

STAFF REPORT TO: AMADOR COUNTY PLANNING COMMISSION
FOR MEETING OF: JUNE 9, 2015

Item 3 - Public Hearing – Request for interpretation pursuant to County Code Section 19.48.120 which requires attached second family dwellings to have a common roof line or structural feature which does not exceed a distance of 30 feet from the main dwelling. The Lane’s have proposed to construct a main dwelling and second attached dwelling which are separated by a garage which exceeds that 30-foot requirement. (APN 008-412-010).

Appellants: John & Brenda Lane

Supervisory District: 2

Location: 15235 Muller Road, Plymouth, in the Willow Creek Ranch Estates subdivision.

A. General Plan Designation: A-T, Agricultural-Transition

B. Present Zoning: “RE-5,” Residential Estates, 5-acre minimum

C. Background: The appellants submitted an application for a staff-issued Use Permit (UP-15;5-2) for a second family dwelling to be located on a 5.92-acre parcel on May 6, 2015. The site has a General Plan designation of A-T, Agricultural-Transition, which requires a minimum lot size of 5 acres. Second family dwellings located on parcels which do not meet the General Plan density for two units are required to meet the standards of County Code Section 19.48.120(C):

- “1. Not exceed one thousand square feet in area;
2. Be attached to the main dwelling by a common roof line or some structural feature which does not exceed a distance of thirty feet from the main dwelling;
3. Be designed to be architecturally consistent with the existing unit, with architectural consistency to be determined by the land use agency staff, or by the planning commission in the event the matter is heard by the commission.”

The plans submitted the Use Permit application display a main dwelling of 1,968 square feet and a second dwelling of 990 square feet. The dwellings are shown separated by a garage with a minimum length of 42’ 6”, and a maximum length in excess of 50 feet. Staff denied the Use Permit on the basis that the maximum separation between the dwellings would exceed 30 feet, thereby violating County Code 19.48.120(C)(2).

D. Planning Commission Action: The Planning Commission may either:

1. Grant the appeal, thereby nullifying the staff’s denial of the Use Permit, and direct staff to issue the Use Permit based on the application, as submitted; or
2. Deny the appeal, thereby upholding staff’s denial of the Use Permit.

E. Findings: If the Planning Commission moves to *grant* this appeal, the action must be based on specific findings which are supported by materials or statements presented during the hearing.



Planning Department <planning@amadorgov.org>

Public Hearing Notice

Jennifer Nguyen <[REDACTED]>

Mon, Jun 1, 2015 at 9:54 PM

To: Planning Department <planning@amadorgov.org>

Cc: Madre Lane [REDACTED], Dad Lane [REDACTED], Canh Van Nguyen

[REDACTED], Jennifer Nguyen <[REDACTED]>

Hi Heidi,

Please find the presentation we plan to provide to the Planning Commission on June 9, 2015. We will present in 5 minutes or less. Please let me know if you need further information or if you have any questions.

thank you,

Jennifer and Canh Nguyen
[REDACTED]

On May 28, 2015, at 11:29 AM, Planning Department <planning@amadorgov.org> wrote:

See attached for Public Hearing Notice for the "Request for interpretation pursuant to Co. Code Section 19.48.120 which requires attached second family dwellings to have a common roof line or structural feature which does not exceed a distance of 30 feet from the main dwelling. The Lane's have proposed to construct a main dwelling and second attached dwelling which are separated by a garage which exceeds that 30-foot requirement. Subject property is 5.92 acres, zoned "RE," Residential Estates Dist., located at 15235 Muller Road in the Willow Creek Ranch Estates subdivision in the Plymouth area."

Heidi Jacobs
Sr. Administrative Assistant

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Amador County Planning Department
810 Court Street
Jackson, CA 95642
(209) 223-6380
planning@amadorgov.org

<Public Hearing Notice - Lane.Nguyen.pdf>

PC_6-9-15.pdf
16046K

CANH & JENNIFER NGUYEN SECOND FAMILY DWELLING USE PERMIT APPROVAL

June 9, 2015

15235 Muller Rd, Plymouth CA
[REDACTED]

Who Are We?





Proposed House Plan



REVISIONS	BY

Nguyen/Lane

Date	4-1-15
Scale	1/8" = 1'-0"
Drawn	LB
Job	
Sheet	
Of	Sheets

18 X 24 PRINTED ON NO. 1000M CLEARPRINT

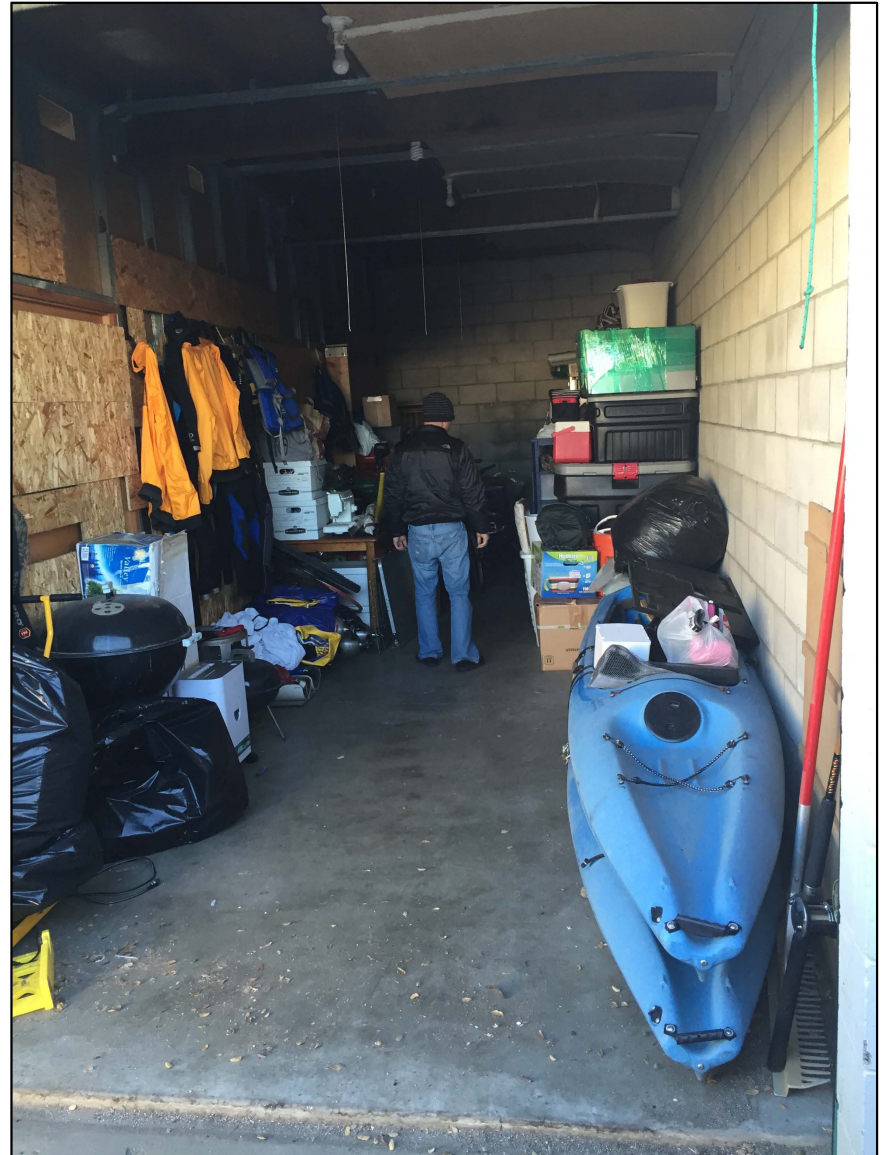
Requirements

• Willow Creek Ranch HOA Approval

- Enclosed or covered vehicular storage must be provided as an integral part of the residence

• Amador County Code Section 19.48.120

- Attached Second Family Dwelling Units Shall:
 - Be attached to the main dwelling by a common roof line **or** some structural feature which does not exceed a distance of thirty feet from the main dwelling
 - Not exceed one thousand square feet in area
 - Be designed to be architecturally consistent with the existing unit



Summary

- Approve House Plan As Submitted





Chuck Beatty [REDACTED]

Planning Commission Agenda Request

Jennifer Nguyen [REDACTED] > Thu, May 7, 2015 at 9:49 AM
To: [REDACTED] <[REDACTED]>
Cc: Dad Lane [REDACTED] >, Madre Lane [REDACTED] >, Canh Van Nguyen [REDACTED], Jennifer Nguyen [REDACTED]

Dear Amador County Planning Commission,

My husband, Canh Nguyen, and I are requesting to be added to your next meeting agenda to appeal a decision from the planning department regarding our proposed new construction with a second family dwelling in Plymouth, CA. We recently purchased APN 008-412-010-000 located at 15235 Muller Rd in Plymouth. Amador County Code, Chapter 19.48 Section 120(C)(2) requires the attached second family dwelling to have a common roofline or some structural feature which does not exceed a distance of 30 feet from the main dwelling. The house plan we submitted includes a shared garage space between the main dwelling & the dwelling for my parents. Both dwellings are under a common roofline. The garage was designed to accommodate vehicles for both dwellings and will also provide storage space for my parents who recently retired, sold their 2500 square foot home and will now be traveling in their RV for a majority of the year. Without the current garage design, necessary storage space and secure vehicle parking would be provided via less secure and less aesthetically pleasing non-permanent canvas structures/sheds on our property. In order to avoid unsightly structures in the Willow Creek Ranch Estates, we are respectfully requesting an exemption to the 30 foot limitation detailed in the County Code Section above.

Please let me know if we have been added to your agenda and the details of your upcoming meeting. If you have any questions, we can be reached at [REDACTED].

kind regards,

Jennifer and Canh Nguyen



PLANNING DEPARTMENT LAND USE AGENCY

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

SECOND FAMILY DWELLING USE PERMIT APPLICATION

Clearances from the Environmental Health Department, Amador Fire Protection District, the Public Works Agency, and where applicable, public water and/or sewer district must be obtained prior to submitting this Use Permit Application to the Planning Department.

AMADOR FIRE PROTECTION DISTRICT: (209) 223-6391
Carla J. Jones Date 5-6-15
Amador Fire Protection District Representative Signature

ENVIRONMENTAL HEALTH DEPARTMENT CLEARANCE: (209) 223-6439
[Signature] Date 3-19-15
Environmental Health Department Representative Signature
If served by: Public Water Public Sewer

District Representative Signature
 PUBLIC WORKS AGENCY CLEARANCE: (209) 223-6429
Sharon Murphy - conditions to follow Date 3-19-15
Public Works Agency Representative Signature

PLEASE COMPLETE THE FOLLOWING: ATTACHED UNIT DETACHED UNIT

Applicant's Name JOHN LANE Phone No. [Redacted]
Please Print

Mailing Address P.O. Box 426 Plymouth CA 95669
Street No./P.O. Box City State Zip Code

Property Location 15235 MULLER RD. Plymouth CA 95669
Street No. City State Zip Code

Assessor Parcel No. 008-412-010 Size of Parcel 5.9 ACRES

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

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 [Signature] Date 3-19-15

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 19.48.120
- 3. Application Fee: \$66.00

APPROVED DENIED [Signature] Date 5-6-15
Planning Department Representative Signature

CONDITIONS/REASON(S):

Building plans do not meet County Code Section 19.48.120.C.2: Common roof line exceeds 30 feet.

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: _____

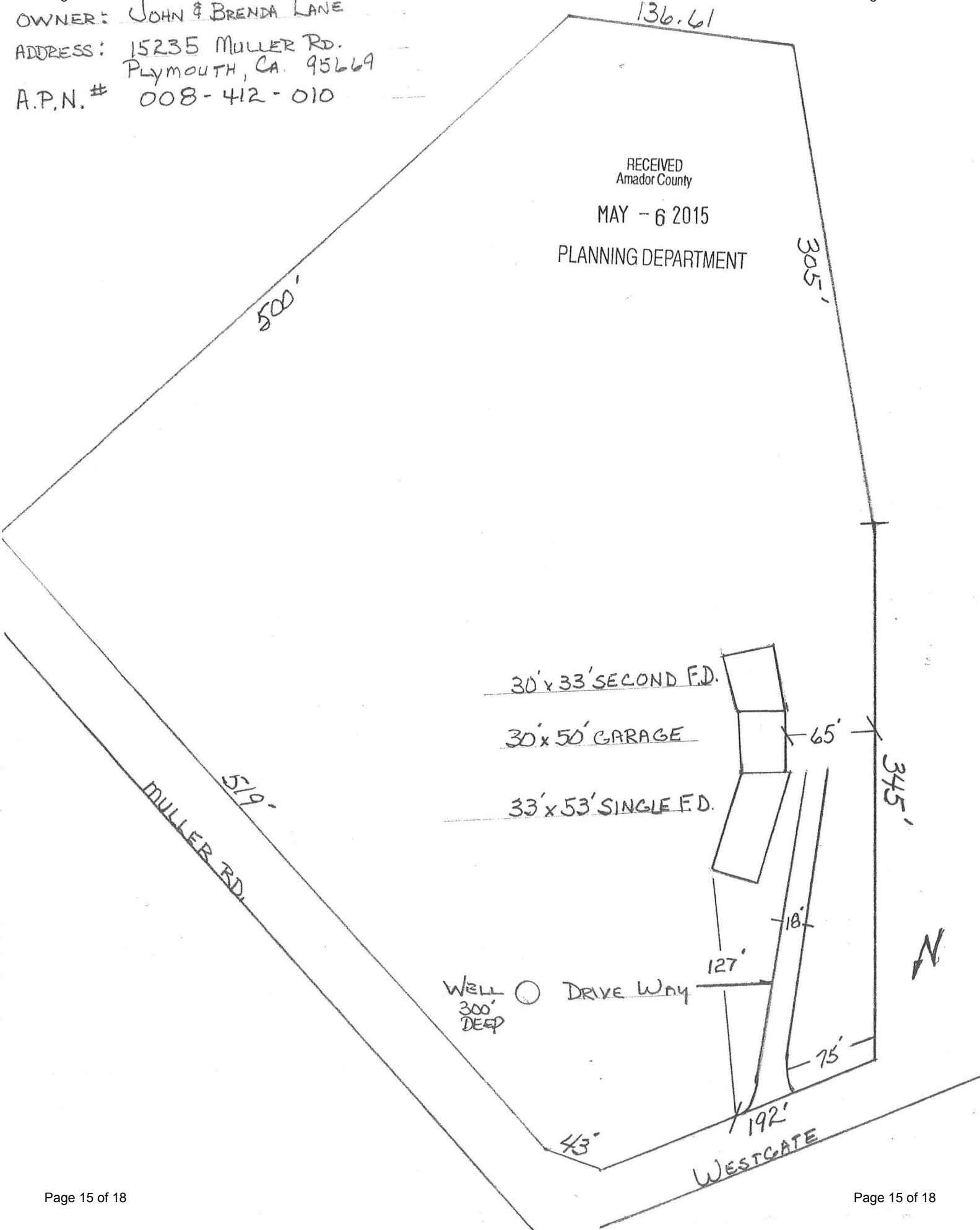
Amador County Code Section 19.48.120 - Second Family Dwellings in Single-Family Zone Districts. Second family dwelling units shall be permitted on lots or parcels in any R1, R1A, X, A, AG, RE, or R2A zone district, provided a use permit is obtained from the Planning Department and the following regulations are met:

- A. One of the dwelling units is owner-occupied; and
- B. Payment of all impact fees and compliance with all ordinances applicable to the construction of a single family dwelling.
- C. Attached second family dwelling units shall:
 - 1. Not exceed 1000 square feet in area;
 - 2. Be attached to the main dwelling by a common roof line or some structural feature which does not exceed a distance of 30 feet from the main dwelling;
 - 3. Be designed to be architecturally consistent with the existing unit, with architectural consistency to be determined by the Land Use Agency staff, or by the planning commission in the event the matter is heard by the commission.
- D. Detached second family dwelling units may be allowed, provided said detached second dwelling unit meets the following requirements:
 - 1. Compliance with either (a) the property's General Plan Land Use Designation family density; or (b) Policy 26 of the Amador County General Plan Land Use Element (which provides in part that on a parcel of land 20 acres or more in size and located in a general plan designation which has a family population density of 20 acres or less, second units are not considered in the calculation of the family population density of the general plan land use classification);
 - 2. Not exceed 1200 square feet in area if located on a parcel less than twenty (20) acres in size;
 - 3. Not exceed 2000 square feet in area if located on a parcel twenty (20) to forty (40) acres in size;
 - 4. Separate utility connections from the existing unit may be allowed for detached units;
 - 5. Use permit conditions of approval shall be:
 - a. detached second units shall meet the County's land division requirements for on-site sewage disposal; and
 - b. in the event subject property is divided in the future, all requirements for divisions of land at the time said land division application is made shall be met as though the second unit did not exist; and furthermore said second unit shall be increased in size, if necessary, to meet the minimum square footage and dimensions for a dwelling unit as set forth in County Code Sections 19.26.010A and 19.26.010B.

Any person desiring to construct a new structure or convert an existing structure to a second family dwelling shall meet all other provisions of the Amador County Code related to construction including, but not limited to, sewer, water, building permit.

A use permit application which does not comply with Section C., D. 2., or D. 3. may be granted by the Planning Commission on 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 infeasible to comply with these criteria and the modification is not detrimental to the public interest or surrounding residents or properties. (Ords. 1524 & 1525, 2001; Ord. 1438 §3, 1997; Ord. 930 §2, 1983.)

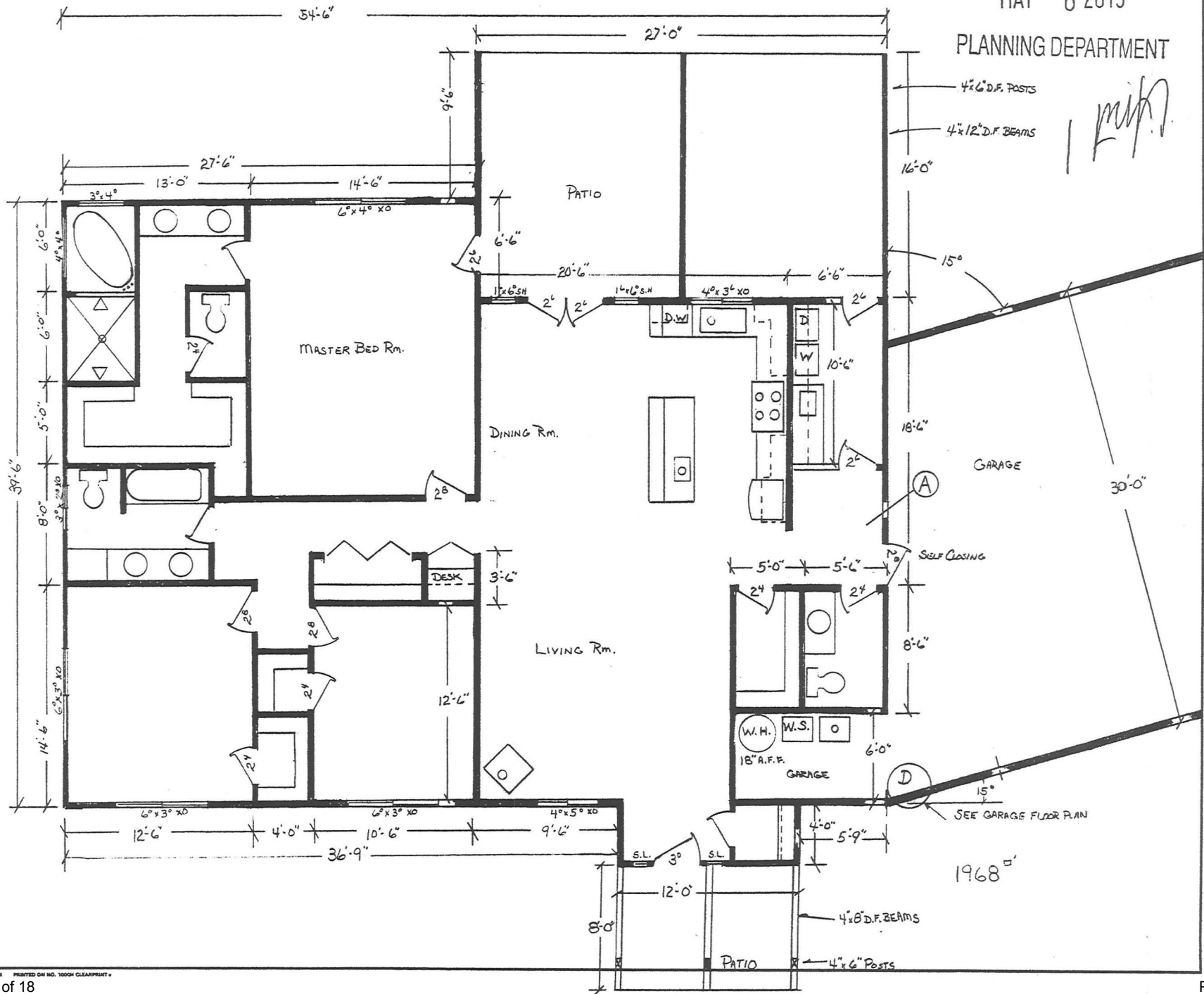
OWNER: JOHN & BRENDA LANE
 ADDRESS: 15235 MULLER RD.
 PLYMOUTH, CA. 95669
 A.P.N. # 008-412-010



MAY - 6 2015

PLANNING DEPARTMENT

1 mif



Nguyen/Lane

Date	4-1-15
Scale	1/4" = 1'-0"
Drawn	<i>VEL</i>
Job	
Sheet	
Of	Sheets

