

**Before the Planning Commission in and for the  
County of Monterey, State of California**

Resolution No. 03063

Resolution by the Monterey County Planning     )  
Commission finding that construction of a fence and)  
Planting trees within the Rio Road Official Plan Line)  
will not defeat the purposes of Ordinance 499, and    )  
should be allowed to commence as approved         )  
pursuant to Condition No.19 of PLN030154 . . . . .)

**WHEREAS**, this matter was heard by the Planning Commission of the County of Monterey on October 8, 2003, pursuant to Section 9 of Ordinance 499 which establishes standards and regulations for Official Plan Lines in Monterey County.

**WHEREAS**, the parcel is located at 26525 Val Verde Drive in Carmel Valley (APN 015-021-005-000) of the County of Monterey.

**WHEREAS**, Dee Anne Howe has obtained an Administrative Permit and Design Approval for construction of a single family residence, a barn and fencing. Condition 19 of the permit was adopted which states that “the applicant shall not construct the fence, which is currently shown within the Official Plan Line on the Plan attached to . . . Resolution [No.030154], without the required permit approvals by the Planning Commission pursuant to Ordinance No. 499, Section 9.”

**WHEREAS**, having considered all the written and documentary information submitted, oral testimony, and other evidence presented before the Planning Commission, the Commission rendered its decision to adopt a finding and evidence which states that construction of the fence and planting the trees in the Rio Road Official Plan Line will not defeat the purposes of Ordinance 499.

**Finding**

1.     Finding:         Construction of the fence and planting trees on the Dee Anne Howe property within the Rio Road Official Plan Line will not defeat the purposes of Ordinances 499.  
  
      Evidence:        The purposes of Ordinance 499 are set forth in Section 4. In general the ordinance is intended to protect and promote the public health, safety, peace, morals, comfort, convenience and general welfare . . . of the County of Monterey” and its residents as it relates to streets and highways. The proposed fence and planting of trees within the Rio Road Official Plan Line will not defeat the purpose of the ordinance since the trees may be removed at a future date and a fence is not considered a permanent structure and may be removed when and if Rio Road is ever extended.

**PASSED AND ADOPTED** this 8<sup>th</sup> day of October, 2003, by the following vote:

AYES: Errea, Sanchez, Hawkins, Padilla, Brennan, Parsons, Diehl, Rochester, Wilmot  
NOES: None  
ABSENT: Salazar

Original Signed By:

JEFF MAIN, SECRETARY

Copy of this decision mailed to applicant on

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

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 90<sup>th</sup> day following the date on which this decision becomes final.