

## STAFF REPORT TO THE ZONING ADMINISTRATOR

**APPLICATION NO.:** 04-0059

**APN:** 046-183-16

**APPLICANT:** Susanna Eaton

**OWNER:** Richard E. Alderson

**PROJECT DESCRIPTION:** Proposal to recognize the remodel of an existing *single-family* dwelling to include adding floor area, a deck, skylights, and roof access at the second level; removing non-bearing walls at the first level; and enclosing an existing carport at the basement level. Requires a Coastal Development Permit and an Amendment to Variance 898-V to reduce the required 20-foot front setback from the 16-foot established Variance to about 14-feet 6-inches, to increase the maximum 50 percent Floor Area Ratio to about 92.7 percent, and to increase the 40 percent lot coverage to about 47.8 percent.

**LOCATION:** Property located on the east side of Sunset Drive, about 40 feet south from Monte Vista Way at 93 Sunset Drive in Watsonville.

**PERMITS REQUIRED:** Coastal Development Permit, Variance

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt - Class 3

**COASTAL ZONE:** X Yes    No      **APPEALABLE TO CCC:** X Yes    No

### PARCEL INFORMATION

**PARCEL SIZE:** 2,700.7 square feet

**EXISTING LAND USE:**

**PARCEL:** Single-family residential

**SURROUNDING** Single-family residential, state park

**PROJECT ACCESS:** San Andreas Road to Sunset Drive

**PLANNING AREA:** San Andreas

**LAND USE DESIGNATION:** R-UL (Urban Low Density Residential)

**ZONING DISTRICT:** R-1-6 (Single Family Residential (6,000 square feet minimum))

**SUPERVISORIAL DISTRICT:** Second District (Pirie)

### ENVIRONMENTAL INFORMATION

- |                      |   |
|----------------------|---|
| a. Geologic Hazards  | a. <b>Not</b> mapped/no physical evidence on site |
| b. Soils             | b. 107, Baywood loamy sand                        |
| c. Fire Hazard       | c. Not a mapped constraint                        |
| d. Slopes            | d. 30 percent slopes                              |
| e. Env. Sen. Habitat | e. Mapped biotic/no physical evidence on site     |
| f. Grading           | <b>No</b> grading proposed                        |
| g. Tree Removal      | g. <b>No</b> trees proposed to be removed         |
| h. Scenic            | h. Mapped resource                                |
| i. Drainage          | i. Existing drainage adequate                     |

- |                       |  |
|-----------------------|--|
| j. Traffic            | j. No significant impact                   |
| k. Roads              | k. Existing roads adequate                 |
| l. Parks              | l. Existing park facilities adequate       |
| m. Sewer Availability | m. Yes                                     |
| n. Water Availability | n. Yes                                     |
| o. Archeology         | o. Not mapped/no physical evidence on site |

### **SERVICES INFORMATION**

Inside Urban/Rural Services Line: Y e s X No

Water Supply: Pajaro Valley Water Management District

Sewage Disposal: CSA#12

Fire District: California Department of Forestry

Drainage District: Non-zone

### **HISTORY**

The application was accepted by the Planning Department on 02/06/04. The proposal was previously approved on 6/20/97 as Coastal Development Permit #97-0023, but was not exercised, with required Building Permits being obtained and Building Inspections finalized within the required two-year time period, and expired.

### **ANALYSIS AND DISCUSSION**

The subject property is a 2,700 square foot lot, located in the R-1-6 (Single Family Residential (6,000 square feet minimum) zone district, a designation that allows residential uses. The residential addition to be recognized is a principal permitted use within the zone district and the project is consistent with the site's (R-UL) Urban Low Density Residential General Plan designation. The residential addition to be recognized is in conformance with the County's certified Local Coastal Program in that the structure 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 widely in the area, and the design submitted is not inconsistent with the existing range. The project site is located between the shoreline and the first public road and 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 as the public access is by way of Sunset State Beach.

The property received a Variance in response to Code Enforcement action for the construction to be recognized in 1997 but the permit was not exercised within the required time limit. A Variance to the R-1-6 site standards continues to be recommended due to the small size of the lot, the topography of the lot, the open space to the southeast of the lot and the location of the lot at the end of a dead end street, and the one bedroom limitation on the structure. A Declaration of Restriction to Maintain the Structure as a one (1) bedroom single-family dwelling was recorded on March 12, 2004 as Document 2004-0016191 (Exhibit J).

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.

## RECOMMENDATION

Staff recommends:

1. **APPROVAL** of Application Number **04-0059**, based on the attached findings and conditions.
2. Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

## EXHIBITS

- A. Project plans
- B. Findings
- C. Conditions
- D. Categorical Exemption (CEQA determination)
- E. Site photographs
- F. Assessor's parcel map, Location map
- G. Zoning map, General Plan map
- H. Comments & Correspondence
- I. Coastal Zone Permit #97-0023
- J. Declaration of Restriction

SUPPLEMENTARY REPORTS AND INFORMATION REFERRED TO IN THIS REPORT ARE ON FILE AND AVAILABLE FOR VIEWING AT THE SANTA CRUZ COUNTY PLANNING DEPARTMENT, AND ARE HEREBY MADE A PART OF THE ADMINISTRATIVE RECORD FOR THE PROPOSED PROJECT.

Report Prepared By: Joan Van der Hoeven  
Santa Cruz County Planning Department  
701 Ocean Street, 4th Floor  
Santa Cruz CA 95060  
Phone Number: (831) 454-5174 (or, [pln140@co.santa-cruz.ca.us](mailto:pln140@co.santa-cruz.ca.us) )

### **COASTAL DEVELOPMENT PERMIT FINDINGS:**

1. THAT THE PROJECT IS A USE ALLOWED IN ONE OF THE BASIC ZONE DISTRICTS, OTHER THAN THE SPECIAL USE (SU) DISTRICT, LISTED IN SECTION 13.10.170(d) AS CONSISTENT WITH THE GENERAL PLAN AND LOCAL COASTAL PROGRAM LUP DESIGNATION.

The property is zoned R-1-6 (Single Family Residential (6,000 square feet minimum)), a designation which allows residential uses. The proposed residential addition is a principal permitted use within the zone district, consistent with the site's (R-UL) Urban Low Density Residential General Plan designation.

2. THAT THE PROJECT DOES NOT CONFLICT WITH ANY EXISTING EASEMENT OR DEVELOPMENT RESTRICTIONS SUCH AS PUBLIC ACCESS, UTILITY, OR OPEN SPACE EASEMENTS.

The proposal does not conflict with any existing easement or development restriction such as public access, utility, or open space easements in that no such easements or restrictions are known to encumber the project site.

3. THAT THE PROJECT IS CONSISTENT WITH THE DESIGN CRITERIA AND SPECIAL USE STANDARDS AND CONDITIONS OF THIS CHAPTER PURSUANT TO SECTION 13.20.130 *et seq.*

Subject to the concurrent approval of the proposed Variance, the proposal is consistent with the design and use standards pursuant to Section 13.20.130 in that the development is consistent with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the colors shall be natural in appearance and complementary to the site; the development site is not on a prominent ridge, and is visually compatible with the character of the surrounding residential neighborhood.

4. THAT THE PROJECT CONFORMS WITH THE PUBLIC ACCESS, RECREATION, AND VISITOR-SERVING POLICIES, STANDARDS AND MAPS OF THE GENERAL PLAN AND LOCAL COASTAL PROGRAM LAND USE PLAN, SPECIFICALLY CHAPTER 2: FIGURE 2.5 AND CHAPTER 7, AND, AS TO ANY DEVELOPMENT BETWEEN AND NEAREST PUBLIC ROAD AND THE SEA OR THE SHORELINE OF ANY BODY OF WATER LOCATED WITHIN THE COASTAL ZONE, SUCH DEVELOPMENT IS IN CONFORMITY WITH THE PUBLIC ACCESS AND PUBLIC RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT COMMENCING WITH SECTION 30200.

The project site is located between the shoreline and the first public road. The proposed residential addition will not interfere with public access to the beach, ocean, or any nearby body of water which is available at Sunset State Beach in the immediate vicinity. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

5. THAT THE PROPOSED DEVELOPMENT IS IN CONFORMITY WITH THE CERTIFIED LOCAL COASTAL PROGRAM.

The proposed project is in conformity with the County's certified Local Coastal Program in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the R-1-6 (Single Family Residential (6,000 square feet minimum) zone district of the area, 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 widely in the area, and the design submitted is not inconsistent with the existing range.

**DEVELOPMENT PERMIT FINDINGS:**

1. THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OR THE GENERAL PUBLIC, AND WILL NOT RESULT IN INEFFICIENT OR WASTEFUL USE OF ENERGY, AND WILL NOT BE MATERIALLY INJURIOUS TO PROPERTIES OR IMPROVEMENTS IN THE VICINITY.

The location of the proposed residential addition and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity in that the project is located in an area designated for residential uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources.

2. THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL BE CONSISTENT WITH ALL PERTINENT COUNTY ORDINANCES AND THE PURPOSE OF THE ZONE DISTRICT IN WHICH THE SITE IS LOCATED.

The project site is located in the R-1-6 (Single Family Residential with a 6,000 square feet minimum lot size) zone district. The proposed location of the residential addition and the conditions under which it would be operated or maintained will be consistent with all pertinent County Ordinances Sections 13.10.323 and 13.20.130, subject to the concurrent approval of the proposed Variance. The project complies with site regulations relating to building height and visual compatibility within a neighborhood mapped as a scenic resource and on site parking regulations.

3. THAT THE PROPOSED USE IS CONSISTENT WITH ALL ELEMENTS OF THE

COUNTY GENERAL PLAN AND WITH ANY SPECIFIC PLAN WHICH HAS BEEN ADOPTED FOR THE AREA.

The project is located in the Urban Low Density Residential (R-UL) land use designation. The proposed residential use is consistent with the General Plan in that the proposed residential addition is consistent with the architectural character of the adjacent residential development and subject to the approval of the Variance, is consistent with site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance). The proposed residential addition will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed residential addition will comply with the 28-foot height limitation and required on-site parking as per County Code Section 13.10.552. Additionally, the project is consistent with the General Plan in that the full range of urban services is available to the site including municipal water, sewer service, and nearby recreational opportunities. The use is not located in a hazardous or environmentally sensitive area and the proposal protects natural resources by expanding in an area designated for this type of development.

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

4. THAT THE PROPOSED USE WILL NOT OVERLOAD UTILITIES AND WILL NOT GENERATE MORE THAN THE ACCEPTABLE LEVEL OF TRAFFIC ON THE STREETS IN THE VICINITY.

The proposed use will not overload utilities or generate more than the acceptable level of traffic on the streets in the Vicinity in that it is a residential addition on an existing developed lot. The expected level of traffic generated by the proposed project is anticipated to be only peak trip per day (1 peak trip per dwelling unit), such an increase will not adversely impact existing roads and intersections in the surrounding area. The proposal does not increase the number of bedrooms, which remains at one bedroom. A Declaration of Restriction has been recorded to maintain the structure as a one bedroom single-family dwelling.

5. THAT THE PROPOSED PROJECT WILL COMPLEMENT AND HARMONIZE WITH THE EXISTING AND PROPOSED LAND USES IN THE VICINITY AND WILL BE COMPATIBLE WITH THE PHYSICAL DESIGN ASPECTS, LAND USE INTENSITIES, AND DWELLING UNIT DENSITIES OF THE NEIGHBORHOOD.

The proposed residential addition will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood in the vicinity, in that the proposed structure is limited to one bedroom, and is located in a mixed neighborhood of one and two story homes and the proposed residential addition is consistent with the land use intensity and density of the neighborhood.

## **VARIANCE FINDINGS:**

1. THAT BECAUSE OF SPECIAL CIRCUMSTANCES APPLICABLE TO THE PROPERTY, INCLUDING SIZE, SHAPE, TOPOGRAPHY, LOCATION, AND SURROUNDING EXISTING STRUCTURES, THE STRICT APPLICATION OF THE ZONING ORDINANCE DEPRIVES SUCH PROPERTY OF PRIVILEGES ENJOYED BY OTHER PROPERTY IN THE VICINITY AND UNDER IDENTICAL ZONING CLASSIFICATION.

The special circumstances applicable to the property are the small size of the parcel (2,700 square feet) and the sloping topography of the rear of the lot. The property is zoned R-1-6 and the subject lot is less than 80 percent of the minimum 6,000 square foot parcel size, *so* it is subject to the R-1-3.5- R-1-4.9 site and structural dimensions chart of County Code Section 13.10.323. The following site standards are applicable: a 15-foot front and rear setback, 5-foot side setbacks, 40 percent lot coverage, 50 percent floor area ratio, and 20-foot minimum setback to the garage. **This** Variance proposal seeks to reduce the required 20-foot minimum setback to the garage from 16-feet approved under Variance 898-V to 14-feet 6-inches and continues the 3-foot south side setback approved by Variance 989-V. The subject 2,700 square foot lot is non-conforming in area in that County Code Section 13.10.323(d)1(A) requires a minimum 3,500 square foot area. Due to the small size of the lot, its location at the end of Sunset Drive and the one-bedroom limitation, the reduction in the setback from 20-feet to 14-feet 6-inches **is** within reason.

The existing topography of the lot slopes upward sharply from Sunset Drive, *so* that the garage is actually below ground level at the sides and rear of the parcel, qualifying as a basement under County Code Section 13.10.700 (B). This Variance request also seeks to increase the maximum allowable floor area ratio of 50 percent to the original approval under Variance 898-V from 89.7 percent to 92.7 percent. The proposed additions do not significantly impact the originally approved scale and massing of the residence as the expansion of the upper level bedroom was created by the conversion of a tall interior ceiling below. The second story deck was built under existing eaves, and the 16-inch addition to the front of the garage allowed for the installation of new garage doors for the 2-car garage.

2. THAT THE GRANTING OF A VARIANCE IS 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.

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 in that on-site parking is provided and vehicular sight distance lines are not compromised. The additions do not vary in design or scale from the residences in the immediate vicinity and the additions do not alter the exterior design or massing of the original

construction. The additions proposed to be recognized do not negatively impact the adjacent State park lands

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.

The granting of a variance to recognize the modifications to the existing single-family residence include: adding floor area, a balcony, skylights, and roof access at the second story, removing non-bearing walls at the first floor, and enclosing the basement garage do not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such is situated in that other properties in the vicinity and R-1-6 zone district with similar parcel configurations and topography would be given similar consideration. Construction shall be consistent with the required building permit. Furthermore, no further departures from applicable development standards, e.g. a variance to the required on-site parking which would negatively impact the surrounding neighborhood, is necessary or has been proposed.



## **CONDITIONS OF APPROVAL**

Exhibit A: Project Plans, 2 sheets, Site Plan/Floor Plan & Elevations, unsigned, undated.

- I. This permit recognizes the construction of a residential addition/remodel. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
  - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof within 30 days.
  - B. Apply for a Building Permit from the Santa Cruz County Building Official within 30 days and proceed to obtain the Building Permit within 180 days.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
  - A. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days.
  - B. Submit Final Architectural Plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. The final plans shall include the following additional information:
    1. Identify finish of exterior materials and color of roof covering for Planning Department approval. Any color boards must be in 8.5" x 11" format.
    2. Grading, drainage, and erosion control plans.
    3. Details showing compliance with fire department requirements.
  - C. Meet all requirements of and pay any required drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
  - D. Meet all requirements and pay any applicable plan check fee of the CDF Fire Protection District.
  - E. Provide required off-street parking for two 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.
  - F. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school 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.

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. On-site parking is limited to two spaces (there are two available spaces within the two car garage and the 14-foot six-inch driveway is not long enough to be utilized for additional tandem parking). Therefore, there is a limit of one bedroom for the residence.

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**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 ONE YEAR FROM THE EFFECTIVE DATE  
UNLESS YOU OBTAIN THE REQUIRED PERMITS  
AND COMMENCE CONSTRUCTION.**

Approval Date: 4/16/04

Effective Date: 4/30/04

Expiration Date: 4/30/05

\_\_\_\_\_  
Don Bussey  
Deputy Zoning Administrator

\_\_\_\_\_  
Joan Van der Hoeven  
Project Planner

**EXHIBIT C**

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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.

# CALIFORNIA ENVIRONMENTAL QUALITY ACT

## NOTICE OF EXEMPTION

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 04-0059

Assessor Parcel Number: 046-183-16

Project Location: 93 Sunset Drive, Watsonville

**Project Description: Proposal to construct a residential addition to an existing single-family dwelling.**

**Person or Agency Proposing Project: Susanna Eaton**

**Contact Phone Number: 831-722-0202**

- 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).

Specify type:

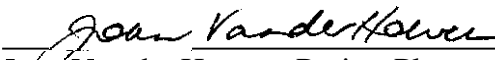
E. ☒ Categorical Exemption

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

**F. Reasons why the project is exempt:**

Construction of a residential addition in an area designated for residential use

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

  
Joan Van der Hoeven, Project Planner

Date: April 16, 2004

**EXHIBIT D**

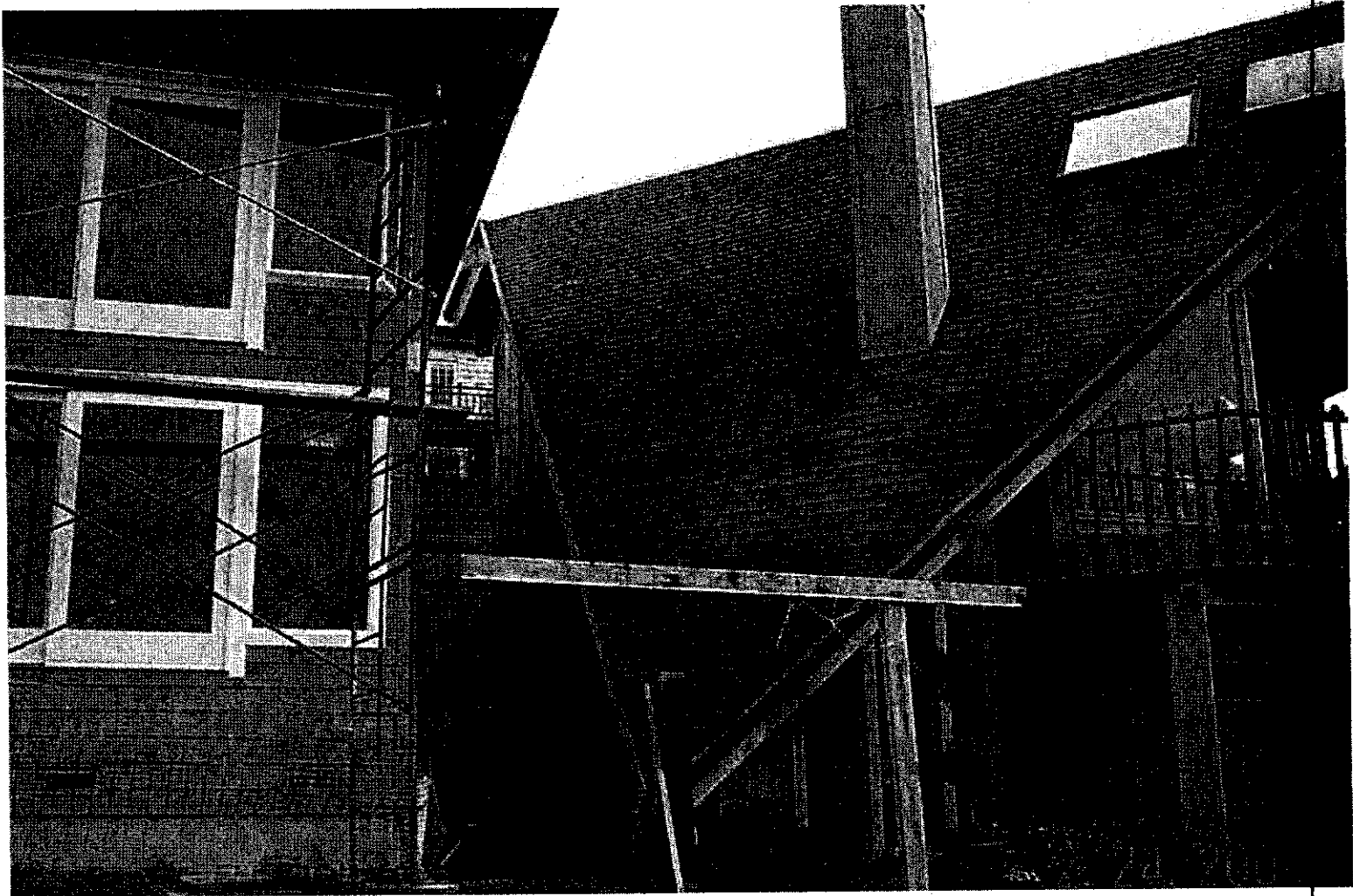
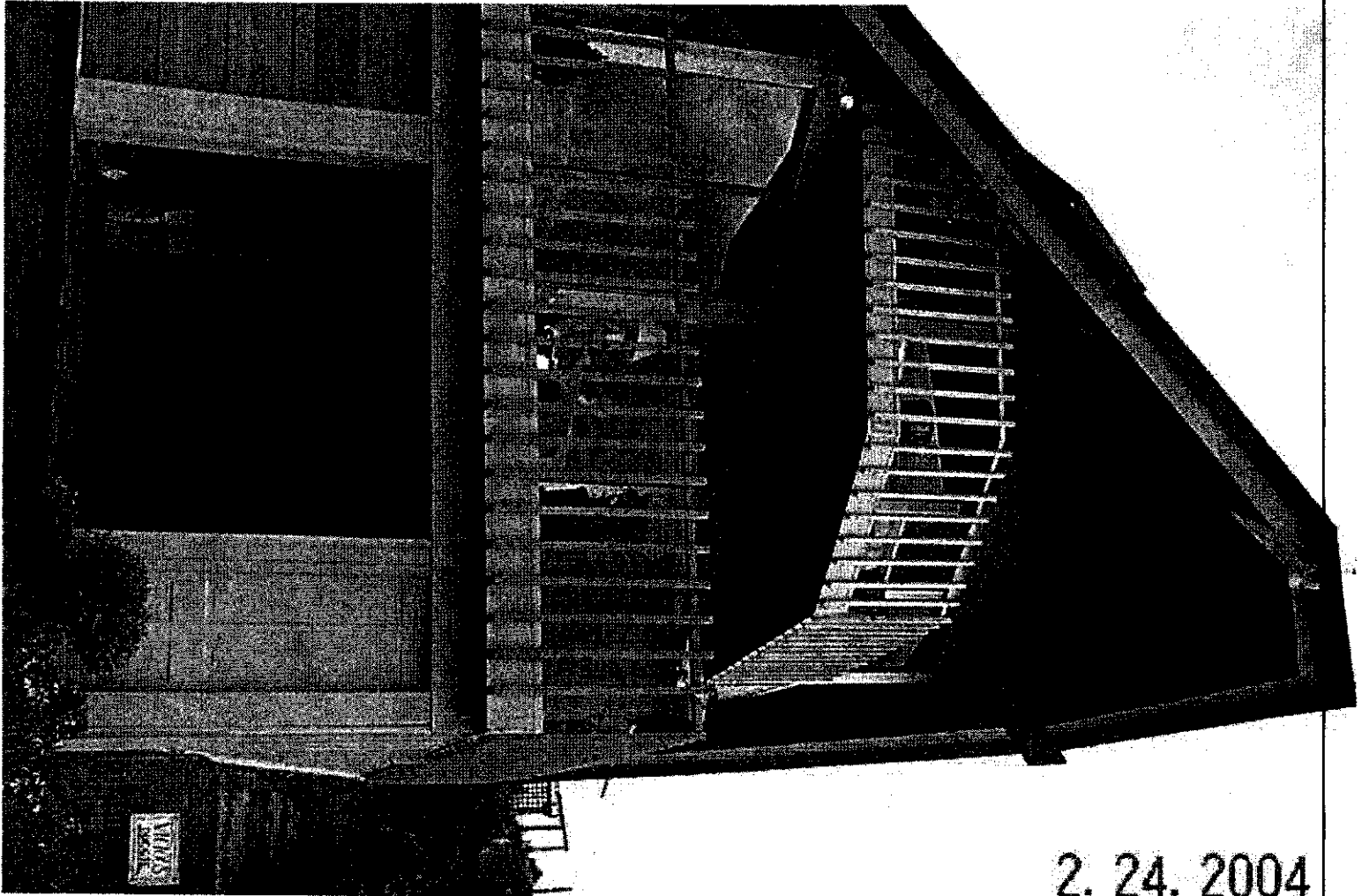


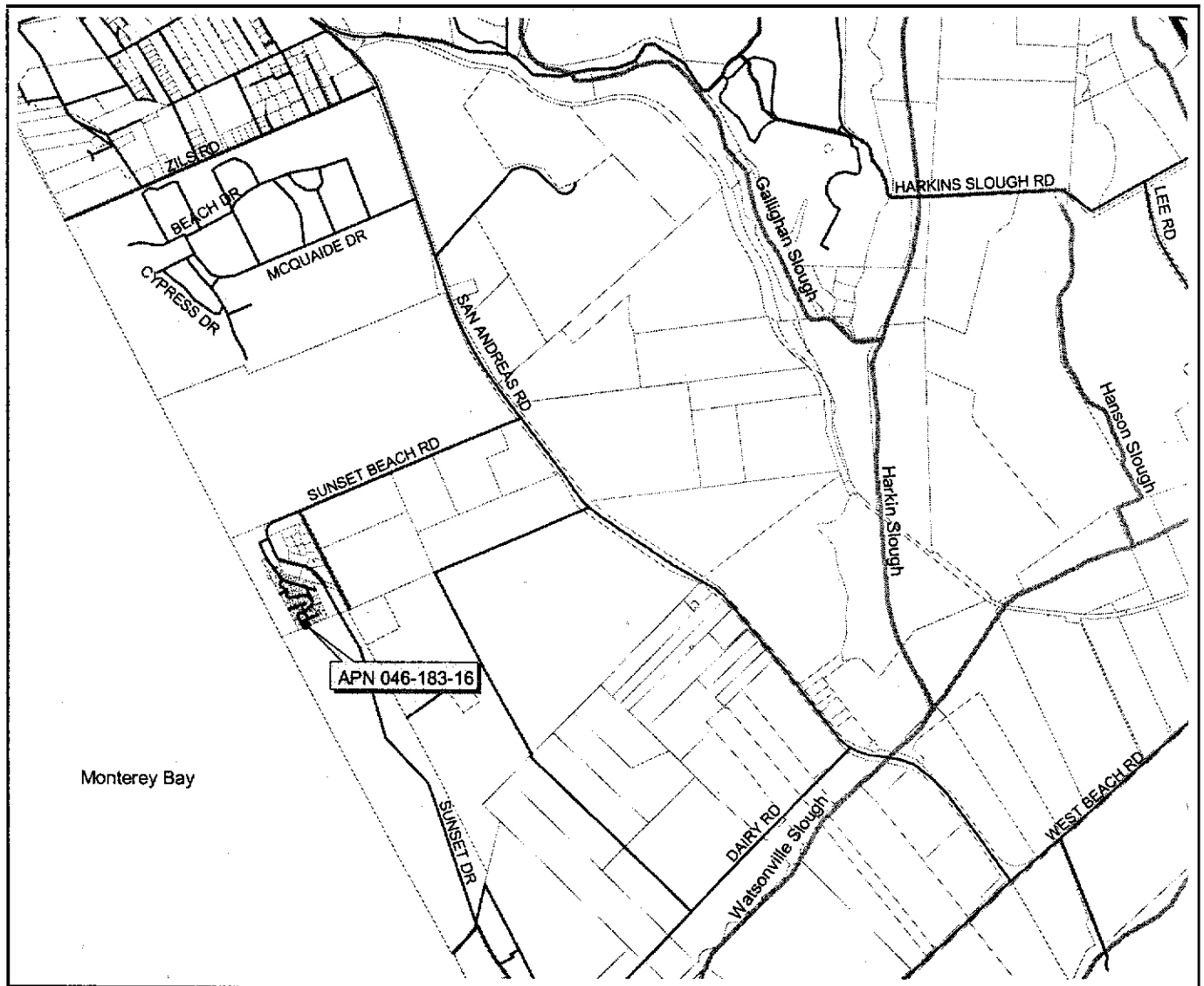
EXHIBIT E



2. 24. 2004

EXHIBIT E

# Location Map



1 0 1 2 Miles

Map created by Santa Cruz County  
Planning Department:  
February 2004



EXHIBIT F

FOR TAX PURPOSES ONLY

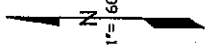
THE ASSessor MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.

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POR. SAN ANDREAS RANCHO  
N.W. 1/4 SEC. 14 & N.E. 1/4 SEC. 15,  
T.12S., R.1E., M.D.B. & M.

Tax Area Code  
69-282

46-18



SUNSET BEACH SUB.  
25MB5 7/26/29

SEC. 14  
SEC. 15

WY

ARROYO

SUNSET

SUNSET

SUNSET

PROJECT LOCATION

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

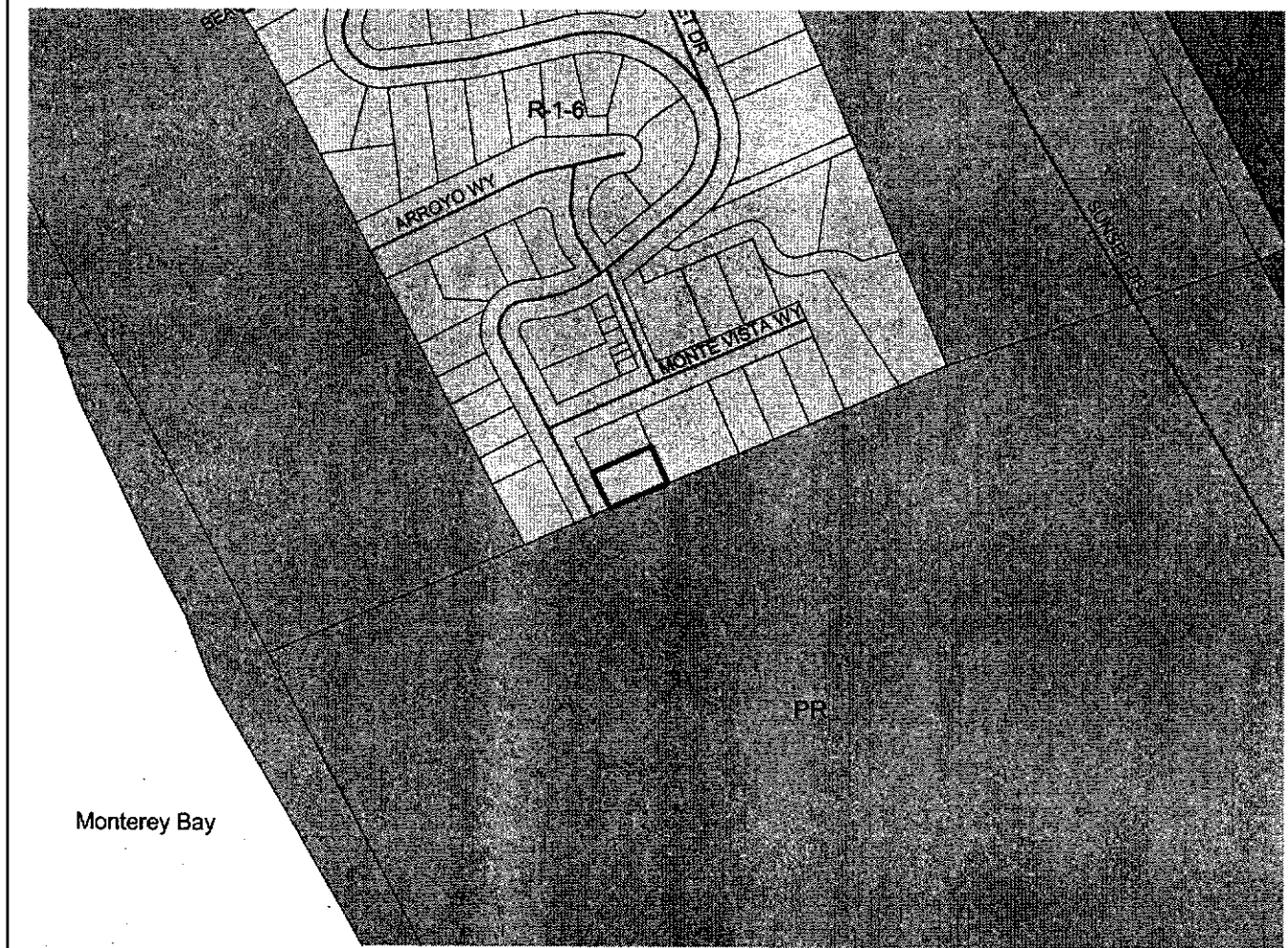
Assessor's Map No. 46-18  
County of Santa Cruz, Calif.  
Jan. 2000

EXHIBIT F

Electronically prepared 1/28/00 KSA  
Rev. 5/20/01 mm (changed page refs)  
Rev. 2/13/04 BD (corr. at home)









# Zoning Map



300 0 300 600 Feet

## Legend

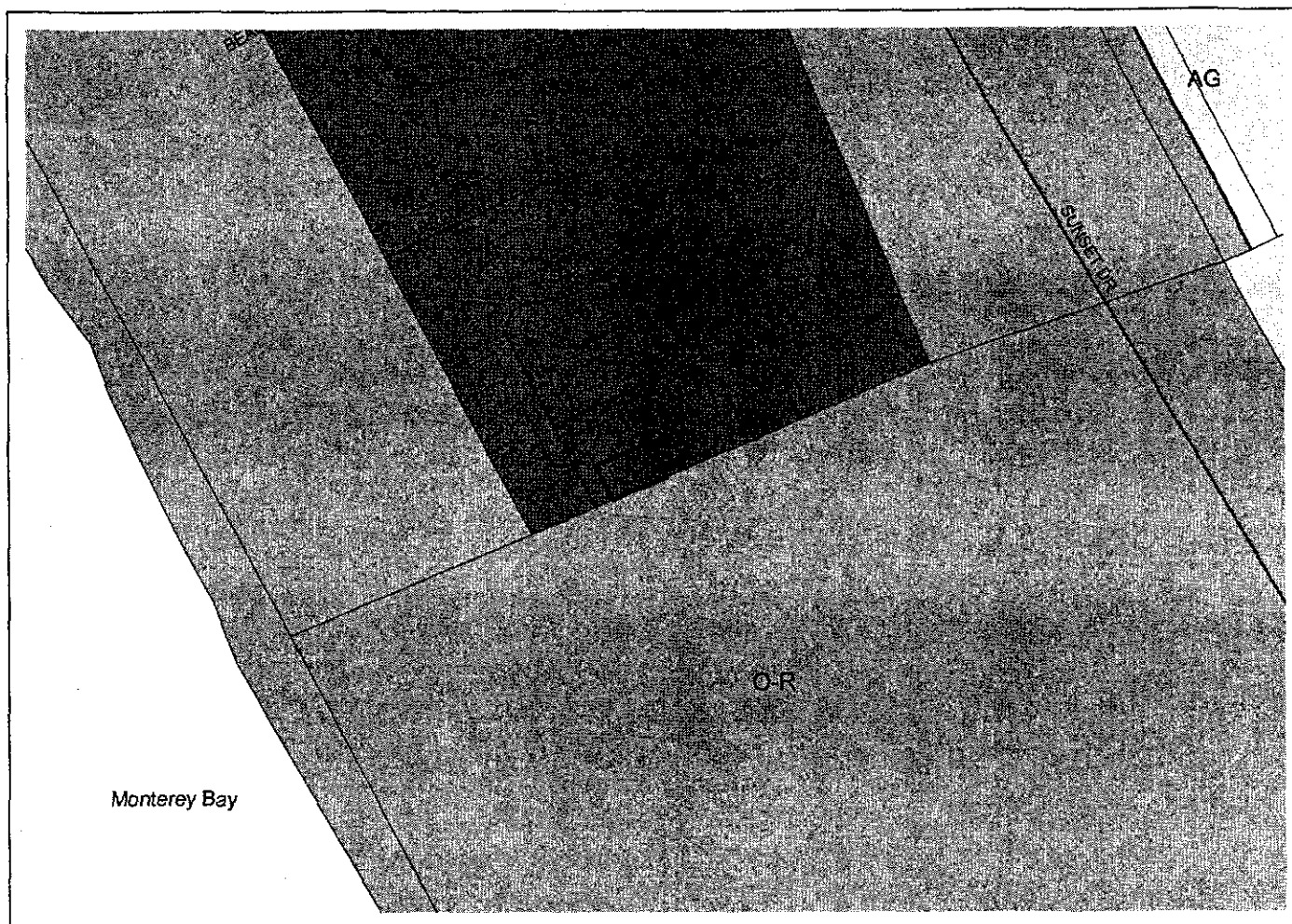
	APN 046-183-16
	Parcel boundaries
	Streets
	CA
	PR
	R-1-6



Map created by Santa Cruz County  
Planning Department:  
February 2004







EXHIBIT G

# General Plan Map



300 0 300 600 Feet

## Legend

-  APN 046-183-16
-  Parcel boundaries
-  Streets
-  Agriculture
-  Residential - Urban **Low** Density
-  Parks and Recreation



Map created by Santa **Cruz County**  
Planning Department:  
February **2004**

**EXHIBIT G**

C O U N T Y   O F   S A N T A   C R U Z  
D I S C R E T I O N A R Y   A P P L I C A T I O N   C O M M E N T S

Project Planner: Joan Van Der Hoeven  
Application No. : 04-0059  
APN: 046-183-16

Date: March 15, 2004  
Time: 11:03:05  
Page: 1

Environmental Planning Completeness Comments

===== REVIEW ON FEBRUARY 26, 2004 BY ROBERT S LOVELAND =====  
NO COMMENT

Environmental Planning Miscellaneous Comments

===== REVIEW ON FEBRUARY 26, 2004 BY ROBERT S LOVELAND =====  
NO COMMENT

Project Review Completeness Comments

===== REVIEW ON MARCH 3, 2004 BY JOAN VAN DER HOEVEN =====  
Record a Declaration of Restriction to Maintain the Structure as a one bedroom single-family dwelling, as was required but not completed under previous permit 97-0023. Form mailed 3-3-04 to Eaton. ENVIRONMENTAL health issues to be addressed for septic system.

Project Review Miscellaneous Comments

===== REVIEW ON MARCH 3, 2004 BY JOAN VAN DER HOEVEN =====  
NO COMMENT

Code Compliance Completeness Comments

Today, 2/25/04. I reviewed DP Application 04-0059. The application addresses the violation. <GAG> ===== REVIEW ON FEBRUARY 25, 2004 BY GUSTAVO A GONZALEZ =====

Code Compliance Miscellaneous Comments

===== REVIEW ON FEBRUARY 25, 2004 BY GUSTAVO A GONZALEZ =====  
NO COMMENT

Environmental Health Completeness Conunents

===== REVIEW ON FEBRUARY 27, 2004 BY JIM G SAFRANEK =====  
Applicant must obtain a sewage disposal permit to upgrade the existing septic system. Contact District EH Inspector for permit questions at 454-2751 (R. Sanchez).  
===== UPDATED ON MARCH 4, 2004 BY JIM G SAFRANEK ===== Applicant's septic pumper submitted a report which explained problem from previous pumping (which gave the appearance of a leachfield failure. but is not). Applicant has satisfied discr. permit requirments for EHS.

Environmental Health Miscellaneous Comments

===== REVIEW ON FEBRUARY 27, 2004 BY JIM G SAFRANEK =====  
NO COMMENT

EXHIBIT H



**COUNTY OF SANTA CRUZ**  
**Planning Department**

**PERMIT**

Owner Richard Alderson

Permit Number 97-0023

Address 4542 Arana Creek Wy.

Parcel Number(s) 046-183-16

Santa Cruz, CA 95065

Proposal to recognize the remodel of an existing single-family dwelling

**PROJECT DESCRIPTION AND LOCATION** including: adding floor area, a deck, skylights, and roof access at the second level; ~~removing non-bearing walls at the first level~~; and enclosing an existing carport at the basement level. Requires a Coastal Zone Permit and an Amendment to Variance 898-V (Year 1968) to reduce the required 20 foot front yard garage setback from the variance-established 16 feet to about 14 feet-6 inches; to increase the maximum 50 percent floor area to lot area ratio from the originally permitted 89.7% to 92.7%; and to increase the maximum 40% lot coverage from the originally permitted 44.8% to 47.8%. Property located on the east side of Sunset Drive, about 40 feet south from Monte Vista Way.

**SUBJECT TO ATTACHED CONDITIONS.**

**Approval Date:** 6/6/97

**Effective Date:** 6/20/97

**Exp. Date (if not exercised)** 6/20/99

**Coastal Appeal Exp. Date:** Call Coastal Comm.

**Denied by:** \_\_\_\_\_

**Denial Date:** \_\_\_\_\_

\_\_\_\_\_ This project requires a coastal zone permit which is not appealable to the California Coastal Commission. It may be appealed to the Planning Commission. The appeal must be filed within 10 working days of action by the decision body.

☒ This project requires a Coastal Zone Permit, the approval of which is appealable to the California Coastal Commission. (Grounds for appeal are listed in the County Code Section 13201.10.) The appeal must be filed with the Coastal Commission within 10 working days of receipt by the Coastal Commission of notice of local action. Approval or denial of the Coastal Zone Permit is appealable. The appeal must be filed within 10 working days of action by the decision body.

This permit cannot be exercised until after the Coastal Commission appeal period. That appeal period ends on the above indicated date. Permittee is to contact Coastal staff at the end of the above appeal period prior to commencing any work.

A Building Permit must be obtained (if required) and construction must be initiated prior to the expiration date in order to exercise this permit. **THIS PERMIT IS NOT A BUILDING PERMIT.**

By signing this permit below, the owner agrees to accept the terms and conditions of this permit and to accept responsibility for payment of the County's costs for inspections and all other actions related to noncompliance with the permit conditions. This permit shall be null and void in the absence of the owner's signature below.

Richard Alderson  
Signature of Owner/Agent

6/30/97 6/30/97  
Date

Annora Young  
Staff Planner

6/20/97  
Date

Distribution: Applicant - white, File - yellow, Clerical - pink, Coastal Commission - goldenrod

**EXHIBIT**

COUNTY OF SANTA CRUZ  
PLANNING DEPARTMENT

Date: June 6, 1997  
Agenda Item: No. 6  
Time: After 10:00 am

STAFF REPORT TO THE ZONING ADMINISTRATOR

APPLICATION NO.: 97-0023

APN: 046-183-16

APPLICANT: Susan Noble

OWNER: Richard Alderson

PROJECT DESCRIPTION: Proposal to recognize the remodel of an existing single-family dwelling including: adding floor area, a deck, a skylight, and roof access at the second level; and enclosing an existing carport at the basement level.

LOCATION: 93 Sunset Drive. Watsonville

FINAL ACTION DATE: 07/24/97 (per the Permit Streamlining Act)

PERMITS REQUIRED: Coastal Zone Permit &

Variance: Amend 898-V (Year 1968) to reduce the required 20' front yard garage setback from the variance-established 16' to about 14'-6"; to increase the maximum 50% floor area to lot area ratio from the originally permitted (Year 1968) 89.7% to 92.7%; and to increase the maximum 40% lot coverage from the originally permitted 44.8% to 47.8%.

ENVIRONMENTAL DETERMINATION: CEQA Categorical Exemption 1801(e)1

COASTAL ZONE: XX yes no APPEALABLE TO CCC: XX yes no

PARCEL INFORMATION

PARCEL SIZE: 2,643 square feet

EXISTING LAND USE: PARCEL: Residential

SURROUNDING: Residential

PROJECT ACCESS: Sunset Drive

PLANNING AREA: San Andreas

LAND USE DESIGNATION: "R-UL" (Low-Density Urban Residential)

ZONING DISTRICT: "R-1-6" (Single-Family Residential; 6,000 sq.ft. min.)

SUPERVISORIAL DISTRICT: Second

ENVIRONMENTAL INFORMATION

<u>Item</u>	<u>Comments</u>
a. Geologic Hazards	a. Not Mapped.
b. Soils-	b. NA
c. Fire Hazard	c. NA
d. Slopes	d. NA
e. Env. Sen. Habitat	e. Mapped resource. No new construction proposed.
f. Grading	f. NA
g. Tree Removal	g. NA
h. Scenic	h. Mapped resource.
i. Drainage	i. NA

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Applicant: Sus Noble  
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j. Traffic	j. NA
k. Roads	k. NA
l. Parks	l. NA
m. Sewer Availability	m. Yes.
n. Water Availability	n. Yes.
o. Archeology	o. Not mapped.
** Report was required.	

#### SERVICES INFORMATION

W/in Urban Services Line: \_\_\_\_yes XX no  
Water Supply: Public  
Sewage Disposal: Public  
Fire District: Aptos/La Selva Fire Protection District  
Drainage District: Nonzone.

#### DISCUSSION

The subject parcel is a 2,640 square foot parcel located in the San Andreas Planning Area with access via Sunset Drive. The lot is developed with a "three-story" single family dwelling (one story qualifies as a basement) built into a hillside which slopes upward from Sunset Drive. The residence is currently redtagged for remodeling without permits.

The residence was finalized in 1968 and was built with the following permits:

Variance 898-V: Construct a single-family dwelling to within 16 feet of the front property line and to within 3 feet of the southerly side property line.

Building Permit 5581: Construct a 2 bedroom, 2 bath, 3 story single family dwelling with an attached garage. (Note: A carport only was built.)

The original residence upon completion included the following: basement level: entry, carport, closet and crawl space; first level: living room, dining room, bedroom, utility room, kitchen, bathroom and deck; and second level: bedroom and bathroom.

The residence now consists of: basement level: entry, garage, closet and crawl space; first level: living room/family room/dining room (open floor plan), utility room, kitchen, bathroom and deck; and second level: bedroom, bathroom and deck. Therefore, the following construction occurred without permits:

1. Basement level: Carport enclosed to become a garage.
2. Second level: Expansion of bedroom, addition of deck and skylight, and provision of roof access for fire escape purposes.

EXHIBIT

Applicant: Sus Noble  
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The existing residence is located at the end of Sunset Drive on the east side of the street. The land beyond the end of Sunset Drive is currently under a revegetation/rehabilitation program and is heavily planted with established iceplant. The assessor's map shows a one foot reserved strip which separates this area in rehabilitation from the bordering residences (See Exhibit "E").

The project residence is in excellent condition and up-keep, has a vertical wood exterior painted a light off-white, and an acutely angled and low hanging (down to the first level elevation) A-frame roof design finished with composition shingle (See Exhibit "I").

Unpermitted construction which is visible from the exterior includes: the addition of the second level deck and the addition of the framing and garage doors which enclosed the existing carport. The second level deck is built under the canopy of the existing eaves and meets the required setbacks. The construction to convert the existing carport to a garage increases the nonconforming front setback from 16' established with Variance 989-V) to 14'-6". Both the second level deck and the carport conversion blend very well with the original design of the residence. Additionally, the residence is compatible in both design and scale with the surrounding neighborhood.

Please see Exhibit "8" ("Findings") for a complete listing of findings and evidence related to the above discussion.

#### RECOMMENDATION

Staff recommends approval of Application No. 97-0023, based on the attached findings and conditions.

#### EXHIBITS

- A. Project Plans
- B. Findings
- C. Conditions
- D. Environmental Determination
- E. Assessor's Map
- F. Zoning Map
- G. General Plan Map
- H. Project Comment Sheet from Ruth Owen dated January 27, 1997.
- I. Historic Photos of Project Site September 20, 1974 and October 1, 1996.

EXHIBIT 1

Applicant: Susan Noble  
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SUPPLEMENTARY REPORTS AND INFORMATION REFERRED TO IN THIS REPORT ARE ON FILE AND AVAILABLE FOR VIEWING AT THE SANTA CRUZ COUNTY PLANNING DEPARTMENT. AND ARE HEREBY MADE A PART OF THE ADMINISTRATIVE RECORD FOR THE PROPOSED PROJECT.

Report Prepared By: Jackie Young, AICP  
Santa Cruz County Planning Department  
701 Ocean Street, 4th Floor  
Santa Cruz CA 95060  
Phone Number: (408) 454-3181

EXHIBIT



Applicant: Susan Noble  
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COASTAL DEVELOPMENT PERMIT FINDINGS:

1. THAT THE PROJECT IS A USE ALLOWED IN ONE OF THE BASJC ZONE DISTRICTS, OTHER THAN THE SPECIAL USE (SU) DISTRICT, LISTED IN SECTION 13.10.170(d) AS CONSISTENT WITH THE GENERAL PLAN AND LOCAL COASTAL PROGRAM LUP' DESIGNATION.

The residential use is intrinsic to the "R-1-6" zone district (Single-family Residential; 6,000 sq. ft. min.) and is consistent with the "R-UL" (Low Density Urban Residential) Land Use designation of the General Plan.

2. THAT THE PROJECT DOES NOT CONFLICT WITH ANY EXISTING EASEMENT OR DEVELOPMENT RESTRICTIONS SUCH AS PUBLIC ACCESS, UTILITY, OR OPEN SPACE EASEMENTS.

The addition to the single dwelling does not conflict with any existing easement or development restriction such as public access, utility, or open space easements in that no such matters are known to encumber the project site.

3. THAT THE PROJECT IS CONSISTENT WITH THE DESIGN CRITERIA AND SPECIAL USE STANDARDS AND CONDITIONS OF THIS CHAPTER PURSUANT TO SECTION 13.20.130 et seq.

Subject to the concurrent approval of the proposed variance, the addition to the single family dwelling is consistent with the design criteria and special use standards and conditions of this chapter pursuant to Section 13.20.130 et seq., in that the project does not involve excessive grading, is not located on a prominent ridge, and is visually compatible with the character of the surrounding residential neighborhood.

4. THAT THE PROJECT CONFORMS WITH THE PUBLIC ACCESS, RECREATION, AND VISITOR-SERVING POLICIES, STANDARDS AND MAPS OF THE GENERAL PLAN AND LOCAL COASTAL PROGRAM LAND USE PLAN, SPECIFICALLY CHAPTER 2: FIGURE 2.5 AND CHAPTER 7, AND, AS TO ANY DEVELOPMENT BETWEEN AND NEAREST PUBLIC ROAO AND THE SEA OR THE SHORELINE OF ANY BODY OF WATER LOCATED WITHIN THE COASTAL ZONE, SUCH DEVELOPMENT IS IN CONFORMITY WITH THE PUBLIC ACCESS AND PUBLIC RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT COMMENCING WITH SECTION 30200.

The project site is located between the shoreline and the first public road. The proposed addition to the single family dwelling will not, however, 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.

EXHIBIT

Applicant: Susan Noble  
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5. THAT THE PROPOSED DEVELOPMENT IS IN CONFORMITY WITH THE CERTIFIED LOCAL COASTAL PROGRAM.

The addition to the single family dwelling is in conformity with the County's certified Local Coastal Program (as incorporated into the 1994 County of Santa Cruz General Plan) in that the proposed residence conforms with the "R-UL" (Low Density Urban Residential) land use designation of the General Plan and is consistent with the applicable development standards set forth in Section 13.20.130.

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DEVELOPMENT PERMIT FINDINGS:

1. THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OR THE GENERAL PUBLIC, OR BE MATERIALLY INJURIOUS TO PROPERTIES OR IMPROVEMENTS IN THE VICINITY.

The location of addition to the single family dwelling and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvement in the vicinity in that the project is located in an area designated for residential use and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the Uniform Building Code, the County Building ordinance, and the requirements of the local fire agency to insure the optimum in safety and the conservation of energy and resources.

2. THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL BE CONSISTENT WITH ALL PERTINENT COUNTY ORDINANCES AND THE PURPOSE OF THE ZONE DISTRICT IN WHICH THE SITE IS LOCATED.

The proposed project is an allowed use within the "R-1-6" (Single-Family Residential, minimum 6,000 square feet) zone district and the location of the project complies with applicable regulations of County Code Section 13.10.323 and 13.20.130, subject to the concurrent approval of the proposed variance. Specifically, the project complies with the site regulations related to building height and visual compatibility within a neighborhood mapped as a scenic resource. Variance findings related to setbacks, lot coverage and floor area to lot area ratio follow.

3. THAT THE PROPOSED USE IS CONSISTENT WITH ALL ELEMENTS OF THE COUNTY GENERAL PLAN AND WITH ANY SPECIFIC PLAN WHICH HAS BEEN ADOPTED FOR THE AREA.

The project is consistent with the "R-UL" (Low Density Urban Residential) General Plan land use designation and with Residential Neighborhoods Objective 8.4 in that the proposed single family dwelling matches the architectural character of the surrounding neighborhood residences. Additionally, the project is consistent with the General Plan in that the full range of urban services is available to the site including municipal water, sewer service, and nearby recreational

EXHIBIT

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opportunities. Finally, the use is not located in a hazardous or environmentally sensitive area and the proposal protects natural resources by expanding in an area designated for this type of development. A specific plan has not been adopted for this portion of the County.

4. THAT THE PROPOSED USE WILL NOT OVERLOAD UTILITIES AND WILL NOT GENERATE MORE THAN THE ACCEPTABLE LEVEL OF TRAFFIC ON THE STREETS IN THE VICINITY.

The use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity. The level of service for Sunset Drive is Level 'C' or better.

5. THAT THE PROPOSED PROJECT WILL COMPLEMENT AND HARMONIZE WITH THE EXISTING AND PROPOSED LAND USES IN THE VICINITY AND WILL BE COMPATIBLE WITH THE PHYSICAL DESIGN ASPECTS, LAND USE INTENSITIES, AND DWELLING UNIT DENSITIES OF THE NEIGHBORHOOD.

The project complements and harmonizes with the existing residential use of the surrounding area. The addition to the single-family dwelling is compatible with the residences in the neighborhood in both design and scale.

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VARIANCE FINDINGS:

1. THAT BECAUSE OF SPECIAL CIRCUMSTANCES APPLICABLE TO THE PROPERTY, INCLUDING SIZE, SHAPE, TOPOGRAPHY, LOCATION, OR SURROUNDINGS, THE STRICT APPLICATION OF THE ZONING ORDINANCE DEPRIVES SUCH PROPERTY OF PRIVILEGES ENJOYED BY OTHER PROPERTY IN THE VICINITY AND UNDER IDENTICAL ZONING CLASSIFICATION.

The special circumstances applicable to the subject property are parcel size and topography.

Firstly, the property is a 2,640 square foot parcel zoned "R-1-6" (Single Family Residential; 6,000 square feet minimum parcel size). Per County Code Section 13.10.323(d)2, the parcel is less than 80% of the minimum parcel size (6,000 square feet) for its zone district ("R-1-6") which qualifies the parcel for application of the site standards for the zone district closest to the parcel size ("R-1-3.5" to "R-1-4.9" in the Site and Structural Dimensions Chart, County Code Section 13.10.323). This makes the following standards applicable: 15' minimum front setback; 5' & 5' minimum side setbacks; 15' minimum rear setback; 40% maximum lot coverage; 0.5:1 maximum floor area to lot area ratio; and 20' minimum setback to the garage. (Note: The application of the "R-1-6" Zone District would have required a 5' & an 8' side setback and a maximum 30% lot coverage.) This variance request **seeks** to reduce the required 20' minimum setback to the garage from 16'-0" (approved by Variance 898-V) to 14'-5" and continues the 3' south side setback approved by Variance 898-V). The subject parcel is very small, only 2,640 square feet. This existing parcel of record is currently non-conforming in area. County Code Section 13.10.323(d)1(i) now requires that no parcel be created which is less than 3,500 square feet in area. Taking into account the extreme size limitations of this parcel which is situated at the end of a dead-ended road, an decrease in the required garage setback from 20' to its existing variance-permitted 16' to 14'-5" is a reasonable request.

Secondly, the topography of the lot limits its development. The parcel slopes upward from Sunset Drive. The slope is significant enough to qualify the first level of the residence as a "basement" (per Definition of a Basement, County Code Section 13.10.700: "a basement has more than 50% of its exterior perimeter wall area below grade and no more than 20% of the perimeter exterior wall exceeds 5'-6" above the exterior grade"). This variance request seeks to increase the maximum allowable floor area to lot area ratio of 50% to the originally permitted 89.7% to 92.7% (a 3% increase). These additions do not significantly impact the originally approved scale/massing of the residence as the bedroom expansion was constructed within the original structure (the new floor area was originally a two story high ceiling for the living area on the first level); the second story deck was built under

EXHIBIT 1

Applicant: Susan Noble  
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the existing eaves; and the 16" addition to the front of the garage, which allowed for the installation of new garage doors, does not reduce the amount of required on-site parking space (two required spaces for a one bedroom residence) as the garage is a two car garage.

(Note: FAR only increased 3% with this proposal because FAR before the remodel included first level floor area with a ceiling height of greater than 16' which is counted X2 for purposes of calculating FAR.)

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.

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 in that sufficient: on-site parking is available; vehicular sight lines are not compromised; the additions do not vary in design or scale from the residences in the surrounding neighborhood; the additions do not alter the massing or design of the originally permitted residence; and the additions do not infringe upon, or negatively impact, the adjacent park land undergoing revegetation/rehabilitation.

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.

The granting of the variance to recognize the remodel of an existing single-family dwelling including: adding floor area, a balcony, skylights, and roof access at the second level; removing non-bearing walls at the first level; and enclosing an existing carport at the first level will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such is situated in that many properties in the neighborhood already exceed the required setbacks, lot coverage and allowable lot area to floor area ratio. Furthermore, no variance to required on-site parking (which could have a negative impact on the surrounding neighborhood) is necessary, or has been proposed, as the residence has only one bedroom.

EXHIBIT 1

Applicant: Sui Noble  
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CONDITIONS OF APPROVAL

Residential Development Permit No. 97-0023

Applicant: Susan Noble  
Property Owner: Richard Alderson  
Assessor's Parcel No. 046-183-16  
Property address: 93 Sunset Drive, Watsonville  
Planning Area: San Andreas

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EXHIBITS:

A. Project Plans

- 
- I. This permit authorizes the recognition of the remodel of an existing single-family dwelling including: adding floor area, a balcony, a skylight, and roof access at the second level; and enclosing an existing carport at the basement level. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/ owner shall:
- A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
  - B. Obtain a Building Permit from the Santa Cruz County Building Official.
11. Prior to issuance of a Building Permit the applicant/owner shall:
- A. Submit Final Architectural Plans for review and approval by the Planning Department. The final plans shall **be** in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. The final plans shall include, but not be limited to, the following:
    - 1. Exterior elevations identifying finish materials and colors.
    - 2. Floor plans identifying each room and its dimensions.
    - 3. A site plan showing the location of all site improvements, including, but not limited to, points of ingress and egress, parking areas, and accessory structures.

EXHIBIT

Applicant: Sur; Noble  
Application No.: 97-0023  
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8. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district in which the project is located.
- C. Record a Declaration of Restriction to maintain the single family dwelling as a one-bedroom residence. (Granting of this variance allows for only two on-site parking spaces within the garage as the driveway has been reduced below the required length for an additional parking space which would be required for a second bedroom.)

III. All construction shall be performed in accordance with the approved plans. Prior to final building inspection and building occupancy, the applicant/owner shall meet the following conditions:

- A. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.

IV. Operational Conditions.

- A. On-site parking is limited to two spaces (there are two available spaces within the two car garage and the driveway is not long enough to be considered as one additional tandem parking space), therefore, the total number of bedrooms in this residence shall be limited to one.
- B. 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.

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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 TWO YEARS FROM DATE OF APPROVAL UNLESS YOU OBTAIN YOUR BUILDING PERMIT AND COMMENCE CONSTRUCTION.

EXHIBIT 1



NOTICE OF EXEMPTION FROM THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT

The County of Santa Cruz has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15329 of CEQA for the reason(s) which have been checked on this document.

Application No.: 97-0023  
Assessor Parcel No.: 046-183-16  
Project Location: 93 Sunset Drive, Watsonville

Project Description: Proposal to recognize the remodel of an existing single-family dwelling including: adding floor area, a balcony, a skylight, and roof access at the second level; and enclosing an existing carport at the first level.

Person or Agency Proposing Project: Susan Noble  
Phone Number: (408) 722-0202

- A. \_\_\_\_\_ The proposed activity is not a project under CEQA Guidelines, Sections 1928 and 501.
- B. \_\_\_\_\_ Ministerial Project involving only the use of fixed standards or objective measurements without personal judgement.
- C. \_\_\_\_\_ Statutory Exemption other than a Ministerial Project.  
Specify type:

D. Categorical Exemption

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> 1. Existing Facility                  | _____ 17. Open Space Contracts or Easements                                  |
| _____ 2. Replacement or Reconstruction                                    | _____ 18. Designation of Wilderness Areas                                    |
| _____ 3. New Construction of Small Structure                              | _____ 19. Annexation of Existing Facilities/Lots for Exempt Facilities       |
| _____ 4. Minor Alterations to Land  | _____ 20. Changes in Organization of Local Agencies                          |
| _____ 5. Alterations in Land Use Limitation                               | _____ 21. Enforcement Actions by Regulatory Agencies                         |
| _____ 6. Information Collection   | _____ 22. Educational Programs   |
| _____ 7. Actions by Regulatory Agencies for Protection of the Environment | _____ 23. Normal Operations of Facilities for Public Gatherings              |
| _____ 8. Actions by Regulatory Agencies for Protection of Nat. Resources  | _____ 24. Regulation of Working Conditions                                   |
| _____ 9. Inspection   | _____ 25. Transfers of Ownership of Interests in Land to Preserve Open Space |
| _____ 10. Loans   | _____ 26. Acquisition of Housing for Housing Assistance Programs             |
| _____ 11. Accessory Structures  | _____ 27. Leasing New Facilities   |
| _____ 12. Surplus Govt. Property Sales                                    | _____ 28. Small Hydroelectric Projects at Existing Facilities                |
| _____ 13. Acquisition of Land for Wildlife Conservation Purposes          | _____ 29. Cogeneration Projects at Existing Facilities                       |
| _____ 14. Minor Additions to Schools                                      |  |
| _____ 15. Minor Land Divisions  |  |
| _____ 16. Transfer of Ownership of Land to Create Parks                   |  |

E. \_\_\_\_\_ Lead Agency Other Than County: \_\_\_\_\_

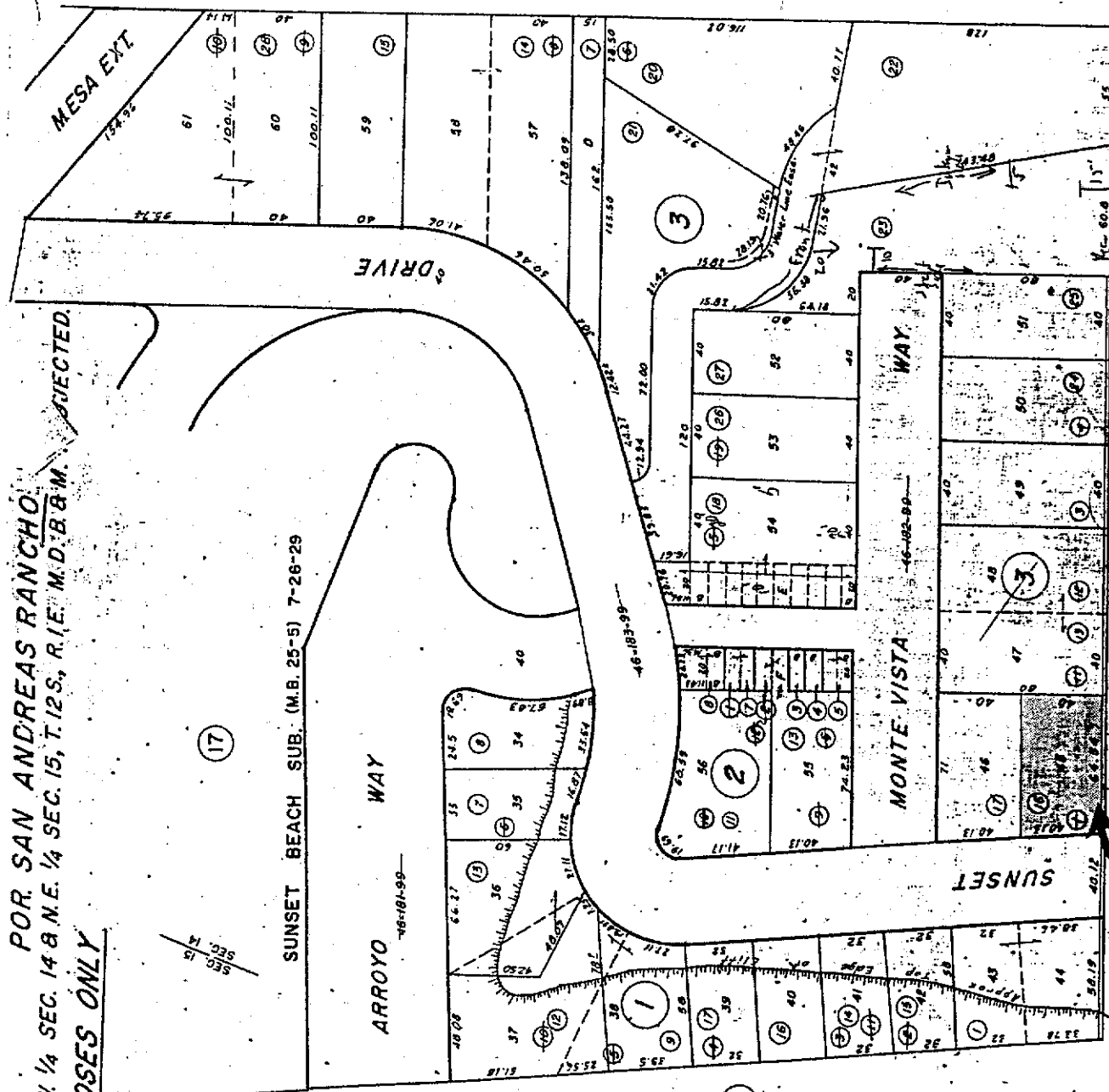
Jackie Young, AICP - Project Planner

Date: \_\_\_\_\_

EXHIBIT I

Tax Area Code 46-18  
69-017

Scanned



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

Assessor's Map No. 46-18  
County of Santa Cruz, Calif.  
June 1951

### PROJECT LOCATION

**ASSESSOR'S MAP**

**EXHIBIT E**

EXHIBIT

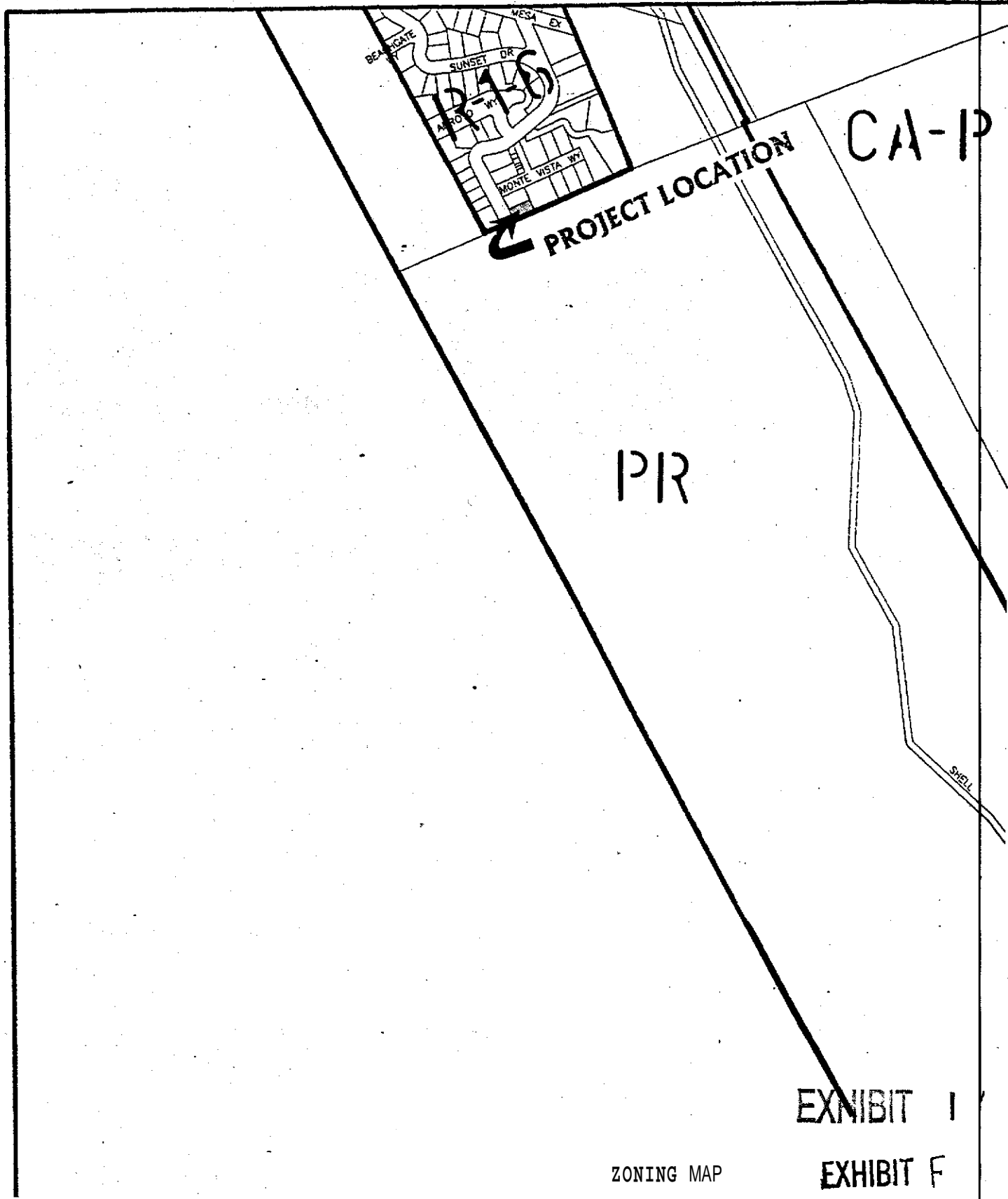
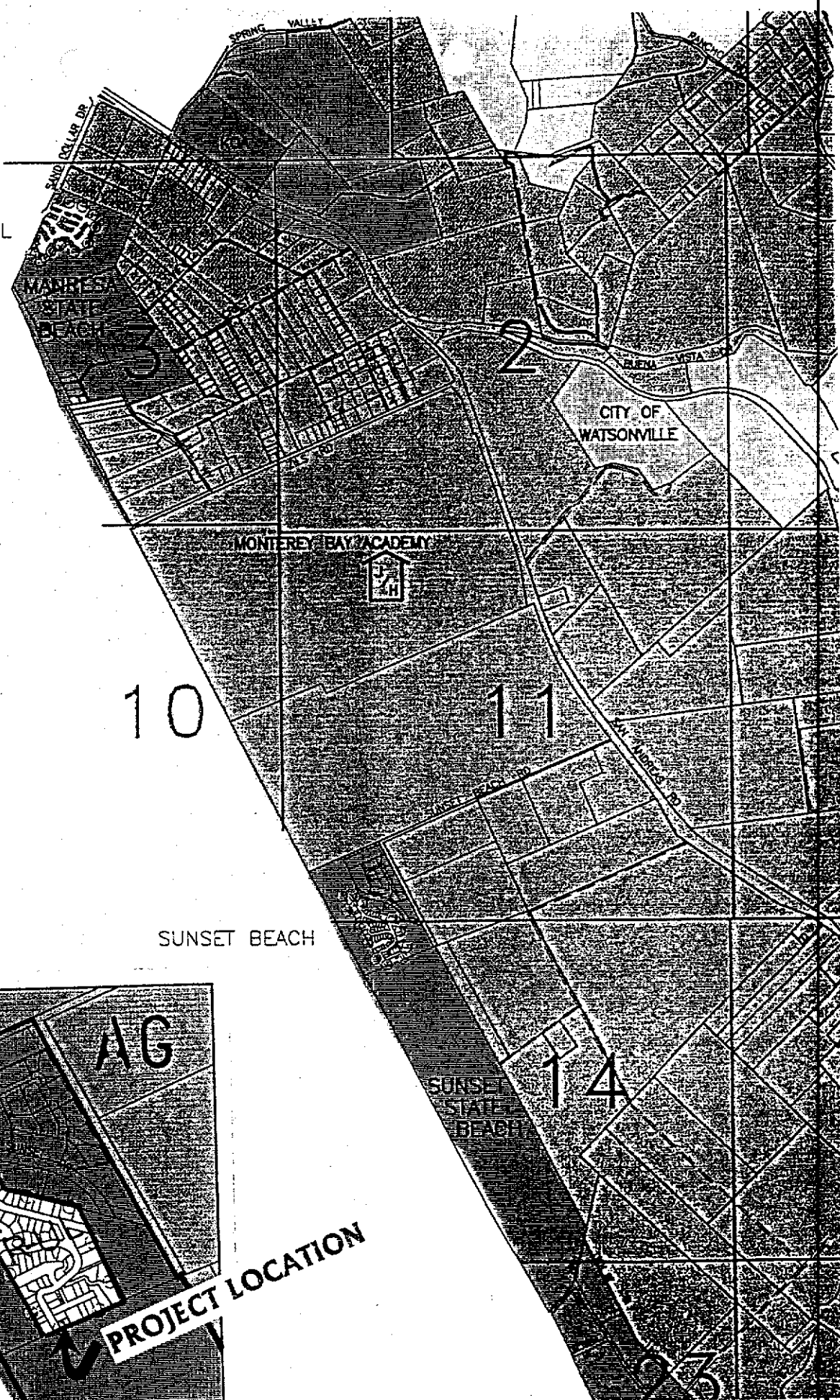


EXHIBIT I

ZONING MAP

EXHIBIT F

CANON DEL SOL



10

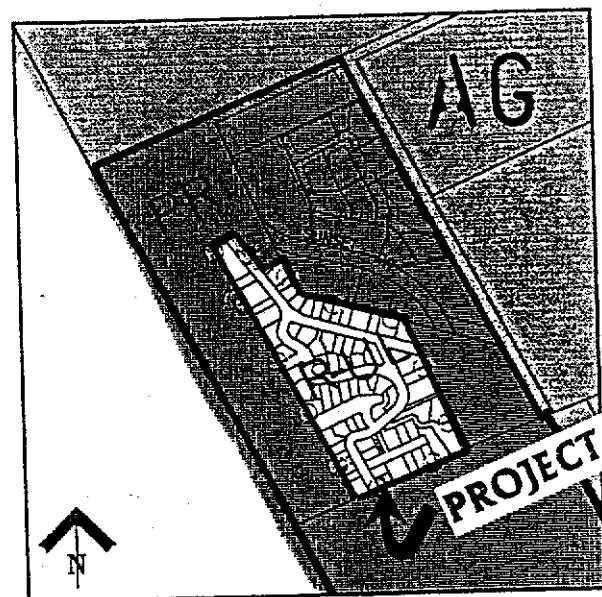
11

SUNSET BEACH

14

SUNSET BEACH

23



PROJECT LOCATION

SUNSET BEACH

GENERAL PLAN MAP

EXHIBIT  
EXHIBIT G

PLANNING DEPARTMENT

GOVERNMENTAL CENTER



COUNTY OF SANTA CRUZ

701 OCEAN STREET SANTA CRUZ, CALIFORNIA 95060  
FAX (408) 454-2131 TDD (408) 454-2123 PHONE (408) 454-2580

PROJECT COMMENTSHEET

DATE 1-23-97

TO:

<u>1</u> Public Works Department	Supervisor for District _____
Sanitation	<u>1</u> Fire District <u>Aptos - La Selva</u>
Driveway/Encroachment	Water District _____
<u>1</u> Drainage District	School District _____
Road Engineering	City of _____
Surveyor	CA Department of Forestry
Transportation	Parks Department
<u>2</u> Project Review	Cal Trans
<u>1</u> Environmental Planning/(Carlson, Carr, Levine, or Nelson)	Department of Fish and Game
Code Compliance/Williams	Transit District
Long Range Planning/Deming	P G & E
Housing/Deming	Pacific Telephone
<u>1</u> Environmental Health	Other _____
Redevelopment	Other _____
Accessibility/Bush	Other _____

FROM: DEVELOPMENT REVIEW DIVISION

SUBJECT: APN: 046-183-16

APPLICATION NO.: 97-0023

PROJECT DESCRIPTION: SEE ATTACHED

THE ATTACHED APPLICATION FOR A DEVELOPMENT PERMIT, LAND DIVISION PERMIT, GENERAL PLAN AMENDMENT HAS BEEN RECEIVED BY THE PLANNING DEPARTMENT.

If you have any comments, please contact the Planner or submit written comments below:

Order compliance approved applications  
97-0023 with the attached 1/1/97 Administrative  
hearing officer's stipulation conditions

Reviewer's name (not initials):

Robert C. Oliver 1/27/97

Return to: Jackie Young by this date: 2-6-97

EXHIBIT  
EXHIBIT

OFFICE OF THE  
COUNTY COUNSEL



COUNTY OF SANTA CRUZ

GOVERNMENT CENTER  
(408)454-2040  
FAX(408)454-2115

DWIGHT L HERR  
COUNTY COUNSEL  
JONATHAN WITTWER  
CHIEF DEPUTY COUNTY COUNSEL

701 OCEAN STREET, ROOM 505, SANTA CRUZ, CALIFORNIA 95060-4068

DEBORAH STEEN  
HARRY A. OBERHELMAN III  
MARIE COSTA  
SAMUEL TORRES, JR.  
JPNE M. SCOTT  
RAHN GARCIA  
TAMYRA CODE  
PAMELA FYFE  
EUE N LEWIS  
KIM ELIZABETH BASKETT

ASSISTANTS

January 24, 1997

Richard E. Alderson  
4542 Arana Creek Way  
Santa Cruz, CA 95065

Susanna Noble  
99 Sunset Drive  
Watsonville, CA 95076

Re: Administrative Hearing, Case No. 96-026  
APN: 046-183-16

Enclosed please find: STIPULATION AND ORDER

\_\_\_\_ PLEASE SIGN AND RETURN  
\_\_\_\_ PLEASE REVIEW AND COMMENT  
\_\_\_\_ IN ACCORDANCE WITH YOUR REQUEST  
\_\_\_\_ PER CONVERSATION  
XX FOR YOUR INFORMATION AND FILES  
\_\_\_\_ PLEASE TELEPHONE ME  
\_\_\_\_ PLEASE FILE ORIGINAL AND RETURN COPIES  
\_\_\_\_ PLEASE PRESENT TO JUDGE FOR APPROVAL AND SIGNATURE  
\_\_\_\_ OTHER/REMARKS

Very truly yours,

Marie Costa (Ji)  
MARIE COSTA  
Assistant County Counsel

encl.  
cc: Dave Laughlin  
Ruth Owen

EXHIBIT 1

1 DWIGHT L. HERR, State Bar No. 39157  
County Counsel, county of Santa Cruz  
2 MARIE COSTA, State Bar NO. 92133  
Assistant County Counsel  
3 701 Ocean Street, Room 505  
Santa Cruz, California 95060-4068  
4 Telephone: (408) 454-2040

5 Attorneys **for** COUNTY OF SANTA CRUZ

6  
7  
8 BEFORE THE ADMINISTRATIVE HEARING OFFICER  
9 FOR THE **COUNTY** OF SANTA CRUZ  
10

11 In the Matter of ) Case No. 96-026  
12 )  
RICHARD E. ALDERSON, ) STIPULATION AND ORDER  
13 )  
Property Owner. )  
14 )

15 IT IS HEREBY STIPULATED AND AGREED by and between the parties  
16 hereto as follows:

17 1. Richard E. Alderson is the record owner of the real property  
18 located at 93 Sunset Drive, Watsonville, California, and described as  
19 Assessor Parcel No. 046-183-16, and hereinafter referred to as  
20 "subject property."

21 2. That the subject property is in violation of the Santa Cruz  
22 County Code in that the structural additions to the second floor of  
23 a single-family dwelling and the conversion and remodel of a carport  
24 into an enclosed garage structure were done without the required  
25 permits and inspections in violation of Santa Cruz County Code  
26 Sections 12.10.030 and 12.10.125(a),

27 3. That the violations mentioned in Paragraph 2, above, shall  
28 be corrected as follows:

ALDERSONWPC

EXHIBIT 1

1           A. That Richard E. Alderson has authorized Michael an  
2 Susanna Noble to correct the building violations mentioned i  
3 Paragraph 2, above. The copy of the Owner/Agent Authorization Fox  
4 is attached hereto as attachment "A," and by this referenc  
5 incorporated herein.

6           B. That Richard E. Alderson or his Agents, Michael an  
7 Susanna Noble, shall submit an application for a Discretionary Permi  
8 for a minor revision to an existing variance for the portion of th  
9 garage addition which is within the 16 foot front yard setback are  
10 within 30 days from the date this Stipulation and Order is signed b  
11 the Administrative Hearing Officer.

12           C. Upon the approval of the Discretionary Permit and withi  
13 30 days of said approval, to submit an application for a Buildin  
14 Permit for the second floor additions to the single-family dwellin  
15 and the construction related to the carport conversion into the garag  
16 structure.

17           D. If, however, the Discretionary Permit application i  
18 denied and an appeal is not filed, to obtain a Special Inspectio  
19 Permit within 30 days thereafter, and to remove the portion of th  
20 garage structure which is within the front yard setback area and t  
21 schedule and obtain a final inspection of the removed garage portio  
22 within 90 days from the issuance of the Special Inspection Permit  
23 In addition, within 30 days of the denial of the Discretionary Permit  
24 to submit an application for a Building Permit for the second floo  
25 additions to the single-family dwelling and to schedule and obtain  
26 final inspection of the second floor additions within 90 days from th  
27 issuance of the Building Permit for said work.

28           E. If, the application for the Building Permit for th



second floor addition to the single-family dwelling is denied an appeal is not filed, to obtain a Special Inspection Permit within days of said denial, and to remove all additions to the second floor of the single-family dwelling and the garage structure that allowed, maintained, constructed and/or used and maintained without the necessary permits and inspections. A final inspection shall be scheduled and obtained by Richard E. Alderson or his Agents, Michael and Susanna Noble, within 90 days of issuance of the Special Inspection Permit.

1        4. That Richard E. Alderson or his Agents, Michael and Susanna  
1 Noble hereby agree to pay enforcement costs in the amount of \$386.3  
1 and civil penalty in the amount of \$750.00. The enforcement costs  
1 shall be paid within 30 days from the date this Stipulation and Order  
1 is signed by the Administrative Hearing Officer, or at the time the  
1 Discretionary Permit application is submitted to the County Planning  
1 Department, whichever first-occurs. The civil penalty in the amount  
1 of \$750.00 shall be paid within 60 days from the date this Stipulation  
1 and Order is signed by the Administrative Hearing officer. Said  
1 payment of costs and civil penalty to be paid to the County of Santa  
2 Cruz Planning Department.

2        5. That in the event Richard E. Alderson or Michael and Susanna  
2 Noble do not comply with or violate any provision of the Stipulation,

2        ///

2        ///

2        ///

2        ///

2        ///

2        ///


EXHIBIT 1

1 the County of Santa Cruz will be entitled to immediately commence full  
2 legal actions.

3 Dated: 12/11/96, 1996

  
RICHARD E. ALDERSON  
Property Owner

6 Dated: 12/11/96, 1996

  
SUSANNA NOBLE  
Property Owner's Agent

9 Dated: 12/17/96, 1996

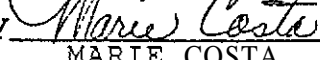
SANTA CRUZ COUNTY PLANNING DEPARTMENT

11 By   
DAVID LAUGHLIN  
Principal Planner

13 Approved as to form:

15 Dated: December 17, 1996

DWIGHT L. HERR, COUNTY COUNSEL

17 By   
MARIE COSTA  
Assistant County Counsel  
Attorneys for COUNTY OF  
SANTA CRUZ

20 ORDER

21 IT IS SO ORDERED.

23 Dated: 1-21-97, 1996

  
TERESA A. SHOOK  
Administrative Hearing Officer



46-183-16

K9/20/74

Assessor's Photo: 9/20/74



46-183-16 7/10/76

Assessor's Photo: 10/1/96

HISTORIC PHOTOS

EXHIBIT I

EXHIBIT I

11/26/82  
- 10-30

V A R I A N C E

NUMBER 898-V

ISSUED TO Allen H. Peterson

MAILING ADDRESS 14816 Manuella Avenue

PARCEL NO. 46-183-16

Los Altos, California

LOCATION OF USE Easterly side of Sunset Drive, approximately 50 feet south of Monte Vista Way, Sunset Beach, Watsonville Area.

VARIANCE UNDER THE FOLLOWING TERMS AND CONDITIONS: Construct a single-family dwelling to within 16 feet of the front property line and to within 3 feet of the southerly side property line, as per plot plans on file.

Variance must be exercised and construction commenced within one year to be valid. See Ordinance Code, Section 13.04.310-315.

Note: This is not a building permit.  
SANTA CRUZ COUNTY BOARD OF ZONING ADJUSTMENT  
Louis B. Muhly, Secretary

By: \_\_\_\_\_ Date August 7, 1967

PLN-7

OWNER

ALLEN PETERSON

PARCEL NUMBER

46-183-15

LOCATION

99 Sunset Dr., Sunset Beach, Watsonville

TYPE

const. 2 bedrms., 2 baths, 3 story  
single family dwg. w/att. garage

VALUATION

16,200

Driveway P.#5581

CONTRACTORS

BUILDING		PLUMBING AND GAS		ELECTRIC	
NAME	PERMIT NUMBER	NAME	PERMIT NUMBER	NAME	PERMIT NUMBER
Elmore Enterprises	5581	JIMMIE R. SMITH PLBG.	6378	A. C. Electric	#6513
DATE	10-30-67	DATE	1-29-68	DATE	2-15-68

INSPECTIONS

BUILDING		PLUMBING AND GAS		ELECTRIC	
FOUNDATION	OK 11-12-68 RB	ROUGH	OK 11-14-67 RB	ROUGH	OK 2-14-68 34 J
FRAME	OK 11-14-67 RB	FINISH	OK 6-11-68 RB	FINISH	OK 5-2-68 AT J
STUCCO WIRE	OK 4-24-68 RB	GAS - FINISH		FIXTURES, ETC.	OK 5-2-68 N.O.
LATH		GAS - ROUGH			
FLUES		GAS - P.T.			
FINISH COMPLETE	OK 6-11-68 RB	GAS - FINISH			
BUILDING INSPECTION JOB RECORD					
ALLEN PETERSON					
REMARKS ON REVERSE					

Return Recorded Form to:  
Santa Cruz County  
Planning Department

File APN:  
Attention: 04-0059



2004-0016191

Recorded	REC FEE	10.00
Official Records	0 R COP	2.00
County Of		
SANTA CRUZ		
RICHARD W. BEDAL		
Recorder		
CAROL D. SUTHERLAND		
Assistant	JRS	
11:54AM 15-Mar2004	Page 1 of 2	

Declaration **of** Restriction to Maintain a Structure  
as a Single Family Dwelling

This declaration, made in Santa Cruz County, State of California, by  
RICHARD ALBERSON owner(s) of real property described in Exhibit "A" (attach  
deed description), known as Assessor's Parcel Number 046-183-16, hereby  
declare(s) that all of the property described below shall be held, sold, and conveyed subject to the  
following restrictions and conditions, which are for the purpose of meeting the Santa Cruz County  
Code, and which shall run with the title to the property and be binding on **a** parties having any right,  
title or interest in the property or any part thereof, their heirs, successors, and assigns and shall apply  
to each owner thereof.

Article I

Declarer intends to ~~(construct)~~ (maintain) a ONE-BEDROOM SINGLE FAMILY DWELLING under a  
County building permit. The dwelling will not have more than one kitchen or food preparation facility.

Article II

The County of Santa Cruz shall recover reasonable attorney fees and costs in bringing any legal  
action to enforce this agreement together with recovery of any rents collected for the illegal use of the  
structure or, in the alternative, for the recovery of the reasonable rental value of the illegally converted  
structure from **the** date of conversion. The amount of any recovery of rents or of the reasonable rental  
value of an illegally converted structure shall be deposited in the County's Affordable Housing Fund.  
This agreement is binding on all subsequent buyers, heirs, assignees or holders of interest in the  
subject property herein described.

Executed on March 9th, 2004.

Declarant(s) signature(s):

Form must be reviewed and approved by County Planning Department prior to being recorded.

DATED: 3/15 2004

COUNTY OF SANTA CRUZ

By Chin Sciaccia

INDIVIDUAL ACKNOWLEDGEMENT (IF CORPORATION OR PARTNERSHIP APPROPRIATE  
ACKNOWLEDGEMENT SHALL BE ATTACHED.)

NA  
to STATE OF ~~CALIFORNIA~~ HAWAII  
COUNTY OF HAWAII

On March 9, 2004 before me Nora Rosario  
personally appeared Richard Alderson

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s)  
whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they  
executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on  
the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the  
instrument.

WITNESS my hand and official seal.

L.S. -  
Signature Nora Rosario  
(Signature of Notary Public)

Nora Rosario  
Notary Public, State of Hawaii

My commission expires: 12-13-2006

**Exhibit "A"**

All that real property situated in the County of Santa Cruz, State of California, conveyed from

RICHARD ALDERSON to RICHARD E. ALDERSON

by deed recorded in Book 4327 at Page 546, Santa Cruz County

Official Records Office on 5-19, 1988. Assessor's Parcel Number

046-183-16

**EXHIBIT J**