JEFF MAIN ZONING ADMINISTRATOR STATE OF CALIFORNIA COUNTY OF MONTEREY

RESOLUTION NO. 070420

A.P.# 009-563-005-000

In the matter of the application of IWF Carmel River Investors LP (PLN070420)

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, Title 16 Section 16.16.050 (C), elevation requirements for new construction and substantial improvements, for PLN030646. The Variance will allow the applicant to substantially improve 23 legal non-conforming historic structures located within the 100-year Floodplain of the Carmel River without elevating the structures. As historic structures, a Variance may be issued in accordance with Title 16 Section 16.16.060 (B). There is no change in the approved design, appearance, or locations of any structures proposed under this permit. The property is located at 26600 Oliver Road, Carmel, Carmel Land Use Plan, and came on regularly for hearing before the Zoning Administrator on October 11, 2007.

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

FINDINGS OF FACT

- 1. **FINDING: CONSISTENCY 16.16.060(B)** The project conforms to the policies, requirements, and standards of Monterey County Code Title 16 Chapter 16.16.060 B (Variance Procedures) which establishes conditions under which a Variance to Title 163163050.C can be granted.
 - **EVIDENCE:** (a) The Variance will allow the applicant to substantially improve 23 legal non-conforming historic structures located within the 100-year Floodplain of the Carmel River without raising the structures floor heights above the base flood elevation as this would impact the integrity of the historic structures.
 - (b) Monterey County Code Title 16 Chapter 16.16.060B1 allows a Variance to be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places.
 - (c) On July 5, 2007 The Monterey County Historic Resource Review Board unanimously recommended the inclusion of the Carmel River Inn Historic District (The 23 existing cottages) to the Monterey County Register of Historic Resources.
 - (d) On July 24, 2007 the Monterey County Board of Supervisors approved the adoption of the Carmel River Inn Historic District to the Monterey County Register of Historic Resources.
 - (e) The application, project plans, and related support materials found in Project File Numbers PLN030646 (original Combined Development and General Development Permit) and PLN070420 (new Variance).
- 2. **FINDING: CEQA** (No **Project**): The issuance of the Variance pursuant to Title 16 Chapter 16.16.060 does not meet the definition of a project under CEQA.
 - **EVIDENCE:** (a) California Environmental Quality Act (CEQA) Guidelines Section 21065 defines the term "project" for the purposes of applying CEQA.
 - (b) Monterey County Code Title 16 Chapter 16.16.060 B (Variance Procedures) establishes conditions under which a Variance can be granted, no findings are required to be made other than to say the proposal meets those conditions.

- (c) This Variance does not include a permit for development. The development was permitted under the previous development permit (PLN030646) and related Mitigated Negative Declaration.
- (c) See preceding and following findings and supporting evidence.
- 3. **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: (a) The project has been reviewed for health and safety regulations by the following departments and agencies: RMA Planning Department, Carmel Highlands Fire Protection District, Public Works, Environmental Health Division, and the Water Resources Agency. There has been no indication from these departments/agencies that granting of the variance would be detrimental to health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood, or to the general welfare of the County. Conditions recommended have been incorporated.
 - (b) Preceding findings and supporting evidence.
- 4. **FINDING:** APPEALABILITY The decision on this project is appealable to the Board of Supervisors and the California Coastal Commission.

EVIDENCE: Sections 20.86.030 and 20.86.080 of the Monterey County Zoning Ordinance (Title 20).

DECISION

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

PASSED AND ADOPTED this 11th day of October, 2007.

Juniline & Oncemo for JEFF Main, ZONING ADMINISTRATION

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON OCT 2 3 2007

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

NOV - 2 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

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

Monterey County Resource Management Agency Planning Department

Condition Compliance and/or Mitigation Monitoring Reporting Plan

Project Name: Carmel River Inn

File No: PLN070420

APNs: <u>009-563-005-000</u>

Approved by: Zoning Administrator

Date: October 11, 2007

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

Permit Muig. Cond. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compitance of Monitoring Actions to be performed 1Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
	PD001 - SPECIFIC USES ONLY This Variance (PLN070420) allows the rehabilitation/reconstruction of 23 historic cottages units, consistent with the previously approved development permit PLN030646, exceeding 50% of the total assessed value within the Carmel River 100 year flood plain. The property is located at 26600 Oliver Road Carmel (Assessor's Parcel Number 009-563-005-000), Carmel 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. (RMA - Planning Department)	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

Permit : Mi Cond: Number	ig. Conditions of Approval and/or Mitigation Measures and ther Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a genified professional is required for action to be accepted.	Responsible Party for Compliance	Timing ##	Verification in Sof Compliance (name/date)
2.	PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (PLN070420) was approved by the Zoning Administrator for Assessor's Parcel Number 009-563-005- 000 on October 11, 2007. The permit was granted subject to 6 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	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 or commence -ment of use.	
3.	PD004 - INDEMNIFICATION AGREEMENT The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any	Submit signed and notarized Indemnification Agreement to the Director of RMA — Planning Department for review and signature by the County. Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA — Planning Department.	Owner/ Applicant	Concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable	

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 Pantyfor Compliance	Timing:	Venification of Compliance (name/date)
		such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. (RMA - Planning Department)				÷
4.		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.	
		Installation shall be in accordance with the 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	Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner	Prior to framing inspection	
		issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. Responsible Land Use Department: Carmel Highlands Fire District.	Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	Prior to final building inspection	
5.		FLOODPROOFING PLAN The cottage units shall be protected to the maximum extent possible using floodproofing materials and vents where appropriate. The applicant shall provide the Water Resources Agency a floodproofing plan, for each unit, prepared by a registered civil engineer or licensed architect showing the internal and external grade elevations, the location and dimensions of all vents, and the proposed floodproofing materials. Improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)	Submit a floodproofing plan to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any building permits	WRA

Permit Mitig Cond. 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)
6.	DEED NOTIFICATION The owner shall provide the Water Resources Agency a recorded Deed Notification stating: "The twenty-three historic cottages were permitted to be substantially improved with their lowest floor elevation below the base flood elevation. Flood insurance premiums may be commensurate with the increased risk resulting from the reduced lowest floor elevation." (Water Resources Agency)	Submit a recorded deed notification to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any building permits	WRA

END OF CONDITIONS

CARMEL RIVER INN EXHIBIT D A REBUILD UNITS 13, 14 & 16 AS REQUIRED COTTAGE UNITS #13,14 & 16 REMODEL/ADDITION U.S. HIGHNAY I © CARMEL RIVER BRICGE P.O. BOX 221609 CARMEL CA 93922 APN 039-565-035 SHEET INDEX SITE PLAN TITLE SHEET, SYMBOLS, PROJECT INFORMATION PARTIAL SITE PLAN UNIT #13 - DEMO, FLOOR FROM FROM FLAN UNIT # 14 - DEMO, PLOOP, RCP & ROOF PLAN UNIT # 16 - DEMO, PLOOP, RCP & ROOF PLAN UNIT #13 - ELEVATIONS & SCHEDULES UNIT #14 - ELEY-ATIONS & SCHEDULES UNITS 13,14 & UNIT #16 - ELEVATIONS & SCHEDULES UNIT #12.#14 & #15 - SECTIONS & DETAILS TITLE 24 CALCS DEVELOPMENT ANALYSIS SCOTTER DUS NEED WHILE TO FLOOD PLAIN COTTABEL UNITS #12 #14 2 #16UE BELDWITHE 100 (LAR FLEG LEE PROJECT DESCRIPTION BOLEN FOR LIVITS ON PRINCIPEL WOOD BLOCKING STANSON CHITTERS + 400HONS - 1014CSF PLANCOC ASCRIP HEROMATIC THE CELAS 동생 내 내 TREE REMOVAL: OVERALL SITE PLAN SEWER IE. MANAGE SERVICE SERVICES VICINITY MAP PROJECT INFORMATION SYMBOLS A 24/15 '01 ABBREVIATIONS gigan et en Source
stongs states
registable
registable
registable
registable
registable
registable
registable
strong
st DEISI 2001 Celtornia Building Code, CPC, CRIC, CEC emine ment stronger strong strong strong stronge total OCCUPANCY CLASSIFICATION. OCCUPANCY LOADS: wide progras with the second minister expects Building Area 320 .31'---. UNIT #16 OFFICE: - HOSM NAME OCCUPANCY SEPARATIONS. Ġ NOPE POINT TYPE OF CONSTRUCTION Y-N MATCHUNE scan array PROJECT DIRECTORY ➂ SHEET NOTE SYMBOL PROJECT DANS NCO-MINER INGMICE **@** COOR NUMBER activity and activity activity and activity activity.

0

WINDOW SYMEDL EQUIPMENT SYMBOLISEE SOUPMENT US

CARMEL.

RIVER INN

PHASE II COTTAGE REBUILD

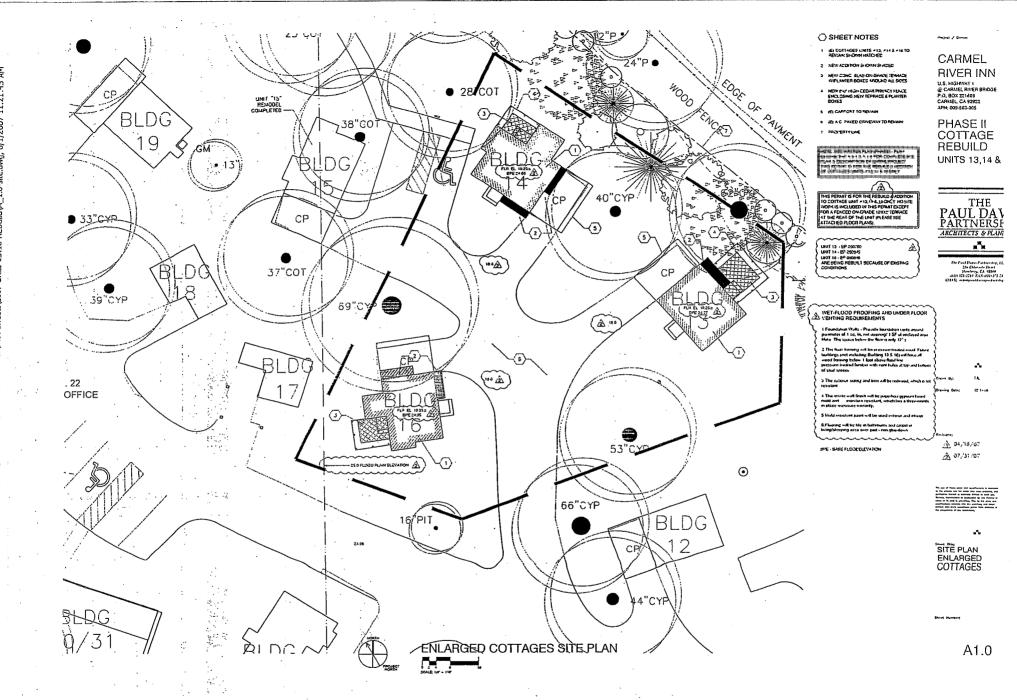
THE PAUL DAY PARTNERSI ARCHITECTS & PLAN,

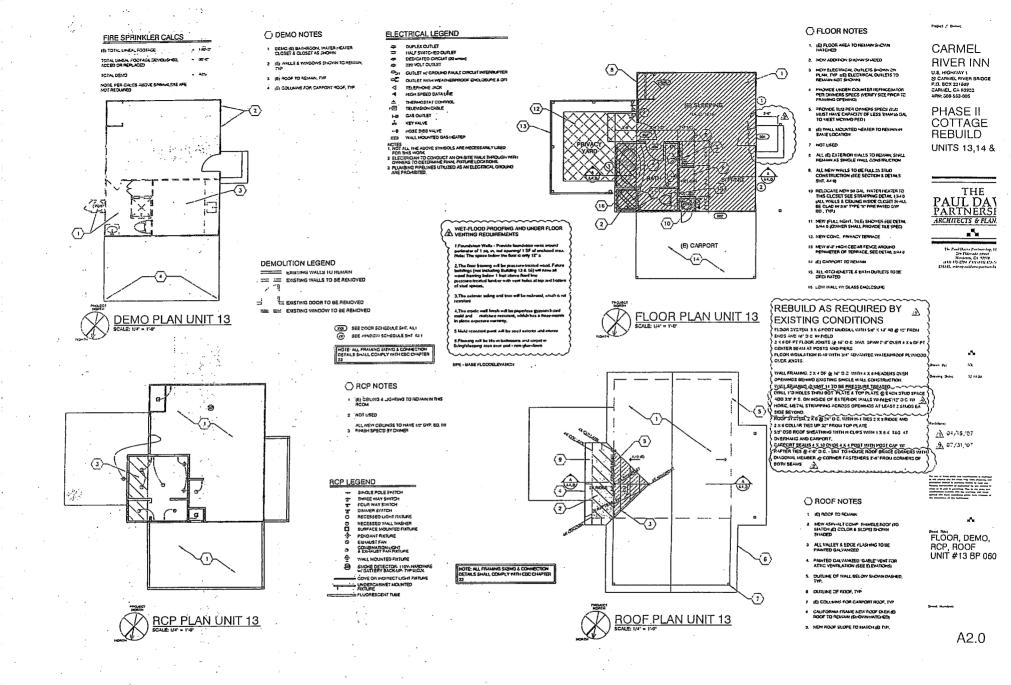
₁5

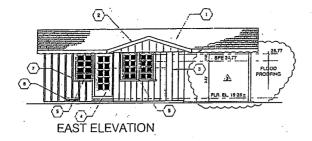
For Paul Paris Partnersny, Li Sto Filmada Street Median, C1 1990 410 U-274 I V 1910 JUL

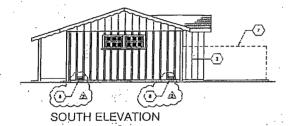
COVER SHEET PROJECT INFO

A0.1









EXTERIOR ELEVATIONS

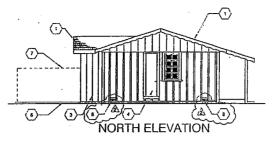




PHOTO OF (E) WEST ELEVATION

○ SHEET NOTES

- : NEW ASPIRALT COMP HOOFING TO HATCH LIMIT #15
- 2. PAINTED 1X8 REDWOOD FASCIA (MITH STRAIGHT ROSE THAT DOESN'T ASSOCIATE
- PAINTED ROUGH SAMM IS BOAKS ON
- 4 NEW WOOD BOOKS PAINTED TO MATCH (D
- 5 NEW WOOD WINDOWS PAINTED TO MATCH
- S NEW SLAN ON GRADE SERBAT
- MEN REDIXOOD FEMCE AROUND 1EH

SOUR CLEAR OF END FOR MONTH VENTS

1 SOUR CLEAR OF END FOR THE FOR THE TOP THE

THE
PAUL DAV
PARTNERSH
ARCHITECTS & PLAN

CARMEL

RIVER INN
U.S. HIGHWAY I

10 CARMEL RIVER BRIDGE
P O. BOX 221609
CARMEL CA 93922
APN: 032-563-005

PHASE II COTTAGE REBUILD UNITS 13,14 &

RCHITECTS & PLAN

The Fact Parts Partnership, EE 200 FEB and Front Members CA 4950 as to 474-2704 FAS 1920 2016 LMARC membership repartnership

Depart Styl At

O-s---4 O-lin. . . .

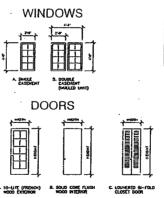
Reison.

丞 94/15 °C7 丞 97, 31/97

ELEVATIONS & SCHEDULES UNIT #13

A3.0

SCHEDULES



	WINDOW SCHEDULE									
ND	TYPE	WIDTH	HEIGHT	VANDOV/ OPER,	ININDOW FRAME	HEAD THEASH	HEAD	125.00	THRESHOLD	REMARKS
1	(E) TO RELIAIN						<u> </u>			
2	(E) TO REMAIN							Ī		
3	В	2.4.	17.3"	DOUBLE CASEMENT	W000	6-4" VIF	MATCH (E)	MATCH (E)	MATCH(E)	MULLEO UNIT
4	٨	2:-0"	1.0,	CASEMENT	wcop	G-4" VIF	MATCH (E)	MATCH (E)	MATCH (E)	MULLED UNIT

				DOC	R SCI	(EDU	LE		
20.	WIDTH	HEIGHT	THICK	DOOR TYPE	FRAJE	HE-4D	JALIB	THRESHOLD	REMARKS
8	(E) TO REMAIN				F				REUSE
(8)	17-57	5-€ VIF	1-34*	В	wood	MATCH (E)	HATCH	MATCH(E)	FOR WATER HEATER CLOSET
®	7-6	5.6 VIF	1-3/4"	4	19000	LIATCH (E)	(€)	MATCH(E)	10-LITE FRENCH DOOR
	3.0	€-6 TVF	1-3/5"	c	W000	MATCH (E)	MATCH (E)	HATCH (E)	BI-FOLD CLOSET
®	2:-6	6-6" VIF	1-3-8	8	wood	MATCH (E)	MATCH (E)	MATCH(E)	

