

NOTICE OF APPROVAL

The Department of Community Planning & Building of the City of Carmel-by-the-Sea has approved a Project pursuant to the City's Municipal Code. Persons interested in the project may review additional materials available at the Department of Community Planning & Building located at City Hall on Monte Verde Street between Ocean and 7th Avenues, phone number 831-620-2010.

The decision to approve this project may be appealed within 10 days from the date of this by filing a written appeal with the Department of Community Planning & Building.

Planning Case #: Design Study 23271

Owner Name: FORDHAM STANFORD LP

Case Planner: Marnie R. Waffle, AICP, Principal Planner

Date Posted:

Date Approved: 09/22/2023

Project Location: San Antonio 4 NE of 4th

APN #: 010242012000 BLOCK/LOT: NN/LOTS 8 AND 10

Applicant: Kumaresh Sekaran, Architect

Project Description: Approval of Design Study application DS 23-271 (Hoang-Nguyen) authorizes the addition of a new skylight to a single-family residence located on San Antonio Avenue 4 northeast of 4th Avenue in the Single-Family Residential (R-1) District as depicted in the plans prepared by Studio Schicketanz and stamped approved and on file in the Community Planning & Building Department unless modified by the conditions of approval.

Can this project be appealed to the Coastal Commission? Yes □ No ☑

Upon completion of the 10 calendar-day appeal period, please return this form, along with the *Affidavit of Posting, to the case planner noted above.*

	CONDITIONS OF APPROVAL	
No	Standard Conditions	
1.	Authorization. Approval of Design Study application DS 23-271 (Hoang-Nguyen) authorizes the addition of a new skylight to a single-family residence located on San Antonio Avenue 4 northeast of 4 th Avenue in the Single-Family Residential (R-1) District as depicted in the plans prepared by Studio Schicketanz and stamped approved and on file in the Community Planning & Building Department unless modified by the conditions of approval contained herein.	
2.	Codes and Ordinances. The project shall be constructed in conformance with all requirements of the R-1 zoning district. All adopted building and fire codes shall be adhered to in preparing the working drawings.	
3.	Permit Validity. In accordance with CMC Section 17.52.170 (Time Limits on Approvals and Denials), a residential design study approval remains valid for a period of 12 months from the date of action. During this time, the project must be implemented, or the approval becomes void. Implementation is effected by erecting, installing, or beginning the installation of the improvement authorized by the permit, as determined by the Director. Extensions to this approval may be granted consistent with CMC 17.52.170.C.	
4.	Modifications. The Applicant shall submit in writing, with revised plans, to the Community Planning and Building staff any proposed changes to the approved project plans prior to incorporating those changes. If the Applicant changes the project without first obtaining City approval, the Applicant will be required to submit the change in writing, with revised plans, within two weeks of the City being notified. A cease work order may be issued at any time at the discretion of the Director of Community Planning and Building until a) either the Planning Commission or Staff has approved the change, or b) the property owner has eliminated the change and submitted the proposed change in writing, with revised plans, for review. The project will be reviewed for its compliance with the approved plans prior to the final inspection.	
5.	Exterior Revisions to Planning Approval Form. All proposed modifications that affect the exterior appearance of the building or site elements shall be submitted on the "Revisions to Planning Approval" form on file in the Community Planning and Building Department. Any modification incorporated into the construction drawings not listed on this form shall not be deemed approved upon issuance of a building permit.	
6.	Conflicts Between Planning Approvals and Construction Plans. It shall be the responsibility of the Owner, Applicant, and Contractor(s) to ensure consistency between the project plans approved by the Planning Staff, the Planning Commission, or the City Council on appeal and the construction plans submitted to the Building Division as part of the Building Permit review. Where inconsistencies between the Planning approval and the construction plans exist, the Planning approval shall govern unless otherwise approved in writing by the Community Planning & Building Director or their designee.	
	When changes or modifications to the project are proposed, the Applicant shall clearly list and highlight each proposed change and bring each change to the City's attention. Changes to the project incorporated into the construction drawings that were not clearly listed or identified as a proposed change shall not be considered an approved change. Should conflicts exist between the originally approved project plans and the issued construction drawings that were not explicitly	

	identified as a proposed change, the plans approved as part of the Planning Department Review,	
	including any Conditions of Approval, shall prevail.	
7.	Skylights & Skylight Shades. Prior to the issuance of a building permit, the Applicant shall include in the construction drawings the manufacturer's specifications for all skylights and skylight shades. Skylights shall be low-profile and use non-reflective glass to minimize light and glare visible from adjoining properties. Skylight flashing shall match the roof color. Manual or automatic shades shall be installed in each skylight to reduce visible light transmission during the hours of darkness.	
8.	Indemnification. The Applicant agrees, at his or her sole expense, to defend, indemnify, and hold harmless the City, its public officials, officers, employees, and assigns from any liability; and shall reimburse the City for any expense incurred, resulting from, or in connection with any project approvals. This includes any appeal, claim, suit, or other legal proceedings to attack, set aside, void, or annul any project approval. The City shall promptly notify the Applicant of any legal proceeding and cooperate fully in the defense. The City may, at its sole discretion, participate in any such legal action, but participation shall not relieve the Applicant of any obligation under this condition. Should any party bring any legal action in connection with this project, the Superior Court of the County of Monterey, California, shall be the situs and have jurisdiction for resolving all such actions by the parties hereto.	
9.	Cultural Resources. Throughout construction, all activities involving excavation shall immediately cease if cultural resources are discovered on the site, and the Applicant shall notify the Community Planning & Building Department within 24 hours. Work shall not be permitted to recommence until such resources are properly evaluated for significance by a qualified archaeologist. If the resources are determined to be significant, prior to the resumption of work, a mitigation and monitoring plan shall be prepared by a qualified archaeologist and reviewed and approved by the Community Planning and Building Director. In addition, if human remains are unearthed during the excavation, no further disturbance shall occur until the County Coroner has made the necessary findings regarding origin and distribution pursuant to California Public Resources Code (PRC) Section 5097.98.	
10.	Conditions of Approval. Prior to the issuance of a building permit, the Applicant shall print a copy of the Resolution adopted by the Planning Commission and signed by the property owner(s) on a full-size sheet within the construction plan set submitted to the Building Safety Division.	
Special Conditions		
11.	Building Permit Revision Required. Prior to commencing work to install the new skylight, the Applicant shall apply for and obtain approval of a Building Permit Revision.	

Acknowledgment and acceptance of conditions of approval:

Property Owner Signature

Printed Name

Date

Property Owner Signature

Printed Name





















