

FINAL
Monterey County Zoning Administrator
Thursday, January 9, 2003
MINUTES

A. ROLL CALL: 9:57 a.m.

Present:	Lynne Mounday	Planning & Building Inspection
	Roger Beretti	Environmental Health
	Linda Rotharmel	Planning & Building Inspection (Secretary)
Absent:	Bryce Hori	Public Works
	Al Mulholland	Water Resources

B. PUBLIC COMMENT:

Nick Nichols from Public Works stated he was representing Public Works in Bryce Hori's absence. Mr. Mulholland arrived at 10:00 a.m.

Bud Carney, representative for Brad Dow, addressed an issue that he thought would be on the agenda and because it was not he felt it was the appropriate time to make the comment on the Dow item that was denied in December and there was to be a Resolution with Findings for Denial today. The Zoning Administrator stated he will take up the matter under Agenda Item F. Mr. Carney requested that it be moved up to the first item on the agenda. He also wanted read into the record that it is his opinion that Section 20.76.100 of the Zoning Ordinance for the Coastal Zone applies to the Dow project and that basically it says that if a project is denied that it can not come back for a year, but it has always been the County's application that if it's denied without prejudice, they can resubmit and so if he does resubmit it then we go through the public hearing process starting at the beginning, where we can always appeal it, if in fact, denied.

Bud Carney asked, because it was a redesign, if the project would go back to the Land Use Advisory Committee before the next hearing. Mr. Mounday stated that it is a lesser design and there was approval from the Committee and Mr. Delay didn't wish to see it back.

C. APPROVAL OF MINUTES: December 12, 2002

D. DESIGN APPROVALS

1. CUSACK REALTY (DA020371)

Continued from 12/12/02. Design Approval to allow the construction of a 3,618 sq. ft. two-story single family dwelling consisting of a 1,762 sq. ft. first floor, 1,367 sq. ft. second floor, and attached 489 sq. ft. garage, mechanical room, and 6 ft. tall garden wall. Materials and colors of stucco siding (beige), trim (sand), copper gutters and flashing, windows and doors (brown), and brown tile roofing materials. The property is located at 953 Sand Dunes Road, Pebble Beach

(Assessor's Parcel Number 007-251-009-000), west of the intersection of Cayuse Road and Seventeen Mile Drive, Greater Monterey Peninsula area.

Mr. Cusack stated that he lowered the house by two feet and changed the drainage plan. The architect showed the correct plans with changes. Del Monte Land Use Advisory Committee recommended approval [actually the Land Use Advisory Committee submitted a 2-2 vote, neither approval nor denial] [actually the LUAC submitted a 2-2 vote, neither approval nor denial] of the Design on 12/19/02. The community had concerns about privacy issues, the height of the structure, which has been reduced by two feet, and the right set of plans gets approved and it has been noted that one set is superceded and the other set are approved.

After discussion by the Zoning Administrator, the Design Approval Request was approved.

E. SCHEDULED ITEMS

2. CALLAHAN GLENN & ROXANNE (PLN000146)

Continued from 12/12/02. Combined Development Permit consisting of an Administrative Permit to allow a 1,960 square foot single family dwelling with a 550 square foot attached garage and a Use Permit for development within the Carmel Valley floodplain. The property is located at 26580 Rancho San Carlos Road, Carmel Valley (Assessor's Parcel Number 015-251-041-000), south of Carmel Valley Road.

The Zoning Administrator described the project.

Glenn Callahan stated that he has been in contact with Michael Berube on Parcel A. He has asked Brian Finegan to assist in the details and issues brought up by Mr. Berube. Mr. Finegan was unable to do it by this meeting, so there is an agreement.

Michael Berube apologized for the conduct at the last hearing; he stated that it was not in good form at all. The apology was accepted by the Zoning Administrator. Secondly, he supports the project and has a few concerns. There are a couple of easements that go across Parcels B & D, which belong to the Callahan's, and they are not being depicted on the site plan. The other easement, sort of a fathom easement, is on the southerly portion of the properties. Mr. Callahan submitted a revised site plan and it shows a narrow 20 foot easement across a narrow portion of his land. The record of survey filed in 1995/96 doesn't accurately depict the easements. One of the easements is a 30 foot easement that goes over Parcel D and the other easement is 20 foot over Parcel B, which extends to serve Parcel A. Both of the easements come off of Rancho San Carlos Road and run in a westerly direction. The Zoning Administrator requested that a new condition be added that would state that prior to issuance of building and grading permits, all easements on the subject property shall be correctly shown on the plan.

Roger Beretti recommended adding a new condition that would require the applicant submit a revised detailed wastewater disposal system design to the Director of Environmental Health for review and approval meeting the regulations found in Chapter 15.20 of the Monterey County Code, and Prohibitions of the Basin Plan, RWQCB.

After discussion by the Zoning Administrator, the application for the Combined Development Permit was approved as shown on the permit in file PLN000146, with the Findings and Evidence and Conditions amended to include the condition from the Health Department and the condition requiring the plot plan to include all easements prior to issuance of the building permits **to include the condition from the Health Department and the condition requiring the plot plan to include all easements prior to issuance of the building permits.**

3. MORENO SAMUEL P & DORA E (PLN020387)

Continued from 12/12/02. Administrative Permit to allow cut and fill activities, a small amount of which is on slopes exceeding 30% on .75 acres. The property is located at 10814 Assisi Way (Assessor's Parcel Number 125-461-001-000), Salinas, Greater Salinas area.

Paul Mugan described the project, which started out as a Code Enforcement violation. There was discussion regarding the fill that was placed as to infringe on neighboring property owner, Lane Davis. Nick Nichols, Public Works, stated that the 30% slope was a man made grading and filling for the development of the adjacent lot.

Lane Davis stated his concern that he would like to see the site and easement restored to their predevelopment condition. He was also put on record that he has corresponded with Planning by written communication and e-mail regarding his concerns. Mr. Davis supports the recommendation of denial as submitted in the Staff Report.

After discussion by the Zoning Administrator, the application for an Administrative Permit was continued to February 13, 2003, to work out the issues.

4. LONDON & MORLEY (PLN010469)

Continued from 12/12/02. A Variance for an increase in lot coverage from 25% to 25.6%, an increase in floor area ratio from 34.4% to 34.9%, and a reduction of the side yard setback from 7' to 1'4" and rear setback from 21'3 to 2'10"; and Design Approval for the conversion of an existing 393 sq. ft. Detached shed to habitable space and a 59 sq. ft. Addition to attach the converted habitable space to the existing residence. The property is located at 1475 Alva Lane, Pebble Beach (Assessor's Parcel Number 008-441-005-000), south of the intersection of Alva Lane and Ondulado Road, Del Monte Forest area, Coastal Zone.

Brett Becker stated that the applicant requested the project be continued to January 30, 2003.

After discussion by the Zoning Administrator, the application for a Variance was continued to the January 30, 2003, meeting.

5. COFFMAN VANCE (PLN020319)

Combined Development Permit consisting of a Coastal Administrative Permit to allow a 2,166 sq. ft. first-story addition, a 523 sq. ft. second-story addition and a new 807 sq. ft. attached garage to an existing 3,559 sq. ft. one-story single family residence, and the demolition of 10,943 sq. ft. of existing impervious surface; a Variance to exceed the Pescadero Watershed requirement for structural coverage from a maximum allowed of 5,000 sq. ft. to 6,532 sq. ft.; grading (450 cubic yards of cut and fill); and Design Approval. This project will reduce the combined structural and impervious surface coverage from 17,887 sq. ft. (3,559 sq. ft. structural coverage and 14,328 sq. ft. impervious coverage) to 8,982 sq. ft. (6,532 sq. ft. structural coverage and 2,450 sq. ft. impervious coverage). The property is located at 1486 Riata Road, Pebble Beach (Assessor's Parcel number 008-422-008-000), northeasterly of the intersection of Cortez Road and Riata Road, Del Monte Forest area, Coastal Zone.

Brett Becker described the project. The Del Monte Forest Land Use Advisory Committee recommended approval.

John Matthams, representing Mr. and Mrs. Coffman, agreed to the conditions.

After discussion by the Zoning Administrator, the application for Combined Development Permit was approved as shown on the permit in file PLN020319.

6. UNGARETTI LOUIS (PLN010407)

Combined Development Permit consisting of a Coastal Administrative Permit to allow for the construction of a two-car, 528 sq. ft. garage and a Coastal Development Permit for the removal of 4 Coast Live Oaks and 2 Pines; and Design Approval. The property is located at 227 Peter Pan, Carmel (Assessor's Parcel Number 241-201-007-000), in a Low Density Residential Zoning District (LDR/1-CZ), Carmel Highlands area, Coastal Zone.

Michael Rhoades described the project. The Carmel Unincorporated/Highlands Advisory Committee recommended approval.

After discussion by the Zoning Administrator, the application for Combined Development Permit was approved as shown on the permit in file PLN010407.

7. MOSS LANDING MUTUAL WATER CO (PLN020133)

Coastal Administrative Permit to install a sodium hypochlorite system for the Moss Landing Mutual Water Company. The system, which includes two (2) 55-gallon sodium hypochlorite drums, small pumps and controls, will be enclosed in a 92 square foot, 11 foot high pre-engineered modular enclosure. The structure will be placed on an existing concrete pad. The property is located on Avila Road and Dolan Road, Moss Landing (Assessor's Parcel Number 131-054-006-000), North County area, Coastal Zone.

The Zoning Administrator described the project. The North County Coastal Land Use Advisory Committee recommended approval.

Cathy Genasci, Duke Energy, applicant, accepts conditions.

After discussion by the Zoning Administrator, the application for Coastal Administrative Permit was approved as shown on the permit in file PLN020133.

7. WARMENHOVEN DANIEL & CHARMAINE (PLN020333)

Coastal Development Permit to allow an additional 354 square feet of basement space, a new exterior entry and enclosure of 54 square feet of existing storage area within fifty feet of a coastal bluff and design approval. The site is located at 2665 Ribera Road, Carmel (Assessor's Parcel Number 243-031-002-000), Carmel Meadows area, Coastal Zone.

John Floyd described the project. The Carmel Unincorporated/Highlands Land Use Advisory Committee recommended approval.

Douglas Loesing, Agent, accepted conditions.

After discussion by the Zoning Administrator, the application for Coastal Development Permit was approved as shown on the permit in file PLN020333.

F. OTHER ITEMS:

BRAD DOW (PLN020318)

The Zoning Administrator, Lynne Mounday, stated that at the December 12, 2002, meeting, he asked for it to come back with a Resolution of Intention to Deny that project due to, what he felt was a design issue more than a zoning issue. It meets the zoning requirements as to height and setback, but it seemed massive for the community. It is his understanding that efforts are being made to redesign some of the massiveness that shows up along Don Lane. He viewed the property and the neighborhood and as well as he could see from the storm toppled netting, it is a large house, but there are other large houses, the Isaac's house on the corner is fairly large and attractive. He also stated this is not the time to address this issue. He has been informed by

County Counsel that in a situation like this, where there is a Resolution of Intent to Deny and you want to reconsider, you can't put it on the Agenda, but you have to Notice at a meeting prior to a meeting at which it will be heard, that it is going to be reconsidered and it will appear on another Agenda. The project will be placed on the January 30, 2003, Agenda, for reconsideration of the decision and see if it meets the requirements of the community. The Resolution for Denial has not been adopted yet, so in effect, it has not been denied. Once the Resolution is denied, then Mr. Carney would be correct, as to provision 20.76.100 of the Coastal Zoning Ordinance, that once a project has been denied, it can't be reconsidered for a year.

ADJOURNMENT: 11:05 a.m.

ATTEST:

LYNNE MOUNDAY
ZONING ADMINISTRATOR

lmr