

FINAL  
MONTEREY COUNTY ZONING ADMINISTRATOR  
JULY 12, 2007  
MINUTES

The Monterey County Zoning Administrator hearing met at 1:30 p.m. in the Board of Supervisors Chambers of the Courthouse, 168 West Alisal Street, Salinas, California.

**A. ROLL CALL**

Present:	Zoning Administrator	Jeff Main
	Environmental Health	Janna Faulk
	Public Works	Bryce Hori
	Water Resources	Tom Moss
	Recording Secretary	Carol Allen

**B. PUBLIC COMMENT: None**

**C. APPROVAL OF MINUTES: June 28, 2007 (continued to July 26, 2007)**

**D. SCHEDULED ITEMS**

**1. AVE MARIA CONVALESCENT HOSPITAL (PLN060332)**

CONTINUED FROM 6/14/07. USE PERMIT TO ALLOW THE CHANGE IN OCCUPANCY OF APPROXIMATELY 6,341 SQUARE FEET THAT IS CURRENTLY USED AS A CONVENT (18 NUN'S CELLS) INTO AN ASSISTED LIVING FACILITY (11 UNITS, 6- ASSISTED LIVING UNITS, 3 INDEPENDENT LIVING UNITS, AND 2 GUEST ROOMS) ON A 7.38 ACRE PARCEL (AVE MARIA CONVENT) AND DESIGN APPROVAL. EXTERIOR MODIFICATIONS ARE LIMITED TO RENNOVATION AND RELOCATION OF WINDOW SYSTEMS TO REFLECT USE. THE PROJECT IS LOCATED AT 1249 JOSSELYN CANYON ROAD, MONTEREY (ASSESSOR'S PARCEL NUMBER 101-201-002-000), GREATER MONTEREY PENINSULA AREA.

Project Planner Jody Lyons presented this item.

The Zoning Administrator expressed concerns regarding water, sewer capacity, traffic, parking and safety of driveway. Tom Moss, Water Resources Agency relayed that Condition No. 5 requires a water release form from the applicant. Bryce Hori, Public Works, indicated that the project would have little impact on traffic.

Gail Jones, Administrator of Ave Maria Convalescent Home, and Robert Guhrle, architect, agreed to conditions and answered driveway, parking, and traffic concerns.

The Zoning Administrator revised Condition No. 4 to include a parking plan and any new parking spaces be placed outside the dripline of the trees. Applicant agreed.

The Zoning Administrator approved the Use Permit including added language for Condition No. 4.

**2. CLARK WILLARD G/ELIZABETH A (PLN060593)**

COASTAL ADMINISTRATIVE PERMIT TO ALLOW PERCOLATION TESTING FOR SEPTIC SYSTEM SUITABILITY ON SLOPES IN EXCESS OF 30%. THE PROPERTY IS LOCATED ON HIGHLANDS

DRIVE, CARMEL (ASSESSOR'S PARCEL NUMBERS 241-172-002-000 & 241-172-003-000), CARMEL HIGHLANDS AREA, COASTAL ZONE.

Carl Holm, Supervising Manager, presented the project. Staff recommended approval of the Coastal Administrative Permit.

The Zoning Administrator inquired about the proposed pits on the east side and how the oak trees could be avoided.

Staff suggested adding a condition that the investigation take place before testing to make sure the staked construction locations are not under the tree driplines.

The Zoning Administrator asked Environmental Health to respond to the issue of septic drain fields on 30% slope.

Environment Health responded that there are no sites on the property that are less than 30% slope so they would need approval from the State Water Quality Control Board. Regarding trees – they see no problem with where the borings are in association with the trees but, depending on the outcome of the percolation tests, they need to be sensitive to the septic design. Staff agreed to add the discussion on septic system design to the findings and evidence portion of the staff report.

Public Works agreed to add a condition requiring a construction management plan which would mitigate any traffic concerns.

Derinda Messenger, representative, clarified that some of the test pits are on 30% slope. There will be no construction on slopes over 30%.

Zoning Administrator asked the representative about tree concerns. Representative stated that the drill rigs are fairly small so that wouldn't be a problem. The conditions were accepted by the representative.

Richard Dante, Soil Surveys, stated there will be no drilling under the dripline and no trees needed to be moved.

Public Comment: Mel Kleb, neighbor, expressed concern for bobcat nests in downed trees on the property and other issues previously expressed.

The Zoning Administrator asked Mr. Dante about the number of pits, is it on 30% slope, bobcats and size of the drilling rig.

Dick Dante replied to concerns – locations for drilling are all less than 30%, the rig is small, 4' wide by 8' long, he will avoid dripline and propane tanks. There will be eight percolation tests done on the Clark property. The holes are used for geotechnical purposes. He probably won't need to move any logs to do the tests.

The Zoning Administrator requested that pictures be taken of the logs to make sure there is no nesting and include it in a condition. An extra hole should be added on the final plan showing the location. Applicant agrees and stated it may not even be used. The project description should be updated to include this.

Environmental Health inquired how deep the test holes would be and how deep the borings would go. Engineer stated the test holes would go 50 feet and the borings would go an additional 10 feet.

The Zoning Administrator approved the Coastal Administrative Permit including a construction management plan for traffic which also includes the staging area; additional language for the findings and evidence regarding septic system design; amended description to include adjustments of up to 5-7 feet and an additional test drilling hole to be shown in revised/amended plan within 25-30 feet of the holes on the westerly property (Thatcher); the applicant and/or contractor will certify with photographs that there are no bobcat nests; and drilling to be kept out of the driplines.

**3. KESSLER MORTON & NANCY S (PLN070120)**

VARIANCE TO RECTIFY A PORTION OF CODE ENFORCEMENT CASE CE040294 CONSISTING OF: A REDUCTION IN REAR YARD SETBACK FROM 20 FEET TO 7 FEET-5 INCHES. THE PROPERTY IS LOCATED AT 8195 EL CAMINO ESTRADA, CARMEL VALLEY (ASSESSOR'S PARCEL NUMBER 169-051-002-000), CARMEL VALLEY MASTER PLAN AREA.

Brittany Nicholson, Project Planner, presented the project.

Tom Moss, Water Resources Agency, asked that the project description be amended to include legalizing the second bathroom and a condition added regarding water availability certification.

Marge Ingram-Viellas, representative, agreed to the conditions. She asked that the archaeological condition, No. 7, be waived as the property has been extensively disturbed already. The applicant proposes to build a garage within the retaining wall. She said the neighbors are in favor of the applicant building a garage. Discussion ensued over where the garage should be built.

The Zoning Administrator added a condition that a garage may be built subject to revisions and working with Environmental Health to show the backup drainfield area, and to allow the garage to be built outside the setback area.

Applicant agreed to the new condition.

The Zoning Administrator approved the Variance with an additional condition to move any future garage or development out of the rear yard setback; work with Environmental Health so the garage can be constructed to fit in and around the backup drainfield pursuant to current regulations; require an archaeological monitor to be on the site when excavation is required to widen the driveway, or the garage in general; include a condition for a water availability certificate.

**E. OTHER MATTERS:** None

**F. ADJOURNMENT** 3:00 p.m.

ATTEST:



JEFF MAIN, ZONING ADMINISTRATOR

JM:kb/ca