



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

Zoning Administrator ANNOTATED AGENDA

Regular Meeting
December 12, 2007
4:00 p.m.

Zoning Administrator

Todd Bennett
Senior Associate Planner

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.

None.

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. **209 Edinburgh Avenue; Variance 07-413; Applicant Alex Reynoso; Owner Art & Kelly Werner; R-1-6 Zoning District; Exempt from CEQA Requirements.**

Request approval of a sideyard Setback Variance seven feet – two inches (7' – 2") is standard, five feet – 10 inches (5' -10") proposed for a single-story residential addition. The proposed addition would continue the existing nonconforming sideyard setback of five feet – 10 inches (5' -10").

1. **Action: Approved application with the following Standard and Special Circumstance Findings:** 1. Due to the location of the residence on the site located at 209 Edinburgh Avenue, which includes a substandard sideyard setback of five feet – 10 inches (5' – 10") along the east property line, strict application of the requirements of this ordinance deprive such property of privileges enjoyed by other properties in the vicinity and under an identical zoning classification. 2. Due to the limited number of openings (1) on the east elevation of the addition, and the one opening being a window which will be conditioned to include opaque glass and with a limited type of opening action, granting this application will not be detrimental or injurious to the residents of 213 Edinburgh Avenue or to properties or improvements in the vicinity of the development site, or to the public health, safety, or general welfare. 3. That granting the application is consistent with the purposes of this ordinance and will not constitute a grant of special privilege, inconsistent with limitations on other properties in the vicinity and in the same zoning district.

Standard and Special Conditions of Approval: 1. That the sideyard setback variance of five feet – 10 inches (5' – 10") for the addition along the east property line, is approved as shown on the November 8, 2007 site plan, floor plan, and elevations. 2. That the window opening incorporated into the addition use opaque glass and have limited operation (awning type of opening action). 3. That all development on the project property shall be constructed and thereafter maintained in accordance with the conditions of this

permit. 4. The applicant shall comply with all the requirements of the Building Division. 5. This project is subject to the categorical water allocation program approved by the City Council. The applicant will proceed at his own risk that water may not be available at the time he requests building permits. No building permits will be issued if water is not available to this project. 6. This permit shall become null and void if not exercised or extended within twenty-four (24) months of the date of granting by the Zoning Administrator. It is the applicant's responsibility to track the 24-month expiration date. No renewal notice will be sent to the applicant.

2. 989 Madison Street; Special Permit 07-314; Applicant/Owner Paul & Quincy Fingerote; R-1-20 Zoning District; Exempt from CEQA Requirements.

Three month review of approval of a special pet permit to allow for the retention of four (4) dogs.

Action: Approved application with the following Standard and Special Circumstance Findings: 1. The site is adequate in size and shape to support the number of dogs (4). 2. The owner is in compliance with the Conditions of Approval established at the September 13, 2007 Zoning Administrator meeting. 3. Complaints associated with the Special Pet Permit were received before and during the hearing, relating to noise generated by barking dogs, and these complaints constitute a nuisance and disturbance to the neighborhood. 4. That while the original Conditions of Approval were met, due to the complaints and testimony received at the hearing, additional measures can be taken to further reduce excessive noise. 5. Based upon comments received from the immediate neighboring residents, extension of the Special Pet Permit for an additional 90 days to allow the applicant to institute additional measures to limit excessive barking was determined to be the preferred alternative.

Standard and Special Conditions of Approval: 1. That the Special Pet Permit 07-314 is approved for 90 days from the date of this hearing, at which time the application will be evaluated for compliance with these conditions and the standards established in Zoning Code Section 38-26(K)(3)(a), Pet Permits. 2. The applicant shall consider and apply appropriate, additional measures to reduce excessive barking, including but not limited to, improvements to the dog run area. 3. That the plastic/fabric extension to the top of the fence on the east property line shall be removed, or a fence height variance application shall be submitted within five (5) business days of the date of this hearing.

ADJOURNMENT: The meeting was adjourned at 5:20 PM. Please be advised the December 27, 2007 meeting has been cancelled. The next meeting will be held Thursday, January 10, 2008.

ZONING ADMINISTRATOR: _____
SENIOR ASSOCIATE PLANNER TODD BENNETT