

**REGULAR MONTHLY MEETING DEL REY OAKS PLANNING
COMMISSION WEDNESDAY, FEBRUARY 11, 2009 AT 7:00 P.M.
CHARLIE BENSON MEMORIAL HALL**

Present: Commissioner Thayer, Clarke, Zuccaro, Hayworth, Lucido and Vice Chair Weir

Absent: Commissioner Jaksha

Also Present: Assistant City Attorney Buchert and Assistant Deputy City Clerk Minami

CONSENT AGENDA:

Motion by Commissioner Clarke to approve:

January 14, 2009 Regular Planning Commission Minutes

Seconded by Commissioner Lucido

No public comment was received

Motion passed 6-0

PUBLIC COMMENT: None

BUILDING REPORT: Accepted

OLD BUSINESS:

The Commission considered **Item 5.A.** Saber Construction Group, Inc., ARC #08-14/VAR #08-04, 49 Work Ave, APN #012-492-031. Requesting Architectural Review and Variance to add a 265 sq. ft. master bedroom suite and a 573 sq. ft. garage to an existing 1343 sq. ft. single family residence, totaling 2181 sq. ft. The garage addition will encroach into existing setback by 3 feet. This is a re-design of the original submittal from the January meeting.

Commissioner Lucido stepped down from dais and left chamber, he is employed by the company that did the site survey for project.

Ken Turgen, representative for applicant: What commission is seeing is a scaled down version of the project from last month. The height isn't needed because the owners found storage for the Air Stream Trailer.

Commissioner Thayer: Height was a huge issue, now the view from the northern impact is better. Doesn't have a problem with this project.

Public Comment: Roxanne Buck-Ezcurra of 45 Work Ave.: Height was reduced, but width wasn't addressed with the re-design. The owners didn't not contact them to work out a solution, as suggested at last month's meeting. The contractor informed them that he still needs a variance even with the reduced height. The 38 foot long garage unit would run adjacent to their entire side of the house, 3 feet from the fence. The petitioner has not shown evidence of evidence of exceptional circumstances for granting the variance. They support the idea of a traditional-sized garage created with the

required setback. Spoke to Monterey building department and found out that a standard garage door width is 9 feet. Hands Assistant Deputy City Clerk Minami a letter stated all points.

Assistant City Attorney Buchert: There are no exceptional findings for this variance, no hardship on the land. Counsel can not support this.

Commissioner Weir: Clarify the wording "uses" in the variance application.

Assistant City Attorney Buchert: Explains, that "uses" refers to the use of the single family dwelling.

Commissioner Zuccaro: A standard garage door is 9 feet wide, this one is still 12 feet wide and doesn't have to accommodate an R.V. Why is it still so wide?

Vice Chair Weir: If they have a place to store the Air Stream, why is such a wide garage door still needed?

Ken Turgen: The truck that pulls the Air Stream is very wide and has mirrors on either side and it is hard to maneuver.

Assistant City Attorney Buchert: The truck not fitting into the garage isn't a hardship on the land.

Commissioner Thayer: Disagrees with counsel. Structurally the door should be wide to accommodate the building. It won't be detrimental to the neighborhood, it would be detrimental to the applicant if they don't have a garage.

Commissioner Clarke: Also disagrees with counsel, they have extraordinary circumstances because of how the land is situated and the need for the garage to be located where they are proposing it to go.

Commissioner Zuccaro: Struggling with argument regarding the variance findings. 12 feet is very grand and would rather have a more narrow solution.

Commissioner Hayworth: Trouble with approving this, truck mirrors fold in. Would support a more narrow door solution.

Commissioner Zuccaro: 3 feet narrower is a good compromise.

Vice Chair Weir: Asks counsel, can commission make a recommendation with conditions?

Assistant City Attorney Buchert: Reviews options for recommendations.

Ken Turgen: Wants to know what the home owners can do and they will do it. With a narrow door, it would not go further than 5 ½ inches into set back.

Roxanne Buck-Ezurra: Would not have a problem with 5 or 6 inches into set back.

Motion by Commissioner Zuccaro to approve Item 5.A., ARC# 08-14/VAR#08-04 re design with the condition that the garage is built 12 feet out to the side of the building, and 5 ½ inches over set back, seconded by Commissioner Clarke, with the amendment that the placement of the garage is necessary for the preservation and enjoyment of the petitioner.

No further public comment was received.

Motion passed 5-0

Commissioner Lucido came back to dais.

The Commission considered **Item 5.B: Consider adopting Resolution No. 2009-01**, a Resolution of Intention, initiating amendments to the zoning ordinance relating to Lot coverage and Site Assessment requirements and setting a public hearing regarding adoption of said amendments.

Motion by Commissioner Thayer to approve Item 5.B. Resolution No. 2009-01, a Resolution of Intention, seconded by Commissioner Clarke.

No further public comment was received.

Motion passed 6-0

ANNOUNCEMENTS/COMMENTS:

Commissioner Hayworth: Great job, Del Rey Oaks Police Department, thank you!

Commissioner Thayer: Agrees with Commissioner Hayworth and also thanks Vice Chair Weir for the great job.

Commissioner Zuccaro: Consent agenda items are listed on agendas of other meetings.

Assistant City Attorney Buchert: Too time consuming and expensive for a small city.

7:50 P.M. – Meeting Adjourned

NEXT REGULAR MEETING: Wednesday, March 11, 2009 at 7:00 P.M.

Approved
