

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: May 26, 2011 Time: 1:30 P.M.	Agenda Item No.: 2
Project Description: Wood Dubinski (PLN100530) Administrative Permit to allow the construction of a 2,763 square foot two-story single family dwelling including a 580 square foot attached garage, and a 460 square foot wine cellar/storage room below grade; and Design Approval. The existing residence will be demolished. Colors and materials consist of sage green fiber cement board siding, wood color eaves and trim, natural wood decking, and charcoal grey "Class Rib" metal roofing. Grading is approximately 500 cubic yards (250 cut and 250 cubic yards export).	
Project Location: 25840 Rancho Alto Drive, Carmel Valley	APN: 169-251-014-000
Planning File Number: PLN100530	Owner: Annalisa Wood and Kerre Dubinsky, Property Owners Agent: Toby Long, AIA, Agent
Planning Area: Carmel Valley Master Plan	Flagged and staked: Yes
Zoning Designation: "LDR/B-6-D-S-RAZ (Low Density Residential, Building Site, Design Control and Site Plan District overlays), Residential Allocation District	
CEQA Action: Categorically Exempt pursuant Section 15303 (a) Class 3, new construction of one single family residence or a second dwelling unit in a residential zone.	
Department: RMA - Planning Department	

RECOMMENDATION:

Staff recommends that the Zoning Administrator adopt a resolution (**Exhibit C**) to:

- 1) Categorically exempt the project from environmental review pursuant to CEQA Guidelines Section 15303; and
- 2) Approve PLN100530, based on the findings and evidence and subject to the conditions of approval (**Exhibit C**):

PROJECT OVERVIEW:

The project was scheduled for an Administrative decision on May 11, 2011. Two comment letters were received opposing the design of the project, one requesting a public hearing. The owner met with the Tierra del Grande Architectural Review Committee for approval of the project. Colors and materials were agreed upon to change the proposed light color metal corrugated metal to a non-reflective charcoal gray color "Classic Rib" metal roof, and the body color was changed from a white or off-white color to sage green.

CEQA Review

The project is Categorically Exempt pursuant Section 15303 (a) Class 3, new construction of one single family residence in a residential zone. The residence is a demolition and replacement of an existing residential unit, and replacement with a modular home similar in size and mass, approximately in the same footprint. The design includes both one-story and two-story sections with a 460 square foot below grade basement that contributes to keeping a low visual profile to avoid any negative visual impacts.

OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this project:

- √ RMA - Public Works Department
- √ Environmental Health Bureau
- √ Water Resources Agency


√ Monterey County Regional/Carmel Valley Fire
Protection District

Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended by Water Resources Agency, Environmental Health Bureau, RMA – Public Works, and the Monterey County Regional/Carmel Valley Fire Protection District have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached as Exhibit 1 to the draft resolution (**Exhibit C**).

CARMEL VALLEY LUAC

The project was not referred to the Carmel Valley LUAC Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did not warrant referral to the LUAC because the project is exempt from CEQA, according the CEQA Guidelines Section 15303(a), and there are no controversial issues, or requests for public hearing. However; after public notices were sent, two comments letters were received opposing the design of the project, one requesting a public hearing.

Note: The decision on this project is appealable to the Planning Commission



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May 26, 2011

cc: Front Counter Copy; Monterey County Regional Fire Protection District; RMA - Public Works Department; Environmental Health Bureau; Water Resources Agency; Mike Novo, RMA- Planning Director; Paula Bradley, MCP, AICP, Planner; Taven Kinison Brown, Planning Services Manager; Property Owner, Annalisa Wood and Kerre Dubinsky; Toby Long, AIA, Agent; Project File PLN100530

Attachments: Exhibit A Project Data Sheet
Exhibit B Draft Resolution, including:
1. Conditions of Approval
2. Site Plans, Floor Plans and Elevations
Exhibit C Vicinity Map
Exhibit D Comments letters

This report was reviewed by Taven Kinison Brown, Planning Services Manager 

Exhibit A
Project Data
Sheet

Exhibit A
Project Information for WOOD DUBINSKI (File PLN100530)

Project Title: Wood Dubinsky	Primary APN: 169-251-014-000
Location: 25840 Rancho Alto Drive, Carmel Valley	Coastal Zone: No
Applicable Plan: Carmel Valley Master Plan	Zoning: LDR/B-6-D-S-RAZ
Permit Type: Administrative Permit	Plan Designation: RLD
Environmental Status: Exempt 15303	Final Action Deadline: 4/25/2011
Advisory Committee: CV	

Project Site Data:

Lot Size: 23,770 sf	Coverage Allowed: 25%
	Coverage Proposed: <16%
Existing Structures (sf): 3,143	Height Allowed: 30'
Proposed Structures (sf): 2,763	Height Proposed: 12.88
Total Square Feet: 2,763	FAR Allowed: NA
	FAR Proposed: NA

Resource Zones and Reports

Environmentally Sensitive Habitat: NO	Erosion Hazard Zone: HIGH
Botanical Report #: NA	Soils/Geo. Report #: NO
Forest Mgt. Report #: NA	Geologic Hazard Zone: IV
	Geologic Report #: NA
Archaeological Sensitivity Zone: HIGH	Traffic Report #: NA
Archaeological Report #: LIB110146	
Fire Hazard Zone: HIGH	

Other Information:

Water Source: Cal Am	Sewage Disposal (method): Septic system
Water District/Company: NA	Sewer District Name: NA
Fire District: Monterey Co. Regional Fire District	Grading (cubic yds): 500 (250 Cut, 250 Export)
Tree Removal (Count/Type): 0	

Exhibit B
Draft Resolution

**EXHIBIT B
DRAFT RESOLUTION**

**Before the Zoning Administrator
in and for the County of Monterey, State of California**

In the matter of the application of:

Annalisa Wood and Kerre Dubinsky (PLN100530)

RESOLUTION NO. ----

Resolution by the Monterey County **Zoning**

Administrator:

- 1) Categorically exempting the project from environmental review pursuant to CEQA Guidelines Section 15303(a); and
- 2) Approving Administrative Permit to allow the construction of a 2,763 square foot two-story single family dwelling including a 580 square foot attached garage, and a 460 square foot wine cellar/storage room below grade; and Design Approval. The existing residence will be demolished. Colors and materials consist of sage green fiber cement board siding, wood color eaves and trim, natural wood decking, and charcoal grey "Class Rib" metal roofing. Grading is approximately 500 cubic yards (250 cut and 250 cubic yards export). The property is located at 25840 Rancho Alto Drive, Carmel (Assessor's Parcel Number 169-251-014-000), Carmel Valley Master Plan area.

(PLN100530), Wood Annalisa & Kerre Dubinsky
25840 Rancho Alto Drive, Carmel Valley, Carmel
Valley Master Plan Area (APN: 169-251-014-000)

The Administrative Permit and Design Approval application (PLN100530) came on for public hearing before the Monterey County Zoning Administrator on May 26, 2011. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Director of the RMA-Planning Department finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

EVIDENCE: a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:

- the 2010 Monterey County General Plan,
- Carmel Valley Master Plan,
- Monterey County Zoning Ordinance (Title 21)

No conflicts were found to exist. No communications were received

during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

- b) The property is located at 25840 Rancho Alto Drive, Carmel Valley (Assessor's Parcel Number 169-251-014-000), Carmel Valley Master Plan. The parcel is zoned LDR/B-6-D-S-RAZ (Low density Residential, Design Control and Site Plan District overlays), Residential Allocation District, which allows single family residential uses. Proposed is a residential use, compatible with the uses and density of the surrounding area, therefore, the project is an allowed land use for this site.
- c) The proposed project is in a Design Control District which requires that the location, size, configuration, material and colors are appropriate for the public viewshed, and the neighborhood character without imposing undue restrictions on private property.
The residence is the demolition of an existing residence, and replacement with a 2,763 square foot modular home similar in size and mass and approximately the same footprint. The floor area will be decreased by 400 square feet, although with additional covered areas and roof overhangs, the Lot Coverage increased from 11.4% to 16%. The design includes both one-story and two-story sections and a 460 square foot below-grade wine cellar/storage area that contribute a low visual profile and reduced mass. Colors and materials consist of sage green fiber cement board siding, wood color eaves and trim, natural wood decking, and charcoal grey "Class Rib" metal roofing. The two-car garage will remain; however, it will be attached by a covered walkway. The project scale and design is appropriate with surrounding neighborhood character.
- d) The project is in a Building Site overlay district. There is no further subdivision proposed, and the project meets the minimum setbacks required for the B-4 and B-6 Building Site District.
- e) The project is in the Residential Allocation overlay district. No. new lots are being created; the project replaces an existing residence.
- f) The project planner conducted a site inspection on October 19, 2010 to verify that the project on the subject parcel conforms to the plans listed above.
- g) Carmel Valley CV 1.20 - Design ("D") and site control ("S") overlay district designations shall be applied to the Carmel Valley area. Design review for all new development throughout the Valley, including proposals for existing lots of record, utilities, heavy commercial, and visitor accommodations, but excluding minor additions to existing development where those changes are not conspicuous from outside of the property.

A Design Approval and an Administrative Permit for the Site Plan district was required to ensure visual compatibility with the area. The architectural design of the home is consistent with the rural character of Carmel Valley and the neighborhood. The design includes both one- and two-story sections, with variation in roof lines and articulation to reduce the mass and scale of the structure. The design includes one and two story sections with gable roofs, Colors and materials consist of sage green fiber cement board siding, wood color eaves and trim, natural

wood decking, and charcoal grey "Class Rib" metal roofing. See Finding 1(c) above.

- h) Site Plan Control "S" District, Section 21.45.010 regulates the review of development in those areas of the County of Monterey where development by reason of its location has the potential to adversely affect or be adversely affected by natural resources or site constraints, without imposing undue restrictions on private property. An Administrative Permit was required for development in a Site Plan Review Zoning District (Section 21.45.030).

The 2,763 square foot home is designed with one-story and two-story sections with a 460 square foot below grade wine cellar/storage area that contribute to keeping a low visual profile and reduced mass. Colors and materials consist of sage green fiber cement board siding, wood color eaves and trim, natural wood decking, and charcoal grey "Class Rib" metal roofing. Grading is approximately 500 cubic yards (250 cut and 250 cubic yards export). The two-car garage will remain; however, it will be attached by a covered walkway. The parcel is a 23,770 square feet with site coverage of 16%. The height based on average natural grade is 12.87 feet, where 30 feet is allowed.

- i) A public hearing was requested and therefore the project was rescheduled from the May 11, 2011 Administrative Decision to a May 26, 2011 Zoning Administrator hearing. Title 21, Section 21.70.020, states that the Director of Planning is the appropriate decision making body to consider Administrative Permits under Section 21.70.030 unless the matter is referred to public hearing.
- j) The project was not referred to the Carmel Valley LUAC Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did not warrant referral to the LUAC because the project is exempt from CEQA, according the CEQA Guidelines Section 15303(a), and there are no controversial issues, or requests for public hearing. However, after public notices were sent, two comments letters were received opposing the design of the project, one requesting a public hearing.
- k) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN100530.

2. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the use proposed.

- EVIDENCE:** a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Monterey County Regional Fire Protection District, RMA - Public Works, Environmental Health Bureau, and the Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
- b) The Tierra del Grande Architectural Review Committee reviewed the project and recommended changes to colors and materials which were incorporated into the project.

- c) Staff identified potential impacts to Archaeological Resources, and according to Zoning Code Section 21.66.050 an archaeological report was prepared. Technical reports by outside consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff independently reviewed the reports and concurs with their conclusions. The following report has been prepared:

“Preliminary Cultural Resources Reconnaissance of portions of Assessor’s Parcel 169-251-014 in Carmel Valley, an unincorporated portion of the Monterey County, California.” (LIB#110146) prepared by Susan Morley, M.A. Marina California, February 2011.

- d) Staff conducted a site inspection on October 19, 2010 to verify that the site is suitable for this use.
- e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN100530.

3. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by Monterey County Regional Fire Protection District; Public Works; Department; Environmental Health Bureau; Water Resources Agency. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) Necessary public facilities are available. Potable water for the use is provided by Cal Am Water District.
 - c) Preceding findings and supporting evidence for PLN100530.

4. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County’s zoning ordinance. No violations exist on the property.

- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department Monterey County records and is not aware of any violations existing on subject property.
 - b) Staff conducted a site inspection on October 19, 2010 and researched County records to assess if any violation exists on the subject property.
 - c) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100530.

5. **FINDING:** **CEQA (Exempt):** - The project is categorically exempt from environmental review and no unusual circumstances were identified to

exist for the proposed project.

- EVIDENCE:** a) California Environmental Quality Act (CEQA) Guidelines Section 15303(a) categorically exempts new construction of one single family residence or a second dwelling unit in a residential zone.
- b) The residence is a demolition and replacement of an existing residential unit, and replacement with a modular home similar in size and mass, approximately in the same footprint. The design includes both one-story and two-story sections with a 460 square foot below grade basement that contributes to keeping a low visual profile to avoid any negative visual impacts. There is no removal of trees or vegetation and no biological issues.
- c) No adverse environmental effects were identified during staff review of the development application during a site visit on October 18, 2010
- d) CEQA Guidelines Section 15300.2 lists exceptions to categorical exemptions. None of the exceptions can be made because the project will not impact an environmental resource of hazardous or critical concern; the grading and construction of retaining walls and associated drainage systems will not create a cumulative impact; the project does not have any unusual circumstance; the project will not result in the damage of a scenic resource; the subject property is not a hazardous waste site; nor is there a structure to be removed designated as a historical resource. The project is a residential use, which is an allowed land use for this site, it is compatible with the uses and density of the surrounding area, and is consistent with the land use plans and policies. Therefore, the proposed project is exempt from environmental review
- e) See preceding and following findings and supporting evidence.

6. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Planning Commission.

EVIDENCE: a) Section 21.80.040.B Monterey County Zoning Ordinance (Planning Commission).

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Zoning Administrator does hereby:

- A. Categorically exempt the project from environmental review pursuant to CEQA Guidelines Section 15303(a); and
- B. Approve Administrative Permit, in general conformance with the attached sketch (**Exhibit 2**) and subject to the conditions (**Exhibit 1**), both exhibits being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 26th day of May, 2011.

Mike Novo, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON _____, 2011

THIS APPLICATION IS APPEALABLE TO THE PLANNING COMMISSION.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY OF THE PLANNING ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE [DATE]

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning Department and Building Services Department office in Salinas.

This permit expires **3 years** after the above date of granting thereof unless construction or use is started within this period.

Exhibit B-1
Draft Conditions
of Approval
Mitigation
Monitoring
Reporting Plan

Monterey County Planning Department

DRAFT Conditions of Approval/Mitigation Monitoring Reporting Plan

PLN100530

Conditions of Approval and/or Mitigation Monitoring Measures	Responsible Department	Compliance or Monitoring Actions to be Performed
<p>1. PD001 - SPECIFIC USES ONLY</p> <p>This permit allows the construction of a 2,763 square foot two-story single family dwelling including a 580 square foot attached garage, and a 460 square foot wine cellar/storage room below grade; and Design Approval. The existing residence will be demolished. Colors and materials consist of sage green fiber cement board siding, wood color eaves and trim, natural wood decking, and charcoal grey "Class Rib" metal roofing. Grading is approximately 500 cubic yards (250 cut and 250 cubic yards export). This property is located at 25840 Rancho Alto Drive, Carmel Valley (Assessor's Parcel Number 169-251-014-000), Carmel Valley Master Plan Area.</p> <p>This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning Department)</p>	<p>Planning</p>	<p>The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.</p>

2. PD002 - NOTICE PERMIT APPROVAL

Conditions of Approval and/or Mitigation Monitoring Measures	Responsible Department	Compliance or Monitoring Actions to be Performed
<p>The applicant shall record a Permit Approval Notice. The applicant shall record a notice which states: "A permit (Resolution No. ____) was approved by the Zoning Administrator, for Assessor's Parcel Number 169-251-014-000, on May 26, 2011. The permit was granted subject to 20 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)</p>	Planning	<p>Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning Department.</p>
<p>3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery. (RMA - Planning Department)</p>	Planning	<p>The Owner/Applicant shall adhere to this condition on an on-going basis. Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.</p>
<p>4. PD007- GRADING WINTER RESTRICTION No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department. (RMA - Planning Department and Building Services Department)</p>	Planning	<p>The Owner/Applicant, on an on-going basis, shall obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.</p>
<p>5. PD009 - GEOTECHNICAL CERTIFICATION Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA - Planning Department and Building Services Department)</p>	Planning	<p>Prior to final inspection, the Owner/Applicant/Geotechnical Consultant shall submit certification by the geotechnical consultant to the RMA-Building Services Department showing project's compliance with the geotechnical report.</p>
<p>6. PD010 - EROSION CONTROL PLAN</p>		

Conditions of Approval and/or Mitigation Monitoring Measures	Responsible Department	Compliance or Monitoring Actions to be Performed
<p>The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA - Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department)</p>	Planning	<p>Prior to the issuance of grading and building permits, the Owner/Applicant shall submit an Erosion Control Plan to the RMA - Planning Department and the RMA - Building Services Department for review and approval.</p> <p>The Owner/Applicant, on an on-going basis, shall comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.</p>
<p>7. PD011 - TREE AND ROOT PROTECTION</p> <p>Trees which are located close to construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of RMA - Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits. (RMA - Planning Department)</p>	Planning	<p>Prior to issuance of grading and/or building permits, the Owner/Applicant shall submit evidence of tree protection to the RMA - Planning Department for review and approval.</p> <p>During construction, the Owner/Applicant/Arborist shall submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.</p> <p>Prior to final inspection, the Owner/Applicant shall submit photos of the trees on the property to the RMA-Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.</p>
<p>8. PD012(D) - LANDSCAPE PLAN & MAINTENANCE (MPWMD-SFD ONLY)</p>		

Conditions of Approval and/or Mitigation Monitoring Measures

Responsible Department

Compliance or Monitoring Actions to be Performed

The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall include an irrigation plan. The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA - Planning Department)

Planning

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan or Biological Survey as applicable. All landscape plans shall be signed and stamped by licensed professional under the following statement, "I certify that this landscaping and irrigation plan complies with all Monterey County landscaping requirements including use of native, drought-tolerant, non-invasive species; limited turf; and low-flow, water conserving irrigation fixtures."

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit one (1) set landscape plans of approved by the RMA-Planning Department, a Maximum Applied Water Allowance (MAWA) calculation, and a completed "Residential Water Release Form and Water Permit Application" to the Monterey County Water Resources Agency for review and approval.

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit the RMA-Planning Department approved landscape plans, a Maximum Applied Water Allowance (MAWA) calculation, and a completed "Residential Water Release Form and Water Permit Application" to the Monterey Peninsula Water Management District for review and approval.

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor shall submit an approved water permit from the MPWMD to the RMA-Building Services Department.

Conditions of Approval and/or Mitigation Monitoring Measures

Responsible Department

Compliance or Monitoring Actions to be Performed

Prior to occupancy, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall ensure that the landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department.

On an on-going basis, all landscaped areas and fences shall be continuously maintained by the Owner/Applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.

9. PD014(A) - LIGHTING-EXTERIOR LIGHTING PLAN

All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit three (3) copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations Title 24 Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits.
(RMA - Planning Department)

Planning

Prior to the issuance of building permits, the Owner/Applicant shall submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.

Prior to occupancy and on an on-going basis, the Owner/Applicant shall ensure that the lighting is installed and maintained in accordance with the approved plan.

10. PD016 - NOTICE OF REPORT

Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: A "Preliminary Cultural Resources Reconnaissance of portions of Assessor's Parcel 169-251-014 in Carmel Valley, an unincorporated portion of the Monterey County, California report (LIB#110146), was prepared by Susan Morley, M.A. Marina California, dated February 2011, and is on record in the Monterey County RMA- Planning Department (LIB No. 110146). All development shall be in accordance with this report."
(RMA - Planning Department)

Planning

Prior to the issuance of grading and building permits, the Owner/Applicant shall submit proof of recordation of this notice to the RMA - Planning Department.

Prior to occupancy, the Owner/Applicant shall submit proof, for review and approval, that all development has been implemented in accordance with the report to the RMA - Planning Department.

11. PD032(A) - PERMIT EXPIRATION

Conditions of Approval and/or Mitigation Monitoring Measures	Responsible Department	Compliance or Monitoring Actions to be Performed
The permit shall be granted for a time period of three years, to expire on May 26, 2014, unless use of the property or actual construction has begun within this period. (RMA-Planning Department)	Planning	Prior to the expiration date stated in the condition, the Owner/Applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.
<p>12. PW0044 - CONSTRUCTION MANAGEMENT PLAN</p> <p>The applicant shall submit a Construction Management Plan (CMP) to the RMA-Planning Department and the Department of Public Works for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project and shall provide the following information: Duration of the construction, hours of operation, an estimate of the number of truck trips that will be generated, truck routes, number of construction workers, parking areas for both equipment and workers, and locations of truck staging areas. Approved measures included in the CMP shall be implemented by the applicant during the Construction/grading phase of the project. (RMA - Public Works)</p>	Pub Works	<p>1. Prior to issuance of the Grading Permit or Building Permit Owner/Applicant/ Contractor shall prepare a CMP and shall submit the CMP to the RMA-Planning Department and the Department of Public Works for review and approval.</p> <p>2. On-going through construction phases Owner/Applicant/Contractor shall implement the approved measures during the construction/grading phase of the project.</p>
<p>13. EHSP01ONSITE WASTEWATER TREATMENT SYSTEM DESIGN</p> <p>(NON-STANDARD) Environmental Health has determined that adequate area exists for the installation of a new 2000 gallon septic tank along with the demolition of the existing 1500 gallon tank. Specifications for new septic tank shall meet standards found in Monterey County Code Chapter 15.20, Sewage Disposal Ordinance, and the Central Coast Basin Plan, Regional Water Quality Control Board (Environmental Health Bureau)</p>	Env Health	<p>1. Applicant shall obtain a permit to install the onsite wastewater treatment system from Environmental Health</p> <p>2. The owner/applicant shall demolish or abandon the existing 1,500 gallon septic tank a and install new 2,000 gallon septic tank according to the standards found in MCC 15.20.090 and under supervision of EHB staff prior to issuance of building permit.</p>
<p>14. WR3 - DRAINAGE PLAN - RETENTION</p> <p>The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. The plan shall include retention/percolation facilities to mitigate the impact of impervious surface stormwater runoff. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)</p>	Water	Prior to issuance of grading or building permits, the owner/applicant shall submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.
<p>15. WR8 - COMPLETION CERTIFICATION</p>		

Conditions of Approval and/or Mitigation Monitoring Measures	Responsible Department	Compliance or Monitoring Actions to be Performed
<p>The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that stormwater detention/retention facilities have been constructed in accordance with approved plans. (Water Resources Agency)</p>	Water	<p>Prior to final inspection, the owner/applicant shall submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.</p>
<p>16. WR43 - WATER AVAILABILITY CERTIFICATION</p>		
<p>The applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form. (Water Resources Agency)</p>	Water	<p>Prior to issuance of any building permits, the owner/applicant shall submit a Water Release Form to the Water Resources Agency for review and approval.</p>
<p>17. FIRE011-Addresses</p>		
<p>All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be visible and legible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Carmel Valley Fire Protection District C/O Monterey County Regional Fire District)</p>	Fire	<p>1. Prior to issuance of grading and/or building permit, the applicant or owner shall incorporate specification into design and enumerate as "Fire Dept. Notes" on the construction plans.</p> <p>2. Prior to requesting final building inspection, the applicant shall post address numbers pursuant to this condition and obtain fire department approval of the final fire inspection.</p>
<p>18. FIRE020-Defensible Space Requirements</p>		
<p>(HAZARDOUS CONDITIONS) Remove combustible vegetation from within a minimum of 100 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional fire protection or firebreaks approved by the Reviewing Authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (Carmel Valley Fire Protection District C/O Monterey County Regional Fire District)</p>	Fire	<p>1. Prior to issuance of grading and/or building permit, the applicant or owner shall incorporate specification into design and enumerate as "Fire Dept. Notes" on the construction plans.</p> <p>2. Prior to requesting final building inspection, the applicant or owner shall conduct vegetation management pursuant to this condition and obtain fire department approval of the final fire inspection.</p>
<p>19. FIRE022-Fire Protection Equipment & Systems-Fire Sprinkler System</p>		

Conditions of Approval and/or Mitigation Monitoring Measures

Responsible Department

Compliance or Monitoring Actions to be Performed

(HAZARDOUS CONDITIONS) The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor completed prior to requesting a framing inspection. Due to substandard access, or other mitigating factors, small bathroom(s) and open attached porches, carports, and similar structures shall be protected with fire sprinklers. (Carmel Valley Fire Protection District C/O Monterey County Regional Fire District)

Fire

1. Prior to issuance of grading and/or building permit, the applicant or owner shall enumerate as "Fire Dept. Notes" on the construction plans.
2. Prior to rough framing inspection, the applicant or owner shall obtain fire department approval of the rough fire sprinkler inspection.
3. Prior to requesting final building inspection, the applicant or owner shall obtain fire department approval of the final fire sprinkler inspection.

20. FIRE028-Roof Construction-Carmel Valley

All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction (Carmel Valley Fire Protection District C/O Monterey County Regional Fire District)

Fire

Prior to issuance of grading and/or building permit, the applicant or owner shall enumerate as "Fire Dept. Notes" on construction plans.

Exhibit B-2
Floor Plans and
Elevations

WOOD DUBINSKY RESIDENCE

25840 RANCHO ALTO DRIVE CARMEL, CA 93923



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ARCHITECTURAL FIRM
1414 W. 20TH ST. SUITE 100
CARMEL, CA 93923

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FEASIBILITY V.2	5.11.10
DESIGN DEVELOPMENT	7.08.10
APPLICATION REQUEST	9.22.10
PLANNING APPLICATION	1.10.11

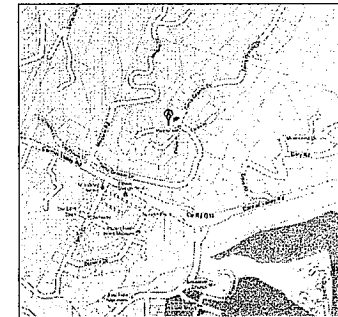
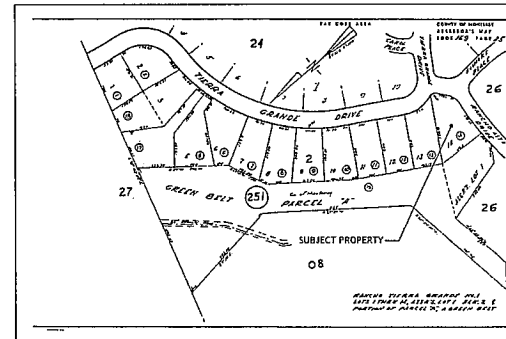


Exhibit B-2

1 CONCEPTUAL IMAGE: VIEW OF DECK

ARCHITECTURAL	STRUCTURAL	PROPERTY INFO
X A-0.1 PROJECT INFO	- 1 GCS COVER SHEET	15840 RANCHO ALTO DRIVE CARMEL, CA 93923
X A-0.2 BUDGET	- 2 GCS GENERAL NOTES	LOCATION
X A-0.3 GENERAL NOTES	- 2 GCS GENERAL NOTES	AP#1:
X A-0.4 GENERAL NOTES	- 1 F FOUNDATION PLAN	169-251-014-000
X A-0.5 TITLE 22	- 1 F FLOOR FINISH PLAN	ZONING:
X A-0.6 SYSTEMS/MEP	- 1 F FLOOR FINISH PLAN	LOW DENSITY RES/ LDRJ B-4-D-3
X A-1.0 EXISTING SITE PLAN/ANALYSIS	- 1 SSI FOUNDATION DETAILS	SITE DIMENSIONS
X A-1.1 SITE PLAN	- 1 SSI GENERAL DETAILS	APPROX 180' X 220'
X A-1.2 SEPTIC PLAN	- 1 SSI GENERAL DETAILS	SITE AREA
X A-1.3 FOUNDATION PLAN	- 1 SSI GENERAL DETAILS	23,770 SF
X A-2.1 LEVEL PLAN		ZONING FEATURES
X A-2.2 LEVEL PLAN		HEIGHT LIMIT 30'-0"
X A-2.3 FLOOR PLAN		FRONT SETBACK 30'-0"
X A-2.4 LEVEL 1 RCP		SIDE SETBACK 10% OF LOT AVG. / 30'-0" MAX.
X A-2.5 LEVEL 1 RCP		REAR SETBACK 30'-0"
X A-2.6 BUR OWING SECTIONS		COVERAGES FAR 35% OF LOT (5,742 SF)
X A-2.7 BUR OWING SECTIONS		BUILDING FEATURES
X A-2.8 BUR OWING SECTIONS		LEVEL 1 1591 SF
X A-2.9 BUR OWING SECTIONS		LEVEL 2 592 SF
X A-2.10 BUR OWING SECTIONS		GARAGE 500
X A-2.11 BUR OWING SECTIONS		TOTAL 2,183 SF (2,763 W/ GARAGE)

4 PROJECT DESCRIPTION

NEW SINGLE FAMILY RESIDENTIAL
2007 CALIFORNIA BUILDING CODE
2006 IBC/ UMC/ UPC
2005 NEC
2008 TITLE 24

5 CODE REFERENCE

WINDOW SCHEDULE REFERENCE	REVISION REFERENCE	FLOOR / CEILING ASSEMBLY REFERENCE	Elev. No. SHEET NO.	ELEVATION / SECTION REFERENCE
DOOR SCHEDULE REFERENCE	ALIGN / ALIGN FINISH SURFACES	ELEVATION REFERENCE	Detail No. SHEET NO.	DETAIL REFERENCE
WALL ASSEMBLY REFERENCE	KEY NOTE			

8 PARCEL AND VICINITY MAP

OWNER	ARCHITECT	STRUCTURAL	TITLE 24
ANNALEA WOOD & KEARE EUBANK 15840 RANCHO ALTO DRIVE CARMEL, CA 93923 T: 831.625.3384 F: 831.625.3384 E: JAWOOD@SOLARWELLS.COM	TORY LONG DESIGN 645 THIRD STREET STE. 400 SARASOTA, FL 34237 T: 415.965.9030 F: 415.965.9035 CONTACT: JUSTIN GIPMIANI E: JUSTINGIP@TORYLONGDESIGN.COM	INNOVATIVE STRUCTURAL ENGINEERING, INC. 3797B TECHNOLOGY DRIVE, SUITE 214 MARIETTA, GA 30067 T: 951.400.0032 F: 951.400.0036 CONTACT: THOMAS COLETTI E: THOMAS@INNOVATIVESTRUCTURALENGINEERING.COM	MONTEREY ENERGY GROUP 227 FOREST AVE PACIFIC GROVE, CA T: 831.370.8232 E: 831.370.4613 CONTACT: DAVID BIRCHET E: DAVIB@MEG4.COM
GEOTECH	SURVEY	MODULAR FABRICATOR	GENERAL CONTRACTOR
BEACON GEOTECHNICAL 3189 RAMONA DRIVE SUITE A2 PASO ROBLES, CALIFORNIA 93444 T: (549) 635 0920; 405.544.0233 F: 405.544.0233 CONTACT: JOSE E: BEACON@GEOTECHNICAL.COM	FRANKS CONSULTING P. O. BOX 1379 CARMEL VALLEY, CA 93924 T: 831.450.9364 F: 831.450.9364 CONTACT: LYNNAL KOVACH E: LYNN@FRANKSCONSULTING.NET	ZETA HOMES 5731 LUCE AVENUE MCCLELLAN, CA 95050 CONTACT: T: 415.946.4624 F: 415.936.9483	TRD

2 TABLE OF CONTENTS

3 SITE AND BUILDING INFORMATION

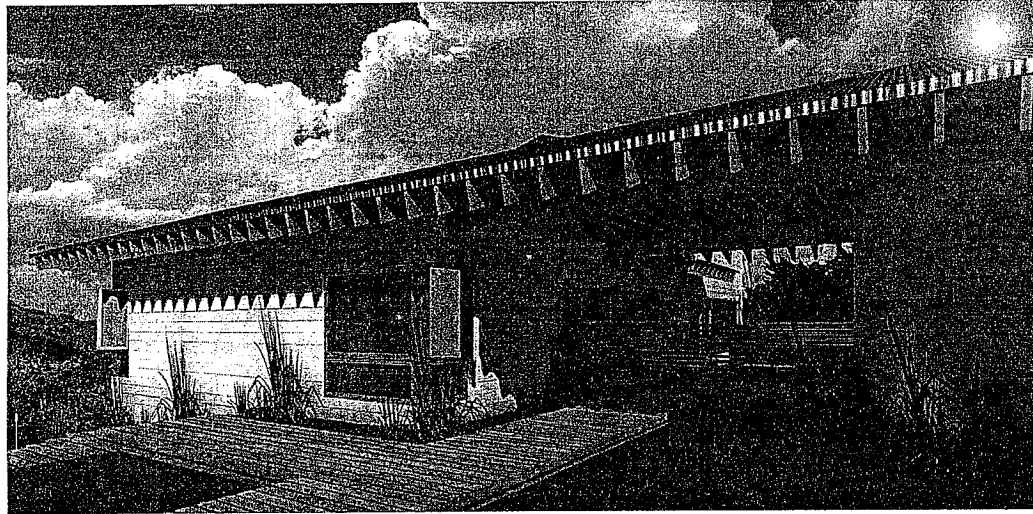
6 SYMBOLS

7 CONTACT INFO

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INFO
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Sheet: A 0.0

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MATERIALS USED IN PROJECT:

WINDOWS:
 FIBERGLASS COMPOSITE WINDOWS (MILGARD ULTRA OR EQUAL)
 INTEGRAL EXTERIOR COLOR
 TERRAZONE / DARK BRONZE

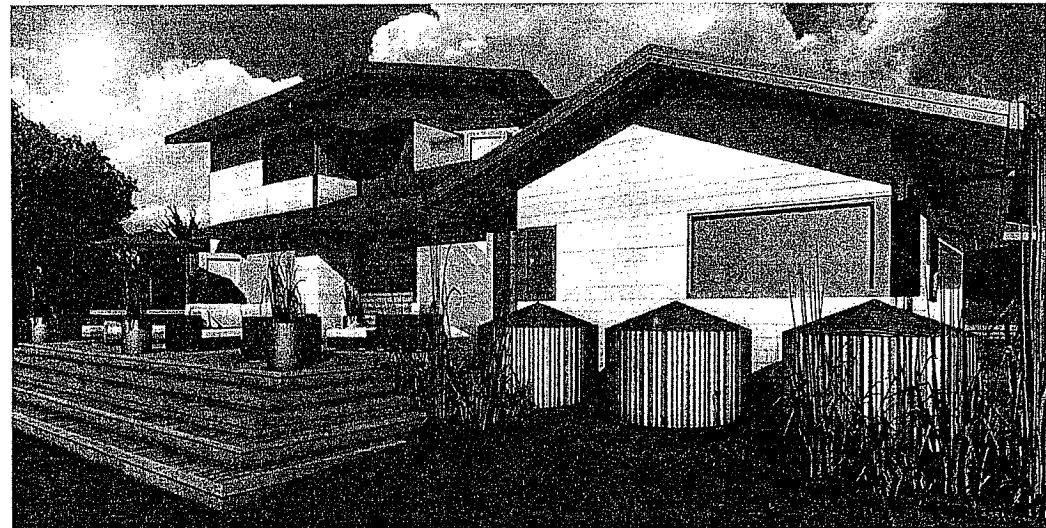
SIDING:
 PAINTED CEMENT SIDING
 HORIZONTAL
 WHITE OR OFF-WHITE COLORS.

EAVES:
 STAINED CEMENT BOARD (SIMULATED WOOD)
 OR FIRE-RESISTANT WOOD

ROOF:
 CORRUGATED METAL ROOFING,
 LIGHT COLOR, COOL ROOF SPECIFICATION

ROOF FRAMING/TRELLIS:
 STAINED FIRE-RESISTANT WOOD

DECKING:
 COMPOSITE DECK MATERIAL
 NATURAL COLOR - GRAY OR BROWN



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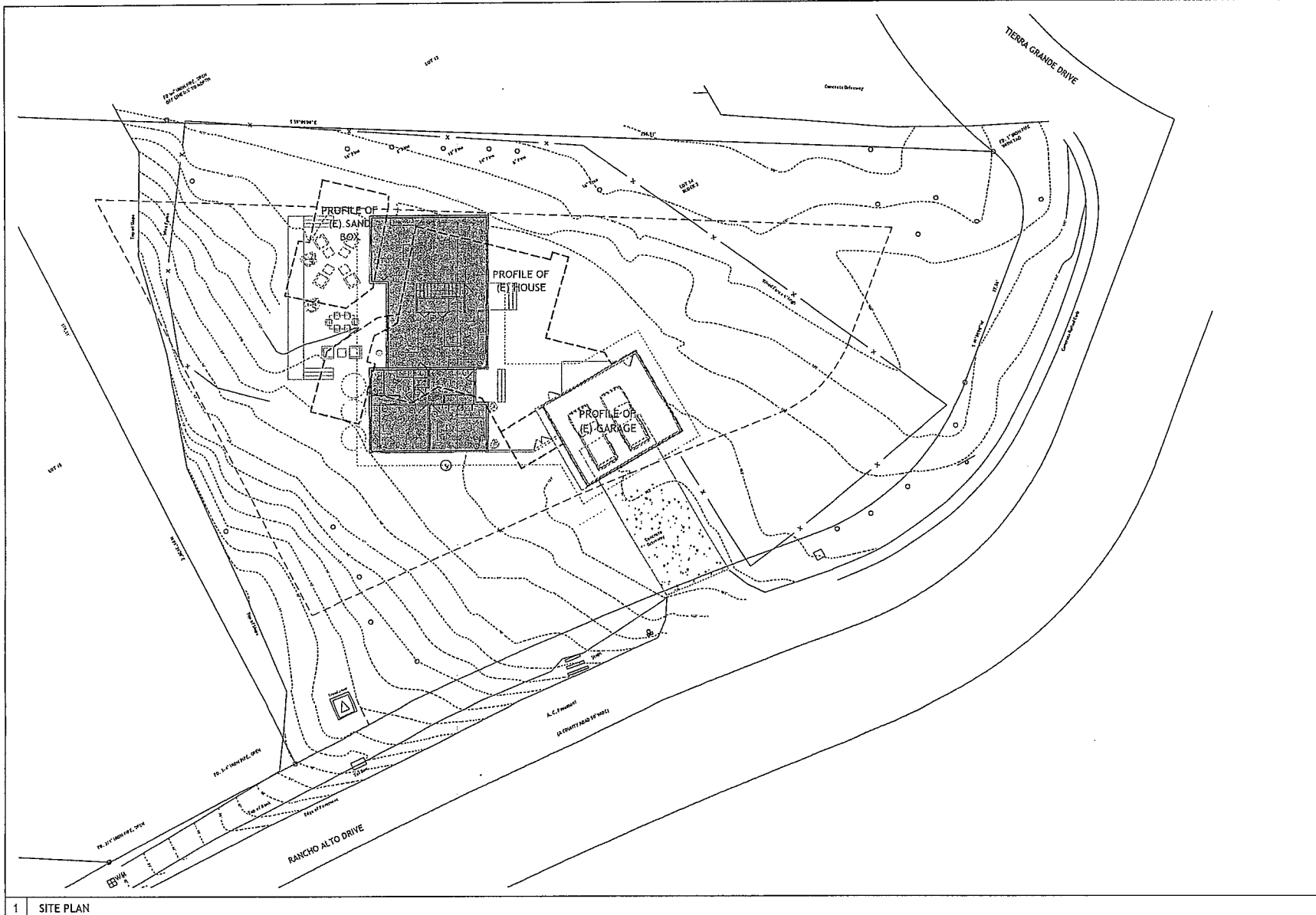
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1 SITE PLAN



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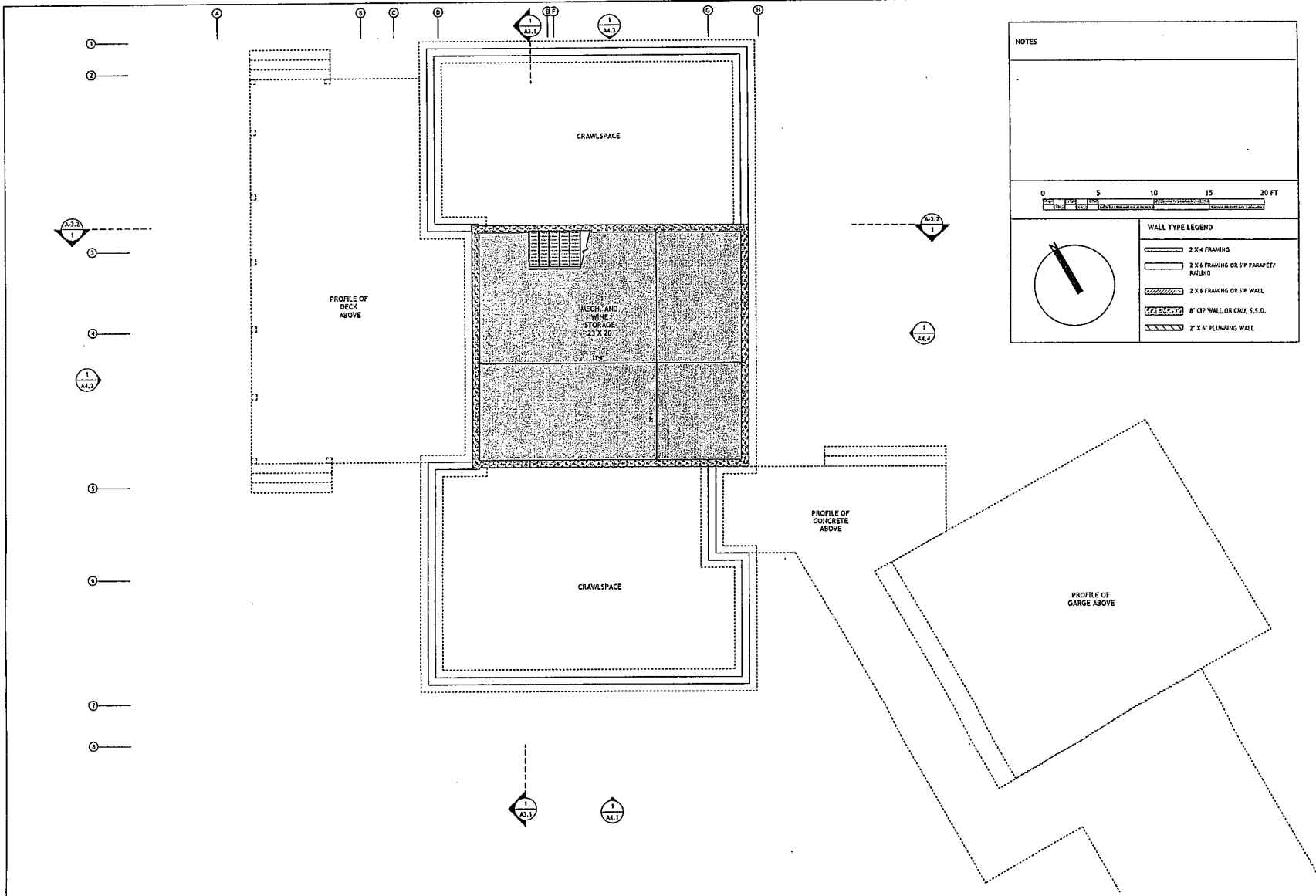
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Scale
 1/8" = 1'-0"

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NOTES

0 5 10 15 20 FT

WALL TYPE LEGEND

- 2" X 4" FRAMING
- 2" X 6" FRAMING OR SIP PARAPET/ RAILING
- 2" X 6" FRAMING OR SIP WALL
- 8" CIP WALL OR CMU, S.S.D.
- 2" X 4" PLUMBING WALL



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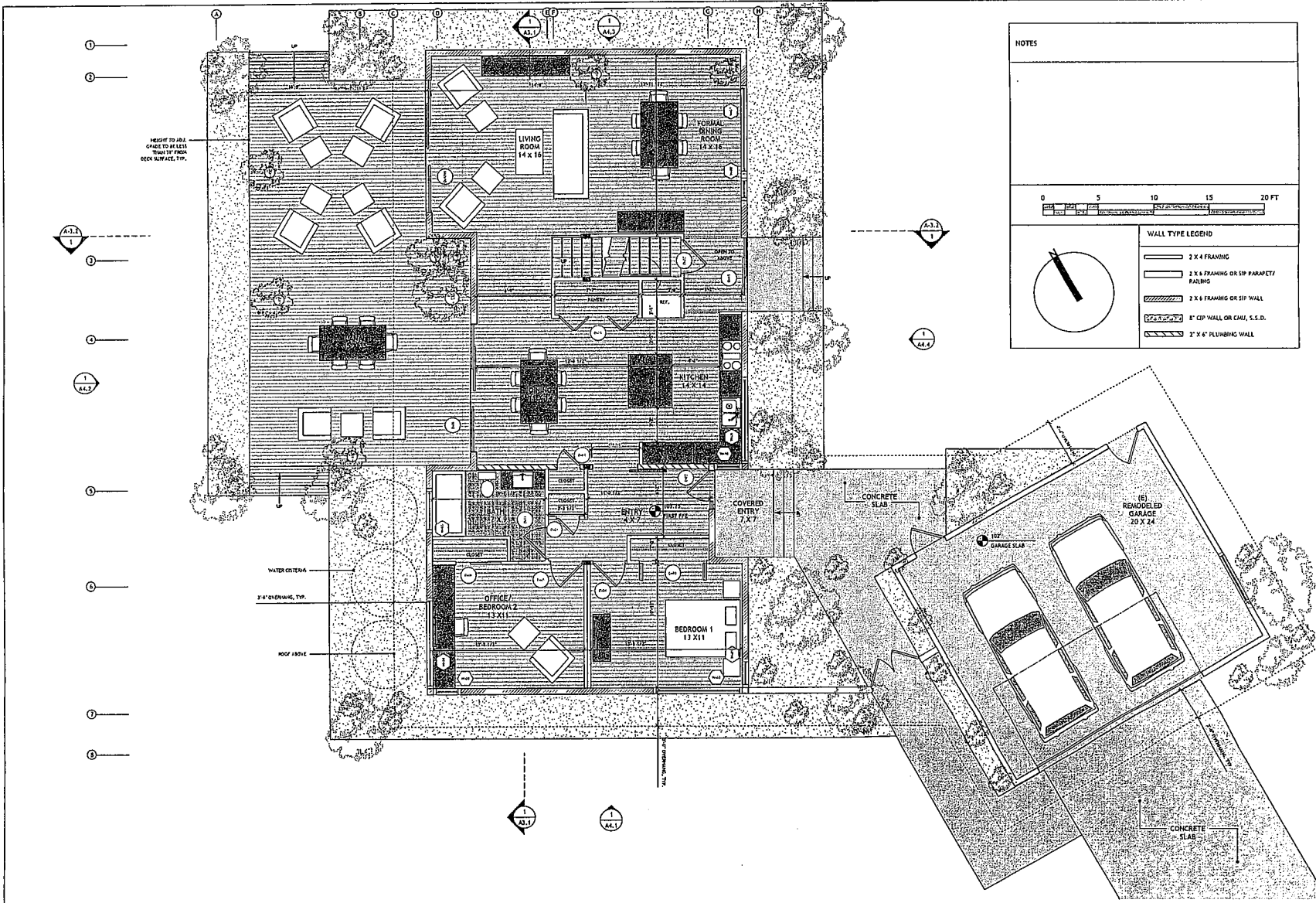
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PLANS

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- 2 X 6 FRAMING OR SIP WALL
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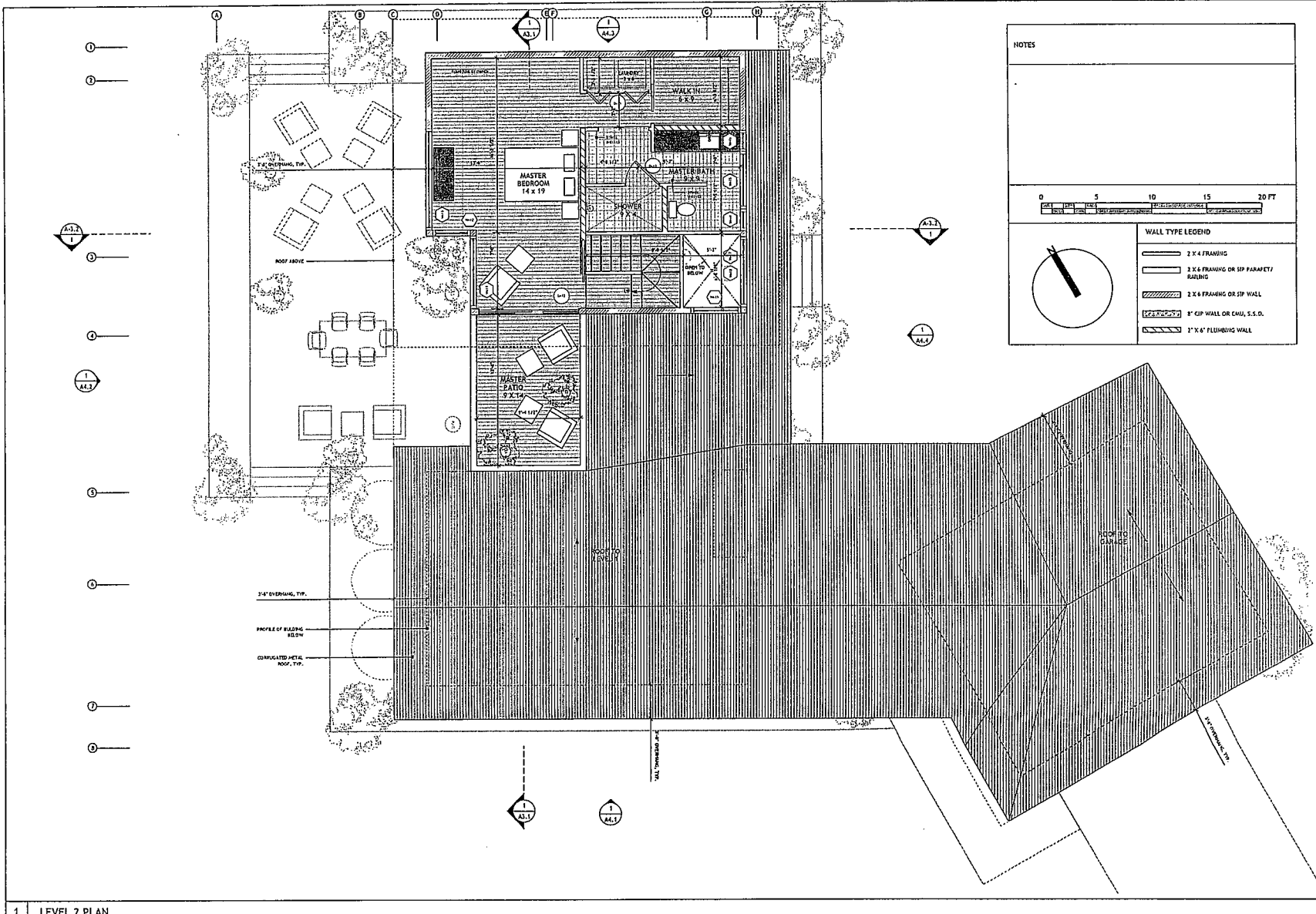
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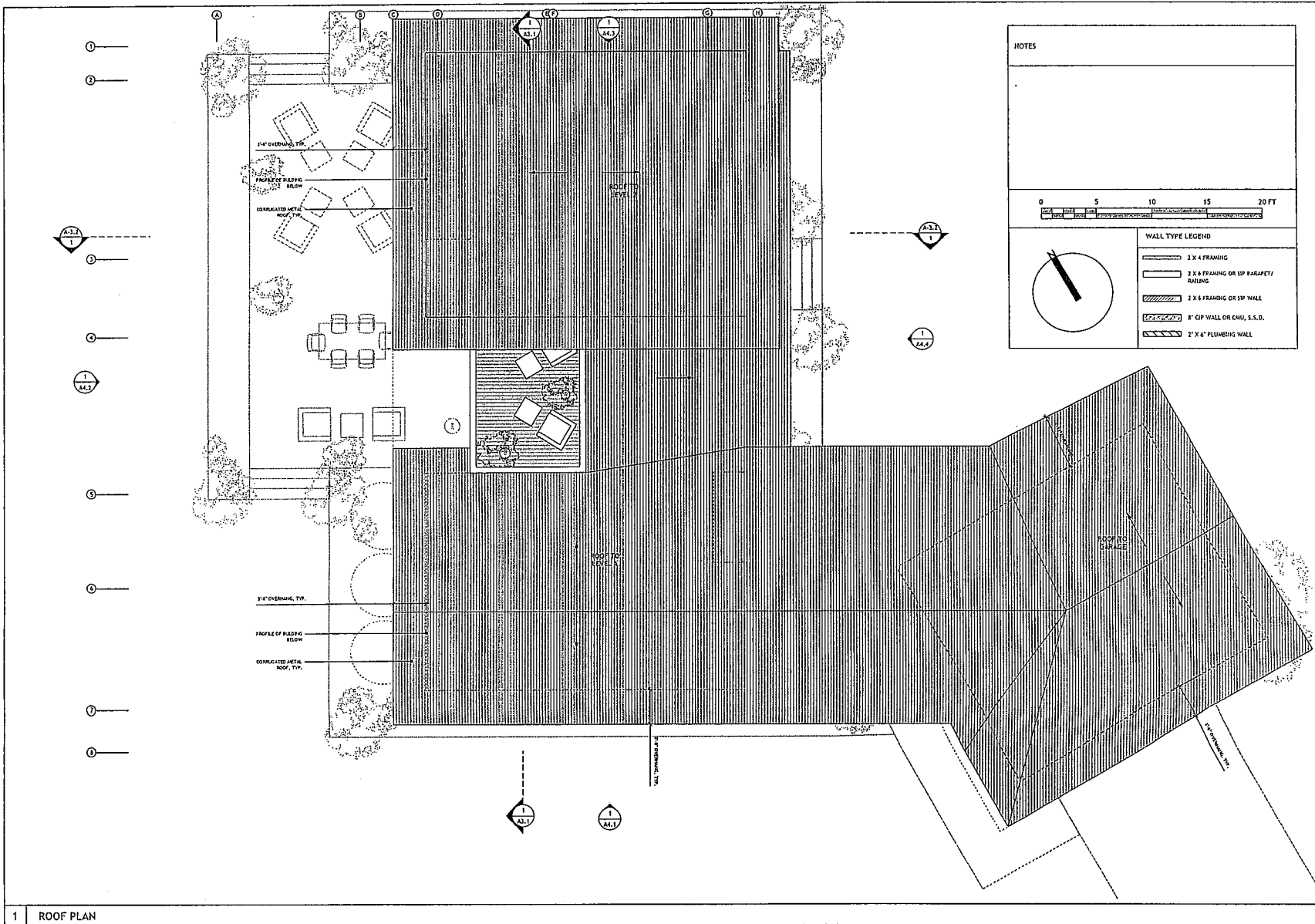
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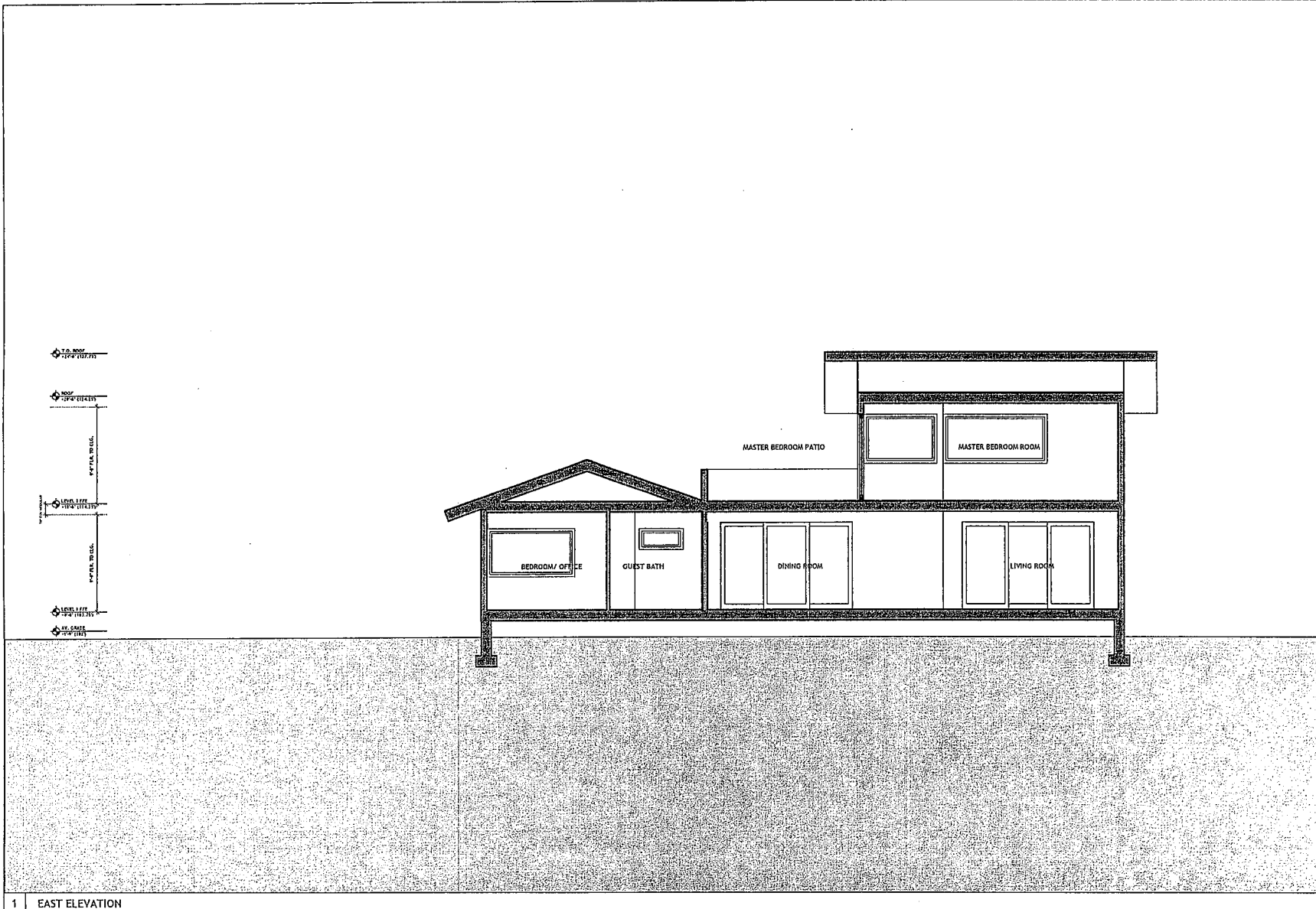
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1 EAST ELEVATION



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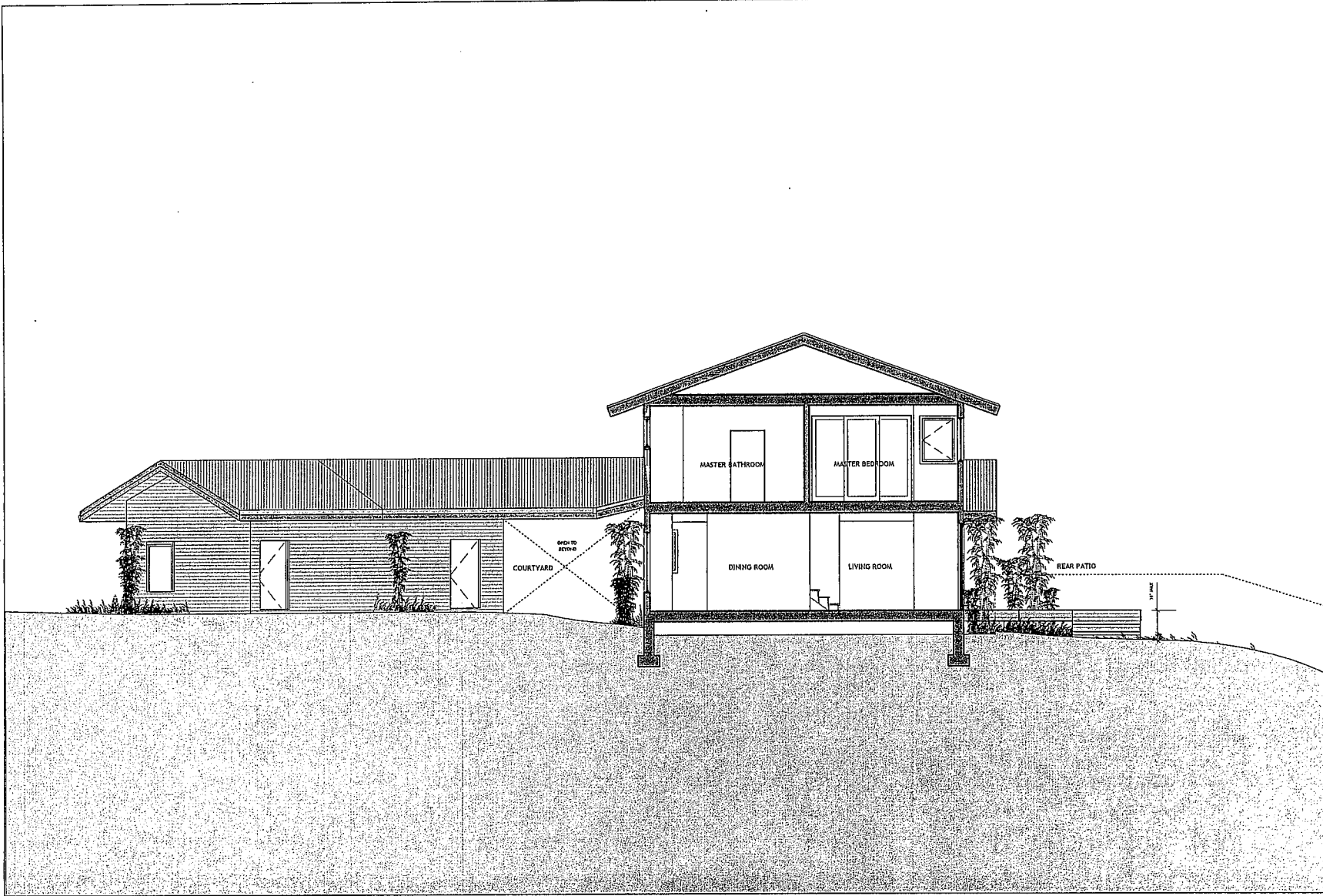
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1 EAST ELEVATION



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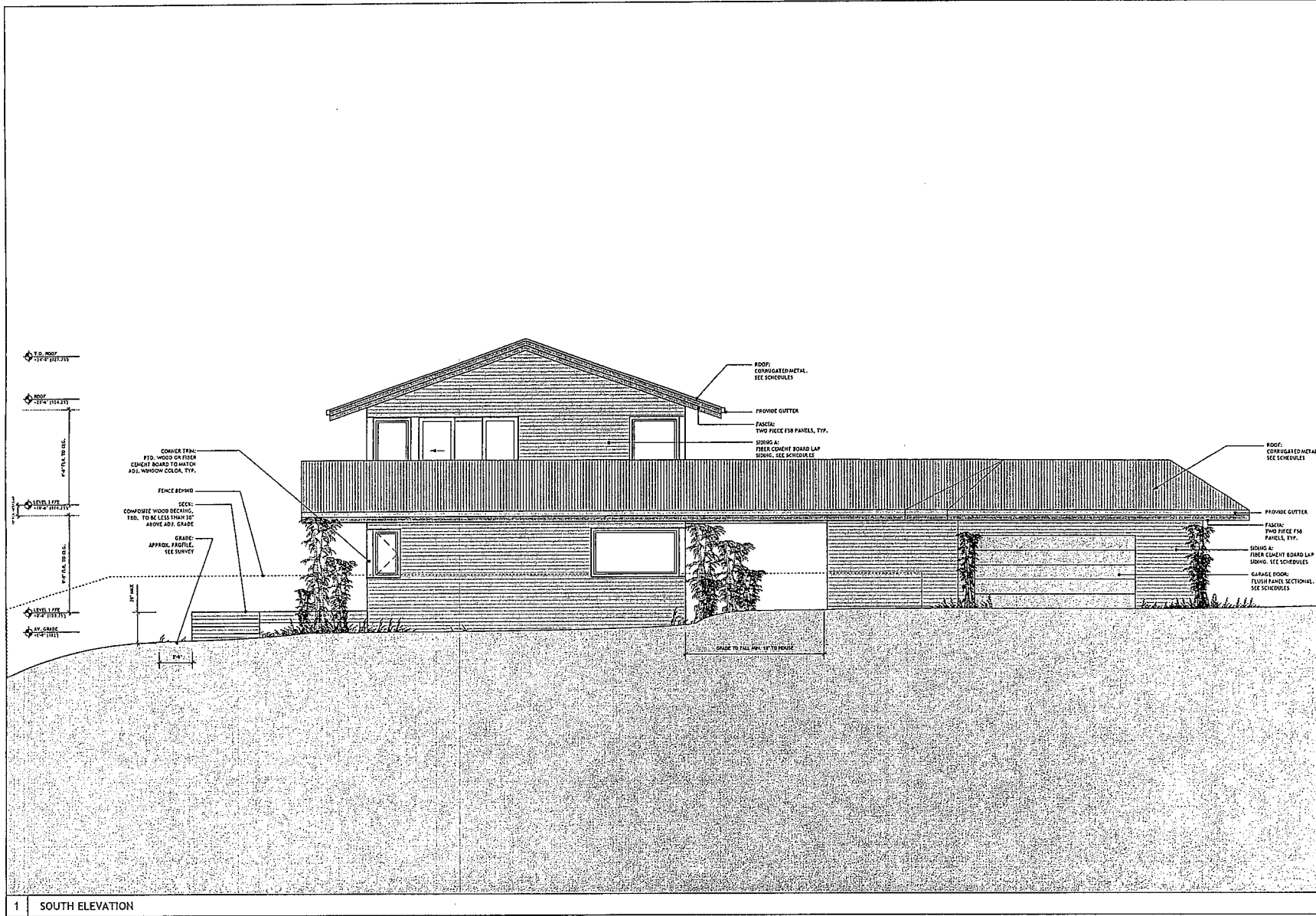
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Scale
 1/4" = 1'-0"

Sheet
A 4.1

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tobylongdesign
 445 THIRD STREET SUITE 208 SAN FRANCISCO, CA 94107
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ISSUE	DATE
FEASIBILITY V.1	4.10.10
FEASIBILITY V.2	5.11.10
DESIGN DEVELOPMENT	7.09.10
APPLICATION REQUEST	9.22.10
PLANNING APPLICATION	1.10.11

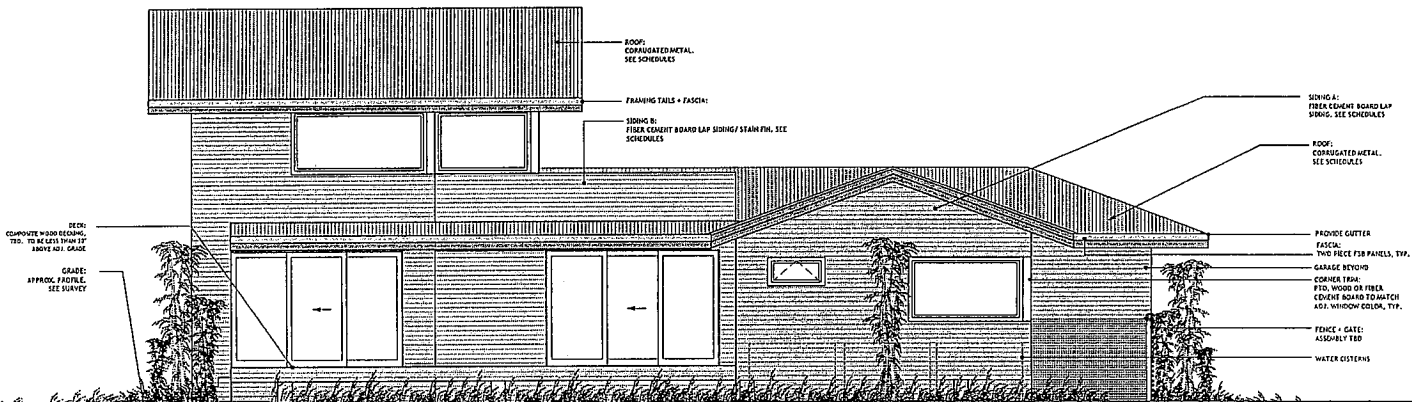
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 25840 RANCHO ALTO DRIVE
 CARMEL, CA 93923

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Scale
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A 4.2



1 WEST ELEVATION



tobylongdesign
 Architecture & Interiors
 10111 NE 10th St, Suite 100
 Portland, OR 97220

ISSUE	DATE
FEASIBILITY V.1	4.10.10
FEASIBILITY V.2	5.11.10
DESIGN DEVELOPMENT	7.08.10
APPLICATION REQUEST	9.22.10
PLANNING APPLICATION	1.10.11

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 25846 RANCHO ALTO DRIVE
 CARMEL, CA 93923

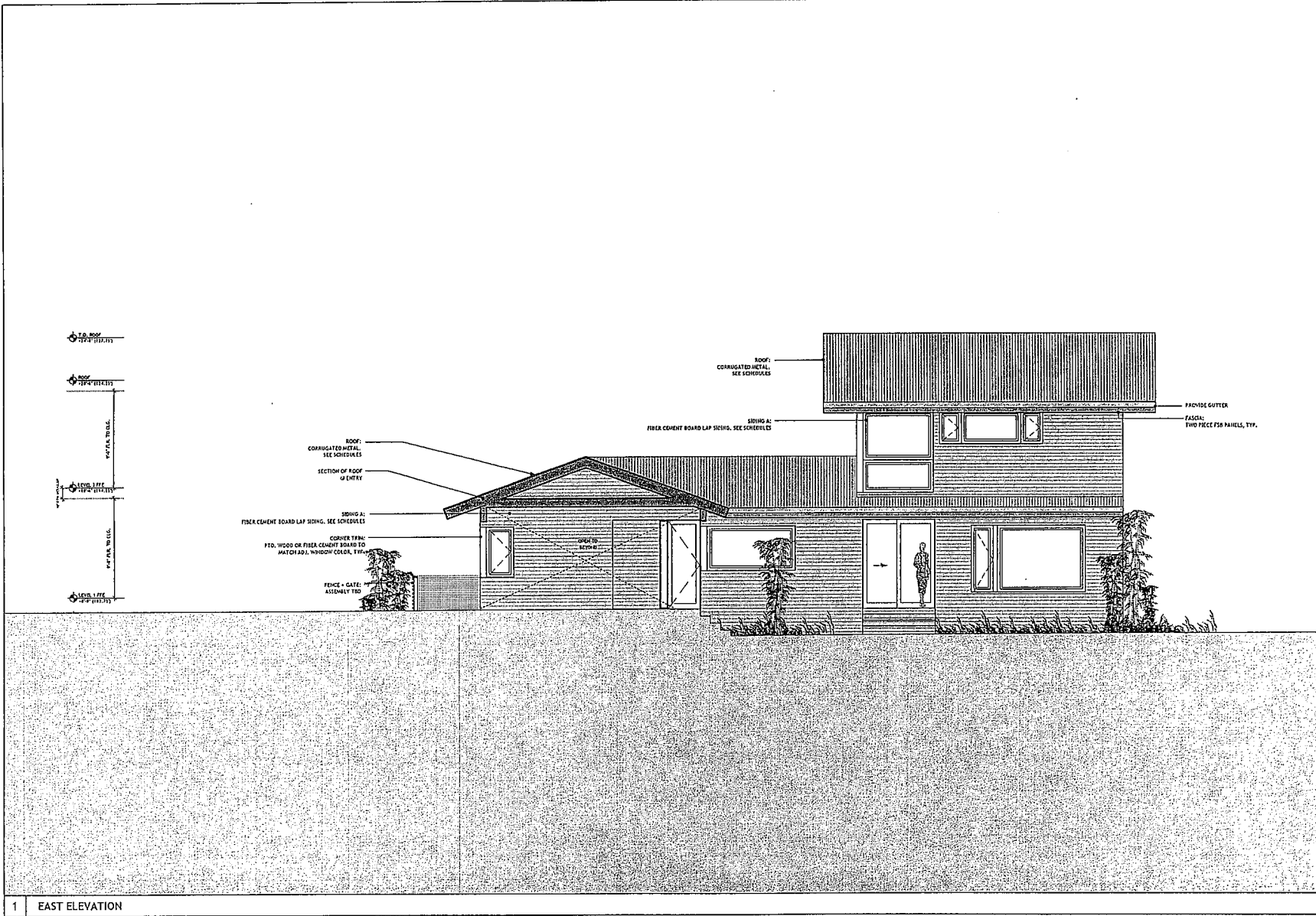
ELEVATIONS

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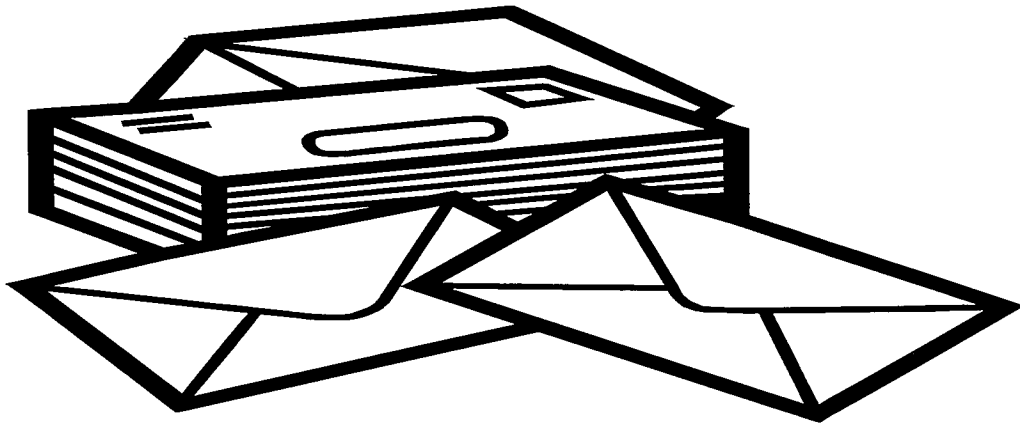
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1 EAST ELEVATION

Exhibit C
Comment Letters



Bradley, Paula x5158

From: Jim Carmel [mdgproperties@gmail.com]
Sent: Tuesday, May 03, 2011 11:44 AM
To: Bradley, Paula x5158
Subject: Project #PLN 100530
Paula Bradley, Project Planner

Thank you Paula for the information regarding project #PLN100530. After having viewed the "Classic Rib" metal roofing at the manufacturer's website referenced by this project's designer as their choice for the roof of their residence, I would like to register my strong disapproval.

I reside at 25861 Elinore Place, and also own the residence at 25860 Elinore Place. Both properties will be negatively impacted by the placement of that style and type of roofing material which is better suited to commercial properties such as gas stations and self-storage buildings.

The cheap utilitarian commercial appearance of a metal roof like that is obvious at first glance regardless of its color, and especially at such a conspicuous location right at the corner of Tierra Grande Drive and Rancho Alto, it will undermine the property values and architectural continuity of this area. There are several alternative roofing materials which are fire safe, and which will match and mutually support the surrounding property values---although they would cost a little more money for the builders of this project.

I, and all of the other owners here, could seek to install similar and less costly cheap looking metal roofs on our properties too. Since we have not, it's unfair for these builders to do so.

As a result, I would very much appreciate a hearing on this matter, unless the builders are willing to buy a roof which will match the style and quality of the other roofs in this subdivision.

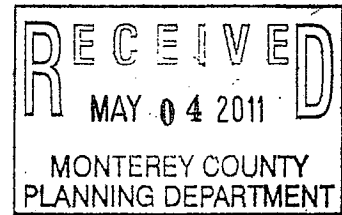
Also, could you please acknowledge your receipt of this e-mail, and advise me of any hearing dates?
Thank You.

Jim Goldberg

cc: Rancho Tierra Grande Property Owners Association ARC

05/03/2011

Paula Bradley, Project Planner
Planning Department
168 West Alisal St., 2nd Floor
Salinas, Ca 93901



To Whom It May Concern:

I am a resident on Tierra Grande Drive adjacent to the home that is proposed to be demolished at 25840 Rancho Alto. My home looks out over the existing home with a peak of a valley view. I do have some concerns regarding the new proposed home scheduled to be built this summer.

One of my concerns is the view from my back bedroom. I am not sure if I will still be able to see the Carmel Valley should the footprint of the home be moved too far west. I do understand the overall height will be lower, but the proposed high point might block the only view I currently have from the back bedroom.

The second concern I have is the proximity to the property line on the side of my home. Is it within the permitted boundary? There aren't any stakes showing how the new home will sit on the property or the roof line. The plans given to me by this neighbor don't include any measurements or heights on the new structure.

Finally, one of my greatest concerns is the material for the proposed roof- "Corrugated Metal Roofing"? Coming from the Midwest, I equate that with barns and sheds.

When my husband and I first moved into this neighborhood there were quite strict rules regarding what could be built. Never anything with a "Corrugated Metal Roof", we had to abide by quite strict rules in the subdivision.

I've included a copy of the "Declaration of Restrictions" for Rancho Tierra Grande and contacted the Homeowners Board to make them aware of the pending changes to the property.

I look forward to your response.
Sincerely,

(Lenora) Jane K. Bryson
(Lenora) Jane K. Bryson

(TYPED COPY)

REEL 499 PAGE 1089

DECLARATION OF RESTRICTIONS
RANCHO TIERRA GRANDE, TRACT No.
Subdivision No. 3

WHEREAS, PAUL F. PORTER and BARBARA M. PORTER are the owners of or have an interest in that certain tract of land designated as RANCHO TIERRA GRANDE, Subdivision No.3, Tract No. 531 a map of which is filed in Volume 9, of Cities and Towns, at Page 10 Official Records of Monterey County, State of California and

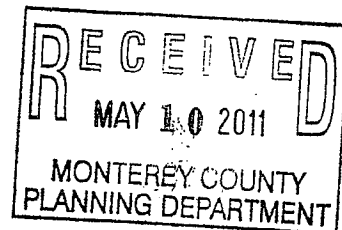
WHEREAS, the owners have subdivided or intend to subdivide said tract and to sell lots and building sites therein, subject to certain protective restrictions, conditions, limitations, reservations and covenants hereinafter referred to as "protective restrictions", in order to insure the most beneficial development of said area mainly as a residential subdivision and to prevent any use thereof as might tend to diminish the value thereof;

NOW THEREFORE, the said owners hereby declare that the said protective restrictions are hereby imposed on the said tract as follows. to-wit:

1. That no trade or business of any kind shall be conducted, operated or carried on the said premises.
2. All residences and buildings of every kind and nature shall conform to set-back and building site area requirements as set forth under existing Monterey County Ordinance 911 for an R 1A B 6 District.
3. The grantees, on behalf of themselves and their successors in interest to said premises, covenant and agree that all sewage shall be disposed of in a septic tank or in an equally sanitary device which shall be approved and inspected by the Department of Public Health, with the exact location of said septic tank and / or sanitary device on the building site to be approved in writing by an architectural control committee, as provided for in Paragraph 4 of these restrictions.
4. No building shall be erected, placed or altered on the said premises, or on any building plot in said tract, until the building plans, specifications and plot plan showing the location of said building have been approved, in writing, as to conformity and harmony of external design with existing structures in the tract, and as to location of the building with respect to topography and finished ground elevation by an architectural control committee of three people appointed by declarants or in the event none such is appointed by the declarants, elected by the owners of a majority of lots in said subdivision. In the event of the death or resignation of any member or members of the committee, the remaining member or members shall have full authority to approve or disapprove such design and location or to designate a representative with like authority. In the even such committee or its designated representative fails to approve or disapprove such design and location within thirty (30) days after the said plans and specifications have been submitted to it, or, in any event, if no suit to enjoin the erection of such building or the making of such alterations has been commenced will be deemed to have been fully complied with. All structures shall be completed in accordance with said plans and specifications within one (1) year of the date of such approval or such additional time as shall be approved by the committee, in writing, or a new approval shall be required. Said premises shall not be occupied until all said structures have been completed in accordance with said plans and specifications. Neither the members of such committee nor its designated representative shall be entitled to any compensation for service performed pursuant to this covenant. The powers and duties of this committee with respect to the time of this paragraph shall expire twenty (20) years from date but shall for all other purposes remain in full force and effect as long as these restrictions are operative, as provided in Paragraph 16 hereof. Thereafter the approval described in this covenant shall not be required unless prior to said date effective thereof, a written instrument shall be executed by the then record owners of the majority of the lots in said tract and duly recorded, appointing a representative or representatives who shall thereafter exercise the same powers previously exercised by said committee.
5. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.
6. No noxious or offensive activity shall be carried on upon any building site nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.
7. No trailer, basement, tent, shack, garage, barn, or other outbuilding other than guest houses and servants' quarters erected on a building site covered by these Covenants shall at any time be used for human habitation temporarily or permanently, nor shall any structure of a temporary character be used for human habitation.
The keeping of a mobile home or travel trailer, either with or without wheels, on any parcel of property covered by these covenants (*words missing; see CC&R #1 and #2*) only if housed completely within a structure which has been architecturally approved by provisions of Paragraph 4 hereof.
8. Oil drilling, oil development operations, refining, mining operations of any kind or quarrying shall not be permitted upon or in any of the building sites in the tract described herein, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any of the building sites covered by these Covenants.
9. At least two on-site parking spaces shall be provided for each and every lot in the subdivision.

Paul W. Baker
25855 Rancho Alto Dr.
Carmel, CA

625-3268, pkbaker@redshift.com



Monterey County Planning Dept.

ATTN: Paula Bradley, Project Planner

168 West Alisal St., 2d Floor

Salinas, CA 93901

Re: Wood-Dubinski Project PLN100530

Ms. Bradley:

These are my comments on the subject application. The subject property is located directly across the street from our home. It will apparently directly face us, as does the structure it will replace. Our house sits approximately six feet higher than the subject, so that its roof will be very prominent in our view.

Although the lines of the projected structure seem devoid of any architectural interest, *our principal concern is with the use of a "light color corrugated metal roofing" material.* This material will convey a very industrial appearance to what we understand will be an modular structure. This is entirely inconsistent with the architectural character and style of the homes in our neighborhood and the Rancho Tierra Grande development as a whole. Most homes in this subdivision have replaced shake roofs with Class A asphalt shingles for visual and fire-protection purposes. Such materials would seem preferable to the look of corrugated metal and would provide adequate fire protection.

We are advised that the color of the roofing and siding have been revised to darker hues which will be an improvement, if implemented.

Please consider these comments as objecting to the project, as proposed. We request that a hearing be scheduled on this matter. As another immediate neighbor who is similarly concerned will be out of the country during May, I request that it be scheduled for early June.

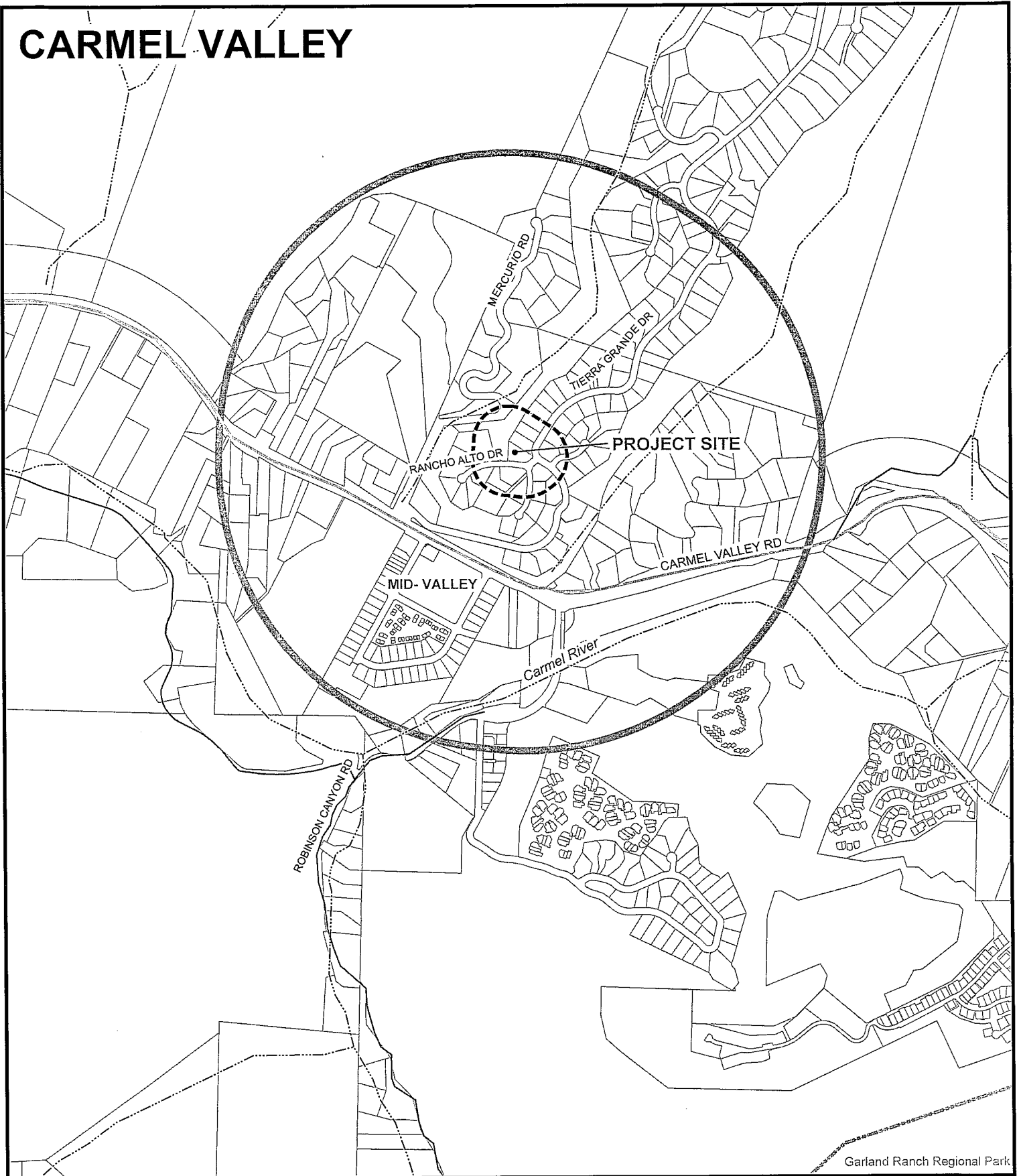
Very truly yours,

A handwritten signature in cursive script that reads "Paul W. Baker".

Paul W. Baker

Exhibit C-1
Vicinity Map

CARMEL VALLEY

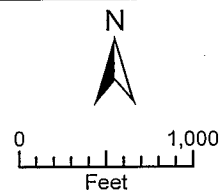


APPLICANT: WOOD

APN: 169-251-014-000

FILE # PLN100530

Water 2500' Limit 300' Limit City Limits



PLANNER: BRADLEY

Exhibit C-1