

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

Michael J. Johnson, Agency Director

**PLANNING  
SERVICES DIVISION**

Paul Thompson  
Deputy Planning Director

**MEMORANDUM**

**Hearing Date:** September 19, 2013  
**Hearing Time:** 9:50 a.m.

**Date:** September 19, 2013  
**To:** Zoning Administrator  
**From:** Planning Department  
**Subject:** PVAA T20130202  
**Applicant:** Gail White  
**Staff Planner:** Melanie Jackson  
**Zoning:** RA-B-100 (Residential Agriculture, combining minimum building site designation of 100,000 square feet)  
**Location:** 3924 Maple Lane, Loomis  
**APN:** 037-121-030

**Proposal:**

The applicant is requesting a Variance to allow for the following: 1) construction of a 404 square foot garage 48 feet from the centerline of Maple Lane (where 75 feet from centerline is normally required) and 15 feet from the south property line (where 30 feet is normally required); 2) construction of an enclosure of the existing patio 21 feet from the south property line (where 30 feet is normally required) and 3) construction of a second, 736 square foot garage, 35 feet from the High Water Mark of the pond (where 50 from High Water Mark is normally required) located on site.

**CEQA Compliance:**

The project is Categorical 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 July 9, 2013. The subject property consists of approximately 2.2 acres and is located at 3924 Maple Lane, approximately 0.2 miles from the intersection of Maple Lane and Horseshoe Bar Road in the Loomis area.

The subject property is characterized by minor slopes, moderate tree coverage and a pond. The west property line abuts Miners Ravine, and approximately ¼ of the west side of the parcel is located within the Miners Ravine floodplain. The property is developed with a garage, a carport, two sheds and a single-family residence with an attached covered patio.

The applicant is requesting a Variance to allow for: 1) construction of a proposed approximately 404 square foot garage 48 feet from the centerline of Maple Lane (where 75 feet from centerline is normally required) and 15 feet from the south property line (where 30 feet is normally required); 2) construction of an enclosure of the existing patio 21 feet from the south property line (where 30 feet is normally required) and 3) construction of a second, approximately 736 garage, 35 feet from the High Water Mark of the pond existing on site (where 50 from High Water Mark is normally required). The applicant is requesting this Variance due to the limited buildable area on the project site. The subject property is limited for the purposes of constructing a garage due to the existing development of the property, the location of the trees on site, the location of the pond and the Miners Ravine floodplain.

For the reasons listed above, staff has determined that there are special circumstances on the subject property that warrant the need for a Variance. As such, staff is in support of the Variance request.

**Recommendation:**

Staff recommends approval of the Variance (PVAA T20130202) 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*

1. There are special circumstances applicable to the subject property, including the existing development of the property, the location of the trees on site, the location of the pond and the location of the floodplain of Miners Ravine. 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 *Horseshoe Bar/Penryn Community Plan* and the *Placer County General Plan*.

**Recommended Conditions of Approval:**

1. Approval of this Variance (PVAA T20130202) allows for 1) construction of a proposed 404.2 square foot garage 48 feet from the centerline of Maple Lane (where 75 feet from centerline is normally required) and 15 feet from the south property line (where 30 feet is normally required); 2) construction of an enclosure of the existing patio 21 feet from the south property line (where 30 feet is normally required) and 3) construction of a second, approximately 736 square foot garage, 35 feet from the High Water Mark of the pond (where 50 feet from High Water Mark is normally required).
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 White Variance PVAA 20130202. 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. No grading is permitted within the 100-yr floodplain.

5. This parcel is affected by Flood Zone AE and will require review by the Floodplain Administrator for compliance with the County of Placer Flood Damage Prevention Ordinance prior to Building Permit Issuance (contact Mary Keller – 530.745.7503)
6. This Variance (PVAA T20130202) shall expire on September 29, 2015 unless previously exercised.

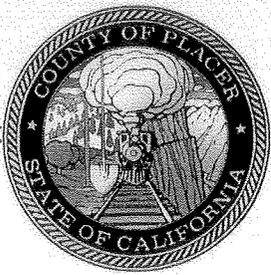
**Attachments:**

Attachment A - Memo from Engineering and Surveying Division

Attachment B - Memo from Department of Environmental Health Services

cc: Engineering and Surveying  
Environmental Health Department  
PVAA T20130202 File  
Applicant

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MEMORANDUM

TO: MELANIE JACKSON, PLANNING DIVISION  
NICOLE HAGMAIER, PLANNING DIVISION

DATE: AUGUST 27, 2013

FROM: SHARON BOSWELL, ESD

SUBJECT: PVAA 20130202: WATERCOURSE S/B & FRONT AND SIDE S/Bs; MAPLE LN;  
LOOMIS; WHITE (APN: 037-121-030)

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This project requests approval of a 21' setback to the south property line for an addition to an existing single family residence, and 15' setback to the south property line for a new detached garage (#1), as well as 48' from garage (#1) to center of travelled way of Maple Lane, a privately maintained road. Additionally, approval of a setback reduction to the high water mark of a pond for a detached garage (#2) is requested. 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. No grading is permitted within the 100-yr floodplain.
2. This parcel is affected by Flood Zone AE and will require review by the Floodplain Administrator for compliance with the County of Placer Flood Damage Prevention Ordinance prior to Building Permit Issuance (contact Mary Keller – 530.745.7503).



## 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:** Laura Rath, R.E.H.S.  
Land Use and Water Resources Section

**Date:** July 22, 2013

**Subject:** PVAA 20130202, White, APN 037-121-030

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

*Perspective, Hope, and Opportunity*