

Attachment F

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NOTICE OF APPEAL

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

No appeal will be accepted until written notice of the decision has been given. If you wish to file an appeal, you must do so on or before 7/11/2025 (10 days after written notice of the decision has been mailed to the applicant).

Date of decision: 6/12/2025

1. Appellant Name: Jennifer Rosenthal, Esq. c/o Thomas & Anne Russ

Address: P.O. Box 1021, Carmel Valley, CA 93924

Telephone: (831) 625-5193

2. Indicate your interest in the decision by placing a check mark below: Applicant

Neighbor X

Other (please state) _____

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

4. Fill in the file number of the application that is the subject of this appeal below:

Type of Application

Area

a) Planning Commission: PLN _____

b) Zoning Administrator: PLN 241104: Coastal Administrative Permit & Design Approval

c) Administrative Permit: PLN _____

Notice of Appeal

5. What is the nature of your appeal?

a) Are you appealing the approval or denial of an application? Approval

- b) If you are appealing one or more conditions of approval, list the condition number and state the condition(s) you are appealing. (Attach extra sheet if necessary)

Please see the attached.

6. Place a check mark beside the reason(s) for your appeal:

There was a lack of fair or impartial hearing X

The findings or decision or conditions are not supported by the evidence X

The decision was contrary to law X

7. Give a brief and specific statement in support of each of the reasons for your appeal checked above. The Board of Supervisors will not accept an application for an appeal that is stated in generalities, legal or otherwise. If you are appealing specific conditions, you must list the number of each condition and the basis for your appeal. (Attach extra sheets if necessary)

Please see the attached.

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

Please see the attached.

9. You must pay the required filing fee of \$3,716.10 (make check payable to "County of Monterey") at the time you file your appeal. (Please note that appeals of projects in the Coastal Zone are not subject to the filing fee.)

10. Your appeal is accepted when the Clerk to the Board accepts the appeal as complete and receives the required filing fee. Once the appeal has been accepted, the Clerk to the Board will set a date for the public hearing on the appeal before the Board of Supervisors.

Notice of appellant's unavailability: July 22 & 29. August 2 & 26. September 9 & 23.

The appeal and applicable filing fee must be delivered to the Clerk to the Board by the deadline. A mailed copy of the appeal and filing fee will be accepted only if it is received by Clerk of the Board by the deadline. The appeal and applicable filing fee should be mailed to PO Box 1728, Salinas CA 93902. A facsimile copy of the appeal will be accepted only if the hard copy of the appeal and applicable filing fee are mailed and received by Clerk of the Board by the deadline.

APPELLANT SIGNATURE J Romthale Date: 7/10/2025

RECEIVED SIGNATURE _____ Date: _____

**APPEAL OF THOMAS AND ANNE HILL RUSS TO THE DECISION OF THE ZONING
ADMINISTRATOR APPROVING A COASTAL ADMINISTRATIVE PERMIT
(PLN240104)**

There was Lack of Fair and Impartial Hearing

- The project went before the Carmel Land Use Advisory Committee (“LUAC”) on February 18, 2025; however, the item was continued to a date not decided because the LUAC members requested more time to adequately review information submitted by the appellants on February 14, 2025, preserving their opposition to the project as submitted.
- The project was scheduled to go before the LUAC on May 5, 2025; however, the meeting was canceled due to lack of a quorum.
- Despite LUAC’s request for additional time to adequately review the project information, the project did not go before the LUAC and was ultimately heard by the Zoning Administrator on June 12, 2025.
- The Staff Report prepared by the assigned project planning did not include appellant’s comment letters dating February 14, 2025 and April 30, 2025. See all letters submitted by the appellant attached hereto as Exhibit 1 and incorporated by reference therein.
- The Staff Report prepared by the assigned project planner did not include appellant’s Certified Arborist Byran E. Bradford’s *Amended* Report submitted the County of Monterey. A copy of the *Amended* Report is attached hereto as Exhibit 2 and incorporated by reference herein.

The Findings are not Supported by the Evidence

- The findings are replete with statements that are not supported by substantial evidence. For example:
 - Contrary to the findings, the proposed location is not suitable for the project. The proposed location of the Accessory Dwelling Unit jeopardizes the health, safety, peace, comfort, and general welfare of persons residing in the neighborhood.
 - Contrary to the findings, appellant proposed alternative locations on site that are suitable for the proposed Accessory Dwelling Unit project.
 - Contrary to the findings, the applicant did not provide substantial evidence to establish alternative locations on site were not suitable for the proposed Accessory Dwelling Unit project.
 - Contrary to the findings, the applicant did not provide sufficient evidence that the proposed “floating foundation” was suitable for this size building. Floating foundations are used for smaller structures and are not suitable for permanent structures (homes). Floating foundations are susceptible to moisture since there is no footing into the ground. Moisture will accumulate under the slab and cause structural weakening and cracking. Moreover, the potential and likelihood that the structure will move is high, and this poses risk not only to the Accessory

Dwelling Unit itself, but also the root systems of the Redwood grove within feet on the structure.

The Decision is Contrary to Law

- The findings are not supported by substantial evidence.
- The project is inconsistent with Monterey County Code Section 20.61.030 in that it:
 - Approves an Accessory Dwelling Unit (ADU) inconsistent with Monterey County Code Section 20.64.030(E)(11)(f) and (g) stating that “resource constraints that may ***preclude development*** of an Accessory Dwelling Unit include....tree resources.. and other health and safety conditions.” The appellant’s retained Certified Arborist Bryan Bradford and during his review of the project he determined that if the ADU was approved in the proposed location, the critical root area of the adjacent Redwood trees *resources* will be damaged.
 - There is a grove of five (5) Redwood trees ranging in height from 84 feet to 102 feet tall. This grove occupies an elongated plot of ground about 30 feet long ending about 10 feet from the community boundary. The estimated diameter of tree at breast height exceeds 30 inches. See Redwood photos attached hereto as Exhibit 3 and incorporated by reference herein.
 - The proposed location of the ADU footprint is within the critical root zone of each of the Redwood trees. Installation of a floating concrete foundation will cause severance of the roots of the Redwood trees in the grove rooting bed and will prohibit or greatly inhibit future tree rooting in the footprint area. This will cause destabilization of the Redwood trees, creating a potential hazard to the closet neighbor in proximity to the proposed Accessory Dwelling Unit, the appellants.
 - Approves an Accessory Dwelling Unit (ADU) inconsistent with Monterey County Code Section 20.64.030(F)(1) that requires the County to make a finding that “...the establishment of the Accessory Dwelling Unit will not, under the circumstances of the particular application, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood.....”
 - Pursuant to the report of Certified Arborist Bryan Bradford, the proposed ADU location will intrude into the critical root zone of all five (5) of the Redwood trees in the grove located on the applicant’s property. The report by Mr. Bradford further opines that the appellant’s property is well within the fall radius of all five (5) of the Redwood trees. See Redwood tree fall radius map attached hereto and incorporated by reference herein as Exhibit 4.
 - Construction in the proposed location will damage the roots of Redwood trees to a point that will affect the vertical stability of the trees as they grow in height.

- The height of the Redwood trees and their canopy edge position exposes them to unobstructed wind pressure in the highest portion of their crowns from all directions except the southeast (which is moderated by a mature Monterey Cypress on applicant's property).
- The proposed ADU location ignores the fact that the establishment, maintenance, and operation of this project under the circumstances of this particular case will be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing in the neighborhood.
- The appellant's home is directly across from the Redwood grove. Their home would be destroyed in the event one of these trees fell. Their daughter's bedroom is the closet room to the applicant's property and if one of these trees fell on the home and she was in her bedroom it is unlikely she or anyone would survive. The appellant's family and family members are in grave danger because of any damage to the Redwood grove tree roots, should they be harmed or compromised.
- These risks can be mitigated by relocation of the proposed Accessory Dwelling Unit to an alternative location on the property. Two (2) alternative locations on site were found to be viable. See Exhibit 5.

EXHIBIT

1

FENTON & KELLER

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

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EMMANUEL PEREA JIMENEZ
REBECCA J. SAATHOFF
ALYSSA CARBONEL MATSUHARA
KALI N. SMILEY

ALEX J. LORCA

April 30, 2025

ALorca@fentonkeller.com
ext. 258

VIA EMAIL (honoratoh@countyofmonterey.gov)

Carmel Land Use Advisory Committee
c/o Hya Honorato, Planning Staff Liaison
1441 Schilling Place, South 2nd Floor
Salinas, CA 93901

Re: PLN240104 – 25745 Hatton Rd., Carmel (Kitayama Nagafuji)
Our File: 60107.70158

Dear Committee Members:

We write this letter on behalf of our clients, Thomas Russ and Anne Hill Russ, neighbors to Ms. Kitayama Nagafuji, the applicant for the above-referenced planning project ("Project"), which is on the May 5, 2025, Carmel LUAC agenda. The Russes continue to object to the currently planned location of the Accessory Dwelling Unit ("ADU") on Mrs. Kitayama Nagafuji's property, as detailed in our letters dated January 10, 2025, and February 14, 2025 (both letters are attached hereto and incorporated herein).

We reiterate that in its proposed current location, the ADU will damage the critical root zone of the adjacent redwood trees (see report from Certified Arborist Bryan Bradford attached to our January 10, 2025 letter to Zoe Zepp, as well as Mr. Bradford's supplemental report attached to our February 14, 2025 letter to the Carmel LUAC (in care of Zoe Zepp)). As noted in our February 14 letter, Mr. Bradford shares an alternative location on Mrs. Kitayama Nagafuji's property that would least impact the redwood trees and other protected trees on the property. Based on the facts shared in our attached letters, we urge the LUAC to recommend the ADU be placed in the southwest corner of Mrs. Kitayama Nagafuji's property not only for the protection of multiple trees in the area but even more so for the safety of the Russ family.

Carmel Land Use Advisory Committee
April 30, 2025
Page 2

Thank you for your consideration regarding this important matter.

Sincerely,

FENTON & KELLER
A Professional Corporation

A handwritten signature in dark ink, appearing to read 'AJL', followed by a horizontal line extending to the right.

Alex J. Lorca

AJL:kmc
Enclosures
cc: Clients

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EMMANUEL PEREA JIMENEZ
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REBECCA J. SAATHOFF
ALYSSA CARBONEL MATSUHARA

ALEX J. LORCA

February 14, 2025

ALorca@fentonkeller.com
ext. 258

VIA EMAIL (zeppz@countyofmonterey.gov)

Carmel Land Use Advisory Committee
c/o Zoe Zepp, Planning Staff Liaison
1441 Schilling Place, South 2nd Floor
Salinas, CA 93901

Re: PLN240104 – 25745 Hatton Rd., Carmel (Kitayama Nagafuji)
Our File: 60107.70158

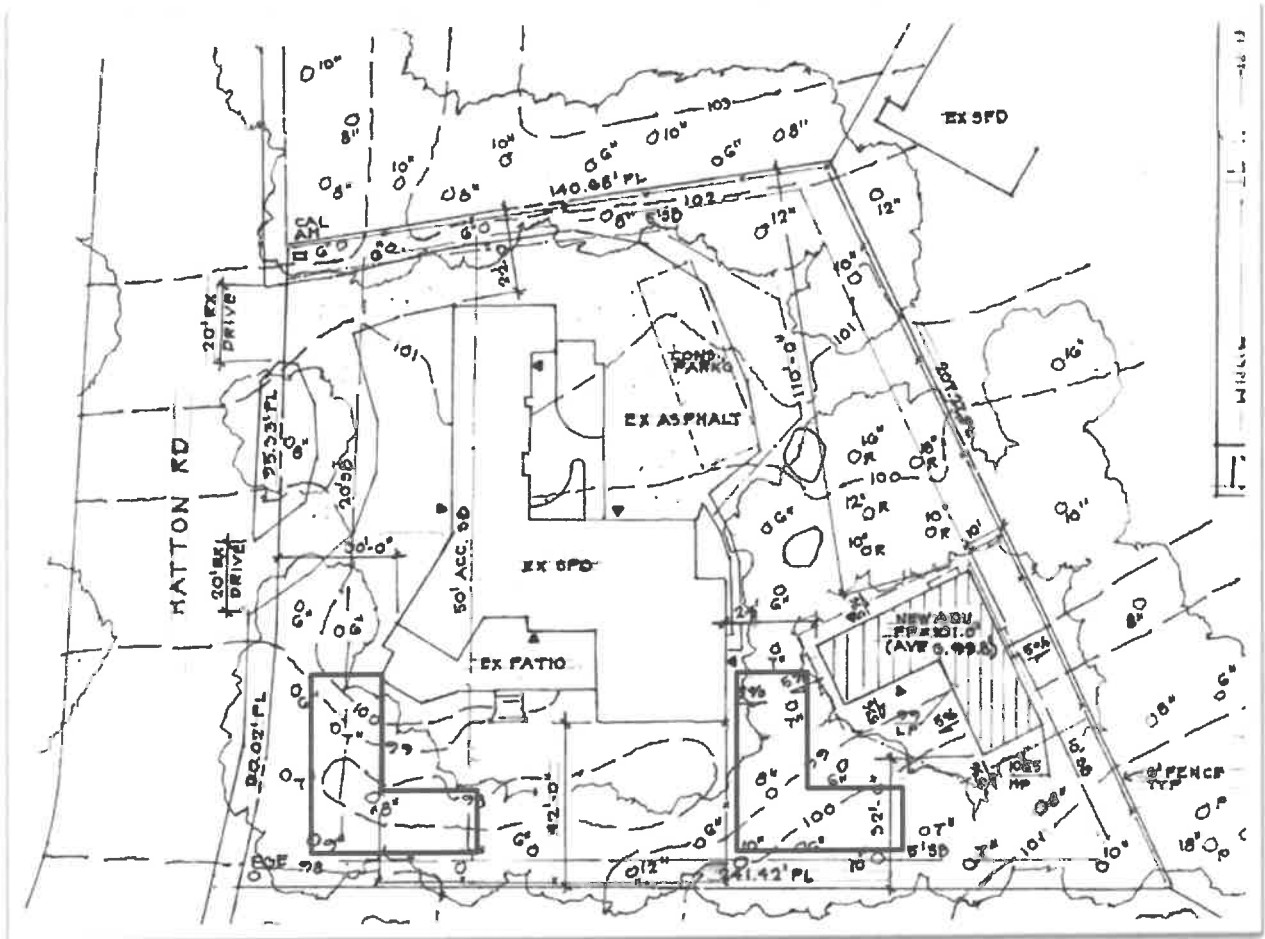
Dear Committee Members:

This office represents Thomas Russ and Anne Hill Russ, neighbors to Ms. Kitayama Nagafuji, the applicant for the above-referenced planning project (“Project”), which is on the February 18, 2025, Carmel LUAC agenda. Mr. and Mrs. Russ object to the currently planned location of the Accessory Dwelling Unit (“ADU”) on Ms. Kitayama Nagafuji’s property, as detailed in our letter dated January 10, 2025 to Zoe Zepp (attached hereto and incorporated herein).

As noted in the letter, Certified Arborist Bryan Bradford was retained by our clients to review the Project. Mr. Bradford determined that if the ADU is approved in its proposed location, the critical root area of the adjacent redwood trees will be damaged. This fact makes it impossible for the applicant to meet the requirements of Section 20.64.030 of the Monterey County Code, which states that “resource constraints that may *preclude development* of an Accessory Dwelling Unit include... tree resources... and other health and safety conditions.” (Monterey County Code section 20.64.030 (E)(11)(f) and (g);emphasis added.)

Since the time of our January 10, 2025 letter, Mr. Bradford has provided a supplemental report, which is attached hereto and incorporated herein. In his supplemental report, Mr. Bradford makes clear that there are two alternative locations on the applicant’s property that would be the least impactful to not only the redwood trees, but also other protected trees on the property.

The alternative locations are shown to scale on the below map:



Mr. Bradford concludes that the least impactful locations for the ADU would be in the southwest or southeast corner of the applicant's property. However, as can be clearly seen from the photographs in Mr. Bradford's supplemental report, locating the ADU in the **southwestern corner** would be preferable as the trees in that area are adolescent trees - unlike the southeastern corner, which contains a mature Monterey Pine that would have to be removed.

Therefore, we urge the LUAC to review Mr. Bradford's supplemental report and recommend placement of the ADU in the **southwest corner** of the applicant's property

////

Carmel Land Use Advisory Committee
February 14, 2025
Page 3

I will be attending the Carmel LUAC meeting and would be happy to answer any questions you have regarding our clients' comments. Thank you for your consideration.

Sincerely,

FENTON & KELLER
A Professional Corporation

A handwritten signature in black ink, appearing to read 'AJL', followed by a horizontal line.

Alex J. Lorca

AJL:kmc
Enclosure
cc: Client

FENTON & KELLER

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ATTORNEYS AT LAW

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ALEX J. LORCA

January 10, 2025

ALorca@fentonkeller.com
ext. 258

VIA EMAIL ZEPPZ@COUNTYOFMONTEREY.GOV

Zoe Zepp, Assistant Planner
County of Monterey, Housing and Community Development
1441 Schilling Place – South Second Floor
Salinas, CA 93901

Re: PLN240104 (Kitayama)
Our File: 60107.70158

Dear Ms. Zepp:

Our office represents Thomas and Anne Hill Russ in connection with the application made to the County of Monterey Housing and Community Development Department (“HCD”) by Nagafuji Kitayama for a Coastal Administrative Permit and Design Approval (“Application”) for the property located at 25745 Hatton Canyon Road in Carmel, California 93923 (“Kitayama Property”). The Application is for the construction of a 1,200 square foot Accessory Dwelling Unit (“Project”).

The Russes, as Trustees of the Thomas and Anne Hill Russ Revocable Trust 2001, are the owners of the property located at 3360 Mountain View Avenue in Carmel, California, 93923 (“Russ Property”), which is located next door to the Kitayama Property.

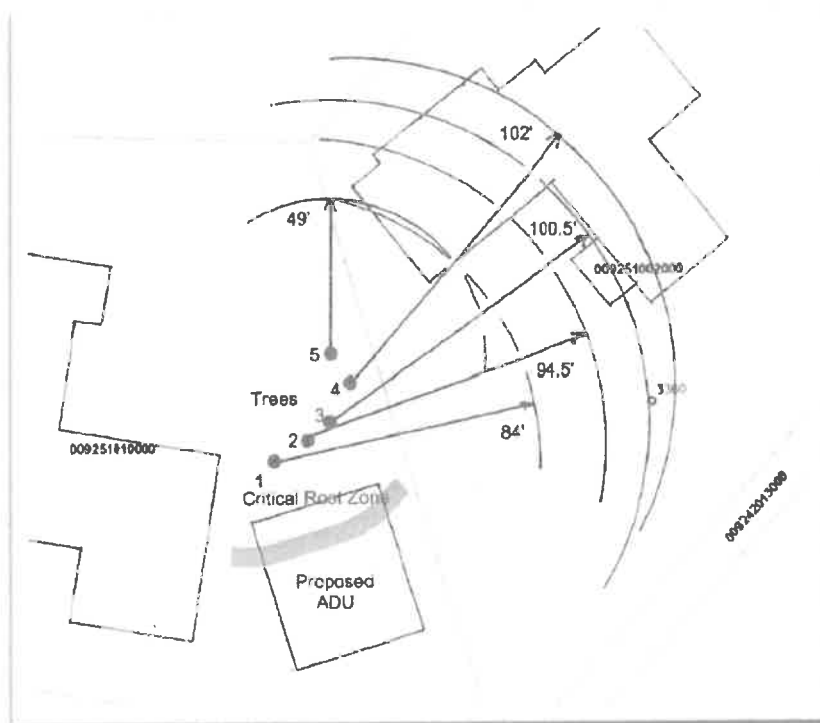
The Project is inconsistent with the requirements of Section 20.64.030 of the Monterey County Code, which states that “resource constraints that may *preclude development* of an Accessory Dwelling Unit include... tree resources... and other health and safety conditions.” (Monterey County Code section 20.64.030 (E)(11)(f) and (g);emphasis added.)

Likewise, the Project is inconsistent with Monterey County Code section 20.64.030(F)(1), which requires the County to make a finding that “...the establishment of the Accessory Dwelling

Ms. Zoe Zepp
January 10, 2025
Page 2

Unit will not, under the circumstances of the particular application, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood...”

As proposed in the Application, the Project cannot be approved. Enclosed is a Report of Certified Arborist from Certified Arborist Bryan Bradford, which confirms the Project will intrude into the critical root zone of all five of the Redwood trees located on the Kitayama Property. Moreover, the Report clearly demonstrates the Russ Property is well within the fall radius of all five of the Redwood trees:



As can be seen, the Project violates Monterey County Code section 20.64.030(E)(11)(f), which specifically protects “forest health and tree resources” as it will require the applicant to cut the roots of all five Redwood trees, all of which are within the critical root zone.

Moreover, Mr. Bradford’s Report confirms the Project will be detrimental to the health and safety of the Russes:

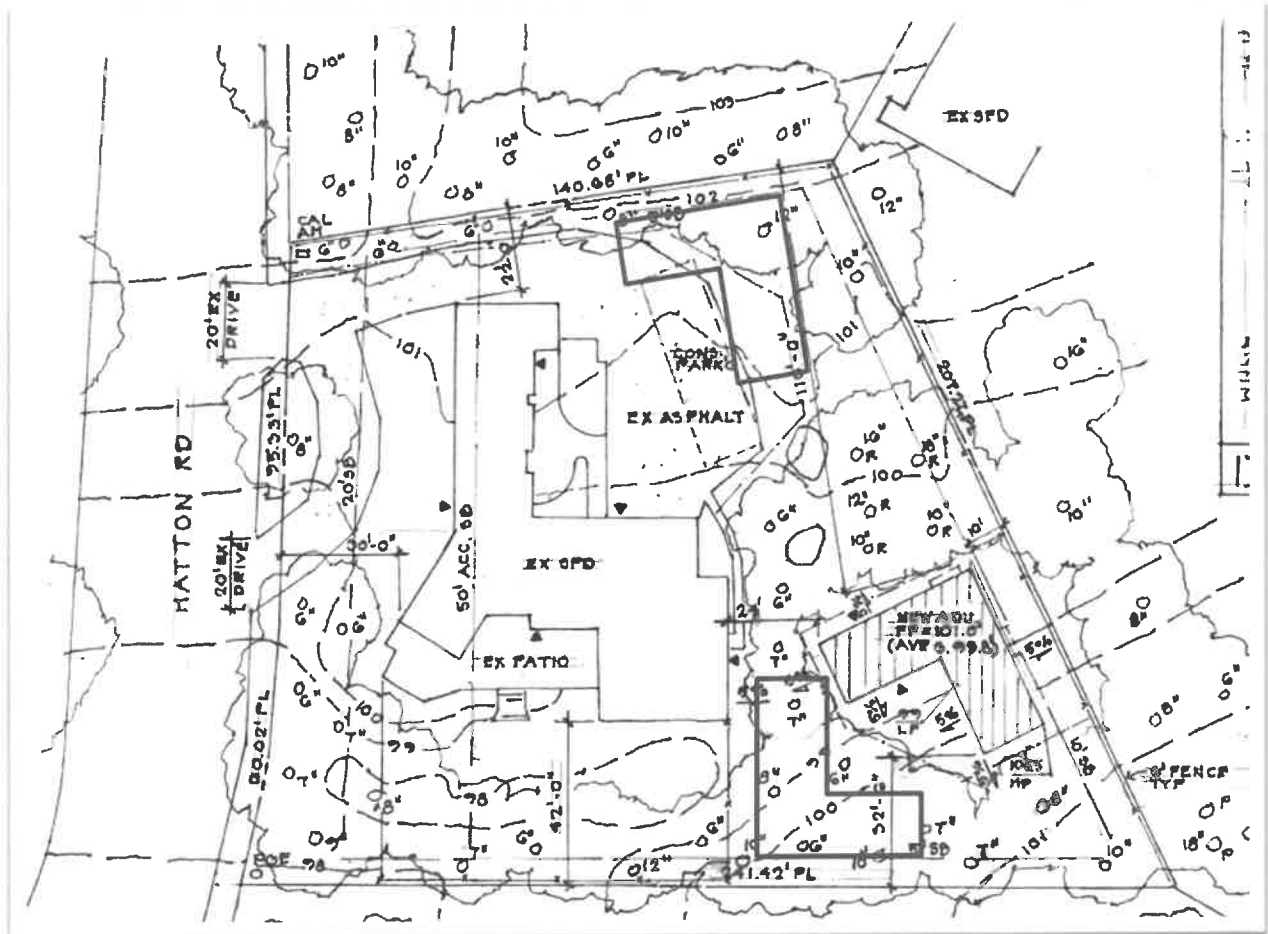
“Installation of a concrete foundation which outlines the footprint of the ADU will require severance of the roots of those trees in that area of the grove rooting bed, and will prohibit or greatly inhibit future tree rooting in the footprint area. This can effect the vertical stability of those trees as they grow in height.”

The Russ' daughter's bedroom is the closest room to the Kitayama Property. Should the Project cause one of the Redwood trees to fall (especially in a storm), their daughter would be in grave danger.

Importantly, Mr. Bradford states the Project's health and safety risks can be mitigated or eliminated by moving away from the critical root zone.

“Relocation of the ADU footprint further way from the critical root zone of the trees would help secure vertical stability of the trees as they grow in height. In this case, the overall distance should be at least 30 feet from the base of the trees.”

The following shows two clearly feasible alternative locations for the Project:



Ms. Zoe Zepp
January 10, 2025
Page 4

Because the Project's material health and safety risks can be mitigated or eliminated by relocating the ADU to another area of the Kitayama Property, the Application cannot be approved as presented. Rather, relocation of the ADU to the northern or southern portions of the Kitayama Property is required.

Sincerely,

FENTON & KELLER
A Professional Corporation

A handwritten signature in black ink, appearing to read 'AJL', followed by a horizontal line.

Alex J. Lorca

AJL:moi
Enclosure: Certified Arborist Report
cc: Client

Report of Certified Arborist

Bryan E. Bradford
Certified Arborist No. WE-5896A
International Society of Arboriculture,
and Professional Member

88 Paseo Hermoso ~ Salinas, CA ~ 93908
831-998-0439 or 831-484-1029

November 4, 2024

Mr. Alex Lorca, Esq.
Fenton & Keller
Post Office Box 791
Monterey, CA 93902-0791

Re: Russ Case
APN: 009-251-010-000
Situs: 25745 Hatton Road, Carmel

Dear Mr. Lorca,

I have examined and photographed the five Coast Redwood trees you are concerned about, located at the above-stated situs address and offer the following observations, conclusions and recommendations.

Preface

The examination and observation of the subject trees was conducted from the ground and did not afford close inspection of the trees or their features above 20 feet. Additionally, observations were limited to off-site visual examinations due to lack of physical access to the parcel which hosts the trees. Telescopic laser equipment was used to measure tree height. Unaided viewing, telescopic lens viewing and telescopic photography were used to examine the tree features above that height. Consequently, some small features may have been obscured from view by limited view angle or visual obstruction. Hence, there may be serious faults and weaknesses in the tree structure which have remained unobserved that present an enhanced hazard for various property and people residing within the fall radius of any of these trees. Positional measurements for the trees, the "story pole" structure representing the proposed additional dwelling unit and structures on the Russ property were made with a mix of conventional scales and telescopic laser equipment. This has allowed for the production of a site map with an

expected accuracy error of +/- 3 percent. Each individual tree is referred to by a number, 1 through 5, for clarity in describing each one. No inventory or tagging of these trees was done for this report.

Observations

The five subject trees located at 25745 Hatton Road, Carmel comprise a grove, planted many decades ago, which is situated in the northeast portion of parcel APN: 009-251-010-000 near the northeast boundary common to APN: 009-251-002-000. All five trees are Coast Redwood (*Sequoia sempervirens*). The grove occupies an elongated plot of ground about 30 feet long ending about 10 feet from the common boundary. The estimated diameter of each tree at breast height exceeds 30 inches. Tree No.1 is located at the southwest end of the grove. It has a height of about 84 feet and a well foliated broad crown spread. Tree No. 2 is located about 12 feet northeast of Tree No. 1. It has a height of about 94.5 feet and a well foliated crown spread. Tree No. 3 is located six feet northeast of Tree No. 2. It has a two parent stem configuration, has a height of about 100.5 feet and a well foliated crown spread. Tree No. 4 is located at the northeast end of the grove. It has a height of about 102 feet and a well foliated crown spread. Tree No. 5 is located about 10 feet northwest of Tree No. 4. It has a height of about 49 feet and a well foliated asymmetric crown spread with an off-set weighting to the northeast.

The rooting bed of the grove appears to be covered with an accumulated layer of natural tree litter from the combined crown of the grove. The extent and pattern of the rooting of each tree is unknown. The health and vigor of each tree seems to be good. The prospect for future growth in girth, height and extent of rooting seems excellent. A "story pole" structure describing the footprint and elevations of a proposed additional dwelling unit (ADU) is situated about 17 feet to the southeast of Tree No. 1, about 21 feet to the southeast of Tree No. 2, and about 25 feet to the southeast of Tree No. 3. This footprint is within the critical root zone of each of these trees. The standard calculation for the critical root zone of these large trees is one foot distance from the tree base for every one inch of diameter measured at breast height (4.5 feet). In this case that would imply a 30 foot radius perimeter around the base of each tree. Installation of a concrete foundation which outlines the footprint of the ADU will require severance of the roots of those trees in that area of the grove rooting bed, and will prohibit or greatly inhibit future tree rooting in the footprint area. This can effect the vertical stability of those trees as they grow in height.

The great height of the first four trees and their canopy edge position exposes them to unobstructed wind pressure in the highest portions of their crowns from all directions except southeast which is moderated by a mature row of Monterey Cypress (*Cupressus macrocarpa*). Exposure to high wind pressure from the south, southwest and west is of concern due to the close proximity of the subject trees to the residential structure on parcel APN: 009-251-002-000, located at 3360 Mountain View Avenue,

Carmel. The most common prevailing winter wind direction in the Carmel area is westerly, but storms and “bomb cyclones” can increase velocity and alter direction. Such winds in 2017 reached 86 miles per hour in the area and brought down many trees.

No hazard evaluation has been prepared for any of the subject trees due to lack of access for close physical examination. Nonetheless, based on the size of each specimen and its proximity to residential structures, even with the lowest probability of a tree fall, each would merit a hazard rating of 9 on a 12 point scale. This is the threshold for a hazard tree removal permit in Monterey County.

Measurements taken on site indicate that in the event of a fall of any of the subject trees in the direction of the neighboring residence at 3360 Mountain View Avenue, such a fall could impact the residential structure itself, causing damage to the living areas of the residence and perhaps injury to inhabitants of the dwelling. (See the Fall Radius Diagram attached below)

Conclusions

Although they currently exhibit good health and vigor, in the event of a fall each of the subject trees poses a risk for damage to, or destruction of, the residential structure, and personal injury or death to persons who are present on the parcel APN: 009-125-001-000 at that time. These risks can be mitigated with preventive measures such as active care of the tree rooting system and reduction of wind pressure effect on the upper portions of the tree crowns. Complete elimination of the risk can only be accomplished by tree removal.

Recommendations

The following measures would mitigate the tree risks identified above:

The root zone of each tree should be probed to determine its rooting pattern and expanse.

Relocation of the ADU footprint further way from the critical root zone of the trees would help secure vertical stability of the trees as they grow in height. In this case, the overall distance should be at least 30 feet from the base of the trees. Additionally, if construction of the ADU is commenced, all construction activities, including foot and vehicle traffic, and materials storage should be excluded from the critical root zone of the trees. At all times the rooting bed should be left in a state of nature as much as possible and all tree litter left in place. An annual inspection of the base, parent stem (trunk) and crown and of each tree should be conducted to discover any developing decay or structural changes. Discovery of gross decay or structural changes indicating weakness should be followed with a hazard evaluation by an arborist certified by the International Society of Arboriculture.

To reduce wind pressure effect on the tree crowns, crown pruning and crown reduction can be used to reduce or limit the overall height of the crowns. Thinning of the crowns also reduces wind pressure effect. To be effective these measures should be applied on a regular basis of every three or four years.

As illustration of the descriptions given in the above text, photographs and other attachments are provided below. Any questions regarding this report may be communicated to the author using the telephone numbers provided above.

Endorsed 12/13/2024

A handwritten signature in black ink, appearing to read 'Bryan Bradford', with a long horizontal flourish extending to the right.

Bryan Bradford

Consulting Arborist

Figure No. 1: Subject grove of Coast Redwood trees showing “story poles” for the ADU and the neighboring residence (lower right corner).

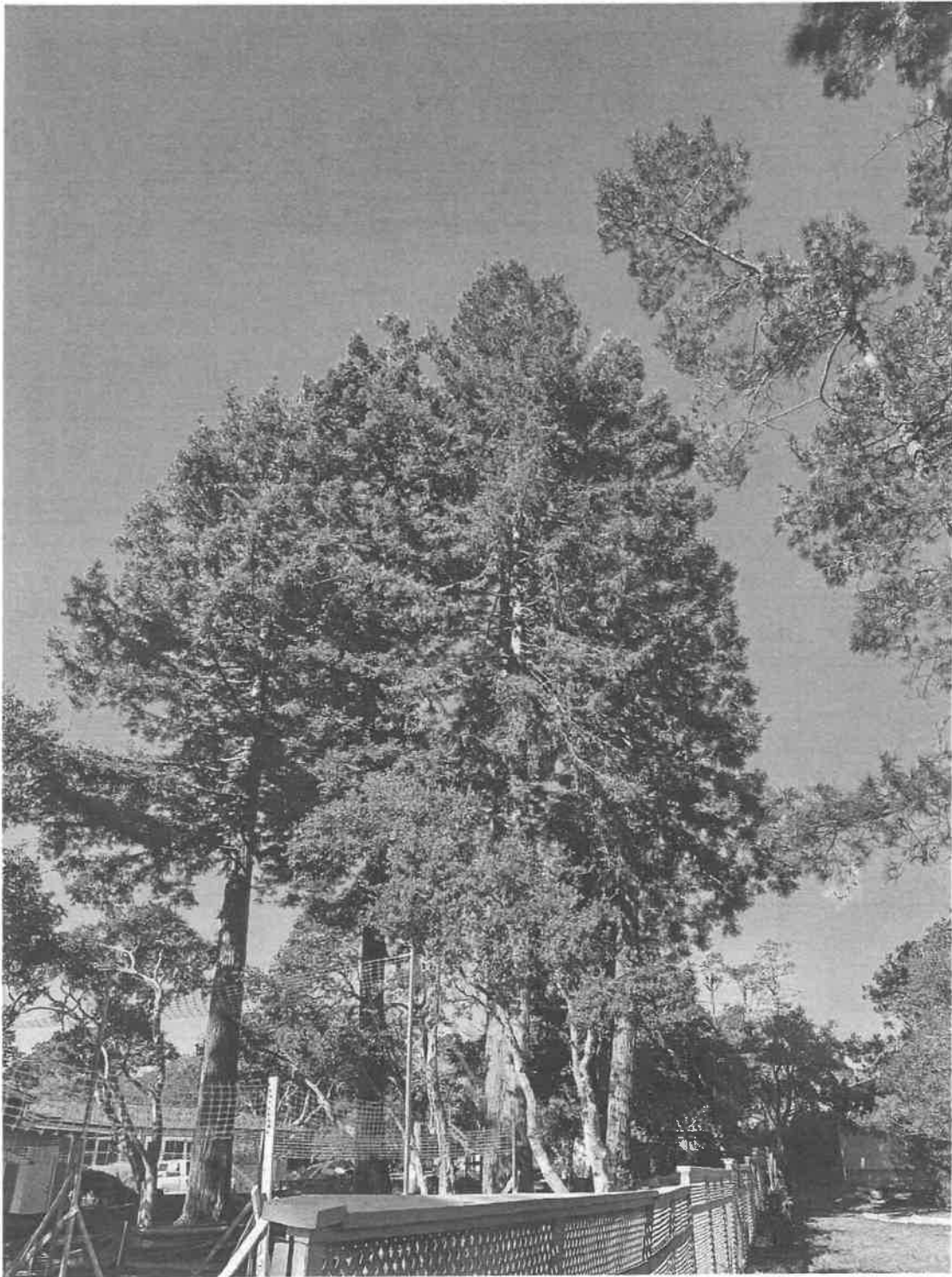
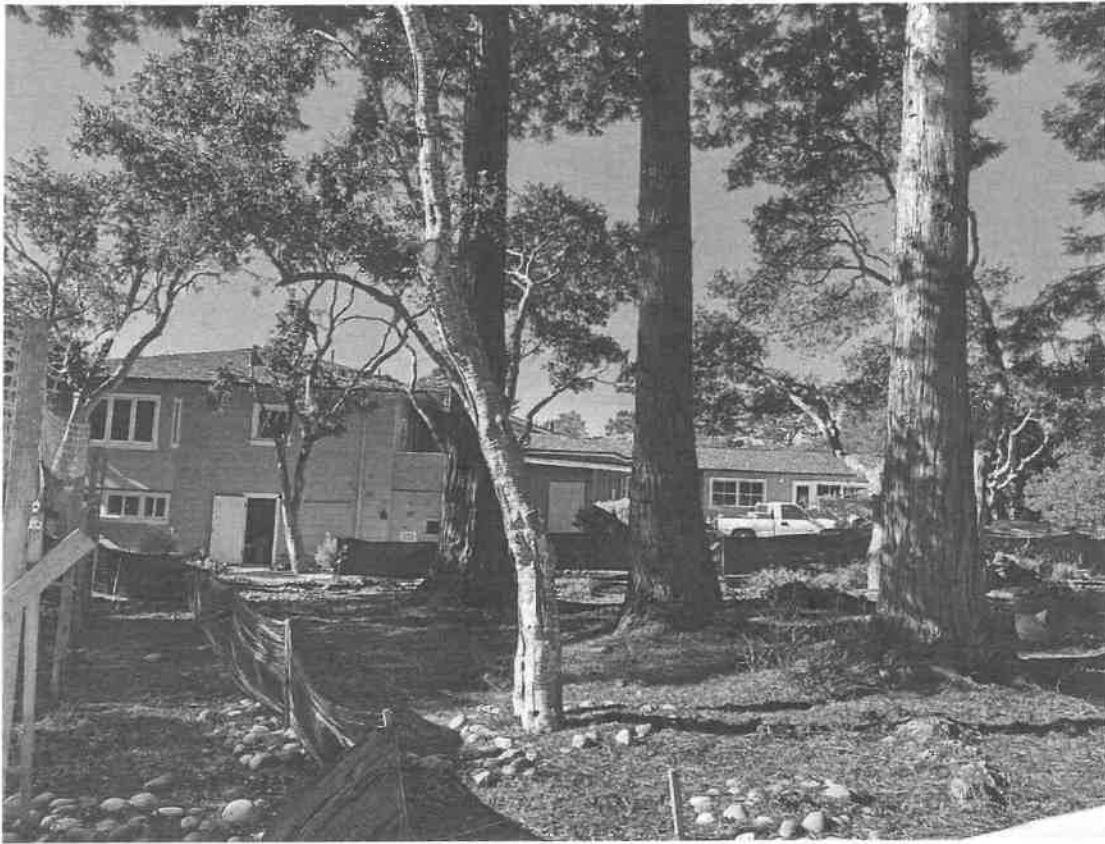


Figure No. 2: Showing critical root zone of trees numbered 1, 2 and 3 in close proximity to the proposed ADU foundation area.



FALL RADIUS DIAGRAM

▼

Find address or place

Q

009251009000 25713

009252017000

Hutton Rd

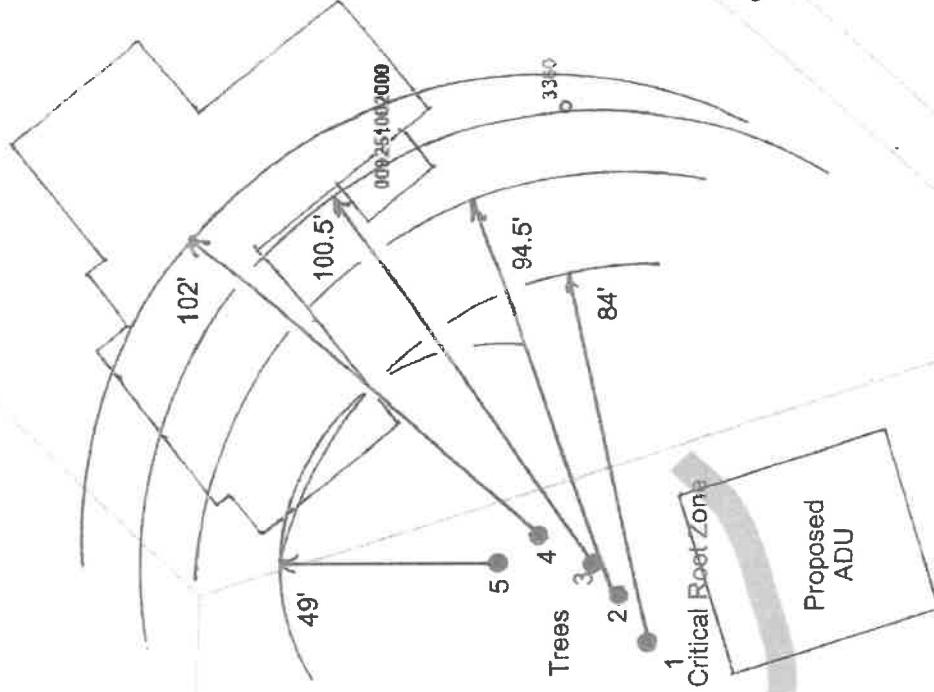
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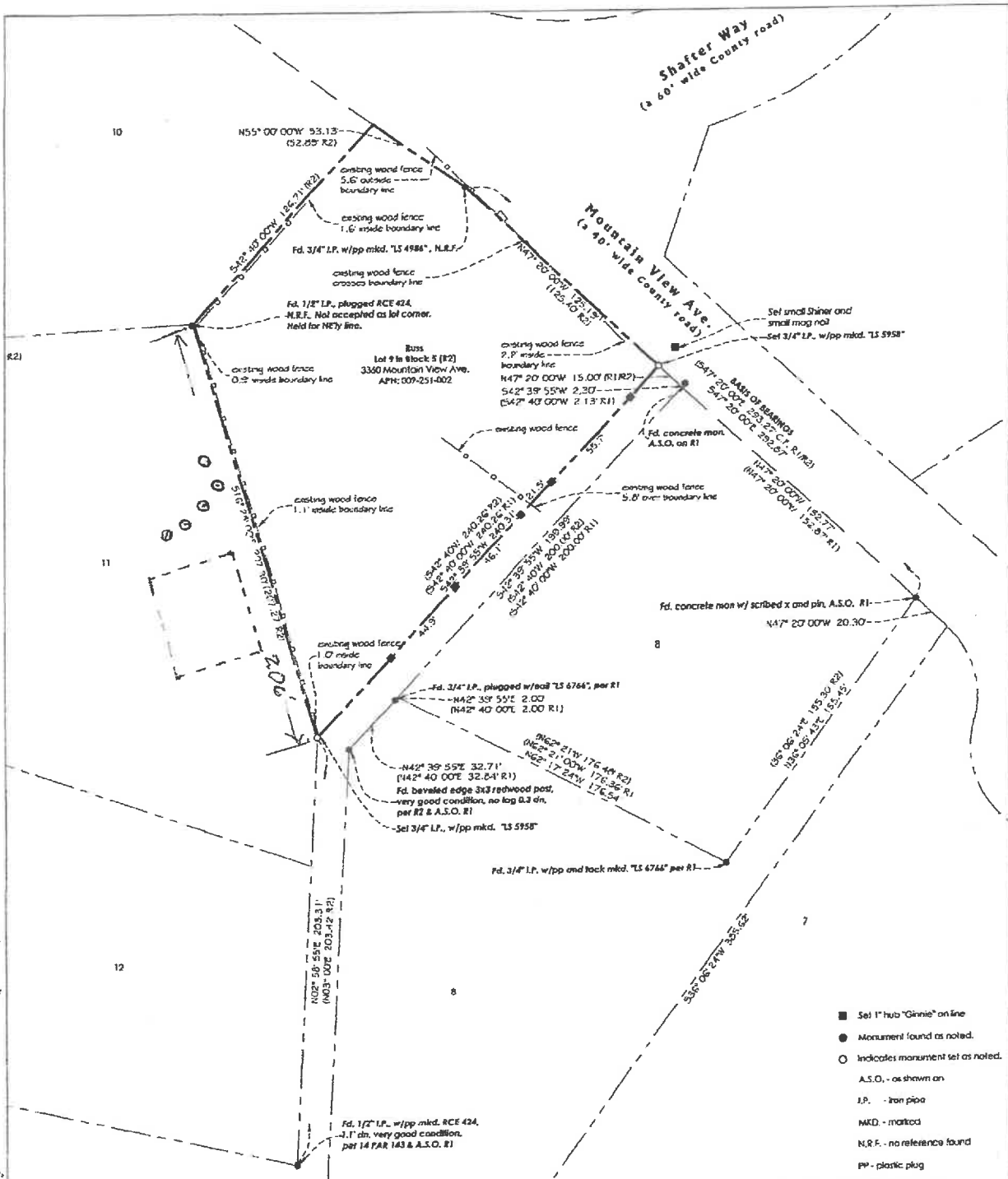
25745

009251004000

009251008000

0 20 40ft





Surveyor's Notes:

This map portrays the site of the time of the survey and does not show soils or geologic information, underground conditions, easements, zoning setbacks, regulatory information or any other information not specifically identified by the party requesting the survey. There may be easements or other rights, recorded or unrecorded, affecting the subject property which are not shown hereon.

Distances are expressed in feet and decimals thereof.

Sufficient boundary ties were made to graphically show existing features however a complete boundary survey was not performed.

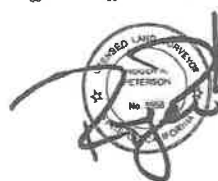
Base of Bearings: The bearing of South 47° 20' 00" East for the southwesterly line of Mountain View Ave., as shown on R1/R2 and as found monumented is taken as the back of bearings for this survey.

Record Map References:

R1: Record of Survey filed Nov. 9, 1995 in Volume 19 of Surveys at Page 117, in the Monterey County Recorder's Office, State of California.

R2: Map of "Hutton Fields", tract No. 1, filed on Dec. 7, 1925 in Volume 3 of Cities & Towns at Page 31 in the Monterey County Recorder's Office, State of California.

1" = 30'



Survey Plat

LOT 9 IN BLOCK 5 PER MAP OF HUTTON FIELDS TRACT NO. 1
3360 Mountain View Ave., APN: 009-251-002
Located in the Camel area of
Unincorporated Monterey County, State of California

Prepared For: Thomas Russ and Anne Hill Russ
Requested By: Anne Hill Russ

February 2024

Rasmussen Land Surveying, Inc.
2150 Garden Road, Suite A-3, Monterey, California 93942
P: 831.375.7240 F: 831.375.2545

DRAWING REVISIONS:
Feb. 2024 - Original Survey

RLS W.O. # 2023-085

Sheet 1 of 1

Report of Certified Arborist
Amendment

Bryan E. Bradford
Certified Arborist No. WE-5896A
International Society of Arboriculture,
and Professional Member

88 Paseo Hermoso ~ Salinas, CA ~ 93908
831-998-0439 or 831-484-1029

February 14, 2025

Mr. Alex Lorca, Esq.
Fenton & Keller
Post Office Box 791
Monterey, CA 93902-0791

Re: Russ Case
APN: 009-251-010-000
Situs: 25745 Hatton Road, Carmel

Dear Mr. Lorca,

I have examined the maps you have provided, depicting three alternative options for repositioning the ADU (Additional Dwelling Unit) now under consideration for construction on the above-noted situs address and offer the following observations and conclusions.

Preface

This Amendment should be read in conjunction with my original report of November 4th, 2025. As stated in that report, in considering repositioning of the ADU, the resulting tree impact most important to avoid would be on the critical root zone of the large redwood trees on site. Examination and observation of the trees on site was conducted from the ground and did not afford close inspection of them or their features above 20 feet. Additionally, observations were limited to off-site visual examinations due to lack of physical access to the parcel which hosts the trees. Unaided viewing, photography and the Warner site map attached below were used to estimate tree positions and establish the position of the proposed ADU. In that regard, it should be noted that the Warner map incorporates a tree survey from years ago which is now outdated, resulting in inaccuracies in both stated tree size and location. Some of the trees no longer exist and others have matured from seedling or sapling size to larger maturing saplings with

diameters estimated in excess of 6 inches DBH. No inventory, tagging of trees or tree height measurement was made for this report.

Observations

Reposition options suggested in the maps attached below, all of which avoid the critical root zone of the redwood trees, are as follows:

- Northeast corner of the subject parcel. This reposition implies some impingement on the drive way and the removal of two maturing adolescent Coast Live Oak trees (*Quercus agrifolia*) with estimated tree bases in excess of 16 inches diameter at breast height (DBH), well developed crowns and good separation. It would also impact the root zones of the remaining nearby Coast Live Oaks. Impact on the trees could be mitigated by the replanting of Coast Live Oak saplings at a 2 to 1 ratio.
- Southeast corner of the subject parcel. This reposition implies removal of several small adolescent Coast Live Oak trees and one mature Monterey Pine tree (*Pinus radiata*) with a base estimated in excess of 20 inches DBH. This Monterey Pine is in questionable health, showing early senescence, exhibiting an imbalanced crown leaning to the southeast, and twig and branch die-back primarily as a result of its frontier position facing recurring northwest salt winds. Mitigation of the small oak tree removals could be accomplished with a 2 to 1 ratio of replanting. Mitigation of the pine removal would be naturally accomplished with what appear to be numerous exuberant volunteer pine saplings already occurring on site.
- Southwest corner of the subject parcel. This reposition implies removal of several small adolescent and some maturing adolescent Coast Live Oak trees with estimated tree bases in excess of 12 inches DBH. As with the other options, impact on these trees could be mitigated by the replanting of Coast Live Oak saplings at a 2 to 1 ratio.

Conclusions

Of the three reposition options proposed, it appears the two least impactful to the trees on site and the most easily mitigated would be the southwest and southeast options.

As illustration of the descriptions given in the above text, several attachments are provided below. Any questions regarding this report may be communicated to the author using the telephone numbers provided above.

Endorsed 2/14/25

A handwritten signature in dark ink, appearing to be 'B. Bradford', written over a horizontal line.

Bryan Bradford

Consulting Arborist

Figure No. 1: Site of northeast ADU reposition proposal, requiring removal of two maturing large oak saplings with large diameter bases and full crowns. Notice the numerous pine saplings.



Figure No. 2: Site of southeast ADU reposition proposal, requiring removal of the senescent pine tree and small oak saplings. Notice the numerous pine saplings.

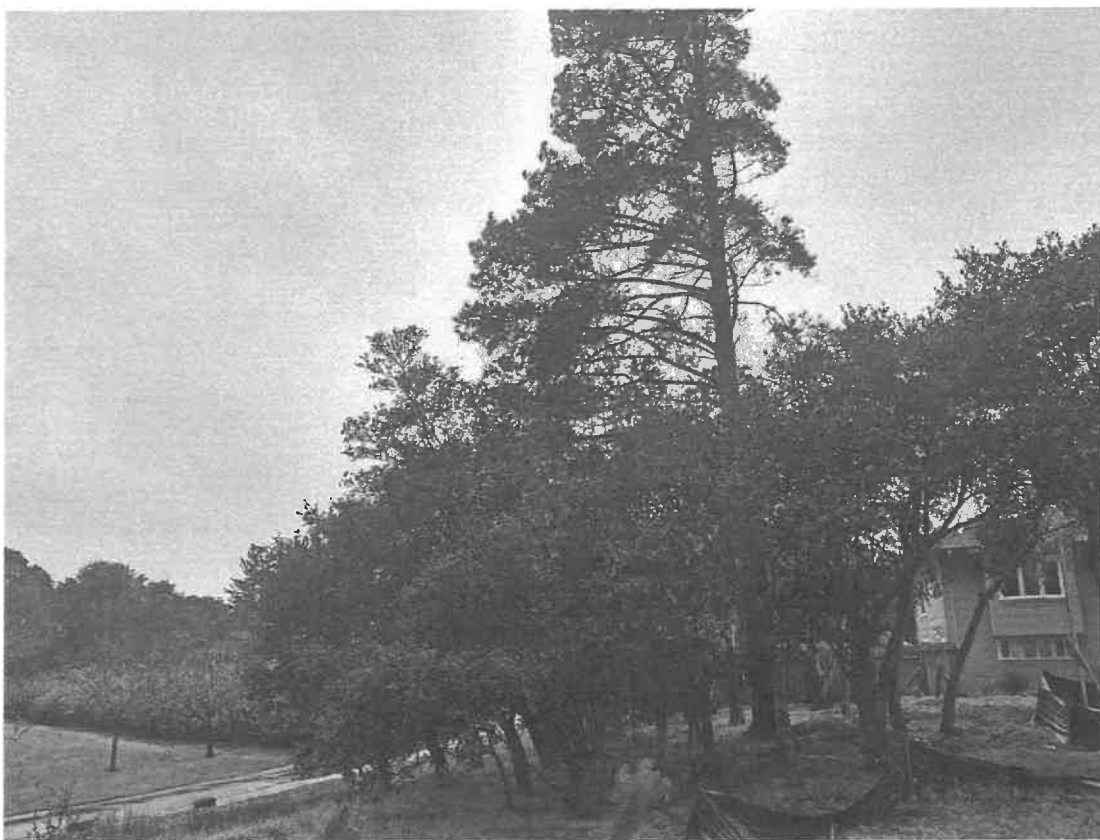
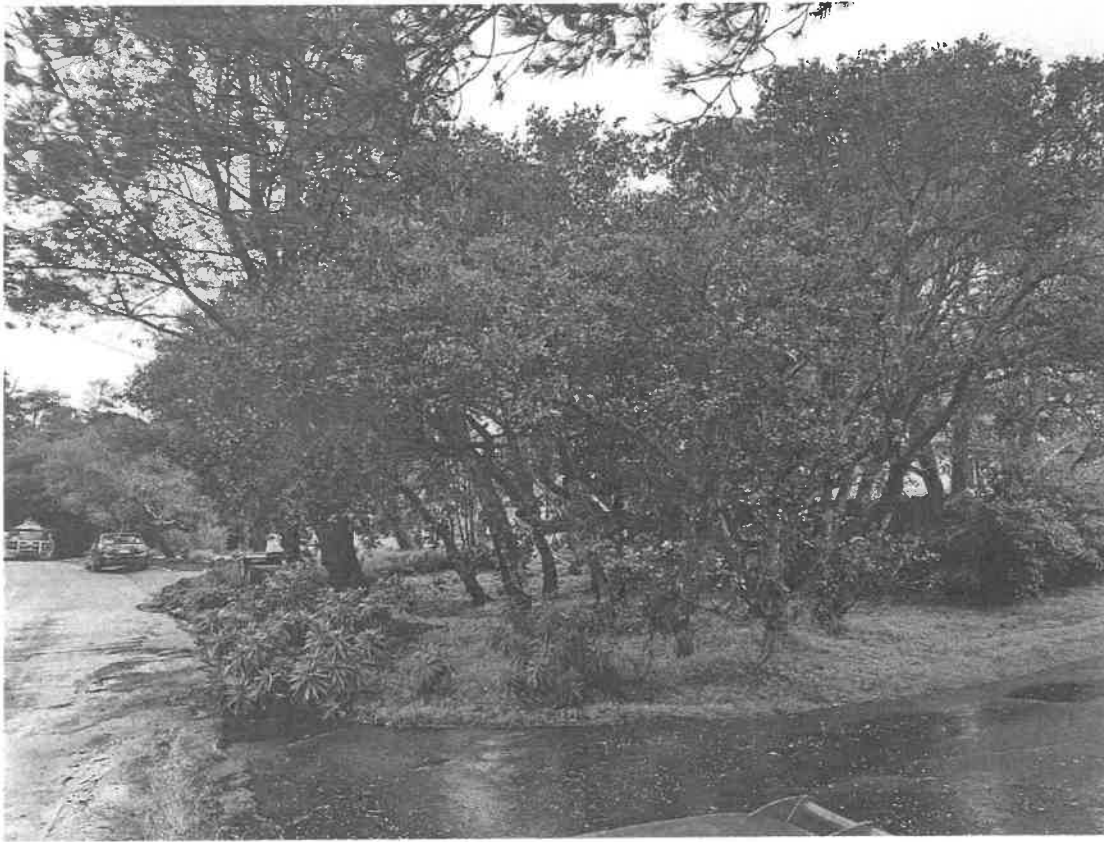
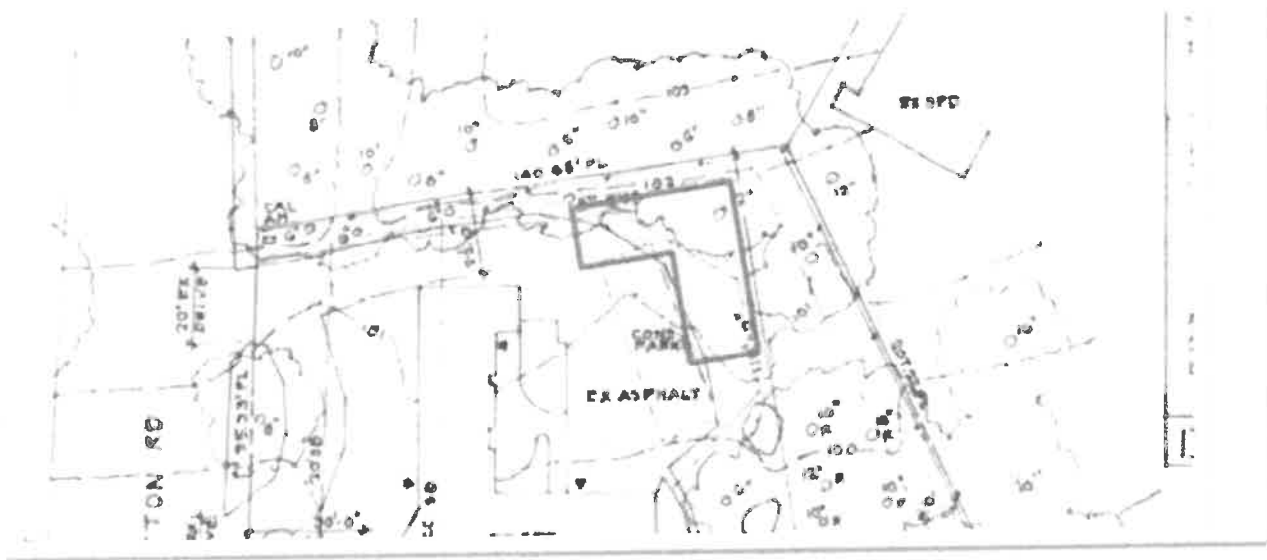
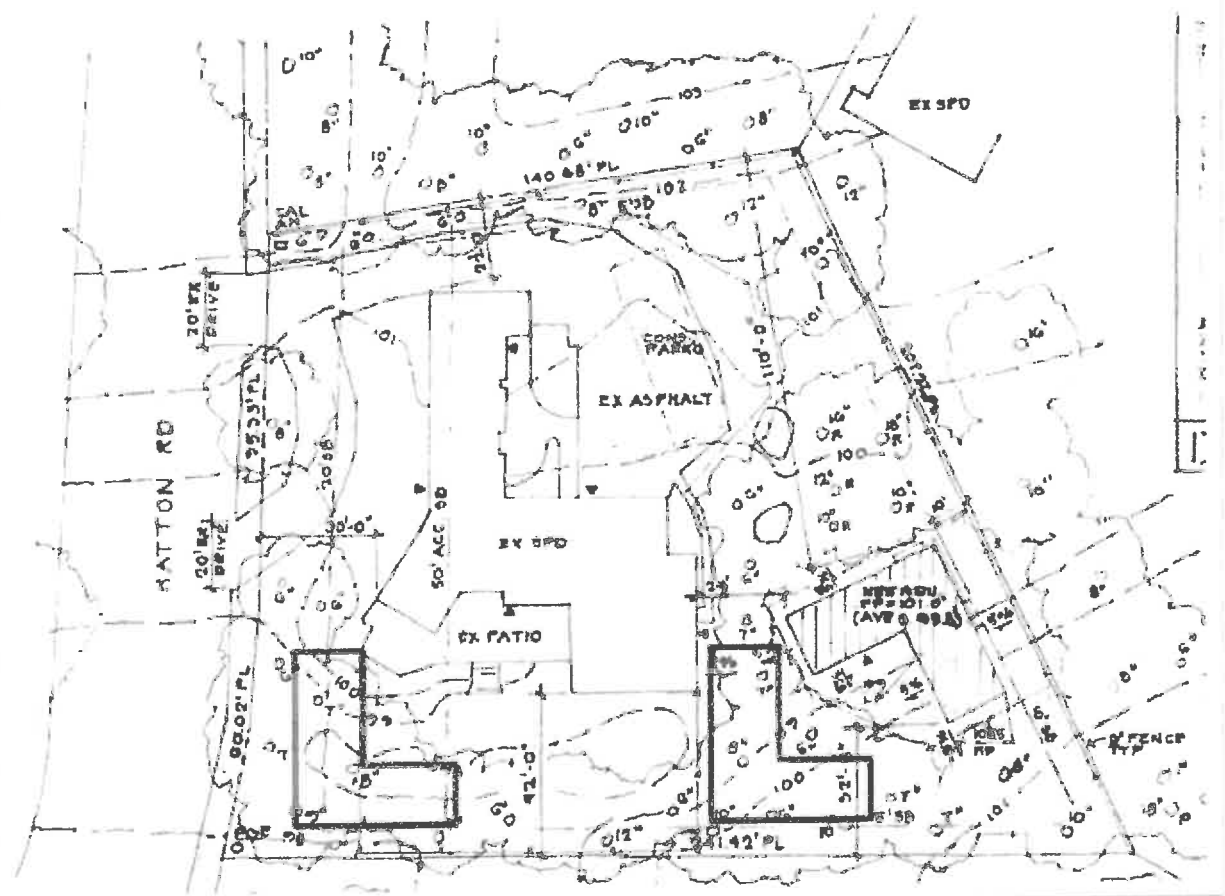


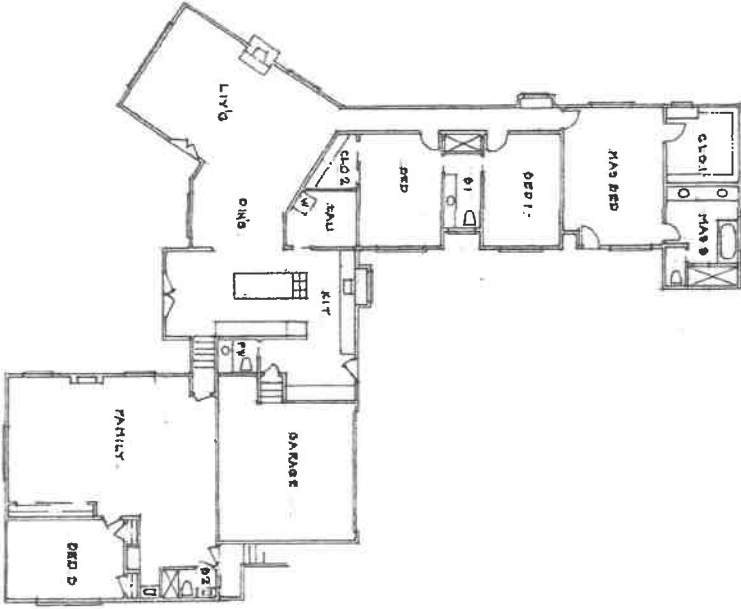
Figure No. 3: Site of southwest ADU reposition proposal, requiring removal of small and large oak saplings.



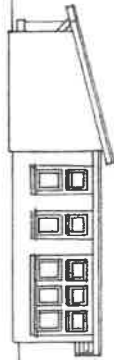




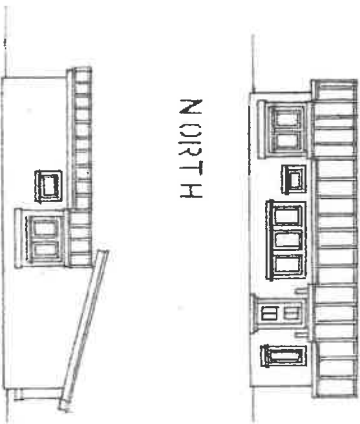
EX, SFD



WEST

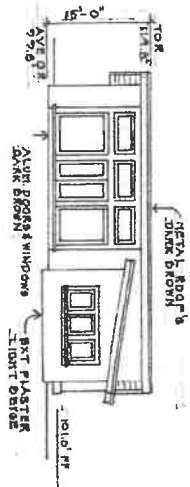


NORTH

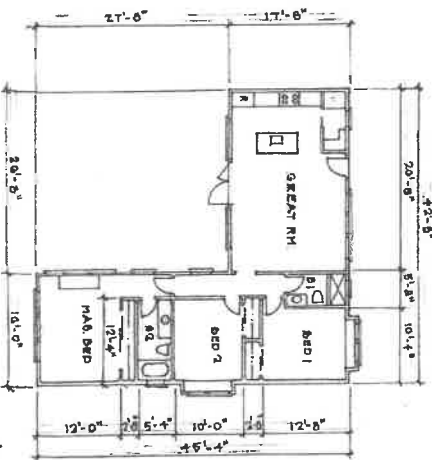


EAST

SOUTH



PLAN



A-2

25745 HATTON RD
KARMEL, CA, 95022
APN: 007-251-010

GLENN E. WARNER ARCHITECT
57752 PALO COLORADO RD, KARMEL, CA
MAILING: PO BOX 22611, KARMEL, CA, 95022
(831) 625-2802

GLENN E WARNER ARCHITECT
3152 PALO COLORADO RD, CARMEL, CA.
MAILING: PO BOX 22811, CARMEL, CA, 93922
(551) 825-2802

EXHIBIT

2

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Amendment

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Bryan Bradford

Consulting Arborist

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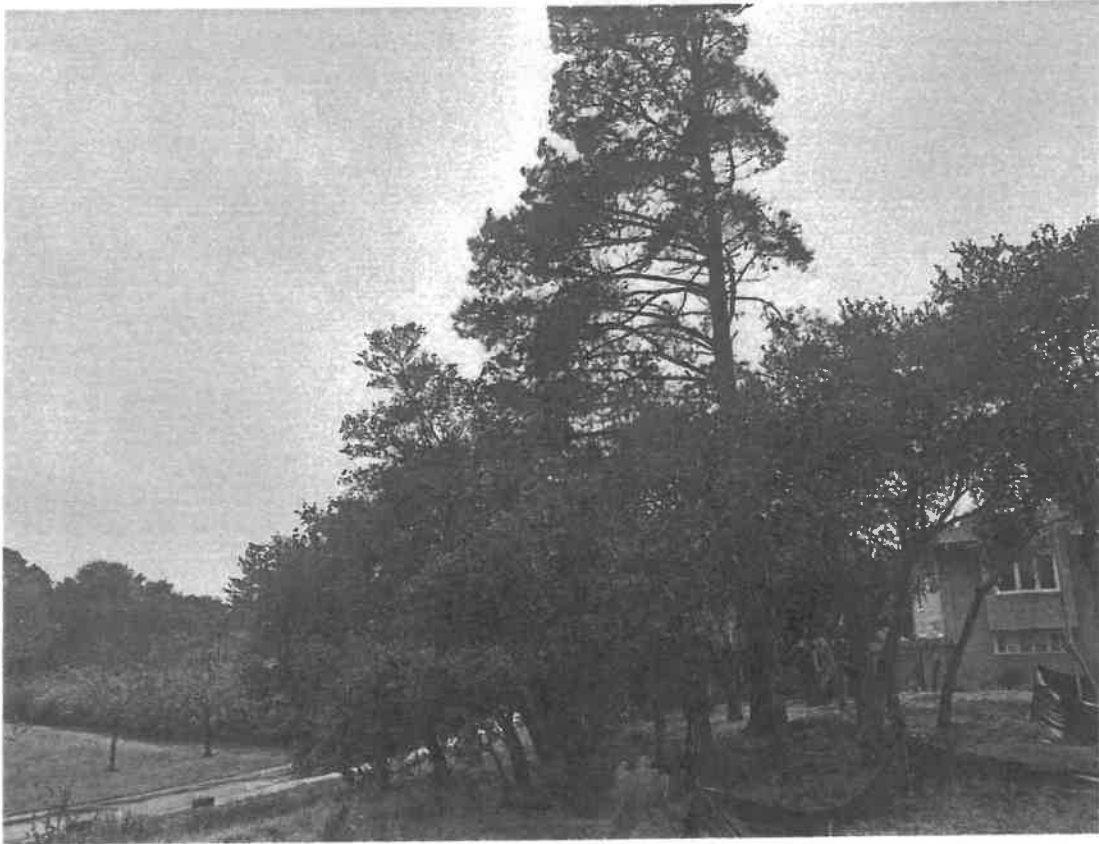
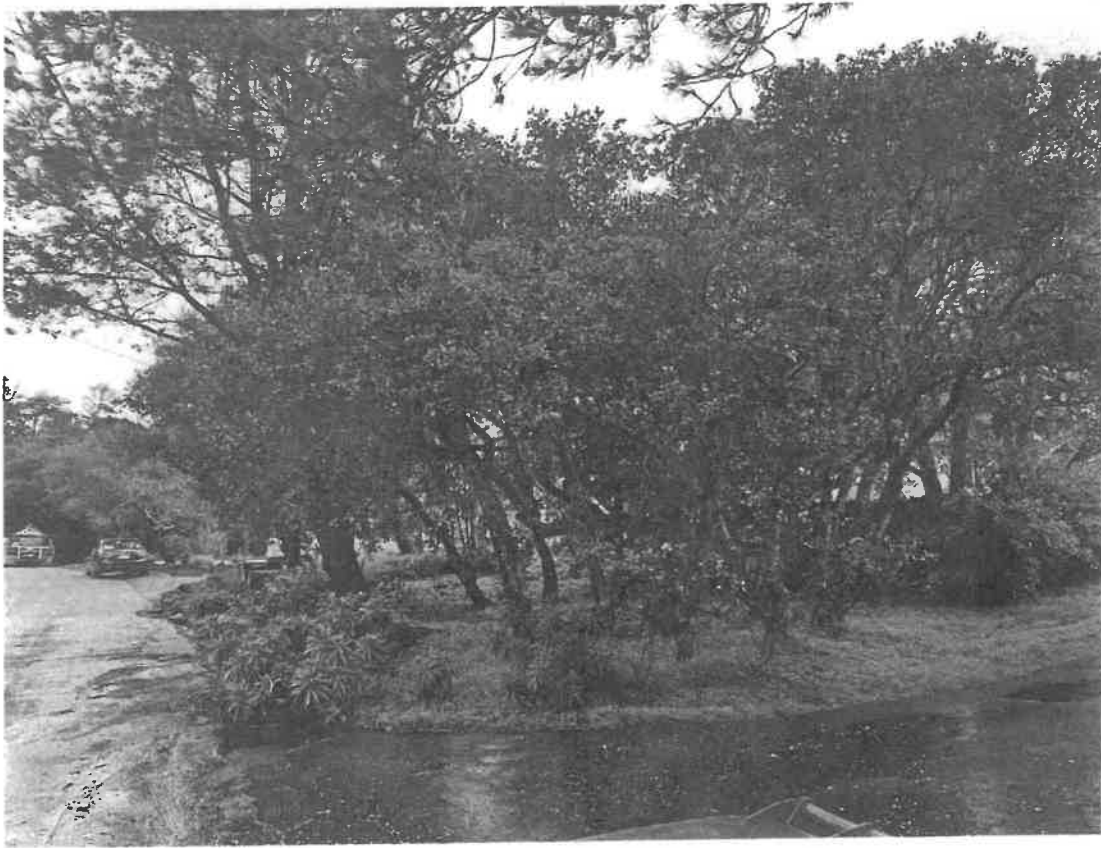
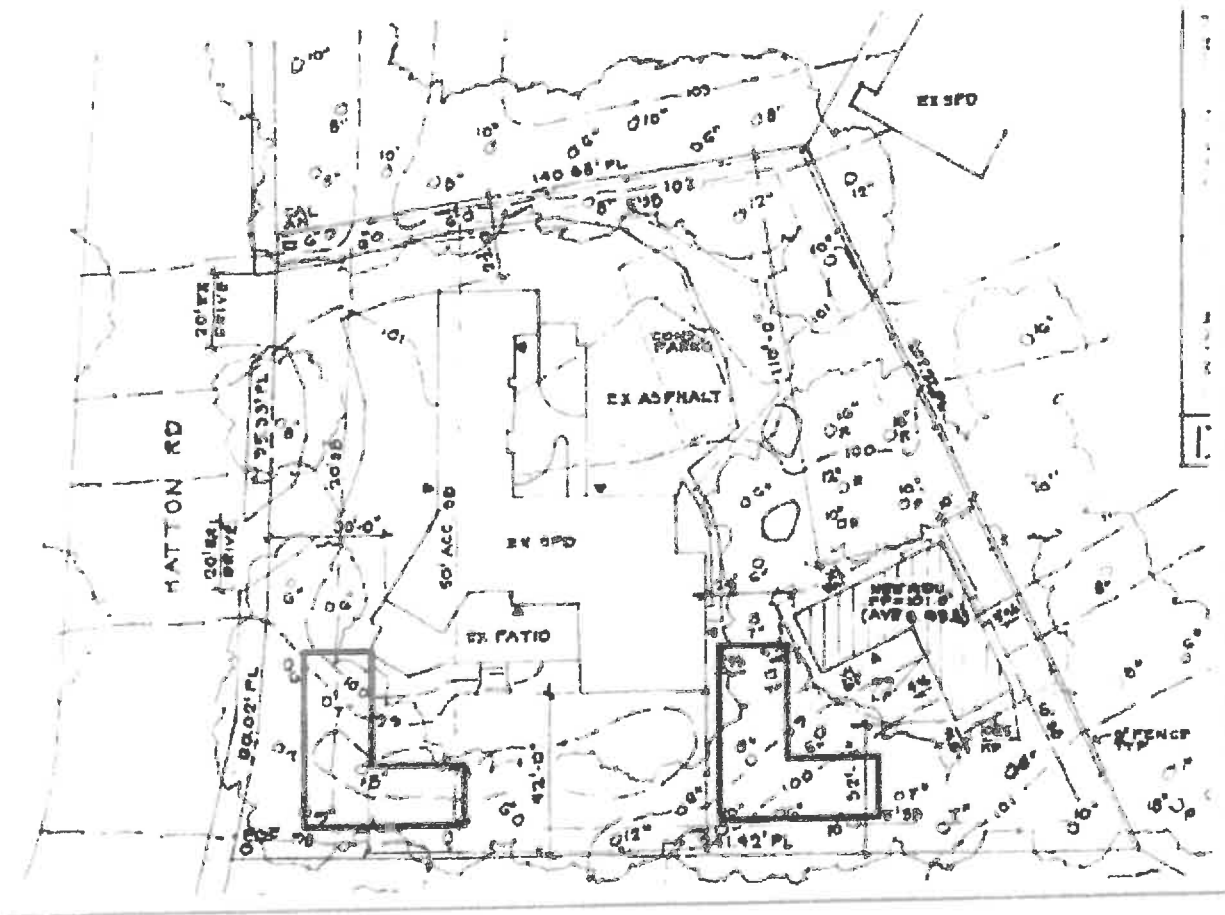


Figure No. 3: Site of southwest ADU reposition proposal, requiring removal of small and large oak saplings.







2

A side elevation drawing of a building. It features a gabled roof with a chimney on the left side. The facade has several windows: two small square windows near the roofline, two larger rectangular windows below them, and a row of four small square windows at the bottom. The building is shown in a simple line-art style.

[illegible]

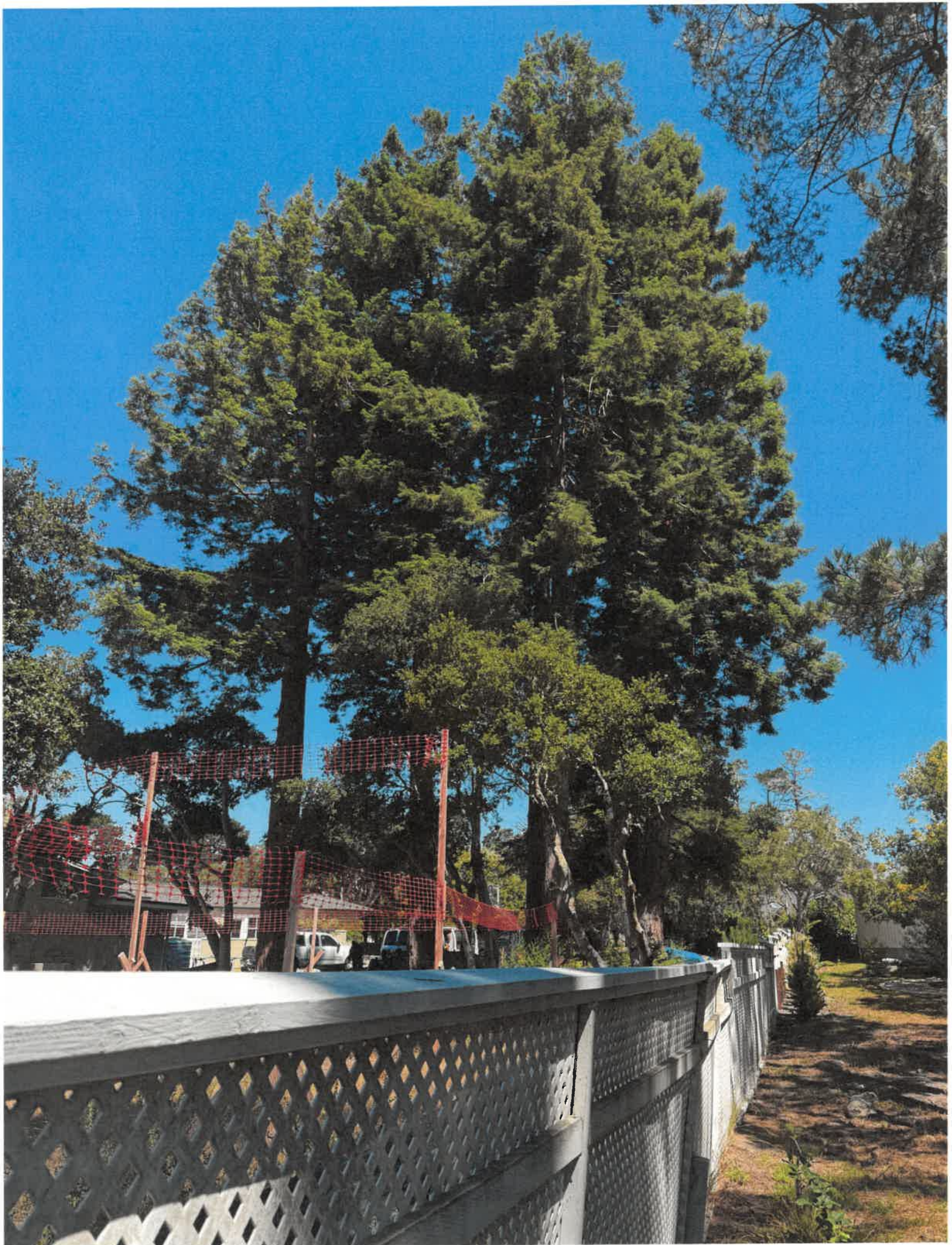
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EXHIBIT

3





EXHIBIT

4

FALL RADIUS DIAGRAM

▼

Find address or place

Q

009251009000 25713

009252017000

Halton Rd

009251010000

25745

009251004000

009251008000

East Community Maps Contributors, California Sta

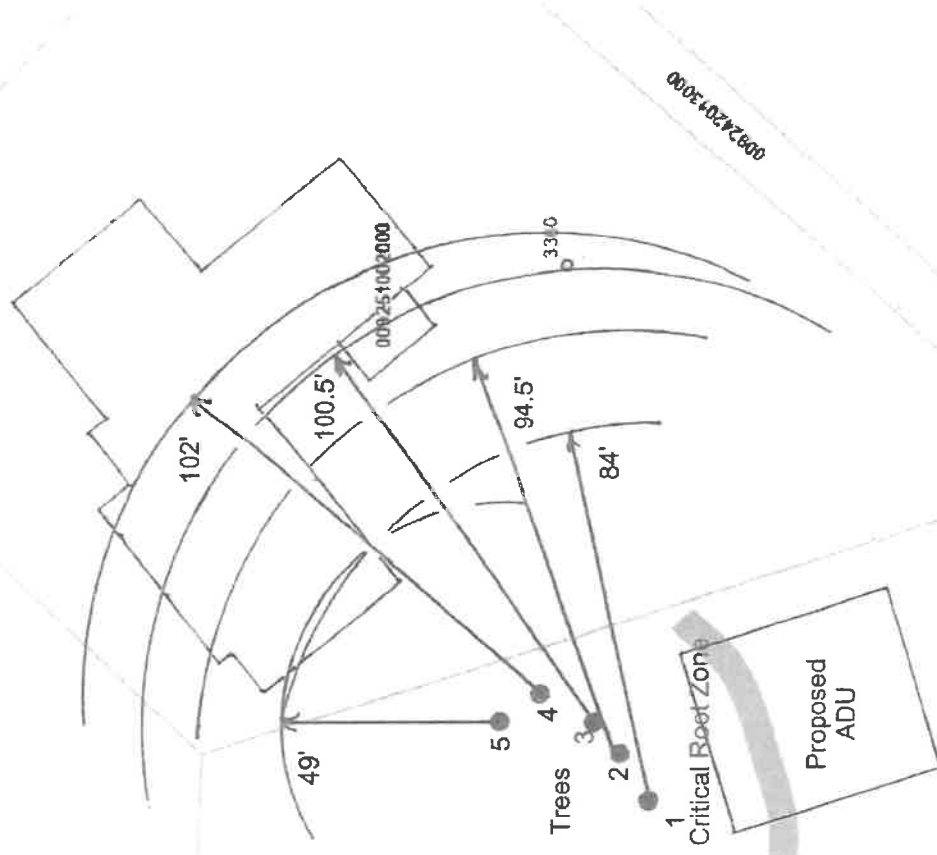


Figure No. 1: Subject grove of Coast Redwood trees showing “story poles” for the ADU and the neighboring residence (lower right corner).

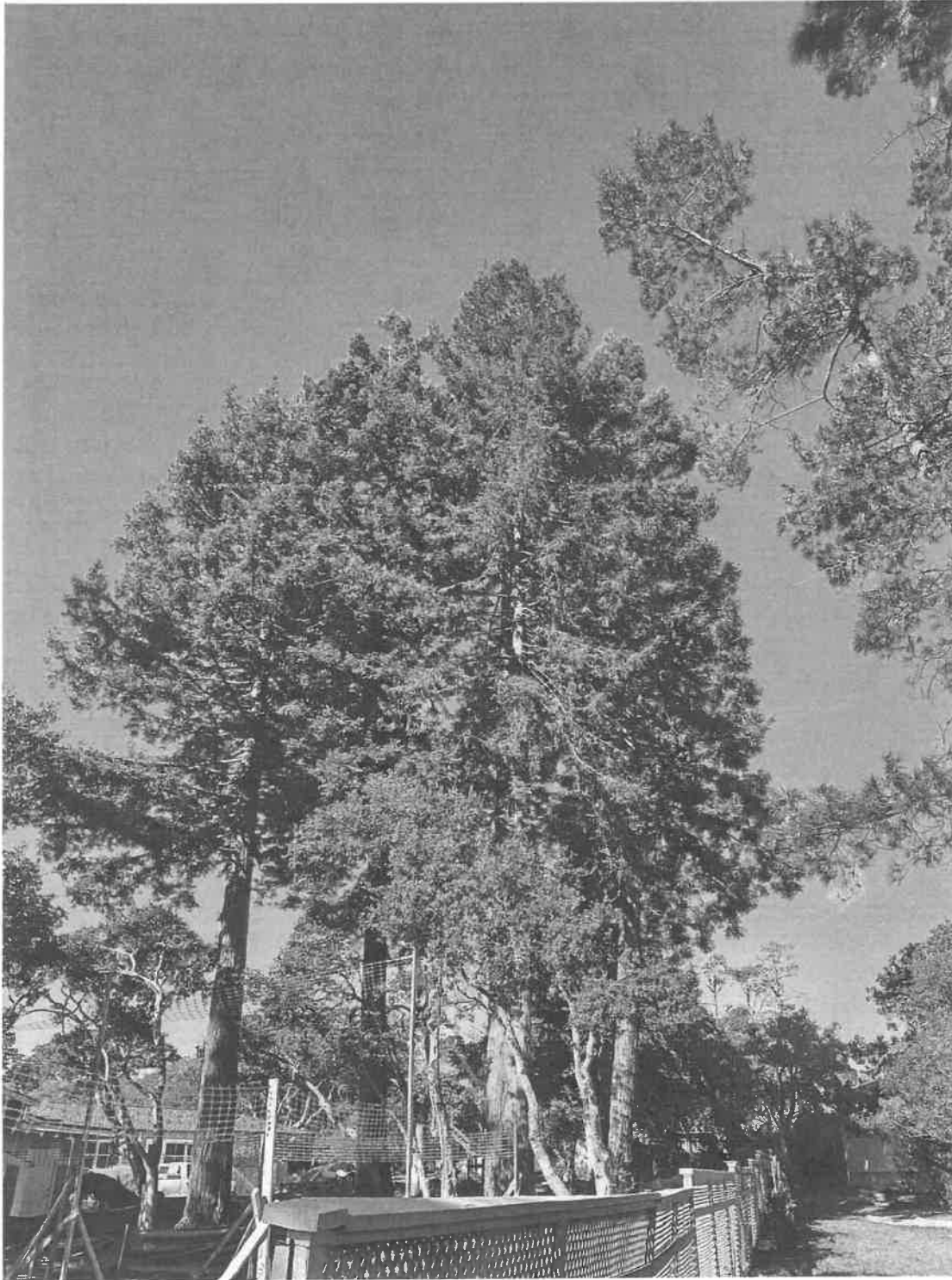
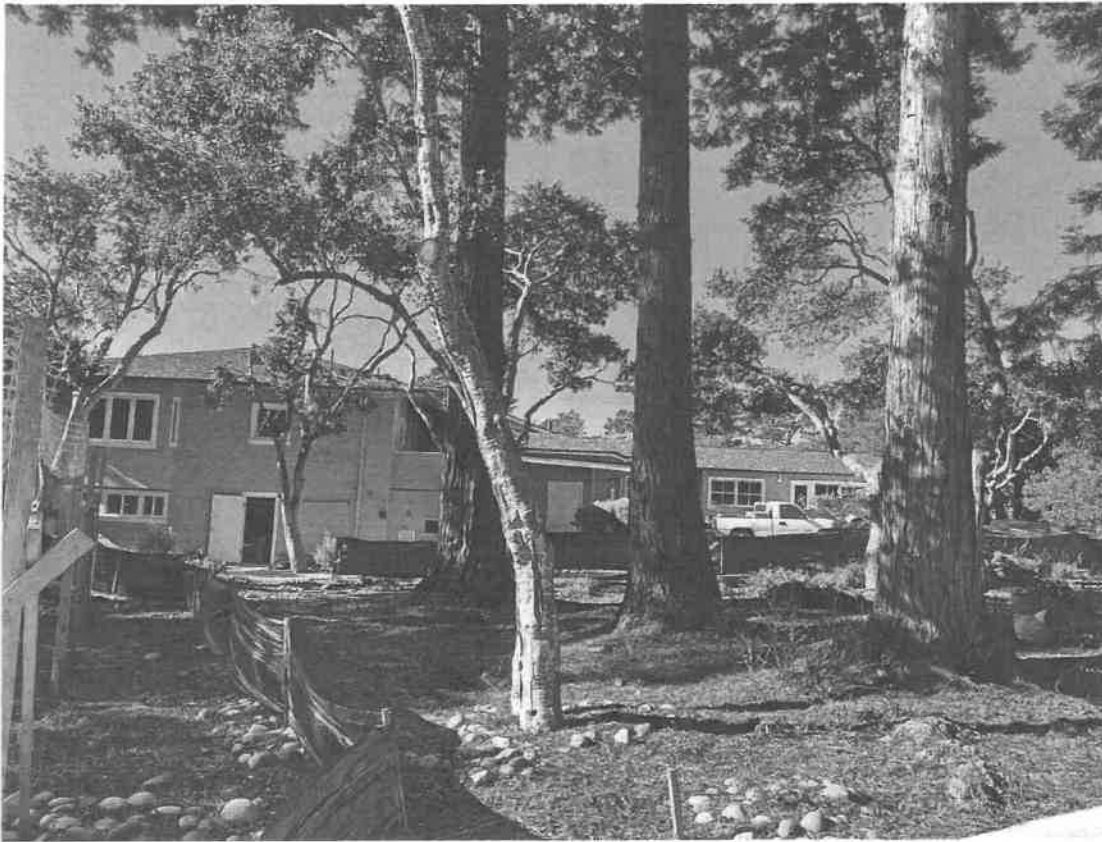
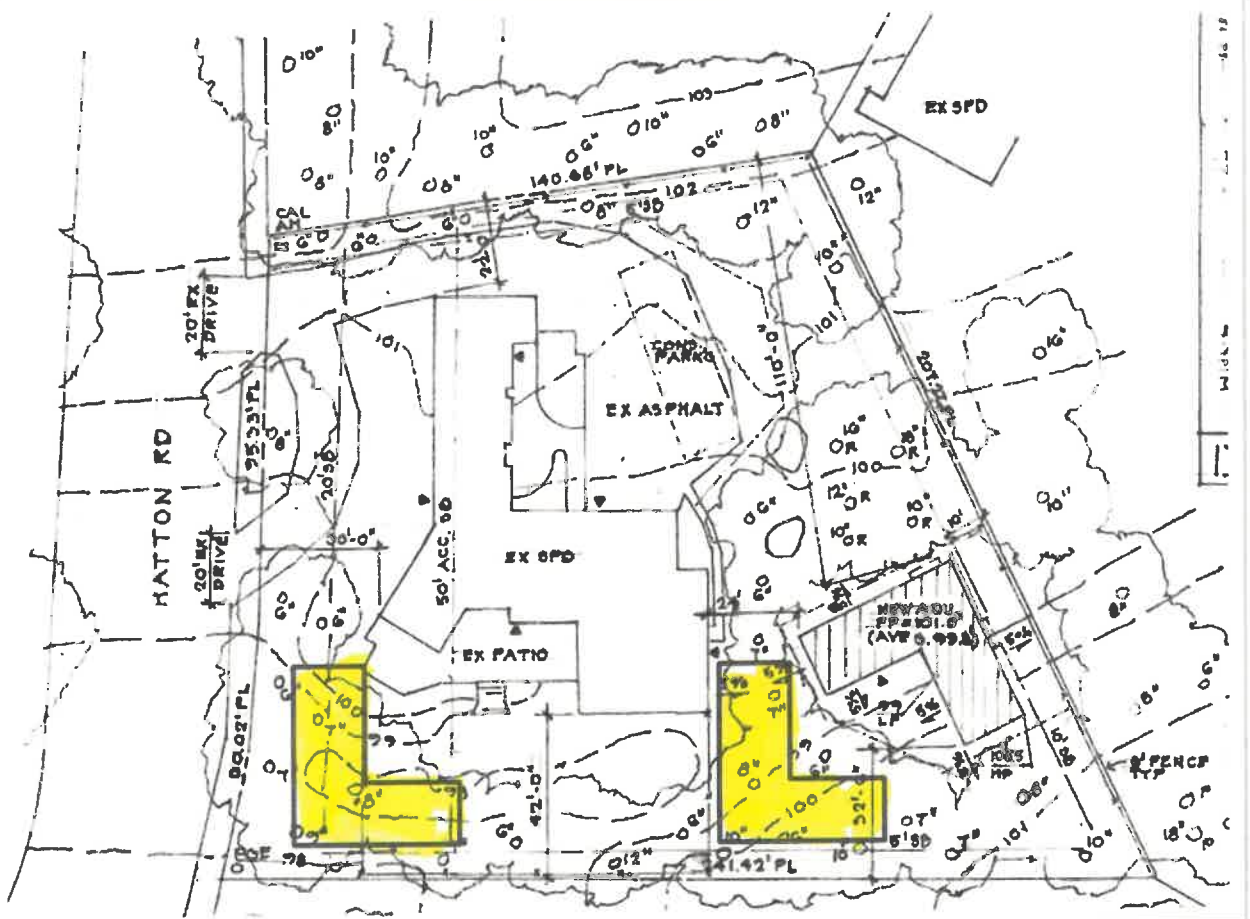


Figure No. 2: Showing critical root zone of trees numbered 1, 2 and 3 in close proximity to the proposed ADU foundation area.



EXHIBIT

5



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