

**Before the Planning Commission in and for the  
County of Monterey, State of California**

Resolution No. 07030

Approve the request to waive fees )  
(Kessler) for a Variance application )  
(Kessler; PLN070120) to allow the )  
construction of a 278 square foot bedroom )  
addition constructed prior to 1974, without )  
the benefit of permits, to encroach into the )  
20 foot rear setback approximately 12 feet )  
and; a 133 square foot bathroom addition )  
constructed from 2004-2005, without the )  
benefit of permits, to encroach into the rear )  
setback approximately 10 feet based on the )  
Planning Commission's authority to waive )  
permit fees when the request does not meet )  
the listed criteria for RMA-Planning )  
Director authorized fee waivers as )  
established by the County Board of )  
Supervisor's adopted Fee Waiver Policy of )  
August 29, 2000. .... )

**WHEREAS**, a code enforcement case was opened on the Kessler property on June 15, 2004; and

**WHEREAS**, on February 15, 2005 the applicant applied for a Design Approval to clear the violation; and

**WHEREAS**, in January of 2007 the applicant was informed by the Resource Management Agency – Planning Department that a Variance was required and;

**WHEREAS**, the Resource Management Agency – Planning Department should have informed the applicant of the Variance requirement in a more timely manner; and

**WHEREAS**, the applicant has applied for a waiver of all fees associated with the Variance.

**NOW, THEREFORE, BE IT RESOLVED THAT THE PLANNING COMMISSION**, under its discretionary authority to waive permit fees when such action does not meet the established criteria granted to the RMA-Director of Planning under County Board of Supervisors Policy adopted on August 29, 2000, hereby waives the processing fees for a publicly-noticed hearing on a Variance before the Zoning Administrator.

**PASSED AND ADOPTED** this 11th day of July, 2007, by the following vote:

AYES: Errea, Brown, Isakson, Padilla, Ottone, Diehl, Sanchez, Salazar, Vandevere  
NOES: None  
ABSENT: Rochester

  
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MIKE NOVO, SECRETARY

Copy of this decision mailed to applicant on JUL 27 2007

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE  
COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD OF SUPERVISORS  
ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE AUG - 6 2007