



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Planning and Building Department



DATE: December 19, 2011
BOARD MEETING DATE: January 10, 2012
SPECIAL NOTICE/HEARING: 300 Feet
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors

FROM: Jim Eggemeyer, Community Development Director

SUBJECT: EXECUTIVE SUMMARY: Public hearing to consider an appeal of the Planning Commission's decision to approve a Design Review Permit to construct a new single-family residence on an existing undeveloped parcel located at 1255 Birch Street in the unincorporated Montara area of San Mateo County. This project is not appealable to the California Coastal Commission.

RECOMMENDATION:

Deny the appeal and uphold the Planning Commission's approval of the Design Review Permit, County File Number PLN 2001-00838, based on the required findings and subject to the conditions of approval listed in Attachment A.

BACKGROUND:

Proposal: The applicant is requesting approval of his design to construct a new 1,586 sq. ft. single-family residence with a 380 sq. ft. attached two-car garage, on an existing 6,250 sq. ft. parcel. The proposed residence is a one-story home, with water service to be provided by an existing well on-site until water service connections are available. Two trees, 30- and 16-inch pines, are proposed to be removed.

Setting: The project site is located on Birch Street, between Harte and George Streets in Montara. The parcel slopes moderately away (11% slope) from the street and contains natural and introduced vegetation including pine and cypress trees and shrubs. This side of Birch Street is undeveloped; however, surrounding parcels at the rear and across the street are developed with one- and two-story single-family dwellings.

Project History: The applicant originally submitted an application for design review approval for a new home on this parcel on December 27, 2001. As detailed in the Chronology Section of the staff report, the item has been considered and reconsidered a number of times by the Coastside Design Review Committee (CDRC), the Planning Commission, and the Board of Supervisors. The applicant has redesigned the project a number of times. The current design was submitted in May 2011 and as directed by the

Planning Commission at their April 13, 2010 hearing, was first considered by the CDRC for their recommendation to the Planning Commission. At their hearing on July 14, 2011, the CDRC recommended approval of the new design, with modifications.

Planning Commission Action and Appeal: Plans incorporating the modifications recommended by the CDRC were submitted in September 2011, and were considered by the Planning Commission on October 12, 2011. The Planning Commission voted to approve the project, consistent with the Design Review Committee's recommendation for approval. The appellant filed an appeal to the Board of Supervisors on October 26, 2011.

DISCUSSION:

The appellant's issues about the project approval fall into three categories:

1. Project History – Unresolved issues related to unauthorized tree removal, a private drainage easement, and a requirement for a raptor nest survey;
2. Design Review Process – Inadequacies with the design review process for the current design and property ownership verification;
3. Project Design Issues – Recommendations related to lowering the building height, reducing the size of the front porch, and increasing tree protection.

As described further in the staff report, staff finds that the issues raised by the appellant do not warrant reconsideration of the design approval or the application of additional conditions, other than with regard to increasing tree protection. Issues that arise from the after-the-fact tree removal permit were resolved in 2006, there is no need for use of a private drainage easement nor can the County require it, and the raptor survey is not justified for this project, which will remove only two significant trees. Staff believes that the design review process followed for the current project design, which involved multiple hearings before the CDRC and the Planning Commission, provided adequate notice and opportunity for discussion of design issues, and that the ownership of the property has been adequately verified. With regard to project design, the appellant's request that the building height be lowered is unreasonable, since the applicant already reduced the height of the one-story home by 4 feet at the request of the CDRC. Also, reducing the size of the front porch is counter to direction given by the CDRC, whereby the applicant was instructed to increase the prominence of the porch to prevent the garage door from dominating the front façade, and is unnecessary for privacy or to allow installation of drainage facilities, since the applicant increased the rear setback to 35 feet where 20 feet is the minimum. Finally, as detailed further in the staff report, the proposed home design complies with all applicable General Plan Policies, Zoning Development Standards and Design Standards. Although the design is contemporary, it complements existing homes in the neighborhood through the use of varied roof shapes and earth-tone exterior colors and materials, including horizontal siding and vertical board and batten siding.

County Counsel has reviewed and approved the materials as to form and content.

The approval of the design review permit for a new single-family residence contributes to the 2025 Shared Vision outcome of a Livable Community through compliance with General Plan Visual Quality Policies requiring new development to maintain and, where possible, improve upon the appearance and visual character of development in urban areas, and to ensure that new development in urban areas is designed and constructed to contribute to the orderly and harmonious development of the locality.

FISCAL IMPACT:

None.



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FROM: Jim Eggemeyer, Community Development Director

SUBJECT: Public hearing to consider an appeal of the Planning Commission's decision to approve a Design Review Permit, pursuant to Chapter 28.1 of the San Mateo County Zoning Regulations, to construct a new 1,586 sq. ft. single-family residence with a 380 sq. ft. attached two-car garage on an existing 6,250 sq. ft. undeveloped parcel located at 1255 Birch Street in the unincorporated Montara area of San Mateo County. Two trees are proposed for removal. This project is not appealable to the California Coastal Commission.

County File Number: PLN 2001-00838 (Leutbecher/Menasco)

RECOMMENDATION:

Deny the appeal and uphold the Planning Commission's approval of the Design Review Permit, County File Number PLN 2001-00838, based on the required findings and subject to the conditions of approval listed in Attachment A.

BACKGROUND:

Proposal: The applicant is requesting approval of his design to construct a new 1,586 sq. ft. single-family residence with a 380 sq. ft. attached two-car garage, on an existing 6,250 sq. ft. parcel. The proposed residence is a one-story home comprised of a two-car garage, kitchen, dining and living areas, including one master bedroom suite, two additional bedrooms and a bathroom. An exterior deck/patio area to the rear is accessed from the living room and bedroom wing of the home. Two trees, 30- and 16-inch pines, are proposed to be removed.

Planning Commission Action: The Planning Commission voted to approve the project, consistent with the Design Review Committee's recommendation for approval.

Report Prepared By: Lisa Aozasa, Senior Planner, Telephone 650/3634852

Appellant: Karen Wilson

Applicant: Ken Menasco

Owner: Mychelle Leutbecher

Location: 1255 Birch Street, Montara

APN: 036-103-340

Size: 6,250 sq. ft.

Existing Zoning: R-1/S-17/DR/CD (Single-Family Residential District/S-17 Combining District with 5,000 sq. ft. minimum lot size/Design Review/Coastal Development)

General Plan Designation: Medium Density Residential (6.1 to 8.7 dwelling units/acre)

Sphere-of-Influence: City of Half Moon Bay

Existing Land Use: Undeveloped

Water Supply: Domestic well permitted and certified by Environmental Health

Sewage Disposal: Sewer service to be provided by Montara Water and Sanitary District

Flood Zone: Zone C (areas of minimal flooding, Community Panel No. 060311 0092 B, effective date July 5, 1984)

Environmental Evaluation: Categorically exempt pursuant to Section 15303, Class 3 of the Guidelines to the California Environmental Quality Act (CEQA), related to new construction of small structures, including single-family residences in a residential zone.

Setting: The project site is located on Birch Street, between Harte and George Streets in Montara. The parcel slopes moderately away (11% slope) from the street and contains natural and introduced vegetation including pine and cypress trees and shrubs. There is a domestic well located on the parcel. This side of Birch Street is undeveloped; however, surrounding parcels at the rear and across the street are developed with one- and two-story single-family dwellings.

Chronology:

Date

Action

December 27, 2001 - Applicant submits Design Review (DR) application to construct two new side-by-side single-family residences (SFRs) located on Birch Street, Montara.

The application is deemed incomplete based on the pending completion of conditions as part of a Tree Removal Permit violation incurred by the previous property owner.

- May 26, 2006 - Conditions of approval completed.
- June 14, 2006 - Coastside Design Review Committee (CDRC) considers the project and recommends continuance to a future meeting in order to address proper site posting notification procedures, tree replacement conditions and design and drainage issues.
- August 10, 2006 - CDRC considers project's compliance with CDRC directives of the June 14, 2006 meeting. CDRC again recommends continuance to a future hearing date in order to determine height impacts via installation of story poles and to address landscaping and drainage issues.
- September 14, 2006 - CDRC again considers the project. Initially the CDRC recommends another continuance to allow the applicant to reinstall the inaccurately placed story poles. The applicant declines this recommendation and requests that the CDRC take action at this meeting and the CDRC unanimously votes to deny the project.
- September 26, 2006 - The applicant appeals the CDRC decision to the Planning Commission (the Commission).
- January 10, 2007 - The Commission considers the appeal, takes no action but directs the applicant to complete four items and refers the project back to the CDRC for a decision.
- April 12, 2007 - CDRC considers the project to determine applicant's compliance with the four required items. CDRC denies the project based on the completion of only one item.
- April 25, 2007 - Applicant appeals this denial to the Commission.
- July 25, 2007 - The Commission considers the appeal and unanimously denies the project.
- August 11, 2007 - Applicant appeals the Commission's decision to the Board of Supervisors (the Board).

- April 8, 2008

 - The Board considers the appeal and based on the information provided by staff and evidence presented at the hearing, the Board remands the application back to the Commission.

- December 15, 2010

 - Project architect submits final version of revised plans indicating complete redesign of the project that addresses the design concerns of the Board. The revised project also includes a zero side yard setback proposal pursuant to Section 6300.2.3 of the R-1/S-17 Zoning District regulations.

- March 23, 2011

 - The Commission continues the appeal to the next hearing.

- April 13, 2011

 - At the Planning Commission hearing, the Commission decides to refer the project to the CDRC, primarily because the redesigned project proposes to take advantage of a seldom-used provision in the R-1/S-17 District regulations that allows for zero side yard setbacks under certain conditions, provided that the CDRC approves the proposal. Because the project was remanded back to the Commission by the Board, the CDRC never reviewed the zero lot line proposal, and so the Commission refers it to be reviewed by the CDRC in accordance with the regulations.

- May 9, 2011

 - Applicant submits revised plans, completely redesigning the project and eliminating the zero side yard setback proposal.

- June 9, 2011

 - At the CDRC hearing, the item is continued to allow applicant time to properly post the Design Review poster and to install story poles at least 10 days prior to the next hearing, which is July 14.

- June 27, 2011

 - Applicant submits slightly revised plans.

- July 14, 2011

 - CDRC recommends approval with suggested modifications.

- September 13, 2011

 - Applicant submits revised plans incorporating changes recommended by the CDRC for Planning Commission review.

- October 12, 2011

 - Planning Commission hearing on current design recommended for approval by CDRC. The Commission approved the project.

- October 26, 2011

 - Appeal to Board of Supervisors filed.

DISCUSSION:

A. KEY ISSUES OF THE APPEAL

1. Project History

a. Unauthorized Tree Removal

In Ms. Wilson's appeal application (Attachment D), the appellant refers to unpermitted tree removal that occurred on the subject property in 1999 and states that there were no consequences, conditions imposed or replacement trees required.

Staff Response: In response to complaints of unauthorized tree removal, the previous property owner submitted an "after-the-fact" tree removal permit application that was processed by the County in 2000 (PLN 2000-00053). The Board of Supervisors approved the permit on December 20, 2000, with conditions requiring tree replacement (Attachment E). The processing of the subject design review application submitted in 2001 was put on hold until the conditions of approval from the after-the-fact tree removal permit were met. Those conditions were eventually completed in August 2006, the after-the-fact tree removal case was closed (Attachment F), and the design review permit process was then allowed to proceed.

b. Drainage Easement

The appellant requests that the County require a private drainage easement to be used to accommodate stormwater runoff from development proposed on the subject parcel.

Staff Response: The Deed of Easement (Attachment D) cited by the appellant, Ms. Wilson, was recorded in 2000 between the previous owner of the subject lot and the previous owner of property adjacent to it, now identified as APNs 036-103-490 and 036-103-510 (see Attachment G). While it was recorded during the time the after-the-fact tree removal permit was being processed, it was not made a requirement or condition of the permit. The County cannot require that it be used, since a private easement agreement between property owners confers the *right* to use the property in a particular way, which is not logically connected with a *duty* to use it. Further, it is not necessary to use the easement for drainage purposes, as preliminary drainage plans for the current development proposal have been reviewed and tentatively approved by the Department of Public Works. Final drainage plans meeting the standard that requires no additional flow off the property will be reviewed and approved as part of the building permit process.

c. Construction Timing/Raptor Nest Survey

The appellant contends that there should be a condition on the project requiring a biologist to conduct a raptor nest survey, if development is to occur between February 15 and July 15.

Staff Response: Staff does not agree that this condition was required, nor is it warranted for this project. The attachment the appellant included in the appeal document where this condition is handwritten is a copy of a note page from the project file on the adjacent property (APN 037-103-230, PLN 20001-00837); it does not pertain to the subject property, which has only two significant pine trees in the center of the lot; additional trees are located at the rear of the property and will be unaffected by construction. Also, there is nothing in the project files for this and the adjacent property to indicate that these trees have significant habitat value for raptors beyond what is typical for any tall trees on the Midcoast, such that a special condition like this should be applied. The form copied and included in the appeal document is included at the front of every planning project file, and is a place for the project planner to make note of potential issues and record preliminary feedback from reviewing agencies. That information may or may not be carried forward to become a condition of approval once the permit review is completed. In fact, this condition was never applied to the after-the-fact tree removal permit, the design review permit for the subject project that is under appeal, or the design review project approved for the adjacent property where the majority of the trees are located.

2. Current Project Review Process Issues

a. Design Review Process

The appellant takes issue with the design review process for the current design, citing insufficient review time, inaccurate story poles, late site posting and special treatment/interference by the Community Development Director.

Staff Response: Staff asserts that the concerns the appellant cites regarding the CDRC's review process were in fact addressed satisfactorily by the CDRC and the Planning Commission over the course of three public hearings, and that the Community Development Director acted appropriately in advising the CDRC of the unique process for this permit, which because of prior appeals has not followed the typical course of review for a design review permit given its contentious history.

As indicated in the Chronology Section of this report, the process for review of the current design goes back to December 2010, when the applicant submitted a new design for consideration by the Planning

Commission that included a “zero lot line” configuration in combination with a proposed house on the adjacent lot (APN 036-103-230). In April 2011, the Planning Commission referred that proposal back to the CDRC for consideration, since they had not previously reviewed/approved the zero lot line configuration, as specified in the R-1/S-17 District regulations. However, the applicant decided to again redesign the project and eliminate the zero lot line feature, submitting revised plans on May 9, 2011. It was a version of the current design now before the Board that was presented to the CDRC on June 9, 2011.

At the June 9 CDRC meeting, members of the public questioned whether the story poles and the site poster had been installed at least ten days prior to the meeting as required by the CDRC’s policy relative to story pole installation (Attachment H) and the Design Review Regulations (Section 6565.9) relative to posting of the site poster. Since there was some uncertainty about both being up the full ten days and about the accuracy of the story poles, the item was ultimately continued to the July 14, 2011 CDRC hearing. The applicant requested and received some reaction/direction from the CDRC on the design presented, so that he could make necessary changes to present at the next month’s meeting. The CDRC indicated that the entry porch should be made more prominent to make the garage appear less dominant, and suggested that the bedroom wing of the house should be moved forward and stepped down with the topography, rather than trying to fit it in around an existing pine tree of questionable health.

Prior to the July 14 meeting, the Community Development Director called or left messages for the members of the CDRC to make sure they understood that their action on this permit was to be a recommendation to the Planning Commission, rather than a final decision, and as such, he encouraged them to make a decision for approval or denial as they saw fit, rather than to continue the item to subsequent CDRC meetings. Also prior to the meeting, staff met with the applicant on-site to verify that the site poster and the story poles were installed accurately at least ten days before the hearing.

At the July 14 meeting, there were again complaints about the story poles and the site poster, but staff was able to verify definitively that they were posted/installed on time and the CDRC decided that was adequate. After further discussion, the CDRC recommended approval of the revised project, which the applicant had changed by moving the bedroom wing of the building toward the front of the lot by 12 feet and reducing its height by 4 feet. The front porch was also redesigned to be more prominent. There were additional changes recommended, but the CDRC felt they were minor in nature and could be made prior to the Planning Commission hearing to follow.

All of the CDRC's requested changes were subsequently made and presented to the Planning Commission at their October 12 meeting, where all interested parties, including the appellant, were given ample time to express their concerns about the project. The Planning Commission ultimately approved the design review permit at their October 12, 2011 hearing.

b. Property Ownership/Authorization

The appellant asserts that the proof of ownership/authorization submitted for this project is inadequate.

Staff Response: Staff has determined that the property owner and applicant have provided adequate proof of ownership and authorization for this project, typical of what is submitted by all applicants/owners who file planning permit applications. It is the Planning Department's practice to rely on the County Assessor's records to verify property ownership. Prior to about September 2011, Ken Menasco was on record with the County Assessor as one of the owners of the subject parcel, and acted as the primary applicant throughout the permit process for this project. Sometime around September 2011, Ken Menasco was no longer listed as a property owner; Mychelle Leutbecher was indicated as the sole property owner at that time. Consequently, prior to the October 12 Planning Commission hearing, staff requested and received via e-mail from Mychelle Leutbecher, record owner of the parcel, authorization for Ken Menasco to act on her behalf as the applicant for the project. Staff considers this correspondence, in conjunction with the County Assessor's records, to adequately address the question of property ownership/authorization for this project, as the applicable Zoning Regulations do not specify any particular way that an authorized agent for a property owner seeking design approvals (other than a use permit) must prove that he has the authority to act on behalf of the owner. Staff is confident that the policy objectives of the requirement for owner consent are met in this case.

3. Current Project Design Issues

a. Building Height

The appellant expresses concern that the height of the building may be raised during construction, and requests that the rear elevation be lowered to 10 feet for privacy.

Staff Response: There is a standard "Height Verification" condition applied to all projects in the Design Review District, which is intended to ensure that the home is built in compliance with the approved height. Specifically, Condition No. 4 requires that the height of the garage slab, finished first floor, and the top roof peak be verified in the field by a

licensed surveyor while the building is under construction. As such, there is already a process in place to ensure that additional fill is not added to the property to raise the height of the home relative to surrounding properties.

With regard to the appellant's request to further lower the rear elevation of the proposed home for privacy, staff contends that it is unnecessary, since: (1) the applicant already lowered the rear section of the home 4 feet as requested by the CDRC, (2) the total height of the rear wing of the building is a very modest 16 feet 4 inches where 28 feet is the maximum height permitted, and (3) lowering the height of the building even further would tend to make it so low in profile as to be incompatible architecturally with surrounding two-story homes. In addition, privacy will be adequately preserved by the generous 35-foot rear setback to the proposed home where 20 feet is the minimum required, and by the existing 6-foot fence and the existing and proposed trees and shrubs planted at the rear of the subject property.

b. Front Porch

The appellant requests that the front porch be reduced in size to allow the house to be shifted forward on the lot to provide more room for the use of the drainage easement.

Staff Response: As mentioned previously, the rear setback to the proposed house is 35 feet where 20 feet is the minimum required, so there is ample room in the rear yard for the installation of any necessary drainage facilities. Also as mentioned, the easement referred to is private, and to date the applicant has not indicated that he intends to use it, the County cannot compel him to use it, nor is it necessary to comply with standard requirements related to storm drainage. Finally, reducing the size of the porch is contrary to the direction the CDRC gave the applicant at a prior hearing when they asked that the porch be made more prominent to make the garage appear less dominant.

c. Tree Protection

The appellant contends that tree protection measures should be employed around trees and vegetation to be preserved during and after construction, and that due to the age of the survey, there may be additional significant trees that need protection.

Staff Response: The survey that the current proposed house plans are based on was completed by a licensed surveyor in 2000. The condition of the land has not changed significantly since then to warrant the preparation of a new survey, but staff did confirm that there are no other significant trees (trees over 12 inches in diameter at 4.5 feet above grade) within

the footprint of the proposed structure that would require removal. There are additional trees at the rear of the lot, near the fence separating the subject lot from the appellant's property. Staff agrees that it is standard practice to require protective fencing to be installed around trees that are to remain on-site during construction, to help ensure that they are not impacted by construction activities and equipment. As such, staff is recommending that Condition No. 16 on Attachment A be added. However, after construction is completed, there is no reason for the County to require protective fencing to remain in perpetuity on private property. Once the final certificate of occupancy is issued, the property would be subject to the same tree preservation/tree removal permit requirements applicable to all properties in the zoning district.

B. KEY ISSUES

1. Conformance with the County General Plan

Staff has determined that the redesigned project complies with all applicable General Plan policies, including the following:

Visual Quality Policy 4.14(a) (*Appearance of New Development*) requires new development to promote and enhance good design, site relationships and other aesthetic considerations. The proposed architectural elements for the new one-story structure are complementary to the neighborhood, which is characterized by homes with varied roof forms (gables, hips, sheds), and simple one- and two-story exteriors with predominately wood siding and strong earth-tone colors. The natural topography of the site remains intact, as only minimal grading is proposed, and the bedroom wing of the house steps down with the terrain, which has a modest (11%) slope down from Birch Street.

Urban Design Concept Policy 4.35 (*Urban Area Design Concept*) calls for new development to maintain and, where possible, improve upon the appearance and visual character of development in urban areas, and ensures that new development in urban areas is designed and constructed to contribute to the orderly and harmonious development of the locality. The design of the new structure complements neighboring structures as exemplified by the use of proposed materials such as fiber cement siding and vertical board and batten panels, including earth-tone colors for the project's exterior color scheme that blends with the existing on-site vegetation. The combination of shed, gable and flat roofs reflects a simple, yet modern look to the structure, softening its visual appearance and mitigating potential negative impacts associated with mass and bulk.

Urban Land Use Policy 8.38 (*Height, Bulk and Setbacks*) regulates the height, bulk and setback requirements in zoning districts in order to: (1) ensure that the size and scale of development is compatible with parcel size, (2) provide sufficient light and air in and around the structures, (3) ensure that

development of permitted densities is feasible, and (4) ensure public health and safety. The proposed one-story structure meets the zoning district height standards (18 feet maximum proposed where 28 feet is allowed), and includes a design, scale and size compatible with other residences located in the vicinity by virtue of the proposed lot coverage of 34.8% (2,176 sq. ft.), where 35% (2,188 sq. ft.) is the maximum allowed and a floor area of 32% (1,966 sq. ft.), where the maximum allowed is 53% (3,313 sq. ft.).

Urban Water Supplies Policy 10.10 (*Water Suppliers in Urban Areas*) states that water systems are the preferred method of water supply in urban areas; however, wells are allowed to serve urban uses when no water is available from a water system to serve the area, and there is no threat to public health, safety or welfare. Until very recently, the MWSD has not had water available to serve new customers, and there was a moratorium on new service connections. Consequently, the applicant obtained a Coastal Development Permit Exemption to drill a well on-site in 2006, and is prepared to use that well as a domestic water source, subject to approval by Environmental Health. However, in keeping with Policy 10.10, when new water service connections become available from MWSD, the property owner will be required to hook up to the system and abandon the well on-site for domestic use (see Condition Nos. 14 and 15).

2. Coastal Development Permit Exemption

The project is located within the area designated as a Categorical Exclusion Area, is on a conforming parcel, does not require a variance, and will obtain design review approval. As such, it qualifies for an exemption from the requirement for a Coastal Development Permit.

3. Conformance with Zoning Regulations

a. Compliance with S-17 District Development Standards

The proposal complies with the property’s R-1/S-17/DR/CD zoning designation, as indicated in the following table:

	S-17 Development Standards	Proposed
Maximum Floor Area Ratio	3,313 sq. ft. (53%)	1,966 sq. ft. (32%)
Maximum Building Site Coverage	2,188 sq. ft. (35%)	2,176 sq. ft. (35%)
Minimum Front Setback	20 ft.	20 ft.
Minimum Rear Setback	20 ft.	32 ft.
Minimum Right Side Setback	5 ft.	7 ft.

	S-17 Development Standards	Proposed
Minimum Left Side Setback	5 ft.	8 ft.
Maximum Building Height	28 ft.	18 ft.
Minimum Parking Spaces	2 covered	2 covered
Daylight Plane/Façade Articulation	20 ft./45 degrees or approved by CDRC	Complies

b. Conformance with Design Review District Standards

The project was considered by the CDRC at their July 14, 2011 hearing. The CDRC recommended approval, based on the following findings of compliance with the applicable provisions of Section 6565.20 (Standards for Design for One-Family and Two-Family Residential Development in the Midcoast):

- (1) The proposed structure requires the removal of two trees, but the existing young trees and established undergrowth located in the rear yard are retained so as to blend this natural setting with the proposed one-story structure. Tree protection measures shall be established and implemented during construction, as a recommended condition (No. 3) (Section 6565.20(C)1.a).
- (2) Only minimal grading is proposed for the project (Section 6565.20(C)1.b).
- (3) No streams or other natural drainage systems are located on the project site (Section 6565.20(C)1.c).
- (4) The project site is located in Flood Zone C which is designated as an area of minimal flooding (Section 6565.20(C)1.c).
- (5) The project site is not located on a ridgeline (Section 6565.20(C)1.d).
- (6) Neighborhood privacy is maintained as a result of the structure's single-story design (Section 6565.20(C)2.a).
- (7) In order to conform to the existing topography, the structure's length shall be reduced by 12 feet from the rear and further lowered into the topography by 2 feet, resulting in a finished floor elevation of 170'-6" for the rear bedroom areas (see Attachment C). The current plans reflect this recommendation from the CDRC (Section 6565.20(D)1.a).

- (8) The proposed single-family residence harmonizes with the existing neighborhood scale because of its low profile (Section 6565.20(D)1.b).
- (9) The unique and diverse style of the proposed structure fits with the eclectic architectural style of the neighborhood (Section 6565.20(D)2.a).
- (10) The proposed shed roofs create interest within the context of the chosen architectural style of the project (Section 6565.20(D)3.a).
- (11) Extend the 18" right side garage wall front façade element forward to fill in as wall space up to the front post, to add more detail and interest at this entryway area, including enlarging the sizes of the posts (see Attachment C). The current plans reflect this recommendation from the CDRC (Section 6565.20(D)2.c).
- (12) The proposed materials, such as fiber cement lap siding and vertical board and batten, make the project compatible with various architectural styles of the neighborhood. To increase compatibility, the CDRC recommended the following: (i) exclude stone; (ii) use only deep red color schemes; and (iii) exclude the orange color scheme (see Condition No. 3) (Section 6565.20(D)4.a).
- (13) To further enhance the appearance of the proposed single-family residence, the following landscaping conditions are recommended: (i) hire a local licensed architect to prepare the landscape plans; (ii) retain the established undergrowth in the rear yard; (iii) include shrubs and ground cover as part of the landscape plan; (iv) establish and implement tree protection measures during construction; (v) plant substantial vegetation at the rear to visually buffer the exterior wall of the crawl space; (vi) obtain assessment from the local landscape architect whether the eucalyptus trees at the rear of the parcel should be retained or removed and replaced; (vii) ensure equal separation of proposed trees at the rear of the parcel; (viii) plant pittosporum and crepe myrtle trees along property lines, where feasible. The current plans reflect this recommendation from the CDRC (Section 6565.20(F)1).
- (14) Installation of pervious pavers is required for this project. As a recommended condition, install stepping stones for the walkway areas, if feasible (see Condition No. 3) (Section 6565.20(F)2).
- (15) Installation of downward lighting fixtures is required for this project (see Condition No. 3) (Section 6565.20(F)4).

- (16) Installation of utility lines underground is required for this project (see Condition No. 7) (Section 6565.20(G)).

C. ENVIRONMENTAL REVIEW

This project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), Section 15303, Class 3(a), related to new construction of small structures, including single-family residences in a residential zone.

D. REVIEWING AGENCIES

Building Inspection Section
Department of Public Works
Coastside Fire Protection District
Montara Water and Sanitary District

County Counsel has reviewed and approved the materials as to form and content.

The approval of the design review permit for a new single-family residence contributes to the 2025 Shared Vision outcome of a Livable Community through compliance with General Plan Visual Quality Policies requiring new development to maintain and, where possible, improve upon the appearance and visual character of development in urban areas, and to ensure that new development in urban areas is designed and constructed to contribute to the orderly and harmonious development of the locality.

FISCAL IMPACT:

None.

ATTACHMENTS:

- A. Recommended Findings and Conditions of Approval
- B. Vicinity Map
- C. Project Plans
- D. Appeal Application Submitted October 26, 2011
- E. Decision Letter for After-the-Fact Tree Removal Permit, dated October 20, 2000
- F. Letter to Ms. Wilson Re: Completion of Conditions for After-the-Fact Tree Permit, dated October 27, 2006
- G. Diagram of Private Drainage Easement
- H. CDRC Policies on Story Pole Installation
- I. Site Photos

COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit File Number: PLN 2001-00838

Board Meeting Date: January 10, 2012

Prepared By: Lisa Aozasa, Senior Planner

For Adoption By: Board of Supervisors

RECOMMENDED FINDINGS:

Regarding the Environmental Review, Find:

1. That the proposed project is categorically exempt pursuant to Section 15303, Class 3, of the Guidelines to the California Environmental Quality Act related to new construction of small structures, including single-family residences in a residential zone.

Regarding the Coastal Development Permit Exemption, Find:

2. That the project is located within the area designated as a Categorical Exclusion Area, is on a conforming parcel, does not require a variance, and will obtain design review approval. As such, it qualifies for an exemption from the requirement for a Coastal Development Permit.

Regarding the Design Review, Find:

3. That the project is in compliance with the Design Review Standards for the Coastsides as previously elaborated in Section 3.b of this report.

RECOMMENDED CONDITIONS OF APPROVAL:

Current Planning Section

1. The project shall be constructed in compliance with the plans approved by the Planning Commission on October 12, 2011 and subsequently by the Board of Supervisors on January 10, 2012. Any changes or revisions to the approved plans shall be submitted to the Design Review Officer for review and approval prior to implementation. Minor adjustments to the project may be approved by the Design Review Officer if they are consistent with the intent of and are in substantial conformance with this approval. Alternatively, the Design Review Officer may refer consideration of the revisions to the Planning Commission, with applicable fees to be paid.

2. The applicant shall include this approval letter on the top pages of the building plans. This would provide the Planning approval date and its contents on the on-site plans.
3. The applicant shall submit the following items and/or indicate the following on plans submitted for a building permit, as stipulated by the Planning Commission and Board of Supervisors.
 - a. Tree protection measures established and implemented during construction.
 - b. The structure's length reduced by 12 feet from the rear and further lowered into the topography by 2 feet, resulting in a finished floor elevation of 170'-6" for the rear bedroom areas, as shown on plans dated September 13, 2011.
 - c. Extension of the 18" right side garage wall front façade element forward to fill in as wall space up to the front post, to add more detail and interest at this entryway area, including enlargement of the post sizes, as shown on plans dated September 13, 2011.
 - d. Exclusion of stone as an exterior material.
 - e. Use of only deep red color schemes.
 - f. Exclusion of the orange color scheme option.
 - g. Local licensed architect prepared landscape plans.
 - h. Retention of the established undergrowth in the rear yard.
 - i. Inclusion of shrubs and ground cover as part of the landscape plan.
 - j. Establishment and implementation of tree protection measures during construction.
 - k. Planting of substantial vegetation at the rear to visually buffer the exterior wall of the crawl space.
 - l. Assessment from the local landscape architect whether the eucalyptus trees at the rear of the parcel should be retained or removed and replaced.
 - m. Equal separation of proposed trees at the rear of the parcel.
 - n. Planting of pittosporum and crepe myrtle trees along property lines, where feasible.
 - o. Installation of pervious pavers required; install stepping stones for the walkway areas, if feasible.

- p. Installation of downward lighting fixtures required.
4. 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: (1) the natural grade elevations at the significant corners (at least four) of the footprint of the proposed structure on the submitted site plan, and (2) the elevations of proposed finished grades.
 - d. In addition, (1) the natural grade elevations at the significant corners of the proposed structure, (2) the finished floor elevations, (3) the topmost elevation of the roof and (4) garage slab elevation must be shown on the plan, elevations, and cross-section (if one is provided).
 - e. 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 that the lowest floor height--as constructed--is equal to the elevation specified for that floor in the approved plans. Similarly, certifications on the garage slab and the topmost elevation of the roof are required.
 - f. If the actual floor height, garage slab, or 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.
5. 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.
6. 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.
 7. 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.
 8. 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 respective Fire Authority.
 9. 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.
 10. 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 Birch 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 Birch Street. There shall be no storage of construction vehicles in the public right-of-way.
11. The exterior color samples submitted to the Committee are approved as conditioned (see Condition 3). 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.
 12. 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.
 13. A landscape plan is required prior to the issuance of the building permit. Installation is required prior to final inspection (see Condition 3).
 14. Prior to Planning approval of the building permit, the applicant shall record a Deed Restriction, to the satisfaction of County Counsel and the Planning and Building Department, that requires the applicant and any successor in interest to abandon all on-site existing wells, in a manner consistent with Environmental Health requirements and connect to the public water system (Montara Water and Sanitary District (MWSD)) within 90 days of date on which a connection becomes available.
 15. Prior to the issuance of a building permit, water connection plans and a description of the availability of a water connection shall be included as part of a building permit application. In the event that a water connection from MWSD is available, the following requirement shall apply: Since a domestic well already exists on-site, the applicant and any successor in interest shall be required to abandon the well, consistent with Environmental Health requirements and connect to the MWSD's water system.
 16. Only those trees approved for removal shall be removed. Trees designated to remain shall be protected from damage during construction. Any additional tree removal is subject to the San Mateo County Tree Ordinance and will require a separate permit for removal. A tree protection plan, which addresses trimming and protection, shall be developed and implemented during construction. Tree protection measures shall appear on the building plans submitted to the County.

Building Inspection Section

17. At the time of application for a building permit, the following will be required:
 - a. Prior to pouring any concrete for foundations, written verification from a licensed surveyor must be submitted which will confirm that the required setbacks as shown on the approved plans have been maintained.
 - b. An automatic fire sprinkler system will be required. This permit must be issued prior to or in conjunction with the building permit.
 - c. If a water main extension, upgrade or hydrant is required, this work must be completed prior to the issuance of the building permit or the applicant must submit a copy of an agreement and contract with the water purveyor which will confirm the work will be completed prior to finalization of the building permit.
 - d. A site drainage plan will be required. This plan must demonstrate how roof drainage and site runoff will be directed to an approved disposal area.
 - e. Sediment and erosion control measures must be installed prior to beginning any site work and maintained throughout the term of the permit. Failure to install or maintain these measures will result in stoppage of construction until the corrections have been made and fees paid for staff enforcement time.
 - f. This project must comply with the Green Building Ordinance.
 - g. All drawings must be drawn to scale and clearly define the whole project and its scope in its entirety.
 - h. Please call out the right codes on the code summary: The design and/or drawings shall be done according to the 2010 Editions of the California Building Standards Code, 2010 California Plumbing Code, 2010 California Mechanical Code, and the 2010 California Electrical Code. The 1997 Uniform Building Code is no longer being used.

Department of Public Works

18. 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 No. 3277.
19. No construction work within the County right-of-way shall begin until Public Works requirements for the issuance of an encroachment permit, including review of applicable plans, have been met and an encroachment permit issued by the Department of Public Works.

20. The applicant shall submit a driveway “Plan and Profile” to the Department of Public Works, showing the driveway access to the parcel (garage slab) complying with County standards for driveway slopes (not to exceed 20%) and to County standards for driveways (at the property line) being the same elevation as the center of the access roadway. When appropriate, this plan and profile shall be prepared from elevations and alignment shown on the roadway improvement plans. The driveway plan shall also include and show specific provisions and details for both the existing and the proposed drainage patterns and drainage facilities.
21. The applicant shall have prepared, by a registered civil engineer, a drainage analysis of the proposed project and submit it to the Department of Public Works for review and approval. The drainage analysis shall consist of a written narrative and a plan. The flow of the stormwater onto, over, and off of the subject property shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage. Post-development flows and velocities shall not exceed those that existed in the pre-developed state. Recommended measures shall be designed and included in the street improvement plans and submitted to the Department of Public Works for review and approval.
22. The applicant shall prepare a plan indicating the proposed method of sewerage for this property. This plan should be included on the improvement plans and submitted to the Department of Public Works for review.
23. The applicant shall include on the building permit plans the location of all existing utilities and clearly show the proposed location and installation for all his underground utilities.

Environmental Health Division

24. Prior to the house final, the applicant shall obtain a permit to operate the well as a domestic water source.

Coastside Fire Protection District

25. **Occupancy Separation:** As per the 2007 CBC, Section 406.1.4, a one-hour occupancy separation wall shall be installed with a solid core, 20-minute fire rated, self-closing door assembly with smoke gasket between the garage and the residence.
26. **Fire Hydrant:** As per 2007 CFC, Appendix B and C, a Fire District approved fire hydrant (Clow 960) must be located within 250 feet of the proposed single-family dwelling unit measured by way of drivable access. As per 2007 CFC, Appendix B, the hydrant must produce a minimum fire flow of 1,000 gallons per minute at 20 pounds per square inch residual pressure for 2 hours. Contact the local water purveyor for water flow details.

27. **Automatic Fire Sprinkler System:** As per San Mateo County Building Standards and Coastside Fire District Ordinance No. 2007-01, the applicant is required to install an automatic fire sprinkler system **throughout** the proposed or improved dwelling and garage. All attic access locations will be provided with a pilot head on a metal upright. All areas that are accessible for storage purposes shall be equipped with fire sprinklers including closets and bathrooms. The only exception is small linen closets less than 24 sq. ft. with full depth shelving. The plans for this system must be submitted to the San Mateo County Planning and Building Department or the City of Half Moon Bay. A building permit **will not** be issued until plans are received, reviewed and approved. Upon submission of plans, the County or City will forward a complete set to the Coastside Fire District for review. The fee schedule for automatic fire sprinkler systems shall be in accordance with Half Moon Bay Ordinance No. 2006-01. Fees shall be paid prior to plan review.

Installation of underground sprinkler pipe shall be visually inspected and flushed by Fire District prior to hook up to riser. Any soldered fittings must be pressure tested with trench open.

28. **Exterior bell and interior horn/strobe:** are required to be wired into the required flow switch on your fire sprinkler system. The bell, horn/strobe and flow switch, along with the garage door opener, are to be wired into a separate circuit breaker at the main electrical panel and labeled.
29. **Smoke detectors which are hardwired:** As per the California Building Code, State Fire Marshal regulations, and Coastside Fire District Ordinance No. 2007-01, the applicant is required to install State Fire Marshal approved and listed smoke detectors which are **hardwired, interconnected, and have battery backup**. These detectors are required to be placed in each sleeping room and at a point centrally located in the corridor or area giving access to each separate sleeping area. A minimum of one detector shall be placed on each floor. Smoke detectors shall be tested and approved prior to the building final.
30. **Address Numbers:** As per Coastside Fire District Ordinance No. 2007-01, building identification shall be conspicuously posted and visible from the street. (TEMPORARY ADDRESS NUMBERS SHALL BE POSTED PRIOR TO COMBUSTIBLES BEING PLACED ON-SITE.) The letters/numerals for permanent address signs shall be **4 inches** in height with a minimum 3/4-inch stroke. Such letters/numerals shall be internally illuminated and facing the direction of access. Finished height of bottom of address light unit shall be greater than or equal to 6 feet from finished grade. When the building is served by a long driveway or is otherwise obscured, a reflectorized address sign shall be placed at the entrance from the nearest public roadway. See Fire Ordinance for standard sign.
31. **Roof Covering:** As per Coastside Fire District Ordinance No. 2007-01, the roof covering of every new building or structure, and materials applied as part of a roof covering assembly, shall have a minimum fire rating of Class "B" or higher as defined in the current edition of the California Building Code.

32. **Vegetation Management:** The Coastside Fire District Ordinance No. 2007-01, the 2007 California Fire Code and Public Resources Code 4291.

A fuel break of defensible space is required around the perimeter of all structures to a distance of not less than 30 feet and may be required to a distance of 100 feet or to the property line. In SRA (State Responsible Area), the fuel break is 100 feet or to the property line.

Trees located within the defensible space shall be pruned to remove dead and dying portions, and limbed up 6 to 10 feet above the ground. New trees planted in the defensible space shall be located no closer than 10 feet to adjacent trees when fully grown or at maturity.

Remove that portion of any existing tree, which extends within 10 feet of the outlet of a chimney or stovepipe or is within 5 feet of any structure.

33. **New bedrooms and windows** replaced in existing bedrooms to meet escape/rescue window/door requirements. ID windows and have notes (CBC 1026).

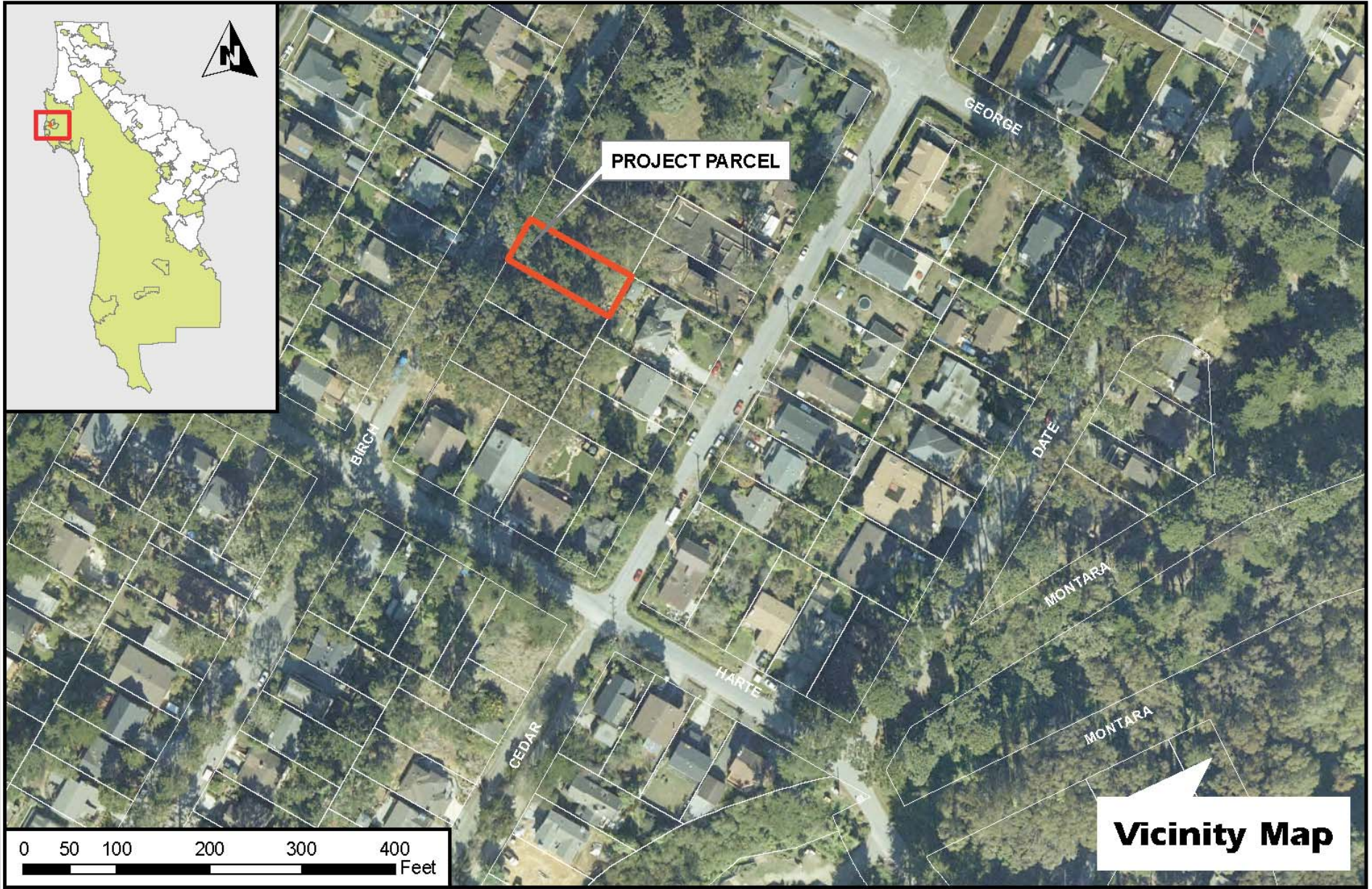
Montara Water and Sanitary District

34. Prior to the issuance of a building permit, the applicant shall obtain a sewer permit.
35. Prior to the issuance of a building permit, the applicant shall obtain a water connection, if available (see Condition 15).



County of San Mateo - Planning and Building Department

ATTACHMENT B



San Mateo County Board of Supervisors Meeting

Owner/Applicant: **KEN MENASCO**

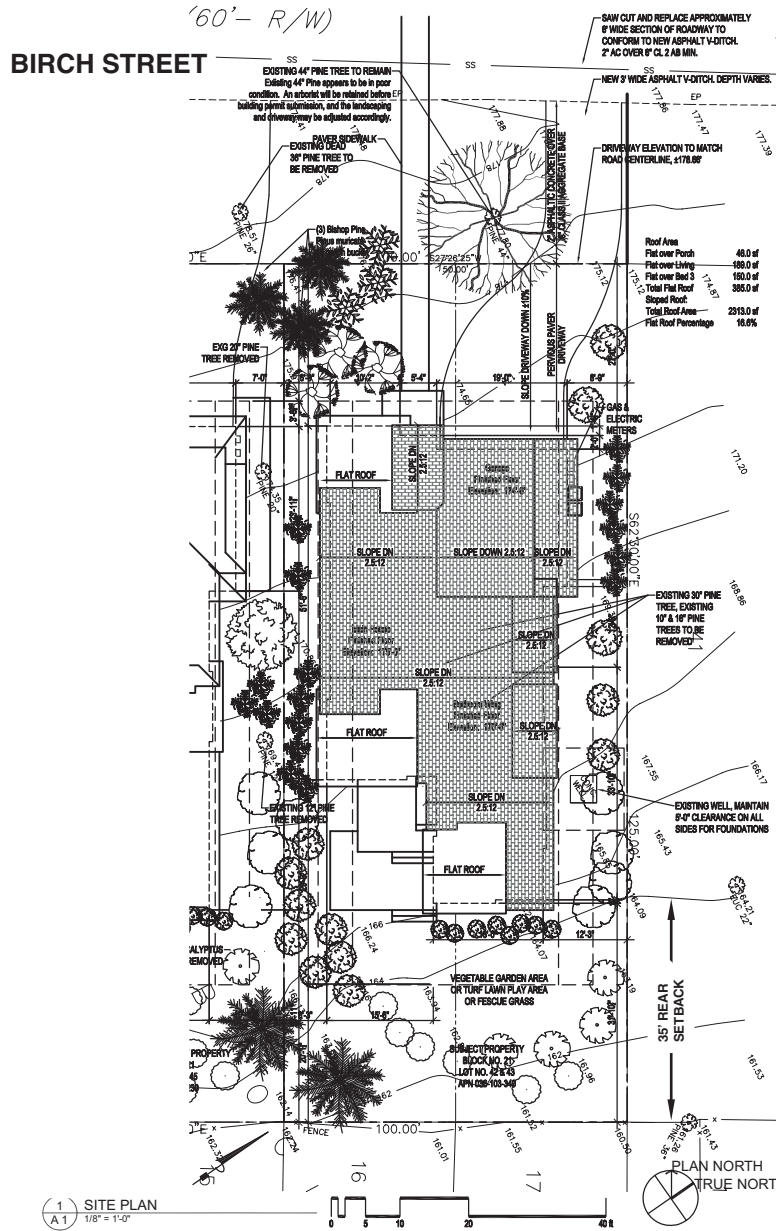
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File Numbers: **PLN 2001-00838 (APN: 036-103-340)**



County of San Mateo - Planning and Building Department

ATTACHMENT C



CAN CUT AND REPLACE APPROXIMATELY 8' WIDE SECTION OF ROADWAY TO CONFORM TO NEW ASPHALT V-DITCH. 2" AC OVER 8" CL. 2 AB MIN.

Roof Area
 Flat over Porch 48.0 of
 Flat over Living 490.0 of
 Flat over Shed 3 160.0 of
 Total Flat Roof 698.0 of
 Sloped Roof 2813.0 of
 Total Roof Area 3511.0 of
 Flat Roof Percentage 19.8%



3 VICINITY MAP
 A1 NO SCALE

DRAWING INDEX

- ARCHITECTURAL DRAWINGS
- A1 Location Map, Site Plan, Roof Plan, Project Description, Notes
 - A2 Floor Plan, Roof Plan
 - A3 Exterior Elevations
 - A4 Exterior Elevations
 - A5 Building Sections
 - A6 Building Sections
 - C1 Survey
 - C2 Drainage Plan

SUMMARY OF WORK

The Project is for two adjoining parcels, each will have a Single Family Home on an R-1 lot. The North House (APN 036-130-340) has 3 Bedrooms, 2 Bathrooms, Living Room, Dining Area, Den and Kitchen. The house is one story, with the Bedroom Wing stepping down 4'-0" from the Living Wing. There are 2 garage parking spaces. The Main House is 1530 sf in area, the Garage is 380 sf, and the maximum height is eighteen feet above grade.

Project Location:	Birch Street, Montara, CA 94037
Assessor's Parcel Number	036-103-340
Zoning	R1 S-17
Allowable Coverage	35% >16', 50% <16'
Lot Area	6250 sq ft
Main Building Area	1530 square feet
Garage Area	380 square feet
Decks > 30" above grade	0 square feet
Covered Area ≤ 4'-0" from walls	56 square feet
Total Built Area	1966 square feet
FAR	1966/6250 = 31.5%
Total Coverage	2176 sf
Lot Coverage %	2176/6250 = 34.8%
Off Street Parking Provided	2 spaces
Building Occupancy	R 3 Single Family Residential
Construction Classification:	Type V-B
Owner:	Kenneth Menasco

Permitting Submittal

VanMichelen Architects
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New Residences for:
Kenneth Menasco
 LOT NO. 42 & 43
 APN 036-103-340
 Birch St.
 Montara, CA 94037

SITE PLAN PROJECT INFO

Revision	
△	DPW comments - 11 AUG 10
△	PLANNING - 16 DEC 10
△	RESUBMIT - 4 MAY 11
△	RESUBMIT - 27 JUNE 11
△	pc submit - 13 SEP 11

Date: 12 May 2010
 Drawn:
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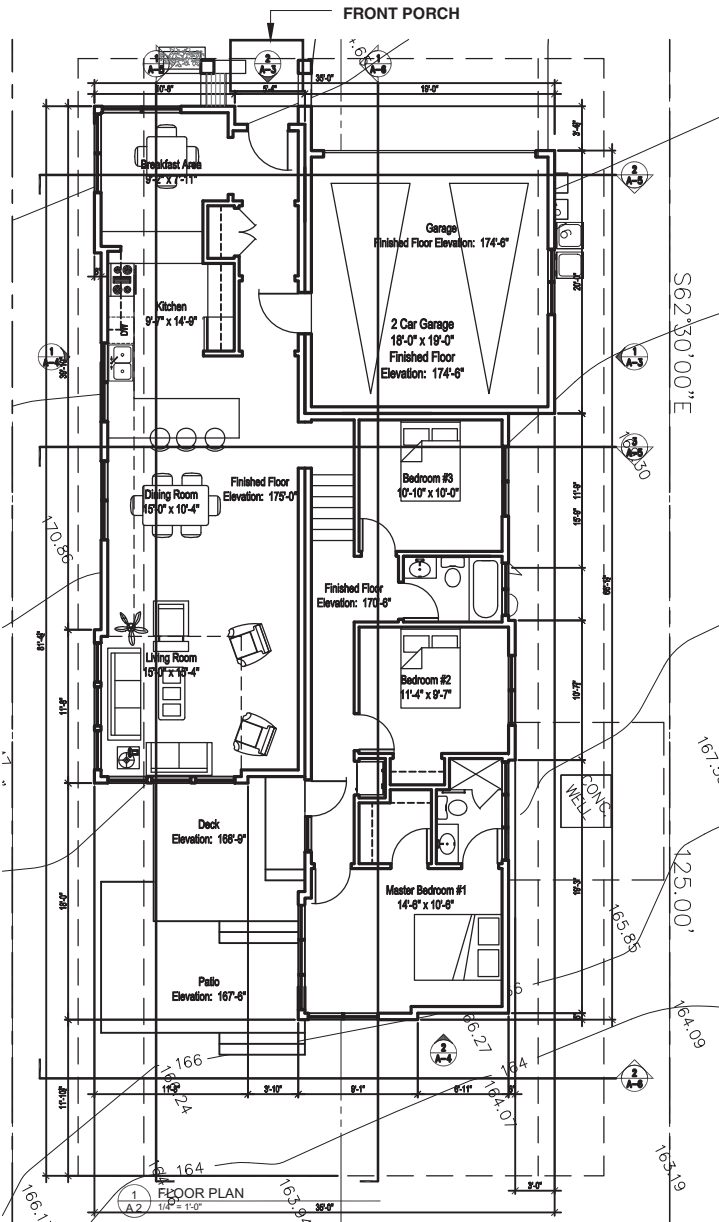
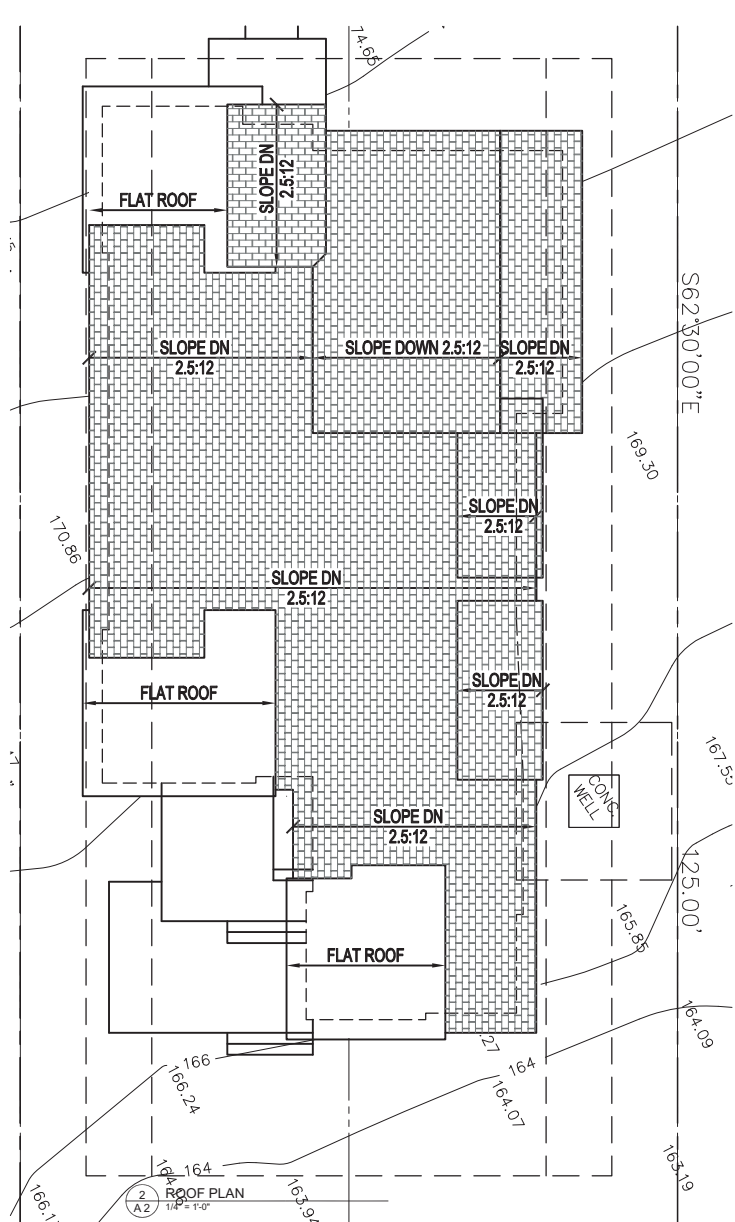
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Owner/Applicant: **KEN MENASCO**

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File Numbers: **PLN 2001-00838 (APN: 036-103-340)**



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Planning Submitted
 New Residences for:
Kenneth Menasco
 LOT NO. 42 & 43
 APN 036-103-340
 Birch St.
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FLOOR PLAN
 ROOF PLAN

Revision
 ▲ DPW comments - 11 AUG '10
 ▲ PLANNING - 18 DEC '10
 ▲ RESUBMIT - 4 MAY '11
 ▲ RESUBMIT - 27 JUNE '11
 ▲ - ps submit - 19 SEP '11

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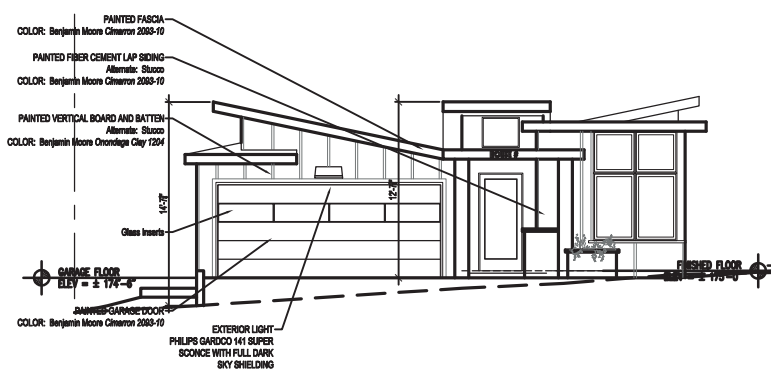
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File Numbers: **PLN 2001-00838 (APN: 036-103-340)**



1 EAST ELEVATION (LEFT SIDE)
1/4" = 1'-0"



3 NORTH ELEVATION (FRONT)
1/4" = 1'-0"

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Planning Submittal

New Residences for:
Kenneth Menasco
LOT NO. 42 & 43
APN 036-103-340
Birch St.
Montara, CA 94037

EXTERIOR ELEVATIONS

Revisions	
△	DPW comments - 11 AUG '10
△	PLANNING - 16 DEC '10
△	RESUBMIT - 4 MAY '11
△	RESUBMIT - 27 JUNE '11
△	pc submit - 13 SEP '11
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1 WEST ELEVATION (RIGHT SIDE)
A 4 1/4" = 1'-0"



2 SOUTH ELEVATION (REAR)
A 4 1/4" = 1'-0"

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Planning Submittal

New Residences for:
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APN 036-103-340
Birch St.
Montara, CA 94037

EXTERIOR ELEVATIONS

Revisions
 △ DPW comments - 11 AUG '10
 △ PLANNING - 15 DEC '10
 △ RESUBMIT - 4 MAY '11
 △ RESUBMIT - 27 JUNE '11
 △ pc submit - 13 SEP '11
 △

Date: 12 May 2010
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 Scale:

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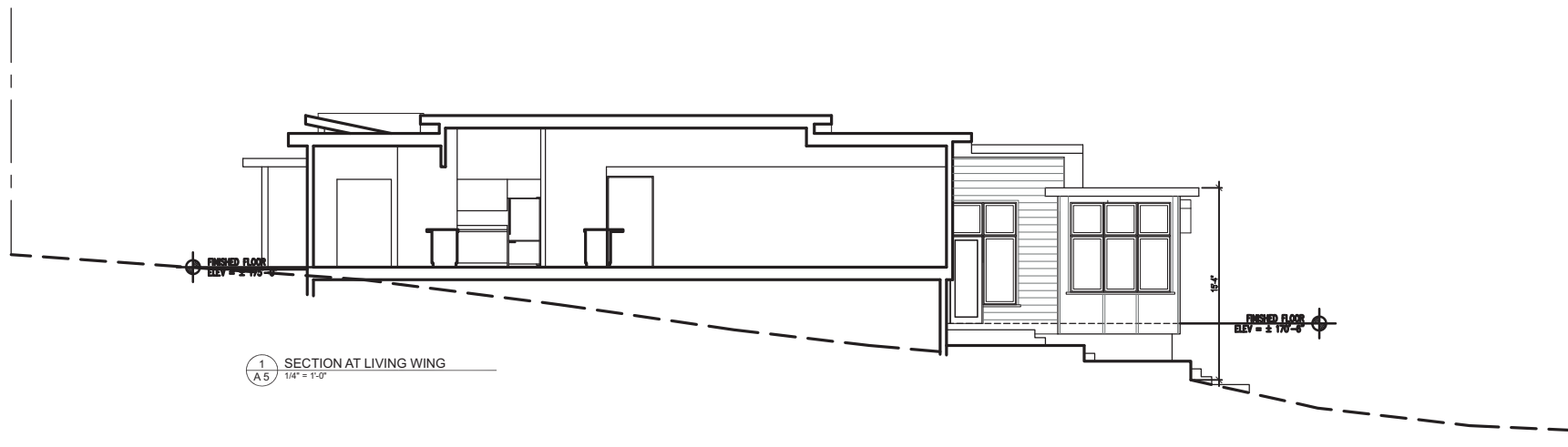
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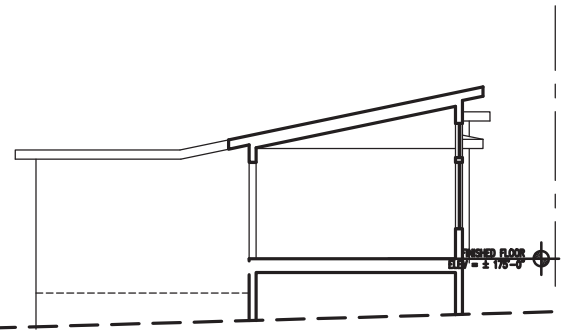
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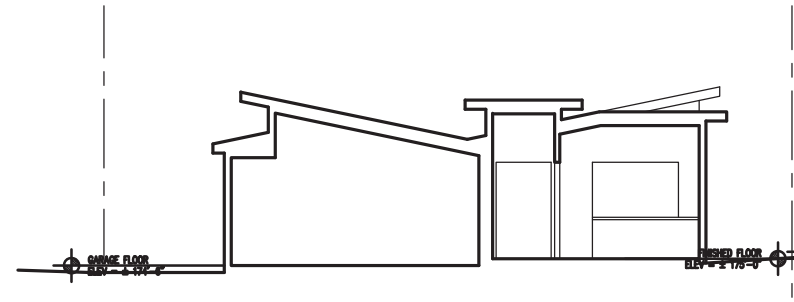
File Numbers: **PLN 2001-00838 (APN: 036-103-340)**



1 SECTION AT LIVING WING
1/4" = 1'-0"



3 SECTION AT LIVING WING
1/4" = 1'-0"



2 SECTION AT LIVING WING
1/4" = 1'-0"

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Planning Submittal
New Residences for:
Kenneth Menasco
LOT NO. 42 & 43
APN 036-103-340
Birch St.
Montara, CA 94037

BUILDING SECTIONS

Revision	
△	DPW comments - 11 AUG '10
△	PLANNING - 18 DEC '10
△	RESUBMIT - 4 MAY '11
△	RESUBMIT - 27 JUNE '11
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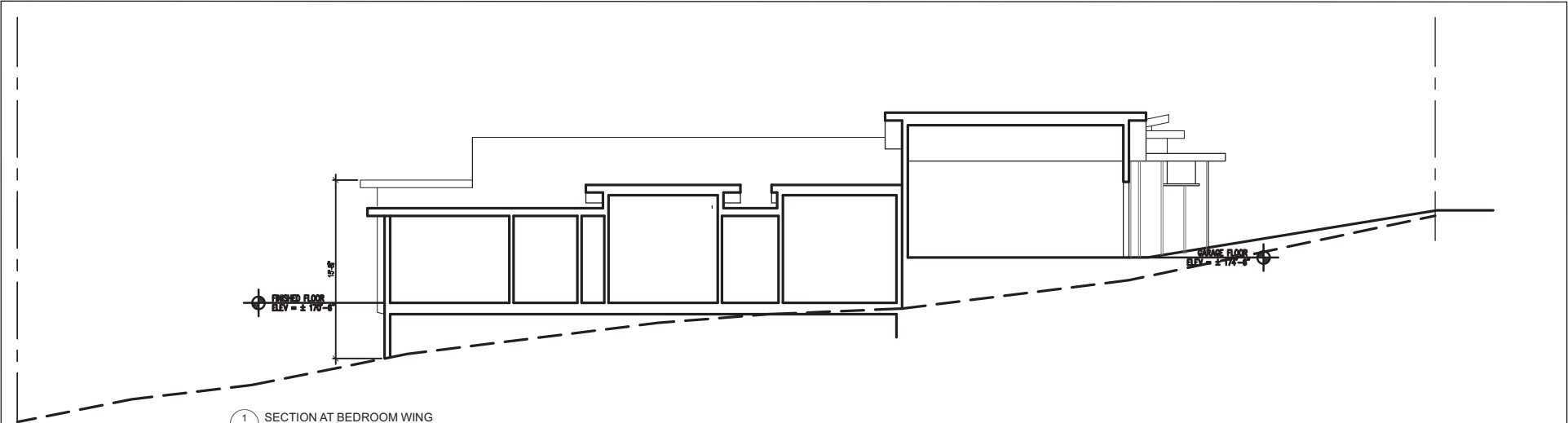
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1 SECTION AT BEDROOM WING
1/4" = 1'-0"



2 SECTION AT BEDROOM WING
1/4" = 1'-0"

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Planning Submittal

New Residences for:
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LOT NO. 42 & 43
APN 036-103-340
Birch St.
Montara, CA 94037

BUILDING SECTIONS

Revision	
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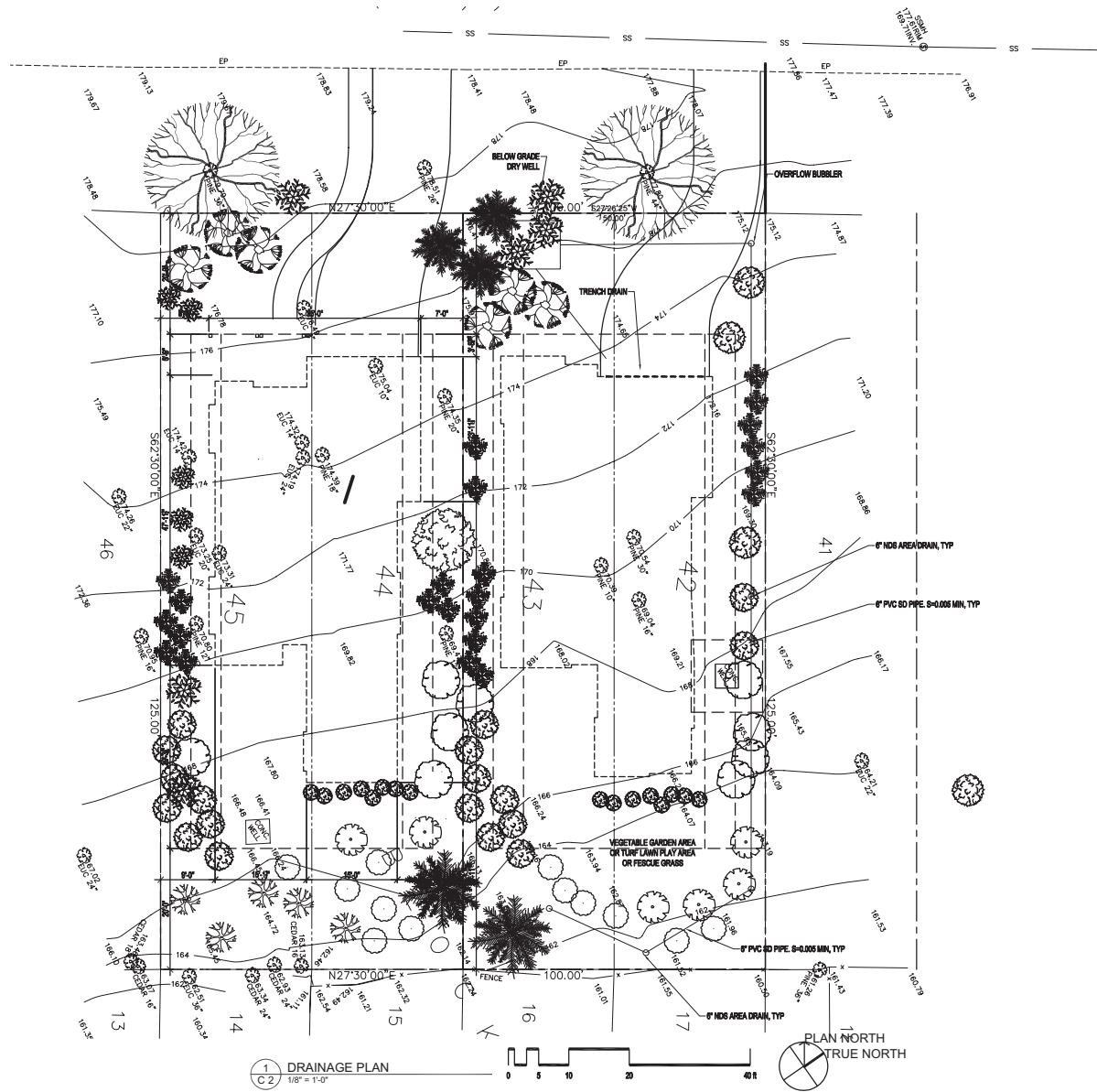


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Owner/Applicant: **KEN MENASCO**

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New Residences for:
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 LOT NO. 42 & 43
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 Birch St.
 Montara, CA 94037

DRAINAGE PLAN

Revisions	
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△	PLANNING - 16 DEC '10
△	PERMITS - 27 JUNE '11
△	per submit - 13 SEP '11
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△	

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1 DRAINAGE PLAN
 C2
 1/8" = 1'-0"



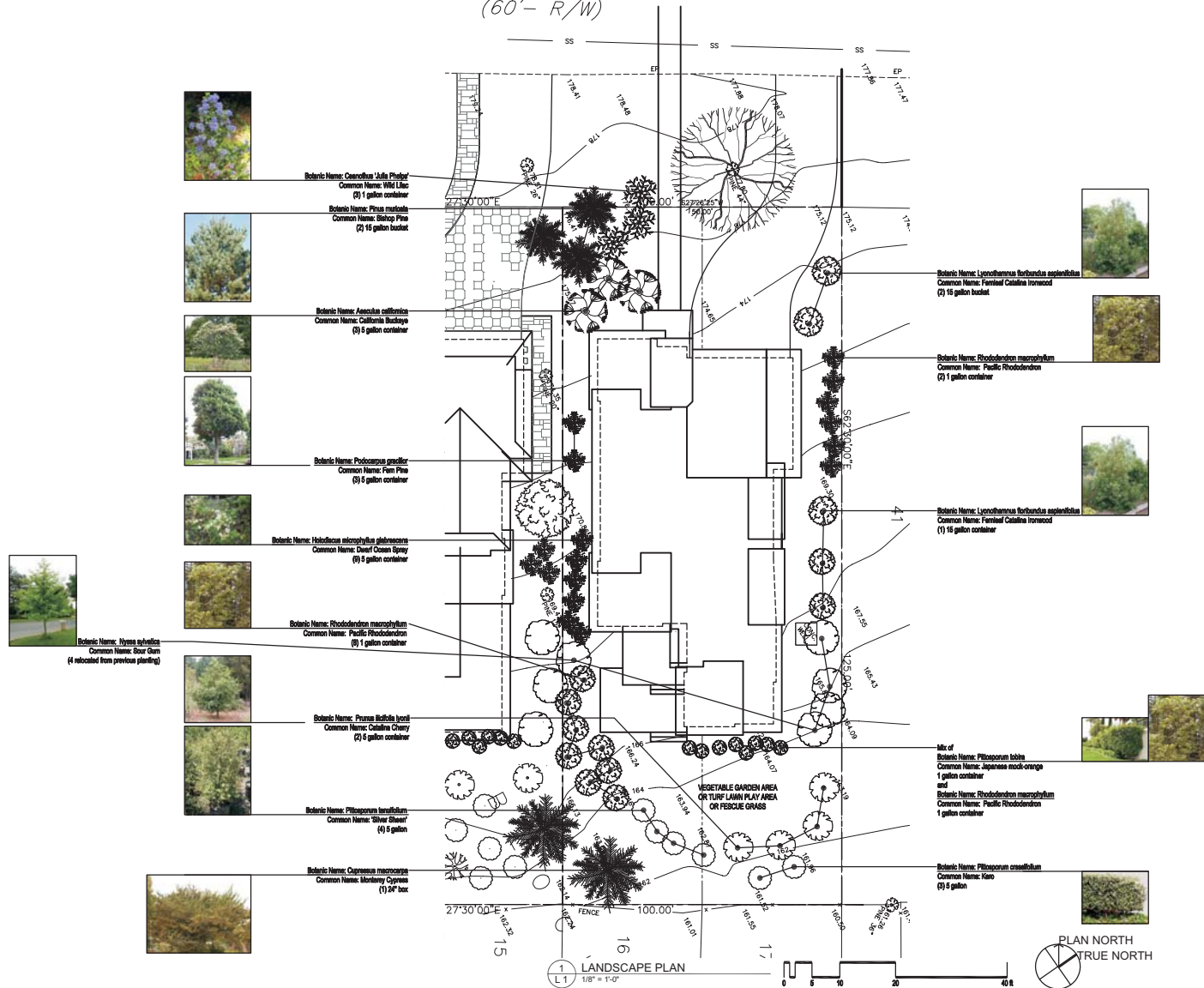
San Mateo County Board of Supervisors Meeting

Owner/Applicant: **KEN MENASCO**

Attachment: **C**

File Numbers: **PLN 2001-00838 (APN: 036-103-340)**

(60'- R/W)



VanMechelen Architects
 Greg VanMechelen
 1117 Hague Blvd
 Redding, CA 96002
 Tel: 916.838.1919
 Fax: 916.838.1919
 info@vanmechelen.com

New Residences for:
Kenneth Menasco
 LOT NO. 42 & 43
 APN 036-103-340
 Birch St.
 Montara, CA 94037

LANDSCAPE PLAN
 PLANTING
 INFORMATION

Revisions	
△	Red line
△	
△	
△	
△	

Date: 12 May 2010
 Drawn:
 Scale:

L 1
 0 of 9 Sheets
 Copyright 2011 VanMechelen Architects
 All Rights Reserved

San Mateo County Board of Supervisors Meeting

Owner/Applicant: **KEN MENASCO**

Attachment: **C**

File Numbers: **PLN 2001-00838 (APN: 036-103-340)**



County of San Mateo - Planning and Building Department

ATTACHMENT D

Application for Appeal

455 County Center, 2nd Floor • Redwood City, CA 94063
Mail Drop: PLN 122 • TEL (650) 363-4161 • FAX (650) 363-4849

To the Planning Commission

To the Board of Supervisors

Name: Karen Wilson
Address: POB 631
Montara CA Zip: 94037

Phone, W: 650-389-4972

H: same

Email Address: karenwilsondesigns@gmail.com

Permit Numbers involved:
2001-00838
APN 036-103-340

I have read and understood the attached information regarding appeal process and alternatives.

yes no

I hereby appeal the decision of the:

- Staff or Community Development Director
- Zoning Hearing Officer
- Design Review Committee
- Planning Commission

Appellant's Signature:

Karen Wilson

Date: 10-26-11

made on 10-12 2011, to approve/deny the above-listed permit applications.

Planning staff will prepare a report based on your appeal. In order to facilitate this, your precise objections are needed. For example: Do you wish the decision reversed? If so, why? Do you object to certain conditions of approval? If so, then which conditions and why?

see attachments . 11 pages

specifically Drainage easment

Notes

No.: 1-837
1/14/02
 Application Status
 complete incomplete
 Next Hearing Date:

Project Description:

 Additional Info Required:

Department	Comments/Issues
Building Inspection	
Public Works	
Environmental Health	
Geotechnical	<p>if Development is to occur between Feb. 15 & July 15, the applicant shall hire a biological</p>
Fire	<p>consultant to conduct a pre-construction raptor nest survey to ensure that nesting raptors will be impacted by the</p>
Other	<p>REQUIRES LOT MERGER, 3 more color samples, proof ownership. 10 trees to be removed.</p> <p>Construction. This report shall be submitted</p>

To the P.D. for review & approval prior to the issuance of a building permit.

I request this project be approved only with certain conditions attached to the building permit, final inspection, and certificate of occupancy.

My reason for this request is that the applicant and his business partners have a 12 year history of Violations, Stop Work Order Notices, and Conditions issued by the Board of Supervisors etc. As there is no penalty or restitution in San Mateo County only preventive action is acutely needed to forestall such violations and protect the community and neighbors from their unimpeded and often irremediable consequences. Our only options as residents of San Mateo County appears to be a costly and expensive Civil Suit. I do not wish to ever go down that costly path again, to resolve a matter that could be taken care of early on in the process.

Request for Conditions to be Applied

Because of the Applicant's well documented history of violations, I am requesting the county apply the following conditions to his proposed home.

- That the Drainage Easement Deed be used and properly executed. This easement is a result of the **unpermitted tree removal ON MY PROPERTY.**
- That NO fill be added to the property in any location, or any Cut material relocated on a lower area of said property. As this could adversely raise the building height that appears to be currently 20' in the rear, though one story homes are limited to 16'. The Architect refused to meet with me, as requested at the Design Review hearing, to confirm the rear elevations.
- That the front 4' porch be reduced to 2', moving the house forward towards Birch street 2', providing more use of the drainage easement for both properties it is designated for.

History of the Project's Design Review

This home had only **one** Design Review with only time for one elevation to be minimally reviewed as it had been offered special circumstances:

- 1 The Planning Director contacted the Design Review Architects the night before Design Review (CDRC), and told them they had to make a decision at this one hearing. Most applications take 2 to 3

reviews on average.

- 2 The item had only 40 minutes for review as the first house took hours, and the sheriff's office had to close; one result was that unfortunately only one elevation of the house was reviewed by Design Review.
- 3 As story poles were never put up with any accuracy, the Architects were not happy with the condition of the story poles and wanted to deny the projects. Nevertheless, they felt they had to approve the application due to the phone call from the Director.
- 4 The Legal Posting for Design Review was put up 2 days late. The applicant stated (in the public record) that he was given a variance to do so. There is no such option.
- 5 Design Review specifically requested the applicants agent meet with me to define the confusion on the rear elevations.....To Date the architect has refused to meet with me.

6) *lower the rear elevation to 10' for Privacy*
Previous conditions imposed by the Board of Supervisors to protect my home, my physical safety and my families, were lifted by County Staff or County Council. I am left confused. I have no idea, why my safety and the safety of my home is continued to be left at risk.

7) *Construction after nesting season according to the file*
Please NOTE on 7-9-11 Date Mr. Menasco verbally attacked me in front of my home. Video taped and witnessed. Also note, he did not own the property according to the County Records Office, yet was listed as owner of the property at the subsequent Design Review meeting.

Myself and family have been subject to vandalism, harassment, theft and destruction of our home since the purchase of this property in 1999.....A detailed history of the ownership and the relationships to all the subsequent owners can be provided. Although the names of ownership have changed, the actions have not.

Tree Removal and Landscape Plan

This parcel now holds an "AFTER THE FACT TREE REMOVAL PERMIT" for cutting down what is now admitted to be my trees.

The survey of the landscape plan is 12 years old and defective as

follows:

- Does not reflect the current size or provide an accurate count of the significant trees on the lot. Many more trees than formerly now exceed the minimum 12" diameter that is the standard for non-permitted removal.
- This parcel already has a history of removing trees without permits, and without a current survey. San Mateo County made a decision not to have the applicant replace the trees he cut down.
- The applicant previously had conditions on development of the site due to the multiple violations that continued after multiple Stop Work Orders were in place. Despite simple conditions by the Board of Supervisors, the Applicant continued to violate those conditions.

The new (mature & unprotected) vegetation on the site has no protective measures in place. The trees that have grown over the years need to have specific safety measures. For example, it is not unusual to require the applicant to put up protective netting around mature vegetation and to have it remain during and after construction, as there is no penalty if the applicant chooses to remove it at will. This condition should remain in tact for the longest amount of time possible or in perpetuity.

Ownership Questions:

On or about March of 2010 public records showed Mr. Menasco sold these parcels to a Michele Leutbecher an individual who Mr. Menasco has stated lives out of state , however he continues to represent himself as the owner of these properties as of this appeal, although, by deed he does not own them.

Proof of ownership from the San Mateo Planning department first occurred around June-July 2011, finally on or about August 26, 2011 a text message sent by email claiming to be from a Michelle Leutbecher appears in the county record. This was sent from a gmail account, a free email provider in which an email account can be created in virtually seconds and completely anonymously at that.

This email gave Mr. Menasco permission to act as Michelle Leutbecher agent in most, if not all aspects of these Birch Street Properties.

To the best of knowledge the county has not obtained any notarized or binding confirmation or proof of the origins of this email.

Given the history of these parcels and the damages that I have incurred. I am bewildered as to why the County would not want to know who is liable for these properties and I need to know who to turn to if history repeats itself and my property is jeopardized once again in the future.

To help explain my concern further, I was hoping on avoiding the costs of this appeal by communicating directly with the owner of record, Michelle Leutbecher. However the only contact information I have for her is what has been provided to the county through this permit process which is an email address, via a text message.....and the only contact information to reference is Ken Menasco listing only an invalid phone number. **see attached*

I am seriously concerned. As of the date of this appeal, the owner of record, has never legally signed any documentation with the county for development of property.

I question: Can someone go through the process of submitting plans, going to design review, the San Mateo Planning Commission and continuing through the process and never provide accurate ownership? Is this legal and binding, providing fair and proper public notice of ownership? Especially, when at many of the last public hearings Ken Mensaco is listed as owner, and he was not owner according to the Public Records.

Public notice requires the Owner and Applicate are listed on all public documents.....Myself and other have brought this to the attention to the County of San Mateo Planning and Building Dept over the past year to no eval.

Please note: The Site posting have been incorrect for over a year, the public agenda's and hearings, have also been incorrect as to actual ownership. I have repeatedly brought this to the attention to staff since new ownership has taken place, my concerns have been ignored. My most public attempt was to the Planning Commission submitting the most current deed to the Planning Commission, Staff and County

Council.....however, this project continued through
Coastside Design Review.....with incorrect notice of ownership.

I believe, both projects 1265 and 1255 Birch st. should be remanded
back to Design Review, with proper public notice and postings listing
the correct ownership and applicant's, as all other are expected to do.

Related Documents:

Deed of Easement-3 pages-attached

**Emails to new owner – no response as of the date of this
appeal-2 emails-attached**

Violations – to be provided-many pages

**Text email- To County authorizing an agent 9-26-201-attached
Ownership- San Mateo County Assessors Office-attached**

additional documentation to be provided

9-125' Tall Cypress trees removed from my property, Civil Suit Wilson
v/s Cook – County Record to be provided if need

conditions from file

I apologize if the tone of this appeal is harsh, however, I do not
believe the process for Design Review, and filling an application for
development has been done with accuracy for either parcel 1265 Birch
St. or 1255 Birch St..

Thank for your time and consideration in this matter.

Sincerely,

Karen Wilson

Recording requested by and when
Recorded please return to:

#4617L
3/9/00
LAA:dmk

Christopher D. Cook
423 Broadway, No. 622
Millbrae, CA 94030

DOC # 2000-041980

04/12/2000 02:51P ES Fee:13.00

Page 1 of 3

Recorded in Official Records

County of San Mateo

Warren Slocum

Assessor-County Clerk-Recorder

Recorded By OLD REPUBLIC TITLE COMPANY



DEED OF EASEMENT

35

THE MARY LIBRA TRUST, 1983, GRANTOR, the current owner of certain real properties situate in the unincorporated area of the County of San Mateo, State of California, said real properties being a building site facing onto Birch Street comprised of Lots 39, 40 and 41, Block 21, and a building site facing onto Cedar Street comprised of Lots 18, 19 & 20 in said Block 21, as said streets, lots and block are shown on that certain map entitled "AMENDED AND SUPPLEMENTAL MAP OF MONTARA, SAN MATEO COUNTY, CALIFORNIA", filed for record in the office of the County Recorder of San Mateo County on October 16, 1907 in Book 5 of Maps at page 35 (consisting of 4 sheets), a copy of the related portion of said map labeled "EXHIBIT A" is attached hereto and is hereby made a part of,

AND

CHRISTOPHER D. COOK, a married man, GRANTEE, as purchaser as his sole and separate property of two building sites facing onto said Birch Street comprised of Lots 42 and 43, being one site, and Lots 44 and 45 as the other site, all in said Block 21, as shown on said map (Book 5 of Maps at page 35),

AGREE THAT the GRANTOR having received good and valuable consideration, including the sum of \$ 1.00 cash, receipt of which is hereby expressly acknowledged by the GRANTOR, said GRANTOR, on behalf of itself, its heirs, assigns, and successors in interest,

DOES HEREBY GRANT to said GRANTEE, two non-exclusive easements for access and to use portions of said lands of the GRANTOR for the purpose of installing, maintaining and replacing reasonable storm drainage facilities, said portions of said lands of the GRANTOR being particularly described as follows:

PARCEL 1 - All that certain real property being the southeasterly ten (10) feet of the southwesterly ten (10) feet of said Lot 41, Block 21, as shown on the above described map (Book 5 of Maps at page 35).

PARCEL 2 - All that certain real property being the southwesterly ten (10) feet of said Lot 18, Block 21; said portion of said Lot 18 lying 10 feet northeasterly of, contiguous to and parallel with the southwesterly line of Lot 18; said portion of said Lot 18 being contiguous to the northwesterly line of said Lot 18 at its northwesterly terminus and being contiguous to the northwesterly right of way line of said Cedar Street, a 60-foot wide street, at its southeasterly terminus.

Grantor Eric John Grantz, Trustee
Eric John Grantz, Trustee of the Mary Libra Trust 1983

Grantee Christopher D. Cook
Christopher D. Cook

ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
COUNTY OF San Francisco, CA.

On April 10, 2000, before me, Belinda L. Chinn,
personally appeared Eric John Grantz and Christopher D. Cook,
personally known to me (or proved to me
on the basis of satisfactory evidence) to be the person whose name is subscribed to the within
instrument and acknowledged to me that he executed the same in his authorized capacity, and
that by his signature on the instrument the person, or the entity upon behalf of which the person
acted, executed the instrument.

WITNESS my hand.

My principal place of business is in the
County of San Francisco.

Signature: Belinda L. Chinn

My Commission Expires: February 20 2002



2000-041980
04/12/2000 02:51P
ES Page: 2 of 3

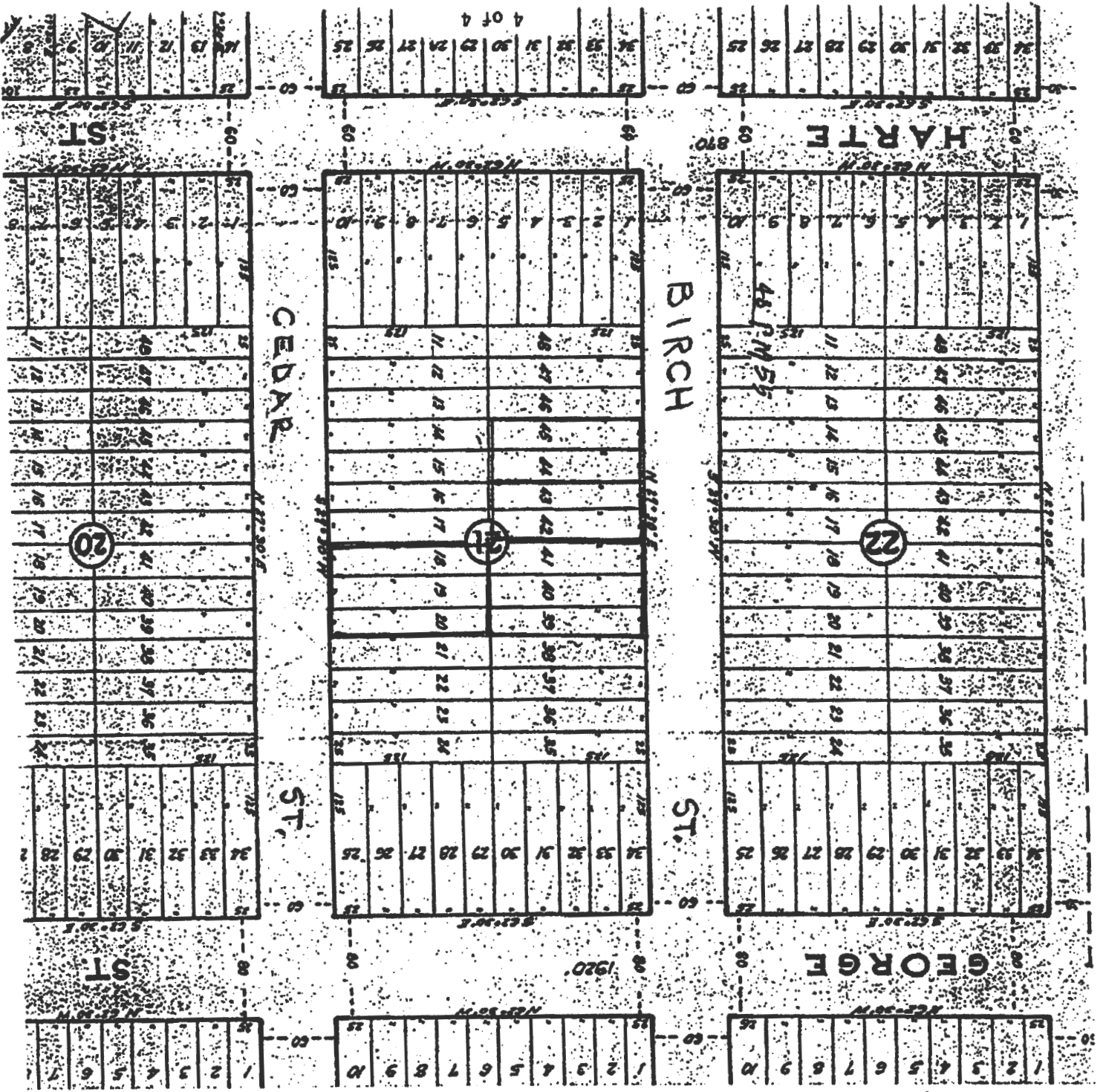
#4617L
3/9/00
LMA

2000-041880
04/12/2000 02:51P
ES Page: 3 of 3



EXHIBIT A

(A portion of the subdivision map filed
for record in Book 5 of Maps at page 35)



DRMYCHELLE@gmail.com

Search Mail

Search the Web

Show Create

Mail

Contacts

Tasks

CA Hit and Run Lawyers - www.NoCuffs.com/Violence - We are skilled in hit and run C

Archive

Spam

Delete

Move to Inbox

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Compose mail

Inbox (139)

Buzz

Starred

Important

Sent Mail

Drafts

abortion

BAD NEIGHBORS

Birds

GLENN

Personal

Petterson

THE CROOK

Travel

6 more ▾

Still trying to contact you

KA Wilson to DRMYCHELLE

show details

I did not hear back from you.

I am still trying to contact you regarding you two proposed homes on Birch St. in Mc these concerns between us, rather than having to file an appeal on each one. Cost additional grief.

Please contact me as soon as possible,

Karen Wilson

Reply

Forward

KA Wilson

Search, add, or invite

Invite a friend

Give Gmail to:

Input field for email address

Send Invite 50 left

Preview Invite

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Important

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Drafts

abortion

BAD NEIGHBORS

Birds

GLENN

Personal

Petterson

THE CROOK

Travel

6 more v

1255 - 1265 Birch St. Montara

KA Wilson to DRMYCHELLE

show details

Dear, Dr. Leutbecker,

My name is Karen Wilson, I own the property directly behind your 2 lots Montara.

Having very serious concerns regarding the drainage plans or lack therec I would like to discuss this with you to see if we can solve this problem a everyone the headache and stress of my having to appeal the approval c behind my one home, to help assure my property will not be adversely a specifically; **drainage and flooding of my property.**

My attempts to discuss this issue with the county and previous owners fc fallen on deaf ears. I would prefer dealing with this amongst ourselves a consequences to you in assuring the drainage from your developments is options are available, that you may or may not be aware of.

Please let me know if we can discuss this before tomorrow night as I hav under the conditions of approval of your building permits.

I apologize for the short notice, however, this is the only contact informa locate.

Your prompt response would be greatly appreciated.

Karen Wilson

Reply Forward

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Cases , Call now! 800-673-2118

www.NoCuffs.com/Violence

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laozasa@smcgov.org

Mail

Contacts

Tasks

Building Permit Approved - BayAreaPermits.com - We Expedite Your Project Permits F

Inbox (139)

- Buzz
- Starred
- Important
- Sent Mail
- Drafts
- abortion
- BAD NEIGHBORS
- Birds
- GLENN
- Personal
- Petterson
- THE CROOK
- Travel
- 6 more ▾

KA Wilson

Invite a friend

Give Gmail to:

50 left

Fwd: Birch street properties

X X

Lisa Aozasa to me

Hi Karen --

Here is the e-mail I received from Mychelle Leutbecher who is currently the own according to the County Assessor.

To answer your question -- you certainly can appeal whatever decision the Plan sure hope you won't need to! It does look to us like the plans incorporate all th but we'll see what the Planning Commission thinks.

I have not had a chance to try and figure out what's going on with those commr me know if you have an address. Meanwhile, I will still try to get to it as soon .

Take care --

Lisa Aozasa
 San Mateo County Planning & Building Department
 455 County Center, Redwood City, CA. 94063
 [REDACTED]
 Phone: 650/363-4852 Fax: 650/363-4849



>>> "Mychelle Torres" <drmychelle@gmail.com> 9/26/2011 1:12 PM >>>
Ms. Aozasa,

Yes, I want you to acknowledge that I give my permission to continue w the Birch street properties. I do authorize, Ken Menasco to act as the prc the details on my behalf. If you have any questions, please contract Ken

Sincerely,

Mychelle Leutbecher

Sent from my iPad



County of San Mateo

Planning & Building Department

455 County Center, 2nd Floor
Redwood City, California 94063
650/363-4161 Fax: 650/363-4849

Mail Drop PLN122
plngbldg@co.sanmateo.ca.us
www.co.sanmateo.ca.us/planning

Payment Receipt

Check Number # :1170

Receipt # : 00000000000000056815

Name : KEN MENASCO

Filed by Karen Wilson

Address : 1255 BIRCH ST MONTARA

Parcel#: 036103340

Case # Number	Account Number	Description	Date Paid	Amount Due	Amount Paid
PLN2001-00838	38430-2116	Appeal Fee	10/26/2011	451.00	451.00
	38100-2215	4% IT Surcharge	10/26/2011	18.04	18.04
	16111-2093	5% Legal Counsel Surcharge Fee	10/26/2011	23.45	23.45
Total Paid:					\$492.49



County of San Mateo - Planning and Building Department

ATTACHMENT E



Planning and Building Division

County of San Mateo

Mail Drop PLN122 · 455 County Center · 2nd Floor · Redwood City
California 94063 · Telephone 650/363-4161 · Fax 650/363-4849

Planning Administrator
Terry L. Burnes

Please reply to:

Farhad Mortazavi
650/363-1831

December 20, 2000

Karen Wilson
P.O. Box 371273
Montara, CA 94037

Notice of Final Local Decision

Subject: After-the-Fact Tree Removal Permit, PLN2000-00053
Location: Birch Street, Montara (APN 036-103-230 and 036-103-340)

Dear Ms. Wilson:

On December 19, 2000, the San Mateo County Board of Supervisors considered your appeal of the Planning Commission's decision to approve an "After the Fact" Tree Removal Permit for the removal of eight trees located on Birch Street, in the unincorporated Montara area.

Based on the information provided by staff and evidence presented at the hearing, the Board of Supervisors denied the appeal, and approved the project with modified findings and conditions of approval as follows:

FINDINGS

For the Environmental Review, Found:

1. That this project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), Section 15304, Class 4, relating to minor alterations to land.

For the Tree Removal Permit, Found:

2. That the proposed project complies with sections 12,023 (a) (2), (a) (3), (a) (5), and (a) (12) in that, at the time of removal, the trees that were removed could have adversely affected the general health and safety if allowed to remain, could have caused substantial damage, where in

danger of falling, and will be replaced by plantings approved by the Planning Director and Planning Commission.

3. That the project site was posted for the required 10-day public notice period.
4. That an arborist report was prepared by Anthony Joslin, certified arborist WC-3909 from Joslin Tree and Landscape, assessing the conditions of the four Monterey cypress trees. The arborist recommended the removal of four trees as quickly as possible to remove the risk to Ms. Wilson and her family and to the house.

CONDITIONS OF APPROVAL

1. Any additional well to be constructed on site shall be installed prior to any other work to remediate the tree cutting.
2. Where located entirely on his property and within five feet of the rear property line, the applicant shall cut and remove the existing tree stumps to ground level only, leaving the root systems. The applicant shall plant 8 to 12 indigenous evergreen trees, at the rear of APN 036-103-230 and APN 036-103-340, Montara, in accordance with the landscape plan dated September 23, 2000, prepared by Rosalind Wheeler and viewed by the Planning Commission. Karen Wilson shall have the opportunity to review and comment on the fence design, tree planting and landscape plan. Tree types and the mix of tree sizes 10-gallon to 36-inch box and tree locations are to be determined by the applicant's landscape architect in consultation with an independent arborist selected by the Planning Director. Final plans are subject to approval by the Planning Director. Trees shall be installed by Mr. Joslin or another qualified professional approved by the Planning Director.
3. The applicant shall post implementation performance surety in an amount twice the cost of implementing the replanting and landscape plan. The surety shall be made payable only to San Mateo County Planning and Building Division. The performance surety will only be released upon a site inspection by the Planning Division verifying all work completed as specified herein and on the approved replanting and landscape plan.
4. The applicant shall post a maintenance surety equal to the installation surety for a period of five years. The maintenance surety will be only released upon site inspection by the Planning Division verifying that all trees and shrubs indicate signs of healthy growth and, if this is not the case, at the discretion of the Planning Director, the maintenance surety shall be retained additional years and replacement planting may be required.

5. The applicant shall construct a fence at least five feet inward from the rear property line, to leave sufficient space for all construction activities. The applicant shall not encroach on the adjacent property for any purpose. The replacement trees and landscaping of the applicant's property shall take place far enough from the property line to provide sufficient area for the replacement trees root systems, as stipulated by Mr. Cook's landscape architect.
6. For the privacy of the adjacent property, in combination with the replacement trees, screening is required by planting a minimum of 20 shrubs close to the rear of the property as indicated on the landscape plan.
7. The applicant or subsequent owners shall not trim or remove any tree on, adjacent, near, or within the airspace of the subject property without first contacting the Planning Division and submitting an arborist report indicating why said trees require trimming or removal at time of application for a tree trimming/removal permit.
8. The applicant shall minimize the transport and discharge of stormwater runoff from the site to the adjacent property 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 materials.
 - 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.
9. The applicant shall submit a drainage plan prepared by a licensed civil engineer to divert runoff, which reaches the fence, for review and approval by the Planning Director and shall implement the approved drainage plan concurrently with the approved replanting and landscape plan. The project shall identify Best Management Practices (BMPs) appropriate to the uses conducted on-site to effectively prohibit the discharge of pollutants with stormwater runoff and other water runoff produced from the project.

Karen Wilson
December 20, 2000
Page 4

10. The applicant shall submit an erosion control plan, to mitigate any erosion resulting from project-related grading activities.
11. Trees shall be installed by a qualified professional approved by the Planning Director.
12. The applicant or subsequent owners of the property shall maintain the replacement trees in perpetuity.
13. Mr. Cook, or whoever owns the properties, shall notify Ms. Wilson three days prior to the start of any approved work on the properties, e.g. grading, clearing, construction, tree removal, well drilling, etc.
14. All work to be completed by October 15, 2001.

If you have any questions, please contact the Project Planner, Farhad Mortazavi at 363-1831.

Sincerely,



Terry Burnes
Planning Administrator
Bosdec1219k.kr.doc

cc: Marcia Raines, Director of Environmental Services Agency
Terry Burnes, Planning Administrator
Pete Bentley, Public Works
Jim Eggemeyer, Planning Department
Bill Cameron, Building Department
Marie Shanks
Chris Cook
Nadia Holober
David Byers
April Vargas, MCCC
Other Interested Parties



County of San Mateo - Planning and Building Department

ATTACHMENT F



October 17, 2006

PROJECT FILE

Karen Wilson
P.O. Box 371273
Montara, CA 94037

Dear Ms. Wilson:

ENVIRONMENTAL SERVICES AGENCY

SUBJECT: Tree Replacements for Properties Located at Birch Street, Montara
(APNs 036-062-230, and -340)
County File Nos. PLN 2000-00053 (Cook),
PLN 2001-00837 and PLN 2001-00838 (Menasco)

Agricultural
Commissioner/ Sealer of
Weights & Measures

This letter is in response to your email, sent to Jeremy Dennis on September 8, 2006, regarding four dead trees replaced by shrubs.

Animal Control

The applicant has planted six additional trees (madrones) verified by myself on August 10, 2006, replacing four dead ones. Botanical encyclopedia list madrones as *Arbutus Manzanita*'s species, which are evergreen trees and shrubs. The replacement trees are planted and the applicant has met all conditions of approval for the After-the-Fact Tree Removal Application, PLN 2000-00053, and the case is now closed.

Cooperative Extension

If you have any questions, please feel free to call me at 650/363-1831.

Fire Protection

Sincerely,

LAFCo

Fathad Mortazavi
Design Review Officer

Library

FSM:kcd - FSMQ1162_WKN.DOC

cc: Lisa Grote, Community Development Director
Jeremy Dennis

Parks & Recreation

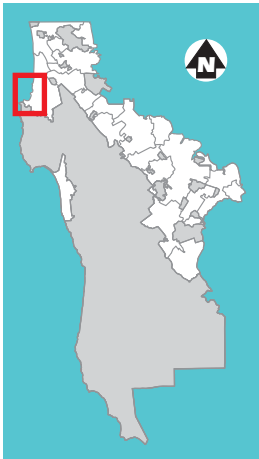
Planning & Building

PLANNING AND BUILDING



County of San Mateo - Planning and Building Department

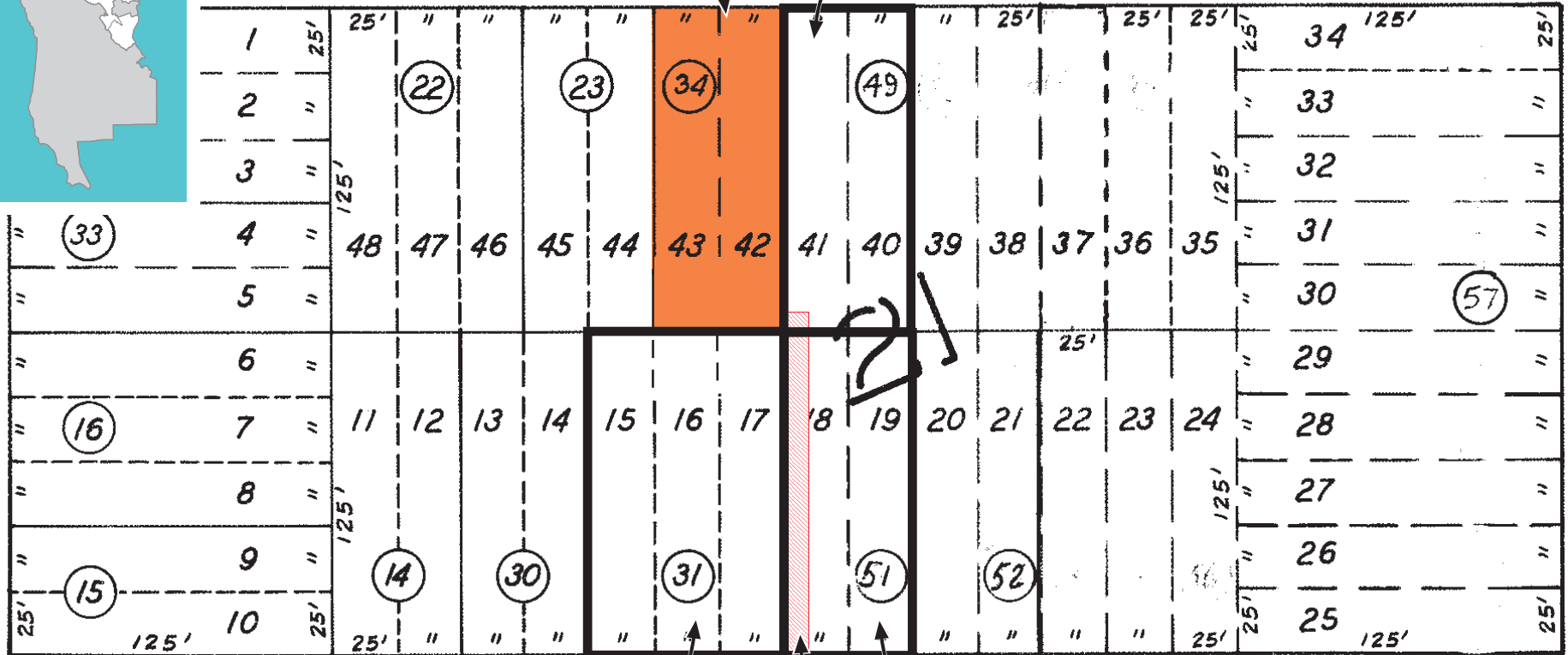
ATTACHMENT G



**PROJECT
PARCEL**

Lands of Bechtel

BIRCH ST.



Lands of Wilson

Lands of Usher

CEDAR

10' Drainage easement

ST.

San Mateo County Board of Supervisors

Applicant: **Ken Menasco**

Attachment: **G**

File Numbers: **PLN 2001-00838**



County of San Mateo - Planning and Building Department

ATTACHMENT H



County of San Mateo

Planning & Building Department

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COASTSIDE DESIGN REVIEW COMMITTEE (CDRC) POLICIES ON STORY POLE INSTALLATION AND MAJOR/MINOR MODIFICATIONS

The following policies shall apply to new residential development and additions to existing residences submitted for consideration by the CDRC on or after June 1, 2007, in all areas zoned "Design Review" (DR) within the urban Midcoast communities of El Granada, Miramar, Moss Beach and Montara:

Story Poles (Pre-Approval)

Policy 1: Require story poles to be erected, including netting, for all additions and new construction projects at least ten days prior to scheduled hearing date. The lowest finished floor and highest ridge shall be visibly marked on the pole.

Procedures:

Story poles must be placed at all outside building corners and along the highest roof ridgeline. In order to identify the building envelope and the ridgeline, netting shall be extended on grade, from one corner pole to the other and atop one pole to another along the direction of the ridgeline, respectively.

The story pole material shall be constructed of 2"x4" lumber or other sturdy material and should be properly braced and supported to ensure the health, safety and general welfare of the public. The netting shall be of orange snow fencing material, or anything comparable, measuring at least twenty-four (24) inches in width.

In the event that a project is continued to a date uncertain, beyond the next regularly scheduled public hearing date, the story poles must be removed and re-installed prior to the next public hearing for that project.

The story poles must remain in place until expiration of the appeal period, with removal to be completed within one week thereafter.

In the event the required story poles are not installed, or are inadequate, the applicant will be requested to install or improve the story poles, resulting in the project being continued to a future date to allow time for the CDRC members to complete their site visits to view the installed/corrected poles.

Upon determination that the installation of story poles is not practicable due to site constraints and/or environmental concerns, the applicant may be required to submit graphics including but not limited to digital imaging simulations, computer modeling and/or other visual techniques in lieu of the story poles.

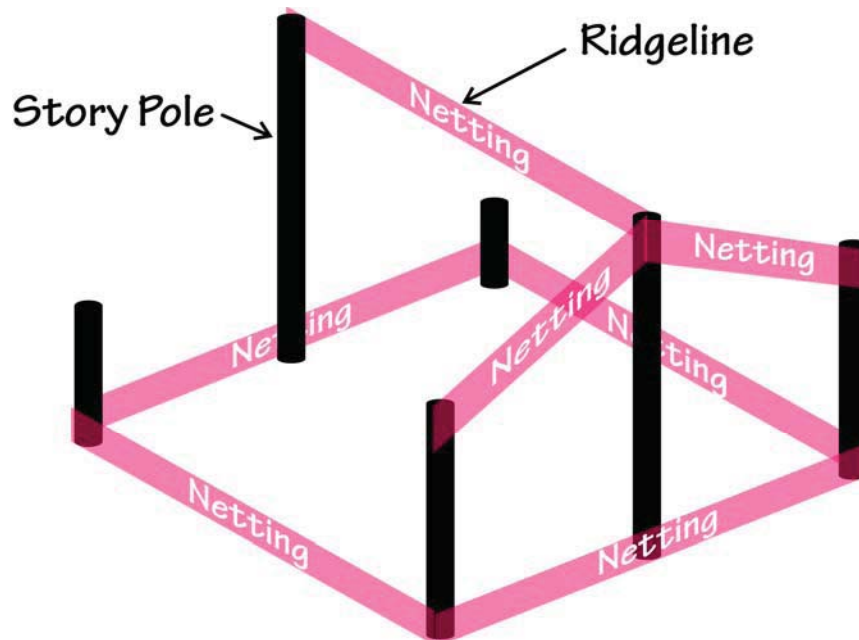
Major/Minor Modifications (Post-Approval)

Policy 2: The following are deemed major modifications to approved projects that require review by the CDRC for approval:

- a) Any approved project that deviates from the CDRC approved finished floor height by at least three (3) inches.
- b) Fluctuation in CDRC approved roof pitch greater than 1:12.
- c) Any changes that vary by more than three (3) inches from the CDRC approved building envelope.

Policy 3: Any changes to accommodate the deviations in the floor height should be adjusted within the building prior to consideration of any roof height adjustments.

Policy 4: Verification of final grade elevations at building corners by the project surveyor is required.





County of San Mateo - Planning and Building Department

ATTACHMENT I



San Mateo County Board of Supervisors Meeting

Owner/Applicant: **KEN MENASCO**

Attachment: | _____

File Numbers: **PLN 2001-00838 (APN: 036-103-340)**



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