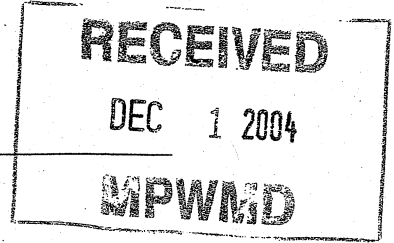




EXHIBIT 11-B

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



Please PRINT OR TYPE all information. Applications must be received within twenty-one (21) days after an appealable decision has been made pursuant to District Rule 70. To be considered for an appeal hearing, please submit a completed application and include 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); other information as necessary which may include 5 years of water records from purveyor. The Board will support or deny your appeal based on the pertinent information you have provided. Submission of an incomplete application may constitute grounds for denial of your request.

APPLICATION FOR APPEAL

APPLICANT INFORMATION

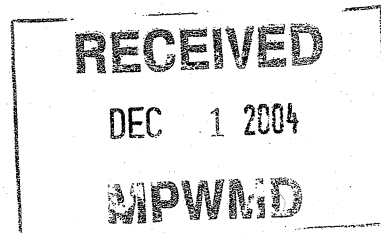
- 1. Applicant's Full Name: Adam Kristopher Serrano
Mailing Address: 902 Via Verde
City: Del Rey Oaks State: CA Zip: 93940
Phone Number(s): Work (831) 402-4365 Home (831) 394-2039
2. Name of Agent(s) to Represent Applicant: Self
Mailing Address:
City: State: Zip:
Phone Number(s): Work ( ) Home ( )

PROPERTY INFORMATION

- 1. Full Name of Property Owner: Adam Kristopher Serrano
Mailing Address: 902 Via Verde
City: Del Rey Oaks State: CA Zip: 93940
Phone Number(s): Work (831) 402-4365 Home (831) 394-2039
2. Property Address: 902 Via Verde
City: Del Rey Oaks State: CA Zip: 93940
3. Assessor's Parcel Number: 012 - 541 - 003
4. Property Area: Acres: Square Feet: 7797 Other:
5. Past Land Use: Residence
6. Present Land Use: Residence
7. Proposed Land Use: Residence
Existing buildings? Yes [checked] No
Types of uses and square footage: Living / Residential existing = 1446 sq. ft.

SUBMITTED BY APPLICANT

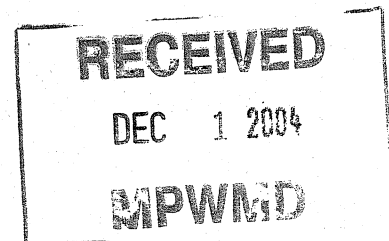
Mr. Adam Serrano  
902 Via Verde  
Del Rey Oaks, CA 93940



### STATEMENT OF APPEAL REQUEST

1. I am requesting an appeal to the decision made by the Monterey Peninsula Water Management District on Nov. 1, 2004. The rule I am appealing is Rule 24-C that directly affects my proposed remodel in which I am using ordinance no. 98 to obtain a new full bathroom.
2. I feel that the rule or staff's decision is applicable in most cases, but not in mine. If a person uses ordinance 98 and then tries to add another full bath or several half baths, then they are taking advantage of the ordinance. I am simply using units that I already have by removing an old laundry sink and vegetable sink that both leak and waste water to gain a half bath so my guests don't have to venture into my bedroom or guest bedroom to simply use the bathroom or to wash their hands. I feel that the rule could be changed by allowing the resident to add no more than a half bath using only the units they currently have.
3. The circumstances surrounding my appeal are simple. I am not going to use any more water after my proposed remodel than I used before I remodeled my house. Either way, my friends or myself are going to use the bathroom the same amount. By adding this half bath, it will just make things easier for guests to either wash their hands or use the bathroom. In all honesty, I feel I will be saving water because my laundry sink and vegetable sink both leak and are over 30 years old. Both sinks will be removed, and a low flow toilet with a new sink will be put in place of those two items.
4. The special circumstances that distinguish my application from all others is the timing of rule 24-C going into effect. I had my water units counted on 6/7/04. And it is my understanding that this new rule went into effect 7/1/04, just over three weeks later. My plans were already being drawn up and designed using ordinance 98. I have already had to change my plans twice for plan check and that was very minor and expected. But having to change them now to eliminate my half bath will cost me a lot of money that I am trying to save in order to do my remodel.

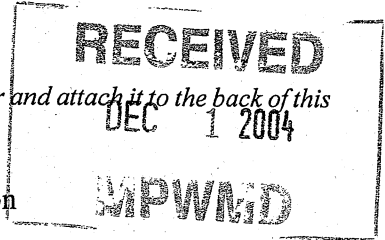
5. As I stated above, the difficulties or hardships I will face will be the money it will cost me to have my plans changed. The proposed half bath area is too big for a closet and I will be wasting valuable space that could be efficiently used. This project is already starting to exceed the estimated amount to get permits. If I have to go back again and re-design this area to eliminate my half bath, it will be very expensive. Also, having my guests walk three times as far just to use the bathroom will be an inconvenience for myself and them.
6. The specific action I am requesting is to allow me to add my half bath, along with a new full bath under ordinance 98, as proposed on my plans. My water usage will stay exactly the same. Honestly, it may save some water, because as I stated before, both sinks I plan on removing are very old and leaky. If I was adding another shower or bathtub I would understand. I am simply adding another toilet and sink that would normally be used in regular fashion. My guests are going to use the bathroom regardless, having the half bath will make things much easier.
7. I am very interested in making a statement at the appeal hearing. When I turn this appeal in, I will find out the date and time of the meeting. And possibly I will have other individuals along with me.



APPLICATION FOR APPEAL

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: \_\_\_\_\_ New Construction X 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 \_\_\_\_\_ Total No. Fixture Units (Residential Only) 13.7 units

\_\_\_\_\_ Commercial/Industrial/Governmental

Type of Use: Residence Square Footage: 2702

Other (Specify): \_\_\_\_\_

3. Current Zoning Classification: R-1

4. Name of the water company which services the property: Cal-Am Water

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. I know that this project will use the exact same water as before because I am the only resident living in the house. I am single and plan on living here for many, many years.

6. Has this project been approved by the local jurisdiction? If so, please list or attach a copy of all conditions which have been imposed on the project. (Attach a copy of these conditions and approvals received.) Yes, it has been approved by the City of Del Rey Oaks. Please see attached letter from the city.

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? Absolutely, I will start construction the day after the water board approves my plans and/or proposed water usage.

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.

Adrian Serrano  
Signature of Applicant

12/1/04  
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 \_\_\_\_\_ Receipt No. \_\_\_\_\_  
Check No. \_\_\_\_\_ Bank Routing No. \_\_\_\_\_  
Received by \_\_\_\_\_



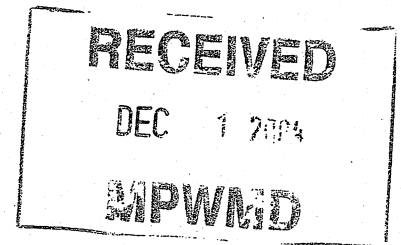
# CITY OF DEL REY OAKS

650 CANYON DEL REY RD. • DEL REY OAKS, CALIFORNIA 93940  
PHONE (831) 394-8511 • FAX (831) 394-6421

OFFICE OF The City Clerk

November 30, 2004

Monterey Peninsula Water Management District  
PO Box 85  
Monterey CA 93942



Re: Adam Serrano, 902 Via Verde, Del Rey Oaks

To Whom it may Concern:

Adam Serrano applied for architectural review with our Planning Commission for an addition and remodel of his home which included one full bath and a half bath. His designs were approved unanimously by the Commission.

Mr. Serrano is a single young man that currently only has one bathroom in his home and he wants to improve his home. He has requested a second bathroom under Ordinance 98, and wants to take out his vegetable sink and laundry sink to get the few extra credits he needs for the half bath. He will not be using any more water than he is currently using now as he is the only person living in the house.

Mr. Serrano is unusual in the respect that he has done everything "by the book", and being a contractor himself, he could very easily have just added the half bath and not done it through the proper channels. I greatly respect him for this. As you know, a great number of people abuse the system which ultimately destroys it for everyone else.

I understand that Mr. Serrano missed the deadline for the new rule in Ordinance 98 by just a few days. I would ask that you consider making him the exception to the rule if at all possible. He has no intention of adding further bathrooms because he has maximized the use of his lot size to it's fullest. I do not feel he will abuse his water credits, and I hope that you will grant him what he is requesting.

Sincerely,

Kim Carvalho  
Deputy City Clerk

cc: Adam Serrano