

**FINAL
MONTEREY COUNTY ZONING ADMINISTRATOR
AUGUST 30, 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 September 12, 2007). July 26, 2007 minutes approved.

D. DESIGN APPROVALS (CONSENT)

1. GONZALEZ GUSTAVO A/BARBARA J (DA060147)

DESIGN APPROVAL TO ALLOW FOR THE DEMOLITION OF AN EXISTING 1,622 SQUARE FOOT ONE STORY SINGLE FAMILY DWELLING, A 220 SQUARE FOOT CARPORT, AND A 254 SQUARE FOOT GUESTHOUSE; AND FOR THE CONSTRUCTION OF A NEW 2,406 SQUARE FOOT ONE STORY SINGLE FAMILY DWELLING, A 44 SQUARE FOOT ENTRY TRELIS, A 220 TERRACE TRELIS, A 350 SQUARE FOOT TERRACE, A 680 SQUARE FOOT GARAGE WITH A 230 SQUARE FOOT STORAGE AND MECHANICAL ROOM, A 600 SQUARE FOOT SECOND STORY GUESTHOUSE OVER THE GARAGE WITH AN 80 SQUARE FOOT BALCONY, A 230 SQUARE FOOT TERRACE, A 177 SQUARE FOOT GARAGE TRELIS, A 42 LINEAR FOOT RETAINING WALL AT GUEST PARKING, A 39 LINEAR FOOT, 3 TO 5 FEET HIGH RETAINING WALL AT STONE PATIO, AND SKYLIGHTS. MATERIALS AND COLORS: EXTERIOR WALLS (BARN RED BOARD AND BATTEN WOOD SIDING/ SW6601 TANAGER; 6" CEDAR HORIZONTAL LAP SIDING SEMI-TRANSPARENT/SHERWIN WILLIAMS TRUEPENNY SW6356; AND SILVER AEP SPAN NU-WAVE 26 GAGE CORRUGATED METAL SIDING CLEAR ZINCALUME FINISH), ROOF (SILVER AEP SPAN SMOOTH PANEL), DOORS AND WINDOWS (ALUMINUM CLAD/DARK GRAY), REDWOOD TRELIS, RETAINING WALLS (CEMENT PLASTER/GRAY), RAILINGS (POWDER COATED/DARK GRAY). THE PROPERTY IS LOCATED AT 25476 FLANDERS DRIVE, CARMEL (ASSESSOR'S PARCEL NUMBER 015-112-007-000), GREATER MONTEREY PENINSULA AREA.

Cynthia Bettencourt, Project Planner, presented the project and recommended approval.

The Zoning Administrator inquired if the project triggered a historical review. Staff responded that the analysis was done by Kent Seavey and was negative.

Susan Bailey, representative, agreed with the condition.

The project was approved by the Zoning Administrator.

2. MILLER INVESTORS LLC (DA070097)

CONTINUED FROM 8/30/07. DESIGN APPROVAL FOR THE CONSTRUCTION OF A NEW 3,252 SQUARE FOOT TWO-STORY SINGLE FAMILY DWELLING WITH 589 SQUARE FOOT ATTACHED GARAGES, AN 81 SQUARE FOOT COVERED ENTRY PORCH, 123 SQUARE FOOT COVERED ENTRY, 379 SQUARE FOOT COVERED LOGGIAS, AN 1120 SQUARE FOOT COVERED GALLERY, 119 SQUARE FOOT COVERED PATIOS. MATERIALS AND COLORS OF EXTERIOR STUCCO STRUCTURAL PLYWOOD SHEATHING (TAN), TILE ROOFING. ADDITIONALLY, THE PROJECT PROPOSES THE REMOVAL OF TWENTY-THREE (23) MONTEREY PINE TREES (RANGES FROM 8 INCHES TO 25 INCHES) WHICH ARE NOT LISTED AS PROTECTED TREES IN THE GREATER MONTEREY PENINSULA AREA PER SECTION 21.64.260 (TITLE 21 ZONING ORDINANCE). THE PROPERTY IS LOCATED AT 2971 CORMORANT ROAD, PEBBLE BEACH (ASSESSORS PARCEL NUMBER 007-262-004-000), GREATER MONTEREY PENINSULA AREA.

Yoko Rubio, Project Planner, presented the project.

The Zoning Administrator had concerns regarding the Initial Study specifically the shortened review period and how this was inconsistent with CEQA Guidelines.

Eric Miller, applicant, thanked the staff for their work and understanding of the project. He gave an overview of the project and discussed the drawbacks of the rule changes.

Wanda Hickman, Building Services Manager, stated that the IS was sent directly to Fish and Game and not to the state clearinghouse, and agreed that there wasn't adequate time to comment. She stated that she has attempted to contact Fish and Game but has not received a response. Staff requested a FMP and an Initial Study.

The Zoning Administrator spoke to Mitigation Measure No. 2, tree replacement plan. Staff suggested that the tree replacement could be done at the donor site if applicant agrees. Applicant agreed to this suggestion.

The Zoning Administrator continued the project to September 13th to allow time to contact Fish and Game for their comments on the project and for the 30 day review period to end as well as verifying the donor site prior to the hearing.

3. JAURIQUE ANTHONY E/ALISON G (DA050170)

DESIGN APPROVAL TO ALLOW FOR THE CONSTRUCTION OF A NEW 5,849 SQUARE FOOT TWO-STORY SINGLE FAMILY DWELLING WITH A 748 SQUARE FOOT ATTACHED GARAGE, A 510 SQUARE FOOT VERANDA, A 36 SQUARE FOOT FRONT PORCH, 46 LINEAL FEET OF RETAINING WALLS, AND GRADING APPROXIMATELY 300 CUBIC YARDS OF CUT AND 300 CUBIC YARDS OF FILL. MATERIALS AND COLORS OF STUCCO WESTERN BLENDED PRODUCTS (SAHARA TAN), WOOD TRIM (MISSION BROWN), FASCIA SHERWIN WILLIAMS BEAU MONDE II (BAFFALO BROWN), DELECO, TWO PIECE CLAY TILE ROOFING (CHATEAU). THE PROPERTY IS LOCATED AT 309 PASADERA COURT, MONTEREY (ASSESSOR'S PARCEL NUMBER 173-074-068-000), NORTHERLY OF MONTEREY-SALINAS HIGHWAY, GREATER MONTEREY PENINSULA AREA.

Yoko Rubio, Project Planner, presented this item and relayed that Evers is the new owner. Staff recommended approval and adding a Public Works traffic fee condition.

The Zoning Administrator questioned visible impact from Highway 68.

Wanda Hickman, Building Services Manager, stated the project was not visible from Highway 68.

Scott Evers agreed to all conditions.

The Zoning Administrator approved the project including the new traffic fee condition.

E. SCHEDULED ITEMS

4. BARDIS CHRISTO D & SARA (PLN060308)

CONTINUED FROM 8/30/07. COMBINED DEVELOPMENT PERMIT CONSISTING OF: (1) A COASTAL ADMINISTRATIVE PERMIT AND DESIGN APPROVAL TO ALLOW THE DEMOLITION OF A 5,768 SQUARE FOOT ONE-STORY SINGLE FAMILY DWELLING AND AN ATTACHED TWO-CAR CARPORT AND ALLOW THE CONSTRUCTION OF A 7,412 SQUARE FOOT TWO-STORY SINGLE FAMILY DWELLING WITH A 2,444 SQUARE FOOT BASEMENT AND A 1,094 SQUARE FOOT ATTACHED FOUR-CAR GARAGE; (2) A COASTAL DEVELOPMENT PERMIT TO ALLOW THE CONSTRUCTION OF AN ATTACHED SECOND STORY 850 SQUARE FOOT CARETAKER'S UNIT; (3) A VARIANCE TO EXCEED STRUCTURAL COVERAGE REQUIRED BY THE PESCADERO WATERSHED; AND (4) A COASTAL DEVELOPMENT PERMIT TO ALLOW THE REMOVAL OF THREE OAK AND FOUR MONTEREY PINE TREES. THE PROPERTY IS LOCATED AT 1502 BONIFACIO ROAD, PEBBLE BEACH (ASSESSOR'S PARCEL NUMBER 008-341-038-000), EAST OF THE INTERSECTION OF CORTEZ AND BONIFACIO ROADS, DEL MONTE FOREST AREA, COASTAL ZONE.

Staff requested a two week continuance to allow time to complete the staff report on this item.

Laura Lawrence, Planning Services Manager, stated the applicant's representative is in agreement with the continuance.

The Zoning Administrator continued this item to September 13, 2007.

5. DORMODY MICHAEL H & DONNNA D TR (PLN070335)

USE PERMIT TO ALLOW THE CONSTRUCTION OF A TWO-STORY 6,165 SQUARE FOOT CLUBHOUSE, A 515 SQUARE FOOT OF DECK, AND A 130 SQUARE FOOT PATIO; THE DEMOLITION OF A 264 SQUARE FOOT BATHROOM BUILDING, A 264 SQUARE FOOT PUMP HOUSE, A 300 SQUARE FOOT OFFICE/STORAGE BUILDING, AND AN EXISTING TENNIS COURT; INSTALLATION OF A SEPTIC DISPOSAL SYSTEM, AND GRADING (LESS THAN 100 CU. YDS. CUT AND FILL). THE PROPOSED CLUBHOUSE CONSOLIDATES EXISTING STRUCTURES AND USES. THE PROPERTY IS LOCATED AT 35425 ROBINSON CANYON ROAD, CARMEL (ASSESSOR'S PARCEL NUMBER 417-051-023-000), GREATER MONTEREY PENINSULA AREA.

Elisa Manuguerra, Project Planner, presented this item. Staff recommended approval. Changes to conditions include:

1. Condition No. 19 - Carmel Valley traffic impact fee – change last sentence to say that the fee will be determined by Public Works.
2. Finding No. 3 Evidence C – CEQA – last sentence changed to read that the Zoning Administrator finds that the proposed Clubhouse “does not intensify any existing uses.”

Tom Moss, Water Resources agency, deleted Condition No. 24, Completion Certification for stormwater detention facility. The condition was inadvertently added on the agency's referral.

The Zoning Administrator expressed concern regarding zoning for Resource Conservation and questioned if it is a legal non-conforming use there now.

Staff responded that it is a legal non-conforming use and that the applicant came in previously to change the zoning to Resource Conservation (which solidified the legal non-conforming status).

The ZA questioned staff regarding the requirement for the Use Permit and specifically which type of permit was being sought under which designation or section.

Staff responded that the applicant went through the entire permit process and was told he needed a Use Permit because it had the potential to intensify the use of the property. The Department had the opportunity to analyze the potential of use. Three different options were discussed. Staff recommended the Use Permit for a "similar use of size and intensity" for those listed under the Resource Conservation zoning designation more closely related to a country club or a riding stable.

Bruce Dormody, applicant, agreed to the discussion and thanked Tom Moss, Water Resources Agency, for removing Condition No. 24. He also added that he spoke with Bryce Hori, Public Works, regarding payment of traffic impact fees and is in agreement with their discussion.

The ZA relayed that he did a site visit to this project and noticed site disturbance. He questioned whether they started the project before getting a building permit.

Staff clarified that yes they were going through the building permit process. When the applicant came to pick up the building permit, he was told they needed a Use Permit. The applicant was under the assumption that he was getting his building permit and had started excavating the footings.

The ZA questioned whether he graded more than 100 cubic yards and graded on slopes of 30%. Staff answered no, and that everything was reviewed with the Building Department and there was no section of the code being violated.

The ZA requested staff to expand the findings and evidence to include site disturbance prior to consideration and why it is not a violation. Staff agreed.

The Use Permit was approved subject to changes as discussed.

6. KEROS NICHOLAS & RALPH GRIPPO (PLN060709)

CONTINUED FROM 8/30/07. COMBINED DEVELOPMENT PERMIT CONSISTING OF: 1) A COASTAL ADMINISTRATIVE PERMIT FOR THE CONSTRUCTION OF A NEW 3,573 SQUARE FOOT TWO-STORY SINGLE FAMILY DWELLING WITH A 532 SQUARE FOOT ATTACHED 2 CAR GARAGE; 190 SQUARE FEET OF COVERED PORCH AREA AND 241 SQUARE FEET OF DECK AREA; 56 LINEAR FEET OF RETAINING WALLS; AND GRADING (APPROX, 50 CUBIC YARDS OF CUT AND 200 CUBIC YARDS OF FILL) AND DESIGN APPROVAL; 2) A COASTAL DEVELOPMENT PERMIT FOR THE REMOVAL OF 4 TREES (3 MONTEREY CYPRESS AND ONE MONTEREY PINE). THE PROJECT IS LOCATED AT 3306 MARTIN ROAD CARMEL (ASSESSOR'S PARCEL NUMBER: 009-321-007-000) IN THE CARMEL LAND USE PLAN AREA

Ramon Montano, Project Planner, presented project. Staff relayed that the project was noticed for August 30th but the staff report was dated for September 13th. The applicant was not present for the hearing but confirmed with staff that he agreed to the conditions. Corrections were made to the staff report including: No "Exhibit B"; strike "discussion" from report; reference to November 14 should be June 7 to be consistent with the rest of the dates in the staff report; incorporate in CEQA finding statement "project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the project;" and Condition No. 3, revise to the August 30 hearing date.

Public Comment: Alexander Crosby, Jerrian Crosby regarding garage setbacks

Public Works had corrections to Condition No. 16, driveway connection. Correction: instead of Ocean Avenue it should say Martin Road.

Height requirements were discussed.

The Zoning Administrator adopted a resolution of intent to approve with corrections as discussed and continued the project to September 13th.

7. KING JOHN J & EILEEN G TRS (PLN070016)

CONTINUED FROM 8/30/07. COMBINED DEVELOPMENT PERMIT CONSISTING OF: 1) DEMOLITION OF AN EXISTING 2,205 SQUARE FOOT, TWO-STORY SINGLE FAMILY DWELLING; 2) A COASTAL ADMINISTRATIVE PERMIT TO ALLOW THE CONSTRUCTION OF A 3,598 SQUARE FOOT SECOND STORY ADDITION OVER THE REMAINING 656 SQUARE FEET OF THE ORIGINAL RESIDENCE; AND A 656 SQUARE FOOT ATTACHED TWO-CAR GARAGE; 3) A COASTAL DEVELOPMENT PERMIT TO ALLOW DEVELOPMENT ON SLOPES IN EXCESS OF 30%; AND 4) A COASTAL DEVELOPMENT PERMIT TO REMOVE THREE MONTEREY PINE TREES RANGING IN SIZE FROM 10 INCHES TO 42 INCHES IN DIAMETER; AND 5) DESIGN APPROVAL. THE PROPERTY IS LOCATED AT 24876 PESCADERO ROAD, CARMEL (ASSESSOR'S PARCEL NUMBER 009-122-019-000), COASTAL ZONE.

Ramon Montano, Project Planner, requested a continuance to September 27, 2007. Staff and applicant were in agreement with continuance. The extra time is necessary to upgrade the report to include a Forest Management Report.

The Combined Development Permit was continued to September 27, 2007.

F. OTHER MATTERS: None

G. ADJOURNMENT

ATTEST: 2:48 p.m.



JEFF MAIN, ZONING ADMINISTRATOR

JM:kb/ca