



Staff Report to the Zoning Administrator

Application Number: **05-0103**

Applicant: Dee Murray
Owner: Robert & Cory Allen
APN 077-073-18

Agenda Date: 4/15/05
Agenda Item#: 2
Time: After 10:00 a.m.

Project Description: Proposal to convert an existing significantly non-conforming, Non-Habitable Accessory Structure (Garage) to a second dwelling unit.

Requires a Residential Development Permit, and a Variance to reduce the required 40 foot front yard setback to **zero** feet, and to reduce the required 20 foot side yard setback to approximately 11 feet.

Location: Property located off of a right of way off of the eastern end of Kipling Avenue in Ben Lomond, approximately 200 feet **north** east of the end of Kipling Avenue. (295 Kipling Avenue).

Supervisory District: 5th District (District Supervisor: Mark Stone)

Permits Required: Variance, Residential Development Permit

Staff Recommendation:

- Approval of Application **05-0103**, 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. | Project plans | E. | Assessor's parcel map |
| B. | Findings | F. | Zoningmap |
| C. | Conditions | G. | Comments & Correspondence |
| D. | Categorical Exemption (CEQA determination) | | |

Parcel Information

Parcel Size: 1 acre
Existing Land Use - Parcel: Single family dwelling & detached garage
Existing Land Use - Surrounding: Rural residential neighborhood

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

Project Access: Kipling Avenue & private driveway
Planning Area: San Lorenzo Valley
Land Use Designation: R-S (Suburban Residential)
Zone District: RA (Residential Agriculture)
Coastal Zone: Inside Outside

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: No report required
Fire Hazard: Not a mapped constraint
Slopes: 2-15% at project site
Env. Sen. Habitat: Mapped Sandhills habitat
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: Inside Outside
Water Supply: San Lorenzo Valley Water District
Sewage Disposal: septic
Fire District: Ben Lomond Fire District
Drainage District: Zone 8 Flood Control District

History

The existing residence and site improvements (including the garage foundation) were installed under Building Permits 67749J (house) and 67750 (garage) issued 5/28/81. The final inspection for the house was issued on 3/6/85, and included the retaining wall adjacent to the driveway and the garage foundation. The garage was completed under Building Permit 102808 and was issued a final inspection on 6/16/92. Since that time, it has become apparent that the front and side yard setbacks were never measured correctly during the construction of these improvements. **An** existing unutilized vehicular right-of-way (Longfellow Avenue) exists at the front of the subject property and may not have been properly recognized when the original measurements were taken.

Project Setting

The subject property is characterized by rolling sandy topography, with the residence constructed up the slope from the existing garage and circular driveway. The property contains areas of

native vegetation and steep slopes to the rear of the existing residence and flatter areas of sandy soils. A drainage runs through an existing unutilized vehicular right of way (Longfellow Avenue) at the front of the subject property.

The subject property is developed with an existing single family dwelling, a detached garage, and detached accessory structures. The existing shed, portable propane tank, and temporary carport canopy will be removed from the vicinity of the existing garage prior to beginning construction on the proposed garage conversion.

Zoning & General Plan Consistency

The subject property is a one acre parcel, located in the RA (Residential Agriculture) zone district, a designation which allows residential uses. The proposed conversion of an existing accessory structure into a second dwelling unit is an allowed accessory use within the zone district and the project is consistent with the site's (R-S) Suburban Residential General Plan designation.

Variance

The existing garage is located within the required front and side yard setbacks. This existing location was approved through previous Building Permit approvals and the structure has received a final inspection clearance. **This** proposal is to recognize the existing location of the structure and to allow for further modification to a second dwelling unit.

The existing garage is located within **5** feet of a vehicular right of way and, although this vehicular right of way is not utilized, the structure is considered as significantly non-conforming as a result **of** its location. The approval of a variance to the required yard setbacks and a Residential Development Permit to allow for modifications to an existing significantly non-conforming structure is considered **as** appropriate in that the right of way is not utilized for vehicular travel and sufficient separation exists between improvements on surrounding properties and the structure proposed to be modified.

Second Unit

The proposal to construct a second unit on the subject property is consistent with applicable codes and regulations, in that:

- The property is residentially zoned (RA - Residential Agriculture), and has a residential General Plan designation (R-S - Mountain Residential).
- The property is 1 acre in size (as determined by staff) and is located outside the urban service line – allowing a second unit up to **640** square feet in habitable floor area.
- All necessary utilities will be available to the proposed second unit.

Biotic Resource

The subject property is located within a mapped biotic resource area corresponding with the sandhills habitat. The proposed development consists of an existing structure and a new septic system. The proposed septic system will occur within an existing cleared area and the garage structure is currently existing. Due to the fact that these two areas are already disturbed, no further review related to biotic resources is required, per discussion with the area Resource Planner.

Priority Processing

The proposed project qualifies for priority processing due to the condition of the proposed resident of the second dwelling unit. This application has been processed in a timely manner and any issues not directly relevant to the review of the variance and Residential Development Permit are requested to be postponed to the Building Permit stage, if possible.

Conclusion

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

Staff Recommendation

- **APPROVAL** of Application Number **05-0103**, 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: Randall Adams
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3218
E-mail: randall.adams@co.santa-cruz.ca.us

Variance Findings

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

This finding can be made, in that the reduction of the required front yard setback from 40 feet to zero and the reduction of the **20** foot required side yard setback to approximately 11 feet to the proposed second unit, are recommended in order to allow continued residential use of the existing improvements on the subject property. The existing unutilized vehicular right of way (Longfellow Avenue) and the rolling topography of the subject property create the special circumstance in this case.

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

This finding can be made, in that the variance will recognize an existing structure on a residentially zoned parcel and the structure will be adequately separated from improvements on surrounding properties.

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

This finding can be made, in that other properties in the neighborhood are developed with single family dwellings and detached accessory structures similar to the structure that is proposed to be recognized. Therefore, it would not be grant of a special privilege for the proposed project to be constructed on the property and the design would be in harmony with the existing pattern of development in the neighborhood.

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. 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 conversion of an existing accessory structure into a second dwelling unit will not deprive adjacent properties or the neighborhood **of** light, air, or open space, in that the structure will be adequately separated from improvements on surrounding properties.

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 conversion **of** an existing accessory structure into a second dwelling unit and the conditions under which it would be operated **or** maintained will be consistent with all pertinent County ordinances and the purpose **of** the RA (Residential Agriculture) zone district in that the primary use of the property will be one single family dwelling, with a detached accessory structure. Variance findings have been made which will allow the reduction in the required yard setbacks to recognize the existing structure that is proposed to be converted.

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 Suburban Residential (R-S) land use designation in the County General Plan.

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 conversion of an existing accessory structure into a second dwelling unit on a parcel developed with an existing single family dwelling. The expected level of traffic generated by the proposed project is anticipated to remain at only peak trip per day (1 peak trip per dwelling unit), **this** existing level **of** use will not adversely impact existing roads and intersections in the surrounding area.

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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 structure is located in a rural residential neighborhood containing a variety of architectural styles, and the proposed conversion of an existing accessory structure into a second dwelling unit as an accessory use is consistent with the land use intensity and density of 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.

Not Applicable

Conditions of Approval

- Exhibit A: Project Plans entitled, "Allen 2nd Unit", 1 sheet, prepared by Robin Brownfield, dated 2/05.
- I. This permit authorizes a reduction in the required 40 foot front yard setback to zero feet and a reduction in the required **20** foot side yard setback to approximately 11 feet to allow the conversion of an existing 495 square foot accessory structure into a second dwelling unit. 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, for the shed, propane tank, and carport canopy, if required.
 - C. Obtain a Building Permit from the Santa Cruz County Building Official.
- II. Prior to 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 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. 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.
 - 3. Details showing compliance with fire department requirements.
 - C. Meet all requirements of and pay Zone 8 drainage fees to the County Department of Public Works, Drainage, if applicable. Drainage fees will be assessed on the net increase in impervious area.
 - D. Obtain final water service approval for **this** project from the San Lorenzo Valley Water District.
 - E. Obtain final septic approval for **this** project from the County Department of Environmental Health Services.

- F. Meet all requirements and pay any applicable plan check fee of the Ben Lomond Fire District.
 - G. Pay the current fees for Parks and Child Care mitigation for 1 bedroom(s). Currently, these fees are, respectively, \$800 and \$109 per bedroom.
 - H. Provide required off-street parking for 4 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.
 - I. 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.
 - J. Complete and record a Declaration of Restriction to construct a Second Dwelling Unit. **You may not alter the wording of this declaration.** Follow the instructions to record and return the form to the Planning Department.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
 - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - C. Pursuant to Sections **16.40.040** and **16.42.100** 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.
- N. 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.
-

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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

Randall Adams
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: 05-0103

Assessor Parcel Number: 077-073-18

Project Location: 295 Kipling Avenue, ~~Ben~~ Lomond

Project Description: Proposal to convert an existing garage into a second dwelling unit.

Person or Agency Proposing Project: Dee Murray

Contact Phone Number: (831) 475-5334

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

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:

Conversion of ~~an~~ existing residential accessory structure within an area designated for residential development.

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

Randall Adams, Project Planner

Date: _____

FOR TAX PURPOSES ONLY

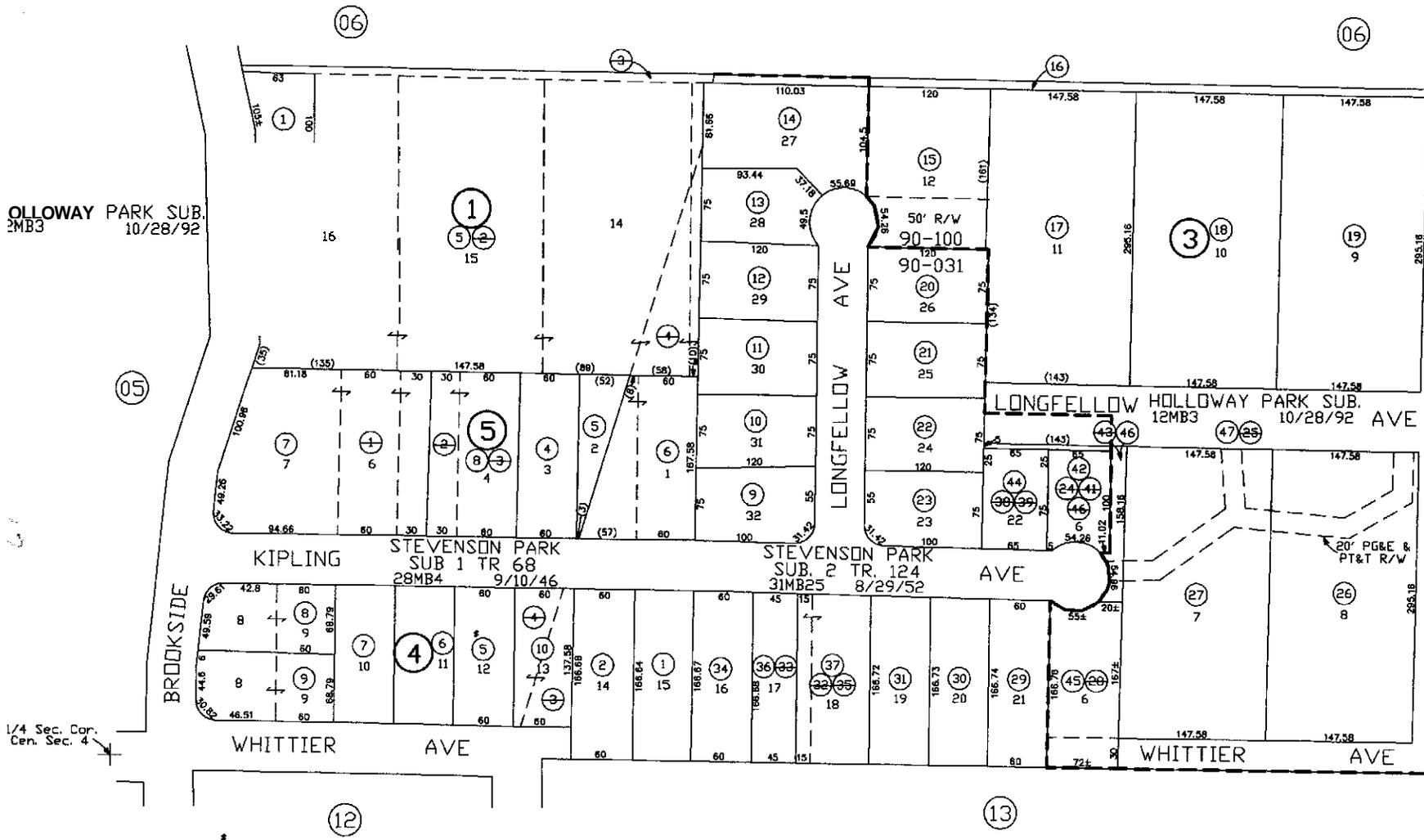
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PDR. N.E. 1/4, SEC. 4,
T.10S., R.2W., M.D.B. & M.

Tax Area Code
90-031 90-100

77-07



Bk.76
26

Apparent
Overlap

Bk.76

HOLLOWAY PARK SUB.
2MB3 10/28/92

KIPLING
STEVENSON PARK
SUB 1 TR 68
28MB4 9/10/46

STEVENSON PARK
SUB. 2 TR. 124
31MB25 8/29/52

LONGFELLOW HOLLOWAY PARK SUB.
12MB3 10/28/92 AVE

20' PG&E &
PT&T R/W

1/4 Sec. Cor.
Gen. Sec. 4

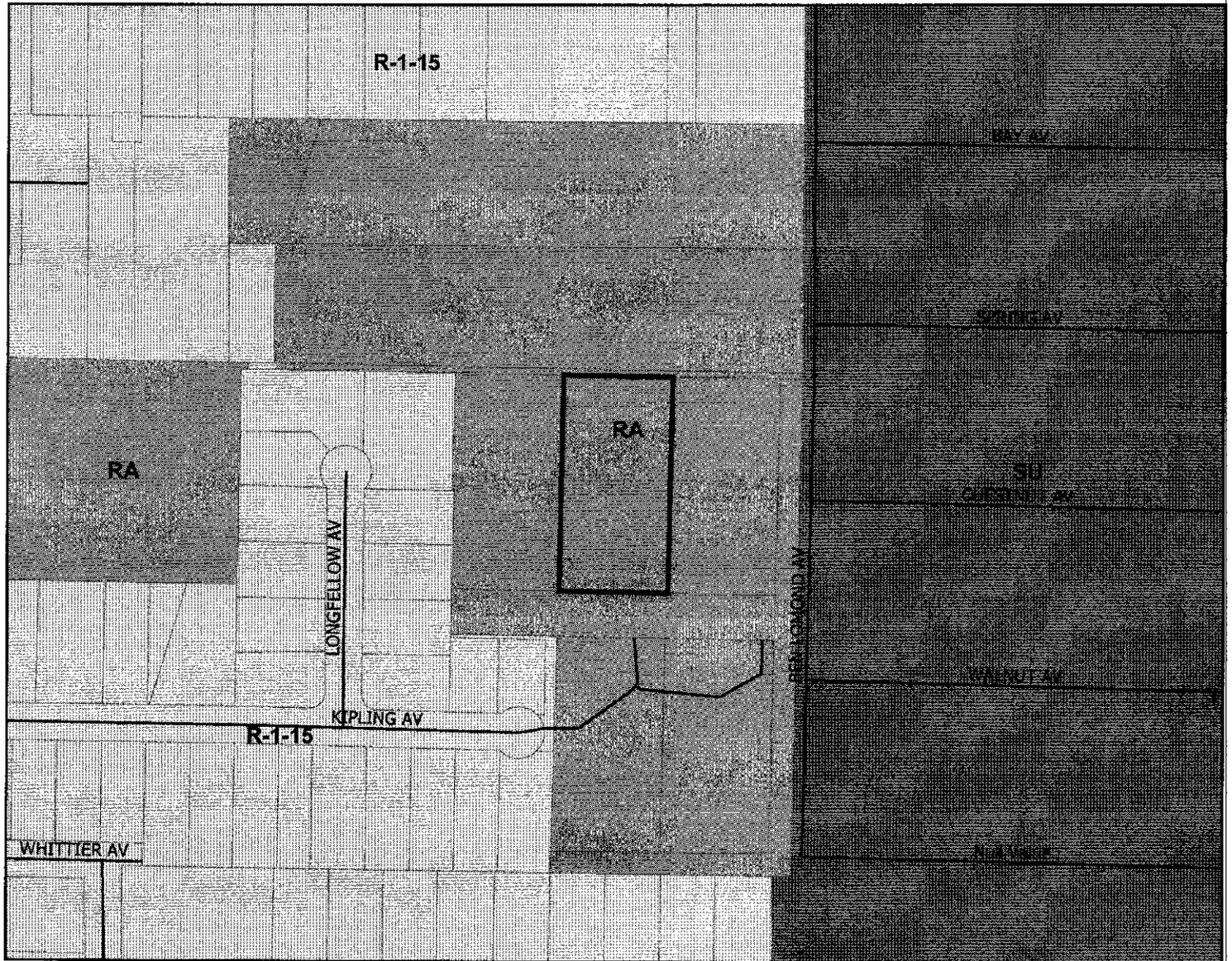
Note - Assessor's Parcel & Block
Numbers Shown in Circles.

Assessor's Map No. 77-07
County of Santa Cruz, Calif.
Jan., 2001

EXHIBIT E

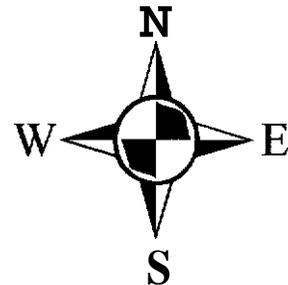


Zoning Map



Legend

-  APN 077-073-18
-  Streets
-  Assessors Parcels
-  PERENNIAL STREAM
-  AGRICULTURE RESIDENTIAL (RA)
-  RESIDENTIAL-SINGLE FAMILY (R-1)
-  SPECIAL USE (SU)



Map Created by
 County of Santa Cruz
 Planning Department
 February 2005

EXHIBIT F



SAN LORENZO VALLEY WATER DISTRICT

13060 Highway 9 • Boulder Creek, CA 95006-9119

Office (831) 338-2153 • Fax (831) 338-7986

Website: www.slvwd.com

March 2, 2005

Ken Gerard
430-4671

Bob Allen
295 Kipling Ave
Ben Lomond Ca 95005

Subject: Request for Meter Service
APN: 77-073-18

Dear Customer:

The District has on **file** your request for meter service on the above parcel

Your request has been:

- Approved. Please come to the District to pay your connection charges
- Approved. Please bring your plumbing plans and sprinkler system flow requirement to the District to determine the cost of the water connection.
- Conditions. Please contact the District office to discuss and make necessary arrangements.
- Denied. Please contact the District office to discuss this meter request if you have any questions.

- **Approval can be withdrawn at any time.**
- **Water service is never guaranteed until service has been approved, sized and all fees paid.**
- **Any addition of plumbing futures and/or residential fire sprinkler system to the existing water service requires an additional review by District staff and approval for compliance with meter suing District Ordinances.**

If you have any questions regarding this matter, please contact our office

Sincerely:

Roxanne Spring

Roxanne Spring
Senior Customer Service/Accounts Specialist

EXHIBIT G

DOMESTIC or JOINT DOMESTIC/RESIDENTIAL FIRE SERVICE-METERREVIEW

Request Date 2/25/05 APN 77-073-18

Why Adding second unit (garage conversion)

Existing water sources: None Well Spring Meter Account # 81-0056-050

Owner's Name Allen

Existing Units 1

MAIL TO: Bob Allen

Units to be built 1

295 Kipling Ave

Pad Elevation ±500'

Berkeley Ca 94705

Phone _____

ENGINEERING REVIEW: Date _____ Reimbursement Agreement for Parcel NA

4" Main New parcel, Existing meter, Possible low pressure.

In/Out District IN
Tank Elevation 575
Main Size 4
Zone 16

Engineering Department

FIELD OPERATION REVIEW: Date 3/2/05 Backflow Needed _____

More low pressure problems
Need fire flow and pressure record (NSM)

DC _____ RP _____

Operations Superintendent

WATERSHED ANALYST REVIEW: Date _____

Watershed Analyst

MANAGER REVIEW: Date 3/2/05 Approved Conditions _____ Denied _____

NEED TO SUBMIT PLUMBING & FIRE SPRINKLER DATA TO DISTRICT ENGINEER

District Manager

SECOND MANAGER REVIEW: Date _____ Approved _____ Agreement _____

District Manager

95 Kipling

FIRE REQUIREMENTS FOR NEW CONSTRUCTION AND ADDITIONS

In order to expedite your plan approval process for the jurisdictional area(s) protected by Ben Lomond Fire District, be sure the following requirements, if applicable, are shown on your building plans. An annotated copy of this letter may be incorporated into your plans with the appropriate fire protection notes checked and completed.

- 1. These plans are in compliance with the California Building & Fire Codes (1997) as amended by the FD's authority having jurisdiction and local District Amendments
- 2. Each APN (lot) shall have separate submittals for buildings and sprinkler plans.
- 3. All job copies of the building and fire system plans and permits shall be on site during inspections.
- 4. If building is other than R-3 (residential), note:
 - a. Occupancy Classification: _____
 - b. Building Construction Type: _____
 - c. Fire Rating: _____
 - d. Sprinklered _____, Non Sprinklered _____
- 5. If building is other than R-3, note the occupancy load of each area and where the exit signs will be posted.
- 6. When the property is to be supplied by a public water system, show on the plans a public hydrant located within 500' of any portion of the structure, along the fire department access route.
- 7. Private fire hydrants shall be painted red. Public hydrants shall be painted (yellow) in accordance with the State of California Health and Safety Code.
- 8. Private fire hydrants shall be located between 50' to 150' from the structure, and between 6' and 8' from the driveway/road.
- 9. A _____ gallon water tank shall be installed. (A minimum of 4,000 gallons is usually required for a single-family dwelling not having a public water supply. If the building or addition is not required to be sprinklered 4000 gallons must be dedicated for fire control. If the building is to be sprinklered, all required water storage may be used for both fire control and domestic uses.
- 10. Building(s) shall be protected by an approved automatic sprinkler system. The system shall comply with the current adopted edition of NFPA 13B (13 or 13D) and chapter 35 of the California Building Code and adopted standards of the authority having jurisdiction.
- 11. All additions to buildings equipped with an existing automatic fire sprinkler system shall be protected by an automatic fire sprinkler system complying with the currently adopted NFPA _____ (13 or 13D) and chapter 35 of the California Building Code and adopted standards of the authority having jurisdiction.
- 12. When servicing more than 100 sprinklers, an approved central, proprietary, or remote station shall supervise the system.
- 13. On remodels or alterations, facility already equipped with an automatic fire sprinkler system shall show the existing sprinklers on a reflected ceiling plan.
- 14. The designer/installer shall submit three (3) sets of plans and calculations for the underground and overhead Automatic Fire Sprinkler System to Ben Lomond Fire District for approval and issuance of a permit.
- 15. An underground water system plan for fire protection shall be prepared and submitted to Ben Lomond Fire District for the issuance of a permit. (There is a separate permit and fee not included with your building permit). A handout guide illustrating the requirements is available.

EXHIBIT

16. Address numbers shall be four (4) inches in height on a contrasting background and visible from the street, additional numbers and directional signs may be required at the entrance to the driveway/access road and at all intersections. Numbers shall be posted on the house.
17. The installation of an approved spark arrester is required on all chimneys. The wire mesh shall be ½ inch - 16 gauge welded wire.
18. The roof covering shall be Class A rated. (No less than Class C rated roof is permitted. Due to particular localized fire hazards a Class A or Class B may be required).
19. A minimum ^{50'} ~~50~~-foot clearance of all flammable vegetation shall be maintained around all structures or to the property line. (More clearance may require if fire hazard conditions dictate.)
20. Access roads and driveways serving 2 or less dwellings shall be a minimum of 12 feet in width.
21. Access roads serving 3 or more dwellings shall be a minimum of 18 feet in width.
22. All roads with grades of 15% or less shall have 6 inches of 95% compacted, type 2 base rock.
23. Road grades exceeding 15% shall have 2" of asphalt over 6" of 95% compacted, type 2 base rock.
24. Grades from 15% to the maximum of 20% shall not be longer than 200'.
25. All bridges, culverts and crossings shall meet Cal-Trans H-20-44 loading standards and have a minimum rated capacity of 25 tons. Rated capacities shall be certified by a registered civil engineer. All bridges shall have the rated capacity posted on both entries. Bridges shall be as wide as the road serviced and have guardrails. Guardrails shall not reduce the road width.
26. Access/driveways exceeding 150' in length shall have adequate turning radius. (See Turnaround Handout).
27. Access / driveway shall not end farther than 150' from any portion of a structure.
28. Access and driveway gates shall not be installed within the jurisdiction of Ben Lomond Fire District without the review, and approval the Fire Chief.
29. The street/access road shall be named and addressed by the County Office of Emergency Services. Street signs shall be posted and maintained as per the County Public Works Department. Green and white style signs shall be used.
30. An official copy of the duly recorded private road maintenance agreement shall be provided. For those roads without formal maintenance agreements the formation of such an agreement shall be required.
31. Smoke detectors shall be required in all new residence construction or remodels with the following conditions and locations:
- One detector adjacent to each sleeping area (hall, foyer, balcony, or etc).
 - One detector in each sleeping room.
 - One at the top of each stairway of 24" rise or greater and in an accessible location by a ladder.
 - There must be at least one smoke detector on each floor level regardless of area usage.
 - There must be a minimum of one smoke detector in every basement area.
 - New construction requires - detectors to be wired to 110 AC with battery backup and interconnected.
33. 72 hour minimum notification required prior to any inspection and/or test.

Note: As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with applicable Specifications, Standards, Codes and Ordinances, agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review, subsequent review, inspection or other source, and, to hold harmless and without prejudice, the reviewer and reviewing agency

EXHIBIT

Rev. (2/27/04)

BFW - Req for New Const. Ben Lomond

APN 077-073-18 – Discretionary Permit

VARIANCE EXPLANATION

- The structure utilized for the garage conversion is an existing building and will not involve further disruption of the environment.
- The street is not physically existing on the ground. It is a "paper" street.
- ~~The proposed~~ conversion will not negatively impact adjacent ~~properties'~~ views or privacy.
- The granting of this variance will be in harmony with the intent and purposes of the zoning objectives since it will not effect the surrounding properties. The proposed conversion of the garage will not impair site distance and will not be detrimental to persons or properties in the area.
- This project is in conformance with and will meet all the standards including lot coverage, height, floor area ratio, and parking.
- The granting of the variance will not constitute a granting of a special privilege in that other properties of similar circumstance would be given the same consideration.

Bob and Cory Allen
Owners

March 7, 2005

Randall R. H. Adams
Development Review Planner
County of Santa Cruz
Planning Department
701 Ocean Street, Room 400
Santa Cruz, CA 95060

Randall,

Thank you for your time today in reviewing our plans and walking **the** property.

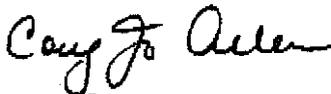
We are attaching the original Building Permits for the House/Garage. The retaining wall **was** built with the original **house** in **1982**. **You** will note the garage foundation was built for **two** stories.

We are planning to **remove** the **Shed (west side of** the garage structure), the portable propane tank and the carport canopy before construction.

If you have any further questions, **please feel** free to contact **us at** 336-8401.

Thank you again for your time

Cordially,



Bob and Cory Allen
Owners