

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: July 11, 2013 Time: 1:40 P.M	Agenda Item No.: 2
Project Description: Consider a Variance to allow a reduction of the required 100-foot front yard setback on Carmel Valley Road to allow development of a 519 square foot addition and remodel to an existing 700 square foot single family dwelling with an attached 636 square foot workshop and guesthouse; a new 1,024 square foot attached three-car garage, new septic system, the demolition of existing 525 square foot detached barn/storage and a 124 square foot shed, and Design Approval.	
Project Location: 5840 Carmel Valley Road, Carmel Valley	APN: 015-251-006-000
Planning File Number: PLN130067	Owner: George, Thomas H, JR Agent: John Moore Design
Planning Area: Carmel Valley Master Plan	Flagged and staked: Yes
Zoning Designation: : "LDR/2.5-D-S-RAZ" [Low Density Residential, 2.5 acres per unit with Design Control, Site Plan Review and Residential Allocation Zoning Overlays]	
CEQA Action: Categorically Exempt per Section 15301 (e)	
Department: RMA - Planning Department	

RECOMMENDATION:

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

- 1) Find the project Categorical Exempt per Section 15301 (e); and
- 2) Approve PLN130067, based on the findings and evidence and subject to the conditions of approval (**Exhibit B**).

PROJECT OVERVIEW:

The applicant requests a Variance to allow a reduction of the required 100-foot front yard setback on Carmel Valley Road to allow development of a 519 square foot addition and remodel to an existing 700 square foot single family dwelling with an attached 636 square foot workshop and guesthouse; a new 1,024 square foot attached three-car garage, new septic system and the demolition of existing 525 square foot detached barn/storage and a 124 square foot shed.

Prior to the adoption of the Carmel Valley Master Plan and the widening of Carmel Valley Road, the parcel included 15,770 square foot fronting on Carmel Valley Road which at that time maintained a 100 foot front setback from Carmel Valley Road. However, that portion of the property was deeded to the County as part of the expansion of Carmel Valley Road, a public road. The barn and storage shed that are located closer to Carmel Valley Road will be demolished, resulting in less visibility of structures from Carmel Valley Road.

The pie shaped lot is only 80 feet to 160 feet wide, with the existing structures completely within the 100 foot setback. The lot is located approximately five feet below Carmel Valley Road. The existing structures total 1,336 square feet and the additions fill in between those structures with the new garage even further from Carmel Valley Road. There is substantial vegetation that helps screen the structures. Staff supports the variance as the parcel is constrained which limits development opportunities and does not result in a grant of special privilege as explained in Finding #7 of the draft Resolution (**Exhibit B**).

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

- ✓ RMA - Public Works Department
- ✓ Environmental Health Bureau
- ✓ Water Resources Agency
- Cypress Fire Protection District

Agencies that submitted comments are noted with a check mark ("✓"). Conditions recommended by Water Resources Agency, Environmental Health Bureau and RMA Planning have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached to the draft resolution (**Exhibit B**).

On May 20, 2013, The Carmel Valley Land Use Advisory Committee voted (6-0 vote) to approve the proposed project with no additional comments.

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

/s/ Elizabeth Gonzales

Elizabeth Gonzales

(831) 755-5102, gonzalesl@co.monterey.ca.us

June 25, 2013

cc: Front Counter Copy; Zoning Administrator ; Cypress Fire Protection District; RMA-Public Works Department; Environmental Health Bureau; Water Resources Agency; Wanda Hickman, Planning Services Manager; Bob Schubert, Senior Planner; Elizabeth Gonzales, Project Planner; George, Thomas , Owner; John Moore Design, Agent; The Open Monterey Project; LandWatch; Planning File PLN130067

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	Carmel Valley Land Use Advisory Committee Minutes (LUAC)
	Exhibit E	Variance Justification Letter with map

This report was reviewed by Bob Schubert, Senior Planner 

EXHIBIT A

Project Information for PLN130067

Project Information:

Project Name:	GEORGE THOMAS H JR		
Location:	5840 CARMEL VALLEY RD CARMEL		
Permit Type:	Variance		
Environmental Status:	Exempt	Final Action Deadline (884):	8/3/2013
Existing Structures (sf):	1984	Coverage Allowed:	25%
Proposed Structures (sf):	913	Coverage Proposed:	10%
Total Sq. Ft.:	2897	Height Allowed:	30 feet
Tree Removal:	0	Height Proposed:	19.6
Water Source:	Public	FAR Allowed:	n/a
Water Purveyor:	Cal Am	FAR Proposed:	n/a
Sewage Disposal (method):	Septic	Lot Size:	27911
Sewer District:	none	Grading (cubic yds.):	0

Parcel Information:

Primary APN:	015-251-006-000	Seismic Hazard Zone:	Low
Applicable Plan:	Carmel Valley Master Pln	Erosion Hazard Zone:	Mod/Low
Advisory Committee:	CVLUAC	Fire Hazard Zone:	Low
Zoning:	LDR/2.5-D-S-RAZ	Flood Hazard Zone:	No
Land Use Designation:	Residential	Archaeological Sensitivity:	High
Coastal Zone:	No	Viewshed:	No
Fire District:	Cypress Fire PD	Special Setbacks on Parcel:	No

Reports on Project Parcel:

Soils Report #:	LIB130171
Biological Report #:	N/A
Geologic Report #:	N/A
Forest Management Rpt. #:	N/A
Archaeological Report #:	LIB130170
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:

GEORGE, THOMAS (PLN130067)

RESOLUTION NO. ----

Resolution by the Monterey County Hearing Body:

- 1) Finding the project Categorically Exempt per Section 15301 (e); and
- 2) Approving a Variance to allow a reduction of the required 100-foot front yard setback on Carmel Valley Road to allow development of a 519 square foot addition and remodel to an existing 700 square foot single family dwelling with an attached 636 square foot workshop and guesthouse; a new 1,024 square foot attached three-car garage, new septic system, the demolition of existing 525 square foot detached barn/storage and a 124 square foot shed, and Design Approval.

[PLN130067, George, Thomas , 5840 Carmel Valley Road, Carmel Valley, Carmel Valley Master Plan (APN: 015-251-006-000)]

The George application (PLN130067) came on for public hearing before the Monterey County Zoning Administrator on July 11, 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:** **PROJECT DESCRIPTION** – The proposed project is a Variance to allow a reduction of the required 100-foot front yard setback on Carmel Valley Road to allow development of a 519 square foot addition and remodel to an existing 700 square foot single family dwelling with an attached 636 square foot workshop and guesthouse; a new 1,024 square foot attached three-car garage, new septic system, the demolition of existing 525 square foot detached barn/storage and a 124 square foot shed, and Design Approval.

 EVIDENCE: 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 PLN130067.

2. **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; and
 - 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 5840 Carmel Valley Road, Carmel Valley (Assessor's Parcel Number 015-251-006-000), Carmel Valley Master Plan. The parcel is zoned "LDR/2.5-D-S-RAZ" [Low Density Residential, 2.5 acres per unit with Design Control, Site Plan Review and Residential Allocation Zoning Districts], which allows for residential development. Therefore, the project is an allowed land use for this site.
- c) Design Approval Pursuant to Chapter 21.44, the proposed project is located within a Design Control District that regulates the location, size, configuration, materials, and colors of new structures to assure the protection of the public viewshed and neighborhood character. The additions proposed are of a natural wood siding with battens, aluminum clad windows, stained exposed rafter tails and deep wavy corrugated roofing materials that are consistent with the neighborhood character.
- d) Site Plan Review Pursuant to Chapter 21.45, an Administrative Permit is required for projects located in a Site Plan Review zoning district. The district regulates the review of development in those areas of the County where development by reason of its location has the potential to adversely affect or be adversely affected by natural resources or site constraints. The proposed development is not located on any slopes and will not have the potential to adversely affect any natural resources.
- e) Residential Allocation Zoning Pursuant to Chapter 21.52, the proposed project is located within an RAZ overlay that denotes a specific area that is subject to policies or ordinances which specify limitations on the number of lots or units which may be created in a given period of time. This project is not proposing to create additional lots or units, and therefore, does not apply.
- f) The project planner conducted a site inspection on April 24, 2013 to verify that the project on the subject parcel conforms to the plans listed above.
- g) Pursuant to CV-3.1 a 100 foot setback is required for all properties abutting Carmel Valley Road. The proposed project is located on Carmel Valley Road and encroaches into the required front setback. However there is substantial vegetation that screens the project from Carmel Valley Road. A Variance allows for an addition to further encroach into the front setback as the parcel is constrained which limits development opportunities (*See Finding#7*).
- h) On May 20, 2013, The Carmel Valley Land Use Advisory Committee voted (6-0 vote) to approve the proposed project with no additional comments.
- i) 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 PLN130067.

3. **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, Cypress 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) Staff did not identify any potential impacts with regard to Archaeological Resources and Soils. Although GIS indicates that the parcel is located within a High Archaeological Sensitivity zone, the report was negative. A standard Condition of Approval will require that if, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site work shall be halted immediately (Condition #3). The following reports have been prepared:
 - “Preliminary Archaeological Assessment” (LIB130170) prepared by Archaeological Consulting, Salinas, CA, dated March 15, 2013;
 - “Soil Engineering Investigation” (LIB130171) prepared by Landset Engineers, Salinas, CA, dated April 2013The above-mentioned technical reports by these 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 April 24, 2013 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 PLN130067.

4. **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, Cypress 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 existing public water facilities for the project will continue to

be provided by Cal Am. The application includes a new septic system that was required by the Environmental Health Bureau.

- c) Staff conducted a site inspection on April 24, 2013 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 PLN130067.
- e) See Preceding Findings #1, #2, #3 and supporting evidences.

5. **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 April 24, 2013 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 PLN130067.

6. **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) categorically exempts additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area before the addition or 2,500 square feet whichever is less.
 - b) The proposed development consists of a 519 square foot addition to an existing 1336 square foot single family dwelling with an attached workshop and guesthouse; and construction of a new 1,024 square foot three-car garage.
 - c) No adverse environmental effects were identified during staff review of the development application during a site visit on April 24, 2013.
 - d) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project.
 - e) Staff conducted a site inspection on April 24, 2013 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 PLN130067.
 - g) See Preceding Findings #1, #2, #3, #4, and #5 and supporting evidences.

7. **FINDING:** **VARIANCE** - Variances shall only be granted based upon the following Findings:

1. That because of special circumstances applicable to the subject

property, including the size, shape, topography, location or surroundings, the strict application of development standards in the Monterey County Codes is found to deprive the subject property of privileges enjoyed by other properties in the vicinity under and under identical zoning classification;

2. That the variance shall not constitute a grant of privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated;

A Variance shall not be granted for a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

- EVIDENCE:**
- a) The property has a zoning designation of "LDR/2.5-D-S-RAZ" [Low Density Residential, 2.5 acres per unit with Design Control, Site Plan Review and Residential Allocation Zoning Districts], which allows for residential development. Therefore, the project is an allowed land use for this site.
 - b) A single family home is allowed in the LDR zone (Section 21.14.020.A MCC). Development standards for the LDR zone are identified in Section 21.14.060.C MCC. Pursuant to CV-3.1 a 100 foot setback is required for all properties abutting Carmel Valley Road. The proposed project faces Carmel Valley Road and encroaches into the required front setback. Other required setbacks for a residence in the LDR zone are 10% of the average lot width, to a maximum required of 20 feet (sides), and 20 feet (rear). The property is oriented with a front setback from Carmel Valley Road along the north property line, making the south property line the rear and the east and west property lines side yards.
 - c) Prior to the Carmel Valley Master Plan and the expansion of Carmel Valley Road, the parcel included 15,770 square foot fronting on Carmel Valley Road which at that time maintained a 100 foot front setback from Carmel Valley Road. However, that portion of the property was deeded to the County as part of the expansion of Carmel Valley Road, a public road. Two structures, a barn and storage shed that are located closer to Carmel Valley Road, will be demolished, thereby resulting in less visibility of structures from Carmel Valley Road.
 - d) The pie shaped lot is only 80 feet to 160 feet wide, with the existing structures completely within the 100 foot setback. The lot is located approximately five feet below Carmel Valley Road. The existing structures total 1,336 square feet and the additions fill in between those structures with the new garage even further from Carmel Valley Road. There is substantial vegetation that helps screen the structures.
 - e) Special circumstances exist, such as the location of the existing buildings and the parcel being pie shaped, limiting the 100 foot required setback from Carmel Valley Road. Other property owners in the vicinity and under identical zoning classification have been afforded the same privilege sought by the property owner of this application. These include: 1) PLN0020179 (Lewis) approved a variance "to reduce the front setback from Carmel Valley Road from 100 feet to 80 feet for a proposed residential addition", and 2) PLN020601 (Williams) approved a variance to "allow for reduction of the required front yard setback to allow an addition to an existing single family dwelling", and 3)

ZA07574 (Morris) approved "reduction in front yard setback requirements from Carmel Valley Road for a garage".

- f) The project planner conducted a site inspection on April 24, 2013 to verify the circumstances related to the property.
- g) 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 PLN130067.

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

EVIDENCE: a) Section 21.80.040 of the Monterey County Zoning Ordinance states that the proposed project is appealable to the Planning Commission. The decision of the Planning Commission shall be final and may not be appealed.

DECISION

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

1. Find the project Categorically Exempt per Section 15301 (e); and
2. Approve a Variance to allow a reduction of the required 100-foot front yard setback on Carmel Valley Road to allow development of a 519 square foot addition and remodel to an existing 700 square foot single family dwelling with an attached 636 square foot workshop and guesthouse; a new 1,024 square foot attached three-car garage, new septic system, the demolition of existing 525 square foot detached barn/storage and a 124 square foot shed, and Design Approval, in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 11th day of July, 2013, by:

Jacqueline Onciano, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON _____.

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 _____.

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. 01-31-2013

Monterey County Planning Department

DRAFT Condition of Approval Implementation Plan/Mitigation Monitoring Reporting Plan

PLN130067

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: This Variance allows a reduction of the required 100-foot front yard setback on Carmel Valley Road to allow development of a 519 square foot addition and remodel to an existing 700 square foot single family dwelling with an attached 636 square foot workshop and guesthouse; a new 1,024 square foot attached three-car garage, new septic system, the demolition of existing 525 square foot detached barn/storage and a 124 square foot shed, and Design Approval, and 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. This notice shall state:
"A Variance was approved by the Zoning Administrator for Assessor's Parcel Number 015-251-006-000 on July 11, 2013. The permit was granted subject to 8 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)

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.

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "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/her/its 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, recordation of the certificates of compliance 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. EHSP01 - ONSITE WASTEWATER TREATMENT SYSTEM DESIGN (Non-Standard)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: The Environmental Health Bureau (EHB) has determined that adequate area exists for onsite wastewater disposal for the proposed development. Submit onsite wastewater treatment system (OWTS) plans for review and approval indicating the location, design layout, size specifications and cross sectional slope diagrams 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: Prior to issuance of construction permit, submit an OWTS application and design plans for review and approval by the EHB. Applicant shall obtain a permit to install the OWTS from EHB.

6. WR003 - DRAINAGE PLAN - RETENTION

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide a drainage plan that mitigates on-site and off-site impacts. The plan shall include stormwater retention/percolation facilities. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to issuance of any construction permit, the owner/applicant shall submit a drainage plan with the construction permit application.

The Building Services Department will route a plan set to the Water Resources Agency for review and approval.

7. WR010 - COMPLETION CERTIFICATION

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide certification from a registered civil engineer or licensed contractor that stormwater detention/retention facilities have been constructed in accordance with the approved drainage plan. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: 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.

8. WR049 - WATER AVAILABILITY CERTIFICATION

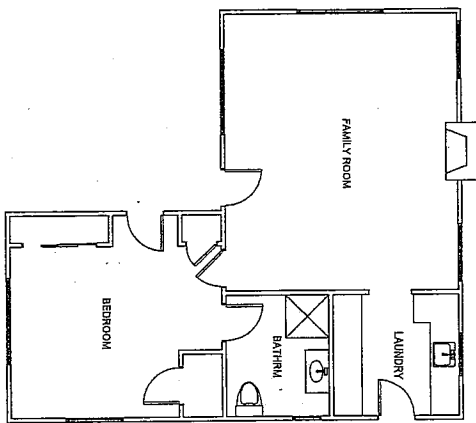
Responsible Department: Water Resources Agency

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)

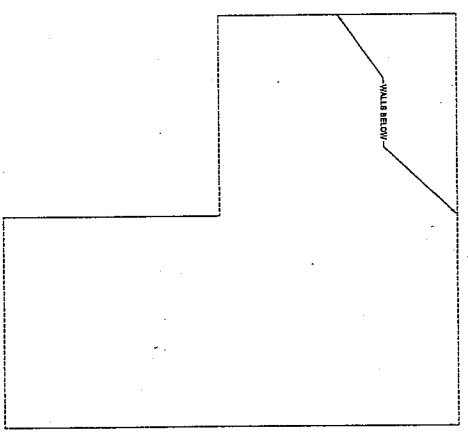
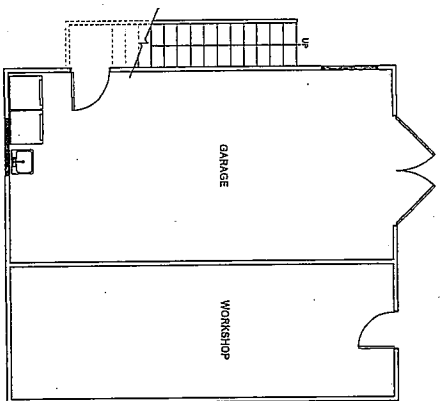
Compliance or Monitoring Action to be Performed: Prior to issuance of any construction permit, the owner/applicant shall submit a Water Release Form to the Water Resources Agency for review and approval.

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.

RECEIVED
 APR 30 2013
 MONTEREY COUNTY
 PLANNING DEPARTMENT



EXISTING MAIN FLOOR



EXISTING UPPER FLOOR

PROJECT NAME:
 GEORGE REMODEL
 AND ADDITION
 5860 CARMEL VALLEY
 ROAD
 CARMEL VALLEY, CA
 APRN 015-261-1008-000

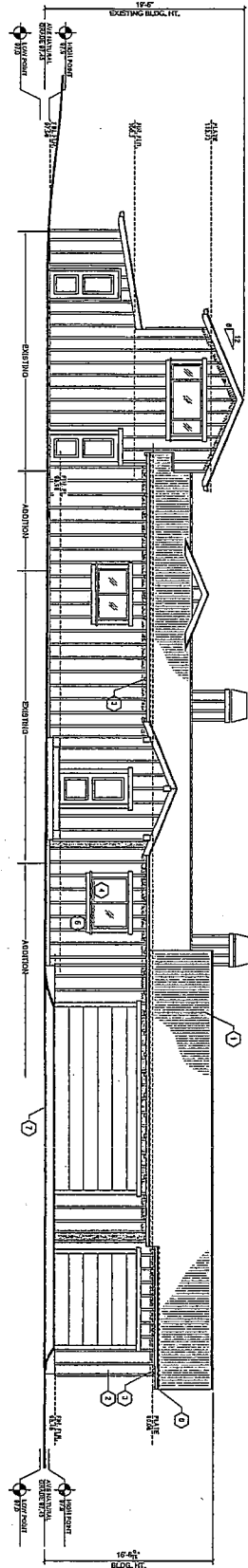
John M. Moore
 JOHN M. MOORE
 MOORE DESIGN
 LLC
 5860 CARMEL ROAD, SUITE 100
 MONTEREY, CA, 94024
 831.442.8274 FAX 831.451.2282
 jmoore@mooredesign.com

PRINT DATE: 4/29/2013

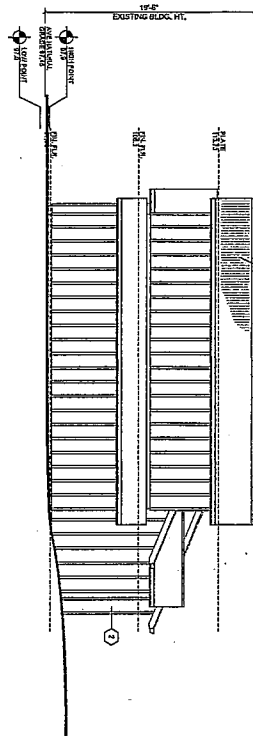
NO.	DESCRIPTION	DATE
1	PLANNING CONCEPT	
2		
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10		

All lines, drawings, annotations and notes on this drawing are the property of Moore Design, LLC. The firm will have no responsibility for any errors or omissions on this drawing. Plans are prepared by the architect and are subject to change without notice. Plans are prepared on the basis of information furnished by the client and are not to be used for any other purpose without the written consent of the architect.

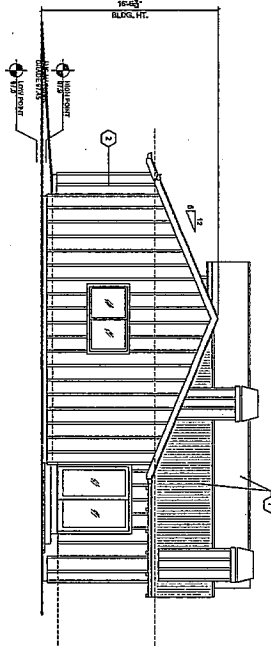
SHEET TITLE:
 EXISTING
 PLANS
 SHEET NUMBER:
 A2.0



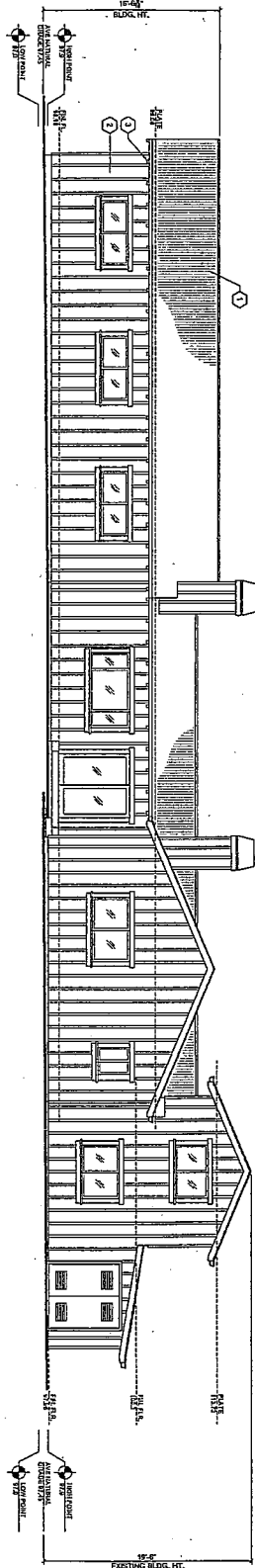
1 NORTH ELEVATION
SHP-110



2 EAST ELEVATION
SHP-110



4 WEST ELEVATION
SHP-110

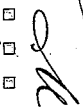


3 SOUTH ELEVATION
SHP-110

- SHEET NOTES**
1. ROOF - COMPOSITE/CONCRETE/CELTRIL
 2. WALLS - STAINED WOOD VERTICAL SLATS
 3. FLOORING - STAINED WOOD 1/2\"/>

RECEIVED
 APR 30 2013
 MONTEREY COUNTY
 PLANNING DEPARTMENT

PROJECT NAME:
 GEORGE REMODEL
 AND ADDITION
 6800 CARIBBEAN VALLEY
 ROAD
 CARIBBEAN VALLEY, CA
 APRN: 015131-008-003


 John M. Moore,
 MOORE DESIGN
 LLC
 2380 DANFORTH ROAD, SUITE 108
 MONTEREY CA, 93945
 831.428.7878 FAX 831.428.7282
 mooredesign.com

DRAWING RECORD

NO.	DATE	DESCRIPTION
1	04/29/13	PLANNING SUBMITTAL

PRINT DATE: 4/29/2013
 SHEET NO.: 44.1

I, John M. Moore, the undersigned, do hereby certify that the drawings and plans indicated by this title block were prepared by me or under my direct supervision and that I am a duly licensed professional architect in the State of California. I am not providing any professional services in the State of California. I am not providing any professional services in the State of California. I am not providing any professional services in the State of California.

SHEET TITLE:
 ELEVATIONS
 SHEET NUMBER:
 A4.1





CARMEL VALLEY

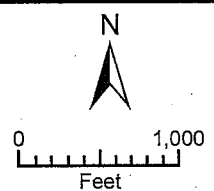


APPLICANT: GEORGE

APN: 015-251-006-000

FILE # PLN130067

 2500' Limit
  300' Limit
  Water
  City Limits



FILE COPY
PLN130067

EXHIBIT "D"
MINUTES
Carmel Valley Land Use Advisory Committee
Monday, May 20, 2013

1. Meeting called to order by Janet Brennan at 6:25 pm

2. **Roll Call**

Members Present: Janet Brennan, Judy McClelland, John Anzini, Douglas Pease, David Burbidge, and Charles Franklin (arrived after the approval of the April 15th minutes)

Members Absent: 1 (Neil Agron)

3. **Approval of Minutes:**

A. April 15, 2013 minutes

Motion: Judy McClelland (LUAC Member's Name)

Second: John Anzini (LUAC Member's Name)

Ayes: 5 (Brennan, Anzini, Pease, MacClelland, Burbidge)

Noes: 0

Absent: 2 (Agron, Franklin)

Abstain: 0

4. **Public Comments:** The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair.

None

5. **Scheduled Item(s)**

6. **Other Items:**

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects

Martha Deihl made a courtesy presentation of the proposed dog training facility across Valley Greens from Quail. It will have no permanenent structures and host daily training activiites and as many as thrty (30) events a year. Sheep will be kept on site for traing sheep dogs.

B) Announcements

None

7. **Meeting Adjourned:** 7:15 pm

Minutes taken by: Charles Franklin

Minutes received via email May 31, 2013

Action by Land Use Advisory Committee Project Referral Sheet

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: **May 20, 2013**

Project Title: GEORGE THOMAS H JR
File Number: PLN130067
File Type: ZA
Planner: GONZALES
Location: 5840 CARMEL VALLEY RD CARMEL

Project Description:
Variance to allow a reduction of the required 100-foot front yard setback on Carmel Valley Road to allow development of a 519 square foot addition and remodel to an existing 700 square foot single family dwelling with an attached 636 square foot workshop and guesthouse; a new 1,024 square foot attached three-car garage, the demolition of existing 525 square foot detached barn/storage and a 124 square foot shed, new septic system; and Design Approval. The property is located at 5840 Carmel Valley Road, Carmel (Assessor's Parcel Number 015-251-006-000), Carmel Valley Master Plan.

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

Thomas George and John Moore

Was a County Staff/Representative present at meeting? Liz Gonzales (Name)

PUBLIC COMMENT: None

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	

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)
None		

ADDITIONAL LUAC COMMENTS

None

RECOMMENDATION :

Motion by: John Anzini (LUAC Member's Name)

Second by: Douglas 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: 6 (Brennan, Anzini, Pease, Franklin, MacClelland, Burbidge)

NOES: 0

ABSENT: 1 (Agron)

ABSTAIN: 0

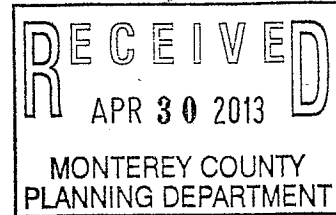
EXHIBIT "E"



MOORE DESIGN, LLC

April 29, 2013

Ms. Liz Gonzales
Project Planner
Monterey County Planning and Building Department



RE: Proposed Remodel and Addition:
5840 Carmel Valley Road
Carmel Valley, CA 93953
APN 015-251-006-000

Dear Liz,

In addition to seeking approval for a remodel and addition at the above-mentioned address, we hereby request a variance for the 100' front setback from edge of Carmel Valley Road. Our reasons and justifications for the variance request are as follows:

Front Setback Variance

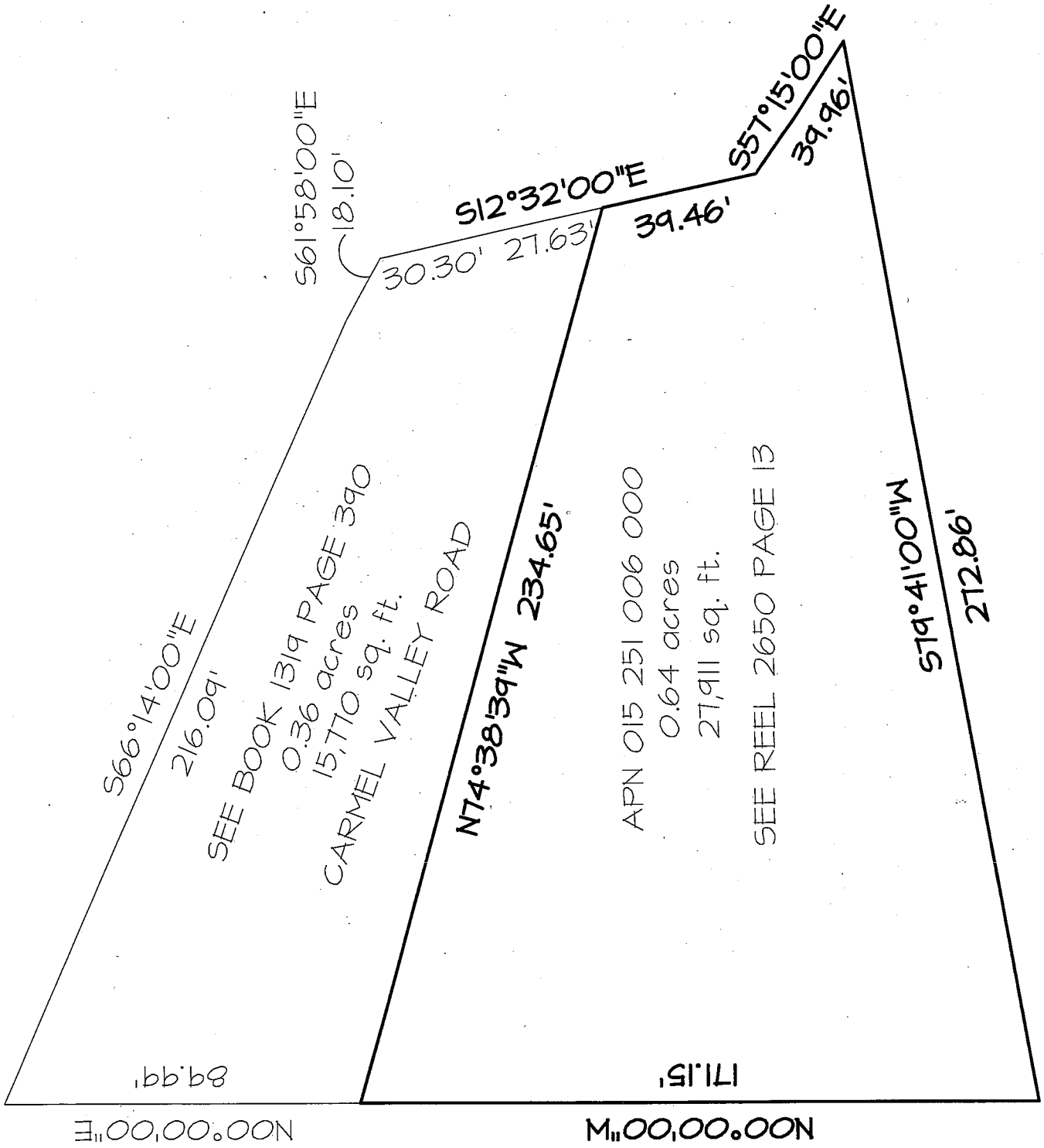
1. That because of special circumstances applicable to subject property, including size, shape, and location to the road edge of Carmel Valley Road the strict application of this Title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification. The size of the lot is 27,911 sf and due to the 100' setback from edge of Carmel Valley Road the usable area for building is only 3,124 sf. The existing residence does not reside in the buildable area.
2. The granting of a Variance will provide the Owners of this property with no special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.
3. The current and proposed use of this parcel (residential) is allowed under the current zoning and we are not asking for any changes.

Please refer to the drawings dated April 29, 2013 for additional information and let us know if you need further clarification or you have any questions.

Sincerely,

John M. Moore

Tel 831.642.9732 • Fax 831.401.3292
2560 Garden Road Suite 105 • Monterey Ca 93940
john@mooredesign.org



N00°00'00\"E

M,00,00,00\"N

S66°14'00\"E
216.09'

SEE BOOK 1319 PAGE 390
0.36 acres
15,770 sq. ft.
CARMEL VALLEY ROAD

N74°38'39\"W 234.65'

APN 015 251 006 000
0.64 acres
27,911 sq. ft.

SEE REEL 2650 PAGE 13

89.99'

171.15'

S61°58'00\"E
18.10'

30.30' 27.63'

S12°32'00\"E

39.46'

S57°15'00\"E
39.96'

S19°41'00\"W
212.86'