Staff Report to the Zoning Administrator

Application Number:
04-0116

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

Agenda Date: October **15,2004**
Agenda Item #: 4
Time: after 11**:00** a.m. **(note time !!)**

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

Location: 106 Farley Drive, Aptos

Supervisoral District: First District (District Supervisor: Janet K. Beautz)

Permits Required Coastal Development Permit

Staff Recommendation:

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

Exhibits

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

Parcel Information

Parcel Size:	**8,189** sq. ft. (from survey)
Existing Land Use - Parcel:	Single family residential
Existing Land Use - Surrounding:	Single family residential
Project Access:	Farley Drive
Planning Area:	Aptos
Land Use Designation:	R-UL (Urban Low Density Residential)
Zone District:	R-1-6 ***(6,000* sq.** ft. min. parcel size)
Coastal Zone:	X Inside ___ Outside
Appealable to Calif. Coastal Comm.	X Yes ___ No

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

Environmental Information

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

Services Information

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

History

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

Project Setting

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

Zoning & General Plan Consistency

The subject property is a 7,028 square foot lot, located in the R-1-6 (Single Family Residential - 6,000 sq. ft. minimum) zone district, a designation that allows residential uses. The proposed single family residence with attached garage is a principal permitted use within the zone district and the project is consistent with the site's (RL) Urban Low Residential General Plan designation.

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

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

SITE DEVELOPMENT STANDARDS TABLE

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

Environmental Review

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

Local Coastal Program Consistency

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

The proposed single family residence with attached garage as submitted is not in conformance with the County's certified Local Coastal Program, in that the structure is not designed to be visually compatible nor in scale with, nor integrated with the character of the surrounding neighborhood for the following reasons:

a. The shape of the lot presents a long dimension to the street. The proposed design aligns with the front and both side setback lines.

b. The street elevation is massive and complex in its detailing. Due to the width of the design and the rounded forms representative of turrets, this façade will not be in scale or character with the other residences in the neighborhood.

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

1. Simplification or reduction of detail elements on the front facade.

2. A front patio enclosed by a solid wall (stucco coated) which may be increased to beyond the three feet maximum allowed by code to six feet (for privacy and scale).

3. Planting which will match the scale of the building elements, soften the impact of the massing, and add color and texture.

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

Conclusion

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

Staff Recommendation

- **APPROVAL** of Application Number **04-0116,** based on the attached findings and conditions.

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

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

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

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

Coastal Development Permit Findings

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

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

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

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

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

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

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

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

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

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

Development Permit Findings

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Application #: 04-0116
APN: 043-102-09
Owner: Lauren Greene

Conditions of Approval

Exhibit A: Architectural plans prepared by Matson Britton Architects, dated March 1,2004
Topographical Survey prepared Ward Surveying, dated July 11,2003

I. This permit authorizes the demolition of an existing one story single-family residence and the construction of a new two story single-family residence with attached garage. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:

A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.

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

C. Obtain a Building Permit from the Santa Cmz County Building Official

D. Obtain a Grading Permit from the Santa Cruz County Building Official.

E. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.

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

A. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).

B. Submit revised Architectural Plans for review and approval by the Zoning Administrator and the Urban Designer. The final plans shall be revised per the following requirements:

1. Simplification or reduction of detail elements at the front facade.

2. **A** front patio enclosed by a solid wall (stucco coated) which may be increased to beyond the three feet maximum allowed by code to six feet (for privacy and scale).

3. Planting which will match the scale of the building elements, soften the impact of the massing, and add color and texture.

C. The final plans shall include the following additional information:

1. Identify finish of exterior materials and color of roof covering for Planning Department approval. Any color boards must be in 8.5" x 11" format.

2. Grading, drainage, and erosion control plans.

EXHIBIT C

3. Details showing compliance with fire department requirements.

D. Meet all requirements of and pay Zone ***6*** drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.

E. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.

F. Submit 3 copies of a soils report, if required, prepared and stamped by a licensed Geotechnical Engineer.

G. Provide required off-street parking for 3 cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.

H. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.

III. All construction shall be performed according to the final approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:

A. All site improvements shown on the final approved Building Permit plans shall be installed.

B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.

C. The project must comply with all recommendations any approved soils reports.

D. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource **or** a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, 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.

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	Lawrence Kasparowitz Project Planner

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

CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF EXEMPTION

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

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

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

Person Proposing Project: Matson Britton Architects

Contact Phone Number: (831) 425-0544

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

Specify type:

E. __X__ Categorical Exemation

15303 New construction of small structure.

F. Reasons why the project is exempt:

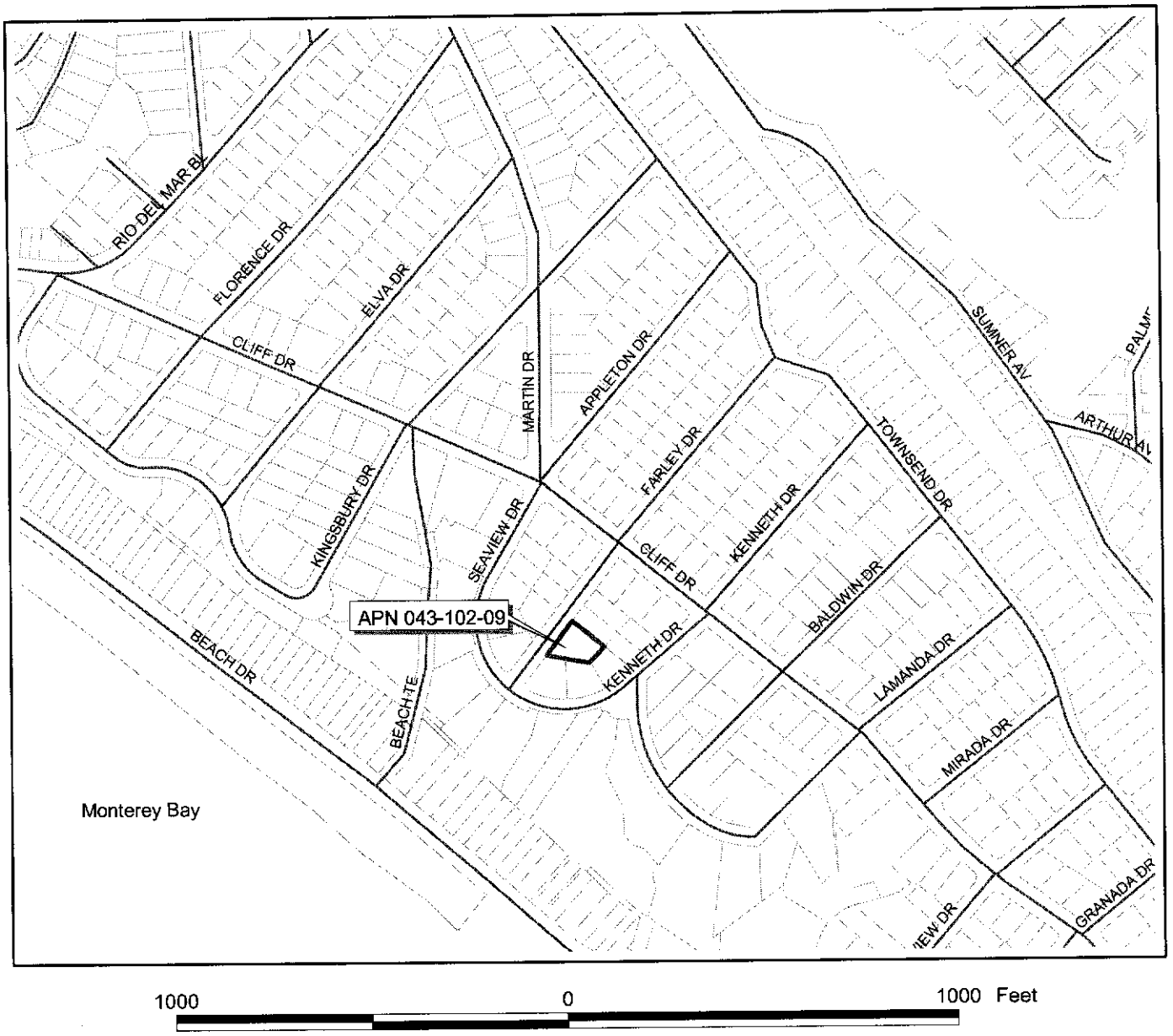
New single-family residence in an existing neighborhood.

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

_____ Date:_____
Lawrence Kasparowitz, Project Planner

EXHIBIT D

Location Map



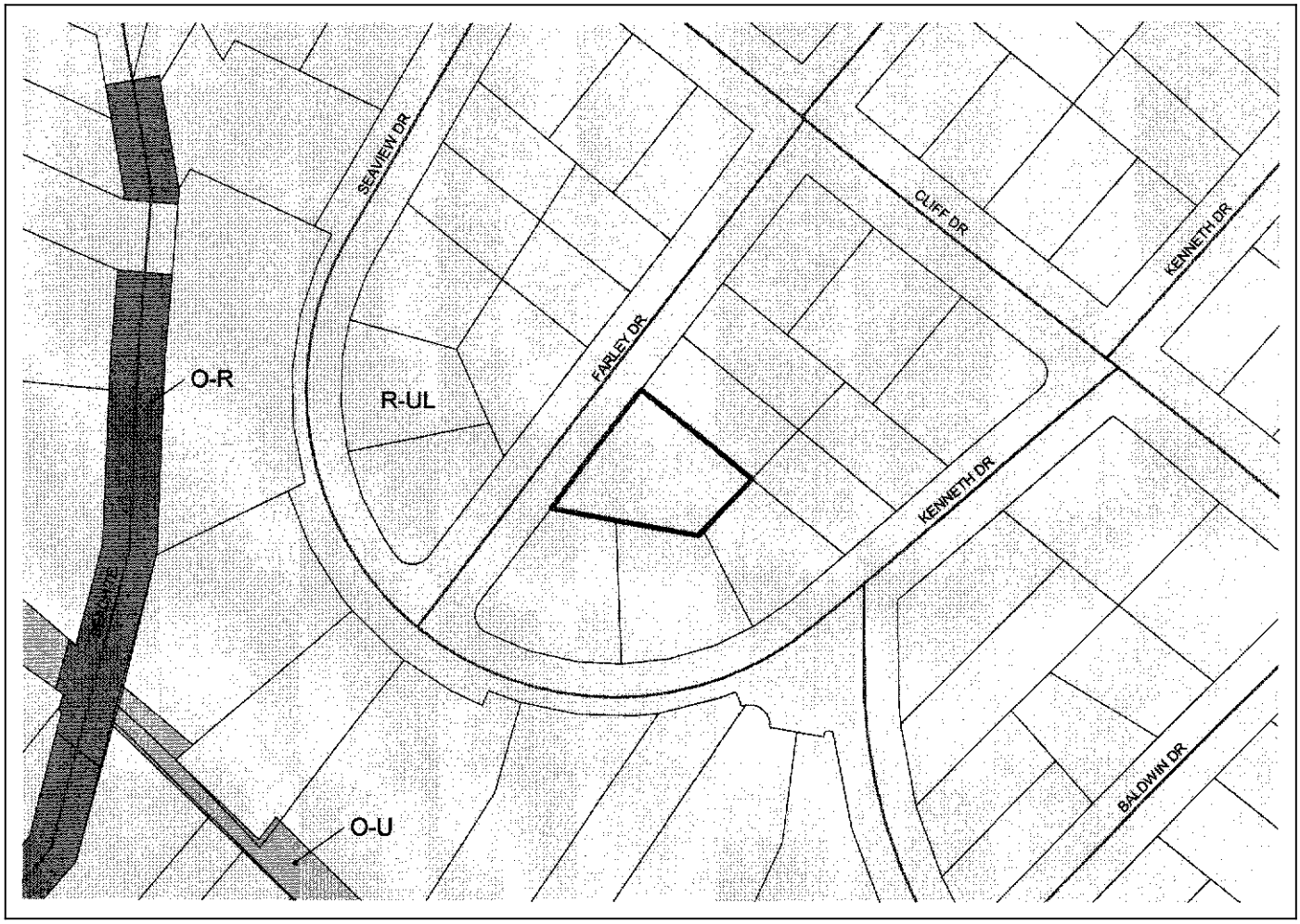
Map created by Santa Cruz County Planning Department: March 2004

Map created by Santa Cruz County Planning Department: March 2004

N

EXHIBIT E

General Plan Map



200 0 200 400 600 Feet

N

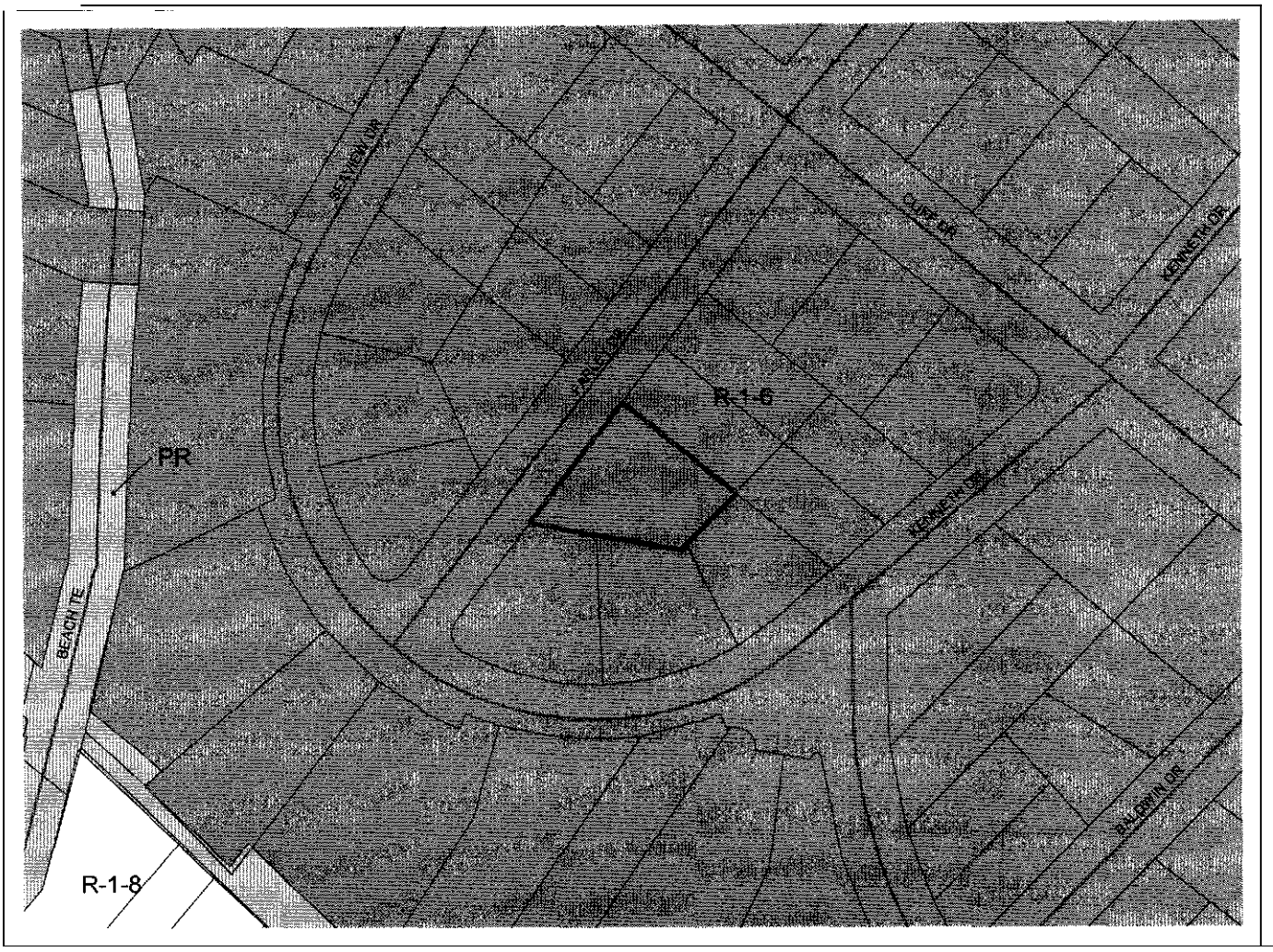
Legend

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

Map created by Santa Cruz County Planning Department: March 2004

EXHIBIT F

Zoning Map



200 0 200 400 600 Feet

N

Legend

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

Map created by Santa Cruz County Planning Department: March 2004

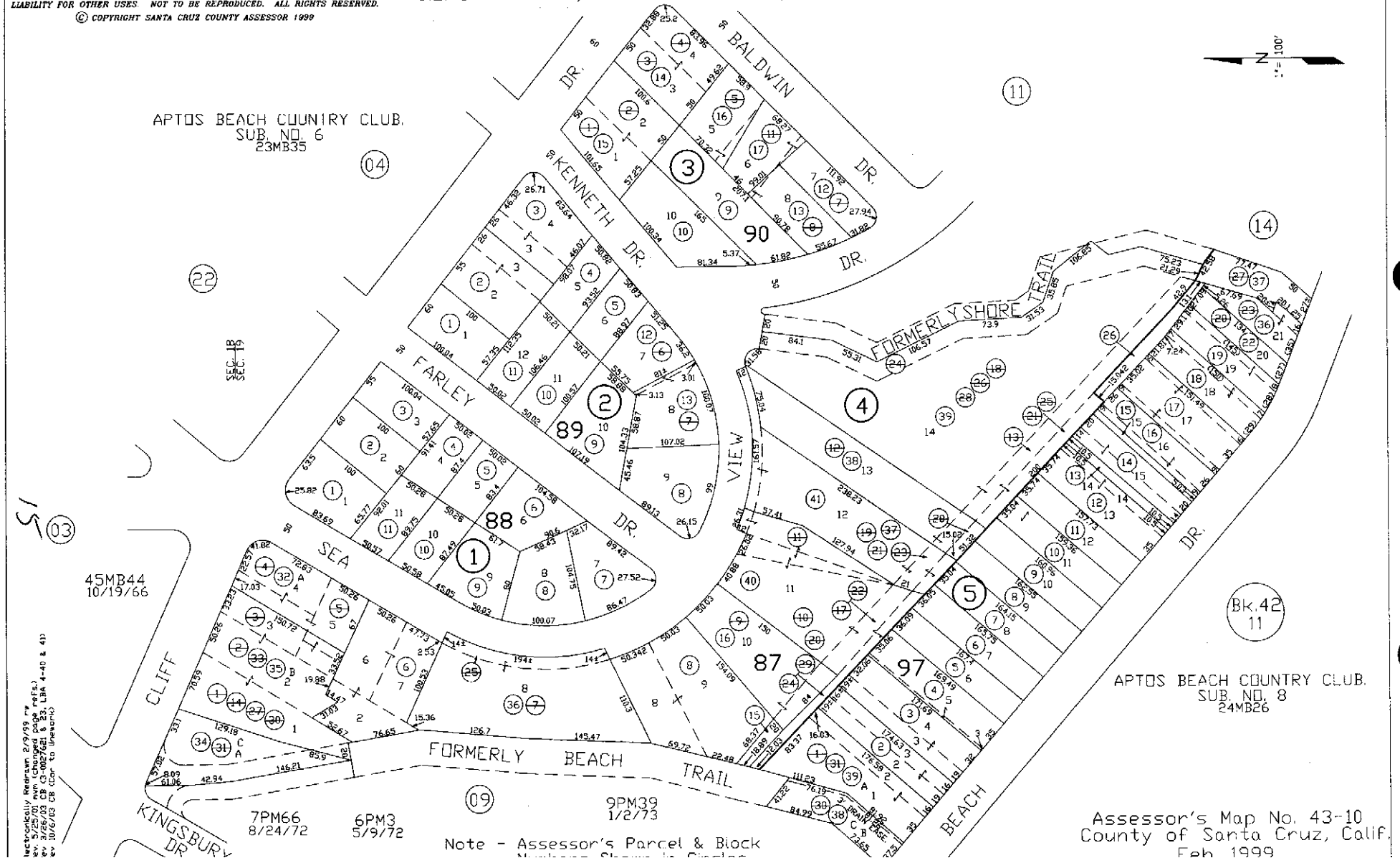
EXHIBIT I

FOR TAX PURPOSES ONLY

POR. APTOS RANCHO
S.E. 1/4 SEC. 18, & N.E. 1/4 SEC. 19, T.11S., R.1E., M.D.B. & M.

Tax Area Code 69-273

43-10



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

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

Electronically Redrawn 2/9/99 TF
ev 5/25/01 ewr (changed page refs.)
ev 3/26/03 CB (3-002/621 & 23, LBA 4-40 & 41)
ev 10/6/03 CB (Cor to linework)

EXHIBIT H

COUNTY OF SANTA CRUZ | Planning Department

INTEROFFICE MEMO

APPLICATION NO: 04-0116

Date: April 12, 2004

To: Project Planner

From: Larry Kasparowitz, Urban Designer

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

COMPLETENESS ISSUES

There is no color board on file.

GENERAL PLAN / ZONING CODE ISSUES

Design Review Authority

13.20.130 The Coastal Zone Design Criteria are applicable to any development requiring a Coastal Zone Approval.

Design Review Standards

13.20.130 Design criteria for coastal zone developments

Evaluation Criteria	Meets criteria In code (✔)	Does not meet criteria (✔)	Urban Designer's Evaluation
designed and landscaped to be visually compatible and integrated with the character of surrounding neighborhoods or areas			*below.*
Minimum Site Disturbance			
Grading, earth moving, and removal of major vegetation shall be minimized.	✔		
Developers shall be encouraged to	✔		

EXHIBIT I

Special landscape features (rock outcroppings, prominent natural landforms, tree groupings) shall be retained.	✔		
Ridgeline Development			
Structures located near ridges shall be sited and designed not to project above the ridgeline or tree canopy at the ridgeline			NIA
Land divisions which would create parcels whose only building site would be exposed on a ridgetop shall not be permitted			NIA
Landscaping			
New or replacement vegetation shall be compatible with surrounding vegetation and shall be suitable to the climate, soil, and ecological characteristics of the area			
Location of development			
Development shall be located, if possible, on parts of the site not visible or least visible from the public view.			N/A
Development shall not block views of the shoreline from scenic road turnouts, rest stops or vista points			NIA
Site Planning			
Development shall be sited and designed to fit the physical setting carefully so that its presence is subordinate to the natural character of the site, maintaining the natural features (streams, major drainage, mature trees, dominant vegetative communities)			NIA
Screening and landscaping suitable to the site shall be used to soften the visual impact of development in the viewshed			NIA
Building design			
Structures shall be designed to fit the topography of the site with minimal cutting, grading, or filling for construction			NIA
Pitched, rather than flat roofs, which are surfaced with non-reflective materials except for solar energy devices shall be encouraged			NIA

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

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

URBAN DESIGNER COMMENTS

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

COUNTY OF SANTA CRUZ
DISCRETIONARY APPLICATION COMMENTS

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

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

Environmental Planning Completeness Comments

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

Environmental Planning Miscellaneous Conments

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

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

Dpw Drainage Completeness Conments

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

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

Dpw Drainage Miscellaneous Comments

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

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

1) List amount of impervious area to be constructed by this project.

2) List amount of impervious area to be demolished by this project and submit documentation verifying these amounts. Suitable documentation includes photos and Assessor's records. If photos are used, these must clearly define the year it represents: therefore. it is recommended that a copy of the Assessor's records. including the construction page, be submitted accounting for permitted area.

3) As described in the memo submitted by DeWitt and Associates, consider maintaining discharge of roof runoff from the rear of the proposed structure into the rear yard area in keeping with the existing drainage pattern. This can be done from various downspouts along the rear side of the structure allowing spreading and infiltration of runoff within the yard rather than directing all roof runoff into proposed drainage pits, altering the current drainage patterns.

4) Please show that the amount of overflow to be directed into Farley Drive will not exceed current conditions. Also, describe the condition of the existing off-site

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EXHIBIT J

drainage system

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

Dpw Road Engineering Completeness Comments

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

========= REVIEW ON APRIL 8, 2004 BY GREG J MARTIN =========
Please reduce the width of the driveway on Farley Drive to serve two vehicles only. Show the structural section of the new driveway. Reference the correct figure from the County Design Criteria and make sure it is drawn correctly on the plan view. If you have any questions please contact Greg Martin at 831-454-2611. ========= UPDATED ON JUNE 30, 2004 BY TIM N NYUGEN =========
County driveway requirements are 6" of aggregate base Class II compacted to 95%. Minimum required surface course shall be 2" of type B asphalt concrete. The current plans show only 4" of base.

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

Dpw Road Engineering Miscellaneous Conments

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

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

Aptos-La Selva Beach Fire Prot Dist Completeness C

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

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

Aptos-La Selva Beach Fire Prot Dist Miscellaneous

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

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

MATSON
ARCHITECTS

June 3,2004

Dear Neighbors of 106 Farley Drive,

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

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

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

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

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

728 NORTH
BRANCIFORTE
SANTA CRUZ
CA 95062
877-877-3797

EXHIBIT K

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

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

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

a. The neighborhood has a wide variety of styles. The proposed home is in the Spanish Eclectic style, and a good number of homes in the area are also in this style. The two **story** massing is not atypical of this style, nor are the so-called "turrets". We have been unable to identify any site specific issue that would be a reasonable basis for not allowing **our** clients to enjoy aesthetic and stylistic freedom that other neighbors enjoy.

b. The neighborhood has a wide variety of square footages and floor areas ratios present. The proposed home falls inside that range. We have been unable to identify any site specific issue that would be a reasonable basis for not allowing our clients to enjoy the same size and floor area that other neighbors enjoy.

c. The neighborhood has a large number of two stories present with a wide variety of placements of mass. The proposed home's second story was placed for the consideration of the neighbor to the north, but the placement certainly is not inappropriate for the **style.** We

EXHIBIT 1

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

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

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

Sincerely,

Cove Britton
Architect

EXHIBIT K

04-0116

Lawrence Kasparowitz

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

Lawrence Kasparowitz, AIA
Santa Cruz County Planning Department

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

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

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

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

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

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

Lawrence Kasparowitz, AIA
Santa Cruz County Planning Department

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

John and Caroline Shook
427 Seaview Drive
Aptos, California 95003

July 9,2004

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

Dear Larry:

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

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

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

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

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

Sincerely,

Don

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

EXHIBIT K

June 15,2004

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

Dear Mr. Kasparowitz:

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

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

Sincerely,

Jim Mathewson

James Mathewson
111 Farley Drive
Aptos, CA
831.661.0279

EXHIBIT K

411 Seaview Drive
Aptos, California
May 24,2004

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

Dear Mr. Kasparowitz:

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

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

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

Sincerely,

Sue Bruemmer

Sue Bruemmer

EXHIBIT K

Lawrence Kasparowitz

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

Lawrence Kasparowitz, AIA
Santa Cruz County Planning Department

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

John and Caroline Shook
427 Seaview Drive
Aptos, California 95003

June 18 ,2004

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

Dear Mr. Kasparowitz,

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

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

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

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

Sincerely

Aylin Gulbenkian

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

EXHIBIT K

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

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

Mr. Kasparowitz:

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

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

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

Sincerely,

Ellen Mellon

Ellen Mellon

EXHIBIT K

Lawrence Kasparowitz

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

Dear Mr... Kasparowitz,

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

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

EXHIBIT K

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

September 19,2004

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

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

Dear Zoning Administrator,

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

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

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

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

4. I am concerned about the drainage plan for the proposed development. During our rainy season, 106 Farley is often under several inches of standing water that eventually drains into the soil. The notes on the proposed plan do not address what happens to water from gutters, downspouts, and sloped concrete.

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

Sincerely,

Michael R. Mellon

Cc: Lawrence Kasparowitz, AIA

EXHIBIT K

Elizabeth Sprinkle
418 Cliff Drive
Aptos, California 95003

September 24, 2004

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

Dear Mr. Kasparowitz,

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

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

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

Thank you for your help.

Sincerely,

Elizabeth Sprinkle

EXHIBIT K