



# Zoning Administrator Annotated AGENDA Regular Meeting

## Zoning Administrator

Todd Bennett  
Senior Associate Planner

City Council Chambers  
Few Memorial Hall of Records  
Pacific and Madison Streets  
Monterey, California

September 15, 2005  
4:00 p.m.

### CALL TO ORDER

Senior Associate Planner Bennett called the meeting to order at 4:00 PM.

### PUBLIC COMMENTS

PUBLIC COMMENTS allows the public to speak for a maximum of three minutes on any subject which is not on the agenda. Any person or group desiring to bring an item to the attention of the Zoning Administrator may do so by addressing the Administrator during Public Comments or by addressing a letter of explanation to: Zoning Administrator, City Hall, Monterey CA 93940. The appropriate staff person will contact the sender concerning the details.

There were no public comments.

### PUBLIC HEARINGS

PUBLIC HEARINGS are held to receive public comment on certain items pending Zoning Administrator action. You are welcome to offer your comments after being recognized by the Administrator. The Administrator may limit the time allocated to each speaker.

1. **1343 David Avenue; Variance Permit 05-326; Applicant – Krebs Design (Steven Krebs) / Property Owner – Ed Albert; R-1-5 Zoning District; Exempt from CEQA requirements.**

Variance request for front yard setback to allow construction of a detached 2-car garage and the addition of a deck. The property has front yards at David Avenue and Withers Avenue. The garage will be located in the yard adjacent to Withers Avenue. The proposed setback is 6'-6" and the minimum required setback is 20'-0".

**Action: Continued to the September 29, 2005 Zoning Administrator meeting. The purpose of the continuance was to allow the applicant the opportunity to evaluate and provide feedback to the Zoning Administrator on garage placement and design options which would either require a reduced setback variance, a reduced setback variance with a possible separation variance, or to eliminate any required setback or separation variances.**

2. **759 Alice Street; Variance Permit 05-350; Applicant – Joseph Rock / Property Owner – Belle James; R-1-5 Zoning District; Exempt from CEQA requirements.**

Variance request for rear yard setback to allow a bedroom addition 14'-6" from the rear property line. The addition is one-story in height and it is proposed to replace a wood deck that will be removed. The improvement plans include a garage addition that will be added on the other side of the house and it will be located a minimum of 11'-0" from the rear property line. The garage will conform to setback standards. The setback standard for the bedroom is 20'-0".

**Action: Approved with Special Circumstances related to the location of the existing dwelling and the location of a mature 24" Coast Live Oak tree. Special Circumstance Findings that support approval**

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are: 1) The location of the existing dwelling at the rear of the parcel, and the current floor plan, support the proposed location of the bedroom addition at the rear of the dwelling; 2) That the existence and location of a mature and healthy 24" Coast Live Oak in the front yard area reasonably prevents expansion on this portion of the lot, and; 3) That there will be no impacts to trees located on adjacent properties as a result of the proposed project location.

Standard Conditions are imposed for the addition to the single family dwelling and the construction of the new garage, and the following Special Conditions are imposed: 1) That tree protection guidelines are to be followed. Tree protection measures are to be installed and inspected prior to issuance of a building permit. Trees to be protected include the 24" Coast Live Oak, and any trees located on adjacent properties that may be impacted as a result of the proposed construction. Adjacent property tree protection measures shall be restricted to the prohibition of trimming or pruning of tree branches or limbs without the expressed prior approval by the City Forester. 2) That approval of this setback variance will not justify approval of any future additions to the site that fail to meet the respective development standards associated with this site, including setbacks, lot coverage, floor area ratios, building height and any other pertinent development standards.

3. **22 Loma Vista Place, Variance 05-364; Applicant / Property Owner - Eric & Judith Lang; R-1-10 Zoning District; Exempt from CEQA requirements.**

Variance request for front yard setback reduction to allow an addition 11'-6" from the front property line. The minimum required setback in this location is 20'-0".

**Action: Approved with Special Circumstances related to the location and height of the addition in relation to the street, the slope of the site, the location of existing trees, and the existing floor plan and landscaping. Special Circumstance Findings that support approval are: 1) That the site is sloped away from the street and is partially screened by an existing fence, thereby minimizing the visual impact of the addition from the street; 2) That the site is sloped from front to rear, and therefore placement of the proposed one-story addition at the rear of the one-story dwelling will result in an excessive under-floor area and the corresponding excessive bulk and mass, and; 3) That alternative placement options would result in the removal of trees, mature landscaping or accessory structure (deck) improvements.**

Standard Conditions are imposed for the front yard setback variance.

4. **2370 North Fremont Street (Safeway #953); Use Permit 05-354; Applicant – Darcy Meyer / Property Owner – Safeway, Inc.; C-2-D-2 Zoning District; Exempt from CEQA requirements.**

Use Permit request to allow outdoor seating at the Safeway store. Exterior uses require a use permit. The plan proposes to add five tables with four chairs each near the store's Northeast entrance. The tables and chairs will be available for use by customers of the store.

**Action: The application was withdrawn by the applicant.**

5. **539 Hartnell Street; Use Permit and Parking Adjustment 05-294; Applicant – Yann Lusseau / Property Owner – Monterey History and Art Association; C-2-H-1 Zoning District; Exempt from CEQA requirements.**

Use Permit and Parking Adjustment request to add patio seating at the side of Parker – Lusseau Pastries a coffee and pastry shop. Exterior uses require a use permit. The plan proposes to add an approximate 250 square foot patio seating area at the side of the shop. The outside seating as proposed requires one parking space, which is not possible to provide on site. The parking space requirement is proposed to be waived with

this application.

**Action: Continued. The applicant, or a designated representative, was not present at the meeting to represent the Use Permit application. The Use Permit will be reviewed at the September 29, 2005 Zoning Administrator meeting.**

**ADJOURNMENT: The meeting was adjourned at 4:52 PM.**

The next meeting will be held September 29, 2005

**ZONING ADMINISTRATOR:** \_\_\_\_\_

**SENIOR ASSOCIATE PLANNER TODD BENNETT**

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