

## COUNTY OF PLACER Community Development/Resource Agency

Michael J. Johnson, Agency Director

#### PLANNING SERVICES DIVISION

Paul Thompson
Deputy Planning Director

#### **MEMORANDUM**

Hearing Date: January 17, 2013

Hearing Time: 9:10 a.m.

Date:

January 17, 2013

To:

**Zoning Administrator** 

From:

**Planning Department** 

Subject:

PVAA T20120335

Applicant:

Peter and Carol Gagnon

Staff Planner:

Melanie Jackson

Zoning:

F-B-43 PD = 1 [Farm, combing a Building Site Designation of

43,560 square foot parcel size, combining Planned Development

designation of one acre]

Location:

23270 Barnes Lane, Colfax

APN:

101-131-055

#### Proposal:

The applicants are requesting a Variance to allow for the construction of an approximately 330 square foot addition to the existing garage, 15 feet from the north side property line where 30 feet is normally required.

#### **CEQA Compliance:**

The project is Categorically Exempt from environmental review pursuant to the 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 site on January 4, 2013. The subject property consists of approximately 1.3 acres and is located on the east side of Barnes Lane, approximately a half mile from the intersection of Barnes Lane and Tokayana Way. The property stretches lengthwise from east to west, and slopes gently downward from the west side of the lot (front) towards the east side of the lot, and drops off steeply towards the east at the approximate middle of the property. The property contains moderate tree coverage, concentrated on the east side of the property.

The applicant would like to construct an approximately 330 square foot addition to the existing 220 square foot garage. The applicants are requesting the Variance to allow for the construction of the garage approximately 15 feet from the north side property line, where 30 feet is normally required. The applicants have selected this area for construction because of the location of the existing garage. In addition, due to the steep slope towards the back of the property, the buildable area on the subject property is significantly limited in size and location, greatly restricting possible locations for the proposed addition.

Staff has concluded there are special circumstances on the subject property which warrant the need for a Variance, including the topography of the site, the existing development, and the shape and size of the subject property. Because of these circumstances, staff is in support of the Variance request, which allows for the construction of an approximately 330 square-foot garage addition to be constructed approximately 15 feet from the north side property line.

#### Recommendation:

Staff recommends approval of the Variance (PVAA T20120335) based on the findings and subject to the conditions of approval listed below.

#### Findings:

CEQA Findings

The project is Categorically Exempt from environmental review pursuant to the 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

- There are special circumstances applicable to the subject property, including
  the topography of the site, the existing development, and the shape and size
  of the subject property. 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 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 Colfax Community Plan and the Placer County General Plan.

#### **Recommended Conditions of Approval:**

- 1. Approval of this Variance (PVAA T20120335) allows for the construction of an approximately 330 square foot garage addition on the north side of the existing residence, approximately fifteen feet from the side property line.
- 2. A building permit shall be obtained from the Placer County Building Department prior to any new construction on site.
- 3. 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 attorneys' fees awarded by a certain development project known as Gagnon Variance PVAA 20120335. 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. (County Counsel)
- 4. A building permit will be required for the proposed work. The ground design snow load for the project site is 29 #/ft² (Elev. 2500+/-) and the 3sec basic design wind speed is 85 mph. w/ exposure TBD by structure designer.
- 5. All proposed work shall comply with the current 2010 California State adopted codes and amendments, as well as Placer County ordinances.

- 6. The plans submitted for permit approval shall incorporate any requirements specified in the variance approval from the Placer County Fire Department.
- 7. This Variance (PVAA T20120335) shall expire on January 27, 2015 unless previously exercised.

#### Attachments:

Attachment A - Memo from Engineering and Surveying Division Attachment B - Memo from Department of Environmental Health Services Attachment C – Memo from Building Services Division

cc: Engineering and Surveying
Environmental Health Department
PVAA T20120335 File
Applicant

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

## ENGINEERING & SURVEYING

#### **MEMORANDUM**

TO:

MELANIE JACKSON, PLANNING DIV

NICOLE HAGMAIER, PLANNING DIV

DATE:

**DECEMBER 4, 2012** 

FROM:

SHARON BOSWELL, ESD

SUBJECT:

PVAA 20120335: SIDE S/B; GAGNON; BARNES LN; COLFAX;

(APN: 101-131-055)

This project requests approval of a side setback to 15' from side (northerly) property line to construct an attached garage. The Engineering & Surveying Division (ESD) **supports** the Development Review Committee's recommendation for this Variance application with no recommended conditions of approval.



### Placer County Health and Human Services Department

**Richard J. Burton, M.D., M.P.H.**Health Officer and Department Director

Ken Stuart, M.S.E.H., R.E.H.S. Environmental Health, Interim Division Director

### **MEMORANDUM**

### DEPARTMENT OF HEALTH & HUMAN SERVICES ENVIRONMENTAL HEALTH SERVICES

To:

Zoning Administrator

From:

Justin Hansen

Land Use and Water Resources Section

Date:

December 14, 2012

Subject:

PVAA 20120335, Gagnon, APN 101-131-055

Environmental Health Services has reviewed the above application for variance and has no objections or recommended conditions of approval.

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#### **COUNTY OF PLACER**

#### Community Development/Resource Agency

Michael J. Johnson, AICP Agency Director BUILDING

Tim Wegner Chief Building Official

**December 11, 2012** 

PLACER COUNTY PLANNING DEPT. 3091 COUNTY CENTER DR, STE 140 AUBURN, CA. 95603

Planner: Melanie Jackson

REFERENCE:

APPLICANT:

**PETER GAGNON** 

P.O. Box 805 Colfax, CA. 95713

530-346-8877 / peterggagnon@gmail.com

**VARIANCE:** 

PVAA 20120335

PROJECT NAME:

**Gagnon Garage Extension** 

PARCEL #:

101-131-055-000

LOCATION:

23270 Barnes Lane Colfax, CA.

PROJECT DESCRIPTION:

Variance to reduce garage addition side set-back to 15 Ft, where

30 Ft is normally required.

#### PROJECT COMMENTS

The Building Department has no concerns regarding the approval of the set-back variance to construct the Garage Addition, on the referenced parcel. The following are permit requirements for the proposed construction:

- 1. A building permit will be required for the proposed work. The ground design snow load for the project site is 29 #/ft² (Elev. 2500+/-) and the 3<sup>sec</sup> basic design wind speed is 85 mph. w/ exposure TBD by structure designer.
- 2. 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 Placer County Fire Department.

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