

Attachment C

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May 18, 2015

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ext. 238

VIA HAND DELIVERY

Clerk to the Board
Monterey County Board of Supervisors
168 W. Alisal Street, 2nd Floor
Salinas, CA 93901

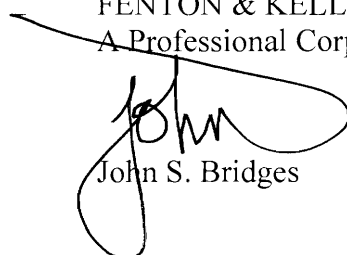
Re: Appeal of ZA Denial of Variance Request (PLN140354)
Our File: 34171.32276

Dear Clerk:

Please accept the enclosed materials as our appeal of the above referenced Zoning Administrator decision. If any additional information or filing fee is required in order for the appeal to be accepted as complete please let us know immediately. Also enclosed is one additional copy of the Notice of Appeal. We will appreciate receiving your signature on the bottom of page 2 of that form. Thank you for your assistance in filing this appeal.

Very truly yours,

FENTON & KELLER
A Professional Corporation


John S. Bridges

JSB:kmc
Enclosures
cc: Mr. & Mrs. Jordan
Liz Gonzales/John Ford



NOTICE OF APPEAL

*Monterey County Code
Title 19 (Subdivisions)
Title 20 (Zoning)
Title 21 (Zoning)*

RECEIVED
MONTEREY COUNTY

2015 MAY 18 AM 8:22

CLERK OF THE BOARD

DEPUTY

No appeal will be accepted until a written decision is given. If you wish to file an appeal, you must do so on or before May 18, 2015 (10 days after written notice of the decision has been mailed to the applicant). Date of decision April 30, 2015.

1. Please give the following information:

- a) Your name John Bridges (attorney representing applicants William & Susan Jordan)
- b) Phone Number 373-1241
- c) Address PO Box 791 City Monterey Zip 93942
- d) Appellant's name (if different) William & Susan Jordan

2. Indicate the appellant's interest in the decision by checking the appropriate box:

- Applicant
- Neighbor
- Other (please state) _____

3. If you are not the applicant, please give the applicant's name:

William & Susan Jordan

4. Indicate the file number of the application that is the subject of the appeal and the decision making body.

- | | File Number | Type of Application | Area |
|---------------------------|-------------|--------------------------------|--|
| a) Planning Commission: | _____ | _____ | _____ |
| b) Zoning Administrator: | PLN140354 | Variance, CAP, Design Approval | Yankee Point neighborhood, Carmel Area LUP |
| c) Subdivision Committee: | _____ | _____ | _____ |
| d) Administrative Permit: | _____ | _____ | _____ |

5. What is the nature of the appeal?

- a) Is the appellant appealing the approval or the denial of an application? (Check appropriate box)
- b) If the appellant is appealing one or more conditions of approval, list the condition number and state the condition(s) being appealed. (Attach extra sheets if necessary).

6. Check the appropriate box(es) to indicate which of the following reasons form the basis for the appeal:

There was a lack of fair or impartial hearing; or

- The findings or decision or conditions are not supported by the evidence; or
- The decision was contrary to law.

You must next give a brief and specific statement in support of each of the bases for appeal that you have checked above. The Board of Supervisors will **not** accept an application for appeal that is stated in generalities, legal or otherwise. If the appellant is appealing specific conditions, you must list the number of each condition and the basis for the appeal. (Attach extra sheets if necessary).

(See attached)

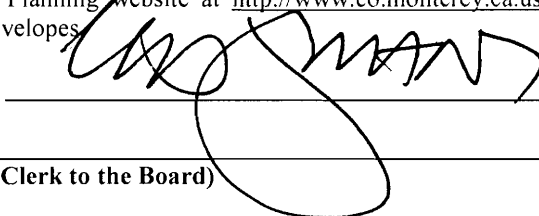
7. As part of the application approval or denial process, findings were made by the decision making body (Planning Commission, Zoning Administrator, Subdivision Committee or Director of Planning). In order to file a valid appeal, you must give specific reasons why the appellant disagrees with the findings made. (Attach extra sheets if necessary).

(See attached)

8. You are required to submit stamped addressed envelopes for use in notifying interested persons that a public hearing has been set for the appeal. The Resource Management Agency – Planning will provide you with a mailing list.

9. Your appeal is accepted when the Clerk of the Board's Office accepts the appeal as complete on its face, receives the filing fee (Refer to the most current adopted Monterey County Land Use Fees document posted on the RMA Planning website at http://www.co.monterey.ca.us/planning/fees/fee_plan.htm) and stamped addressed envelopes.

APPELLANT SIGNATURE



DATE

5/18/15

ACCEPTED

(Clerk to the Board)

DATE

**STATEMENT IN SUPPORT OF APPEAL
FROM ZONING ADMINISTRATOR DENIAL OF
APPLICATION PLN140354**

I. **Background:** The Jordan's property is less than ½ acre in size (.43 acres) yet is subject to zoning development standards designed for 1+ acre lots. The obvious burden created by the small size of some lots in this neighborhood has been the basis for several coverage variances granted to other properties in the vicinity and under the identical zone classification.¹ Also, of significant importance to the Yankee Point neighborhood and a major component of the neighborhood's character and integrity, is private view sensitivity. The fact of this sensitivity is recognized in part by the Zoning Ordinance which imposes a special height limitation (20 feet) on the Jordan property.

When the Jordans purchased their property they sought out an architect to help them design a simple addition to their home that would provide a third bedroom.² Their primary goals were three-fold: a third bedroom; a design that would respect their neighbors' views and fit well with the neighborhood character; and a design that would be non-controversial and proceed smoothly through the County review process. Accordingly, their architect designed a single-story addition located at the back of the house (not visible from anyone's perspective) that was expected to accomplish all three goals. To ensure a smooth process with the County, the Jordans presented their concept design to Planning staff before submitting an application. That original design involved two variances. One for coverage (which any ground floor addition would require), and a second related to the south sideyard setback (the Jordans had desired to retain the architectural integrity of the house by maintaining a consistent south wall). Staff reviewed the concept design and reported that they could not support the sideyard setback variance but that they could support a coverage variance based on the small size of the lot. Staff suggested the Jordans redesign accordingly. At significant expense, the Jordans undertook a major redesign, and returned with a modified project which eliminated the sideyard setback issue, precisely as staff had directed. Staff commended the Jordans for their redesign and shortly thereafter the Jordans submitted their redesign as a formal application. After presenting the redesigned project to the Planning Department's Design Review Committee, staff told the Jordans they would recommend approval of the project (Attachment 2). Thereafter, the project was presented to the Carmel Area LUAC where it received a unanimous recommendation for approval (Attachment 3). The LUAC was complimentary of the design and the Jordan's willingness to

¹ One such other variance was granted by the Board of Supervisors in 2006 (on a similar appeal from a ZA denial) (Wenglikowski – PLN050624; see Attachment 1; APN 243-163-003). The Jordan's circumstance bears a striking resemblance to the Wenglikowski case (Wenglikowski lot size .42 – Jordan lot size .43; Wenglikowski house size 4,549 s.f. – Jordan house size 3,293 s.f.; Wenglikowski bedrooms: 4 – Jordan bedrooms: 2) and the ZA is essentially making the same arguments (which were unanimously rejected by the Board). Planning staff listened and learned from the Board's decision in Wenglikowski (thus recommending approval of the Jordan application, which is more sympathetic factually than was Wenglikowski), but unfortunately the current Zoning Administrator did not. We respect that planners can have differences of opinion, but the Board has spoken on this issue and, of course, the Board's decision should be controlling.

² The Yankee Point neighborhood is comprised of 63 lots (Attachment 9). In reviewing available records we were able to obtain relevant data on most of the lots. Of the 63 homes, 47 have three or more bedrooms and 22 have four or more bedrooms (Attachment 9a). The Jordan's desire for a third bedroom is certainly reasonable.

sacrifice their own view opportunities for those of their neighbors. The neighborhood also supported the project and several neighbors wrote letters to the LUAC expressing their support (Attachment 3).

Up to this point it seemed that all three of the Jordan's goals would be realized because they had consulted with the staff early on, listened carefully to the staff direction, and designed their project in accordance with the direction received. It therefore came as no surprise when staff formally recommended approval of the project to the Zoning Administrator (Attachment 4).

At the first hearing (2-26-15) the Zoning Administrator questioned the amount of the variance being sought (from 18% existing to 21% proposed; i.e., a 3% increase) and asked staff for additional information about other properties in the immediate area. The hearing was continued to March 26, 2015. During the intervening month, staff also asked the Jordans if they would consider further redesigning their project to propose a reduced size bedroom addition (thus reducing the percentage of variance requested). The Jordans complied and submitted to staff for discussion a smaller project requesting a variance of less than a 2% coverage increase (Attachment 5).³ The information staff presented to the Zoning Administrator on March 26 included reference to six other coverage variances that had been granted in the area, two of which were for coverage increases of 2% or greater over existing (see Attachment 6). At the March 26 hearing staff again recommended approval of the Jordan's variance request (Attachment 7). Notwithstanding staff's repeated and consistent recommendations for approval, the support of the neighbors, and the unanimous recommendation of the LUAC, the Zoning Administrator denied the project.

II. The findings and decision are not supported by the evidence and the decision was contrary to law.

ZA Finding 6: The variance requested by the Jordans should be granted because of special circumstances applicable to their property including size. As noted in the staff recommendation for approval and as similarly found for others including Wenglikowski (ref. f.n. 1), special circumstances do exist in this case (namely the small size of the parcel) to justify the granting of a variance (see e.g., Attachment 4, Finding 7). It is worth particular note that small lots like the Jordans are normally subject to MDR zoning which typically allows 25% - 35% lot coverage (see § 20.12.060.E). The Jordan's variance request is only for 21% coverage (or 19.9% coverage for the reduced project design). In denying the project the Zoning Administrator applied the wrong legal standard in Finding 6c and d by looking only to the "immediate" area and vicinity. In reviewing a variance application the correct legal standard is comparison to "other properties in the vicinity and under identical zone classification" (§ 20.78.040.A). In other words, the Zoning Administrator's consideration was overly narrow (looking only to the "immediate" area/vicinity). The legally appropriate vicinity to be considered is the whole of the Yankee Point neighborhood (as noted in the February 26, 2015, staff report (Attachment 4; pg. 5) and evidenced by the base maps presented to the Zoning Administrator at the March 26 meeting (Attachment 8). When this broader "vicinity under

³ The design denied by the ZA was the 715 s.f. addition originally applied for. Even though that design was recommended for approval by staff and the LUAC, in the spirit of compromise, the Jordans remain willing, if necessary to obtain approval, to accept the reduced project design.

identical zone classification” is considered, it is obvious that the Jordan’s house is far from being “one of the larger lots and larger homes” in the neighborhood as suggested by the Zoning Administrator (ZA Finding 6.c). Of the 63 lots in the neighborhood (ref. f.n. 2), at least 25 of them are larger than the Jordan’s (placing the Jordan’s in about the mid-range of lot sizes; Attachment 9b). Of the 63 homes in the neighborhood, 33 of them are larger than the Jordan’s. In other words, the Jordan’s home is actually smaller than the majority of homes in the neighborhood (or must at least be considered of merely average size) (Attachment 9c). Also, as noted above (ref. f.n. 2) the vast majority of homes in the neighborhood have 3 or more bedrooms (Attachment 9a). Therefore, the ZA’s Finding 6 is both contrary to law and is not supported by the applicable evidence.

ZA Finding 7: The coverage variance requested by the Jordans would not constitute a grant of special privilege. As noted in the staff recommendation for approval (see Attachment 4; Finding 8) the Jordan application does not constitute a grant of special privilege. Once again, the Zoning Administrator applied an incorrect legal standard by focusing on whether the variance was “necessary to allow development of the property” rather than whether it would actually grant a special privilege (ref. ZA Finding 7). The Zoning Administrator’s decision is also not supported by the evidence. The Zoning Administrator points to the amount of coverage variance granted for other applicants and argues that the maximum of those others was only 17.4%. There are, however, two flaws in this analysis. First, the important question should be the relative amount of additional coverage being requested not the total resulting coverage. One project the Zoning Administrator pointed to (County Application ZA 7233) actually permitted a 2.2% increase over existing coverage (Attachment 6).⁴ Similarly, another of the variances in the neighborhood (PLN 050624; Wenglikowski; see also f.n. 1) permitted a 2% increase over existing coverage (Attachment 6). The Jordan’s original project (which requested a 3% coverage increase over existing) is similar to these other granted variances and the Jordan’s reduced project (requesting only a 1.9% coverage increase over existing) is actually less than both of these others. Second, to be fair and truly compare “apples to apples,” because all of the Jordan’s development would be on the ground floor, the second story elements of the other variance properties should be accounted for as if they were ground floor additions as well. When this single-story vs. two-story differential is accounted for, total coverage for the other variance properties in the neighborhood approach up to 24% (as contrasted to the Jordan’s request for 21% or 19.9% total coverage).⁵

In addition to this fairness of comparison factor, it is also legally appropriate to account for this single-story vs. two-story differential because of the view sensitivities in the neighborhood. As noted by the neighbors, the LUAC, and staff, the Jordan’s willingness to sacrifice their own view opportunities in favor of preserving their neighbors’ views is both rare and commendable. But not only is this an equitable consideration, it is also a legitimate legal consideration in that section 20.78.050.c requires (when necessary) conditions be attached to variances in order to “preserve the integrity and character of the zoning district.” In other words, neighborhood character and integrity are legitimate legal considerations (even though not

⁴ ZA 7233 (Kavellard) was also cited by the Board in approving Wenglikowski (ref. f.n. 1). See Attachment 1, page 6; Finding 11.3 evidence.

⁵ Similarly, if all the two story homes in the Yankee Point neighborhood were accounted for this way well over half of them would exceed 15% coverage and at least 18 of them would exceed 20% coverage (Attachment 9d).

expressly referenced in the requisite variance findings). The Jordan's good deed toward their neighbors and the neighborhood character should not be punished with a denial.

When fairly comparing the Jordan's circumstance and their variance request in the context of the legally appropriate vicinity (i.e., the Yankee Point neighborhood) past variance approvals, and legally appropriate factors (neighborhood integrity and character) it is apparent, consistent with the staff's determination, that the Jordan's modest request for a ground floor third bedroom would not grant any special privilege (ref. Attachments 9 a-d).

ZA Finding 8: The variance requested by the Jordans would not grant a use not otherwise expressly authorized in the zone. As noted in the staff recommendation for approval (see Attachment 4; Finding 9), the LDR zone allows construction and use of a single family dwelling and accessory structures and associated site improvements. A third bedroom on the ground floor of the Jordan's house is therefore a use authorized under the zoning regulations. The Zoning Administrator suggests there is evidence in the record that the applicants can build a second story on their home. First, there is no such evidence in the record other than anecdotal references in the staff report to the fact that there are other two story homes in the area (several of which preceded the 20' height restriction). Second, such evidence is, in any event, not relevant to the nature of the use (a bedroom). Finally, as noted above, the Jordans have opted to preserve the integrity and character of their neighborhood by sacrificing their own private view opportunities in favor of their neighbors' views.

III. Conclusion: The practical effect of the Zoning Administrator's ruling would be to force the Jordans to attempt to build a second story on their house which would certainly create ill will and conflict in the neighborhood. In light of the above, the law, facts, and equities in this case support the granting of a variance instead. We therefore respectfully request the Board uphold the appeal and grant the Jordan's variance request in accordance with the findings and evidence recommended by staff in Attachment 4 augmented as appropriate with the additional evidence presented herein.

ATTACHMENT 1

RECOMMENDED FINDINGS AND EVIDENCE

PLN050624/Wenglikowski – 29 Aug 2006

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No. 06-253)
Grant an appeal by Floyd and Katherine Wenglikowski)
from the Zoning Administrator's denial of a variance)
(Wenglikowski/PLN050624) and approve a variance for)
an increase in site coverage of single-family home from)
the maximum allowed 15 percent to 17 percent. The)
property is located at 138 Carmel Riviera Drive,)
(Assessor's Parcel Number 243-163-003-000) Carmel,)
Coastal Zone.)

The above-captioned matter came on for hearing before the Board of Supervisors of the County of Monterey on 18 July 2006. Having considered all the written and documentary information submitted in the staff report, oral testimony, and other evidence presented before the Board of Supervisors, the Board of Supervisors hereby finds and declares as follows:

FINDINGS

- 1) **FINDING:** **CONSISTENCY:** The subject Variance (PLN050624/Wenglikowski) has been processed in accordance with all applicable requirements.
- EVIDENCE:** (a) On 21 February 2006, the applicants, Floyd and Katherine Wenglikowski, filed an application for a Variance and Design Approval to allow an increase in site coverage from 15 to 17 percent. This variance would allow a 332 sq. ft. first floor addition with deck and window seat to an existing two-story single-family dwelling. This application was deemed complete on 20 March 2006.
- (b) The property is located at 138 Carmel Riviera Drive, (Assessor's Parcel Number 243-163-003-000) Carmel, Coastal Zone.
- (c) Zoning Administrator. On 11 May 2006, the Monterey County Zoning Administrator approved staff recommendation to deny Variance (PLN050624/Wenglikowski).
- (d) Board of Supervisors. On 18 July 2006, the Monterey County Board of Supervisors held a duly noticed public hearing to consider an appeal from the Zoning Administrator decision and to consider the application for

Variance (PLN050624/Wenglikowski) in the Carmel Area Land Use Plan area.

- (e) The request is consistent with Section 20.78.020 (Title 20) Variances.
- (f) The request is consistent with Section 20.44.020 (Title 20) Design Approval.

- 2) **FINDING: SITE SUITABILITY:** The project (PLN050624) is consistent with the plans, policies, requirements and standards of the Local Coastal Program (LCP) except for lot coverage. The LCP for this site consists of the Carmel Area Land Use Plan, Carmel Area Coastal Implementation Plan (Part 4), Part 6 of the Coastal Implementation Plan, and Part 1 of the Coastal Implementation Plan (Title 20 Zoning Ordinance).

- EVIDENCE:** (a) Site Description. The subject lot is 18,295 square feet in size (0.42 acres). The project planner conducted an on-site inspection to verify that the project is consistent with the plans listed above. The development does not have a significant adverse visual impact when viewed from a public viewing area.
- (b) Land Use. The parcel is zoned Low Density Residential, one unit per acre, Design Control, 26-foot height limit, Coastal Zone (LDR/1-D (26)(CZ)). The project is currently in compliance with Site Development Standards for the Low Density Residential Zoning District in accordance with §20.14.060.E (Building Site Coverage, Maximum: 15%) of the Monterey County Zoning Ordinance. Denial of the proposed variance would maintain the existing structure within the maximum designated lot coverage of 15 percent. Granting of the variance would be inconsistent with the stated maximum lot coverage.
- (c) Agency Review. The project and the site have been reviewed by the Monterey County Planning and Building Inspection Department, the Carmel Highlands Fire Protection District, the Monterey County Water Resources Agency, the Monterey County Public Works Department, and the Monterey County Environmental Health Division. Except for lot coverage, there has been no indication from these 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.

- 3) **FINDING: HEALTH AND SAFETY:** The establishment, maintenance or operation of the project applied for will not under the circumstances of this particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons

residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

EVIDENCE: (a) Agency Review. The project was reviewed by Planning and Building Inspection, Public Works Department, Water Resources Agency, Environmental Health Division, Parks Department and the Carmel Highlands Fire Department. The respective departments and agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.

(b) Services. The project does not require any additional or new public services for the implementation or maintenance of this project. It does not change emergency access routes.

- 4) **FINDING: CEQA (Exempt)** - The project is exempt from environmental review

EVIDENCE: (a) CEQA Guidelines Section 15301(e) categorically exempts additions to structures.

(b) No adverse environmental effects were identified during staff review of the development application and during the site visit.

(c) Preceding and following information and supporting evidence.

- 5) **FINDING: VARIANCE, Special Circumstances** – Special circumstances applicable to the subject property are found, including the size, shape, topography, location of the lot, or the surrounding area, such that the strict application of Section 20.14.060.E. (Building Site Coverage, Maximum) of Title 20 (Zoning Ordinance) would deprive the subject property of privileges enjoyed by other property owners in the vicinity under an identical zoning classification.

EVIDENCE: (a) Lot size is smaller than the one acre minimum required by the Low-Density Residential zoning classification (§20.140.060.A).

(b) Strict application of the 15 percent lot coverage limitation would deprive the subject property of privileges enjoyed by other property owners in the same zoning classification due to the property's relatively small size.

(c) Project plans & materials found in planning file PLN050624.

- 6) **FINDING: VARIANCE, Special Privilege** – The applicants' request to exceed the maximum allowable lot coverage would not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

- EVIDENCE:** (a) Variances approved to exceed maximum lot coverage to neighboring properties including Danielson (ZA07373) and Kamellard (ZA7233).
(b) Project plans & materials found in planning file PLN050624.
(c) Variance request is proportional to the existing structure and not inconsistent with other properties in the neighborhood.
- 7) **FINDING: VARIANCE, Allowed Use** – With the Exception of maximum lot coverage of 15 percent per CIP §20.14.060.E, the variance would not grant a use or activity that is not otherwise expressly authorized by the zone regulation governing the parcel of property.
- EVIDENCE:** (a) The single family residential use proposed is allowed under the Zoning Regulations (Title 20) for the LDR district.
(b) CIP section 20.14.060.E provides for 15 percent maximum lot coverage.
- 8) **FINDING: PUBLIC ACCESS:** The project is in conformance with the public access and public recreation policies of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights (Section 20.70.050.B.4 CIP). No access is required as part of the project because no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.70.050.B.4.c of the Monterey County Coastal Implementation Plan, can be demonstrated.
- EVIDENCE:** (a) The subject property is not described as an area where the Local Coastal Program requires access.
(b) The subject property is not indicated as part of any designated trails or shoreline access as shown in Carmel Area Land Use Plan.
(c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
(d) Staff site visits found no evidence of informal public trails on the subject property.
- 9) **FINDING: APPEALABILITY:** The decision is appealable to the California Coastal Commission.
- EVIDENCE:** (a) Section 20.86.080 of the Monterey County Coastal Implementation Plan (Part 1).
(b) Appeals to the California Coastal Commission from a decision made by the Board of Supervisors shall comply with the provisions of the California Coastal Act of 1976.

FINDINGS FOR THE APPEAL

- 10) **FINDING: FILING APPEAL:** An appeal of the 11 May 2006 action of the Zoning Administrator, approving staff's recommendation for denial (PLN050624) was timely filed.
- EVIDENCE:** (a) An appeal from the 11 May 2006 Zoning Administrator's denial of variance (**Wenglikowski/PLN050624**) to allow an increase in site coverage of single-family home from the maximum allowed 15 percent to 17 percent was filed with the Clerk of the Board of Supervisors on June 5, 2006, within the 10-day time prescribed by Section 20.86.030 Monterey County Coastal Implementation Plan (Part 1).
- (b) Said appeal has been determined to be complete and set for hearing within 60 days of receiving the appeal.
- (c) Said appeal was timely brought to public hearing before the Board of Supervisors on 18 July 2006.
- (d) Copy of the appeal on file with the Clerk to the Board.
- 11) **FINDING: APPEAL:** Upon consideration of the documentary information in the files, the staff reports, the oral and written testimony and other evidence presented, the Board approves the appeal for the project (PLN050624/Wenglikowski), based on the following responses to appellant's contentions:

**APPELLANT CONTENTION: DECISION NOT
SUPPORTED BY EVIDENCE AND THE DECISION IS
CONTRARY TO LAW**

Appellants' Statement:

- 1) **Contention:** *This appeal is brought on the basis that the Zoning Administrator's Findings and Decisions (Resolution No. 050624) are not supported by the evidence and are contrary to law.*
- 2) **Contention:** *Finding No. 5 states that there are no Special Circumstances applicable to the subject property to warrant a variance. Staff's statement of evidence that the Wenglikowski home is larger than two of the other five variances to lot coverage that have been approved in the past is irrelevant: the standard for determining whether Special Circumstance exist is by considering things such as the size and shape of the lot, not whether there are smaller homes that enjoy similar variances. The high number of lot coverage variances in this neighborhood is a direct result of substandard lot sizes in an LDR/1 zoning district. The LDR/1 development standards were developed based on the assumption that the lots were at least one acre in size. However, the Wenglikowski parcel is only 0.42 acres but is expected to meet the lot coverage standards for a one acre parcel. If the Wenglikowski parcel were not substandard in size, they would be allowed 6,534 square feet of lot coverage, yet*

they are only asking for 3,121 square feet (7 percent based on having a full acre). Due to the substandard size of the subject property Special Circumstances exist.

Evidence (Response): The Board finds that Special Circumstances exist on the subject property due to its relatively small size and not meeting the minimum one acre size required in the LDR zoning district.

- 3) **Contention:** *Finding No. 6 states that there are special privileges in granting a variance to the Wenglikowski's because one prior variance had a smaller lot size than the Applicants' 0.42 acres and another was for less than 17 percent lot coverage. Staff fails to mention that the following variances to lot coverage have also been granted: Dorricott, 0.53 acres, at 19 percent, Hull, 0.46 acres, at 16 percent, Levinger, 0.22 acres at 19 percent. The evidence in the record clearly shows that the Wenglikowski's would not be given a special privilege if allowed a variance to lot coverage as many of their neighbors exceed the 15 percent lot coverage limitation.*

Evidence (Response): After examining the seven variance requests submitted by the Applicants, the Board finds that approving the Applicants' request would not be a granting of special privileges. The Applicants' request is not significantly different from Kamellard and Danielson (approved by the County), and the requested variance is similar in size to those previously granted to exceed lot coverage. Therefore, approving this variance would not constitute a grant of special privileges.

DECISION

In view of the above findings and evidence, the Board of Supervisors hereby:

1. Approves an appeal by Floyd and Katherine Wenglikowski from the Zoning Administrator's denial of a variance (**Wenglikowski/PLN050624**); and
2. Approves the application for a variance for an increase in site coverage of single-family home from the maximum allowed 15 percent to 17 percent and design approval to allow a 332 sq. ft. first floor addition with deck and window seat to an existing two-story single-family dwelling.

PASSED AND ADOPTED on this 29 day of August 2006, upon motion of Supervisor Potter, seconded by Supervisor Armenta, by the following vote, to-wit:

AYES: Supervisors Armenta, Calcagno, Lindley, Potter and Smith

NOES: None

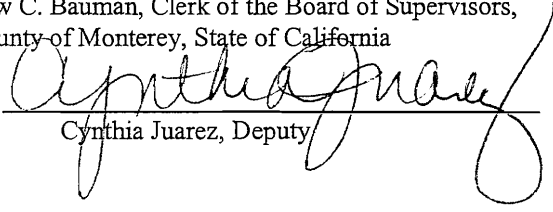
ABSENT: None

I, Lew C. Bauman, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof Minute Book 73 on August 29, 2006.

Dated: August 29, 2006

Lew C. Bauman, Clerk of the Board of Supervisors,
County of Monterey, State of California

By


Cynthia Juarez, Deputy

ATTACHMENT 2

John S. Bridges

From: Gonzales, Liz x5102 <gonzalesl@co.monterey.ca.us>
Sent: Thursday, December 11, 2014 2:38 PM
To: John S. Bridges
Cc: Kristie M. Campbell; billjordan831@gmail.com
Subject: RE: Letter to Carmel Area LUAC (Jordan - PLN140354)

We discussed the project at our meeting and yes, we will be recommending approval.

From: John S. Bridges [<mailto:jbridges@fentonkeller.com>]
Sent: Thursday, December 11, 2014 2:37 PM
To: Gonzales, Liz x5102
Cc: Kristie M. Campbell; billjordan831@gmail.com
Subject: Re: Letter to Carmel Area LUAC (Jordan - PLN140354)

Thanks Liz.

Will staff be able to support the application?

Sent from my iPhone

On Dec 11, 2014, at 2:35 PM, Gonzales, Liz x5102 <gonzalesl@co.monterey.ca.us> wrote:

Hi Kristie,

We forwarded the attached letters to the LUAC. I have attached a memo that I sent to the LUAC along with the plans. They will be reminded that only one Variance is requested.

From: Kristie M. Campbell [<mailto:kcampbell@fentonkeller.com>]
Sent: Wednesday, December 10, 2014 3:54 PM
To: Gonzales, Liz x5102
Cc: billjordan831@gmail.com; John S. Bridges
Subject: Letter to Carmel Area LUAC (Jordan - PLN140354)

Hello, Liz! Please see the attached letter (with enclosures) regarding the Jordan project.

Kristie

Kristie M. Campbell
Administrative Assistant
to John S. Bridges and David C. Sweigert
FENTON & KELLER
Post Office Box 791
Monterey, CA 93942-0791
Physical address (no mail):
2801 Monterey-Salinas Hwy., Monterey
831-373-1241, ext. 217
831-373-7219 (fax)

kcampbell@fentonkeller.com
www.FentonKeller.com

FENTON & KELLER
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

EXPERIENCE INTEGRITY RESULTS

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<Memo to LUAC_PLN140354_Jordan.pdf>

ATTACHMENT 3

MINUTES

**Carmel Highlands Land Use Advisory Committee
Monday, December 15, 2014**

1. Meeting called to order by Peter Davis at 4:08 pm

2. Roll Call

Members Present: Davis, Meheen, Wald, Little, Rainer

Members Absent: Adam Jeselnick

3. Approval of Minutes:

A. December 1, 2014 minutes

Motion: Davis approval (LUAC Member's Name)

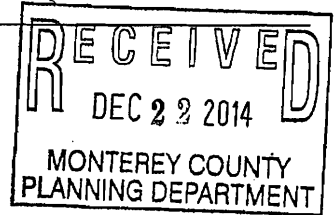
Second: Meheen approval (LUAC Member's Name)

Ayes: 5 (Meheen, Davis, Wald, Little, Rainer)

Noes: None

Absent: None

Abstain: Jeselnick



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.

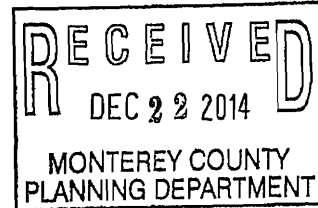
None

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

6. Other Items:

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects

None



B) Announcements

^{LOAC}
The first meeting in January will be Jan. 5, 2015
at 4:00 pm, Monday.

7. Meeting Adjourned: 4:45 pm

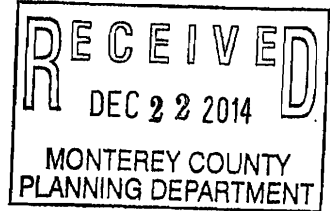
Minutes taken by: B. Raines, Acting Sec'y

Action by Land Use Advisory Committee Project Referral Sheet

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

Advisory Committee: **Carmel Unincorporated/Highlands**

Please submit your recommendations for this application by: **December 15, 2014**



Project Title: JORDAN WILLIAM H & SUSAN J TRS

File Number: PLN140354

File Type: ZA

Planner: GONZALES

Location: 87 YANKEE POINT DR CARMEL

Project Description:

Variance to allow a 4 foot encroachment into a side yard setback and a Variance to allow an increase to lot coverage from 15% to 17.2% to allow a Coastal Administrative Permit for the construction of a 528 square foot master bedroom/bath addition to an existing single story single family dwelling. The property is located at 87 Yankee Point Drive, Carmel (Assessor's Parcel Number 243-153-007-000), Carmel Area Land Use Plan, Coastal Zone.

Was the Owner/Applicant/Representative present at meeting? Yes No
*Owner's: Mr. & Mrs. William Jordan
John Bridges - attorney*

Was a County Staff/Representative present at meeting? *Craig Spencer* (Name)

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
<i>Neighbors have submitted letters indicating support. (4 letters attached)</i>			
<i>Bob Winkleback (contractor) clarified set backs and roof height.</i>			

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)
Clarify roof height in side elevation (p. 3) of new addition over seating alcove.		

ADDITIONAL LUAC COMMENTS

Colors and materials to match existing granting variance (on this parcel) of lot coverage will not set a precedence as variances are site specific.

New addition cannot be seen from Yankee Pt. Drive as entire new room is to rear of existing residence.

No special privilege given to applicants requesting variance as indicated in justification letter attached. This lot is less than one acre and development standards were intended for one acre parcels.

RECOMMENDATION :

Motion by: Davis, motion to approve with (LUAC Member's Name)

correction to 715 sq ft master bedroom/bath addition, and 21% lot coverage. Clarify roof height of roof line over seating alcove addition.

Second by: Mehreen (LUAC Member's Name)

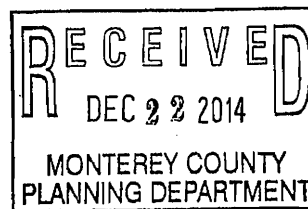
Support Project as proposed

Support Project with changes

Continue the Item

Reason for Continuance: _____

Continued to what date: _____



AYES: 5 (Mehreen, Davis, Wald, Littell, Rainer)

NOES: None

ABSENT: Jeselnick

ABSTAIN: None

Rec'd. 12-15-14
BR

MARK A. CAMERON
JOHN S. BRIDGES
DENNIS G. MCCARTHY
CHRISTOPHER E. PANETTA
DAVID C. SWEIGERT
SARA B. BOYNS
BRIAN D. CALL
TROY A. KINGSHAVEN
JOHN B. KESECKER
SHARILYN R. PAYNE
CAROL S. HILBURN
ELIZABETH R. LEITZINGER
CHRISTINA J. BAGGETT
DOMINICK A. SEVERANCE
ELIAS E. SALAMEH
KENNETH S. KLEINKOPF
DERRIC G. OLIVER

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MONTEREY, CALIFORNIA 93942-0791
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www.FentonKeller.com

LEWIS L. FENTON
1925-2005

OF COUNSEL
CHARLES R. KELLER
THOMAS H. JAMISON

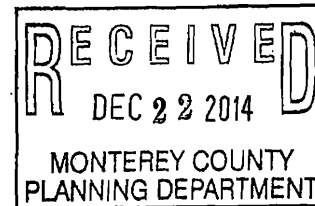
KRISTIE M. CAMPBELL

December 10, 2014

KCampbell@FentonKeller.com
ext. 217

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

Carmel Area LUAC
c/o Liz Gonzales
168 W. Alisal Street, 2nd Floor
Salinas, CA 93901



Re: Jordan (PLN 140354)
Our File: 34171.32276

Dear LUAC Members:

Please see the attached letters of support from neighbors of the Jordan project.

Very truly yours,

FENTON & KELLER
A Professional Corporation

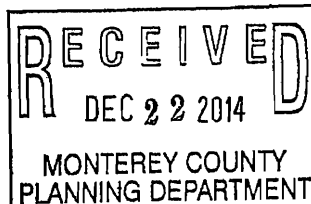
Kristie M. Campbell
Kristie M. Campbell
Assistant to John S. Bridges

:kmc

Enclosures

cc: Liz Gonzales
Bill Jordan

Rec'd 12-15-14
BR. city.



April 21, 2014

Dear Susan and Bill,

Thank you so much for your good letter concerning your future house plans. It sounds fine to me.

I believe you visited my home at 66 Y.P.D. when my agent had an Open House. He spoke very highly of you both. Welcome to a beautiful area. I am grateful for my 14 years at Y.P.D. (66) and 11 years at 16 Y.P.D. I am wishing you many happy years.

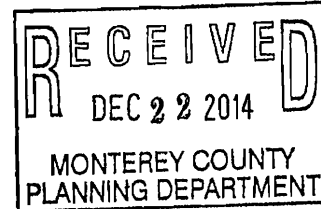
Sincerely,

Eleanor Ernest Greathand

Rec'd. 12-15-14
B. R.
Dealing Secty.

December 5, 2014

Monterey County Planning Department
168 West Alisal Street, 2nd Floor
Salinas, CA 93901



RE: Project Name: JORDAN WILLIAM H 7 SUSAN J TRS

File Number: PLN140354

Project Location: 87 YANKEE POINT DRIVE, CARMEL

Project Planner: IJZ GONZALES

Area Plan: CARMEL LAND USE PLAN

*Please see attached letter from Carmel Unincorporated/Highlands Land Use Advisory Committee for more details.

To Whom It May Concern:

We have discussed with Susan and Bill Jordan the proposed master bedroom and bathroom addition for their home on 87 Yankee Point Drive in Carmel, CA. As described to us, the proposed single story addition will not impact any line of sight or other property concerns and will not be visible from the street.

This letter is to express our support for their proposed construction project. We believe it will enhance the value of their property and the neighborhood.

Sincerely,

A handwritten signature in black ink, appearing to read "Howard C. Given".

Howard C. Given
Jane C. Given
137 Carmel Riviera Drive
Carmel, CA 93923

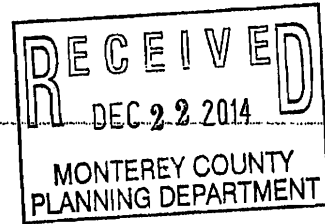
831.277.4684 / 831.277.4683

Email: hgiven@givencap.com / janeygiven@aol.com

Recd. 12-15-14
BR, Acting Secy

Letter of Support

From: williamhJordan <williamhJordan@mindspring.com>
To: williamhJordan
Subject: Letter of Support
Date: Dec 4, 2014 10:53 AM



(Forwarded on Wednesday, 12/3/14)

From: fran leve <franleve@me.com>

Sent: Dec 3, 2014 7:03 AM

To: williamhJordan <williamhJordan@mindspring.com>

Subject: Letter of Support For Home Project

To whom it may concern:

Susan and William Jordan have discussed their plans for an addition to their home at 87 Yankee Point Drive. They have been very careful and considerate in their planning so that it will not impact the views or sight line of anyone. Furthermore the room will not be visible from the street.

We are very much in favor of this construction project which enhances the value of the property as well as the whole neighborhood.

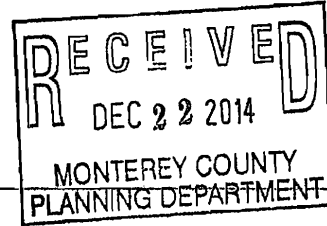
Sincerely,

Norman and Fran Leve
113 Yankee Point Drive
Carmel, CA 93923

Rec'd. 12-15-14
BR-acting secy.

letter of support

From: Debi and Stan Cassan <scassan@sbcglobal.net>
To: "williamhjordan@mindspring.com"
Subject: letter of support
Date: Nov 30, 2014 3:19 PM



To Whom It May Concern:

We have discussed with Susan and Bill Jordan the proposed master bedroom room addition proposed for 87 Yankee Point Drive in Carmel, CA. As described to us, the proposed single story addition will not impact any line of sight or other property concerns, and will not be visible from the street.

This letter is to express our support for their proposed construction project as we believe it will enhance the value of their property and the neighborhood.

Sincerely,

Debi and Stan Cassan
63 Yankee Point Drive
Carmel, CA 93923

Sent from my iPad

ATTACHMENT 4

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: February 26, 2015	Agenda Item No.: 6
Project Description: Consider A Variance to allow an increase to lot coverage from 18% to 21%; a Coastal Administrative Permit and Design Approval for the construction of a 715 square foot master bedroom/bath addition to an existing 3,291 square foot single story single family dwelling.	
Project Location: 87 Yankee Point Drive, Carmel	APN: 243-153-007-000
Planning File Number: PLN140354	Owner: Jordan, William and Susan Applicant: John Bridges, Attorney
Planning Area: Carmel Area Land Use Plan	Flagged and staked: Yes
Zoning Designation: : "LDR/1-D (20) (CZ)" [Low Density Residential/1 unit per acre - Design Control District (20 foot height limit) in the Coastal Zone]	
CEQA Action: Categorically Exempt per Section 15301 (e) of the CEQA Guidelines	
Department: RMA-Planning	

RECOMMENDATION:

Staff recommends that the Zoning Administrator adopt a resolution (**Exhibit C**) to:

- 1) Find the project Categorical Exempt per Section 15301 (e); and
- 2) Approve PLN140354, based on the findings and evidence and subject to the conditions of approval (**Exhibit C**).

PROJECT OVERVIEW:

Applicants are requesting a Variance to allow an increase to existing lot coverage from 18% to 21% in order to allow the construction of a 715 square foot master bedroom/bath addition to an existing single story single family dwelling.

The parcel is zoned Low Density Residential/1 unit per acre-Design Control District, with a 20 foot height limit in the Coastal Zone. The parcel is approximately 18,753 square feet (.43 acres). Allowable maximum lot coverage is 15%. Existing lot coverage is 18%. When the Carmel Area Land Use Plan (CLUP) was adopted in October, 1982, many of the parcels that were less than 1 acre became legal nonconforming as to lot coverage. This parcel is one of the smaller lots on the block between Carmel Riviera and Yankee Point Drive.

The proposed single story addition in the backyard of an existing single family home is consistent with and subordinate to the foremost priority of protecting the area's scenic beauty and natural resource values. The variance does not conflict with this as it will not change the appearance of this home from the public's perspective. In addition, the small lot size is a unique circumstance applying to this application. Therefore, staff recommends the Zoning Administrator approve the Coastal Administrative Permit, Design Approval and Variance to exceed the 15% maximum allowable lot coverage. See Discussion in **Exhibit B**.

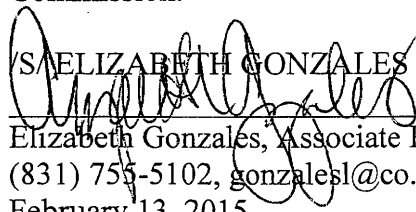
OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this project:

- ✓ RMA-Public Works Department
- ✓ RMA-Environmental Services
- Environmental Health Bureau
- Water Resources Agency
- Carmel Highlands Fire Protection District

Agencies that submitted comments are noted with a check mark (“√”). Conditions recommended by] have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached to the draft resolution (**Exhibit C**).

On December 15, 2014, the Carmel Highlands Land Use Advisory Committee recommended approval (5-0 vote). They agreed with the applicant’s justification letter and wanted clarification that the roof height over the new addition does not exceed 20 feet.

Note: The decision on this project is appealable to the Board of Supervisors and Coastal Commission.


/S/ELIZABETH GONZALES
Elizabeth Gonzales, Associate Planner
(831) 755-5102, gonzalesl@co.monterey.ca.us
February 13, 2015

cc: Front Counter Copy; Zoning Administrator ; Carmel Highlands Fire Protection District; RMA-Public Works Department; RMA-Environmental Services; Environmental Health Bureau; Water Resources Agency; California Coastal Commission; John Ford, RMA Services Manager; Elizabeth Gonzales, Project Planner; William and Susan J Jordan, Owner; John Bridges, Attorney; The Open Monterey Project (Molly Erickson); LandWatch (Amy White); Planning File PLN140354

Attachments:	Exhibit A	Project Data Sheet
	Exhibit B	Project Discussion
	Exhibit C	Draft Resolution, including: <ul style="list-style-type: none">• Conditions of Approval• Site Plan, Floor Plan and Elevations
	Exhibit D	Vicinity Map
	Exhibit E	Advisory Committee Minutes (LUAC)
	Exhibit F	Justification Letters (variance)
	Exhibit G	Project Correspondence


This report was reviewed by John Ford, Planning Services Manager 

EXHIBIT A

Project Information for PLN140354

Application Name: Jordan William H & Susan J Trs
Location: 87 Yankee Point Dr, Carmel
Applicable Plan: Carmel LUP
Advisory Committee: Carmel/Carmel Highlands Advisory Committee
Permit Type: Variance
Environmental Status: Categorical Exemption
Zoning: LDR/1-D(20)(CZ)

Primary APN: 243-153-007-000
Coastal Zone: Yes
Final Action Deadline (884): 3/10/2015
Land Use Designation: Residential - Low Density

Project Site Data:

Lot Size: .43
Existing Structures (sf): 3291
Proposed Structures (sf): 4006
Total Sq. Ft.: 7297

Coverage Allowed: 15%
Coverage Proposed: 18%
Height Allowed: 20
Height Proposed: 16
FAR Allowed: n/a
FAR Proposed: n/a

Special Setbacks on Parcel: N

Resource Zones and Reports:

Seismic Hazard Zone: VI|UNDETERMINED
Erosion Hazard Zone: Moderate
Fire Hazard Zone: Very High
Flood Hazard Zone: X (unshaded)
Archaeological Sensitivity: high
Visual Sensitivity: Highly Sensitive

Soils Report #: LIB140425
Biological Report #: n/a
Forest Management Rpt. #: n/a
Geologic Report #: n/a
Archaeological Report #: LIB140424
Traffic Report #:

Other Information:

Water Source: public
Water Purveyor: Carmel Riviera
Fire District: Carmel Highlands FPD
Tree Removal: 0

Grading (cubic yds.): 0
Sewage Disposal (method): septic system
Sewer District Name: private

EXHIBIT B DISCUSSION

Project Description and Background

Applicants are requesting a Variance to allow an increase to existing lot coverage from 18% to 21% in order to allow the construction of a 715 square foot master bedroom/bath addition to an existing single story single family dwelling. The existing 3,291 square foot house is smaller than most of the homes within the neighborhood. The addition would create 4,006 square feet in total coverage.

The parcel is zoned "LDR/1-D (20) (CZ)" Low Density Residential/1 unit per acre-Design Control District, with a 20 foot height limit in the Coastal Zone. The parcel is approximately 18,753 square feet (.43 acres). Allowable maximum lot coverage is 15%. Existing lot coverage is 18%. When the Carmel Area Land Use Plan (CLUP) was adopted in October, 1982, many of the parcels that were less than 1 acre became legal nonconforming as to lot coverage. The parcel is one of the smaller lots on the block between Carmel Riviera and Yankee Point Drive. The other small lots in the area have greater than 15% lot coverage.

Pursuant to Policy 4.5.G (CLUP), "Maximum densities ranging from 1 unit per 2.5 acres to 1 unit per acre would be allowed according to site evaluation of slope and natural resources, septic system and public facility constraints. This land use designation is applied to the Carmel Highlands-Riviera." "Existing parcels less than the minimum parcel size required for new subdivisions are considered legal parcels and are suitable for development of those uses consistent with the land use plan designation, provided that all resource protection policies can be fully satisfied." (CLUP Policy 4.4.3.E.11)

The subject parcel is located within the public viewshed; and all future development within the viewshed must harmonize and be clearly subordinate to the natural scenic character of the area. (CLUP Key Policy 2.2.2) In 1995, CLUP Policy 2.2.5.2 was updated to include "To ensure that new development in the Yankee Point area remains subordinate to the visual resources of the area, and to ensure that visual access from Highway 1, Yankee Point Drive, and Mal Paso Road is protected, the height limit in the Yankee Point area of Carmel Highlands-Riviera, for all properties seaward of Yankee Point Drive, and for properties with frontage along the east right of way line of Yankee Point Drive that face such properties seaward of Yankee Point Drive, shall be 20 feet. In addition to such height limits, new development shall be subject to design guidelines to be adopted by the Planning Commission for the Yankee Point area. Such guidelines shall affect the visibility and design of structures in a manner so as to preserve and protect, to the maximum extent feasible, public visual resources and access described herein."

Project Issues

VARIANCE – *Variations shall only be granted based upon the following Findings:*

1. *That because of special circumstances applicable to the subject property, including the size, shape, topography, location or surroundings, the strict application of development standards in the Monterey County Codes is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zoning classification;*

The development standards in the LDR/1 zoning district requires a minimum one acre lot area. The subject property is less than ½ acre in size, and therefore, is substandard per the zoning district lot area requirement. Applying large parcel zoning standards to smaller parcels such as

the subject parcel is recognized in the LCP (see policies above) and the smaller parcels are confirmed as suitable for development provided all resource protection policies can be fully satisfied. Because of the smaller lot size, the subject parcel cannot build a similar single story design that larger properties in the vicinity under the same zoning classification enjoy. Coverage requirements for higher density districts (MDR) which would have similar lot sizes would typically be 25%. The larger lot zoning (LDR) would not have allowed creation of this lot. This is a unique circumstance applying to this property.

The Yankee Point neighborhood is a visually sensitive area. The applicant's proposal to add a bedroom as a single story addition rather than as a second story element respects this visual sensitivity. The applicants also desire to avoid potential disruption of privacy and views enjoyed by surrounding homes. The neighbors are understandably supportive of this. The subject parcel is also subject to a special 20 foot height limitation which is intended to preserve and protect, to the maximum extent feasible, public visual resources by keeping development subordinate to the natural setting of the neighborhood; thus physically precluding a second story addition to the existing structure. The parcels located on Carmel Riviera Drive, east of Yankee Pt. have a 26 foot height limit, allowing for second story additions. The 20 foot height limit is also a unique circumstance.

2. *That the variance shall not constitute a grant of privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated;*

Granting a variance to allow an increase to existing lot coverage from 18% to 21% in order to construct a 715 square foot master bedroom/bath addition to an existing 3,291 square foot single story single family dwelling will not constitute a grant of special privilege as the existing house is smaller than most of the homes within the neighborhood. The project will add a third bedroom to the home which is consistent with the norm in the Yankee Point area.

The neighboring property owners, also located in the LDR/1-D (CZ) Zoning District, with lot areas typically of 1 acre or more, are able to enjoy the privilege of construction single-family residences with building square footage well in excess of that proposed by the subject property without the necessity of a variance to exceed lot coverage.

The variance will enable the applicants to preserve the privacy and views of their neighbors all of whom have expressed support for the project. The applicants also desire to maintain the architectural design integrity of the existing house (single story) consistent with the neighborhood character and aesthetic. Because the smaller lots in the neighborhood all exceed the 15% lot coverage, similar lot coverage variances have been granted to some of these smaller lots. (Examples include Kamellard – 17.4%, Danielson – 15.9%; Chi-Chang – 16.3%)

3. *A Variance shall not be granted for a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.*

The parcel has a zoning designation of “LDR/1-D (20) (CZ)”, which allows the construction and use of a single-family dwelling, accessory structures and associated site improvements such as those proposed by the project applicant. Therefore, the project is an allowed land use for this site.

Additional Considerations: The addition will not be visible from the street. Allowance of the variance will preserve the views and privacy of other homes in the surrounding area. Letters of support appreciate the careful and considerate planning of a single story addition so that it will not impact the views or line of sight of anyone in the neighborhood. The Carmel Highlands Land Use Advisory Committee agreed with the applicant's justification letter and unanimously recommended approval. Their only concern was that they wanted clarification that the roof height over the new addition does not exceed 20 feet.

Environmental Review

Pursuant to Section 15301 (e), additions to existing structures provided the addition will not result in an increase of more than 50 percent of the floor area before the addition, or 2,500 square feet, may be categorically exempt. The proposed is an addition of 715 square feet to an existing 3,291 square foot house.

Recommendation

The proposed single story addition in the backyard of an existing single family home is consistent with and subordinate to the foremost priority of protecting the area's scenic beauty and natural resource values. The variance does not conflict with this as it will not change the appearance of this home from the public's perspective. Therefore, staff recommends the Zoning Administrator approve the Coastal Administrative Permit, Design Approval and Variance to exceed the 15% maximum allowable lot coverage.

**EXHIBIT C
DRAFT RESOLUTION**

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

In the matter of the application of:

WILLIAM AND SUSAN J JORDAN (PLN140354)

RESOLUTION NO. ----

Resolution by the Monterey County Hearing Body:

- 1) Finding the project Categorical Exempt per Section 15301 (e) of the CEQA Guidelines; and
- 2) Approving A Variance to allow an increase to lot coverage from 18% to 21%; a Coastal Administrative Permit and Design Approval for the construction of a 715 square foot master bedroom/bath addition to an existing 3,291 square foot single story single family dwelling.

[PLN140354, William and Susan J Jordan, 87 Yankee Point Drive, Carmel, Carmel Area Land Use Plan (APN: 243-153-007-000)]

The Jordan application (PLN140354) came on for public hearing before the Monterey County Zoning Administrator on February 26, 2015. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:

FINDINGS

1. **FINDING:** **PROJECT DESCRIPTION** – The proposed project is a Variance to allow an increase to lot coverage from 18% to 21%; a Coastal Administrative Permit and Design Approval for the construction of a 715 square foot master bedroom/bath addition to an existing 3,291 square foot single story single family dwelling.
EVIDENCE: The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN140354.

2. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
EVIDENCE: a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - the 1982 Monterey County General Plan;
 - Carmel Area Land Use Plan;
 - Monterey County Coastal Implementation Plan Part 4;
 - Monterey County Zoning Ordinance (Title 20);

No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents. A Variance to allow an increase to lot coverage from 18% to 21% is part of the proposed project (*See Findings #7, #8, #9*).

- b) The property is located at 87 Yankee Point Drive, Carmel (Assessor's Parcel Number 243-153-007-000), Carmel Area Land Use Plan. The parcel is zoned "LDR/1-D (20) (CZ)" [Low Density Residential/1 unit per acre - Design Control District (20 foot height limit) in the Coastal Zone], which allows the construction and use of a single-family dwelling, accessory structures and associated site improvements such as those proposed by the project applicant. Therefore, the project is an allowed land use for this site.
- c) Design Approval Pursuant to Chapter 20.44, Design Control Zoning Districts, zoning for the project requires design review of structures to assure protection of the public viewshed, neighborhood character, and to assure visual integrity. Colors and materials will match the existing single family residence that consist of light avocado batt and board siding with light brown shingle roofing materials, which currently blends into the site and surroundings.
- d) The project planner conducted a site inspection on June 27, 2014 to verify that the project on the subject parcel conforms to the plans listed above.
- e) The project does not propose any tree removal, or development on slopes exceeding 30%. There is no Environmentally Sensitive Habitat onsite, nor any concern for archaeological resources. By applying for the variance, the applicants are consistent with the intended policies for preservation and protection of the public visual resources by keeping development subordinate to the natural setting of the neighborhood.
- f) On December 15, 2014, the Carmel Highlands Land Use Advisory Committee recommended approval (5-0 vote). They agreed with the applicant's justification letter and wanted clarification that the roof height over the new addition does not exceed 20 feet.
- g) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN140354.

3. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the use proposed.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: RMA- Planning, Carmel Highlands Fire Protection District, RMA-Public Works, RMA-Environmental Services, Environmental Health Bureau, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
 - b) Staff identified potential impacts to Archaeological Resources and Soil/Slope Stability. The following reports have been prepared:
 - "Preliminary Archaeological Assessment" (LIB140424) prepared by Archaeological Consulting, Salinas CA, dated August 5, 2014;

- "Geotechnical Investigation" (LIB140425) prepared by Pacific Crest Engineering, Watsonville, CA, September, 2014.

The above-mentioned technical reports by outside consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff has independently reviewed these reports and concurs with their conclusions.

- c) An archaeological report, prepared by Archaeological Consulting, concluded that the project area does not contain surface or subsurface evidence of potentially significant cultural resources; therefore, a standard condition for negative reports has been added as a condition of approval (Condition #3).

4. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by the RMA - Planning, Carmel Highlands Fire Protection District, Public Works, Environmental Health Bureau, and Water Resources Agency. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) Necessary public facilities are available through Carmel Riviera Water and a private septic system. Environmental Health Bureau has inspected the septic system and concludes the system is an appropriate size for the three bedrooms.
 - c) See Preceding Findings #1, #2, and #3 and supporting evidences regarding consistency and suitability of the project.

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 and Building Services Department records and is not aware of any violations existing on subject property.
 - b) Staff conducted a site inspection on June 27, 2014 and researched County records to assess if any violation exists on the subject property. No violations were discovered.

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:**
- a) California Environmental Quality Act (CEQA) Guidelines Section 15301 (e), categorically exempts additions to existing structures provided the addition will not result in an increase of more than 50

- percent of the floor area before the addition, or 2,500 square feet.
- b) The proposed is an addition of 715 square feet to an existing 3,291 square foot house.
- c) No adverse environmental effects were identified during staff review of the development application during a site visit on June 27, 2014.
- d) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project does not contain any historical resources, is not located within a scenic highway, is not located near any hazardous waste sites and will not have any cumulative impacts.
- e) See Preceding Findings #1, #2, #3, #4, and #5 and supporting evidence for CEQA determination.

7. **FINDING:** **VARIANCE (SPECIAL CIRCUMSTANCES)** – The variance can be granted because of special circumstances applicable to the subject property, including the size, shape, topography, location or surroundings. The strict application of development standards in the Monterey County Codes is found to deprive the subject property of privileges enjoyed by other properties in the vicinity under and under identical zoning classification.

- EVIDENCE:**
- a) The parcel is zoned “LDR/1-D (20) (CZ)” Low Density Residential/1 unit per acre-Design Control District, with a 20 foot height limit in the Coastal Zone. The parcel is approximately 18,753 square feet (.43 acres). Allowable maximum lot coverage is 15%. Existing lot coverage is 18%. When the Carmel Area Land Use Plan (CLUP) was adopted in October, 1982, most of the parcels that were less than 1 acre became legal nonconforming as to lot coverage. The parcel is one of the smaller lots on the block between Carmel Riviera and Yankee Point Drive. The other small lots in the area have greater than 15% lot coverage.
 - b) The development standards in the LDR/1 zoning district requires a minimum one acre lot area. The subject property is less than ½ acre in size, and therefore, is substandard per the zoning district lot area requirement. Coverage requirements for higher density districts (MDR) which would have similar lot sizes would typically be 25%. The larger lot zoning (LDR) would not have allowed creation of this lot. This is a unique circumstance applying to this property.
 - c) The subject parcel is located within the public viewshed; and all future development within the viewshed must harmonize and be clearly subordinate to the natural scenic character of the area. (CLUP Key Policy 2.2.2) In 1995, CLUP Policy 2.2.5.2 was updated to include “To ensure that new development in the Yankee Point area remains subordinate to the visual resources of the area, and to ensure that visual access from Highway 1, Yankee Point Drive, and Mal Paso Road is protected, the height limit in the Yankee Point area of Carmel Highlands-Riviera, for all properties seaward of Yankee Point Drive, and for properties with frontage along the east right of way line of Yankee Point Drive that face such properties seaward of Yankee Point Drive, shall be 20 feet. In addition to such height limits, new development is subject to design guidelines to be adopted by the Planning Commission for the Yankee Point area. Such guidelines affect the visibility and design of structures in a manner so as to preserve and

protect, to the maximum extent feasible, public visual resources and access described herein.”

- d) The Yankee Point neighborhood is a visually sensitive area. The proposal to add a bedroom as a single story addition rather than as a second story element respects this visual sensitivity. This will also avoid potential disruption of privacy and views enjoyed by surrounding homes. The subject parcel is also subject to a special 20 foot height limitation which is intended to preserve and protect, to the maximum extent feasible, public visual resources by keeping development subordinate to the natural setting of the neighborhood; thus physically precluding a second story addition to the existing structure. The parcels located on Carmel Riviera Drive, east of Yankee Pt. have a 26 foot height limit, allowing for second story additions. The 20 foot height limit is also a unique circumstance.

8. **FINDING:** **VARIANCE (SPECIAL PRIVILEGES)** – The variance shall not constitute a grant of privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

- EVIDENCE:**
- a) The property has a zoning designation of “LDR/1-D (20) (CZ)” [Low Density Residential/1 unit per acre - Design Control District (20 foot height limit) in the Coastal Zone].
 - b) The neighboring property owners, also located in the LDR/1-D (CZ) Zoning District, with lot areas typically of 1 acre or more, are able to enjoy the privilege of construction single-family residences with building square footage well in excess of that proposed by the subject property without the necessity of a variance to exceed lot coverage.
 - c) Applying large parcel zoning standards to smaller parcels such as the subject parcel is recognized in the LCP and the smaller parcels are confirmed as suitable for development provided all resource protection policies can be fully satisfied. Because of the smaller lot size, the subject parcel cannot enjoy the same privileges of single story design that larger properties in the vicinity under the same zoning classification enjoy.
 - d) Granting a variance to allow an increase to existing lot coverage from 18% to 21% in order to construct a 715 square foot master bedroom/bath addition to an existing 3,291 square foot single story single family dwelling will not constitute a grant of special privilege as the existing house is smaller than most of the homes within the neighborhood. The project will add a third bedroom to the home which is consistent with the norm in the Yankee Point area.
 - e) The variance will enable the applicants to preserve the privacy and views of their neighbors all of whom have expressed support for the project. The applicants also desire to maintain the architectural design integrity of the existing house (single story) consistent with the neighborhood character and aesthetic. Because the smaller lots in the neighborhood all exceed the 15% lot coverage, similar lot coverage variances have been granted to some of these smaller lots. (Examples include Kamellard – 17.4%, Danielson – 15.9%; Chi-Chang – 16.3%)

9. **FINDING:** **VARIANCE (AUTHORIZED USE)** – The variance shall not be granted for a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.
- EVIDENCE:** a) The parcel has a zoning designation of “LDR/1-D (20) (CZ)” [Low Density Residential/1 unit per acre - Design Control District (20 foot height limit) in the Coastal Zone], which allows the construction and use of a single-family dwelling, accessory structures and associated site improvements such as those proposed by the project applicant. Therefore, the project is an allowed land use for this site.
10. **FINDING:** **PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and Local Coastal Program, and does not interfere with any form of historic public use or trust rights.
- EVIDENCE:** a) No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.70.050.B.4.c of the Monterey County Coastal Implementation Plan can be demonstrated.
- b) The subject property is not described as an area where the Local Coastal Program requires public access (Figure 3 in the Carmel Area Land Use Plan).
11. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Planning Commission/Board of Supervisors and the California Coastal Commission.
- EVIDENCE:** c) Section 20.86.030 of the Monterey County Zoning Ordinance states that the proposed project is appealable to the Board of Supervisors.
- d) Section 20.86.080.A.3 of the Monterey County Zoning Ordinance states that the proposed project is subject to appeal by/to the Coastal Commission because the project includes conditional uses in the underlying zone (Coastal Development Permits). The project proposes a Variance to exceed lot coverage.

DECISION

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

1. Find the project Categorically Exempt per Section 15301 (e) of the CEQA Guidelines; and;
2. Approve a Variance to allow an increase to lot coverage from 18% to 21%; a Coastal Administrative Permit and Design Approval for the construction of a 715 square foot master bedroom/bath addition to an existing 3,291 square foot single story single family dwelling, in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 26th day of February, 2015 upon motion of:

Jacqueline Onciano, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON _____.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE _____.

(Coastal Projects)

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from Monterey County RMA-Planning and RMA-Building Services Department office in Salinas.

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

Form Rev. 5-14-2014

Monterey County RMA Planning

DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN140354

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This Variance (PLN140354) allows an increase to lot coverage from 18% to 21%; a Coastal Administrative Permit and Design Approval for the construction of a 715 square foot master bedroom/bath addition to an existing 3,291 square foot single story single family dwelling. The property is located at 87 Yankee Point Drive, Carmel (Assessor's Parcel Number 243-153-007-000), Carmel Area Plan/Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. 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 RMA - Planning. 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. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"A Variance, Coastal Administrative Permit and Design Approval (Resolution Number ***) was approved by Zoning Administrator for Assessor's Parcel Number 243-153-007-000 on February 26, 2015. The permit was granted subject to 7 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of building permits or commencement of the use. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.

3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: 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 a qualified professional archaeologist can evaluate it. Monterey County RMA - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery.
(RMA - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to this condition on an on-going basis.

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County RMA - Planning and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered." When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

4. PD004 - INDEMNIFICATION AGREEMENT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, recordation of the certificates of compliance whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Director of RMA-Planning for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to RMA-Planning .

5. EROSION CONTROL PLAN

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall submit an erosion control plan identifying the proposed methods to control runoff and erosion. The plan shall include the location and details for all selected erosion control measures. The erosion control plan may be incorporated into other required plans provided it is clearly identified. (RMA-Environmental Services)

Compliance or Monitoring Action to be Performed: Prior to issuance of any grading or building permits, the applicant shall submit an erosion control plan to RMA-Environmental Services for review and approval.

6. INSPECTION-FOLLOWING ACTIVE CONSTRUCTION

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall schedule an inspection with RMA-Environmental Services to ensure all disturbed areas have been stabilized and all temporary erosion and sediment control measures that are no longer needed have been removed. (RMA – Environmental Services)

Compliance or Monitoring Action to be Performed: Prior to final inspection, the owner/applicant shall schedule an inspection with RMA-Environmental Services.

7. INSPECTION-PRIOR TO LAND DISTURBANCE

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall schedule an inspection with RMA-Environmental Services to ensure all necessary sediment controls are in place and the project is compliant with Monterey County regulations. (RMA – Environmental Services)

Compliance or Monitoring Action to be Performed: Prior to commencement of any land disturbance, the owner/applicant shall schedule an inspection with RMA-Environmental Services.

GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES, THE CALIFORNIA ELECTRICAL CODES, THE CALIFORNIA MECHANICAL CODES, THE CALIFORNIA PLUMBING CODES, AND THE CALIFORNIA FIRE CODES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND AGENCIES LISTED THEREON. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND AGENCIES LISTED THEREON. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND AGENCIES LISTED THEREON.

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GENERAL FRAMING NOTES

1. ALL FRAMING SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES, THE CALIFORNIA ELECTRICAL CODES, THE CALIFORNIA MECHANICAL CODES, AND THE CALIFORNIA FIRE CODES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND AGENCIES LISTED THEREON. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND AGENCIES LISTED THEREON. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND AGENCIES LISTED THEREON.

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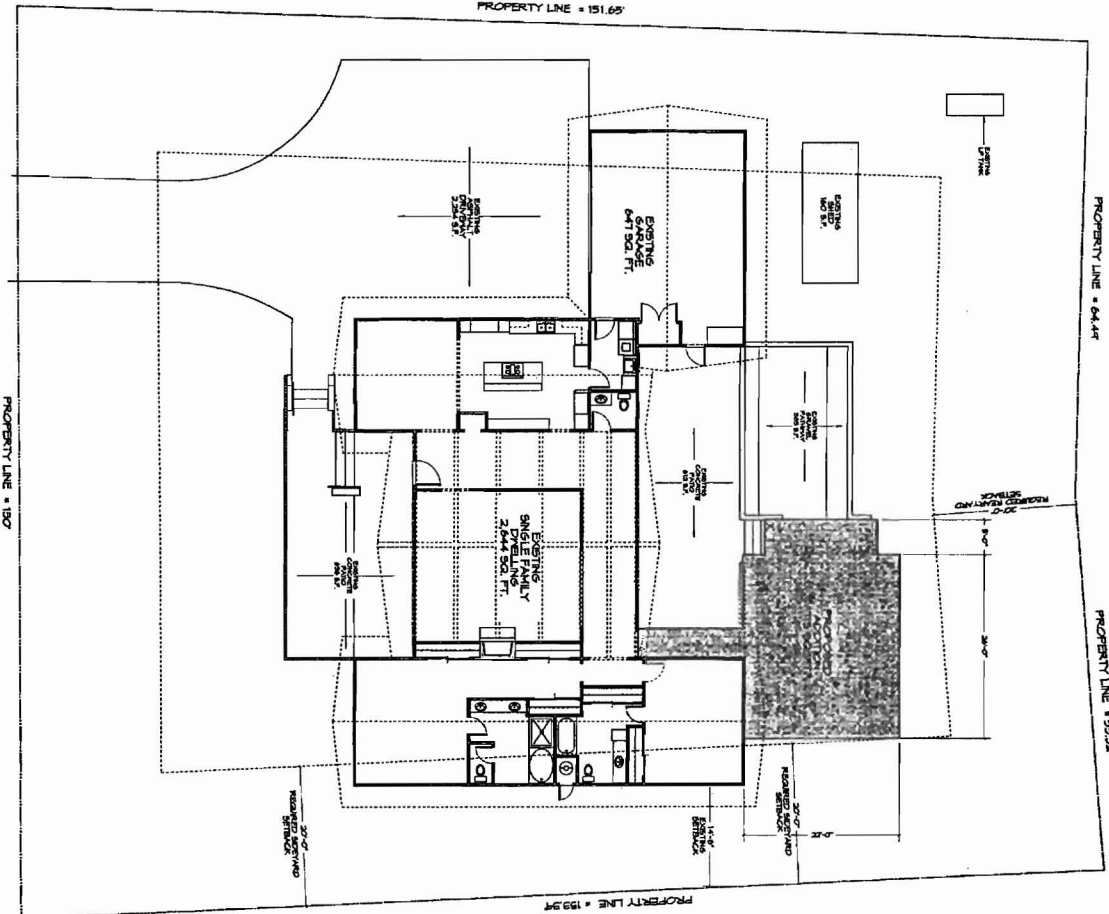
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PLOT PLAN
SCALE: 1/8" = 1'-0"

YANKEE POINT DRIVE



ZONING INFORMATION

ZONE	LDH-10 - (20) (C)
AREA OF PARCEL	15,783 SQ. FT.
AREA OF EXISTING FRONT LEVEL LIVING SPACE	2,644 SQ. FT.
AREA OF EXISTING ATTACHED GARAGE	647 SQ. FT.
AREA OF PROPOSED FRONT LEVEL FOOTING	719 SQ. FT.
AREA OF PROPOSED FRONT LEVEL FOOTING	19 %
TOTAL YR COVERABLE (EXISTING AND PROPOSED)	4,008 SQ. FT.
TOTAL YR COVERABLE (ALLOWED)	15 %
TOTAL 2ND COVERABLE (EXISTING AND PROPOSED)	2,644 SQ. FT.
TOTAL 2ND COVERABLE (ALLOWED)	14 %
TOTAL FLOOR AREA EXCLUDING GARAGES AND PROPOSED	9,291 SQ. FT.
TOTAL FLOOR AREA RATIO (ALLOWED)	49 %
TOTAL IMPROVEMENTS	280 SF.
TOTAL AREA OF EXISTING DRIVEWAY	2,284 SF.

LEGAL DESCRIPTION

OWNER:
BILL AND SUSAN JORDAN
87 YANKEE POINT DRIVE
CARMEL, CALIFORNIA 95008
TEL: 408-923-7600
PROPERTY:
87 YANKEE POINT DRIVE
CARMEL, CALIFORNIA
MONTEREY COUNTY, CALIFORNIA
A. P. NO. 348 - 195 - 007

APPLICABLE COMPLIING CODES

ALL CONSTRUCTION SHALL MEET THE REQUIREMENTS OF THE FOLLOWING CODES:
2018 CALIFORNIA BUILDING CODE
2018 CALIFORNIA RESIDENTIAL CODE
2018 CALIFORNIA MECHANICAL CODE
2018 CALIFORNIA PLUMBING CODE
2018 CALIFORNIA FIRE CODE
2018 CALIFORNIA ELECTRICAL CODE
2018 CALIFORNIA ENERGY CODE
2018 CALIFORNIA GREEN BUILDING STANDARDS
BUILDING CODE PROJECT DATA
OCCUPANCY GROUP: SFG - SFG
OCCUPANCY GROUP: GARAGE = U
DESCRIPTION OF USE: SINGLE-FAMILY DWELLINGS WITH ATTACHED TWO-CAR GARAGE
TYPE OF CONSTRUCTION: V-B
SPRINKLERS REQUIRED: NO

RESIDENTIAL ADDITION AND REMODEL FOR:
BILL AND SUSAN JORDAN
87 YANKEE POINT DRIVE CARMEL HIGHLANDS, CALIFORNIA

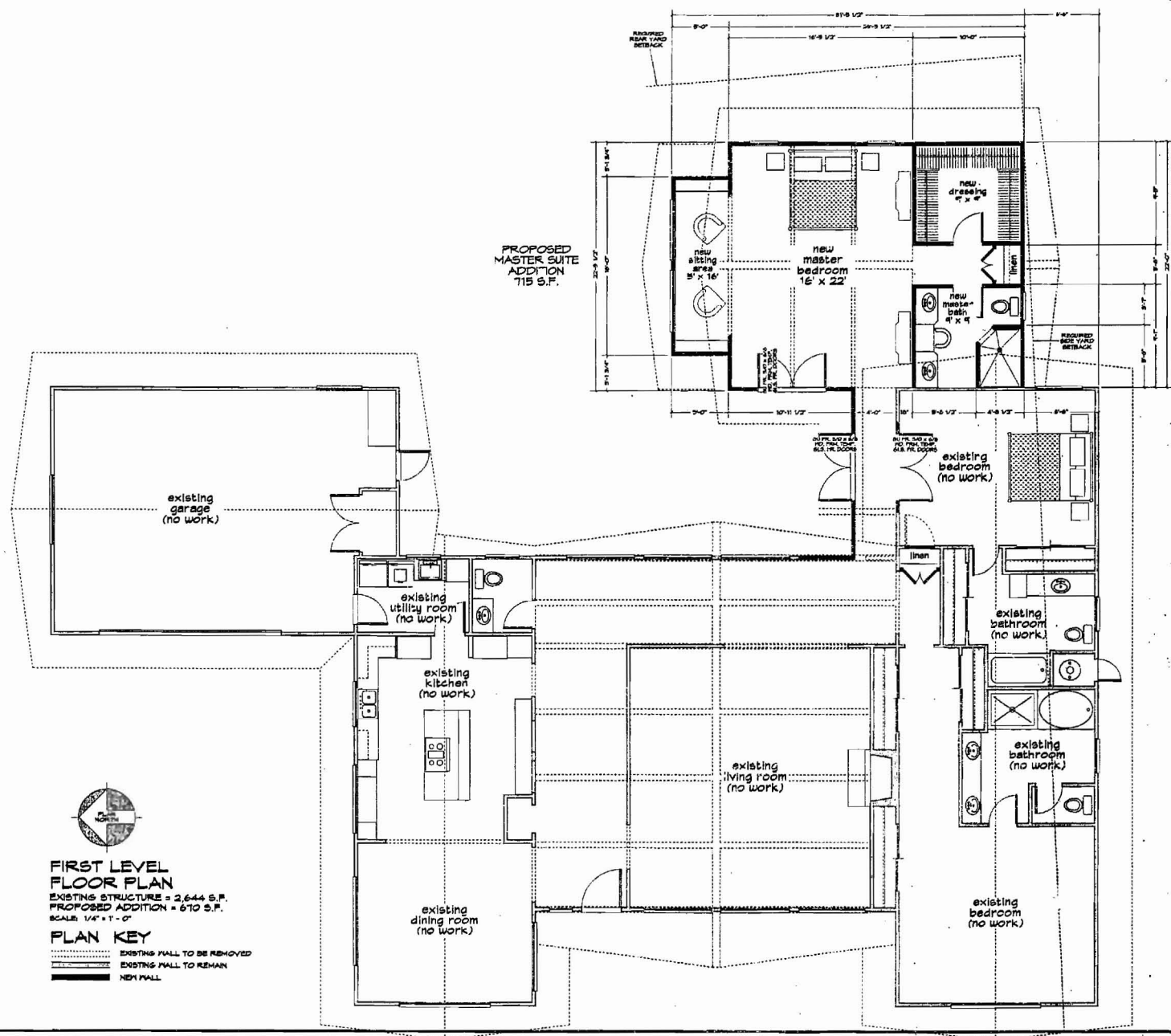
ROBERT C. MEIN
ARCHITECT & ASSOCIATES
783 BAYVIEW AVENUE PACIFIC GROVE, CA
(805) 321-1985

SHEET
A1
OF THREE

ISSUED
NOV. 15, 2014
REVISED

PLOT PLAN

THE USER OF THESE DRAWINGS HAS BEEN ADVISED BY THE ARCHITECT THAT THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE ARCHITECTURE OF THESE DRAWINGS. THE ARCHITECT HAS NOT BEEN ADVISED TO OBTAIN ANY OTHER INFORMATION OR TO CONDUCT ANY INVESTIGATION OR TO OBTAIN ANY OTHER INFORMATION OR TO CONDUCT ANY INVESTIGATION. THE ARCHITECT HAS NOT BEEN ADVISED TO OBTAIN ANY OTHER INFORMATION OR TO CONDUCT ANY INVESTIGATION.



**PROPOSED
 MASTER SUITE
 ADDITION
 715 S.F.**

**FIRST LEVEL
 FLOOR PLAN**
 EXISTING STRUCTURE = 2,644 S.F.
 PROPOSED ADDITION = 670 S.F.
 SCALE: 1/4" = 1'-0"

PLAN KEY
 - - - - - EXISTING WALL TO BE REMOVED
 - - - - - EXISTING WALL TO REMAIN
 - - - - - NEW WALL

ROBERT C. MEIN
 ARCHITECT & ASSOCIATES
 780 BAYVIEW AVENUE
 PACIFIC GROVE, CA
 (805) 375-1888
 FAX (805) 375-1988

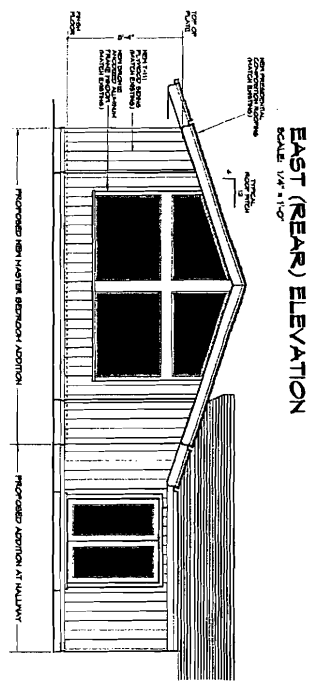
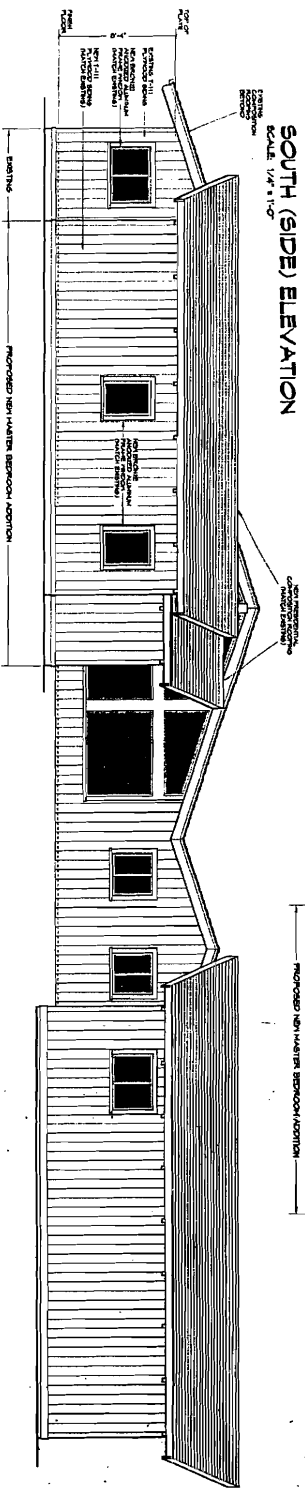
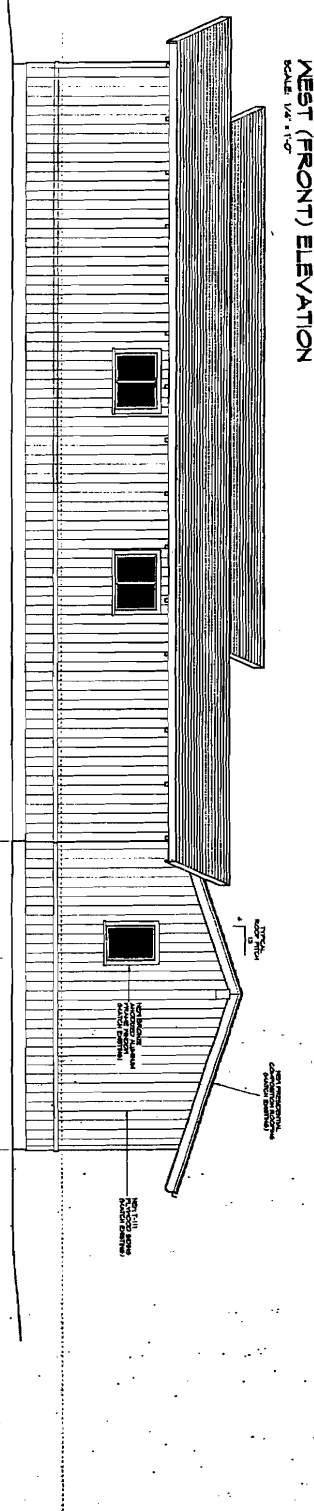
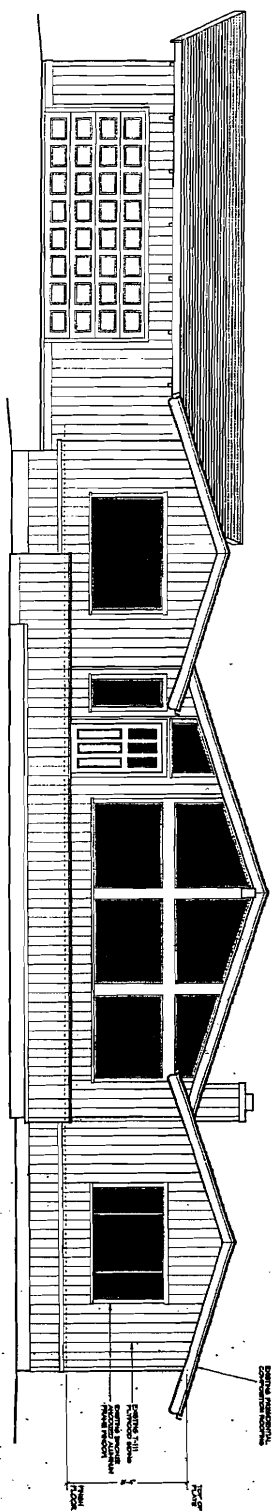
RESIDENTIAL ADDITION AND REMODEL FOR:
BILL AND SUSAN JORDAN
 CARMEL HIGHLANDS, CALIFORNIA
 ST. YANKEE POINT DRIVE

FLOOR PLAN

ISSUED
 NOV. 4, 2014
 REVISED

SHEET
A2
 OF THREE

THE USE OF THESE DRAWINGS AND SPECIFICATIONS IS RESTRICTED TO THE ORIGINAL PROJECT FOR WHICH THEY WERE PREPARED. REPRODUCTION OR REUSE OF THESE DRAWINGS IS EXPRESSLY FORBIDDEN. REPRESENTATION OF PUBLIC UTILITIES OR OTHER SERVICES SHALL BE AT THE ARCHITECT'S OWN RISK. VISUAL EFFECTS WITH THESE DRAWINGS AND SPECIFICATIONS SHALL BE THE RESPONSIBILITY OF THE CLIENT. VISUAL EFFECTS SHALL BE THE RESPONSIBILITY OF THE CLIENT. VISUAL EFFECTS SHALL BE THE RESPONSIBILITY OF THE CLIENT.



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OF THREE

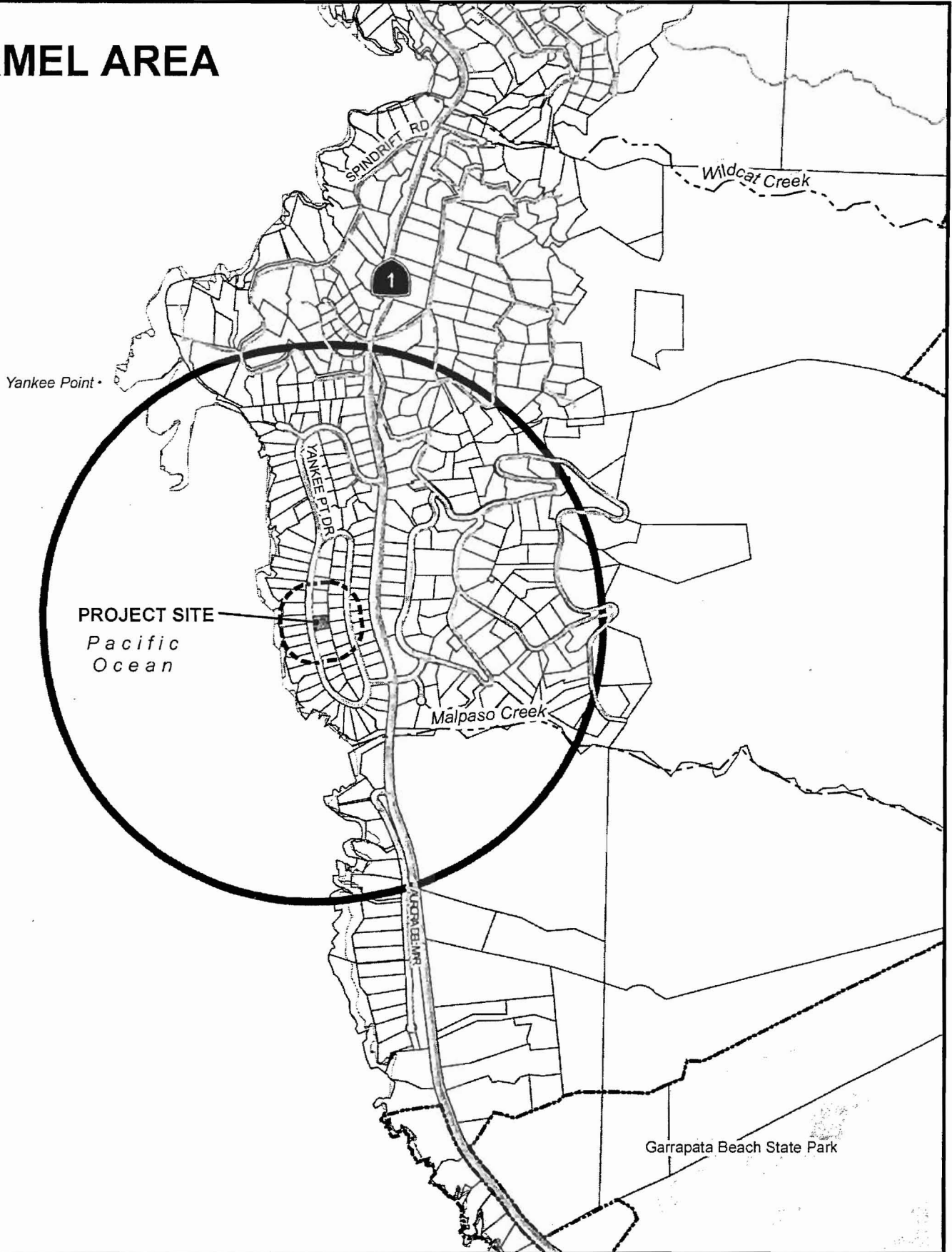
ISSUED
NOV. 4, 2014
REVISED

EXTERIOR
ELEVATIONS

RESIDENTIAL ADDITION AND REMODEL FOR:
BILL AND SUSAN JORDAN
87 YANKEE POINT DRIVE CARMEL HIGHLANDS, CALIFORNIA

ROBERT C. MEIN
ARCHITECT & ASSOCIATES
780 BAYVIEW AVENUE PACIFIC GROVE, CA
(831) 373-1965 FAX: (831) 373-1968

CARMEL AREA

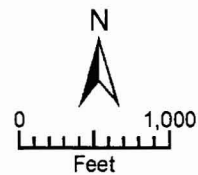


APPLICANT: JORDAN

APN: 243-153-007-000

FILE # PLN140354

 2500' Limit  300' Limit  Water



PLANNER: GONZALES

FILE COPY
PLN14035A

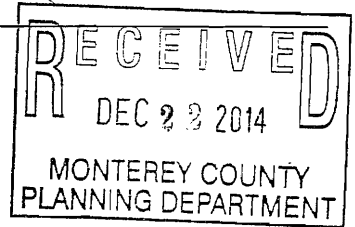
MINUTES
Carmel Highlands Land Use Advisory Committee
Monday, December 15, 2014

1. Meeting called to order by Peter Davis at 4:08 pm

2. Roll Call

Members Present: Davis, Meheen, Wald, Littell, Rainey

Members Absent: Adam Jeselnick



3. Approval of Minutes:

A. December 1, 2014 minutes

Motion: Davis approval (LUAC Member's Name)

Second: Meheen approval (LUAC Member's Name)

Ayes: 5 (Meheen, Davis, Wald, Littell, Rainey)

Noes: None

Absent: None

Abstain: Jeselnick

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.

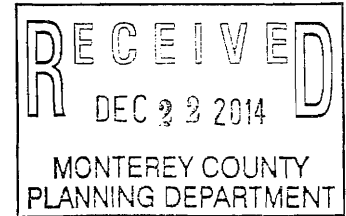
None

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

6. **Other Items:**

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects

None



B) Announcements

The first ^{LOAC} meeting in January will be Jan. 5, 2015
at 4:00 pm, Monday.

7. Meeting Adjourned: 4:45 pm

Minutes taken by: B. Reiner, Admin Sec'y

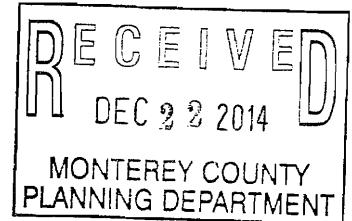
Action by Land Use Advisory Committee

Project Referral Sheet

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

Advisory Committee: **Carmel Unincorporated/Highlands**

Please submit your recommendations for this application by: **December 15, 2014**



Project Title: JORDAN WILLIAM H & SUSAN J TRS

File Number: PLN140354

File Type: ZA

Planner: GONZALES

Location: 87 YANKEE POINT DR CARMEL

Project Description:

Variance to allow a 4 foot encroachment into a side yard setback and a Variance to allow an increase to lot coverage from 15% to 17.2% to allow a Coastal Administrative Permit for the construction of a 528 square foot master bedroom/bath addition to an existing single story single family dwelling. The property is located at 87 Yankee Point Drive, Carmel (Assessor's Parcel Number 243-153-007-000), Carmel Area Land Use Plan, Coastal Zone.

Was the Owner/Applicant/Representative present at meeting? Yes No
*Owners: Mr. & Mrs. William Jordan
 John Bridges attorney*

Was a County Staff/Representative present at meeting? *Geary Spencer* (Name)

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
<i>Neighbors have submitted letters indicating support. (4 letters attached)</i>			
<i>Bob Winkleback (contractor) clarified set backs and roof height.</i>			

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)
Clarify roof height in side elevation (pg. 13) of new addition over seating alcove.		

ADDITIONAL LUAC COMMENTS

Colors and materials to match existing
 Granting variance (on this parcel) of lot coverage will not set a precedence,
 as variances are site specific.

New addition cannot be seen from Yankee Pt. Drive as entire new room is to rear of existing residence.

No special privilege given to applicant requesting variance as indicated in justification letter attached. This lot is less than one acre and development standards were intended for one acre parcels.

RECOMMENDATION :

Motion by: Davis, motion to approve with (LUAC Member's Name)

correction to 715 sq master bedroom (both addition, and 21% lot coverage. Clarify roof height of roof line over seating alcove addition.

Second by: Mehner (LUAC Member's Name)

Support Project as proposed

Support Project with changes

Continue the Item

Reason for Continuance: _____

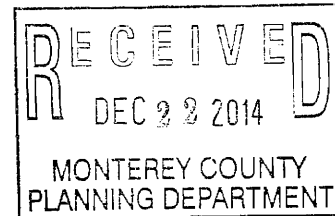
Continued to what date: _____

AYES: 5 (Mehner, Davis, Wald, Littell, Rainey)

IOES: None

ABSENT: Jeselnick

ABSTAIN: None



**JORDAN APPLICATION
(PLN140354)
VARIANCE JUSTIFICATIONS**

The Jordans are requesting permission to construct a 715 square foot master bedroom/bath addition to their existing home. The home is currently two bedroom/2.5 bath. One variance is requested: increase of building coverage from 18% to 21%.

Special Circumstances in Support of the Requested Variance

1. Lot size: The development standards applicable to the property were intended for one acre minimum lots. The Jordan parcel is less than ½ acre in size. The unfairness of applying large parcel zoning standards to smaller parcels such as the Jordan's is recognized in the LCP and the smaller parcels are confirmed as suitable for development provided all resource protection policies can be fully satisfied (LUP Policy 4.4.3.E.11; CIP § 20.146.120.B.4.f). Because the proposed project fully satisfies all applicable resource protection policies the requested variance relief from large parcel zoning standards is justified. Because of the smaller lot size, the Jordans cannot enjoy the same privileges of single story design that larger properties in the vicinity under the same zoning classification enjoy. In addition, zoning typically applicable to lots the size of the Jordan's allows 25% building coverage (e.g., MDR2).

2. Location and surroundings: The Yankee Point neighborhood is a view sensitive area and the Jordan's proposal to add a bedroom on the ground floor rather than as a second story element (which is permitted) respects this view sensitivity. The Jordans desire to avoid potential disruption of privacy and views enjoyed by surrounding homes. The Jordan's parcel is also subject to a special 20' height limitation intended to protect views from neighboring parcels with a 26' height limit thus physically precluding a second story addition to the existing structure.

3. No special privilege will result: The Jordans request the variance in order to enjoy equal footing with the owners of larger lots within the zoning designation. The project will merely add a third bedroom to the home which is consistent with the norm in the Yankee Point area. The variance will enable the Jordans to preserve the privacy and views of their neighbors all of whom have expressed support for the project. The Jordans also desire to maintain the architectural design integrity of the existing house (single story) consistent with the neighborhood character and aesthetic.

4. Consistent with other variances granted in the area: Several similar variances have been granted to smaller lots such as the Jordan's lot (ref. as example: ZA7233, ZA7373 and ZA95022).

5. Additional considerations: The addition will not be visible from the street. Allowance of the variance will preserve the views and privacy of other homes in the surrounding area.

Rec'd. 12-15-14
BR

FENTON & KELLER

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

2801 MONTEREY-SALINAS HIGHWAY

POST OFFICE BOX 791

MONTEREY, CALIFORNIA 93942-0791

TELEPHONE (831) 373-1241

FACSIMILE (831) 373-7219

www.FentonKeller.com

LEWIS L. FENTON
1925-2005

OF COUNSEL
CHARLES R. KELLER
THOMAS H. JAMISON

MARK A. CAMERON
JOHN S. BRIDGES
DENNIS G. MCCARTHY
CHRISTOPHER E. PANETTA
DAVID C. SWEIGERT
SARA B. BOYNS
BRIAN D. CALL
TROY A. KINGSHAVEN
JOHN E. KESECKER
SHARILYN R. PAYNE
CAROL S. HILBURN
ELIZABETH R. LEITZINGER
CHRISTINA J. BAGGETT
DOMINICK A. SEVERANCE
ELIAS E. SALAMEH
KENNETH S. KLEINKOPF
DERRIC G. OLIVER

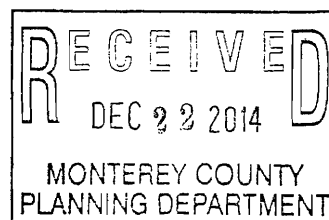
KRISTIE M. CAMPBELL

December 10, 2014

KCampbell@FentonKeller.com
ext. 217

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

Carmel Area LUAC
c/o Liz Gonzales
168 W. Alisal Street, 2nd Floor
Salinas, CA 93901



Re: Jordan (PLN 140354)
Our File: 34171.32276

Dear LUAC Members:

Please see the attached letters of support from neighbors of the Jordan project.

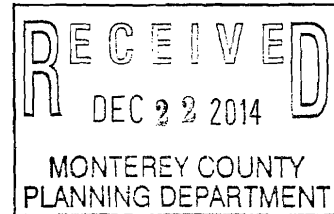
Very truly yours,

FENTON & KELLER
A Professional Corporation

Kristie M. Campbell
Kristie M. Campbell
Assistant to John S. Bridges

:kmc
Enclosures
cc: Liz Gonzales
Bill Jordan

Rec'd 12-15-14
BR. city.



April 21, 2014

Dear Susan and Bill,

Thank you so much for your good letter concerning your future house plans. It sounds fine to me.

I believe you visited my home at 66 Y.P.D. when my agent had an Open House. He spoke very highly of you both. Welcome to a beautiful area. I am grateful for my 14 years at Y.P.D (66) and 11 years at 16 Y.P.D. I am wishing you many happy years.

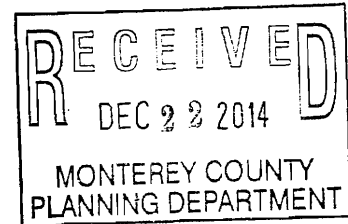
Sincerely,

Eleanor Ernest Greathand

Rec'd. 12-15-14
B.R.
Acting Sec'y.

December 5, 2014

Monterey County Planning Department
168 West Alisal Street, 2nd Floor
Salinas, CA 93901



RE: Project Name: JORDAN WILLIAM H 7 SUSAN J TRS

File Number: PLN140354

Project Location: 87 YANKEE POINT DRIVE, CARMEL

Project Planner: LIZ GONZALES

Area Plan: CARMEL LAND USE PLAN

*Please see attached letter from Carmel Unincorporated/Highlands Land Use Advisory Committee for more details.

To Whom It May Concern:

We have discussed with Susan and Bill Jordan the proposed master bedroom and bathroom addition for their home on 87 Yankee Point Drive in Carmel, CA. As described to us, the proposed single story addition will not impact any line of sight or other property concerns and will not be visible from the street.

This letter is to express our support for their proposed construction project. We believe it will enhance the value of their property and the neighborhood.

Sincerely,

A handwritten signature in black ink, appearing to read "Howard C. Given".

Howard C. Given
Jane C. Given
137 Carmel Riviera Drive
Carmel, CA 93923

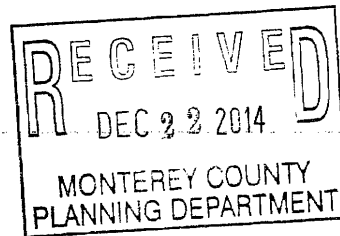
831.277.4684 / 831.277.4683

Email: hgiven@givencap.com / janeygiven@aol.com

Rec'd. 12-15-14
BR, Acting Sec

Letter of Support

From: williamhjordan <williamhjordan@mindspring.com>
To: williamhjordan
Subject: Letter of Support
Date: Dec 4, 2014 10:53 AM



(Forwarded on Wednesday, 12/3/14)

From: fran leve <franleve@me.com>

Sent: Dec 3, 2014 7:03 AM

To: williamhjordan <williamhjordan@mindspring.com>

Subject: Letter of Support For Home Project

To whom it may concern:

Susan and William Jordan have discussed their plans for an addition to their home at 87 Yankee Point Drive. They have been very careful and considerate in their planning so that it will not impact the views or sight line of anyone. Furthermore the room will not be visible from the street.

We are very much in favor of this construction project which enhances the value of the property as well as the whole neighborhood.

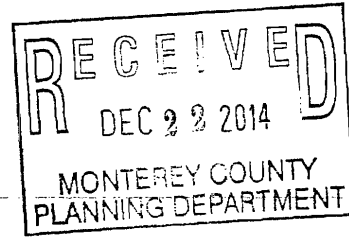
Sincerely,

Norman and Fran Leve
113 Yankee Point Drive
Carmel, CA 93923

Rec'd. 12-15-14
BR-acting secy.

letter of support

From: Debi and Stan Cassan <scassan@sbcglobal.net>
To: "williamhjordan@mindspring.com"
Subject: letter of support
Date: Nov 30, 2014 3:19 PM



To Whom It May Concern:

We have discussed with Susan and Bill Jordan the proposed master bedroom room addition proposed for 87 Yankee Point Drive in Carmel, CA. As described to us, the proposed single story addition will not impact any line of sight or other property concerns, and will not be visible from the street.

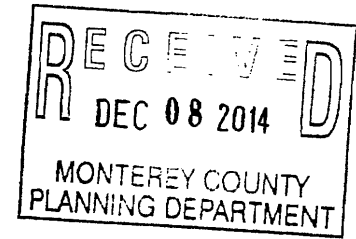
This letter is to express our support for their proposed construction project as we believe it will enhance the value of their property and the neighborhood.

Sincerely,

Debi and Stan Cassan
63 Yankee Point Drive
Carmel, CA 93923

Sent from my iPad

December 5, 2014



Monterey County Planning Department
168 West Alisal Street, 2nd Floor
Salinas, CA 93901

RE: Project Name: JORDAN WILLIAM H 7 SUSAN J TRS

File Number: PLN140354

Project Location: 87 YANKEE POINT DRIVE, CARMEL

Project Planner: LIZ GONZALES

Area Plan: CARMEL LAND USE PLAN

*Please see attached letter from Carmel Unincorporated/Highlands Land Use Advisory Committee for more details.

To Whom It May Concern:

We have discussed with Susan and Bill Jordan the proposed master bedroom and bathroom addition for their home on 87 Yankee Point Drive in Carmel, CA. As described to us, the proposed single story addition will not impact any line of sight or other property concerns and will not be visible from the street.

This letter is to express our support for their proposed construction project. We believe it will enhance the value of their property and the neighborhood.

Sincerely,

A handwritten signature in black ink, appearing to read "Howard C. Given".

Howard C. Given
Jane C. Given
137 Carmel Riviera Drive
Carmel, CA 93923

831.277.4684 / 831.277.4683

Email: hgiven@givencap.com / janeygiven@aol.com

Carmel Unincorporated/Highlands Land Use Advisory Committee

Monday, December 15, 2014

4:00 PM at Carmel Highlands Fire Protection District, 73 Fern Canyon Rd, Carmel

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES

4. PUBLIC COMMENT: 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.

5. SCHEDULED ITEMS AS BELOW

6. OTHER ITEMS

- A) Preliminary Courtesy Presentation by Applicants Regarding Potential Projects
- B) Announcements

7. ADJOURNMENT

Scheduled Items:

1. **Project Name:** JORDAN WILLIAM H & SUSAN J TRS
4:00 PM **File Number:** PLN140354
Project Location: 87 YANKEE POINT DR CARMEL
Project Planner: LIZ GONZALES
Area Plan: CARMEL LAND USE PLAN
Project Description: Variance to allow a 4 foot encroachment into a side yard setback and a Variance to allow an increase to lot coverage from 15% to 17.2% to allow a Coastal Administrative Permit for the construction of a 528 square foot master bedroom/bath addition to an existing single story single family dwelling. The property is located at 87 Yankee Point Drive, Carmel (Assessor's Parcel Number 243-153-007-000), Carmel Area Land Use Plan, Coastal Zone.
Recommendation to: ZONING ADMINISTRATOR

ATTACHMENT 5

**William H. Jordan
87 Yankee Point Drive
Carmel, CA 93923
831/595-1262**

March 24, 2015

Ms. Elizabeth A. Gonzales
Associate Planner
County of Monterey
Resource Management Agency
Planning Department
168 West Alisal Street, 2nd Floor
Salinas, CA 93901

Dear Liz:

Let me begin by thanking you for meeting me at my Yankee Point property Friday, March 20, to discuss the current Variance Request Application for constructing an additional bedroom and bathroom at the property.

Per your request, I have prepared a brief summary and rough draft sketch of one of the alternatives we discussed during our meeting. This alternative outlines another approach to the goal of creating an add-on to our existing home, and greatly reduces the coverage variance size request.

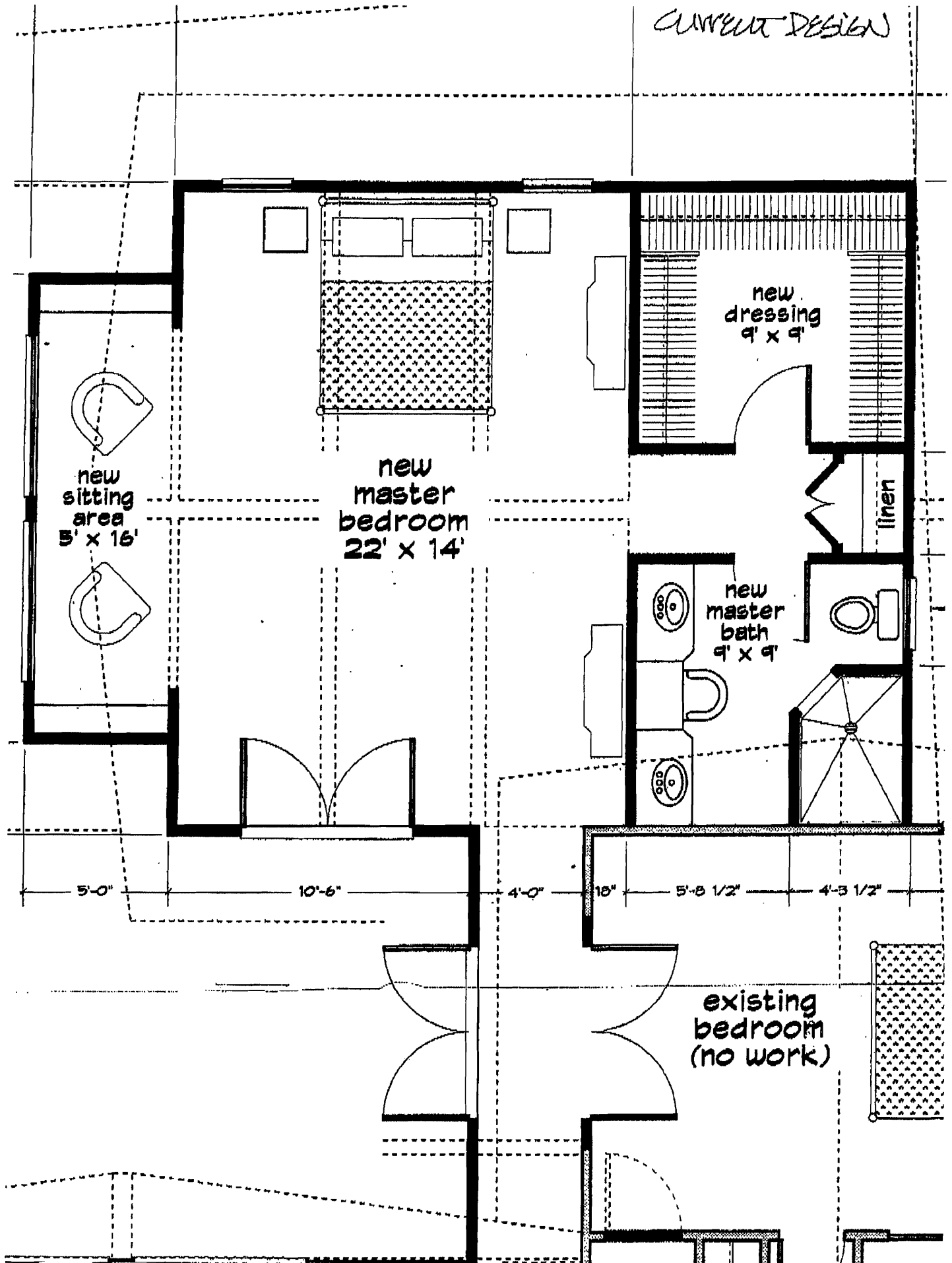
Please review this material and feel free to include it with your updated research on the property.

Thanks and regards,

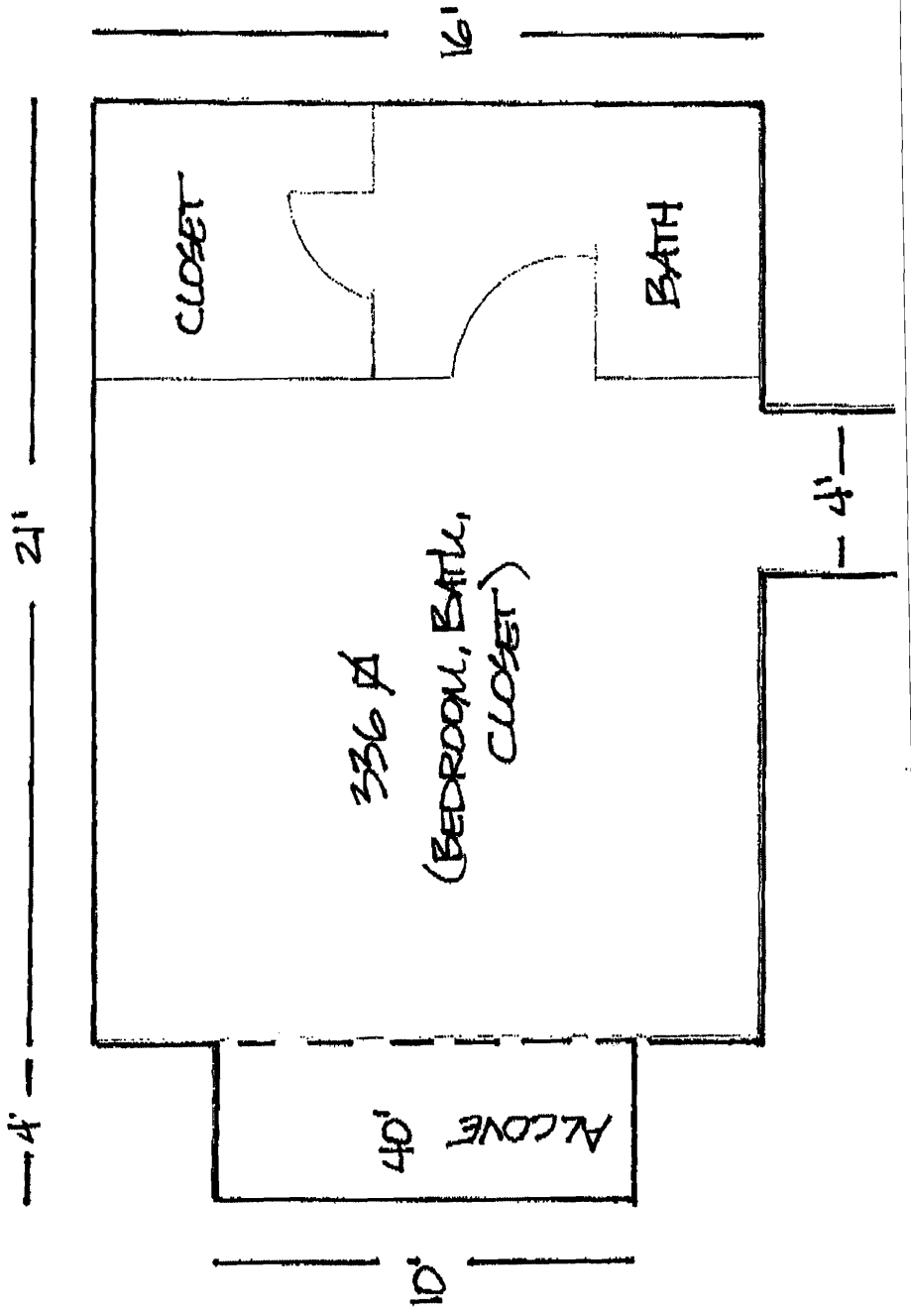
Bill Jordan

Encls.

CURRENT DESIGN



ALTERNATIVE DESIGN



Design Alternative for 87 Yankee Point Add-on Project

The following design alternative highlights a different approach for building a bedroom and bathroom add-on to the existing home, based on our recent conversations.

This is a summary of key ideas for design alternative discussion, rather than a formal architectural specification. Also, this should not to be considered a formal amendment to the pending variance application which remains our preferred project.

Existing Specifications:

Parcel size:	18,753 sq ft
Total existing coverage:	3291 sq ft (or 18% of the parcel)

Design alternative proposal:

New hallway:	64 sq ft (4' x 16')
New bedroom alcove:	40 sq ft (4' x 10')
New proposed room size: (including bathroom and closet)	336 sq ft
Total: (including hallway, alcove, bedroom bathroom and closet)	440 sq ft

Total proposed:	440 sq ft
Total existing:	3291 sq ft
Total new and existing:	3731 sq ft
Total new coverage percentage:	19.9 %

VARIANCES

FILE LOT SIZE EXISTING SF ADDITION TOTAL SF EXISTING % NEW %

ZA7279	18,150	2,882	624 SF 2 ND STORY	3,606	17.1%	17.1%
ZA7233	17,000	2,708	294 SQ. FT.	3,002	15.2%	17.4%
ZA7373	17,898	2,592	422 SF - 1 ST 576 SF 2 ND	3,590	15%	15.9%
ZA95022	17,960	2,793	135 SF - 1 ST 200 SF - 2 ND	3,128	15.55%	16.30%
PLN965350	20,037	3,005	200 SQ. FT.	3,205	15%	16%
PLN050624	18,730	2,809	332 SQ. FT W/ 2 ND DECK	3,141	15%	17%
PLN140354	18,753	3,291 SF	715 SF	3,731	18%	21%

+ 2.27%

+ 2%

Jordan

ATTACHMENT 6

RECOMMENDATION

Find the project Categorical Exempt per CEQA Section 15301 (e) of the CEQA Guidelines; and

Approve a Variance to allow an increase to lot coverage from 18% to 19.9% for the construction of a 440 square foot master bedroom/bath addition to an existing single story single family dwelling, subject to Findings and Evidence and Conditions of Approval

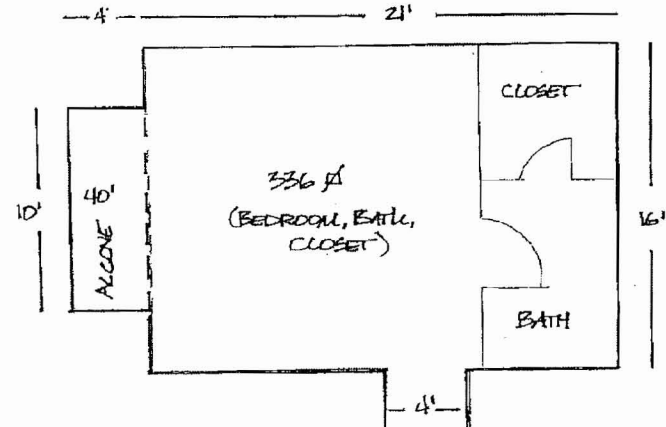
ATTACHMENT 7

3-26-15
staff powder point

Design Alternative for 87 Yankee Point Add-on Project

The following design alternative highlights a different approach for building a bedroom and bathroom add-on to the existing home, based on our recent conversations.

This is a summary of key ideas for design alternative discussion, rather than a formal architectural specification. Also, this should not to be considered a formal amendment to the pending variance application which remains our referred project.



Existing Specifications:

Parcel size: 18,753 sq ft
 Total existing coverage: 3291 sq ft
 (or 18% of the parcel)

Design alternative proposal:

New hallway: 64 sq ft (4' x 16')
 New bedroom alcove: 40 sq ft (4' x 10')
 New proposed room size: 336 sq ft
 (including bathroom and closet)

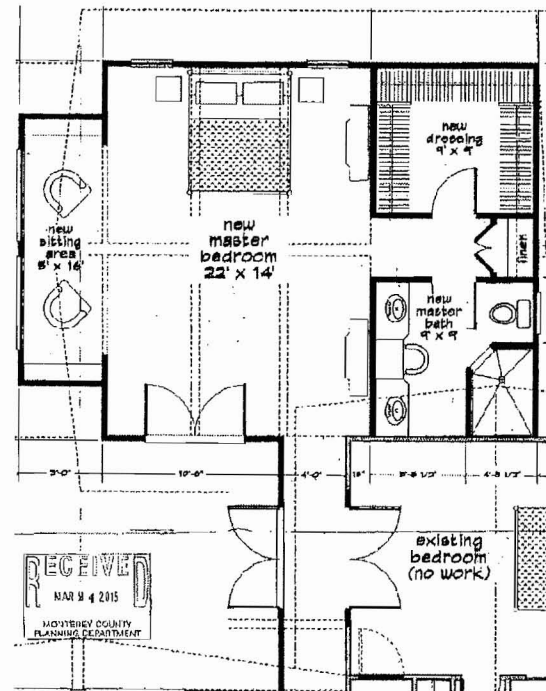
Total: 440 sq ft
 (including hallway, alcove, bedroom bathroom and closet)

Total proposed: 440 sq ft

Total existing: 3291 sq ft

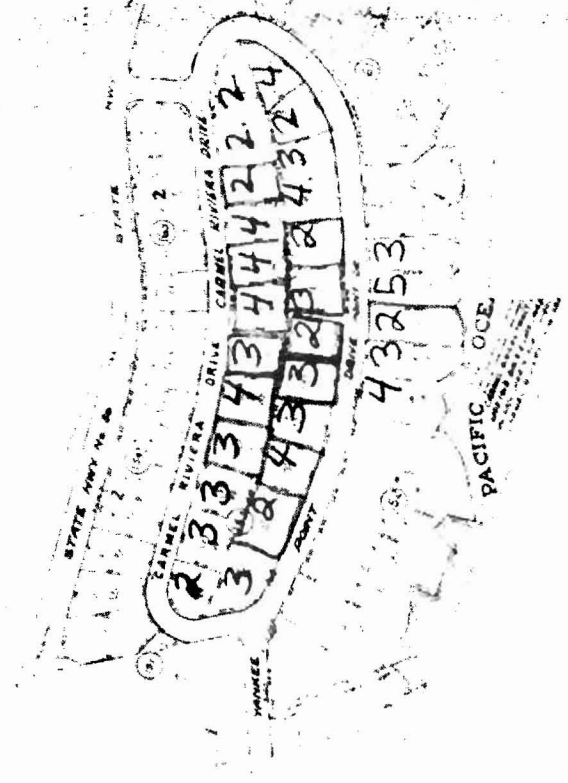
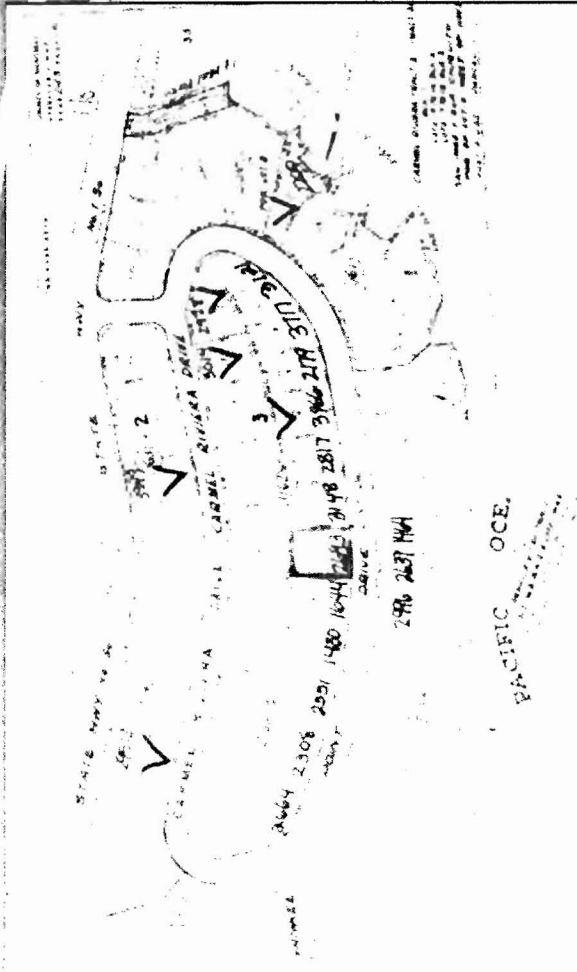
Total new and existing: 3731 sq ft

Total new coverage percentage: 19.9 %

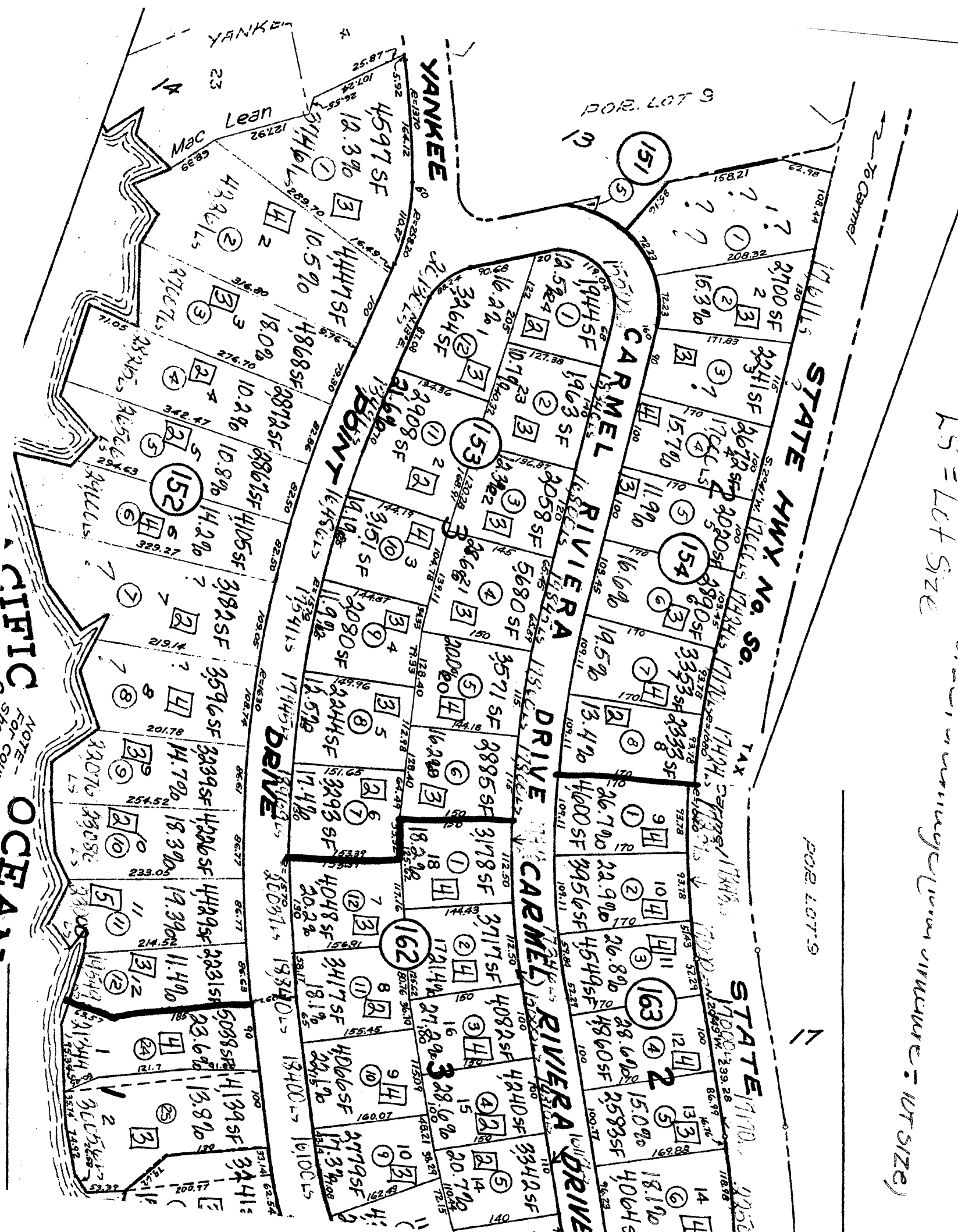


ATTACHMENT 8

Sizes of houses
Variances



of bedrooms
2nd stories



Lot Size

Lot Size

NOTE FOR CITY OF OCEANA

NOTE FOR CITY OF OCEANA

NUMBER OF BEDROOMS

APN	BEDROOMS
243-154-001	?
243-161-017	?
243-152-011	5
243-152-002	4
243-152-006	4
243-152-008	4
243-153-005	4
243-153-010	4
243-154-004	4
243-154-007	4
243-161-011	4
243-161-018	4
243-161-023	4
243-161-024	4
243-162-001	4
243-162-002	4
243-162-003	4
243-162-007	4
243-162-010	4
243-163-001	4
243-163-002	4
243-163-003	4
243-163-004	4
243-163-006	4
243-152-001	3
243-152-003	3
243-152-009	3
243-152-012	3
243-153-002	3
243-153-003	3
243-153-004	3
243-153-006	3
243-153-008	3
243-153-009	3
243-153-012	3
243-154-002	3
243-154-003	3
243-154-005	3
243-154-006	3
243-161-005	3
243-161-006	3
243-161-012	3
243-161-013	3
243-161-015	3
243-161-022	3
243-161-025	3
243-162-009	3
243-162-012	3
243-163-005	3
243-152-004	2
243-152-005	2
243-152-007	2
243-152-010	2
243-153-001	2
243-153-007	2
243-153-011	2
243-154-008	2
243-161-021	2
243-162-004	2
243-162-005	2
243-162-006	2
243-162-008	2
243-162-011	2

Jordan

LOT SIZE

APN	LOT SIZE
243-152-007	?
243-152-008	?
243-154-001	?
243-154-003	?
243-161-012	?
243-161-017	?
243-152-002	42,261
243-161-022	37,897
243-152-001	37,461
243-161-025	30,056
243-152-006	29,000
243-152-004	28,215
243-152-003	27,007
243-152-005	26,566
243-161-015	23,958
243-152-010	23,086
243-152-011	23,000
243-163-006	22,500
243-152-009	22,076
243-161-018	21,975
243-161-006	21,780
243-161-024	21,344
243-161-013	21,250
243-161-005	21,101
243-153-012	20,130
243-162-006	20,095
243-162-012	20,037
243-153-004	19,845
243-152-012	19,549
243-161-021	19,400
243-161-023	19,215
243-153-007	18,969
243-162-011	18,840
243-162-010	18,400
243-153-002	18,340
243-162-008	18,295
243-153-008	17,945
243-153-005	17,860
243-153-006	17,800
243-154-002	17,611
243-153-009	17,541
243-162-001	17,493
243-154-006	17,424
243-154-008	17,424
243-162-002	17,346
243-163-002	17,243
243-163-001	17,239
243-154-007	17,170
243-163-005	17,170
243-154-004	17,000
243-154-005	17,000
243-163-003	17,000
243-163-004	17,000
243-153-003	16,800
243-153-010	16,486
243-162-005	16,117
243-162-009	16,100
243-161-011	16,005
243-153-001	15,500
243-162-007	15,400
243-162-003	15,000
243-162-004	14,810
243-153-011	13,491

Jordan

STRUCTURE SIZE

APN	HOUSE SF	GARAGE SF	TOTAL SF
243-154-001	VACANT?	VACANT?	?
243-153-004	5,080	600	5,680
243-161-022	4,758	600	5,358
243-161-024	4,438	600	5,038
243-152-003	4,268	600	4,868
243-163-004	4,260	600	4,860
243-163-001	4,000	600	4,600
243-152-001	3,997	600	4,597
243-163-003	3,949	600	4,549
243-152-002	3,847	600	4,447
243-161-018	3,844	600	4,444
243-152-011	3,829	600	4,429
243-162-008	3,717	600	4,317
243-162-004	3,640	600	4,240
243-152-010	3,626	600	4,226
243-161-025	3,539	600	4,139
243-152-006	3,505	600	4,105
243-162-003	3,482	600	4,082
243-162-010	3,466	600	4,066
243-163-006	3,464	600	4,064
243-162-012	3,148	900	4,048
243-162-007	3,121	900	4,021
243-163-002	3,356	600	3,956
243-161-015	3,280	600	3,880
243-162-002	3,117	600	3,717
243-161-006	3,108	600	3,708
243-161-023	3,029	600	3,629
243-152-008	2,996	600	3,596
243-153-005	2,971	600	3,571
243-162-011	2,817	600	3,417
243-161-011	2,760	600	3,360
243-154-007	2,753	600	3,353
243-162-005	2,742	600	3,342
243-162-006	2,734	600	3,334
243-153-007	2,693	600	3,293
243-153-012	2,664	600	3,264
243-161-005	2,641	600	3,241
243-152-009	2,639	600	3,239
243-152-007	2,582	600	3,182
243-162-001	2,578	600	3,178
243-153-010	2,551	600	3,151
243-153-011	2,308	600	2,908
243-154-006	1,990	900	2,890
243-153-006	2,285	600	2,885
243-152-004	2,272	600	2,872
243-152-005	2,267	600	2,867
243-161-017	2,230	600	2,830
243-161-021	2,200	600	2,800
243-162-009	2,179	600	2,779
243-154-002	2,100	600	2,700
243-154-004	2,072	600	2,672
243-163-005	1,983	600	2,583
243-161-013	1,834	600	2,434
243-154-008	1,733	600	2,333
243-153-008	1,644	600	2,244
243-154-003	1,641	600	2,241
243-152-012	1,631	600	2,231
243-153-009	1,480	600	2,080
243-153-003	1,458	600	2,058
243-154-005	1,420	600	2,020
243-161-012	1,400	600	2,000
243-153-002	1,363	600	1,963
243-153-001	1,344	600	1,944

Jordan

STRUCTURE SIZE PERCENTAGE

APN	TOTAL STRUCTURE SF	LOT SIZE	TOTAL %
243-152-007	3,182	?	?
243-152-008	3596	?	?
243-154-001	?	?	?
243-154-003	2241	?	?
243-161-012	2000	?	?
243-161-017	2830	?	?
243-162-004	4,240	14,810	28.6%
243-153-004	5,680	19,845	28.6%
243-163-004	4,860	17,000	28.6%
243-162-003	4,082	15,000	27.2%
243-163-003	4,549	17,000	26.8%
243-163-001	4,600	17,239	26.7%
243-162-007	4,021	15,400	26.1%
243-161-024	5,038	21,344	23.6%
243-162-008	4,317	18,295	23.6%
243-163-002	3,956	17,243	22.9%
243-162-010	4,066	18,400	22.1%
243-153-011	2,908	13,491	21.6%
243-162-002	3,717	17,346	21.4%
243-161-011	3,360	16,005	21.0%
243-162-005	3,342	16,117	20.7%
243-161-018	4,444	21,975	20.2%
243-162-012	4,048	20,037	20.2%
243-153-005	3,571	17,860	20.0%
243-154-007	3,353	17,170	19.5%
243-152-011	4,429	23,000	19.3%
243-153-010	3,151	16,486	19.1%
243-161-023	3,629	19,215	18.9%
243-152-010	4,226	23,086	18.3%
243-162-001	3,178	17,493	18.2%
243-162-011	3,417	18,840	18.1%
243-163-006	4,064	22,500	18.1%
243-152-003	4,868	27,007	18.0%
243-153-007	3,293	18,969	17.4%
243-162-009	2,779	16,100	17.3%
243-161-006	3,708	21,780	17.0%
243-162-006	3,334	20,095	16.6%
243-154-006	2,890	17,424	16.6%
243-153-012	3,264	20,130	16.2%
243-153-006	2,885	17,800	16.2%
243-161-015	3,880	23,958	16.2%
243-154-004	2,672	17,000	15.7%
243-161-005	3,241	21,101	15.4%
243-154-002	2,700	17,611	15.3%
243-163-005	2,583	17,170	15.0%
243-152-009	3,239	22,076	14.7%
243-161-021	2,800	19,400	14.4%
243-152-006	4,105	29,000	14.2%
243-161-022	5,358	37,897	14.1%
243-161-025	4,139	30,056	13.8%
243-154-008	2,333	17,424	13.4%
243-153-001	1,944	15,500	12.5%
243-153-008	2,244	17,945	12.5%
243-152-001	4,597	37,461	12.3%
243-153-003	2,058	16,800	12.3%
243-154-005	2,020	17,000	11.9%
243-153-009	2,080	17,541	11.9%
243-161-013	2,434	21,250	11.5%
243-152-012	2,231	19,549	11.4%
243-152-005	2,867	26,566	10.8%
243-153-002	1,963	18,340	10.7%
243-152-002	4,447	42,261	10.5%
243-152-004	2,872	28,215	10.2%

Jordan

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MILL VALLEY CA 94941-1221



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M WEINSTEIN TRS
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WEN
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KELLERMANN SUSAN M
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1-01-9 KIMINOMORHIGASHI
TOGANE-SHI
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CRISTINE T TRS
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JANE C TRS
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AMMACO LLC
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FREMONT CA 94539



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AL
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DARIA B TR
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ATTN JOHN BRIDGES
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HUSTEDT ELANIE TRS
13552 PASEO TERRANO
SALINAS CA 93908

