



Staff Report to the Zoning Administrator

Application Number: **08-0173**

Applicant: Laird Henkel
Owner: Laird Henkel
APN: 108-071-01

Agenda Date: August 22, 2008
Agenda Item #: 1
Time: After 10:00 a.m.

Project Description: Proposal to recognize a 240 square foot horse shelter and 400 square foot paddocks for two horses and to recognize fencing over 3 feet in height within the required front and street side yard setback. Requires a Level 5 Residential Development Permit to allow animal keeping on an R-1-15 zoned parcel and an overheight fence within the front and street side yard setback.

Location: Property located on the east and south sides of Blake Avenue (54 Blake Avenue) about 680 feet from Hames Road.

Supervisory District: 2nd District (District Supervisor: Ellen Pirie)

Permits Required: Residential Development Permit

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 08-0173, based on the attached findings and conditions.

Exhibits

- | | |
|-----------------------------------------------|-----------------------------------------------|
| A. Project plans | G. Comments & Correspondence |
| B. Findings | H. Blake Avenue Right of Way |
| C. Conditions | Location (Laird Henkel & Mid Coast Engineers) |
| D. Categorical Exemption (CEQA determination) | I. Site Photographs |
| E. Assessor's parcel map | |
| F. Zoning map | |

Parcel Information

Parcel Size:	1.069 acres (Mid Coast Engineers)
Existing Land Use - Parcel:	Single Family Residential
Existing Land Use - Surrounding:	Single Family Residential

County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor, Santa Cruz CA 95060

Project Access: Via Blake Avenue, a public right of way
Planning Area: Eureka Canyon
Land Use Designation: R-R (Rural Residential)
Zone District: R-1-15 (Single family residential - 15,000 square feet per unit)
Coastal Zone: ☐ Inside ☒ Outside
Appealable to Calif. Coastal Comm. ☐ Yes ☒ No

Environmental Information

Geologic Hazards: Within mapped County Fault Zone; no technical reports required
Soils: Not a mapped constraint
Fire Hazard: Partially within mapped fire hazard area.
Slopes: Flat site; slopes gently to the east
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Not a mapped resource
Drainage: Existing drainage adequate; site drains to existing concrete lined v-ditch at the east property line.
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: ☐ Inside ☒ Outside
Water Supply: City of Watsonville
Sewage Disposal: Septic
Fire District: Santa Cruz County Fire (CDF)
Drainage District: Zone 7

History

Assessor's records indicate that the house, garage and "cabin" (misc. other building) were built in 1925, prior to County permitting requirements.

The County issued a permit to replace the water heater at the subject residence in 2000 (#124678).

The subject property was cited for an Animal Keeping violation in March 2008. Approval of the current proposal would resolve their violation of keeping two horses on the property and associated horse structures without a Residential Development Permit.

Project Setting

The parcel is located on the corner of Blake Avenue, a public right of way, which is approximately 40 feet wide. There is a drainage feature (a concrete lined v-ditch) that runs north-south and varies in location between 20' - 45' from the east property line. The property slopes

very slightly downward towards the drainage ditch.

Parcels to the north across Blake Avenue are zoned R-1-20 (Single Family Residential – 20,000 square feet minimum), parcels to the east and south are zoned R-1-15 (Single Family Residential – 15,000 square feet minimum), and parcels to the west across Blake Avenue are zoned RA (Residential Agriculture). All surrounding parcels are developed with single family residences at rural densities.

There is an existing single story, 960 square foot single family dwelling located on the west side of the subject parcel. Assessor's records indicate that the house was built in 1925 prior to County permitting requirements, however, it does comply with the current site standards for the R-1-15 (Single Family Residential – 15,000 square foot minimum) zone district. There is also an existing "cabin" located about 20-feet east of the residence that appears to have been built at the same time as the residence ("misc other buildings" as indicated on assessor's records). There are no habitable features in the existing cabin and it is currently being used as storage, however, County Code Section 13.10.641 requires a minimum of 40-feet between paddocks and any dwelling on the same or adjacent property; therefore, condition of approval II.E. is included to restrict this structure from being used as a habitable space because it is located only 16-feet from the existing paddocks.

There is also a garage of approximately 270 square feet located on site approximately 12-feet east of the single family dwelling, which also appears to have been built in 1925 according to Assessor's records.

Project Scope

The property owner is requesting a Residential Development Permit to recognize the keeping of two horses on the subject property zoned R-1-15 (Single Family Residential – 15,000 square foot minimum). There is a 240 square foot horse shelter, or stable, (10' T x 24' L) with attached 400 square foot paddocks that are located to the rear of the existing single family dwelling. In addition, there is about 13,000 square feet of open, cleared, grazing area on the north (street side yard), east, and south sides of the parcel. In addition, the property owner is requesting approval of fencing over 3 feet in height located within the required 20 foot front yard setback and within the street side yard setback.

The stables and paddocks are visible from Blake Avenue, but are small enough to accommodate only two horses and are low-profile and natural in their materials and design. The drainage ditch and associated vegetation located east of the stables and paddocks buffers the view of the structure and animals from the east adjacent residence. There is a 5 foot fence on the south property line; however, condition of approval II.B.3. is included which requires the property owner to construct a more effective buffer along the south property line to consist of an 6 foot high solid wood fence and appropriate screening vegetation to mitigate the impacts of the animals on the south adjacent residence.

Environmental Health Services does not review and approve a Manure Management Plan for less than 5 horses; however, the property owner has indicated that the property is cleaned of horse manure twice per day and the manure is disposed of in curbside greenwaste bins. No manure is

spread onsite or held in outdoor piles.

In addition, the property owner is requesting approval of fencing over 3 feet in height within the required 20 foot front yard setback and within the 10 foot street side yard setback. The fencing is a maximum of 5 feet and is a three rail wood fence. The fence runs the length of the frontage along Blake Avenue and is located on the inside of the curve; however, because the fence is only 5 feet high and is a three rail wood fence on flat topography, it does not interfere with vehicular sight distance. Vehicles traveling along Blake Avenue can see clearly see around the corner as they approach. In addition, the fence is located about 5 feet from the edge of the roadway; therefore it does not limit pedestrian access along Blake Avenue.

Zoning & General Plan Consistency

The subject property is an approximately 46,566 square foot lot, located in the R-1-15 (Single Family Residential - 15,000 square foot minimum) zone district, a designation which allows residential uses and animal keeping. The proposed horse shelter and horses are permitted within the zone district with a Level 5 approval and the project is consistent with the site's (R-R) Rural Residential General Plan designation. As per County Code Section 13.10.641(a)(1), up to two horses may be kept on a parcel with a minimum of one gross acre.

The subject parcel is approximately 1.069 acres, based on calculations submitted by Mid Coast Engineers (Exhibit H), which were reviewed by the County Surveyor. There is a small discrepancy between the Assessor's Map and the deed description and title report. The deed description and title report describe a point at the north west corner of the property boundary while the assessor's map show a rounded corner at Blake Avenue (Exhibit H). Research with the Assessor's office and County Surveyor has been inconclusive in determining the origin of the rounded corner; however, Mid Coast Engineers has provided the County with an estimate of the gross parcel area, which, with or without the sliver of corner in question, is over the one acre minimum lot size for two horses to be kept on a parcel (County Code Section 13.10.641). Condition of approval IV.A. has been included to restrict the number of horses on the property to two maximum at any one time.

Both the stables and paddocks are in compliance with all of the required setbacks as per County Code Section 13.10.641 (Animal Regulations). The paddocks are located on the rear half of the parcel and are not located closer than 20 feet to any property line, nor closer than 40 feet to the existing dwelling on subject property or to any dwellings on adjacent properties. In addition, the stables are located close to midway between the side property lines and not closer than 20 feet from the side property lines and not closer than 50 feet from the front property line. Specifically, the setbacks are as follows:

	Required Setbacks (13.10.641)		Proposed
	Paddocks	Stables	
Front Setback	20'	50'	100'
Side Setbacks	20' & 20'	20' & 20'	95' & 70'
Rear Setbacks	20'	-	90'
Setback from dwellings	40'	-	41'

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

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **08-0173**, based on the attached findings and conditions.

Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

Report Prepared By: Samantha Haschert
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3214
E-mail: samantha.haschert@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 horse structures are located on a parcel that allows residential uses and animal keeping to coexist and the location of the structures is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed horse shelter and horses will not materially impact the neighborhood in that the structure exceeds all current setbacks that protect neighboring properties and dwelling units on the subject parcel from possible noise, smell, and sight impacts of horse keeping and that condition of approval II.B.2 requires additional mitigation measures including an 6-foot tall solid wood board fence and associated buffering vegetation to protect the south adjacent property.

In addition, the location of the five foot high fences along Blake Avenue allow adequate sight distance for vehicles traveling along Blake Avenue and turning on to and off of Blake Avenue in that the fencing is set back an adequate distance from the roadway and it is a 5 foot tall, 3 rail fence which is an open design.

The location of the fencing on the property and the design of the fencing does not contain any corners or pockets that would conceal persons with criminal intent in that the fence is a 3 rail wood fence that cannot conceal a person.

The design of the fencing does not utilize an excessive quantity of materials or energy in its construction or maintenance, in that the fencing is already constructed and the fencing is a relatively insignificant structure that is accessory to the residential use allowed on the property.

The design and location of the fencing does not adversely impact the available light or the movement of air to properties or improvements in the vicinity, in that the fences do not exceed five feet in height and the three rail design allows the movement of light of air to improvements within the vicinity.

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 horse shelter and fencing and the conditions under which they will be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-15 (Single family residential - 15,000 square feet per unit) zone district in that the primary use of the property will continue to be residential and the horse shelter and fencing are ancillary uses. As conditions of approval, a maximum of 2 horses will be allowed on the property at one time and the existing "cabin" must remain

nonhabitable due to the setback from the paddocks, in accordance with the County Code 13.10.641 for animal regulations.

Specific regulations for fencing and walls are contained in County Code Section 13.10.525. This proposal complies with the requirements and intents of that section, in that:

- All fencing permitted in this permit is designed and located in a way that allows adequate sight distance for vehicles traveling along Blake Avenue as well as entering and exiting the property, in that the fencing is set back about 5 feet from the traveled roadway and the fence is a 5 foot three rail fence that is open and non-obstructive to sight distance at the corner.
 - The fencing is set back from the street and is a three rail wood fence which allows adequate light and air to pass through to the street area. In addition the fencing does not impede sight distance or obstruct light and air to the street in that it is open in its design.
 - The location of the fencing on the property and the design of the fencing does not contain any corners or pockets that would conceal persons with criminal intent in that the fencing is a five foot three rail fence not a solid board fence.
 - The location and design of the fencing is compatible with the visual character of the surrounding rural neighborhood in which other fences greater than three feet in height front along the roadside.
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 horses, horse structures, and fencing are consistent with the purpose of the Rural Residential (R-R) land use designation in the County General Plan (Objective 2.5) because horses, stables, paddocks, and fencing are all ancillary to the existing single family residence and maintain the rural character of the area and the fencing is set back from the road and allows adequate sight distance consistent with road standards specified in the General Plan.

The existing horse shelter is not 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 horse shelter complies with the site standards for animal shelters (County Code 13.10.641) and results 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 horse shelter and fencing was constructed on a parcel with an existing single family dwelling. The project is not expected to generate traffic; therefore the surrounding road network will not be impacted by this use.

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 horse structure and fencing is located in a rural neighborhood containing a variety of architectural styles of which the horse shelter and fencing are compatible in their small size and natural materials and colors, and rural designs.

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.

The proposed project is not subject to County Code Chapter 13.11.

Conditions of Approval

Exhibit A: Project plans, 3 pages, prepared by Laird Henkel, dated 4/27/08.

- I. This permit recognizes the construction of a 240 square foot horse stable and 400 square foot paddocks for two horses to be kept on site and a 5 foot maximum height fence located within the front and street side yard setback. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. 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.
- 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. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. Fence materials shall be left natural (unfinished and unpainted), or be stained/painted a muted natural earth tone.
 2. The fence, posts, and any post caps or other ornaments may not exceed five feet in height from existing or finish grade, whichever is the greater dimension.
 3. Site plan shall show a 6-foot solid board fence along the south property line and vegetation that is effective in buffering the sight, smells and noise of the horses from the south adjacent property. Buffering vegetation shall be reviewed and approved by the County Urban Designer prior to building permit issuance.

4. Grading, drainage, and erosion control plans.
 - 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.
 - D. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
 - E. Complete and record a Declaration of Restriction to maintain an existing nonhabitable accessory building ("cabin"). **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. 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. A maximum of two horses may be kept on this property at any one time.
 - B. In the event that the manure management plan as approved in this permit must be altered in any way, the property owner must contact the Planning Department prior to any changes taking place to determine if an amendment to this permit is required or if Environmental Health Services review is required.
 - C. 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 listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

Application #: 08-0173
APN: 108-071-01
Owner: Laird Henkel

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

Samantha Haschert
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: 08-0173

Assessor Parcel Number: 108-071-01

Project Location: 54 Blake Avenue, Watsonville

Project Description: Proposal to recognize a 240 square foot horse shelter and 400 square foot paddocks for two horses kept on an approximately 1 acre parcel with a single family dwelling and a 5 foot maximum height fence located within the front and street side yard setback.

Person or Agency Proposing Project: Laird Henkel

Contact Phone Number: (831) 331-1345

- 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. X Categorical Exemption

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

F. Reasons why the project is exempt:

Proposal to recognize a 240 square foot horse shelter and 400 square foot paddocks and an overheight fence on a parcel with an existing single family dwelling.

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

Samantha Haschert, Project Planner

Date: _____

FOR TAX PURPOSES ONLY
 THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY
 LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
 © COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1997

RANCHO DE LOS CORRALITOS
 POR. SEC. 12, T.11S., R.1E., M.D.B. & M.

Tax Area Code
 69-087 69-262

108-07

EXHIBIT E

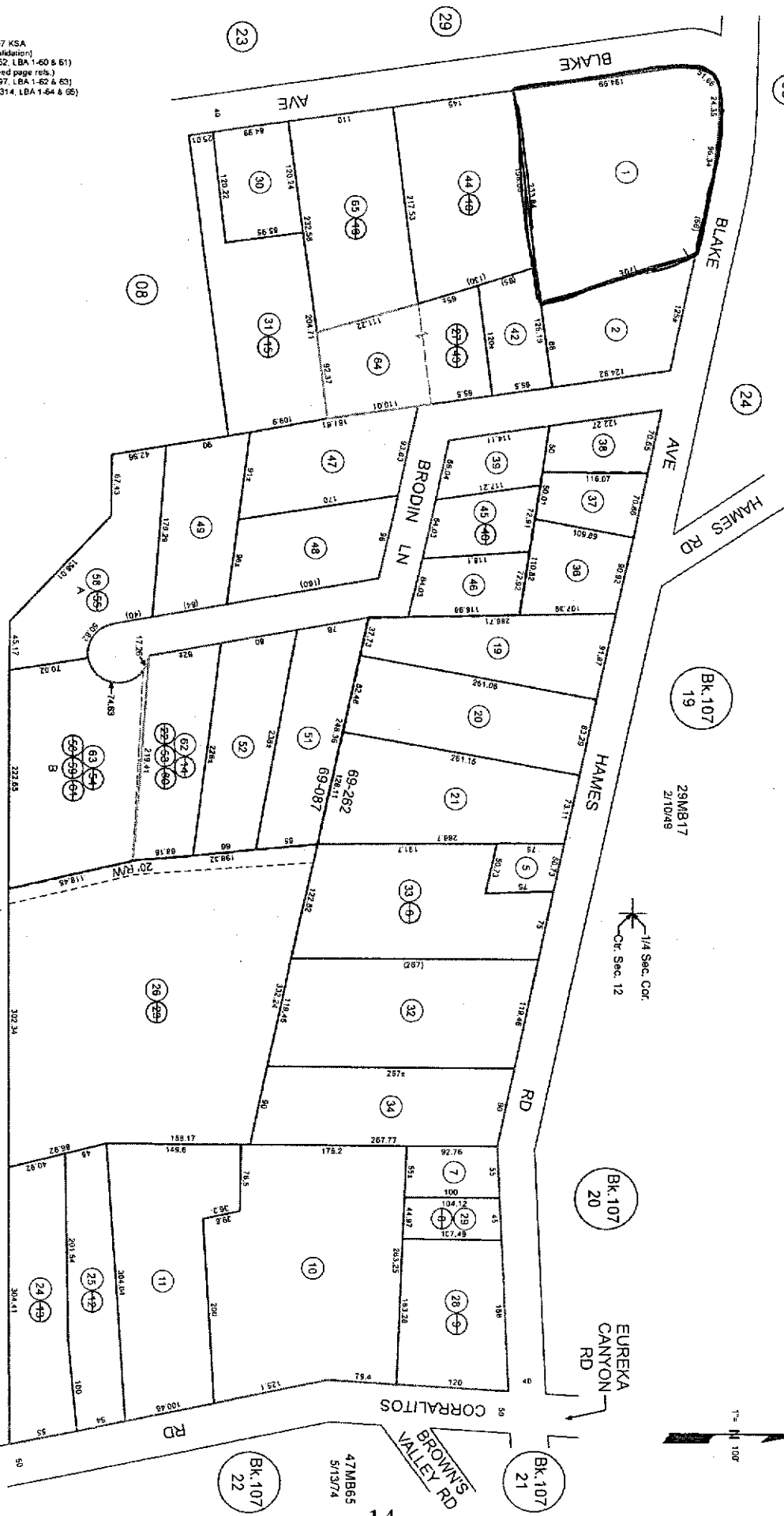
Electronically drawn 11/29/97 KSA
 Rev. 4/8/98 CB (Tax Consolidation)
 Rev. 8/28/00 CB (D-0030352, LBA 1-60 & 61)
 Rev. 10/15/01 mms (changed page refs.)
 Rev. 1/31/03 DO (2-0085297, LBA 1-62 & 63)
 Rev. 12/6/06 mms (S-0027314, LBA 1-64 & 65)

19PM27 86RS71
 8/29/75 4/28/83
 Note - Assessor's Parcel & Block
 Numbers Shown in Circles.

1/4 Sec.
 Line

86RS38
 11/9/92

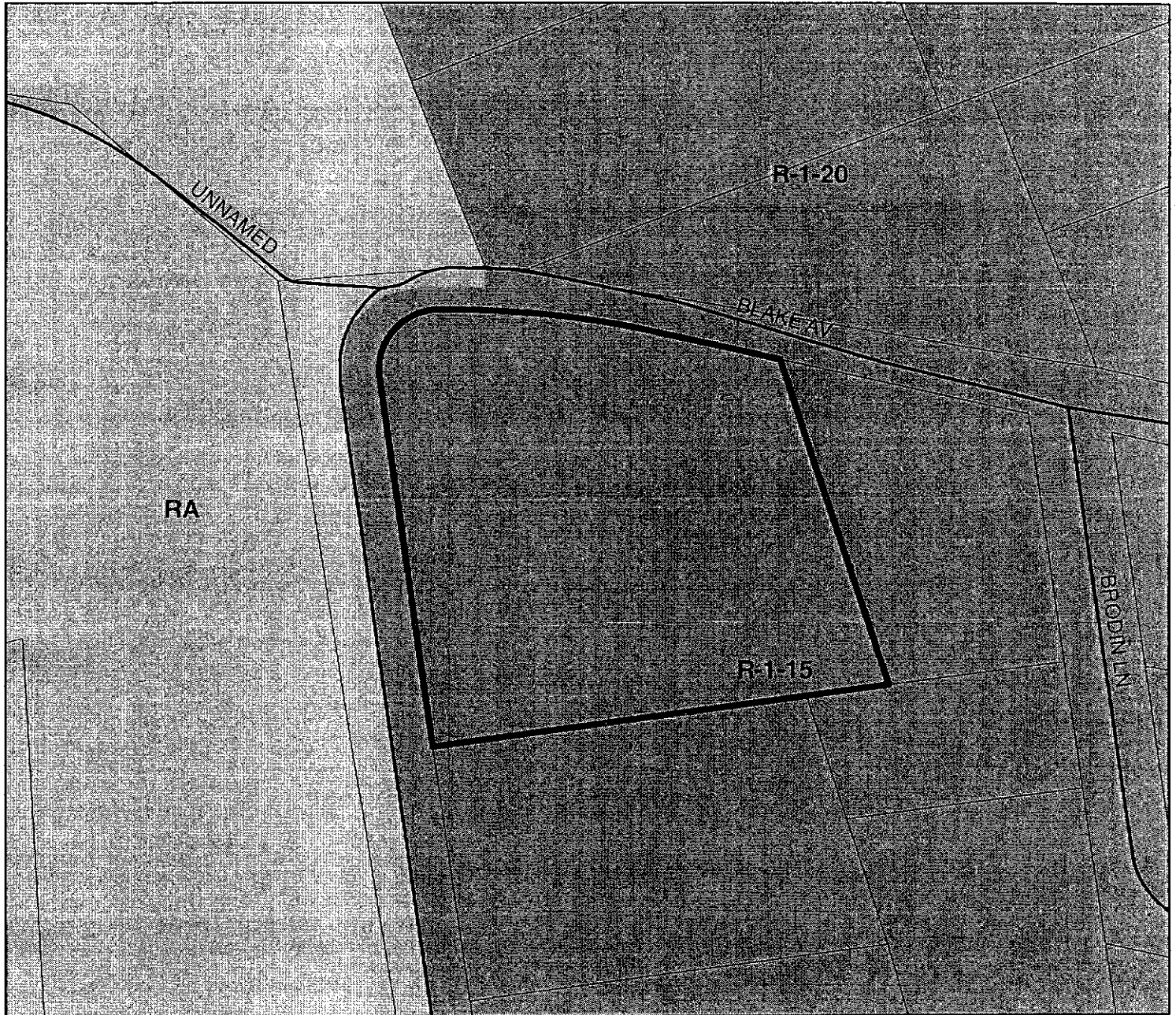
Assessor's Map No. 108-07
 County of Santa Cruz, Calif.
 Nov. 1997



47MB65
 5/13/74



Zoning Map



0 65 130 260 390 520 Feet

LEGEND



APN: 108-071-01



Assessors Parcels



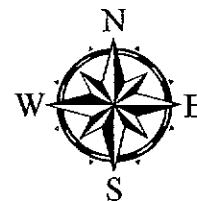
Streets



AGRICULTURE RESIDENTIAL



RESIDENTIAL-SINGLE FAMILY



Map Created by
County of Santa Cruz
Planning Department
April 2008

EXHIBIT F

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

Project Planner: Samantha Haschert
Application No.: 08-0173
APN: 108-071-01

Date: June 13, 2008
Time: 10:35:01
Page: 1

Code Compliance Completeness Comments

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

===== REVIEW ON MAY 13, 2008 BY JACOB RODRIGUEZ =====
NO COMMENT
Approve

Code Compliance Miscellaneous Comments

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

===== REVIEW ON MAY 13, 2008 BY JACOB RODRIGUEZ =====
NO COMMENT
Approve. no cc costs since no red-tag issued.

Environmental Health Completeness Comments

===== REVIEW ON MAY 27, 2008 BY JIM G SAFRANEK ===== This project is approved by EHS.

Environmental Health Miscellaneous Comments

===== REVIEW ON MAY 27, 2008 BY JIM G SAFRANEK ===== EHS review fee was never collected by Planning. HDS fee payable to Planning

Samantha Haschert

Subject: 08-0173
Entry Type: Phone call
Start: Thu 6/19/2008 2:43 PM
End: Thu 6/19/2008 2:43 PM
Duration: 0 hours

Neighbor at 46 Blake Avenue

- would like to see horses removed from the property
- is allergic to horses
- there are no mitigating measures that would protect him or his property from the impacts of the horses and from his allergies
- says that he does not believe that the site is 1 acre and would like to see a survey.
- would like to see the south property line staked.
- does not believe that the resident owns the horses and that they may be boarding them.
- would like to know why the county did not ask for the horses to be removed from the property while the permit is being processed due to his health problems.



Mid Coast Engineers

Civil Engineers and Land Surveyors

70 Penny Lane, Suite A - Watsonville, CA 95076

Phone: (831) 724-2580

Fax: (831) 724-8025

e-mail: lee@midcoastengineers.com

Richard A. Wadsworth
Civil Engineer

Stanley O. Nielsen
Land Surveyor

Lee D. Vaage
Land Surveyor

Jeff S. Nielsen
Land Surveyor

July 15, 2008

Samantha Haschert
Planning Department
County of Santa Cruz
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Re: **HENKEL**, Application # 08-0173; APN 108-071-01

Dear Ms. Haschert,

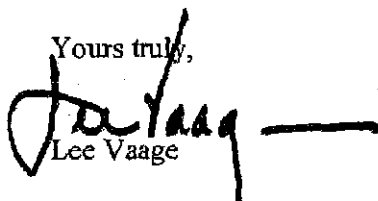
As we discussed, I have recalculated the area of the referenced parcel in accordance with the method you prescribed. The description for the original parcel is set forth in Henkel's Title Report 09530288 MCW, and the exception as conveyed in the deed recorded in Volume 246, Page 308, Official Records. That portion of the original description contained within the 20-foot strip of Blake Avenue is included in the area calculation. Based on scaling the depiction of the parcel on Assessor's Book and Page 108-07, the "rounding" of Blake Avenue at the northwest corner of the property was computed. The area of this "rounding" must therefore be considered approximate only, as no definitive description has been located.

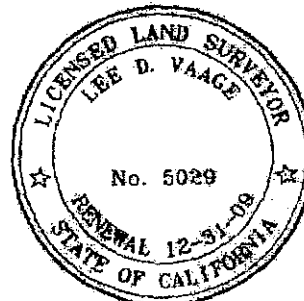
Our calculations are as follows:

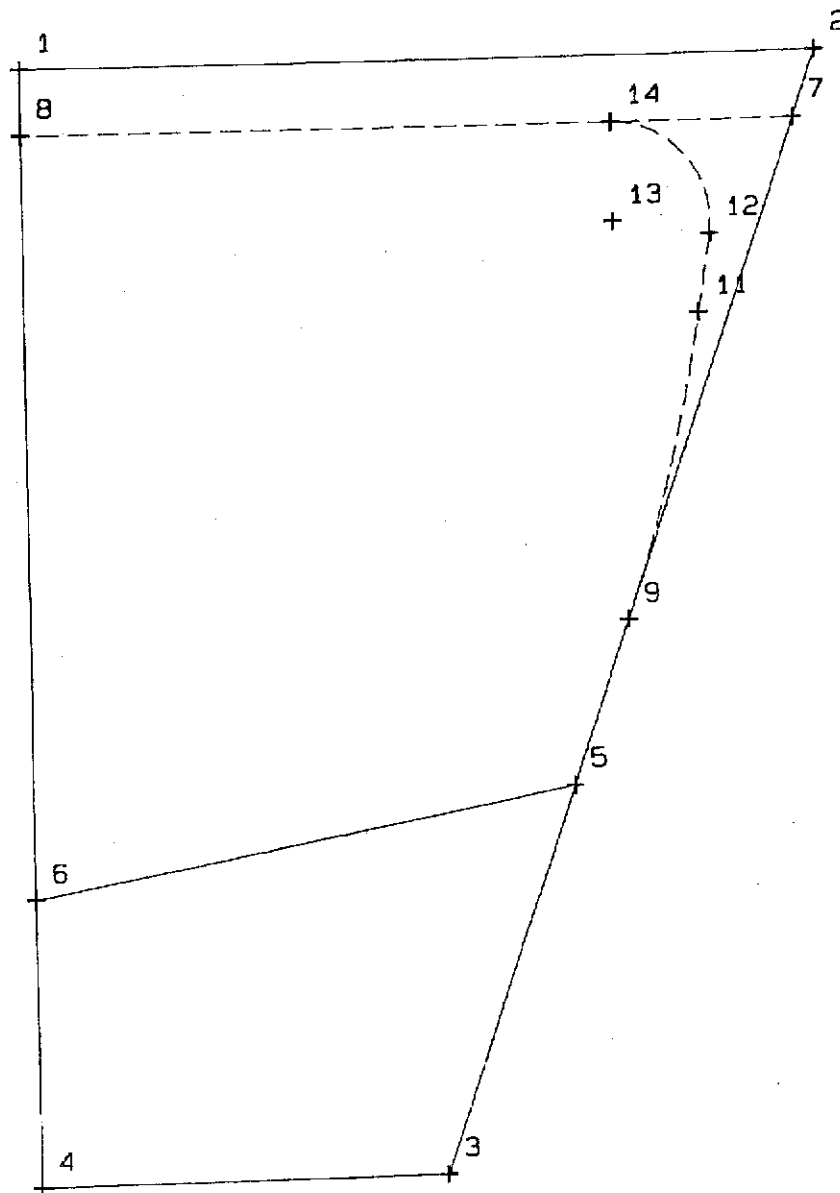
Original parcel:	62659 +/- S. F.	(1.438 +/- Acres)
MINUS Bodine exception (Currently APN 108-071-02)	14633 +/- S.F.	(0.336 +/- Acres)
MINUS Corner "Rounding" Blake Avenue	1451 +/- S.F.	(0.033 +/- Acres)
REMAINDER	46574 +/- S. F.	(1.069 +/- Acres)

Again, there is a good degree of uncertainty in the deed descriptions, e.g., the more or less qualifier on certain distances. Additionally, the Assessor's Map appears to show a somewhat different alignment for the east-west portion of Blake Avenue along the northern boundary of the Henkel parcel. An actual boundary survey, with additional research, would be required to arrive at a more accurate area.

Yours truly,


Lee Vaage





CC-COGO output, date: 07-15-2008, time: 4:16:55 PM, FILE: HENKEL.CCC

HENKEL ORIGINAL PARCEL

PT#	BEARING	DIST	COORDINATES
1	- - - - -	- - - - -	N 2000.000, E 2000.000
NW	9.0700	243.200	
2	- - - - -	- - - - -	N 2240.128, E 1961.466
SE	79.5500	360.000	
3	- - - - -	- - - - -	N 2177.099, E 2315.906
SE	9.5200	124.819	
4	- - - - -	- - - - -	N 2054.126, E 2337.294
SW	80.5300	341.609	
1	- - - - -	- - - - -	N 2000.000, E 2000.000

AREA = 62658.81 S.F., 1.438 ACRES

BODINE, APN 108-071-02

PT#	BEARING	DIST	COORDINATES
5	- - - - -	- - - - -	N 2198.984, E 2192.836
SE	79.5500	125.000	
3	- - - - -	- - - - -	N 2177.099, E 2315.906
SE	9.5200	124.819	
4	- - - - -	- - - - -	N 2054.126, E 2337.294
SW	80.5300	88.000	
6	- - - - -	- - - - -	N 2040.183, E 2250.406
NW	19.5537	168.914	
5	- - - - -	- - - - -	N 2198.984, E 2192.836

AREA = 14633.35 S.F., 0.336 ACRES

CORNER ROUNDING BLAKE AVENUE

PT#	BEARING	DIST	COORDINATES
14	- - - - -	- - - - -	N 2181.378, E 1991.150
RADIAL BEARING: SW 80.5300			
CURVE: DELTA = 98.3948 TO THE RIGHT, RADIUS = 30.000			
ARC = 51.660, TAN = 34.917, CHORD = 45.510			
13	Radius Point	N	2186.131, E 2020.771
12	End Curve	N	2216.130, E 2020.533
NE	89.3248	24.350	
11	- - - - -	- - - - -	N 2216.323, E 2044.882
RADIAL BEARING: NW 0.2712			
CURVE: DELTA = 10.3212 TO THE RIGHT, RADIUS = 523.870			
ARC = 96.339, TAN = 48.306, CHORD = 96.204			
10	Radius Point	N	1692.469, E 2049.027
9	End Curve	N	2208.248, E 2140.747
NW	79.5501	160.915	
7	- - - - -	- - - - -	N 2236.420, E 1982.317
SE	9.0659	55.746	
14	- - - - -	- - - - -	N 2181.378, E 1991.150

AREA = 1451.49 S.F., 0.033 ACRES

EXHIBIT "A"

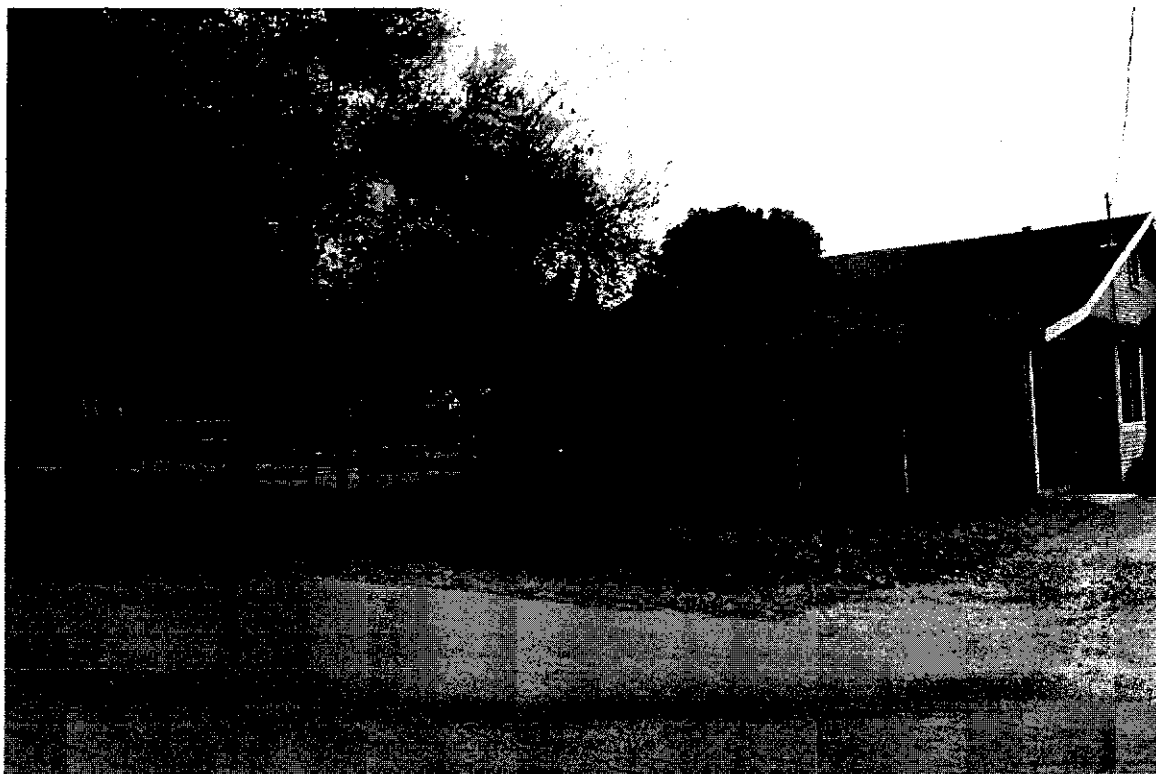
The land referred to herein is described as follows:

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

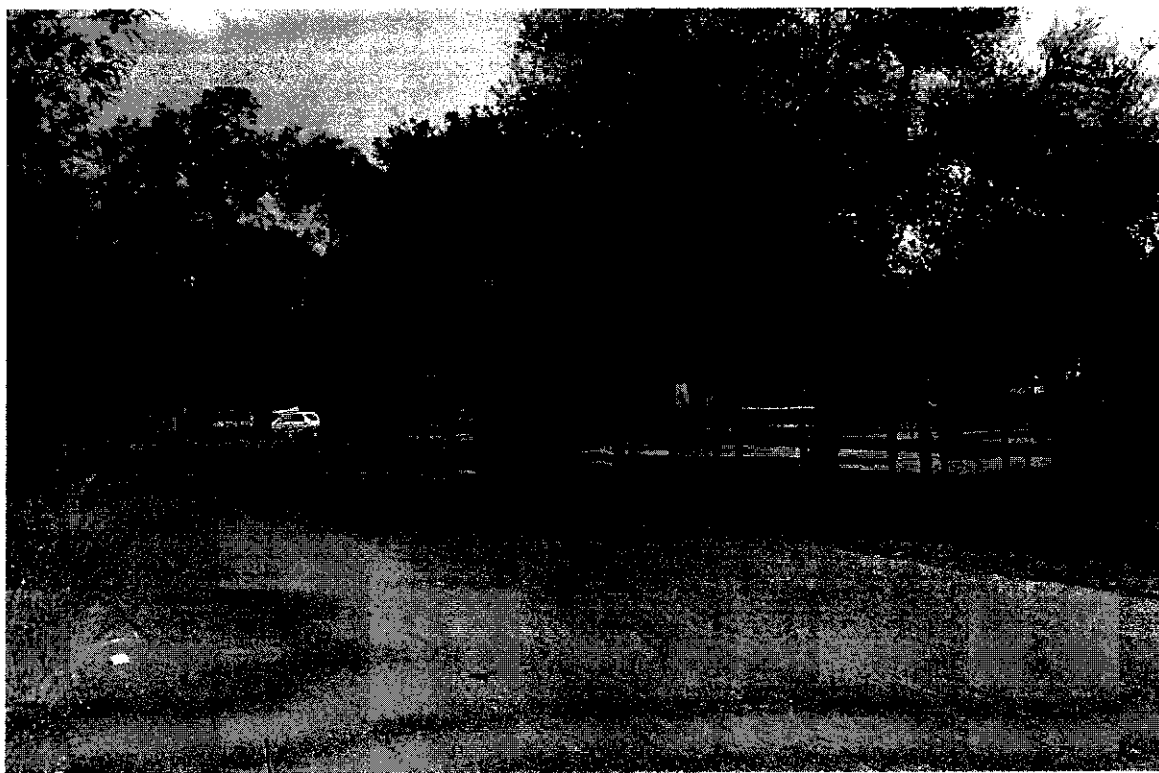
BEGINNING IN THE MIDDLE OF A 40 FOOT PRIVATE ROAD AND AT A STATION FROM WHICH THE NORTHWESTERLY CORNER OF LANDS CONVEYED BY J. H. BLAKE, ET UX, TO JOHN A. DEAN AND NILA T. DEAN, BY DEED DATED APRIL 30TH, 1930, AND RECORDED IN VOLUME 179, PAGE 211, OFFICIAL RECORDS, SANTA CRUZ COUNTY, BEARS SOUTH 9° 7' EAST 571.00 FEET DISTANT, AND RUNNING THENCE FROM SAID POINT OF BEGINNING ALONG THE CENTERLINE OF SAID PRIVATE ROAD NORTH 9° 7' WEST 243.20 FEET, A LITTLE MORE OR LESS, TO THE SOUTHERN BOUNDARY OF A PRIVATE ROAD LEADING TO LANDS FORMERLY OWNED BY ONE CASSADY; THENCE ALONG THE BOUNDARY OF SAID LAST NAMED PRIVATE ROAD SOUTH 79° 55' EAST 360.00 FEET, A LITTLE MORE OR LESS TO LANDS NOW OR FORMERLY OWNED BY ONE JENKINS; THENCE ALONG THE BOUNDARY OF SAID LAST NAMED LANDS SOUTH 9° 52' EAST 124.92 FEET, A LITTLE MORE OR LESS, TO A STATION, NORTH 80° 53' EAST FROM THE PLACE OF BEGINNING; THENCE LEAVING SAID LANDS OF JENKINS SOUTH 80° 53' WEST 341.84 FEET, A LITTLE MORE OR LESS, TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THE LAND CONVEYED BY THE DEED FROM HARRY LEONARD AND HULDA LEONARD, HIS WIFE, TO JOHN NELSON BODINE AND DORA ELIZABETH BODINE, HIS WIFE, RECORDED MAY 17TH, 1933, IN VOLUME 246, PAGE 308, OFFICIAL RECORDS OF SANTA CRUZ COUNTY

APN: 108-071-01



MAIN HOUSE & 73' FENCE



BLAKE AVENUE



"CABIN"



GRAZING AREA

EXHIBIT I



→ GREENWASTE BINS





HORSE SHELTER