



COUNTY OF PLACER
Community Development Resource Agency

Michael J. Johnson, AICP
Agency Director

PLANNING

EJ Ivaldi
Deputy Director, Planning

HEARING DATE: February 19, 2015
TIME: 9:20AM

TO: Zoning Administrator
FROM: Development Review Committee
SUBJECT: Variance (PLN 15-00016) - Cresci

PLAN AREA: Auburn/Bowman Community Plan

GENERAL PLAN DESIGNATION: Rural Residential 2.3 – 4.6 acre minimum

ZONING: RA-B-100 (Residential-Agricultural, combining minimum building site of 100,00 square feet)

STAFF PLANNER: Nikki Streegan, Associate Planner

LOCATION: The project is located at 790 Haines Court, Auburn – APN# 053-010-022-000

APPLICANTS/OWNERS: Mike and Maxine Cresci

PROPOSAL:

The applicants request approval of a Variance to allow for a 15 foot side setback for an agricultural accessory structure and garage, where 30 feet from the property line is required.

CEQA COMPLIANCE:

This project is categorically exempt from environmental review pursuant to provisions of Section 15303 of the California Environmental Quality Act Guidelines and Section 18.36.050 (E) of the Placer County Environmental Review Ordinance (Class 3 - New construction of accessory structures). The Zoning Administrator will be required to make a finding to this effect.

BACKGROUND:

The subject property is located in Auburn off of Bell Road in a Residential-Agricultural B-100 (combining a 100,000 square foot minimum lot size) Zone District. The property is one acre and developed with a single-family home, and is bordered by single-family homes to the north, east, and south. The adjacent property to the west is a large forty-acre property owned by Pacific Gas and Electric Company.

The proposed project is a 1,250 square foot (25-foot by 50-foot) prefabricated wooden structure that will replace an existing metal storage structure. The structure will be a workshop and garage, and continue to be used to store landscaping equipment. A Variance has been submitted to reduce the minimum setback to the side property line.

ANALYSIS:

Due to the trees on site and the current configuration of the house and driveway, other alternatives to the placement of the structure are not feasible. Additionally, the proposed location of the structure will not result

in any tree removal on the site. Because of this and given the constraints on site, staff supports the request for a Variance to the side setback.

RECOMMENDATION:

The Development Review Committee recommends that the Zoning Administrator **approve** this Variance (PLN15-00016) based upon the following findings and recommended conditions of approval.

FINDINGS:CEQA

This project is categorically exempt from environmental review pursuant to provisions of Section 15303 of the California Environmental Quality Act Guidelines and Section 18.36.050 (E) of the Placer County Environmental Review Ordinance (Class 3 - New construction of accessory structures).

VARIANCE:

Having considered the staff report, supporting documents and public testimony, the Zoning Administrator hereby finds that:

1. Because of special circumstances applicable to this property, including tree coverage, and existing development on site, the strict application of the provisions of Chapter 17 would deprive the property of privileges enjoyed by other residential properties in the vicinity and under identical zoning classification.
2. The granting of this Variance does not constitute a grant of special privileges inconsistent with limitations upon other residential 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.
6. The Variance, as granted, is the minimum necessary departure from the applicable requirements of Chapter 17 to grant relief to the applicant, consistent with sections 1 and 2 above.

RECOMMENDED CONDITIONS OF APPROVAL:

1. Approval of this Variance allows for a 15-foot setback from the side property line where 30 feet from the property lines is required, in order to allow a 25-foot by 50-foot prefabricated accessory structure. (PLN)
2. The applicant shall apply for a Building Permit for the array through the Placer County Building Department within 30 days of approval of the Variance. (PLN)
4. The applicant shall 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 in any proceeding brought in any State or Federal court, challenging the County's approval of that certain Project know as the Cresci Variance (PLN15-00016). The applicant shall, upon written request of the County pay, or at the County's

option reimburse the County for, all reasonable costs for defense of any such action and preparation of an administrative record, including the County staff time, costs of transcription 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 written request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provisions of this condition. (PLN)

5. This Variance (PLN15-00016) shall expire on February 19, 2016 unless previously exercised with approval of a building permit and final inspection. (PLN)

Respectfully submitted,



Nikki Streegan
Associate Planner

ATTACHMENTS:

Attachment A – Memo from Environmental Health
Attachment B – Memo from ESD
Attachment C - Site Plans

cc: Sharon Boswell - Engineering and Surveying Department
Justin Hansen - Environmental Health Services
Mike and Maxine Cresci - Applicants



Placer County Health and Human Services Department

Jeffrey S. Brown, M.P.H., M.S.W.
Department Director

Wesley G. Nicks, R.E.H.S.
Environmental Health, Director

MEMORANDUM

DEPARTMENT OF HEALTH & HUMAN SERVICES
ENVIRONMENTAL HEALTH SERVICES

To: Zoning Administrator
From: Justin Hansen
Land Use and Water Resources Section
Date: January 27, 2015
Subject: PLN 15-00016, Cresci, APN 053-010-022

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

Perspective, Hope, and Opportunity



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Michael Johnson, AICP
Agency Director

**ENGINEERING AND
SURVEYING DIVISION**

Richard Eiri, Deputy Director

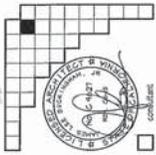
MEMORANDUM

TO: NIKKI STREEGAN, PLANNING SVCS DIV DATE: JANUARY 28, 2015
NICOLE HAGMAIER, PLANNING SVCS DIV

FROM: SHARON BOSWELL, ESD

SUBJECT: PLN 15-00016, VAA TO SIDE SB; HAINES CT; AUBURN; CRESCI
(APN: 053-010-022-000)

This project requests approval to construct a 25' X 50' detached garage within the side setback. The project is accessed from Haines Ct, a privately maintained road. The Engineering & Surveying Division (ESD) **supports** the Development Review Committee's recommendation for this Variance application with no recommended conditions of approval.



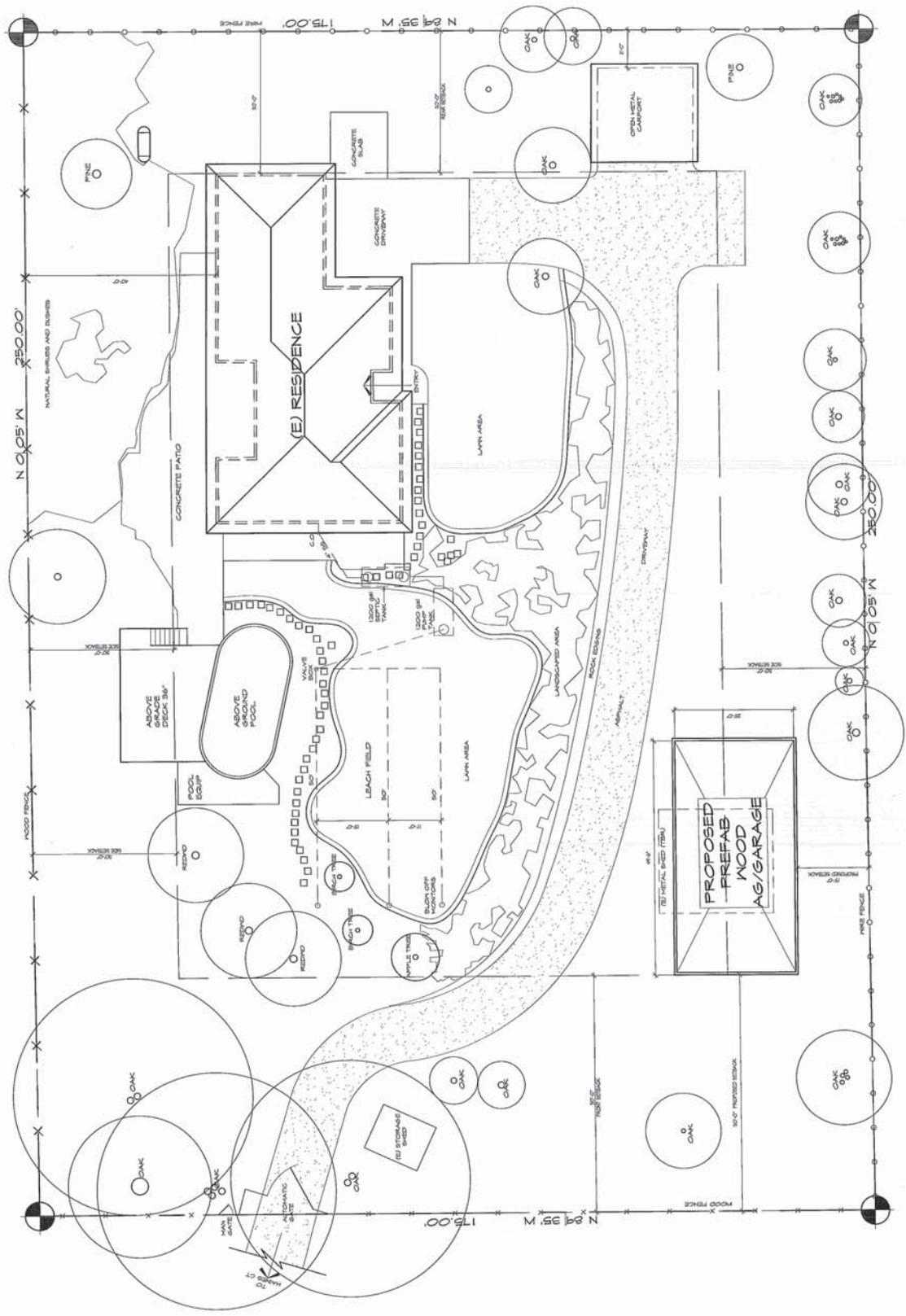
J. Lee Buckingham, AIA
 architect
 13620 Lincoln way, suite 200
 Auburn California 95603
 (530) 886-0750 C 9621

MIKE & MAXINE
 PROJECT PROPOSE METAL BLADE GARAGE FOR
 780 HAINES CT.
 AUBURN, CALIFORNIA 95602

DATE: 11-25-18
 JOB NO.: 1811
 SHEET NO.: 18
 DRAWN BY: JLB
 CHECKED BY: JLB

RECEIVED
 JAN 13 2019
 CDRA

A1.2
 SHEET NO.
 DRAWING NO.



SITE PLAN