



COUNTY OF PLACER
Community Development/Resource Agency

Planning Services Division

Michael J. Johnson, AICP
Agency Director

E.J. Ivaldi, Deputy Director

HEARING DATE: November 4, 2015
TIME: 2:00 P.M.

DATE: October 26, 2015
TO: Zoning Administrator
FROM: Development Review Committee
SUBJECT: Wood Variance (PLN15-00337)
OWNER: Dan & Mary Wood
APPLICANT: Diane McIntire
STAFF PLANNER: Steve Buelna, Supervising Planner
ZONING: RS-B40 Single Family Residential, Combining Building Site 40,000 Square Feet
LOCATION: 8710 River Road in the Truckee area
APN: 080-140-025-000

PROPOSAL:

The applicant is requesting the approval of a Variance Modification to reduce the front setback requirement of 50 feet to allow for a setback of 24 feet (14 feet to the closest portion for a small connection to the existing garage/workshop), allowing for an interior connection between the two existing structures and the conversion of the garage/workshop into a master suite/office. The detached garage/workshop was previously approved by a Variance (VAA-3741) in September 2001 at a setback of 18 foot 6 inches to allow for its construction.

CEQA COMPLIANCE:

The Variance is categorically exempt per Section 18.36.070; Class 3, New Construction of the Placer County Environmental Review Ordinance (CEQA Guidelines Section 15303).

BACKGROUND/EXISTING CONDITIONS:

The subject property is approximately one acre in size, comprising of two lots that were previously consolidated. The Wood property is situated between State Route 89 and the Truckee River near Cabin Creek. The property contains a relatively steep downslope for the front (western) portion of the property. This project site is currently improved with a two story residence on the northern portion of the property that obtained a variance in 1990 (VAA1968) to the front setback, allowing for the structure to be located 7.4 feet from the front property line due to the steep topography of the site. In 2001(VAA-3741) another Variance was also approved to allow for the construction of a two story accessory structure consisting of a garage/workshop on the southern lot.

ANALYSIS:

General Plan and Zoning Consistency

The proposed addition is a single family residential use, which is consistent with the Placer County Zoning Ordinance and Placer County General Plan.

Project Description

The Applicant proposes to construct a one story enclosed breezeway connection between the residence and the 1,344 square foot accessory structure. As part of the project, the workshop will be converted into a master suite, office, and master bath. Although the existing structures are located at 7.4 feet from the residence and garage and 20 feet from the front property line (18.5 feet to eaves) for the accessory structure, the new connection will be located approximately 24 feet to foundation (23 feet to eaves) for much of the new addition. A small extension to the existing residence and attached garage will be located 14 feet from property line, connected to the southern wall of the existing attached garage.

Summary

Staff has concluded that there are special circumstances present, similar to the two previous Variances that would warrant the approval of this variance to allow for this addition/connection between the two existing structures. In particular, the steep topography and the locations of the existing improvements dictate where this connection can occur. Further, staff determined that the adverse weather conditions help to necessitate the need for internal circulation between the structures. Staff has determined that this request is the minimum departure from the Ordinance and that this construction will not result in any negative impacts to the surrounding properties.

RECOMMENDATION:

Staff recommends the Zoning Administrator find the project to be categorically exempt from the California Environmental Quality Act (CEQA) and **approve** the Variance (PLN15-00337), to allow a hallway connection between the two structures and the conversion of the existing workshop into a master suite, office, and master bath. The proposed connection will be located primarily 24 feet from the front property line with the exception of the small addition to the existing garage that will be located 14 feet from the front property line at its closest point. This recommendation is based on the following findings and attached recommended conditions of approval (Attachment A).

FINDINGS:

Environmental Review / California Environmental Quality Act (CEQA):

1. This project is categorically exempt from the provisions of CEQA per Section 18.36.070. (Class 5 – Variance) of the Placer County Environmental Review Ordinance (CEQA Guidelines, Section 15305). Specifically, the construction of a single-family residential addition.

Variance:

1. There are special circumstances applicable to the subject property, particularly the steep topography and the location of the existing site improvements, and because of such circumstances, the strict application of this chapter would deprive the property of privileges enjoyed by other property in the vicinity and under identical zoning classification in that the location of the proposed residence is limited to the existing physical conditions of the project site.
2. The Variance authorized does not constitute a granting of special privileges inconsistent with the limitations upon other properties in the vicinity and in the same zone district in that there are other properties in the vicinity that have structures located closer to the front property lines.
3. The Variance does not authorize a use that is not otherwise allowed in the zoning district in that the single family dwellings are an allowed use within the Residential Single-Family zoning district.
4. The Variance is consistent with the Placer County General Plan as single family residential uses are permitted within the zoning designation.
5. The Variance is the minimum departure necessary to grant relief to the applicant in that the proposed addition is at a minimum distance in order to allow for a logical connection between the two structures.

ATTACHMENTS:

- Attachment A: Recommended Conditions of Approval
- Attachment B: Engineering and Surveying Division Memo
- Attachment C: Environmental Health Services Memo
- Attachment D: Site Plans

**PLANNING SERVICES DIVISION
RECOMMENDED CONDITIONS OF APPROVAL**

- 1 The Variance (PLN15-00337) is approved to allow a Variance Modification to reduce the front setback requirement of 50 feet to allow for a setback of 24 feet (14 feet to the closest portion for a small connection to the existing garage/workshop), allowing for an interior connection between the two existing structures and the conversion of the garage/workshop into a master suite/office. The detached garage/workshop was previously approved by a Variance (VAA-3741) in September 2001 at a setback of 18-foot 6 inches to allow for its construction (APN: 080-140-025-000) and as shown on the approved site plan and project description on file with the Community Development Resource Agency.
- 2 The effective date of approval shall be November 4, 2015, unless the approval is appealed to the Planning Commission. In accordance with Sections 17.58.140(D) and 17.58.160(B)(1) of the Zoning Ordinance, the approval of the variance shall be valid for twenty-four (24) months after its effective date. At the end of that time, the approval shall expire and become null and void unless the time limits of the variance are extended per Section 17.58.160(B)(1).
- 3 Prior to grading permit issuance and/or building permit issuance, the applicant shall obtain any approvals required by CDF or the serving fire district, Truckee Fire Protection District.
- 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 known as the Wood Variance Project (PLN15-00337). 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).



COUNTY OF PLACER
Community Development/Resource Agency

Michael Johnson, AICP
Agency Director

**ENGINEERING AND
SURVEYING DIVISION**

Richard Eiri, Deputy Director

MEMORANDUM

TO: Steve Buelna, Planning Services Division
Julie Leipsic, Planning Services Division

DATE: October 26, 2015

FROM: Ed Staniforth, Engineering and Surveying Division

SUBJECT: PLN15-00337: Variance to front setback; 8710 River Road; Dan Wood;
(APN: 080-140-025)

The applicant requests a variance to the 50 foot front setback for an enclosed breezeway between two existing buildings that are also within the front setback. Both buildings were approved to be located within the front setback via two previous variances. The face of new breezeway is proposed to be approximately 14 feet from the front property line. In addition, the project proposes to convert the existing garage/workshop into a master bedroom. The Engineering & Surveying Division (ESD) supports the Development Review Committee's recommendation for this Variance application subject to the following conditions of approval:

1. Only that living space which is approved as part of this application is permitted within the front setback. Any windows of the proposed structure within the setback shall be tempered or wired safety glass or equivalent (ESD).
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. (ESD)
3. Prior to pouring the foundation for the proposed breezeway footings (and after the forms have been set), the applicant shall provide an Exhibit signed and stamped by a licensed Land Surveyor that precisely identifies the distance from the proposed foundation to the boundary common to this lot and the public Right-of-Way of State Highway 89 and delineates the 100-year floodplain of the Truckee River, to the satisfaction of the County Surveyor. The applicant is advised that a foundation inspection cannot occur until this condition has been satisfied. (ESD)



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: Mohan Ganapathy
Land Use and Water Resources Section
Date: October 26, 2015
Subject: **PLN 15-00337, Wood Remodel, APN 080-140-025**

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

Perspective, Hope, and Opportunity

