

RESOLUTION NO. 010237

A.P. # 416-082-026-000

In the matter of the application of
William J. Ziegler Trustee (PLN010237)

FINDINGS & DECISION

for an Administrative Permit in accordance with Title 21 (Zoning) Chapter 21.70 (Administrative Permits) of the Monterey County Code, to allow for development in a Visually Sensitive area and to allow construction of a one-story single family residence of 5,828 sq. ft., 600 sq. ft. guesthouse, an attached 658 sq. ft. garage, and a 78 sq ft. pool bath house/cabana, located at 11760 Camino Escondido, Carmel Valley, westerly of Laureles Grade Road in the Greater Monterey area, came on regularly for meeting before the Zoning Administrator on November 6, 2002.

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

FINDINGS OF FACT

1. **FINDING:** The proposed project and/or use, as described in condition #1 is consistent with the policies of the Monterey County General Plan, the Greater Monterey Peninsula Area Plan and the requirements and standards of the Monterey County Zoning Ordinance (Title 21).
EVIDENCE: The text and policies of these documents have been evaluated during the course of the review of this application. No conflicts were found to exist. No communication was received during the course of review of this project to indicate that there is any inconsistency with the text and policies of these documents.
2. **FINDING:** The proposed development, as approved and conditioned, will not create a substantially adverse visual impact when viewed from a common public viewing area.
EVIDENCE: Site visit by project planner.
3. **FINDING:** The proposed project will not have a significant environmental impact.
EVIDENCE: The Monterey County CEQA Guidelines Section 15303 categorically exempts this project from environmental review. No adverse environmental impacts were identified during review of the proposed project.
4. **FINDING:** No written request, based on a substantive issue, for public hearing or other evidence of public controversy or public opposition as described in Section 21.70.060A, Title 21, Monterey County Code (Zoning) was found to exist.
EVIDENCE: Materials in project file.
5. **FINDING:** Public notice of the pending Administrative Permit was provided pursuant to Section 21.70.040, Title 21, Monterey County Code (Zoning).
EVIDENCE: Materials in project file.

- o. **FINDING:** The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivisions, and any other applicable provisions of Title 21 and that all zoning violation abatement costs have been paid.
- EVIDENCE:** Sections 21.36 and 21.64.020 of the Monterey County Code (Zoning). Staff verification of the Monterey County Planning and Building Inspection Department records indicated that no violations exist on subject property.
7. **FINDING:** The site is physically suitable for the use proposed.
- EVIDENCE:** There has been no testimony received, either written or oral, during the course of public hearings to indicate that the site is not suitable for the project. Necessary public facilities are available for the use proposed. The project has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, Salinas Rural Fire Protection District, Public Works Department, Environmental Health Division and the Greater Monterey Peninsula Land Use Advisory Committee. There has been no indication from those agencies that the site is not suitable. There are no physical or environmental constraints such as geologic or seismic hazard areas, environmentally sensitive habitats, or similar areas that would indicate the site is not suitable for the use proposed.
8. **FINDING:** The establishment, maintenance, or operation of the use or building applied for will not under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.
- EVIDENCE:** The project as described in the application and accompanying materials was reviewed by the Department of Planning and Building Inspection, Environmental Health Division, Salinas Rural Fire Protection District, Public Works Department, the Water Resources Agency, and the Greater Monterey Peninsula Land Use Advisory Committee. The respective departments 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; or the County in general.

DECISION

THEREFORE, it is the decision of said Zoning Administrator, that said application for an Administrative Permit be granted as shown on the attached sketch, and subject to the following conditions:

1. This permit allows construction of a 5,828 sq. ft. single family residence, 600 sq. ft. guesthouse, a 658 sq. ft. attached garage, and a 78 sq. ft. pool bath house/cabana. The project is in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of Planning and Building Inspection. 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. (Planning and Building Inspection)

2. The 600 square foot guest house shall share the same utilities with the main residence. (Planning and Building Inspection)
3. The guesthouse shall contain no kitchen or cooking facilities, including but not limited to microwave ovens, hot plates, and toaster ovens. The guesthouse shall not be separately rented, let or leased from the main residence whether compensation be direct or indirect. (Planning and Building Inspection)
4. Prior to the issuance of permits for guesthouse construction, or for use of an existing structure as a guesthouse, the applicant shall record a deed restriction stating the regulations applicable to the guesthouse (See Condition No. 3), and including that the guesthouse shall not be separately rented, let or leased from the main residence and shall not have cooking or kitchen facilities. (Planning and Building Inspection)
5. The guesthouse shall not exceed 15 feet in height. (Planning and Building Inspection)
6. Prior to issuance of building permit, fire department notes shall be printed on the approved plans. Ziegler plans do not have fire notes, the Boone plans did have fire notes. These notes need to transfer to the new plans. (Fire District)
7. Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. (Fire District)

The roadway surface shall provide unobstructed access to conventional drive vehicles, including sedans and fire engines. Surfaces should be established in conformance with local ordinances, and be capable of supporting the imposed load of fire apparatus. (Fire District)
9. The grade for all roads, streets, private lanes and driveways shall not exceed 15 percent. (Fire District)
10. For residential driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius of curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. (Fire District)
11. Roadway turnarounds shall be required on driveways and dead-end roads in excess of 150 feet of surface length. Required turnarounds on access roadways shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be minimum of 60 feet in length. (Fire District)
12. Roadway turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum 25 foot taper on each end. (Fire District)
13. Driveways shall not be less than 12 feet wide unobstructed. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400 foot intervals. (Fire District)
14. Unobstructed vertical clearance shall not be less than 15 feet for all access roads. (Fire District)

15. All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. (Fire District)
16. For development of only one single family dwelling on a single parcel with no further land division possible, the minimum on-site fire protection water supply shall be based on specifications contained in the following table:


<i>Cumulative Square Footage of all building to be Protected</i>	<i>On-Site Storage</i>
0 - 999	3,000 gallons
1,000 - 1,999	5,000 gallons
2,000 - 2,999	7,500 gallons
3,000 - above	10,000 gallons

17. The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet or further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. (Fire District)
18. The hydrant serving any building shall be not less than 50 feet or more than 1000 feet by road from the building it is to serve. (Fire District)
19. Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2 inch National Hose outlet supplied by a minimum 4 inch main and riser. More restrictive hydrant requirements may be applied by the Reviewing Authority. (Fire District)
20. Hydrant or fire valve identification may be allowed as specified in the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988. (Fire District)
21. All parcels 1 acre and larger shall provide a minimum 30 foot setback for buildings and accessory buildings from all property lines and/or the center of the road. For parcels less than 1 acre, or when a 30 foot minimum setback cannot be reached, alternate fuel modification standards may be imposed by the local fire jurisdiction to provide the same practical effect. (Fire District)
22. Remove flammable vegetation from within 30 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. (Fire District)
23. The building(s) shall be fully protected with automatic fire sprinkler system(s). The following notation is required on the plans when a building permit is applied for:

"The building shall be fully protected with an automatic fire sprinkler system. Installation, approval and maintenance shall be in compliance with applicable National Fire Protection Association and/or Uniform Building Code Standards, the editions of which shall be determined by the enforcing jurisdiction. Four (4) sets of plans for fire sprinkler systems must be submitted and approved prior to installation. Rough-in inspections must be completed prior to requesting a framing inspection." (Fire District)

24. Fire sprinklers shall be installed in attached garages. (Fire District).
25. In high and very high fire hazard areas, as defined by the California Department of Forestry and Fire Protection (CDF), roof construction shall be a Class A or Class B, with fire resistive materials, or as approved by the Reviewing Authority. This requirement shall apply to all new construction and existing roofs that are repaired or modified so as to affect 50 percent or more of the roof. Vegetation removal will not be allowed as a means of removing high or very high fire hazard area designation from an entire parcel. (Fire District)
26. Before construction begins, temporary or permanent address numbers shall be posted. Permanent address numbers shall be posted prior to requesting final clearance. All address numbers (permanent and temporary) shall be posted on the property so as to be clearly visible from the road. Where visibility cannot be provided, a post or sign bearing the address numbers shall be set adjacent to the driveway or access road to the property. Address numbers posted shall be Arabic, not Roman or written out in words. Address numbers posted shall be a minimum number height of 3 inches with a 3/8 inch stroke, and contrasting with the background colors of the sign. (Fire District)
27. A drainage plan shall be prepared by a registered civil engineer or architect to address on-site impacts. Storm water runoff from impervious surfaces shall be dispersed at multiple points, away from and below any septic leach fields, over the least steep available slopes, with erosion control at outlets. (Water Resources Agency)
28. Prior to the issuance of a building permit, the applicant shall obtain from the Monterey County Water Resources Agency (MCWRA), proof of water availability on the property in the form of an approved Water Release Form. (Water Resources Agency)
29. Prior to issuance of a building permit, provide to the Director of Environmental Health written certification, and any necessary certification from State agencies that Cal Am can and will supply sufficient water flow and pressure to comply with both Health and fire flow standards.
30. This application is subject to the Carmel Valley Traffic Impact fee.

Prior to the Issuance of Grading and Building Permits:

 The applicant shall record a notice which states: "A permit (Resolution 010237) was approved by the Zoning Administrator for Assessor's Parcel Number 416-082-026 on November 6, 2002. The permit was granted subject to 39 conditions of approval, which run with the land. A copy of the permit is on file

with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. (Planning and Building Inspection)

33. All exterior lighting shall be unobtrusive, compatible 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 exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. (Planning and Building Inspection Department)
34. No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of Planning and Building Inspection. (Planning and Building Inspection)

Prior to Final Building Inspection/Occupancy:

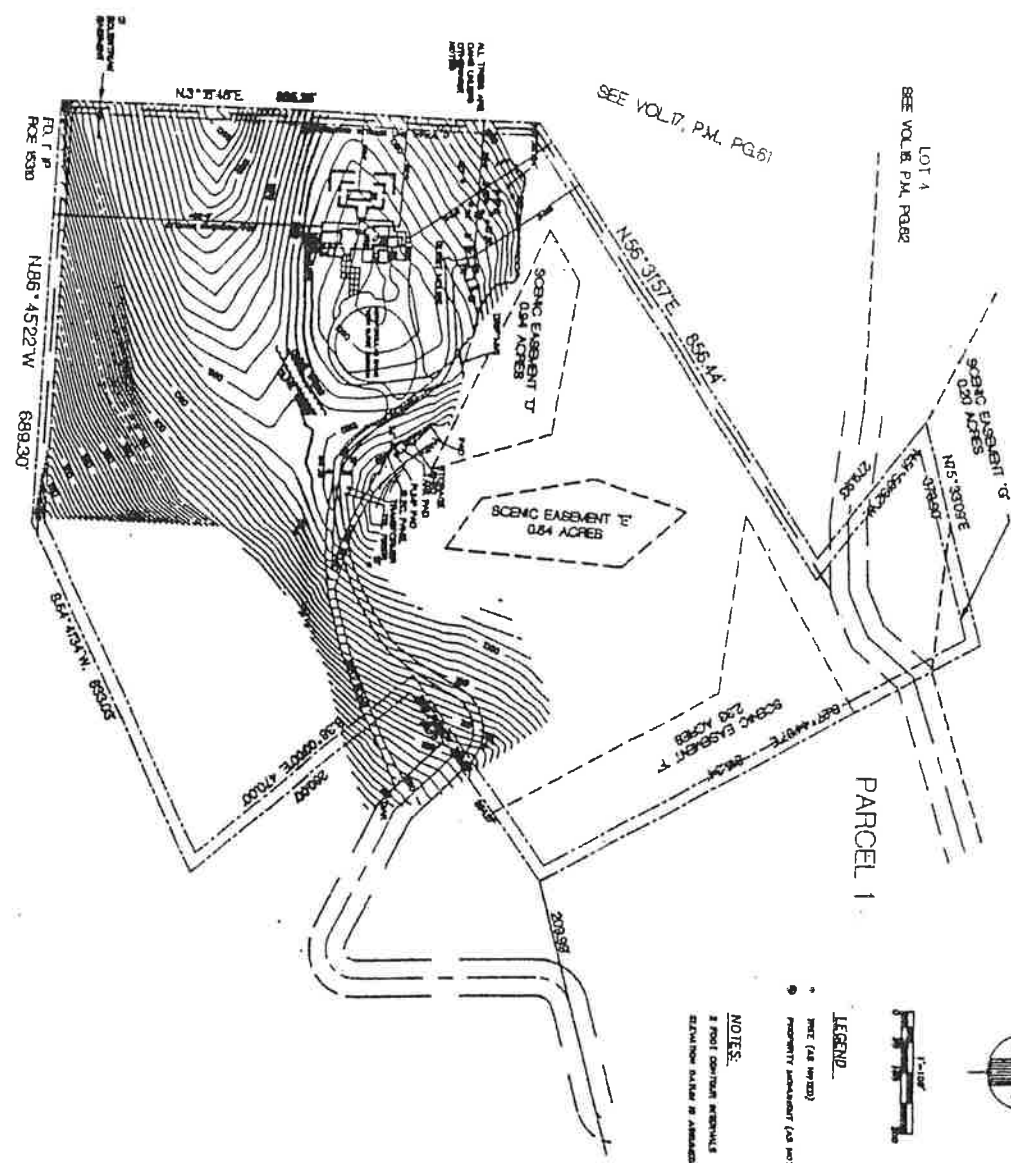
35. The applicant shall comply with Ordinance No. 3932 of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:
 - a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.
 - b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency & Planning and Building Inspection)
36. The site shall be landscaped. At least three weeks prior to occupancy, three copies of a landscaping plan shall be submitted to the Director of Planning and Building Inspection for approval. The project will be subject to a landscape plan review fee which shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County Planning and Building Inspection Department. (Planning and Building Inspection Department)

Continuous Permit Conditions:

37. If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until it can be evaluated by a qualified professional archaeologist. The

SITE PLAN OF ENTIRE PARCEL

SCALE 1" = 200'



SEE VOL. 17, P.M., PG. 61

SEE VOL. 18, P.M., PG. 82

LOT 4

PARCEL 1



LEGEND

- 1" = 200'
- 1" = 100'
- 1" = 50'

NOTES:

- 1. POINT CONTROL INSTRUMENTS
- 2. ELEVATION VALUES IN PARAGRAPHS

TOPOGRAPHIC MAP
SHOWING PORTIONS
OF PARCEL 2 7/8
APN 418-082-026
FOR
WILLIAM J. ZIEGLER, JR.
BY
SALINAS VALLEY SURVEYORS
20 CAPITOL STREET
SLATE 15
SALINAS, CALIFORNIA 95001
831/753-2234
ON
JANUARY 29, 2001
REISSUED 20 MAR 2002

A-1

ROBERT PARNAY ARCHITECT
2000 ELIOT ROAD
PUEBLO BEACH CALIFORNIA 94026
TEL. 415-321-1100
FAX 415-321-1101

SITE PLAN WITH NOTES

RESIDENCE for
William J. Ziegler, Trustee
1730 CALING ESTEROO CAMEL VALLEY, CALIFORNIA
APN 418-082-026

8 APR 2002
REVISED