

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

RESOLUTION NO. 05045

A.P. # 007-201-018-000

In the matter of the application of  
**Edward W. Cutler, TR (PLN040693)**

**FINDINGS & DECISION**

for a Variance to Section 21.42.030F, in accordance with Title 21 (Zoning) Chapter 21.72 (Variances) of the Monterey County Code, to increase the maximum floor area ratio from 35% to 37.8%; and Design Approval to allow construction of a 317 sq. ft. second story addition on a two-story single family residence. The property is located at 2862 Oak Knoll Road, Pebble Beach, Greater Monterey Peninsula area. The project came on regularly for hearing before the Planning Commission on September 14, 2005.

Said Planning Commission, having considered the application and the evidence presented relating thereto, now makes the following findings and decision:

**FINDINGS OF FACT**

1. **FINDING:** Variance. That because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, 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;

**EVIDENCE:** The 10,110 square foot parcel was created eighty years ago with the subdivision recorded May 4, 1925 and the residence constructed in 1972.

**EVIDENCE:** The Planning Commission Determined that there are particular circumstances in the configuration of close and adjacent properties to the Cutler residence ("the surroundings") that warrant allowing the minor second story addition:

  - House sizes on the block generally exceed 35% FAR.
  - Additions/second stories in the neighborhood are proportionate, tasteful, and not too large.
  - This addition is 317 sq. ft. Only a 2.8% increase over the 35% standard. Total FAR 37.8%.
  - This addition is proportionate, tasteful and not too large for the structure or neighborhood surroundings.

**EVIDENCE:** Application materials submitted for PLN040693.
2. **FINDING:** Variance. That the variance not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated;

**EVIDENCE:** The Planning Commission found that there would be no special privilege granted to the applicant as County records demonstrate that variances and building permits have generally been granted by the County for such requests to exceed FAR.

**EVIDENCE:** Staff has reviewed the Pebble Beach Archive and Architectural Review materials submitted by the applicant. While serving as an unofficial record, the materials do indicate that numerous residences exceed 35% floor area ratios in the vicinity.

3. **FINDING:** Variance. 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:** This finding is inapplicable in this circumstance as the variance is not being requested for a use or activity – but for a residential addition in a residential zone. Use of the property for single family residential uses will remain constant, no matter the determination of the Variance request.
4. **FINDING:** **CEQA:** The construction of the second story addition is Categorically Exempt under the California Environmental Quality Act (CEQA).  
**EVIDENCE:** CEQA Section 15303: New Construction.

### DECISION

THEREFORE, it is the decision of said Planning Commission that said application for Variance be granted as shown on the attached sketch and subject to the attached conditions.

**PASSED AND ADOPTED** this 14th day of September 2005, by the following vote:

AYES: Errea, Hawkins, Parsons, Padilla, Vandever, Salazar, Rochester, Wilmot, Diehl  
NOES: None  
ABSENT: Sanchez  
ABSTAIN: None

  
DALE ELLIS, Secretary

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON NOV 02 2005

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY TO THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE NOV 12 2005

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 90<sup>th</sup> 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 Salinas.

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

**Monterey County Planning and Building Inspection  
Condition Compliance and/or Mitigation Monitoring Reporting Plan**

**Project Name:** Cutler, Edward W Tr.

**File No:** PLN040693

**Approval by:** Planning Commission

**APNs:** 007-201-018-000

**Date:** September 14, 2005

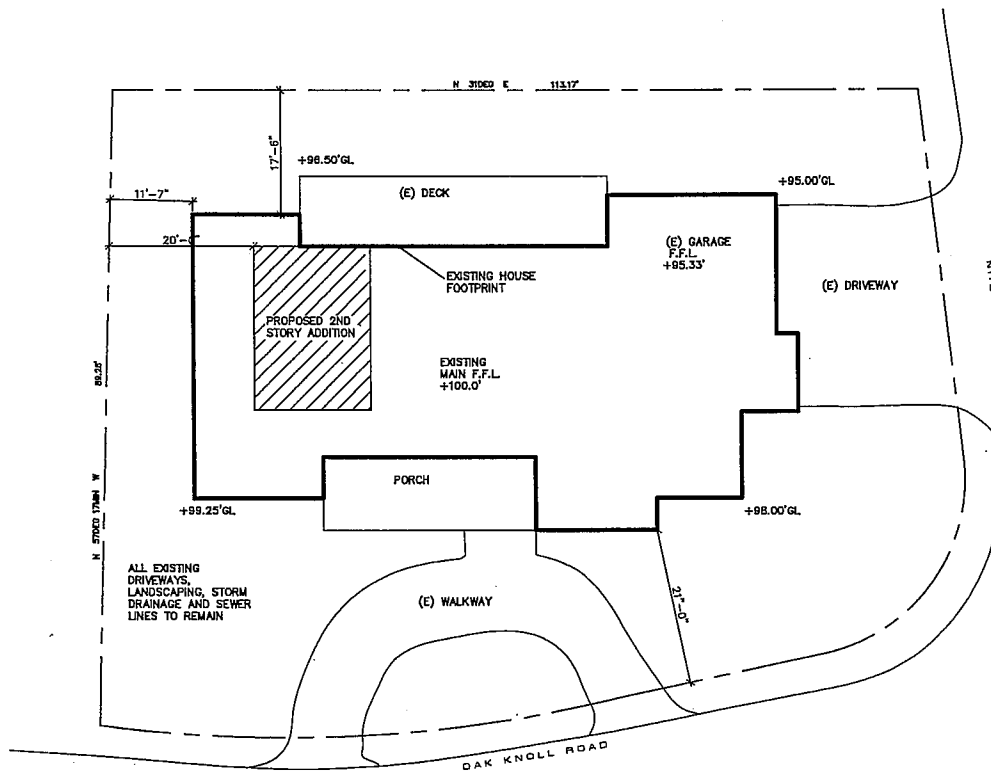
*Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code*

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
1.		<b>PBD029 - SPECIFIC USES ONLY</b> Variance to increase the maximum floor area ratio from 35% to 37.8%; and Design Approval to allow construction of a 317 sq. ft. second story addition on a two-story single family residence. The property is located at 2862 Oak Knoll Road, Pebble Beach. Assessors Parcel Number: 007-201-018-000. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. 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 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)	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless other-wise stated	
2.		<b>PBD025 - NOTICE-PERMIT APPROVAL</b> The applicant shall record a notice which states: "A permit (Resolution 040693) was approved by the Planning Commission for Assessor's Parcel Number 007-201-018-0000 on September 14, 2005. The permit was granted subject to 5 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	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to Issuance of building permits.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		prior to issuance of building permits or commencement of the use. <b>(Planning and Building Inspection)</b>				
		The Public Works Department, Environmental Health Department and Parks Department, have offered no conditions of approval for this project. Memos in file.				
<b>WATER RESOURCES AGENCY</b>						
3.		<b>WR43 - WATER AVAILABILITY CERTIFICATION</b> The applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form. <b>(Water Resources Agency)</b>	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any building permits	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
4.		<b>WR40 - WATER CONSERVATION MEASURES</b> The applicant shall comply with Ordinance No. 3932, or as subsequently amended, 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. <b>(Water Resources Agency)</b>	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/occupancy	
<b>FIRE DEPARTMENT</b>						
5.		<b>FIRE011 - ADDRESSES FOR BUILDINGS</b> 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 and visible 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	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	



SITE PLAN

SITE PLAN

1/8"=1'-0"

# PLANNING INFO.

- PROPERTY OWNER:  
COL. CUTLER  
2882 OAK KNOLL ROAD  
PEBBLE BEACH, CA. 93953  
PH. (631) 948-1281
- PROJECT ADDRESS:  
AS ABOVE
- PROJECT SCOPE:  
UPPER LEVEL ADDITION WITH STAIRCASE
- OCCUPANCY: R3, U1
- CONST. TYPE: V, NR
- A.P.N. 007-201-018
- LEGAL DESC: LOT: 17 BLOCK: 11
- ZONE: MDR/B-D-D-RES
- MAX BLDG. HT: 27 FT
- GRADING: 0 CY
- TREE REMOVAL: NONE
- TOPOGRAPHY: GENTLY SLOPING
- PROJECT CODE COMPLIANCE:  
1. 2001 CBC, CEC, CMC, CPC.  
2. TITLE 24

- LOT AREA: 10,110 S.F.
- LOT COVERAGE CALCULATIONS:

	EXISTING	PROPOSED	PROPOSED	PROPOSED
		ADDITION	REMOVAL	TOTAL
BUILDINGS	2,989	0	0	2,989
DECK	425	0	0	425
TOTAL	3,414	0	0	3,414

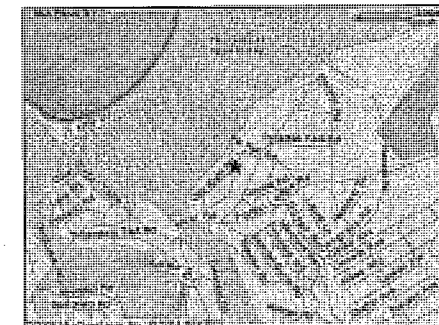
- LOT COVERAGE ALLOWED: 3,539 SF (35.0%)
- LOT COVERAGE PROPOSED: 3,414 SF (33.7%)

## F.A.R. CALCULATIONS

MAIN BUILDING	EXISTING	PROPOSED	PROPOSED	PROPOSED
	N/A	ADDITION	REMOVAL	TOTAL
LOWER FLOOR	N/A	N/A	N/A	N/A
MAIN FLOOR	2,989	0	0	2,989
UPPER FLOOR	519	317	0	836
TOTAL	3,508	317	0	3,825

- F.A.R. ALLOWED: 3,539 SF (35.0%)
- F.A.R. PROPOSED: 3,825 SF (37.8%)

## VICINITY MAP



PROPOSED REMODEL FOR:

COL. & MRS. ED CUTLER  
2882 OAK KNOLL RD.,  
PEBBLE BEACH, CA.

JOHN E. MATTHEWS  
INTERNATIONAL DESIGN GROUP  
JUN A. SILLAND, INC.  
727 LIGHTHOUSE AVE. PACIFIC GROVE, CA. 93950  
PH. (631) 948-1281 FAX (631) 948-1280 E-MAIL jms@jmsidg.com



## PROJECT DATA SITE PLAN

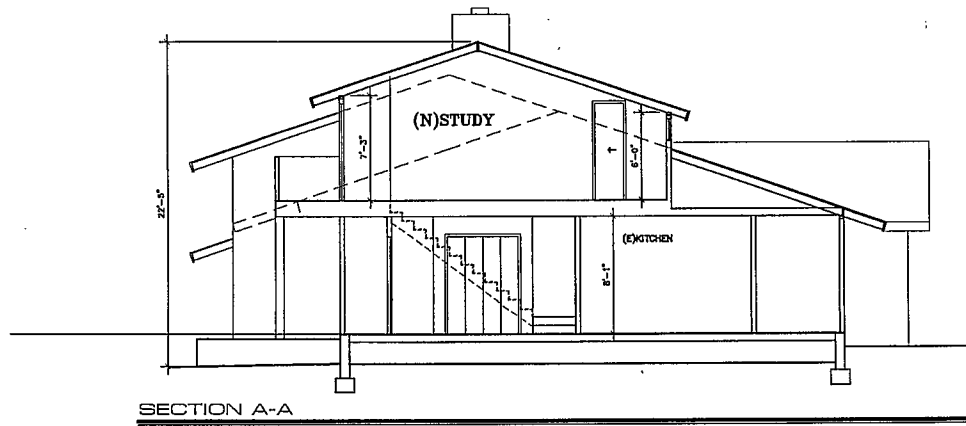
DATE: 7-13-04

REVISIONS:  
1. MDC, Rev. Rev. App  
9-13-04  
2.  
3.

SHEET NO.  
**A1.0**

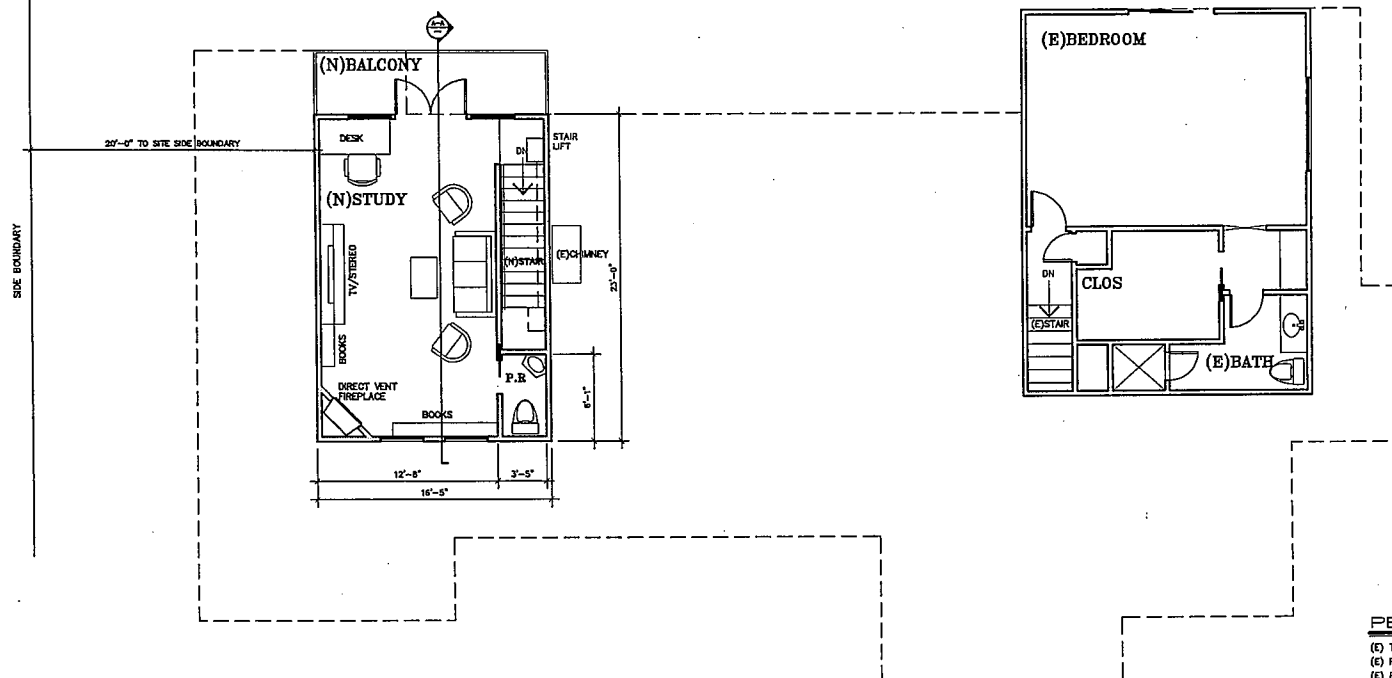


SHEET NO.  
A2.0



SECTION A-A

1/4"=1'-0"



PROPOSED UPPER LEVEL PLAN

1/4"=1'-0"

PERIMETER WALL CALC.

(E) TOTAL PERIMETER WALL	285 LIN. FT.
(E) PERIM. WALL TO REMOVE	0 LIN. FT. (0%)
(E) PERIM. WALL TO REMAIN	285 LIN. FT. (100%)

WALL LEGEND

	2X EXISTING WALL TO REMAIN
	(E) DOOR OR WINDOW TO BE REMOVED
	2X EXISTING WALL TO BE REMOVED
	2X STUD FRAMED WALL
	STONE VENEER
	CMU WALL-SEE STRUCTURAL DWG'S

THESE PLANS WERE PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A LICENSED ARCHITECT IN THE STATE OF CALIFORNIA. I CERTIFY THAT I AM A duly Licensed Architect in the State of California, License No. 12345, and that I am the author of these plans. I am not aware of any violations of the California Building Code or any other applicable laws or regulations by the contractor or any other person in connection with the construction of the project described herein. I am not aware of any fraud, misrepresentation, or other illegal activity in connection with the construction of the project described herein. I am not aware of any other violations of the California Building Code or any other applicable laws or regulations by the contractor or any other person in connection with the construction of the project described herein.

PROPOSED REMODEL FOR:  
COL. & MRS. ED CUTLER  
2862 OAK KNOLL RD.,  
PEBBLE BEACH, CA

JOHN E. MATTHEWS  
INTERNATIONAL DESIGN GROUP  
JUN A. SILLANO, INC.  
771 LIGHTHOUSE AVE. PACIFIC GROVE, CA 93950  
PH: (805) 846-1281 FAX: (805) 846-1282 C-M-A-I-L: jmatthews@idg.com



UPPER LEVEL  
FLOOR PLAN

DATE: 7-13-04

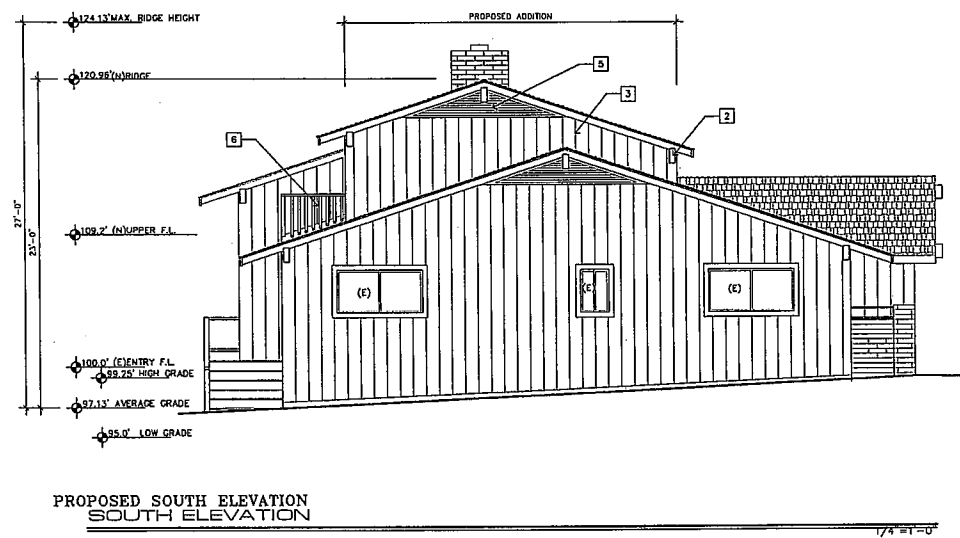
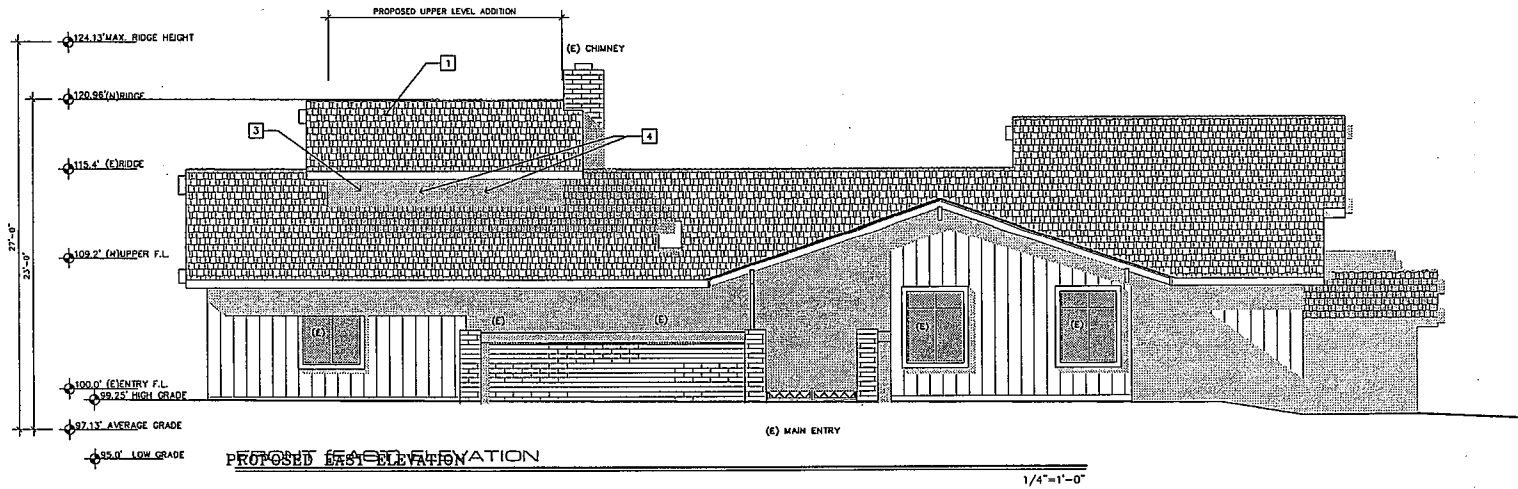
REVISIONS:  
1. 7-13-04

1. 7-13-04

SHEET NO.

A3.0





EXTERIOR FINISH LEGEND	
1	CEDAR SHAKE ROOF TO MATCH EXISTING
2	4x12 OUTLOOKS TO MATCH EXISTING
3	2x12 PECKY CEDAR SIDING TO MATCH EXISTING
4	METAL FRAMED SLIDING WINDOWS & DOORS TO MATCH EXISTING
5	WOOD LOUVERED ATTIC VENT TO MATCH EXISTING
6	WOOD RAILING AND BALUSTRADE TO MATCH EXISTING

THESE PLANS WERE PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A LICENSED ARCHITECT IN THE STATE OF CALIFORNIA. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY FOR THE ACCURACY OF THESE PLANS. I AM NOT RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR OMISSIONS. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY FOR THE ACCURACY OF THESE PLANS. I AM NOT RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR OMISSIONS.

PROPOSED REMODEL FOR:  
COL. & MRS. ED CUTLER  
2862 OAK KNOLL RD.,  
PEBBLE BEACH, CA

JEFFREY M. MATTHEWS  
INTERNATIONAL DESIGN GROUP  
JUN A. SILLANO, CALIF.  
721 LIGHTHOUSE AVE. PACIFIC GROVE, CA 93950  
PH: (805) 646-1281 FAX: (805) 646-1289 E-MAIL: jmatthews@idg.com



ELEVATIONS	
DATE:	7-13-04
REVISIONS:	
1	Mod Co. Des. Rev. App. 9-13-04
2	
3	
4	
SHEET NO.	A6.0



SCALE: 1/8" = 1'-0" A6.1	PERSONS BY: <u>John E. Matthews</u> DATE: 7-13-04	ELEVATIONS DATE: 7-13-04	 <p style="text-align: center;"><b>JOHN E. MATTHEWS</b>  <b>INTERNATIONAL DESIGN GROUP</b>  JUN A. SILLANO, a.i.a.</p>	PROPOSED REMODEL FOR:  <p style="text-align: center;"><b>COL. &amp; MRS. ED CUTLER</b></p>	<p><small>ALL EXIST. WALLS, PARTITIONS AND FLOORS MEASURED BY THE DRAWING ARE SHOWN BY THE PROPERTY OF THE SITE AND NOT NECESSARILY PROPERTY AND NOT NECESSARILY FOR THE USE AND OR EXTENSION WITH THE PROPOSED PROJECT. NONE OF THE EXIST. WALLS, PARTITIONS OR FLOORS SHALL BE REMOVED OR MODIFIED WITHOUT THE WRITTEN PERMISSION OF THE CITY OF SAN DIEGO. THE CITY OF SAN DIEGO IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION ON THIS DRAWING AND HAS NO LIABILITY FOR THE INFORMATION ON THIS DRAWING AND HAS NO LIABILITY FOR THE INFORMATION ON THIS DRAWING.</small></p>
	721 LIGHTHOUSE AVE. PACIFIC GROVE CA. 93950 PH: (831) 646-1261 FAX: (831) 646-1290 E-MAIL: jemat@jematidg.com		2852 OAK KNOLL RD., PEBBLE BEACH, CA.		