

Staff Report to the Zoning Administrator

Application Number: 151186

Applicant: Noel Cross

Owner: Richard Wohlstadter

APN: 032-222-16

Agenda Date: October 16, 2015

Agenda Item #: 3 Time: After 9:00 a.m.

Project Description: Proposal to demolish an existing 940 square foot one-story single-family dwelling and to construct a replacement 1,124 square foot two-story single-family dwelling with a 439 square foot non-habitable basement and a 244 square foot attached garage, to grade approximately 180 cubic yards and to amend Vacation Rental Permit 111598 (for a two bedroom vacation rental) to permit a three bedroom vacation rental with occupancy of up to 8 guests; 5 automobiles, and 16 people permitted at celebrations or gatherings (allowed only between 8:00 am and 10:00 pm). Requires a Coastal Development Permit; a Variance to reduce the required rear yard setback at the second floor from 15 feet to 5 feet at bedroom three; Minor Exceptions to increase the allowed lot coverage from 40% to 46%, increase the allowed FAR from 50% to 55.9%, reduce the street side yard setback at the lower floor from 10 feet to 8 feet 7½ inches, reduce the rear setback from 15 feet to 12 feet 9 inches and reduce the required 20 foot setback to a garage entrance to 18 feet 5½ inches; Pleasure Point Exceptions to reduce the required 10 foot setback at the second floor to 9 feet 9 inches for the interior side and 8 feet 7½ inches at the street side, and a Residential Development Permit to reduce the rear yard to 6 inches for the garage, and Preliminary Grading Review. This application includes a Soils Report Review.

Location: Property located on the west side of 35th Avenue (301 35th Avenue) at the intersection with St Deyns Street.

Supervisorial District: First District (District Supervisor: John Leopold)

Permits Required: Coastal Development Permit, Variance, Minor Exceptions, Pleasure Point Exceptions, Amendment to Vacation Rental Permit111598, Preliminary Grading Review

Technical Reviews: Soils Report Review (REV151057)

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 151186, based on the attached findings and conditions.

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

Exhibits

A. Categorical Exemption (CEQA E. Site and Development Standards determination) chart. F. Assessor's, Location, Zoning and В. **Findings** General Plan Maps Conditions C. Three-dimensional views G. D. Project plans

Parcel Information

Parcel Size: 2,009 square feet Existing Land Use - Parcel: Residential

Existing Land Use - Surrounding: Residential neighborhood

Project Access: 35th Avenue
Planning Area: Live Oak
Land Use Designation: R-UM (Urban Medium Density Residential)

Zone District: R-1-4-PP (Single-family Residential - Pleasure Point

Combining District)

Coastal Zone: X Inside Outside
Appealable to Calif. Coastal X Yes No

Comm.

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site

Soils: See Soils Report on file Fire Hazard: Not a mapped constraint

Slopes: Site is roughly level

Env. Sen. Habitat: Not mapped/no physical evidence on site Grading: Grading of 180 cubic yards (for basement)

Tree Removal: No trees proposed to be removed

Scenic: Not a mapped resource
Drainage: Existing drainage adequate

Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line:XInsideOutsideWater Supply:City of Santa Cruz Water Department

Sewage Disposal: City of Santa Cruz Water Department Santa Cruz County Sanitation District

Fire District: Central Fire Protection District

Drainage District: Zone 5

History

The existing dwelling on the parcel was constructed in 1948, prior to Building Permit requirements, as a one-story dwelling with two bedrooms, one bathroom and an attached one-car garage. Permits were issued for repairs and upgrades to the structure in 1966 and 1969 and in

1987 the wall fronting on to 35th Avenue reconstructed after having been hit by a car. At some time after 1987 the attached garage was converted to living space without permits, resulting in the current three bedroom on the site.

On November 29, 2011 subject to Permit 111598, the existing house was approved for use as a two bedroom Vacation Rental for a period of five years (the unpermitted third bedroom in the former garage was not recognized). The occupancy of this rental was limited to 6 guests (2 per bedroom + 2 additional); the number of automobiles allowed is 4; and the number of people permitted at celebrations or gatherings (allowed only between 8:00 am and 10:00 pm) was 12 (twice the number of guests allowed).

Project Setting

The parcel is located in a mixed neighborhood that includes an eclectic mix of one and twostory houses. Interspersed with these older homes are an increasing number of newer homes sporting more updated contemporary architectural styles and more refined materials such as stone and stucco siding, metal roofs, shingles and cor-ten steel.

The subject parcel is located on the corner of 35th Avenue and St Deyns Street, approximately 200 feet from the popular East Cliff Drive Parkway, a one-way street that runs along the Pacific coast that has recently been improved to include both pedestrian and bicycle paths that offer unobstructed views of the Monterey Bay.

Existing Conditions

The existing legal nonconforming parcel that was created prior County zoning regulations is only 2,009 square feet in size and is therefore only just over 50% of the required 4,000 square foot minimum parcel size that is currently required for the creation of parcels within the R-1-4 zone district. Further, the site is also encumbered by a patio easement 2 feet 6 inches in width, running along the length of its western property boundary.

The existing home on the parcel includes approximately 940 square feet habitable area developed within a one-story structure. The location of the building is significantly nonconforming to current site and development standards for the zone district in which it is located, in that the house is only 6 feet from the southern property line that fronts onto St Deyns Street, 4 feet 6 inches from the eastern property boundary that fronts onto 35th Avenue, and only 2 feet 3 inches from the northern property boundary. Further, the existing structure has a lot coverage of 46.8%, which exceeds the maximum 45% allowed by the zone district.

As described above, the original garage on the parcel was converted to habitable area without benefit of permits. This garage, if reinstated, would also not meet the minimum 20 foot setback that is required to a garage entrance in that it is located only 10 feet 6 inches from the property boundary at 35th Avenue.

Zoning & General Plan Consistency

The subject property is a substandard parcel of approximately 2,009 square feet, located in the R-1-4-PP (Single-family Residential - Pleasure Point combining district) zone district, a

designation that allows residential uses. The proposed residence is a principal permitted use within the zone district and the zoning is consistent with the site's R-UH (Urban High Density Residential) General Plan designation.

The Pleasure Point Combining District is an overlay or combining district that provides site and development standards that are in addition to those imposed by the site's R-1-4 zoning. These include increased setback restrictions at the second floor to reduce the visual and shading impacts of new and expanded houses on neighboring parcels and homes, and additional restrictions on garage doors and driveways facing street to reduce the impact of automobile-oriented features on residential building facades. In addition, the Pleasure Point Combining District encourages community interaction and orientation towards the street by providing an incentive for the provision of front porches.

This project proposes demolition of the existing nonconforming 940 square foot one-story single-family dwelling that does not include a garage, and the construction of a replacement 1,124 square foot two-story single-family dwelling with a 439 square foot non-habitable basement and a 244 square foot attached garage. The parcel on which the replacement single-family dwelling is to be constructed is extremely restricted due to its small size and also because increased setbacks are required due to its location at a corner. Where an interior lot would require only a 5 foot side yard setback on either side of the parcel, a 10 foot street side yard setback is required along the eastern property boundary of the subject parcel.

It should be noted that, if the original 240 square foot garage were reinstated and a conforming second story addition that did not require any exceptions to setbacks was constructed above the existing footprint, this could result in a dwelling with a Floor Area of about 1,200 square feet, a similar size to the proposed dwelling. This design would only have required a Minor Exception to allow for an increased Floor Area Ratio, similar to that requested for the proposed replacement dwelling. However, this structure would be in lesser conformity overall than the proposed replacement house, in that it would continue to be located only 4 feet 6 inches and 6 feet respectively from 35th Avenue and St Deyns Street and would have a greater lot coverage than the proposed structure. Further, although the garage door would be set back further from the street than the wall of the dwelling, it would not allow for parking on the driveway forecourt and would still be dominant in views from 35th Avenue.

If a structure that was completely conforming to setbacks for the R-1-4-PP zone district were constructed on the parcel, the footprint area would be restricted to a maximum of about 500 square feet. This would allow for only around 260 square feet of living space at the first floor if a garage were included. Available floor area at the ground floor would be further reduced by the provision of a staircase to the second floor. At the second floor, due to increased setbacks imposed by the Pleasure Point Combining District the total floor area would be even smaller, only around 400 square feet, which would then also be reduced by the area of the stairs. Such a house would therefore have a useable floor area that would, at most, total around 600 square feet of living space. Therefore, in order to construct a reasonably sized modern dwelling that includes a garage, reduced setbacks and an increase in the maximum allowed lot coverage and floor area ratio are required to be approved.

Due to the special circumstances of this parcel, the applicant was encouraged to construct a replacement dwelling that utilized Minor Exceptions to site standards to allow for a relocated

structure of a similar size to one that could be build by just adding a conforming second floor to the existing nonconforming house, that would be in greater conformance with the overall intent and purpose of the zone district standards. Further, the new dwelling would allow for a more aesthetically pleasing design and for landscaped front and street side yard areas to result in an overall improvement in the neighborhood character.

As specified in County Code section 13.10.235 Minor Exceptions may be approved on parcels that are located within the Urban Services Line, to permit small reductions in the required setbacks and also minor increases in height and lot coverage. On parcels of less than 4,000 square feet an increase in the Floor Area Ratio (FAR) for the zone district may also be approved. The proposed replacement dwelling will comply with the maximum 28 foot height limit but will require the approval of several Minor Exceptions to allow for reduced setbacks and also for an increase in the allowed FAR and lot coverage requirements of the R-1-4 zone district. In addition, because the Pleasure Point combining district imposes additional setback restrictions at the second floor, two Pleasure Point Exceptions are required to be approved in accordance with County Code section 13.10.447 to reduce these second floor setbacks. Further, the approval of a Variance to the rear yard setback subject to County Code section 13.10.230 has been requested to allow for the provision of a small third bedroom with a half bath (118 square feet total) to be constructed over the garage at the rear of the structure.

For the subject parcel, which is roughly square and which allows for a reduced front setback along St. Deyns Street with front yard averaging, the resulting dwelling does not have one yard that is clearly the rear yard. Therefore, the rear yard of this parcel is in many ways analogous with a side yard setback, especially since the garage and main entrance will face onto 35th Avenue. The proposed addition, which will located 5 feet from the northern property line, therefore is similarly located to many second floor portions of other two-story dwellings in the neighborhood that were constructed prior to the implementation of the Pleasure Point combining district.

The requested variations from site standards are shown in the table below: A complete comparison of the site standards required by the zone district, proposed for the project, and currently existing at the site are set out in Exhibit E of this report.

REQUESTED SETBACK REDUC	ΓΙΟΝS
South elevation	1 foot 8 inches (portion of upper floor only)
(Facing St Deyns Street)	
East elevation	1 foot 4½ inches (both floors)
(Facing 35 th Avenue)	
North elevation	2 feet 3 inches (lower floor and portion of the upper floor)
(adjacent to 329 35 th Avenue)	10 feet (portion of the upper floor)
	7 feet (garage)
West elevation (adjacent to 3427	3 inches (upper floor only)
St Deyns Street)	
REQUESTED INCREASES IN FLO	OOR AREA RATIO AND LOT COVERAGE
Lot coverage	122 square feet (1% more than the 45% standard)
Floor Area Ratio	120 square feet (0.059 more than the 0.5 standard)

A reduction in setbacks and an increase in the maximum FAR and lot coverage would be consistent with the character of the surrounding homes in the neighborhood, many of which were constructed on small lots before zoning requirements and are nonconforming to site standards. This includes the existing dwelling on the parcel, which is constructed very close to 35th Avenue and St. Deyns Street and also exceeds the maximum lot coverage. The proposed replacement dwelling would result in an increase in the setbacks to both 35th Avenue and St. Deyns Street and also a reduction in lot coverage from the existing development. The requested Variance to reduce the rear yard at the second floor from 15 feet to around 5 feet would allow for the construction of a small, 90 square foot third bedroom and 28 square foot half bathroom above the garage. A complete list of Variance findings, Minor Exception and Pleasure Point Exception findings are included as Exhibit B of this report.

To allow for the construction of a modern functional permanent residence, and also to allow for a superior design that includes articulation of the facades and varied wall lines, the proposed dwelling has been designed to reflect the allowed minor reductions in setbacks and increase in lot coverage and FAR that can be approved subject to the approval of Minor Exceptions as set out in County Code section 13.10.235. The dwelling has also been designed in accordance with the general intent of the Pleasure Point Combining District, in that the home incorporates increased second floor setbacks on the west side of the parcel and the garage entry has been fully recessed into the building façade where it fronts on 35th Avenue and has a covered porch fronting onto 35th Avenue. The design of the proposed dwelling also includes a 439 square foot basement located below the structure which is proposed to be used for storage. This non-habitable basement will have no internal access to the dwelling and will have no windows. Therefore, except for a staircase leading down to the entrance door, the basement will not be visible in views from the street. Because the ceiling height in the basement will be less than 7 feet 6 inches, the floor area of the Basement is not counted toward FAR for the dwelling.

As proposed, the new dwelling will include three bedrooms. Therefore this application also proposes to amend Permit 111598 for a two bedroom Vacation Rental to allow for a three bedroom vacation rental with a maximum occupancy of 8 people and 16 people permitted at celebrations or gatherings (allowed only between 8:00 am and 10:00 pm). Children under 12 are not counted toward the maximums. In addition, because the number of on-site parking spaces will be increased from two spaces to three spaces, the amended Permit will allow for an increase in the number of vehicles allowed from 4 to 5 cars in accordance with the provisions of County Code section 13.10.694.

Parking

As set out in County Code section 13.10.552(A)(1) a two, three or four bedroom dwelling requires provision of three onsite parking spaces. As proposed the replacement dwelling will include the required three spaces, one within the proposed garage and two located on a paved area that is accessed from 35th Avenue. The existing dwelling includes only two onsite spaces that are accessed from St Deyns Street since the original garage was converted to be a part of the habitable area.

Local Coastal Program Consistency

The proposed single-family dwelling is in conformance with the County's certified Local Coastal Program in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain an eclectic mix of one and two-story single-family dwellings that vary widely in size and architectural styles, and the design submitted is consistent with the existing range of structures.

On both St Deyns Street, including directly opposite the project site, and toward the ocean on 35th Avenue, there are existing two-story structures that all have a similar height and visual presence to the proposed dwelling.

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.

Design Review

The proposed single-family dwelling complies with the requirements of the County Design Review Ordinance and Pleasure Point Design Guidelines, in that the proposed design incorporates horizontal siding, board and batt siding and stucco with muted colors that harmonize with the local beach cottage character. The roof forms are simple, familiar shed and flat roof styles that are found in the neighborhood, and the second story deck and trellis are equally common features. Other site and architectural design features such as a covered porch/parking area and a recessed garage door will break up the visual impact of the proposed development on surrounding land uses and the natural landscape. In addition, the proposed dwelling will be set back further from the street than the existing nonconforming cottage and will include a fenced landscaped yard rather than paved parking areas fronting onto both St Deyns Street and 35th Avenue. In conformance with the Pleasure Point Design Guidelines the garage doors will be set back from the street so that they will not be prominent in views from the neighborhood. Where paving is provided for off-street parking, this will be broken up by areas of groundcover planting laid out in a grid pattern to further reduce the impact of vehicle-serving areas and also reduce the area of impervious surface coverage.

Environmental Review

Environmental Review has determined that the proposed project qualifies for an exemption under the California Environmental Quality Act (CEQA) consistent with the CEQA guidelines in Section 3, New Construction or Conversion of Small Structures (15303), in that the proposed replacement dwelling will be constructed within an area designated for residential uses and, with the approval of a Variance and Minor Exceptions, Pleasure Point Exception and a Residential Development Permit, will conform to all of the required site and development standards for the zone district.

Conclusion

As proposed and conditioned, the project can be determined to 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

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act (Class 15303).
- APPROVAL of Application Number 151186, based on the attached findings and conditions.

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

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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: 151186

	on: 301 35th Avenue, Santa Cruz, CA
Project Descri	iption: Demolish an existing one-story dwelling and construct a replacement two-story dwelling with a basement and an attached garage.
Person or Age	ency Proposing Project: Noel Cross
Contact Phone	e Number: (408) 216 0222
В	The proposed activity is not a project under CEQA Guidelines Section 15378. The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
D	Ministerial Project involving only the use of fixed standards or objective measurements without personal judgment. Statutory Exemption other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).
E. <u>X</u>	Categorical Exemption
Specify type: (Class 3 - New Construction or Conversion of Small Structures (Section 15303)
F. Reason	s why the project is exempt:
Construction o	f a replacement single family dwelling in an area designated for residential uses.
In addition, no	ne of the conditions described in Section 15300.2 apply to this project.
	Date:
Lezanne Jeffs,	Project Planner

Coastal Development Permit Findings

1. That the project is a use allowed in one of the basic zone districts, 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-1-4-PP (Single-family Residential - Pleasure Point combining district), a designation which allows residential uses. The proposed residence is a principal permitted use within the zone district, and the zoning is consistent with the site's R-UH (Urban High Density Residential) General Plan designation. While the standard lot size for the zone district is 4,000 square feet, the subject parcel has a lot area of only 2,009 square feet, and is also encumbered by a patio easement. Therefore the developable lot area is less than 50% of the normal parcel size.

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

The parcel is encumbered by a 5 foot wide patio easement that is centered along the entire length of the western boundary of the site, such that a 2 foot 6 inch wide strip is located on the subject property. The proposed dwelling and attached garage have been designed and laid out such that all parts of the structure are located outside of this easement and therefore this finding can be made.

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 and Section 13.20.140 et seq.

This finding can be made, in that the site is surrounded by lots developed to an urban density, with house designs that vary widely. The proposed development is consistent with the surrounding neighborhood in terms of architectural style in that the surrounding area includes an eclectic mix of one and two- story beach cottages, European chalets, Tahoe-esque A-frames, Mediterranean California Mission style homes, Crafstsman bungalows, clapboard cottages, traditional stucco tract homes, Sea Ranch shingle style structures and minimalist, modern flat roofed beach houses. Interspersed with these older homes are an increasing number of newer homes sporting more contemporary architectural styles and more refined materials such as stone and stucco siding, metal roofs, shingles and cor-ten steel. The proposed dwelling, although smaller due to the very small lot size, has a similar scale to adjacent homes on 35th Avenue and St Deyns, and will incorporate site and architectural design features such as articulated facades, a variety of materials, broken roof lines that include familiar flat and shed roof styles and dormer style windows, the addition of decks with an open trellis above, and a porch overhang, all of which create architectural interest and reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. Further, the house will be set back further from both of the adjacent streets than the existing nonconforming dwelling on the parcel. The proposed dwelling has also been designed in accordance with the intent of the design criteria for the Pleasure Point combining district as set out in County Code section 13.10.446, in that the small-scale replacement house has been designed with increased side yard setbacks at the second floor where the property abuts adjacent residential properties, has a garage that has been recessed in the rear corner of the site to reduce the impact of vehicle related uses on the neighborhood,

and also includes a covered porch area that relates to 35th Avenue but can also function as a third off street parking space when required. The palette of colors that is proposed for the varied exterior materials will be natural soft earth tones that will be complementary to the site. In addition, the proposed dwelling will also be screened and softened by the addition of new landscaping and fencing along the street frontages with St Deyns Street and 35th Avenue, where currently there are only paved parking areas, which will visually upgrade the site and its relationship to the adjacent homes and neighborhood.

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 but is located within the appeals jurisdiction of the California Coastal Commission. Consequently, the proposed project for a replacement dwelling, which will be on a parcel that is currently developed with an existing single-family home, 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. The proposed Amendment to the existing Vacation rental increases public access, recreation and visitor-serving amenities to the area.

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

This finding can be made, in that the structure is sited and designed to be visually compatible, in scale, and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the R-1-4-PP (Single-family Residential - Pleasure Point combining district) zone district, 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, and the design submitted is consistent within the existing range of styles. The certified LCP provides for approval of Minor Exceptions and Variances when a property has special circumstances, such as the very small 2,009 square foot lot size of the subject property, which is also constrained by its location on a corner and therefore requires greater setbacks.

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, other than its location at the intersection of two streets and small size, is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed residence will not deprive adjacent properties or the neighborhood of light, air, or open space, in that, with the approval of Minor Exceptions to some of the required setbacks the allowed lot coverage and FAR for the parcel; Pleasure Point Exceptions for the side yard setbacks at the second floor; and a Variance to allow for a small, flat roofed bedroom at the second floor over a portion of the garage within the required rear yard, the structure meets all current setbacks that ensure access to these amenities. A complete list of Minor Exceptions, Pleasure Point Exceptions and Variance findings is included with the staff report.

The proposed development is proposed on an existing substandard lot that is only 50% of the required parcel size for the zone district. It is additionally encumbered by a patio easement and has additional setback requirements that would not apply to an interior lot, due to its location on a street corner. The proposed reduced setbacks, and increase in lot coverage FAR that are required to allow for a functional permanent home on this small parcel, will not be materially detrimental to public health safety and welfare or injurious to property or improvements in the vicinity in that the proposed project has been reviewed by the Department of Public Works, Road Engineering section and it has been determined that reduced setbacks to the dwelling will not obstruct sight lines for traffic travelling along 35th Avenue or turning either out of or on to St Deyns Street. As proposed the replacement dwelling will be set back much further from the street than the existing nonconforming dwelling on the parcel.

Vacation Rentals are an allowed use in a residential zone district subject to conditions of approval that protect the health safety and welfare of 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 residence on such a small, substandard lot, 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-1-4-PP (Single-family Residential - Pleasure Point combining district) zone district, as the primary use of the property will be one residence that, with the approval of Minor Exceptions to some of the required setbacks and allowed lot coverage and FAR for the parcel; Pleasure Point Exceptions for the side yard setbacks at the second floor; and a Variance to allow for a small, flat roofed bedroom at the second floor over a portion of the garage within the required rear yard, the structure meets all

current setbacks and site standards for the zone district. The resulting dwelling will be a reasonably sized permanent house set within a built-up residential neighborhood. The new house will be smaller than the average size of many of the nearby homes, especially those located further south, closer to the coastline. A complete summary of Minor Exceptions, Pleasure Point Exceptions and Variance findings is included in the staff report.

The proposed garage is located 2 feet 6 inches from the west side property line in accordance with County Code 13.10.323(A), that allows for garages to be located at 50% of the required setback for the zone district by right. The required side setback is 5 feet and the proposed garage therefore conforms to this provision. However, in accordance with County Code 13.10.323(C), which, on urban lots of less than 10,000 square feet, side and rear setbacks for garages are allowed to be reduced to zero feet, subject to the approval of a Development Permit. Therefore the garage has been proposed to be located 6 inches from the rear property line as allowed by the code. It is common in this area that garages have similarly reduced setbacks to property lines. For example, the original garage on the parcel was located just 2 feet 3 inches from this property line, and the garage on the lot immediately to the north of the parcel has a garage that is located approximately 1 foot from the north side of that same property line. The approval of a garage for the residence that has a setback 6 inches to the rear property line, is therefore appropriate, particularly because of the extremely small size and restricted developable area on the parcel on which it will be located. It is also consistent with the requirements of the Pleasure Point Combining District that encourages garages to be set back away from streets to reduce garage door dominance. No windows or other openings are proposed on the walls of the garage where it will be less than 5 feet from a property line.

In addition, due to the small substandard parcel, with a width of only just over 40 feet, it was not possible to provide a garage with sufficient length to accommodate a vehicle parking space, that meets the allowed reduction in the side yard setback, does not encroach into the patio easement, and also meets the required 20 foot setback to a garage entrance. Therefore a Minor Exception is also appropriate to reduce this setback to 18 feet 5½ inches, sufficient distance from 35th Avenue to allow for the provision of a minimum 18 foot parking space that meets the standards for off-street parking facilities set out in County Code section 13.10.554. The proposed location of the garage will therefore allow for the provision of three parking spaces on the parcel, as required by County Code section 13.10.552, one of which will be enclosed.

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 R-UH (Urban High Density Residential) land use designation in the County General Plan. A specific plan has not been adopted for this portion of the County.

However, the parcel is located within the Pleasure Point Combining District that provides site and development standards that are in addition to those imposed by the site's R-1-4 zoning. These include increased setback restrictions at the second floor to reduce the visual and shading impacts of new and expanded houses on neighboring parcels and homes, and additional restrictions on garage doors and driveways facing street to reduce the impact of automobile-

oriented features on residential building facades. In addition, the Pleasure Point Combining District encourages community interaction and orientation towards the street by providing an incentive for the provision of front porches. The proposed replacement home has been designed in accordance with these provisions in that the proposed garage has been set back into the rear corner of the parcel to the greatest extent possible, without encroaching into the patio easement that encumbers the area along the western property boundary. This results in a significant reduction in the impact of the garage door on the street. In addition, paved parking areas are proposed to be broken up by areas of groundcover planting that will further reduce the appearance of automobile-oriented features. The design also includes a covered porch at the main entrance and increased setbacks at the second floor, although these have been reduced very slightly below those required by the Pleasure Point Combining District. A summary of the findings for an Exception to the Pleasure Point standards is included in this report.

The proposed residence will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties and, with the approval of Minor Exceptions to the required front, rear, and street side yard setbacks and allowed, allowed lot coverage and FAR for the parcel; Pleasure Point Exceptions for the side yard setbacks at the second floor; and a Variance to allow for a small, flat roofed bedroom at the second floor over a portion of the garage within the required rear yard, meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance). As shown by the submitted shade studies, the residence will not adversely shade adjacent properties.

Although the legal nonconforming parcel is extremely small and substandard for the zone district, the proposed residence will be properly proportioned to the parcel size and 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 approval of Minor Exceptions to the required front, rear, and street side setbacks and allowed lot coverage and FAR for the parcel; Pleasure Point Exceptions for the side yard setbacks at the second floor; and a Variance to allow for a small, flat roofed bedroom at the second floor over a portion of the garage within the required rear yard, allows for a dwelling that is in greater conformance with setbacks and lot coverage than the existing nonconforming dwelling on the parcel. Further, by allowing minor reductions in setbacks the proposed residence can incorporate design features such as articulated facades and deck areas that will break up the structure, creating a less monolithic design, and therefore visually reduce the scale of the building and its impact on the neighborhood. The proposed dwelling will comply with the intent and purpose of the R-1-4-PP zone district and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

A complete summary of Minor Exceptions, Pleasure Point Exceptions and Variance findings is included with this report.

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 residence would be constructed on an existing urban lot that is currently developed with a dwelling that has been remodeled to include three bedrooms. The expected level of traffic generated by the proposed replacement three bedroom

home is anticipated to be the same as for the existing three bedroom home, and even if the existing home were two bedrooms, the ITE trip generation manual traffic generation for a two-bedroom dwelling is the same as for a three bedroom home, Therefore development would not adversely impact existing roads or 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 structure is located in a very mixed neighborhood that is developed to an urban density and that containing a wide variety of architectural styles and the proposed residence is consistent with the land use intensity and density of the surrounding area.

6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

This finding can be made, in that the proposed residence will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the site and of the neighborhood in which it is located and will not reduce or visually impact available open space in the surrounding area. Great care has been taken to break up the massing of the structure, by the inclusion of varied materials and a palette of soft, earth-toned colors, by articulation of the facades and a varied roofline that includes familiar flat and shed roof styles found in the surrounding neighborhood. The impact of all automobile related features has also been minimized to the greatest extent possible by setting the garage into the rear corner of the parcel and also breaking up the paved driveway with groundcover plantings. In addition, the dwelling will be set back further from the adjacent streets than the existing structure and will include landscaped yard areas that will enhance the street appeal of the property and add color and texture to the streetscape.

Pleasure Point Exception Findings

Exceptions to the Pleasure Point residential development standards may be granted if the project is found to be consistent with the Pleasure Point Community Design "PP" Combining District purposes, Development Permit Findings and at least one of the following additional findings:

- a. There are special existing site or improvement characteristics or circumstances, including but not limited to the absence of adjacent residential parcels that could potentially be shaded by the proposed development, that appropriately excuses the proposed development from meeting one or more of the development standards; or
- b. The Pleasure Point Community Design "PP" Combining District purposes, found in County Code section 13.10.444, are better achieved by an alternative design; or
- c. The granting of an exception will result in a superior residential design that is consistent with the Pleasure Point Community Design "PP" Combining District purposes, found in County Code section 13.10.344.

The proposed dwelling has been designed in accordance with the general intent of the Pleasure Point Combining District, in that the home incorporates increased second floor setbacks at the second floor and the garage entry has been fully recessed into the building façade where it fronts on 35th Avenue and paved parking areas that have been broken up with a checkerboard design of groundcover plantings. The structure also includes a covered porch fronting onto 35th Avenue that can also be used for additional parking if required.

However, due to the small size of the existing legal nonconforming lot that is only 50% of the required minimum lot size, is further encumbered by a patio easement, and also has increased setbacks along both street frontages, and a need to provide a coherent and livable floor plan, the dwelling has been designed such that the required setbacks at the second floor are reduced. Adjacent to the western property boundary, where the parcel abuts the neighboring residentially developed lot, the setback at the second floor has been reduced by just 3 inches from 10 feet to 9 feet 9 inches. This very minor reduction in the required setback, which allowed for the alignment of the walls at the upper floor with the wall of the interior staircase, resulted in a superior design that will not adversely affect the adjacent home. Adjacent to the eastern property boundary the required 10 foot setback will be reduced by 1 foot 41/2 inches, from 10 feet to 8 feet 7½ inches to be consistent with the reduced street side yard setback at the lower floor that can be approved subject to a Minor Exception in conformance with County Code section 13.10.235. Because the parcel is located on a corner lot that has no adjacent dwellings located along its eastern property line, it is appropriate to allow for the reduction in the required second floor side yard setback in this location since there are no adjacent properties that will be shaded or overlooked by the proposed second floor. Even with these findings it should be noted that the primary special circumstance that justifies the approval of an Exception to the Pleasure Point standards is the small size of the substandard lot on which the proposed dwelling will be constructed.

Therefore, findings for the Pleasure Point Exceptions can be made.

Minor Exception Findings

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

The project proposes the demolition of an existing 940 square foot nonconforming one-story single-family dwelling that includes a garage that has illegally been converted to habitable area, and the construction of a replacement 1,124 square foot two-story single-family dwelling with a 439 square foot non-habitable basement and a 244 square foot attached garage. The special circumstance that applies to this lot is that the subject parcel has a site area of only 2,009 square feet which is only just over 50 % of the size of the minimum 4,000 square feet required for the zone district. In addition to being small and being encumbered by a patio easement the parcel has frontage on to two different streets and therefore has increased setback requirements. Specifically, the street side yard setback to 35th Avenue Street to the east is required to be a minimum of ten feet, where an interior lot would only require a setback of only five feet. Because the parcel is only 40.3 feet wide the imposition of these greater setbacks would make it difficult to develop a livable, modern residence on the parcel. If a structure that was completely conforming to setbacks for the R-1-4-PP zone district were constructed on the parcel, the footprint area would be restricted to a maximum of about 500 square feet. This would allow for only around 260 square feet of living space at the first floor if a garage were included. Available floor area at the ground floor would be further reduced by the provision of a staircase to the second floor. At the second floor, due to increased setbacks imposed by the Pleasure Point Combining District the total floor area would be even smaller, only around 400 square feet, which would then also be reduced by the area of the stairs. Such a house would therefore have a useable floor area that would, at most, total around 600 square feet of useable living space. Therefore, in order to construct a reasonably sized modern dwelling that includes a garage, reduced setbacks and an increase in the maximum allowed lot coverage and floor area ratio are appropriate to be approved.

The maximum allowed lot coverage for the R-1-4-PP zone district is 45% which would allow for a footprint of around 900 square feet. However, as stated above, restrictions imposed by the required setbacks for the zone district would only allow 500 square feet of coverage by structures. The proposed dwelling has therefore been designed in accordance with the provisions of County Code section 13.10.235(B)(2) – Minor Exceptions, that allows for an up to 15% reduction of the required front, rear and side setbacks to allow for a slightly larger structure with articulated facades than could not otherwise be constructed, resulting in a superior design and appearance, on properties with special circumstances such as the subject property.

Except for a small 90 square foot second floor bedroom and 28 square foot half bathroom above the garage located within the rear yard setback that requires the additional approval of a Variance, all of the setbacks for the dwelling are in conformance with or are greater than the maximum reduction that would be allowed with a Minor Exception. As proposed the front yard setback at the second floor will be reduced by 12.2%, the rear yard will be reduced by 15% and the street side yard will be reduced by 13.75% and the setback to the garage entrance will be

reduced by 7.7%. No Minor Exception is required for the interior side yard of the dwelling which exceeds the required setback for the zone district or for the front yard setback at the lower floor that complies with the minimum setback based upon front yard averaging as set out in County Code section 13.10.323(D)(7). It should also be noted that because of the existence of a 2 foot 6 inch wide patio easement along the western property boundary, it was necessary to increase the required interior side yard setback at the lower floor of the dwelling to allow for pedestrian access along the western side of the home, requiring a greater reduction in the street side setback than would otherwise have been required.

The garage has been located 2 feet 6 inches from the west side property line in accordance with County Code 13.10.323(A), that allows for garages to be located at 50% of the required setback for the zone district by right. The required side setback is 5 feet and the proposed garage therefore conforms to this provision. Further, in accordance with County Code 13.10.323(C), which, on urban lots of less than 10,000 square feet, side and rear setbacks for garages are allowed to be reduced to zero feet, subject to the approval of a Development Permit. Therefore the garage has been proposed to be located 6 inches from the rear property line and this setback is appropriate and can be approved together with the permits for this project. In addition, due to the small substandard parcel, that has a depth of only just over 40 feet, it was not possible to provide a garage that met the allowed reduction in the side yard setback and did not encroach into the patio easement, and also met the required 20 foot setback to a garage entrance. Therefore a Minor Exception has also been requested to reduce this setback to 18 feet 51/2 inches, sufficient distance from the property line to allow for the provision of a minimum 18 foot parking space in accordance with County code section 13.10.554 – Standards for off-street parking facilities. The proposed location of the garage will therefore allow for the provision of the required three parking spaces on the parcel, one of which will be enclosed, and will also further the intents and purposes of the Pleasure Point combining district that requires that garage doors be recessed behind the façade of the dwelling to reduce the visual impact of garage doors on the neighborhood.

The maximum allowed floor-area-ratio for the R-1-4-PP zone district is 50% which would allow for a dwelling of 1,004.5 square feet with a 225 square foot garage. County Code section 13.10.235(B) allows for Minor Exceptions to be considered on lots with special circumstances to increase the allowed Floor Area Ratio on lots that are less than 4,000 square feet in size, by up to 7.5% of the total maximum. This would allow an increased floor-area-ratio of 57.5%. As proposed the total floor-area-ratio would be around 55.9%, which is less than the maximum allowed with a Minor Exception.

The proposed lot coverage for the replacement dwelling and garage is 46%, which complies with the additional 6% that is allowed with the approval of a Minor Exception. The existing nonconforming dwelling on the parcel currently has a lot coverage of 46.8% and does not include a functioning garage and therefore the approval of a Minor Exception to will result in a reduction in the coverage of the parcel by structures, while still allowing for the provision of an enclosed garage.

The proposed project is located in a mixed area of older and newer homes that include a wide variety of architectural styles that encompass the design of the proposed house on the subject parcel, and within a neighborhood where almost all of the older homes are nonconforming with respect to setbacks and lot coverage, having been constructed prior to permit requirements.

Newer dwellings on larger parcels in the vicinity are all significantly larger than the proposed 1,124 square foot dwelling on the subject parcel.

The proposed project is therefore in character with other developments in the vicinity that are under identical zoning classification and this finding can be made.

2. That the granting of the Minor Exception 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 proposed reduction in the required front setback at the second floor to 13 feet 2 inches, rear setback at the dwelling to 12 feet 9 inches and to the single story garage to 6 inches, street side yard to 8 feet $7\frac{1}{2}$ inches and setback to the garage entrance to 18 feet $5\frac{1}{2}$ inches and the increase in the maximum FAR on the parcel to around 55.9% and lot coverage to 46%, will not deprive adjacent properties or the neighborhood of light, air, or open space.

The proposed two story dwelling will exceed the required 5 foot side yard setback to the adjacent dwelling to the west and will have an increased front yard setback at the second floor than the adjacent dwellings along St Deyns Street. Further, the proposed front and street side setbacks from St Deyns Street and 35th Avenue will be significantly greater than the current setbacks to the existing nonconforming structure. Although the garage will be located only 6 inches from the rear property boundary, the structure will be a low lying and only one story with a height of only just over 10 feet adjacent to the northern property line. Further, the existing portion of the structure that was originally a garage is currently located only 2 feet 3 inches from the northern property line and therefore the impact of the replacement structure will be similar to that of the existing.

The reduction in setbacks and increase in lot coverage and FAR on this constrained and substandard size lot will result in a dwelling that is smaller than many of the dwellings in the neighborhood, particularly those located closer to East Cliff Drive and the coastal bluff, and a structure that has a reduced lot coverage from that of the existing dwelling on the parcel. The proposed reduction in setbacks will allow for a structure that can be broken up by varied wall planes, articulated surfaces and the inclusion of a deck at the second floor living area to result in a structure that will be less monolithic and boxy than would be allowed under strict compliance with the required site standards. Since many of the adjacent structures are nonconforming to setbacks, the proposed small reduction in setbacks by the approval of Minor Exceptions will be consistent with the neighborhood and not a grant of special privilege. Shadow studies that have been included with the project plans (Exhibit D) show that the proposed structure will not adversely shade adjacent parcels, and the structure will not deprive neighboring homes of light, air and open space. The improved design of the replacement structure, together with new landscaping in areas that were formerly featureless paved parking areas will upgrade the character of the site and neighborhood, and will be in harmony with the general intent and purpose of zoning objectives.

The proposed dwelling will not be materially detrimental to public health, safety, or welfare or injurious to property or improvements in the vicinity. The existing dwelling that is currently located only 4 feet 6 inches from the eastern property boundary and only 6 feet from the southern property boundary will be demolished. The new dwelling will therefore be located further from

the right-of-way for 35th Avenue and St Deyns Street, such that the proposed project will be in greater harmony with the general intent and purpose of zoning objectives for the parcel, by allowing increased access to light, air, open space to the street. Further, the proposed dwelling will not restrict sight lines for traffic travelling along 35th Avenue or for cars turning either out of or on to St Deyns Street.

Therefore this finding can be made.

3. That the granting of a Minor Exception 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 the granting of a Minor Exception to allow for reduced front, rear, and street side setbacks and to reduce the required setback to the garage entrance together with an increase in the allowed FAR and lot coverage will not constitute a grant of special privilege to this parcel. This is because the legal nonconforming parcel is substandard, with only around 50 % of the minimum lot size required by the zone district and significantly smaller than the majority of the surrounding parcels. In addition, the parcel is further constrained by a patio easement and increased setback requirements that are a result the corner lot location. Because of the small size of the parcel and these additional restrictions, the existing dwelling is currently nonconforming to the front, rear, and street side setbacks and exceeds the maximum lot coverage allowed in the zone district. The proposed dwelling will result in a dwelling that is in greater conformance with the front and street side setbacks than the existing structure and also a reduction from the existing structure's lot coverage. All of the reductions in setbacks and the increase in FAR and lot coverage, not including a reduced setback at the second floor for a small bedroom located above the garage that requires an additional Variance approval (Variance findings included with this report) are within the allowed minor reductions which have been deemed to be appropriate exceptions for small urban lots with special circumstances such as the subject substandard lot with its additional constraints. Therefore similar Minor Exception would be approved on any other similar small lot in the vicinity and the approval of this project is not a grant of special privilege.

Further, the proposed project is located in an area with several older homes and within a neighborhood where many of these homes are nonconforming with respect to setbacks. The dwelling is therefore consistent with the character of the neighborhood in which it is situated.

4. That there will be no increase in stormwater leaving the property as a result of additional impermeable area created by a minor increase in lot coverage. The project as approved incorporates measures or conditions that direct runoff to the landscape, uses permeable paving material, reduces existing impermeable area, or incorporates other low impact drainage practices to control any increase in stormwater runoff.

This finding can be made in that the proposed project will result in a reduction in stormwater leaving the property. The existing nonconforming dwelling, that has a greater lot coverage than the proposed dwelling and, in addition, the remainder of the site is mostly paved for parking and patio uses. The proposed project will reduce the lot coverage by structures as well as the

impermeable paved parking area and will include new landscaping. As a result the impervious surface coverage of the parcel will be reduced from 76.7% to 66.8% of the lot area.

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 project is located in an area that is zoned R-1-4-PP (Single Family Residential – Pleasure Point combining district), a designation that allows for residential uses. The proposed replacement 1,124 square foot two-story single-family dwelling with a 439 square foot non-habitable basement and a 244 square foot attached garage constitutes a principal permitted use within a residential zone district and the zoning is consistent with the site's (R-UH) Urban High Residential General Plan designation. The new house will be smaller than the average size of many of the nearby homes, especially those located further south, closer to the coastline.

The special circumstances that apply to this small and constrained lot is that the existing legal, nonconforming parcel has a site area of only 2,009 square feet which is only around 50% of the size of the minimum 4,000 square feet required for the zone district. In addition to being small it is further encumbered by a patio easement running along its western property line, and the parcel has frontage on to two different streets and therefore has increased side yard setback requirements. Specifically, the street side yard setback to 35th Avenue Street to the east is required to be a minimum of ten feet, where an interior lot would only require a setback of only five feet. Further, because the parcel is located within the Pleasure Point combining district there are additional side yard setback reductions at the second floor. Because this parcel is substandard to the requirements of the zone district and significantly smaller than the majority of the lots in the neighborhood, the imposition of these greater setbacks would make it difficult to develop a reasonable three bedroom permanent residence on the parcel. The small building envelope that can be approved on the site, even subject to the approval of several Minor Exceptions, allows only enough area at the lower floor to construct a one-car garage, a hallway/entrance area, stairs to the second floor, a half bathroom and two bedrooms, one of which is a master suite that includes a small full bathroom. Because of the small site and additional restrictions imposed by the Pleasure Point combining district the only feasible location for a small bedroom and half bath (together only 118 square feet), is located within the rear yard setback, extending to within 5 feet of the property line, proposed over the roof of the one story garage below which is reasonable. This garage, which has been located in the rear corner of the parcel in accordance with the intents and purposes of the Pleasure Point combining and that can be approved subject to County Code 13.10.323(D)(6)(f)C, will extend closer to the property line than the proposed bedroom.

Further, because this parcel is located at a corner, a choice can be made on to which yard fronting a street will be considered to be a front yard and which will be the street side yard. The rear yard is therefore chosen based only on the choice of which yard is considered to be the front yard. For the subject parcel, which is roughly square and which allows for reduced setbacks along St. Deyns Street with front yard averaging, the resulting dwelling does not have one yard that is clearly the rear yard. Therefore, the rear yard of this parcel is in many ways analogous with a side yard setback. The proposed addition, which will located 5 feet from the property

line, therefore is similarly located within side yard setbacks, as many second floor portions of other two-story dwellings in the neighborhood that were constructed prior to the implementation of the Pleasure Point combining district.

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 intent and purpose of the residential zone districts is to provide for residential uses. The approval of a Variance with this Permit will allow for the construction of a small third bedroom and half bathroom with a total floor area of only 118 square feet, at the second floor of a very modestly sized single-family dwelling on an existing substandard lot that will replace an existing nonconforming home, located in a residential zone district. The proposed third bedroom will not deprive adjacent properties or the neighborhood of light, air, or open space in that the room has been designed does not have a high ceiling and includes a flat roof that is lower than the roof over the main portion of the dwelling. In addition, the width of the room is less than the width of the upper floor of the structure. As a result, and as shown by shadow studies that are included with the project plans, the proposed room will not increase the shading of neighboring homes. Further, the small windows in the bedroom have been located at the corner where they do not directly overlook adjacent homes and so will not result in a loss of privacy. The window in the bathroom faces away from the neighboring property and toward 35th Avenue.

Therefore, this finding that the proposed 90 square foot third bedroom and 28 square foot half bathroom will not be materially detrimental to public health safety and welfare or injurious to property or improvements in the vicinity, can be made.

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 a Variance to the required 15 foot rear setback to 5 feet will not constitute a grant of special privilege because this small, roughly square parcel, which is located at the corner of St Deyns Street and 35th Avenue necessitates a design that is appropriate for location and that does not adversely impact the neighboring properties or the availability of light, air and open space. The restricted lot size would not allow for the location of a third bedroom at the ground floor. Although a third bedroom could have been constructed at the second floor in an area at the corner of St Deyns Street and 35th Avenue, which is proposed to be an outdoor deck opening from the living area, this would not be desirable since it would increase the height and impact of the dwelling at the most visible corner of the lot. Further, because of the extremely small size of the parcel and lack of privacy at street level due to the corner lot location, it is desirable that a useable and somewhat-private outdoor area be included in the design. To locate the deck at the north elevation of the structure above the garage in the location of the proposed bedroom would not provide for solar access to the deck, and further, a second story deck located on the northern side of the dwelling would also directly overlook the adjacent parcel to the north and have a greater impact upon the privacy of that parcel.

The provision of a three bedroom home is consistent with the level of improvements of other homes in the neighborhood and therefore the granting of a Variance to allow for a third bedroom

and half bath for the proposed dwelling that will be located 5 feet from the northern property boundary is consistent with the design of other two story homes in the neighborhood and therefore does not constitute a grant of special privilege

Conditions of Approval

Exhibit D: 11 sheets prepared by Noel Cross Architects, dated 9/9/15 2 sheets prepared by Michael F. Goodhue, Civil Engineer, dated June 2015, 1 sheet prepared by Strickland Design, undated, and 1 sheet prepared by Dodge Associates, Land Surveying, dated 12/16/14.

- I. This permit authorizes the demolition an existing 940 square foot one-story single-family dwelling and construction of a replacement 1,124 square foot two-story single-family dwelling with a 439 square foot non-habitable basement and a 244 square foot attached garage, together with grading of approximately 180 cubic yards for the basement. In addition, this Permit Amends Vacation Rental Permit 111598, to permit the dwelling as a three bedroom Vacation Rental. 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 Cruz County Building Official.
 - 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - 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 offsite work performed in the County road right-of-way.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial conformance with the plans marked Exhibit "D" on file with the Planning Department. Any changes from the approved Exhibit "D" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
 - 1. A copy of the text of these conditions of approval incorporated into the full size sheets of the architectural plan set.

- 2. One elevation shall indicate materials and colors as they were approved by this Discretionary Permit application. In addition to showing the materials and colors on the elevation, the applicant shall supply two additional copies of the color and material sheet in 8 1/2" x 11" format for inclusion with the Building Permit.
- 3. Grading, drainage, and erosion control plans. All proposed grading, including any required overexcavation and recompaction, shall be clearly represented on the plans.
- 4. Building permit application plans shall reference the soils report and include a statement that the project shall conform to the report's recommendations.
- A stormwater pollution control plan that meets the requirements set forth in the County's Construction Site Stormwater Pollution Control BMP Manual.
- 6. Details showing compliance with fire department requirements.
- 7. A drainage plan that complies with the requirements set forth in 2013 California Building Code (CBC) Section 1804.3 and the recommendations of the soils engineer.
- 8. A Landscape Plan. No yard improvements including fencing or planting are allowed within the right-of-way for either 35th Avenue or St Deyns Street.
- B. Meet all requirements of and pay any applicable Zone 5 drainage fees to the County Department of Public Works, Stormwater Management.

Please note – a drainage fee will be assessed on the net increase in impervious area (i.e., roofs, paved areas, patios, walkways, driveway, etc.). The fees are currently \$1.17 per square foot. If you are eligible for credit for pre-existing impervious areas to be demolished, please submit assessor's records and any other documentation of permitted structures to establish eligibility for fee credits.

C. A recorded maintenance agreement will be required for the proposed retention system. Please contact the County of Santa Cruz Recorder's office for appropriate recording procedure. The maintenance agreement form can be picked up from the Public Works office or can be found online at:

http://www.dpw.co.santa-cruz.ca.us/Storm_Water/FigureSWM25A.pdf

- D. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
- E. Submit 2 additional copies of the approved soils report prepared and stamped by a

licensed Geotechnical Engineer.

- F. Submit a signed and stamped Soils (Geotechnical) Engineer Plan Review Form to Environmental Planning. The plan review form shall reference each reviewed sheet of the final plan set by its last revision date. Any updates to the soils report recommendations necessary to address conflicts between the report and plans must be provided via a separate addendum to the soils report. The author of the report shall sign and stamp the completed form.
- G. Pay the current fees for Parks and Child Care mitigation for one bedroom. Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.
- H. 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.
- 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 439 square foot non-habitable basement storage room. You may not alter the wording of this declaration. Follow the instructions to record and return the form to the Planning Department.
- K. Provide updated information in support of the Amendment to Vacation Rental Permit 111598, to include an updated Owner Agent form, Vacation Rental Safety Certification, name, address and telephone numbers of the local contact person (within a 30 mile radius of the rental and to be available 24 hours a day), Copy of the Rental/Lease agreement, and Transient Occupancy Tax Registration Certificate.
- L. Provide a photograph of the required vacation rental signage in accordance with County Code section 13.10.694(D)(4)
- 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. The project must comply with all recommendations of the approved soils reports.

- D. Upon approval of the project, a drainage "Hold" will be placed on the permit and will be cleared once the construction is complete and the stormwater management improvements are constructed per the approved plans: In order to clear the Hold, one of these options has to be exercised:
 - i. The civil engineer has to inspect the drainage improvements on the parcel and provide public works with a letter confirming that the work was completed per the plans. The civil engineer's letter shall be specific as to what was inspected and whether invert elevations, pipe sizing, the size of the mitigation features and all the relevant design features are in accordance with the approved plans. Notes of "general conformance to plans" are not sufficient.
 - ii. As-built plans stamped by the civil engineer may be submitted in lieu of the letter. The as-built stamp shall be placed on each sheet of the plans where stormwater management improvements were shown.
 - iii. The civil engineer may review as-built plans completed by the contractor and provide the county with an approval letter of those plans, in lieu of the above two options. The contractor installing the drainage improvements will provide the civil engineer as-built drawings of the drainage system, including construction materials, invert elevations, pipe sizing and any modifications to the horizontal or vertical alignment of the system. The as-built drawings, for each sheet showing drainage improvements and/or their construction details, must be identified with the stamp (or label affixed to the plan) stating the contractor's name, address, license and phone #. The civil engineer will review the as-built plans for conformance with the design drawings. Upon satisfaction of the civil engineer that the as-built plans meet the design intent and are adequate in detail, the civil engineer shall submit the as-built plans and a review letter, stamped by the civil engineer to the County Public Works Department for review to process the clearance of the drainage Hold if the submittal is satisfactory.
- E. Earthwork is prohibited during the rainy season (October 15-April 15) unless a winter grading permit is approved by the Planning Director.
- F. Pursuant to Sections 16.40.040 and 16.42.080 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 16.42.080, shall be observed.

IV. Operational Conditions

A. The Vacation Rental shall be maintained and operated so that, at all times, it is in compliance with the items listed on the Vacation Rental Certification form

(required to be approved before issuance of a Building Permit for the proposed replacement dwelling).

- B. The maximum, overnight occupancy of the vacation rental shall not exceed 8 people (2/bedroom + 2, children under 12 not counted).
- C. The maximum number of vehicles associated with the overnight occupants shall not exceed 5 (number of on-site parking spaces, plus 2 additional on-street spaces).
- D. The maximum occupancy allowed for celebrations and gatherings between 8:00 a.m. and 10:00 p.m. shall not exceed 16 people (twice the number of overnight occupants, children under 12 not counted).
 - a. All other conditions of approval of Vacation Rental Permit 111598 are hereby incorporated by reference into the approval of this permit
 - b. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- E. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, it officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- F. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- G. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
 - 1. COUNTY bears its own attorney's fees and costs; and
 - 2. COUNTY defends the action in good faith.

- H. <u>Settlement</u>. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- I. <u>Successors Bound</u>. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.

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 three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

Approval Date:		
Effective Date:		
Expiration Date:		
Wanda Williams Zoning Administrator	Lezanne Jeffs 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.

VICINITY MAP OHLSTADTER HOUSE

ABBREVIATIONS

ARCHITECT



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INDEX	CONSULTAN	CONSULTANT DIRECTORY	WOHLSTAD	WOHLSTADTER HOUSE
AAL DRAWINGS It sheet, Vianity Map, Parcel Map, General Notes, sheet fex, Area Tabulations Summary B. Abbreviations	Architect Noel F. Cross, AIA	Noel Cross+Architects 148 E. Virginia Street, #2	Property Owner	Richard Wohlstadter
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or Area Dia. rams 1 = 1-0" and Area Tabulations	LLS. #1105	20052 chalparral Lifele Penn Valley, California 95046 Phone (Col), 431-6313	Parcel	APN: 032-22-216
oss buttaing Area Cragrams @ V6 = 1-0 and Calculations		Fax (530) 432-5443	Site Area	0.046 acres 2,009 sq. ft.
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		Phone (831) 601-9519 michaelgoodhuspegmail.com	Setbacks	Front: 10'-6" (1st story)
dand, ASLA dand, ASLA ndscape Plan ® 1/4" = 1'-0, Proposed Landscape Legend	Solls Engineer Joesph A. Haro, P.E.,	Haro, Kasunich & Associates, Inc. Consulting Geotechnical Engineers		15'-0" (2nd story) Rear: 15'-0" (2nd story) Side: 10'-0" (street)
MING by Roger Dodge, L.L.5 pographic Survey Plan \oplus $4/4^*=4^*$ o and Notes	C.E. # 28506	Watsonville, California 95076 Phone (831) 722-4175 Fax (831) 722-4202		
	Landscape Architect	Strickland Design Landsage Architecture 1014 Mercedes Avenue	Construction	Type V-B SPRINKLERED
	ASLA	Phone (650) 383-5160	Occupancy	R-3 & U
L MAP \oplus			PROJECT DATA	ATA

Proposed Floor Area Str. Floor Area Garage area > 225 s.f. 2m Floor Area Basement Floor - 7-4-1al Unenclosed Cov'd. Areas Gross Floor Area

803 5.f. (40% per ordinance)
2. 2.f. (40% per ordinance)
2. 4.f. (40.6 minor exception)
2.4.f. (40.0% of the Manager
2.4.f. (40.0% o Soo s.f. 244 s.f. 116 s.f. 0 s.f.

Ground Floor Area Garage Unenclosed Cov'd. Areas Decks > 18" Above Grade

LOT COVERAGE AREA Allowable Lot Coverage Area

Checked By Date Project No. Drawn By

for the proper aperation	mystors to these place must be approved by the	46.8 % of Lot Are	46.8 % of Lot Area 45.8 % of Lot Area	PARCEL MA
water system. It the new	the fee assess	IMPERVIOUS COVERAGE		NOT TO SCALE
additional information	Fire spenkler sub-contractor must be	AREA	Proposed	1
	design, hydraulic cafculations, & shop	Floor Cov. Area = 9	560 s.f.	*
	Crus Central Fire Protection District, and	Garage South August 1	244 S.f.	8
	in compilance with Chapter 35 of the 2013	Decks (50% of actual) = 0 s.f.	1.0	
	Fire Prefaction Amodation (NFPA)		255 s.f.	- C1970
	territations are to include locations of all		103 5.1.	4.5
	Fire Protection District Standard "Guine	I otal Impervious Area = 1,540 S.F. 76.7 % of Lot Area	1,338 s.f. 66.6 % of Lot Area	MIN'S
Potable Water Lugidles Final approval of the fire suppression systemic annea	oncer Details wapers, typical, u.n.o. per rec. 903-3-5, 20-3 CBC & rec. 1314-7, definental Health & Safety Code, potable watersupolies shall be protected from			STATES OF THE PARTY OF THE PART
consideration will not be granted by Twe County at Santa Cruz Centrel Tre	contamination caused by fire protection water supplies. It is the responsibility of the applicant and any contractors and subs to contact the	ARCHITECT'S STATEMENT		1
requirements of the water	water purveyor supplying the site of such project, and to comply with the requirements of the surveyor such backflow revention the surveyor such backflow revention		r of Jistered	£2
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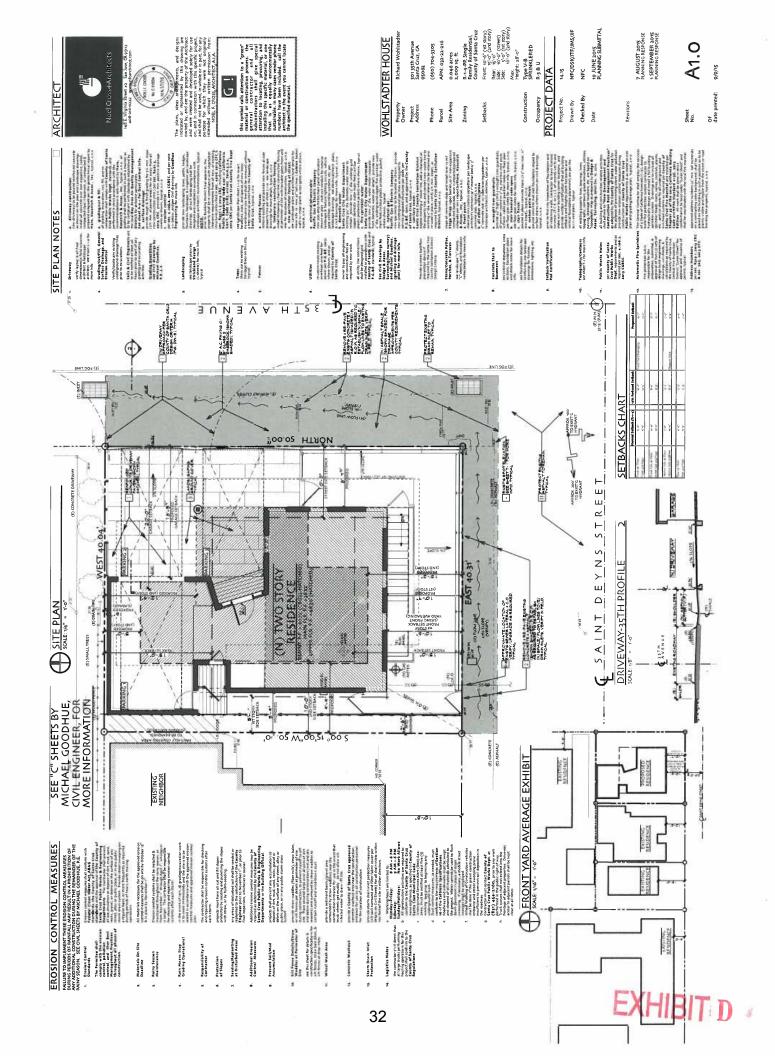
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٥	rough opening	W	weight
- PAG	redwood		
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SHEET

AREA TABULATION SUMMARY

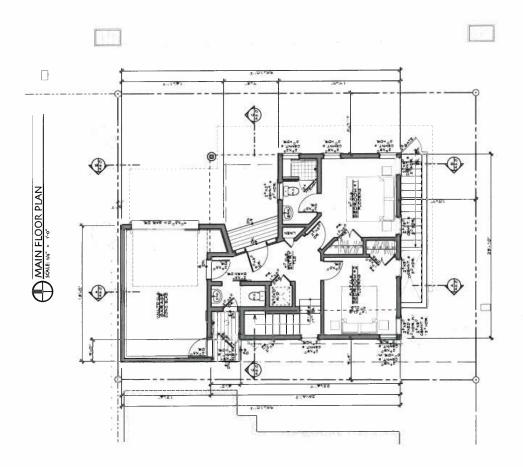
FIRE SPRINKLER REQ'MTS

ROSS SITE AREA

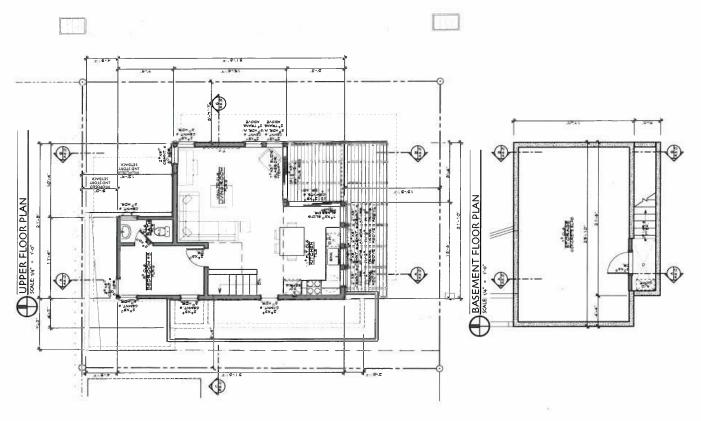


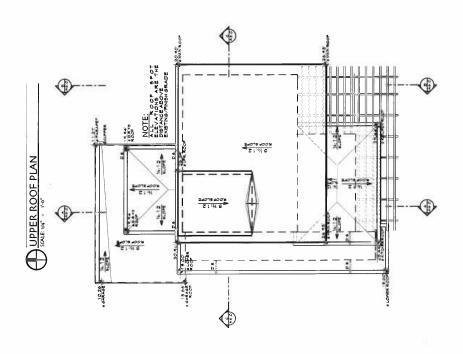


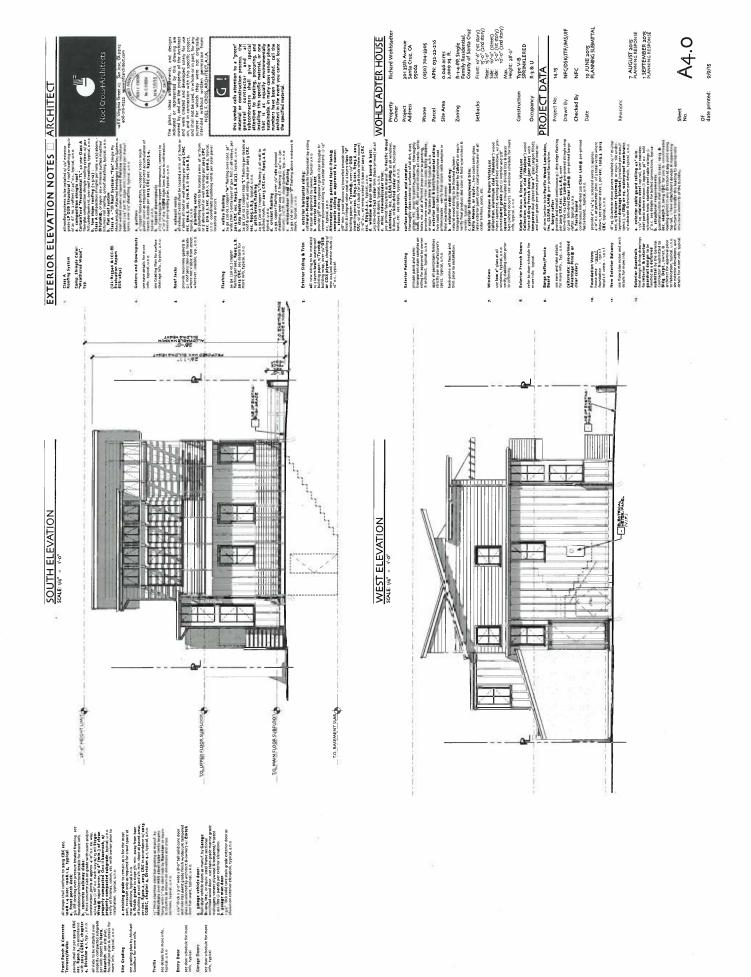












see details for more typical, u.n.o. Entry Daor



EXHIBIT D

it, thick stainless steel bar grating as manuf, by McNichols over HSS steel tube trells beam hung with 1, "die. steel rods by Ronstan or equipment as shown on elevations and cross sections, typical, u.n.o.

Trellis see details for more in typical, u.n.o.

Entry Door see door schedule for m info, typical. Garage Doors see door schedule for mi info, typical.

all stake to be intalled over on property owners as a second of the seco







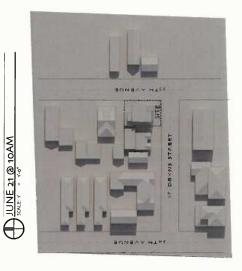






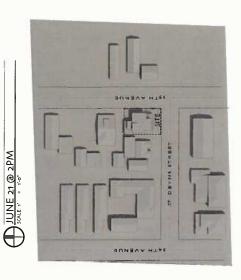




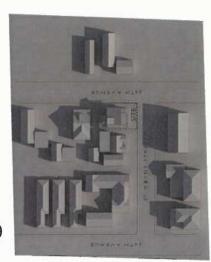
















ARCHITECT





WOHLSTADTER HOUSE



CORRILL

OCCUPATION

PROJECT DATA

Project No. 14-15

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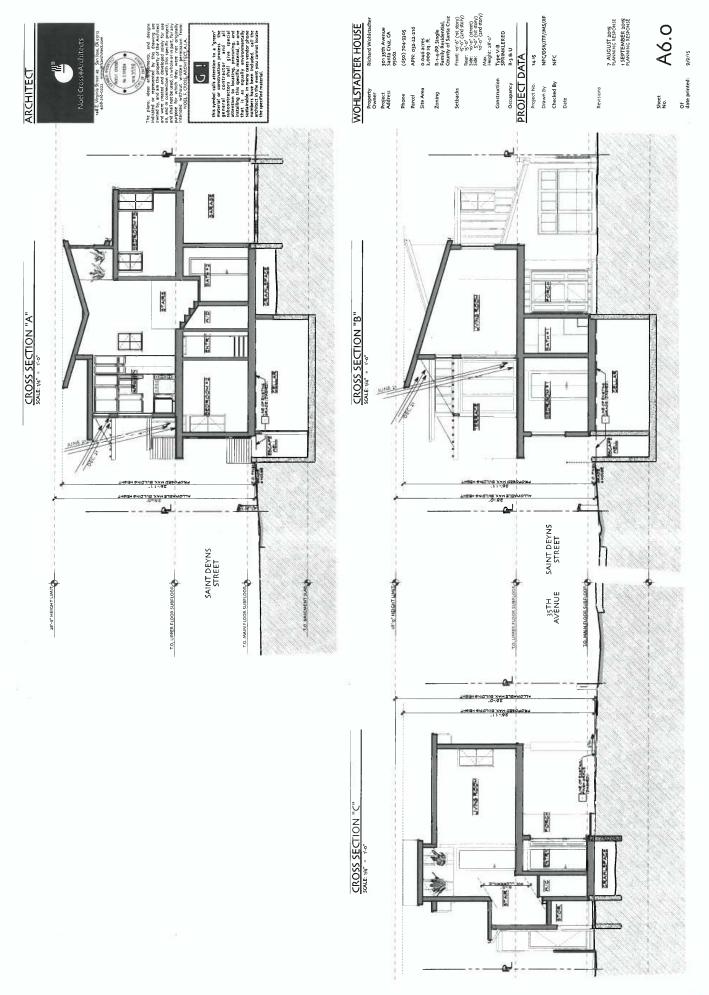
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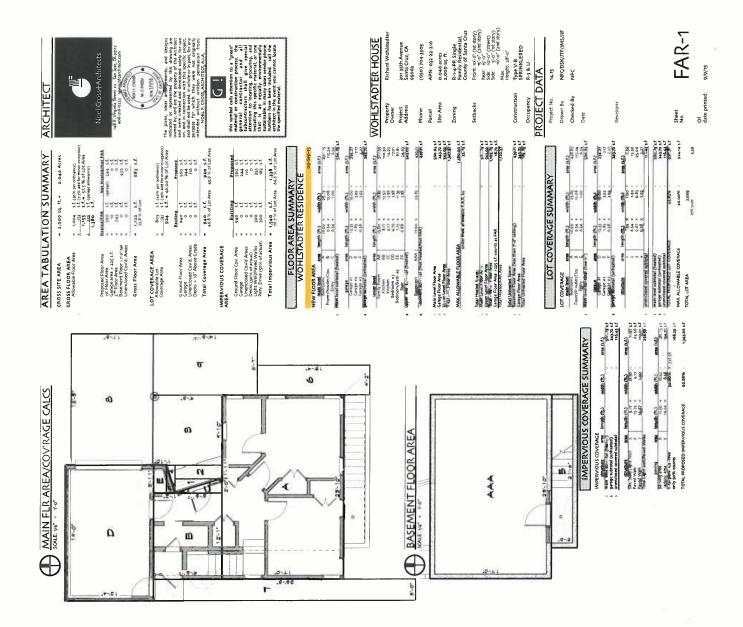
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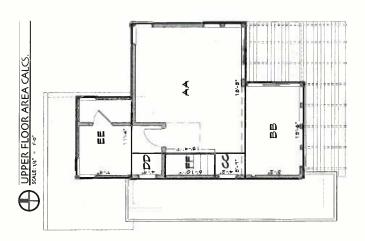


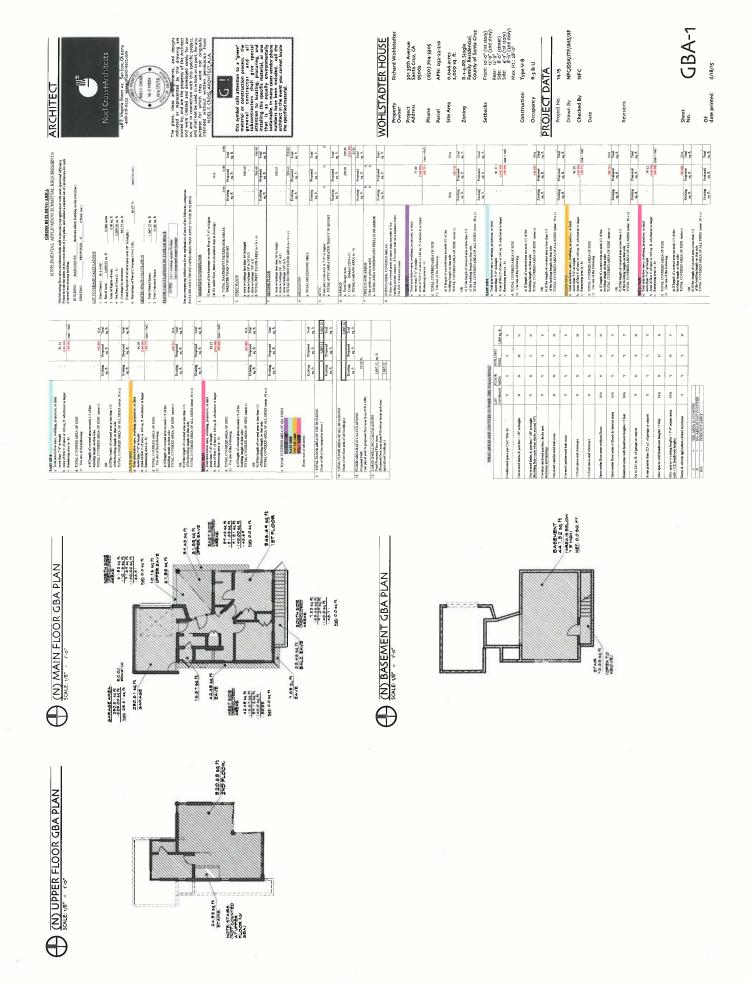


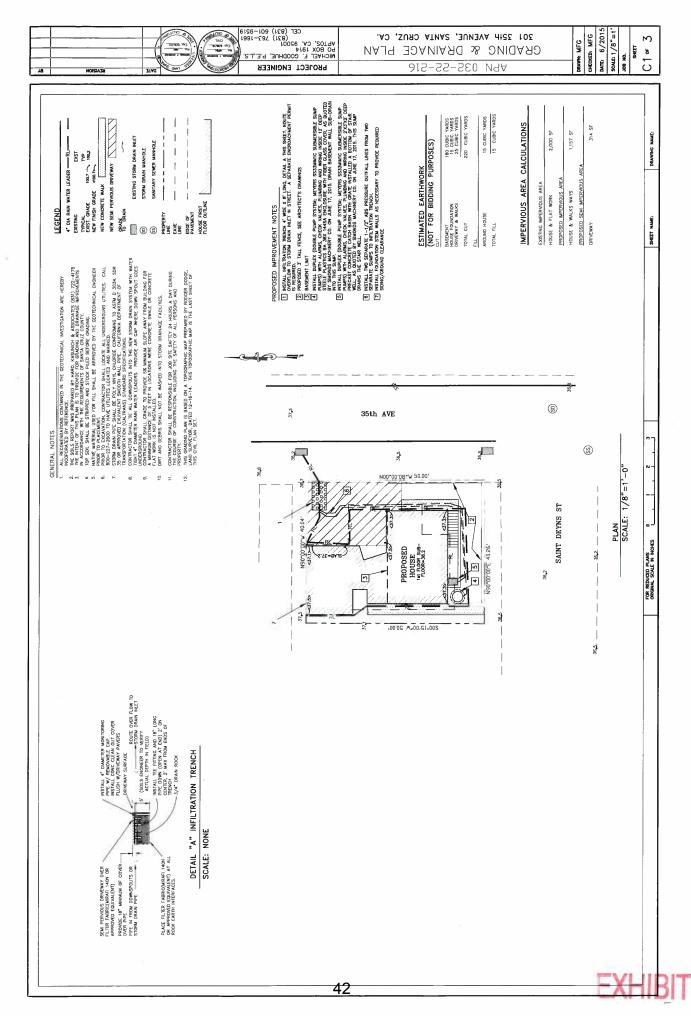


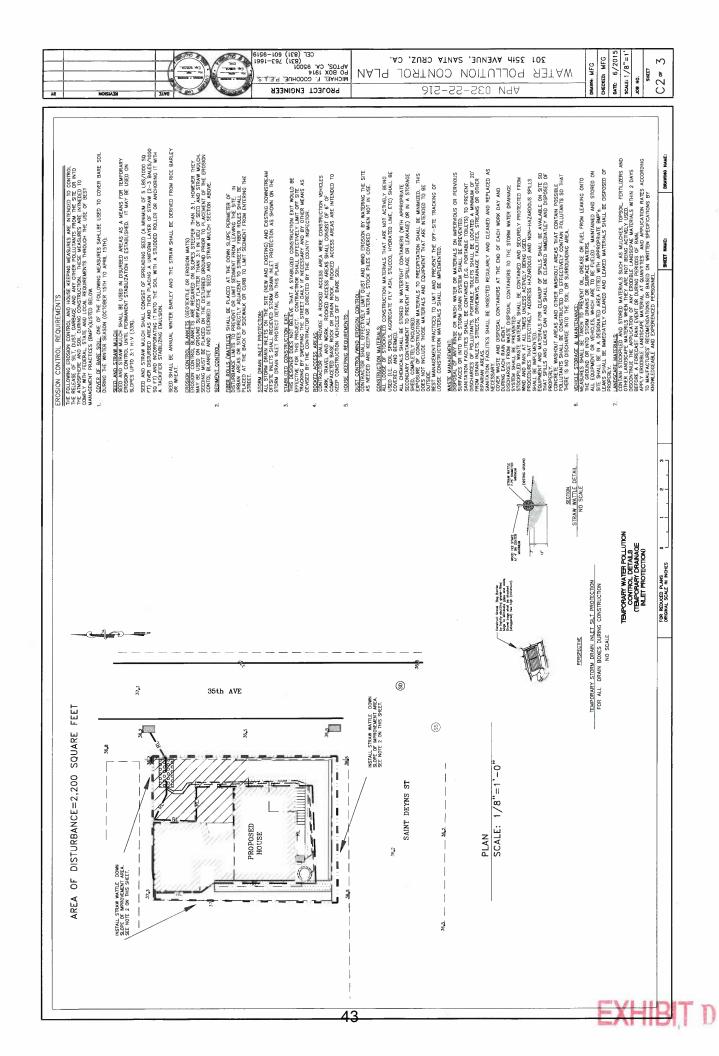




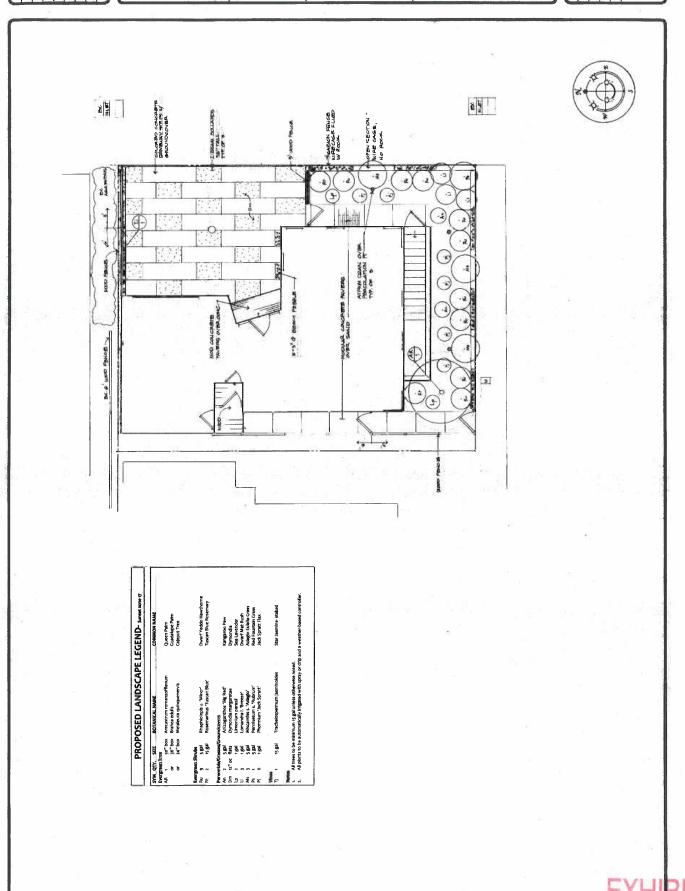


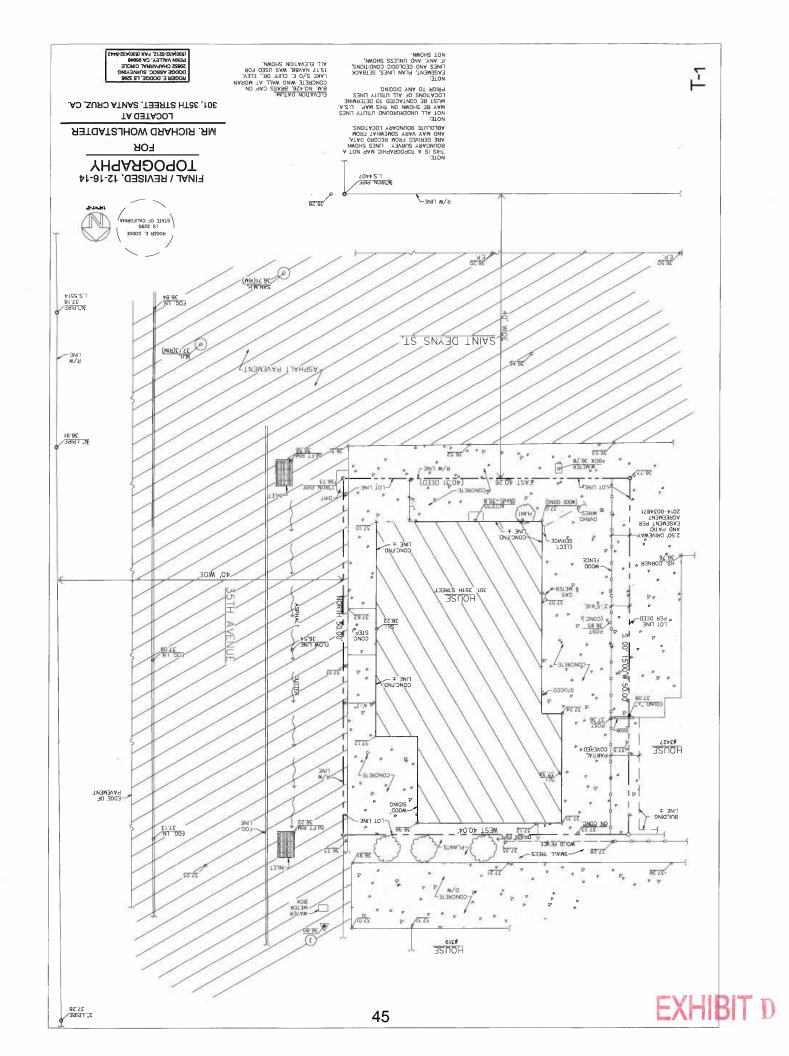






WOHLSTADTER HOUSE	
	14





SITE AND DEVELOPMENT STANDARDS

Allowed Proposed Dwelling			GENERAL	ERAL SITE STANDARDS	
Height/stories 28 feet /2 stories 26 feet 11 inches /2stories 46% EAR			Allowed	Proposed Dwelling	Existing Dwelling
Lot Coverage 45%* 46% FAR 0.5 0.559 Front Yard Lower Floor 10 feet of inches** Proposed Dwelling Front Yard Lower Floor 15 feet 10 feet 7 inches Interior Side Yard Lower Floor 15 feet 15 feet 9 inches Street Side Yard Lower Floor 16 feet 9 feet 9 inches Street Side Yard Lower Floor 10 feet 8 feet 7½ inches Street Side Yard Lower Floor 15 feet 12 feet 9 inches Chart Side Yard Lower Floor 15 feet 12 feet 9 inches Rear Yard Lower Floor 15 feet 12 feet 9 inches Side Yard (interior) 15 feet 12 feet 9 inches 5 feet Steback to entry 2 feet 6 inches****/zero**** 2 feet 6 inches 2 feet 6 inches***** Rear Yard 12 feet 6 inches****/zero***** 18 feet 5½ inches 18 feet 5½ inches	Height/stories		28 feet /2 stories	26 feet 11 inches /2stories	+/- 12 feet/1 story
FAR SETBACKS TO THE RESIDENCE Front Yard Lower Floor Lower Floor Lower Floor Lower Floor Lower Floor Sfeet Dipper Floor Sfeet Dipper Floor 10 feet 7 inches Lower Floor 15 feet Dipper Floor 16 feet 9 inches 2 feet 9 inches Steet 9 inches Sfeet 6 inches Schack to entry Allowed Proposed Dwelling Schack to entry 2 feet 6 inches***** Ciect 6 inches***** Ciect 6 inches***** Ciect 6 inches***** Ciect 6 inches****** Ciect 6 inches****** Ciect 6 inches******	Lot Coverage		45%*	46%	46.8%
Front Yard Lower Floor 10 feet 6 inches** 10 feet 7 inches 10 feet 7 inches 10 feet 6 inches** 10 feet 7 inches 10 feet 7 inches 11 feet 1 inches 1 feet 6 inches***/Zero**** 2 feet 6 inches 1 feet 6	FAR		0.5	0.559	0.468
Front Yard Lower Floor 10 feet 6 inches*** 10 feet 7 inches Upper Floor 15 feet 13 feet 2 inches 13 feet 2 inches 13 feet 3 inches Interior Side Yard Lower Floor 5 feet 10 feet 8 feet 7 inches Street Side Yard Lower Floor 10 feet 8 feet 7 inches 14 feet 3 inches Street Side Yard Lower Floor 10 feet 8 feet 7 inches 15 feet 9 inches I Upper Floor 10 feet 8 feet 7 inches 17 feet 15			SETBACKS 1	TO THE RESIDENCE	
Front Yard Lower Floor 10 feet 6 inches** 10 feet 7 inches Upper Floor 15 feet 13 feet 2 inches / 21 feet 3 inches Interior Side Yard Lower Floor 5 feet Upper Floor 10 feet*** 9 feet 9 inches Street Side Yard Lower Floor 10 feet*** Rear Yard Lower Floor 15 feet Upper Floor 15 feet 12 feet 9 inches Rear Yard 15 feet 12 feet 9 inches SETBACKS TO THE GARAGE 12 feet 9 inches / 5 feet Side Yard (interior) 2 feet 6 inches****/zero**** 2 feet 6 inches**** Setback to entry 2 feet 6 inches***** 6 inches*****			Allowed	Proposed Dwelling	Existing Dwelling
Upper Floor 15 feet 13 feet 2 inches 21 feet 3 inches	Front Yard	Lower Floor	10 feet 6 inches**	10 feet 7 inches	6 feet
Interior Side Yard Lower Floor 10 feet*** Street Side Yard Lower Floor 10 feet*** Street Side Yard Lower Floor 10 feet*** Rear Yard Lower Floor 15 feet 12 feet 9 inches 12 feet 6 inches 12 feet 6 inches 13 feet 6 inches 14 feet 6 inches 14 feet 6 inches 15 feet 6 inches 15 finches 15 finches 15 feet 6 inches 15 feet 6 inches 15 feet 6 inches 15 feet 6 inches 15 finches 15 finches 15 feet 6 inches 15 feet 6 inches 15 feet 6 inches 15 finches 15 finches 15 finches 15 finches 15 feet 6 inches 15 finches 15		Upper Floor	15 feet	13 feet 2 inches / 21 feet 3 inches	N/A
Street Side Yard Upper Floor 10 feet 8 feet 7½ inches Rear Yard Lower Floor 10 feet 12 feet 7½ inches Rear Yard Lower Floor 15 feet 12 feet 9 inches Proper Floor 15 feet 12 feet 9 inches Rear Yard Lower Floor 15 feet Rear Yard Allowed Proposed Dwelling Side Yard (interior) 2 feet 6 inches****/zero**** 2 feet 6 inches Setback to entry 20 feet 18 feet 5½ inches Rear Yard 7 feet 6 inches****/zero***** 6 inches*****	Interior Side Yard	Lower Floor	5 feet	5 feet 9 inches	12 feet 3 inches
Street Side Yard Lower Floor 10 feet 8 feet 7½ inches 17½ inches Rear Yard Lower Floor 15 feet 12 feet 9 inches 12 feet 9 inches Character Floor 15 feet 12 feet 9 inches 12 feet 6 SETBACKS TO THE GARAGE Side Yard (interior) Allowed Proposed Dwelling Setback to entry 2 feet 6 inches****/zero**** 2 feet 6 inches Rear Yard 7 feet 6 inches**** 6 inches****		Upper Floor	10 feet***	9 feet 9 inches	N/A
Rear YardUpper Floor15 feet8 feet 7½ inches / 17 feetRear YardLower Floor15 feet12 feet 9 inchesUpper Floor15 feet12 feet 9 inches / 5 feetSide Yard (interior)AllowedProposed DwellingSetback to entry2 feet 6 inches***/zero****2 feet 6 inches***/zero****Rear Yard7 feet 6 inches****/zero****6 inches****	l	Lower Floor		8 feet 7½ inches	4 feet 6 inches
Lower Floor 15 feet 12 feet 9 inches 12 feet 9 inches 15 feet	0	Upper Floor		8 feet 7½ inches / 17 feet	N/A
Upper Floor 15 feet 12 feet 9 inches / 5 feet SETBACKS TO THE GARAGE Allowed Proposed Dwelling interior 2 feet 6 inches***/zero**** 2 feet 6 inches entry 20 feet 18 feet 5½ inches 7 feet 6 inches**** 6 inches**** 6 inches****	Rear Yard	Lower Floor		12 feet 9 inches	13 feet 6 inches
SETBACKS TO THE GARAGE Allowed Proposed Dwelling Detect 18 feet 5½ inches 18 feet 6½ inches		Upper Floor	-	12 feet 9 inches / 5 feet	N/A
AllowedProposed Dwelling(interior)2 feet 6 inches***/zero****2 feet 6 inchesentry20 feet18 feet 5½ inches7 feet 6 inches***/zero****6 inches****			SETBACKS	TO THE GARAGE	
(interior) 2 feet 6 inches***/Zero**** 2 feet 6 inches entry 20 feet 6 inches***/ Zero**** 6 inches****			Allowed	Proposed Dwelling	Former Garage
entry 20 feet 18 feet 5½ inches 18 feet 5½ inches 18 feet 5½ inches 19 feet 6 inches 19 fee	Side Yard (interior)		2 feet 6 inches****/zero****	2 feet 6 inches	9 feet 3 inches
7 feet 6 inches**** / zero***** 6 inches****	Setback to entry		20 feet	18 feet 5½ inches	10 feet 3 inches
	Rear Yard		7 feet 6 inches***/ zero****	6 inches****	2 feet 3 inches

County Code 13.10.446(A)(2)(a) – Pleasure Point Combining District - Increased Lot Coverage for small lots.

* County Code 13.10.323(D)(7) – Front Yard Averaging

County Code 13.10.446(A)(1)(b) - Pleasure Point Combining District - Second Story Setbacks

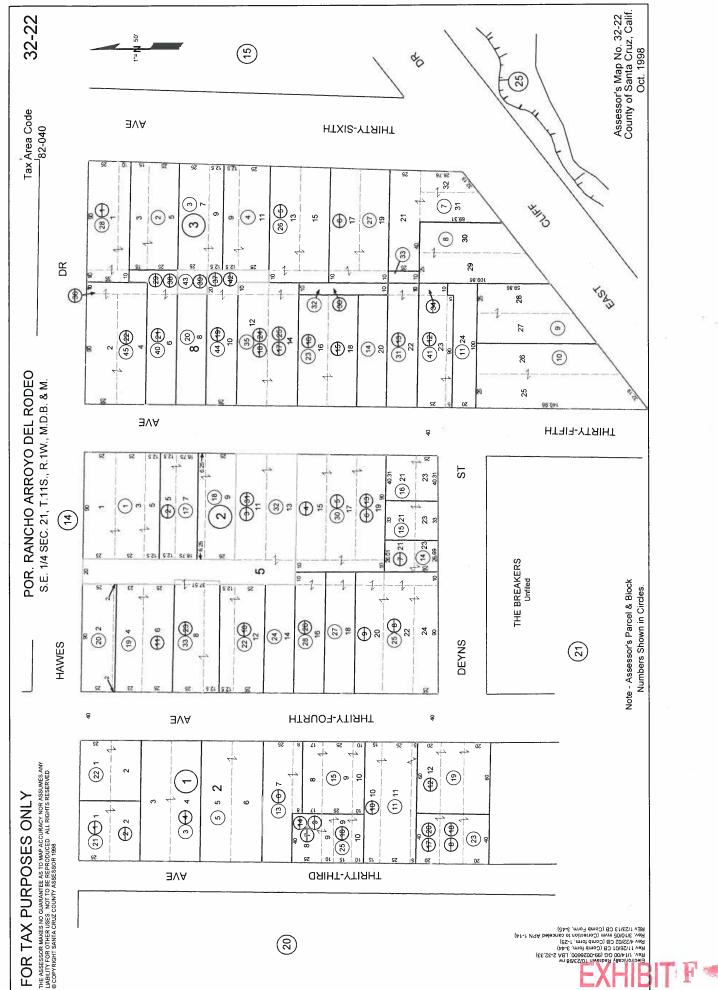
County Code 13.10.323(D)(6)(f)A - Garages located in side or rear yards. On a residentially zoned parcel of less than * * * *

County Code section 13.10.323(D)(6)(f)C – On a residentially zoned parcel of less than 10,000 square feet a garage may be located 10,000 square feet a garage may be located within a side or rear setback with up to a 50% reduction in setbacks. ****

Zero feet from a side or rear setback if a Level IV approval is obtained pursuant to 18.10 SCCC.

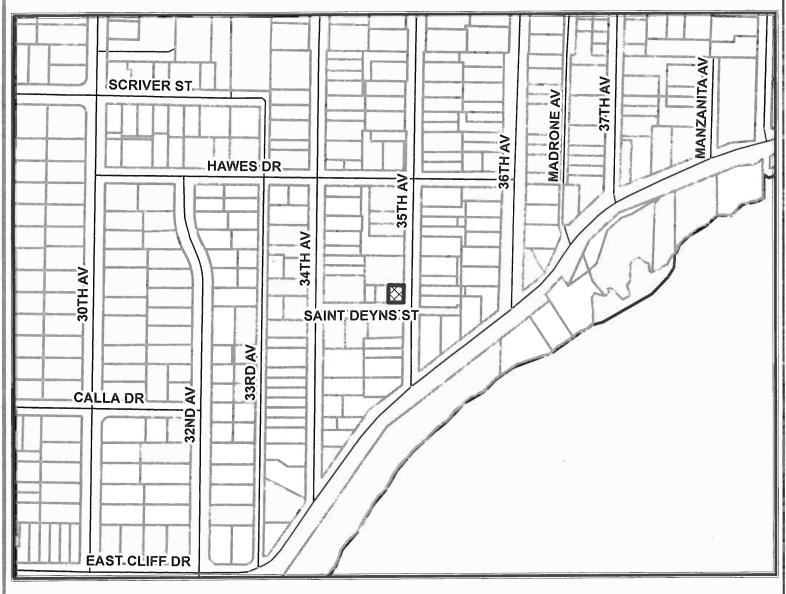


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Location Map



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APN: 032-222-16 Assessors Parcels

Assessors Parcer

---- Street

County Boundary

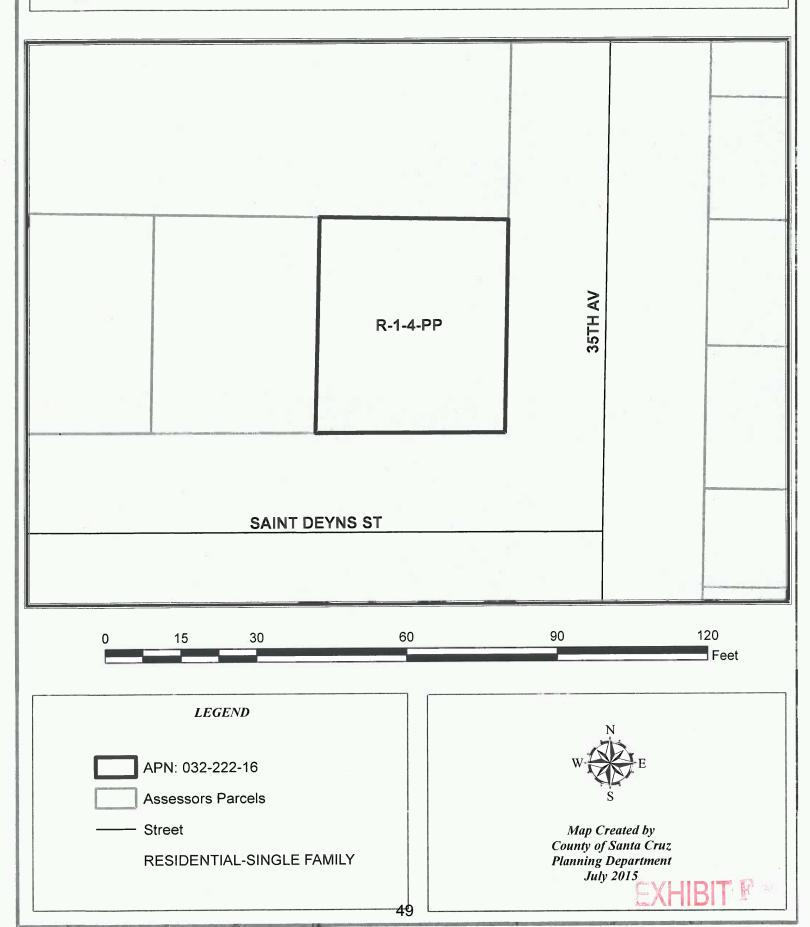


Map Created by County of Santa Cruz Planning Department July 2015

EXHIBIT E



Zoning Map





General Plan Designation Map

