

**STAFF REPORT TO: AMADOR COUNTY PLANNING COMMISSION
FOR MEETING OF: April 13, 2021**

ITEM 4 Request for Variance (V-21;3-1 Corcoran) from County Code Section 19.24.040, PD-R1, District Regulations which requires a 25 foot front yard building setback, to allow construction of a garage and mudroom addition to the existing garage. The applicant proposes to construct the garage addition encroaching approximately 9 feet into the front setback.

Applicant: Corcoran Family Trust

Supervisorial District: 3

Location: 33978 Fremont Road, Kirkwood CA, being Lot 95 of Kirkwood Meadows Unit 1 (APN 026-164-004).

A. General Plan Designation: S-P, Special Planning

B. Present Zoning: PD-R1, Planned Development-Single Family Residential District

C. Acreage Involved: .46 acres

D. Description: The applicant proposes to construct front and rear additions to an existing residence. The rear addition converts the existing covered deck into conditioned space, adds a new deck, and new conditioned space below. No variances are being requested for this portion of the project.

The front addition consists of, a 510 sf, extension of the existing garage with an added single car garage and mudroom. The proposed garage is in conformance with the KMAPC front setback requirements for a garage however a small portion of the proposed extends beyond the 25-foot County Front Setback. The addition, as proposed, requires a variance from County Code §19.24.040, PD-R1 District Regulations which requires a 25-foot front setback.

E. Tri-TAC Review and Recommendation: The application was reviewed by the Tri-County Technical Advisory Committee on March 12, 2021, and was found complete. Tri-TAC subsequently found no technical objections to the Planning Commission recommending approval to the Board of Supervisors.

F. Planning Commission Action: 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 the building permit the applicant must obtain written approval from the Kirkwood Meadows Association Planning Committee for said construction;*
2. *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.*

Amador County
Variance Application
33978 Fremont Rd.
Kirkwood CA 95646
APN: 026-164-004-000)

3/4/2021

This letter is in request for a variance to the Amador County Development Code Front Setback Requirement for the development of a proposed garage and mudroom addition to the existing garage and residence located on at 33978 Fremont Rd. Kirkwood CA 95646, (APN: 026-164-004-000).

The overall project is located on a .46 acre site located in the KMA subdivision of Kirkwood, CA. The property has an existing residence of 1956 SF and an existing garage of 352 sf. The project consists of front and rear additions to the residence. The rear addition converts the existing covered deck into conditioned space, adds a new deck, and new conditioned space below. No variances are being requested for this portion of the project.

The front addition consists of, a 510 sf, extension of the existing garage with an added single-car garage and mudroom.

The proposed garage is in conformance with the KMAPC front setback requirements for a Garage however a small portion of the proposed garage (Identified on sheet A1.1 - Site plan, dated 3/4/2021, as Note 2) extends beyond the 25'-0" County Front Setback and therefore requires a Variance for this encroachment into the Front Setback. The area identified is a triangular portion of the front of the garage with dimensions of 5'-4" by 9'-4".

Additionally, a portion of the proposed garage is within the KMAPC side setback and will require a KMA variance however remains outside of the required Amador County side setback and therefore no variance for this area is being requested from Amador County.

The proposed addition will provide for improved safety and accessibility to the existing residence, reduce strain of parking pad use and does not negatively impact the adjoining properties and residences.

Thank you for your consideration,

Dustin Corcoran

ENVIRONMENTAL INFORMATION FORM

To be completed by applicant; use additional sheets as necessary.
Attach plans, diagrams, etc. as appropriate.

GENERAL INFORMATION

Project Name: Corcoran Residence Addition

Date Filed: 3/4/2021 File No. _____
Applicant/ _____
Developer Dustin Corcoran Landowner Dustin Corcoran
Address 33978 Fremont Rd. Address Kirkwood CA 95646
Phone No. (916)715-2982 Phone No. _____
Assessor Parcel Number(s) 026-164-004-000
Existing Zoning District PD/R1
Existing General Plan SP

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 Building permit submittal is planned to be submitted to Amador County in addition to KMPUD, KVFD, KMA and KMAPC

WRITTEN PROJECT DESCRIPTION (Include the following information where applicable, as well as any other pertinent information to describe the proposed project):

1. Site Size
2. Square Footage of Existing/Proposed Structures
3. Number of Floors of Construction
4. Amount of Off-street Parking Provided (provide accurate detailed parking plan)
5. Source of Water
6. Method of Sewage Disposal
7. Attach Plans
8. Proposed Scheduling of Project Construction
9. If project to be developed in phases, describe anticipated incremental development.
10. Associated Projects
11. Subdivision/Land Division Projects: Tentative map will be sufficient unless you feel additional information is needed or the County requests further details.
12. Residential Projects: Include the number of units, schedule of unit sizes, range of sale prices or rents and type of household size expected.
13. Commercial Projects: Indicate the type of business, number of employees, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities.
14. Industrial Projects: Indicate type, estimated employment per shift, and loading facilities.
15. Institutional Projects: Indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project.
16. If the project involves a variance, conditional use permit, or rezoning application, state this and indicate clearly why the application is required.

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

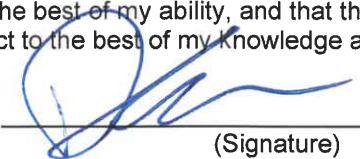
- 17. Change in existing features or any lakes or hills, or substantial alteration of ground contours.
- 18. Change in scenic views or vistas from existing residential areas, public lands, or roads.
- 19. Change in pattern, scale, or character of general area of project.
- 20. Significant amounts of 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 3/4/2021



(Signature)

For _____

INDEMNIFICATION

Project: Corcoran Residence Addition

In consideration of the County's processing and consideration of the application for the discretionary land use approval identified above (the "Project") the Owner and Applicant, jointly and severally, agree to defend, indemnify, and hold harmless the County of Amador from any claim, action, or proceeding against the County to attack, set aside, void or annul the Project approval, or any action relating related to the Project approvals as follows:

1. Owner and Applicant shall defend, indemnify, and hold harmless the County and its agents, officers or employees from any claim, action, or proceeding against the County or its agents, officers or employees (the "County") to attack, set aside, void or annul the Project approval, or any prior or subsequent determination regarding the Project, including but not limited to determinations related to the California Environmental Quality Act, or Project condition imposed by the County. The Indemnification includes, but is not limited to, damages, fees, and or costs, including attorneys' fees, awarded against County. The County in its sole discretion may hire outside counsel to handle its defense or may handle the matter internally. Indemnification also includes paying for the County's defense if it elects to hire outside counsel. Indemnification also includes compensating the County for staff time associated with the litigation. The obligations under this Indemnification shall apply regardless of whether any permits or entitlements are issued.

2. The County may, within its unlimited discretion, participate in the defense of any such claim, action, or proceeding if the County defends the claim, action, or proceeding in good faith.

3. The Owner and Applicant shall not be required to pay or perform any settlement by the County of such claim, action, or proceeding unless the settlement is approved in writing by Owner and Applicant, which approval shall not be unreasonably withheld.

IN WITNESS WHEREOF, by their signature below, Owner and Applicant hereby acknowledge that they have read, understand, and agree to perform the obligations under this Indemnification.

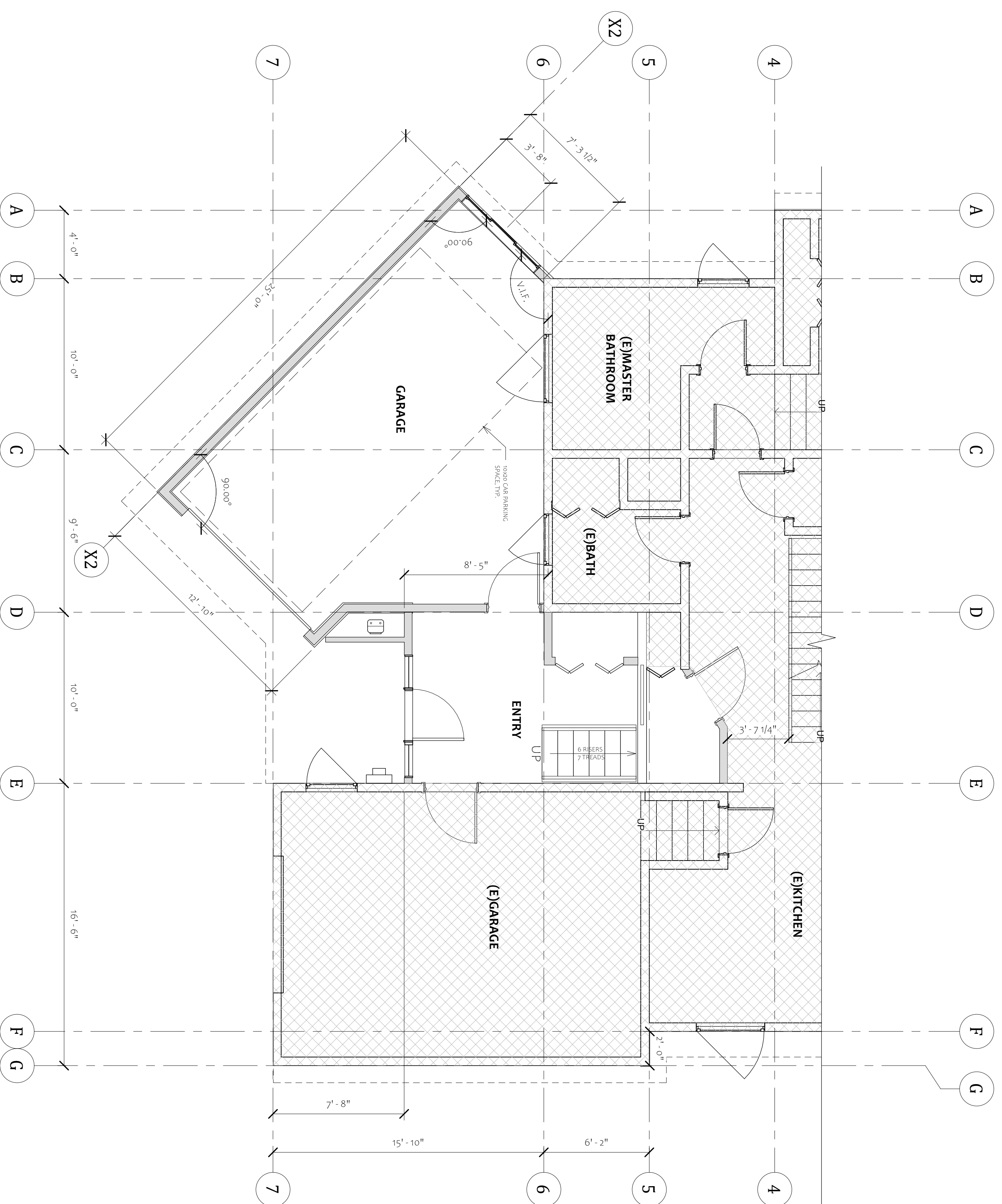
Applicant:

Signature



Owner (if different than Applicant):

Signature



MAIN LEVEL - FRONT

00 04 08 16 FEET

REMODEL LEGEND

EXISTING
NEW
C-2 DIMENSIONED
SYSTEM/ANALOGOUS
SCALE OF WORK

ECOSENSE DESIGNS
 ANNE-FLORE DWYER
 ecosense.design@gmail.com
 PO BOX 702
 TRUCKEE CA 96160
 (530)220-0531
 CA LICENSE C-35719

**FLOOR PLAN FRONT
 ADDITION**

**CORCORAN RESIDENCE
 ADDITION**
 33978 Fremont Rd.
 Kirkwood CA 95646
 APN 026-164-004-000

SCALE: 1/4" = 1'-0"
 DATE: 03/04/2021
 STATUS: VARIANCE SUB. PLAN
 REVISIONS:

A2.2

All drawings, specifications, and any other documents created by the architect, and other persons working for the architect, including electronic documents, are instruments of service. The instruments of service are to be used solely for this project. The architect will be the sole author and owner of these instruments of service and will retain all rights, common law, and copyrights to these instruments of service.

MINUTES
TRI-COUNTY TECHNICAL ADVISORY COMMITTEE
Friday, March 12, 2021
10:00 A.M.
VIRTUAL MEETING

Meeting link: <https://zoom.us/j/94171617000>

Meeting ID: 941 7161 7000

Call in phone number: +1 669 900 9128

A. Call to Order:

The meeting was called to order by Brendan Ferry at 10:05 am. Members present were: Amador County, Chuck Beatty; El Dorado County, Brendan Ferry; Alpine County, Zach Wood.

B. Approval of Agenda:

On a motion by Chuck Beatty and second by Zach Wood, the agenda was approved as published.

Roll call vote: Brendan Ferry: Aye; Chuck Beatty: Aye; Zach Wood: Aye.

C. Correspondence: None.

D. Minutes: February 12, 2021

On a motion by Chuck Beatty and a second by Brendan Ferry, the minutes from February 12, 2021 were approved.

Roll call vote: Brendan Ferry: Aye; Chuck Beatty: Aye; Zach Wood: Aye.

E. Public Matters not on the Agenda: None.

F. Agenda Items:

ITEM 1: Review and possible approval of a setback variance request for a garage and mudroom addition; 33978 Fremont Rd., Kirkwood, CA, APN 026-164-004; Applicant: Dustin Corcoran

Brendan Ferry introduced the item and Chuck Beatty provided a brief overview of the project. The project's architect, Anne-Flore Dwyer with Ecosense, provided additional context on the project and answered a few questions from Tri-TAC members.

After the discussion, Tri-TAC members agreed that the setback variance request met the required standards and was consistent with neighboring properties.

On a motion by Chuck Beatty and a second by Zach Wood, the Committee recommended approval of the project, as submitted, to the Amador County Planning Commission.

Roll call vote: Brendan Ferry: Aye; Chuck Beatty: Aye; Zach Wood: Aye.

G. Adjournment: The meeting was adjourned at 10:25. The next regularly scheduled meeting is April 9, 2021, at 10:00 am.



Planning Department <planning@amadorgov.org>

Notice of Public Hearing: Variance V-21;3-1 Corcoran; Planning Commission Meeting April 13, 2021

D10 Rural IGR@DOT <d10.rural.igr@dot.ca.gov>

Mon, Apr 5, 2021 at 2:15 PM

To: Amador County Planning Department <planning@amadorgov.org>

Cc: "Bauldry, Paul@DOT" <paul.bauldry@dot.ca.gov>

Mr. Ruslan,

Based on the project description Caltrans has no comment on this project. Thank you for allowing Caltrans the opportunity to review and comment.

Kind regards,

Michael Casas

Transportation Planner

Caltrans District 10, Office of Rural Planning

1976 E. Dr. Martin Luther King Jr Blvd. Stockton CA 95205

Mobile 1-209-986-9830

From: Amador County Planning Department <planning@amadorgov.org>

Sent: Tuesday, March 23, 2021 3:21 PM

Subject: Notice of Public Hearing: Variance V-21;3-1 Corcoran; Planning Commission Meeting April 13, 2021

EXTERNAL EMAIL. Links/attachments may not be safe.

[Quoted text hidden]



Planning Department <planning@amadorgov.org>

Re: Notice of Public Hearing: Variance V-21; 3-1 Corcoran

Brandi Benson <bbenson@kmpud.com>
To: "planning@amadorgov.org" <planning@amadorgov.org>
Cc: Rick Ansel <ransel@kmpud.com>

Tue, Apr 6, 2021 at 11:58 AM

Good Morning,

Please find attached public comment from the Kirkwood Meadows PUD.

Thank you,

Brandi Benson

Operations Manager

Kirkwood Meadows Public Utility District

209-258-4444 x107

www.kmpud.com

 **Public Comment V-21_3-1 Corcoran.pdf**
44K



Amador County Planning Commission
810 Court Street
Jackson, CA 95642

Re: Request for Variance (V-21; 3-1 Corcoran)

Dear Planning Commissioners,

The Kirkwood Meadows Public Utility District (KMPUD) requests that the Planning Commission include the following item as a condition of approval for the Request for Variance (V-21; 3-1 Corcoran):

1. If the addition impacts the propane curb-stop valve located in the existing driveway, the curb-stop valve shall be relocated to a paved area from which snow is regularly removed such as the proposed driveway.

Sincerely,

A handwritten signature in blue ink that reads "Brandi Benson".

Brandi Benson
Operations Manager
Kirkwood Meadows Public Utility District

- | | |
|--|--------------------------|
| 1. Notice of Intent (NOI). | Initial
<u>Exempt</u> |
| 2. GIS List. <u>300</u> ft. Plus <u>KM/PUD</u>
<small>(Distance) (Special Instructions: e.g. to end of access road)</small> | <u>RB</u> |
| 3. Checked <u>all</u> APN pages of those parcels from the GIS list for "NOTES" or
a. "SPECIAL INSTRUCTIONS." | <u>RB</u> |
| 4. Project Applicant and Representative(s), if applicable. | <u>RB</u> |
| 5. Checked Project file cover for agency distribution. | <u>RB</u> |
| 6. Checked inside file for special requests for notification. | <u>RB</u> |
| 7. Checked old notification list for additional notification. | <u>RB</u> |
| 8. Other – Specify:

_____ | |

AFFIDAVIT OF SERVICE BY MAIL

I am a citizen of the United States, over eighteen years of age, employed in Amador County, and not a party to the within action; my business address is 810 Court Street, City of Jackson, State of California. I hereby declare I served a copy of the attached public hearing notice regarding April 15th PC Meeting for V-21;3-1 Corcoran by placing copies in 30 envelopes addressed to: (see attached list).

Said envelopes were then sealed and postage fully paid thereon and were deposited in the United States Mail on March 22, 2021 at Jackson, California.

I declare under penalty of perjury the foregoing is true and correct.

Executed at Jackson, California on March 22, 2021

Signed 

Witness 