Attachment B

San Mateo County Environmental Services Agency

Application for Appeal

Planning and Building Division

To the Planning Commission

County Government Center • 590 Hamilton St. • Redwood City CA 94063 Mail Drop PLN 122 • 415 • 363 • 4161

M	То	the	Board	of	Supervisors

1. Appellant Information Name: Please see attached list	Address:		
Phone, W: H:	Zip:		
2. Appeal Information			
PLN 2004-00578	I have read and understood the attached information regarding appeal process and alternatives.		
I hereby appeal the decision of the: Staff or Planning Director Zoning Hearing Officer Design Review Committee Planning Commission made on Sep 28, 2005, to approve deny the above-listed permit applications.	Appellant's signature: Steve Terry Date: Oct 18, 2005		
3. Basis for Appeal Planning staff will prepare a report based on your appeal. In ordexample: Do you wish the decision reversed? If so, why? Do yo conditions and why?			
Please see affached.			

PLN2004-00578 Appeal to the Board of Supervisors

Appellant Information

Lead appellant

Steve Terry

PO Box 2160

El Granada, CA

94018-2160

650-712-9400

Co-appellants

Yvonne & Michael Bedor

810 Moro Ave. PO Box 873

El Granada, CA

94018-0873

Elizabeth & Henry Schopp

919 Ventura St.

PO Box 2523

El Granada, CA

94018-2523

Sara Bassler

PO Box 371205

Montara, CA

94037-1205

Chuck Kozak

PO Box 370702

Montara, CA

94037-0702

April Vargas

PO Box 370265

Montara, CA

94037-0265

Kathryn Slater-Carter

PO Box 370321

Montara, CA

94037-0321

PLN2004-00578 - Basis for Appeal to Board of Supervisors

October 18, 2005

File No.:

PLN2004-00578

Location:

930 Ventura Street, El Granada

Assessor's Parcel No.: 047-293-080

In the Planning Department's letter to the appellants (Michael and Yvonne Bedor), subsequent to the Planning Commission's decision to deny their appeal, it was noted that, among its other findings, "this project has been reviewed under and found to be in compliance with the Design Review Standards for Coastside Districts, Section 6565.7 of the San Mateo County Zoning Regulations." It states further:

The primary rationale for compliance includes the following: a) the proposed addition is minor in size (i.e. its floor area, width and height) relative to the house, including its low rise above the pitch of the existing house roof (itself to be lowered by one foot), and b) its relatively minor protrusion into the view corridors along public streets, does not significantly impact views to the ocean.

It is the contention of this appeal that the aforementioned Design Review Standards for Coastside Districts were not adequately and sufficiently considered by the Planning Commission (in its 3-2 decision on September 28) nor by the Coastside Design Review Committee (in its 2-1 decision on April 14) and that the project proposal stands in violation of the Design Review Standards.

It is important to emphasize the legal requirements of abiding by the standards set forth in the Design Review Standards. As stated in the document on p.1, section 3, Purpose/Legislative Intent:

The design standards section states the regulatory standards. Only the design standards section has the force of law and constitutes the regulatory criteria by which projects will be reviewed.

The Planning & Zoning Committee (P&Z) of the Midcoast advisory body to the Board of Supervisors (the Midcoast Community Council, MCC) had originally expressed concern with this project regarding compliance with these standards three-and-a-half months prior to the Coastside Design Review Committee (CDRC) meeting. Unfortunately, the applicant failed to attend P&Z's review of his project, and P&Z's subsequent request to the Planning Department for a revised set of plans - with which they could better analyze the project for compliance with the Design Review Standard - was left unaddressed. (See December 27, 2004 letter from Sara Bassler, Chair, MCC P&Z Committee.)

A transcript of the CDRC meeting reveals that there was little discussion of applicability of this project to the Design Review Standards. Most relevant to this project is section 6565.20(D)1.b(2) of the Design Review Standards. It states on p.12 (footnotes added):

Standards:

(2) On relatively level lots¹, avoid designs that incorporate more than two useable floors², excluding basements³, within the maximum height limit, since this contributes to a massive or boxy appearance for the home and makes it more difficult to be in scale with surrounding one and two story homes. Multiple stories are allowed on sloping lots where it is necessary to ensure that the home steps up or down with the slope⁴.

PLN2004-00578 - Basis for Appeal to Board of Supervisors

Addressing the items footnoted above:

1. On relatively level lots — Although the entire 6000 s.f. lot, taken as a whole, is not level, much or most of the slope is in the front setback. Indeed, judging from the elevation drawings, the existing house itself sits on a portion of the lot that slopes relatively little, with only one small corner of the house not on flat ground (i.e., below grade). The contour lines on the site plan drawing suggests the overall slope may be slightly larger — perhaps three or four feet from front to back. Thus, practically speaking, the house currently sits on a relatively level portion of the lot.

It's important to note that consideration of the lot, as a whole, to evaluate levelness is largely meaningless as it would imply that a lot which is generally flat, but contains a drop-off on at one end (as do many lots in the El Granada hills) would be entitled to build without the constraints of this DR standard on the flat portion of the property. On the other hand, it's entirely appropriate to consider this standard *relative to* any portion of the lot that an owner chooses to build on. For this project proposal, the existing house is situated on relatively level portion of the lot and thus this standard is applicable.

2. <u>avoid designs that incorporate more than two usable floors</u> — It is not in dispute that this project proposal makes use of more than two usable floors. The problem is that no effort was ever made to <u>avoid</u> such a design. In response to a neighbor's suggestion during the public comment period that they build "out" rather than "up," the CDRC acknowledged that the lot was very deep (50 ft by 120 ft), but was remiss in discussing such a design as an alternative — an effort that likely would have led to an avoidance of the third floor thereby satisfying the requirements of this standard.

Indeed, as shown clearly in the site plan drawing, with only 24.1% of an allowed maximum of 35% lot coverage, there is plenty of room on the property, within the setbacks, to construct additional first and second story living space equal to or greater than that which this project proposes to add with a new 3rd story.

At the CDRC meeting, the applicant's stated reasons for proposing to go "up" rather than "out" was (1) there is no place for privacy when they will have children and (2) not wanting to take any more ground cover than necessary thereby leaving the yard the way it is currently. Clearly, with respect to the principles of the Design Review Standards, these are not justifiable reasons for not being able to avoid the third story, and thus no bona fide effort was made on the part of the architect or the CDRC to satisfy this requirement.

3. <u>excluding basements</u> – The San Mateo County Zoning Regulations provide the definition for "basement" as follows:

SECTION 6102.14. BASEMENT. A story partly underground and having at least one-half (1/2) of its height above grade. A basement shall be counted as a story if the vertical distance from grade to the ceiling is over five feet or if used for business purposes, or if used for dwelling purposes by other than a janitor or domestic servants employed in the same building including the family of the same.

Given that grade-level access to the lowest floor of this house is already provided for on three sides of the house and with most of the fourth side also showing the floor level at or above grade level, the lowest floor of this project cannot reasonably be considered a basement.

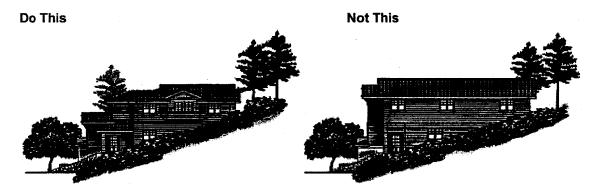
4. <u>Multiple stories are allowed on sloping lots where it is necessary to ensure that the home steps up or down with the slope</u> – The Zoning Regulations provide the definition for "story" as follows:

SECTION 6102.73. STORY. A space in a building between the surface of any floor including a basement floor and the surface of the floor or roof next above but not including any attic or under floor space.

Even if one were to conclude that the ground level story of this building were a basement, it would not exempt the project from the requirement highlighted above. That is, if the third story of this project proposal were to comply with this standard, it would need to be demonstrated that it arose from a stepped design. In this respect, there are two problems with the proposed design: (1) the third story is on the wrong side (the downhill side) of the house and (2) the house is not situated on the more steeply sloped portion of the lot which might otherwise necessitate the multiple story.

As noted in the summary on p.1 of Planning Staff's September 28 report to the Planning Commission, "The [Design Review] Committee's minority vote expressed concern regarding the project's non-compliance with the step-design requirement stipulated by the Midcoast Design Review Standards."

As shown reprinted below, p.11 of the Design Review Standards presents a clear guideline on how to use multiple stories to satisfy the requirements of this standard:



Another significant Design Review Standard appears to have been misinterpreted and/or not fully understood by the CDRC and Planning Staff. Section 6565.20(D)2.a.(1) of the Design Review Standards on p.17 states:

Standards:

(1) Use an architectural style and design elements that complement the predominant style of nearby homes, only when such homes conform with the Design Standards. Likewise, avoid the architectural styles and design elements of nearby homes when such homes do not conform with the Design Standards.

Planning Staff, in its September 28 report to the Planning Commission, in section B.1 on p.3, states that the project proposal:

...creates a three-story structure [that] is compatible with houses built in El Granada. During staff's site inspection, numerous three-story residences were identified, emphasizing the addition's compatibility with the neighborhood scale and community character.

The [Design Review] Committee found the proposal to be in compliance with key Design Review Standards ... including being in scale and character with the surrounding neighborhood... Therefore, staff believes the proposal...is compatible with the existing surrounding buildings, preserves the natural character of the area, and is in harmony with the character of the community and is in compliance with the Coastside Design Review Standards.

Thus, both the CDRC and Planning Staff cited other three-story houses – houses that (presumably) existed prior to the creation of the Design Review Standards and (presumably) do not conform to the present standards – as indications of existing neighborhood architectural style and design, when this standard explicitly requires that such houses be avoided for consideration.

This standard is supported and clarified in the associated guidelines in section 6565.20(D)2.a, Elements of Design; Architectural Styles and Features; Architectural Style, also on p.17. It states in part:

...Designing a home and choosing a style that is complementary to adjacent homes can be challenging when the homes are of many different styles, have no defined architectural style or do not conform to these Design Standards (e.g., they have architectural details that are inconsistent, out of proportion, or inappropriate for the style). In that case, a project designer should strive for a style that at least is not jarring or disruptive in appearance when compared to adjacent homes...

This concept is further supported and reinforced in section 6565.20(D)1.b, Elements of Design; Building Mass, Shape and Scale; Neighborhood Scale on p.12:

...Where adjacent homes are not built to conform to these Design Standards (e.g., they have little articulation and appear out of proportion, boxy or massive), project designers are encouraged to avoid repeating such mistakes in an effort to be in scale with the neighborhood.

PLN2004-00578 - Basis for Appeal to Board of Supervisors

In conclusion, we request that the Board of Supervisors:

- 1. Find that the 3rd-story addition of this project proposal is not in compliance with the legal requirements set forth in the Coastside Design Review Standards (as described above) and require that this 3rd-story be designed onto the existing 1st and 2nd stories.
- 2. Draft a letter to the Coastside Design Review Committee and the Planning Department emphasizing the legal requirement that each project proposal in the unincorporated Midcoast be in compliance with the Design Review Standards in their entirety.
- 3. Instruct the CDRC to fully consider any and all input provided by the Planning & Zoning Committee of the Board of Supervisors' advisory body, the Midcoast Community Council.

Appellants:

Steve Terry
Yvonne and Michael Bedor
Elizabeth and Henry Schopp
Sara Bassler
Chuck Kozak
April Vargas
Kathryn Slater-Carter

Planning & Zoning Committee of the MidCoast Community Council PO Box 64. Moss Beach CA 94038

Serving 12,000 residents

Farhad Mortazavi

San Mateo County Planning and Building Division Mail Drop PLN122, 455 County Center Redwood City, CA 94063 650.363.1825 - FAX: 650.363.4849

RE: PLN2004-00578: Consideration of a CDX and DR for a 360 s/f addition/remodel of existing 1,664 s/f SFD on a 6,000 s/f parcel at 930 Ventura St, El Granada. No trees to be removed. APN: 047-293-080

Dear Farhad:

The Planning and Zoning Committee of the MidCoast Community Council briefly reviewed the above-referenced project on December 15, 2004 without the applicant present.

The applicant did tell Gael Erickson of our committee that he is revising his current plans. Please send us a full-sized copy of applicant's revised plans when you receive them so that we may thoroughly evaluate this project.

We do have the following comments regarding the current plans which we hope the applicant will take into consideration when he makes his revisions.

First, the current plans include a view room/loft, which amounts to three levels of living space in a two-story home. We feel this violates the Coastside Design Review Standards and should be removed from the design of this project. The Coastside Design Review Standards, Elements of Design (6565.20) (D)(1) (b) Standards (2), provides as follows:

"(2) On relatively level lots, avoid designs that incorporate more than two useable floors, excluding basements, within the maximum height limit, since this contributes to a massive or boxy appearance for the home and makes it more difficult to be in scale with surrounding one and two story homes."

According to County Council, these Coastside Design Review Standards are no longer merely recommendations, but are enforceable standards with the force of law. We request that these standards be strictly and uniformly enforced. If these standards are not uniformly and strictly enforced, then this will undermine the whole reason for having design review standards on the coastside. If these standards are applied inconsistently,

then this will weaken these standards for all development on the coast and will provide the grounds for more appeals and delays. Thus, it is imperative that the Coastside Design Review Standards be applied consistently and strictly to every applicable project on the coastside.

Second, in our brief review of the submitted plans, we found the following issues:

- The exterior elevation details are not called out.
- The existing roofline is not shown and there are references to raising the roof.
- The right side setback does not comply with zoning requirements.
- The height of the project needs to be clarified.

Again, please send us a full-sized copy of applicant's revised plans when you receive them so that we may thoroughly evaluate this project.

Thank you for your assistance in this regard.

Please keep us informed of any future changes, re-designs, hearings, approvals or appeals of this project.

Sincerely,

Sara Bassler Chair, MCC Planning and Zoning Committee

Date: 23/11/05

To: San Mateo County Planning and Building Division

From: Elizabeth and Henry Schopp, (Co-appellants)

Re: PLN2004-00578, Appeal to Board of Supervisors

Location: 930 Ventura Street, El Granada

Assessor's Parcel No.: 047-293-080
Project Planner: Farhad Mortazavi

San Mateo County Planning Department,

We hereby acknowledge that we support the October 18, 2005, appeal to the Board of Supervisors of PLN2004-00578, 930 Ventura Street, El Granada, and are willingly and actively participating in this appeal as co-appellants.

Signed:

thei's

Elizabeth and Henry Schopp

919 Ventura St. PO Box 2523

El Granada, CA 94018-2523

2008 JAN -9 P 2: 22

davaried

Date: 11-8-05

To: San Mateo County Planning and Building Division

From: Yvonne and Michael Bedor, (Co-appellants)

Re: PLN2004-00578, Appeal to Board of Supervisors

Location: 930 Ventura Street, El Granada

Assessor's Parcel No.: 047-293-080
Project Planner: Farhad Mortazavi

San Mateo County Planning Department,

We hereby acknowledge that we support the October 18, 2005, appeal to the Board of Supervisors of PLN2004-00578, 930 Ventura Street, El Granada, and are willingly and actively participating in this appeal as co-appellants.

Yvonne and Michael Bedor

810 Moro Ave.

PO Box 873

El Granada, CA 94018-0873

Date: New 30, 2005

To: San Mateo County Planning and Building Division

From: Chuck Kozak, (Co-appellant)

Re: PLN2004-00578, Appeal to Board of Supervisors

Location: 930 Ventura Street, El Granada

Assessor's Parcel No.: 047-293-080
Project Planner: Farhad Mortazavi

San Mateo County Planning Department,

I hereby acknowledge that I support the October 18, 2005, appeal to the Board of Supervisors of PLN2004-00578, 930 Ventura Street, El Granada, and am willingly and actively participating in this appeal as a co-appellant.

Signed:

Chuck Kozak PO Box 370702

Montara, CA 94037-0702

Date:

1 wenter 21, 2005

To:

San Mateo County Planning and Building Division

From:

April Vargas, (Co-appellant)

Re:

PLN2004-00578, Appeal to Board of Supervisors

Location:

930 Ventura Street, El Granada

Assessor's Parcel No.:

047-293-080

Project Planner:

Farhad Mortazavi

San Mateo County Planning Department,

I hereby acknowledge that I support the October 18, 2005, appeal to the Board of Supervisors of PLN2004-00578, 930 Ventura Street, El Granada, and am willingly and actively participating in this appeal as a co-appellant.

Signed:

April Vargas

PO Box 370265 \

Montara, CA 94037-0265

To:

San Mateo County Planning and Building Division

From:

Sara Bassler, (Co-appellant)

Re:

PLN2004-00578, Appeal to Board of Supervisors

Location:

930 Ventura Street, El Granada

Assessor's Parcel No.:

047-293-080

Project Planner:

Farhad Mortazavi

San Mateo County Planning Department,

I hereby acknowledge that I support the October 18, 2005, appeal to the Board of Supervisors of PLN2004-00578, 930 Ventura Street, El Granada, and am willingly and actively participating in this appeal as a co-appellant.

Signed

Sara Bassler PO Box 371205

Montara, CA 94037-1205

From:

"kathryn slater-carter" <kathryn@montara.com>

To:

"Mortazavi Farhad" <fmortazavi@co.sanmateo.ca.us>

Date:

1/5/2006 9:41:54 AM

Subject:

appeal: 930 Ventura

Farhad,

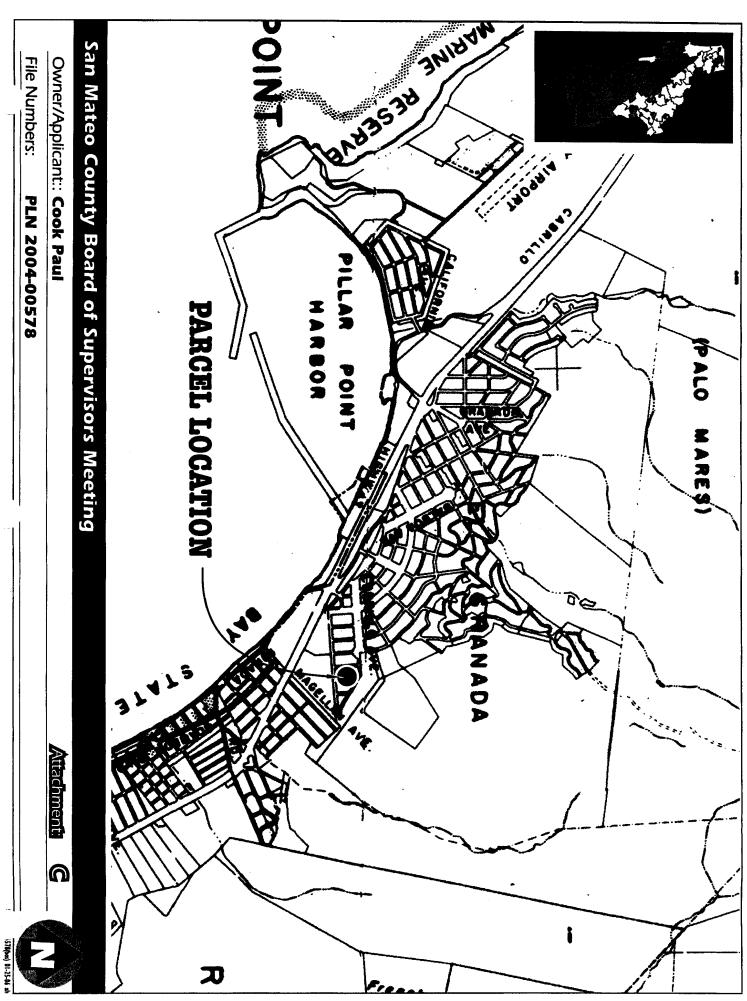
I apologize for not getting to you sooner. Please be sure to include by name as one of the members of the group filing the appeal on 930 Ventura, El Granada.

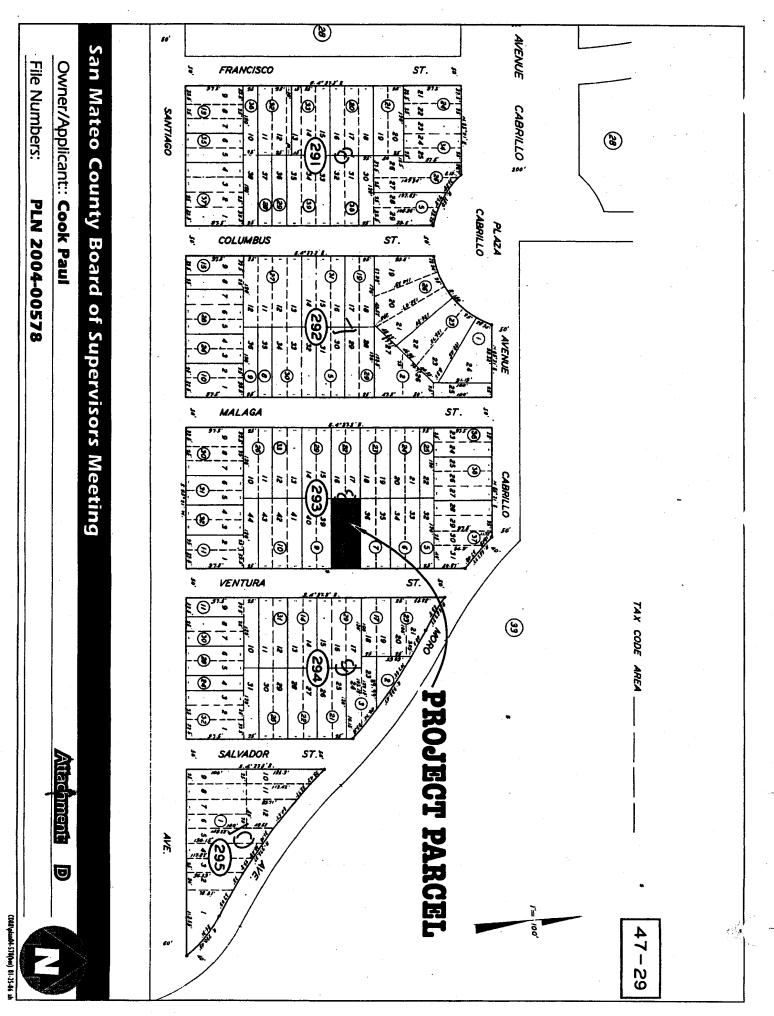
Thanks so very much,

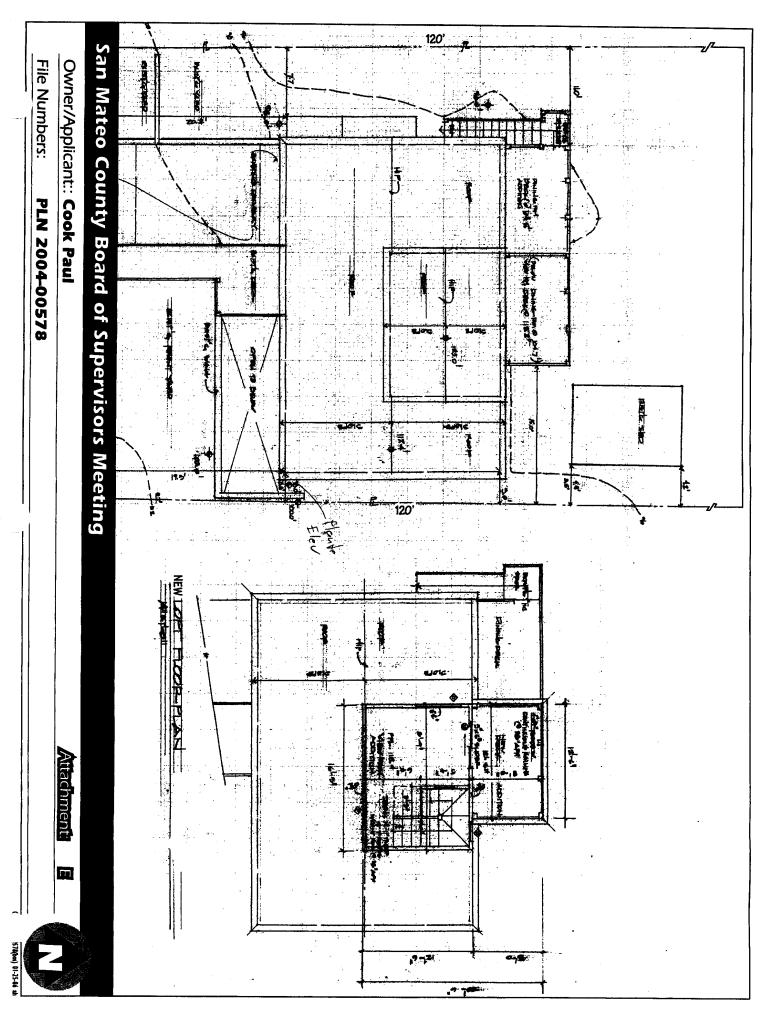
Kathryn

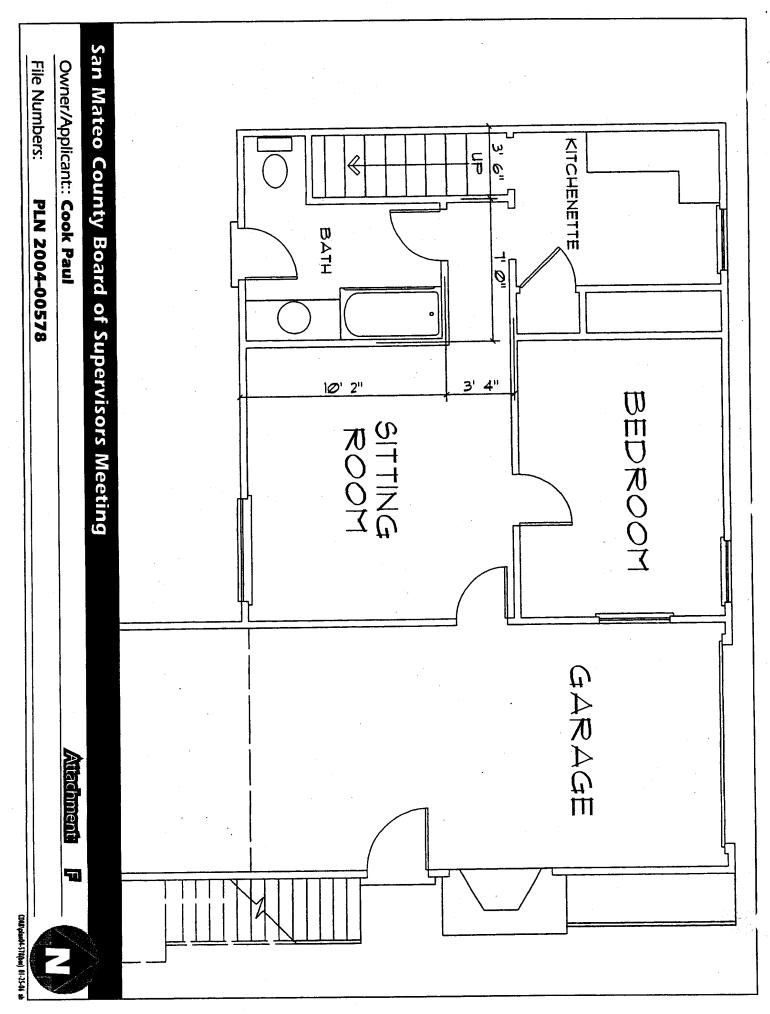
CC:

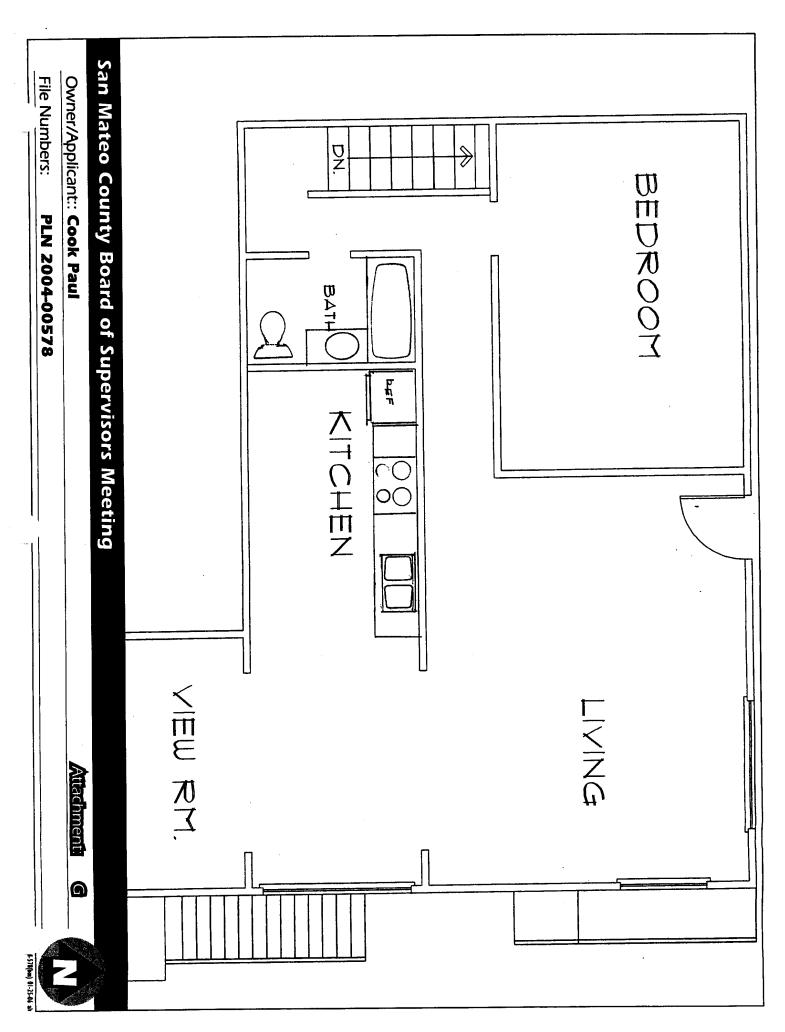
"Bedor Mike" <mbeeds@yahoo.com>

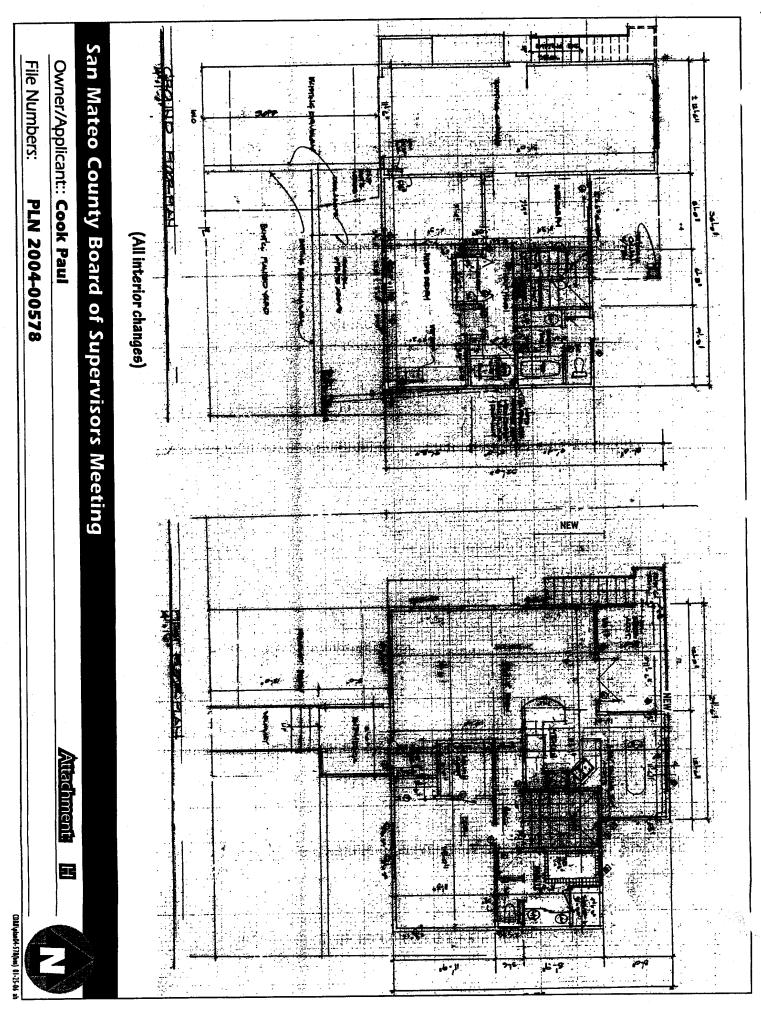


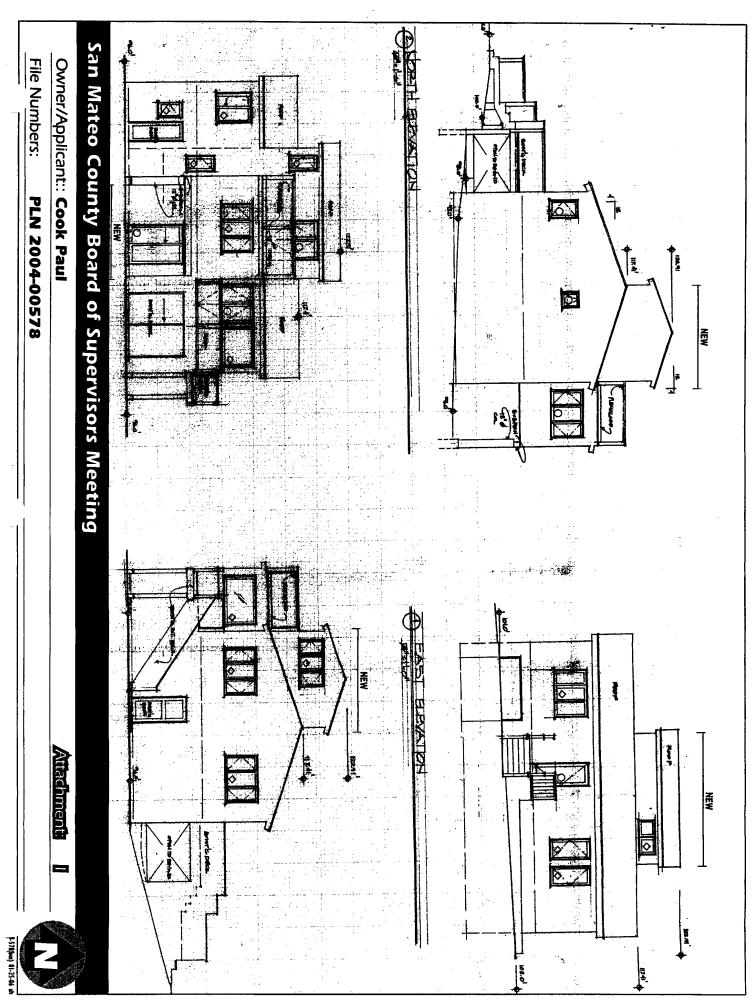


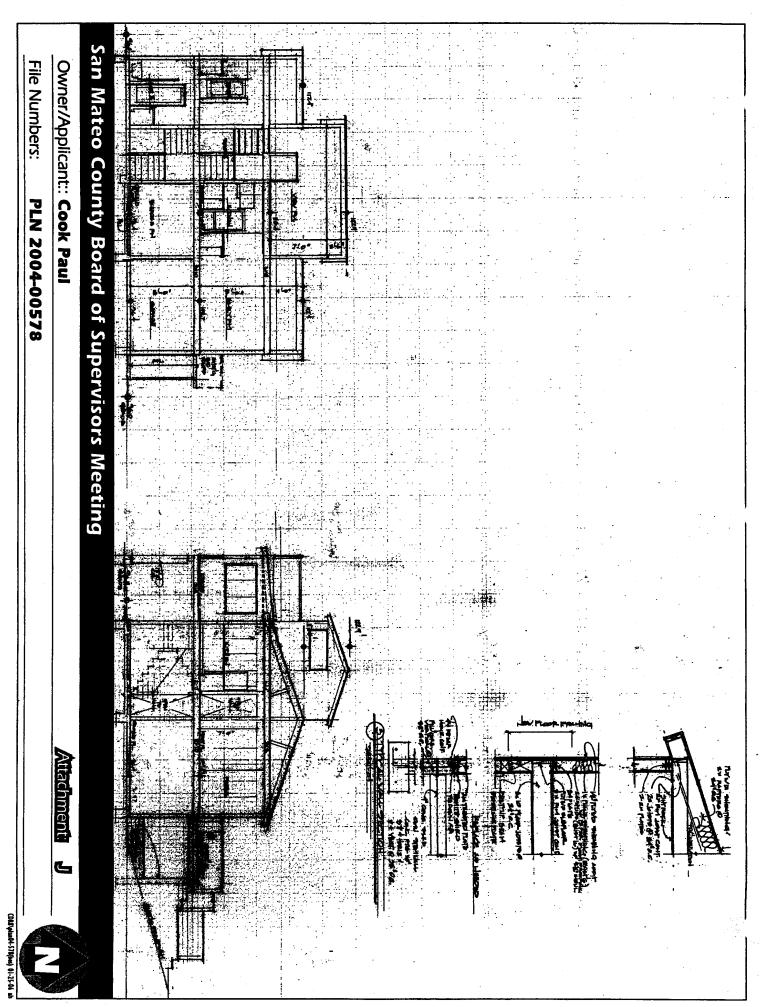














April 18, 2005

Paul and Dona Cook Box 111 Moss Beach, CA 94038

Dear Mr. and Mrs. Cook:

ENVIRONMENTAL SERVICES AGENCY

SUBJECT: Coastside Design Review, File No. PLN 2004-00578 930 Ventura Street, El Granada

APN 047-293-080

Agricultural
Commissioner/ Sealer of
Weights & Measures

At its meeting of April 14, 2005, the San Mateo County Coastside Design Review Committee considered your application for design review approval to allow construction of a 399 sq. ft. addition to an existing 1,965 sq. ft. single-family residence on a 6,000 sq. ft. parcel.

Animal Control

Based on the plans, application forms and accompanying materials submitted, the Coastside Design Review Committee APPROVED your project, by a majority vote, subject to the following findings and conditions:

FINDINGS

Cooperative Extension

The Coastside Design Review Committee found that:

Fire Protection

A. For the Environmental Review

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This project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), Section 15301, Class 1, relating to minor alteration of a small structure.

LAFC₀

B. For the Coastal Development Exemption

Library

The proposed residence conforms to Section 6328.5(e) of the County Zoning Regulations and is located within the area designated as a Categorical Exclusion Area.

Parks & Recreation

C. For the Design Review

Planning & Building

This project has been reviewed under and found to be in compliance with the Design Review Standards for Coastside Districts, Section 6565.17 of the San Mateo County Zoning Regulations.

PLANNING AND BUILDING

CONDITIONS

Planning Division

- 1. The project shall be constructed in compliance with the plans approved by the Coastside Design Review Committee. Any changes or revisions to the approved plans shall be reviewed by the Design Review Officer or, where necessary, the Coastside Design Review Committee for approval.
- 2. This permit shall be valid for one year from the date of approval in which time a building permit shall be issued. Any extension of this permit shall require submittal of an application for permit extension and payment of applicable extension fees sixty (60) days prior to the expiration date.
- 3. The applicant shall provide "finished floor elevation verification" to certify that the structure is actually constructed at the height shown on the submitted plans. The applicant shall have a licensed land surveyor or engineer establish a baseline elevation datum point in the vicinity of the construction site.
 - a. The applicant shall maintain the datum point so that it will not be disturbed by the proposed construction activities until final approval of the building permit.
 - b. This datum point and its elevation shall be shown on the submitted site plan. This datum point shall be used during construction to verify the elevation of the finished floors relative to the existing natural or to the grade of the site (finished grade).
 - c. Prior to planning approval of the building permit application, the applicant shall also have the licensed land surveyor or engineer indicate on the construction plans the topmost elevation of the roof must be shown on the plan, elevations, and cross-section (if one is provided).
 - d. Once the building is under construction, prior to the below floor framing inspection or the pouring of the concrete slab (as the case may be) for the lowest floor(s), the applicant shall provide to the Building Inspection Section a letter from the licensed land surveyor or engineer certifying the topmost elevation of the roof.
 - e. If the actual roof height--as constructed--is different than the elevation specified in the plans, then the applicant shall cease all construction and no additional inspections shall be approved until a revised set of plans is submitted to and subsequently approved by both the Building Official and Planning Director.
- 4. During project construction, the applicant shall, pursuant to Section 5022 of the San Mateo County Ordinance Code, minimize the transport and discharge of stormwater runoff from the construction site into storm drain systems and water bodies by:

- a. Using filtration materials on storm drain covers to remove sediment from dewatering effluent.
- b. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15.
- c. Removing spoils promptly, and avoiding stockpiling of fill materials, when rain is forecast. If rain threatens, stockpiled soils and other materials shall be covered with a tarp or other waterproof material.
- d. Storing, handling, and disposing of construction materials and wastes so as to avoid their entry to the storm drain system or water body.
- e. Avoiding cleaning, fueling or maintaining vehicles on site, except in an area designated to contain and treat runoff.
- f. Limiting and timing applications of pesticides and fertilizer to avoid polluting runoff.
- 5. The applicant shall include an erosion and sediment control plan on the plans submitted for the building permit. This plan shall identify the type and location of erosion control devices to be installed upon the commencement of construction in order to maintain the stability of the site and prevent erosion and sedimentation off-site.
- 6. All new power and telephone utility lines from the street or nearest existing utility pole to the main dwelling and/or any other structure on the property shall be placed underground.
- 7. The applicant shall apply for a building permit and shall adhere to all requirements from the Building Inspection Section, the Department of Public Works and the Half Moon Bay Fire Protection District.
- 8. No site disturbance shall occur, including any grading or tree removal, until a building permit has been issued, and then only those trees approved for removal shall be removed.
- 9. To reduce the impact of construction activities on neighboring properties, comply with the following:
 - a. All debris shall be contained on site; a dumpster or trash bin shall be provided on-site during construction to prevent debris from blowing onto adjacent properties. The applicant shall monitor the site to ensure that trash is picked up and appropriately disposed of daily.
 - b. The applicant shall remove all construction equipment from the site upon completion of the use and/or need of each piece of equipment which shall include but not be limited to tractors, back hoes, cement mixers, etc.

- c. The applicant shall ensure that no construction related vehicles shall impede through traffic along the right-of-way on Ventura Street. All construction vehicles shall be parked on site outside the public right-of-way or in locations which do not impede safe access on Ventura Street. There shall be no storage of construction vehicles in the public right-of-way.
- 10. Noise levels produced by the proposed construction activity shall not exceed the 80-dBA level at any one moment. Construction activities shall be limited to the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. Construction operations shall be prohibited on Sunday and any national holiday.

Department of Public Works

- 11. Prior to the issuance of the Building Permit, the applicant will be required to provide payment of "roadway mitigation fees" based on the square footage (assessable space) of the proposed building per Ordinance #3277.
- 12. No proposed construction work within the County right-of-way shall begin until County requirements for the issuance of an encroachment permit, including review of the plans, have been met and an encroachment permit issued.
- 13. If the Building Inspection Section considered this addition is over 50% valuation, a drive-way plan and profile will be required by the Department of Public Works to see if the existing driveway is up to County standards. If not, then the existing driveway may be required to be brought up to current County standards. The Department of Public Works will address this during the building permit process.

This decision may be appealed by the applicant or any aggrieved party on or before 7:00 p.m. on May 4, 2005, the first working day following the tenth working day following the date of this action. An appeal is made by completing and filing a Notice of Appeal, including a statement of grounds for the appeal, with the Planning and Building Division and paying the \$451 appeal fee.

Sincerely,

Fathad Mortazavi

Design Review Officer

FMcdn - FSMP0452_WCN.DOC

CC: Ronald Madson, Committee Representative
James McCord
Karen Wilson
Morgan and Michelle Walford
Millie Kooma
Yvonne Bedor
Elisabeth Schopp
Gaylen and Kathy Eslinger





Farhad Mortazavi (650) 363-1831

October 4, 2005

ENVIRONMENTAL SERVICES AGENCY

Michael and Yvonne Bedor P.O. Box 873 El Granada, CA 94018

Agricultural
Commissioner/ Sealer of
Weights & Measures

Dear Mr. and Mrs. Bedor:

Animal Control

Subject:

File Number PLN2004-00578

Cooperative Extension

Location: APN:

930 Ventura Street, El Granada

Fire Protection

otection

LAFCo

Library

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Parks & Recreation

Planning & Building

Commissioners:

David Bomberger

Steve Dworetzky

Ralph Nobles

Jon Silver

William Wong

On September 28, 2005, the San Mateo County Planning Commission considered your appeal of a Coastside Design Review Permit and Coastal Development Exemption, pursuant to Sections 6565.11 and 6328.5 of the County Zoning Regulations, to construct a new 399 sq. ft. addition to an existing 1,965 sq. ft. single-family dwelling on a 6,000 sq. ft. parcel located at 930 Ventura Street in the unincorporated El Granada area of San Mateo County.

047-293-080

Based on information provided by staff and evidence presented at the hearing the Planning Commission denied the appeal, upheld the decision of the Design Review Committee, approved the project, made the findings and adopted conditions of approval as attached.

Any interested party aggrieved by the determination of the Planning Commission has the right of appeal to the Board of Supervisors within ten (10) business days from such date of determination. The appeal period for this matter will end at 7:00 p.m. on Tuesday, October 18.

PLANNING COMMISSION

Michael and Yvonne Bedor October 4, 2005 Page 2

If you have questions regarding this matter, please contact the Project Planner listed on page one.

Sincerely,

Kan Dee Rud

Planning Commission Secretary

Pcd0928p_kr.doc

cc: Department of Public Works

Building Inspection

Environmental Health

CDF

Assessor

Midcoast Community Council

Sandra Aguicar James McCord

Paul and Dona Cook

Leonard Woren

Sharon Becker

Elisabeth Schopp

Barbara Mauz

County of San Mateo Environmental Services Agency Planning and Building Division

FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2004-00578 Hearing Date: September 28, 2005

Prepared By: Farhad Mortazavi Adopted By: Planning Commission

FINDINGS

For the Environmental Review

1. Found that the project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), Section 15301, Class 1, relating to addition to an existing structure in an urban area.

For the Coastal Development Exemption

2. Found that the proposed residence conforms to Section 6328.5(e) of the County Zoning Regulations and is located within the area designated as a Categorical Exclusion Area.

For the Design Review

3. Found that this project has been reviewed under and found to be in compliance with the Design Review Standards for Coastside Districts, Section 6565.7 of the San Mateo County Zoning Regulations.

The primary rationale for compliance includes the following: a) the proposed addition is minor in size (i.e. its floor area, width and height) relative to the house, including its low rise above the pitch of the existing house roof (itself to be lowered by one foot), and b) its relatively minor protrusion into view corridors along public streets, does not significantly impact views to the ocean.

Michael and Yvonne Bedor October 4, 2005 Page 4

CONDITIONS OF APPROVAL

Planning Division

- 1. The project shall be constructed in compliance with the plans submitted and approved by the Planning Commission on September 28, 2005. Any changes or revisions to the approved plans shall be reviewed by the Design Review Officer or, where necessary, the Coastside Design Review Committee for approval. Minor adjustments to the project may be approved by the Community Development Director if they are consistent with the intent of and are in substantial conformance with this approval. Any other developments on the property will be subject to a separate permitting process.
- 2. This permit shall be valid for one year from the date of approval in which time a building permit shall be issued. Any extension of this permit shall require submittal of an application for permit extension and payment of applicable extension fees sixty (60) days prior to the expiration date.
- 3. The applicant shall provide "finished floor elevation verification" to certify that the structure is actually constructed at the height shown on the submitted plans. The applicant shall have a licensed land surveyor or engineer establish a baseline elevation datum point in the vicinity of the construction site.
 - a. The applicant shall maintain the datum point so that it will not be disturbed by the proposed construction activities until final approval of the building permit.
 - b. This datum point and its elevation shall be shown on the submitted site plan. This datum point shall be used during construction to verify the topmost elevation of the roof. The datum point and topmost roof elevation must be shown on the plan, elevations, and cross-section (if one is provided).
 - c. Once the building is under construction, the applicant shall provide to the Building Inspection Section a letter from the licensed land surveyor or engineer certifying the topmost elevation of the roof.
 - d. If the actual roof height--as constructed--is different than the elevation specified in the plans, then the applicant shall cease all construction and no additional inspections shall be approved until a revised set of plans is submitted to and subsequently approved by both the Building Official and Community Development Director.

- 4. During project construction, the applicant shall, pursuant to Section 5022 of the San Mateo County Ordinance Code, minimize the transport and discharge of stormwater runoff from the construction site into storm drain systems and water bodies by:
 - a. Using filtration materials on storm drain covers to remove sediment from dewatering effluent.
 - b. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15.
 - c. Removing spoils promptly, and avoiding stockpiling of fill materials, when rain is forecast. If rain threatens, stockpiled soils and other materials shall be covered with a tarp or other waterproof material.
 - d. Storing, handling, and disposing of construction materials and wastes so as to avoid their entry to the storm drain system or water body.
 - e. Avoiding cleaning, fueling or maintaining vehicles on-site, except in an area designated to contain and treat runoff.
 - f. Limiting and timing applications of pesticides and fertilizer to avoid polluting runoff.
 - 5. The applicant shall include an erosion and sediment control plan on the plans submitted for the building permit. This plan shall identify the type and location of erosion control devices to be installed upon the commencement of construction in order to maintain the stability of the site and prevent erosion and sedimentation off-site.
 - 6. All new power and telephone utility lines from the street or nearest existing utility pole to the main dwelling and/or any other structure on the property shall be placed underground.
 - 7. The applicant shall apply for a building permit and shall adhere to all requirements from the Building Inspection Section, the Department of Public Works and the Half Moon Bay Fire Protection District.
 - 8. No site disturbance shall occur, including any grading or tree removal, until a building permit has been issued, and then only those trees approved for removal shall be removed.
 - 9. To reduce the impact of construction activities on neighboring properties, comply with the following:

Michael and Yvonne Bedor October 4, 2005 Page 6

- a. All debris shall be contained on-site; a dumpster or trash bin shall be provided on-site during construction to prevent debris from blowing onto adjacent properties. The applicant shall monitor the site to ensure that trash is picked up and appropriately disposed of daily.
- b. The applicant shall remove all construction equipment from the site upon completion of the use and/or need of each piece of equipment which shall include but not be limited to tractors, back hoes, cement mixers, etc.
- c. The applicant shall ensure that no construction related vehicles shall impede through traffic along the right-of-way on Ventura Street. All construction vehicles shall be parked on-site outside the public right-of-way or in locations which do not impede safe access on Ventura Street. There shall be no storage of construction vehicles in the public right-of-way.
- 10. Noise levels produced by the proposed construction activity shall not exceed the 80-dBA level at any one moment. Construction activities shall be limited to the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. Construction operations shall be prohibited on Sunday and any national holiday.
- 11. The exterior matching colors submitted to the Committee are approved. Color verification shall occur in the field after the applicant has applied the approved materials and colors but before a final inspection has been scheduled.

Department of Public Works

- 12. Prior to the issuance of the building permit, the applicant will be required to provide payment of "roadway mitigation fees" based on the square footage (assessable space) of the proposed building per Ordinance Number 3277.
- 13. No proposed construction work within the County right-of-way shall begin until County requirements for the issuance of an encroachment permit, including review of the plans, have been met and an encroachment permit issued.
- 14. If the Building Inspection Section considered this addition is over 50% valuation, a drive-way plan and profile will be required by the Department of Public Works to see if the existing driveway is up to County standards. If not, then the existing driveway may be required to be brought up to current County standards. The Department of Public Works will address this during the building permit process.

Pcd0928p_kr.doc

December 27, 2004 Email/Fax

Planning & Zoning
Committee of the
MidCoast
Community Council
PO Box 64, Moss Beach
CA 94038
Serving 12,000 residents

Farhad Mortazavi

San Mateo County Planning and Building Division Mail Drop PLN122, 455 County Center Redwood City, CA 94063 650.363.1825 - FAX: 650.363.4849

RE: PLN2004-00578: Consideration of a CDX and DR for a 360 s/f addition/remodel of existing 1,664 s/f SFD on a 6,000 s/f parcel at 930 Ventura St, El Granada. No trees to be removed. APN: 047-293-080

Dear Farhad:

The Planning and Zoning Committee of the MidCoast Community Council briefly reviewed the above-referenced project on December 15, 2004 without the applicant present.

The applicant did tell Gael Erickson of our committee that he is revising his current plans. Please send us a full-sized copy of applicant's revised plans when you receive them so that we may thoroughly evaluate this project.

We do have the following comments regarding the current plans which we hope the applicant will take into consideration when he makes his revisions.

First, the current plans include a view room/loft, which amounts to three levels of living space in a two-story home. We feel this violates the Coastside Design Review Standards and should be removed from the design of this project. The Coastside Design Review Standards, Elements of Design (6565.20) (D)(1) (b) Standards (2), provides as follows:

"(2) On relatively level lots, avoid designs that incorporate more than two useable floors, excluding basements, within the maximum height limit, since this contributes to a massive or boxy appearance for the home and makes it more difficult to be in scale with surrounding one and two story homes."

According to County Council, these Coastside Design Review Standards are no longer merely recommendations, but are enforceable standards with the force of law. We request that these standards be strictly and uniformly enforced. If these standards are not uniformly and strictly enforced, then this will undermine the whole reason for having design review standards on the coastside. If these standards are applied inconsistently, then this will weaken these standards for all development on the coast and will provide the grounds for more appeals and delays. Thus, it is imperative that the Coastside Design Review Standards be applied consistently and strictly to every applicable project on the coastside.

Second, in our brief review of the submitted plans, we found the following issues:

- The exterior elevation details are not called out.
- The existing roofline is not shown and there are references to raising the roof.
- The right side setback does not comply with zoning requirements.
- The height of the project needs to be clarified.

Again, please send us a full-sized copy of applicant's revised plans when you receive them so that we may thoroughly evaluate this project.

Thank you for your assistance in this regard.

Please keep us informed of any future changes, re-designs, hearings, approvals or appeals of this project.

Sincerely,

Sara Bassler Chair, MCC Planning and Zoning Committee Sep 27 05 12:57a

kathryn slater-carter

650-728-1451

Attachment M

San Mateo County Planning Com. 346-4869 Via Fax

Sept. 28, 2005

Kathryn Slater-Carter P.O. 370321 Montara, CA 94037

San Mateo County Planning Commission 455 County Center Redwood City, CA 94073

Re: PLN2004-00578

Dear Commissioners,

I am sorry I cannot be present to personally present my support of the appeal to you.

In December of 2004 MCC Planning and Zoning Committee sent letter stating our concerns for this project. Our primary concern is that there are 3 stories in this home. The design review guidelines are very clear that in this zoning district homes are limited to 2 stories. We made several suggestions as to how the applicant could achieve the same size home with a different floor configuration as the lot is of substantial size. i

I am requesting you to support the design review guidelines, in spite of the fact that the design review committee chose to ignore them. Your support of this appeal will send the message to the design review committee that personal preferences are subordinate to the DR guidelines we all worked so hard to get as part of the County decision making process.

In addition I note in the on-lime permit review center that tit appears the issue of an unpermitted second residence was still a problem earlier in the year. If there is a second unit the parking variance cannot be given. Parking is a problem for our entire area. The parking standards are out of date given the current auto-ownership patterns in this area with little to no public transit. Please find that no parking exemption can be given...

MCC was shown photos indicating the applicants have done substantial work without permits. Given the extent of the work to be done work must be done to bring the structure up to current code (as noted in the on-line permit center) I want to emphasize: one code that affects the neighborhood and community is the design - a 3 story house does not fit the DR guidelines which clearly state the intent is to have 2 story homes.

Thank you for your time and consideration of this matter.

Kathryn Slater-Carter

931 Ventura St. P.O. Box 1232 El Granada, CA 94018

Planning Commissioners
San Mateo County Planning Commission
County Office Building
455 County Center
Redwood City, California 94063

Dear Commissioners,

This letter is represents a statement regarding the proposed modification of the house on 930 Ventura St, El Granada, CA. While we agree that overall the proposed rebuild is mostly in scale with the neighborhood, we have 2 concerns. First, we are very concerned about the increase in height resulting from an additional story being added to the existing structure, and how that affects the ocean view corridors of the neighborhood. Although the proposed height addition is supposed to be 5 and 1/2 feet, this is sufficient to block the ocean view of several neighbors. Furthermore, once initiated, how can this height limit be ensured during construction? We are also concerned about the parking allowance as it is unclear how many cars would eventually be parked on the street at any one time. Since I was ticketed last summer for keeping a vehicle on the street, I now park all my vehicles in our driveway and garage, and rarely on our street.

We have lived in this neighborhood for 17 years. We first lived at 954 Ventura St. and considered building an addition when our family outgrew the house. However, most of our desired designs would have resulted in compromised ocean views for our immediate neighbors to our left, including the prior owner of 930 Ventura St. We very much wanted to stay in the neighborhood, at much for the relationships with our neighbors as for the location. As a neighborhood, there has generally been mutual support and willingness to help each other and compromise on differences. It is my hope that everyone involved in this appeal will continue the compromising attitude that has been characteristic of our neighborhood, and a "win-win" result be obtained.

Sincerely yours,

John Winslow

September 27, 2005

Environmental Services Agency Planning Commission County Government Center 455 County Center, 2nd Floor Redwood City, Ca. 94063

PLEASE MAKE THIS LETTER A PART OF THE OFFICIAL COUNTY RECORD REGARDING PLN2004-00578:

RE: Owner: David and Dona Cook

Applicant: James McCord

Appellant: Michael and Yvonne Bedor

Location: 930 Ventura Street, El Granada, CA

APN: 047-293-080

Dear San Mateo County Planning Commissioners:

Attached is a Petition requesting that this project as currently proposed be denied and be remanded back to the MCCC's Planning & Zoning Committee/Design Review Committee for consideration of the alternative placement of the 399 sq. ft. addition within the Applicant's 6,000 sq. ft. parcel and, further request that this Petition be considered a part of the Official County Record regarding PLN2004-00578. This is a Petition representing a good amount of residents within a 300 sq. ft. radius of the project location.

Thank you

Michael and Yvonne Bedor

Phiehael & Ywonn Bedor

810 Moro Avenue

P.O. Box 873

El Granada, California 94018

NEIGHBORHOOD PETITION AGAINST PROPOSED "VIEW BOX"/LOFT ADDITION ON ROOF OF TWO-STORY HOUSE AT 930 VENTURA IN EL GRANADA PLN 2004-00578

WE, the undersigned ask that the County Planning Commission deny PLN 2004-00578 - proposed "View Box"/Loft addition to roof of the two-story house at 930 Ventura in El Granada as it does not conform to the existing Neighborhood Character. Such piecemeal development causes a decline in community appearance and thus lowers property values.

LCP Policy 8.13(4) states: Design structures which are in scale with the character of their setting and blend rather than dominate or distract from the overall view of the urbanscape.

LCP Policy 8.18 states: (a) Require that development (1) blend with and be subordinate to the environment and the character of the area where located, and (2) be as unobtrusive as possible and not detract from the natural, open space or visual qualities of the area, including but not limited to siting, design, layout, size, height, shape, materials, colors, access and landscaping.

The Coastside Design Review Standards, Elements of Design (6565.20) (D) (1) (b) Standards (2), provides as follows:

"(2) On relatively level lots, avoid designs that incorporate more than two useable floors, excluding basements, within the maximum height limit, since this contributes to a massive or boxy appearance for the home and makes it more difficult to be in scale with surrounding one and two story homes."

Permitting development such as that requested by the Applicant would degrade the appearance and value of our unique and irreplaceable Coastal communities of which our neighborhoods are an integral part. Moreover, as homeowners who have complied with the LCP and County Zoning & Design Ordinances and have a vested interest in the maintenance of such requirements, we have rights to expect that the requirements we have met will be applied to others equally.

We request that this project as currently proposed be denied and be remanded back to the MCCC's Planning & Zoning Committee/Design Review Committee for consideration of the alternative placement of the 399 sq.ft. addition within the Applicant's 6,000 sq.ft. parcel and, further request that this Petition be considered a part of the Official County Record regarding PLN 2004-00578. Thank-you,

CC: Farhad Mortazavi, Project Planner
 San Mateo County Board of Supervisors
 Mid-Coast Community Council/Planning & Zoning Committee

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MORGAN and MICHELLE WALFORD

P.O. Box 1475 926 Ventura Street El Granada, CA 94018

Telephone: (650) 712-0755

September 20, 2005

Via facsimile to 363-4849 and U.S. Mail

Planning Commission County Government Center 455 County Center, 2nd Floor Mail Drop PLN122 Redwood City, CA 94063

Re: Owner:

David and Dona Cook

Applicant:

James McCord

Appellant:

Michael and Yvonne Bedor

File No:

PLN2004-00578

Location:

930 Ventura Street, El Granada, CA

APN:

047-293-080

Dear San Mateo County Planning Commissioners:

Although my husband and I cannot be at the appeal to the planning commission, we wanted to reaffirm our support for James and Heather McCord's project. We live next door to the proposed project.

I make the following statements of my own knowledge except for those matters which are stated on information and belief. As to those matters, I believe them to be true.

The height limit for the upper addition is actually lower than the guidelines adopted by the Design Review Board. It should be noted that we may have a view from one of the bedrooms in the house somewhat compromised, but we still support the project.

The house in question suffered from years of deferred maintenance and many of the potential buyers probably contemplated demolishing the home. We commend James and Heather for their dedication to preserving the building.

Planning Commission September 20, 2005 Page 2

The appellants in this matter had a chance and the resources to buy the home when it came up for sale, but decided against purchasing it. Also, when the Design Review guidelines were being drafted, the Design Review Board encouraged and sought out feedback from the community as to what the community wanted. To the best of my knowledge, the appellants did not participate in giving feedback. I raise this issue, as I have been told that because these appellants do not agree with the guidelines that they therefore believe the guidelines should not apply to them.

This is an excellent project, modest in scale and should be approved. The project as proposed also falls within the Design Review guidelines. We look forward to the McCords (and their big orange truck) living next door to us.

Sincerely,

Michelle Walford
MICHELLE WALFORD

Morgan Walford

926 Ventura St. P.O. Box 1475 El Granada, Ca. 94018 Phone: (650) 712-0755 Fax: (650) 712-0754 e-mail: morgan@coastwave.net

4/12/05

<u>via e-mail</u>

Environmental Services Agency Planning & Building Division San Mateo County

To: Mr. Farhad Mortazavi Design Review Officer

From: Morgan Walford

RE: PLN 2004-00578

Mr. Mortazavi,

I am the adjacent neighbor to the North of the above-referenced subject property. Please allow this document to serve as my statement in support of the applicant.

Mr. McCord has been kind enough to allow me to review his plans. I find them to be in compliance with the Midcoast Design Review Ordinance. The proposed addition is quite modest, does not infringe upon the daylight plane, respects neighborhood size, scale and character, and does not significantly affect any view corridors. Only the center third would be elevated above the existing ridgeline and that by only 5½ feet.

I did make several suggestions to Mr. McCord regarding the design of his project, to wit:

- 1. That the baluster treatment of his rear deck rails be 1" square powder-coated iron tubing rather than the Plexiglas he proposed. This would be more consistent with the "Coastal Cottage" style of the architecture.
- 2. That the front retaining wall receives some kind of rustification treatment, be it cultured stone, corner key with a stone bond pattern, or something else to provide visual interest for both the occupant and the pedestrian.
- 3. Mr. McCord indicated to me a preference for "v-groove" siding as the exterior finish treatment. I originally supported this, but I have since reconsidered. On this block there are currently three houses with v-groove siding, four with wood shingles (including the subject property), three with "T1-11" siding, and one stucco home. This ratio works very well on this block, and I believe it should be maintained. Furthermore, the subject property is rather long and squat in nature, and a wood-shingled exterior would add some verticality to the design.

Thank you for allowing me the opportunity to state my opinions to you and to the Committee. I remain,

Yours Truly,

Morgan Walford MORGAN WALFORD

Cc: James McCord

MBW/pz4/12/05

Attachment O

PLN2004-00578 – Appeal to BoS – Supplemental information

February 10, 2005

To:

Kan Dee Rud

From:

Steve Terry, El Granada, (Co-appellant)

Re:

Appeal to Board of Supervisors – supplemental information.

File No.:

PLN2004-00578

Location:

930 Ventura Street, El Granada

Assessor's Parcel No.:

047-293-080

Project Planner:

Farhad Mortazavi

Attachment: Alternate design proposals.

Kan Dee,

Attached please find five pages of drawings.

The following drawings graphically describe a number of the concerns stated in the appeal of 930 Ventura to the Board of Supervisors.

Please include this cover letter and the five pages of drawings with the packet that goes to the Board of Supervisors.

Thank you.

Steve Terry Co-appellant

1306 Columbus St. PO Box 2160 El Granada, CA 94018-2160 RECEIVED

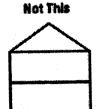
FEB 1 3 2006

San Mateo County Planning Division

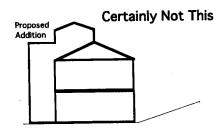
930 Ventura - Incompatability with Design Review Standards



Second floor rooms in attic space allows root line to be towered with minimal reduction in floor area.

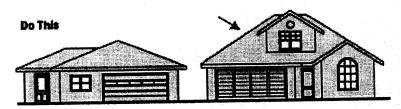


Full height second story results in fall walls and a more massive appearance to the home.

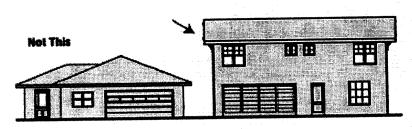


The applicant is proposing to do exactly what the Design Review Standards try to guard against

Page 14

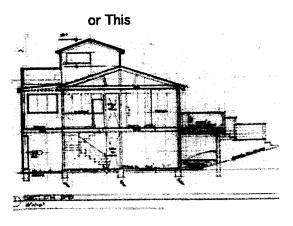


Second floor stepped back from property line and held within the real line of the main portion of the home.

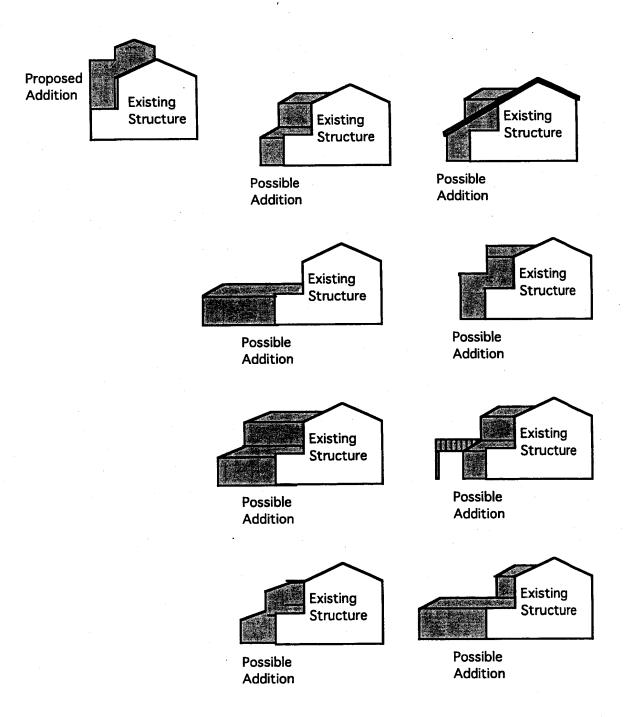


Avoid creating tall two-story exterior walls that are less compatible with single-story neighbors.

Page 14

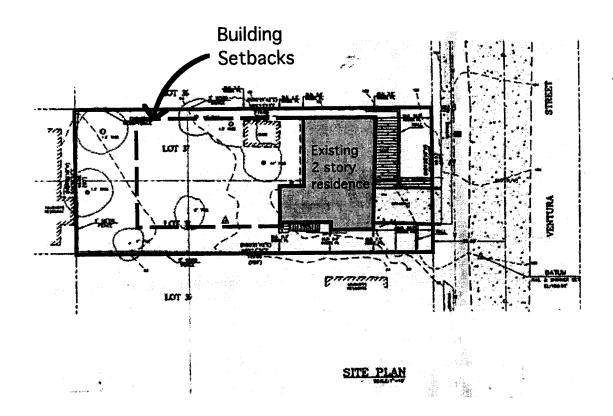


930 Ventura - More appropriate choices are available

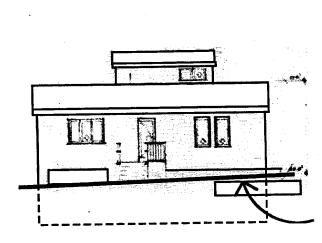


930 Ventura - Site Plan

There is room on site for 1st story addition, or 2nd story addition, there is no need for a 3rd story



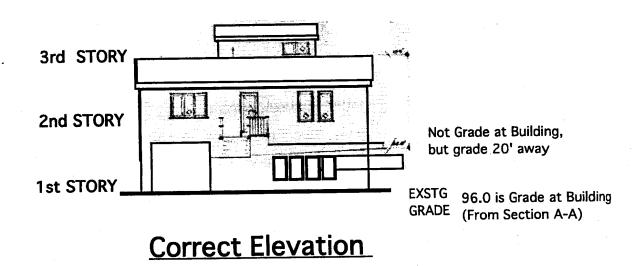
930 Ventura - Misleading Elevation



The East elevation as presented in the application is incorrect, making the structure appear as a 2 story structure, rather than a 3 story structure

This grade line does occur at the elevation, but is 20' away, at the

Elevation in application



930 Ventura - Incompatability with Design Review Standards



These two story houses all display roof forms compatible with their architectural style and compatible with neighboring roof forms.

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