



Staff Report to the Zoning Administrator

Application Number: **231333**

Applicant: Mike Tinsley

Owner: Nelson

APN: 043-152-51

Site Address: 526 Beach Drive, Aptos

Agenda Date: August 2, 2024

Agenda Item #: 1

Time: After 9:00 a.m.

Project Description: Proposal to remodel an existing, nonconforming single-family dwelling including installation of a new deck to the first floor and replacement of the existing elevator.

Location: Parcel is located on the north side of Beach Drive (526 Beach Drive, private road), approximately 4055 feet southeast of the intersection of Aptos Beach Drive and Beach Drive in the Aptos Planning Area.

Permits Required: Coastal Development Permit and Request for Reasonable Accommodation

Supervisory District: Second 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 231333, based on the attached findings and conditions.

Project Description & Setting

The subject parcel is a 6,141 square foot lot that is currently developed with a 2,205 square foot three-story, single-family dwelling. The ground floor of the dwelling is non-habitable and is comprised of a garage and utility room, with the first and second floors comprising the habitable stories of the dwelling. The parcel is located on a private and gated portion of Beach Drive and features a mix of one, two and three-story dwellings, with three-story dwellings on the street featuring a garage at the ground floor similar to the subject parcel. Rio Del Mar Beach and Platforms State Beach are the closest beaches to the subject property, with beach access located along the public portion of Beach Drive, which starts opposite the private gate adjacent to the northwest side of the subject parcel.

The proposal is to replace the existing 68 square foot elevator with a new 68 square foot elevator that has a stop at each level. The new elevator will utilize siding that matches the existing dwelling and will have a vertical window at each stop. A new 131 square foot deck is also proposed to be added to the first floor in order to establish the new stop for access to Bedroom 2. The new deck is designed to match the existing deck at the second floor and will utilize glass panels with metal

railings. The existing elevator has a height of 28 feet 2½ inches, which exceeds the maximum 25-foot height limit and extends into the front yard setback to within 5 inches of the front property line. The proposed replacement elevator will not result in a change in height or setback. In addition, the proposed development will not result in an internal reconfiguration of rooms, meaning no additional bedrooms will be added to the structure as a result of the proposed project.

A Coastal Development Permit is required for alterations to the dwelling because the project is located on a beach and mapped within a scenic area. A request for reasonable accommodation is required for the increase in height and the reduction to the front yard setback to accommodate the replacement elevator.

Project Background

The existing dwelling was constructed in 1966. The current elevator was added in 2006 following the approval of Coastal Development Permit 06-0260, which included a Request for Reasonable Accommodation, to allow for the construction of a 29-foot elevator shaft to the front of the dwelling. This Permit authorized the increase in height and reduction in the front yard setback for the elevator. As a Condition of Approval of this Permit (condition IV(B)) a declaration of restriction was required to be recorded, which stated that *“All improvements constructed under the auspices of this permit shall be removed upon the vacation of the unit by the person whom the reasonable accommodation was granted unless it is determined that the unit has been reoccupied by a qualified person, or if it has been determined by the County of Santa Cruz that the removal of the improvement is not readily achievable.”* A determination was made by the Assistant Planning Director in August 2012 that removal was not readily achievable, and that neither the seller nor prospective buyers would be required to remove the elevator due to the cost associated with the removal of the elevator.

Given that the property owners now seek to remove and replace the elevator, a new request for reasonable accommodation is required to exceed the building height and front yard setback requirements for the replacement elevator in accordance with the provisions of Santa Cruz County Code Section 18.20.

Zoning & General Plan Consistency

The subject property is a 6,141 square foot lot, located in the RB (Single-Family Ocean Beach Residential) zone district, a designation which allows residential uses. The existing single family dwelling is a principally permitted use within the zone district and the zoning is consistent with the site's R-UL (Urban Low Density Residential) General Plan designation.

The site and development standards for parcels in the RB zone district in accordance with County Code section 13.10.323 – “Development Standards for Residential Districts” are set out in Table 1 below:

Table 1: Compliance with RB Site Standards

Site Standard	Requirement	Existing	Proposed
Front Setback	10 feet	Elevator: 5 inches 2nd Floor Deck: encroaches into R/W	Elevator: 5 inches* 1st Floor Deck: 5 inches* 2 nd Floor Deck: encroaches into R/W

Rear Setback	10 feet	92 feet 11 inches	92 feet 11 inches
Side Setback (southeast)	5 feet	3 feet 7 inches	3 feet 7 inches
Side Setback (northwest)	0 feet	2 feet 1 inch	2 feet 1 inch
Lot Coverage	40%	22.5%	22.5%
Floor Area Ratio	50%	44.5%	44.5%
Building Height (at roof peak)	25 feet	28 feet 2.5 inches	28 feet 2.5 inches*
Site Width/Frontage	40 feet	40 feet	40 feet

***Requires approval of a Request for Reasonable Accommodation**

The existing dwelling is nonconforming to current site and development standards for the RB zone district in that the structure does not comply with the required front and side yard setbacks. The existing dwelling is nonconforming to the required 5-foot side yard setback along the eastern portion of the parcel; however, the proposed replacement elevator and first floor deck will comply with the required side yard setback and will not extend the non-conformity. The dwelling is also nonconforming to the required 10-foot front yard setback in that the existing second floor deck extends over the right-of-way for Beach Drive by approximately 10 inches and the elevator extends to within 5 inches, as approved by 06-0260; the proposed project will maintain the existing 5-inch setback at the replacement elevator and, because the proposed first floor deck is required to provide access from the elevator, the new structure will also have a 5-inch setback.

The replacement of the existing elevator will not result in any change to the height or setbacks of the existing dwelling, even though the proposed height at the elevator shaft would continue to exceed the 25-foot height limit and the front yard setback would still be less than the 10-foot minimum setback as required in the RB zone district. To allow the replacement of the elevator, the applicant has included a Request for Reasonable Accommodation for the current property owner, to allow for retention of the existing concessions to the site standards required to allow for the elevator to be installed on the dwelling. The applicant has provided all the required documentation for this request (Exhibit G).

Request for Reasonable Accommodation

The proposed elevator will replace the existing elevator and will require the same reasonable accommodation to allow for increase in height from 25 feet to 28 feet 2 ½ inches and a reduced front yard setback from 10 feet to 5 inches. The main difference between the two elevators is that the new elevator will include a new stop on the first floor, which will require the construction of a 130 square foot deck to allow access to the second floor of the dwelling from the elevator. The proposed deck will also have a setback of 5 inches. The Request for Reasonable Accommodation is considered appropriate because the required documentation has been submitted and the property owner, who resides in the dwelling, is an individual protected under the Federal Fair Housing Act of 1988 and the elevator is required to make the housing accessible for the property owner Exhibit G).

Coastal Zone

Local Coastal Program Consistency

The proposed addition to an existing single family dwelling is in conformance with the County's

certified Local Coastal Program, in that the new elevator and associated entry deck is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain single family dwellings. Size and architectural styles vary in the area, and the design submitted is consistent with the existing dwelling and the range of styles of surrounding homes. The project site is located between the shoreline and the first public road, but it is not identified as a priority acquisition site in the County's Local Coastal Program. The parcel is located on a private road and will not interfere with public access to the beach, ocean, or other nearby body of water, which is located northwest of the dwelling, opposite the private gate. Although the project site is located within a mapped coastal scenic area, the dwelling is not significantly visible from the nearby public beach, because it is located behind beachfront homes on the ocean-facing side of Beach Drive.

Design Review

The proposed replacement elevator and new first floor deck complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as matching colors and materials to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. The proposed elevator shaft will have a more cohesive design with the existing structure and will utilize similar colors and materials as the existing dwelling so that it will blend and be less visible from the nearby public beach parking area. The new deck will include glass railings to match the existing second story deck. Because the dwelling is located at the base of the bluff, behind existing homes developed on the ocean-facing side of Beach Drive, the proposed development will not be significantly visible from nearby public beaches.

Coastal Development Permit

Pursuant to Santa Cruz County Code Section 13.20.061(B) – “Improvements to Existing Single-Family Residences Exemption,” a Coastal Development Permit is required for the project because it proposes improvements to a structure that is on a beach, in an environmentally sensitive habitat area, and is mapped as scenic (potentially within a significant public viewshed). The project is also within the Coastal Commission Appeals Jurisdiction and the project is appealable to the Coastal Commission pursuant to Santa Cruz County Code Section 13.20.121 and 122.

The Coastal Development Permit for the proposed replacement elevator and new first floor deck is considered appropriate because the replacement elevator and new deck have been designed to be cohesive with the design, colors and materials of the existing dwelling and, as stated above, will not be clearly visible from the beach. The replacement elevator is required as reasonable accommodation to allow access to each floor of the existing dwelling, where the existing elevator only allows access to the ground and second floors. The proposed project will not result in any increase in parking demand as no additional bedrooms are proposed. The proposed development is located on a dwelling on a private road and will not impact upon coastal or beach access.

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 **231333**, 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. Request for Reasonable Accommodation - Supporting Documents

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: 231333
Assessor Parcel Number: 043-152-51
Project Location: 526 Beach Drive, Aptos

Project Description: Proposal to replace an existing elevator and add a deck to the first story of an existing single-family dwelling

Person or Agency Proposing Project: Mike Tinsley

Contact Phone Number: (408) 705-6763

- 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. X **Categorical Exemption**

Specify type: 15301 – Existing Facilities and 15302 – Replacement and Reconstruction

F. Reasons why the project is exempt:

The proposed project seeks to replace the existing elevator with a new elevator with expanded function that can service all three levels of the dwelling. The project also includes a new deck to the first floor to accommodate the new elevator stop, however the new 131 square foot deck will not significantly expand the dwelling past the threshold allowed by Class 1 (2,500 square feet).

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

Victoria Miller, 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 RB (Single-Family Ocean Beach Residential), a designation which allows residential uses. The existing single family dwelling is a principally permitted use within the zone district, and the zoning is consistent with the site's R-UL (Urban Low Density Residential) 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 development is consistent with the surrounding neighborhood in terms of architectural style and the colors will be natural in appearance and complementary to the site. The development site is located near the beach and the parcel is below the bluff, however the dwelling is existing, and the proposed development has been designed to match the existing dwelling and is not readily visible from the beach.

- (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 public beach access is available from Beach Drive, opposite the private gate located along the northwest corner of the subject parcel.

- (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. Additionally, residential uses are allowed uses in the RB (Single-Family Ocean Beach Residential) zone district, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single family dwellings. Size and architectural styles vary in the area, and the design of the new deck and replacement elevator will match the existing single-family dwelling, which is consistent with the pattern of development within the surrounding neighborhood.

- (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, it is located on a gated private portion of Beach Drive that does not allow public access. Public beach access is available directly from Beach Drive just outside the gate, which is adjacent to the subject parcel. Consequently, the single family dwelling will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

- (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 location of the existing single family dwelling and the conditions under which it would be operated or maintained will in substantial conformance with all pertinent County ordinances and the purpose of the RB (Single-Family Ocean Beach Residential) zone district as the primary use of the property will be one existing non-conforming single family dwelling that meets current site standards for the zone district, other than an increased height of 28 feet 2 ½ inches and reduced front yard setback of 5 inches, which are authorized subject to a Request for Reasonable Accommodation. A complete list of findings for the Request for Reasonable Accommodation is included with this report.

- (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 existing residential use is in substantial conformance with the use and density requirements specified for the R-UL (Urban Low Density Residential) land use designation in the County General Plan.

General Plan Policy H-4.2 sets forth that the County must maintain provisions for reasonable accommodation to allow individuals with disabilities fair access to housing. The project sought a Request for Reasonable Accommodation under the provisions set out in Chapter 18.20 of the Santa Cruz County Code. Findings for the Request for Reasonable Accommodation are included with this report.

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 project will maintain one single family dwelling on an existing developed lot. The expected level of traffic generated by the proposed project is anticipated to remain as only one peak trip per day. Given that there is no increase in trips created by the addition of a replacement elevator and associated entry deck, the proposed project will not adversely impact existing roads or intersections in the surrounding area. Similarly, 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 alterations to the existing single family dwelling are consistent with the land use intensity and density of the neighborhood as designated by the General Plan and implementing ordinances.

- (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 alterations to the existing single family dwelling 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.

- (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 alterations to the existing single family dwelling 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 reduce the visual impact of the proposed development on surrounding land uses. The proposed development is also in conformance with the policies of the LCP and coastal regulations found at Santa Cruz County Code section 13.20.

Request for Reasonable Accommodation Findings

- (a) **The housing, which is the subject of the request for reasonable accommodation, will be used by an individual protected under the Federal Fair Housing Act of 1988 or the California Fair Employment and Housing Act.**

This finding can be made, in that the housing would be used by an individual protected under the Federal Fair Housing Act of 1988. The property owner resides in the existing dwelling. As stated in the property owner's physician letter, prepared by Dr. Mark Byrne, the property owner is defined as a permanently disabled adult under the provisions of the Fair Housing Act.

- (b) **The request for reasonable accommodation is necessary to make specific housing available to an individual protected under the Federal Fair Housing Amendments Act of 1988 or the California Fair Employment and Housing Act.**

This finding can be made, in that the request to replace the existing elevator with a new elevator that allows access to all levels of the dwelling is necessary in that it would facilitate direct access to the level of the dwelling where the bedrooms are located, thereby making housing available to an individual protected under the Federal Fair Housing Act.

- (c) **The requested reasonable accommodation will not impose an undue financial or administrative burden on the County.**

This finding can be made, in that the requested reasonable accommodation to replace the existing elevator would not impose an undue financial or administrative burden on the County.

- (d) **The requested accommodation will not require a fundamental alteration of the zoning or building laws, policies, or procedures of the County.**

This finding can be made, in that the requested reasonable accommodation is designed in conformance with the site standards for the RB zone district other than the standard for height and the front yard setback. The existing dwelling is a non-conforming dwelling to both height and the front yard setback, rendering it impossible to construct an elevator with access to all levels in conformance with the 25-foot standard for height or the 10-foot setback. The elevator replacement, as designed, will not result in a change from the existing condition of the dwelling and will not result in health, safety or environmental impacts.

- (e) **The requested accommodation will not deprive adjacent properties of light, air and open space consistent with the intent of the Zoning Ordinance.**

This finding can be made, in that the proposed replacement elevator will not deprive adjacent properties of light, air, and open space as designed.

Conditions of Approval

Exhibit D: Project plans, prepared by Studio 528 Architecture, dated April 23, 2024.

- I. This permit authorizes the construction of a replacement elevator and a 130 square foot 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 for all off-site work performed in the County road right-of-way.
 - D. Obtain a State of California, Department of Parks and Recreation Right of Entry permit for removal of all encroachments and rehabilitation of the State Park property.
- 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. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material sheet for Santa Cruz County Planning review and approval.

3. The building plans must include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site which clearly depicts the total height of the proposed structure. Maximum height is 25 feet unless approved otherwise.
 4. 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 areas.
1. The application submittal shall adhere to the County Design Criteria (CDC). Pre-development runoff patterns and rates shall be maintained, and safe stormwater overflow shall be incorporated into the project design.
 2. A site assessment shall be performed, and a note shall be added to the plans and/or drainage report that states whether there are any existing drainage issues on or near the site and if any drainage issues or adverse impacts to neighboring properties, roadways, or drainage pathways are anticipated resulting from the proposed improvements
- C. Meet all requirements of the Santa Cruz County Sanitation District.
- D. Meet all requirements of the Environmental Planning section of Santa Cruz County Planning.
- E. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
- F. Maintain 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.
- G. Complete and record a Recission of the Declaration of Restriction to maintain an elevator (Document No. 2006-0048439). **You may not alter the wording of this declaration.** Follow the instructions to record and return the form to Santa Cruz County Planning.
- 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. 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.

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.

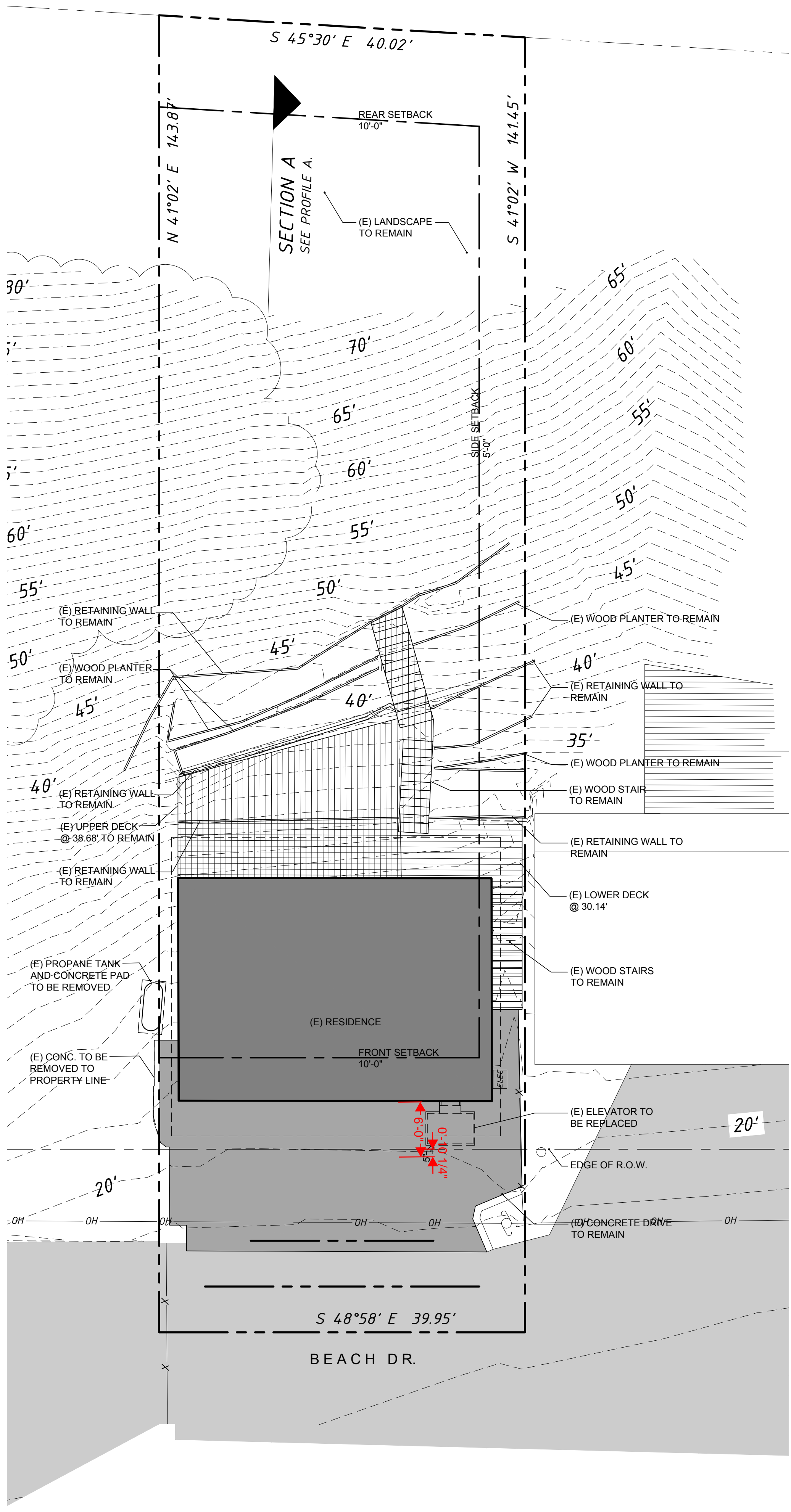
Approval Date: _____

Effective Date: _____

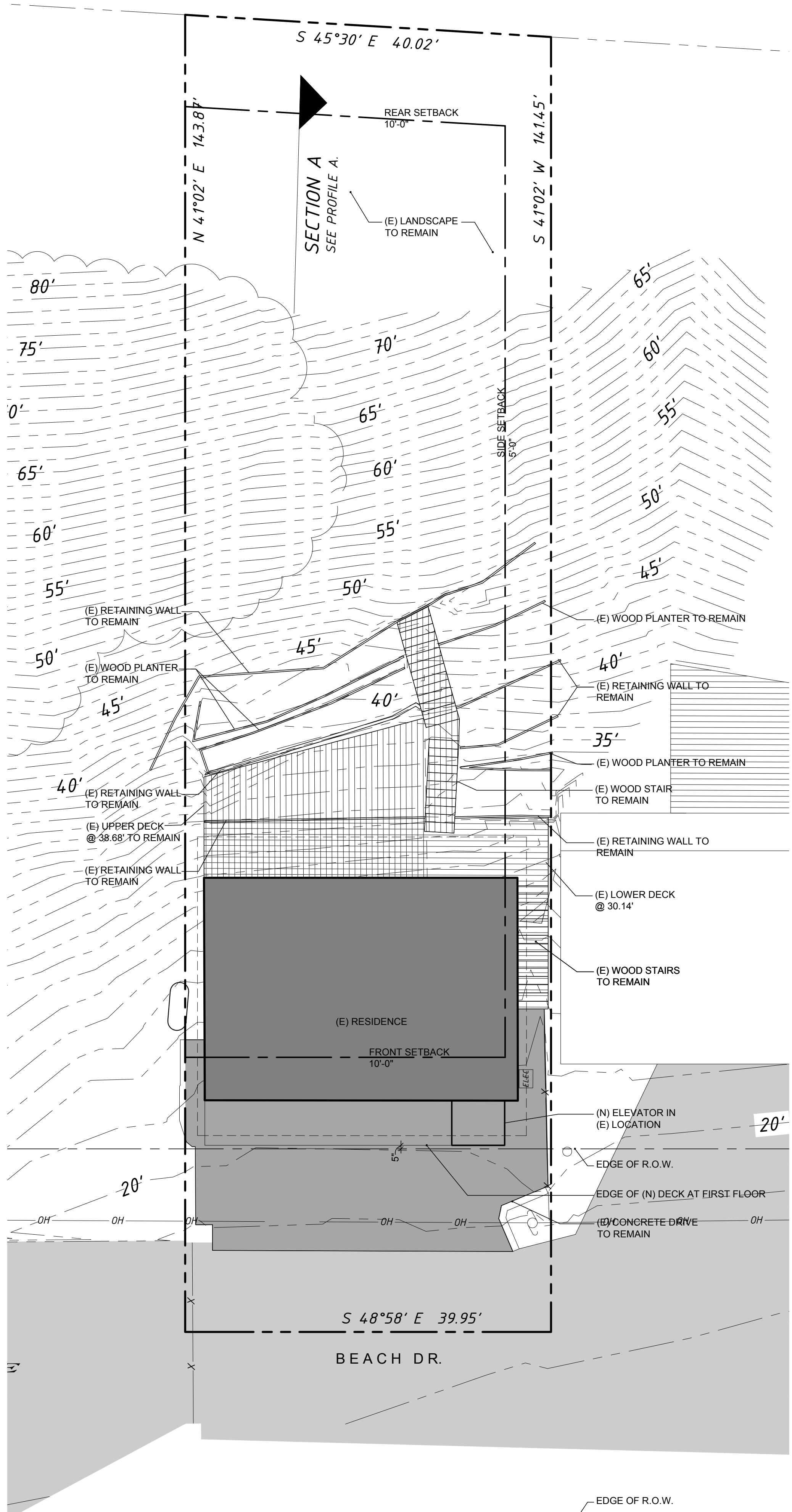
Expiration Date: _____

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.



EXISTING SITE PLAN



PROPOSED SITE PLAN

PROJECT INFORMATION

OWNER:	RICHARD NELSON
ADDRESS:	526 BEACH DR. APTOS, CA. 95003
APN:	04315251
ZONING:	RB
LOT AREA:	4,952 sq.ft. (0.11 acres)
PROJECT:	REPLACE EXISTING EXISTING ELEVATOR. NEW EXTERIOR DECK AT 2ND FLOOR FOR ELEVATOR ACCESS. NO CHANGE IN FOOTPRINT OR HEIGHT IS PROPOSED. REMOVE (E) PROPANE TANK AND CONCRETE PAD.
VARIANCE REQUEST:	HEIGHT: NO NEIGHBORING PROPERTIES WILL BE EFFECTED. THE PROPERTY DOES NOT SIT ON THE BEACH. THERE IS A ROW OF HOUSES BETWEEN THIS PROPERTY AND THE BEACH. THE PROPERTY IS LOCATED AT THE BASE OF A HILL WITH HOUSES ABOVE. NO ADJOINING PROPERTIES WILL BE EFFECTED. SETBACK REDUCTION: (E) FRONT DECK PROJECTION MATCHES NEXT DOOR NEIGHBOR AT 528 BEACH DR. PROPOSED DECK AND ELEVATOR TO BE WITHIN (E) FOOTPRINT.

SHEET INDEX

A1.0	SITE PLAN
SU-1	SURVEY
A2.0	EXISTING FLOOR PLANS
A2.1	PROPOSED FLOOR PLANS
A3.0	EXISTING EXTERIOR ELEVATIONS
A3.1	PROPOSED EXTERIOR ELEVATIONS
A3.2	PHOTO SIMULATION

FLOOR AREA

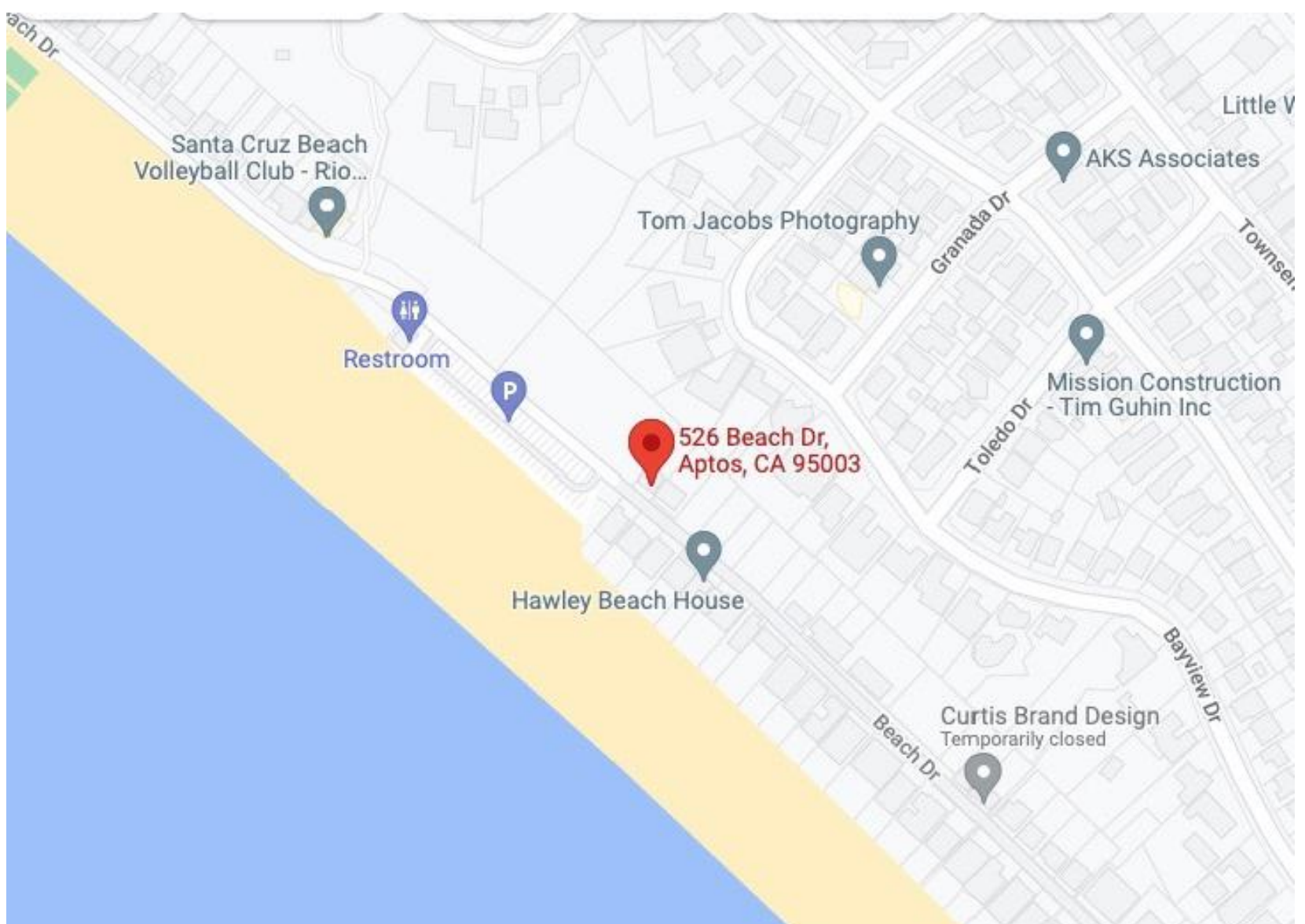
EXISTING:	PROPOSED:
BASEMENT:	0
UNDERFLOOR:	0
HIGH CEILINGS:	0
MEZZANINE:	0
INTERIOR STAIRS:	39 sq.ft.
DECK/PORCH ENCLOSED:	0
DECK CANT. UNCOVERED:	D.N.C.
DECK SUPP. UNCOVERED:	D.N.C.
COVERED DECK/PORCH:	0
UNDER PROJECTIONS:	0 sq.ft.
DECK ROOFTOP:	0
EXTERIOR STAIR:	D.N.C.
TRELLIS:	0
GARAGE:	271 sq.ft.
ACCESSORY:	0
BAY WINDOW:	0
CHIMNEY:	0
AWNING:	0
ELEVATOR SHAFT:	84 sq.
GROUND FLOOR:	219 sq.ft.
FLOOR 1:	796 sq.ft.
FLOOR 2:	796 sq.ft.
TOTAL:	2205 sq.ft.(44.5%)

CONSULTANT LIST

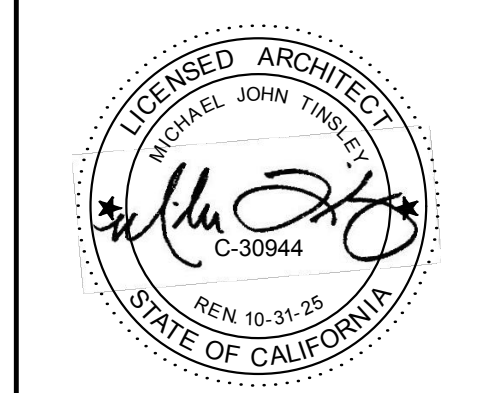
ARCHITECT:	STUDIO 528 ART & ARCHITECTURE, INC. MICHAEL TINSLEY, ARCHITECT 4159 PEARSON COURT CAPITOLA, CA. 95010 PH: (408) 705-6763
SURVEYOR:	HANAGAN LAND SURVEYING PAUL HANAGAN 305-C SOQUEL AVE. SANTA CRUZ, CA. 95062 PH: (313) 469-3428
CIVIL ENGINEER:	RI ENGINEERING RICHARD IRISH, P.E. 303 POTRERO 42-202 SANTA CRUZ, CA. 95060 PH: (313) 425-3901
STRUCTURAL ENGINEER:	RI ENGINEERING RICHARD IRISH, P.E. 303 POTRERO 42-202 SANTA CRUZ, CA. 95060 PH: (313) 425-3901
GEOTECHNICAL ENGINEER:	C2EARTH, inc. CHRISTOPHER HUNDEMER, P.E. 523 CAPITOLA AVE. ste B CAPITOLA, CA. 95010 PH: (313) 425-5436
GEOLOGIST:	C2EARTH, inc. CHRISTOPHER HUNDEMER, P.E. 523 CAPITOLA AVE. ste B CAPITOLA, CA. 95010 PH: (313) 425-5436

LOT COVERAGE

EXISTING:	PROPOSED:
BASEMENT:	0
UNDERFLOOR:	0
HIGH CEILINGS:	0
MEZZANINE:	0
INTERIOR STAIRS:	0
DECK/PORCH ENCLOSED:	D.N.C.
DECK CANT. UNCOVERED:	D.N.C.
DECK SUPP. UNCOVERED:	247 sq.ft.
COVERED DECK/PORCH:	0
UNDER PROJECTIONS:	0
DECK ROOFTOP:	0
EXTERIOR STAIR:	124 sq.ft.
TRELLIS:	0
GARAGE:	0
ACCESSORY:	0
BAY WINDOW:	0
CHIMNEY:	0
AWNING:	0
ELEVATOR SHAFT:	28 sq.ft.
GROUND FLOOR:	715 sq.ft.
TOTAL:	1114 sq.ft. (22.5%)



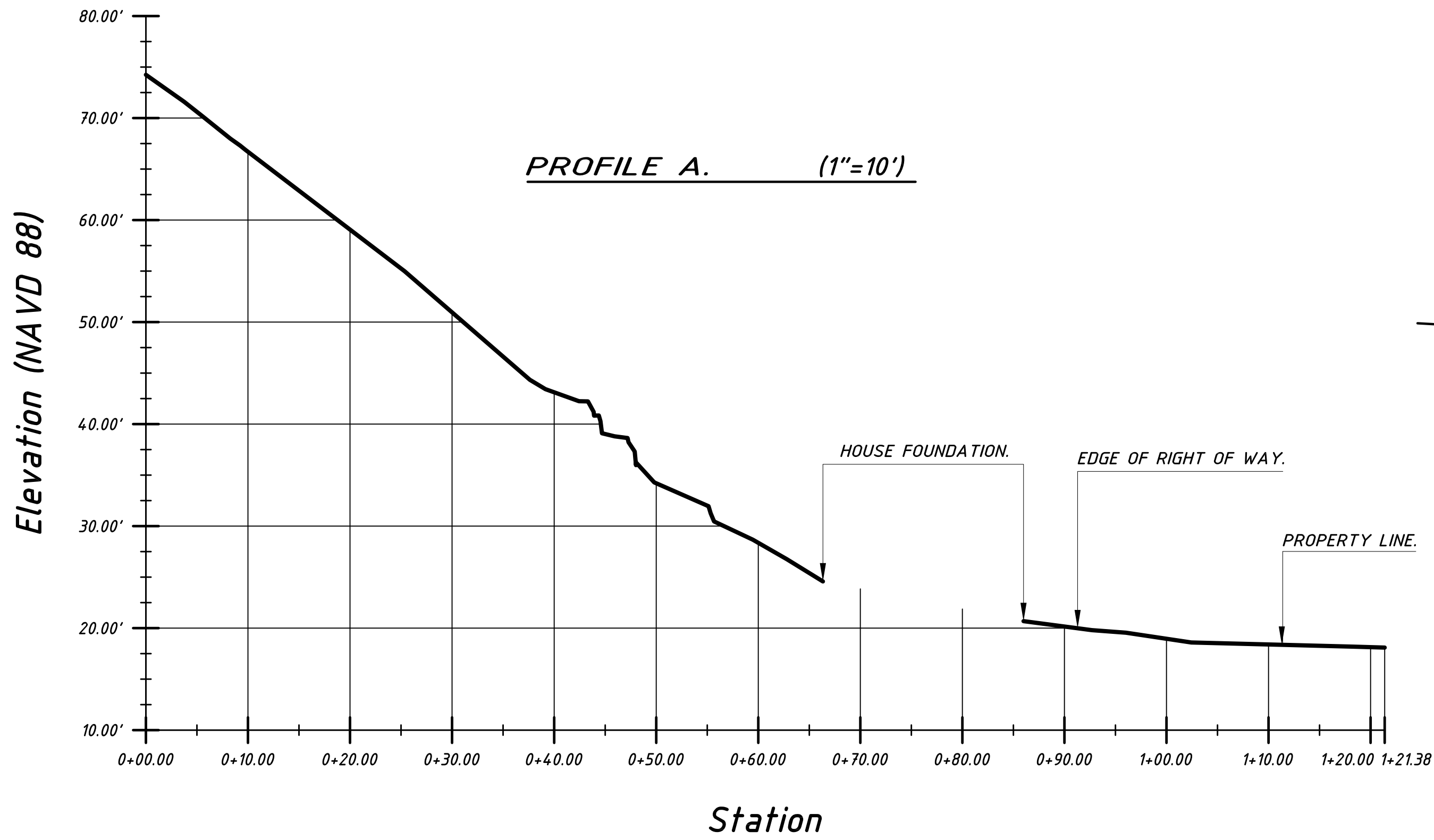
VICINITY MAP



DESIGN DEVELOPMENT SET		
NO.	DATE	REVISION
1	4/23/2024	PC COMMENTS
PROPOSED REMODEL:		
THE NELSON RESIDENCE		
526 BEACH DR. APTOS, CA. 95003		
A.P.N. 04315251		
SHEET TITLE:		
SITE PLAN		
ISSUE DATE: 2/17/2022		
SCALE: AS NOTED		
A1.0		

Disclaimer: This plan and associated drawings were prepared by the property of Hanagan & Nelson, Inc. It is an instrument of service and is not a contract. The property owner is responsible for the accuracy of the information provided. The property owner is responsible for the accuracy of the information provided. The property owner is responsible for the accuracy of the information provided.

S:\PROJECTS\2021\21124 526 Beach Drive, Aptos\DWG\526 Beach Drive, Aptos.dwg, Plotted By: paul, Plotted: Nov 03, 2021 - 2:37pm

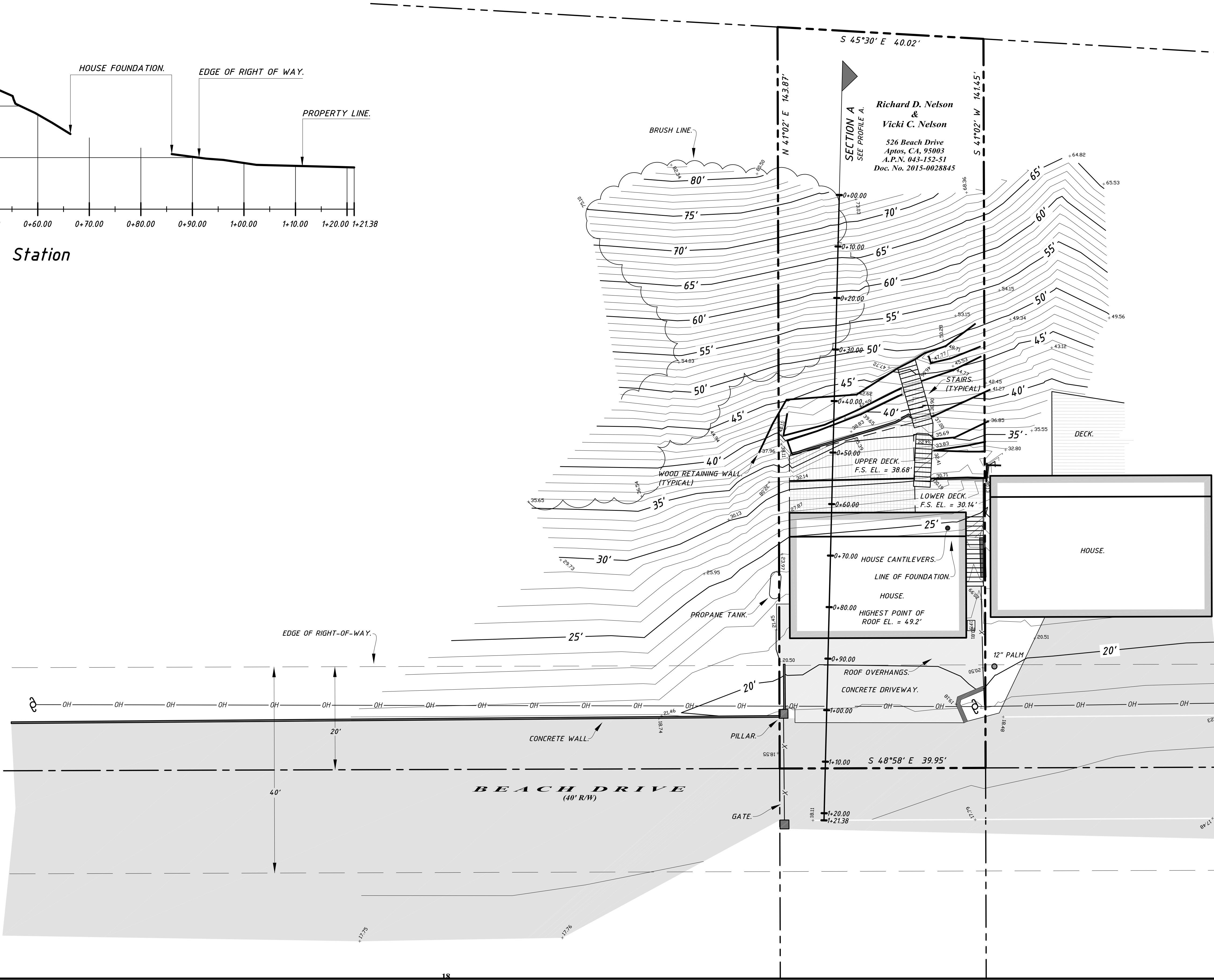
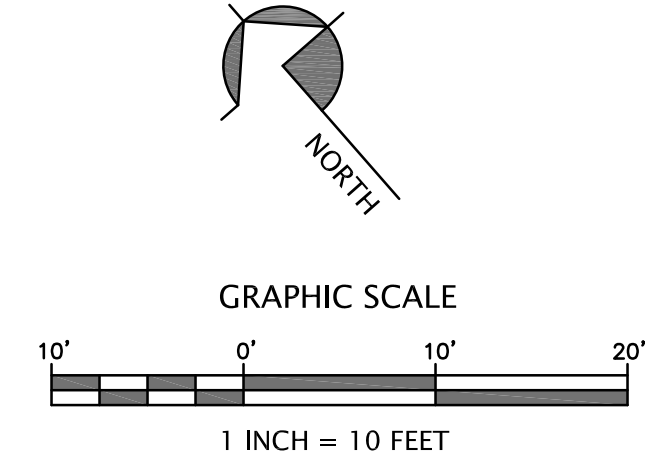


Basis of Bearings

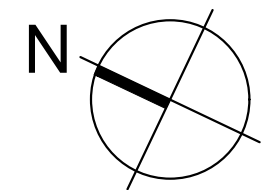
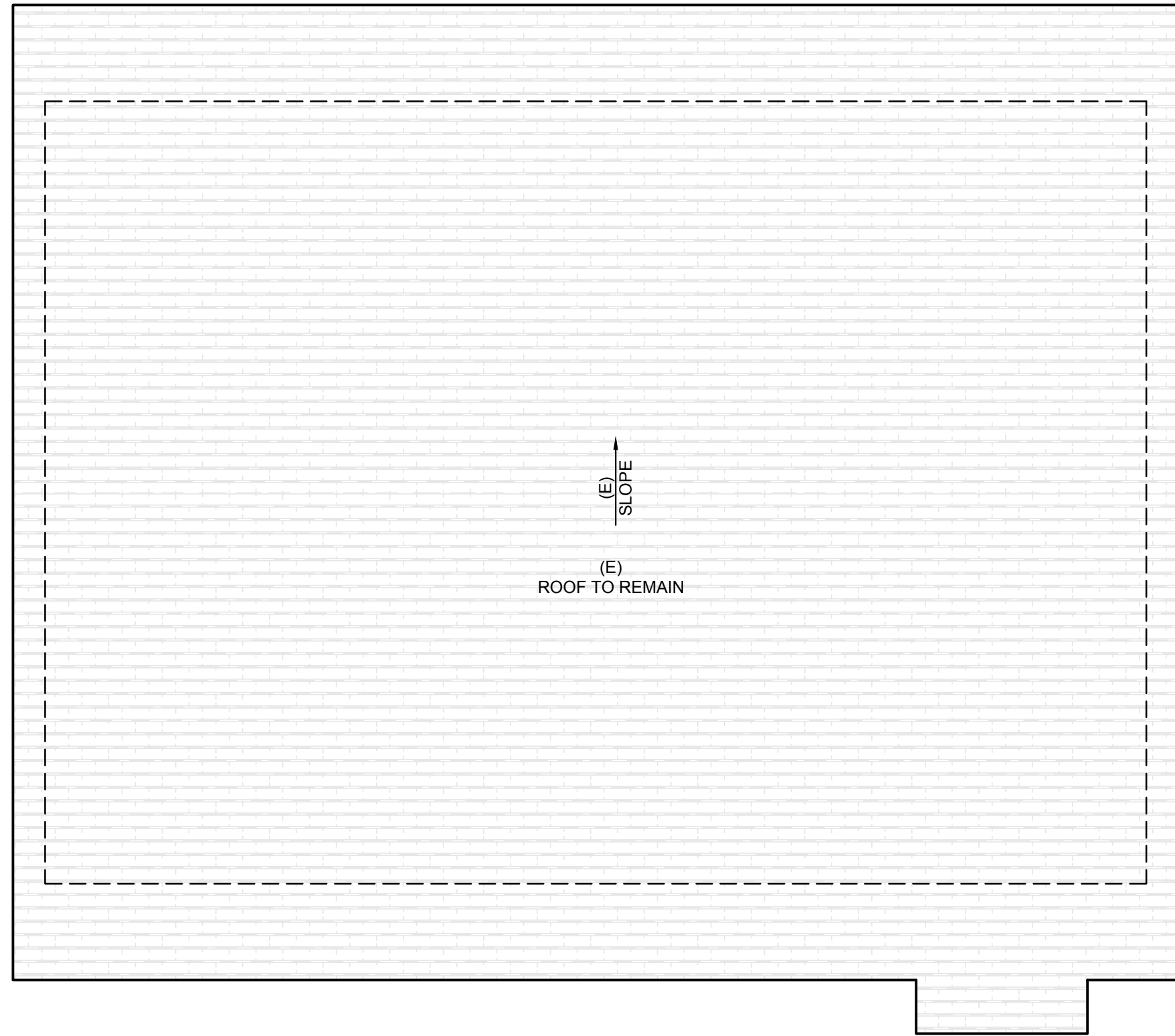
Between found monuments along the centerline of Beach Drive per 27-PM-25.

Basis of Elevation

Santa Cruz County Benchmark #477.
Benchmark Elevation = 17.19' NAVD 88.

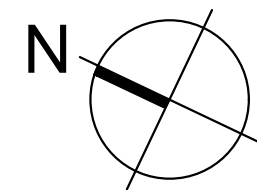
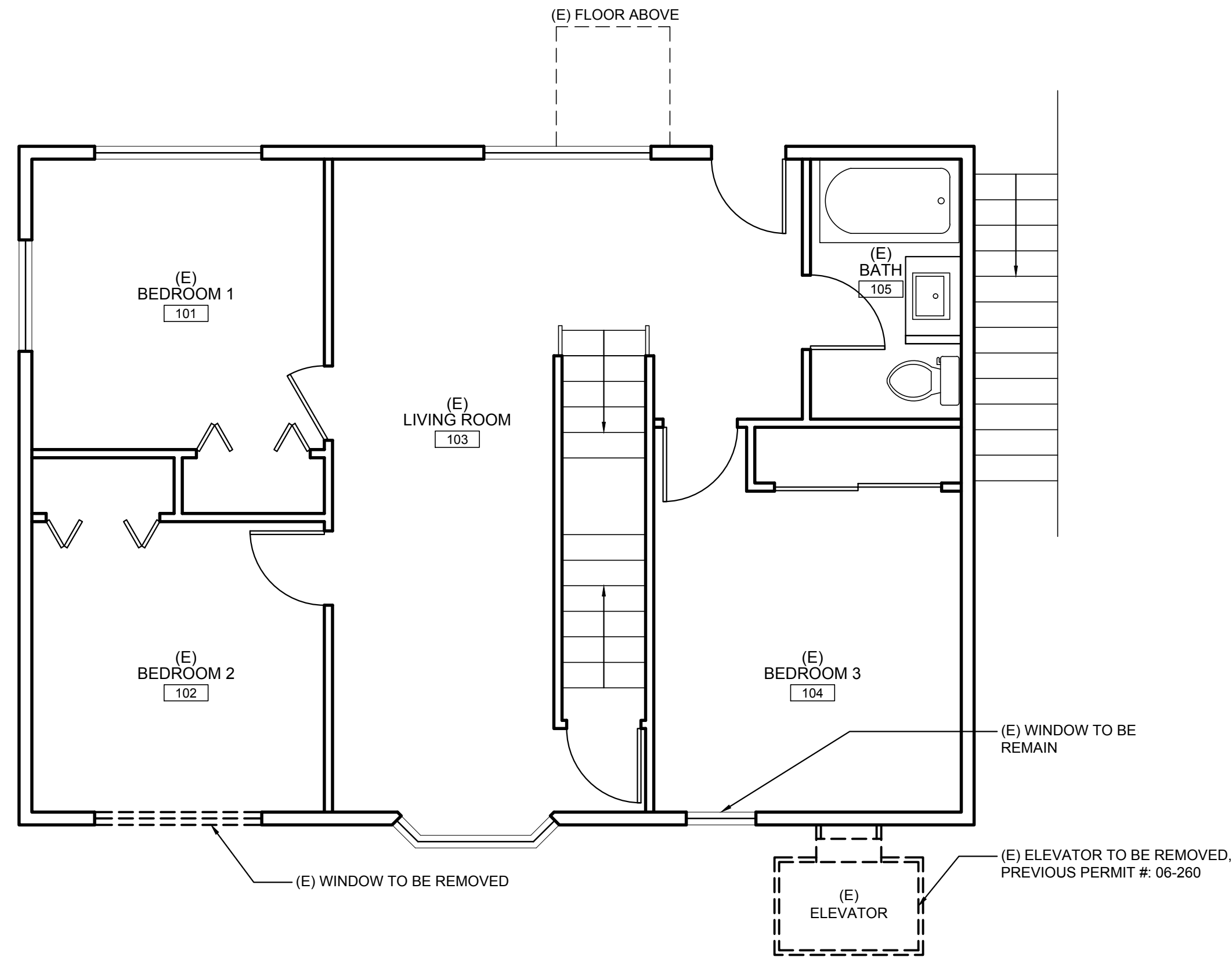


REVISION	
APPROVED <i>Paul Hanagan</i> Paul Hanagan LS 7797	
HANAGAN LAND SURVEYING	
305-C SOQUEL AVE., SANTA CRUZ, CA 95062 PHONE (831) 469-3428	
Topographic and Boundary Map, The Lands Of:	
Richard Nelson & Vicki Nelson	
526 Beach Drive, Aptos, Ca, 95003	
Santa Cruz County A.P.N. 043-152-15	DESIGN DATE 11-2-2021 SCALE 1" = 10'
DRAWN J. Kaneg	
SHEET SU-1	
OF 1 SHEETS	
21124	
JOB NO.	



ROOF PLAN

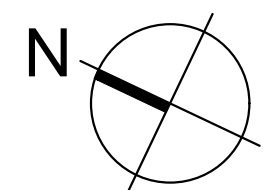
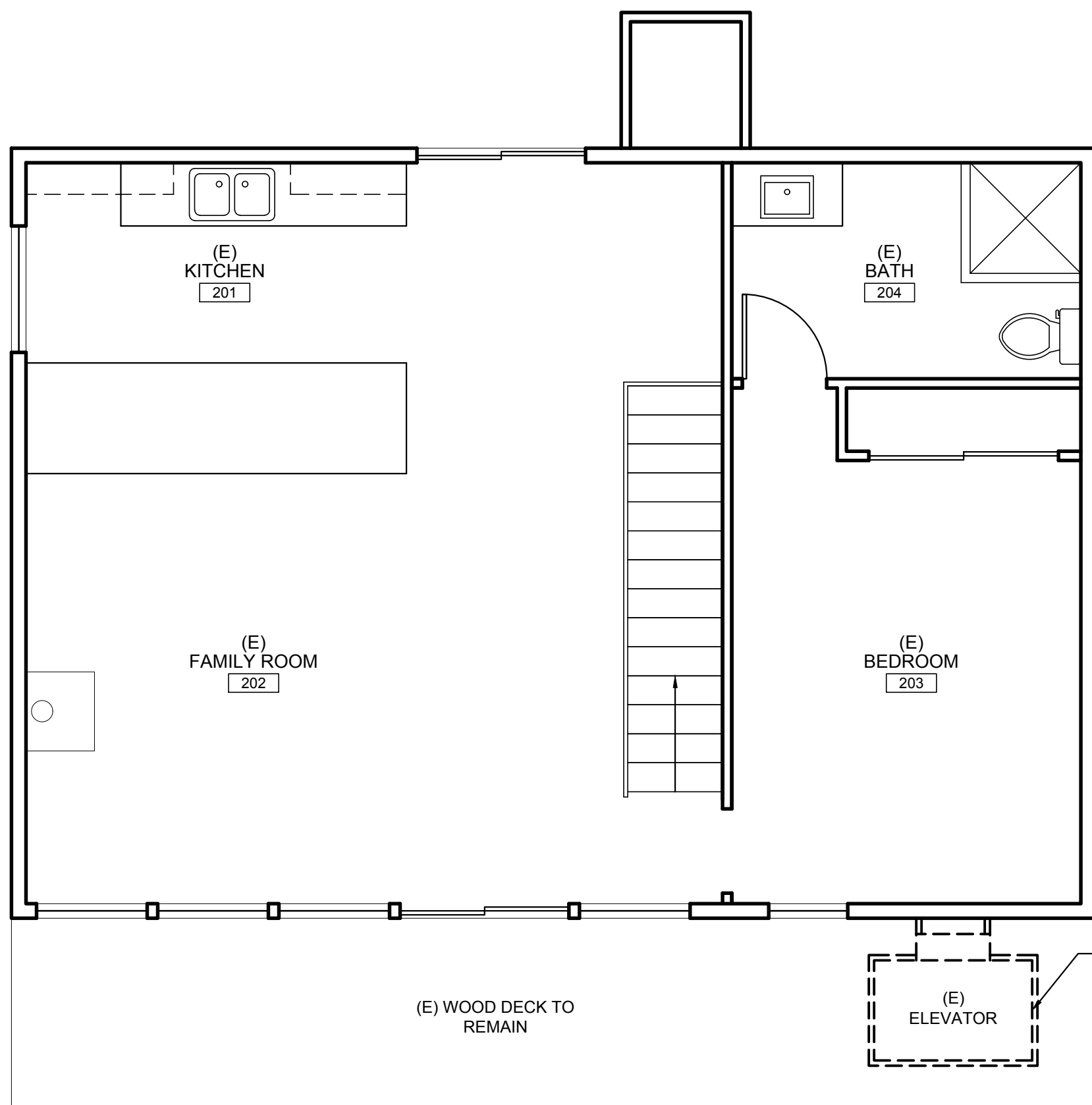
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(E) FIRST FLOOR PLAN

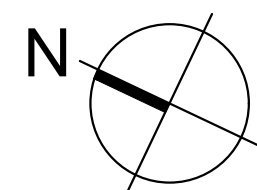
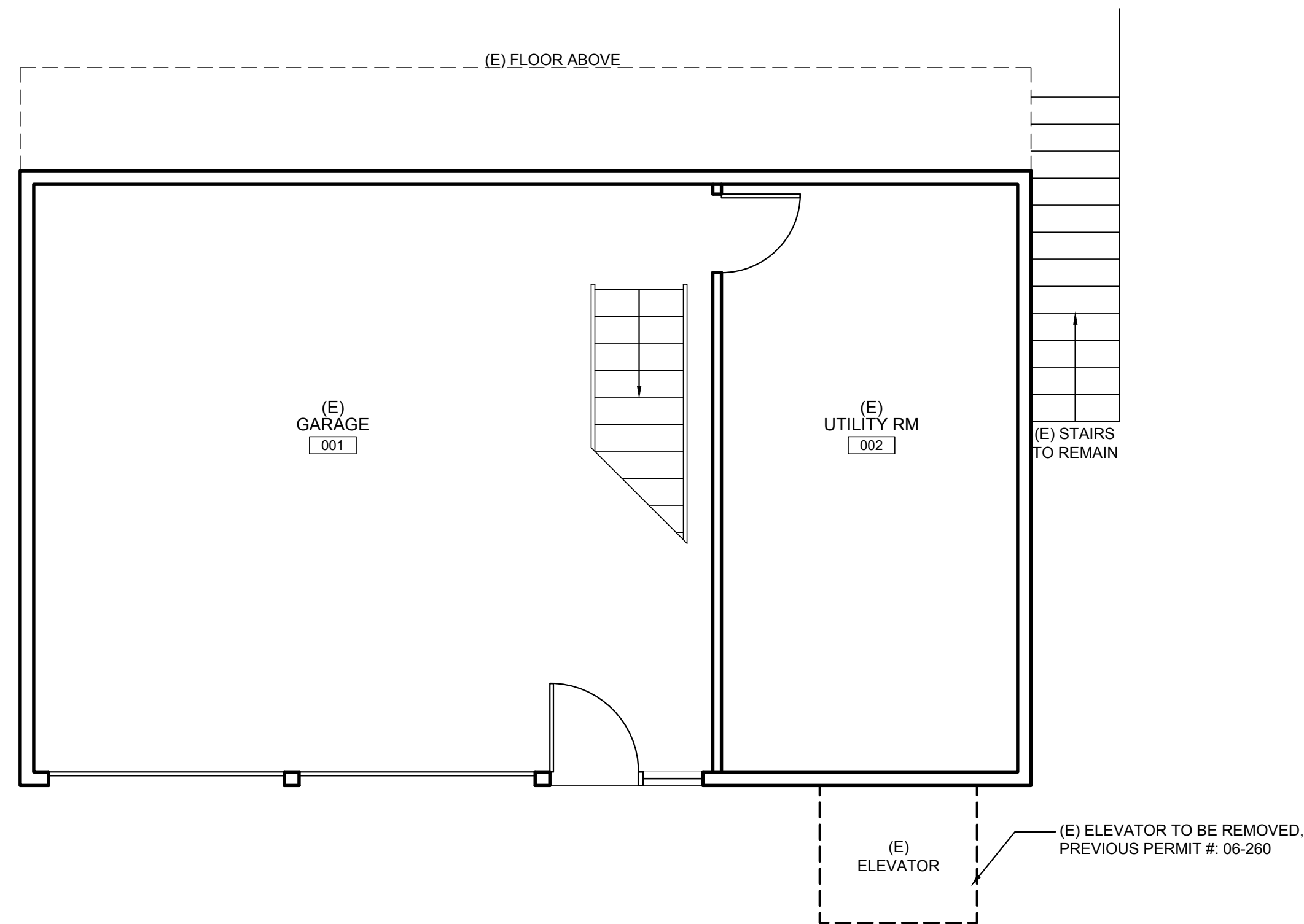
1/4" = 1'-0"

EXISTING FLOOR PLANS
PER PERMIT#: 06-0260



(E) SECOND FLOOR PLAN

1/4" = 1'-0"

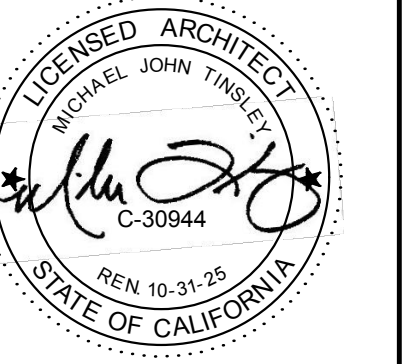


(E) GROUND FLOOR PLAN

1/4" = 1'-0"



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DESIGN
DEVELOPMENT
SET

NO.	DATE	REVISION
1	4/23/2024	PC COMMENTS

PROPOSED REMODEL:

**THE
NELSON
RESIDENCE**

526 BEACH DR.
APTOS, CA. 95003

A.P.N. 04315251

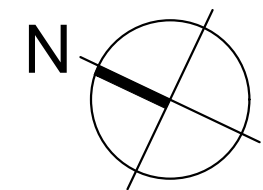
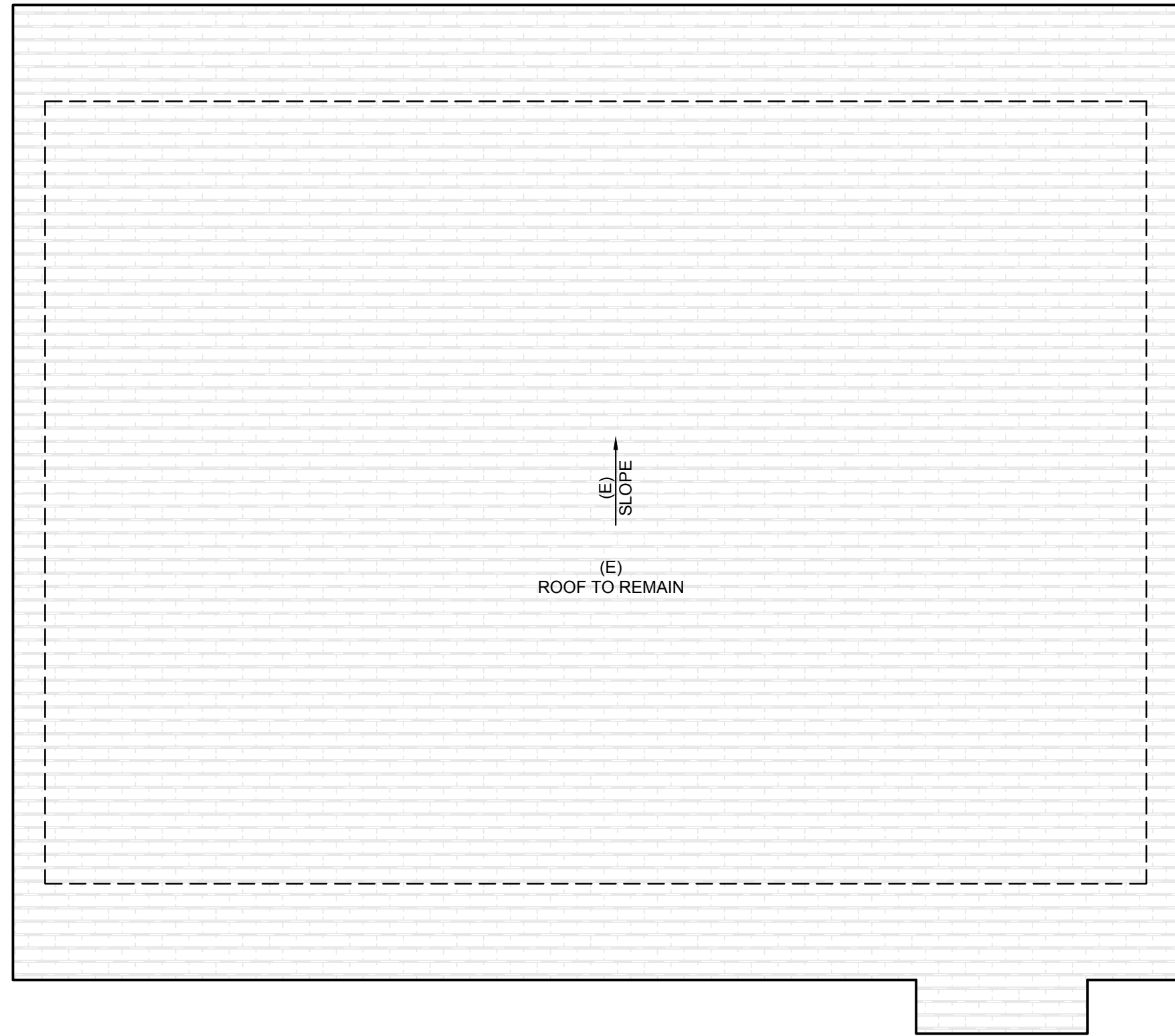
SHEET TITLE:

**EXISTING
FLOOR PLANS**

ISSUE DATE: 2/17/2022

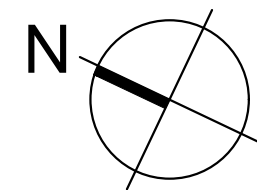
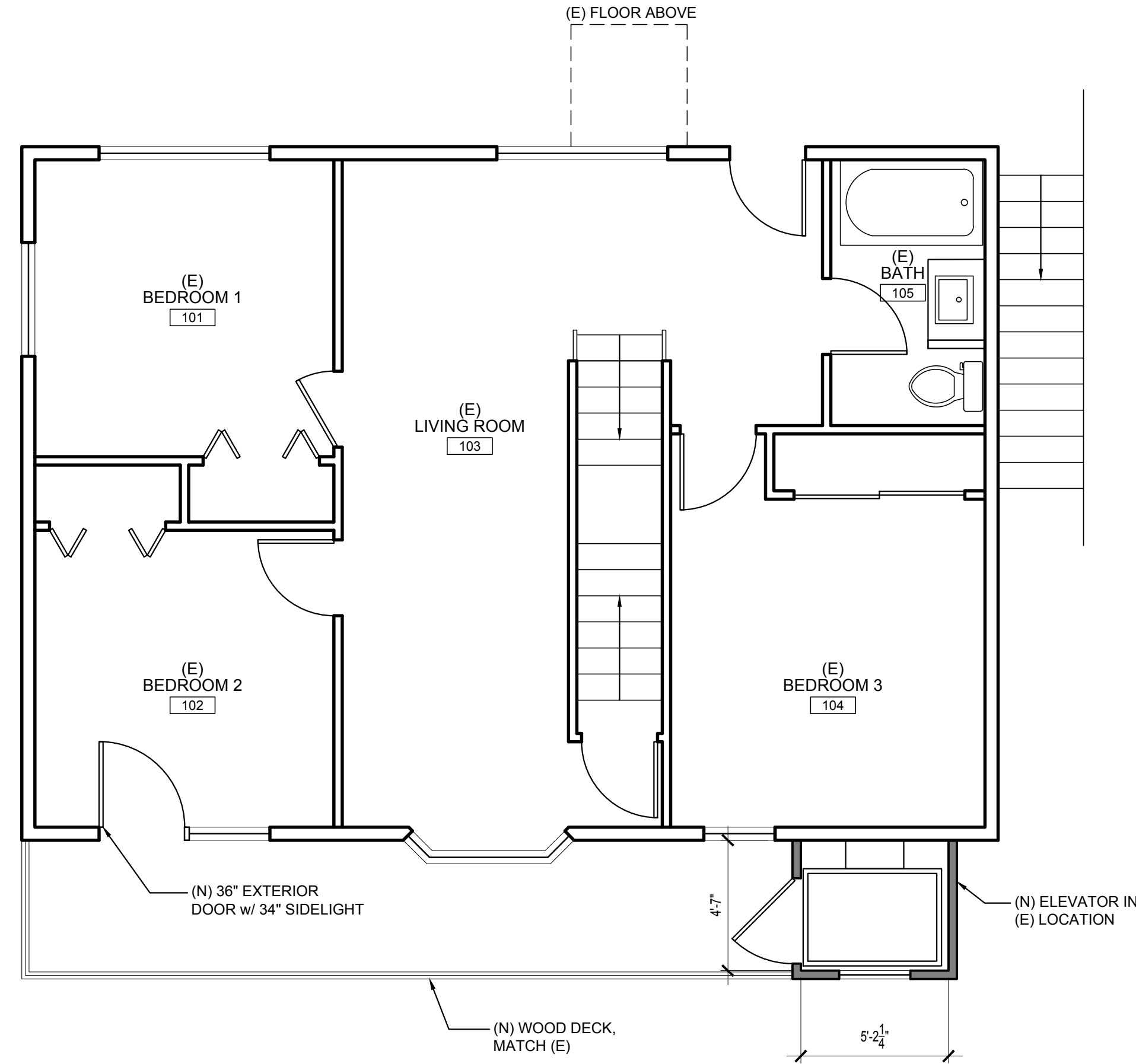
SCALE: AS NOTED

A2.0



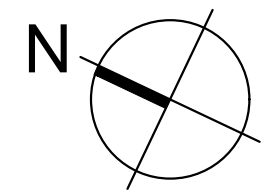
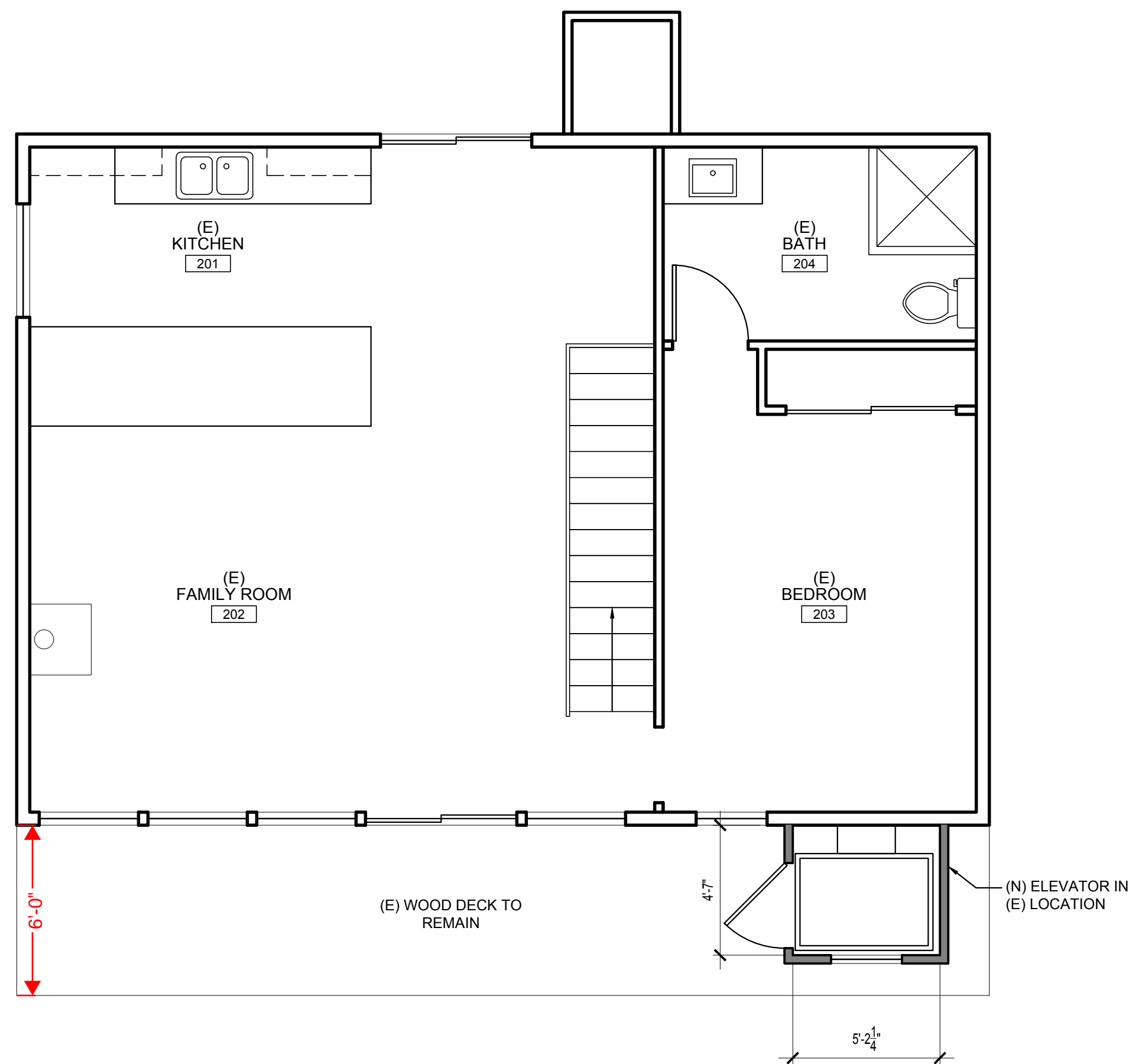
ROOF PLAN

1/4" = 1'-0"



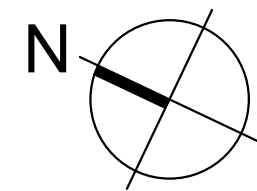
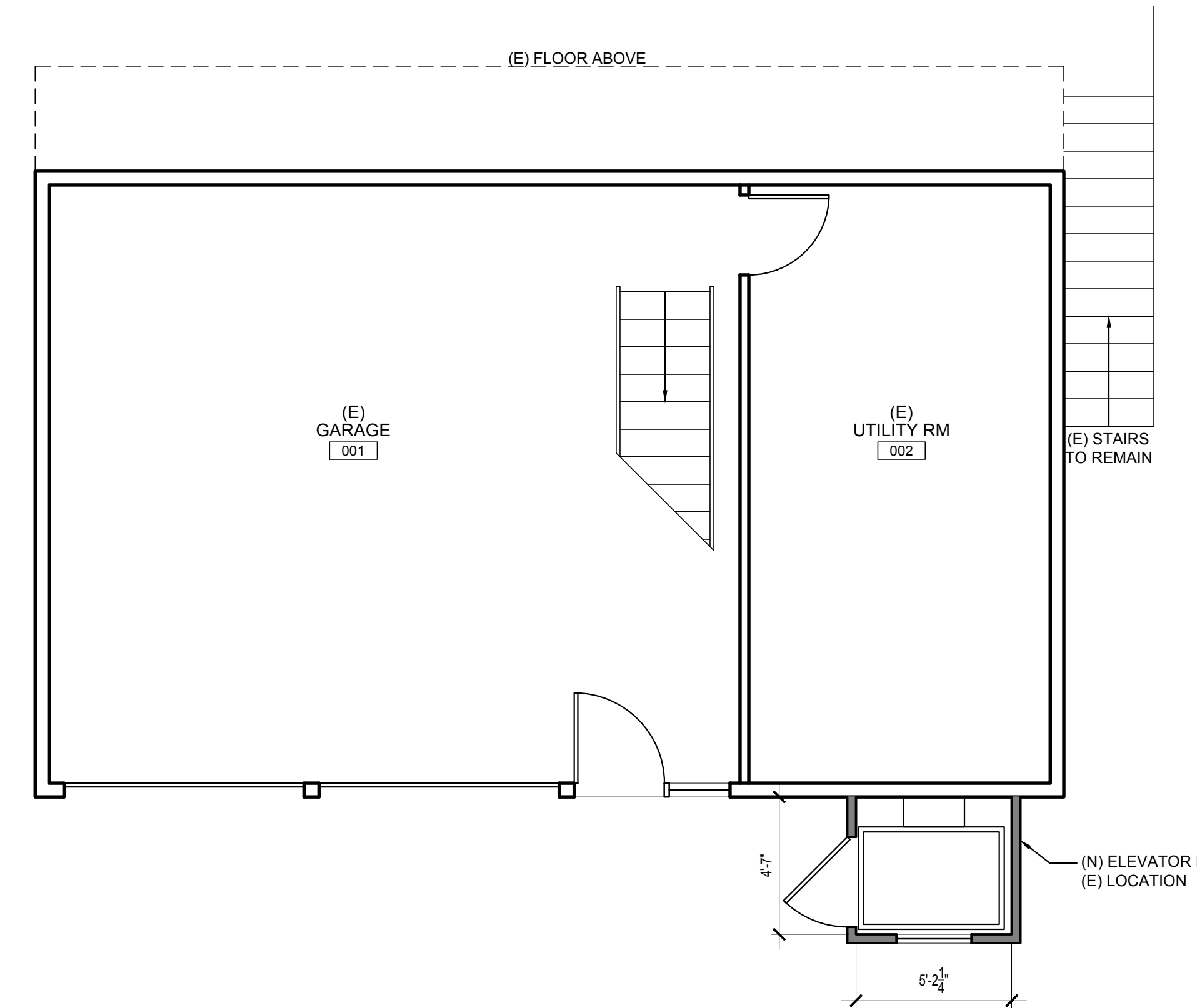
FIRST FLOOR PLAN

1/4" = 1'-0"



SECOND FLOOR PLAN

1/4" = 1'-0"

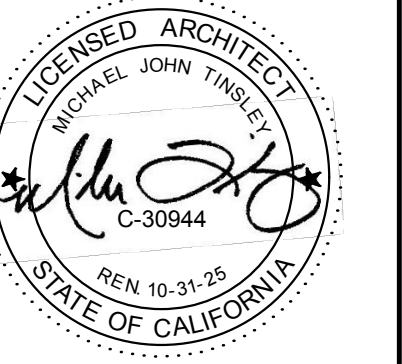


GROUND FLOOR PLAN

1/4" = 1'-0"



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PROPOSED REMODEL:

**THE
NELSON
RESIDENCE**

526 BEACH DR.
APTOS, CA. 95003

A.P.N. 04315251

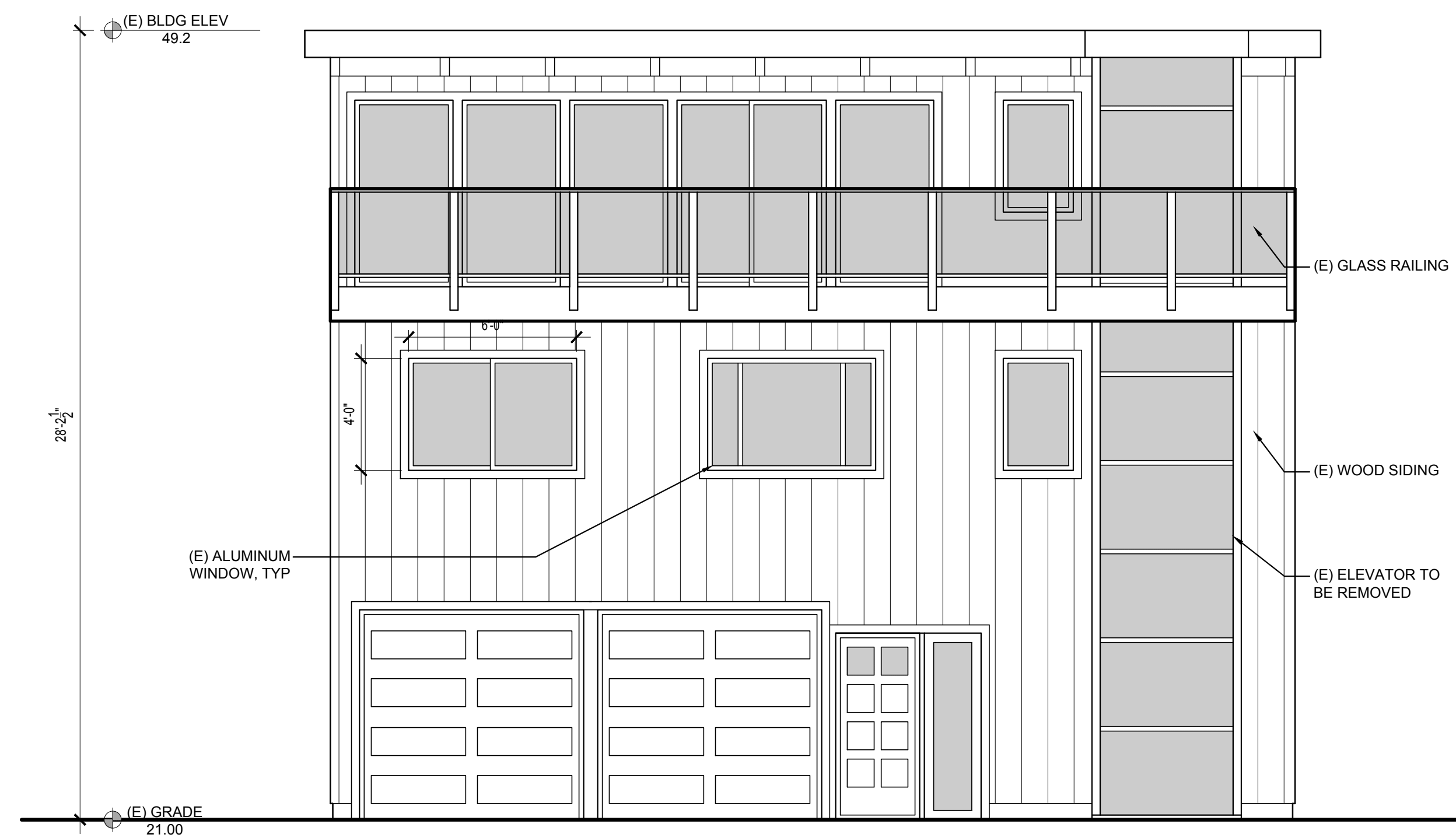
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FLOOR PLANS

ISSUE DATE: 2/17/2022

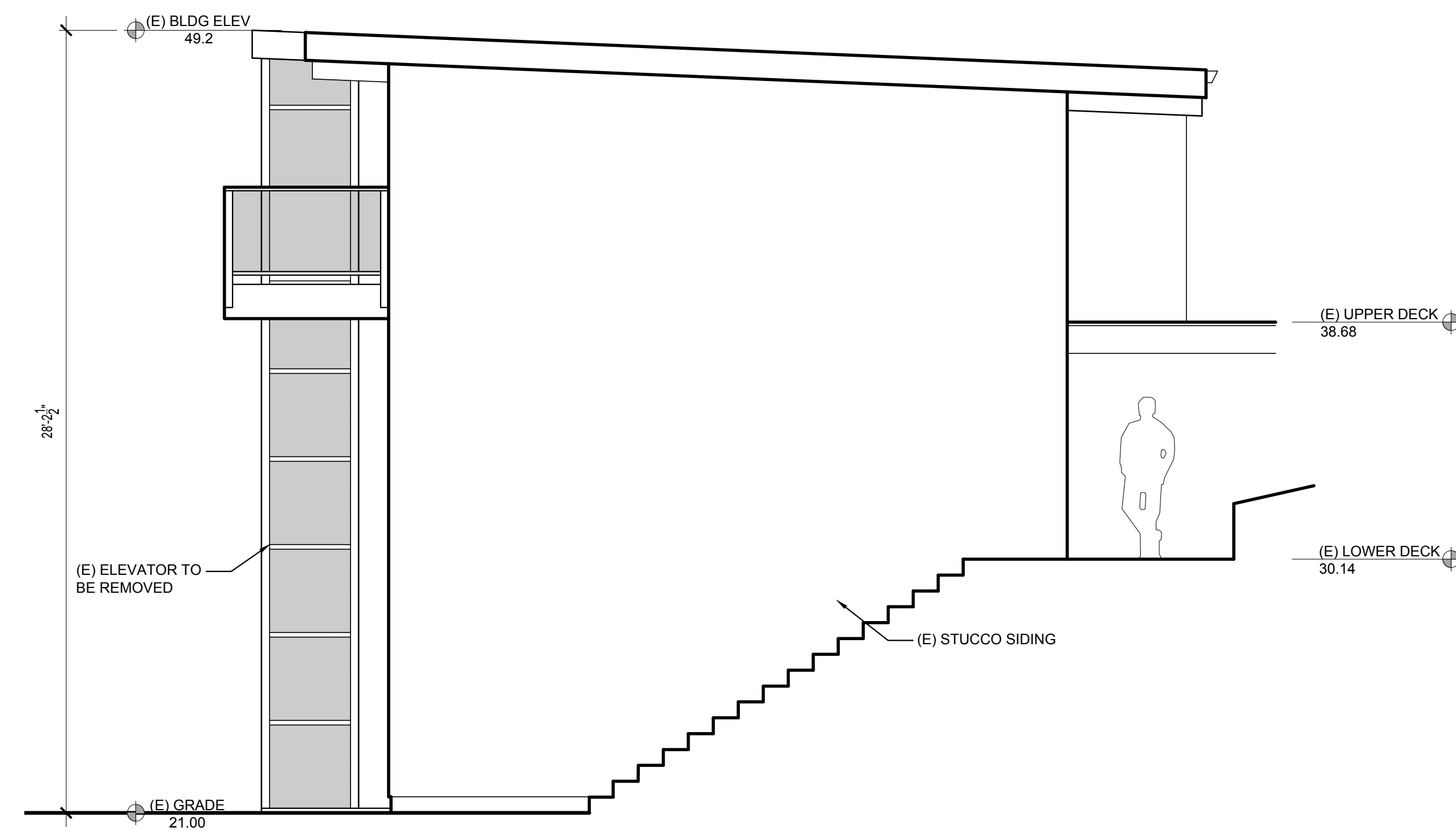
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A2.1



SOUTH ELEVATION

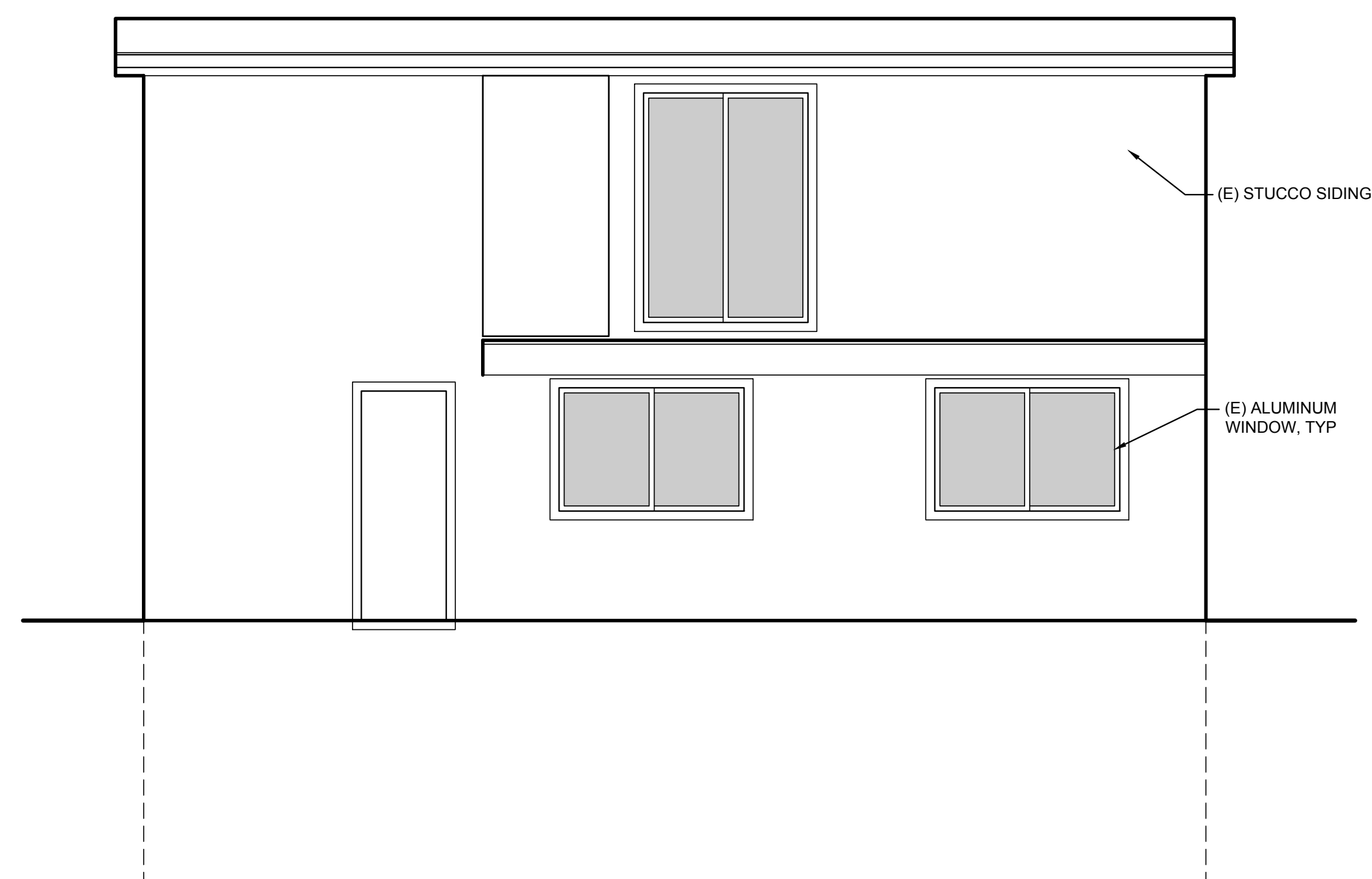
1/4" = 1'-0"



EAST SIDE ELEVATION

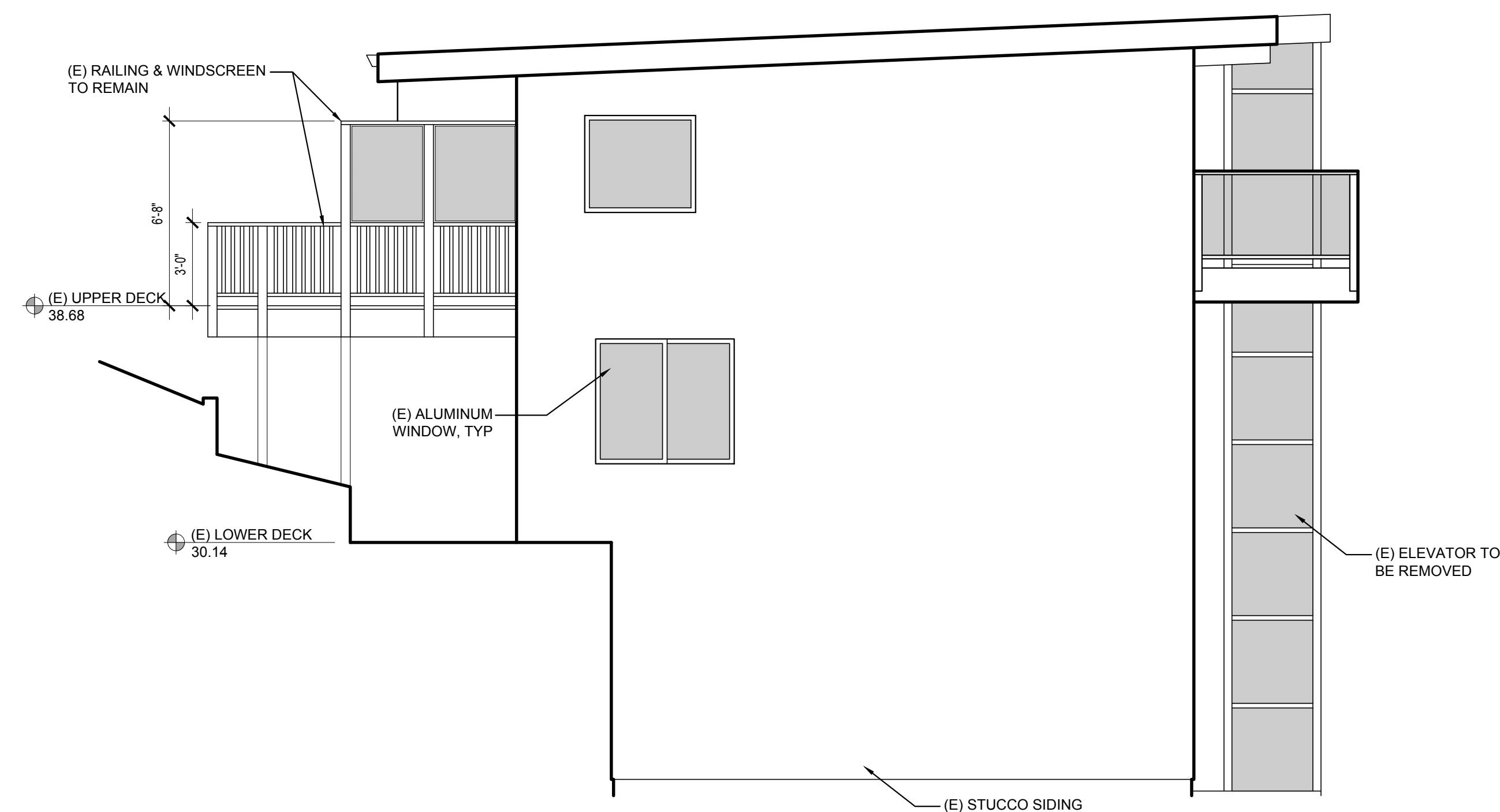
1/4" = 1'-0"

EXISTING FLOOR PLANS
PER PERMIT#: 06-0260



NORTH ELEVATION

1/4" = 1'-0"

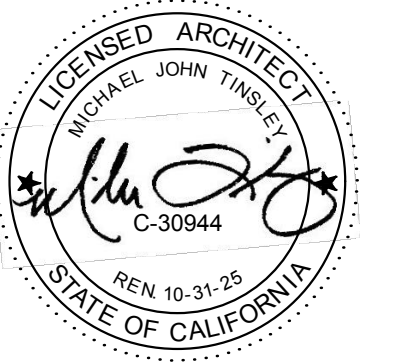


WEST ELEVATION

1/4" = 1'-0"



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PROPOSED REMODEL:

**THE
NELSON
RESIDENCE**

526 BEACH DR.
APTOS, CA. 95003

A.P.N. 04315251

SHEET TITLE:

**EXISTING
EXTERIOR
ELEVATIONS**

ISSUE DATE: 2/17/2022

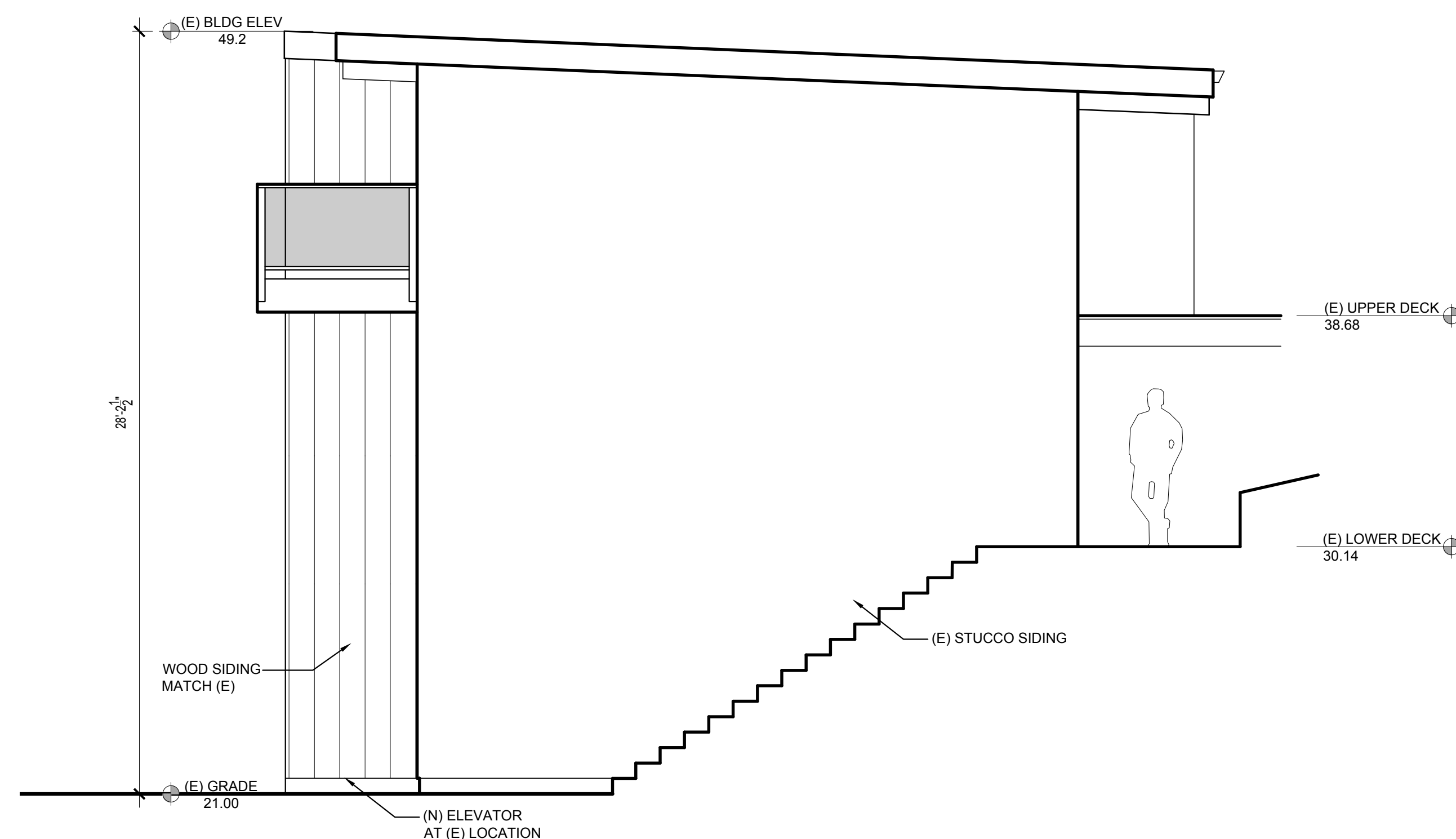
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A3.0



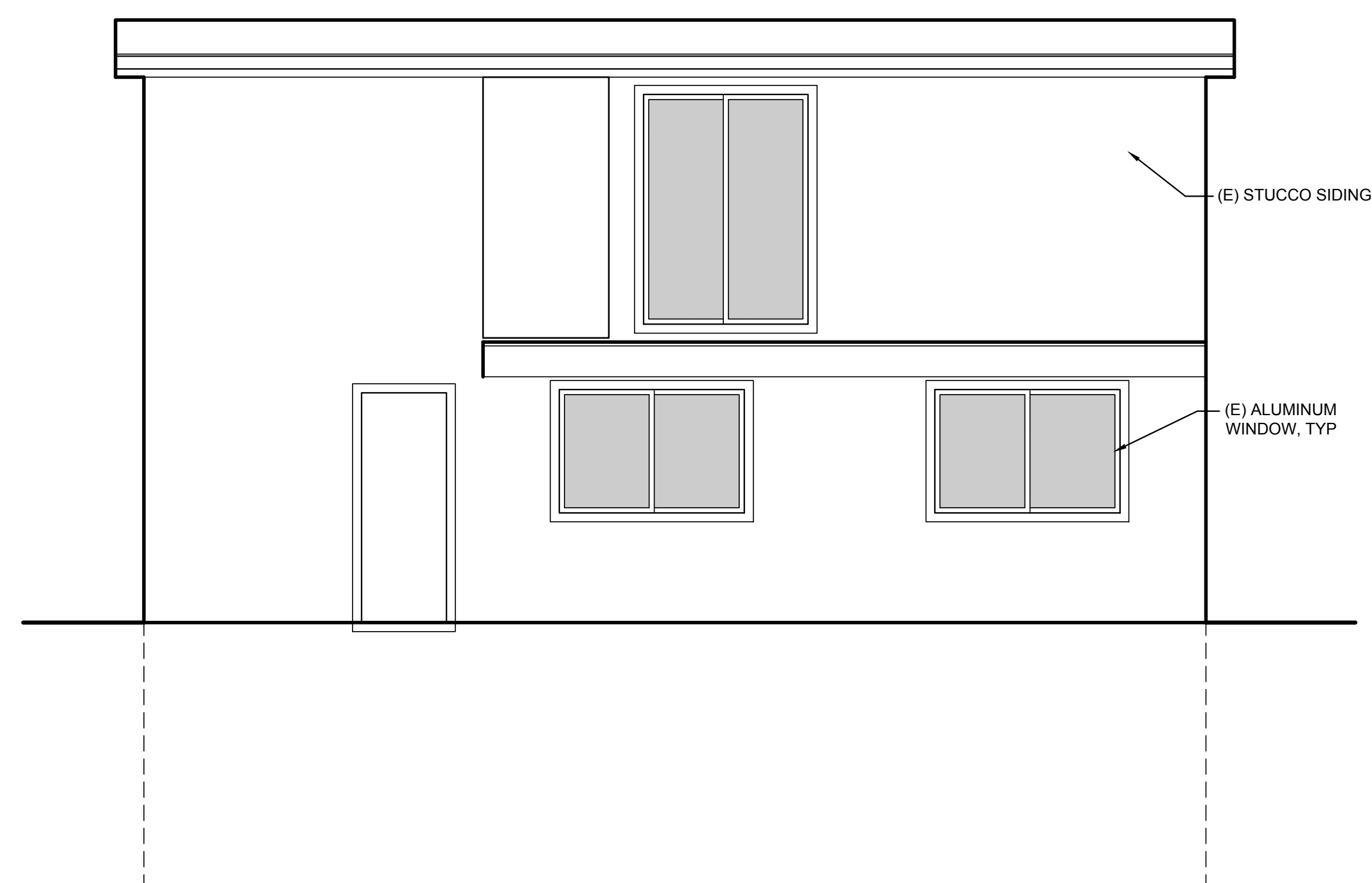
SOUTH ELEVATION

1/4" = 1'-0"



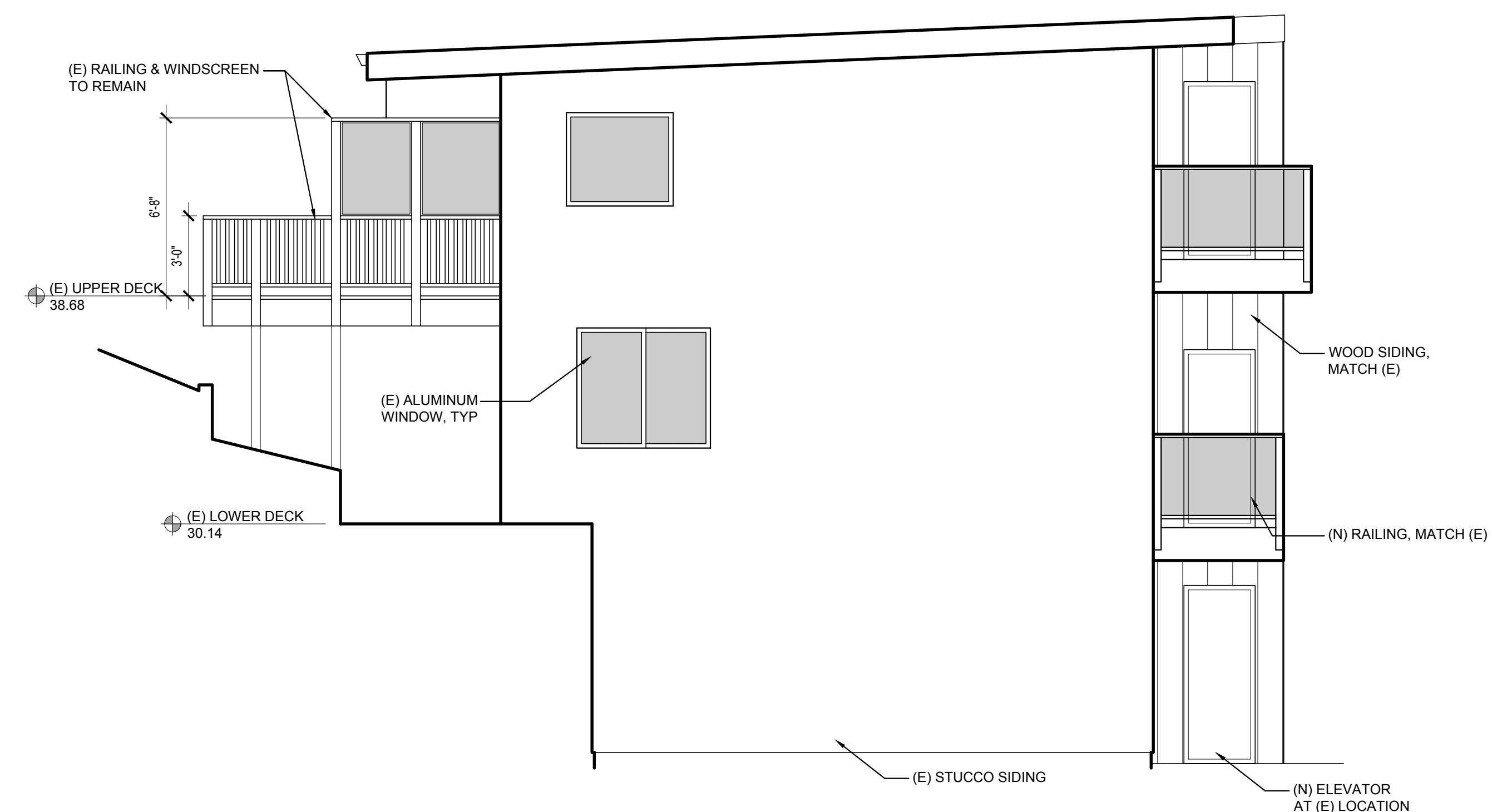
EAST SIDE ELEVATION

1/4" = 1'-0"



NORTH ELEVATION

1/4" = 1'-0"



WEST ELEVATION

1/4" = 1'-0"



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**DESIGN
DEVELOPMENT
SET**

NO.	DATE	REVISION
1	4/23/2024	PC COMMENTS

PROPOSED REMODEL:

**THE
NELSON
RESIDENCE**

526 BEACH DR.
APTOS, CA. 95003

A.P.N. 04315251

SHEET TITLE:

**EXTERIOR
ELEVATIONS**

ISSUE DATE: 2/17/2022

SCALE: AS NOTED

A3.1

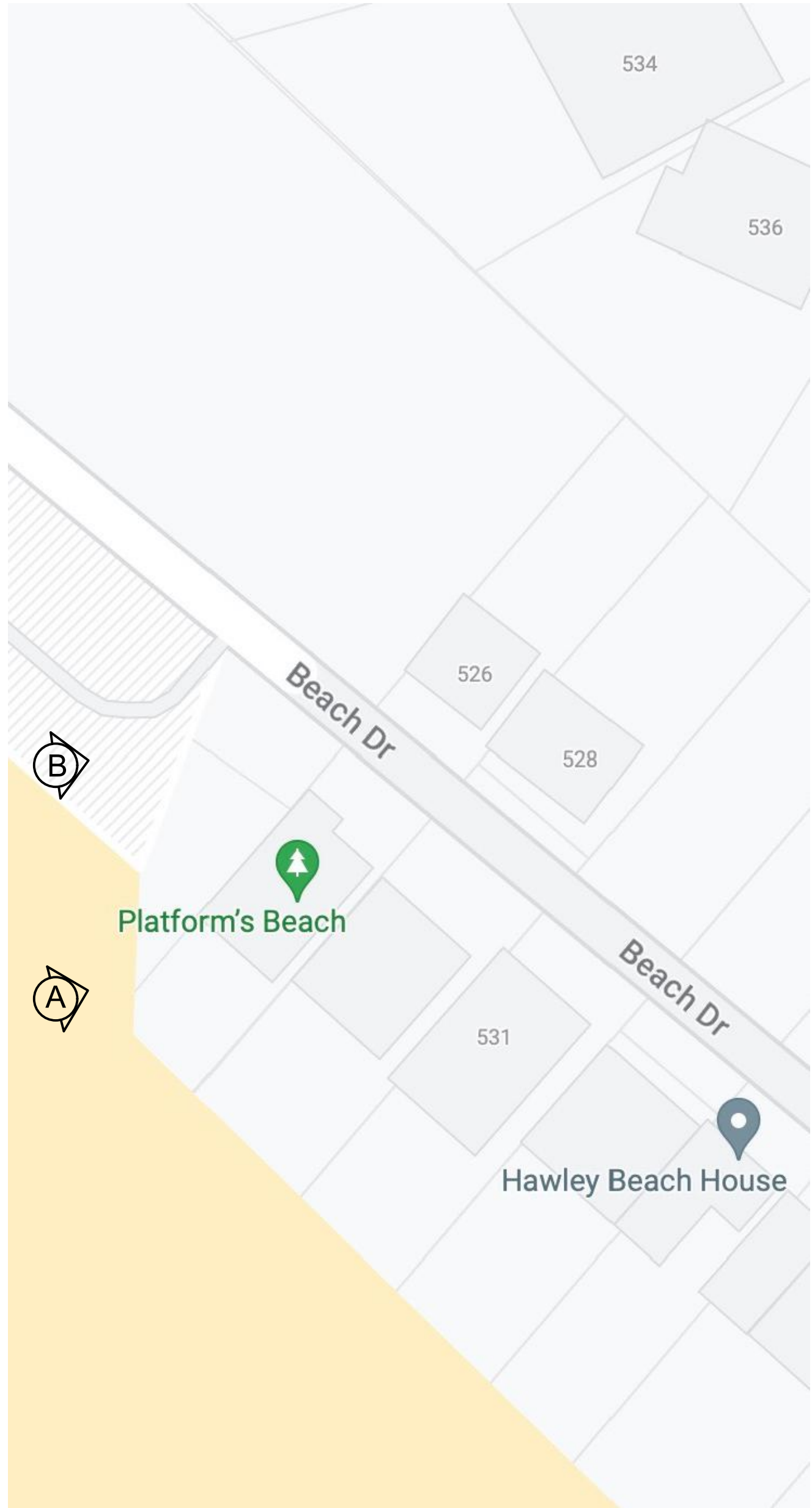


PHOTO MAP



A EXISTING BEACH VIEW



B EXISTING PARKING VIEW



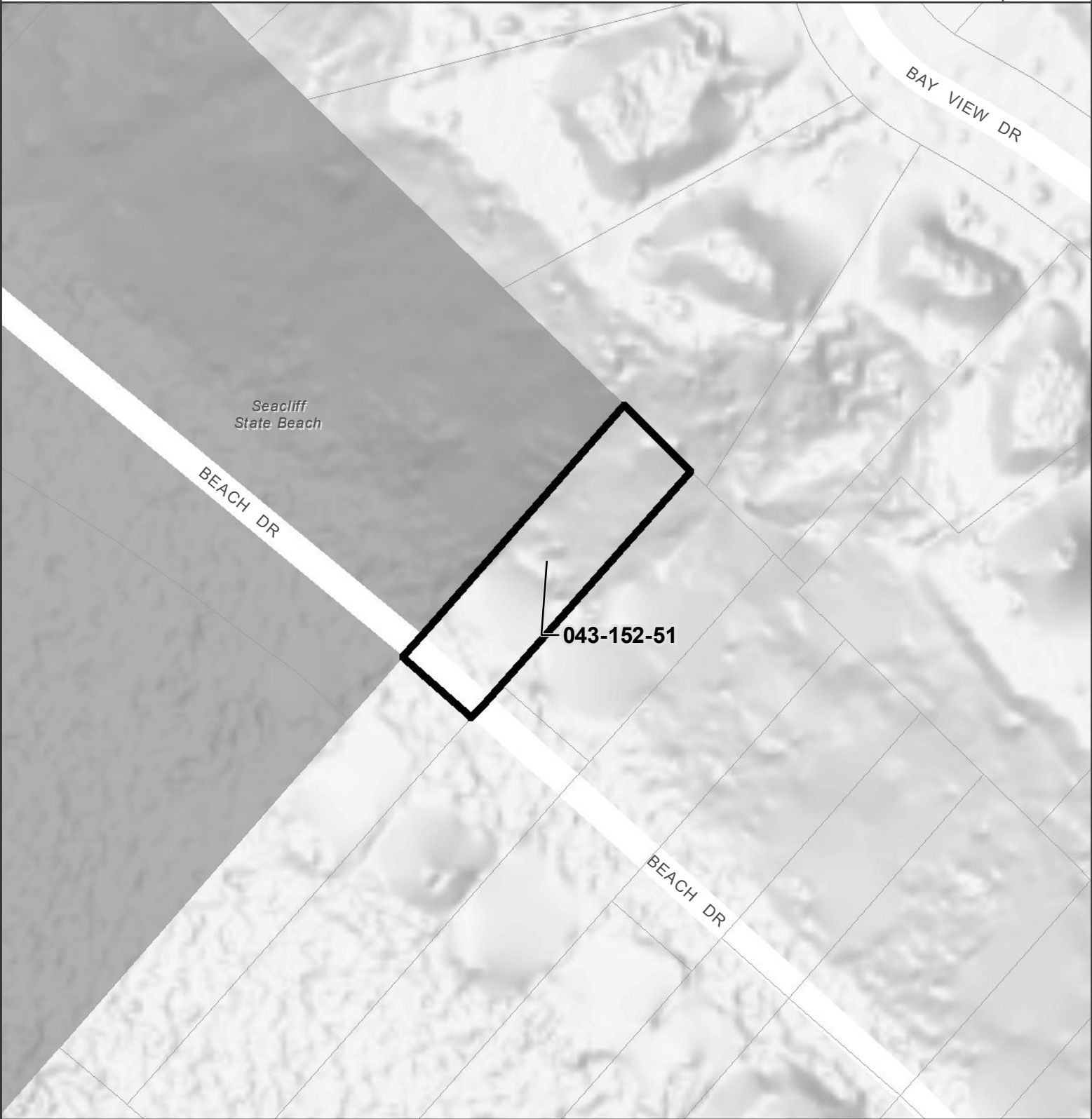
A PROPOSED BEACH VIEW



B PROPOSED PARKING VIEW

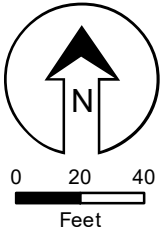


Parcel Location Map



Parcel: 04315251

- Study Parcel
- Assessor Parcel Boundary
- Existing Park

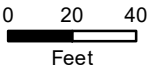
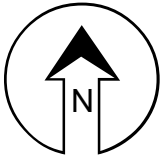




Parcel General Plan Map

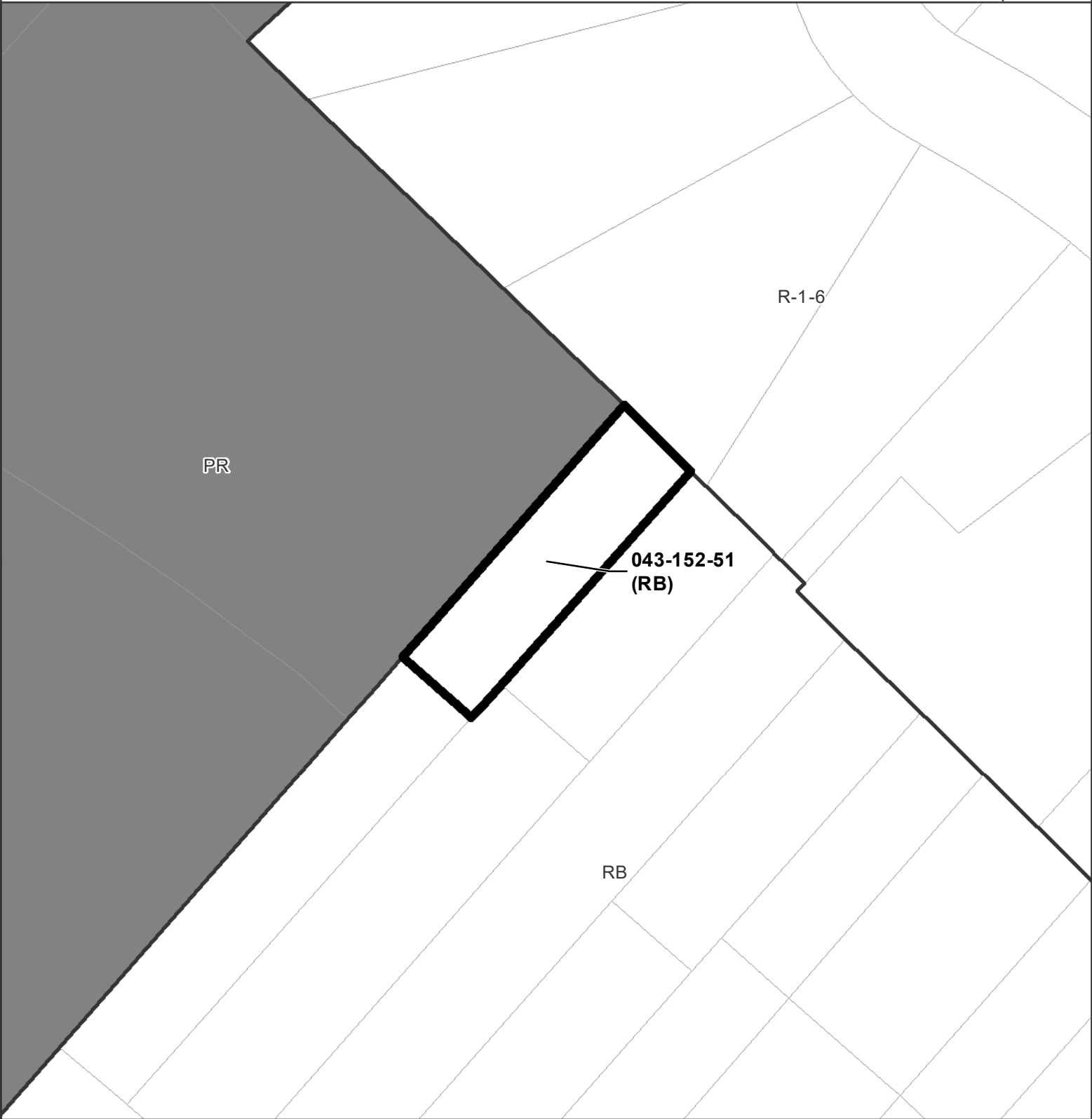


- O-R Parks, Recreation & Open Space
- O-U Urban Open Space
- R-UL Res. Urban Low Density

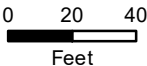
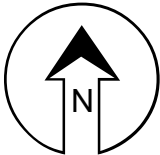




Parcel Zoning Map



- PR *Parks, Recreation, & Open Space*
- R-1 *Single-Family Residential*
- RB *Single-Family Ocean/Beach Residential*



Parcel Information

Services Information

Urban/Rural Services Line:	<input checked="" type="checkbox"/> Inside <input type="checkbox"/> Outside
Water Supply:	Soquel Creek Water District
Sewage Disposal:	County of Santa Cruz Sanitation District
Fire District:	Central Fire Protection District
Drainage District:	Flood Control Zone 6

Parcel Information

Parcel Size:	6,141 square feet (0.14 acres)
Existing Land Use - Parcel:	Residential
Existing Land Use - Surrounding:	Residential
Project Access:	Beach Drive
Planning Area:	Aptos
Land Use Designation:	R-UL (Urban Low Density Residential)
Zone District:	RB (Single-Family Ocean Beach Residential)
Coastal Zone:	<input checked="" type="checkbox"/> Inside <input type="checkbox"/> Outside
Appealable to Calif. Coastal Comm.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Technical Reviews: N/A

Environmental Information

Geologic Hazards:	Flood Zone VE, parcel on the bluff
Fire Hazard:	Not a mapped constraint
Slopes:	Greater than 50% slope at rear of site (bluff)
Env. Sen. Habitat:	Not mapped/no physical evidence on site
Grading:	No grading proposed
Tree Removal:	No trees proposed to be removed
Scenic:	Mapped as scenic
Archeology:	Not mapped/no physical evidence on site

Brennan Medical Group
30 Brennan St,
Watsonville, CA 95076
P#831-768-0220 F#831-768-8469

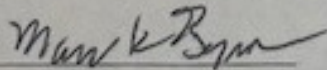
To whom it may concern:

RE: Richard Nelson, [REDACTED]

I, Mark Byrne MD, am writing on behalf of my patient Richard Nelson, to document the medical necessity of an elevator. Mr. Nelson has diagnoses that limit his mobility, [REDACTED]
[REDACTED]

It is my professional opinion that the patient would benefit from having an elevator to his overall well-being and health. If there are any questions or concerns, please do not hesitate to contact my office, Brennan Medical Group, at 831-768-0220.

Sincerely,



Mark Byrne, MD
Cardiologist

Date: 4/1/24