

## COUNTY OF PLACER Community Development Resource Agency

Michael J. Johnson, AICP Agency Director

#### **PLANNING**

Paul Thompson
Deputy Planning Director

**HEARING DATE:** January 17, 2013

**HEARING TIME:** 9:20 A.M.

DATE:

January 10, 2013

TO:

Zoning Administrator

FROM:

Planning Services Division

**SUBJECT:** 

Variance to front & side setbacks to allow for the construction of a new single-

family residence – PVAA 20120343

**APPLICANT:** 

Stephan Zanko

**STAFF PLANNER:** 

Roy Schaefer, Associate Planner

**ZONING:** 

RS-AG-B-43 (Residential Single-Family, combining Agriculture, combining a

Building Site minimum of one acre)

LOCATION:

5701 Olive Ranch Road, Granite Bay

APN:

460-131-036-000

#### **PROPOSAL:**

The applicant is requesting a Variance to the front and both side setbacks to allow for the construction of a new single-family residence on the property. The proposed front setback would be 40 feet from the edge of the road easement (50 feet is typically required) and to allow side setbacks of 20 feet from the west and east property boundaries, where typically a 30-foot setback is required.

#### **CEQA COMPLIANCE:**

The project is categorically exempt from environmental review pursuant to provisions of Section 15305 of the California Environmental Quality Act Guidelines and Section 18.36.070 of the Placer County Environmental Review Ordinance (Class 5, Minor Alterations in Land Use Limitations).

#### BACKGROUND/ANALYSIS:

Staff conducted a field review of the project site on December 7, 2012. The 18,650 square foot (0.428 acre) parcel is at 5701 Olive Ranch Road in Granite Bay. The subject property is zoned RS-

AG-B-43 (Residential Single-Family, combining Agriculture, combining Building Site minimum of one acre) and is designated Rural Low Density Residential (0.9-2.3 acre min) in the Granite Bay Community Plan.

This rectangular parcel is located on the north side of Olive Ranch Road. There is an existing 1,000 square foot detached garage at the rear of the parcel that would remain as constructed. The new single-family residence with a partial second story (approximately 400 square feet) is proposed to have a total of 4,302 square feet. The maximum site coverage (percentage of the total site area occupied by buildings and structures) in this zone district is 35 percent for two or more stories, and this would allow for up to a total of approximately 6,525 square feet of residential development on the parcel. There is a 6-foot high fence along the west and rear property boundary, and wire fencing along the eastern boundary. The houses to the west and east of 5701 Olive Ranch Road both have 20 foot side setbacks. The surrounding parcels are developed with single family residences and residential accessory structures.

Staff supports this Variance request to allow for the construction of a new single-family residence with a front setback of 40 feet from the edge of the road easement (50 feet is typically required) and to allow 20-foot side setbacks from the west and east property boundaries, where typically a 30-foot setback is required. Special circumstances applicable to the subject property include the fact that this property has an area of 18,650 square feet in a Zone District that has a minimum parcel size of 43,560 square feet (one acre), and because of such circumstances the strict application of the Zoning Ordinance has been found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications.

The Engineering and Surveying Division and Environmental Health Services support the recommendation of approval for this Variance request, and have recommended conditions of approval attached to this staff report.

#### **RECOMMENDATION:**

Staff recommends **approval** of this Variance request to allow a new single-family residence to be constructed with a front setback of 40 feet from the edge of the road easement and with 20-foot side setbacks from the west and east property boundary, based on the following findings and recommended conditions of approval.

#### **FINDINGS:**

#### **CEQA FINDINGS**

1. The project is categorically exempt from environmental review pursuant to provisions of Section 15305 of the California Environmental Quality Act Guidelines and Section 18.36.070 of the Placer County Environmental Review Ordinance (Class 5, Minor Alterations in Land Use Limitations).

#### VARIANCE FINDINGS

1. There are special circumstances applicable to the subject property that include the fact that this property has a gross area of 18,650 square feet (0.428 acres) in a Zone District that has a minimum parcel size of 43,560 square feet (one acre), and because of such circumstances the strict application of the Zoning Ordinance has been found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications.

- 2. The granting of this Variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and in the same zone district.
- 3. The Variance does not authorize a use that is not otherwise allowed in the RS-AG-B-43 Zone District.
- 4. The granting of this Variance does not, under the circumstances and conditions applied in this particular case, adversely affect public health or safety, is not materially detrimental to the public welfare, nor injurious to nearby property or improvements.
- 5. The Variance is consistent with the Granite Bay Community Plan and Placer County General Plan.

#### **CONDITIONS OF APPROVAL:**

- 1. Approval of this Variance (PVAA 20120343) allows for the construction of a new single-family residence with a front setback of 40 feet from the edge of the road easement (50 feet is typically required) and allows for 20-foot side setbacks from the west and east property boundaries, where typically a 20-foot setback is required.
- 2. The applicant shall satisfy any conditions set forth by the South Placer Fire Protection District.
- 3. The applicant shall obtain a Building Permit for the new single-family residence from the Placer County Building Department.
- 4. The applicant shall, upon written request of the County, defend, indemnify, and hold harmless the County of Placer, the County Board of Supervisors, and its officers, agents, and employees, from any and all actions, lawsuits, claims, damages, or costs, including attorney's fees awarded by a certain development project know as <a href="PVAA 20120343">PVAA 20120343</a>, Zanko Variance to the front and side setbacks to allow for the construction of a new single-family residence. The applicant shall, upon written request of the County, pay or, at the County's option, reimburse the County for all costs for preparation of an administrative record required for any such action, including the costs of transcription, County staff time, and duplication. The County shall retain the right to elect to appear in and defend any such action on its own behalf regardless of any tender under this provision. This indemnification obligation is intended to include, but not be limited to, actions brought by third parties to invalidate any determination made by the County under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) for the Project or any decisions made by the County relating to the approval of the Project. Upon request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provision of this condition.
- 5. This Variance (PVAA20120343) shall expire on January 28, 2015 unless previously exercised.

### ATTACHMENTS:

- A. Memo from Engineering and Surveying Division B. Memo from Building Services Division
- C. Site Plan

cc: Engineering & Surveying Division Environmental Health Department PVAAT20120343



# **COUNTY OF PLACER**Community Development Resource Agency

### ENGINEERING & SURVEYING

#### **MEMORANDUM**

TO:

**ROY SCHAEFER, PLANNING DIV** 

NICOLE HAGMAIER, PLANNING DIV

DATE:

**JANUARY 2, 2013** 

FROM:

SHARON BOSWELL, ESD

SUBJECT:

PVAA 20120343: FRONT & SIDE S/Bs; OLIVE RANCH RD; GRANITE BAY; ZANKO

(APN: 046-131-036)

This project requests approval of front and side setbacks: 1) 70' to centerline of Olive Ranch Road (where 75' is required), 2) a side setback to 20' from east property line (where 30' is required), and a 20' setback to west property line (where 30' is required) for construction of a new single family residence. The Engineering & Surveying Division (ESD) **supports** the Development Review Committee's recommendation for this Variance application subject to the following recommended conditions of approval:

- 1. Prior to Building Permit issuance, obtain an encroachment permit to reconstruct the existing driveway that connects to a publicly maintained road (Olive Ranch Road), to a Plate R-18, LDM standard.
- 2. The face of any gate and/or keypad shall be a minimum of 30' from the edge of pavement of the street and shall open to allow a vehicle to stop without obstructing traffic. Gate entrances shall be at least two feet wider than the width of the traffic lane(s) serving the gate.



#### **COUNTY OF PLACER**

#### Community Development/Resource Agency

Michael J. Johnson, AICP Agency Director BUILDING

Tim Wegner Chief Building Official

December 13, 2012

PLACER COUNTY PLANNING DEPT. 3091 COUNTY CENTER DR, STE 140 AUBURN, CA. 95603 Planner: Roy Schaefer

REFERENCE:

**APPLICANT:** 

STEPHAN ZANKO

1908 Oak Crest Dr Roseville, CA. 95661

916-417-3978 / stepanzanko@yahoo.com

**VARIANCE:** 

**PVAA 20120343** 

**PROJECT NAME:** 

Zanko Single Family Dwelling

PARCEL #:

046-131-036-000

LOCATION:

5701 Olive Ranch Rd Granite Bay, CA.

PROJECT DESCRIPTION:

Variance to Reduce Side Set-Backs to 20 ft, where 30 ft is

normally required.

#### **PROJECT COMMENTS**

The Building Department has no concerns regarding the approval of the side set-back variances to construct the single family dwelling, on the referenced parcel. The following are permit requirements for the proposed construction:

- A building permit (T48315.12) will be required for the proposed work. Standard CRC design live loads will apply. The 3<sup>sec</sup> basic design wind speed for the site is 85 mph w/ exposure TBD by structure designer.
- All proposed work shall comply with the current 2010 California State adopted codes and amendments, as well as Placer County ordinances.
- 3. The plans submitted for permit approval shall incorporate any requirements specified in the variance approval from the South Placer Fire District.

If you have any questions regarding this letter, please contact me. If I am not available, leave a message and I will get back to you as soon as possible.

Sincerely.

Jack Venable
Placer County Building Department
(530) 745-3047
jvenable@placer.ca.gov

