



MEMORANDUM

MONTEREY COUNTY

PLANNING AND BUILDING
INSPECTION DEPARTMENT

DATE: January 9, 2003
TO: Lynne Mounday, Zoning Administrator
FROM: Patrick Kelly, AICP, Associate Planner
SUBJECT: PLN000146, Callahan

This project was continued from the December 12, 2002 Zoning Administrator hearing to January 9, 2003. The purpose of the continuation was to allow the applicant time to revise the project plans to show an access easement that was inadvertently omitted from the site plan.

Subsequent to the continuation, a second issue arose concerning setbacks applicable to the property. Under strict application of the Zoning Regulations, a 30-foot setback from the east (front) property line would be applicable to the house. Staff research, however, found that the proposed house is situated within a building envelope established with a 1994 lot line adjustment (Case No. LL94007).

Access Easement

The access easement is shown on the attached, revised plan. The easement is 20 feet wide, and traverses the property at the narrowest point, approximately half way between the north and south property line. The easement does not affect the proposed house.

Building Envelope

The building envelope was established to allow for a home site on an established lot of record which, prior to the lot line adjustment, could not be developed because it was located entirely within the Carmel River floodway. The lot line adjustment reconfigured the parcel so that a small portion at the front of the site just large enough for a home could be developed with reduced setbacks. The building envelope was established to allow for the home site, and supercedes setbacks found in the Zoning Regulations.

In light of the new information on the building envelope, staff recommends the Zoning Administrator make the revised Finding and Evidence #2. Revised language is shown in ***bold italics***:

2. FINDING: The proposed single-family residence is consistent and with the "LDR/2.5-D-S" (Low Density Residential) zoning of the property, **and with the established building envelope.**
- EVIDENCE: Under Chapter 21.14 of Title 21 (Zoning) of the Monterey County Code, the first single-family dwelling per lot is permitted in the "LDR" District. Under Chapter 21.45, an Administrative Permit is required for any development in the "S" (Site Plan Review) Districts. Findings 3, 4, 7 and 8 address such development. Under Chapter 21.44, a Design Approval is required for any development in the "D" (Design Review) District. The applicant has provided the Zoning Administrator with a Design Approval Request, drawings, and a statement of materials and colors to be used.
- EVIDENCE: Lot Line Adjustment case no. LL94007 established a building envelope to allow the property to be developed with a single-family house with reduced setbacks. The reduced setbacks were necessary to allow for the development of a house on a legal lot of record, after adjustment of the lot lines, whereas no development was possible prior to the adjustment, as the lot was located entirely within the Carmel River floodway. The proposed house is located entirely within the approved building envelope, and therefore conforms to applicable setbacks.**