



# COUNTY OF SANTA CRUZ

## PLANNING DEPARTMENT

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TOM BURNS, DIRECTOR

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March 10, 2004

Agenda Date: April 2, 2004

Zoning Administrator  
County of Santa Cruz

**CONSENT ITEM A: REQUEST FOR ZONING ADMINISTRATOR CONSENT TO  
ALLOW REAPPLICATION FOLLOWING DENIAL OF VARIANCE APPLICATION  
02-0329. PROPERTY LOCATED AT 133 MARINA AVENUE, APTOS. APN 042-162-45**

Discussion

On December 3, 2002, a Variance application was filed that proposed to remove a mezzanine level rooftop deck and extend a second story deck onto an existing single-family dwelling. Variances were required for reduced setbacks and increased floor area ratio. The Zoning Administrator denied the Variance application on June 6, 2003.

Unbeknownst to the project planner and the Zoning Administrator, Building Permit No. 133955 to allow an upper story addition and deck expansion was issued for the adjacent parcel (131 Marina Avenue APN 042-162-46) on February 18, 2003. This building permit allowed for a very similar project as that requested by 02-0329 including reduced setbacks and increased floor area ratio.

County Code Section 13.10.135 requires waiting one year following denial before reapplication unless the Approving Body consents to a lesser time.

Recommendation

It is possible that knowledge of this issued permit on the adjacent parcel could have materially affected the staff recommendation and decision for Variance Application 02-0329. Therefore, Staff is recommending that the Zoning Administrator consent to the submittal of a Variance application for APN 042-162-45 at this time, rather than waiting the one year prescribed in Section 13.10.135.

Sincerely,

Glenda Hill, AICP  
Principal Planner