

MONTEREY COUNTY BOARD OF SUPERVISORS

MEETING: February 7, 2012		SCHEDULED: 1:30 pm		AGENDA NO:	
SUBJECT: Public hearing to consider:					
<ul style="list-style-type: none"> a. Denial of the appeal by the Aguajito Property Owners Association and Eric and Teresa Del Piero from the Minor Subdivision Committee's approval of a Lot Line adjustment between two legal lots of record; and b. Adoption of the Negative Declaration prepared for the project; and c. Approval of the application of a Lot Line Adjustment between two legal lots of record of approximately 4.6 acres [portion of Assessor's Parcel Number 103-061-015-000 Certificate of Compliance Document No. 2004079692 (the northerly parcel)] and 4.3 acres [portion of Assessor's Parcel Number 103-061-015-000 Certificate of Compliance Document No. 20040795684 (the southerly parcel)], resulting in two newly reconfigured lots of 4.6 acres (westerly Parcel A) and 4.3 acres (easterly Parcel B) respectively. 					
[Appeal of Lot Line Adjustment – PLN080454 Steuck, 570 and 570-a, Aguajito Road, Greater Monterey Peninsula Area Plan]					
Project Location: at 570 and 570-a, Aguajito Road			APN: 103-061-015-000		
Planning File Number: PLN080454			Owner: Gordon J. Steuck & Sandra Lee Trs Appellant: Aguajito Property Owners Association; Eric and Teresa Del Piero		
Planning Area: Greater Monterey Peninsula Area Plan			Flagged and Staked: No		
Zoning Designation: "RDR/5.1-UR-S-D" [Rural Density Residential, 5.1 acres/unit with a Site Plan Review District and Design Control District Overlay] & Urban Reserve.					
CEQA Action: Negative Declaration					
DEPARTMENT: RMA – Planning Department					

RECOMMENDATION:

It is recommended that the Board of Supervisors take the following actions:

1. Deny the appeal by the Aguajito Property Owners Association and Eric and Teresa Del Piero from the Minor Subdivision Committee's approval of a Lot Line adjustment between two legal lots of record; and
2. Adopt the Negative Declaration prepared for the project; and
3. Approve the Steuck application for a Lot Line Adjustment between two legal lots of record of approximately 4.6 acres [portion of Assessor's Parcel Number 103-061-015-000 Certificate of Compliance Document No. 2004079692 (the northerly parcel)] and 4.3 acres [portion of Assessor's Parcel Number 103-061-015-000 Certificate of Compliance Document No. 20040795684 (the southerly parcel)], resulting in two newly reconfigured lots of 4.6 acres (westerly Parcel A) and 4.3 acres (easterly Parcel B) respectively, based on the findings and evidence and subject to the conditions of approval.

SUMMARY:

The Steuck application (PLN080454) consists of a Lot Line Adjustment between two legal lots of record of approximately 4.6 acres (portion of Assessor's Parcel Number 103-061-015-000 Certificate of Compliance Document No. 2004079692 (the northerly parcel)] and 4.3 acres [(portion of Assessor's Parcel Number 103-061-015-000 Certificate of Compliance Document No. 20040795684 (the southerly parcel)], resulting in two newly reconfigured lots of 4.6 acres (westerly Parcel A) and 4.3 acres (easterly Parcel B) respectively. On December 8, 2011, at a noticed public hearing the Minor Subdivision Committee reviewed the Steuck Lot Line application for the third time. The committee reviewed the proposed project, considered public testimony, and approved the

project. This decision was based on the facts demonstrated within the application and information provided in the staff report, which indicated that the proposed lot line adjustment is consistent with all County regulations regarding lot line adjustments. This decision included adoption of a negative declaration prepared for the project, which determined that the proposed lot line adjustment would not have a significant effect on the environment.

The Appellant, Aguajito Property Owners Association and Eric and Teresa Del Piero, filed a timely appeal of the Minor Subdivision Committee's approval of a Lot Line Adjustment between two legal lots of record of approximately 4.6 acres [portion of Assessor's Parcel Number 103-061-015-000 Certificate of Compliance Document No. 2004079692 (the northerly parcel)] and 4.3 acres [portion of Assessor's Parcel Number 103-061-015-000 Certificate of Compliance Document No. 20040795684 (the southerly parcel)], resulting in two newly reconfigured lots of 4.6 acres (westerly Parcel A) and 4.3 acres (easterly Parcel B) respectively. The appeal alleges that the decision was contrary to law, that findings 1, 2, 4, 5, and 6 are not supported by the evidence, that the decision violates the California Environmental Quality Act, and that the decision violates Monterey County Zoning Ordinance requirements regarding restoration and the issuance of permit where a violation exists.

DISCUSSION:

A detailed discussion is provided in Attachment No. 1.


OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project and those that are checked ("✓") have comments and/or recommended conditions:

✓	Environmental Health Bureau
✓	Public Works Department
✓	Water Resources Agency
✓	Cypress Fire Protection District
✓	Greater Monterey Peninsula Land Use Advisory Committee
✓	The City of Monterey

FINANCING:

Funding for staff time associated with this project is included FY11-12 Final Budget for the Planning Department.


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 Mike Novo, Director of Planning

This report was prepared by Ramon A. Montano, Assistant Planner.

cc: Front Counter Copy; Board of Supervisors (14); County Counsel; Environmental Health Bureau; Public Works; Monterey County Water Resources Agency; Cypress Fire Protection District; The City of Monterey; Carl Holm, Interim Assistant Director of RMA; Mike Novo, Director of Planning; Laura Lawrence, Planning Services Manager; Gordon J. Steuck, Owner; Trinity Development LLC, Agent; Aguajito Property Owners Association, Eric and Teresa Del Piero, Appellants; The Open Monterey Project; LandWatch; Project File PLN080454.

The following attachments are on file with the Clerk of the Board:

- Attachment No. 1: Discussion
- Attachment No. 2: Draft Board Resolution
Recommended Conditions of Approval
Survey Map
- Attachment No. 3: Notice of Appeal (December 19, 2011)
- Attachment No. 4: Minor Subdivision Committee Resolution for December 8, 2011.
- Attachment No. 5: *Exhibit C Letters from the Building Official
Exhibit D Land Use Advisory Committee Minutes
Exhibit E Initial Study/Proposed Negative Declaration
Exhibit F Comments Received - Public Review of Environmental Document
Exhibit G Applicant's Engineers Rebuttal to Comments Received Initial Study
Exhibit H Applicant's Attorney Rebuttal to Comments Received on Initial Study
- Attachment No. 6: Vicinity Map

*Exhibit C Letters are as originally labeled in the Minor Subdivision Committee staff report.