

The Planning Commission of the County of Amador met at the County Administration Center, 810 Court Street, Jackson, California. The meeting was called to order at 7:00 p.m. by Chairman Tober.

THOSE PRESENT WERE:

Planning Commissioners: Ray Lindstrom, District I
Dave Wardall, District II
Denise Tober, District III, Chairman
Andy Byrne, District IV
Ray Ryan, District V

Staff: Grace Pak, Deputy County Counsel
Susan C. Grijalva, Planning Director
Chuck Beatty, Planner III
Heidi Jacobs, Recording Secretary

NOTE: The Staff Report packet prepared for the Planning Commission is hereby incorporated into these minutes by reference as though set forth in full. Any Staff Report, recommended findings, mitigation measures, conditions or recommendations which are referred to by Commissioners in their action motions on project decisions which are contained in the Staff Reports are part of these minutes. Any written material, petitions, packets, or comments received at the hearing also become a part of these minutes. The recording tapes of this meeting are hereby incorporated into these minutes by reference and are stored in the Amador County Planning Department.

A. Pledge of Allegiance.

B. Approval of Agenda: It was moved by Commissioner Ryan, seconded by Commissioner Byrne and unanimously carried to approve the agenda as presented.

C. Minutes: It was moved by Commissioner Byrne seconded by Commissioner Ryan, and carried to approve the minutes of March 25, 2014 correcting in the first paragraph the meeting was called to order by Chairman Tober.
Abstain: Commissioner Lindstrom

D. Correspondence: Item 2: an aerial map showing the existing electrical route; Item 3: letter dated May 9, 2014 from Herb and Barbara Hale.

E. Public Matters not on the Agenda: None

F. Recent Board Actions: Chuck Beatty, Planner III, announced the Board of Supervisors approved the Page and Runquist Zone Changes and also amended Title 19 (Zoning) of the Amador County Code by adding definitions and provisions to allow and regulate child day care centers, child day care facilities and special needs housing.

Public Hearings

Item 1 - Request for Zone Change for a portion of a parcel involved in a Boundary Line Adjustment from the "R1A," Single Family Residential and Agricultural district to the "AG," Exclusive Agricultural district (APN: 007-080-022).

APPLICANT: Howard Family Trust, on behalf of William Wolin (current property owner).

SUPERVISORIAL DISTRICT: V

LOCATION: Approximately ½ mile east of Lorentz Road and ½ north of Taylor Road, near Plymouth, CA.

Chuck Beatty, Planner, summarized the staff report which is hereby incorporated by reference into these minutes as though set forth in full.

Chairman Tober opened the public hearing. There was no comment.

MOTION: It was moved by Commissioner Ryan, seconded by Commissioner Byrne and unanimously carried to close the public hearing.

MOTION: It was moved by Commissioner Ryan, seconded by Commissioner Wardall and unanimously carried to find the project is categorically exempt based on the findings contained in the staff report.

MOTION: It was moved by Commissioner Ryan, seconded by Commissioner Wardall and unanimously carried to recommend approval of the zone change to the Board of Supervisors.

NOTE: Chuck Beatty, Planner, announced the Planning Commission recommended approval of the zone change to the Board of Supervisors. This item will be scheduled for a future Board meeting and notices will be mailed out.

Item 2 - 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, west of Votaw Road and approximately 1 mile east of Shenandoah Road, in the Shenandoah Valley.

Chuck Beatty, Planner, summarized the staff report which is hereby incorporated by reference into these minutes as though set forth in full.

Commissioner Ryan stated he met with the applicants last week and walked the property to better understand the request.

Chairman Tober opened the public hearing.

Robert Weiss, owner, provided the Commission an aerial map showing the existing electrical route. Mr. Weiss stated when they bought the property 14 years ago they installed an electrical service to the well and a barn. He asked the Commission to approve the Guest House Use Permit with a separate electrical service because it would be infeasible to reroute the existing electrical to comply with County Code.

MOTION: It was moved by Commissioner Ryan, seconded by Commissioner Wardall and unanimously carried to close the public hearing.

Commissioner Ryan stated he did walk the property; he reviewed the cost estimate in order to comply with County Code, and believes the request is reasonable.

Commissioner Wardall stated he saw no detriment to the health and safety to surrounding

residents or properties if this appeal is granted.

Commissioner Byrne asked why having the same electrical service is a requirement. Susan Grijalva, Planning Director, stated this requirement was developed to help ensure the Guest House is an ancillary use. The County Code allows the Planning Department to grant Use Permits that meet the specified requirements and it allows the Planning Commission on appeal to allow modifications to certain requirements.

MOTION: It was moved by Commissioner Ryan, seconded by Commissioner Lindstrom and unanimously carried to grant the appeal based on the finding the cost of coming into compliance would be onerous to the applicant and makes it infeasible to comply with the criteria of County Code Section 19.48.70(A)(5) and the modification is not detrimental to the public interest or surrounding residents or properties.

NOTE: Chuck Beatty, Planner, announced the Planning Commission granted the appeal and approved the Guest House Use Permit. Anyone wishing to appeal the Commission's decision may do so by submitting a letter of appeal along with the appropriate appeal fee to the Clerk of the Board of Supervisors no later than 5:00 p.m. on Friday, May 23, 2014.

Item 3- Request for a Variance from County Code Sections 19.26.010A and 19.26.010B to allow for the placement of a 15'x26' single family dwelling instead of the required 800 square feet with a minimum wall projection of 20 feet (APN 044-230-044).

APPLICANTS: Steve & Mai Murray

SUPERVISORIAL DISTRICT: I

LOCATION: 16893 Aubry Lane, approximately ½ mile north of Butte Mountain Road about 1 ½ miles east of Jackson

Chuck Beatty, Planner, summarized the staff report which is hereby incorporated by reference into these minutes as though set forth in full.

Chairman Tober opened the public hearing.

Steve Murray, property owner, stated the proposed unit is not really a dwelling but a guest quarters. The goal when they purchased the property was to build a weekend home and to retire full-time in the future. The original plan was to build a house and then build a guest house but due to the economy and finances they would like to build the smaller guest quarters unit first so they can come out on weekends and enjoy the property more.

Chairman Tober asked if the unit has a kitchen as shown on the plans submitted. Mr. Murray stated the unit would not have a kitchen.

Commissioner Lindstrom stated it is called a "wee house" and based on his research it would have a kitchen. Mr. Murray stated it can be built without the kitchen and that is what they are requesting.

Commissioner Lindstrom stated he drove up Aubrey Lane to view the site. It is about 1 mile up a gravel road and he saw there is one neighbor that would be impacted visually.

Mr. Murray stated even the adjacent property owner has trees to screen. The intent is to keep the unit low-profile and to blend into the surroundings.

Barbara Hale, area resident, stated if this is approved the structure will be there and there is no guarantee a home that meets County Codes will ever be built. She stated the Codes exist for a reason and what is the purpose of the Code if they are ignored.

MOTION: It was moved by Commissioner Ryan, seconded by Commissioner Byrne and unanimously carried to close the public hearing.

Commissioner Lindstrom asked when this Code was written. He stated there is current demand for smaller homes and asked if it is possible for the Code to be changed in the future.

Ms. Grijalva stated the 800 square foot requirement was approved in the mid-late 1980s. In response to Commissioner Byrne, she reviewed the trailer while building and caretaker unit requirements. Ms. Grijalva stated a guest house cannot be constructed prior to a main house. She added the plans submitted for the variance request do show a kitchen.

Commissioner Ryan stated the “wee house” is a great idea and hopefully one day the ordinance can be amended to support that. The current ordinance is in place now and this request is for less than half the minimum requirement for a house. He was concerned that the unit gets placed and it could be 10 or more years before a main house is built. He stated approval would set a bad precedence.

MOTION: It was moved by Commissioner Ryan, seconded by Commissioner Wardall and unanimously carried to recommend denial of the variance to the Board of Supervisors based on the following findings: 1. This variance would constitute the granting of a special privilege inconsistent with the limitations to which other lots in the vicinity with like zoning are subject; and 2. There are no physical development constraints of the subject property that the strict application of the minimum dwelling size and minimum dwelling width are found to deprive the subject property of privileges enjoyed by other properties in the vicinity and identical zone.

NOTE: Chuck Beatty, Planner, announced the Planning Commission recommended denial of the variance to the Board of Supervisors. This item will be scheduled for a future Board meeting and notices will be mailed out.

Adjournment: At 7:42 p.m., Chairman Tober adjourned this meeting of the Planning Commission, to meet again on June 10, 2014.

/s/
Denise Tober, Chairman
Amador County Planning Commission

/s/
Heidi Jacobs, Recording Secretary
Amador County Planning Department

/s/
Susan C. Grijalva, Planning Director
Amador County Planning Department

From: Rob't. [REDACTED]
Subject: Us
Date: May 8, 2014 at 7:10 PM
To: Rob't. [REDACTED]



IF WE HAVE TO ADD FROM HOUSE



Robert

RECEIVED
Amador County

MAY 12 2014

PLANNING DEPARTMENT

May 9, 2014

Amador County Planning Commission
810 Court St.
Jackson, CA 95642

Re: Variance Request
Murray, Steve and Mai
16893 Aubry Lane, Jackson, CA

To Whom It Concerns:

We have received notification of a variance request for the subject property to allow placement of a dwelling that does not meet the County minimum of 800 square feet.

Be advised that, as owners of a home and property that is accessed from Aubry Lane, we are opposed to the granting of said variance because we believe such a dwelling will tend to decrease property values in the immediate area. Regardless of whatever plans the Murrays may have for future construction and development, once a variance is granted the property may never see further building and we will be left with a nearby dwelling that does not meet the standards of the area.

Thank you for your consideration of our views.

Sincerely,



Herb and Barbara Hale

