MIKE NOVO ZONING ADMINISTRATOR

COUNTY OF MONTEREY STATE OF CALIFORNIA

RESOLUTION NO. 050507

A. P. #009-012-001-000

In the matter of the application of **RICHARD DZIEDZIC (PLN050507)**

FINDINGS AND DECISION

to allow a **Combined Development Permit** in accordance with Title 20 (Zoning) of the Monterey County Code, for a Combined Development Permit consisting of: 1) a Coastal Development Permit to allow for the demolition of an existing 1,183 square foot one story single family dwelling and a 230 square foot garage; 2) a Coastal Administrative Permit to allow for the construction of a new 2, 780 square foot two story single family dwelling with a 236 square foot attached garage, a 8 square foot covered entry, a 140 square feet of second story balconies; and Design Approval. The property is located at 24337 San Juan Road, Carmel (Assessor's Parcel Number 009-012-001-000), southwest corner of San Marcus Road and San Juan Road, Carmel area, Coastal Zone came on regularly for meeting before the Zoning Administrator on November 10, 2005.

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

- 1. FINDING: CONSISTENCY The project, as conditioned is consistent with applicable plans and policies, the Carmel Land Use Plan, Coastal Implementation Plan (Part 4), Part 6 of the Coastal Implementation Plan, and the Monterey County Zoning Ordinance (Title 20) which designates this area as appropriate for residential development. Specifically, the proposed single family dwelling complies with all applicable requirements of Section 20.12.060 of Title 20 of the Monterey County Zoning Ordinance.
 - **EVIDENCE:** (a) PBI staff has reviewed the project as contained in the application and accompanying materials for consistency with the Carmel Land Use Plan, Coastal Implementation Plan (Part 4) and Part 6 of the Coastal Implementation Plan. PBI staff has reviewed the project as contained in the application and accompanying materials for conformity with the Monterey County Zoning Ordinance (Title 20) and have determined that the project is consistent with the Carmel Area Land Use Plan which designates this area as appropriate for residential development. Staff notes are provided in Project File PLN050507.
 - (b) Project planner conducted an on-site inspection on March 24, 2005, April 4, 2005 and September 21, 2005 to verify that the project on the subject parcel conforms to the plans listed above.
 - (c) The project for a single family dwelling is an allowed use subject to a Coastal Administrative Permit pursuant to Section 20.12.040 A of the Coastal Implementation Plan.

- (d) The parcel is zoned "MDR/2-D (CZ)", Medium Density Residential 2 units per acre, Design Control Zoning District, Coastal Zone. The project is in compliance with Site Development Standards for a Medium Density Residential District in accordance with Section 20.12.060.
- (e) 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 Project File PLN050507.
- 2. FINDING: SITE SUITABILITY The site is suitable for the use proposed.
 - **EVIDENCE:** (a) The project has been reviewed for suitability by Planning and Building Inspection, Public Works, Water Resources Agency, Environmental Health, Parks and Carmel Highlands Fire District. Conditions recommended have been incorporated.
 - (b) Staff conducted an on-site visit on March 24, 2005, April 4, 2005 and September 21, 2005 to verify that the site is suitable for this use.
 - (c) Necessary public facilities are available and will be provided.
- 3. **FINDING:** CEQA (Exempt): The project is exempt from environmental review.

EVIDENCE: (a) CEQA Guidelines Section 15303 categorically exempts single family dwellings.

- (b) No adverse environmental effects were identified during staff review of the development application.
- (c) Development is largely contained in an already disturbed area of the property. There are no unusual circumstances related to the project or property.
- 4. **FINDING: 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. A violation does exist on the property (CE050126) which is pending. A Building Permit (BP05-1197) has been issued to clear the violation. The violation (CE050126) will be closed after the Building Permit (BP05-1197) has been finaled. Zoning violation abatement cost, if any, have been paid.
- **EVIDENCE:** Code Enforcement Case CE050126 found at Monterey County Planning and Building Inspection Department.
- 5. **FINDING: PUBLIC ACCESS** The project is in conformance with the public access and public recreation policies of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights. No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.70.050.B.4.c of the Monterey County Coastal Implementation Plan, can be demonstrated.

- **EVIDENCE** (a) The subject property is not described as an area where the Local Coastal Program requires access.
 - (b) The subject property is not indicated as part of any designated trails or shoreline access as shown in Figure 3, the Public Access Map, of the Carmel Area Land Use Plan.
 - (c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
- 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: Preceding findings and supporting evidence.
- 7. **FINDING:** APPEALABILITY The decision on this project is appealable to the Monterey County Board of Supervisors but is not appealable to the California Coastal Commission.
 - EVIDENCE: Section 20.86.080.A.3 of the Monterey County Coastal Implementation Plan

DECISION

It is the decision of the Zoning Administrator of the County of Monterey that said application for a Combined Development Permit be granted as shown on the attached sketch and subject to the attached conditions.

PASSED AND ADOPTED this 10th day of November 2005.

Mat no

MIKE NOVO ZONING ADMINISTRATOR

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 PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE BOARD OF SUPERVISORS. IT IS NOT APPEALABLE TO THE COASTAL COMMISSION

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.

<u>NOTES</u>

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 Monterey.

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

| Monterey County Planning and Building Inspection | Project Name: Richard Dziedzic | |
|--|-----------------------------------|--------------------------------|
| Condition Compliance and/or Mitigation Monitoring | File No: PLN050507 | APNs: 009-012-001-000 |
| Reporting Plan | Approval by: Zoning Administrator | Date: November 10, 2005 |
| | | |

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

| | Mittig. umber | Conditions of Approval and/or Mitigation Measures 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 Coastal Administrative Permit Application (PLN050507) to allow for a new 2,780 square foot two story single family dwelling with a 236 square foot attached garage, 8 square foot covered entry, 140 square feet of second story balconies and a Design Approval. The property is located at 24337 San Juan Road, Carmel (Assessor's Parcel Number 009-012-001-000). The plate height of the turret shall be redesigned to match the second story floor level and the roof pitch and overhang shall match other portions of the project. 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 | Adhere to conditions and uses specified in the permit. | Owner/ Applicant | Ongoing unless other- wise stated | |

| Permit Cond. Number | Mitig. Number | Conditions of Approval and/or Mitigation Measures 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) | |
|---------------------------|------------------|---|---|--|--|---|--|
| | | than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (Planning and Building Inspection) | | | | | |
| 2 | | PBD025 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution 050507) was approved by the Zoning Administrator for Assessor's Parcel Number 009-012-001-000 on November 10, 2005. 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 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) | Proof of recordation of this notice shall be furnished to PBI. | Owner/ Applicant | Prior to Issuance of grading and building permits or start of use. | | |
| 3 | | 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) shall be immediately contacted by the responsible individual present on-site. When contacted, | 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 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 | Owner/ Applicant/ Archaeo- logist | Ongoing | | |

Richard Dziedzic (PLN050507)

Page 6

| Permit Cond. Number | Mitig. Number | Conditions of Approval and/or Mitigation Measures 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 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) | measures required for the discovery. | | | |
| 4 | | PBD021 – LIGHTING – EXTERIOR LIGHTING PLAN 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) | Submit three copies of the lighting plans to PBI for review and approval. | Owner/ Applicant | Prior to issuance of building permits. | |
| 5 | | PBD032(A) - TREE PROTECTION Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip line of the retained trees. Said protection shall be demonstrated prior to issuance of building permits subject to the approval of the Director of Planning and Building Inspection. (Planning and Building Inspection) | Submit evidence of tree protection to PBI for review and approval. | Owner/ Applicant | Prior to issuance of grading and building permits | |

Richard Dziedzic (PLN050507)

| Permit Cond. Number | Mitig. Number | Conditions of Approval and/or Mitigation Measures 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 | <i>Timing</i> | Verification of Compliance (name/date) | |
|---|--------------------------------|--|--|--|--|---|--|
| 6 PBD034 - UTILITIES - UNDERGROUND N All new utility and distribution lines shall be placed underground. (Planning and Building Inspection; N Public Works) N | | | None | Applicant/ Owner | Ongoing | | |
| 7 | MAINTENANCE (OTHER THAN SINGLE | | AMILY DWELLING) the site shall be landscaped. At least 60 days prior occupancy, three (3) copies of a landscaping plan hall be submitted to the Director of Planning and uilding Inspection for approval. A landscape plan view fee is required for this project. Fees shall be aid at the time of landscape plan submittal. The ndscaping plan shall be in sufficient detail to entify the location, species, and size of the toposed landscaping. The landscaping shall be stalled and inspected prior to occupancy. All ndscaped areas and/or fences shall be ontinuously maintained by the applicant and all ant material shall be continuously maintained in a ter-free, weed-free, healthy, growing condition. | | At least 60 days prior to final inspect- ion or occu- pancy | | |
| | | | 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. | Owner/ Applicant | Ongoing | | |

Richard Dziedzic (PLN050507)

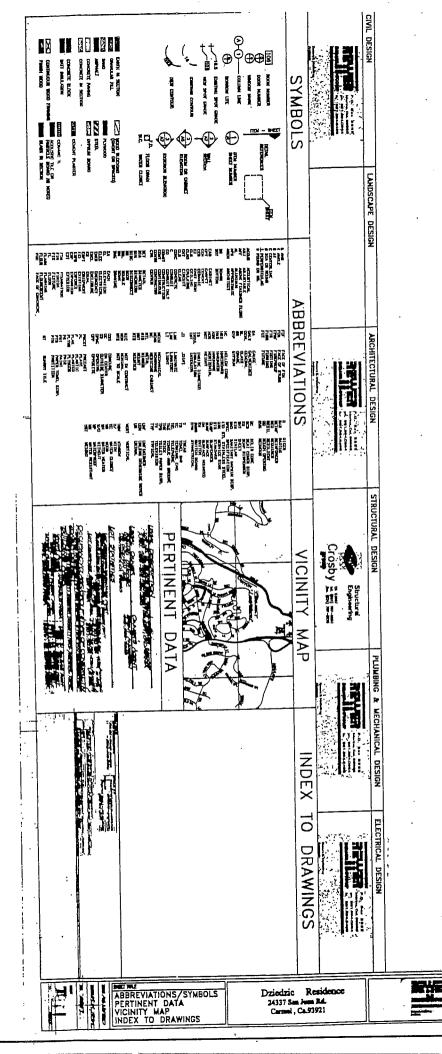
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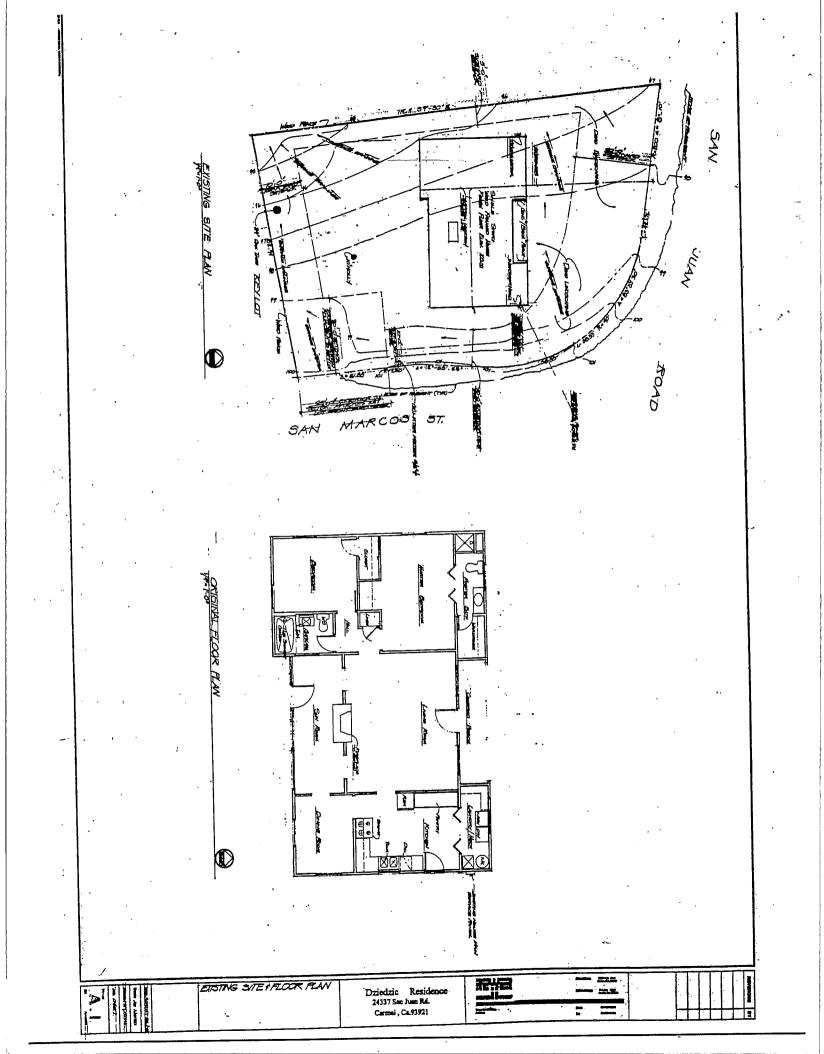
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|---------------------------|---|---|--|--|---|
| 8 | PBD040 – HEIGHT VERIFICATION The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final 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, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit associated with this project. (Planning and Building Inspection) | 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 | |

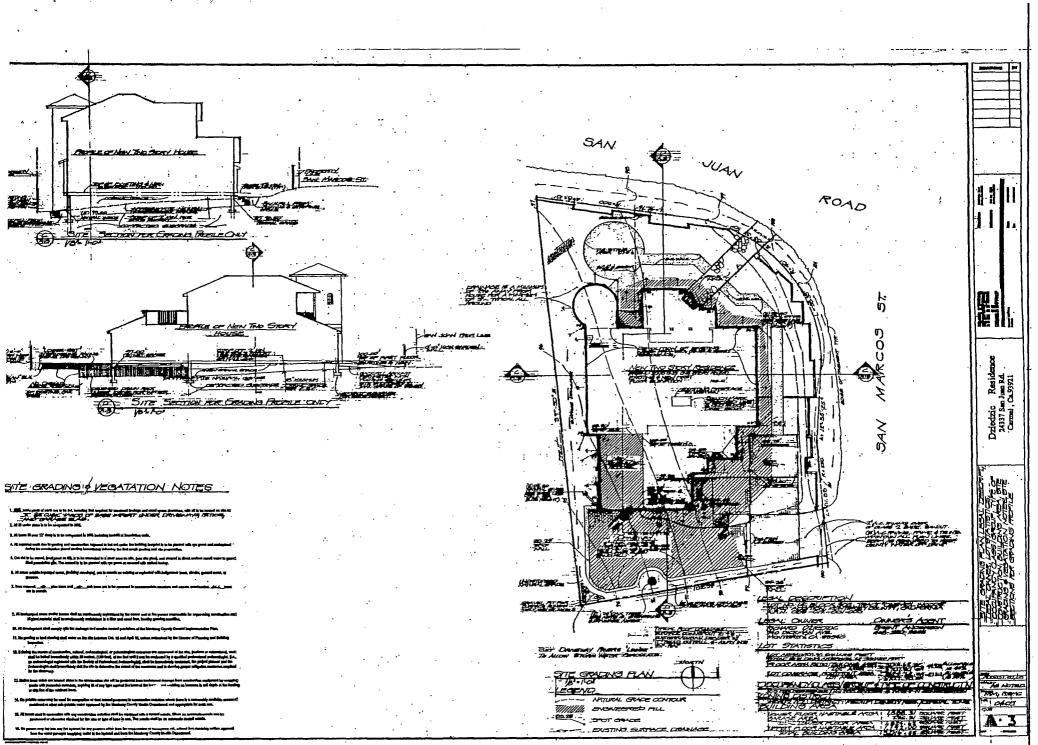
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Dziedzic 24337 San Juan Rd Carmel, Ca. 93921 Residence

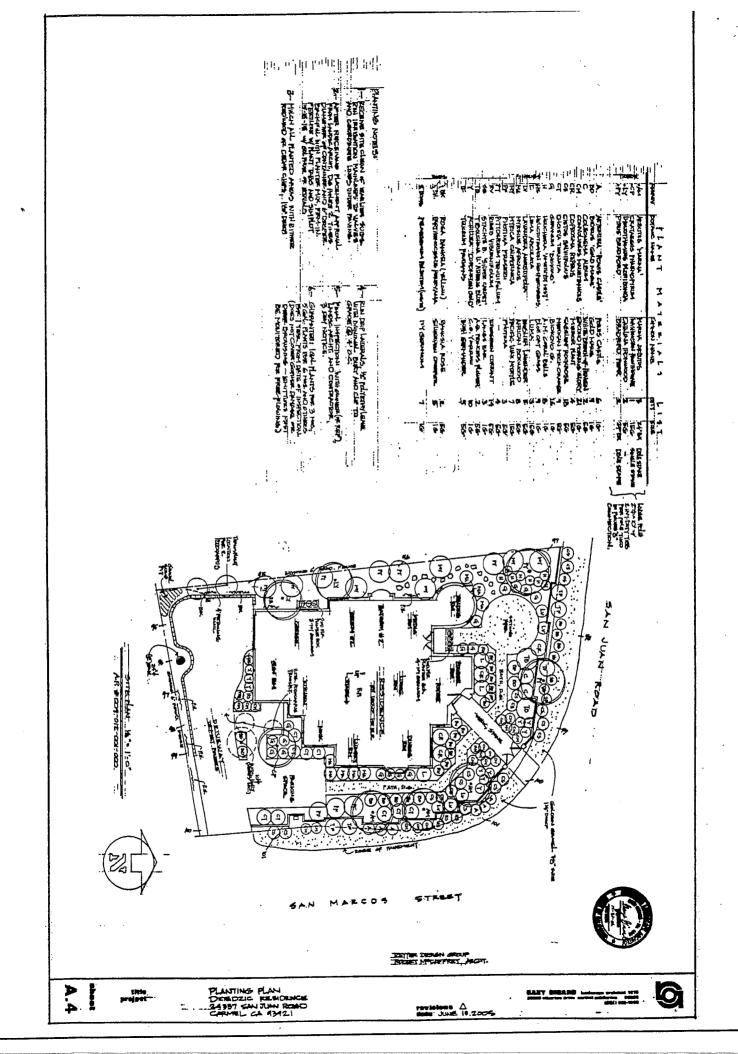
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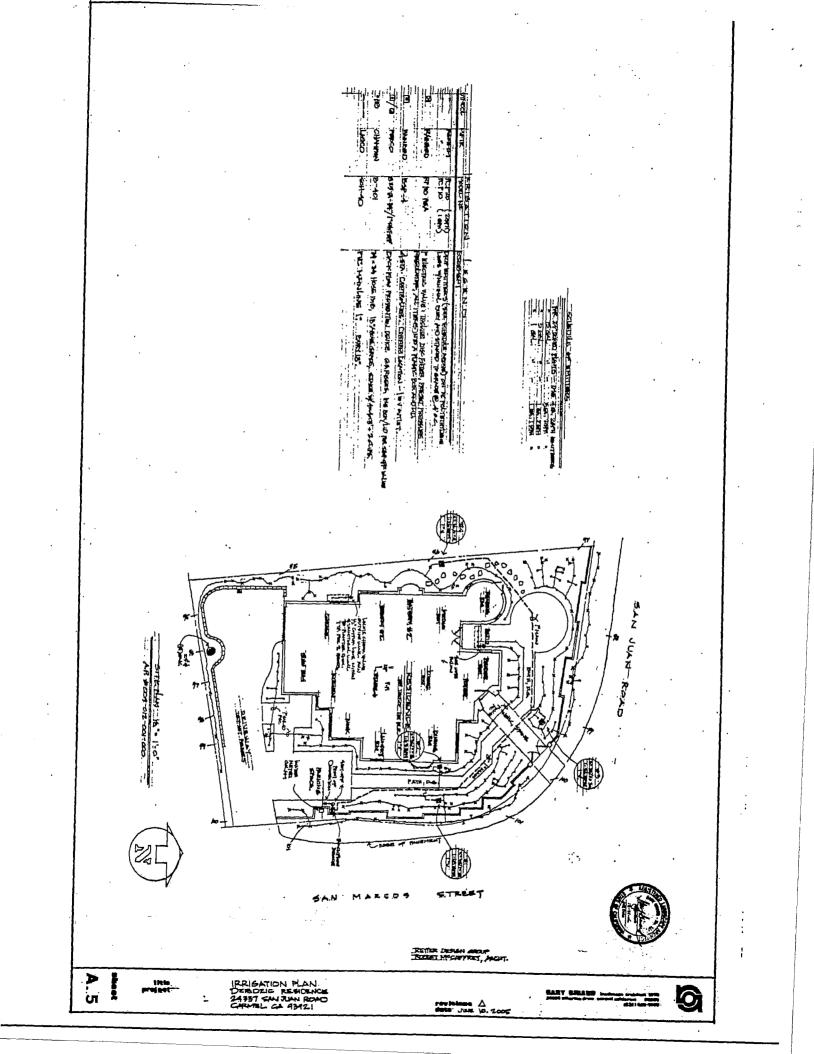


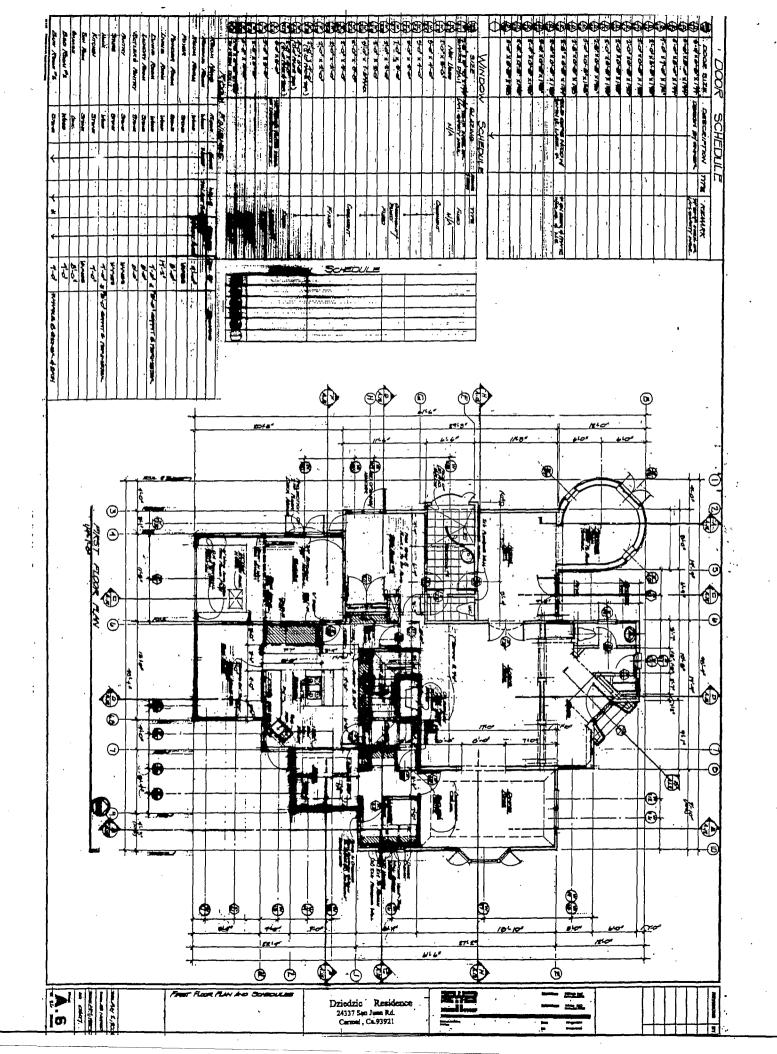


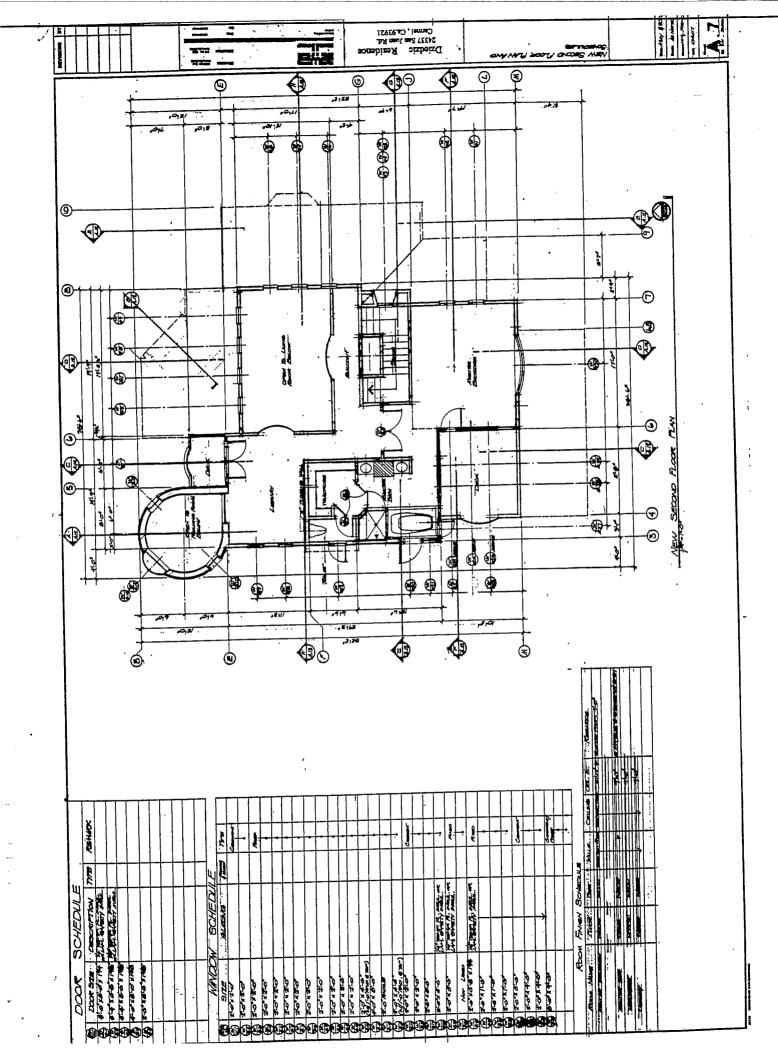


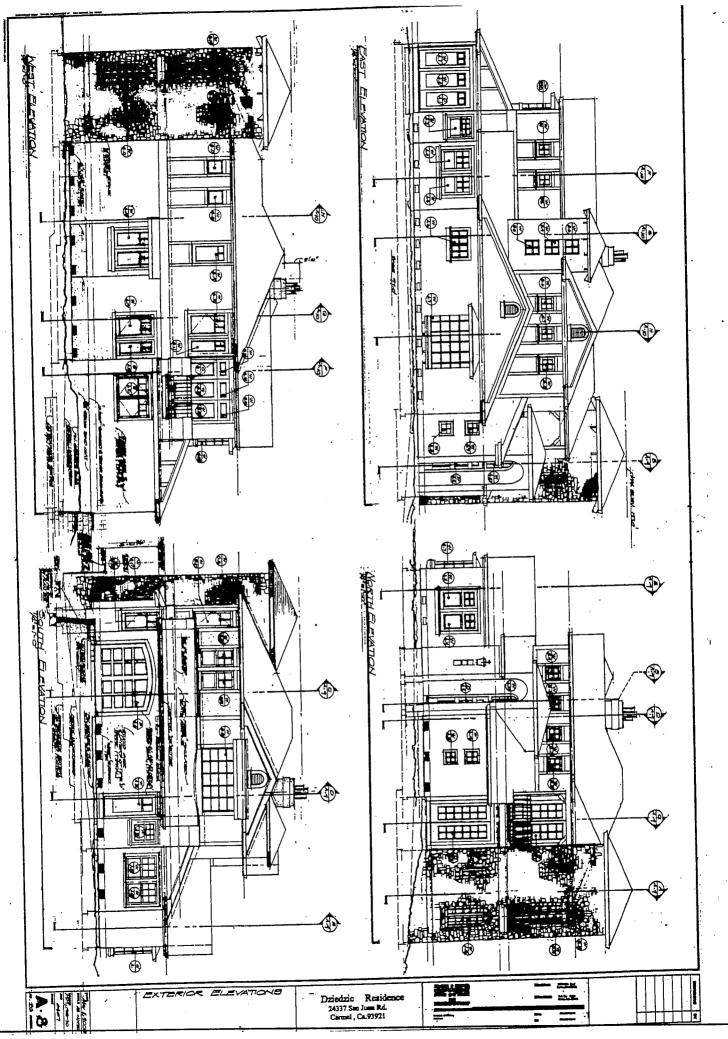
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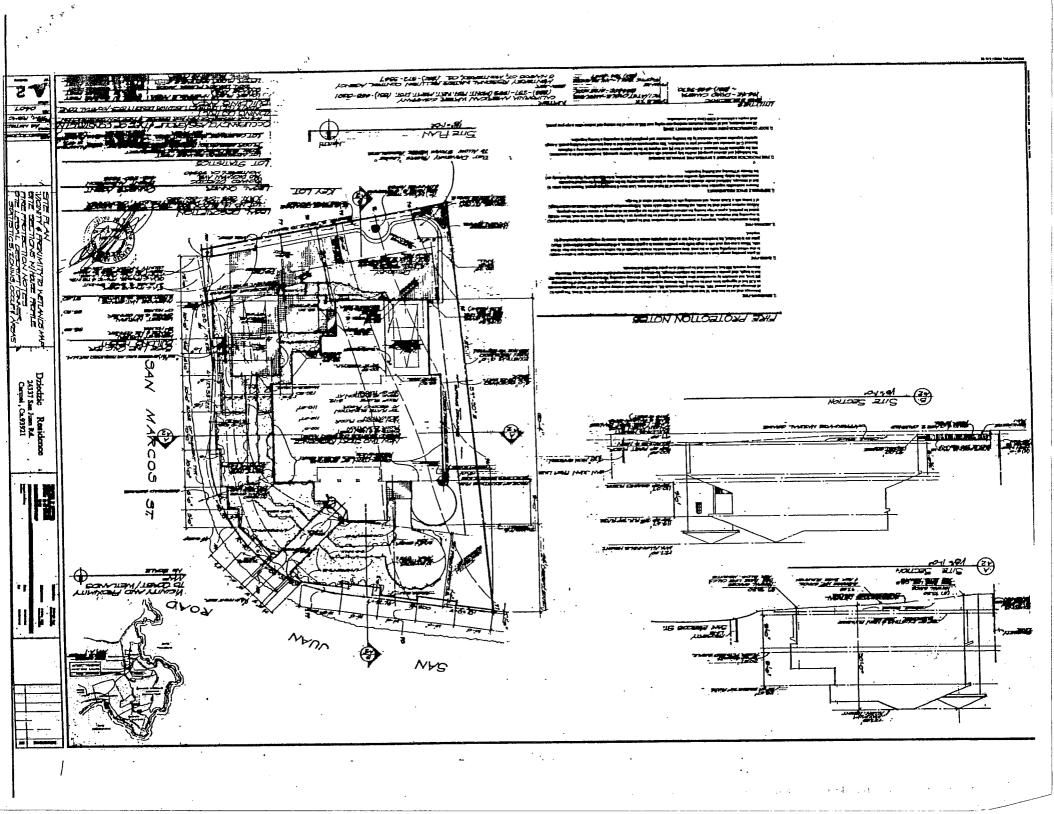












| MONTEREY (| COUNTY | | | | | | | |
|--|--|--|--|--|--|--|--|--|
| 230 Church St Bldg 1, Salin 2620 First Avenue, Marina, | Planning and Building Inspection Department 230 Church St Bldg 1, Salinas, Ca 93902 (831) 755-5025; Fax (831) 755-5487 2620 First Avenue, Marina, CA 93933 (831) 883-7500; Fax (831) 384-3261 http://www.co.monterey.ca.us/pbi | | | | | | | |
| DIESIGN APPROVA | L'REQUEST FORM | | | | | | | |
| ASSESSOR'S PARCEL NUMBER: $009 - 012$ | -011-000 | | | | | | | |
| PROJECT ADDRESS: 24337 San Ja | un RD. | | | | | | | |
| PROPERTY OWNER: Richard Dziedzie Address: 740 Dickman An City/State/Zip: Mentercu CA | Telephone: <u>408-590-3665</u> <u>v~</u> Fax: <u>73940</u> Email: | | | | | | | |
| APPLICANT: Brent Anderson | | | | | | | | |
| Address: <u>1481 Percentine Dr</u> City/State/Zip: Filroy CA, 4502 | Fax: Fax: Composition Cargowin(composition) | | | | | | | |
| AGENT: Same as Applica | | | | | | | | |
| Address: City/State/Zip: | Fax: Email: | | | | | | | |
| PROJECT DESCRIPTION: (see scope of work) MEN 2835, 69 SF, Covered intry 85F, Muster bed | KI ZOTORY GINGLE PAMILY REGIDENCE Deck 110sF, Library Deck 240SF TUIH Plantshelf 45 E. GIM. GATE | | | | | | | |
| MATERIALS TO BE USED: MAUS GRUD | E GIM CAATE GUTTERES & FLASTING COPPER- EL PASSIA & TEM DANK BROWN | | | | | | | |
| Ordinance provides that no building permit be issued, nor any utions and terms of the permit granted or until ten days after the PROPERTY OWNER/AGENT SIGNATURE: | mailing of notice of the granting of the permit. DATE: 5/4/05 | | | | | | | |
| zoning: $MD_2/2(CZ)$ | ADVISORY COMMITTEE RECOMMENDATION | | | | | | | |
| GENERAL/AREA PLAN? //////////////////////////////////// | | | | | | | | |
| LUAC REFERRAL: | For: Against: Abstain: Absent: | | | | | | | |
| PUBLIC HEARING: DOES THIS CORRECT A VIOLATION? VES DO LEGAL LOT: VES DNO | Was the Applicant Present? 🛛 YES 🗌 NO | | | | | | | |
| GIVEN OUT BY: DATE: | Recommended Changes: | | | | | | | |
| ACCEPTED BY: DATE: | | | | | | | | |
| COMMENTS: | | | | | | | | |
| | Signature: | | | | | | | |
| | Date: | | | | | | | |
| | DENIED | | | | | | | |
| conditions: <u>See Resultion 05050</u> | 7 | | | | | | | |
| | | | | | | | | |
| • | | | | | | | | |
| APPROVED BY: Min Mon | DATE: $l/(0/b)$ | | | | | | | |

Design Approval Form #0303

COPY: LUAC-Applicant-File

ATEMENT OF PLANNING PROJECT SCOPE OF WORK

| | | Nia | FLEASE CHECK, IES OK NO FOR ALL BOXES |
|--------------|------------------|--------------|--|
| ં | Yes | No | Project is for residential use |
| 2. | ₩ | | Project is for commercial use. |
| 3 | | | Project is for agriculture use. |
| | | | Project is for industrial use. |
| 4. E | | | |
| 5. | Þ | | Project is public or quasi/public. |
| .6. | , P . (*) | | Project includes a subdivision/lot line adjustment. |
| 7. | | | Project is for a cell site, telecom (digital) communication facility/site. |
| 8. | | | Project includes construction of new structures |
| 9. | ্যুই | ਼ਾ | Project includes enlarging, altering, repairing, moving, improving or removing an |
| | | | existing structure: If "yes", describe |
| ं | 1 | | |
| -10 | Ŕ | | Project includes demolition work |
| 4.3 | | | Il "yes", describe Riemering ald house |
| 11. | ्रस् | | Project includes replacement and/or repair of fifty percent (50%) or more of the |
| | | | exterior walls of a structure |
| | , ,□ | | Project includes a historical structure or a structure more than fifty (50) years old. |
| 13, | j 🗆 | R. | Project includes an accessory structure(s). |
| | | Δ | If "yes", describe. |
| , ۲ ۱ | | . J X | Project includes the placement of a manufactured home, mobile home; modular or |
| | | | pre-fabricated unit |
| | | | □ private property park installation(mobile home park) |
| | , D | 风 | Project includes retaining walls, sea wall, riprap. |
| -14 |) D | R | Project includes constructing, enlarging, altering, repairing, moving, improving or |
| | | | removing a septic tank/system |
| 15. | | A. | Project includes constructing, enlarging, altering, repairing, moving, improving or |
| | | | removing a well. |
| 16. | × | , □ | Project is associated with a new or improvements to a water system. |
| 5 (S | | | water system |
| 17. | ់ 🗋 ្ន | ø | Project includes removal of trees. |
| | | | If 'yes' sype, size & number |
| 18. | æ | D | Project includes removal or placement of vegetation |
| | | | _If "yes", type, size & number |
| 19. | | . QQ: | Project includes grading, diff importation, diff removal and/or drainage changes. |
| | 081 | | Project is visible from a public area; (public road, park, slough, beach; trail); |
| .21 | (.), . () | 叉 | Project is located on a slope/hillside: (30 percent (25 percent-North County) |
| 22; | | · 9. | Project is located within 50 feet of a bluff |
| 23. | | ,¢⊉ | . Project is located within 100 feet of seasonal or permanent drainage, lake, marsh |
| | | r | ocean, pond, slough, stream, wellands. |
| | | | If "yes", describe |
| 24 | DA . | | Project includes the use of roofing materials that are different in type and/or color. |
| | | | from the original materials |
| | | | If "yes", describe |
| | . °o | | Project is a change or modification to an approved application, |
| 26 | (D | 65 | Project involves or includes an existing or proposed trail or easement. |
| 27 | с I) | | Project involves new, change or modifications to existing utilities and/ or power lines. |
| | - | | |
| · . | PLEA | SE D | DESCRIBE COMPLETELY AND FULLY THE PROJECT YOU ARE APPLYING FOR. |
| | | | DE INFORMATION ON ALL QUESTIONS ANSWERED WITH A "YES" BELOW |
| B | ; Idin | | w house 2835,69 SF barage Atached SF = 236 31 |
| 5 | | T | 1 CSE M / 1/ 1/ 1/ 1/ 1/ 1/ 1/ 1/ 1/ 1/ 1/ 1/ 1 |

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| X | Building_ | new house | se 2.835 | 769 SF. | Garage | Atachica | SF= 236 | 5/ |
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| | | | FHashings | | | · | | |
| | | | | | | | | |

I hereby certify that the above information is complete and correct. I certify that I am the property owner or that I am authorized to act on the property owner's behalf.

| Signature | ۰. | • | • | : | | |
|-----------|----|---|---|---|----|---|
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It is unlawful to alter the substance of any official form or document of Monterey County. .

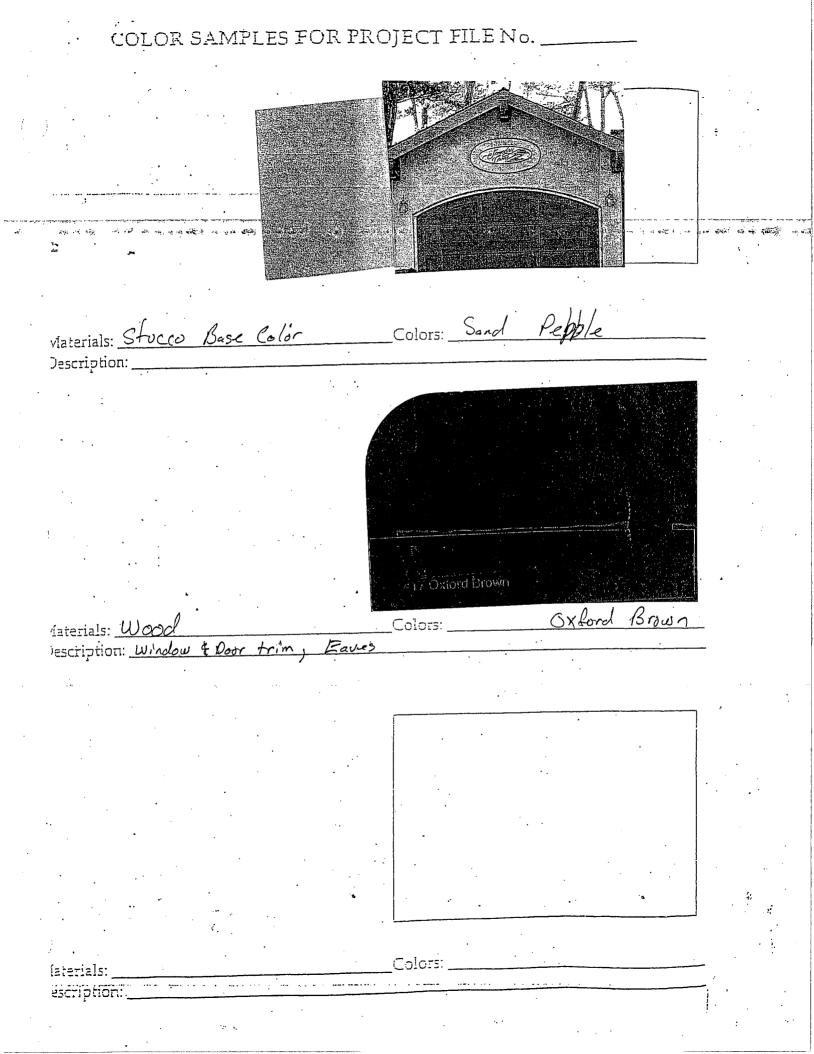
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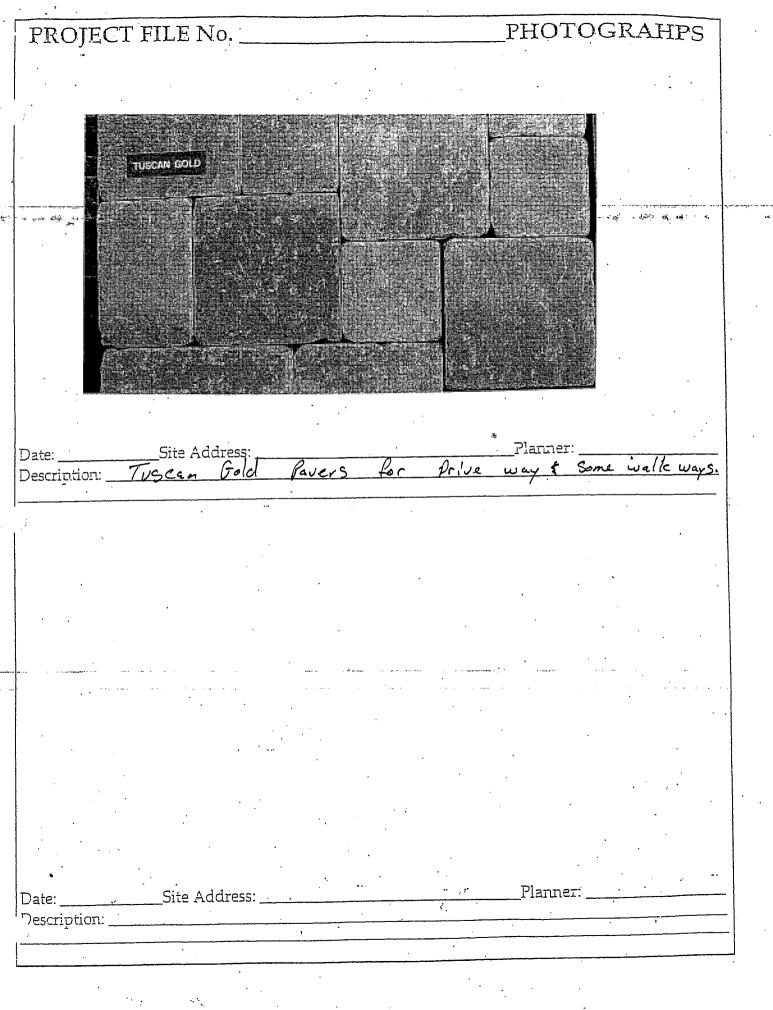
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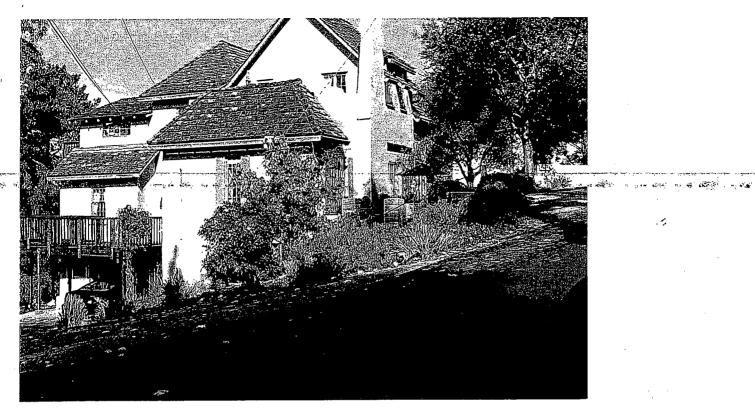
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PROJECT FILE No. PHOTOGRAHPS d.a.≓3 at 115. ₩. Date: _______Site Address: ______P Description: <u>Roofing Material Fire Free +</u> Planner: ___Site Address: _____ ___Planner: __ Date: ___ Description: Carmel Stone Entry Porch, Turit, Fire Place





Imitation SLATE TYPE ROOF.

Dark gray Color

