MIKE NOVO ZONING ADMINISTRATOR

STATE OF CALIFORNIA COUNTY OF MONTEREY

RESOLUTION NO. 030545

A.P.# 169-331-007-000

In the matter of the application of Thomas and Karen Rehak (PLN030545)

FINDINGS & DECISION

for an Administrative Permit in accordance with Title 21 (Zoning) Chapter 21.70 (Administrative Permits) of the Monterey County Code, to allow a two-story 4,780 sq. ft. single family dwelling with attached 516 sq. ft. garage; 602 sq. ft. decks and covered porch; 190 linear feet of retaining walls from 2 ft to 10 ft high; grading of approximately 1,200 cu. yds. cut and 1,200 cu. yds. fill; a septic system; and a Design Approval, located on 25515 Via Marquita, Carmel Valley, east side of the Via Marquita terminal cul-de-sac, came on regularly for meeting before the Zoning Administrator on December 8, 2005.

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

FINDINGS OF FACT

- 1. FINDING:
- CONSISTENCY AND SITE SUITABILITY The Rehak Administrative Permit to allow a two-story 4,780 sq. ft. single family dwelling with attached garage; 602 sq. ft. decks and covered porch; 190 linear foot retaining walls from 2 ft to 10 ft high; grading of approximately 1,200 cu. yds. cut and 1,200 cu. yds. fill; a septic system; and a Design Approval. The property is located at 25515 Via Marquita, Carmel Valley (Assessor's Parcel Number 169-331-007-000), east side of the terminal cul-de-sac of Via Marquita, Carmel Valley Master Plan Area. The parcel is zoned "LDR/B-6-D-S-RAZ," (Low Density Residential , with no further subdivision, Design Review, Site Review, and Residential Allocation Zone). The site is physically suitable for the use proposed.

EVIDENCE:

- (a) The application and plans submitted for the Combined Development Permit and Design Approval in project file PLN030545 at the Monterey County Planning and Building Inspection Department.
- (b) The applicant provided the Monterey County Planning and Building Inspection Department with a Design Approval Request, drawings, and a statement of materials and colors to be used that will match the existing structure.
- (c) The project planner conducted a site visit on June 12, 2003, to verify that the proposed project complies with regulations in Title 21 and the policies of the Carmel Valley Master Plan. The proposed project will not have a significant adverse effect on the public viewshed.
- (d) A geotechnical investigation was prepared for the project by Grice Engineering Inc. on November 11, 2003. This geotechnical investigation concludes that the site was suitable if the recommendations are followed during construction.
- (e) A biological investigation was prepared for the project by Vern Yadon. on April 6, 2004 This biological investigation concludes that the site was suitable if the recommendations are followed during construction.

- (e) The project and the site have been reviewed by the Monterey County Planning and Building Inspection Department, Cypress Fire Protection District, Monterey County Water Resources Agency, Monterey County Public Works Department, Monterey County Parks Department and Monterey County Health Department. There has been no indication from these agencies that the site is not suitable. There are no physical or environmental constraints such as geologic or seismic hazard areas, environmentally sensitive habitats, or similar areas that would indicate the site is not suitable for the use proposed.
- 2. FINDING: CEQA The proposed project will not have a significant environmental impact.
- EVIDENCE: (a) Section 15303(a) of the CEQA Guidelines categorically exempts the proposed development from environmental review. No adverse environmental impacts were identified during staff review of the project application.
- 3. FINDING: NO VIOLATIONS The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivisions and other applicable provisions of Title 21. Zoning violation abatement costs, if any, have been paid.
 - EVIDENCE: Sections 21.14.020, 21.42.020, 21.44.020, 21.45.020 and 21.52.020 of the Monterey County Zoning Ordinance. Staff verification of the Monterey County Planning and Building Inspection Department records indicate that no violations now exist on subject property.
- 4. FINDING: PUBLIC NOTICE Public notice of the pending Administrative Permit was provided pursuant to Section 21.70.040 of the Monterey County Code (Zoning).
 - 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.
- 5. FINDING: HEALTH AND SAFETY The establishment, maintenance, and operation of the proposed development applied for will not under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.
 - EVIDENCE: Preceding findings and supporting evidence.
- 6. FINDING: APPEALABILITY The decision on this project is appealable to the Planning Commission. EVIDENCE: Section 21.80.040 of the Monterey County Zoning Ordinance.

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 attached conditions.

PASSED AND ADOPTED this 8th day of December 2005.

MIKE NOVO

ZONING ADMINISTRATOR

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON DEC 15 2005

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

DEC 2 5 2005

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 Inpsection Condition Compliance & Mitigation Monitoring and/or Reporting Plan

Project Name: Thomas & Karen Rehak

File No: PLN030545 APN: 169-331-007-000

Approval by: Zoning Administrator

Date: December 8, 2005

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

Permit Cond. Mitig. Numb Number er	Impact Addressed, and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
1	PBD029 - SPECIFIC USES ONLY	Substantial compliance	Owner/	Ongoing unless other-wise	
	The Rehak Administrative Permit is to allow a two-story 4,780 sq. ft. single family dwelling with attached garage; 602 sq. ft. decks and covered porch; 190 linear foot retaining walls from 2 ft to 10 ft high; 2,4000 cu. yds. grading (approximately 1,200 cu. yds. cut and 1,200 cu. yds. fill); a septic system; and a Design Approval. The property is located in Carmel Valley (Assessor's Parcel Number 169-331-007-000), east side of the terminal cul-de-sac of Tierra Grande, Carmel Valley Master Plan Area. 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)	with permit conditions and requirements	Applicant	stated	

Permit Cond. Numb er	Mitig Numb	Impact Addressed, and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
2		PBD025 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "An Administrative Permit (Resolution No. 030545) was approved by the Zoning Administrator for Assessor's Parcel Number 169-331-007-000 on December 8, 2005. The permit was granted subject to 19 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)	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless other-wise stated	
3		Non-standard – LIGHTING – EXTERIOR LIGHTING PLAN All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. Exterior lights shall have recessed lighting elements. 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)	Submit three copies of the lighting plans to PBI for review and approval.	Owner/ Applicant	Prior to issuance of building permits.	
4		PBD026 – NOTICE OF REPORT Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A Biological report has been prepared for this parcel by Vern Yadon, dated April 6, 2004 and is on record in the Monterey County Planning and Building Inspection Department Library	Removal of invasive species shall be noted on building and grading plans	Owner/ Applicant	Prior to Issuance of Building Permits	

Permit Cond. Numb er	Mitig, Number	Impact Addressed, and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		No. LIB040326. All development shall be in accordance with this report." (Planning and Building Inspection)				
5		PBD026 – NOTICE OF REPORT Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A Geotechnical report has been prepared for this parcel by Grice Engineering, dated November 11, 2003 and is on record in the Monterey County Planning and Building Inspection Department Library No. LIB040328. All development shall be in accordance with this report." (Planning and Building Inspection)	Recommendations shall be noted on building and grading plans	Owner/ Applicant	Prior to Issuance of Building Permits	·
6		PBD026 – NOTICE OF REPORT Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A Percolation and Ground Water study has been prepared for this parcel by Grice Engineering, dated December 1, 2003 and is on record in the Monterey County Planning and Building Inspection Department Library No. LIB040327. All development shall be in accordance with this report." (Planning and Building Inspection)	Recommendations shall be noted on building and grading plans	Owner/ Applicant	Prior to Issuance of Building Permits	4

Permit Cond. Numb er	Mitig Numbe	Impact Addressed, and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
7	MAINTENANCE (S. DWELLING ONLY) The site shall be lands occupancy, three (3) conshall be submitted to the Building Inspection for review fee is required paid at the time of land landscaping plan shall identify the location, so landscaping materials in nursery or contractor's installation of the plan landscaping shall be eight deposit or other form of Monterey County for the submitted to the Monte Building Inspection Defined and fences shall be considered.	PBD018(A) - LANDSCAPE PLAN AND MAINTENANCE (SINGLE FAMILY DWELLING ONLY) The site shall be landscaped. At least 60 days prior to occupancy, three (3) 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, species, 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. 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	Submit landscape plans and contractor's estimate to PBI for review and approval. All landscaped areas and	Owner/ Applicant/ Contractor	At least 60 days prior to final inspect-ion or occupancy Ongoing	
		Building Inspection Department. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (Planning and Building Inspection)		Applicant	Ongoing .	
8		PBD030 - STOP WORK - RESOURCES FOUND 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 Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County Planning and Building Inspection Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources	Owner/ Applicant/ Archaeo- logist	Ongoing	

Permit Cond. Numb er	Mitig Number	Impact Addressed, and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		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)	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.			
9		PBD014 - GRADING-WINTER RESTRICTION 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)	None	Owner/ Applicant	Ongoing	
10		PBD040 – HEIGHT VERIFICATION The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection. The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of Planning and Building Inspection for review and approval,	1) The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection	Owner/ Applicant	Prior to Issuance of Grading or Building Permits	
			2) The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of Planning and Building Inspection for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit.	Engineer/ Owner/ Applicant	Prior to Final Inspect-ion	

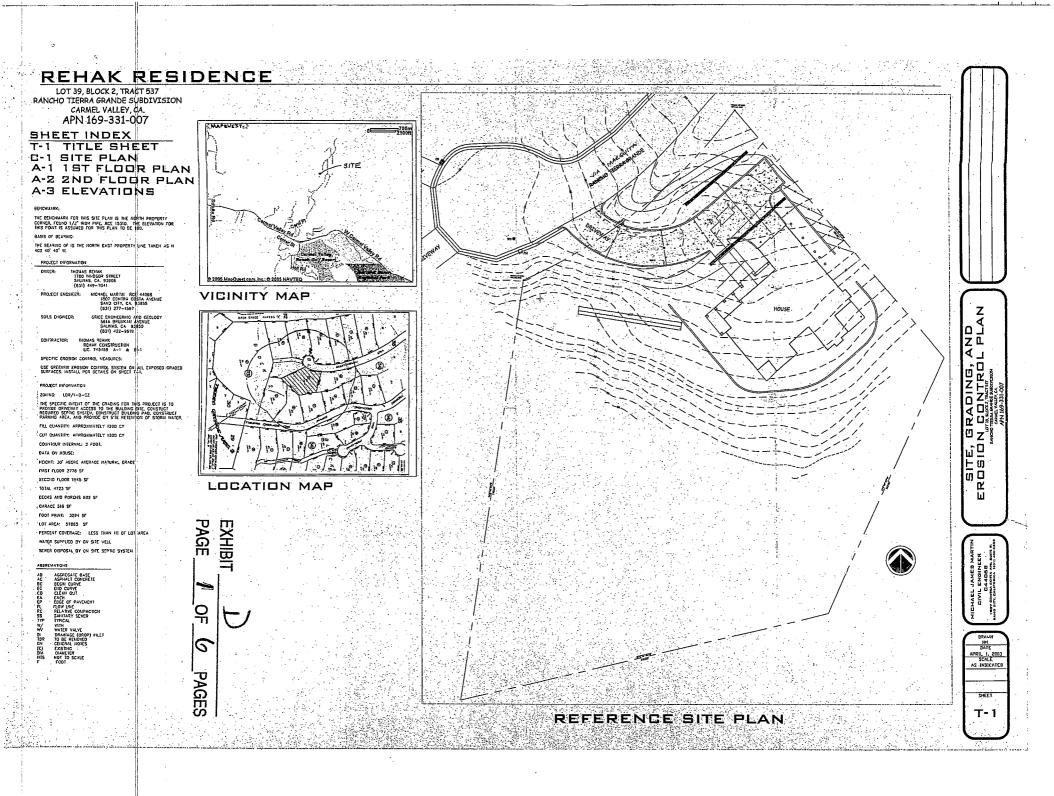
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11	,	PW0006 – CARMEL VALLEY The Applicant shall pay the Carmel Valley Master Plan Area Traffic Mitigation fee pursuant to the Board of Supervisors Resolution NO. 95-140, adopted September 12, 1995 (Fees are updated annually based on CCI). (Public Works)	Applicant shall pay to PBI the required traffic mitigation fee.	Owner/ Applicant	Prior to Building Permits Issuance	·
12		PW0005 – ENCROACHMENT (STD DRIVEWAY) Obtain an encroachment permit from the Department of Public Works and construct a standard driveway connection to Via Marquita. (Public Works)	Applicant shall obtain an encroachment permit from DPW prior to issuance of building permits and complete improvement prior to occupancy or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.	Owner/ Applicant	Prior to Building/ Grading Permits Issuance	
13		WR2 - STORMWATER CONTROL The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. 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. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)	Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant/ Engineer	Prior to issuance of any grading or building permits	
14		WR45 - WELL INFORMATION The applicant shall provide the Water Resources Agency information on the well to serve the project including a map showing the well location and any available well logs/e-logs. (Water Resources Agency)	Submit all applicable well information to the Water Resources Agency for review and approval.		Prior to issuance of any grading or building permits	

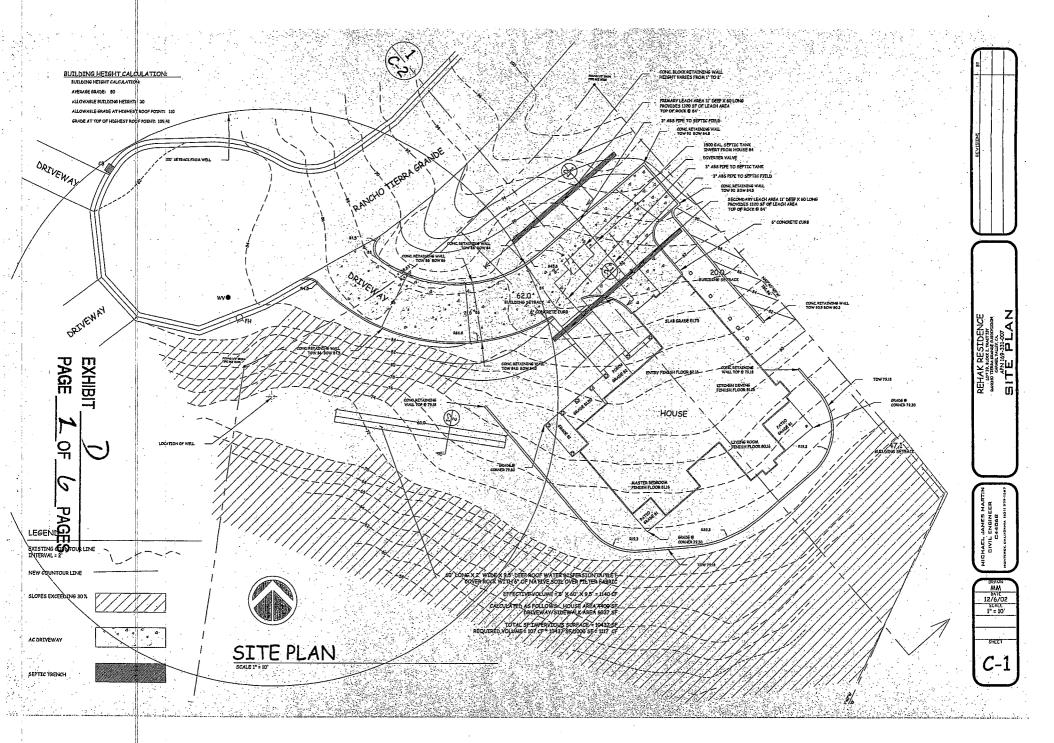
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15		WR40 - WATER CONSERVATION MEASURES The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction 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. (Water Resources Agency)	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/ occupancy	
16		NON-STANDARD- SEPTIC SYSTEM DESIGN Submit revised plans for review and approval showing the location and design of the proposed septic system meeting the standards found in Chapter 15.20 of the Monterey County Code (Septic Ordinance) and "Prohibitions", Central Coast Basin Plan, RWQCB. (Environmental Health)	Division of Environmental Health must approve plans. Applicant shall obtain a permit to install the septic system.	CA Licensed Engineer /Owner/ Applicant	Prior to filing the issuance of building	

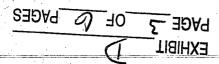
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17			FIRE011 - ADDRESSES FOR BUILDINGS All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address.	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			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 maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Cypress Fire District.)	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
18			NON-STANDARD SEPTIC SYSTEM DESIGN Submit revised plans for review and approval showing the location and design of the proposed septic system meeting the standards found in Chapter 15.20 of the Monterey County Code (Septic Ordinance) and "Prohibitions", Central Coast Basin Plan, RWQCB. (Environmental Health)	Division of Environmental Health must approve plans. Applicant shall obtain a permit to install the septic system.	CA Licensed Engineer /Owner/ Applicant	Prior to issuance of building permit	

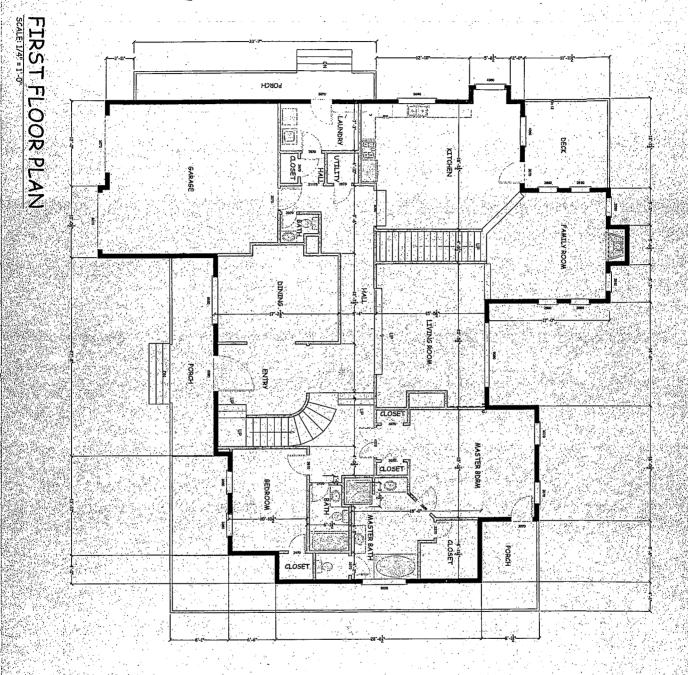
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19		FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD) The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s).	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
		applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and	Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner	Prior to framing inspection	
			Applicant shall schedule fire alarm system acceptance test.	Applicant or owner	Prior to final building inspection	

End of Conditions

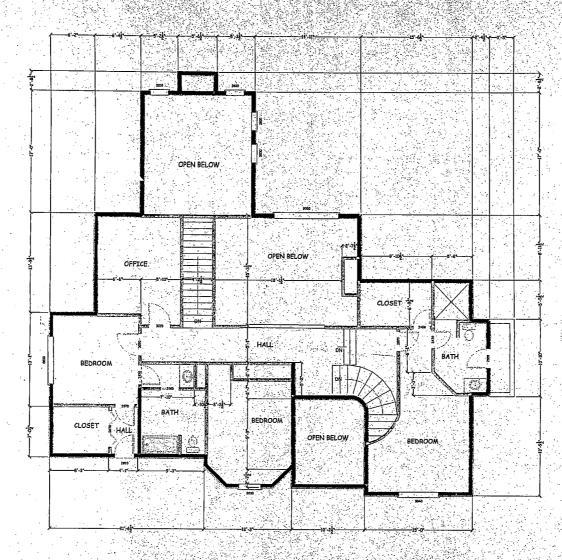




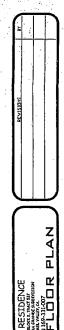








SECOND FLOOR PLAN



REHAK RESIDENCE
UTA, ROCAT, FACTOR
AND TERM CONTRACT
CONTRACTOR
AND TERM CONTRACTOR
CONT





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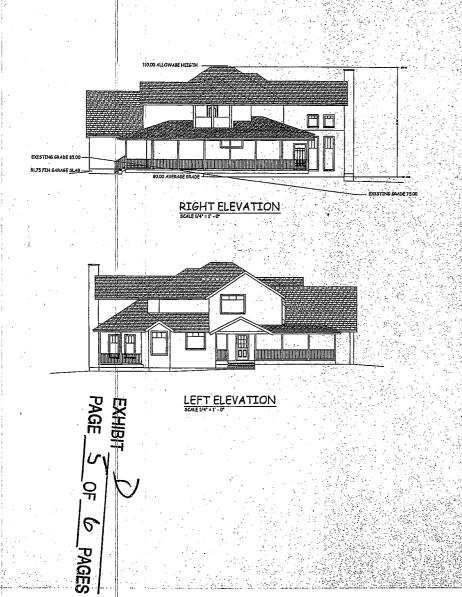
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EXHIBIT PAGE

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PAGES





FRONT ELEVATION



REAR ELEVATION







