



Staff Report to the Zoning Administrator

Application Number: **231489**

Applicant: Sherry Hrabko
Owner: LLC Tides of Life
APN: 042-057-47
Site Address: 157 Seacliff Drive

Agenda Date: 7/19/24
Agenda Item #: 1
Time: After 9:00 a.m.

Project Description: Proposal to recognize the demolition of existing nonconforming first and second floor decks at the rear of an existing single-family dwelling (158 square feet and 176 square feet) and construct replacement decks of 250 square feet at the first floor and 296 square feet at the second floor.

Location: Property is located on the southern side of an unnamed right-of-way, approximately 70 feet east of Seacliff Drive (157 Seacliff Drive), which is approximately 20 feet south of the intersection with Santa Cruz Avenue.

Permits Required: Requires a Coastal Development Permit, and Variances to reduce the northern side yard setback for deck support posts from 5 feet to 2 feet 7 inches at the first floor and 1 foot 4 inches at the second floor.

Supervisory District: 2nd District (District Supervisor: Zach Friend)

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 231489, based on the attached findings and conditions.

Project Description & Setting

The project property is located in the Seacliff Park Subdivision overlooking Aptos Creek and Seacliff State Beach. The dwellings in the subdivision vary widely in architectural style, size and scale and include smaller one-story structures, together with two-story dwellings. The subject property is one of many dwellings located along the top of the cliff running along Aptos Creek. The properties on the ridgeline are made up of narrow, steep lots with non-conforming dwellings and decks that face towards the beach.

The subject property is on an unnamed right-of-way accessed from Seacliff Drive and serves a total of three properties. The property is developed with an existing non-conforming, 1,647 square foot, three-bedroom, two-story single-family dwelling with 700 square feet of decks and a 540 square foot accessory structure that includes 270 square feet of habitable area at the second story and 270 square feet of non-habitable area at the lower floor. According to the Assessor's records,

all structures were built in 1968. Due to the steep slope of the property from the parking area, decks and stairs are required to access the dwelling and accessory structures as well as to access flat, useable yard space at the rear of the property.

The rear decks (158 square feet at the lower, and 176 square feet at the upper) were damaged during recent winter storms and had become a safety hazard, as determined by Special Inspection Permit B-233157 issued 5/11/23 and were subsequently demolished. The proposed project therefore recognizes the demolition of the original rear decks and also includes the construction of replacement decks. The proposed replacement decks will be 250 square feet at the lower level and 296 square feet at the upper level. The proposed decks are distantly visible from the public beach but have been designed to reduce visual impacts by using natural, non-reflective dark colored materials as well as re-painting the side of the house that is visible to the beach a darker color to help it blend into the surrounding tree canopy that towers over the existing dwelling.

Zoning & General Plan Consistency

The subject property is a 5,525 square foot lot, located in the R-1-4 (Single-Family Residential, minimum 4,000 square foot lot) zone district, a designation which allows for single-family residential uses. The proposed rear decks are principally permitted and, with the approval of Variances to allow for reduced side yard setbacks to the proposed support posts, are consistent with the standards of the zone district and the site's R-UM (Urban Residential, Medium Density) General Plan designation. Applicable site and development standards for properties in the R-1-4 zone district are set out in SCCC 13.10.323 and a summary of the required, existing, and proposed site and development standards relevant to the project are summarized in the table below:

Development Standards	R-1-4 Zone District	Existing	Proposed
Front Yard Setback	Min. 15 feet	SFD: greater than 50 feet	SFD: no change
Northern Side Yard Setback	Min. 5 feet	SFD: 1 foot 8 inches Upper Deck: 1 foot 1 inch Lower Deck: 2 feet 8 inch	SFD: no change Upper Deck: 1 foot 4 inches Lower Deck: 2 feet 7 inches
Southern Side Yard Setback	Min. 5 feet	SFD: 7 feet 11 inches feet Upper Deck: 11 feet 4 inches Lower Deck: 12 feet 11 inches	SFD: no change Upper Deck: 12 feet 11 inches Lower Deck: no change
Rear Yard Setback	Min. 15 feet	SFD: 24 feet 7 inches Upper Deck: 20 feet Lower Deck: 20 feet 4 inch	SFD: no change Upper Deck: 15 feet Lower Deck: 19 feet 1 inch
Height	Max. 28 feet	SFD: 26 feet 8 inches Upper Deck: 14 feet 7 inches Lower Deck: 5 feet 7 inches	SFD: no change Upper Deck: no change Lower Deck: no change
Number of Stories	Max. 2 stories	2	2
Floor Area Ratio	Max.60%	40%	40%
Lot Coverage	Max. 45%	43%	45%

Additional code sections and standards apply to the proposed project, including the following:

Nonconforming Structures, SCCC 13.10.262

As set out in SCCC 13.10.262 – “Nonconforming Structures”, structural alterations may be made to an existing nonconforming structure without additional permit requirements, where such modifications do not constitute reconstruction. Reconstruction is defined by SCCC 13.10.260(B) as modifications that alter 65% or more of the major structural components within a five-year period. Since decks are not considered to be a major structural component and the existing non-conforming dwelling is not being structurally modified, no non-conforming findings are required to be made.

Variances, SCCC 13.10.230

The project proposes an increase in the square footage of both decks, while slightly reducing the overall non-conformity to the required 5-foot setback at the northern side property line. As such, the proposed upper deck will be located 1 foot 4 inches from the property line (originally 1 foot 1 inch) and the lower-level deck will be located 2 feet 7 inches from the property boundary (originally 2 feet 8 inches). Because the proposed replacement decks will continue to be within the side yard setback Variances are required to recognize the reconfigured decks. In accordance with SCCC 13.10.230, specific findings are required to be made in support of Variance approvals. For the proposed project these findings can be made in that the subject property is constrained by steep slopes. In addition, the existing dwelling to which the proposed decks will be attached, is nonconforming to the northern side yard setback (1 foot 8 inches at the closest point) and is also slightly angled toward the northern property line. As a result, to allow for a compliant landing area at the rear doors where they open onto the rear decks, it is not possible to reduce encroachment further. Therefore, the granting of Variances to allow for reduced setbacks along the northern property line for both the lower and upper decks, is required to meet Building Code. A complete list of Variance findings is included with this report.

Local Coastal Program Consistency

The proposed rear decks are in conformance with the County's certified Local Coastal Program, in that the decks have been sited and designed to be visually compatible, in scale with, and integrated with the character of the existing dwelling and with the surrounding neighborhood. Other developed properties located along the top of the bluff at Aptos Creek contain single-family dwellings that also include decks at their southern elevations facing the beach, Aptos Creek and the Rio del Mar Esplanade. Size and architectural styles of homes in the area vary, and the design submitted for the proposed replacement decks is consistent with the existing dwelling and the range of styles of surrounding properties.

The property is located within a mapped scenic area and is therefore subject to the Coastal Design Criteria set out in SCCC 13.20.130. These require that development use natural materials and colors to help structures blend into the surrounding natural landscape. Therefore, the proposed rear decks have been designed using non-reflective and darker colored, materials that resemble natural wood (Timbertech Composite) in conformance with the required design criteria. In addition, the existing exterior of the dwelling, which is currently painted white, will be revised to be a dark brown, to further blend the dwelling into the surrounding landscape and tree canopy. The project

site is located between the shoreline and the first public road; however, because of its location at the top of the steep bluff along Aptos Creek, there is no public access across the parcel. In addition, the property 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.

Public Comment

Staff received one public comment from a neighbor at the bottom of the ridgetop, who expressed concerns around the drainage impact to the existing drainage configuration that pipes water through their property, as well as how the posts will impact slope stability. There are conditions of approval that address these concerns since this will be analyzed as part of the building permit phase.

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 **231489**, 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 Division, 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.sccoplanning.com

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Exhibits

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

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

The Santa Cruz County Planning Division 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: 231489

Assessor Parcel Number: 042-057-47

Project Location: 157 Seacliff Drive, Aptos CA 95003

Project Description: Proposal to recognize the demolition of existing nonconforming first and second floor decks at the rear of an existing single-family dwelling (158 square feet and 176 square feet) and construct replacement decks of 250 square feet at the first floor and 296 square feet at the second floor.

Person or Agency Proposing Project: Sherry Hrabko

Contact Phone Number: 831-477-7794

- 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 1 – Existing Facilities (Section 15301)

F. Reasons why the project is exempt:

The replacement decks are a minor exterior alteration to an existing single-family dwelling and two detached accessory structures. Minor improvements are allowed under Class 1, Existing Facilities.

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

Alexandra Corvello, Project Planner

Date:_____

Coastal Development Permit Findings

- (A) That the project is a use allowed in one of the basic zone districts that are listed in LCP Section 13.10.170(D) as consistent with the LCP Land Use Plan designation of the site.

This finding can be made, in that the property is zoned R-1-4 (Single-Family Residential, minimum 4,000 square foot lot), a designation which allows residential uses, including the replacement of rear decks at an existing single-family dwelling. The proposed rear decks constitute part of a principal permitted use within the zone district, and the zoning is consistent with the site's R-UM (Urban Residential, Medium Density) General Plan designation.

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

This finding can be made, in that no such easements or restrictions are known to encumber the project site.

- (C) That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to SCCC 13.20.130 and 13.20.140 et seq.

This finding can be made, in that the proposed development is consistent with the surrounding neighborhood in terms of development pattern and architectural style. Other neighboring residences along Seacliff Drive, where it runs along the top of the bluff at Aptos Creek, are non-conforming to zone district standards and have required the approval of Variances to setbacks. The proposed rear decks on the subject property will be more conforming overall than the original decks in that the setback at the upper deck will increase by around three inches and the setback at the lower deck decrease by just one inch. The Coastal Design Criteria set out in SCCC 13.20.130 requires that development use natural materials and colors that help structures blend into the surrounding natural landscape. Therefore, the proposed rear decks have been designed using non-reflective and darker colored materials that resemble natural wood (Timbertech Composite) in conformance with the required design criteria. In addition, the existing exterior of the dwelling, which is currently painted white, will be revised to be a darker color, to further blend the dwelling into the surrounding landscape and tree canopy.

The site is located on a prominent ridgetop but is surrounded by lots developed with single-family homes. However, the existing dwelling does not stand out in views from the nearby beach, public pedestrian walkways along Aptos Creek or from the Rio del Mar Esplanade, in that it is located further down the hill than the adjacent homes and is also surrounded by mature trees. The proposed decks are in scale with the existing dwelling and will not add increased bulk or mass to the overall structure. Therefore, the proposed replacement decks will not negatively impact the scenic quality and views of the area.

- (D) That the project conforms with the public access, recreation, and visitor-serving policies, standards and maps of the LCP Land Use Plan, including Chapter 2: Section 2.5 and Chapter 7.

This finding can be made, in that the project site is not identified as a priority acquisition site in the County Local Coastal Program and there is no public access across the property due to the very steep cliff along Aptos Creek. Public beach access is available south of this property at the Rio del Mar Esplanade and to the north, via a steep path that runs down the cliff adjacent to 163 Seacliff Drive.

- (E) That the project conforms to all other applicable standards of the certified LCP.

This finding can be made, in that the structure is sited and designed to be visually compatible and integrated with the character of the surrounding neighborhood. Developed properties in the area contain single-family dwellings, many of which include extensive deck areas at the rear due to the steeply sloped lots above Aptos Creek. Additionally, residential uses, including decks, are allowed in the R-1-4 (Single-Family Residential, minimum 4,000 square foot lot) zone district, as well as the General Plan and Local Coastal Program land use designation. Size and architectural styles vary in the area, and the design submitted is consistent with the pattern of development within the surrounding neighborhood as well as being consistent with the Coastal Design Criteria requirements to lessen the visual impact of the dwelling itself and promoting darker colors to help blend the dwelling and replacement decks into the surrounding natural landscape.

- (F) If the project is located between the nearest through public road and the sea or the shoreline of any body of water located within the Coastal Zone, that the project conforms to the public access and public recreation policies of Chapter 3 of the Coastal Act.

This finding can be made in that although the project site is located between the shoreline and the first public road, because of its location at the top of the steep cliff along Aptos Creek, there is no public access across the parcel. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water and conforms to the public access and public recreation policies of Chapter 3 of the Coastal Act. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

- (G) In the event of any conflicts between or among the required findings, required findings in subsections (E) and (F) of this section shall prevail.

This finding can be made, in that there are no conflicts among the required Coastal Development Permit findings.

Discretionary Permit Findings

- (a) **Health and Safety.** The proposed location of the project and the conditions under which it would be developed, 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 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 ensure that the project 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 be materially injurious to properties or improvements in the vicinity.

- (b) **Zoning Conformance.** The proposed location of the project and the conditions under which it would be developed, operated, or maintained will be in substantial conformance with the intent and requirements of 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 rear decks and the conditions under which they would be operated or maintained will in substantial conformance with all pertinent County ordinances and the purpose of the R-1-4 (Single-Family Residential, minimum 4,000 square foot lot) zone district as the primary use of the property will be residential. Dwellings with decks are principally permitted within residential zone districts. In addition, with the approval of the proposed Variances, the project will meet all current site standards for the zone district.

- (c) **General Plan Conformance.** The proposed project is in substantial conformance with the intent, goals, objectives, and policies of all elements of the County General Plan and any specific plan which has been adopted for the area.

This finding can be made, in that the proposed residential use is in substantial conformance with the use and density requirements specified for the R-UM (Urban Medium Density Residential) land use designation in the County General Plan. The approval of Variances for the proposed development will not result in additional shading that would deprive adjacent properties or the neighborhood of light, air, or open space, since the replacement decks will be in overall greater conformance with the side yard setback than the original decks and will be in conformance with all other site and development standards that ensure access to these amenities. Variance findings are included with this report.

The proposed project conforms to the criteria of County General Plan 8.6.6 – “Protecting Ridgetops and natural Landforms” – because the proposed rear decks are located below the level of the existing roof and do not project above the tree-line or ridgeline. In addition, the decks will be constructed using materials that resemble natural wood (Timbertech Composite) and the exterior color at the dwelling, which is currently white, will be revised to be a darker, earth-toned shade, that will reduce the visual impact of the structure and further blend it into the natural landscape and surrounding trees. No trees are being removed as part of this proposal and the proposed decks will be constructed at an existing developed property.

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

- (d) CEQA Conformance. The proposed project complies with the requirements of the California Environmental Quality Act (CEQA) and any significant adverse impacts on the natural environment will be mitigated pursuant to CEQA.

This finding can be made, in that the project has been determined to be exempt from further review under the California Environmental Quality Act, as indicated in the Notice of Exemption for this project.

- (e) Utilities and Traffic Impacts. The proposed use will not overload utilities, result in inefficient or wasteful use of energy, or generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the proposed rear decks will not add any additional residential units on the existing property that contains one single-family dwelling. Therefore, no adverse impacts to existing roads or intersections in the surrounding area are expected, and the project will not overload utilities or otherwise result in an inefficient or wasteful use of energy.

- (f) Neighborhood Compatibility. The proposed use will be compatible with the existing and proposed land uses, land use intensities, and dwelling unit densities of the neighborhood, as designated by the General Plan and Local Coastal Program and implementing ordinances.

This finding can be made, in that the proposed rear decks are consistent with the land use intensity and density of the neighborhood as designated by the General Plan and implementing ordinances. The proposed project is located in a mixed neighborhood containing a variety of eclectic architectural styles, with most existing dwellings having large rear decks, some of which appear to also be located within the side or rear yard setbacks. Therefore, the project will be consistent with surrounding development. In addition, through the use of dark, natural colors for the proposed decks and exterior paint at the rear of the existing single-family dwelling, the resulting structure will better blend with the neighboring homes and natural environment.

- (g) Local Coastal Program Consistency. For proposed projects located within the coastal zone, the proposed project is consistent with the provisions of the certified Local Coastal Program.

This finding can be made, in that the required Coastal Development Permit findings have been made for this project and the project is consistent with the provisions of the certified Local Coastal Program.

Site Development Permit Findings

- (a) **Siting and Neighborhood Context.** The proposed development is designed and located on the site so that it will complement and harmonize with the physical design aspects of existing and proposed development in the neighborhood, as designated by the General Plan and Local Coastal Program and implementing ordinances.

This finding can be made, in that the proposed rear decks are designed and located on the site in a manner that will complement and harmonize with the physical design aspects of existing and proposed development in the neighborhood. The proposed replacement decks are consistent with the varied architectural styles, non-conforming development pattern, and topographical limitations of the site. The proposed decks do not loom over the ridgetop or tree canopy and will blend into the surrounding tree canopy due to the use of darker, natural wood appearance materials for the decks. In addition, the exterior rear wall of the single-family dwelling, where it is visible from the beach and adjacent public areas, will be repainted a dark earth-toned shade to further reduce the impact of the dwelling.

- (b) **Design.** The proposed development is in substantial conformance with applicable principles in the adopted Countywide Design Guidelines, except as prohibited by site constraints, and any other applicable requirements of SCCC 13.11 (Site Development and Design Review). If located in the Coastal Zone, the site plan and building design are also in substantial conformance with the policies of the Local Coastal Program and coastal regulations of SCCC 13.20.

This finding can be made in that the proposed rear decks are in substantial conformance with the requirements of the County Design Review Ordinance. The proposed project will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the subject property and will not reduce or visually impact available open space in the surrounding area. While the property is located on a ridgetop, it does not significantly impact existing views due to its location further down the slope than adjacent homes and because it is surrounded by mature trees. The replacement decks at the rear of the dwelling, although slightly larger than the original decks, will not increase the visual impact of the structure in that they have been designed using dark-colored materials that resemble natural wood. In addition, the existing rear wall of the dwelling will be repainted to a darker, earth-toned color that will better blend into the surrounding vegetation, resulting in an overall reduction in the visual impact of the existing dwelling, as shown by the Renderings in Exhibit D.

Variance Permit 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 proposed Variances to the north side yard setback are required due to special circumstances. These include that the existing dwelling is developed on a very steeply sloped lot, close to the top of the ridgetop that runs along Aptos Creek, which significantly restricts the useable yard area. In addition, the existing dwelling to which the proposed decks will be attached, is nonconforming to the northern side yard setback (1 foot 8 inches at the closest point) and is also slightly angled toward the northern property line. As a result, to allow for a compliant landing area at the rear doors where they open onto the rear decks, it not possible to reduce encroachment further. Therefore, the granting of Variances to allow for reduced setbacks along the northern property line for both the lower and upper decks, is required to meet Building Code.

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 district is to provide for residential uses. The approval of Variances to reduce the northern side yard setback for the replaced lower deck from 5 feet to 2 feet 7 inches and for the upper deck from 5 feet to 1 foot 4 inches, will result in a structure that is in character with other adjacent properties located along the top of the Aptos Creek ridgetop. The majority of existing homes along this section of Seacliff Drive are also nonconforming to setbacks and therefore the posts at the replacement decks that will be located in the northern side yard setback, will align with other existing developments in the area. Further, the replacement decks will overall be in slightly greater conformance with the side yard setback than the original decks, which also encroached into the north side yard setback. As such, the reconstructed decks will not impact public health, safety or welfare, or injurious to property or improvements in the vicinity.

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 neighboring property, 159 Seacliff Drive (APN: 042-057-46), is also nonconforming to both the side and rear yard setbacks. Further the proposed replacement rear decks will, overall, be in slightly greater conformance with the side yard setback than the original decks. Therefore, the project does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone district.

Conditions of Approval

Exhibit D: Project plans, prepared by Sherry Hrabko Designs, dated 5/10/24.

- I. This permit authorizes the previous demolition and proposed construction of a 296 square foot upper deck and 250 square foot lower rear deck 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 Santa Cruz County Planning 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 Santa Cruz County Planning 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.
 - C. Obtain an Encroachment Permit from the Department of Public Works if any off-site work will be 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 Santa Cruz County Planning. The final plans shall be in substantial compliance with the plans marked Exhibit "D" on file with Santa Cruz County Planning. 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 Application, including the proposed paint color at the rear wall of the existing dwelling.
 3. Grading, drainage, and erosion control plans, if required.
 4. All existing and proposed drainage structures, including any drainage easement areas, shall be shown on the building permit plans.
 5. Details showing compliance with fire department requirements.

- B. Meet all requirements of the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
 - 1. The discretionary application has not been reviewed for compliance with Part 3 of the County Design Criteria. Prior to issuance of a building, grading, or other permit, final Stormwater Management documents shall be submitted for review and approval by Stormwater Management Section that adhere to the County Design Criteria and County Code 7.79.
 - 2. Pre-development runoff patterns and rates shall be maintained, and safe stormwater overflow shall be incorporated into the project design.
 - 3. New and/or replaced impervious and/or semi-impervious surface area shall not exceed 5,000 square feet.
 - C. Meet all requirements of the Environmental Planning section of Santa Cruz County Planning.
 - D. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
- 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.

- B. All exterior finishes and materials, including windows and glass deck railings, shall be non-reflective and must blend into the surrounding natural landscape.

V. Indemnification

The applicant/owner shall indemnify, defend with counsel approved by the COUNTY, and hold harmless the COUNTY, its officers, employees, and agents from and against any claim (including reasonable attorney's fees, expert fees, and all other costs and fees of litigation), against the COUNTY, its officers, employees, and agents arising out of or in connection to this development approval or any subsequent amendment of this development approval which is requested by the applicant/owner, regardless of the COUNTY's passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the COUNTY. Should the COUNTY in its sole discretion find the applicant's/owner's legal counsel unacceptable, then the applicant/owner shall reimburse the COUNTY its costs of defense, including without limitation reasonable attorney's fees, expert fees, and all other costs and fees of litigation. The applicant/owner shall promptly pay any final judgment rendered against the COUNTY (and its officers, employees, and agents) covered by this indemnity obligation. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this development approval.

- A. The COUNTY shall promptly notify the applicant/owner of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. The COUNTY shall cooperate fully in such defense.
- 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 applicant/owner shall not be required to pay or perform any settlement unless such applicant/owner has approved the settlement. When representing the COUNTY, the applicant/owner 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. The "applicant/owner" shall include the applicant and/or the owner and the successor(s) in interest, transferee(s), and assign(s) of the applicant and/or the owner.

Application #: 231489
APN: 042-057-47
Owner: LLC Tides of Life

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.

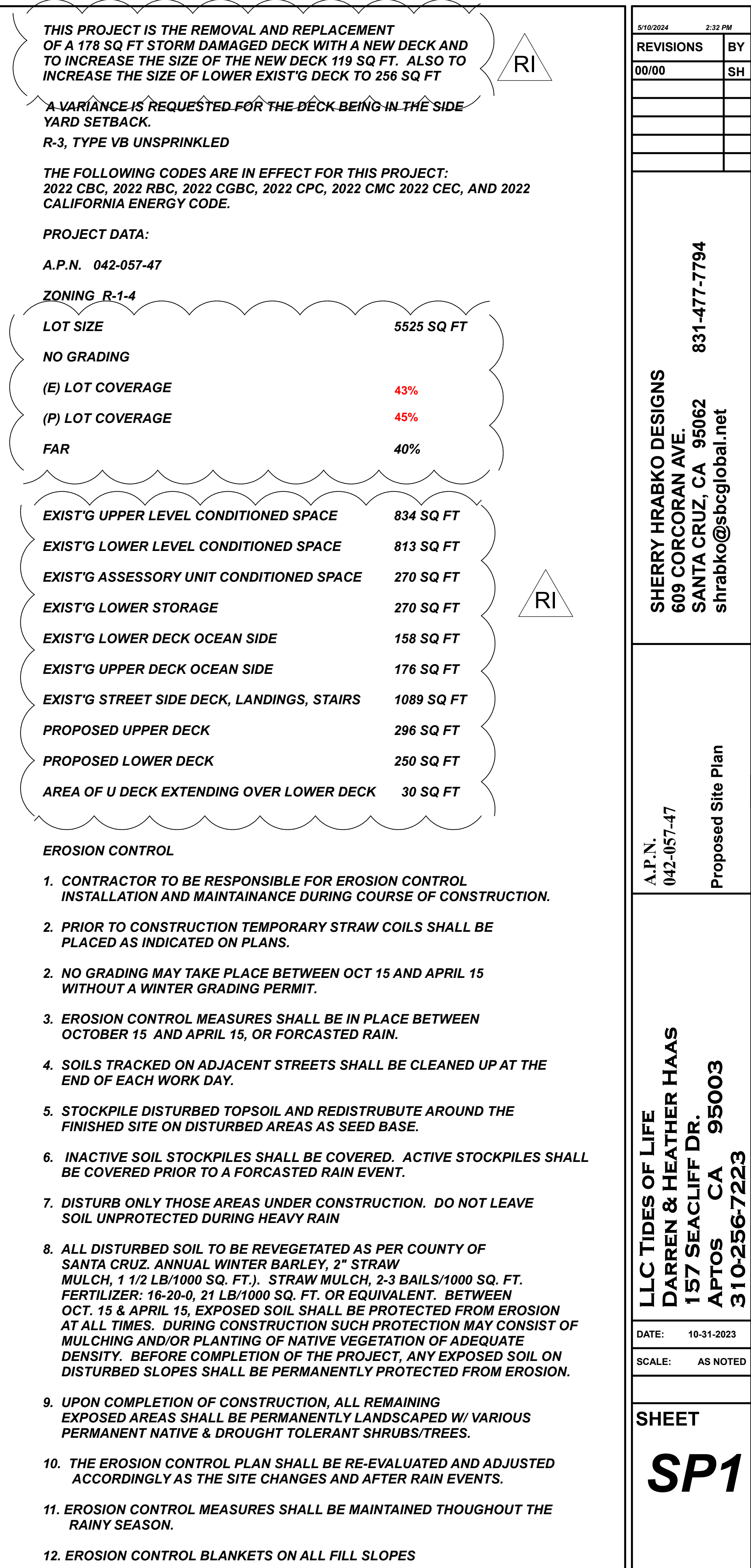
Approval Date: _____

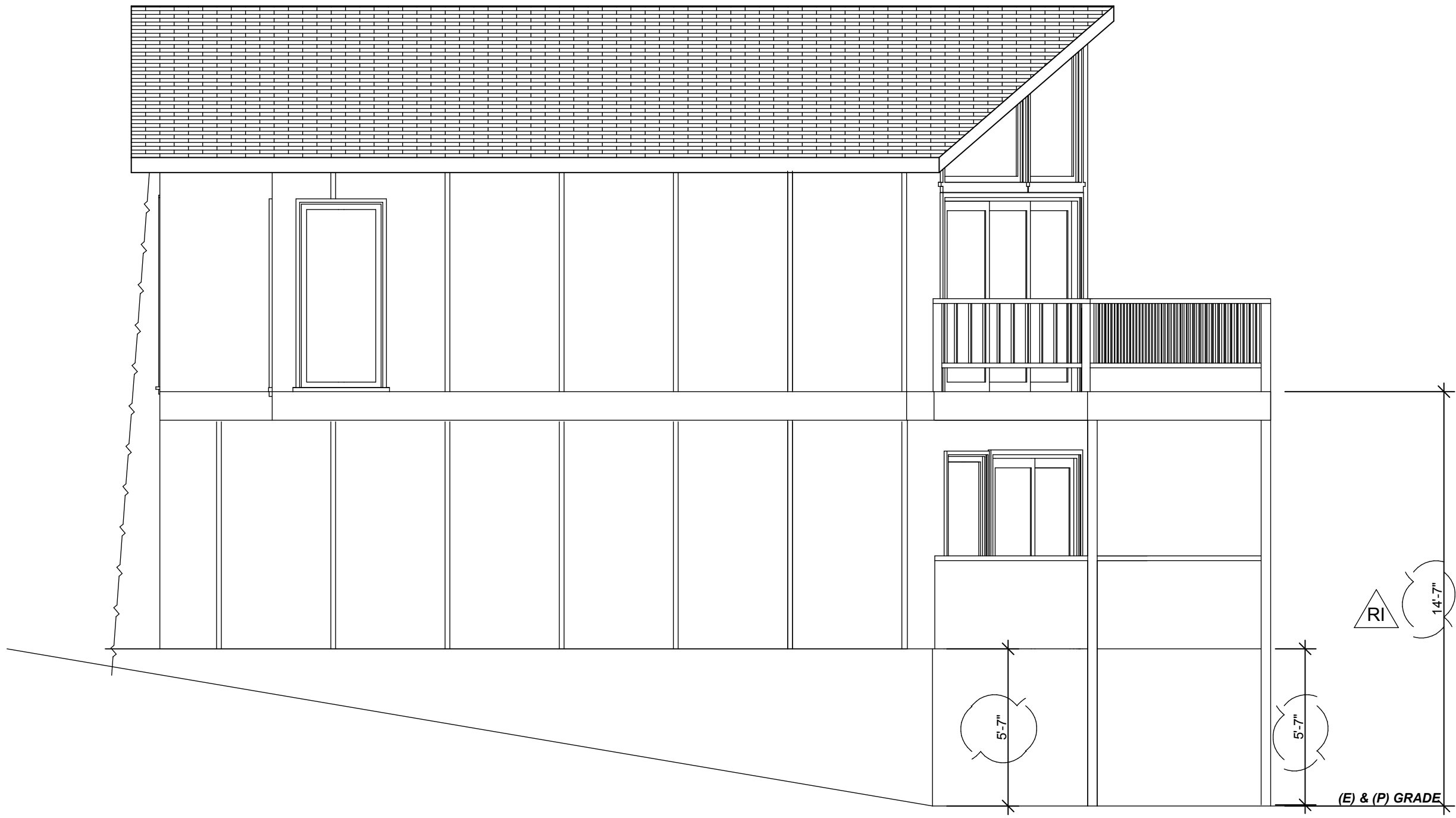
Effective Date: _____

Expiration Date: _____

Deputy Zoning Administrator

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.





EXIST'G SOUTH ELEVATION
1/4" = 1'-0"



EXIST'G NORTH ELEVATION

1/4" = 1'-0"



EXIST'G EAST ELEVATION

1/4" = 1'-0"

5/10/2024	2:33 PM
REVISIONS	BY
00/00	SH

SHERRY HRABKO DESIGNS
609 CORCORAN AVE.
SANTA CRUZ, CA 95062
shrabko@sbcglobal.net
831-477-7794

A.P.N.
042-057-47
Exist'g Elevations

LLC TIDES OF LIFE
DARREN & HEATHER HAAS
157 SEACLIFF DR.
APTOS CA 95003
310-256-7223

DATE: 10-31-2023
SCALE: AS NOTED

SHEET

A.1

RI

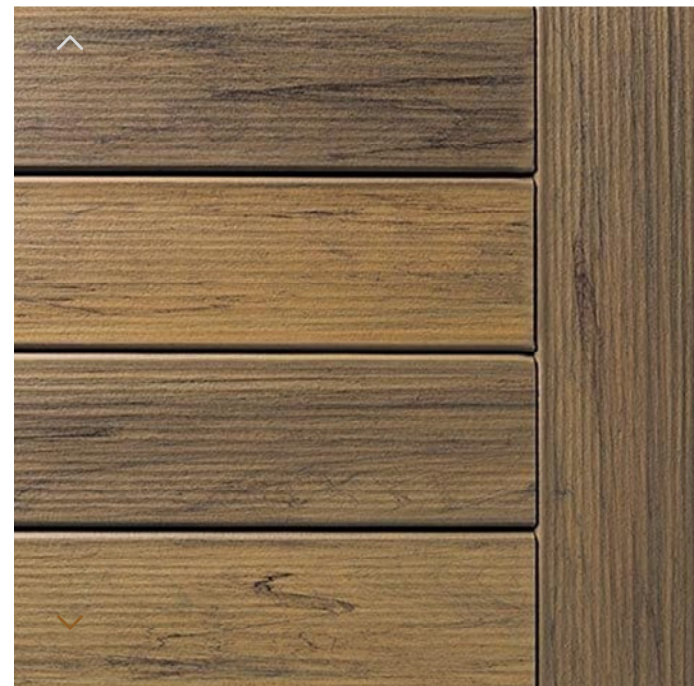
TimberTech
TimberTech

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Home > Products > Decking > TimberTech Composite™ > Legacy Collection



TIMBERTECH COMPOSITE
Legacy Collection

Hand-Scraped Finish

Capture the essence of nature with unique board-to-board variation (no two are exactly alike), without the rigorous maintenance of wood. Featuring a character-rich Hand-Scraped texture and dynamic blend of hues, our premium polymer capped composite boards deliver real wood aesthetics you'll never have to sand, stain, or seal.

COLOR TIGERWOOD



PROPOSED EAST ELEVATION

1/4" = 1'-0"



PROPOSED SOUTH ELEVATION

1/4" = 1'-0"



PROPOSED NORTH ELEVATION

1/4" = 1'-0"

5/10/2024	2:34 PM
REVISIONS	BY
00/00	SH

SHERRY HRABKO DESIGNS
609 CORCORAN AVE.
SANTA CRUZ, CA 95062
shrabko@sbcglobal.net

A.P.N.
042-057-47

Proposed Elevations

LLC TIDES OF LIFE
DARREN & HEATHER HAAS
157 SEACLIFF DR.
APTOS CA 95003
310-256-7223

DATE: 10-31-2023
SCALE: AS NOTED

SHEET

A.2



5/10/2024	2:35 PM
REVISIONS	BY
00/00	SH

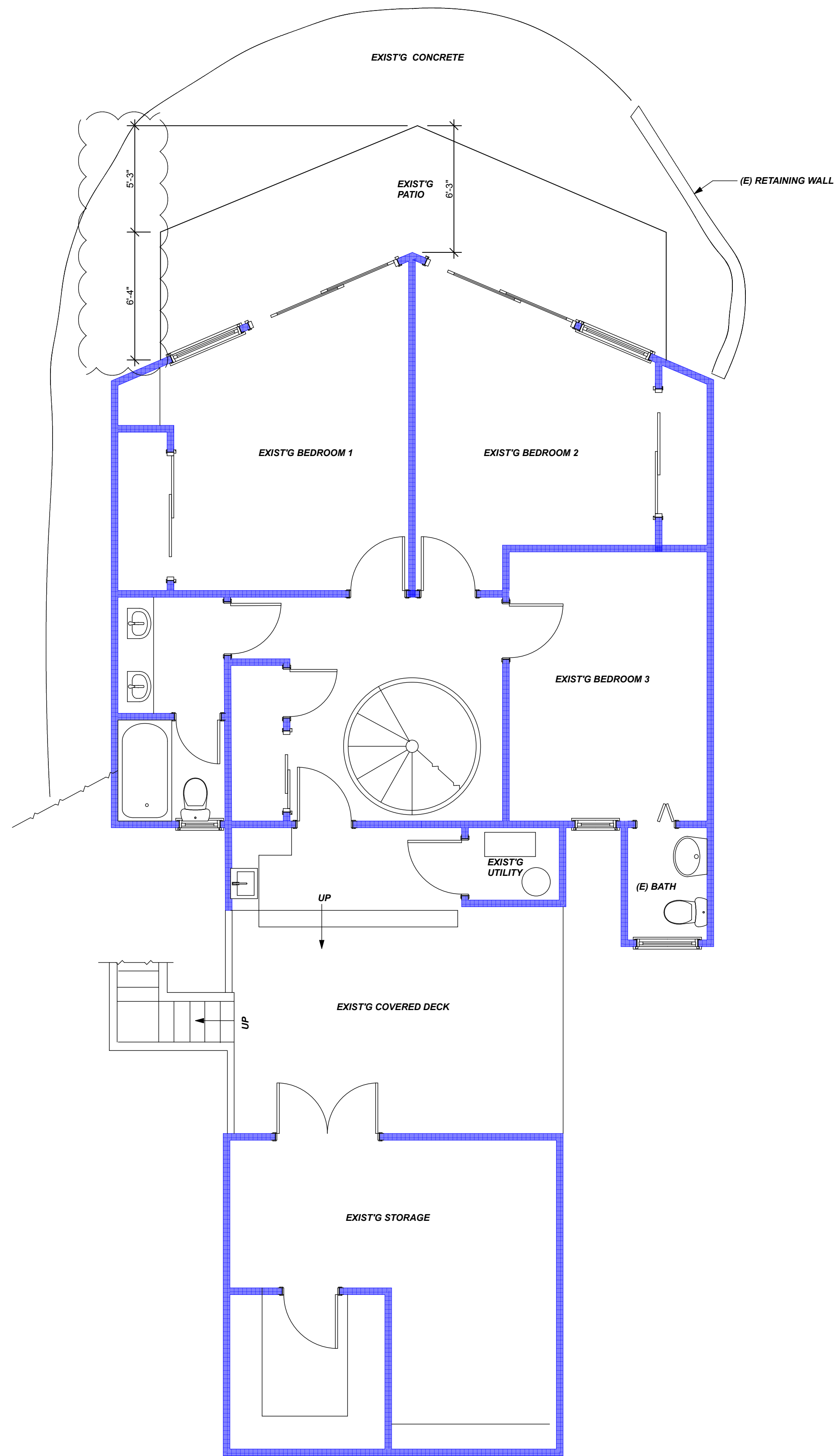
SHERRY HRABKO DESIGNS
609 CORCORAN AVE.
SANTA CRUZ, CA 95062
shrabko@sbcglobal.net
831-477-7794

A.P.N.
042-057-47
Renderings

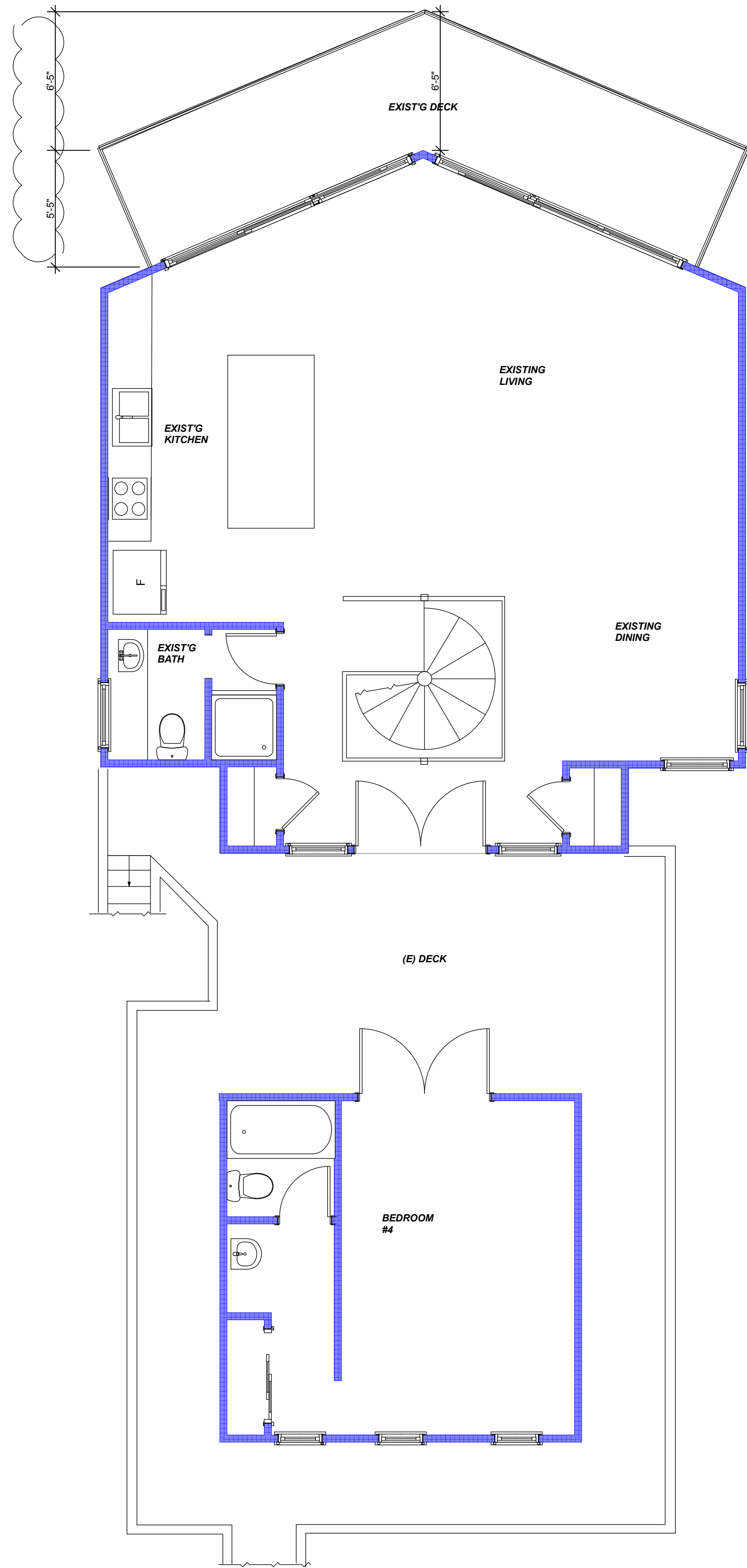
LLC TIDES OF LIFE
DARREN & HEATHER HAAS
157 SEACLIFF DR.
APTOS CA 95003
310-256-7223

DATE: 10-31-2023
SCALE: AS NOTED

SHEET
A.3



EXIST'G LOWER LEVEL FLOOR PLAN
1/4" = 1'-0"



EXIST'G MAIN LEVEL FLOOR PLAN
1/4" = 1'-0"

5/10/2024	2:38 PM
REVISIONS	BY
00/00	SH

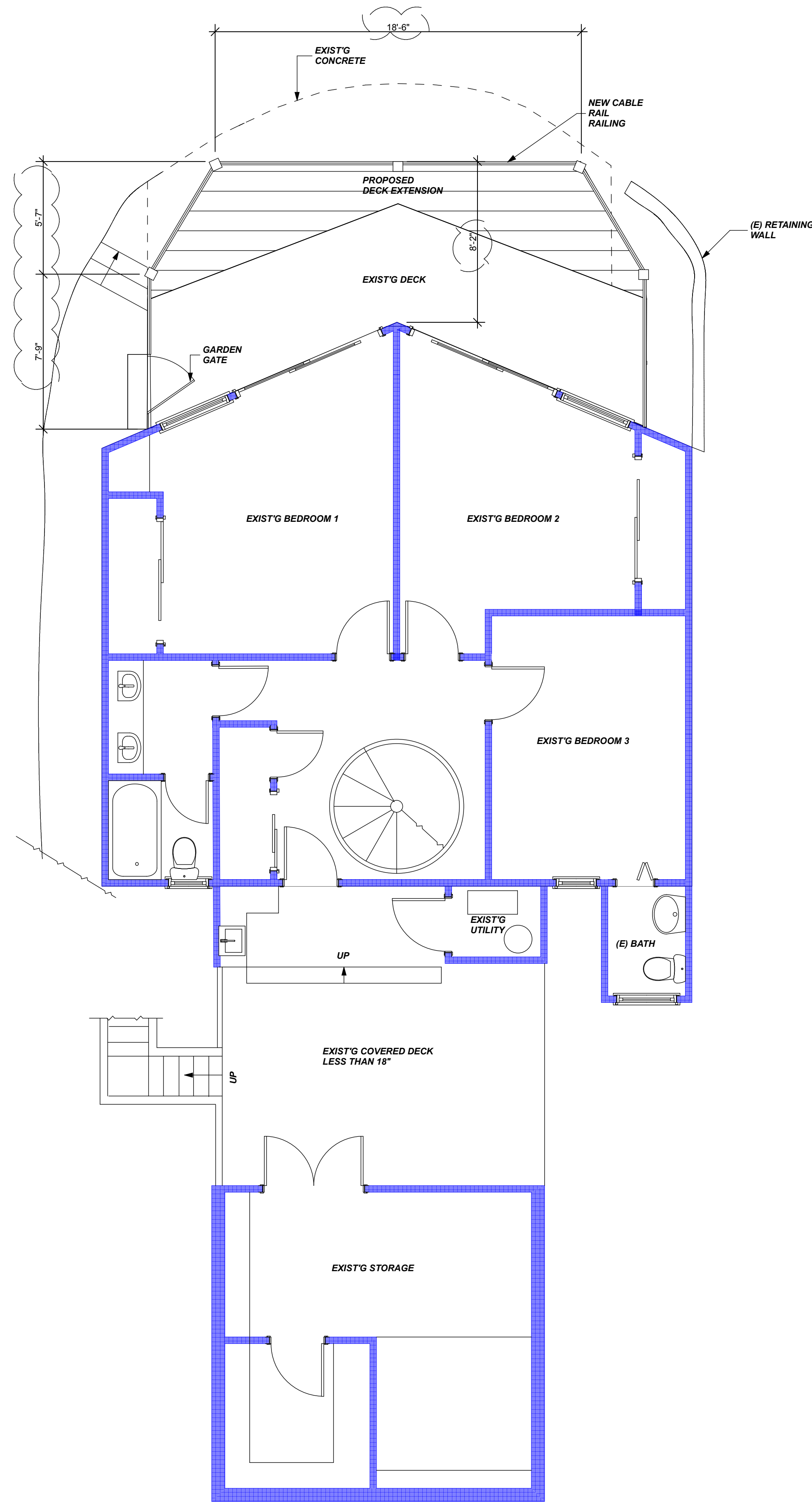
SHERRY HRABKO DESIGNS
609 CORCORAN AVE.
SANTA CRUZ, CA 95062
shrabko@sbcglobal.net
831-477-7794

A.P.N.
042-057-47
Exist'g Floor Plan

LLC TIDES OF LIFE
DARREN & HEATHER HAAS
157 SEACLIFF DR.
APTOS CA 95003
310-256-7223

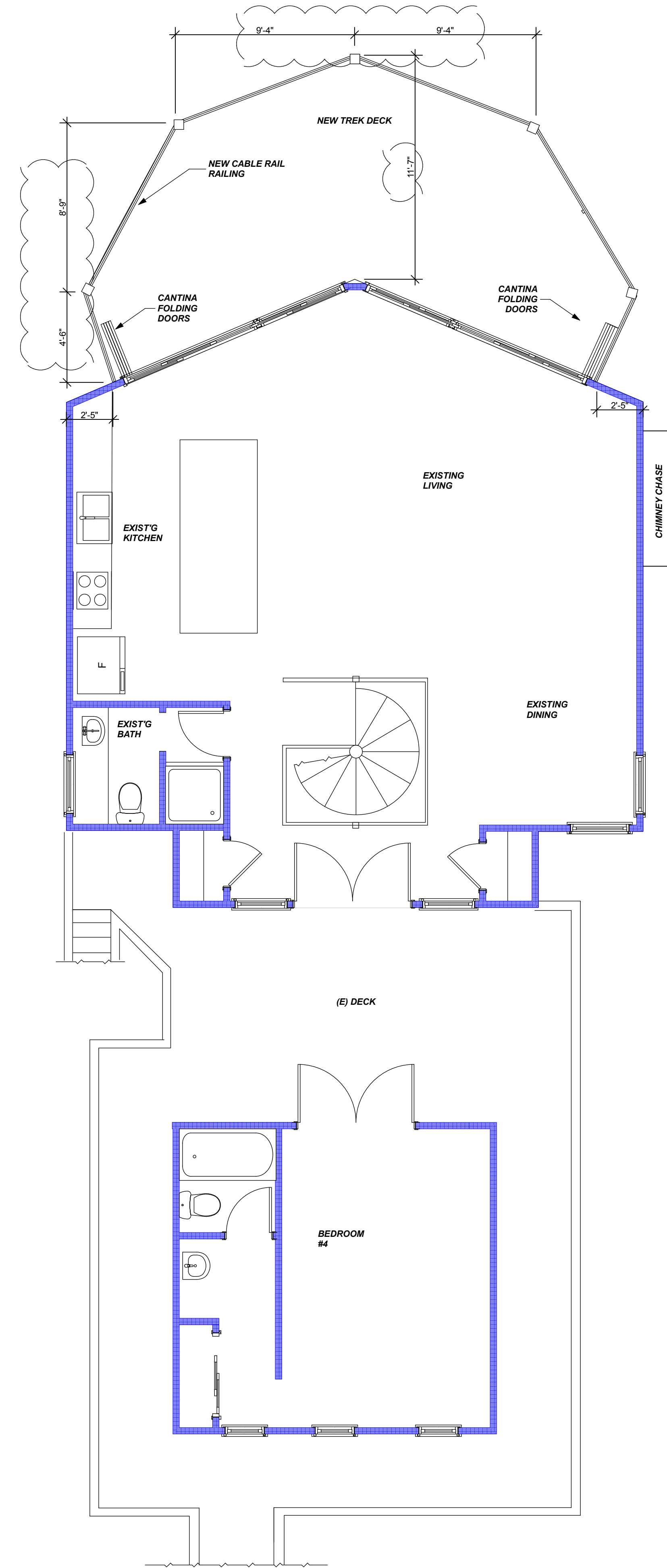
DATE: 10-31-2023
SCALE: AS NOTED

SHEET
A.4



PROPOSED LOWER LEVEL DECK PLAN

1/4" = 1'-0"



PROPOSED MAIN LEVEL DECK PLAN

1/4" = 1'-0"

5/10/2024	2:38 PM
REVISIONS	BY
00/00	SH

SHERRY HRABKO DESIGNS
609 CORCORAN AVE.
SANTA CRUZ, CA 95062
shrabko@sbcglobal.net 831-477-7794

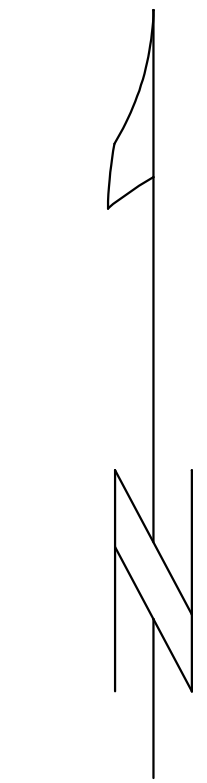
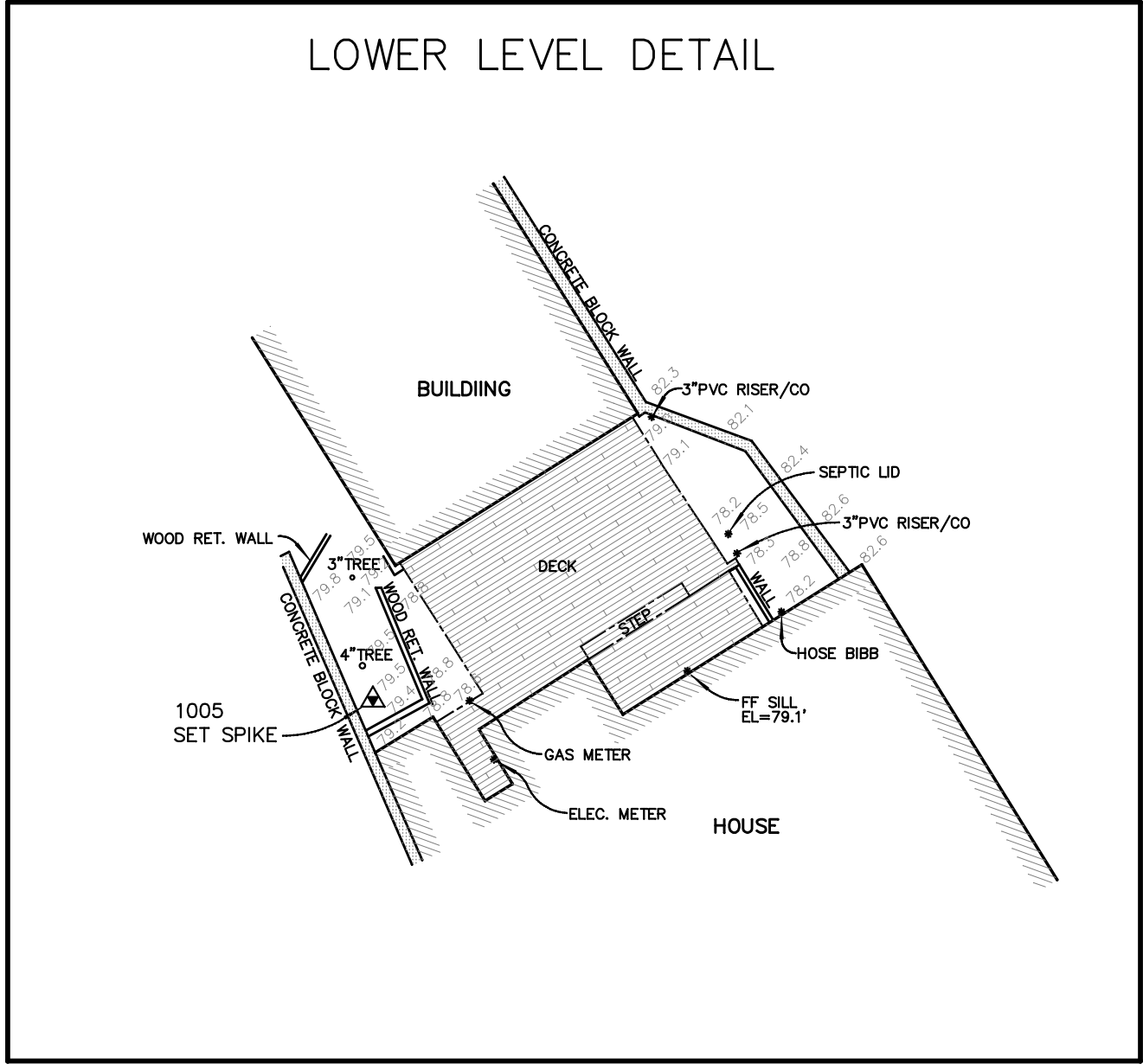
A.P.N.
042-057-47
Proposed Floor Plans

LLC TIDES OF LIFE
DARREN & HEATHER HAAS
157 SEACLIFF DR.
APTOS CA 95003
310-256-7223

DATE: 10-31-2023
SCALE: AS NOTED

SHEET

A.5



Scale 1" = 10'
Contour Interval = 2'

Seaciff Drive
(60' W&B)



APN 042-057-46

APN 042-057-48

Haas
Doc. 2022-0022305
APN 042-057-47

LEGEND

- Survey control point found as noted
- Survey control point set as noted
- Property line, lands of APN 042-057-47
- Other property line
- Center of Right of Way
- Edge of Right of Way
- Structure line
- Fence
- Tie line
- Edge of pavement
- Record data

NOTE: This is not a boundary survey. Property lines are shown for orientation only and are based on recorded data. They may be discovered to be different, subject to the results of a complete boundary survey.

EDMUNDSON
& ASSOCIATES
LAND SURVEYING
1512 SEABRIGHT AVENUE
SANTA CRUZ, CA 95062
PHONE (831) 425-1796
FAX (831) 425-1795

TOPOGRAPHIC SURVEY MAP		
OF ASSESSOR'S PARCEL NO. 042-057-47		
Scale 1" = 10'	Santa Cruz County	File 23012D.DWG
Feb. 7, 2024	California	FB 208/72
Prepared for Heather Hass		
		Job #23012

Rev. 1/27/99 (Por. to pg. 6) rw
Rev. 5/12/99 CB (Tax Consolidation)
Rev. 8/30/00 (street names) mvm
Rev. 5/17/01 mvm (changed page refs.)
Rev. 1/24/03 DD (2-0097932 LBA, 2-93 & 94)
Rev. 4/7/03 DD (corr. 2-93 & 94)
Rev. 9/8/04 CB (Cor arrow for 2-66)
Rev. 8/1/06 mvm (Cor. to parcel bndy, 2-88)

Rev 10/28/09 CB (Renumberd Blk 2 to 7)
Rev 10/28/09 CB (9-0035180, Sp 7-30)
Rev 10/28/09 CB (9-0035181, Sp 7-31)
Rev 10/28/09 CB (9-0035182, Sp 7-32)
Rev 10/28/09 CB (9-0035183, Sp 7-34)
Rev 10/28/09 CB (9-0035184, Sp 7-12)
Rev 10/16/13 CB (13-0022818, Sp 7-49)
Rev 10/16/13 CB (13-0022819, Sp 7-50)
Rev 10/16/13 CB (13-0022820, Sp 7-51)
Rev 10/16/13 CB (13-0022821, Sp 7-52)
Rev 10/13/17 jg (cor. blk k)
Rev 8/26/2022 CJTC (Cor. parcel line 7-51 & 29)

FOR TAX PURPOSES ONLY

THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY
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SEACLIFF TERRACE T# 244

12PM21
8/9/1973

46M09
10/17/1964

3

POR. APTOS RANCHO
W. 1/2 SEC. 18, T.11S., R.1E., M.D.B. & M.

69-270 69-273
Fax Area Code

42-05

APTOS BEACH COUNTRY CLUB SUB #2
23M04 8/20/1925

APTOS BEACH C
SUB. NO. 9
24M29 9/20/1928

EXHIBIT E

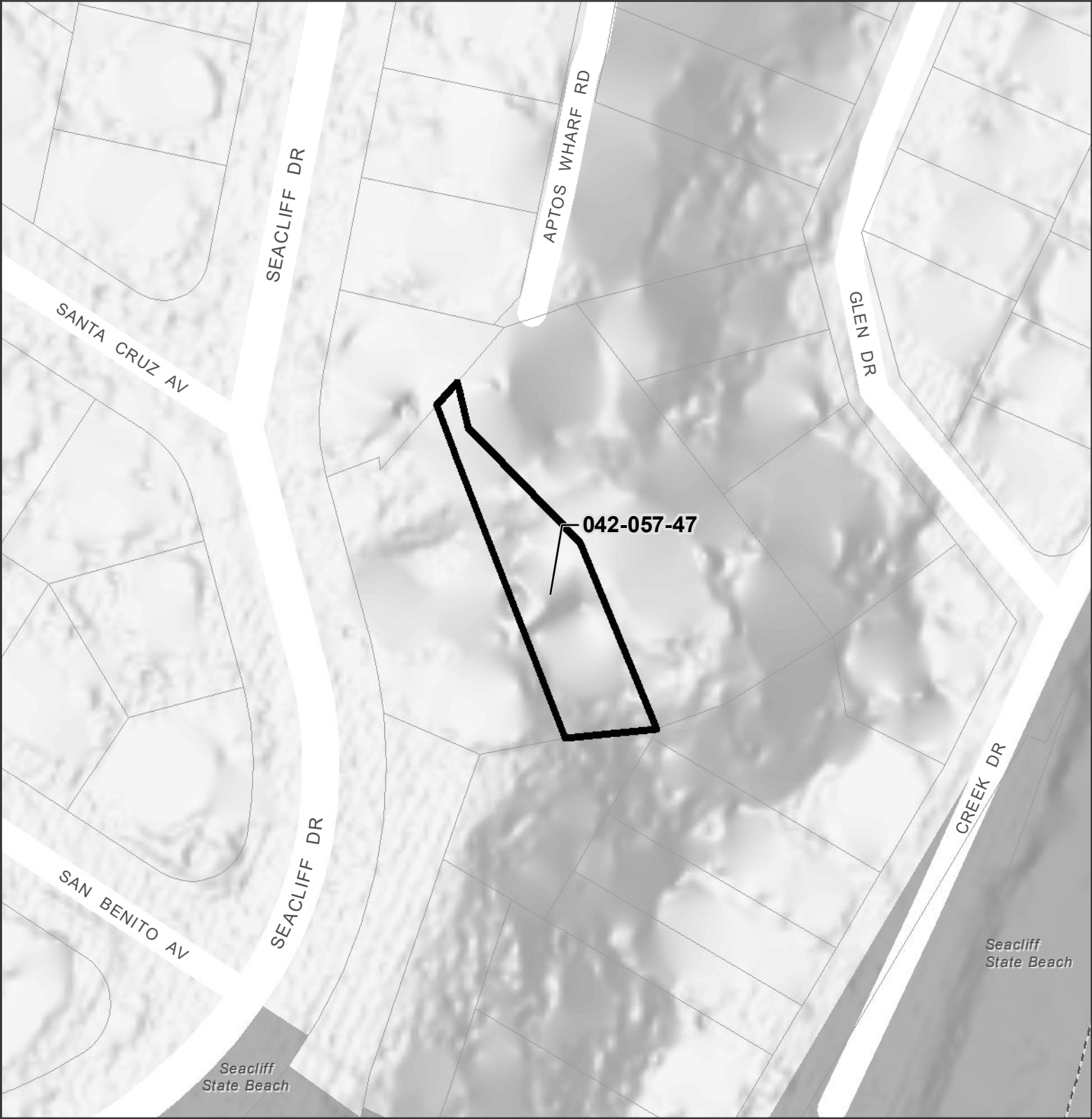


Note - Assessor's Parcel & Block Numbers Shown in Circles.




Assessor's Map No. 42-05
County of Santa Cruz, Calif
Jan. 1999



Parcel Location Map



Parcel: 04205747

-  Study Parcel
-  Assessor Parcel Boundary
-  Existing Park

Map printed: 11 Jul. 2024

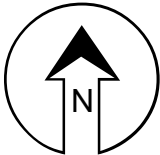
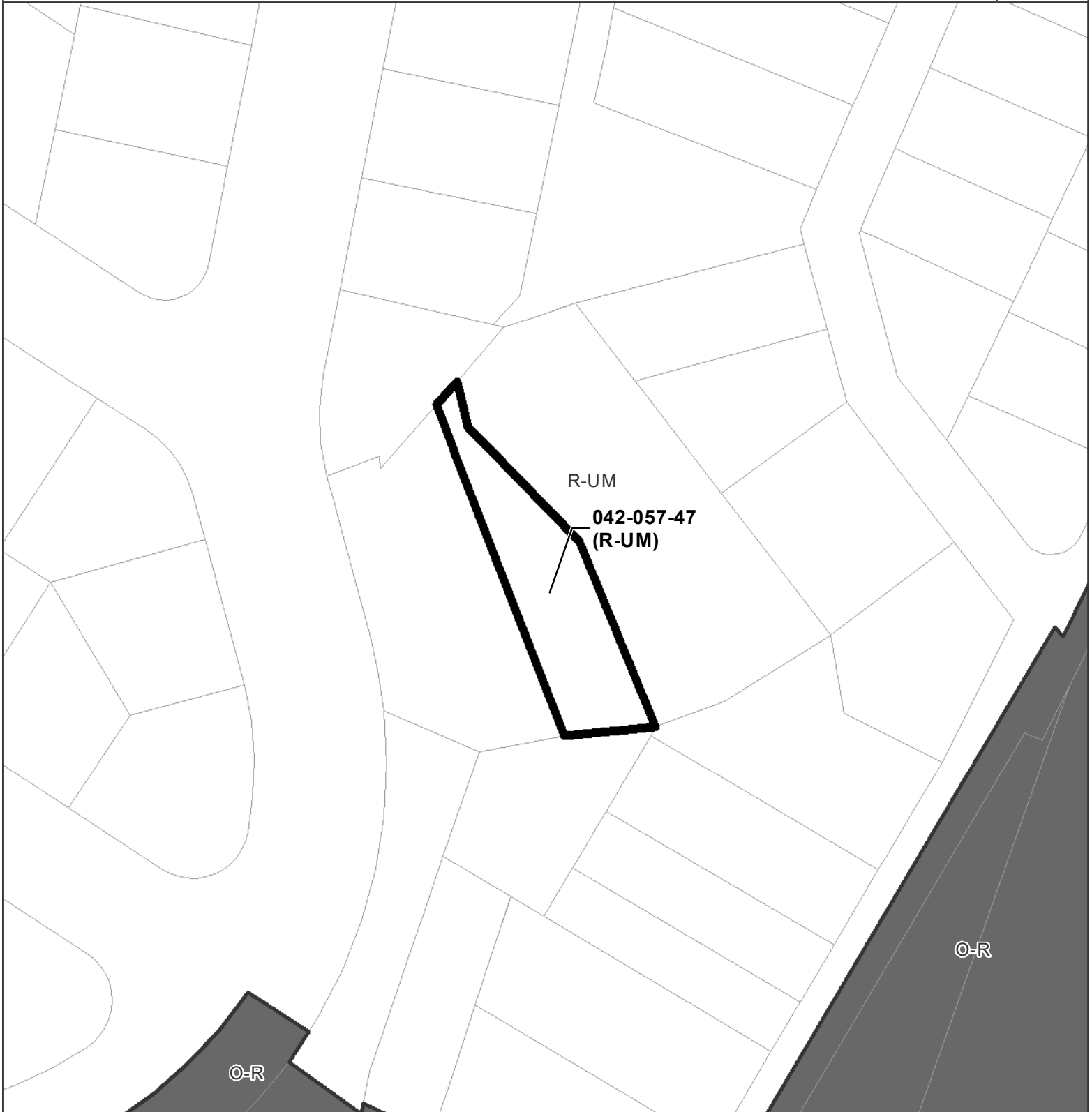




EXHIBIT B 0 20 40
Feet



Parcel General Plan Map



-  O-R *Parks, Recreation & Open Space*
-  R-UM *Res. Urban Medium Density*

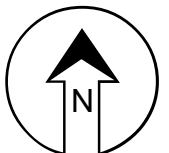
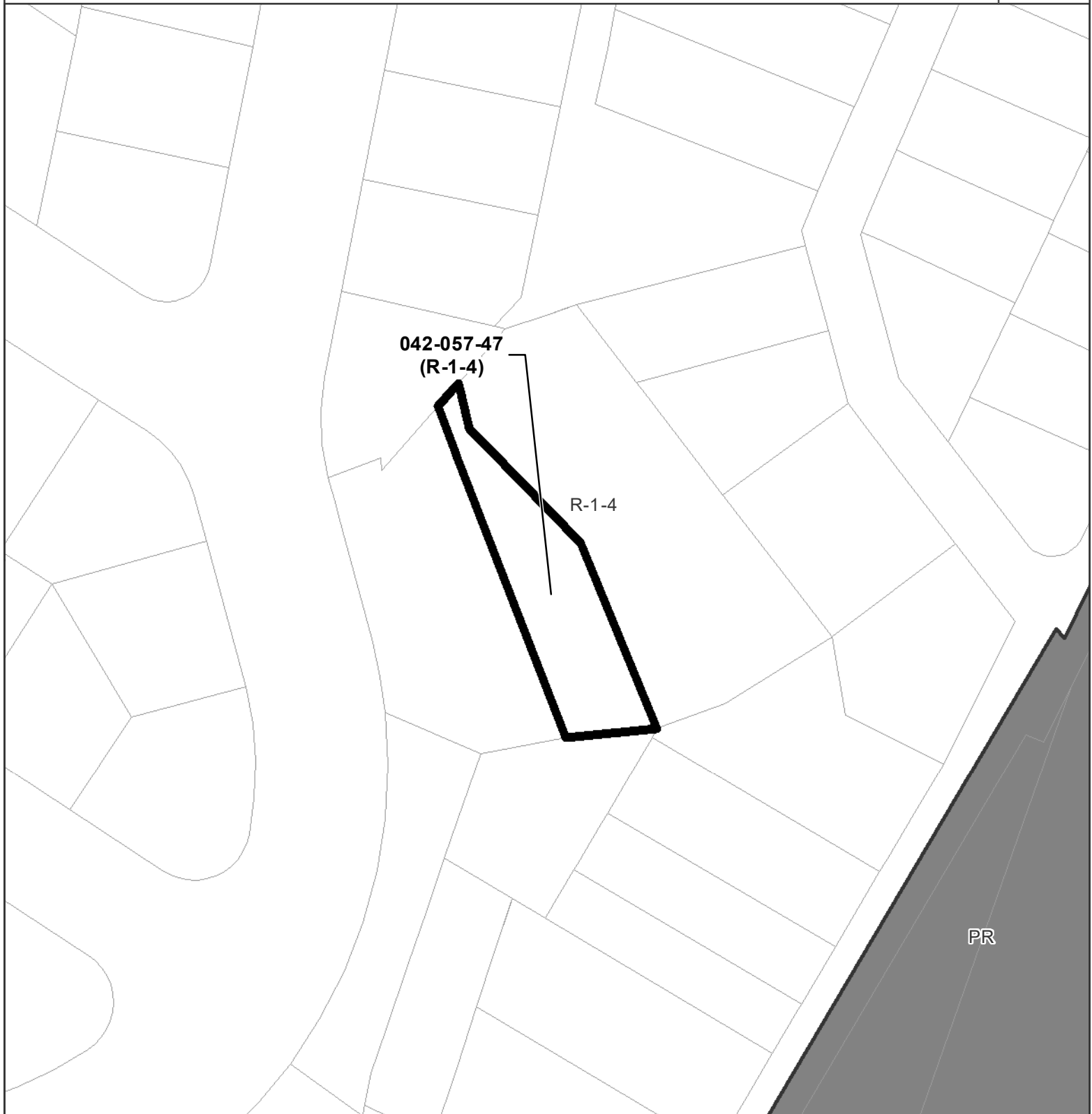




EXHIBIT E 0 20 40
Feet



Parcel Zoning Map



-  PR *Parks, Recreation, & Open Space*
-  R-1 *Single-Family Residential*

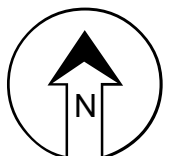


EXHIBIT E 0 20 40
Feet

Parcel Information

Services Information

Urban/Rural Services Line: X Inside Outside
Water Supply: Soquel Creek Water District
Sewage Disposal: Santa Cruz Sanitation District
Fire District: Central Fire
Drainage District: Flood Control Zone 6

Parcel Information

Parcel Size: 5,525 square feet
Existing Land Use - Parcel: residential
Existing Land Use - Surrounding: residential
Project Access: Seacliff Drive non labeled 20 foot right-of-way
Planning Area: Aptos
Land Use Designation: R-UM (Urban Residential, Medium Density)
Zone District: R-1-4 (Single-Family Residential, minimum 4,000 square foot lot)
Coastal Zone: X Inside Outside
Appealable to Calif. Coastal Comm.: X Yes No

Technical Reviews: na

Environmental Information

Geologic Hazards: Not mapped
Fire Hazard: Not a mapped constraint
Slopes: Steep slopes
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: A mapped resource
Archeology: Not mapped/no physical evidence on site

Alexandra Corvello

From: Robert Singer <singerrobertv@gmail.com>
Sent: Monday, July 8, 2024 2:33 PM
To: Alexandra Corvello
Subject: Re: Notice of public hearing: 157 Seacliff Drive, Aptos
Attachments: 157 Drainage.pdf; IMG_9262.jpg

******CAUTION:**This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Dear Alexandra,

Thanks for answering my questions.

As we discussed, the previous major slide issues were from the storm of January and February 1982. Attached is a photo showing the extent of the slide and the reasons for my concerns. This was disclosed to me when we purchased our property in 2003 . From this photo, You can see both properties and how the fragile hillside connects the two homes. Even now, I experience some erosion every winter onto my property which requires maintenance.

Also, attached is the letter I sent to the listing agent of 157 Seacliff Drive addressing my drainage concerns due to the current/existing drainage system (I believed this was disclosed to the current buyers at the time of purchase). Also, a major concern. Note: The decking system shown in the plans you sent to me tongue and groove - not porous.


Sincerely,

Robert Singer
136 Creek Drive/Owner

On Mon, Jul 8, 2024 at 1:21 PM Alexandra Corvello <Alexandra.Corvello@santacruzcountyca.gov> wrote:

Hi Bob,

Thank you for reaching out. I will try to get some information from one of our stormwater planners around potential drainage impacts.

Here is a link to the proposed plans for the project:  [PLN_231489_v2.pdf](#)

Please let me know if you have any other questions or concerns.

Best,

Alexandra



Alexandra Corvello

Development Review Planner

Community Development &
Infrastructure

Phone: 831-454-3209

701 Ocean Street, Room 410



From: Robert Singer <singerrobertv@gmail.com>
Sent: Monday, July 8, 2024 9:33 AM
To: Alexandra Corvello <Alexandra.Corvello@santacruzcountyca.gov>
Subject: Notice of public hearing: 157 Seacliff Drive, Aptos

******CAUTION:**This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Dear Alexandra,

I just left you a voicemail message re: the notice I got in the mail over the weekend.

I own the property below 157 Seacliff Dr and have some questions and concerns regarding the variances. The notice told me to reach out to you for more information.

Please call me at 415-828-9118

Sincerely,

Robert V. Singer

Property Owner @

136 Creek Drive

Aptos, CA

09/27/2020

Cynthia Lester

Century 21 Showcase Realtors

13117 Highway 9

Boulder Creek, CA 95006

Re: Existing Drainage System

I noticed that you currently have the property listed at 157 Seacliff Drive, Aptos CA. I am the owner of 136 Creek Drive which is located below this property and think it important that any new owners are aware of the shared drainage system that currently exists.

The homes located at: 155 Seacliff Drive (apn#042-057-48), 157 Seacliff Drive (apn#042-057-47), and 159 Seacliff Drive (apn#042-057-46) utilize a series of troughs, drains and pipes to divert water down across the properties below located at Parcel # 042-101-09 (vacant parcel), 136 Creek Drive (apn#042-101-14), and 140 Creek Drive (apn#042-101-13) to the street below (Creek Drive).

If not properly maintained or overwhelmed during heavy rains, the current system could fail causing erosion to the hillside onto the properties below. Since the current system is somewhat antiquated, it may require upgrades or a long-term solution in the future.

If you have any questions or would like any further clarification, feel free to contact me.

Sincerely,

Robert V. Singer

415-828-9118

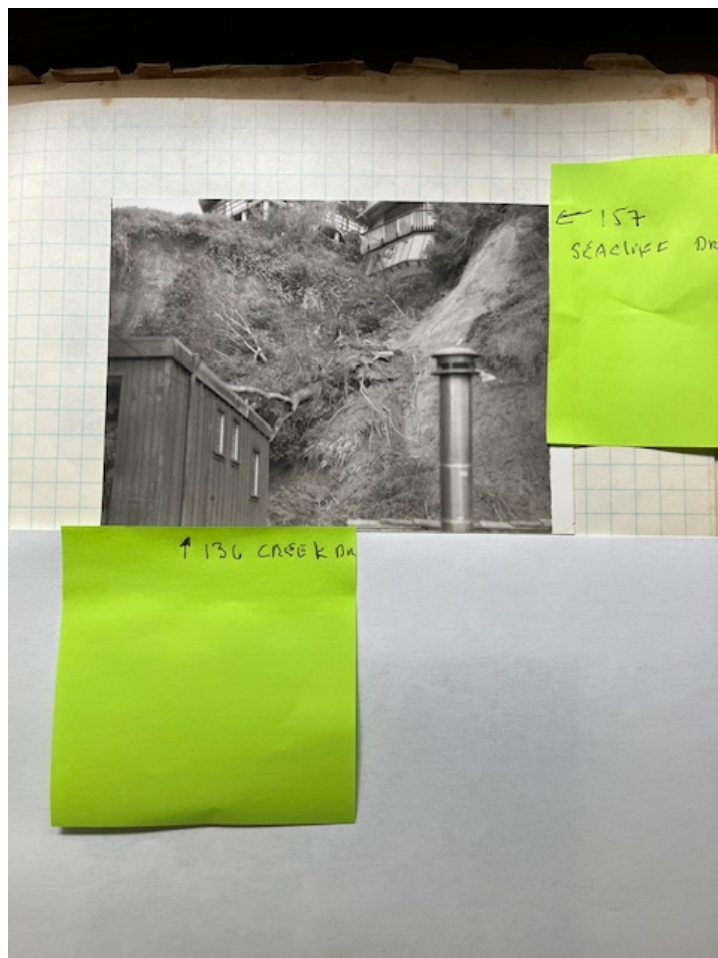


EXHIBIT G