

Aptos Seascape Gets Variance For Water

Aptos Seascape has received a variance to the Soquel Creek County Water District's recently-enacted water meter connection moratorium that could allow up to 93 units being built.

The variance request was passed 3-1 by Soquel water directors Monday night, with Daniel Kriege against the motion.

The board majority agreed with Seascape's Vice President-General Manager Dean Wise, who testified that "special circumstances beyond our control" forced Seascape to miss the district's tentative map deadline.

Under the district's ordinance moratorium, which was passed in December, Seascape would not get water service for its three projects that did not receive tentative map approval by the Nov. 10, 1980, deadline. Wise, however, successfully argued his point that litigation between the county of Santa Cruz and Seascape, as well as county delays in approving general plan amendments, forced the company to miss the deadline.

Board president Ken Izant, as well as directors Laurence Bargetto and Mervyn Garibotto, agreed that Seascape's "special circumstances" would not open the door to more variance requests.

"This case certainly presents uniqueness," said Bargetto, in pointing out Seascape's proposed projects go back eight years before its problems with the county.

Garibotto added that one of the projects involve a 27-unit, HUD-financed low and moderate-income complex. Denial by the

board would jeopardize Seascape's \$1.2 million HUD commitment, he said.

Wise clarified to directors that the variance would not actually add 93 units to the district's water coverage. Instead, it simply allows Seascape "the opportunity to compete" with other developments in the county in the 19-units-and-over category for projects.

However, Kriege claimed, "All it does is reduce the individual's opportunity since there will be 93 more units in the hat," he said.

He also questioned the wording in a memo from District Manager Bob Johnson that said a variance to Seascape "apparently" would not violate the district's ordinance.

Descriptions such as, "extortion" and "trade-off" were thrown out later when Izant proposed that the variance could be allowed if Seascape were to agree to give the Water District a well site at the northern end of its property. Wise replied he would be willing to discuss the possibility.

Anna Jean Cummings, speaking from the audience during the public hearing, questioned the well site proposal in calling it a "trade-off."

Kriege later said discussion of the variance along with the well site appeared to be a "loaded gun." Even Wise admitted it could be termed "extortion."

SANTA CRUZ SENTINEL
March 3, 1981