

ARCHITECTURAL REVIEW BOARD HEARING

The following application will be reviewed by the City of Pacific Grove Architectural Review Board at its meeting on **TUESDAY, July 13, 2010**. The meeting begins at **6:00 p.m.** in the *Pacific Grove City Hall Council Chambers, Pacific Grove Civic Center, 300 Forest Avenue.*

LOCATION: 864 Congress Avenue

APPLICANT: Belinda Taluban, on behalf of Tamsin McAulay

APPLICATION: Architectural Approval Application No. 3020-10

PROJECT DESCRIPTION: Proposed 304 square foot first floor addition to an existing, 1,137 square foot, two-story, single-family dwelling, continuing an existing non-conforming interior side yard setback, and a new 235 square foot deck at rear of proposed addition. Administrative Use Permit approved June 17, 2010 (CEQA Status: Class 1 Categorical Exemption).

The public is invited to submit written comments and to speak at the meeting. The plans are available for review at the Community Development Department, 300 Forest Avenue, from 8:00 a.m. to 12:00 p.m., Monday through Friday. Please phone (831) 648-3190 for further information.


JILL MILLER
ASSISTANT PLANNER

June 23, 2010

The Architectural Review Board will also meet in a plan and site review session on **Tuesday, July 13, 2010, at 12:00 p.m.** in the City Manager's Conference Room at City Hall, 300 Forest Avenue, Pacific Grove, CA. The limited purposes of this session are (1) to visit the site of the projects and (2) allow staff to respond to Board Member's questions regarding the factual aspects of the applications. The plan and site review is an open meeting. Members of the public may attend.

Note: The City of Pacific Grove does not discriminate against persons with disabilities. The Pacific Grove City Hall Council Chambers and Conference Room of the Community Development Department are accessible facilities. A limited number of devices are available to assist those who are hearing impaired. If you would like to use one of these devices, please contact the Community Development Department at (831) 648-3190.

This Notice May Be Removed Five (5) Days After Final Approval

Monterey County
The Herald

PUBLISHED BY THE MONTEREY HERALD COMPANY
P.O. BOX 271 • MONTEREY, CALIFORNIA 93942-0271
(831) 372-3311

**PROOF OF
PUBLICATION**

STATE OF CALIFORNIA

County of Monterey

I am a citizen of the United States and a resident of the County aforesaid. I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of The Herald, a newspaper of general circulation, printed and published daily and Sunday in the City of Monterey, County of Monterey, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Monterey, State of California; that the notice, of which the annexed is a printed copy (set in type not smaller than 6 point), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

6/7/10

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Executed on 6/7/10

at Monterey, CA.

Janie Albames
Signature

This space is reserved for the County Clerk's Filing Stamp

\$146.69 Jill Miller
No. 1334150 AH 6-17-10



**CITY OF PACIFIC GROVE
NOTICE OF PUBLIC HEARING**
Thursday, June 17, 2010
10:00 a.m.

The City of Pacific Grove Chief Planner will hold a public hearing on **Thursday June 17, 2010, at 10:00 a.m.** at the Pacific Grove Civic Center City Manager's Conference Room, 300 Forest Avenue, Pacific Grove, California, to consider the following:

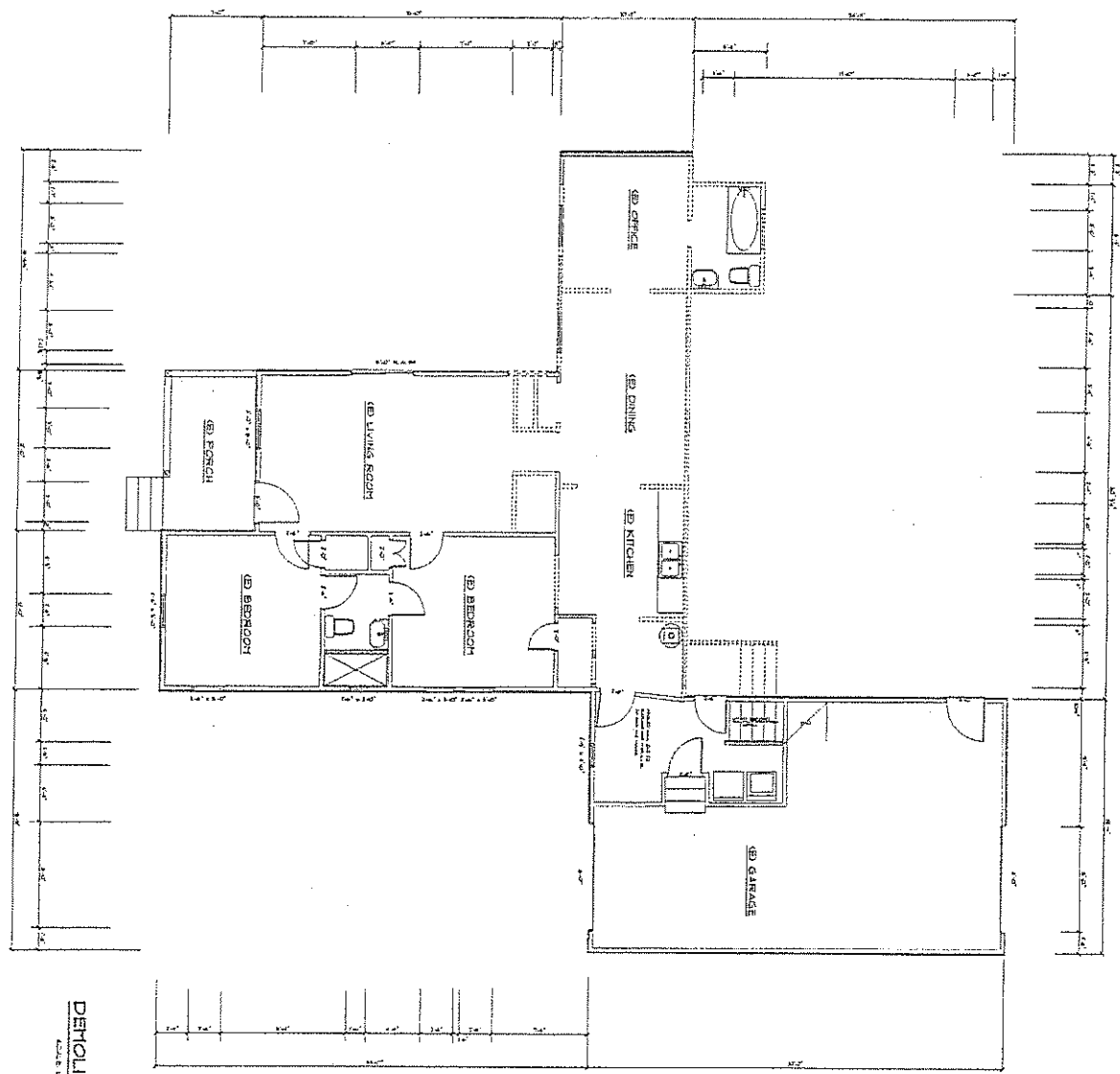
PROJECT ADDRESS: 864 Congress Avenue
WHAT IS BEING CONSIDERED: Use Permit No. 3020-10 Proposed 304 square foot first floor addition to an existing, 1,137 square foot, two-story, single-family dwelling, continuing an existing non-conforming interior side yard setback, and a new 235 square foot deck at rear of proposed addition. Pursuant to Code Section 23.68.050(d)(2), when a single family residence has non-conforming setbacks, additions shall be permitted on the first floor while maintaining yards no less than existing yards, provided a use permit is secured.
CEQA Status: Class 1 Categorical Exemption
Applicant: Belinda Taluban, on behalf of Tamsin McAulay
Staff Contact: Assistant Planner, Jill Miller

Notice dated: June 1, 2010

/s/ Lynn Burgess

LYNN BURGESS
Chief Planner

If you have any questions about this item, please call the staff contact listed above at the Community Development Department (831) 648-3190. Please note that Section 65009(b)(2) of the California Government Code provides that legal challenges to the City's action on this project may be limited to only those issues raised in testimony during the public hearing process. The City of Pacific Grove does not discriminate against persons with disabilities. The Pacific Grove Civic Center is an accessible facility. A limited number of devices are available to assist those who are hearing impaired. If you would like to use one of these devices, please contact the Community Development Department at (831) 648-3190.
Publication Date: June 7, 2010



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

LEGEND

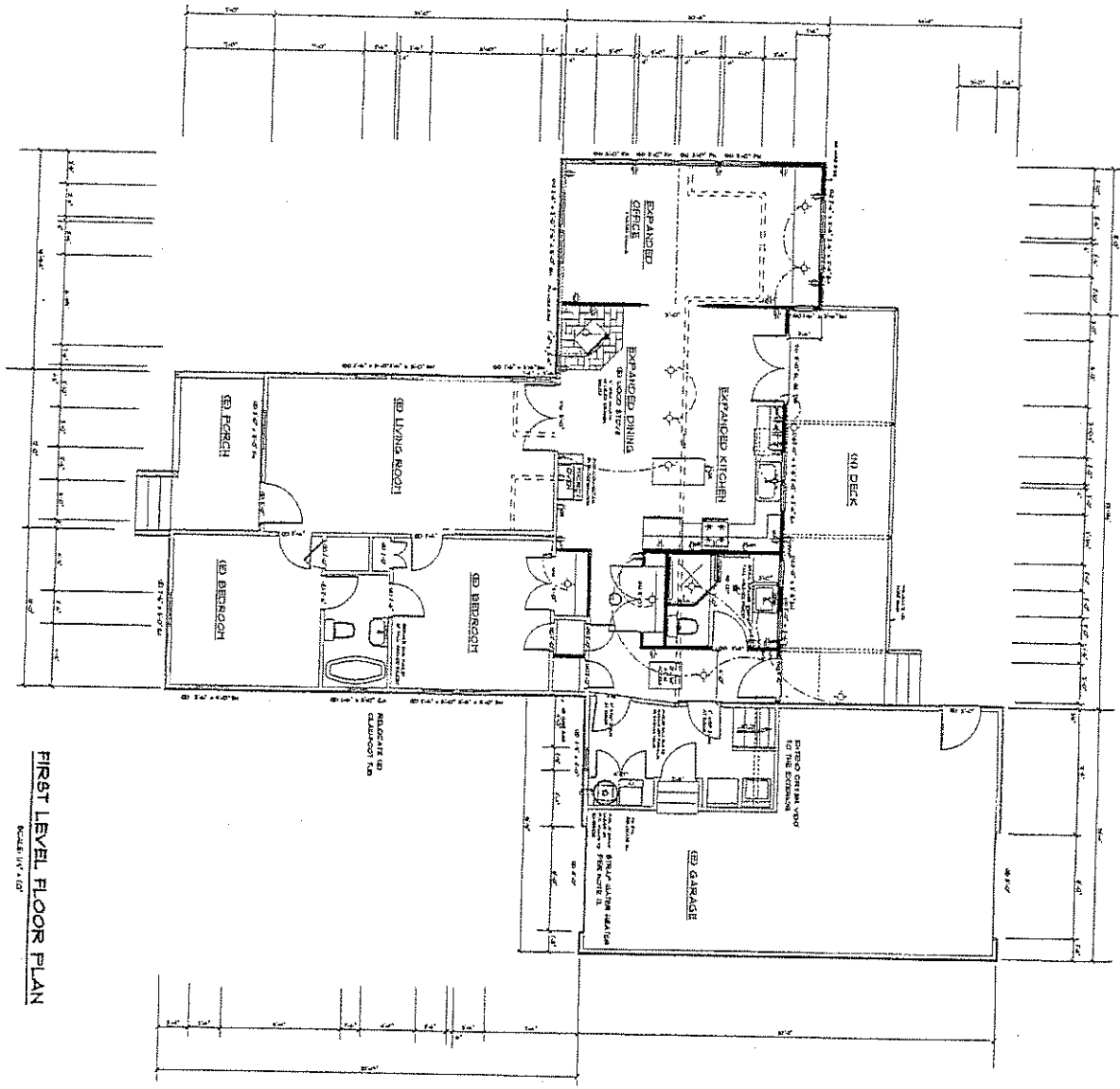
- ☒ REMOVED WALL PARTIAL
- ☒ COMPLETE REMOVAL
- ☒ BRICK REMOVAL
- ☒ BRICK PARTIAL REMOVAL
- ☒ WALL TO BE REMOVED AND REBUILT
- ☒ WALL TO BE REMOVED AND NOT REBUILT

WALL TOTALS

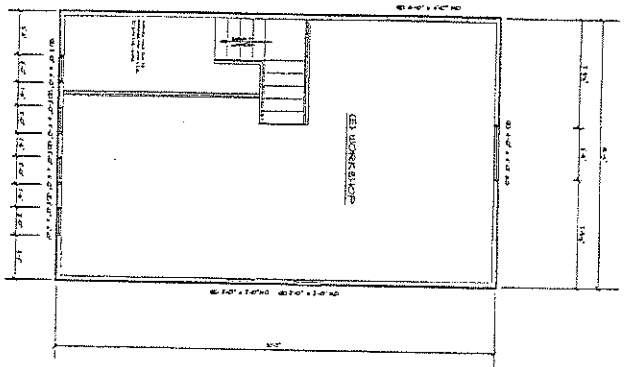
☒ REMOVED WALL	443 S.F.	(221 S.F.)
☒ REMOVED WALL PARTIAL	4100 S.F.	(2050 S.F.)
☒ BRICK REMOVAL	128 S.F.	(64 S.F.)
☒ BRICK PARTIAL REMOVAL	128 S.F.	(64 S.F.)
☒ WALL TO BE REMOVED AND REBUILT	443 S.F.	(221 S.F.)
☒ WALL TO BE REMOVED AND NOT REBUILT	4100 S.F.	(2050 S.F.)
TOTAL WALLS REMOVED	4571 S.F.	(2279 S.F.)



DEMOLITION PLAN <small>TALUBAN ENGINEERING, INC. 109 B CENTRAL AVENUE SALINAS, CALIFORNIA 93901 P.O. BOX 70 SALINAS, CALIFORNIA 93901 PHONE 531-0100</small>	TALUBAN ENGINEERING, INC. <small>109 B CENTRAL AVENUE SALINAS, CALIFORNIA 93901 P.O. BOX 70 SALINAS, CALIFORNIA 93901 PHONE 531-0100</small>
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FIRST LEVEL FLOOR PLAN
SCALE: 1/8" = 1'-0"



SECOND LEVEL FLOOR PLAN
SCALE: 1/8" = 1'-0"

WALL AND FLOOR AREAS:

NO EXTENSION WALLS	NO EXT.	1410.00 S.F.
NO EXTENSION WALLS	EXT. LR	3200.00 S.F.
TOTAL NO WALLS	WALLS	4610.00 S.F.
REMOVED FLOOR AREA		487.50 S.F.
NEW FLOOR AREA		4122.50 S.F.

LEGEND

- ◇ CONT. FINISH
- FLOOR/CEILING LIGHT FIXTURES
- DOWNWARD ELECTRICAL PANELS
- UPWARD ELECTRICAL PANELS
- SINGLE POINT LIGHT FIXTURES
- WALL
- WALL TO BE REMOVED AND REWALL
- WALL EXTENSION TO BE REMOVED
- NO WALL



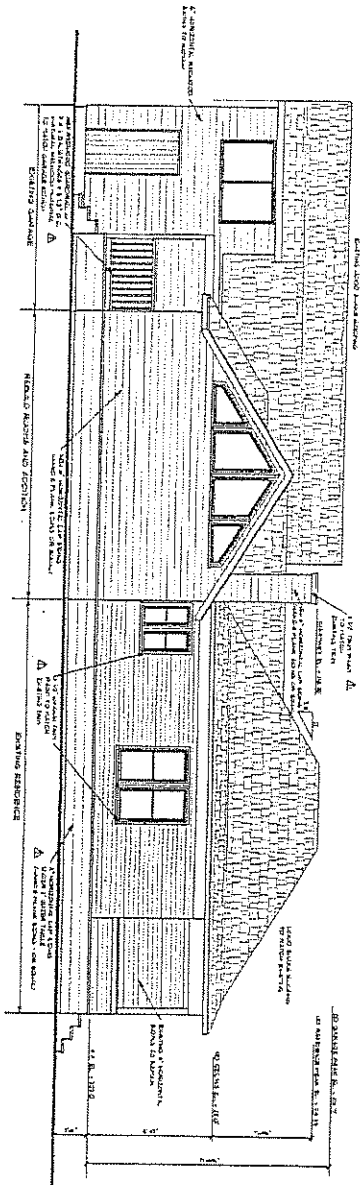
FLOOR PLANS

TALUBAN ENGINEERING, INC.
103 B CENTRAL AVENUE
SALINAS, CALIFORNIA 93901
P.O. BOX 283 SALINAS, CALIFORNIA 93901 PHONE: 831-764-0545

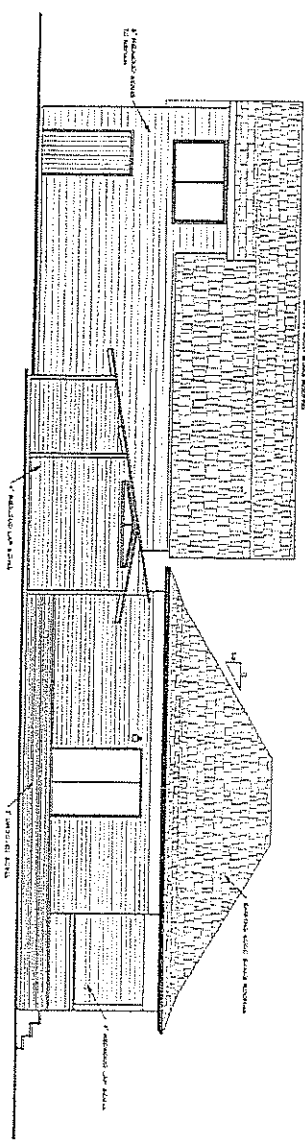
TALUBAN ENGINEERING, INC.

103 B CENTRAL AVENUE
SALINAS, CALIFORNIA 93901
P.O. BOX 283 SALINAS, CALIFORNIA 93901 PHONE: 831-764-0545

A.1
DATE



LEFT ELEVATION
SCALE 1/4" = 1'-0"



EXISTING LEFT ELEVATION
SCALE 1/4" = 1'-0"

NOTE
ALL NEW WINDOWS AND DOORS SHALL BE FORMULATED
LOOK OR FINISH TO BE DOORS AND WINDOWS
EXHIBIT 111111 AND FINISH TO MATCH EXISTING CONDITIONS

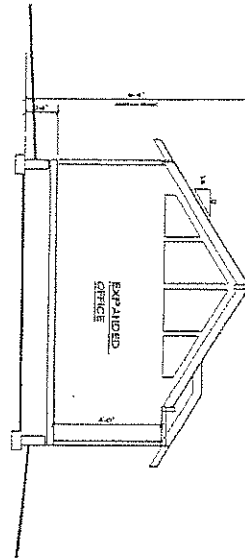


A.3
DATE

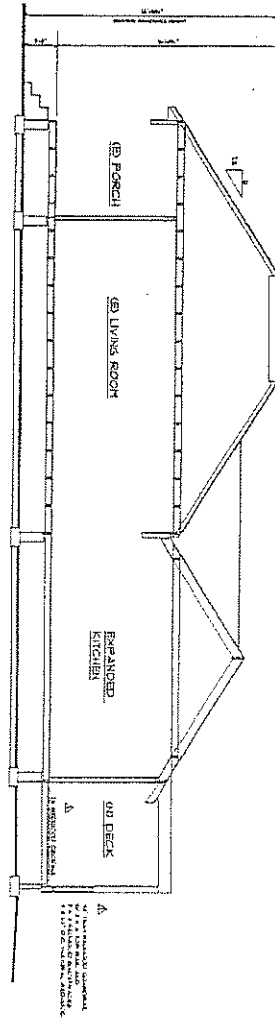
LEFT ELEVATIONS
TAMBIN MCALAY
164 CONGRESS AVENUE
PACIFIC GROVE CALIFORNIA

TALUBAN ENGINEERING, INC.
109 B CENTRAL AVENUE
BALINAS, CALIFORNIA 93901
P.O. BOX 287 BALINAS CALIFORNIA 93901 PHONE: 831-241-0548

DATE
DRAWN BY
CHECKED BY
SCALE



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



EXISTING HOUSE / KITCHEN SECTION
SCALE: 1/4" = 1'-0"



DATE: 11/15/10
SCALE: AS SHOWN
SHEET: 21
TALUBAN ENGINEERING, INC.
109 B CENTRAL AVENUE
SALINAS, CALIFORNIA 93901
P.O. BOX 71 SALINAS, CALIFORNIA 93901 PHONE: 831-741-0046

TYPICAL SECTIONS

TALUBAN ENGINEERING, INC.
109 B CENTRAL AVENUE
SALINAS, CALIFORNIA 93901
P.O. BOX 71 SALINAS, CALIFORNIA 93901 PHONE: 831-741-0046

TALUBAN ENGINEERING, INC.

109 B CENTRAL AVENUE
SALINAS, CALIFORNIA 93901
P.O. BOX 71 SALINAS, CALIFORNIA 93901 PHONE: 831-741-0046

DATE: 11/15/10
SCALE: AS SHOWN
SHEET: 21
TALUBAN ENGINEERING, INC.
109 B CENTRAL AVENUE
SALINAS, CALIFORNIA 93901
P.O. BOX 71 SALINAS, CALIFORNIA 93901 PHONE: 831-741-0046

A.6

State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code 6
Other Listings _____
Review Code _____ Reviewer _____ Date _____

*Resource Name or # (Assigned by recorder) Map Reference # 18

P1. Other Identifier: 864 Congress Avenue

*P2. Location: Not for Publication Unrestricted
and (P2b and P2c or P2d. Attach a Location Map as necessary.)

*a. County Monterey

*b. USGS 7.5' Quad Monterey Date 1947 (photorevised 1983) T _____; R _____; $\frac{1}{4}$ of Sec _____; _____ B.M.

c. Address 864 Congress Avenue City Pacific Grove Zip 93950

d. UTM: (give more than one for large and/or linear resources) Zone _____; _____ mE/ _____ mN

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)

APN: 006-641-066

*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

The parcel at 864 Congress Avenue contains a single-family residence with an irregular footprint and two sheds. The residence, originally built in 1913 as a one story Bungalow house, underwent a series of alterations after 1928 that included a succession of additions to the north and west corners of the building, giving it an area of 1,105 square feet. In 1982, a two-story addition, serving as an attached garage with living quarters on the second story, was constructed on the north corner of the residence, adding 520 square feet to the building's total living space. The wood frame house sits on a wood and concrete pier foundation. A hipped roof sheathed in shake tops the original portion of the building (shown in **Photograph 1**), and features boxed eaves with a wood fascia board and a frieze; the 1982 addition is capped by a gambrel roof (see **Photograph 2**). (See Continuation Sheet)

*P3b. Resource Attributes: (List attributes and codes) HP2 (Single Family Residence)

*P4. Resources Present: Building Structure Object Site District Element of District Other (Isolates, etc.)

P5b. Description of Photo: (View, date, accession #) Photograph 1: camera facing northwest; March 14, 2002.

*P6. Date Constructed/Age and Sources:
 Historic Prehistoric Both
1913; Assessor's Historic Property Records

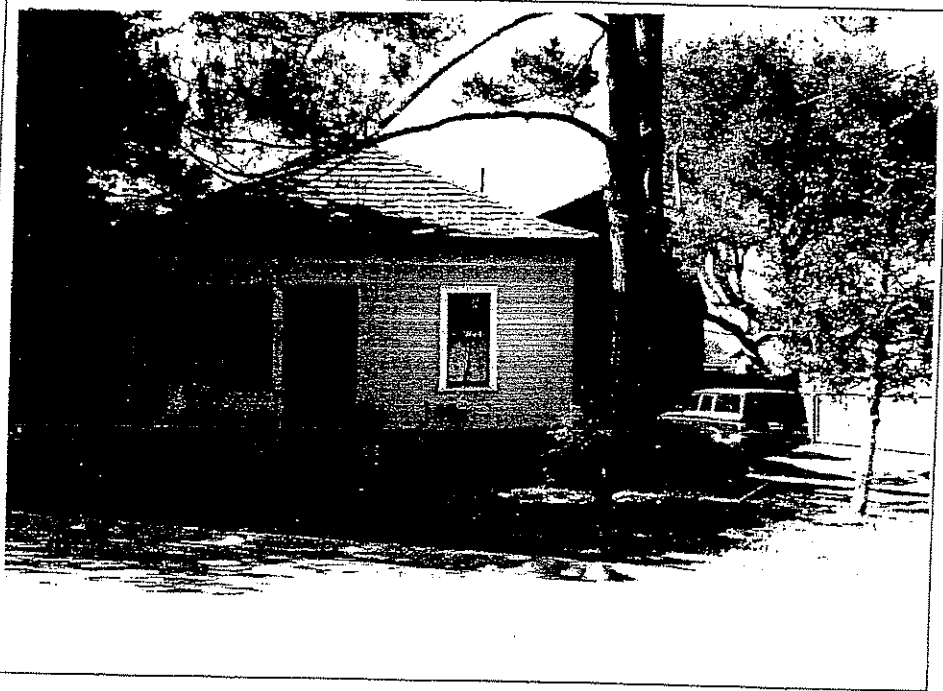
*P7. Owner and Address:
Tamsin H. McAuley
864 Congress Avenue
Pacific Grove, CA 93950

*P8. Recorded by: (Name, affiliation, address)
Theresa Rogers and Jessica Herrick,
JRP Historical Consulting Services,
1490 Drew Ave, Suite 110, Davis,
CA 95616

*P9. Date Recorded: March 14, 2002

*P10. Survey Type: (Describe)

Intensive



*P11. Report Citation: (Cite survey report and other sources, or enter "none.") JRP Historical Consulting Services, "HRER, Congress Avenue Curb and Gutter, Sidewalk Improvement Project, City of Pacific Grove, Monterey County, California." June 2002.

*Attachments: NONE Location Map Sketch Map Continuation Sheet Building, Structure, and Object Record Archaeological Record
 District Record Linear Feature Record Milling Station Record Rock Art Record Artifact Record Photograph Record
 Other (list) _____

BUILDING, STRUCTURE, AND OBJECT RECORD

Page 2 of 6

*NRHP Status Code 6

*Resource Name or # (Assigned by recorder) Map Reference # 18

B1. Historic Name: _____
B2. Common Name: 864 Congress Avenue
B3. Original Use: Single Family Residence B4. Present Use: Single Family Residence
*B5. Architectural Style: Bungalow
*B6. Construction History: (Construction date, alteration, and date of alterations) 1913; series of additions between 1928 and 1962 addition in 1981

*B7. Moved? No Yes Unknown Date: _____ Original Location: _____

*B8. Related Features: Two sheds

B9. Architect: Unknown b. Builder: Unknown

*B10. Significance: Theme n/a Area n/a
Period of Significance n/a Property Type n/a Applicable Criteria n/a

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

The property at 864 Congress Avenue does not appear to meet the criteria for listing in the National Register of Historic Places or the California Register of Historical Resources, because of a lack of historical and architectural significance. The property was originally part of a larger semi-rural property owned by the Ziegler family, containing at least one other residence and a poultry house. A series of additions to the residence between 1928 and 1981, along with the subsequent subdivision of the property have resulted in a substantial loss of the property's historic integrity. Research conducted for this project does not suggest that any of the known residents were historic persons significant to the local community (Criterion B). The property does not appear to be associated with events (Criterion A) significant to the history of the area, nor do any of the buildings appear to embody distinctive characteristics of type, period, or method of construction (Criterion C). In rare instances, buildings themselves can serve as sources of important information about historic construction materials or technologies (Criterion D), but this property is well documented and does not appear to be a principal source of important information in this regard. (See Continuation Sheet)

B11. Additional Resource Attributes: (List attributes and codes)

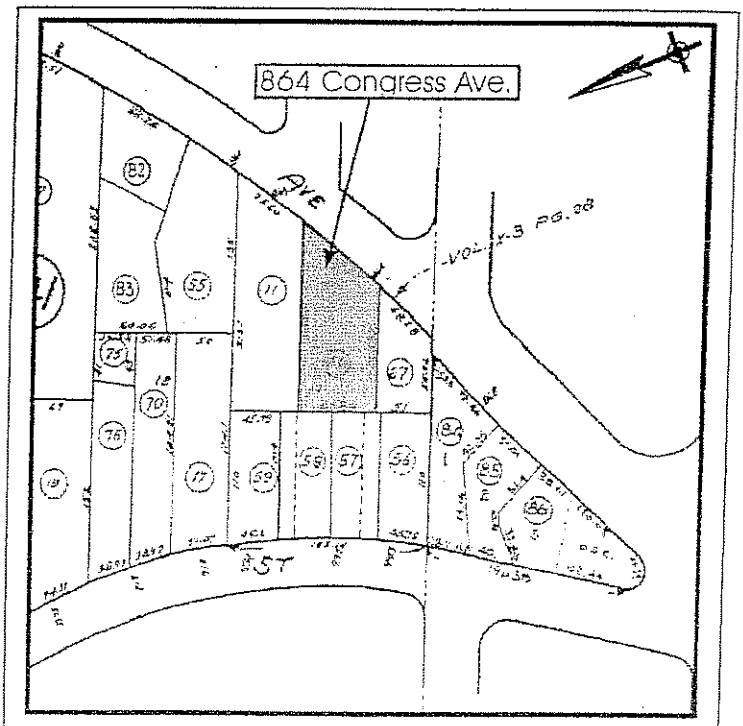
*B12. References: Monterey County Assessor's Office Records; Historic Parcel Records (Monterey County Recorder and Assessor); Historic Vertical Files (Monterey Public Library); Pacific Grove City Directories; Pacific Grove Building Department Records.

B13. Remarks:

*B14. Evaluator: Theresa Rogers and Jessica Herrick

*Date of Evaluation: May 30, 2002

(This space reserved for official comments.)



P3a. Description (continued):

The earliest additions at the north and west corners have shed roofs clad in shake; a subsequent addition to the west corner is capped by a gable shake roof with projecting eaves and exposed rafter tails (see **Photograph 3**). Yet another addition appears under the eaves of the gabled addition on the west corner, this one with a shed roof clad in wood shake shingles (see **Photograph 4**). All of the walls of the residence, except for those of the two story addition, are clad in clapboard siding with end boards appearing on the additions.

The façade (on the original portion of the house, facing southeast towards Congress Avenue) is dominated by a porch recessed under the southern corner, its roof supported by two wood posts on a blind balustrade. Brick steps flanked by low brick walls provide access to the porch, which in turn leads to the main entryway, a wood paneled door apparently original to the house. The façade also features a wood frame casement window north of the recessed porch, a 2/2 double hung wood frame window under the overhang of the porch roof, and multi-pane operable sash windows on the additions. An aluminum sliding glass door appears on the south side of the original portion of the house. Further fenestration includes wood frame fixed, casement and 1/1 double hung windows.

The two-story addition (shown in **Photograph 2**) rests on a concrete foundation and is topped by a gambrel roof clad in wood shake with close eaves. Its walls are sheathed in horizontal wood siding. The addition's first story is occupied by a 608 square foot garage while the second story provides 520 square feet of extra living space for the residence. A dormer appears on the northeast side. The façade (southeast side) has a fixed pane window and 1/1 double hung windows set singly and in pairs, as well as a wood panel tilt-up door.

A pair of sheds sit northeast of the residence (see **Photograph 4**). The southernmost shed has a shed roof clad in composition shingles, with a fixed window below the eaves on the southeast side. A modern plywood shed is sited north of the first shed. Both sheds are obscured from view by foliage, a fence and the surrounding buildings.

B10. Significance (continued):

This property was originally part of a larger, 2-acre farm purchased by Orion San Juan Ziegler in November 1919. It appears the property was subdivided into two lots in the mid-1920s. The residence at 864 Congress Avenue constructed in 1913, served as the Ziegler family home, and was located in the northern half of the southern acre along with a few outbuildings such as a chicken house. It appears that Orion's brother, Claude B. Ziegler obtained ownership of this home by 1930, and remained at the residence until 1946. Claude, born September 9 1886 in York, Nebraska, moved to Pacific Grove ca. 1925 with his wife Frances Isabel. Claude worked as an electrician and also participated in the automotive industry. In 1946, in preparation for the construction of a new 1,300 square foot residence, the Ziegler's obtained a building permit for a temporary, 600 square foot residence (862 Congress Avenue) on the northern part of the parcel containing 864 Congress Avenue. The parcel was subdivided, and the Ziegler's moved to 862 Congress Avenue, selling 864 Congress Avenue to Robert A. and Kathryn B. Dalton.¹

Robert Dalton, born August 1, 1917 in Pinedale, Wyoming, lived in Carmel as a child. While attending high school in Monterey, he became known for his boxing skills. After high school, he served with the 89th Infantry Division of the U.S. Army and also the Office of Strategic Services in Burma and India during World War II. He returned to the Monterey area after the war, buying the house at 864 Congress Avenue with his wife, Kathryn. While living at this residence, Robert worked as a carpenter for such companies as Granite Construction and Carmel Construction, Incorporated, before starting work in 1961 for the City of Seaside's redevelopment agency, where he remained until his retirement in 1981. Robert died in 1985, having been a member of the Laborers Union No. 690 of Monterey, the Carpenters Union Local 1323 of Monterey, the American Legion Seaside Post 591, the Seamount Veterans of Foreign Wars, the Veterans of OSS and the 101 Association. The Daltons resided at 864 Congress Avenue at least until 1957. During the 1950s, the Daltons apparently rented a residence at the rear of the property to families including Vernon and Marilyn Y. Westbrook and James D. and Faye Fincher; no evidence of this rear residence exists today. It was probably demolished to make room for the two-story addition constructed in the early 1980s.²

None of the people associated with 864 Congress Avenue appear to have gained a place of significance within the history of the local community, nor does the property have any known association with events important to our history (Criteria B and A). The numerous additions, combined with the change in character of the surrounding properties from semi-rural to residential, have resulted in a loss of historic integrity. Additionally, the residence, being a modest example of a Bungalow, does not appear to be a distinct example of a type, period or method of construction, nor is it the work of a master (Criterion C). Furthermore, this property has been evaluated in accordance with Section 15064.5(a)(2)-(3) of the CEQA Guidelines, using the criteria outlined in Section 5024.1 of the California Public Resources Code. This historic property does not appear to meet the significance criteria as outlined in these guidelines.

The property at 864 Congress Avenue is not listed in the City of Pacific Grove's Historic Resources Inventory, as described in the City of Pacific Grove Ordinance No. 01-25, Section 23.76.020.

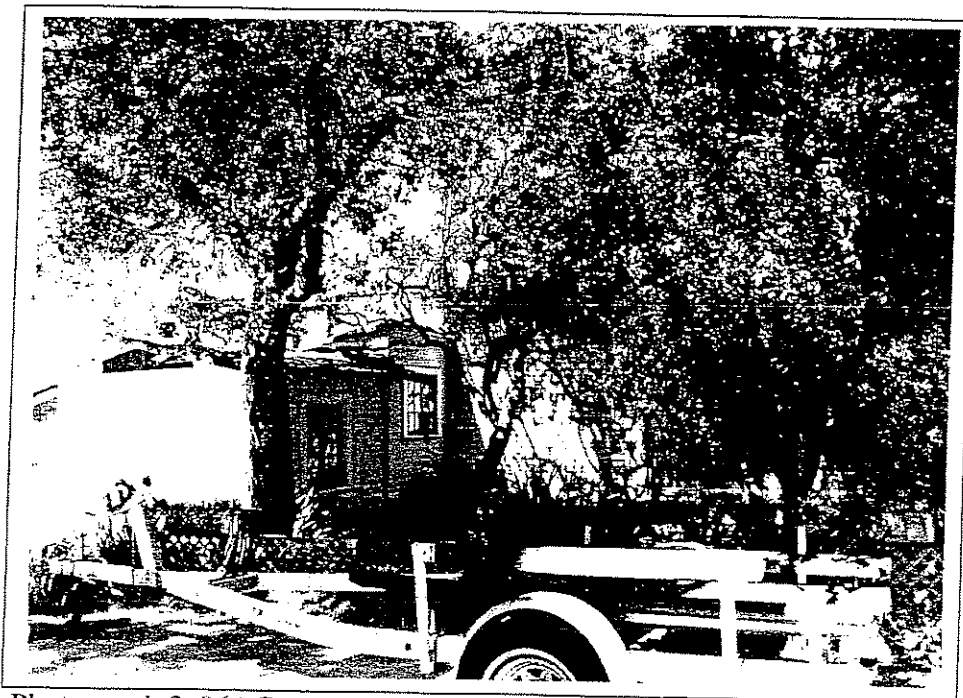
¹ City of Pacific Grove "Building Classification and Computation Record, Revaluation of Land and Improvements"; Obituary, C.B. Ziegler, *Monterey Peninsula Herald*, March 20, 1956; Obituary, Mrs. Ziegler, *Monterey Peninsula Herald*, July 13, 1960.

² Obituary, Robert Dalton, *Monterey Peninsula Herald*, June 6, 1985; City of Pacific Grove City Directories, 1949, 1951, 1953, 1954-1955, 1957.

Photographs



Photograph 2. 1981 addition, camera facing west, March 14, 2002.



Photograph 3: 864 Congress Avenue, camera facing north, March 14, 2002.

Photographs



Photograph 4. Sheds (at right), camera facing west, March 14, 2002.

USE PERMIT = 373.75

~~#1551~~
\$ 1109.75

CITY OF PACIFIC GROVE
APPLICATION FOR ARCHITECTURAL APPROVAL
(Municipal Code Chapter 23.73)

CDD Use only
A.A. APPLICATION NO
3950-10

FEE $965 \times 15\% = 144.75 = 1109.75$
ACCOUNT NO. 01-4402

Accepted for submittal by: Cefamamoto
[CDD Staff person]

Project Location 864 Congress Avenue APN 006-641-066
Brief Description of Project 304 SF ADDITION & 407 SF REBUILD/REMODEL
Applicant Belinda Taluban, Taluban Engineering, Inc.
Applicant's Address P.O. Box 292
Salinas CA 93902
Applicant's E-mail Address: taluban@sbcglobal.net *
Applicant's Daytime Phone No. 831-754-0545
Property Owner Tamsin McAulay
Property Owner's Address 864 Congress Avenue, Pacific Grove
Property Owner's Phone No. 373-5160
Property Owner's E-mail Address: tamsin@mkay.net

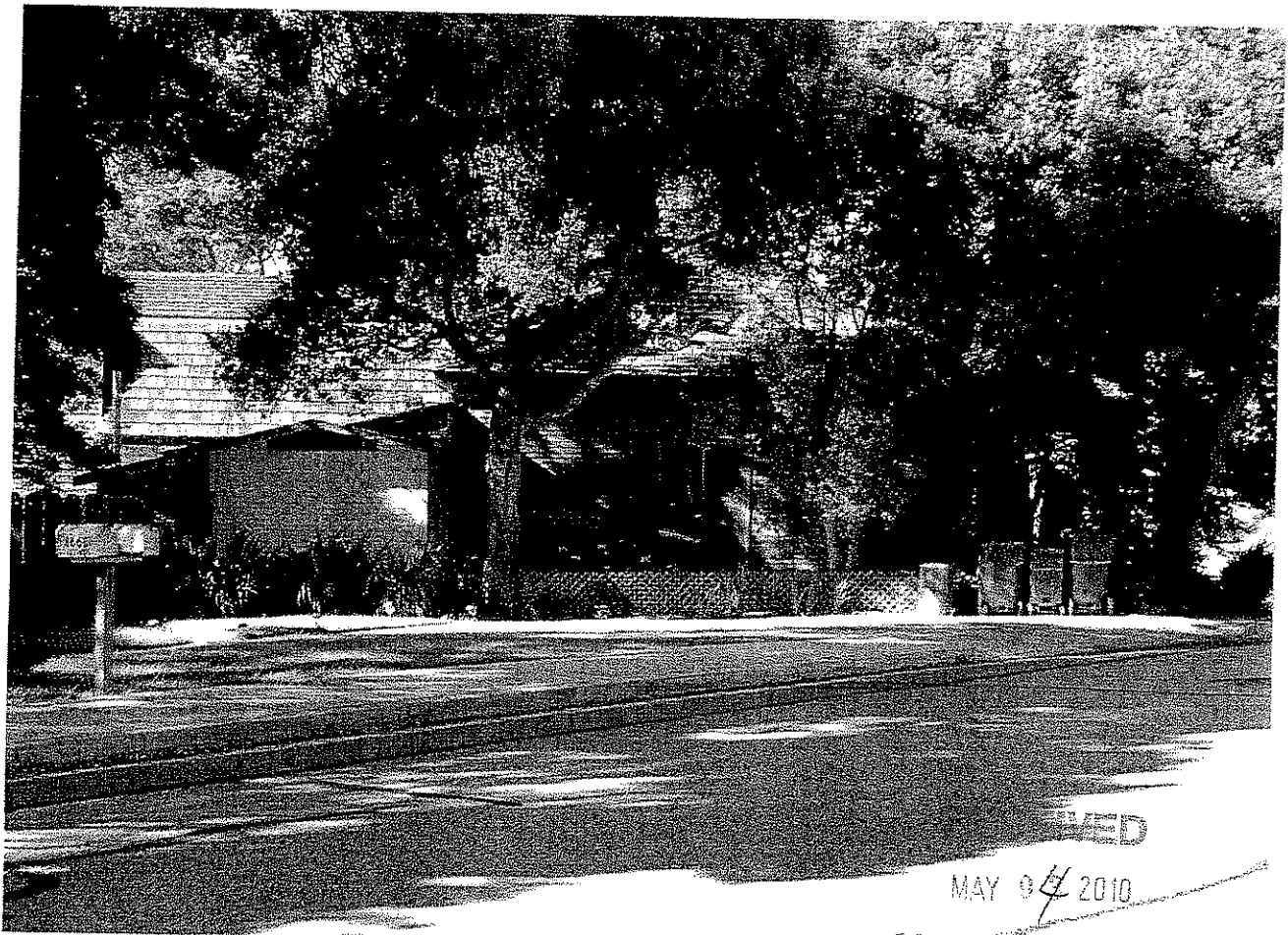
I, the undersigned, under penalty of perjury, depose and say that I am the applicant for this request, that the owner of the property approves this application and that all statements are true and correct.

5/4/2010 Date
Belinda Taluban Signature of Applicant

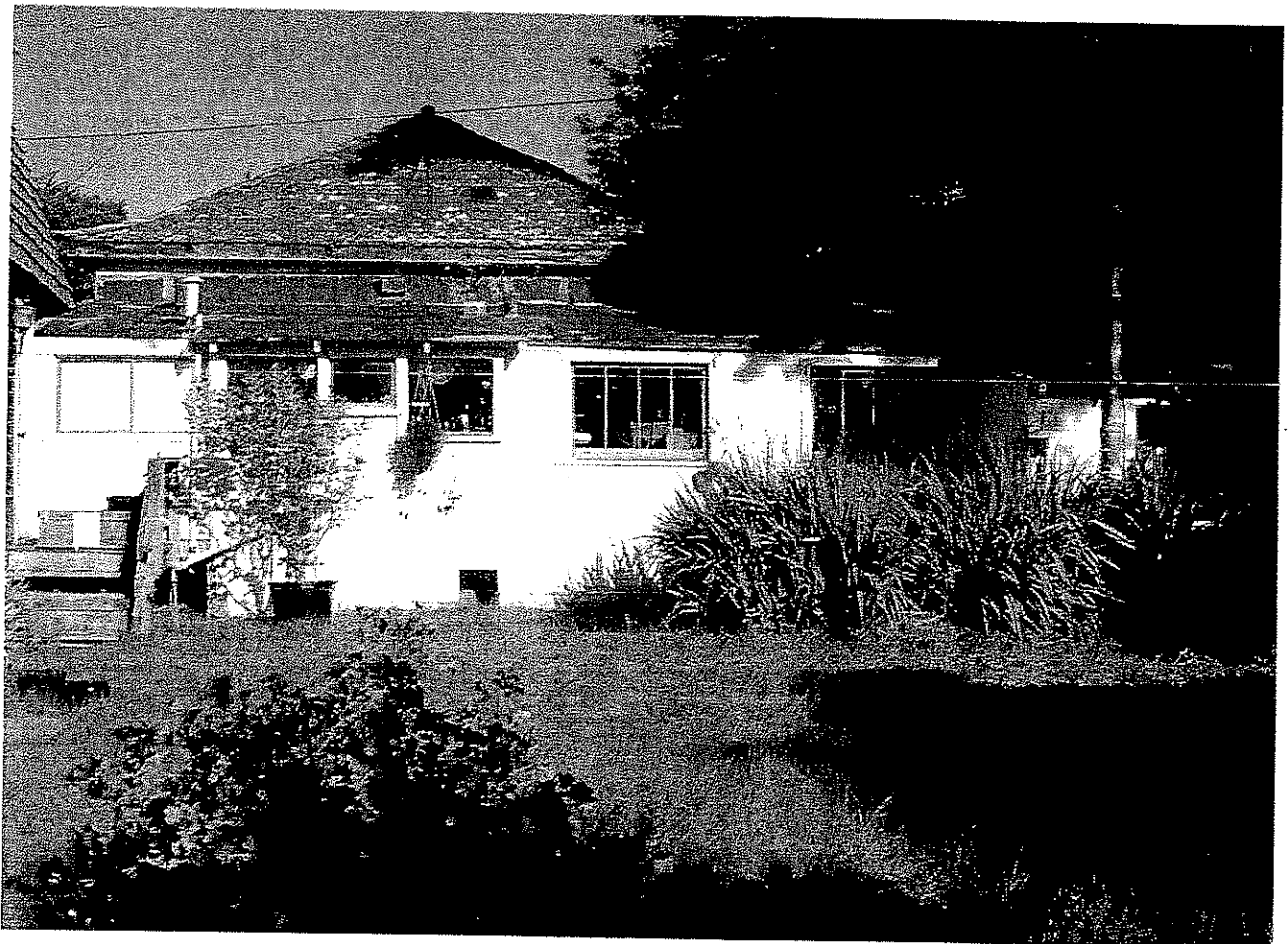
NOTE TO APPLICANT: The filing fee and materials related to the project must accompany this application. Please see attached submittal requirements for your project.

Items 1-8 on the submittal requirements checklist are minimum requirements for all submittals, unless noted as not applicable to the project. If applicable items are not included in your initial application, you may receive a notice of incomplete application within 30-days of your submittal.

*Applicant check here if you prefer to be contacted by e-mail

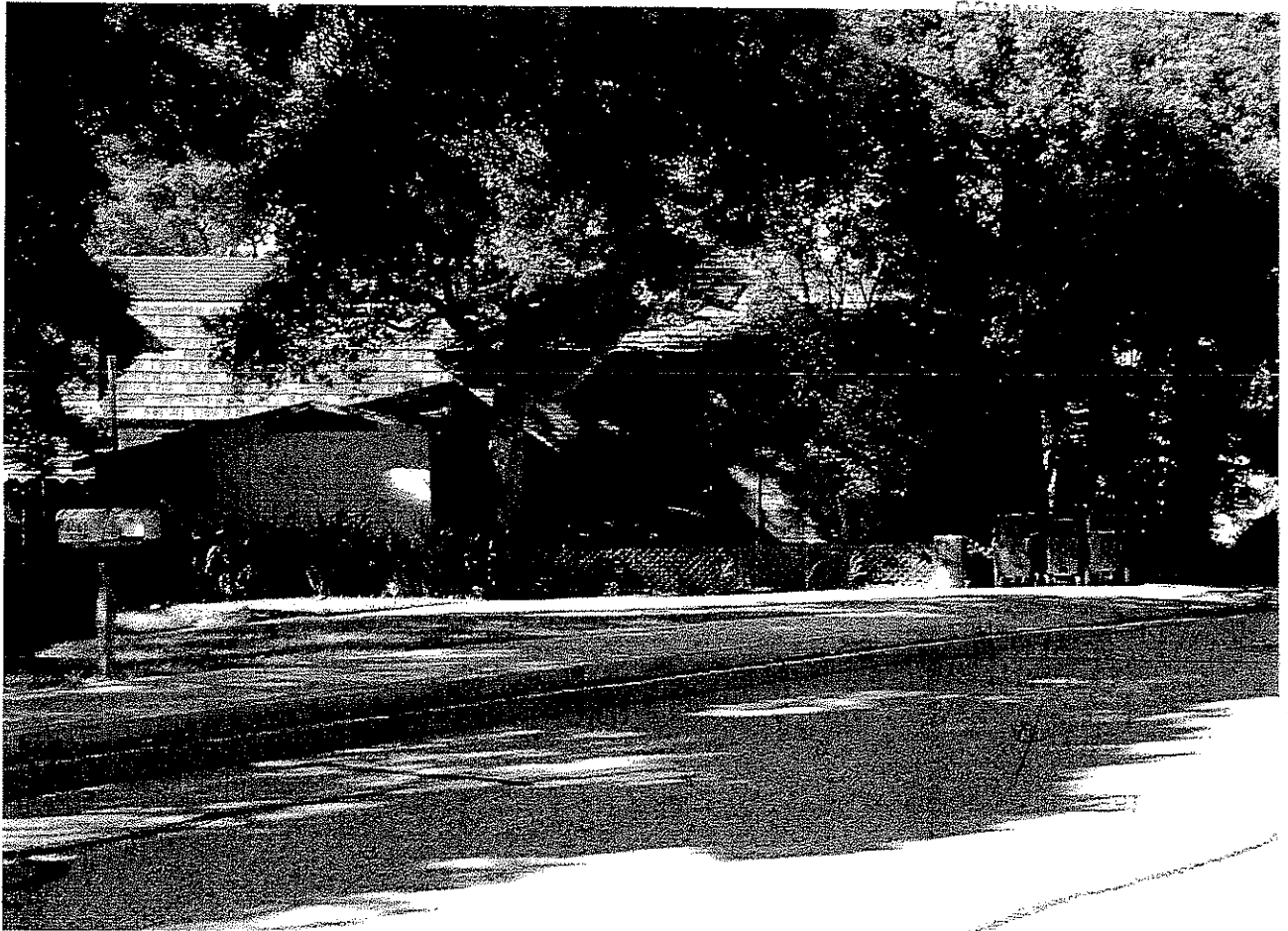


VED
MAY 04 2010
COMMUNITY DEV. DEPT.





MAY 14 2010



June 17, 2010



CITY OF PACIFIC GROVE

300 FOREST AVENUE
PACIFIC GROVE, CALIFORNIA 93950
TELEPHONE (831) 648-3190 • FAX (831) 648-3184

RECORD OF DECISION

ADMINISTRATIVE HEARING

DATE & TIME: THURSDAY JUNE 17, 2010- 10:00 a.m.

LOCATION: CITY HALL, CITY MANAGER CONFERENCE ROOM – 300 FOREST AVENUE

Administrative Hearing Officer: Lynn Burgess, AICP, Chief Planner

1. The meeting was called to order at 10:00 a.m.

2. **Comments from the public**

None

3. **REGULAR AGENDA**

a. **Project Address: 864 Congress Avenue**

APPLICANT:	Belinda Taluban, on behalf of Tamsin McAulay
APPLICATION:	Administrative Use Permit Application No. 3020-10
PROJECT DESCRIPTION:	Proposed 304 square foot first floor addition to an existing, 1,137 square foot, two-story, single-family dwelling, continuing an existing non-conforming interior side yard setback, and a new 235 square foot deck at rear of proposed addition.
LEGAL DESCRIPTION:	APN 006-641-066-000
ZONE DISTRICT:	R-1
GENERAL PLAN DESIGNATION:	Medium Density Residential (7.3 DU/ac)
ENVIRONMENTAL STATUS:	Categorically Exempt, Class 1

Decision: Approve the Administrative Use Permit Application No. 3020-10, subject to the standard finding and conditions listed below.

4. ADJOURNMENT

The meeting was adjourned at 10:05 a.m.

NOTICE TO APPLICANTS

Applicants or their representatives must be present at the meeting for which their item is scheduled. **If unable to attend, the applicant must submit a written request for continuance prior to the meeting. The item may be denied if continuance is not requested.**

Decisions rendered by the Chief Planner on Administrative Use Permits may be appealed to the Planning Commission using a form available at the Community Development Department. Decisions rendered by the Chief Planner on Administrative Architectural Approvals may be appealed to the Architectural Review Board using a form available at the Community Development Department.

The appeal forms, plus an appeal fee, must be filed with the Community Development Department within 10 days of notice of decision. Notwithstanding the time limit for appeal set out in the above section, the Planning Commission and Architectural Review Board shall always have until their next regularly scheduled meeting following an Administrative Hearing action to decide to review such action. No building permit pertaining to an Administrative Hearing action may be issued until the appeal period has passed.

Applicants are requested to contact the Community Development Department for building permit requirements.

STANDARD FINDING FOR APPROVAL OF AN ADMINISTRATIVE USE PERMIT:

As conditioned, the establishment, maintenance or operation of the use applied for will not be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the city.

STANDARD CONDITIONS OF ADMINISTRATIVE USE PERMITS AND ADMINISTRATIVE ARCHITECTURAL APPROVALS:

1. This approval shall be null and void if a building permit has not been applied for within one year from the date of approval. Application for extension of this approval must be made prior to the expiration date.
2. All construction must occur in strict compliance with the proposal as set forth in the application(s) for permits, subject to any special conditions. Any deviation from the approved plans must be reviewed and approved by the staff and may require Planning Commission or Architectural Review Board approval.
3. The terms and conditions shall be perpetual, and it is the intention of the City of Pacific Grove and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.
4. Review by the Public Works Department is required prior to issuance of the building permit. The applicant shall obtain an encroachment permit from the Public Works Department before undertaking any work in the Public way and prior to issuance of the building permit.

NOTICE OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Applicants with approved projects that have been deemed statutorily or categorically exempt under the California Environmental Quality Act (CEQA) may file a Notice of Exemption (NOE) directly with the Monterey County Clerk in order to reduce the CEQA challenge period from 180 days to 35 days (CEQA Guidelines Section 15062). Applicants wishing to file the NOE should contact their planner for instructions on how to file the notice with Monterey County. Please note the Monterey County Clerk has a \$50 filing fee for a NOE.

Filing of a NOE by the City of Pacific Grove is not required. CEQA determinations are included in the public hearing notices for all projects.

JUDICIAL TIME LIMITS

This serves as written notice that Pacific Grove Municipal Code Section 1.20.010 incorporates Section 1094.6 of the Code of Civil Procedure of the State of California and provides a ninety-day limitation for judicial review of any final administrative decision by the council, or any board, commissioner, or officer of the city.

