

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

In the matter of the application of:

**Jennifer Belli (PLN100188)**

**RESOLUTION NO. 10-019**

Resolution by the Monterey County Planning  
Commission:

- 1) Categorically exempting this type of project per section 15301 (e) of the CEQA guidelines;
  - 2) Approving a Use Permit and Design Approval for the development in a Historical Resource or "HR" district to allow a 224 square foot addition and a 138 square foot interior remodel to an existing 1,425 square foot single family dwelling.
- (PLN100118, Jennifer Belli, 20 Third Street, Spreckels, Greater Salinas Area Plan (APN: 177-043-006-000))

**The Belli application (PLN100188) came on for public hearing before the Monterey County Planning Commission on August 11, 2010. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:**

**FINDINGS**

1. **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:
  - the Monterey County General Plan,
  - Greater Salinas Area Plan,
  - Monterey County Zoning Ordinance (Title 21),
  - Spreckels Design GuidelinesNo 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 property is located at 20 Third Street, Spreckels (Assessor's Parcel Number 177-043-006-000), Greater Salinas Area Plan. The parcel is zoned HDR/5.1, HR- D, which allows residential additions. Therefore, the project is an allowed land use for this site.
  - c) The project planner conducted a site inspection on July 16, 2009 to verify that the project on the subject parcel conforms to the plans listed above
  - d) "HR" (Historical Resources) zoning district regulations state that no alteration may be allowed on any area in an "HR" district without the approval of a Use Permit. (See Finding 6,7,8 and 9)

- e) The project is consistent with the HDR/5.1 [High Density Residential, 5.1 acre minimum] regulations which allow residential uses. The project meets the height, setback and coverage requirements.
- f) The project is consistent with the Spreckels Design Guidelines. (See Finding 6,7,8 and 9) The project was referred to the Spreckels Neighborhood Design Review Committee on May 19, 2010 for a recommendation to the Planning Commission. The committee gave a favorable recommendation on a 3-0 vote with no conditions.
- g) HR district regulations, Chapter 21.54 of Title 21, state no alterations may be allowed in an "HR" district without the approval of a Use Permit. The regulations also require review and recommendation by the Historical Resources Review Board (HRRB). The project was referred to the HRRB (Historical Resources Review Board) on June 3, 2010. The HRRB unanimously recommended approval of the project with no conditions.
- h) The existing home sits at 20 feet from the front and 5 feet on each side. The proposed addition will be approximately 15 feet to the rear property line, when the district requires 10 feet. The existing residence is a single story home and will remain 20 feet high, whereas the district requires less than 30 feet.
- i) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN100188.

2. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the use proposed.

- EVIDENCE:** a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Salinas Rural Fire Protection District, Parks, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
- b) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN100188.

3. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:** a) The project was reviewed by RMA - Planning Department, Salinas Rural Fire Protection District, Parks, Public Works, Environmental

Health Division, and Water Resources Agency. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.

- b) Necessary public facilities are available. The property is already served by the Spreckels Public Water System and the Spreckels Sewer System.
- c) Preceding findings and supporting evidence for PLN100188.

4. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.

- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
  - b) Staff researched County records to assess if any violation exists on the subject property.
  - c) There are no known violations on the subject parcel.
  - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100188.

5. **FINDING:** **CEQA (Exempt):** - The project is categorically exempt from environmental review and no unusual circumstances were identified suggest a reasonable possibility that the project would have a significant that effect of the environment.

- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines Section 15301 (e) categorically exempts the construction of small accessory structures.
  - b) The project is a 224 square foot addition located in a Historic Resource district. The county has produced a "Significance Map" with a detailed survey map of every structure in the town of Spreckels along with their contribution to the historic town of Spreckels. The project site is listed as a non-contributing structure. Non-contributing structures do not add to the historical architectural qualities, historical associations or archeological values for which the Spreckels Historical District is known.
  - c) The existing residence is situated on a flat lot and the proposed addition will be located in the same location as an existing deck.
  - d) See preceding and following findings and supporting evidence.

6. **FINDING:** **HISTORICAL RESOURCE (CONSISTENCY)** - The proposed work is found to be consistent with the purposes of Chapter 21.54 of Title 21 (Regulations for Historical Districts) and will neither adversely affect the significant architectural features of the designated resource nor adversely affect the character of historical, architectural, or aesthetic

interest or value of the designated resource and its site.

- EVIDENCE:**
- a) The project, as proposed, is consistent with the regulations set forth in Section 21.54.080 of Title 21 for regulations for development in an "HR" district.
  - b) The project, as proposed, is consistent with the design criteria found in the Spreckels Design Guidelines and is consistent with the architectural features found within the town of Spreckels. Siding and trim will match the existing light green grey and forest green trim. Roofing materials will remain composition shingle to match the existing roof design. Even though the addition is not visible from the front of the property, careful attention was given to the addition placement and height to match the existing structure and ensure consistency with the existing and surrounding neighborhood.
  - c) The project was referred to the Historical Resources Review Board and was heard at the June 3, 2010 meeting. The HRRB approved the proposed with 2 conditions and a vote of 4 to 2. The HRRB would like to condition the new addition to be architecturally differentiated from the existing structure with distinguishing characteristics such as horizontal siding (Condition #6). Secondly, the HRRB wanted the HRRB resolution to reflect the square footage of the structural addition (224 Square feet), rather than the total floor area to be disturbed. The HRRB resolution was corrected and no further action was needed.
  - d) The county has produced a "Significance Map" with a detailed survey of every structure in the town of Spreckels along with their contribution to the historic town of Spreckels. The project site is listed as a non-contributing structure. Non-contributing structures do not add to the historical architectural qualities, historical associations or archeological values for which the Spreckels Historical District is known. Although the structure is listed as a non-contributing structure, the addition is consistent with the architectural features found within the town of Spreckels. The existing residential home is light green grey with forest green wood trim, and light brown wood shingled roof. The addition will match the existing residence in shape, bulk, height and design.
  - e) Key policy, P.1.5 of the Spreckels Design Guidelines requires "all additions shall be located to the rear or side of the existing structure whenever possible". The addition will be located to the rear of the property in an area of the existing deck and will not be visible from the front of the property.
  - f) Although the structure is listed as a non-contributing structure, the addition will be compatible with the Spreckels Design Guidelines and will match the colors and materials of the existing single family dwelling.
  - g) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100188.

7. **FINDING: HISTORICAL RESOURCE (CONFORMANCE)** - With regard to any property located within an historic district, the proposed work is

found to be consistent with the purposes of Chapter 21.54 of Title 21 (Regulations for Historical Districts) and conforms to the prescriptive standards and design guidelines for the district adopted by the Board of Supervisors and does not adversely affect the character of the district.

**EVIDENCE:** a) See Finding and Evidence No. 6 above.

8. **FINDING: HISTORICAL RESOURCE (COMPATIBILITY)** - In the case of construction of a new improvement, addition, building, or structure upon a designated historic resource site, the use and exterior of such improvements will neither adversely affect nor be incompatible with the use and exterior of existing designated historical resources, improvements, buildings, natural features, and structures on such site.

**EVIDENCE:** a) See Finding and Evidence No. 6 and 7 above.

9. **FINDING: HISTORICAL RESOURCE (VIOLATIONS)** – Findings regarding construction of unsafe conditions or financial hardship per section 21.54.060.4 and 5, are not necessary or applicable to this project.

**EVIDENCE:**

- a) Exceptions to compliance with the design standards may be allowed in the case of correcting an unsafe condition or if an immediate and substantial financial hardship would occur (Sections 18.25.160 and 18.25.175 of Monterey County code). These exceptions do not apply to this project.
- b) The site does not hold an unsafe or dangerous structure and is in full compliance with respective building and fire codes. During staff review the project was routed to Salinas Rural Fire District and there was no indication that the structure was unsafe.
- c) The project is consistent with the regulations for development in the town of Spreckels, Greater Salinas Area Plan policies and the Monterey County General Plan and found the addition to be compatible and consistent with each. Staff is recommending approval of the subject project.

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

**EVIDENCE:** a) Section 21.80.040.D of the Monterey County Zoning Ordinance.

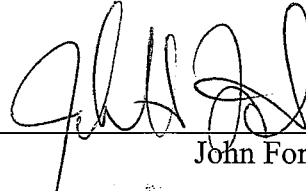
### **DECISION**

**NOW, THEREFORE**, based on the above findings and evidence, the Planning Commission does hereby:

- A. Find the project to be categorically exempt from CEQA pursuant to 15301(e);
- B. Approve the Use Permit and Design Approval, in general conformance with the attached sketch and subject to the conditions (**Exhibit 1**), both exhibits being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 11th day of August, 2010 upon motion of Commissioner Vandevere, seconded by Commissioner Sanchez, by the following vote:

AYES: Getzelman, Vandevere, Roberts, Salazar, Brown, Sanchez, Diehl, Padilla, Ottone  
NOES: None  
ABSENT: Rochester  
ABSTAIN: None



John Ford, Acting Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON **AUG 23 2010**

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 SECRETARY OF THE PLANNING COMMISSION / CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE **SEP 02 2010**

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 Department and Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

**RESOLUTION 10-019 - EXHIBIT 1**  
**Monterey County Resource Management Agency**  
**Planning Department**  
**Condition Compliance and/or Mitigation Monitoring**  
**Reporting Plan**

**Project Name: Jennifer Belli**

**File No: PLN100188**

**APNs: 177-043-006-000**

**Approved by: Planning Commission**

**Date: August 11, 2010**

*\*Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
<b>RMA – Planning Department</b>						
1.		<b>PD001 - SPECIFIC USES ONLY</b> This Combined Development Permit (PLN100188) allows Use Permit and Design Approval for the development in a Historical Resource or “HR” district to allow a 224 square foot addition and a 138 square foot interior remodel to an existing 1,425 square foot single family dwelling. The property is located at 20 Third Street, Spreckels (Assessor’s Parcel Number 177-043-006-000), Greater Salinas Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. 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. <b>(RMA-Planning Department)</b>	Adhere to conditions and uses specified in the permit.  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 the RMA - Planning Department.	Owner/ Applicant  RMA - Planning	Ongoing unless otherwise stated	

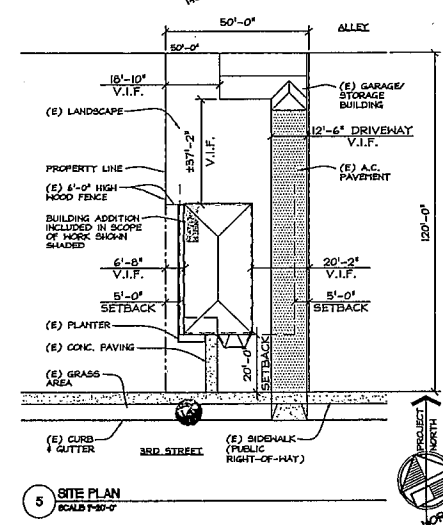
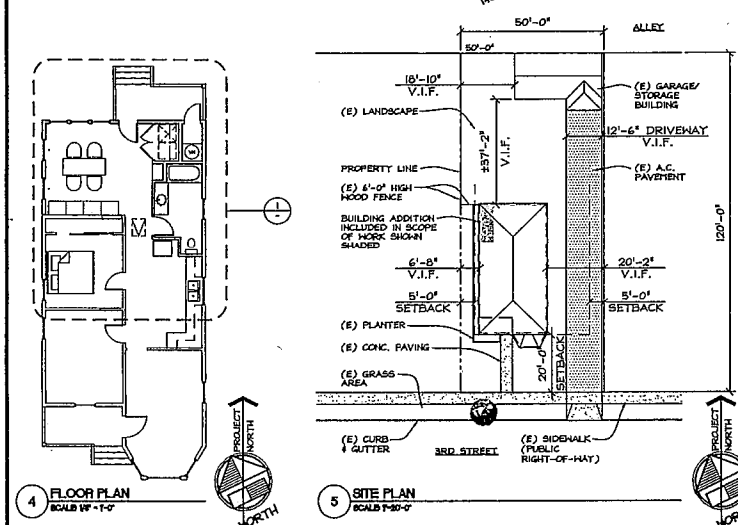
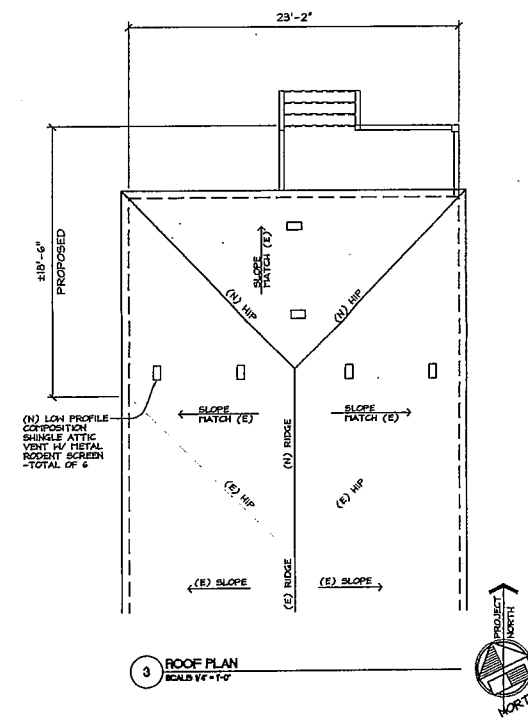
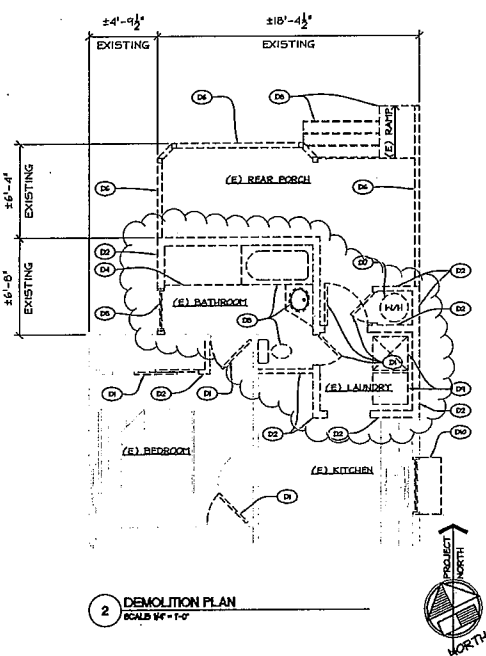
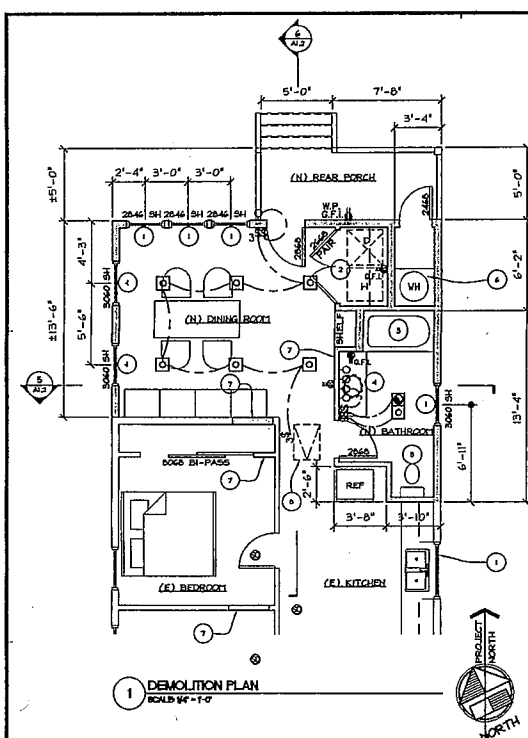
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2.		<b>PD002 - NOTICE-PERMIT APPROVAL</b> The applicant shall record a notice which states: "A permit (Resolution 10-019) was approved by the <b>Planning Commission</b> for Assessor's Parcel Number 177-043-006-000 on <b>August 11, 2009</b> . The permit was granted subject to <u>6</u> conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." ( <b>RMA-Planning Department</b> )	Obtain appropriate form from the RMA-Planning Department.  The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.	Owner/ Applicant  RMA- Planning	Prior to the issuance of grading and building permits or commencement of use.	
3.		<b>PD032(A) - PERMIT EXPIRATION</b> The permit shall be granted for a time period of 3 years, to expire on <u>August 11, 2013</u> unless use of the property or actual construction has begun within this period. ( <b>RMA – Planning Department</b> )	The applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.	Owner/ Applicant	As stated in the conditions of approval	
4.		<b>PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN</b> 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 applicant shall submit 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 the RMA - Planning Department, prior to final of building permits. ( <b>RMA – Planning Department</b> )	Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.  The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Prior to final of building permits.  Prior to occupancy/ Ongoing	



<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
5.		<b>NON STANDARD – ARCHITECTURAL DESIGN</b> The addition shall be architecturally differentiated from the existing structure with distinguishing characteristics such as horizontal siding. Prior to the issuance of building permits, the applicant shall submit to the RMA - Director of Planning a site plan elevation showing the siding and structural details with an explanation of how the two sidings differ.	The applicant or owner shall submit elevation plans with distinguishing features.	Owner/ Applicant	Prior to the issuance of grading and building permits or commencement of use.	
6.		<b>PD004 - INDEMNIFICATION AGREEMENT</b> The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the	Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County.  Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, and as applicable	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. <b>(RMA - Planning Department)</b>				

**END OF CONDITIONS**



### DEMOLITION KEYED NOTES

- (E) REMOVE (E) DOOR, FRAME & HARDWARE - PATCH WALLS & FIN. TO MATCH EXISTING
- (E) REMOVE PORTION OF (E) HALL - PATCH FINISH TO MATCH EXISTING
- (E) REMOVE (E) WATER CLOSET, SINK & BATHTUB - ALL ASSOCIATED PLUMBING TO BE ROUTED TO NEW PLUMBING FIXTURES AS NEEDED
- (E) REMOVE (E) CABINET FOR RELOCATION - PATCH WALLS TO MATCH EXISTING
- (E) REMOVE (E) HINDOK - INCLUDING ASSOCIATED BLINDS AND/OR DRAPES, RODS & SUPPORTS
- (E) REMOVE (E) HOOK DECK - PATCH OR REPLACE SURROUNDING FINISHES AS NEEDED TO MATCH EXISTING BUILDING
- (E) REMOVE (E) WATER HEATER - ALL ASSOCIATED PLUMBING TO BE ROUTED TO NEW WATER HEATER LOCATION AS NEEDED
- (E) REMOVE HOOK STEPS, RAMP & ASSOCIATED RAILING
- (E) REMOVE WASHER & DRYER - PROVIDE NEW EXHAUST DUCT FOR DRYER & ROUTE ALL ASSOCIATED PLUMBING TO NEW WASHER LOCATION AS NEEDED
- (E) REMOVE (E) GARDEN HINDOK

### GENERAL NOTES

1. EVERYTHING SHOWN IS EXISTING TO REMAIN U.O.N.
2. WATER CLOSET TO BE CENTERED BETWEEN OPENING
3. HOOK TRIM AT HINDOK TO REMAIN.
4. REMOVE & REINSTALL ALL ITEMS (E) TO REMAIN IN WAY OF (N) WORK.

### LEGEND

- (E) HALL TO REMAIN
- (N) 2x HOOK STUD
- DEMOLISHED HALL
- FLUORESCENT LIGHT
- HALL SCENES
- CAN LIGHTS
- EXHAUST FAN
- FUEL GAS
- EXHAUST FAN/LIGHT COMBO
- SINGLE POLE SWITCH
- WATER
- 110V DUPLEX OUTLET
- 1/4\"/>

### KEYED NOTES

- (1) (N) HINDOK TO MATCH SAME STYLE AS EXISTING
- (2) (N) WASHER & DRYER PROVIDED BY OWNER - CONTRACTOR TO COORDINATE WASHER & DRYER SIZE, MECHANICAL, ELECTRICAL & PLUMBING REQUIREMENTS BEFORE CONSTRUCTION.
- (3) 32\"/>

REV. DATE BY DESCRIPTION

REV.	DATE	BY	DESCRIPTION

**Belli Architectural Group**  
BUILDING INNOVATIONS  
313 Solano Street  
San Francisco, California  
Phone (415) 421-4000

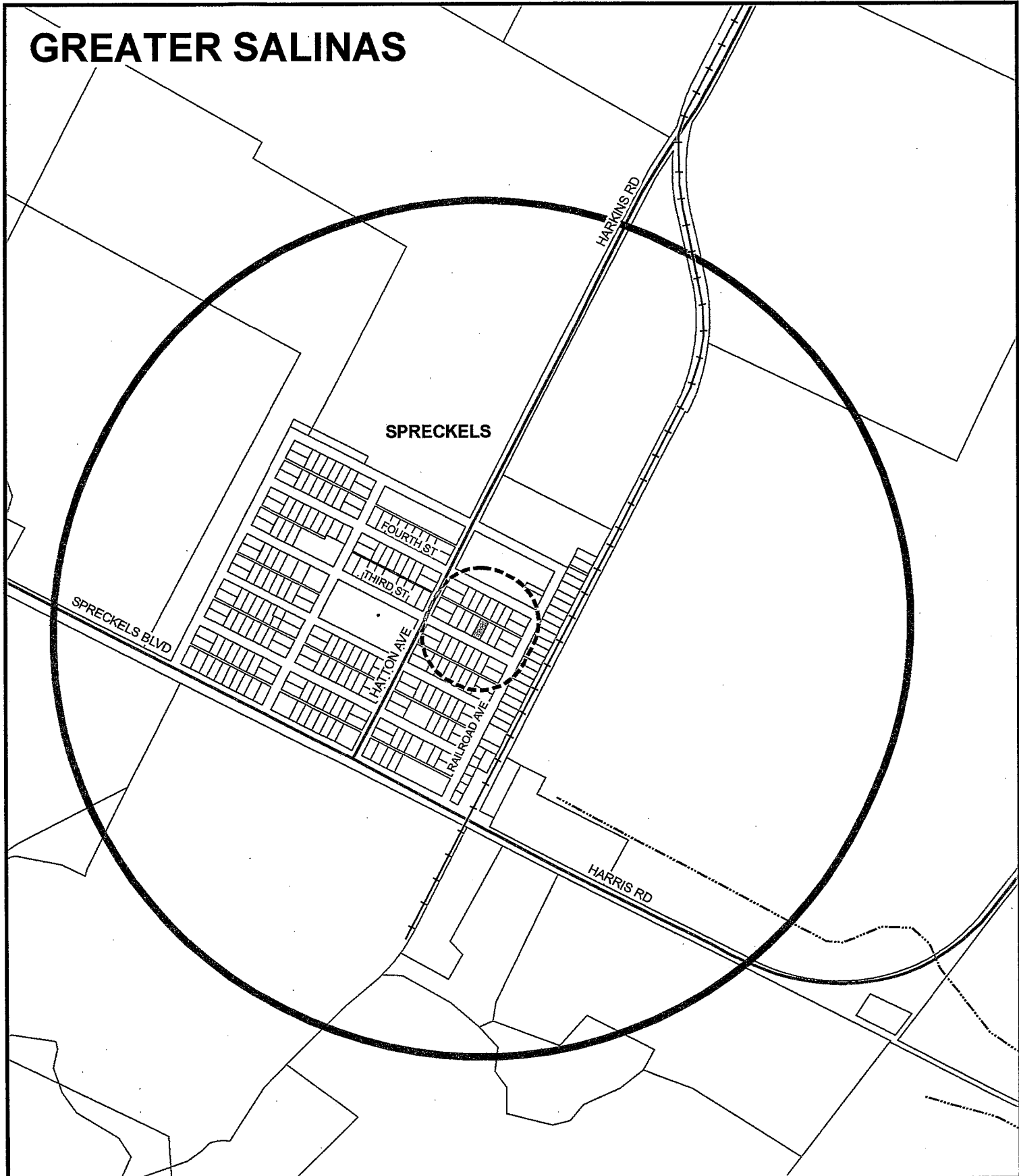
**SITE PLAN, DEMO PLAN, FLOOR PLAN & ROOF PLAN**

SPRINKLER-SINGLE FAMILY RESIDENTIAL ADDITION FOR

**JENNIFER BELL**  
820 3RD STREET  
SPRICKLES, CA

DATE: 05/04/10  
AS NOTED  
DRAWN: C.J.  
CHECKED: J.B.  
PROJECT: 09045  
SHEET: A11  
OF: 2013

# GREATER SALINAS



APPLICANT: BELLI

APN: 177-043-006-000

FILE # PLN100188

Water



2500' Limit



300' Limit



City Limits



0 500  
Feet

