

MONTEREY COUNTY BOARD OF SUPERVISORS

MEETING: July 27, 2010		AGENDA NO: S- 5
SUBJECT: Continued public hearing to:		
<ul style="list-style-type: none"> a. Consider the appeal of Kurt and Sue Jagers from the discretionary decision by the Zoning Administrator denying a Variance from the 18-foot height limit; b. Consider the application (PLN090253/Jagers) for a Combined Development Permit consisting of: 1) a Coastal Administrative Permit for the demolition of an existing 4,095 square foot single family dwelling with 248 square feet of deck and an attached 429 square foot garage, the construction of a new 5,080 square foot single family dwelling with an attached 670 square foot garage and 644 square feet of deck, and cisterns; 2) a Coastal Development Permit to allow development within 750 feet of a known archaeological resource; 3) a Coastal Development Permit to allow development on slope greater than 30 percent; 4) a Variance from the 18-foot height limit to allow a height above average natural grade of approximately 21.7 feet (net reduction of approximately 1.6 feet from the existing residence); 5) Design Approval; and grading consisting of approximately 1,010 cubic yards of cut and 200 cubic yards of fill (net export of approximately 810 cubic yards); and c. Continue the item to a date certain, and provide direction to staff to return with findings and evidence reflecting the Board's direction. 		
(Appeal, Discretionary Decision – PLN090253/Jagers, 2741 Calle la Cruz, Carmel Meadows, Carmel Area Land Use Plan)		
Project Location:	2741 Calle la Cruz, Carmel Meadows	APN: 243-031-033-000
Planning Number:	PLN090253	Name: Jagers
Plan Area:	Carmel Area Land Use Plan	Flagged
Zoning Designation:	MDR/2-D (18) (CZ)	and YES
CEQA Action:	Exempt	Staked:
DEPARTMENT:	RMA – Planning Department	

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Consider the appeal of Kurt and Sue Jagers from the discretionary decision by the Zoning Administrator denying a Variance from the 18-foot height limit;
- b. Consider the application (PLN090253/Jagers) for a Combined Development Permit consisting of: 1) a Coastal Administrative Permit for the demolition of an existing 4,095 square foot single family dwelling with 248 square feet of deck and an attached 429 square foot garage, the construction of a new 5,080 square foot single family dwelling with an attached 670 square foot garage and 644 square feet of deck, and cisterns; 2) a Coastal Development Permit to allow development within 750 feet of a known archaeological resource; 3) a Coastal Development Permit to allow development on slope greater than 30 percent; 4) a Variance from the 18-foot height limit to allow a height above average natural grade of approximately 21.7 feet (net reduction of approximately 1.6 feet from the existing residence); 5) Design Approval; and grading consisting of approximately 1,010 cubic yards of cut and 200 cubic yards of fill (net export of approximately 810 cubic yards); and
- c. Continue the item to a date certain, and provide direction to staff to return with findings and evidence reflecting the Board's direction.

SUMMARY:

In November 2009, Kurt and Sue Jagers (Applicants) filed an application (PLN090253) with the Monterey County RMA - Planning Department for a discretionary permit to allow the

demolition of an existing residence and the construction of a new residence, including a request for a Variance to exceed the 18-foot height limit by approximately 3.7 feet, on the parcel located at 2741 Calle la Cruz, Carmel Meadows. The discretionary permit application for PLN090253 received partial Zoning Administrator approval at a duly noticed public hearing on April 8, 2010, but the Zoning Administrator denied the Variance request.

Kurt and Sue Jagers (Appellants) timely filed an appeal from the discretionary decision of the Zoning Administrator per Monterey County Code Section 20.86.030.A. The hearing is on the appeal and is de novo.

The appeal was scheduled for public hearing on May 25, 2010; however, staff requested a continuance to June 15, 2010, and the Appellants requested a continuance to July 27, 2010. The Board of Supervisors, at duly noticed public hearings on May 25 and June 29, 2010, voted unanimously to continue the hearings to June 29 and July 27, 2010, respectively.

DISCUSSION:

See **Exhibit A** for a detailed discussion of the project and the appeal.

OTHER AGENCY INVOLVEMENT:

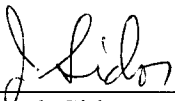
The following agencies have reviewed the project and those that are checked (“✓”) have comments and/or recommended conditions:

	Environmental Health Division
✓	RMA - Public Works Department
✓	Water Resources Agency
✓	Carmel Highlands Fire Protection District

FINANCING:


Funding for staff time associated with this project is included in the FY09-10 Final Budget for the RMA - Planning Department.

Prepared by:



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Approved by:



Mike Novo
Director of Planning

cc: Front Counter Copy; Board of Supervisor’s (16); County Counsel; Environmental Health Division; RMA - Public Works Department; Monterey County Water Resources Agency; Alana Knaster; Mike Novo; Carl Holm; Laura Lawrence, Planning Services Manager; Kurt and Sue Jagers, Owners and Appellants; Jon Erlandson, Applicant’s Agent; Lombardo and Gilles, Appellant’s Representative; Barbara Rainer; Jonathan Barker; Stephen Ligas; and Project File PLN090253

Attachments: Exhibit A Discussion of Proposed Project
Exhibit B Notice of Appeal (April 22, 2010)
Exhibit C Site Plans, Floor Plans, and Elevations
Exhibit D Project Location Map
Exhibit E Advisory Committee Minutes
Exhibit F Technical Report (Biological)
Exhibit G Zoning Administrator Resolution 10-018 (April 8, 2010)
Exhibit H Draft Zoning Administrator Resolution (March 25, 2010)