



**Zoning Administrator  
ANNOTATED AGENDA  
Regular Meeting**

**Zoning Administrator**

Todd Bennett  
Senior Associate Planner

Monterey Library  
Community Room  
625 Pacific Street  
Monterey, California

October 12, 2006  
4:00 p.m.

**CALL TO ORDER**

The meeting was called to order at 4:00 P.M.

**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.

**No public comments were received.**

**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. **23845 Holman Highway; Use Permit 06-323; Applicant Steven Packer for CHOMP; Owner Community Hospital Properties; C-O Zoning District; Exempt from CEQA Requirements.**

Request approval to allow continued use of modular buildings, originally approved as construction trailers and proposed to be defined as relocated buildings for office use.

**Action: Approved Use Permit with Standard and Special Circumstance Findings:** 1) That after placement of the modular trailers within the parking area for the Carmel Hill Professional Center, there will continue to be a surplus of parking spaces beyond those required for the existing offices and for the use of the modular trailers as offices. 2) That the modular trailers are well screened and are painted to blend in with the natural vegetation thus minimizing off-site visual impacts. 3) That there were no public comments in opposition regarding this item.

**Standard and Special Conditions of Approval:** 1) That the use is approved for a period of ten (10) years, starting on the date of this hearing. The modular buildings shall be removed from the site at the end of this period, and any proposed use of the modular buildings beyond this date will require a reopening of the Use Permit. 2) That the crosswalk connecting the Carmel Hill Professional Center parking area to the main CHOMP facility shall be repainted, shall add new reflector bumps at the edges of the crosswalk, and shall install new crosswalk signage, all approved by the City of Monterey Traffic Engineer and by the owner of the private street, the Pebble Beach Company, prior to installation. 3) That the modular trailers shall remain in good condition, and the area immediately surrounding the trailers, including but not limited to the landscaping, shall be properly maintained. 4) That the applicant shall comply with all requirements of the Building Department. 5) That the applicant shall comply with all of the requirements of the Fire Department.

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2. **271 Bonifacio Place; Permit 06-347 to Reopen Use 81-20; Applicant Vivianne Jegat; Owner Bonifacio Place Property (Mango Abbott, Inc); C-2 Zoning District; Exempt from CEQA Requirements.**

Request approval of Use Permit to allow sale of beer and wine in association with an existing fast food restaurant (bakery/deli). No changes in the hours of operation are proposed.

**Action: Approved Use Permit with Standard Findings and Special Circumstance Findings:** 1) That the proposed intensification of the existing fast food use was duly noticed, and no public comments regarding this item were submitted to indicate that the proposed intensification would result in any negative impacts to the adjacent businesses. 2) That the use will be subject to the restrictions associated with the Alcoholic Beverage Control (ABC) Board license, and any violations of the license restrictions can result in the revocation of the specific license.

**Standard and Special Conditions are imposed as follows:** 1) All requirements and restrictions associated with the required license as issued by the Alcoholic Beverage Control (ABC) Board shall be followed and that violation of any of these restrictions or requirements may result in the Use Permit, to allow the sale and consumption of beer and wine, being reopened for possible revocation. 2) If the approved uses result in a determination by the Community Development Director that off site trash and litter impacts are creating a problem and nuisance, the business owners may be required to contract with a litter clean-up service.

3. **1251 David Avenue; Variance 06-340; Applicant/Owner Kevin Morgan; R-1-5 Zoning District; Exempt from CEQA Requirements.**

Request approval to retain non-conforming fence (6' – 11" proposed, 4' – 0" standard) located in front yard setback area.

**Action: Denied Variance with Standard and Special Circumstance Findings:** 1) That the proposed (and existing) fence height, at a maximum height of 6' – 11", is excessive in height in relation to the perceived noise impacts associated with the adjacent street, David Avenue. 2) That the vast majority of other properties along David Avenue, and within close proximity to the subject site, either have conforming fences or no fences at all along the front property lines, and that approving the variance would be detrimental to the properties and residents in the vicinity and would be out of character with the immediate neighborhood. 3) That the variance application was duly noticed, and that opposition to the variance was conveyed by a representative of the neighborhood association who stated that approval of the variance would be a grant of special privilege inconsistent with limitations on other properties in the vicinity and under the same zoning district.

**ADJOURNMENT: The meeting was adjourned at 4:50 P.M.**

The next meeting will be held October 26, 2006.

**ZONING ADMINISTRATOR:** \_\_\_\_\_  
**SENIOR ASSOCIATE PLANNER TODD BENNETT**