

## Alexandra Corvello

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**From:** Alexandra Corvello  
**Sent:** Monday, May 12, 2025 2:32 PM  
**To:** 'Charles White'  
**Subject:** RE: Public comments

Hi Charles,

Thank you for your public comment. I will include it in the public record.

Best,  
Alexandra

Alexandra Corvello

Development Review Planner  
Community Development & Infrastructure

Phone: 831-454-3209  
701 Ocean Street, Room 410

-----Original Message-----

From: Charles White <furby5538@icloud.com>  
Sent: Monday, May 12, 2025 2:13 PM  
To: Alexandra Corvello <Alexandra.Corvello@santacruzcountyca.gov>  
Subject: Public comments

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This comment is in regards to application 241353 I support the application for the project Sincerely Charles White Sent from my iPhone

## Alexandra Corvello

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**From:** Caroline Montgomery <cmmontgom@gmail.com>  
**Sent:** Thursday, May 15, 2025 11:43 AM  
**To:** Alexandra Corvello  
**Cc:** Scott Montgomery  
**Subject:** Opposition to Variance Justification – Application #241353 (812 Cresta Vista Way)

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Alexandra,

Below you will find an additional statement to be added to public comment. Thank you.

### **Santa Cruz County Planning Division**

701 Ocean Street, 4th Floor  
Santa Cruz, CA 95060

### **Opposition to Variance Justification – Application #241353 (812 Cresta Vista Way)**

Dear Ms. Alexandra Corvello and Planning Staff,

We write to update our formal objection to the requested front yard setback variances in Application #241353 for 812 Cresta Vista Way (APN 044-171-66), which proposes reducing required setbacks from 20 feet to as little as 8.5 feet.

This letter is submitted in response to the May 2025 email from Ms. Alexandra Corvello, in which she clarified that the variances pertain only to the proposed second-floor addition, while the first floor is legal nonconforming. Ms. Corvello also stated that the “special circumstance” justifying the variance is the property's location within the Salamander Protection Combining District (SP zone), which limits ground disturbance due to potential habitat concerns. This clarification was offered in response to our initial public comment submitted on May 5, 2025.

At the outset, we want to be clear: we are not opposed to the Oglagary family remodeling their home. We are fond of the family and support their desire to live comfortably and improve their property. However, we are opposed to the specific variance requests as currently proposed, for the following reasons:

### **1. Habitat Constraints Are Speculative and Do Not Justify a Variance**

While we understand the property's location within the SP zone, the assertion that this environmental overlay constitutes a special circumstance remains unsubstantiated:

- No biotic or biological survey has been submitted to confirm the presence or potential presence of the Santa Cruz Long-Toed Salamander on this site.

- The lot is already disturbed and does not currently function as a viable salamander habitat.
- The proposed native landscaping is voluntary and cosmetic—not equivalent to habitat restoration.

Without a verified biological constraint, the SP designation does not constitute a legitimate basis for structural encroachment under County Code § 13.10.230.

## **2. Grading Minimization Is Unsubstantiated by a Licensed Engineer**

The staff report suggests that the variance is needed to minimize grading, yet there is no documentation from a licensed civil engineer to support this claim:

- No stamped or signed grading plans have been submitted.
- The referenced geotechnical report (Butano Geotechnical, Project #24-178-SC) has not been formally applied to the current design, and no engineering review letter has been issued.

Under California Business and Professions Code § 6735, grading-related assertions must be certified by a licensed professional. Deferring this analysis to the permit stage leaves the County without any current evidence that slope disturbance will be minimized, as required under County Code § 16.32.

## **3. The Variance Would Grant a Special Privilege Not Afforded to Others**

The staff report cites only two older examples of granted variances (Permits 95-0808 and 04-0631), without demonstrating that these are comparable in location, site conditions, or development context. The neighborhood is fully built out, and the majority of nearby homes conform to established setbacks. Granting this variance in the absence of clear and comparable hardship creates a precedent of special privilege—contrary to the purpose of County variance findings.

We respectfully request that:

- The Planning Division provide a list of all front yard setback variances approved within 500 feet of 812 Cresta Vista Way in the past 15 years, and
- The applicant demonstrate that this request is not materially different from those past approvals in terms of hardship, location, and development impact.

## **Conclusion**

We reiterate our support for the Olagaray family’s wish to improve their home. However, the current variance request lacks the required justification under County law. The biological rationale is speculative and unsupported by field data. The grading claim lacks the certification required by state law. And the proposal appears to grant a form of relief not commonly extended to similar parcels, granting a special privilege.

We apologize if we have misunderstood any aspects of the County Code or mischaracterized any part of the application. If we are in error, we welcome correction and clarification by staff.

We urge the Planning Division to deny this request or, at a minimum, continue the hearing until the applicant submits:

- A site-specific biological assessment confirming actual salamander habitat value;
- A certified engineering plan showing how grading is minimized; and
- Evidence of directly comparable variances granted nearby.

Thank you for your careful consideration of these concerns and your continued commitment to fair, evidence-based land use planning.

Scott & Caroline Montgomery

On Fri, May 9, 2025 at 3:38 PM Alexandra Corvello <[Alexandra.Corvello@santacruzcountyca.gov](mailto:Alexandra.Corvello@santacruzcountyca.gov)> wrote:

Hi Caroline,

817 Vista Del Mar 04-0631 Proposal to construct a second story living room addition to an existing non-conforming single family dwelling, and to enclose an existing porch area. Requires a Variance to reduce the required 20 foot front yard setback and distance to a garage entrance to zero feet at the garage and second floor deck, to approximately ten feet at the entry porch enclosure, and to approximately 17 feet at the covered porch, and a Variance to the required 5 foot side yard setback to approximately 1 foot, and a Residential Development Permit for a fence in excess of 3 feet in height within the required front yard setback.

803 Crest Vista Way 95-0808 Proposal to construct a two-story single-family dwelling with a parking deck. Requires a Coastal Zone Permit and a Variance to increase the maximum 28 foot height limitation to about 32 feet, and reduce the required 5 foot front yard to parking deck to about zero feet.

Best,

Alexandra



**Alexandra Corvello**

Development Review Planner

Community Development &  
Infrastructure

**Phone:** 831-454-3209

701 Ocean Street, Room 410



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**From:** Caroline Montgomery <[cmontgom@gmail.com](mailto:cmontgom@gmail.com)>  
**Sent:** Friday, May 9, 2025 3:16 PM  
**To:** Alexandra Corvello <[Alexandra.Corvello@santacruzcountyca.gov](mailto:Alexandra.Corvello@santacruzcountyca.gov)>  
**Cc:** Scott Montgomery <[scmontgom@gmail.com](mailto:scmontgom@gmail.com)>  
**Subject:** Re: Public Comment on Proposed Construction for APN: 044-171-66

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Alexandra,

I appreciate you taking the time to share this document with me. Are you able to share with me what other homes on Cresta Vista Way have applied for and been approved for variances on our street?

Again, my concern is about the prescient this will set for future construction on our street if their variance exceptions are permitted.

Thank you for your time.

Caroline

On Fri, May 9, 2025 at 1:57 PM Alexandra Corvello <[Alexandra.Corvello@santacruzcountyca.gov](mailto:Alexandra.Corvello@santacruzcountyca.gov)> wrote:

Hi Caroline,

Here is the link to the posted staff report for [241353](#).

I am happy to answer any questions you might have.

Best,

Alexandra



## Alexandra Corvello

Development Review Planner

Community Development &  
Infrastructure

**Phone:** 831-454-3209

701 Ocean Street, Room 410



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**From:** Caroline Montgomery <[cmmontgom@gmail.com](mailto:cmmontgom@gmail.com)>  
**Sent:** Wednesday, May 7, 2025 6:58 PM  
**To:** Alexandra Corvello <[Alexandra.Corvello@santacruzcountyca.gov](mailto:Alexandra.Corvello@santacruzcountyca.gov)>  
**Cc:** Scott Montgomery <[scmontgom@gmail.com](mailto:scmontgom@gmail.com)>  
**Subject:** Re: Public Comment on Proposed Construction for APN: 044-171-66

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Hi Alexandra,

Thank you for your email. We are preparing another reply in response to your comments in your email. In the meantime can you please provide us with:

1. The biotic report for the discussed property
2. The Modification Worksheet and Modification Plan for the discussed property

I appreciate it. Regards,

Caroline

On Mon, May 5, 2025 at 6:55 PM Alexandra Corvello <[Alexandra.Corvello@santacruzcountyca.gov](mailto:Alexandra.Corvello@santacruzcountyca.gov)> wrote:

Hi Caroline,

I was able to download it and will put it into the public record. Thank you for your public comment.

I do want to clarify that the variances are for the second-floor addition only and not the first floor, which is legal nonconforming since it was built before building permits existed. The special circumstance for this property is not its size but the fact that this property, as well as all other properties along Cresta Vista Way, is located in the Salamander Protection Combining District, which restricts the amount of ground disturbance on the property for the protection of Long-toed Santa Cruz Salamanders. All of this will be laid out in the staff report posted by the end of this week with staff's recommendation. The Zoning Administrator will review your comments, any other public comments made before or during the public hearing, and all materials before rendering a decision.

If you have any questions, please let me know.

Best,

Alexandra



Alexandra Corvello

Development Review Planner

Community Development &  
Infrastructure

Phone: 831-454-3209

701 Ocean Street, Room 410



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**From:** Caroline Montgomery <[cmmontgom@gmail.com](mailto:cmmontgom@gmail.com)>  
**Sent:** Monday, May 5, 2025 2:42 PM  
**To:** Alexandra Corvello <[Alexandra.Corvello@santacruzcountyca.gov](mailto:Alexandra.Corvello@santacruzcountyca.gov)>  
**Subject:** Re: Public Comment on Proposed Construction for APN: 044-171-66

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Hi Alexandra,

I'm sorry about that! I've tried to attach it once more. Please let me know if you receive it. Maybe the file is too large? I can also mail snail mail to ensure you receive a physical copy if that would help.

Thanks!

Caroline



\_Olagary Construction Comment (1).pdf

On Mon, May 5, 2025 at 1:36 PM Alexandra Corvello <[Alexandra.Corvello@santacruzcountyca.gov](mailto:Alexandra.Corvello@santacruzcountyca.gov)> wrote:

Hi Caroline,

I do not see an attachment on your previous email. Can you please resend?

Thank you

Best,

Alexandra



**Alexandra Corvello**

Development Review Planner

Community Development &  
Infrastructure

**Phone:** 831-454-3209

701 Ocean Street, Room 410



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**From:** Caroline Montgomery <[cmmontgom@gmail.com](mailto:cmmontgom@gmail.com)>  
**Sent:** Monday, May 5, 2025 12:03 PM  
**To:** Alexandra Corvello <[Alexandra.Corvello@santacruzcountyca.gov](mailto:Alexandra.Corvello@santacruzcountyca.gov)>  
**Cc:** Scott Montgomery <[scmontgom@gmail.com](mailto:scmontgom@gmail.com)>; Caroline Montgomery <[cmmontgom@gmail.com](mailto:cmmontgom@gmail.com)>  
**Subject:** Public Comment on Proposed Construction for APN: 044-171-66

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Hi Alexandra,

Attached is our letter of public comment for for APN: APN: 044-171-66

On Fri, Apr 11, 2025 at 10:52 AM Alexandra Corvello <[Alexandra.Corvello@santacruzcountyca.gov](mailto:Alexandra.Corvello@santacruzcountyca.gov)> wrote:

Hi Caroline,

Here is a link to the documents for viewing purposes only.



[241353 public viewing](#)

Please let me know if you have any questions or would like to include a public comment into the record.

Best,

Alexandra



**Alexandra Corvello**

Development Review Planner

Community Development &  
Infrastructure

**Phone:** 831-454-3209

701 Ocean Street, Room 410



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**From:** Caroline Montgomery <[cmmontgom@gmail.com](mailto:cmmontgom@gmail.com)>  
**Sent:** Tuesday, April 8, 2025 2:31 PM  
**To:** Alexandra Corvello <[Alexandra.Corvello@santacruzcountyca.gov](mailto:Alexandra.Corvello@santacruzcountyca.gov)>  
**Subject:** APN: 044-171-66

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Hi Alexandra,

My husband and I have a few concerns about our neighbor's proposal for development, application number: 241353, (APN: 044-171-66)

Is it possible for you to send us the plans?

We'd like to understand more about the setback and variance exceptions it seems our neighbors are requesting.

Thank you.

Caroline Montgomery

[Olagary Construction Comment.pdf](#)

## Alexandra Corvello

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**From:** andrew horsley <horsley99@hotmail.com>  
**Sent:** Wednesday, May 14, 2025 4:08 PM  
**To:** Alexandra Corvello  
**Subject:** 812 Cresta Vista Way Aptos, CA 95003  
**Attachments:** 812 Cresta Vista Way.pdf

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5-13-2025

FROM: Andrew Horsley  
819 Cresta Vista Way  
Aptos, CA 95003

To: The Planning Commision  
RE: 812 Cresta Vista Way, Aptos, CA 95003

I wanted to air my concern about the demolition and construction at 812 Cresta Vista Way.

The project will significantly increase the size of the building on the lot. This is not in keeping with the local flavor of the street and increases the likelihood that future variances will be permitted, further degrading the historic atmosphere of this locale. The Uplands, Pasatiempo, Los Barrancos and other nearby areas have been an option for those seeking neighborhoods with larger houses. The owners of 812 had the option of purchasing real estate in one of those locations, but opted for this neighborhood as it was.

We all think it would be nice to expand our houses for more office space or an extra bedroom. However, as thinking persons we recognize that we would be degrading the ambiance of the neighborhood we bought into.

I have no ill will toward the owners of 812 after living here for 20 years (and have little contact with them as this is their vacation home). I am only concerned with the value of my property going forward.

Sincerely,

Andrew Horsley

## Alexandra Corvello

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**From:** ANGELA SIEGEL <golfone@comcast.net>  
**Sent:** Tuesday, May 13, 2025 4:06 PM  
**To:** Alexandra Corvello  
**Subject:** Application 241353 Support of Project on 812 Crest Vista Way

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Ms. Corvello,  
Please receive this email as support of the project on 812 Cresta Vista Way.

My husband and I have lived at 811 Cresta Vista Way for 11 years, in that time the Olagarary's have been the most considerate neighbor's anyone could ask for as neighbors.

We live right across the street from the 812 Cresta Vista Way Project and we are totally supporting the project it will totally improve our already beautiful neighborhood.

Best Regards,  
Scott and Angela Siegel (owners of 811 Cresta Vista Way)  
831 251-1352

## Alexandra Corvello

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**From:** Bud Fitch <budfitch3@gmail.com>  
**Sent:** Wednesday, May 14, 2025 1:33 PM  
**To:** Alexandra Corvello  
**Subject:** 812 Cresta Vista Way, Aptos Application 241353

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To whom it may concern, regarding the proposed project,

Santa Cruz County Application 241353  
APN 044-171-66  
812 Cresta Vista Way

We are the neighbors who live near the intersection of Cresta Vista Way and 823 Vista Del Mar Drive, Aptos.

**We approve this project as described in the application for the property improvements.**

Sincerely,  
George "Bud" & Lori Fitch  
831-345-6556  
[budfitch3@gmail.com](mailto:budfitch3@gmail.com)

## Alexandra Corvello

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**From:** Maryellen McNair <surfmaiden@gmail.com>  
**Sent:** Monday, May 12, 2025 1:54 PM  
**To:** Alexandra Corvello  
**Subject:** 241353 Olagaray Application

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I am in favor and support this project at 812 Cresta Vista Way, Aptos 95003

Signed,  
Maryellen McNair  
821 Cresta Vista Way, Aptos, CA 95003