



## A G E N D A

CITY OF SEASIDE  
ZONING  
ADMINISTRATION

MEETING  
Council Chamber  
440 Harcourt Avenue  
Monday, October 8, 2018  
5:00 PM

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*PLEASE TURN OFF YOUR CELL PHONES UPON ENTERING THE MEETING*

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **PUBLIC COMMENT**

4. **APPROVAL OF MINUTES**

5. **BUSINESS ITEMS**

- A. **MINOR VARIANCE APPLICATION NO. 18-01: ANA AND DANIEL DECAMP, PROPERTY OWNERS, AND NICK HOVICK (HOVICK DESIGN), APPLICANT, ARE REQUESTING MINOR VARIANCE APPROVAL TO ALLOW FOR A TEN PERCENT REDUCTION TO THE REQUIRED DRIVEWAY LENGTH AND THE PARKING STALL LENGTHS FOR TWO GARAGE SPACES, IN ACCORDANCE WITH SEASIDE MUNICIPAL CODE (SMC) 17.62.080.C.2, AT 1226 AMADOR AVENUE IN THE RS-12 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT.**

**PURPOSE & RECOMMENDATION:** Minor Variance Application No. 18-01: Ana and Daniel Decamp, property owners, and Nick Hovick (Hovick Design), applicant, are requesting minor variance approval to allow for a ten percent reduction to the required driveway length and the parking stall lengths for two garage spaces, in accordance with Seaside Municipal Code (SMC) 17.62.080.C.2, as related to a proposed addition garage and second story addition (574sqft) to an existing 1,210sqft single-family residence located at 1226 Amador Avenue.

6. **ADJOURNMENT**

Next Regularly Scheduled Meeting:

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**CITY OF SEASIDE  
STAFF REPORT**

Item No.: 5.A.

**TO:** Zoning Administration

**BY:**

**DATE:** October 8, 2018

**SUBJECT: MINOR VARIANCE APPLICATION NO. 18-01: ANA AND DANIEL DECAMP, PROPERTY OWNERS, AND NICK HOVICK (HOVICK DESIGN), APPLICANT, ARE REQUESTING MINOR VARIANCE APPROVAL TO ALLOW FOR A TEN PERCENT REDUCTION TO THE REQUIRED DRIVEWAY LENGTH AND THE PARKING STALL LENGTHS FOR TWO GARAGE SPACES, IN ACCORDANCE WITH SEASIDE MUNICIPAL CODE (SMC) 17.62.080.C.2, AT 1226 AMADOR AVENUE IN THE RS-12 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT.**

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**PURPOSE & RECOMMENDATION**

Minor Variance Application No. 18-01: Ana and Daniel Decamp, property owners, and Nick Hovick (Hovick Design), applicant, are requesting minor variance approval to allow for a ten percent reduction to the required driveway length and the parking stall lengths for two garage spaces, in accordance with Seaside Municipal Code (SMC) 17.62.080.C.2, as related to a proposed addition garage and second story addition (574sqft) to an existing 1,210sqft single-family residence located at 1226 Amador Avenue.

**BACKGROUND**

**PURPOSE & RECOMMENDATION**

In accordance with SMC 17.62.080.B-C.2.e, a Minor Variance may be approved or denied by the Zoning Administrator to grant relief from the on-site parking and loading requirements of the SMC, up to a maximum reduction of 10 percent. The purpose of this report is to analyze and provide evidence, as required of 17.62.080.F.2. *Required Minor Variance Findings.*

**BACKGROUND**

The project site is located at 1226 Amador Avenue and is developed with an existing, single family residence of 1,210 sq.ft. The off-street parking is currently nonconforming, as the property owners currently utilize the existing driveway for off-street parking, which are uncovered spaces. The property is zoned RS-12 (Single Family Residential) and the adjoining land uses consist primarily of one and two-story single family residences.

**PROJECT DESCRIPTION**

The Minor Variance application is associated with a garage and second story addition (574 sq. ft) to an existing 1,210 sq. ft. single-family home, with a 10 percent reduction to the required driveway length and parking stall lengths for two garage spaces. SMC 17.34.120.D.1 (*Single dwelling driveway dimensions*) requires a minimum driveway length of 20 feet. As proposed, the driveway length would be 18 feet, which is the minimum length allowed with the 10 percent reduction through the approval of a Minor Variance. Additionally, a 10 percent reduction is being requested to SMC 17.34.110.D.1-2, which requires a parking stall length of 19 feet, plus one foot, when the length abuts a wall totaling a required length of 20 feet. The proposed dimensions of the two spaces vary, with one being: 9' x 18'6" and the second being: 9 feet x 19 feet. The 10 percent reduction would allow for a minimum parking stall length of 18'6".

**STAFF ANALYSIS**

In accordance with SMC 17.62.080.F.2.*Required Minor Variance Findings*, the review authority may approve a Minor Variance only after first making all of the following findings:

- a. The location, size, planning concepts, design features, and operating characteristics of the project are and will be compatible with the character of the site, and the land uses and development intended for the surrounding neighborhood by the General Plan.

*Evidence: If the Minor Variance is approved, the proposed reductions to code required parking stall and driveway lengths would have little to no impact on the character of the site and the surrounding neighborhood. If the Minor Variance is approved, then Board of Architectural Review will consider the proposed design of the addition and could request modifications to the design for compatibility and other elements for code and ordinance consistency.*

- b. The Minor Variance is consistent with the General Plan, and any applicable specific plan.

*Evidence: The Minor Variance request would be consistent with the following General Plan policies, as creating an enclosed garage for the parking of two vehicles on site will improve the physical appearance of the neighborhood. Additionally, the proposed addition would bring nonconforming parking into compliance with the zoning ordinance. Furthermore, the granting of the Minor Variance would not result in an out-of-scale building or incompatible design. Lastly, the granting of the Minor Variance will allow for the applicant to proceed to the Board of Architectural Review for their consideration of the proposed housing improvements:*

- *Policy LU-3.2: Improve the physical appearance of residential neighborhoods.*
- *Policy LU-4.2: Encourage redevelopment that brings non-conforming buildings and uses into compliance with the Seaside General Plan and Zoning Ordinance.*
- *Policy UD-2.1: Protect the character of single-family neighborhoods by restricting out-of-scale buildings, incompatible uses and designs, blocked views and/or access to sunlight, and excessive through traffic.*
- *Policy H-2.1: Promote the repair, improvement and rehabilitation of housing in order to enhance the quality of life in neighborhoods and promote community identity and pride.*

- c. The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use or project, or detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

*Evidence: The granting of the Minor Variance would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or*

*working in the neighborhood of the proposed use or project, or detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City. The 10 percent reductions being requested are for on-site elements related to parking dimensions and driveway dimensions. The reduced driveway dimension would not have any impact on driver visibility entering onto Amador Avenue, which is at a point with minimal grade change and a maximum speed of 25 miles per hour.*

Additionally SMC 17.62.080.G1-2. *Conditions of Approval* allows for the review authority to impose the following, if the Minor Variance is approved:

1. Shall impose conditions to ensure that the approval does not grant a special privilege inconsistent with the limitations on other properties in the vicinity, and the zone in which the property is located; and
2. May impose any reasonable conditions to ensure that the approval complies with the findings required by Subsection F of this section.

Based on the findings and evidence listed above, there is not a need to specify additional conditions of approval.

#### **SUMMARY**

As outlined in the Staff Analysis, SMC 17.62.080.F.2. *Required Minor Variance Findings* have been substantiated with evidence supporting the approval of the permit for the proposed reduction to the required driveway length from 20' to 18' and parking stall lengths for two garage spaces from 9' x 20' to 9' x 18'6" and 9' x 19'.

#### **ATTACHMENTS**

1. Attachment 1 - Resolution MV 18-01
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**ZONING ADMINISTRATOR  
RESOLUTION NO. ZA-18-XX**

**A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING MINOR VARIANCE APPLICATION NO. MV-18-01 TO ALLOW FOR A TEN PERCENT REDUCTION TO THE REQUIRED DRIVEWAY LENGTH AND THE PARKING STALL LENGTHS FOR TWO GARAGE SPACES, IN ACCORDANCE WITH SEASIDE MUNICIPAL CODE (SMC) 17.62.080.C.2.**

**WHEREAS**, Ana and Daniel Decamp, property owners, and Nick Hovick (Hovick Design), applicant, have applied for a Minor Variance for the purpose of allowing for a ten percent reduction to the required driveway length and the parking stall lengths for two garage spaces; and

**WHEREAS**, the proposed project requires approval by the Zoning Administrator, and it is the responsibility of the Zoning Administrator to consider and weigh the merits of the application and public input in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code; and

**WHEREAS**, the Zoning Administrator considered oral comments and written information concerning the proposed amendment at a duly noticed public hearing that the Zoning Administrator held on October 8, 2018; and

**WHEREAS**, the project is a Categorically Exempt from the California Environmental Quality Act pursuant to Class 1, Section 15305(a): Minor Alterations in Land Use Limitations, meeting the following conditions:

*Evidence: The proposed project involves a ten percent reduction to the parking and loading requirements of the Seaside Municipal Code and will not result in the creation of a new parcel.*

**NOW, THEREFORE, BE IT RESOLVED**, that the Zoning Administrator adopts the following findings for Minor Variance Application No.MV-18-01:

- a. The location, size, planning concepts, design features, and operating characteristics of the project are and will be compatible with the character of the site, and the land uses and development intended for the surrounding neighborhood by the General Plan.

*Evidence: If the Minor Variance is approved, the proposed reductions to code required parking stall and driveway lengths would have little to no impact on the character of the site and the surrounding neighborhood. If the Minor Variance is approved, then Board of Architectural Review will consider the proposed design of the addition and could request modifications to the design for compatibility and other elements for code and ordinance consistency.*

- b. The Minor Variance is consistent with the General Plan, and any applicable specific plan.

*Evidence: The Minor Variance request would be consistent with the following General Plan policies, as creating an enclosed garage for the parking of two vehicles on site will improve the physical appearance of the neighborhood. Additionally, the proposed addition would bring nonconforming parking into compliance with the zoning ordinance. Furthermore, the granting of the Minor Variance would not result in an out-of-scale building or incompatible design. Lastly, the granting of the Minor Variance will allow for the applicant to proceed to the Board of Architectural Review for their consideration of the proposed housing improvements:*

- *Policy LU-3.2: Improve the physical appearance of residential neighborhoods.*
- *Policy LU-4.2: Encourage redevelopment that brings non-conforming buildings and uses into compliance with the Seaside General Plan and Zoning Ordinance.*
- *Policy UD-2.1: Protect the character of single-family neighborhoods by restricting out-of-scale buildings, incompatible uses and designs, blocked views and/or access to sunlight, and excessive through traffic.*
- *Policy H-2.1: Promote the repair, improvement and rehabilitation of housing in order to enhance the quality of life in neighborhoods and promote community identity and pride.*

c. The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use or project, or detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

*Evidence: The granting of the Minor Variance would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use or project, or detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City. The 10 percent reductions being requested are for on-site elements related to parking dimensions and driveway dimensions. The reduced driveway dimension would not have any impact on driver visibility entering onto Amador Avenue, at a point with minimal grade change, which also has a maximum speed of 25 miles per hour.*

**BE IT FURTHER RESOLVED**, the Zoning Administrator hereby grants Minor Variance Application

No. MV-18-01 subject to the following terms and agreements:

*Planning:*

1. The owner/applicant shall submit an application to the Board of Architectural Review (BAR) for consideration of the proposed 2-story addition after the Minor Variance effective date. BAR approval is required prior to the issuance of a building permit.
2. The maximum height of a fence within the front setback is 4'. The existing fences within the front setbacks shall be reduced to be compliant with code.

*Standard:*

1. The approval of a planning permit (i.e., Use Permit, Minor Use Permit, Variance, Minor Variance, or Planned Development Permit) shall become effective on the seventh day after the

date of approval by the review authority; provided, that no appeal has been filed in compliance with Chapter 17.76 (Appeals), (SMC 17.64.020.A).

2. Within 15 days of the date of planning permit approval, the applicant shall sign their agreement with all applicable conditions of approval or the permit shall become void (SMC 17.64.020.B).
3. If a project is to be developed in approved phases, each subsequent phase shall be exercised within 12 months from the date that the previous phase was exercised, unless otherwise specified in the permit, or the permit shall expire and become void, except where an extension of time is approved (SMC 17.64.080.A.4).
4. An appeal in compliance with SMC 17.76 be filed by any aggrieved person; except that in the case of a decision on a Use Permit, Minor Use Permit, Variance, Minor Variance, or Planned Development Permit which followed a public hearing, an appeal may only be filed by a person who, in person or through a representative, appeared at the public hearing in connection with the decision being appealed, or who otherwise informed the City in writing of the nature of their concerns before the hearing (SMC 17.76.030.A.1).

**PASSED AND ADOPTED** by the Zoning Administrator of the City of Seaside, State of California, on the 8th of October, 2018.

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Rick Medina

Zoning Administrator

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Presenter

**MINOR VARIANCE PERMIT APPLICATION NO. MV-18-01**

This permit is hereby accepted upon the express terms and conditions hereof, and shall have no force or effect unless and until agreed to, in writing, by the applicant and property owner(s).

The undersigned hereby acknowledge the approved terms and conditions and agree to fully conform to, and comply with, said terms and conditions within the time frames approved by the City of Seaside Zoning Administrator.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Property Owner's Signature *(if different from above)*

\_\_\_\_\_  
Date