

Attachment No. 5
Exhibit C
Letters from the Building Official

Gordon J. Steuck
PLN080454

Board of Supervisors
February 7, 2012

MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY



BUILDING SERVICES

Timothy P. McCormick P.E. & C.B.O.
Director of Building Services

168 West Alisal Street, 2nd Floor
Salinas, CA 93901
(831) 755-5027
Fax: (831) 757-9516

www.co.monterey.ca.us/rma

BY REGULAR MAIL AND PERSONAL SERVICE

November 18, 2009

Gordon John & Sandra Lee Steuck Trs
570 Aguajito Road
Monterey Ca 93940

Re: Action on Appeal of Final Inspection Approval for Grading Permit No. GP090013
Notice of Intent to Rescind Final Inspection Approval and Permit

Summary and Decision

As we previously discussed, an appeal was filed on June 9, 2009 contesting the granting of final inspection approval on April 2, 2009 for the above permit. On July 13, 2009, we met with you and your representative to conduct an inspection of your property related to this appeal. Since then we have conducted an investigation of available records and information provided by you, the appellant and our own County records for your property.

Based on this investigation, we have concluded that the work required under Grading Permit No. GP090013 has not been completed. As such, we intend to rescind the previously issued final inspection approval and revoke your permit on December 18, 2009 because you have failed to complete the required work as described in your permit and the permit was based on incorrect information supplied. This incorrect information included the extent of existing fill and the location of existing natural grade elevations. Prior to December 18, 2009, you may provide any additional information as to why you believe this decision should not be made final on that date.

Basis of Decision

On February 11, 2009, your contractor obtained grading permit number GP090013 with an approved description of work "to clear CE080413: remove existing fill and restore site back to original grades." This permit was issued and approved based on plans dated "Jan, 2009" that were prepared by Richard Dante, a licensed civil engineer. These plans showed that 369 cubic yards of new slope fill were to be removed to restore the site to their original grade elevations.

Permit Center Locations

Salinas Office: 168 W. Alisal St., 2nd Floor, Salinas, CA 93901; Fax: (831) 757-9516; Phone: (831) 755-5027
Coastal Office: 2620 First Ave., Marina, CA 93933; Fax: (831) 384-3261; Phone: (831) 883-7500
King City Office: 52-North Second St., King City, CA 93930; Fax: (831) 385-8387; Phone: (831) 385-8315

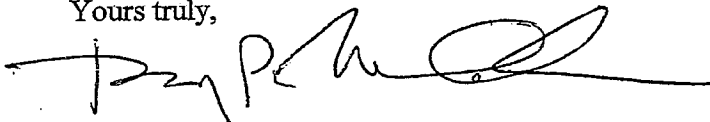
Re: Action on Appeal of Final Inspection Approval for Grading Permit No. GP090013
Notice of Intent to Rescind Final Inspection Approval and Permit

However, during the course of construction, considerable additional fill was encountered and placed as engineered fill (as referenced in the Construction Testing and Inspection Services letter dated March 17, 2009, attached). The terms of the permit required the removal of all such fill materials without exception. You must have completed this task prior to obtaining final inspection approval.

Our review of County records also showed that Grading Permit No. 46619 was issued on August 20, 1992 to correct these same violations but work did not commence (see attachment). On April 20, 1998, this permit was renewed but work did not commence. Plans approved for this permit are dated 04/24/1991 and were prepared by David J. Messmer, a licensed civil engineer. These plans showed the amounts of existing fill to be removed were 1,410 cubic yards. They also show that some fill was placed on slopes that exceed 30 per cent.

Our review also included observation of existing slopes on adjacent properties that have maintained or substantially maintained their natural grade elevations at adjoining property lines to your parcel. This review and comparison supports the finding that considerable fill continues to exist on the site, that some of this fill is located on slopes exceeding 30 percent slopes and that placement of this fill has altered the natural drainage patterns at adjoining property lines contrary to County regulations. We also have remaining concerns about the placement of fill near protected oak trees.

Yours truly,



Timothy P. McCormick, P.E. & C.B.O.
Director of Building Services

Attachments: Construction Testing and Inspection Services letter dated March 17, 2009
Grading Permit No. G-46619

cc: Randy Herrington, Lou Fiori, Beth Shrik, Les Girard, Dale Ellis, Anthony Lombardo,
James Rummonds, Mudslinger Engineering & Excavation

CTI CONSTRUCTION TESTING & INSPECTION SERVICES

A QUALITY CONTROL COMPANY FOR
ENGINEERED FILLS & OTHER EARTH STRUCTURES, CONSTRUCTION WORK & MATERIALS

561-A Brunken Ave.

Salinas, CA 93901

Tel: 831-757-0735

Fax: 831-422-1896

March 17, 2009
File No. 1765

Mr. Albert Salvador
Department of Planning and Building Inspection
168 West Alisal Street, 2nd Floor
Salinas, Ca 93901

Project: Steuck Residence
570 Aguajito Road
Monterey, CA
A.P.N. 103-061-015

Subject: Restoration Grading Report

Dear Mr. Salvador:

We were contacted to provide grading observation and field density testing at the above mentioned project site on February 25th 2009. Our representative was involved in a preconstruction meeting prior to the commencement of the grading restoration of previously filled areas of the site. The restoration plan and accompanying letter prepared by Richard Dante of H.D. Peters Co., Inc. were discussed at this meeting.

The initial grading operations began on February 26th and were performed as detailed in the recommendation letter and consisted of removing the previously placed fill soils to firm native Monterey Shale in the area referred to as the westerly fill. A keyway was established at that time around the perimeter of the fill. The excavated fill soils were moisture conditioned and stockpiled. Large pieces of concrete and miscellaneous building rubble were removed from the fill and stockpiled to be hauled from the site.

During the excavation of the loose material it was noted that the amount of uncontrolled fill was significantly larger than was detailed by H.D. Peters Co., Inc or Earth Systems Inc., who prepared a Geotechnical Report for this site. At the deepest area approximately 6 feet of loose fill was discovered which extended easterly approximately 40 feet, gradually tapering to original grade. These soils were also excavated moisture conditioned and placed as engineered fill. Density tests were taken and were meeting or exceeding the required specifications.

GPO90013

March 17, 2009
File No. 1765
Page 2

The slopes of the re-compacted fill were trimmed to 2:1 and in some areas flatter. At this point the westerly fill was approximately 3 to 4 feet below the finished subgrade as detailed in the restoration plan. As seasonal storms were forecasted the exposed soils were tracked with a bull dozer to aid in erosion control. The forecasted rains occurred and work was halted for one week.

Grading work commenced on March 9th after the rain had past and the site was more accessible. The loose fill soils at the northerly location were stripped to firm original grade. Once again large debris was encountered. The debris was removed from the fill and exported from the project site. The soils removed from the northerly fill were placed at the westerly fill as that location was still several feet below finish subgrade as detailed on the restoration plan. To this point all density tests taken were passing the required specifications.

The project site was shaped to blend with the surrounding environment, as the finish grade as detailed in the restoration plan would have appeared to have been a building pad or parking area, with sharp slopes and a relatively flat pad at finished subgrade.

It is our opinion that the stripping and excavation of loose fill soils, moisture conditioning and compaction of the newly placed fill soils were completed in general accordance with the project plans and specifications.

Thank you for your time. Should you have any questions regarding this letter please feel free to contact our office.

Very truly yours,
CONSTRUCTION TESTING and INSPECTION SERVICES



Lawrence E. Grice P.E.
R.C.E. 66857

LEG/jjo

CTI CONSTRUCTION TESTING & INSPECTION SERVICES

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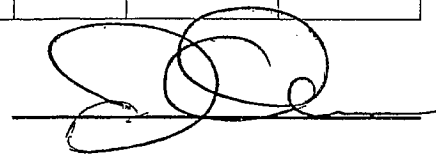
DENSITY TESTING LOG

PROJECT: Steuck Residence - Site Restoration PROJECT ADDRESS: 570 Aguijito Road
FILE NO: 1765 Monterey, Ca
GRADING CONTRACTOR: Mudslinger / Trinity

DATE	NO.	LOCATION	ELEVATION	IN-PALCE WEIGHT	IN-PLACE MOISTURE	MAX. WEIGHT	OPTIMUM MOISTURE	RELATIVE DENSITY %
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DATE	NO.	LOCATION	ELEVATION	IN-PALCE WEIGHT	IN-PLACE MOISTURE	MAX. WEIGHT	OPTIMUM MOISTURE	RELATIVE DENSITY %
		See Sketch						
10/30/08	1	Site Restoration W Fill	-7	109.5	15.9	113.6	15	96.4%
10/30/08	2	Site Restoration W Fill	-7	110.5	14	113.6	15	97.3%
10/30/08	3	Site Restoration W Fill	-7	109	14.5	113.6	15	96.0%
10/31/08	4	Site Restoration W Fill	-5.5	108.9	16.5	113.6	15	95.9%
10/31/08	5	Site Restoration W Fill	-5.5	107.9	18.2	113.6	15	95.0%
10/31/08	6	Site Restoration W Fill	-5.5	106.5	18	113.6	15	93.8%
11/03/08	7	Site Restoration W Fill	-4	106.4	17.9	113.6	15	93.7%
11/03/08	8	Site Restoration W Fill	-4	107	17.5	113.6	15	94.2%
11/03/08	9	Site Restoration W Fill	-4	110	18.2	113.6	15	96.8%
11/03/08	10	Site Restoration W Fill	-3	110.2	18	113.6	15	97.0%
11/03/08	11	Site Restoration W Fill	-3	110	15	113.6	15	96.8%
11/03/08	12	Site Restoration W Fill	-3	109	14.4	113.6	15	96.0%
11/04/08	13	Site Restoration W Fill..	-1.5	109.3	15.5	115.9	13.2	94.3%
11/04/08	14	Site Restoration W Fill	-1.5	109.2	15.8	115.9	13.2	94.2%
11/04/08	15	Site Restoration W Fill	-1.5	109	16.2	115.9	13.2	94.0%
11/12/08	16	Site Restoration W Fill	FSG	110	16	115.9	13.2	94.9%
11/12/08	17	Site Restoration W Fill	FSG	111	15.2	115.9	13.2	95.8%
11/12/08	18	Site Restoration W Fill	FSG	110.5	15.6	115.9	13.2	95.3%
11/12/08	19	Site Restoration W Fill	FSG	110.5	115.2	115.9	13.2	95.3%

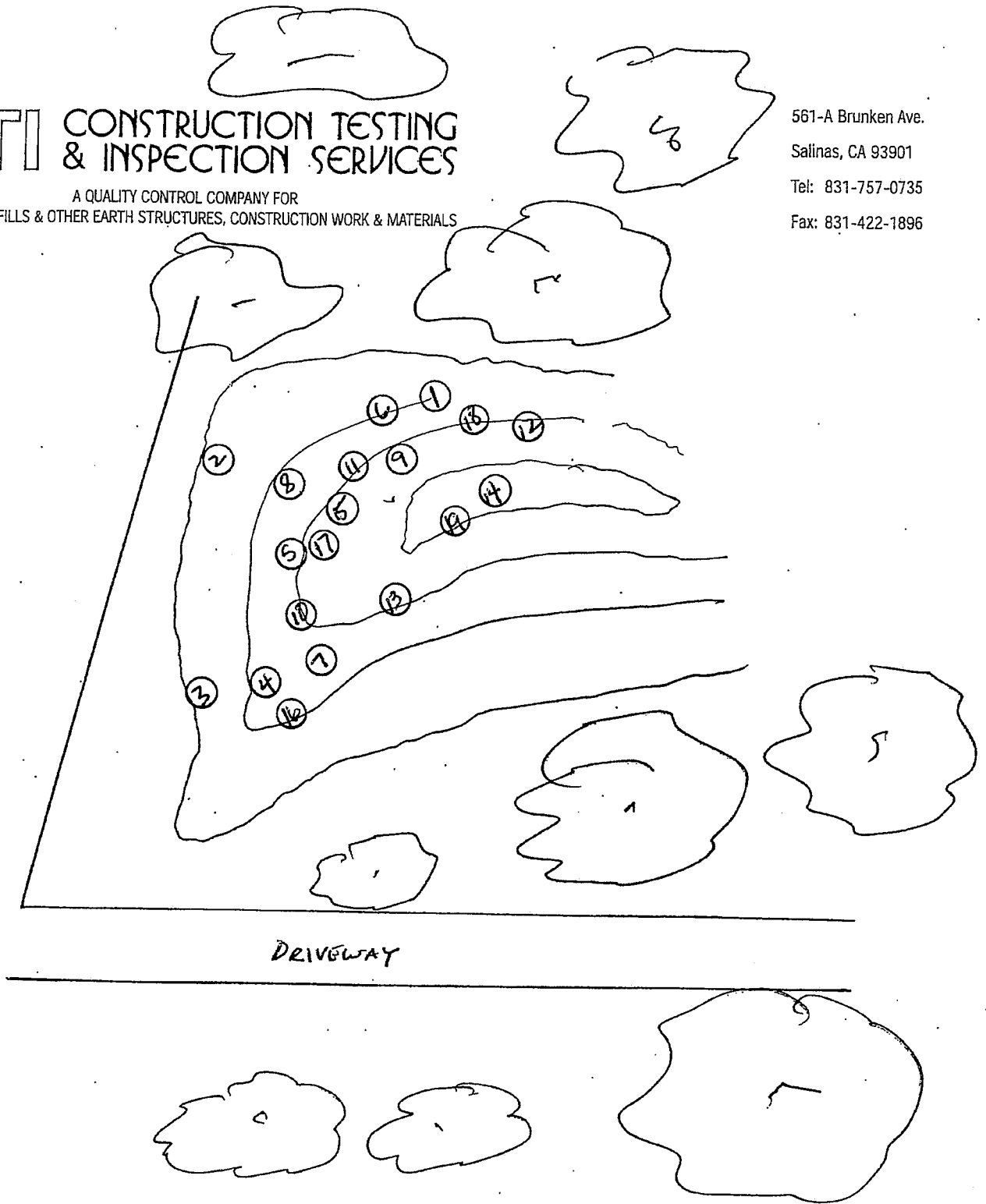
TESTING PERFORMED BY:



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W.O. 1765
O=TEST LOC.
NO SCALE

MONTEREY COUNTY BUILDING INSPECTION

PC 05/03/91 PCM 91-628

PROPERTY LOCATION: Los Ranchito de Aguajito

LOT BLOCK TRACT/SUBD. ASSESSOR'S PARCEL NO. 103-061-15

STREET (ADDRESS) 569A Aguajito Road

NEAREST CROSS STREET Monhollan Road POST OFFICE Carmel

OWNER Valerie Carlton Tr. PHONE 373-2128

MAILING ADDRESS CITY 1062 Cass Street Monterey, CA 93940

ARCHITECT OR ENGINEER PHONE Messmer & Assoc., Inc. 394-5936

CONTRACTOR O/B CD REC'D 8/14/92 #38501 \$1000.00

USE OF STRUCTURE Grading for restoration & landscaping fill

TYPE OF IMPROVEMENT: SOLAR
 PLUMBING ELEC. MECH. GRADING CU. YDS. 1200
 BUILD REMODEL ADD TO REPAIR MOVE CONVERT DEMOLISH

SIZE: SQ. FT. NO. OF STORIES NO. OF FAMILIES

DATE ISSUED 8/20/92 PERMIT NO. 619970 AREA 2 COI 000

46619

SET BACKS (IN FEET) VALUATION

FRONT	SIDE	SIDE	REAR

FEES: DUE 10.00
 PLAN CHECK \$ 35.00
 RESIDENTIAL _____
 COMMERCIAL _____
 GRADING 400.00
 PLUMBING _____
 ELECTRICAL _____
 MECHANICAL _____
 STRONG MOTION FEE _____
 PLAN MAINT. FEE 2.00
TOTAL \$

RECEIPT NO: C-86139 BP-93611

CATEGORICALLY EXEMPT
 ASSESSMENT REQ'D.
 NEG. DEC. ADOPTED
 CERTIFIED EIR REV.

APPLICATION APPROVED BY [Signature] FOR BUILDING INSPECTOR

Renewed
 Removal of dependency of 1/14/93
 JSC JEB JILL KRAIG

RENEWAL #10 131000 4/20/98

OTHER PERMITS	PERMIT NUMBER	FEE
POWER POLE		
GRADING		
PLUMBING		
ELECTRICAL		
MECHANICAL		
SOLAR		

OFFICE RECORD OF INSPECTIONS

BUILDING	ELECTRICAL	PLUMBING	PLASTERING
FOUNDATION FORMS	TEMPORARY SERVICE	ROUGH PLUMBING	LATH-EXTERIOR
GARAGE FORMS	UNDERGROUND OR		LATH-INTERIOR
CONCRETE SLAB FLOOR	UNDER CONCRETE	ROUGH HEATING	LATH-SHOWER & TUB
CONCRETE BLOCKS	ROUGH ELECTRIC		SHEET ROCK NAILING
		GAS PRESSURE	FIRE SEPARATION
	ELECT. SERVICE		SCRATCH
	FINAL ELECTRIC	SEWER	
ROOF SHEATHING		FINAL PLUMBING	
UNDERFLOOR FRAMING	ELECTRIC METER AUTH.	FINAL HEATING	OTHER
FRAMING	PG & E CALLED	FINAL GAS	ALTER
INSULATION		SEPTIC TANK	REPAIR
ROOFING		GAS METER AUTH.	MOVE
FIREPLACE FOUNDATION		PG & E CALLED	GRADING
THROAT/DAMPER			
COMBUSTION AIR			
CHIMNEY			
ENCROACHMENT			

HOLD FINCL - OAKS + 30%

Pend out

OK TO OCCUPY _____ DATE _____

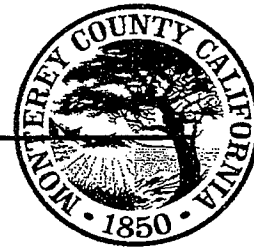
FINAL INSPECTION _____ DATE _____

OWNER _____ GENERAL CONTRACTOR _____

PROPERTY FILE NO. _____ DATE _____

GRADING for _____ PERMIT NO. _____

MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY



BUILDING SERVICES

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September 14, 2010

Anthony L. Lombardo
Lombardo and Gilles
318 Cayuga Street
Salinas, CA 93902-2119

Re: Request for Final Decision on Appeal Filed June 9, 2009

Dear Mr. Lombardo:

On November 18, 2009, we sent you a copy of our letter to the permit holder for GP090013, John and Sandra Lee Steuck, Trs (hereafter Steuck). This letter notified them of our intent to rescind the final inspection approval. In response to our letter, Steuck agreed to revise the scope of work shown their permit to fully conform to Monterey County requirements. As such we rescinded the final inspection approval and required the submittal of corrected plans and performance of additional work. We consider these actions to constitute a granting of your appeal.

Subsequently, Steuck's engineer submitted revised plans that showed the removal of all fill placed on slopes exceeding thirty percent, removal and recompaction (addition) of new fill on locations not exceeding thirty percent slope and revised drainage devices to divert surface runoff from the adjacent property (of your client). These plans were approved and the work was performed. We also sent a licensed arborist (Erin Nickerson) to the site to verify the maintenance and health of the protected oak trees. She found no violations related to removal or damage to the protected oak trees. We gave final inspection of the corrected work on July 1, 2010.

As a result of the above actions, we believe that no further violations of the Monterey County Code continue to exist at this site related to the grading work done previously done without a permit. If you have any remaining concerns, please advise us at your earliest convenience.

Yours truly,

Timothy P. McCormick, P.E. & C.B.O.
Director of Building Services

cc: AA, Gordon and Sandra Lee Steuck, Aaron Johnson

Permit Center Locations

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