

**FINAL**

**MONTEREY COUNTY ZONING ADMINISTRATOR  
December 11, 2003  
MINUTES**

**A. ROLL CALL:**

Present:	Environmental Health	John Hodges
	Water Resources	Al Mulholland
	Public Works	Bryce Hori
	Zoning Administrator	Mike Novo
	Senior Secretary	Linda Rotharmel

**B. PUBLIC COMMENT:** Bill Brandwein spoke in regards to the possible continuance of Item #7 on the Agenda.

**C. APPROVAL OF MINUTES:** The Minutes for the November 13, 2003, meeting were approved.

**D. DESIGN APPROVALS:**

**1. INVESTMARK INC (DA030345)**

Design Approval to allow the construction of a new 2,791 sq. ft. two-story single family dwelling with a 497 sq. ft. attached garage. Materials and colors of stucco (tan) and wood shingles (lt. brown) siding, windows, trim & gutters (white), and asphalt shingle (brown) roofing materials. The property is located at 2833 Congress Road, Pebble Beach (Assessor's Parcel Number 007-103-007-000), between Congress Road and David Avenue, Monterey Peninsula County Club area.

**NOTE:** Tree removal previously approved by the Monterey County Planning Commission to allow the removal of twenty-nine oaks and seven Monterey pines.

The Zoning Administrator described the project.

George Ash agreed to the conditions.

After discussion the Zoning Administrator approved the Design Approval subject to the proposed four conditions.

**2. NOORZOY ZIA JAMAL ( DA030478)**

Design Approval to allow the demolition of an existing one-story single-family residence (1,926 sq. ft.) with an attached garage (579 sq. ft.) and a rebuild of a two-story single-family residence. The proposed main floor area is 2,081 sq. ft. and upper floor area is 1,053 sq. ft. The exterior walls shall be of stucco with tan finish, cornice and other molding shall be of

off-white finish; corbels and rafters shall be stained wood; roofing shall be of clay tile with reddish color and; gutters, downspouts and leader boxes shall be of copper. The property is located at 3076 Valdez Road, Pebble Beach (Assessor's Parcel Number 007-293-005-000), westerly of Valdez Road, Del Monte Forest area.

The Zoning Administrator described the project.

Jun Sillano agreed to the seven conditions.

After discussion the Zoning Administrator approved the Design Approval with the proposed seven conditions recommended by Staff.

**3. MAYNE MICHAEL DAVID (DA030335)**

Continued from 11/13/03. Design Approval to allow the remodel of an existing single-family dwelling. The proposed changes include the replacement of three doors with 10 new windows on western facade; the replacement of existing deck railing with stainless steel cable; and a change in exterior siding from wood to white stucco ("18 coconut - base 10) with stained wood trim. The project is located at 32684 Coast Ridge Road, Carmel (Assessor's Parcel Number 243-282-005-000), northerly of the intersection of Mal Paso Road and Coast Ridge Road, Carmel Highlands area, Coastal Zone.

The Zoning Administrator described the project.

Sally Ann Smith addressed the colors intended (Meadowbrook) and requested approval of the project.

David Mayne, applicant, requested approval today so he could continue with the project.

After discussion the Zoning Administrator approved the Design Approval with the proposed two conditions.

**E. SCHEDULED ITEMS:**

**4. WAGNER BRUCE K & JUANA TRS (PLN030290)**

Use Permit for construction of a 1,196 sq. ft. attached garage (addition) on slopes greater than 30 percent; and Design Approval. The property is located at 34 Calera Canyon Road, Salinas (Assessor's Parcel Number 416-341-022-000), east of Corral De Tierra Road, Toro area.

The Zoning Administrator described the project.

Bruce Wagner accepted the conditions of approval.

After discussion regarding a fire hydrant within 200 feet, slopes and need for such a large garage, the Zoning Administrator approved the project based on the Findings and Evidence and subject to the recommended conditions by staff.

**5. SIMS JAMES K & CATHERINE M (PLN030332)**

Combined Development Permit consisting of Coastal Development Permit and Design Approval for the demolition of an existing two story single family dwelling and the construction of a new 3,496 square foot three story single family dwelling, and associated grading (approximately 97 cubic yards); and Coastal Development Permit for development within 100 feet of environmentally sensitive habitat. The property is located at 26401 Scenic Road, Carmel (Assessor's Parcel Number 009-463-019-000), Coastal Zone.

The Zoning Administrator described the project.

Al Mulholland, Water Resources, deleted Condition #10.

After discussion the Zoning Administrator added a condition relating to an erosion control plan to be submitted for review and approval to the Director of Planning and Building Inspection prior to construction and approved the project subject to the Findings and Evidence and proposed amended conditions of approval.

**6. CYPRESS FIRE PROTECTION DIST. (PLN000673)**

Administrative Permit for development in a site plan review-zoning district for the one-story addition of a 682 sq ft exercise room to an existing 5,674 sq. ft. two-story fire station; Variance to allow a reduction in the side yard setback from 20 feet to 10 feet; and Design Approval. The property is located at 3775 Rio Road, Carmel (Assessor's Parcel Number 015-012-037-000), between Highway One and Carmel Rancho Road, Carmel Valley Master Plan area.

The Zoning Administrator described the project.

Greg Estrada, Cypress Fire Department, accepted the conditions.

After discussion the Zoning Administrator approved the project based on the Findings and Evidence and subject to the proposed recommended conditions of approval.

**7. WITTER DEAN III & REBEKAH F WI (PLN030102)**

Variance from side yard setbacks to allow development of a single family dwelling (2,232 sq. ft.) with an attached garage (440 sq. ft.); and Design Approval on a lot not certified by the California Coastal Commission. The property is located at 112A Yankee Point Drive, Carmel (Assessor's Parcel Number 243-161-017-000), Yankee Point area, Coastal Zone.

The Zoning Administrator discussed the continuance request by staff.

Bill Brandwein addressed the issue of not receiving notice of the continuance.

After discussion the Zoning Administrator continued the project to January 8, 2004.

**8. OSBORNE CHARLES D & KAREN M (PLN020426)**

Combined Development Permit for development on two adjoining legal lots of record consisting of: 1) a Coastal Administrative Permit for demolition of a 520 sq. ft. addition (CA. 1978) and a new 1,365 sq. ft. first and second story addition to an existing two-story single family residence located on lot a (the addition will be attached to the single family residence and an existing detached habitable accessory structure creating one structure with internal circulation), new deck, hot tub, water tank, propane tank, landscaping walls and 6 foot wooden grape-stake fencing; 2) a Coastal Development Permit for a waiver of the policy prohibiting development on slopes greater than 30%; 3) a Coastal Administrative Permit for a new 425 sq. ft. single family residence with a deck, hot tub, and carport, which will be located on Lot b; 4) Grading on both parcels (433 cubic yards of cut/639 cubic yards of fill); and 5) Design Approval. The properties are located at 222 and 224 Highlands Drive, Carmel (Assessor's Parcel Numbers 241-156-003-000 [Lot A] and 241-156-004-000 [Lot B]), Carmel Highlands area, Coastal Zone.

Brett Becker, Planner, described the project and corrected Condition #1 to refer to a detached garage instead of a carport. He also amended Condition #9 to delete the reintroducing of a Monterey Pine and added measures to screen the water tank. The Carmel Unincorporated/Carmel Highlands Land Use Advisory Committee recommended approval with the condition that LUAC comments are incorporated in the project or have been met as part of the planning permit review process. The Zoning Administrator asked if the water tank was on the plans before the LUAC. Mr. Becker said it was.

Robert Carver accepted the conditions and said the tank was 10' below the road elevation.

After discussion the Zoning Administrator approved the project based on the Findings and Evidence and proposed amended conditions of approval.

**9. MAHONEY JOHN H TR (PLN030272)**

Use Permit for a 323 square foot addition to a single story 2,515 square foot single family residence, the removal of a swimming pool, located in the Carmel Valley floodplain; and Design Approval. The property is located at 7079 Valley Greens Circle, Carmel Valley (Assessor's Parcel Number 157-051-001-000) west of the intersection of Valley Greens Drive and Valley Greens Circle, Carmel Valley Master Plan area.

The Zoning Administrator described the project and stated that Condition #2 should state nine (9) conditions instead of ten (10).

Russ Haisley accepted the conditions of approval.

After discussion the Zoning Administrator approved the project based on the Findings and Evidence and subject to the proposed conditions.

**10. FORD JONATHAN & ROSE MARIE (PLN990492)**

Continued from 11/13/03. Combined Development Permit consisting of: 1) an Administrative Permit and Design Approval for a new 2,160 sq. ft. two-story single family dwelling with attached 495 sq. ft. garage, 648 sq. ft. deck, a 1,500 gallon underground water tank, and 700 cu. yds. of grading (380 cu. yds. cut, 360 cu. yds. fill); 2) Use Permit for waiver of the policy prohibiting development on 30 percent slopes. The property is located at 245 Calle De Agrimensors, Carmel Valley (Assessor's Parcel Number 189-532-006-000), fronting on and northeasterly of Calle De Agrimensors, Carmel Valley area.

The Zoning Administrator addressed a memo from staff requesting the item be tabled. After discussion the Zoning Administrator tabled the item.

**11. NAUCKHOFF SVEN H & KATRIN (PLN030156)**

Continued from 11/13/03. Administrative Permit to allow for the transient use (short-term rental) of an existing single-family residence. The property is located at 1017 San Carlos Road, Pebble Beach (Assessor's Parcel Number 007-281-001-000), southerly of the intersection of San Carlos and Sombrero Roads, Greater Monterey Peninsula area.

The Zoning Administrator described the project.

Diane Ciesinski accepted the conditions of approval and turned in the water release form to Al Mulholland, Water Resources.

Jim Nero, President Del Monte Property Owners, spoke in opposition of the project. His organization has had many complaints about short-term rentals, as had Jack Kidder. A neighbor had problems with the management company, as well. Complaints have been received on both permitted and non-permitted rentals.

The Zoning Administrator asked why complaints were not found in the county files. Mr. Nero explained that a lot of complainants have been frustrated with the County response so they complain just to the property owners association.

Jack Kidder, Del Monte Forest Property Owners Director, stated that he is not asking for a prohibition, just a limit of 14 days/year. He said that there are few written complaints. The

sheriff does not make reports; the code enforcement people do not have sufficient resources. The letter from Pebble Beach Company explains the problems.

Jim Brill said that he has been involved with the issue for over 2 years and said that, despite the efforts of the property managers, problems cannot be controlled. He reported two instances to the management company. He has reported problems to the property owners association as well. At one time they had 40 vehicles around the property and street. The twelve to fifteen rentals with just one company is causing a change in the neighborhood character.

Jeffrey Cuskey, David Day, Eleanor Estes, and Robert Stephen, who introduced a letter from E. M. Bloner, spoke in opposition to the project.

Jan Leisure, managing broker and member of Del Monte Forest Property Owners, had worked on the original ordinance (twelve public hearings). She was hopeful the ordinance would control the rentals, but some problems persist. However, they are no different than problems with long-term rentals or people that run businesses out of their house. She felt that her company has done a good job at managing the properties. She said that the rental market may support only up to about 13 weeks per year.

The Zoning Administrator discussed the issue with the applicant, who stated she would probably rent about 7 weeks per year. The Zoning Administrator stated that he would not be able to make the required findings for approval. However, the Board is working on a possible resolution to the concerns. After discussion the Zoning Administrator tabled the item pending the resolution from the Board of Supervisors on the moratorium.

**12. HAGEMAN JOSHUA G (PLN010032)**

Combined Development Permit consisting of a Coastal Administrative Permit for development of a well, and a Coastal Development Permit for development within 750 feet of an archaeological resource. The property is located at Spindrift Road, Carmel Highlands (Assessor's Parcel Number 241-252-007-000), west of Highway 1 and east of Spindrift Road, Carmel Highlands area, Coastal Zone.

The Zoning Administrator continued the item to January 8, 2004, so agencies can review the Hydrogeologic report.

**13. SANTOS JESUS & YVONNE MELENDRE (PLN020605)**

Use Permit for a waiver of the policy prohibiting development on 30% slope to allow the construction of an access road across portions of a 30% slope providing access to a proposed single-family residence; Grading 1300 cubic yards of cut and 825 cubic yards of fill. The

property is located at 35610 Eagle Ridge, Soledad (Assessor's Parcel Number 257-181-010-000) south of Metz Road in the Riverview Estates Subdivision, Central Salinas area.

Ramon Montano, Planner, described the project and deleted Condition #5, and added (d) to Findings and Evidence #1 requesting a Geologic and Soil Engineering Report by Landset Engineers be incorporated in the project design and implemented during construction, and a Condition stating prior to final inspection, the geologic consultant shall provide certification that all development has been constructed in accordance with the geologic report. Mr. Montano stated that Mr. Santos was not present but conveyed that he accepted the proposed conditions.

After discussion the Zoning Administrator approved the project based on the amended Findings and Evidence and the amended proposed conditions.

**14. COX CARL A & JAN A (PLN030148)**

Continued from 10/30/03. Coastal Administrative Permit to allow for demolition of a one-story single family dwelling and construction of a 2,512 square foot two-story single family dwelling with a 215 square foot attached garage, grading (50 cubic yards of cut); and Design Approval. The property is located at 26209 Carmelo, Carmel (Assessor's Parcel Number 009-395-016-000), west of Fifteenth Street, Mission Fields Carmel area, Coastal Zone.

The Zoning Administrator described the project. The Carmel Unincorporated/Carmel Highlands Land Use Advisory Committee recommended approval of the project.

Bill Mefford stated the location of the project was 26209 Carmelo and accepted the proposed conditions.

After discussion the Zoning Administrator amended Findings and Evidence #3(a) to add today's date, December 11, 2003 and approved the project based on the Findings and Evidence and proposed conditions of approval.

**15. WALLACE THEODORE G & JUDITH A (PLN030396)**

Combined Development Permit consisting of: 1) an Administrative Permit for construction of a two-story 3,957 sq. ft. single family dwelling, attached 285 sq. ft. non-habitable office, attached 1,188 sq. ft. garage; and Grading (3,185 cu. yds. of cut and 1,322 cu. yds. of fill); 2) a Use Permit for the waiver of the policy prohibiting development on slopes greater than 30%; and Design Approval. The property is located at 304 Pasadera Court, Monterey [Lot 134] (Assessor's Parcel Number 173-074-060-000), Pasadera Subdivision, Greater Monterey Peninsula area.

The Zoning Administrator described the project, deleted Finding and Evidence #5, amended Finding #1(e) to delete 21.16.060 and add 21.42.030 and 21.46.030, and approved the project based on the amended Findings and Evidence and proposed conditions of approval.

**F. OTHER ITEMS:** None

**G. ADJOURNMENT:** 11:50 a.m.

**ATTEST:**

**MIKE NOVO**  
**Zoning Administrator**

/lmr