



CITY OF PACIFIC GROVE

300 FOREST AVENUE
PACIFIC GROVE, CALIFORNIA 93950
TELEPHONE (831) 648-3190 • FAX (831) 648-3184

RECORD OF DECISION

ADMINISTRATIVE HEARING

DATE & TIME: THURSDAY, MAY 21, 2009 – **10:00 a.m.**

LOCATION: CITY HALL, CITY MANAGER CONFERENCE ROOM – 300 FOREST AVENUE

Administrative Hearing Officer: Lynn Burgess, AICP, Chief Planner

1. CALL TO ORDER

The meeting was called to order at 10:02 a.m.

2. COMMENTS FROM THE PUBLIC

None.

3. REGULAR AGENDA

a. Project Address: 984 Ransford Avenue

Administrative Approval of Administrative Use Permit Application No. 2996-09. The application is to allow a first floor addition to a single family residence with non-conforming off-street parking and setbacks as provided for in Municipal Code Sections 23.68.050(d)(1), (2) and 23.70.020(1).

CEQA Status: Categorically Exempt, Class 1

Applicant: Juvenal Quezada, on behalf of Nickolas and Jennifer Garcia

Staff Contact: Associate Planner Valerie Tallerico

Chief Planner Lynn Burgess introduced the project. Applicant Juvenal Quezada was present to answer questions. Associate Planner Valerie Tallerico noted that the proposed addition conforms to the required setbacks.

The public comment period was opened. No public comment was received.

Decision: Approve Administrative Use Permit Application No. 2996-09 subject to the standard findings and conditions (see below).

b. Project Address: 702 9th Street

Administrative Approval of Administrative Use Permit Application No. 2999-09. The application is to allow a first floor addition to a single family residence with non-conforming setbacks as provided for in Municipal Code Sections 23.68.050(d) (2) and 23.70.020(1).

CEQA Status: Categorically Exempt, Class 1
 Applicant: Ed Bredthauer, Architect on behalf of Betsy Lobay
 Staff Contact: Associate Planner Valerie Tallerico

Chief Planner Lynn Burgess introduced the project. Applicant Ed Bredthauer and owner Betsy Lobay were present to answer questions. Associate Planner Valerie Tallerico noted that the proposed addition conforms to the required setbacks. Mr. Bredthauer responded to a few questions from Chief Planner Burgess.

The public comment period was opened. No public comment was received.

Decision: Approve Administrative Use Permit Application No. 2999-09 subject to the standard findings and conditions (see below).

c. Project Address: 1118 Miles Avenue

Administrative Approval of Administrative Use Permit Application No. 2998-09. The application is to allow a first floor addition to a single family residence with non-conforming setbacks as provided for in Municipal Code Sections 23.68.050(d) (2) and 23.70.020(1).

CEQA Status: Categorically Exempt, Class 1
 Applicant: Ted Larson, Architect, on behalf of Charles and Edie Marvin
 Staff Contact: Associate Planner Valerie Tallerico

Chief Planner Lynn Burgess introduced the project. Applicant Ted Larson was present to answer questions. Associate Planner Valerie Tallerico noted that the proposed addition conforms to the required setbacks. Mr. Larson responded to several questions from Chief Planner Burgess.

The public comment period was opened. No public comment was received.

Decision: Approve Administrative Use Permit Application No. 2998-09 subject to the standard findings and conditions (see below).

d. Project Address: 1250 Sinex Avenue

Administrative Approval of Administrative Architectural Approval Application No. 09-0193. The application is to allow a design change of windows on the east (side) elevation of an existing home under a current building permit.

CEQA Status: Categorically Exempt, Class 1
 Applicant: William Harber
 Staff Contact: Senior Planner Karen Vaughn

Chief Planner Lynn Burgess introduced the project. Applicant William Harber and owner Doloros Zimmerman were present and answered questions from Chief Planner Burgess.

The public comment period was opened. No public comment was received.

Decision: Approve Administrative Architectural Approval Application No. 09-0193 subject to the standard findings and conditions (see below).

4. **ADJOURNMENT**

The meeting was adjourned at 10:18 a.m.

STANDARD FINDING FOR APPROVAL OF AN ADMINISTRATIVE USE PERMIT:

As conditioned, the establishment, maintenance or operation of the use applied for will not 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 the general welfare of the city.

STANDARD FINDING FOR APPROVAL OF AN ADMINISTRATIVE ARCHITECTURAL APPROVAL APPLICATION:

The architecture and general appearance of the building(s) will be in keeping with the neighborhood and the completed project will not be detrimental to the orderly and harmonious development of the City nor impair the desirability of investment or occupation in the neighborhood.

STANDARD CONDITIONS OF ADMINISTRATIVE USE PERMITS AND ADMINISTRATIVE ARCHITECTURAL APPROVALS:

1. This approval shall be null and void if a building permit has not been applied for within one year from the date of approval. Application for extension of this approval must be made prior to the expiration date.
2. All construction must occur in strict compliance with the proposal as set forth in the application(s) for permits, subject to any special conditions. Any deviation from the approved plans must be reviewed and approved by the staff and may require Planning Commission or Architectural Review Board approval.
3. The terms and conditions shall be perpetual, and it is the intention of the City of Pacific Grove and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.
4. Review by the Public Works Department is required prior to issuance of the building permit. The applicant shall obtain an encroachment permit from the Public Works Department before undertaking any work in the Public way and prior to issuance of the building permit.

NOTICE OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Applicants with approved projects that have been deemed statutorily or categorically exempt under the California Environmental Quality Act (CEQA) may file a Notice of Exemption (NOE) directly with the Monterey County Clerk in order to reduce the CEQA challenge period from 180 days to 35 days (CEQA Guidelines Section 15062). Applicants wishing to file the NOE should

contact their planner for instructions on how to file the notice with Monterey County. Please note the Monterey County Clerk has a \$50 filing fee for a NOE.

Filing of a NOE by the City of Pacific Grove is not required. CEQA determinations are included in the public hearing notices for all projects.

JUDICIAL TIME LIMITS

This serves as written notice that Pacific Grove Municipal Code Section 1.20.010 incorporates Section 1094.6 of the Code of Civil Procedure of the State of California and provides a ninety-day limitation for judicial review of any final administrative decision by the council, or any board, commissioner, or officer of the city.