

STAFF REPORT TO: AMADOR COUNTY PLANNING COMMISSION
FOR MEETING OF: MAY 13, 2014

Item 2 - Public Hearing to consider an appeal of the Planning Department's denial of a Guest House Permit as required by County Code Section 19.48.070B to allow a separate electrical service to a guest house instead of being connected to the main dwelling's meter (APN 014-230-013).

Appellant: Robert & Judy Weiss

Supervisorial District V

Location: 19955 Shenandoah School Road, approximately 1 mile east of Shenandoah Road.

A. General Plan Designation: A-G, Agricultural-General (40 acre minimum)

B. Present Zoning: "R1A," Single Family Residential & Agricultural

C. Description: The appellants submitted a Use Permit application to convert a barn into a detached guest house on March 26, 2014. The permit was denied by the Planning Department due to the electrical service for the guest house being separate from the main dwelling. County Code Section 19.48.070(A)(5) requires that "Electrical service to a guest house shall be connected to the meter of the main building." The structure to be converted into the guest house has its own existing electrical meter, and a contractor's estimate provided by the applicant indicates the cost of relating the electrical service to the main dwelling to be over \$10,000.

D. STAFF REVIEW: Staff has no technical objection to the Planning Commission's approval of the appeal, subject to the findings below.

E. PLANNING COMMISSION ACTION: The Planning Commission may either:

1. Grant the appeal, thereby allowing the guest house to have a separate electrical meter; or
2. Deny the appeal, thereby requiring the guest house to be connected to the same electrical meter as the main dwelling.

F. Findings: If the Planning Commission moves to grant the appeal, the following finding is required pursuant to County Code Section 19.48.120.D.7:

1. It is infeasible to comply with the criteria of County Code Section 19.48.070(A)(5), and the modification is *not* detrimental to the public interest or surrounding residents or properties.



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PLANNING DEPARTMENT
LAND USE AGENCY

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County Administration Center
810 Court Street • Jackson, CA 95642-2132
Telephone: (209) 223-6380
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E-mail: planning @co.amador.ca.us

Guest House Definition and Regulations

19.08.310 Guest house.

"Guest house" means detached living quarters of a permanent type of construction to be used temporarily or intermittently by a person or persons visiting the occupants of the main building. Construction and use of a guest house are regulated in Section 19.48.070. (Ord. 956 §5, 1983).

19.48.070 Guest houses.

No guest house as defined in Section 19.08.310 of this code shall be erected or enlarged and no existing accessory building shall be converted into a guest house without first obtaining a use permit.

A. Use permits may be issued by the planning department for guest houses which comply with all of the following criteria after notification to all owners of property, as shown on the most recent tax roll, within a distance of at least three hundred feet in all directions from the subject parcel. If the planning department receives opposition to the permit application within ten calendar days after the mailout, or if the application in the opinion of the planning department does not meet the criteria listed below, the permit may be denied. The applicant or any interested person may appeal the planning department's decision pursuant to Chapter 19.64 of this title within ten calendar days after said decision. Approved use permits shall become valid following the ten-day appeal period if no appeals are filed.

1. There shall be but one guest house on any one parcel.
2. Use of a guest house shall be clearly subordinate and incidental to the main building on the same parcel and shall not be used as a permanent dwelling. The guest house shall not be separately rented, let or leased, whether compensation is direct or indirect.
3. A plot plan and a floor plan of the proposed guest house shall be submitted for review at the time of the guest house use permit application. The guest house shall be a maximum of seven hundred ninety-nine square feet.
4. A guest house shall not have a kitchen or other cooking facilities and is restricted to one bathroom. Water supply shall only be connected to the bathroom and exterior faucets of the guest house.
5. Electrical service to a guest house shall be connected to the meter of the main building.
6. Guest houses shall be connected to the same water supply and sewage disposal system as the main building.
7. No new driveway encroachment shall be issued for a guest house.

B. A use permit which includes modifications only to the criteria set forth in subsections (5), (6) or (7) of this section may be granted by the planning commission upon appeal of the use permit denial by the planning department pursuant to Chapter 19.64 of this title. Such appeal may be granted if the planning commission finds that it is physically infeasible to comply with these criteria and the modification is not detrimental to the public interest or surrounding residents or properties. (Ord. 1419 §3, 1996).

From: Claudia Maranta [REDACTED]
 Subject: From Paul Maranta Electrical
 Date: May 2, 2014 at 12:54 PM
 To: Rob [REDACTED]

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 MAY - 7 2014
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Attached please find bid from Paul Maranta Electrical

PAUL MARANTA ELEC 23875 Judy Lane Pioneer, CA 95666 Lic # 746390		Proposal
PROPOSAL SUBMITTED TO:		PROPOSAL NO.
NAME: ROBERT WELLS		SHEET NO.
ADDRESS: 19955 SHENANDOAH SCHOOL RD PLYMOUTH, CA		DATE: 5/2/14
PHONE NO.:		WORK TO BE PERFORMED AT:
ROBT.H. WELLS@GMAIL.COM		ADDRESS: 19955 SHENANDOAH SCHOOL RD PLYMOUTH, CA
		DATE OF PLANS:
		ARCHITECT:

We hereby propose to furnish the materials and perform the labor necessary for the completion of **INSTALLATION OF 480 FEET OF PVC PIPE, WIRE, BREAKERS FOR 60AMP 240 VOLT FEED FROM HOUSE PANEL TO BARN SUB-PANEL. INCLUDED IS REMOVING EXISTING WELL PANEL WIRING TO BARN, INCLUDED ALSO IS TRENCHING, BACK FILLING OF TRENCH, AND ORGANIZING INSPECTIONS. THE SITE WILL NEED TO BE INSPECTED AND MARKED BY THE DIFFERENT UTILITIES PRIOR TO TRENCHING.**

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of
 Dollars (\$ [REDACTED]) with payments to be made as follows: **100% UPON COMPLETION**

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

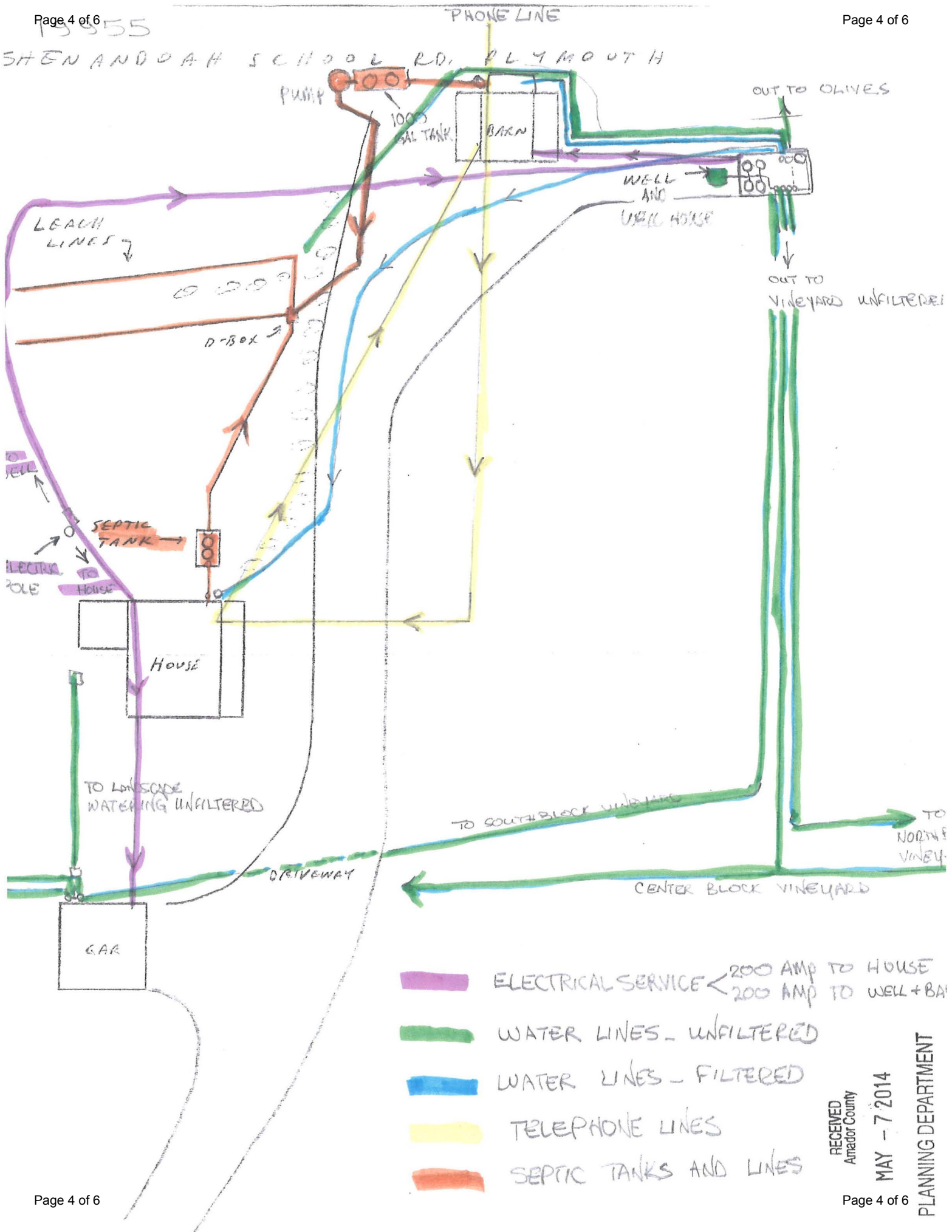
Respectfully submitted: *Paul Maranta*
 Per _____
 Note - This proposal may be withdrawn by us if not accepted within **60** days.

ACCEPTANCE OF PROPOSAL

The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

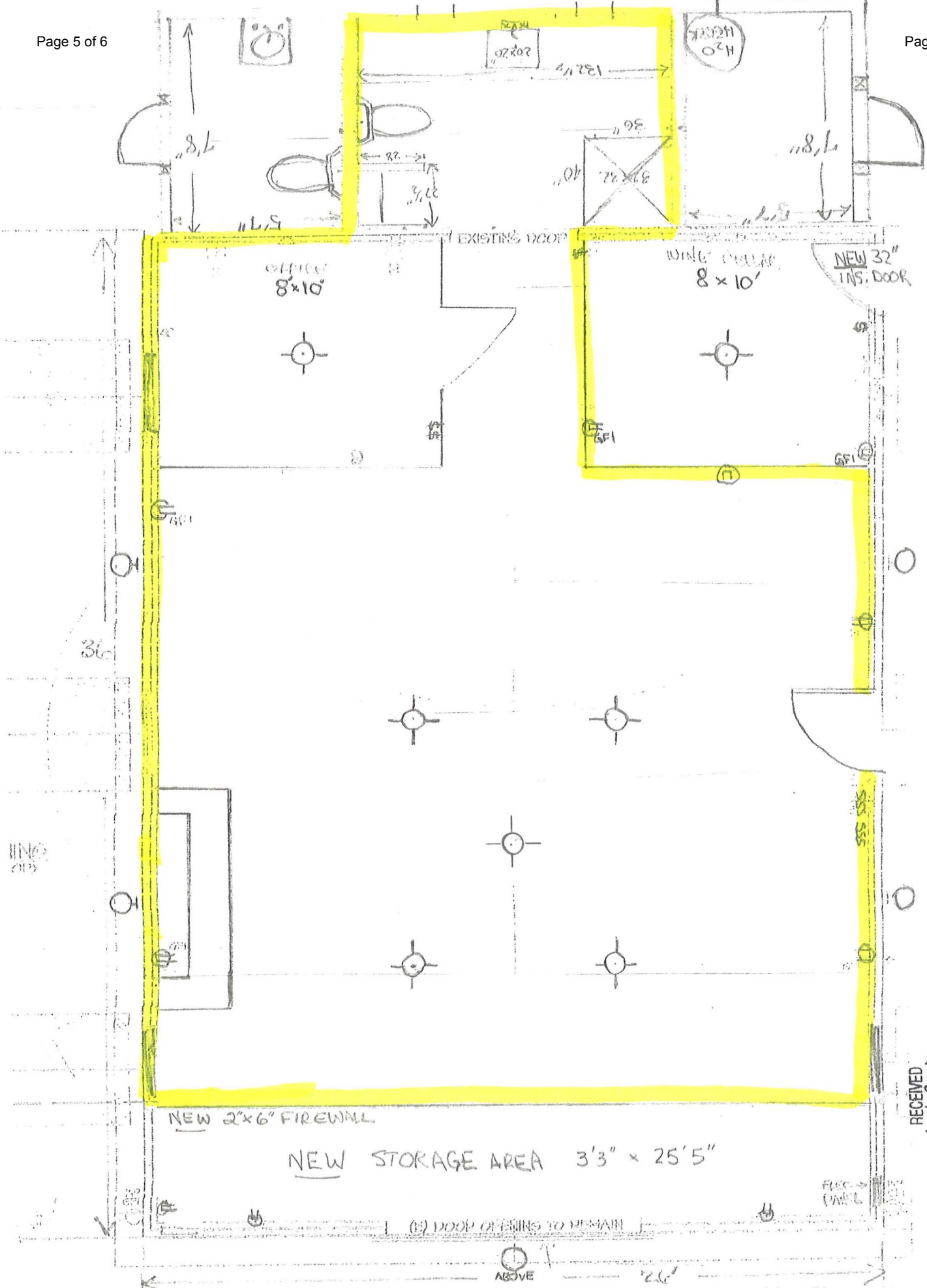
Date: _____ Signature: _____
 Signature: _____

19355
SHENANDOAH SCHOOL RD, PLYMOUTH



- ELECTRICAL SERVICE ← 200 AMP TO HOUSE
200 AMP TO WELL + BARN
- WATER LINES - UNFILTERED
- WATER LINES - FILTERED
- TELEPHONE LINES
- SEPTIC TANKS AND LINES

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GUEST HOUSE USE PERMIT APPLICATION

Clearances from the Environmental Health Department and the Public Works Agency must be obtained prior to submitting this Use Permit Application to the Planning Department.

ENVIRONMENTAL HEALTH DEPARTMENT CLEARANCE: (209) 223-6439

CAN CONNECT TO EXISTING SEPTIC

CANNOT CONNECT TO EXISTING SEPTIC

PERMIT # 12313

PERMIT # _____

Claire Williams
Environmental Health Department Representative Signature

Date 3/24/14 revised plan
5/7/14 ew

PUBLIC WORKS AGENCY CLEARANCE: (209) 223-6429

Sharon Murphy
Public Works Agency Representative Signature

Date 3-24-14

PLEASE COMPLETE THE FOLLOWING:

Applicant's Name ROBERT & JUDY WEISS Phone No. 209-245-6065
Please Print

Mailing Address P.O. BOX 893 PLYMOUTH CA 95669
Street No./P.O. Box City State Zip Code

Property Location 19955 SHENANDOAH SCHOOL ROAD PLYMOUTH CA 95669
Street No. City State Zip Code

Assessor Parcel No. 014-230-013 Size of Parcel 12.49 ac

Zoning: R1 R1A X A AG RE R2A General Plan Classification A-G

Submit the following with this application: Plot Plan and Floor Plan (8-1/2" X 11" size paper) Application Fee (\$66.00)

Applicant's Signature Judy Weiss Date 3/24/14

TO BE COMPLETED BY PLANNING DEPARTMENT

Application Contains:

- 1. Plot Plan and Floor Plan (8-1/2" X 11" size paper)
- 2. Review for compliance with County Code Section 19.48.070
- 3. Application Fee: ~~\$66.00~~ \$75 for separate electrical - goes to PC on appeal.

APPROVED DENIED 361 Jessica C. Sigalva Date 5/7/14
Planning Department Representative Signature

CONDITIONS/REASON(S):

The application as submitted does not comply with County Code Section 19.48.070A.5
Electrical service to a guest house shall be connected to the meter of the main building.

The applicant or any interested person may appeal the Planning Director's decision pursuant to Chapter 19.64 (Appeals) of the Amador County Code within 10 days of the decision on this application.

PLANNING COMMISSION ACTION ON APPEAL, IF ANY: _____