

MONTEREY COUNTY PLANNING COMMISSION

Meeting: August 11, 2010 Time: <i>9:00 a.m</i>	Agenda Item No.: <i>2</i>
Project Description: Use Permit and Design Approval to allow the construction of new detached 476 square foot garage and re-location of an existing 120 square foot shed in a HR District (Spreckels) pursuant to Monterey County Code Section 21.54.080.A.	
Project Location: 79 Railroad Avenue, Spreckels	APN: 177-043-009-000
Planning File Number: PLN100191	Owner: Michael and Kristin Vosti Agent: Ed Reinhart
Planning Area: Greater Salinas Area Plan	Flagged and staked: No
Zoning Designation: : HDR/5.1, HR- D [High Density Residential, 5.1 acre minimum, Historical Resource, and Design Control overlays]	
CEQA Action: Categorically Exempt per Section 15301(e)	
Department: RMA - Planning Department	

RECOMMENDATION:

Staff recommends that the Planning Commission adopt a resolution (**Exhibit C**) to:

- 1) Categorically exempt this project per section 15303(e) of the CEQA guidelines;
- 2) Approve the Use Permit and Design Approval, based on the findings and evidence and subject to the conditions of approval (**Exhibit C**):

PROJECT OVERVIEW:

The 7,200 square foot lot is located in the historical town of Spreckels and contains a contributing (C-2) structure to the town of Spreckels. Monterey County Code Section 21.54.080 states that development within an "HR" district requires a Use Permit, providing "no alteration may be allowed on any area in an "HR" district without the approval of a Use Permit". The Use Permit is not subject to fees pursuant to Monterey County Code 21.54.100. The applicants are proposing to construct a 476 square foot garage and are requesting an entitlement for the garage.

The property is located within the historical Spreckels district with an "HR" overlay; therefore the application was referred to the HRRB and the Speckels Neighborhood Design Committee for recommendation to the Planning Commission, pursuant to Monterey County Code Section 21.54.040.A. Both committees gave favorable recommendations to the Planning Commission.

The project meets all the requirements of the Monterey County General Plan, the Greater Salinas Area Plan, the Greater Salinas Area Plan Inventory and Analysis and Monterey County code Title 21 and will not have a significant impact on any historical resource.

Therefore, staff recommends approval of the Use Permit and Design Approval.

OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this project:

- √ RMA - Public Works Department
- √ Environmental Health Division
- √ Water Resources Agency
- √ Monterey County Regional Fire District
- √ Parks Department

Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended by RMA – Planning Department and have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached as Exhibit 1 to the draft resolution (**Exhibit C**).

Projects in the town of Spreckels, other than minor alterations and minor modifications, must be referred to the Spreckels Design Review Committee and the HRRB (Historical Resources Board) for recommendation to the Planning Commission. The project was referred to the Spreckels Design Review Committee on June 16, 2010. The Spreckels Design Review Committee recommended approval of the project on a 3-0 vote. The committee was most concerned with the existing 120 square foot shed (Shed A) proposed for removal. The committee wanted the shed preserved and as a condition of approval (**Condition #7**), the shed will be re-located to replace another shed on the property.

At a publicly noticed meeting held July 1, 2010, the HRRB reviewed and recommended approval of this project on a 4-0 vote. No conditions were recommended; however the HRRB wanted to make sure the addition was referred to as a "proposed new garage" rather than a new addition in the final resolution. The HRRB wanted the record to reflect that regulations allow coverage to be 35%. Staff included these items in the final resolution as requested.

Note: The decision on this project is appealable to the Board of Supervisors

/S/ Valerie Negrete

Valerie Negrete, Planner
(831) 755-5227, negretev@co.monterey.ca.us
July 6, 2010

cc: Front Counter Copy; Planning Commission Monterey County Regional Fire District; Public Works Department; Parks Department; Environmental Health Division; Water Resources Agency; HRRB; Taven Kinison Brown, Planning Services Manager; Valerie Negrete, Project Planner; Carol Allen, Senior Secretary; Michael Vosti, Owner; Ed Reinhart, Agent; Planning File PLN100191.

Attachments: Exhibit A Project Data Sheet
Exhibit B Project Discussion
Exhibit C Draft Resolution, including:
1. Conditions of Approval
2. Site Plan and Floor Plan and Elevations
Resolution
Exhibit D HRRB (Historical Resources Board) Advisory Committee Minutes held on July 1, 2010
Exhibit E Spreckels Neighborhood Design Committee Minutes held on June 16, 2010
Exhibit F Design Approval Application for Vosti
Exhibit G Vicinity Map

This report was reviewed by Taven Kinison Brown, Planning Services Manager
Vosti (PLN100191)

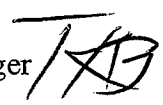


Exhibit A
Project Information for (PLN100191)

Project Title: Michael and Kristin Vosti	Primary APN: 177-043-009-000
Location: 79 Railroad Avenue, Spreckels	Coastal Zone: No
Applicable Plan: Greater Salinas	Zoning: HDR/5.1-HR
Permit Type: Use Permit	Plan Designation: Greater Salinas
Environmental Status: Exempt per Section 15301 (e)	Final Action Deadline:
Advisory Committee: Spreckles Advisory, HRRB	

Project Site Data:

Lot Size: 7,200 Sq. Ft.	Coverage Allowed: 35%
	Coverage Proposed: 31%
Existing Structures (sf): 1,328 Sq. Ft.	Height Allowed: 15'
Proposed Structures (sf): 476 Sq. Ft.	Height Proposed: 15'
Total Square Feet: 2,242 Sq. Ft.	FAR Allowed: NA
	FAR Proposed: NA

Resource Zones and Reports

Environmentally Sensitive Habitat: No	Erosion Hazard Zone: IV
Botanical Report #: NA	Soils/Geo. Report #: None
Forest Mgt. Report #: NA	Geologic Hazard Zone: None
	Geologic Report #: None
Archaeological Sensitivity Zone: HR designation	Traffic Report #: None
Archaeological Report #: None	
Fire Hazard Zone: No	

Other Information:

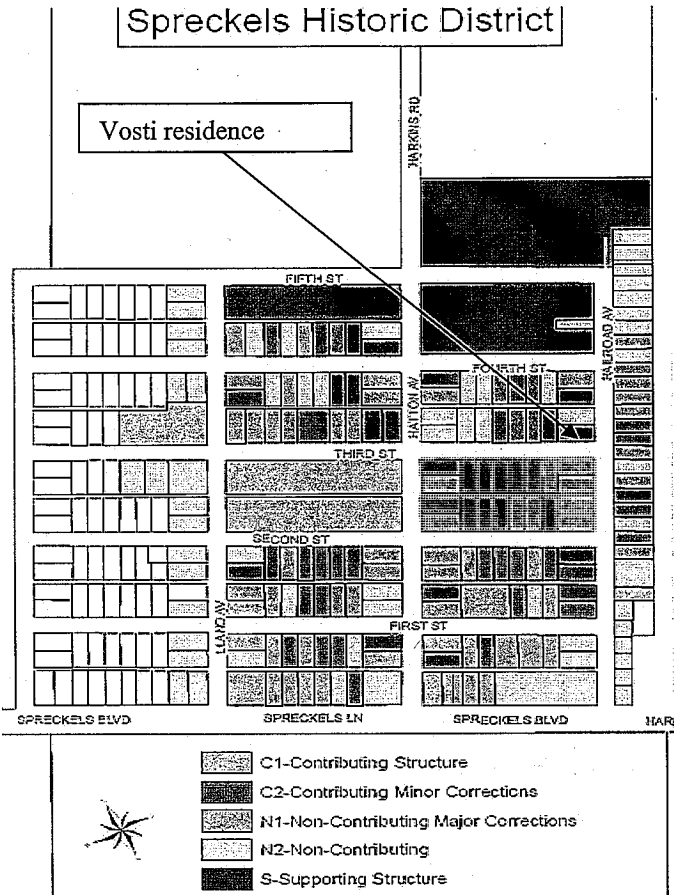
Water Source: Mutual System	Sewage Disposal (method): Mutual System
Water District/Company: Spreckles Public Water System	Sewer District Name: Spreckles Public Sewage System
Fire District: Spreckles Fire District	Grading (cubic yds): none
Tree Removal (Count/Type): No Tree Removal	

EXHIBIT B PROJECT DISCUSSION

The Vosti residence is located at 79 Railroad Avenue, Spreckels or Lot 9, Block D of Volume I of Cities and Towns at Page 71. The property is a 7,200 square foot residential lot with an existing 1,328 square foot single family dwelling. The property owners propose a detached 476 square foot garage. The zoning of the property is HDR/5.1-HR-D, High Density Residential 5.1 acre minimum, Historical Resources Zoning with a Design Approval overlay.

Historical Designation

The county has produced a "Significance Map" with a detailed survey map of every structure in the town of Spreckels along with their contribution to the historic town of Spreckels. The Vosti residence is listed as contributing structure, C-2 designation. Contributing structures refer to structures that were built by the Spreckels Sugar Company for worker housing between 1897 through 1957. Contributing structures must maintain their original historical characteristics, such as style, materials and details due to the structures historic architectural qualities and are defined as qualified historic buildings under California State Law and are subject to provisions of the State Historic Building Code. Guidelines for development within the town of Spreckels were adopted by the Board of Supervisors in 1991. Development within the town of Spreckels must be reviewed by the HRRB (Historic Resources Board) and the Spreckels Neighborhood Design Review Committee (SNRDC) for recommendation to the Planning Commission.



The Vosti project Development Standards

The site contains a 1,328 square foot single family dwelling and two sheds, which total 120 (shed A) and 160 square feet (Shed B) respectively. The new garage will require the re-location of the existing 120 square foot shed (Shed A) and demolition of a 160 square foot shed (Shed B). The garage will be placed to the rear of the residence and bring the site coverage to 31%, whereas the district allows 35%.

View of Vosti residence from Railroad Avenue



Greater Salinas Area Plan

The project is a residential addition and an allowed use within the district regulations. The Greater Salinas Area Plan states "development in the town of Spreckels shall be allowed only if it occurs within the land use boundary shown in the 1982 General Plan, is harmonious with the existing development in the exterior treatment, building lines, bulk and height and plans and drawings showing building design, color scheme, landscape plans and parking layout to the Planning Commission or its designee prior to development approval" (GS 27.1.5).

Spreckels Design Guidelines

Staff analyzed the project's consistency with the Spreckels Design Guidelines. According to the Spreckels Design Guidelines, the location of all additions in the town of Spreckels must be placed to the rear or side of the existing structure (The Spreckels Design Guidelines, P.1.5). The Vosti garage will be situated to the rear of the property, behind the main dwelling. The guidelines also require all additions to complement the existing structure in style, form and materials (P1.1) further, windows and doors should be proportioned similar to those of adjacent structures (P1.7). The garage addition will emulate the existing single family dwelling in colors of blue and white trim. No historical resources on the site will be compromised by construction of the detached garage. The applicant will retain the original 120 square foot shed (Shed A) located to the rear of the property and instead will demolish the newer 160 square foot shed (Shed B) located alongside Third Street.

The "HR" historical designation requires referral to the Historical Resources Board and the Spreckels Neighborhood Design Review Committee for review and recommendation to the Planning Commission. (Monterey County Code Section 21.54.40 and Spreckels Design Guidelines)

Spreckels Neighborhood Design Committee

At a publicly noticed hearing held May 19, 2010, the project was heard by the Spreckels Neighborhood Design Committee. Committee members gave a favorable recommendation (Exhibit F). Because the property was a contributing property to the town of Spreckels, the committee wanted to ensure that no structures be demolished for the construction of the garage. The applicants originally proposed to demolish an existing 120 square foot shed (Shed A) and after the advisory committee comments, the applicant agreed to retain the shed on site but relocate it (Condition 6). The existing 120 square foot shed (Shed A) was one of the original sheds to be built within the town of Spreckels, whereas the 160 square foot shed (Shed B) was built later.

HRRB (Historical Resource Board) review

The project was also referred to the Historical Resources Review Board and was heard at the July 1, 2010 meeting. The HRRB approved on a 4 - 0 vote with 1 condition, that the garage be referred to as a garage rather than an addition in the HRRB resolution. Staff made the changes to the HRRB resolution (Exhibit D).

Staff has reviewed the regulations for development in the town of Spreckels, Greater Salinas Area Plan policies and the Monterey County General Plan and found the proposed garage to be compatible and consistent with each. In addition, the project was given a favorable recommendation by both the HRRB and the Spreckels Neighborhood Design Committee (See Exhibits D and E). Staff therefore recommends that the Planning Commission approve the no fee Use Permit to allow the construction of the garage based on the findings and evidence set forth in Exhibit C.

**EXHIBIT C
DRAFT RESOLUTION**

**Before the Planning Commission in and for the
County of Monterey, State of California**

In the matter of the application of:

Michael and Kristin Vosti (PLN100191)

RESOLUTION NO. ----

Resolution by the Monterey County Hearing Body:

- 1) Categorically exempt this project per section 15303 (e) of the CEQA guidelines;
- 2) Approving a Use Permit and Design Approval to allow the construction of new detached 476 square foot garage and re-location of a 120 square foot shed in a "HR" District (Spreckels) pursuant to MCC Section 21.54.080.A, based on the findings and evidence and subject to the conditions of approval;

(PLN100191, Michael and Kristin Vosti, 79 Railroad Avenue, Spreckels, Greater Salinas Area Plan (APN: 177-043-009-000))

The Vosti application (PLN100191) came on for public hearing before the Monterey County Planning Commission on August 11, 2010. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission 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 Salinas Area Plan,
 - Spreckels Neighborhood Design review Committee,
 - Monterey County Zoning Ordinance Title 21No 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 79 Railroad Avenue, Spreckels (Assessor's Parcel Number 177-043-009-000), Greater Salinas Area Plan. The parcel is zoned HDR/5.1-D-HR, which allows residential. Therefore, the project is an allowed land use for this site.
- c) The proposed 476 square foot detached garage will sit behind the main structure and replace the existing 120 square foot shed. Initially the applicant proposed to demolish the shed, however the Spreckels

Neighborhood Design Review Committee wanted the shed to be retained due to its historic significance. As a condition of approval, the shed will be retained on the property (Condition #6). The garage will sit to the rear of the residence and will bring the property's coverage to 31%, whereas the district limitation is 35%.

- d) The county has produced a "Significance Map" with a detailed survey map of every structure in the town of Spreckels along with their contribution to the historic town of Spreckels. The Vosti residence is listed as a contributing structure or C-2 designation. Contributing structures refer to structure that were built by the Spreckels Sugar Company for worker housing between 1897 through 1957. Contributing structures must maintain their original historical characteristics, such as style, materials and details due to the structures historic architectural qualities and are defined as qualified historic buildings under California State Law and are subject to provisions of the State Historic Building Code.
- e) The "HR" historical designation requires referral to the Historical Resources Board and the Spreckels Neighborhood Design Review Committee for review and recommendation to the Planning Commission. (Monterey County Code Section 21.54.40 and Spreckels Design Guidelines)
- f) The Spreckels Neighborhood Design Committee's role is to advise the Planning Commission on design matters. At a publicly noticed hearing held May 19, 2010, the project was heard by the Spreckels Neighborhood Design Committee. The committee commented that the shed was one of the original sheds within the town and wanted the shed to be retained. The committee ultimately gave a favorable recommendation with a condition that the shed not be destroyed, rather the existing tin shed be replaced. The applicants agreed and the shed will be retained, either on this lot or within the town of Spreckels due to its' historical nature.
- g) Pursuant to Monterey County Zoning Code, 21.54.040.A, a copy of all application materials shall be transmitted to the Secretary of Historic Resources Review Board requesting the review and recommendation of the Historic Resources Review Board. The project was referred to the Historical Resources Review Board and was heard at the July 1, 2010 meeting. The HRRB unanimously approved the proposed with 1 conditions on a vote of 4 to 0. The HRRB recommended that the new garage be referred to as a garage and not an addition, as stated in original HRRB resolution.
- h) The location of all additions in the town of Spreckels must be placed to the rear or side of the existing structure (The Spreckels Design Guidelines, P.1.5). The garage will be placed to the rear of the single family residence, closest to the alley. The existing 120 square foot shed (Shed A) will be relocated to the same area as the existing 160 square foot shed (Shed B).
- i) 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 PLN100191.

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, Monterey County Regional Fire, Parks, 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 July 16, 2010 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 PLN100191.

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 RMA - Planning Department, Monterey County Regional Fire, Parks, Public Works, Environmental Health Division, and 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 available. The property is already served by the Spreckels Public Water System and the Spreckels Sewer System
- c) Preceding findings and supporting evidence for PLN100191.

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 July 16, 2010 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 PLN100191.

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 the construction of small accessory structures.
 - b) The project is a 476 square foot detached garage located in a Historic Resource district. The county has produced a "Significance Map" with a detailed survey map of every structure in the town of Spreckels along with their contribution to the historic town of Spreckels. The project site is listed as a contributing structure, C-2 designation. Contributing structures refer to structure that were built by the Spreckels Sugar Company for worker housing between 1897 through 1957 and must maintain their original historical characteristics.
 - c) The proposed garage will be cited in the same location as the existing 120 square foot shed. The shed will be relocated on the property, due its historical significance to the same location as the existing 160 square foot shed (Shed B). Shed B will be removed from the property.
 - d) No adverse environmental effects were identified during staff review of the development application during a site visit on Inspection July 16, 2010.
 - e) See preceding and following findings and supporting evidence.

6. **FINDING: HISTORICAL RESOURCE (CONSISTENCY)** – The proposed work is found to be consistent with the purposes of Chapter 21.54 of Title 21 (Regulations for Historical Districts) and will neither adversely affect the significant architectural features of the designated resource nor adversely affect the character of historical, architectural, or aesthetic interest or value of the designated resource and its site.

- EVIDENCE:**
- a) The project, as proposed, is consistent with the regulations set forth in Section 21.54.080 of Title 21 for regulations for development in an "HR" district.
 - b) The project, as proposed, is consistent with the design criteria found in the Spreckels Design Guidelines and is consistent with the architectural features found within the town of Spreckels. Siding and trim will match the existing light blue siding and white trim. The garage will emulate a small barn style with matching roofing materials and rolling doors to add character. The garage will be located behind the main dwelling and will not be visible from the front of the property. Attention was given to the garage addition, size and placement to ensure the new garage would the existing structures and consistency with the surrounding neighborhood.
 - c) The project was referred to the Historical Resources Review Board and was heard at the July 1, 2009 meeting. The HRRB approved the proposed on a vote of 5 to 0, with a comment to refer to the new addition as a garage rather than "addition.
 - d) At a publicly noticed hearing held June 16, 2010, the project was heard by the Spreckels Neighborhood Design Committee. The committee commented that the shed was one of the original sheds within the town and wanted the shed to be retained. The committee ultimately gave a favorable recommendation with a condition that the shed not be destroyed, rather the existing tin shed be relocated.
 - e) The county has produced a "Significance Map" with a detailed survey

of every structure in the town of Spreckels along with their contribution to the historic town of Spreckels. The project site is listed as a contributing structure. Contributing structures refer to structure that were built by the Spreckels Sugar Company for worker housing between 1897 through 1957 and must maintain their original historical characteristics. These properties add to the historical architectural qualities, historical associations and archeological values for which the Spreckels Historical District is known. The garage is consistent with the architectural character found within the town of Spreckels. The existing residential home is light blue with white trim, and light brown wood shingled roof. The addition will match the existing residence in shape, bulk, height and design.

- f) The proposed detached garage will be 476 square feet located to the rear of the property, behind the main structure. As stated in the Spreckels Design Guidelines policy P.1.5, the location of all additions shall be located to the rear or side of the existing structure whenever possible. In this case, the addition will be situated to the rear of the property and will not be visible from the front of the property.
- g) The garage will replace an existing 160 square foot garage/storage building. The new garage will be compatible with the Spreckels Design Guidelines and will match the colors and materials of the existing single family dwelling of light blue and white trim.
- h) 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 PLN100191.

7. **FINDING: HISTORICAL RESOURCE (CONFORMANCE)** - With regard to any property located within an historic district, the proposed work is found to be consistent with the purposes of Chapter 21.54 of Title 21 (Regulations for Historical Districts) and conforms to the prescriptive standards and design guidelines for the district adopted by the Board of Supervisors and does not adversely affect the character of the district.

EVIDENCE: a) See Finding and Evidence No. 6 above.

8. **FINDINGS: HISTORICAL RESOURCE (COMPATIBILITY)** - In the case of construction of a new improvement, addition, building, or structure upon a designated historic resource site, the use and exterior of such improvements will neither adversely affect nor be incompatible with the use and exterior of existing designated historical resources, improvements, buildings, natural features, and structures on such site.

EVIDENCE: a) See Finding and Evidence No. 6 above.

9. **FINDINGS: HISTORICAL RESOURCE (VIOLATIONS)** - Findings regarding construction of unsafe conditions or financial hardship per section 21.54.060.4 and 5, are not necessary or applicable to this project.

- a) Exceptions to compliance with the design standards may be allowed in the case of correcting an unsafe condition or if an immediate and substantial financial hardship would occur (Sections 18.25.160 and 18.25.175 of Monterey County code). These exceptions do not apply to this project.
- b) The site does not hold an unsafe or dangerous structure and is in full

compliance with respective building and fire codes. During staff review the project was routed to Monterey County Regional Fire District and there was no indication that the proposed garage was unsafe.

- c) The project is consistent with the regulations for development in the town of Spreckels, Greater Salinas Area Plan policies and the Monterey County General Plan and found the addition to be compatible and consistent with each. Staff is recommending approval of the subject project.

10. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.

EVIDENCE: a) Section 21.80.040.D of the Monterey County Zoning Ordinance.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Planning Commission Body does hereby:

- A. Categorically exempt this project per section 15303 (e) of the CEQA guidelines;
- B. Approve Use Permit and Design Approval to allow the construction of new detached 476 square foot garage in a HR District (Spreckels) pursuant to Monterey County Code Section 21.54.080.A, 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 August, 2010 upon motion of xxxx, seconded by xxxx, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mike Novo, Secretary, Planning Commission Hearing

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE

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 [DATE]

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 ### - EXHIBIT 1
Monterey County Resource Management Agency
Planning Department
Condition Compliance and/or Mitigation Monitoring
Reporting Plan

Project Name: Michael and Kristin Vosti
File No: PLN100191 **APNs:** 177-043-009-000
Approved by: Planning Commission **Date:** August 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.*

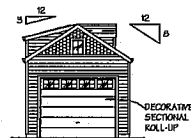
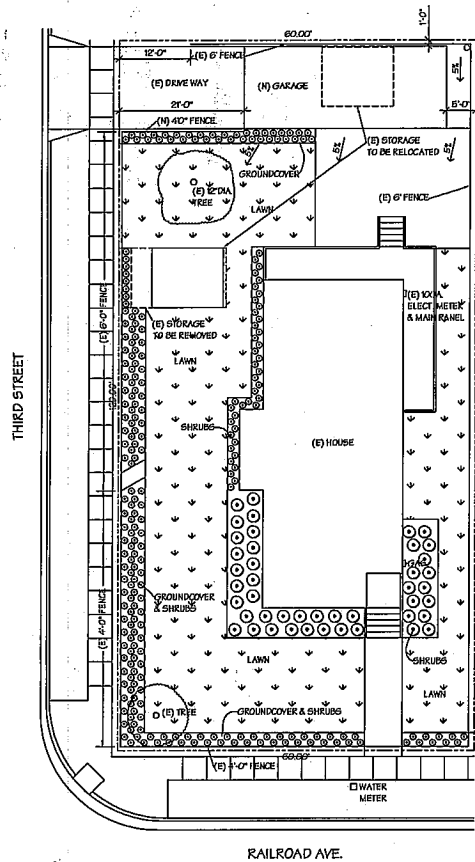
<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
RMA – Planning Department						
1.		PD001 - SPECIFIC USES ONLY This Use Permit and Design Approval (PLN100191) which allows the construction of a new detached 476 square foot garage and re-location of a 120 square foot shed in a Historical District (Spreckels) pursuant to MCC Section 21.54.080.A. The property is located at 79 Railroad Avenue, Spreckels (Assessor's Parcel Number 177-043-009-000), Greater Salinas Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the 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)	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	

<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>
2.		<p>PD002 - NOTICE-PERMIT APPROVAL</p> <p>The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Planning Commission for Assessor's Parcel Number 177-043-009-000 on August 11, 2010. The permit was granted subject to ## 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)</p>	<p>Obtain appropriate form from the RMA-Planning Department.</p> <p>The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.</p>	<p>Owner/ Applicant</p> <p>RMA- Planning</p>	Prior to the issuance of grading and building permits or commencement of use.	
3.		<p>PD032(A) - PERMIT EXPIRATION</p> <p>The permit shall be granted for a time period of 3 years, to expire on August 11, 2013 unless use of the property or actual construction has begun within this period. (RMA - Planning Department)</p>	<p>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.</p>	<p>Owner/ Applicant</p>	As stated in the conditions of approval	
4.		<p>PD014(A) - LIGHTING - EXTERIOR LIGHTING PLAN</p> <p>All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. 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 lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior 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)</p>	<p>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.</p> <p>The lighting shall be installed and maintained in accordance with the approved plan.</p>	<p>Owner/ Applicant</p>	Prior to Final of Building Permit	

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)
5.		<p>PD004 - INDEMNIFICATION AGREEMENT</p> <p>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 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)</p>	<p>Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County.</p> <p>Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.</p>	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, whichever occurs first and as applicable	

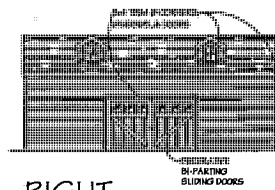
<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
6.		<p>PD001 – NON STANDARD (Spreckels Neighborhood Design Review Committee)</p> <p>The existing 120 square foot shed (Shed A) located to the area of the proposed 476 square foot detached garage shall be located to the location of the 160 square foot shed (Shed B). Shed B will be removed.</p>	The property owner shall submit evidence of the shed retention. The applicant/owner shall submit photos of the shed relocation on the property.	Owner/ Applicant	Prior to Final of Building Permit	

END OF CONDITIONS



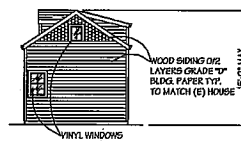
FRONT

1/8" = 1'-0"



RIGHT

1/8" = 1'-0"



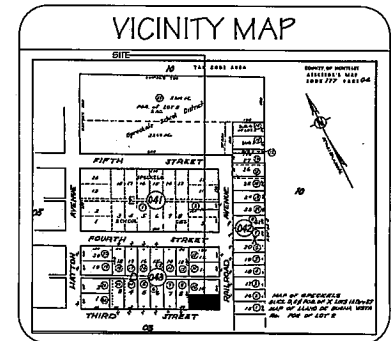
REAR

1/8" = 1'-0"



LEFT

1/8" = 1'-0"



SHEET INDEX

SITE PLAN, EXTERIOR ELEVATIONS	A-1
FLOOR PLAN, BUILDING SECTION, AND ARCHITECTURAL DETAILS	A-2
FOUNDATION AND ROOF FRAMING PLAN	A-3
STRUCTURAL DETAILS	A-4
SPECIFICATIONS	A-5

AREAS & STATISTICS

EXISTING HOUSE:	1,309 S.F.
EXISTING PORCH:	5/8 S.F.
EXISTING STORAGE (TO BE REMOVED):	160 S.F.
EXISTING STORAGE (TO BE RELOCATED):	100 S.F.
NEW DETACHED GARAGE (UNCONDITIONED):	476 S.F.
TOTAL AREA:	1,329 S.F.
LOT COVERAGE:	2,242 S.F. / 7,200 S.F. = 31%

CONSTRUCTION TYPE: Y-8
 OCCUPANCY GROUP: R-3 / U
 STORIES: ONE
 FIRE SPRINKLERS: NONE
 ENERGY METHOD: 2006 STRAUBUS
 CODES: 2007 C.B.C., 2007 C.M.C., 2007 C.P.C., 2007 C.E.C., 2006 ENERGY STANDARDS

OWNER

MICHAEL VOSTI
 P.O. BOX 717
 SPRECKLES, CALIFORNIA 93962



EDWARD L. RINEHART
 A.I.A. ARCHITECT

GARAGE FOR:

MICHAEL VOSTI
 79 RAIROAD AVENUE
 SPRECKLES - CALIFORNIA 93962

SHEET NO. **A-1**
 OF 6 SHEETS

107 CHURCH STREET - SALINAS - CALIFORNIA 93901
 Phone: (831) 422-1046 Fax: (831) 422-1952
 e-mail: edrinehart@att.net

REVISIONS: _____
 BY: ELK
 DATE ISSUED: 4-8-10 **0922**

EXHIBIT C. 2

*Before the Historic Resources Review Board in and for the
County of Monterey, State of California*

Resolution No. PLN100191 (Michael and Kristin Vosti)

Resolution by the Monterey County Historic Resources Review Board (HRRB) to recommend **approval of the Use Permit and Design Approval Request by to allow Michael and Kristin Vosti a detached 476 square foot garage. Colors and materials to match existing and will consist of pale blue siding, composition shingles, with white trim. The project is located at 79 Railroad Avenue (Vosti residence), Spreckels (Assessor's Parcel Number 177-043-009-000-000).**

WHEREAS, this matter was heard by the Historic Resources Review Board (HRRB) of the County of Monterey on **July 1, 2010**, pursuant to the **zoning regulations for development in the "HR" (Historic Resource) Zoning District as contained in Chapter 21.54 of the Monterey County Code, the regulations for the Preservation of Historic Resources as contained in Chapter 18.25 of the Monterey County Code, the Spreckels Design Guidelines and the Secretary of the Interior's Standards for the Treatment of Historic Properties.**

WHEREAS, the parcel is located at **79 Railroad Avenue, Spreckels within an "HR" (Historic Resource) District (APN 177-043-009-000) of the County of Monterey. This single family dwelling is located in a designated "HR" Historical Resources District as a "C-2" a contributing structure.**

WHEREAS, **Michael and Kristin Vosti (applicant) filed with the County of Monterey, an application for a Use Permit and Design Approval to allow a detached 476 square foot garage to an existing lot of record. The proposed addition will emulate the existing colors and materials of the residence, light blue siding with white trim.**

WHEREAS, at the conclusion of the hearing, the matter was submitted to the HRRB for a recommendation. Having considered all the written and documentary information submitted, oral testimony, and other evidence presented before the HRRB, the HRRB rendered its decision to adopt findings and evidence to recommend **approval of the Use Permit and Design Approval**, subject to the following findings:

Finding: The proposed work is **consistent with Section 21.54 of the Monterey County Zoning Code (Regulations for Historic Resources Zoning Districts) and conforms to the prescriptive standards and design guidelines for the district adopted by the Board of Supervisors and does not adversely affect the character of the district..**

Finding: The proposed work will neither adversely affect the significant architectural features of the designated resource nor adversely affect the character, historical, architectural, or aesthetic interest or value of the designated resource and its site.

- Evidence:
1. Use Permit and Design Approval Application materials in file PLN100191 (Vosti);
 2. "HR" (Historic Resource) zoning regulations applicable to the site as found in Chapter 21.54.060 subsection 2 of the Monterey County Code;
 3. Spreckels Design Guidelines adopted February 1999;
 4. Secretary of the Interior's Standards for the Treatment of Historic Properties;
 5. Oral testimony and HRRB discussion during the public hearing and the administrative record.

THEREFORE, it is the decision of the Monterey County Historic Resources Review Board to recommend **approval of the Vosti Use Permit and Design Approval subject to the following conditions:**

1. In the third WHEREAS, change the wording of "addition" to "garage."

Passed and adopted on this 1st day of July, 2010, upon motion of Barbara Rainer, seconded by Salvador Munoz, by the following vote:

AYES: Barbara Rainer, Salvador Munoz, John Scourkes, Judy MacClelland
NOES:
ABSENT: Kent Seavey, Kellie Morgantini
ABSTAIN:

Attest
Valerie Negrete, Project Planner
Date: June 22, 2010

Exhibit D
Page 1 of 2 Pages

FILE COPY
PLN100191

MINUTES
Spreckels Neighborhood Design Review Committee
Wednesday, June 16, 2010

1. Meeting called to order by Jim Riley at 7:35 pm

2. Roll Call

Members Present: Jim Riley, Lochlan McVicar, Scott Henningsen

Members Absent: 0

Aurrie Menden Brian Agheiza + Tom Chavez were present

3. Approval of Minutes:

A. May 19, 2010 minutes

Motion: Lochlan McVicar (LUAC Member's Name)

Second: Scott Henningsen (LUAC Member's Name)

Ayes: 3

Noes: 0

Absent: 0

Abstain: 0

4. **Public Comments:** The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair.

None

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JUN 17 2010

MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

Exhibit E
Page 1 of 4 Pages

5. **Scheduled Item(s)** – Refer to attached project referral sheet(s)

approved

6. **Other Items:**

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects

none

B) Announcements

7. Meeting Adjourned: 7:55 pm

Minutes taken by: *Scott Henningsen*

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Exhibit E
Page 2 of 4 Pages
MONTEREY COUNTY
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INSPECTION DEPT.

Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Planning Department
168 W Alisal St 2nd Floor
Salinas CA 93901
(831) 755-5025

Advisory Committee: **Spreckels**

Please submit your recommendations for this application by: June 16, 2010

Project Title: VOSTI MICHAEL & KRISTIN A TRS
File Number: PLN100191
File Type: PC
Planner: NEGRETE
Location: 79 RAILROAD AVE SPRECKELS

Project Description:

Use Permit and Design Approval to allow the construction of new detached 476 square foot garage in a HR District (Spreckels) pursuant to MCC Section 21.54.080.A. The property is located at 79 Railroad Avenue, Spreckels (Assessor's Parcel Number 177-043-009-000), Greater Salinas Area Plan.

Was the Owner/Applicant/Representative Present at Meeting? Yes No

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
- none -			
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			JUN 17 2010
			MONTEREY COUNTY PLANNING & BUILDING INSPECTION DEPT.

Exhibit E

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
Removal of existing original woodshed	Historical Building	Move + replace steel shed

ADDITIONAL LUAC COMMENTS

RECOMMENDATION :

Motion by: Scott Henningsen (LUAC Member's Name)

Second by: Lochlan Morison (LUAC Member's Name)

Support Project as proposed

Recommend Changes (as noted above)

Continue the Item

Reason for Continuance: _____

Continued to what date: _____

AYES: 3

NOES: 0

ABSENT: 0

ABSTAIN: 0

Exhibit E
Page 4 of 4 Pages

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JUN 17 2010

MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.



**MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY
PLANNING DEPARTMENT**
 Salinas - 168 West Alisal, 2nd Floor, Salinas, CA 93901
 Telephone: (831) 755-5025 Fax: (831) 757-9516
 Coastal Office - 2620 First Avenue, Marina, CA 93933
 Telephone: (831) 883-7500 Fax: (831) 384-3261
 http://www.co.monterey.ca.us/planning

DESIGN APPROVAL REQUEST FORM

ASSESSOR'S PARCEL NUMBER: 177-643-009

PROJECT ADDRESS: 79 RAILROAD AVE

PROPERTY OWNER: MICHAEL & KRISTIN VOSTI Telephone: 214-3860

Address: 79 RAILROAD AVE Fax: _____

City/State/Zip: SPECKLES CA 93962 Email: _____

APPLICANT: ED RINEHART Telephone: 422-1046

Address: 107 CHURCH ST. Fax: 422-1957

City/State/Zip: SALINAS, CA 93901 Email: _____

AGENT: SAME AS APPLICANT Telephone: _____

Address: _____ Fax: _____

City/State/Zip: _____ Email: _____

Mail Notices to: Owner Applicant Agent
 (check only one)

PROJECT DESCRIPTION: (Attach Scope of Work) DETACHED GARAGE

MATERIALS TO BE USED: MATCH EXISTING

COLORS TO BE USED: _____
 You will need a building permit and must comply with the Monterey County Building Ordinance. Additionally, the Zoning Ordinance provides that no building permit 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.

PROPERTY OWNER/AGENT SIGNATURE: Ed Rinehart DATE: 5-25-10

FOR DEPARTMENT USE ONLY

ZONING: HR-1-1R-1
 GENERAL/AREA PLAN: Residential
 ADVISORY COMMITTEE: SPRINKLES ADVISORY
 RELATED PERMITS: 10 EXPOSURE
 PLANNER: Nepete, Valerie
 LUAC REFERRAL: YES NO
 DOES THIS CORRECT A VIOLATION? YES NO
 WITHIN ARCH BUFFER ZONE? YES NO
 DECISION: ADMINISTRATIVE PUBLIC HEARING
 LEGAL LOT: Ms. Janet S. Spector with a blk. D
 GIVEN OUT BY: V. Nepete DATE: 5/20/2010
 ACCEPTED BY: V. Nepete DATE: 5/20/2010

ADVISORY COMMITTEE RECOMMENDATION

APPROVAL DENIAL

For: 3 Against: 0 Abstain: 0 Absent: 0

Was the Applicant Present? YES NO

Recommended Changes: DO NOT DESTROY ORIGINAL WOOD SHED. MOVE + REPLACE TIN SHED. NEW GARAGE IS ACCEPTABLE

Signature: Scott Henningsen

Date: June 16, 2010

COMMENTS: _____

APPROPRIATE AUTHORITY: DIRECTOR OF P & BI ZONING ADMINISTRATOR PLANNING COMMISSION
 ACTION: APPROVED DENIED

CONDITIONS: _____

APPROVED BY: _____ DATE: _____

PROCESSED BY: _____ DATE: _____

COPY TO APPLICANT: IN PERSON OR MAILED DATE: _____

STATEMENT OF PLANNING SCOPE OF WORK

PLEASE CHECK YES OR NO IN ALL BOXES

1	<input checked="" type="checkbox"/>	Project for residential use
2	<input checked="" type="checkbox"/>	Project for commercial use
3	<input checked="" type="checkbox"/>	Project for industrial use
4	<input checked="" type="checkbox"/>	Project for public use
5	<input checked="" type="checkbox"/>	Project for institutional use
6	<input checked="" type="checkbox"/>	Project for agricultural use
7	<input checked="" type="checkbox"/>	Project for recreation use
8	<input checked="" type="checkbox"/>	Project for utility use
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99	<input checked="" type="checkbox"/>	Project for other use
100	<input checked="" type="checkbox"/>	Project for other use

THE STATE OF OHIO, COUNTY OF [COUNTY NAME], BEING THE PLACE WHERE WE ARE APPLYING FOR
IN-CABLE INFORMATION ON ALL QUESTIONS ANSWERED WITH A YES

NEED A DETACHED GARAGE

I hereby certify that the above information is true and correct to the best of my knowledge and belief, and that I am the owner of the land on which the above property is located.

Signature: _____ Date: 5-25-10

PROJECT FILE NO. _____

PHOTOGRAPHS



Date: _____ Site Address: _____ Planner: _____

Description: _____

PROJECT FILE NO. _____

PHOTOGRAPHS



Date: _____ Site Address: _____ Planner: _____

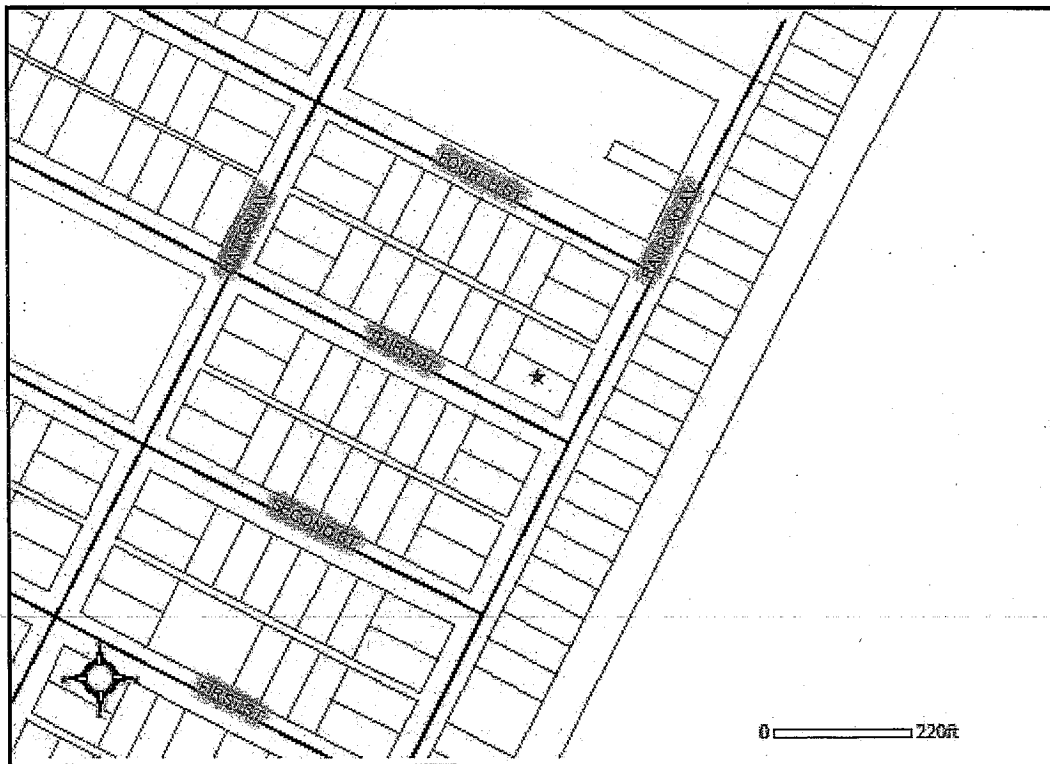
Description: _____

County of Monterey
Resource Management Agency

168 West Alisal St
 Salinas, CA 93901
 (831) 755-5025
 www.co.monterey.ca.us/rma

Property Report for Selected Location

Assessor Parcel No.:	177-043-009-000
Zoning:	HDR/5.1-HR-D
School District--Building Fees:	SPRECKELS UNION
Fire District:	Spreckels VFD
SRA/Fire Hazard Zone:	No
Land Use Advisory Committee:	Spreckels Neighborhood Design Review Committee
Archaeological Sensitivity:	low
Historical Site:	No
Seismic Hazard Zone:	IV
660 Foot Earthquake Fault Buffer Zone:	No



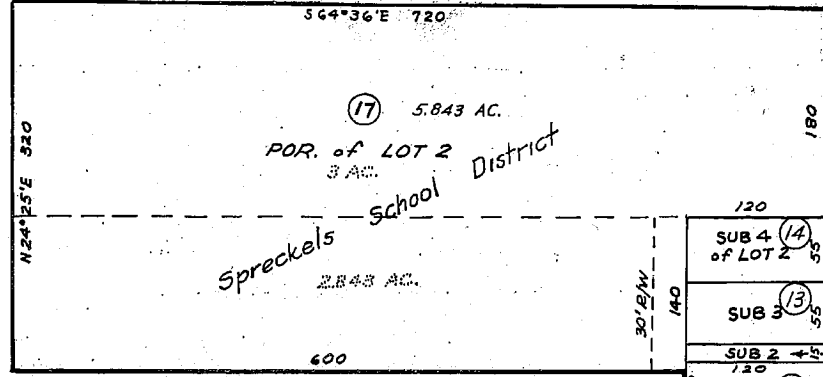
Source: Monterey County Planning and Building Inspection Department GIS System.
 All data is believed to be accurate to within 300 feet.

Exhibit F
 Page 4 of 5 Pages

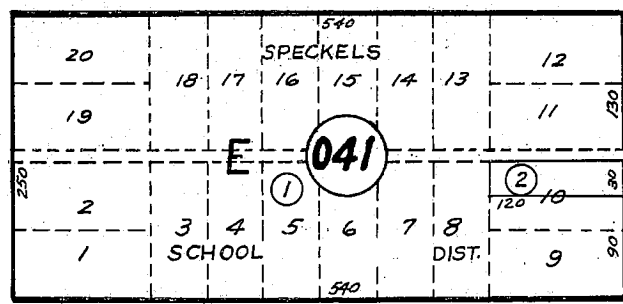
10

TAX CODE AREA

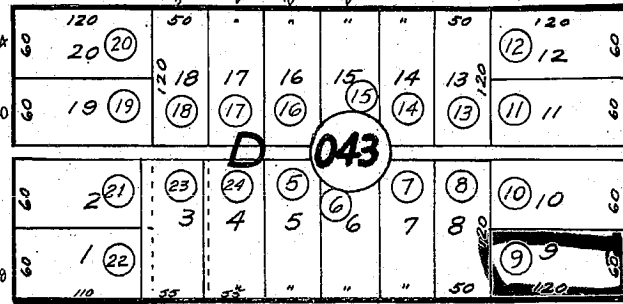
COUNTY OF MONTEREY
ASSESSOR'S MAP
BOOK 177 PAGE 04



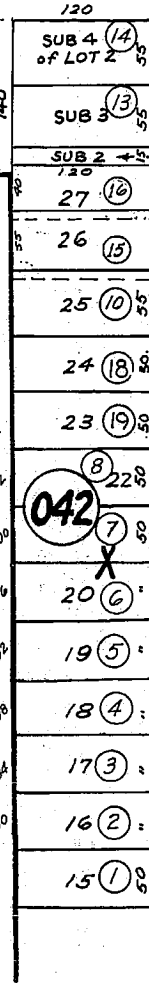
FIFTH STREET



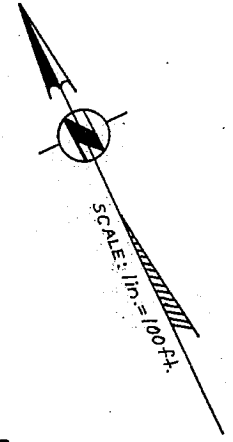
FOURTH STREET



THIRD STREET



MAP OF SPECKELS
BLKS. D, E & POR. OF X LOTS 15 thru 27
MAP OF LLANO DE BUENA VISTA
Co. POR OF LOT 2



05

10

03

Page 5 of 5 Pages
Exhibit #

GREATER SALINAS

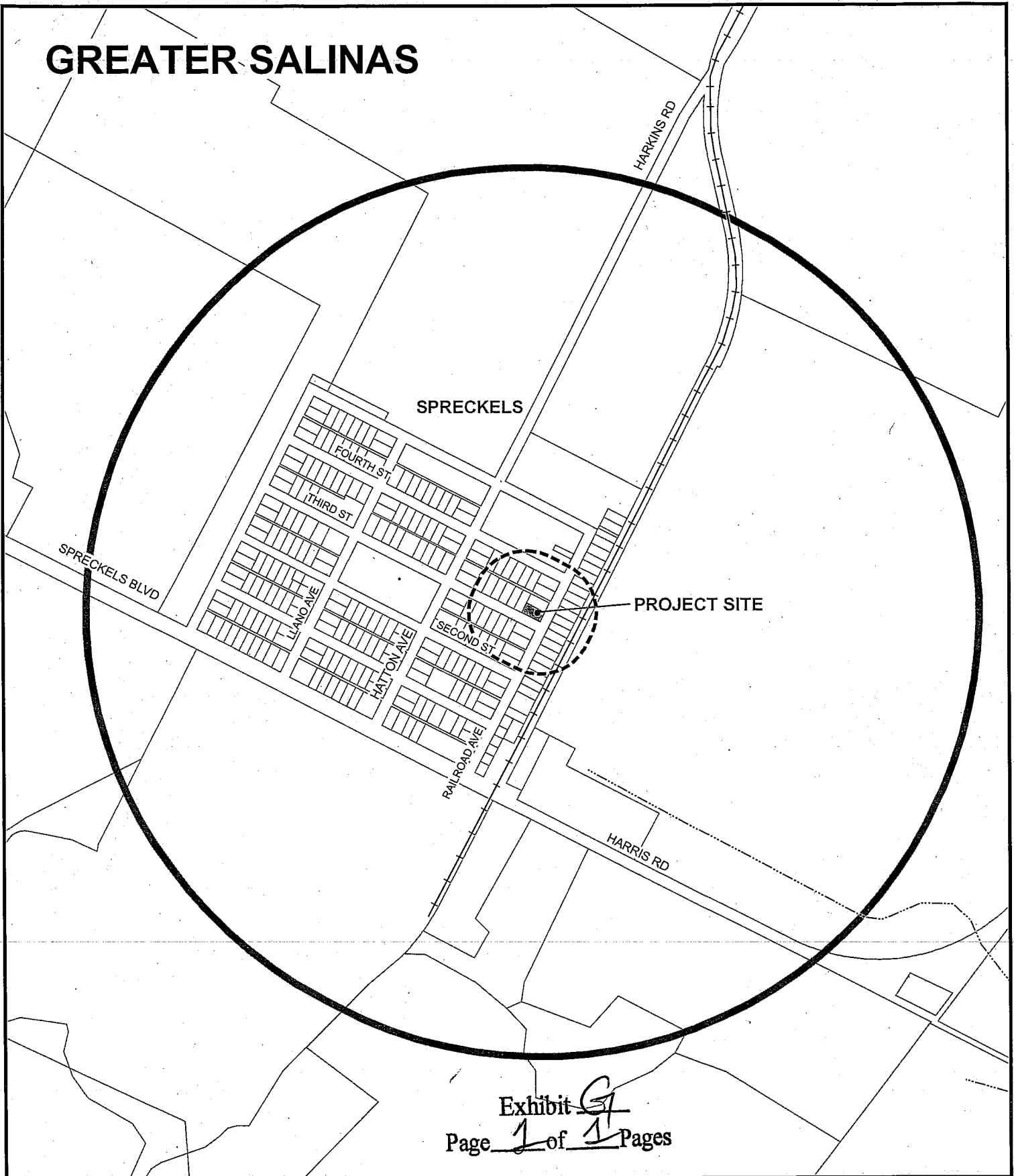


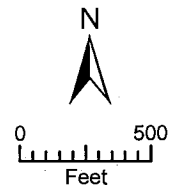
Exhibit *G*
Page *1* of *1* Pages

APPLICANT: VOSTI

APN: 177-043-009-000

FILE # PLN100191

Water 2500' Limit 300' Limit City Limits



PLANNER: NEGRETE