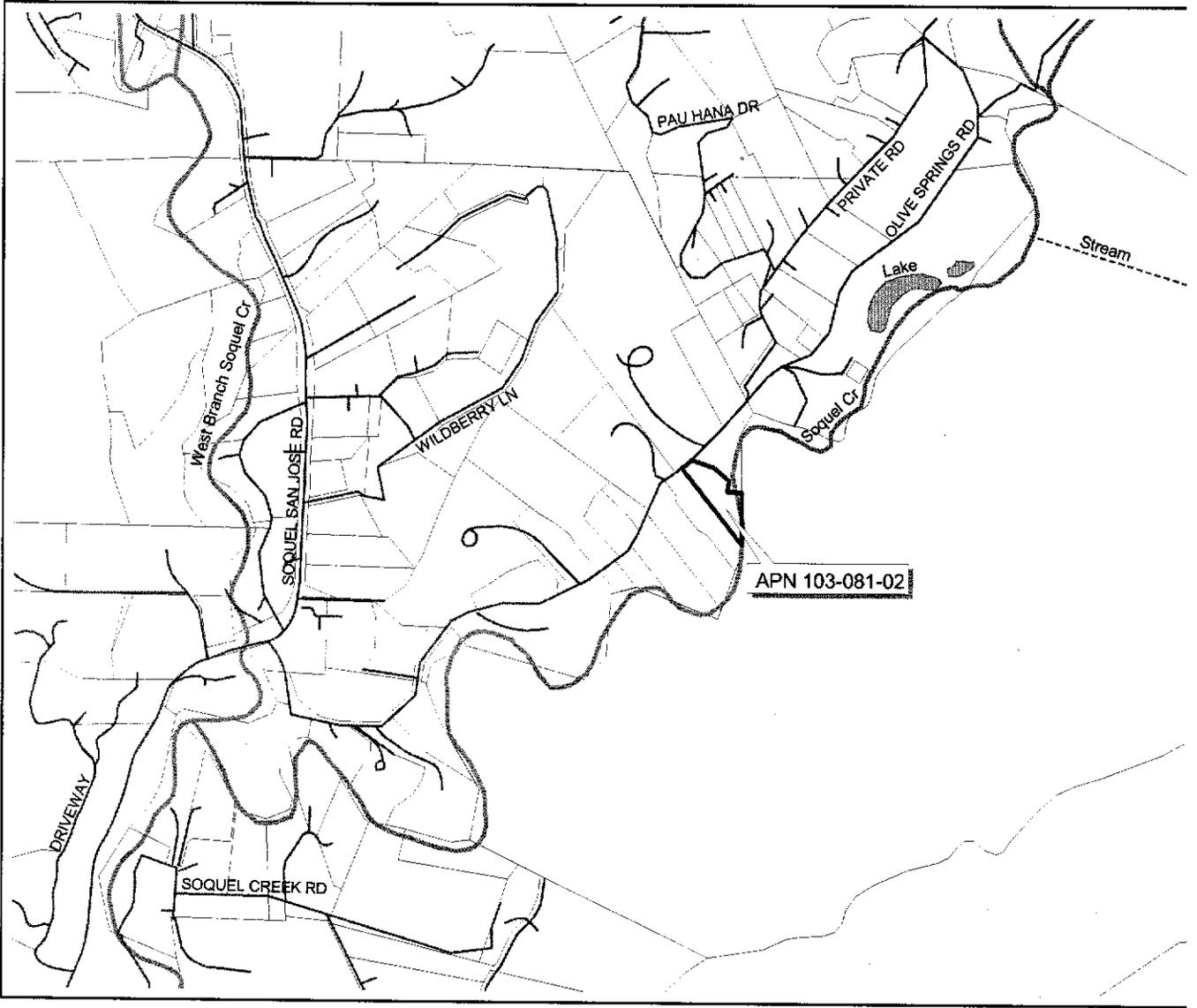


Legend

	APN 103-081-02
	Parcel boundaries
	Streets
	Perennial Stream
	Mountain Residential
	Rural Residential

Map created by Santa Cruz County
Planning Department
August 2003

Location Map



Map created by Santa Cruz County
Planning Department:
August 2003



cv
HEALTH SERVICES AGENCY



COUNTY OF SANTA CRUZ

ENVIRONMENTAL HEALTH SERVICE
701 OCEAN STREET, ROOM 312
SANTACRUZ, CALIFORNIA 95060
(408) 425-2341

already has
CERTIFIED MAIL - RETURN RECEIPT REQUESTED
& PROOF OF SERVICE BY MAIL

January 9, 1991

103-081-03

Delia Kuettel
702 Olive Springs Rd
Soquel, CA 95073

RE: ORDER OF ABATEMENT AND NOTICE OF SUBSTANDARD RENTAL HOUSING

Dear Mrs. Kuettel:

An inspection of the property located at 702 Olive Springs Rd., Soquel, CA, Assessor's Parcel Number 103-081-03, on 01/03/91, revealed violations of the State Health and Safety Code Section 17995. You are directed to take the following corrective action:

- 1.
- 2.

4. Repair leaking skylight in bathroom.
5. Seal spaces between floor planks in main bedroom for weather protection and heating.

Please contact the Santa Cruz County Department for any permit(s) that may be required prior to commencement of work.

A reinspection of the premises will be made on January 14, 1991 to ascertain compliance with items 1 & 2 above, the remaining items are to be completed within 30 days from the date of this letter to ascertain compliance with this notice. Should the dwelling unit become unoccupied prior to this time, the unit will be posted as "Unfit for Human Occupancy". By Resolution of the Board of Supervisors, a \$50.00 violation reinspection fee will be assessed if reinspection on or after the compliance date noted above indicates that the violation has not been corrected.

Warning - Revenue and Taxation Code Section 17274 and 24436.5 requires that our agency report all substandard rental units that do not comply within six (6) months of the notice. If compliance is not met, this office will report such non-compliance to the Franchise Tax Board which will disallow any State Income Tax deductions for interest, depreciation, or taxes for this dwelling unit(s).

You may appeal this order of abatement by filing a written appeal, specifying the grounds upon which it is made to the Santa Cruz County Building Appeals Board, in care of the Santa Cruz County Environmental Health Service, 701 Ocean Street, Room 312, Santa Cruz, CA 95060. An appeal must be filed no later than ten (10) days after the notice and order has been issued, excluding the day the notice is given. Failure to file within 10 days constitutes a waiver to right of a hearing. A non-refundable filing fee of \$265.00 must accompany this appeal. The order to abate will be stayed pending the appeal.

Please direct inquiries for assistance or clarification of this notice to me at (408) 425-2576 between 8:00 and 9:00 a.m., Monday through Thursday.

Very truly yours,

Robert Lorey, REHS

Registered Environmental Health Specialist

cc: Complainant
Santa Cruz County Building Department
EH Program Manager
Zoning Enforcement

13.10.613

2. There shall be no visible or external evidence of the home occupation other than one unlighted sign not exceeding one square foot in area, which shall be affixed to the dwelling or building in which the home occupation is conducted. If both the dwelling and the building are set back more than 40 feet from the front property line, the sign may be affixed to the mailbox. No outdoor storage, operations or activity is allowed unless a Level V Use Approval is obtained, in which case the allowed outdoor use shall be completely screened from the street and adjoining properties.
3. The home occupation shall be carried out primarily by a full-time inhabitant of the dwelling. Not more than five additional employees may also be used for a home occupation if a Level V Use Approval is obtained.
4. The home occupation shall not involve the use of more than one room, or floor area equal to 20 percent of the total floor area of the dwelling, whichever is less, unless a Level V Use Approval is obtained.
5. Home occupations involving personal services (beauty shop, barber shop, massage studio, etc.) or training (swimming lessons, musical instrument lessons, band practice, yoga, or philosophy, etc.) may involve no more than one person at a time, unless a Level V Use Approval is obtained.
6. Sales of goods are allowed only if the goods to be sold are produced or assembled entirely on the premises, or if sales are by mail order, unless a Level V Use Approval is obtained.
7. Only one vehicle, no larger than a three-quarter ton pickup, may be used for the home occupation unless a Level V Use Approval is obtained. All deliveries and shipments of equipment, supplies, and products shall be made only with this one vehicle. An offstreet parking space shall be provided for this vehicle. Additional offstreet parking shall be provided for employees or customers.
8. No equipment with a motor of more than one-half horsepower may be used unless a Level V Use Approval is obtained.
9. All noise shall be contained within the boundaries of the site.

PLANNING DEPARTMENT

GOVERNMENTAL CENTER



COUNTY OF SANTA CRUZ

701 OCEAN STREET SANTA CRUZ, CALIFORNIA 95060

March 20, 1991

William J. & Delia Kuettel
P. O. Box 192
Soquel, CA 95073

RE: ZONING ORDINANCE VIOLATIONS

VIOLATION LOCATION: 702 Olive Springs Rd
Soquel, CA

APN: 103-081-03 (Vol.3880, p.733)

VIOLATION DATE: 1/18/91

There is no record of a resolution to our letter dated 1/23/91 concerning the zoning violations at the subject location. A follow-up inspection revealed that the violations still exist. Therefore, a notice of zoning code violation has been recorded in the Office of the Santa Cruz County Recorder. This notice will appear on future title searches and may affect the sale of the property until it is expunged from the record. Expungement from the record is done by abatement of the violation and recording a notice of expungement. The cost of these recordings will be borne by the owner at the time the expungement notice is filed.

Legal proceedings may also be initiated if action is not taken to abate the zoning violations.

DAVID LAUGHLIN
Program Manager
Code Compliance

By Mark Treuge
MARK TREUGE
Zoning Compliance

wmk/510

OFFICE OF THE
COUNTY COUNSEL



C O U N T Y O F S A N T A C R U Z

701 OCEAN STREET, ROOM 505, SANTA CRUZ, CALIFORNIA 95060-4068

(408) 425-2041
FAX: (408) 458-7342

DWIGHT L. HERR, COUNTY COUNSEL
JONATHAN WITTWER, CHIEF DEPUTY
DEBORAH STEEN
HARRY A. OBERHELMAN III
MARIE COSTA

SAMUEL TORRES JR.
JANE M. SCOTT
KATHLEEN K. AKAO
LEE GULLIVER
RAHN GARCIA
TAMYRA CODE
THOMAS L. PROSSER

April 19, 1991

William J. Kuettel
Delia R. Kuettel
P.O. Box 192
Soquel, CA 95073

Re: Building and Zoning Violations at 702 Olive Springs Road,
Soquel, California; APN: 103-081-03

Dear Mr. and Ms. Kuettel:

This letter is for the specific purpose of making an official demand that you remedy the building and zoning violations on the above-referenced property. A Notice of Building Violation has been recorded with the Office of the County Recorder due to the following building and zoning code violations that exist on the property:

Installation and use/occupancy of three (3) travel trailers as habitable dwellings without the required permits. Said installation and use is in violation of Santa Cruz County Code Section 13.10.683(h).

It is necessary that you obtain the required permits from the County of Santa Cruz Planning Department or in the alternative, remove the travel trailers and cease the use and/or occupancy of the trailers in violation of the County Code. Please comply with the required action for each of the above-mentioned violations immediately, and in no event later than fourteen (14) days from the date of this letter or any and all legal remedies available under the law shall be sought to effectuate compliance.

William J. Kuettel
Delia R. Kuettel
April 19, 1991
Page 2

violations immediately, and in no event later than fourteen (14) days from the date of this letter or any and all legal remedies available under the law shall be sought to effectuate compliance.

PLEASE NOTE THAT SANTA CRUZ COUNTY CODE SECTION 1.12.070 PERMITS THE IMPOSITION OF CIVIL PENALTIES, UP TO \$2,500.00 PER DAY FOR EACH VIOLATION OF COUNTY ORDINANCES. If you have any questions regarding this matter, please contact Mark Treuge at 425-2710.

Sincerely yours,

DWIGHT L. HERR, COUNTY COUNSEL

By 
MARIE COSTA
Assistant County Counsel

cc: Mark Treuge, Planning

PLANNING DEPARTMENT

GOVERNMENTAL CENTER



COUNTY OF SANTA CRUZ

701 OCEAN STREET SANTA CRUZ, CALIFORNIA 95060

DEMAND FOR PAYMENT OF ZONING REINSPECTION FEE
STATUS OF ZONING VIOLATION

William & Delia Kettel
P.O. Box 192
Soquel, Ca 95073

Date: 12-10-91

SUBJECT: DEMAND FOR PAYMENT OF ZONING REINSPECTION FEE AND STATUS OF
ZONING VIOLATION, APN 103-081-03

DEAR PROPERTY OWNER:

DEMAND FOR PAYMENT OF ZONING REINSPECTION FEE

Review of our records indicate that, after a complaint was received, an inspection was made on your property which revealed that violation(s) of the Santa Cruz County Zoning Ordinance existed.

At the time of the inspection you were given notice of the violation(s) and the scheduled reinspection date to determine that the violation had been corrected. You were also given written warning that, if the violation was not corrected by the time of the reinspection, you would be liable for payment of a zoning reinspection fee. A copy of the notice which was given to you, including the description of the reinspection fee, is attached.

Reinspection of above referenced property on or after the reinspection date revealed that the corrective actions required were not completed at the time of the reinspection. Therefore you are liable for payment of a \$100.00 zoning reinspection fee for each reinspection performed. This letter is to officially notify you that payment is now due in the amount noted below.

\$100.00 Fee-Zoning Violation noted and not corrected before reinspection on 10-791 .

Please make your check, cashiers check, or money order payable to the County of Santa Cruz and mail it, along with this letter, to:

Santa Cruz County Planning Department
Attention: Accounting Division
701 Ocean Street, Room 4188
Santa Cruz, CA 95060

00 NOT SEND CASH

Failure to pay within thirty days will result in referral to County Collections, which could adversely affect your credit status.

STATUS OF ZONING VIOLATION

As the attached letter indicates, you have been given notice of a zoning violation. It is our expectation that this violation has been corrected. If this is the case, please contact this office to schedule another reinspection to verify correction of the violation. At the time of this reinspection, if the violation has been corrected, there will be no additional fee for this reinspection and, if a Notice of Violation has been recorded, a Notice of Expungement will be prepared and mailed to you with instructions. Payment, however, is still due and payable for the previous reinspection.

If, however, the violation has not been corrected, you will be liable for an additional reinspection fee(s) and further code enforcement action.

If you have any questions concerning this matter, please contact me at (408) 425-2748.


Mark Treuge
Code Compliance Officer

Attachment: Notice of Intent To Record Violation

cc: Administrative Services Section

will/510

OFFICE OF THE
COUNTY COUNSEL



COUNTY OF SANTA CRUZ

(408) 425-2041
FAX: (408) 458-7342

701 OCEAN STREET, ROOM 505, SANTA CRUZ, CALIFORNIA 95060-40

DWIGHT L. HERR, COUNTY COUNSEL
JONATHAN WITTWER, CHIEF DEPUTY
DEBORAH STEEN
HARRY A. OBERHELMAN III
MARIE COSTA

SAMUEL TORRES JR
JANE M. SCOTT
KATHLEEN K. AKAO
RAHN GARCIA
TAMYRA CODE
PAMELA FYFE
ELLEN LEWIS

SECOND DEMAND

August 5, 1992

William J. Kuettel
Delia R. Kuettel
P.O. **Box** 192
Soquel, CA 95073

Re: Building and Zoning Violations at 702 Olive Springs Road,
Soquel, California; APN: 103-081-03 (Vol. 3880 Pg. 733),
Residential/Agricultural Zoned Parcel.

Dear Mr. and Ms. Kuettel:

This letter is for the specific purpose of making an official demand that you remedy the building and zoning violations on the above-referenced property. A Notice of Building Violation has been recorded with the Office of the County Recorder. It is imperative that the following building and zoning code violations be corrected:

Installation and use/occupancy of three (3) travel trailers / as habitable dwellings without the required permits. Said installation and use is in violation of Santa Cruz County Code Section 13.10.683(h),

Operation of an Auto Body/Paint Shop in a residential area / without a Use Permit] ding home occupation restrictions in violation of Santa Cruz County Code Sections 13.10.275(b), 13.10.322, and 13.10.613(b)(10).

It is necessary that you obtain the required permits from the County of Santa Cruz Planning Department or in the alternative, remove the travel trailers and the Auto Body/Paint Shop and cease the unlawful use in violation of the County Code. Please comply with the required action for each of the above-mentioned

APN: 103-081-03

 08/26/93 The Status Code was COMM USE W/O PRMT
 FOLLOW UP CODE CHANGED, THE OLD CODE WAS (). FOLLOW UP DATE CHANGED,
 THE OLD DATE WAS (). STATUS CODE CHANGED, THE OLD CODE WAS (Complaint
 Received).

08/26/93 BILLING HOURS 1.5 FOR On-site Inspections,
 Site visit and tenant available for comment. He stated that trailer on
 lower portion of parcel (near creek) and gave me permission to look at
 it, Jack Nelson on site to verify tree removal. Trench with pre (plumb-
 ing) leading to trailer, and was able to view 2 additional trailers on
 the lower portion. Was able to verify 3 trailers on upper portion of
 parcel. 2 appeared to be habitable and 1 stored. Gave tenant business
 card, and after he received Jack's card, he proceeded to drop them on
 ground, but stated he would inform owner's daughter when she arrived at
 night. Tenant and employee stated owner was in Truckee. posted Notice
 of Violation for the unauthorized installation of 5 travel trailers as
 dwelling units, and for the construction of a fence over 3 ft. high
 (approx. 5 ft. high) abutting a street. 1 trailer (hookedup) appears to
 be straddling property line of parcel 103-081-03. Temporary tents
 erected. on both parcels, with vehicles parked in them (4G64971 and EL-
 TOR05)

09/05/97 The Status Code was Issued Red Tag. Added by RWN
 STATUS CODE CHANGED, THE OLD CODE WAS (Conducted Site Inspection)

08/21/98 The Status Code was Issued Red Tag. Added by EMW
 Additional complaint 8/17/98. 10-12 trailers on site which are being
 inhabited, trailers covered with tarps. Added, new addition to house
 with trailer parked in front of addition (emw)

03/22/99 The Status Code was Issued Red Tag. Added by DL
 FOLLOW-UP CODE CHANGED, OLD=(F4). FOLLOW-UP DATE CHANGED,
 OLD=(19930928)

05/23/00 The Status Code was Issued Red Tag. Added by DL
 FOLLOW-UP DATE CHANGED, OLD=(19990325).

07/05/00 The Status Code was Issued Red Tag. Added by AA
 ADDITIONAL COMPLIANT RECEIVED 06/28/00: "MULTIPLE TRAILERS ON SITE"

APN: 103-081-03
Code Enforcement Investigation Comments
Contact Date: 03/18/94

Date: 07/10/00
Time: 13:51:55
Code: 230

03/22/99 The Status Code was Complaint Received.
FOLLOW-UP CODE CHANGED, OLD=(). FOLLOW-UP DATE CHANGED, OLD=()

05/09/00 The Status Code was Complaint Received. Added by AA
Additional Complaint Received 05/05/00; "Auto body repair and restora-
tion in illegal garage."

05/23/00 The Status Code was Complaint Received. Added by DL
FOLLOW-UP DATE CHANGED, OLD=(19990325).

07/05/00 The Status Code was Complaint Received. Added by AA
ADDITIONAL COMPLAINT RECEIVED 06/28/00: " RUNNIGN BODY SHOP-FULL TIME
IN FRONT AND REAR GARAGES, PAINT SPRAYING, SAND BLASTING MACHENERY
NOISE, CONSTANTLY, HAZARDOUS WASTE DISPOSAL ISSUSES, LOTS OF TRAFFIC

ASSESSOR INFORMATION for APN 103-081-03

Parcel Status: A=Active
Parcel Notebook?: NO
Site Address: OLIVE SPRINGS RD 702 SOQUEL
Assessee Name: KUETTEL WILLIAM J & DELIA REY TRUSTEES ETAL
Mailing Street: 305 ESCALONA DRIVE
City/State/Zip: CAPITOLA CA 95010

PARCEL ETALS

Name	Vesting Code	% of INTEREST
KUETTEL WILLIAM J & DELIA REY TRUSTEES ETAL	TR	
THE KUETTEL FAMILY REV LIVING TRUST 3/23/98	TR	
KUETTEL DEBRA L S/W		

ALLS INVESTIGATION INFORMATION

Contact Date: 04/11/99 Redtag?: NO
Investigation Code: B40 ACCESS STRUCTURES W/OUT PERMIT
Status Code: C7 Resolved
Follow-Up Code:
Follow-Up Date:
Resolved Date: 05/07/93 Permit No.: 94355
Archived Date: Priority: B
Alleged Violation: 1) CONSTD APPROX 24'X26' DETACHED BARN
History Available?: YES

Contact Date: 03/12/90 Redtag?: NO
Investigation Code: Z60 MH,T TRAILER,CAMPER W/OUT PERM
Status Code: C7 Resolved
Follow-Up Code:
Follow-Up Date:
Resolved Date: 11/07/90 Permit No.: NONE
Archived Date: Priority: C
Alleged Violation: 1) INSTAIATION OF 3 TRAVEL TRAILERS USED FOR LIV-
ING UNITS
History Available?: YES

Contact Date: 01/03/91 Redtag?: NO
Investigation Code: H10 EH/HOUSING CODE VIOLATION
Status Code: C7 Resolved
Follow-Up Code:
Follow-Up Date:
Resolved Date: 11/16/91 Permit No.:
Archived Date: Priority: C
Alleged Violation: RECEIVED EH INSP REPORT: POSTED ORDER OF ABATEMENT
& NOTICE OF SUBSTANDARD RENTAL HOUSING.
CORRECTIONS MADE
History Available?: YES

Contact Date: 01/18/91 Redtag?: NO
Investigation Code: 260 MH,T TRAILER,CAMPER W/OUT PERM

CODE COMPLIANCE PARCEL RES/ CH REPORT
APN: 103-081-03

Pun Date: 04/30/01
Run Time: 15.35.58

Status Code: C7 Resolved
Follow-Up Code:
Follow-Up Date:
Resolved Date: 04/01/93
Archived Date:
Alleged Violation: INSTALLATION & USE OF 3 OR 4 TRAVEL TRAILERS AS DWELLINGS WITHOUT TEMPORARY MOBILE HOME PERMIT.
History Available?: YES
Permit No. :
Priority: A

Contact Date: 10/07/91 Redtag?: NO
Investigation Code: 230 COMM USE W/O PERMIT
Status Code: c7 Resolved
Follow-Up Code:
Follow-Up Date:
Resolved Date: 04/05/93
Archived Date:
Alleged Violation: UNAUTHORIZED AUTO BODY SHOP ON RES/AGRI ZONED PARCEL W/O USE PERMIT & EXCEEDING HOME OCCUP RESTRICTIONS.
History Available?: YES
Permit No.:
Priority: A

Contact Date: 07/12/93 Redtag?: NO
Investigation Code: Z60 MH, T TRAILER, CAMPER W/OUT PERM
Status Code: c7 Resolved
Follow-Up Code:
Follow-Up Date:
Resolved Date: 04/27/01
Archived Date:
Alleged Violation: 1) FIVE OCCUPIED TRAILERS (3 AT LOWER LEVEL NEAR CREEK AND TWO ON UPPER LEVEL).
History Available?: YES
Permit No.:
Priority: A

Contact Date: 07/12/93 Redtag?: NO
Investigation Code: 293 USE PERMIT VIOLATION
Status Code: C7 Resolved
Follow-Up Code:
Follow-Up Date:
Resolved Date: 04/27/01
Archived Date:
Alleged Violation: LOGGING AND MISC. CONSTRUCTION W/O PERMIT
History Available?: YES
Permit No. :
Priority: A

Contact Date: 03/18/94 Redtag?: NO
Investigation Code: 230 COMM USE W/O PERMIT
Status Code: C7 Resolved
Follow-Up Code:
Follow-Up Date:
Resolved Date: 04/27/01
Archived Date:
Alleged Violation: BODY SHOP BUSINESS GOING ON STILL FOR YEARS. GENERATORS, COMPRESSORS GOING ALL DAY LONG.
History Available?: YES
Permit No.:
Priority: A

Contact Date: 11/01/96 ***** REDTAG *****: YES
Investigation Code: 640 ACCESS STRUCTURES W/OUT PERMIT
Status Code: I7 Issued Red Tag
Follow-Up Code: F4 Will Record Red Tag

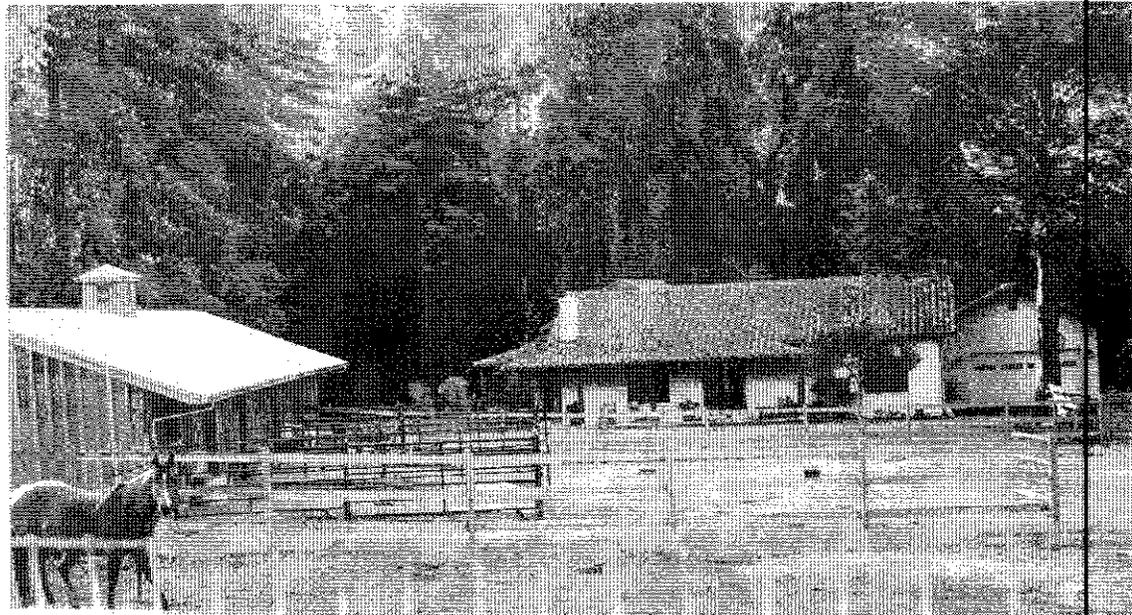
Follow-Up Date: 03/01/01
Resolved Date:
Archived Date:
Alleged Violation: PUTTING ROOF ON GARAGE IN FRONT OF PROPERTY W/O PERMIT. BUILT 3-GARAGES W/O PERMITS.
History Available?: YES

Permit No. :
Priority: A

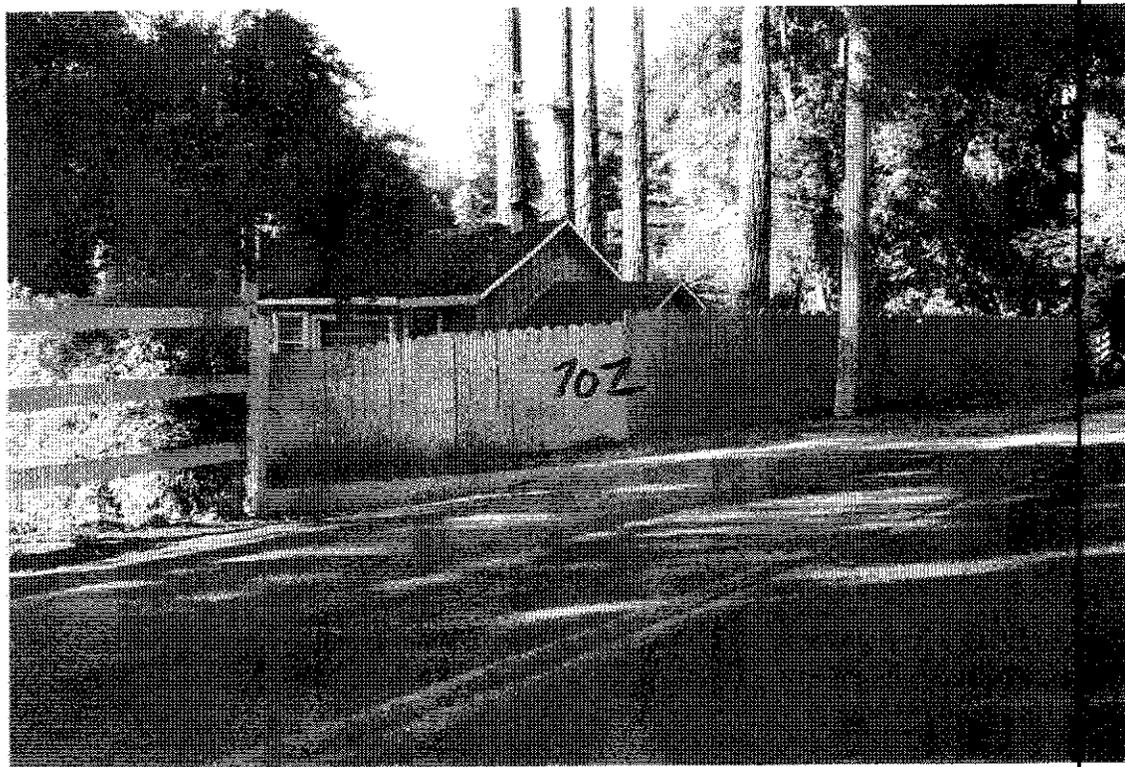
Contact Date: 04/27/01 Redtag?: NO
Investigation Code: E11 RIPARIAN VIOLATION BILL HRS
Status Code: I2 Conducted Site Inspection
Follow-Up Code: F7 Will Take Other Action
Follow-Up Date: 04/27/01
Resolved Date:
Archived Date:
Alleged Violation: IMPROVEMENTS IN RIPARIAN CORRIDOR (BARBEQUE PIT, ETC.)
History Available?: YES

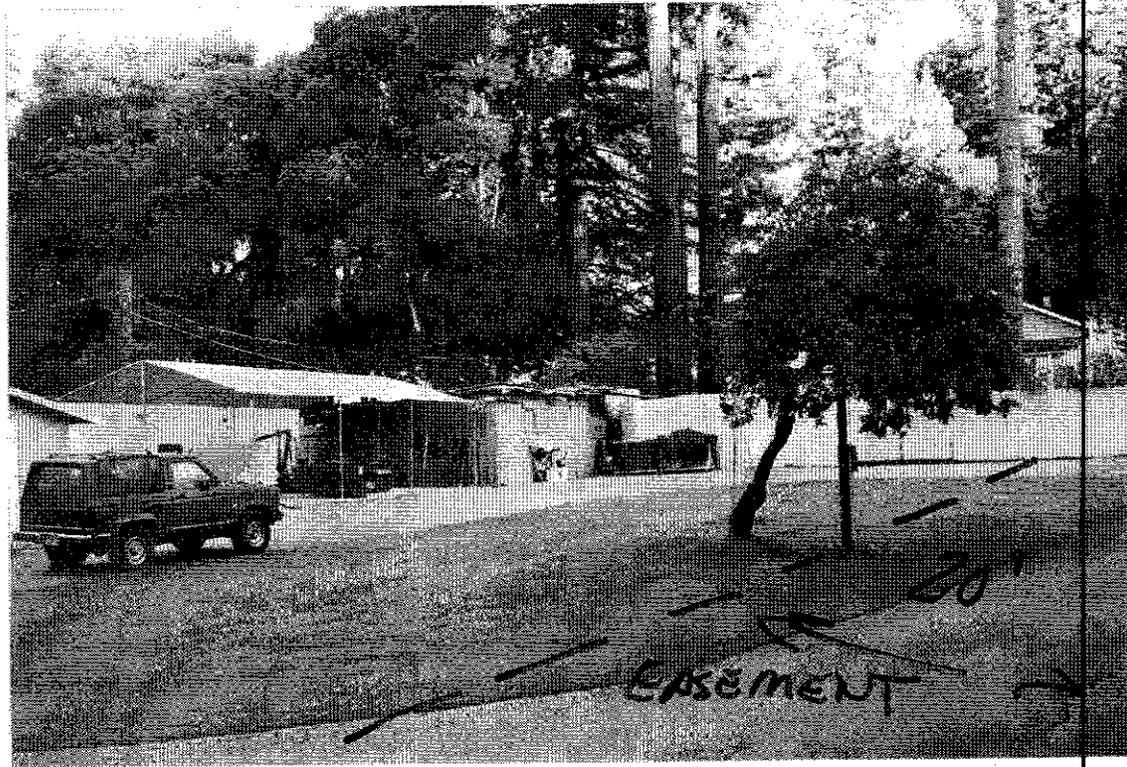
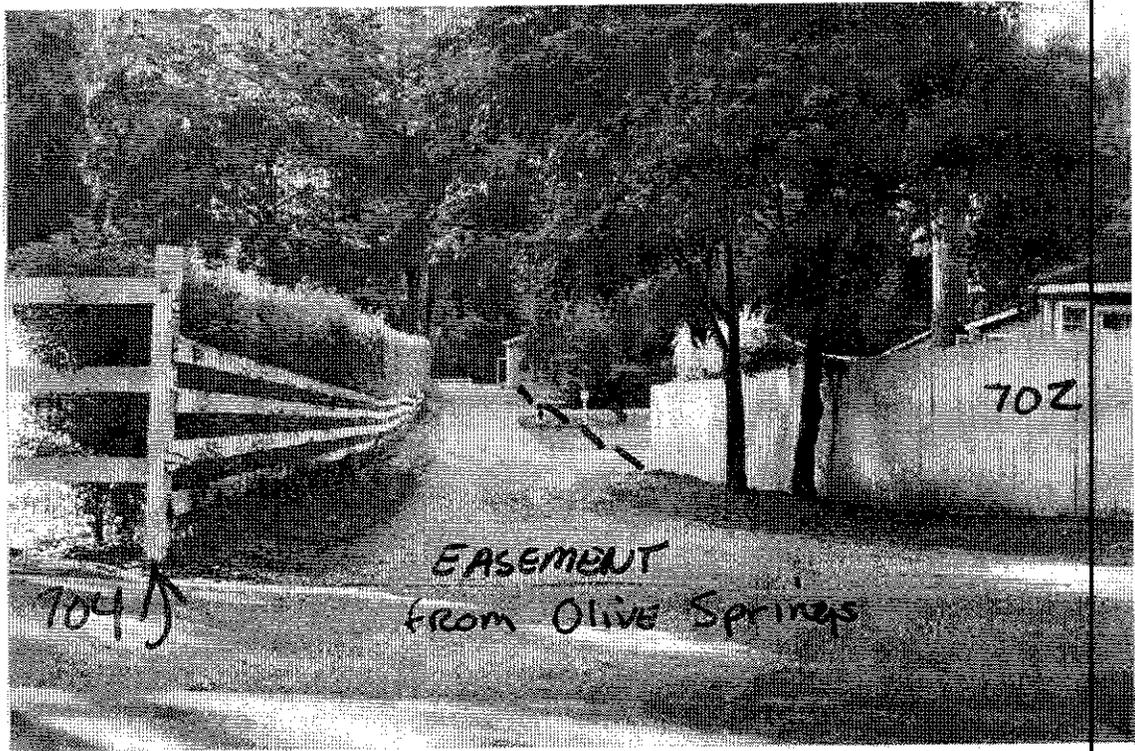
Permit No. :
Priority: B

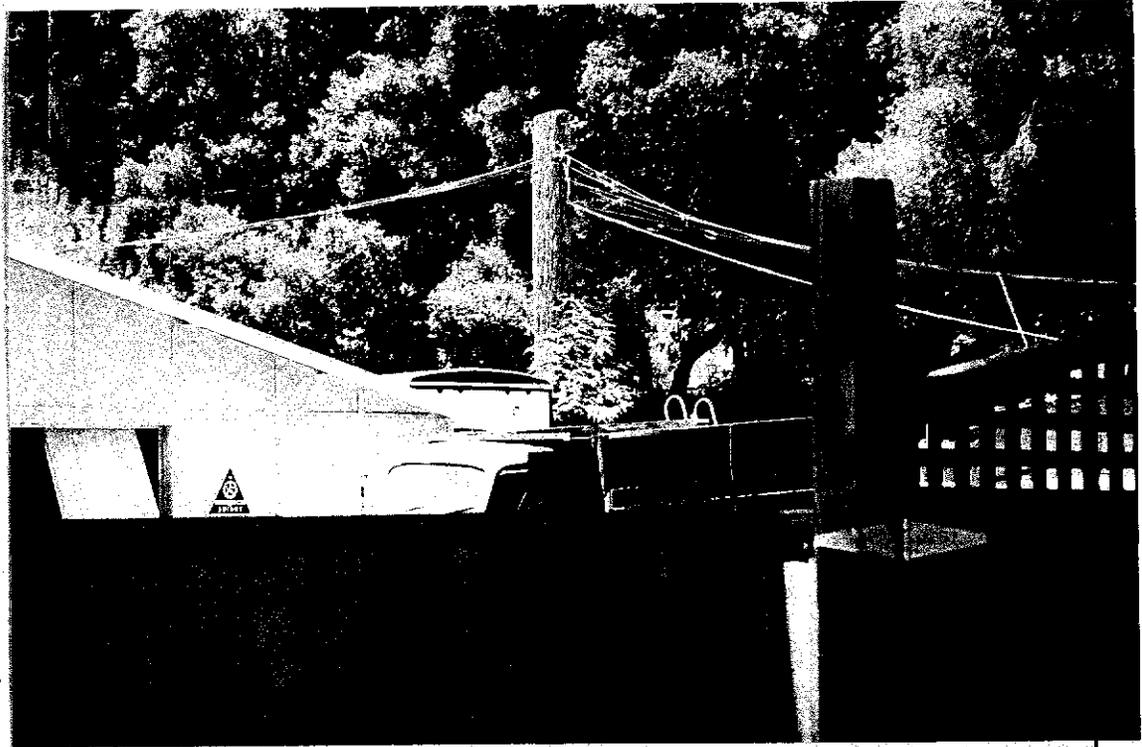
3 ETALS
10 INVESTIGATIONS



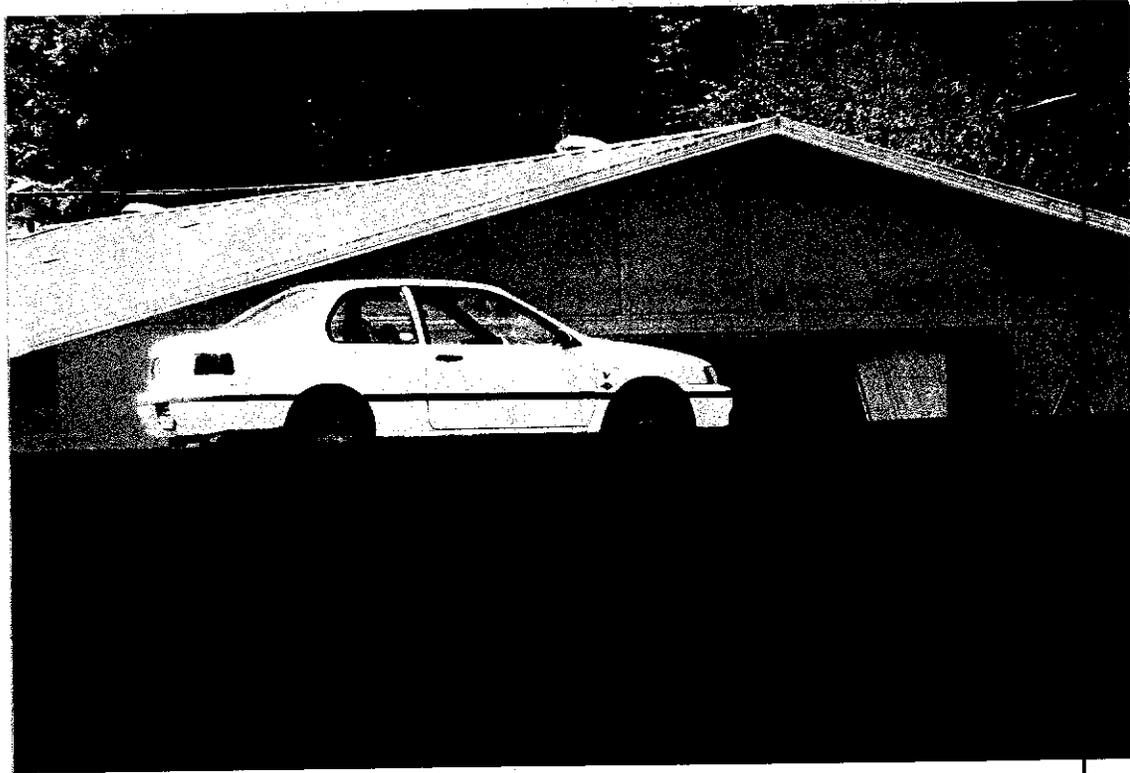
704 Olive Springs



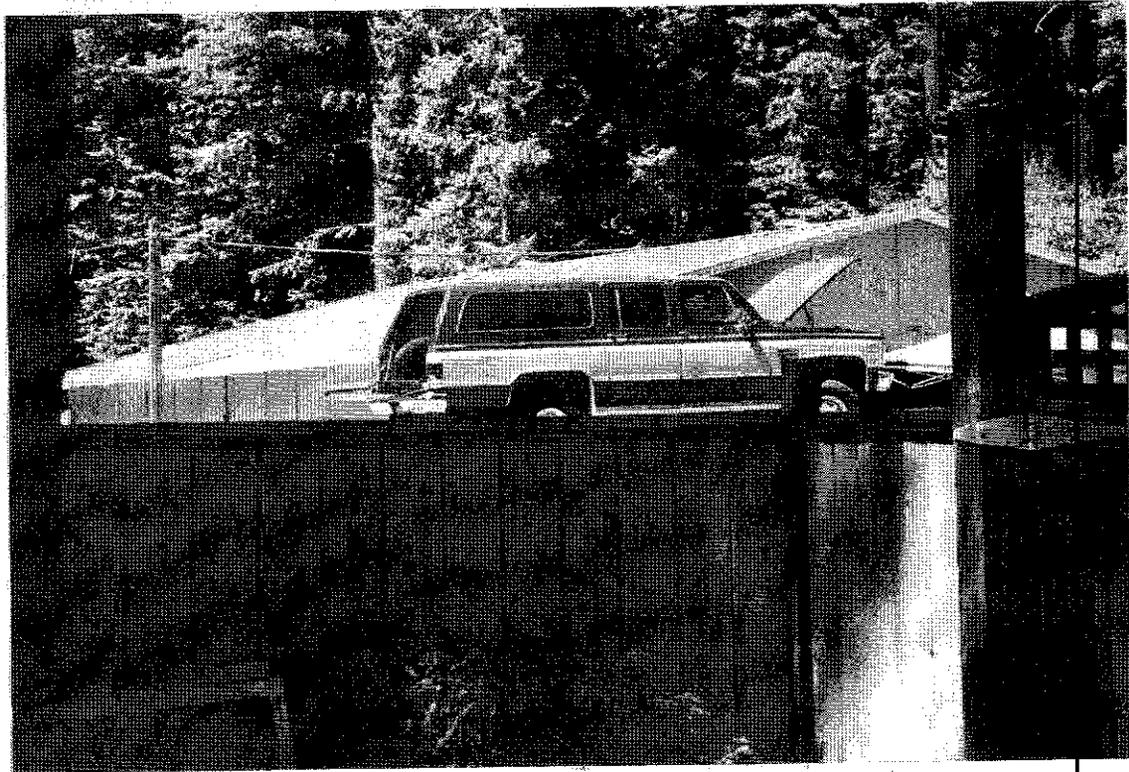


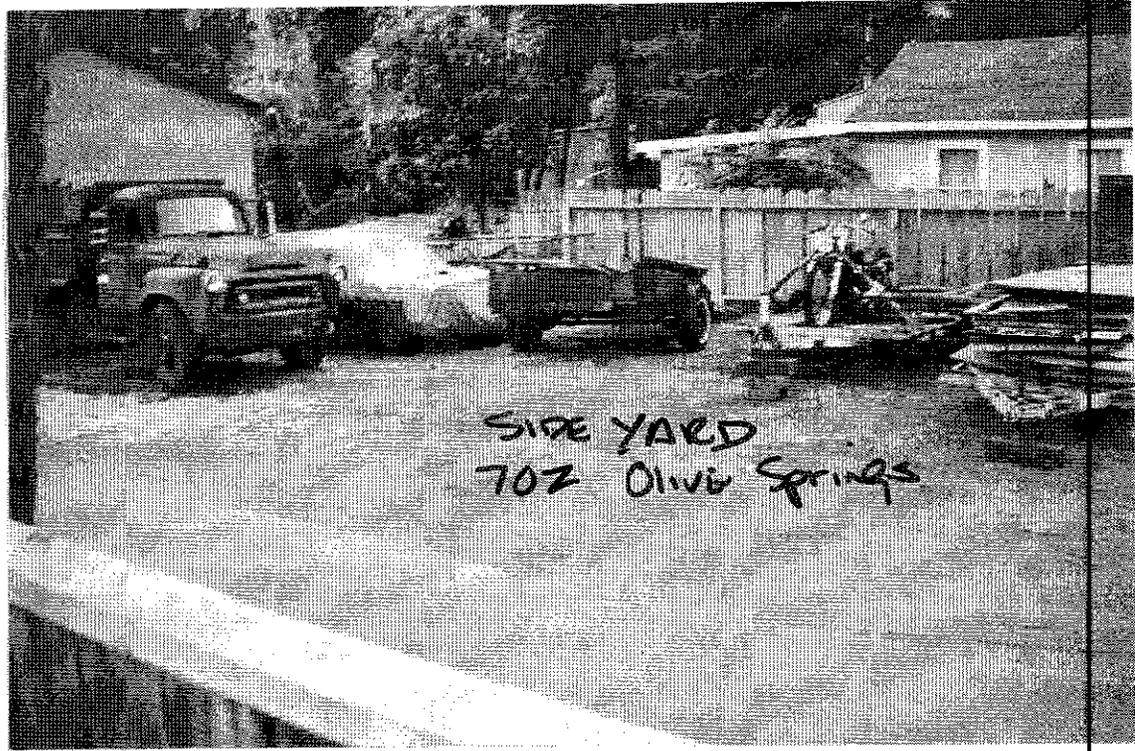


EXISTING
6' FENCE



View from front of House - 704
ACROSS EASEMENT TO 702





SIDE YARD
702 OLIVE SPRINGS

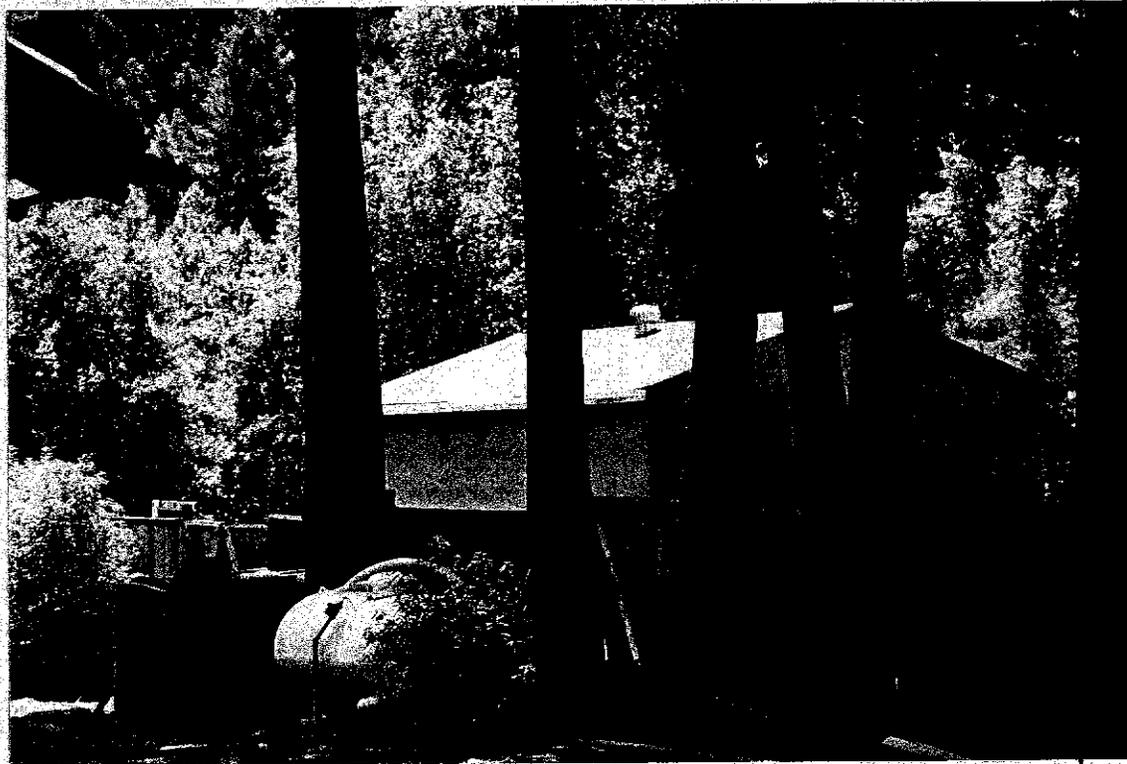


VIEW FROM 704 OLIVE SPRINGS - SIDE OF HOUSE -
ACROSS EASEMENT TO 702

from
REAR of
HOUSE

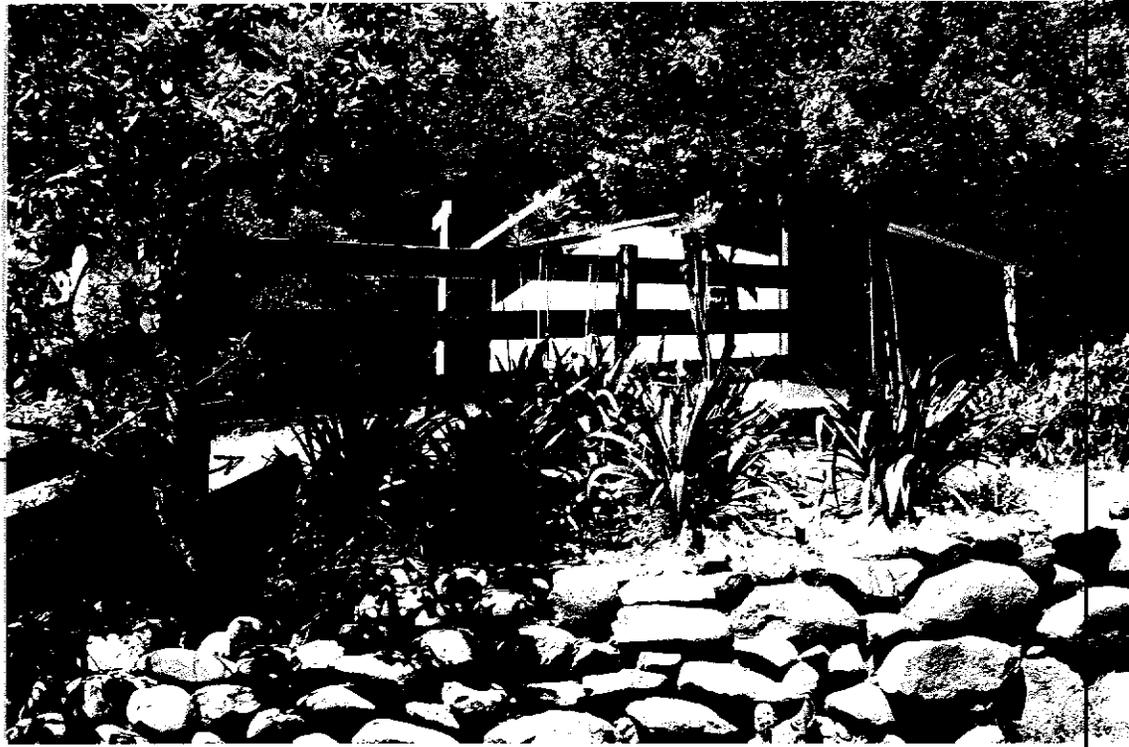


from
FRONT of
HOUSE



SIDE YARD along EASEMENT
FROM 704 Olive Springs Rd

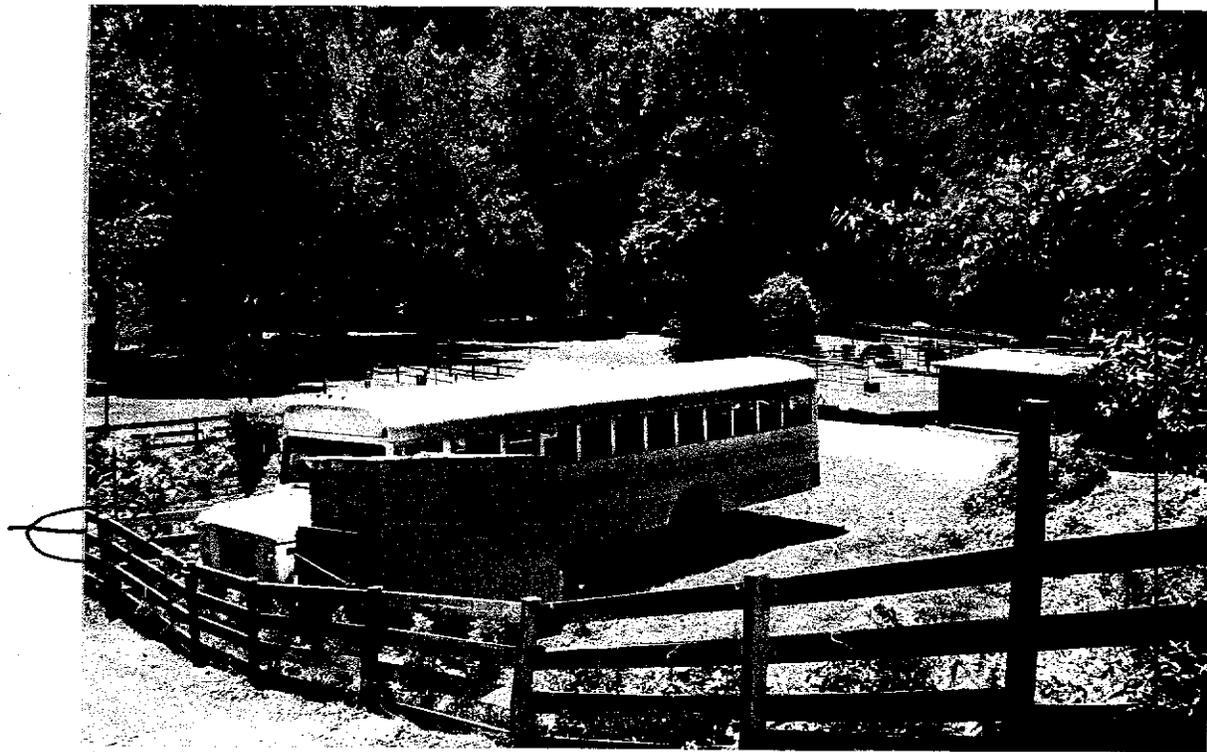
DRIVEWAY
702 OLIVE SPRINGS



SIDE YARD
PROPERTY LINE
702/784
OLIVE SPRINGS



DRIVEWAY
702 OLIVE SPRINGS



View from Back