



Monterey County Zoning Administrator

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Agenda Item #3

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February 09, 2017

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Zoning Administrator

February 9, 2017

PLN 160408 SHANNON

Public hearing to consider a request for a Variance and Design Approval to clear a Code Enforcement violation (CE060172) by granting after-the-fact permits for 1) A 144 square foot bathroom addition to a single family home that does not meet the required side yard setback, and 2) A 400 square foot carport addition that does not meet the front yard setback in the LDR/1-D zone district.

Proposed CEQA Action: Categorically Exempt, per CEQA Guidelines 15301(e) (1).

Project Location: 9 Paseo Cuarto, Salinas, CA, 93908

PROJECT INFORMATION:

Owner: Virginia May Shannon & Virginia May Shannon Trust

APN: 161-083-003-000

Parcel Size: 0.23 acres (10,017) square feet)

Agent: Belinda Taluban

Plan Area: Toro Area Plan

Land Use/Zoning: LDR/1-D, Low Density Residential/One dwelling per unit

Flagged and Staked: No

RECOMMENDATION:

It is recommended that the Zoning Administrator:

- a. Find that the project is categorically exempt from CEQA, per CEQA Guidelines 15301(e); and
- b. Approve the following after-the-fact entitlements:
 - a. Variance and Design Approval to reduce the side set back from 7.45 feet to 4.86 feet for a 144 square foot bathroom addition built without permits and
 - b. Variance and Design Approval to reduce the side set back from 30 feet to 20 feet for a 400 square foot carport built without permits.

A resolution is attached with draft findings and evidence for consideration. Staff recommends approval subject to 3 conditions.

SUMMARY:

The subject site is a 0.23 acre rectangular parcel located at 9 Paseo Cuarto in the San Benancio Village Subdivision, in the inland area of unincorporated Salinas. The applicant requests approval of an after-the-fact Variance and Design review for retention of a 144 square foot bathroom addition with a side yard setback of 4.86 feet that does not meet the t the required side yard setback of 7.45 feet, for a difference of 2.59 feet. The 400 square foot carport addition with

a front yard setback of 20 feet that does not meet the required front yard setback of 30 feet, for a difference of 10 feet. The additions were added to an existing single-family dwelling in the 1980s which had 2,078 square feet. Colors and materials of the additions match the existing dwelling, and are similar to other properties in the neighborhood. Aside from the front and side yard setbacks, the project complies with all applicable height and coverage requirements. The two improvements are part of a Monterey County code compliance case CE060172. Staff supports this variance request because there are several homes in the same subdivision which have been approved for setback variances, and because the additions have been in existence since the 1980's with no negative impacts on the neighborhood.

DISCUSSION:

Approving a Variance and Design Approval to clear a Code Enforcement violation (CE060172) to allow for after-the-fact permit for a 144 square foot bathroom addition and a 400 square foot carport. The property is located at 9 Paseo Cuarto, Salinas (Assessor's Parcel Number 161-083-003-000), Toro Area Plan.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project, have comments, and/or have recommended conditions:

- ✓ Environmental Health Bureau
- ✓ RMA-Public Works
- ✓ RMA-Environmental Services
- ✓ Water Resources Agency
- ✓ Monterey County Fire Protection District
- ✓ Toro Land Use Advisory Committee

The proposed project was reviewed by the Toro Land Use Area Committee (LUAC) on September 12, 2016. The LUAC recommended approval of the project by a vote of 7-0, (1 member absent), (**Attachment B**). LUAC noted the "the carport and bathroom conform to the neighborhood character in design and style. There is adequate access at both sides of the structure".

FINANCING:

Funding for staff time associated with this project is included in the FY2016-17 Adopted Budget for RMA-Planning.

Prepared by: Dee Van Donselaar, Associate Planner, ext.6408
Reviewed by: Jacqueline R. Onciano, Interim Chief of RMA-Planning
Approved by: Carl Holm, AICP, RMA Director

The following attachments are on file:

Attachment A - Draft Resolution, including:

- Conditions of Approval
- Site Map and Drawings

Attachment B - Toro Area LUAC Minutes from September 12, 2016

Attachment C - Vicinity Map

cc: Front Counter Copy; Jacqueline R. Onciano, RMA Services Manager; Belinda Taluban, Applicant; Virginia May Shannon Trust: Owner; Molly Erickson: The Open Monterey Project; (Executive Director); LandWatch; John H. Farrow; Janet Brennan; Project File PLN160408

