



**MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT**

5 HARRIS COURT, BLDG. G
POST OFFICE BOX 85
MONTEREY, CA 93942-0085 • (831) 658-5601
FAX (831) 644-9558 • <http://www/mpwmd.dst.ca.us>

RECEIVED
MAY 22 2009
MPWMD

SUBMITTED BY APPLICANT

Variations may be approved when: a) special circumstances exist, as defined in the Rules and Regulations; b) when strict interpretation and enforcement of any standard would cause undue hardship; and c) when the granting of such a variance will not tend to defeat the purpose of the Rules and Regulations. In order to be considered for a variance hearing, all applicants must submit a completed application with payment of a non-refundable processing fee (\$250 for less than half acre-foot of water, \$500 for half - one acre-foot of water, and \$750 for more than one acre-foot of water); and any other information necessary which may include 5 years of water records from purveyor to evaluate the case. Applications are scheduled for placement on the agenda for the next available Board meeting. All applicants are required to provide the information requested on this form. This information will be used as the basis for finding on which the Board will support or deny your variance request. Submission of an incomplete application may constitute grounds for denial of your request.

APPLICATION FOR VARIANCE

APPLICANT INFORMATION

- Applicant's Full Name: JILL SHEFFIELD, CARMEL FOUNDATION
Mailing Address: PO BOX 1050
City: CARMEL State: CA Zip: 93921
Phone Number(s): Work (831) 624-1588 Home () N/A
- Name of Agent(s) to Represent Applicant: ERIC MILLER ARCH. - CONTACT: ALEM SERHUCEK
Mailing Address: 157 GRAND AVE., SUITE 106
City: PACIFIC GROVE State: CA Zip: 93950
Phone Number(s): Work (831) 572-0410 Home () N/A

PROPERTY INFORMATION

- Full Name of Property Owner: CARMEL FOUNDATION
Mailing Address: PO BOX 1050
City: CARMEL State: CA Zip: 93921
Phone Number(s): Work (831) 624-1588 Home () N/A
 - Property Address: ES DOLORES BTW. 4TH & 5TH.
City: CARMEL State: CA Zip: 93921
 - Assessor's Parcel Number: 10 - 136 - 13
 - Property Area: Acres: 0.18 Square Feet: 8,000 Other: _____
 - Past Land Use: LOW INCOME SENIOR HOUSING APARTMENTS
 - Present Land Use: SEE ABV.
 - Proposed Land Use: SEE ABV.
- Existing buildings? Yes _____ No X
- Types of uses and square footage: GARAGE & SENIOR HOUSING APARTMENTS

VARIANCE APPLICATION

EXHIBIT 1

STATEMENT OF VARIANCE REQUEST

**If additional space is needed for response to any question, please continue on a separate piece of paper and attach it to the back of this application.*

1. From which rule(s) or staff's decision(s) are you requesting an variance?

SEE FOLLOWING PAGE FOR ANSWERS.

2. Do you feel the rule or staff's decision is applicable in most cases, or do you believe it should be revoked or changed?
3. What were the circumstances surrounding your decision to variance?
4. Please state the special circumstances that distinguish your application from all others which are subject to enforcement of this process.
5. What difficulties or hardships would result if your variance request is denied?
6. What specific action are you requesting that the Board take?
7. Please indicate if you intend to make a statement at the variance hearing, and list the names of any other individuals who may speak on your behalf.

MPWMD Variance Request:

1. Rule 23 & Rule 60.
2. I feel that the rule should be modified for high density, low income apartments which are owned by non-profit organization and which will be never converted to condominiums for the life of the project.
3. The limited funds raised through donations were the deciding factor in selecting the most economical water supply which includes the central hot water system with one meter for the whole complex.
4. Carmel Foundation is the owner of the 14 unit senior housing complex. The Foundation has maintenance staff that can monitor the water usage. Also, the current density almost doubles the allowed density on this site (77 versus 44/units per acre) and it required the Coastal Commission approval for variance in the Local Land Use Plan. Thus, the area available for individual water systems is limited in space and more costly than the community water system.
5. We would have to spend additional funds to redesign the water supply system and the additional funds on a Change Order to General Contractor since the individual systems are more costly to construct. Also, we would lose one parking space or limited space inside living units due to individual water heaters. Also, the City requires all water meters out of the sidewalk and on private property which will eliminate already limited area available for landscaping along front of the property.
6. We respectfully request waver to individual water metering.
7. Yes, I do intend to make a statement at the hearing and other people may speak on my behalf as well. And these individuals are: Linda Lee and Eric Miller.

APPLICATION FOR VARIANCE

EXHIBIT 2

PROJECT INFORMATION

*If additional space is needed for response to any questions, please continue on a separate piece of paper and attach it to the back of this application.

1. Type of Project: X New Construction Remodel/Addition

2. Proposed New Use: (Please refer to the District's current Fixture Unit/Use Category sheet for assistance with this question.)

X Residential No. Dwellings 14 Total No. Fixture Units (Residential Only) NEW 26.9
EXIST. 64.3

Commercial/Industrial/Governmental *TOTAL 91.2*

Type of Use: Square Footage:

Other (Specify):

3. Current Zoning Classification:
 RESIDENTIAL AND LIMITED COMMERCIAL

4. Name of the water company that services the property:
 CALIFORNIA AMERICAN

5. Do you feel this project will use less water than that calculated by the District? If so, please explain how much you believe the project will use, and the basis on which you make this assumption.
 NO COMMENT

6. Has this project been approved by the local jurisdiction? If so, please list or attach a copy of all conditions that have been imposed on the project. (Attach a copy of these conditions and approvals received.)
 YES, SEE ATTACHED LIST.

7. Does the applicant intend to obtain a municipal or county building permit for the project within ninety (90) days following the granting of a water connection permit? If not, when will water be needed at the site?
 BUILDING PERMIT WAS GRANTED ON 3/26/09.

I declare under penalty of perjury that the information in the application and on accompanying attachments is correct to the best of my knowledge and belief.

J. Whipple
Signature of Applicant

5/20/09 CARMEL, CA
Date/Location

NOTE TO APPLICANT: You may attach written findings for the Board to review and consider in support of the action you have requested.

Official Use Only

Fee Received 500- Receipt No. 23095
 Check No. 45855 Bank Routing No. 045855
 Received by S. Cistel

**THE FOLLOWING ITEMS MUST BE COMPLETE PRIOR TO
DEMOLITION OR WORK START**

1. A meeting with the Building Official and Planning Department Manager and all interested parties prior to work start.
2. All tree protection must be installed and approved by the City Forester.
3. Contractor must have a current City of Carmel-by-the-Sea Business License and be named on the Building Permit as the contractor.
4. An application for tree removal must be submitted and approved and picked up prior to work start.
5. The Hold Harmless Encroachment Agreement liability insurance certificate in the amount of \$1,000,000 that identifies "the City, its employees, elected officials, officers and agents as additionally insured" for the sidewalk and right of way improvements must be submitted prior to work start.
6. The sidewalk materials within the public-right-of way must be approved the Superintendent of Public Works prior to placement of any materials. Workmanship and installation shall be at his discretion and supervision.
7. All utility meters (gas, water, etc.) must be located on site and out of the City sidewalk and/or right-of-way. Any (E) meters within the City sidewalk area must be re-located onto private property.
8. Phase I of the recycling element must be completed.
9. The plans will be held in the Building Official's office. The above corrections must be met prior to work start. The approved plans must be picked up and be on the job site prior to work start and during construction.



Monterey Peninsula Water Management District

DISCLOSURE STATEMENT
(EX PARTE COMMUNICATIONS)

Name or description of project, action, etc.: TREVETT COURT

Names and addresses of all persons authorized to communicate with the Board of Directors on this matter:

Name	Address
<u>JILL SHEFFIELD</u>	<u>CARMEL FOUNDATION</u>
<u>LINDA LEE</u>	<u>PO BOX 1050, CARMEL, CA 93921</u>
<u>ERIC MILLER</u>	<u>ERIC MILLER ARCHITECTS</u>
<u>ALEM DERMICEK</u>	<u>157 GRAND AVE., ST. 106 PACIFIC GROVE, CA 93950</u>

This *Disclosure Statement* is completed in my capacity as the Applicant for matter referenced in the first line, or as an authorized Agent of the Applicant. My signature evidences I am duly authorized to act on behalf of all individuals and/or entities that have an ownership interest in this matter (exceptions shall be noted by checking this box and providing a complete explanation as an attachment to this *Disclosure Statement*).

I understand this *Disclosure Statement* is required to list the names and addresses of all persons authorized to communicate with the Directors of the Water Management District on this matter. I further understand and agree to revise and amend this *Disclosure Statement* whenever any other person is authorized to communicate regarding this matter. Oral disclosure of agents shall not satisfy this requirement.

I understand and agree that failure to disclose the name of individuals who shall communicate with the District Board Members on behalf of the applicant shall subject the matter referenced above to immediate review and denial. Further, I understand that if denial is based on failure of either the applicant or of an authorized agent of the applicant to comply with these disclosure requirements, no request for approval of an identical or similar matter shall be granted for a period of twenty-four (24) months from the date this matter is denied.

I declare the foregoing to be true and correct of my own personal knowledge. I have signed this form this 20 day of MAY, 2009. This form is signed in the City of CARMEL, State of CALIFORNIA.

JILL SHEFFIELD

Name (print)

J Sheffield
Signature

MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT

5 Harris Ct. Bld G, P.O. Box 85, Monterey, CA 93940 Ph: (408) 658-5600 Fax: (408) 644-9560

Receipt Number: 23095

Date: May 22, 2009

***** RECEIPT *****

Description	Amount Paid
FEE VARIANCE APP	500.00
===== *** TOTAL *** =====	500.00

Receipt Account Transaction 45855
Receipt info: CARMEL FOUNDATION

***** PAYMENT FROM: *****

Company CARMEL FOUNDATION
Street # 0 St. Name PO BOX 1050 PO Box #
City CARMEL State CA Zip -
Phone # (831)624-1588

~~THIS DOCUMENT CONTAINS ULTRAVIOLET FIBERS AND AN ARTIFICIAL WATERMARK ON THE BACK - VERIFY FOR AUTHENTICITY.~~

CARMEL FOUNDATION
P.O. BOX 1050
CARMEL, CA 93921
(831) 624-1588

WELLS FARGO BANK
.11-4288/1210

45855

CHECK DATE	CHECK NO.
5/20/2009	45855

CHECK AMOUNT
\$** 500.00

PAY **Five hundred and 00/100 Dollars**

TO
THE
ORDER
OF

Monterey Peninsula Water Management District
P.O. Box 85
Monterey, CA 93942-0085

J. A. Serrano

AUTHORIZED SIGNATURE

⑈045855⑈ ⑆121042882⑆0435 564927⑈



ERIC MILLER
ARCHITECTS

6/8/09

Stephanie Pintar
Monterey Peninsula Water Management District
5 Harris Court, Building G
Monterey, CA 93942

RE: **Trevvett Court Senior Housing project, APN 10-136-13**
Variance application addendum

Dear Ms. Pintar:

Please refer to following revision to item 6 of our application:

In addition to 2 exterior water meters located along the front property line (one for interior water use and the second one for the exterior water use) we propose in-line water meters for each living unit for both the hot and cold water lines. Also, the common laundry room will also have two in-line water meters, one for cold water and one for hot water.

Carmel Foundation agrees to recording the Public Access to Water Use Data on the property to allow MPWMD to access Cal Am water records for the property.

Also the project will have the most current water saving fixtures and appliances (including clothes washers, dishwashers, High Efficiency Toilets, etc.) and the landscaping will be minimal, drought tolerant and efficiently irrigated.

Thank you for your cooperation on this important subject. Please do not hesitate to call my office if you have any additional questions or comments.

Regards,



Alem Dermicek Architect

Cc: Jill Sheffield
Eric Miller
File

SUBMITTED BY APPLICANT

Disclosure Statement Routing Form

***Please be detailed when completing the project description and listing the agents.
This information is distributed to the Board as part of the Ex Parte Disclosure Statement*

Date: 5/22/09	To: Sara Reyes	From: Gabriela Ayala
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Re: Disclosure Statement (Ex Parte Communication) Received on May 22, 2009

Please provide a description of the project that is referenced in the attached original Disclosure Statement. *Originals to be kept in working file.*

Shown below is a description of the project that is referenced in the attached copy of the Disclosure Statement. *Copy to be returned to Sara.*

Project Description

<p style="font-size: 1.2em;">Request Consider Request for Variance from Water Meter Requirements (District Rule 23-A) Carmel foundation, Dolores St btwn 4th & 5th, Carmel (APN 010-136-013)</p>	
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Agents

Jill Sheffield	
Linda Lee	
Eric Miller	
Alem Permicak	