

Agenda Date: 8/18/06  
Agenda Item: 1  
Time: After 10:00 a.m.



## Staff Report to the Zoning Administrator

Application Number: 06-0375

**APPLICATION NO.** 06-0375

APN: 065-143-14

**APPLICANT:** Shawn Wees

**OWNER** Ian And Amy Carney

**PROJECT DESCRIPTION:** Proposal to elevate an existing single family dwelling, construct a new foundation and storage below, and construct new decks, stairways, and landings.

**LOCATION:** The project is located on the northwest side of Park Avenue, (150 Park Avenue), about 250 feet southwest from Graham Hill Road in Felton.

**PERMITS REQUIRED:** Variance to increase the maximum 28 foot height limitation to about 32 feet, six inches, and to decrease the minimum 20 foot front yard setback to about 18 feet.

**ENVIRONMENTAL DETERMINATION:** Exempt per CEQA Section 1805(a)

**COASTAL ZONE:** yes  no

### PARCEL INFORMATION

**PARCEL SIZE** 12,000 square feet

**EXISTING LAND USE:** PARCEL Residential

**SURROUNDING:** Residential and recreational

**PROJECT ACCESS:** An existing baserock driveway off Park Avenue, a 40 foot wide right-of-way which is paved and privately maintained.

**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
- h. 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 along San Lorenzo River; none on site.
- f. None proposed.
- g. No trees will be removed.
- h. Not within a scenic corridor or visible from a highway.
- i. Drainage improvements will be installed per plans.
- j. No significant impact.
- k. No roads will be effected.

**STAFF REPORT TO THE ZONING ADMINISTRATOR**

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SERVICES INFORMATION

W/in Urban Services Line: y e s 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.

The existing home is 24'8" in height. It consists of a 1000 square foot living area and a 180 square foot nonhabitable attic within a dormer. It is required that the home be elevated eleven feet to be above the base flood elevation. This results in a **32** foot, six inch structure measured from grade to peak of the roof of the attic, and 21 feet if measured from base flood elevation. The entry to the 1000 square foot habitable level will be elevated with that portion of the building, and new stairs will be required to access the entry. The landing at the top of the **stairs** is required to be **36** inches in width per the Uniform Building Code. The posts supporting the landing will be only 18 feet from the edge **of** the right of way. The required setback to the support posts is 20 feet to the right of way.

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.06-0375**, based on the attached findings and conditions.

EXHIBITS

- A. Project Plans
- B. Variance Findings
- C. Development Permit Findings
- D. Conditions
- E. Environmental Determination
- F. Zoning Map
- G. General Plan Map

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**Application: 06-0375**

**H. Location Map**

**I. Assessor's Parcel Map**

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

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

## VARIANCE FINDINGS:

1. THAT BECAUSE OF SPECIAL CIRCUMSTANCES APPLICABLE TO THE PROPERTY, INCLUDING SIZE, SHAPE, TOPOGRAPHY, LOCATION, AND SURROUNDING EXISTING STRUCTURES, THE STRICT APPLICATION OF THE ZONING ORDINANCE DEPRIVES SUCH PROPERTY OF PRIVILEGES ENJOYED BY OTHER PROPERTY IN THE VICINITY AND UNDER IDENTICAL ZONING CLASSIFICATION.

*Special circumstances applicable to this property include its location within the floodway. The floodway is described as extremely hazardous due to the velocity of the moving water and debris that it carries. This requires that the structure be elevated which, depending on the size of the existing unit, may result in a building higher than the 28foot height limitation. In this case the existing building is 24feet, 8 inches in height so the elevation of it will result in a 32foot, 6 inch high structure. A floodproof storage area will be built under the habitable area to support it up and out of the hazardous floodway.*

*The other portion of the variance is to setback requirements. The special circumstances associated with this variance is the location of the existing structure. The entry to the unit will be elevated with the habitable portion of the building. New stairs will be required to access the entry. It is required by the Uniform Building Code that a 36 inch wide landing be constructed at the top of the stairs. The posts supporting the landing will be only 18feet from the edge of the right of way. The required setback from the edge of the right of way is 20feet. The landing will not meet the required front yard setback. This is due to the location of the existing home and the need to access the elevated structure.*

2. THAT THE GRANTING OF THE VARIANCE WILL BE IN HARMONY WITH THE GENERAL INTENT AND PURPOSE OF ZONING OBJECTIVES AND WILL NOT BE MATERIALLY DETRIMENTAL TO PUBLIC HEALTH, SAFETY, OR WELFARE OR INJURIOUS TO PROPERTY OR IMPROVEMENTS IN THE VICINITY.

*The granting of the variance will be in harmony with the general intent and purpose of zoning objectives and will not be materially detrimental to public health, safety, or welfare or injurious to property or improvements in the vicinity in that the height and location of the building will not effect the neighbor's privacy, solar access, or open space. Privacy fences exist which will not be affected by the project.*

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 28foot height limitation to 32feet, 6 inches and reduce the required 20front yard setback to about 18feet will not constitute 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 and existing building location have similarly been granted the same. The project is therefore, not a grant of special privileges inconsistent with the limitations upon other properties in the Felton Grove vicinity.*

**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 improvements 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. The parcel is 12,000 square feet and there are no neighboring homes which will be negatively effected by the increase in height.*

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

*The project site is located in the R-1-15-GH zone district. The project is consistent with the specific purposes of the R-1 zoning to provide areas of primarily residential use, protected from the incompatible effects of nonresidential land uses. The project will not interfere with the surrounding recreational, commercial, and public land 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 06-0375  
Property Owner: Ian And Amy Carney  
Assessor's Parcel No. 065-143-14  
Property location and address: 150 Park Avenue, Felton  
San Lorenzo Valley Planning Area

Exhibits:       A.       Architectural Plans prepared by Deirdre Bailey design dated 7/17/06

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

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

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

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

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

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

c. A site plan showing the location of all site improvements, including, but not limited to, landscaping, points of ingress and egress, parking areas, and accessory **structures**. The site plan shall indicate vegetated areas and type of vegetation. Indicate that some of the downspout discharge flows into the vegetated areas on the parcel. Show limits of the proposed gravel driveway. Not more than 50% of the front yard shall be used for parking and driveway. Indicate on the site plan that existing redwood trees shall be trimmed but not removed. Indicate on the site plan that they will be surrounded by orange construction fencing during the construction project.

2. Meet all requirements of the Department of Public **Works**, Zone 8.
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.

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. Submit the elevation certificate verifying the structure is raised to the correct elevation.

IV. Operations Conditions

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1. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, **up** to and including permit revocation.
  
3. All landscaping shall be permanently maintained.

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

Conditions verified by \_\_\_\_\_  
Don Bussey, Deputy Zoning Administrator

Date \_\_\_\_ / \_\_\_\_ /2001

**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.

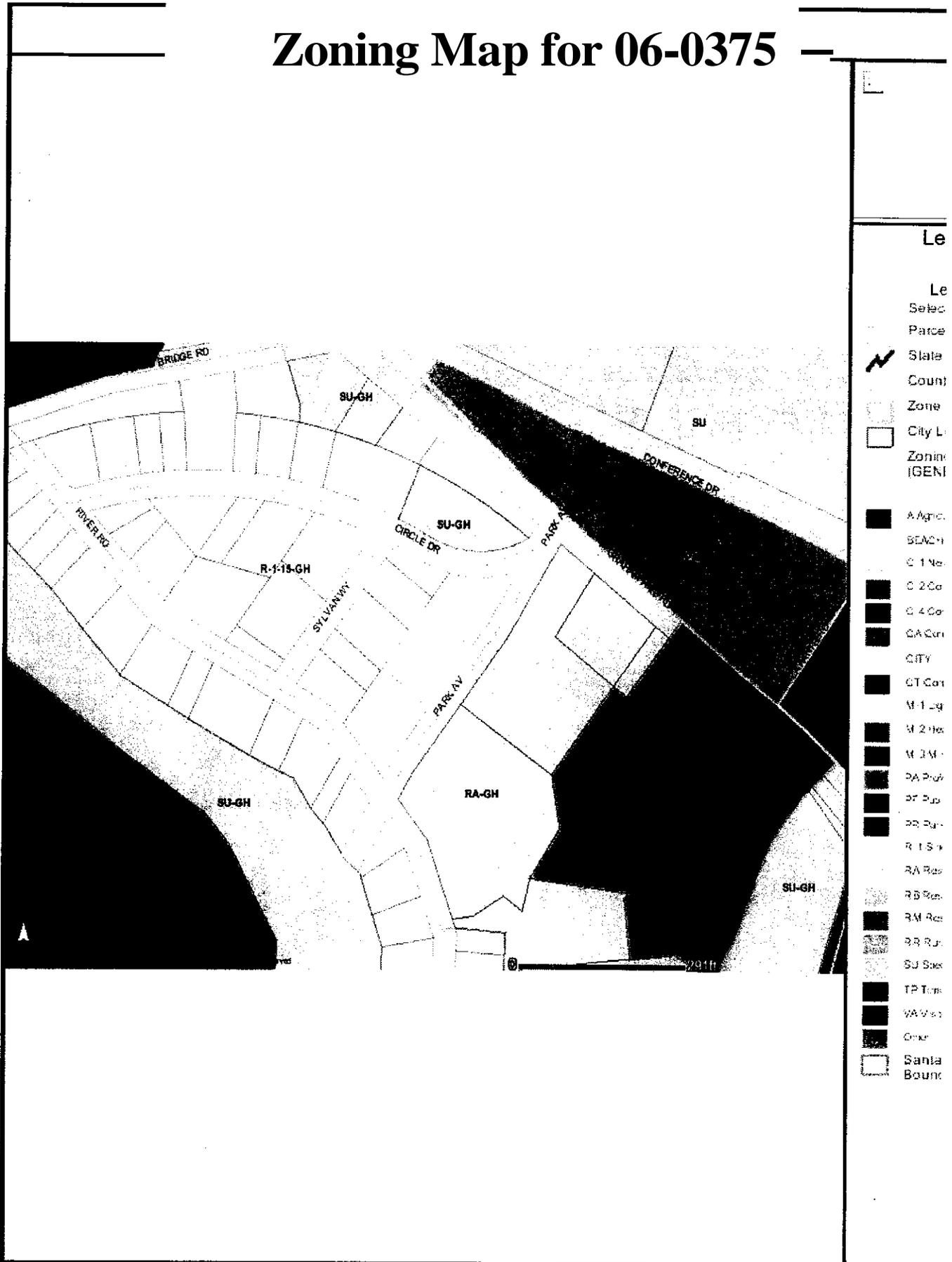
Application No. 06-0375534  
Assessor's Parcel No. **065-143-14**  
Project Location: The project is located on the northwest side of Park Avenue at 150 Park Avenue in Felton Grove.  
Project Description: The project proposes to elevate and relocate an existing single family dwelling.  
Person or Agency Proposing Project: Shawn Wees for Ian and **Amy** Carney

- A. \_\_\_\_\_ The proposed activity is not a project under CEQA Guidelines, Sections 1928 and SO 1  
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  
 1. Existing Facility  
\_\_\_\_\_ 2. Replacement or Reconstruction  
\_\_\_\_\_ 3. **New** Construction of Small Structure  
\_\_\_\_\_ 4. Minor Alterations to Land  
\_\_\_\_\_ 5. Alterations in Land Use Limitations  
\_\_\_\_\_ 6. Information Collection  
\_\_\_\_\_ 7. Actions by Regulatory Agencies for Protection of the Environment  
\_\_\_\_\_ 8. Actions by Regulatory Agencies for Protection of Nat. Resources  
9. Inspection  
\_\_\_\_\_ 10. Loans  
\_\_\_\_\_ 11. Accessory Structures  
\_\_\_\_\_ 12. **Surplus** Govt. Property Sales  
\_\_\_\_\_ 13. Acquisition of Land for Wild-Life Conservation Purposes  
\_\_\_\_\_ 14. Minor Additions to Schools  
IS. Minor Land Divisions  
\_\_\_\_\_ 16. Transfer of Ownership of Land to Create Parks  
E. \_\_\_\_\_ Lead Agency Other Than County:
- \_\_\_\_\_ 17. Open Space Contracts or Easements  
\_\_\_\_\_ 18. Designation of Wilderness **Areas**  
\_\_\_\_\_ 19. Annexation of Existing Facilities/Lots for Exempt Facilities  
\_\_\_\_\_ 20. Changes in Organization of Local Agencies  
\_\_\_\_\_ 21. Enforcement Actions by Regulatory Agencies  
\_\_\_\_\_ 22. Educational Programs  
\_\_\_\_\_ 23. Normal Operations of Facilities for Public Gatherings  
\_\_\_\_\_ 24. Regulation of Working Conditions  
\_\_\_\_\_ 25. Transfers of Ownership of Interests in Land to Preserve Open Space  
\_\_\_\_\_ 26. Acquisition of Housing for Housing Assistance Programs  
\_\_\_\_\_ 27. Leasing New Facilities  
\_\_\_\_\_ 28. Small Hydroelectric Projects at Existing Facilities  
\_\_\_\_\_ 29. Cogeneration Projects at Existing Facilities

\_\_\_\_\_  
Darcy Houghton, Project Planner

Date: 08/03/06

# Zoning Map for 06-0375



# General Plan Map for 06-0375

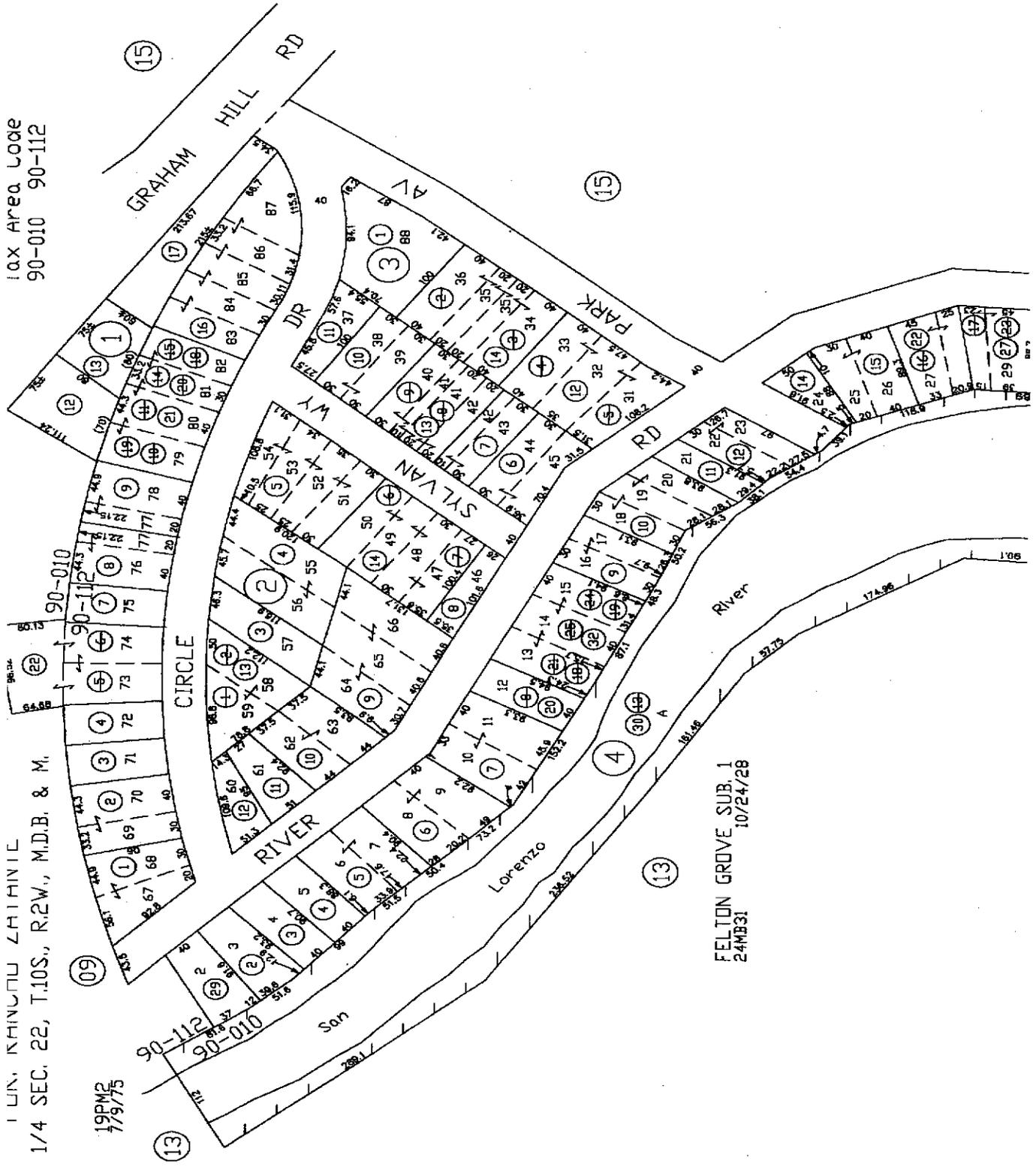
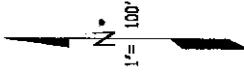
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BY



65-14

10X Area Code  
90-010 90-112

1/4 SEC. 22, T.10S., R.2W., M.D.B. & M.  
19PM2  
7/9/75



FELTON GROVE SUB. 1  
24MB31  
10/24/28

FOR TAX PURPOSES ONLY  
THE ASSessor MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY  
LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.  
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electronically Redrawn 4/17/00 nvn  
v. 5/25/00 GG (Tax Code Change)  
v. 3/18/00 CB (Form E-14)  
v. 8/7/01 nvn (changed page refs.)

# Assessor's Parcel Map for 06-0375

Note - Assessor's Parcel & Block  
Map is shown in blue ink