

NOTICE OF PUBLIC HEARING

PROJECT ADDRESS: 55 17 Mile Drive

APPLICANT: Alan Arvin

APPLICATION: Variance Application No. 06-1700

PROJECT DESCRIPTION: Proposed construction of a one-story addition and open porch projection that encroach into a required front yard setback.

LEGAL DESCRIPTION: Lot 7 Block 266, Pacific Grove Beach Tract


ZONE DISTRICT: R-1

GENERAL PLAN DESIGNATION: Medium Density Residential

ENVIRONMENTAL STATUS: Categorically Exempt, Class 1

WHERE AND WHEN: A public hearing by the Planning Commission to be held on **Thursday, September 7, 2006, at 6:00 P.M.** at the Pacific Grove Civic Center, City Council Chambers, 300 Forest Avenue, Pacific Grove, California.

Dated: August 14, 2006



JON M. BIGGS
Community Development Director

NOTE: The Planning Commission will also meet in a plan and site review session on Tuesday, September 5, 2006, at 4:00 p.m. in the Community Development Department Conference Room, 300 Forest Avenue. The limited purposes of this session are (1) to visit the site of the projects listed on this meeting's agenda and (2) to allow staff to respond to Commissioner inquiries regarding factual aspects of the applications. **THE PLAN AND SITE REVIEW IS AN OPEN MEETING. MEMBERS OF THE PUBLIC MAY ATTEND.**

Should this item be continued at the Planning Commission meeting the Chairman will announce a specific date and time to which the item is being continued. If you are not at the meeting you can find out if an item has been continued by calling the Community Development Department Secretary at (831) 648-3190.

If you have any questions about this item, please call Associate Planner Sally Rideout at the Community Development Department (831) 648-3190.

Any decision by the Planning Commission may be appealed to the City Council within ten days of final action. Please note that Section 65009 (b) (2) of the California Government Code provides that legal challenges to the City's action on this project may be limited to only those issues raised in testimony during the public hearing process.

The City of Pacific Grove does not discriminate against persons with disabilities. The Pacific Grove Civic Center City Council Chambers is an accessible facility. A limited number of devices are available to assist those who are hearing impaired. If you would like to use one of these devices, please contact the Community Development Department Secretary at (831) 648-3190.

This notice may be removed after: September 7, 2006



CITY OF PACIFIC GROVE PLANNING COMMISSION AGENDA REPORT

TO: PLANNING COMMISSION
FROM: COMMUNITY DEVELOPMENT DEPARTMENT
MEETING DATE: SEPTEMBER 7, 2006
SUBJECT: VARIANCE APPLICATION NO. 06-1700
ADDRESS: 55 17 MILE DRIVE
APPLICANT(S):

I. RECOMMENDATION

Approve the application.

II. PROJECT DESCRIPTION

Proposed one-story additions to a one-story single-family dwelling that has a nonconforming front yard setback on a site that is located in an archaeologically sensitive area of the City. The proposed additions include a 10.5' x 6.5' addition that encroaches into the required front yard setback and a reconstructed open front porch that projects up to 5' into the required front setback. The proposed project includes excavation to accommodate construction of the additions.

III. BACKGROUND

Zone District	R-1
General Plan Designation	Medium Density Residential
Lot Size	5,798 Square feet
Historic Inventory	No
Coastal Zone	No
Archaeology Zone	Yes
Biological Zone	No
Nonconforming	Yes

IV. APPLICATION REQUESTS

Planning Commission approval of the variance requests is required for exceptions to the following Municipal Code Sections:

1. 23.16.060 (a): Reduce the required front yard setback from 15' to 12' widening to 14' over a 10'6" distance;
2. 23.64.160: Increase the minimum permitted distance for an open porch projection to extend into a required front yard setback from 3' to 5' over a distance of 7'.

V. DISCUSSION

The subject property is an irregularly-shaped corner building site located at the intersection of 17 Mile Drive and Quarterdeck Way. The site is developed with a one-story single-family dwelling and attached garage that partially encroach into the required front yard setback.

The existing placement of the buildings on the site with respect to its irregular shape and required setbacks limit the opportunities available to the property owner to construct improvements to the residence. These characteristics of the building and land, while common features of several other sites in the immediate vicinity of the subject property, are unusual features not ordinarily found in other areas of any R-1 zone district.

The proposed project involves relatively little excavation, nevertheless, an archaeological assessment of the project was undertaken. According to the report, the site is not located in a known archaeological deposit and no surface indicators of potentially significant resources were observed during a field survey. The report concludes that it is unlikely that significant archaeological resources are present on the site. Nevertheless the Assessment includes contingency recommendations to protect archaeologically or culturally significant materials or artifacts from incidental disruption during project excavation. Pursuant to the City's draft Archaeological Resources Manual, the recommendations shall be included as conditions of project approval.

VI. CONCLUSION/FINDINGS

Staff recommends approval of the variance requests subject to the recommended conditions of approval listed below in Section VII, and suggests the following findings:

1. The existing placement of the building on the irregularly shaped corner building site with respect to required setbacks are unusual circumstances that apply to the land and building in this case, which circumstances, although common in the Pacific Grove Beach tract, generally do not apply to similar land and buildings elsewhere in the R-1 zone district;
2. Granting the requested exceptions to required setbacks is necessary for the preservation and enjoyment of substantial property rights of the property owner because it enables the property owner to construct improvements to the site in a manner consistent with other single-family dwellings in the immediate vicinity of the subject site;
3. Granting said application requests will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood because the proposed additions are less than 100 square feet and the front porch provides a clearly defined front entry on the street.

Architectural Approval and Coastal Commission review and approval is required prior to issuance of a building permit.

VI. RECOMMENDED CONDITIONS

Should the Planning Commission approve the applications, the following are recommended as conditions of approval:

Special Conditions

1. If human remains or archaeological artifacts/cultural features or soils are encountered at any time during project implementation, earth-disturbing work shall be immediately halted within 50 meters

(100') of the find and the Community Development Department Director shall be immediately notified.


2. Earth-disturbing work shall not recommence within the designated area until the find is evaluated by the Project Archaeologist and the Lead Agency (City of Pacific Grove) project planner. If the Lead Agency determines that project-related impacts to the resource can be reasonably avoided, or that the resource is not a significant unique archaeological or paleontological artifact, earth-disturbing work may be allowed to proceed.
3. If the find is determined to be significant, appropriate mitigation measures (mitigation plan) shall be formulated. The mitigation plan shall be prepared at the applicant's expense, by an archaeologist with local expertise and approved by the City of Pacific Grove. The mitigation plan shall be submitted to and approved by the Director of the Community Development Department before work can proceed within the designated area.
4. The mitigation plan shall include recommended preservation measures in accordance with the guidelines of the State Office of Historic Preservation and the State of California Native American Heritage Commission, and an estimate of the costs of mitigation.

Standard Conditions

5. This permit shall be revoked if not used within one year from date of approval. Application for extension of the permit must be made prior to the expiration date.
6. Construction shall not commence until a copy of the resolution signed by the permittee or authorized agent acknowledging receipt of the permits and acceptance of the terms and conditions is returned to the Community Development Department.
7. Review and approval by the Public Works Department is required prior to building permit issuance. If required, the applicant shall obtain an encroachment permit from the Public Works Department prior to issuance of the building permit.
8. All construction must occur in strict compliance with the proposal as set forth in the applications for permits, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by staff and may require Planning Commission approval. These terms and conditions shall be perpetual, and it is the intention of the Planning Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

RESPECTFULLY SUBMITTED,

REVIEWED BY:


SALLY RIDEOUT
ASSOCIATE PLANNER
August 31, 2006


JON M. BIGGS
COMMUNITY DEVELOPMENT DIRECTOR

CITY OF PACIFIC GROVE
APPLICATION FOR VARIANCE
(Municipal Code Chapter 23.72.090)

Accepted for submittal by: Bridget Luce
[CDD Staff person]

CDD Use only
VARIANCE APPLICATION NO.
\$ 06-1700

FEE \$1,050⁰⁰
ACCOUNT NO. 01-4401

Project Location 55 17 mile Dr. APN 006-052-001

Lot(s) 7 Block 266 Tract PG, BEACH Lot Size 5,798 SF

Applicant Alan + Monica Arvin

Applicant's Address 55 17 Mile Drive

Applicant's Daytime Phone No(s). 831-238-2795

Property Owner Alan Arvin

Property Owner's Address 55 17 mile Drive Pacific Grove, CA 93950

Property Owner's Phone No. 831-238-2795

Proposed Variance Request and Reasons for Request: (See reverse side) →→→→→→→→→

This section to be completed by Planning Staff:
Variance Section(s) ENCROACHMENT INTO REQUIRED S.B. (MCS 23.16.060)
PROJECTION OF OPEN PAVEMENT/LANDINGS INTO S.B. (MCS 23.04.160)

CERTIFICATION:

I, the undersigned, under penalty of perjury, depose and say that I am the applicant for this request, that the owner of the property approves this application and that all statements are true and correct.

June 13, 2006
Date

[Signature]
Signature of Applicant

NOTE TO APPLICANT: The filing fee and materials related to the project must accompany this application. Please consult with a planner regarding submittal requirements for your project. 6/13/2006 2 CDD-VAR 1,09
CHECK NUMBER #225
RECEIPT NUMBER #02000030685

(Continued on reverse)

I. PROPOSED VARIANCE REQUEST (state in detail):

Property set back needs to be modified in order to
add small addition to existing kitchen. Existing house
does not conform to current set backs.

II. REASONS FOR REQUEST (pursuant to Section 23.72.090 of the Municipal Code, a statement showing the following is required:

- a. That there are exceptional or extraordinary circumstances or conditions applying to the land, buildings or use referred to in the application, which circumstances or conditions do not apply generally to land, buildings, and/or uses in the same district; (explain)

The existing house does not conform to current set-backs.
The request is to invade to current set back by only
a few feet.

- b. That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner; (explain)

We would like to add about 60 sq ft to our existing kitchen.

- c. That the granting of such application will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not, under the circumstances of the particular case be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood; (explain)

We believe this is a minor modification to the existing house
and will not adversely affect the health or safety of anyone
residing or working in the neighborhood.

NOTE: Use Additional sheets if necessary.

VARIANCE APPLICATION NO:

APPLICANT:

PLANNING DIVISION WORKSHEET

Date of submittal: 6/13/06 Reviewed by: SAMY RIDEOUT

Project Information

Application No.: VAR NO. 06-1700, AA NO. 3584-00

Applicant(s): ALAN & MONICA ARVIN

Project Address: 55 17 MI. DRIVE

A.P.N. 006-052-001 Lot(s) 7 Block 266 Tract P.G. BEACH

Description of project: REMOVAL & CONSTRUCTION OF ADDITIONS TO (E) SFD INCLUDING ONE-STORY ADDITION IN FRONT SETBACK
Land Use Designations

Zone District R-1 General Plan MEDIUM DENSITY RESIDENTIAL

Environmental Review

- CEQA Categorically Exempt, Class MAYBE - ARCHAEOLOGY
- Initial Study required
- State of California Department of Fish & Game Fee required

Additional Reviews & Submittal Materials Required

- Monterey Peninsula Water Management District Water Release Form and Water Permit Application
- Property listed on Historic Resources Inventory (indicate in special conditions box of building permit and prepare contractor project on-site notice). Notice to P.G. Heritage Society sent:
- Demolition review required. See historic preservation ordinance threshold and/or nonconforming structure/uses ordinance.
- Architectural approval required.
- Archeological report required.
- Biological/botanical evaluation required.
- Survey required.
- Monarch overwintering site
- Golf course hazard area
- Trip Reduction Checklist required. Required for all new and expanded tourist serving developments and for special events, new and expanded commercial uses involving 50 or more employees or more than 25,000 square feet, and residential developments involving 25 or more dwelling units. See Trip Reduction Checklist for details.

Other Department/Agency Reviews Required

- Coastal Zone
- Site Plan Review Committee approval required.
- Fire Dept. Plans forwarded 6/16/06
- Public Works. Plans forwarded 6/16/06
- Tree evaluation required. Plans forwarded _____
- Monterey County Health Department Hazardous materials survey required (for commercial/industrial projects only).
- Monterey County Health Dept. review required (trash enclosures for multi-family and commercial projects).
- Pacific Grove Disposal Co. (trash enclosures)
- Air Quality Management District (commercial/industrial including demolitions)

PROJECT DATA SHEET

PROJECT ADDRESS: 55 17 MILE DRIVE
 APPLICANT(S): ALAN ARVIN
 DATE PLANS SUBMITTED TO CITY OF PACIFIC GROVE: 6/13/06
 PROJECT DESCRIPTION: REMODEL'S ADDITION TO SFD
 PRELIMINARY VALUATION: \$ _____

	Required/ Permitted	Existing Condition	Proposed Condition	Notes
Zone District	R-1	R-1	-	
Site Area	6000	5798	-	
Density (multi-family projects only)	4FD	SFD	-	
Building Coverage	40%	27%	29%	
Paving Coverage	20%	5%	11%	
Total Site Coverage	100%	32%	40%	OK
Floor Area	2856 [±]	1157 [±]	1229 [±]	
Total Exterior Lateral Wall Length to be demolished.	---	N/A	N/A	
Total Exterior Lateral Wall Length to be demolished and rebuilt.	---	N/A	N/A	
Building Height	26'	15'	15'	
Number of stories	1	1	1	
Front Setback	15'	12'3"	11'6"	
<u>NORTH</u> Side Setback (specify side)	10'	22'	22'	
<u>SOUTH</u> Side Setback (specify side)	10'	20'	20'	
Rear Setback	10'	6'6"	6'6"	
Garage Door Setback	20'	14'	14'	
Covered Parking Spaces	1	1	1	
Uncovered Parking Spaces	1	1	1	
Parking Space Size (Interior measurement)	9' x 20'	9' x 18'6"	9' x 20'	
Number of Driveways	1	1	1	
Driveway Width(s)	18'	18'	18'	
Back-up Distance				
Eave Projection (Into Setback)	3' maximum	5'	5'	
Distances Between Eaves And Property Lines	3' minimum	5'2"	5'2"	
Open Porch/Deck Projections	4'	4'	4'9"	
Architectural Feature Projections	3'	3'	3'	
Number of Accessory Buildings	N/A	N/A	N/A	
Accessory Building Setbacks				
Accessory Building Height				
Fence Heights	6'	6'	6'	

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 JUL 19 2006
 COMMUNITY DEV. DEPT.

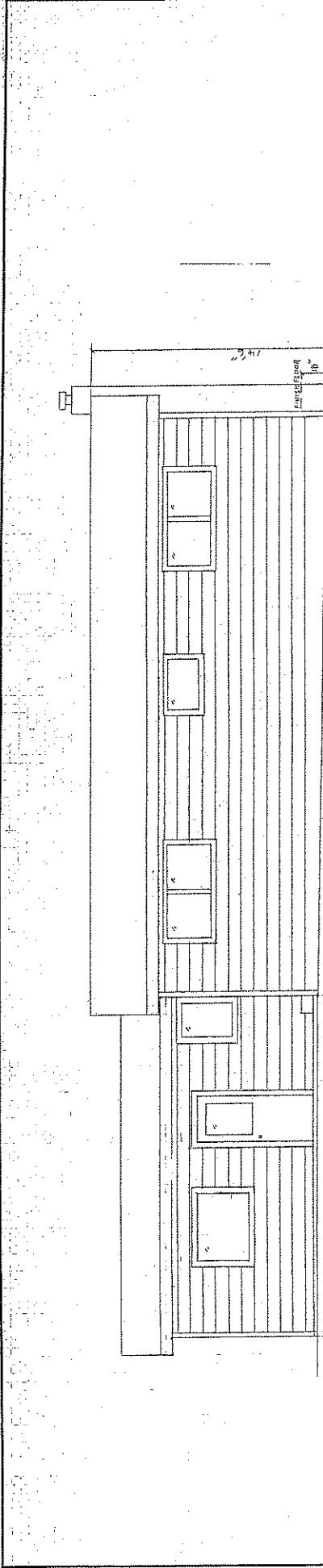
Home Addition & Remodel
 Alan & Monica Arvin
 55 17 Mile Dr
 Pacific Grove, Ca 93950
 APN = 006-052-001

Jon Cochran Construction
 PO Box 3782
 Salinas, Ca 93912

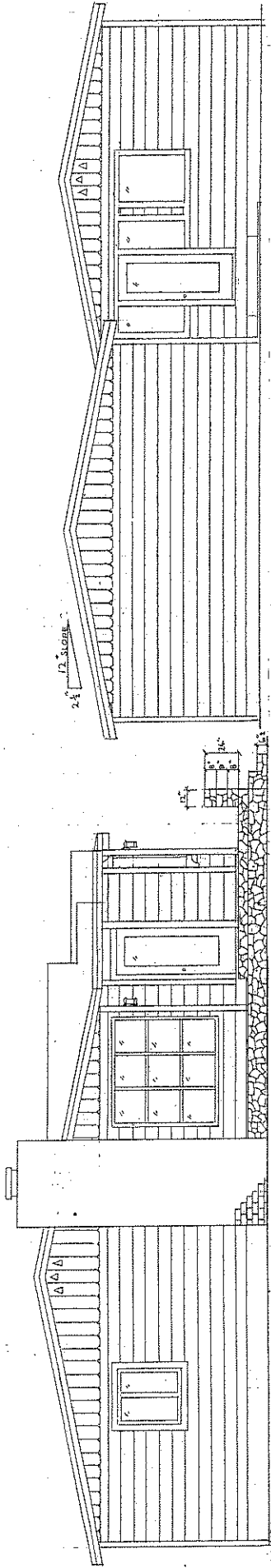
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JUN 18 2005

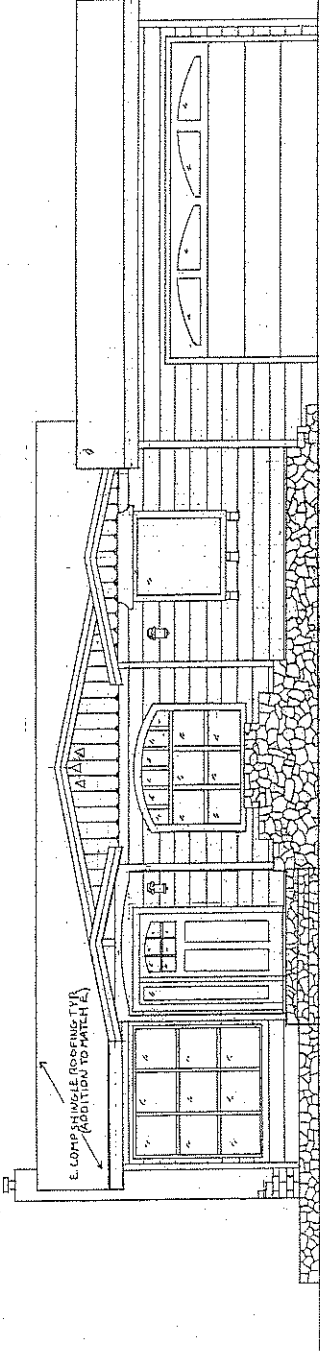


E. EAST ELEVATION - UNALTERED 1/4" = 1'



NEW NORTH ELEVATION 1/4" = 1'

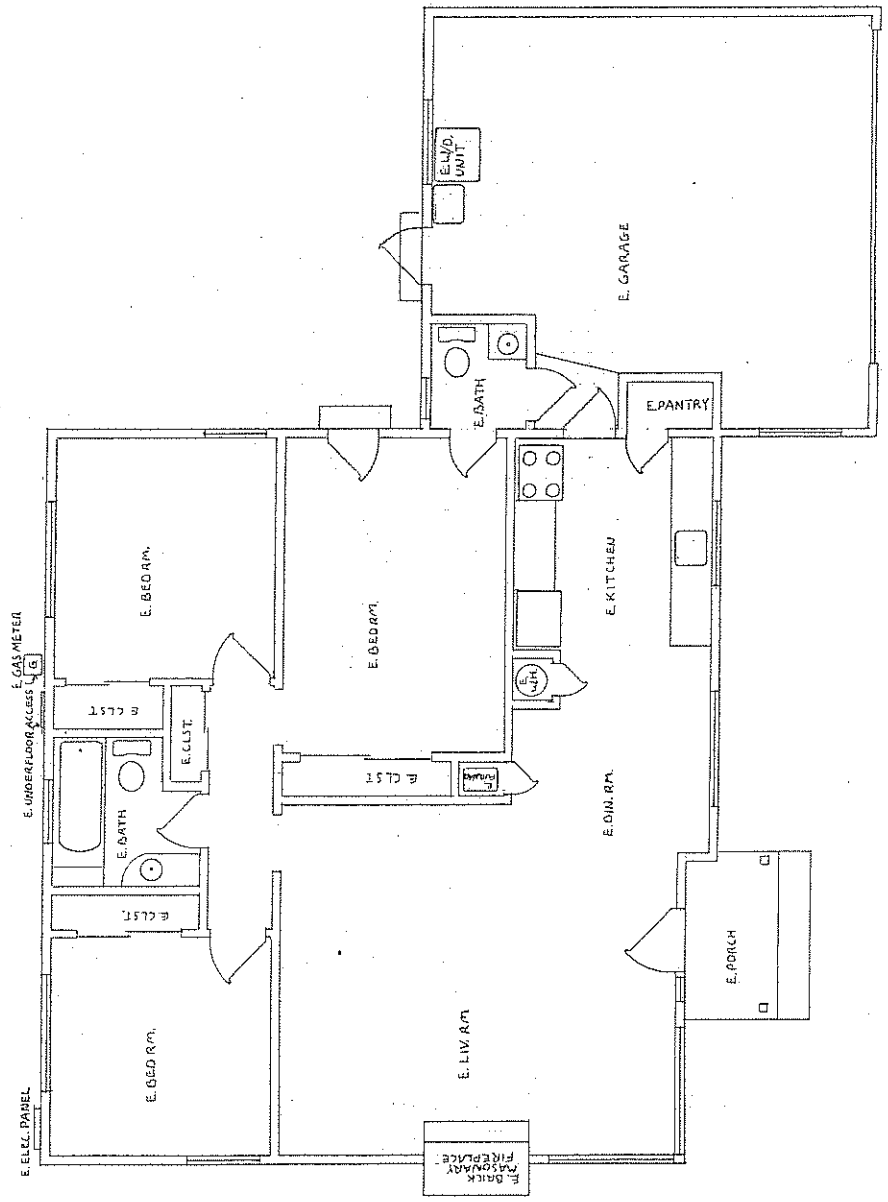
E. SOUTH ELEVATION - UNALTERED 1/4" = 1'



NEW WEST ELEVATION 1/4" = 1'

COMMUNITY DEVELOPMENT
 JUN 18 2003

Home Addition & Remodel
 Alan & Monica Arvin
 55 17 Mile Dr
 Pacific Grove, Ca 93950
 APN = 008-052-001

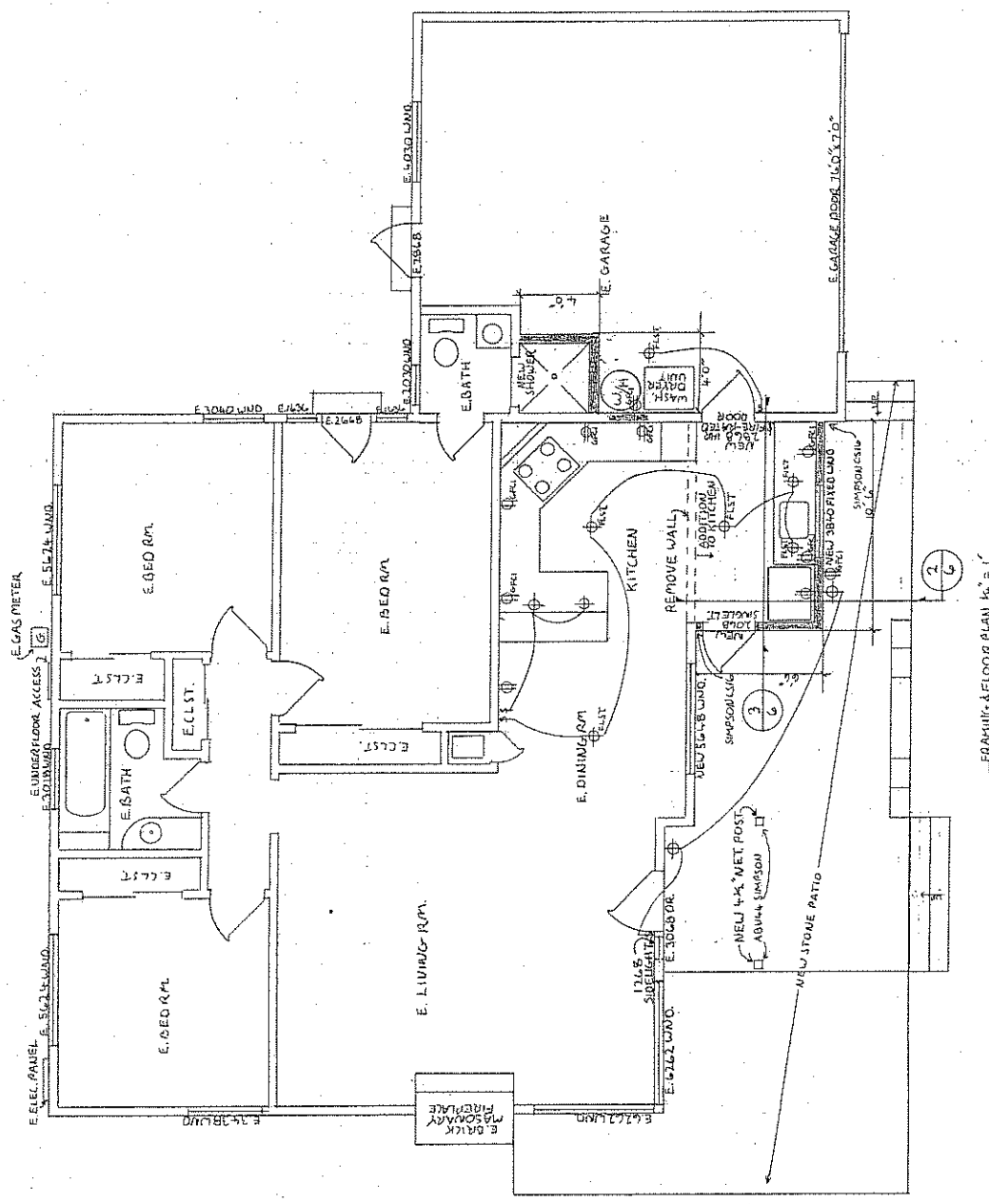


Home Addition & Remodel
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 Pacific Grove, Ca 93950
 APN = 006-052-001

Jon Cochran Construction
 PO Box 3782
 Salinas, Ca 93912

COMMUNITY DEV. DEPT.

JUN 13 2011



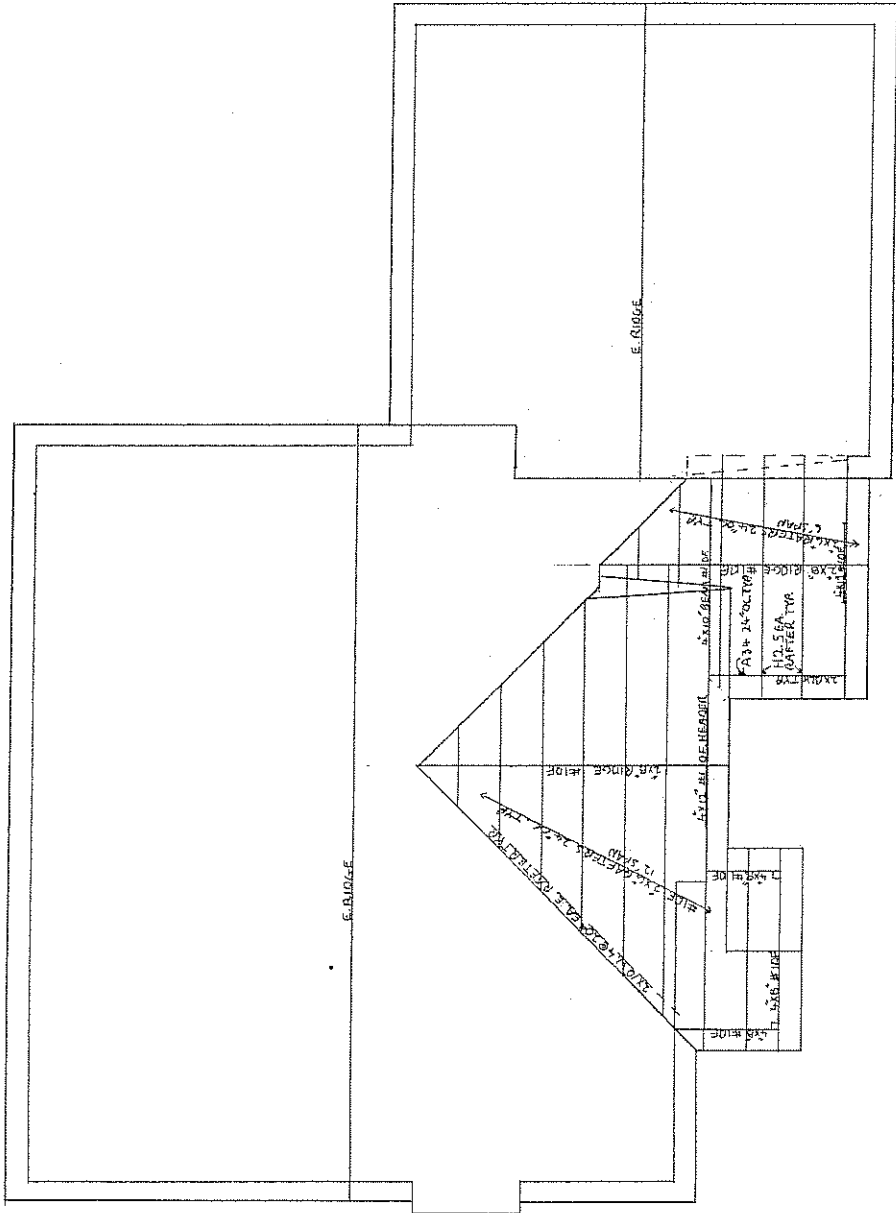
FOUNDATION & FLOOR PLAN, 1/8\"/>

Home Addition & Remodel
 Alan & Monica Arvin
 55 17 Mile Dr
 Pacific Grove, Ca 93950
 APN = 006-052-001

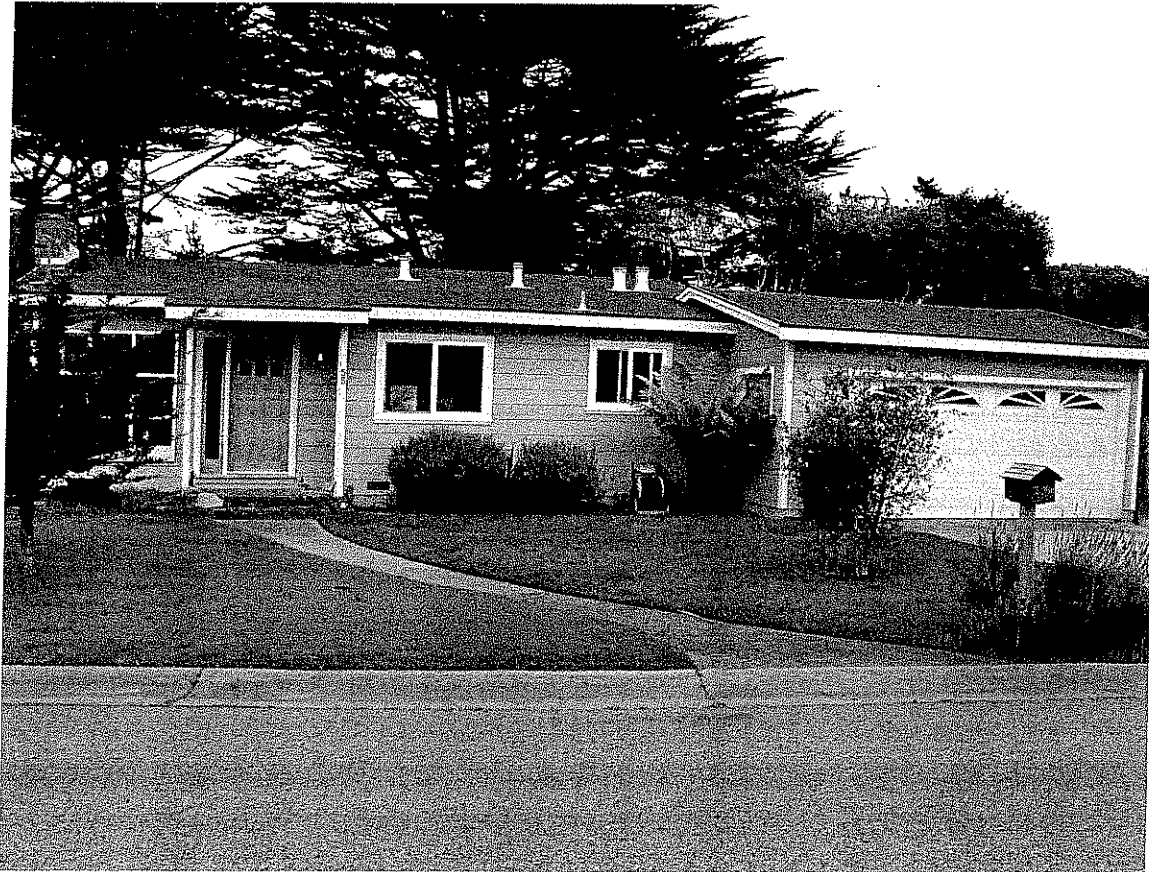
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 PO Box 3782
 Salinas, Ca 93912
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 JUN 19 2005

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ROOF FRAMING PLAN 1/4" = 1'



Alan and Monica Arvin
55 17 Mile Drive
Pacific Grove, CA 93950
(831) 238-2795

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