

Staff Report to the Zoning Administrator

Application Number: 04-0482

Applicant: Richard Emigh Agenda Date: May 05,2006

Owner: Monica Mejia
APN: 050-281-08
Agenda Item #: 3
Time: After 10:00 a.m.

Project Description: Proposal to recognize an existing 20-foot right-of-way, a parcel of less than 9,000 square feet in net site area, and a parcel frontage and site width of less than 60 feet. Requires a Variance to reduce the net site area to approximately 6,344 square feet and the site frontage and parcel width to 52 feet in the R-1-9 (single-family residential with a 9,000 square foot minimum parcel size) Zone District, and a Residential Development Permit to utilize a less than 40 foot right of way for access.

Location: Property is located on the northeast side of Amesti Road, approximately ¾ mile south of Vami Road, between 678 and 682 Amesti Road in Watsonville.

Supervisorial District: Second District (District Supervisor: Pirie)

Permits Required Variance, Residential Development Permit, Archaeologic site review

Staff Recommendation:

- Approval of Application 04-0482, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

Exhibits

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B. Findings

C. Conditions

D. Categorical Exemption (CEQA determination)

E. Assessor's parcel map, Location map

F. Zoning map, General Plan map

- G. Comments & Correspondence
- H. Site photographs
- I. Correspondencereceived
- J. Parcel deeds
- K. Permit records

Parcel Information

Parcel Size: 8,784 square feet less r/w 2,440 = 6,344 square feet

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Existing Land Use - Surrounding: Single-family residential

Project Access: Amesti Road Planning Area: Pajaro Valley

Land Use Designation: R-S (Suburban Residential)

R-1-9 (Single family residential - 9,000 square foot Zone District:

minimum parcel size)

X Outside Coastal Zone: __ Inside

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site

Soils: Pinto loam

Fire Hazard: Not a mapped constraint

Slopes: 2-9 Percent slopes

Env. Sen. Habitat: Not mappedno 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

Archaeology: Mapped/no physical evidence on site (Exhibit G)

Services Information

Urban/Rural Services Line: X Outside ___ Inside

Water Supply: City of Watsonville

Sewage Disposal: CSA#12, private septic system

Fire District: Pajaro Valley Fire Protection District

Drainage District: Zone 7 Flood Control/Water Conservation District

History

This parcel was created by deed on August 29 of 1960 recorded at Volume 36 Page 25 Official Records of Santa Cruz County (Exhibit J). A 20-foot easement over this parcel was granted in 1992 to access 050-281-16, a land-locked parcel to the rear (Exhibit J). Both parcels were under the same ownership when the right-of-way was established, however the parcels were subsequently sold to separate owners. A less than 40-foot right-of-way is required to recognize this access.

Project Setting

The parcel is a vacant parcel, located in a suburban residential neighborhood of single-family dwellings in the Pajaro Valley planning area. A 20-foot wide access easement crosses the northwest property boundary for a length of 122 feet providing access to APN 050-281-16, a parcel located behind the subject parcel, and developed with two single-family dwellings.

Zoning & General Plan Consistency

The subject property has an effective developable area of 6,344 square feet, located in the R-1-9

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	Height	Setbacks	Floor Area Ratio	Lot coverage
R-1-6	28 feet	20, 10 & 5, 15 A	50 percent	30 percent
Proposed	28 feet	20,10& 7'10", 24	50 percent	30 percent

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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 **04-0482**, based on the attached findings and conditions.
- 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 Application # 04-0482 APN: 050-281-08 Owner: Monica Mejia

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* be made, in that the reduction in the net site area **of** the subject property by approximately 2,440 square feet, from approximately 8,784 square feet to approximately 6,344 square feet, is recommended in order to allow residential development on the subject property and to provide access to the parcel to the north. The existing location of the vehicular right of way on the northwest side of the subject property, creates a special circumstance in this case. The right-of-way is needed to provide access to Assessor's Parcel Number 050-281-16 which would otherwise be land-locked without this easement. For the site width and frontage variance, although the 72-foot wide site width and frontage is effectively reduced by the 20-foot width of the right-of-way connecting the subject parcel APN 050-281-08 to APN 050-281-16 (the parcel to the rear), it is proposed that the two properties share the common driveway thereby minimizing impervious area and maintaining a visually uniform driveway configuration with parcels in the vicinity. The reduced site width and frontage variance is required as the zoning standard for the R-1-9 district is **60** feet and the effective width of the lot is 52 feet.

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

This finding can be made, in that the development of the subject property with a single family dwelling will result in a more consistent street front appearance along the Amesti Road neighborhood than would exist if the property was to he **left** vacant. The proposed shared driveway would serve to minimize impervious grading and curb cuts onto the Amesti Road collector.

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.

This finding can he made, in that other properties in the neighborhood are developed with single family dwellings similar to the proposed structure. Therefore, it would not be grant of a special privilege for the proposed project to be constructed on the property and the design would he in harmony with the existing pattern of development in the neighborhood.

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Development Permit Findings

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, 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 and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed single family dwelling will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks that ensure access to light, air, and open space in the neighborhood. The proposed less than 40-foot right-of-way of 20 feet would be sufficient to serve both the subject parcel and the two single-family residences to the rear on parcel 050-281-16. One 20-foot wide right-of-way would minimize curb cuts onto the Amesti Road collector and effectively reduce the amount of paving required by sharing access between the two parcels.

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 dwelling 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-1-6 (Single family residential - 6,000 square foot minimum parcel size) zone district in that the primary use of the property will be one single family dwelling that meets all current site standards for the zone district. Although the parcel is zoned R-1-9, due to the reduced site area because of the right-of-way granting access to the land-locked parcel to the rear, the parcel is less than 80 percent of the minimum site area required for the R-1-9 zone district and as per County Code Section 13.10.323.2.A the building setbacks required shall be equal to those of the R-1-6 zone district which most closely correspond to the parcel. The project is consistent with Pajaro Valley Fire Protection District access standards (Exhibit G).

A less than 40-foot wide right-ofway is recommended to be utilized because the lot width of 72 feet would not allow construction to meet required zoning setbacks of 10-feet to the street side yard and 5 feet to the east side yard, leaving a narrow effective development envelope, which would not be consistent with the existing pattern of housing development along Amesti Road.

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 Suburban Residential (R-S) land use designation in the County General Plan.

The proposed single family dwelling will not adversely impact the light, solar opportunities, air,

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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 the single family dwelling 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 dwelling 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 dwelling will comply with the site standards for the R-1-6 zone district (including setbacks, lot coverage, floor area ratio, 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. The reduced 40-foot wide right-of-way would be of sufficient width to provide access to the subject parcel and to the two single-family residences located on the parcel to the rear at APN 050-281-16.

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 dwelling is 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 structure is located in a mixed neighborhood containing a variety **of** architectural styles, and the proposed single family dwelling is consistent with the land use intensity and density of the neighborhood. The less than 40-foot wide right-of-way, at 20 feet wide, is of sufficient width to serve both the proposed residence on APN 050-281-08 and the two existing residences on APN 050-281-16. The reduced width allows **for** the proposed residence to be of a similar configuration to adjacent residences and to maintain consistency with required zoning setbacks which guide existing physical design aspects.

6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

This finding can be made, in that the proposed single family dwelling will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

7 EXHIBIT B

Conditions of Approval

Exhibit A: Project Plans, 5 sheets by Richard Emigh, dated 7-13-05, revised 8-23-05

- I. This permit authorizes the construction of a single family dwelling. 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.
 - D. Obtain an Encroachment Permit from the Department of Public Works for all offsite work performed in the Amesti Road County road right-of-way.
- 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. Any changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. 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. There shall be no runoff allowed to enter the existing swale along Amesti Road all drainage shall be maintained on the site.
 - 3. The first 50 feet of the access right-of-way is to be paved a minimum of 18-feet wide and shall meet all Public Works Design Criteria driveway standards. The turning radius for entry into the proposed garage shall also be consistent with DPW Design Criteria.
 - 4. For any structure proposed to be within 2 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.

- 5. The structure shall not exceed 30 percent lot coverage or 50 percent floor area ratio as per County Code Section 13.10.323.
- 6. Details showing compliance with fire department requirements, including all requirements of the Urban Wildland Intermix Code, if applicable.
- 7. The existing six-inch diameter oak tree in the rear (northeast) portion of the property shall be retained and protected during construction.
- C. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
- D. 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.
- E. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services. An Acknowledgement letter for the proposed Alternative System must be recorded as per EHS requirements.
- F. Meet all requirements and pay any applicable plan check fee of the Pajaro Valley Fire Protection District.
- G. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
- H. Pay the current fees for Parks and Child Care mitigation for five bedrooms. Currently, these fees are, respectively, \$1,000 and \$109 per bedroom. These fees are subject to change.
- I. Pay the current fees for Roadside and Transportation improvements for five bedrooms, one unit. Currently, these fees are, respectively, \$1,000 and \$3,000 per unit, but are subject to change.
- J. Provide required off-street parking for four 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.

- 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 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, it 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.

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- 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. <u>Settlement</u>. 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. <u>Successors Bound</u>. "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.

Don Bussey Deputy Zoning Admin		an der Hoeven Planner
Don Dugger	In an V	on don Hooven
Expiration Date:		
Effective Date:		-
Approval Date:		

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.

// EXHIBIT C

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.

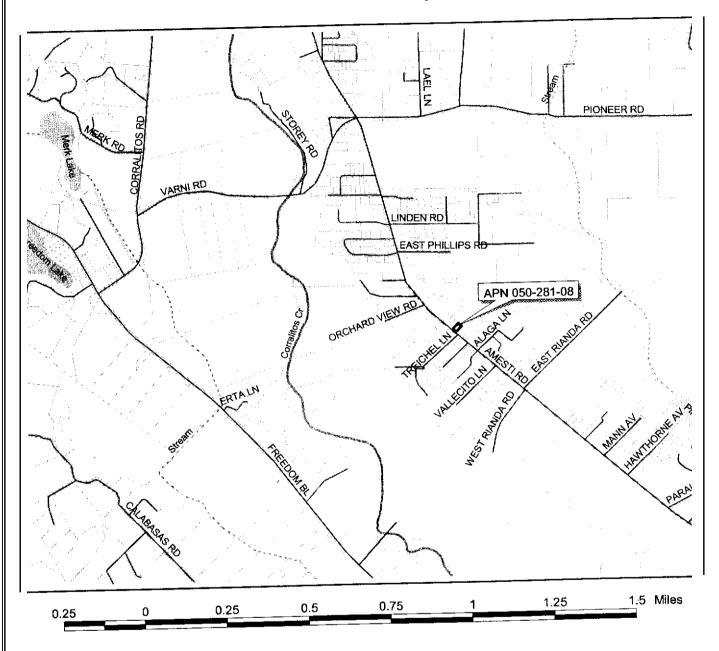
Application Number: 04-0482

Assessor Parcel Number: 050-281-08

Project Location:	Amesti Road, Watsonville CA 95076 (between 678 & 682 Amesti)
Project Description	on: Proposal to recognize an existing 20-foot right-of-way and Variance to reduce net site area to 6,344 square feet, and the site frontage from 60-feet to 52 feet in the R-1-9 zone district, and to utilize a less than 40-foot right-of-way for access.
Person or Agency	Proposing Project: Richard Emigh
Contact Phone No	umber: (831) 479-1452
B The Sec C Min mea D Sta	e proposed activity is not a project under CEQA Guidelines Section 15378. e proposed activity is not subject to CEQA as specified under CEQA Guidelines tion 15060 (c). nisterial Project involving only the use of fixed standards or objective assurements without personal judgment. tutory Exemption other than a Ministerial Project (CEQA Guidelines Section 260 to 15285).
Specify type:	
E. <u>X</u> <u>Cat</u>	egorical Exemption
Specify type: Class	s 3 - New Construction or Conversion of Small Structures (Section 15303)
F. Reasons w	hy the project is exempt:
Proposal to construction of a si	act a single family residence in an area designated for residential uses. New mall structure
In addition, none o	f the conditions described in Section 15300.2 apply to this project.
	Date: May 05, 2006
Joan Van der Hoev	ven, Project Planner

2 EXHIBIT D

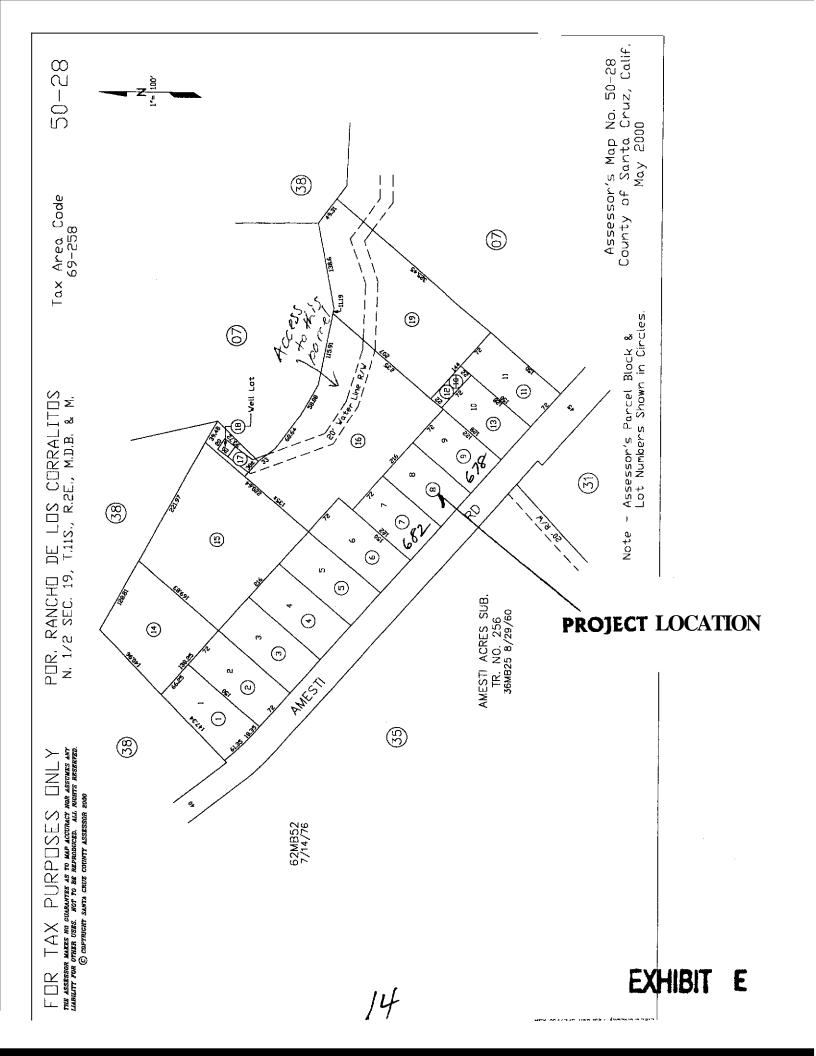
Location Map



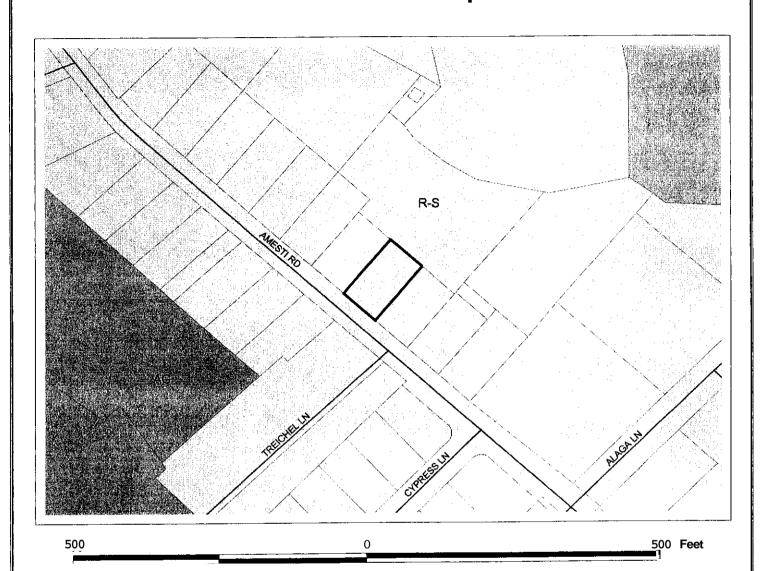
Map created by Santa Cruz County
Planning Department:
October 2004



EXHIBIT



General Plan Map



Legend



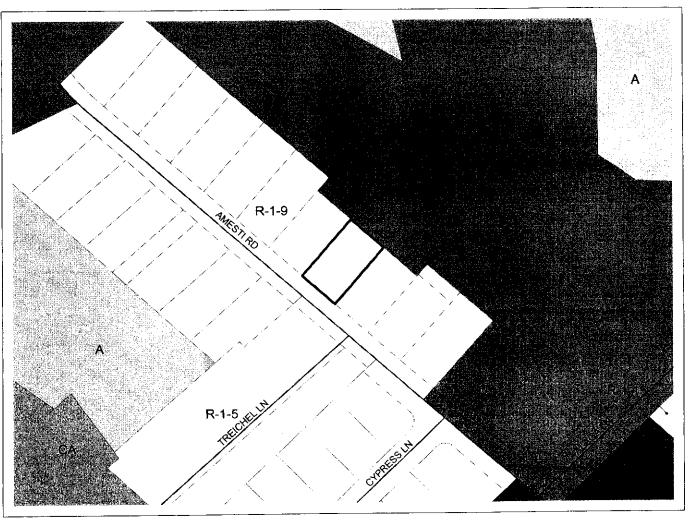


Map created by Santa Cruz County Planning Department: October 2004

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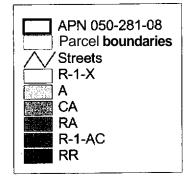
EXHIBIT F

Zoning Map



500 0 500 Feet

Legend





Map created by Santa Cruz County
Planning Department:
October 2004

EXHIBIT

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 Date: February 13, 2006 Time: 14:51:07 Application No.: 04-0482 Page: 1 APN: 050-281-08 **Environmental Planning Completeness Comments** ----- REVIEW ON OCTOBER 25. 2004 BY ROBERT S LOVELAND === NO COMMENT **Environmental Planning Miscellaneous Comments** ======= REVIEW ON OCTOBER 25, 2004 BY ROBERT S LOVELAND == Conditions of Approval: 1. A detailed erosion control plan is required prior to building permit issuance. 2. Although not required, a soils report completed by a licensed geotechnical engineer is recommended. **Project Review Completeness Comments** LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY ====== REVIEW ON OCTOBER 29, 2004 BY JOAN VAN DER HOEVEN === Please provide property deeds showing access easement. Demonstrate satisfactory septic system clearance - compliance with all Environmental Health requirements. Project Review Miscellaneous Comments LATEST COMMENTS HAVE NOTYET BEEN SENT TO PLANNER FOR THIS AGENCY ======= REVIEW ON OCTOBER 29. 2004 BY JOAN VAN DER HOEVEN = Six-inch diameter oak in rear yard to be protected during any construction and retained on the project site. **Dpw Drainage Completeness Comments** ======= REVIEW ON NOVEMBER 8. 2004 BY CARISA REGALADO == No drainage information has been given to consider acceptance of this application. To be approved by this division at the discretionary application stage. all potential off-site impacts and mitigations must be determined: therefore, 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, if taken off-site. - The project will not adversely impact roads and adjacent or downslope properties if taken off-site. Please address the following comments:

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1) What is the existing drainage pattern (topography)?

- 2) What is the proposed drainage pattern?
- 3) How will roof and impervious area runoff be handled for this development? New impervious areas include roofed structures, driveways, parking areas, turnarounds, walkways. patios. etc. If runoff will be directed off-site, please show the method to be used on-site for conveyance to the existing off-site drainage system. A description of the existing off-site system must be included along with its adequacy to accept the increase in runoff from this development.
- 4) Consider using yards and landscaped areas to spread and maintain runoff from impervious surfaces on-site lessening impacts to off-site areas and drainage systems.
- 5) Will runoff from this development flow towards adjacent structures or parcels?
- 6) Where will the septic system be located in this parcel? Clearly define the driveway and surface type. Please show these items on the plans. If other impervious surfaces are proposed in this development, such as patios, these should also be shown.

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 AUGUST 11, 2005 BY CARISA REGALADO =======

Revised drawings dated 7/13/05 have been received. Although a drainage plan was included, the application cannot be deemed complete at this time. Please address the following items:

- 1) It appears that a rock pond is planned for the front yard. Notes on the plan are difficult to read. Please clarify. Is the pond part of the drainage design to handle the increase in runoff from this development?
- 2) For runoff that cannot be dissipated in the front yard area, it is assumed the designer intends to use the swale along Amesti Road. It has been noted that this swale outlets into Pinto Lake. For an increase in runoff into the swale. what downstream parcels and structures will be impacted? ====== UPDATED ON SEPTEMBER 27. 2005 BY CARISA REGALADO =========

Revised drawings dated 8/23/05 have been received.

Per the plans, the increase in runoff will be maintained on-site and there will be no change in flow to the existing swale along Amesti Road. This application is complete for the Discretionary stage.

Dpw Drainage Miscellaneous Comments

Date: February 13, 2006

Project Planner: Joan Van Der Hoeven

Dpw Road Engineering Miscellaneous Comments

Time: 14:51:07 Application No.: 04-0482 APN: 050-281-08 Page: 3 REVIEW ON NOVEMBER 8, 2004 BY CARISA REGALADO No comment. ---- UPDATED ON AUGUST 11, 2005 BY CARISA REGALADO ----No comment. ———— UPDATED ON SEPTEMBER 27. 2005 BY CARISA REGALADO = No comment. Dpw Driveway/Encroachment Completeness Comments ======= REVIEW ON JULY 22, 2005 BY RUTH L ZADESKY ====== Dpw Driveway/Encroachment Miscellaneous Comments ===== REVIEW ON JULY 22, 2005 BY RUTH L ZADESKY ==== Encroachment permit required for all off-site work in the County road right-of-way. **Dpw Road Engineering Completeness Comments** REVIEW ON OCTOBER 20, 2004 BY GREG J MARTIN ---1. The 20 foot right-of-way is sufficient to serve two lots. The adjacent parcel, APN 050-281-06, which utilizes this right of way may be large enough to divide into additional parcels. In order to accommodate additional parcels, the 20 foot rightof-way would be required to be widened to County standards, either 40 feet if the road serves four or less parcels, or 56 feet if the road serves more than four parcels total. The plans show a potential future building site plan. The potential building site plan is not relevant to the action proposed under this permit application and should not be included on the plans. 3. We have the following informal comments on the building site plan. These comments may change with the submittal of plans on which we might make formal comments. The existing driveway is approximately 13 feet in width. The first 50 feet of the access road is recommended to be paved a minimum of 18 feet wide and the remaining distance to the first driveway is recommended to be 18 feet wide and meet driveway standards. The turning radius for vehicles turning into the garage does not meet County Standards. The radius shown is approximately 8 feet. The inside radius of an 13 foot wide driveway may not be less than 14 feet. The parking requirements for the residence are for 3 parking spaces. The parking spaces other than the garage space are not shown. The parking spaces should be identified with a triangle and a number in it. Dimensions on the parking spaces and any aisle/driveway widths should be given. Sections should be provided for the access road, driveway, and parking areas to identify the thickness and composition. The edge of pavement should be clearly shown and should not consist of disconnected lines. If you have any questions please contact Greg Martin at 831-454-2811. ======= UP-DATED ON AUGUST 9, 2005 BY GREG J MARTIN ======== The informal comments made previously regarding the building site plan have been addressed.

Project Plaumer: Joan Van Der Hoeven Date: February 13, 2006 Time: 14:51:07 Application No.: 04-0482 APN: 050-281-08 Page: 4 ---- REVIEW ON OCTOBER 20, 2004 BY GREG J MARTIN --------- UPDATED ON AUGUST 9. 2005 BY GREG J MARTIN -----**Environmental Health Completeness Comments** ====== REVIEW ON OCTOBER 20, 2004 BY JIM G SAFRANEK ————— The decrease in available land for the required sewage disposal system will require the applicant's sewage disposal consultant to submit a preliminary plot plan showing the location of the onsite sewage disposal system. This will be considered a supplement to the Site swale /septic issue identified in the last comment w/ the owner's olannina consultant. A revised septic plan and site plan was proposed and can be completed tthe building phase of the project. ====== UPDATED ON SEPTÉMBER 23. 2005 BY JIM G SAFRANEK ====== No change in Aug 5th comment, ----- UPDATED ON SEPTEMBER 23. 2005 BY JIM G SAFRANEK -----Environmental Health Miscellaneous Comments ====== REVIEW ON OCTOBER 20. 2004 BY JIM G SAFRANEK ======= NO COMMENT UPDATED ON AUGUST 5, 2005 BY JIM G SAFRANEK ======= No Comment. ---- UPDATED ON AUGUST 23. 2005 BY JIM G SAFRANEK ---- See Completeness comment on 8-23-05. NO COMMENT **Pajaro Valley Fire District Completeness Comments** LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY NAME:CDF/PAJARO VALLEY FIRE 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.

20

Pajaro Valley Fire District Miscellaneous Comments

Project Planner: Joan Van Der Hoeven Date: February 13, 2006

Time: 14:51:07 Page: 5 Application No.: 04-0482

APN: 050-281-08

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



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060 (831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123 TOM BURNS, PLANNING DIRECTOR

November 5,2004

Richard Emigh 413 Capitola Avenue Capitola, **CA** 95010

SUBJECT: Archaeological Reconnaissance Survey for APN 050-281-08

To Whom It May Concern,

The County's archaeological survey team has completed the Phase 1 archaeological reconnaissance for the parcel referenced above. The research has concluded that prehistorical cultural resources were not evident at the site. A copy of the review documentation is attached for your records. No further archaeological review will be required for the proposed development.

Please contact me at 831-454-3372 if you have any questions regarding this review.

Sincerely,

beth Hayward

Planning Technician

Enclosure

EXHIBIT B

SANTA CRUZ 'ARCHAEOLOGICALSOCIETY 1305 EAST CLIFF DRIVE, SANTA CRUZ, CALIFORNIA 95062

Preliminary Prehistoric Cultural Resource Reconnaissance Report

Parcel APN: <u>050-281-08</u>	SCAS Projec	ct#: SE -04 <u>- 99</u> 6
Planning Permit #: 04-0482	Parcel Size:	9000 sq. ff?
Applicant: Richard Cruich		
Nearest Recorded Prehistoric Site:	CA-SCR-158	

On 10/22/04 (1) members of the Santa Cruz Archaeological Society spent a total of (1) hours on the **above** described parcel for the purposes of ascertaining the presence or absence of prehistoric cultural resources on the surface. Though the parcel **was** traversed on foot at regular intervals and diligently examined, the Society cannot guarantee the surface absence of prehistoric cultural resources where soil was obscured by grass, underbrush or other obstacles. No core samples, test pits, or any subsurface analysis was made. A standard field form indicating survey methods used, type of terrain, soil visibility, closest freshwater source, and presence or absence of prehistoric and/or historic cultural evidence was completed and filed with this report at the Santa Cruz County Planning Department.

The preliminary field reconnaissance did not reveal **any** evidence of prehistoric cultural resources on the parcel. The proposed project would therefore, have no direct impact on prehistoric resources. **If** subsurface evidence of such resources should be uncovered during construction the **County** Planning Department should be notified.

Further details regarding this reconnaissance are available from the Santa Cruz County Planning Department or from Rob Edwards, Director, Archaeological Technology Program, Cabrillo College, 6500 Soquel Drive, Aptos CA 95003, (831) 479-6294, or email redwards @Cabrillo.cc.ca.us.

Page 4 of 4

ent by: CITY OF WATSONVILLE

831 470 130U;

831 728 6173;

08/01/(. .1:21PM; Jetfax #856; Page 1/1

facsimile TRANSMITTAL

to:

Katie King

fax #:

476-1300

re:

City Water for 050-251-08

date:

06/01/2004

pages.

I, including this cover sheet.

READ AND ACKNOWLEDGED

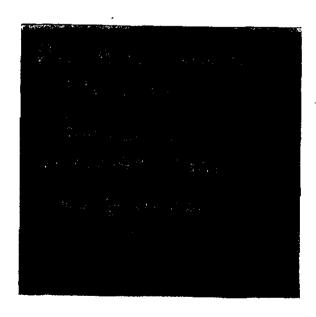
Poges____

This letter is to inform you that under current City of Watsonville (City) policy. City water may be provided to serve a single-family home and a deed-restricted accessory dwelling unit (if desired) at APN: 050-281-08 provided the following conditions are met:

- 1. The parcel may not, under the current Santa Cruz County General Plan mid Zoning, be further subdivided.
- Complete and submit a water service application to the City of
 Watsonville. Pay applicable connection, construction, and groundwater
 impact fees. Subject parcel shall have a valid address assigned by Santa
 Cruz County prim to water meter installation.
- 3. The accessory dwelling unit (if desired) shall be deed restricted as affordable according to Santa Cruz County requirements.

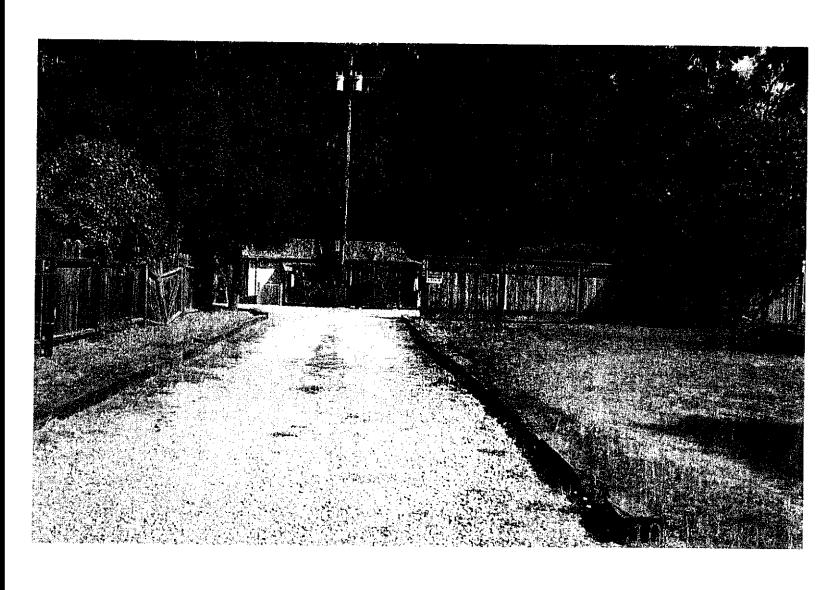
This letter is not a guarantee of water availability. The provision of water service is determined by the City Council of the City of Watsonville.

Please contact me at (831) 726-6127 if you have any questions or concerns.



From the desk of...

Joy Bader
Assistant Engineer
City of Watsanville
Community Development Department
P.O. Box 50000
Watsanville, CA 95077-5000
jbader@ci.watsanville.oz.us
(831) 728-5127
Fax: (531) 728-6173



EXISTING 20' R/W ADN 050-281-08

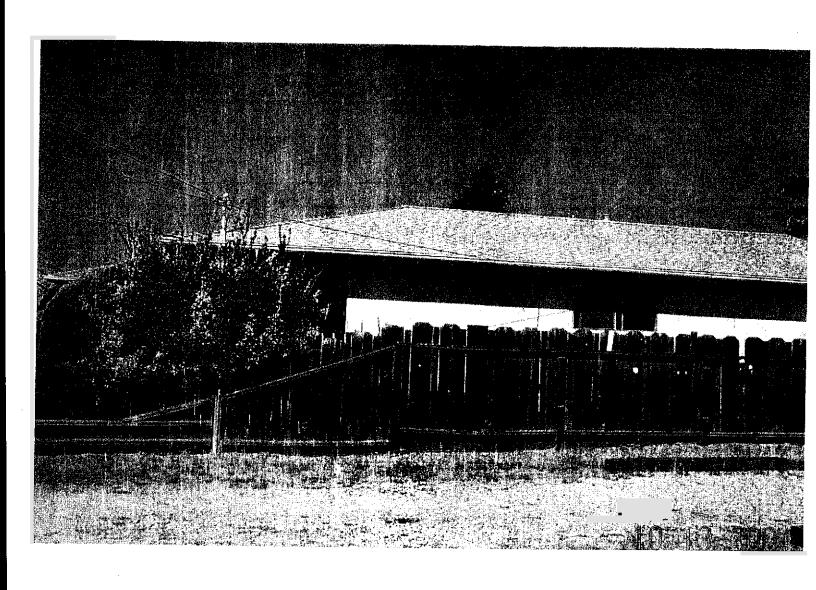


64 BIAMETER OAK 70 BE RETAINED

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ADJACIENT SED APN 050-281-09 678 AMESTI RD



ADJACENT SED APN 050-281-07 682 AMESTI ROAD

Terrie Chun and Associates 951 Old County Rd., #241, Belmont, CA 94002 Ph: (650) 578-1876/ Fax: (650) 212-3002

March 7, 2005

 ${\bf L}^{*}$

Joan Van der Hoeven County of Santa Cruz Planning Dept 701 Ocean Street, 4" Floor Santa Cruz, CA 95060

Ph: (831) 454-2580 **Fax:** (831) 454-2131

Subject: Application # 04-0482; APN # 050-281-08

Owner: Monica Mejia (682 Amesti Rd., Watsonville, CA 95076)

I am writing this letter on behalf of Mr. Steve Gendel who owns the neighboring parcel immediately behind the subject property application (APN # 050-281-16, 680, Amesti Rd., Watsonville, CA) and twenty (20) foot recreational easement along the westernly border of applicant's property.

Mr. Gendel would like to voice his concerns against approving the above referenced zoning variance application and his desire to be kept informed of this permit approval process by notice mailed to him and his rights to further protest.

You may send legal notices to Mr. Gendel at the following address:

Mr. Steve Gendel at: P.O. Box 19578, Stanford, CA., 94309

Expanding upon the prior letter dated October 28, 2004, submitted by attorney Miles Dolinger, Mr. Gendel raises objections to the proposed variance application on the additional grounds of nuisance and environmental public health and safety reasons as follows:

1. Mr.Gendel's bedroom faces the applicant's 3rd parking space, and he is concerned about the noise, and exhaust fumes from the proximity of the parking space to his bedroom.

CO COMMITTEE

Terrie Chun and Associates 951 Old County Rd., #241, Belmont, CA 94002 Ph: (650) 578-1876/ Fax: (650) 212-3002

- 2. Mr. Gendel is concerned about the intended commercial use of applicant's property, by having three (3) parking spaces, with the intent of parking commercial vehicles and or heavy equipment on the premises with greater noise and exhaust than a normal passenger vehicle.
- 3. Along with the anticipated commercial use of the parking space, is increased vehicular trafficking of both commercial and passenger vehicles, which would increases the likelihood of pedestrian vehicular collision, much less passenger vehicle and commercial vehicle collision. The Applicant can not overburden the easement to the exclusion of Mr. Gendel's present existing use of the easement.
- 4. The application does not conform to existing neighborhood homes that have driveways directly off of Amesti Road leading up to the house. Instead, the Applicant desires to use the easement as the primary driveway to park three (3) vehicles behind the home, and perhaps hide from public view, the commercial activity being conducted from the home, including storage for equipment and accumulation of wood debris, which would constitute a fire hazard. The Applicant as the servient tenant has a duty not to overburden the easement currently in existence and use by Mr. Gendel.
- 5. The fact that Mr. Gendel's parcel is large enough to be subdivided to accommodate further dwellings may further extend Mr. Gendel's current easement use as **a** matter of necessity for ingress and egress to his landlocked property, further increasing the vehicular traffic over the easement parcel.

Regards,

Terrie Chun, Attorney

Joan Vanderhoeven

From: T Chun [tchun@hiprint.com]

Sent: Monday, December 20,2004 4:50 PM

To: Joan Vanderhoeven
Cc: sgendel@?stanford.edu

Subject: Status update on Application No. 04-0482; objections to plans

Ms. Joan Van der Hoeven, I've left a message for your to call me regarding the status of this subject APN: 050-281-08 and the procedure and time line for objecting to these plans. I'm inquiring on behalf of Mr. Steve Gendel who would like copies of any documents or correspondence keeping him apprised of the status of whether these plans will be approved by the County of Santa Cruz directly, and which may have inadvertently been sent to the prior attorney, Miles Dolinger.

Who is the registered title owner of the subject APN that I may be in touch with him directly?

Thank you for your urgent attention to this matter,

Terrie Chun, Attorney on behalf of Steve Gendel. neighboring property 951 Old County Rd., #241 Belmont, CA 94002

Ph: (650) 578-1876 Fax: (650) 212-3002



2004-0048902

RECORDING REQUESTED BYFirst American Title Company

AND WHEN RECORDED MAIL TO:

Adolfo Garcia

330 Jefferson St.

Watsonville. CA 95076

Recorded Official Records County Of SANTA CRUZ RICHARD W. BEDAL	REC FEE	10.00 211.75
Recorder CAROL D. SUTHERLAND Assistant 32:02PM 02-Jul-2004	i I ILAH IPage 1 of	2

Space Above This Line for Recorder's Use Only

A.P.N.: 050-281-08 File No.: 4408-1465473 (SR)

GRANT DEED

The Undersigned Grantor(s) Declare(s): **DOCUMENTARY** TRANSFER TAX \$211.75; CITY TRANSFER TAX \$0.00; SURVEY MONUMENT FEE \$

computed on the consideration or full value of property conveyed, **CR**computed **on** the consideration or full value lass value of liens and/or encumbrances remaining at time of sale,
unincorporated area; [] City of, and

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

hereby GRANTS to Monica Mejia and Adolfo Garcia, wife and husband as Community Property with Rights of Survivorship

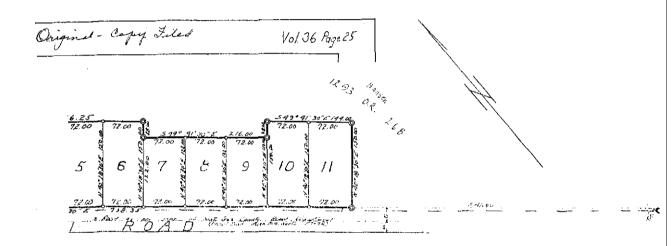
the following described property in the unincorporated of, County of Santa Cruz, State of California:

BEING LOT 8, AS THE SAME IS SHOWN UPON THAT CERTAIN MAP ENTITLED "AMESTI ACRES, TRACT NO. 256", FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER OF SANTA CRUZ COUNTY ON AUGUST 29,1960, IN MAP BOOK 36, AT PAGE 25, SANTA CRUZ COUNTY RECORDS.

Dated: 06/23/2004

Patrick J. Burns by Gorden Me Jean Patrick J. Burns his atty in fact

Mail Tax Statements To: SAME AS ABOVE



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wins in outside boundaries.

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ies of the

MAP OF TRACT NUMBER 256 AMESTI ACRES SUBDIVISION

Being a part of the Rancho Corrolitos, and also a partion of the lands conveyed by Ensure Furuba to Alvin A Hansen et al by deed recorded January & 1960 in Volume 1293 at Page 268 Official Renords Samb Courland

ECORDING REQUESTED BY)	1997-	-00493
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INTER-SPOUSALGRANT DEED	09:47AN 2	27-0ct-1997	l Bage 1 of 2
BELOW TO			•
STEPHEN GENDEL P. O.Box 3466 SAN JOSE, CALIFORNIA 95156			
om tose, calla on those	SPACE ABOVE THIS LINE FO	R RECORDE	RS USE
A.P.N.# 050-281-16			
112	TER'OUSAL GRANT DEED		
	Documentary transfer tax is \$	s and encumbra	ncesremaining,
FOR A VALUABLE CONSIDERATION MARTHA GENDEL, husband and	TION, receipt of which is hereby acknowled wife, as Joint Tenants	iged, STEVE G	GENDEL AND
hereby GRANTS to STEPHEN GE	NDEL, an unmarried man,		
	atsonville, County of Santa Cruz, State of C RETO AND MADE A PART HEREOF	California descri	ibed as follows:
MARTHA GENDEL	STEVE GENDEL	Ger	le f
STATE OF CALIFORNIA	I I ss.		
GENDEL, Proved to me on the basis of sat	} e, L.B. Standish, Notary Public, personally appears sfactory evidence to be the persons whose names a the same in their authorized capacities, and that by e person acted, executed the instrument.	are subscribed to th	e within instrume
WITNESS my hand and official seal			~ (

L.B. Standish, Notary Public

MAIL TAX STATEMENTS TO :STEPHEN GENDEL, P. O. Box 3466, SAN JOSE, CALIFORNIA 951

34

EXHIBIT J

2

VOL. 5101 PAGE 633

FOUNDERS TITLE COMPANY

ORDER NO. 170763-5

EXHIBIT "A"

PARCEL .ONE:

A part of the Corralitos Rancho and also a portion of the lands conveyed by Ensuke Fukuba to Alvin A. Hansen, et al, by Deed recorded January 8, 1960 in Volume 1293, Page 268, Official Records of Santa Cruz County, and being more particularly bounded and described as follows, to wit:

BEGINNING at a pipe the most Easterly corner of Lot 5, as said lot is shown and designated on the map entitled, "Map of Tract No. 256 Amesti Acres Subdivision", filed for record August 29. 1960 in Volume 36 of Maps at Page 25, Santa Cruz County Records; thence along the Northeastern boundary of said Amesti Acres South 49° 41' 30" East 72.00 feet to a 1 112 inch pipe; thence South 40° 18' 30" West 28.00 feet to a 1 1/2 inch pipe; thence South 49° 41' 30" East 216.00 feet to a 1 1/2 inch pipe at the most Eastern corner of Lot 9; thence along the Northwestern boundary of Lot 10 as shown on said map, North 40° 18' 30" East 28.00 feet to a 1 112 inch pipe at the most Northern corner of said Lot 10 and being the most Western corner of the lands conveyed to Ben T. Clark, et ux., by Deed recorded September 4, 1962 in Volume 1493, Page 51, Official Records of Santa Cruz County: thence along the Northwestern boundary of sald lands of Clark, North 40° 18' 30" East 207.00 feet to the Northeasterly boundary of sald lands of Hansen; thence along said last mentioned boundary North 79° 50' West 115.91 feet to a station thence North 62° 50' West 58.08 feet to a station; thence North 54° 00' West 68.64 feet to a station; thence North 39° 00' West 33.00 feet to a station; thence North 49° 41' 30" West 30 feet, more or less, to a point on the Southeast boundary of the lands conveyed to Raymond P. Parra, et ux., by Deed recorded February 17. 1964 in Volume 1597, Page 738, Official Records of Santa Cruz County; thence along the Southeastern boundary of said lands of Parra, South 40' 18' 30" West 135 feet, more or less, to the point of beginning.

PARCEL TWO:

Easement for recreation, planting vegetation, removal of fencing and private gating; the right of way, for driveway purposes for access to and from sald land, a also, utility easements for purposes of use and maintenance, repair and replacement of overhead electric power and telecommunications lines and underground water pipe line such as presently exist, and underground gas pipeline and sewer pipe line such as may exist or be installed, in and as to that portion of the adjoining parcel of land designated as Lot 8 and delineated on the map of "Tract Number 256 Amesti Acres Subdivision*, recorded August 29, 1960 in Map Book 36, Page 25, Santa Cruz County Records, of a uniform width of 20 feet adjoining the Northwesterly boundary line of said Lot 8; measured perpendicularly Southwesterly from said Northwesterly boundary: and of an uniform width of 3 feet adjoining the Southeasterly boundary of said Lot 8, measured perpendicularly Northwesterly from said Southeasterly boundary.

Said right of way and easements are to be conveyed as appurtenant to said Parcel One.

Assessor's Parcel Number: 050-281-16

35 Page 2 of 5 Pages EXHIBIT

VIAPNS050 02/27/06 COUNTY OF SANTA CRUZ

VIAPNP050LI 14:34:12

PARCEL INQUIRY BY APN OF TRANSFERS

050 281 08 APNIND, S.P. NO. PAR. D/TP PCOR VEST. %INT. VOL PG/ SERIAL NO. REC. DATE N/A YES-COMPLETED 2004-0048902 7-02-04 192,500 001 01 Υ BURNS PATRICK J U/M 4988-294 N/A 3-06-92 001 02 NO BURNS NATALIE ALEXIS N/A 4621-974 1-25-90 001 02 NO BURNS PATRICK J U/M YES YES-COMPLETED Υ 4482-599 4-04-89 174,500 002 01 SMITH EDWARD T & EVELYN L JT JT 2-17-69 N/A A/N1933-215 000

PRESS ENTER TO SEE MORE TRANSFERS FOR THIS APN OR ENTER NEXT APN, OR FOR THIS APN, PF1=BASE INFO, PF6=ETALS, PF7=VALUES, PF10=HISTORY.

14:35:57 Mon Feb 27, 2006

VIAPNS050 **02/27/06** COUNTY OF SANTA CRUZ

VIAPNP050LI

14:34:27

PARCEL INQUIRY BY APN OF TRANSFERS

APN 050 281 16

VOL PG/ F.V/ REAP.CODE/ SERIAL NO. REC. DATE IND. S.P. NO. PAR. D/TP PCOR VEST. %INT.

1997-0049304 10-27-97 Y N/A NO 001 01 GENDEL STEVE & MARTHA H/W JT JΤ 5101-632 9-04-92 238,000 001 01 N YES YES-COMPLETED BURNS PATRICK J U/M 4482-599 4-04-89 174,500 002 01 Y YES YES-COMPLETED SMITH EDWARD T & EVELYN L JT JT N/A N/A 1933-215 2-17-69 15,000 000

ENTER NEXT APN, OR FOR THIS APN, PF1=BASE INFO, PF6=ETALS, PF7=VALUES, PF10=HISTORY.

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OWNER		PARCEL NUMBER
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