

**PLANNING COMMISSION
COUNTY OF MONTEREY, STATE OF CALIFORNIA**

RESOLUTION NO. 02035

A.P. # 151-011-025-000M

FINDINGS AND DECISION

In the matter of the application of
Brian Hinman & Suzanne Skees (PLN010079)

for a Use Permit in accordance with Title 21 (Zoning) Chapter 21.74 (Use Permits) of the Monterey County Code, to allow construction of a 12,000 sq. ft. two-story single family residence (6,000 sq. Yds. Of cut and 10,000 yds of fill), pool, hot tub and two-story garage in a "VS" district; and Design Approval, located at the top of Laureles Grade in the Toro area, northeast of Carmel Valley Road, southwest of Highway 68, came on regularly for hearing before the Planning Commission on June 12, 2002.

Said Planning Commission, having considered the application and the evidence presented relating thereto,

FINDINGS OF FACT

1. **FINDING:** The subject Use Permit and Design Approval (PLN010079), as described in condition #1 and as conditioned, conforms to the plans, policies, requirements and standards of the General Plan, Toro Area Plan, and the Monterey County Zoning Ordinance (Title 21). The property is located at 907 Laureles Grade Road. The parcel is zoned "RDR/B-8-VS". The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of Title 21.
EVIDENCE: The Planning and Building Inspection staff reviewed the project, as contained in the application and accompanying materials, for conformity with:
 - a) The County General and Toro Area Plans.
 - b) Chapter 21.46.030D (1) of the Monterey County Zoning Ordinance regulations for development.**EVIDENCE:** The project site is physically suitable for the proposed use as described in the project file. The Monterey County Planning and Building Inspection Department, Water Resources Agency, Public Works Department, Environmental Health Division, Parks and Recreation Department, and applicable Fire Department have reviewed the proposed development. There has been no indication from these agencies that the site is not suitable for the proposed development. The Initial Study demonstrates that no physical or environmental constraints exist that would indicate the site is not suitable for the proposed development. Each agency has recommended conditions for project approval.
EVIDENCE: The proposed use is consistent with the development standards for single-family dwellings in the Rural density residential (RDR) district, pursuant to Title 21, Monterey County Zoning Ordinance.
EVIDENCE: Section number 18C sectional base map of zoning of the Monterey County Zoning Ordinance (Title 21). Staff verification of the Monterey County Planning and Building Inspection Department records indicated that no violations exist on subject property.
EVIDENCE: Design Approval request form, with recommendation for approval of the project by the Toro Land Use Advisory Committee on date, by a unanimous vote.
EVIDENCE: Written and verbal public testimony submitted at public hearings before the Planning Commission.
EVIDENCE: The application, plans, and support materials submitted by the project applicant to the

Monterey County Planning and Building Inspection Department for the proposed development, found in the project file.

EVIDENCE: The on-site inspection by the project planner on May 29, 2002 to verify that the proposed project complies with the Toro Area Plan.

2. **FINDING:** The proposed project, including all permits and approvals, will not have any significant adverse impacts on the environment and a Mitigated Negative Declaration has been adopted. Potential environmental effects have been studied and there is no substantial evidence in the record, as a whole, that supports a fair argument that the project, as designed and mitigated, may cause a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment and analysis of the County based upon the findings and conclusions drawn in the Initial Study and in consideration of testimony and information received, and scientific and factual data presented in evidence during the public review process. Mitigation measures identified in the Initial Study have been incorporated into the project, and agreed to by the applicant, to reduce any impact to an insignificant level. All applicable mitigation measures are included in the conditions of approval, which are hereby adopted as a mitigation monitoring and reporting program.

Studies, data, and reports prepared by staff from various County departments, including Planning and Building Inspection, Public Works, Environmental Health, and the Water Resources Agency, support the adoption of a Negative Declaration for the project. The custodian of the documents and materials that constitute the record of proceedings upon which the adoption of the Negative Declaration is based is the Monterey County Planning and Building Inspection Department, 240 Church Street, Salinas. No facts, reasonable assumptions predicated on facts, testimony supported by adequate factual foundation, or expert opinion supported by facts has been submitted that refute the conclusions reached by these studies, data, and reports. Nothing in the record alters the environmental determination, as presented by staff, based on investigation and the independent assessment of those studies, data, and reports.

EVIDENCE: County staff prepared an Initial Study for the project in compliance with the California Environmental Quality Act (CEQA), its Guidelines, and the Monterey County CEQA Guidelines. The Initial Study provided substantial evidence that the project, with the addition of mitigation measures, would not have significant environmental impacts. A Negative Declaration was filed with the County Clerk on May 21, 2002 and noticed for public review. All comments received on the Initial Study have been considered as well as all evidence in the record, which includes studies, data, and reports supporting the Initial Study; additional documentation requested by staff in support of the Initial Study findings; information presented or discussed during public hearings; staff reports that reflect the County's independent judgment and analysis regarding the above referenced studies, data, and reports; application materials; and expert testimony. Among the studies, data, and reports analyzed as part of the environmental determination are the following:

- Biotic Resources Group; Botanical Resources Survey dated 5-24-2002, conducted January 22, 2002
- Bruce Cowan; Biological/Botanical report for Carmel Heights, Inc., dated 1992.
- Rogers E. Johnson and Associates, Consulting Engineering Geologists; Geologic investigation Hinman Property, McDonald Ranch Laureles Grade Monterey County, California APNs 151-011-025, 26 & 29. dated February 14, 2001.
- Steven Raas & Associates, Inc. Consulting Geotechnical Engineers; Geotechnical investigation for Hinman residence Project, Laureles Grade Site Monterey County, California, dated March 28, 2001

- Archaeological Consulting, Inc. Preliminary Archaeological Reconnaissance for a portion of Assessor's Parcel number 151-011-025-000, dated May 17, 2001

- FINDING:** For purposes of the Fish and Game Code, the project will have a potential for adverse impact on fish and wildlife resources upon which the wildlife depends.

EVIDENCE: Staff analysis contained in the Initial Study and the record as a whole indicate the project may or will result in changes to the resources listed in Section 753.5(d) of the Department of Fish and Game regulations. The Biotic Resources Group Report dated May 24, 2002 identified the presence of Toro Manzanita, a California Native Plant Society list 1B species [Rare or Endangered in California and Elsewhere] in the southern portion of the property, but no threatened, rare or endangered species were present in the area to be graded, built upon or utilized for driveways or well drilling.

EVIDENCE: The applicant shall pay the Environmental Document Fee, pursuant to Fish and Game Code Section 753.5.

EVIDENCE: Initial Study and Negative Declaration contained in the project file.
- FINDING:** The establishment, maintenance, or operation of the use or structure applied for will not, under the circumstances of the particular case, be detrimental to 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 improvement in the neighborhood, or to the general welfare of the County.

EVIDENCE: The Department of Planning and Building Inspection, Environmental Health Division, Public Works Department, applicable Fire Department, and Water Resources Agency reviewed the project as described in the application and accompanying materials. The respective departments 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; or the County in general.

EVIDENCE: Adoption of the Negative Declaration includes mitigation measures that reduce potentially significant impacts to visibility, air quality, native plant life, water quality [runoff], cultural resources, geologic hazard, and noise to an insignificant level.

EVIDENCE: File and application materials, Initial Study with mitigation measures, and Negative Declaration contained in the project file.
- FINDING:** Conditions 8 and 45, achieve the purpose-applicability of Section 21.46.020B of the Zoning Ordinance, which states: "This Chapter shall apply only to those areas of the County of Monterey which contain the most unique and highly sensitive visual resources of regional or county-wide significance, and where development will have the potential to create a substantially adverse visual impact when viewed from a common public viewing area."

EVIDENCE: Condition # 6 requires the owners of the parcel to record a deed restriction indicating that "all exterior design changes, including color changes associated with repainting and re-roofing, be approved by the Planning Commission. This condition serves to make the present owners of the property aware of the Planning Commission concerns related to design changes on this critically visually sensitive lot and serves as a notice to any subsequent owners of the property of the aforesaid concerns.

EVIDENCE: This lot is highly visible from Laureles Grade Road, a State designated County Scenic Road. The lot can be viewed directly by the traveling public southbound on the road. Conditions # 8 & 45 will ensure that the present development and any subsequent exterior changes that may affect the visual character of the structure(s) located in a critically visually sensitive area will be given full consideration by the Planning Commission.

EVIDENCE: The file contains plans that indicate that the home and grading have been planned to minimize the

visual impact upon the traveling public on Laureles Grade Road by maintaining a height within the allowable zoning limit [28 feet limit is 30 feet]. The building site is located more than 2000 feet from Laureles Grade Road.

EVIDENCE: On-site inspection by the project planner on May 29, 2002, pursuant to Section 26.1.6.1(T) of the Toro Area Plan.

6. **FINDING:** The project is appealable to the Board of Supervisors.

EVIDENCE: Section 21.80.040.D of the Monterey County Zoning Ordinance (Title 21).

DECISION

THEREFORE, it is the decision of said Planning Commission that said application be granted as shown on the attached sketch, subject to the following conditions:

1. The subject Use Permit consists of A Combined Development Permit for Brian Hinman and Suzanne Skees (PLN010079) consisting of a Use Permit for the construction of a 12,000 sq. ft. two-story single family residence, (6,000 cu yds of cut and 10,000. yds of fill), pool, hot tub and two-story garage in a "VS" district; and Design Approval. The property is located at the top of Laureles Grade in the Toro area (Assessor's Parcel Number 151-011-025-000), northeast of Carmel Valley Road, southwest of Highway 68.. The proposed project is in accordance with County ordinances and land use regulations, subject to the following terms and conditions. Neither the use 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 Planning and Building Inspection. 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. **(Planning and Building Inspection)**

Prior to the Issuance of Grading and Building Permits:

2. The applicant shall record a notice which states: "A permit (Resolution 02035) was approved by the Planning Commission for Assessor's Parcel Number 151-011-025-000 on June 12, 2002. The permit was granted subject to 51 conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. **(Planning and Building Inspection)**
3. Pursuant to the State Public Resources Code, State Fish and Game Code and California Code of Regulations, the applicant shall pay a fee to be collected by the County of Monterey in the amount of **\$1,275. This fee shall be paid within five days of project approval**, before the filing of the Notice of Determination. Proof of payment shall be furnished by the applicant to the Director of Planning and Building Inspection prior to the recordation of the tentative map, the commencement of the use, or the issuance of building and/or grading permits, whichever occurs first. The project shall not be operative, vested or final until the filing fees are paid. **(Planning and Building Inspection)**
4. The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring Plan. The Plan shall include, at a minimum, the following elements:
 - a. A listing of every mitigation measure approved by the decision-making body which certifies the subject environmental document;

- b. An identification of the date or other appropriate time period expected for implementation of each mitigation measure;
 - c. If the date of the implementation of mitigation measure is uncertain, an estimate shall be provided;
 - d. If a mitigation measure requires continuous or frequent (e.g. daily) monitoring, the frequency and duration of required monitoring shall be specified;
 - e. If unclear on the faces of each measure, the standard for determining successful implementation of each measure shall be clearly identified;
 - f. Individuals of organizations responsible for monitoring and/or reporting shall be clearly identified;
 - g. The responsibilities under the plan for the applicant, County staff, and if necessary, consultants shall be identified; and
 - h. Relevant reporting procedures and forms shall be included;
 - i. Applicant agreement to pay consultant and staff to monitor long term measures beyond the final project inspection by the Planning and Building Inspection Department. **(Planning and Building Inspection)**
5. All exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. **(Planning and Building Inspection) MM #4**
6. The applicant shall record a deed restriction indicating that all exterior design changes, including color changes associated with repainting and reroofing and including exterior lighting changes, be approved by the Planning Commission. The deed restriction shall be subject to the approval of the Director of Planning and Building Inspection prior to recordation. **(Planning and Building Inspection Department) MM# 6**
7. No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of Planning and Building Inspection. **(Planning and Building Inspection) MM# 24**
8. The applicant shall obtain a grading permit from the Building Inspection Division. The grading plan shall address any berms proposed to reduce the visibility of improvements as viewed from Laureles Grade Road, a State designated County scenic highway. Said grading plan and vegetative screening and restoration shall accord with the landscape plan required in condition # 21 below. **(Planning and Building Inspection) MM#s 1, 2, 5, & 24**
9. All cut and/or fill slopes exposed during the course of construction shall be covered, seeded with native grasses or otherwise treated to control erosion in coordination with the consulting biologist, subject to the approval of the Director of Planning and Building Inspection. **(Planning and Building Inspection) MM# 24**
10. Prior to the issuance of a building or grading permits, 3 copies of a drainage plan shall be prepared by a registered civil engineer or architect to address on-site impacts for review and approval by the Water Resources Agency. Stormwater runoff from impervious surfaces shall be dispersed at multiple points, away from and below any septic leach fields, over the least steep available slopes, with erosion control at outlets. **(Water Resources Agency) MM# 24**
11. The Director of Planning and Building Inspection shall approve the location, type and size of all antennas, satellite dishes, towers, and similar appurtenances. **(Planning and Building Inspection)**
12. The recommendations of the Steven Raas & Associates Report entitled "Geotechnical Investigation for Hinman Residence Project, Laureles Grade Site, Monterey County, California" dated March 28, 2001, shall be incorporated in all grading and building reports. **(Planning and Building Inspection) MM# 22**

13. The recommendations of the Rogers. E Johnson Report entitled “Geologic Investigation Hinman Project, Mc Donald Ranch, Laureles Grade Road, Monterey County, California; APNs 151-011-025,26, & 29” dated February 14, 2001, shall be incorporated in all grading and building reports. **(Planning and Building Inspection) MM#23**
14. A botanical conservation easement shall be conveyed to the County over those portions of the property where Toro Manzanita, a rare and endangered species exists. Botanical conservation easement deed to be submitted to and approved by Director of Planning and Building Inspection prior to issuance of building or grading permits. **(Planning and Building Inspection Department) MM#s 16 & 18**
15. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of Planning and Building Inspection. **(Planning and Building Inspection Department) MM#s 7-13**
16. The developer shall submit a scenic conservation easement deed over those portions of the 175 acre parcel visible from Laureles Grade Road. **(Planning and Building Inspection Department)**
17. Prior to issuance of any building permits, submit a detailed disposal system design meeting the regulations in chapter 15.20, Monterey County Code, and prohibitions of the Basin Plan, Regional Water Quality Control Board (RWQCB) to the Director of Environmental Health for review and approval. **(Health Department, Division of Environmental Health)**
18. All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. **(Salinas Rural Fire District)**
19. Prior to issuance of building permits, fire department notes shall be printed on the approved plans. **(Salinas Rural Fire District)**
20. Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. **(Salinas Rural Fire District)**
21. The roadway surface shall provide unobstructed access to conventional drive vehicles including sedans and fire engines. Surfaces should be established in conformance with local ordinances, and be capable of supporting the imposed load of fire apparatus. **(Salinas Rural Fire District)**
22. The grade for all roads, streets, private lanes and driveways shall not exceed 15%.**(Salinas Rural Fire District)**
23. For residential driveways with turns of 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 of curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. **(Salinas Rural Fire District)**
24. Roadway turnarounds shall be required on driveways and dead-end roads in excess of 150 feet surface length. Required turnarounds on access roads shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the centerline of the road. If a ‘hammerhead’/T is used, the top of the “T” shall be a minimum of 60 feet in length. **(Salinas Rural Fire District)**

- 25. Roadway turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum 25-foot taper at each end. **(Salinas Rural Fire District)**
- 26. Driveways shall not be less than 12 feet wide unobstructed. All driveways exceeding 150 feet in length shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet in length, turnouts shall be at no greater than 400 foot intervals. **(Salinas Rural Fire District)**
- 27. Unobstructed vertical clearance shall not be less than 15 feet for all access roads. **(Salinas Rural Fire District)**
- 28. Where multiple addresses are required at a single driveway, they shall be mounted on a single post, or in any fashion approved by the Reviewing Authority that provides for the same practical effect. **(Salinas Rural Fire District)**
- 29. For development of only one single family dwelling on a single parcel with no further land division possible, the minimum on site fire protection water supply shall be based on the specifications contained in the following table: **(Salinas Rural Fire District)**

Square footage protected	On-site storage required
0-999	3,000 gallons
1000-1999	5,000 gallons
2000-2999	7,500 gallons
0-1000 3000-above	10,000 gallons

- 30. The hydrant valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. **(Salinas Rural Fire District)**
- 31. The hydrant serving any building shall not be less than 50 feet or more than 1,000 feet by the road from any building it is to serve. **(Salinas Rural Fire District)**
- 32. Minimum hydrant standards shall include a brass head and valve with at least one 2-1/2 inch national standard Thread outlet supplied by a minimum 4-inch main and riser. The Reviewing Authority may apply more restrictive hydrant requirements. **(Salinas Rural Fire District)**
- 33. All parcels 1 acre and larger shall provide a minimum 30 foot setback for buildings and accessory buildings from all property lines and/or center of the road. For parcels less than one acre, or when a 30-foot minimum setback cannot be reached, alternative fuel modification standards may be imposed by the local fire jurisdiction to provide the same practical effect. **(Salinas Rural Fire District)**
- 34. Disposal, including chipping, burying, burning, or removal to a landfill site approved by the local jurisdiction, of flammable vegetation and fuels caused by site development and construction, road and driveway construction and fuel modification shall be completed prior to completion of road construction or final inspection of the building permit. **(Salinas Rural Fire District)**
- 35. Remove flammable vegetation from within 30 feet of structures. Limb trees 6 feet up from the ground. Remove limbs within 10 feet of chimneys. **(Salinas Rural Fire District)**
- 36. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. **(Salinas Rural Fire District)**

37. 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 that road. **(Salinas Rural Fire District)**
38. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40 foot turning radius shall be used. **(Salinas Rural Fire District)**
39. Where gates are to be locked, the reviewing Authority having jurisdiction may require installation of a key box or other acceptable means to immediate access for emergency equipment. **(Salinas Rural Fire District)**
40. The building(s) shall be fully protected with automatic fire sprinkler system(s). the following notation is required on the plans when a building permit is applied for: *“The building shall be fully protected with an automatic fire sprinkler system. Installation, approval, and maintenance shall be in compliance with applicable National Fire Protection Association or Uniform building Code Standards, the editions of which shall be determined by the enforcing jurisdiction. Four (4) sets of plans for fire sprinkler systems must be submitted and be approved prior to installation. Rough-in inspections must be completed prior to requesting a framing inspection.”* **(Salinas Rural Fire District)**
41. When construction begins, temporary or permanent address numbers shall be posted. Permanent address numbers shall be posted prior to requesting final clearance. All address numbers (permanent and temporary) shall be posted on the property so as to be clearly visible from the road. Where visibility cannot be provided, a post or sign bearing the address numbers shall be set adjacent to the driveway or access road to the property. Address numbers posted shall be in Arabic, not Roman or written out in words. Address numbers posted shall be a minimum number height of 3 inches with a 3/8 inch stroke, and contrasting with the background color of the sign. **(Salinas Rural Fire District)**
42. In very high fire hazard areas, as defined by the California department of Forestry and Fire Protection (CDF), roof construction shall be Class A, with fire resistive materials, or as approved by the Reviewing Authority. This requirement shall apply to all new construction and existing roofs that are repaired so as to affect 50 percent or more of the roof. Vegetation removal will not be allowed as a means of removing very high fire hazard area designation from an entire parcel. **(Salinas Rural Fire District)**

Prior to Final Building Inspection/Occupancy:

43. The applicant shall comply with Ordinance No. 3932 of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:
 - a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.
 - b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. **(Water Resources Agency & Planning and Building Inspection)**
44. The site shall be landscaped. At least three weeks prior to occupancy, three copies of a landscaping plan shall be submitted to the Director of Planning and Building Inspection for approval. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, specie, and size of the proposed landscaping materials and shall be

accompanied by a nursery or contractor's estimate of the cost of installation of the plan. The plan shall include any requirements for plantings to minimize improvements visibility from Laureles Grade Road. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County Planning and Building Inspection Department. **(Planning and Building Inspection) MM# 3**

- 45. Prior to final inspection, the geologic consultant shall provide certification that all development has been in accordance with the geologic report. (Planning and Building Inspection)

Continuous Permit Conditions:

- 46. All landscaped areas and replanted trees shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. **(Planning and Building Inspection)**
- 47. Hours of construction shall be 7:00 am to 7:00pm, Monday through Friday. **(Planning and Building Inspection Department) MM#25**
- 48. The applicant shall install a minimum 10,000 gallon water storage tank with a float valve set to activate the well water supply pump when the water level in the tank drops to 7500 gallons. **(Health Department, Division of Environmental Health)**
- 49. 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 (150 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. **(Planning and Building Inspection Department) MM# 21**

PASSED AND ADOPTED this 12th day of June, 2002, by the following vote:

AYES: Errea, Sanchez, Hawkins, Pitt-Derdivanis, Classen, Wilmot
NOES: Brennan, Diehl
ABSENT: Parsons, Hernandez

DALE ELLIS, SECRETARY

Copy of this decision mailed to applicant on

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD OF SUPERVISORS 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 and Building Inspection Department office in Marina.

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