

STAFF REPORT TO THE ZONING ADMINISTRATOR

APPLICATION NO. 04-0291

APN: 065-152-05

APPLICANT: Thomas  
And Beverly Craig

OWNER: Thomas And Beverly Craig

PROJECT DESCRIPTION: Proposal to elevate an existing single family dwelling, construct a new foundation, garage, and storage below; construct new stairs, landings, and elevator; **construct** an extension of the living room and dining room, and replace an existing deck with a family room.

LOCATION: The project is located on the east side of River Road, (549 River Road), about 265 feet south from Park Avenue in Felton Grove.

PERMITS REQUIRED: Variance to reduce the required 20 foot front yard setback to about 12 feet to a proposed elevator, to increase the maximum 30% lot coverage to about 41%, and to increase the maximum 28 foot height limitation to about 35 feet.

ENVIRONMENTAL DETERMINATION: Exempt per CEQA Section 1805(a)

COASTAL ZONE: ☐ yes ☒ no

PARCEL INFORMATION

PARCEL SIZE: 5,358 square feet

EXISTING LAND USE: PARCEL: Residential

SURROUNDING: Residential and recreational

PROJECT ACCESS: Construct a new gravel driveway off River Road, a privately maintained 40 foot right-of-way.

PLANNING AREA: San Lorenzo Valley

LAND USE DESIGNATION: Suburban Residential

ZONING DISTRICT: R-1-15-GH

SUPERVISORIAL DISTRICT: 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. None proposed.
- h. Not within a scenic corridor or visible from a highway.
- i. Drainage improvements will be installed per plans.
- j. No significant impact
- k. 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 maximum lot coverage. It is proposed that the existing house be raised, new walls constructed to support it, and new stairs, landings, and an elevator be constructed to access the raised home. This will result in covering about 41% of the small lot. An existing covered wood deck will be replaced with a family room and the existing dining room and living room will be extended. The proposed extensions will replace deck, entry, and ramp. The new elevator will be only 12 feet from the front property line, but is required for handicap access to the raised building. Although the new flood proof walls which support the elevated home are considered foundation for the purposes of measuring setbacks, the new elevator requires a Variance if setbacks are not met.

The existing home is two story and about 27 feet high to the peak. It is required that the home be raised eight feet to be safely out of the floodway. The resulting house will be about 35 feet high. However, it will be more safe for the residents and less damage will result from flooding during storm events.

### RECOMMENDATION

Staff recommends:

1. Approval of the determination that the project is Categorically Exempt from the California Environmental Quality Act; and
2. Approval of Application No.04-0128, based on the attached findings and conditions

APN: 065-052-05  
Application: 04-0128

**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 Cmz 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 a home with covered decks which exceed the allowed lot coverage. The new additions and proposed elevator for handicapped access will further increase lot coverage. In addition, the necessary elevator will be within the front yard setback. The right-of-ways are unusually wide surrounding the site and actual road widths are narrow. These are the special circumstances applicable to the property. The site is further within the floodway of the San Lorenzo River. The building must be elevated which will result in an increase of about 8 feet in height. The strict application of the maximum 28 foot height limitation would deprive this property from being safely raised out of the hazardous floodway where water moves at high velocities during flooding.*

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. The site is the last home on the road and the only homes which will be affected are of similar height and size of the proposed building after being raised. 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, many of the house raising projects in Felton Grove have resulted in building which exceed the maximum 28 foot height limitation. The benefits of increasing the safety of the residents is not a special privilege.*

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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 K-I-15-GH zone district. The project is consistent with the specific purposes of the R-I 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 04-0128  
Property Owner: Thomas And Beverly Craig  
Assessor's Parcel No. 065-152-05  
Property location and address: 549 River Road, Felton  
San Lorenzo Valley Planning Area

Exhibits: A. Architectural Plans prepared by Gary Bartos, dated June 10, 2004

I. This permit authorizes the elevation of an existing single family dwelling, construct a new foundation and garage below, construct stairs, landings, and an elevator, extend dining room and living room; and to construct a family room. 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 trees shall remain. 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. Submit an acceptable pumpers report to the Health Department.
  - 6.
- 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.
  4. Submit the elevation certificate verifying the structure is raised to the correct elevation.



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Operational Conditions.

- I. 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.

**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. 04-0281  
Assessor's Parcel No. **065-152-05**  
Project Location: 549 River Road, Felton, Ca.  
Project Description: The project proposer to elevate and remodel an existing single family dwelling.  
Person or Agency Proposing Project: Thomas and Beverly Craig 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

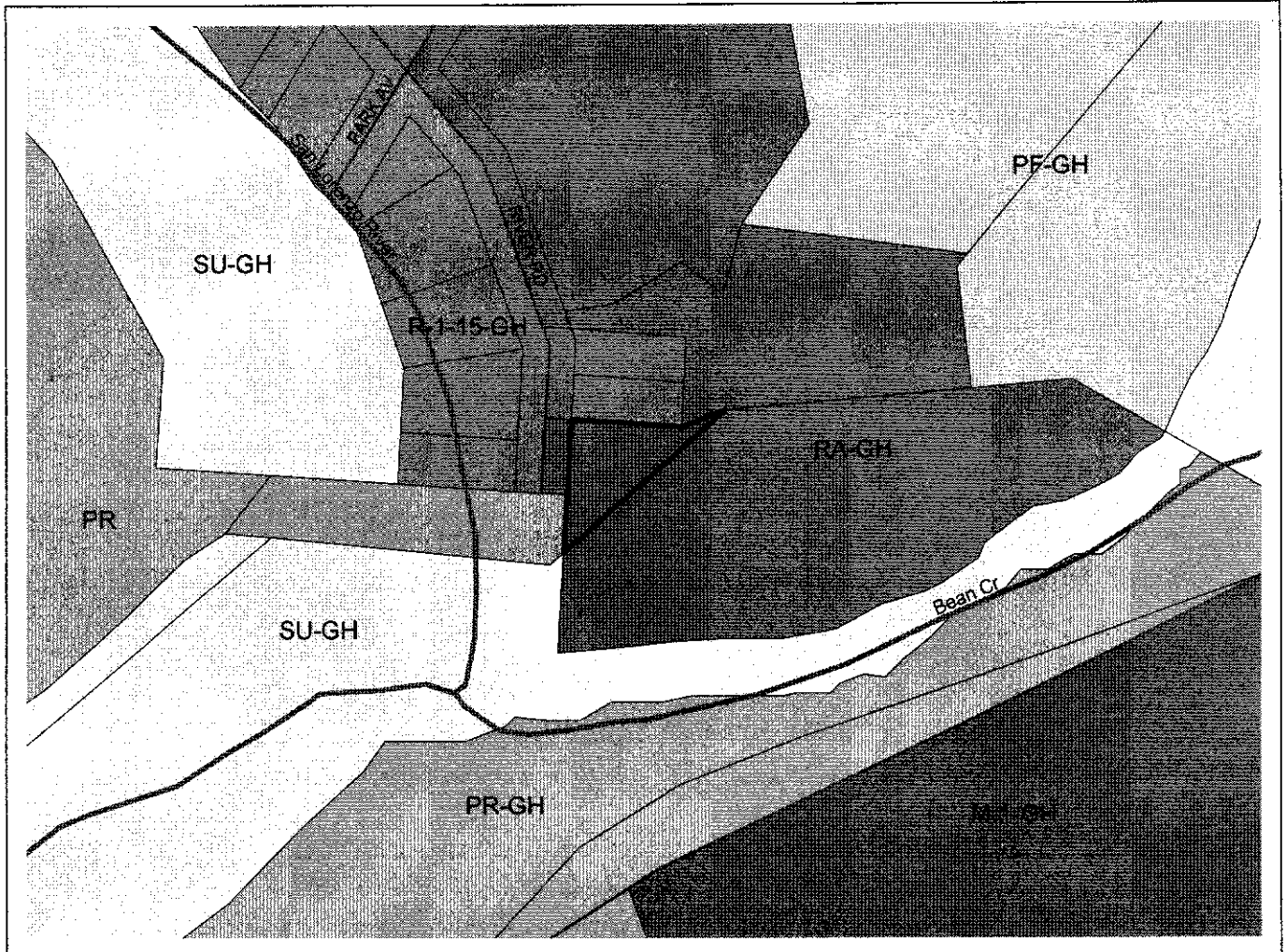
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|--|---|
| <input checked="" type="checkbox"/> 1. Existing Facility                                     | <input type="checkbox"/> 17. Open Space Contracts or Easements                                  |
| <input type="checkbox"/> 2. Replacement or 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 checked="" 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 Wildlife 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: 06/16/04

# Zoning Map



200 0 200 400 600 Feet

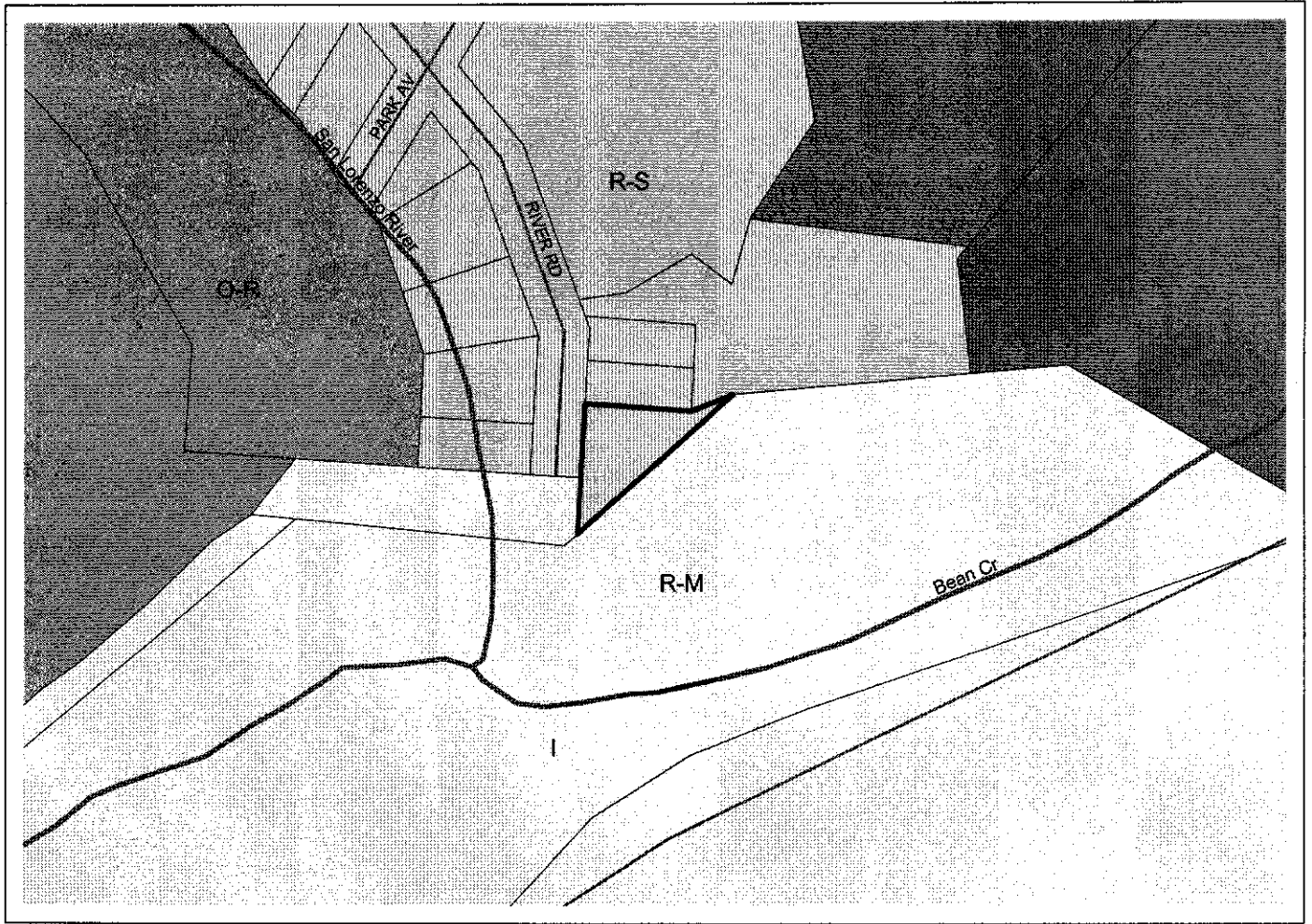
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- Streets
- Perennial Stream
- M-1
- RA
- R-1-X
- PR
- PF
- SU

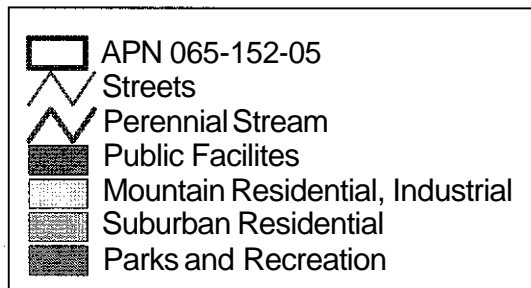


Map created by Santa Cruz County  
Planning Department:  
June 2004

# General Plan Map

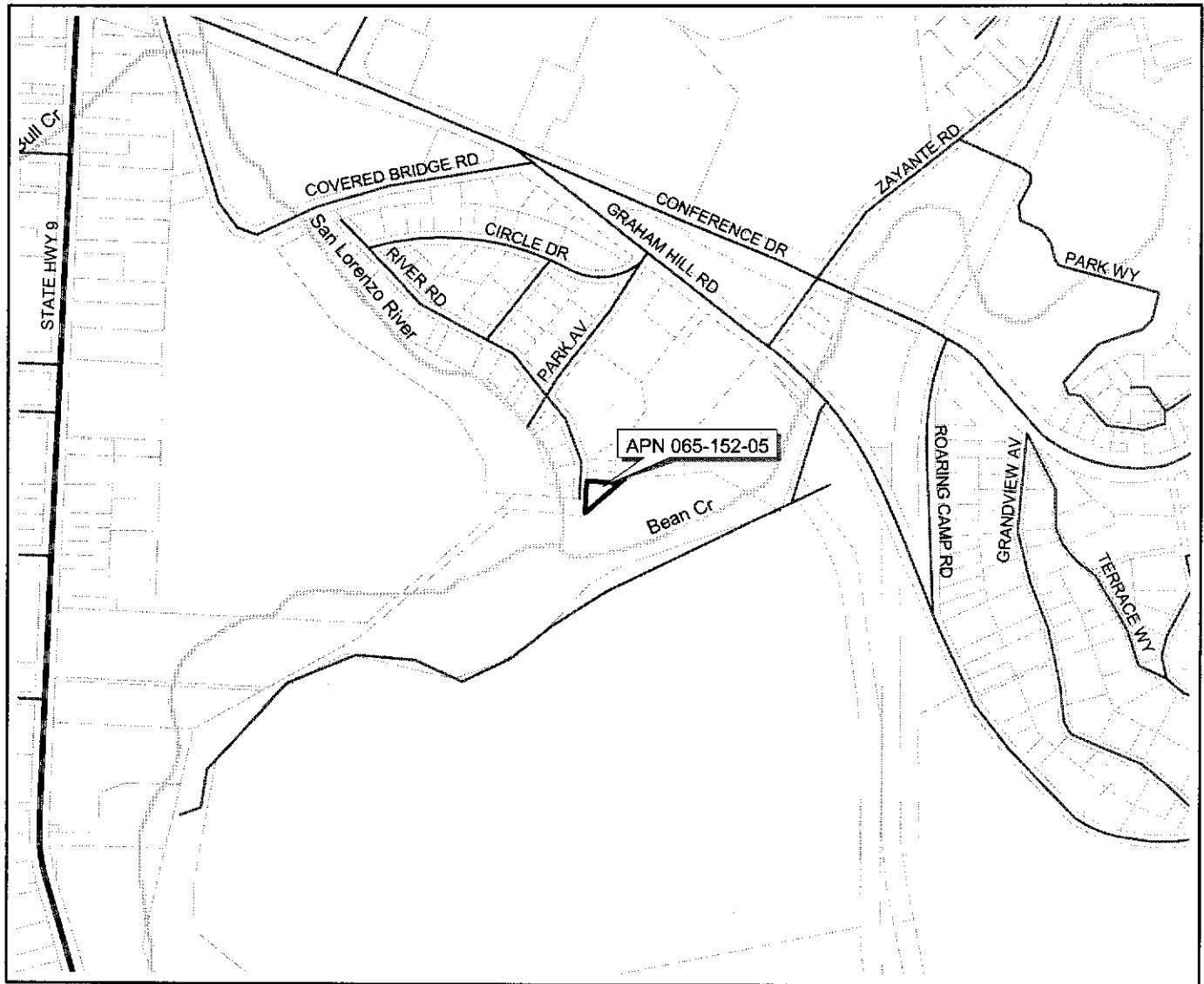


## Legend



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Planning Department:  
June 2004

# Location Map



1000 0 1000 2000 Feet

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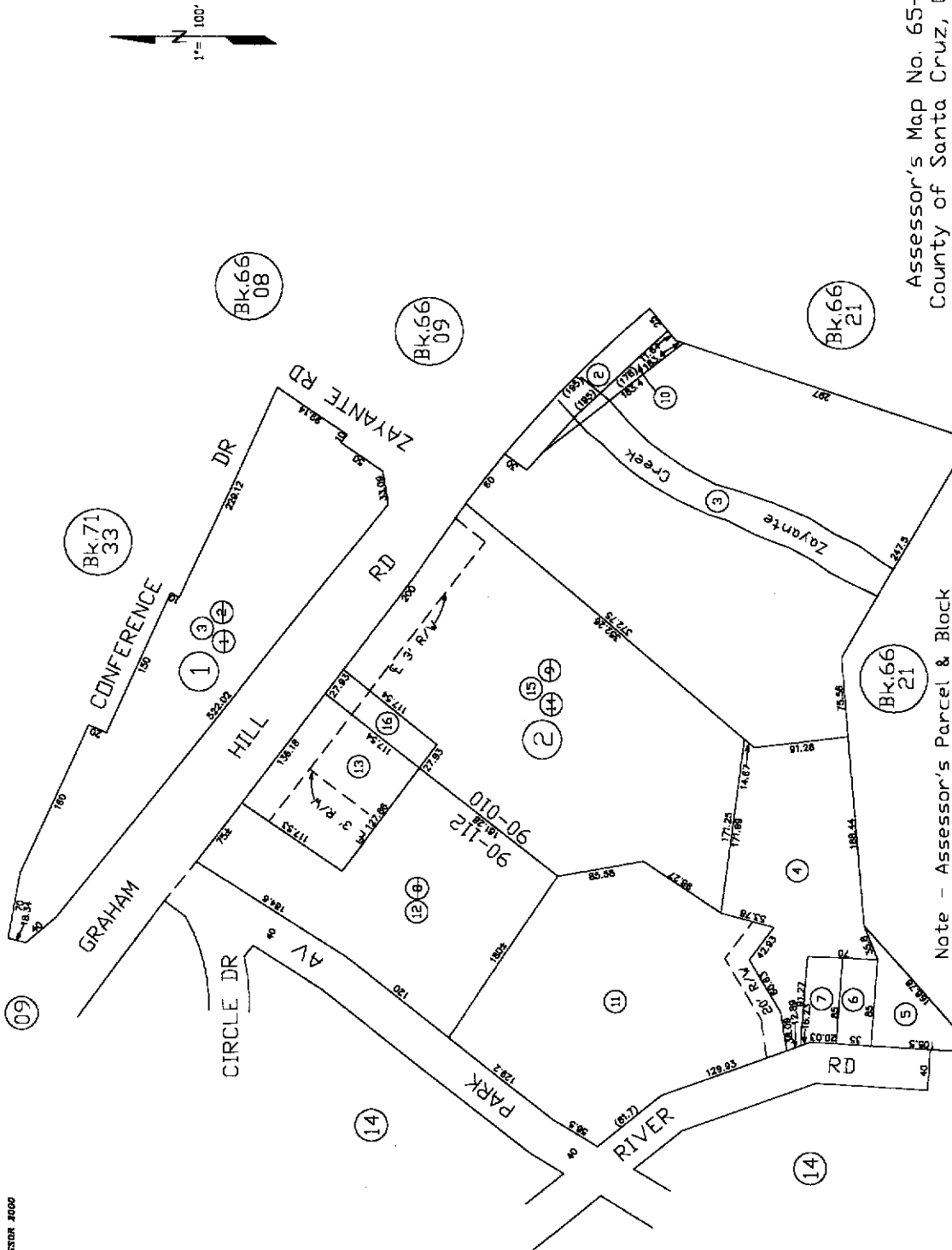


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PUR. RANCHO ZAYANTE  
 SEC. 22, T.10S., R.2W., M.D.B. & M.

Max Area Code  
 90-010 90-112

65-15



Assessor's Map No. 65-15  
 County of Santa Cruz, Calif.

Note - Assessor's Parcel & Block

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 v. 5/25/00 05 (Change Tax Code)  
 v. 7/17/00 00 (changed page refs.)