

**From:** [Defend Granite Bay - A Community Association](#)  
**To:** [Bonnie Gore](#); [Robert Weygandt](#); [Jim Holmes](#); [Suzanne Jones](#); [Cindy Gustafson](#)  
**Cc:** [Megan Wood](#); [General Woodward](#); [GBCA](#); [Holly Johnson](#)  
**Subject:** [EXTERNAL] Agenda Item 3. Planning Commission denial of the Kim Conditional Use Permit Modification (PLN21-00033)  
**Date:** Monday, September 13, 2021 1:58:16 PM  
**Attachments:** [image.png](#)

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## DEFEND GRANITE BAY



Supervisors Gore, Weygandt, Holmes, Jones and Gustafson,

We respectfully request that you uphold the Planning Commission denial of the Kim Conditional Use Permit Modification (PLN21-00033). The Planning Commission determined the request would be precedent setting as it is the first lot in the subdivision to request a deviation from the approved lot coverage percentage. The Planning Commission discussed the potential ramifications if this request was approved and determined an increase in lot coverage of three percent could lead to even greater deviations from the development standards in the future.

The property purchased to construct a custom home was conditioned to be one story with twenty percent coverage allowed. As one of the largest parcels within the subdivision, it is already granted more square feet of coverage than neighboring parcels.

The Conditional use permit for the Barton Ranch Subdivision did not originally include coverage in presentation to the public, Planning Commission or to the Board. Since coverage was not included in the original Conditional Use Permit then no modification can be made. Therefore, the requested increase must be considered a variance.

Under Cal. Gov Code Section 65906, there has been no substantial evidence presented that the requested increased coverage is based upon size, unique shape or topography of the property and that the variance does not constitute a granting of special privileges.

While we respect their intent to provide memories and opportunities to host family and friends, the Kim's submission only further clarifies that their request is a "personal want". There has been no substantial evidence provided which supports that they cannot achieve the same goals of creating memories and hosting events with three percent less coverage. A minor modification in their plans will create the same opportunities they desire while being compliant with local and state laws.

The Defend Granite Bay Board and members