



COUNTY OF PLACER
Community Development Resource Agency

Michael J. Johnson, AICP
Agency Director

PLANNING

Paul Thompson
Deputy Planning Director

HEARING DATE: October 30, 2013
ITEM NO.: 2
TIME: 10:15 am

TO: Placer County Planning Commission
FROM: Development Review Committee
DATE: October 21, 2013
**SUBJECT: SUBDIVISION MAP MODIFICATION AND VARIANCE (PSM 20130219)
ALPINE MEADOWS ESTATES - ALPERT RESIDENCE DECK ADDITION
CATEGORICAL EXEMPTION**

COMMUNITY PLAN AREA: Alpine Meadows General Plan

COMMUNITY PLAN DESIGNATION: Low Density Residential

STAFF PLANNER: Alex Fisch, Senior Planner

LOCATION: The project site is located at 1561 Cortina Court in the Alpine Meadows Estates Unit II Subdivision in the Alpine Meadows Community Plan area.

APPLICANT: Kevin Chappel on behalf of Jeff Alpert

PROPOSAL: The applicant requests approval of an amendment to the Alpine Meadows Estates Subdivision Final Map to modify the 20-foot mapped front setback shown on Lot 50 to allow for a front setback of 16-feet 6-inches in order to permit the construction of an addition to an existing second story deck. The request includes approval of a Variance to the front setback requirement of 20 feet for the Residential Single-Family zone district.

CEQA COMPLIANCE:

This project is categorically exempt from environmental review pursuant to provisions of Sections 15301 and 15305 of the California Environmental Quality Act Guidelines and Sections 18.36.030 and 18.36.070 of the Placer County Environmental Review Ordinance (Class 1, Existing facilities and Class 5, Minor alterations in land use limitations). The Planning Commission will be required to make a finding to this effect.

PUBLIC NOTICES AND REFERRAL FOR COMMENTS:

Public notices were mailed to property owners of record within 300 feet of the project site. A public hearing notice was also published in the *Sierra Sun*. Other appropriate public interest groups and

citizens were sent copies of the public hearing notice, including the North Tahoe Regional Advisory Council. Copies of the project plans and application were transmitted to the Community Development Resource Agency Staff and the Departments of Public Works and Environmental Health Services, the Air Pollution Control District and Special Districts for their review and comment. Comments received have been addressed in the analysis section of this report.

PROJECT DESCRIPTION:

The project is a modification to the Alpine Meadows Estates Unit II Subdivision Final Map to modify the 20-foot mapped front setback to allow for a front setback of 16-feet 6-inches in order to permit the construction of an addition to an existing second story deck. The deck would be enlarged by 145 square feet as part of a remodel to the entire residence. A 28 square-foot portion of the southeast corner of the deck would encroach into the front setback while the remainder of the deck addition and all other aspects of the remodel would comply with existing setbacks. Because the deck would encroach into the minimum 20-foot setback prescribed by the Residential Single-Family zone district, a Variance to the front setback is included as part of this request.

BACKGROUND & SITE CHARACTERISTICS:

The project site comprises 0.25-acres and is located on the north side of Cortina Court, off of Juniper Mountain Road, in the Alpine Meadows area. The square shaped parcel is moderately to steeply upwardly sloping from the road to the house and is developed with a 1,591 square-foot home that was built in 1979. The home is sited just beyond the front setback and includes a small entry porch and second story deck at the southwest corner of the house, which share the same footprint. A small parking pad with two uncovered parking spaces is located in the southeast corner of the parcel adjacent to Cortina Court.

All adjacent properties are developed with single-family residences that date to the same time period. Other properties in the neighborhood, including the adjacent parcel to the east, have been granted relief from the mapped setback to construct portions of structures within the front setback such as garages, elevated parking structures, decks, and portions of residences.

EXISTING LAND USE AND ZONING:

Location	Zoning	Alpine Meadows General Plan	Existing Conditions and Improvements
Site	RS (Residential Single-Family)	Single-Family Residential, 1 – 2.5 units/acre	Developed with a single-family home
North	RS (Residential Single-Family)	Single-Family Residential, 1 – 2.5 units/acre	Developed with a single-family home
South	RS (Residential Single-Family)	Single-Family Residential, 1 – 2.5 units/acre	Developed with a single-family home
East	RS (Residential Single-Family)	Single-Family Residential, 1 – 2.5 units/acre	Developed with a single-family home
West	RS (Residential Single-Family)	Single-Family Residential, 1 – 2.5 units/acre	Developed with a single-family home

ANALYSIS:

Community Plan Consistency

The project site is designated Single-Family Residential 4 dwelling units per acre in the Alpine Meadows General Plan and is zoned Residential Single-Family (RS). Home sites in the remainder of the subdivision include these same land use classifications. The Alpine Meadows Estates Unit II Subdivision is typical of other developed subdivisions in the Alpine Meadows General Plan area in that the subdivisions predominantly date to the 1960's, 70's and 80's and include lot sizes averaging approximately 0.25-acres on moderate to steeply sloping terrain.

The Final Map for the Alpine Meadows Estates Subdivision was recorded in November of 1971. A 20-foot front setback was recorded on the Final Map for all the lots within the subdivision. The setback area includes a 10-foot multipurpose easement (MPE) adjacent to the roadway and 10-foot public utility easement immediately behind the MPE. The map also established a 30-foot snow storage easement along the roadway frontage of all properties. The snow storage easement is appurtenant to a public roadway that is privately maintained by the Homeowner's Association, and thus the allowance for encroachment on the snow storage easement beyond the limitations described in the easement language is at the discretion of the HOA. Staff has received preliminary correspondence from the HOA to indicate they are in agreement with the applicant's request. The proposed deck addition encroaches approximately 28 square feet into the existing 10-foot PUE. As a result, staff has included a recommended condition of approval requiring that the applicant process an abandonment of the public's interest in this portion of the PUE.

Due to the steep terrain, geologic conditions, existing vegetation and abundant snowfall in the Alpine Meadows area, homes are typically built close to the front property boundary as a means to limit site disturbance, enable direct access to the home, and to limit the amount of winter time snow removal and snow management required to maintain vehicular and pedestrian access. In reviewing this request, the DRC determined that the proposed encroachment of the second story deck into the front setback would result in a minimal departure from the development standards. The DRC further determined that the deck addition would be consistent with other developed properties in the immediate vicinity and that it would not diminish or detract from the character of the neighborhood. The applicant has supplied information from the Bear Creek Homeowner's Association, who administers the Architectural Review Committee responsible for approving all new home construction and additions, indicating their agreement to the proposed second story deck design.

Variance

Variances to development standards may be approved upon a showing that special circumstances are applicable to the subject property including size, shape, topography, location or surroundings and that compliance with the development standards would deprive the property of privileges enjoyed by surrounding properties under the identical zoning classification.

The existing home is sited in the center of the lot near the front property boundary and is turned slightly toward the west at an angle of approximately 15 degrees such that the front of the home is not parallel to the front property boundary. An existing seven-foot wide deck wraps around the southwest corner of the home and terminates part way across the front of the house where it faces to Cortina Court. As constructed, the second story deck is approximately 150 square feet in area and is limited in use due to its small size and lack of continuity with the second story living area. The applicant is requesting to extend the deck across the entire frontage of the house, which would result in a 28 square-foot portion of the southeast corner of the deck being located within the front setback. The preponderance of the 150 square foot deck addition would not encroach into the front setback.

In this particular instance, the location and orientation of the existing home prevents the logical extension of the existing second story deck across the front of the home in a manner that would be functionally useful and aesthetically pleasing. As constructed, the nearest portion of the Alpert residence is currently located 38 feet from the edge of the Cortina Court roadway. If the Variance is granted and the deck is constructed, the closest portion of this deck would encroach to 31 feet from the edge of the roadway and thus would remain consistent with the intent of the setback to limit building encroachments on the subdivision roadway to no closer than 20 feet. Staff has determined that special circumstances are applicable to the project site because the orientation of the existing house makes the logical extension of the deck impractical if adherence to the front setback is required.

Lastly, staff notes that there are other properties in the vicinity under the identical zoning classification and with similar physical conditions have been granted relief to construct garages and other building features within the front setback. The adjacent property to the immediate east was previously granted relief to construct a garage in the front setback due to the steep terrain and a desire to limit site disturbance. The proposed deck addition would be equally or more consistent with the prescribed development limitations and its completed appearance would be aesthetically harmonious with adjacent property improvements.

RECOMMENDATION:

Based on the analysis in this report, the Development Review Committee recommends that the Planning Commission **approve** the Subdivision Modification and Variance (PSM 20130219) to modify the 20-foot mapped front setback to allow for a front setback of 16-feet 6-inches in order to construct an addition to an existing second story deck, subject to the findings and attached recommended Conditions of Approval (Attachment A).

FINDINGS:

CEQA:

1. The Planning Commission finds that this project is categorically exempt from review under CEQA pursuant to Section 15301 and Section 15305, Existing facilities (Class 1) and Minor alterations in land use limitations (Class 5) of the CEQA Guidelines (ERO Sections 18.36.030 and 18.36.070) because the modification to the map to enable a minor deck addition to an existing residence would not result in any considerable environmental impacts. There is no exception to this finding.

Subdivision Modification:

2. The proposed Subdivision Modification does not significantly alter the design of the subdivision and will not affect the consistency of the Alpine Meadows Estates Unit II Subdivision with the Alpine Meadows General Plan in that parcels within close proximity of the subject parcel have been granted reduced setbacks for the construction of similar improvements within the recorded, mapped setback.
3. Pursuant to Section 66472.1, (*Amending of Final Maps*) of the Subdivision Map Act, Placer County finds that there are changes in circumstances that make the front setback as applied by the conditions of the map no longer appropriate or necessary. The modifications do not impose any additional burden on the fee owners of the real property, and the modifications do not alter any right, title, or interest in the real property reflected on the recorded map, and Placer County finds that the map as modified conforms to Section 66474 of the Subdivision Map Act. The change in circumstance is that the existing front setback, together with the existing location of this residence significantly limits the potential for expansion to the existing single-family residence.

4. The project, with the recommended conditions, will be compatible with other single-family residential development in the neighborhood.
5. The project is physically suitable for the type and proposed density of the existing development. The development proposed is an addition to an existing second story deck. The project will not exceed the allowed density of one single-family dwelling per parcel of the Residential zoning district for the Alpine Meadows Estates Unit II Subdivision.
6. Granting the Subdivision Modification will not be detrimental to the public welfare or injurious to the property or improvements in the vicinity and zoning district in which the property is located in that other Map Modifications have been approved on parcels within close proximity to the subject parcel. It can be demonstrated through previous reduced setback approvals that granting the Subdivision Modification will not be materially detrimental to the neighborhood and surrounding properties or to snow removal operations.

Variance:

1. Because of special circumstances applicable to this property, which include the location of the existing residence, the location of the existing second story deck improvements and the building orientation to the site, the strict application of the provisions of Chapter 17 of the County Code would deprive the property of privileges enjoyed by other properties in the vicinity and under the identical zoning classification.
2. The granting of this Variance does not constitute a grant of special privileges inconsistent with limitations upon other properties in the vicinity and in the zone district.
3. The granting of this Variance does not authorize a use that is not otherwise authorized in the zone district in which the property is located.
4. The granting of this Variance does not, under the circumstances and conditions applied in the particular case, adversely affect public health or safety, is not materially detrimental to the public welfare, or injurious to nearby property or improvements.
5. The Variance is consistent with the objectives, policies, general land uses and programs as specified in the Placer County General Plan and the Alpine Meadows General Plan.
6. The Variance, as granted, is the minimum departure from the applicable requirements of Chapter 17 to grant relief to the applicant, consistent with sections 1 and 2 above.

Respectfully submitted,



Alex Fisch
Senior Planner

ATTACHMENTS:

- Attachment A - Recommended Conditions of Approval
- Attachment B - Vicinity Map
- Attachment C - Site Plan and Elevations

cc: Kevin Chappel - Applicant
Michael Johnson, Agency Director
Paul Thompson, Deputy Planning Director
Karin Schwab - County Counsel
Rebecca Taber - Engineering and Surveying Division
Environmental Health Services
Air Pollution Control District
Andy Fisher - Parks Department
Holly Heinzen - CEO Office

Subject/chrono files



**CONDITIONS OF APPROVAL – ALPINE MEADOWS ESTATES
UNIT II SUBDIVISION MODIFICATION AND VARIANCE "ALPERT
RESIDENCE" (PSM 20130219)**

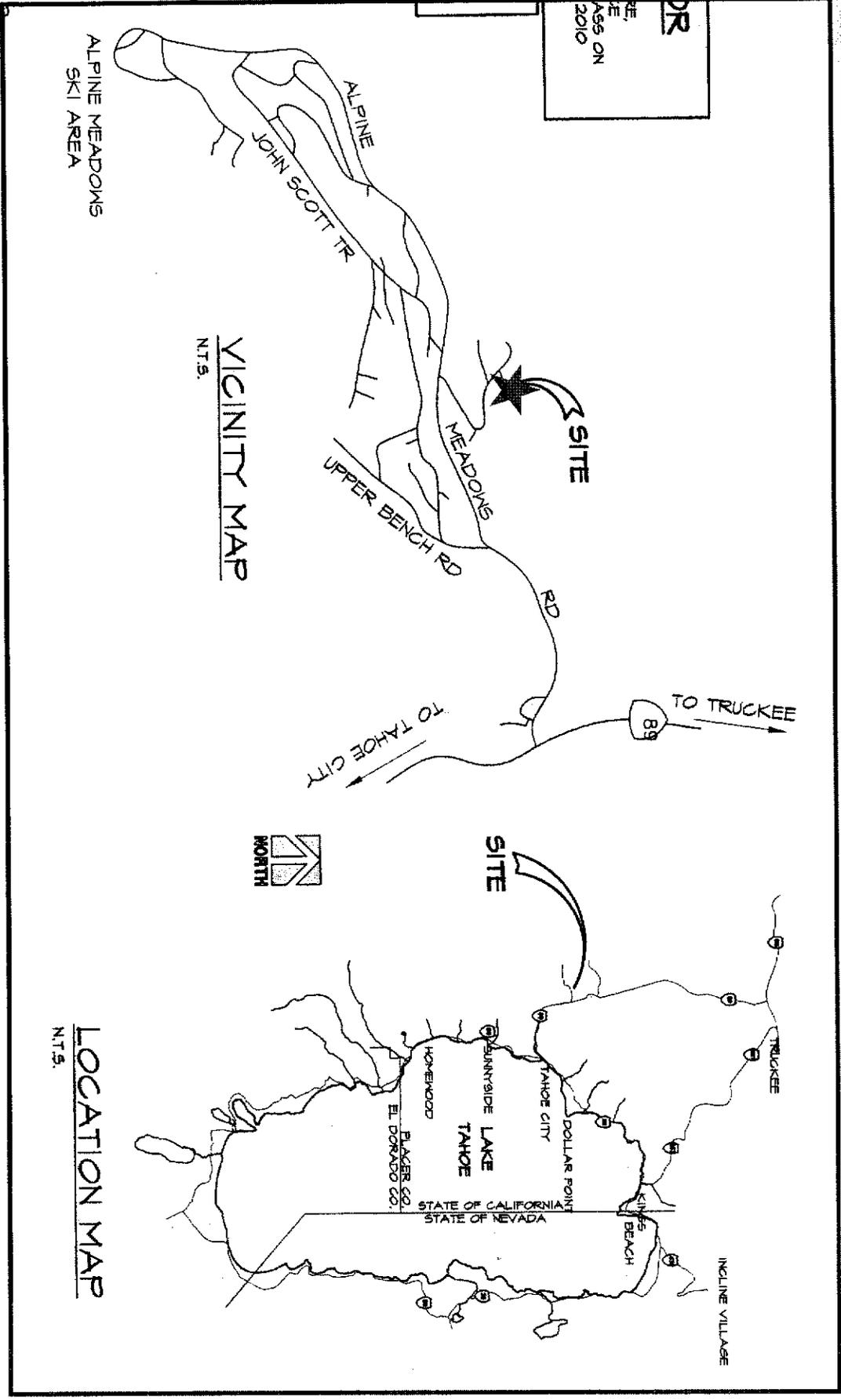
THE FOLLOWING CONDITIONS SHALL BE SATISFIED BY THE APPLICANT, OR AN AUTHORIZED AGENT. THE SATISFACTORY COMPLETION OF THESE REQUIREMENTS SHALL BE DETERMINED BY THE DEVELOPMENT REVIEW COMMITTEE (DRC), COUNTY SURVEYOR, AND/OR THE PLANNING COMMISSION.

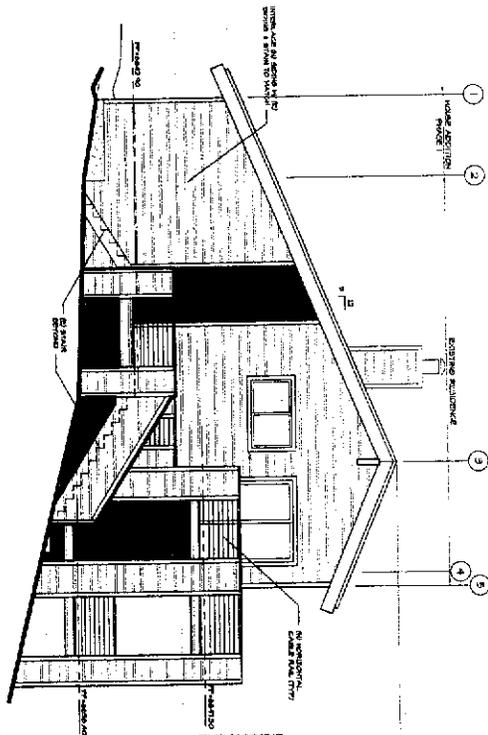
1. This Subdivision Modification and Variance approves an amendment to the Alpine Meadows Estates Unit II Final Map, Book J of Maps - page 51, to reduce the 20 foot mapped front setback on Lot 50 to allow for a front setback of 16-feet 6-inches measured from the front property line in order to permit the construction of a second story deck addition to the existing single-family residence. The parcel, APN 095-470-001, is located at 1561 Cortina Court in Alpine Meadows.
2. Prior to Building Permit issuance, the applicant shall record a Notice of Variance to Lot 50 of the Final Map for the Alpine Meadows Estates Unit II Final Map. The Notice of Variance shall specify a 16-foot 6-inch front setback along the Cortina Way property frontage. A copy of the recorded document shall be submitted to the Planning Services Division prior to Building Permit issuance.
3. Prior to approval of a Building Permit, the applicant shall obtain approval from the Bear Creek Planning Committee. Approval may be in the form of the Committee's stamp on the Building Plans or in letter format. (PD)
4. A portion of the proposed structure on this lot is affected by an existing 10 foot public utility easement (ref: Alpine Meadows Estates Subdivision Unit No. II, recorded in Book J of Maps, Page 51). Prior to any Building Permit issuance, the applicant shall process an abandonment of the public's interest in the portion of the easement affected by this project (contact John Weber, Right of Way Agent, Department of Public Works, at (530) 745-7564). (ESD)
5. 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 known as the Alpert Map Modification Project PSM 20130219. 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. (CC)

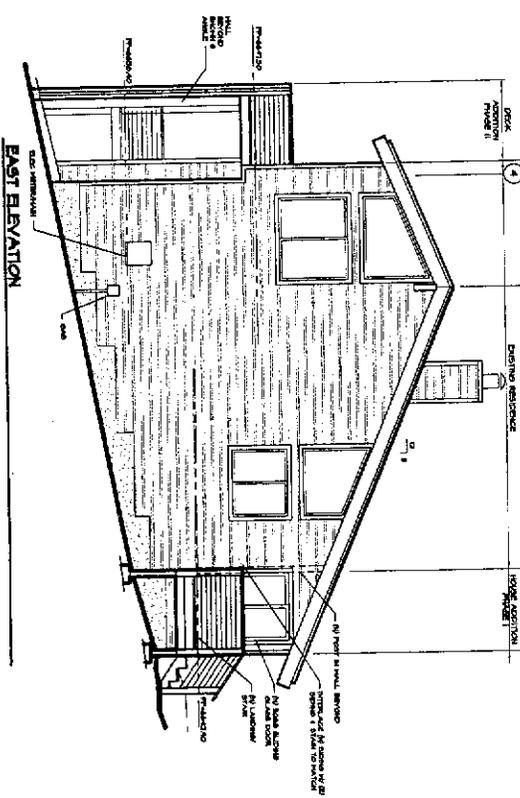
6. The applicant shall have 24 months to exercise this Final Map Modification and Variance. The project shall be considered exercised upon completion of the easement abandonment, recordation of a Notice of Variance, and approval of a foundation inspection for the deck addition. Unless exercised, this approval shall expire on November 12, 2015. (PD/ESD)

Vicinity Map

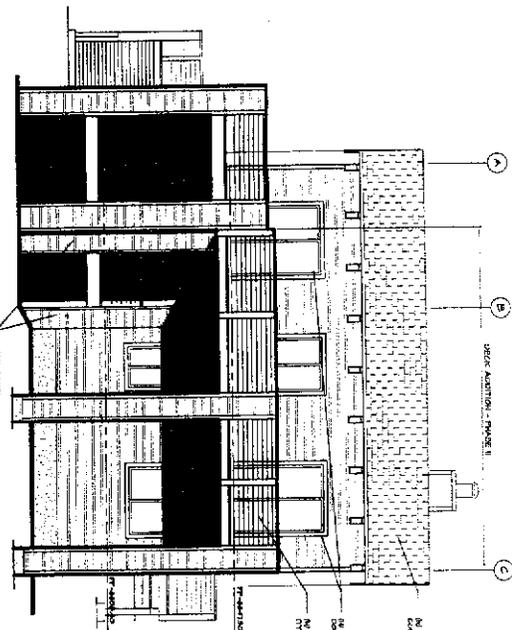




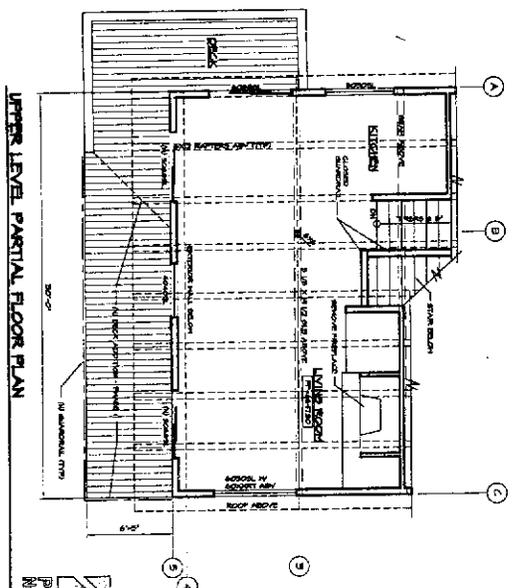
WEST ELEVATION



EAST ELEVATION



SOUTH ELEVATION



UPPER LEVEL PARTIAL FLOOR PLAN

LEGEND

- EXISTING - HATCHED
- NEW - SOLID
- REMOVE EXISTING - DASHED
- REMOVE EXISTING - DOTTED
- REMOVE EXISTING - DASHED WITH DOTS
- REMOVE EXISTING - DOTTED WITH DOTS
- REMOVE EXISTING - DASHED WITH DOTS AND DOTTED
- REMOVE EXISTING - DOTTED WITH DOTS AND DASHED
- REMOVE EXISTING - DOTTED WITH DOTS AND DASHED WITH DOTS
- REMOVE EXISTING - DOTTED WITH DOTS AND DASHED WITH DOTS AND DOTTED



PLAN NORTH

ALPERT RESIDENCE REMODEL & ADDITION

1561 COXSTINA
ALPINE Meadows, CA
PLACER COUNTY
APN: 005-470-001

GARY DAVIS GROUP
TR-5188 AND ENGINEERING

Project Office: 7999 Blue Oaks Rd, Suite 100, 95645
Tel: 916-938-9327 Fax: 916-938-9324
gdy@alpertdesign.com

UPPER FLOOR PLAN & ELEVATIONS

A1.1

DATE: 07/19/2005
TIME: 10:00 AM
PROJECT: ALPERT RESIDENCE REMODEL & ADDITION
DRAWN BY: GARY DAVIS
CHECKED BY: GARY DAVIS
DATE: 07/19/2005

PROJECT: ALPERT RESIDENCE REMODEL & ADDITION
CLIENT: ALPERT RESIDENCE
ADDRESS: 1561 COXSTINA ALPINE MEADOWS, CA 95645
DATE: 07/19/2005

PROJECT: ALPERT RESIDENCE REMODEL & ADDITION
CLIENT: ALPERT RESIDENCE
ADDRESS: 1561 COXSTINA ALPINE MEADOWS, CA 95645
DATE: 07/19/2005