

Exhibit D

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ANTHONY LOMBARDO & ASSOCIATES

A PROFESSIONAL CORPORATION

ANTHONY L. LOMBARDO
KELLY MCCARTHY SUTHERLAND
CODY J. PHILLIPS

144 W. GABILAN STREET
SALINAS, CA 93901
(831) 751-2330
FAX (831) 751-2331

File No. 4799.001

August 9, 2018

VIA EMAIL

Jackie Nickerson
Monterey County Planning
168 W. Alisal Street, 2nd Floor
Salinas, CA 93901

Re: **Alford (APN 008-341-037-000) PLN171011**



Dear Ms. Nickerson:

We have recently reviewed the information and plans for this permit application, as provided by the owner's representative, to clear existing violations on the property. It has also come to our attention that this application has been set for an administrative decision on August 15, 2018 based on notices mailed to our client to this effect.

We note our objection to both the acceptance of the project plans as "complete", and scheduling of a decision without a public hearing with this correspondence. The following summarizes our objections:

- Regulations specify that a public hearing is required for all cases where a violation exists on the subject property (A-4). A public hearing is also required upon written request by one or more parties (A-5). This letter represents our written request for a public hearing.

20.76.060 REFERRAL TO PUBLIC HEARING.

A. A Coastal Administrative Permit shall be referred to the Zoning Administrator for consideration at a public hearing if there is evidence of public controversy or public opposition to the proposed use or development. Such evidence includes, but is not limited to:

1. A staff recommendation for denial;
2. The project is not categorically exempt under the California Environmental Quality Act;
3. The applicant or applicant's representative requests, in writing, a public hearing;
4. Zoning violations exist on the property;
5. Written request for a public hearing by one or more persons.

B. If a public hearing is required, it shall be noticed and conducted pursuant to the public hearing provisions of Chapter 20.84.

As noted, we have reviewed the project plans on file with the County, as well as supplemental information provided to us by the owner's representative that may or may not be in the County file. We note the following concerns and objections based on incomplete information and analysis of the proposed "improvements"

- The project plans propose to modify the driveway surface from impervious to pervious in order to comply with conditions of a prior coastal permit (existing violation of that prior permit – noted as part of 17CE00253). As part of this change, a drainage plan was prepared noting several updates and/or additions of catch basins in the driveway for storm-water capture and dispersal. The drainage plan is incomplete in that it does not:
 - 1.) Explain where the storm-water goes to after entering the catch basins.
 - 2.) Describe existing drainage conditions (inclusive of all captured storm water on the property from structures and impervious coverage areas.
 - 3.) Verify retention of all captured storm-water on-site in compliance with the requirements of Pebble Beach Community Services District and RWQCB standards
- Internal correspondence from county staff notes a prior drainage plan from 2001 showing transfer of storm-water runoff to "the bottom of an existing ravine" to be adequate and implies "off-site" dispersal. The current engineer notes "no need for a drainage design" due to "a net decrease in impervious area". This is wholly inadequate.
 - 1.) Drainage off-site is inconsistent with Pebble Beach and RWQCB standards. Modifications to an existing condition must be compliant with current regulations.
 - 2.) Any modification to a portion of drainage does require a review and design for the system in its entirety. As water is in fact being collected from the driveway area, that water does contribute to the load of the entire system; and it must be reviewed for consistency with RWQCB regulations.
 - 3.) We note that the existing system is in fact transferring all storm-water via an illegally placed large pipe of approx. 36" or more off-site, on to the property of our client, which is improper and illegal. In addition, the area is in fact part of a conservation easement dedication to the Coastal Commission, to which this dispersal of drainage would be a trespass and violation.

We note that in the prior coastal permit actions, the owners/applicants provided plans attesting to coverage totals for structures, driveways, patios, et al (pervious and impervious). The planning approval and conditions applied to the previous permits were based on those square footage totals. In addition to the noncompliance with the original permit conditions (to modify the driveway to a pervious surface), the owners added additional impervious areas (rear patio, walkways) after the fact without planning approval or permits. In the current application and plans, numerous "square footages" have changed, however, from the original

Ms. Nickerson
Monterey County Planning
August 9, 2018
Page 3

plans. We question the numbers, and that such a simple modification of the driveway to pervious makes the site compliant with the 9000 sq. ft. impervious coverage limitation, when the same modification was proposed and not met in the prior permit to reach the 9000, before the patio and walkways were present. We note objection and concern as to what conclusive evidence was given to establish that the new numbers are correct. Was there a survey to verify all proposed pervious and impervious areas calculated?

- Noting again all the incomplete and inconsistent information listed above, we also object to the "complete" status noted by staff for CEQA. Given uncertainty regarding the accuracy of the existing coverage numbers provided in this application versus prior representations regulations relevant to Pescadero watershed, which is an environmental resource could not have been verified. Also, "the ravine" noted in file correspondence as the point of dispersal in a past drainage plan for collected storm-water is an environmentally sensitive area. Failure to address this improper drainage system is not compliant with CEQA. We note again that the point of dispersal is off-site on to property of another which is improper, illegal, and a violation of a coastal commission conservation easement dedication.

We hereby respectfully request additional information be required by staff for this project, and we further request a public hearing on this application after a more thorough review of the drainage, purported facts on coverages, and CEQA review is complete.

Sincerely,



Gail Hatter
Sr. Land Use Specialist

From The Desk of Christo D. Bardis

August 9th, 2018

Office of Monterey County
Resource Management Agency
Attn: Jacquelyn Nickerson
1441 Schilling Place – South 2nd Floor
Salinas, CA 93901



RE: Plan File Number PLN171011 at 1496 Bonifacio Road, Pebble Beach

To Whom It May Concern:

I received your note today indicating that a permit may be issued on Plan File Number PLN171011 at 1496 Bonifacio Road, Pebble Beach. The type of permit is a Coastal Commission Permit which is to clear a violation (17CE00253) for the construction of a 1,052 square foot rear yard patio and to replace 4,197 square feet of impervious driveway surface with pervious gravel material. It should be noted the patio has already been illegally constructed, in violation of recorded conditions of approval.

It would seem that a complete set of plans should be on file with Pebble Beach. Having no plans to look at, I would ask that all communication from Mr. Lombardo's office, myself, any communication to the Coastal Commission, as well as the existing lawsuit regarding this issue (Case Number 17CV004698) be included in the public record.

This residence in question has numerous improvements that were either constructed without a permit or are impervious in nature. This directly goes against the deed restriction associated with the property as well as the County pervious drainage requirements. The County of Monterey Findings and Decision on this property specifically state that "Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations." (Condition #1, p. 3). Furthermore, Condition #13 states that "The applicant shall record a deed restriction which states: 'That portion of the driveway shown on the approved plans as being pervious shall be installed and maintained as pervious material to allow for permeability of storm water'." (Page 5).

The applicant for this property has clearly gone against the above referenced conditions and deed restriction. It is our belief that due to the severity of their changes and the fact that they have already been constructed without approval, a public hearing is necessary. It is our intention to appeal any action taken without a public hearing.

I have included a number of exhibits outlining our communication related to this matter as well as past communication on this home.

Sincerely,

Christo D. Bardis
Pebble Beach Resident

EXHIBITS

- Exhibit A Letter from Cynthia Bettencourt: Land Use Technician
- Exhibit B Letter from Neill Engineers Corp. / 2000
- Exhibit C Letter from Thom McCue to Wendell Montes
- Exhibit D Letter from Neill Engineers Corp. / 2001
- Exhibit E Monterey County Impervious Surface Coverage Letter
- Exhibit F Permeable Structural Issues
- Exhibit G Letter from Sherman W. Low Registered Civil Engineer
- Exhibit H Letter from Thom McCue to Wendell Montes
- Exhibit I Deed Restriction
- Exhibit J Pictures of Alfred Property

Exhibit A

Letter from Cynthia Bettencourt: Land Use
Technician

MONTEREY COUNTY



PLANNING AND BUILDING INSPECTION DEPARTMENT

☐ 240 CHURCH STREET, SALINAS, CALIFORNIA 93901 PLANNING: (831) 755-5025 BUILDING: (831) 755-5027 FAX: (831) 755-5487

MAILING ADDRESS: P.O. BOX 1208, SALINAS, CALIFORNIA 93902

☐ COASTAL OFFICE, 2620 1ST AVENUE, MARINA, CALIFORNIA 93933 PLANNING: (831) 883-7500 BUILDING: (831) 883-7501 FAX: (831) 384-3261

January 28, 2003

Mr. Chris Tescher
P.O. Box 4915
Carmel, Ca. 93921

Copy

RE: 1495 Bonifacio Rd.
Pebble Beach, CA. 93953

Dear Mr. Tescher,

After reviewing the approved plans for Building Permit # 01-0425, various plan changes, and DA020611, along with a site visit on January 9, 2003, and January 13, 2003, the structures are inconsistent with the approved plans.

Plan changes, Design Approval, and/or Building Permits are required for the structures that have been constructed without approval such as the half circle retaining wall built in the back yard, retaining walls (side yards, back yard, front yard), railings, windows, roof pitch, fireplaces, stairs, and deck. The entry gate, wall and exterior remodel have been completed without the benefit of a Design Approval (DA020611) or required building permit. In order for the Design Approval to be approved all exterior changes, materials, and any additions to the house need to be clearly identified with an itemized list. The wall on either side of the garage was called out as a 36" high guardrail. It is a stucco wall. Has this change been identified?

Please submit a revised Design Approval form, plan changes, and/or Building Permit application if required with the necessary plans. Since these items have been constructed without the necessary permits, double fees will be charged.

If you would like to schedule an appointment to review this project, I would be happy to do so. I can be reached at 883-7510.

Sincerely,

Cynthia Bettencourt

Cynthia Bettencourt
Land Use Technician

Cc: John Mandurrango

Exhibit B

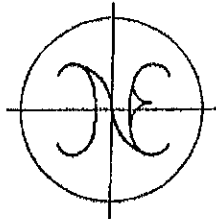
Letter from Neill Engineers Corp. / 2000

2003

NEILL ENGINEERS Corp.

SHERMAN W. LOW, R.C.E.
GARY W. WHITE, L.S.

CLAYTON B. NEILL, JR., R.C.E.
GILBERT M. NEILL, R.C.E.



SUBDIVISIONS, LAND PLANNING,
WATER SUPPLY, SANITATION,
SURVEYING, AIRPORTS
MUNICIPALITIES

CONSULTING ENGINEERS
MISSION and FIFTH—BOX LL
CARMEL, CALIFORNIA 93921
(831) 624-2110
FAX: (831) 624-3693

*Notes Added to Site
Plan 6-18-01 AH*

October 24, 2000

Mr. Chris Tescher
Tescher/Levett Investments, Inc.
P. O. Box 4915
Carmel, CA 93921

Re: Erosion Control Report for Tescher/Levett Residence, Bonifacio Road, Pebble Beach

Dear Mr. Tescher:

This is an erosion control report for the proposed Tescher/Levett Residence project located at 1496 Bonifacio Road, APN 008-341-037, El Pescadero Rancho in Pebble Beach, Monterey County, California.

We made a field visit to the site on October 16, 2000, and utilized the site plan prepared by Mandurrago, Madurrago and Sullivan Design Studios dated 10-6-00 for evaluation of erosion impacts. The purpose of our report is to provide erosion control recommendations and is limited to erosion control considerations only.

The project consists of remodel of an existing single family residence. The proposed remodel will increase the building coverage by approximately 1,115 S.F.

The residence is situated on a 1.749 Ac. lot located along the westerly side of Bonifacio Road. A steep, natural ravine (gulch) runs through the northwesterly portion of the property. Most of the site drains in the northwesterly direction toward the steep, natural drainage ravine. A small portion of the lot drains in the southwesterly direction toward the adjacent property.

The terrain is generally steep (over 30%), except for the existing building site area and driveway portion of the lot. Native grasses, brush, oak and pine trees, and other vegetation cover the natural undisturbed portion of the lot. The area adjacent to the house is well landscaped. There are numerous pine and oak trees located in the vicinity of the building site.

Based on the site plan, the proposed residence remodel would result in a minimal increase (0.05 cfs) in site runoff. With the minimal increase in runoff, erosion impacts generated from the project would be minor. The existing drainage pattern would remain basically unchanged.

In order to minimize erosion impacts, both during and after construction, we recommend the following:

(1) All roof water must be directed away from the house foundation. If roof gutters are not used, roof drainage shall fall onto non erodable surfaces or heavily landscaped areas. If roof gutters are used, the gutter downspouts shall be directed to splash blocks or similar erosion control devices and dispersed into natural or landscaped areas. Roof gutter downspouts may also be directed to an underground piping system. The underground piping system should extend down the sidehill and outlet near the bottom of the natural drainage ravine. Rock rip-rap shall be provided at the pipe outlet for energy dissipation.

(2) All area drains shall be connected to an underground piping system and discharged into the natural drainage ravine. As stated above, the rock rip-rap needs to be provided at the pipe outlet(s) for energy dissipation. The area at the outlet should be graded flat (1%±) to also reduce the discharge velocity.

(3) The area drain located in front of the garage should be enlarged and outlet pipe cleaned out.

(4) All disturbed areas must be landscaped with 6-8" thick sandy, loam topsoil and extensively planted with ground cover to absorb and retard runoff.

(5) Construction should be scheduled to take place during the spring, summer and fall months when rainfall is minimal. If construction is to occur during the winter season, the project must be "winterized" to protect against storm and erosion damage. During periods of inclement weather, straw bales or a silt fence shall be installed around the work site to detain sediment and decrease runoff velocity.

(6) Construction equipment, storage of materials and parking shall be confined to a designated portion of the project site. Areas outside the grading limits should be left in its natural state, or if disturbed, should be re-landscaped or restored to its original condition.

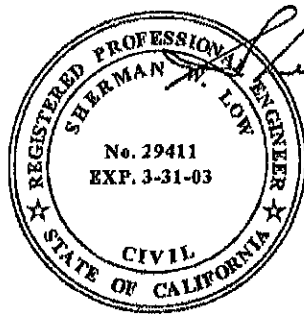
(7) Stockpiled excavated material shall be covered with staked burlap.

Mr. Chris Tescher
October 24, 2000
Page 3 of 3

- (8) All graded areas and exposed earth resulting from construction located outside the building envelope is to be planted with rye grass and maintained during the construction period. Planting shall occur immediately following initial site preparation and grading.

This report is prepared with the understanding that it is the responsibility of the Owner, or his representative, to ensure that the information and recommendations provided are incorporated into the plans and carried out by the Contractor during construction.

Very truly yours,



Sherman W. Low
Sherman W. Low
Registered Civil Engineer No. 29411

Exhibit C

Letter from Thom McCue to Wendell Montes

MONTEREY COUNTY

PLANNING AND BUILDING INSPECTION DEPARTMENT

Coastal Office, 2620 First Avenue, Marina, CA 93933 / 831-883-7528



August 6, 2003

MEMORANDUM

To: Wendell Montes
From: Thom McCue
RE: Tescher-LeVett (PLN00489 / 1496 Bonifacio, Pebble Beach)

This project was approved with no more than 4,982.9 sq. ft. of impervious surface. The amount shown on the plans was 5,485.1 sq. ft., so the applicant was required to remove 502.2 sq. ft. and replace it with permeable pavers. The requirement called for these pavers to "conform to County standards of 40 percent or greater open pass-through area. Engineering calculations shall be provided and approved by the Director of Planning and Building Inspection."

The applicant has left the area to be covered by permeable pavers with an impermeable surface and may have actually increased this surface by approximately 700 sq. ft. according to the plans provided to me by Todd Bessire, who is representing the applicant.

Mr. Bessire has told me that the driveway leading to the house is actually dirt and not what was previously described on the plans as "impervious . . . existing double coated gravel."

When your inspector visits the site he should look at the composition of the driveway. If it is indeed permeable – dirt or simple gravel – then I am able to sign off the paving condition on this project. If the driveway is impermeable – gravel and cement – then it can not be signed off until the requirement for replacing impermeable surfaces with pavers with "40 percent or greater open pass-through area."

I have attached a copy of the approved site plan, which was dated 4-12-2001. The area to be replaced with permeable pavers is shown at the back of the driveway and is labeled "turf block." As built this paved area may have been expanded further toward the residence.

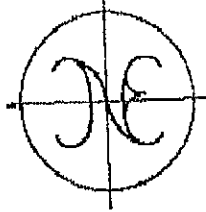
I have also attached a copy of the site plan which Mr. Bessire told me was followed. These plans are dated 1-31-2001. If this plan is truly the "as built" and the driveway is not permeable the area which needs to be replaced by permeable pavers is outlined in red.

Cc: Jeff Main

Exhibit D

Letter from Neill Engineers Corp. / 2001

NEILL ENGINEERS Corp.



CONSULTING ENGINEERS
MISSION and FIFTH—BOX LL
CARMEL, CALIFORNIA 93921
(408) 624-2110
FAX: (408) 624-3493

January 31, 2001

SUBDIVISIONS, LAND PLANNING,
WATER SUPPLY, SANITATION,
SURVEYING, AIRPORTS
MUNICIPALITIES

SHAN W. LOW, R.C.E.
W. WHITE, L.S.

DR. B. NEILL, JR., R.C.E.
DR. M. NEILL, R.C.E.

Mr. Chris Tescher
Tescher/Levett Investments
P. O. Box 4915
Carmel, CA 93921

Re: Tescher/LeVett Residence, 1496 Bonifacio Road, Pebble Beach, California

Dear Mr. Tescher:

This letter is in regard to the Tescher/Levett Residence project located at 1496 Bonifacio Road, APN 008-341-037, El Pescadero Rancho in Pebble Beach, Monterey County, California.

The portion of the existing driveway adjacent to the house and garage is proposed to be replaced with cobblestone pavers set in sand. The existing driveway surface is paved asphalt concrete with a coated gravel surface. The proposed cobblestone pavers would convert an impervious pavement surface into a semi-pervious pavement surface, and would reduce the quantity of driveway surface runoff.

For drainage calculations we would use a runoff coefficient of $C=0.60$ for this type of semi-pervious surface. This assumes that 60% of the rainfall would become surface runoff, and 40% would be absorbed into the ground.

Please call if you have any questions or require additional information.

Very truly yours,

Sherman W. Low
Registered Civil Engineer No. 29411

Exhibit E

Monterey County Impervious Surface Coverage Letter



MEMORANDUM

MONTEREY COUNTY

PLANNING AND BUILDING
INSPECTION DEPARTMENT

DATE: May 28, 1999
TO: Coastal Team
FROM:
SUBJECT: Impervious Surface Coverage

The maximum impervious surface coverage on a lot is established by the regulations for development within the Del Monte Forest Land Use Plan Area. Section 20.147.030.A.1(b) states that new development in watersheds which drain into the Carmel Bay Area of Special Biological Significance (ASBS) shall be limited to a maximum impervious surface coverage of 4,000 square feet. It is the intent of this section to ensure the water quality of the Carmel Bay ASBS is protected by limiting the amount of surface runoff.

In support of this policy, it would be helpful to establish at what gradient of permeability do we consider structural coverage a "pervious" or "impervious" surface. This issue has most recently come up with regard to an application for a single family residential addition in Pebble Beach. The applicant has proposed reducing the site's overall impervious surface coverage by replacing the existing driveway asphalt with an interlocking brick material.

At this week's staff meeting, we discussed turf block and interlocking paving options available. In order to provide some consistency of what we consider "permeable" structure materials, I suggest the following definition:

Pervious surface allows the free passage of water through the surface so that water is absorbed into the ground. The intent is to achieve no net offsite flow of water in accordance with Section 20.147.030A1b. Pervious material may include turf-block, decomposed granite placed on an appropriate foundation/lining (non-cement or asphalt base) or other grid paver system that involves a percentage of open pass-through area equal to or exceeding 40 percent. Pervious materials does not include interlocking pavers.

The following criteria should be incorporated into the design of permeable structures:

- the underlying material should also be permeable (i.e. not compressed granite or other material which practically-speaking becomes an impervious surface);
- the drainage system should disperse any driveway runoff (via a French drain system or other system) so that water is absorbed onsite with no offsite flow which would meet the intent of the above referenced policy; and
- the fire district must review and approve the driveway design to ensure that it provides adequate emergency access. (If the structure is a driveway, portions of the driveway exceeding 15% slope cannot be turf-block because it will not provide sufficient traction and satisfy the weight-bearing requirements for fire apparatus); and

Exhibit F

Permeable Structural Issues

- The driveway must be designed by a registered civil engineer and provide verification to the County that the driveway structure as designed will not result in any net increase in offsite water runoff.

The following standard conditions were developed for File No. 980290 Dorn to address these issues and should be applied to projects involving such permeable structures:

Prior to the issuance of a demolition, building and/or grading permit, the applicant shall record a deed restriction which states: "The patio and walkways, motor court, and a portion of the driveway shall be installed and maintained as pervious material to allow for permeability of stormwater. At no time shall the material be replaced with an impervious material without the authorization and/or permit approval of the Monterey County Planning and Building Inspection Department and the Pebble Beach community Services District Fire Department". Proof of recordation of this deed restriction shall be furnished to the Director of Planning and Building Inspection prior to issuance of a building and/or grading permits or commencement of the use.

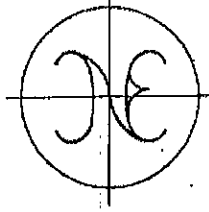
Exhibit G

Letter from Sherman W. Low Registered Civil
Engineer

NEILL ENGINEERS Corp.

SHERMAN W. LOW, R.C.E.
GARY W. WHITE, L.S.

CLAYTON B. NEILL, JR., R.C.E.
GILBERT M. NEILL, R.C.E.



SUBDIVISIONS, LAND PLANNING,
WATER SUPPLY, SANITATION,
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MUNICIPALITIES

CONSULTING ENGINEERS
MISSION and FIFTH—BOX 11
CARMEL, CALIFORNIA 93921
(831) 624-2110
FAX: (831) 624-3693

October 24, 2000

Mr. Chris Tescher
Tescher/Levett Investments, Inc.
P. O. Box 4915
Carmel, CA 93921

Re: Erosion Control Report for Tescher/Levett Residence, Bonifacio Road, Pebble Beach

Dear Mr. Tescher:

This is an erosion control report for the proposed Tescher/Levett Residence project located at 1496 Bonifacio Road, APN 008-341-037, El Pescadero Rancho in Pebble Beach, Monterey County, California.

We made a field visit to the site on October 16, 2000, and utilized the site plan prepared by Mandurrigo, Madurrigo and Sullivan Design Studios dated 10-6-00 for evaluation of erosion impacts. The purpose of our report is to provide erosion control recommendations and is limited to erosion control considerations only.

The project consists of remodel of an existing single family residence. The proposed remodel will increase the building coverage by approximately 1,115 S.F.

The residence is situated on a 1.749 Ac. lot located along the westerly side of Bonifacio Road. A steep, natural ravine (gulch) runs through the northwesterly portion of the property. Most of the site drains in the northwesterly direction toward the steep, natural drainage ravine. A small portion of the lot drains in the southwesterly direction toward the adjacent property.

The terrain is generally steep (over 30%), except for the existing building site area and driveway portion of the lot. Native grasses, brush, oak and pine trees, and other vegetation cover the natural undisturbed portion of the lot. The area adjacent to the house is well landscaped. There are numerous pine and oak trees located in the vicinity of the building site.

Mr. Chris Tescher

October 24, 2000

Page 2 of 3

Based on the site plan, the proposed residence remodel would result in a minimal increase (0.05 cfs) in site runoff. With the minimal increase in runoff, erosion impacts generated from the project would be minor. The existing drainage pattern would remain basically unchanged.

In order to minimize erosion impacts, both during and after construction, we recommend the following:

(1) All roof water must be directed away from the house foundation. If roof gutters are not used, roof drainage shall fall onto non erodable surfaces or heavily landscaped areas. If roof gutters are used, the gutter downspouts shall be directed to splash blocks or similar erosion control devices and dispersed into natural or landscaped areas. Roof gutter downspouts may also be directed to an underground piping system. The underground piping system should extend down the sidehill and outlet near the bottom of the natural drainage ravine. Rock rip-rap shall be provided at the pipe outlet for energy dissipation.

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(3) The area drain located in front of the garage should be enlarged and outlet pipe cleaned out.

(4) All disturbed areas must be landscaped with 6-8" thick sandy, loam topsoil and extensively planted with ground cover to absorb and retard runoff.

(5) Construction should be scheduled to take place during the spring, summer and fall months when rainfall is minimal. If construction is to occur during the winter season, the project must be "winterized" to protect against storm and erosion damage. During periods of inclement weather, straw bales or a silt fence shall be installed around the work site to detain sediment and decrease runoff velocity.

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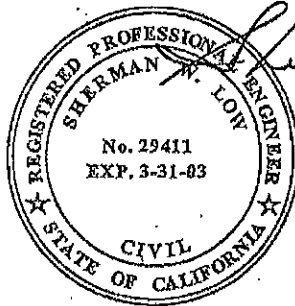
(7) Stockpiled excavated material shall be covered with staked burlap.

Mr. Chris Tescher
October 24, 2000
Page 3 of 3

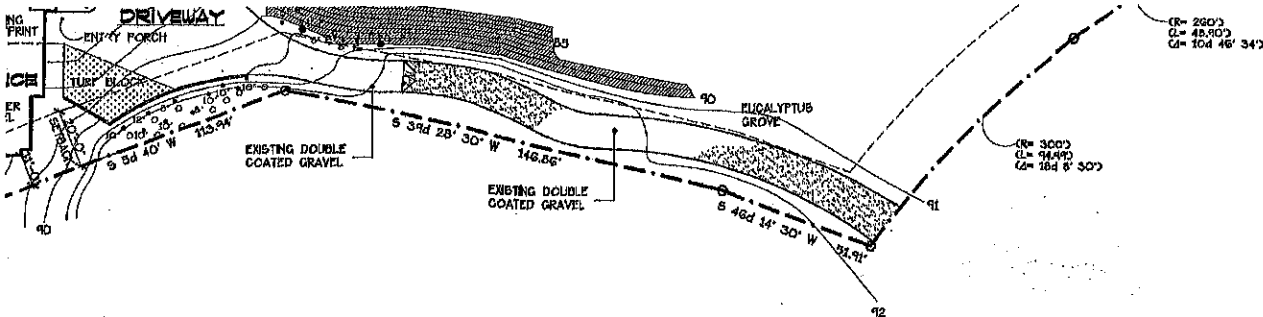
- (8) All graded areas and exposed earth resulting from construction located outside the building envelope is to be planted with rye grass and maintained during the construction period. Planting shall occur immediately following initial site preparation and grading.

This report is prepared with the understanding that it is the responsibility of the Owner, or his representative, to ensure that the information and recommendations provided are incorporated into the plans and carried out by the Contractor during construction.

Very truly yours,



Sherman W. Low
Registered Civil Engineer No. 29411



CT INFORMATION

008-341-037
LDR 1.5 (CZ)
76,186.44 S.F. = 1.749 AC.
1496 BONFACIO rd.
PEBBLE BEACH, CALIFORNIA

AREA RATIO

WED 17.5% 13,332.6 S.F.

DR 1.5% 1,562.9 S.F.
LEVEL 867.1 S.F.
AGE 596.2 S.F.

ING F.A.R. 3.4% 3,026.2 S.F.

F.A.R. 2.676.3 S.F.
LEVEL 1,963.1 S.F.
AGE 596.2 S.F.

POSED F.A.R. 6.8% 5,235.6 S.F.

BUILDING COVERAGE

ALLOWED 5,000.0 S.F.

EXISTING COVERAGE
EXISTING RESIDENCE 1,557.6 S.F.
EXISTING DECK and COVERED WALK 611.9 S.F.
COVERED WALK 566.8 S.F.
EXISTING GARAGE 596.2 S.F.

EXISTING SITE COVERAGE 66.6% 3,332.5 S.F.

PROPOSED COVERAGE
MAN RESIDENCE 2,676.3 S.F.
EXISTING GARAGE 596.2 S.F.
DECK and STAIR 744.6 S.F.

PROPOSED SITE COVERAGE 80.3% 4,017.1 S.F.

IMPERVIOUS COVERAGE

ALLOWED
4,000.0 S.F. + 982.9 S.F. = 4,982.9 S.F.

EXISTING DRIVEWAY 5,485.1 S.F.
EXISTING DRIVEWAY TO BE REMOVED - 502.2 S.F.

TOTAL IMPERVIOUS COVERAGE 4,982.9 S.F.

LEDGEND

⊗ TREES TO BE REMOVED
○ TREES TO REMAIN

HEIGHT LIMIT

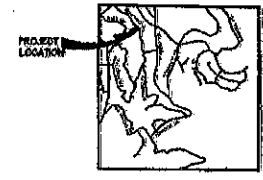
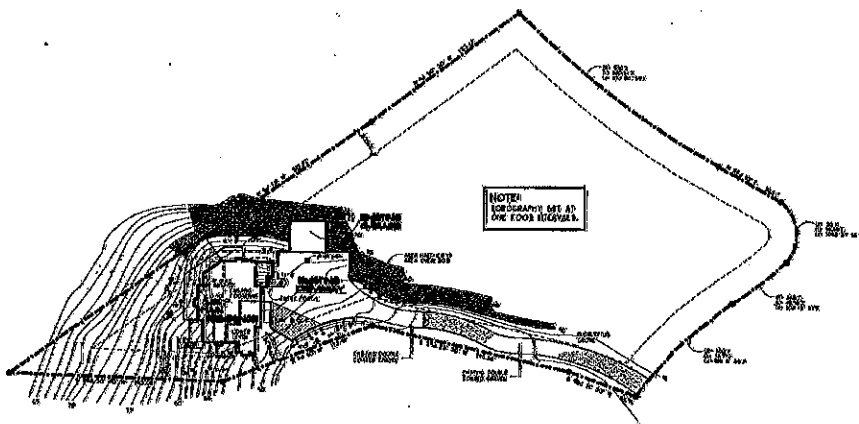
$78.9' + 88.3' = 167.2 / 2 = \text{CAN.G.} 83.6'$

AVERAGE NATURAL GRADE 0.0 FT 83.6 FT ELEV.
HEIGHT PROPOSED 18.1 FT 101.7 FT ELEV.
HEIGHT ALLOWED 30.0 FT 113.6 FT ELEV.

Si
SCALE

OWNER:
TESCHER/LEVETT
P.O. BOX 4415
CARMEL, CALIFORNIA
(831) 625-6994

TESCHER/LEVETT RESIDENCE



Vicinity Map

SHEET INDEX

1. SITE PLAN
2. DETAILED SITE PLAN
3. (PRO) FLOOR PLAN
4. (PRO) ELEVATIONS
5. (PRO) ELEVATIONS
6. (PRO) ROOF PLAN
7. (PRO) FLOOR PLAN
8. (PRO) FLOOR PLAN
9. (PRO) ELEVATIONS
10. (PRO) ELEVATIONS
11. (PRO) ROOF PLAN
12. DEMOLITION PLAN
13. (PRO) GARAGE PLAN
14. (PRO) GARAGE PLAN

PROJECT INFORMATION

APP. NO. 000-517-037
 OWNER: 000 1A, 000
 DATE: 10/10/00
 ADDRESS: 1000 000000 1A
 PERSON: 0000 000000

FLOOR AREA RATIO

FAR, ALLOWED	100%	0.0000 0.0
MINIMUM FAR	100%	0.0000 0.0
MAXIMUM FAR	100%	0.0000 0.0
TOTAL MINIMUM FAR	100%	0.0000 0.0
TOTAL MAXIMUM FAR	100%	0.0000 0.0
TOTAL MINIMUM FAR	100%	0.0000 0.0
TOTAL MAXIMUM FAR	100%	0.0000 0.0

BUILDING COVERAGE

ALLOWED	100%	0.0000 0.0
MINIMUM COVERAGE	100%	0.0000 0.0
MAXIMUM COVERAGE	100%	0.0000 0.0
TOTAL MINIMUM COVERAGE	100%	0.0000 0.0
TOTAL MAXIMUM COVERAGE	100%	0.0000 0.0

IMPERVIOUS COVERAGE

ALLOWED	100%	0.0000 0.0
MINIMUM COVERAGE	100%	0.0000 0.0
MAXIMUM COVERAGE	100%	0.0000 0.0
TOTAL MINIMUM COVERAGE	100%	0.0000 0.0
TOTAL MAXIMUM COVERAGE	100%	0.0000 0.0

LEGEND

- 1. 100% TO 100% COVER
- 2. 100% TO 100% COVER

HEIGHT LIMIT

HEIGHT LIMIT	100%	0.0000 0.0
MINIMUM HEIGHT	100%	0.0000 0.0
MAXIMUM HEIGHT	100%	0.0000 0.0
TOTAL MINIMUM HEIGHT	100%	0.0000 0.0
TOTAL MAXIMUM HEIGHT	100%	0.0000 0.0

Site Plan

SCALE: 1" = 50'-0"

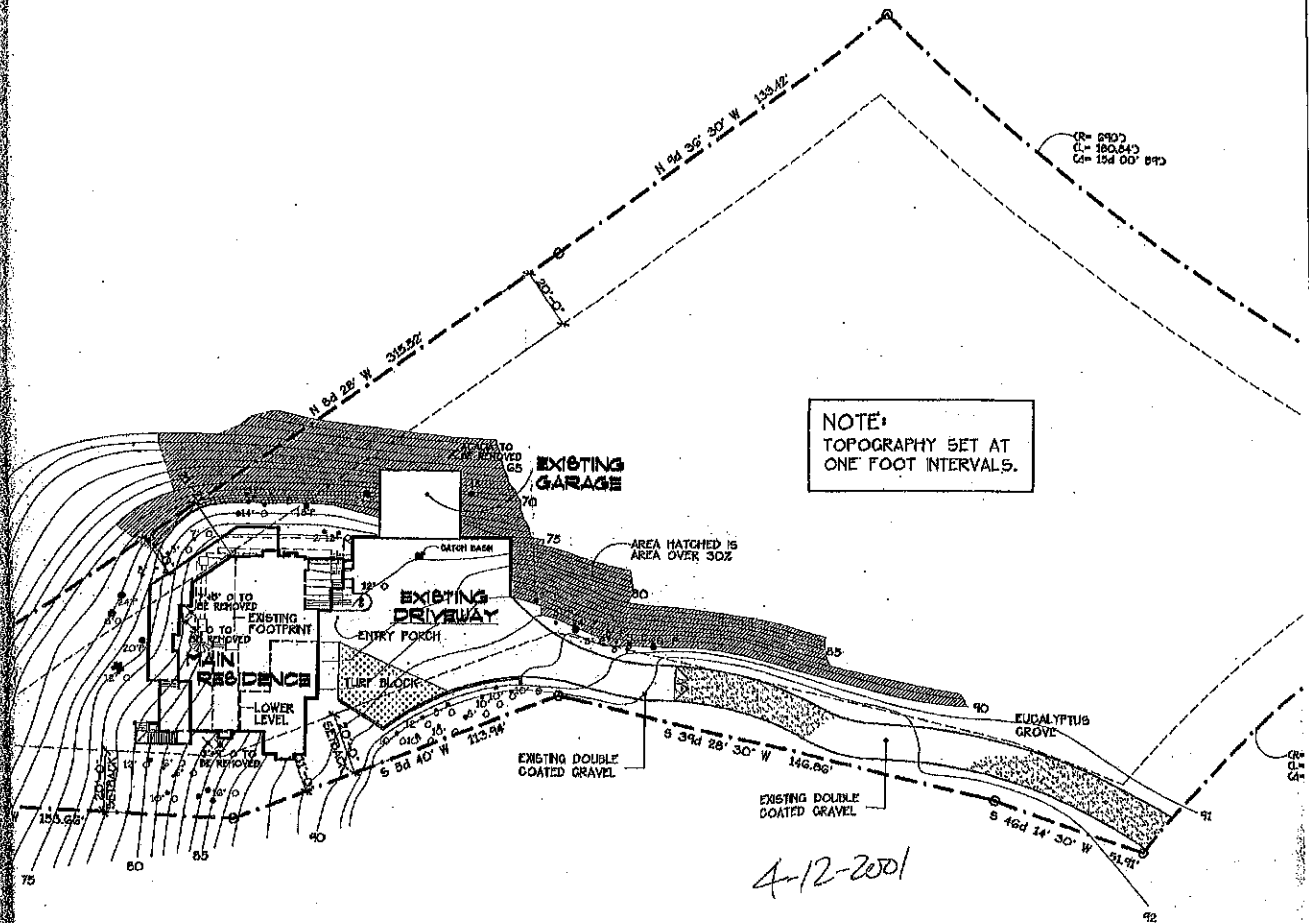
OWNER: TESCHER/LEVETT
 P.O. BOX 000
 00000 000000 1A
 00000 000000

4-12-01

2003

1

00000 000000 1A



4-12-2001

Exhibit H

Letter from Thom McCue to Wendell Montes

MONTEREY COUNTY

PLANNING AND BUILDING INSPECTION DEPARTMENT

Coastal Office, 2620 First Avenue, Marina, CA 93933 / 831-883-7528



August 6, 2003

MEMORANDUM

To: Wendell Montes
From: Thom McCue
RE: Tescher-LeVett (PLN00489 / 1496 Bonifacio, Pebble Beach)

This project was approved with no more than 4,982.9 sq. ft. of impervious surface. The amount shown on the plans was 5,485.1 sq. ft., so the applicant was required to remove 502.2 sq. ft. and replace it with permeable pavers. The requirement called for these pavers to "conform to County standards of 40 percent or greater open pass-through area. Engineering calculations shall be provided and approved by the Director of Planning and Building Inspection."

The applicant has left the area to be covered by permeable pavers with an impermeable surface and may have actually increased this surface by approximately 700 sq. ft. according to the plans provided to me by Todd Bessire, who is representing the applicant.

Mr. Bessire has told me that the driveway leading to the house is actually dirt and not what was previously described on the plans as "impervious . . . existing double coated gravel."

When your inspector visits the site he should look at the composition of the driveway. If it is indeed permeable – dirt or simple gravel – then I am able to sign off the paving condition on this project. If the driveway is impermeable – gravel and cement – then it can not be signed off until the requirement for replacing impermeable surfaces with pavers with "40 percent or greater open pass-through area."

I have attached a copy of the approved site plan, which was dated 4-12-2001. The area to be replaced with permeable pavers is shown at the back of the driveway and is labeled "turf block." As built this paved area may have been expanded further toward the residence.

I have also attached a copy of the site plan which Mr. Bessire told me was followed. These plans are dated 1-31-2001. If this plan is truly the "as built" and the driveway is not permeable the area which needs to be replaced by permeable pavers is outlined in red.

Cc: Jeff Main

[illegible][illegible]

APN : 008-349-037
ZONING : LDR 1.5 (CC)
SITE AREA : 76,184.44 S.F. = 1.748 AC.
ADDRESS : 1400 BONFACIO RD.
PUEBLO BLVD., CALIFORNIA

FAIR ALLOWED	17.52	10,332.6 S.F.
EXISTING FAIR		
WALK LEVEL		1,502.8 S.F.
LOWER LEVEL		887.1 S.F.
(2) GARAGE		586.2 S.F.
TOTAL EXISTING FAIR	1.06	3,006.2 S.F.

[illegible]

ALLOWED	
4,000 S.F. + 822.9 S.F. =	4,822.9 S.F.
EXISTING UNREMOVED TO BE REMOVED	5,400.1 S.F.
<u>TOTAL APPLICABLE COVERAGE</u>	<u>0.0 S.F.</u>
(FOR DOWNGRADE)	

<input checked="" type="checkbox"/>	TREES TO BE REMOVED
<input type="checkbox"/>	TREES TO REMAIN

HEIGHT LIMIT

7.5' + MAX = 107.2 / 2 = (A.S.D.) ELEV

ANYONE VIOLATING CRUISE	90 FT	83.6 FT B.M.
NIGHT PHOTOGRAPHED	100 FT	100.2 FT O.L.E.
HIGHLY ALLOWED	300 FT	115.5 FT C.M.

73.9' + 6.5' = 107.2' / 2 = (Ave) 53.6'	
AVERAGE NATURAL CRANE	9.0 FT
HEIGHT PROPOSED	10.1 FT
HEIGHT ALLOWED	30.0 FT
	11.56 FT DIA

NOTE:
ALL CURRENT CHARGES ARE
LISTED AS SHOWN

5

MAINTENANCE
MAINTENANCE
SULLIVAN

MAINTENANCE

2003

A1

TESCHER
145
PEBBLES

DA030099

id Record List	Address (1)	Owner (1)	Conditions and Notices (3)	Documents	District			
ent Parcel or its History								
ie Task	Task Status	Owner Name	Case Status	Status Date	Parcel #	Addr.	Dir.	Str
cation Submittal		ALFORD TRACY TR	Finished	03/12/2018	008-341-037-000	1496		BOI
		ALFORD TRACY TR	Given Out	03/07/2018	008-341-037-000	1496		BOI
		ALFORD TRACY TR	Finished	12/04/2017	008-341-037-000	1496		BOI
		ALFORD TRACY TR	Finished	08/29/2017	008-341-037-000	1496		BOI
		ALFORD TRACY TR	Citation Issued	01/17/2018	008-341-037-000	1496		BOI
cement Action	Comment	ALFORD TRACY TR	Finished	07/07/2017	008-341-037-000	1496		BOI
		ALFORD TRACY TR	Finished	11/07/2014	008-341-037-000	1496		BOI
		ALFORD TRACY TR	Cleared	04/03/2015	008-341-037-000	1496		BOI
			FINISHED		008-341-037-000	1496		BOI
			Active		008-341-037-000	1496		BOI
ition Compliance		ALFORD TRACY TR	Condition Compliance	03/27/2008	008-341-037-000	1496		BOI
			Cleared		008-341-037-000	0		NA
			Expired Application	10/20/2011	008-341-037-000	1496		BOI
			FINISHED		008-341-037-000	0		NA
			Finished		008-341-037-000	1496		BOI
		TESCHER-LEVETT INVES...	Finished		008-341-037-000	1496		BOI
		TESCHER-LEVETT INVES...	Finished		008-341-037-000	1496		BOI
		TESCHER-LEVETT INVES...	Finished		008-341-037-000	1496		BOI
		TESCHER-LEVETT INVES...	Finished		008-341-037-000	1496		BOI
			Finished		008-341-037-000	1496		BOI
		Cleared		008-341-037-000	0		NA	
		Cleared		008-341-037-000	0		NA	
		Finished		008-341-037-000	1496		BOI	
		Condition Compliance		008-341-037-000	1496		BOI	
		APPROVED		008-341-037-000	1496		BOI	

MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY

Carl P. Holm, AICP, Director



LAND USE & COMMUNITY DEVELOPMENT | PUBLIC WORKS & FACILITIES | PARKS
1441 Schilling Place, South 2nd Floor (831)755-4800
Salinas, California 93901-4527 www.co.monterey.ca.us/rma

LAND USE CODE VIOLATION REPORTING FORM

Address of Violation: 1496 Bonafacio Road, Pebble Beach

Describe Location of Violation: Driveway area, new sidewalk area, new patio area, IMPROPER DRAINAGE

Assessor's Parcel Number of Violation: 008-341-037-000

District: DMF

Details of Violation: (Use Additional Sheets of Paper if Needed, Photos, etc.)

See attached summary and exhibits for violations of zoning/land use plan limitations on impervious coverage.

Conditions of approval of

Is there an entrance gate that requires an access code? ☐ Yes ☐ No If yes, please provide code:

Reporting Party: (This information is confidential and will not be released per evidence code 1040 b (2))

Name: Anthony Lombardo & Associates e-mail: gail@alombardolaw.com

Address: 144 W. Gabilan Street, Salinas, CA 93901

Phone #: 831-751-2330

Alt Phone: _____

County Use Only

Date Received: _____ Time: _____

Received by: _____ Dept: _____ Ext: _____

Type of Complaint: ☐ Building ☐ Code Compliance ☐ Environmental Services ☐ Planning ☐ Public Works

Planning Area: _____ Zoning District: _____

Date Opened: _____ Opened By: _____ Assign To: _____ Case #: _____

Staff Notes: _____

PREVIOUS CASES: _____

Case Referred to: ☐ Environmental Health ☐ Fire ☐ Sheriff ☐ Water Resources Agency
☐ Other: _____

Referred Information: Name: _____ Telephone: _____

Notes: _____

A recent review of permit records for this property revealed that limitations and restrictions on the total impervious coverage for the site was a heavily discussed and monitored matter in a 2001 Coastal Administrative Permit for a remodel and additions to the existing non-conforming house and driveway. In that action the owner agreed as indicated on their plans that the driveway would be replaced with pervious material (rock and gravel); and a deed restriction was recorded to insure continued compliance for this area. There was no sidewalk/walkway identified on the plans from the rear of the home around the side to the driveway. During final inspection, the owner's representative argued the requirement for pervious materials was unwarranted, but based on records his arguments were unsuccessful.

In addition the records and in file photos show a Design Approval and building permit for a "garden wall" in 2003 to clear a violation for the same, but the area behind the wall was a "garden" or vegetative area.

Driveway & Sidewalk: Attached photos and satellite images show that the upper portion of the driveway is now pavers with no apparent spacing to allow for the minimum required permeability as required in the planning action from 2001. Photos also clearly show drain grates in several locations, as further indication that the cover is in fact not pervious. The location of discharge for these drains is not known, as the plans called for pervious materials and did not require or include drainage systems. In addition there appears to now be a wide concrete sidewalk around the house from the unpermitted rear patio to the driveway. From satellite images, it appears that the change to pavers in the upper section of the driveway and the sidewalk were added in mid to late 2007, 4 years after the last planning and building actions on the property for prior violations.

Patio (prior garden area): Satellite images clearly show that the "garden area" changed from a grass/vegetated area to a stone patio between 2009 and 2012. There is no record of any planning review or permits to make the area behind the wall into an impervious patio area. There also appear to be drainage pipes collecting and releasing water from the patio out in the direction of the property below.

Drainage: The attached photos show buried drainage pipes on the Alford property, which are directing and releasing water on to the adjacent property. No county permit records were found approving this drainage system, which would in fact be inappropriate for approval, as there is no drainage easement on to the adjacent property.

Complaint:

The 2001 discretionary action and permit showed that the house and driveway as modified would be at the 9000 sq. ft. impervious limit for the Del Monte Forest LUP area. The changes as noted above for the driveway, new sidewalk, and new patio represent violations of the DMF LUP impervious coverage limitations. These changes were unpermitted and in fact were contrary to the restrictions noted in the 2001 action and subsequent recorded deed restriction. This additional coverage is new activity without planning review and/or is contrary to compliance with prior actions, and is not eligible for consideration as legal non-conforming coverage. In addition, the dispersal of the Alford drainage on to the adjacent property is unpermitted and cannot be permitted by code; and it must be remedied, as it directly impacts the adjacent property owners ability to manage erosion and storm water collection on their property, which is a nuisance resulting in damages to the adjacent property owner.

When recorded return to:
Monterey County Planning and
Building Inspection Department
240 Church Street, Room 116
P. O. Box 1208
Salinas, CA 93901
(408) 755-5025

Joseph F. Pitta
Monterey County Recorder
Recorded at the request of
Attorney

CRBARBARA
7/20/2001
15:44:09

DOCUMENT: **2001060384**



2001060384

Titles: 1/ Pages: 16

Fees.... 53.00

Taxes..

Other... 1.00

AMT PAID \$54.00

Space above for Recorder's Use

Owner Name: TESCHER-LEVETT INVESTMENTS, INC.
Permit No: 000489
Applicant Name: TESCHER-LEVETT INVESTMENTS, INC.
Project Planner: Mc CUE

DEED RESTRICTION

I. WHEREAS, on this 15th day of July, 192001

TESCHER-LEVETT INVESTMENTS, INC.

hereinafter referred to as owner(s), is the record owner of the following real property:

(SEE EXHIBIT A)

_____, and as further set forth in Exhibit "A"
attached hereto and hereby incorporated by reference, hereinafter referred to as "the
subject property"; and

II. WHEREAS, Monterey County Board of Supervisors is acting on behalf of
the People of Monterey County; and

III. WHEREAS, the owner applied to the Monterey County for a
ADMINISTRATIVE PERMIT for the development on the subject property
described above; and

IV. WHEREAS, discretionary development Permit No. 000489 was granted
on MAY 30, 2001 by the ZONING ADMINISTRATOR in

Exhibit I

Deed Restriction

accordance with the provision of the Findings contained in Resolution No. 000489 attached hereto as "Exhibit B", and hereby incorporated by reference; and

V. **WHEREAS**, Administrative discretionary development Permit No. 000489 was subject to the terms and conditions including, but not limited, to the following condition(s) set forth in Exhibit "C", attached herefor, and hereby incorporated by reference.

VI. **WHEREAS**, it is intended that this Deed Restriction is irrevocable and shall constitute enforceable restrictions; and

VII. **WHEREAS**, Owner has elected to comply with the condition imposed by the discretionary development Permit No. 000489 so as to enable owner to undertake the development authorized by the permit.

NOW, THEREFORE, in consideration of the granting of discretionary development Permit No. 000489 to the Owner by Monterey County, the owner hereby irrevocably covenants with Monterey County that there be and hereby is created the following restrictions on the use and enjoyment of said subject property, to be attached to and become a part of the deed to the property. The undersigned owner, for himself/herself and for his/her heirs, assigns, and successors in interest, covenants and agrees to those terms and conditions set forth in Exhibit "C", attached hereto, and hereby incorporated by reference.

If any provision of these restrictions is held to be invalid or for any reason becomes unenforceable, no other provision shall be thereby affected or impaired.

Said deed restriction shall remain in full force and effect during the period that said permit, or any modification or amendment thereof, remains effective, and during the period that the development authorized by said permit or any modification of said development, remains in existence in or upon any part of, and thereby confers benefit upon, the subject property described herein, and to that extent, said deed restriction is hereby deemed and agreed by owner to be a covenant running with the land, and shall bind owner and all his/her assigns or successors in interest.

The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government code Section 66474.9,

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

Owner agrees to record this Deed Restriction in the Recorder's Office for the County of Monterey as soon as possible after the date of execution.

DATE: 6/18, 2001

TESCHER-LEVETT INVESTMENTS, INC.

Signed: By: 

CHRIS TESCHER

Print or Type Name of Above

Signed: _____

Print or Type Name of Above

This is to certify that the Deed Restriction set forth above is hereby acknowledged by the Director of the Monterey County Planning and Building Inspection Department pursuant to the action of the ZONING ADMINISTRATOR on MAY 30, 2001 and that Monterey County consents to its recordation thereof.

Dated: 7/13/01
Dale Ellis

Dale Ellis
Planning & Building
Services Manager

APPROVED AS TO FORM:
COUNTY COUNSEL

[Signature] 7/9/01
by Deputy County Counsel

[Signature] 7/12/01
Planning and Building Inspection

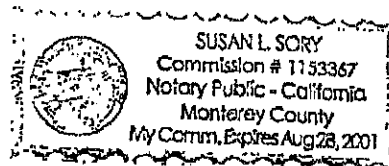
STATE OF CALIFORNIA)
)
COUNTY OF MONTEREY) SS.

On June 14, 2001 before me, Susan L. Sory, Notary Public, personally appeared CHRIS TESCHER

_____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Susan L. Sory



(Seal)

NOTE TO NOTARY PUBLIC: If you are notarizing the signatures of persons, signing on behalf of a corporation, partnership, trust, etc., please use the correct notary jurat (acknowledgment) as explained in your Notary Public Law Book.

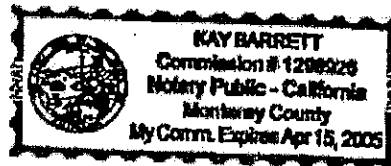
STATE OF CALIFORNIA)
) SS.
COUNTY OF MONTEREY)

On July 13, 2001 before me, Kay Barrett, Notary
Public, personally appeared Dale Ellis

_____, personally known to me
(or proved to me on the basis of satisfactory evidence) to be the person(s) whose
name(s) is/are subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their authorized capacity(ies), and that by
his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of
which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Kay Barrett



(Seal)

STATE OF CALIFORNIA)
) SS.
COUNTY OF MONTEREY)

On _____ before me, _____, Notary
Public, personally appeared _____

_____, personally known to me
(or proved to me on the basis of satisfactory evidence) to be the person(s) whose
name(s) is/are subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their authorized capacity(ies), and that by
his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of
which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

(Seal)

EXHIBIT A

Parcel A, in the County of Monterey, State of California, as shown on the map filed September 21, 1971, in Book 1 of Parcels, at page 119, in the Office of the County Recorder of said County.

APN: 008-341-037

EXHIBIT B

DALE ELLIS, AICP
ZONING ADMINISTRATOR

STATE OF CALIFORNIA
COUNTY OF MONTEREY

NO. 000489

A.P.# 008-341-037-000

In the matter of the application of
Tescher-Levett Investments Inc. (PLN000489)

FINDINGS & DECISION

for an Administrative Permit in accordance with Title 21 (Zoning) Chapter 21.70 (Administrative Permits) of the Monterey County Code, for a Coastal Administrative Permit and Design Approval for a 2,200 sq. ft. addition to an existing two-story single family dwelling; the property is located at 1496 Bonifacio Rd, east of Cortez Rd, Pebble Beach, Del Monte Forest Area Land Use Plan, came on regularly for meeting before the Zoning Administrator on May 30, 2001.

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

- 1. FINDING:** The subject Coastal Administrative Permit (PLN 000489), as described in condition #1 of the attached Exhibit "B," and as conditioned, conforms with the plans, policies, requirements and standards of the Local Coastal Program (LCP). The LCP for this site consists of the Del Monte Forest Land Use Plan, Coastal Implementation Plan (Part 5), Part 6 of the Coastal Implementation Plan, and the Monterey County Zoning Ordinance (Title 20). The property is located at 1496 Bonifacio Road in the Del Monte Forest Area of the Coastal Zone. The parcel is zoned "LDR/1.5-D (CZ)" or Low Density Residential, 1.5 acres/ units Design Control District in the Coastal Zone. The site is physically suitable for the use proposed. 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 (see 20.70.050.B.4). 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.
- EVIDENCE:** The application and plans submitted for the Coastal Administrative Permit in the project file at the Monterey County Planning and Building Inspection Department.
- EVIDENCE:** The site is located in a low (I) geologically zoned area, while there are faults and fault related features in the area, the site is suitable for the development proposed.
- EVIDENCE:** An archaeological report prepared by Mary Doane, B.A. and Trudy Haversat, RPA, of Archaeological Consulting, which is contained in the project file, found that there were no significant archaeological resources. Condition #20

has been added to require that work be stopped in the event that any archaeological resources are found on site.

EVIDENCE: Forest management plan prepared by Glenn C. Fiamik, dated December 20, 2000. A condition has been added to require implementation of the Forest Management Plan.

EVIDENCE: The project as proposed is consistent with policies of the Del Monte Forest Land Use Plan dealing with visual resources and will have no significant impact on the public viewshed. Staff made a site visit and determined that the project as proposed would not be a ridgeline or impact the public viewshed.

EVIDENCE: The Del Monte Forest Land Use Advisory Committee reviewed and recommended approval of the Administrative Permit and Design Approval on December 7, 2000.

EVIDENCE: There has been no testimony received either written or oral, during the course of public hearings to indicate that the site is not suitable for the project. Necessary public facilities are available for the use proposed. The project has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, the applicable Fire Department, Public Works Department and Environmental Health Division. There has been no indication from those agencies that the site is not suitable. There are no physical or environmental constraints such as geologic or seismic hazard areas, environmentally sensitive habitats, or similar areas that would indicate the site is not suitable for the use proposed.

2. **FINDING:** The project is consistent with Section 20.147.030.A.1 limiting structural coverage to 5000 square feet, including main and accessory structures, and impervious surface coverage to 4000 square feet – for a combined maximum coverage of 9,000 sq. ft. in the Pescadero, Seal Rock Creek and Sawmill Gulch Watershed and the smaller unnamed watersheds which drain into the Carmel Bay Area of Special Biological Significance.

EVIDENCE: The project application, including the site plan, contained in file PLN000489 proposes structural coverage of 4,017 square feet and impervious surface coverage of 4,983 square feet.

3. **FINDING:** The proposed project will not have a significant environmental impact.

EVIDENCE: Section 15301 of the CEQA Guidelines categorically exempts the proposed development from environmental review. No adverse environmental impacts were identified during staff review of the development application.

4. **FINDING:** The establishment, maintenance, and operation of the proposed development applied for will not under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.

EVIDENCE: The project as described in the application and accompanying material was reviewed by the Department of Planning and Building Inspection, applicable Fire Department, Public Works and Parks Departments, Environmental Health Division, and Water Resources Agency. The respective departments and Agency have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood or the County in general.

5. **FINDING:** The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivisions and any other applicable provisions of Title 20, and all zoning violation abatement costs, if any, have been paid.

EVIDENCE: Sections 20.14 and Chapter 20.147 of the Monterey County Coastal Implementation Plan. Staff verification of the Monterey County Planning and Building Inspection Department records indicated that no violations exist on subject property.

6. **FINDING:** The project is appealable to the Board of Supervisors and the California Coastal Commission.

EVIDENCE: Sections 20.86.070 and 20.86.080 of the Monterey County Coastal Implementation Plan.

DECISION

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

1. The subject Coastal Administrative Permit and Design Approval are for a 2,200 sq. ft. addition to an existing two-story single-family dwelling. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of Planning and Building Inspection. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (Planning and Building Inspection Department)

Prior to issuance of Grading or Building Permits:

2. The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and

employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees, which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim; action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. **(Planning and Building Inspection Department)**

3. The applicant shall record a notice which states: "A permit (Resolution 000489) was approved by the Zoning Administrator for Assessor's Parcel Number's 008-341-037-000 on May 10, 2001. The permit was granted subject to 20 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. **(Planning and Building Inspection Department)**
4. Size of letters, numbers and symbols for address shall be a minimum of 3 inch letter height, 3/8 inch stroke, contrasting with the background color of the sign. **(Pebble Beach Community Services District)**
5. All buildings shall have a permanently posted address, which shall be placed at each driveway entrance visible from both directions of travel along the road. In all cases, the address shall be posed at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located. **(Pebble Beach Community Services District)**
6. The building(s) shall be fully protected with automatic fire sprinkler system(s). The following notation is required on the plans when a building permit is applied for:

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

7. The building(s) shall be fully protected with an automatic alarm system(s). The following notation is required on the plans when a building permit is applied for:
"The building(s) shall be fully protected with an approved central station, proprietary station, or remote station automatic fire alarm system as defined by National Fire Protection Association Standard 72 - 1993 Edition. Plans and specifications for the fire alarm system must be submitted and approved by the enforcing jurisdiction prior to requesting a framing inspection. All fire alarm system inspections and acceptance testing shall be in accordance with Chapter 7 of NFPA 72 - 1993." (Pebble Beach Community Services District)
8. The applicants shall obtain from the Monterey County Water Resources Agency (MCERA), proof of water availability on the property, in the form of an approved Water Release Form. (Water Resources Agency)
9. A drainage plan shall be prepared by a registered civil engineer or architect addressing on-site and off-site impacts, to include retention/percolation facilities to mitigate the impact of impervious surface stormwater runoff. Necessary improvements shall be constructed in accordance with approved plans. (Water Resources Agency)
10. All exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. That the applicant shall submit 2 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. (Planning and Building Inspection Department)
11. No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of Planning and Building Inspection. (Planning and Building Inspection)
12. All impervious pavers shall conform to County standards of 40 percent or greater open pass-through area. Engineering calculations shall be provided and approved by the Director of Planning and Building Inspection. (Planning and Building Inspection Department)
13. The applicant shall record a deed restriction which states: "That portion of the driveway shown on the approved plans as being pervious shall be installed and maintained as pervious material to allow for permeability of stormwater. At no time shall the material be replaced with an impervious material without the authorization and/or permit approval from the Monterey County Planning & Building Inspection Department and the Pebble Beach Community Services District Fire Department. Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. (Planning and Building Inspection Department)

14. A notice shall be recorded with the Monterey County Recorder which states: "A Forest Management Plan has been prepared for this parcel by Glenn C. Flamik dated December 20, 2000 and is on record in the Monterey County Planning and Building Inspection Department Library, File #PLN000489. All tree removal on the parcel must be in accordance with the Forest Management Plan, as approved by the Director of Planning and Building Inspection." This notice shall be recorded prior to issuance of building or grading permits. (Planning and Building Inspection Department)
15. Trees located close to the construction site shall be protected from inadvertent damage from construction equipment by wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip line of the retained trees. Said protection shall be demonstrated prior to issuance of building permits subject to the approval of the Director of Planning and Building Inspection. (Planning and Building Inspection Department)
16. Applicant shall include the recommendations from the Erosion Control Report prepared by Neill Engineers Corp. on October 24, 2000 as notes on the building permit plan set. (Planning and Building Inspection Department)

Prior to Final Building Inspection/Occupancy:

17. The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:
 - a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.
 - b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency)

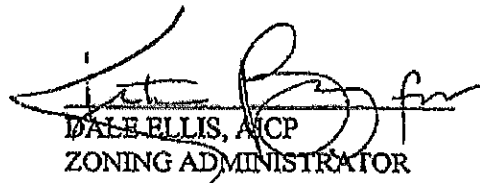
Continuous Permit Conditions:

18. All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition and be maintained consistent with the recommendations contained in the forest management plan prepared by Glenn C. Flamik and specifically shown on pages 6 through 9. (Planning and Building Inspection Department)
19. 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 (150 feet) of the find until it can be evaluated by a qualified professional archaeologist. The Monterey County Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society 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 the discovery. (Planning and Building Inspection Department)

20. Where gates are to be locked, the Reviewing Authority having jurisdiction may require installation of a key box or other acceptable means to immediate access for emergency equipment. (Pebble Beach Community Services District)

PASSED AND ADOPTED this 30th day of May, 2001.


DALE ELLIS, AICP
ZONING ADMINISTRATOR

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON MAY 30, 2001.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY TO THE MONTEREY COUNTY PLANNING COMMISSION ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE JUNE 11, 2001.

NOTES

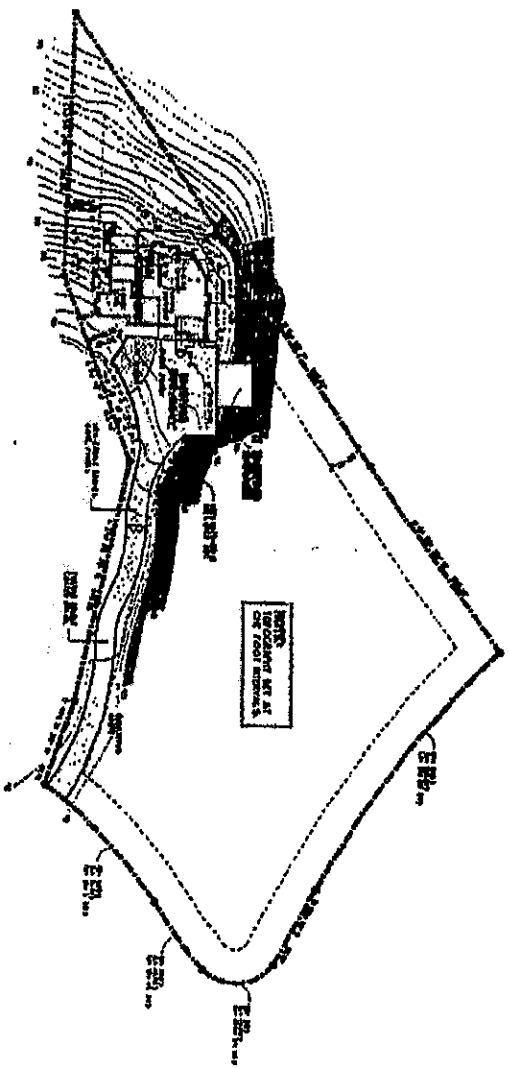
1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

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

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

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

TESCHER/LEVETT RESIDENCE

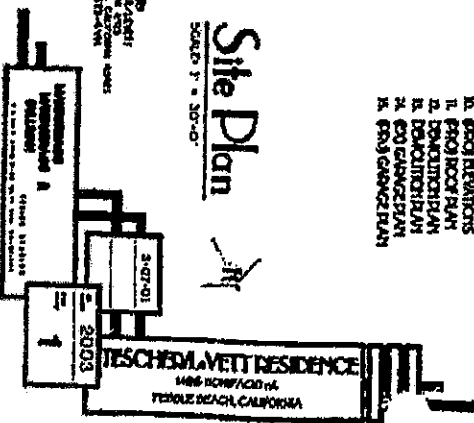


Neighborhood Map

- SHEET INDEX**
- 1. SITE PLAN
 - 2. FLOOR PLANS
 - 3. EXTERIOR ELEVATIONS
 - 4. EXTERIOR ELEVATIONS
 - 5. EXTERIOR ELEVATIONS
 - 6. EXTERIOR ELEVATIONS
 - 7. EXTERIOR ELEVATIONS
 - 8. EXTERIOR ELEVATIONS
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 - 100. EXTERIOR ELEVATIONS

Site Plan

SCALE: 1" = 20'-0"



PROJECT INFORMATION

DATE: 06-20-03
 DRAWN BY: J. L. LEE
 CHECKED BY: J. L. LEE
 PROJECT NO.: 03-001
 CLIENT: J. L. LEE
 ADDRESS: 1400 BOWDOIN AVE.
 PEBBLE BEACH, CALIFORNIA

RECORDS/NOTES

DATE: 06-20-03
 DRAWN BY: J. L. LEE
 CHECKED BY: J. L. LEE
 PROJECT NO.: 03-001
 CLIENT: J. L. LEE
 ADDRESS: 1400 BOWDOIN AVE.
 PEBBLE BEACH, CALIFORNIA

REVISIONS

DATE: 06-20-03
 DRAWN BY: J. L. LEE
 CHECKED BY: J. L. LEE
 PROJECT NO.: 03-001
 CLIENT: J. L. LEE
 ADDRESS: 1400 BOWDOIN AVE.
 PEBBLE BEACH, CALIFORNIA

LEGEND

DATE: 06-20-03
 DRAWN BY: J. L. LEE
 CHECKED BY: J. L. LEE
 PROJECT NO.: 03-001
 CLIENT: J. L. LEE
 ADDRESS: 1400 BOWDOIN AVE.
 PEBBLE BEACH, CALIFORNIA

NOTES

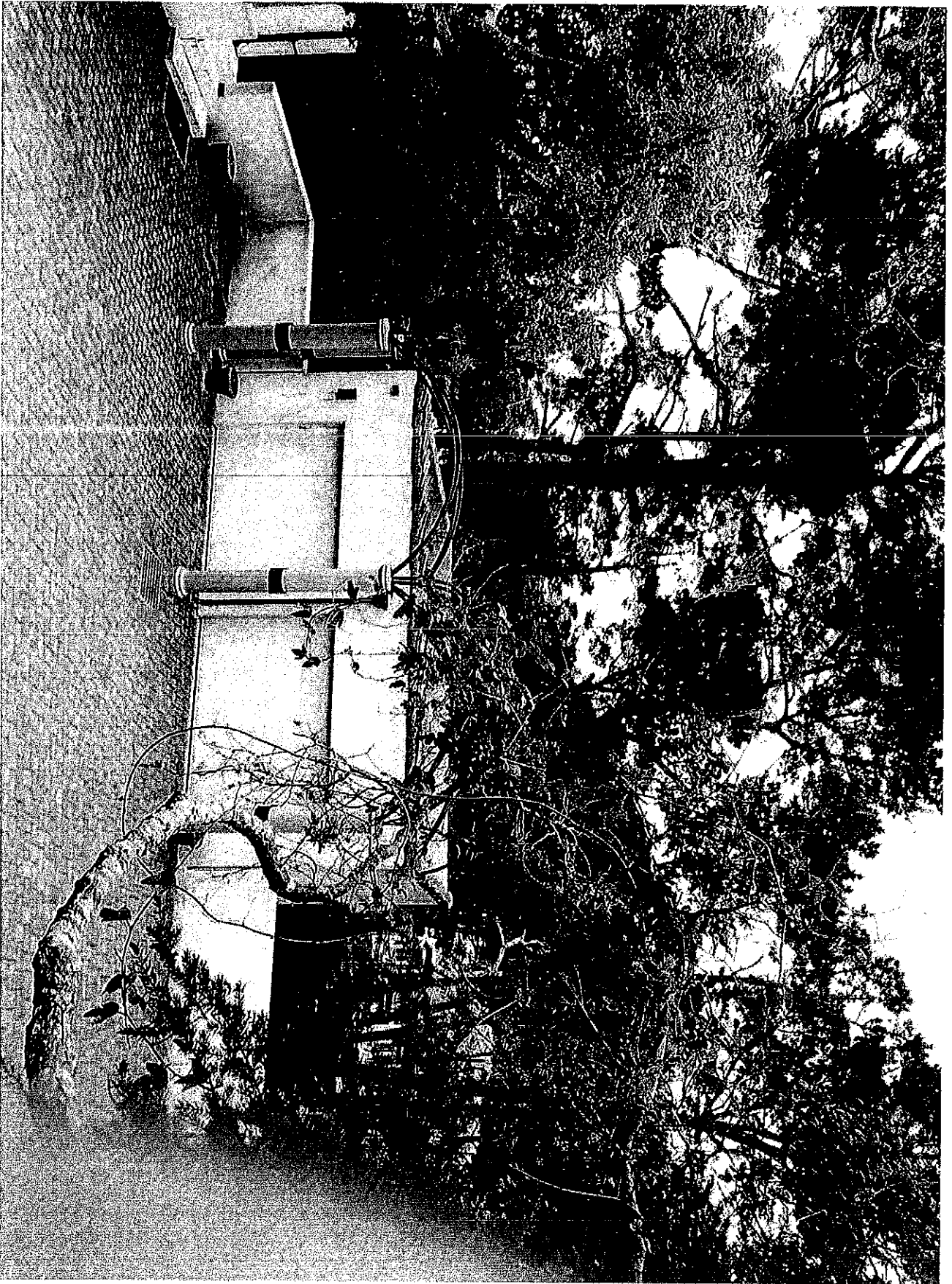
DATE: 06-20-03
 DRAWN BY: J. L. LEE
 CHECKED BY: J. L. LEE
 PROJECT NO.: 03-001
 CLIENT: J. L. LEE
 ADDRESS: 1400 BOWDOIN AVE.
 PEBBLE BEACH, CALIFORNIA

EXHIBIT C

The driveway shall be installed and maintained as pervious material to allow for permeability of stormwater. At no time shall the material be replaced with an impervious material without the authorization and/or permit approval from the Monterey County Planning & Building Inspection Department and the Pebble Beach Community Services District Fire Department. Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use.

A Forest Management Plan has been prepared for this parcel by Glenn C. Flamik dated December 20, 2000 and is on record in the Monterey County Planning and Building Inspection Department Library, File #PLN000489. All tree removal on the parcel must be in accordance with the Forest Management Plan, as approved by the Director of Planning and Building Inspection.

END OF DOCUMENT



Current Condition



Current Condition

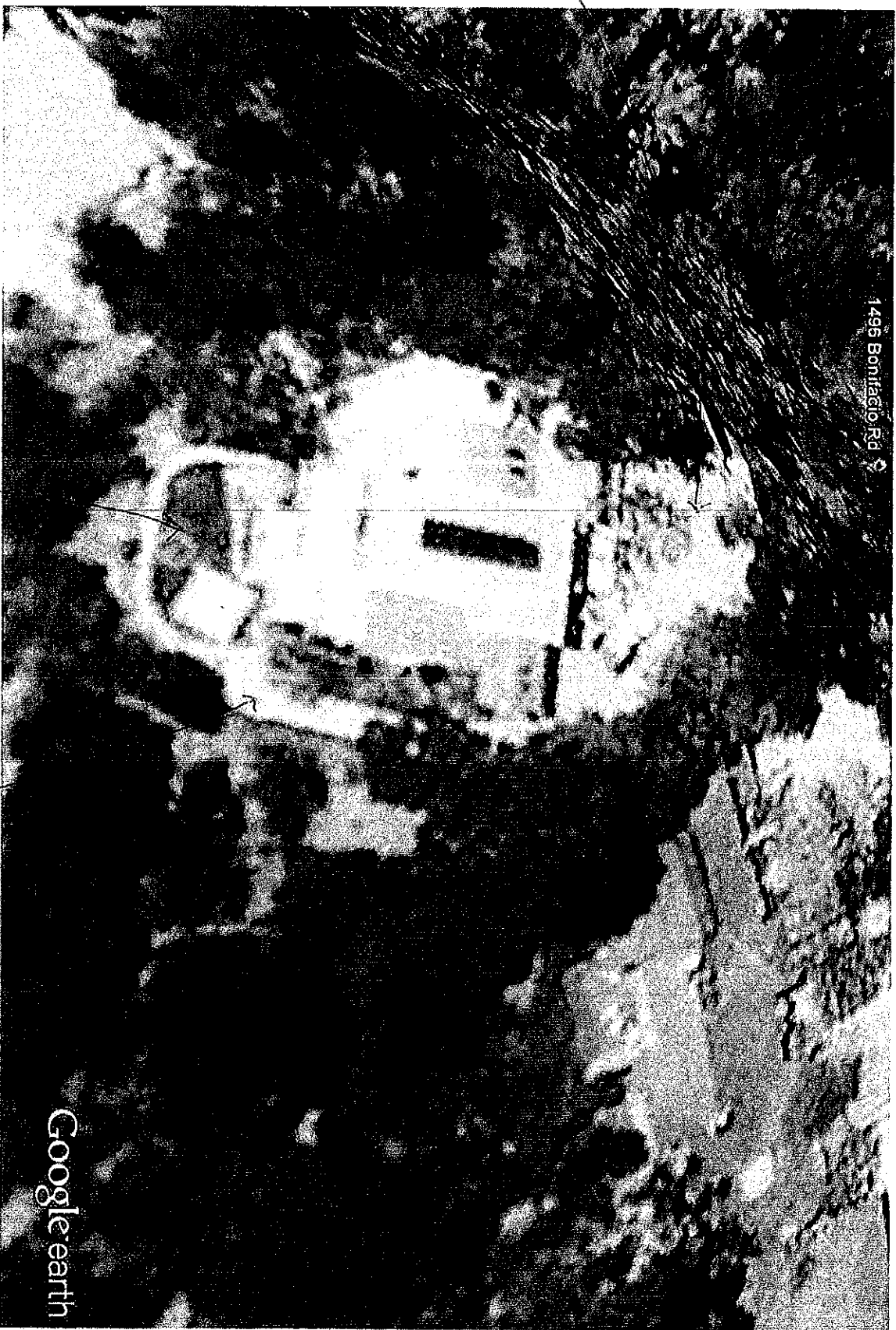
previous
road

1496 Bonifacio Rd

June 2007

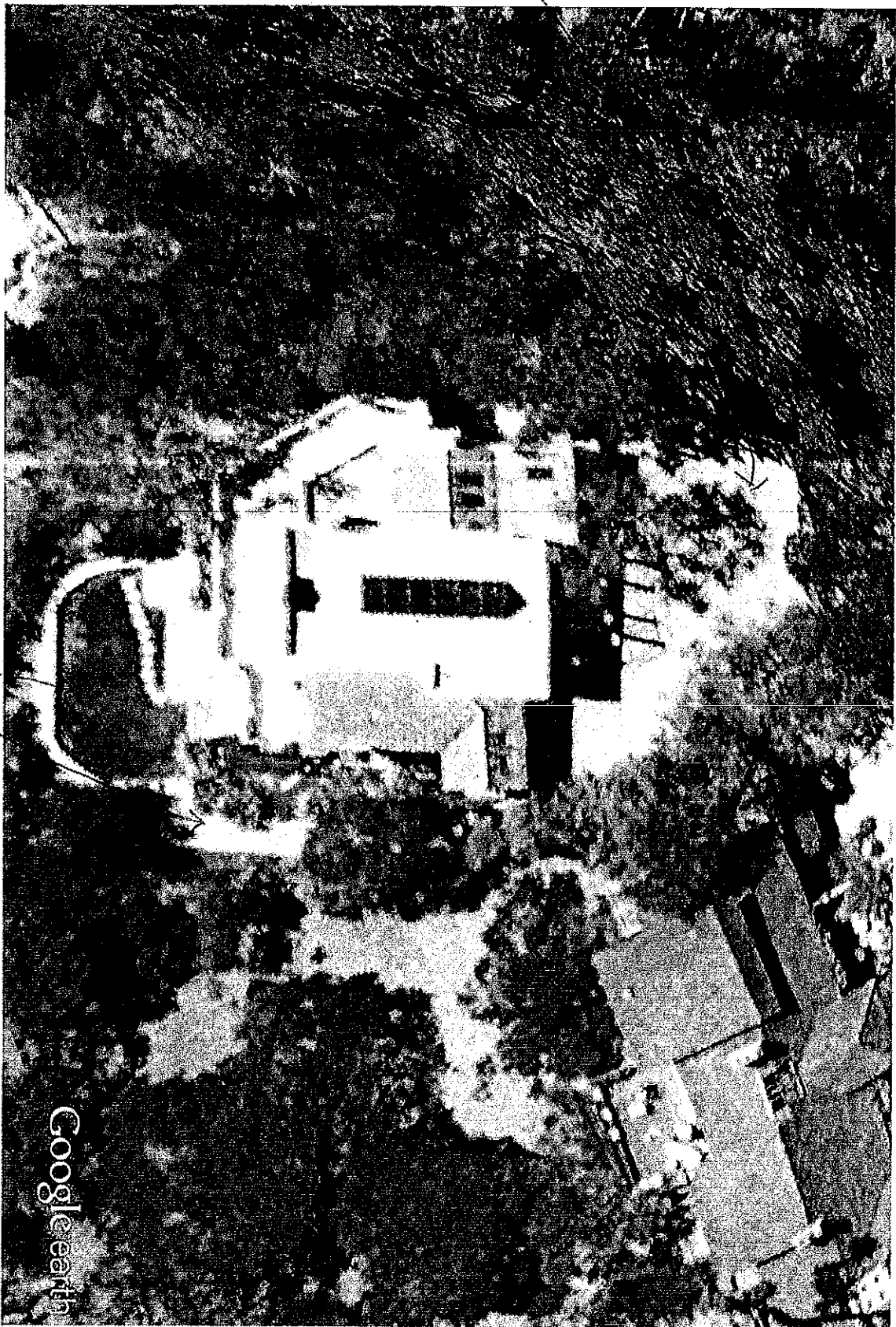
previous
vegetation

new sidewalk
appears to be
gravel



Google earth

papers
in previous
all other
photos)



Google earth

Sept 2009



Google earth

May 2012

Senior's
playground



Present

DA# 030099

DESIGN APPROVAL REQUEST

Patterson

PROPERTY OWNER: Tascher heVett
 Address: 1496 Bonifacio rd.
 City/State/Zip: Pebble Beach Ca 93962

Telephone: 625-6999

AGENT: Charles Mandurraga
 Address: P.O. Box R
 City/State/Zip: Carmel, Ca. 93921

Telephone: 625-1553

PROJECT ADDRESS: 1496 Bonifacio rd
 ASSESSOR'S PARCEL #: 008-341-037

REQUEST DESIGN APPROVAL FOR: Bear Retaining wallTYPES OF MATERIALS AND COLORS TO BE USED: Carmel stone

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

PROPERTY OWNER/AGENT SIGNATURE: [Signature]DATE: 3-3-03

FOR DEPARTMENT USE ONLY

GENERAL/AREA PLAN: DME DESIGNATION: Residential
 ZONING: DR/LSD(CZ) Height: _____
 SETBACKS: Front: _____ Side: _____ Rear: _____
 LOT COV: 15% FAR: 17.5%

ADVISORY COMMITTEE REFERRAL: ☐ YES ☒ NO
 ADMINISTRATIVE APPROVAL: ☒ YES ☐ NO
 PUBLIC HEARING: ☐ YES ☒ NO
 DOES THIS APPLICATION CORRECT A VIOLATION?: ☒ YES ☐ NO
 LEGAL LOT DETERMINATION: ☐ YES ☐ NO
 PLANS REVIEWED PRIOR TO SUBMISSION: ☒ YES ☐ NO

PLANNER GIVEN OUT: [Signature]
 ADVISORY COMMITTEE: DME

COMMENTS: To correct a violation
Possible 30% slope

ADVISORY COMMITTEE RECOMMENDATION

☐ APPROVAL ☐ DENIAL
 For: _____ Against: _____ Abstain: _____

RECOMMENDED CHANGES:

WAS APPLICANT PRESENT?: ☐ YES ☐ NO

SIGNATURE: _____

DATE: _____

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

CONDITIONS: OBTAIN BUILDING PERMIT

SIGNATURE: W. ALVA A. H. [Signature] 6/3/03 PROCESSED BY: [Signature] DATE: 6/4/03

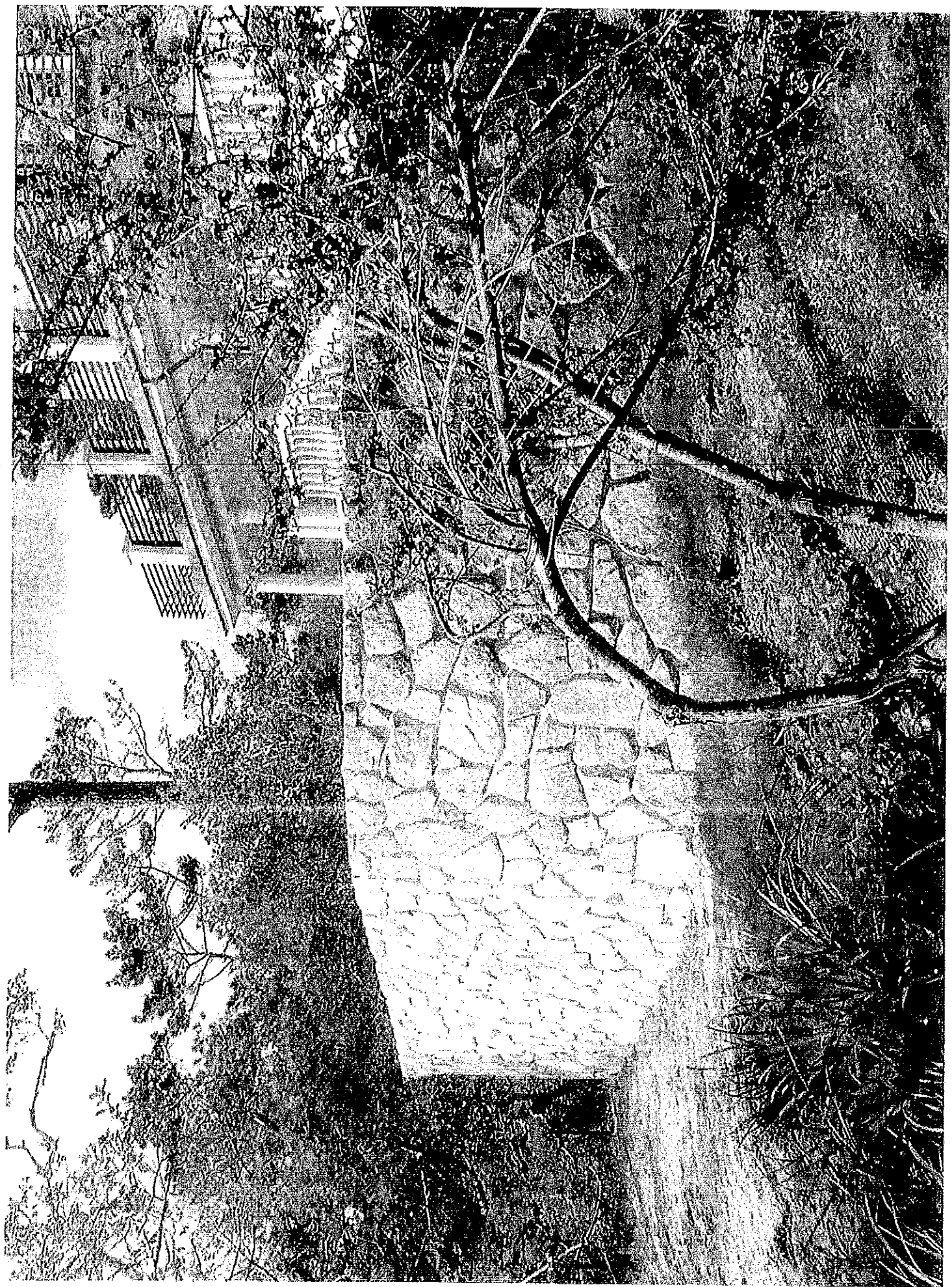
MONTEREY COUNTY PLANNING AND BUILDING INSPECTION DEPARTMENT

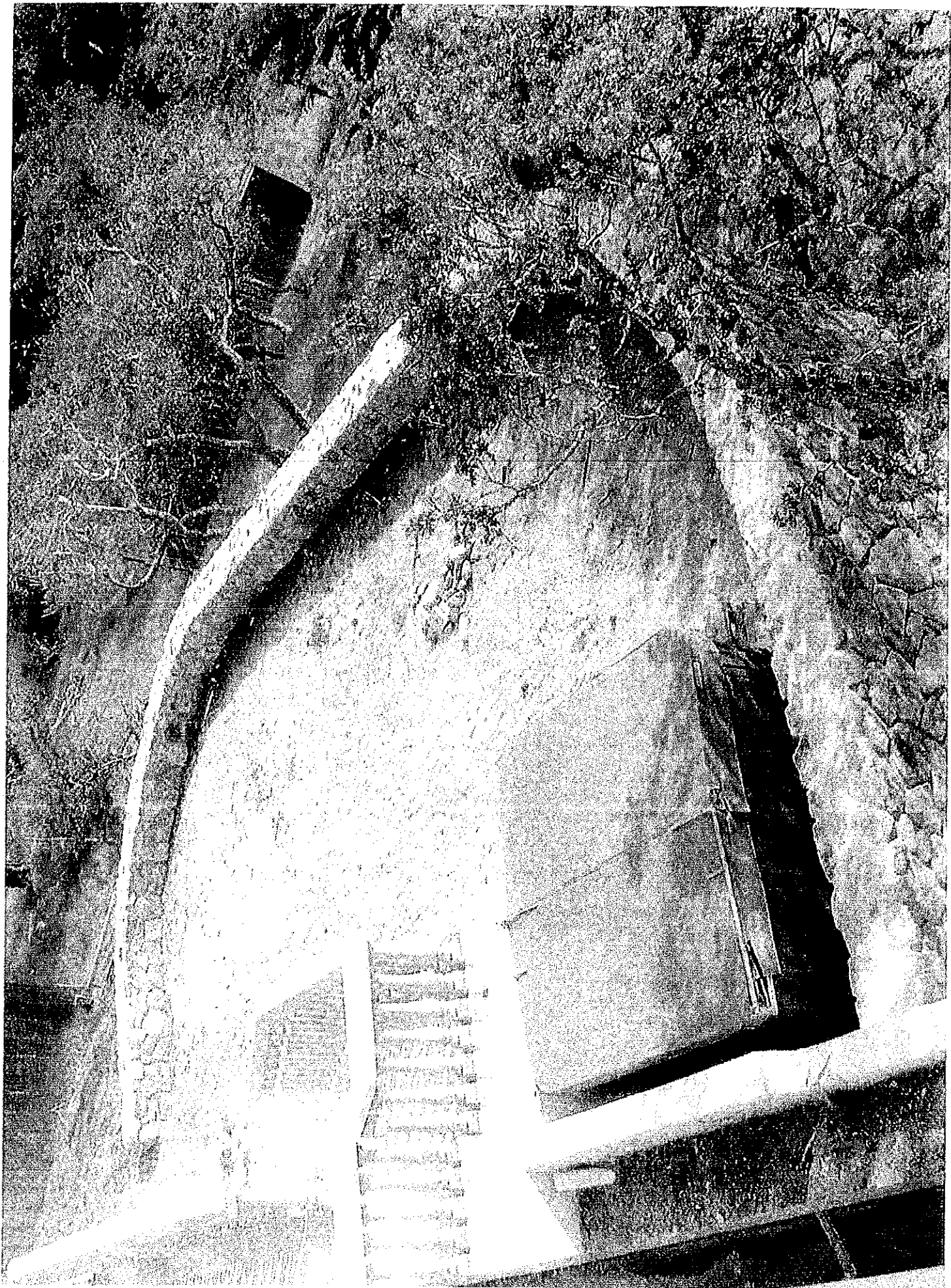
P.O. BOX 1208, SALINAS, CA 93902

(408) 755-6025

Exhibit J

Pictures of Alfred Property








**Impervious Condition
Not Approved**



**Illegal Pipes Installed
Without Permission of
Bardis**

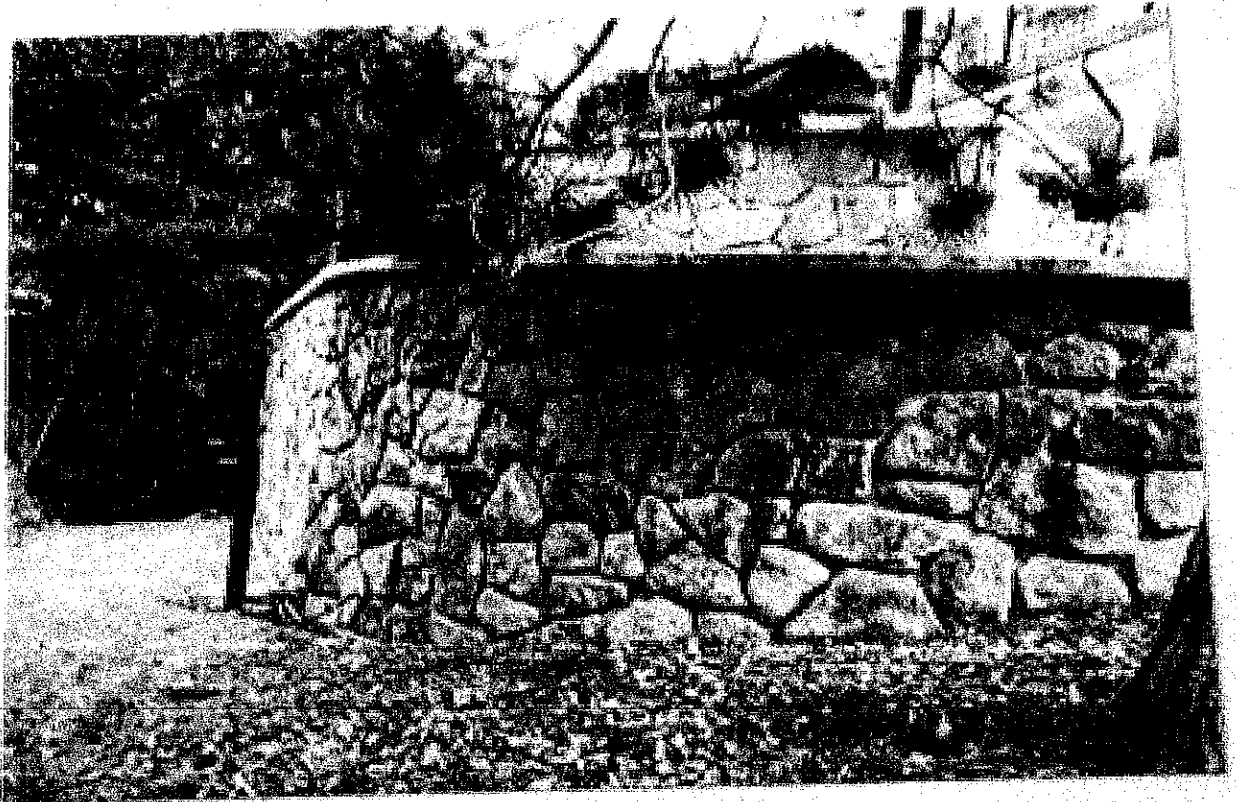


**Illegal Pipes Installed
Without Permission of
Bardis**

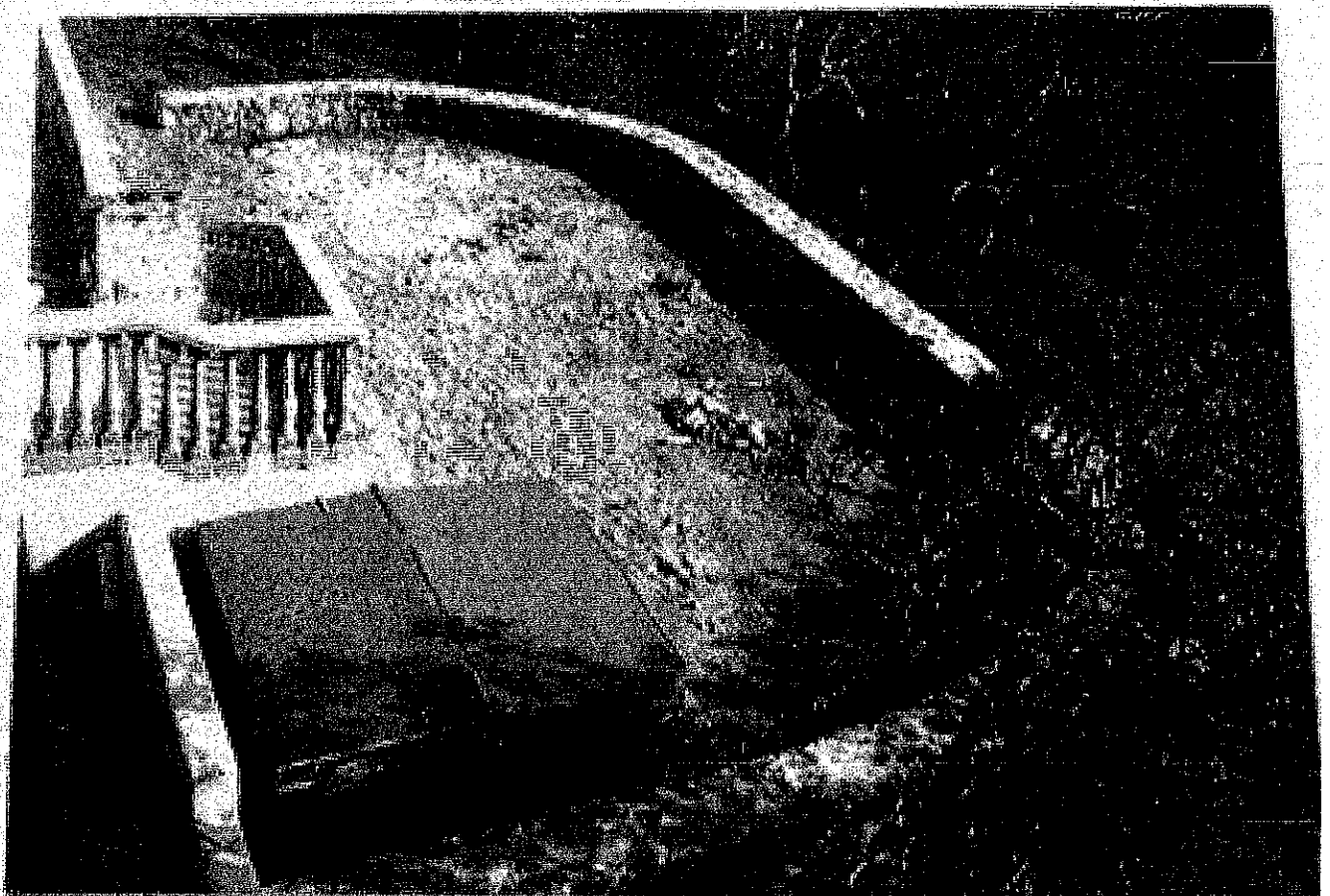


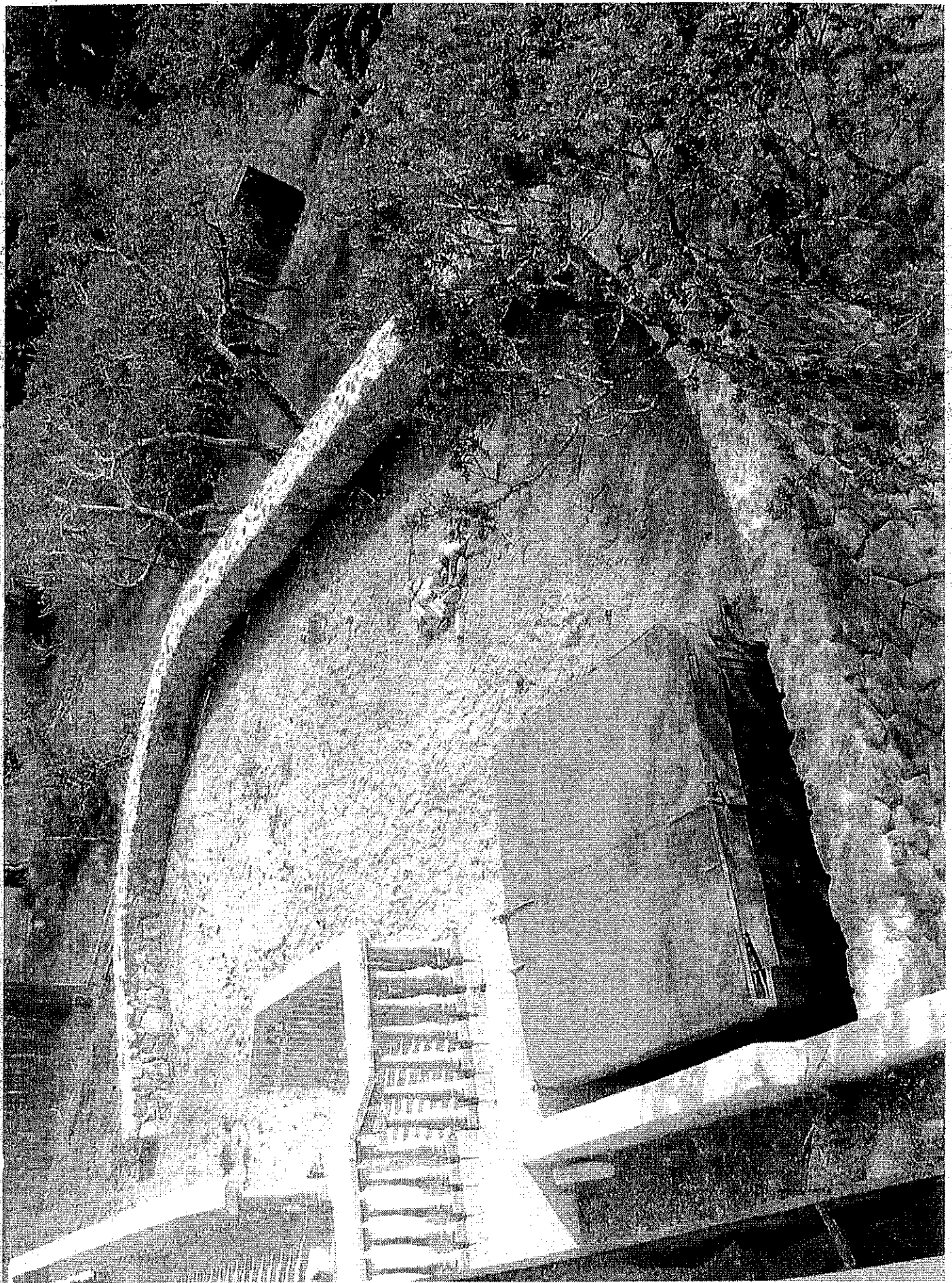


EXSISTING WALL



REQUIRED PERVIOUS

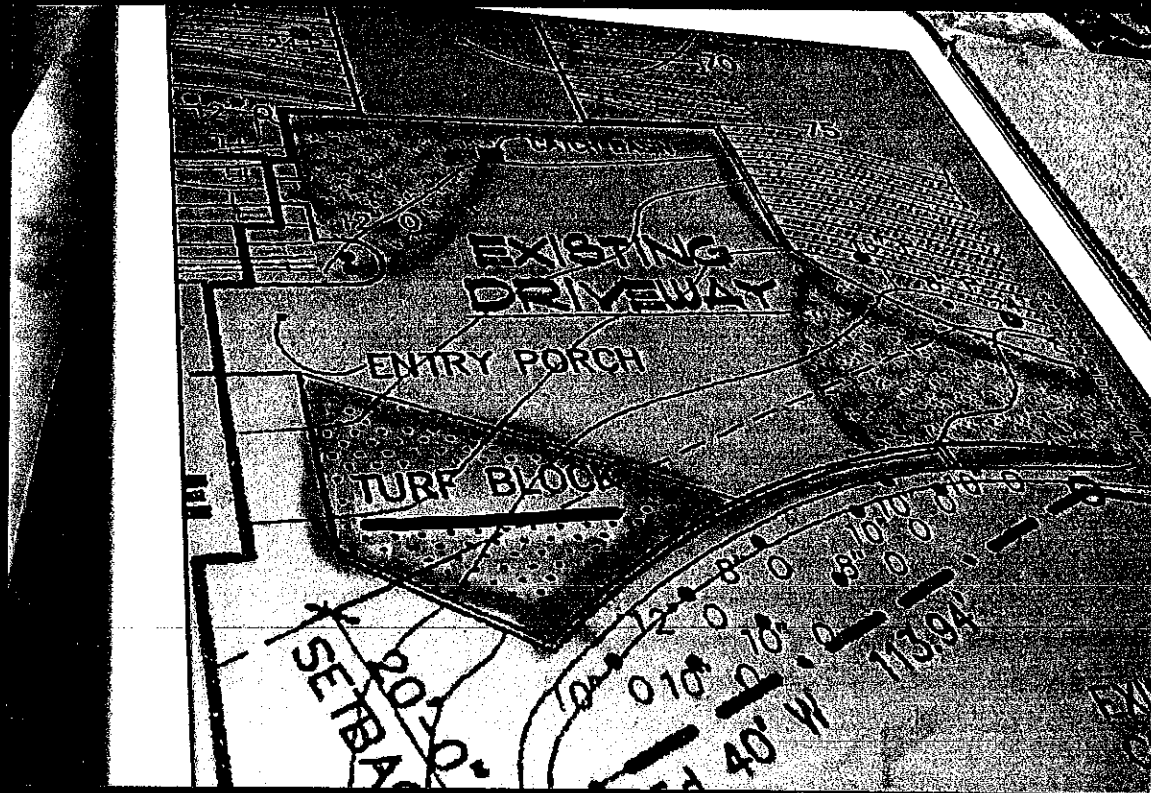




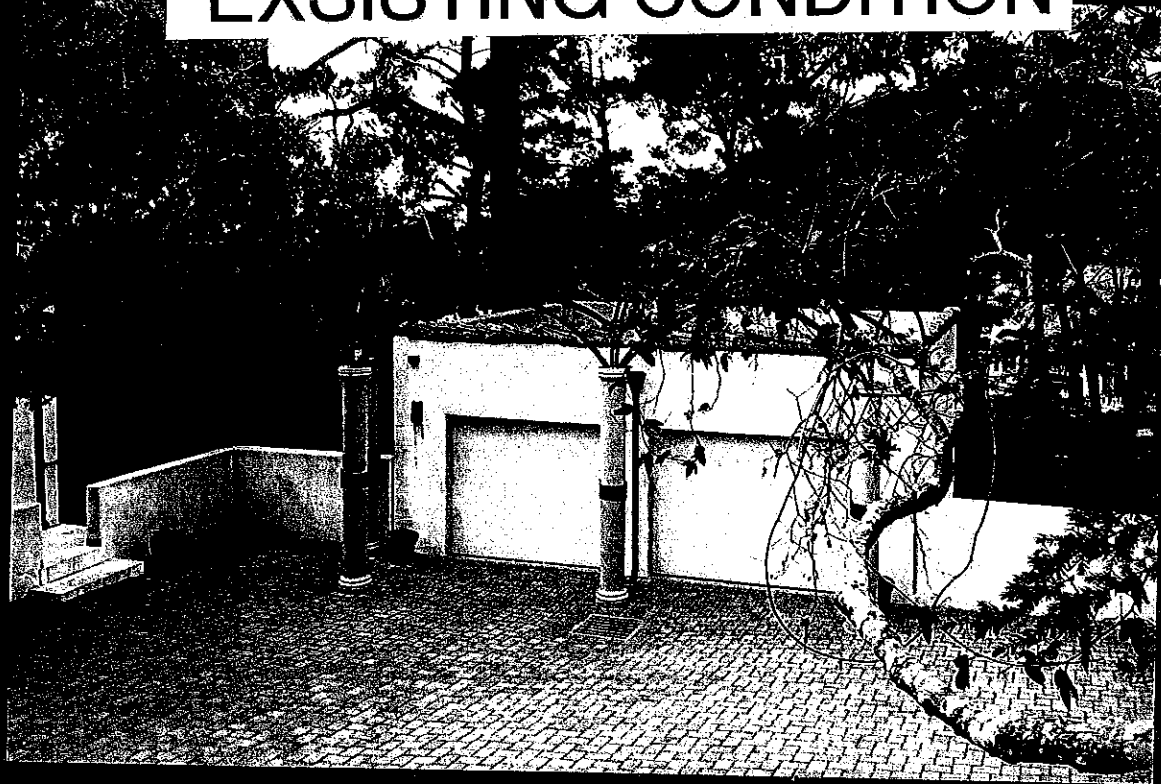


**Illegal Pipes Installed
Without Permission of
Bardis**

APPROVED PLAN



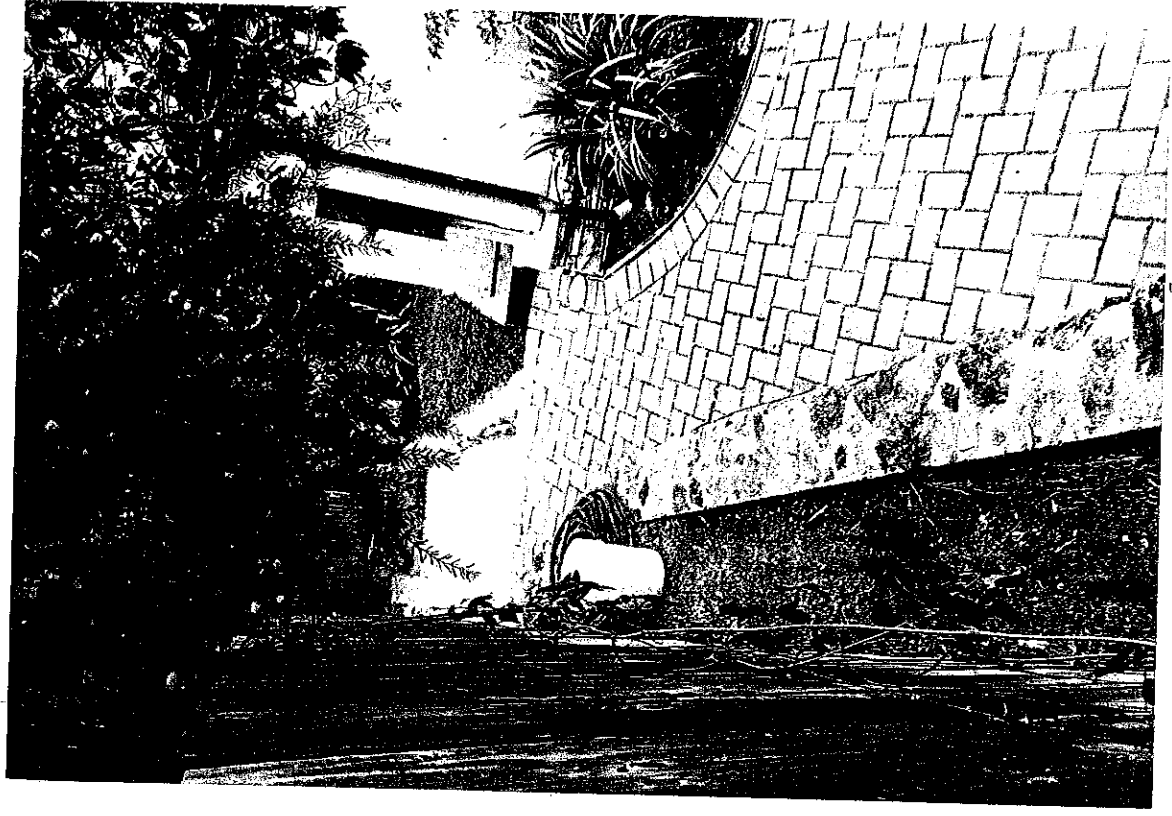
EXSISTING CONDITION



FRONT DRIVEWAY EXCESS PAVERS



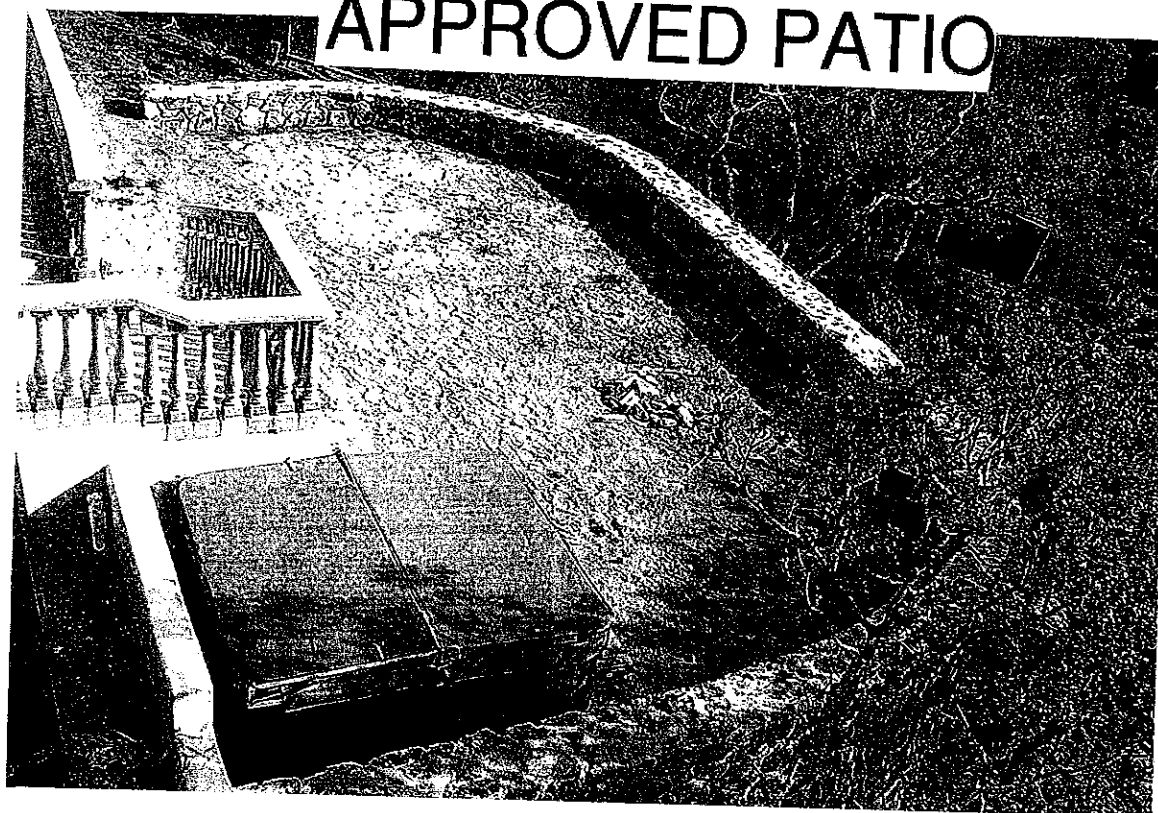
SIDE YARD EXCESS PAVERS



EXISTING WALL



APPROVED PATIO



EXISTING PATIO

REQUIRED PERVIOUS 2007 GOOGLE EARTH

