



Staff Report to the Zoning Administrator

Application Number: **171171**

Applicant: Alexander (Sandy) Barker
Owner: Gordon Thompson
APN: 032-082-11

Agenda Date: September 15, 2017
Agenda Item #: 3
Time: After 9:00 a.m.

Project Description: Proposal to remodel an existing nonconforming two-story single family dwelling to raise the rear portion by around two feet to provide standard interior ceiling heights, and to convert an existing non-habitable workshop, one bedroom and living room to a one-story Accessory Dwelling Unit (ADU) with one additional parking space. Requires a Variance approval to recognize two existing parking spaces for the dwelling where three are required, a Variance to recognize paved parking that exceeds 50% of the required front yard and a Coastal Exclusion in the R-1-5-PP zone district.

Location: Property located on the west side of 37th Avenue (645 37th Avenue) about 200 feet north of the intersection with Floral Drive in Live Oak.

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

Permits Required: Variance

Technical Reviews: None

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 171171, based on the attached findings and conditions.

Exhibits

- | | | | |
|----|--|----|--|
| A. | Categorical Exemption (CEQA determination) | E. | Assessor's, Location, Zoning and General Plan Maps |
| B. | Findings | F. | Coastal Exclusion Notice |
| C. | Conditions | G. | Comments & Correspondence |
| D. | Project plans | | |

Parcel Information

Parcel Size: 5,311 square feet
Existing Land Use - Parcel: Residential
Existing Land Use - Surrounding: Residential neighborhood
Project Access: 37th Avenue
Planning Area: Live Oak
Land Use Designation: R-UM (Urban Medium Residential)
Zone District: R-1-5-PP (Single-Family Residential, Pleasure Point
Combining District)
Coastal Zone: ☒ Inside ☐ Outside
Appealable to Calif. Coastal Comm. ☐ Yes ☒ No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: N/A
Fire Hazard: Not a mapped constraint
Slopes: The parcel is level
Env. Sen. Habitat: No physical evidence on site, no new disturbance
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Not a mapped resource
Drainage: Existing drainage adequate/no increase in impervious coverage
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: ☒ Inside ☐ Outside
Water Supply: Santa Cruz City Water Department
Sewage Disposal: Santa Cruz County Sanitation District
Fire District: Central Fire Protection District
Drainage District: Flood Zone 5

History

The existing nonconforming dwelling with an attached non-habitable workshop was constructed on the parcel in 1930, prior to the application of site and development standards. In 1967 Permit 2988-U was approved to allow for a revised roof pitch at the rear of the dwelling to increase the plate height at the second floor from 5 feet to 7 feet 6 inches within the nonconforming south side yard setback.

A portion of the original structure is shown on the Assessor's Residential Building Records as a garage. However, this non-habitable portion of the structure, which includes a sliding, one-car-wide, garage door, is too small to provide a standard parking space in that the depth is only 16 feet. This area has therefore mostly been used as a workshop and storage area and has not been used for vehicle storage.

Project Setting

The property is located on the west side of 37th Avenue, just over 1,000 feet northwest of the coastal bluff at East Cliff Drive. Although it is located within Pleasure Point, an area popular with visitors, 37th Avenue is a relatively quiet road in that it is narrower than other nearby streets and because it does not provide a direct through-route between East Cliff Drive and Portola Drive to the north because the road is curved.

The parcel is set in a mixed neighborhood that consists of one-story, mostly older beach cottages, together with a few two story homes that exhibit a wide variety of architectural styles.

Zoning & General Plan Consistency

The subject property is a parcel of approximately 5,311 square feet, located in the R-1-5-PP (Single-Family Residential, Pleasure Point Combining District) zone district, a designation that allows residential uses. A single-family dwelling is a principal permitted use within the zone district and the proposed remodel of the existing home is allowed within the zone district. The zoning is consistent with the site's R-UM (Urban Medium Residential) General Plan designation.

The applicable site and development standards for parcels in the R-1-5-PP zone district from County Code section 13.10.323 – “Development Standards for Residential Districts”, and section 13.10.466 “Residential development Standards for the Pleasure Point Community Design PP Combining District” are as set out in the following table:

Front Yard	20 feet	Height	28 feet
Side Yard – first floor	5 feet	Lot Coverage	40%
Side Yard – second floor	10 feet	Floor Area Ratio (FAR)	50%
Rear Yard	15 feet	Minimum separation	10 feet

The existing dwelling, which was constructed prior to zoning requirements, is nonconforming to the current site and development standards set out above. Although the house meets all of the other site and development standards, it does not fully conform to the required side yard setbacks or the required front yard setback. Where the rear section of the existing structure is two stories in height it is located only around 2 feet 6 inches from the southern property line where a 5 foot first floor and 10 foot second floor setback would now be required. Along the northern property boundary the structure conforms to the required 5 foot side yard setback at the first floor, however the second floor where it exceeds 17 feet in height, does not comply with the 10 foot side yard setback required in the PP Combining District. In addition, the non-habitable workshop at the front of the dwelling is only around 11 feet 11½ inches from the street where a setback of 20 feet would be required.

As set out in County Code section 13.10.262 – “Nonconforming Structures”, structural alterations may be made to an existing nonconforming structure and the existing nonconforming dimensions can be retained, where such modifications do not constitute reconstruction as defined by County Code section 13.10.260(B)(6). As shown by the submitted Modifications Worksheet, the proposed remodel of the dwelling will not result in greater than 65% modifications to the existing structure. The proposed remodel will result in a two foot increase in the height of the

structure. However, it has been determined by the Planning Director that this change does not require the approval of a variance because the change is required solely to provide a standard interior ceiling height at the lower floor of the dwelling. The resulting dwelling will have a maximum height of about 19 feet, which is significantly lower than the maximum 28 feet allowed in the zone district.

In addition to raising the structure, the existing covered porch at the rear of the dwelling will be demolished and a small section of the walls at the non-habitable workshop will be reconstructed within the existing footprint to create a covered entry for the proposed Accessory Dwelling Unit (ADU). These changes will result in a smaller footprint and a reduced floor area than the existing dwelling. No addition of any floor area is proposed for either the dwelling or for the proposed conversion to an ADU.

The proposed remodel of the existing single-family dwelling and creation of an ADU will result in a reduction in the overall size of the existing dwelling and the proposed two foot increase in the height of the building will result in a dwelling that has a height of only 19 feet at the two-story portion of the structure. The two story portion is set back approximately 45 feet from the street at 37th Avenue. The resulting dwelling will therefore continue to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain single family dwellings. Size and architectural styles vary widely in the area, and the design submitted for the remodeled dwelling is consistent with the existing range of styles. The proposed remodel of the existing single-family dwelling is not subject to the requirements of the County Design Review Ordinance.

Parking

As set out in County Code section 13.10.552 "Schedule of off-street parking space requirements", the existing four bedroom dwelling requires the provision of three off-street parking spaces. However, because of the nonconforming front yard setback, which does not provide sufficient depth for a parking space, and because there is insufficient depth in the non-habitable workshop, there are currently only two parking spaces on the parcel that meet the minimum standards as set out in 13.10.554(A). These two spaces are located parallel to the street in front of the dwelling and workshop. The existing dwelling is therefore nonconforming to current parking regulations. The existing parking is also nonconforming to County Code section 13.10.554(D), which requires that parking areas, and driveways shall not exceed 50% of the required front setback area. Currently approximately 57% of the front yard is paved, which is almost the entire front yard that is not covered by the existing building.

The proposed remodel of one bedroom, a portion of the living area and the non-habitable workshop to a one bedroom ADU will result in a three bedroom dwelling and a one bedroom ADU. Although there will be no additional bedrooms on the parcel, a three bedroom dwelling is required to have three parking spaces and one additional parking space is required to be provided for the bedroom in the ADU to result in a requirement for four parking spaces.

The existing parking is therefore proposed to be revised to re-orient one of the parking spaces so as to be perpendicular to the street and to add one additional tandem parking space into an existing

landscaped courtyard, so that there will be two spaces parallel with the southern property boundary, resulting in a total of three spaces on the parcel. This will provide one additional off-street parking space for the proposed one bedroom ADU. However, the dwelling will continue to have only two parking spaces. The revised parking will require the addition of just over 140 square feet of new paved area within the front setback, increasing the total paved parking/driveway to around 75% of the front yard area. This application therefore includes two requests for a Variance, one to reduce the required off-street parking for a three bedroom dwelling and one bedroom ADU from four spaces to three spaces and one to increase the area of paved parking/driveway areas from 50% to 75% of the front yard area. A complete list of Variance findings is included with this report.

It should be noted that, because the paved area extends into the right-of-way for 37th Avenue to provide an almost 18 foot deep parking area between the edge of the travelled roadway and the building, in practical terms there will be sufficient paved area to park up to five cars at the front of the property. This parking would not encroach into the travel lanes along 37th Avenue and parking is an allowed use within a right-of-way where it does not cause any obstruction to traffic.

Local Coastal Program Consistency

The project site is located in the Coastal Zone in a Residential Exclusion area, identified by virtue of Coastal Commission Exclusion Orders E-82-4 and E-82-3 and as set out in County Code section 13.20.071(A). Therefore a Coastal Development Permit is not required. A Notice of Exemption will be filed with the Coastal Commission.

Environmental Review

As proposed the project qualifies for an exemption under the California Environmental Quality Act (CEQA). The proposed remodel of the existing dwelling is consistent with the CEQA Guidelines, Section 1 – Existing Facilities (15301), in that the project proposes the remodel of an existing single-family dwelling where no additional floor area will be constructed. In addition, none of the conditions described in Section 15300.2 apply to this project.

Conclusion

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

Staff Recommendation

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **171171**, 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

Report Prepared By: Lezanne Jeffs
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-2480
E-mail: lezanne.jeffs@santacruzcounty.us

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: 171171

Assessor Parcel Number: 032-082-11

Project Location: 645 37th Avenue, Santa Cruz

Project Description: Remodel an existing nonconforming two-story dwelling and conversion of a portion of the existing structure to an Accessory Dwelling Unit.

Person or Agency Proposing Project: Alexander (Sandy) Barker, Barker Wagoner Architects

Contact Phone Number: (415) 722 3192

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

Specify type: Class 3 - New Construction or Conversion of Small Structures (Section 15303)

F. Reasons why the project is exempt:

The project proposes the interior remodel of an existing nonconforming two-story dwelling and conversion of a portion of the existing structure to an Accessory Dwelling Unit in an area designated for residential uses.

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

Lezanne Jeffs, Project Planner

Date: _____

Development Permit Findings

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

This finding can be made, in that the project is located in an area designated for residential uses. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources.

The proposed remodel of the existing residence will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the proposed increase in height by two feet will result in a structure that has a maximum height of just under 19 feet, which is significantly less than the maximum 28 foot height limit allowed in the zone district. The rear, two story portion of the existing dwelling is set back approximately 25 feet west of the solar panels located on the one-story roof of the adjacent dwelling to the north and is mostly set back behind the neighboring dwelling to the south. The second story also exceeds the required front and rear setbacks for the zone district and therefore the remodeled home will not adversely shade any neighboring structures.

The proposed reduction in the number of off-street parking spaces from 4 spaces to 3 spaces, and increase in the allowed area of the front yard used for driveway/parking area from 50% to 75% will not be materially detrimental to public health safety and welfare or injurious to property or improvements in the vicinity, in that the project will result in no increase in the number of bedrooms, but will provide one additional off-street parking space. Although the existing paved area extends into the right-of-way it does not encroach into the travel lanes along 37th Avenue and therefore does not obstruct traffic. The proposed additional paved parking area is proposed to be located away from 37th Avenue and no additional paving is proposed in the right-of-way. As a result the proposed project will not affect sight lines for traffic travelling on 37th Avenue.

- 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 remodel and minor increase in the height of the existing nonconforming structure, 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-1-5-PP (Single-Family Residential, Pleasure Point Combining District) zone district. The primary use of the property will continue to be one nonconforming single-family dwelling and a proposed ADU that will be located entirely within the existing structure. There will be no change to the existing nonconforming side yard setback at the southern property boundary and it has been determined by the Planning Director that the proposed increase in the height of the structure does not require the approval of a variance because this change is being made solely to provide a standard interior ceiling height at the lower floor of the dwelling. The resulting dwelling will have a maximum height of

about 19 feet, which is significantly lower than the maximum 28 feet allowed in the zone district. The proposed recognition a total of only three parking spaces for a three-bedroom single-family dwelling and one-bedroom ADU, that together occupy over 50% of the front yard area, is consistent with County ordinances and the purpose of the zone district in that, with the approval of variances for the reduced parking and increased paved area, one additional parking will be provided on the parcel where there will be no increase in the number of bedrooms. The proposed 140 square foot increase in driveway/parking areas will not affect sight lines or the existing travel lanes along 37th Avenue is proposed in an area that is away from the public street where it will not be visually prominent. A complete list of Variance findings is included with this report.

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 remodel of the existing single-family dwelling and conversion of a portion of the existing structure to an ADU is consistent with the use and density requirements specified for the R-UM (Urban Medium Residential) land use designation in the County General Plan.

The proposed single-family dwelling will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance) in that, the single-family dwelling will not adversely shade adjacent properties, and will meet current setbacks for the zone district. The approximately two foot increase in the height of the structure has been determined by the Planning Director to not require the approval of a variance because it is solely to provide a standard ceiling height at the lower floor and will result in a structure that has a maximum height that is less than 19 feet,

The proposed single-family dwelling 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 proposed remodel of the existing single-family dwelling and conversion of a portion of the structure to an ADU, will reduce the total floor area of the structure and will result in only a minor increase in height. Although the structure will continue to be nonconforming to the front and side yard setbacks, it complies with all other site standards for the R-1-5-PP zone district (including front and rear yard setbacks, lot coverage, floor area ratio, height, and number of stories) so the proposed remodel will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

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

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

This finding can be made, in that the proposed remodel of the existing nonconforming dwelling and conversion of a portion of the structure to an ADU, will not result in the intensification of use (addition of bedrooms) at the existing structure. Therefore, the proposed addition will not overload utilities. Neither will the expected level of traffic generated by the proposed project will be

increased, so the project will not adversely impact existing roads and intersections in the surrounding area.

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

This finding can be made, in that the proposed upgrade of the existing home and remodel of a portion of the structure to an ADU will, with the exception of a minor increase in height, demolition of an existing covered porch at the rear and creation of a covered entry at the ADU, retain most of the existing dimensions of the existing house. The dwelling is located in a mixed neighborhood containing a variety of architectural styles, and the proposed remodel will not significantly change the impact of existing structure or the visual impact of the house. Therefore the proposed remodeled dwelling is consistent with the land use intensity and density of the neighborhood.

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

Design Review for the proposed remodel of the existing nonconforming dwelling is not required under the provisions of County Code section 13.11.040 – “Projects requiring design review”. However, the proposed remodel has been designed to not significantly alter the dimensions or layout of the existing older home. The minor increase in paved area along the southern property line to allow for the provision of one additional parking space for the proposed ADU will not have a significant impact on the existing streetscape since the existing front yard is already mostly paved. Therefore the proposed project will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or negatively visually impact available open space in the surrounding 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-1-5-PP (Single Family Residential, Pleasure Point Combining District), a designation that allows for residential uses. A single-family dwelling with an ADU is a principal permitted use within a residential zone district and the zoning is consistent with the site's (R-UM) Urban Medium Residential General Plan designation.

County Code requires the provision of four off-street parking spaces for the proposed three bedroom home and one bedroom ADU and if no structures existed it would be possible to construct a two-car garage with a driveway forecourt area in front that would accommodate two further vehicles. This parking/driveway area would cover roughly 50% of the front yard area. The special circumstance that applies to this lot is that the subject parcel has a site width and frontage of only 40 feet, where a minimum of 60 feet is required by County Code and the existing nonconforming structure on the parcel is located partially within the required front yard setback, resulting in a greatly reduced area available for parking. Although the existing dwelling was constructed with a non-habitable area adjacent to the street that may have been envisioned as a garage, this does not meet the required interior space to accommodate a parking space. Therefore, the existing four bedroom dwelling has only two parking spaces and these are located on a paved parking area that covers approximately 57% of the front yard area.

The approval of a variance is therefore justified because the location of the existing nonconforming structure restricts the available area for parking such that only one additional parking space could be provided and this would increase the total area of paved parking/driveway within the front yard to 75%. Further, there will no additional bedrooms on the parcel as a result of the proposed project. Therefore the proposed remodeled home with an ADU would be in character with other similar developments in the vicinity that are under identical zoning classification and that have similar constraints due to the presence of nonconforming structures.

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

This finding can be made, in that the intent and purpose of the residential zone districts is to provide for residential uses including ADUs and off-street parking is required for all residential uses. The approval of a Variance for paved parking/driveways areas that exceed 50% of the front yard will allow for provision of one additional off-street parking space to serve the proposed one bedroom ADU as required by County code. The existing four bedroom dwelling has only two parking spaces and the remodel to convert a portion of the structure to an ADU will not result in additional bedrooms on the parcel.

Because the existing paving in the front yard extends into the right-of-way for 37th Avenue there is an almost 18 foot deep parking area between the edge of the travelled roadway and the existing building, this means that in practical terms there will be sufficient paved area to park up to five cars at the front of the property. This parking would not encroach into the travel lanes along 37th Avenue and parking is an allowed use within a right-of-way where it does not cause any obstruction to traffic.

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

This finding can be made in that the granting of a Variance to recognize the provision of only two parking spaces for the remodeled single family dwelling in addition to the one required parking space for the one bedroom ADU, and a paved driveway/parking area that exceeds 50% of the front yard area will not constitute a grant of special privilege to this parcel because the location of the existing nonconforming structure places restrictions that do not exist on most other parcels in the vicinity and zone in which the property is situated. Further the proposed project will not result in any intensification of the existing use in that no new bedrooms are proposed.

Conditions of Approval

Exhibit D: Project plans, 7 sheets, prepared by Barker Wagoner Architects, dated May 1, 2017 and one sheet prepared by Bowman and Williams, dated April 19, 2017.

- I. This permit authorizes the remodel of an existing single-family dwelling and conversion of a portion of a portion of the existing structure to a one-bedroom ADUs as indicated on the approved Exhibit "D" for this permit. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. 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 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.
- 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 compliance 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. Submit a color and material sheet in 8 1/2" x 11" format for Planning Department review and approval. One elevation shall indicate the location of all proposed materials and colors.
 3. Provide detailed elevations and cross-sections and the topography of the project site to clearly depict that the total height of the proposed structure will not exceed 19 feet.
 4. Provide a revised Modifications Worksheet that addresses the concerns of the Building Plans Checker to show that the project will not result in a greater than 65% modification of the existing major structural components.

- B. Meet all requirements of and pay Zone 5 drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
 - C. Meet any requirements of the City of Santa Cruz Water District.
 - D. Meet all requirements of the Santa Cruz County Sanitation District.
 - E. 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.
 - 1. Paved parking/driveway areas shall not exceed 75% of the area of the required front yard.
 - F. Complete and record a Declaration of Restriction to construct an Accessory Dwelling Unit. **You may not alter the wording of this declaration.** Follow the instructions to record and return the form to the Planning Department.
 - 1. A hold will be placed on the Building Permit pending submittal of proof that a Homeowners Tax Exemption has been filed on the parcel
- 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. 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. 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.

- V. 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, its 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.
- A. 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.
- B. 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.
- C. Settlement. 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.
- D. Successors Bound. "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: _____

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.

EXHIBIT D

17

APPROX APPROXIMATE

Over the last 10 years, we have seen a number of changes in the way that the industry has been run. The most significant of these changes have been the following:

- The industry has been restructured into a number of smaller, more focused companies.
- The industry has been restructured into a number of smaller, more focused companies.
- The industry has been restructured into a number of smaller, more focused companies.

These changes have been made in order to improve the efficiency of the industry and to ensure that the industry is able to meet the needs of its customers. The industry has also been restructured in order to ensure that it is able to meet the needs of its customers in a more efficient and effective manner.

[illegible]

100

Project Team

A100	Site Plan
A110	Demolition And Existing Floor Plans
A111	Floor Plans
A200	New and Existing Exterior Elevations
A400	Sections
A405	Door & Window Schedule
C1	Chief Plan

AOO1

General Project Information

AOO1

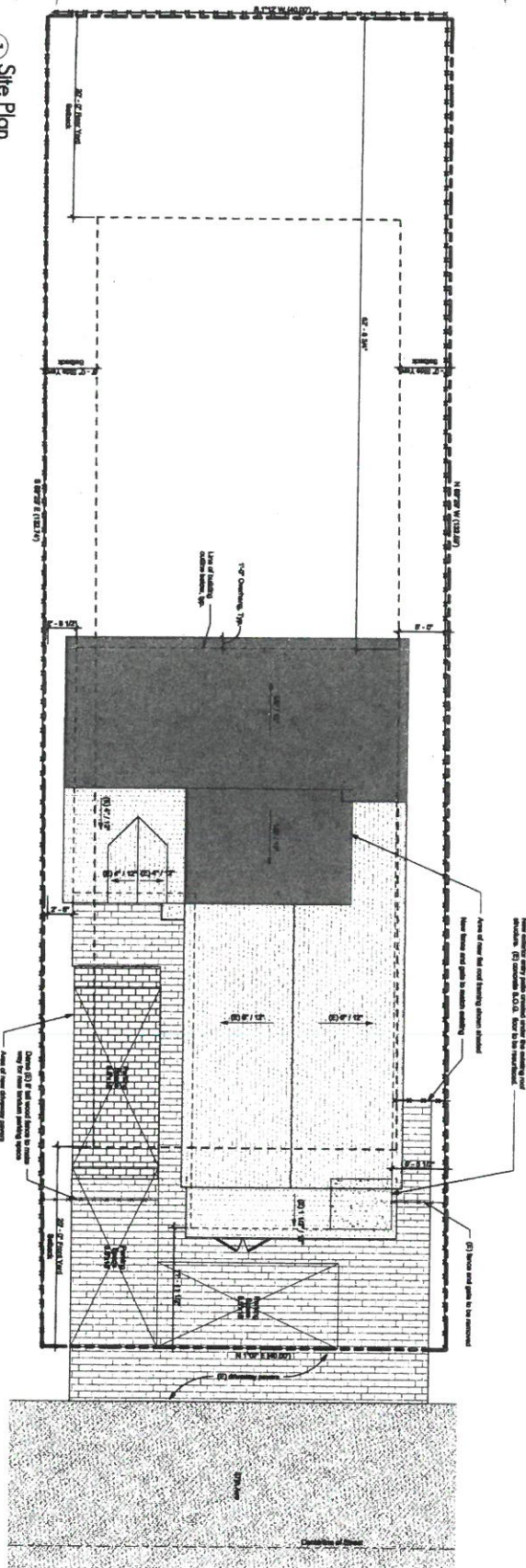
General Project Information

Thompson
House
Renovations
645 37th Ave
Santa Cruz, CA 95062

REVISION
Date Revision Description Date

DATE 3/11/17
SCALE 3/16" = 1'-0"
PROJECT # 2004002

A100
Site Plan



DEMO NOTES

GENERAL NOTES

LEGEND

1 Site Plan
3/16" = 1'-0"

GENERAL NOTES

barker
WOODRUFF
architects

EXHIBIT D

DEMO NOTES

1. The existing structure is to be demolished and replaced with a new structure. The existing structure is to be demolished and replaced with a new structure. The existing structure is to be demolished and replaced with a new structure.
2. If previously demolished materials are encountered during the course of demolition or construction, the contractor shall immediately stop work in that area and report the situation to the architect and the owner. The contractor shall not reuse any materials found in the existing structure or on the site.
3. The contractor shall be responsible for the removal and disposal of all materials and debris from the site. The contractor shall be responsible for the removal and disposal of all materials and debris from the site.
4. The contractor shall be responsible for the removal and disposal of all materials and debris from the site. The contractor shall be responsible for the removal and disposal of all materials and debris from the site.

LEGEND

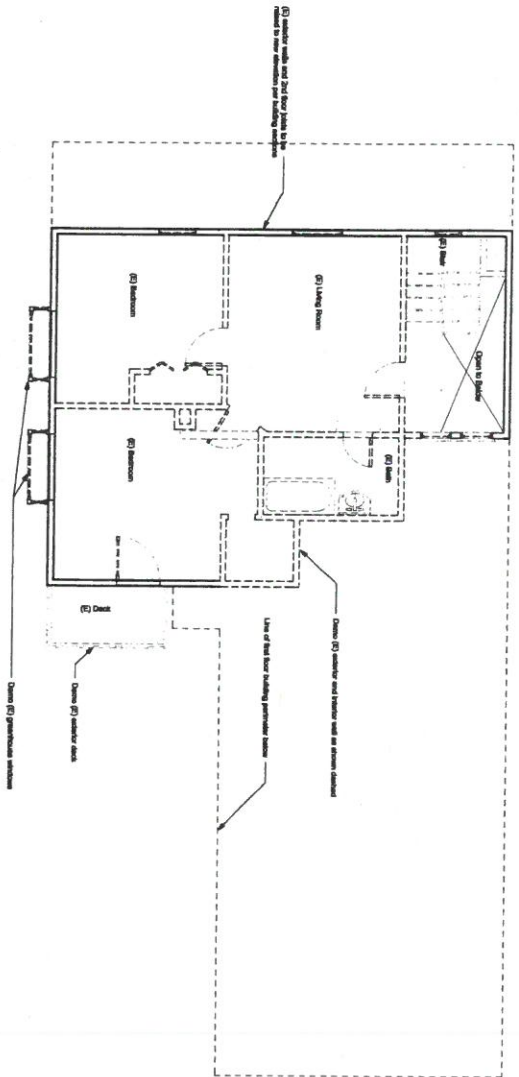
REVISION	Date	Revision Description	Date
1			

Thompson
House
Renovations
645 37th Ave
Santa Cruz, CA 95062

DATE: 3/1/17
SCALE: 1/4" = 1'-0"
PROJECT: A110
Demolition And
Existing Floor
Plans

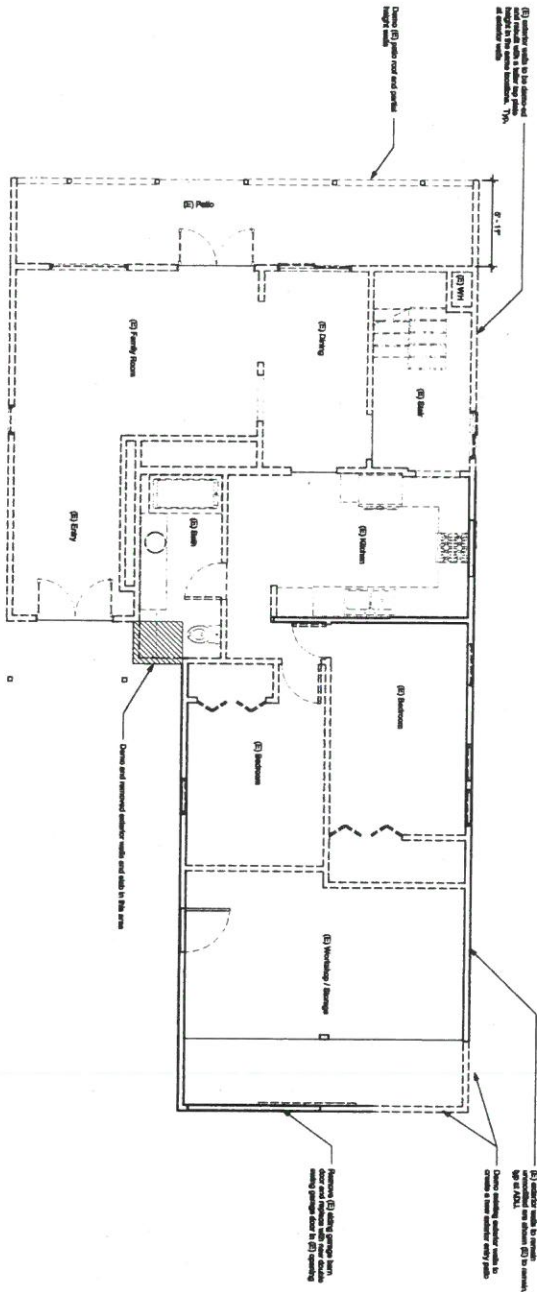
2 Second Floor Existing and Demo Plan

1/4" = 1'-0"



1 First Floor Existing and Demo Plan

1/4" = 1'-0"



GENERAL NOTES

(1) Partitions walls and doors to remain, shown in new weight per building materials.

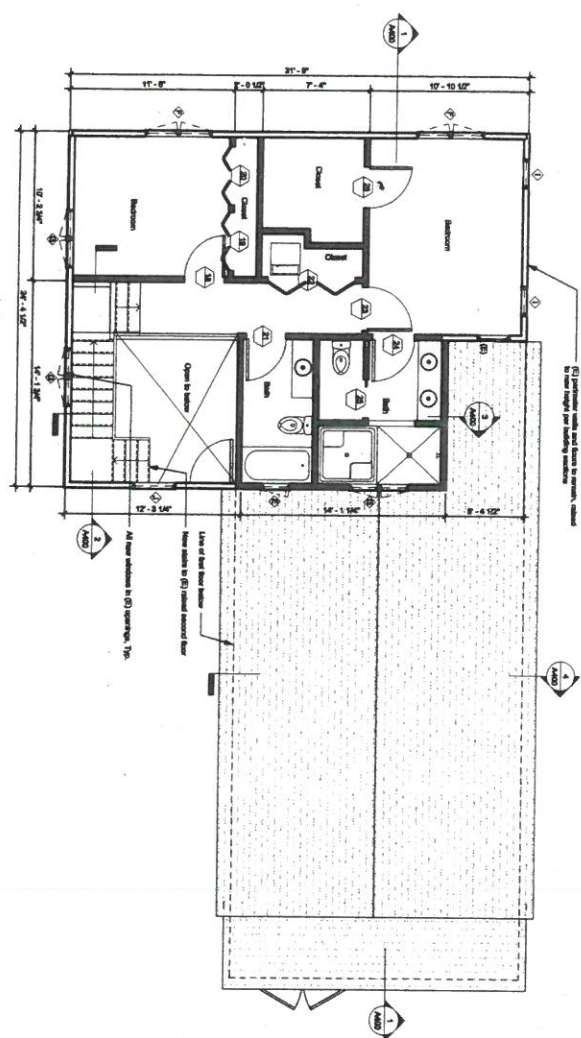
DEMO NOTES

Thompson House Renovations
645 37th Ave
Santa Cruz, CA 95062

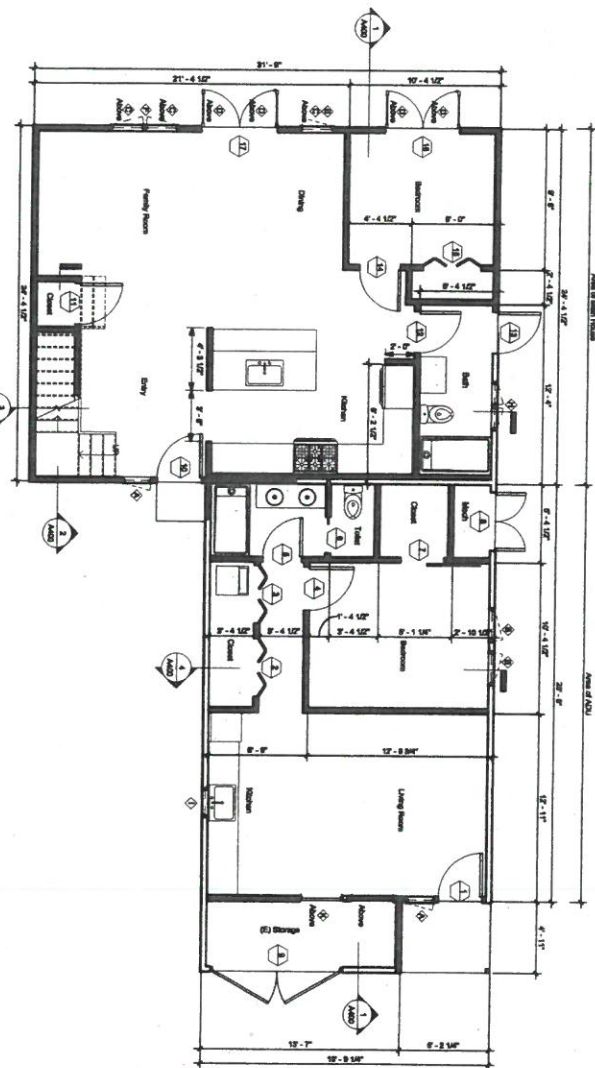
barker wooten architects

EXHIBIT D

Second Floor Plan



First Floor Plan

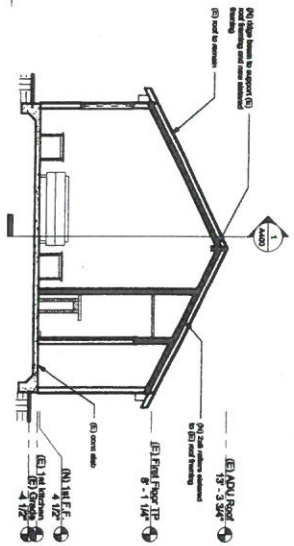


LEGEND

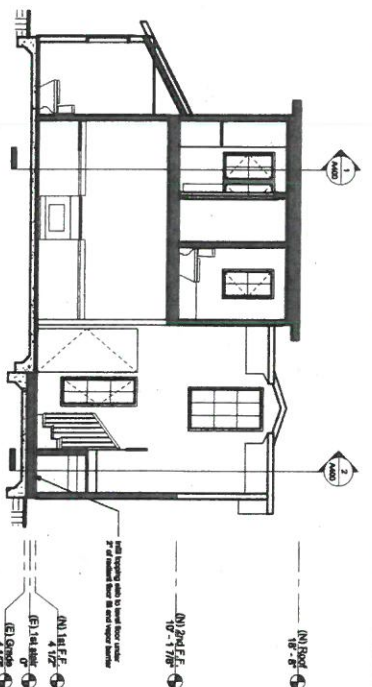
REVISIONS
Date Revision Description Date

DATE 5/1/17
SCALE 1/4" = 1'-0"
PROJECT 2016002

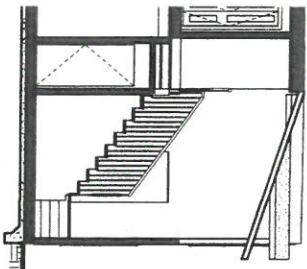
A111
Floor Plans



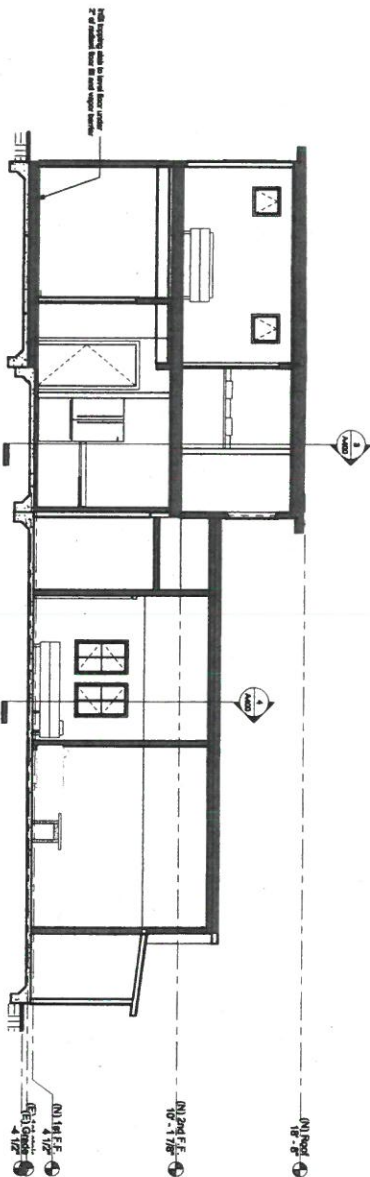
4 North South ADU Section
1/4" = 1'-0"



3 North South Building Section
1/4" = 1'-0"



2 Stair Section
1/4" = 1'-0"



1 East West House Section
1/4" = 1'-0"

DEMO NOTES

GENERAL NOTES

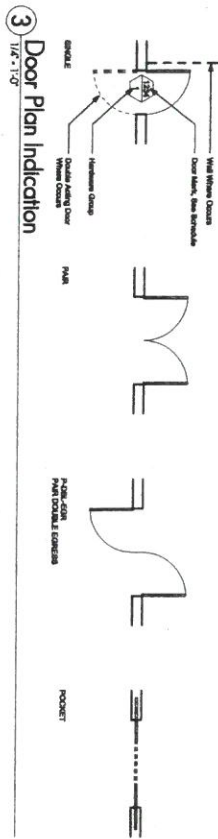
LEGEND

DATE: 5/17/17
DRAWN BY: JAW
PROJECT: 2016002

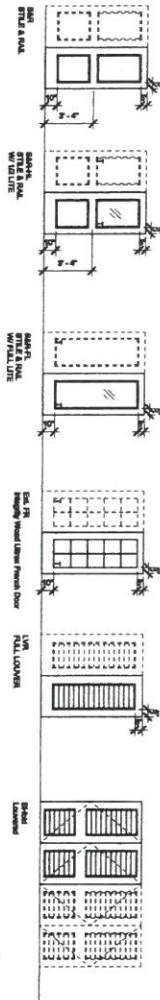
A400
Sections

Thompson
House
Renovations
6445 37th Ave
Santa Cruz, CA 95062

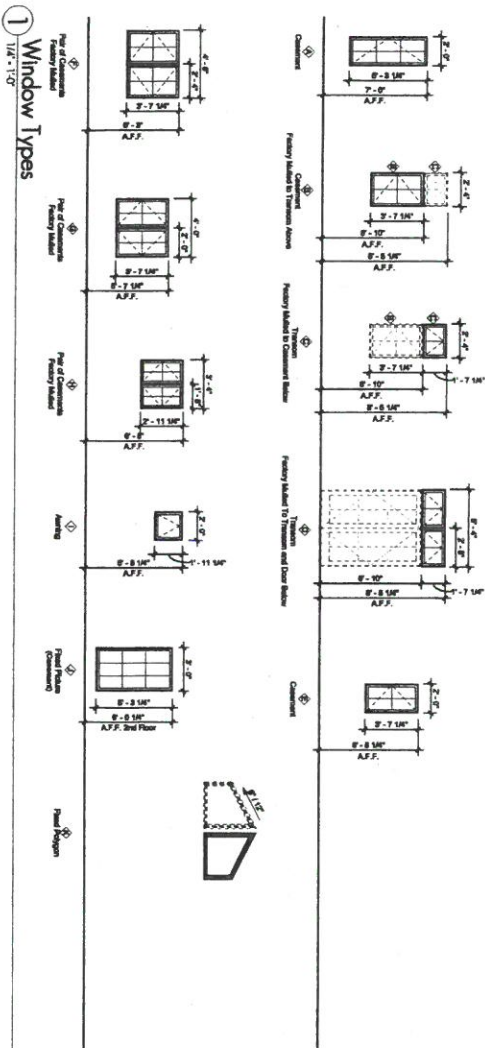
REVISIONS
Date: Revision Description Date



3 Door Plan Indication



2 Door Types



1 Window Types

Item	Door Type	Description	Width	Height	Glass Type	Hardware	Remarks
1	Swing	Single Leaf	3'-0"	6'-0"	Clear	None	
2	Swing	Double Leaf	6'-0"	6'-0"	Clear	None	
3	Sliding	Single Leaf	3'-0"	6'-0"	Clear	None	
4	Sliding	Double Leaf	6'-0"	6'-0"	Clear	None	
5	Pocket	Single Leaf	3'-0"	6'-0"	Clear	None	
6	Pocket	Double Leaf	6'-0"	6'-0"	Clear	None	
7	Swing	Single Leaf	3'-0"	6'-0"	Clear	None	
8	Swing	Double Leaf	6'-0"	6'-0"	Clear	None	
9	Sliding	Single Leaf	3'-0"	6'-0"	Clear	None	
10	Sliding	Double Leaf	6'-0"	6'-0"	Clear	None	
11	Pocket	Single Leaf	3'-0"	6'-0"	Clear	None	
12	Pocket	Double Leaf	6'-0"	6'-0"	Clear	None	
13	Swing	Single Leaf	3'-0"	6'-0"	Clear	None	
14	Swing	Double Leaf	6'-0"	6'-0"	Clear	None	
15	Sliding	Single Leaf	3'-0"	6'-0"	Clear	None	
16	Sliding	Double Leaf	6'-0"	6'-0"	Clear	None	
17	Pocket	Single Leaf	3'-0"	6'-0"	Clear	None	
18	Pocket	Double Leaf	6'-0"	6'-0"	Clear	None	
19	Swing	Single Leaf	3'-0"	6'-0"	Clear	None	
20	Swing	Double Leaf	6'-0"	6'-0"	Clear	None	
21	Sliding	Single Leaf	3'-0"	6'-0"	Clear	None	
22	Sliding	Double Leaf	6'-0"	6'-0"	Clear	None	
23	Pocket	Single Leaf	3'-0"	6'-0"	Clear	None	
24	Pocket	Double Leaf	6'-0"	6'-0"	Clear	None	
25	Swing	Single Leaf	3'-0"	6'-0"	Clear	None	
26	Swing	Double Leaf	6'-0"	6'-0"	Clear	None	
27	Sliding	Single Leaf	3'-0"	6'-0"	Clear	None	
28	Sliding	Double Leaf	6'-0"	6'-0"	Clear	None	
29	Pocket	Single Leaf	3'-0"	6'-0"	Clear	None	
30	Pocket	Double Leaf	6'-0"	6'-0"	Clear	None	

Door Schedule

Item	Window Type	Description	Width	Height	Glass Type	Hardware	Remarks
1	Swing	Single Leaf	3'-0"	6'-0"	Clear	None	
2	Swing	Double Leaf	6'-0"	6'-0"	Clear	None	
3	Sliding	Single Leaf	3'-0"	6'-0"	Clear	None	
4	Sliding	Double Leaf	6'-0"	6'-0"	Clear	None	
5	Pocket	Single Leaf	3'-0"	6'-0"	Clear	None	
6	Pocket	Double Leaf	6'-0"	6'-0"	Clear	None	
7	Swing	Single Leaf	3'-0"	6'-0"	Clear	None	
8	Swing	Double Leaf	6'-0"	6'-0"	Clear	None	
9	Sliding	Single Leaf	3'-0"	6'-0"	Clear	None	
10	Sliding	Double Leaf	6'-0"	6'-0"	Clear	None	
11	Pocket	Single Leaf	3'-0"	6'-0"	Clear	None	
12	Pocket	Double Leaf	6'-0"	6'-0"	Clear	None	
13	Swing	Single Leaf	3'-0"	6'-0"	Clear	None	
14	Swing	Double Leaf	6'-0"	6'-0"	Clear	None	
15	Sliding	Single Leaf	3'-0"	6'-0"	Clear	None	
16	Sliding	Double Leaf	6'-0"	6'-0"	Clear	None	
17	Pocket	Single Leaf	3'-0"	6'-0"	Clear	None	
18	Pocket	Double Leaf	6'-0"	6'-0"	Clear	None	
19	Swing	Single Leaf	3'-0"	6'-0"	Clear	None	
20	Swing	Double Leaf	6'-0"	6'-0"	Clear	None	
21	Sliding	Single Leaf	3'-0"	6'-0"	Clear	None	
22	Sliding	Double Leaf	6'-0"	6'-0"	Clear	None	
23	Pocket	Single Leaf	3'-0"	6'-0"	Clear	None	
24	Pocket	Double Leaf	6'-0"	6'-0"	Clear	None	
25	Swing	Single Leaf	3'-0"	6'-0"	Clear	None	
26	Swing	Double Leaf	6'-0"	6'-0"	Clear	None	
27	Sliding	Single Leaf	3'-0"	6'-0"	Clear	None	
28	Sliding	Double Leaf	6'-0"	6'-0"	Clear	None	
29	Pocket	Single Leaf	3'-0"	6'-0"	Clear	None	
30	Pocket	Double Leaf	6'-0"	6'-0"	Clear	None	

Window Schedule

barker
architects

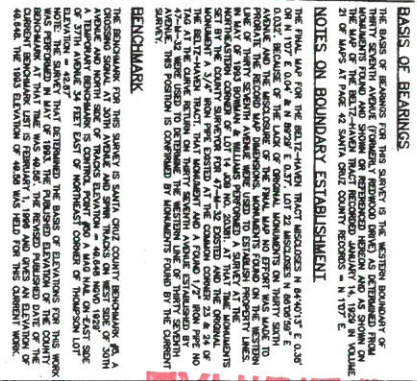
EXHIBIT D

Thompson
House
Renovations
645 37th Ave
Santa Cruz, CA 95062

REVISIONS
Date Revision Description Date

DATE 5/17/17
PROJECT A600
200002

A600
Door & Window
Schedule



FOR TAX PURPOSES ONLY
 THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY
 LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
 © COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1996

POR. RANCHO ARROYO DEL RODEO
 NE. 1/4 SEC. 21, T. 11S, R. 1W M.D.B. & M.

Tax Area Code
 82-040

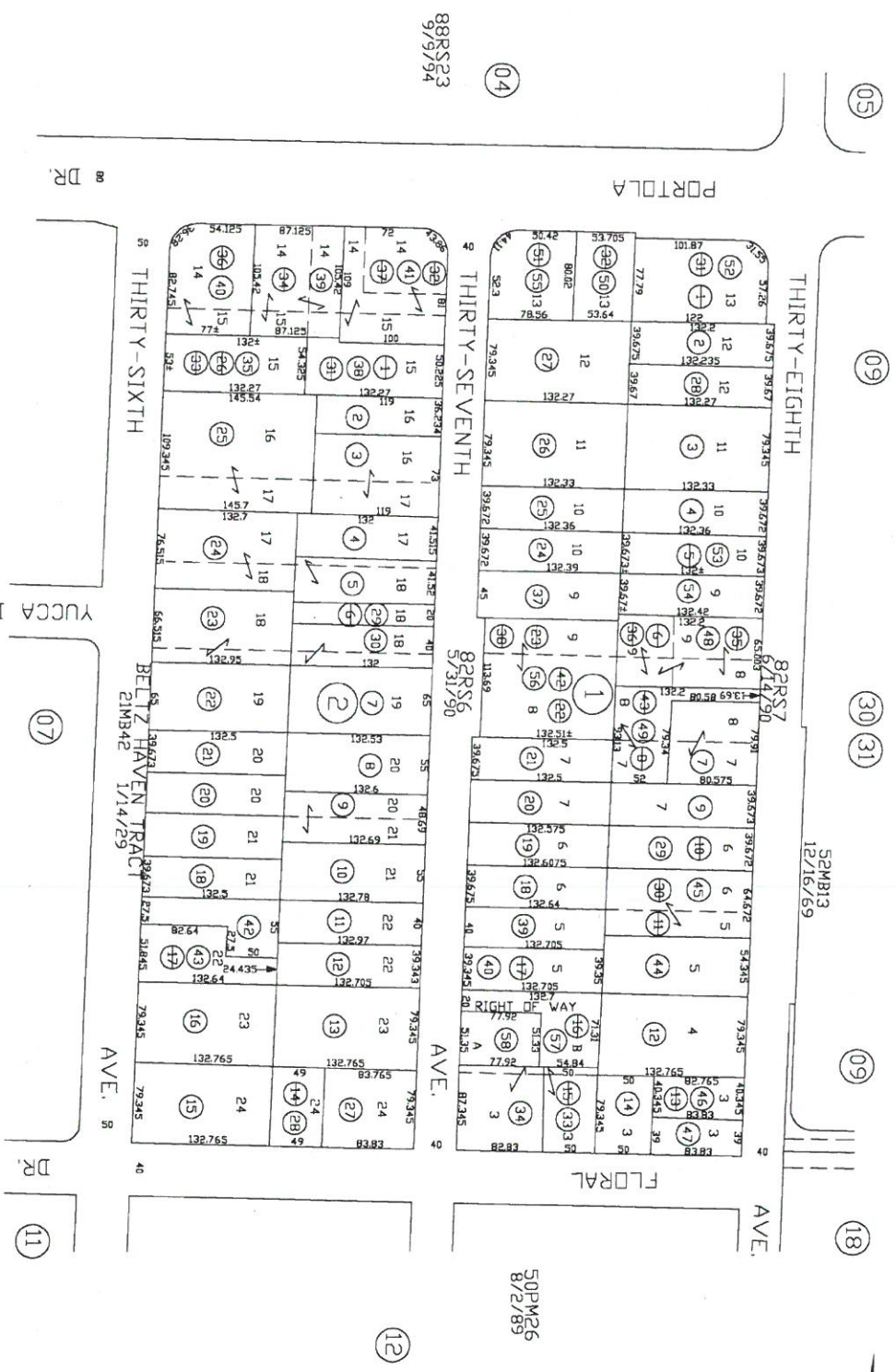
32-08

EXHIBIT E

Electronically Repositioned 1/9/97 r/w
 Rev. 5/13/98 (TCA CONSOLIDATION r/w
 Rev. 4/12/01 nwn (changed page refs))

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

Assessor's Map No. 32-08
 County of Santa Cruz, Calif.
 August, 1996

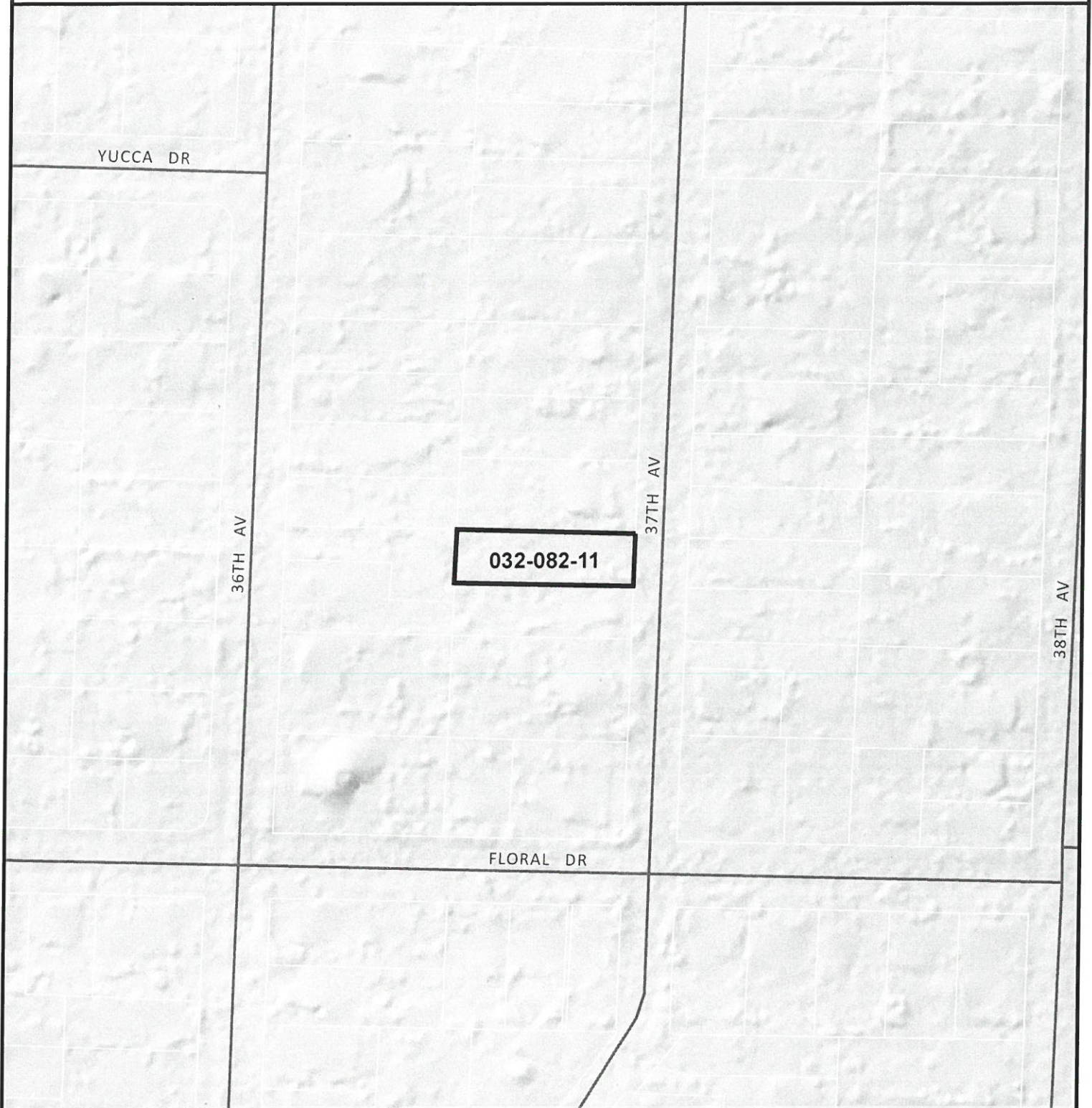




Parcel Location Map

Santa Cruz County Planning Department

Parcel Number
032-082-11
Aug. 29, 2017



Location Overview

Symbol Key

— Street

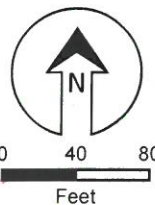


EXHIBIT E



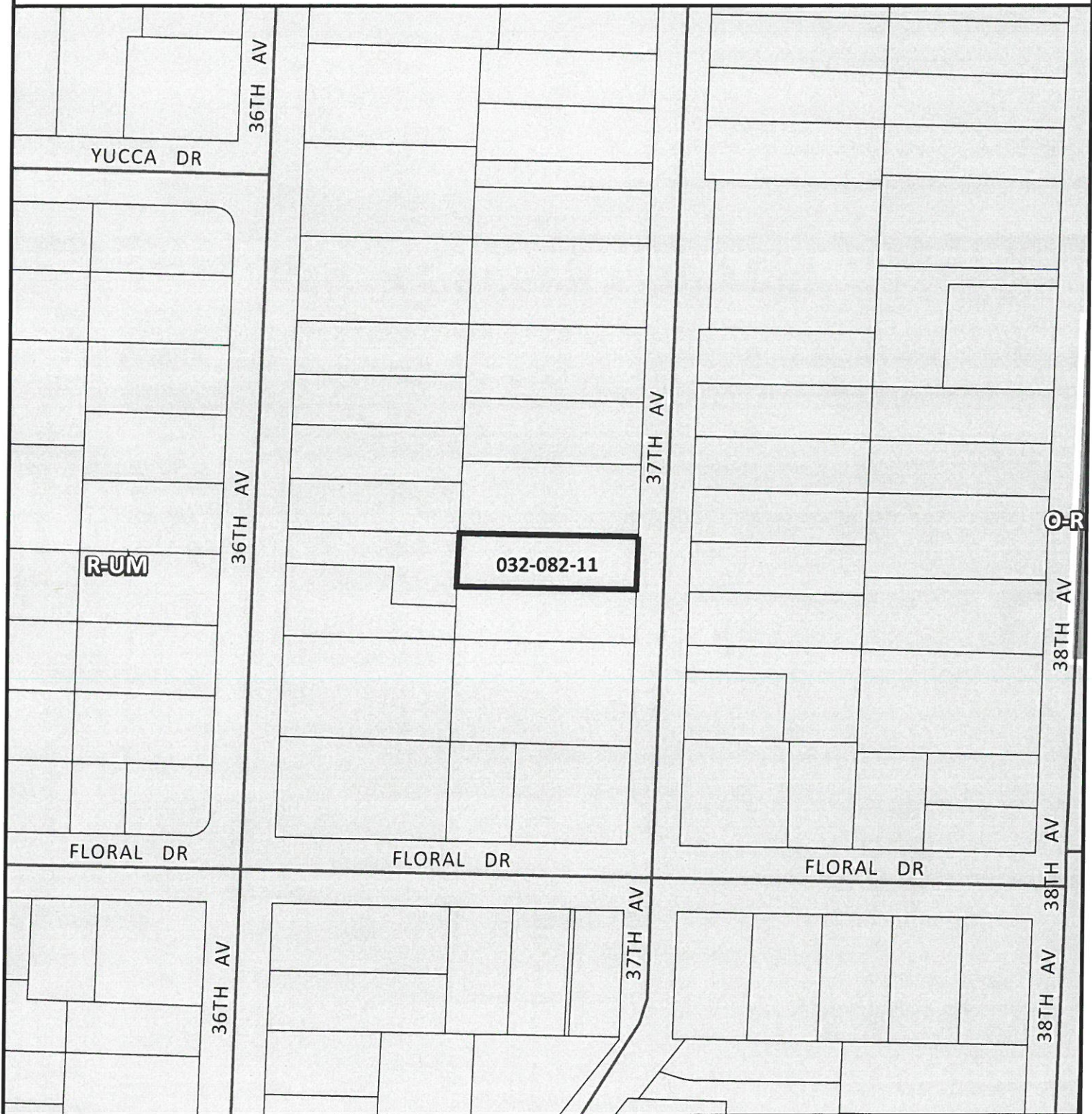
Parcel General Plan Map

Santa Cruz County Planning Department

Parcel Number

032-082-11

Aug. 29, 2017



General Plan

-  O-R - Parks and Recreation
-  R-UM - Residential - Urban Medium Density

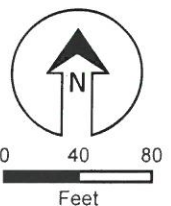


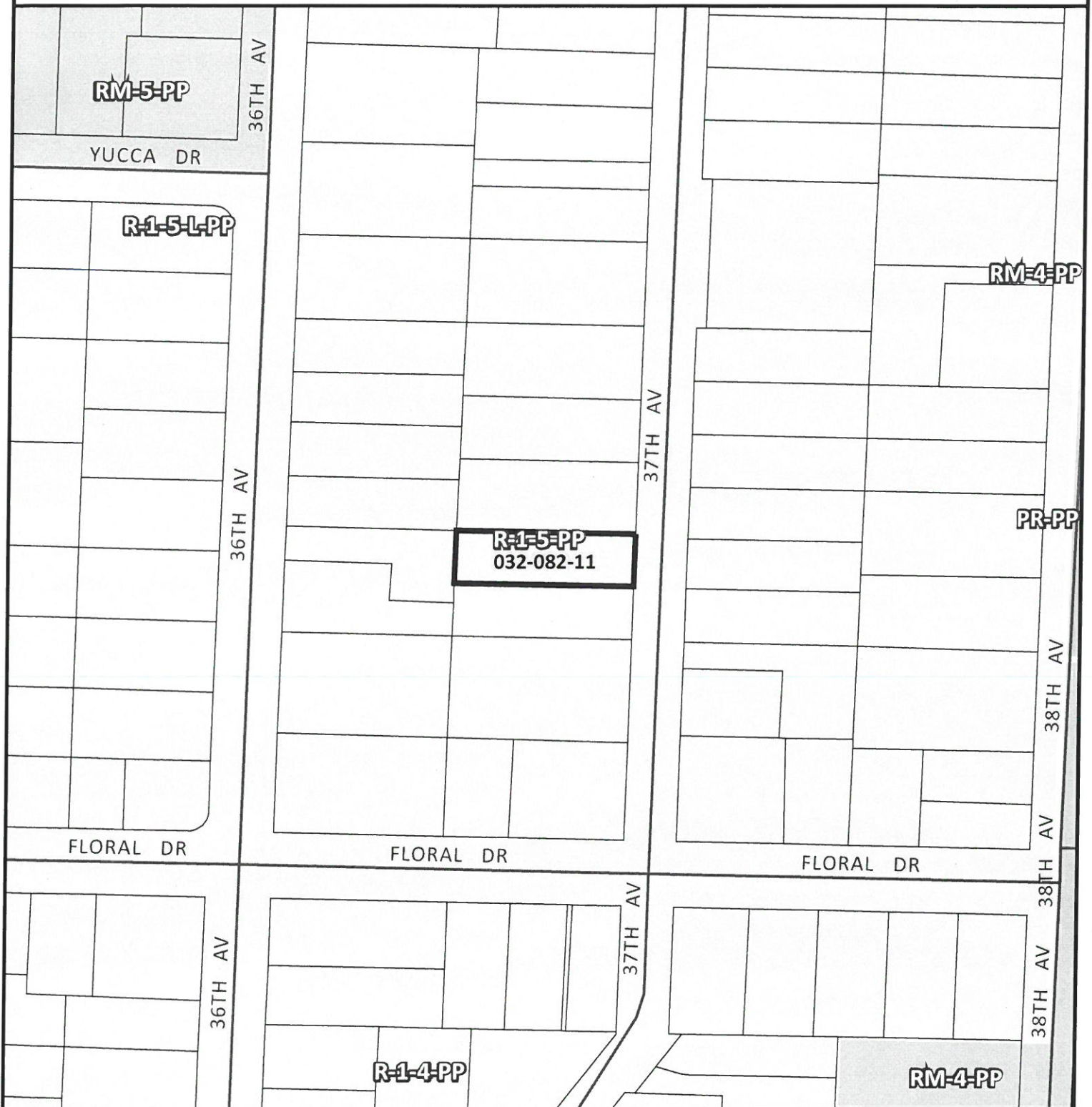
EXHIBIT E



Parcel Zoning Map

Santa Cruz County Planning Department

Parcel Number
032-082-11
Aug. 29, 2017



Zoning

- (PR) Parks, Recreation, and Open Space
- (R-1) Single-Family Residential
- (RM) Residential Multi-Family

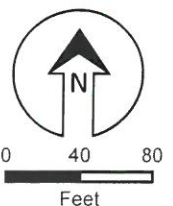


EXHIBIT E



County of Santa Cruz Planning Department

Notice of Coastal Exclusion - Coastal Zone (No Coastal Development Permit Required)

Notice of Coastal Exclusion #: 171171

Assessor's Parcel Number: 032-082-11

Applicant: Alexander (Sandy) Barker for Gordon Thompson

Project Location: 645 37th Avenue, Santa Cruz

Project Description: Proposal to remodel an existing nonconforming one and two-story single family dwelling to raise rear portion by around two feet to provide standard interior ceiling heights, and to convert an existing non-habitable workshop, one bedroom and living room to a one-story Accessory Dwelling Unit (ADU) with one additional parking space. Requires a Variance approval to recognize two existing parking spaces for the dwelling where three are required, A Variance to recognize paved parking that exceeds 50% of the required front yard and a Coastal Exclusion in the R-1-5-PP zone district.

Type of Exclusion:

- **13.20.071 - Residential 1-4 Unit**

Project is not located between the sea and the first public through road, or is located within the Residential Exclusion Zone;

Project is not located within 300 feet of the inland extent of any beach or of the mean high tide line where there is no beach, nor within 300 feet of the top of the seaward face any coastal bluff, whichever is the greater distance;

Project is not on land subject to public trust;

Project is not on a lot immediately adjacent to the inland extent of any beach, or the mean high tide line where there is no beach;

Project is not within 100 feet of any wetland, estuary, or stream;

Project is not within a scenic resource area as designated on the General Plan/LCP Visual Resources maps, or within a Special Community designated on the General Plan/LCP;

Project is not located within the habitat of the Santa Cruz Long-Toed Salamander as mapped in the General Plan/LCP.

Other Permits or Approvals	Application Number	Application Date
Variance to raise the plate height at the second floor from 5 feet to 7 feet 6 inches at an existing nonconforming dwelling.	2988-U	1967

Date Issued: _____

By: _____

County of Santa Cruz Planning Department Staff

Note: This is not a permit. This notice of exclusion will not become effective until all other permits and approvals required for the project are obtained.

The County's determination to issue a Notice of Exclusion may be challenged. If challenged, the Executive Director of the Coastal Commission will review the determination; if he disagrees with the County (i.e. believes that a Coastal Development Permit should be obtained, the Coastal Commission will decide whether a Coastal Development Permit is required.

Cc:: Applicant
Coastal Commission

Attachments: Location Map
Site Plan
Elevations

EXHIBIT F

Lezanne Jeffs

From: Lezanne Jeffs
Sent: Monday, August 28, 2017 12:11 PM
To: 'ruth segal'
Subject: RE: APP #171171

Hi Ruth,

The hearing is scheduled for Friday morning September 15, after 9:00am. This project is the 3rd item on the agenda so it probably will not be heard until after 9:45 at the earliest. I believe that both the owner and the architect will be at the hearing to answer your questions and address your concerns.

Regards,

Lezanne

Lezanne Jeffs
Senior Planner
Development Review
Tel:(831) 454 2480
lezanne.jeffs@santacruzcounty.us

From: ruth segal [mailto:sahar9@yahoo.com]
Sent: Sunday, August 27, 2017 9:36 PM
To: Lezanne Jeffs <Lezanne.Jeffs@santacruzcounty.us>
Subject: Re: APP #171171

Hi Lezanne,

Ruth here from 651 37th ave. Thank you for your reply. I haven't met my new neighbors yet. I also don't think the height increase at 645 37th ave will shade my solar panels but since I'm no expert, how can I ensure that won't happen? When is the hearing date?

My other concerns are my home and garden privacy; that the height increase, especially the slanted portion of roof that will increase much more than the 2 feet in back, will block sunlight into my house in the winter; and that they are able to contain their full-time resident & guest parking on and in front of their property without relying on the limited street parking.

I hear the owners are nice folks and I look forward to meeting them.

Thank you again for addressing my concerns.

Ruth Segal 831-332-4124

From: Lezanne Jeffs <Lezanne.Jeffs@santacruzcounty.us>
To: ruth segal <sahar9@yahoo.com>
Sent: Tuesday, August 15, 2017 10:49 AM
Subject: RE: APP #171171

Hi Ruth,

No shade study was required as the structure is within the County height limits. However I did look at whether the proposed increase in height might potentially adversely shade your solar panels and feel confident that the project will not negatively affect you. Your solar panels are located over the roof of the front portion of your home and the two-story portion of the next door house is located at the rear of the existing house, about 25 feet further back behind (west of) the last panel. Also, the increase in height will result in a structure that, at its peak, will only be 19 feet in height (County Code allows a height of up to 28 feet).

The remodel of the home and conversion of a portion of the existing structure to be an ADU does not require any approvals other than the issuance of a building permit. However Variances are required to recognize that there are not the four required parking spaces on the parcel (the paved area in front of the house is partially in the right-of-way for 37th Avenue) and because the paved area covers more than 50% of the front yard. The description includes the height change as a courtesy only.

Sorry I did not respond to your question earlier. I did reply right away but must have been pulled away and so I never hit send I just found this e-mail in my drafts!

Warmest regards,

Lezanne

Lezanne Jeffs

Senior Planner

Development Review

Tel: (831) 454 2480

lezanne.jeffs@santacruzcounty.us

From: ruth segal [<mailto:sahar9@yahoo.com>]
Sent: Tuesday, August 08, 2017 10:07 AM
To: Lezanne Jeffs <Lezanne.Jeffs@santacruzcounty.us>
Subject: Re: APP #171171

Thank you so much for the reply. Was a shade study done to make sure the solar panels on my south facing roof will not be affected?
Thanks, Ruth

From: Lezanne Jeffs <>
To: ruth segal <sahar9@yahoo.com>
Sent: Tuesday, August 8, 2017 9:54 AM
Subject: RE: APP #171171

Hi Ruth,

The entrance to the ADU is proposed to be at the front of the property at the northeast corner. The walls at the corner of the existing garage area will be removed and new walls constructed under the roof, to create a covered porch. The front door of the ADU will face the street.

The increase in height at the rear portion of the existing house is approximately 2 feet which will result in a structure that has a height of 19 feet ¼ inch adjacent to your property boundary. County Code allows for a maximum height of up to 28 feet and therefore the structure will be significantly lower than could be constructed. The wall of the house meets the required minimum 5 foot side yard setback.

I hope that this answers your questions.

Warmest regards,

Lezanne

Lezanne Jeffs

Senior Planner

Development Review

Tel: (831) 454 2480

lezanne.jeffs@santacruzcounty.us

t regards,

From: ruth segal [<mailto:sahar9@yahoo.com>]
Sent: Thursday, August 03, 2017 8:00 PM
To: Lezanne Jeffs <Lezanne.Jeffs@santacruzcounty.us>
Subject: Re: APP #171171

Thank you.

Are you able to answer a few questions that we couldn't interpret from looking at the design?

We are wondering where is the entrance to the ADU?

Also, I don't think this is a problem but I want to make sure the increased height won't block solar panels on my roof to the north.

Thanks again,

Ruth

From: Lezanne Jeffs <Lezanne.Jeffs@santacruzcounty.us>
To: ruth segal <sahar9@yahoo.com>
Sent: Wednesday, August 2, 2017 5:02 PM
Subject: RE: APP #171171

Hi Ruth,

I am out of the office tomorrow but will leave the file in the records room for you.

I just spoke to the architect and he says that the property owners are planning to come round to see all of their new neighbors sometime soon. They want to show everybody the plans before the hearing so I expect that you will also have the chance to ask them questions.

Lezanne

From: ruth segal [<mailto:sahar9@yahoo.com>]
Sent: Wednesday, August 02, 2017 3:32 PM
To: Lezanne Jeffs <Lezanne.Jeffs@santacruzcounty.us>
Subject: Re: APP #171171

Hello

Can I come in tomorrow (thursday) afternoon between 1-3 to look at the plans?

Thank you,

Ruth Segal
831-332-4124

From: Lezanne Jeffs <Lezanne.Jeffs@santacruzcounty.us>
To: ruth segal <sahar9@yahoo.com>
Sent: Friday, July 28, 2017 4:41 PM
Subject: RE: APP #171171

Hi Ruth,

Plans for the project will be included in the staff report and this will be posted on line one week before the hearing. The date of the hearing has not yet been confirmed but is likely to be Friday September 1. If you would like to come in to see the plans before that time, I would be happy to make them available to you through the Planning Department records room. You can come in any time Monday –Thursday.

Regards,

Lezanne

Lezanne Jeffs
Senior Planner
Development Review
Tel:(831) 454 2480
lezanne.jeffs@santacruzcounty.us

8-noon or 1-3. Let me know what time works for you and I will have the file ready for you.

Regards,

From: ruth segal [<mailto:sahar9@yahoo.com>]
Sent: Friday, July 28, 2017 2:34 PM
To: Lezanne Jeffs <Lezanne.Jeffs@santacruzcounty.us>
Subject: APP #171171

Hello,

I live next-door to the proposed development, APP #171171 at 645 37th ave, santa cruz county. I'm looking for more details about the proposed remodel, specifically how it might affect me and my property to the north in regards to privacy, noise, daylight, parking or any other impact.

Thank you for providing detailed information. I look forward to meeting my new neighbors.

Sincerely,

Ruth Segal
651 37th ave
santa cruz 95062