

LYNNE MOUNDAY
ZONING ADMINISTRATOR

STATE OF CALIFORNIA
COUNTY OF MONTEREY

RESOLUTION NO. 020477

A.P.# 015-451-045-000

In the matter of the application of
Branko Stojanovski (PLN020477)

FINDINGS & DECISION

for an Administrative Permit in accordance with Title 21 (Zoning) Chapter 21.70 (Administrative Permits) of the Monterey County Code, to allow for the construction of a 3,648 sq. ft. split level single family dwelling, to include four (4) skylights, with an attached 787 sq. ft. three car garage, retaining walls, and grading (370 cu. yds. cut and 130 cu. yds. fill); and Design Approval, located at 3533 Greenfield Place, High Meadow Subdivision, Carmel Valley Master Plan, Carmel, came on regularly for meeting before the Zoning Administrator on May 8, 2003.

Said Zoning Administrator, having considered the application and the evidence presented relating thereto,

FINDINGS OF FACT

1. **FINDING:** The subject Administrative Permit (PLN020477), as described in Condition No. 1 conforms to the plans, policies, requirements and standards of the Monterey County General Plan, Greater Monterey Peninsula Area Plan, and the Monterey County Zoning Ordinance (Title 21). The property is located at 3533 Greenfield Place, Carmel, High Meadow Subdivision. The parcel is zoned "MDR/B-6-D-S" (Medium Density Residential; Building Site, Design Control, Site Plan Review). The site is physically suitable for the use proposed.
EVIDENCE: (a) The application and plans submitted for the Administrative Permit contained in project file PLN020477 at the Monterey County Planning and Building Inspection Department.
(b) A Geotechnical Report was prepared, on October 15, 2002 by Charles H. Hartsog containing recommendations to be followed regarding project safety.
(c) The site is located within a "moderate" archaeological sensitive area, a cultural assessment waiver has been prepared, based on the environmental review conclusions for the High Meadow Subdivision, No.1. Tract 545, Block 5 (Volume 9, C&T, Page 18).
(d) Project planner conducted a field inspection on March 21, 2003 and April 4, 2003 to verify that the project plans on the subject parcel conforms to the policies of the Monterey County General Plan, Greater Monterey Peninsula Area Plan and the Monterey County Zoning Ordinance (Title 21). Staff field notes regarding the site visit are contained in the Planning and Building Inspection File No. (PLN020477).
(e) The proposed use/project, to a single family dwelling, is an allowed use in accordance with Section 21.12.030.A.
2. **FINDING:** The establishment, maintenance or operation of the use/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 has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, Cypress Fire Protection District, Public Works Department and the Environmental Health Division. There has been no indication from those agencies that the site is not suitable. 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. The applicant has agreed to these conditions as evidenced by the application and accompanying materials and conditions.

(b) A Geotechnical Report was prepared, on October 15, 2002 by Charles H. Hartsog containing recommendations to be followed regarding project safety.

3. FINDING: A public hearing was required due to the evidence of public controversy or public opposition to the proposed use.

EVIDENCE: (a) Letters submitted by neighboring residences in Project file (PLN020477) at the Monterey County Planning and Building Inspection Department.

4. FINDING: 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, and all zoning violation abatement cost, if any, have been paid.

EVIDENCE: (a) Staff reviewed Monterey County Planning and Building Inspection Department records and is not aware of any violations that exist on subject property.

5. FINDING: The site is suitable for the use proposed.

EVIDENCE: (a) Project planner conducted a field inspection on March 21, 2003 and April 4, 2003 to verify that the project plans on the subject parcel conforms to the policies of the Monterey County General Plan, Greater Monterey Peninsula Area Plan and the Monterey County Zoning Ordinance (Title 21). Staff field notes regarding the site visit are contained in the Planning and Building Inspection File No. (PLN020477).

(b) The project has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, Cypress Fire Protection District, Public Works Department and the Environmental Health Division. There has been no indication from those agencies that the site is not suitable. 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. The applicant has agreed to these conditions as evidenced by the application and accompanying materials and conditions (Exhibit B).

6. FINDING: The proposed project will not have significant environmental impact.

EVIDENCE: (a) Section 15303(a) of the California Environmental Quality Act (CEQA) Guidelines categorically exempts single family dwellings from environmental review on a legal lot of record. No adverse environmental impacts were identified during staff review of the development application.

DECISION

THEREFORE, it is the decision of said Zoning Administrator, that said application for an Administrative Permit be granted as shown on the attached sketch, and subject to the following conditions:

1. The subject Administrative Permit is to allow for the construction of a 3,648 square foot split level single family dwelling; with an attached 787 square foot three car garage; and Design Approval. The property is located on Greenfield Place, Carmel. 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)**

Prior to the Issuance of Grading and Building Permits:

2. The applicant shall provide information on the water system to serve the project, including the location of all water wells on the property, any well logs available, and the number of current hookups. **(Water Resource Agency)**
3. A drainage plan shall be prepared by a registered civil engineer or architect to address on-site impacts. Storm water 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. The drainage plan shall be subject to the approval of the Director of Planning and Building Inspection **(Water Resource Agency)**
4. The applicant shall comply with Ordinance No. 3539 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 1.5 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)**
5. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction and is subject to the approval of the Director of Planning and Building Inspection. **(Planning and Building Inspection Department)**
6. 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. That the applicant shall comply with approved exterior lighting plan which indicated the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. **(Planning and Building Inspection Department)**

Continuous Permit Conditions:

7. All landscaped areas and/or fences 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 Department)**

8. 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 it can be evaluated by a qualified professional archaeologist. 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)**

PASSED AND ADOPTED this 8th day of May, 2003.

Original Signed By: _____

LYNNE MOUNDAY
ZONING ADMINISTRATOR

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON

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

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.