

**Before the Zoning Administrator in and for the  
County of Monterey, State of California**

In the matter of the application of:

**GONZALEZ (PLN180375)**

**RESOLUTION NO. 20-007**

Resolution by the Monterey County Zoning  
Administrator:

- 1) Finding the project is an accessory structure which qualifies for a Class 3 Categorical Exemption pursuant to section 15303(e) and a Variance which qualifies for a Class 5 Categorical Exemption pursuant to section 15305 (a) of the California Environmental Quality Act and none of the exceptions under section 15300.2 apply; and
- 2) Approving a Variance to exceed the maximum allowable lot coverage of 5% by approximately 3.75%, for a total of 9%, which will allow a 1,104 square foot detached garage/storage building to be constructed on a property that currently is over the 5% lot coverage limitation at 5.25%.

[PLN180375, Gonzalez, 36370 Mile End Road,  
Soledad, Central Salinas Valley Area Plan (APN:  
165-063-007-000)]

**The Gonzalez application (PLN180375) came on for public hearing before the Monterey County Zoning Administrator on March 12, 2020. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:**

**FINDINGS**

1.       **FINDING:**       **PROJECT DESCRIPTION** – The proposed project is a Variance to allow a total of 9% lot coverage.  
**EVIDENCE:**   a)   The existing use of the property is residential having a two-story, single-family dwelling with an attached garage. The existing footprint coverage is 1,600 square feet, already exceeding the maximum allowed lot coverage by 75 square feet at 5.25 (5.25%) percent lot coverage. The proposed project would add 1,104 square foot of building footprint, which would make the lot coverage 9 percent.  
                          b)   The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN180375.
2.       **FINDING:**       **CONSISTENCY** – With granting of a Variance for lot coverage, the Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

- EVIDENCE:** a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
- the 2010 Monterey County General Plan;
  - Central Salinas Valley Area Plan
  - Monterey County Zoning Ordinance (Title 21);

The project does not conform to the maximum allowable site coverage of 5 percent for the Farmlands zoning designation pursuant to the Zoning Ordinance, Title 21. A Variance is required to exceed the lot coverage and findings to grant the Variance can be made in this case (See Findings 7, 8 and 9). No other conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

- b) The property is located at 36370 Mile End Road (Assessor's Parcel Number 165-063-007-000), Central Salinas Valley Area Plan. The parcel is zoned Farmlands with a 40 acre minimum (F/40), which allows non-habitable accessory structures as a Use Allowed. Therefore, the project is an allowed land use for this site.
- c) The lot was created by the Fort Romie Colony Subdivision (Map of Fort Romie Townsite, Fort Romie Colony, being portion of Lot 4 ex. Mission Soledad Ranch dated 1916). Fort Romie marked the site of the first colonization attempts by the Salvation Army. Testimony by Susan Gonzalez at March 12, 2020 Zoning Administrator hearing. Therefore, the lot is a legal lot of record.
- d) This particular lot (0.70 acre) and majority of the adjacent surrounding lots are made up of residential units under an acre (approximately 0.14 to 0.70 acre), which is not typical of a Farmland zoning districts especially those with a 40 acre minimum requirement. Outside of the immediate residential area of Fort Romie Colony consists of larger parcels ranging from 15 to 20 acres. However, these parcels still do not meet the 40 acre zoning minimum. Pursuant to the Central Salinas Valley Land Use Plan section of the 2010 General Plan, the zoning designation remains F/40.
- e) The development standards for the Farmlands (F) zoning district are identified in MCC Section 21.30.060. Special required setbacks in the F district for accessory structures (non-habitable) units are 50 feet (front), 6 feet (rear), and 6 feet (sides). Corresponding maximum structure height is 35 feet. The proposed height for the garage/workshop unit is 15 feet. The allowed site coverage maximum in the F district is 5%, except for commercial greenhouse operations, which are permitted a coverage of fifty (50) percent. The property is approximately 30,492 square feet, which would allow site coverage of approximately 1,525 square feet. The proposed garage/storage (1,104 sq. ft) unit along with the existing two-story single-family dwelling and attached garage would have a foot print coverage of approximately 2,704 square feet or 9%. The garage/storage unit will be located 20 feet from the side and rear setbacks and 132' from the front setback.
- f) The project planner conducted a site inspection on February 12, 2020 to verify that the project on the subject parcel conforms to the plans listed above.

- g) There is no Land Use Advisory Committee for this area.
- h) The project was referred to the Monterey County Agricultural Advisory Committee (AAC) on September 26, 2019. The AAC unanimously recommended approval with no conditions for the project.
- i) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN180375.

3. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the use proposed.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: RMA- Planning, Mission Soledad Rural Fire Protection District, RMA-Public Works, RMA-Environmental Services and Environmental Health Bureau. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
  - b) The following report has been prepared for this project:
    - “Geotechnical Report” (LIB190150) prepared by Grice Engineering, Inc. Salinas, CA dated January 2019

The above-mentioned technical report by outside consultant(s) indicates that there are no geotechnical constraints that would indicate that the site is not suitable for the use proposed. County staff has independently reviewed this report and concurs with the conclusion.
  - c) The site is currently used for residential use and the use of the property will not change as a result of this project.
  - d) Staff conducted a site inspection on February 12, 2020 to verify that the site is suitable for this use.
  - e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning for the proposed development found in Project File PLN180375.

4. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by RMA - Planning, Mission Soledad Rural Fire Protection District, RMA-Public Works, RMA-Environmental Services and Environmental Health Bureau. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
  - b) Necessary public facilities are available. The property already has water service provided by a private well and on-site septic; however, the garage/storage unit does not contain any plumbing fixtures and thus does not require water or septic connections.
  - c) Staff conducted a site inspection on February 12, 2020 to verify that the site is suitable for this use.

- d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning for the proposed development found in Project File PLN180375.
5. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.
- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning and Building Services Department records and is not aware of any violations existing on subject property.
  - b) Staff conducted a site inspection on February 12, 2020 and researched County records to assess if any violation exists on the subject property.
  - c) There are no known violations on the subject parcel.
  - d) The application, plans and supporting materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development are found in Project File PLN180375.
6. **FINDING:** **CEQA (Exempt):** - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.
- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines Section 15303(e), categorically exempts accessory (appurtenant) structures.
  - b) CEQA Guidelines Section 15305, categorically exempts minor alterations in land use limitations in areas with an average slope of less than 20% (including Variances), which do not result in any changes in land use or density. The average slope on the proposed site is under 20%.
  - c) The project includes a Variance for lot coverage and construction of an accessory structure (garage/storage) on a residential parcel with slopes less than 20 percent. There will be no change in land use or density as a result of the project. Therefore, the project qualifies for a categorical exemption from CEQA.
  - d) No adverse environmental effects were identified during staff review of the development application during a site visit on February 12, 2020.
  - e) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project does not involve a designated historical resource, a hazardous waste site, development located near or within view of a scenic highway, unusual circumstances that would result in a significant effect or development that would result in a cumulative significant impact.
  - f) Staff conducted a site inspection on February 12, 2020 to verify that the site is suitable for this use.
  - g) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN180375.
7. **FINDING:** **VARIANCE (SPECIAL CIRCUMSTANCES)** –Special circumstances are applicable to the subject property, including the size, shape, topography, location or surroundings. The strict application of



development standards in the Monterey County Codes is found to deprive the subject property of privileges enjoyed by other properties in the vicinity under and under identical zoning classification.

- EVIDENCE:**
- a) The property has a zoning designation of F/40 (Farmlands, 40 acres per unit).
  - b) Pursuant to Section 21.30.010 of the “F” zoning district, the purposes of the zoning is to provide a district to preserve and enhance the use of the prime, productive and unique farmlands in the County of Monterey while also providing opportunity to establish necessary support facilities for those agricultural uses. The 0.70 acre lot is too small to be a viable agricultural operation. The property has an existing residential use which is allowed in the Farmland zone; however, the Farmland zone limits maximum lot coverage to 5%. On a 0.70 acre (30,492 square feet) parcel, a 5 percent lot coverage would allow only 1,524 square feet of structures. The existing residence is 1,600 square feet which already exceeds the maximum allowable lot coverage (5.25 percent existing). Application of the 5 percent lot coverage in this case would limit the size of the house and preclude accessory structures from being constructed. Houses with accessory structures exist on multiple lots in the vicinity.
  - c) Staff conducted a site inspection on February 12, 2020 to verify that the circumstances related to the property.
  - d) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN180375.

8. **FINDING: VARIANCE (SPECIAL PRIVILEGES)** – The variance shall not constitute a grant of privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated

- EVIDENCE:**
- a) The property has a zoning designation of F/40 (Farmlands, 40 acres per unit).
  - b) Neighboring properties along Colony Road and Mile End Road have garages, workshops and storage units that currently exceeds the 5% building coverage.
  - c) The project planner conducted a site inspection on February 12, 2020 to verify the circumstances related to the property.
  - d) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN180375.

9. **FINDING: VARIANCE (AUTHORIZED USE)** – The variance shall not be granted for a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

- EVIDENCE:**
- a) The property has a zoning designation of F/40 (Farmlands, 40 acres per unit).
  - b) Residential uses and accessory structures such as a garage/workshop are an allowed use in the Farmland zoning designation per section 21.30.030.
  - c) The project planner conducted a site inspection on February 12, 2020 to verify the circumstances related to the property.

- d) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN180375.

10. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Planning Commission  
**EVIDENCE:** Section 21.80.040 of the Monterey County Zoning Ordinance states that the proposed project is appealable to the Planning Commission.

### **DECISION**

**NOW, THEREFORE**, based on the above findings and evidence, the Zoning Administrator does hereby:

1. Find the project categorically exempt per sections 15303(e) and 15305 of the California Environmental Quality Act; and
2. Approve a Variance to exceed the maximum allowable lot coverage of 5% by approximately 3.75%, for a total of 9%, which will allow a 1,104 square foot detached garage/storage building to be constructed on a property that currently is over the 5% lot coverage limitation at 5.25%, in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 12<sup>th</sup> day of March, 2020.



Mike Novo, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON **MAR 16 2020**

THIS APPLICATION IS APPEALABLE TO THE ZONING ADMINISTRATOR

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE PLANNING DIRECTOR ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE **MAR 26 2020**.

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

### **NOTES**

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from Monterey County RMA-Planning and RMA-Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

Form Rev. 5-14-2014

# Monterey County RMA Planning

## Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN180375

### 1. PD001 - SPECIFIC USES ONLY

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** This variance (PLN180375) allows exceeding the maximum allowable lot coverage of 5% by approximately 4%, for a total of 9%, which will allow a 1,104 square foot detached garage/storage building to be constructed on a property that currently is over the 5% lot coverage limitation at 5.25%.. The property is located at 36370 Mile End Road (Assessor's Parcel Number 165-063-007-000), Central Salinas Valley. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of RMA - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning)

**Compliance or Monitoring Action to be Performed:** The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

### 2. PD002 - NOTICE PERMIT APPROVAL

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The applicant shall record a Permit Approval Notice. This notice shall state:  
"A Variance (Resolution Number 20-007) was approved by Zoning Administrator for Assessor's Parcel Number 165-063-007-000 on March 12, 2020. The permit was granted subject to 3 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (RMA - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.

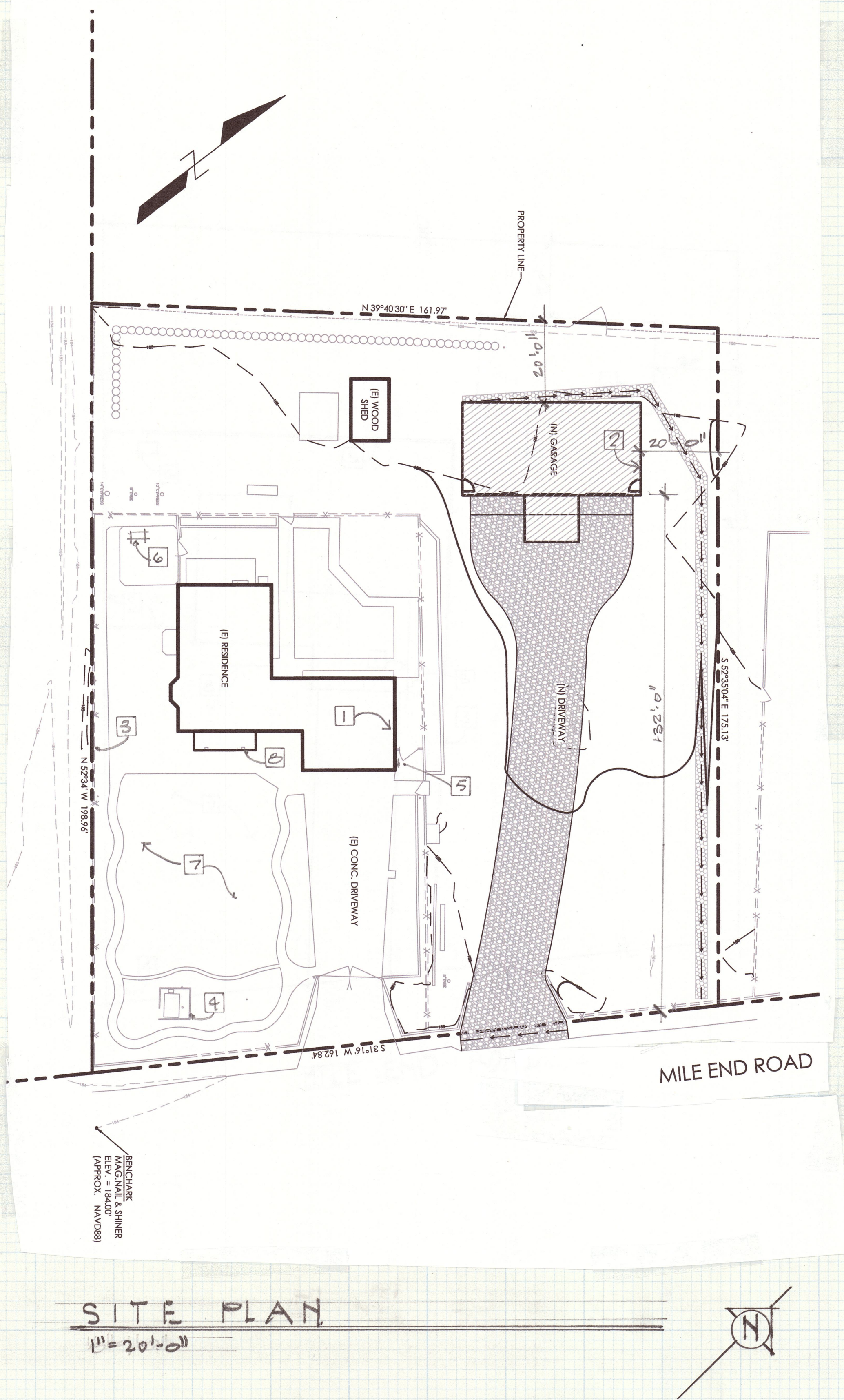
### 3. PW0005 – DRIVEWAY IMPROVEMENTS

**Responsible Department:** RMA-Public Works

**Condition/Mitigation Monitoring Measure:** Construct driveway connection(s) to Mile End Road. The design and construction is subject to the approval of the RMA. Encroachment Permits are required for all work within the public right-of-way.

**Compliance or Monitoring Action to be Performed:** Owner/Applicant shall submit the design for review and approval of the RMA-PWF, obtain an encroachment permit from the RMA prior to issuance of building or grading permits, and construct and complete improvements prior to occupancy or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.





**GENERAL NOTES**

1. ALL WORK AND MATERIAL SHALL BE PERFORMED AND INSTALLED IN COMPLIANCE WITH THE FOLLOWING CODES AS ADOPTED BY THE INSPECTION AUTHORITY. ALL WORK FOR THIS PROJECT AND THIS SET OF PLANS WILL COMPLY WITH:

APPLICABLE 2016 CODES:

A. CALIFORNIA RESIDENTIAL CODE  
B. CALIFORNIA PLUMBING CODE  
C. CALIFORNIA MECHANICAL CODE  
D. CALIFORNIA FIRE CODE  
E. CALIFORNIA ELECTRICAL CODE  
F. CALIFORNIA ENERGY CODE  
G. CALIFORNIA GREEN BUILDING STANDARDS CODE

APPLICABLE 2005 CERTIFICATION IS REQUIRED FOR ALL PERSONS WHO PERFORM WORK AS ELECTRICIANS FOR CONTRACTORS LICENSED AS C-10 NOTIFY PROPERTY OWNER UNDER THE CONTRACTOR'S STATE LICENSE BOARD OF RULES AND REGULATION

2. WORKMANSHIP: ALL WORK TO BE DONE IN A NEAT AND PROFESSIONAL MANNER IN ACCORDING TO THE BEST TRADE PRACTICE. ALL WORK TO BE DONE BY SKILLED WORKERS IN THE PARTICULAR TRADE. ALL EQUIPMENT TO BE INSTALLED AS PER MANUFACTURER'S RECOMMENDATIONS.

3. DO NOT SCALE THESE PLANS. VERIFY ALL INFORMATION NOT SHOWN.

4. CONTRACTOR WILL VERIFY BUILDING DIMENSIONS AND SITE LAYOUT PRIOR TO THE START OF CONSTRUCTION.

6. CONCRETE SHALL BE 2500 PSI MIN. IN 28 DAYS.

12. LUMBER SHALL BE GRADED, MARKED AND CONFORM TO STANDARD GRADING RULES.  
HORIZONTAL FRAMING: DF, #2 OR BETTER  
VERTICAL FRAMING: DF, CONST 2x4s, 2x6s, 4x4s, 4x6s, #1 6x6s, 8x8.

14. DO NOT NOTCH STUDS OR PLATES. DRILL HOLES AT CENTERLINE NOT TO EXCEED 1/3 THE MEMBER.

15. ALL WALLS CONTAINING HORIZ. VENT & WASTE SYSTEM SHALL BE 2x6.

16. PROVIDE ATTIC VENTS THAT ARE SCREENED AND WEATHER PROOF.

17. PROVIDE FLASHING AT ALL CRICKETS, VENTS, WALL TO ROOF JOINTS AS REQUIRED TO MAINTAIN THE INTEGRITY OF THE ROOF AND WALLS.

20. DOORS AND WINDOWS SHALL BE WEATHER STRIPPED, CERTIFIED AND LABELED.

**SITE PLAN NOTES**

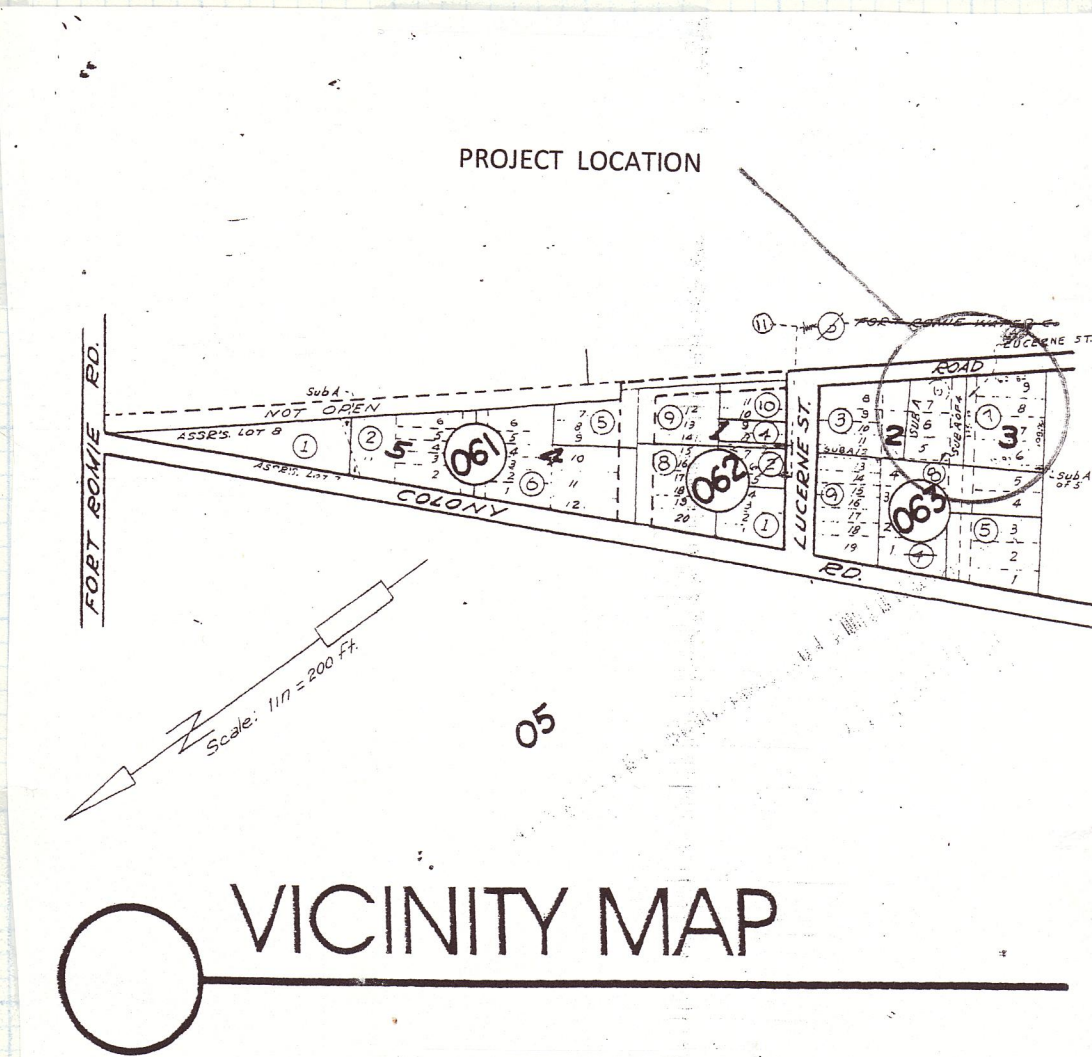
1. EXISTING RESIDENCE
2. NEW GARAGE STORAGE BUILDING
3. EXISTING 6" WOOD FENCE
4. EXISTING WELL
5. EXISTING ELECTRICAL METER
6. EXISTING LPG TANK
7. EXISTING LANDSCAPE PLANTER TO REMAIN
8. EXISTING FRONT PORCH TO REMAIN

**PROJECT STATISTICS**  
**RESIDENCE REMODEL ADDING NEW GARAGE**  
THIS PROJECT TO COMPLY WITH THE 2016 CBC, CMC, CEC, CPC, & CALIFORNIA ADMINISTRATIVE CODE TITLE 24

PROJECT SCOPE	ADD NEW GARAGE OF 1,104 SQ FT
OCCUPANCY	U
TYPE OF CONSTRUCTION	VB
ZONING	F/40
PROJECT ADDRESSES	36370 MILE END ROAD SOLEDAD, CA. 93960
OWNER	MIKE GONZALEZ 36370 MILE END ROAD SOLEDAD, CA. 93960
PROJECT MANAGER	MIKE GONZALEZ 831-970-4537
APN.	165-063-007
EXISTING RESIDENCE	1,836 SQ FT
EXISTING GARAGE	576 SQ FT
NEW GARAGE	1,104 SQ FT 46' X 24'
LOT SIZE	32,400 SQ FT .74 ACRES
LOT COVERAGE	3,516 SQ FT 10%
TYPE OF CONSTRUCTION	VB
FIRE SPRINKLERS	NA

**INSTALLATION GUIDES**  
ALL MANUFACTURER'S INSTALLATION GUIDES TO BE PROVIDED TO INSPECTOR

**GENERAL NOTE**  
PERMIT EXPIRES 180 DAY FROM ISSUANCE DATE



REVISIONS	BY

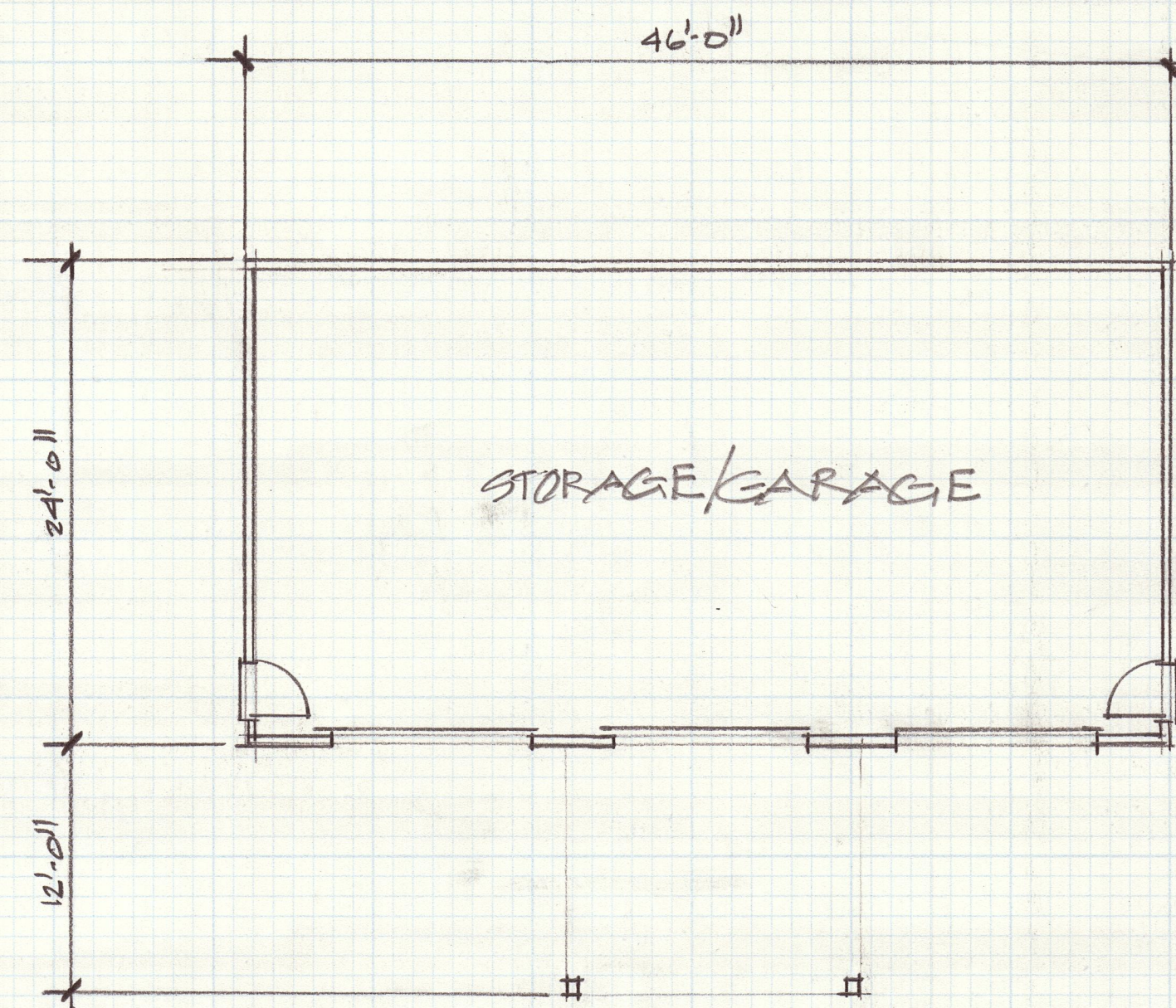
MIKE GONZALEZ  
36370 MILE END ROAD  
SOLEDAD, CA. 93960

**NEW STORAGE GARAGE**  
36370 MILE END ROAD  
SOLEDAD, CA.  
APN: 165-063-007

**WESLEY JAY BEEBE - ARCHITECT**  
P.O. BOX 1743  
KING CITY, CA 93930  
(831) 385-0810  
FAX (831) 385-0688

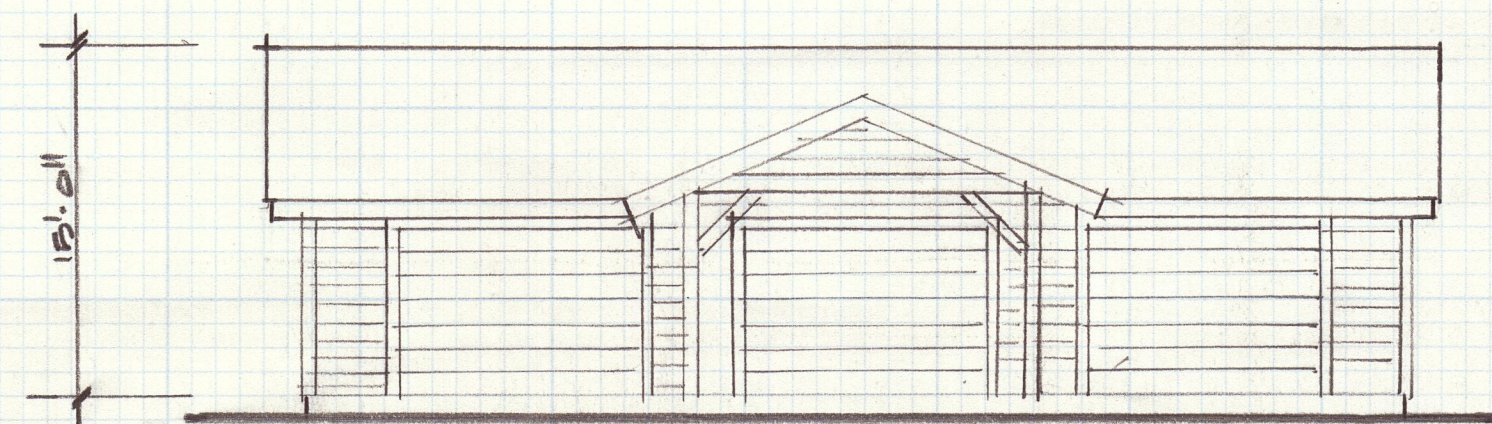
DRAWN
CHECKED
DATE
SCALE
JOB NO.
SHEET
OF SHEETS





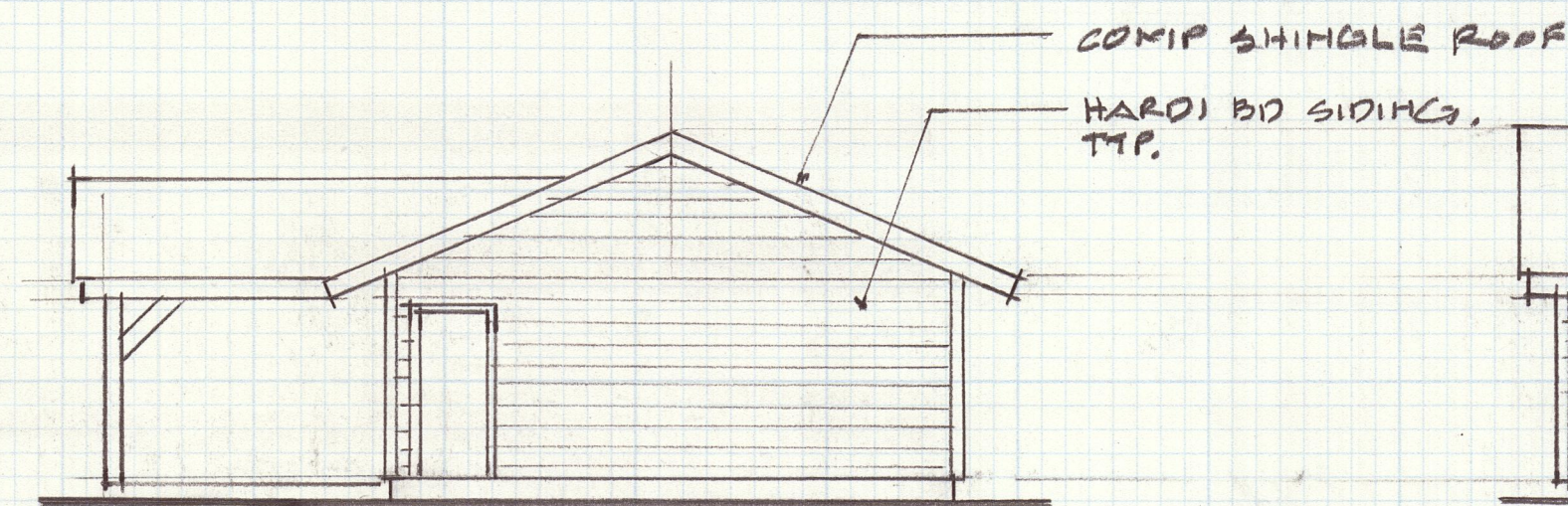
FLOOR PLAN

1/8" = 1'-0"

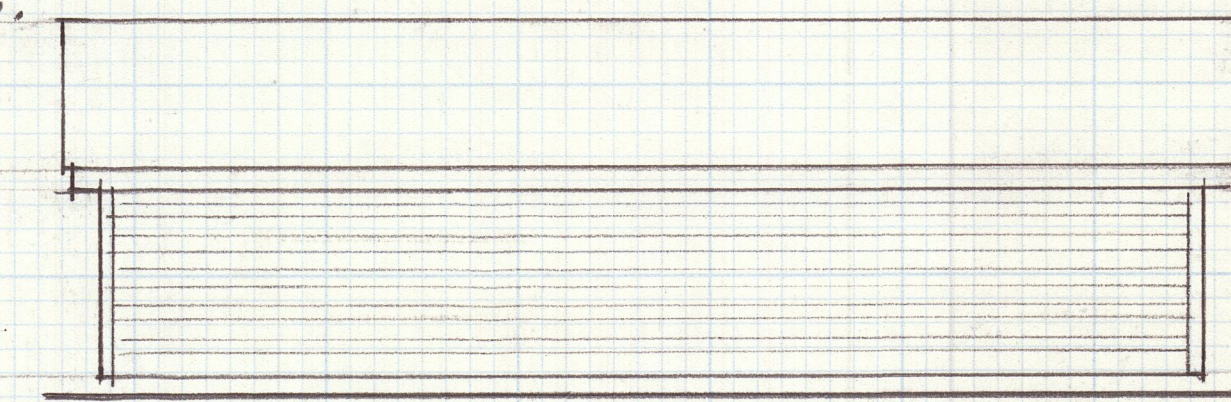


SOUTH ELEVATION

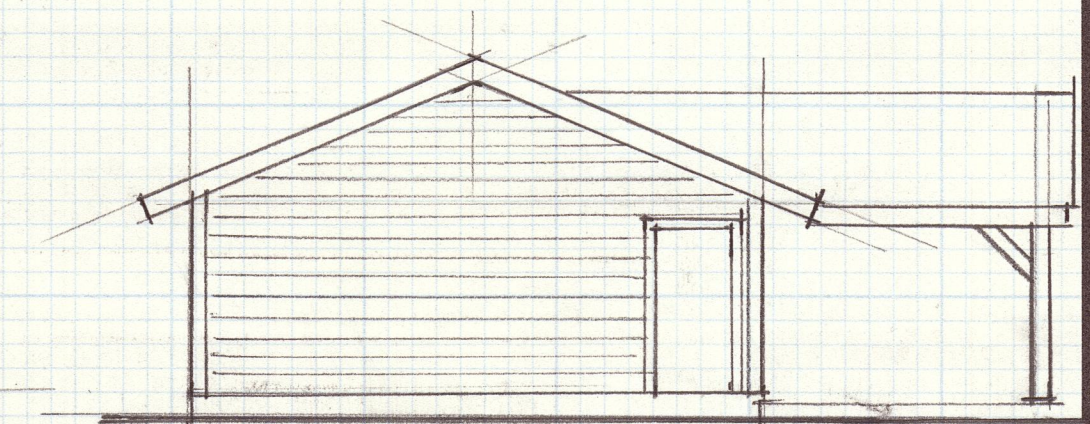
1/8" = 1'-0"



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION

REVISIONS	BY

**WESLEY JAY BEEBE - ARCHITECT**

P.O. BOX 1743  
KING CITY, CA 93930  
(831) 385-0810  
FAX (831) 385-0688

DRAWN
CHECKED
DATE
SCALE
JOB NO.
SHEET

OF SHEETS



This page intentionally left blank.