

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
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Filed: 10/24/01  
49th day: 12/12/01  
180th day: 04/22/02  
Staff: MJW  
Staff report: 12/20/01  
Hearing date: 01/09/02

**COASTAL DEVELOPMENT PERMIT APPLICATION**

**Application number** .....3-01-075 Anderson

**Applicant**.....Anderson Family Partnership

**Project location**.....East side of Scenic Road between 9<sup>th</sup> and 10<sup>th</sup> Avenues, Carmel, Monterey County (APN 010-302-006) (See Exhibit A)

**Project description** .....Remodel to an existing single family residence that includes a 136 square foot addition to the rear of the house. (See Exhibit B)

**Local approval**.....City of Carmel-by-the-Sea: DS 01-22 / UP 01-20.

**File documents**.....City of Carmel-By-The-Sea uncertified Land Use Plan and Zoning Ordinance; City of Carmel Community Building and Planning Department Staff Report (07/25/01);

**Staff recommendation** ...Approve

**Summary:** The Applicant proposes to remodel an existing single family residence (approximately 2,188 square feet) which includes redesigning the roof and changes to fenestration's and exterior finishes. The proposal also consists of a 136 square foot addition to the existing residence on a 5,554 square foot lot in the City of Carmel-by-the-Sea.

The proposed roof changes includes removing the existing roof structure and replacing it with a new roof constructed of steel beams and standing seam copper. The roof height would be lowered by 3 inches, which would reduce but not eliminate the height non-conformity pre-existing on site. The architectural style and exterior materials can be characterized as "Post Modern with finish materials typical of the International style." The City of Carmel Planning Department reviewed the design and found it compatible with that of the general character of other structures along Scenic Road with oversized lots. The 136 square foot addition represents a 6% increase of the existing structure; the combination of site coverage, location, configuration, and architectural detail preserves the existing street ambience.

The project does not impact visual resources, community character, or coastal access, nor will it prejudice the completion of an LCP consistent with the Coastal Act. Therefore, the project is consistent with the policies of Chapter 3 of the Coastal Act.



**California Coastal Commission**  
**January, 2002 Meeting in Los Angeles**

Staff: Mike Watson Approved by: *C. F. C. 12/17/01*

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## I. Staff Recommendation on CDP Application

The staff recommends that the Commission, after public hearing, **approve** a coastal development permit for the proposed development subject to the standard conditions below.

**Motion.** I move that the Commission approve Coastal Development Permit Number 3-01-075 pursuant to the staff recommendation.

**Staff Recommendation of Approval.** Staff recommends a **YES** vote. Passage of this motion will result in approval of the coastal development permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

**Resolution to Approve a Coastal Development Permit.** The Commission hereby approves the coastal development permit on the ground that the development as conditioned, will be in conformity with the policies of Chapter 3 of the Coastal Act. Approval of the coastal development permit complies with the California Environmental Quality Act because either: (1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the amended development on the environment; or (2) there are no feasible mitigation measures or alternatives that would substantially lessen any significant adverse effects of the amended development on the environment.



## **II. Conditions of Approval**

### **A. Standard Conditions**

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the Permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the Permittee to bind all future owners and possessors of the subject property to the terms and conditions.

## **III. Recommended Findings and Declarations**

The Commission finds and declares as follows:

### **A. Standard of Review**

The City of Carmel-by-the-Sea is located entirely within the coastal zone but does not yet have a certified LCP. The Commission approved a Land Use Plan (LUP) and an Implementation Plan (IP) at different times in the early 1980s, but the City did not accept the Commission's suggested modifications. Thus, both the LUP and the IP remain uncertified. Until the Commission has certified the entire LCP submittal, the Commission retains coastal permitting authority over development within the City, for which the standard of review is the Coastal Act of 1976.

The Commission has authorized a broad-ranging categorical exclusion within the City of Carmel (Categorical Exclusion E-77-13) that excludes from coastal permitting requirements most types of development not located along the beach and beach frontage of the City. Part of the proposed



development, however, is not excluded under Categorical Exclusion E-77-13 because it is located within a non-excluded area along Scenic Road.

## **B. Project Location and Description**

The Applicant proposes to remodel an existing single family residence (approximately 2,188 square feet) which includes replacing the existing roof, fenestration's and exterior finishes with a Post Modern International style on a 5,554 square foot lot in the City of Carmel-by-the-Sea. The proposal also consists of a 136 square foot addition to the existing residence.

The total site coverage under the existing configuration is 4,266 square feet, consisting of the existing structure at 2,188 square feet and the non-permeable and semi-permeable land coverage (walkways, patio's, etc) of 2,078 square feet. The total square footage of the remodeled structure will be 2,324 square feet (Exhibit C) and non-permeable and semi-permeable land coverage under this proposal would be 1,803 square feet. The combined total site coverage is 4,127 square feet, or two percent less than under the current configuration. The proposed addition is sited at the rear of the structure and will be unnoticeable from Scenic Drive. The remodel and addition to the house does not require the removal of any trees, though there will be changes to the landscaping.

According to the City staff report, the existing home is less than 50 years old and does not qualify for historical designation under either the California Register of Historical Resources (CRHR) or the City's criteria as a historic resource.

## **C. Issue Discussion**

### **1. Community Character**

While residential development in most of Carmel is excluded from the requirement for a coastal development permit by virtue of Commission Categorical Exclusion E-77-13, demolitions and development along Scenic Road are not excluded. Because the City of Carmel does not have a certified LCP, the Coastal Commission must issue the coastal development permit. The main issue raised by demolition and remodel projects in Carmel is the preservation of community character. Sections 30253 and 30251 of the Coastal Act address the issue of preserving the community character of special communities such as Carmel:

*30253(5): New development shall where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.*

*30251: The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to*



*restore and enhance visual quality on visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

Demolition of existing residential buildings in Carmel is not a recent phenomenon. However, a series of demolitions in the recent past have engendered controversy over whether or not an existing house represents the historical, architectural, and environmental character of Carmel; and if a replacement house detracts from Carmel's character because of a modern design, tree removal, proposed house size, or other characteristics. There are a number of examples where a house or houses were demolished and a single, much larger house constructed on the site. In other instances, a single house straddling a lot line has been demolished and two new, smaller houses were constructed. In either of these types of instances, the character of Carmel may or may not be preserved. The size of a house is one aspect of Carmel's character, but not all existing houses in Carmel are small. However, because the lots are almost all relatively small, about 4000 square feet, the general pattern of development is one of smaller houses.

The architectural style of houses in Carmel is another aspect of the City's character. Many of the houses were built in the first quarter of the century in the Craftsman style; others resemble houses that might be found in an English village. Modern style houses, while they do exist, are not prevalent in Carmel.

A third aspect of Carmel's character is the pine and oak dominated landscape. Although the forest landscape is not all natural – there has been enhancement over the years by tree planting – it pervades the City and is a defining characteristic of Carmel. Demolition can result in tree damage and/or removal. New construction after demolition also may result in the loss of trees, especially if a new structure is built out to the maximum allowed by the zoning.

Carmel is also a very popular visitor destination as much for the style, scale, and rich history of its residential, commercial, and civic architecture, as for its renowned shopping area, forest canopy and white sand beach. The City is considered a "special community" under the Coastal Act due to its unique architectural and visual character. It is often stated that Carmel, along with such other special coastal communities as the town of Mendocino, is one of the special communities for which Coastal Act Section 30253(5) was written. Indeed, Carmel has been, and remains today, a spectacular coastal resource known the world over as an outstanding visitor destination as much for the character of its storied architecture, as for its renowned shopping area and white sand beach. In part, Carmel is made special by the character of development within City limits as various architectural styles present reflect the historical influences that have existed over time.

### **Analysis: Remodel of Existing House.**

According to the City of Carmel, the existing structure is less than 50 years old and is not listed on any state roster of historical or architecturally important structures in the City. Similarly, there is no evidence to suggest any local historic or cultural significance associated with this house or with anyone involved in its construction or who lived there.



The proposed development represents a remodel of the existing structure and a small addition at the rear of the structure and will be unnoticeable from the Scenic Drive streetscape. See Exhibit D. The addition represents less than a 10% increase in square footage as compared to the existing house and the proposed architectural style and exterior materials are similar (Post Modern) to the materials of the existing house. Scale and mass of the home and proposed addition is comparable with that of the general character of other structures along Scenic Road. The addition extends back (east) from the existing house into the backyard and preserves the front yard setback along Scenic Road. The rear setback is reduced by six feet, but still maintains an average 30' setback overall. The mature Cypress tree at the front of the site and all other trees are to remain. The overall height of the remodeled roof will be 3 inches less than existing roof, reducing but will not eliminate entirely the existing height non-conformity. The current ordinance requires structures be no greater than 18 feet in height. The existing structure is 19 feet, 7 inches. As proposed, the roofline will be reduced 3 inches to 19 feet, 4 inches. Thus, the combination of site coverage, location, configuration, and architectural detail does not significantly change the current ambient quality of the site and the overall character along Scenic Road. See Exhibit E.

The subject parcel is located within the city limits of the City of Carmel. The parcel is currently developed with a single family dwelling. Parcels in the vicinity of the subject parcel are developed with single family dwellings at urban densities. All utilities are connected to the existing house on this site. There are adequate public services for the proposed new house. Parking is adequate. Additionally, the proposed new addition meets City requirements for floor area, coverage, and yard setbacks.

The proposed addition will not adversely affect the unique characteristics that make Carmel a special community. Neither the demolition nor the new construction would adversely or significantly affect any public view. The area is developed at urban densities and with urban services in an area able to accommodate the replacement of the existing house with a new one. Therefore, the demolition of the existing structure and the construction of the new structure are consistent with Coastal Act Sections 30251 and 30253(5).

## 2. Local Coastal Programs

The Commission can take no action that would prejudice the options available to the City in preparing a Local Coastal Program that conforms to the provisions of Chapter 3 of the Coastal Act (Section 30604 of the Coastal Act). As described previously, the City is currently working on a new LCP submittal (both LUP and IP), funded in part by an LCP completion grant awarded by the Commission. The City has made progress on the LCP submittal and has indicated that they expect the Land Use Plan and Implementation Plan to be submitted for Commission review in December 2001.

The Coastal Act provides specific guidance for issuance of coastal development permits in cases where the local jurisdiction does not have a certified LCP. Section 30604(a) of the Coastal Act states:

*Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in*



*conformity with Chapter 3 (commencing with Section 30200) and that the permitted development will not prejudice the ability of the local government to prepare a local coastal program that is in conformity with Chapter 3 (commencing with Section 30200).*

A denial of a coastal development permit on grounds it would prejudice the ability of the local government to prepare a local coastal program that is in conformity with Chapter 3 (commencing with Section 30200) shall be accompanied by a specific finding which sets forth the basis for that conclusion. The City is currently in the middle of a community planning process to determine, among other things, the basis for defining Carmel's community character and ways to protect and preserve said character consistent with the Coastal Act. Until that time, Commission staff has been given guidance to use their best professional judgement to assess the individual and cumulative effect that projects such as this will have on the community character of Carmel.

As described previously, to implement community character protection requirements of the Coastal Act, the commission evaluates projects and measures a project's impact on coastal resources across a number of variables. These changes are also evaluated in the overall context of changes in community character. Because the more specific features that define Carmel's character, as well as their significance, has yet to be decided, it is important to focus on measures of significant change to community character so that the completion of an LCP consistent with the Coastal Act is not prejudiced. One such criterion is whether the development will result in more than a 10% increase in the gross square footage, height, or footprint (i.e., size, scale, bulk, etc). Other measures of change in community character, though, include changes in architectural style, demolition of notable or historic buildings, the removal of significant vegetation or trees, any development that facilitates an increase in residential density, etc. Each of these factors must be evaluated separately and together as a whole. As discussed above, the proposed addition is less than a 10% increase in square footage. The proposed project also does not involve demolition of a structure of any historical or architectural significance and the architectural style of the proposed remodel is similar to that already existing on site. No trees will be removed and the project will not affect residential density. Furthermore, the addition preserves the current ambient quality of the site and the overall character along Scenic Road. Thus, in the larger context of community character, the proposed addition and remodel will not significantly change the community character of the area.

Additionally, the proposed project will not otherwise impact public access or view opportunities available along the coast on Scenic Road. Therefore, the Commission finds that the proposed project is consistent with Coastal Act Policy 30604(a) in that approval of the project has been found consistent with the Chapter 3 policies of the Coastal Act and will not prejudice development of the LCP in conformance with Chapter 3 policies of the Coastal Act.

### **3. California Environmental Quality Act (CEQA)**

Section 13096 of the California Code of Regulations requires that a specific finding be made in conjunction with coastal development permit applications showing the application to be consistent with any applicable requirements of CEQA. Section 21080.5(d)(2)(A) of CEQA prohibits a proposed

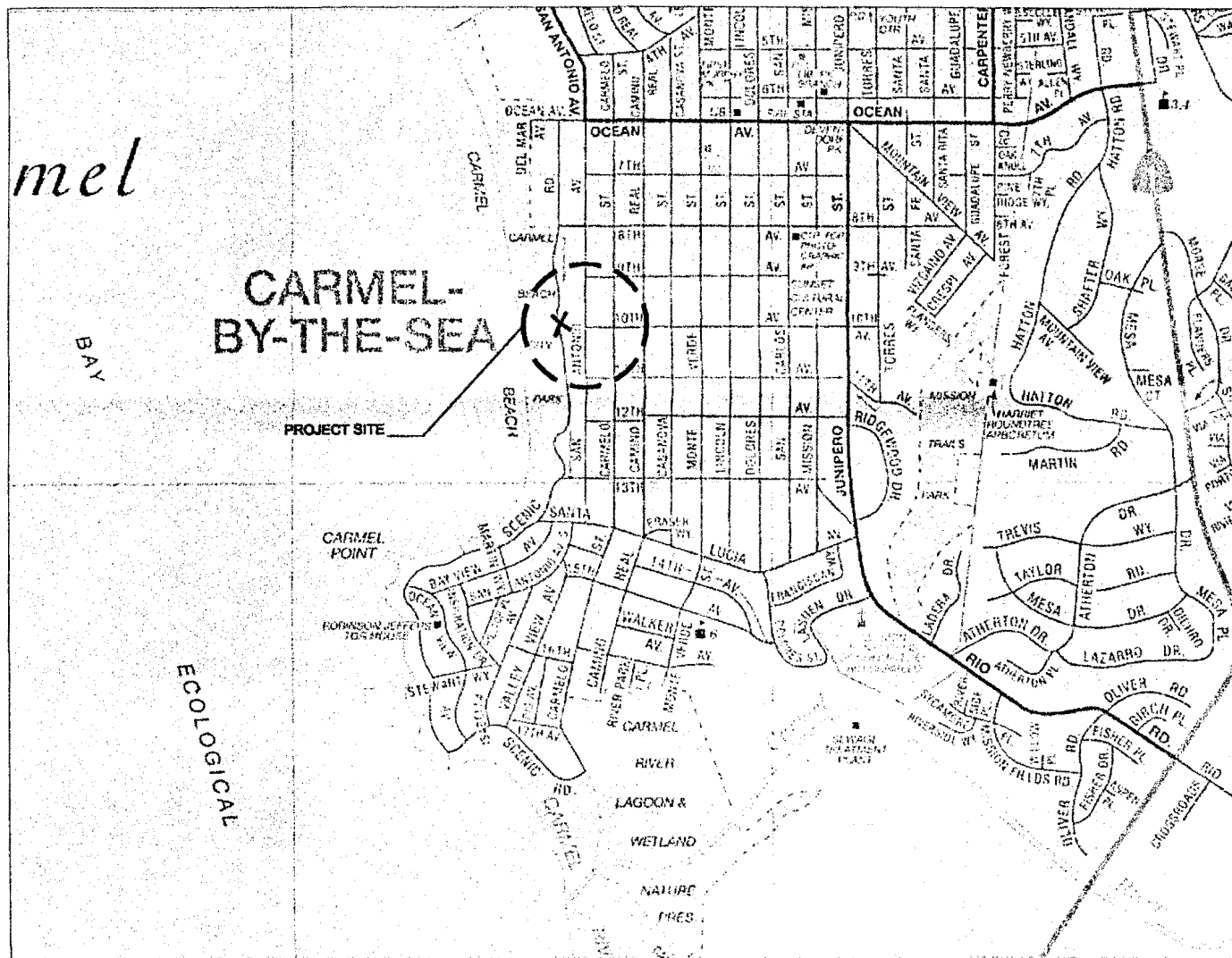


development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The Coastal Commission's review and analysis of land use proposals has been certified by the Secretary of Resources as being the functional equivalent of environmental review under CEQA. The findings, incorporated by reference herein have discussed the relevant coastal resource issues with the proposal. Accordingly, the project is being approved without special conditions or the need to implement mitigating actions required of the Applicant by the Commission. All public comments received relevant to this application have been addressed either in these findings or in other correspondence. As such, the Commission finds that the proposed project will not have any significant adverse effects on the environment within the meaning of CEQA.







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SCHINK RESIDENCE ON SCENIC ROAD  
ADDITION/ REMODEL  
LOT 11, BLOCK A2  
CARMEL-BY-THE-SEA, CA 93823

VICINITY MAP  
13 AUGUST 2001

DRAWN BY:

EXHIBIT NO. A  
APPLICATION NO.  
3-01-075  
Location Map

TAX CODE AREA 1-00

ASSESSOR'S MAP  
BOOK 10 PAGE 30

THIS MAP IS INTENDED TO BE USED FOR  
PROPERTY TAX ASSESSMENT PURPOSES ONLY.

SCALE 1" = 100 FT

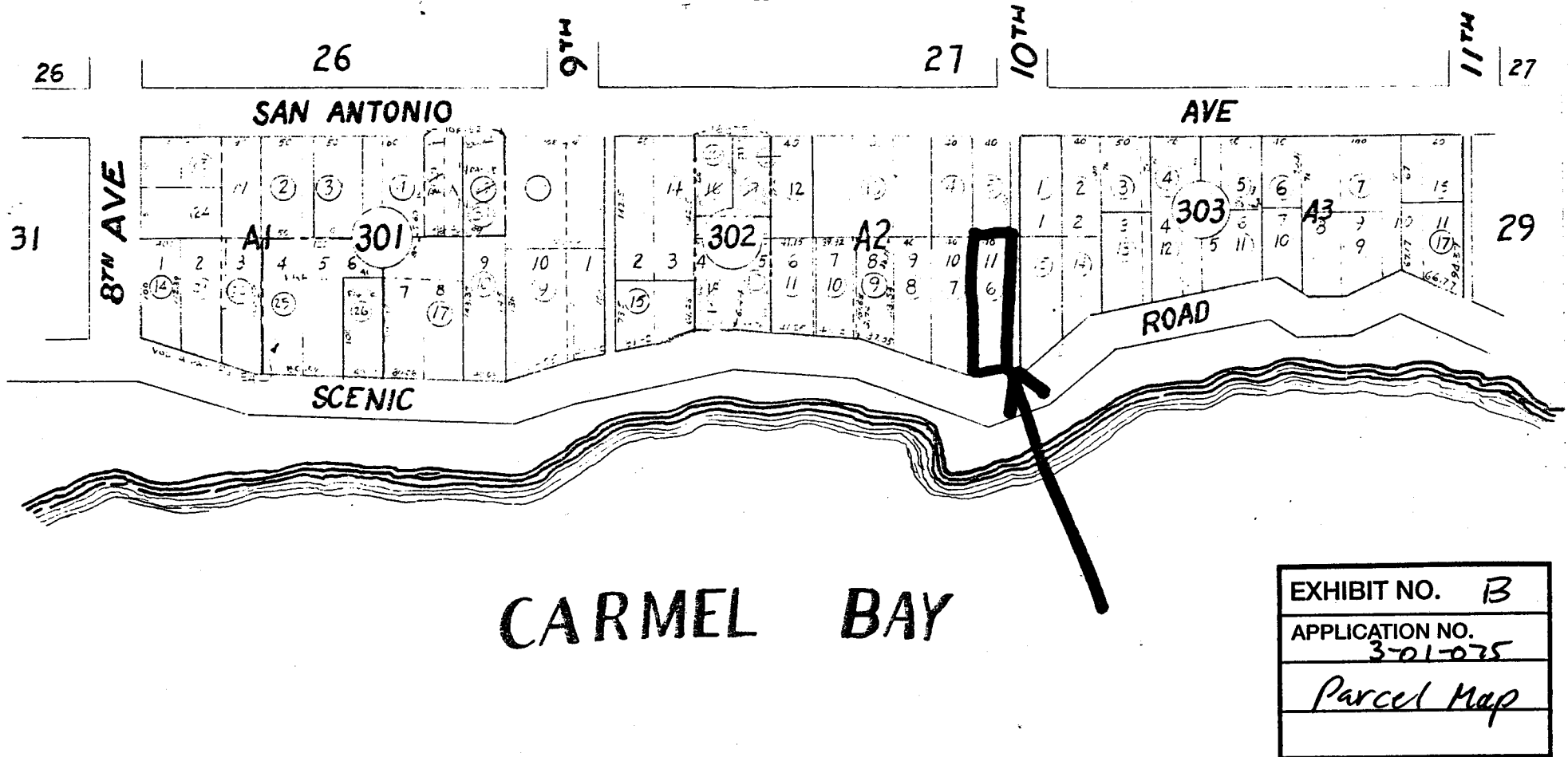
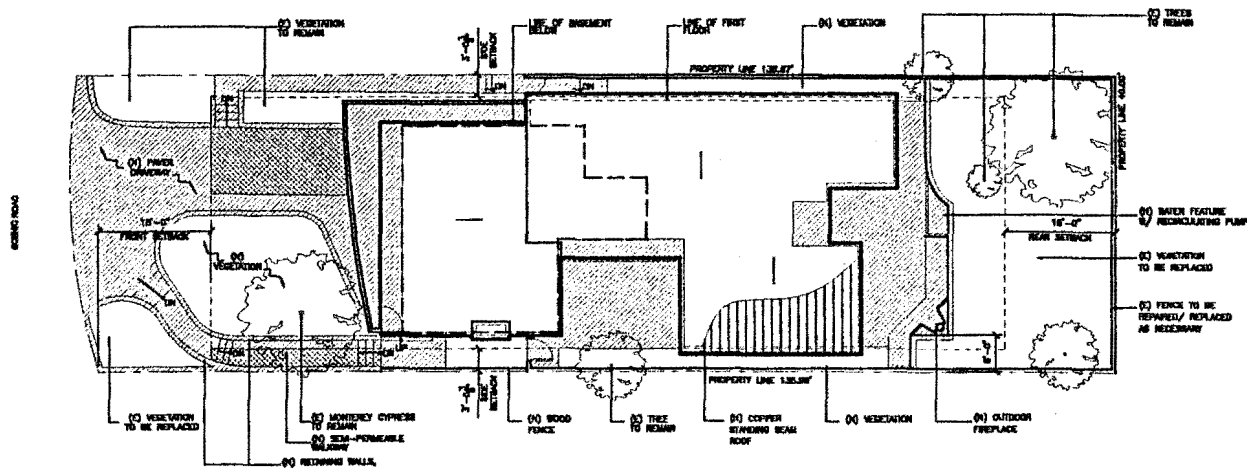
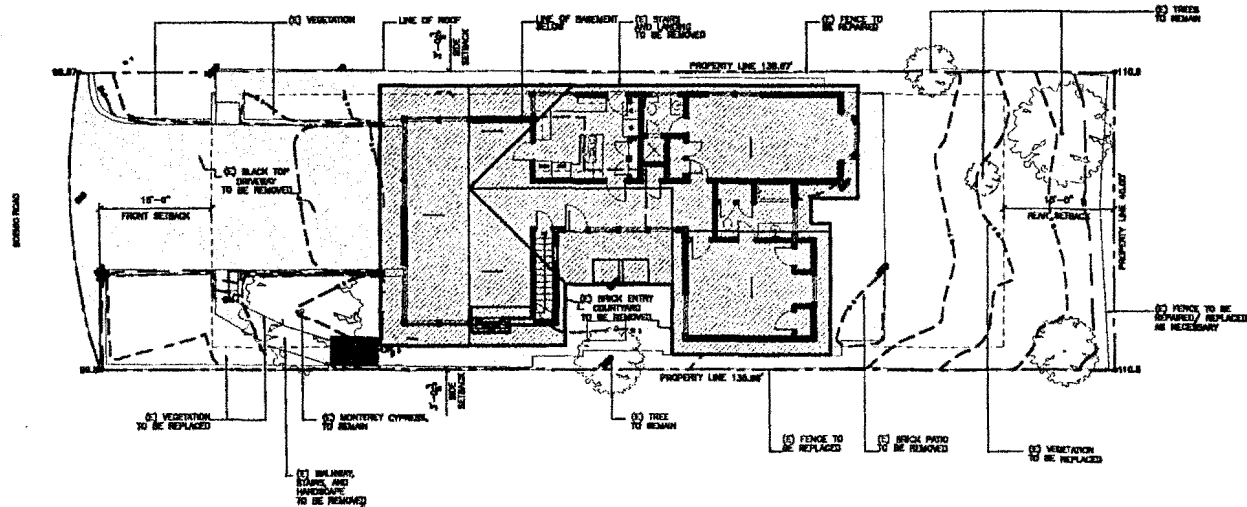


EXHIBIT NO. B
APPLICATION NO. 3-01-035
Parcel Map

CARMEL BY THE SEA ADD'N No. 6  
BLOCKS A1, A2 & A3

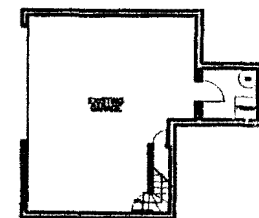


PROPOSED SITE PLAN



EXISTING SITE PLAN / DEMOLITION PLAN

LEGEND / NOTES	
SQUARE FOOTING CALCULATIONS	
<b>PROPOSED</b>	
	- INDICATES AREA OF PROPOSED LAND COVERAGE
	- INDICATES EXISTING AREA OF PROPOSED LAND COVERAGE
PROPOSED GARAGE / LOWER FLOOR SQUARE FOOTAGE:	688 SF
PROPOSED FIRST FLOOR SQUARE FOOTAGE:	1,525 SF
TOTAL PROPOSED BUILDING COVERAGE:	2,213 SF
PROPOSED OPEN SPACE:	1,427 SF
PROPOSED LAND COVERAGE:	
WALLS:	135 SF
WALKWAYS:	255 SF
POAVES:	587 SF
POAVES:	285 SF
DEVELOPMENT:	518 SF
TOTAL PROPOSED LAND COVERAGE:	1,803 SF
PROPOSED SITE COVERAGE:	3,354 SF
<b>EXISTING CONDITIONS DEMOLITION PLANS</b>	
	- EXISTING LAND COVERAGE REMOVAL
	- EXISTING LAND COVERAGE TO BE REPLACED (MATERIAL)
	- EXISTING ROOF TO BE REMOVED
	- EXISTING WALLS TO BE REMOVED
EXISTING CONDITIONS GARAGE SQUARE FOOTAGE:	888 SF
EXISTING CONDITIONS FIRST FLOOR SQUARE FOOTAGE:	1,486 SF
TOTAL EXISTING BUILDING COVERAGE:	2,144 SF
EXISTING CONDITIONS OPEN SPACE:	1,286 SF
EXISTING CONDITIONS LAND COVERAGE:	
WALLS:	103 SF
WALKWAYS:	458 SF
POAVES:	587 SF
POAVES:	55 SF
DEVELOPMENT:	888 SF
TOTAL EXISTING CONDITIONS LAND COVERAGE:	2,076 SF
EXISTING SITE COVERAGE:	3,354 SF



BASEMENT DEMOLITION PLAN



EXHIBIT NO. C

APPLICATION NO.  
3-01-075

Site Plans

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SCHINK RESIDENCE ON SCENIC ROAD

ADDITION/REMODEL  
LOT 11, BLOCK A2  
CARMEL-BY-THE-SEA, CA 93923

SITE PLANS / DEMOLITION PLANS

28 JUNE 2001

DRAWN BY: KY

WEST ELEVATIONS	
13 AUGUST 2001	
DRAWN BY: KT.	

EXHIBIT NO. *D*

APPLICATION NO.

3-01-07

Elmst.

Elevation:

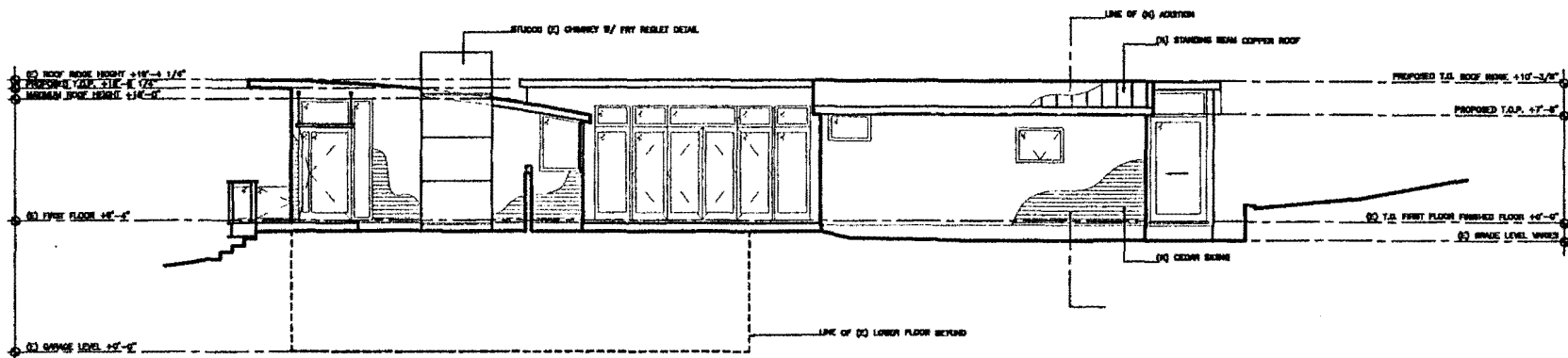
Architectural drawing of a building elevation. The drawing includes the following callouts:

- 90) SHOWING SASH CORNER JOINT
- 91) SHOWING SASH CORNER JOINT
- 92) STEEL FRAMED DOORS AND WINDOWS
- 93) SASH AND SILL, INSULATION
- 94) BRICK PIERCE AND SILL
- 95) HORIZONTAL BRICK SASH

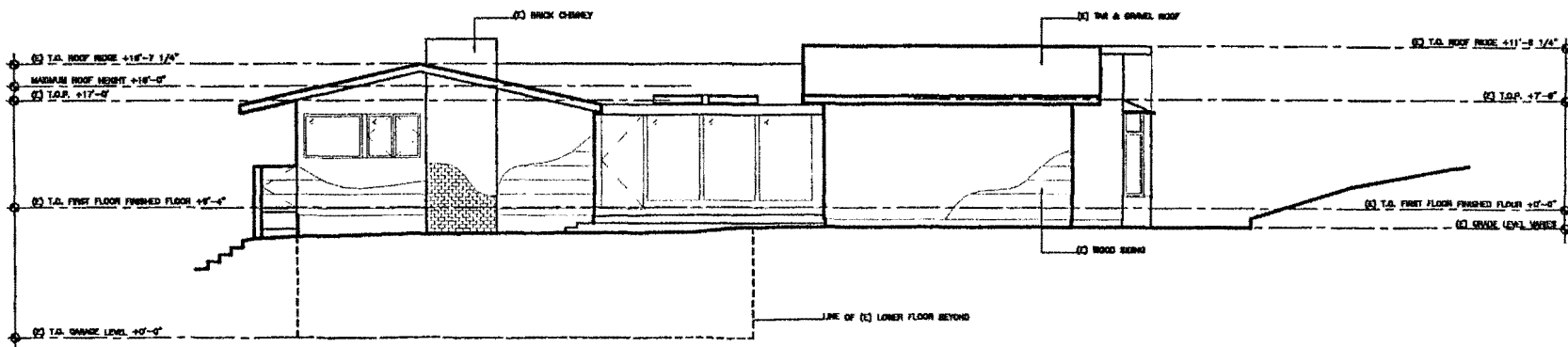
**EXISTING CONDITIONS WEST ELEVATION**

Architectural drawing of a building elevation. The drawing shows a structure with a gabled roof, a chimney, and a large window. Labels with leader lines point to various parts of the building:

- ② 2nd & 3rd FLOOR, ROOF
- ③ 3rd FLOOR, ROOF
- ④ 4th FLOOR, ROOF
- ⑤ 5th FLOOR, ROOF
- ⑥ 6th FLOOR, ROOF
- ⑦ 7th FLOOR, ROOF
- ⑧ 8th FLOOR, ROOF
- ⑨ 9th FLOOR, ROOF
- ⑩ 10th FLOOR, ROOF
- ⑪ 11th FLOOR, ROOF
- ⑫ 12th FLOOR, ROOF
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- ㊽ 48th FLOOR, ROOF
- ㊾ 49th FLOOR, ROOF
- ㊿ 50th FLOOR, ROOF



PROPOSED SOUTH ELEVATION



EXISTING CONDITIONS SOUTH ELEVATION



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SCHINK RESIDENCE ON SCENIC ROAD  
ADDITION/ REMODEL  
LOT 11, BLOCK A2  
CARMEL-BY-THE-SEA, CA 93923

SOUTH ELEVATIONS

13 AUGUST 2001

DRAWN BY: NY

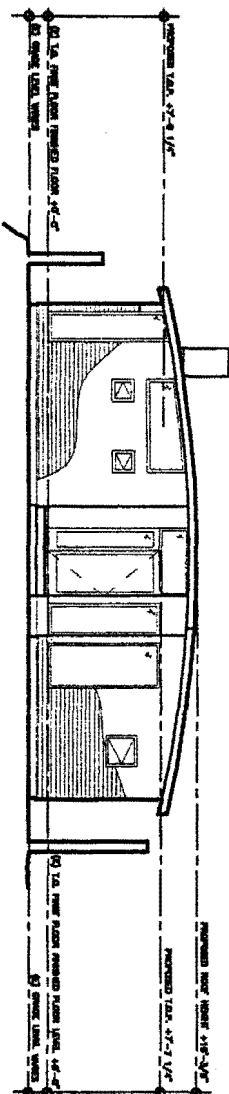
EXHIBIT NO. D

APPLICATION NO.  
3-01-075

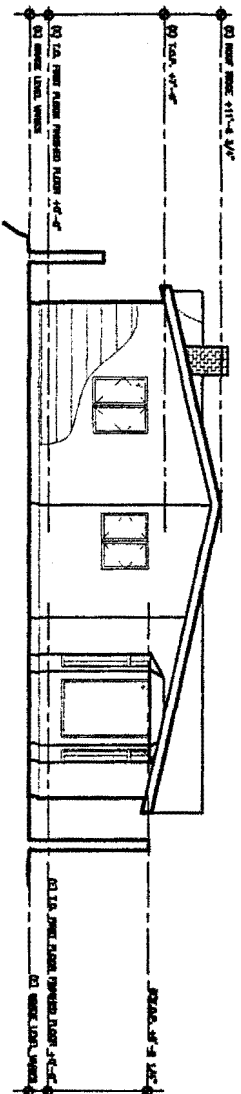
Elevations

p. 5 of 5

**PROPOSED EAST ELEVATION**



**EXISTING CONDITIONS EAST ELEVATION**



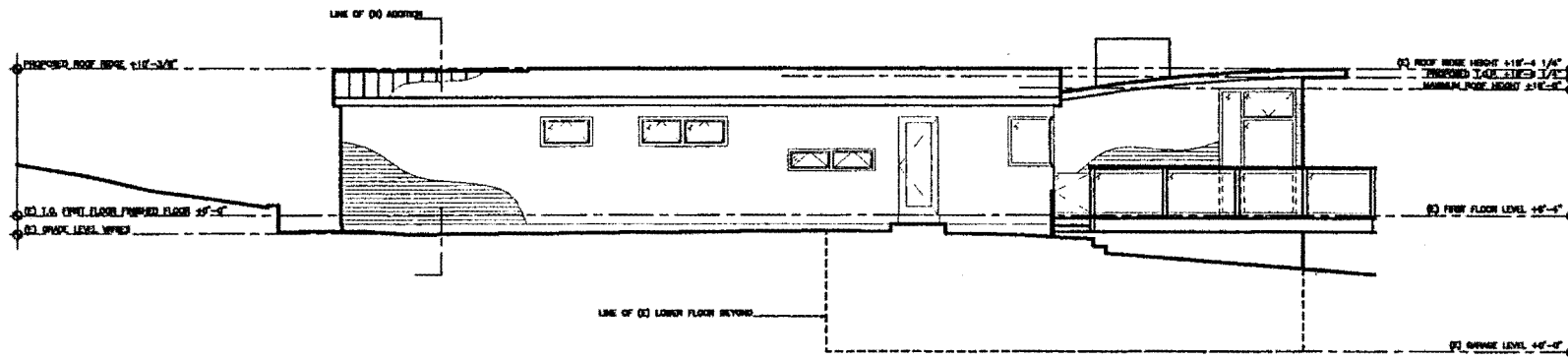
**EXHIBIT NO.** D

APPLICATION NO.

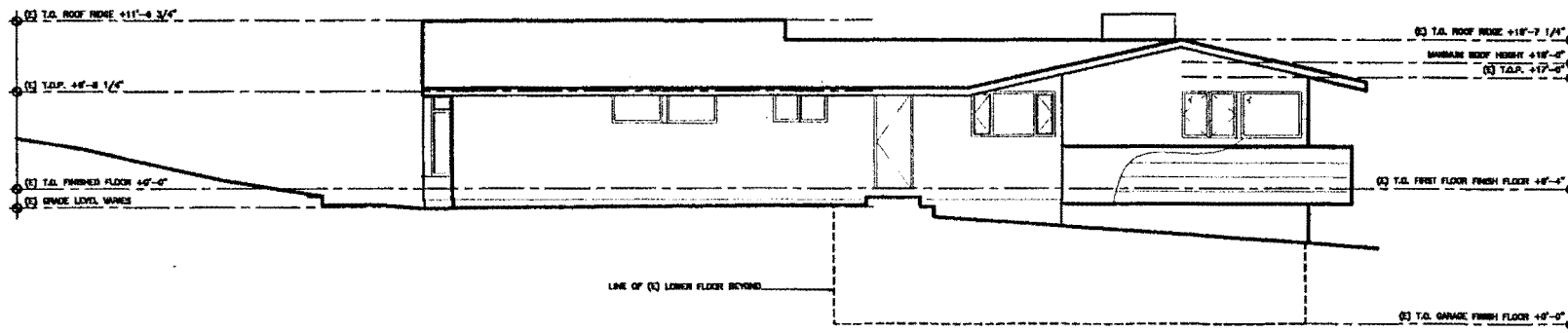
3-01-075

## Elevations

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PROPOSED NORTH ELEVATION



EXISTING CONDITIONS NORTH ELEVATION

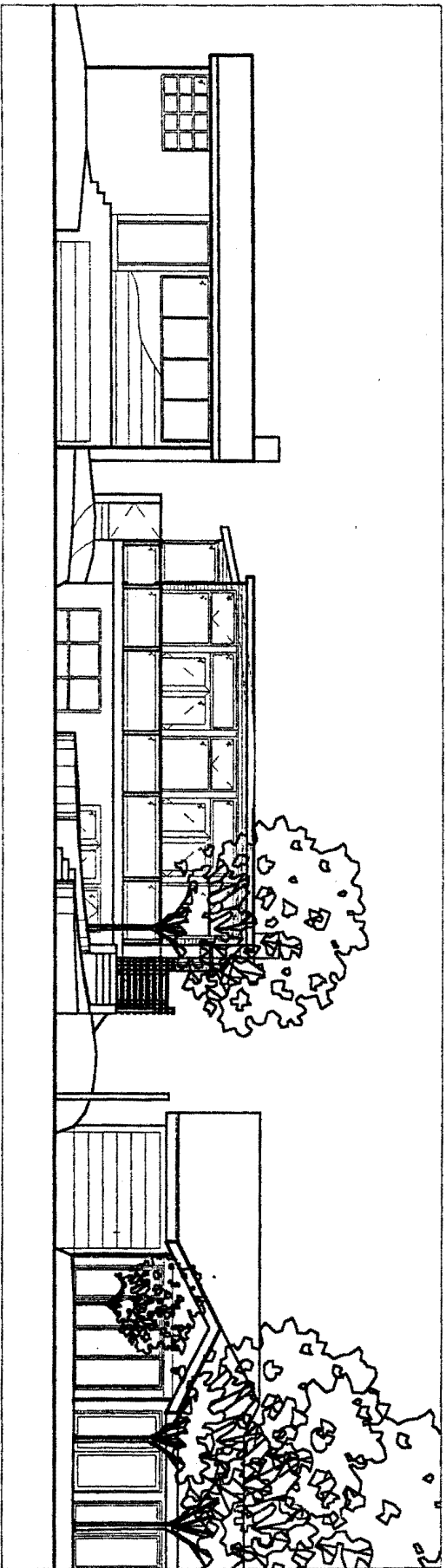
ANA WILLIAMSON ARCHITECT  
885 SANTA CRUZ AVENUE, D  
MENLO PARK, CA 94025  
TEL: 650.329.0577  
FAX: 650.326.4781

SCHINK RESIDENCE ON SCENIC ROAD  
ADDITON/ REMODEL  
LOT 11, BLOCK A2  
CARMEL-BY-THE-SEA, CA 93823

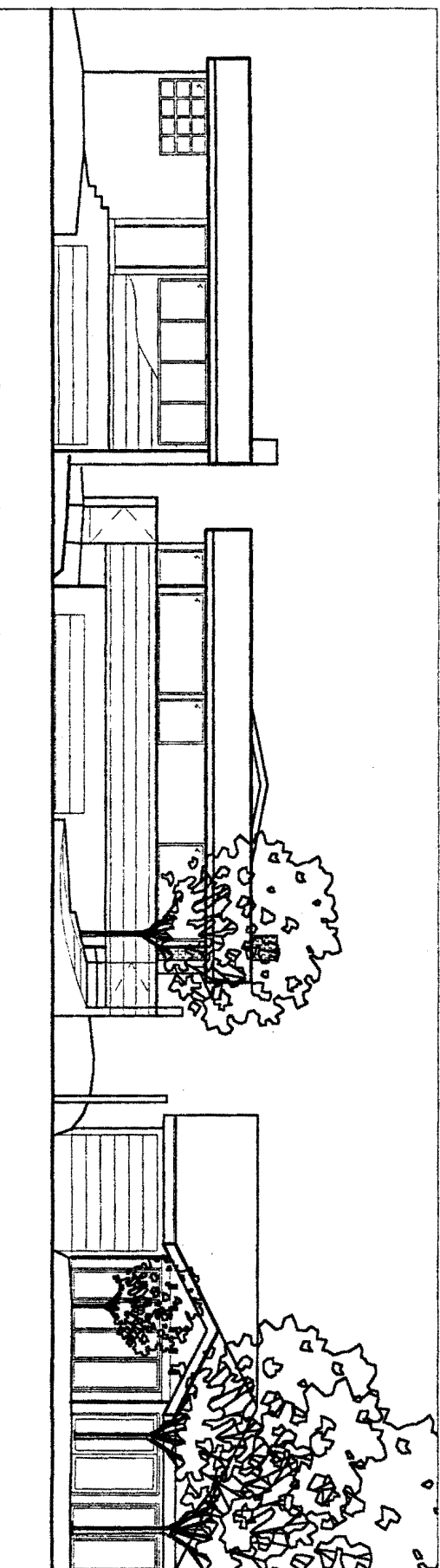
NORTH ELEVATIONS  
13 AUGUST 2001

DRAWN BY: NY

EXHIBIT NO. D  
APPLICATION NO.  
3-01-075  
Elevations  
of 5



PROPOSED STREET ELEVATION



EXISTING CONDITIONS STREET ELEVATION



EXHIBIT NO. D

APPLICATION NO. 3-01-075

SCHINK RESIDENCE ON SCENIC ROAD  
ADDITION/REMODEL  
LOT 11, BLOCK A2  
CARMEI, BY THE SEA, CA 93923

STREET ELEVATIONS

13 AUGUST 2001

DRAWN BY: A.

ANA WILLIAMSON ARCHITECT  
895 SANTA CRUZ AVENUE, D  
MENLO PARK, CA 94025  
TEL: 650.329.0577  
FAX: 650.325.4751

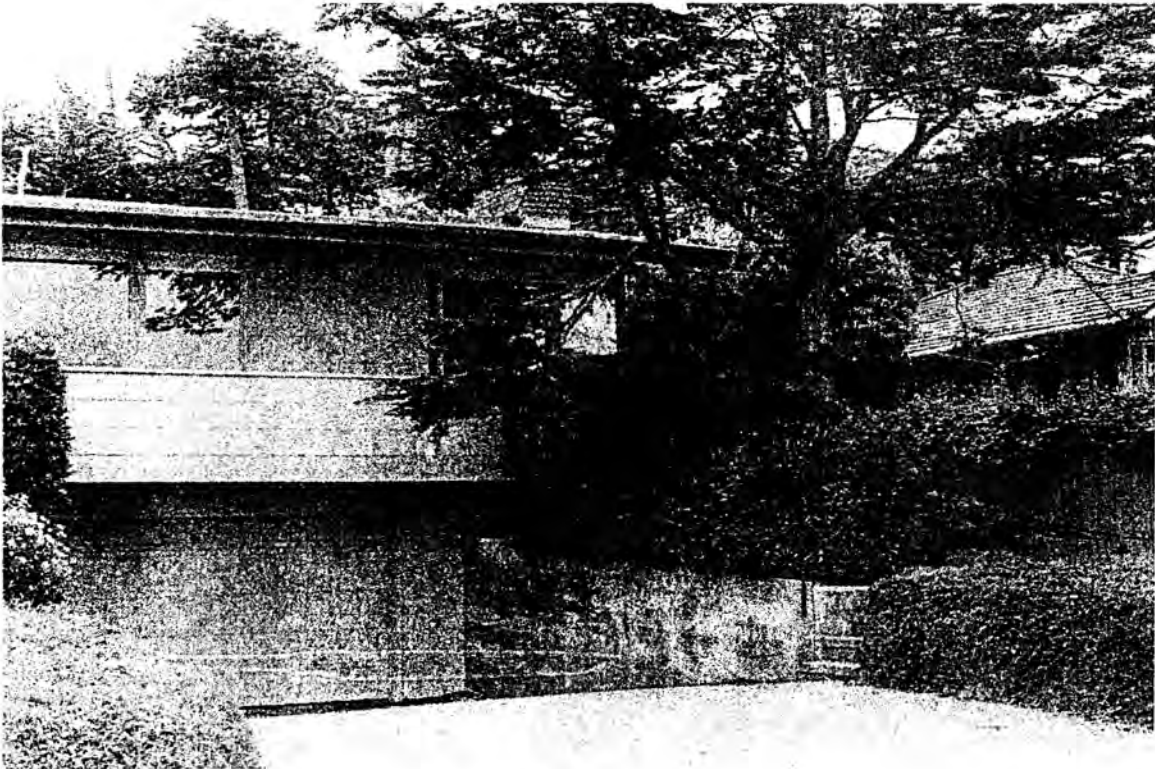
Elevations

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EXISTING FRONT ELEVATION FACING EAST



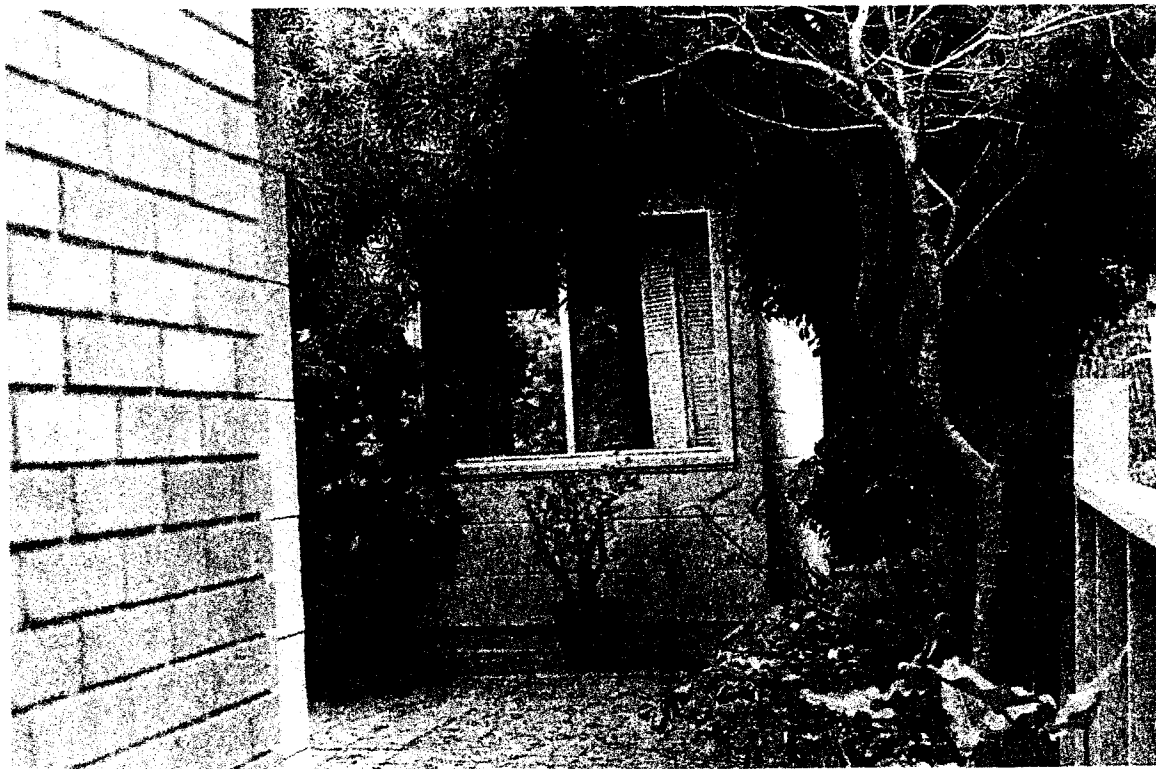
EXISTING FRONT ELEVATION FACING SOUTH EAST

ANA WILLIAMSON ARCHITECT  
885 Santa Cruz Ave D  
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t 650 329 0577  
f 650 325 4781

EXHIBIT NO. E
APPLICATION NO. 3-01-075
Site Photos
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EXISTING FRONT ELEVATION



EXISTING SOUTH SIDE ELEVATION/ ENTRY COURTYARD

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f 650 325 4781

EXHIBIT NO. E

APPLICATION NO.  
3-01-075

Site Photos

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