

FINAL

MONTEREY COUNTY ZONING ADMINISTRATOR

May 8, 2003

MINUTES

A. ROLL CALL:

Present: Bryce Hori, Public Works; Laura Lawrence, Environmental Health; Al Mulholland, Water Resources, Mike Novo, Planning & Building Inspection; Lynne Mounday, Planning & Building Inspection; Linda Rotharmel, Secretary

B. PUBLIC COMMENT: None

C. APPROVAL OF MINUTES: The Minutes for the April 24, 2003, meeting were approved.

D. DESIGN APPROVALS:

1. HARROLD CHRIS & JUDITH D HARRO (DA030111)

Design Approval for the demolition of existing single family dwelling and construction of new 3,142 sq. ft. two-story single family dwelling, new 1,596 sq. ft. barn and new 960 sq. ft. equipment shed. Materials and colors will consist of panel and batt siding (tan), trim (beige), doors and windows (beige), accents and additional trims (evergreen), metal roofing (evergreen). The property is located at approximately the 37 mile marker Carmel Valley Road (Assessor's Parcel Number 418-371-002-000), easterly of the intersection of Carmel Valley Road and Arroyo Seco Road, Cachagua area.

The Zoning Administrator described the project. The Cachagua Land Use Advisory Committee recommended approval of the project.

After discussion regarding historical nature, the Zoning Administrator approved the Design Approval.

E. SCHEDULED ITEMS:

2. STOJANOVSKI BRANKO (PLN020477)

Administrative Permit to allow for the construction of a 3,648 square foot split level single family dwelling; to include 4 skylights, with an attached 787 square foot three car garage, retaining walls, and grading (370 cubic yards (cut) and 130 cubic yards (fill)); and Design Approval. Materials and colors are to be of stucco siding (goldfinch with an ivory lustre finish). The property is located at 3533 Greenfield Place, Carmel (Assessor's Parcel Number 015-451-045-000), High Meadow Subdivision.

Julie Radoman described the project. The Greater Monterey Peninsula Land Use Advisory Committee recommended approval.

Clyde Klaumann spoke in opposition of the project, stating the loss of his ocean view and that the size and height of the residence was inappropriate for the lot.

Jack Elliott spoke in favor of the project, but had the concern about the height and size and that it blocks out the ocean view.

Miss Webb asked Mr. Elliott to convey height and second story concern.

Branko Stojanovski addressed the issue of height and how he has considered other neighbors concerns, but also noted that his is not the only two-story, or the largest or smallest home in the area. Mr. Stojanovski accepted the conditions.

There was discussion regarding the height and set back requirements and they have been met. The Zoning Administrator stated that Monterey County doesn't protect private view shed and that view shed easements could be purchased.

After discussion the Zoning Administrator approved the Administrative Permit with the Findings and Evidence and subject to the proposed Conditions.

3. HOOK & SMITH WINERY (PLN010509)

Use Permit to provide two treatment ponds for wastewater generated during the wine making process. The winery wastewater will flow from the existing Smith and Hook Winery facility via a gravity pipeline to the two aeration treatment ponds located at 37700 Foothill Road, Soledad (Assessor's Parcel Number 418-341-045-000), southwesterly of Foothill Road where it intersects with Mission and Colony Roads and southwesterly of the City of Soledad, Central Salinas area.

The Zoning Administrator described the project.

Charles Pregenzer addressed the ponds and stated that they are located in Deer Valley, out of public view, off of Foothill Road. He accepted the conditions.

After discussion the Zoning Administrator approved the Use Permit with Findings and Evidence and subject to the Conditions.

4. OLIVER THOMAS A & MARGARET W (PLN020103)

Combined Development Permit consisting of an Administrative Permit for the construction of a single family dwelling (2,510 square feet) with an attached garage (471 square feet) and a detached guest unit (504 square feet) in 'S' and 'D' districts; Use Permit for development within 200 feet of the Carmel River; and grading of 471 cubic yards, cut and fill. The project is located at 10 Meadow Place, Carmel Valley (Assessor's Parcel Number 189-181-015-000), west of the intersection of Panetta Road and Meadow Place.

Jody Lyons described the project. The Carmel Valley Land Use Advisory Committee recommended approval of the project with recommendations that down-lighting should be required for all exterior lighting and shading of skylights and the roof tiles should be darker in color.

Glen Warner stated that he pushed the residence away from the river and on a higher pad for drainage. He accepted the conditions.

After discussion the Zoning Administrator approved the Design Approval and Combined Development Permit with Findings and Evidence and subject to the conditions.

5. PEBBLE BEACH LLC (LOT 12) (PLN020584)

A Combined Development Permit including: 1) a Coastal Administrative Permit for a 6,906 square foot two-story residence (5,730 square foot first story and 1,184 square foot second story) with attached 1,503 square foot garage; 2) a Coastal Administrative Permit for an 848 square foot caretaker's unit with an attached 432 square foot garage; 3) a Coastal Development Permit for the removal of 24 protected trees (19 Monterey pines; and 5 Coastal live oaks) and; Design Approval. The project site is located at Lot 12, Griffin Estates Subdivision, Pebble Beach (Assessor's Parcel Number 008-302-037-000), west of the intersection of Alva Lane and Portola Road, Del Monte Forest, Coastal Zone.

Jody Lyons described the project. The Del Monte Forest Land Use Advisory Committee approved the project with the recommendation that the 24 trees proposed for removal be replaced. The Forester recommends against replacement of the trees stating that the preferable management strategy is to encourage and retain the abundant natural regeneration on the property, since Monterey pine seedlings can be found over most of the parcel.

Steve Douglas, representative for Pebble Beach LLC, stated that the square footage of the home is 6,914 not 6,906, as reflected in the Staff Report. He was concerned with Conditions #5 and 18, which contain the same wording regarding construction and landscaping. He is concerned with the landscaping wording of activities shall not occur within off limit areas designated on the plot plan prepared by the forester. He stated that the out of limits area

referred to in the May 5, 2003, letter relates to the construction period, in terms of vehicles, storage of materials, and grading activities. Compatible landscaping would not be adverse to the Monterey Pine seedlings. He proposed that prior to submitting a landscape plan to the County, submitting it to Forest City and have them review it and provide written confirmation of their support for the landscaping plan as part of his submittal.

There was discussion regarding the Yadon's Piperia and landscaping, and the area off limits for construction. It was also noted that the project is not in the Pescadero Water Shed area. The one Piperia plant was unable to be identified because it was in a vegetative state.

After discussion bullets two and three were deleted from Condition #5. The first bullet in Condition #6 was deleted. Condition #18 was amended to add a sentence to the end of the first paragraph that landscaping plans shall be reviewed and approved by the Forester prior to the submittal to the County Planning Department and the fourth paragraph referring to the landscaping activities occurring within off-limit areas be deleted.

After discussion the Zoning Administrator approved the Combined Development Permit subject to the Findings and Evidence and Conditions, noting it is categorically exempt under the California Environmental Quality Act guidelines as a single family residence, approve the Caretaker unit with the colors materials, roofing material and trim that has been submitted, and with the changes that have been made to Conditions #5, 6, & 18.

6. GARCIA SALVADOR & CATALINA (PLN020440)

Extension and Amendment to a previously approved permit (PLN980576) that allows a residence, barn, poultry farm and well. The Amendment would allow the relocation of the barn (50' south), realignment of the driveway, construction of a septic system, reduce grading from approximately 510 cu. yds. to 300 cu. yds. and grant a new expiration date two years from approval of the Amendment. The property is located at 18852 Parsons Road, Castroville (Assessor's Parcel Number 131-081-039-000), fronting on and southerly of Parsons Road, south of the intersection of Karner Road and Parsons Road, North County Coastal area, Coastal Zone.

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

Sylvia Lopez translated for Salvador Garcia. Mr. Garcia wanted to know when he can do this. Mr. Garcia accepts the conditions.

After discussion the Zoning Administrator approved the Extension and Amendment to a previously approved permit (PLN980576), for two years, subject to the Findings and Evidence and Conditions. Mr. Mounday explained that the life of the permit will be extended for two years, meaning that as long as Mr. Garcia meets all these conditions, he

can get his Building Permit and when he pours his concrete, his foundation and etc. or does significant work towards vesting this permit, it no longer has the two year limit. He has only two years in which to start and if he doesn't start within two years then it expires.

7. LINTZ ROBERT H (PLN020373)

Combined Development Permit consisting of a Coastal Development Permit and Design Approval to allow the demolition of an existing 3,257 sq. ft. one-story single family residence and construction of new 7,945 sq. ft. two-story single family dwelling with a basement, attached garage, new driveway, fence, retaining walls and grading (approximately 4,624 cu. yds. cut/41 cu. yds. fill); Coastal Administrative Permit for a 420 sq. ft. detached guesthouse; Coastal Development Permit for tree removal (7 oak saplings less than 6" in diameter); and a Variance to exceed the 5,000 sq. f. structural coverage limit for the Pescadero Watershed. Total structural and impervious surface coverage will be reduced from 13,718 sq. ft. to 8,995 sq. ft. The property is located at 3294 Stevenson Drive, Pebble Beach (Assessor's Parcel Number 008-442-012-000), fronting on Stevenson Drive east of the intersection of Stevenson Drive and Alva Lane, Del Monte Forest area, Coastal Zone.

The Zoning Administrator described the project. The Del Monte Forest Land Use Advisory Committee recommended approval of the project.

Christine Gianascol, represented the applicants, and agreed to the Conditions of Approval placed on the project.

After discussion the Zoning Administrator approved the project for the removal of Live Oak seedlings, the Variance for the water shed coverage and the Combined Development Permit for both the single family dwelling, retaining walls, grading and the guesthouse, with the note that it has been our experience that the Variance has been fairly commonly done in this area, in the past, for water shed improvements in the Pescadero area, given that it is a privilege which other people have enjoyed in the area and we can make that Finding and also with the Finding that this is a residence in a residential area and therefore doesn't have any problems with violating the Zoning Ordinance.

8. WEEKS STEPHEN P & ELAINE M (PLN020331)

Combined Development Permit consisting of: an Administrative Permit for property located in a "VS" (Visually Sensitive) zoning district for the construction of a 3,000 sq. ft. single family dwelling with an 845 sq. Ft. attached garage and pool; and 150 cubic yards of grading; a Variance to exceed the 20' height restriction by 2.5 feet and a Use Permit for the removal of 7 oak trees ranging from 12" to 24" in size; and Design Approval. The property is located at Lot 28 Falcon Ridge Road, Salinas (Assessor's Parcel Number 161-552-028-

000), west of the intersection of Corral De Tierra Road and Castle Rock Road, Markham Ranch, Toro area.

Ramon Montano described the project, recommending approval of the Combined Development Permit consisting of an Administrative Permit, Use Permit and Design Approval. Staff has recommended that the Variance not be granted on the basis that the necessary findings for special circumstances could not be made. Staff was unable to find other Variances granted in the area allowing a height increase for an architectural feature, therefore approval would constitute the grant of special privilege to the property owner. Denial would not create a hardship, since the height increase for the uninhabitable structure, architectural feature, would not effect office use on the ground floor. The Toro Land Use Advisory Committee recommended approval of the project.

Dan Kern, architect for the applicant agrees with the conditions for this application. The building has been redesigned to conform to the 20' height restriction.

Mr. Montano was in agreement with the conclusions made by the applicant's architect and unfortunately the Ordinance is clear and we could not make appropriate findings to support such a variance, however, he does make a good point that from an architectural perspective, that is does play very well into the design of the structure.

After discussion the Zoning Administrator approved the Combined Development Permit consisting of the Administrative Permit and the Use Permit subject to the Findings and Evidence and Conditions and to deny the request for the Variance.

F. OTHER ITEMS: None

G. ADJOURNMENT: 11:25 a.m.

ATTEST:

LYNNE MOUNDAY
Zoning Administrator

/LMR