



CITY OF CARMEL-BY-THE-SEA BUILDING CODE BOARD OF APPEALS AGENDA

Board Members
Carolyn Bjorklund, Adam Jeselnick,
Gail Lehman, Nathan Smith

All meetings are held in the City Council Chambers
East Side of Monte Verde Street
Between Ocean and 7th Avenues

Building Code Board of Appeals Special Meeting

Thursday, July 2, 2026

2:00 PM - Tour of Inspection

2:30 PM - Meeting

HYBRID MEETING ATTENDANCE OPTIONS

This meeting will be held in person and via teleconference ("hybrid"). The public is welcome to attend the meeting in person or remotely via Zoom, however, the meeting will proceed as normal even if there are technical difficulties accessing Zoom. The City will do its best to resolve any technical issues as quickly as possible. To view or listen to the meeting from home, you may also watch the live stream on the City's YouTube page at: <https://www.youtube.com/@CityofCarmelbytheSea/streams>. To participate in the meeting via Zoom, copy and paste the link below into your browser.

<https://ci-carmel-ca-us.zoom.us/j/84897327345>

Webinar ID: 848 9732 7345

Passcode: 200263

Dial in: (253) 215-8782

HOW TO OFFER PUBLIC COMMENT

The public may give public comment at this meeting in person, or use the Zoom teleconference module, provided that there is access to Zoom during the meeting. Zoom comments will be taken after the in-person comments. The public can also email comments to sgorman@ci.carmel.ca.us. Comments must be received at least 2 hours before the meeting in order to be provided to the legislative body. Comments received after that time and up to the beginning of the meeting will be made part of the record.

CALL TO ORDER AND ROLL CALL - TOUR (2:00 PM)

TOUR OF INSPECTION

The Board will meet and convene the public hearing at the first location listed below on the Tour of Inspection. The public is welcome to join the tour. The tour is intended only to give the Board/Commission an opportunity to view project sites scheduled for a public hearing later that day. No deliberations on the merits of projects will take place during the Tour of Inspection. Following completion of the tour, the Board will recess and return to the Council Chambers to reconvene the public hearing at 2:30 p.m., or as soon thereafter as possible.

- A. Southwest Corner of Mission Street and Ocean Avenue, Carmel (Mad Dogs & Englishmen)

CALL TO ORDER AND ROLL CALL - CHAMBERS (2:30 PM)

PLEDGE OF ALLEGIANCE

PUBLIC HEARINGS

- 1) **APPEAL 250598 (Mad Dogs & Englishmen):** Consideration of an Appeal filed by Jennifer Blevins appealing the requirement to construct a public restroom inside a specialty restaurant tenant space and install a Fire Sprinkler system at the subject property located at the southwest Corner of Mission Street and Ocean Avenue (Mad Dogs & Englishmen). APN 010-141-001-00

FUTURE AGENDA ITEMS

ADJOURNMENT

This agenda was posted at City Hall, Monte Verde Street between Ocean Avenue and 7th Avenue, Harrison Memorial Library, located on the NE corner of Ocean Avenue and Lincoln Street, the Carmel-by-the-Sea Post Office, 5th Avenue between Dolores Street and San Carlos Street, and the City's webpage (<http://www.ci.carmel.ca.us>) in accordance with applicable legal requirements.

CORRESPONDENCE AND SUPPLEMENTAL MATERIALS

Any correspondence or supplemental materials related to items on this agenda that are received after the agenda has been posted will be distributed to the Building Code Board of Appeals and made available for public review at City Hall (Monte Verde Street between Ocean and Seventh Avenues) during regular business hours, and will be posted online with the related agenda at:
<https://carmelbytheseaca.portal.civicclerk.com/>.

SPECIAL NOTICES TO PUBLIC

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at 831-620-2000 at least 48 hours prior to the meeting to ensure that reasonable arrangements can be made to provide accessibility to the meeting (28CFR 35.102-35.104 ADA Title II).



**CITY OF CARMEL-BY-THE-SEA
Building Code Board of Appeals
Staff Report**

**July 2, 2026
PUBLIC HEARINGS**

TO: Building Code Board of Appeals Members

SUBMITTED BY: Anna Ginette, Community Planning & Building Director

SUBJECT: **APPEAL 250598 (Mad Dogs & Englishmen):** Consideration of an Appeal filed by Jennifer Blevins appealing the requirement to construct a public restroom inside a specialty restaurant tenant space and install a Fire Sprinkler system at the subject property located at the southwest Corner of Mission Street and Ocean Avenue (Mad Dogs & Englishmen). APN 010-141-001-00

Application:	AP 250598	Applicant:	Jennifer Blevins
APN:	010-141-001-000	Owner:	Alan Porter
Block & Lot:	Block 77, All Lots 1 & 2		
Location:	SW Corner of Ocean and Mission		

Recommendation:

Staff recommends the Board of Appeals adopt a resolution (**Attachment 1**):

1. Denying the appeal filed by Jennifer Blevins (AP 250598 Mad Dogs & Englishmen); and
2. Upholding the Building Official's requirement to construct a public restroom within the specialty restaurant tenant space and install a fire sprinkler system at the subject property located at the southwest corner of Mission Street and Ocean Avenue (Mad

Dogs and Englishmen).

Summary and Background:

The Building Code Board of Appeals consists of three core members, and two core members constitute a quorum. Board Members Adam Jeselnick and Ron Brown were present at the initial appeal hearing held on January 16, 2026, for the appeal filed by Jennifer Blevins. Chair Jeselnick is the only Board member from the initial hearing who is available to attend the July 2, 2026 continued hearing. Since the January hearing, new Board members have been appointed and are available to participate.

To ensure all participating Board members hear the same information before making a decision, the July 2, 2026 hearing will commence from the beginning. This will allow the Board to hear the full staff analysis, the appellant's presentation, public comment, and any Board questions before deliberating and taking action.

Building Code Board of Appeals January Hearing

On January 16, 2026, the Building Code Board of Appeals received staff's presentation and public testimony. Staff provided the Board with copies of the plan approved on January 12, 2024, and associated with the Mad Dogs and Englishmen Electrical Permit (EP 23-567), and Plumbing Permit (PP 23-567). These plans illustrate that the project area was limited to a 241 square foot (approximately) space of the upper floor (See **Attachment 4**). The appellant also submitted supplemental materials to the Board on January 15 and 16, 2026, and all those documents are included as **Attachment 6**. After their deliberation, the Board continued the hearing to allow staff and the applicant time to explore potential solutions prior to the Board taking final action on the appeal.

On February 10, 2026, staff, Monterey Fire Department, the business operator and property owners met, as directed by the Building Code Board of Appeals. Each point and position was discussed. Ultimately, there was no resolution as the Director of Community Planning and Building, Building Official and Fire Marshal maintained that the required installation of fire sprinklers is necessary for health, life and safety and the property owner and business operator maintained that the installation of fire sprinklers poses a financial hardship and their installation is not required.

New Information

On February 23, 2026, Justin Cooper, Fire Marshal with the Monterey Fire Department, reached out to the Code Development and Analysis division of the State Fire Marshal's office seeking accuracy in his application of the 2025 California Fire Code (CFC), Chapter 1, Section 102.3. Specifically, Fire Marshal Cooper asked that if there is a change in use, from an "M" to a "B" occupancy classification, does the new occupancy require compliance with the current code.

In their response on April 23, 2026, the State Fire Marshal's office found that yes, a change of occupancy shall not occur unless the use or occupancy complies with the CFC and the

California Existing Building Code (CEBC). An exception allows the fire code official to approve a change of use that does not comply with CFC or CEBC if the fire code official determines that the proposed or new use of occupancy is less hazardous. See **Attachment 8**.

In this case, Fire Marshal Cooper has maintained that due to the increased use intensity resulting from the change in occupancy, an exception cannot be made. See Fire Marshall letter issuing a denial of the applicant's request for a less-hazardous exemption, included as **Attachment 10**.

Background History

On November 13, 2025, Jermel Laurie, CBO – Building Official for the City of Carmel-by-the-Sea delivered a Notice of Violation and Order to Correct (see **Attachment 2**) to the appellant (Jennifer Blevins) and the property owner (Allen Porter). This notice identified that the change of occupancy — from an ancillary use to a specialty restaurant — was not permitted and therefore in violation of the Building Code. Further, the change of use triggered requirements of state law pertaining to sanitary facilities and fire sprinklers.

On November 20, 2025, Ms. Blevins filed a timely appeal (see **Attachment 5**) of the Notice of Violation and Order to Correct (NOV), stating that procedure, restroom requirement, fire sprinkler requirement and the status of approved Use Permit No. UP 24292 were contentions of the appeal. Further, the appeal requests the Building Code Board of Appeals either rescind the NOV, modify the NOV to reflect only those violations that are supported by specific enforceable code sections or remand the matter to staff with direction to issue a written code interpretation identifying the exact sections of the adopted code that supports each alleged violation.

As discussed in detail below, staff recommends the Board deny the appeal based on the California Building Code and Carmel-by-the-Sea Municipal Code requirements.

Staff Analysis:

Appellant’s Contentions and Staff Response

The discussion below provides a summary of the appellant’s contentions (see **Attachment 5** for the full text) and staff’s responses which support the recommendation to deny the appeal.

Contention 1 – Procedural Basis for Appeal

The appellant contends that the NOV does not identify the specific enforceable code sections requiring the construction of a restroom within the tenant space and the installation of fire sprinklers; the specific code section the tenant has violated; and factual findings supporting the City’s position.

Staff Response to Contention 1

The NOV dated November 13, 2025 (**Attachment 2**) lists the specific Carmel-by-the-Sea Municipal Code (CMC) requirements: CMC Sections [5.04.060](#); [15.04.070](#); [15.04.250](#);

[15.08.100](#) and [17.14.040.I](#). Further, relevant sections of the California Fire Code (CFC), California Existing Building Code (CEBC), and the California Plumbing Code (CPC).

After the appeal was filed, the Building Official provided a code determination on December 2, 2025. A copy of this letter was previously provided to the Board at the January 16th hearing and is attached (see **Attachment 7**).

Contention 2 – Restroom Requirement

The appellant contends that “alleged restroom ‘violation’ lacks adequate code basis.” Although the NOV cites the 2022 CPC Table 422.1, the appellant asserts that the table itself does not impose a requirement for construction of a restroom inside a tenant space, nor does it cite a section for said requirement. The appellant further asserts that there is justification that the public restrooms at Devendorf Park meet the requirements set forth in CPC section 422.2 because the restrooms are owned and maintained by the City, ADA accessible, on the same legal parcel for zoning purposes, located between 170 to 240 feet from Mad Dogs and Englishmen and are accessible through compliant sidewalks or graded paths.

Staff Response to Contention 2

The appellant points out language in CPC section 422.2 which is misleading. Essentially, the appellant asserts that the code states that toilet rooms need not be located within a tenant space if they are conveniently accessible and are within the same building or on the same property under the same authority. The code provides for an exception for when more than one restroom is required; the number of restrooms can be reduced if the facility is ADA accessible and unisex. It does not provide an exception for restrooms off site. The language “conveniently accessible...” is from CMC Section 17.14.040.I.c. In any event, the appellant’s claim that the restrooms located at Devendorf Park meet this requirement is also incorrect, as the park is not located on the same property as Mad Dogs and Englishmen nor is it under the same ownership.

Contention 3 – Fire Sprinkler Requirement

The appellant asserts that the NOV references CFC Section 102.3, CEBC Section 1011 and CMC Section 15.08.100; however, these regulations do not require fire sprinklers in the tenant space. She further states that CFC Section 903.2.1.2 (A-2 Occupancies) require fire sprinklers on where the fire area is greater than 5,000, the occupant load is greater or equal to 100 and the “fire area is above/below level of exit discharge” and that the tenant space does not meet these requirements.

The appellant further states that if it is the City’s position that there is a hazard category increase under CEBC Section 1011, the NOV was inadequate as it did not specify what the previous occupancy was, the new classification, the change in hazard level and why the change would trigger fire sprinklers.

Staff Response to Contention 3

CFC Section 102.3 is explicit in its language, stating that “[a] change of occupancy shall not be made unless the use or occupancy is made to comply with the requirements of the CFC and

CEBC. Further, as locally amended, Section 903.2 requires installation of fire sprinklers for non-Group R occupancies that are over 500 square feet. Mad Dogs and Englishmen meet both of these and therefore sprinklers are required in this case.

Contention 4 – Status of Use Permit No. UP 24292

The appellant states that the NOV refers to ‘unapproved operations’ and points out that Planning Commission Resolution 2024-094-PC states that the 12-month commencement period begins upon a Certificate of Occupancy and the City has yet to issue one. Therefore, the Use Permit has not commenced, has not expired and there is no violation of timing.

Staff Response to Contention 4

The appellant is correct in that Condition of Approval No. 14 states: “Use Permit Must be Initiated within 12 months. The Use Permit shall become void and in no further force or effect if the use is not initiated within twelve (12) months of the issuance of the Certificate of Occupancy from the Building Official.”

However, Condition of Approval No. 23 states: “Business License. An amended business license shall be obtained prior to commencement of the coffee shop business operation. Mad Dogs and Englishmen has been, and is currently operating, as a Specialty Restaurant (Coffee Shop) and to this date, the City has not received, and therefore not approved, a business license for the coffee shop operation. Further, [CMC Section 5.04.020 – License Required](#) states that it is unlawful to commence a business without first applying for and procuring a license. [CMC Section 5.04.040 – Certificate of Occupancy](#) states that no business shall be conducted at any fixed place of business until a Certificate of Occupancy has been issued.

Other Components:

N/A

Attachments:

1. Attachment 1 - Draft Resolution (Mad Dogs)
2. Attachment 2 - Notice of Violation (Mad Dogs) - 11-13-2025
3. Attachment 3 - Chapter 10 Change of Occupancy
4. Attachment 4 - Plans for PP 23-566 & EP 23-567 (Mad Dogs)
5. Attachment 5 - Jennifer Blevins Appeal of NOV - filed 11-20-2025
6. Attachment 6 - Supplemental docs rec'd 1-15-2026 from Blevins
7. Attachment 7 - Letter Determination of codes for change of use and occupancy - 12-2-2025
8. Attachment 8 - Code Interpretation Request - Code Application Response 4-23-2026
9. Attachment 9 - Code determination for change of occupancy - 4-3-2026
10. Attachment 10 - Fire Marshal Letter dated 6-24-2026

**CITY OF CARMEL-BY-THE-SEA
BUILDING CODE BOARD OF APPEALS**

BUILDING CODE BOARD OF APPEALS RESOLUTION NO. 2026-XX

A RESOLUTION OF THE BUILDING CODE BOARD OF APPEALS OF THE CITY OF CARMEL-BY-THE-SEA FINDING THE DENIAL OF AN APPEAL IS NOT SUBJECT TO ENVIRONMENTAL REVIEW PURSUANT TO CEQA GUIDELINES SECTION 15378.a.3; DENYING THE APPEAL FILED BY JENNIFER BLEVINS; AND UPHOLDING THE BUILDING OFFICIALS REQUIREMENT TO CONSTRUCTION A PUBLIC RESTROOM WITHIN THE SPECIALTY RESTAURANT TENANT SPACE AND INSTALL A FIRE SPRINKLER SYSTEM AT THE SUBJECT PROPERTY LOCATED AT THE SOUTHWEST CORNER OF MISSION STREET AND OCEAN AVENUE (MAD DOGS AND ENGLISHMEN).

WHEREAS, on November 13, 2025 Jermel Laurie, CBO – Building Official for the City of Carmel-by-the-Sea delivered a Notice of Violation and Order to Correct (NOV) to the operator of Mad Dogs and Englishmen (Jennifer Blevins) and the property owner (Allen Porter). This notice identified that the change of occupancy -from an ancillary use to a specialty restaurant- was not permitted and therefore in violation of the Building Code. Further, the change of use triggered requirements of state law pertaining to sanitary facilities and fire sprinklers; and

WHEREAS, on November 20, 2025, Ms. Blevins filed a timely appeal of the NOV, stating that procedure, restroom requirement, fire sprinkler requirement and the status of approved Use Permit No. UP 24292 were contentions of the appeal. Further, the appeal requests the Building Code Board of Appeals either rescind the NOV, modify the NOV to reflect only those violations that are supported by specific enforceable code sections or remand the matter to staff with direction to issue a written code interpretation identifying the exact sections of the adopted code that supports each alleged violation; and

WHEREAS, on January 16, 2026, the Blevins appeal (AP 250598 Mad Dogs and Englishmen) came on for public hearing before the City of Carmel-by-the-Sea Building Code Board of Appeals. The Board continued the appeal hearing to a date uncertain to allow staff, the property owner and business operator additional time to seek a resolution; and

WHEREAS, On February 10, 2026, staff, Monterey Fire Department, the business operator and property owners met, as directed by the Building Code Board of Appeals. The Director of Community Planning and Building, Building Official and Fire Marshal maintained that the required installation of fire sprinklers is necessary for health, life and safety. The property owner and business operator maintained that the installation of fire sprinklers poses a financial hardship, and their installation is not required. A resolution was not reached, and the project was set for the July 2, 2026 Building Code Board of Appeals meeting; and

WHEREAS, on February 23, 2026, Justin Cooper, Fire Marshal with the Monterey Fire Department reached out to the Code Development and Analysis division of the State Fire Marshal's office seeking accuracy in his application of the 2025 California Fire Code (CFC), Chapter

1, Section 102.3. Specifically, Fire Marshal Cooper asked does a change in use, from an “M” to a “B” occupancy classification, require the new occupancy to comply with the current code; and

WHEREAS, on April 23, 2026, the State Fire Marshal’s office responded to Fire Marshal Cooper and found that yes, a change of occupancy shall not occur unless the use or occupancy complies with the CFC and the California Existing Building Code (CEBC). An exception allows the fire code official to approve a change of use that does not comply with CFC or CEBC if the fire code official determines that the proposed or new use of occupancy is less hazardous. In this case, Fire Marshal Cooper has maintained that due the increased use intensity resulting in the change in occupancy, an exception cannot be made; and

WHEREAS, on July 2, 2026, the Blevins appeal (AP 250598 Mad Dogs and Englishmen) came on for public hearing before the City of Carmel-by-the-Sea Building Code Board of Appeals; and

WHEREAS, having considered all the written and documentary evidence, the administrative record, staff report, oral testimony, and other evidence presented, the City of Carmel-by-the-Sea Building Code Board of Appeals finds the appellant’s contentions have not merit; and

WHEREAS, the code application and determination by the Building Official is required to ensure health and safety and is in accordance with application state codes and local Carmel-by-the-Sea regulations; and

WHEREAS, the Building Code Board of Appeals did hear and consider all said reports, attachments, recommendations and testimony herein above set forth and used their independent judgement to evaluate the appeal; and

WHEREAS, the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA"), together with State Guidelines (14 California Code Regulations §§ 15000, et seq., the "CEQA Guidelines") and City Environmental Regulations (CMC Chapter 17.60) require the review of certain projects for environmental impacts and preparation of environmental documents; and

WHEREAS, the Building Code Board of Appeals found that pursuant to CEQA regulations, action on the appeal is not subject to environmental review pursuant to CEQA Guidelines Section 15379.a.3 – Not a Project; and

WHEREAS, the facts set forth in the recitals are true and correct and are incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED that based on the above findings and evidence, the Building Code Board of Appeals of the City of Carmel-By-The-Sea does hereby:

1. Find the denial of the appeal is not subject to environmental review pursuant to CEQA

Guidelines Section 15378.a.3;

- 2. Deny the appeal filed by Jennefer Blevins (AP 250298 Mad Dogs and Englishmen); and
- 3. Uphold the Building Official’s requirement to construct a public restroom within the specialty restaurant tenant space and install a fire sprinkler system at the subject property located at the southwest corner of Mission Street and Ocean Avenue (Mad Dogs and Englishmen).

PASSED AND ADOPTED BY THE BUILDING CODE BOARD OF APPEALS OF THE CITY OF CARMEL-BY-THE-SEA this __ day of __ 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Chair

Nova Romero
Clerk



City of Carmel-by-the-Sea

COMMUNITY PLANNING AND BUILDING DEPARTMENT

POST OFFICE DRAWER G
CARMEL-BY-THE-SEA, CA 93921
(831)620-2010 OFFICE
(831)620-2014 FAX

Notice of Violation and Order to Correct

Date: 11/13/2025

Location: SW Corner Mission & Ocean

APN#: 010-141-001

Owner Name: Allen R Porter

Phone: 831-601-1675

Email: plastinico@aol.com

Re: Change of Occupancy without approval

Dear Allen R Porter,

This letter will serve as your notice that the parcel at the address shown above is in violation of the Carmel-by-the-Sea Municipal Code (CMC).

The specific violations are:

1. Carmel Municipal Code Section 15.04.070 - Permit Required
2. Carmel Municipal Code Section 15.04.250 - Violation of the Building Code – Penalty
3. Carmel Municipal Code Section 5.04.060 - Separate Offenses

On February 13, 2024, the Carmel-by-the-Sea Building Safety Division issued a plumbing permit and an electrical permit for minor work. After review of the property files by the Building Department, a meeting was scheduled on October 3, 2025 at the premises. In attendance was business owner Jennifer Blevins, Building Inspector Duane Dauphinee, Building Official Jermel Laurie and Community Planning and Building Director Anna Ginette, the following condition was identified:

1. Unapproved change of occupancy in violation of the Building Code triggering requirements of state law and CMC.

Although a use permit was approved (Resolution No. 2024-094-PC) for the establishment of a specialty restaurant, all required conditions of approval have not been complied with and therefore the use is not vested. During the meeting, Jennifer Blevins was notified that the current use of the space went beyond the approved incidental use, triggering a change of use

and occupancy. The change triggered multiple requirements from the California Building Codes and CMC. The accompanying document identifies the applicable code sections and requirements.

As the owner of the property, you must initiate the following corrective action by December 13, 2025.

- Revert the space back to the previously approved use as a mercantile occupancy.
- OR
- Comply with conditions of approval for UP 24-292 and resolution 2024-094-PC;
 - Apply for a building permit to install an accessible restroom within the space; and
 - Apply for a permit to install fire sprinklers throughout the building.

Violations of CMC Title 15, Buildings and Construction, are misdemeanors punishable upon conviction by a fine not exceeding \$1,000.00 and/or imprisonment for a term not exceeding six months. Failure to complete these actions by the deadline established above for compliance may subject you to these and additional penalties as prescribed by law. Each day of noncompliance shall constitute a separate violation.

This Notice of Violation may be appealed within 10 days of the date this notice is received. Appeal to the Carmel-by-the-Sea Building Code Board of Appeals by submitting a letter and an appeal fee of \$1193.00 to the Building Official at Carmel-by-the-Sea City Hall located on the East side of Monte Verde Street between Ocean and 7th Ave Carmel, CA. 93921. The penalty described in this Notice of Violation shall not accrue while an appeal is pending. If you do not appeal this Notice of Violation, it shall become the final order of the City, and may be enforced in a subsequent legal action brought by the City Attorney.

If you have any questions about what is necessary to correct the code violation, please contact the undersigned at 831-620-2055. If the corrective action described in this Notice of Violation has not been taken, the City may take additional steps to enforce compliance, as described herein or as set forth in the Carmel-by-the-Sea Municipal Code.

Very truly yours,

Jermel Laurie, CBO - Building Official

Cc:

Anna Ginette, AICP - Community Planning and Building Director

Brian Pierik - City Attorney

2022 CFC

[A] 102.3 Change of Use or Occupancy

A change of occupancy shall not be made unless the use or occupancy is made to comply with the requirements of this code and the California Existing Building Code. Exception: Where approved by the fire code official, a change of occupancy shall be permitted without complying with the requirements of this code and the California Existing Building Code, provided that the new or proposed use or occupancy is less hazardous, based on life and fire risk, than the existing use or occupancy.

2022 CEBC

1011.1 General

The provisions of this section shall apply to buildings or portions thereof undergoing a change of occupancy classification. This includes a change of occupancy classification within a group as well as a change of occupancy classification from one group to a different group or where there is a change of occupancy within a space where there is a different fire protection system threshold requirement in Chapter 9 of the California Building Code. Such buildings shall also comply with Sections 1002 through 1010 of this code.

1011.2 Fire Protection Systems

Fire protection systems shall be provided in accordance with Sections 1011.2.1 and 1011.2.2.

1011.2.1 Fire Sprinkler System

Where a change in occupancy classification occurs or where there is a change of occupancy within a space where there is a different fire protection system threshold requirement in Chapter 9 of the California Building Code that requires an automatic fire sprinkler system to be provided based on the new occupancy in accordance with Chapter 9 of the California Building Code. The installation of the automatic sprinkler system shall be required within the area of the change of occupancy and areas of the building not separated by a fire wall from the change of occupancy.

2022 California Plumbing Code TABLE 422.1

MINIMUM PLUMBING FACILITIES¹

Each building shall be provided with sanitary facilities, including provisions for persons with disabilities as prescribed by the Department Having Jurisdiction. Table 422.1 applies

to new buildings, additions to a building, and changes of occupancy or type in an existing building resulting in increased occupant load.

CMC 15.08.100 Toilet Facilities.

All eating and drinking establishments hereinafter established shall be provided with toilet and lavatory facilities, with hot and cold running water, in accordance with the California Plumbing Code; and such facilities shall be located within the premises and shall be for the exclusive use of the patrons and employees of the aforementioned businesses. Where the eating and drinking establishment has an occupant load of less than 50, a minimum of two single occupant toilet facilities shall be provided. All existing drinking and dining establishments hereafter enlarged in seating capacity, or when said establishments are repaired, remodeled or altered, the cost of which exceeds 10 percent of the assessed value of the building, shall become subject to the provisions of this section. (Ord. 2018-03 § 1 (Exh. A § 4), 2018; Ord. 2008-02 § 1, 2008; Ord. 99-04 (Exh. B), 1999; Ord. 96-1, 1996; Ord. 89-29 § 1, 1989; Code 1975 § 1122.7).

CMC 17.14.040 I (c)

At least one restroom shall be available for use by both sexes within, or conveniently adjacent to, the specific business premises and on the same property on which the use is located. This restroom shall comply with all provisions of the State Uniform Building and Plumbing Codes as to the required size, location and accessibility standards, and shall be available for use by both the employees and patrons of the business.

CHAPTER 10 CHANGE OF OCCUPANCY

SECTION 1011.2.1 2018 Edition IEBC INTERPRETATION 37-21 Issued: 6-2-2022 EB_18_37_21

1011.2.1 Fire sprinkler system.

Where a change in occupancy classification occurs or where there is a *change of occupancy* within a space where there is a different fire protection system threshold requirement in Chapter 9 of the *International Building Code* that requires an automatic fire sprinkler system to be provided based on the new occupancy in accordance with Chapter 9 of the *International Building Code*, such system shall be provided throughout the area where the *change of occupancy* occurs.

REFERENCED SECTIONS:

SECTION 202 GENERAL DEFINITIONS

CHANGE OF OCCUPANCY. A change in the use of a building or a portion of a building that results in any of the following:

1. A change of occupancy classification.
2. A change from one group to another group within an occupancy classification.
3. Any change in use within a group for which there is a change in application of the requirements of this code.

SECTION 1001 GENERAL

1001.2.2 Change of occupancy classification or group.

Where the occupancy classification of a building changes, the provisions of Sections 1002 through 1011 shall apply. This includes a change of occupancy classification and a change to another group within an occupancy classification.

SECTION 1004 FIRE PROTECTION

1004.1 General.

Fire protection requirements of Section 1011 shall apply where a building or portions thereof undergo a *change of occupancy* classification or where there is a change of occupancy within a space where there is a different fire protection system threshold requirement in Chapter 9 of the *International Building Code*.



Q: Does Section 1011.2.1 require an existing nonsprinklered building undergoing a change of occupancy from Group R-1 to Group R-2 to be provided with an automatic sprinkler system?

A: Yes.

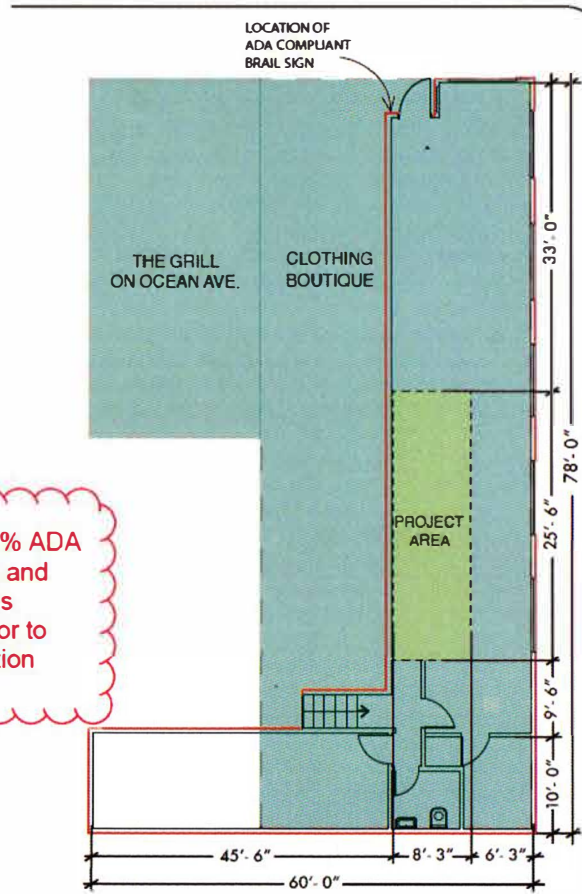
As indicated in Section 202, a change of occupancy includes three potential conditions: a change of occupancy classification, such as Group B to Group A-2; a change from one group to another group within an occupancy classification, such as Group R-1 to R-2; or any change in use within a group for which there is a change in application of the requirements of the code, such as a change in sprinkler system thresholds.

INTERNATIONAL EXISTING BUILDING CODE

In general, Section 1001.2.2 requires every change of occupancy to comply with Chapter 10 when there is a change of occupancy classification or a change to another group within an occupancy classification. While Section 1004.1 is specific to the application of the fire protection requirements of Section 1011 in that Section 1011 is only applicable to a change of occupancy classification or where there is a change in the fire protection system threshold requirements in Chapter 9 of the International Building Code (IBC), a change of occupancy classification is intended to include a change in use within an occupancy group.

Therefore, even though Group R-1 and R-2 occupancies have the same sprinkler threshold requirements in Chapter 9 of the IBC, the provisions of Section 1011.2.1 would apply to a change of occupancy from one group to another group within the same occupancy classification. Consequently, a sprinkler system is required by Section 1011.2.1 for an existing building undergoing a change of occupancy from Group R-1 to R-2 or from Group R-2 to Group R-1.

OCEAN AVE



Itemized 20% ADA upgrade list and installation is required prior to final inspection

SCALE: 1/16" = 1'-0" (1:196)

MISSION ST

REVIEWED FOR CODE COMPLIANCE

ALL CHANGES TO PLANS SHALL BE REVIEWED AND APPROVED BEFORE WORK COMMENCES



REVIEWED FOR CODE COMPLIANCE

JOB COPY

Date: 1/12/24 Permit # 23-566 & 23-567

Issued By: *Silvana Reyes Lopez*

MAD DOGS & ENGLISHMEN CARMEL, CA.

PROJECT DATA

Address: SW Corner of Ocean Ave. & Mission St. Carmel, CA

Parcel Number: 010-141-001, Block 77, Lot 1&2

Owners Name: A.R. Porter

Contact Name: Jennifer Blevins

Contact Phone: (813) 546-7361

Contact Email: jennblevins@me.com

Zoning District: Commercial

Upstairs Area: 1425 sq ft

Downstairs Area: 2500 sq ft

Total Area: 3925 sq ft

Project Area: 210 sq ft (Coffee Bar)

Flood Zone: No

High Fire Severity: No

SCOPE OF WORK

Existing retail cabinets to be replaced with cabinets for portable coffee bar equipment, extending existing Orange Julius plumbing and electrical as needed.

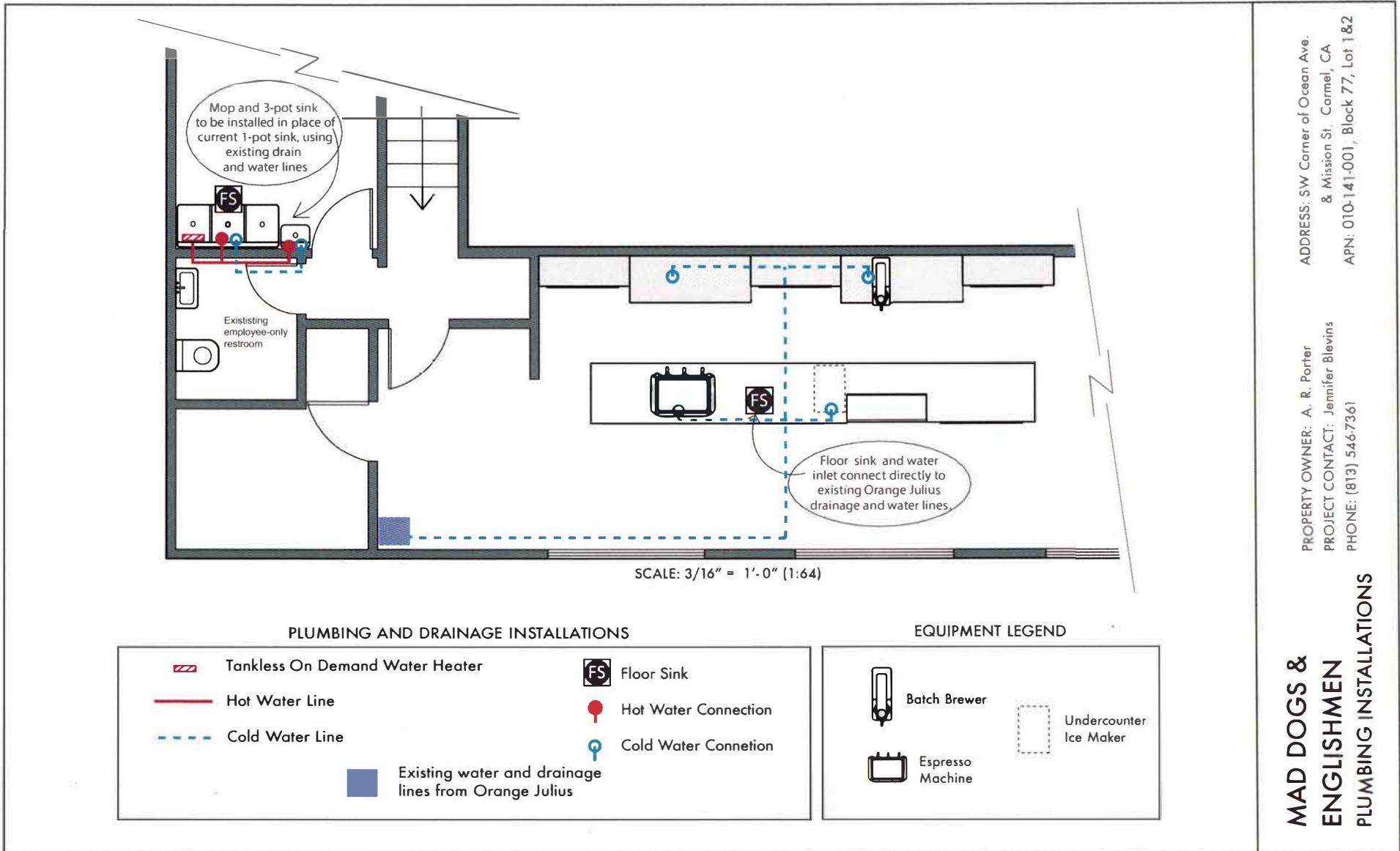


MAD DOGS & ENGLISHMEN SITE PLAN

PROPERTY OWNER: A. R. Porter
PROJECT CONTACT: Jennifer Blevins
PHONE: (813) 546-7361

ADDRESS: SW Corner of Ocean Ave. & Mission St. Carmel, CA
APN: 010-141-001, Block 77, Lot 1&2

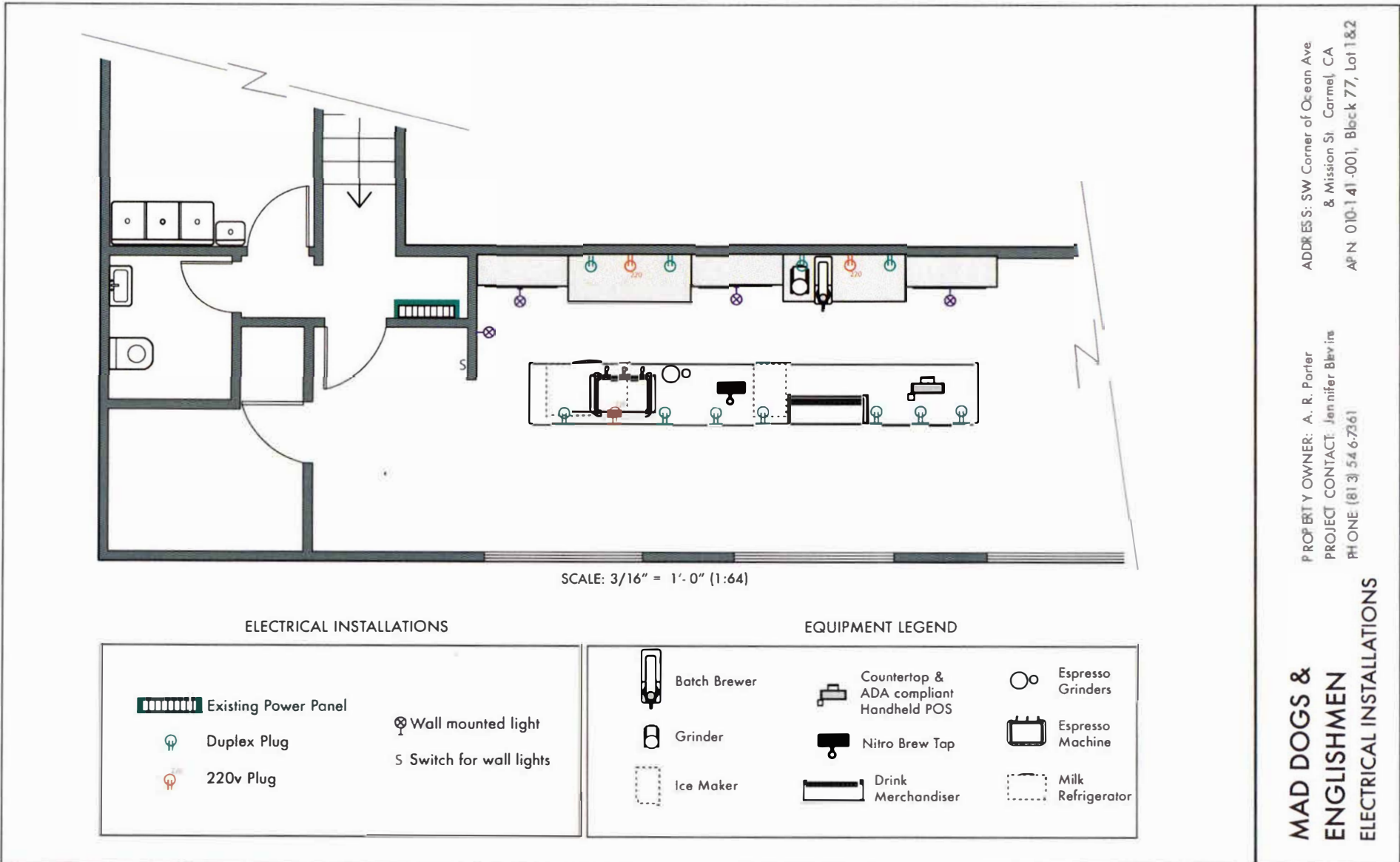
pp. 23-566
EP. 23-567



PROPERTY OWNER: A. R. Porter
 PROJECT CONTACT: Jennifer Blevins
 PHONE: (813) 546-7361

ADDRESS: SW Corner of Ocean Ave.
 & Mission St. Carmel, CA
 APN: 010-141-001, Block 77, Lot 1&2

MAD DOGS & ENGLISHMEN
 PLUMBING INSTALLATIONS



SCALE: 3/16" = 1'-0" (1:64)

ELECTRICAL INSTALLATIONS

	Existing Power Panel		Wall mounted light
	Duplex Plug		Switch for wall lights
	220v Plug		

EQUIPMENT LEGEND

	Batch Brewer		Countertop & ADA compliant Handheld POS		Espresso Grinders
	Grinder		Nitro Brew Tap		Espresso Machine
	Ice Maker		Drink Merchandiser		Milk Refrigerator

MAD DOGS & ENGLISHMEN
ELECTRICAL INSTALLATIONS

ADDRESS: SW Corner of Ocean Ave
& Mission St. Carmel, CA
APN 010-141-001, Block 77, Lot 1&2

PROPERTY OWNER: A. R. Porter
PROJECT CONTACT: Jennifer Blevins
PHONE (813) 546-7261

November 20, 2025
City of Carmel-by-the-Sea
Building & Safety Department / Building Official
PO Box 2227
Carmel-by-the-Sea, CA 93921



RE: FORMAL APPEAL OF NOTICE OF VIOLATION
APN: 010-141-001 — SW Corner Ocean & Mission (Mad Dogs & Englishmen Coffee Bar)
Filed by: Jennifer Blevins, Tenant

Dear Chief Building Official Laurie:

Pursuant to the Carmel Municipal Code and the California Building Code, I hereby submit this **formal appeal** of the **Notice of Violation issued on November 13, 2025** for the above-referenced property.

This appeal is filed **within the required timeframe** and is accompanied by the required fee. The landlord has directed me, in writing, to file this appeal on his behalf as the tenant in possession.

I. Procedural Basis for Appeal

The NOV identifies alleged violations but does **not** identify:

- A specific enforceable code section requiring the construction of a restroom within the tenant space
- A specific enforceable code section that triggers a mandatory fire sprinkler retrofit for this building or this tenant improvement
- A specific code section that the tenant has violated
- The factual findings supporting the City’s position

For the record, I have requested a **formal written code interpretation** multiple times (October 17–22 and again November 14). Under adopted code procedure and the City’s own appeal rules, a formal written interpretation is required to confirm the “determination” being appealed.

Nevertheless, to preserve all rights and avoid prejudice to the owner or tenant, this appeal is being filed in good-faith reliance on:

- The City’s position stated in the NOV
- The landlord’s written instructions to file immediately
- Uncertainty regarding the City’s interpretation

- The approaching holiday period and the landlord’s concern about accruing liability

This appeal fully preserves all procedural and substantive rights.

II. Basis for Appeal — Restroom Requirement

The NOV cites **2022 CPC Table 422.1**, but does not cite a section **requiring construction of a restroom inside the tenant space**, nor does Table 422.1 impose such a requirement.

Under **CPC §422.2**, toilet rooms need **not** be located within the tenant space if:

- They are “**conveniently accessible,**” and
- They are “**within the same building or on the same property under the same authority.**”

The Devendorf Park public restrooms are:

- **Owned by the City**
- **Maintained by the City**
- **ADA-accessible**
- **On the same legal parcel for zoning purposes (zoned in conjunction with the central commercial district)**
- **170–240 ft from the tenant space depending on chosen route**
- **Accessible via compliant sidewalks or graded paths**

No code section cited in the NOV states that these facilities are not considered “conveniently accessible,” nor does the NOV state any code-based reason why CPC §422.2 does not apply.

Therefore, the alleged restroom “violation” lacks adequate code basis.

III. Basis for Appeal — Fire Sprinkler Requirement

The NOV references:

- **CFC 102.3 (Change of Use)**
- **CEBC §1011 (Change of Occupancy – Hazard Category)**
- **CMC §15.08.100**

However, none of these citations **require** sprinklers in this tenant space.

Under the adopted **CFC §903.2.1.2 (A-2 Occupancies)**, sprinklers are required only where:

1. Fire area > 5,000 sq ft
2. Occupant load \geq 100
3. Fire area is above/below level of exit discharge

The tenant space is:

- **~1,300 sq ft**
- **Estimated load <50 persons**
- **At grade level**

Thus, **none of the three sprinkler triggers apply.**

If the City is asserting a hazard category increase under CEBC §1011, the NOV does not state:

- What the **previous occupancy classification** was
- What the **new classification** allegedly is
- What **hazard level change** the City is asserting
- Why the claimed change would trigger a sprinkler retrofit

Without these required findings, the alleged sprinkler “violation” lacks code basis.

IV. CUP Status

The NOV refers to “unapproved operations,” but the **approved CUP (Resolution 2024-094-PC)** states:

“The 12-month commencement period begins upon issuance of a Certificate of Occupancy.”

The City has not issued a Certificate of Occupancy for the CUP.

Therefore:

- The CUP has not commenced
- The CUP has not expired
- No violation of CUP timing can yet exist

V. Request for Relief

Based on the above, I respectfully request that the Building & Fire Code Board of Appeals:

1. **Rescind the NOV in its entirety, OR**
2. **Modify the NOV to reflect only violations supported by specific enforceable code sections, OR**
3. **Remand the matter to staff with direction to issue a written code interpretation identifying the exact sections of the adopted code that support each alleged violation.**

Additionally, I respectfully request a **temporary stay of enforcement** pending the outcome of this appeal, given the active CUP, the major investment in the space, and the landlord's direct instruction to initiate this process.

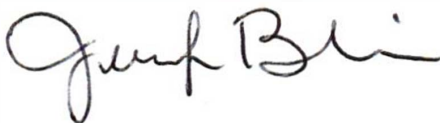
VI. Attachments

NOV and Code Compliance Memorandum

Conclusion

This appeal is filed in good faith with the landlord's express authorization. I look forward to a fair and transparent administrative review.

Respectfully submitted,



Jennifer Blevins

Tenant, Mad Dogs & Englishmen Coffee Bar
SW Corner Ocean & Mission
Carmel-by-the-Sea, CA



City of Carmel-by-the-Sea

COMMUNITY PLANNING AND BUILDING DEPARTMENT
 POST OFFICE DRAWER G
 CARMEL-BY-THE-SEA, CA 93921
 (831)620-2010 OFFICE
 (831)620-2014 FAX

Notice of Violation and Order to Correct

Date: 11/13/2025

Location: SW Corner Mission & Ocean

APN#: 010-141-001

Owner Name: Allen R Porter

Phone: 831-601-1675

Email: plastinico@aol.com

Re: Change of Occupancy without approval

Dear Allen R Porter,

This letter will serve as your notice that the parcel at the address shown above is in violation of the Carmel-by-the-Sea Municipal Code (CMC).

The specific violations are:

1. Carmel Municipal Code Section 15.04.070 - Permit Required
2. Carmel Municipal Code Section 15.04.250 - Violation of the Building Code – Penalty
3. Carmel Municipal Code Section 5.04.060 - Separate Offenses

On February 13, 2024, the Carmel-by-the-Sea Building Safety Division issued a plumbing permit and an electrical permit for minor work. After review of the property files by the Building Department, a meeting was scheduled on October 3, 2025 at the premises. In attendance was business owner Jennifer Blevins, Building Inspector Duane Dauphinee, Building Official Jermel Laurie and Community Planning and Building Director Anna Ginette, the following condition was identified:

1. Unapproved change of occupancy in violation of the Building Code triggering requirements of state law and CMC.

Although a use permit was approved (Resolution No. 2024-094-PC) for the establishment of a specialty restaurant, all required conditions of approval have not been complied with and therefore the use is not vested. During the meeting, Jennifer Blevins was notified that the current use of the space went beyond the approved incidental use, triggering a change of use

and occupancy. The change triggered multiple requirements from the California Building Codes and CMC. The accompanying document identifies the applicable code sections and requirements.

As the owner of the property, you must initiate the following corrective action by December 13, 2025.

- Revert the space back to the previously approved use as a mercantile occupancy.
- OR
- Comply with conditions of approval for UP 24-292 and resolution 2024-094-PC;
- Apply for a building permit to install an accessible restroom within the space; and
- Apply for a permit to install fire sprinklers throughout the building.

Violations of CMC Title 15, Buildings and Construction, are misdemeanors punishable upon conviction by a fine not exceeding \$1,000.00 and/or imprisonment for a term not exceeding six months. Failure to complete these actions by the deadline established above for compliance may subject you to these and additional penalties as prescribed by law. Each day of noncompliance shall constitute a separate violation.

This Notice of Violation may be appealed within 10 days of the date this notice is received. Appeal to the Carmel-by-the-Sea Building Code Board of Appeals by submitting a letter and an appeal fee of \$1193.00 to the Building Official at Carmel-by-the-Sea City Hall located on the East side of Monte Verde Street between Ocean and 7th Ave Carmel, CA. 93921. The penalty described in this Notice of Violation shall not accrue while an appeal is pending. If you do not appeal this Notice of Violation, it shall become the final order of the City, and may be enforced in a subsequent legal action brought by the City Attorney.

If you have any questions about what is necessary to correct the code violation, please contact the undersigned at 831-620-2055. If the corrective action described in this Notice of Violation has not been taken, the City may take additional steps to enforce compliance, as described herein or as set forth in the Carmel-by-the-Sea Municipal Code.

Very truly yours,

Jermel Laurie, CBO - Building Official

Cc:

Anna Ginette, AICP - Community Planning and Building Director

Brian Pierik - City Attorney

CODE COMPLIANCE MEMORANDUM

Prepared by: *Independent Building Code & Accessibility Compliance Reviewer*

Prepared for: Mad Dogs & Englishmen Coffee Bar, Carmel-by-the-Sea

Date: November 11, 2025

To:

Alan Porter, Property Owner

Warren Building – Ocean & Mission, Carmel-by-the-Sea

Cc:

John Plastini

Kelley Sedoryk, Building Manager

RE: Technical Analysis of Notice of Violation & Applicable Codes

Restroom Requirement (Plumbing Code / Accessibility) & Fire Sprinkler Requirement (CFC / CEBC / CMC)

Mad Dogs & Englishmen Coffee Bar – SW Corner Ocean & Mission, Carmel-by-the-Sea

I. PURPOSE OF THIS MEMORANDUM

This memorandum provides a **technical, code-based analysis** of the City’s recent **Notice of Violation (NOV)** issued to the tenant space occupied by Mad Dogs & Englishmen Coffee Bar. The NOV cites several code sections and implies that:

1. **A customer restroom must be constructed within the tenant space, and**
2. **A fire sprinkler system may be required** for the entire building based on “change of occupancy.”

This memo analyzes each cited code section in detail, demonstrates why the cited provisions **do not mandate construction of new restrooms or a sprinkler retrofit**, and documents the tenant’s extensive good-faith efforts to obtain written clarification from the City.

The goal is to provide the property owner with a clear, factual basis for understanding the code, protecting the property from unnecessary expense, and determining next steps.

II. SUMMARY CONCLUSION (Plain Language)

After reviewing the relevant 2022 codes (California Building, Plumbing, Fire, and Existing Building Codes, and Carmel Municipal Code), and comparing them to the NOV and the tenant's approved Conditional Use Permit (CUP), the technical conclusion is:

A. No restroom is required inside the tenant space under the cited codes.

- CPC §422.1 and CPC Table 422.1 require toilet facilities **only when a tenant space provides toilet facilities**.
- **There is no code section requiring every food establishment under 1,500 SF to construct a restroom**, especially where compliant, accessible public restrooms exist within close proximity and under the same authority (City-owned park restrooms).
- **CPC 422.2** specifically allows shared or nearby facilities **when under the same authority**—which applies here, as the City owns and maintains Devendorf Park restrooms.

B. No fire sprinkler system is triggered under CFC §903.2.1.2 or CEBC Chapter 10.

- The City cited CFC 102.3 and CEBC 1011, but **not the actual sprinkler trigger section, CFC 903.2.1.2**.
- Under CFC 903.2.1.2, sprinklers are required for A-2 occupancies only if:
 1. Fire area > 5,000 SF (**ours is ~1,300 SF**)
 2. Occupant load \geq 100 (**ours is < 50**)
 3. Space is above/below level of exit discharge (**ours is at grade**)

None of these apply.

C. The Conditional Use Permit remains valid until a Certificate of Occupancy is issued.

The CUP conditions explicitly state that the one-year period **does not begin** until the City issues a **Certificate of Occupancy** for the “specialty restaurant” use.

A certificate cannot be issued until the business license is updated — which is already underway.

D. The City has not provided a written code interpretation despite multiple requests.

The tenant sent multiple written requests (Oct 17–22) asking the City to identify the **exact code section** requiring a restroom or sprinklers. To date, **no reply has been issued.**

This is important because an appeal cannot legally proceed without a **formal written determination.**

III. DETAILED ANALYSIS OF EACH CODE SECTION CITED IN THE NOV

Below is a **point-by-point rebuttal** of each section the City referenced.

1. 2022 California Fire Code (CFC) §102.3 – Change of Use

What the code actually says:

CFC §102.3 states that when a change of use or occupancy occurs, the building must comply with the specific provisions applicable to the new occupancy.

What it does *not* say:

- It does **not** mandate sprinklers.
- It does **not** mandate restrooms.
- It does **not** override the actual sprinkler-trigger section (CFC 903.2.1.2).

Correct application:

If there is a change from Mercantile (M) to Assembly A-2, then sprinkler triggers are found **only** in CFC 903.2.1.2.

Under that section, sprinklers are **not** required unless:

- A-2 fire area > 5,000 SF
- Occupant load ≥ 100
- Located on a floor other than exit discharge

This space (±1,300 SF, <50 occupants, ground level) meets none of the triggers.

Conclusion:

CFC 102.3 does **not** independently mandate sprinklers for this tenant improvement.

2. 2022 California Existing Building Code (CEBC) §1011 – Change of Occupancy

What CEBC 1011 requires:

- A review to determine whether the new occupancy classification introduces a **higher hazard**.
- If not, upgrades (e.g., sprinklers) are **not** required.

Key point:

The City has not identified **any hazard increase** under CEBC's hazard category tables.

In this case:

- Previous use: Retail sporting goods shop (Electric Bikes)
- Current use: Coffee bar (“specialty restaurant”), **no grease-laden vapors, no hood, no cooking equipment, no increase in fire area, no increase in occupant load above state thresholds**

There is no evidence that A-2 coffee service increases hazard beyond M retail in a way that triggers CEBC upgrades.

Conclusion:

CEBC 1011 does **not** mandate sprinkler installation or restroom construction.

3. 2022 California Plumbing Code (CPC) Table 422.1 – Minimum Plumbing Fixtures

What Table 422.1 actually regulates:

- **How many restrooms a building must provide**
when restrooms are provided in the building.

What it does not regulate:

- Whether a food establishment must construct its own restroom.
- Whether tenants can rely on shared facilities under the same authority.

Relevance to this tenant space:

- The Warren Building contains restroom facilities.
- Devendorf Park restrooms (owned by the City) are fully accessible and located within 200–300 feet.
- CPC does not require the tenant to build additional restrooms if compliant facilities are available elsewhere under the same authority.

4. CPC §422.2 – Separate Facilities & Shared Toilets

This section is critically important.

The code states:

“Separate toilet facilities shall be provided for each sex except where the building official determines otherwise... Toilet rooms or bathing rooms that are conveniently accessible may be shared by more than one tenant space when under the same authority.”

Key legal points:

1. **“Conveniently accessible”** is satisfied by
 - Level walkways
 - Accessible crosswalks
 - Park pathways within ~250 ft of tenant space
2. **“Same authority”** applies to:
 - Facilities controlled by the same building owner; or
 - Facilities controlled by the same jurisdiction (e.g., city-owned public restrooms)

Since Devendorf Park restrooms are **owned and maintained by the City of Carmel**, they satisfy §422.2.

Conclusion:

CPC 422.2 actually **supports** your current arrangement, not the City's interpretation.

5. Carmel Municipal Code (CMC) §15.08.100 & §17.14.040(I)(c)

These sections primarily reference:

- Adoption of state codes
- General compliance provisions
- Specialty uses
- Wastewater and business type requirements

None of the cited CMC sections contain any requirement to construct toilets or sprinklers in existing spaces under 1,500 SF.

IV. OCCUPANT LOAD CALCULATION (<50)

The A-2 occupancy threshold for sprinklers is based on **occupant load of 100 or more.**

The tenant space has been measured as follows:

- Seating: 20
- Staff on peak shifts: 3–4
- Standing space allowance: limited due to fixed casework, display cabinets, and existing furniture
- Customer-accessible floor area: approx. 700 SF
- Load factor for A-2 (unconcentrated tables and chairs): 15 net SF/person

Calculated occupant load:

$700 \div 15 \approx 46.6 \rightarrow$ **Rounded: 46 persons**

Conclusion:

Occupant load is **under 50**, well below sprinkler thresholds.

V. CONDITIONAL USE PERMIT TIMING (Not Expired)

The CUP states that:

“The use permit shall be initiated within 12 months from the issuance of a Certificate of Occupancy for the approved use.”

Since:

- The updated business license has not yet been issued
- Therefore the Certificate of Occupancy has not been issued
- Therefore the 12-month commencement clock has **not** begun

The CUP is **valid**.

VI. TENANT’S GOOD-FAITH EFFORTS TO OBTAIN CLARIFICATION

Between **Oct 17–22**, the tenant sent multiple written requests asking the City to:

1. Identify **the precise code section** requiring a restroom
2. Identify **the precise code section** requiring sprinklers
3. Provide **a written determination** so that an appeal could legally be filed if needed

No response has been issued.

Copies of these emails should be included as *Attachments A–D*.

VII. APPEAL PROCESS & FEE

The tenant is prepared to pay the City appeal fee **if** the City issues a formal written determination stating:

- A new restroom is required

- A sprinkler system is required

However, under municipal procedure, an appeal can only be filed **after** the City issues a written interpretation.

Thus:

- The tenant has acted properly
- The owner will not incur fees
- The next step depends on the City providing a written interpretation

VIII. SUMMARY FOR THE PROPERTY OWNER

1. No code section cited by the City independently requires the tenant to construct a toilet room.

Nearby, accessible, city-owned restrooms satisfy CPC §422.2 and ADA accessibility requirements.

2. No code section cited by the City triggers a fire sprinkler retrofit.

CFC §903.2.1.2 governs sprinklers for A-2 occupancies.
The tenant space does not meet any triggers.

3. The CUP remains valid and has not expired.

4. The tenant has acted diligently and in good faith, while the City has not provided the required written interpretation.

5. The tenant is prepared to pay any required appeal fee, but only after the City issues a formal determination.

6. The property owner is not currently in violation, because no triggering provisions apply under state or municipal code.

IX. RECOMMENDATION

Based on the technical analysis above:

- Continue operating under the approved CUP conditions
- Await the City's required written code interpretation- I am requesting this again in writing and will cc you.
- If the City issues a determination inconsistent with the cited codes, file a timely appeal (tenant will cover fee)
- Avoid making alterations (restrooms or sprinklers) until legally required



**Carmel-
by-the-Sea**

Nova Romero <nromero@ci.carmel.ca.us>

Agenda Packet for 1-16-2026 Building Code Board of Appeals Meeting

Jennifer Blevins <jennblevins@icloud.com>
To: Nova Romero <nromero@ci.carmel.ca.us>
Cc: martin@maddogsandenglishmen.com

Thu, Jan 15, 2026 at 4:07 PM

Hi Nova,

I just left you a detailed voice mail. Please distribute these documents to the board before tomorrow's meeting. Hopefully you can get them emailed out before you go home today so that they have time to review them this evening. I have more documents coming in a second email (exhibit 4), but I may not get these to you until this evening or early tomorrow morning.

Jennifer

[Quoted text hidden]

[Quoted text hidden]

<1-16-2026 Building Code Board - Agenda Packet.pdf>

8 attachments









-  **Emails Consolidated Final.pdf**
16390K
-  **Exhibit 3- consolidated email index.pdf**
81K
-  **Exhibit 2- fire sprinkler and restroom survey.pdf**
105K
-  **Exhibit 1B- Timeline Overview.pages**
273K
-  **Exhibit 1A- Summary of Exhibit 1.pages**
265K
-  **Exhibit 1- Narrative Chronology.pdf**
114K
-  **Exhibit 0- Board Handout.pdf**
79K
-  **Exhibit Index for packet.pdf**
49K

EXHIBIT INDEX

Appeal Packet Submitted By: Jennifer Blevins

Business: Mad Dogs & Englishmen Coffee Bar / Velo Carmel

Hearing: January 16, 2026 (1:00 PM)

Matter: Appeal of NOV / Code Enforcement Determination (Sprinklers + Restroom)

EXHIBIT 0 — BOARD HANDOUT (1 PAGE)

Exhibit 0 — 1-Page Board Handout (60-second digest)

EXHIBIT 1 — NARRATIVE CHRONOLOGY

Exhibit 1 — Narrative Chronology (“Full story / receipts”)

EXHIBIT 1A — SUMMARY

Exhibit 1A — Summary of Exhibit 1 (1–2 pages)

EXHIBIT 1B — TIMELINE TABLE

Exhibit 1B — Timeline Table (dates + events, Board-friendly)

EXHIBIT 2 — DOWNTOWN BASELINE SURVEY (SPRINKLERS + RESTROOMS)

Exhibit 2 — Fire Sprinkler + Restroom Survey — Downtown Carmel Food Establishments

- **Exhibit 2(1)** — Downtown-only sprinkler checklist (excluding Carmel Plaza)
- **Exhibit 2(2)** — Survey results: with/without Carmel Plaza
- **Exhibit 2(3)** — “Units above” examples (confirmed)
- **Exhibit 2(4)** — Restroom access practices (coffee/counter-service)
- **Exhibit 2(5)** — Why this survey matters to the appeal

EXHIBIT 3 — CONSOLIDATED EMAIL RECORD (ONE PDF)

Exhibit 3 — Consolidated Email Record (Chronological) (Planning/Building/Fire/Health/Water)

— “Emails Consolidated Final.pdf”

APPEAL 250598 — MAD DOGS & ENGLISHMEN
Building Code Board of Appeals — January 16, 2026
Appellant: Jennifer Blevins
Business: Mad Dogs & Englishmen (Retail + Coffee Bar)
Location: SW corner of Ocean Ave & Mission St, Carmel-by-the-Sea

WHAT THIS APPEAL IS ABOUT

This appeal challenges the City’s NOV requiring:

1. **A customer restroom inside my tenant space, and**
2. **Fire sprinklers throughout the entire building.**

These requirements were raised *after the fact*, after major investment, approvals, and months of written requests for guidance that were not answered.

WHAT I AM ASKING THE BOARD TO DO

Please choose one of the following outcomes:

- A) GRANT THE APPEAL** (reverse the NOV), or
- B) MODIFY THE NOV** (narrow any requirements to lawful triggers + lawful scope), or
- C) REMAND** for a complete written, fact-specific code determination identifying:
 - the **occupancy classification**,
 - whether a **change of occupancy occurred**,
 - the **exact adopted code trigger(s)** for sprinklers/restroom, and
 - the **lawful scope** of any required work.

KEY FACTS (IN PLAIN LANGUAGE)

1) The City directed me into the Ancillary Use path (in writing).

I pursued the coffee bar only after the Water Division reinstated credits and Planning staff confirmed I could apply as an ancillary use to my existing sporting goods business license.

2) The City later forced me to convert from Ancillary → CUP after buildout.

On 8/26/24, I was told: “Jennifer, we have a problem.”

On 9/18/24, I was directed to apply for a CUP — and **Building was copied**.

3) The City’s own public December 11 staff report said I was “currently approved” for ancillary coffee.

The City wrote that my 1,425 sf corner tenant space was “currently approved to operate as a sporting goods store with ancillary coffee sales,” but later suggested the ancillary approval was never finalized. Those positions conflict.

4) Fire sprinklers were NOT raised until October 2025.

Even though Building was copied early (9/18/24), sprinklers were not raised until 10/3/25, after months of operation and investment.

5) I asked in writing for clarification—multiple times—and got no response.

On 10/22/25, I asked for clarification on occupancy classification and ADA/CASp documentation.

On 11/5/25, I followed up.

On 11/14/25, I requested a formal written code determination and provided technical background.

6) The NOV demands sprinklers “throughout the building,” which is not within a tenant’s control.

This is a multi-tenant building. A blanket building-wide mandate is a de facto closure order.

7) Selective enforcement / district reality

I surveyed downtown Carmel: the majority of food establishments operate **without sprinklers**. Coffee bars are among the only true walk-up counter-service uses downtown, and they become the default restroom stop for surrounding businesses. Public ADA restrooms exist nearby and are part of how downtown Carmel functions.

REQUESTED RESULT

Grant, modify, or remand — because the current NOV is not a fair, fact-specific determination and imposes building-wide requirements beyond the tenant’s control without clear written code analysis.

Narrative
ATTACHMENT 6
Chronology
Exh. 1

Appeal 250598 — Mad Dogs & Englishmen
Building Code Board of Appeals Hearing: January 16, 2026
Appellant: Jennifer Blevins
Business: Mad Dogs & Englishmen (Retail + Coffee Bar)
Location: Ocean Avenue & Mission Street, Carmel-by-the-Sea

Purpose

This Narrative Chronology is submitted to provide the Board with a clear, detailed timeline of events and written communications related to the approvals, inspections, and enforcement actions that led to the Notice of Violation (“NOV”) and this appeal. I have extensive documentation supporting these events, including emails between myself and City Planning, City Building, the Water Division, Monterey County Environmental Health, and the Fire Department.

1) Longstanding Carmel Business + Prior CUP Experience

I have owned and operated my business in Carmel-by-the-Sea for over eight (8) years. When I opened the bike shop in 2018, I was required to obtain a Conditional Use Permit (“CUP”) for bike rentals and tours. That original CUP process was not handled correctly and ultimately required an appeal to City Council involving the Mayor and the City Attorney. The CUP was unanimously approved, and I was effectively told an apology was due for how the process had unfolded.

My business has built a strong reputation in Carmel and has been awarded numerous local and national recognitions. In 2025, we were awarded **Carmel Business of the Year** by the Carmel Chamber, and our coffee bar was also recognized nationally as **#45 of the Top 100 Coffee Shops in the United States by Yelp (2025)**. In prior years we have won Best Bike Shop in Carmel and Monterey County, Best Small Tourism Business for Carmel, been featured in numerous national and international publications including the NY Times, been featured on several national TV shows including CBS Mornings with Gayle King, been featured in travel books and magazines, and also chosen to be the featured “Small Business” for promoting American Express Shop Small during the US Open (which included a nationally aired commercial). These recognitions reflect not only popularity, but consistent quality, professionalism, and the fact that we operate responsibly and take compliance seriously. We have grown a loyal following on social media and average 2-5 million views each month.

My spouse Martin and I work seven days a week in our business and are hands-on operators. This business is our livelihood.

2) Business Expansion + Severe Industry Decline + Need to Pivot

In March 2018, we opened our first bike shop in Carmel. In 2019, we expanded and opened a second location in Mill Valley, California. In 2021, we opened three additional locations: one at the Monterey Plaza Hotel, one in Montecito, California, and we expanded our Carmel location to take over the second floor in approximately June 2021.

We paid approximately \$50,000 in key money to take over the upstairs space. The rent for both floors in Carmel is extremely high, and the business requires substantial revenue to remain viable.

After COVID, the bike industry experienced a major decline. At the end of 2023, the business nearly had to close its doors and we lost approximately half a million dollars due to excessive surplus inventory being devalued below our cost by the manufacturers (outside our control) as well as high interest loans that had been taken out to cover payroll and operating cost while we tried to sell through all of this inventory at continued losses. In November 2023, we chose to close our Mill Valley location at the end of our lease, and in February 2025 we made the same decision for our Montecito location. Even with those closures, we still lost money in 2024. At that point, we knew we had to pivot and change the business model in order to survive in Carmel, our flagship location.

A coffee bar became a practical survival strategy. Only about 1 in 10 adults ride bikes, but most people drink coffee and tea. Around the world, bike shops frequently include coffee bars and complementary food/drink service as part of sustainable retail. Even high-end brands like Ralph Lauren began adding coffee bars in premium retail settings years ago. This pivot was necessary for survival. I did not want to give up my prime retail space on Ocean Ave, and yet I needed to keep my original space down below which was ideal for our day to day bike shop operations.

3) Early Coffee Bar Inquiry + Water Credit Barrier (2021)

On July 6, 2021 (one month after opening the upstairs space), I emailed City staff (including Evan, Brandon, and Marnie) to ask about the process and possibility of adding a gourmet coffee/espresso bar to our upstairs retail space facing Ocean Avenue. I was advised to check with the Water Division regarding water credits. After checking, I was effectively told it would not be possible, so I dropped the idea. At this stage the bike industry was booming and profits were very high, we had just expanded, so this was more of a desire relative to what I envisioned for the additional space long term.

4) Water Credits Reinstated Based on Historic Use Documentation (2023)

In 2023, I revisited the coffee bar concept because we needed a new revenue stream to survive.

That same year, my spouse and I volunteered to help with **Carmel's first Earth Day event**, and it was during that community volunteer work that I met Kyle, a director with the Water Division.

In conversation, I explained that I believed it was unfair that we could not add a coffee bar when the space historically operated as an Orange Julius. I questioned how water credits could be removed from a building when the water use existed historically. Kyle indicated that if I could prove the water was being used around 1985, the credits could potentially be reinstated.

I followed up with Kyle for months. We checked City records but could not determine when Orange Julius moved out. We found Orange Julius moved in around 1970. I then went to the Carmel Library and reviewed Carmel Pinecone archives on microfiche and found an article stating Orange Julius closed in 1985. I sent this to Kyle and copied Brandon in the Planning Department.

Kyle confirmed the documentation would suffice and the credits would be reinstated. I thanked Kyle and copied Brandon, explaining how worried I was about being able to afford keeping the upstairs space long-term and that this **new revenue stream** would help us tremendously.

Brandon replied positively and told me to submit an application to add an **ancillary use** to the bike shop, copying Sullivan so he could walk me through submitting and paying for the application online. I have this in emails dated 6/30/23.

5) The City Confirmed Ancillary Permit Was the Correct Path

On September 6, 2023, I emailed Brandon, copied Sullivan and Evan, and explained I was confused because Evan and Sullivan were giving me different directions on whether I should apply under ancillary or conditional. I even asked whether the approval process might be faster or easier with no seating and whether that affected which permit to pursue.

That same day, Sullivan emailed and confirmed staff had discussed my proposal to use approximately 10% of my existing retail space to add the coffee bar and concluded I was **not required to submit for a use permit**, but that I must apply for an ancillary use and a new business license. The application fee was \$328. Sullivan referenced a similar local project approved under similar conditions, suggesting precedent.

Based on this written guidance from the City, I proceeded exactly as directed.

6) Ancillary Use Permit Issued (9/22/23) + Construction Completed Openly and to Scale

I received my ancillary use permit on 9/22/23. It contained special conditions, some of which I misunderstood and one of which was essentially impossible to comply with. I used respected licensed Carmel contractors including Cate Electric and Ramirez Plumbing. I acted as my own contractor. Caroline from Dieseldorff Coffee in Guatemala assisted me with drawings and

measurements and paperwork (she is a part time architect as well as the COO for the family business), although she does not know California codes and we had to learn as we went.

My mechanic and long-time employee Robbie helped build cabinets. I did staining and painting. I hired Carmel Stone to install high end marble countertops. This buildout occurred between February 2024 and August 2024, with the shop closed during construction.

This work was all done in a prime Ocean Avenue location with extensive glass frontage. The construction and progress were visible from the exterior of the building at all times. Everything was built and installed to scale based on the plans and measurements submitted to the City.

Duane with the City came by regularly and helped me with ADA-related items. He would stop in partly because the City purchased e-bikes from our shop and he would come in for maintenance and would also observe progress.

7) Final Inspection Day (8/26/24): “Jennifer, We Have a Problem.”

On August 26, 2024, Duane came for the final inspection of electrical, plumbing, and ADA items. Duane told me he could sign off on those items, but Brandon would have to come sign off on the ancillary use permit. Duane called Brandon and Brandon came over.

That is when Brandon looked at me and said: “Jennifer, we have a problem.”

I was shocked. Brandon stated “this is substantial” and said it looked like a coffee bar. I said yes, it is a coffee bar — the permit was specifically to add a coffee bar. Brandon made comments suggesting he thought it would only be for “customers,” and I said anyone who walks in is a customer. He then suggested he thought the front door on Ocean Avenue would remain closed and everyone would come through the downstairs bike shop entrance — something that made no sense given our longstanding operation. Even Duane looked surprised, and Duane told him we had always used the main entrance to the building for years.

Brandon also stated we could not sell pastries. I believed “no food” meant no cooking and no kitchen. Brandon stated we could not advertise the coffee bar, including posting on social media, and made remarks referencing how strong our Instagram presence is.

This was confusing and heartbreaking. It did not make sense given the permit title and the plans submitted. I had built everything as drawn. I believe the coffee bar ‘looked’ substantial to Brandon because it takes up more than 10 percent of the space **upstairs**. The city had allowed me to use the combined square footage for both floors when doing the calculations, as can be seen in my original application.

I also want to note here that at this stage I had already obtained approval from the Water Division (including permits) and approval from Monterey County Environmental Health. The County approved the project and told me our submission was one of the best and most detailed proposals

they had received, and our County inspection was approved on the first inspection. They also appreciated that I had reached out to check with them every time we ran into a construction challenge that needed clarification.

8) Brandon’s 9/18/24 Email Forces CUP — Building Department Copied — Public Record Confirms “Currently Approved” Ancillary Coffee

After that inspection, Brandon emailed me (8/26) and provided a copy of our permit and application and highlighted the conditions he said were violated. He basically said he needed time to think on this and review with staff before coming to a conclusion.

On 9/13, I emailed Brandon asking for an update on how to resolve his concerns.

On **9/18/24**, Brandon replied with a long email stating that I was in violation of the ancillary condition that the use could not take on the appearance of or function as a coffee shop. He stated I would need to pay approximately \$3,000 and apply for a CUP. In that email, he also included excerpts from Carmel code describing the CUP requirements and included restroom-related discussion, but there was **no mention of sprinklers**.

This is critically important: Jermel was copied on Brandon’s 9/18/24 email, meaning the Building Department was looped in at that stage when the City was directing me toward a CUP — yet there was still no warning or determination that sprinklers would be required “throughout the building.”

I responded on 9/27 with questions, and stated that I believed we met all the requirements Brandon outlined except the bathroom. I explained my belief that nearby restroom facilities should be acceptable (consistent with our Health Department permit), and I asked Brandon for clarification. He did not answer my restroom questions.

I paid the fees and submitted the CUP application on 10/1.

Importantly, the City’s own **public agenda packet for the Planning Commission meeting held on December 11** (the meeting when my CUP was approved) included a written staff narrative stating the following (in substance):

- The tenant space is the corner space fronting Ocean Avenue at the southwest corner of Ocean and Mission.
- The space is approximately **1,425 square feet** and was “currently approved to operate as a sporting goods store with ancillary food and beverage sales (coffee sales, specifically).”
- The existing business license approval allowed for ancillary coffee sales and included special conditions limiting the food/beverage use to an ancillary use, including:

- The ancillary use must not exceed **10%** of the total retail floor area of the primary use (including minimal seating within that percentage),
 - The ancillary use shall not be called out on signage and shall not be advertised in any fashion or as a stand-alone business,
 - The ancillary use shall function as an amenity for patrons/customers of the primary use only and shall not take on the appearance of or function as a coffee shop, bakery, or café,
 - No food sales are allowed without approval of a CUP.
- The City then stated that due to popularity, the ancillary use struggled to remain within the scope of the business license approval and functioned primarily more as a coffee shop than a retail store with coffee as an amenity.
 - Staff stated I was directed to either scale back to the ancillary limits or apply for a use permit for food and beverage sales to become the primary use, and that I elected to pursue the CUP.

This public document matters because it confirms that the issue at that stage was framed by the City as a scope/enforcement issue under ancillary limitations and that the City directed me to the CUP process as the solution. Yet at that time, the City still did not provide a written determination that this would trigger a requirement for sprinklers throughout the entire building.

Even more importantly, the City has since suggested that the ancillary use permit was never signed off on or approved. That creates a major contradiction: the public staff narrative described the space as “currently approved” for ancillary coffee under the sporting goods business license conditions, yet the City later shifts to implying that the ancillary approval was never finalized. This inconsistency materially affects reliance, fairness, and the credibility of the enforcement timeline.

“If the City’s staff report is correct and the ancillary approval was in effect, then that approval (and the associated conditions) should have remained the controlling framework at the time I operated and invested in the buildout. If, instead, the City’s current position is that the ancillary permit was never approved or finalized, then the City must explain how and why my operations were allowed to proceed for months with multiple City interactions, permitted improvements, inspections, and ongoing visibility from the street— while simultaneously treating the use as ‘approved’ when citing restrictions, but ‘not approved’ when imposing new and far more severe requirements.”

“This inconsistency matters because it shows I acted in good faith based on written City guidance and documented City statements, and I should not be penalized by retroactive enforcement based on shifting interpretations after the fact.”

9) CUP Application Marked “Incomplete” + Restroom Language Required to Proceed

On 11/19/24, Evan emailed me stating my CUP application was incomplete. The corrections required were primarily narrative responses, and Evan provided a detailed list of what needed to be revised or added. He also provided examples of similar applications that had been submitted by other businesses, which was intended to help with formatting and content.

As I worked through these corrections, I saw that the City expected my application to include language stating that there would be a restroom in the building for customers. I knew this could be a serious issue because I had previously raised questions about restroom compliance and the common Carmel practice of directing customers to nearby public restroom facilities.

I called Evan to discuss and then followed up in writing. On 11/22/24, I emailed Evan specifically requesting clarification on the restroom issue. Evan advised that if I did not include restroom language in my proposal, my application would not be approved or scheduled with the Planning Department. This was time sensitive since I had been reminded that I was now operating my business in violation of the conditions of the permit.

Based on this guidance, I made a good-faith effort to proceed so I would not lose my ability to legalize the operation and protect my business. I included language stating that we had an ADA-compliant employee restroom that would be available for customers, and I also noted that we would direct customers to the public restrooms across the street.

10) CUP Approved (12/11/24) — But Finalization Stalled by Owner Signature and Restroom Issue

My CUP was unanimously approved on the consent agenda on 12/11/24.

On 1/8/25, Evan emailed me to remind me of the approval and outline the next steps, including obtaining a new business license and certificate of occupancy.

I forwarded Evan’s email to my landlord/property representatives **John Plastini** on 1/16/25. Around this same time, I was told that the building owner/landlord would not sign off on the new business license application and CUP sign-off paperwork until the restroom situation was resolved.

I completed the business license application and provided it to John and Kellie (property managers) along with the check for the business license fees, so the building owner could sign as required and I could submit it after the CUP was approved. They still have this application and check and I was advised the owner would not sign until the restroom situation was resolved. As a result, I could not move forward with final submission of the new business license, through no fault of my own.

On **1/9/25**, I responded to Evan and copied Brandon and Bo Grunde. I explained that we had tried for approximately two weeks shortly after CUP approval (around Christmas) to allow customers to use the restroom in our space, but it did not work. I explained the issues with the landlord and the neighboring tenant, including the way the building's restroom use was being controlled.

In that email, I asked the Planning Department for guidance and options to resolve the restroom issue. I referenced that **Monterey County Environmental Health and the Water Division did not require a restroom inside our shop for customers**, and I raised the fact that multiple coffee bars in Carmel do not have restrooms and direct customers to nearby City public restroom facilities.

I received no response from Evan, Brandon, or Bo.

I also want to note that by this time, I had already made substantial additional investment based on the CUP approval, including moving forward with purchasing and installing seating in the upstairs space.

11) Planning Department Non-Response Continued — Attempted Outreach to New Planning Director

After I received no guidance and no response to my written requests, I waited until the City announced Brandon's replacement because I was told Brandon had been promoted and was being replaced. The new Planning Director was Anna.

I reached out to Anna in June or July 2025 (voicemail). I did not hear back. I followed up again in August, and we agreed to meet at the shop on **8/29/25**.

On **9/19/25**, I emailed Anna asking for an update on our meeting and guidance on how to resolve the restroom and business license obstacles that had now been lingering for months.

Anna asked to schedule a second meeting, which occurred on **10/3/25**, and she brought Duane and Jermel (this was my first time meeting Jermel in person).

12) Sprinklers Raised for the First Time (Fall 2025)

At the **10/3/25** meeting, Jermel raised the issue of missing fire sprinklers. This was the first time sprinklers had ever been raised as a requirement during the life of this project.

This was extremely alarming and disheartening because:

- sprinklers were not raised during the ancillary permit process,

- not raised during months of open construction visible from the street,
- not raised during final inspections in August 2024,
- not raised when Brandon required me to re-apply for a CUP (even though Building was copied),
- and not raised when the CUP was approved by the Planning Commission.

Yet now, in fall 2025, I was being told that sprinklers were required, not only within my tenant space, but **“throughout the entire building.”**

13) Jermel’s 10/6 Email + My Written Requests for Clarification (No Responses)

On **10/6/25**, Jermel sent an email recapping the meeting and stating the Building Department requirements. In this email, he advised that the change of use and occupancy required installation of fire sprinklers throughout the entire building.

He also stated that where toilet facilities and bathing facilities are provided, they must comply with accessibility requirements, including that toilet facilities must be provided on a story connected by an accessible route to an accessible entrance. He also noted that I had stated I would work with the property manager to provide a CASp report regarding use of the park restroom facilities as an acceptable accessible restroom option.

After receiving that email, I sent numerous follow-up emails to Jermel and Anna with questions. I did not receive meaningful responses.

Specifically:

- On **10/22/25**, I emailed Jermel requesting clarification on the **occupancy classification** and the basis for determining whether a change had occurred. **He never responded.**
- On **10/22/25**, I emailed requesting clarification on **ADA restroom documentation** and what would be required regarding a **CASp letter**. **He never responded.**
- On **11/5/25**, I sent a reminder. **No response.**
- On **11/14/25**, I sent a formal request for a written code determination and included supplemental technical background. This request was intended to obtain the City’s specific code basis in writing rather than broad, generic references.

These non-responses matter because the sprinkler requirement was being presented as mandatory and enormous in scope, but I could not obtain answers to basic, essential questions about classification, triggers, and compliance pathways.

14) Fire Chief Cooper Confirms the Need for a Formal Determination

Because the sprinkler requirement seemed extreme and unclear, I contacted Fire Chief Cooper on 10/17/25 asking for help understanding whether sprinklers were truly required.

On 10/20/25, Chief Cooper responded and pushed back on the idea of proceeding without a formal determination. He stated that he could not help with a final determination or move forward with review until confirmation was received from the Building Official regarding the existing occupancy classification and whether any change had occurred. He noted that the proposed use may constitute a change of use under **California Fire Code section 102.3**, which could trigger requirements for an automatic fire sprinkler system, but he did not treat this as a final determination. He indicated a proper occupancy determination was needed first.

Jermel and Anna were copied on this email thread.

This was meaningful to me because it confirmed that a major retrofit should not be required without a clear, fact-specific determination of occupancy and a lawful trigger.

15) NOV Issued (11/13/25), Appeal Filed (11/20/25), Hearing Scheduled (1/16/26), and Why the NOV Must Be Granted, Modified, or Remanded

On 11/13/25, Jermel issued the Notice of Violation (NOV).

On 11/14/25, I requested a formal written code determination. Jermel responded to John Plastini and copied me with what I understood to be a generic, blanket code document, rather than a fact-specific written determination answering the questions asked and explaining the exact trigger and scope.

On 11/20/25, I filed my appeal and paid the fee. On 12/22/25, I received an email advising the hearing had been scheduled for 1/16/26. I received the agenda packet on 1/9/26.

Why this appeal matters

This appeal is not about refusing safety. It is about:

- fairness,
- reliance on written City guidance,
- the City's shifting positions and enforcement approach,

- and requiring a fact-specific code interpretation before imposing requirements that function as an immediate shutdown of a longstanding Carmel small business.

Sprinklers

The City is demanding a sprinkler retrofit “throughout the entire building,” which is not within a tenant’s control and would require massive building-wide construction costs. This requirement was not raised during the ancillary permit path, during open construction, during final inspections, or during CUP approval. Even when the Building Department was copied on key emails (including Brandon’s 9/18/24 directive requiring a CUP), sprinklers were not raised until fall 2025.

Restroom

The restroom issue has never been resolved through written City guidance despite repeated attempts to obtain clarification and compliance options. Most Carmel coffee bars do not have on-site public restrooms and direct customers to City-maintained public restroom facilities nearby. Coffee bars are among the only true walk-up counter-service establishments downtown, which causes them to function as the default restroom stop for surrounding businesses and visitors.

Block-level safety reality

Our building is located in a row of attached buildings connected by common walls, along the south side of Ocean Avenue between Mission and San Carlos. If there were a fire, it could spread between structures. Requiring a single building-wide retrofit in isolation raises serious questions of proportionality and meaningful safety outcomes when surrounding attached buildings are not sprinklered and are outside the building owner’s control.

For these reasons, I respectfully request that the Board grant this appeal. At minimum, I request the Board modify or remand the NOV so that the City must provide a complete, fact-specific written determination identifying the exact adopted code triggers, the lawful scope of any requirements, and reasonable compliance options that do not operate as a de facto closure order.

Respectfully submitted,

Jennifer Blevins
Mad Dogs & Englishmen

EXHIBIT 2

FIRE SPRINKLER + RESTROOM SURVEY — DOWNTOWN CARMEL-BY-THE-SEA (FOOD ESTABLISHMENTS)

Prepared by: Jennifer Blevins

Purpose: Demonstrate real-world downtown baseline conditions and consistency issues related to enforcement of sprinkler retrofits and restroom expectations for counter-service businesses.

EXHIBIT 2(1) — DOWNTOWN-ONLY CHECKLIST (EXCLUDING CARMEL PLAZA): FIRE SPRINKLERS

Downtown Carmel Establishments (Excluding Carmel Plaza)
(Sprinklers: YES / NO / PARTIAL / LIMITED)

Akaoni — NO
 Anton & Michel — NO
 Aubergine — NO
 Barmel — NO
 Brophy's Tavern — NO
 Cafe Carmel — NO
 Cafe Dal Mare — NO
 Carmel Bakery — NO
 Carmel Belle — YES
 Carmel Coffee — NO
 Carmel Coffee House & Roasting — NO
 Carmel Valley Coffee Roasting — NO
 Carmel's Bistro Giovanni — NO
 Carmel's Hidden Gem — NO
 Casanova — NO
 Catch — NO
 Cantinetta Luca — PARTIAL / NON-FUNCTIONING
 Chez Noir — YES
 Cultura — NO
 Dametra — NO
 Edwin's — NO
 El Bistro by the Sea — NO
 Enzo's — NO
 Flaherty's Seafood — NO
 Foray — YES

Forge in the Forest (closed) — **NO**
Gelato by the Sea — **NO**
Grasings — **YES**
Grill on Ocean — **NO**
Haifa Coffee House — **NO**
Hog's Breath Inn — **YES (excluding detached bar area)**
Il Fornaio — **YES**
Il Tegamino — **NO**
Katy's Place — **NO**
La Bicyclette — **NO**
Le Soufflé — **NO**
Little Napoli — **NO**
Little Swiss Café — **NO**
L'Escargot — **NO**
Mission Bistro — **NO**
Mulligan's — **NO**
Nora's — **NO**
Pangaea Grill — **YES**
Patisserie Boissiere — **YES**
Pizza Heaven Carmel — **YES**
Portabello — **NO**
The Pocket — **YES**
Sade's Cocktails — **NO**
Stationaery — **NO**
Sushi Heaven — **NO**
Terry's Lounge — **YES**
Tommy's Wok — **NO**
Toro Sushi — **NO**
TreeHouse Café — **NO**
The Tuck Box — **NO**
Vesuvio — **NO**
Village Corner — **NO**
Vin by the Sea — **YES (that space only)**
Yafa — **NO**

EXHIBIT 2(2) — FIRE SPRINKLER SURVEY RESULTS FOR FOOD ESTABLISHMENTS (WITH & WITHOUT CARMEL PLAZA)

A) CITYWIDE TOTAL (INCLUDING CARMEL PLAZA)

Total establishments counted: 71

NO sprinklers: 46 → 64.8%

YES / PARTIAL / LIMITED: 25 → 35.2%

B) DOWNTOWN TOTAL (EXCLUDING CARMEL PLAZA)

Total establishments counted: 62

NO sprinklers: 46 → 74.2%

YES / PARTIAL / LIMITED: 16 → 25.8%

Plain-language takeaway:

Even excluding Carmel Plaza entirely, **nearly three out of four downtown food establishments operate without sprinklers (74.2%)**, while only **25.8%** are listed as **YES / PARTIAL / LIMITED**.

Additional downtown context Appellant requests the Board consider:

Based on extensive downtown observation, Appellant understands that **over 90% of retail establishments** in the downtown commercial district also operate **without fire sprinklers** (excluding Carmel Plaza).

EXHIBIT 2(3) — “UNITS ABOVE” EXAMPLES (KNOWN FACTS / CONFIRMED)

Prepared by: Jennifer Blevins

(This section lists only locations where “units above” are known and confirmed.)

Hotels / Rooms Above

Foray — **YES sprinklers**

Terry’s Lounge — **YES sprinklers**

Il Fornaio (Pine Inn Hotel) — **YES sprinklers**

Brophy’s Tavern (hotel) — **NO sprinklers**

Aubergine (hotel setting) — **NO sprinklers**

Apartments / Residential Units Above (Known)

Chez Noir (apartments above) — **YES sprinklers**

The Pocket (connected to apartments) — **YES sprinklers**

Portabello (apartments above) — **NO sprinklers**

Tommy’s Wok (apartments above) — **NO sprinklers**

La Bicyclette (apartment above) — **NO sprinklers**

5th St Deli (apartment above) — *(coffee bar / counter-service category; restroom status noted below)*

Offices or Apartments Above (Known)

Haifa Coffee House (offices or apartment above) — **NO sprinklers**

Apartment Conversion Above Tied to Sprinkler Installation

Cantinetta Luca — **PARTIAL / NON-FUNCTIONING sprinklers**

EXHIBIT 2(4) — RESTROOM ACCESS PRACTICES: COFFEE BARS + COUNTER-SERVICE ESTABLISHMENTS

Prepared by: Jennifer Blevins

Purpose: Document how Carmel’s coffee bars and counter-service food/beverage establishments actually handle restroom access, including frequent reliance on nearby public facilities and mall restrooms, and demonstrate that requiring Appellant to install a new on-site customer restroom is inconsistent with downtown baseline conditions.

A) Downtown Carmel (Excluding Carmel Plaza)

(Restroom categories: PUBLIC RESTROOM AVAILABLE / NO PUBLIC RESTROOM / LIMITED PUBLIC ACCESS)

Mad Dogs & Englishmen Coffee Bar — *(subject of appeal)*

Cafe Dal Mare — **NO PUBLIC RESTROOM**

(no restroom inside; customers directed across the street to City-owned public restroom)

Carmel Coffee House & Roasting — **NO PUBLIC RESTROOM**

(no restroom inside; customers directed to nearby City-owned public restroom)

Carmel Valley Coffee Roasting — **NO PUBLIC RESTROOM**

(no restroom inside; customers directed to nearby City-owned public restroom)

Haifa Coffee House — **NO PUBLIC RESTROOM**

(no restroom inside; restroom in shared outdoor courtyard with neighboring restaurants)

5th St Deli — **NO PUBLIC RESTROOM**

(counter-service; no seating; no nearby public restroom)

Cafe Carmel — **LIMITED PUBLIC ACCESS**

(restroom exists, but frequently closed / posted “out of order”)

Carmel Belle — **PUBLIC RESTROOM AVAILABLE**

(full service restaurant format; restroom present)

B) Carmel Plaza Establishments (Included for Context — Separate from Downtown Totals)

(Restroom categories: PUBLIC RESTROOM AVAILABLE / EMPLOYEES-ONLY / DIRECTED TO MALL RESTROOM)

Cafe Luna (Carmel Plaza) — **EMPLOYEES-ONLY restroom in space; customers directed to mall restroom**

(Permitted as full-service restaurant vs specialty restaurant; customers are directed to the mall restroom rather than provided public access within the tenant space.)

Perfectly Pressed Juice (Carmel Plaza) — **NO PUBLIC RESTROOM inside; customers directed to mall restroom**

Dutch Door Donuts (Carmel Plaza) — **EMPLOYEES-ONLY restroom in shop; customers directed to mall restroom**

Rise & Roam (Carmel Plaza) — **PUBLIC RESTROOM AVAILABLE**

(Large full-service bakery + restaurant; restroom inside.)

C) Key Observations (What This Shows)

1. Downtown Carmel relies heavily on **public restroom infrastructure** for coffee bars and counter-service establishments.
2. The majority of coffee bars and counter-service establishments operate with **no public restroom inside** at all.
3. Even where a restroom physically exists, it may function as **limited access** (example: signage indicating it is “out of order” or closed to customers).
4. In Carmel Plaza specifically, multiple establishments rely on the **mall restroom** rather than providing public access inside their tenant space.

EXHIBIT 2(5) — WHY THIS SURVEY MATTERS TO THIS APPEAL (SPRINKLERS + RESTROOMS)

Appellant respectfully submits this survey to demonstrate that the City’s demanded outcome—particularly a **building-wide sprinkler retrofit** and a **new on-site customer restroom inside Appellant’s tenant space**—is inconsistent with downtown baseline conditions and imposes a disproportionate burden on one small business.

A) Sprinklers: Downtown Baseline + Material Difference of Appellant’s Use

This survey shows that excluding Carmel Plaza, **approximately 74.2% of downtown food establishments operate without fire sprinklers.**

Appellant further submits that **over 90% of retail establishments** in the downtown commercial district also operate **without fire sprinklers** (excluding Carmel Plaza).

Appellant’s coffee bar is materially different from many food establishments because it **does not have a kitchen, does not cook, and does not use open flame or grease-producing equipment.** Further, there is already a **full-service restaurant with a kitchen in the same building** that operates without sprinklers.

B) Block-Level Reality: Attached Buildings With Common Walls

Appellant further notes that the subject building is located on a downtown block where buildings are connected by **common walls**. Based on Appellant’s observation, **no buildings connected to Appellant’s building by common walls on the entire block have fire sprinklers installed.**

Appellant respectfully submits that requiring a single building to retrofit sprinklers “throughout the building,” while adjacent attached buildings remain unsprinklered, raises serious concerns about consistency of enforcement and whether the demanded scope is a coherent, block-wide public safety strategy.

C) Existing Safety Infrastructure

Appellant’s building contains a **hard-wired fire alarm system** that notifies the fire station, and **the fire station is approximately one block away.** Appellant submits this context not to minimize safety, but to reflect how Carmel’s downtown district has historically operated without uniform sprinkler retrofits.

D) Restrooms: Downtown Practice

The restroom survey reflects that Carmel’s coffee and counter-service establishments frequently operate without an on-site public restroom and direct patrons to nearby public facilities (including City-owned public restrooms and, within Carmel Plaza, mall restrooms).

Appellant is not asking for special treatment. Appellant is requesting that any restroom requirement be evaluated under the **adopted codes, the actual facts, and lawful scope**, rather than imposed as an absolute condition that—when combined with a building-wide sprinkler mandate—creates a disproportionate outcome that functions as a forced closure order for a small business.

EXHIBIT 3 – CONSOLIDATED EMAIL RECORD (CHRONOLOGICAL)

Prepared by: Jennifer Blevins

Business: Mad Dogs & Englishmen Coffee Bar / Velo Carmel

Hearing Date: January 16, 2026

Purpose: Provide the Board with the key written communications showing the project timeline, City direction, approvals, and the sequence of enforcement issues (including restroom + sprinklers).

EMAIL REFERENCE INDEX (What's Inside / Where to Find It)

1) CUP Application Completeness / Restroom Question

Pages 1–2

- Evan Kort email re: corrections/completeness and resubmittal.
- Your follow-up asking about the restroom requirement / how to proceed.

2) Planning Sends Ancillary Permit Copy

Page 2

- Email from Brandon Swanson providing a copy of the planning inspection and permit for the coffee bar ancillary use.

3) City Direction to Pursue Use Permit (CUP) + Key Conditions Called Out

Pages 3–4

- Brandon Swanson email stating a Use Permit is needed and summarizing the City's stated concerns/conditions (appearance of coffee shop, pastries, advertising, sightlines, etc.).
- Your detailed response to Brandon outlining your understanding, questions, and concerns (this is an important "good faith" record).

4) Water Credits / Water Division Communications (Project Feasibility)

Pages 5–7

- Email chain showing your request to verify water credits / ability to proceed.
- Direction from staff on application pathways and process.
- Scheduling / next steps.

5) Permit Pickup / “Ready for Issuance” + Fees / Payment Steps

Pages 8–9

- Email re: permit ready / fees / logistics (demonstrates the City’s administrative progression of approvals).

6) Site Visit / ADA / Inspection Coordination

Page 10

- Site visit scheduling and coordination (shows inspections and City involvement during buildout/operation).

7) Fire Department Correspondence (Confirms Occupancy Classification Matters)

Page 11

- Fire Chief / Fire Dept email stating a final determination depends on confirmation of occupancy classification and whether a change occurred (supports your “no clear written determination” / “needs fact-specific classification” theme).

8) Notice of Violation + “Determination of Codes” Email

Page 12

- NOV email + “Determination of Codes” email.
(This is a core part of what you are appealing.)

9) Your Email to Planning re: Restroom Reality / Downtown Conditions

Page 13

- Your longer written summary about how Carmel functions in practice (public restrooms nearby, comparable businesses, and the real-world impacts).

10) Written Requests for Clarification (Occupancy + ADA + Restroom Documentation / CaSP)

Pages 14–16

- Your requests asking the City for clarification on:
 - Occupancy classification
 - Whether/what change occurred
 - ADA restroom documentation / CaSP support
- Follow-ups documenting lack of response (important for fairness/due process tone).

11) Formal Request for Written Code Determination (Critical “Due Process” Evidence)

Pages 17–19

- Your written request seeking a formal written code determination and asking specific questions (sprinklers / restroom / timing / appeal rights).
(This is one of the strongest items in the record.)

12) Water Permit / County / Misc. Documentation Added

Page 20

- Water permit / final inspection and related correspondence.

KEY “HIGHLIGHT” ITEMS (Board Should Read First)

If the Board only reads 3 things in this exhibit, Appellant respectfully recommends:

1. **City direction to pursue CUP + the conditions cited** (*Pages 3–4*)
2. **Fire Dept email stating the determination depends on confirmed occupancy classification** (*Page 11*)
3. **Appellant’s formal request for a written code determination + specific questions** (*Pages 17–19*)



**Carmel-
by-the-Sea**

Nova Romero <nromero@ci.carmel.ca.us>

Agenda Packet for 1-16-2026 Building Code Board of Appeals Meeting

Jennifer Blevins <jennblevins@icloud.com>
To: Nova Romero <nromero@ci.carmel.ca.us>
Cc: martin@maddogsandenglishmen.com

Fri, Jan 16, 2026 at 8:42 AM

Hi Nova, attached are two more exhibits for the packet related to the sprinklers.

Jennifer

[Quoted text hidden]

[Quoted text hidden]

<Emails Consolidated Final.pdf><Exhibit 3- consolidated email index.pdf><Exhibit 2- fire sprinkler and restroom survey.pdf><Exhibit 1B- Timeline Overview.pages><Exhibit 1A- Summary of Exhibit 1.pages><Exhibit 1- Narrative Chronology.pdf><Exhibit 0- Board Handout.pdf><Exhibit Index for packet.pdf>

2 attachments

 **Exhibit 4- sprinkler code citations and scope argument.pdf**
135K

 **Exhibit X Sprinkler Code Citations.pdf**
58K

Exh. 4

EXHIBIT 4 — SPRINKLER CODE CITATIONS + SCOPE ARGUMENT

City of Carmel-by-the-Sea — Building Code Board of Appeals

Prepared by: Jennifer Blevins

Mad Dogs & Englishmen Coffee Bar (Second Floor)

Purpose: Provide the Board with the exact code language being relied upon by the City (and the Appellant), and highlight the legal scope issue in the City's "throughout the building" sprinkler demand.

4-A — CITY OF CARMEL LOCAL AMENDMENT: §903.2 (AS AMENDED)

Source: City of Carmel-by-the-Sea Municipal Code → Title 15 → Chapter 15.55 California Fire Code → §15.55.100 "Amendments to the California Fire Code"
(From Appellant screenshot)

§903.2 — "Where required." (Amended)

"Approved automatic sprinkler systems shall be provided in all new buildings and structures constructed, moved into or relocated within the jurisdiction. This section supersedes the square footage limitations of all subsections within Section 903.2."

Exceptions listed in the City's amendment (as shown)

Exception (1):

"Structures not classified as Group R occupancies and not more than 500 square feet in total floor area."

Exception (4):

"Where an insufficient water supply exists to provide for an automatic fire sprinkler system and where the fire code official permits alternate protection."

(Other exceptions exist in the screenshot but are not necessary for this appeal's main argument.)

Key legal point for the Board:

Carmel's local amendment **expands sprinkler requirements** beyond standard square-footage thresholds and uses the phrase **"constructed, moved into or relocated."**

But the dispute here is the *scope* and *application* to an existing multi-tenant historic building when only a tenant space changes use and no firewalls exist.

4-B — CITY OF CARMEL LOCAL AMENDMENT: §903.6 (REPAIRS / ALTERATIONS / ADDITIONS)

Source: City of Carmel-by-the-Sea Municipal Code → §15.55.100 Amendments
(From Appellant screenshot)

§903.6 — Repairs, Alterations, and Additions (Amended)

“In all buildings, except where otherwise provided herein in this Section, where the total floor area exceeds five thousand square feet (5000 sf), or which are forty feet (40’) or more in height, or which are three or more stories in height, they shall be made to comply with the provisions of this Section.”

“In all buildings where the total floor area exceeds five thousand square feet (5000 sf), or which are forty feet (40’) or more in height, or which are three or more stories in height, if the repairs or alterations are made exceeding twenty-five percent of the current market value of the building and property as shown in the records of the County Assessor within any three hundred sixty five (365) day period shall be made to comply with the provisions of this section.”

Definitions included in the screenshot

Repair:

“It is the reconstruction or renewal of any part of an existing building or structure for the purpose of its maintenance.”

Alteration:

“It is any change, addition, or modification in construction or occupancy.”

Key legal point for the Board:

Carmel’s amendment defines “**Alteration**” broadly (including **occupancy** change).

But the enforcement question is: **Does this authorize the City to require sprinklers “throughout the building” (all floors, all tenants) when only one tenant space is being reviewed?**

That is the **scope defect** in the NOV remedy.

4-C — CALIFORNIA FIRE CODE: “CHANGE OF OCCUPANCY / CHANGE OF USE” SECTION CITED BY CITY (CFC §102.3)

Source: Your prior references + City citations in staff materials; Appellant request is to include as a core “City’s basis” code citation.

How the City uses it (their framing):

- “Change of use” triggers “change of occupancy”
- Therefore sprinkler obligations are triggered
- And because the building is connected and not firewalled, the City claims sprinklers must be **throughout**

Appellant’s core point for the Board (without overreaching):

Even if the City argues CFC §102.3 supports applying “new requirements,” the City still must comply with **lawful scope limitations** in the adopted existing-building framework (next section).

4-D — CALIFORNIA EXISTING BUILDING CODE (CEBC): LAWFUL SCOPE LIMITATION

Source: Your Board agenda packet references and your prior argument framework.

Why CEBC matters

Even where a change of occupancy/use triggers upgrades, CEBC is the code that governs **what must be upgraded and where** in existing buildings.

Board-level scope issue:

If the CEBC limits sprinkler retrofits to:

- **the area of change, and/or**
- **areas not separated by a fire wall,**

then the City must explain **why the NOV demands sprinklers “throughout the building” as the remedy** rather than within the lawful scope allowed by CEBC.

✎ Your strongest “crack” (your words, and correct conceptually):

If CEBC limits scope and the NOV jumps to “throughout the building,” that mismatch is a legitimate appeal issue — especially for a multi-tenant historic building where one tenant cannot control the entire building retrofit.

4-E — CBC CHAPTER 9 (SPRINKLER THRESHOLDS)

Purpose: Establish that automatic sprinkler requirements depend heavily on **occupancy classification + load + area + triggers**, and are not automatically imposed on every small change.

Appellant position (fact-based and consistent with what you’ve documented):

- Your customer area is **small occupancy load (well under 50)**
- You have **no commercial kitchen / no hood / no cooking appliances**
- The space is **not residential**
- The building above is **offices**, not dwelling units
- This is **not a high-rise**
- This is a **historic 1930’s era** multi-tenant structure

Therefore the Board should scrutinize whether the City’s sprinkler mandate is:

1. **legally required**, and
2. **properly scoped**, and
3. **applied consistently** across similarly situated downtown food establishments.

4-F — “INSUFFICIENT WATER SUPPLY” EXCEPTION (FROM CARMEL §903.2 AMENDMENT)

Source: Your screenshot showing Carmel §903.2 exception (4)

“Where an insufficient water supply exists to provide for an automatic fire sprinkler system and where the fire code official permits alternate protection.”

How this fits into your argument (clean + Board-friendly):

- Downtown Carmel has **known water infrastructure constraints**
- Your building is **historic**
- The Board can require the City to address whether this exception is relevant or whether alternative protection is permitted.

4-G — WHY THIS MATTERS ON YOUR SPECIFIC BLOCK (COMMON WALL EXPOSURE)

Appellant statement (fact + logic):

- Your building is connected by **common walls** to multiple adjacent downtown buildings
- Those neighboring buildings do **not** have sprinklers
- A fire in any connected building can spread through the block

Board-level point:

Requiring sprinklers in **one** building (or one tenant space) as the “solution” does **not** eliminate the block-level risk when the surrounding connected structures remain non-sprinklered.

This is not an argument against safety — it is an argument that the NOV remedy must be:

- **lawful**
- **properly scoped**
- **realistically implementable**
- and not used as an indirect closure mechanism against a single small business tenant

4-H — EXISTING SAFETY CONDITIONS (GOOD FACTS FOR YOU)

- Building has a **hard-wired fire alarm system**
- Fire station is approximately **one block away**
- Your coffee bar has **no full kitchen** (no cooking line)
- You operate as a **counter-service beverage bar**

- Your occupant load is **well under 49** (based on your prior calculations)

Why these facts matter:

These are strong “mitigation facts” supporting a balanced ruling, especially when paired with your downtown baseline showing most food establishments lack sprinklers.

EXHIBIT 4 — ADDITIONAL SUPPORTING DOCUMENTS (TO FOLLOW BY SEPARATE EMAIL)

Exhibit 4 — Additional supporting documents will be emailed separately due to file size and to ensure same-day delivery of this core packet. These include:

- Permit applications and approvals (Ancillary Use Permit application, CUP application, Water Division permit, Monterey County Health Dept permit/approval)
- Key code excerpts relied upon (Carmel amendments / CEBC excerpts) for Board reference

EXHIBIT X — SPRINKLER CODE CITATIONS

City of Carmel-by-the-Sea — Building Code Board of Appeals

Prepared by: Jennifer Blevins

Subject: Sprinkler retrofit demand (“sprinklers throughout the building”)

1) CITY OF CARMEL LOCAL AMENDMENT — CFC §903.2 (AS AMENDED)

Carmel Municipal Code — Title 15 / Chapter 15.55 (Amendments to the California Fire Code)

§903.2 Where required (amended)

“Approved automatic sprinkler systems shall be provided in all new buildings and structures constructed, moved into or relocated within the jurisdiction.

This section supersedes the square footage limitations of all subsections within Section 903.2.”

Exception shown in the amendment

“(4) Where an insufficient water supply exists to provide for an automatic fire sprinkler system and where the fire code official permits alternate protection.”

Key point: Carmel’s amendment expands sprinkler triggers, but still includes exceptions/alternate protection and does not automatically prove building-wide scope for a tenant change.

2) CITY OF CARMEL LOCAL AMENDMENT — CFC §903.6 (REPAIRS / ALTERATIONS / ADDITIONS)

§903.6 Repairs, Alterations, and Additions (amended)

“In all buildings... where the total floor area exceeds 5,000 sf, or which are 40’ or more in height, or which are three or more stories in height, they shall be made to comply with the provisions of this Section.”

“...if the repairs or alterations are made exceeding **25% of the current market value** of the building and property... within any **365 day** period shall be made to comply with the provisions of this section.”

Definitions included in the amendment text:

- **Repair:** “reconstruction or renewal... for... maintenance.”
- **Alteration:** “any change, addition, or modification in **construction or occupancy.**”

Key point: The City may claim “alteration” includes **occupancy change**, but must still justify the **lawful scope** of any retrofit order.

3) CALIFORNIA FIRE CODE — CFC §102.3 (CHANGE OF OCCUPANCY / CHANGE OF USE)

City position (as cited in staff contentions):

A change of use/occupancy requires compliance with current code requirements.

Key point: Even if triggered, the City must apply the **existing building framework** and **limit the scope of work** to what the adopted code allows.

4) EXISTING BUILDING SCOPE LIMITATION — CEBC §1011.2.1

Core appeal issue:

Even if sprinklers are triggered by occupancy change, **CEBC limits the required work scope** (including limiting it to the **area of change**, and addressing areas **not separated by firewalls**).

Key point: The NOV remedy demanding sprinklers “**throughout the building**” must match the lawful scope allowed by CEBC for an **existing** multi-tenant historic structure.

5) CBC CHAPTER 9 — SPRINKLER “THRESHOLDS” FRAMEWORK

Sprinkler requirements vary based on:

- **occupancy classification**
- **occupant load**

- **fire area / floor area**
- **hazards (kitchen/cooking vs no kitchen)**

Appellant facts (undisputed / documented):

- **Small occupant load (under 50)**
- **No kitchen / no hood / no cooking line**
- **Above space is offices, not residential**
- **Building is historic (1930s)**
- **Building has hard-wired fire alarm system**
- **Fire station is approximately one block away**

6) WHY “THROUGHOUT THE BUILDING” IS THE PROBLEM

- **Building has multiple tenants and no firewalls between floors/tenancies**
- **Tenant cannot legally or practically retrofit other floors/tenants**
- **Appellant’s entire block is connected by common walls and neighboring buildings are not sprinklered, so a building-wide tenant-triggered mandate does not resolve block-level fire spread risk.**

Bottom line for the Board:

The issue is not safety vs. no safety — it is **correct code application + lawful scope for an existing multi-tenant historic building.**



Evan Kort

To: Jennifer Blevins Cc: Sullivan Carey-Lang, Brandon Swanson

Nov 19, 2024 at 11:46 AM

[Details](#)

Re: Update

Ms. Blevins,

Please see attached regarding your use permit application.
The enclosed letter addresses the outstanding items required to determine your application complete.
The corrections required are primarily narrative responses, however, some corrections to the plans are necessary as well.

Please let me know if you have any questions.

Best,



Evan Kort
Senior Planner
Community Planning and Building
City of Carmel-by-the-Sea
Direct: (831) 620-2023
Dept. Main: (831) 620-2010



On Mon, Nov 18, 2024 at 10:07 AM Jennifer Blevins <jennblevins@icloud.com> wrote:
Good morning! Hope everyone had a nice weekend. Just checking in to see if you have any updates on our permit application?



Jennifer Blevins

To: Evan Kort

Nov 22, 2024 at 1:28 PM

[Details](#)

Hey Evan,

I'm sending you the revised application shortly to include the info you asked for below. I do have one question about the restroom. Can you ring me please 813-546-7361. Thanks!

Jenn

Sent from my iPhone

On Nov 19, 2024, at 11:46AM, Evan Kort <ekort@ci.carmel.ca.us> wrote:

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Evan Kort
Senior Planner
Community Planning and Building
City of Carmel-by-the-Sea
Direct: (831) 620-2023
Dept. Main: (831) 620-2010

JB Jennifer Blevins
To: Evan Kort

Nov 22, 2024 at 1:28 PM
[Details](#)

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Please let me know if you have any questions.

Best,



Evan Kort
Senior Planner
Community Planning and Building
City of Carmel-by-the-Sea
Direct: (831) 620-2023
Dept. Main: (831) 620-2010

BS Brandon Swanson
To: Jennifer Blevins

Aug 26, 2024 at 5:11 PM
[Details](#)

Permit for Coffee Bar

Jennifer,



Here is a copy of the Planning application and permit for the coffee bar ancillary use.

Take care,

-Brandon

Brandon Swanson [he, him, his]
Assistant City Administrator
Acting Director, Community Planning and Building
City of Carmel-by-the-Sea
(831) 620-2024



 BL23-0_1 marked up.pdf 585 KB	 BL 23-051 (...arked up).pdf 2.2 MB
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JB Jennifer Blevins
To: Brandon Swanson

Sep 13, 2024 at 4:57 PM
[Details](#)

Hey Brandon, just checking in. Have you had any formal complaints come in relative to our permit since we opened? I haven't seen a follow up email come over from you after our chat so just wondering if you think I still need to apply for an additional permit so that we can address the concerns you brought to my attention.

Jennifer
Mad Dogs & Englishmen

Sent from my iPhone

On Aug 26, 2024, at 5:11PM, Brandon Swanson <bswanson@ci.carmel.ca.us> wrote:

BS Brandon Swanson
To: Jennifer Blevins Cc: Sullivan Carey-Lang, Evan Kort, Duane Dauphinee, Jermel Laurie, plastinico

Sep 18, 2024 at 3:25 PM
[Details](#)

Jennifer,

Thanks for the follow up. We have received no complaints to my knowledge, but that has no bearing on the need for a Use Permit to operate a coffee shop there.

[Long story short...](#)

You want to run the space as a coffee shop, it is not currently permitted for that, so you need to get the correct Use Permit, which requires Planning Commission approval.

[Short story long....](#)

The issue at hand is that the space does not comply with the conditions of approval that you signed (attached) as it clearly was designed to "*take on the appearance of or function as a coffee shop, bakery, or café.*" (Violates Condition #3). As you stated in our meeting, your goal is to be able to advertise the coffee shop, and bring in revenue from people who may or may not be shopping in your store, which also is not in line with the conditions of the ancillary use approval that you signed. The current "primary use" of the space is a sporting goods store (bikes) not a coffee shop, so before you begin operating it in that manner, you need to get the correct permit approved by the Planning Commission to be a Specialty Restaurant. Until then, the space needs to be operated in compliance with your signed conditions of approval (attached), which means no advertising of any fashion (including social media that you create), no food sales (includes packaged food), no more than 10% of the total floor space (includes coffee related merchandise, cream/sugar stations, etc.), and the coffee bar should remain an amenity for patrons of the primary use (bike shop) only.

There is a cap of 15 restaurants facing onto Ocean Avenue, but we are currently under that cap by two units, so there is still an opportunity for you to apply for a Use Permit. The coffee shop use would be considered a "specialty restaurant" and would need to meet the following requirements for the Planning Commission to approve it (this is cut from the code section):

4. Restaurant, Specialty (Coffee Shops, Ice Cream Parlor, Etc.).

- a. Minimum size: 400 square feet.
- b. Minimum number of customer seats on site: 14 seats. The customer seating area must be open to patron use during all hours of operation and the use must be managed to encourage on-premises consumption of food products.
- c. Sales of soup, salads and sandwiches may be allowed in an amount up to 10 percent of sales.
- d. The sale of alcohol is prohibited.
- e. Drive-in, fast food, take-out or formula establishments are prohibited.
- f. The service counter must be located within the interior of the business premises and arranged so that customers must first pass by or through the seating area to reach the counter and patron queues will be contained within the building.
- g. Outside seating may be allowed, subject to Chapter 17.58 CMC, Design Review.
- h. All products sold for consumption off the premises, other than frozen desserts, must be placed in covered containers or wrappings.
- i. Cooking equipment is limited to indoor stoves and ovens.
- j. Maximum number of food stores and/or restaurants located within structures fronting on Ocean Avenue allowed: 15. See also Chapter 17.56 CMC, Restricted Commercial Uses.
- k. The operator of the use shall be responsible for the clean-up of all on-site and off-site litter generated by the use including twice-daily clean-up of all sidewalks and gutters within 50 feet of the storefront and twice-yearly steam cleaning of this area. A practical plan for monitoring and implementing this standard shall be submitted for review with the application for use permit, and will be adopted as a condition of approval of the use.
- l. See also subsection (l)(1) of this section, All Eating and Drinking Establishments.

1. All Eating and Drinking Establishments.

- a. The sale of nonfood merchandise that is directly related to the use may be allowed when determined to be incidental to the primary use. The display of nonfood merchandise shall be ancillary to the primary use.
- b. Adequate facilities shall be provided on the site for the closed storage of trash and garbage generated by the use. The on-site storage shall be designed so that the area can be cleaned and the refuse removed without creating a public nuisance and without being placed on the sidewalks or other public ways. If the method of cooking used will generate hot ashes, a storage facility and disposal method shall first be approved by the Fire Department.
- c. At least one restroom shall be available for use by both sexes within, or conveniently adjacent to, the specific business premises and on the same

ATTACHMENT 6

You may recall conversations you had with the planning staff from a couple years ago when you proposed something similar regarding connecting the upstairs and downstairs units. The zoning code limits all businesses in Carmel to one primary business use. Ancillary, or secondary, uses are allowed only when specifically identified by the code or determined to be compatible with the primary use. The sale of nonfood merchandise in a restaurant may be permitted when it is directly related to the primary use and ancillary to the restaurant use. This has been applied in the past as a restaurant having a small retail area that sells branded glasses, t-shirts, cookbooks or similar. So, what could possibly be found appropriate by the Planning Commission would be changing the primary use upstairs to a "bike shop themed coffee shop", with the bicycle retail component being no more than 10% of the floor space (ancillary). In other words, you would be flipping the primary and ancillary uses upstairs, so that the coffee shop was the primary, and the sporting goods (bike stuff) is the ancillary. This would be done by applying for a Conditional Use Permit.

To apply for the Conditional Use Permit, please prepare the documents outlined in the [Use Permit Handout](#) and complete the [General Planning Application](#) and work with Sullivan Carey-Lang (copied on this email) to [SUBMIT ONLINE](#). You're welcome to submit in person if that is easier for you. Once received, staff will contact you to collect the application fees for the use permit (\$3,060). Please note that the property owner/manager will need to sign the application, so they have been copied on this email.

After you have had a chance to digest my email, and review the submittal documents, please feel free to call with any questions, as we are here to help.

Take care,

-Brandon

Brandon Swanson [he, him, his]
Assistant City Administrator
Acting Director, Community Planning and Building
City of Carmel-by-the-Sea
(831) 620-2024



On Sep 27, 2024, at 8:39 AM, Jennifer Blevins <jennblevins@icloud.com> wrote:

Thank you Brandon, I appreciate you following up and giving me a clear path for what needs to be done. Sorry, I just saw your emails yesterday or I would have jumped on this sooner. I will be submitting the new application and paying the additional 3k permit fee today. What sort of timeline are we currently looking at to get on the agenda for review? I would like to move this along as quickly as possible. We have hired four really lovely baristas and I don't want to have to lay anyone off while we sort this. That's my biggest concern right now.

Take a look at these two drawings. Drawing one shows 14 seats (8 window bar stools and two 8 ft sofas). Drawing 2 shows 18 seats inside and 4 outside. Should I submit both for consideration? At a quick glance, do you see anything wrong with either of these? I'm not sure if outdoor seating would be approved? I see that Carmel Coffee has outdoor seating in front of their shop. What are the specific guidelines and requirements for this?

Also, what would the requirements be for serving alcohol? Just curious why alcohol would be specifically excluded from a specialty restaurant? Like what if down the road we wanted to expand our menu and offer espresso martinis or mimosas as part of our beverage lineup? Would this require a different permit or a change of use permit in addition to an ABC license? I'm just trying to think ahead as this was something I had thought about early on as something we might be able to do down the road. Would it be impossible to get this changed or added at a future date should we so desire? Again, this is not something we want to do right now.

Finally, I think we meet all of the guidelines you outlined. The bathroom is the only sticking point. We currently have an ada compliant bathroom, but it is shared with another business and is currently for employee use only. I thought I read that a public bathroom had to be within 300 yards of the establishment? Maybe that was in the permitting paperwork for the health department? I believe that the other coffee bars on Ocean all have a sign at their counter stating no public restroom, with a map showing how to get to the closest public toilet. Would this be acceptable?

Jenn

Sent from my iPhone

On Sep 18, 2024, at 3:25 PM, Brandon Swanson <bswanson@ci.carmel.ca.us> wrote:

Jennifer,

Thanks for the follow up. We have received no complaints to my knowledge, but that has no bearing on the need for a Use Permit to operate a coffee

Coffee Display

Jennifer,

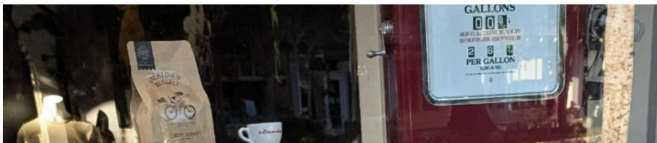
I noticed the other day that there is coffee displayed in the window of the upstairs bike shop (see attached photo). As discussed, the signed conditions of approval for your space do not allow "advertising in any fashion" of the coffee shop. Please remove the coffee display from your window until you have processed your Use Permit for the primary use of the space to be a coffee shop.

You have an email in your inbox now that explains the need for the Use Permit, and walks you through the steps.

Take care,

-Brandon

Brandon Swanson [he, him, his]
Assistant City Administrator
Acting Director, Community Planning and Building
City of Carmel-by-the-Sea
(831) 620-2024



JB Jennifer Blevins
To: Kyle Smith Cc: Brandon Swanson, plastinico@aol.com

Jun 26, 2023 at 10:47 AM
[Details](#)

Hi Kyle,

Can I please get an update from you today on the status of my request to have water credits restored so I can move forward with adding a coffee bar in my bike shop?

Sales are still down ytd and I need to prioritize getting this done as soon as possible to help offset the rent we are paying.

Thanks,
Jennifer
Mad Dogs & Englishmen

Sent from my iPhone

On Jun 21, 2023, at 2:04 PM, Jennifer Blevins <jennblevins@me.com> wrote:

Hi Kyle,

Good news! I had my sister do some research and it appears that Orange Julius and Swenson's moved out in 1985! So that should be all you need to restore the water credits, correct? They were in the space from 1970-1985.

Jenn

Sent from my iPhone

Begin forwarded message:

JB Jennifer Blevins
To: Kyle Smith Cc: plastinico@aol.com, Brandon Swanson Bcc: Mad

Jun 27, 2023 at 3:35 PM
[Details](#)

This is great news Kyle, thank you so much! I cannot tell you how much I appreciate your help with this. I was so afraid I was not going to be able to afford to stay in the space upstairs. This additional revenue stream is going to help us out tremendously. I'm over the moon!

Brandon, who can assist me with this at the city?

Jennifer
Mad Dogs & Englishmen

Sent from my iPhone

On Jun 27, 2023, at 3:10 PM, Kyle Smith <ksmith@mpwmd.net> wrote:

Hi Jennifer,

The District will acknowledge that space as a group two use and allow you coffee bar. You will need the City of Carmel before the District will process the application. Below is a link to the application.

Kyle Smith
MPWMD Conservation Rep.

BS Brandon Swanson
To: Jennifer Blevins, Sullivan Carey-Lang Cc: Kyle Smith, plastinico@aol.com



Brandon Swanson

To: Jennifer Blevins, Sullivan Carey-Lang Cc: Kyle Smith, plastinico@aol.com

[Details](#)

Great news, glad you were able to sort this out. Please just go ahead and submit an application to add an ancillary use to the bike shop. I have copied Sullivan Carey-Lang, our extraordinary permit technician, who can walk you through how to submit and pay for your application online.

Take care,

-Brandon

Brandon Swanson [he, him, his]
Director, Community Planning and Building
City of Carmel-by-the-Sea
(831) 620-2024

Please take our [Customer Satisfaction Survey](#).



Sullivan Carey-Lang

To: Brandon Swanson Cc: Jennifer Blevins, Kyle Smith, plastinico@aol.com

Jun 30, 2023 at 11:14 AM

[Details](#)

Good morning Jennifer,

Below you can find a link that will lead you to the city's online application portal. Here you can submit applications, check the status of existing applications, or pay outstanding fees. In order to get started for your project, you'll want to select the header highlighted in purple that states "Planning Application Submittal". Once this is selected, please complete all fields available to the best of your abilities. If you have questions regarding what to place in these fields, please feel free to give me a call. Once the fields are completed, you will be required to upload your additional files. These will typically be in the form of a floor plan showing the ancillary use space. Once done, you may select "submit" at the bottom of the page. Once submitted, our staff will typically process within one business day to review for general completeness and let you know if any additional information is required.

Please let me know if you have any questions regarding this process.

<https://carmel.portal.iworg.net/portalhome/carmel>

Thank you,



Sullivan Carey-Lang [he, him, his]
Building Permit Technician
City of Carmel-by-the-Sea
(831) 620-2059

Please take our [Customer Satisfaction Survey](#).

On Fri, Jun 30, 2023 at 10:57 AM Brandon Swanson <bswanson@ci.carmel.ca.us> wrote:

[See More](#)



Jennifer Blevins

To: Brandon Swanson Cc: Sullivan Carey-Lang

Sep 6, 2023 at 3:23 PM

[Details](#)

Hey Brandon,

Martin and I are walking over to city hall around 3:30. Would you or Sullivan be available by chance?

Speaking with Sullivan and Evan, I'm afraid I'm a bit confused, and I really want to get this application for the coffee bar submitted this week.

Evan doesn't seem to think I need to pay any fees if we are just adding a coffee bar to our exiting business for ancillary use with no seating. Sullivan believes we need to submit an application and pay the \$1800 fee, and he has asked how much seating we are planning to have. I don't mind paying this if required. I understand it goes up by \$1000 after Friday, so I would definitely want to get this paid this week.

When I spoke with the water division they said they didn't care about seating. So are there two processes and two fee structures based on if we show adding seating vs not adding seating? Is the approval process faster and easier with no seating?

If we want to add some seating at a later date, what would that process (and the requirements for getting approval) look like? I'm just trying to get a clear understanding of my options and how best to proceed.

Thank you!!

Jenn

Sent from my iPhone

On Jun 30, 2023, at 10:57 AM, Brandon Swanson <bswanson@ci.carmel.ca.us> wrote:



Sullivan Carey-Lang

To: Jennifer Blevins Cc: Brandon Swanson

Sep 6, 2023 at 3:29 PM

[Details](#)

Jennifer,

I can let you know that Brandon is in a meeting and we have a department meeting at 4 o'clock. Looking at his schedule, it looks like we both have availability at 1 tomorrow afternoon. Does that work for you?

Thank you,



Sullivan Carey-Lang [he, him, his]
Building Permit Technician
City of Carmel-by-the-Sea
(831) 620-2059

Please take our [Customer Satisfaction Survey](#).

On Wed, Sep 6, 2023 at 3:23 PM Jennifer Blevins <jennblevins@icloud.com> wrote:

[See More](#)



Found in Sent



Jennifer Blevins

To: Brandon Swanson Cc: Sullivan Carey-Lang

Sep 6, 2023 at 3:47 PM

[Details](#)

Yes, 1pm tomorrow would be great! I can come back then. Thanks Sullivan!

Jenn

Sent from my iPhone

On Sep 6, 2023, at 3:23 PM, Jennifer Blevins <jennblevins@icloud.com> wrote:



Sullivan Carey-Lang

To: Jennifer Blevins Cc: Brandon Swanson

Sep 6, 2023 at 4:46 PM

[Details](#)

Good afternoon Jennifer,

Evan, Brandon, and I discussed your proposal this afternoon. You are not required to submit for a use permit amendment, but are required to submit for a revised business license to incorporate the new ancillary use. You may submit this by completing the attached business license form, with the property owners signature, and submitting this to me along with the floor plan you had drawn up for the space. Once this is received the application fee of \$327 will be required to be paid and then we may process this. Please let me know if you have any additional questions regarding this.

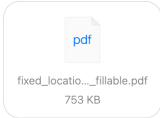
Thank you,



Sullivan Carey-Lang [he, him, his]
Building Permit Technician
City of Carmel-by-the-Sea
(831) 620-2059

Please take our [Customer Satisfaction Survey](#).

On Wed, Sep 6, 2023 at 3:47 PM Jennifer Blevins <jennblevins@icloud.com> wrote:





Brandon Swanson

To: Jennifer Blevins Cc: Sullivan Carey-Lang, Evan Kort, Duane Dauphinee, Jermel Laurie, plastinico

[Details](#)

Re: Permit for Coffee Bar

Hi Jennifer,

Unfortunately, we don't have the authority to reduce Planning Permit fees. To clarify though, the Use Permit that is required for how you want to run the coffee bar now, and was one of the options that you were given last year, was \$3,060 last year; this year the rates went up to \$3,140.

Take care,

-Brandon

Brandon Swanson [he, him, his]
Assistant City Administrator
Acting Director, Community Planning and Building
City of Carmel-by-the-Sea
(831) 620-2024



On Fri, Sep 27, 2024 at 12:00PM Jennifer Blevins <jennblevins@icloud.com> wrote:

Hi Brandon, one more follow up. Attached below are some of the emails and communications we had last year as I was working on this project. You probably have copies of these in your files. Any chance given the circumstances that you can adjust the permit fee retroactively and just charge me \$1800, which was the fee amount when we first started working on this? I would have paid that amount at that time to avoid the steep rate increase.

I have already spent so much more on this project than I had budgeted, if you can do anything to help I would greatly no appreciate it.

From: Evan Kort <ekort@ci.carmel.ca.us>
Date: January 13, 2020 at 5:27:49 PM PST
To: Jennifer Blevins <jennblevins@me.com>
Subject: Re: Bike cafe inquiry

Hi Jennifer,

I was able to reconvene with Marnie to discuss your proposal. While the business model you are proposing is creative and interesting, Carmel's codes do not allow two different types of businesses to be inter connected. The zoning code limits all businesses in Carmel to one primary business use. Ancillary, or secondary, uses are allowed only when specifically identified by the code or determined to be compatible with the primary use. Based on our research of the Carmel code and the North American Industry Classification System (NAICS), a bike shop and a restaurant (regardless of full line or specialty) are not compatible uses and therefore cannot be interconnected.

While I understand and appreciate the concept of the business model, this is unfortunately not something the zoning code allows. However, if you would like to further discuss establishing a stand-alone restaurant on Ocean Ave please let me know and I would be happy to answer any additional questions regarding that process.

Best,

Evan Kort
Assistant Planner
Carmel-by-the-Sea
(831)620-2023
ekort@ci.carmel.ca.us



Sullivan Carey-Lang

To: Jennifer Blevins

Aug 22, 2024 at 3:16 PM

[Details](#)

Good afternoon Jennifer,

I can confirm that we've received your inspection request for tomorrow. Duane will give you a call tomorrow morning to confirm the inspection window for you.

Thank you,



Sullivan Carey-Lang [he, him, his]
Building Permit Technician
City of Carmel-by-the-Sea
(831) 620-2059

On Thu, Aug 22, 2024 at 2:31PM Jennifer Blevins <jennblevins@me.com> wrote:

Hi Sullivan, any chance we can get our permit inspection tomorrow for the coffee bar? I left a voicemail earlier.

Jenn

Sent from my iPhone

On Feb 13, 2024, at 2:23PM, Sullivan Carey-Lang <scareylang@ci.carmel.ca.us> wrote:

Good afternoon Jenn,

Thank you for providing the fee payment, I may now issue your permit to you. Please see attached the approved building permit forms, inspection record cards, and the job copy stamped approved plans. It is your responsibility to print out the attached forms and plans and make them available at the project site at all times. Additionally, the building permit form is required to be posted in a clear and visible location to the public right of way at all times. Once posted, you may then begin the approved work.

Please let me know if you have any additional questions.

On Feb 13, 2024, at 2:23PM, Sullivan Carey-Lang <scareylang@ci.carmel.ca.us> wrote:

Good afternoon Jenn,

Thank you for providing the fee payment, I may now issue your permit to you. Please see attached the approved building permit forms, inspection record cards, and the job copy stamped approved plans. It is your responsibility to print out the attached forms and plans and make them available at the project site at all times. Additionally, the building permit form is required to be posted in a clear and visible location to the public right of way at all times. Once posted, you may then begin the approved work.

Please let me know if you have any additional questions.

Thank you,



Sullivan Carey-Lang [he, him, his]
Building Permit Technician
City of Carmel-by-the-Sea
(831) 620-2059

Please take our [Customer Satisfaction Survey](#).

- <EP 23-567 (Porter-Mad Dogs and Englishmen) Building Permit Form.pdf>
- <EP 23-567 (Porter-Mad Dogs and Englishmen) Inspection Record Card.pdf>
- <EP 23-567 (Porter-Mad Dogs and Englishmen) Approved Plans.pdf>
- <PP 23-566 (Porter-Mad Dogs and Englishmen) Building Permit Form.pdf>
- <PP 23-566 (Porter-Mad Dogs and Englishmen) Inspection Record Card.pdf>



Sullivan Carey-Lang
To: Jennifer Blevins

Sep 1, 2023 at 11:57 AM
[Details](#)

Re: Plans

Jennifer,

It appears that you used a previous floor plan from a previous tenant and overlaid your current use and space on it. Unfortunately, we wouldn't be able to accept it as presented. You may use the existing plans as a guideline, but we would need a new floor plan provided that does not include the notes and references from the old businesses.

I will say that your dimensions and notes appear clear, so having this with the old plan notes removed should be sufficient. I would additionally include a written description of the proposed additional use, note how much seating you are requesting, and indicate the hours of operation for this.

Thank you,



Sullivan Carey-Lang [he, him, his]
Building Permit Technician
City of Carmel-by-the-Sea
(831) 620-2059

Please take our [Customer Satisfaction Survey](#).

On Fri, Sep 1, 2023 at 11:48 AM Jennifer Blevins <jennblevins@icloud.com> wrote:

[See More](#)



Subject: Re: Meeting today
Date: Sep 19, 2025 at 4:39 PM
To: Anna Ginette <aginette@ci.carmel.ca.us>

Hi Anna,

Just checking in to see if there are any updates since we had our meeting. I really appreciate you coming to speak with me. I'm getting nervous as we only have a few months until the end of the year.

Can I get on the Oct Planning agenda? That way we have time to get me on the City Council agenda for Nov if needed.

Jennifer
Mad Dogs & Englishmen
813-546-7361

On Aug 29, 2025, at 2:30 PM, Anna Ginette <aginette@ci.carmel.ca.us> wrote:

Okay. I'll head over there around 3.

See you in a bit.



Anna Ginette, AICP
Community Planning and Building Director
City of Carmel-by-the-Sea
P.O. Box CC, Carmel-by-the-Sea, CA 93921
Office: (831) 620-2008 Cell: (831) 620-5337
aginette@ci.carmel.ca.us

AG Anna Ginette, AICP
To: Jennifer Blevins

Sep 26, 2025 at 2:56 PM
[Details](#)

Site Visit

Hello Jennifer,

Duane, Jermel and I will meet you on site Friday, October 3rd at 3pm.

Sincerely,



Anna Ginette, AICP
Community Planning and Building Director
City of Carmel-by-the-Sea
P.O. Box CC, Carmel-by-the-Sea, CA 93921
Office: (831) 620-2008 Cell: (831) 620-5337
nginette@ci.carmel.ca.us

From: Jennifer Blevins <jennblevins@icloud.com>
Sent: Wednesday, October 15, 2025 2:41 PM
To: FIRE-Prevention Employees <fireprevention@monterey.org>
Cc: Jermel Laurie <jlaurie@ci.carmel.ca.us>; Duane Dauphinee <dadauphinee@ci.carmel.ca.us>; John Plastini <plastinico@aol.com>; Kelly <warrenbuildingcarmel@gmail.com>
Subject: Re: Technical clarification letter

[Some people who received this message don't often get email from jennblevins@icloud.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Hi Chief Cooper,

Following back up on my email that I sent over last Friday. Would you be available to meet this week?

Jenn

Sent from my iPhone

> On Oct 10, 2025, at 10:15 AM, Jennifer Blevins <jennblevins@icloud.com> wrote:
>
>
> Chief Cooper, thank you for taking my call earlier this week. Please see the attached letter requesting technical clarification on proposed sprinkler requirements for my coffee bar in Carmel, CA. Please let me know what day next week works for an in person meeting and site visit. I look forward to working with you and the city to get this sorted. I am happy to provide any additional documentation as requested.
>
> <Coffee_Bar_Sprinkler_Clarification_NoAddendum.pdf>
>
> Sincerely,
> Jennifer Blevins
>
> Sent from my iPhone
[NOTICE: This message originated outside of the City of Monterey mail system -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]



On Fri, Oct 17, 2025 at 2:11PM Jennifer Blevins <jennblevins@icloud.com> wrote:
[See More](#)

Jennifer Blevins

Nov 14, 2025 at 4:43 PM



Justin Cooper

To: Jennifer Blevins, FIRE-Prevention Employees Cc: Jermel Laurie, Duane Dauphinee, John Plastini, Kelly (landlord)

ATTACHMENT 6

[Details](#)

Re: Technical clarification letter

Jenn,

I wanted to get back to you regarding occupancy classification. Occupancy classification is done by the Building Department. I cannot move forward until I receive direction from the Carmel By The Sea Building Official.

Sincerely,

Justin Cooper | Division Chief | Fire Marshal
MONTEREY FIRE DEPARTMENT
FIRE PREVENTION DIVISION



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O (831) 646-6945 | M (831) 646-3908 | monterey.gov/fire
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Jennifer Blevins

To: cooper@monterey.org Cc: "Anna GINETTE, AICP" <agINETTE@ci.carmel.ca.us>

Oct 17, 2025 at 2:50 PM

[Details](#)

Written confirmation request – Fire sprinkler determination for CUP file (Mad Dogs & Englishmen)

Hi Chief Cooper,

I hope you're well. I'm finalizing my CUP compliance file for Mad Dogs & Englishmen (approved under Resolution No. 2024-094-PC as a specialty restaurant / coffee bar) and wanted to follow up with a simple written confirmation for the record regarding sprinkler requirements.

For the approved CUP scope, there was no increase to the building fire area or change to the fire system, and the use is limited to coffee/espresso service without grease-producing equipment or a commercial kitchen exhaust system.

Can you please confirm in writing whether any fire sprinkler system upgrade is required for this approved scope, so I can include that note in the file? If there is specific language you would prefer I reference when documenting Fire's position in my compliance packet, I'm happy to use your wording.

I appreciate your help and your time.

Jennifer Blevins
Owner & General Manager
Mad Dogs & Englishmen
SW Corner Ocean & Mission, Carmel-by-the-Sea
813-546-7361
jennifer@maddogsandenglishmen.com



Justin Cooper

To: Jennifer Blevins Cc: "Anna GINETTE, AICP" <agINETTE@ci.carmel.ca.us>

Oct 20, 2025 at 4:24 PM

[Details](#)

Dear Ms. Blevins,

This correspondence is provided in response to your inquiry regarding the occupancy classification for the project. Determination of occupancy classification is the responsibility of the Carmel-by-the-Sea Building Department. The Fire Department is unable to provide a final determination or move forward with review until confirmation is received from the Building Official regarding the existing occupancy classification and whether any change has occurred.

Should a change in occupancy classification be identified, the proposed use may constitute a change of use under California Fire Code Section 102.3, which could trigger requirements for the installation of an automatic fire sprinkler system.

This information is based on the Building Department's designation of the intended use of the structure, which serves as the foundation for applicable fire and life safety requirements.

Sincerely,

Justin Cooper | Division Chief | Fire Marshal
MONTEREY FIRE DEPARTMENT
FIRE PREVENTION DIVISION



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JL Jermel Laurie

To: John plastini Cc: WarrenBuilding@gmail.com, Jennifer Blevins, Anna Ginette, AICP, Duane Dauphinee, Sullivan Carey-Lang, Evan Kort

Nov 13, 2025 at 3:37 PM

[Details](#)

Notice of Violation

Mr. Plastini,

As the contact on file, please see the attached notice of violation. A certified copy will also be mailed to:

PORTER ALAN R
PO BOX 5460
SANTA BARBARA, CA 93150

The second attachment contains the supporting codes and sections from Title 24 of the California Code of Regulations (Building Codes) and the Carmel Municipal Code.

Best Regards,

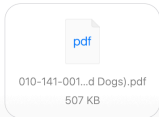


Jermel Laurie, CBO
Building Official
City of Carmel-by-the-Sea
(831) 620-2055

Please take our [Customer Satisfaction Survey](#).

If you have a general Planning question, please email planning@ci.carmel.ca.us. For Building questions, please email building@ci.carmel.ca.us. To request a building inspection, please go on-line to: <https://ci.carmel.ca.us/post/electronic-inspection-scheduling> or call the inspection line at (831) 620-2065.

Thank you for your patience and understanding as we adapt to the changing conditions in our community.



JL Jermel Laurie

To: Kelly (landlord), John plastini, Jennifer Blevins, Anna Ginette, AICP, Duane Dauphinee, Sullivan Carey-Lang, Evan Kort

Dec 3, 2025 at 8:53 AM

[Details](#)

Determination of Codes - RE: Mad Dogs and Englishmen

Dear Kelly Sedoryk and John Plastini,

Jennifer Blevins has requested a determination of codes. As the contact on file, please see the attached determination of codes and supporting documentation. A certified copy will also be mailed to:

PORTER ALAN R
PO BOX 5460
SANTA BARBARA, CA 93150

Best Regards,

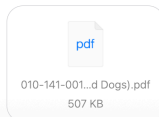


Jermel Laurie, CBO
Building Official
City of Carmel-by-the-Sea
(831) 620-2055

Please take our [Customer Satisfaction Survey](#).

If you have a general Planning question, please email planning@ci.carmel.ca.us. For Building questions, please email building@ci.carmel.ca.us. To request a building inspection, please go on-line to: <https://ci.carmel.ca.us/post/electronic-inspection-scheduling> or call the inspection line at (831) 620-2065.

Thank you for your patience and understanding as we adapt to the changing conditions in our community.





Jennifer Blevins

To: Evan Kort Cc: Brandon Swanson, Bo Grunde

Jan 9, 2025 at 6:14 PM

[Details](#)

Re: Mad Dogs Use Permit

Hi Evan,

I hope you had a nice holiday break. I have a stressful problem, and I'm not sure how to handle this. I met with my property manager last week to review the permit and she's stating the property owner AR Porter is not wanting to sign the new conditional use permit because of the stipulation about the bathroom.

Our bathroom in question is shared with a neighboring business (Carmel Sport), this tenant has been in the space next to us for 30 years and her husband is an attorney. In her lease it states the bathroom is for employees only and she is not budging on allowing us to utilize this bathroom for customers, even though we have frequently observed her letting her own customers use it on occasion. I didn't think it would be an issue, although if you recall when we initially spoke I did say I didn't want to include the bathroom in the original permit application. I really didn't think it would be an issue when I submitted the updated application to change the use permit, I thought my landlord would come around and be ok since it was a city requirement and we have always been a good tenant. But now here we are. He's not budging. I think he's afraid he's going to get sued by the other tenant for violating her lease, but this is just a guess. I now don't know what to do.

My property manager and landlord are also justifiably concerned about safety and liability with the bathroom being located at the top of a stairway in a hallway- this area is currently not technically space in my lease, but is considered a common area, thus the liability would fall on the owner of the building should someone fall and get hurt.

For two weeks, around Christmas, after the planning dept approved our permit, we tried making the restroom available to our customers and quite honestly it was a disaster. We had a line of people non stop off of Ocean Ave that we could not curtail. This line blocked the hallway and created a safety concern (as my landlord feared), and people queued up through our shop past the coffee bar making it near impossible for staff or customers to navigate the area where food and drinks are picked up. Many of these people were not even customers. It was so challenging for our staff to try to manage. Having these long lines would also create an issue with the fire dept as it would cause us to be over maximum occupancy if the coffee bar was full of customers and we also had a long line of people queuing up for the toilets.

This is a historic 1929 building. We have a public toilet across the road in the park built when Clint was mayor. We have been sending customers to this bathroom since opening with no issues. Can we please change this requirement in the permit? It really is a much better solution given the circumstances.

The following coffee bars that are similar to us all send customers to an off site bathroom, so there is a precedent:

~~Below are the photos showing the requirement in the permit. It really is a much better solution given the circumstances.~~

The following coffee bars that are similar to us all send customers to an off site bathroom, so there is a precedent:

- Carmel Bakery- sends customers two blocks away to the bathroom across from Mulligan's.
- Carmel Coffee Roasting- sends customers to the same bathroom even further away from them.
- Carmel Coffee House- sends customers to the same bathroom as above.
- Cafe Del Mar- sends customers to the same bathroom as above- this business opened within the last two years. May I please ask how they got approved for this exception?
- Carmel Crepery- this future business will send customers to a bathroom in the outside courtyard that belongs to a neighboring restaurant.

I just can't seem to catch a break. I really thought everything was sorted and was so happy that we had the approvals to move forward with the new permit and business license. What do I do now? I'm at a loss for next steps and looking for some guidance. At this point I'm honestly feeling like throwing in the towel. I'm so sorry for the extra aggravation that this whole situation is causing. In hindsight I should have gotten my landlord's approval first.

I'm really wanting to get all of this sorted so that I am in compliance with all city requirements. Please discuss with Brandon and Bo and please let me know what if anything can be done. I just don't know what my options are given the circumstances. This building does not have a public bathroom on site for customers to use. There is another bathroom downstairs on the ground floor that we share with another tenant (Mel's hair salon)- I even suggested we convert this bathroom into an ada compliant public bathroom for the tenants of the building and this was shot down by my property manager as they feel it's in the wrong location for safe and easy access by customers (it's off a hallway accessed by an exterior door near our trash area).

I did check with the health dept and the water dept, both have confirmed that they do not require us to have a bathroom on site for customers, so this is strictly a Carmel requirement. I'm just hoping since exception was made for so many other similar coffee bars in town that an exception can be made for us.

Jennifer Blevins

Sent from my iPhone

On Jan 8, 2025, at 9:11AM, Evan Kort <ekort@ci.carmel.ca.us> wrote:

Ms. Blevins,

Your Use Permit Application was approved by the Planning Commission on December 11, 2024 with the appeal period for the approval ending on January 3, 2025 (please refer to the



Jennifer Blevins
To: Jennifer Blevins

2:18 PM

[Details](#)**Fwd: Question**

Sent from my iPhone

Begin forwarded message:

From: jennifer@maddogsenglishmen.com
Date: July 12, 2021 at 11:33:32 AM PDT
To: Evan Kort <ekort@ci.carmel.ca.us>
Subject: Question

Hi Evan,

Can I ask you a question? If we wanted to eventually add a coffee bar inside our shop on Ocean to sell gourmet espresso and lattes to our customers, what sort of challenges would I run into getting this approved?

Are we at the 15

IMG_6285.jpg

Sent from my iPhone



Jennifer Blevins

To: jlaurie@ci.carmel.ca.us Cc: cooper@monterey.org, "Anna Ginette, AICP" <aginette@ci.carmel.ca.us> Bcc: martin@maddogsandenglishmen.com

Oct 22, 2025 at 5:02 PM

[Details](#)**Clarification on Occupancy Classification & Fire Sprinkler Requirements**

Hi Jermel,

As a follow-up to our previous discussions and the Fire Marshal's correspondence, I wanted to confirm the occupancy classification and fire sprinkler determination for Mad Dogs & Englishmen Coffee Bar (SW corner Ocean & Mission).

The Fire Marshal's office noted that the final determination depends on the Building Department's classification of use and occupant load. Our approved CUP (2024-094-PC) identifies the operation as a specialty restaurant/coffee bar, with a maximum of 20 customer seats and a total customer area of approximately 700 square feet.

Based on California Building Code Table 1004.5 (Assembly without fixed seats), our occupant load calculates to approximately 47 people, which is below the 50-person threshold that triggers Assembly Group A-2 classification and associated sprinkler requirements.

Could you please confirm that the City will apply the Business Group B (less than 50 occupants) classification for this use? This would align with both the CUP conditions and the limited seating/service nature of the business.

For convenience, I've cc'd Fire Marshal Justin Cooper, as his office indicated this classification confirmation will guide any next steps regarding fire suppression review.

Thank you very much for your time and clarification.

Best regards,

Jennifer Blevins

Mad Dogs & Englishmen Coffee Bar

SW Corner Ocean & Mission, Carmel-by-the-Sea

813-546-7361

jennifer@maddogsandenglishmen.com

cc:

Justin Cooper – Fire Marshal, Monterey Fire Department

Anna Ginette, AICP – Community Planning & Building Director, City of Carmel-by-the-Sea



Jennifer Blevins

To: jlaurie@ci.carmel.ca.us Cc: "Anna Ginette, AICP" <aginette@ci.carmel.ca.us> Bcc: martin@maddogsandenglishmen.com

Oct 22, 2025 at 5:10 PM

[Details](#)

Clarification on ADA Restroom Documentation & CASp Letter

Hi Jermel,

I wanted to check in for clarification before proceeding with the next step in our documentation for Mad Dogs & Englishmen Coffee Bar (SW corner Ocean & Mission).

Roger Miller (CASp, Eagle Project Management) offered to prepare a formal letter confirming that ADA does not require a public restroom for our use type. However, his scope does not include plumbing code or accessible route verification, and the fee for this basic letter would be \$850.

Before proceeding, could you please confirm whether your department requires a formal CASp letter, or if email confirmation of Roger's findings would be sufficient for the record?

In addition, Roger indicated that the route between our coffee bar and the public restrooms across Devendorf Park falls under the California Plumbing Code rather than ADA. We have documented the accessible paved route to the park restrooms, which are maintained by the City and located well within the CPC 422.2 / 422.4 distance standards.

If helpful, I can include our distance measurements, accessibility photos, and map for your review.

For context, the Monterey County Health Department has already approved our food permit and conducted a site visit confirming our compliance without requiring a customer restroom.

Please let me know whether we should proceed with a CASp letter or submit the supporting route documentation instead.

Thank you for your guidance on how best to finalize this portion of the CUP file.

Best regards,

Jennifer Blevins

Mad Dogs & Englishmen Coffee Bar

SW Corner Ocean & Mission, Carmel-by-the-Sea

813-546-7361 cell/text

jennifer@maddogsandenglishmen.com

cc: Anna Ginette, AICP – Community Planning and Building Director, City of Carmel-by-the-Sea



Jennifer Blevins

To: "Anna Ginette, AICP" <aginette@ci.carmel.ca.us> Cc: jlaurie@ci.carmel.ca.us, cooper@monterey.org Bcc: martin@maddogsandenglishmen.com

Oct 22, 2025 at 6:06 PM

[Details](#)

Filed for Record – Health Dept Pre-Op Approval & Plan Set (CUP 2024-094-PC)

Hi Anna,

For the CUP 2024-094-PC record, attached are two items I received today from Monterey County Environmental Health:

- the final pre-operational inspection report (Aug 23, 2024), and
- the plan set that was reviewed and approved by the Health Department.

These reflect the beverage-oriented coffee bar layout and the back-of-house employee restroom, consistent with what we've discussed for the project.

I've reached out to Jermel for clarification regarding the occupancy classification and will follow up on the CASp letter once I receive his response.

Thanks so much,

Jennifer



Ow, Corrine

To: Jennifer Blevins

4:12 PM

[Details](#)

RE: AM0001939- Mad Dogs and Englishmen, SW Corner of Ocean and Mission, Carmel

Hi Jennifer,

Great to hear from you! Hope everything is going well with the shop.

Attached is the final pre-operational inspection report from last year as well as a copy of the plans submitted for this plan check application. They do have my handwritten notes on it with some highlighted colors just as a precaution.

Regards,



Corrine Ow, REHS
Senior Environmental Health Specialist
Health Department – Land Use
Environmental Health Bureau
County of Monterey
1270 Natividad Road, Salinas, CA 93906

Jennifer

Based on the email you provided from Jermel it appears that the trigger that is requiring accessible improvements in your building is based on the change of occupancy which requires a level of accessibility improvements based on the sections of CBC 11B & ADAG Standard related to "Existing Buildings and Facilities"

I provided the attached hourly proposal where I can walk through the requirements and help you provide a reasonable response to the city.

The letters you are requesting will not satisfy the requirements of these sections of the regulations.

Furthermore part 2 of the letter you requested is not accurate, the ADAG does not address travel distance to accessible toilet rooms. I believe the CBC Plumbing code addresses the requirements for toilet rooms

If you still want to limit the scope to "A signed PDF letter on your letterhead confirming that (1) ADA does not require an on-site public restroom for my specialty restaurant/coffee bar as proposed" I can revise the proposal.

My minimum fixed fee cost for something like the letter would be \$825 payable in advance

Let me know how you would like to proceed

Roger Miller
Eagle Project Management, LLC
798 Lighthouse Ave #319
Monterey, CA 93940
<https://www.eaglepromanagement.com/>
Cell 831-521-9360
Fax 831-603-3058
Certified CASp Specialist (417 expires 4/9/2027)
[Why Should I Hire a CASp?](#)



Jennifer Blevins

To: jlaurie@ci.carmel.ca.us Cc: "Anna Ginette, AICP" <aginette@ci.carmel.ca.us>, cooper@monterey.org Bcc: martin@maddogsandenglishmen.com

Nov 5, 2025 at 2:45 PM

[Details](#)

Re: Follow-up: Occupancy Classification & Posted Load (Mad Dogs & Englishmen)

My apologies, double checking and the emails I'm referring to were sent between Oct 17-22.

Jennifer

On Nov 5, 2025, at 2:42 PM, Jennifer Blevins <jennblevins@icloud.com> wrote:

Hi Jermel,

Following up on my Oct 24-28 emails regarding occupancy classification for Mad Dogs & Englishmen (SW Ocean & Mission).

For the record, our assembly (customer) area calculates under 50 occupants, and we're requesting confirmation of Business Group B classification and a posted occupant load of 49.

Could you please confirm the classification and posted load, or let me know what you need from me to finalize this? I'm happy to provide a simple plan markup showing fixed elements and the net assembly area used in the calc.

Thank you,
Jennifer Blevins
Mad Dogs & Englishmen
813-546-7361 cell/text



Jennifer Blevins

To: jlaurie@ci.carmel.ca.us Cc: "Anna Ginette, AICP" <aginette@ci.carmel.ca.us>, cityclerk@ci.carmel.ca.us Bcc: martin@maddogsandenglishmen.com

Nov 5, 2025 at 3:06 PM

[Details](#)

Follow-up: ADA Restroom Documentation & CASp Letter (Mad Dogs & Englishmen)

Hi Jermel,

Checking in on my Oct 22 note about ADA restroom documentation. Roger (CASp) can provide a letter confirming ADA does not require a customer restroom for our use type, before I authorize that expense, could you confirm whether a formal CASp letter is required for your record, or if an email confirmation will suffice?

We've documented the accessible, paved route to the City's ADA restrooms in Devendorf Park (well within CPC 422 distance). I can submit the route map, photos, and measurements along with the Health Department's pre-op approval (Aug 23, 2024), if helpful.

Please let me know the preferred documentation path so I can proceed.

Thank you,
Jennifer Blevins
Mad Dogs & Englishmen
813-546-7361 cell/text



Jennifer Blevins

To: jlaurie@ci.carmel.ca.us Cc: "Anna Ginette, AICP" <caginette@ci.carmel.ca.us>, ddauphinee@ci.carmel.ca.us, scareylang@ci.carmel.ca.us, Evan Kort & 2 more

Nov 14, 2025 at 2:58 PM

[Details](#)**Request for Formal Written Code Determination (Required Prior to Administrative Appeal)**

Project: Mad Dogs & Englishmen Coffee Bar — SW Corner Ocean & Mission
 APN: 010-141-001
 Permits: Approved Conditional Use Permit (CUP 24-292), Ancillary Use Permit, BL 23-051

Date: November 14, 2025

Via Email

To:

Jermel Boyer, Chief Building Official – City of Carmel-by-the-Sea

Dear Mr. Boyer,

This letter is submitted to formally request a written code determination regarding the Notice of Violation issued for the tenant space at the SW corner of Ocean Avenue and Mission Street, occupied by Mad Dogs & Englishmen Coffee Bar.

Under Carmel's municipal procedures and the California Building Code, a formal written interpretation is required before an administrative appeal may be filed. To date, although I have submitted several written requests for clarification, I have not received a written determination identifying the specific code section(s) that require:

- (1) Construction of a restroom within the tenant space, and/or
- (2) Installation of an automatic fire sprinkler system in the building.

The NOV references several general code chapters (CFC 102.3, CEBC 1011, CPC Table 422.1, and CMC 15.08.100 and 17.14.040(l)(c)), but none of these provisions — on their face — require the construction of a restroom or the installation of sprinklers in an existing ~1,300 sq ft first-floor tenant space operating as a specialty coffee bar.

To proceed properly and transparently, I respectfully request an official written determination that clearly specifies:

The Landlord isn't going to sign off on any additional paperwork until some of the ongoing issues are resolved. Those being a need for a public restroom and sprinklers for the building. In addition, a formal CASp inspection will need to be scheduled for the building.

Regarding a set of "As Built" plans as mentioned in your other email, we need to receive a new set of plans that reflect and detail the current layout that includes not only the backflow valve and pressure pump, but also appliances, equipment, seating, tables, lighting, and any other additions or alterations to the Leased space.

Best regards,

Kelley Sedoryk
 Building Manager
 Warren Building Carmel
 (831) 747-9047 | call or text

On Tue, Oct 28, 2025 at 4:54PM Jennifer Blevins <jennblevins@icloud.com> wrote:

Hi Kelly,

I hope you're doing well. I'm reaching out with a quick update on the status of the Conditional Use Permit and to request assistance with a procedural item that needs to be completed in order for the City to process the Certificate of Occupancy.

As noted in the City's CUP approval letter dated December 12, 2024, the City requires that we apply for and obtain a new business license before they will issue the Certificate of Occupancy for the coffee bar. I have completed the Business License Application and the City requires the property owner's signature on that form.

This business license application is separate from the CUP signature.

To be clear:

- We are *not* asking for the CUP to be signed at this time.
- We are still actively working with the City to resolve the restroom requirement and sprinkler interpretation.
- Signing the business license application does *not* impact, waive, or accept any CUP conditions.
- It simply allows the City to issue the Certificate of Occupancy, which is required in order for the CUP timeline to proceed correctly.

We are continuing discussions with the City regarding the restroom and fire sprinkler interpretation, and I will not be signing the CUP until those items are resolved to everyone's satisfaction — including Mr. Porter's.

Would you please assist with obtaining Mr. Porter's signature on the attached Business License Authorization page? Once signed, I will submit it to the City with the required \$360 fee. I'll have Martin drop the paperwork off at your office in the morning.

Thank you both for your help and continued support as we finalize these last steps.

Warm regards,
 Jennifer Blevins
 Mad Dogs & Englishmen
 813-546-7361 cell/text



Jennifer Blevins

To: Kelly (landlord) Cc: Martin Watson, John Plastini

[Details](#)

Re: Warren Bldg notice of violation

Hi Kelley,

The appeal has been filed with the City and the fees have been paid. See attached.

On a separate but related matter, it was made clear to me that the business license application needs to be submitted and paid for, this was a condition of the CUP. Not submitting this may jeopardize my appeal. Has the landlord signed off?

Jenn



Jennifer Blevins

To: jiaurie@ci.carmel.ca.us Cc: "Anna Ginette, AICP" <aginette@ci.carmel.ca.us>, ddauphinee@ci.carmel.ca.us, scareylang@ci.carmel.ca.us, Evan Kort & 2 more

Nov 20, 2025 at 2:52 PM

[Details](#)

Follow-up: Request for Written Code Interpretation (NOV – Ocean & Mission)

Hi Mr. Laurie and Planning Staff,

I will be stopping by City Hall today to check on the status of the written code determination I requested on November 14. I need to provide my landlord with an update and a timeline, and I want to make sure you have everything needed from me to proceed.

Thank you,
Jennifer

On Nov 14, 2025, at 2:58 PM, Jennifer Blevins <jennblevins@icloud.com> wrote:

Project: Mad Dogs & Englishmen Coffee Bar — SW Corner Ocean & Mission
APN: 010-141-001
Permits: Approved Conditional Use Permit (CUP 24-292), Ancillary Use Permit, BL 23-051
Date: November 14, 2025

Via Email

To:
Jermel Laurie, Chief Building Official – City of Carmel-by-the-Sea

Dear Mr. Laurie,

This letter is submitted to formally request a written code determination regarding the Notice of Violation issued for the tenant space at the SW corner of Ocean Avenue and Mission Street, occupied by Mad Dogs & Englishmen Coffee Bar.

1. Restroom Requirement

Please cite the exact code section(s) in the 2022 California Plumbing Code, California Building Code, California Accessibility Code, or Carmel Municipal Code that require:

- A customer restroom to be constructed inside the tenant space, despite the availability of ADA-accessible public restrooms in Devendorf Park (owned and maintained by the City), and
- Why CPC §422.2 ("conveniently accessible" shared toilet rooms under the same authority) does not apply to this tenant space.

2. Fire Sprinkler Requirement

Please identify the specific code section(s) that trigger an automatic fire sprinkler system for this tenant improvement.

Under CFC §903.2.1.2 (the section governing A-2 occupancies), sprinklers are required only if:

- Fire area exceeds 5,000 sq ft,
- Occupant load is 100 or more, or
- The fire area is above/below the level of exit discharge.

This tenant space (~1,300 sq ft, <50 occupants, ground level) does not appear to meet any of these triggers.

If the sprinkler requirement is instead being asserted under CEBC §1011, please provide a written finding identifying the specific hazard classification increase that would trigger a sprinkler retrofit.

3. CUP Commencement Timing

The approved CUP (Resolution 2024-094-PC) states that the 12-month commencement period does not begin until a Certificate of Occupancy is issued for the approved use.

Please confirm whether:

- 1. A Certificate of Occupancy has been issued (to date, it has not), and
- 2. Whether the CUP clock has therefore not yet begun.

4. Appeal Rights

Once your written determination is issued, I will review it promptly and, if necessary, proceed with the formal administrative appeal.

I will also respectfully request confirmation of the correct appeal body:

- Building & Fire Code Board of Appeals (for code interpretation issues), or
- Planning Commission (if the determination is classified as a land-use condition).

For clarity, I am prepared to cover the associated appeal fee.

Request

To ensure procedural fairness and to allow this matter to move forward promptly and transparently, I respectfully request your formal written code determination addressing:

- 1. The restroom requirement
- 2. The sprinkler requirement
- 3. CUP commencement
- 4. Appeal pathway

Once issued, I will act accordingly within the applicable appeal timeframe.

Thank you for your attention and for providing the required written interpretation. I look forward to resolving this matter cooperatively and efficiently.

Sincerely,
 Jennifer Blevins
 Mad Dogs & Englishmen

JB Jennifer Blevins
 To: Corrine Ow

Oct 22, 2025 at 9:02 PM
[Details](#)

Re: AM0001939- Mad Dogs and Englishmen, SW Corner of Ocean and Mission, Carmel

Thank you Corrine, much appreciated. It's actually going better than we could have ever imagined. Please stop by sometime for a coffee or tea!

Jenn

Sent from my iPhone

On Oct 22, 2025, at 4:12PM, Ow, Corrine <OwC@countyofmonterey.gov> wrote:

Hi Jennifer,

Great to hear from you! Hope everything is going well with the shop.

Attached is the final pre-operational inspection report from last year as well as a copy of the plans submitted for this plan check application. They do have my handwritten notes on it with some highlighted colors just as a precaution.

Regards,

Corrine Ow, REHS
 Senior Environmental Health Specialist
 Health Department – Land Use
 Environmental Health Bureau
 County of Monterey
 1270 Natividad Road, Salinas, CA 93906
 Main: (831) 755-4505 Direct: (831) 755-4557
owc@countyofmonterey.gov

<image001.png>

<image002.jpg>



Kyle Smith
To: Jennifer Blevins Cc: Kelly (landlord)

Aug 12, 2024 at 11:52 AM

[Details](#)

Water Permit and Final Inspection Report

Jennifer,

Attached is the water permit and final inspection. Property is in compliance with MPWMD permit. Please let me know if you have any questions.

Kyle Smith
MPWMD Conservation Rep.
831-658-5601
ksmith@mpwmd.net



From: Ow, Corrine
Sent: Tuesday, March 26, 2024 3:47 PM
To: jennblevins@me.com
Cc: Botello, Edna <BotelloE@co.monterey.ca.us>; Rimando, Susan K. <rmandos@co.monterey.ca.us>
Subject: AM0001939- Mad Dogs and Englishmen, SW Corner of Ocean and Mission, Carmel

Good afternoon Jennifer,

After reviewing the scope of work for this project, you plans have been approved with our office. I have attached a formal letter of approval for your records. I have attached copies of the New Permit application and Worker's Compensation Affirmation forms for you to fill out to apply for your health permit.

Please contact me for a final pre-operational inspection prior to your intent to open the coffee bar area to you customers. You will be able to obtain a health permit with our office at the conclusion of the final pre-operational inspection. The permit fees will be finalized at the conclusion of the final pre-operational inspection.

You may contact me for additional questions.

Regards,

Corrine Ow, REHS
Senior Environmental Health Specialist
Health Department – Land Use
Environmental Health Bureau
County of Monterey
1270 Natividad Road, Salinas, CA 93906
Main: (831) 755-4505 Direct: (831) 755-4557
owc@co.monterey.ca.us

<image001.png>



From: "Mandujano, Veronica" <MandujanoV2@co.monterey.ca.us>
Date: February 20, 2024 at 4:44:07 PM PST
To: jennblevins@me.com
Cc: "Ow, Corrine" <OwC@co.monterey.ca.us>
Subject: PLAN CHECK INFO SW CORNER OF OCEAN AVE AND MISSION ST CARMEL

Please see attached plan check

Thank you,
Veronica Mandujano
Office Assistant II
Monterey County Health Department
1270 Natividad Rd. Salinas CA 93906
Direct Line: Salinas Office 831-755-8923

Salinas Office Main: 831-755-4505 Salinas Office Fax: 831-755-8440
Monterey Office Main: 831-647-7654 King City Office Main: 831-386-6899

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Like us on [Facebook](https://facebook.com/mtyhd)





**Carmel-
by-the-Sea**

Nova Romero <nromero@ci.carmel.ca.us>

water permit docs


Jennifer Blevins <jblevins@ci.carmel.ca.us>
To: Nova Romero <nromero@ci.carmel.ca.us>


Fri, Jan 16, 2026 at 11:13 AM

These should be in public record, if anyone wants to review these. If you have time these supporting docs really should go in the packets for the meeting. I sent them to Jermel and Anna previously.

Jenn

2 attachments

 010141001_20240812_Inspection.pdf
453K

 010141001_20240812_Permit - signed (1).pdf
529K

MONTEREY PENINSULA WATER MANAGEMENT DISTRICT

5 HARRIS COURT, BLDG. G · P.O. BOX 85 · MONTEREY, CA 93942 · (831) 658-5601 · FAX (831) 644-9558 · www.mpwmd.net

COMMERCIAL INSPECTION REPORT

CII Change of Title Pre-Inspection/Credits New Construction Remodel/Addition Re-Inspection

BUSINESS NAME(S): _____ E-mail: _____

PROPERTY ADDRESS: SW CRN Ocean & Mission

CITY: Carmel ASSESSOR'S PARCEL NUMBER: D10 - K1 - 001

OWNER'S NAME: Alan R. Porter PERSON CONTACTED: _____

TYPE OF USE(S): Grp I-III NO. OF BLDGS: 1

This form certifies that an inspection was conducted at the above address to verify Water Efficiency Standards as listed in Regulation XIV District Rules and Regulations. At the time of the inspection, the property WAS WAS NOT found to be in compliance with MPWMD Water Efficiency Standards and/or with MPWMD Water Permit: 43840.

Types of use / Inspector Notes: Grp II Coffee Pass
Grp III Restaurant 40 seats pass
Grp I Retail Pass & Office Pass
Grp III Hair Cutting Pass

WATER EFFICIENCY INVENTORY:

Y	N	N/A		Remarks:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Showerheads 2.0 gpm.....	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Toilet 1.3 gpf unless 1.6 gpf prior to 2013.....	<u>1.28 III</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Public Washbasins 0.5 gpm.....	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other Sink 2.2 gpm.....	<u>III</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Public Washbasins (Sensor/Metered) auto 0.25 gpm.....	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Washbasins (private) 1.5 gpm.....	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	High Efficiency Urinals.....	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	High Efficiency Clothes Washer.....	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water Efficiency Ice Machine.....	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pre-Rinse Spray Valve 1.6 gpm.....	<u>Costway AL on Table</u>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Conservation Signage.....	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Landscaping (Refer to Cal Am).....	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Pressure (PSI).....	

ACTION REQUIRED: _____

- Items not in compliance **must be corrected** within thirty (30) days.
- Re-inspection required.** Please call 658-5601 to schedule. (Re-inspection Fees of \$110.00 are required prior to inspection.)
- Provide itemized receipts/photos for _____
- Water Release Form & Water Permit Application Form required (Jurisdiction). Fees may be due. (**Contact the District.**)

Emailed to Agent B/12/24
 Acknowledgment of Receipt Date

[Signature] 8/12/24
 MPWMD Representative Date

See Important Terms and Conditions on back of form.

IMPORTANT TERMS AND CONDITIONS

When the property described on the reverse side of this form is not in compliance with Water Efficiency Standards as established by Monterey Peninsula Water Management District (MPWMD) Regulation XIV and/or conditions of an MPWMD Water Permit, this form shall serve as written notice.¹

NOTICE

The inventory of use and/or the determination of compliance shown on this report is a final determination of the Water District's General Manager. Final determinations of the General Manager may be appealed to the District Board within twenty-one (21) days after any such determination pursuant to District Rule 70. For information about the appeal process, contact the District office at (831) 658-5601.

SUMMARY OF WATER EFFICIENCY STANDARDS²

The following mandatory Water Efficiency Standards apply to Existing Non-Residential uses:

- High Efficiency Toilets with a maximum flush capacity of 1.3 gallons; unless 1.6 gallon toilets were installed prior to 2013
- High Efficiency Urinals;
- High Efficiency Clothes Washers;
- Water Efficient Ice Machines.
- Showerheads shall not exceed maximum flows of 2.0 gallons-per-minute;
- Washbasin faucets must flow at no more than 2.2 gallons-per-minute;
- Public faucets must flow at no more than 0.5 gallons-per-minute;
- Public faucets with automatic shut off or sensors must flow at no more than 0.25 gallons-per-minute;
- Guest room faucets must flow at no more than 1.5 gallons-per-minute.
- All visitor serving facilities (hotel, restaurants, etc.) shall be retrofit with:
 - Conservation signage
- Rain Sensor must be installed with automatic irrigation.

All Water Efficiency Standards and the following apply to Non-Residential New Structures:

- High Efficiency Toilets with a maximum flush capacity of 1.3 gallons;
- Urinals flush with one (1) pint of water or Zero Water Consumption;
- Washbasin faucets must flow at no more than 0.5 gallons-per-minute;
- High Efficiency Dishwashers;
- Instant Access Hot Water System;

Failure to complete "Actions Required" on the reverse side will result in Recordation of a Notice of Non-Compliance against the property. Payment of fees to release a Notice of Non-Compliance is required before a property may be found in compliance after a notice has been recorded. Penalties of up to \$250 per day for each day, or portion thereof, may result from failure to complete all "Actions Required".

If the property is currently for sale, corrective action must be taken prior to the close of escrow and/or transfer of title. It is a misdemeanor (infraction) for any buyer or seller to instruct an escrow agent to close escrow for sale of property within the Monterey Peninsula Water Management District without certification of compliance. An extension of time to meet the District's retrofit requirement may be available pursuant to Rule 144.

Disclaimer Notice

A type of use inventory performed by District inspectors does not "legalize" water use. Contact your local jurisdiction to verify that proper permitting was completed.

For additional information on Water Credits and High Efficiency Appliances please visit the forms section of our website: www.mpwmd.net.

¹ If the property was found to be in compliance, no further action is necessary.

² This text is a summary of MPWMD water conservation requirements. The text of Regulation XIV shall prevail in the event of any discrepancy between this summary and that regulation.



5 Harris Court, Building G, Monterey, CA 93940
P.O. Box 85, Monterey, CA 93942-0085

Phone: (831) 658-5601 -- Fax: (831) 644-9558 -- www.mpwmd.net -- www.montereywaterinfo.org

FINAL INSPECTION REQUIRED.
CONTACT MPWMD UPON PROJECT COMPLETION.

WATER PERMIT

Assessor Parcel Number: 010-141-001-000
Property Owner: Alan R Porter
Property Owner's Phone: (831) [REDACTED]
Property Address: SW CNR of Ocean Ave and
Mission St
Carmel, CA 93923
Applicant: Jennifer Blevins
Phone: (831) [REDACTED]
Mailing Address: PO BOX 4586
Carmel, CA 93921

Permit No: WP043840
Issue Date: 08/12/2024
Expires: 08/12/2026
Jurisdiction: Carmel-by-the-Sea

Water Distribution System: Californian American Water
Water Sources Used: 0

Permit Type: Remodel
New Connections:

Description of Work: Add coffee bar to retail space.

IMPORTANT NOTICE:

Currently, the Monterey Peninsula Water Management District (District) has authority pursuant to its Rules and Regulations to issue Water Permits and Water Use Permits. However, NOTICE is hereby provided that on October 20, 2009, the State Water Resources Control Board issued a Cease and Desist Order (CDO) on California American Water. This CDO prohibits California American Water from diverting water from the Carmel River for new service connections or for any increased use at existing service locations after October 20, 2009. Water Permits issued after October 20, 2009 may be subject to the CDO. For more information, please contact the State Water Resources Control Board or California American Water.

Applied Rule(s):

- Non-Residential Change of Ownership, Change of Use, and Expansion of Use Water Efficiency Standards

Project Requirement(s):

- High Efficiency (HE) Toilets (1.28 gpf), 2.0 gpm Showerheads, 1.2 gpm max Washbasin faucets, 0.5 gpm Public faucets, all other faucets 1.8 gpm; Instant-Access Hot Water System and all hot water pipes insulated; HE Clothes Washers; Water Efficient Pre-Rinse Spray Valves shall have a cleaning time of 26 seconds or less at 1.6 gpm (at least 60 PSI); Urinals (HE) (Pint or Zero Water Consumption). Conservation signage required in kitchen & restroom areas. Automatic Irrigation Controllers, with the exception of Weather- Based Irrigation Systems, shall include a Rain Sensor. Changes to landscaping may trigger MPWMD Rule 142.1, Water Efficient Landscape Requirements.



5 Harris Court, Building G, Monterey, CA 93940
P.O. Box 85, Monterey, CA 93942-0085

Phone: (831) 658-5601 -- Fax: (831) 644-9558 -- www.mpwmd.net -- www.montereywaterinfo.org

- High Efficiency (HE) Toilets (1.28 gpf), 2.0 gpm Showerheads, 1.2 gpm max Washbasin faucets, all other faucets 1.8 gpm; Instant-Access Hot Water System and all hot water pipes insulated; HE Dishwasher and HE Clothes Washer; Automatic Irrigation Controllers, with the exception of Weather-Based Irrigation Systems, shall include a Rain Sensor. Changes to landscaping may trigger MPWMD Rule 142.1, Water Efficient Landscape Requirements.

Non Residential Type of Use (Acre Feet)	Existing Quantity	Post Project Quantity	Water Factor	Existing Capacity	Post Project Capacity
Beauty Shop/Dog Grooming	1	1	0.05670	0.057	0.057
Retail	2,810	3,715	0.00007	0.197	0.260
Group II Uses	1,115	210	0.00020	0.223	0.042
Restaurant (Includes Bar/Brewpub Seat)	40	40	0.02000	0.800	0.800
Totals:				1.276	1.159

	Beginning Balance	Permit Used	Ending Balance
On-site Credit:			0.117

Fee(s)	Quantity	Fee Amount	Paid	Notes
Application Non-Residential Processing Fee	1.00	\$450.00	\$450.00	
Deed Preparation and Review by Staff	1.00	\$110.00	\$110.00	
Imaging Fee	1.00	\$6.78	\$6.78	
Recordation Multiple Pages Fee	1.00	\$34.00	\$34.00	
Service Fee	1.00	\$8.35	\$8.35	

Balance Due: \$0.00



5 Harris Court, Building G, Monterey, CA 93940
P.O. Box 85, Monterey, CA 93942-0085

Phone: (831) 658-5601 -- Fax: (831) 644-9558 -- www.mpwmd.net -- www.montereywaterinfo.org

The Monterey Peninsula Water Management District issues this Water Permit for the above project. This Water Permit constitutes your receipt for the total fees shown. This permit may be revoked or other penalties imposed upon discovery of any substantial inaccuracy with respect to the referenced application or if water fixtures are added or changes in water use occur on this Site without amendment of the Water Permit.

Alan R Porter

Aug 12, 2024

Signature of Property Owner / Agent

Date

Note: This permit does not guarantee service by any Water Distribution System, public utility, or municipal water agency. This permit may be cancelled at the request of the Jurisdiction following notice to the property owner.

Kyle Smith

08/12/2024

MPWMD Delegated Agent

Date



Signature: Alan R Porter
Alan R Porter (Aug 12, 2024 10:21 PDT)

Email: warrenbuildingcarmel@gmail.com

ATTACHMENT 6







010141001_20240812_Permit

Final Audit Report

2024-08-12

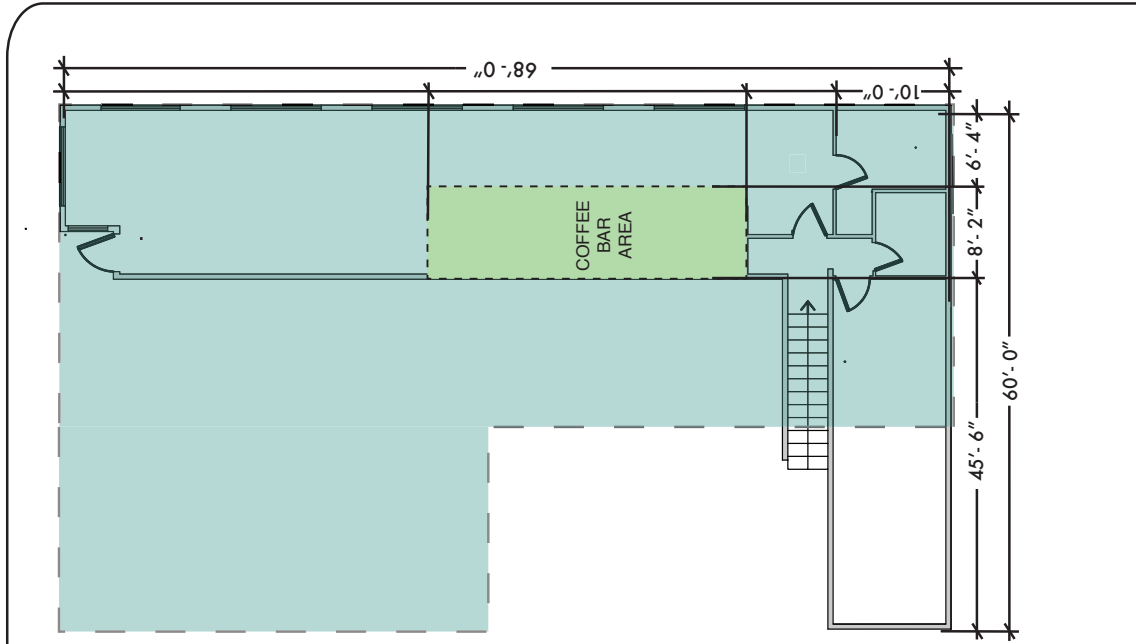
Created:	2024-08-12
By:	Kyle Smith (ksmith@mpwmd.net)
Status:	Signed
Transaction ID:	CBJCHBCAABAA0Bip-BqsyrywzDhmktBj3u0ShBSz9S0IZ

"010141001_20240812_Permit" History

-  Document created by Kyle Smith (ksmith@mpwmd.net)
2024-08-12 - 4:14:11 PM GMT
-  Document emailed to warrenbuildingcarmel@gmail.com for signature
2024-08-12 - 4:14:48 PM GMT
-  Email viewed by warrenbuildingcarmel@gmail.com
2024-08-12 - 5:20:14 PM GMT
-  Signer warrenbuildingcarmel@gmail.com entered name at signing as Alan R Porter
2024-08-12 - 5:21:55 PM GMT
-  Document e-signed by Alan R Porter (warrenbuildingcarmel@gmail.com)
Signature Date: 2024-08-12 - 5:21:57 PM GMT - Time Source: server
-  Agreement completed.
2024-08-12 - 5:21:57 PM GMT

OCEAN AVE

MISSION ST



PROJECT DATA

Address: SW Corner of Ocean Ave. & Mission St. Carmel, CA

Parcel Number:

Owners Name: A.R. Porter

Contact Name: Jennifer Blevins

Contact Phone: (813) 546-7361

Contact Email: jennblevins@me.com

Zoning District:

Upstairs Area: 1425 sq ft

Downstairs Area: 2500 sq ft

Total Area: 3925 sq ft

Project Area: 210 sq ft (Coffee Bar)

Flood Zone: No

High Fire Severity: No

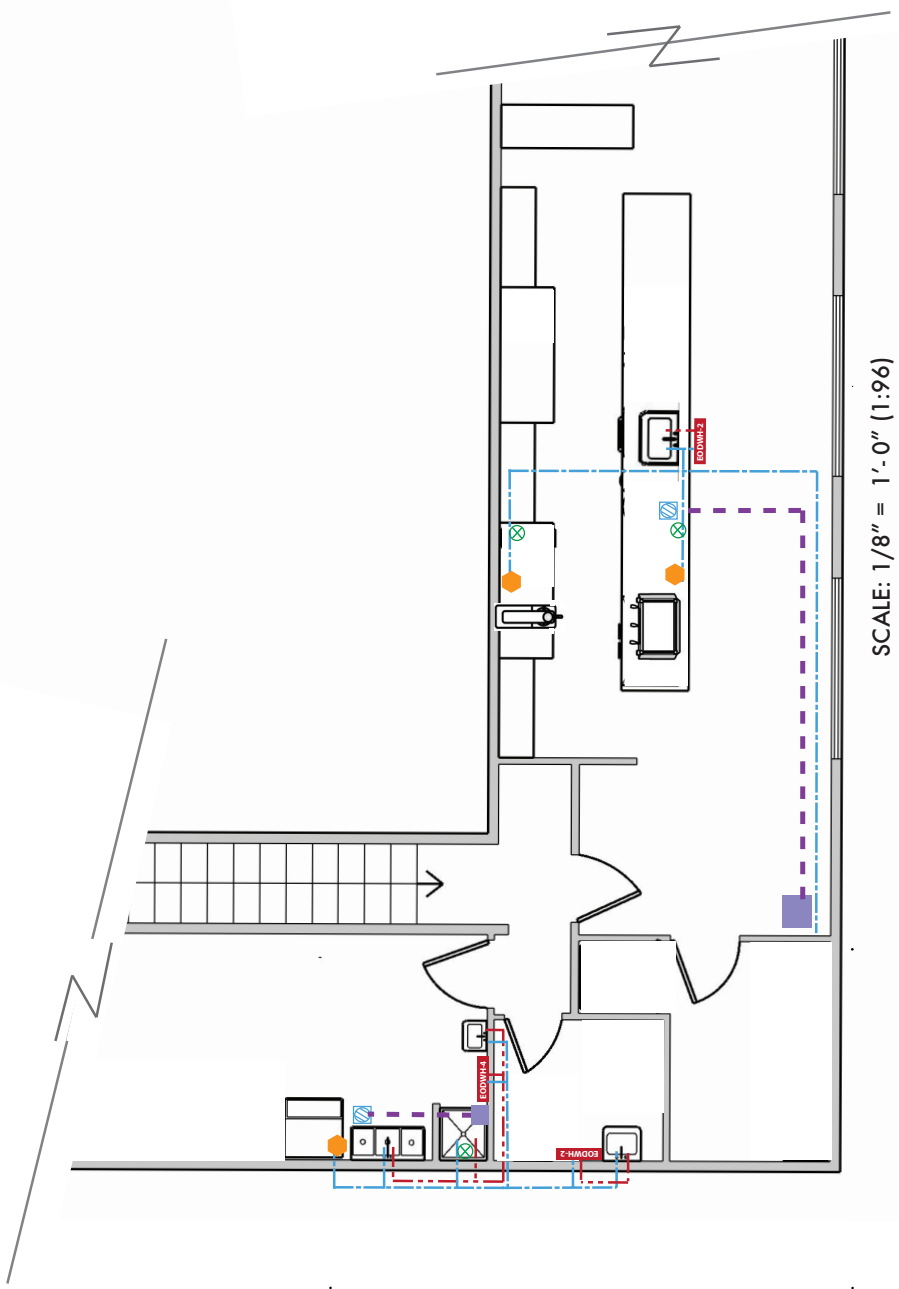
SCOPE OF WORK

Existing retail cabinets to be replaced with coffee bar counter and equipment, extending existing Orange Julius plumbing and electrical as needed.

ADDRESS: SW Corner of Ocean Ave. & Mission St. Carmel, CA

PROPERTY OWNER: A. R. Porter
PROJECT CONTACT: Jennifer Blevins
PHONE: (813) 546-7361

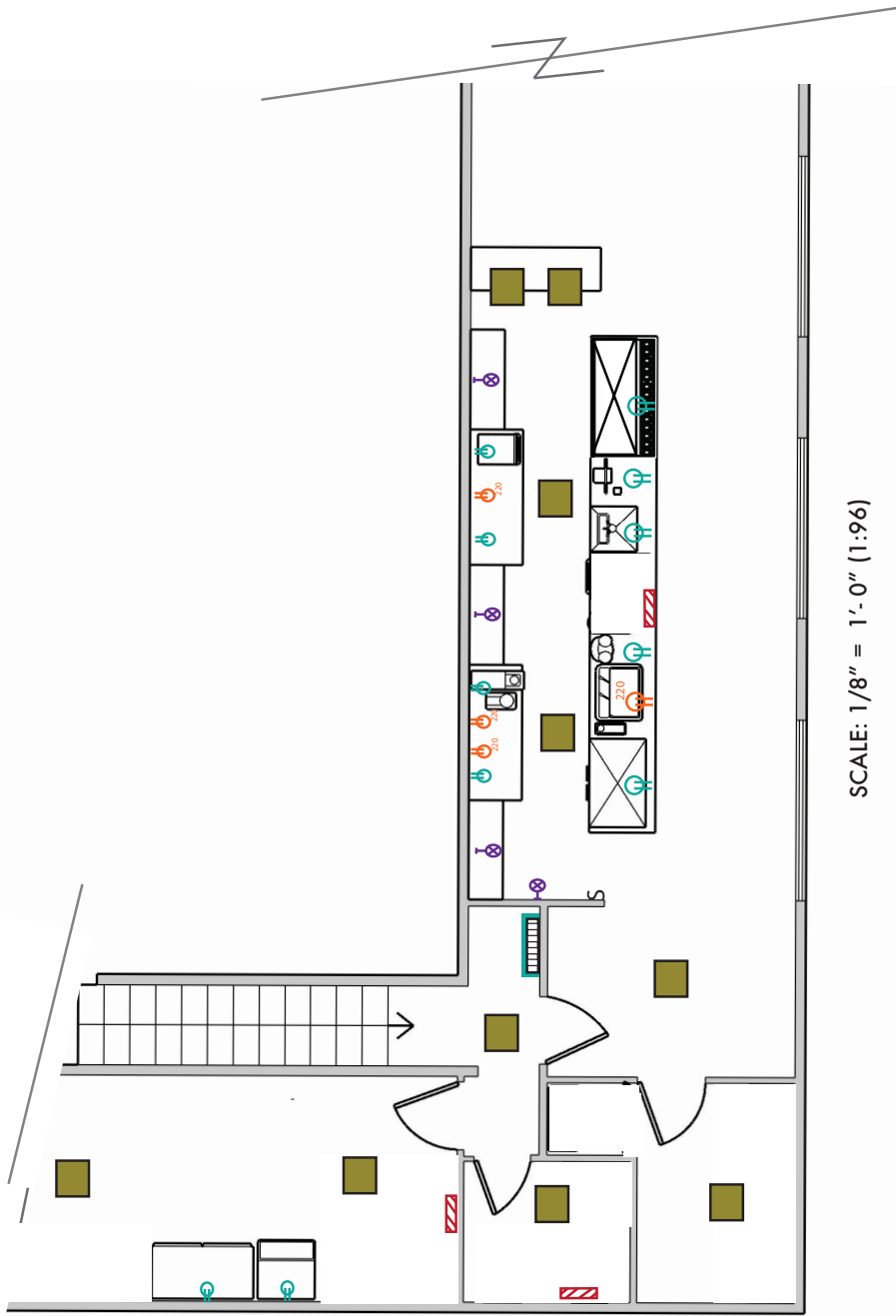
SITE PLAN



SCALE: 1/8" = 1'-0" (1:96)

PLUMBING INSTALLATIONS

	Hot Water Line		In-line water filter		0.5GPM Electric On Demand Water Heater		Batch Brewer		Ice Maker		Mop Sink
	Cold Water Line		Backflow Prevention Device		2.5GPM Electric On Demand Water Heater		Espresso Machine		Hand Sink		3 Compartment Sink
	Drainage Connection		Floor Sink		Existing Drainage Connection						



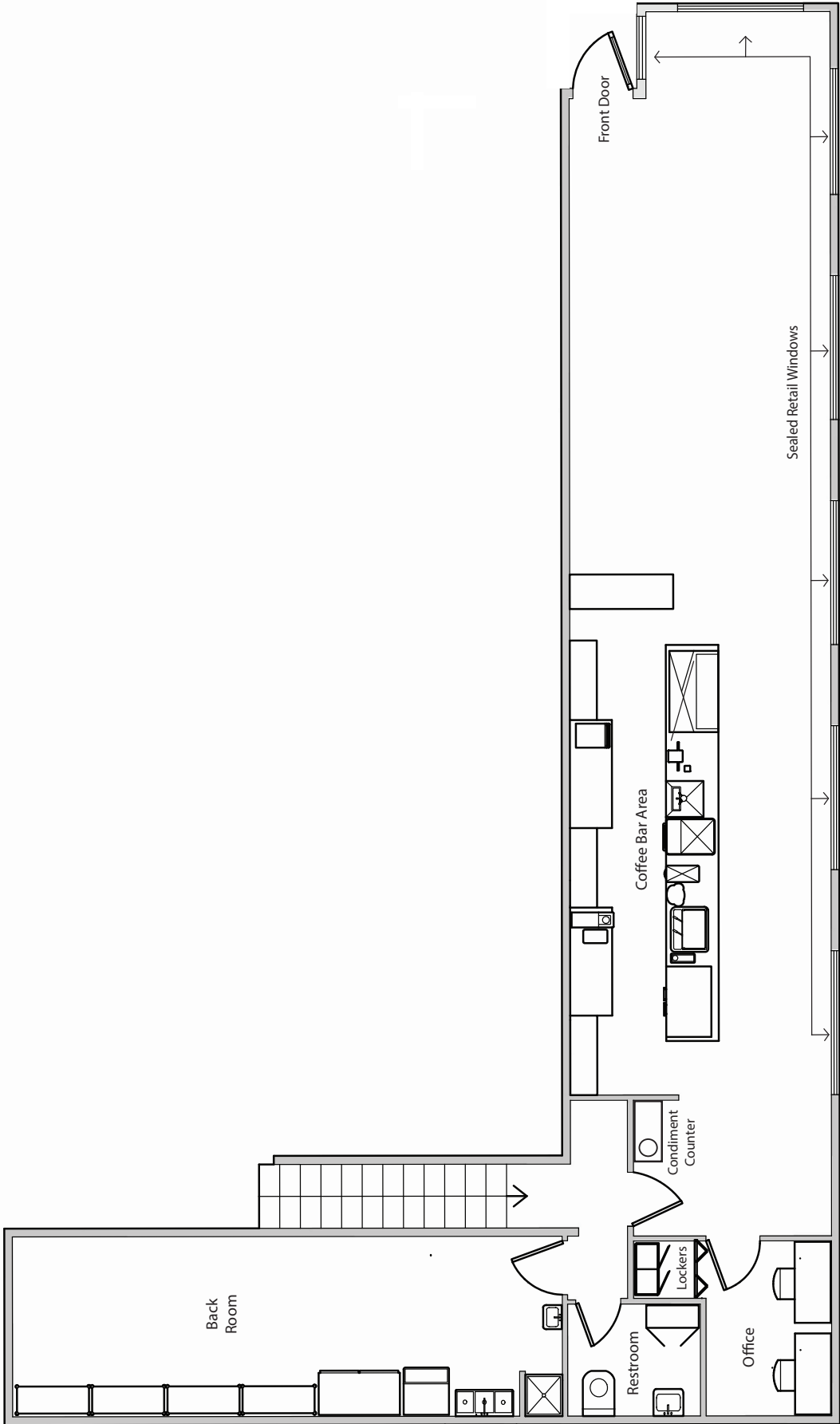
SCALE: 1/8" = 1'-0" (1:96)

ELECTRICAL INSTALLATIONS

- Existing Power Panel
- Duplex Plug
- 220v Plug
- Wall mounted light
- Celing lights
- S Switch for wall lights

EQUIPMENT LEGEND

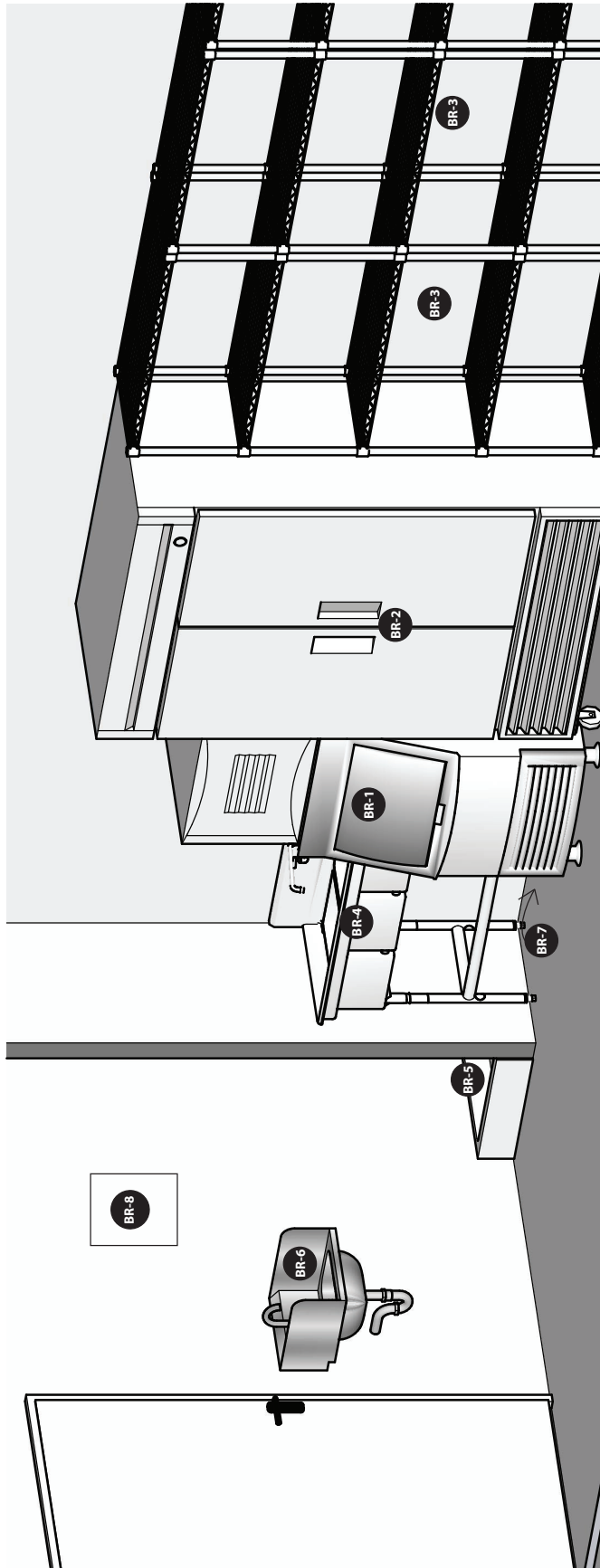
- | | | | |
|---------------------------------|-----------------|---|----------------------------|
| 2 Door Commercial Refrigerator | Batch Brewer | Countertop & ADA compliant Handheld POS | Espresso Grinders |
| Ice Maker | Grinder | Undercounter Nitro Brew Tap | Espresso Machine |
| Tankless On Demand Water Heater | Quick Cook Oven | Drink Merchandiser | Under-Counter Refrigerator |



SCALE: 1/8" = 1'-0" (1:96)

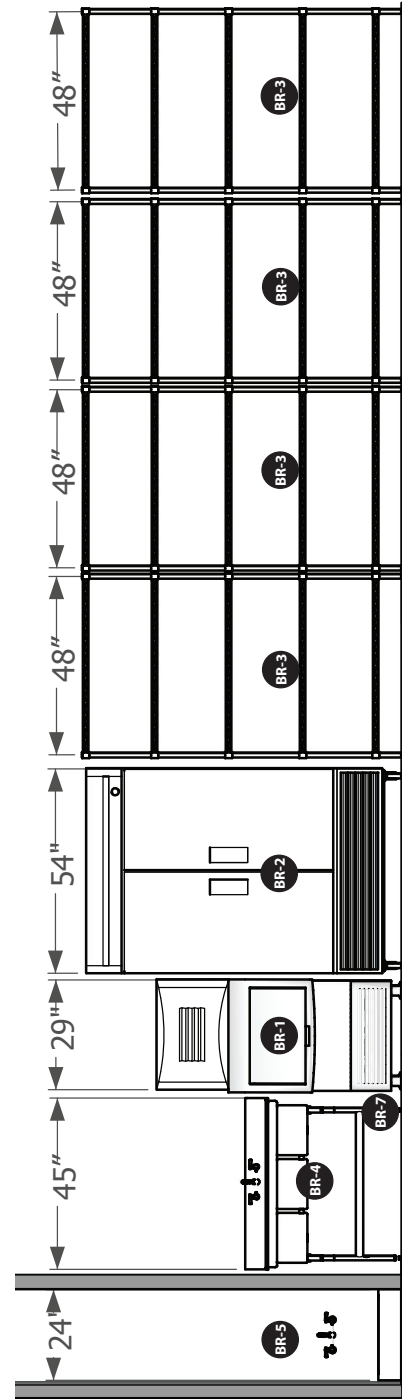
BACK ROOM LAYOUT

PROPERTY OWNER: A. R. Porter
 PROJECT CONTACT: Jennifer Blevins
 ADDRESS: SW Corner of Ocean Ave. & Mission St. Carmel, CA
 PHONE: (813) 546-7361

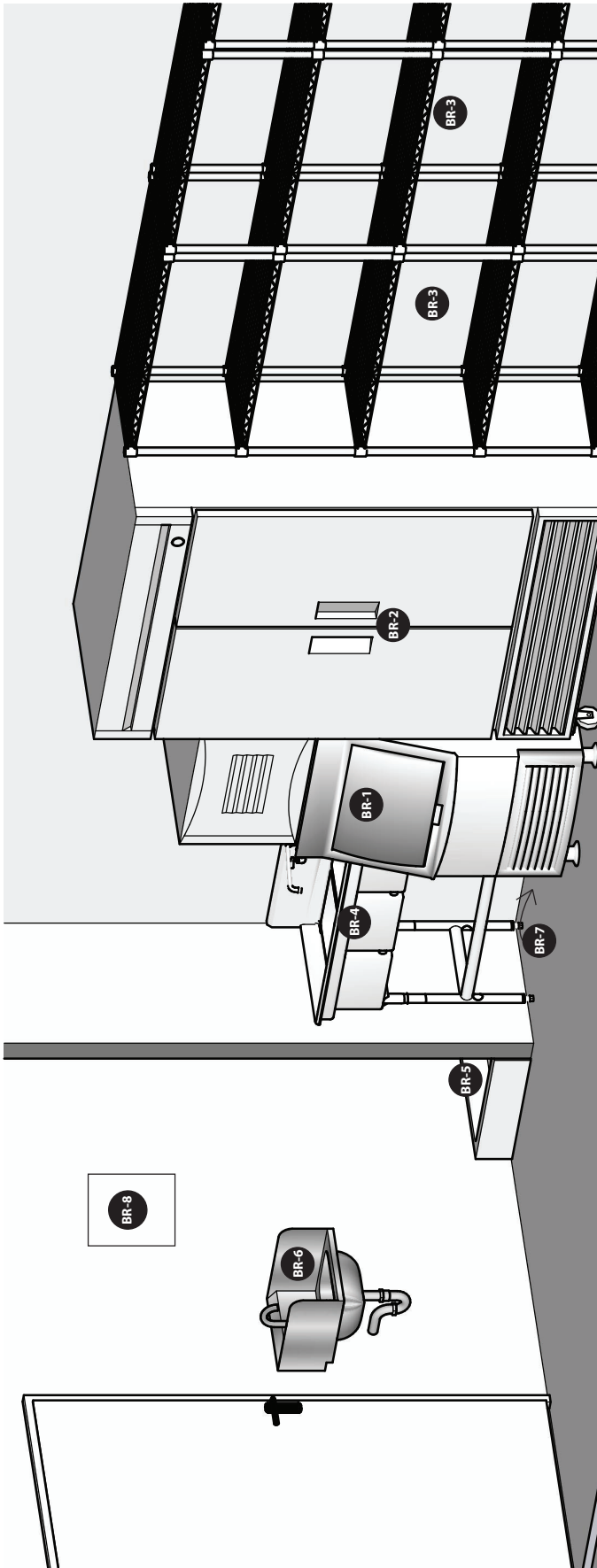


LEGEND

BR-1	Ice Machine
BR-2	2 Door Refrigerator
BR-3	Wire Racks for Dry Storage
BR-4	3 Compartment Sink
BR-5	Mop Sink
BR-6	Hand Sink
BR-7	Floor Sink
BR-8	Tankless 2.5 GPM On-Demand Electric Water Heater

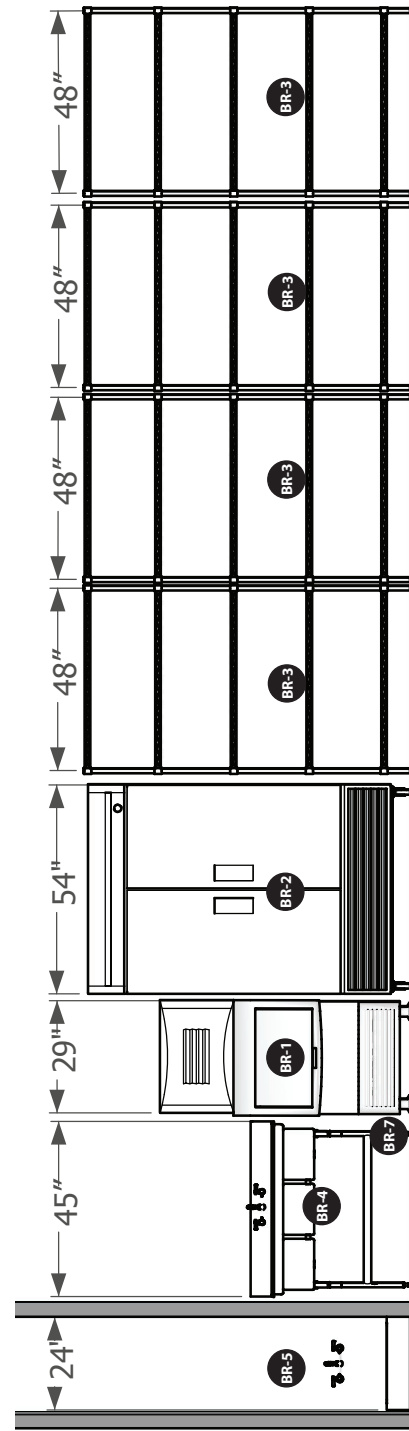


SCALE: 1/4" = 1'-0" (1:48)



LEGEND

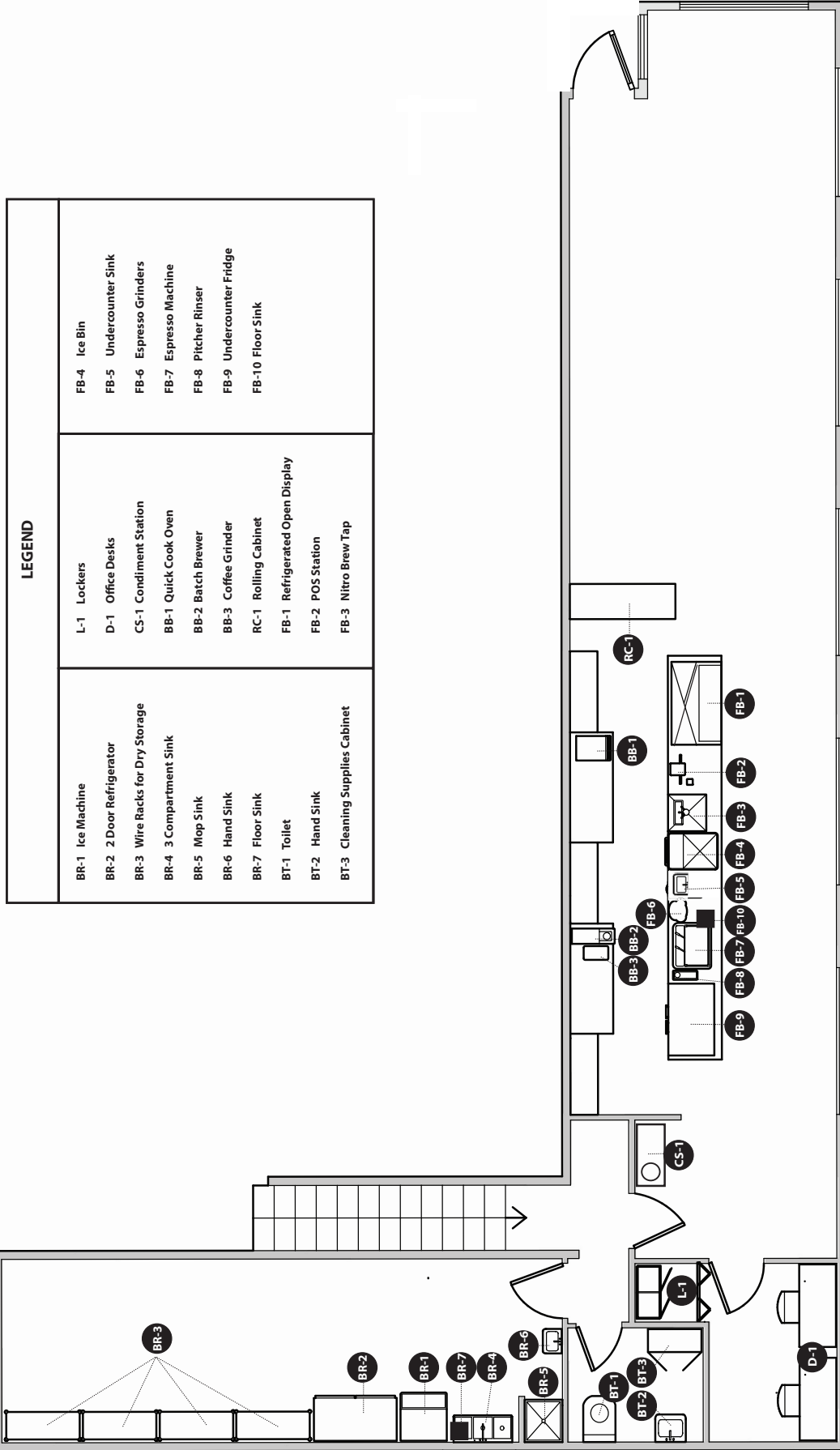
BR-1	Ice Machine
BR-2	2 Door Refrigerator
BR-3	Wire Racks for Dry Storage
BR-4	3 Compartment Sink
BR-5	Mop Sink
BR-6	Hand Sink
BR-7	Floor Sink
BR-8	Tankless 2.5 GPM On-Demand Electric Water Heater



SCALE: 1/4" = 1'-0" (1:48)

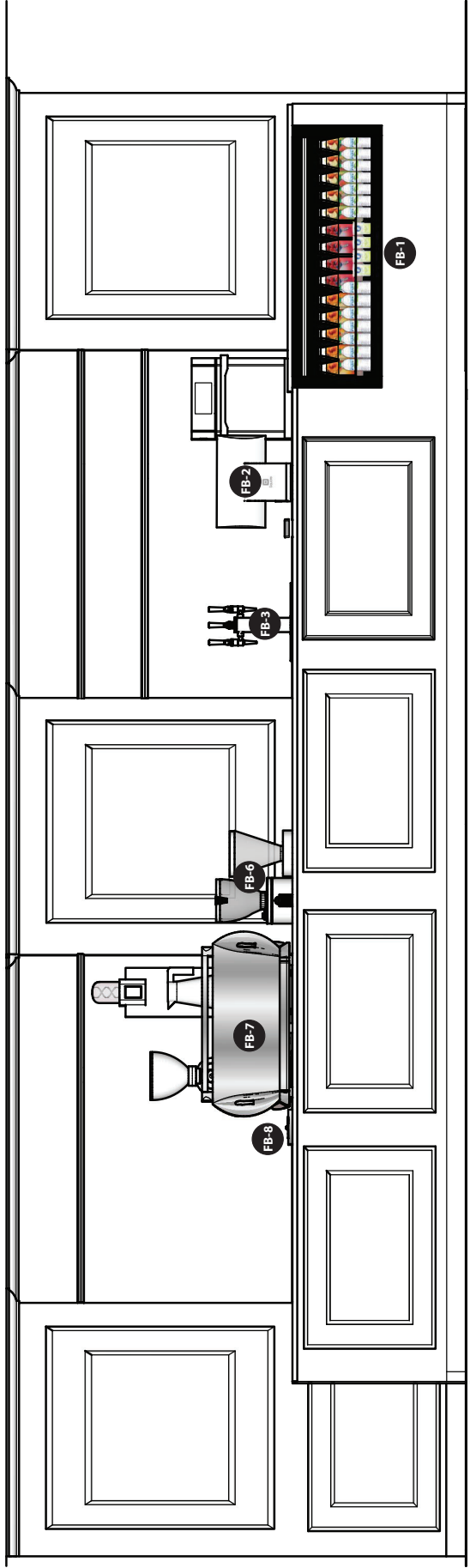
EQUIPMENT PLAN

PROPERTY OWNER: A. R. Porter
 PROJECT CONTACT: Jennifer Blevins & Mission St. Carmel, CA
 PHONE: (813) 546-7361

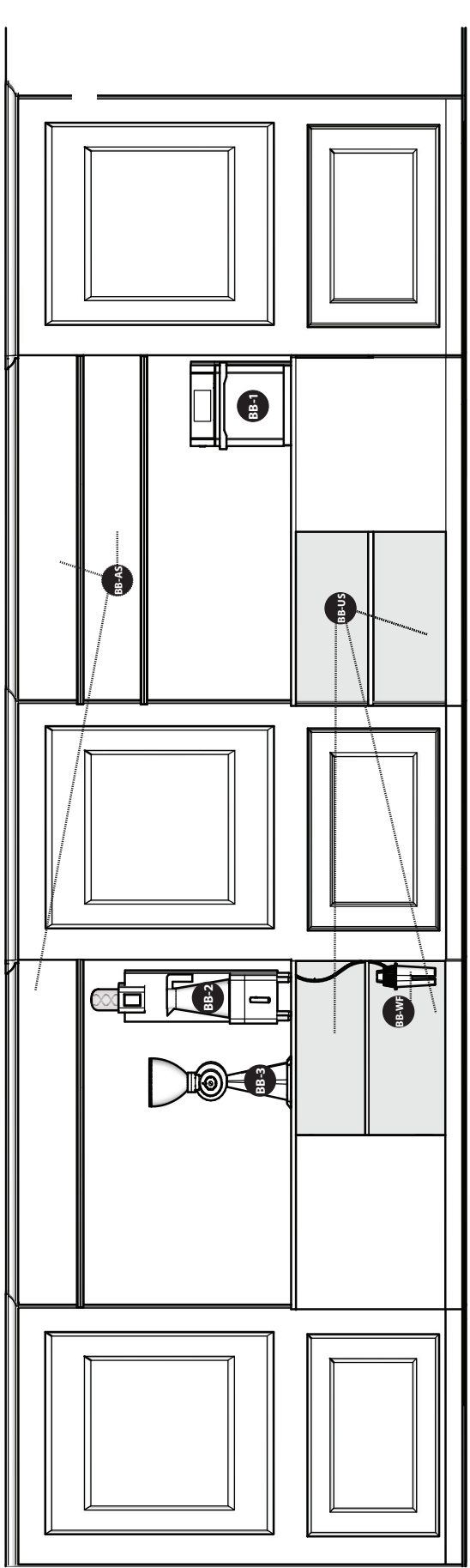


COFFEE BAR ELEVATIONS

PROPERTY OWNER: A. R. Porter
 PROJECT CONTACT: Jennifer Blevins
 ADDRESS: SW Corner of Ocean Ave. & Mission St. Carmel, CA
 PHONE: (813) 546-7361



SCALE: 3/8" = 1'-0" (1:32)



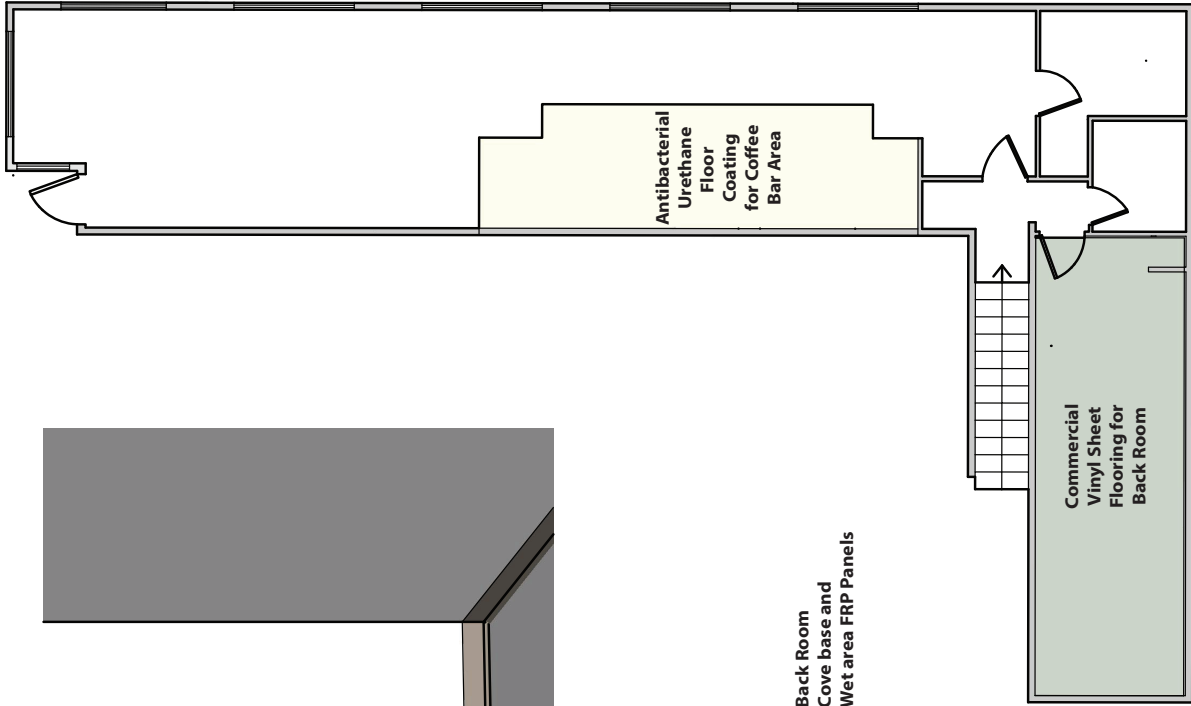
LEGEND

FB-1 Open Refrigerated Display FB-2 POS System	FB-3 Nitro Brew Tap FB-6 POS System	FB-6 Espresso Grinders FB-7 Espresso Machine	FB-8 Pitcher Rinser	BB-1 Quick Cook Oven BB-2 Batch Brewer	BB-3 Coffee Grinder BB-WF Water Filter	BB-AS Aerial Storage BB-US Undercounter Storage
---	--	---	---------------------	---	---	--

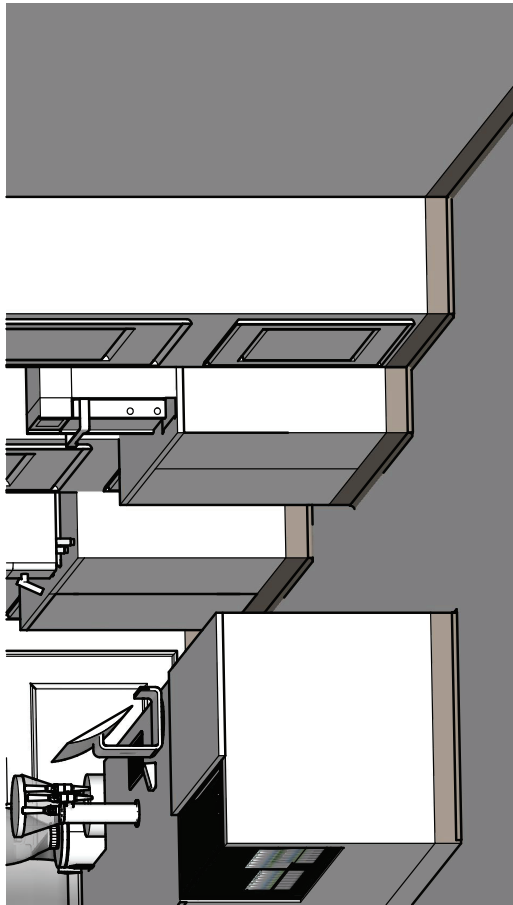
**FLOORING,
COVER BASE & WALLS**

ATTACHMENT 9

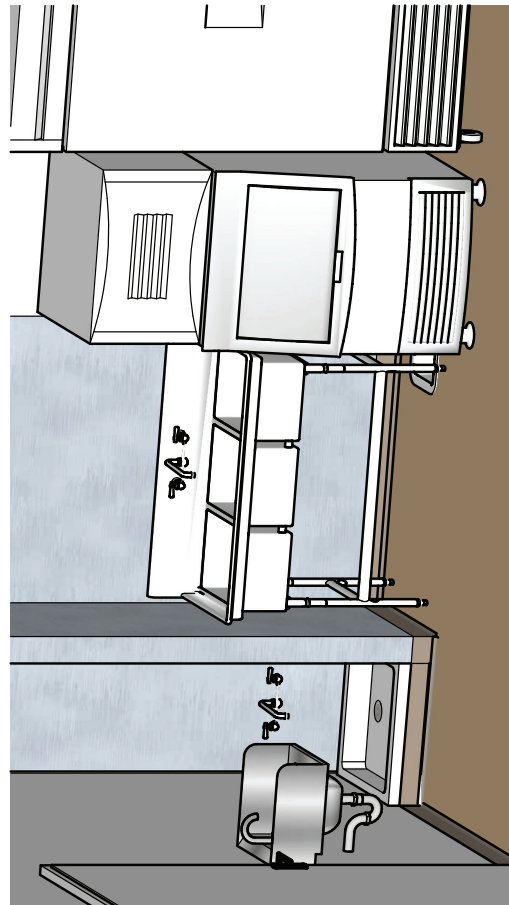
PROPERTY OWNER: A. R. Porter
 PROJECT CONTACT: Jennifer Blevins
 PHONE: (813) 546-7361
 ADDRESS: SW Corner of Ocean Ave.
 & Mission St. Carmel, CA

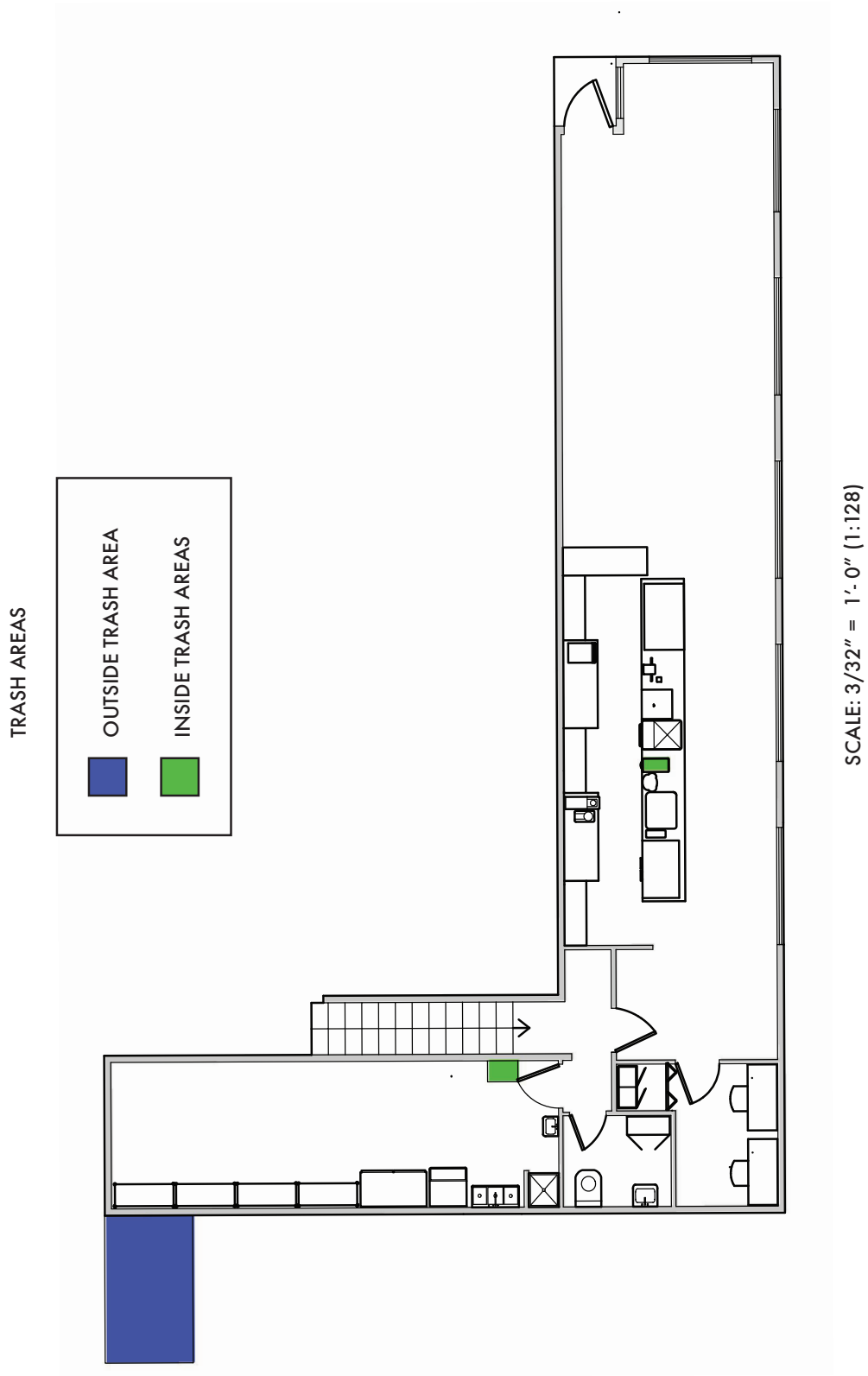


Back Room
 Cove base and
 Wet area FRP Panels



Coffee Bar and
 Service Counter
 Cove base





MAD DOGS & ENGLISHMEN

SPECIALTY COFFEE SHOP

PROJECT DESCRIPTION

OVERVIEW

Mad Dogs and Englishmen is an exquisitely appointed coffee bar that seamlessly blends the best in specialty coffee with timeless elegance. Occupying a cozy yet sophisticated prime space on the SW Corner of Ocean and Mission, the coffee shop will offer an upscale experience for locals and visitors alike, setting itself apart as both a community hub and a destination for discerning coffee enthusiasts.

Given that Carmel has unique culinary offerings, including Michelin-star restaurants, we noticed an apparent lack of a beautifully designed, high-quality coffee bar that reflects Carmel's refined tastes and complements our town's upscale retail and art establishments. Following in the footsteps of exclusive concepts like Ralph's Coffee, featured in a select few Ralph Lauren flagship stores, and the bespoke café experiences offered by Paul Smith, Mad Dogs and Englishmen fills this void with distinction. It introduces a level of sophistication and quality that matches this iconic town's aesthetic and cultural expectations, enhancing the local scene with a destination that is as much about style as it is about substance.



CONTACT



Jennifer Blevins



(813) 546-7361



jennifer@maddogsandenglishmen.com



SW Corner of Ocean Ave
and Mission St.
Carmel by the Sea, CA

SUMMARY

HOURS OF OPERATION

7 days a week
7am - 6pm

THE SPACE

Total area: 1,425 sq. ft.
Coffee Bar area: 215 sq. ft.
Dedicated retail space will not exceed 10%

PROJECTED SEATING

Total: 18 seats
Counter Seating: 12 seats
Luxury Sofa Seating: 6+ seats
Minimum City Requirements: 14 seats



AMBIANCE

The space has been designed to evoke a sense of comfort and refinement in a way that no other coffee shop in the county offers. The interior is a celebration of classic style and understated luxury, with rich wood tones, superior quality finishes, large street-facing windows, distinctive furnishings, and artistic touches. Vintage, one-of-a-kind e-bikes with dog-friendly sidecars add a playful nod to Carmel's dog-loving culture while carefully curated seating areas and decor items transport guests to a bygone era of elegance and refined activity. This balance of class and whimsy creates an ambiance that is not only welcoming and inspiring but also a testament to Carmel's unique culture, making every patron's visit a memorable one.



SEATING

Seating for 18+ patrons is thoughtfully arranged to create an inviting and intimate atmosphere. Carefully considered, the seating creates a place where locals and visitors alike can linger over a cup of coffee, chat with friends, or simply soak in the sunshine through the beautiful street-facing windows. The three window bars with stools will offer 12 seats for patrons to enjoy a beautiful latte lit by the sunshine that comes through the classic arched windows, while two lush Chesterfield leather sofas with tables will provide space for 6+ patrons to socialize or catch up on work. Every detail of the design enhances the upscale aesthetic of the space while offering the perfect setting for anything from a quick espresso to a leisurely afternoon tea, all carefully considered to allow thorough enjoyment of Carmel's most prominent corner. Whether stopping in after a morning beach walk or taking a break from shopping, Mad Dogs and Englishmen promises an experience as rich and memorable as its handcrafted beverages.



DESIGN AESTHETICS

Our custom designed and stained cabinetry has been distressed and stenciled by local artist Lisa Haas, known for her mural work at Cypress Inn, Hog's Breath Inn, and most recently new exterior murals at The Historic Fox Theatre in Salinas. Countertops are a premium Italian Calacatta Macchia Vecchia Marble from Carmel Stone, our authentic Chesterfield sofas are a premium grade leather with luxurious down filled cushions. Our espresso machine is the highest quality and most expensive of any establishment in Monterey County- this is the true star of the show- the La Marzocco Strada, hand made and custom painted for us in Florence, Italy. To ensure we provide the best coffee experience, we also invested in a state of the art water purification system. Two very special 1930's French Bagues Crystal Chandeliers will illuminate the space above the sofa area and the coffee bar. Bar stools are generous in size and covered in a coastal chic white striped linen over a vintage French Country walnut frame.



SPECIALTY COFFEE

At the heart of the café's offering is some of the world's best coffees. We have proudly partnered with Dieseldorff Coffee, one of the world's oldest family-run coffee companies, based in Guatemala. With over 135 years of heritage, Dieseldorff is renowned for its dedication to quality and sustainable farming practices. The company provides Mad Dogs and Englishmen with custom-sourced and branded coffees that embody the fun-loving and upscale ambiance of the coffee shop with dog and bicycle-themed coffees that offer unique and rich flavors from exceptional beans, ensuring each cup served is a celebration of excellence. Dieseldorff's longstanding sponsorship of The Quail, A Motorsports Gathering, and the Quail Rally, prestigious events that epitomize exclusivity and luxury, perfectly complements the café's refined yet adventurous spirit. Visitors can savor a cup of truly spectacular coffee while immersing themselves in the café's sophisticated ambiance, knowing they are part of a legacy rooted in quality and distinction.

Coffee enthusiasts will immediately recognize the care and precision that go into every cup, starting with our state-of-the-art coffee equipment. The café features high-performance espresso machines and grinders, known for their consistency and ability to unlock the nuanced flavors of each bean. Coupled with Dieseldorff Coffee's exceptional quality, the result is a coffee experience that rivals the finest establishments worldwide. Every detail, from the brewing process to the presentation, reflects a commitment to excellence that coffee connoisseurs can appreciate.





FOOD AND BEVERAGES

Mad Dogs and Englishmen is dedicated to crafting exceptional specialty coffee and tea-based beverages. From perfectly brewed coffee to velvety lattes and refreshing nitro-brews, every drink is a testament to artisanal quality. Please see the attached sample menu for specifics and pricing. Seasonal offerings and signature drinks add a creative flair, ensuring there's always something new for regulars to discover. Complementing the beverages is a selection of fresh and delectable pastries primarily sourced from Carmel's favorite Farmers Market participant, The Bees Knees, offering enticing options like buttery croissants, indulgent muffins, and savory quiches. We will also offer some of the most delectable gluten-free and vegan options. All of our offerings are sourced to ensure not only freshness but the absolute best quality, all carefully selected to delight discerning palates and ensure returning patrons.

For those on the go, the refrigerated grab-and-go section features a curated selection of packaged beverages and snacks, including yogurts, juices, and sodas. The sale of soups, salads and sandwiches may be added to the menu and are allowed in an amount up to 10 percent of sales.





OTHER RETAIL ACTIVITIES

Adding a retail dimension, Mad Dogs and Englishmen will offer a selection of custom-branded packaged specialty coffees, each crafted to bring heartfelt joy. Patrons can also browse branded mugs, a finely curated and unique selection of premium quality, stylish apparel, and related items that celebrate the coffee shop's unique bike and dog theme. These items make perfect gifts for coffee-loving locals or keepsakes for visitors eager to remember their time in our charming and truly special seaside town. We expect to generate up to 10% of our sales from these items.



SIDEWALK CLEANING AND TRASH MANAGEMENT

Our commitment to the community extends beyond our doors. Our staff takes pride in maintaining the cleanliness of our sidewalks and gutters. At the beginning and end of every shift, each team member performs a thorough sidewalk and gutter sweep (twice daily) within 50 ft of the storefront, ensuring that all litter is properly disposed of and the area remains pristine for our patrons and neighbors. Trash collected during these clean-up efforts is responsibly placed in the designated trash area on Red Eagle Lane, reinforcing our dedication to both service and sustainability. We have ample enclosed trash bins located at the back of the building. Twice yearly (on or around Jan 1 and June 1) all sidewalks in this same area will be steam cleaned/ pressure washed.



CUSTOMER RESTROOMS

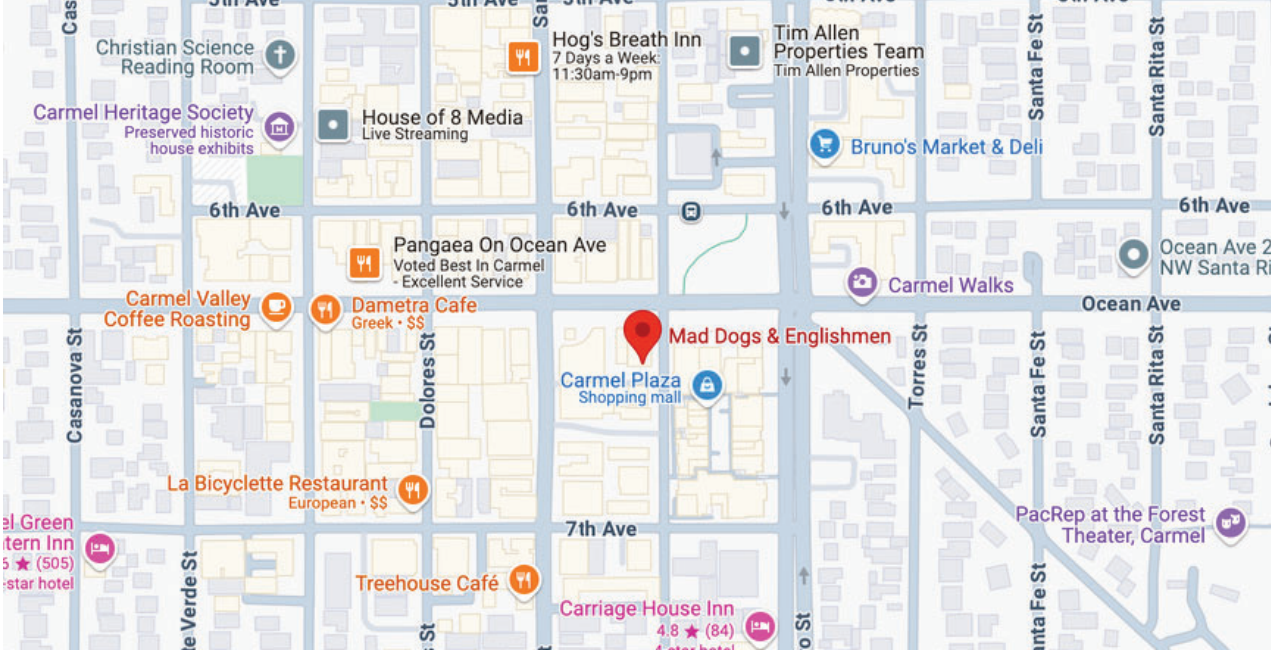
There is one unisex ADA-compliant employee restroom that will be available for customers to use during operating hours. Additionally, there are two public restrooms within 300 ft of the building. See floorplan for location of restroom.

RENOVATIONS AND CONSTRUCTION

All the renovations to the space (including electrical and plumbing upgrades), and build-out of the bar required for the coffee shop's operation were meticulously completed in accordance with building permits EP 23-567 and EP23-566, authorized by the City of Carmel. No additional Tenant Improvements will be done under this new Conditional Use Permit, other than adding the seating. Every detail of the design has been carefully executed to ensure the seamless operation of the coffee bar, but also compliance with the county health department and the city's planning and building department, all interlocked with the coffee shop's timeless aesthetic, ensuring the space is not only functional but also exquisitely inviting. Since the opening of the ancillary use coffee bar, the response from patrons has been overwhelmingly positive, with many expressing admiration for the ambiance, service, and offerings. The popularity of the coffee bar has inspired a transition from coffee being an ancillary component of the business to becoming its primary activity, reflecting its success as a beloved destination for the community.

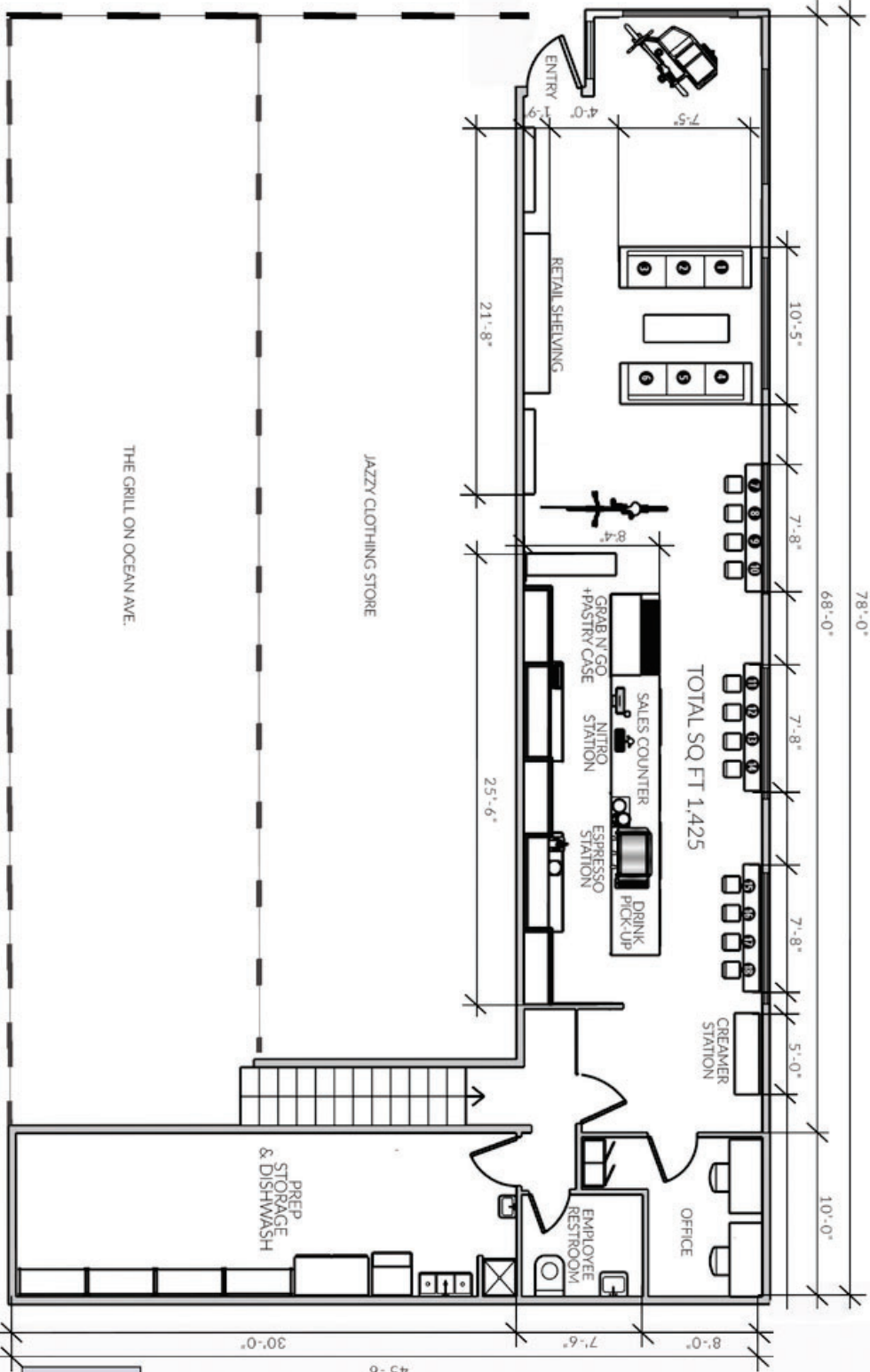
SITE MAP

Mad Dogs & Englishmen is located on the SW Corner of Ocean Ave and Mission St, across from Tiffany and Co, Palomas Home Furnishings and Devendorf Park. Next door to us is a woman's clothing shop and The Grill. Above us is commercial office spaces.



ARCHITECTURAL FLOOR PLAN

SEATING PLAN AND LAYOUT



OUTDOOR TRASH AREA
ON RED EAGLE LANE
ACCESSED VIA STAIRWAY



A BIT ABOUT US

My name is Jennifer Blevins and I founded and launched Mad Dogs & Englishmen (Bike Shop) in Carmel in 2018. The company was named after my significant other Martin Watson (British), my daughter Madeline (nickname Mad), and our many rescue dogs that we have adopted over the years.

Since that time I have opened three additional locations- one in Mill Valley, one at the Monterey Plaza in Monterey, and one on Coast Village Road in Montecito. Martin runs the business along side me. We have been Pebble Beach residents for over 12 years, The Carmel shop is our flagship location and where we spend most of our time. You will find Martin and I working here most days. Over the last 7 years, Mad Dogs has won small tourism Business of the Year three times, and has been nominated for Business of the Year twice.





Mad Dogs & Englishmen has also been featured in dozens of National and International Publications, as well as several Nationally aired commercials. We have won the Carmel Pinecone Golden Cone award for best bike shop in Monterey County every year since we first opened. We strategically helped Carmel produce several viral social media videos over the last year in collaboration with several talented influencers, resulting in over 10 million unique views to help boost tourism. Our exclusive and unique dog friendly sidecars can only be purchased or rented from Mad Dogs. This is such a special and unique experience for dog lovers, and has brought people and their pets from all over North America. We moved here in part because of how dog friendly the community is, and we would like to think that we are doing our part to continue to make Carmel a draw for dog lovers. We also worked with the City of Carmel to award it's first ever Bone to the City to one of our customers, the famous Walter Geoffrey the Frenchie. In addition to our unique sidecars, we also sell and rent a variety of premium bikes and ebikes, along with stylish cycling apparel and accessories that we source from small boutique and often less known brands from around the world.



Two of many famous dogs that have come to ride with us



Photos shared by one of our recent customers



MONTEREY PENINSULA WATER MANAGEMENT DISTRICT

5 HARRIS COURT, BLDG. G · P.O. BOX 85 · MONTEREY, CA 93942 · (831) 658-5601 · FAX (831) 644-9558 · www.mpwmd.net

COMMERCIAL INSPECTION REPORT

CII Change of Title Pre-Inspection/Credits New Construction Remodel/Addition Re-Inspection

BUSINESS NAME(S): _____ E-mail: _____

PROPERTY ADDRESS: SW CRN Ocean & Mission

CITY: Carmel ASSESSOR'S PARCEL NUMBER: D10 - K11 - 001

OWNER'S NAME: Alan R. Porter PERSON CONTACTED: _____

TYPE OF USE(S): Grp I-III NO. OF BLDGS: 1

This form certifies that an inspection was conducted at the above address to verify Water Efficiency Standards as listed in Regulation XIV District Rules and Regulations. At the time of the inspection, the property WAS WAS NOT found to be in compliance with MPWMD Water Efficiency Standards and/or with MPWMD Water Permit: 43840.

Types of use / Inspector Notes: Grp II Coffee Pass
Grp III Restaurant 40 seats pass
Grp I Retail Pass & Office Pass
Grp III Hair Cutting Pass

WATER EFFICIENCY INVENTORY:

Y	N	N/A		Remarks:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Showerheads 2.0 gpm.....	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Toilet 1.3 gpf unless 1.6 gpf prior to 2013.....	<u>1.28 III</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Public Washbasins 0.5 gpm.....	<u>III</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other Sink 2.2 gpm.....	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Public Washbasins (Sensor/Metered) auto 0.25 gpm.....	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Washbasins (private) 1.5 gpm.....	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	High Efficiency Urinals	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	High Efficiency Clothes Washer.....	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water Efficiency Ice Machine.....	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pre-Rinse Spray Valve 1.6 gpm.....	<u>Costway AL on Table</u>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Conservation Signage.....	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Landscaping (Refer to Cal Am).....	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Pressure (PSI).....	

ACTION REQUIRED:

- Items not in compliance **must be corrected** within thirty (30) days.
- Re-inspection required.** Please call 658-5601 to schedule. (Re-inspection Fees of \$110.00 are required prior to inspection.)
- Provide itemized receipts/photos for _____
- Water Release Form & Water Permit Application Form required (Jurisdiction). Fees may be due. (**Contact the District.**)

Emailed to Agent B/12/24
Acknowledgment of Receipt Date

[Signature] [Signature] 8/12/24
MPWMD Representative Date

See Important Terms and Conditions on back of form.

IMPORTANT TERMS AND CONDITIONS

When the property described on the reverse side of this form is not in compliance with Water Efficiency Standards as established by Monterey Peninsula Water Management District (MPWMD) Regulation XIV and/or conditions of an MPWMD Water Permit, this form shall serve as written notice.¹

NOTICE

The inventory of use and/or the determination of compliance shown on this report is a final determination of the Water District's General Manager. Final determinations of the General Manager may be appealed to the District Board within twenty-one (21) days after any such determination pursuant to District Rule 70. For information about the appeal process, contact the District office at (831) 658-5601.

SUMMARY OF WATER EFFICIENCY STANDARDS²

The following mandatory Water Efficiency Standards apply to Existing Non-Residential uses:

- High Efficiency Toilets with a maximum flush capacity of 1.3 gallons; unless 1.6 gallon toilets were installed prior to 2013
- High Efficiency Urinals;
- High Efficiency Clothes Washers;
- Water Efficient Ice Machines.
- Showerheads shall not exceed maximum flows of 2.0 gallons-per-minute;
- Washbasin faucets must flow at no more than 2.2 gallons-per-minute;
- Public faucets must flow at no more than 0.5 gallons-per-minute;
- Public faucets with automatic shut off or sensors must flow at no more than 0.25 gallons-per-minute;
- Guest room faucets must flow at no more than 1.5 gallons-per-minute.
- All visitor serving facilities (hotel, restaurants, etc.) shall be retrofit with:
 - Conservation signage
- Rain Sensor must be installed with automatic irrigation.

All Water Efficiency Standards and the following apply to Non-Residential New Structures:

- High Efficiency Toilets with a maximum flush capacity of 1.3 gallons;
- Urinals flush with one (1) pint of water or Zero Water Consumption;
- Washbasin faucets must flow at no more than 0.5 gallons-per-minute;
- High Efficiency Dishwashers;
- Instant Access Hot Water System;

Failure to complete "Actions Required" on the reverse side will result in Recordation of a Notice of Non-Compliance against the property. Payment of fees to release a Notice of Non-Compliance is required before a property may be found in compliance after a notice has been recorded. Penalties of up to \$250 per day for each day, or portion thereof, may result from failure to complete all "Actions Required".

If the property is currently for sale, corrective action must be taken prior to the close of escrow and/or transfer of title. It is a misdemeanor (infraction) for any buyer or seller to instruct an escrow agent to close escrow for sale of property within the Monterey Peninsula Water Management District without certification of compliance. An extension of time to meet the District's retrofit requirement may be available pursuant to Rule 144.

Disclaimer Notice

A type of use inventory performed by District inspectors does not "legalize" water use. Contact your local jurisdiction to verify that proper permitting was completed.

For additional information on Water Credits and High Efficiency Appliances please visit the forms section of our website: www.mpwmd.net.

¹ If the property was found to be in compliance, no further action is necessary.

² This text is a summary of MPWMD water conservation requirements. The text of Regulation XIV shall prevail in the event of any discrepancy between this summary and that regulation.

Service Request and Records Request Inspection Report ATTACHMENT 6

Monterey County Health Department
 Environmental Health Bureau
 1270 Natividad Road
 Salinas CA 93906
 (831) 755-4505

Facility Name		Facility Address		City/State	Zip Code	Inspection ID
MAD DOGS & ENGLISHMEN		0 SW CORNER OF OCEAN & MISSION STREET		CARMEL, CA	93923	334311
Owner/Operator			Facility Phone No.	Email Address		Inspection Result
JENNIFER BLEVINS			8135467361	JENNBLEVINS@ME.COM		In Compliance
Inspector Name	Inspection Date	Lic. Name	Lic. Expiration	Purpose of Inspection	Permit License	Expiration Date
CORRINE OW	8/23/2024			Pre-Operational	AM0001939	

Program Identifier: MAD DOGS & ENGLISHMEN

Program Element: 2: MINOR PLAN CHECK OR REPORT REVIEW

The following items have been inspected. If there were violations, this document constitutes a Summary of Violations and Notice to Comply.

IN = In Compliance, OUT = Out of Compliance, NA = Not Applicable, NO = NOT OBSERVED, COS = Corrected On Site, RPT = Repeat Violation

Violation Status	Violation Code	Violation Summary
EH Food Pre-Operational		
<input checked="" type="checkbox"/> NA	No food or food storage, food preparation, or food service on premise.	NEW COFFEE BAR AREA WILL JUST SEVE PREPACKAGED FOODS ONLY. TO BE DISPLAYED INSIDE OPEN AIR REFRIGERATON CASE.
<input checked="" type="checkbox"/> IN	All kitchen equipment must be fully operational, including rangehood.	OPEN AIR REFRIGERATION CASE- 31 F REACH IN COOLER UNDER COUNTER- 38 F
<input checked="" type="checkbox"/> IN	All sinks must have fully functioning and running hot and cold water.	HOT WATER AT COFFEE COUNTER SINK- 100 F 3-COMPARTMENT SINK- 117 F HAND SINK IN BACK ROOM- 100 F
<input checked="" type="checkbox"/> IN	Metal stem thermometer or thermocouple available (range 0-220 Fahrenheit).	
<input checked="" type="checkbox"/> IN	Accurate thermometers placed inside refrigerators and hot holding units.	
<input checked="" type="checkbox"/> IN	Required signs on display (e.g. smoking prohibited, choking posters, food allergy posters and, if alcohol is served, then signs warning about the dangers of alcoholic beverages consumed during pregnancy).	
<input checked="" type="checkbox"/> IN	Construction must be complete.	

Service Request and Records Request Inspection Report ATTACHMENT 6

Monterey County Health Department
Environmental Health Bureau
1270 Natividad Road
Salinas CA 93906
(831) 755-4505

Overall Inspection Comment:

OK TO ISSUE HEALTH PERMIT TO FOOD FACILITY. APPLICANT SHALL SUBMIT PERMIT APPLICATION AND WORKERS COMP TO EHB OFFICE AND PAY HEALTH PERMIT FEES PRIOR TO OPERATING.

ATTENTION: There are 0 item(s) marked above in violation. The number of major violations are 0.

Signatures

Received By:



JENNIFER BLEVINS

Inspected By:



Inspector Name: **CORRINE OW**

Title: **ENVIRONMENTAL HEALTH SPECIALIST III**

Date: **8/23/2024**

Phone:

Email: **owc@co.monterey.ca.us**

December 2, 2025

Jermel Laurie, Building Official, Carmel by the Sea

Dear Allen R. Porter:

Email: warrenbuildingcarmel@gmail.com, plastinico@aol.com

Re: Mad Dogs and Englishmen: Change of Use without approval

ATTACHMENTS:

Please see the following Attachments:

1. Permit for Mad Dogs and Englishmen
2. Notice of Violation dated November 13, 2025 previously sent to you with an attachment of applicable code sections
3. Email from Jennifer Blevins dated November 14, 2025: Request for Formal Written Code Determination
4. Formal Notice of Appeal of Notice of Violation received November 20, 2025 from Jennifer Blevins
5. UP 24-292
6. Resolution 2024-094-PC
7. Building Code Board of Appeals Procedure

FACTS

Background

Building permits PP 23-566 and EP 23-567 were issued on February 13, 2024 under the direction of the Planning and Building Director. The scope of work on the plans issued for the permits stated “Existing retail cabinets to be replaced with cabinets for portable coffee bar equipment and extend existing water/sewage from previous tenants.” No change of occupancy was indicated in the application or the plans. Neither permit could receive final sign off due to the change of use and occupancy. No certificate of occupancy has been issued.

On September 27, 2024, Jennifer Blevins submitted a use permit application UP 24292. The project description stated “Change Primary Use from Sporting Goods to Specialty Restaurant and ancillary secondary use from Coffee Bar to Sporting Good/Retail.”

The change of use and occupancy triggers requirements for installation of a restroom and fire sprinklers. On November 13, 2025, the City issued a Notice of Violation to your attention (Attachment 2) with details regarding the violation of the City of Carmel-by-the-Sea Municipal Code (CMC) and necessary corrective action including reverting the space back to the previously approved use as a mercantile occupancy or:

1. Comply with the conditions of approval for UP 24-292 and Resolution 2024-094-PC
2. Apply for a building permit to install an accessible restroom with the space; and
3. Apply for a permit to install fire sprinklers throughout the building.

None of these corrective actions have taken place to date.

On November 14, 2025, Ms. Blevins submitted a Request for Formal Written Code Determination. The code sections at issue were included in the Notice of Violation of November 13, 2025 and the attached code sections. I provide below further information regarding the applicable code sections.

On November 20, 2025, the City received a Formal Notice of Appeal of Notice of Violation from Jennifer Blevins (“Appeal”). In the Appeal, Ms. Blevins claims the Notice of Violation did not identify:

1. A specific enforceable code section requiring the construction of a restroom within the tenant space.
2. A specific enforceable code section that triggers a mandatory fire sprinkler retrofit for this building of this tenant improvement.
3. A specific code section that the tenant has violated
4. The factual findings supporting the City’s position.

The factual findings in support of the City’s position include the fact that the second floor of the Mad Dogs and Englishman space is now being used as a coffee shop which triggers the requirement for the restroom and fire sprinklers. This was made clear in the Notice of Violation of November 13, 2025.

The City will be setting a hearing on the Appeal filed by Ms. Blevins with the Building Board of Appeals and will provide you and Ms. Blevins with notice of that hearing date, time and place.

CODE SECTIONS

We provide here further information regarding the applicable code sections in response to the request of November 14, 2025 from Ms. Belvins.

A. Restroom requirement

2022 California Plumbing Code TABLE 422.1
MINIMUM PLUMBING FACILITIES

Each building shall be provided with sanitary facilities, including provisions for persons with disabilities as prescribed by the department having jurisdiction. Table 422.1 applies to new buildings, additions to a building, and changes of occupancy or type in an existing building resulting in increased occupant load.

Per California Building Code (CBC) table 1004.5

A Mercantile occupancy has an occupant load factor of 60 square feet per occupant. The change of use and occupancy reduces the occupant load factor to 15 square feet per occupant, increasing the occupant load.

CMC 17.14.040 I (c)

At least one restroom shall be available for use by both sexes within, or conveniently adjacent to, the specific business premises and on the same property on which the use is located.

This restroom shall comply with all provisions of the State Uniform Building and Plumbing Codes as to the required size, location and accessibility standards, and shall be available for use by both the employees and patrons of the business.

The restroom shall be on the same property as the municipal code states. Jennifer Blevins was notified of the requirement in an email from Brandon Swanson dated September 18, 2024. Additionally, the same requirement was included in the Planning Commission resolution (UP 24-292) which was adopted on October 9, 2024. It was condition of approval item #5.

B. Fire sprinkler requirement

2022 California Fire Code (CFC)

[A] 102.3 Change of Use or Occupancy

A change of occupancy shall not be made unless the use or occupancy is made to comply with the requirements of this code and the California Existing Building Code. Exception: Where approved by the fire code official, a change of occupancy shall be permitted without complying with the requirements of this code and the California Existing Building Code, provided that the new or proposed use or occupancy is less hazardous, based on life and fire risk, than the existing use or occupancy.

No exceptions are approved, nor would there be.

2022 California Existing Building Code (CEBC)

1011.1 General

The provisions of this section shall apply to buildings or portions thereof undergoing a change of occupancy classification. This includes a change of occupancy classification within a group as well as a change of occupancy classification from one group to a different group or where there is a change of occupancy within a space where there is a different fire protection system threshold requirement in Chapter 9 of the California Building Code. Such buildings shall also comply with Sections 1002 through 1010 of this code.

1011.2 Fire Protection Systems

Fire protection systems shall be provided in accordance with Sections 1011.2.1 and 1011.2.2.

1011.2.1 Fire Sprinkler System

Where a change in occupancy classification occurs or where there is a change of occupancy within a space where there is a different fire protection system threshold requirement in Chapter 9 of the California Building Code that requires an automatic fire sprinkler system to be provided based on the new occupancy in accordance with Chapter 9 of the California Building Code. The installation of the automatic sprinkler system shall be required within the area of the change of occupancy and areas of the building not separated by a fire wall from the change of occupancy.

Section 903 of the CBC and CFC are identical. Carmel by the Sea has adopted the following amendments to the CFC.

24. Section 903.2 is amended to read as follows:

903.2 Where required. Approved automatic sprinkler systems shall be provided in all new buildings and structures constructed, moved into or relocated within the jurisdiction. This section supersedes the square footage limitations of all subsections within Section 903.2.

Exceptions:

- (1) Structures not classified as Group R occupancies and not more than 500 square feet in total floor area.
- (2) Detached agricultural buildings, as defined by this code, located at least one hundred feet (100') from any other structure or the property line, whichever is closer.
- (3) Accessory structures associated with existing non-sprinklered R-3 occupancies (one or two family dwellings) and less than 1500 square feet in total fire area.
- (4) Where an insufficient water supply exists to provide for an automatic fire sprinkler system and where the fire code official permits alternate protection.

The second floor space that was converted does not fall under exception #1 because it is over 500 square feet. Therefore, fire sprinklers are required.

If you have any questions, please contact me by email or by phone at 831.620.2055.

Thank you for your cooperation.

Very truly yours,

Jermel Laurie, CBO – Building Official

Cc Mr. Plastini

Jennifer Blevins

Anna Ginette, AICP – Community Planning and Building Director

Brian Pierik- City Attorney

ATTACHMENTS: As noted above

On Fri, Apr 24, 2026 at 10:19 AM Jermel Laurie <jlaurie@ci.carmel.ca.us> wrote:
Let's get the continuation scheduled asap

Best Regards,



Jermel Laurie, CBO
Building Official
City of Carmel-by-the-Sea
(831) 620-2055

Please take our [Customer Satisfaction Survey](#).

If you have a general Planning question, please email planning@ci.carmel.ca.us. For Building questions, please email building@ci.carmel.ca.us. To request a building inspection, please go on-line to: <https://ci.carmel.ca.us/post/electronic-inspection-scheduling> or call the inspection line at (831) 620-2065.

Thank you for your patience and understanding as we adapt to the changing conditions in our community.

----- Forwarded message -----

From: **Justin Cooper** <cooper@monterey.org>
Date: Thu, Apr 23, 2026 at 5:35 PM
Subject: Fw: Code Interpretation Request - Code Application Response
To: Jermel Laurie <jlaurie@ci.carmel.ca.us> <jlaurie@ci.carmel.ca.us>

External Sender - From: (Justin Cooper
<cooper@monterey.org>)
This message came from outside your organization.

FYI

Get [Outlook for iOS](#)

From: Garcia, Jena@CALFIRE <Jena.Garcia@fire.ca.gov>
Sent: Thursday, April 23, 2026 4:55 PM
To: Justin Cooper <cooper@monterey.org>
Cc: CAL FIRE Code Interpretation Request <codeinterpretationrequest@fire.ca.gov>; Mansergh, Becca@CALFIRE <Becca.Mansergh@fire.ca.gov>
Subject: Code Interpretation Request - Code Application Response

Dear Mr. Cooper,

I am a member of the Code Interpretation Committee, and I am reaching out to you to answer your question, which we believe is a code application question regarding the 2025 California Fire Code, Chapter 1, Section 102.3. If you have any additional questions regarding this response, please reach back out to me. If you have any additional Code Interpretation or

Application Questions, please follow the request process outlined on the Office of the State Fire Marshal Website, just like you did on this topic.

Overview:

Code Edition:	2025 CCR, Title 24, Part 9, California Fire Code (CFC)
Code Section(s):	CFC Section 102.3
Requested By:	Justin Cooper, Fire Marshal, Monterey Fire Department
Date Received:	February 23, 2026

Question

Does a change in use from a "M" occupancy classification to a "B" occupancy require the occupancy to comply with the current code?

Answer

Yes. A change of occupancy shall not occur unless the use or occupancy complies with the CFC and the California Existing Building Code (CEBC). An exception allows the fire code official to approve a change of use that does not comply with CFC or CEBC if the fire code official determines that the proposed or new use of occupancy is less hazardous.

Thank you for your inquiry.



Jena Garcia

Deputy State Fire Marshal III (Supervisor)
 Code Development and Analysis
 3780 Kilroy Airport, Ste. 500, Long Beach, CA 90806
 (916) 531-7650 Cell



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links or open **attachments** unless you are sure the content is safe.]



THE CITY OF
MONTEREY



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**Building Safety Division
City of Carmel-by-the-Sea**

Memorandum

Date: April 3, 2026

To: Design Professionals, Contractors, and Community Planning and Building Department Staff

From: Jermel Laurie, Building Official

Reviewed and Approved By: Anna Ginette, AICP, Director of Community Planning and Building

Re: Change of Occupancy requiring the installation of fire sprinklers

Purpose: The purpose of this memorandum is to formally clarify and establish this department's agreement with the International Existing Building Code (IEBC) Interpretation 37-21 issued March 2, 2022, regarding the installation of fire sprinkler systems during a change of occupancy.

Policy and Code Application: In accordance with IEBC Section 1011.2.1, when a change in occupancy classification occurs, or when there is a change of occupancy within a space that introduces a different fire protection system threshold requirement under Chapter 9 of the International Building Code, an automatic fire sprinkler system must be provided throughout the area where the change occurs*.

To ensure consistent enforcement, the City of Carmel-by-the-Sea shall implement the guidance outlined in IEBC Interpretation 37-21, which confirms that an existing, non-sprinklered building undergoing a change of occupancy—such as from Group R-1 to Group R-2—is required to be provided with an automatic fire sprinkler system.

Rationale: Under IEBC Section 202, a "Change of Occupancy" is defined as any of the following:

1. Any change in the occupancy classification of a building or structure.
2. Any change in the purpose of, or a change in the level of activity within, a building or structure.

3. A change of use.

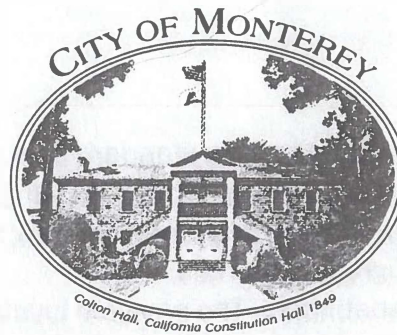
As established by IEBC Section 1001.2.2, every change of occupancy must comply with Chapter 10 of the IEBC when a building's occupancy classification changes, including changes to another group within the same classification. Even though occupancies like Group R-1 and Group R-2 may have the exact same sprinkler threshold requirements in Chapter 9 of the IBC, moving from one group to another within the same classification constitutes a change of occupancy. Consequently, a sprinkler system is explicitly required by IEBC Section 1011.2.1 for an existing building undergoing such a transition (e.g., from Group R-1 to R-2 or from Group R-2 to R-1).

Please ensure that all future plan submittals and reviews reflect these requirements. Contact the Building Department if you have any questions regarding the application of these rules to a specific project.

*Full Code section

1011.2.1 Automatic Sprinkler System

The installation of an automatic sprinkler system shall be required where there is a change of occupancy classification and Chapter 9 of the current California Building Code requires an automatic sprinkler system based on the new occupancy or where there is a change of occupancy within the space where there is a different fire protection system threshold requirement in Chapter 9 of the current California Building Code than exists in the current building or space. The installation of the automatic sprinkler system shall be required within the area of the change of occupancy and areas of the building not separated by a fire wall from the change of occupancy.

**MONTEREY FIRE DEPARTMENT**

To: Jennifer Blevins, Owner Mad Dogs & Englishmen
1491 Cypress Drive #116
Pebble Beach, CA 93953

06/24/2026

Project Address: SW Corner of Ocean Avenue and Mission Street
Proposed Project: Change of Occupancy – Mercantile (Bike Shop) to Business (Coffee Shop)

SUBJECT: DETERMINATION OF HAZARD CLASSIFICATION AND DENIAL OF LESS-HAZARDOUS EXEMPTION

Dear Jennifer Blevins,

The Monterey Fire Department Fire Prevention Division has completed its review of your proposed Change of Occupancy application for the location referenced above. Your application requests that the transition from a retail bike shop (Group M, Mercantile) to a coffee shop (Group B, Business based upon final occupant load calculations) be exempted from full current Carmel-by-the-Sea Municipal Code and the 2022 California Fire Code Title 24 upgrades under the administrative provisions allowing for a "less hazardous" occupancy classification.

Following a thorough evaluation of the operational profiles, fire risks, and life safety characteristics of both uses, this office has determined that the proposed coffee shop use does not qualify for the less-hazardous exemption.

Pursuant to the California Fire Code, a Fire Code Official evaluates relative hazards based on total life safety risk, occupant density, and egress capabilities. Our determination is based on the following findings:

1. **Equal or Greater Occupancy Classification:** The proposed shift to a food and beverage service establishment introduces a significantly higher occupant load density per square foot than a standard retail mercantile footprint. Under the California Building and Fire Codes, a coffee shop constitutes an equal or inherently greater life safety hazard classification due to the concentrated gathering of the public.

2. **Ignition and Thermal Hazards:** Unlike a standard bike shop, a coffee shop introduces continuous commercial electrical cooking/heating equipment, high-temperature espresso machinery, and water-heating systems, which represent a net increase in potential ignition sources.
3. **Egress and Life Safety Capabilities:** The physical layout required to accommodate dense seating, queuing lines, and a transient public population increases egress complexity. This demands strict adherence to modern fire barriers, exit widths, and panic hardware that exceed the historical requirements of the existing retail space.

Consequently, your request for a less-hazardous exemption is formally denied. The project must proceed under standard change of occupancy protocols.

You are required to submit sprinkler plans demonstrating full compliance with the current edition of the California Fire Code, including but not limited to, fire-sprinklers/alarm system compliance.

Sincerely,



Justin Cooper | Division Chief | Fire Marshal / Fire Prevention Division
Area Fire Coordinator Monterey & San Benito Counties / CICCIS Peer Review Committee Chair
MONTEREY FIRE DEPARTMENT



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Cc; City Clerk
Jennifer Blevins - P.O. Box 4586, Carmel, CA 93921