

Attachment I

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MINUTES
Del Monte Land Use Advisory Committee
Thursday, December 16, 2021



1. Meeting called to order by Lori Lietzke at 3:10 pm

2. Roll Call

Members Present:

Rick Verbanec, Ned Van Roekel, Maureen Lyon, Carol Church, Lori Lietzke, Kamlesh Parikh and
Bart Bruno arrived to meeting at 4 pm (7)

Members Absent:

Kimberly Caneer (1)

3. Approval of Minutes:

A. December 2, 2021 minutes

Motion: Rick Verbanec (LUAC Member's Name)

Second: Ned Van Roekel (LUAC Member's Name)

Ayes: Ned Van Roekel, Maureen Lyon, Rick Verbanec, Kamlesh Parikh, Carol Church (5)

Noes: 0

Absent: Kimberly Caneer, Bart Bruno (2)

Abstain: Lori Lietzke (1)

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

5. Scheduled Item(s)

6. Other Items:

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects

None

B) Announcements

None

7. Meeting Adjourned: 4:30 pm

Minutes taken by: Carol Church, Acting Secretary



Action by Land Use Advisory Committee

Project Referral Sheet

Monterey County Housing & Community Development
 1441 Schilling Place 2nd Floor
 Salinas CA 93901
 (831) 755-5025



Advisory Committee: Del Monte Forest

1. **Project Name:** O MALLEY ELIZABETH G & JOHN M
File Number: PLN190079-AMD1
Project Location: 3265 ONDULADO RD PEBBLE BEACH
Assessor's Parcel Number(s): 008-442-006-000
Project Planner: SHAWN ARCHBOLD
Area Plan: DEL MONTE FOREST LAND USE PLAN
Project Description: Minor and Trivial Amendment to a previously approved Combined Development Permit (PLN190079) approving the demolition of an existing 2,956 square foot one-story single family dwelling, construction of a two-story 4,853 square foot single family dwelling inclusive of an attached garage, and removal of one (1) Oak tree. The amendment would allow a redesign of the approved architectural style, the reduction from a two-story to a one-story single family dwelling, an approximate 930 square foot increase in lot coverage and an approximate 694 square foot reduction in floor area ratio; and the addition of a breezeway, entry hall & bay.

Was the Owner/Applicant/Representative present at meeting? YES X NO

(Please include the names of the those present)

Charles Bester
Elizabeth O'Malley
Jean O'Malley

Was a County Staff/Representative present at meeting? Shawn Archbold & Phil Angelo (Name)

PUBLIC COMMENT: None

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	

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)
None		

ADDITIONAL LUAC COMMENTS

None

RECOMMENDATION:

Motion by: Rick Verbanec (LUAC Member's Name)

Second by: Ned Van Roekel (LUAC Member's Name)

- Support Project as proposed
- Support Project with changes
- Continue the Item

Reason for Continuance: _____

Continue to what date: _____

Ayes: Verbanec, Van Roekel, Church, Lyon, Lietzke, Parikh (6)

Noes: 0

Absent: Caneer, Bruno (2)

Abstain: 0



Action by Land Use Advisory Committee

Project Referral Sheet

Monterey County Housing & Community Development
 1441 Schilling Place 2nd Floor
 Salinas CA 93901
 (831) 755-5025



Advisory Committee: Del Monte Forest

2. **Project Name:** HUFF DARYL & RHONDA TRS
 File Number: PLN210231
 Project Location: 1125 SPYGLASS WOODS DR PEBBLE BEACH
Assessor's Parcel Number(s): 008-023-004-000
 Project Planner: SON PHAM-GALLARDO
 Area Plan: DEL MONTE FOREST LAND USE PLAN
Project Description: Coastal Administrative Permit and Design Approval for the construction of a 3,951 square foot single family dwelling and 677 square foot attached garage. The project includes associated grading of 300 cubic yards of cut & fill; and removal of 48 Monterey Pine trees.

Was the Owner/Applicant/Representative present at meeting? YES X NO

(Please include the names of the those present)

- Daryl & Rhonda Huff
Fred & Gale Krupica
Alex Lorca, Attorney
Adam Jeselnick, Architect

Was a County Staff/Representative present at meeting? Phil Angelo (Name)

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
Fred & Gale Krupica	X		Privacy & air quality to their master bedroom due to owner's driveway & garage
Alex Lorca, Attorney for the Krupica's		X	Guideline violatin of garage and driveway location

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)
Privacy issues for neighbors bedroom due to location of driveway and three-car garage		More discussion

ADDITIONAL LUAC COMMENTS

Architect to consider shifting the building to address the neighbor's concern

RECOMMENDATION:

Motion by: Kamlesh Parikh (LUAC Member's Name)

Second by: Maureen Lyon (LUAC Member's Name)

 Support Project as proposed

X Support Project with changes – refer to comments listed above

 Continue the Item

Reason for Continuance:

Continue to what date:



Ayes: Lietzke, Lyon, Church, Verbanec, Parikh, Van Roekel (6)

Noes: 0

Absent: Caneer (1)

Abstain: Bruno (1)

Friedrich, Michele x5189

From: Kristie M. Campbell <kcampbell@fentonkeller.com>
Sent: Friday, December 3, 2021 5:08 PM
To: Friedrich, Michele x5189
Cc: Martha Diehl; Daniels.kate@gmail.com; Pham-Gallardo, Son x5226; Alex J. Lorca
Subject: Letter to DMF LUAC / 1125 Spyglass Woods Drive (PLN210231)
Attachments: LTT DMF LUAC (12-3-21) (01195936).pdf

[CAUTION: This email originated from outside of the County. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

Good afternoon, Michele! Attached is a letter from Alex Lorca to the Del Monte Forest LUAC (for an item that is scheduled to be on the December 16 agenda). If you would, please distribute the attached to the DMF LUAC Members. Thank you for your assistance.

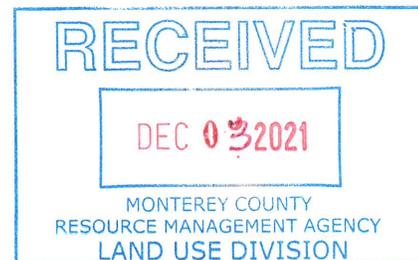
Sincerely,
Kristie

**** Our office will be closed Friday, December 24, and Friday, December 31, for the holidays ****

Kristie M. Campbell
Administrative Assistant
to John S. Bridges, Alex J. Lorca,
and Derric G. Oliver

FENTON & KELLER

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CHARLES R. KELLER
THOMAS H. JAMISON
JOHN S. BRIDGES

ALEX J. LORCA

December 3, 2021

ALorca@fentonkeller.com
ext. 258

VIA EMAIL (FRIEDRICHM@CO.MONTEREY.CA.US)

Del Monte Forest Land Use Advisory Committee
County of Monterey
c/o Michele Friedrich
1441 Schilling Place
Salinas, CA 93901



Re: 1125 Spyglass Woods Drive, Pebble Beach, CA (PLN210231)
Our File: 36070.35769

Dear Del Monte Forest LUAC Members:

This office represents Fred and Gale Krupica, who reside next door to the above-referenced project (“Project”). The Krupicas object to the placement of the driveway as shown in the submitted plans for the Project as they are not in compliance with the Del Monte Forest Architectural Standards and Residential Guidelines (“Guidelines”), and as such are inconsistent with the character of the neighborhood surrounding the Project. Therefore, the Krupicas request that the Del Monte Forest LUAC recommend denial of the plans as submitted.

Pursuant to the Monterey County Land Use Advisory Committee (“LUAC”) Procedures,¹ the Monterey County Board of Supervisors tasked all LUACs, including the Del Monte Forest LUAC, with reflecting “the perspective of the local community with focus on neighborhood character, unique community site and conditions and potential local effects or contributions that would likely result from the implementation of a proposed project.” The Del Monte Forest LUAC is also directed to “[i]dentify concerns in response to staff-provided scope of review on neighborhood, community and site issues excluding regional impacts which are the purview of the Appropriate Authority.”

The Guidelines state, “The purpose of architectural review is to foster careful design and harmony between structures and the surrounding environment and to enhance the overall

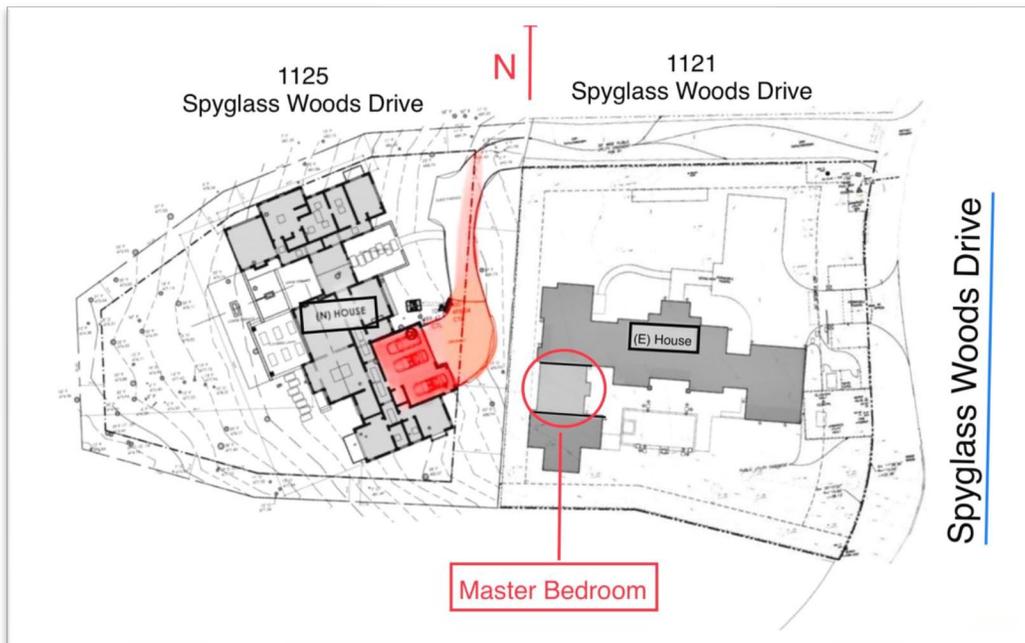
¹ Adopted November 18, 2008, and amended December 16, 2014.

desirability of living within the Del Monte Forest. The Del Monte Forest Architectural Review Board (ARB) will consider size, design, aesthetic quality, compatibility with neighboring properties, disturbance of existing terrain and vegetation, location with respect to various setback requirements and other site conditions, building materials, exterior color, and other relevant factors. A design proposal that is harmonious with the surroundings and does not seek to dominate the neighboring residences is preferred over proposals that are overly assertive in size and character.” (Guidelines at pg. 5.)

With respect to exceptions to its requirements, the Guidelines provide, “The ARB reserves the right to grant an Applicant an exception from any standards or conditions contained herein, or from any rule or regulation of the ARB. Such exceptions may be for the purpose of saving significant trees, vegetation or environmentally sensitive habitat, avoiding unnecessary cuts and fills, or because a design, though desirable and compatible, is so unique in concept that it is beyond the scope of such standards. The Applicant who applies for such an exception has the burden of proof and shall offer substantial evidence in support of his or her application. A design exception shall not be granted unless the ARB finds that the exception is appropriate to the location and the neighborhood, the exception is consistent with the intent of the design standards, and the exception will not significantly affect the character of the neighborhood.”

1. The Garage and Driveway Location Violates the Guidelines.

The following is a site map of the Project, and the Krupica’s residence at 1121 Spyglass Woods Drive.



The Guidelines, in the section entitled “The Design and Construction Standards,” provide guidance for garage and driveway placement on Page 13, “Garages and Parking,” as follows: “The garage should be located to minimize the length of the driveway...”

As can be seen from the site map above, the garage is placed at the far eastern end of the lot, with the proposed driveway running approximately 2/3 of the entire length of the north-south direction of the lot. Such design fails to respect the requirement that the driveway length be minimized. A compliant design would place the driveway and motor court at the north end of the lot.

2. The Driveway Exceeds Setback Limits.

The Design and Construction Standards at “Foundations,”² states “... driveways ... may be allowed to extend into any required setback up to *two feet* subject to ARB approval.” (Emphasis added.)

Notwithstanding this regulation, Page A2 of the Project’s plans entitled “Proposed Site Plan” shows the driveway will impermissibly encroach into the front setback by more than 10 feet, far exceeding the permitted maximum of two feet.

Incredibly, at its October 7, 2021, meeting, the ARB decided to ignore the setback requirements of the Guidelines in order to approve the Project. In doing so, the ARB stated the drafters of the Guidelines inadvertently included “driveways” in this guideline but presented no evidence demonstrating as much. Rather, the inclusion of “driveways” under Foundations is identical in both the current, April 2020, and previous, January 2002, Guidelines. Moreover, we note evidence that the current language was specifically reviewed, intended and approved as written, and the April 2020 version was further restricted by the modifier “may be allowed ... subject to ARB approval.”

Note that the findings for an exception to the setback rule cannot be met in this matter. In order to show an exception should apply, the Guidelines, at page 8, place the burden of proof on the project applicant to show that an exception is warranted. Criteria for an exception include, “saving significant trees, vegetation or environmentally sensitive habitat, avoiding unnecessary cuts and fills, or because a design, though desirable and compatible, is so unique in concept that it is beyond the scope of such standards.”

Here, none of the applicable criteria for an exception were present. No significant trees, vegetation, or environmentally sensitive habitat would be saved by allowing the driveway as currently planned, and no cutting, filling, or grading would be saved because the entire eastern side of the property will be developed. In fact, more trees would be saved and cut/fill reduced by building a shorter driveway to the garage located at the north end of the property. Also, the proposed home is not so unique in design or concept that the Guidelines should not be applied. Rather, the proposed home is of a single-story common design.

² At page 13.

Again, the Guidelines, at page 8, provide that, “[a] design exception shall not be granted unless the ARB finds that the exception is appropriate to the location and the neighborhood, the exception is consistent with the intent of the design standards, and the exception will not significantly affect the character of the neighborhood.”

Finally, excepting the driveway would not be consistent with the intent of the Guidelines. To the contrary, while the Guidelines speak in terms of goals and policies of the ARB, with respect to setbacks, they are clear: driveways may only extend into a setback up to two feet. Even then, such intrusion is “subject to ARB approval.” (Guidelines at p. 13, “Foundations.”)

3. The Driveway Location must be as Unobtrusive as Possible.

The Design and Construction Standards reference “Pools, Spas, Etc., Building Siting” on page 13 as follows, “The location of the main structure (or structures) and the driveway should be as unobtrusive as possible to neighboring properties in particular and the community in general.”

The Project is sited at the very front edge of the lot, noticeably crowded up next to the Krupica’s home, with the long driveway positioned in the front setback. Of particular concern is the proposed garage directly across from the Krupica’s master bedroom and bathroom windows at the west end of their home.

The Project’s current design will create intrusive noise at the Krupica’s bedroom windows from car and garage door operation, as well as unhealthy exhaust fumes. This will require the Krupicas to keep their bedroom windows closed.

In summary, because the Project does not meet the requirements of the Guidelines, it cannot be said to be consistent with the surrounding neighborhood. When building their home, the Krupicas were required to follow all of the Guidelines and did so willingly. All they are requesting is that the Project follow the Guidelines as well.

Very truly yours,

FENTON & KELLER
A Professional Corporation



Alex J. Lorca

AJL:kmc

cc: Martha Diehl
Kate Daniels
Son Pham-Gallardo

Friedrich, Michele x5189

From: Daryl Huff <darylhuff@me.com>
Sent: Monday, December 13, 2021 6:46 AM
To: Friedrich, Michele x5189
Cc: Martha Diehl; Daniels.kate@gmail.com; Pham-Gallardo, Son x5226; Quenga, Anna V. x5175; Adam Jeselnick
Subject: Re: Owner response | 1125 Spyglass Woods Drive, Pebble Beach, CA (PLN210231) | Compressed File Attachment
Attachments: Owner Response 1125 Spyglass Woods LUAC Letter 12-9-21 Smaller File PDF.pdf

[CAUTION: This email originated from outside of the County. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

Hi again, Michele/All:

I noticed the previous PDF I just sent was just over 10MB in size which may be too large for some mail systems to download. I have compressed the PDF and attached another smaller file in case that is helpful.

Best regards,
Daryl & Rhonda Huff

> On Dec 13, 2021, at 6:14 AM, Daryl Huff <darylhuff@me.com> wrote:

>

> Hi Michele,

>

> Attached please find our letter to the Del Monte Forest Land Use Advisory Committee regarding our project proposed for 1125 Spyglass Woods Drive, Pebble Beach, CA (PLN210231). This project is on the agenda for this Thursday's LUAC meeting and we would appreciate it if you could distribute our letter to the members so they can review its contents in advance of the meeting.

>

> Best Regards,

> Daryl & Rhonda Huff

>

> <Owner Response | 1125 Spyglass Woods | LUAC Letter 12-9-21 PDF.pdf>



Daryl & Rhonda Huff
1484 Pollard Road #151
Los Gatos, CA 95032



Dec 12, 2021

(Electronically transmitted)

Del Monte Forest Land Use Advisory Committee
County of Monterey
Attn: Michele Friedrich
1441 Schilling Place
Salinas, CA 93901

RE: Re: 1125 Spyglass Woods Drive, Pebble Beach, CA (PLN210231)

Dear Del Monte Forest LUAC Members:

We are the owners of the property at 1125 Spyglass Woods Dr., Pebble Beach. Our property is a "flag lot" with unique site constraints based on the surrounding Del Monte Forest (DMF) easements, natural slope of the land, and existing trees.

We began our home planning process well over a year ago. From the beginning, we requested our architect, Adam Jeselnick, to design a single story home that would be a timeless transitional style; that would fall well within all governing body code requirements; and, sit lightly on the land. We love the quiet beauty of this property with its natural preserved woods on three sides. When we received word from our architect of our neighbors (the Krupica's) expanded plans for the adjacent property, we noticed the new much larger footprint that was located both on and very near the setback line between our two properties, including plans for a raised patio built within the setback area that would require significant grading and a tall retaining wall overlooking our property. However, since we were assured these changes remained within the PBC and County of Monterey design guidelines, we sent a congratulatory note via email to our neighbors-to-be on April 17, 2021, wishing them the best with their build process and informing them we were re-orienting our house plans accordingly. Both the Pebble Beach Company Architecture Review Board (PBC ARB) and the County of Monterey approved the Krupica's plans as drawn including their patio with retaining wall within the setback area.

As a result of the Krupica's new larger footprint and patio situated so close to the lot line, over the next few months, we revised our plans with Adam to angle our home away from the Krupica's home in an effort to preserve as much privacy as possible for both parties (see diagram on page 5 below entitled, "House Orientations to Lot Lines"). Through countless more revisions and thought, Adam designed a tasteful one-story home that continues to meet all *Del Monte Forest (DMF) Architectural Standards and Residential Guidelines* and Monterey County

zoning regulations AND considers neighbors' views and privacy on all sides. We took great care to specifically balance the competing guidelines of driveway lengths and not having garages be the dominant view from the street. We submitted our plans to the PBC ARB in July 2021.

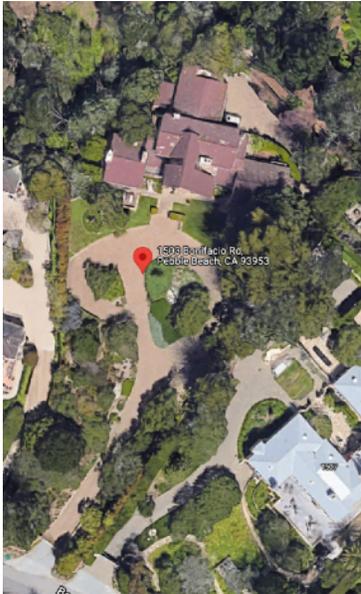
We were surprised that the first we learned of the Krupica's comments regarding our plans was via a letter sent directly to the PBC ARB (not to us), from their attorney, Alex Lorca, dated August 24, 2021, 3 days prior to the scheduled meeting. We were disappointed the letter mis-characterized our proposed home location and driveway access as detailed in the following paragraphs. All of the comments from Mr. Lorca's letter were brought forward to the PBC ARB as they reviewed our plan. After careful consideration of both the Krupica's comments and our response, on Oct 7, 2021, the PBC ARB granted Preliminary Approval (see attachment) to the project pending a full set of plans which are now underway.

The *DMF Architectural Standards and Residential Guidelines* state that "the garage should be located to minimize the length of the driveway, and [...] should not be the focus of the street elevation." The position of the garage, tucked between the primary living space and guest bedroom while facing northeast, meets both objectives. The garage would be much more visually prominent if it were further north and would unnecessarily extend the driveway length if it were oriented north or south. The angled orientation of the house sets the garage further away from the front property line (from 21'-3" to 37'-8") than what the County code requires (20 feet per 20.12.060 of the Coastal Implementation Plan). This setback and orientation also helps to reduce the visual impact to existing homes to the north and south. The driveway coverage is minimal, especially when considering the flag portion of the lot, and will be of a pervious material.

Another comment from Mr. Lorca's letter deals with driveways and setbacks. Driveways are not subject to any front or side yard setbacks under the County code (setbacks apply to structures). Structures are defined as anything constructed or erected, except fences under six feet in height, the use of which requires location on the ground or attachment to something having location on the ground (per 20.06.1200). The proposed driveway fully complies with all applicable codes and standards. The guidelines do address building siting and the driveway, stating that "considerable care should be taken to protect existing terrain and vegetation." The proposed driveway avoids impacts to existing trees (a 19" pine, 13" oak, and 20" oak) while requiring minimal grading.

Given our unique "flag" lot, the driveway is of modest length, and well shorter than other driveways that have recently been approved and built in Pebble Beach. As precedent examples, we brought forward to the PBC ARB a small sampling of the many examples that exist in the community as shown below.

While there are very few other flag lots in Pebble Beach, the house at 1503 Bonifacio Rd comes close to being a flag lot with its unique wedge shape. The house has a very long driveway that runs along the lot line and well inside the right setback of the lot for almost the entire length of the property wrapping behind the house to where the garage is located.



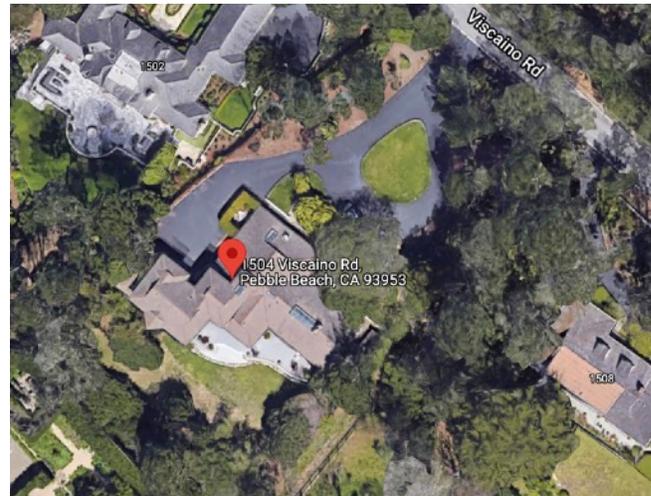
Another example located at 1519 Riata Rd. This house also has a driveway that makes an “S” turn all the way around the house and runs for 50-60 feet essentially on the lot line (and thus well inside the right lot setback area).



A third example is located at 3200 Palmero Way, where the driveway starts at the right of the house, then runs all the way around the left side of the house (and well inside the left setback for this property) to a garage that is on the back right side of the house.



This house at 1504 Viscaino Rd, where the driveway as it approaches to the garage is not only on the lot line (and thus inside the setback), but also adjacent to the neighboring house with garages facing neighboring property.



Another example at 3913 Ronda Rd, where the driveway/turnaround area is on the lot line and the garage opens towards the neighboring property. There are many more examples.



As a result of the review of our plans, Jean Mendez (PBC ARB Project Manager) informed us that the PBC ARB agreed that the language in the Foundations section of their former versions of the *DMF Architectural Standards and Residential Guidelines*, that forms the basis of the Mr. Lorca's letter, was poorly written. As a result, the PBC ARB have corrected their *DMF Architectural Standards and Residential Guidelines* effective October 1, 2021, to remove the reference to "driveways" in the Foundations Section of the Guidelines.

To reiterate, we have already re-oriented our entire home to angle away from the Krupica's property over months of design process in response to their greatly expanded lot line footprint. To specifically address the Krupica's comments, we have previously proposed further mitigating their view of our home by planting "green wall" type screening plants/trees that would shield views from both homes. We continue to believe plantings remain the most reasonable, attractive and effective way to accomplish the further privacy goals for both parties.

We submitted our plans to Monterey County on August 1, 2021 and remain eager to get our build project underway. As with any project of this nature, we have a budget and limited resources and as inflationary pressures mount for building supplies and labor, we are anxious to proceed. Each delay continues to cause our costs to substantially increase.

We hope that the Del Monte Forest LUAC will find this additional information and context useful and agree that together with our architect, Adam Jeselnick, we have designed a thoughtful modest home on a unique lot that meets all Monterey County Codes and PBC ARB Design Guidelines while respecting all of our neighbors' reasonable privacy preferences. Thank you for your consideration and please feel free to contact us or Adam with any questions.

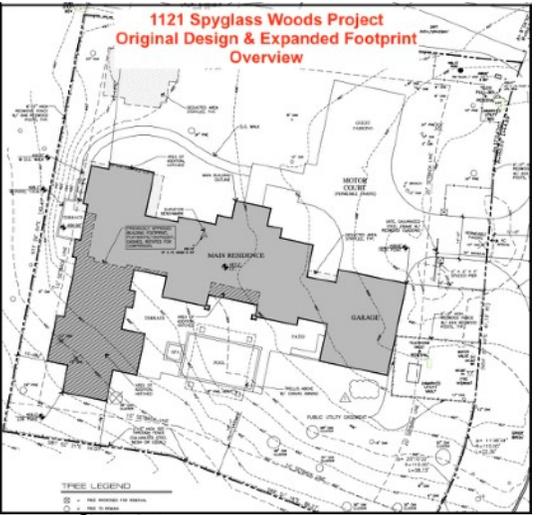
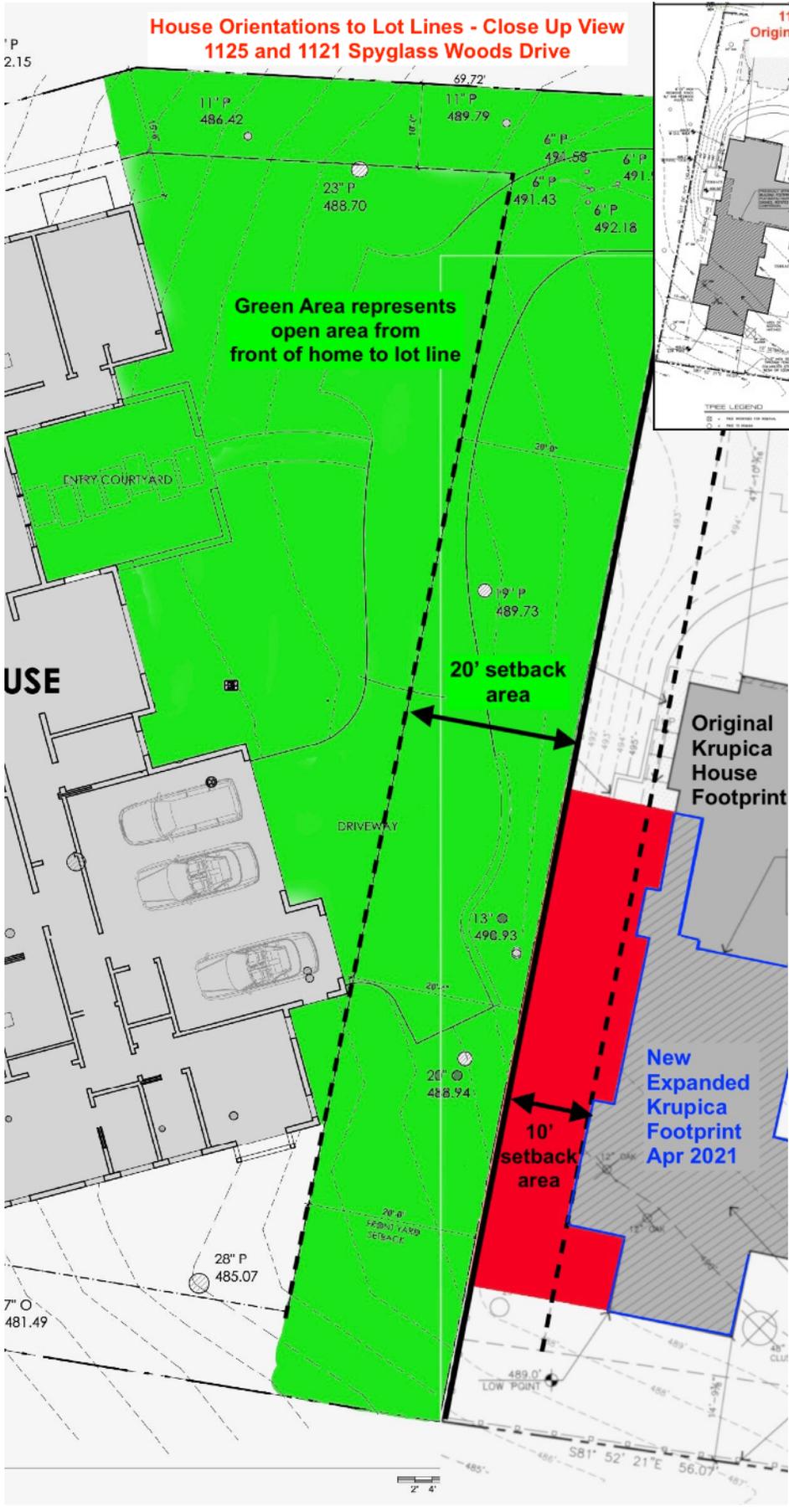
Best regards,

A handwritten signature in black ink, appearing to read "Daryl Huff", written in a cursive style.

Daryl & Rhonda Huff

Enclosures

cc: Kate Daniels
Martha Diehl
Adam Jeselnick
Son Pham-Gallardo
Anna Quenga





October 14, 2021

PEBBLE BEACH
COMPANY

Lexrupe Living Trust
1484 Pollard Road #151
Los Gatos, CA 95032

Reference: Lot 4 Block N/A Subdivision Spyglass Woods
1125 Spyglass Woods Drive, Pebble Beach

Dear Mr. and Mrs. Huff,

On October 7, 2021, preliminary approval was granted for the documents submitted by Adam Jeselnick Architect, dated July 30, 2021. The scope includes the construction of a new single-family residence on a vacant lot.

This preliminary approval has been granted with the following standard conditions:

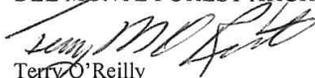
1. All new foundations within three feet of a setback will require proof of survey or location of existing property corners for on-site measurement purposes prior to pouring concrete, and an average grade benchmark shall be set to measure the 2nd story height.
2. No native trees shall be removed without the issuance of a *Tree Removal Permit* from Pebble Beach Company AFTER issuance of a Building Permit from Monterey County, and any native trees removed shall be replaced/mitigated with an approved replanting plan using native endemic trees such as *Coast Live Oak* or *Monterey Cypress/Pine*.
3. All drainage shall be contained on-site, and any drainage which adversely affects neighboring properties, or the Pebble Beach Company road right-of-way shall be addressed and remedied by the applicant; this includes all sump pumps. Submit the required drainage and flood control facilities plan required by the Monterey County Water Resources Agency in your deed.
4. All construction-related vehicles shall be parked on the property during construction. No construction-related vehicles shall encroach onto the road right-of-way or obstruct the flow of traffic in any way. The Contractor shall be responsible for parking of such vehicles, off-site if necessary when no space is available on the construction site. Any variance to this important condition must be explicitly approved by the Architectural Review Board.
5. All driveway connections to the Pebble Beach Company road right-of-way shall be asphalt and shall be maintained by the applicant.
6. To access, build on, or modify any PBC property, including but not limited to landscaping in the road right-of-way, requires an Easement agreement with PBC.

Prior to issuance of your Monterey County Building Permit, we will require one (1) set – 24”x 36” of final architectural drawings, please review our submittal checklist. All significant exterior changes from the preliminary drawings should be clearly marked and may require additional approval by the Board. Final plans will be reviewed and approved by staff if there have been no significant changes. Questions about this approval process may be referred to Jean Mendez, ARB, at (831) 625-8455.

Thank you for your cooperation with the Architectural Review Board.

Sincerely,

DEL MONTE FOREST ARCHITECTURAL REVIEW BOARD


Terry O'Reilly
Chairman

Copy: Adam Jeselnick Architect

DEL MONTE FOREST ARCHITECTURAL REVIEW

Post Office Box 1767, Pebble Beach, California 93953 831-625-8455 telephone 831-625-8440 facsimile www.pebblebeach.com

Friedrich, Michele x5189

From: Kristie M. Campbell <kcampbell@fentonkeller.com>
Sent: Tuesday, December 14, 2021 4:17 PM
To: Friedrich, Michele x5189
Cc: Martha Diehl; Daniels.kate@gmail.com; Pham-Gallardo, Son x5226; Alex J. Lorca
Subject: Letter to DMF LUAC re 1125 Spyglass Woods Drive (PLN210231)
Attachments: LTT DMF LUAC (12-14-21) (01199199).pdf

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Good afternoon, Michele! Please see the attached letter from Alex Lorca to the Del Monte Forest LUAC (regarding an item that is scheduled for the December 16 meeting). If you would, please distribute the attached to the DMF LUAC Members. Thank you for your assistance.

Sincerely,
Kristie

**** Our office will be closed Friday, December 24, and Friday, December 31, for the holidays ****

Kristie M. Campbell
Administrative Assistant
to John S. Bridges, Alex J. Lorca,
and Derric G. Oliver

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December 14, 2021

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VIA EMAIL (friedrichm@co.monterey.ca.us)

Del Monte Forest Land Use Advisory Committee
County of Monterey
c/o Michele Friedrich
1441 Schilling Place
Salinas, CA 93901

Re: 1125 Spyglass Woods Drive, Pebble Beach, CA (PLN210231)
Our File: 36070.35769

Dear Del Monte Forest LUAC Members:

This office represents Fred and Gale Krupica, who own the property next door to the above-referenced project ("Project"). This letter responds to the Applicant's letter submitted to the LUAC on December 12, 2021, and clarifies various misleading statements and factual errors therein.

With respect to the home the Krupicas are building next to the Project, it is incorrect and misleading for the Applicants to state they first became aware of what they term "expanded plans ... with a much larger footprint" through their architect sometime on or before April 17, 2021. In fact, the Krupicas prepared and submitted only one house footprint (see Figure 1, below) for review and approval to the ARB. Furthermore, the Krupicas advised the Applicants via email on October 14, 2020, that they were ready to submit their plans to the County Planning Department. That very same day, the Applicants replied to the Krupicas via email supporting the Krupica's plans. As such, the Applicants were well aware of the Krupica's plans and house footprint well before closing on their lot purchase, and long before April 17, 2021.

The Applicant's letter states they revised their home siting due to a "new Krupica expanded footprint." Not so. On page 6 of their December 12, 2021 letter, the Applicants provide a diagram in green and red showing an area marked "Original Krupica House Footprint." However, this area was developed by the previous owner, not the Krupicas. Therefore, it is factually incorrect to state the Krupicas expanded the footprint of their home in April of 2021.

Next, the Applicant's error in stating, "The Pebble Beach Company Architectural Review Board (ARB) and the County of Monterey approved the Krupica's plans as drawn including their patio with retaining wall within the setback area." Neither of those bodies approved such plans. The statement is false as the Krupicas never contemplated or submitted plans reflecting a "raised patio built within the setback that would require significant grading and tall retaining walls overlooking the neighbor's property."

With respect to communications between the Applicants and the Krupicas, the Applicant's letter incorrectly states they "first learned of the Krupica's comments ... via letter sent directly to the PBC ARB (not to us) ... 3 days prior to the scheduled meeting." The fact is the Krupicas received notice three days prior to the meeting because their mail was forwarded to them from an out of town PO Box. The Krupicas noted as much in their letter (which they copied the Applicants on) and apologized for not having time to contact them directly prior to the meeting. In contrast the Applicants have not copied the Krupicas on any of their correspondence with the County or the ARB.

With respect to their driveway, the Applicant's letter showing examples and pictures of driveways purportedly longer than theirs lacks credibility, and are unsuitable for comparison. This is because the homes and lot sizes in the Spyglass Woods community are much smaller than those shown in the Applicant's letter. The properties noted in the Applicant's letter are over 1 acre, with 5,000 - 8,000 square feet, 2 story homes. In contrast, 1121 and 1125 Spyglass Woods Drive are two single level homes of three to four thousand square feet each on half-acre lots. The garage and driveway placement proposed for 1125 would create daily car noise and fumes, a clear nuisance at less than 15 feet from the windows of the Krupica's primary bedroom.

During the design phase of their home, the Krupicas consulted with their Architect and Jean Mendez at the ARB regarding setback rules for patios and other items, including a long driveway for potential RV parking. When these ideas were rejected by Jean Mendez, the Krupicas readily accepted her position and complied with the April 2020 ARB setback rules without further question. They eliminated the long driveway and relocated the patio as shown in the final approved plans. Also, they complied with the DMF Architectural Standards and Residential Guidelines (Guidelines) as written on the date of their application. All the Krupicas ask is that the playing field be level and the Applicant abide by the same set of rules the Krupicas did. As can be seen in Figure 1, the Krupicas conceptualized a long driveway that was rejected by the ARB in compliance with the setback and driveway regulations of the Guidelines (see Figures 1 and 2 on the following page).

With respect to the claim the ARB Guidelines were “poorly written” or a “correction of an error,” there is no evidence to suggest as much. Indeed, there is clear evidence of review, intent, and acceptance of the current Guidelines, which have been in place for at least 18 years. The April 2020 and January 2002 setback language in the Guidelines is the same, further strengthened by a modifier specifically added in the April 2020 version.

Lastly, the Applicant’s letter implies they have notified the Krupicas of a proposed plan to plant a “green wall” along their common boundary. As this is the first they have heard of it, the Krupicas would appreciate seeing the details of such plan. The Krupicas note that while a green wall might be helpful in mitigating view impacts of the Project, it would not eliminate the daily garage noise and car fumes. Moreover, a green wall would not address the Project’s two Guidelines violations: 1) driveways must be as short as possible; and 2) driveways may not encroach into the setback by more than two feet.

Very truly yours,

FENTON & KELLER
A Professional Corporation



Alex J. Lorca

AJL:kmc

cc: Martha Diehl
Kate Daniels
Son Pham-Gallardo

Friedrich, Michele x5189

From: Bart Bruno <bbruno20001@gmail.com>
Sent: Wednesday, December 15, 2021 5:21 AM
To: Friedrich, Michele x5189
Subject: PLN210231 1125 Spyglass Woods Drive
Attachments: DMFLUAC letter on 1125 Spyglass Woods.docx

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Please find attached my comments on the above matter for the project

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Bart Bruno



Del Monte Forest Land Use Advisory Committee
County of Monterey
c/o Michele Friedrich
1441 Shilling Place
Salinas, Ca 93901



Re: 1125 Spyglass Woods Drive (PLN210231)

As a member of the Del Monte Forest Architectural Review Board, I wish to comment on Mr. Lorca's letter of December 3rd, 2021 to the Del Monte Forest LUAC concerning the above project. In that letter he has expressed issues with respect to the Architectural Review Board's actions on that project which require a response.

With respect to his lead-in where he addresses his opinion as to our duties I would note the majority of words used in that letter as well as within our guidelines;

Careful design.....Harmony.....surrounding environment.....compatibility.....esthetic quality
overly assertive.....size.....enhance.....disturbance.

As can be seen, there are no definitive terms, no firm numbers, only words that require an opinion and thus no "right or wrong", just "his and ours". He also infers that an exception was not granted. I would submit that none was necessary

In Section 1 he questions the approval of the length of the driveway and that a standard had been violated. On his client's, the Krupicas, project the ARB eliminated a portion of their proposed huge asphalt area, but still allowed them much more than a minimum. Using Mr. Lorca's standard, as he suggests be apply to this project, the ARB should have insisted that the Krupica's garage be turned 90 degrees to the street and eliminated all the excess pavement for turn around and parking. However, as is the normal ARB's approach, they allowed the Krupica project as much leeway as was reasonable. In keeping with that approach, that is what they have approved for this project.

In Section 2 he has asked DMFLUAC to invoke an obviously erroneous term in ARB guidelines. The term driveway does not realistically apply in this sentence. Applying this requirement as such would mean that every approved driveway in Pebble Beach could be in violation of this guideline. Thus I must disagree with him that this should be used to change this project. However, I thank him for making us aware of the error and we are making the appropriate changes to the guidelines.

In Section 3 he expresses his concern for the closeness of the new home to his client's home. As can be seen, both the new home and his client's home are at the setback limit. Is there a reason that one home be "unobtrusive as possible" while the abutting home does not? Should his client thought about the fact that a home would be built on the vacant lot next door and located their bedroom so as to not be affect by visual or sound issues?

The ARB goal is to allow uses for each applicant equally and in a manner that fits the needs of each property owner while taking into consideration the reasonable concerns of their neighbors. That was done in this case.

Thank you

Signed copy to be submitted at the meeting

Bart J. Bruno
Member of Del Monte Forest Architectural Review Board