Before the Zoning Administrator in and for the County of Monterey, State of California

In the matter of the application of:

ARINE KINGSHAVEN (PLN090269) RESOLUTION NO. 10-010

Resolution by the Monterey County Zoning Administrator:

- 1) Categorically Exempt per Section 15301
- 2) Approving an Administrative Permit and Design Approval to allow the construction of a 2,913 square foot first floor addition and remodel to an existing 1,737 square foot one-story single family dwelling.

(PLN090269, Arine Kingshaven, 24735 Summit Field Road, Carmel, Greater Monterey Peninsula Area Plan APN: 015-461-004-000)

The Kingshaven application (PLN090269) came on for public hearing before the Monterey County Zoning Administrator on February 11, 2010. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:

FINDINGS

- 1. **FINDING:**
- **CONSISTENCY** The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
- **EVIDENCE:** a)
- During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - the Monterey County General Plan,
 - Greater Monterey Peninsula Area Plan,
 - Greater Monterey Peninsula Area Plan, Inventory and Analysis,
 - Monterey County Zoning Ordinance (Title 21)

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 24735 Summit Field Road, Carmel (Assessor's Parcel Number 015-461-004-000, Greater Monterey Peninsula Area Plan. The parcel is zoned "MDR/B-6-D-S" [Medium Density Residential, with Design Control, and Site Plan Review Overlays], which allows structural additions with an Administrative Permit and Design Review. Therefore, the project is an allowed land use for this site.
- c) The construction of a 2,913 square foot first floor addition and interior remodel to an existing 1,737 square foot one-story single family dwelling requires an Administrative Permit and Design Review for

- development in a Site Plan Review District, and a Design Review District.
- d) The project planner conducted a site inspection on November 18, 2009 to verify that the project on the subject parcel conforms to the plans listed above.
- Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did warrant referral to the LUAC because the project involves a Design Review which is subject to review by the Zoning Administrator. The project was continued by the LUAC on September 16th 2009. The project was redesigned and considered by the LUAC on November 18th 2009. The LUAC did not have a quorum and thus did not make a recommendation. At the November 18th LUAC comments were received from the public and LUAC members. The project was not rescheduled for a final recommendation.
- f) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA Planning Department for the proposed development found in Project File PLN090269.
- 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: RMA Planning Department, Cypress 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 November 18, 2009 to verify that the site is suitable for this use.
 - c) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA Planning Department for the proposed development found in Project File PLN090269.
- 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 was reviewed by Cypress Fire Protection District; Public Works Department; Environmental Health Division; Water Resources Agency. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an

- adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
- b) Necessary public facilities are provided by California American Water, and the project utilizes a public sewer system.
- c) Preceding findings and supporting evidence for PLN090269.
- 4. **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.
 - **EVIDENCE:** a) Staff reviewed Monterey County RMA Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
 - b) Staff conducted a site inspection on November 18, 2009 and researched County records to assess if any violation exists on the subject property.
 - c) There are no known violations on the subject parcel.
 - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN090269.
- 5. **FINDING: CEQA (Exempt):** The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.
 - **EVIDENCE:** a) California Environmental Quality Act (CEQA) Guidelines Section 15301(e) categorically exempts additions to existing structures.
 - b) Section 15301(e), categorically exempts additions to existing structures over 2,500 square feet, if the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan.
 - c) No adverse environmental effects were identified during staff review of the development application during a site visit on November 18, 2009.
 - d) See preceding and following findings and supporting evidence.
- 6. **FINDING:** APPEALABILITY The decision on this project may be appealed to the Planning Commission.
 - **EVIDENCE:** a) Section 21.80.040 Monterey County Zoning Ordinance Planning Commission.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Zoning Administrator does hereby:

- A. Exempt from CEQA per Section 15301;
- B. Approve an Administrative Permit and Design Approval to allow the construction of a 2,913 square foot first floor addition and interior remodel to an existing 1,737 square foot one-story single family dwelling, in general conformance with the attached sketch (Exhibit 2) and subject to the conditions (Exhibit 1), both exhibits being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 11th day of February, 2010

Art Min
Mike Novo, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON FEB 18 2010

THIS APPLICATION IS APPEALABLE TO THE PLANNING COMMISSION

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY OF THE PLANNING COMMISSION ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE FEB 2 8 2010

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 Department and Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

RESOLUTION 10-010 - EXHIBIT 1

Monterey County Resource Management Agency Planning Department Condition Compliance and/or Mitigation Monitoring Reporting Plan

Project Name: Kingshaven

File No: <u>PLN090269</u>

APNs: <u>015-461-004-000</u>

Approved by: Zoning Administrator

Date: February 11, 2010

^{*}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. 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 – Plan	ning Department			(1) (1) (1) (1) (1) (1) (1) (1) (1) (1)
1.		PD001 - SPECIFIC USES ONLY This Administrative Permit (PLN090269) allows an Administrative Permit and Design Approval to allow the construction of a 2,913 square foot first floor addition and interior remodel to an existing 1,737 square foot one-story single family dwelling. The property is located, 24735 Summit Field Road, Carmel, APN: 015-461- 004-000 This permit was approved in accordance with County ordinances and land use regulations subject to the	Adhere to conditions and uses specified in the permit. 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.	Owner/ Applicant RMA - Planning	Ongoing unless otherwise stated	
		following terms and conditions. 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. (RMA-Planning Department)	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.	WRA RMA - Planning		

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)
2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution 10-010) was approved by the Zoning Administrator for Assessor's Parcel Number 015-461- 004-000 on February 11, 2010. The permit was granted subject to 11 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." (RMA-Planning Department)	Obtain appropriate form from the RMA-Planning Department. The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.	Owner/ Applicant RMA- Planning	Prior to the issuance of grading and building permits or commence -ment of use.	
3.		PD032(A) - PERMIT EXPIRATION The permit shall be granted for a time period of 3 years, to expire on February 11, 2013 unless use of the property or actual construction has begun within this period. (RMA – Planning Department)	The applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.	Owner/ Applicant	As stated in the conditions of approval	
4.		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	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	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final/parcel map, whichever occurs first and as applicable	

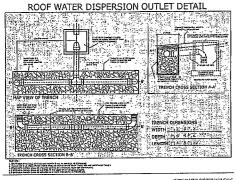
Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		effect shall be recorded upon demand of County Counsel or 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 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)				
		Monterey County	Water Resources Agency			
5.		WR1 - DRAINAGE PLAN 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. 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	
6.		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	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/ occupancy	

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)
		water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency)	·			
7.		WR43 - WATER AVAILABILITY CERTIFICATION The applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form. (Water Resources Agency)	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any building permits	
			re Agency e Protection District)			
8.		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	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
		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	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
		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 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				

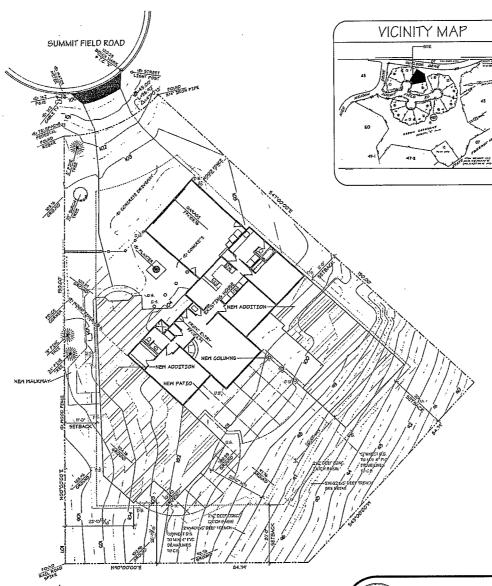
Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		access to that site. Permanent address numbers shall be posted prior to requesting final clearance. Responsible Land Use Department: Cypress Fire District.				
9.		FIRE020 - DEFENSIBLE SPACE REQUIREMENTS (HAZARDOUS CONDITIONS) Manage combustible vegetation within a minimum of 50 feet of structures (or to the property line). Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional fire protection or firebreaks	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit	
		approved by the Reviewing 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 Director of Planning and Building Inspection. Responsible Land Use Department: Cypress Fire District.	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
10.		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: Cypress Fire District.	Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	Prior to final building inspection	

LONG	itig, Conditions of Approval and/or Mitigation Measures and mber 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)
11.	FIRE029 - ROOF CONSTRUCTION - (CYPRESS FPD & PEBBLE BEACH CSD) All new structures, and all existing structures receiving new roofing over 25 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. Responsible Land Use Department: Cypress Fire District.	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	

END OF CONDITIONS
Rev. 11/21//2009



NOOF WATER DISPFESION CALC REPLOF ROOF AREA 107 OF REG FOR EN 1050 SF, 8.072 NOT OF, 6.5069 CF, 650 CF FRONDED



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AREAS & STATISTICS

LOT AKEA 15/04 ST

NEW ADDITION
ADDITION NEW ENTITY, KITCHEN, DINNS, SHEAT FOOM, EATH, OFFICE,
TWO DEPOCADS, MASTER SURE WITH FULL HATHLOCK
REACHEL EXHTERS MITCHEN TO NEW BEDFOOD

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GENERAL NOTES

1,737 S F 670 S F 2,913 S F 4,600 S F

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- 7. FOR ADDRESS FIRST TO CONSTRUCTION (O' NUMERALS, 3.6° STROKE, ON CONTRASTING BACKGROUND) TO BE VISIBLE FROM BOTH DESCRIPTIONS OF TRAVEL
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- 8 TORISTO SHAD, BE LOW FLOW TOLLETS (1.5 GALLONY) VOID, SHOWETHEADS (2.5 GEV), AND FAMILETS (7.2 GPM).

OWNER

Arne & Gretha Kingbhanch foltoi 22369 Carnel Ca 02928 fnl 98648582



AREAS

PROJECT DATA

(E) HEUSE . (E) CARACE : ADDITION TOTAL AREA

1,737 S.F. 630 S.F. 2,913 S.F. 5,260 S.F. TREU REMOVAL CRADUKS LOT GOVERAGE (TOTAL) IS 704 S.F. 33-61, GP-C/Y. CUT NONE

EDWARD L. RINEHART A.I.A. ARCHITECT

ADDITION FOR:

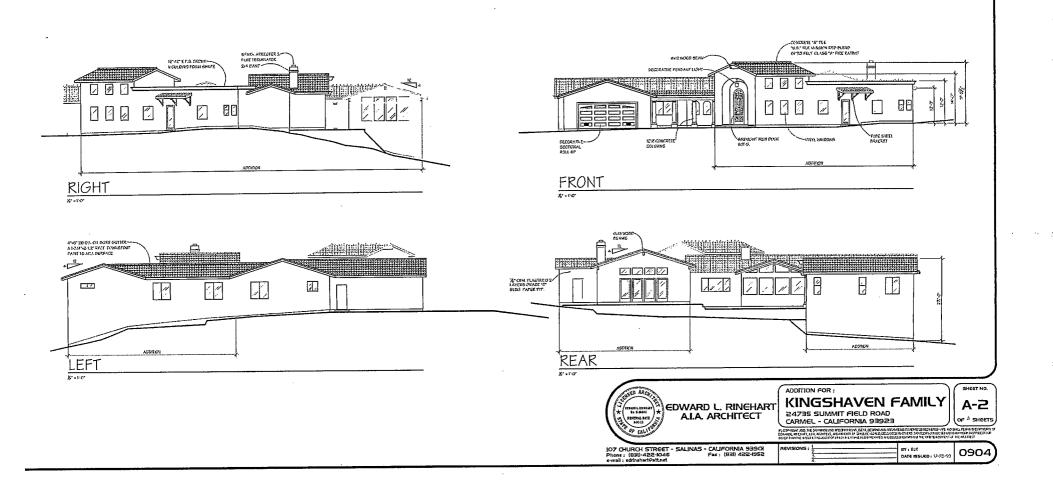
KINGSHAVEN FAMILY

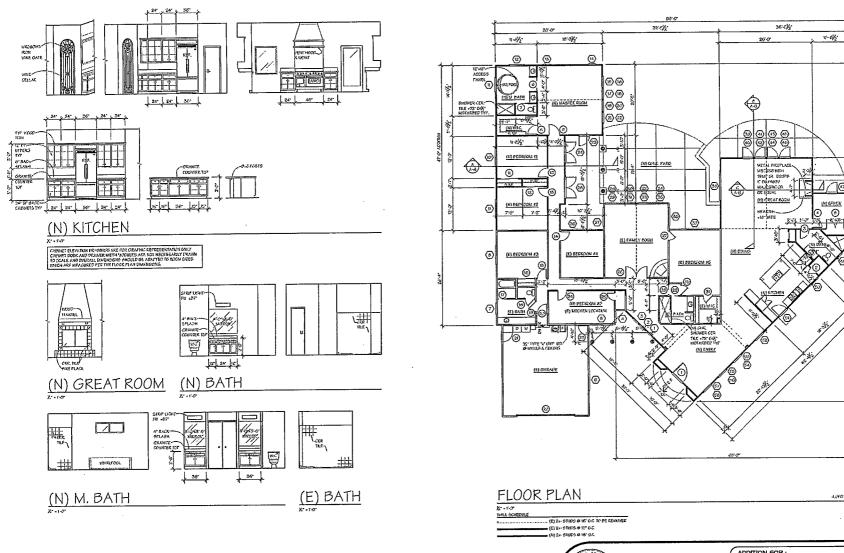
24735 SUMMIT FIELD ROAD CARMEL - CALIFORNIA 93923

A-I OF 6 SHEETS

IO7 CHURCH STREET - SALINAS - CALIFORNIA 93901 Phone: (831)-422-1046 Fax: (831) 422-1952 4-mail: (drinehartPattnet

BY : Est: DATE ISSUED : 12-23-01 0904







15-8/2

