

Monterey County Board of Supervisors  
July 12, 2022  
PLN210231-Huff



**FENTON & KELLER**  
— ATTORNEYS AT LAW —  
EXPERIENCE - INTEGRITY - RESULTS

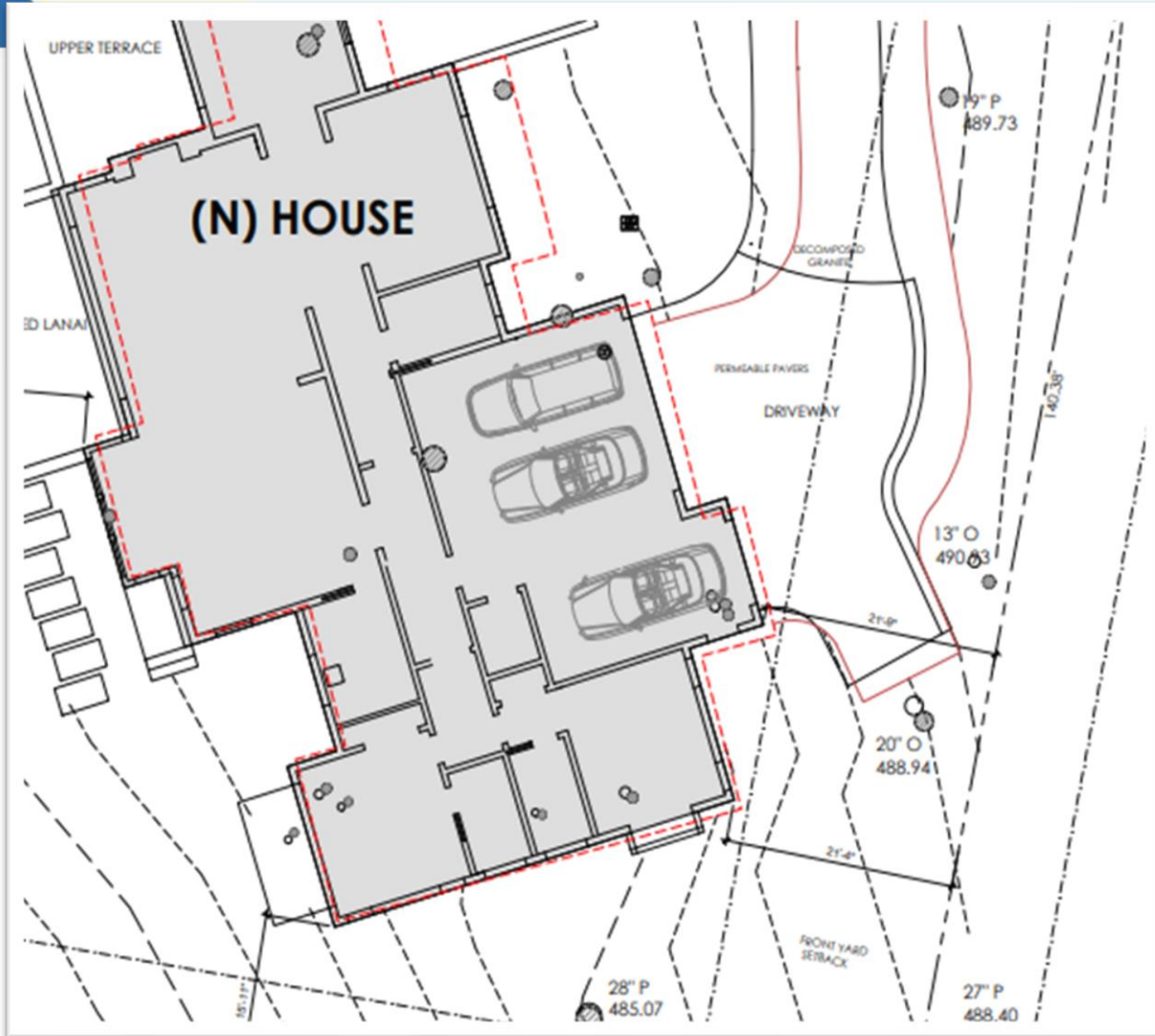
# DMF LUAC

“The purpose of a Land Use Advisory Committee (LUAC) is to [¶] reflect the input of the local community affected by a project proposal in the comments [¶] and recommendations sent forward to the appropriate permit authority...” (Monterey County Land Use Advisory Committee Procedures § 1a&b.)

- At its December 16, 2021, meeting the Del Monte Forest Land Use Advisory Committee voted to support the Project, but with changes.
- The LUAC stated the Project architect should “consider shifting the building to address the [Krupica’s] concern.”
- It is important to note that the LUAC’s direction was specifically given to address the Krupica’s concerns – noise, aesthetics, and privacy.

- Unfortunately, the Huff's architect chose to ignore the LUAC's directions and made only a token revision to the plans that did not address the Krupica's concerns.
- One cannot bridge the analytical gap between the LUAC's direction (redesign to address Krupica's concerns) with the token efforts of the project architect (shifting the project a mere 1.75 feet away).

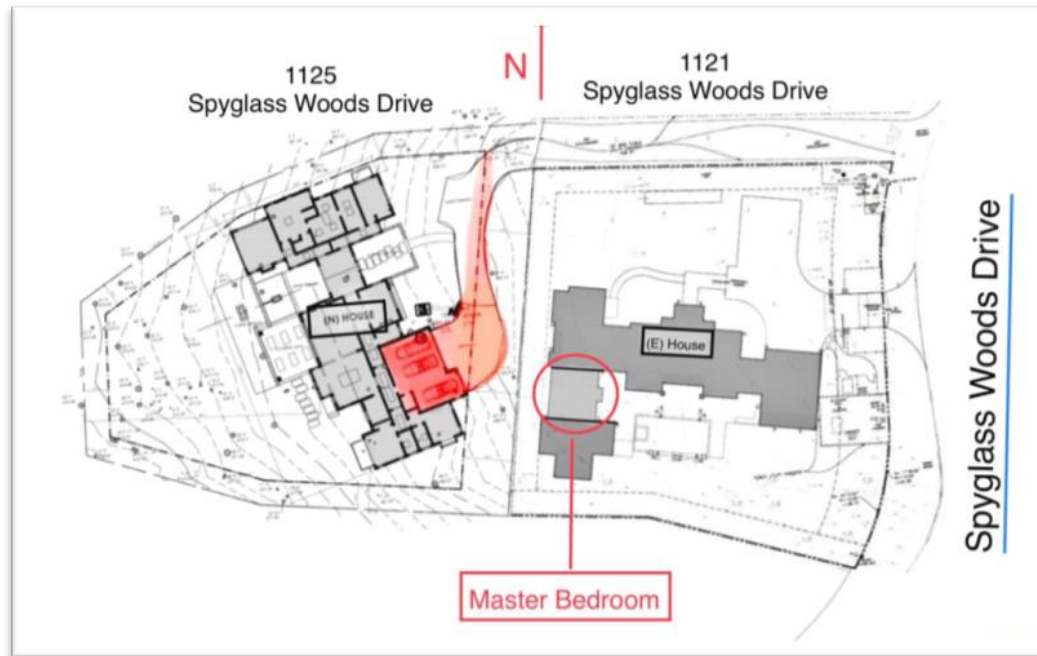
# Token Adjustment



# Meaningful Adjustment

A meaningful adjustment would be either:

1. “Flipping” the home design to have the garage at the north end of the lot; or
2. Rotating the design 90 degrees so that the residence better fits the Huff’s elongated lot.

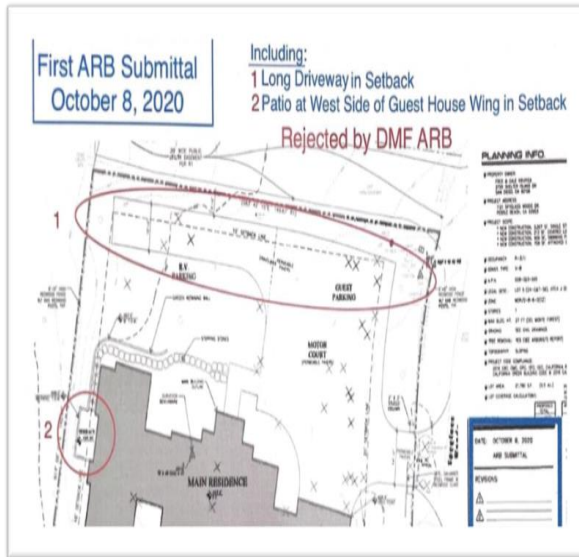


# The Project is Inconsistent with the Guidelines

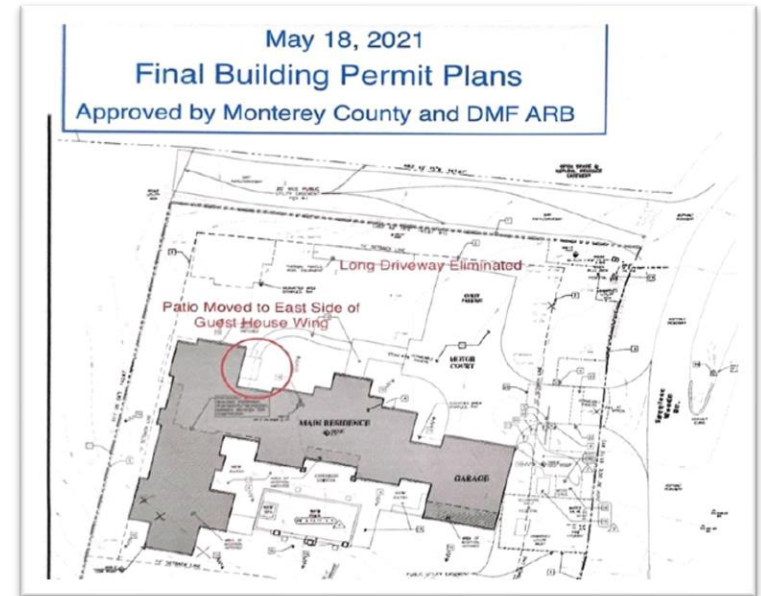
- While it is true that the Architectural Standards and Residential Guidelines for Del Monte Forest (Guidelines) are not binding on the County, they do, however, provide guidance as to what an acceptable “neighborhood character” is.
  - The Project’s Violations under the Guidelines:
    - The garage must be located to minimize the length of the driveway;
    - The driveway impermissibly intrudes into the setback;
    - The driveway must be “as unobtrusive as possible to neighboring properties in particular and the community in general.”

# The Krupicas Followed the Rules

## Krupica Project as Proposed:



## Krupica Project as Approved:





# Board of Supervisors' Discretion

- Regardless of whether the project meets design and planning criteria, the Board of Supervisors retain the discretion to ensure the project is fair to all involved.
- In this case, the Board may require the project to be moved further away from the Krupica's residence, or to direct a design change (which can be processed by Planning Staff).

# Conclusion

