

STAFF REPORT TO: THE AMADOR COUNTY PLANNING COMMISSION
FOR MEETING OF: JULY 11, 2017

ITEM 1 - REQUEST FOR A VARIANCE FROM COUNTY CODE SECTION 19.24.040, "PD-R1" DISTRICT REGULATIONS WHICH REQUIRES A 25' FRONT BUILDING SETBACK TO ALLOW CONSTRUCTION OF AN ATTACHED GARAGE, LIVING SPACE, AND DECKS TO AN EXISTING RESIDENCE WITHIN APPROXIMATELY 5' OF THE FRONT PROPERTY LINE (APN 026-172-014).

APPLICANT: George W. & Sharon H. Bensch

SUPERVISORIAL DISTRICT III

LOCATION: 33905 Fremont Road, approximately 650 feet west of the intersection with Kirkwood Meadows Drive, being Lot 29 of Kirkwood Meadows Unit 1, in Kirkwood.

- A. GENERAL PLAN DESIGNATION:** S-P, Special Planning
- B. PRESENT ZONING:** "PD-R1," Planned Development-Single Family Residential District
- C. DESCRIPTION:** The applicants are proposing to construct an addition to their existing residence consisting of a 720 square-foot garage with 720 square feet of living space above it, and two decks (3' x 21' and 12' x 16'). This addition is proposed to be located within the front building setback, approximately 5 feet from the property line. The addition, as proposed, requires a variance from County Code §19.24.040, "R1" District Regulations which requires a 25-foot front setback.
- D. STAFF/TAC RECOMMENDATION:** The application was reviewed by the Tri-County Technical Advisory Committee on April 14, 2017, and was found incomplete pending location of underground utilities and a utility relocation plan. Revised plans with utility locations were reviewed by the Kirkwood Meadows Public Utilities District and were found to be sufficient. Tri-TAC and Amador County TAC subsequently found no technical objections to the Planning Commission recommending approval to the Board of Supervisors, subject to the Board approving an abandonment of the Public Utility Easement adjacent to the front property line. The recorded subdivision map notes that, "*Easements for public utilities, light, air, snow storage, parking bays including grading slopes, drainage ditches, underground wires and conduits and all appurtenances thereto within those strips of land lying between the front lot line and the lines shown hereon and designated "Building Set Back Lines", said strips to remain open and free from buildings.*" As a result of the front building setback also being a public utility easement, the variance, if granted, is conditioned upon completing the abandonment of this easement. The abandonment process is currently being processed through the County Surveyor's Office.
- E. CONDITIONS AND FINDINGS:** If the Planning Commission moves to recommend approval of the variance to the Board of Supervisors, the following conditions and findings are recommended for adoption:

Conditions:

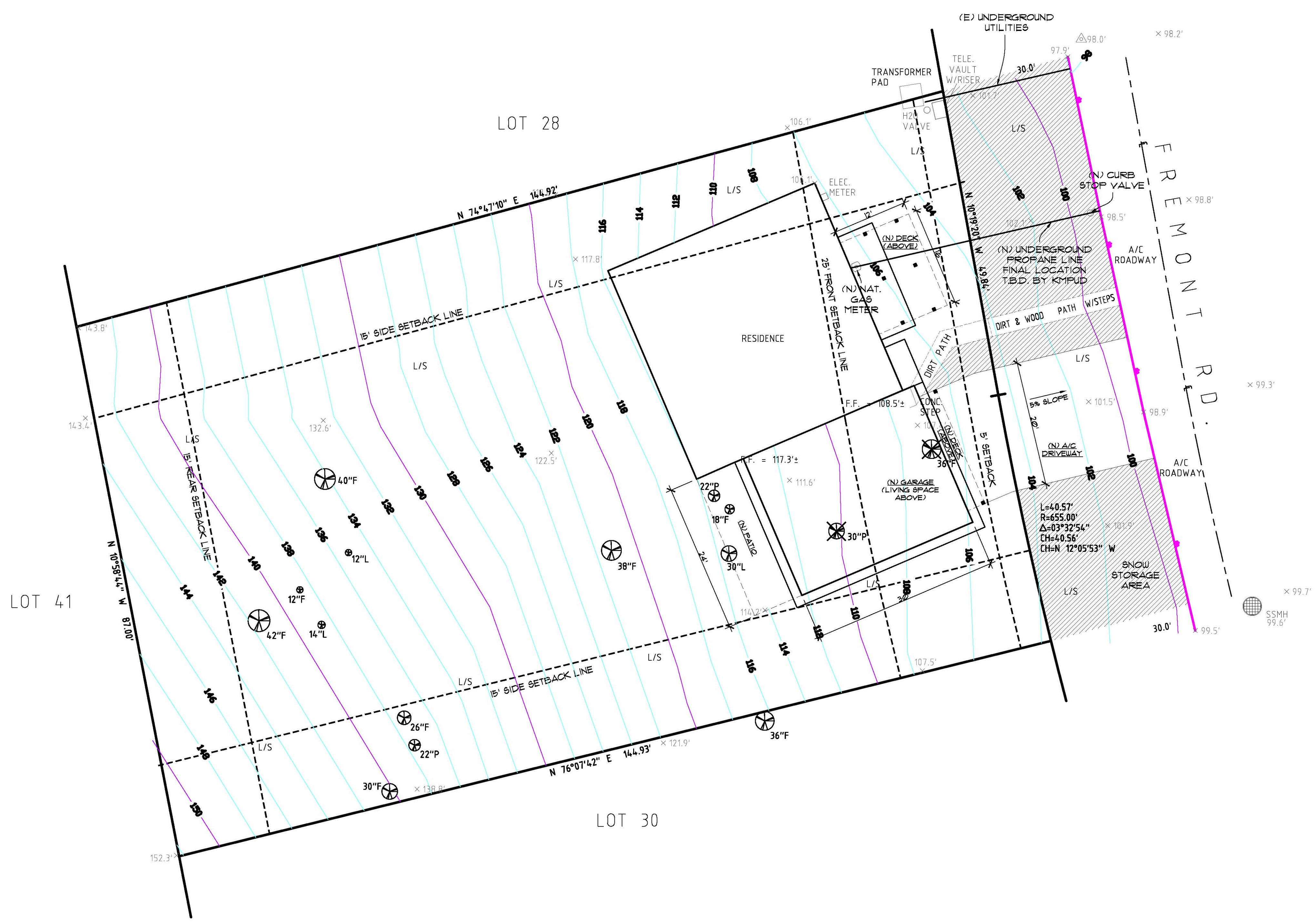
1. *Prior to issuance of any building permit the applicant must complete the abandonment of the public utility easement included within the 25' front setback;*
2. *Prior to issuance of the building permit the applicant must obtain written approval from the Kirkwood Meadows Association Planning Committee for said construction;*

3. *Prior to issuance of the building permit the applicant must obtain from the Department of Transportation and Public Works an encroachment permit for the driveway, the location of which shall be such that it will not adversely impact the snow storage area adjacent to the proposed driveway.*
4. *All necessary building permits shall be obtained from the Building Department for construction of the proposed structure.*

Findings:

1. *This variance does not constitute the granting of a special privilege inconsistent with the limitations to which other lots in the vicinity with like zoning are subject;*
2. *Due to the location of the existing dwelling and the slope of the lot, the strict application of the front building setback is found to deprive the subject property of privileges enjoyed by other properties in the vicinity under identical zone classifications; and*
3. *This variance will not have a significant adverse effect on the environment and is categorically exempt according to Section 15305, Class 5 (minor setback variance not resulting in the creation of any new parcel) of the State CEQA Guidelines and a Notice of Exemption will be filed with the County Recorder.*

REVISED SITE PLAN

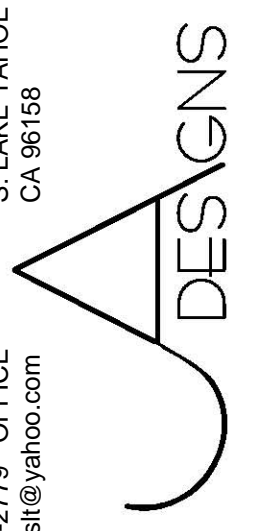


PROPOSED SITE PLAN

SCALE: 1" = 10'

P.O. BOX 9437
S. LAKE TAHOE
CA 96159

SHELDON BIDWELL
530-600-2779 OFFICE
dnebidstl@yahoo.com



PROPOSED SITE PLAN

PROJECT FOR:
GREG BENSCH
33905 FREMONT ROAD
KIRKWOOD, AMADOR CO. CA 95646
APN: 026-172-014

REVISION:

JOB No: **SJB**
DRAWN BY:
CHECKED BY:
DATE PREPARED: 08/25/16
SCALE: as noted
FILE:

DRAWING No:

C1

APPLICATION REFERRAL PACKET



**PLANNING DEPARTMENT
LAND USE AGENCY**

County Administration Center
810 Court Street ▪ Jackson, CA 95642-2132
Telephone: (209) 223-6380
Website: www.amadorgov.org
E-mail: planning@amadorgov.org

APPLICATION REFERRAL

TO:

Amador County Environmental Health Dept.	Amador County Surveying Dept.
Amador County Public Works Dept.	KMPUD
Amador County Building Dept.	Volcano Telephone Company
Amador County Counsel	

DATE: April 6, 2017

FROM: Amador County Planning Dept.

PROJECT: Request by George & Sharon Bensch for a variance from County Code Section 19.24.040 which requires a 25-foot front yard building setback, in order to allow construction of an enclosed garage, additional living space, and decks within 5 feet of the front property/right-of-way line. The proposed garage would be located approximately 30 feet from the edge of pavement of Fremont Road.

LOCATION: 33905 Fremont Road, Kirkwood, CA, (Lot 29, Kirkwood Meadows Unit 1) located approximately 650 feet west of the intersection with Kirkwood Meadows Drive. *NOTE: This variance, if granted, will also require the abandonment of the 25' public utility easement located along the front lot line as noted on the subdivision map, and an encroachment permit for that portion of the driveway proposed to be located within the road right-of-way.*

REVIEW: As part of the preliminary review process, this project is being sent to County staff and local agencies for their review and comment. The application will be reviewed by the **Tri-County Technical Advisory Committee (TCTAC)** on **Friday, April 14, 2017** at **10:00 a.m.** at the **Kirkwood Meadows Public Utilities District Community Services Building on Loop Rd. in Kirkwood, California.**

The **Amador County Technical Advisory Committee** will review the proposed project application on **Wednesday, April 19, 2017** at **2:00 p.m.** at the County Administration Center, 810 Court St., Jackson, California. If the project application is complete, conditions will be formulated along with project recommendations and findings to be forwarded to the Planning Commission for their consideration.

At this time staff anticipates the project will be Categorical Exempt from CEQA. Please forward your recommendations and/or concerns to the Planning Department as soon as possible.

cc: file



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 Jennifer Bidwell-Interior Designer jenannbidwell@gmail.com
 T. 530.600.2779 www.jenanndesigns.com
 1772 D Street Suite 9 South Lake Tahoe, Ca 96150
 Mailing-PO Box 9437 South Lake Tahoe, Ca 96158

PROJECT TITLE
 Bensch Kirkwood Addition

DATE March 28, 2017

CLIENT/LANDOWNER
 Sharon Bensch
 25050 No. Wild Hare Lane
 Acampo, Ca 95220



PURPOSE OF REQUEST

This letter will serve as a formal application for Variance 19.52.020 in which the adjustment will allow the addition of a new garage with living space above.

DESCRIPTION OF VARIANCE

This project is intended to add a garage and additional living space to an existing structure and give a covered entrance from the outside to the inside of the home. The existing structure already sits 10' over the 25' front set back on the property. The garage addition is designed to tie into the existing home, the front elevation will continue 24' to the left (from the street view). At the longest point the garage addition will sit 17' into the 25' front setback line, still sitting behind the 5' front setback line.

The new design and addition will upgrade all exterior siding and materials. The rustic, mountain design is visually pleasing and is comparative to many of the neighboring homes. The design has been approved through the Kirkwood Meadows Planning Committee for preliminary review on October 29, 2016.

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Sheldon Bidwell-Home Designer-CAD donebidslt@yahoo.com
 Jennifer Bidwell-Interior Designer jenannbidwell@gmail.com
 T. 530.600.2779 www.jenanndesigns.com
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 Mailing-PO Box 9437 South Lake Tahoe, Ca 96158

AMADOR COUNTY PLANNING DEPT.
 County Administration Center
 810 Court St
 Jackson, Ca 95642
 209.223.6380
 planning@amadorgov.org

DATE March 15, 2017

PROJECT TITLE
 Bensch Kirkwood Addition

CLIENT/LANDOWNER
 Sharon Bensch
 25050 No. Wild Hare Lane
 Acampo, Ca 95220



LETTER OF AUTHORIZATION TO REPRESENT FOR A VARIANCE

This letter is to authorize JA Designs to represent Greg Bensch in the application process for a variance request through Amador County.

Signature: *Sharon H. Bensch*

Date: 03/16/2017 Sharon Bensch

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 Mailing-PO Box 9437 South Lake Tahoe, Ca 96158

ENVIRONMENTAL INFORMATION: WRITTEN PROJECT DESCRIPTION

PROJECT TITLE
 Bensch Kirkwood Addition

DATE March 28, 2017

CLIENT/LANDOWNER
 Sharon Bensch
 Lot 29, Kirkwood Meadows Unit No. 1
 APN: 026-172-014
 33905 Fremont Rd
 Amador County, Ca.
 Kirkwood Meadows Plan



Existing Zoning District: R-1/PD
 Existing General Plan: SPA

List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies: KMPUD new gas service to residence, proposed snow storage area.

1. **Site Size:** 12,789 Sq Ft.
2. **Square Footage of Existing Residence:** 2,367 Sq. Ft. **Square Footage of Proposed Residence:** 3,087 Sq. Ft.
3. **Number of Floor of Construction:** 2 Floors
4. **Amount of Off-street Parking Provided:** 2 car driveway.
5. **Source of Water:** KMPUD
6. **Method of Sewage Disposal:** KMPUD
7. **See Attached Plans**
8. **Proposed Scheduling of Project Construction:** Scheduled to start construction July 2017.
9. **Development of project will not be constructed in phases.**
10. **No projects Associated with the project.**
11. **Subdivision/Land Division Projects:** Not Applicable
12. This project is a single unit residential home. Range of sale price once complete \$950,000-\$115,000,000.
13. **Commercial Projects:** Not Applicable
14. **Industrial Projects:** Not Applicable
15. **Institutional Projects:** Not Applicable
16. **This Project requires a variance.** The existing structure already sits 10' over the 25' front set back on the property. The garage addition is designed to tie into the existing home, the front elevation will continue 24' to the left (from the street view). At the longest point the garage addition will sit 17' into the 25' front setback line, still sitting behind the 5' front setback line.
17. **-28. See Attached Additional Information Sheet.**

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ADDITIONAL INFORMATION: Are the following items applicable to the project or its effects? Discuss below all items checked "yes" (attach additional sheets as necessary).

YES NO

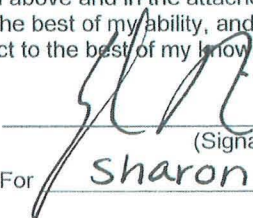
- 17. Change in existing features or any lakes or hills, or substantial alteration of ground contours.
- 18. Change in scenic views or vistas from existing residential areas, public lands, or roads.
- 19. Change in pattern, scale, or character of general area of project.
- 20. Significant amounts of solid waste or litter.
- 21. Change in dust, ash, smoke, fumes, or odors in the vicinity.
- 22. Change in lake, stream, or ground water quality or quantity, or alteration of existing drainage patterns.
- 23. Substantial change in existing noise or vibration levels in the vicinity.
- 24. Site on filled land or has slopes of 10 percent or more.
- 25. Use or disposal of potentially hazardous materials, such as toxic substances, flammables, or explosives.
- 26. Substantial change in demand for municipal services (police, fire, water, sewage, etc.).
- 27. Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.).
- 28. Does this project have a relationship to a larger project or series of projects?

ENVIRONMENTAL SETTING

- 29. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. **Attach photographs of the site** (cannot be returned).
- 30. Describe the surrounding properties, including information on plants and animals and any cultural, historical, or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, setback, rear yard, etc.). Attach photographs of the vicinity (cannot be returned).
- 31. Describe any known mine shafts, tunnels, air shafts, open hazardous excavations, etc. Attach photographs of any of these known features (cannot be returned).

Certification: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date 3-28-17


 (Signature)
 For Sharon Bensch

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 Mailing-PO Box 9437 South Lake Tahoe, Ca 96158

29. Describe the project site as it exists before the project.

The site is located on Lot 29, Kirkwood Meadows #1 @ 33905 Fremont Rd. in Amador County. The road is a public road with access to many surrounding residential properties. The topography of the site is sloped, the soil is stable and the plants and animals are native species. There is no cultural, historical, or scenic aspects to be considered on this property. There is an existing 2,367 Sq Ft. residential home with stained horizontal siding.

30. Describe the surrounding Properties.

The surrounding properties are all single family mountain homes. All surrounding properties are similar lot sizes. Most of the neighboring homes are visible from the property. The style of homes range from older mountain homes to newer, larger modern mountain homes. There are different species of pine trees in the area, specifically on this lot there are Fir Trees and Lodgepole Pines. This area is also inhabited by black bears, Northern Goshawks, yellow bellied marmots, pika, snow plants, Tahoe yellow Cress to name a few.

31. Describe any known mine shafts, tunnels, air shafts, open hazardous excavations, etc.

None that the applicants are aware of on the property.

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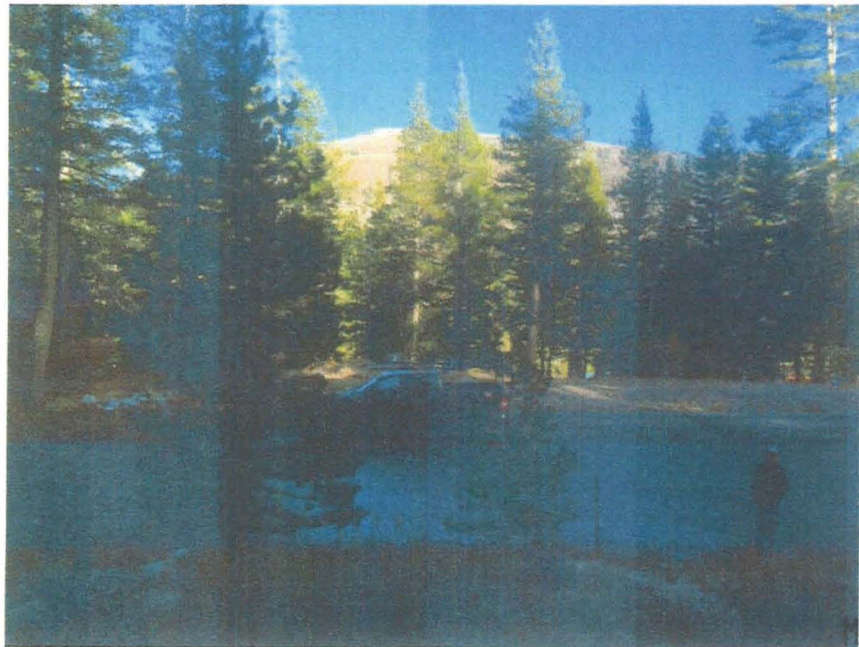


PROPOSED FRONT ELEVATION
 BENSCH-KIRKWOOD

APPROVED
 Kirkwood Development Associates

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 Anadarko County
 MAR 31 2017
 PLANNING DEPARTMENT

Planning Department
 DATE 10/29/16
Preliminary Review Only
Ben O'Neil

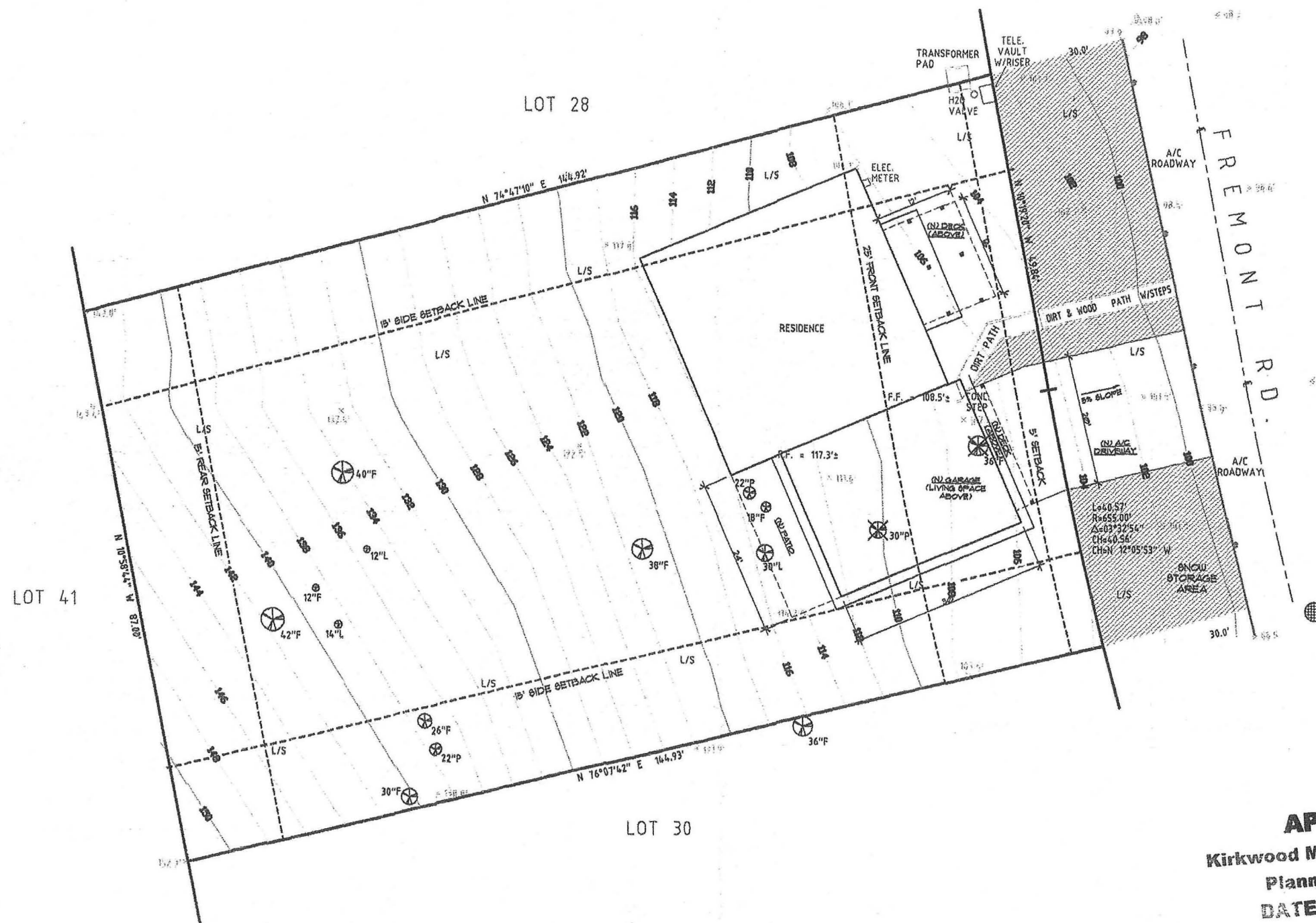


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 MAR 31 2017

P.O. BOX 24
S. LAKE TA
CA 95158

SHELDON BIDWELL
550-800-2778 OFFICE
shel@shd.com

DESIGN



PROPOSED SITE PLAN
SCALE: 1" = 10'

APPROVED
Kirkwood Meadows Association
Planning Commission
DATE 10/29/16

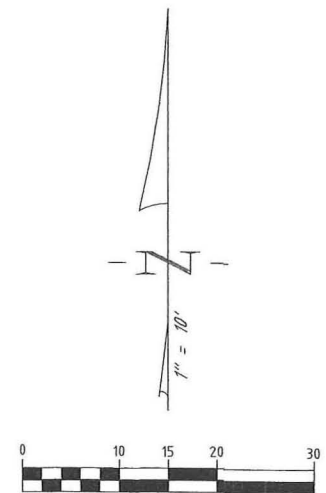
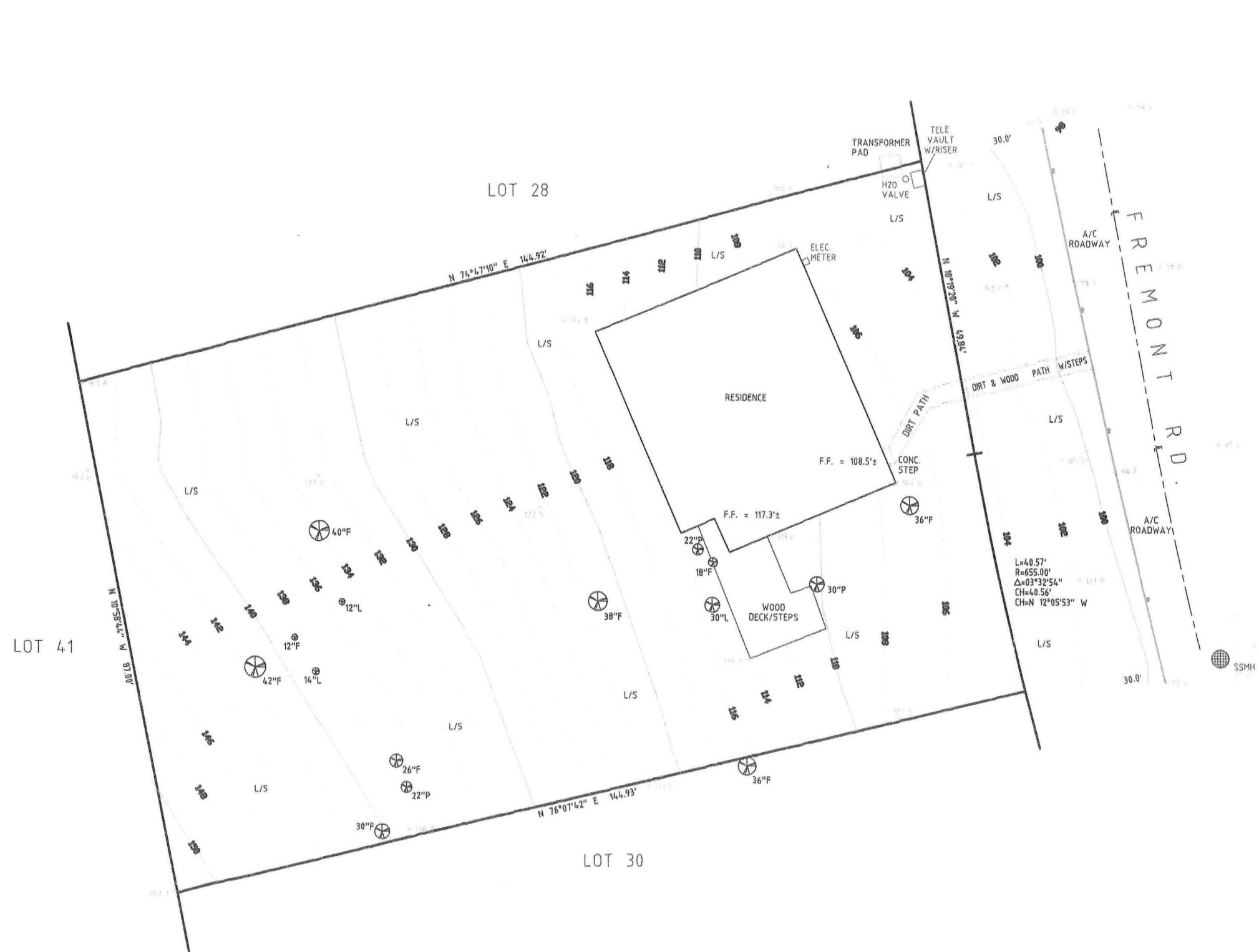
*Preliminary Review
Only*
Bruce Odell

PROPOSED SITE PLAN

PROJECT FOR:
GREG BENSCH
33905 FREMONT ROAD
KIRKWOOD, AMADOR CO. CA 95646
APN: 026-172-014

JOB No:
DRAWN BY: **SJB**
CHECKED BY:
DATE PREPARED: 08/25/16
SCALE: AS NOTED
FILE:
DRAWING No:

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MAR 31 2017



- LEGEND**
- A/C ASPHALTIC CONCRETE
 - F FIR TREE
 - L LODGEPOLE PINE
 - L/S LANDSCAPE/NATURAL GROUND
 - SSMH SANITARY SEWER MANHOLE
 - x77.7 SPOT ELEVATION
 - EDGE OF PAVEMENT
 - △ CONTROL POINT

CLIENT & MAILING ADDRESS
 WILL McCULLOCH
 2459 ALMA AVE.
 SOUTH LAKE TAHOE, CA 96150

LAND AREA
 12,789 SQUARE FEET

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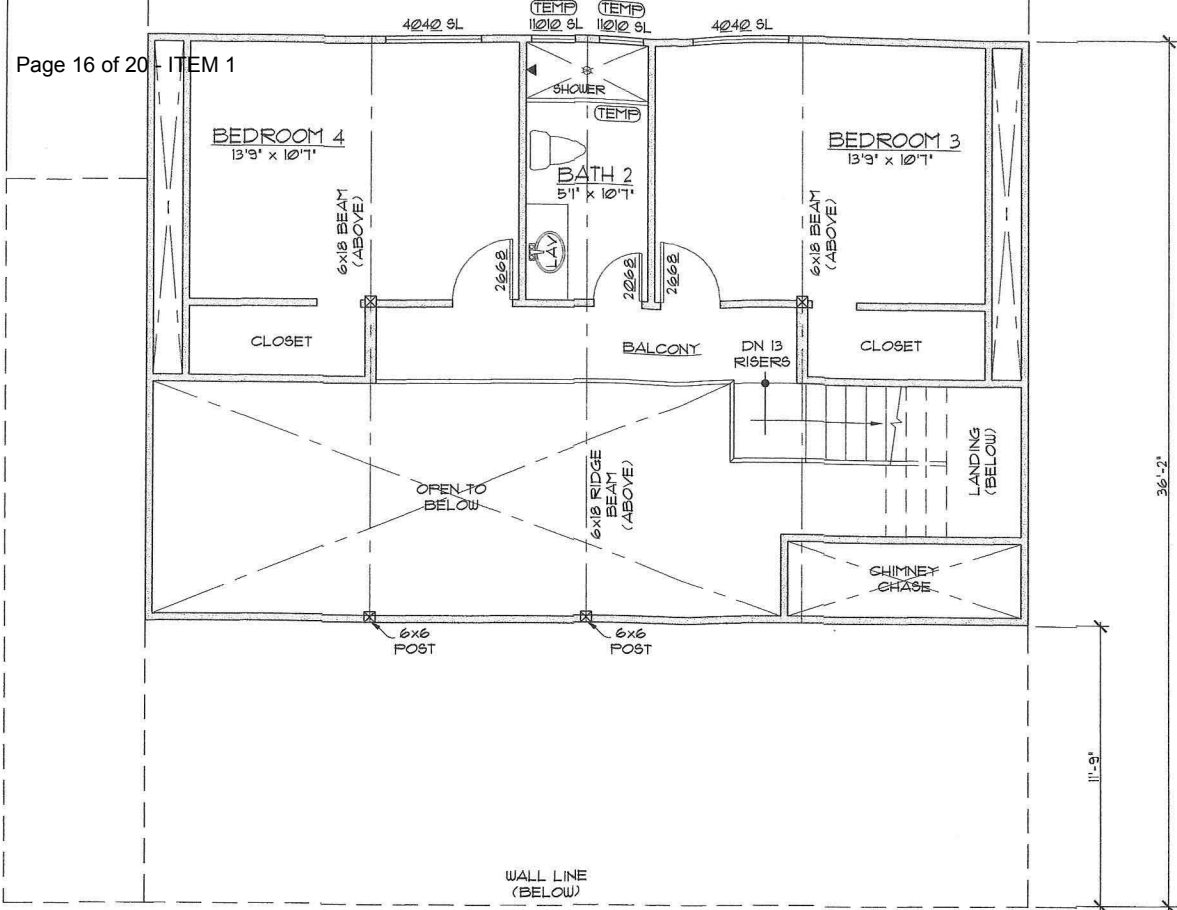
NOTES

- THE PROPERTY LINE INFORMATION SHOWN HEREON IS FROM RECORD DATA AND DOES NOT REPRESENT A BOUNDARY SURVEY.
- THIS SURVEY HAS BEEN PREPARED WITHOUT USE OF A TITLE REPORT UNLESS REFERENCED HEREON.
- PROPERTY OWNER AND/OR DESIGNER MUST VERIFY BUILDING SETBACKS AND ANY OTHER BUILDING RESTRICTIONS BEFORE ANY DESIGN OR CONSTRUCTION.
- ONLY VISIBLE UTILITIES AND FEATURES HAVE BEEN LOCATED.

<p>BENCH MARK</p> <p>NUMBER _____</p> <p>ELEVATION 100.00'</p> <p>DATUM ASSUMED</p> <p>DESCRIPTION SET MAG NAIL IN A/C ROADWAY</p>		<p>TOPOGRAPHIC SURVEY</p> <p>LOT 29, KIRKWOOD MEADOWS UNIT NO. 1</p> <p>APN 026-172-014, 33905 FREMONT RD.</p> <p>AMADOR CO., CA</p>			<p>DATE</p> <p>JUNE 2016</p>
<p>REVISION NO. _____</p> <p>DATE _____</p>		<p>SCALE</p> <p>HORIZ. 1"=10' VERT. 2"=1'</p>			<p>SHEET</p> <p>1 OF 1</p>
<p>FIELD JW T - JR</p> <p>DRAWN SW</p> <p>FILE NAME 16111.DWG</p>		<p>DESCRIPTION</p>			<p>BY</p> <p>CHKD</p>

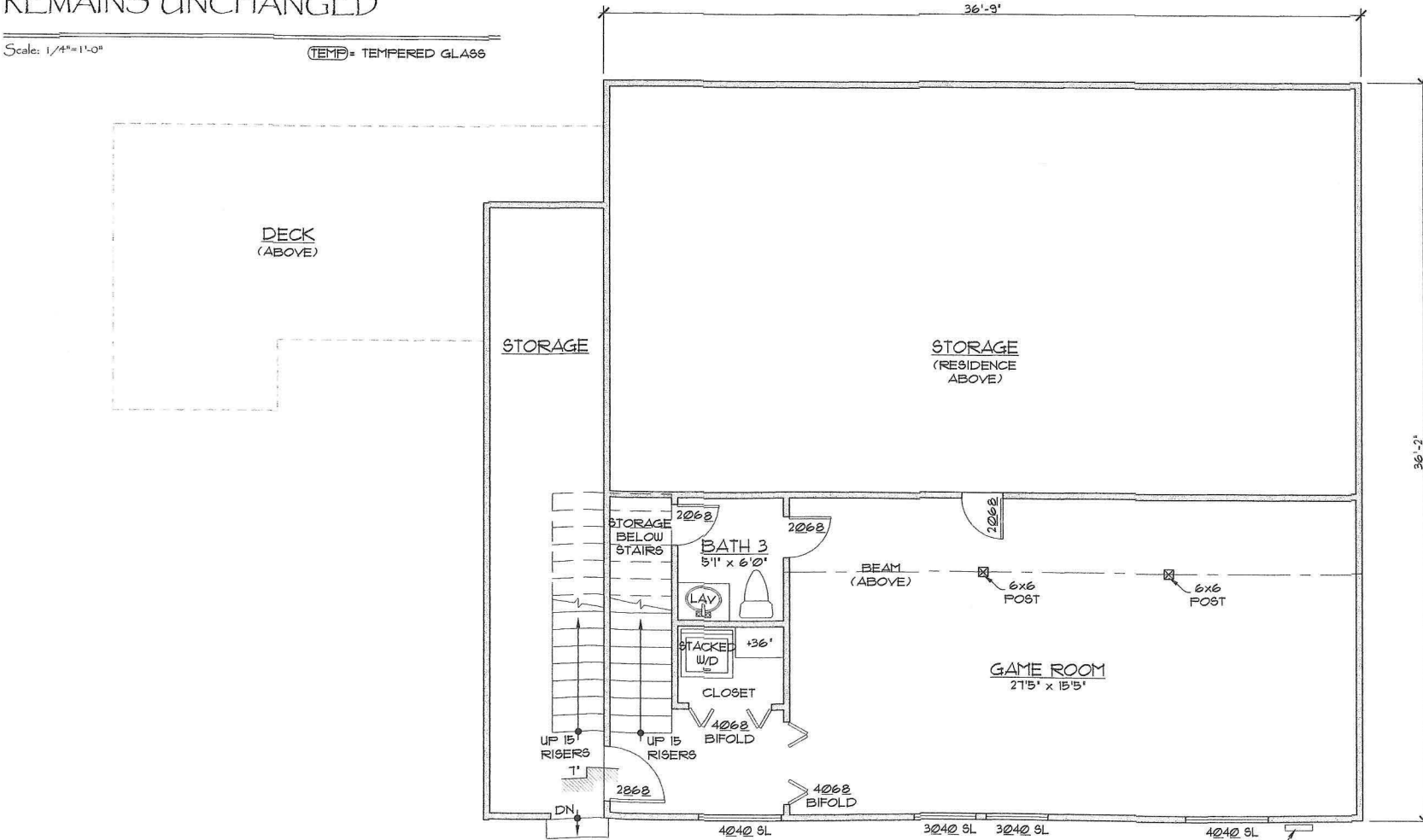
TURNER AND ASSOCIATES, INC.
 SURVEYING

(775) 588-5558
 (775) 588-9296
 203 - ROUND HILL, NEVADA 89448
 - STATELINE, NEVADA 89449

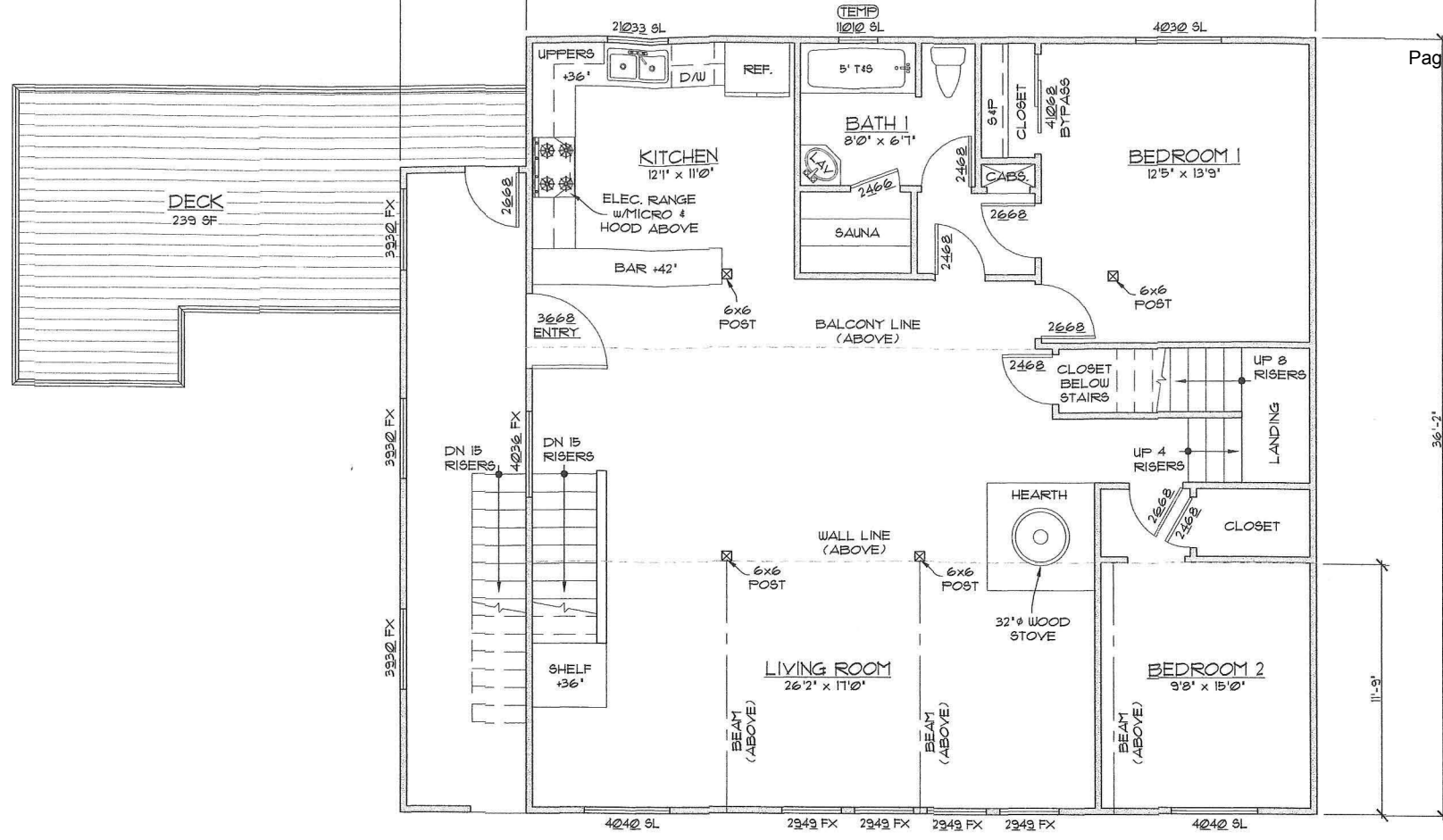


EXISTING UPPER FLOOR PLAN REMAINS UNCHANGED

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EXISTING BASEMENT FLOOR PLAN



EXISTING MAIN FLOOR PLAN

Scale: 1/4"=1'-0" (TEMP) = TEMPERED GLASS

UPPER FLOOR:	
LIVING AREA	485 SF.
MAIN FLOOR:	
LIVING AREA	1,329 SF.
BASEMENT FLOOR:	
LIVING AREA	553 SF.
TOTAL LIVING AREA:	2,367 SF.
GARAGE AREA	N/A



PROJECT FOR:
GREG BENSCH
 33905 FREMONT ROAD
 KIRKWOOD, AMADOR CO. CA 95646
 APN: 026-172-014

EXISTING FLOOR PLANS

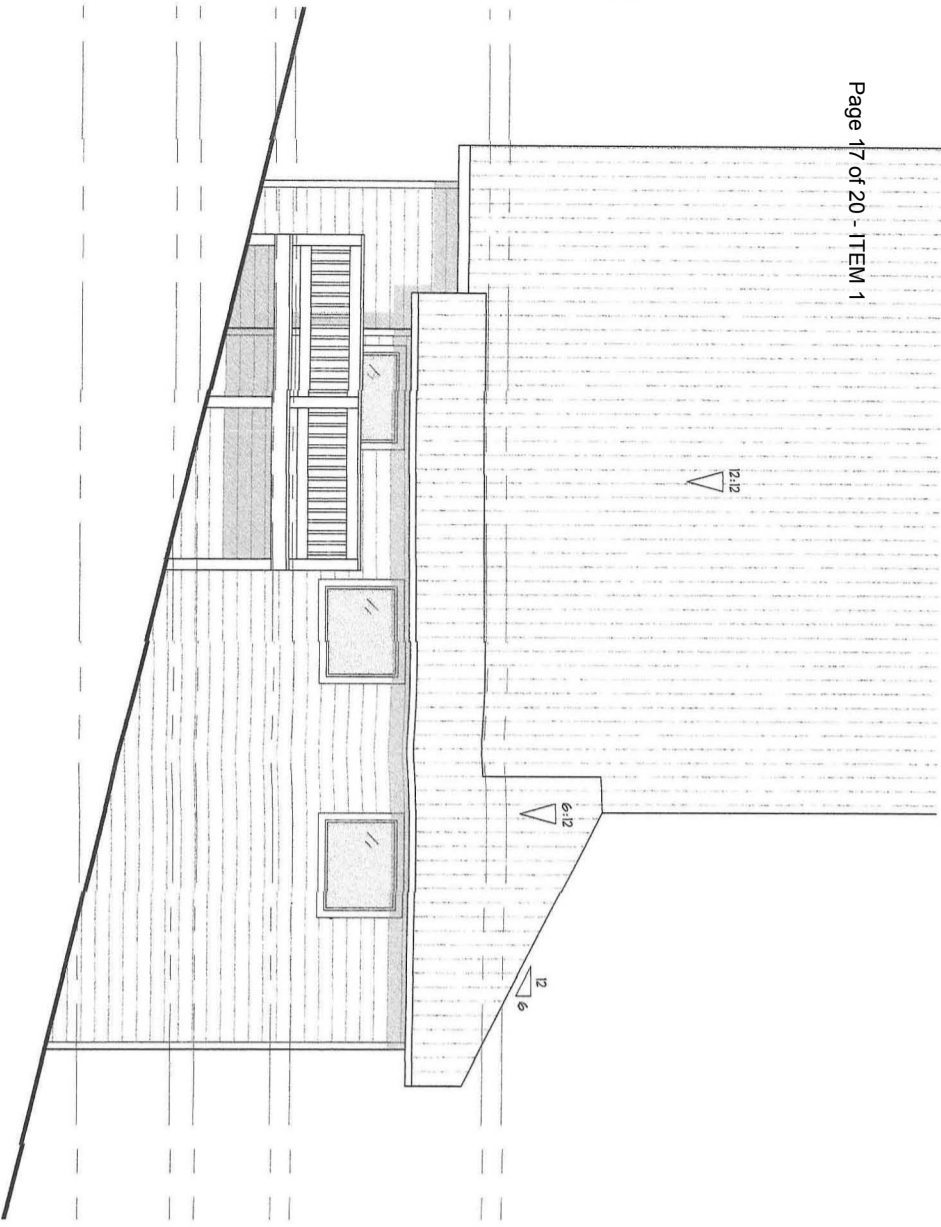
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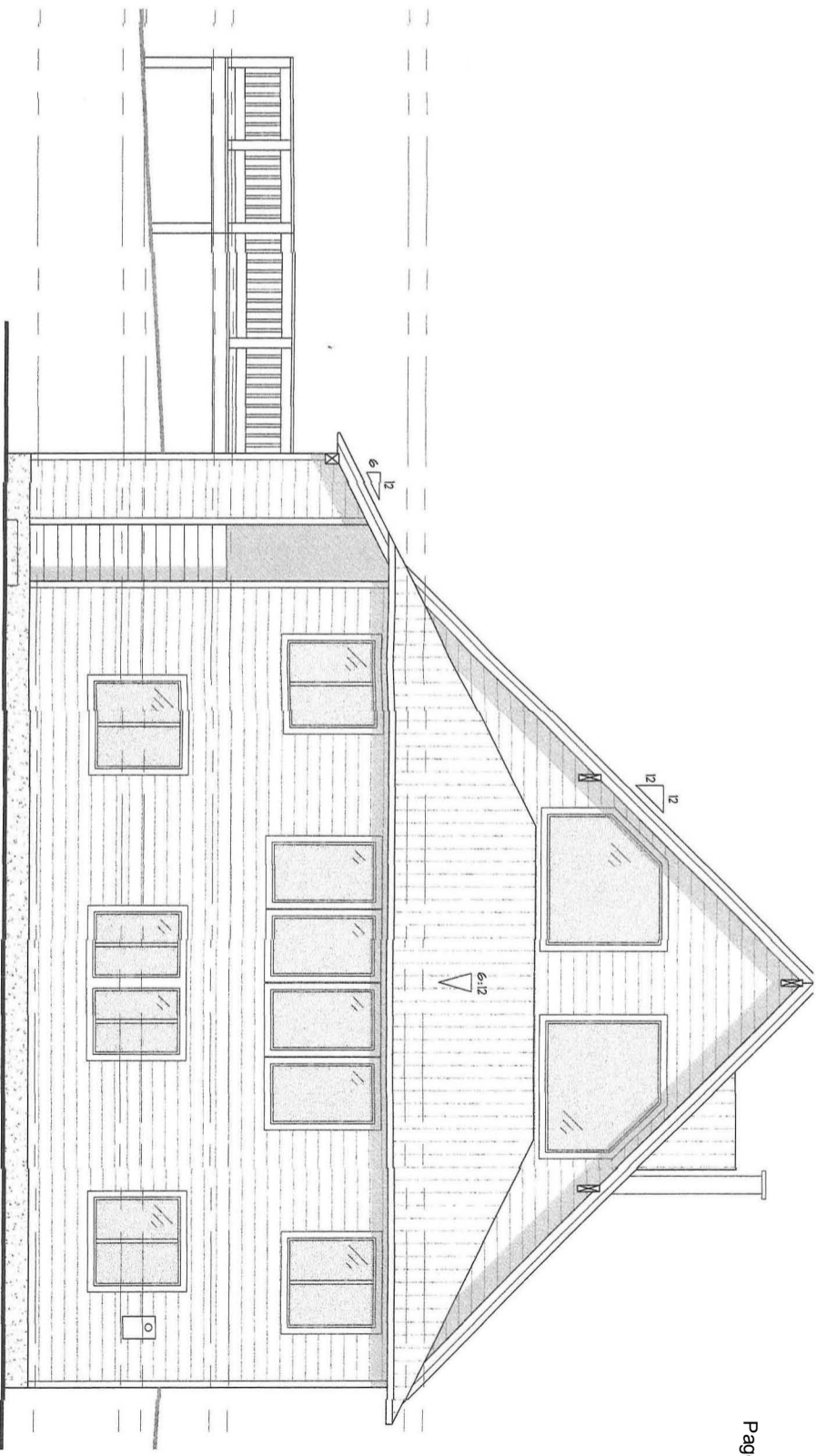
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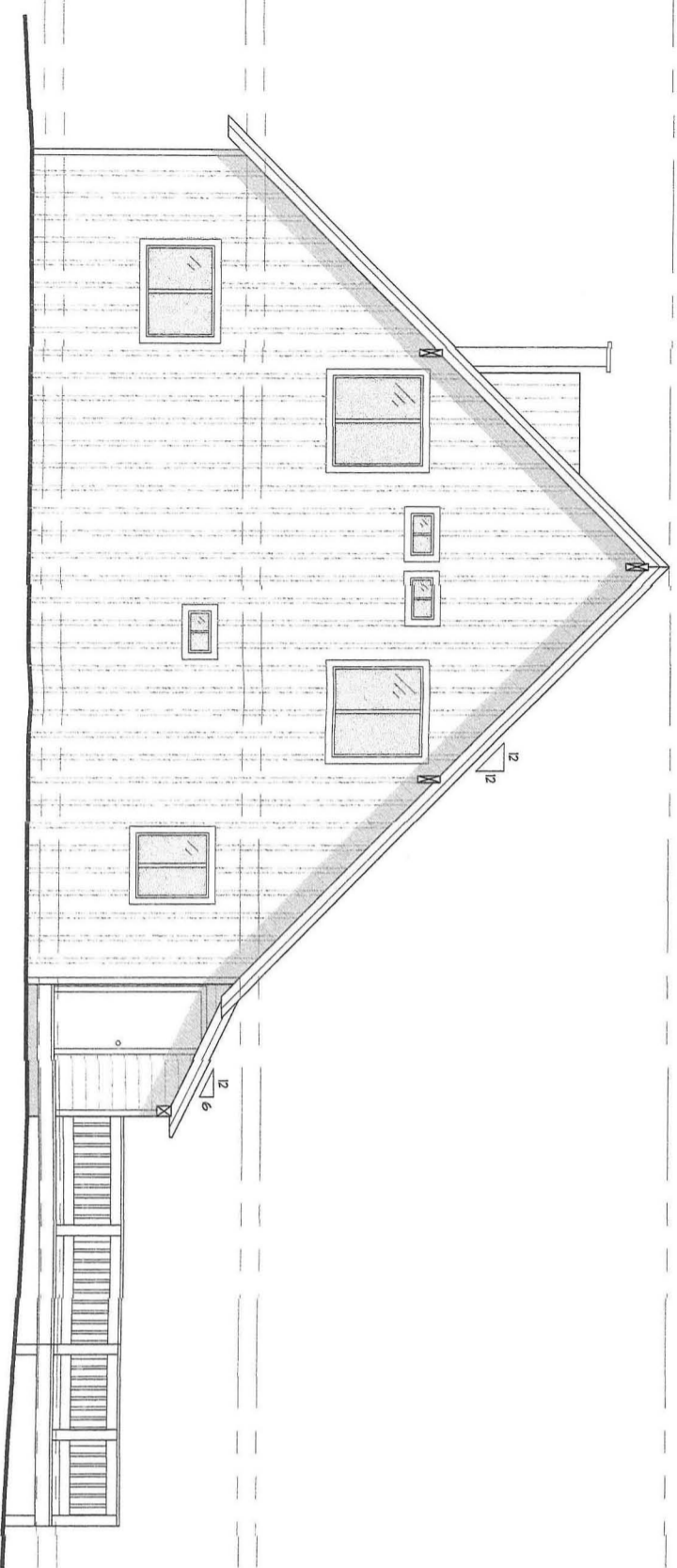
EXISTING LEFT ELEVATION

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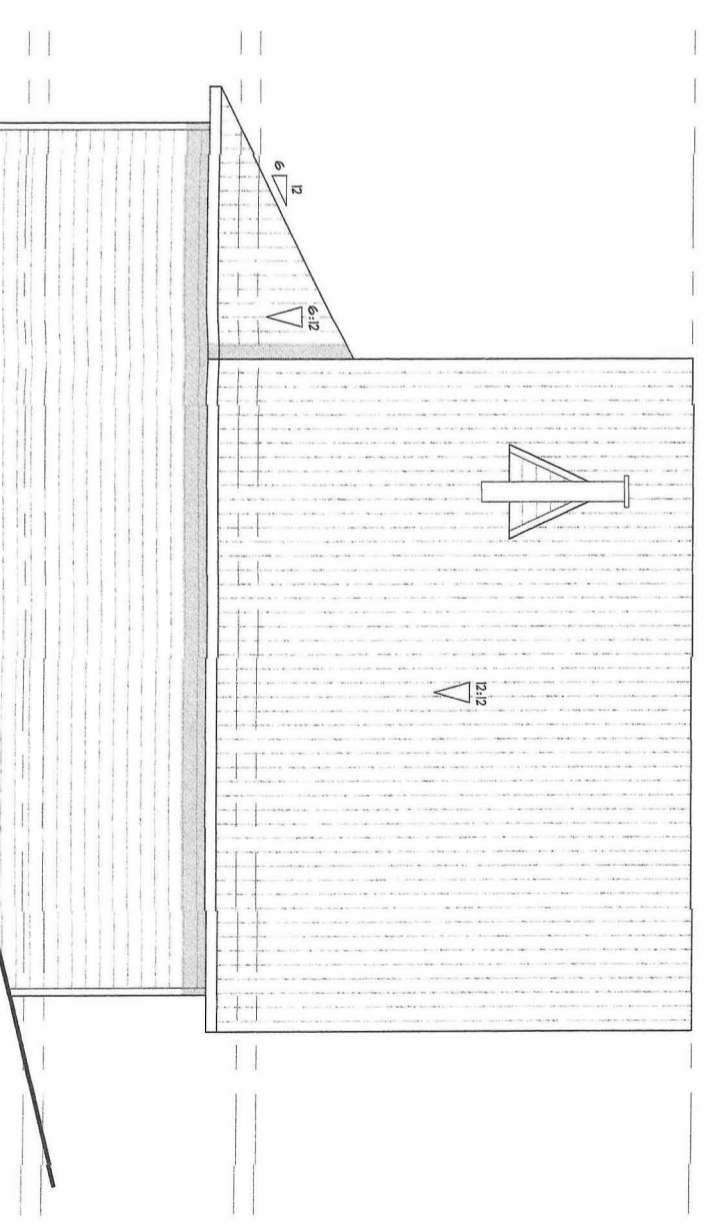
EXISTING FRONT ELEVATION

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EXISTING REAR ELEVATION

Scale: 1/4"=1'-0"



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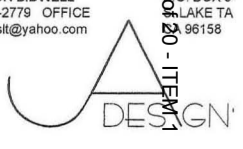
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PROJECT FOR:
GREG BENSCH
 33905 FREMONT ROAD
 KIRKWOOD, AMADOR CO. CA 95646
 APN: 026-172-014

EXISTING ELEVATIONS

TITLE: SHELDON BIDWELL
 530-600-2779 OFFICE
 donebidst@yahoo.com



JOB No: **SJB**
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 DATE PREPARED: 08/25/16
 SHEET NO: 17 of 20 - ITEM 1
 DRAWING No:

PROPOSED FLOOR PLANS

PROJECT FOR:
GREG BENSCH
33905 FREMONT ROAD
KIRKWOOD, AMADOR CO., CA 95646
APN: 026-172-014

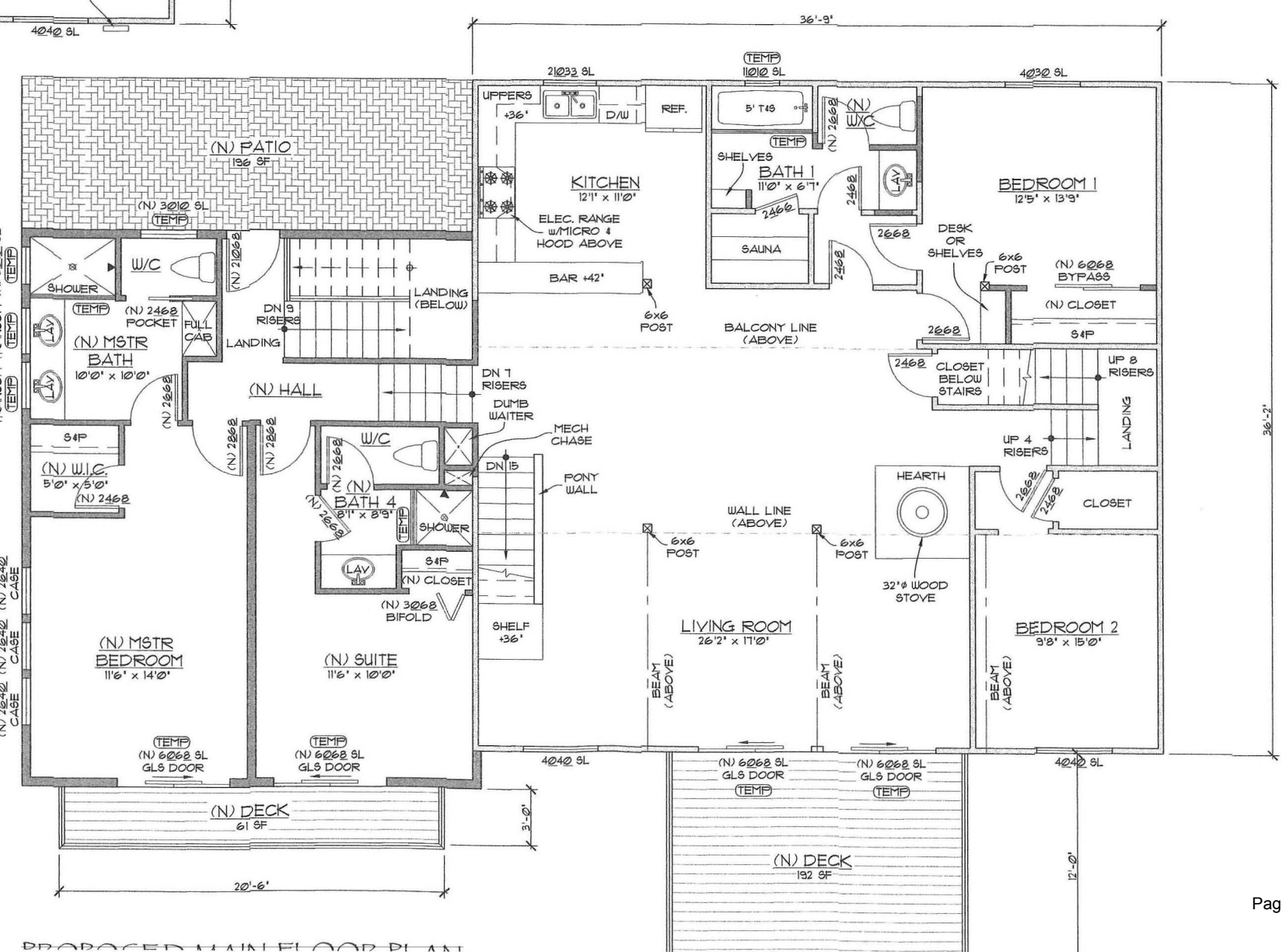
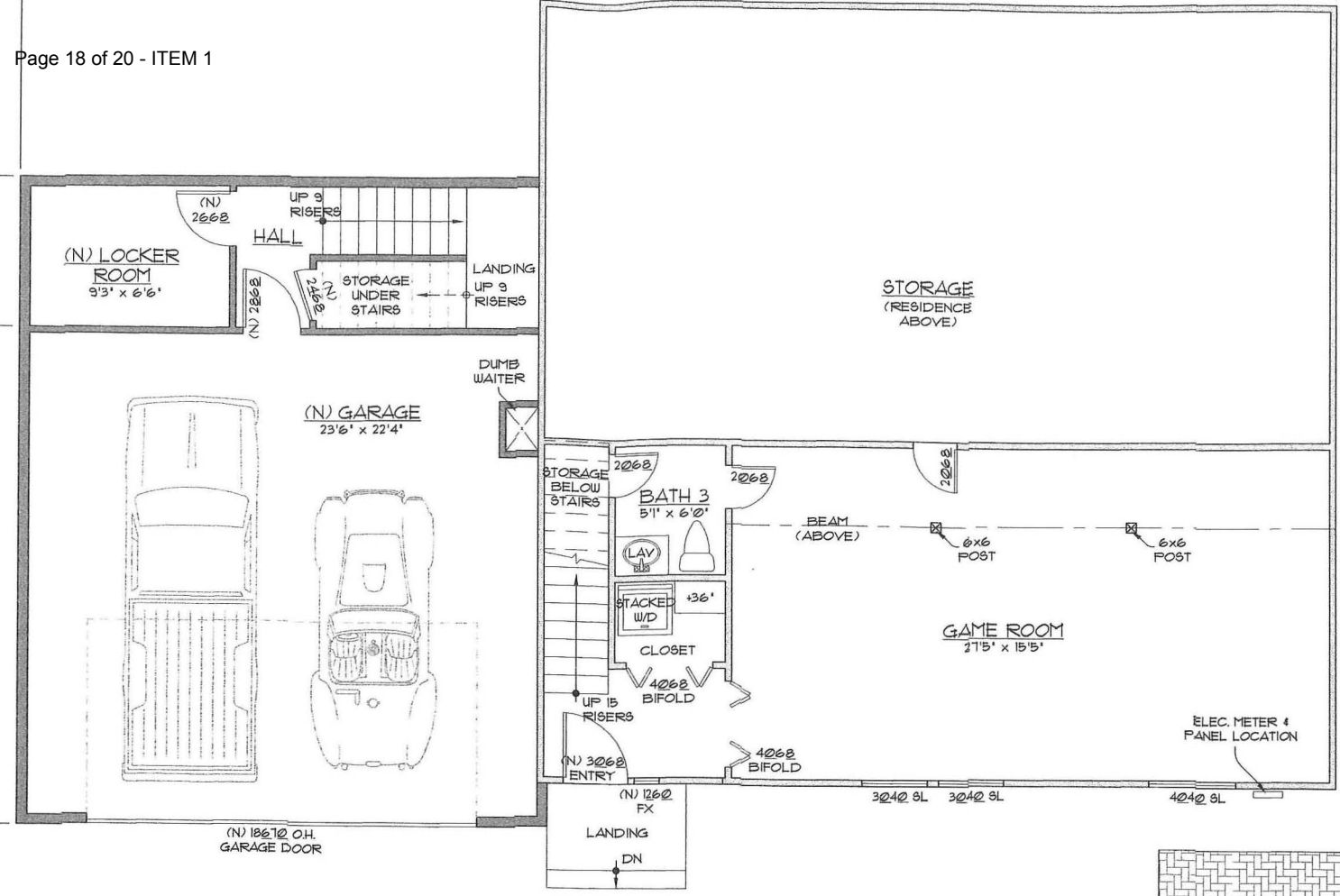
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MAR 31 2011
PLANNING DEPART.

JOB No: SJB
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CHECKED BY:
DATE PREPARED: 08/25/16
DRAWING No:

PROPOSED GARAGE FLOOR PLAN

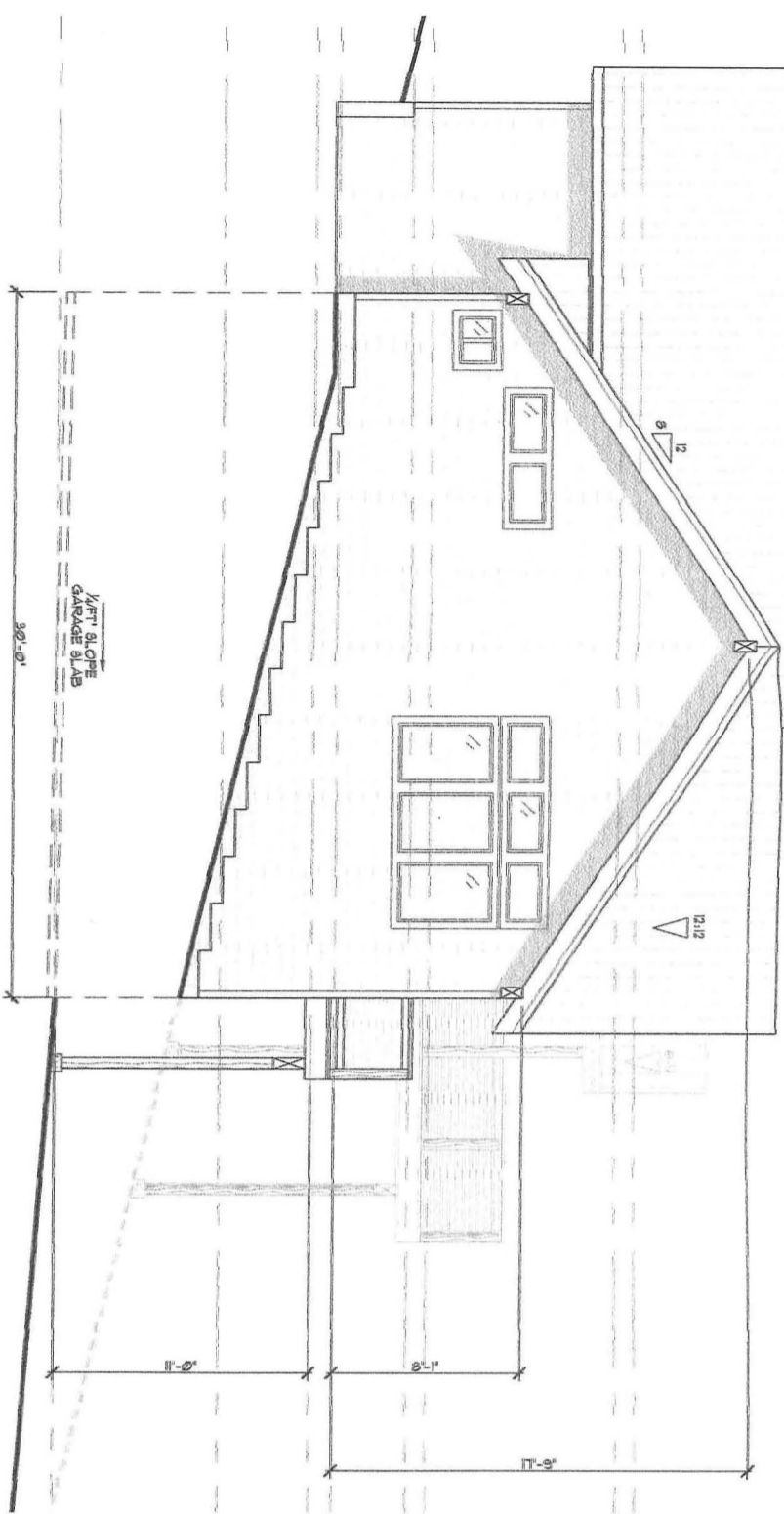
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- [Line Style] = NEW WALLS



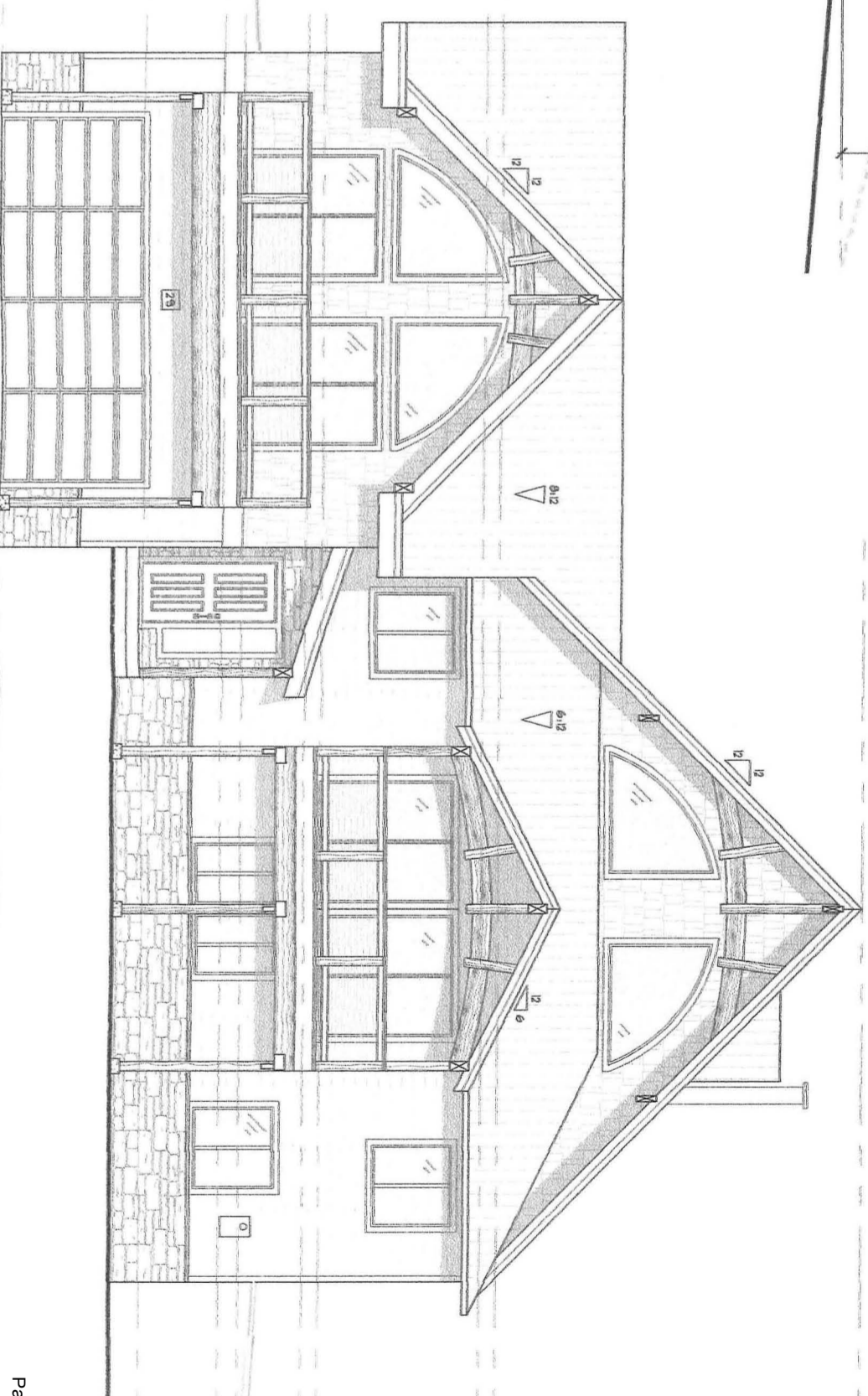
	EXISTING	CHANGE	PROPOSED
UPPER FLOOR:			
LIVING AREA	485 SF.	0 SF.	485 SF.
MAIN FLOOR:			
LIVING AREA	1,329 SF.	+120 SF.	2,049 SF.
BASEMENT FLOOR:			
LIVING AREA	553 SF.	0 SF.	553 SF.
TOTAL LIVING AREA:	2,367 SF.	+120 SF.	3,087 SF.

PROPOSED MAIN FLOOR PLAN



PROPOSED LEFT ELEVATION

Scale: 1/4"=1'-0"



SHeldon BIDWELL
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donebidsll@yahoo.com

BOX 943
LAKE TAHOE
96158

PROPOSED ELEVATIONS

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33905 FREMONT ROAD
KIRKWOOD, AMADOR CO. CA 95646
APN: 026-172-014

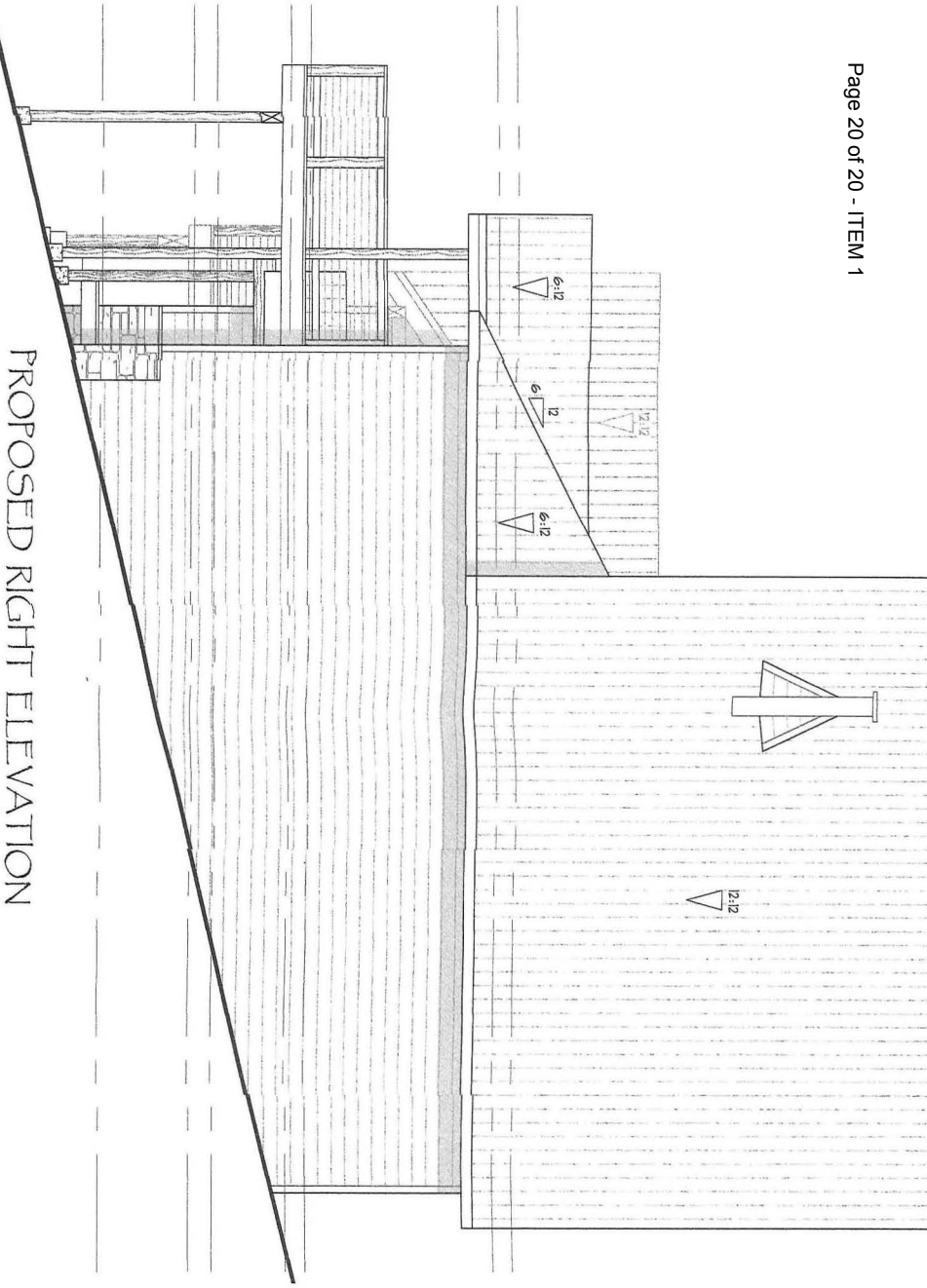
REVISION:

APPROVED
Amador County
PLANNING DEPARTMENT
MAR 31 2011

JOB No. 2011-016
CHECKED BY: SJB
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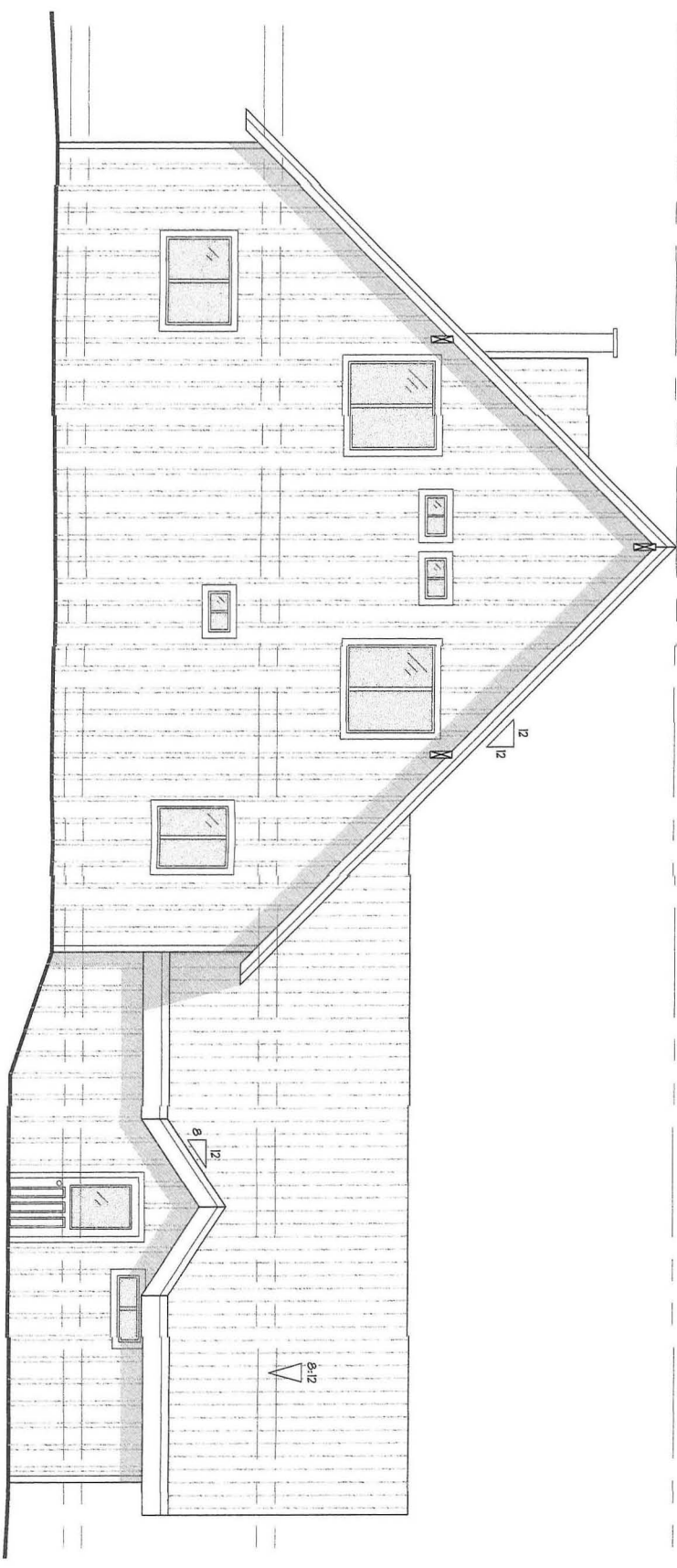
PROPOSED RIGHT ELEVATION

Scale: 1/4"=1'-0"



PROPOSED REAR ELEVATION

Scale: 1/4"=1'-0"



PROPOSED ELEVATIONS

DESIGN
 SHELDON BIDWELL
 530-600-2779 OFFICE
 donebidsit@yahoo.com

PROJECT FOR:
GREG BENSCH
 33905 FREMONT ROAD
 KIRKWOOD, AMADOR CO. CA 95646
 APN: 026-172-014

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 Amador County
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 CHECKED BY _____
 DRAWN BY: SJB
 DATE 08/25/16