



## Staff Report to the Zoning Administrator

Application Number: **05-0300**

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**Applicant:** Patrick Powers Design  
**Owner:** Richard and Marie Lore  
**APN:** 027-171-01

**Agenda Date:** December 2, 2005  
**Agenda Item #:** **2**  
**Time:** After 1000 a.m.

**Project Description:** Proposal to replace a portion of the existing foundation with a new basement, construct a second story addition to an existing non-conforming single-family dwelling (with no increase in the number of bedrooms). Property is 1,400 sq. ft. and contains one on-site parking space (to remain). Requires a Coastal Development Permit and a Variance to: **1)** reduce the street side yard (8<sup>th</sup> Avenue side) from 10 feet to about **5** A. 2 in., **2)** to reduce the front setback from 15 feet to about **4** ft., **3)** reduce the 15 feet rear setback to about 9 feet, and **4)** increase the Floor Area Ratio from 71.4% to about 105%.

**Location:** 141 Eighth Avenue, Santa Cruz

**Supervisory District:** First District (District Supervisor: Janet K. Beutz)

**Permits Required:** Coastal Development Permit, Variance and Design Review

**Staff Recommendation:**

- **Denial** of Application **05-0300**, based on the attached findings and conditions.

**Exhibits**

- |    |                                    |    |                             |
|----|------------------------------------|----|-----------------------------|
| A. | Project plans                      | G. | RDA memo                    |
| B. | Findings                           | H. | Memo from Supervisor Beutz  |
| C. | Location map                       | I. | Email from applicant        |
| D. | General Plan map                   | J. | Recently approved variance  |
| E. | Zoning map                         |    | applications in nearby area |
| F. | Discretionary Application Comments |    |                             |

**Parcel Information**

Parcel Size:	1,400 sq. A.
Existing Land Use - Parcel:	Single family residential
Existing Land Use - Surrounding:	Single family residential
Project Access:	Eighth Avenue
Planning Area:	Yacht Harbor, Live Oak

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Application#: 05-0300  
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Land Use Designation: R-UH (Urban High Density Residential)  
Zone District: R-1-3.5 (Single family residential - 3,500 square foot min.)  
Coastal Zone: X Inside    Outside  
Appealable to Calif. Coastal Comm. X Yes    No

### Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site  
Soils: N/A  
Fire Hazard: Not a mapped constraint  
Slopes: N/A  
Env. Sen. Habitat: Not mapped/no physical evidence on site  
Grading: No grading proposed  
Tree Removal: No trees proposed to be removed  
Scenic: Not a mapped resource  
Drainage: Existing drainage adequate  
Traffic: N/A  
Roads: Existing roads adequate  
Parks: Existing park facilities adequate  
Archeology: Not mapped/no physical evidence on site

### Services Information

Urban/Rural Services Line: X Inside    Outside  
Water Supply: City of Santa Cruz Water Department  
Sewage Disposal: Santa Cruz County Sanitation District  
Fire District: Central Fire Protection District  
Drainage District: Zone 5

### Project Setting

The lot is located in the Yacht Harbor Special Community (as designated in the LCP) within the Live Oak Planning Area.

### Local Coastal Program Consistency

The proposed residence is not in conformance with the County's certified Local Coastal Program, in that the proposed structure is not designed to be in scale with surrounding neighborhood. As indicated below, there has not been a variance approved which resulted in over a 75% since the Floor Area Ratio was established in 1993.

Allowing this addition would create a residence that based on the area of the lot would be greatly oversized and would not be similar to lots of comparable size in the neighborhood.

## Zoning & General Plan Consistency

The subject property is a 1,400 square foot lot, located in the R-1-3.5 (Single family residential - 3,500 square foot minimum) zone district, a designation that allows residential uses. The existing residence is a principal permitted use within the zone district and the project is consistent with the site's (R-UH) Urban High Density Residential General Plan designation.

	<b>R-1-3.5 Standards</b>	<b>Existing Residence</b>	<b>Proposed Residence</b>
<b>Front yard setbacks: (Comer Lot)</b>	Eighth Avenue 15 ft. Bonnie Street 15 ft.	3'-11" <i>(non-conforming)</i> 10" <i>(non-conforming)</i>	3'-11" <i>(non-conforming)</i> 10" <i>(non-conforming)</i>
<b>Side yard setback:</b>	5 feet	1'-10" <i>(non-conforming)</i>	1'-10" <i>(non-conforming)</i>
<b>Rear setback:</b>	15 feet	8'-6" <i>(non-conforming)</i>	7'-0" <i>(non-conforming and decreased)</i>
<b>Lot Coverage:</b>	40 % maximum	60.8 % <i>(non-conforming)</i>	65.8 % <i>(non-conforming and increased)</i>
<b>Building Height:</b>	28 feet maximum	18' ±	19' ±
<b>Floor Area Ratio (F.A.R.):</b>	0.5:1 maximum (50 %)	71.4 % <i>(non-conforming)</i>	105% <i>(non-conforming and increased)</i>
<b>Parking</b>	3 bedrooms – 3 (18' x 8.5')	one uncovered <i>(non-conforming)</i>	one uncovered <i>(non-conforming)</i>

## Rationale for Denial of the Variance

While this lot is extremely small, the existing structure is:

1. significantly non-conforming (distance between this residence and the neighbor is less than five feet),
2. the F.A.R. for the existing structure is 76%, which is already well over the maximum 50% allowable,
3. all setbacks are less than required,
4. the lot coverage is over the maximum allowable, and
5. there is only one parking space provided (existing and no new spaces proposed) where three would be required.

The request for increasing the Floor Area Ratio will constitute a grant of special privileges that is inconsistent with the limitations upon other properties. As shown in the table(s)

below, other properties in the area with similar sizes do not have F.A.R.s over 75% (with the exception noted that was approved before F.A.R. was established).

General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes) specifically discusses the “potential for significant impacts to community character from residential structures which are not well proportioned to the site”. The Residential Site and Development Standards ordinance is used as the “standard” for size of structure vs. parcel size.

FLOOR AREA RATIO			
APN	Lot Size (sq. ft., per Assessor's records)	House Size (sq. A., per Assessor's records)	House Size / Lot Size
027-171-01	1350	980	.725
027-171-34	1575	720	.46
027-171-12	1222	569	.47
027-171-24	1351	324	.24
027-171-23	3092	1535	.50
027-171-29	3136	2321	.74
027-171-28	3049	2093	.69
FLOOR AREA RATIO			
APN	Lot Size (sq. ft., per Assessor's records)	House Size (sq. ft., per Assessor's records)	House Size / Lot Size
027-171-34	1575	720	.46
027-171-12	1222	569	.47
027-171-24	1351	324	.24
027-163-07	1617	876	.54
027-182-07	1668	2291	1.37 (see note below)
027-111-33	1653	879	.53
027-111-10	1468	660	.45
Application 86-0538 to reconstruct a non-conforming SFD was denied originally and approved on appeal to Planning Director – <b>PRIOR TO F.A.R. REQUIREMENT BEING ESTABLISHED.</b>			

Staff believes that the findings for a variance cannot be made to extend the Floor Area Ratio from 72% to 105%, and is therefore recommending denial of the application as submitted.

### Conclusion

As proposed and conditioned, the project not consistent with 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

- DENIAL of Application Number **05-0300**, 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 Department, 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.co.santa-cruz.ca.us](http://www.co.santa-cruz.ca.us)

Report Prepared By: Lawrence Kasparowitz  
Santa Cruz County Planning Department  
701 Ocean Street, 4th Floor  
Santa Cruz CA 95060  
Phone Number: (831) 454-2676  
E-mail: [pln795@co.santa-cruz.ca.us](mailto:pln795@co.santa-cruz.ca.us)

Application #: 05-0300  
APN: 027-171-01  
Owner: Richard and Marie Lore

### Coastal Development Permit Findings

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.

This finding can **not** be made, in that the proposed design would not be integrated with the character of the surrounding neighborhood or area. The development would not be consistent with the Floor Area Ratios found in the surrounding neighborhood.

No other recently permitted structures reach over **62 ± %** F.A.R. Although **this** is a very small lot, other lots of similar size do not have structures with over **75%** F.A.R., except for one that was approved before the Floor Area Ratio Ordinance was adopted. Allowing a structure that is over twice the allowable Floor Area Ratio is not warranted.

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Owner: Richard and Marie Lore

## Development Permit Findings

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.

This finding can **not** be made, in that the addition to the existing residence will not be consistent with all pertinent County ordinances and the purpose of the R-1-3.5 (Single family residential - 3,500 square foot minimum) zone district. The Floor Area Ratio for the existing residence that does not currently meet site standards for the zone district and the proposed addition will bring the structure to over double the maximum amount allowable.

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.

This finding can **not** be made, in that the proposed addition does not meet all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance). The proposed residence does not meet current setbacks, lot coverage and floor area ratio for the zone district. These restrictions ensure access to light, air, and open space in the neighborhood.

The proposed residence will 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 residence will not comply with the site standards for the R-1-3.5 zone district (including setbacks and floor area ratio) and will result in a structure that is grossly inconsistent with a design that could be approved on any similarly sized lot in the vicinity.

A specific plan has not been adopted for this portion of the County, however the Yacht Harbor Area has been designated a Coastal Special Community in Section 13.20 of the County of Santa Cruz Zoning Ordinance (LCP)

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## 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.

This finding can **not** be made. The small size of this parcel, has been suggested by the applicant **as** a condition that could justify a request for permitting an increase to the maximum allowable floor area ratio. However, the existing residence has a Floor Area Ratio of 72%, where 50% is the maximum currently allowed. Other properties in the vicinity under identical zoning classification, have not been permitted to exceed 75% F.A.R. (**as** shown in the tables in the staff report).

2. That the granting of such variance will be in harmony with the general intent and purpose of zoning objectives and will not be materially detrimental to public health, safety or welfare or injurious to property or improvements in the vicinity.

This finding **can not** be made. The structure is twice the allowable Floor Area Ratio. The rationale for limiting the Floor Area Ratio was to create a link between the bulk and mass of a structure to the size of the lot. This ratio does not limit design, but creates a cap on the size of residences within lots of similar size. Neighborhoods are able to have continuity of the maximum size of residences through time. This structure as proposed will overpower this tiny parcel.

3. That the granting of such variance shall not constitute a grant of special privileges inconsistent with the limitations upon other properties

This finding can **not** be made. Allowing the Floor Area Ratio to increase to 105% would not be in keeping with the recent decisions on other small size properties in the area. As shown in the table(s) in the report as well as Exhibit J (recent staff reports), other properties in the neighborhood with similar lot areas do not have F.A.R.'s over 75% (with the exception noted that was approved before F.A.R. was established).





# Location Map



## Legend



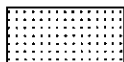
APN 027-171-01



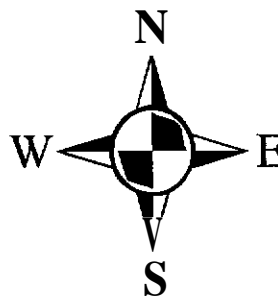
Streets



Assessors Parcels



Lakes

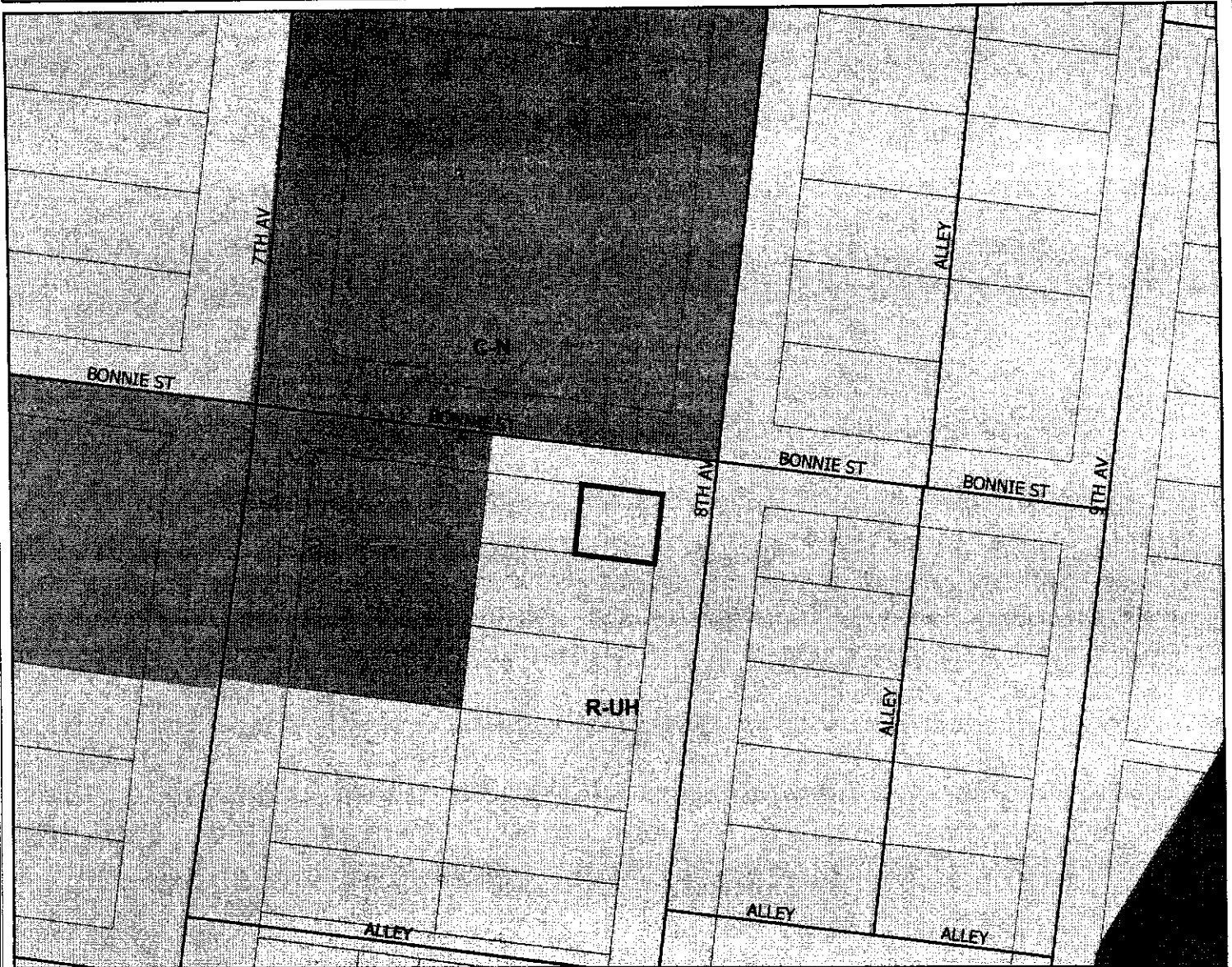


Map Created by  
County of Santa Cruz  
Planning Department  
May 2005







**EXHIBIT C**

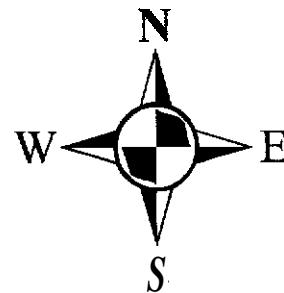


# General Plan Designation Map



## Legend

-  APN 027-171-01
-  Streets
-  Assessors Parcels
-  Commercial-Neighborhood (C-N)
-  Residential- Urban High Density (R-UH)
-  Urban Open Space (O-U)

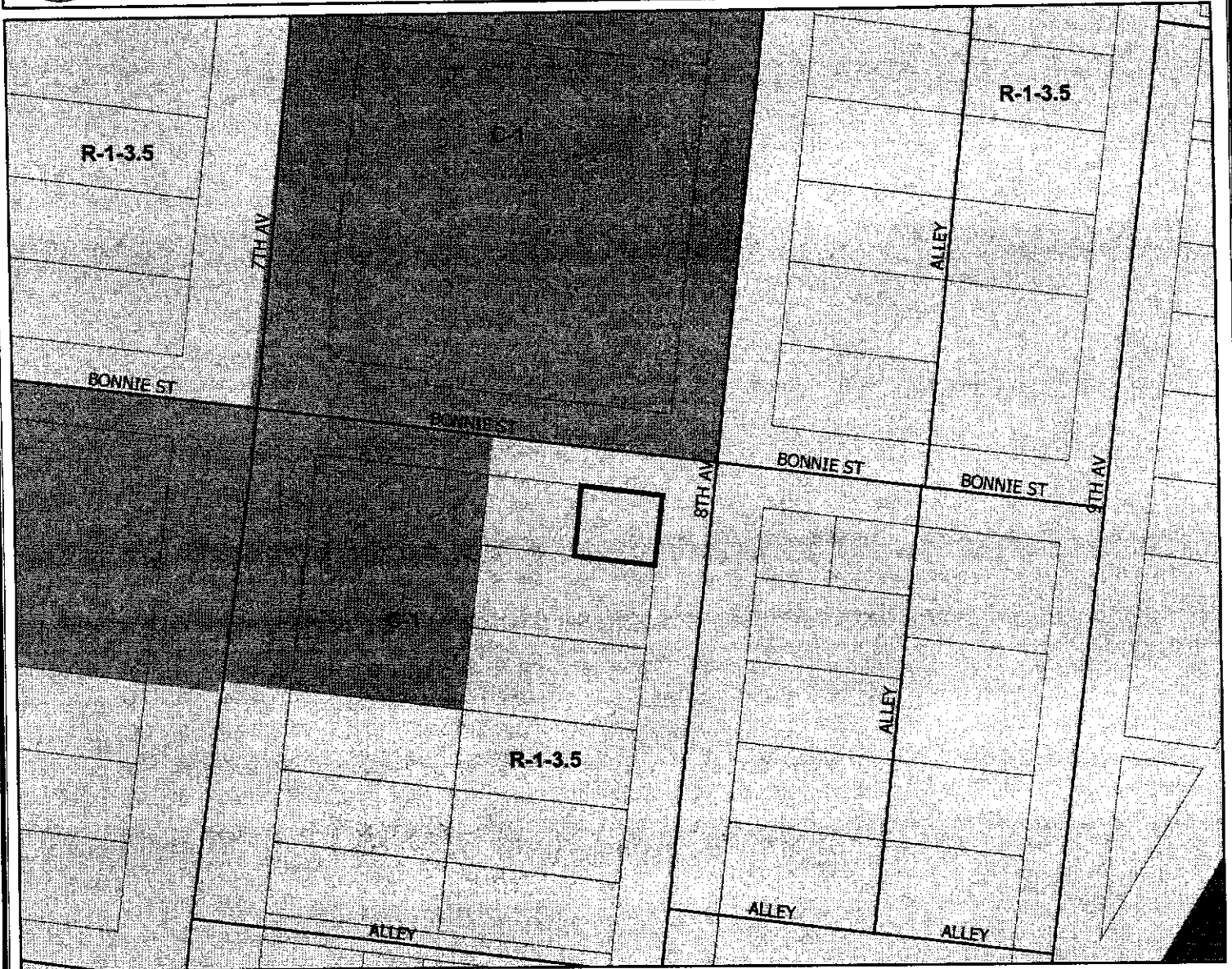


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County of Santa Cruz  
Planning Department  
May 2005







**EXHIBIT D**

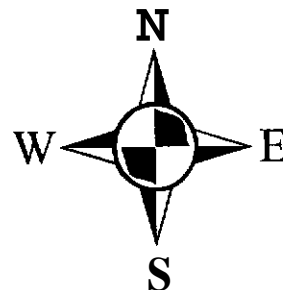


# Zoning Map



## Legend

-  APN 027-171-01
-  Streets
-  Assessors Parcels
-  COMMERCIAL-NEIGHBORHOOD(C-1)
-  PARK (PR)
-  RESIDENTIAL-SINGLE FAMILY (R-1)



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Planning Department  
May 2005

**EXHIBIT E**

C O U N T Y   O F   S A N T A   C R U Z  
Discretionary Application Comments

Project Planner: Larry Kasparowitz  
Application No.: 05-0300  
APN: 027-171-01

Date: September 22, 2005  
Time: 13:43:05  
Page: 1

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Environmental Planning Completeness Comments

===== REVIEW ON MAY 27, 2005 BY JESSICA L DEGRASSI =====  
NO COMMENT

Environmental Planning Miscellaneous Comments

===== REVIEW ON MAY 27, 2005 BY JESSICA L DEGRASSI =====  
This project will require a soils report. Please submit two copies of the report in conjunction with the building permit submittal.

Pleass indicate on plans where excavated soils will be taken to. Indicate quantity

Dpw Road Engineering Completeness Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

- ===== REVIEW ON JUNE 13, 2005 BY TIM N NYUGEN =====
1. County policies prohibit the installation of permanent structures inside the Public Right of Way. The existing deck and planter boxes along 8th Avenue are located within the County Right of Way and should be removed.
  2. County zoning regulations section 13.10.552 requires 3 parking spaces on-site for a 3 bedroom single family dwelling. The current proposal only has 1 on-site parking space. A parking space is defined as 8.5 feet wide by 18 feet long.

Dpw Road Engineering Miscellaneous Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON JUNE 13, 2005 BY TIM N NYUGEN =====  
NO COMMENT

**COUNTY OF SANTA CRUZ**  
**INTER-OFFICE CORRESPONDENCE**

**DATE:** June 10, 2005  
**TO:** Larry Kasparowitz, Planning Department, Project Planner & Urban Designer  
**FROM:** Melissa Allen, Planning Liaison to the Redevelopment Agency  
**SUBJECT:** Application #05-0300, APN 027-171-01, 141 8<sup>th</sup> Avenue, at Bonnie Street, Live Oak

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The applicant is proposing to replace a portion of the existing foundation with a new basement, construct a second story addition to an existing non-conforming single-family dwelling (with no increase in the number of bedrooms). The property is 1,350 sq. A. and contains one on-site parking space (to remain). Project Description (not consistent with the plans): this project requires a Variance to 1) reduce the street side yard (8th Avenue side) from 10 ft. to about 5 ft.; 2) to reduce the front setback from 15 A. to about 4 ft.; 3) reduce the 15 A. rear setback to 9 ft.; and, 4) increase the Floor Area Ratio from 71.4% to about 105%; also requires a Coastal Permit. The property is located at the corner of 8th Avenue and Bonnie Street in the Yacht Harbor Special Community.

The Redevelopment Agency (RDA) has the following comments regarding the proposed project. RDA's primary concern for this project involves the provision of sufficient parking to serve the unit, especially in coastal neighborhoods developed with small parcels, where there is a clear shortage of parking in the area.

1. All required parking should be provided for onsite where possible, especially in coastal neighborhoods where on-street parking is extremely limited. The parking for the 3-bedroom house should be closely reviewed. The one existing onsite parking space (at about 12' depth) is insufficient in length due to a fence across the driveway. This space should be required to meet size standards. RDA does not support this application if sufficient parking cannot be provided to serve this use. On-street parking should also be considered with this application due to its location in a neighborhood with limited parking opportunities.
2. There appear to be walls, decks, planters, stairs, and other structures located within the Bonnie Street and 8<sup>th</sup> Avenue rights-of-way (ROW) as shown on the Surveyor's Map. RDA does not support the use of public right-of-way for private improvements, uses, or benefit. Additional information should be provided to describe why these encroachments should not be removed. The planner should analyze the existing private improvements in the right-of-way in the context of public parking opportunities and require removal of improvements where needed. Rocks and other encroachments on Bonnie Street may inhibit drainage flow along the street and force pedestrians to walk in the traffic lane and thus, should also be considered for removal. As well, raised improvements within the ROW should be analyzed for corner and driveway line-of-sight impacts.
3. A Public Works Road Encroachment Permit is required for all improvements and any work located within the public rights-of-way.
4. Existing and proposed fencing and walls should be identified on the Site Plan. RDA supports fencing and walls limited to a maximum height of 3-feet within street setbacks. Fencing within the driveway parking space should be eliminated or moved.
5. Sufficient information and dimensions should be provided on the Site Plan to clearly identify where existing and proposed improvements are in relation to the property lines. The Site Plan is identified as 1/8" scale but appears to be drawn at 1/4" scale. The project description does not accurately describe existing or proposed setbacks for the required variances.

The issues referenced above should be evaluated as part of this application and/or addressed by conditions of approval. RDA would like to see future routings of revised plans if there are changes relative to the comments provided herein. The Redevelopment Agency appreciates this opportunity to comment. Thank you.

Cc: Greg Martin, DPW Road Engineering  
Paul Rodrigues, RDA Urban Designer

COUNTY OF SANTA CRUZ  
Inter-Office Correspondence

DATE: June 6, 2005

TO: Tom Burns, Planning Director  
✓ Larry Kasparowitz, Planner  
Tom Bolich, Public Works Director

FROM: Supervisor Jan Beautz *JB*

RE: COMMENTS ON APP. 05-0300, APN 027-171-01,  
141 EIGHTH AVENUE, SIGNIFICANTLY NON-CONFORMING STRUCTURE

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Please consider the following areas of concern in your evaluation of the above application requiring numerous variances to construct a new foundation, new basement, and second story expansion for an existing significantly non-conforming single-family home on a 1,400 square foot parcel:

Instead of removing an existing deck which encroaches into the Eighth Avenue right-of-way by almost 6 feet, this application is proposing to legalize the structure via an Encroachment Permit. In addition to this deck, the surveyor's map indicates that there are stairs from this deck encroaching an additional 3 feet, along with several planter beds which may also be constructed with walls within the Eighth Avenue and Bonnie Street rights-of-way.

This map also shows what may be a large enclosure encroaching at least 8 feet into the Bonnie Street right-of-way for the length of the structure. This is an existing significantly non-conforming structure that is attempting to expand far beyond the ability of the actual, legal parcel to support such development.

The site and erosion control notes state that the soil adjacent to the new foundation will be maintained with a slope of 1/2 inch per foot away from the foundation for a minimum distance of 5 feet. The proposed basement foundation is only 10 inches from the Bonnie Street property line and 3 feet, 11 inches from the Eighth Avenue property line. How can this stated 1/2 inch per foot slope possibly be provided for 5 feet? Excavating roughly 10 feet for this proposed basement only 10 inches from the Bonnie Street right-of-way is also seriously problematic.

The information submitted by the applicant is not sufficient to accurately evaluate this proposal. The plans do not indicate what walls and other structural elements are existing and what is proposed. This proposes to replace a portion of the foundation, yet there is no complete plan

indicating the entire existing foundation and which portions are proposed for replacement. The proposed new basement and second floor additions do not provide setback distances to property lines to facilitate evaluation. This is a corner lot, yet it is extremely difficult to determine which setback has been considered as the front, street side yard and rear setback for the existing, as well as the proposed, structure.

Lot coverage and F.A.R. have not been clearly provided by the applicant for both the existing and proposed structure. The square footages provided on Sheet A-1 may be understated for some elements; other elements such as a 54.25 square foot entry porch are not shown on the floor plans. Why has a 240.03 square foot garage been included on the project data list when no garage is shown anywhere on the plans? Will these issues be clarified?

The existing structure is located only 10 feet from the Bonnie Street right-of-way, 3' 11" from the Eighth Avenue right-of-way and within 1' 10" of the dwelling on the adjacent Eighth Avenue parcel. This results in this structure being significantly non-conforming on three sides, as per County Code Section 13.10.265(k). Code advises that additions to such structures conform to site development standards; however, the proposed second floor addition requires significant variances on three sides to permit this expansion. Additionally, while the second floor is proposed to be set back a non-conforming 5 feet to Bonnie Street, the proposed basement will observe only a 10 inch setback to habitable space.

Additionally, while Code does allow ordinary maintenance and repair including foundation repair/replacement for significantly non-conforming structures, it is my understanding that structural improvements are not allowed on significantly non-conforming portions of the structure. Will a structural engineer's report be required to demonstrate that no additional structural improvements are necessary to tie this significantly non-conforming structure into a new foundation or support the proposed second floor expansion?

The application states that the existing structure contains three bedrooms, 1 1/2 baths and the proposed structure also contains three bedrooms; therefore, no additional on-site parking is required. Assessor's records state that the existing structure only contains two bedrooms and one full bath, period. Unless the applicant can demonstrate that the additional bedroom and bathroom were constructed with permits, this application is required to provide a minimum



of three on-site parking spaces for the existing three bedroom structure. The proposed great room on the upper floor is also of concern due to the full bath and closet resulting in a four bedroom dwelling having only one parking space. No expansion or even legalization of the existing third bedroom is possible unless this parcel conforms to the parking requirements of Code Section 13.10.552(a).

This proposal will increase the F.A.R. from 71.4% to 105% or possibly greater due to the accuracy of square footages as previously discussed. Additionally, Assessor's records indicate the size of the existing structure to be 980 square feet. The applicant states the size as 1,008 square feet.

I am concerned that the applicant is proposing to construct a 400 square foot basement having a room height of 7' 5 1/2". This is clearly an attempt to gain additional habitable space while avoiding F.A.R. restrictions. If this area is included in F.A.R., this proposal becomes a substantially greater violation of F.A.R. restrictions. Floor Area Ratio was established as a result of neighborhood concerns that parcels were being over developed, creating significant impacts for surrounding areas. This parcel is already overdeveloped and does not provide adequate parking. This application proposes to add roughly 750 square feet of additional habitable space while continuing to provide only one parking space.

JKB:lg

3216A1

EXHIBIT H



**Lawrence Kasparowitz**

**From:** Patrick Powers [powbotta@sbcglobal.net]  
**Sent:** Wednesday, September 21, 2005 8:52 AM  
**To:** Lawrence Kasparowitz  
**Subject:** RE: 311 sixth ave:application number 04-0622 and 8th ave Lore project

Wanted to know the hearing date for Rotermund in October, have not heard yet.

Spoke with the Lore's last night. They have decided to keep application the way it is and take thier chances. I told them it does not look good and that you will recomned denial.

Pat

*Lawrence Kasparowitz* <PLN795@co.santa-cruz.ca.us> wrote:

iat application is set up for September 19th...I should let you know that I am recommending lowering the plate height on  
 the second floor...you can argue your case at the ZA.

the Lore's could do a basement (under 7'-6" in height, with no change to the existing house...we would need new plans  
 and would use the same application no, etc. This would still require a Coastal Permit, but the good news is that we have  
 new planner who could get to this sooner.

*Lawrence Kasparowitz*

Urban Designer,  
 Planning Department  
 County of Santa Cruz  
 31-454-2676

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

**From:** Patrick Powers [mailto:powbotta@sbcglobal.net]  
**Sent:** Wednesday, August 03, 2005 11:50 AM  
**To:** Lawrence Kasparowitz  
**Subject:** RE: 311 sixth ave:application number 04-0622

Hi Larry

Have not recieved a letter indicating that we are on for this months meeting. Could I get an update please.

Also, I will be meeting with the Lore's soon (8th. Ave) Can they at least do a basement?

Pat

Patrick Powers  
 Patrick Powers Designs  
 831.454.9148 office  
 831.454.0486 fax

Patrick Powers  
 Patrick Powers Designs

9/23/2005

EXHIBIT 1



## Staff Report to the Zoning Administrator

Application Number: **05-0136**

**Applicant:** William Rennie Boyd, Architect  
**Owner:** Thomas and Alyson Kennedy  
**APN:** 027-044-09

**Agenda Date:** September 16, 2005  
**Agenda Item #** 11  
**Time:** after 1:00 p.m.

**Project Description:** Proposal to demolish a three car garage and construct a single family dwelling with a single car attached garage.

**Location:** 514 Assembly Avenue, Santa Cruz

**Supervisory District:** Third District (District Supervisor: Mardi Wormhoudt)

**Permits Required:** Coastal Development Permit and Variance (to allow an approximately 6 foot encroachment into the required 15 foot rear yard setback and to exceed the Floor Area Ratio of 50% by approximately 9 percent).

### Staff Recommendation:

- Approval of Application 05-0136, based on the attached findings and conditions
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

### Exhibits

- |   |                                       |
|---|---------------------------------------|
| A. Project plans                              | F. General Plan map                   |
| B. Findings                                   | G. Zoning map                         |
| C. Conditions                                 | H. Discretionary Application comments |
| D. Categorical Exemption (CEQA determination) | I. Urban Designer's memo              |
| E. Location map                               |                                       |

### Parcel Information

Parcel Size:	2,400 sq. ft.
Existing Land Use - Parcel:	Single family residential
Existing Land Use - Surrounding:	Single family residential
Project Access:	Assembly Avenue
Planning Area:	Live Oak (Yacht Harbor)
Land Use Designation:	R-UH (Residential Urban High Density)
Zone District:	R-1-3.5 (3,500 sq. ft. min. site area)

**COUNTY OF SANTA CRUZ**  
**PLANNING DEPARTMENT**

Date: January 17, 2003  
Agenda Item: # 7  
Time: After 10:00 a.m.

**STAFF REPORT TO THE ZONING ADMINISTRATOR**

APPLICATION NO.: 02-0172  
APN: 027-171-12  
APPLICANT: Wayne Miller  
OWNER: Bill and Rachelle Denton

PROJECT DESCRIPTION: Proposal to construct a two story addition to an existing significantly nonconforming **single** family dwelling. Requires a Coastal Development Permit and Variances to:

- 1) increase the maximum **40%** lot coverage to about 49%,
- 2) to increase the maximum 50% Floor **Area** Ratio to about 61.7%,
- 3) to reduce the minimum 15 foot front yard setback to about 11 feet,
- 4) to reduce the minimum 15 foot rear yard setback to about **6** feet, **6** inches, and
- 5) to reduce the required parking from three spaces to one conforming space and to construct an addition to a significantly nonconforming structure.

LOCATION: 2701 East Cliff Drive, Santa Cruz

PERMITS REQUIRED: Coastal Development Permit and Variances

ENVIRONMENTAL  
DETERMINATION: Exempt - Category 3

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

