



Staff Report to the Zoning Administrator

Application Number: **10-0091**

Applicant: Thacher and Thompson Architects **Agenda Date:** February 18, 2011
Owner: Yuandaw and Jean Tsai **Agenda Item #:** 5
APN: 028-221-26 **Time:** after 10:00 a.m.

Project Description: Proposal to construct an approximately 42 sq. ft. addition at the first floor of a two-story, single-family dwelling, to recognize the conversion of part of the garage to habitable area, and a remodel of a portion of the structure including re-siding the exterior, window replacement, interior wall changes and reconstruction and reconfiguration of an exterior deck.

All development occurs within fifty feet of the bluff edge.

Location: 100 Sunny Cove Drive, Santa Cruz

Supervisory District: First District (District Supervisor: John Leopold)

Permits Required: Coastal Development Permit
Technical Reviews: none

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 10-0091, based on the attached findings and conditions.

Exhibits

- | | |
|---|---|
| A. Project plans | F. Discretionary Application Comments |
| B. Findings | G. Termite Report, dated 11/24/2010 |
| C. Conditions | prepared by 4-Less Termite & Repair |
| D. Categorical Exemption (CEQA determination) | H. Structural Evaluation Letter, dated |
| E. Assessor's, Location, Zoning and General Plan Maps | November 17, 2010 prepared by R3 Consulting Engineers |

Parcel Information

Parcel Size: 4.848 sq. ft.
Existing Land Use - Parcel: Single family residential
Existing Land Use - Surrounding: Residential
Project Access: Sunny Cove Drive
Planning Area: Live Oak
Land Use Designation: R-UM (Urban Medium Density Residential)
Zone District: R-1-4 (Single family residential - 4,000 sq. ft. min. lot size)
Coastal Zone: ☒ Inside ☐ Outside
Appealable to Calif. Coastal Comm. ☒ Yes ☐ No

Environmental Information

Geologic Hazards: Coastal bluff - see body of report
Soils: N/A
Fire Hazard: Not a mapped constraint
Slopes: site is relatively flat to break in slope of coastal bluff
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 (however visible from public beaches)
Drainage: Existing drainage adequate
Archeology: Not mapped/no physical evidence on site

Services Information

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

History

Assessor's records indicate that the existing residence was built in 1972.

Permit 92-0131 allowed the construction of a sea wall. The gabion style wall extends from the southern end of Sunny Cove Drive 250 feet east to 18th Avenue. The construction was finalized February 8, 1995.

Zoning & General Plan Consistency

The subject property is a parcel of approximately 4,705 square feet, located in the R-1-4 (Single family residential - 4,000 sq. ft. min. lot size) zone district, a designation that allows residential

uses. The existing single-family dwelling is a principal permitted use within the zone district and the zoning is consistent with the site's (R-UM) Urban Medium Density Residential General Plan designation.

Local Coastal Program Consistency

The proposed single-family dwelling is in conformance with the County's certified Local Coastal Program, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain single-family dwellings. Size and architectural styles vary widely in the area, and residing the existing structure does not alter the compatibility with the neighborhood.

The project site is located between the shoreline and the first public road; however it is not identified as a priority acquisition site in the County's Local Coastal Program. The County of Santa Cruz is currently reviewing acquiring access to the beach at Sunny Cove by easements from property owners. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

Design Review

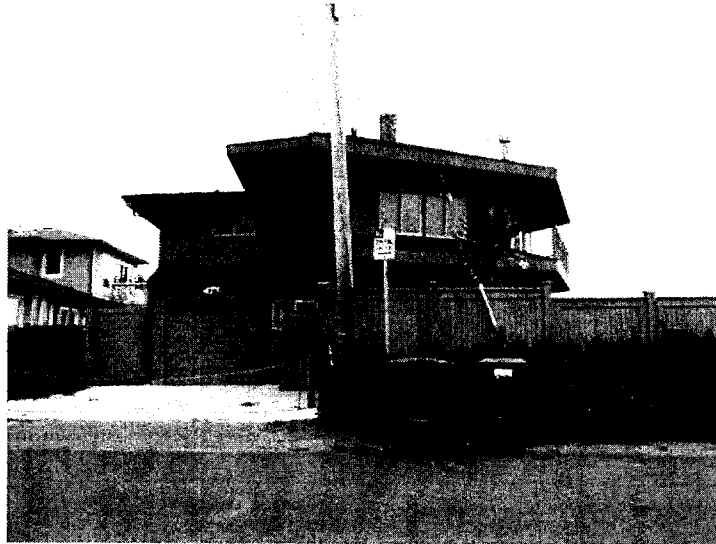


Figure 1. View of residence from Sunny Cove Drive

The proposed single-family dwelling complies with the requirements of the County Design Review Ordinance, in that the proposed residing will have a negligible visual effect on the existing residence or on surrounding land uses and the natural landscape.

Geological Setback/Hazards

This project is located in an area of geologic hazards, subject to coastal bluff erosion, ground failure, ground shaking, and other possible hazards. The Geologic Hazards Ordinance (Chapter 16.10 of the County Code) requires that a Geologic Hazards Assessment (GHA) be prepared for all development in areas of geologic hazard. Calculations are required for exterior wall alterations in accordance with Section 16.10.040(s)(2) of County Code in order to determine if this project

meets the definition of development. The applicant will be required to prepare a plan that delineates and limits the removal of siding and gypsum wallboard necessary to alter the structure per the approved plans.

If conditions are discovered during construction requiring further unanticipated wall modification, all work will stop and a Change Order will have to be submitted. The Change Order application shall include a calculation of the altered walls, base on County Code Chapter 16.10.040 (s)(2). If that percentage does not exceed 50% work shall proceed under the Change Order without the need for further review. If that percentage is determined to exceed 50%, an amendment to the discretionary approval may be required. The plans will then have to be revised to show all work proposed based on the reports (the plans must also show exterior wall alteration calculations).

Amount of Altered Walls			
	<i>total length of perimeter</i>	<i>total length of altered walls (as defined by interpretation *)</i>	<i>percentage of altered walls to total</i>
Lower Floor	+ 137.7 ft.	+ 70 ft.	-
Upper Floor	+ 137.7 ft.	0	-
Combined *	275.4 ft.	70	25.4 %
* Interpretation WALLS-01 (effective date 04/09/09)			

The existing deck is within the 25 feet minimum bluff setback. Section 16.10.070 (h)(2)(i) of the zoning ordinance exempts decks that do not require a building permit and do not unfavorably alter drainage. The replacement deck would have to be no higher than 30" above the grade to be allowed without a building permit (thereby qualifying for this exception). A condition of approval requires the replacement deck to meet the above restrictions.

Environmental Review

Environmental review has been completed for the proposed project, with a determination that the proposal qualifies for an exemption to the California Environmental Quality Act (CEQA). The project qualifies for an exemption because the property is already served by an existing well and septic system, no change of use is proposed and the construction of a small building is exempt under Section 15303 of CEQA (Class 3 - New Construction or Conversion of Small Structures).

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 10-0091, 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: Lawrence Kasparowitz
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-2676
E-mail: pln795@co.santa-cruz.ca.us

Coastal Development Permit Findings

1. That the project is a use allowed in one of the basic zone districts, other than the Special Use (SU) district, listed in section 13.10.170(d) as consistent with the General Plan and Local Coastal Program LUP designation.

This finding can be made, in that the property is zoned R-1-4 (Single family residential - 4,000 sq. ft. min. lot size), a designation that allows residential uses. The single-family dwelling is a principal permitted use within the zone district, and the zoning is consistent with the site's (R-UM) Urban Medium Density Residential General Plan designation.

2. That the project does not conflict with any existing easement or development restrictions such as public access, utility, or open space easements.

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

3. That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to section 13.20.130 et seq.

This finding can be made, in that the development is consistent with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the colors shall be natural in appearance and complementary to the site; the development site is on a prominent bluff top.

4. That the project conforms with the public access, recreation, and visitor-serving policies, standards and maps of the General Plan and Local Coastal Program land use plan, specifically Chapter 2: figure 2.5 and Chapter 7, and, as to any development between and nearest public road and the sea or the shoreline of any body of water located within the coastal zone, such development is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act commencing with section 30200.

This finding can be made, although the project site is located between the shoreline and the first through public road, the single-family dwelling will not interfere with public access to the beach, ocean, or any nearby body of water. The proposed addition to the residence is quite small and is not on the bluff side. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

5. That the proposed development is in conformity with the certified local coastal program.

This finding can be made, in that the modifications to the structure are sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the R-1-4 (Single family residential - 4,000 sq. ft. min. lot size) zone district of the area, as well as

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the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single-family dwellings. Size and architectural styles vary widely in the area, and the design submitted is compatible with the existing range of styles.

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. While there are physical constraints to development (location on bluff and sea cave), the proposed addition is minor and is being constructed on the sides of the structure and not in the area near the coastal bluff. 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 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.

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-1-4 (Single family residential - 4,000 sq. ft. min. lot 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.

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 Urban Medium Density Residential (R-UM) land use designation in the County General Plan.

The proposed single-family dwelling 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 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-1-4 zone district (including setbacks, lot coverage, floor

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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.

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 proposal is for a minor addition and renovation to an existing single family dwelling on a developed lot. The proposed remodel will remove one bedroom. The expected level of traffic generated by the proposed project is anticipated to remain at 1 peak trip per day.

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 modifications to the existing structure are minor and the residence 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.

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 addition and remodel to this 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.

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Conditions of Approval

Exhibit A: Architectural plans, 8 sheets, prepared by Thacher & Thompson Architects, dated March 3, 2010.

- I. This permit authorizes the construction an approximately 42 sq. ft. addition at the first floor of a two-story, single-family dwelling, and recognition of the conversion of part of the garage to habitable area and remodeling including residing the exterior, window replacement, interior wall changes and reconstruction and reconfiguration of an exterior deck. All development occurs within fifty feet of the bluff edge.

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 Demolition Permit from the Santa Cruz County Building Official.
 - C. Obtain a Building Permit from the Santa Cruz County Building Official.
 - 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - D. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
 - E. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
- A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. 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

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information:

1. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material board in 8 1/2" x 11" format for Planning Department review and approval
2. Grading, drainage, and erosion control plans.
3. 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. Maximum height is 28 feet.
4. Details showing compliance with fire department requirements.
5. Prior to the issuance of a Building Permit for this work, the project architect shall prepare and submit a document to the Planning Department that clearly delineates the limits of removal and/or replacement of existing exterior walls including gypsum wallboard and siding that will be necessary to complete the modification to the structure, as depicted on Exhibit A.

If during construction, removal and/or replacement of existing exterior walls significantly exceeds that shown on the submitted document and alteration of additional existing wall length is determined to be necessary, then construction will cease and a Change Order to the Building Permit shall be submitted to the Planning Department. The Change Order application will include a revised calculation of the percentage of wall length to be altered based upon County Code 16.10.040 (s)(2). If that percentage does not exceed 50%, work shall proceed under the Building Permit without further review or approval. If that percentage is determined to exceed 50%, an amendment to this discretionary approval may be required.

6. The replacement deck shall be no higher than 18" above the grade to be allowed without a building permit (thereby qualifying for this exception)
- B. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to

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submittal, if applicable.

- C. Meet all requirements of and pay Zone 5 drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
 - D. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
 - E. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
 - F. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
 - G. 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.
 - H. 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, 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.

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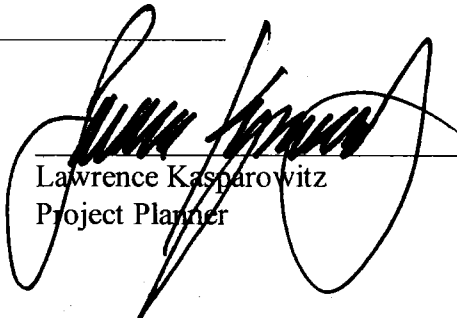
Please note: This permit expires three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures 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.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Steven Guiney
Deputy Zoning Administrator



Lawrence Kasparowitz
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: 10-0091

Assessor Parcel Number: 028-221-26

Project Location: 100 Sunny Cove Drive, Santa Cruz

Project Description: Proposal to construct an approximately 42 sq. ft. addition at the first floor of a two-story, single-family dwelling, and to recognize the conversion of part of the garage to habitable area and remodeling including residing the exterior, window replacement, interior wall changes and reconstruction and reconfiguration of an exterior deck. All development occurs within fifty feet of the bluff edge.

Person Proposing Project: Thacher and Thompson Architects

Contact Phone Number: (831) 457-3939

- 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 (Section 15303)

F. Reasons why the project is exempt:

Remodeling and minor addition to a residence in an area designated for residential development.

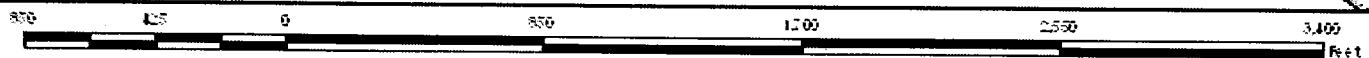
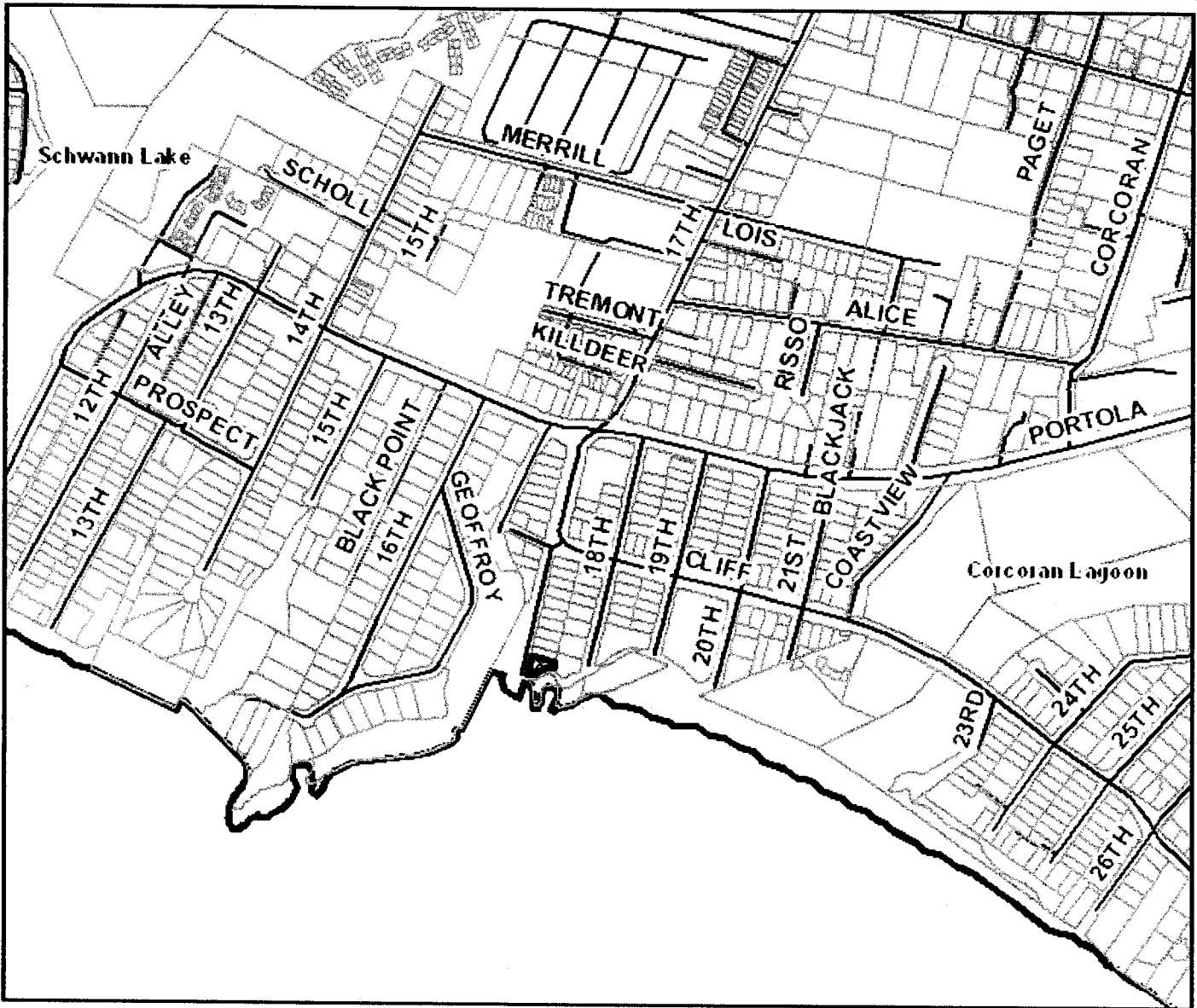
In addition, none of the conditions described in Section 15300.2 apply to this project.


Lawrence Kasparowitz, Project Planner






Date: _____

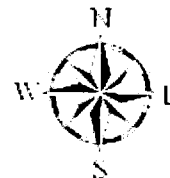


Location Map



LEGEND

-  APN: 028-221-26
-  Assessors Parcels
-  Streets
-  County Boundary
-  Lakes

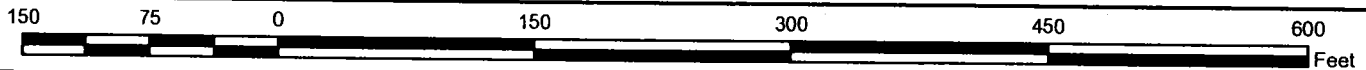
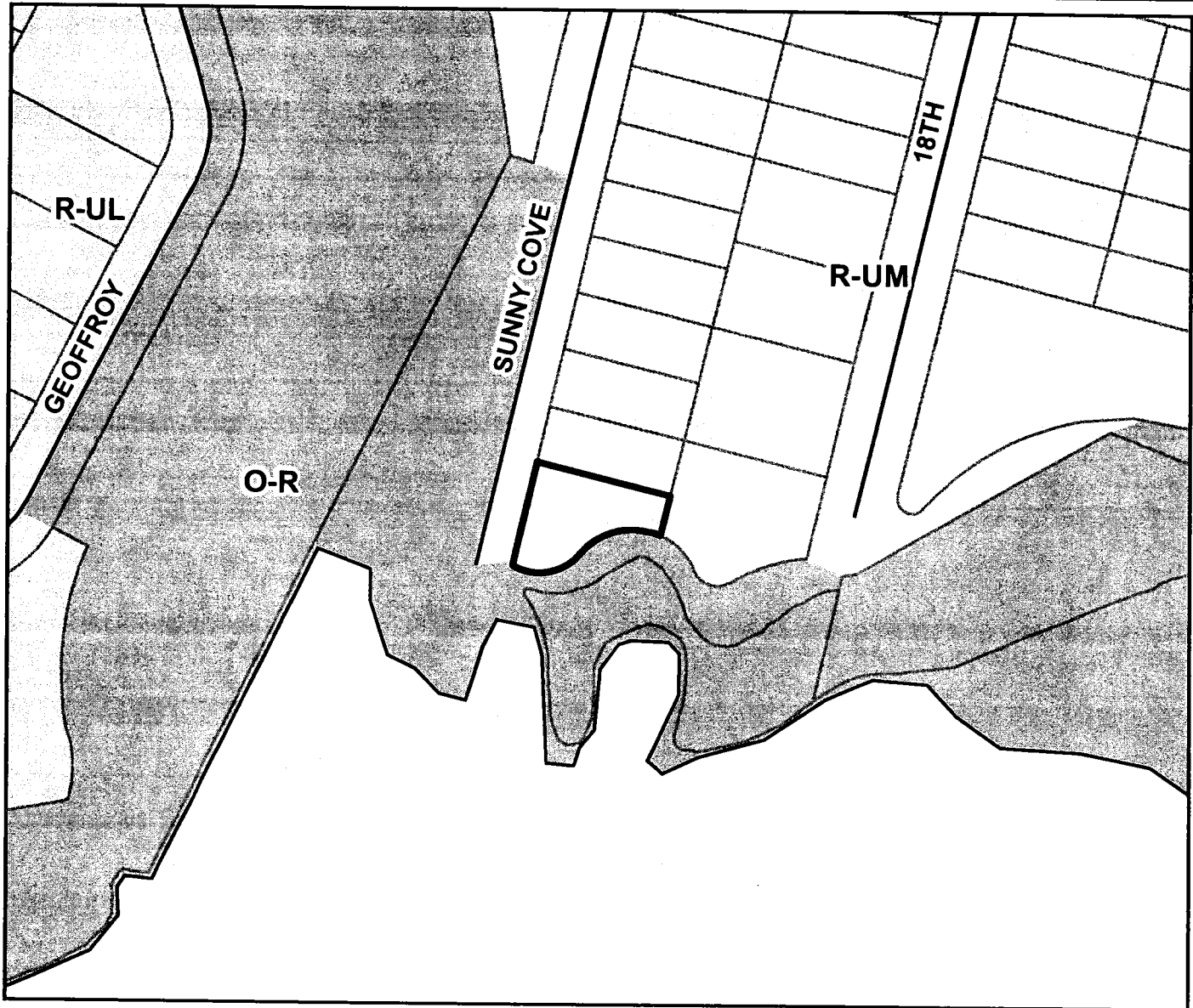


Map Created by
County of Santa Cruz
Planning Department
April 2010








EXHIBIT E

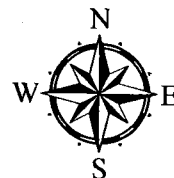


General Plan Designation Map



LEGEND

-  APN: 028-221-26
-  Assessors Parcels
-  Streets
-  County Boundary
-  Residential - Urban Medium Density
-  Residential - Urban Low Density
-  Parks and Recreation

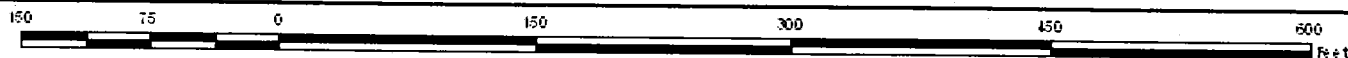
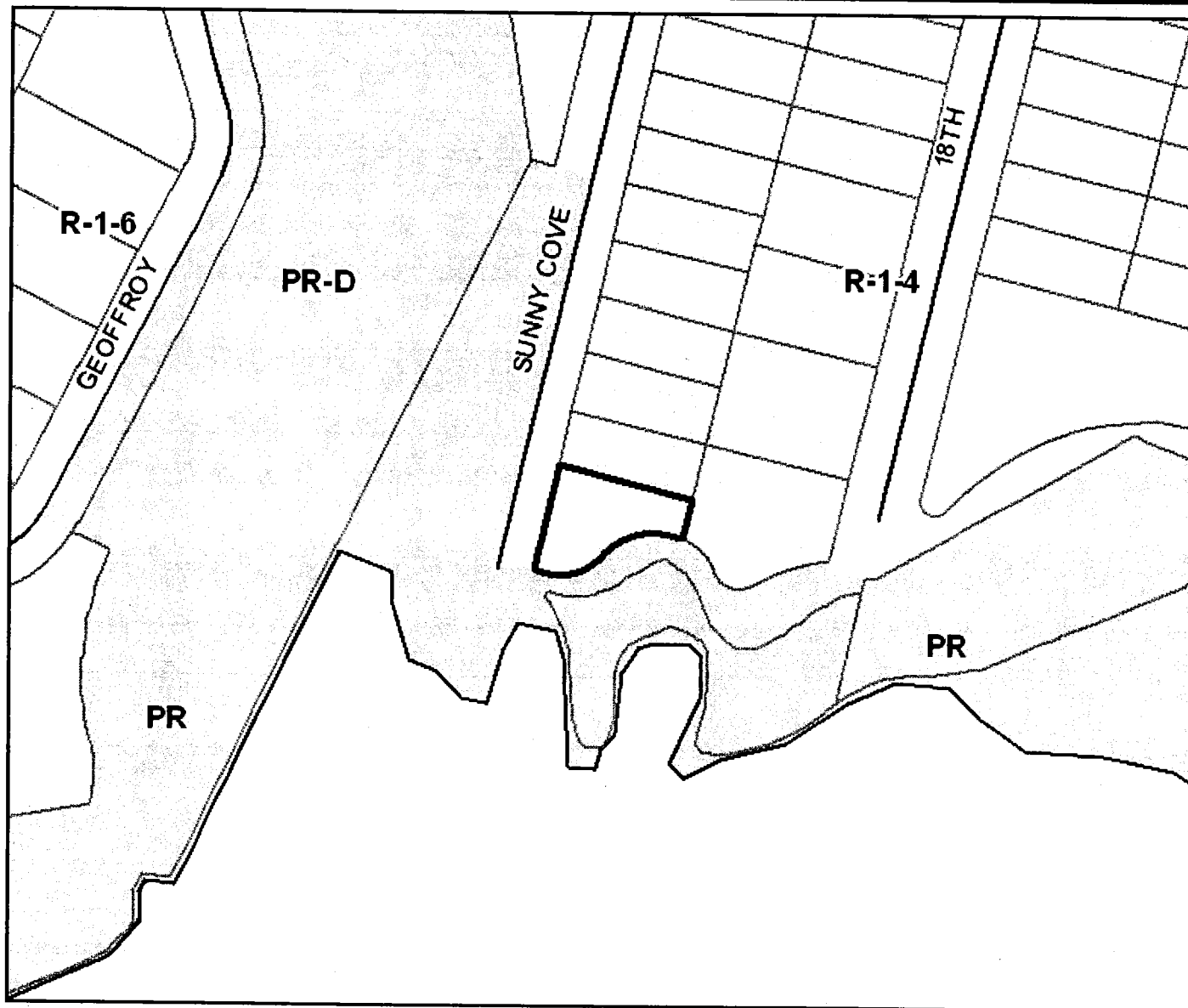


Map Created by
County of Santa Cruz
Planning Department
July 2010

EXHIBIT E



Zoning Map

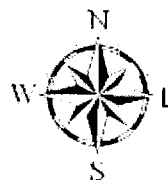


LEGEND

- APN: 028-221-26
- Assessors Parcels
- Streets
- County Boundary

RESIDENTIAL-SINGLE FAMILY

PARK



Map Created by
County of Santa Cruz
Planning Department
April 2010

EXHIBIT E

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

Project Planner: Larry Kasparowitz
Application No.: 10-0091
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Date: April 26, 2010
Time: 16:16:02
Page: 1

Environmental Planning Completeness Comments

===== REVIEW ON APRIL 19, 2010 BY ANTONELLA GENTILE =====

1. Please submit a termite report for the existing home.
2. Revise the plans to show all work proposed based on the the termite report.
3. Provide exterior wall alteration calculations. See compliance comments for more information. Please note that information on calculating exterior wall alterations can be found here:
<http://www.sccoplanning.com/pdf/policy/landusepolicy/3.10.700-S-.pdf>

Environmental Planning Miscellaneous Comments

===== REVIEW ON APRIL 19, 2010 BY ANTONELLA GENTILE =====

This project is located in an area of geologic hazards, subject to coastal bluff erosion, ground failure, groundshaking, and other possible hazards. The Geologic Hazards Ordinance (Chapter 16.10 of the County Code) requires a Geologic Hazards Assessment (GHA) for all development in areas of geologic hazard. Calculations are required for exterior wall alterations in accordance with Section 16.10.040(s)(2) of County Code in order to determine if this project meets the definition of development.

If it is determined at any time that the scope of this project exceeds that which is not considered development per Section 16.10.040(s), a GHA will be required, and the project will be required to be modified to protect the home in the event of sea cave collapse, among other hazards. This will require an additional review and approval (if possible) under the California Coastal Act.

Dpw Driveway/Encroachment Completeness Comments

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

===== REVIEW ON APRIL 5, 2010 BY DEBBIE F LOCATELLI =====
Existing driveway is in good condition; minor permit. No further comments.

Dpw Driveway/Encroachment Miscellaneous Comments

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

===== REVIEW ON APRIL 5, 2010 BY DEBBIE F LOCATELLI =====
No comment.

Dpw Road Engineering Completeness Comments

===== REVIEW ON APRIL 12, 2010 BY ANWARBEG MIRZA =====
NO COMMENT

Dpw Road Engineering Miscellaneous Comments

Discretionary Comments - Continued

Project Planner: Larry Kasparowitz
Application No.: 10-0091
APN: 028-221-26

Date: April 26, 2010
Time: 16:16:02
Page: 2

===== REVIEW ON APRIL 12, 2010 BY ANWARBEG MIRZA =====
NO COMMENT

WOOD DESTROYING PESTS AND ORGANISMS INSPECTION REPORT


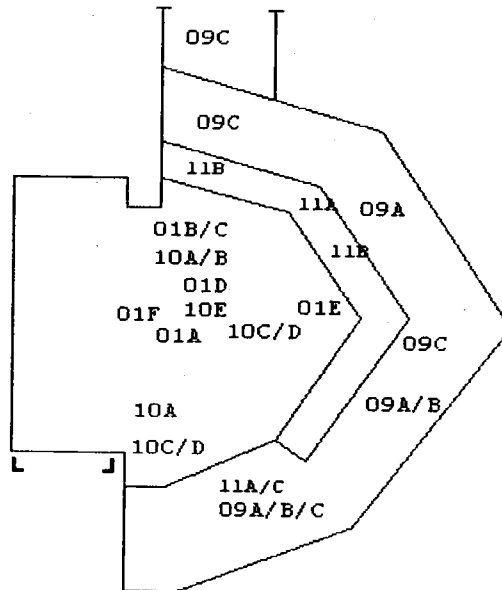
Building No. 100	Street SUNNY COVE	City Santa Cruz	Zip 95062	Date of Inspection 11/24/2010	Number of Pages 5
 4-LESS TERMITE & REPAIR 3560 SOQUEL AVE SANTA CRUZ CA 95062 Tel 831-465-1699 Fax 831-465-1698 4less@sbcglobal.net				Report # : 67153 Registration # : PR3462 Escrow # : <input type="checkbox"/> CORRECTED REPORT	
Ordered by: PETER SILVA		Property Owner and/or Party of Interest: DAN TSAI 100 SUNNY COVE Santa Cruz CA 95062		Report sent to: PETER SILVA	
COMPLETE REPORT <input checked="" type="checkbox"/> LIMITED REPORT <input type="checkbox"/> SUPPLEMENTAL REPORT <input type="checkbox"/> REINSPECTION REPORT <input type="checkbox"/>					
GENERAL DESCRIPTION: 2 STORY WOOD FRAME SINGLE FAMILY DWELLING				Inspection Tag Posted: GARAGE Other Tags Posted: WESTERN '09	
An inspection has been made of the structure(s) shown on the diagram in accordance with the Structural Pest Control Act. Detached porches, detached steps, detached decks and any other structures not on the diagram were not inspected.					
Subterranean Termites <input type="checkbox"/> Drywood Termites <input checked="" type="checkbox"/> Fungus / Dryrot <input checked="" type="checkbox"/> Other Findings <input checked="" type="checkbox"/> Further Inspection <input checked="" type="checkbox"/> If any of the above boxes are checked, it indicates that there were visible problems in accessible areas. Read the report for details on checked items.					

Diagram Not To Scale



Front

Inspected By: ROBERT J. OWENS JR State License No. OPR 11596

Signature:

Robert J. Owens Jr.

You are entitled to obtain copies of all reports and completion notices on this property reported to the Structural Pest Control Board during the preceding two years. To obtain copies contact: Structural Pest Control Board, 1418 Howe Avenue, Suite 18, Sacramento, California, 95825-3204.

NOTE: Questions or problems concerning the above report should be directed to the manager of the company. Unresolved questions or problems with services performed may be directed to the Structural Pest Control Board at (916) 561-8708, (800) 737-8188 or www.pestboard.ca.gov.

43M-41 (Rev. 10/01)

4-LESS TERMITE & REPAIR

Page 2 of inspection report

100	SUNNY COVE	Santa Cruz	CA	95062
Address of Property Inspected		City	State	Zip
Stamp No.	11/24/2010	67153	Escrow No.	
Date of Inspection		Co. Report No.		

WHAT IS A WOOD DESTROYING PEST & ORGANISM INSPECTION REPORT? READ THIS DOCUMENT. IT EXPLAINS THE SCOPE AND LIMITATIONS OF A STRUCTURAL PEST CONTROL INSPECTION AND A WOOD DESTROYING PEST & ORGANISM INSPECTION REPORT.

A Wood Destroying Pest & Organism Inspection Report contains findings as to the presence or absence of evidence of wood destroying pests and organisms in visible and accessible areas and contains recommendations for correcting any infestations or infections found. The contents of Wood Destroying Pest & Organism Inspection Reports are governed by the Structural Pest Control Act and regulations.

Some structures do not comply with building code requirements or may have structural, plumbing, electrical, mechanical, heating, air conditioning or other defects that do not pertain to wood destroying organisms. A Wood Destroying Pest & Organism Inspection Report does not contain information on such defects, if any, as they are not within the scope of the licenses of either this company, or it's employees.

The Structural Pest Control Act requires inspection of only those areas which are visible and accessible at the time of inspection. Some areas of the structure are not accessible to inspection, such as the interior of hollow walls, spaces between floors, areas concealed by carpeting, appliances, furniture or cabinets. Infestations or infections may be active in these areas without visible and accessible evidence. If you desire information about areas that were not inspected, a further inspection may be performed at additional cost. Carpets, furniture or appliances are not moved and windows are not opened during a routine inspection.

The exterior Surface of the roof was not inspected. If you want the water tightness of the roof determined, you should contact a roofing contractor who is licensed by the Contractor's State License Board

This company does not certify or guarantee against any leakage, such as (but not limited to) plumbing, appliances, walls, doors, windows, any type of seepage, roof or deck coverings. This company renders no guarantee, whatsoever, against any infection, infestation or any other adverse condition which may exist in such areas or may become visibly evident in such area after this date. Upon request, further inspection of these areas would be performed at an additional charge.

In the event damage or infestation described herein is later found to extend further than anticipated, our bid will not include such repairs. **OWNER SHOULD BE AWARE OF THIS CLOSED BID WHEN CONTRACTING WITH OTHERS OR UNDERTAKING THE WORK HIMSELF/HERSELF.**

If requested by the person ordering this report, a re-inspection of the structure will be performed. Such requests must be within four (4) months of the date of this inspection. Every re-inspection fee amount shall not exceed the original inspection fee.

Wall paper, stain, or interior painting are excluded from our contract. New wood exposed to the weather will be prime painted, only upon request at an additional expense.

All pesticides and fungicides must be applied by a state certified applicator and in accordance with the manufacturer's label requirements.

NOTICE: The Structural Pest Control Board encourages competitive business practices among registered companies. Reports on this structure prepared by various registered companies should list the same findings (i.e. termite infestations, termite damage, fungus damage, etc.). However, recommendations to correct these findings may vary from company to company. You have a right to seek a second opinion from another company.

NOTE: A SEPARATED REPORT HAS BEEN REQUESTED WHICH IS DEFINED AS SECTION I/SECTION II CONDITIONS EVIDENT ON THE DATE OF INSPECTION. SECTION I CONTAINS ITEMS WHERE THERE IS EVIDENCE OF ACTIVE INFESTATION, INFECTION OR CONDITIONS THAT HAVE RESULTED IN OR FROM INFESTATION OR INFECTION. SECTION II ITEMS ARE CONDITIONS DEEMED LIKELY TO LEAD TO INFESTATIONS OR INFECTION BUT WHERE NO VISIBLE EVIDENCE OF SUCH WAS FOUND. FURTHER INSPECTION ITEMS ARE DEFINED AS RECOMMENDATIONS TO INSPECT AREA (S) WHICH DURING THE ORIGINAL INSPECTION DID NOT ALLOW THE INSPECTOR ACCESS TO COMPLETE HIS INSPECTION AND CANNOT BE DEFINED AS SECTION I OR SECTION II.

This company will reinspect repairs done by others within four months of the original inspection. A charge, if any, can be no greater than the original inspection fee for each reinspection. The reinspection must be done within ten (10) working days of request. The reinspection is a visual inspection and if inspection of concealed areas is desired, inspection of work in progress will be necessary. Any guarantees must be received from parties performing repairs.

4-LESS TERMITE & REPAIR

Page 3 of 5 of Standard Inspection Report

100	SUNNY COVE	Santa Cruz	CA	95062
Address of Property Inspected		City	State	Zip
Stamp No.	11/24/2010	67153		
	Date of Inspection	Co. Report No.	Escrow No.	

SECTION I CONTAINS ITEMS WHERE THERE IS EVIDENCE OF ACTIVE INFESTATION, INFECTION OR CONDITIONS THAT HAVE RESULTED IN OR FROM INFESTATION OR INFECTION.

SECTION II ITEMS ARE CONDITIONS DEEMED LIKELY TO LEAD TO INFESTATION OR INFECTION BUT WHERE NO VISIBLE EVIDENCE OF SUCH WAS FOUND.

FURTHER INSPECTION ITEMS ARE DEFINED AS RECOMMENDATIONS TO INSPECT AREA(S) WHICH DURING THE ORIGINAL INSPECTION DID NOT ALLOW THE INSPECTOR ACCESS TO COMPLETE HIS INSPECTION AND CANNOT BE DEFINED AS SECTION I OR II.

NOTE - If during the course of repairs on any item found in this report, if damage extends into inaccessible areas, contact 4 Less Termite & Repair for a supplemental report with any further findings and additional costs for repair.
FURTHER INSPECTION ITEM

1. SUBSTRUCTURE AREA:

01A - FINDING - The subarea soil was dry at the time of inspection. No opinion is rendered regarding site drainage.

RECOMMENDATION - The homeowner should consult the proper trade for a full subarea and site drainage evaluation. SECTION II ITEM

01B - FINDING - Infestation by wood destroying beetles is present in the subarea and in the deck framing/support posts.

RECOMMENDATION - Due to the nature of the infestation, it will be necessary to seal the entire structure and fumigate it with a lethal gas. The entire structure must be vacant for at least 120 hours (5 days) for this process. We will contact PG&E to shut off the "gas" to the structure prior to the fumigation. It will be the homeowners responsibility to contact PG&E to have the "gas" turned back on when the fumigation is complete. We will use all due caution in our operation, however, we assume no liability for any damage to the roof coverings, solar panels, TV antennas or plants adjacent to the structure. The occupants must sign the Occupants Fumigation Notice and comply with all of the instructions. SECTION I ITEM.

NOTE - We will fumigate with Sulfuryl Floride (Vikane Gas.) We will use tear gas (Chloropicrin) as a warning agent.

01C - FINDING - There is evidence of wood destroying beetles present in the subarea framing.

RECOMMENDATION - **In lieu of fumigation**, drill into and locally treat the area with a state registered pesticide (CYKICK Cyfluthrin 0.1%). ("Local treatment is not intended to be an entire structure treatment method. If infestations of wood-destroying pests extend or exist beyond the area(s) of local treatment, they may not be exterminated.") SECTION I ITEM

01D - FINDING - Earth to wood contact is present where the support posts meet the soil in several locations.

RECOMMENDATION - Homeowner to consult proper trade to eliminate all earth to wood contact. SECTION II ITEM

01E - FINDING - Fungus damage is present on the subfloor and support framing.

RECOMMENDATION - Remove all damaged wood members. Reset with new material. If during the course of repairs further damage is found, or if the hardwood flooring needs to be

4-LESS TERMITE & REPAIR

Page 4 of 5 of Standard Inspection Report

100	SUNNY COVE	Santa Cruz	CA	95062
Address of Property Inspected		City	State	Zip
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	Date of Inspection	Co. Report No.	Escrow No.	

removed and replaced, we will issue a supplemental report.
SECTION I ITEM

01F - FINDING - Portions of the subarea were not inspected due to ducts, pipes, etc... No opinion is rendered in this area.
RECOMMENDATION - FURTHER INSPECTION RECOMMENDED

9. DECKS - PATIOS:

09A - FINDING - Fungus damage, wood destroying beetle damage, drywood termite damage and dryrot is present on the decking, support framing and support posts.
RECOMMENDATION - Remove all damage and dryrot as needed. Reset with new material. Will provide a bid to remove and replace the deck upon request. SECTION I ITEM

09B - FINDING - There is evidence of wood destroying beetles present in several deck posts.
RECOMMENDATION - **In lieu of fumigation**, drill into and locally treat the area with a state registered pesticide (CYKICK Cyfluthrin 0.1%). ("Local treatment is not intended to be an entire structure treatment method. If infestations of wood-destroying pests extend or exist beyond the area(s) of local treatment, they may not be exterminated.") Also see item 01B. SECTION I ITEM

09C - FINDING - Several areas under the deck were not inspected due to lack of access and/or clearance. No opinion is rendered in this area.
RECOMMENDATION - Remove enough of the decking to expose the framing. Inspect the deck and framing for further or extent of damage.
FURTHER INSPECTION RECOMMENDED

10. OTHER - INTERIOR:

10A - FINDING - All of the toilets are loose.
RECOMMENDATION - Reset the toilets on a "no seep wax ring". SECTION II ITEM

10B - FINDING - The Hydro-tub was not water tested. No opinion is rendered in this area.
RECOMMENDATION - FURTHER INSPECTION RECOMMENDED

10C - FINDING - Infestation by drywood termites is present on the interior and exterior.
RECOMMENDATION - Due to the nature of the infestations, it will be necessary to seal the entire structure and fumigate it with lethal gas. The entire structure must be vacant for at least 72 hours (3 days) for this process. We will contact PG&E prior to the fumigation to have the "gas" turned off. It will be the homeowners responsibility to contact PG&E to turn the "gas" back on when the fumigation is complete. We will use all due caution in our operation, however, we assume no liability for any damage to the roof coverings, solar panels, TV antennas or plants adjacent to the structure. The occupants must sign the Occupants Fumigation Notice and comply with all of the instructions.
SECTION I ITEM.

NOTE - We will fumigate with Sulfuryl Floride (Vikane.) We will use tear gas (Choropicrin) as a warning agent.

10D - FINDING - Drywood termite pellets are present in the front bedroom, loft area and on the exterior.
RECOMMENDATION - Return after fumigation and cover over and/or remove accessible pellets

4-LESS TERMITE & REPAIR

Page 5 of 5 of Standard Inspection Report

100	SUNNY COVE	Santa Cruz	CA	95062
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	Date of Inspection	Co. Report No.	Escrow No.	

and frass to facilitate future inspections. The price quoted is for a one time service. Pellets may continue to sift down for reasons other than drywood termite activity.
SECTION I ITEM

10E - FINDING - Water stains are present at the plumbing vent in the loft area.
RECOMMENDATION - Contact proper trade to repair as needed. SECTION II ITEM

11. - OTHER - EXTERIOR:

11A - FINDING - Water stains are evident on the fascia at several locations. This could indicate leakage through the roof covering.
RECOMMENDATION - The homeowner should have someone in this line of work check and repair the roof covering as necessary. SECTION II ITEM

11B - FINDING - Some of the roof sheathing is in poor condition due to exposure/moisture.
RECOMMENDATION - Contract proper trade to evaluate and repair as needed. Periodically inspect for damage or infestation. SECTION II ITEM

11C - FINDING - Some the roof to wall flashing and window flashing is rusted.
RECOMMENDATION - Contact the proper trade to repair or replace as needed.
SECTION II ITEM

"Thank you for selecting our company to perform a structural pest control inspection on your property. Our inspectors have determined that your property will benefit from the safe application of a chemical commonly used for structural pest control. In accordance with the laws and regulations of the State of California, we are required to provide you and your occupants with the following information prior to any application of chemicals to your property. Please take a few moments to read and become familiar with the content.

State law requires that you be given the following information:

""CAUTION - PESTICIDES ARE TOXIC CHEMICALS. Structural Pest Control Operators are licensed and regulated by the Structural Pest Control Board to apply pesticides which are registered and approved for use by the California Department of Food and Agriculture and the United States Environmental Protection Agency. Registration is granted when the state finds that based on scientific evidence, there are no appreciable risks weighted by the benefits. The degree of risk depends on the degree of exposure, so exposure should be minimized.""

"" If within 24 hours following application, you experience symptoms similar to common seasonal illness comparable to the flu, contact your physician or poison control center and your pest control operator immediately.""

For more information contact any of the following:

County Health Department - 831-454-2022
County Poison Control Center - 1-800-876-4766
County Agricultural Commissioner - 831-763-8080
Structural Pest Control Board - 1-800-737-8188



4-LESS TERMITE & REPAIR

3560 SOQUEL AVE

SANTA CRUZ CA 95062

Tel 831-465-1699 Fax 831-465-1698

4less@sbcglobal.net

AGREEMENT

No work will be performed until a signed copy of this agreement has been received.

Address of Property: 100 SUNNY COVE

City: Santa Cruz

State/Zip: CA 95062

The inspection report of the company dated, 11/24/2010 is incorporated herein by reference as though fully set forth.

The company is authorized to proceed with the work outlined in the items circled below from the Termite Inspection Report for the property inspected, for a total sum of \$. This total amount is due and payable within Ten (10) days from completion repair work and/or chemical application.

THE COMPANY AGREES

To guarantee all repair completed by this company for one year from date of completion except for caulking, grouting or plumbing, which is guaranteed for a period of Ninety (90) days. We assume no responsibility for work performed by others, to be bound to perform this work for the price quoted in our cost breakdown for a period not to exceed 30 days, to use reasonable care in the performance of our work but to assume no responsibility for damage to any hidden pipes, wiring, or other facilities or to any shrubs, plants or roof.

THE OWNER OR OWNER'S AGENT AGREES

To pay for services rendered in any additional services requested upon completion of work to pay a service charge of one and one-half percent (1 1/2%) interest per month, or portion of any month, annual interest rate of eighteen percent (18%) on accounts exceeding the ten (10) day full payment schedule. The Owner grants to The Company a security interest in the property to secure payment sum for work and inspection fee completed. In case of non-payment by The Owner, reasonable attorney fees and costs of collection shall be paid by owner, whether suit be filed or not.

ALL PARTIES AGREE

If any additional work is deemed necessary by the local building inspector, said work will not be performed without additional authorization from owner or owner's agent. This contract price does not include the charge of any Inspection Report fees. Circle the items you wish performed by The Company, below and enter total amount above:

NOTICE TO OWNER

Under the California Mechanics Lien Law any structural pest control company which contracts to do work for you, any contractor, subcontractor, laborer, supplier or other person who helps to improve your property, but is not paid for his or her work or supplies, has a right to enforce a claim against your property. This means that after a court hearing, your property could be sold by a court officer and the proceeds of the sale used to satisfy the indebtedness. This can happen even if you have paid your structural pest control company in full if the subcontractor, laborers or suppliers remain unpaid. To preserve their right to file a claim or lien against your property, certain claimants such as subcontractors or material suppliers are required to provide you with a document entitled "Preliminary Notice." Prime contractors and laborers for wages do not have to provide this notice. A Preliminary Notice is not a lien against your property. Its purpose is to notify you of persons who may have a right to file a lien against your property if they are not paid.

ITEMS

Prefix	Section 1	Section 2	Further Inspection	Others
01A		OTHER		
01B	WILL BID ON REQUEST			
01C	\$ 825.00			
01D		OTHER		
01E	\$ 1680.00			
01F			WILL BID	
09A	WILL BID			
09B	WILL BID			
09C			WILL BID	
10A		OTHER		
10B			OTHER	
10C	\$ 1625.00			
10D	\$ 150.00			
10E		OTHER		
11A		OTHER		
11B		OTHER/WILL BID		
11C		OTHER		

Property Owner:

Date:

Inspected By:

Date:

Owner's Agent:

Date:



consulting engineers

November 17, 2010

Tsai Residence
100 Sunny Cove
Santa Cruz, CA 95060

Dear Peter,

At the request of Larry Kasparowitz our office has reviewed the design for a residential remodel located at 100 Sunny Cove, Santa Cruz, CA prepared by Thacher and Thompson. We anticipate that the foundation portion of the project will affect less than 50% of the existing foundation. Tabulated below are the anticipated existing, modified, and new lengths of exterior wall at the first and second floor levels. They are totaled and then expressed as a percentage of modified and new versus existing wall lengths.

FLOOR	E - EXISTING WALL LENGTH (ft)	M - MODIFIED WALL LENGTH (ft)	N - NEW WALL LENGTH (ft)	PERCENTAGE
FIRST FLOOR	146	52	15	$(M+N)/E \times 100$
SECOND FLOOR	137	20		
TOTAL	283	72	15	
				30%

Cc: file

Sincerely,

Charles Prograce
Principal Engineer
C 68222

