

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: January 31, 2013 Time: 1:35 P.M.	Agenda Item No.: 2
Project Description: Consider a Use Permit and Design Approval for development in the Carmel Valley Floodplain including the partial demolition of, remodeling and construction of additions to an existing one-story, 1,543 square foot single family dwelling (inclusive of a 200 square foot attached garage) as follows: 1) demolition of an approximately 435 square foot area; 2) construction of a new 468 square foot attached garage and a 138 square foot addition on the south side of the dwelling resulting in an approximately 1,714 square foot remodeled dwelling; 3) addition of 223 square feet of covered deck and porch areas; 4) Re-roofing and installation of solar panels; 5) Replacement of existing redwood septic tank; and minimal grading (Approximately 5 cubic yards cut and 5 cubic yards fill).	
Project Location: 31 Calle de Los Helechos	APN: 189-311-004-000
Planning File Number: PLN110187	Owner: Peter and Ivana Bednarik Agent: Terry Latasa, Architect
Planning Area: Carmel Valley Master Plan	Flagged and staked: Yes
Zoning Designation: : "LDR/2.5-D-S" [Low Density Residential, 2.5 acres per unit with Design Control, and Site Plan Review Overlays]	
CEQA Action: Categorically Exempt per Section 15301 (e) (1) of the CEQA Guidelines	
Department: RMA - Planning Department	

RECOMMENDATION:

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

- 1) Find the project exempt from environmental review under CEQA Guidelines Section 15301 (e) (1); and
- 2) Approve a Use Permit and Design Approval for development in the Carmel Valley Floodplain including the partial demolition of, remodeling and construction of additions to an existing 1,543 square foot single family dwelling (inclusive of a 200 square foot attached garage) as follows: 1) demolition of an approximately 435 square foot area; 2) construction of a new 468 square foot attached garage and a 138 square foot addition on the south side of the dwelling resulting in an approximately 1,714 square foot remodeled dwelling; 3) addition of 223 square feet of covered deck and porch areas; 4) Re-roofing and installation of solar panels; 5) Replacement of existing redwood septic tank; and minimal grading (Approximately 5 cubic yards cut and 5 cubic yards fill), based on the findings and evidence and subject to the conditions of approval (**Exhibit B**);

PROJECT OVERVIEW:

The project site is a 16,864 square foot parcel located fronting on and northerly of Los Helechos Road, west of Esquiline Road in the Carmel Valley area. The entire site is located within the designated floodplain of the Carmel River. The site contains a one-story, 1,543 square foot single family dwelling including a 200 square foot attached garage. The proposed project includes demolition of a 435 square foot area of the existing dwelling; addition of a new 468 square foot garage and a 138 square foot addition on the south side of the dwelling; addition of 223 square feet of covered deck and porch areas; re-roofing and installation of new solar panels; and replacement of an existing redwood septic tank. The proposed project would result in a one story, 1,714 square foot single family dwelling for a net addition of approximately 171 square feet over the area of the existing dwelling. The project is consistent with the development standards of the zoning district.

The project site is located entirely within the floodway fringe of the Carmel River and therefore is subject to the provisions of Chapter 21.64.130 (Regulations for Land Use in the Carmel Valley Floodplain) of the Zoning Ordinance. The applicant requested an exemption from these regulations under the provisions of Chapter 21.64.130 (G) (3). The County has determined that, based on the valuation of the project, the project is a substantial improvement as defined in Chapter 16.16 of the Monterey County Code and cannot be classified as "very minor in nature" as set forth in Chapter 21.64.130 (G) (3) (See Exhibit D). Therefore, the project requires a Use Permit per the provisions of Chapter 21.64.130 (D) (2). These provisions require that the first habitable floor of any structure shall be located at least one foot above the 100 year flood level on the site which is 280.5 feet. The project plans reflect that the finished floor level of the proposed remodel and additions would be at 281.5 feet which complies with this requirement. Therefore, the project would be consistent with the provisions of Chapter 21.64.130 (D) (2) of the Zoning Ordinance.

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


- √ RMA - Public Works Department
- √ Environmental Health Bureau
- √ Water Resources Agency
- √ Monterey County Regional Fire Protection District

Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended by these agencies have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached to the Draft Resolution (**Exhibit B**).

The Carmel Valley Land Use Advisory Committee (LUAC) considered the project on July 16, 2012. The LUAC recommended approval of the project as proposed (5-0-2 Vote).

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

/S/ PROJECT PLANNER NAME



Luis A. Osorio, Senior Planner
(831) 755-5177, osoriol@co.monterey.ca.us
January 7, 2013

cc: Front Counter Copy; Zoning Administrator; Monterey County Regional Fire Protection District; Public Works Department; Environmental Health Bureau; Water Resources Agency; Luis A. Osorio, Project Planner; Peter and Ivana Bednarik, Owners; Terry Latasa, Agent; The Open Monterey Project; Landwatch; Planning File PLN110187

Attachments: Exhibit A Project Data Sheet
Exhibit B Draft Resolution, including:

- Conditions of Approval;
- Site Plan, Floor Plan and Elevations,

Exhibit C Vicinity Map
Exhibit D Review for exception by General Manager of the Water Resources Agency and the Director of Planning.

This report was reviewed by Wanda Hickman, Planning Services Manager.

EXHIBIT A

Project Information for PLN110187

Project Information:

Project Name:	BEDNARIK PETR & IVANA		
Location:	31 DE LOS HELECHOS CARMEL VALLEY		
Permit Type:	Use Permit		
Environmental Status:	Exempt	Final Action Deadline (884):	1/14/2013
Existing Structures (sf):	1543	Coverage Allowed:	35%
Proposed Structures (sf):	171	Coverage Proposed:	12%
Total Sq. Ft.:	1714	Height Allowed:	30'
Tree Removal:	NA	Height Proposed:	23'
Water Source:	PUBLIC	FAR Allowed:	NA
Water Purveyor:	CAL AM	FAR Proposed:	NA
Sewage Disposal (method):	SEPTIC	Lot Size:	16864
Sewer District:		Grading (cubic yds.):	10

Parcel Information:

Primary APN:	189-311-004-000	Seismic Hazard Zone:	VI
Applicable Plan:	Carmel Valley Master Pln	Erosion Hazard Zone:	LOW
Advisory Committee:	CARMEL VALLEY	Fire Hazard Zone:	VERY HIGH
Zoning:	LDR2.5-D-S-RAZ	Flood Hazard Zone:	YES
Land Use Designation:	RESIDENTIAL LOW DENSITY	Archaeological Sensitivity:	HIGH
Coastal Zone:	NO	Viewshed:	NO
Fire District:	MONTEREY COUNTY REGIONAL	Special Setbacks on Parcel:	200' RIVER BANK

Reports on Project Parcel:

Soils Report #:	N/A
Biological Report #:	N/A
Geologic Report #:	LIB130006
Forest Management Rpt. #:	N/A
Archaeological Report #:	LIB110267
Traffic Report #:	N/A

**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:

Peter and Ivana Bednarik (PLN110187)

RESOLUTION NO. ----

Resolution by the Monterey County Hearing Body:

- 1) Finding the project exempt from environmental review under Section 15301 (e) (1) of the CEQA Guidelines; and
- 2) Approving a Use Permit and Design Approval for development in the Carmel Valley Floodplain including the partial demolition of, remodeling and construction of additions to an existing 1,543 square foot single family dwelling (inclusive of a 200 square foot attached garage) as follows: 1) demolition of an approximately 435 square foot area; 2) construction of a new 468 square foot attached garage and a 138 square foot addition on the south side of the dwelling resulting in an approximately 1,714 square foot remodeled dwelling; 3) addition of 223 square feet of covered deck and porch; 4) Re-roofing and installation of solar panels; 5) Replacement of existing redwood septic tank; and minimal grading (Approximately 5 cubic yards cut and 5 cubic yards fill).;

[PLN110187, Peter and Ivana Bednarik, 31 Calle de Los Helechos, Carmel Valley Master Plan (APN: 189-311-004-000)]

The Bednarik application (PLN110187) came on for public hearing before the Monterey County Zoning Administrator on January 31, 2013. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator 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;

- the 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 31 Calle de Los Helechos (Assessor's Parcel Number 189-311-044-000), Carmel Valley Master. The parcel is zoned "LDR/2.5-D-S", which allows additions to existing single family dwellings. Therefore, the project is an allowed land use for this site. The subject project is consistent with the Development Standards of the "LDR" Zoning District and with the intent of the "D" and "S" Overlay Districts.
- c) The proposed project is consistent with the provisions of Chapter 21.64.130 (D) (2) [Regulations for Land Use in the Carmel Valley Floodplain] which require that "On-site waste disposal systems shall be constructed so as minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into the floodwaters," and also that "The first habitable floor of any structures shall be located at least one foot above the 100 year flood level." The finished floor elevation of the habitable floor areas in proposed project would be at 281.5 feet which will be one foot above of the identified base flood elevation of 280.5 feet. [See also Evidence (b) under Finding 3 below].
- d) The project is consistent with the provisions of Policy CV-1.20 of the 2010 Carmel Valley Master Plan which require projects to be visually compatible with the character of the Valley and that materials and color be compatible with the appearance of the building's natural and man-made surroundings. The proposed colors include a gray metal roof, dark brown wood siding and tan stucco and light gray wood window frames. The colors blend well with the natural environment in the area. These colors were reviewed and recommended by approval by the Carmel Valley Land Use Advisory Committee.
- e) The project planner conducted a site inspection on May 3, 2011 to verify that the project on the subject parcel conforms to the plans listed above.
- f) The project was referred to the Carmel Valley Land Use Advisory Committee (LUAC) for review. The LUAC recommended approval of the project as proposed (5-0-2 Vote).
- g) 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 PLN110187.

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 Regional Fire Protection District, Public Works, Environmental Health Bureau, and 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 following reports have been prepared for the project:
- "Geotechnical Investigation" (LIB130006) prepared by Soil Surveys Inc., Salinas, CA, October 18, 2012.
 - "Preliminary Archaeological Assessment for APN 189-311-004, in Carmel Valley, Monterey County, California" (LIB110267) prepared by Archaeological Consulting, Salinas, CA, June 27, 2012.

The above-mentioned 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 has independently reviewed these reports and concurs with their conclusions.

- c) Staff conducted a site inspection on May 3, 2011 to verify that the site is suitable for this use.
- d) 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 PLN110187.

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 the RMA - Planning Department, Monterey County Regional Fire Protection District, Public Works, Environmental Health Bureau, and Water Resources Agency. The respective 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/will be provided. Water for the site is provided by the California American Water Company. The proposed project will downsize the number of bedrooms from two to one which will significantly reduce the potential wastewater flow. The existing septic system has a failing redwood tank but an adequate septic disposal field. The existing redwood tank will be replaced which would allow for better protection of public health. The project is conditioned to require that future repairs to the septic system will require alternative wastewater treatment consistent with applicable provisions of the County Code [See also Evidence (c) under Finding 1 above].
- c) Staff conducted a site inspection on May 3, 2011 to verify that the site is suitable for this use.
- d) 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 PLN110187.

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 records and is not aware of any violations existing on subject property.
 - b) Staff conducted a site inspection on May 3, 2011 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 PLN110187.
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 15301 (e) (1), categorically exempts additions to existing structures that do not exceed 50% of the existing floor area or 2,500 square feet which ever is less.
 - b) The proposed project would result in the net addition of approximately 125 square feet to the area of the existing dwelling; therefore the project meets the standard for exemption.
 - c) No adverse environmental effects were identified during staff review of the development application during a site visit on May 3, 2011.
 - d) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The proposed project includes a minor remodel and addition to an existing single family dwelling which will not affect any identified environmental resources. The project site is located in the Carmel Valley Floodplain and the project is conditioned appropriately by the Water Resources Agency to address potential flood hazards.
 - e) Staff conducted a site inspection on May 3, 2011 to verify that the site is suitable for this use.
 - f) 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 PLN110187.
6. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Planning Commission.
- EVIDENCE:** Section 21.80.040 (B) of the Monterey County Zoning Ordinance states that the Planning Commission is the Appeal Authority to consider appeals from the discretionary actions of the Zoning Administrator.

DECISION

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

1. Find the project exempt from environmental review under CEQA Guidelines Section 15301 (e) (1);
2. Approve a Use Permit and Design Approval for development in the floodplain of the Carmel River including the partial demolition of, remodeling and construction of additions to an existing 1,543 square foot single family dwelling (inclusive of a 200 square foot attached garage) as follows: 1) demolition of an approximately 435 square foot area; 2) construction of a new 438 square foot attached garage and a 138 square foot addition on the south side of the dwelling resulting in an approximately 1,714 square foot remodeled dwelling; 3) addition of 223 square feet of covered deck and porch; 4) Re-roofing and installation of solar panels; 5) Replacement of existing redwood septic tank; and minimal grading (Approximately 5 cubic yards cut and 5 cubic yards fill), as generally reflected in the attached sketch and subject to the attached conditions.

PASSED AND ADOPTED this 31 day of January, 2013 upon motion of xxxx, seconded by xxxx, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Jacqueline Onciano, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE

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 COMMISSION 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.

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

Form Rev. 05-09-2012

Monterey County Planning Department
DRAFT Conditions of Approval/Mitigation Monitoring Reporting Plan
PLN110187

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: This Use Permit and Design Approval (Resolution 13-___) allow development in the Carmel Valley Floodplain including the partial demolition of, remodeling and construction of additions to an existing 1,543 square foot single family dwelling (including a 200 square foot attached garage) as follows: 1) demolition of an approximately 435 square foot area; 2) construction of a new 468 square foot attached garage and a 138 square foot addition on the south side of the dwelling resulting in an approximately 1,714 square foot remodeled dwelling; 3) addition of 223 square feet of covered deck and porch; 4) Re-roofing and installation of solar panels; and Replacement of an existing redwood septic tank. Grading is approximately 10 cubic yards (5 cubic yards cut and 5 cubic yards fill), The property is located at 31 De Los Helechos, Carmel Valley (Assessor's Parcel Number 189-311-004-000), Carmel Valley Master Plan, 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)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice which states: "A Use Permit and Design Approval (Resolution 13-___) for development in the Carmel Vally Floodplain including the partial demolition of, remodeling and construction of additions to an existing 1,543 square foot single family dwelling (including a 200 square foot attached garage) as follows: 1) demolition of an approximately 435 square foot area; 2) construction of a new 468 square foot attached garage and a 138 square foot addition on the south side of the dwelling resulting in an approximately 1,714 square foot remodeled dwelling; 3) addition of 223 square feet of covered deck and porch; 4) Re-roofing and installation of solar panels; and 5) Replacement of an existing redwood septic tank. Grading is approximately 10 cubic yards (5 cubic yards cut and 5 cubic yards fill), was approved by the Planning Commission for Assessor's Parcel Number 189-311-004-000 on January 31, 2013. The permit was granted subject to 23 conditions of approval which run with the land" and 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)

Compliance or Monitoring Action to be Performed: 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.

3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: 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 Register 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)

Compliance or Monitoring Action to be Performed: 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.

4. PD004 - INDEMNIFICATION AGREEMENT

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Director of RMA-Planning Department for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA-Planning Department.

5. PD016 - NOTICE OF REPORT

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states:

"A Geotechnical Investigation (Library No. LIB130006), was prepared by Soil Surveys Inc. on October 18, 2012 and is on file in the Monterey County RMA - Planning Department. All development shall be in accordance with this report."

"A Preliminary Archaeological Assessment for APN 189-311-004, in Carmel Valley, Monterey County, California (LIB110267) prepared by Archaeological Consulting, Salinas, CA, June 27, 2012.

(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and construction permits, the Owner/Applicant shall submit proof of recordation of this notice to the RMA - Planning Department.

6. PD041 - HEIGHT VERIFICATION

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The applicant shall have an elevation benchmark placed upon the property and identify the benchmark on the construction plans. The benchmark shall remain visible on-site until final building inspection. The applicant shall provide evidence from a licensed civil engineer or surveyor to the Director of the RMA - Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with the approved plans under the construction permit(s) associated with this project.
(RMA - Planning Department and Building Services Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading or construction permits, the Owner/Applicant shall have the benchmark placed upon the property and identify the benchmark on the construction plans. The benchmark shall remain visible onsite until final building inspection.

Prior to the foundation pre-pour inspection, the Owner/Applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of first finished floor from the benchmark is consistent with what was approved on the building permit.

Prior to the final inspection, the Owner/Applicant/Engineer shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit.

7. FIRE007 - DRIVEWAYS

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (Monterey County Regional Fire District)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permits, the Applicant shall incorporate the specification of the driveway into design and print the text of this condition as "Fire Department Notes" on plans.

Prior to requesting a final building inspection, the Applicant shall complete the installation of driveway improvements and obtain fire department approval the final fire inspection.

8. FIRE008 - GATES

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. (Monterey County Regional Fire District)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permits, the Applicant shall incorporate the specification of the entry gate into design and print the text of this condition as "Fire Department Notes" on plans.

Prior to requesting a final building inspection, the Applicant shall complete the installation of the entry gate and obtain fire department approval the final fire inspection.

9. FIRE011 - ADDRESSES FOR BUILDINGS

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: 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. (Monterey County Regional Fire District)

Compliance or Monitoring Action to be Performed: Prior to issuance of building permit, Applicant shall incorporate specification into design and print the text of this condition as "Fire Dept. Notes" on plans.

Prior to requesting a final building inspection, Applicant shall install the required address signage and shall obtain fire department approval of the fire department final inspection.

10. FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Manage combustible vegetation from within a minimum of 100 feet of structures, or to the property line, whichever is closer. Trim tree limbs to a minimum height of 6 feet from the ground. Remove tree limbs from within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire 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. (Monterey County Regional Fire District)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permit, Applicant shall incorporate specification into design and print the text of this condition as "Fire Dept. Notes" on construction plans.

Prior to requesting a final building inspection, the Applicant shall complete the vegetation management and shall obtain fire department approval of the final fire inspection.

11. FIRE022 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM - (HAZARDOUS CONDITIONS)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: 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. (Monterey County Regional Fire District)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permit, Applicant shall print the text of this condition as "Fire Dept. Notes" on construction plans.

Prior to requesting a framing inspection, the Applicant shall obtain fire department approval of the rough sprinkler inspection.

Prior to requesting a final building inspection, the Applicant shall complete the installation of the fire sprinkler system and obtain fire department approval of the final fire sprinkler inspection.

12. FIRE027 - ROOF CONSTRUCTION - (VERY HIGH HAZARD SEVERITY ZONE)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: 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. (Monterey County Regional Fire District)

Compliance or Monitoring Action to be Performed: Prior to issuance of building permit, the Applicant shall print the text of this condition as "Fire Dept. Notes" on construction plans.

13. EHSP01 - Future Onsite Wastewater Treatment System Requirements: Deed Notice (Non-Standard)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: The applicant shall record a deed notification with the Monterey County Recorder for parcel 189-311-004 with the approved language indicating that an alternative onsite wastewater treatment system will be required for any future repairs of the existing onsite wastewater treatment disposal system on the property. Contact the Environmental Health Department (EHB) for the Deed Notification Form.

Compliance or Monitoring Action to be Performed: Record deed notice prior to final of construction permit:

Contact EHB for Deed Notification Form.

Record deed notice.

Submit evidence to EHB that notice was recorded.

14. EHSP02 - New Septic Tank for existing septic system (Non-Standard)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: The existing septic tank is an old redwood tank. The tank shall be replaced. Submit onsite wastewater treatment tank plan for review and approval indicating the location, design layout and size specifications that meets standards found in Monterey County Code Chapter 15.20, Sewage Disposal Ordinance, and the Central Coast Basin Plan, Regional Water Quality Control Board.

Compliance or Monitoring Action to be Performed: Apply for septic tank permit prior to or concurrently with construction permit application.
Prior to or concurrently with construction permit issuance, receive a septic tank permit from EHB.
Prior to construction permit final, install septic tank

15. WR013 - ZONE AE ELEVATION REQUIREMENTS

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The lowest floor and attendant utilities shall be constructed at a minimum elevation of 281.5 feet (NAVD 1988). The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed land surveyor that a reference marker has been established at the building site to provide for the floodproofing and certification of the lowest floor elevation requirements. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to issuance of any construction permit, the owner/applicant shall submit a letter, prepared by a registered civil engineer or licensed land surveyor, to the Water Resources Agency for review and approval.

16. WR019 - FOUNDATION PLAN - ENCLOSURES/GRADE ELEVATIONS

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide a foundation plan, prepared by a registered civil engineer or licensed architect, certifying the proposed development is compliant with the following regulations:

1. All fully enclosed areas subject to flooding shall be designed to allow for the automatic entry and exit of floodwaters. Each enclosed area shall be defined and include a minimum of two openings on different sides.
2. The vents shall have a total net area not less than one square inch for every square foot of enclosed area subject to flooding.
3. The bottom of all openings shall be no higher than one foot above grade.
4. The foundation plan shall include a vent detail, the location and dimensions of all vents, as well as internal and external grade elevations.
5. All new construction materials below 281.5 feet (NAVD 1988) shall be resistant to flood damage. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to issuance of any construction permit, the owner/applicant shall submit a foundation plan to the Water Resources Agency for review and approval.

17. WR020 - CONCRETE SLAB PRE-POUR INSPECTION

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide a FEMA Elevation Certificate, completed by a registered civil engineer or licensed land surveyor, certifying the forms have been set at a height that will ensure the garage will be wet floodproofed in accordance with the approved wet floodproofing plan. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to the foundation pre-pour inspection, the owner/applicant shall submit a FEMA Elevation Certificate, based on "building under construction", to the Water Resources Agency for review and approval.

A FEMA Elevation Certificate form can be obtained at the Water Resources Agency or online at: www.mcwra.co.monterey.ca.us.

18. WR021 - STEMWALL INSPECTION

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide a FEMA Elevation Certificate, completed by a registered civil engineer or licensed land surveyor, certifying the lowest floor elevation, venting, external grades, and internal grades are compliant with Chapter 16.16 of Monterey County Code. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to the stemwall inspection, the owner/applicant shall submit a FEMA Elevation Certificate, based on "building under construction", to the Water Resources Agency for review and approval.

A FEMA Elevation Certificate form can be obtained at the Water Resources Agency or online at: www.mcwra.co.monterey.ca.us.

19. WR022 - ELEVATION CERTIFICATE

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide a FEMA Elevation Certificate, completed by a registered civil engineer or licensed land surveyor certifying the structure has been constructed in accordance with Chapter 16.16 of Monterey County Code. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to final inspection, the owner/applicant shall submit a FEMA Elevation Certificate, based on "finished construction", to the Water Resources Agency for review and approval.

A FEMA Elevation Certificate form can be obtained at the Water Resources Agency or online at: www.mcwra.co.monterey.ca.us.

20. WR028 - WET FLOODPROOFING PLAN

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide a wet floodproofing plan prepared by a registered civil engineer or architect. The garage/accessory structure shall be constructed of flood-resistant materials to a minimum elevation of 281.5 feet (NAVD 1988), and it shall be designed to allow for the automatic entry and exit of floodwater. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to issuance of any construction permit, the owner/applicant shall submit a wet floodproofing plan to the Water Resources Agency for review and approval.

21. WR030 - WET FLOODPROOFING CERTIFICATION

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide certification from a registered civil engineer or architect that the structure has been wet floodproofed in accordance with the approved wet floodproofing plan. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to final inspection, the owner/applicant shall submit a letter, prepared by a registered civil engineer, to the Water Resources Agency for review and approval.

22. WR031 - FLOODPLAIN NOTICE

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide a recorded Floodplain Notice stating: "The property is located within or partially within a Special Flood Hazard Area and may be subject to building and/or land use restrictions." (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to issuance of any construction permit, the owner/applicant shall submit a signed and notarized floodplain notice to the Water Resources Agency for review and approval. When approved, the applicant shall record the notice.

A copy of the standard notice can be obtained at the Water Resources Agency or online at: www.mcwra.co.monterey.ca.us.

23. WR049 - WATER AVAILABILITY CERTIFICATION

Responsible Department: Water Resources Agency

**Condition/Mitigation
Monitoring Measure:** The applicant shall provide the Monterey County Water Resources Agency proof of water availability in the form of a complete Monterey Peninsula Water Management District Water Release Form. (Water Resources Agency)

**Compliance or
Monitoring
Action to be Performed:** Prior to issuance of any construction permit, the owner/applicant shall submit a Water Release Form to the Water Resources Agency for review and approval.

A copy of the Water Release Form can be obtained at the Monterey Peninsula Water Management District, the Water Resources Agency, or online at:
www.mcwra.co.monterey.ca.us.

PROJECT INFORMATION

PROJECT DESCRIPTION:

SINGLE LEVEL ADDITIONS TO AN EXISTING ONE-STORY RESIDENCE; REMODEL EXISTING RESIDENCE; REMOVE EXISTING ROOF AND BUILD NEW ROOF OVER ENTIRE STRUCTURE; EXPAND EXISTING GARAGE; NEW COVERED PORCHES

PROJECT ADDRESS:

31 CALLE DE LOS HELECHOS
CARMEL VALLEY, CALIFORNIA

APRN:

189-311-004

LEGAL DESCRIPTION:

MAP OF ROBLES DEL RIO CARMEL NO 2, LOT 289 MAP OF SUB OF PART OF LOT 5, PAR 4 RD LOS LAURELES LOT D

OWNER:

PETR BEDNARIK
31 CALLE DE LOS HELECHOS
CARMEL VALLEY, CALIFORNIA 93924
238-0807

ZONE:

LDR/2.5-D-S

LOT SIZE:

16,864 SQ. FT.

FLOOR AREAS:

EXISTING RESIDENCE & GARAGE	1,543 SQ.FT.
DEMOPORTION OF (E) RESIDENCE & GARAGE	(-435)
PROPOSED HOUSE & GARAGE ADDITIONS	606
NEW TOTAL RESIDENCE & GARAGE	1,714

LOT COVERAGE:

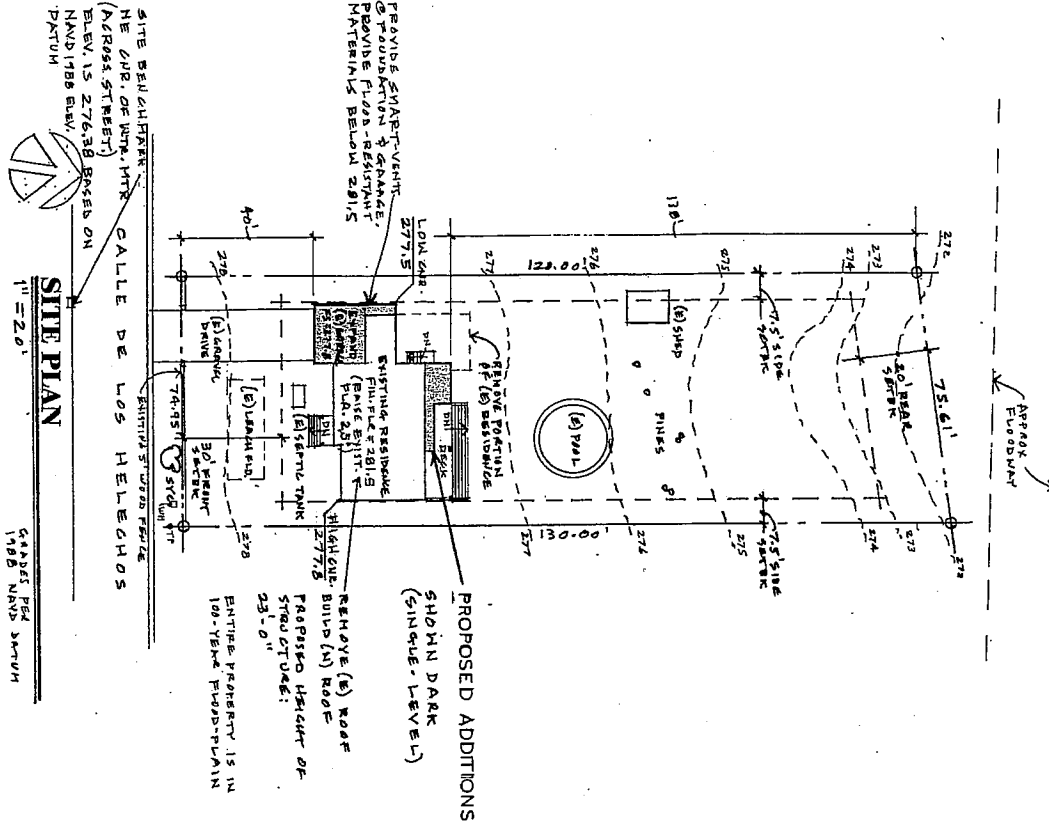
EXISTING RESIDENCE & GARAGE	1,543 SQ.FT.
DEMOPORTION OF (E) RESIDENCE & GARAGE	(-435)
PROPOSED RESIDENCE & GARAGE ADDITIONS	606
NEW COVERED PORCHES	223
EXISTING SHED	108
NEW TOTAL LOT COV	2,045 (12.1%)

TREE REMOVAL:

NONE

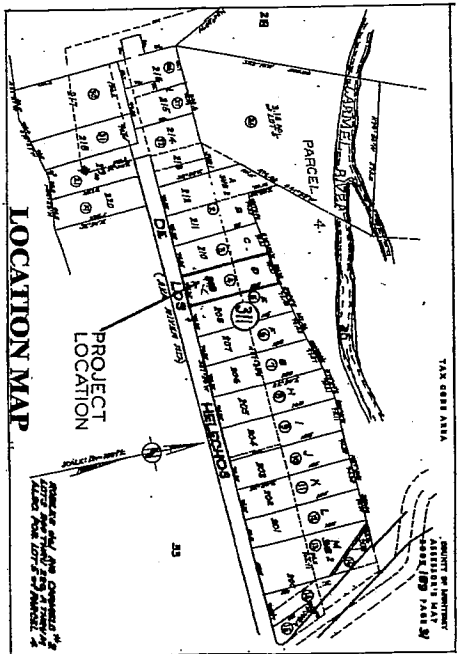
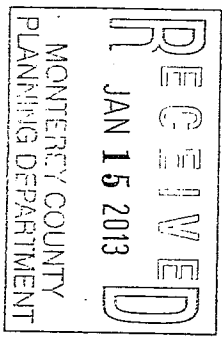
GRADING:

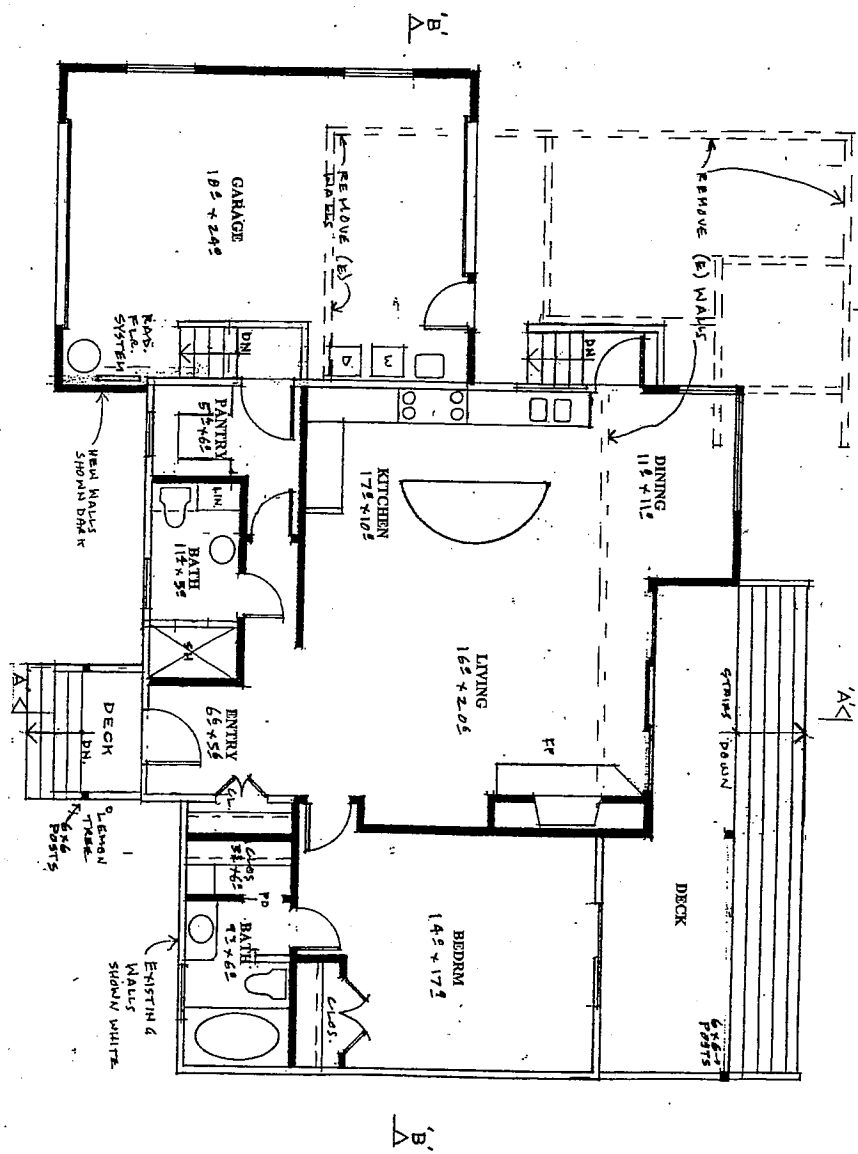
5 CUBIC YARDS CUT
5 CUBIC YARDS FILL
10 CUBIC YARDS TOTAL



SITE PLAN
1" = 20'

GRASSES Fed 2/20/11
1988 NAKED 2/20/11



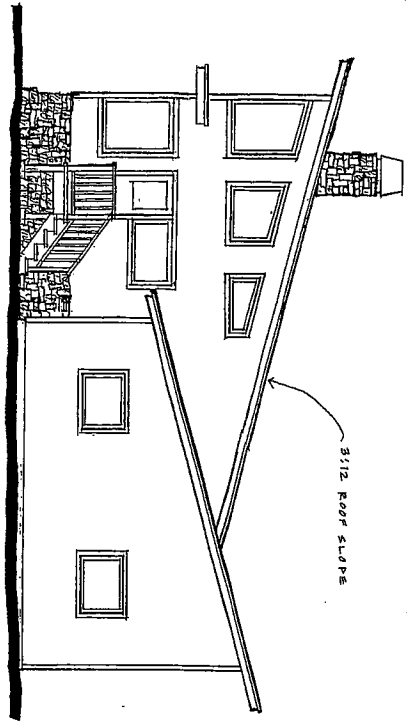


PROPOSED FLOOR PLAN
1/4" = 1'-0"

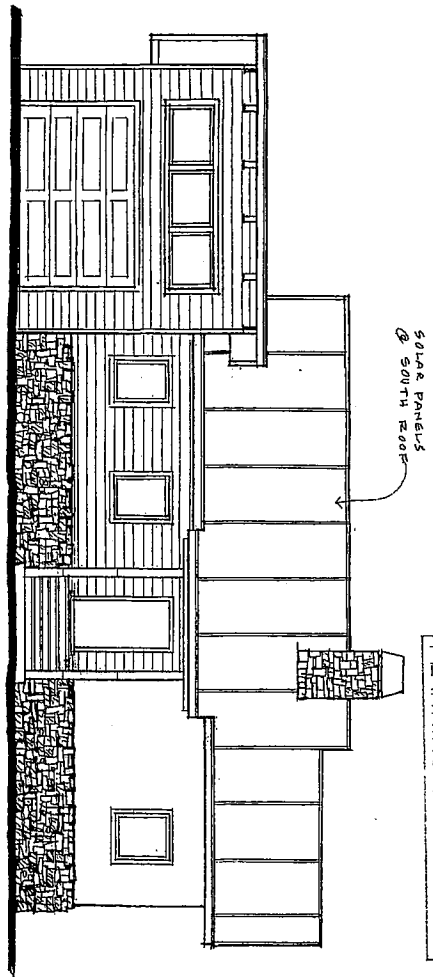
RECEIVED
 JAN 15 2013
 MONTEREY COUNTY
 PLANNING DEPARTMENT

	TERRY LATASA - ARCHITECT 930 HARRISON STREET, MONTEREY, CALIFORNIA (831) 649-1012	ADDITIONS & REMODEL PETR BEDNARIK 31 CALLE DE LOS HELECHOS, CARMEL VALLEY, CA
2		

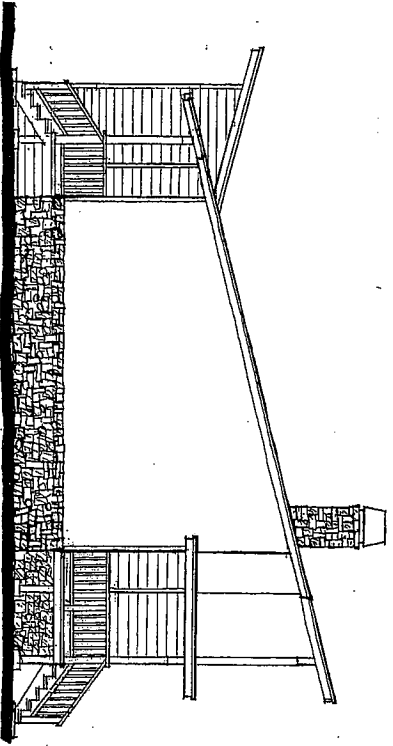
RECEIVED
 JAN 15 2013
 MONTEREY COUNTY
 PLANNING DEPARTMENT



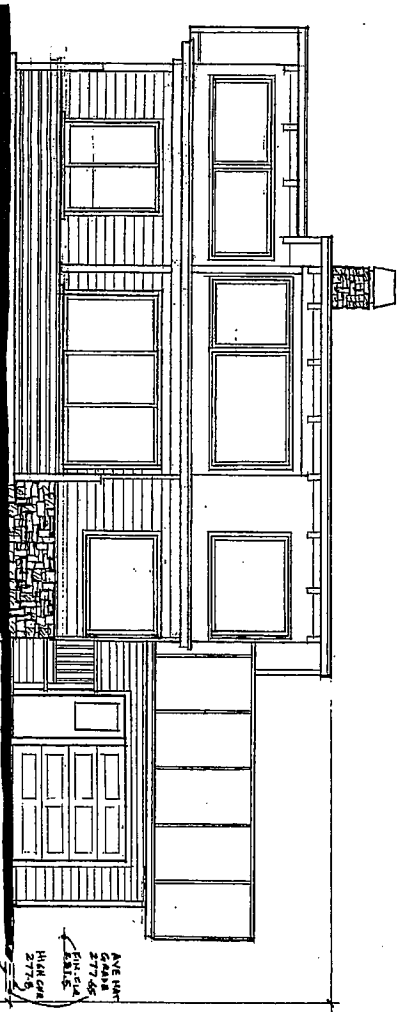
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



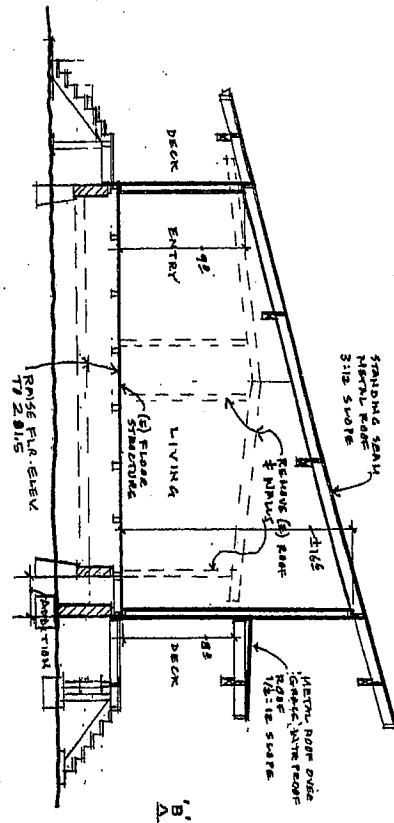
NORTH ELEVATION

EXTERIOR MATERIALS

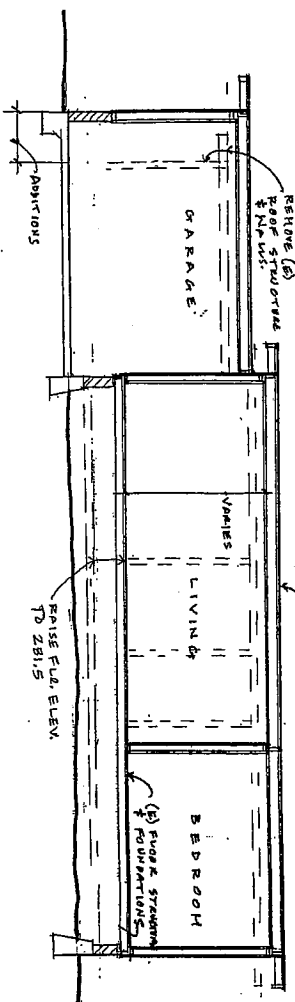
ROOF:
 WALLS:
 WINDOWS:

STANDING BEAM METAL
 HORIZONTAL CEDAR SIDING
 AND STUDS; RIVER ROCK BASE
 GLAD WOOD BASH WINDOWS

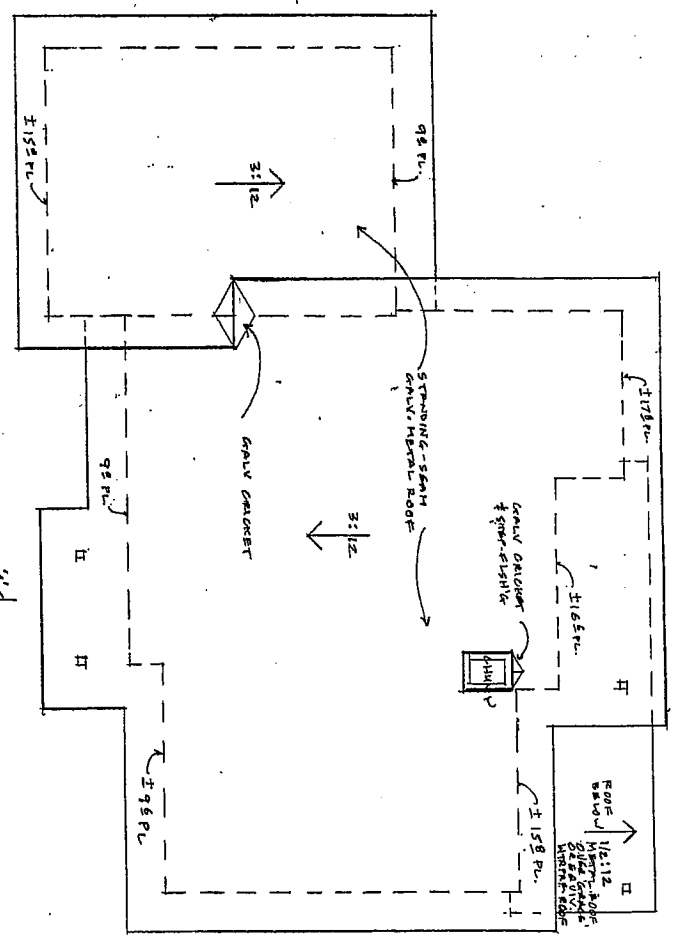
ANS INC
 277 45
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Section A-A
1/4"=1'-0"

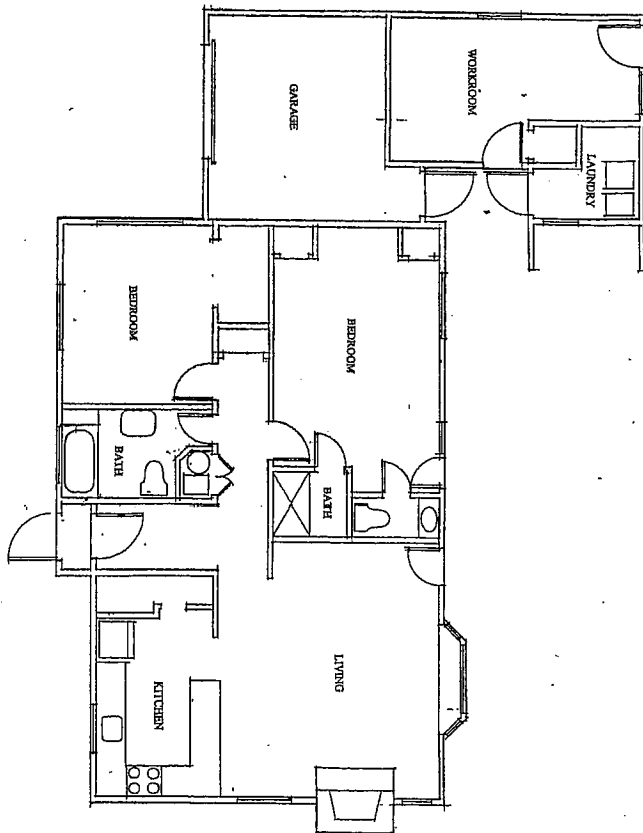


Section B-B



ROOF PLAN
1/4"=1'-0"

RECEIVED
JAN 15 2013
MONTEREY COUNTY
PLANNING DEPARTMENT



EXISTING FLOOR PLAN
1/4"=1'-0"

RECEIVED
JAN-15 2013
MONTEREY COUNTY
PLANNING DEPARTMENT

S.	1-10-13	TERRY LATASA - ARCHITECT 930 HARRISON STREET, MONTEREY, CALIFORNIA (831) 649-1012	ADDITIONS & REMODEL PETR BEDNARIK 31 CALLE DE LOS HELECHOS, CARMEL VALLEY, CA	
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CARMEL VALLEY

Carmel Valley Community Park

CARMEL VALLEY VILLAGE

CARMEL VALLEY RD
ESQUILINE RD

PROJECT SITE

Carmel River
DE LOS HELECHOS

Garland Ranch Regional Park

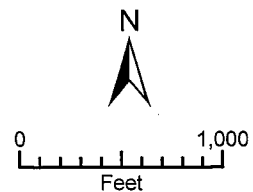
Exhibit **C**

APPLICANT: BEDNARIK

APN: 189-311-004-000

FILE # PLN110187

Water 2500' Limit 300' Limit City Limits



PLANNER: BRADLEY

MONTEREY COUNTY

Exhibit **D**



WATER RESOURCES AGENCY

PO BOX 930
SALINAS, CA 93902
(831)755-4860
FAX (831) 424-7935

DAVID E. CHARDAVOYNE
INTERIM GENERAL MANAGER

STREET ADDRESS
893 BLANCO CIRCLE
SALINAS, CA 93901-4455

January 11, 2012

Terry Latasa
930 Harrison Street
Monterey, CA 93940

**RE: Use Permit exemption request for addition and remodel to a single-family dwelling,
located at 31 Calle De Los Helechos, Carmel Valley, APN 189-311-004-000**

Dear Mr. Latasa:

The Monterey County Water Resources Agency (Agency) received your request for a Use Permit exemption for a proposed single level addition, remodel, and expansion of the garage, to an existing 1,091 square-foot single-family residence. The proposed project also includes new covered porches and a roof replacement for the entire structure. The structure is located entirely within the floodway fringe of the Carmel River, and the effective base flood elevation is 280.5 feet (NAVD 1988). The FEMA Elevation Certificate indicates the structure and attached garage do not meet the elevation and venting requirements.

The Agency received a project cost estimate that states the cost for the proposed project is \$193,050. Based on the project cost estimate and the appraisal report, prepared by Mahir Agha-Decker, licensed appraiser, dated December 23, 2009, Agency staff determined the project cost exceeds the depreciated value of the existing structure. The proposed project is a substantial improvement as defined in Monterey County Code Chapter 16.16.

Section 21.64.130 (D) of Monterey County Code states, "Development in the floodway fringe...shall be subject to first securing a Use Permit prior to the commencement of any such development." Due to the project's scale, it cannot be classified as "very minor in nature" as set forth in Title 21.64.130 (G); therefore, a Use Permit exemption cannot be granted.

Please continue to work with Agency staff through the Use Permit process to ensure the proposed project is constructed in accordance with Monterey County floodplain regulations.

Sincerely,

David E. Chardavoynne
Interim General Manager
Water Resources Agency

Mike Novo
Director
RMA Planning Department

H:\Data\DEV_RVW\FEMA\Use Permit Exemptions\UsePermitBednarik.doc

Action by Land Use Advisory Committee Project Referral Sheet

Exhibit **E**

Monterey County Planning Department
168 W Alisal St 2nd Floor
Salinas CA 93901
(831) 755-5025

Advisory Committee: **Carmel Valley**

Please submit your recommendations for this application by: **July 16, 2012**

Project Title: BEDNARIK PETR & IVANA

File Number: PLN110187

File Type: ZA

Planner: BRADLEY

Location: 31 DE LOS HELECHOS CARMEL VALLEY

Project Description:

Combined Development Permit consisting of a: 1) Use Permit for Development in the Carmel Valley Floodplain and 2) Administrative Permit and Design Approval to allow the construction of a 262 square foot garage addition, a 138 square foot residential addition, and 223 square feet of covered porches in a Site Plan and Design Control Overlay District . Grading is approximately 10 cubic yards (5 cubic yards cut and 5 cubic yards fill). The property is located at 31 De Los Helechos, Carmel Valley (Assessor's Parcel Number 189-311-004-000), Carmel Valley Master Plan.

Was the Owner/Applicant/Representative Present at Meeting? Yes X No _____

Sherry Lats, a Architect

Was a County Staff/Representative present at meeting? _____ No _____ (Name)

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
Sherry Dodsworth	X		Asked about changes to height & extension toward her property. She seemed satisfied.

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
Doug Pease	Flood hazard initgation	Floor being raised 2.5 feet
Doug Pease	Outside lighting	No skylights or exterior lighting planned.

ADDITIONAL LUAC COMMENTS

None

RECOMMENDATION:

Motion by: Charles Franklin (LUAC Member's Name)

Second by: Doug Pease (LUAC Member's Name)

Support Project as proposed

Recommend Changes (as noted above)

Continue the Item

Reason for Continuance: _____

Continued to what date: _____

AYES: 5 (Franklin, MacClelland, Brennan, Burbidge, Pease)

NOES: 0

ABSENT: 2 (Agron, Anzini)

ABSTAIN: 0