

INTERPRETATION REQUEST

SETBACKS FOR SECOND STORY DECKS IN THE MONTEREY PENINSULA COUNTRY CLUB

Code Sections:

- 21.12.070 D
- 21.62.040 D

Date: April 18, 2006

Requested by: Staff

Subject: Setbacks for second story decks in the Monterey Peninsula Country Club

What is the Question?

For the purpose of a second floor deck extending into the side setback, is the second story or first story setback used?

Short Answer:

The second story setback is used.

Discussion:

In the inland area of Del Monte Forest zoned MDR, side yard setbacks of 10' are required for the first story and 20' for the second story. This regulation (See 21.12.070 D) was adopted at the request of the Del Monte Forest POA as a means, along with FAR requirements, of addressing the bulk of structures in DMF area.

Uncovered decks are allowed to extend 3' into the side yard setback (See 21.62.040 D). There has been some discussion about whether a 3' deck extension on the second story is based on the first story setback or the second story setback. Setbacks for each story are specific and the exceptions should be applied to the respective setbacks. So, at the first story level, an uncovered deck may extend 3' into the required 10' side yard setback. At the second story level, an uncovered deck may extend 3' into the 20' side yard setback.

Facts of the situation:

This is a generic interpretation and not project specific.

Applicable Code Sections:

- 21.12.070 D
- 21.62.040 D

Interpretation Prepared By: Dale Ellis

Interpretation/Opinion Confirmed by Managers 4/24/06.