

Aptos Seascape Water Plea Continued

A variance request by Aptos Seascape Corp. that could allow up to 93 units being built, despite the meter connection moratorium in the Soquel Creek County Water District, was continued to March 2 by the water board Tuesday night.

Seascape, represented by Vice President-General Manager Dean Wise, is applying for the variance under the hardship provision of the district's moratorium, which was passed in December. Under the ordinance, Seascape would not get water service for its proposed projects since it did not receive tentative map approval before the district's Nov. 10, 1980, deadline.

The two Seascape projects involve 44 condominiums and 22 single-family lots, as well as a 27-unit HUD-funded low- and

moderate-income housing project.

Wise told water directors that "special circumstances beyond our control" forced Seascape to miss the tentative map deadline. He cited litigation between Santa Cruz County and Seascape that interrupted development for more than five years, as well as county delays in approving general plan amendments.

Additionally, while planning for the proposed projects begun in 1977 negotiations with HUD regarding the \$1.2 million mortgage commitment for the low- and moderate-income housing further delayed the process, said Wise.

He pointed to a county ordinance that declared the housing shortage for persons with average and below average incomes

as being detrimental to the public health, safety and welfare. Therefore, Seascape claims that denial of water service to its affordable housing project would cause an emergency condition affecting the health, sanitation and fire protection.

Board Chairman Ken Izant and Director Daniel Kriege were concerned a variance approval in this case might open the door to other variances.

Legal Counsel Bob Bosso replied, "I have no way of knowing." Seascape, on the other hand, contends their variance request is unique, especially considering the HUD financing.

Director Merven Garibotto agreed with the latter contention in noting, "No other applicants will be able to state similar reasons for a variance."