



Staff Report to the Zoning Administrator

Application Number: **131233**

Applicant: Susan D Cummins
Owner: Richard & Cynthia Singletary
APN: 042-232-10

Agenda Date: December 6, 2013
Agenda Item #: 1
Time: After 9:00 a.m.

Project Description: Proposal to construct a single story addition (approximately 497 square feet) to an existing single family dwelling located in the R-1-4 zone district. Requires a Variance to reduce the require 15 foot rear yard setback to approximately 8 feet.

Location: Project located on the northwest corner of the intersection of Rio Del Mar Boulevard and Martin Drive. (230 Martin Drive)

Supervisory District: 2nd District (District Supervisor: Zach Friend)

Permits Required: Variance

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 131233, based on the attached findings and conditions.

Exhibits

- | | |
|-----------------------------------------------|-------------------------------------------------------|
| A. Categorical Exemption (CEQA determination) | E. Assessor's, Location, Zoning and General Plan Maps |
| B. Findings | F. Comments & Correspondence |
| C. Conditions | |
| D. Project plans | |

Parcel Information

Parcel Size:	5,727 square feet
Existing Land Use - Parcel:	Single family dwelling
Existing Land Use - Surrounding:	Single family residential neighborhood
Project Access:	Martin Drive
Planning Area:	Aptos
Land Use Designation:	R-UM (Urban Medium Density Residential)

Zone District: R-1-4 (Single family residential - 4,000 square feet minimum)
Coastal Zone: X Inside Outside
Appealable to Calif. Coastal Comm. Yes X No

Environmental Information

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

Services Information

Urban/Rural Services Line: X Inside Outside
Water Supply: Soquel Creek Water District
Sewage Disposal: Santa Cruz County Sanitation District
Fire District: Aptos/La Selva Fire Protection District
Drainage District: Zone 6 Flood Control District

Project Setting

The subject property is located in a single family residential neighborhood on a corner lot at the intersection of Rio Del Mar Boulevard and Martin Drive in the Aptos Planning area. The property is developed with an existing one-story single family dwelling.

Zoning & General Plan Consistency

The subject property is a parcel of approximately 5,727 square feet, located in the R-1-4 (Single family residential - 4,000 square feet minimum) zone district, a designation which allows residential uses. The existing single family residence is a principal permitted use within the zone district and the residential zoning is consistent with the site's (R-UM) Urban Medium Density Residential General Plan designation.

Non-Conforming Structure

The existing residence is non-conforming to yard setbacks in that a portion of the structure is located within the 15 foot required rear yard setback. Proposed modifications to the structure will not exceed the 65 percent threshold that requires a development permit, and this area would also be included as a part of the requested variance.

Variance

The existing residence encroaches into the required 15 foot rear yard setback, with a setback of approximately 12 feet. Since the property is a corner lot, the rear yard functions more as an interior side yard to the adjacent parcel. The side yard for the adjacent neighboring residence is along this common property line. The kitchen is also located within this area and it would be difficult to reconfigure the kitchen and garage to construct an addition that conforms to the 15 foot rear yard setback. For these reasons, a Variance to reduce the required rear yard setback from 15 feet to 8 feet has been requested. The variance request is considered as reasonable, in that the parcel configuration is such that the parcel effectively has two frontages and two side yards in common with adjacent parcels.

Parking

The existing residence includes one bedroom and the proposed addition would result in a two bedroom dwelling. The addition of a second bedroom triggers compliance with current parking requirements. Three parking spaces are required for a two bedroom residence. The removal of an existing garden shed and landscaping would allow for three vehicles to be parked on the subject property, entirely outside of the vehicular right of way of Martin Drive. All parking requirements would be met on the project site as a result.

Local Coastal Program Consistency

The subject property is located inside the coastal zone and is outside of the appeals jurisdiction of the California Coastal Commission. The project includes less than 500 square feet of new area and is exempt from the requirement of a Coastal Development Permit (per County Code/Local Coastal Program section 13.20.068).

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 **131233**, 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: Randall Adams
Santa Cruz County Planning Department
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Santa Cruz CA 95060
Phone Number: (831) 454-3218
E-mail: randall.adams@co.santa-cruz.ca.us

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: 131233
Assessor Parcel Number: 042-232-10
Project Location: 230 Martin Drive

Project Description: Construct an addition to an existing single family dwelling.

Person or Agency Proposing Project: Susan D Cummins

Contact Phone Number: (831) 476-8051

- 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).
E. X **Categorical Exemption**

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

F. Reasons why the project is exempt:

Construction of a residential addition in an area designated for residential uses.

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

Randall Adams, Project Planner

Date: _____

Variance Findings

1. That because of special circumstances applicable to the property, including size, shape, topography, location, and surrounding existing structures, the strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

This finding can be made, in that the reduction of the required rear yard setback from 15 feet to 8 feet is recommended in order to allow modest additions to the existing residence. The corner lot configuration of the parcel and the location of the existing residence on the lot are the special circumstances affecting the subject property.

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

This finding can be made, in that the variance will allow the minor expansion of an existing residence on a residentially zoned parcel and the structure will be adequately separated from improvements on surrounding properties.

3. That the granting of such variances shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such is situated.

This finding can be made, in that other properties in the neighborhood are developed with single family dwellings and the proposal includes a modest addition to the existing structure on a corner lot. Therefore, it would not be a grant of a special privilege for the construction of an addition to the existing residence on the subject property. The proposed residential structure will be consistent with the existing pattern of development in the neighborhood.

Development Permit Findings

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the project is located in an area designated for residential uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources.

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 addition 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 square feet minimum) zone district, as the primary use of the property will continue to be one single family dwelling.

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 addition will be properly proportioned to the parcel size and 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 addition will comply with the site standards for the R-1-4 zone district (including lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

A specific plan has not been adopted for this portion of the County.

4. That the proposed use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the proposed addition is to be constructed on an existing single family dwelling. The expected level of traffic generated by the proposed project is anticipated to remain at one peak trip per day (1 peak trip per dwelling unit). No impact to existing roads or intersections is anticipated to result from the project.

5. That the proposed project will complement and harmonize with the existing and proposed

land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made, in that the proposed structure is located in a mixed neighborhood containing a variety of architectural styles, and the proposed addition 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 does not apply, in that the proposed project is not subject to the Design Review ordinance per County Code section 13.11.040.

Conditions of Approval

Exhibit D: Project Plans "Singletary Residence", prepared by Susan Dee Cummins, 5 sheets, dated 3/14/13.

- I. This permit authorizes the construction of an addition to an existing single family residence and a variance to reduce the required 15 foot rear yard to approximately 8 feet, as indicated on the approved Exhibit "D" for this project. 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.
 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.
 - C. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
 - D. 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 "D" on file with the Planning Department. Any changes from the approved Exhibit "D" 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. Colors and materials for the proposed addition shall match the existing residence.
 2. Grading, drainage, and erosion control plans.
 3. Details showing compliance with fire department requirements.

- B. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
 - C. Meet all requirements of and pay Zone 6 drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
 - D. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
 - E. Pay the current fees for Parks and Child Care mitigation for 1 bedroom(s). Currently, these fees are, respectively, \$1000 and \$109 per bedroom.
 - F. Pay the current fees for Roadside and Transportation improvements for 1 bedroom(s). Currently, these fees are, respectively, \$1000 and \$1000 per bedroom.
 - G. Provide required off-street parking for 3 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. Pursuant to Sections 16.40.040 and 16.42.080 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 16.42.080, shall be observed.

IV. Operational Conditions

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

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

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

Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

Please note: This permit expires 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: _____

Wanda Williams
Deputy Zoning Administrator

Randall Adams
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.

Site Plan & Vicinity Map

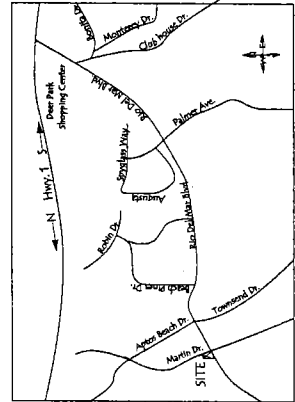
Singletary Residence
230 Martin
Aptos, CA 95018
APN: 042-232-10

Date: 09-14-15
Dwg: JDC

A1

APN: 042-232-10

APN 042-232-10
Estimated Acreage 0.131
Estimated sq Feet 5727
Site Address 230 MARTIN DR
Site City State Zip APTOS CA 95003
Assessor's Use Code 030
Assessor's Use Code Description SINGLE RESIDENCE
Zoning R-1-4
General Plan Designation R-UM,
General Plan Boundaries A1,
Inside Urban Services line Yes
Capital Zone Residential Exclusion CZ-RESEX,
State Response Area LRA,
Fire Service Areas APT-FSA

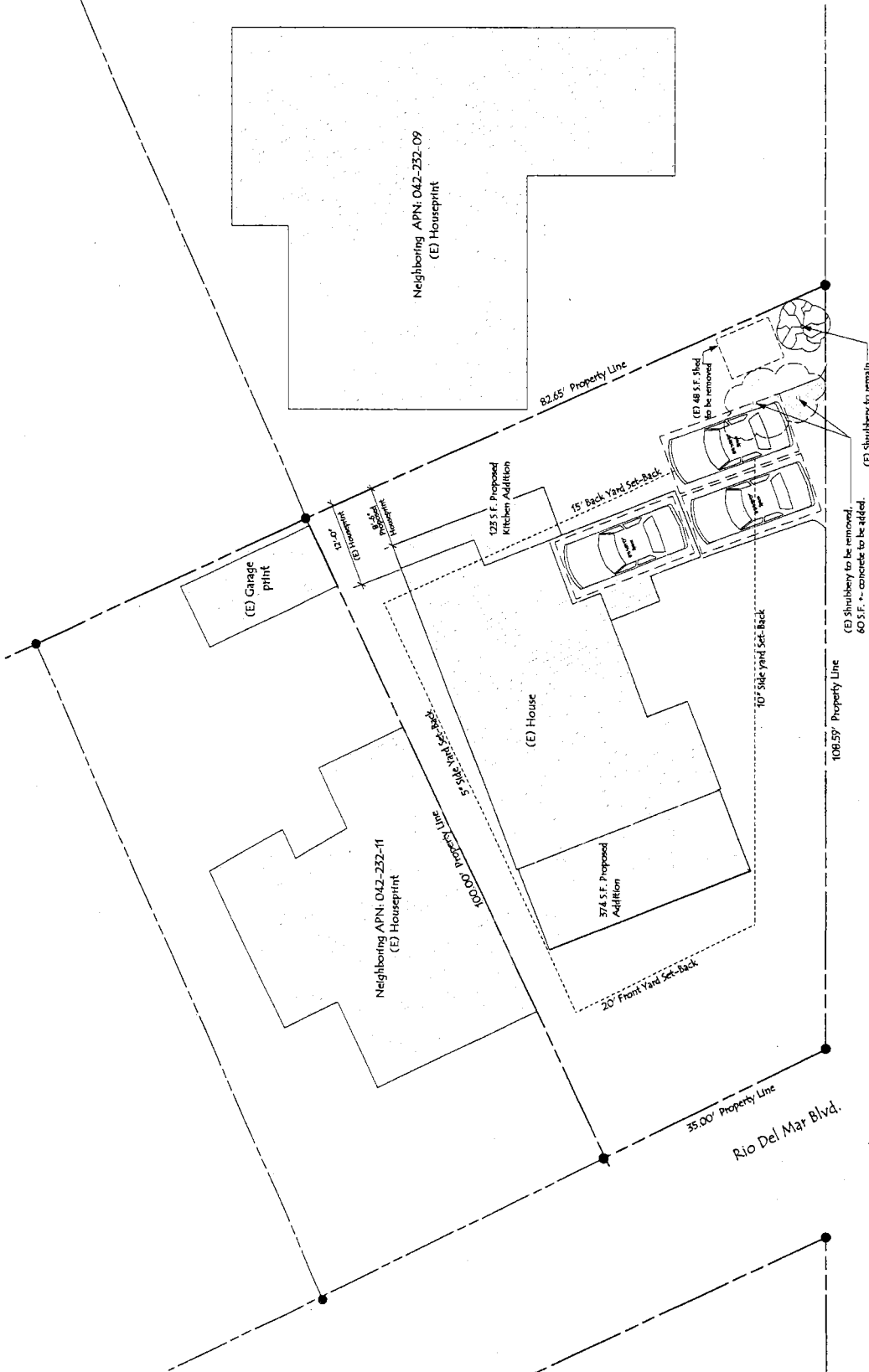


Vicinity Map
A1 Not to Scale

PROJECT PROPOSAL
Proposal to expand Existing One Bedroom/One Bath House into Two Bedroom, One Living Room and Two Bath (Additional 374 S.F.) Plus Expansion of (E) Kitchen (Additional 123 S.F.)
Total Proposed Expansion of 497 S.F.
NOTE: Kitchen Expansion requires submitting for a variance to shorten back yard set-back from 15' to approx. 8'6" - set-back.

FAR/LOT COVERAGE
1091 S.F. House
218 S.F. Garage
1309 S.F. FAR/Lot Coverage
(E) 22.8% FAR/Lot Coverage
497 S.F. Expansion
1806 S.F. Existing
1806 S.F. Proposed FAR/Lot Coverage
31.5% Proposed Lot Coverage & FAR

Site Plan
A1 Scale: 1" = 10 ft





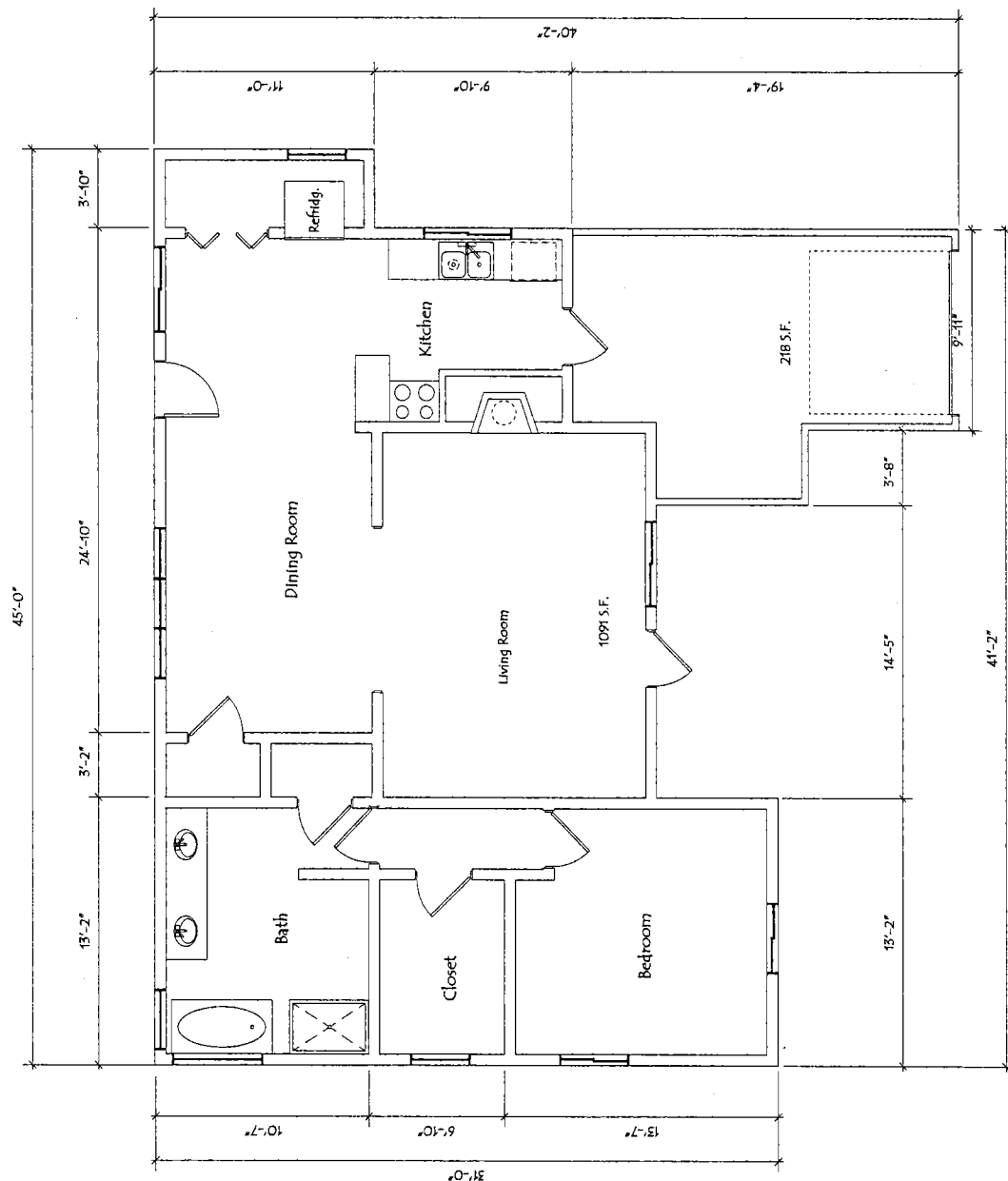
Existing Floor Plan

Singletary Residence
230 Martin
Aptos, CA 95018
APN: 042-232-10

Rev: 03-14-13
Dwg: 50C

A2

APN: 042-232-10



Existing Floor Plan
A2 Scale: 1/4" = 1'-0"



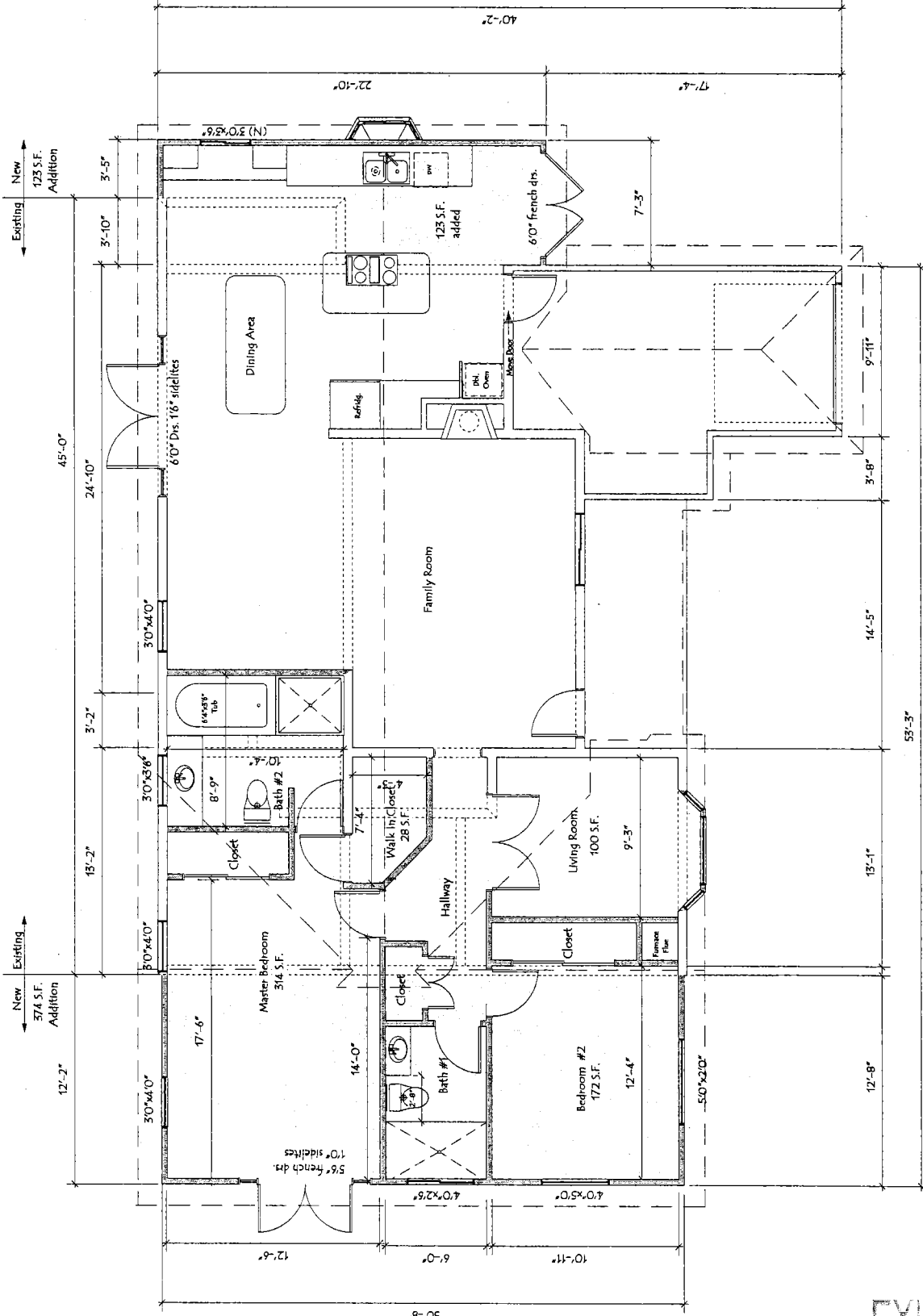
Proposed Floor Plan

Singlestory Residence
230 Martin
Aptos, CA 95018
APN: 042-232-10

Date: 03-14-13
 Drawn: JDC

A3

APN: 042-232-10



Proposed Floor Plan
 Scale: 1/4" = 1'-0"

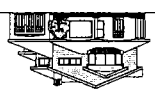
A4

Shm. SOC
Date: 03-14-18
Rev:

Singletary Residence
230 Martin
Aptos, CA 95018
APN: 042-232-10

Proposed Elevations

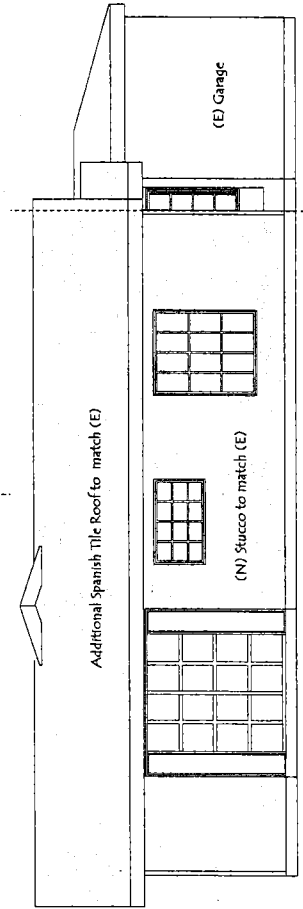
SUSAN DEE CUMMINS
Building Design &
Land Use Analysis
(831) 239-2539



APN: 042-232-10

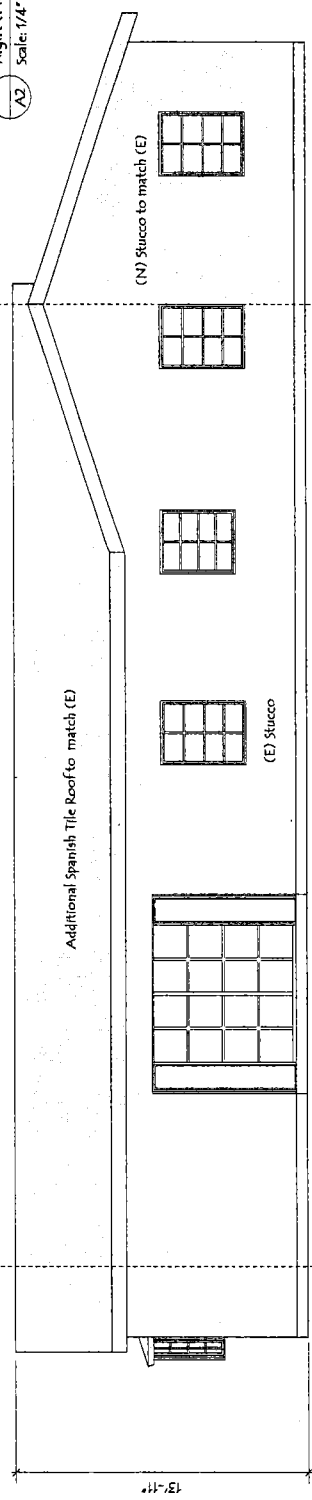
Left (South) Elevation
A2 Scale: 1/4" = 1'-0"

→ Addition: Existing →

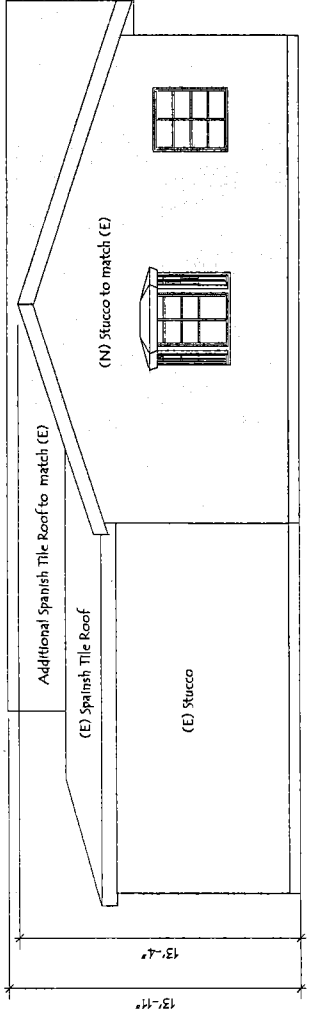


Back (West) Elevation
A2 Scale: 1/4" = 1'-0"

→ Addition: Existing →

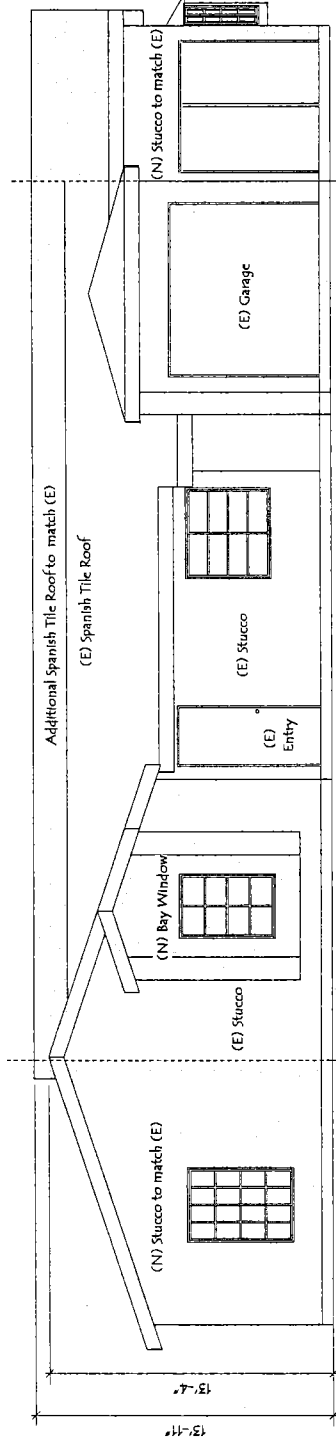


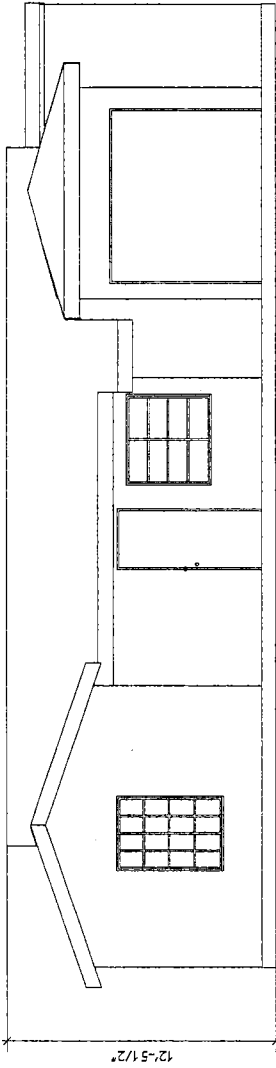
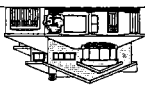
Right (North) Elevation
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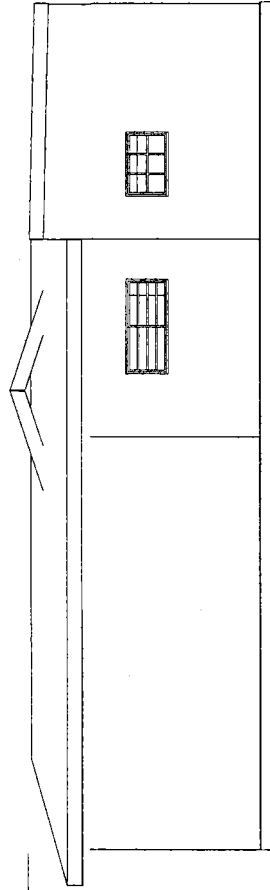
Front (East) Elevation
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→ Addition: Existing →

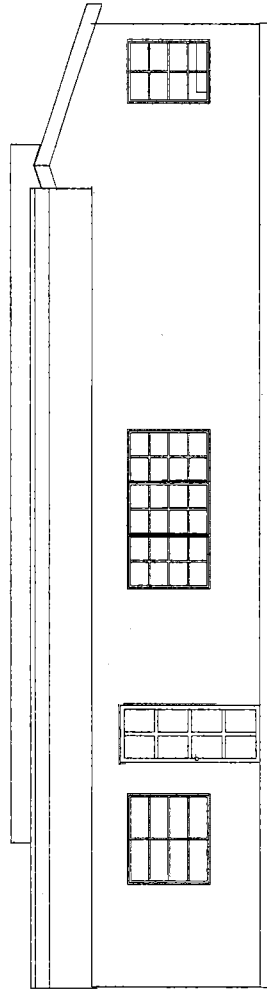




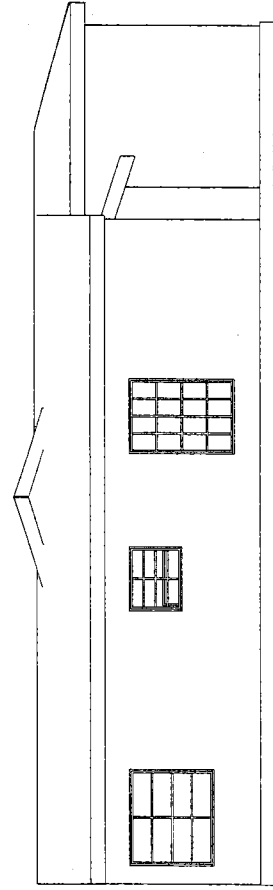
Front Elevation
A2 Scale: 1/4" = 1'-0"



Right Elevation
A2 Scale: 1/4" = 1'-0"



Back Elevation
A2 Scale: 1/4" = 1'-0"



Left Elevation
A2 Scale: 1/4" = 1'-0"

FOR TAX PURPOSES ONLY

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POR. APTOS RANCHO
S.E. 1/4 SEC. 18, T.11S., R.1E., M.D.B. & M.

Tax Area Code
69-273

42-23



APTOS BEACH COUNTRY CLUB PROPERTIES #6
23MB35
9/20/1926

Assessor's Map No. 42-23
County of Santa Cruz, Calif.
Jan. 1999

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




Electronic Map Redrawn 1/27/99
Rev 5/17/01 (m) (changed page refs)
Rev 1/29/07 CB (redrawn)
Rev 10/4/11 CS (BPM30 SP 2-43 & 44)

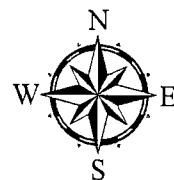


Location Map



LEGEND

-  APN: 042-232-10
-  Assessors Parcels
-  Streets

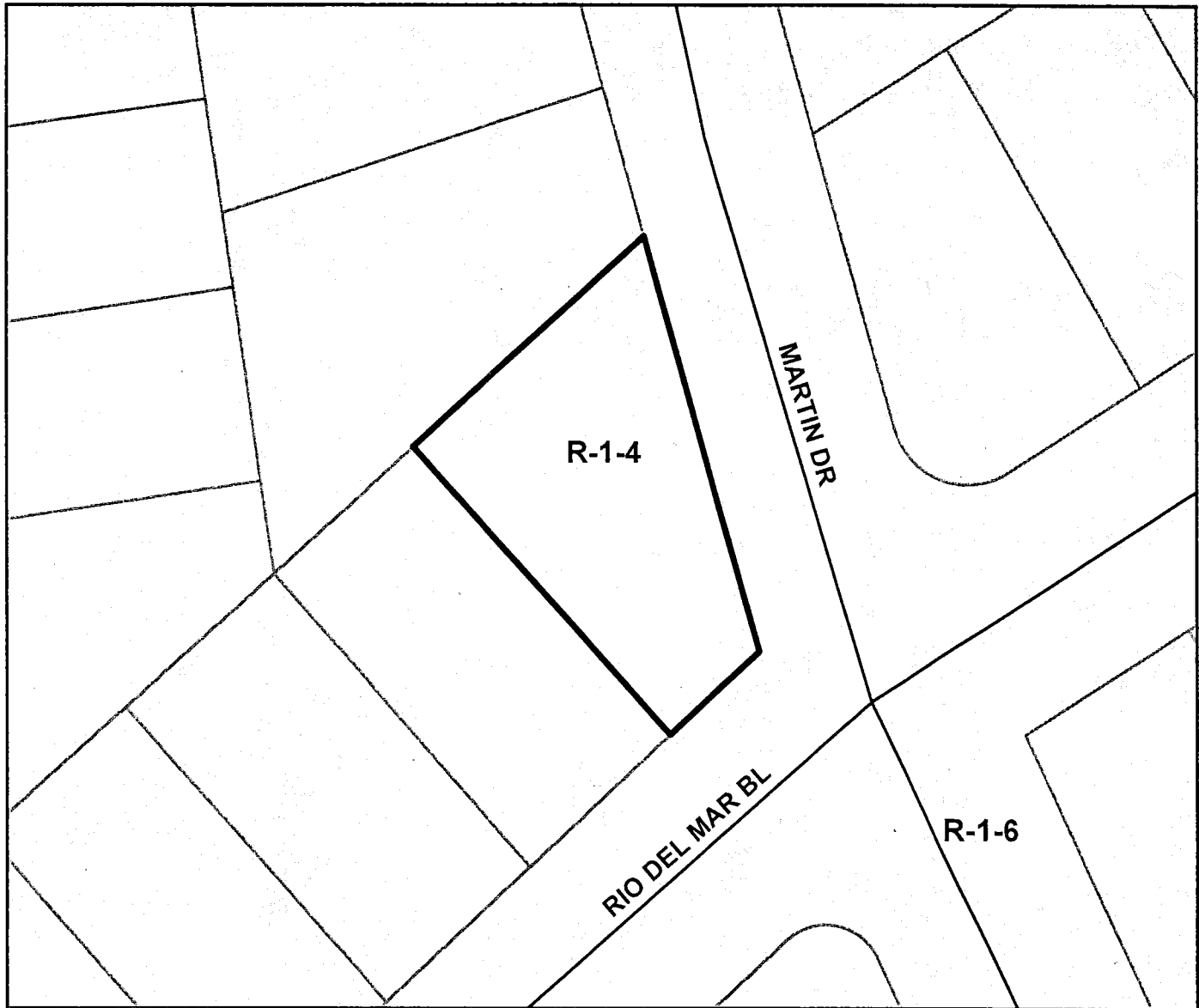


Map Created by
County of Santa Cruz
Planning Department
September 2013

EXHIBIT E



Zoning Map



LEGEND



APN: 042-232-10

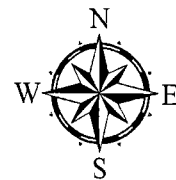


Assessors Parcels



Streets

RESIDENTIAL-SINGLE FAMILY



Map Created by
County of Santa Cruz
Planning Department
September 2013

EXHIBIT E



General Plan Designation Map



LEGEND



APN: 042-232-10



Assessors Parcels

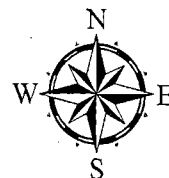


Streets

Residential - Urban Medium Density



Residential - Urban Low Density



Map Created by
County of Santa Cruz
Planning Department
September 2013

EXHIBIT E