MONTEREY COUNTY PLANNING COMMISSION

Meeting: March 30, 2011 **Time:** 10:00 AM	**Agenda Item No.:** 4
Project Description: Administrative Permit and Design Approval to allow the construction of a detached, two-story, 2,328 square foot barn/accessory structure with restroom, retaining wall of approximately 100' in length, removal of two Monterey pine trees (14" and 12" diameter) and grading to include 1,140 cubic yards of cut and 1,140 cubic yards of fill. The property is located at 583 Viejo Road, Carmel Greater Monterey Peninsula Area Plan. Assessor's Parcel Number 103-031-004-000)	
Project Location: 583 Viejo Road, Carmel	**APN:** 103-031-004-000
Planning File Number: PLN090351	**Name:** Howie Hugo, Property Owner Samuel Benavides, Applicant/Agent
Plan Area: Greater Monterey Peninsula Area Plan	**Flagged and staked:** No
Zoning Designation: "RDR/5.1 – UR-D-S" [Rural Density Residential, one unit per 5.1 acres, Urban Reserve, Design Control District and Site Plan Review Overlay.]	
CEQA Action: Exempt per CEQA Section 15303(e)	
Department: RMA - Planning Department	

RECOMMENDATION:
Staff recommends that the Planning Commission **deny** the Administrative Permit and Design Approval (PLN090351/Hugo) based on the facts presented in the Project Discussion **(Exhibit B)** and Findings and Evidence **(Exhibit C)**.

PROJECT OVERVIEW:

The Applicant has proposed the construction of a detached, two-story, 2,328 square foot barn/accessory structure with bathroom, removal of two Monterey pine trees (14" and 12") and grading to include 1,140 cubic yards of cut and 1,140 cubic yards of fill. Retaining walls of approximately 100' in length would also be included in the project. Impervious surfaces calculations include 1,325 square feet for the "barn with covered porches," 955 s.f. for "patio and stairs" and 10,420 s.f. for "driveway and turnaround." The structure would be located at the terminus of a steeply-graded (25%+ at some points) dirt road on the upper portion of a heavily wooded and topographically uneven 5-acre parcel located at the junction of Viejo and Valenzuela roads. A 7,846 square foot single family dwelling with an 864 attached garage was constructed on the lower portion of the parcel in 2007.

Staff is recommending DENIAL of the project based on several factors, including:

1. The placement of a barn on the property is inappropriate; No agricultural activity is taking place.

2. Placement of a barn (or any similar structure) at the proposed location is inappropriate as it would include development on 25%+ slope and removal of two Monterey pine trees. There are locations on the lower elevations of the parcel at which both of these issues could be avoided.

The project hearing has been continued twice at the request of the Applicant (January 26, 2011 and February 9, 2011). The second continuance was granted under the understanding that alternative design options would be explored.

OTHER AGENCY INVOLVEMENT:

- ✓ Cypress Fire Protection District
- ✓ Public Works Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency

The above checked agencies and departments have reviewed this project.

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

Steve Mason
(831) 755-5228, masons@co.monterey.ca.us

cc: Planning Commission Members (10); County Counsel; Cypress Fire Protection District; Public Works Department; Environmental Health Division; Water Resources Agency; Mike Novo, Director of RMA Planning Department; Steve Mason, Planner; Carol Allen; Howie Hugo, Property Owner; Sam Benavides, Representative; Planning File PLN090351.

Attachments:	Exhibit A	Project Data Sheet
	Exhibit B	Project Discussion
	Exhibit C	Recommended Findings and Evidence
	Exhibit D	Vicinity Map
	Exhibit E	Site Plan, Floor Plan and Elevations
	Exhibit F	Site Photos
	Exhibit G	Project Notes and Correspondence

This report was reviewed by John Ford, RMA Planning Department Manager.

Exhibit A

Project Information for PLN090351

Project Title:	Hugo	**Primary APN:**	103-031-004
Location:	583 Viejo Rd Carmel, CA	**Coastal Zone:**	n/a
Applicable Plan:	Greater Monterey Peninsula Area Plan	**Zoning:**	RDR/5.1-UR-D-S
Permit Type:	Administrative Permit & Design Approval	**Plan Designation:**	Rural Density Residential
Environmental Status:	CEQA Exempt 15303(e)	**Final Action Deadline:**	February 9, 2011
Advisory Committee:	Greater Monterey Peninsula LUAC		

Project Site Data:

Lot Size:	5 acres	**Coverage Allowed:**	25%
		Coverage Proposed:	3.18%
Existing Structures (sf):	8,710		
Proposed Structures (sf):	2,328.5	**Height Allowed:**	15'/30'
		Height Proposed:	29'-7"
Total Square Feet:	11,038.5		
		FAR Allowed:	n/a
		FAR Proposed:	n/a

Resource Zones and Reports

Environmentally Sensitive Habitat:	No	**Erosion Hazard Zone:**	Moderate/High
Botanical Report #:	n/a	**Soils/Geo. Report #**	n/a
Forest Mgt. Report #:	n/a	**Geologic Hazard Zone:**	IV
		Geologic Report #:	n/a
Archaeological Sensitivity Zone:	Moderate		
Archaeological Report #:	n/a	**Traffic Report #:**	n/a
Fire Hazard Zone:	Very High		

Other Information:

Water Source:	Private Well	**Sewage Disposal (method):**	Septic
Water District/Company:	n/a	**Sewer District Name:**	n/a
Fire District:	Cypress FPD	**Grading (cubic yds):**	1,140 (cut) 1,140 (fill)
Tree Removal (Count/Type):	2 – Monterey pine (14" and 12")		

EXHIBIT B
PROJECT DISCUSSION
PLN090351/Hugo

This item (PLN090351/Hugo) was applied for as an Administrative Permit and a Design Approval. The project is being referred to the Planning Commission by recommendation of the Zoning Administrator and Director of Planning pursuant to Sections 21.04.030.F.4 of Title 21. This section and qualifier, allow the ZA to refer a project to the PC if the project would set a precedent. Based on the facts of this request, the ZA has determined that approval or denial of the project could set a precedent for future requests of a similar nature, and in so doing may affect established policies regarding the differentiation between a "barn" and an "accessory structure".

In reviewing the project in its entirety, Staff has determined that the proposed structure does not meet the definition of a "barn" in form nor function. There is no agricultural activity occurring on the property. Furthermore, the proposed building does not resemble a structure which would be considered "accessory" to conventional agricultural uses. It is important to note that a "non-habitable accessory structure" and a "barn" are different according to Inland Zoning Code (Title 21) in that a barn may be allowed a maximum height of 30' while a non-habitable accessory structure is limited to a maximum height of 15'. The Monterey County Inland Zoning Code draws a clear distinction between an accessory structure and a barn as separate entities. Specifically:

21.16.060 SITE DEVELOPMENT STANDARDS (Rural Density Residential)

21.16.060.C.3 Accessory Structures (Non-habitable)

a) Minimum Setbacks
Front: 50 feet
Side: 6 feet on front one-half of property; 1 foot one rear one-half of property
Rear: 1 foot

b) Height
Maximum Height: 15 feet

21.16.060.C.4 - Accessory structures used as barns, stables or farm outbuildings shall not be less than 50 feet from the front of the property or 20 feet from the side or rear property line or 20 feet from any residence on the property. *The maximum height shall be 30 feet.*

Although "barn" is not listed among the Definitions section of the Inland Zoning Code (section 21.06), the term is defined in the Merriam-Webster Dictionary as follows:

Barn (noun)
1 a: a usually large building for the storage of farm products or feed and usually for the housing of farm animals or farm equipment

The term "Accessory Structure," denotes a function that is accessory to an established use. Staff is of the belief that a non-habitable accessory structure could be considered appropriate as it would be accessory to the residential use of the property. A barn would not be accessory to any established use on the property. Furthermore, the property is highly inappropriate for agricultural activity, as it consists primarily of steep slopes which are heavily wooded with Monterey pine trees.

The design of the proposed structure is entirely uncharacteristic of a barn, with plans calling for a two-story interior design, a wrap-around deck and large windows on the second floor providing views of the Monterey Bay and outlying regions, and an ornate exterior design with stone and wood facade.

As a result of their review of the Applicant's proposal, the department of Public Works has determined that Regional Development Impact Fees would be assessed in the event that the project were Approved. Customarily, these fees are levied specifically on projects which are of a residential nature. Public Works has commented that they consider this project as falling under the residential category according to their judgment.

Questions as to the proposed uses for the "barn" were posed by Staff as early as December, 2009: In a telephone conversation on December 14, 2009, Mr. Benevides (architect) stated that Staff had misunderstood the use that will take place in the proposed barn. He stated that the barn will not be used for the storage of heavy equipment. He stated that Mr. Hugo is "not a contractor", but a "property owner" and that, as such, he has "owner-related" items such as "lawn mowers and trucks" that will be stored in the barn.

Staff is of the belief that these proposed functions of the "barn" could be achieved within the structural design limitations (15' maximum height) of an accessory structure.

The project would include the removal of two Monterey pine trees (14" and 12" in diameter). The Monterey County General Plan, section GMP-3.5, states: "Removal of healthy, native oak, Monterey Pine, and redwood trees in the Greater Monterey Peninsula Planning Area shall be discouraged." The necessity of the removal of the trees to accommodate the project is questionable. There are adequate locations for placement of an accessory structure on the lower elevations of the parcel wherein this issue could be avoided.

Grading of the access road to the proposed project site appears to have been executed without requisite County Planning and Building Department involvement. The road in question traverses approximately 225 feet in length, gaining 74 feet in elevation over its course. The road extends over gradients in excess of 25% at some points. In a telephone conversation (January 14, 2011), the previous owner of the parcel indicated that the road was not present during his ownership. No Grading Permits on file with the Planning and Building Department indicate approval of the steeply graded road. A Code Enforcement case was opened (CE010337) on September 24, 2001, regarding "illegal grading" on the parcel, with the access road apparently included among the illicit grading cited. The case was closed following restoration efforts at the graded areas according to the case's remedial measures. The project, as currently proposed, would require additional grading for widening of the road, as well as additional development in the form of retaining walls at the periphery of the road, both of which would occur on slopes in excess of 30%. As such, the project is in conflict with General Plan section OS-3.5:

OS-3.5 The County shall regulate activity on slopes to reduce impacts to water quality and biological resources:

1) Non-Agricultural.

a) Development on slopes in excess of twenty five percent (25%) shall be prohibited except as stated below; however, such development may be allowed pursuant to a discretionary permit if one or both of the following findings are made, based upon substantial evidence:

1. there is no feasible alternative which would allow development to occur on slopes of less than 25%;
2. the proposed development better achieves the resource protection objectives and policies contained in the Monterey County General Plan, accompanying Area Plans, and all applicable master plans.

In the event that a barn were in fact appropriate on the subject property, the placement said barn at the top of the steeply graded road would be discouraged due to the ample space available on the lower portions of the parcel. Relocation of the barn would be required.

The initial Administrative Hearing date for the project, August 18, 2010, was delayed due to failure on the Applicant's part to post required notices as outlined in correspondence to the Applicant and the project architect **(Exhibit G.2).** Review of the proposed project by Planning Department Staff led to the conclusion that the construction of a barn was not suitable on the Applicant's parcel. In lieu of an Administrative "Denial" of the project, the Applicant was presented with three options in a letter dated September 9, 2010 **(Exhibit G.3)** :

1. Re-design the accessory building to a height of 15' or less, thereby adhering to the applicable zoning requirements for a "Non-Habitable Accessory Structure."

2. Withdraw the project application and receive a partial or full refund for all fees paid thus far.

3. Request that the project be referred to a public hearing under which circumstance the Planning Department will likely present the project with a recommendation for "Denial."

A follow-up meeting between Staff, the Applicant and Agent (September 29, 2010) failed to result in an agreement that any of the above listed three options would be pursued by the Applicant. Questions were raised by the Applicant at the meeting as to whether the introduction of agricultural activity on the parcel might justify the placement of a barn.

In a follow-up letter dated December 6, 2010 **(Exhibit G.5)** the Applicant was notified that the Planning Department would proceed, on its own accord, to the Planning Commission with a recommendation for "Denial."

Staff has received public correspondence, by telephone and letter, in direct opposition to the project **(Exhibit G.6)**. Primary among the concerns expressed are the potential uses of the "barn," largely as they might relate to social functions which periodically take place at the location. The subject property has been advertised for, and utilized as, a vacation rental, and to host private parties and weddings. A Code Enforcement case regarding these concerns was recently opened and subsequently closed. The property is currently advertised as a vacation rental and wedding facility on the "Ellingsen Estates" commercial real estate website (http://www.ellingsenestates.com) under the title of "Carmel Chateaux."

EXHIBIT C
RECOMMENDED FINDINGS AND EVIDENCE
PLN090351/Hugo

1. **FINDING:** **INCONSISTENCY** – The project, as proposed, is inconsistent with the applicable plans and policies.

EVIDENCE: a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
- Monterey County General Plan,
- Greater Monterey Peninsula Area Plan,
- Greater Monterey Peninsula Area Plan, Inventory and Analysis,
- Monterey County Zoning Ordinance (Title 21)

b) The property is located at 583 Viejo Road, Carmel (Assessor's Parcel Number 103-031-004-000, Greater Monterey Peninsula Area Plan. The parcel is zoned : "RDR/5.1 – UR-D-S" [Rural Density Residential, one unit per 5.1 acres, Urban Reserve, Design Control District and Site Plan Review Overlay.], Conflicts were found to exist with Monterey County Zoning Ordinance (Title 21) which allows "Accessory structures and accessory uses to any permitted use", with an Administrative Permit, on an RDR-zoned parcel. (21.16.030.E). Staff found no evidence of uses, permitted or otherwise, occurring which would rationalize the construction and use of a barn at the site.

c) The project consists of the construction of a detached, two-story, 2,328.5 square foot barn, and removal of two Monterey pine trees. In accordance with projects located in a "Design Control" district, the building colors would consist of muted earth tone brown.

d) The project planner conducted a site inspection on June 1, 2010 to verify that the project on the subject parcel conforms to the plans listed above.

e) The project, as proposed, is not consistent with the Monterey County General Plan, section OS-3.5, due to proposed development and grading on slopes in excess of 30% for which a feasible alternative exists. There is an existing level-graded area on the property to accommodate the project, which would not require encroachment onto 30% slopes.

f) The project is not consistent with Monterey County Zoning Ordinance (Title 21): The project application requested approval as a "barn." As a two-story structure it does not meet the zoning ordinance height limit of 15' for a detached accessory structure. The requested structure cannot be considered a barn. A barn is an accessory structure to an agricultural use. There is no agricultural activity occurring on the parcel. Furthermore, the parcel would not be appropriate for agricultural uses due to it's predominance of Monterey pine trees and slopes in excess of 25%.

g) The project was not referred to the Greater Monterey Peninsula Land Use 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 not warrant referral to the LUAC because the project did not involve issues regarding ridgeline/viewshed development, environmental issues which

are not exempt from CEQA.

h) 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 PLN090351.

2. **FINDING:** **SITE SUITABILITY** – The site is not 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 indication from these departments/agencies that the site is not suitable for the proposed development.

b) Staff conducted a site inspection on June 1, 2010 to verify that the site is suitable for this use.

c) The parcel is located within a "Highly-Sensitive Viewshed" area, according to the Monterey County General Plan. Though the proposed site is not immediately visible from nearby public viewing areas, the structure would be less visible from distant public view sites if it were to be located on the lower elevations of the parcel. The building would also be more easily accessible and functional for typical barn functions if it were to be located on the more level lower elevation areas of the parcel.

d) The project's proposed location is unsuitable as it would include development on 25%+ slopes and removal of two Monterey pine trees. There are locations on the lower elevations of the parcel at which both of these issues could be avoided.

e) The driveway providing access to the proposed accessory structure would need to be substantially improved, which would require grading on slopes in excess of 25% and the installation of retaining walls on slopes in excess of 30%. The current grade of the road exceeds 25% in some sections.

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 PLN090351.

3. **FINDING:** **TREE REMOVAL** - The project would include the removal of two Monterey pine trees (14" and 12" in diameter). **(Exhibit G.1)**

EVIDENCE: a) The Monterey County General Plan, section GMP-3.5, states "Removal of healthy, native oak, Monterey Pine, and redwood trees in the Greater Monterey Peninsula Planning Area shall be discouraged."

b) Staff conducted a site visit on June 1, 2010 to verify that the proposed tree removal plan is consistent with the site conditions. There is an alternative location for the project site at a lower elevation of the parcel which would support an accessory structure and eliminate the need for any tree removals.

4. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for may 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, and 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, Cypress Fire Protection District, Public Works, Environmental Health Division, and Water Resources Agency. The proposed location of the structure is at the terminus of a long, steep and narrow driveway. This is not the best location from a public health and safety, and emergency response standpoint. The amount of grading needed to make the proposed site accessible could increase the risks of slope failure and jeopardize the health of the adjacent Monterey pine forest.

b) Necessary public facilities are available.

c) Feedback from the public indicates numerous concerns regarding potential uses of the proposed structure.

5. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.

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

b) Staff conducted a site inspection on June 1, 2010, and researched County records to assess if any violation exists on the subject property.

c) County records indicate two prior Code Enforcement actions on the property. CE010337 (2001) was initiated due to "grading without permits." 10CE00324 (2010) was in response to the use of the property for vacation rentals and large-scale social functions. Both cases were closed by the Code Enforcement department following appropriate remedial measures by the property owner (Mr. Hugo).

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 PLN090351.

6. **FINDING:** **CEQA (Exempt):** - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

EVIDENCE: c) California Environmental Quality Act (CEQA) Guidelines Section 15270 statutorily exempts projects which are disapproved.

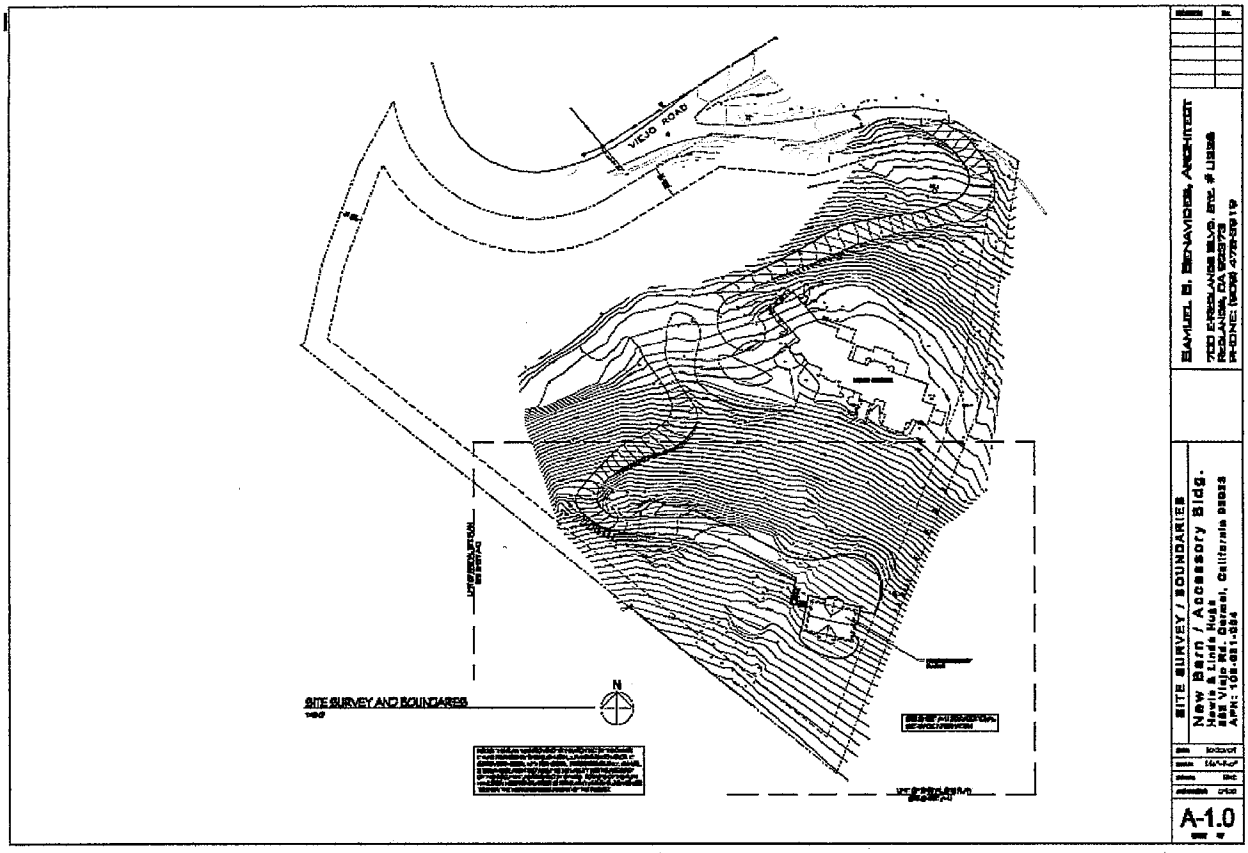
7. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.

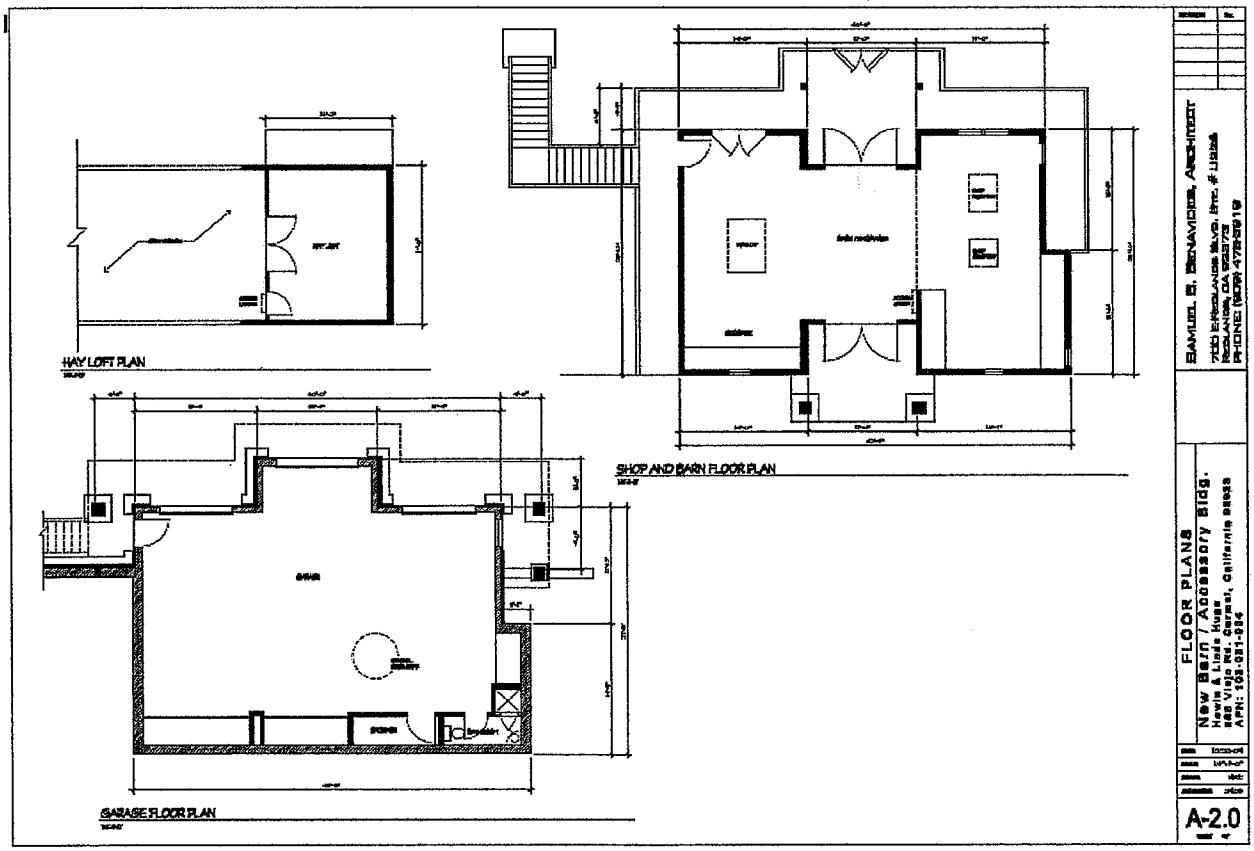
EVIDENCE: a) Section 21.80.040 of the Monterey County Zoning Ordinance (Title 21)

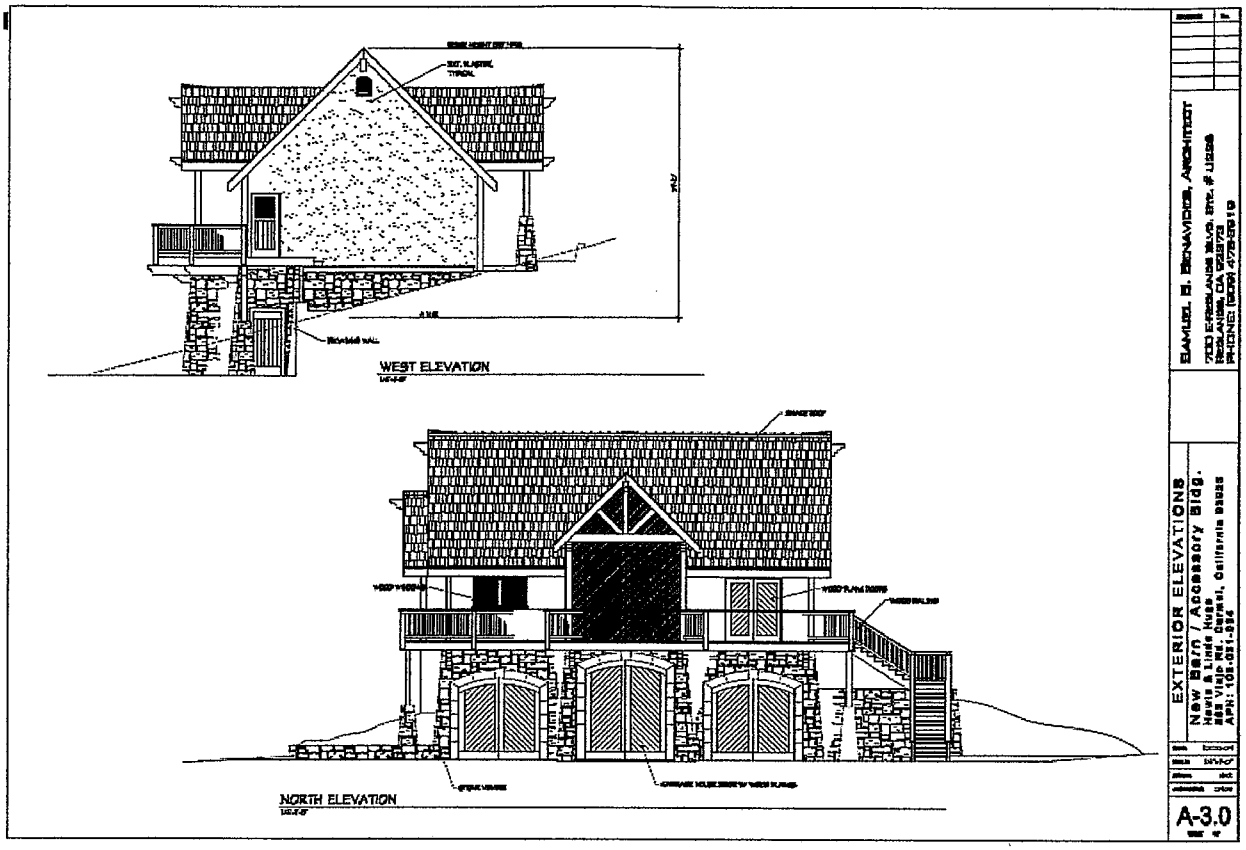
EXHIBIT D
Vicinity Map

PLANNER: MASON

EXHIBIT E
Site Plan, Floor Plan and Elevations






WEST ELEVATION
NORTH ELEVATION
EXTERIOR ELEVATIONS
New Barn / Accessory Bldg.
A-3.0

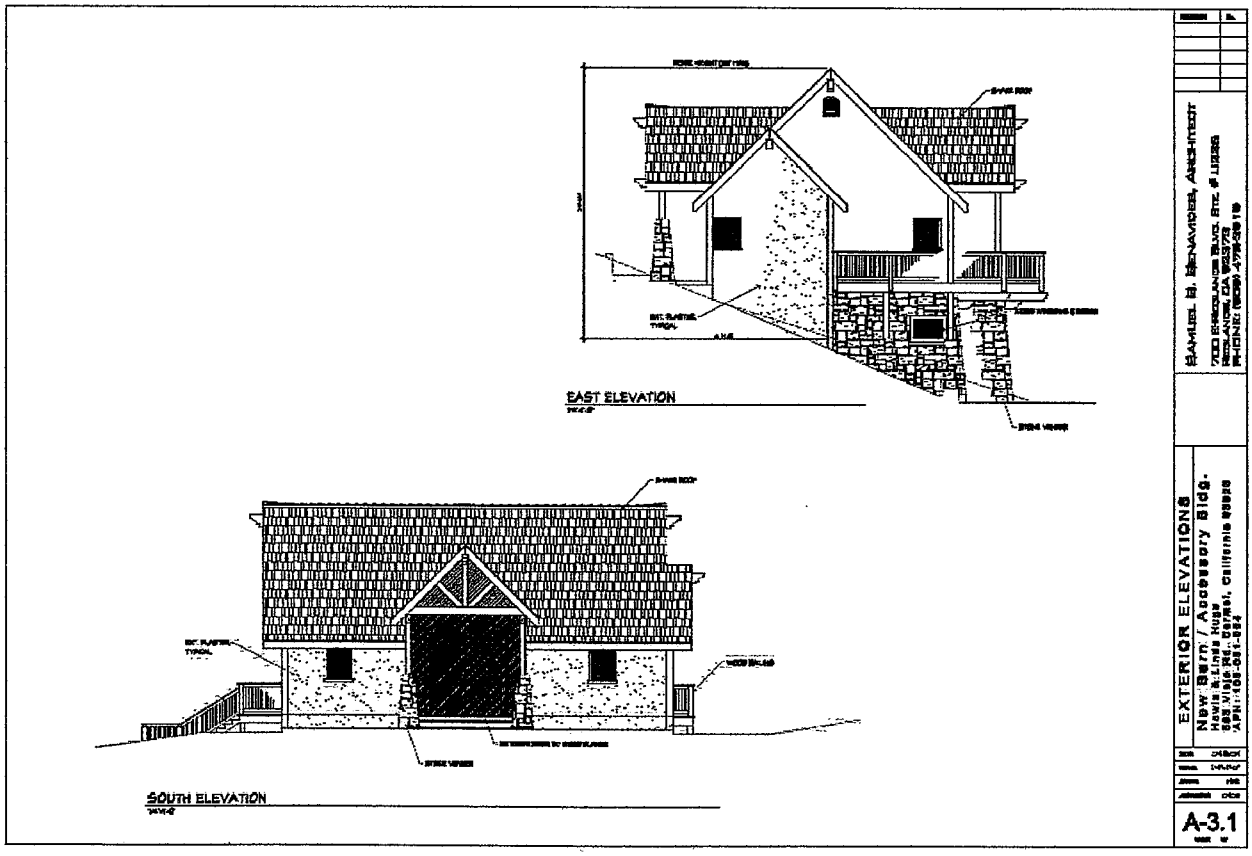
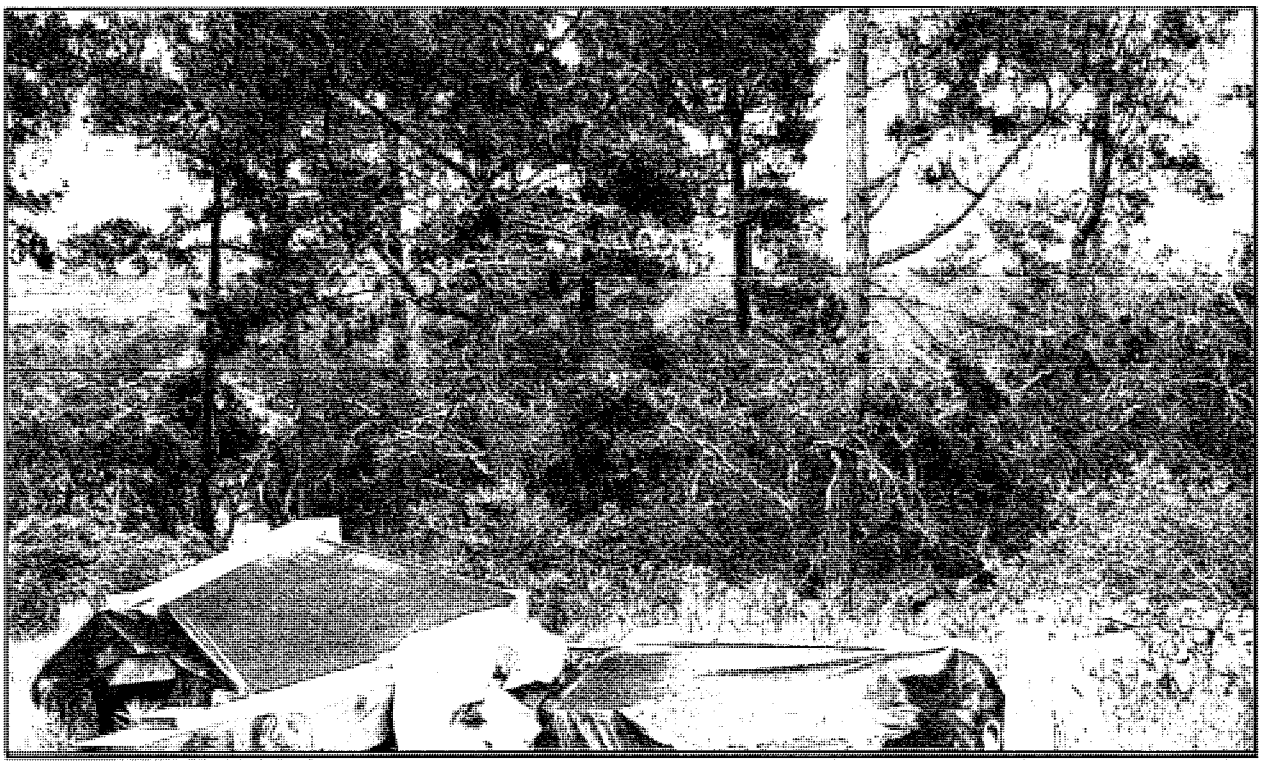

EAST ELEVATION
SOUTH ELEVATION
EXTERIOR ELEVATIONS
New Barn / Accessory Bldg.
A-3.1

EXHIBIT F
Site Photos (June 1, 2010)



View of Monterey Bay and City of Monterey from proposed site, facing north.

View from proposed site, facing north-west.

EXHIBIT G

Correspondence

G.1 Tree Removal Request Detail

Samuel B. Benavides, Architect

Email: sam@benavidesarch.com

TRANSMITTAL

Date: June 18, 2010

To: Steve Mason – via email: MasonS@co.monterey.ca.us

From: Sam Benavides

Re: Hugo Project – PLN 090351

Message:

Dear Steve,

Attached to this transmittal are photos of the trees to be removed as part of the proposed Barn project. These photos were taken from the area of the Barn looking north. The trees are located in the area of the proposed driveway turn-around.

Also, and for your reference, attached is a partial plan showing the relative location of these trees.

These are Monterey Pines and because there are fewer than 4 trees to be removed, I expect this not be an issue with your planning review.

Feel free to call or email if you have any questions.

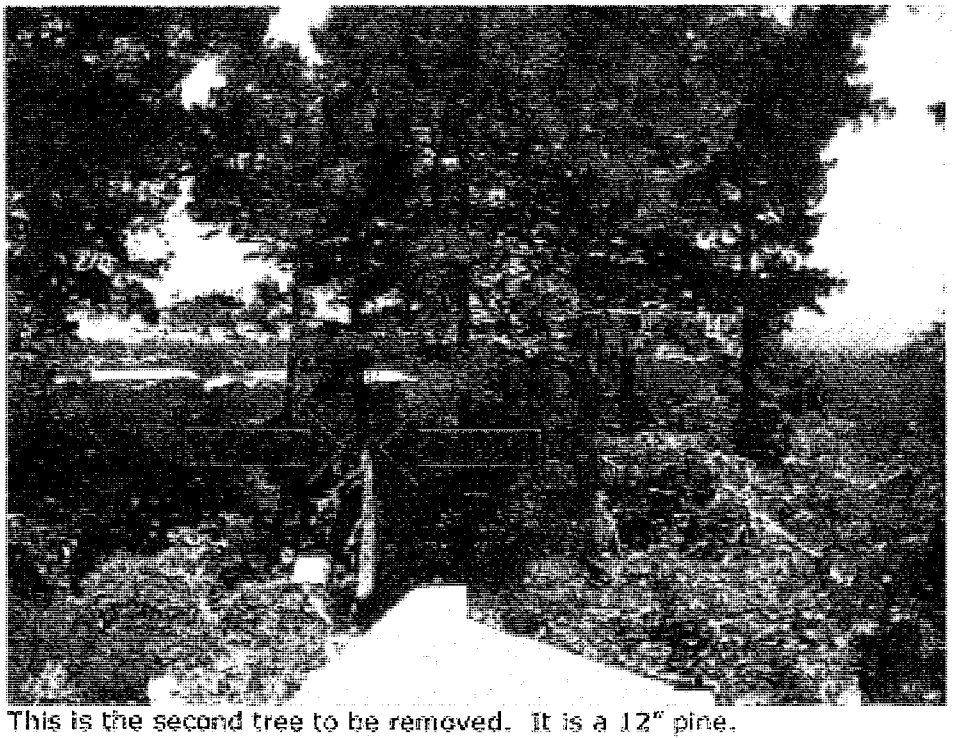
Regards,

Sam Benavides

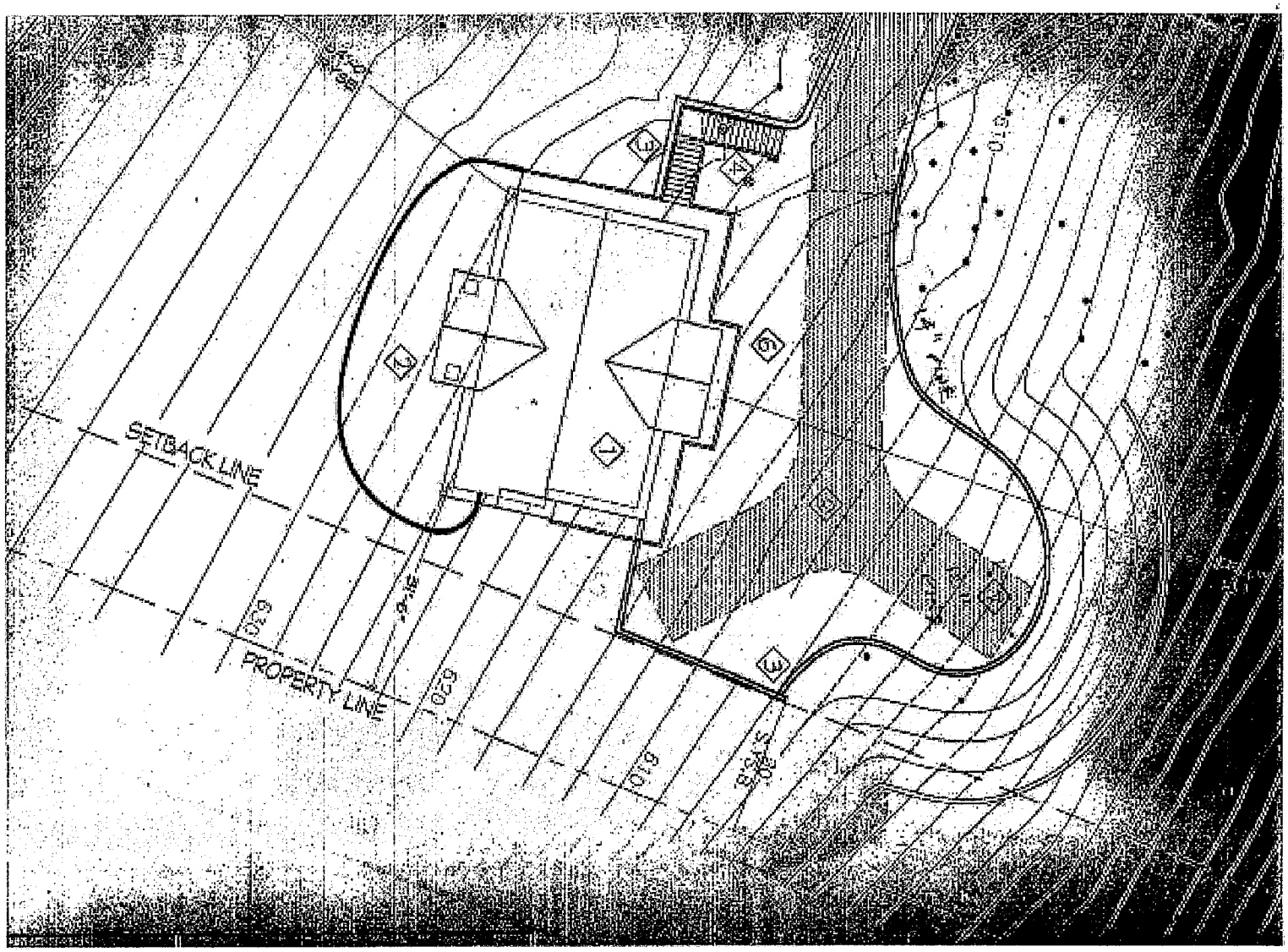
700 E. Redlands Blvd. #U226
Redlands, CA 92373

Tel: 831.214.3165

This is one of the trees to be removed. It is a 14" pine.



This is the second tree to be removed. It is a 12" pine.


SETBACK LINE
PROPERTY LINE
630
620
610
610
1
2
3
4
5
6

G.2 Posting Instructions - email to Applicant & Agent

-----Original Message-----
From: Calderon, Vanessa A. x5186
Sent: Tuesday, August 03, 2010 4:45 PM
To: 'sam@benavidesarch.com'; 'howiehugo@gmail.com'
Cc: Mason, Steve x5228
Subject: Re: Affidavit of Posting and (3) Notices for PLN090351 Hugo

Dear. Mr. Benavides & Mr. Hugo,

The Director of the Planning Department for the County of Monterey Resources Management Agency is considering the above referenced application for an Administrative Permit.

Attached are three "Notice of Pending Administrative Permit" forms. These notices must be posted on and near the project site in places that they maybe read by the public by the date indicated above.

Also, Attached is an "Affidavit of Posting" which must be filled out and returned to the Planning Department by the date shown.
A faxed copy is acceptable. Our Fax number is (831) 757-9516.

If you do not post the three "Notice of Pending Administrative Permit" forms and return the completed "Affidavit of Posting" form, your application maybe continued or denied.

Thank you,
Vanessa A. Calderon - OAIII
Administrative Permits Clerk
Planning Department
168 W. Alisal Street 2nd Floor
Salinas, CA 93901
831-755-5186

G.3 Planning Department - Letter to Applicant

MONTEREY COUNTY
RESOURCE MANAGEMENT AGENCY

PLANNING DEPARTMENT, Mike Novo, Director

168 W. Alisal St., 2nd Floor
Salinas, CA 93901

(831) 755-5025
FAX (831) 757-9516

September 9, 2010

Re: PLN090351 (Hugo)

Mr Hugo and Mr. Benavides:

I am writing to inform you about the following recent developments involving your project and property which will need to be addressed:

1. It has come to our attention that the subject property is being used in a manner not consistent with the zoning regulations applicable to the site (See information attached obtained from the Internet). According to this information, the property is being leased for vacation rentals, weddings, and other activities inconsistent with the regulations of the "RDR/5.1-UR-D-S" Zoning District. These uses may need appropriate permits or may not be allowed at all. Accordingly, a Code Enforcement Violation (File No. 10CE00324) has been opened by the Code Enforcement Section of the Planning Department.. The Case has been assigned to Valerie Migotti, of the Code Enforcement Section (phone (831) 755-5213). Please contact her for instruction as to how to proceed to clear this violation. No Planning or Building Permits may be issued while this Violation remains unresolved, pursuant to County Zoning Ordinance Section 21.84.120. Therefore, your pending Administrative Permit hearing will be cancelled and postponed until the violation has been cleared to the satisfaction of the County. Further instruction from the Code Enforcement Department will be forthcoming.

2. The appropriateness of designating your proposed structure as a "Barn" is being discussed. This is due largely to the fact that there is no apparent agricultural activity occurring on the subject parcel, and that the structure lacks the typical open air (single-story) structure typical of a barn.

Your options include:

1. Re-design the accessory building to a height of 15' or less, thereby adhering to the applicable zoning requirements for an "Non-Habitable Accessory Structure."

2. Withdraw the project application and receive a partial or full refund for all fees paid thus far.

3. Request that the project be referred to a public hearing under which circumstance the Planning Department will likely present the project with a recommendation for "Denial."

Again, please note that both options 1 and 3 will require clearance of the Zoning Code Violation identified above to the satisfaction of Code Enforcement. No hearings or other actions will be taken until such time.

Please let me know in writing when you would like to discuss these options.

Sincerely,

Steve Mason
Assistant Planner
Monterey County RMA - Department of Planning
(831) 755-5228
masons@co.monterey.ca.us

G.4 Applicant – Letter to Planning Department

Samuel B. Benavides, Architect

Email: sam@benavidesarch.com

RECEIVED
OCT 26 2010
MONTEREY COUNTY
PLANNING DEPARTMENT

October 22, 2010

John Ford, Planning Services Manager
Resource Management Agency Planning Department County of Monterey
168 W. Alisal St., Second Floor
Salinas, CA 93901

Re: Hugo Barn Project - PLN 090351 – Meeting of 9/29/10

Dear John,

Pursuant to our meeting on September 29, 2010 wherein you, Mr. Hugo, Steve Mason and I discussed issues of compliance regarding Mr. Hugo's Barn project, this letter is written to clarify our understanding of your position and to request a formal notice of incompleteness.

As you may recall, during our meeting, Mr. Hugo and I deliberately asked you two very specific questions intended to solicit cooperation from you to respond to Mr. Mason's letter of 9/9/2010. The first question was in effect: "what can I do to satisfy your concerns that there is no existing agricultural use on the property?" The second question was in effect: "what can I do to make the barn comply with your definition of a barn?" Your answer to both of these questions was an emphatic "there's nothing you can do" – "this is not a barn."

Despite our requests for cooperation from you on finding resolution, you provided no assistance or explanation whatsoever on what was considered "ag" use or a barn. You cited no specific codes that were in non-compliance or any reasons for your interpretations. This subjectivity is irrational and is suspect of being retaliatory, punitive and an abuse of your discretionary powers. This is a blatant violation of local and state law mandates.

Therefore, and in accordance with Section 21.02.060 of the County Zoning Ordinance and provisions of CEQA and the Permit Streamlining Act, I hereby request written determination, to which Mr. Hugo is entitled, as to the reasons this application is incomplete and/or why in your opinion this structure is "not a barn".

Should you choose to continue to refuse and/or fail to provide a written response to this application on these issues, you leave Mr. Hugo no choice but to pursue a court ordered judicial remedy and/or public notice of completeness by operation of law so as to proceed with his barn and restore this violation of his civil rights.

Feel free to contact me should you wish to discuss this further. I can be reached at 909-435-0575 or at 831-214-3165.

Yours truly,

Sam Benavides, Architect

Cc: Howie Hugo, Mike Novo

700 E. Redlands Blvd. #U226
Redlands, CA 92373

Tel: 831.214.3165

G.5 Response Letter to Applicant

MONTEREY COUNTY
RESOURCE MANAGEMENT AGENCY

PLANNING DEPARTMENT, Mike Novo, Director

168 W. Alisal St., 2nd Floor
Salinas, CA 93901

(831) 755-5025
FAX (831) 757-9516

December 6, 2010

Mr. Sam Benavides, Architect
700 E. Redlands Blvd #U226
Redlands, CA 92373

Re: PLN090351 (Hugo)

Dear Mr. Benavides:

As you have requested in your letter dated October 22, 2010, this letter will provide you with a written explanation as to why the accessory structure proposed for Mr. Hugo is not a barn. First let me clarify that the application is deemed complete, but it can not be approved in its current form because it is inconsistent with the Zoning standards for an accessory structure.

The property is zoned Rural Density Residential which allows "*Accessory structures and accessory uses to any permitted use*" subject to obtaining proper permits. As we have discussed, the RDR district provides height and setback regulations for "Main Structures," "Accessory Habitable Structures", "Accessory Non-Habitable Structures" and Accessory Structures used as "barns, stables or farm outbuildings."

The Zoning Ordinance establishes different height and setback standards for accessory non-habitable buildings and for barns. Barns are allowed to be much larger buildings and also require increased setbacks. Accessory structures are required to have a much lower height, but are also allowed much smaller setbacks.

As we have discussed, the Zoning Ordinance does not provide a definition of a barn. In circumstances where a building type or use is not defined in the Zoning Ordinance, the practice is to first look at the context of what is being permitted in the Zoning Ordinance, and then to obtain a commonly accepted definition from a dictionary.

In this case, the context of the Zoning Ordinance presents two important points. First is the distinction between a non-habitable accessory structure and a barn. The Zoning Ordinance makes that distinction and allows non-habitable accessory structures in the RDR Zoning District. Second a barn is identified as being used in the context of "*barns, stables, or farm outbuildings*" which are not residential uses, but agriculturally related uses. Both non habitable accessory structures and barns are accessory uses; the determination of when one is a barn is dependent upon what the structure is accessory to (a residence or an agricultural use). As we have discussed there is no

agricultural use on this property, so the use of the property dictates that this building is an accessory use to the residence and not to an agricultural use. Therefore the use is not that of a barn but as a non habitable accessory structure and must comply with the Zoning Ordinance Requirements for such a structure.

The Merriam Webster Definition of "barn" is as follows:

1. *a : a usually large building for the storage of farm products or feed and usually for the housing of farm animals or farm equipment*
   b : an unusually large and usually bare building <a great barn of a hotel — W. A. White>
2. *a large building for the housing of a fleet of vehicles (as trolley cars or trucks)*

In context, the definition of a large building for the storage of farm products or feed and usually for the housing of farm animals or farm equipment is the definition that makes sense.

The Zoning Ordinance allowance for a barn with provisions for increased height is not to allow a larger accessory structure in a residential area, but rather is to allow the use of a barn in a county that supports a great deal of agriculture. You had asked what needed to be done to have an agricultural use on the property. Conversion of this property to any agricultural use is not appropriate due to the steepness of the slopes on site and the Monterey Pine Forest which exists on the property.

In our meetings with you and Mr Hugo on September 29, 2010 and in our letter dated September 9, 2010 the Planning Department has attempted to present options that would allow approval of an accessory structure that is not a barn. We remain ready to assist you in that endeavor, but it will require that the building be redesigned to meet the height limits of a non-habitable accessory structure.

In light of your letter, we understand that you would like a decision on the application as a barn. We will therefore schedule this for a public hearing in front of the Planning Commission. The next available Planning Commission Date is January 12, 2011.

Sincerely,

John Ford
Planning Services Manager
Monterey County RMA - Department of Planning
(831) 796-6049
fordjh@co.monterey.ca.us

cc Steve Mason
Mr Howie Hugo
Mike Novo

EXHIBIT G.6 – Public Responses

Note: The "Findings" cited in the January 12, 2010 letter (erroneously dated) refers to the initial Administrative Staff Report

Dear Planning Commission –

We are asking the Planning Commission not to grant the request of Mr. Hugo to build a barn in excess of 2500 square feet on his property. The improper manner in which he has utilized his property has been the topic of innumerable conversations for many years. Several years past it became apparent to all that there was a commercial enterprise being operated from his property. Specifically, he was renting his home and allowing others to have weddings and events on his property. These events were in flagrant disregard for the neighbors and adversely impacted our ability to enjoy the peace and tranquility that this unique area is known for.

Had he not been so blatant in his misuse of his property, we would not be writing this letter. However, it seems very clear that he violated the terms of his original agreement with the county, which was to construct a single family residence. Rather, he built a destination site suitable for events which accommodated hundreds of people. Now he professes to want to build a barn. Interestingly, there is no reason to have a barn on his property. From the looks of the lot, it would not be suitable for any agricultural purposes. Both the size of the proposed barn, and from what I am told the architecture, should cause the Commission to be very suspicious as to the true intentions of Mr. Hugo. Based on his prior illegal conduct, the only reasonable interpretation of his application is to build another structure that he will use for residential or rental purposes.

We have suffered enough having had to endure having commercial activities in our neighborhood for many years. We have decided not to ignore this situation any longer. Our privacy is important to us, as is our enjoyment of the peace and tranquility that comes with living on larger lots in a forest setting. All this is disturbed when others do not comply with the rules set forth by the county. We have made sacrifices to live in this area and wish to protect our rights.

If you have any questions or concerns about our position please feel free to visit the neighborhood and talk to the residents. All will share their feelings and thoughts with you. You will be convinced by our stories and our sincerity.

Concerned Citizens of Monterey County, Jacks Peak Area

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Mr. Steve Mason, Associate Planner
Planning Department, Monterey County
Planning Commission
168 W. Alisal St., 2nd Floor
Salinas, CA 93901
By facsimile

January 13, 2011

RE: PLN090351

Dear Mr. Mason,

We are property owners in the Jacks Peak area of Monterey County. It has come to our attention that the Monterey County Planning Commission will be considering the above referenced permit for the "Barn" on Mr. Hugo's property.

One of our concerns is the design of this "Barn." It does not appear to be intended for animals, fodder or the storage of agricultural implements but rather looks to be a house complete with decks, openings which can be retrofitted to contain windows or French doors and a bathroom.

The location of the proposed building is on a very steep section of the property as indicated on the site plan. Considering the implications of the slope of the property it seems there would be a better suited location for a barn. The fact that the volume of grading needed to prepare the site for this size building should suggest it is not suited for development.

Another consideration we would like you to take into account is the fact the property has been used as a short-term rental and has had large events held there as recently as October 2, 2010. These occasions have frequently impacted the neighborhood with cars parked along the

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MONTEREY COUNTY
PLANNING DEPARTMENT

roadways creating obstacles for emergency vehicles in our "very high fire danger area." During these events there has been; amplified music, DJ's, MC's and the volume created by the sheer numbers of people who have been brought into our quiet neighborhood for these festivities. This "Barn" could in fact be used to facilitate the owner's effort to market his home as a business venture that is not appropriate for our neighborhood.

We thank you for receiving our letter and urge you to deny the application.

Respectfully,

Concerned Neighbors

CONCERNED RESIDENTS OF VIEJO AND VALENZUELA ROADS
Jacks Peak
Carmel, California, 93923

Mr. Jay Brown, Planning Commission Chair
Mr. John Ford, Planner
Mr. Steve Mason, Associate Planner
Planning Department, Monterey County
168 W. Alisal St., 2nd Floor
Salinas, CA 93901

January 12, 2010

RE: PROBABLE COUNTY CODE VIOLATIONS at APN 103-031-004 and PLANNING COMMISSION DETERMINATION OF PLN090351.

Dear Mr. Brown, Mr. Ford and Mr. Mason

Thank you for the opportunity to comment on the above referenced Administrative Permit Application and Design Approval. There are several neighbors and residents of the Viejo and Valenzuela area of residential Jacks Peak that strongly urge the Planning Commission to follow the initial recommendations of the Planning Department and deny the Administrative Design Permit and Approval under consideration. We also write to formally bring what we believe are several serious code violations on Applicant's property to the attention of the County.

Given the nature of plans submitted by Applicant and past use of Applicant's property as a destination short-term rental in violation of the County code, we believe that Applicant's characterization of its project as a barn is in fact pretextual and that Applicant intends to utilize the structure as a habitable guest house, not a barn or accessory structure within the meaning of County regulations. If Applicant wishes to build a guest house on its property, we as residents are entitled to the opportunity to comment on and consider the impacts of the project to the neighborhood based on this actual intended use rather than on its pretextual designation as a "barn." We believe the nature of the elevations presented to the County speak for themselves as to the real intended purpose of the project.

In addition, while we agree with the Planning Department's ultimate finding that the project is inconsistent with applicable plans and policies, we strongly believe several of the other administrative findings are in fact erroneous. In particular we believe there are several preexisting code violations on Applicant's property, and further that several of these code violations are serious and adversely impact the welfare of surrounding properties. We believe that prior to any consideration or reconsideration of this project or any other permit application associated with Applicant's property, these preexisting code violations should be cured as a matter of law and certainly must be corrected as a prerequisite to any potential future project approvals. We describe these violations below more fully below in the context of the Planning Department's findings.

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Erroneous Findings:

A. *Project Description Issues*

As the Planning Department is aware, Applicant previously advertised his property as a Destination venue on VRBO.com ("Vacation Rentals by Owner.) On Applicant's advertisement (attached hereto as PDF from the prior web solicitation), Applicant stated:

> *"Welcome to the Carmel Châteaux* ***a 12,000 square foot estate*** *on 5 acres with exceptional privacy and unparalleled views of the Monterey Bay. Located in Carmel, this 8 bedroom, 7 full + 3 ½ bath home spans 3 stories with beautiful landscaping surrounding the Châteaux .....This estate is the perfect location for your family reunion, friend gatherings, corporate retreat or weddings. The facility can accommodate over three hundred (300) for a wedding and/or reception and accommodate up to 20 overnight guests..." (VRBO advertisement attached hereto).*

While Applicant's advertisement states that the "Estate" is 12,000 square feet, the Planning Department's project overview states "A 7846 square foot single family dwelling with an 864 attached garage was constructed on the lower portion of the parcel in 2007." Given this discrepancy we are concerned that in fact Applicant has exceeded the square footage permitted by the County in the construction of its primary dwelling structure. If this in fact the case, we believe this, among other facts, would contravene the Planning Department's finding #5 (see below) that there are no violations on the property and that this square footage violation should be cured as a prerequisite to consideration of any future project.

B. *Finding # 5, Outstanding Violations.*

The Planning Department's finding #5 states that Applicant is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provision of the County's zoning ordinance. We do not believe this is correct. Specifically we believe, based on accounts of persons with first hand knowledge of Applicant's parcel prior to Applicant's owernship that Applicant has graded and constructed a road on its property extending uphill to the project's proposed location without any permits from the County. We further believe that this road and the associated grading exceeds the 15% slope cap mandated by the County code. While there may have been a preexisting rough road **leading to the lower portion of Applicant's parcel where the main dwelling is located that road did not extend uphill and above the lower portions of the parcel prior to Applicant's occupancy**. We strongly believe this cut and grading, undertaken in violation of the County code, must be cured prior to consideration and approval of the project under consideration or any other project associated with Applicant's parcel.

C. *Findings #2 and #4, Site Suitability and Health and Safety*

Exhibit A states that the project is sited "in a Moderate/High Erosion Hazard Zone." Yet the project calls for a cut of 1,140 cubic yards of earth. Assuming one large truck can haul 10 cubic yards of dirt, that's roughly 110 trucks full of dirt to be disturbed and or moved on or from the site. This soil disturbance is in addition to any previous cuts and grading undertaken to construct the unpermitted upper road discussed in B above. Given that the project is sited in an area that could be classed as a "High Erosion Hazard Zone," we do not believe the site is suitable for the construction of a Barn, Guest House, or any other structure, especially given the potential economic and physical harm to upslope and down slope property owners.

Similarly, Finding #4 states the establishment of the project applied for will not under the circumstances be detrimental to "peace... comfort and general welfare of persons residing in the neighborhood." First, if Applicant plans to incorporate the new structure into its event destination venue we certainly dispute the claim that this addition will not be detrimental to the peace and comfort of Applicant's neighbors. Second and more importantly we strongly believe the grading and removal of earth on a grade in excess of 15% in conjunction with preexisting and unpermitted grading and earth removal on Applicant's property and in the vicinity of the proposed project, pose real and concrete detriments to upslope and down slope neighbors' welfare. This is especially significant given that the project is sited in a "High Erosion Hazard" zone. Given the Planning Department's recommendation to deny the project we have not retained experts to testify as to the specific damages and hazards posed by continued cuts and earth removal in the project area, but will certainly be obliged to do so should the County reach a finding contrary to the Planning Department's recommendation or elect not to enforce outstanding code violations on Applicant's property. Because of these hazards we do not believe Applicant's proposed site is by any measure "suitable" to the project.

D. *Finding # 6, CEQA Exemption*

Finding #6 categorically exempts the project from the California Environmental Quality Act and states "the project as proposed and conditioned will not create any significant adverse visual impacts as viewed from a public road or viewing area." Given that the elevations submitted provide for view windows in the "Barn," and the rest of the property was previously advertised on VRBO as having views of "all of Monterey Bay" we question how the new structure could not be seen from Highway One south bound, especially given that the main "Chateaux" is already readily visible from Highway One south.

In closing we thank you for this opportunity to comment, and strongly urge the County to deny the Administrative Permit and Design Approval currently before it and to separately take any enforcement actions necessary to bring Applicant's property into compliance will all applicable County and state codes, regulations and laws.

Respectfully submitted,

Concerned Neighbors

VRBO from HomeAway

Carmel Châteaux - Overlooking All of the Monterey Bay

Carmel By the Sea, California Vacation Rental by Owner Listing 160576

Back of Home - Looking South -

Location: Carmel By the Sea, Central Coast, California, USA (Only Minutes To Carmel, Pebble Beach, Monterey.)

Accommodations: Châteaux, 8 Bedrooms, 8.5 Baths (Sleeps 16)

Keywords: Châteaux

Call Owner

Phone 1: **925-895-1041**

Please say "I saw your listing #160576 on VRBO". Before contacting us, please check our calendar for your desired dates.

Welcome to the Carmel Châteaux a 12,000 square foot estate on 5 acres with exceptional privacy and unparalleled views of the Monterey Bay. Located in Carmel, this 8 bedroom, 7 full + 3 ½ bath home spans 3 stories with beautiful landscaping surrounding the Châteaux . The estate was built over a 3 year period and completed in 2006 with every amenity and detail of the home well thought through to provide the very best experience for every guest.

This custom built estate is beautifully furnished and features chalet like construction throughout the home. The top floor has 3 master suites w/ 2 additional bedrooms that share a bathroom. The main floor boast a huge custom kitchen, with attached great room. This area flows into an expansive dining, living room area. The dining room table was constructed on site and seats 16. The owner master suite has over 1000 square ft of space w/ a separate study room along w/ a gorgeous bathroom. The lower level of the home has a master bedroom, movie theater, wine cellar, pool room, game room , huge fireplace and bar. The home boasts a total of 7 fireplaces and TV, surround sound systems in many bedrooms and gathering places throughout the estate.

The front of the home has a waterfall and pond seen as you approach the front door while the back and side of the Châteaux boasts over 16,000 square feet of lawn and patio. The entire area provides stunning views of the entire Monterey Bay and Peninsula. A custom outdoor fire pit with stone seating provides a wonderful gathering location for all guests along with a built in outdoor fireplace located just off the owner master suite.

This estate is the perfect location for your family reunion, friend gatherings, corporate retreat or weddings. The facility can accommodate over three hundred (300) for a wedding and/or reception and accommodate up to 20 overnight guests. Additional guests are allowed but an extra charge will apply.

We welcome your inquiry to discuss this one of a kind facility. Our goal is to make your vacation, corporate retreat or wedding a perfect experience. Please call Roland even if property appears booked.

Vacation Rental Features

Amenities	Air Conditioning Linens Provided	Washer Garage: Use provided for weddings and events	Dryer Wood Fireplace (7)
Beds	King Bed (6)	Bunk Bed	
Entertainment	Cable/Satellite TV (7) : 5 flat panel TV's Stereo System Foosball	DVD (4) Video Library Jetted Tub in Bath (6) Ping Pong/Table Tennis	VCR (4) CD Player Pool Table Air Hockey
Kitchen	Full Kitchen Dishwasher (2) Catering Available	Cooking Utensils Provided Microwave (2)	Refrigerator Ice Maker
Outdoor Features	Gas/Electric BBQ Grill	Deck/Patio: Over 1500 sq ft	Lanai
View/Location	Ocean View: View the entire Monterey Bay		
Communications	Telephone	Free Long Distance: Continental US	WiFi (Wireless Internet)
Other Amenities	Wine Cellar, Movie Theater, Seven Fireplaces, 5+ acres,		
Suitability	Smoking Not Allowed		
Activities (on site and nearby)	Golf Sightseeing Sailing Snorkeling/Diving Biking Fishing Museums	Tennis Restaurants Boating Surfing Wildlife Viewing Health/Beauty Spa	Shopping Kayaking Swimming Windsurfing Hiking Cinemas/Movie Theaters

Rate Details (In US Dollars)

Personal Currency Assistant™

```
Weekly Rental $15,000
Wedding Packages - call/email for detatils
Holiday/Special Events Christmas, Thanksgiving, ... $17,000-$20,000/week
Concourse Week - 2011 $20,000
Security Deposit $3000+ - can vary based on rental
Cleaning Fee $800
Maid service during week $475 (5 days)
```

Note: Until confirmed, rates are subject to change without notice.

Credit Cards Accepted: VISA

Dates available: Year Round
Before contacting us, please check our calendar for your desired dates.

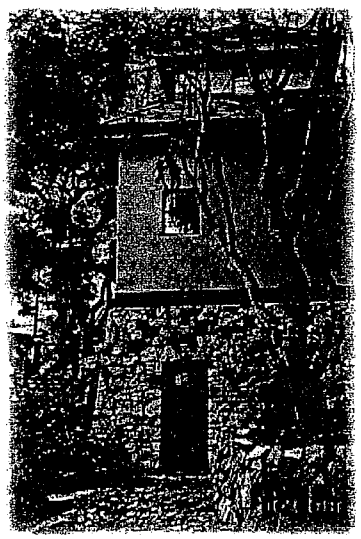
Phone 1: **925-895-1041**

Note: Each property is individually owned or managed.

Property Photos

Back of the Estate - Looking North - Only Half of Chateaux Visible - California Vacation Home in Carmel Highlands

Front of Estate-Ample Parking - California Vacation Home in Carmel Highlands



South Lower Level Entrance - California Vacation Home in Carmel Highlands

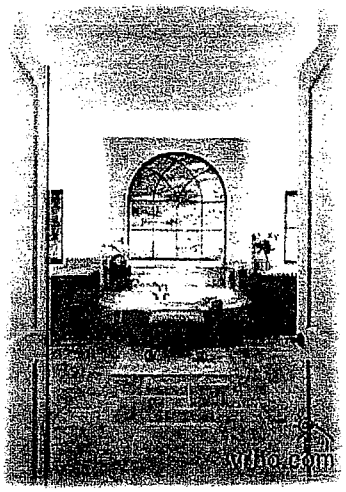
Front Entrance - Waterfall & Pond

Great Room - Huge custom kitchen off to the left

Kitchen - Connects to the Great Room - to the Right

Owner Master Suite - 1000 Square Feet

Wine Cellar - Ready for use



Owner Suite Bathroom - Heated Floors

Front Entrance Ready to Welcome You

Traveler Reviews (3)

5/5

Guest: Anonymous
Date of Stay: 01/13/09 Review Submitted: 01/13/09

The Carmel Chateux was a pristine delight for my group. Every room was clean and comfortable with all the amenities we needed.If you want privacy, there are many wonderful retreats, however, our group spent much of our stay enjoying the incredible unobstructed view of the Monterey Peninsula from the patio. When it got chilly, we retreated inside the house and after dinner hit the hot tub. Great hiking and walking as well.Activities? Half of our group enjoyed golf at Pebble Beach while the other half spent time in downtown Carmel. We all met at the

Monterey Warf for dinner after. All within minutes of the Chateux.Roland and Pamela were a great help in helping us set up our trip for our group. They gave us all the information we needed for a successful event. Roland is quite the host and met us at the property, providing an unexpected level of service above and beyond renting from a real estate company where you typically get the keys and nothing else. Thanks Roland and Pamela, we can't wait to enjoy Ellignsen Estate's other properties!

Recommended for:
Did you find this review helpful?Yes | No Helpful votes: 0/0

5/5

Guestbook Comment

Guest: Anonymous
Date of Stay: 01/01/09 Review Submitted: 01/13/09

The Carmel Chateux was a pristine delight for my group. Every room was clean and comfortable with all the amenities we needed. If you want privacy, there are many wonderful retreats, however, our group spent much of our stay enjoying the incredible unobstructed view of the Monterey Peninsula from the patio. When it got chilly, we retreated inside the house and after dinner hit the hot tub. Great hiking and walking as well. Activities? Half of our group enjoyed golf at Pebble Beach while the other half spent time in downtown Carmel. We all met at the Monterey Warf for dinner after. All within minutes of the Chateux. Roland and Pamela were a great help in helping us set up our trip for our group. They gave us all the information we needed for a successful event. Roland is quite the host and met us at the property, providing an unexpected level of service above and beyond renting from a real estate company where you typically get the keys and nothing else. Thanks Roland and Pamela, we can't wait to enjoy Ellignsen Estate's other properties!

Recommended for:
Did you find this review helpful?Yes | No Helpful votes: 1/2

5/5

Guestbook Comment

Guest: Anonymous
Date of Stay: 04/01/08 Review Submitted: 04/06/08

We spent a fantastic week at Carmel Chateaux over Easter. The house is very well equipped for all occassions and its decor and facilites are of the highest standard. You can feast in the large dining room, enjoy popcarn and a movie in the cinema, a games competition (which was top of our agenda with 4 boys!)with pool, air hockey and table tennis, enjoy a soak in the large bath tub and a barbeque lunch in the garden with spectacular views over Monterey Bay. A fantastic holiday all round! We are coming again next year!

Recommended for:
Did you find this review helpful?Yes | No Helpful votes: 3/3

First (3) of (3). Write a Review

Dates available: Year Round
Before contacting us, please check our calendar for your desired dates.

Phone 1: **925-895-1041**

Note: Each property is individually owned or managed.

Vacation Rentals by Owner Listing #160576

There have been 349 visitors to this page since the counter was last reset in 2010.
This listing was first published here in 2007.

Date last modified - August 18, 2010

VRBO® is Vacation Rentals by Owner® - The largest and most popular vacation rental site. Specializing in BY OWNER vacation rentals, homes, condos, cabins, villas and apartments. ALSO privately owned properties offered thru rental agencies and management companies. To report any problems with this site, please use our help form | URL: http://www.vrbo.com/160576 | ©Copyright 1995-2010 by VRBO.com, Inc., All rights reserved. Use of this website constitutes acceptance of the VRBO Terms and Conditions and Privacy Policy. "VRBO", "Vacation Rentals by Owner", & "Carpe Vacationum-'Seize the Vacation'" Reg. U.S. Pat. & TM Off

-HUGO-
NEW BARN / ACCESSORY STRUCTURE

ABBREVIATIONS

A.B.	ANCHOR BOLT
ALT.	ALTERNATE
APPROX.	APPROXIMATE
BD.	BOARD
BLDG.	BUILDING
BM.	BEAM
BOT.	BOTTOM
BTW.	BETWEEN
CLR.	CLEAR
COL.	COLUMN
CONC.	CONCRETE
CONC. BLK.	CONCRETE BLOCK
CONN.	CONNECTION
CONST.	CONSTRUCTION
CONT.	CONTINUOUS
CTR.	CENTER
CTSK.	COUNTERSINK
DBL.	DOUBLE
D. F.	DOUGLAS FIR
DIA.	DIAMETER
DWG	DRAWING
(E)	EXISTING
E. N.	EDGE NAILING
EA.	EACH
EQ.	EQUAL
EXP	EXPANSION
EXT.	EXTERIOR
F. F.	FINISH FLOOR
F. G.	FINISH GRADE
F. N.	FIELD NAILING
FND.	FOUNDATION
FLR.	FLOOR
F. O. C.	FACE OF CONCRETE
F. O. M.	FACE OF MASONRY
F. O. S.	FACE OF STUD
FTG.	FOOTING
GA.	GAUGE
GALV.	GALVANIZED
G. I.	GALVANIZED IRON
GLU-LAM.	GLUE LAMINATED
GRD.	GRADE
GYP. BD.	GYPSUM BOARD
HDR.	HEADER
HORIZ.	HORIZONTAL
INT.	INTERIOR
JST.	JOIST
MAX.	MAXIMUM
M. B.	MACHINE BOLT
M. I. W.	MALLEABLE IRON WASHER
MIN.	MINIMUM
N. I. C.	NOT IN CONTRACT
N. T. S.	NOT TO SCALE
OV.	OVER
O. C.	ON CENTER
O. H.	OVER HANG/ OVER HEAD
PL.	PLATE
P. T. D. F.	PRESSURE TREATED DOUGLAS FIR
PLYWD.	PLYWOOD
REINF.	REINFORCING
REQ'D.	REQUIRED
RDWD.	REDWOOD
S. B.	SOLID BLOCKING
SCHED.	SCHEDULE
SHT.	SHEET
SHT'G.	SHEATHING
SIM.	SIMILAR
SPECS.	SPECIFICATIONS
SQ.	SQUARE
STD.	STANDARD
SYM.	SYMMETRICAL
T. & G.	TONGUE & GROOVE
T. N.	TOE NAIL
T. O. C.	TOP OF CONCRETE
T. O. W.	TOP OF WALL
T. S.	TUBE STEEL
TYP.	TYPICAL
U. O. N.	UNLESS OTHERWISE NOTED
VERT.	VERTICAL
W/	WITH
W/O	WITHOUT
W. W. M.	WELDED WIRE MESH

PLANNING NOTES

RECEIVED
APR 30 2010
MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

RECEIVED
MAY 07 2010
MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

PROJECT DATA

SITE DATA:

OWNERS: HOWIE AND LINDA HUGO

ADDRESS: 583 VIEJO RD.
CARMEL-BY-THE-SEA, CA 93923

PHONE: (831) 657-9009

APN: 103-031-004-000

ZONING: RDR / 5.1-UR-D-S

LOT AREA: 5.28 ACRES (229,996.8 S.F.)

USE: ACCESSORY STRUCTURE / BARN

SITE DEVELOPMENT STANDARDS:

SETBACKS:

	REQUIRED:	PROPOSED:
FRONT SETBACK:	50'	407'-4"
SIDE SETBACK:	20'	31'-6"
REAR SETBACK:	20'	84'-6"
SETBACK FROM (E) RESIDENCE:	20'	159'-6"

	ALLOWED:	PROPOSED:
MAXIMUM BLDG. HEIGHT:	30'	29'-7"

BLDG. FLOOR AREA:

LOWER LEVEL:	NA	1,330 SF
UPPER LEVEL:	NA	998.5 SF

LOT COVERAGE:

ALLOWED	57,499 SF (25.0 %)
EXISTING:	5,980 SF (2.60 %)
PROPOSED:	7,310 SF (3.18 %)

NEW IMPERVIOUS SURVACES:

BARN W/ COVERED PORCHES	1,325 SF
PATIO & STAIRS:	935 SF
DRIVEWAY & TURN AROUND:	10,420 SF
TOTAL:	12,700 SF

CUT AND FILL CALCULATIONS:
SEE SHEET A-1.1

OWNERSHIP NOTES

OWNERSHIP AND USE OF THESE DRAWINGS AND SPECIFICATIONS.

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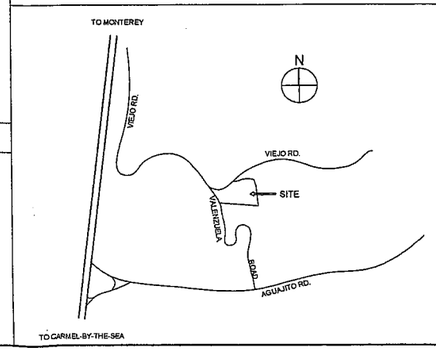
SHEET INDEX

SHEET NO.	SHEET TITLE / DESCRIPTION	REV.
ARCHITECTURAL		
A-0.1	COVER SHEET	
A-1.0	SITE SURVEY	
A-1.1	PROPOSED SITE PLAN	
A-1.2	SITE PLAN WITH SLOPE ANALYSIS	
A-1.3	PROPOSED LANDSCAPE PLAN (CONCEPTUAL)	
A-2.1	PROPOSED FLOOR PLANS	
A-3.0	EXTERIOR ELEVATIONS	
A-3.1	EXTERIOR ELEVATIONS	

VICINITY MAP



REVISION	No.

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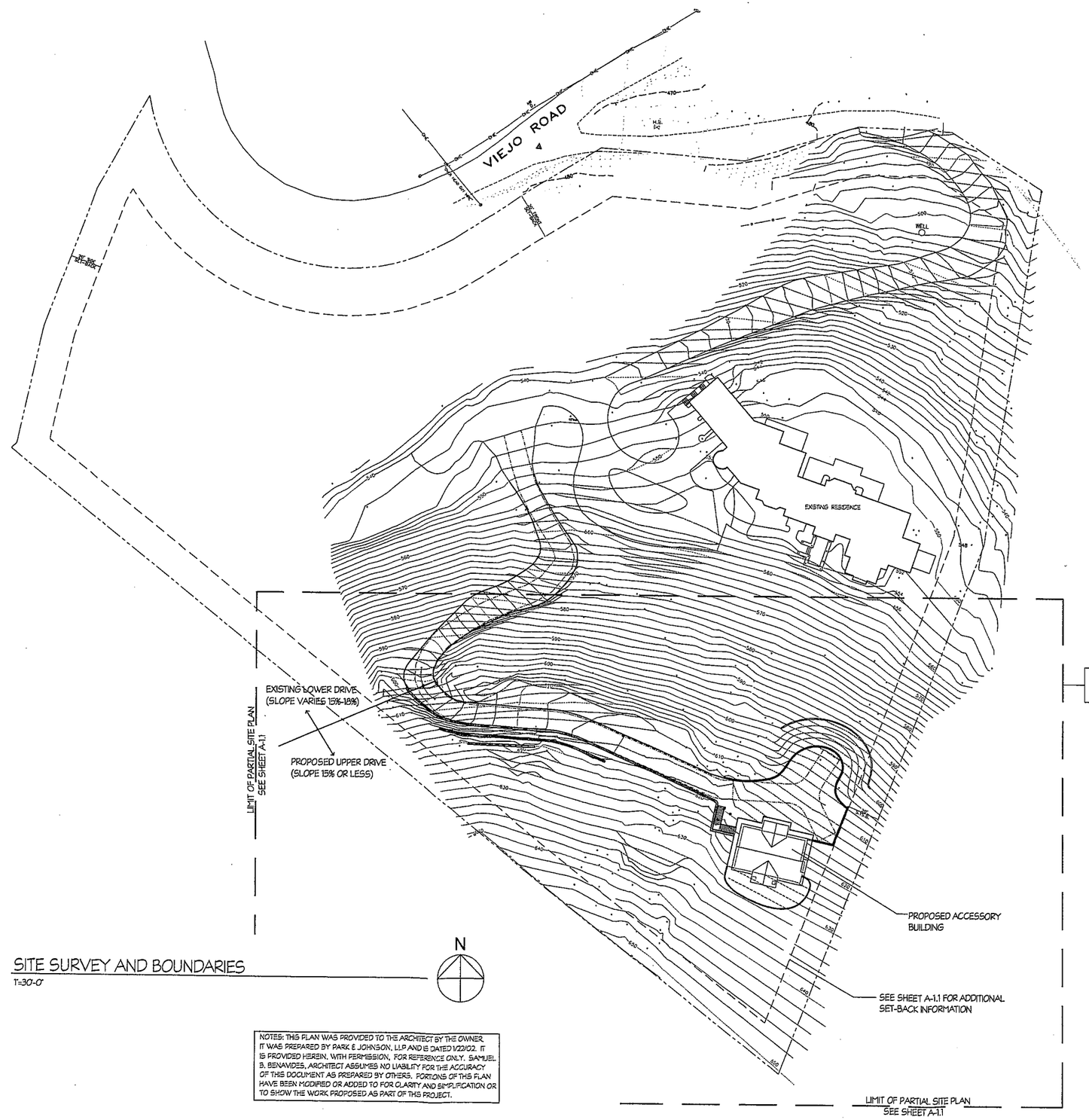
PHONE: (909) 435-0575

COVER SHEET

New Barn / Accessory Bldg.
Howie & Linda Hugo
583 Viejo Rd. Carmel, California 93923
APN: 103-031-004

DATE:	4/28/10
SCALE:	N.T.S.
DRAWN:	MRE
JOB NUMBER:	09.03

A-0.1
SHEET OF



SITE SURVEY AND BOUNDARIES

1"=30'-0"

NOTES: THIS PLAN WAS PROVIDED TO THE ARCHITECT BY THE OWNER. IT WAS PREPARED BY PARK & JOHNSON, LLP AND IS DATED 1/22/02. IT IS PROVIDED HEREIN, WITH PERMISSION, FOR REFERENCE ONLY. SAMUEL B. BENAVIDES, ARCHITECT ASSUMES NO LIABILITY FOR THE ACCURACY OF THIS DOCUMENT AS PREPARED BY OTHERS. PORTIONS OF THIS PLAN HAVE BEEN MODIFIED OR ADDED TO FOR CLARITY AND SIMPLIFICATION OR TO SHOW THE WORK PROPOSED AS PART OF THIS PROJECT.

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SITE SURVEY / BOUNDARIES

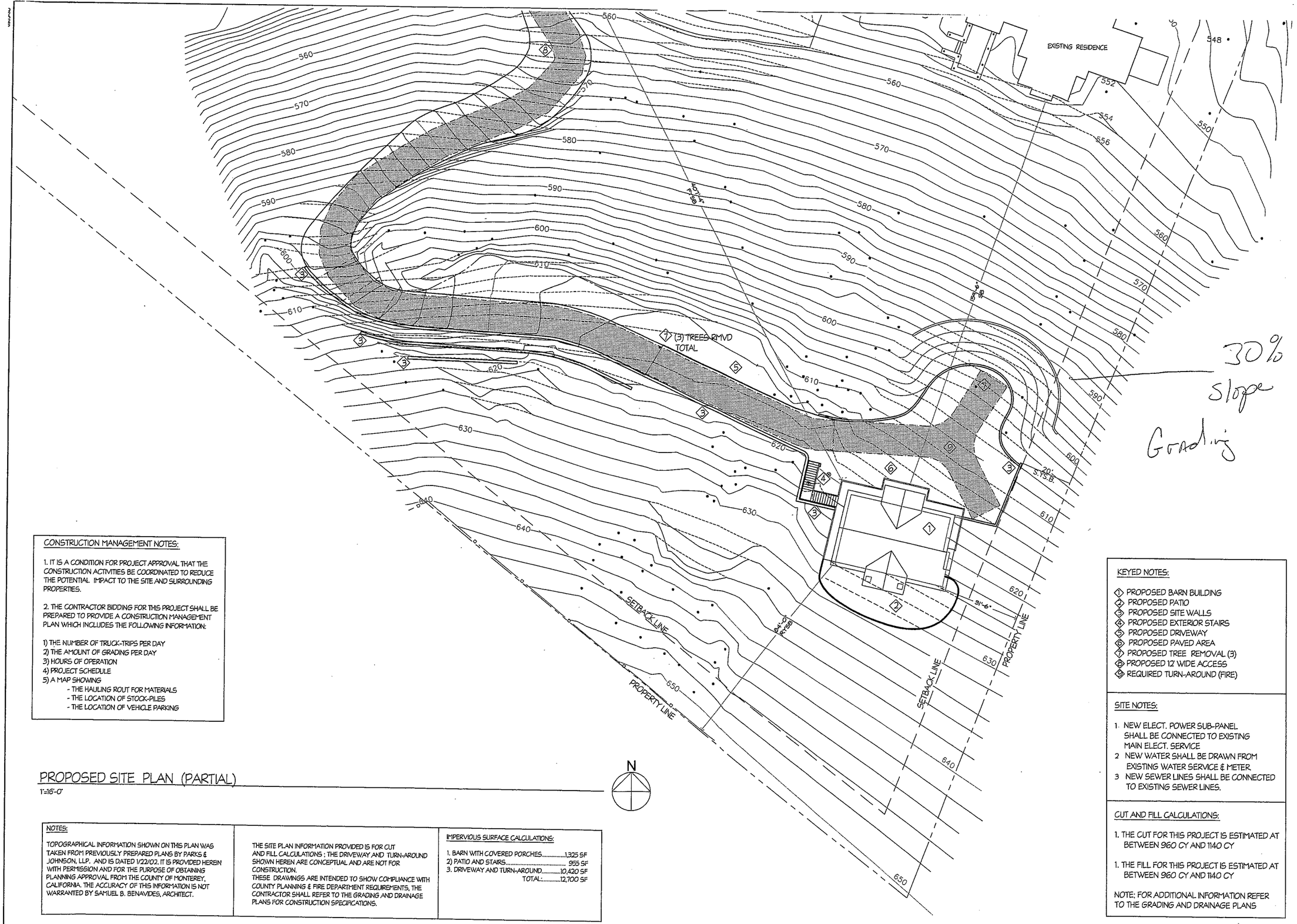
New Barn / Accessory Bldg.

Howie & Linda Hugo
583 Viejo Rd. Carmel, California 93923
APN: 103-031-004

DATE:	4/28/10
SCALE:	1/30"=1'-0"
DRAWN:	MRE
JOB NUMBER:	0903

A-1.0

SHEET OF



CONSTRUCTION MANAGEMENT NOTES:

1. IT IS A CONDITION FOR PROJECT APPROVAL THAT THE CONSTRUCTION ACTIVITIES BE COORDINATED TO REDUCE THE POTENTIAL IMPACT TO THE SITE AND SURROUNDING PROPERTIES.

2. THE CONTRACTOR BIDDING FOR THIS PROJECT SHALL BE PREPARED TO PROVIDE A CONSTRUCTION MANAGEMENT PLAN WHICH INCLUDES THE FOLLOWING INFORMATION:

1) THE NUMBER OF TRUCK-TRIPS PER DAY
2) THE AMOUNT OF GRADING PER DAY
3) HOURS OF OPERATION
4) PROJECT SCHEDULE
5) A MAP SHOWING
- THE HAULING ROUT FOR MATERIALS
- THE LOCATION OF STOCK-PILES
- THE LOCATION OF VEHICLE PARKING

KEYED NOTES:

1. PROPOSED BARN BUILDING
2. PROPOSED PATIO
3. PROPOSED SITE WALLS
4. PROPOSED EXTERIOR STAIRS
5. PROPOSED DRIVEWAY
6. PROPOSED PAVED AREA
7. PROPOSED TREE REMOVAL (3)
8. PROPOSED 12' WIDE ACCESS
9. REQUIRED TURN-AROUND (FIRE)

SITE NOTES:

1. NEW ELECT. POWER SUB-PANEL SHALL BE CONNECTED TO EXISTING MAIN ELECT. SERVICE
2. NEW WATER SHALL BE DRAWN FROM EXISTING WATER SERVICE & METER.
3. NEW SEWER LINES SHALL BE CONNECTED TO EXISTING SEWER LINES.

CUT AND FILL CALCULATIONS:

1. THE CUT FOR THIS PROJECT IS ESTIMATED AT BETWEEN 960 CY AND 1140 CY

1. THE FILL FOR THIS PROJECT IS ESTIMATED AT BETWEEN 960 CY AND 1140 CY

NOTE; FOR ADDITIONAL INFORMATION REFER TO THE GRADING AND DRAINAGE PLANS

PROPOSED SITE PLAN (PARTIAL)

1"=16'-0"

NOTES:

TOPOGRAPHICAL INFORMATION SHOWN ON THIS PLAN WAS TAKEN FROM PREVIOUSLY PREPARED PLANS BY PARKS & JOHNSON, LLP. AND IS DATED 1/22/02. IT IS PROVIDED HEREIN WITH PERMISSION AND FOR THE PURPOSE OF OBTAINING PLANNING APPROVAL FROM THE COUNTY OF MONTEREY, CALIFORNIA. THE ACCURACY OF THIS INFORMATION IS NOT WARRANTED BY SAMUEL B. BENAVIDES, ARCHITECT.

THE SITE PLAN INFORMATION PROVIDED IS FOR CUT AND FILL CALCULATIONS ; THE DRIVEWAY AND TURN-AROUND SHOWN HEREN ARE CONCEPTUAL AND ARE NOT FOR CONSTRUCTION.
THESE DRAWINGS ARE INTENDED TO SHOW COMPLIANCE WITH COUNTY PLANNING & FIRE DEPARTMENT REQUIREMENTS, THE CONTRACTOR SHALL REFER TO THE GRADING AND DRAINAGE PLANS FOR CONSTRUCTION SPECIFICATIONS.

IMPERVIOUS SURFACE CALCULATIONS:

1. BARN WITH COVERED PORCHES.....1,325 SF
2) PATIO AND STAIRS..... 955 SF
3. DRIVEWAY AND TURN-AROUND.....10,420 SF
TOTAL:.....12,700 SF

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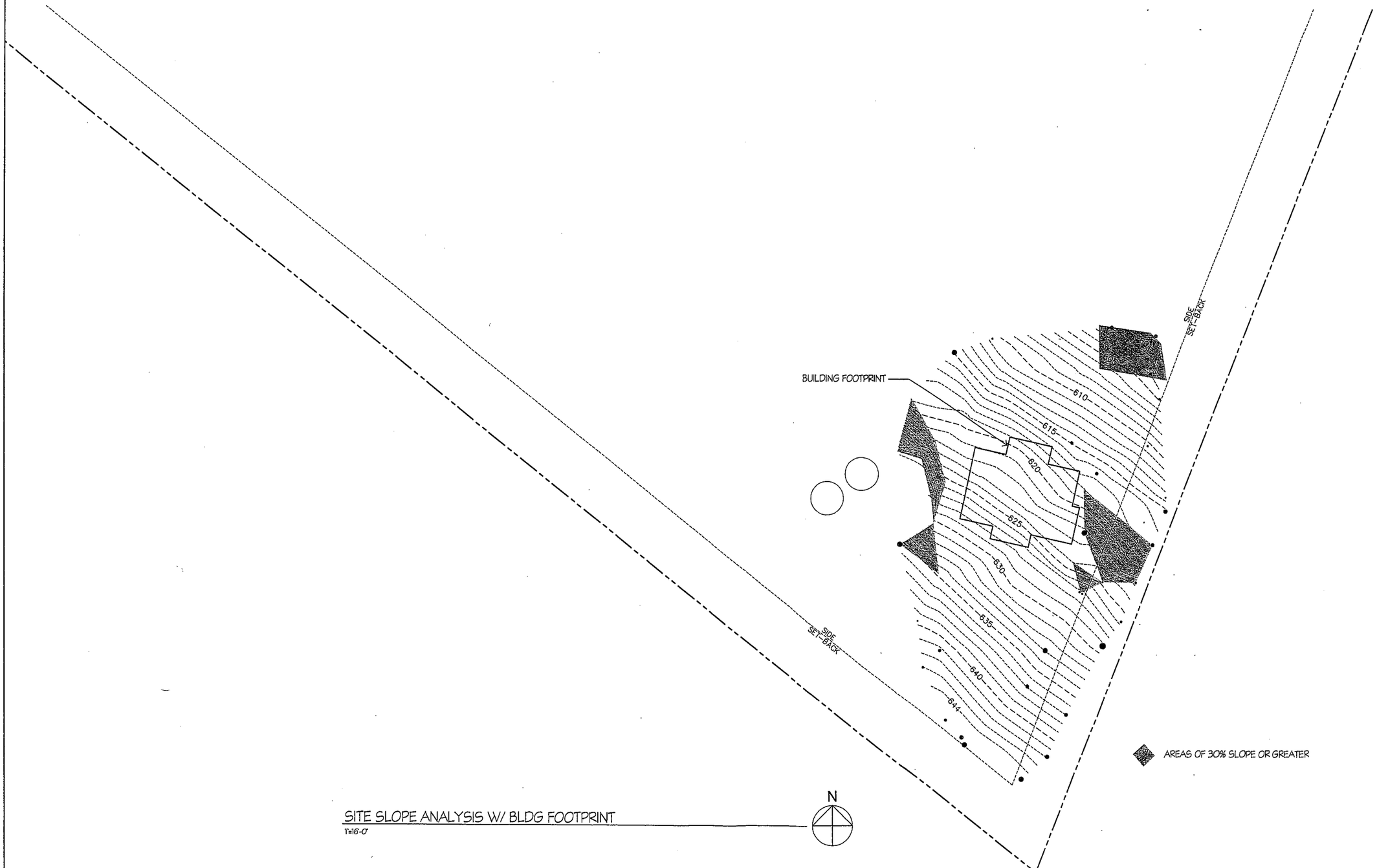
PROPOSED SITE PLAN

New Barn / Accessory Bldg.
Howie & Linda Hugo
583 Viejo Rd. Carmel, California 93923
APN: 103-031-004

DATE:	4/28/10
SCALE:	1/16"=1'-0"
DRAWN:	MRE
JOB NUMBER:	0903

A-1.1
SHEET OF



SITE SLOPE ANALYSIS W/ BLDG FOOTPRINT
1=16-0"

REVISION	No.

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SITE SLOPE ANALYSIS

New Barn / Accessory Bldg.
Howie & Linda Hugo
583 Viejo Rd. Carmel, California 93923
APN: 103-031-004

DATE:	4/28/10
SCALE:	1/16"=1'-0"
DRAWN:	MRE
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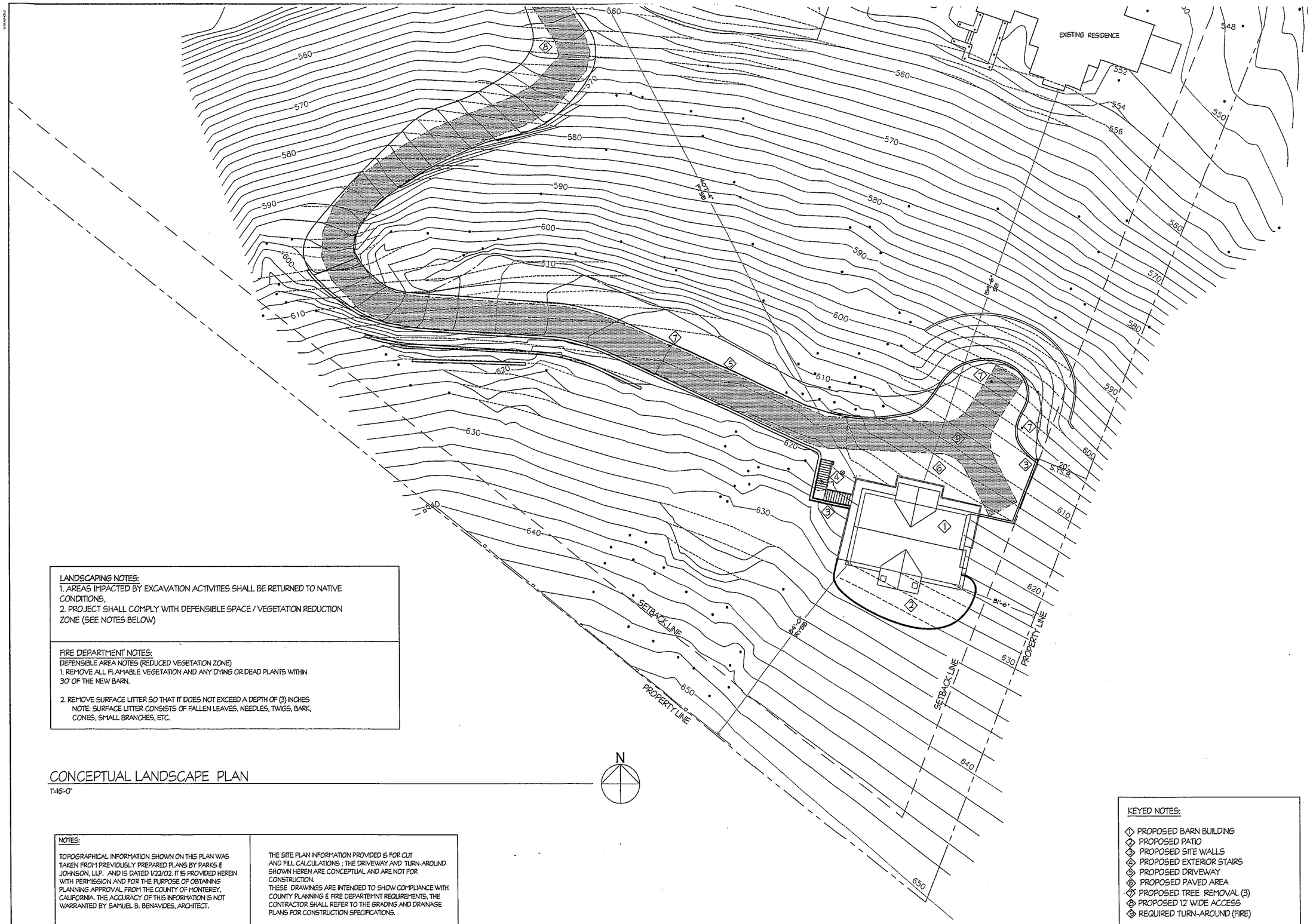
A-1.2
SHEET OF



LANDSCAPING NOTES:
1. AREAS IMPACTED BY EXCAVATION ACTIVITIES SHALL BE RETURNED TO NATIVE CONDITIONS.
2. PROJECT SHALL COMPLY WITH DEFENSIBLE SPACE / VEGETATION REDUCTION ZONE (SEE NOTES BELOW)

FIRE DEPARTMENT NOTES:
DEFENSIBLE AREA NOTES (REDUCED VEGETATION ZONE)
1. REMOVE ALL FLAMABLE VEGETATION AND ANY DYING OR DEAD PLANTS WITHIN 30' OF THE NEW BARN.

2. REMOVE SURFACE LITTER SO THAT IT DOES NOT EXCEED A DEPTH OF (3) INCHES
NOTE: SURFACE LITTER CONSISTS OF FALLEN LEAVES, NEEDLES, TWIGS, BARK, CONES, SMALL BRANCHES, ETC.

CONCEPTUAL LANDSCAPE PLAN

1"=16'-0"

NOTES:

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KEYED NOTES:

1. PROPOSED BARN BUILDING
2. PROPOSED PATIO
3. PROPOSED SITE WALLS
4. PROPOSED EXTERIOR STAIRS
5. PROPOSED DRIVEWAY
6. PROPOSED PAVED AREA
7. PROPOSED TREE REMOVAL (3)
8. PROPOSED 12' WIDE ACCESS
9. REQUIRED TURN-AROUND (FIRE)

REVISION	No.

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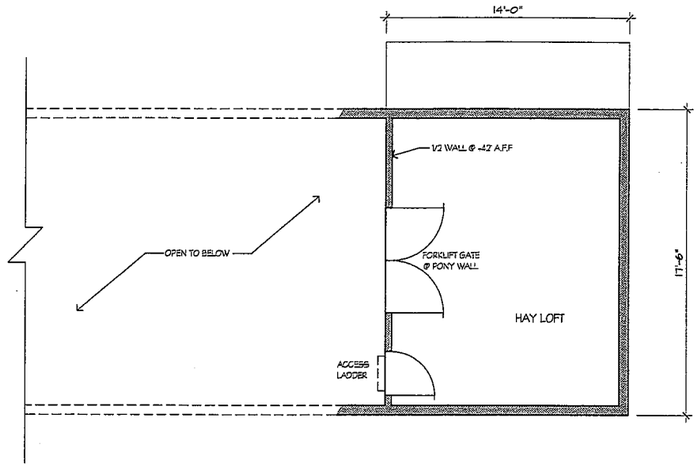
CONCEPTUAL LANDSCAPE PLAN

New Barn / Accessory Bldg.
Howie & Linda Hugo
583 Viejo Rd. Carmel, California 93923
APN: 103-031-004

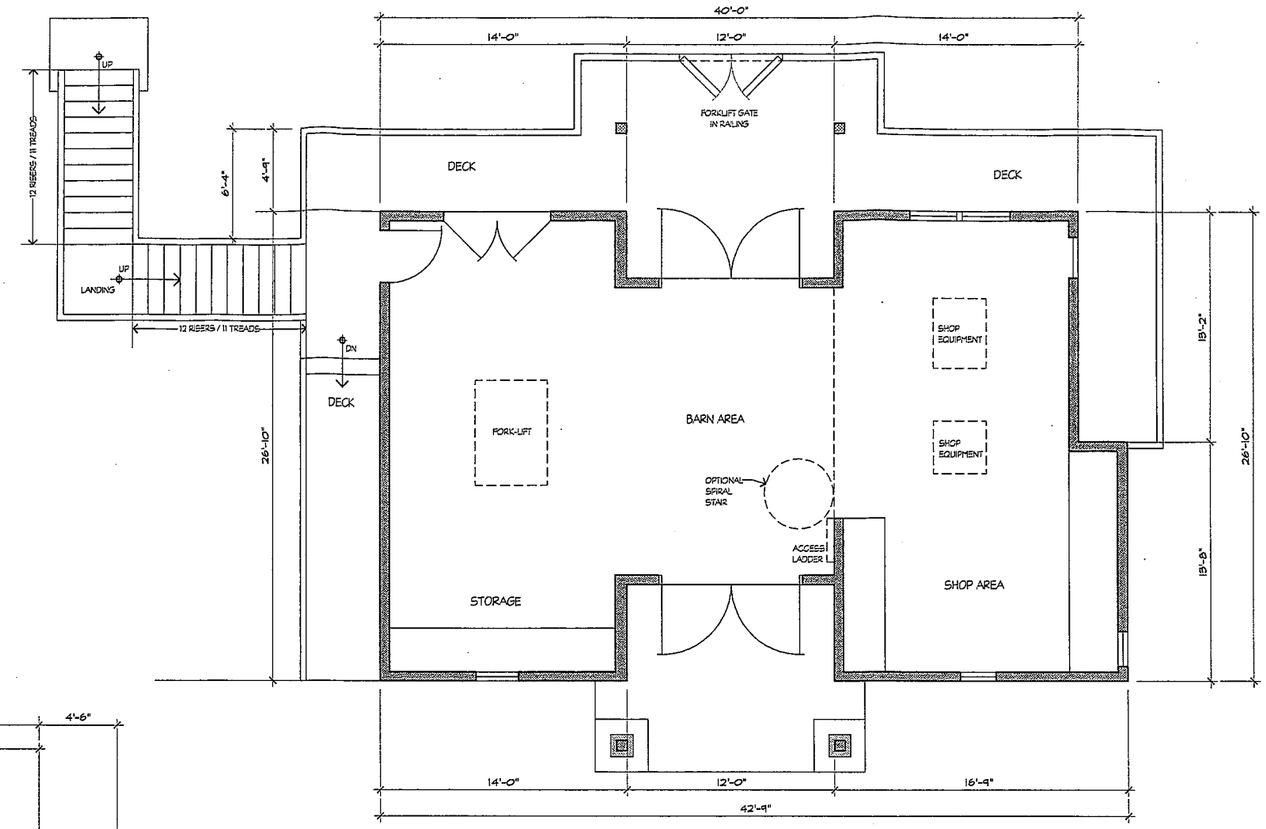
DATE:	4/28/10
SCALE:	1/16"=1'-0"
DRAWN:	MRE
JOB NUMBER:	0903

A-1.3
SHEET OF



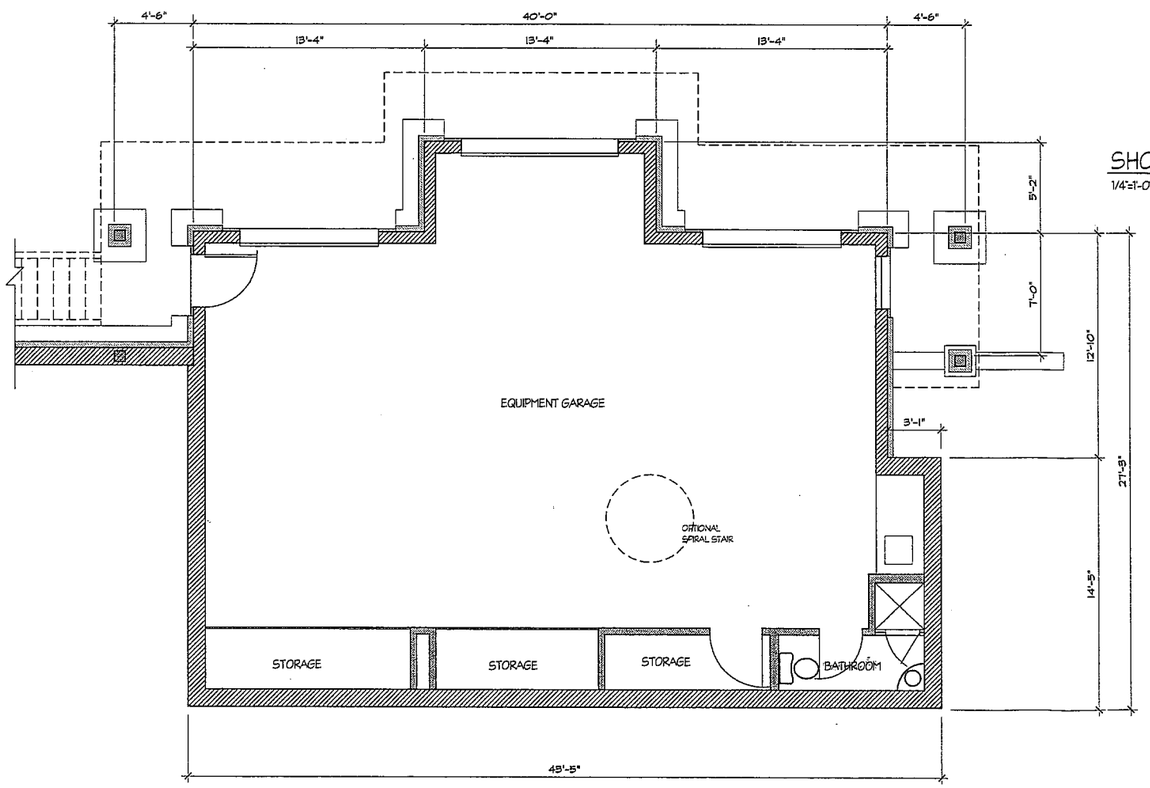
HAY LOFT PLAN

1/4"=1'-0"



SHOP AND BARN FLOOR PLAN

1/4"=1'-0"



EQUIPMENT GARAGE - FLOOR PLAN

1/4"=1'-0"

REVISION	No.

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FLOOR PLANS

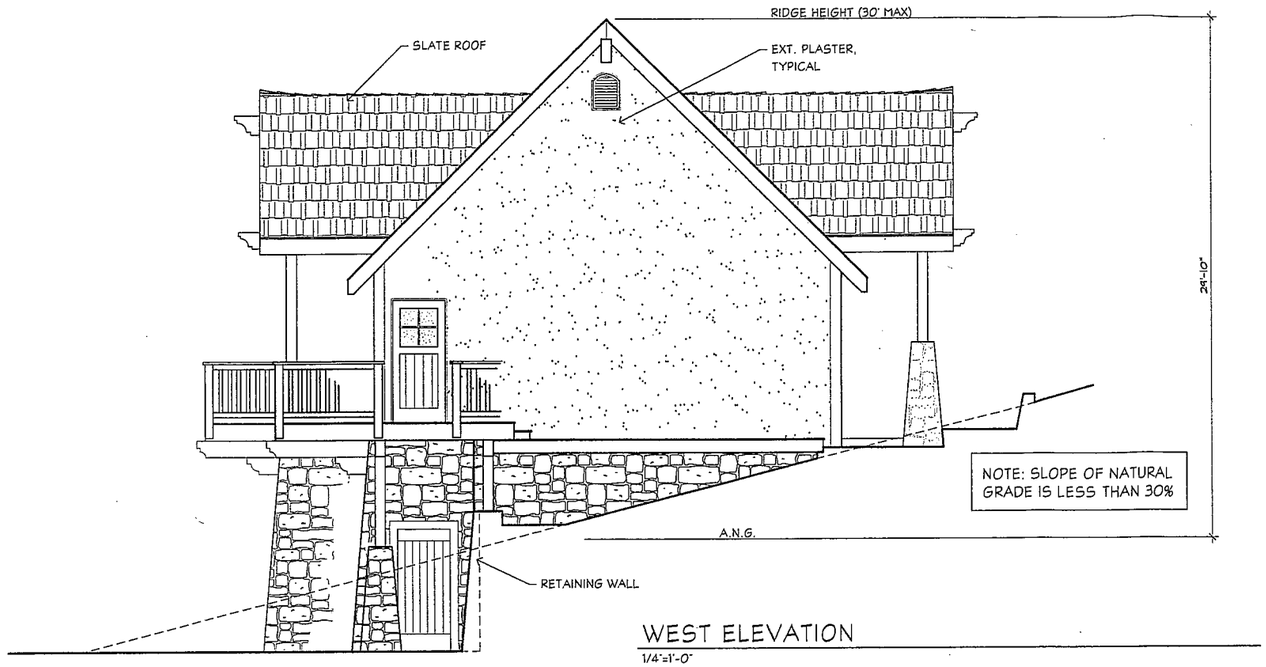
New Barn / Accessory Bldg.

Howie & Linda Hugo
583 Viejo Rd. Carmel, California 93923
APN: 103-031-004

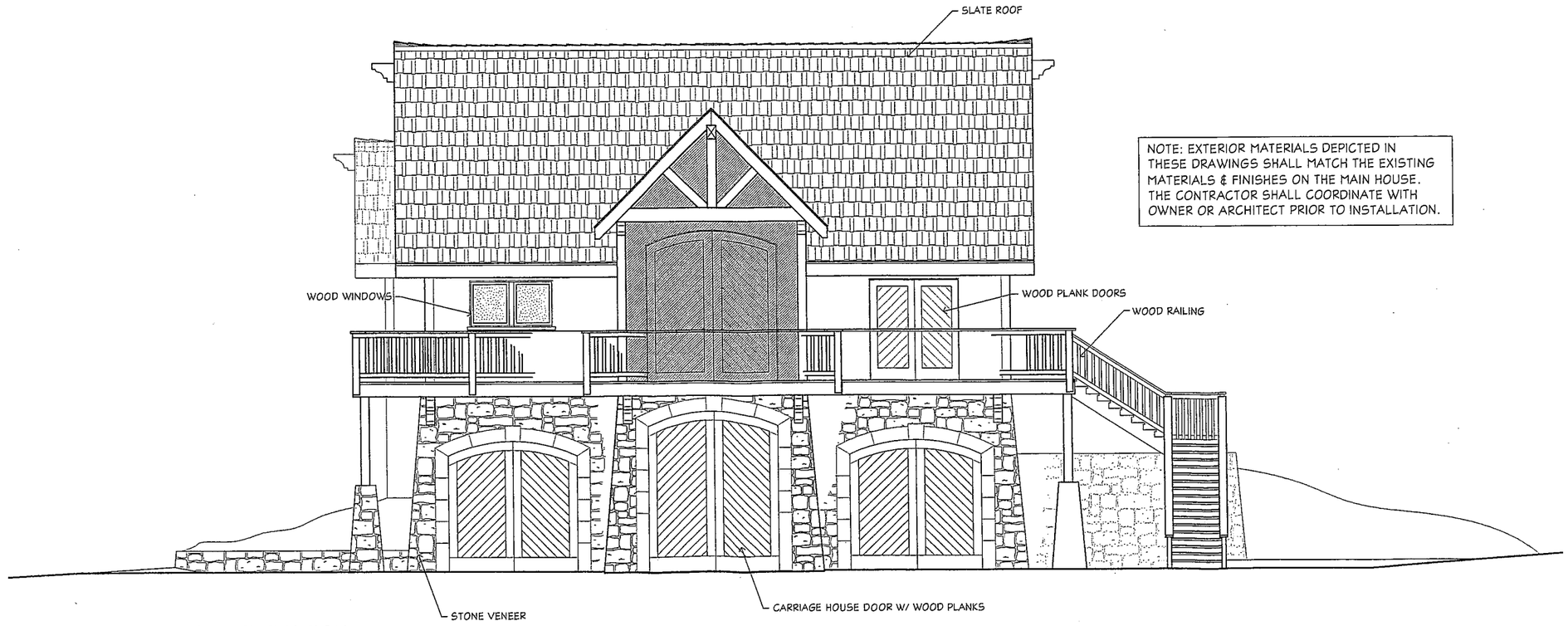
DATE:	4/28/10
SCALE:	1/4"=1'-0"
DRAWN:	MRE
JOB NUMBER:	0903

A-2.0

SHEET OF



WEST ELEVATION
1/4"=1'-0"



NORTH ELEVATION
1/4"=1'-0"

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EXTERIOR ELEVATIONS

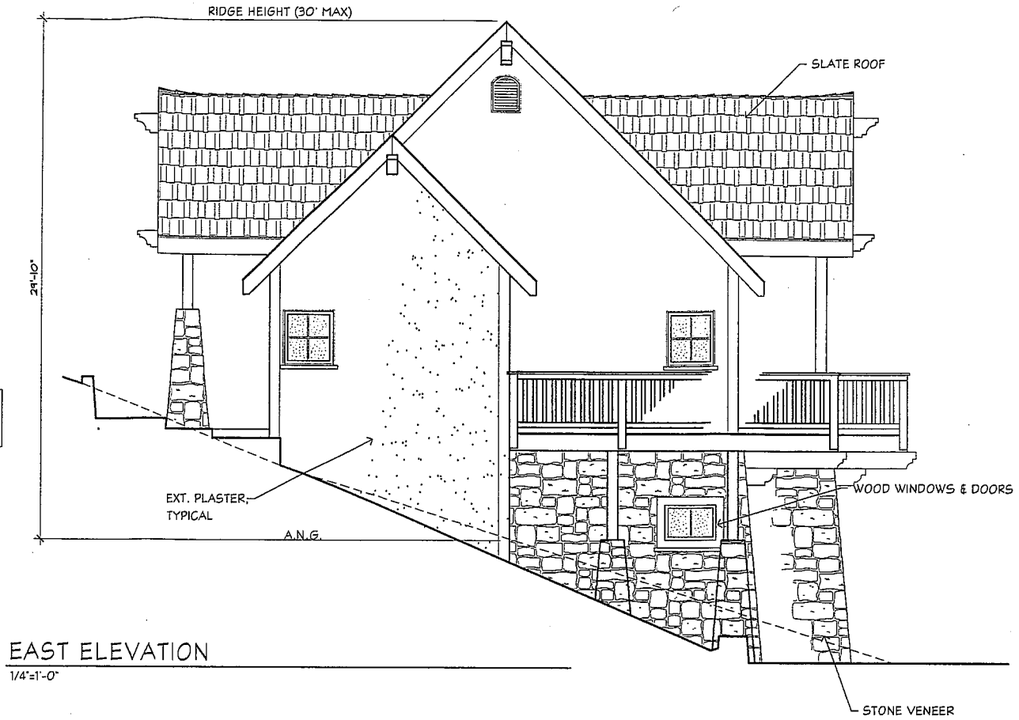
New Barn / Accessory Bldg.

Howie & Linda Hugo
583 Viejo Rd. Carmel, California 93923
APN: 103-031-004

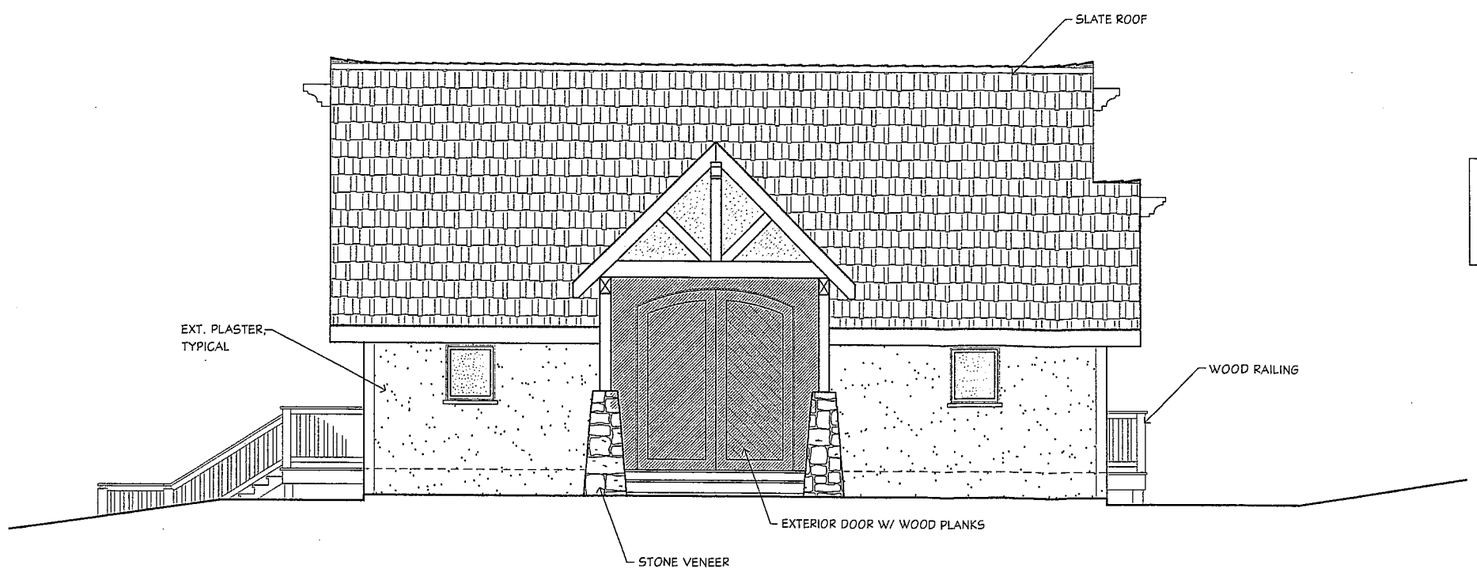
DATE:	4/28/09
SCALE:	1/4"=1'-0"
DRAWN:	MRE
JOB NUMBER:	0903

A-3.0
SHEET OF

NOTE: SLOPE OF NATURAL GRADE IS LESS THAN 30%



EAST ELEVATION
1/4"=1'-0"



SOUTH ELEVATION
1/4"=1'-0"

NOTE: EXTERIOR MATERIALS DEPICTED IN THESE DRAWINGS SHALL MATCH THE EXISTING MATERIALS & FINISHES ON THE MAIN HOUSE. THE CONTRACTOR SHALL COORDINATE WITH OWNER OR ARCHITECT PRIOR TO INSTALLATION.

REVISION	No.

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EXTERIOR ELEVATIONS

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APN: 103-031-004

DATE:	4/28/10
SCALE:	1/4"=1'-0"
DRAWN:	MRE
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A-3.1
SHEET OF