

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE

5 FRONT STREET, STE. 300

SANTA CRUZ, CA 95060

(408) 427-4863

HEARING IMPAIRED: (415) 904-5200



Filed: 11/18/96
49th Day: 01/06/97
180th Day: 05/17/97
Staff: J. Sheele/cm
Staff Report: 12/18/96 1830P
Hearing Opened: 12/12/96
Hearing Date: 01/08-10/97
Commission Action:

*Sh 12c*STAFF REPORT: APPEALSUBSTANTIAL ISSUE

LOCAL GOVERNMENT: County of Monterey

DECISION: Approval with Conditions

APPEAL NO.: A-3-MCO-96-118

APPLICANT: PETER MARBLE

PROJECT LOCATION: 3301 Seventeen Mile Drive, Townhouse #9, Del Monte Forest, Monterey County, APN 008-521-009.

PROJECT DESCRIPTION: Second story addition to an existing townhouse.

APPELLANTS: Mr. and Mrs. James Moriarty and Col. and Mrs. Clarence Mitchell.

SUBSTANTIVE FILE DOCUMENTS: Monterey County Coastal Development Permit AP96023; Monterey County certified Local Coastal Program.

SUMMARY OF STAFF RECOMMENDATION:

On December 12, 1996, the Commission opened and continued this hearing due to the fact that the complete file had not been received in time for staff to fully evaluate the appeal and complete a report for the Commission. Now, after careful evaluation of the proposal and the issues raised by the appellants, staff recommends that the Commission, after public hearing, determine that no substantial issue exists with respect to the grounds on which the appeal has been filed. As approved and conditioned by the County, the project is consistent with the certified Local Coastal Program policies regarding the protection of visual resources and public views.

I. Summary of Appellant's Contentions

A. James and Maureen Moriarity and Col. and Mrs. C.A. Mitchell contend that (see Exhibit 1 for full text of contentions):

1. The proposed addition will result in a loss of public viewshed. The California Coastal Commission protects public viewshed and we request assistance in enforcing these legal rights that are not being protected by local planning authorities.
2. The cumulative effect of allowing height/bulk additions to a densely populated Planned Unit Development would result in the loss of public views from several areas on Stevenson Drive to Carmel Bay.
3. There is past precedent/history of The Coastal Commission working with the public and local residents to protect viewshed in this area (Stevenson Drive to Carmel Bay) and commitments made to insure the protection of views.
4. With new ownership of The Pebble Beach Company, the CCR's HAVE NOT BEEN STRICTLY ENFORCED. This has recently resulted in the approval of 3 Townhouse expansions -- 2 of which affect the public viewshed of Monterey Bay and views of many neighbors. Appeals to local authorities and governing boards (Planning Commission, Board of Supervisors) have resulted in no help with this detrimental expansion -- since they contend that enforcement of CCR's is not in their jurisdiction. We are requesting that The California Coastal Commission take a look at this case and help protect the public viewshed that has been lost and the additional loss of public viewshed by planned expansion and protect the property rights due us -- implied in the CCR's. (please refer to attachment #6)
5. Inaccuracies in information conveyed by Monterey Co. Planning Dept. about the addition in Townhouse #7 may have hurt and prejudiced the outcome of the Oct. 15th Board of Supervisors proceeding to some extent.

II. Local Government Action

The proposed design was reviewed and approved by the Del Monte Forest Land Use Advisory Committee on April 25, 1996. On May 30, 1996 Peter Marble's application for a second story addition to an existing single story townhouse was considered by the Zoning Administrator at a public hearing. This

application was referred to the Planning Commission by the Zoning Administrator after several neighbors expressed opposition to the project. The Planning Commission considered the application at a public hearing on July 10, 1996. The Planning Commission approved the application with conditions. Appellants Jim and Maureen Moriarity filed an appeal from the Planning Commission decision.

On October 15, 1996, the Monterey County Board of Supervisors heard and considered the appeal at a de novo hearing. The Board adopted findings and approved with conditions a Combined Development Permit (Coastal Administrative Permit and Design Approval). The Board found that the proposed project conformed to the policies and regulations of the Monterey County Local Coastal Program.

III. Appeal Procedures.

After certification of Local Coastal Programs (LCPs), the Coastal Act provides for limited appeals to the Coastal Commission of certain local government actions on coastal development permits. Developments approved by cities or counties may be appealed if they are located within the mapped appealable areas, such as those located between the sea and the first public road paralleling the sea. Furthermore, developments approved by counties may be appealed if they are not the designated "principal permitted use" under the certified LCP. Finally, developments which constitute major public works or major energy facilities may be appealed, whether approved or denied by a city or county (Coastal Act Sec. 30603(a)). The standard of review is consistency with the certified LCP and, for sites located between the first public road and the sea, the public access policies of the Coastal Act.

Section 30625(b) of the Coastal Act requires the Commission to hear an appeal unless the Commission determines that no substantial issue is raised by the appeal. If the staff recommends "substantial issue," and no Commissioner objects, the substantial issue question will be considered moot, and the Commission will proceed directly to a de novo public hearing on the merits of the project.

If the staff recommends "no substantial issue" or the Commission decides to hear arguments and vote on the substantial issue question, proponents and opponents will have 3 minutes per side to address whether the appeal raises a substantial issue. It takes a majority of Commissioners present to find that no substantial issue is raised. If substantial issue is found, the Commission will proceed to a full public hearing on the merits of the project. If the Commission conducts a de novo hearing on the permit application, the applicable test for the Commission to consider is whether the proposed development is in conformity with the certified Local Coastal Program.

In addition, for projects located between the sea and the first public road paralleling the sea, Sec. 30604(c) of the Act requires that a finding must be made by the approving agency, whether the local government or the Coastal Commission on appeal, that the development is in conformity with the public

access and public recreation policies of Chapter 3. In other words, in regard to public access questions, the Commission is required to consider not only the certified LCP, but also Chapter 3 policies when reviewing a project on appeal.

The only persons qualified to testify before the Commission during the substantial issue stage of the hearing are the applicant, persons who opposed the application before the local government (or their representatives), and the local government. Testimony from other persons must be submitted in writing. Any person may testify during the de novo stage of an appeal.

IV. Staff Recommendation on Substantial Issue.

Staff recommends that the Commission, after public hearing, determine that no substantial issue exists with respect to the grounds on which the appeal has been filed, because the County has approved the proposal in a manner that is consistent with the certified Local Coastal Program.

A. The issues raised by the appellants, that the height and bulk of the proposed addition result in loss of public views do not raise a substantial issue because the County found that the proposed project is consistent with the certified Local Coastal Program dealing with visual resources and will have no significant impact on public viewshed.

B. MOTION: Staff recommends a YES vote on the following motion:

I move that the Commission determine that Appeal No. A-3-MCO-96-118 raises NO substantial issue with respect to the grounds on which the appeal has been filed.

A majority of the Commissioners present is required to pass the motion.

V. Recommended Findings

1. Project Description and Background.

The proposed project consists of a 665 square foot second story addition to an existing single story townhouse which would result in an overall height of 23 feet, 9 inches, an increase of approximately six feet above the existing structure, and a deck addition of 62.5 square feet.

The project is located at 3301 Seventeen Mile Drive, Lot #9 of the Pebble Beach Townhouses Tract 567, in Del Monte Forest, Monterey County. The additions are all located within the building envelope established for the Pebble Beach Townhouse subdivision. The proposed height is consistent with the Medium Density Residential zoning district standard of 27 feet. The addition is designed to match the existing residence.

The Pebble Beach Townhouses were developed in two phases. The Phase I map, consisting of nine townhouses, was recorded in December of 1967, and the Phase II map, consisting of 14 townhouses was recorded in May of 1969. The proposed

project is located in Phase I, Townhouse #9. The construction of townhouse #9 predated the California Coastal Zone Conservation Act of 1972. The County has approved other additions to townhouses within the recorded building envelopes. According to the County's records there are at least three townhouses in this development that have received County approval for substantial additions and remodels.

2. Visual Resources/Protection of Public Views

The appellants contend that the proposed addition will result in a loss of public viewshed and that the proposed addition involves ridgeline development and will affect public views from Stevenson Drive to Carmel Bay. The appellants also contend that the Pebble Beach Company's Covenants conditions and restrictions (CC&R's) for the Pebble Beach Townhouses subdivision have not been strictly enforced and that there may have been inaccuracies conveyed by the Monterey County Planning Department that may have prejudiced the outcome of the Board's proceedings. (See Exhibit 1 for full text of appellants' contentions.)

The proposed addition is located within the existing Pebble Beach Townhouse Subdivision on the inland side of 17-Mile Drive, between 17-Mile Drive and Stevenson Drive. (See Exhibits 3 and 4.) The Del Monte Forest Land Use Plan contains policies that require the design and siting of structures in scenic areas not detract from the scenic values of the shoreline. New development between 17-Mile Drive and the sea shall be sited and designed to minimize obstructions of views from the road to the sea. The proposed project was evaluated by the County in terms of the impact upon the public viewshed from 17-Mile Drive and Stevenson Drive. The project does not involve ridgeline development as defined by the LCP. The project is not located in the public viewshed as defined in Section 20.147.070 of the Del Monte Forest Area Coastal Implementation Plan, as it is located on the inland side of 17-Mile Drive.

The appellants' claim that since the project allegedly violates CC&R's, the project is not consistent with the County's Local Coastal Program (LCP). The County is not responsible for enforcing CC&R's; therefore, there is no issue of conformance with the LCP. (At least three other townhouses in this development have received County approval for substantial additions and remodels.)

The appellants also claim that because of the project's alleged negative effect on privacy, noise, light, and overall well-being, as outlined in correspondence received by the County, the project will be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing in the neighborhood. One of the primary purposes of the County's zoning ordinance is to address a project's impacts on neighborhood or individual health, safety, and welfare. This project has been reviewed by the County and found to be consistent with the zoning regulations for the area.

The Planning Commission found the proposed project consistent with the policies of the Local Coastal Program dealing with visual resources and also found that the project will have no significant impact on the public

viewshed. The Board of Supervisors heard and considered the appeal at a de novo hearing and approved a Combined Development Permit (Coastal Administrative Permit and Design Approval) for the proposed addition. The County's action is consistent with the LCP sections regarding visual resources.

3. Conclusion.

None of the issues raised by the appellants are substantial issues in terms of consistency with the certified Local Coastal Program. While the appellants have raised numerous points with regard to a loss of public viewshed, it is clear that the project site is not located in a public viewshed and does not involve ridgeline development as defined by the Del Monte Forest Land Use Plan. It is equally clear that the County reviewed the project and adopted findings and conditions consistent with the LUP visual resource policies. Therefore, the Commission finds no substantial issue is raised by the appeal.

Exhibits

1. Moriarty and Mitchell Appeal.
2. Monterey County Findings and Conditions.
3. Location Maps.
4. Site Plan and Elevations.
5. Correspondence.

Mr. and Mrs. James Moriarty and Col. and Mrs. Clarence Mitchell
Pebble Beach Townhouses-Section I,
3301 Seventeen Mile Drive, #7 & #8, Pebble Beach, CA 93953

Mr. Lee Otter
District Chief Planner
The California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 95060
Phone: 408-427-4863
Fax: 408-427-4877

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CALIFORNIA
COASTAL COMMISSION

November 12, 1996

Dear Mr. Otter;

This letter is a request for the Coastal Commission to deny the Combined Development Permit Application of Mr. Peter Marble (AP96023) that was approved by the Monterey County Board of Supervisors on October 15.

We request the California Coastal Commission not approve Mr. Peter Marble's permit (AP96023) for expansion. The grounds for this appeal is that the recommended development does not conform to the standards set forth in the certified local coastal program (concerning ridgeline development) and the public access policies (loss of some public viewshed will occur) set forth in the Coastal Act.

Additionally, the California Coastal Commission has previously been involved and approved specific heights/ridgelines for the Pebble Beach Townhouses. All the Pebble Beach Townhouses were designed many years ago to specifically blend in with the slope of the land and fit inconspicuously in the area near the Lodge without interfering with the public viewshed.

We understand that it is very rare to overturn decisions made by previous Planning Boards and Approval groups - however, we believe that this case deserves special attention since the issue establishes a precedent and goes against previous rulings of the Coastal Commission. We hope that you will consider this appeal. Almost all of the immediate neighbors have signed petitions or sent letters of objection, along with many neighbors on Stevenson Drive and the President of the Del Monte Forest Owners Association. (See Attachment #1.)

EXHIBIT NO. /
APPLICATION NO. A-3-MCO-96-118
Appeal
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Section I. Appellants

1. Colonel & Mrs. Clarence Mitchell
3301 17 Mile Drive, Townhouse #8
PO Box 477
Pebble Beach, CA 93953
408-624-1128
2. Mr. & Mrs. James Moriarty
3301 17 Mile Drive, Townhouse #7
PO Box 375
Pebble Beach, CA 93953
408-624-6763

Section II. Decision Being Appealed

1. Name of Government: Monterey County Board of Supervisors
2. Brief description of development being appealed: Application for a combined Development Permit (AP96023) by Mr. Peter Marble. Expansion of approximately 622 square feet including second story.
3. Development's location: Townhouse #9, 3301 17 Mile Drive, Pebble Beach, CA 93953 located on lot 9, Tract 567, Pebble Beach Townhouses (Phase I) located westerly of Seventeen Mile Drive, Del Monte Forest, Coastal Zone, in the County of Monterey.
4. Description of decision being appealed:
 - c. Denial of the approval that has been given. If the approval is given by the Coastal Commission, the request is made that the deck on the second story facing the Carmel Bay be eliminated.
5. Decision being appealed was made by the Board of Supervisors of Monterey County.
6. Date of local government's decision: October 15, 1996 (Please note: p. 7 of decision has the correct date of the hearing)
7. Local government's file number: (AP96023)

Section III. Identification of Other Interested Parties:

- a. Name and mailing address of permit applicant:

Mr. Peter Marble
PO Box 1109
Carmel Valley, CA 93924

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b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearings.

1. Mr. Mark Stillwell and Architectural Review Board
The Pebble Beach Company
PO Box 567
Pebble Beach, CA 93953
2. Mr. Eric Marlatt
Monterey County Planning Department
PO Box 1208
Salinas, CA 93902
3. Mr. Sam Karas
Monterey County Board of Supervisors
1200 Aguajito Road, Suite 001
Monterey, CA 93940
4. Mr. David Potter
Monterey City Council
311 W. Franklin Street, Suite 316
Monterey, CA 93940
5. Mr. & Mrs. Charles Brown
PO Box 1393
Pebble Beach, CA 93953
6. Mr. & Mrs. Francis Sparolini
PO Box 546
Pebble Beach, CA 93953
7. Mr. & Mrs. A. C. Shoemake (Townhouse #1)
c/o Mrs. Fred Vogel
PO Box 666
Patterson, CA 95363
8. Mr. Jim Griggs (resident of Stevenson Drive)
201 Hoffman Avenue
Monterey, CA 93940
9. Mr. Donald McGilvra
PO Box 786
Pebble Beach, CA 93953
10. Mrs. Dorothy Rogers
PO Box 445
Pebble Beach, CA 93953

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11. Mr. Kenneth Long, President
Del Monte Forest Property Owners
PO Box 523
Pebble Beach, CA 93953

Section IV. Reasons Supporting This Appeal

1. The proposed addition will result in a loss of public viewshed. The California Coastal Commission protects public viewshed and we request assistance in enforcing these legal rights that are not being protected by local planning authorities.
- a. The request by Townhouse #9 (Mr. Peter Marble) does involve ridgeline development and will affect the public viewshed from Stevenson Drive to Carmel Bay. (Please refer to the attached photo - Attachment #2)

The affected area in question is near one of the most public and scenic stretches of land in the Central Coast. Residents and tourists walk there, since it is very close to Seventeen Mile Drive, the Pebble Beach Driving Range, Peter Hay Golf Course, the Peter Hay Path from Seventeen Mile Drive to the parking lot near Stevenson Drive, the Equestrian Center and the public parking lot behind the Lodge.

Stevenson Drive is one of the major thoroughfares used to route thousands of people and cars during all the big public events in Pebble Beach: At&T Golf Tournament, Concours d'Elegance, Del Monte Dog Show, horse shows, tennis matches, etc.

- b. The proposed addition is approximately 6 feet high by 12 feet long. It involves a change in the roofline with an addition of a story THAT DID NOT EXIST BEFORE. Ability to see the beautiful views of Carmel Bay from Stevenson Drive would definitely be hurt by this addition in three ways - a loss of view due to the height of the addition, a loss of view due to the bulk and size of this addition, a loss of sky and light due to the sheer mass of this addition.
- c. We are not in agreement with the interpretation by the local planning authorities that it does not involve ridgeline development. Even though Mr. Marble's architect (Mr. Duncan Todd) said on October 15th at the Monterey County Board of Supervisors Meeting that the proposed 6 feet addition to the roofline does affect ridgeline development.

Quoted from audio tape of above session (Attachment #3): "So we raised the roofline approximately 6 feet to this new ridgeline running this way to the view. The dias would be the ocean - Carmel Bay - that provides Mr. Marble with really an excellant view from that level".

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2. The cumulative effect of allowing height/bulk additions to a densely populated Planned Unit Development would result in the loss of public views from several areas on Stevenson Drive to Carmel Bay.

- a. Local planning authorities have recently approved large additions to two Townhouses in Section 1 - which will all affect public views of Carmel Bay from Stevenson Drive. Other additions approved (#12 and #13 in Section 2) contribute to the overall loss of view towards Seventeen Mile Drive and Carmel Bay due to height and or bulk additions.
- b. This proposed addition for Townhouse # 9 could result in additional loss of beautiful bay views from Stevenson Road by the public with second story additions planned by other Townhouse owners. Also, by allowing second story height additions and modifying rooflines (outside of the existing footprint) it would ruin the views of Townhouse Owners and significantly hurt their property values.
- c. This proposed addition would be the third one approved in about 15 months and obviously indicates the negative trend that would continue if people are allowed to change the size and scale of the neighborhood structure that has existed for over 20 years. These bulky expansions will definitely result in a loss of view of Carmel Bay due their bulk and size. All of this expansion will also detract from the public viewshed of sky, water and green that has been the case.

The 6 foot in height addition proposed for Townhouse # 9 should be considered in the context of the close proximity of other Townhouses (17 feet from Townhouse # 8, 20 feet from Townhouse # 7, 25 Feet from Townhouse # 10).

- d. These Townhouses are in an extremely densely packed area and any additions shouldn't be treated like single family houses. The Pebble Beach Townhouses are Planned Unit Developments - not single family residences. We are not in agreement with the recent interpretation by the local planning authorities that act as if they were single family residences.

Bulky expansions were never envisioned or to be allowed - nor have they been allowed for the last 20 plus years. Importantly, there have never been any large height/story/bulk/outside the footprint additions in Section 1 to the scale of Mr. Marble's proposed one in Section 1. if this permit is approved

- e. Importantly, the view loss will be even more severe when oak trees have grown up and/or are trimmed. The public will lose previous views that they had. The current trees on Stevenson Drive have not been trimmed yet this year (oak and acacia). The loss of water view of the proposed additions in this area will be even more dramatic when the trees are trimmed. When the trees grow up in a couple of years, there will be an even nicer view that will be lost due to the negative effects of allowing ridgeline development in the public viewshed.

3. There is past precedent/history of The Coastal Commission working with the public and local residents to protect viewshed in this area (Stevenson Drive to Carmel Bay) and commitments made to insure the protection of views.
- a. The California Coastal Commission has gotten involved in protecting public view rights of water and 17 Mile Drive from Stevenson Drive. In the 1970's the Coastal Commission required all Townhouses in Section 2 of The Pebble Beach Townhouses to be at specific ridge heights below Stevenson Drive (Please refer to attachment # 4)
- Also, the architects and developer (Pebble Beach Company) were required to continue to follow the design intent of Section 1 Townhouses(all houses built at a slope to blend in to maximize public view and view from Stevenson Drive. The height of The Townhouses was to be below Stevenson Drive.
- b. Stevenson Road residents spent many months in discussions with The Coastal Commission about ridgeline development, protection of public views, etc. prior to the approval of Section 2 of The Pebble Beach Townhouses in 1977 (Application 277960 granted in accord with Resolution # 77310 on 10/31/77 Mr. Edward Brown was then the Executive Director of The Coastal Commission and now he is a Vice-President of The Pebble Beach Company and Head of The Architectural Review Board.) Based on public hearings and input from The Coastal Commission, the contractor and developer made commitments about maximum ridge heights.
- c. Additionally, deeds and maps refer to height from Stevenson Drive and this is evidence of the influence of Coastal Commission trying to insure protection of public viewshed. (Please refer to the site map noting roofline heights in relationship to Stevenson Drive in attachment # 5)

4. With new ownership of The Pebble Beach Company, the CCR'S HAVE NOT BEEN STRICTLY ENFORCED. This has recently resulted in the approval of 3 Townhouse expansions - 2 of which affect the public viewshed of Monterey Bay and views of many neighbors. Appeals to local authorities and governing boards (Planning Commission, Board of Supervisors) have resulted in no help with this detrimental expansion - since they contend that enforcement of CCR's is not in their jurisdiction. We are requesting that The California Coastal Commission take a look at this case and help protect the public viewshed that has been lost and the additional loss of public viewshed by planned expansion and protect the property rights due us - implied in the CCCR's. (please refer to attachment # 6)

The Pebble Beach Townhouses (a Planned Unit Development) were started in 1968 by The Pebble Beach Company as a community extension of The Lodge. PBC built and controlled every aspect of the design and development of this area. There was

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no Townhouse Association, but instead CCR's that were strictly enforced by The Pebble Beach Company for the last 20 plus years. (color of houses, type of roofs, no trees blocking views, etc.)

- a. The original Pebble Beach Company owners and subsequent owners until recently had a strict enforcement policy of insuring growth/changes according to CCCR's and concern for all. This has changed recently and has resulted in approvals that should not have been granted - nor were they ever expected to be granted. This is an unusual situation where the legal property rights, view rights of The Pebble Beach Townhouse Owners have been seriously damaged - since there is no Townhouse Association and the new ownership of Pebble Beach Company has violated the intent of the CCCR's by not enforcing them as they did for over 25 years.
- b. The net result is that the existing property owners have not been given the protection needed by local authorities. All local channels of authority have said it is not their purview to enforce CCR's: - leaving us without any protection. Therefore, protection is requested from the California State Coastal Commission to hear this case.
- c. This expansion is NOT COMPATIBLE with the scale of the area or the original design intent and principles laid out in the CCR'S. Please refer to map of area.
- d. Spanish Bay - the closest Planned Unit Development/type of housing in Pebble Beach is most like the Pebble Beach Townhouses. They are designed to be compatible with the hotels they are in close proximity to, are near a public complex, etc. This type of roofline expansion would never be allowed. Spanish Bay is a newer complex than the Pebble Beach Townhouses and has an Association to protect their legal and property rights. The owners of The Pebble Beach Townhouses should not have their legal and property rights taken away because the property was established years ago, before an a developer had to legally provide an Association.

5. Inaccuracies in information conveyed by Monterey Co. Planning Dept. about the addition in Townhouse # 7 may have hurt and prejudiced the outcome of the Oct. 15th Board of Supervisors proceeding to some extent.

- a. In the information packet that was prepared by The Monterey Planning Department, the starting point of their argument (which was seen by The Supervisors) is that three of the Townhouses have received approval to construct additions.

Reference was made to number 7 and the fact that it was owned by the appellants, Mr. and Mrs. Moriarty was highlighted in bold.

On page 4, it also stated that 3 townhouses - including one currently owned by the appellant, that have received County approval for substantial additions and remodels;

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This is incorrect information about Townhouse #7. Unlike, the proposed additions to Townhouses #12, #13 and the proposal for #9 - it did not involve changing the footprint of the house at all, nor did it detract from the public viewshed at all. Importantly, no neighbors objected to this work - which is not the situation with Townhouses #13 and #9. Also, residents would have objected to the additions of Townhouse #12 - but did not, because of past Pebble Beach Company precedent and belief that the CCR's would be enforced.

The addition work that was done with Townhouse #7 was essentially taking an attic and making it a bedroom from existing space, with no change in any of the footprint. The "addition" work that was done with Townhouse #7 should be the model and template for expansions in the Townhouses - since it had the approval and agreement of the neighbors - especially the one most affected - The Mitchell's in #8. There is no deck and there are no windows on 3 sides of the room - only windows in front and some small skylights in the bathroom.

b. This information was incorrect and obviously prejudiced to some extent the Supervisors incoming thinking. When given 5 minutes to present the case, the first comment made by Supervisor Karas to the appellant was "isn't this the lady who added a second story addition to her house?" This obviously showed that the information conveyed by the Planning commission did negatively affect to some extent comments made by the Appellant (Mrs. Moriarty).

c. Supervisor Pennycook also said later in the hearing (Please refer to attached tape of The October 15th Monterey County Board of Supervisors Meeting) that:

"Before the testimony I thought this was certainly open and shut. It appeared from the exhibit that's here within us that seemed to me the way it was painted that the former Levett house had had all this addition work and it rather seemed amusing to me that anyone would have the gall to come forward and challenge this. On hearing the concerns however that were spoken at the microphone with respect to views ... (note: the rest of the conversation is on the tape)"

d. We also want to be sure that due process rights are protected and preserved. While this incorrect information may not have changed the decision made by the Board - there is evidence that strongly suggests that it negatively influenced them.

We have high regard for the professionalism, dedication, objectivity and assistance (especially given their very heavy work load) of the Monterey County Planning Department provide to all in the county - but disagree with their recommendation.

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Given all of the above-mentioned issues, we would like The California Coastal Commission to consider our appeal. Thank you for your attention to this matter.

Sincerely,

Mr. and Mrs. James Moriarty
P.O. Box 375
3301 17 Mile Drive, Townhouse # 7
Pebble Beach, CA 93953
(sent by fax from Europe so could not sign letter)

Colonel and Mrs. C. ~~W.~~ Mitchell
P.O. Box 477
3301 17 Mile Drive, Townhouse # 8
Pebble Beach, CA 93953

Chuntchell

Adriana Mitchell

Staff note: Copies of
attachments are available
in appeal file.

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TO: Mr. Lee Otter CPh: 001408427-4863

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

Fax: 001408427-4877

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

- Letter will be sent by Mrs. Mitchell re
(AP96023) Permit Application of Mr.
Peter Munkle
- We wish to appeal the findings of
Monterey Co. Board of Supervisors Meeting
of Oct. 15, 1996

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Marcen C. Moriarty
Signature of Appellant(s) or
Authorized Agent

Date Nov. 14, 1996

NOTE: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize _____ to act as my/our representative and to bind me/us in all matters concerning this appeal.

CALIFORNIA COASTAL COMMISSION

Signature of Appellant(s)

EXHIBIT A-3-MCD-96-118

Date _____

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FINAL LOCAL
ACTION NOTICE

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

3-MCO-96-70

APPEAL PERIOD 11-4 - 11/15/96

Resolution No. 96-407 --)
Resolution Approving an Application for)
Peter Marble (AP96023) for a Combined)
Development Permit consisting of a Coastal)
Administrative Permit for a Second Story)
Addition to an Existing Townhouse, and)
Design Approval ; Del Monte Forest Area,)
Coastal Zone. . .)

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WHEREAS, this matter was heard by the Board of Supervisors ("Board") of the County of Monterey on October 15, 1996, pursuant to an appeal Maureen and Jim Moriarty ("Appellant").

WHEREAS, the property which is the subject of this appeal is located on Lot 9, Tract 567, Pebble Beach Townhouses (Phase I), located westerly of Seventeen Mile Drive, Del Monte Forest Area, Coastal Zone, in the County of Monterey ("the property").

WHEREAS, Peter Marble ("Applicant") filed with the County of Monterey, an application for a Combined Development consisting of a Coastal Administrative Permit for second story addition to an existing townhouse, and Design Approval.

WHEREAS, Peter Marble's application for a Combined Development Permit came for consideration before the Zoning Administrator at a public hearing on May 30, 1996.

WHEREAS, this application was referred to the Planning Commission by the Zoning Administrator at the May 30, 1996, hearing, after several neighbors expressed opposition to the project. The project referral was done so in accordance with Section 20.04.030.F of the Coastal Implementation Plan.

WHEREAS, Peter Marble's application for a Combined Development Permit came for consideration before the Planning Commission at a public hearing on July 10, 1996.

WHEREAS, at the conclusion of the public hearing on July 10, 1996, the Planning Commission approved Peter Marble's application on the basis of the findings and evidence contained in Planning Commission Resolution No. 96049.

EXHIBIT NO. 2
APPLICATION NO. A-3-MCO-96-118
Monterey County Findings and Conditions
1/52

WHEREAS, appellants Maureen and Jim Moriarty, timely filed an appeal from the Planning Commission decision alleging that the findings, conditions, or decision of the Planning Commission were not supported by the evidence.

WHEREAS, pursuant to the provisions of the Monterey County Zoning Ordinance (Title 20) and other applicable laws and regulations, the Board, on October 15, 1996, heard and considered the appeal at a de novo hearing.

WHEREAS, at the conclusion of the hearing, the matter was submitted to the Board for a decision. Having considered all the written and documentary information submitted, the staff reports, oral testimony, and other evidence presented before the Zoning Administrator and the Planning Commission, the Board now renders its decision to adopt findings and conditions in support of the Combined Development Permit as follows:

FINDINGS

1. **FINDING:** The Combined Development Permit application consists of a Coastal Administrative Permit for minor structural additions that include a second story addition to an existing single-story townhouse, and Design Approval. The project is located within the Del Monte Forest area of the Coastal Zone on Lot 9 of the Pebble Beach Townhouses, Tract 567. The proposed project conforms to the policies and regulation of the Monterey County Local Coastal Program, specifically those policies and regulations contained in the Del Monte Forest Land Use Plan and Part 5 of the Coastal Implementation Plan (Regulation for Development in the Del Monte Forest Land Use Plan).
EVIDENCE: Regulations for Development in the Medium Density Residential or "MDR/2.7 (CZ)" Zoning District found in Chapter 20.12 and Chapter 20.47 of the Monterey County Coastal Implementation Plan.
EVIDENCE: The on-site inspection of the subject parcel by the project planner pursuant to Section 20.147.070 of the Del Monte Forest Area Coastal Implementation Plan.
EVIDENCE: The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in File No. AP 96023. The Monterey County Water Resources Agency, Public Works Department, Environmental Health Department, Pebble Beach Community Services District and Parks Department have reviewed the proposed project and recommended appropriate conditions.
2. **FINDING:** The proposed project will not have a significant environmental impact.
EVIDENCE: Section 15301(1)(e) (Additions to Existing Structures) of

the Monterey County CEQA Guidelines Categorically exempts the project from environmental review. No adverse environmental impacts were identified during review of the proposed project.

3. FINDING: The proposed development is consistent with Section 20.147.030.A.1 of the Del Monte Forest Area Coastal Implementation Plan limiting structural coverage to 5,000 square feet (e.g., main and accessory structures) and impervious coverage to 4,000 square feet (e.g., driveways, patios, etc.) in the Pescadero, Seal Rock Creek, and Saw Mill Gulch Watershed and the smaller unnamed watersheds that drain into the Carmel Bay Area of Special Biological Significance.

EVIDENCE: The project application contained in File No. AP 96023 will not change structural coverage or impervious surface coverage for the townhouse.

4. FINDING: The subject parcel is in a Design Control or "D" District requiring action by the Appropriate Authority pursuant to Chapter 20.44.040 of the Monterey County Coastal Implementation Plan. The Board of Supervisors, on appeal, after a hearing before the Zoning Administrator, as well as the Planning Commission, has suggested that any changes in the plans of the proposed residence deemed necessary to accomplish the purpose of the aforementioned chapter. To this end, the applicant has provided the Appropriate Authority with Design Approval Request form, drawings, and a statement of the materials and colors to be used on the proposed development.

EVIDENCE: Design Approval Request form with plans recommended for unanimous approval by the Del Monte Forest Advisory Committee on April 25, 1996, found in File No. AP 96023.

5. FINDING: The proposed project is consistent with the policies of the local coastal program dealing with visual resources and will have no significant impact on the public viewshed. The proposed project was evaluated in terms of the impact upon the public viewshed from 17 Mile Drive and Stevenson Drive and the following criteria were evaluated:
- a) The project does not involve ridgeline development.
 - b) The project is not located in the public viewshed as defined in Section 20.147.070 of the Del Monte Forest Area Coastal Implementation Plan.

EVIDENCE: On-site inspection by the project planner, pursuant to Section 20.147.070 of the Del Monte Forest Area Coastal Implementation Plan.

6. FINDING: Development of properties located in the Monterey Peninsula Water Management District ("District") depends

in large part, on the availability of water pursuant to an allotment system established by the District based on a pro-rationing of the known water supply for each of the jurisdictions served by the California-American Water Service Company.

EVIDENCE: Staff report, oral testimony at the hearing and the administrative record.

7. FINDING: Based upon the District's water allotment, the County of Monterey ("County") has established a system of priority distribution of water allocation for properties within its own jurisdiction. Current information available to the County indicates that the County's share of water under the District's allotment system, over which the County has no control, has been exhausted to the point that the County is unable to assure that property owners who do or have obtained development permits for their properties will be able to proceed with their development projects.

EVIDENCE: Staff report, oral testimony at the hearing and the administrative record.

8. FINDING: In view of the preceding finding, and based on the fact that the present application for a Combined Development Permit otherwise meets all County requirements, the County approves the application subject to determination by the Monterey County Water Resources Agency, in the form of a water availability certification, that water is available for the project and the applicant's being able to obtain a water use permit from the District.

EVIDENCE: Staff report, oral testimony at the hearing and the administrative record.

9. FINDING: The establishment, maintenance, or operation of the use or building 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 materials, was reviewed by the Planning and Building Inspection Department, the Water Resources Agency, the Public Works Department, the Environmental Health Department, the Parks and Recreation Department, and the Pebble Beach Community Services District. The respective departments and agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of the persons either residing or working in the neighborhood, or the County in general.

10. FINDING: The project, as approved by the Combined Development Permit, is appealable to the California Coastal Commission.
EVIDENCE: Section 20.86.080 of the Monterey County Coastal Implementation Plan.

CONDITIONS OF APPROVAL

1. This permit allows a second story addition to an existing single story townhouse in accordance with County ordinances and land use regulations subject to the following terms and conditions. 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)
2. The property owner agrees as a condition of the approval of this permit to defend at his sole expense any action brought against the County because of the approval of this permit. The property owner will reimburse the County for any court costs and attorneys' 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 any such action; but such participation shall not relieve applicant of his obligations under this condition. Said indemnification agreement shall be recorded upon demand of County Counsel or prior to the issuance of building permits or use of the property, whichever occurs first. (Planning and Building Inspection)
3. Prior to issuance of a building permit, the applicant shall obtain from the Monterey County Water Resources Agency (MCWRA), proof of water availability on the property, in the form of a water availability certificate; and then shall present to the MCWRA a copy of the water use permit from the Monterey Peninsula Water Management District. (Water Resources Agency)
4. The applicant shall comply with Ordinance No. 3539 of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction include, but are not limited to:
 - a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.5 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. (Water Resources Agency)

5. That 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. The location, type, and wattage of all light fixtures and include catalog sheets for each fixture shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. (Planning and Building Inspection)
6. That new utility and service lines shall be placed underground. (Planning and Building Inspection)
7. That the location, type and size of all antennas, satellite dishes, towers, and similar appurtenances be approved by the Director of Planning and Building Inspection. (Planning and Building Inspection)
8. That 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. (Planning and Building Inspection)
9. That the proposed second story bathroom window on the north elevation be eliminated from the plans submitted for a building permit. (Planning and Building Inspection)
10. The applicant shall record a notice which states: "A permit (Resolution 96-407) was approved by the Board of Supervisors for Assessor's Parcel Number 008-521-009-000 on October 15, 1996. The permit was granted subject to 10 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)

PASSED AND ADOPTED on this 15th day of October, 1996,
upon motion of Supervisor Karas, seconded by
Supervisor Pennycook by the following vote, to-wit:

AYES: Supervisors Salinas, Pennycook, Perkins, Johnsen and Karas.
NOES: None.
ABSENT: None.

CALIFORNIA COASTAL COMMISSION
EXHIBIT A-3-MCO-96-118
462

A COPY OF THIS DECISION MAILED TO THE APPLICANT AND
APPELLANT ON October 29, 1996

*This is notice to you that the time within which judicial review of this decision
must be sought is governed by Code of Civil Procedure Section 1094.6.*

I, ERNEST K. MORISHITA, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby
certify that the foregoing is a true copy of an original order of said Board Supervisors duly made and entered in the
minutes thereof at page --- of Minute Book 69, on October 15, 1996

Dated: October 15, 1996

ERNEST K. MORISHITA, Clerk of the Board of
Supervisors, County of Monterey, State of California.

By Nancy Lukevill
Deputy

Marble.Res/Eric BdReports

CALIFORNIA COASTAL COMMISSION
EXHIBIT A-3-MCD-96-118
7/52

Report to Monterey County Board of Supervisors

COAL. COMMISSION
RH - coal - fyi

<p>SUBJECT CONTINUED PUBLIC HEARING (OPEN) TO CONSIDER THE PETER MARBLE COMBINED DEVELOPMENT PERMIT APPLICATION INCLUDING A COASTAL ADMINISTRATIVE PERMIT FOR A SECOND STORY ADDITION TO AN EXISTING TOWNHOUSE, AND DESIGN APPROVAL (AP96023); DEL MONTE FOREST AREA, COASTAL ZONE. STAFF RECOMMENDATION: APPROVAL</p>	<p>AGENDA NUMBER</p>
<p>PLANNING & BUILDING INSPECTION DEPARTMENT</p>	<p>BOARD MEETING DATE October 15, 1996 @ 3:30 p.m.</p>

RECEIVED
OCT 11 1996

CALIFORNIA
COASTAL COMMISSION

BOARD
MEETING
DATE
October 15, 1996
@
3:30 p.m.

3:30 p.m.

RECOMMENDATION

It is recommended that the Board of Supervisors approve the Peter Marble Combined Development Permit consisting of a Coastal Development Permit for a second story addition to an existing townhouse and Design Approval (AP96023), by adopting the resolution attached as Exhibit "D."

SUMMARY

Peter Marble's application for a Combined Development Permit was originally considered by the Zoning Administrator at a public hearing on May 30, 1996. The application was referred to the Planning Commission by the Zoning Administrator after several neighbors expressed opposition to the project. Opponents of the project cited concerns with the loss of light, views, and privacy, as well as a change in the neighborhood character. On July 10, 1996, the Planning Commission considered and approved the project (Resolution is attached as Exhibit "B."). The Planning Commission decision was appealed by Maureen and Jim Moriarity on the basis that the findings, conditions or decision are not supported by the evidence (See Exhibit "C.").

DISCUSSION

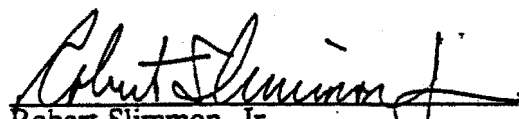
See Exhibit "A."

OTHER AGENCY INVOLVEMENT

None.

FINANCING

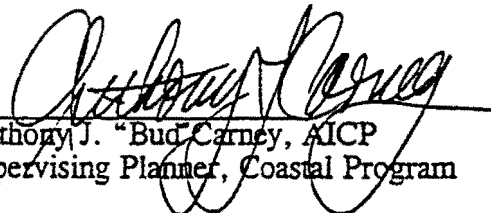
There is no impact on the General Fund.


 Robert Slimmon, Jr.
 Director of Planning and Building Inspection
 September 18, 1996

Report prepared by: Eric R. Marlatt, Associate Planner

CALIFORNIA COASTAL COMMISSION
 EXHIBIT A-3-MCO-96-118
 9/92

Report reviewed by


Anthony J. "Bud" Carney, AICP
Supervising Planner, Coastal Program

Attachments: Exhibit "A" - Discussion; Exhibit "B" - Planning Commission Resolution No. 96049; Exhibit "C" - Notice of Appeal; Exhibit "D" - Board Resolution; Exhibit "E" - Del Monte Forest Land Use Advisory Committee Recommendation; Exhibit "F" - Correspondence Not Contained in the Appeal;; Exhibit "G" - Location Map

cc: Clerk to Board (16); Doug Holland, County Counsel; Gerald Gromko, Public Works Department; Walter Wong, Environmental Health; Mary Ann Dennis, Environmental Health; California Coastal Commission; Robert Slimmon, Jr.; Dale Ellis; Nick Chiulos; Bud Carney; Eric Marlatt; Jim and Maureen Moriarty; Peter Marble; File.

Marble.Rpt./BDRreports

CALIFORNIA COASTAL COMMISSION
EXHIBIT A-3-MC-96-118
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EXHIBIT "A"

DISCUSSION

Project Description

The proposed project consists of a 665 square foot second story addition to an existing single story townhouse which would result in an overall height of 23 feet, 9 inches, an increase of approximately six feet above the existing structure. The applicant is also proposing to add 62.5 square feet of deck area to the second floor. The additions are all located within the building envelope established for the Pebble Beach Townhouse subdivision. The proposed height is consistent with the MDR (Medium Density Residential) zoning district standard of 27 feet. Further, the addition is designed to match the existing residence. Project plans are included in Exhibit "B."

The design was reviewed and recommended for approval by the Del Monte Forest Land Use Advisory Committee on April 11, 1996 (Exhibit "E").

Townhouse Development History

The Pebble Beach Townhouses were developed in two phases. The Phase I map, consisting of nine townhouses, was recorded in December of 1967, and the Phase II map, consisting of 14 townhouses, was recorded in May of 1969. The proposed project is located in Phase I, townhouse #9. Additions to townhouses within the existing recorded building envelopes, are not prohibited.

Historically, the County has allowed additions to townhouses. Examples include The Monterey Dunes Colony and Carmel Valley Ranch.

Staff is aware of at least three townhouses in this development that have received approval to construct additions. Each addition is summarized briefly below:

1. On November 29, 1989, the Planning Commission granted approval to Karen Levett for a Design Approval to add 168 square feet to the first story, as well as a new 937 square foot second story with a 298 square feet deck (Phase I, Townhouse #7). The project also included new windows and a skylight on the second story addition. This townhouse is currently owned by Mr. and Mrs. Moriarty, the appellants.
2. On October 25, 1995, the Planning Commission granted approval to Karen Levett (PC94164) for a Coastal Development Permit and Design Approval to add 941 square feet to the first floor and 1,392 square feet to the second floor to Phase II Townhouse #12.
3. On March 6, 1996, the Zoning Administrator granted approval to Peter Butler (AP96008) for a Coastal Administrative Permit and Design Approval to add 426 square feet to the first floor and 506 square feet to the second floor to Phase II Townhouse #13. No appeals were filed on this project.

Appeal

The primary issue of this appeal (Exhibit "C") is whether large additions violate the townhouse development's Conditions, Covenants and Restrictions (CC&R's). The appellant's claim that since the project allegedly violates CC&R's, the project is not consistent with the County's Local Coastal Program (Planning Commission Finding #1 of Exhibit "B"). It should be noted that the County is not responsible for enforcing CC&R's. Further, there are at least three townhouses in this development,

including one currently owned by the appellants, that have received County approval for substantial additions and remodels.

The appellants also claim that because of the project's alleged negative effect on privacy, noise, light, and overall well-being, as outlined in correspondence received by the County, the project will be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing in the neighborhood (Planning Commission Finding #9). One of the primary purposes of the County's zoning ordinance is to address a project's impacts on neighborhood or individual health, safety, and welfare. This project has been reviewed and found to be consistent with the zoning regulations for the area.

For reasons stated above, staff is recommending that the Board of Supervisors deny the appeal and approve the project subject to the findings, evidence and conditions contained in Exhibit "D."

CALIFORNIA COASTAL COMMISSION
EXHIBIT A-3 MCD-96-118

"152

EXHIBIT "B"

AP96023

PLANNING COMMISSION COUNTY OF MONTEREY, STATE OF CALIFORNIA

RESOLUTION NO. 96049

A. P. # 008-521-009-000

FINDINGS AND DECISION

In the matter of the application of Peter Marble (AP96023)

WHEREAS: The Planning Commission, pursuant to regulations established by local ordinance and state law, has considered, at public hearing, a Combined Development Permit, located at 3301 Seventeen Mile Drive, Townhouse #9, Del Monte Forest, located on Lot 9, Tract 567, Pebble Beach Townhouses, located westerly of Seventeen Mile Drive, Del Monte Forest area, Coastal Zone, came on regularly for hearing before the Planning Commission on July 10, 1996.

WHEREAS: Said proposal includes:

- 1) Combined Development Permit consisting of a Coastal Administrative Permit for a second story addition to an existing townhouse, and
- 2) Design Approval

WHEREAS: Said Planning Commission, having considered the application and the evidence presented relating thereto,

1. FINDING: The Combined Development Permit application consists of a Coastal Administrative Permit for minor structural additions that include a second story addition to an existing single-story townhouse, and Design Approval. The project is located within the Del Monte Forest area of the Coastal Zone on Lot 9 of the Pebble Beach Townhouses, Tract 567. The proposed project conforms to the policies and regulation of the Monterey County Local Coastal Program, specifically those policies and regulations contained in the Del Monte Forest Land Use Plan and Part 5 of the Coastal Implementation Plan (Regulation for Development in the Del Monte Forest Land Use Plan).

EVIDENCE: Regulations for Development in the Medium Density Residential or "MDR/2.7 (CZ)" Zoning District found in Chapter 20.12 and Chapter 20.47 of the Monterey County Coastal Implementation Plan.

EVIDENCE: The on-site inspection of the subject parcel by the project planner pursuant to Section 20.147.070 of the Del Monte Forest Area Coastal Implementation Plan.

EVIDENCE: The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the

CALIFORNIA COASTAL COMMISSION
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proposed development, found in File No. AP 96023. The Monterey County Water Resources Agency, Public Works Department, Environmental Health Department, Pebble Beach Community Services District and Parks Department have reviewed the proposed project and recommended appropriate conditions.

2. **FINDING:** The proposed project will not have a significant environmental impact.
EVIDENCE: Section 15301(1)(e) (Additions to Existing Structures) of the Monterey County CEQA Guidelines Categorically exempts the project from environmental review. No adverse environmental impacts were identified during review of the proposed project.
3. **FINDING:** The proposed development is consistent with Section 20.147.030.A.1 of the Del Monte Forest Area Coastal Implementation Plan limiting structural coverage to 5,000 square feet (e.g., main and accessory structures) and impervious coverage to 4,000 square feet (e.g., driveways, patios, etc.) in the Pescadero, Seal Rock Creek, and Saw Mill Gulch Watershed and the smaller unnamed watersheds that drain into the Carmel Bay Area of Special Biological Significance.
EVIDENCE: The project application contained in File No. AP 96023 will not change structural coverage or impervious surface coverage for the townhouse.
4. **FINDING:** The subject parcel is in a Design Control or "D" District requiring action by the Planning Commission pursuant to Chapter 20.44.040.C of the Monterey County Coastal Implementation Plan. The Planning Commission has suggested that any changes in the plans of the proposed residence, deemed necessary to accomplish the purpose of the aforementioned chapter be provided to the Monterey County Planning and Building Inspection Department. To this end, the applicant has provided the Planning Commission with Design Approval Request form, drawings, and a statement of the materials and colors to be used on the proposed development.
EVIDENCE: Design Approval Request form with plans recommended for unanimous approval by the Del Monte Forest Advisory Committee on April 25, 1996, found in File No. AP 96023.
5. **FINDING:** The proposed project is consistent with the policies of the Local Coastal Program dealing with visual resources and will have no significant impact on the public viewshed. The proposed project was evaluated in terms of the impact upon the public viewshed from 17 Mile Drive and Stevenson Drive and the following criteria were evaluated:
 - a) The project does not involve ridgeline development.
 - b) The project is not located in the public viewshed as defined in Section 20.147.070 of the Del Monte Forest Area Coastal Implementation Plan.

EVIDENCE: On-site inspection by the project planner, pursuant to Section 20.147.070 of the Del Monte Forest Area Coastal Implementation Plan.

6. **FINDING:** Development of properties located in the Monterey Peninsula Water Management District ("District") depends in large part, on the availability of water pursuant to an allotment system established by the District based on a pro-rationing of the known water supply for each of the jurisdictions served by the California-American Water Service Company.

EVIDENCE: Staff report, oral testimony at the hearing and the administrative record.

7. **FINDING:** Based upon the District's water allotment, the County of Monterey ("County") has established a system of priority distribution of water allocation for properties within its own jurisdiction. Current information available to the County indicates that the County's share of water under the District's allotment system, over which the County has no control, has been exhausted to the point that the County is unable to assure that property owners who do or have obtained development permits for their properties will be able to proceed with their development projects.

EVIDENCE: Staff report, oral testimony at the hearing and the administrative record.

8. **FINDING:** In view of the preceding finding, and based on the fact that the present application for a Coastal Administrative Permit otherwise meets all County requirements, the County approves the application subject to determination by the Monterey County Water Resources Agency, in the form of a water availability certification, that water is available for the project and the applicant's being able to obtain a water use permit from the District.

EVIDENCE: Staff report, oral testimony at the hearing and the administrative record.

9. **FINDING:** The establishment, maintenance, or operation of the use or building 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 materials, was reviewed by the Planning and Building Inspection Department, the Water Resources Agency, the Public Works Department, the Environmental Health Department, the Parks Department, and the Pebble Beach Community Services District. The respective departments and agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of the persons either residing or working in the neighborhood, or the county in general.

COASTAL COMMISSION

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10. **FINDING:** The project, as approved by the Combined Development Permit, is appealable to the Board of Supervisors and the California Coastal Commission.
- EVIDENCE:** Section 20.86.080 of the Monterey County Coastal Implementation Plan.

DECISION

THEREFORE, it is the decision of said Planning Commission that said application be granted as shown on the attached sketch, subject to the following conditions:

1. This permit allows a second story addition and deck to an existing single story townhouse in accordance with County ordinances and land use regulations subject to the following terms and conditions. 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)
2. The property owner agrees as a condition of the approval of this permit to defend at his sole expense any action brought against the County because of the approval of this permit. The property owner will reimburse the County for any court costs and attorneys' 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 any such action; but such participation shall not relieve applicant of his obligations under this condition. Said indemnification agreement shall be recorded upon demand of County Counsel or prior to the issuance of building permits or use of the property, whichever occurs first. (Planning and Building Inspection)
3. Prior to issuance of a building permit, the applicant shall obtain from the Monterey County Water Resources Agency (MCWRA), proof of water availability on the property, in the form of a water availability certificate; and then shall present to the MCWRA a copy of the water use permit from the Monterey Peninsula Water Management District. (Water Resources Agency)
4. The applicant shall comply with Ordinance No. 3539 of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction include, but are not limited to:

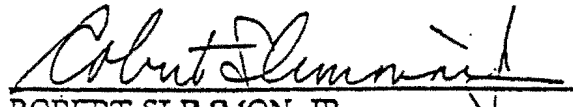
COASTAL COMMISSION
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- a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.5 gallons; all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more 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.
5. That 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. The location, type, and wattage of all light fixtures and include catalog sheets for each fixture shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. (Planning and Building Inspection)
6. That new utility and service lines shall be placed underground. (Planning and Building Inspection)
7. That the location, type and size of all antennas, satellite dishes, towers, and similar appurtenances be approved by the Director of Planning and Building Inspection. (Planning and Building Inspection)
8. That 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. (Planning and Building Inspection)
9. That the proposed second story bathroom window on the north elevation be eliminated from the plans submitted for a building permit. (Planning and Building Inspection)
10. The applicant shall record a notice which states: "A permit (Resolution No. 96049) was approved by the Planning Commission for Assessor's Parcel Number 008-521-009-000 on July 10, 1996. The permit was granted subject to 10 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)

PASSED AND ADOPTED this 10th day of July, 1996 by the following vote:

Ayes: Pitt-Derdivanis, Errea, Hawkins, Hernandez, Diaz-Infante, Lacy, Reaves
Noes: None
Absent: Calcagno, Crane-Franks, Hennessy

COASTAL COMMISSION
EXHIBIT A-3-MCO-96-118
14152


ROBERT SLIMMON, JR.
SECRETARY OF THE PLANNING COMMISSION

Copy of this decision mailed to applicant on JUL 12 1996

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS. IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE JUL 22 1996

THIS APPLICATION IS ALSO APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE DECISION BY THE BOARD OF SUPERVISORS, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (408) 479-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

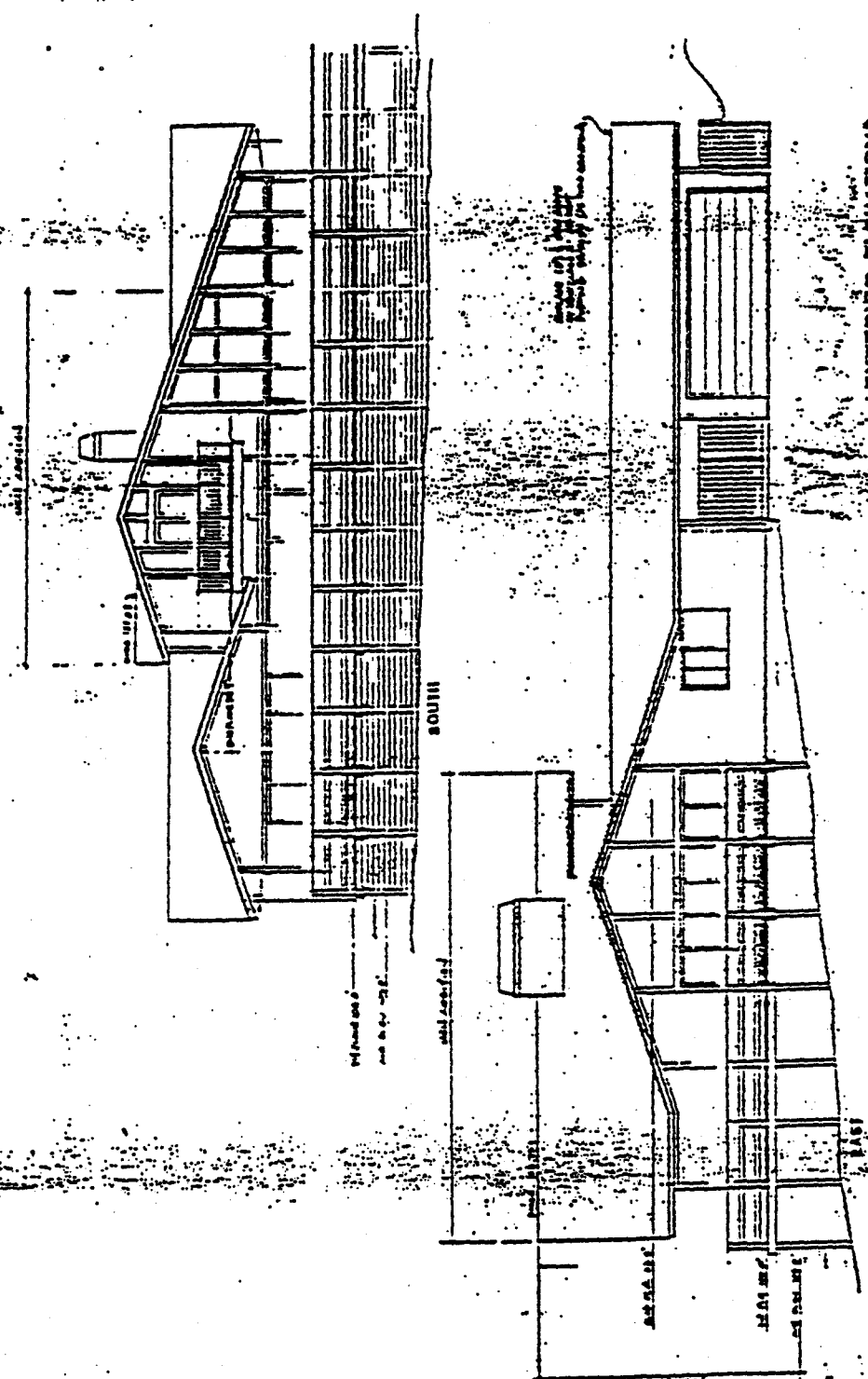
NOTES

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 Monterey.

2. The construction or use authorized by this permit must start within two years of the date of approval of this permit unless extended by the Director of Planning and Building Inspection pursuant to Section 20.140.100 of the Coastal Implementation Plan.



EXTERIOR ELEVATIONS

A-4	1-4-4 1-4-4 1-4-4 1-4-4	MR. PETER MARBLE PETER MARBLE ARCHITECTS AND ASSOCIATES, INC., 1000 10TH AVENUE, SAN FRANCISCO, CALIFORNIA	KEEBLE RHODA TODD A B C D E F G H I J K L M N O P Q R S T U V W X Y Z	A-4
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CALIFORNIA COASTAL COMMISSION
EXHIBIT A-3-MCO-96-118
1992



EXTERIOR ELEVATIONS

<p>KEENE RHODA LOOD</p> <p>A R C H I T E C T S</p> <p>115 WEST 10TH STREET NEW YORK 14, N.Y.</p>	<p>ANALYST FOR</p> <p>MR. PETER MARBLE</p> <p>PERMANENT LABORATORY & PHYSICIAN - CALIFORNIA</p>	<p>DATE</p> <p>1-14-54</p> <p>1-15-54</p> <p>1-16-54</p>	<p>DOYLE 100-100</p> <p>100-100</p> <p>100-100</p>	<p>100-100</p> <p>100-100</p> <p>100-100</p>
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CALIFORNIA COASTAL COMMISSION
EXHIBIT A-3-MCO-96-118
132

EXHIBIT "C"

RECEIVED

Maureen and Jim Moriarty
3301 17 Mile Drive, Townhouse # 7
PO Box 375...Pebble Beach, CA 93953
Phone: 408 624-6763 Fax #: 408 624-0276

JUL 22 10 15 AM '96
NANCY LUKEBILL
CLERK TO THE BOARD

Ms. Nancy Lukenbill
Clerk to The Board of Supervisors
Monterey County
Second Floor (East Wing) Room 226
Salinas, CA 93901

DEPUTY

July 19, 1996

Dear Ms. Lukenbill,

This letter acts as our Notice of Appeal.

We are writing to Appeal a decision made by The Monterey County Planning Commission for the application of Peter Marble (AP96023) which was Resolution No. 96049. The date of the decision was July 12, 1996.

We are requesting that the Board of Supervisors overturn the decision made by The Planning Commission on July 12, 1996. We understand that this application has had reviewed by different groups, however, the importance, impact and the precedent it sets (and the extremely negative effects of this decision for people who currently own property in this area) is so important that we would like you to consider our petition before a meeting of The Board of Supervisors.

The key basis for doing this is the original design concept and intent of the PUD, the history and precedent of the past development and expansion activities in the last 25 years in Section 1 and The deeds and Declarations of Covenants, Conditions and Restrictions (CCR's) of Section 1 of The Pebble Beach Townhouses (Units 1-9, 3301 17 Mile Drive).

Also, we request that The Board of Supervisors develop a policy/law that is consistent with the reasonable expectations of the people who currently live in the neighborhood, bought property based on the implications of recent history and CCR's and had expectations about the on-going continued consistency in nature and character of neighborhood and their overall welfare, comfort and peace.

We need a comprehensive land use planning policy for the Pebble Beach Townhouses. All additional new permits should be halted until this is place. Any future expansions in Section 1 of The Pebble Beach Townhouses should be consistent with the originally planned concept for this Planned Unit Development in terms of lot coverage, building heights, view shed, etc.

CALIFORNIA COASTAL COMMISSION
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Notice of Appeal List of Questions being addressed in this letter:

1. *Information*

name: Maureen and Jim Moriarty
address: 3301 17 Mile Drive, Townhouse # 7
P. O. Box 375
Pebble Beach, CA 93953
phone: 408 624-6763

2. *Interest in the Decision*

My husband and I are residents of the Pebble Beach Townhouses (#7) and live approximately 20 feet from the applicant's (Mr. Peter Marble) Townhouse # 9.

3. *Applicant's name*

Mr. Peter Marble

4. File number of the application is the subject of the appeal

AP6023

5. *The nature of the appeal*

We are appealing :

- a. the approval of Mr. Marble's application for an addition to his townhouse and also
- b. the attached conditions to this approval - they are not sufficient
- c. the relevant attached conditions finally decided, should be added to the Deed and Declaration of Covenants, Conditions and Restrictions that goes with the legal title to Townhouse #9

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6. *The reasons that form the basis for the appeal*

The key grounds we are appealing are as follows:

The findings or decisions or conditions are not supported by the evidence (The reasons why are outlined on the attached pages)

The findings are also inconsistent with the history and past precedents for the approximately last 25 years of Section 1's Townhouse existence.

The findings are inconsistent with the established principles of property and view protection outlined in the CCR's that are in the recorded deeds of all owners in Townhouses 1-9 in Section 1.

7. *Key Findings that are being disagreed with:*

Finding # 1: Sentence 1

The combined Development Permit application consists of a Coastal Administrative Permit for minor structural additions that include a second story addition to an existing single-story townhouse and Design Approval.

Comments: The proposed addition is NOT a minor structural addition of a second story. The addition is 695 square feet and is approximately a 20% increase in size/mass to the existing property. This is a major change in a very densely packed section near other Townhouses since there has never been an exterior change of this magnitude to any of the Townhouses in Section 1 (Units 1-9)

Structurally, there is also an addition of a massive, out-of-scale deck on this addition which is totally out of character with any of the other Townhouses.

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Finding # 1: Sentence 3

The proposed project conforms to the policies and regulations of the Monterey Country Local Coastal Programs, specifically those policies and regulations contained in the Del Monte Forest Land Use Plan and Part 5 of the Coastal Implementation Plan.

Comments:

- a. The proposed addition is in violation of the spirit, essence and intent of the of CCR's for The Pebble Beach Townhouses and the intent for a Planned Unit Development that would not allow any obstructions to people's view, etc.
- b. Recent decisions to approve large additions to some of The Pebble Beach Townhouses have not been correct -and benefit only a few people at the expense of the many people already living there who had reasonable expectations of no dramatic changes. We request The Board of Supervisors to not allow any further massive exterior additions to Townhouses and to correct this situation at this point in time.

We are requesting that the Board of Supervisors insure that the property rights to views, privacy, peace, comfort and welfare and the intent of the CCR's be protected - as they have been for the last approximately 23 years. The Pebble Beach Company has recently taken a more liberal interpretation of what types of exterior changes can be made to the Pebble Beach Townhouses in Section 2. This proliferation of massive exterior additions to the Townhouses must be halted - especially in Section 1 (the oldest and original section - where there has been very strong conformance to the CCR's) and the property rights of the owners must be protected.

Only The Board of Supervisors has the authority to modify the decisions made to correct this situation to insure the protection of rights, investments of the Townhouse Owners, neighbors on Stevenson Drive above the Townhouses and concerns of The Pebble Beach Homeowners Group.

MONTEREY COASTAL COMMISSION
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- c. Regulations for the MDR/2.7 do not adequately protect and differentiate a Planned Unit Development from Single Family Residences. The numbers of houses per acre in the Pebble Beach Townhouses are much more than they are for Single Family Residences. The concept of a Planned Unit Development was to have properties closer together - with the trade-off of less space BUT A CONSISTENT LOOK AND FEEL (not to be dramatically changed years later)

A separate MDR needs to be created for the Townhouses to insure that the property rights and property values of people are protected and that the intent of the original CCR's are carried out. Also, it should address specific requirements for this PUD relative to size/bulk of any changes, setback requirements, floor/area ratio, etc.- which would address the specific needs of a Planned Unit Development Complex.

The CC& R's go into detail about many things that owners can not detract from the look of the neighborhood. It is also implied that no large changes would ever be allowed or desired by anyone who bought a Townhouse.

People who desire to dramatically alter the exterior look of a planned community, obviously give up many of their individual rights and preferences in return for all neighbors cooperating to insure the good of the whole neighborhood.

In the last 25 years, all of the 9 Townhouses in Section 1 have pretty strictly adhered to the principles and spirit established in the CC & R's - working in a cooperative spirit with one another to insure a consistent look and high quality of life for the neighborhood .

- d. We also disagree with the findings of the Monterey Planning Commission that compare the Pebble Beach Townhouses to other Monterey Country Townhouses - specifically Monterey Dunes and Carmel Valley Ranch.

These properties have very different land/building layouts and very different design characteristics. One of the unique aspects of The Pebble Beach Townhouses is that they were purposely designed, developed, sold and resold with the understanding that the colors, look and aesthetics would be totally consistent with The Lodge and with all the other Pebble Beach Townhouses. This is another reason why we believe that the current regulations do not adequately protect the legal rights and precedents of the Pebble Beach Townhouse Owners.

The preponderance of evidence for the last approximately 23 years has been that no exterior changes could be made to the Townhouses that were inconsistent with the look and feel of the rest of the Townhouses.

Finding #9: The establishment, maintenance, or operation of the use or building 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 the general welfare of the county.

Comments:

- a. This proposed addition to Townhouse # 9 will have a major negative effect on the peace, comfort and general welfare of the persons residing in the immediate neighborhood - specifically other Pebble Beach Townhouse residents and residents of Stevenson Drive right behind the Townhouses.

Please refer to the letters and correspondence from some of people affected by these decisions who object to this addition. This information was recently sent to The Monterey Planning Commission. Almost all of the letters comment on the negative effect to privacy, noise, light, and overall well-being. These should definitely be considered.

- b. The proposed changes would negatively affect the quality of life of the neighbors. At a minimum, if ultimately approved, conditions of the approval need to be altered to insure that the other negative design changes be modified to minimize these problems.
- c. Exterior changes like the ones proposed by Townhouse # 9 are totally out of character with the look of the neighborhood. These changes would have a very negative effect on many people - especially us - in terms of loss of light on the side of our house nearest # 9 and the ability to enjoy trees/light (due to massive addition large dark shadows), a loss of privacy (due to huge windows planned and a deck) that would look down on our kitchen, deck and living room, increased noise (due to deck, windows) and potentially annoying lights that face our house (due to the addition). Importantly, our personal privacy and enjoyment of our house will be severely hampered.

7. (Continued)

Key conditions that are being requested for more work, if the permit is ultimately approved:

- a. A new condition should be added to the permit if it is ultimately approved. The proposed deck on the front side of Townhouse # 9 should be eliminated.

The Planning Department and The Planning Commission did a good job trying to take into account The Mitchell's concerns and the same amount of consideration should be given on the Front side of the house to the light, noise, lack of privacy issue. We request that The Board of Supervisors add on additional conditions to insure the privacy of neighbors and eliminate the deck.

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The proposed deck on the second story addition is as much or more so of a problem to surrounding neighbors, as was the proposed window on the backside of the house.

- the deck on the proposed second story additions is approximately 17 feet high from the base and 13 feet wide. It will create noise, privacy and light problems - especially to Townhouse #7. This is a totally unacceptable intrusion upon the privacy of our property, our lifestyle and enjoyment of our deck and in the front rooms and it is way out of scale for the house and the immediate neighbors.
 - Townhouse # 9 will be able to look into the living room, dining room and deck of Townhouse #7 creating a real lack of privacy and onto our side and front deck.
 - The amount of light coming from the proposed glass in front will reflect in our living room and dining room.
 - Use of this deck with people on it will create noise and further privacy problems
 - No deck at all should be allowed at this level
 - There is no other Townhouse in any of the 23 Townhouses that has a second story deck the height of this deck.
- b. We also request that any of the specific conditions for expanding be added to the property deed and CCR's of Townhouse #9, so that future owners do not go against the express conditions outlined by The Planning Commission.

8. *List of People for notification*

9. *Key next steps*

CALIFORNIA COASTAL COMMISSION
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These are the key reasons we are objecting and wish this approval to be reconsidered. As citizens and taxpayers, we feel that we must object to this addition and work to insure that the investment we have made in our property and the neighborhood that we live in and enjoy is protected.

Thank you in advance for your attention to this matter. We respectfully request that you consider our petition at a Hearing of The Board of Supervisors. We will try to present relevant information in as concise a timeframe as possible at the meeting.

If you have any questions, please call us at 408 624-6763.

Sincerely,

Maureen Connors Moriarty

James M. Moriarty

Maureen C Moriarty

7/19/96

Maureen Moriarty dr

James M. Moriarty (also is out of town)

CALIFORNIA COASTAL COMMISSION
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27/92

List of Attachments

1. Check for \$50
2. Stamped envelopes for mailing notices
3. List of people who are to receive notices (received from The Planning Dept.)
4. Some of the correspondence:
 - a. Signatures of Phase 1 Townhouse Owners
 - b. President of Del Monte Forest Property Owners
 - c. Mr. James Griggs
 - d. Mr. Bud Shoemake
 - e. Mr. and Mrs. Charles Brown
 - f. Mr. Francis Sparolini
 - g. Colonel and Mrs. C.A. Mitchell
 - h. Mr. and Mrs. James Moriarty
 - i. Mr. Robert D'Isidoro
 - j. Mr. James Boccardo

There is more information to submit, but I do not have it all here with me today.

CALIFORNIA COASTAL COMMISSION
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36152

PHASE I TOWNHOUSE OWNERS

Ref: AP 96023

We, the undersigned, feel the Pebble Beach Company has abdicated its responsibilities to protect the homeowners common interest by allowing this project to reach your office, and therefore ask that you hold this project in abeyance while we ask Pebble Beach Company to review the apparent unconcerned approval forwarded to you by the Pebble Beach Architectural Review Board.

#1. Mr/Mrs A. C. Snodgrass

A. C. Snodgrass
Walter Snodgrass

#2. Louis Hill Estate

#3. Mr/Mrs Charles Brown

Charles Brown
Charles Brown

#4. Mr/Mrs Francis J. Sparolini

Francis J. Sparolini

#5. Mr/Mrs Ed Rontell

#6. Mr/Mrs Joseph Lettieri

Joseph Lettieri

#7. Mr/Mrs James Moriarty

James Moriarty
James Moriarty

#8. Col/Mrs C. A. Mitchell

C. A. Mitchell
Edgar Mitchell

CALIFORNIA COASTAL COMMISSION
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3/52



**DEL MONTE FOREST
PROPERTY OWNERS**

A NON-PROFIT CALIFORNIA CORPORATION

12 June 1996

Robert Slimmon, Jr.
Director of Planning and Building Inspection
P.O. Box 1208
Salinas, California 95902

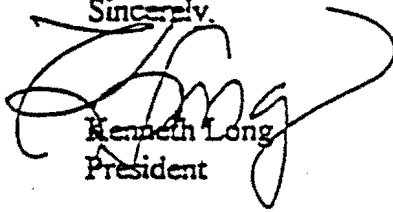
Re: Pebble Beach Townhouses

Dear Mr. Slimmon:

As you are aware, several owners of Pebble Beach Townhouses are concerned about recent and contemplated renovations and additions to existing townhouses. In view of the concept of the original development, it is obvious that land coverage, building separation, access, building heights, view shed, and other considerations were carefully thought out by the developer, the County, and the Coastal Commission before the townhouse projects were approved.

It is our position that current townhouse property owners have a legitimate basis to question any increase in lot coverage, clearances, height, and overall bulk of existing structures due to remodeling and additions. It is respectfully requested that your staff review the appropriate documents associated with the initial approval of the townhouse projects and confirm and assure that any future remodeling and additions be consistent with the original concept, keeping in mind contemporary architectural, environmental and planning concepts.

Sincerely,


Kenneth Long
President

c: Robert A. D'Isidoro, Attorney at Law
Mark Stilwell, VP Real Estate, General Counsel, Pebble Beach Company
Sam Karas, Supervisor, District 5
California Coastal Commission
Paul R. DeLay, Chair, Del Monte Forest Land Use Advisory Committee

BUCKEYE PACIFIC INVESTORS

201 HOFFMAN AVENUE, MONTEREY, CALIFORNIA 93940 (408) 373-1072 FAX (408) 373-5198

June 13, 1996

Mr. Robert Slinnmon, Jr.
Director of Planning and Building Inspection
PO Box 1208
Salinas, CA 93902

RE: AP 96003 Butler Coastal Administrative Permit Pebble Beach Townhouses

Dear Mr. Slinnmon:

My property is situated at 3252 Stevenson Drive directly behind the Pebble Beach Townhouses.

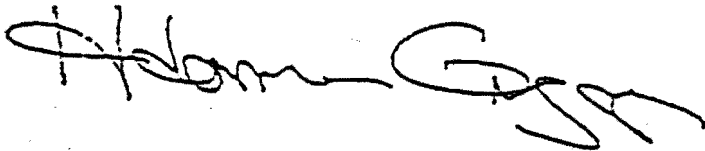
I am very disturbed with the trend of adding second stories to these units. It was the understanding of all involved, those who purchased the townhouses and certainly those of us who had properties surrounding this area, that appropriate zoning was granted that would maintain the aesthetically sound project that the height limitation placed upon it to maintain the environmental integrity of the total area.

This tendency to add another story for better views, more livability and for the benefit of the individual units is not being done without is destroying the privacy of the immediate neighbors and destroying the aesthetically sound sight line to the beautiful still water bay and the Pebble Beach Golf Course which many of us have paid for and supported in taxation for many years.

Please, let's not destroy the wonderful environment that has taken years to create for the quick economic benefit of a few. I know that the sound decisions consistently made by your staff and the integrity of the planning department will maintain and appropriate action will be taken relative to this and other pending second story additions for this area.

Thank you for your consideration.

Cordially,



H. James Griggs

HJG:sh

cc: Mr. Coots Mitchell
Mr. Robert A. D'Isidoro

CALIFORNIA COASTAL COMMISSION
EXHIBIT A-3-MCO-96-118

33/52

Mr. Dale Ellis
Monterey Country Planning and Building Inspection Dept.
PS Box 1208
Salinas CA. 95902

May 25, 1996

Dear Mr. Ellis,

I am the owner of Pebble Beach Townhouse # 1 (3301 17 Mile Drive) and am writing to let you know that I strongly object to application of Mr. Peter Marble (owner of Townhouse #9) for an addition to his house. It is totally incongruous with the neighborhood and spirit of a Planned Unit Development.

I have lived here for many years and it has always been clearly understood that there would be no exterior changes to any of the Townhouses. The Townhouses were designed to blend in with the Lodge and not intrude on the surroundings. This proposed addition would be a major change to the character of the Planned Unit Development and is against the desired wishes of the majority of the Townhouse Owners. There is much precedent over the years for keeping the look and feel of the neighborhood the same and the way that Sam Morse intended the properties to look.

It has always been the expectation of all the Townhouse Owners that no views would be changed or affected in any way. That is our right. We have a right to have the consistent look of the Townhouses remain the same on the exterior - so that our area looks like a Planned Unit Development and not a hodgepodge of added-on/out of scale buildings that intrude on our current privacy and aesthetic looks. We do not want to see the quality of life that we bought into and expect to be dramatically changed by allowing changes to the exteriors of the 9 Townhouses in Section One.

I am not sure if I can be at the hearing on May 30th. Please represent my strong point of view on this issue. Thank you for your attention to this matter.

Sincerely,



Bud Shoemaker
Townhouse # 1
3301 17 Mile Drive
Pebble Beach, CA 93953

CALIFORNIA COASTAL COMMISSION
EXHIBIT A-3-MCD-96-118
3/1/92

P O Box 1393
Pebble Beach, CA 93953

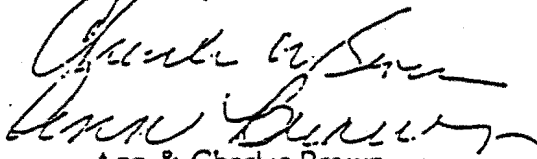
June 4, 1996

Mr. Eric T Keller
Monterey County Planning and Building Inspection Dept.
P O Box 1208
Salinas, CA 93902

Dear Mr. Keller

With reference to zoning notice AP96008, we request that you not accept this Coastal Administration Permit regarding the addition to Pebble Beach Townhouse #13 until all CCR's have been reviewed and taken into consideration. We are concerned that the proposed construction to #13 is not in compliance with the CCR's that are the guidelines that govern the changes of the appearance of the Pebble Beach Townhouses.

Sincerely,



Ann & Charles Brown
Townhouse #13

CALIFORNIA COASTAL COMMISSION
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35/52 -

July 2, 1996


Robert Slimmon Jr.
Director of Planning and Building Inspection
P.O.Box 1208
Salinas, CA. 93902

Dear Mr. Slimmon:

As the builders and owners of Pebble Beach
Townhouse #4 in 1978 and having been residents
since that time we wish to protest the appli-
cation of Peter Marble (AP96023) for a com-
bined development permit consisting of a
coastal permit for a second story addition
to his townhouse. Not only would this impede
and impair the view from Col. and Mrs Mitchell's
townhouse but would open the way to future per-
mits that would destroy the existing aesthetic
look of the designed neighborhood

Thank you and we trust you will give this
matter your full consideration.

Sincerely,



F. C. Sparolini

c. Robert D'Isidoro, Attorney at Law
Col. & Mrs. Mitchell

CALIFORNIA COASTAL COMMISSION
EXHIBIT A-3-MCD-96-118
36/52

3301 SEVENTEEN MILE DRIVE, #8

PO Box 477

PEBBLE BEACH, CA 93953

May 24, 1996

Dale Ellis, Zoning Administrator
Monterey County Planning & Building Inspection Department
PO Box 1208
Salinas, CA 93902

Ref: AP 96023

Dear Mr. Ellis:

This is to protest and appeal the "Notice for approval of building permit for the expansion and addition of a second floor to Townhouse 9 on lot 9, Pebble Beach Townhouses, in Del Monte Forest for the following reasons:

1. These townhouses are a Planned Unit Deveopment in which each townhouse was predetermined by a footprint layed out by Pebble Beach Company in order to construct residential homes within minimum acreage.
2. Phase I townhouses were built prior to the formation of the Coastal Commission. However not one reaches above twenty-seven (27) feet in height. Phase II townhouses were planned to go to a height of thirty (30) feet. Residents on Stevenson Drive, behind these townhouses, not wishing to lose their ocean views petitioned the Coastal Commisssion. In August of 1978 the Coastal Commission set a "condition of height limit" for Phase II construction. It states a twenty-seven (27) foot maximum height at front drive (lowest point). In 1988 the regulations were turned over to the County Planning Department who with the Board of Supervisors are now the trustees of all zoning regulations.
3. There are other requests for new additions to existing townhouses in both sections. Each request for a second story is from a new owner who paid too much and can recoop only by taking this route without regard for the established neighborhood.
4. Prior to Marvin Davis owning Pebble Beach, the Company kept additions and expansions to townhouses from occuring. Now the Company has exchanged ownership and management positions so many times that no longer is there any enforcement of the existing CCRs. We feel Pebble

CALIFORNIA COASTAL COMMISSION
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6. There is only seventeen feet between the roofs of townhouse #8 and #9.

We are very tightly situated. A deck out the front will depreciate the economic value of Townhouses #6, #7, & # 10. Lights at night will affect several residences most particularly in their bedroom areas.

7. This common interest development never anticipated such inconsistancy for resonable expectation. We wish our input to be considered.

CALIFORNIA COASTAL COMMISSION
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38/52

Moriarty...3301 17 Mile Dr. #7/Box 375...Pebble Beach, CA 93953

Mr. Dale Ellis
Monterey County Planning and Building Inspection Dept.
PS Box 1208
Salinas CA 93902

May 26, 1996

My husband and I are owners of Townhouse # 7 at 3301 17 Mile Drive in Pebble Beach. This letter outlines our strong objection to the proposed plans of Mr. Peter Marble- owner of Townhouse # 9 and the townhouse that is physically closest to our house). We will not be able to be at the Hearing on May 30th since we will both be out of the state on business.

We object to the application on the following grounds:

1. It is against the spirit and essence of a Planned Unit Development

- A PUD is supposed to be an area that has a consistent look -from the viewpoint of aesthetics and structures. Once built, any exterior changes dramatically alter the look and feel of the neighborhood. This neighborhood has remained as it was developed for over 25 years - and it was our expectation when we purchased our property that it would continue to be the same.
- The CC& R's go into detail about many things that owners can not do to detract from the look of the neighborhood. It is also implied that no large changes would ever be allowed or desired by anyone who bought a Townhouse.
- People who desire to dramatically alter the exterior look of a planned community, obviously give up many of their individual rights and preferences in return for all neighbors cooperating to insure the good of the whole neighborhood.
- In the last 25 years, all of the 9 Townhouses in Section 1 have pretty strictly adhered to the principles and spirit established in the CC & R's - working in a cooperative spirit with one another to insure a consistent look and high quality of life for the neighborhood.

CALIFORNIA COASTAL COMMISSION
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2. These changes would negatively affect the quality of life of the neighbors.

- Exterior changes like the ones proposed by Townhouse # 9 are totally out of character with the look of the neighborhood. These changes would have a very negative effect on many people - especially us - in terms of loss of light on the side of our house nearest # 9 and the ability to enjoy trees/light (due to massive addition large dark shadows), a loss of privacy (due to huge windows planned and a deck) that would look down on our kitchen, deck and living room, increased noise (due to deck, windows) and potentially annoying lights that face our house (due to the addition)
- The proposed addition of an increase of over 20% to the existing floor plan is large and unacceptable - especially given the small amount of land in the PUD and the close proximity of several houses. It would result in a very congested and overcrowded area.

3. The Townhouse owners have the right and expectation to insure that the Planned Unit Development retains the look and feel that they always believed could never change. Monterey Country needs to protect our legal rights.


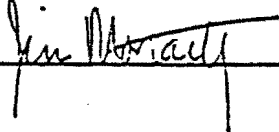
If you have any questions, please call us at 408 624-6763. Thank you.

Sincerely,

Maureen Moriarty

Jim Moriarty

Townhouse # 7
3301 17 Mile Drive
PO Box 375
Pebble, Beach, CA 93953

CALIFORNIA COASTAL COMMISSION
EXHIBIT A-3-MCO-96-118

40/52

Robert A. D'Isidoro

Attorney at Law
Post Office Box 4184
Carmel, California 93921

Telephone: (408) 647-1316 Fax: (408) 647-1049

July 8, 1996

Monterey County Planning Commission
Robert Slimmon, Jr., Secretary
P. O. Box 1208
Salinas, California 93902

Re: AP 96023 PETER MARBLE COASTAL ADMINISTRATIVE PERMIT
Pebble Beach Townhouses

Dear Secretary Slimmon:

I represent a group of homeowners in the Pebble Beach Townhouse Subdivision who object to the request for the above-captioned permit and urge Planning Commission denial of the request.

The new owner of Townhouse lot number 9 is seeking a permit to add 695 square feet to his existing Townhouse by adding a second story to the single story structure. Although the lot is only 7,000+ square feet, the addition will make the total combined square footage 4,434, and it will increase the height of the structure by six feet.

On May 30, 1996, we appeared at a public hearing on this matter conducted by Zoning Administrator Dale Ellis. Mr. Ellis decided that it was appropriate to refer the matter to the Planning Commissioners to give them the opportunity to consider and promulgate a comprehensive policy regarding the nature and character of the neighborhood in light of changes brought about by the possible issuance of inappropriate development permits.

The residents of the Pebble Beach Townhouses and the neighbors located near the Townhouses are alarmed by the proliferation of development permits in their intimate neighborhood. The 23 Pebble Beach Townhouses were established in 2 phases (phase 1 contains 9 units, and phase 2 contains 14 units) on closely clustered "fee title" lots with undivided ownership interests of the common areas, and non exclusive licenses to use "Open Space." The deeds and the Declarations of Covenants, Conditions and Restrictions contain limitations which were intended to be in furtherance of a common plan for the improvement and benefit of all lands in the subdivision, "and each residential lot therein and are established and agreed upon for the purpose of enhancing the value, attractiveness and desirability thereof." As expected, there is a prohibition against constructing or maintaining fences, access roads, or other structures of any kind upon any residential lot or open space without the written approval of "Owner" (Pebble Beach Company and its progenitors).

CALIFORNIA COASTAL COMMISSION
EXHIBIT A-3-MCD-96-118

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Until last year Townhouse owners, and would-be owners, were discouraged from seeking development permits that would significantly alter the exterior aspects of the Townhouses. Whether by informal or formal declination, the "Owner" effectively resisted efforts over the last thirty years to change the size, shape, and look of the Townhouses.

Persons who acquired their Townhouses during that period reasonably expected their neighbors and the "Owner" to continue to be sensitive to the neighborhood character of the Townhouses and their environs; however, that expectation is now being thwarted. For example, last fall a permit was granted to the new owner of Lot 12 which is only 6,411 square feet. The permit allows the size of the Townhouse on that lot to be greatly increased by adding a second story and other "building" areas to a total of 7,320 square feet (5,365 square footage in the home, 200 square feet in patios, 677.7 square feet in decks, 344 square feet in walks, 732 square feet drive).

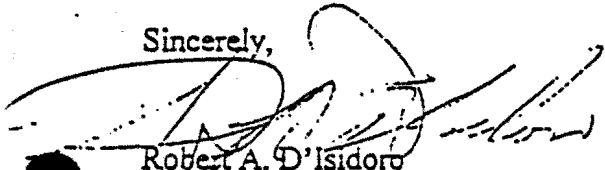
The owner of Lot 13 which is approximately 7,000 square feet is in the process of obtaining a permit to increase the existing 2643 square foot structure by 864 square feet which includes 628 square feet added to the second floor.

Several more Townhouse owners are poised to secure development permits to expand their units.

It is now essential that the Land Use Planning Authorities of Monterey County promulgate a policy that is consistent with the reasonable expectations of those persons who have been instrumental in creating, approving, and "buying into" the Pebble Beach Townhouse Subdivision to preserve the nature and character of the neighborhood. Persons living in and around the Townhouses enjoy views, privacy, and neighborhood qualities. Those who elect to live in the subdivision can reasonably be expected to give up some elements of the bundle of their property rights in exchange for living in close proximity to others in a relatively controlled environment. The power to disapprove of ill-advised attempts to push structures up and out, and otherwise change them to the detriment of neighbors has always belonged to the "Owner". The "Owner" has changed dramatically over the decades since the original enlightened land use planner S. F. B. Morse set the tone for residing in the environmental treasure known as the Del Monte Forest. Nowadays plans to remodel the Townhouses to maximize their size and height meets with less resistance from the "Owner." The values of restraint and consideration reflected in the deeds and CC&R's, should now be incorporated into the Planning Commission's policy.

Enclosed are letters and a petition signed by persons who object to the recent proliferation of development permits in the Pebble Beach Townhouse Subdivision. They support the present need for a comprehensive land use planning policy for the Pebble Beach Townhouses to help preserve the comfort and general welfare of persons residing in the neighborhood.

Sincerely,


Robert A. D'Isidoro

Enclosures

CALIFORNIA COASTAL COMMISSION
EXHIBIT A-3-MCO-96-118

42/52

THE BOCCARDO LAW FIRM

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

ATTORNEYS AT LAW

111 WEST ST. JOHN STREET

ELEVENTH FLOOR

P. O. BOX 15001

SAN JOSE, CALIFORNIA 95115-0001

TELEPHONE (408) 298-5678

JAMES F. BOCCARDO
JOHN W. McDONALD*
BRIAN N. LAWTHEN
JOHN C. STEIN
RICHARD L. BOWERS
RUSSELL L. MOORE, JR.
STEPHEN FOSTER

*PROFESSIONAL CORPORATION
FACSIMILE (408) 298-7503

DAVID P. MOTLES
BYRON C. FOSTER
VICTOR F. STEFAN**
ROBERT W. THAYER
DIEGO F. MAGWILLIAM
STEPHEN A. ROBERTS
RICHARD GREGG

**ADMITTED IN NEVADA
KAY EDMONDS
LEGAL ADMINISTRATOR

May 28, 1996

Dale Ellis
Monterey County Zoning Administrator
P.O. Box 1208
Salinas, CA 93902

Re: Zoning Notice AP 96023 Peter Marble

Dear Mr. Ellis:

We are protesting the matter set forth in the attached notice of Public Hearing on behalf of Col. & Mrs. C. A. Mitchell.

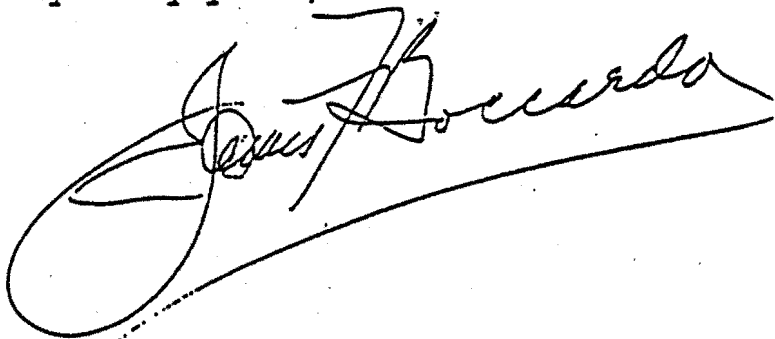
Our clients are owners of a Phase I Townhouse in which they live which was bought prior to the formation of the Coastal Commission.

The additional height which Mr. Peter Marble seeks to erect will impede and impair the view from their townhouse and they consider such an addition to the existing townhouse of Mr. Marble to be a violation of the CCRs which are recorded and in effect for the subject property through June 30, 2067.

The fact that they have a right to trim any growth on the subject property that would impede their view in perpetuity would indicate the intention that the view be kept inviolate.

It is respectfully requested on behalf of Col. & Mrs. Mitchell that the request of Peter Marble be denied.

Very truly yours,



JFB:k
Encl.
cc: Col. & Mrs. C. A. Mitchell

CALIFORNIA COASTAL COMMISSION
EXHIBIT A-3-MC0-96-118

43/52

008-551-505

WILEMAN ALVIN CARL & MURIEL MAY
P O BOX 1102
PEBBLE BEACH, CA 93953

008-442-009

ROGERS DOROTHY POST
P O BOX 445
PEBBLE BEACH, CA 93953

008-551-006

MAGEE TED N & MARY LOU TRS
303 BUSH CREEK RD
WARRENDALE, PA 15086

008-442-010

GRIGGS R JAMES & GAIL I
201 HOFFMAN AVE
MONTEREY, CA 93940

008-551-008

BOGUE MARY W
P O BOX 297
PEBBLE BEACH, CA 93953

008-442-011

BUTTS J ARCH & ROSE ANNE C
PO BOX 10
SEASIDE, CA 93955

#10

008-442-012

M GILVRA HELEN H ESTATE
P O BOX 786
PEBBLE BEACH, CA 93953

008-551-001

MABEY MENDI & AKHTAR
P O BOX 447
PEBBLE BEACH, CA 93953

008-551-002

DOLLAND KENNETH M & DOROTHY D
P O BOX 1357
PEBBLE BEACH, CA 93953

008-551-003-000

JEVETT DENNIS A & KAREN L
P O BOX 539
PEBBLE BEACH, CA 93953

008-551-004

Mary and Peter Butler
P.O. Box 1807
Pebble Beach, CA 93953

CALIFORNIA COASTAL COMMISSION
EXHIBIT A-3-MCO-96-118

44/52

✓ 008-431-009
008-431-008
008-551-015
008-521-010
Pebble Beach Co.
P.O. Box 567
Pebble Beach, CA 93953

008-521-009
MARBLE PETER EMERSON
P O BOX 1109
CARMEL VALLEY, CA 93924

✓ 008-521-001
Fred and Jill Vogel
P.O. Box 666
Patterson, CA 95363

✓ 008-521-002
Louis W. Hill, Jr.
P.O. Box 1274
Pebble Beach, CA 93953

✓ 008-521-003
Lenore and Charles Brown Trust
2736 Via LaSelva
Palos Verdes, CA 90274

✓ 008-521-004
Francis J. Sparolini Trust
P.O. Box 546
Pebble Beach, CA 93953

✓ 008-521-005
Eddie and Margie Rontell
6333 N. Van Ness
Fresno, CA 93711

008-521-006-000

✓ LETTIERI JOSEPH & PHYLLIS (C T)
P O BOX 794
PEBBLE BEACH, CA 93953

008-521-007-000

✓ MORIARTY JAMES MICHAEL &
MAUREEN CONNERS MORIARTY
P O BOX 375
PEBBLE BEACH, CA 93953

008-521-008-000

✓ MITCHELL CLARENCE A & HILDEGARDE W
P O BOX 477
PEBBLE BEACH, CA 93953

CALIFORNIA COASTAL COMMISSION
EXHIBIT A-3-M10-96-118

45/52

EXHIBIT "D"

|| Note: See
adopted resolution-
Exhibit 2, pgs. 1-7.*

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

Resolution No. _____)
Resolution Approving an Application for)
Peter Marble (AP96023) for a Combined)
Development Permit consisting of a Coastal)
Administrative Permit for a Second Story)
Addition to an Existing Townhouse, and)
Design Approval ; Del Monte Forest Area,)
Coastal Zone. . .)

WHEREAS, this matter was heard by the Board of Supervisors ("Board") of the County of Monterey on September 24, 1996, pursuant to an appeal Maureen and Jim Moriarty ("Appellant").

WHEREAS, the property which is the subject of this appeal is located on Lot 9, Tract 567, Pebble Beach Townhouses (Phase I), located westerly of Seventeen Mile Drive, Del Monte Forest Area, Coastal Zone, in the County of Monterey ("the property").

WHEREAS, Peter Marble ("Applicant") filed with the County of Monterey, an application for a Combined Development consisting of a Coastal Administrative Permit for second story addition to an existing townhouse, and Design Approval.

WHEREAS, Peter Marble's application for a Combined Development Permit came for consideration before the Zoning Administrator at a public hearing on May 30, 1996.

WHEREAS, this application was referred to the Planning Commission by the Zoning Administrator at the May 30, 1996, hearing, after several neighbors expressed opposition to the project. The project referral was done so in accordance with Section 20.04.030.F of the Coastal Implementation Plan.

WHEREAS, Peter Marble's application for a Combined Development Permit came for consideration before the Planning Commission at a public hearing on July 10, 1996.

WHEREAS, at the conclusion of the public hearing on July 10, 1996, the Planning Commission approved Peter Marble's application on the basis of the findings and evidence contained in Planning Commission Resolution No. 96049.

CALIFORNIA COASTAL COMMISSION
EXHIBIT A-3-MCO-96-118
46/52

EXHIBIT "E"

SAN MATEO COUNTY
PLANNING & BUILDING INSPECTION DEPARTMENT
P.O. BOX 1200
SALINAS, CALIFORNIA 93902
(408) 753-5025
ADVISORY COMMITTEE ACTION

ADVISORY COMMITTEE: DEL MONTE FOREST LAND USE ADVISORY COMM

PROJECT PLANNER: MARLATT

DATE SENT:

We would appreciate your Committee's recommendations on the following application on 2/11/96.

THE DECISION-MAKING BODY IS: County Administrator

APPLICANT: MARBLE, PETER

FILE #: 11700013

REQUEST: COMBINED DEVELOPMENT PERMIT CONSISTING OF A COASTAL ADMINISTRATIVE PERMIT FOR A SECOND STORY ADDITION TO AN EXISTING TOWNHOUSE AND DESIGN APPROVAL

COMMITTEE ACTION (RECOMMENDATION):

AYES:

NUES: 0

ABSENT: 1 Person 5 present (adv. Committee)

REASONS FOR RECOMMENDATION:

RECOMMENDED CONDITIONS:

WAS APPLICANT PRESENT AT MEETING? YES NO

Merrill Miller
SIGNATURE

DATE OF ADVISORY COMMITTEE MEETING July 25, 1996

RETURN ONE COPY TO PLANNING & BUILDING INSPECTION DEPT.
RETAIN ONE COPY FOR ADVISORY COMMITTEE RECORDS

CALIFORNIA COASTAL COMMISSION
EXHIBIT A-3-MC-96-118

EXHIBIT "F"

Dorothy Post Rogers
Box 443
Pebble Beach, California 93953

January 22, 1996

Pebble Beach Company,
Red Monte Forest
Architectural Control Board.

Dear Members,

Regarding the notice you
kindly sent to review the plans for
the addition to the Pebble Beach Town-
house # 9:

It is my hope that the Pebble
Beach Company will respect the stipula-
tion set by the Coastal Commission
for the height of all townhouses
below Stevenson Drive.

Thank you for your concern.

Respectfully,
Dorothy Post Rogers
3274 Stevenson Dr.
Pebble Beach

CALIFORNIA COASTAL COMMISSION
EXHIBIT A-3-MCO-96-118

48/52

5/20/96
PJR

Ms. Margaret Leighton, Manager Jan. 22, 1996
Arch. Review & Building Inspectors Office.
Pebble Beach Company
Pebble Beach, CA 93953 Fax: 625-8412 phone: 625-8455

Ms. Leighton:

The 1978 ruling that set the height for the
Townhouse roof levels will be supplied by the Coastal
Commissioners office to yours as soon as possible I'm sure.

This will surely avoid any trouble in the
future and see that no ones views are damaged by future
building projects.

Sincerely,



Don McGilvra
3294 Stevenson Drive.
P.O. Box 786
Pebble Beach, CA 93953
tel: 624-2622

CALIFORNIA COASTAL COMMISSION
EXHIBIT A-3-MCO-96-118
4/52

5/20/96
DZ

KEEBLE RHODA TODD

A R C H I T E C T S

DUNCAN TODD AIA, PRINCIPAL

ASSOCIATES:

KATHLEEN ONO VENTIMIGLIA AIA

ERIK LUNDQUIST

HISAO YAMANISHI

CHRIS KEEBLE

July 9, 1996

Mr. Robert Slimmon, Director
Monterey County Planning Commission
P.O. Box 1208
Salinas, California 93902

RE: Modifications to the residence of Mr. Peter E. Marble, Townhouse No. 9
17 Mile Drive, Pebble Beach, California

Dear Mr. Slimmon,

As the architect for the modifications to Mr. Marble's townhouse, I am writing to confirm that Mr. Marble will comply fully with all conditions and requirements referenced in Exhibits A & B and is prepared to remove, modify or replace all water-using utilities (toilets, showers, dishwasher, washing machine) with the objective of substantially reducing past water use and meeting present standards.

The addition of 665 sq. ft. of interior space with 62.5 sq. ft. of additional exterior deck space to the second floor of townhouse no. 9 has been carefully designed to fit into the existing roof arrangement increasing only a portion of the roof ridge by 6'0" in height. The proposed higher ridge runs parallel to any view shed (rather than perpendicularly) keeping the impact of the new work to an absolute minimum.

Our design developed within full conformance of the restrictions developed for the townhouse planned unit development. Our average maximum overall height is 25'0" and we have made no increases to the footprint of the house or lot coverage. We have matched and maintained existing roof slopes, trim treatments, fascias, overhangs, fenestration and proportions. The overall affect is in keeping with the original design theme of the townhouse development.

After showing the conceptual plans of the project to Col. and Mrs. Mitchell, owners of the single townhouse that will have any affect from the proposed work, we modified the design to ensure that no evening light will shine into their bedroom windows from the new work at townhouse no. 9. Any view impairment from Col. and Mrs. Mitchell's house will be from a tangential direction to the far right. Large trees situated between the two townhouses presently visually obstruct the view of townhouse no. 9 from the Mitchell's. Any futher view impairment created by the proposed work will minimally obstruct primarily the roofs of other townhouses and a distant row of trees.

We have ensured that the increased ridge line will create no visual impairment of the views of any other residences. Views from other townhouses and residences uphill above Stevenson Drive are not affected by the proposed work.

CALIFORNIA COASTAL COMMISSION
EXHIBIT A-3-MCO-96-118
9/32

Mr. Robert Slimmon
July 9, 1996

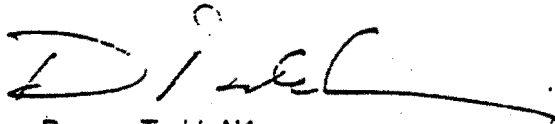
Page 2

Mr. Marble expresses sincere appreciation to the Planning Department for their efforts in assisting us with the approval process for construction and further confirms that we will comply with all conditions outlined by the Planning Commission for this project.

Photographs showing the site conditions and story pole netting outlining the proposed work are included in this correspondence, but we invite the Planning Commissioners to view the site and personally verify that this very small addition will have no adverse impact on anyone's view from any location.

Please call if we can be of further assistance.

Very sincerely,

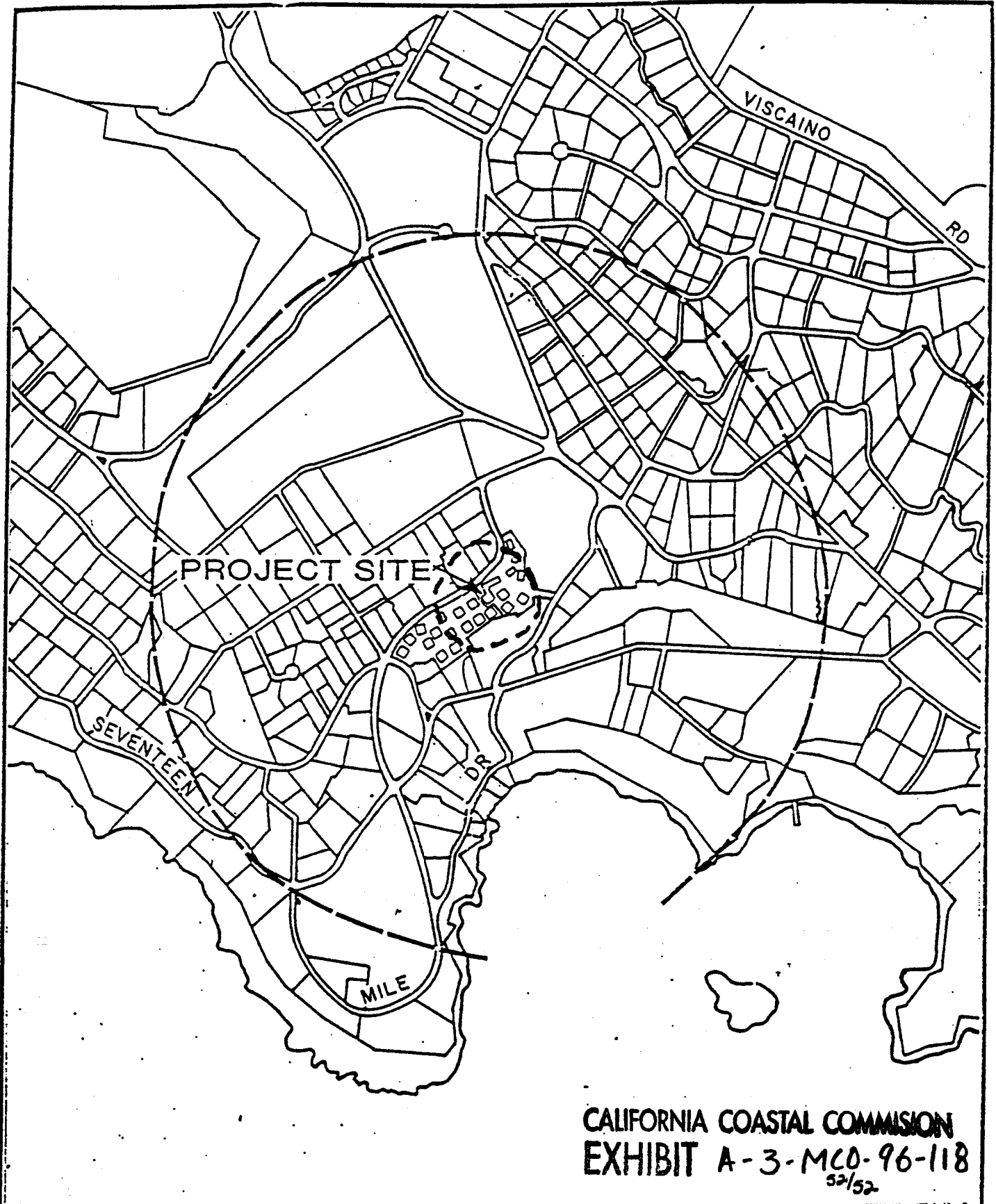


Duncan Todd AIA
Principal
encl: site photos

cc: Peter E. Marble

CALIFORNIA COASTAL COMMISSION
EXHIBIT A-3-MCD-96-118
sl/s2

EXHIBIT "G"



CALIFORNIA COASTAL COMMISSION
EXHIBIT A-3-MCO-96-118
52/52

APPLICANT: MARBLE

APN: 008-521-009-000

AP# 96023

300' LIMIT - - - - -
2,500' LIMIT - - - - -



DATE: 7/10/96

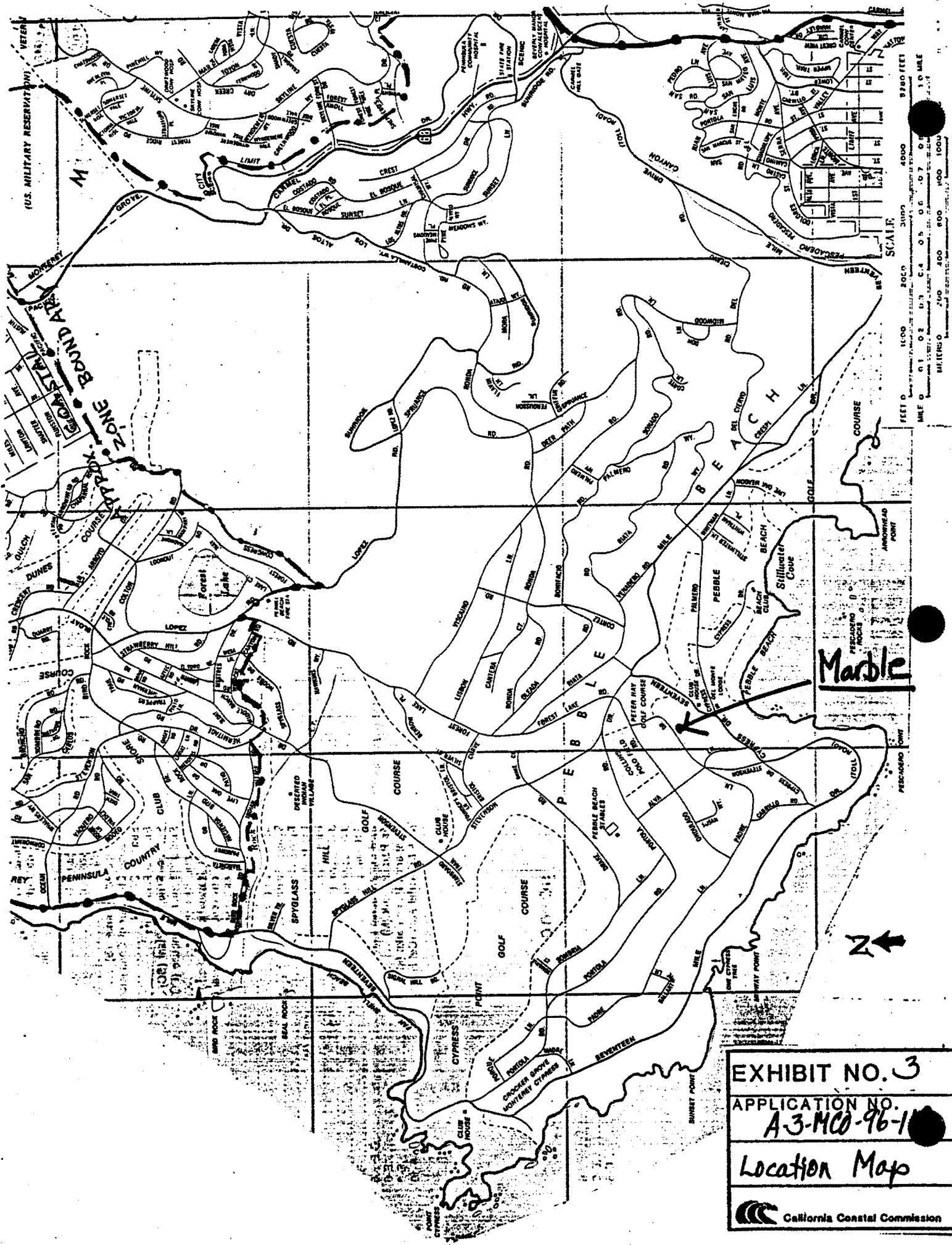

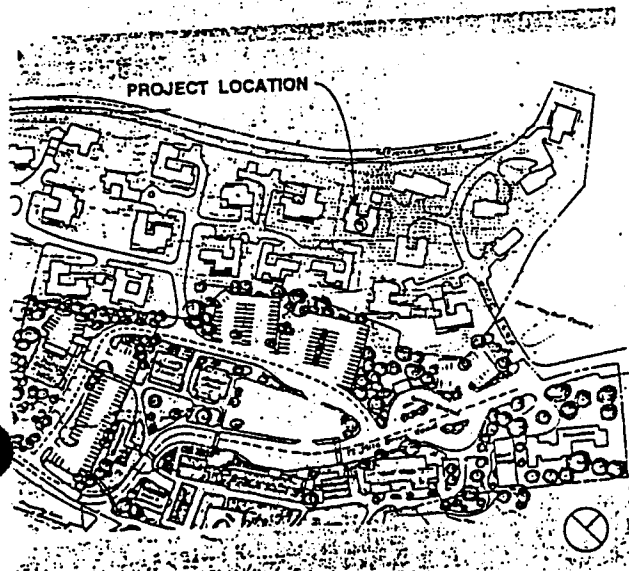
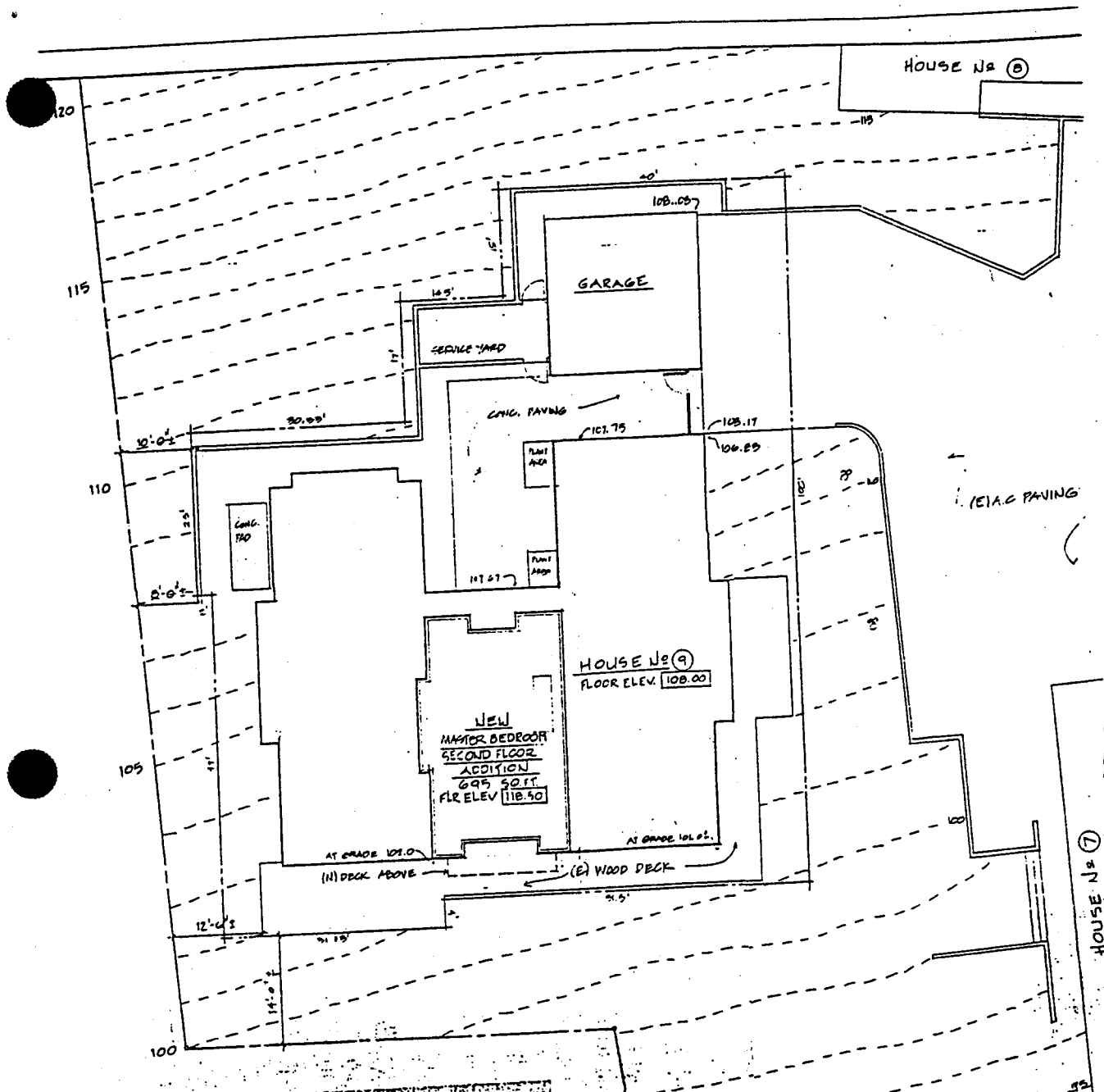


EXHIBIT NO. 3

APPLICATION NO.
A-3-MCO-96-11

Location Map

 California Coastal Commission



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

PROJECT DATA

Owner:	Mr. Peter Marble	3105 Residence	740 S.F. Deck
	P.O. Box 1109	428 Garage	807 S.F. Porch
	Carmel Valley, CA 93924	3555 S.F.	
Project Address:	3301 17 Mile Drive, Townhouse #9		
	Pebble Beach, CA 93953		
APN No.:	008-521-009		
Lot Size:	7300.26 S.F.		
Floor Area:	Existing	3105 Residence	740 S.F. Deck
		428 Garage	807 S.F. Porch
		3555 S.F.	
Proposed 2nd floor	885 S.F.		82.5 S.F. Deck
TOTAL	4390 S.F.		
Grading:	No work to be done		
Landscaping:	Existing to remain		

EXHIBIT NO. 4 A

APPLICATION NO. 96-118

Site Plan

NEW ADDITION

NEW STUCCO CHIMNEY, COPPER
CHIMNEY CAP AND FLASHING

NEW STUCCO &
TRIM PAINTED
TO MATCH (E)

118.5' 2ND FLOOR

7'-6" E2

WEST

109.0 AVE 24

EXTERIOR ELEVATIONS

SCALE: 1/4" = 1'-0"

REVISIONS

DATE

3-14-96

SHEET

NORTH & WEST ELEVATIONS

AN ADDITION FOR:

EXHIBIT NO. 4B

APPLICATION NO.
A-3-MCD-96-118

Elevations -

EXHIBIT NO.	4c
APPLICATION NO.	A-3-MCD-96-118
Elevations - N	

NEW ADDITION

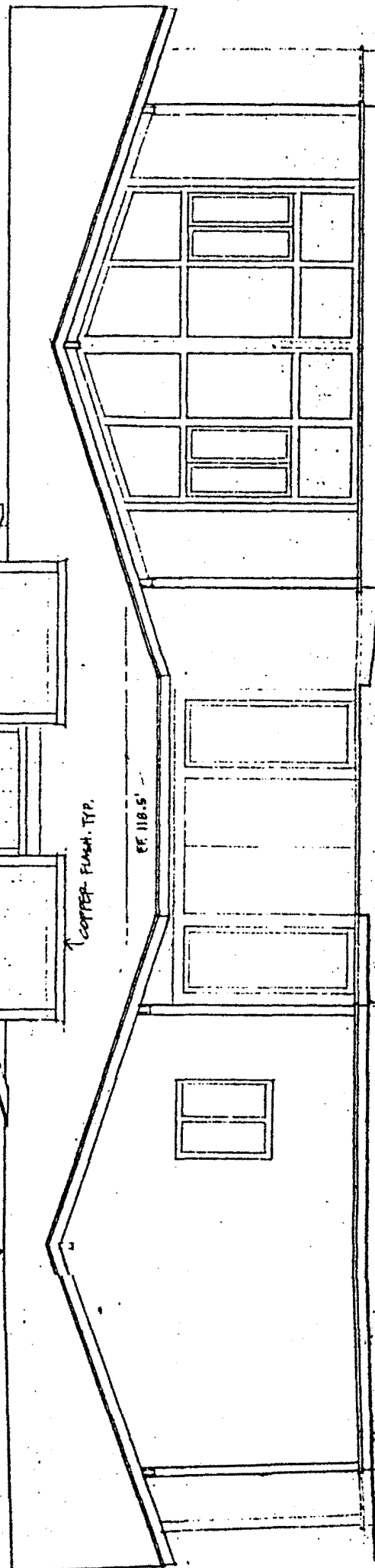
OBSCURE GLASS
RIDGE 128.75'

COPPER FLASH. TYP.

8' 118.5'

REPLACE EXISTING & NEW ROOFS
WITH NEW CLASS "A" CEMENT
ROOFING SHAKES
(1/4" x 12" ON CEDAR)

NORTH

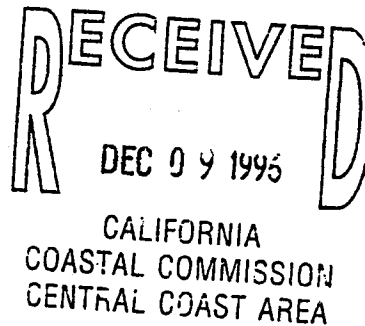


H. JAMES GRIGGS

P.O. Box 410
Pebble Beach, CA 93953
(408) 624-3492
Fax: (408) 624-7504

201 Hoffman Avenue
Monterey, CA 93940
(408) 373-1072
Fax: (408) 373-5198

December 6, 1996



California Coastal Commission
Central Coast Area Office
725 Front Street, Suite 300
Santa Cruz, CA 95060

RE: Permit Number: A-3MCO99118

Gentlemen:

I understand that the meeting is not to be held or that the staff is recommending that it not be held in connection with the above captioned number.

However, I would like to be on record stating that there has been a total disregard for the intent of the area as published by the original CC&R's for this project. There has been a blatant disregard of these CC&R's and the representation made to the neighbors of all surrounding properties relative to this is that it is a single story development with height limitations. I would hope that any further action taken in connection with these projects would take into consideration what the county and the coastal commission represented that this area would be on these properties as they have in the past approved some second story additions to the detriment of surrounding neighbors and neighboring properties beyond the immediate area.

Please cast a negative consideration with this note in an effort to maintain some form of integrity for zoning in this area.

Cordially,

A handwritten signature in dark ink, appearing to read "H. James Griggs". To the right of the signature, the initials "SH" are written.

H. James Griggs

HJG:sh

cc: Mr. Bill Phillips, Monterey County Planning-Acting Director
Mr. Ed Brown, Pebble Beach Planning-Vice President

enclosures

EXHIBIT NO. 5
APPLICATION NO. A-3-MCO-96-118
Letter of Concern

