

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: February 12, 2015	Agenda Item No.: 2
Project Description: Administrative Design Approval to allow a 514 square-foot addition, including front and rear porches to an existing 750 square foot residence. Colors and materials to match existing residence. The property is located at 24731 Dolores Street, Carmel (Assessor's Parcel Number 009-103-016-000), Carmel Land Use Plan, Coastal Zone.	
Project Location: 24731 Dolores Street, Carmel	APN: 009-103-016-000
Planning File Number: PLN140931	Owner: NOEL ROBERT H & NANCY W Applicant/ Agent: NOEL ROBERT H & NANCY W
Planning Area: Carmel Land Use Plan	Flagged and staked: No
Zoning Designation: : MDR/2-D-(CZ) [Medium Density Residential, Design Control, Review Overlays]	
CEQA Action: Categorically exempt per section 15303 of the CEQA Guidelines	
Department: RMA-Planning	

RECOMMENDATION:

Staff recommends that the Zoning Administrator adopt a resolution (**Exhibit B**) to:

- 1) Find the project Categorically exempt per section 15303 of the CEQA Guidelines;
and
- 2) Approve the Design Approval (PLN140931), based on the findings and evidence and subject to the conditions of approval (**Exhibit B**).

PROJECT OVERVIEW:

The project is a 514 square-foot addition, including front and rear porches to an existing 750 square foot residence on an approximately 3,920 square foot parcel, located at 24731 Dolores Street, Carmel. The existing residence is a 750 square foot, one-story, wood framed residence built in 1954. On December 5, 2014 a Notice of Pending Administrative Design Approval was mailed to all property owners within 300 feet on the subject property.

A Phase I Historical Review has determined that the structure and site are not eligible as historic resources,

On December 15, 2014, a neighbor, Peter Koch, requested a public hearing for the proposed Design Approval (PLN140931). The basis of Mr. Koch's request for a public hearing is that the proposed roof-line will block his view. (See further detail in exhibit E). Based on staff's review, the project is in compliance with all zoning districts requirements.

The project was referred to the Carmel Highlands Land Use Advisory Committee (LUAC) on February 2, 2015. The members of the committee recommended approval of the project as proposed.

Note: The decision on this project is appealable to the Board of Supervisors.



Lucy Bernal, Land Use Technician
(831) 755-5235, bernall@co.monterey.ca.us
January 15, 2015

cc: Front Counter Copy; Zoning Administrator ; Luke Connolly, RMA Services Manager;
Lucy Bernal, Project Planner; NOEL ROBERT H & NANCY W, Owner/ Agent;
LandWatch (Amy White); Planning File *PLN140931*

Attachments:	Exhibit A	Draft Resolution, including:
		• Conditions of Approval
		• Site Plan, Floor Plan and Elevations
	Exhibit B	Vicinity Map
	Exhibit C	Photographs
	Exhibit D	email requesting public hearing

This report was reviewed by Luke Connolly



**EXHIBIT A
DRAFT RESOLUTION**

**Before the Zoning Administrator in and for the
County of Monterey, State of California**

In the matter of the application of:

NOEL ROBERT H & NANCY W (PLN140931)

RESOLUTION NO. ----

Resolution by the Monterey County Hearing Body:

- 1) Finding the project Categorically exempt per section 15303 of the CEQA Guidelines; and
- 2) Approving the Administrative Design Approval to allow a 514 square-foot addition, including front and rear porches to an existing 750 square foot residence Colors and materials to match existing residence.

PLN140931 Noel Robert H & Nancy W, 24731 Dolores Street, Carmel (Assessor's Parcel Number 009-103-016-000), Carmel Land Use Plan, Coastal Zone.

The Patel application (PLN140931) came on for public hearing before the Monterey County Zoning Administrator on February 12, 2015. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:

FINDINGS

1. **FINDING:** **PROJECT DESCRIPTION** – The proposed project Administrative Design Approval to allow a 514 square-foot addition, including front and rear porches to an existing 750 square foot residence Colors and materials to match existing residence
EVIDENCE: a) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN140931 On November 25, 2014. Mr. Noel applied for Administrative Design Approval to allow a 514 square-foot addition, including front and rear porches to an existing 750 square foot residence Colors and materials to match existing residence.
b) The property is located at 24731 Dolores Street, Carmel, Carmel Land Use Plan (Assessor's Parcel Number 009-103-016-000) The parcel is zoned MDR/2-D-(CZ)), which allows for a single family dwelling; Therefore, the project is an allowed land use for this site.
c) On December 5, 2014 a Notice of Pending Administrative Design Approval was mailed to all property owners within 300 feet on the subject property. Notices of the pending approval were posted at the

project site and were mailed to all parties that the Director has reason to know may be interested in the application.

- d) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development are found in Project File PLN140931.

2. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

EVIDENCE: a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:

- Carmel Land Use Plan
- Monterey County Zoning Ordinance (Title 20);

No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

- b) The project was referred to the Carmel Highlands Land Use Advisory Committee (LUAC) for review.

- c) The project planner conducted a site inspection on January 16, 2015 to verify that the project on the subject parcel conforms to the plans listed above.

- d) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development are found in Project File PLN140931.

3. **FINDING:** **DESIGN** – The design of the proposed project assures protection of the public viewshed, is consistent with neighborhood character, and assures visual integrity without imposing undue restrictions on private property.

EVIDENCE: a) The colors and material will be consistent with neighborhood character, and assures visual integrity without imposing undue restrictions on private property.

- b) The project planner conducted a site inspection on January 16, 2015 to verify that the project on the subject parcel conforms to the plans listed above.

- c) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning for the proposed development are found in Project File PLN140931.

4. **FINDING:** **CEQA (Exempt):** - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

EVIDENCE: a) California Environmental Quality Act (CEQA) Guidelines Section 15303 categorically exempt single family dwelling.

- b) No adverse environmental effects were identified during staff review of the development application or during a site visit on January 16, 2015

- c) None of the exceptions under CEQA Guidelines Section 15300.2 apply

to this project.

- d) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development are found in Project File PLN140931.

5. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.

EVIDENCE: Section 21.44 of the Monterey County Zoning Ordinance states that the proposed project is appealable to the Board of Supervisors.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Zoning Administrator does hereby:

- 1) Find the project Categorically exempt per section 15303 of the CEQA Guidelines; and
- 2) Approve the Administrative Design Approval to allow a 514 square-foot addition, including front and rear porches to an existing 750 square foot residence Colors and materials to match existing residence, materials and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 12 day of February, 2015 upon motion of xxxx, seconded by xxxx, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Name, Hearing Body*

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE [DATE]

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or

until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from Monterey County RMA-Planning and RMA-Building Services Department office in Salinas.

Form Rev. 9-22-2014

Monterey County RMA Planning

DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN140931

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

**Condition/Mitigation
Monitoring Measure:** This Design Approval (PLN140931) allows to allow a 514 square-foot addition, including front and rear porches to an existing 750 square foot residence . The property is located at 24731 Dolores Street, Carmel (Assessor's Parcel Number 009-103-016-000), Carmel Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of RMA - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning)

**Compliance or
Monitoring
Action to be Performed:** The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD014(A) - LIGHTING - EXTERIOR LIGHTING PLAN

Responsible Department: RMA-Planning

**Condition/Mitigation
Monitoring Measure:**

All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The lighting source shall be shielded and recessed into the fixture. The applicant shall submit three (3) copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations Title 24 Part 6. The exterior lighting plan shall be subject to approval by the Director of RMA - Planning, prior to the issuance of building permits.
(RMA - Planning)

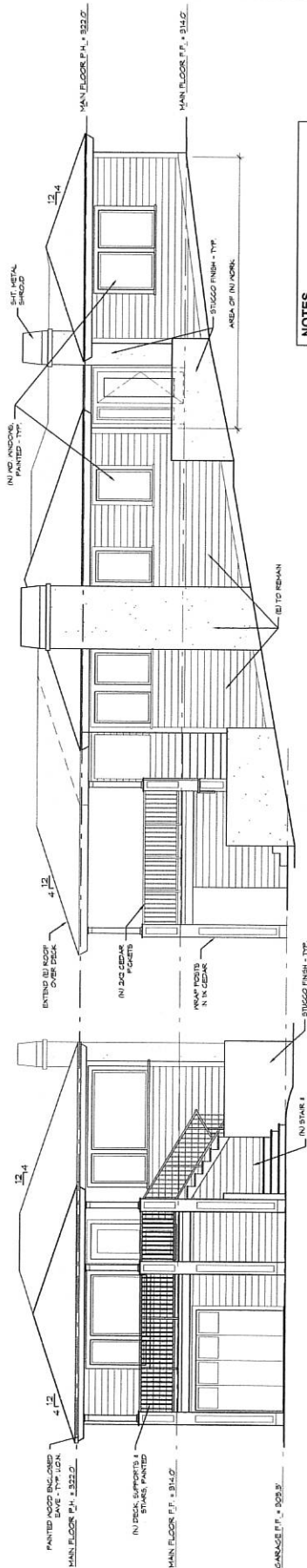
**Compliance or
Monitoring
Action to be Performed:**

Prior to the issuance of building permits, the Owner/Applicant shall submit three copies of the lighting plans to RMA - Planning for review and approval. Approved lighting plans shall be incorporated into final building plans.

Prior to final/occupancy, the Owner/Applicant/Contractor shall submit written and photographic evidence demonstrating that the lighting has been installed according to the approved plan.

On an on-going basis, the Owner/Applicant shall ensure that the lighting is installed and maintained in accordance with the approved plan.

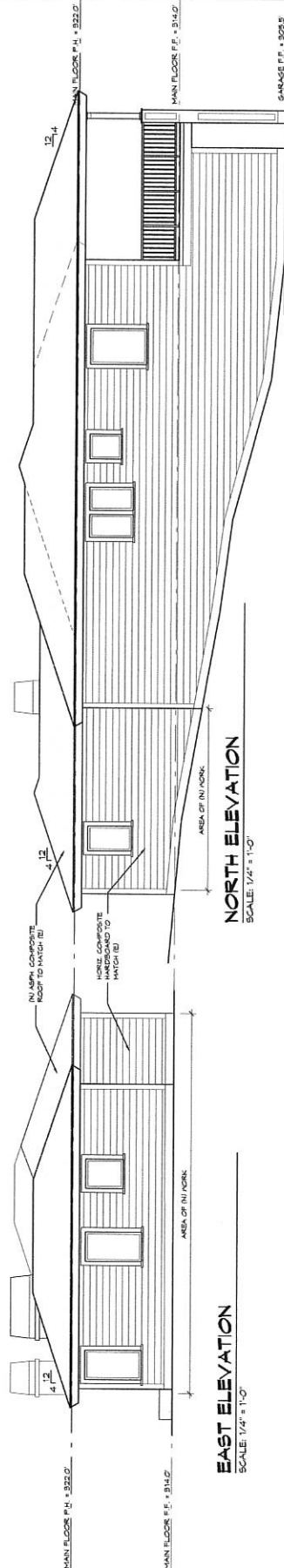
PROPOSED ELEVATIONS - OPTION B



WEST ELEVATION
SCALE: 1/4" = 1'-0"

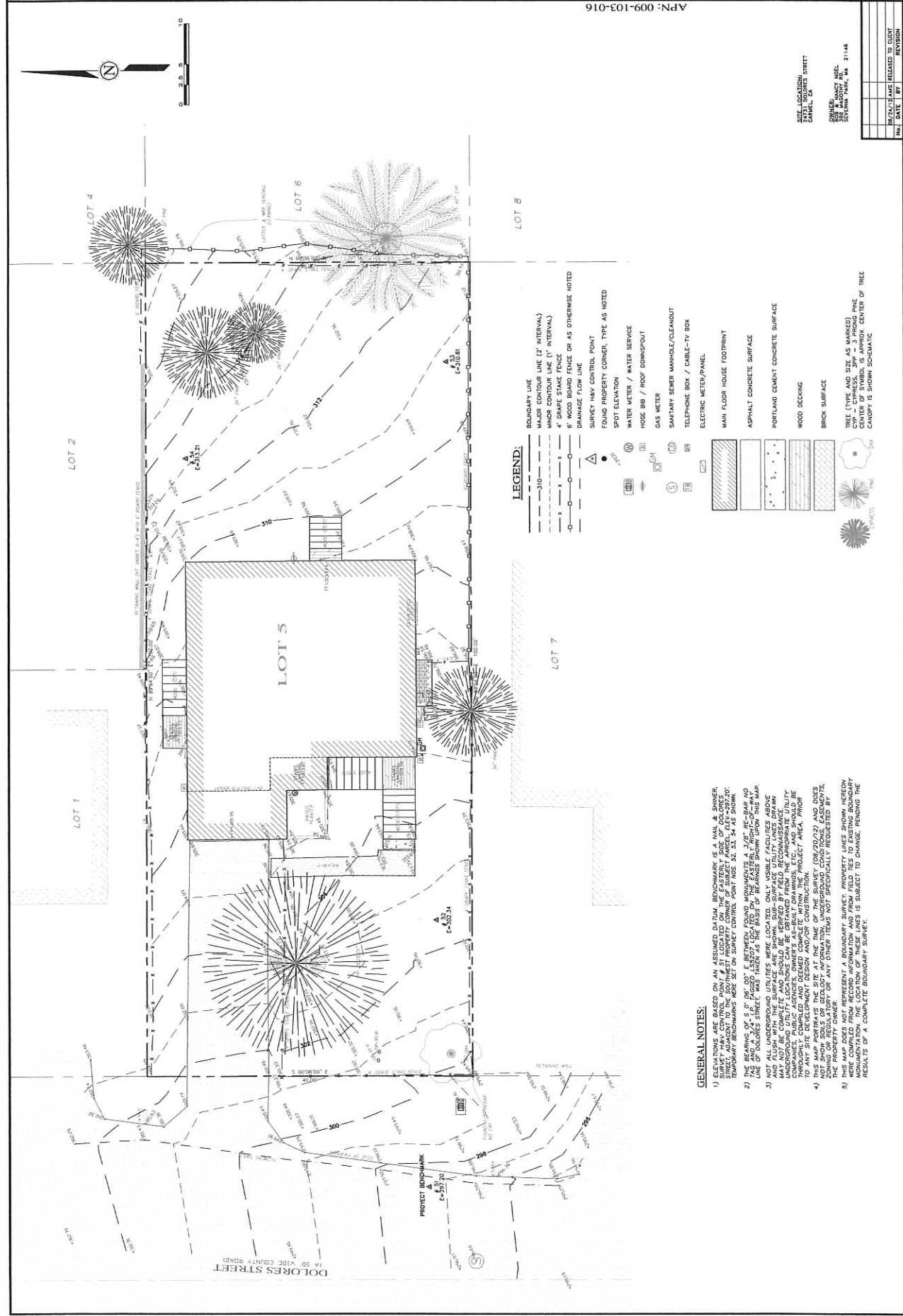


SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

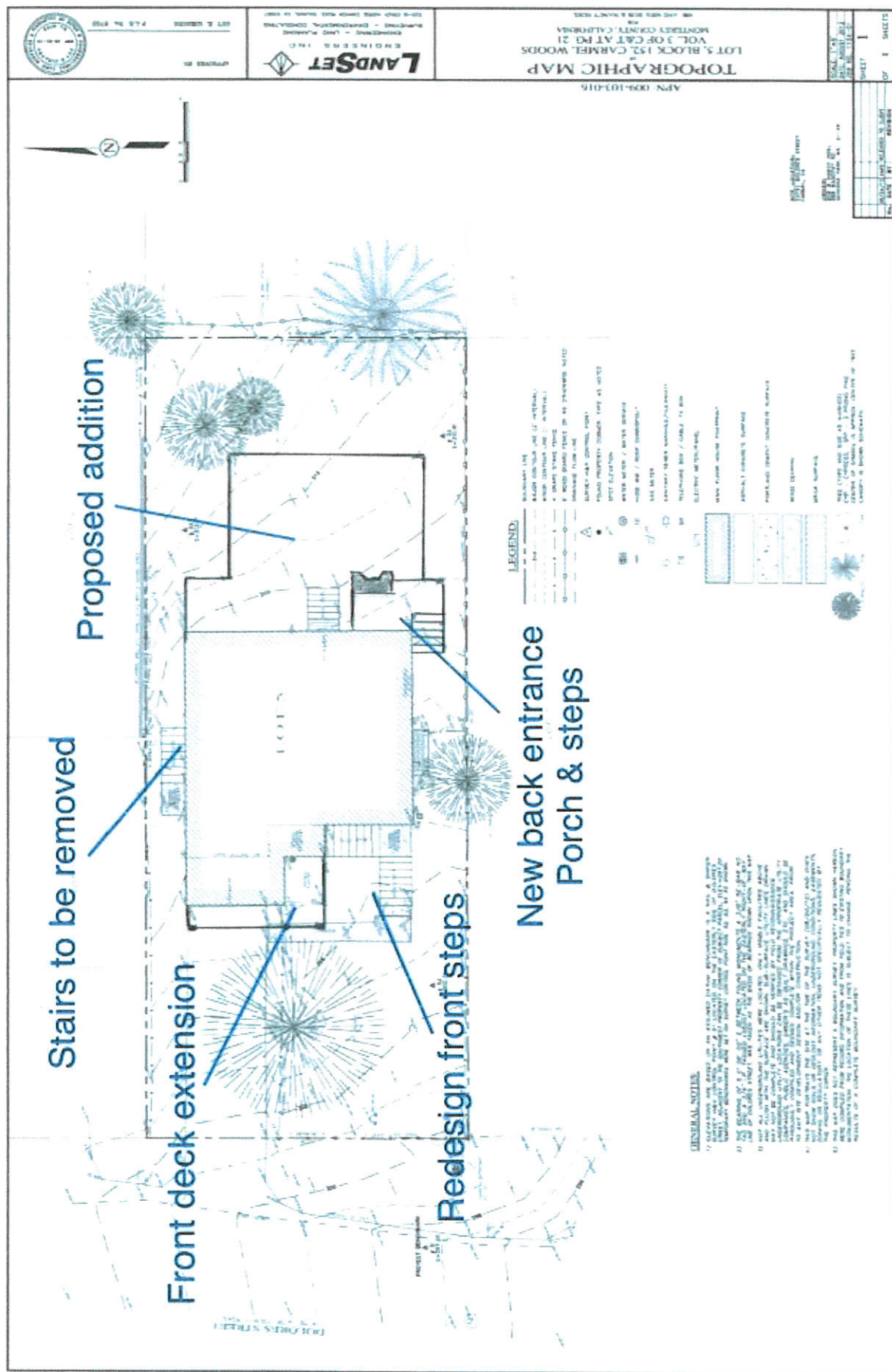


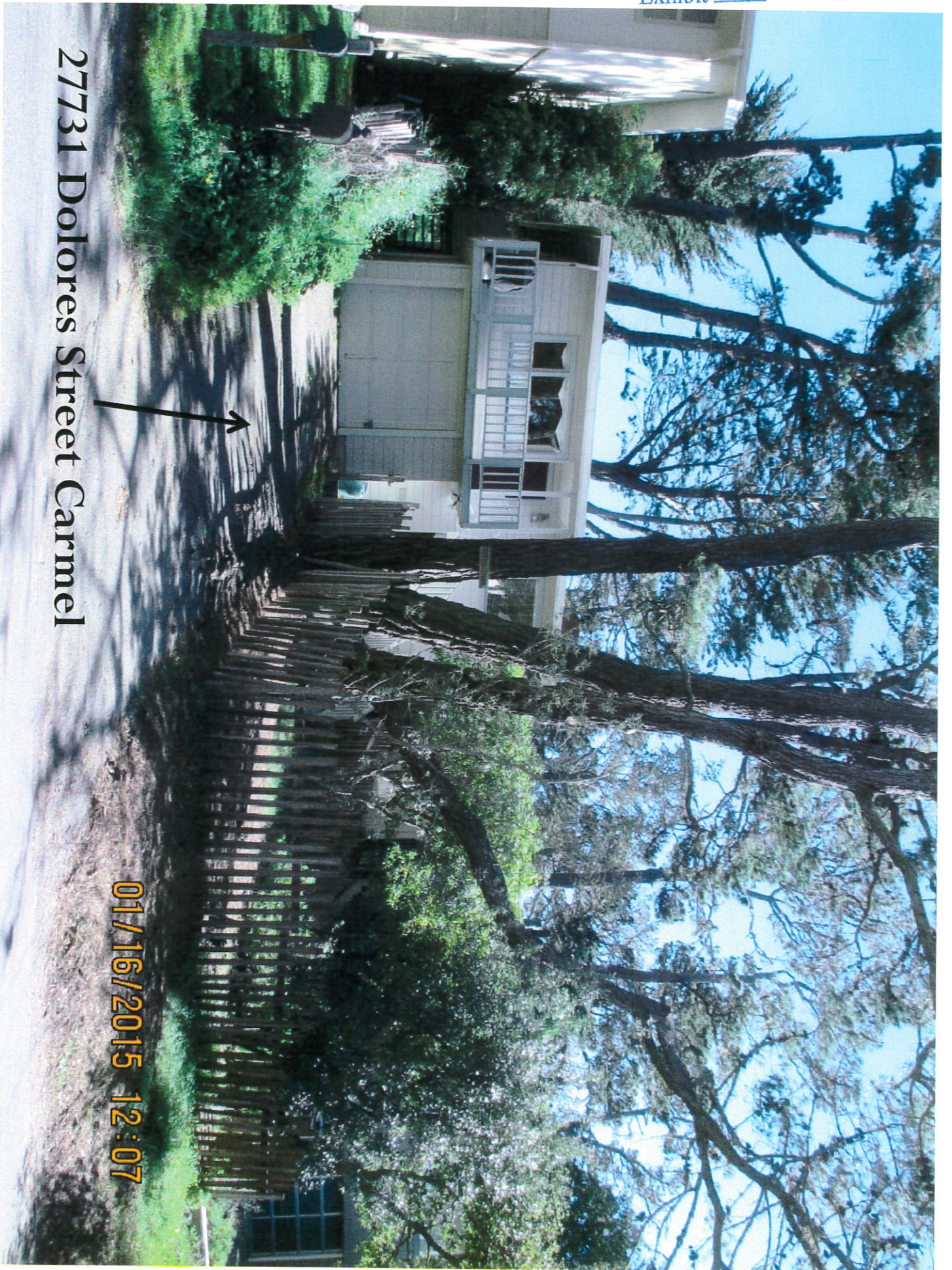
EAST ELEVATION

NORTH ELEVATION



Survey showing Proposed Changes to the Existing Structure





27731 Dolores Street Carmel

01/16/2015 12:07



Proposed addition

01/16/2015 12:08

Bernal, Lucy (Luciana) x5235

From: seacarmel@att.net
Sent: Monday, December 15, 2014 10:44 AM
To: Bernal, Lucy (Luciana) x5235
Subject: PLN 140931

Sorry, I forgot to leave my phone no. Should have e-mailed any way.

*Can I go on line to see the addition that is proposed?
Will it come up at the CULA meeting? Can I see the plans there?*

Carol Stollorz 626-7701 (just phoned a minute ago...forgot to leave a number...)

*or e-mail a reply....if you have time. Thank you, Lucy Bernal !!
Carol S.*

