

MIKE NOVO
ZONING ADMINISTRATOR

COUNTY OF MONTEREY
STATE OF CALIFORNIA

RESOLUTION NO. 980290

A. P. #008-393-004-000

In the matter of the application of
DORN RESIDENCE (PLN980290)

FINDINGS AND DECISION

to allow a **Combined Development Permit** in accordance with Title 20 (Zoning) Chapter 21.210 (Combined Development Permits) of the Monterey County Code, for a Correction to findings and evidence of a Combined Development Permit consisting of a Coastal Development Permit and Design Approval for the demolition of an existing 5,092 square foot single-story residence and construction of a new 11,725 square foot two-story single family dwelling with attached garage and a Variance to exceed the allowable structure and impervious surface coverage limitations in the Pescadero Watershed, came on regularly for meeting before the Zoning Administrator on November 10, 2005.

Said Zoning Administrator, having considered the application and the evidence presented relating thereto,

Amendment to Findings and Evidence, PLN980290

The following tracked correction is made to the third finding, and accompanying evidence, for PLN980290 which was approved by the Zoning Administrator on October 29, 1998 (Resolution No. PLN980290). This change is being made to correct a typographical error in the second evidence.

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3. FINDING: Because of special circumstances applicable to the subject property, including the size, shape, topography, location of the lot or the surrounding area, the strict application of Title 20 for the Pescadero Watershed structural and impervious surface coverage limitation is found to deprive the subject property of privileges enjoyed by other properties in the vicinity under an identical zone classification.
- EVIDENCE: The subject property is legal nonconforming for site coverage. The existing residence, accessory structures and driveway/patio areas (total 26,961 square feet) are well in excess of the allowable 9,000 square foot combined structural and impervious surface coverage limitation. Implementation of the Pescadero Watershed coverage will deprive the property owner of the privilege enjoyed by other Del Monte Forest/Pescadero Watershed area property owners to remodel and modernize older residences.
- EVIDENCE: The intent of the Pescadero Watershed coverage limitations is to reduce the amount of stormwater runoff into Carmel Bay, thereby protecting an area of marine biological significance. The applicant will implement the intent of the Pescadero Watershed coverage policy by significantly reducing the legal nonconforming 20,318 square feet of impervious surface coverage (existing driveway, walkways and patios). The applicant will reduce the impervious surface coverage to ~~2,929~~ 8,139 square feet by removal of some walkways, eliminating a large driveway turn-around, and converting portions of the driveway, walkway, and patio to pervious material, (see Condition No. 16 and 17), In addition, the applicant shall install a new drainage system to retain all stormwater on the property including a 10,000 gallon cistern-water detention pond (see Condition No. 9).

Although completion of the proposed project will still result in the property coverage exceeding the 9,000 square foot combined structural and impervious surface coverage limitation, there will be a net reduction in overall coverage. Therefore, reduced site coverage will reduce the amount of surface runoff which is the intent of the Pescadero Watershed policy.

EVIDENCE: Justification Letter provided by applicant and materials in File 980290.

PASSED AND ADOPTED this **10th** day of **November 2005**.



MIKE NOVO
ZONING ADMINISTRATOR

COPY OF THIS DECISION MAILED TO APPLICANT ON **DEC 01 2005**

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 **DEC 11 2005**

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE BOARD OF SUPERVISORS AND THE COASTAL COMMISSION.

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 the Monterey County Planning and Building Inspection Department office in Monterey.

2. This permit expires 2 years after the above date of granting thereof unless construction or use is started within this period.