

COUNTY OF PLACER

Community Development Resource Agency

Michael J. Johnson, AICP Agency Director

PLANNING

Paul Thompson Deputy Planning Director

HEARING DATE: 02/21, 2013

TIME: 9:00 A.M.

DATE:

February 14, 2013

TO:

Zoning Administrator

FROM:

Planning Services Division

SUBJECT:

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

story, single-family residence - PVAAT20120343

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

PROPOSAL:

The applicant is requesting a Variance to the front and both side setbacks to allow for the construction of a new one-story, single-family residence (3,965 square feet) 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.

BACKGROUND:

This Variance request was continued from the January 17, 2013, Zoning Administrator Meeting by the Zoning Administrator with a request to the applicant that the proposed project be revised to reduce potential impacts on the neighbors on both sides of the property. Neighbors on both sides submitted written responses in opposition of the original Variance request, and the neighbor to the east testified against the project at the January Zoning Administrator public hearing meeting.

On February 1, 2013, the applicant submitted a revised project; the proposed new single-family residence has been downsized to a one story structure (the partial second story element has been eliminated); however, the Variance requests for reduced setbacks for the front and side setbacks are the same as the original Variance request.

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).

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 960 square foot detached garage at the rear of the parcel that would remain as constructed. The new one-story, single-family residence (Revised Project) is proposed to have a total of 3,965 square feet that includes a 2,843 square foot main living area, a 50 square foot covered entry, a 615 square foot attached garage, and a 457 square foot covered lanai at the rear of the house. The maximum site coverage (percentage of the total site area occupied by buildings and structures) in this zone district is 40 per cent maximum for one story, and this would allow for up to a total of approximately 7,460 square feet of residential development on the parcel. The new proposed site coverage (3,965 + 960 sq. ft. existing garage) is 26%. The one-story structure would have a maximum height of 26 feet. There is a 6-foot high fence along the west and rear property boundary, and wire fencing along the eastern boundary. The residence to the west has a 30 foot side setback and the residence to the east of 5701 Olive Ranch Road has 21.5-foot side setback. 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 one-story, 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. In addition, staff supports the revised project (one story structure) submitted on February 1, 2013 because negative impacts to neighbors on both sides would be reduced as a result of eliminating the partial second story of the original request. 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 revised 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 one-story, 3,965 square foot, 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 (PVAA20120343) allows for the construction of a new one-story, 3,965 square foot, 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 30-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 one-story 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 PVAA20120343, Zanko Variance to the front and side setbacks to allow for the construction of a new one-story 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 March 4, 2015 unless previously exercised.

ATTACHMENTS:

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

cc: Engineering & Surveying Division Environmental Health Services PVAAT20120343



COUNTY OF PLACER Community Development Resource Agency

ENGINEERING & SURVEYING

JANUARY 2, 2013

MEMORANDUM

DATE:

TO:

FROM:

ROY SCHAEFER, PLANNING DIV

NICOLE HAGMAIER, PLANNING DIV

SHARON BOSWELL, ESD

SUBJECT: PVAA 20120343: FRONT & SIDE S/Bs; OLIVÉ 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.



Placer County Health and Human Services Department

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

Wesley G. Nicks, R.E.H.S. Director of Environmental Health, Public Health and Animal Services

MEMORANDUM

DEPARTMENT OF HEALTH & HUMAN SERVICES ENVIRONMENTAL HEALTH SERVICES

To:

Zoning Administrator

From:

Mohan Ganapathy

Land Use and Water Resources Section

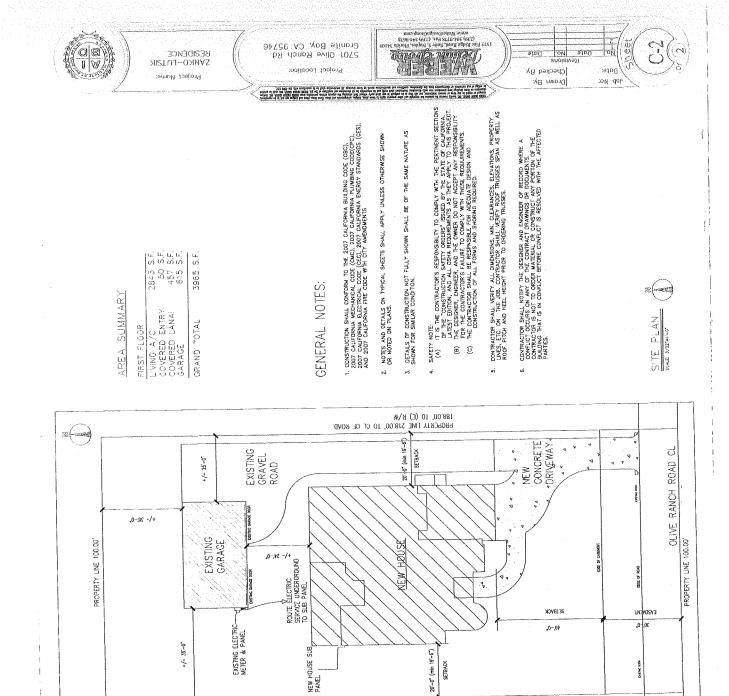
Date:

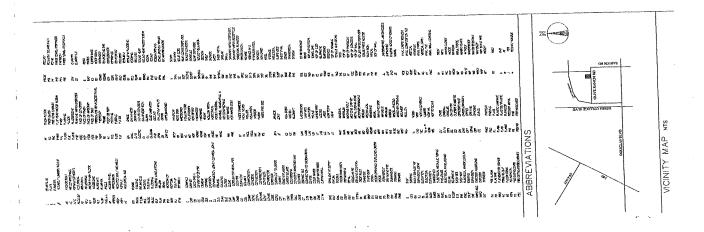
December 18, 2012

Subject:

PVAA 20120343, Zanko Front and Side Setback Variance, APN 046-131-036-000

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





SETBACK

188'00, 10 (E) В\М ЬВОЬЕВІЛ ГІИЕ 518'00, 10 СГ ОЕ ВОУЮ'

BESIDENCE SVNKO-LUTSIK Project Name:

5701 Olive Ranch Rd Granile Bay, CA 95746 Project Location:

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FRONT ELEVATION

RIGHT SIDE ELEVATION

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KEZIDENCE SVNKO-FN LZIK Glocf Name: 5701 Olive Ronch Rd Gronile Bay, CA 95746

Project Location:



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Revisions

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