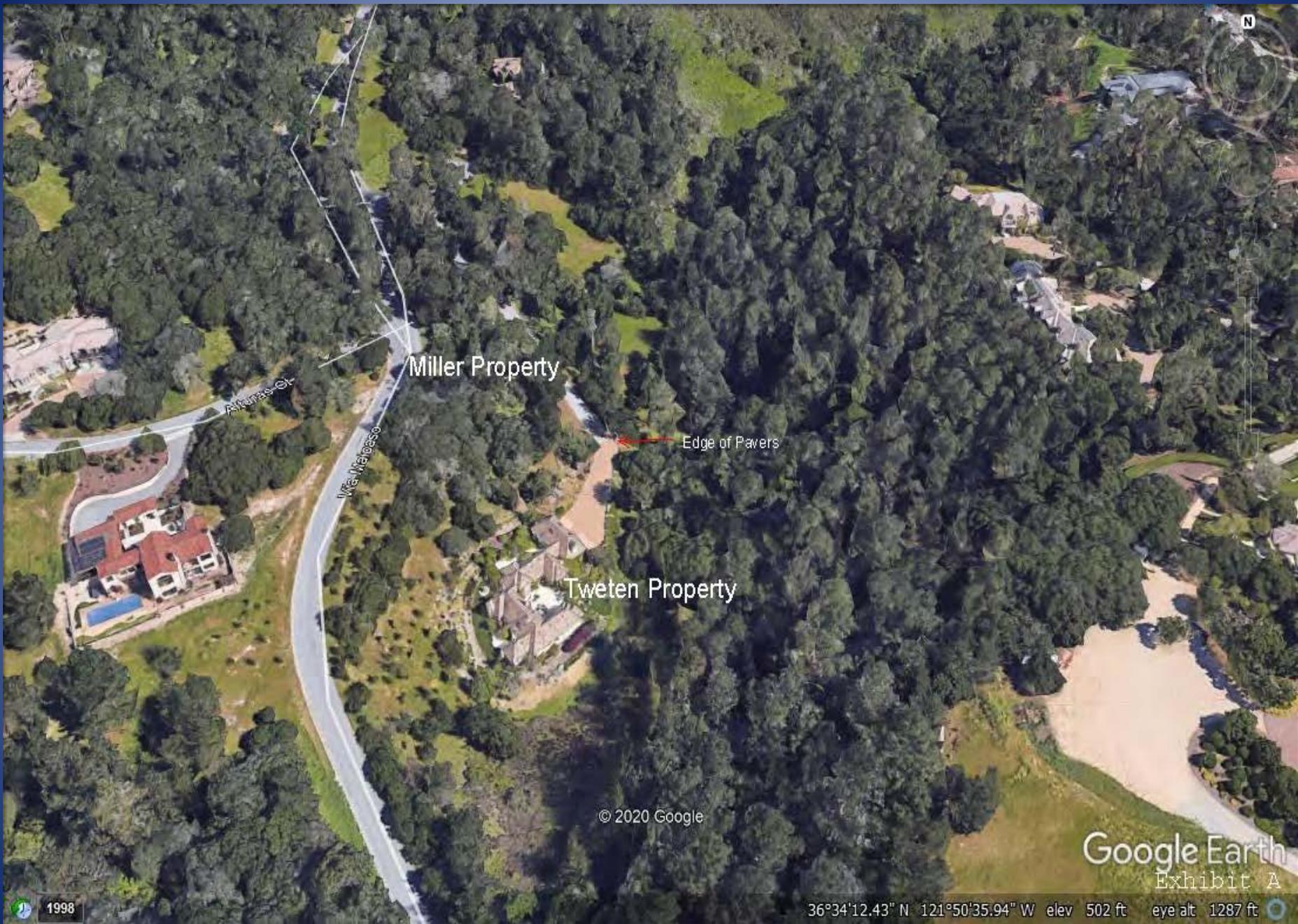


November 5, 2020  
Board of Supervisors Meeting

Agenda Item 15  
Miller – PLN 180289

**TWETEN PRESENTATION**

- There significant issues warranting granting Mrs. Tweten's appeal and denial of the project:
  - On going litigation
  - Piecemealing project review
  - Improper CEQA review
  - Significant grading on steep slopes
  - Overall size and mass of the project



Miller Property

Tweten Property

Edge of Pavers

Alameda St

W. Wallace St

© 2020 Google

Google Earth  
Exhibit A

36°34'12.43" N 121°50'35.94" W elev 502 ft eye alt 1287 ft

1998

**SYMBOLS**

- POINT USED FOR CALCULATION ONLY
- FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "RCE 24400" AS RECORDED IN VOLUME 21, SURVEYS, PAGE 126, OR VOLUME 23 SURVEYS, PAGE 62, UNLESS OTHERWISE NOTED.
- SET 5/8" REBAR WITH PLASTIC CAP MARKED "RCE 24400" AT ADJUSTED LOT CORNERS.

**NOTES**

BEARINGS AND DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.

BEARINGS AND DISTANCES SHOWN ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED.

DISTANCES SHOWN ON THIS MAP ARE GRID DISTANCES. SCALE MAP DISTANCES BY 1.000078764 TO OBTAIN GROUND DISTANCES.

SEE SHEET 2 OF 2 FOR PRECISE INFORMATION ON EACH INDIVIDUAL LOT.

**BASIS OF BEARINGS**

THE BEARING OF S 39° 57' 21" W BETWEEN FOUND MONUMENTS ALONG THE COMMON BOUNDARY OF LOT 19 AND PARCEL "B", AS SHOWN ON THE MAP FILED IN VOLUME 21 OF SURVEYS, PAGE 126, IN THE OFFICE OF THE COUNTY RECORDER OF MONTEREY COUNTY, THE COUNTY RECORDER OF MONTEREY COUNTY, STATE OF CALIFORNIA, WAS TAKEN AS THE BASIS OF BEARINGS SHOWN UPON THIS MAP.

**ABBREVIATIONS**

- P.R.E. = PRIVATE ROADWAY EASEMENT
- P.U.E. = PUBLIC UTILITY EASEMENT
- S.E. = SCENIC EASEMENT
- D.E. = DRAINAGE EASEMENT
- B.E. = BUILDING ENVELOPE
- (TYP) = TYPICAL
- (E) = EXISTING
- (N) = NEW
- (R) = RADIAL BEARING

**SURVEYOR'S STATEMENT**

THIS MAP REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE LAND SURVEYOR'S ACT AT THE REQUEST OF MONTERA RANCH PROPERTIES, L.L.C. IN APRIL 2003.

*David K. Fuller*

DAVID K. FULLER  
REGISTERED PROFESSIONAL ENGINEER  
RCE 24400  
EXPIRES: 12/31/2005



**COUNTY SURVEYORS STATEMENT**

THIS MAP HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 8766 OF THE LAND SURVEYOR'S ACT, THIS

7 DAY OF MAY 2003.

*G.H. Nichols*  
COUNTY SURVEYOR

BY: *[Signature]*

DEPUTY COUNTY SURVEYOR



**COUNTY RECORDER'S STATEMENT**

FILED THIS 8<sup>TH</sup> DAY OF MAY, 2003  
AT 1:40 PM IN VOLUME 26 OF SURVEYS  
PAGE 69

AT THE REQUEST OF WWD CORPORATION,  
FEE \$ 900 G-NO. 2003053555

*Stephen L. Vagnini*  
RECORDER

*[Signature]*  
DEPUTY

PLN 000-547

**RECORD OF SURVEY  
MONTERA RANCH**

IN THE COUNTY OF MONTEREY, STATE OF CALIFORNIA  
SHOWING A LOT LINE ADJUSTMENT BETWEEN LOTS 17 AND 18 AS SHOWN UPON THAT MAP FILED IN VOLUME 23, OF SURVEYS, PAGE 62, AND LOT AS SHOWN UPON THAT MAP FILED IN VOLUME 21, OF SURVEYS, PAGE 12 BOTH OF OFFICIAL RECORDS OF MONTEREY COUNTY, CALIFORNIA, APRIL, 2003

**OWNER LOT 17:**  
BRUCE GRAHAM  
1298 ADOBE LANE  
PACIFIC GROVE, CALIFORNIA 93921

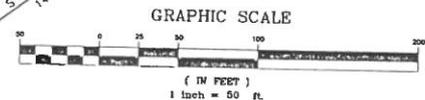
**OWNER LOT 18:**  
MONTERA RANCH PROPERTIES, L  
C/O CARMEL DEVELOPMENT COMPAN  
POST OFFICE BOX 450  
CARMEL, CALIFORNIA 93921

**PREPARED BY:**  
WWD CORPORATION  
2801 MONTEREY-SALINAS HIGHWAY  
MONTEREY, CALIFORNIA 93940  
(831) 655-2723  
FAX: (831) 655-3425

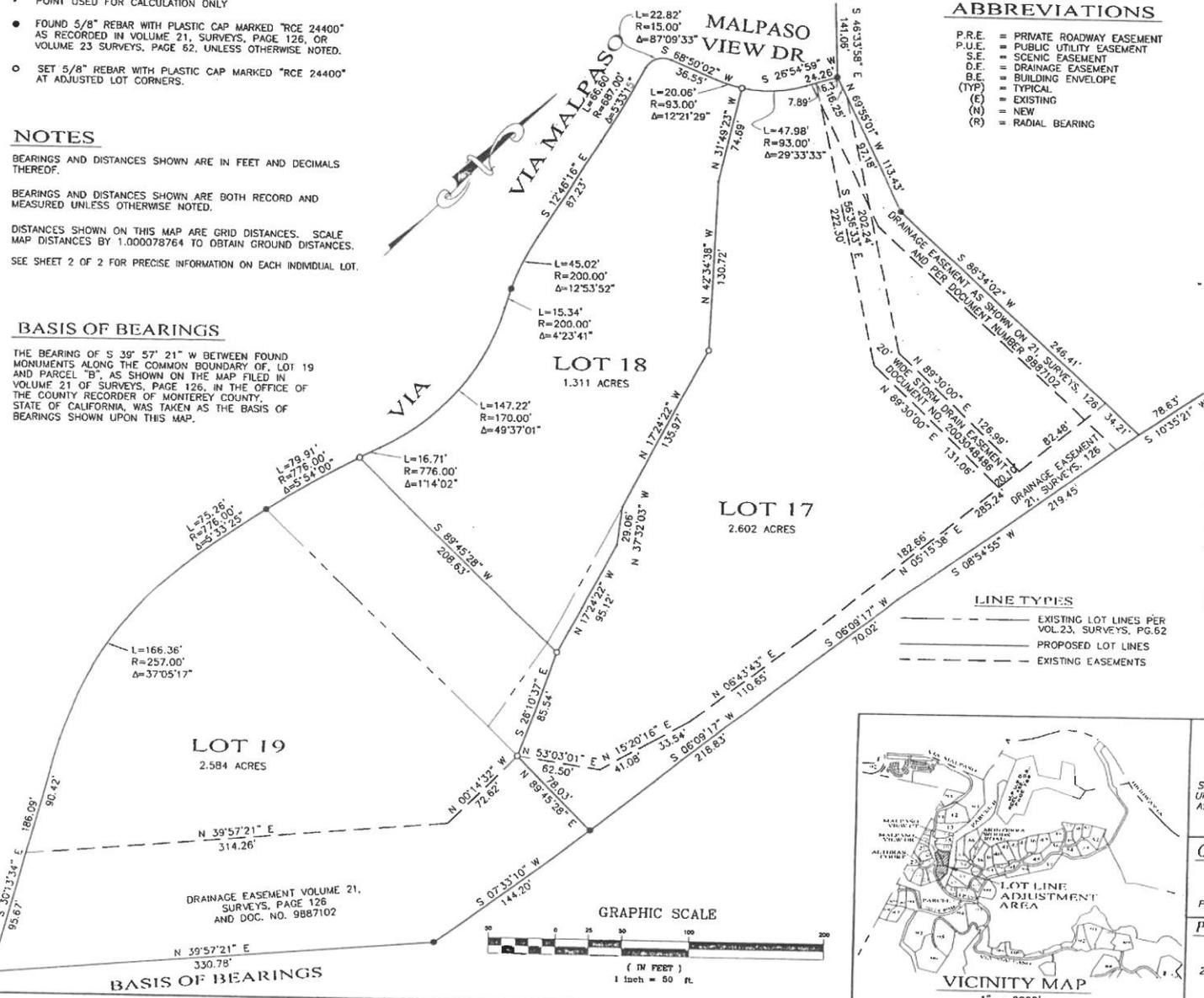
**OWNER LOT 19:**  
SILVERIE PROPERTIES, LLC  
2330 DEL MONTE AVE #A1  
MONTEREY, CALIFORNIA 93940

SHEET 1 OF 2

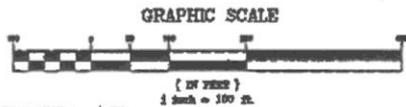
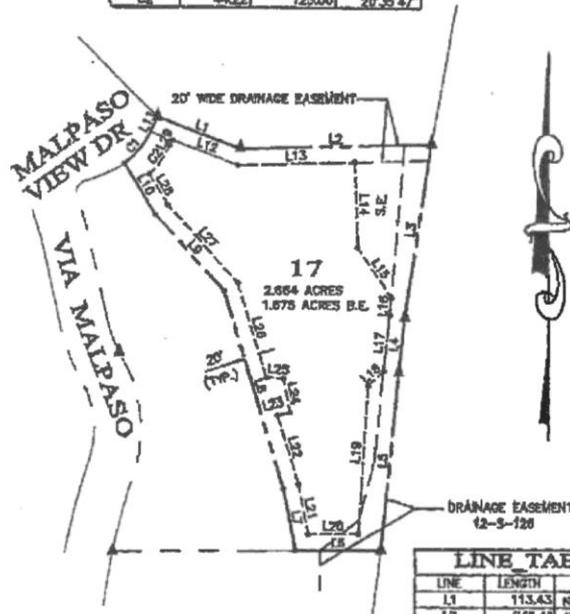
REF: PLAN 25791100-001



- LINE TYPES**
- EXISTING LOT LINES PER VOL.23, SURVEYS, PG.62
  - - - PROPOSED LOT LINES
  - - - EXISTING EASEMENTS



CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	47.98	95.00	28°33'33"
C2	44.22	123.00	28°25'47"

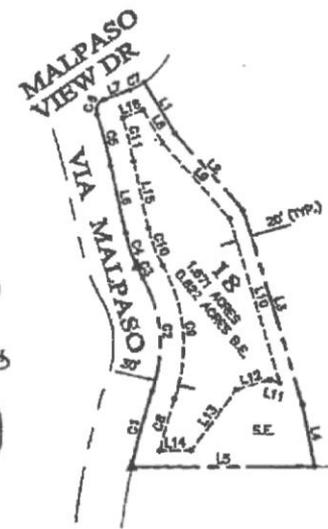
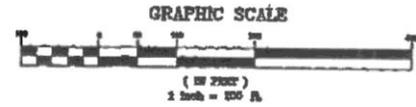


**LOT NO. 17**

2.664 ACRES  
1.675 ACRES B.E.  
0.989 ACRES S.E.

PURSUANT TO CONDITION NO. 1 OF THE APPROVED TENTATIVE SUBDIVISION MAP (S/S RESOLUTION NUMBER 87-327.) THIS BUILDING ENVELOPE REPRESENTS THE MAXIMUM POTENTIAL BUILDING AREA AS DIRECTED BY THE DIRECTOR OF PLANNING AND BUILDING INSPECTION, AFTER TAKING INTO ACCOUNT FRONT, REAR, AND SIDE YARD SETBACKS, 30% SLOPE AREAS, PUBLIC VIEWSHED, DRAINAGE EASEMENTS, AND EXISTING VEGETATION. ANY CONSTRUCTION WILL REQUIRE A SITE SPECIFIC EVALUATION AS RECOMMENDED IN THE PRELIMINARY GEOLOGICAL REPORT, MONTERA RANCH SUBDIVISION BY ROGERS JOHNSON & ASSOCIATES, 22 DEC 1986. PAGES 64 & 65 OF THAT REPORT FURTHER DENOTE THAT A "GENERAL SETBACK OF 80 FEET FROM ALL SLOPES OVER 30% GRADE" WILL BE REQUIRED UNLESS THE SITE SPECIFIC INVESTIGATION SHOWS THAT A SMALLER SETBACK IS ACCEPTABLE.

LINE TABLE		
LINE	LENGTH	BEARING
L1	113.43	N89°55'01"W
L2	246.41	N88°34'02"E
L3	218.45	S08°34'00"W
L4	70.02	S08°09'17"W
L5	218.63	S08°09'17"W
L6	110.11	S89°45'28"W
L7	77.24	N11°45'04"W
L8	256.29	N17°24'22"W
L9	130.72	N42°34'38"W
L10	74.69	N41°49'23"W
L11	24.28	S26°34'38"W
L12	89.41	N89°25'01"W
L13	150.71	S86°34'02"W
L14	108.41	N02°00'25"W
L15	77.13	N56°13'31"W
L16	21.67	S06°18'38"W
L17	71.04	S06°09'17"W
L18	27.38	S47°43'45"W
L19	163.91	N03°27'55"E
L20	64.68	N89°45'28"E
L21	61.89	S11°45'04"E
L22	89.14	S17°24'22"E
L23	19.19	S77°01'00"W
L24	41.83	S11°51'30"E
L25	21.88	S82°21'40"E
L26	124.57	S17°24'22"E
L27	133.31	S47°43'45"W
L28	44.89	S31°49'23"E
L29	7.74	S29°54'59"W



CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	98.82	776.00	07°08'03"
C2	147.22	170.00	46°37'01"
C3	15.34	200.00	04°24'41"
C4	46.02	200.00	12°33'32"
C5	88.80	667.00	09°33'15"
C6	22.82	15.00	87°08'35"
C7	20.08	93.00	12°21'20"
C8	63.83	746.00	08°01'59"
C9	173.28	200.00	48°37'01"
C10	91.31	170.00	17°17'34"
C11	85.22	717.00	04°24'47"

LINE TABLE		
LINE	LENGTH	BEARING
L1	74.09	N37°49'23"W
L2	130.72	N42°34'38"W
L3	256.29	N17°24'22"W
L4	77.24	N11°45'04"W
L5	235.46	S89°45'28"W
L6	87.23	S12°48'16"E
L7	38.56	S88°30'02"W
L8	47.61	S31°49'23"E
L9	128.14	S42°34'38"E
L10	217.38	S17°24'22"E
L11	12.94	N12°38'41"W
L12	44.83	S14°06'34"W
L13	84.71	S37°34'38"W
L14	49.77	S89°45'28"W
L15	87.23	N12°48'16"W
L16	28.02	N89°50'02"E

**LOT NO. 18**

1.671 ACRES  
0.822 ACRES B.E.  
0.849 ACRES S.E.

PURSUANT TO CONDITION NO. 1 OF THE APPROVED TENTATIVE SUBDIVISION MAP (S/S RESOLUTION NUMBER 87-327.) THIS BUILDING ENVELOPE REPRESENTS THE MAXIMUM POTENTIAL BUILDING AREA AS DIRECTED BY THE DIRECTOR OF PLANNING AND BUILDING INSPECTION, AFTER TAKING INTO ACCOUNT FRONT, REAR, AND SIDE YARD SETBACKS, 30% SLOPE AREAS, PUBLIC VIEWSHED, DRAINAGE EASEMENTS, AND EXISTING VEGETATION. ANY CONSTRUCTION WILL REQUIRE A SITE SPECIFIC EVALUATION AS RECOMMENDED IN THE PRELIMINARY GEOLOGICAL REPORT, MONTERA RANCH SUBDIVISION BY ROGERS JOHNSON & ASSOCIATES, 22 DEC 1986. PAGES 64 & 65 OF THAT REPORT FURTHER DENOTE THAT A "GENERAL SETBACK OF 80 FEET FROM ALL SLOPES OVER 30% GRADE" WILL BE REQUIRED UNLESS THE SITE SPECIFIC INVESTIGATION SHOWS THAT A SMALLER SETBACK IS ACCEPTABLE.

PLN 990517

**RECORD OF SURVEY**  
**MONTERA RANCH**

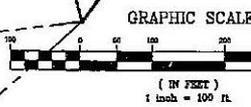
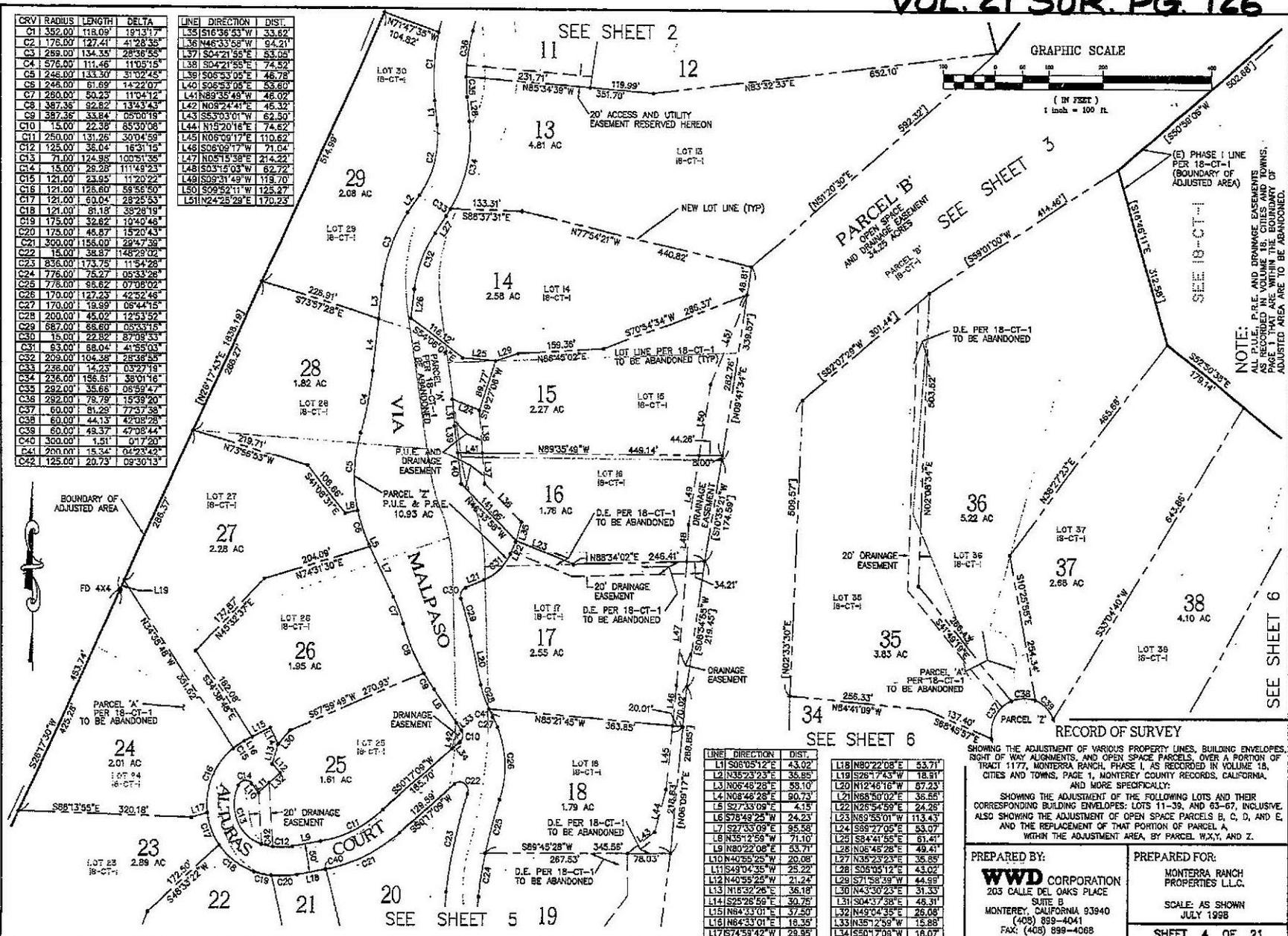
IN THE COUNTY OF MONTEREY, STATE OF CALIFORNIA  
SHOWING A LOT LINE ADJUSTMENT BETWEEN THE FOLLOWING PARCELS:  
LOTS 17, 18, 31, 32, 33, 34, 37, 38, 64, & 67 AS SHOWN ON THAT MAP  
FILED IN VOLUME 23 OF SURVEYS, PAGE 126,  
MONTEREY COUNTY RECORDS, CALIFORNIA  
MARCH 2000.

PREPARED BY:  
**WWD CORPORATION**  
2001 MONTEREY-REDWOODS INDUSTRIAL  
MONTEREY, CALIFORNIA 93940  
(408) 666-8788  
rjh (408) 666-3288

PREPARED FOR:  
**MONTERA RANCH PROPERTIES, L.P.C.**  
C/O CURIEL DEVELOPMENT COMPANY  
POST OFFICE BOX 450  
CARMEL, CALIFORNIA 93901  
20001  
SHEET 3 OF 7

CRV	RADIUS	LENGTH	DELTA
C1	352.00	118.09'	19°31'17"
C2	176.00	127.41'	41°28'38"
C3	289.00	134.35'	28°36'53"
C4	576.00	111.46'	11°05'18"
C5	248.00	133.30'	31°32'45"
C6	124.00	61.65'	14°22'07"
C7	280.00	50.25'	11°04'12"
C8	387.35	92.82'	13°43'43"
C9	387.35	33.84'	05°00'19"
C10	15.00	22.38'	85°30'08"
C11	250.00	131.26'	30°04'59"
C12	125.00	35.04'	16°31'19"
C13	71.00	124.95'	100°51'38"
C14	15.00	29.25'	111°19'23"
C15	121.00	23.95'	11°20'22"
C16	121.00	125.80'	58°56'50"
C17	121.00	60.04'	29°25'53"
C18	121.00	81.18'	38°28'19"
C19	175.00	32.62'	10°40'46"
C20	175.00	45.87'	15°20'43"
C21	300.00	158.00'	29°47'39"
C22	15.00	38.87'	148°29'02"
C23	836.00	173.75'	11°51'28"
C24	776.00	75.97'	08°33'28"
C25	776.00	58.82'	07°08'02"
C26	170.00	127.25'	42°52'46"
C27	170.00	19.89'	08°44'15"
C28	200.00	45.02'	12°53'52"
C29	587.00	86.60'	05°33'48"
C30	15.00	22.82'	87°39'33"
C31	93.00	88.04'	41°55'03"
C32	209.00	104.36'	28°38'58"
C33	335.00	144.23'	03°27'19"
C34	236.00	155.51'	35°01'16"
C35	292.00	35.65'	08°59'42"
C36	292.00	78.79'	15°39'20"
C37	60.00	81.29'	77°37'38"
C38	60.00	44.13'	42°08'28"
C39	60.00	48.37'	47°08'44"
C40	300.00	1.51'	01°17'20"
C41	701.00	15.34'	04°23'42"
C42	125.00	20.73'	08°30'13"

LINE	DIRECTION	DIST.
L35	S16°36'53"W	33.62'
L36	N46°33'58"W	94.21'
L37	S04°21'55"E	83.05'
L38	S04°21'55"E	74.52'
L39	S06°33'05"E	46.78'
L40	S06°33'05"E	53.80'
L41	N89°35'48"W	46.09'
L42	N08°24'41"E	45.30'
L43	S53°03'01"W	62.50'
L44	N15°20'16"E	74.62'
L45	N06°06'17"E	110.62'
L46	S06°09'17"W	71.04'
L47	N05°15'38"E	214.22'
L48	S03°53'08"E	62.72'
L49	S09°31'49"W	119.70'
L50	S09°52'11"W	125.27'
L51	N24°25'29"E	170.23'



NOTE:  
ALL P.U.E. AND DRAINAGE EASEMENTS AS RECORDED IN VOLUME 18, CITIES AND TOWNS, MONTEREY COUNTY RECORDS, CALIFORNIA, AND ANY ADJUSTED AREA ARE TO BE ABANDONED.

LINE	DIRECTION	DIST.
L1	S06°05'12"E	43.02'
L2	N35°23'23"E	35.85'
L3	N06°48'28"E	88.10'
L4	N08°48'28"E	90.73'
L5	S27°33'09"E	4.35'
L6	S78°49'25"W	24.23'
L7	S27°33'09"E	95.58'
L8	N35°12'58"W	71.10'
L9	N80°22'08"E	53.71'
L10	N40°55'25"W	20.08'
L11	S49°04'35"W	25.22'
L12	N40°55'25"W	21.24'
L13	N18°32'28"E	36.18'
L14	S25°28'56"E	30.25'
L15	N64°33'01"E	37.50'
L16	N64°33'01"E	18.35'
L17	S74°59'42"W	29.85'
L18	N80°22'08"E	53.71'
L19	S28°17'43"W	18.81'
L20	N12°46'16"W	57.23'
L21	N88°40'02"E	36.68'
L22	N25°54'59"E	24.26'
L23	N63°50'11"W	113.43'
L24	S88°27'06"E	33.07'
L25	S84°41'55"E	61.41'
L26	N06°45'28"E	49.41'
L27	N35°23'23"E	35.85'
L28	S06°09'12"E	43.02'
L29	S71°58'58"W	44.59'
L30	N43°30'23"E	31.33'
L31	S04°37'28"E	48.31'
L32	N49°04'35"E	26.68'
L33	N38°17'55"W	15.88'
L34	S50°17'08"W	16.07'

RECORD OF SURVEY  
SHOWING THE ADJUSTMENT OF VARIOUS PROPERTY LINES, BUILDING ENVELOPES, RIGHT OF WAY ALIGNMENTS, AND OPEN SPACE PARCELS OVER A PORTION OF TRACT 1177, MONTEREY RANCH, PHASE I, AS RECORDED IN VOLUME 18, CITIES AND TOWNS, PAGE 1, MONTEREY COUNTY RECORDS, CALIFORNIA, AND MORE SPECIFICALLY:  
SHOWING THE ADJUSTMENT OF THE FOLLOWING LOTS AND THEIR CORRESPONDING BUILDING ENVELOPES: LOTS 11-39, AND 43-67, INCLUSIVE. ALSO SHOWING THE ADJUSTMENT OF OPEN SPACE PARCELS B, C, D, AND E, AND THE REPLACEMENT OF THAT PORTION OF PARCEL A, WITHIN THE ADJUSTMENT AREA, BY PARCEL W,X,Y, AND Z.

PREPARED BY: <b>WWD CORPORATION</b> 203 CALLE DEL OAKS PLACE SUITE B MONTEREY, CALIFORNIA 93940 (408) 899-4041 FAX: (408) 899-4088	PREPARED FOR: MONTEREY RANCH PROPERTIES LLC. SCALE: AS SHOWN JULY 1998 SHEET 4 OF 21
--	---

NOLAND, HAMERLY, ETIENNE & HOSS  
ATTORNEYS AT LAW  
SALINAS

1 Lindsey Berg-James (State Bar No. 285109)  
2 NOLAND, HAMERLY, ETIENNE & HOSS  
3 A Professional Corporation  
333 Salinas Street  
4 Post Office Box 2510  
Salinas, California 93902-2510  
5 Telephone: (831) 424-1414  
Facsimile: (831) 424-1975  
ckemp@nheh.com; lbergjames@nheh.com

6 Attorneys for Plaintiff Rebecca Rutledge Tweten  
Trust, U.D.T. dated May 9, 2013

ELECTRONICALLY FILED BY  
Superior Court of California,  
County of Monterey  
On 2/15/2019 3:51 PM  
By: Marcella Whitehouse, Deputy

7  
8 SUPERIOR COURT OF CALIFORNIA, COUNTY OF MONTEREY  
9

10 REBECCA RUTLEDGE TWETEN,  
11 TRUSTEE of the REBECCA RUTLEDGE  
TWETEN TRUST, U.D.T. dated May 9,  
12 2013,

13 Plaintiff,

14 vs.

15 ERIC MILLER and GRETA A. MILLER,  
Trustees of the Miller Trust; EVGUENIA  
VATCHKOVA; and DOES 1 through 20,  
16 inclusive,

17 Defendants.

Case No. 19CV000715

**COMPLAINT FOR DECLARATORY  
RELIEF; REFORMATION OF DEED;  
AND PROMISSORY ESTOPPEL**

18  
19  
20 Plaintiff alleges:

21 **GENERAL ALLEGATIONS**

22 1. Plaintiff Rebecca Rutledge Tweten is the Trustee of the Rebecca Rutledge Tweten  
23 Trust, U.D.T. dated May 29, 2013 ("the Tweten Trust"). The Tweten Trust owns the real  
24 property commonly known as 24279 Via Malpaso, Monterey, Monterey County, California;  
25 Assessor's Parcel Number 259-101-067-000 (Monterra Lot 19). Plaintiff's property is fully  
26 developed with a single family home, extensive landscaping, and a driveway/entrance area  
27 constructed of brick pavers.

28 ///

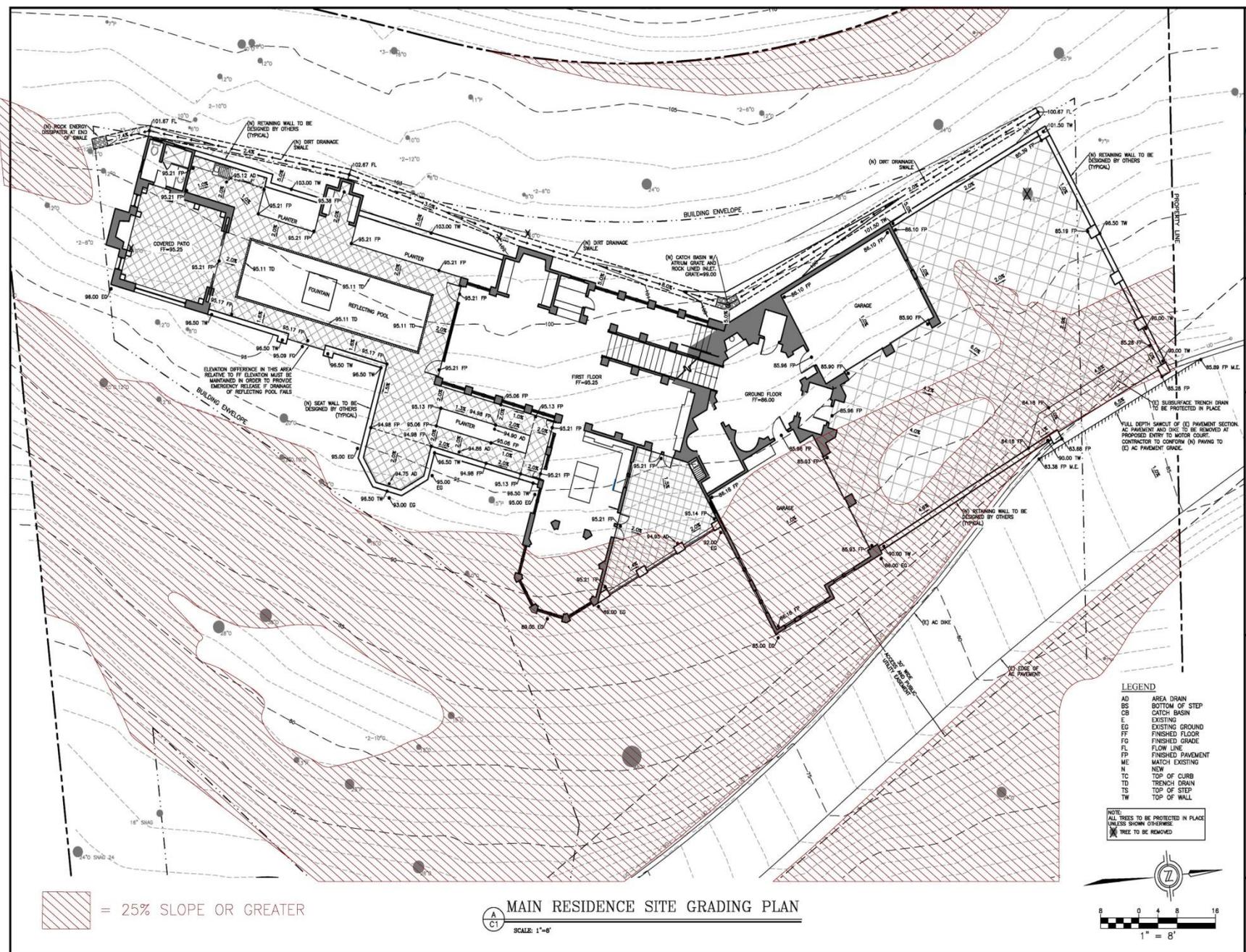
22479\000\919728.7:21519

1

- The Project is part of a larger project which Miller submitted to the County.
- The Project has the potential to create significant environmental impacts related to grading on steep slopes, as well as, significant impacts to environmentally sensitive habitat.
- CEQA requires that the County review the project in its entirety “as a whole”, and not chop it up in to smaller piecemeal segments.





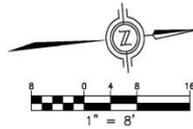


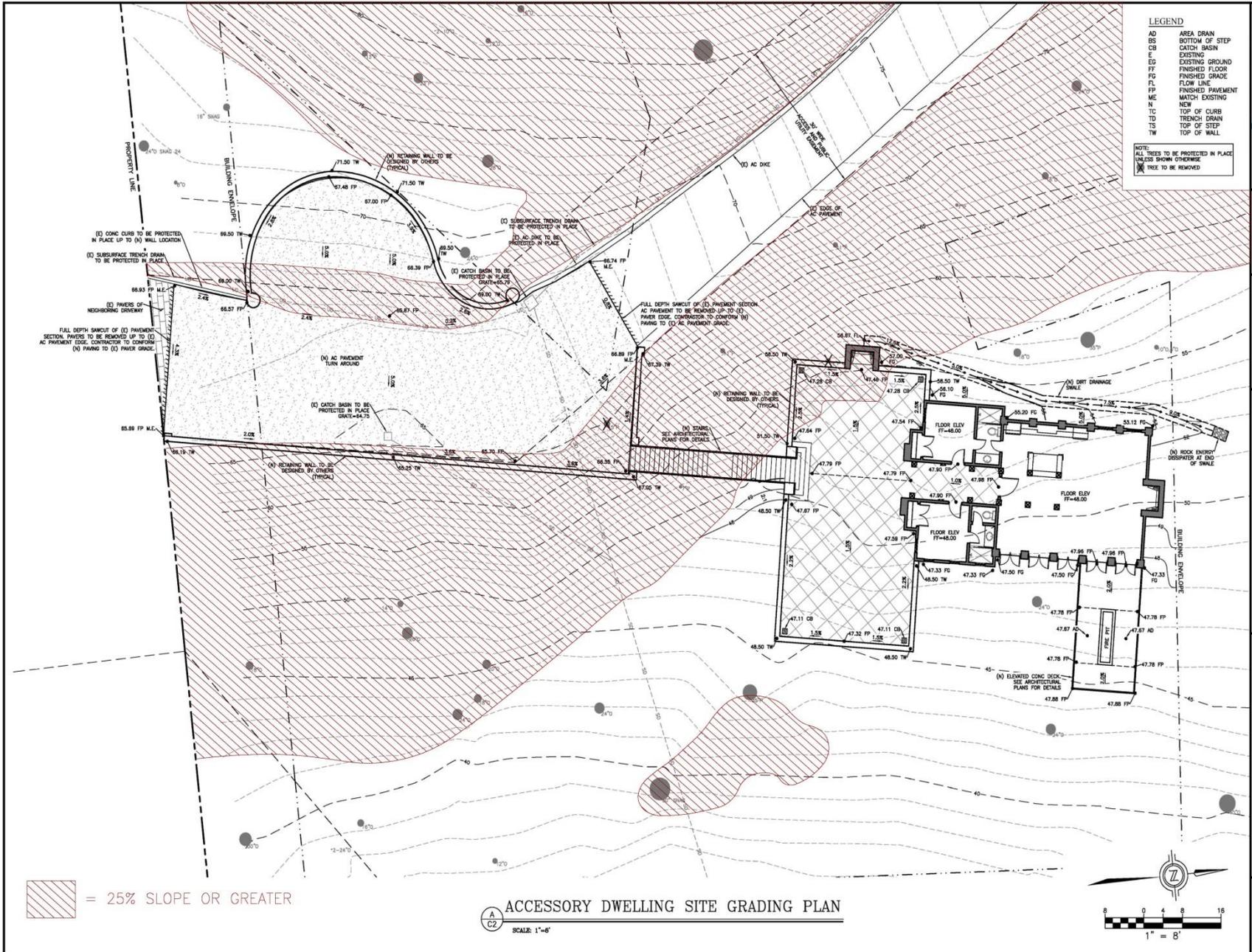
= 25% SLOPE OR GREATER

**MAIN RESIDENCE SITE GRADING PLAN**  
 SCALE: 1"=8'

**LEGEND**  
 AD AREA DRAIN  
 BS BOTTOM OF STEP  
 CB CATCH BASIN  
 E EXISTING  
 EQ EXISTING GROUND  
 FF FINISHED FLOOR  
 FG FINISHED GRADE  
 FL FLOW LINE  
 FP FINISHED PAVEMENT  
 ME MATCH EXISTING  
 N NEW  
 TC TOP OF CURB  
 TD TRENCH DRAIN  
 TS TOP OF STEP  
 TW TOP OF WALL

**NOTE:**  
 ALL TREES TO BE PROTECTED IN PLACE UNLESS SHOWN OTHERWISE  
 X TREE TO BE REMOVED





**LEGEND**

- AD AREA DRAIN
- BS BOTTOM OF STEP
- CB CATCH BASIN
- E EXISTING
- EG EXISTING GROUND
- FF FINISHED FLOOR
- FG FINISHED GRADE
- FL FLOW LINE
- FP FINISHED PAVEMENT
- ME MATCH EXISTING
- N NEW
- T TOP OF CURB
- TD TRENCH DRAIN
- TS TOP OF STEP
- TW TOP OF WALL

**NOTE:**  
ALL TREES TO BE PROTECTED IN PLACE UNLESS SHOWN OTHERWISE.  
X TREES TO BE REMOVED.

**LS ENGINEERING AND SURVEYING, INC.**  
 2400 Garden Road, Suite G, Monterey, California 93940  
 P: (831) 385-7229 F: (831) 655-3425  
 www.lsenr.com

**PROFESSIONAL ENGINEER**  
**M. A. R. STEIN**  
 No. 86620  
 Exp. 8-30-18  
 STATE OF CALIFORNIA  
 CIVIL

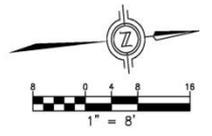
**DRAWN BY:** MRS  
**DESIGNED BY:** MRS  
**DATE:** 5-25-18  
**JOB NUMBER:** 18-23  
**LAST REVISION:** N/A  
**REVISION BY:** N/A

**ACCESSORY DWELLING  
 SITE GRADING PLAN**

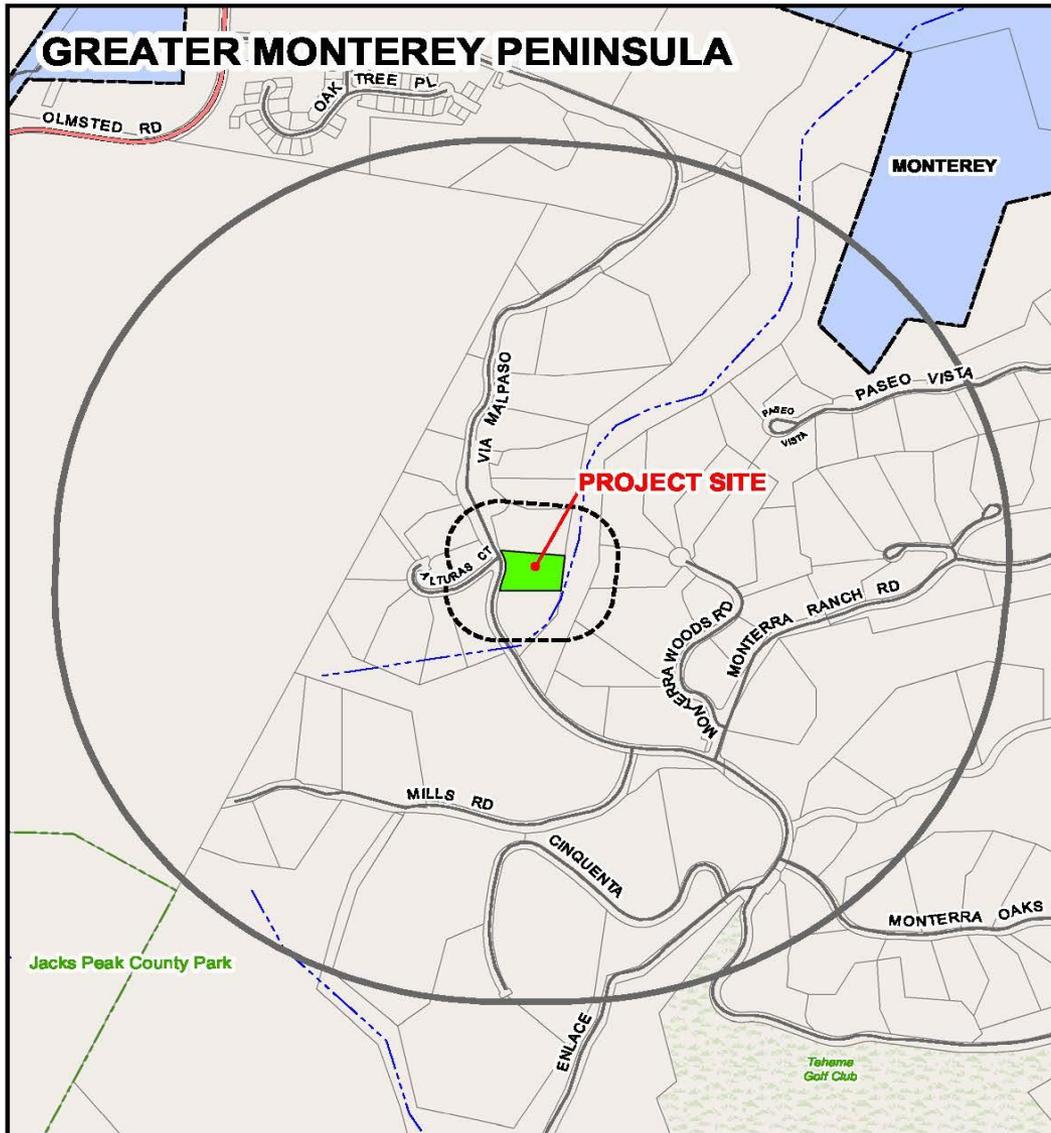
**MILLER RESIDENCE  
 24275 VIA MALPASO  
 MONTEREY, CALIFORNIA 93940  
 MONTECITO, LOT 18  
 APN 259-101-066**

= 25% SLOPE OR GREATER

**ACCESSORY DWELLING SITE GRADING PLAN**  
 SCALE: 1"=8'



# GREATER MONTEREY PENINSULA

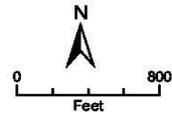


**APPLICANT:** MILLER ERIC & GRETA A TRS

**APN:** 259-101-066-000

**FILE #** PLN180289

 Project Site  2500' Limit  300' Limit

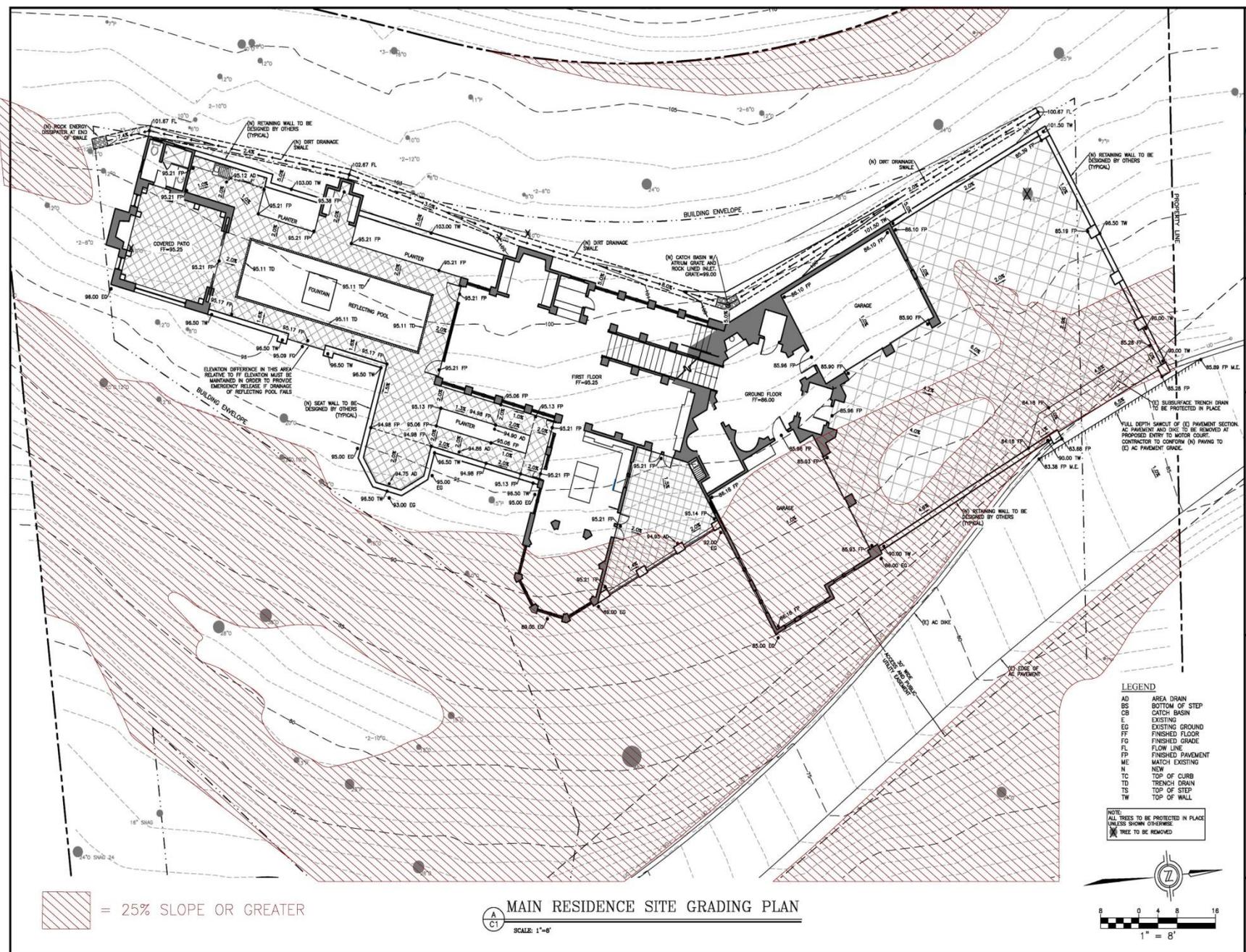


PLANNER: PHAM-GALLARDO

## **Staff Report - Project Discussion regarding Slope:**

“Impacts to slopes will primarily occur to obtain access from the easement to the proposed garage and fire department turnaround area along the northern portion of the proposed home. Impacts on slopes are primarily the result of needing to access a building area through a cut slope that was likely created with the construction of the existing access easement across the site.”





= 25% SLOPE OR GREATER

**MAIN RESIDENCE SITE GRADING PLAN**  
 SCALE: 1"=8'

**LEGEND**  
 AD AREA DRAIN  
 BS BOTTOM OF STEP  
 CB CATCH BASIN  
 E EXISTING  
 EQ EXISTING GROUND  
 FF FINISHED FLOOR  
 FG FINISHED GRADE  
 FL FLOW LINE  
 FP FINISHED PAVEMENT  
 ME MATCH EXISTING  
 N NEW  
 TC TOP OF CURB  
 TD TRENCH DRAIN  
 TS TOP OF STEP  
 TW TOP OF WALL

**NOTE:**  
 ALL TREES TO BE PROTECTED IN PLACE UNLESS SHOWN OTHERWISE  
 \* TREE TO BE REMOVED



Tweten Driveway 1998 Line  
Right Side



Tweten Driveway - 1998 Line  
Left Side



Tweten Driveway -  
2003 line where  
pavers end

**SYMBOLS**

- POINT USED FOR CALCULATION ONLY
- FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "RCE 24400" AS RECORDED IN VOLUME 21, SURVEYS, PAGE 126, OR VOLUME 23 SURVEYS, PAGE 62, UNLESS OTHERWISE NOTED.
- SET 5/8" REBAR WITH PLASTIC CAP MARKED "RCE 24400" AT ADJUSTED LOT CORNERS.

**NOTES**

BEARINGS AND DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.

BEARINGS AND DISTANCES SHOWN ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED.

DISTANCES SHOWN ON THIS MAP ARE GRID DISTANCES. SCALE MAP DISTANCES BY 1.000078764 TO OBTAIN GROUND DISTANCES.

SEE SHEET 2 OF 2 FOR PRECISE INFORMATION ON EACH INDIVIDUAL LOT.

**BASIS OF BEARINGS**

THE BEARING OF S 39° 57' 21" W BETWEEN FOUND MONUMENTS ALONG THE COMMON BOUNDARY OF LOT 19 AND PARCEL "B", AS SHOWN ON THE MAP FILED IN VOLUME 21 OF SURVEYS, PAGE 126, IN THE OFFICE OF THE COUNTY RECORDER OF MONTEREY COUNTY, THE COUNTY RECORDER OF MONTEREY COUNTY, STATE OF CALIFORNIA, WAS TAKEN AS THE BASIS OF BEARINGS SHOWN UPON THIS MAP.

**ABBREVIATIONS**

- P.R.E. = PRIVATE ROADWAY EASEMENT
- P.U.E. = PUBLIC UTILITY EASEMENT
- S.E. = SCENIC EASEMENT
- D.E. = DRAINAGE EASEMENT
- B.E. = BUILDING ENVELOPE
- (TYP) = TYPICAL
- (E) = EXISTING
- (N) = NEW
- (R) = RADIAL BEARING

**SURVEYOR'S STATEMENT**

THIS MAP REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE LAND SURVEYOR'S ACT AT THE REQUEST OF MONTERA RANCH PROPERTIES, L.L.C. IN APRIL 2003.

*David K. Fuller*

DAVID K. FULLER  
REGISTERED PROFESSIONAL ENGINEER  
RCE 24400  
EXPIRES: 12/31/2005



**COUNTY SURVEYORS STATEMENT**

THIS MAP HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 8766 OF THE LAND SURVEYOR'S ACT, THIS

7 DAY OF MAY 2003.

*G.H. Nichols*  
COUNTY SURVEYOR

BY: *[Signature]*

DEPUTY COUNTY SURVEYOR



**COUNTY RECORDER'S STATEMENT**

FILED THIS 8<sup>TH</sup> DAY OF MAY, 2003  
AT 1:40 PM IN VOLUME 26 OF SURVEYS  
PAGE 69

AT THE REQUEST OF WWD CORPORATION,  
FEE \$ 900 G-NO. 2003053555

*Stephen L. Vagnini*  
RECORDER  
*[Signature]*  
DEPUTY

PLN 000-547

**RECORD OF SURVEY  
MONTERA RANCH**

IN THE COUNTY OF MONTEREY, STATE OF CALIFORNIA  
SHOWING A LOT LINE ADJUSTMENT BETWEEN LOTS 17 AND 18 AS SHOWN UPON THAT MAP FILED IN VOLUME 23, OF SURVEYS, PAGE 62, AND LOT AS SHOWN UPON THAT MAP FILED IN VOLUME 21, OF SURVEYS, PAGE 12 BOTH OF OFFICIAL RECORDS OF MONTEREY COUNTY, CALIFORNIA, APRIL, 2003

**OWNER LOT 17:**

BRUCE GRAHAM  
1298 ADOBE LANE  
PACIFIC GROVE, CALIFORNIA 93921

**OWNER LOT 18:**

MONTERA RANCH PROPERTIES, L  
C/O CARMEL DEVELOPMENT COMPAN  
POST OFFICE BOX 450  
CARMEL, CALIFORNIA 93921

**PREPARED BY:**

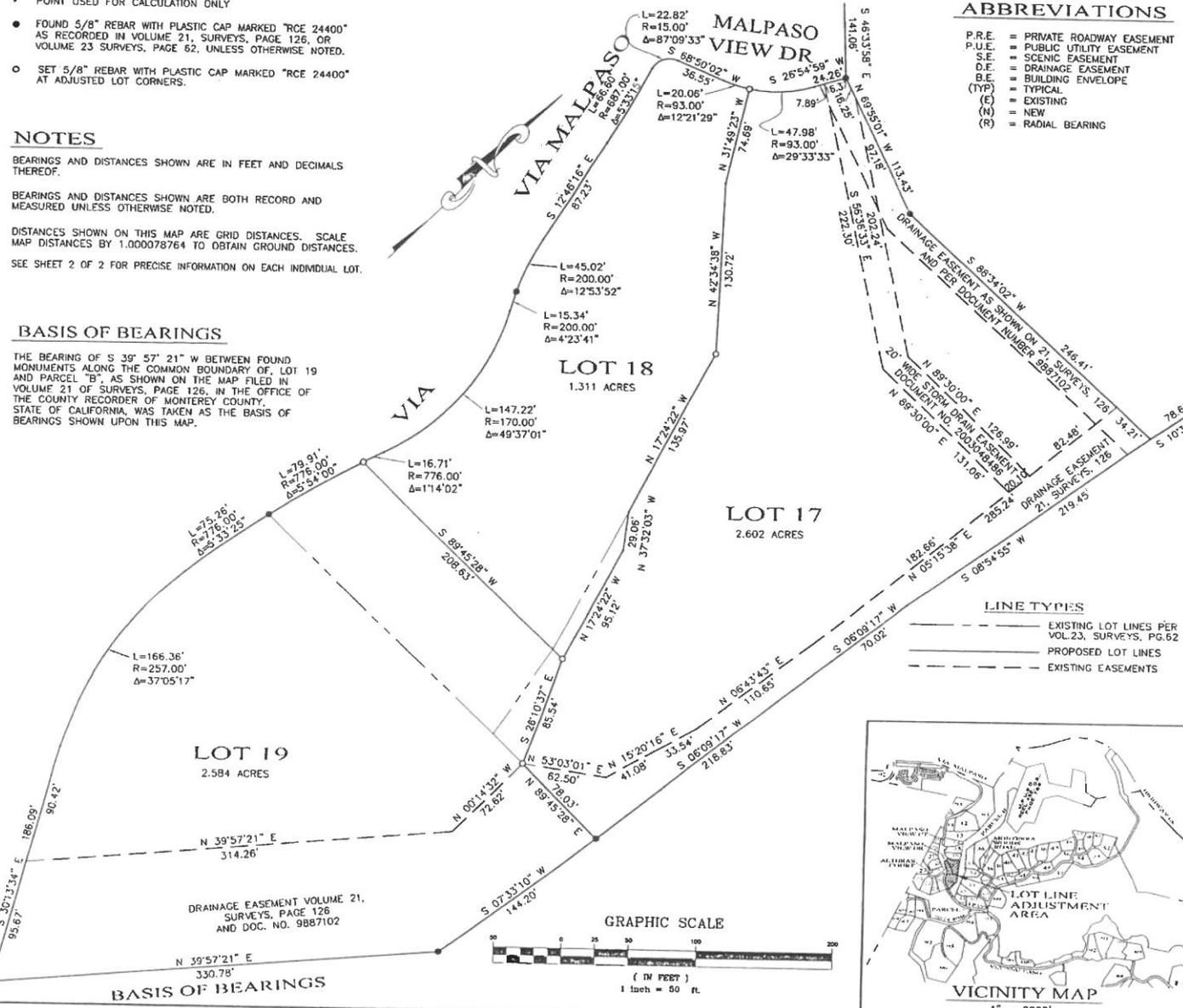
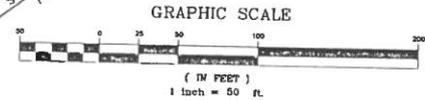
**WWD CORPORATION**  
2801 MONTEREY-SALINAS HIGHWAY  
MONTEREY, CALIFORNIA 93940  
(831) 655-2723  
FAX: (831) 655-3425

**OWNER LOT 19:**

SILVERIE PROPERTIES, LLC  
2330 DEL MONTE AVE #A1  
MONTEREY, CALIFORNIA 93940

SHEET 1 OF 2

REF: PLAN 25791100-001





Alvarado Ct

Via Mariposa

© 2020 Google

Google Earth



1998

36°34'12.43" N 121°50'35.94" W elev 502 ft eye alt 1287 ft

NO. 000547

A.P.# 259-101-065-000,  
259-101-066-000,  
259-101-067-000

In the matter of the application of  
**Monterra Ranch Properties LLC (PLN000547)**

for a Lot Line Adjustment in accordance with Title 19 (Subdivisions), Chapter 19.09 (Lot Line Adjustments), of the Monterey County Code, between three (3) undeveloped lots to accommodate driveway and building envelopes and an Administrative Permit to reduce the size of two (2) of the parcels in a B-6 zoning district; the lots are located within Monterra Ranch (Lots 17, 18 & 19) on the west side of Malpaso View Dr, Greater Monterey Peninsula Area Plan, came on regularly for meeting before the Planning Services Manager on May 9, 2001.

Said Planning Services Manager, having considered the application and the evidence presented relating thereto,

1. **FINDING:** The proposed project and/or use, as described in condition #1, is consistent with the policies of the Monterey County General Plan, the Greater Monterey Peninsula Area Plan and the requirements and standards of the Monterey County Zoning Ordinance (Title 21).

**EVIDENCE:** The text and policies of these documents have been evaluated during the course of the review of this application. No conflicts were found to exist. No communication was received during the course of review of this project to indicate that there is any inconsistency with the text and policies of these documents.

**EVIDENCE:** The parcels are heavily wooded with oak trees, which are a protected species according to Section 21.64.260 of Title 21, the Monterey County Zoning Ordinance. **The lot line adjustment has reconfigured the sites to better accommodate access to building envelopes that minimize grading and tree removal on Lots 17 and 18, but property owners of the respective lots will be subject to future permits for any grading and tree removal to assure minimal disturbance of the sites.**

**EVIDENCE:** Site visit by project planner on April 12, 2001.

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

**EVIDENCE:** Section 15305 of the Monterey County CEQA Guidelines categorically exempts this project from environmental review. No adverse

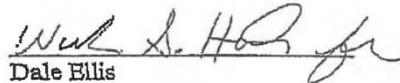
A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to filing a Record of Survey that reflects the approved reconfigured lots. (Planning and Building Inspection Department)

4. Obtain a survey of the new line and have the line monumented. (Public Works Department)
5. Proposed building envelope modifications shall be subject to approval of the Director of Planning and Building Inspection. Data submitted with the modifications shall include (1) slope analysis showing slopes greater than 30 percent; (2) locations and dimensions of all easements; and (3) tree locations, showing species and sizes, for proposed building envelope areas not formerly designated as building envelopes. (Planning & Building Inspection)

**Recordation of Grant Deeds or a Record of Survey:**

6. **File a Record of Survey showing the new line and its monumentation. (Public Works Department)**

PASSED AND ADOPTED this 9<sup>th</sup> day of May, 2001.

  
Dale Ellis  
Planning Services Manager

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON MAY 9, 2001.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE MAY 21, 2001













## Conclusion

We ask that your Board grant Mrs. Tweten's appeal and, either deny the permit, or defer action, on the permit until the lot line litigation is completed confirming where the property lines are and full environmental review is undertaken for the entire project.