



EXHIBIT 15-B

DEC 21 2008

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: STEVE & LINDA McDANNOLD
Mailing Address: 2250 S.CENTRAL AVE
City: RANCHO DOMINGUEZ State: CA Zip: 93940
Phone Number(s): Work (310) 763-2112 Home (310) 345-3504
2. Name of Agent(s) to Represent Applicant: ERIC MILLER ARCHITECTS, INC.
Mailing Address: 157 GRAND AVE. SUITE 106
City: PACIFIC GROVE State: CA Zip: 93950
Phone Number(s): Work (831) 763-2112 Home ()

PROPERTY INFORMATION

- 1. Full Name of Property Owner: STEVE & LINDA McDANNOLD
Mailing Address: 2250 S.CENTRAL AVE
City: RANCHO DOMINGUEZ State: CA Zip: 93940
Phone Number(s): Work (310) 763-2112 Home (310) 345-3504
2. Property Address: 905 OCEAN VIEW
City: PACIFIC GROVE State: CA Zip: 93950
3. Assessor's Parcel Number: 006 031 004
4. Property Area: Acres: Square Feet: 5,517 Other:
5. Past Land Use:
6. Present Land Use:
7. Proposed Land Use:
Existing buildings? Yes X No
Types of uses and square footage: SINGLE FAMILY RESIDENCE 2640 SF

STATEMENT OF APPEAL 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 appeal?

DECISION TO DENY PROCESSING OF A WATER PERMIT FOR A THIRD BATHROOM RETROFITTING THE INITIAL EXISTING FIXTURES.

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?

YES IT IS APPLICABLE IN MOST CASES BUT IT SHOULD BE CHANGED FOR PROJECTS THAT ARE UNDER DESIGN DEVELOPMENT AND CITY APPROVAL PROCESS DURING THIS ENTIRE PERIOD (2003-2006)

3. What were the circumstances surrounding your decision to appeal?

WE BASED YEARS OF WORK ON ORDINANCE 98 AND WE ARE WILLING TO FURTHER DEED RESTRICT THE FIXTURE UNITS SO THE ADDITIONAL BATHROOM REPRESENTS EFFICIENCY TO HOMEOWNER, WHILE NOT INCREASING THE WATER USE.

4. Please state the special circumstances that distinguish your application from all others which are subject to enforcement of this process.

AFTER WORKING CAREFULLY ON THE DESIGN, SUBMITTING IT TO THE PLANNING DEPARTMENT, NUMEROUS PLANNING COMMISSION MEETINGS, MULTIPLE ARCHITECTURAL REVIEW MEETINGS AND COMPLETING THE ENGINEERING AND WORKING DRAWINGS, WE WERE GIVEN THE WATER RELEASE FORM ALONG WITH THE APPROVED DRAWINGS, WE BROUGHT THESE TO WATER MANAGEMENT DISTRICT AND WERE TOLD THAT ORDINANCE 114 DO NOT ALLOW MORE RETROFIT FIXTURES.

5. What difficulties or hardships would result if your appeal request is denied?

OUR CLIENT WILL NOT CONTINUE THE PROJECT IF HE CAN NOT INCREASE THE QUALITY OF LIFE BY ADDING ANOTHER BATH. THIS MEANS THAT 3 YEARS OF HARD WORK AND ALL THE FEES INVOLVED WILL BE LOST

6. What specific action are you requesting that the Board take?

EXEMPTION OF DISTRICT RULE 24-C'S PROVISION AND APPROVAL FOR MORE DEED RESTRICTIONS WITHIN THE EXISTING FIXTURE UNITS

7. Please indicate if you intend to make a statement at the appeal hearing, and list the names of any other individuals who may speak on your behalf.

ERIC MILLER IS THE PERSON THAT WILL ATTEND THE HEARING AND WILL MAKE A STATEMENT

APPLICATION FOR APPEAL

EXHIBIT 2

PROJECT INFORMATION

DEC 21 2006

*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 1 Total No. Fixture Units (Residential Only) 10.6

Commercial/Industrial/Governmental

Type of Use: SINGLE FAMILY RESIDENCE Square Footage: 2640 SF

Other (Specify):

- 3. Current Zoning Classification: R-1

- 4. Name of the water company which services the property: CAL-AM

- 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. INITIAL CREDIT UNITS 10.7, PROPOSED CREDIT UNITS 10.6. THE WATER WILL BE USED MORE EFFICIENTLY BECAUSE ALL THE FIXTURES WILL BE ULTRA LOW FLOW

- 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, PLANNING AND DESIGN APPROVAL FROM CITY OF PACIFIC GROVE PLANNING COMMISSION AND ARCHITECTURAL REVIEW COMMITTEE

- 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? YES

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.

Signature of Applicant [Handwritten Signature]

Date/Location 12/21/06 OFFICE

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 \$250 Receipt No. 20196
Check No. 3486 Bank Routing No. 1211407
Received by Michael Botes



DEC 21 2006

Monterey Peninsula Water Management District

DISCLOSURE STATEMENT
(EX PARTE COMMUNICATIONS)

Name or description of project, action, etc.: McDANNOLD RESIDENCE
905 OCEAN VIEW, PACIFIC GROVE

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

Name	Address
ERIC MILLER	157 GRAND AVE., SUITE 106, PACIFIC GROVE

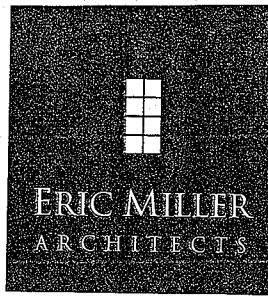
This *Disclosure Statement* is completed in my capacity as the Applicant for matter referenced in the first line, or as an authorized Agent of the Applicant. My signature evidences I am duly authorized to act on behalf of all individuals and/or entities that have an ownership interest in this matter (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 21 day of DECEMBER, 2006. This form is signed in the City of PACIFIC GROVE, State of CALIFORNIA.

ERIC MILLER
Name (print) _____
Signature [Handwritten Signature]



DEC '04 2006

December 1, 2006

Gabriela Ayala, MPWMD
#5 Harris Court
Monterey, CA 93940

Re: McDannold project located at 905 Ocean, Pacific Grove

Dear Gabby:

On February 21st 2003 we voluntarily entered into a deed restriction based on Ordinance 98. This ordinance allowed a second bathroom but prohibited any change to it. However, it did not limit the use of the existing water.

With this deed restriction in place, we began to design a major remodel with three bathrooms. This plan, under Ordinance 80, would further deed restrict the property to an ULF dishwasher, ULF toilet and ULF washing machine. With these ULF units in place there would be no increase in water use; but there would be a much needed third bathroom due to the size of the family.

After working carefully on the design, submitting it to the Planning Department, numerous Planning Commission meetings, multiple Architectural Review meetings and completing the Engineering and Working Drawings, we were given the water release form along with the approved drawings.

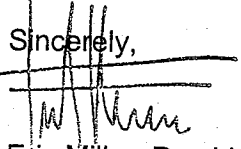
We brought these to the Water Management District and were told that our deed restriction for special Ordinance 98 would have to be changed to reflect Ordinance 114, which would not allow a third bathroom.

We worked diligently on this project from February 21, 2003 (when we received the deed restriction) to November 15, 2006 (when we were given the water release form). While our project was being designed and processed by the City, Ordinance 114 was adopted by the District.

We based years of work on our Ordinance 98 deed restriction. We are willing to further deed restrict the property so the additional bathroom represents efficiency to the homeowner, while not increasing the water use.

Please do not penalize our client and us because the City has a slow and careful process for planning and building permits on difficult waterfront properties.

Sincerely,


Eric Miller, President
Eric Miller Architects, Inc.