



Staff Report to the Zoning Administrator

Application Number: **04-0239**

Applicant: Chuck Burket
Owner: Doris Sherman
APN's: 109-181-17 & 18

Agenda: April 21, 2006
Item: 0.2
Time: After 8:30 a.m.

Project Description: Proposal to construct a two-story single-family dwelling, detached garage and pole barn.

Location: Property located on the south side of an un-named right-of-way (next to 198 Gaffey Road) about 500 feet from Gaffey Road in Watsonville.

Supervisory District: Fourth District (District Supervisor: Campos)

Permits Required: ~~Variance~~

Staff Recommendation:

- Approval of Application 04-0239, 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 | G. Comments & Correspondence |
| B. Findings | H. Geologic Investigation – Aug 1998 |
| C. Conditions | I. Property deeds & recorded |
| D. Categorical Exemption (CEQA determination) | declaration to retain property as one parcel |
| E. Assessor's parcel map. Location map | J. Permit 96-0110 |
| F. Zoning map, General Plan map | |

Parcel Information

| | |
|----------------------------------|--|
| Parcel Sizes: | 22,346.3 square feet, 21,518.6 square feet |
| Existing Land Use - Parcel: | vacant |
| Existing Land Use - Surrounding: | Single-family residences |
| Project Access: | Cassidy/Mt. Madonna/Gaffey Road |
| Planning Area: | Salsipuedes |

Land Use Designation: M-R (Mountain Residential)
Zone District: R-A (Residential Agriculture)
Coastal Zone: ☐ Inside ☒ Outside

Environmental Information

Geologic Hazards: Mapped County & State fault zones, 99-0003 approved Geologic Rpt
Soils: Watsonville loam/Tierra Watsonville complex
Fire Hazard: Not a mapped constraint
Slopes: 2-15, 30 – 50 percent slopes
Env. Sen. Habitat: Mapped biotic/no physical evidence on site
Grading: Limited grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Not a mapped resource
Drainage: Existing drainage adequate
Traffic: No significant impact
Roads: Existing roads adequate
Parks: Existing park facilities adequate
Archaeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: ☐ Inside ☒ Outside
Water Supply: Private well
Sewage Disposal: CSA#12, private septic system
Fire District: Pajaro Valley Fire Protection District
Drainage District: Zone 7 Flood Control/Water Conservation District

History

Development Permit #96-0110 to combine APN's 109-181-17 and -18 and to reduce the 40-foot width of the right-of-way to access those lots and APN's 109-181-15 and -16 was approved on June 7, 1996. An Affidavit to retain the Property as One Parcel was recorded on April 17, 1996 but the Office of the County Assessor has not yet completed the mapping update (Exhibit I). The Permit was exercised with construction of single-family dwellings on APN's 109-181-15 and -16 utilizing the reduced 25-foot right-of-way (Exhibit J).

A Geologic Report Investigation was completed for the site and reviewed as Application #99-0003 which identified a building envelope setback from existing San Andreas and Corralitos fault lines and potential land slides. The report was reviewed and accepted by the Planning Department on January 11, 1999 (Exhibit H).

Project Setting

The subject site is located along the crest of a broad and gently sloping northwest-southeast trending ridge in the Santa Cruz Mountains above the City of Watsonville. Slopes on the subject property range from around 10 percent at the designated building envelope and steepens down to about 50

percent to the south. Numerous fault traces cross the ridge in the vicinity of the subject site to the north and south of the designated building envelope. Rainfall activated landslides and surface erosion are evident to the southwest of the property. The site is vacant and vegetated with native gasses and some large pine trees. No tree removal is proposed.

Zoning & General Plan Consistency

The subject property is a 43,864 square foot (1 acre) lot, located in the R-A (Residential Agriculture) zone district, a designation that allows residential uses. The proposed Single-family residence, detached garage and future pole barn are a principal permitted use within the zone district. The proposed development is consistent with County Code Section 13.10.323 development regulations as below but requires a Variance to the standard side yard setback of 20 feet, to 3 feet, in order to maintain required 50-foot setbacks from the mapped fault traces, in compliance with the geologic investigation.

| | Setbacks | Max parcel coverage | Max Building Height |
|------------------|---------------|---------------------|---------------------|
| RA Zone District | 40/20/20 | 10 percent | 28 feet, 2 stories |
| Subject property | 48/ 3&180/170 | 7.6 percent | 27.5 feet, 2 stones |

A variance to the north side setback is recommended for approval as per County Code Section 13.10.230.3.c due to the special circumstances applicable to the property associated with the small size of the designated building envelope based upon geologic considerations. The strict application of the Zoning Ordinance would deprive the property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

The project is consistent with the site's (M-R) Mountain Residential General Plan designation in that the site would provide low density residential development in an area unsuited to more intensive development due to the presence of physical/geologic hazards, the lack of public services to support higher densities, and to maintain a large portion of the County in open space and to retain the existing rural scenic character of the Mount Madonna area.

Design Review

The proposed Single-family residence and detached garage comply with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as a varied pitched roofline, multiple windows and balconies to break up the mass of the 1,872 square foot building, tile roofing and neutral color stucco exterior to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape.

Environmental Review

Environmental review has not been required for the proposed project per the requirements of the California Environmental Quality Act (CEQA). The project qualifies for an exemption due to the fact that one single-family residence may be constructed in a residential zone without further review as per Section 15303.

Conclusion

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

Staff Recommendation

- APPROVAL of Application Number **04-0239**, based on the attached findings and conditions.
- a Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

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

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
E-mail: pln140@co.santa-cruz.ca.us

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.

This finding *can* be made, in that the project is located in an area designated for residential uses. With construction limited to the area of the designated building envelope, the project 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. The proposed Single-family residence and detached garage will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks, with the exception of the north side setback, that ensure access to light, air, and open space in the neighborhood.

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 be made, in that the proposed location of the Single-family residence and detached garage and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-A (Residential Agriculture) zone district in that the primary use of the property will be one Single-family residence and detached garage that meets all current site standards for the zone district, subject to the concurrent approval of the reduced side yard variance.

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 be made, in that the proposed residential use is consistent with the use and density requirements specified for the Mountain Residential (R-M) land use designation in the County General Plan.

The proposed Single-family residence and detached garage will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that subject to the concurrent approval of the north side yard setback, the Single-family residence and detached garage will not adversely shade adjacent properties, and will meet current setbacks for the zone district that ensure access to light, air, and open space in the neighborhood.

The proposed Single-family residence and detached garage 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 Single-family

residence and detached garage will comply with the site standards for the **R-A** zone district (including setbacks with the exception of the reduced north side setback, lot coverage, height, and number of stories) and will result in a structure consistent 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.

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.

This finding can be made, in that the proposed Single-family residence and detached garage are to be constructed on an existing undeveloped lot. The expected level of traffic generated by the proposed project is anticipated to be only one 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.

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.

This finding can be made, in that the proposed 1,872 square foot structure is located in a mixed neighborhood containing a variety of architectural styles, and the proposed Single-family residence and detached garage are 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 relate to a very limited building envelope based upon proximity to fault lines associated with the San Andreas fault zone (Exhibit H). County Code Section 16.10.080 requires a 50-foot setback from the edge of potentially active fault traces which cross the parcel.

The strict application of the zoning ordinance would deprive the property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

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 the proposed variance will address a reduced north side setback from 20 feet to about 3-feet. The 1,872 square foot structure has a narrow configuration to enable placement in the limited building envelope. The project remains consistent with all other development regulations, utilizing a less than 40-foot right-of-way approved under Development Review permit #96-0110. The proposed construction will not compromise sight distance along Gaffey Road as the location is at the terminus of the right-of-way. The use of the parcel is residential and development on adjacent parcels will not be affected by the proposal. Access to light, solar access, and air are not materially compromised.

The proposed construction does not substantially vary in design or scale from the other residential development in the surrounding neighborhood. The proposed residence and garage will not be materially detrimental to public health, safety or welfare, or injurious to property or improvements in the vicinity. The construction follows the natural contours of the land and is consistent with adjacent development in size and scale. The residential use of the property is consistent with the objectives of the Residential Agriculture zone district in that the land use remains residential, consistent with surrounding development.

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 construction of the single-family residence and garage 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 other properties in the vicinity and RA zone district with similar geological constraints 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, are necessary or have been proposed.

Conditions of Approval

Exhibit A: Project plans by The Final Draft dated 5-14-04, 6 sheets.
Drainage Plan by Ifland Engineers Inc. dated **5-23-05**.

- I. This permit authorizes the construction of a Single-family residence and a detached garage. 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.
 - C. Obtain a Grading Permit from the Santa **Cruz** County Building Official.
- 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).
 - 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. Proposed development shall maintain predevelopment runoff rates.
 3. For any structure proposed to be within **3** feet of the maximum height limit for the zone district, the building plans must include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site which clearly depict the total height of the proposed structure.
 4. Details showing compliance with fire department requirements.
 - C. Meet all requirements of and pay Zone **7** drainage fees to **the** County Department

of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.

- D. Comply with all Environmental Health Service requirements for this project for septic and water supplies.
 - E. Meet all requirements and pay any applicable plan check fee of the Pajaro Valley Fire Protection District.
 - F. Submit **3** copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
 - G. Submit a Plan Review letter from the project geotechnical engineer.
 - H. Submit a Plan Review letter from the project geologist.
 - I. Pay the current fees for Salsipuedes Parks and Child Care mitigation for three bedrooms. Currently, these fees are, respectively, \$578 and \$109 per bedroom.
 - J. Provide required off-street parking for three 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.
 - K. 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.
 - L. Complete and record a Declaration of Restriction to construct a non-habitable accessory garage. **You may not alter the wording of this declaration.** Follow the instructions to record and return the form to the Planning Department.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit **plans** shall be installed.
 - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - C. The project must comply with all recommendations of the approved soils and geologic reports.
 - D. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, **or** other ground disturbance associated with

this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections **16.40.040** and **16.42.100**, shall be observed.

IV. Operational Conditions

- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, **or** annul this development approval of the COUNTY or any subsequent amendment of this development approval which **is** requested by the Development Approval Holder.

- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, **or** held harmless. COUNTY shall cooperate fully in such defense. **If** COUNTY fails to notify the Development Approval Holder within sixty (**60**) days of any such claim, action, **or** proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.

- D. Successors Bound. "Development Approval Holder" shall include the applicant **and** the successor'(s) in interest, transferee(s), and assign(s) of the applicant.

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 the effective date unless you obtain the required permits and commence construction.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

Joan **Van** der Hoeven
Project Planner

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: 04-0239

Assessor Parcel Numbers: 109-181-17, -18.

Project Location: Gaffey Road, Watsonville

Project Description: Proposal to construct a single-family dwelling, detached garage and pole barn.

Person or Agency Proposing Project: Chuck Burket

Contact Phone Number: (831) 475-5038

- 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 small residential structure in an area zoned for residential development

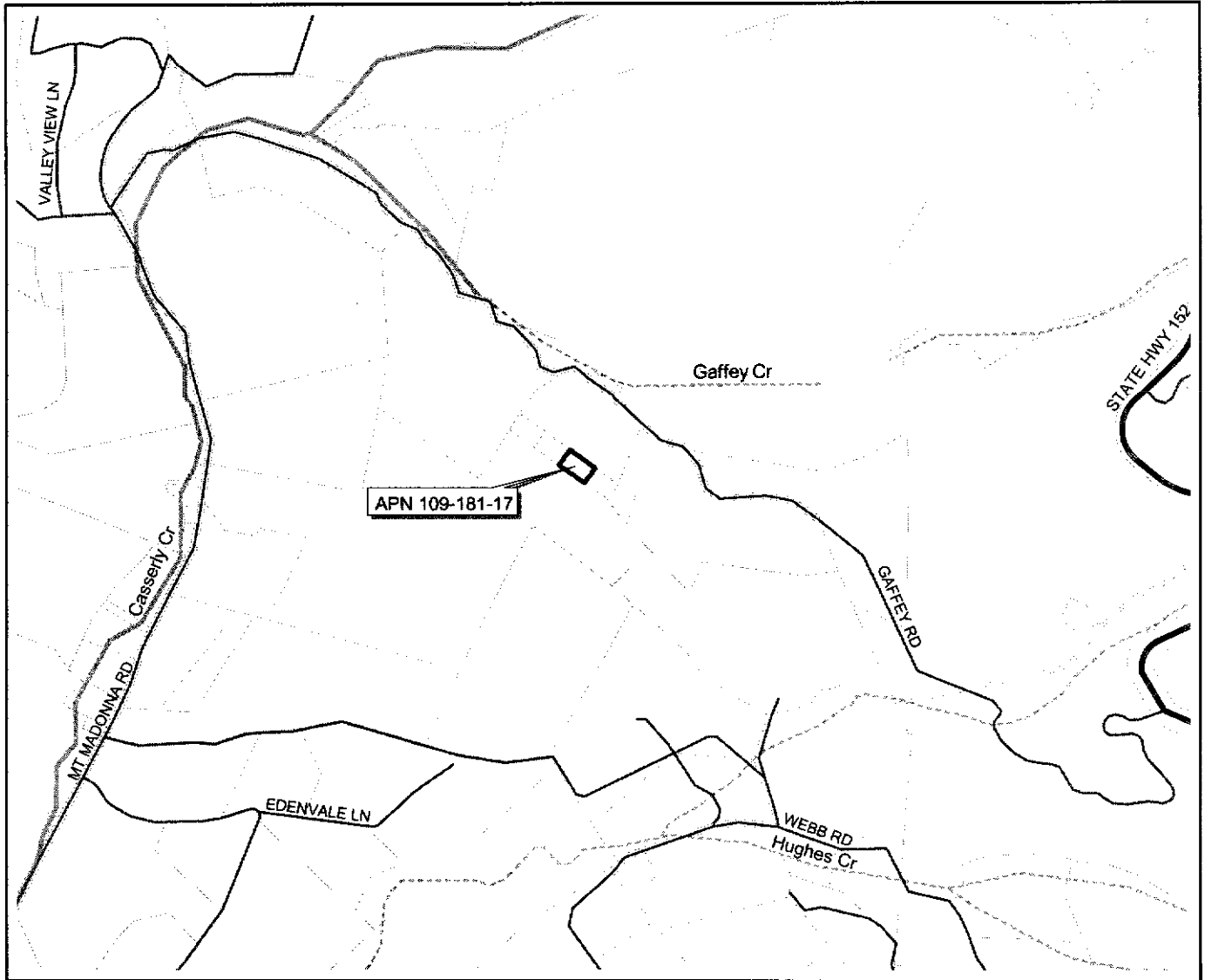
In addition, none of the conditions described in Section 15300.2 apply to this project.

Joan Van der Hoeven, Project Planner

Date: April **07**, 2006

EXHIBIT D

Location Map



1000 0 1000 2000 3000 4000 5000 Feet

May 2004

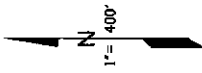


109-18

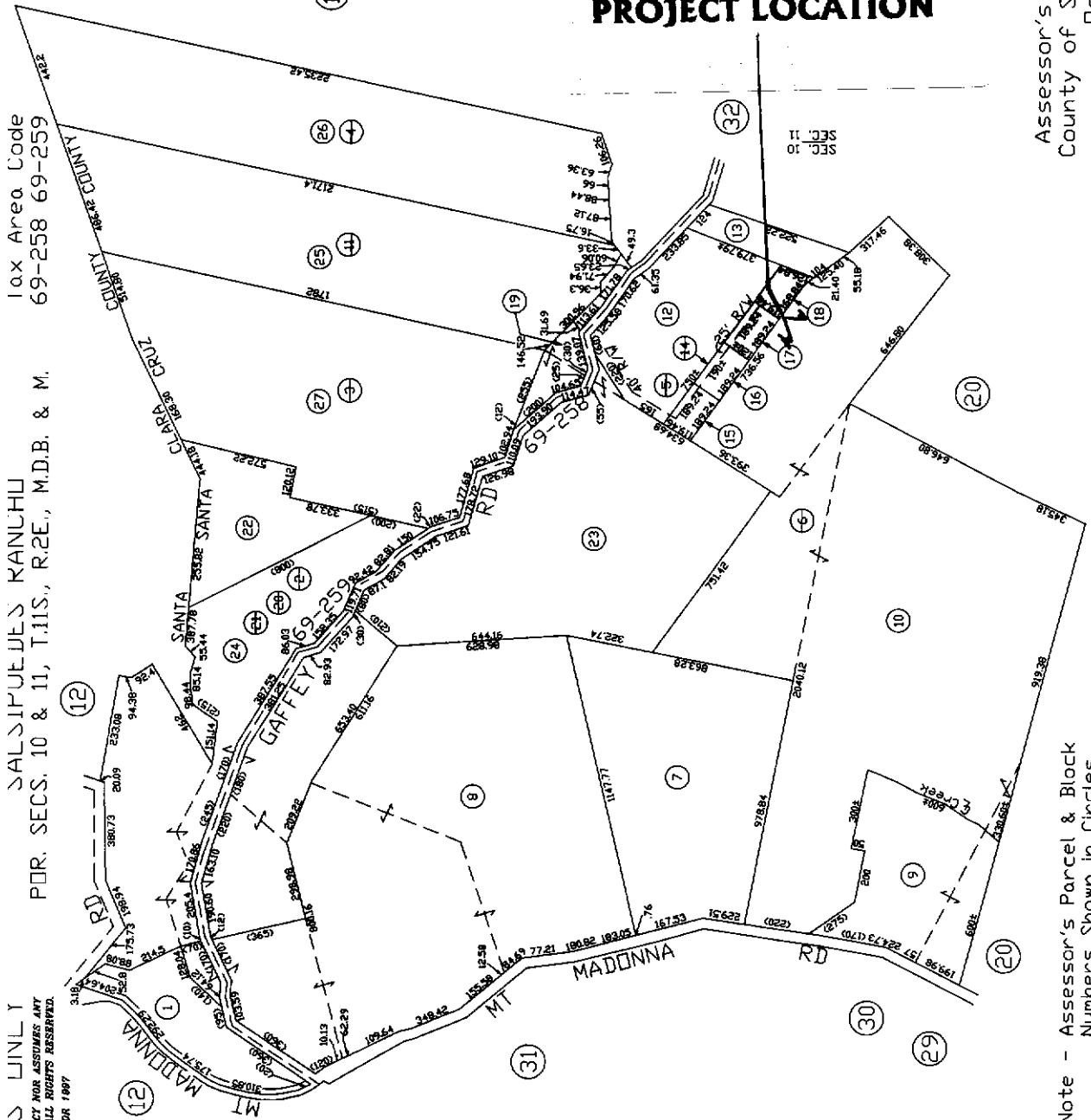
10x Area Code
69-258 69-259

SALSIPIQUES KANLHU
POR. SECS. 10 & 11, T.11S., R.2E., M.D.B. & M.

PLK 1A4 FURFUSES UNL1
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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PROJECT LOCATION

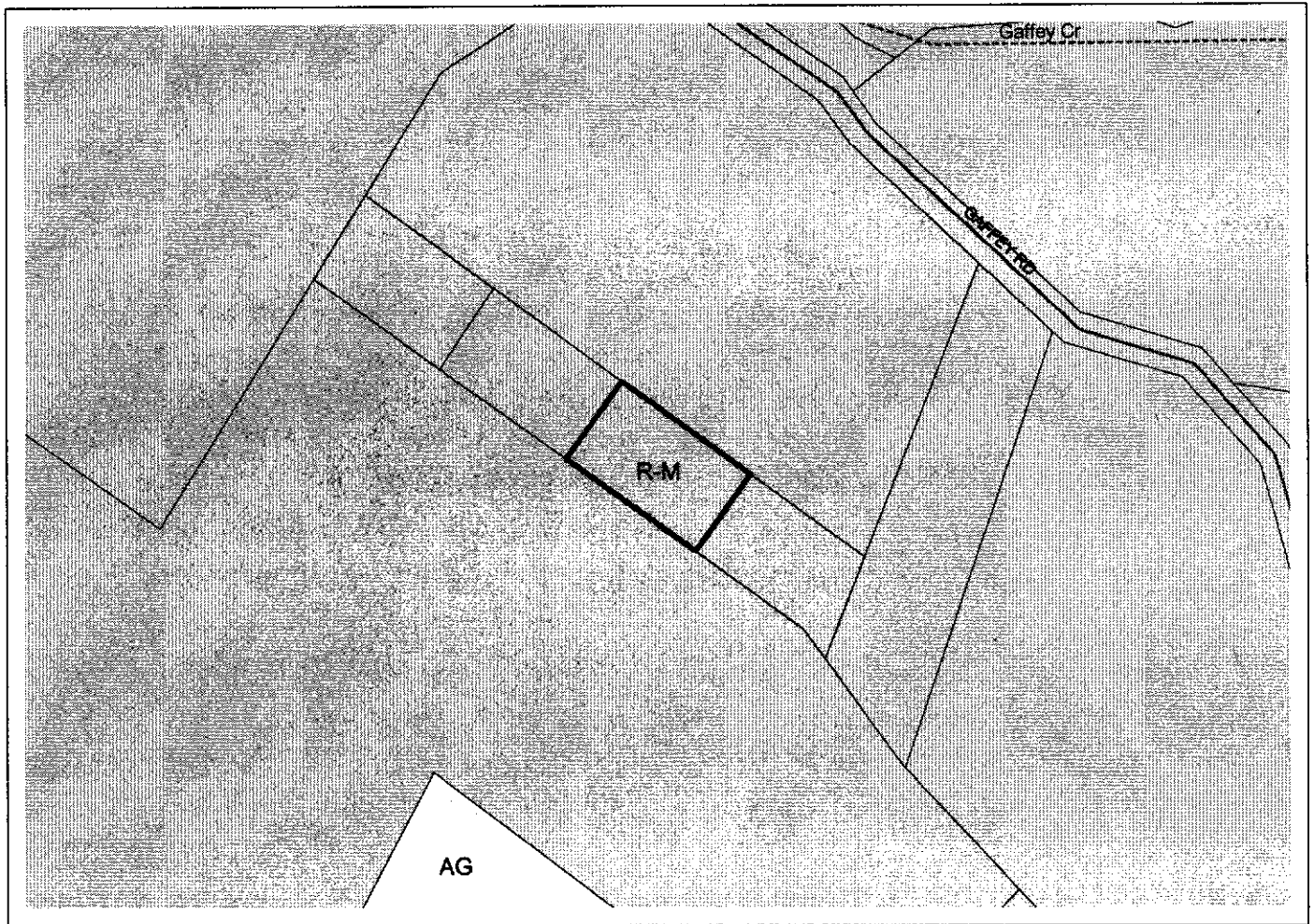


Assessor's Map No. 109-18
County of Santa Cruz, Calif.
Oct. 1997

EXHIBIT E 1

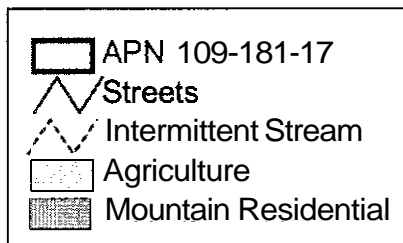
Electronically drawn 10/14/97 KSA
Rev 4/9/98 CB (Tax Consolidation)
Rev 5/17/00 CB (RTV with changed by 5638/638)
Rev 10/12/01 MVR (changed code refs)
Rev 4/5/04 DD (3-0099356, 57 & 58 sp mto 1-25, 26 & 27)

General Plan Map



250 0 250 500 750 1000 Feet

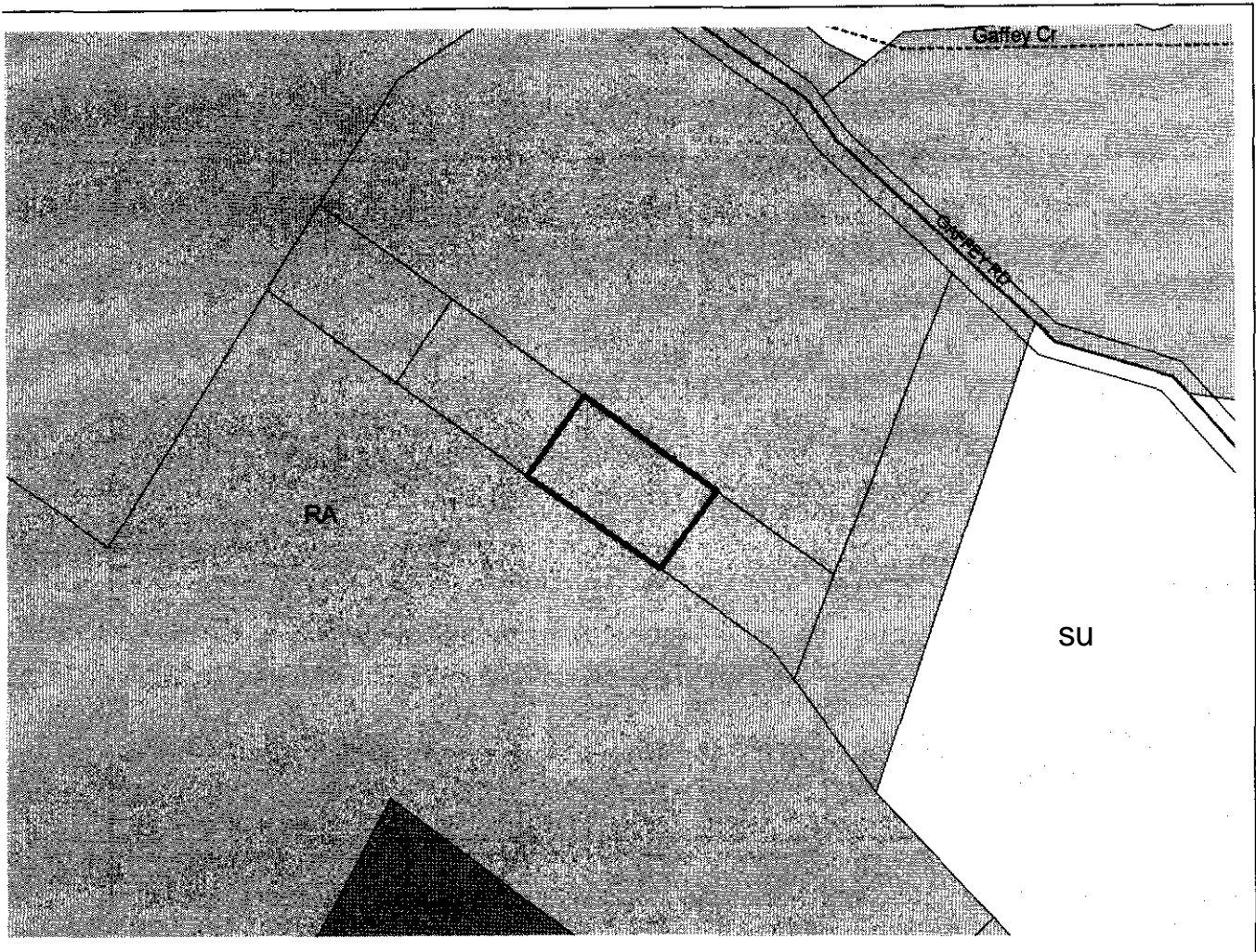
Legend



Map created by Santa Cruz County
Planning Department:
May 2004

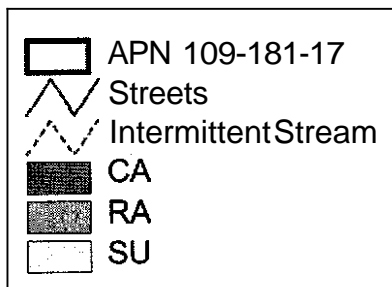
EXHIBIT F

Zoning Map



250 0 250 500 750 1000 Feet

Legend



Map created by Santa Cruz County
Planning Department:
May 2004

EXHIBIT F

C O U N T Y O F S A N T A C R U Z
DISCRETIONARY APPLICATION COMMENTS

Project Planner: Joan Van Der Hoeven
Application No. : 04-0239
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Date: March 2, 2006
Time: 14:44:38
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Environmental Planning Completeness Comments

===== REVIEW ON JUNE 11, 2004 BY ROBERT S LOVELAND =====
NO COMMENT

Environmental Planning Miscellaneous Comments

===== REVIEW ON JUNE 11, 2004 BY ROBERT S LOVELAND =====

Conditions of Approval :

1. Obtain a grading permit if required
2. Submit a detailed erosion control plan for review.
3. Submit a "Plan Review" letter from the project geotechnical engineer
4. Submit a "Plan Review" letter from the project geologist

Project Review Completeness Comments

===== REVIEW ON JUNE 17, 2004 BY JOAN VAN DER HOEVEN =====
Maximum building height is 28 feet.

Project Review Miscellaneous Comments

===== REVIEW ON JUNE 17, 2004 BY JOAN VAN DER HOEVEN =====
Meet Environmental Health requirements for septic system. Respond to Public Works Road Engineering concerns regarding access/ driveway lease. Fire agency turn-around requirements, public hydrant within 250 feet of property.

Dpw Drainage Completeness Comments

===== REVIEW ON JULY 30, 2004 BY CARISA REGALADO =====
No drainage information has been shown to consider acceptance of this application. To be approved by this division at the discretionary application stage, proposed projects must conclusively demonstrate that (see drainage guidelines):

The site is being adequately drained.

- Site runoff will be conveyed to the existing downstream drainage conveyance system or other safe point(s) of release.

The project will not adversely impact roads and adjacent or downslope properties.

Please address the following items:

- 1) What is the proposed drainage pattern?

Discretionary Comments - Continued

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2) How will runoff from this development be handled? Will roof, driveway, and other impervious surface runoff be retained on-site or directed off-site? Please show on-site drainage system to be used, including downspouts, perforated pipe, etc., plus direction of flow and conveyance to existing off-site drainage system, if any. If flow will be directed to an existing off-site drainage system, the system, conditions, and the point of release must be described.

3) Proposed development should maintain predevelopment runoff rates. For a parcel of this size, it appears that there is area available on-site for dispersal of runoff from proposed impervious surfaces that will result from this project. If this is not feasible, please describe and indicate how the increase in runoff will be mitigated for off-site areas.

4) Are there any structures in the path of flow that would be impacted by this development in the adjacent parcels?

If needed, further drainage plan guidance may be obtained from the County of Santa Cruz Planning website: <http://sccounty01.co.santa-cruz.ca.us/planning/brochures/drain.htm>

All subsequent submittals for this application must be done through the Planning Department. Submittals made directly to Public Works will result in delays.

Please call or visit the Dept. of Public Works, Stormwater Management Division, from 8:00 am to 12:00 pm if you have any questions. ===== UPDATED ON JUNE 27, 2005 BY CARISA REGALADO =====

Drainage plan dated 5/23/05 was received: however, the application cannot be accepted as submitted.

Please address comment #3 from the July 30, 2004 review. If it has been determined that this is not feasible for this development, please submit determination.

If it has been concluded that detention must be used for this project, please address the following comments:

Submitted detention calculations account for areas upstream of this development. This does not adequately mitigate the impacts imposed by the development and therefore miss-estimates the volume to be detained. As specified in the County Design Criteria (CDC) for on-site detention, offsite runoff entering the new development must be separated from post-development runoff for routing into a detention system (see page 59, design notes 2, 3, and 4).

To meet requirements as outlined in the CDC, please submit the following on a revised drainage plan:

1) Calculations for detention volume requirements based on the developed area (and not the entire drainage area).

2) Separate systems for detention of post-development runoff and off-site runoff entering the project area. Various methods for handling off-site runoff could be used

Discretionary Comments - Continued

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to accomplish this, including use of grass lined swales, etc

3) USGS map or equivalent detailing off and on-site areas draining into the respective systems.

4) Revised orifice diameter based on the adjusted Qpeak.

5) It is recommended that runoff from the development be directed into one detention system: i.e., one storage container and one orifice which can then lead to multiple dispersals. Multiple storages and orifices as used in the submitted plan could lead to a complicated system that ultimately may not operate as conceptualized.

6) Match the orifice size in the calculations with that called out in the detail

7) Outfall(s) from the system should be located as far away as possible from the property boundary line to allow the greatest amount of on-site dispersal.

Once information is submitted addressing the above comments, additional items may need to be addressed before the application can be deemed complete. ===== UP-
DATED ON NOVEMBER 9, 2005 BY CARISA REGALADO =====
3rd ROUTING - 11/9/05

Drainage plan dated 5/23/05 was received; however. the application cannot be accepted as submitted.

Please refer to the marked-up plan given to the Planner for return to the applicant for comments to be addressed. ===== UPDATED ON JANUARY 10, 2006 BY CARISA
REGALADO =====
4th ROUTING - 1/10/05:

Revised drainage plan dated 12/2/05 was received. Plan accepted as submitted

Please Note: Information was given to the Planner for transmittal to Ifland Engineers, Inc. as reference material that should be applied to future projects using the Runoff Retention by the Storage Percolation Method.

Please see Miscellaneous Comment for additional item

Dpw Drainage Miscellaneous Comments

===== REVIEW ON JULY 30, 2004 BY CARISA REGALADO =====

No comment. ===== UPDATED ON JUNE 27, 2005 BY CARISA REGALADO =====

No comment. ===== UPDATED ON NOVEMBER 9, 2005 BY CARISA REGALADO =====

No comment. ===== UPDATED ON JANUARY 10, 2006 BY CARISA REGALADO =====

For the building application. it must be noted in the drainage plan that the property owner is required to maintain the retention system as shown to ensure function as designed.

Dpw Road Engineering Completeness Comments

Discretionary Comments - Continued

Project Planner: Joan Van Der Hoeven
Application No.: 04-0239
APN: 109-181-17

Date: March 2, 2006
Time: 14:44:38
Page: 4

===== REVIEW ON JUNE 10, 2004 BY TIM N NYUGEN =====

1. The driveway must meet County of Santa Cruz standards. Please provide the following information for the driveway: The structural section, a centerline profile, and a typical cross section.

2. If access is gained from the adjacent parcels, reference information regarding deeded access will have to be included in the project plans. ===== UPDATED ON JULY 20, 2004 BY TIM N NYUGEN =====

Information provided is acceptable. Approved from Road Engineering.

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON JUNE 10, 2004 BY TIM N NYUGEN =====

NO COMMENT

===== UPDATED ON JULY 20, 2004 BY TIM N NYUGEN =====

NO COMMENT

Environmental Health Completeness Comments

===== REVIEW ON JUNE 25, 2004 BY JIM G SAFRANEK =====

Applicant must obtain a sewage disposal permit for the new development. Applicant will have to have an approved water supply prior approval of the sewage disposal permit. Appl. submitted but not approved. 454-2751.

===== UPDATED ON JULY 12, 2004 BY JIM G SAFRANEK =====

Applicant must obtain a sewage disposal permit for the new development. SEPTIC APPL. HAS BEEN SUBMITTED BUT IS NOT APPROVED.

===== UPDATED ON FEBRUARY 4, 2005 BY JIM G SAFRANEK ===== Septic and water supply applications now approved by EHS.

Environmental Health Miscellaneous Comments

===== REVIEW ON JUNE 25, 2004 BY JIM G SAFRANEK =====

NO COMMENT

===== UPDATED ON JULY 12, 2004 BY JIM G SAFRANEK =====

NO COMMENT

Pajaro Valley Fire District Completeness Comments

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

===== REVIEW ON JUNE 9, 2004 BY COLLEEN L BAXTER ===== DEPARTMENT NAME: PAJARO VALLEY FIRE Add the appropriate NOTES and DETAILS showing this information on your plans and RESUBMIT, with an annotated copy of this letter: Note on the plans that these plans are in compliance with California Building and Fire Codes (2001) as amended by the authority having jurisdiction. Each APN (lot) shall have separate submittals for building and sprinkler system plans. The job copies of the building and fire systems plans and permits must be onsite during inspections. SHOW on the plans a public fire hydrant within 250 feet of any portion of the property, along the fire department access route, meeting the minimum required fire flow for the building. This information can be obtained from the water company.

Discretionary Comments - Continued

Project Planner: Joan Van Der Hoeven
Application No. : 04-0239
APN: 109-181-17

Date: March 2, 2006
Time: 14:44:38
Page: 5

NOTE on the plans that the building shall be protected by an approved automatic fire sprinkler system complying with the currently adopted edition of NFPA 13D and Chapter 35 of California Building Code and adopted standards of the authority having jurisdiction. NOTE that the designer/installer shall submit three (3) sets of plans and calculations for the underground and overhead Residential Automatic Fire Sprinkler System to this agency for approval. Installation shall follow our guide sheet, NOTE on the plans that an UNDERGROUND FIRE PROTECTION SYSTEM WORKING DRAWING must be prepared by the designer/installer. The plans shall comply with the UNDERGROUND FIRE PROTECTION SYSTEM INSTALLATION POLICY HANDOUT. Building numbers shall be provided. Numbers shall be a minimum of 4 inches in height on a contrasting background and visible from the street, additional numbers shall be installed on a directional sign at the property driveway and street. NOTE on the plans that a 30 foot clearance will be maintained with non-combustible vegetation around all structures or to the property line (whichever is a shorter distance). Single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided they do not form a means of rapidly transmitting fire from native growth to any structure are exempt. All bridges, culverts and crossings shall be certified by a registered engineer. Minimum capacity of 25 tons. Cal-Trans H-20 loading standard. SHOW on the plans, DETAILS of compliance with the driveway requirements. The driveway shall be 12 feet minimum width and maximum twenty percent slope. The driveway shall be in place to the following standards prior to any framing construction, or construction will be stopped: - The driveway surface shall be "all weather", a minimum 6" of compacted aggregate base rock. Class 2 or equivalent certified by a licensed engineer to 95% compaction and shall be maintained. - ALL WEATHER SURFACE: shall be a minimum of 6" of compacted Class II base rock for grades up to and including 5%. oil and screened for grades up to and including 15% and asphaltic concrete for grades exceeding 15%, but in no case exceeding 20%. - The maximum grade of the driveway shall not exceed 20%, with grades of 15% not permitted for distances of more than 200 feet at a time. - The driveway shall have an overhead clearance of 14 feet vertical distance for its entire width. - A turn-around area which meets the requirements of the fire department shall be provided for access roads and driveways in excess of 150 feet in length. - Drainage details for the road or driveway shall conform to current engineering practices, including erosion control measures. - All private access roads, driveways, turn-arounds and bridges are the responsibility of the owner(s) of record and shall be maintained to ensure the fire department safe and expedient passage at all times. - The driveway shall be thereafter maintained to these standards at all times. All Fire Department building requirements and fees will be addressed in the Building Permit phase. Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction. 72 hour minimum notice is required prior to any inspection and/or test. Note: As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with the applicable Specifications, Standards, Codes and Ordinances. agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review, subsequent review, inspection or other source, and, to hold harmless and without prejudice, the reviewing agency.

===== UPDATED ON JULY 16, 2004 BY COLLEEN L BAXTER ===== All Fire Department building requirements and fees will be addressed in the Building Permit phase. Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction. 72 hour minimum notice is required

Discretionary Comments - Continued

Project Planner: Joan Van Der Hoeven
Application No.: 04-0239
APN: 109-181-17

Date: March 2, 2006
Time: 14:44:38
Page: 6

prior to any inspection and/or test. Note: As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with the applicable Specifications, Standards, Codes and Ordinances, agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review, subsequent review, inspection or other source. and, to hold harmless and without prejudice, the reviewing agency.
NO NEW FIRE NOTES FROM PAJARO VALLEY FIRE.

Pajaro Valley Fire District Miscellaneous Comments

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

===== REVIEW ON JUNE 9, 2004 BY COLLEEN L BAXTER =====
===== UPDATED ON JULY 16. 2004 BY COLLEEN L BAXTER =====



County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 96060
(831) 454-2580 FAX (831) 454-2131 TDD: (831) 454-2123
ALVIN D. JAMES, DIRECTOR

January 11, 1999

Mark Young
750 Cox Road
Aptos, CA 95003


SUBJECT: REVIEW OF THE GEOLOGIC FAULT INVESTIGATION
FOR A SINGLE FAMILY DWELLING
FOXX, NIELSEN AND ASSOCIATE
Gaffey Road, Santa Cruz, CA APN 109-181-17 and 18
Application 99-0003, (FNA # **SCR-722-G**)

Dear Mr. Nielsen:

I have reviewed your report of August 1998 and have accepted the report as meeting the report guidelines. Currently, the report indicates that you are allowing the prospective builder to build within 50' of a known active section of the San Andreas fault. This is common allowed practice within the County of Santa Cruz and would be a prudent standard of practice. In the next few months the County staff has proposed changes to the County Code by Ordinance which will give you as the engineering geologist greater discretion to decrease the fault set-back to as little as 25' from a fault like the one on the Young property. I would suspect that the Young's may desire to reduce this set-back when this change occurs and I would like to resolve now the whether you would believe that a further reduction is warranted in this particular situation. Could you please evaluate this possibility of a further reduction in this set-back so that if and when the Code is changed we do not have to start a second review application?

Give me a call (831-454-3175) when you have had a chance to make a decision on a further fault set-back and we can discuss what if a further reduction is warranted.

Very truly yours


Joe Hanna
County Geologist CEG 1313

—FOXX, NIELSEN AND ASSOCIATES—

ENGINEERING GEOLOGY AND ENVIRONMENTAL CONSULTING

GEOLOGIC FAULT INVESTIGATION FOR A SINGLE FAMILY HOMESITE

**Gaffey Road
Santa Cruz County, California
APN 109-181-17 and 18**

Job No. SCr-722-G

August 1998

501 MISSION STREET, SUITE 8 • SANTA CRUZ, CA 95060 • (408) 427-1770 • FAX (408) 427-1794

as-

EXHIBIT H

On the basis of the available relationships, the duration of strong shaking associated with a Magnitude 7.9 earthquake is estimated to be in the range of 40 seconds to greater than one minute. The estimated total duration of ground shaking will probably exceed one minute.

Seismically Induced Ground Failure

Seismically induced ground failures are a result of strong ground motions experienced at the site during earthquakes. These failures include liquefaction, ridge top cracking, seismically induced landsliding, and differential settlement.

Liquefaction is a phenomenon associated with earthquakes whereby a rapid buildup in pore pressure created by ground shaking results in a loss of strength in the earth materials. The earth materials typically liquefy, shifting into a slightly denser configuration, and structures settle differentially, which often results in severe structural damage to the structures. Lateral spreading is the gravitational displacement of liquefied soils towards an unconfined slope or incised free face as a result of liquefaction. We are of the opinion that there is a low potential for liquefaction and lateral spreading at the site since the underlying bedrock is very competent and no shallow groundwater was present.

During the 1989 Loma Prieta earthquake, a number of sites situated on ridgeline or hilltops in the Santa Cruz Mountains experienced a phenomenon termed "ridge top cracking". Tentative preliminary work suggests that ridge top cracking is a function of intense ground acceleration amplified due to the topographic constraint of the ridge and a lower lateral confining pressure on either side of the ridge line. Ridge top cracking commonly resulted in shallow (typically <5' deep) tensional ground failures along the crest of the ridge. Because this phenomenon was only recently recognized, there has been little time for the engineering or geologic community to comment on the processes or mechanics of movement.

During our site traverse we did not observe any evidence of open fissures or ground cracks in the vicinity of the subject properties, nor did we observe any evidence of old ground cracking in any of the fault trenches. Further, the site is also not mapped on the County of Santa Cruz map of ground cracks following the Loma Prieta earthquake.

Since the proposed homesite is located on a ridge in close proximity to the San Andreas fault, it is our opinion that the house foundation should be designed to withstand minor ground cracking in the foundation zone. Although we have no specific data on the characteristics of the cracks seen in the area, many ground cracks associated with ridge top cracking were typically very minor in offset. Many exhibit horizontal openings less than 1/2-inch. Therefore, we recommend that the foundation be designed to withstand ground cracking up to 1/4-inch in any orientation and any direction in the foundation zone.

CONCLUSIONS

- 1 The subject site is located along the crest of a broad and gentle northw-est-southeast trending ridge within the San Andreas fault zone. The site consists of two adjacent parcels. Natural slope gradients at the building envelope and within 80 feet of it are less than 15 percent

2. The subject properties are underlain by the Purisima Formation consisting of a highly varied composition of sandstone, siltstone, sand, clayey sand, and clayey silt. The bedrock units are typically highly fractured and locally folded
3. The homesite is not threatened by landsliding, but there is a slump-earthflow type landslide located about 120 feet downslope and lateral to the building envelope.
4. The subject properties lies within the San Andreas fault zone and within the Alquist-Priolo Special Studies Zone near the southern end of the Corralitos fault complex. The Zayante fault lies 4 miles to the south, and the San Gregorio fault lies 12 miles to the southwest. The San Andreas fault has the potential of producing a Magnitude 7.0 to 7.9 Moment Magnitude earthquake on the segment closest to the properties in the next 50 years.
5. An intricate pattern offaulting is evident on and near the subject site based on published maps and our subsurface fault investigation. The proposed homesites are offset a minimum of 50-feet from the fault traces identified in this study.
6. Severe ground shaking is likely at the site if a large magnitude earthquake occurs on a nearby fault. Severe ground shaking at the site is likely in the next 50 years. Ground motion parameters at the site in the event of a large magnitude earthquake on the San Andreas fault are. Refer to the report for a discussion of ground motion parameters.
7. We observed no evidence of past liquefaction, lateral spreading, differential settling, or "ridgetop shattering" in the vicinity of the two proposed homesites. We did not identify any evidence of old ground cracking in any of or fault trenches. In general, the earth material encountered in our fault trench appeared to be highly fractured. We did not observe any evidence to suggest that significant displacement occurred on any of the fracture surfaces.
8. Surface runoff is principally by sheetwash and rilling. Surface runoff is not a concern at the site.
9. Overall soil erosion is moderate at the site. Stripping and removal of vegetation, grading, and increasing or concentrating storm runoff might intensify rates of erosion unless precautions, including revegetation, energy dissipation and runoff dispersion are taken.
10. If all recommendations in the geologic report and geotechnical reports are closely followed and properly implemented during the design and construction, and maintained for the lifetime of the residence, then in our opinion, the occupants within the residence should not be subject to risks from geologic hazards beyond the "Ordinary **Risks** Level", in the Scale of Acceptable Risks" contained in Appendix A.

RECOMMENDATIONS

1. The foundation of the proposed home should be confined to the building envelope designated on Plate 1 unless supplemental work is done by our firm.
2. A registered civil and/or geotechnical engineer should conduct an analysis of the earth materials underlying the proposed home and provide foundation criteria. Special

consideration should be given to strengthening the foundation and building against severe ground shaking which the site will probably experience in during the life time of the structures. Because the homesite is located on a ridge in a highly seismically active area, we recommend that the foundation be designed to withstand minor ground cracking up to ½-inch vertical or horizontal displacement in any direction or any orientation in the foundation zone

3. All structures should be designed to withstand intense seismic shaking. Refer to the body of the report for seismic shaking parameters.
4. Convey all runoff from impermeable or low permeability surfaces (such as rooftops) a minimum of 25 feet from the building foundation. Energy dissipators should be used at discharge points so that erosion will not be introduced.
5. Comply with pertinent Santa Cruz County Environmental Health Department regulations pertaining to septic system design We did not perform a septic investigation for this properties.
6. All areas where vegetation is stripped during construction should be revegetated with an appropriate erosion resistant vegetation prior to the following rainy season.
7. We strongly suggest that the prospective homes builders purchase a copy of Peter Yanev's Peace of Mind in Earthquake Country. This book contains a wealth of information regarding seismic design and precautions the homeowner can take to reduce the possibility of loss of life and property during an earthquake.
8. We recommend that we be provided the opportunity for a general review of final design specifications. If we are not accorded the privilege of making the recommended reviews we can assume no responsibility for misinterpretation of our recommendations.
9. If any unexpected variations in soil conditions, or if any unanticipated geologic conditions are encountered during construction, or if the proposed project will differ from that discussed or illustrated in this report, we require to be notified so supplemental recommendations can be given.

| | | |
|---|-------------------------------|--|
| FOX, NIELSEN AND ASSOCIATES ENGINEERING AND COASTAL GEOLOGY 301 MISSION STREET, SUITE 6 SANTA CRUZ, CA 95060 (408) 426-7770 FAX (408) 427-1794 | | Date: August 11, 1998 Scale: 1 inch = 20 feet |
| GEOLOGIC SITE MAP Ocean-Standards Property, Garfield Road SANTA CRUZ COUNTY, APN 109-18-17 and 18 | | |
| Reviser: Date: 8/25/98 | Drawn By: JLN Approved By: | Drawing Number: PLATE 1 |

EXHIBIT A
 PERMIT NO. **99-0003**

COUNTY OF SANTA CRUZ
 PLANNING DEPARTMENT
 701 OCEAN STREET
 SANTA CRUZ, CA 95060

SYMBOLS

EXPLANATORY BACKLOG TRENCHES, excavated in 1989 and 1990 indicated the logs for the 1980 trenches 1, 2 and 3 and used in our January 1992 report for this and adjacent properties. The numbers along the trenches refer to station numbers on the trench logs on Plate 2.

SETBACK FROM FAULTS: The 50-foot setbacks above take into account the different fault trends that we found in the trenches.

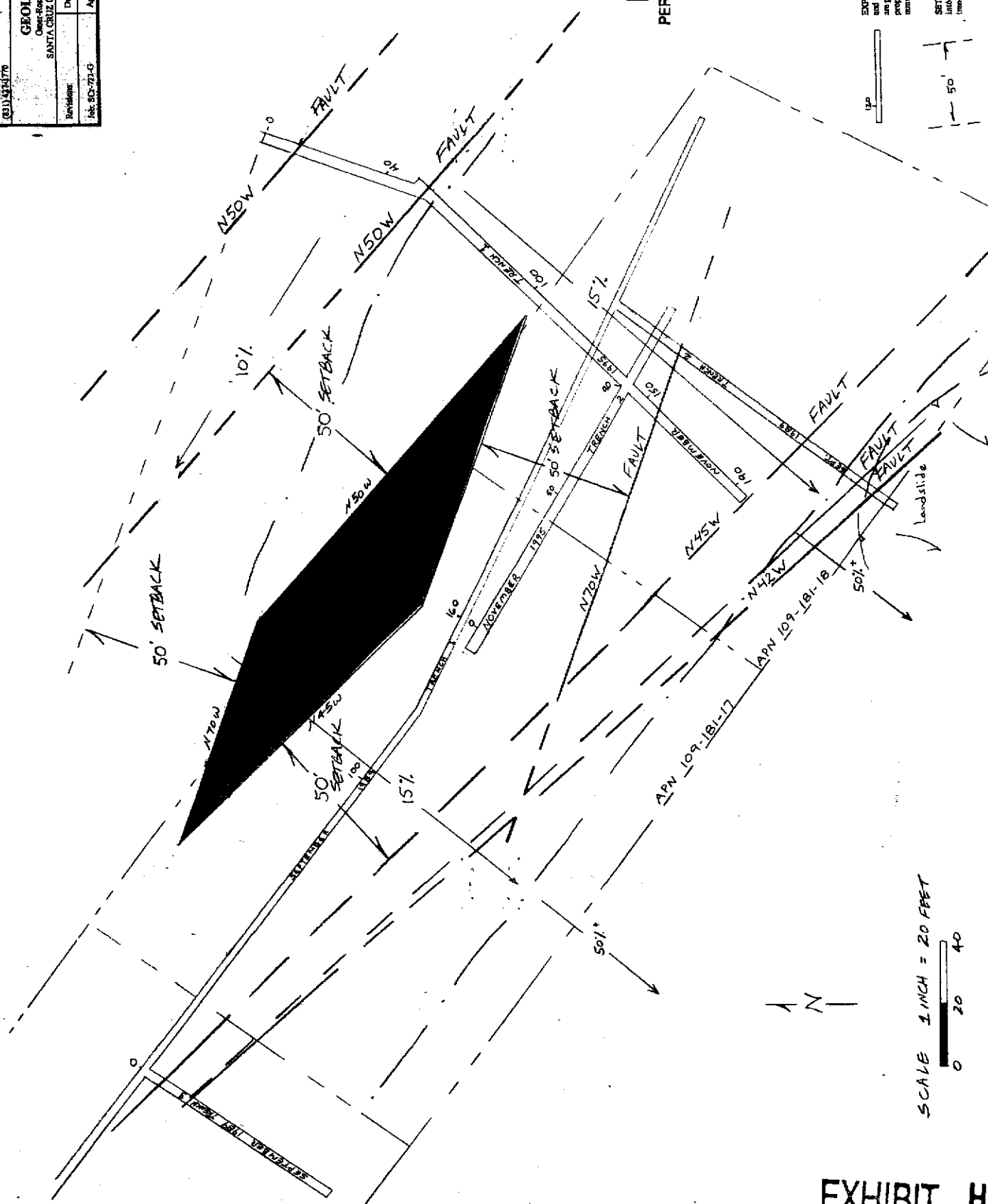
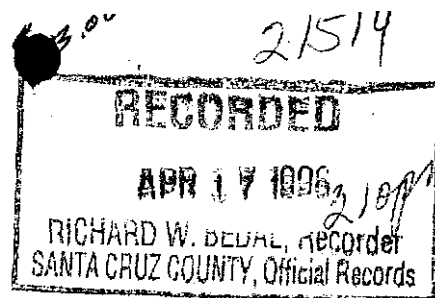


EXHIBIT H 1

Return Recorded Form to:
Santa Cruz County
Planning Department

Attention: DAVE JOHNSTON



AFFIDAVIT TO RETAIN PROPERTY AS ONE PARCEL

STATE OF CALIFORNIA)

COUNTY OF SANTA CRUZ)

John Omer John Rosenberg Mark Young
we Ulla Omer Jenny Rosenberg being duly sworn, depose
I, ^s we are-^s

and say that I am the owner of real property hereinafter described and desire 1.0

combine two parcels into one

that in consideration of being allowed to combine five parcels

into one, affiant hereby agree\$ that said real

property will be held as one parcel and no part thereof shall be hereafter conveyed separately and without the inclusion of all parts thereof; that it is intended that this agreement be enforceable by the County of Santa Cruz and shall be binding on the heirs, successors or assigns of affiant; that the subject property is described as follows:

APN 109-181-18 and APN
109-181-17 to combine as one parcel.
Property line between these two parcels to
be eliminated as well as the 40' right of
way across APN 109-181-17. Combined parcel
to be APN 109-181-17

EXHIBIT 11



CUSTOMER SERVICE

PHONE (831) 426-9090

FAX (831) 426-8511

EMAIL: customerservice@santa-cruz-title.com

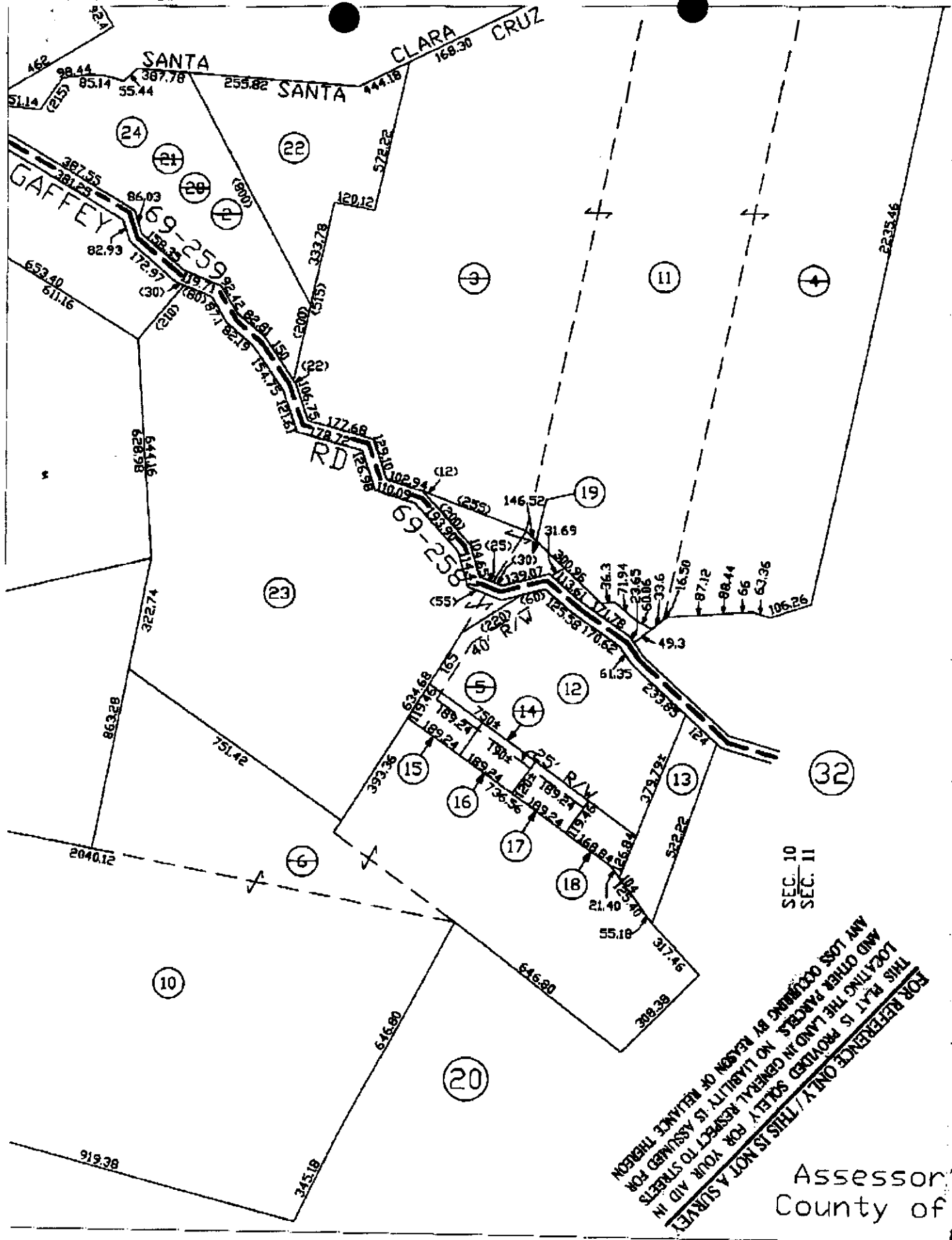
KIM MARTZ
(631)488-1970GABE SARGENTI
(831) 466-1969TO: Jonnie FAX# 475-5078COMPANY. _____ DATE: 6/23FROM Kim

RE: _____

COMMENTS: Grant Seeds attached have
legal Description.

SANTA CRUZ TITLE COMPANY201 RIVER STREET
SANTA CRUZ, CA 95060

EXHIBIT 11



FOR TAX PURPOSES ONLY

THE ASSASSIN MAPS ARE COMPILED AS TO MAP ACTIVITY AND ASSURE ANY
 LIABILITY FOR OTHER USES, ARE TO BE REPRODUCED, ALL RIGHTS RESERVED.
 © COPYRIGHT SANTA CRUZ COUNTY ASSASSIN 1997

SAN SIPODE'S RANCHO
 POR. SECS. 10 & 11, T.11S, R.2E, M.D.B. & M.

Tax Area Code
 69-258 69-259

109-18

FOR REFERENCE ONLY / THIS IS NOT A SURVEY
 THIS PLAT IS PROVIDED SOLELY FOR YOUR AID IN
 LOCATING THE LAND IN GENERAL RESPECT TO STREETS
 AND OTHER PARCELS. NO LIABILITY IS ASSUMED FOR
 ANY LOSS OCCURRING BY REASON OF RELIANCE THEREON

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

Assessor's Map No. 109-18
 County of Santa Cruz, Calif.
 Oct. 1997

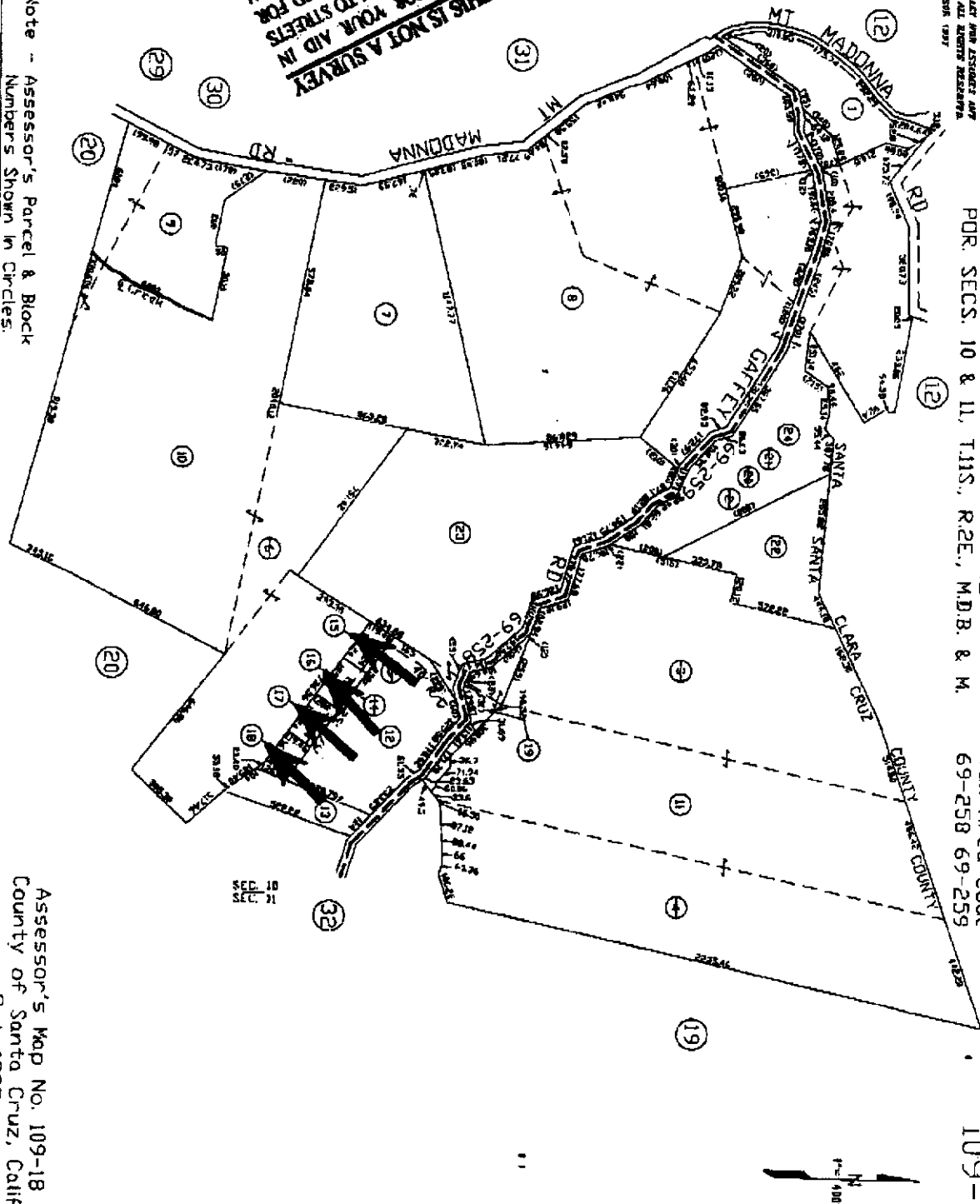


EXHIBIT I



Order No.

Escrow No. 161889-6

Loan No.

WHEN RECORDED MAIL TO

DORIS SHERMAN

200 GAFFEY ROAD

WATSONVILLE, CA 95076

**RECORDED AT THE REQUEST OF
FIRST AMERICAN TITLE COMPANY**

MAIL TAX STATEMENTS TO:

SAME AS ABOVE

1999-0065412

Recorded
Official Records
County Of
SANTA CRUZ
RICHARD W. SEDAL
Recorder

REC FEE 16.00
TAX 85.25
SURVEY 10.00

02:03PM 07-Oct-1999

MLS
Page 1 of 4

SPACE ABOVE THIS LINE FOR RECORDER'S USE

DOCUMENTARY TRANSFER TAX \$ 85.25

☒ Computed on the consideration or value of property conveyed; OR
Computed on the consideration or value less liens or encumbrances
remaining at time of sale.

As declared by the undersigned Grantor

Signature of Declarant or Agent determining tax - Firm Name

109-181-17 AND 18

109-181-17 AND 18

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

**MARK A. YOUNG, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY AND JOHN ROSENBERG AND
JENNY ROSENBERG, HUSBAND AND WIFE and JOHN OMER AND ULLA OMER, HUSBAND AND WIFE**

hereby GRANT(S) to

DORIS SHERMAN, AN UNMARRIED WOMAN

the real property in the
County of
as

Unincorporated Area
SANTA CRUZ

State of California, described

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF

Dated September 28, 1999

STATE OF CALIFORNIA

COUNTY OF

SANTA CRUZ

On 9-29-99

before me, WILLIAM J. BREDL, personally
appeared MARK A. YOUNG, JOHN ROSENBERG, JENNY
ROSENBERG and JOHN OMER ULLA OMER

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.

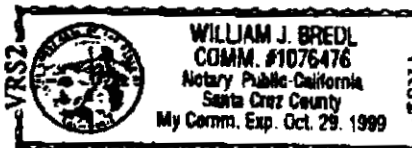
Signature

MARK A. YOUNG

JOHN ROSENBERG

JENNY ROSENBERG

JOHN OMER ULLA OMER



(This area for official notarial seal)

Description: Santa Cruz, CA Document-Year.DocID 1999.65412 Page: 1 of 4
Order: kim Comment:

EXHIBIT 11

Order No. 161869.6

THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF SANTA CRUZ UNINCORPORATED AREA AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE:

A PORTION OF THE SALSIPUEDES RANCHO AND BEING ALSO A PORTION OF THE TRACT OF LAND AS DESCRIBED IN THE DEED FROM ALFRED GEORGE TO GEORGE KOSOVAC, ET UX, DATED FEBRUARY 21, 1967 RECORDED MARCH 2, 1967 IN BOOK 1807 OFFICIAL RECORDS OF THE COUNTY OF SANTA CRUZ AT PAGE 109, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF SAID TRACT FROM WHICH THE MOST WESTERLY CORNER THEREOF BEARS NORTH $54^{\circ} 35'$ WEST 378.48 FEET DISTANT; THENCE

(1) NORTH $35^{\circ} 25'$ EAST 119.46 FEET TO A POINT ON THE NORTHEASTERLY LINE OF SAID TRACT FROM WHICH THE MOST NORTHERLY CORNER THEREOF BEARS NORTH $54^{\circ} 35'$ WEST 389.81 FEET DISTANT; THENCE ALONG SAID LINE

(2) SOUTH $54^{\circ} 36'$ EAST 189.24 FEET: THENCE AT RIGHT ANGLES

(3) SOUTH $35^{\circ} 25'$ WEST 119.48 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF SAID TRACT; THENCE ALONG SAID LINE

(4) NORTH $54^{\circ} 35'$ WEST 189.24 FEET TO THE POINT OF BEGINNING.

PARCEL TWO:

A PORTION OF THE SALSIPUEDES RANCHO AND BEING ALSO A PORTION OF THE TRACT OF LAND AS DESCRIBED IN THE DEED FROM ALFRED GEORGE TO GEORGE KOSOVAC, ET UX, DATED FEBRUARY 21, 1967 RECORDED MARCH 2, 1967 IN BOOK 1807 OFFICIAL RECORDS OF THE COUNTY OF SANTA CRUZ AT PAGE 109, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF SAID TRACT FROM WHICH THE MOST WESTERLY CORNER THEREOF BEARS NORTH $54^{\circ} 35'$ WEST 567.72 FEET DISTANT; THENCE

(1) NORTH $35^{\circ} 25'$ EAST 119.46 FEET TO A POINT ON THE NORTHEASTERLY LINE OF SAID TRACT FROM WHICH THE MOST NORTHERLY CORNER THEREOF BEARS NORTH $54^{\circ} 35'$ WEST 590.38 FEET DISTANT; THENCE ALONG SAID LINE

(2) SOUTH $54^{\circ} 35'$ EAST 149.19 FEET TO THE MOST EASTERLY CORNER OF SAID TRACT; THENCE ALONG THE SOUTHEASTERLY LINE THEREOF

(3) SOUTH $22^{\circ} 02'$ WEST 126.84 FEET TO THE MOST SOUTHERLY CORNER OF SAID TRACT; THENCE ALONG THE SOUTHWESTERLY LINE THEREOF

(4) NORTH $44^{\circ} 00'$ WEST 21.40 FEET: THENCE

(5) NORTH $54^{\circ} 35'$ WEST 168.84 FEET TO THE POINT OF BEGINNING.

Order No. 161869-6

PARCEL THREE:

A RIGHT OF WAY OVER A STRIP OF LAND 40.00 FEET IN WIDTH. DESCRIBED BY ITS NORTHWESTERLY LINE AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF TRACT OF LAND AS DESCRIBED IN THE DEED FROM LARRY A. GEORGE TO LARRY A. GEORGE, ET UX. DATED FEBRUARY 3, 1975, RECORDED FEBRUARY 3, 1975 IN BOOK 2682 OFFICIAL RECORDS OF THE COUNTY OF SANTA CRUZ AT PAGE 171, SAID POINT BEING THE MOST NORTHERLY CORNER OF THE PORTION AS DESCRIBED IN THE DEED FROM ALFRED GEORGE TO GEORGE KOSOVAC, ET UX. DATED FEBRUARY 21, 1967 RECORDED MARCH 2, 1937 IN BOOK 1807 OFFICIAL RECORDS AT PAGE 109; THENCE ALONG THE NORTHWESTERLY LINE OF SAID TRACT

(1) NORTH 30° 00' EAST 165.00 FEET; THENCE

(2) NORTH 55° 26' EAST 265.20 FEET TO THE SOUTHERLY LINE OF GAFFEY ROAD.

THE SOUTHERLY LINE OF SAID RIGHT OF WAY TO BE EXTENDED TO INTERSECT SAID LINE OF SAID ROAD.

PARCEL FOUR:

A FIVE FEET FOR ROAD RIGHT OF WAY FOR INGRESS AND EGRESS AND FOR ERECTION, UNITS, ELECTRIC LINES, WATER LINES, SEWER LINES AND DRAINAGE DITCHES 40 FEET IN WIDTH AS MORE PARTICULARLY DESCRIBED IN PARCEL A OF TRACT "B" IN THAT TRACT, TRACT TITLED "GRANT OF EASEMENT APPURTENANT" RECORDED JULY 12, 1996 IN BOOK 5698 AT PAGE 845, OFFICIAL RECORDS OF SANTA CRUZ COUNTY.

EXCEPTING THAT PORTION THEREOF LYING WITHIN THE LIMITS OF PARCEL 1 HEREINADO' 5

PARCEL FIVE:

BEING AN EASEMENT 25 FEET IN WIDTH, MEASURED AT RIGHT ANGLES, FOR SANITARY SEWER PIPE LINE AND APPURTENANCES, THE SOUTHEASTERN LINE OF WHICH IS A PORTION OF THE SOUTHERLY BOUNDARY OF THE LANDS CONVEYED TO JOHN AND ULLA O'NEILL BY DEED DATED FEBRUARY 17, 1996 IN VOLUME 5638, PAGE 638, OFFICIAL RECORDS OF SANTA CRUZ COUNTY, SAID EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A STATION ON THE SOUTHEASTERN BOUNDARY OF THE ABOVE MENTIONED LANDS FROM WHICH STATION THE MOST EASTERN CORNER THEREOF BEARS NORTH 35° 26' EAST 25.00 FEET DISTANT, THENCE FROM SAID POINT OF BEGINNING ALONG SAID SOUTHEASTERN BOUNDARY SOUTH 35° 26' EAST 50.00 FEET, A LITTLE MORE OR LESS, TO THE MOST SOUTHERN CORNER OF THE LANDS MENTIONED ABOVE.

Order No. 161869-6

PARCEL SIX:

BEING A RIGHT OF WAY 26 FEET IN WIDTH, MEASURED AT RIGHT ANGLES, FOR INGRESS, EGRESS, ROAD AND UTILITY PURPOSES, THE NORTHEASTERN UNE OF WHICH IS THE NORTHEASTERN BOUNDARY OF THE LANDS CONVEYED TO JOHN AND ULLA OMER BY DEED RECORDED FEBRUARY 17, 1995 IN VOLUME 6638 OF OFFICIAL RECORDS, PAGE 638, SANTA CRUZ COUNTY RECORDS.

A.P. No.: 108-181-17 (PARCEL ONE)
109-181-18 (PARCEL TWO)

RECORDED AT THE REQUEST OF
FIRST AMERICAN TITLE COMPANY

Order No.

Escrow No. 167095-8

Loan No.

WHEN RECORDED MAIL TO:

DORIS G. SHERMAN
200 Gaffey Road
Watsonville, CA 95076

2000-0027565

Recorded
Official Records
County of
SANTA CRUZ
RICHARD W. BEDAL
Recorder

REC FEE 13.88
SURVEY 10.00

08:01AM 07-Jun-2000

DLR
Page 1 of 3

MAIL TAX STATEMENTS TO:

SAME AS ABOVE

SPACE ABOVE THIS LINE FOR RECORDER'S USE
DOCUMENTARY TRANSFER TAX \$ GIFT DEED ☒

Computed on the consideration or value of property conveyed; OR
Computed on the consideration or value less liens or encumbrances
remaining at time of sale.

As declared by the undersigned Grantor

Signature of Declarant or Agent determining tax - Firm Name

109-181-18

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Doris G. Sherman, an unmarried woman

hereby GRANT(S) to

DORIS G. SHERMAN, an unmarried woman and David Sherman, an unmarried man as Joint Tenants

the real property in the
county of
as

Unincorporated Area
Santa Cruz

, State of California, described

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF

Dated May 30, 2000

STATE OF CALIFORNIA
COUNTY OF Santa Cruz

On 5-30-00

before me, N. Bennett, personally
appeared Doris G. Sherman

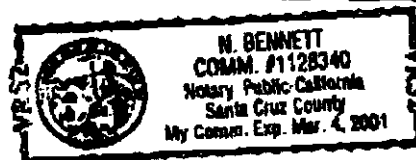
personally known to me (or proved to me on the basis of
satisfactory evidence) to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their authorized
capacity(ies), and that by his/her/their signature(s) on the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

Signature

MAIL TAX STATEMENTS AS DIRECTED ABOVE

(This area for official notarial seal)

1002-SM (1/94)



Description: Santa Cruz, CA Document-Year.DocID 2000.27565 Page: 1 of 3
Order: kim Comment:

EXHIBIT 1

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Order No. 167095-8EX

THE LAND REFERRED TO IN THIS POLICY IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF SANTA CRUZ, UNINCORPORATED AREA, AND DESCRIBED AS FOLWWS:

PARCEL ONE:

A PORTION OF THE SALSIPUEDES RANCHO AND BEING ALSO A PORTION OF THE TRACT OF LAND AS DESCRIBED IN THE DEED FROM ALFRED GEORGE TO GEORGE KOSOVAC, ET UX, DATED FEBRUARY 21, 1967, RECORDED MARCH 2, 1967 IN BOOK 1807 OFFICIAL RECORDS OF THE COUNTY OF SANTA CRUZ AT PAGE 109, DESCRIBED AS FOLLOWS

BEGINNING AT A POINT ON THE SOUTHWESTERLY WNE OF SAID TRACT FROM WHICH THE MOST WESTERLY CORNER THEREOF BEARS NORTH 54° 35' WEST 189.24 FEET DISTANT; THENCE

(1) NORTH 35° 25' EAST 119.66 FEET TO A POINT ON THE NORTHEASTERLY LINE OF SAID TRACT FROM WHICH THE MOST NORTHERLY CORNER THEREOF BEARS NORTH 54° 35' WEST 200.57 FEET DISTANT; THENCE ALONG SAID LINE

(2) SOUTH 54° 35' EAST 189.24 FEET; THENCE AT RIGHT ANGLES

(3) SOUTH 35° 25' WEST 119.46 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF SAID TRACT; THENCE ALONG SAID LINE

(4) NORTH 54° 35' WEST 189.24 FEET TO THE POINT OF BEGINNING.

PARCEL TWO:

A RIGHT OF WAY OVER A STRIP OF LAND 40.00 FEET IN WIDTH, DESCRIBED BY ITS NORTHWESTERLY LINE AS FOLLOWS.

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF TRACT OF LAND AS DESCRIBED IN M E DEED FROM LARRY A. GEORGE TO LARRY A. GEORGE, ET UX, DATED FEBRUARY 3, 1975, RECORDED FEBRUARY 3, 1975 IN BOOK 2582 OFFICIAL RECORDS OF THE COUNTY OF SANTA CRUZ AT PAGE 171, SAID POINT BEING THE MOST NORTHERLY CORNER OF THE PORTION AS DESCRIBED IN THE DEED FROM ALFRED GEORGE TO GEORGE KOSOVAC, ET UX, DATED FEBRUARY 21, 1967 RECORDED MARCH 2, 1967 IN BOOK 1807 OFFICIAL RECORDS AT PAGE 109; THENCE ALONG THE NORTHWESTERLY LINE OF SAID TRACT

(1) NORTH 30° 00' EAST 165.00 FEET; THENCE

(2) NORTH 55° 26' EAST 265.20 FEET TO THE SOUTHERLY LINE OF GAFFEY ROAD.

THE SOUTHERLY LINE OF SAID RIGHT OF WAY TO BE EXTENDED TO INTERSECT SAID LINE OF SAID ROAD.

Order No. 167095-8EX

PARCEL THREE:

A NON-EXCLUSIVE EASEMENT FOR ROAD RIGHT OF WAY FOR INGRESS AND EGRESS AND FOR ERECTION AND MAINTENANCE OF POWER LINES, WATER LINES, SEWER LINES AND DRAINAGE DITCHES 40 FEET IN WIDTH AS MORE PARTICULARLY DESCRIBED IN PARCEL A OF EXHIBIT "B" IN THAT CERTAIN DOCUMENT ENTITLED, "GRANT OF EASEMENT APPURTENANT" RECORDED JULY 12, 1995 IN SERIES NO. 34321. SANTA CRUZ COUNTY RECORDS.

EXCEPTING THEREFROM THAT PORTION THEREOF LYING WITHIN THE LIMITS OF PARCEL 1 HEREINAFOVE DESCRIBED.

PARCEL FOUR:

BEING AN EASEMENT 25 FEET IN WIDTH, MEASURED AT RIGHT ANGLES, FOR SANITARY SEWER PIP6 LINE AND APPURTENANCES. THE SOUTHEASTERN LINE OF WHICH IS A PORTION OF THE SOUTHEASTERN BOUNDARY OF THE LANDS CONVEYED TO JOHN AND ULLA OMER BY DEED RECORDED FEBRUARY 17, 1995 IN VOLUME 5638, PAGE 638, OFFICIAL RECORDS OF SANTA CRUZ COUNTY. SAID SOUTHEASTERN LINE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A STATION ON THE SOUTHEASTERN BOUNDARY OF THE ABOVE MENTIONED LANDS FROM WHICH STATION THE MOST EASTERN CORNER THEREOF BEARS NORTH 35° 26' EAST 25.00 FEET DISTANT. THENCE FROM SAID POINT OF BEGINNING AMNG SAID SOUTHEASTERN BOUNDARY SOUTH 35° 26' WEST 94.96 FEET. A LITTLE MORE OR LESS. TO THE MOST SOUTHERN CORNER OF THE ABOVE MENTIONED LANDS.

PARCEL FIVE:

BEING A RIGHT OF WAY 25 FEET IN WIDTH, MEASURED AT RIGHT ANGLES, FOR INGRESS, EGRESS, ROAD AND UTILITY PURPOSES. THE NORTHEASTERN LINE OF WHICH IS THE NORTHEASTERN BOUNDARY OF THE LANDS CONVEYED TO JOHN AND ULLA OMER BY DEED RECORDED FEBRUARY 17, 1995 IN VOLUME 5638 OF OFFICIAL RECORDS, PAGE 638, SANTA CRUZ COUNTY RECORDS.

A.P. No.: 109-181-16

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EXHIBIT 11

RECORDING REQUESTED BY

Santa Cruz Title Company

Escrow or Loan No. 09482239-JEN

MAIL TAX STATEMENTS TO
AND WHEN RECORDED MAIL TO

Name

Richard Gilbert and Glen Novey

Address

City, State, & Zip

53 eucalyptus Dr.
Watsonville, CA 95076

2002-0047552

Recorded
Official Records
County Of
SANTA CRUZ
RICHARD W. BEDOL
RecorderREC FEE 15.00
TAX 82.50
SURVEY 10.00

10:51AM 03-Jul-2002

BLS
Page 1 of 4

APN: 109-181-15

SPACE ABOVE THIS LINE FOR RECORDERS USE

GRANT DEED

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$82.50

☒ computed on full value of property conveyed, or☐ computed on full value less value of liens and encumbrances remaining at time of sale.☒ Unincorporated area: ☐ City of _____, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged.

Gary L. Wilson and Hlene D. Wilson, Husband and Wife as Community Property

hereby GRANT(S) to Richard Gilbert, an unmarried man as to an undivided 50% interest and Glen Novey, an unmarried man as to an undivided 50% interest

the following described real property in the Unincorporated area of Santa Cruz, County of _____, State of California:

See Exhibit A attached hereto and made a part hereof.

Dated: July 1, 2002

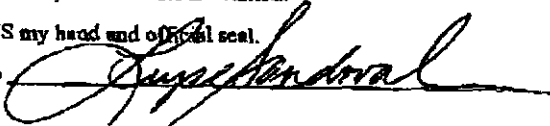
STATE OF California
COUNTY OF Santa Cruz

} SS.

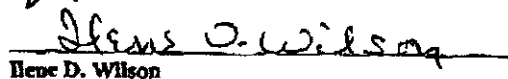
On July 1, 2002 before me, the undersigned, a Notary Public, personally appeared ~~GARY L. WILSON~~ Hlene D. Wilson personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they 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

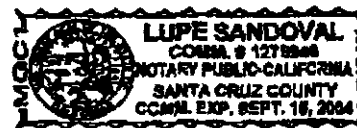
WITNESS my hand and official seal.

Signature




Gary L. Wilson



Hlene D. Wilson


MAIL TAX STATEMENT AS DIRECTED ABOVE

This form furnished by **SANTA CRUZ TITLE COMPANY**

SBS Violon Form 30007CA Rev. 05/14/97

escription: Santa Cruz, CA Document-Year.DocID 2002.47552 Page: 1 of 4
rder: kim Comment:

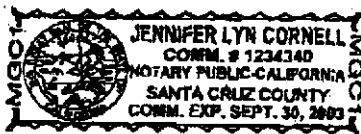
EXHIBIT 11

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Santa Cruz
On 7/11/02 before me, Jennifer Lyn Cornell
Date Name and Title of Officer (e.g., Notary Public)
personally appeared Gary L. Wilson
Name(s) of Signor(s)

☐ personally known to me - OR - ☒ I 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.

[Signature]
Signature of Notary Public

Exhibit A

SITUATE IN THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA AND DESCRIBED AS FOLLOWS:

PARCEL ONE:

A PORTION OF THE SALSIPUEDES RANCHO AND BEING ALSO A PORTION OF THE TRACT OF LAND AS DESCRIBED IN THE DEED FROM ALFRED GEORGE TO GEORGE KOVAC, ET UX DATED FEBRUARY 21, 1967, RECORDED MARCH 2, 1967 IN BOOK 1807, OFFICIAL RECORDS OF THE COUNTY OF SANTA CRUZ AT PAGE 109; DESCRIBED AS FOLLOWS

BEGINNING AT THE MOST WESTERLY CORNER OF SAID TRACT; THENCE ALONG THE NORTHWESTERLY LINE THEREOF,

(1) NORTH 30 DEGREES 00' EAST, 120.00 FEET TO THE MOST NORTHERLY CORNER THEREOF; THENCE ALONG THE NORTHEASTERLY LINE OF SAID TRACT, (2) SOUTH 54 DEGREES 35' EAST, 200.57 FEET; THENCE AT RIGHT ANGLES, (3) SOUTH 35 DEGREES 25' WEST, 119.46 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF SAID TRACT; THENCE, (4) NORTH 54 DEGREES 35' WEST, 189.24 FEET TO THE POINT OF BEGINNING

PARCEL TWO

A RIGHT OF WAY APPURTENANT TO PARCEL ONE, FOR ROAD AND UTILITY PURPOSES OVER A STRIP OF LAND 40.00 FEET IN WIDTH, DESCRIBED BY ITS NORTHWESTERLY LINE AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF THE TRACT OF LAND AS DESCRIBED IN THE DEED FROM LARRY A. GEORGE TO LARRY A. GEORGE, ET UX, DATED FEBRUARY 3, 1975, RECORDED FEBRUARY 3, 1975, IN BOOK 2582, OFFICIAL RECORDS OF THE COUNTY OF SANTA CRUZ AT PAGE 171, SAID POINT BEING THE MOST NORTHERLY CORNER OF THE PORTION AS DESCRIBED IN THE DEED FROM ALFRED GEORGE TO GEORGE KOVAC, ET UX, DATED FEBRUARY 21, 1967, RECORDED MARCH 2, 1967 IN BOOK 1807, OFFICIAL RECORDS AT PAGE 109; THENCE ALONG THE NORTHWESTERLY LINE OF SAID TRACT,

(1) NORTH 30 DEGREES 00' EAST, 165.00 FEET; THENCE (2) NORTH 55 DEGREES 26' EAST, 265.20 FEET TO THE SOUTHERLY LINE OF GAFFEY ROAD

THE SOUTHERLY LINE OF SAID RIGHT OF WAY TO BE EXTENDED TO INTERSECT SAID LINE OF SAID ROAD.

PARCEL THREE:

A NON-EXCLUSIVE EASEMENT FOR ROAD RIGHT OF WAY FOR INGRESS AND EGRESS AND FOR ERECTION AND MAINTENANCE OF POWER LINES, WATER LINES, SEWER LINES AND DRAINAGE DITCHES 40 FEET IN WIDTH AS MORE PARTICULARLY DESCRIBED IN PARCEL A OF EXHIBIT "B" IN THAT CERTAIN DOCUMENT ENTITLED, "GRANT OF EASEMENT APPURTENANT" RECORDED JULY 12, 1995 IN VOLUME 5698, PAGE 545, OFFICIAL RECORDS OF SANTA CRUZ COUNTY.

EXCEPTING THEREFROM THAT PORTION THEREOF LYING WITHIN THE LIMITS OF PARCEL I HEREINABOVE DESCRIBED.

PARCEL FOUR:

AN EASEMENT FOR WELL PURPOSES AND WATER MAIN AND STORAGE TANK PURPOSES AS CONTAINED IN THAT CERTAIN DEED TO WELL LOT EASEMENT AND TANK LOT EASEMENT AND WATER AGREEMENT, EXECUTED BY JOHN OMER ET AL, RECORDED DECEMBER 11, 1998 AS INSTRUMENT NO. 1998-0075981, OFFICIAL RECORDS OF SANTA CRUZ COUNTY.

APN: 109-181-15

PLANNING DEPARTMENT

GOVERNMENTAL CENTER



C O U N T Y O F S A N T A C R U Z

701 OCEAN STREET ROOM 400 SANTA CRUZ, CALIFORNIA 95060
(408) 454-2580 FAX (408) 454-2131 TDD (408) 454-2123

29 May 1996

John & Ulla Orner
465 Santana Lane
Aptos, CA 95003

SUBJECT: DEVELOPMENT PERMIT - LEVEL III
PROJECT: APN: 109-181-15,16,17,18 Application No. 96-0110
Address: 200 Gaffey Rd. Permit Type: <40' R.O.W.

PROPOSAL AND PROPERTY LOCATION

Proposal to combine two parcels (109-181-17 & 18) into one and reduce the 40' right of way that provides access to those lots and 109-181-15 & 16 to 25' in width.

The project is located on the south side of an unnamed right of way, about 350 feet south of Gaffey Road, Mt. Madonna Road area.

Analysis and Discussion:

The applicants are currently in the process of developing four existing parcels off Gaffey Road in the Mt. Madonna Road area. The parcels lie about 430' southwest of Gaffey Road and are accessed by a 40' wide private right of way. The lots are aligned end to end, with the right of way running along the northeast boundary of the lots (*see* exhibit). Excluding the right of way, parcel depth is 80'. In addition to this constraint, the buildable areas of lots 15 & 16 are further limited by the presence of fault traces. The size and shape of the final building envelopes in relation to the right of way and fault traces resulted in the need for setback variances in order to build. Reduction of the right of way to 25' in width may remove the need for setback variances on lot 15.

In addition to reducing the size of the right of way, the applicants are proposing to combine lots 17 and 18, resulting in a total of three lots rather than the four which now exist. The lots to be combined are the last two in the row. Because of this, the last 189.24 feet of the right of way is no longer necessary and will be deleted. This means that the reduced width right of way will serve only two lots and have a total length of approximately 400 feet. The responsible fire agency (Pajaro Valley) has indicated that this is acceptable as long as the right of way is not reduced to where it cannot accommodate a 16' wide road-

45

EXHIBIT J

In conclusion, the effect of the reduction of the right of way width from 40' to 25' will be minimal and there should be no increase in hazard to persons or property.

The Principal Planner for Development Review has acted on your application as follows:

DENIED based on the attached findings.

See below for information regarding appeals. You may exercise your permit after signing below and meeting any conditions which are required to be met prior to exercising the permit. If you file an appeal of this decision, permit issuance will be stayed and the permit cannot be exercised until the appeal is decided. THIS PERMIT WILL EXPIRE ON May 30, 1997 IF NOT EXERCISED.

Sincerely,
PETE PARKINSON

Date: May 31, 1996

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 cost for inspections and all other action related to noncompliance with the permit condition. This permit is null and void in the absence of the owner's signature below.

7 JUNE 1916
Date

EXHIBIT J

Required Conditions:

1. A deed must be filed with the County Recorder describing the new configuration of the right of way. A copy of the recorded deed must be submitted to the planner listed below.
 2. 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.
-

In accordance with Chapter 18.10 of the County Code, 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.

PLEASE NOTE: THIS PERMIT EXPIRES TWO YEARS FROM DATE OF APPROVAL UNLESS YOU ADJUST THE PROPERTIES AND RIGHT OF WAY AS PROPOSED.