

MONTEREY COUNTY BOARD OF SUPERVISORS

MEETING: July 27, 2010

AGENDA NO: 5-2

Project Description: Continued from June 8, 2010 to consider:

- a. Appeal by Michael Moeller from the January 26, 2010 Planning Commission denial of an application (PLN060251/Moeller) for a Lot Line Adjustment and new single family home.
- b. Application for a Combined Development Permit consisting of: (1) Coastal Development Permit for a Lot Line Adjustment consisting of an equal exchange of land between two legal lots of record resulting in no change of area: Lot 5 (APN: 243-181-005-000/192 San Remo Road) has 0.61 acres and Lot 6 (APN: 243-181-006-000/194 San Remo Road) has 0.85 acres; (2) Coastal Administrative Permit and Design Approval to allow the construction of a three-story 3,994 square foot single family dwelling with a 643 square foot three-car garage, 858 square feet of deck area, and grading (approximately 523 cubic yards of cut and 89 cubic yards of fill); (3) Coastal Development Permit for development on slopes in excess of 30%; (4) Coastal Development Permit for the removal of nine Monterey pine trees and eight coastal live oak trees.
- c. Denial of a Fee Waiver request.
(PLN060251/Moeller, 192 and 194 San Remo Drive, Carmel Area Land Use Plan, Coastal Zone)

DEPARTMENT: RMA – Planning Department

RECOMMENDATION: Staff has prepared a resolution (**Exhibit A**) per the prior Board direction to:

- a. Deny the appeal by Michael Moeller;
- b. Deny the above-described application for a Combined Development Permit (PLN060251/Moeller); and
- c. Deny a Fee Waiver request.

If the Board wishes to approve the Lot Line Adjustment in light of new information regarding the capability for wastewater treatment on the existing lot, staff requests that the Board continue this matter with direction to prepare a resolution that would: 1) partially approve the appeal by Michael Moeller; 2) Conditionally Approve the Lot Line Adjustment only; and 3) Deny a Fee Waiver request.

PROJECT OVERVIEW: On June 8, 2010 staff presented the board with a resolution that included appropriate findings and evidence for denial (**Exhibit A**). A letter from an engineer was presented by the applicant stating that the existing lot configuration would not allow development due to wastewater limitations. The Board continued the item to July 27 with direction for staff to investigate the matter. Staff's analysis is included as **Exhibit B**.


In light of this information, staff has prepared a resolution that would approve the Lot Line Adjustment but not approve any development at this time. The Board has provided specific direction where and how a home should be developed and the applicant would need to submit a new application and fees for that component.

OTHER AGENCY INVOLVEMENT: The Environmental Health Bureau has completed investigation of the wastewater conditions for the existing Lot 5. This report has been reviewed by County Counsel.

FINANCING: There is no impact to the General Fund. Appropriate fees have been paid for staff time to processing this application. Because the California Coastal Commission (CCC) referred

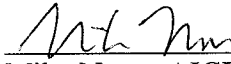
this matter back to the County, the applicant requested that the application fees be waived. The fee waiver request of \$29,016.15 is proposed to be denied for the reasons stated in the resolution.

Prepared by:



Carl P. Holm, AICP
Assistant Director
RMA- Planning Department

Approved by:



Mike Novo, AICP
Director
RMA- Planning Department

Date: July 8, 2010

Attachments:	Exhibit A - Draft Resolution Exhibit B - Environmental Health memo (dated 6/29/2010)
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cc:	Board of Supervisors (16); County Counsel; Carmel Highlands Fire Protection District; Public Works Department; Parks Department; Environmental Health Division; Water Resources Agency; California Coastal Commission; Regional Water Quality Control Board, Planning Manager (L Lawrence); Project Planner (C. Holm); Clerk (C Allen), Applicants (Moeller); Agent (Silkwood); Neighbors/Agent (Call, Daniels, Lewis, Lombardo); Planning File PLN060251