

JEFF MAIN
ZONING ADMINISTRATOR

COUNTY OF MONTEREY
STATE OF CALIFORNIA

RESOLUTION NO. 070105

A. P. # 241-182-016-000

In the matter of the application of
Randall I. & Linda D. Charles TRS (PLN070105)

FINDINGS AND DECISION

to allow a **Combined Development Permit** in accordance with Title 20 (Zoning) Chapter 20.76 (Combined Development Permits) of the Monterey County Code, for the construction of a 254 square foot glass deck enclosure within 50 feet of a coastal bluff. The property is located at 155 Highway 1 (Assessor's Parcel Number 241-182-016-000) Carmel, Carmel Area Land Use Plan, and came on regularly for meeting before the Zoning Administrator on May 31, 2007.

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

FINDINGS OF FACT

1. **FINDING: CONSISTENCY** – The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, the Carmel Area Land Use Plan, Title 20 of the Monterey County Code, and the Monterey County Coastal Implementation Plan - Part 4 (Chapter 20.146 MCC).

EVIDENCE: (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of the application. No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

(b) The property is located at 155 Highway 1, Carmel (Assessor's Parcel Number 241-182-016-000), Carmel Area Land Use Plan. The parcel is zoned Low Density Residential/ one (1) unit per acre with Design Control Overlay, in the Coastal Zone ("LDR/1-D (CZ)"). Approximately 0.52 acres in size, existing development on the site includes a single family dwelling, detached garage, and a series of significant garden walls and pathways within 50 feet of a coastal bluff. As conditioned, the subject property complies with all the rules and regulations pertaining to zoning uses and any other applicable provisions of Title 20 and is therefore suitable for the proposed development.

(c) The project includes the construction of a 254 square foot glass enclosure on an existing second story deck. In accordance with Section 20.82 of the Monterey County Coastal Implementation Plan (Title 20), the project requires the issuance of a Combined Development Permit including a Coastal Administrative Permit to allow the construction of an accessory structure (20.14.040.F.) and a Coastal Development Permit (20.70.120.A.1.) to allow improvements to a single-family dwelling located within 50 feet of the edge of a coastal bluff. The enclosure is structurally attached to the single family dwelling and maintains a height of 8 feet, for a total height from average natural grade of 17 feet. The front, side and rear setbacks are 50 feet, 80 feet, 55 feet and 45 feet

respectively. Because the existing deck is greater than 24 inches from the ground, construction of the enclosure does not increase building site coverage. Therefore, the enclosure is consistent with all setback, height, and building site coverage regulations contained within the "LDR" zoning district.

- (d) The project planner conducted a site inspection on March 22, 2007 to verify that the project on the subject parcel conforms to the plans listed above.
- (e) Scenic Resources. While partially obscured by existing vegetation, a portion of the single family dwelling and 254 square foot second story deck are briefly visible to those traveling northbound on Highway 1 at Wild Cat Creek Bridge. In accordance with Policies 2.2.3.6 and 2.2.4.10.(c) and (d) of the Carmel Area Land Use Plan, in an effort to minimize visibility, the enclosure utilizes anti-glare, non-reflective glass, maintains a flat roof, and is sited below the existing roof line of the single family dwelling. Exterior eve lighting above the deck will be removed. Lighting for the interior of the enclosure will be provided by low wattage (less than 50 watts), directional, interior lighting. To provide continued screening of the parcel, existing landscaped areas, including adjacent Cypress trees, will be continuously maintained by the applicant in a healthy, growing condition (**Condition 5**).
- (f) While located within 50 feet of a coastal bluff, construction of the project will require no additional ground disturbance. Condition 6, Construction Staging Area, has been included to ensure construction materials will not impact the coastal bluff or sensitive coastal waters.
- (g) On April 2, 2007, the Carmel Highlands Land Use Advisory Committee voted 5-0 to recommend approval of the subject Combined Development Permit (PLN070105/Charles). The Committee voted to recommend approval with noted concerns regarding trimming of the existing trees. The Committee stated that it is imperative to retain as much of the existing vegetation as possible to continue to screen the development from Highway 1 and to mitigate any lighting impacts.
- (h) The application, plans, and related support materials submitted by the project applicant to the RMA- Planning Department for the proposed development found in Project File PLN070105.

2. FINDING: SITE SUITABILITY – The site is physically suitable for the use proposed.

- EVIDENCE:**
- (a) The project has been reviewed for site suitability by the following departments and agencies: California Coastal Commission, RMA-Planning Department, Carmel Highlands Fire Protection District, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
 - (b) Staff conducted a site inspection on March 22, 2007 to verify that the site is suitable for this use.
 - (c) Materials in Project File PLN070105.

3. FINDING: CEQA (Exempt): - The project is categorically exempt from environmental review.

- EVIDENCE:**
- (a) CEQA Guidelines §15301 (Class 1) categorically exempts minor additions to existing public or private structures involving negligible or no expansion of use.
 - (b) The project includes the construction of a 254 square foot glass enclosure upon an existing second story deck.

- (c) Implementation of the project does not require the removal of any protected trees or environmentally sensitive habitat.
- (d) While located within 50 feet of a Coastal Bluff, construction of the enclosure will not require any new ground disturbance.
- (e) Due to partial screening of the site, proper siting of the structure, and proposed materials, the project will not have a substantial adverse effect on a scenic vista or scenic resource. Furthermore, because the project as designed incorporates non-reflective anti-glare materials, the enclosure will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.
- (f) No adverse environmental effects were identified during staff review of the application or during the site visit on March 22, 2007.
- (g) No unusual circumstances were found to exist that would cause a potential significant environmental impact to occur.
- (h) See preceding and following findings and supporting evidence.
- (i) Materials in project file PLN070105.

4. 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 (see 20.70.050.B.4). 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 public access as identified in Figure 3 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.
- (d) Staff site visit on March 22, 2007.

5. FINDING: NO 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. No violations exist on the property. Zoning violation abatement costs, if any, have been paid.

EVIDENCE: Staff reviewed RMA- Planning Department and RMA-Building Services records and is not aware of any violations existing on subject property.

6. 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 Board of Supervisors and the California Coastal Commission.

EVIDENCE: (a) Sections 20.86.020 and 20.86.030 of the Monterey County Zoning Ordinance (Title 20).
(b) In accordance with Section 20.86.080 of the Monterey County Zoning Ordinance (Title 20) the project may be appealed to the California Coastal Commission because the project is located between the sea and the first through public road paralleling the sea and includes the granting of a conditional use.

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 30th day of May, 2007.



JEFF MAIN, ZONING ADMINISTRATOR

COPY OF THIS DECISION MAILED TO APPLICANT ON JUN -7 2007

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS. 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 JUN 17 2007

THIS APPLICATION IS ALSO APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE DECISION BY THE BOARD OF SUPERVISORS, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

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 Salinas.

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

Resource Management Agency - Planning Department
Condition Compliance & Mitigation Monitoring and
Reporting Plan

Project Name: Randall and Linda Charles

File No: PLN070105

APN: 241-182-016-000

Approval by: Zoning Administrator

Date: May 31, 2007

**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.		<p>PD001 - SPECIFIC USES ONLY This Combined Development Permit (PLN070105) allows for the construction of a 254 square foot glass deck enclosure within 50 feet of a coastal bluff. The property is located at 155 Highway 1 (Assessor's Parcel Number 241-182-016-000) Carmel, Carmel Area Land Use Plan. 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 the RMA - Planning Department. 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. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled.</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise 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)
		(RMA - Planning Department)				
2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution 070105) was approved by the Zoning Administrator for Assessor's Parcel Number 241-182-016-000 on May 31, 2007. The permit was granted subject to <u>8</u> conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits.	
3.		PDSP-001 – LIGHTING Interior lighting of the proposed enclosure shall not exceed 50 watts, shall be down-lit, and constructed or located so that only the intended area is illuminated and off-site glare is minimized. Additional exterior lighting of the enclosure is not allowed. The applicant shall submit three (3) copies of the lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. (RMA – Planning Department)	Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans. The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant Owner/ Applicant	Prior to the issuance of building permits. Ongoing	
4.		PDSP-002- MATERIALS The enclosure shall be constructed or laminated utilizing anti-glare, non-reflective materials to aid in reducing the visibility of the structure and to maintain consistency	Provide written material to the Planning Department for review and approval verifying the anti-glare and non-reflective quality of the	Owner/ Applicant	Prior to the issuance of grading or building	

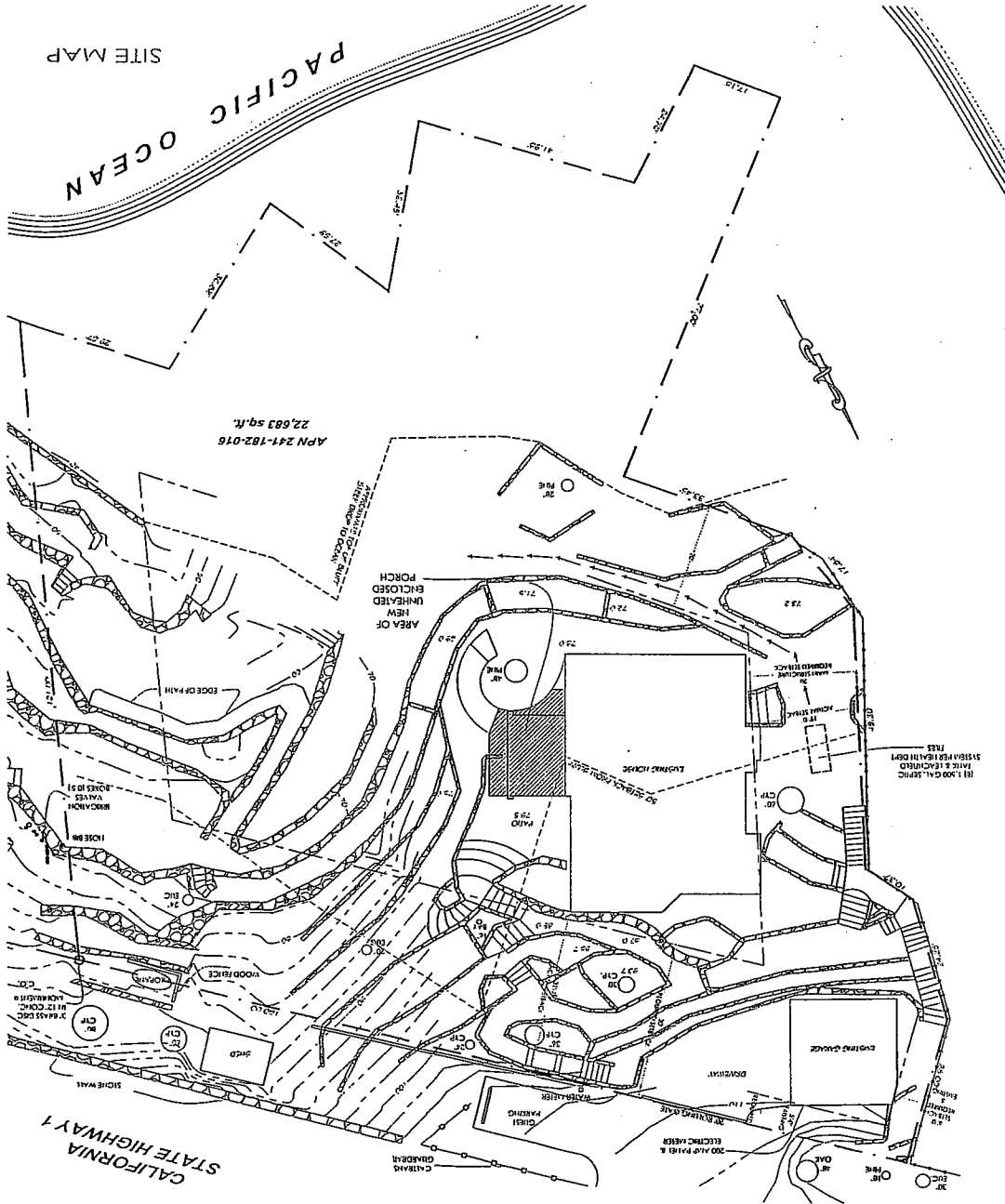
<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		with viewshed policies. (RMA – Planning Department)	materials utilized in constructing the glass enclosure.		permits.	
5.		PDSP-003-EXISTING LANDSCAPING Existing landscaped areas, including adjacent Cypress trees, shall be continuously maintained by the applicant in a healthy, growing condition. These trees currently provide screening for the parcel and shall not be trimmed in such a way that would increase the visibility of the existing development or the proposed enclosure. Any proposed tree removal shall require the issuance of a Coastal Development Permit from the Planning Department. (RMA – Planning Department)	All plant and tree material shall be continuously maintained in a healthy, growing condition.	Owner/ Applicant	Ongoing	
6.		PDSP-004-CONSTRUCTION STAGING AREA Construction materials shall be located within an identified staging area adjacent to the existing residence. No materials or construction related debris shall be stored or staged outside of the designated area.	Provide photographic evidence verifying that the construction staging area is located greater than 50 feet from the bluff. This location is subject to the review and approval of the Director of Planning.	Owner/ Applicant	Prior to the issuance of grading or building permits/ Ongoing	
7.		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. 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	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans. Applicant shall schedule Fire Dept. clearance inspection	Applicant or Owner Applicant or Owner	Prior to issuance of building permit. Prior to final building inspection	

<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>
		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 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. (Carmel Highlands Fire Protection District)				
8.		FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD) Remove combustible vegetation from within a minimum of 30 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Planning Director. (Carmel Highlands Fire Protection District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans. Applicant shall schedule Fire Dept. clearance inspection	Applicant or owner Applicant or Owner	Prior to issuance of grading and/or building permit. Prior to final building inspection	

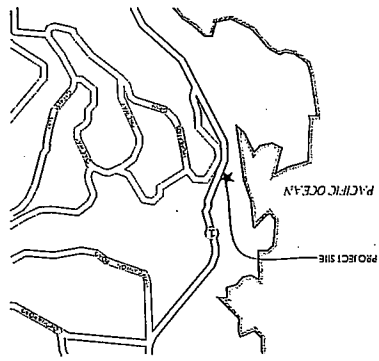
END OF CONDITIONS

P11070105

SITE MAP



VICINITY MAP



PAGE INDEX

A1 SITE MAP, VICINITY MAP & PROJECT INFORMATION
 A2 EXISTING & PROPOSED FLOOR PLANS
 A3 EXISTING ELEVATIONS AND BUILDING SECTION
 51.2 DETAILS
 PROJECT INFORMATION
 BE REMOVED AND NO GRADING WILL BE REQUIRED.
 ENCLOSE A SECOND FLOOR DECK WITH GLASS. NO TREES WILL
 OCCUPANCY CODE U-1
 TYPE OF CONSTRUCTION V-H
 SITE AREA APN 241-182-016 22,683 SQ. FT.
 EXISTING SQUARE FOOTAGE
 FIRST FLOOR 1,639 SQ. FT.
 SECOND FLOOR 1,574 SQ. FT.
 EXISTING SQUARE FOOTAGE 3,213 SQ. FT.
 PROPOSED SQUARE FOOTAGE
 FIRST FLOOR 1,639 SQ. FT.
 SECOND FLOOR 1,821 SQ. FT.
 PROPOSED SQUARE FOOTAGE 3,460 SQ. FT.
 EXISTING SITE COVERAGE
 GARAGE 393 SQ. FT.
 HOUSE 1,959 SQ. FT.
 PROPOSED SITE COVERAGE
 NO CHANGE IN SITE COVERAGE
 NATURAL AVERAGE GRADE 22.0'

AI
 Scale 1" = 10'-0"
 Date 21 February 2007

REVISIONS

LOUIS STAK
 CONSTRUCTION
 INC.
 P.O. BOX 7
 PUEBLO GRANDE, CA 95028
 (916) 375-8527
 loutstak@stak.com

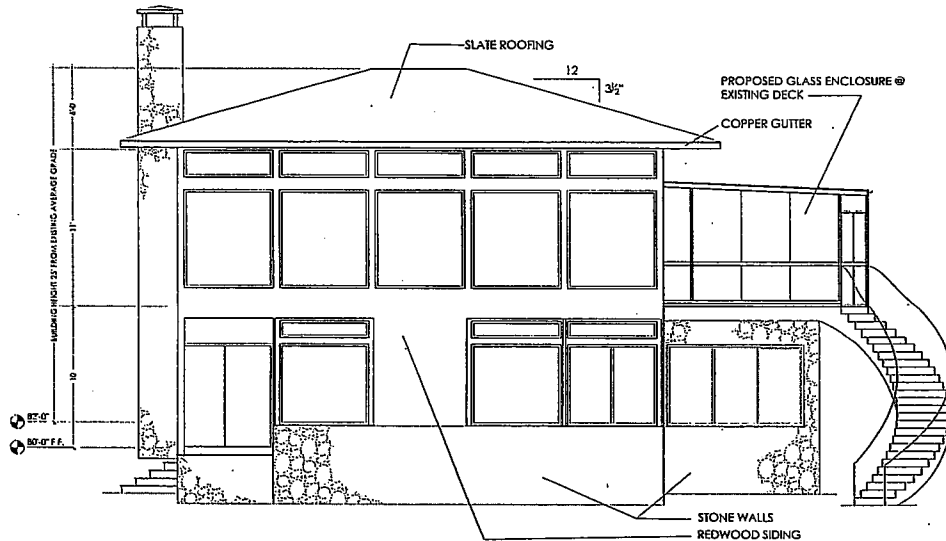
Site Plan &
 Project
 Information

534 Sequoia Ave
 South Gate, CA 90260
 (310) 831-457
 (310) 831-423-7724

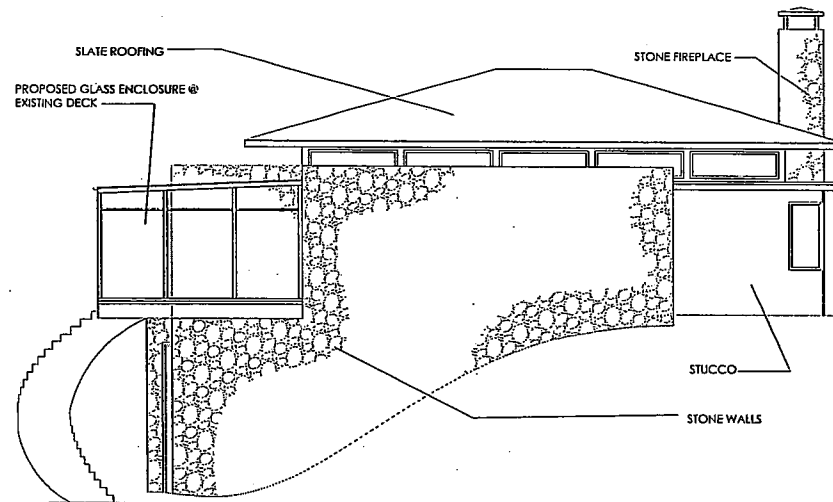


Architected
 Dennis Anderson
 Prepared by

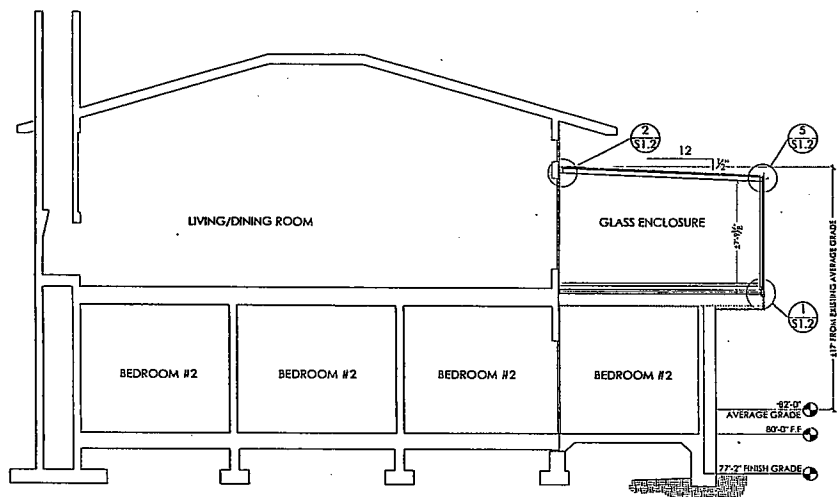
Charles
 Residence
 156 Highway 1
 Ukiah, CA 95524
 APN 241-182-016



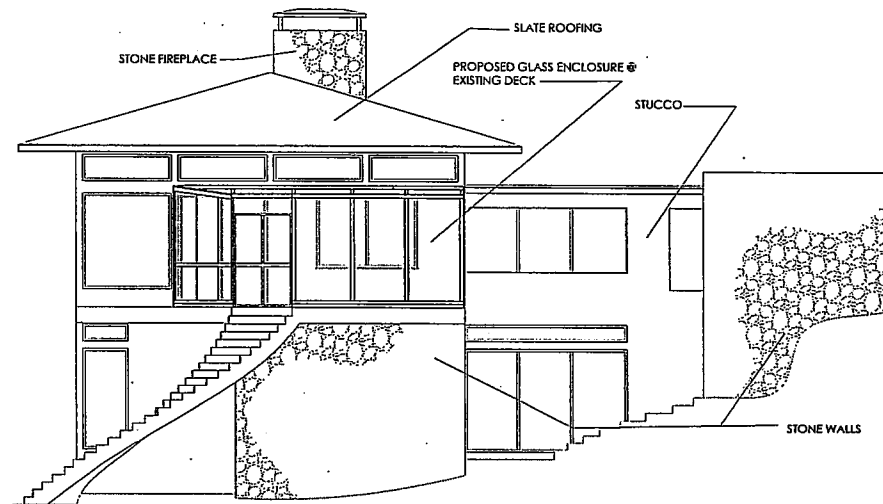
SOUTH ELEVATION



NORTH ELEVATION



① BUILDING SECTION



EAST ELEVATION

Project
Charles Residence
 "Sun Facing"
 155 Highway 1
 Carmel, CA 95023
 APN 241-1c2-010

Prepared by
Dennis Anderson
 Architect

REGISTERED ARCHITECT
 DENNIS ANDERSON
 23 May 91
 STATE OF CALIFORNIA

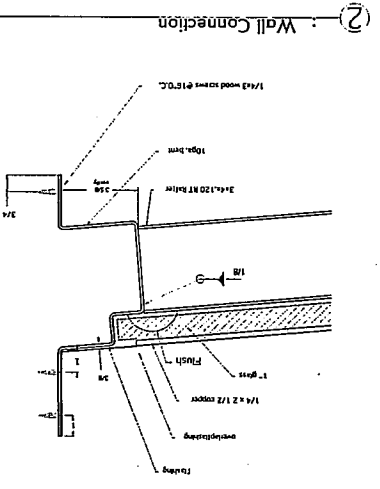
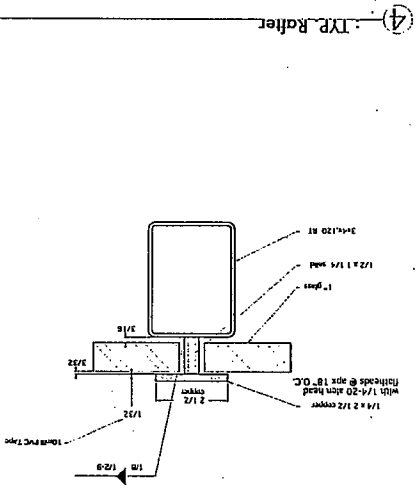
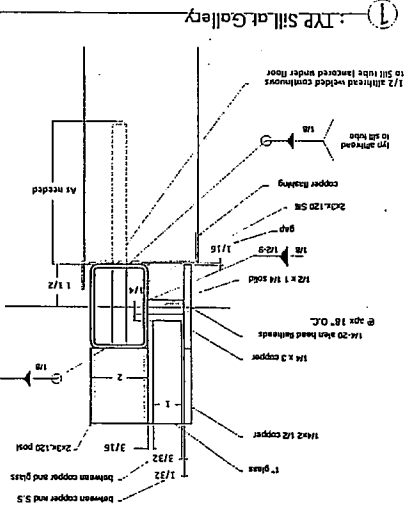
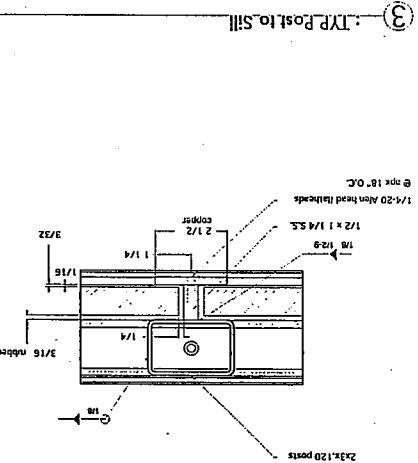
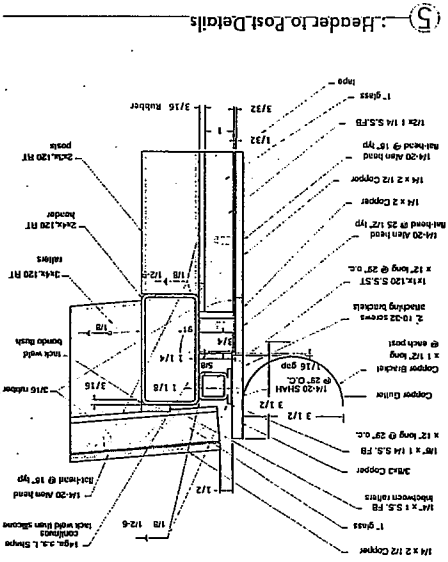
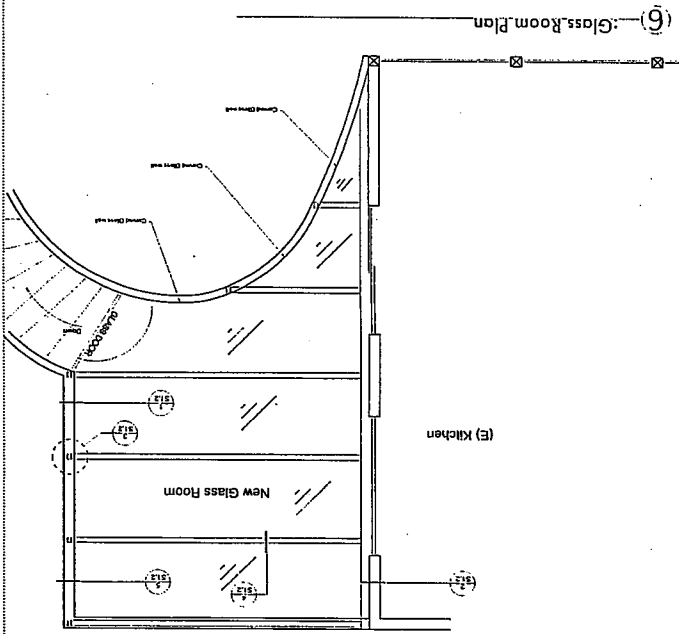
526 Soquel Ave
 Soquel, CA 95062
 voice 831-457-8346
 fax 831-423-2724

Exterior Elevations & Building Section

LOUIS PTAK CONSTRUCTION INC.
 P.O. Box F
 Pacific Grove, CA 93950
 (831) 372-8025
 (831) 375-8527
 louis@louisptak.com

Revisions

Date
 21 February 2007
 Scale
 1/4" = 1'-0"
A3



SI.2

B-22-06
BY BP

Class Room Addition

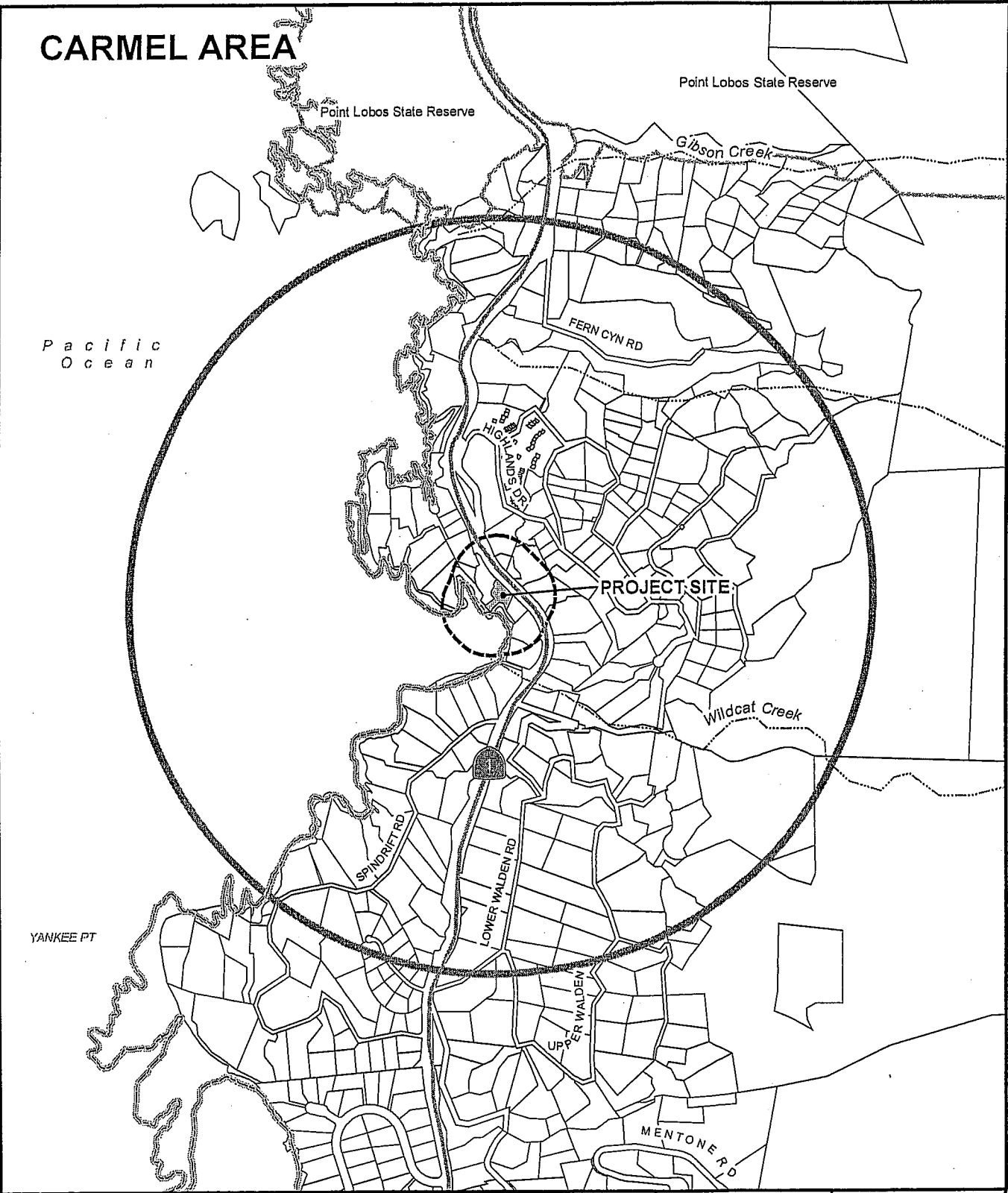
Section

153 Highway 1
**CHARLES RESIDENCE
 ADDITION**
 Carmel, CA

Dann Woods
 Dann Woods' Designs
 Center of Design and Staff

1241 A Dorina Street
 Sausalito, CA 94965
 Phone: (415) 754-0050
 Fax: (415) 754-0050
 http://www.dannwoods.com


CARMEL AREA





APPLICANT: CHARLES

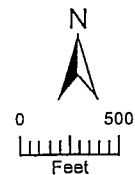
APN: 241-182-016-000

FILE # PLN070105

 300' Limit

 2500' Limit

 City Limits



PLANNER: BRUNK