

FINAL

**MONTEREY COUNTY ZONING ADMINISTRATOR
July 8, 2004
MINUTES**

A. ROLL CALL:

Present:	Environmental Health	Laura Lawrence
	Water Resources	Tom Moss
	Public Works	Bryce Hori
	Zoning Administrator	Mike Novo
	Senior Secretary	Linda Rotharmel

B. PUBLIC COMMENT: Lynne Mounday, former Zoning Administrator, complimented Mr. Novo on his one year anniversary as Zoning Administrator.

C. APPROVAL OF MINUTES: None scheduled.

D. DESIGN APPROVALS: None Scheduled

E. SCHEDULED ITEMS:

1. NORTH THOMAS & CONSTANCE (PLN030465)

Brett Becker, covering for Thom McCue, presented the project and recommended approval of the Administrative Permit and Design Approval and denial of the Variance. The recommendation for denial of the Variance is because there is no special circumstances applicable to the subject property, strict application of Title 20 would constitute a granting of privileges inconsistent with the limitations upon other properties in the vicinity and zone, the project can be redesigned to conform to the required height restrictions, and there are other locations on the parcel upon which the addition can be placed that would allow conformance with the zoning requirements. Corrections to Conditions #1 (deleting 826 sq. ft. of decking, an exterior circular stairway) and #3 (Timing to be Prior to Issuance of Building Permit).

Tom North, applicant, gave an overview of the project, addressed the variance issue, and gave letters of recommendation for the variance from neighbors.

Ann McPherson read a letter into record in favor of the variance.

Henry Chapin, architect on the project, addressed the variance issue and gave two alternative solutions.

Larry Casner was concerned with height issue and view and is in favor of the project.

North, on rebuttal, gave four letters of opposition on the variance, stating trying to maintain neighbor views.

After discussion, the Zoning Administrator upheld Staff's recommendation for approval of the Administrative Permit and Design Approval and denial of the Variance, with changes to Findings and Evidence 1(a), adding "with

the recommended Conditions of Approval” to the last sentence; 1(c), adding the project, as conditioned, is in compliance; 6(a) should be changed to refer to Condition 3; and 7(a) should refer to Condition 3.

2. KELLY ROBERT & RENEE (PLN040217)

Staff recommends the Zoning Administrator continue this item to the July 29, 2004, due to the fact that the previously assigned staff has left County employment and there was insufficient time to complete the staff report.

After discussion, the Zoning Administrator continued the project to the July 29, 2004, meeting.

3. RYAN JONATHAN & LEANNE (PLN030553)

Staff recommended a continuance of the project to July 29, 2004, due to issues that need to be addressed.

After discussion, the Zoning Administrator continued the project to the July 29, 2004, so issued can be resolved.

4. LIMBACH CHARLES & SARA (PLN030329)

The Zoning Administrator described the project.

Charles Limbach, applicant, accepted the conditions.

Art Quintero, architect, was present.

The Zoning Administrator discussed the underneath storage room and why it needed to be moved out a foot from existing wall, deck, balcony, and repairing and replacing posts.

Ted Jawaski spoke of the detached two car garage and was concerned with the setback requirement.

The Zoning Administrator added an Evidence (e) to Finding #4, “Testimony by Mr. Quintero regarding the necessity to move the exterior wall in order to meet Code requirements for cantilevered second story. The testimony included a recommendation from their structural engineer regarding wall placement.” In addition, the Zoning Administrator added the Finding of Special Circumstance Variance and changed Condition #2 to read 5 conditions.

After discussion, the Zoning Administrator approved the Variance Permit based on the amended Findings and Evidence and subject to the amended Conditions of Approval.

5. HULPHERS (CARVER ROBERT) (PLN030642)

Colin Gallagher described the project and recommended approval.

Laura Lawrence, Environmental Health, added a condition that prior to issuance of a Building Permit the applicant obtain a Water Well Drilling Permit and construct the well.

There was discussion regarding no existing well on the property, approving drainage course, 100' separation, other properties affected by the well location, and what happens to the well after the Hydrogeologic report is prepared by a consultant.

Robert Carver, applicant, clarified the archeology setback.

Mr. Gallagher addressed the issue of exemption of applying for a Hydrogeologic report and addressed Condition #5.

Laura Lawrence, Environmental Health, stated the Hydrogeologic report is for subdivision only and discussed the pump test, Hydrogeologic report, and timing issue.

The Zoning Administrator added Evidence (f) to Finding #1, Archeological Consulting letter dated July 2, 2004; Finding 3(d) changed "existing" to "proposed" well; added Evidence (e) to Finding #3, Evidence for Finding 1 and 2; modified Condition #3 to add "not approved for domestic purposes"; added condition for Water Well Drilling Permit; deleted Condition #5, and changed Condition #4 to read 5 conditions.

Carver accepted the amended conditions.

After discussion, the Zoning Administrator approved the Administrative Permit based on the amended Findings and Evidence and subject to the amended Conditions of Approval.

6. PETRO DEBRA & PAUL (PLN030603)

Planning staff recommended continuance of the public hearing to July 29, 2004, because the project description will be amended and will need to be re-noticed. The applicant has been informed of this and agrees.

After discussion, the Zoning Administrator continued the project to July 29, 2004, for description change and proper notification.

7. MAC KENZIE MARK & LAUREL (PLN030512)

Colin Gallagher presented the project and recommended approval.

There was discussion regarding pipelines.

Mark MacKenzie, applicant, accepted the conditions.

The Zoning Administrator amended Finding #2 (d) to delete Sections (d) and (3) of Section 15303; amended Condition #2 to July 8, 2004 and 20 conditions; and added the Standard Deed Restriction condition.

After discussion, the Zoning Administrator approved the Administrative Permit based on the amended Findings and Evidence and subject to the amended Conditions of Approval.

F. OTHER ITEMS: None

G. ADJOURNMENT: 11:12 a.m.

ATTEST:

MIKE NOVO
Zoning Administrator

MN/lmr