

**AGENDA**  
**TRI-COUNTY TECHNICAL ADVISORY COMMITTEE**  
**Friday, December 8, 2023 10:00 A.M.**

**KMPUD Community Services Building**  
**33540 Loop Road, Kirkwood, CA**

Join Zoom Meeting:  
<https://us06web.zoom.us/j/88398188078>

Dial by phone: +1 719 359 4580  
Meeting ID: 883 9818 8078

For further information on any of the agenda items please contact the Alpine County Community Development Department at (530) 694-2140 or email [sbooth@alpinecountyca.gov](mailto:sbooth@alpinecountyca.gov). Off-agenda items must be approved by the Tri-County Technical Advisory Committee pursuant to Section 54956.5 of the Government Code.

- A. Call to Order
- B. Approve Agenda
- C. Correspondence
- D. Minutes: October 13, 2023
- E. Public Matters: Informational items and persons wishing to address the Committee regarding non-agenda items
- F. Agenda Items:

ITEM 1: Request for a variance (V-23;11-1 Gallaher) from the front (25 ft.) setback requirement, to allow construction of an entry addition to the existing single-family residence 13.17 feet from the front property line and a pedestrian access bridge for APN: 026-163-005; 33951 Danburg Dr. Kirkwood, CA 95646, Amador County.

ITEM 2: Request from Kirkwood Mountain Resort for approval to remove hazardous trees on resort property.

G. Adjournment until the next regularly scheduled meeting January 12, 2024.

**SUMMARY MINUTES**  
**TRI-COUNTY TECHNICAL ADVISORY COMMITTEE**  
**Friday, October 13, 2023 10:00 A.M.**

**KMPUD Community Services Building**  
**33540 Loop Road, Kirkwood, CA**

**A. Call to Order**

The meeting was called to order by Sam Booth at 10:00 am. Mr. Booth noted that member Chuck Beatty was in attendance along with Brendan Ferry, via video conference.

**B. Approve Agenda**

Brendan Ferry made a motion to approve the agenda, Chuck Beatty seconded the motion. It was approved 3-0.

**C. Correspondence**

Mr. Booth announced that no correspondence was received.

**D. Minutes: June 9, 2023**

September 8, 2023 minutes were approved with a motion from Chuck Beatty and a second from Brendan Ferry. Sam Booth abstained from the vote and they were approved 2-0.

**E. Public Matters: Informational items and persons wishing to address the Committee regarding non-agenda items**

Greg Kiskinen with KMR mentioned that Matt Jones was moving on from the resort and taking a job in Vermont but that he would follow up with the Committee on employee housing credits that Matt was due to report on. There was no further public comment.

**F. Agenda Items:**

Sam Booth requested to move agenda item 2 up to be heard first due to an onsite walk involved with agenda item 1. Brendan Ferry and Chuck Beatty agreed.

**ITEM 2: Request from Kirkwood Capital Partners to convert space within the building located at 1499 Kirkwood Meadows Drive from commercial use to residential use to create up to three residential units for workforce housing within the multi-family commercial, MF-C zone of the Kirkwood Specific Plan.**

John Reiter with Kirkwood Capital Partners spoke about the need for employee housing in Kirkwood. He mentioned that the building currently used by Kirkwood Property

Services currently uses this building for office space and public restrooms. He mentioned that Vail recently renovated restrooms in their Red Cliff's space and that there was no longer a need for public restrooms in this location. He added that the company was able to move office space to other locations in order to convert that space to three residential units. He mentioned that utilities were already in place to support this within the building and that there didn't seem to be any major construction hurdles.

Chuck Beatty asked if the newly proposed units would be deed restricted units. John Reiter responded that it was not the plan to deed restrict them at this time in order to maintain flexibility with how to use the space in the future. Mr. Beatty added that if that was the case they could not be considered for any housing credits. Mr. Reiter mentioned that he would consider that with his team.

Brendan Ferry asked if these units were planned to be subdivided. Mr. Reiter responded that he did not plan to subdivide the units. Mr. Booth added that staff in Alpine County had been researching the ability to do this and thought that within the MF-C zone multi-family is a permitted use and that this would be permitted. Mr. Ferry then asked Mr. Booth if any additional planning steps were required. Mr. Booth responded that the next step after Tri-Tac approval would be the building permit process.

Mr. Ferry asked about the minimum square footage of the units and the number of units. Mr. Reiter responded that 300 square feet was shown as the minimum and that they were planning a two one bedroom units and a studio unit. Mr. Ferry also asked about KMPUD utility connections and fire department review of the plans. Mr. Reiter explained that he would check with KMPUD and that connections were made in the building already and that the building already had fire sprinklers. He mentioned that they would also review the plans with the fire department.

Mr. Booth asked if there was any public comment. None was heard.

Mr. Beatty made a motion to approve the conversion of space to residential from commercial provided that the units weren't counted as off-site employee housing for future development unless they were deed restricted and recorded. Mr. Ferry seconded the motion. It was approved 3-0.

ITEM 1: Continued discussion regarding the creation of additional parking on Loop Road, by Kirkwood Mountain Resort.

Chuck Beatty discussed that this issue was raised at the previous meeting and that the primary issue was dirt and debris that coming off of the Loop Road parking areas and accumulates at the bottom of the road with no place for it to go.

Greg Kiskinen spoke about the items that KMR was doing to address the issues. He mentioned that he believed a majority of the runoff issue occurred during spring rains and not during the winter snowmelt. He asked about the culvert under loop road that was currently being worked on.

Rick Ansel, Kirkwood Fire Chief, mentioned that the work was being done on the utility districts property to create a better crossing for employees walking between buildings but that the culvert was not being plugged, just replaced. He stated that he disagreed that the runoff wasn't from seasonal snow runoff, that he believed it was. He requested that the resort analyze the design of the runoff with a stormwater drainage plan. Mr. Kiskinen mentioned that at this time there weren't any funds for a fully engineered study.

The Committee was then recessed at 10:47 am to do an on-site inspection of the issue with the members and the public. At 11:38 am the Committee reconvened.

Mr. Booth mentioned that progress in the discussion was made. Greg Kiskinen mentioned that in the short-term he committed to try to get Clean Harbors to come out to clean the culvert at the mid-point of Loop Road near the entry level to the shop lot, to assist with the drainage there and to have swaddles ready to prevent spring runoff down the street. Long-term KMR would reinvestigate with their engineers R.O. Anderson now knowing that paving of the parking would be supported and to tie into the culvert that goes underneath Loop Road and drains next to the firehouse.

Mr. Booth mentioned that the culvert that goes through the parking lot was crushed and filled with sediment which prevented the water in the drainage swale coming from Loop Road to be able to flow anywhere and that if the newly created parking areas on Loop Road were paved it would prevent sediment flow.

Mr. Ferry asked if a timeline was set for any of the items. Mr. Booth responded that the short-term items should be completed before winter and the long-term items should be completed within 6 months. Greg Kiskinen mentioned that the timelines sounded reasonable and that he would find out more from their engineer on cost and timeline.

Mr. Booth made a motion to approve with the following conditions:

1. Before winter weather, Kirkwood Mountain Resort will have a vendor come clean out the clogged culvert at the shop lot near Loop Road and open up the pipe to accept drainage flows. Additionally the resort would prepare waddles for spring runoff and restrict parking on that area in the spring.
2. By April of 2024, Kirkwood Mountain Resort will have an engineer prepare a plan to pave the parking area and to evaluate the capacity of the subject culvert pipe that flows under Loop Road.

Chuck Beatty seconded the motion and it was approved 3-0.

The meeting was then adjourned at 11:48 am.

**STAFF REPORT TO: TRI-COUNTY TECHNICAL ADVISORY COMMITTEE  
FOR MEETING OF: DECEMBER 8, 2023**

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**ITEM 1** Request for a variance (V-23;11-1 Gallaher) from the front (25 ft.) setback requirement, to allow construction of an entry addition to the existing single-family residence 13.17 feet from the front property line and a pedestrian access bridge for APN: 026-163-005.

**Applicant:** Gary & Elaine Gallaher

**Representative:** Ecosense Designs Architecture

**Supervisory District:** 3

**Location:** 33951 Danburg Dr. Kirkwood, CA 95646, Amador County, CA

**A. General Plan Designation:** SPA, Special Planning Area

**B. Present Zoning:** PD-R1, Planned Development, Single-family Residential (Kirkwood Specific Plan)

**C. Acreage Involved:** 0.3 acres

**D. Description:** The applicant has requested a variance from Amador County Code §19.24.040 (R1 district regulations--generally.), which requires a twenty-five (25) foot front setback to allow for the construction of an entry addition 13.17 feet from the front property line, and a pedestrian bridge up to and beyond the front property line, subject to obtaining all necessary encroachment permits. There is an existing single-family residence on the property for which the proposed project is considered an accessory use.

If the Variance is approved, prior to issuance of any building permit the applicant must complete the abandonment of the public utility easement included within the 25' front setback. Prior to issuance of any building permit the applicant must obtain any and all necessary encroachment permits for the pedestrian access bridge, the location of which shall be such that it will not adversely impact the snow storage area adjacent to the proposed structures. All necessary building permits shall be obtained from the Amador County Building Department for construction of the proposed structures.

**Standard Variance 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 of the State CEQA Guidelines (minor setback variance not resulting in the creation of any new parcel) and a Notice of Exemption will be filed with the County Recorder.

**E. Staff Review and Recommendation:** As part of the preliminary review process, this project is being sent to County staff and local agencies for their review and comment. Project recommendations and findings will be forwarded to the Amador County Planning Commission for their consideration. At this time staff anticipates the project will be Categorically Exempt from CEQA.

**SITE PLAN LEGEND:**

- EXISTING CONTOUR
- EXISTING CONTOUR TO BE MODIFIED
- NEW CONTOUR
- SPOT ELEVATION
- UTILITY AS NOTED
- PROPERTY LINE
- BUILDING SETBACK & EASEMENT LINES
- DRAINAGE FLOW LINE
- VEGETATION PROTECTION FENCING
- EROSION CONTROL BARRIER
- UTILITY LINE

- 1) PROPOSED ENTRY ADDITION
- 2) PROPOSED ROOF EXTENSION
- 3) PROPOSED ACCESS BRIDGE
- 4) PROPOSED BUILT-UP PARKING PAD
- 5) EXISTING RESIDENCE
- 6) EXISTING BRIDGE AND DECK
- 7) EXISTING GRAVEL PATH
- 8) ROCKERY RETAINING WALL AROUND BUILT UP PARKING PAD
- 9) 20'x20' CONSTRUCTION STAGING AREA WITH CONSTRUCTION TOILET
- 10) EXISTING GAS ACCESS RAISED TO PROPOSED ASPHALT FINISH GRADE
- 11) SNOW STORAGE
- 12) AREA WITHIN FRONT SETBACK

**SITE COVERAGE**

OVERALL SITE: 13,062 SF  
 ALLOWABLE SITE COVERAGE: 4,571 SF (35%)

EXISTING COVERAGE: 1,331 SF  
 PROPOSED ADDITIONAL COVERAGE: 317 SF  
 TOTAL COVERAGE: 1,648 SF (12.6%)

**PROJECT DESCRIPTION**

THE PROPOSED PROJECT CONSISTS OF AN ENTRY ADDITION TO PROVIDE AN ACCESSIBLE MEANS OF ACCESS FROM THE ROADWAY TO THE EXISTING RESIDENCE. ADDITIONALLY A LAUNDRY ROOM IS PROPOSED IN THE SPACE BENEATH THE PROPOSED ENTRY ADDITION. A BUILT-UP PARKING PAD IS PROPOSED ALONGSIDE THE ROADWAY WITH A PEDESTRIAN BRIDGE CONNECTING THE PARKING PAD AND ADDITION.

**CONDITIONED SPACE:**  
 EXISTING RESIDENCE MAIN LEVEL: 830 SF  
 EXISTING RESIDENCE LOWER LEVEL: 830 SF  
 TOTAL EXISTING RESIDENCE: 1,660 SF

PROPOSED ADDITION ENTRY LEVEL: 108 SF  
 PROPOSED ADDITION LOWER LEVEL: 108 SF  
 TOTAL PROPOSED: 216 SF  
 TOTAL EXISTING AND PROPOSED: 1,876 SF

THE PROJECT ALSO PROPOSES TO ADD A ROOF EXTENSION OVER THE EXISTING REAR DECK TO SHED SNOW OVER THE EXISTING RAILING ONTO THE GROUND BELOW. ADDITIONALLY ALL EXISTING GUARD RAILS, DECKING, ROOFING AND SIDING MATERIALS ARE PROPOSED TO BE REPLACED WITH NEW FIRE RESISTANT MATERIALS. NO CHANGES TO EXISTING UTILITIES ARE BEING PROPOSED.

**DECKS:**  
 EXISTING DECK/WALKWAY BRIDGES: 501 SF  
 PROPOSED DECK/WALKWAY BRIDGES: 209 SF  
 TOTAL DECK/BRIDGE: 710 SF

**PROPOSED SE NOT ON PROPERTY:**  
 PROPOSED WALKWAY BRIDGE: 154 SF

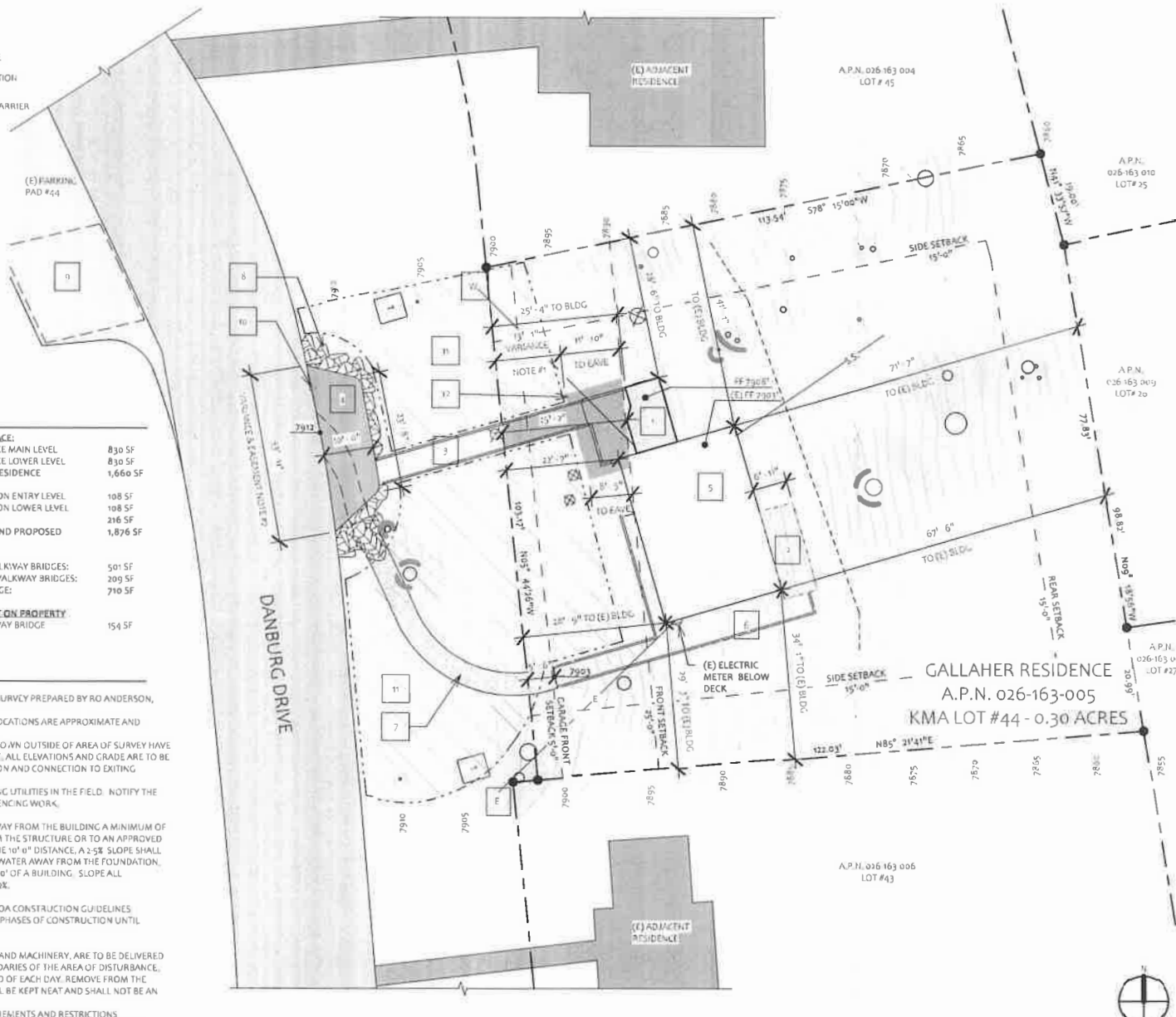
**SITE PLAN NOTES:**

**1. TOPOGRAPHIC SURVEY:**

- A. TOPOGRAPHIC AND OTHER SURVEY INFORMATION OBTAINED FROM A SURVEY PREPARED BY RO ANDERSON, DATED AUGUST 10, 2022.
- B. TREES SMALLER THAN 6" IN DIAMETER HAVE NOT BEEN SHOWN. TREE LOCATIONS ARE APPROXIMATE AND SHOULD BE VERIFIED IN FIELD.
2. TOPOGRAPHY, SPOT ELEVATIONS AND TREES ON SITE PLAN WHICH AREA SHOWN OUTSIDE OF AREA OF SURVEY HAVE BEEN DEDUCED FROM EXTENSION OF SURVEY COMPONENTS AND SITE VISIT. ALL ELEVATIONS AND GRADE ARE TO BE VERIFIED AND COORDINATED IN THE FIELD. FINAL ELEVATIONS FOR ADDITION AND CONNECTION TO EXISTING STRUCTURES TO BE VERIFIED AND COORDINATED IN THE FIELD.
3. EXISTING UTILITIES: CONTRACTOR TO VERIFY THE LOCATION OF ALL EXISTING UTILITIES IN THE FIELD. NOTIFY THE ARCHITECT OF ANY DISCREPANCIES WITH THE DRAWINGS PRIOR TO COMMENCING WORK.
4. FOUNDATION DRAINAGE: PROVIDE FOUNDATION PERIMETER DRAINAGE.
5. GRADING/DRAINAGE: SLOPE ALL GRADES ADJACENT TO FOUNDATIONS AWAY FROM THE BUILDING AT A MINIMUM OF 2%. MAINTAIN THE 2% SLOPE FOR A MINIMUM DISTANCE OF 10' AWAY FROM THE STRUCTURE OR TO AN APPROVED DRAINAGE FACILITY. IF PHYSICAL OBSTRUCTION OR LOT LINES PROHIBIT THE 10' 0" DISTANCE, A 2-5% SLOPE SHALL BE PROVIDED TO AN APPROVED ALTERNATIVE METHOD OF DIVERTING THE WATER AWAY FROM THE FOUNDATION. PROVIDE 2% MINIMUM SLOPE AT ALL DRAINAGE SWALES LOCATED WITHIN 10' OF A BUILDING. SLOPE ALL IMPERVIOUS SURFACES AWAY FROM BUILDINGS AT A MINIMUM SLOPE OF 2%.

**6. CONSTRUCTION MANAGEMENT PLAN:**

- A. THE CONTRACTOR SHALL PERFORM ALL WORK IN ACCORDANCE WITH HOA CONSTRUCTION GUIDELINES.
- B. PROVIDE ONGOING PROTECTION OF EXISTING VEGETATION DURING ALL PHASES OF CONSTRUCTION UNTIL COMPLETION OF THE PROJECT.
- C. PARKING: COMPLY WITH REQUIREMENTS OF THE HOA.
- D. MATERIAL STORAGE/DELIVERY: ALL BUILDING MATERIALS, EQUIPMENT, AND MACHINERY, ARE TO BE DELIVERED TO AND REMAIN WITHIN THE IMPROVEMENT ENVELOPE AND THE BOUNDARIES OF THE AREA OF DISTURBANCE.
- E. DEBRIS AND WASTE REMOVAL: CLEAN UP TRASH AND DEBRIS AT THE END OF EACH DAY. REMOVE FROM THE CONSTRUCTION SITE AT LEAST ONCE A WEEK. CONSTRUCTION SITE SHALL BE KEPT NEAT AND SHALL NOT BE AN EYEBRE, NUISANCE, OR DETRIMENT TO NEIGHBORING PROPERTIES.
- F. HOURS OF CONSTRUCTION: COMPLY WITH LOCAL AND COUNTY REQUIREMENTS AND RESTRICTIONS.
- G. FIRE SAFETY: CONTRACTOR TO COMPLY WITH ALL FEDERAL, STATE, AND LOCAL FIRE SAFETY REGULATIONS. PROVIDE A MINIMUM OF 1 SHOVEL AND TWO 20 LB ABC RATED DRY CHEMICAL FIRE EXTINGUISHERS MOUNTED IN PUBLIC VIEW.
- H. TEMPORARY FENCING, SIGNS, SURVEY LINES, ETC. SHALL NOT BE NAILED TO TREES.
- I. PORTABLE TOILET AND DUMPSTER SHALL BE LOCATED IN A LOCATION APPROVED BY THE HOA.



**1 PLOT PLAN**  
 1" = 20'-0"



**PLOT PLAN**

**GALLAHER RESIDENCE ENTRY ADDITION**  
 3395 DANBURG DRIVE  
 KIRKWOOD CA 95046  
 APN: 026-163-005

**SCALE:**  
 As indicated

**DATE:**  
 NOVEMBER 15, 2023

REFERENCE	REVISIONS

**A1.1a**

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.

Amador County Variance Application  
33951 Danburg Drive  
Kirkwood CA 95646  
APN: 026-163-005-000  
KMA Lot #44

November 15, 2023

This letter is in request for a variance to the Amador County Development Code front setback requirement in conformance with KMAPC Design Guidelines. Variance is for the development of a proposed entry addition and pedestrian access bridge to the existing single family residence located at APN: 026-163-005-000 (KMA Lot #44). Proposed entry addition does not encroach into the setbacks however the roof of the proposed addition and pedestrian bridge are within the front setback.

The existing residence consists of a two story single family residence. That is access by walking down a gravel pathway to an existing pedestrian bridge at the main level finished floor height. No changes are being proposed to the existing water, sewer or electrical connections. The existing residence doesn't have a propane connection and we are not proposing adding a connection.

The proposed project consists of an entry addition to provide an accessible means of access from the roadway to the existing residence without traversing the steep down grade of the site. A built-up parking pad is proposed alongside Danbury Drive with a pedestrian access bridge connecting the parking pad to the addition at the same level. Additionally a laundry room is proposed in the space beneath the proposed entry addition.

Due to existing conditions and site constraints we are requesting variances to allow the roof of the proposed addition to encroach into the front set to create a covered area at the proposed entry door. The proposed roof would encroach minimum of 8' - 5" on the south to a maximum of 11' - 10" on the north side. The proposed pedestrian access bridge would extend from this covered entry area into the front setback and pass the front property line to the proposed built up parking pad. The proposed encroachments do extend the full 25'-0" of the front setback. The proposed roof encroachment remains outside the 5'-0" garage setback required by the KMAPC Design Guidelines.

The residences located on adjacent properties have similar pedestrian access bridges and are a significant distance away from the proposed entry addition and setback encroachments and adequate space is still provided for snow storage on the north and south side of access bridge.

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.

We will be apply for a non-exclusive easement from KMA for a access connection point beyond the front property line.

Owners would like to begin construction during the summer of 2024 and complete construction the same year if possible. Part or all of construction may be pushed off until summer of 2025 depending on timing of submittals and agency review, contractor availability and snow.

Thank you for your consideration,

Anne-Flore P. Dwyer  
EcoSense Designs: Architecture & Planning  
PO Box 702  
Truckee, CA 96160  
O: (530) 214-0864



**ENVIRONMENTAL INFORMATION FORM**

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

**GENERAL INFORMATION**

Project Name: Gallaher Residence Addition

Date Filed: \_\_\_\_\_ File No. \_\_\_\_\_

Applicant/

Developer Ecosense Designs Architecture Landowner Gary and Elaine Gallaher

Address P.O. Box 702 Truckee, CA 96160 Address 33951 Danburg Drive, Kirkwood, CA 95646

Phone No. (530) 220-0531 Phone No. 925-254-3618

Assessor Parcel Number(s) 026-163-005

Existing Zoning District \_\_\_\_\_

Existing General Plan \_\_\_\_\_

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 \_\_\_\_\_  
KMAPC Final Design Approval, Amador County Building Department, KMAPC non-exclusive easement

**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

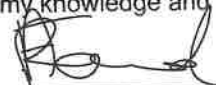
- 17. Change in existing features or any lakes or hills, or substantial alteration of ground contours.
- 18. Change in scenic views or vistas from existing residential areas, public lands, or roads.
- 19. Change in pattern, scale, or character of general area of project.
- 20. Significant amounts of 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 11-15-2023

  
 \_\_\_\_\_  
 (Signature)

For \_\_\_\_\_

**INDEMNIFICATION**

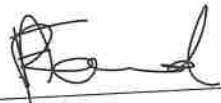
Project: Gallaher Residence Addition

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

**Gallaher Residence**  
**Amador County- Variance Application**

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

- 1. Site Size**  
13,062 SF
- 2. Square Footage of Existing/Proposed Structures**  
Existing SF: 1,584 SF  
Proposed SF: 1,800 SF
- 3. Number of Floors of Construction**  
2 Floors of construction
- 4. Amount of Off-street Parking Provided (provide accurate detailed parking plan)**  
1-Off Street Parking Spaces
- 5. Source of Water**  
Kirkwood Meadows Public Utility District
- 6. Method of Sewage Disposal**  
Kirkwood Meadows Public Utility District
- 7. Attach Plans**  
See attached
- 8. Proposed Scheduling of Project Construction**  
August 2024
- 9. If project to be developed in phases, describe anticipated incremental development.**  
N/A- Scope of Project to be completed together
- 10. Associated Projects**  
N/A
- 11. Subdivision/Land Division Projects: Tentative map will be sufficient unless you feel additional information is needed or the County requests further details.**  
See attached Site Plan.
- 12. Residential Projects: Include the number of units, schedule of unit sizes, range of sale prices or rents and type of household size expected.**  
Scope of work is for (E) 1-Single Family Residence on APN 026-163-005.
- 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.**  
N/A
- 14. Industrial Projects: Indicate type, estimated employment per shift, and loading facilities.**  
N/A
- 15. Institutional Projects: Indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project.**  
N/A

**16. If the project involves a variance, conditional use permit, or rezoning application, state this and indicate clearly why the application is required.**

Project scope involves the application and review for a variance to the Amador County Development Code front setback requirement. Variance is for the development of a pedestrian bridge a portion of which is covered for access to the existing single family residence. Proposed pedestrian bridge will provide an accessible connection from the roadway to the residence located at APN: 026-163-005-000 (KMA Lot #44). Project also consists of an entry addition which does not encroach into the setbacks and for which no variance is required.

Project scope involves a non-exclusive easement to be obtained from the Kirkwood Meadows Association (KMAPC) for the construction of a 1 car parking pad and pedestrian bridge encroachment into the right of way. Similar access bridges have been approved by the KMAPC and are located at the adjacent properties on either side of the proposed project site.

Plans have been reviewed by the KMAPC and have received preliminary plan review approval and approval to move forward with a non-exclusive easement for the construction of the parking pad and pedestrian bridge encroachment into the right of way.

**ENVIRONMENTAL SETTING**

**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).**

The existing project site consists of .30 acre (13,062 SF) of native and natural plant vegetation and is a steep sloping lot, sloping from the front (west) of the site towards the rear (east).

The existing structure consists of a two-story single family residence. It is currently accessed on grade down a gravel pathway to an existing pedestrian bridge at the main level finished floor height. This existing bridge is also located within the front setback, however it terminates at the property line 40' from the roadway and with a elevation drop of 9'. The front N/W corner of the existing residence encroaches slightly into front setback at the location of proposed entry addition.

See attached photos of existing site.

**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).**

The surrounding sites consist of single family residences on steep sloping lots with natural and native vegetation. Residence on both neighboring site each have an access bridge similar to the one we are proposing.

**Describe any known mine shafts, tunnels, air shafts, open hazardous excavations, etc. Attach photographs of any of these known features (cannot be returned).**

N/A

RECORDING REQUESTED BY

When Recorded Mail Grant Deed and Tax Statements To: Gary G. Gallaher and Elaine S. Gallaher 19 Valley Drive, Orinda, CA 94563

Amador County Recorder Sheldon D. Johnson DOC- 2003-0013824-00 REGD BY GARY GALLAHER Tuesday, SEP 02, 2003 16:16:28 Ttl Pd \$9.00 Nbr-00000055034 SDJ/R1/1-2

APN: 026-163-005-000

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

The undersigned grantor(s) declare(s) Documentary Transfer Tax is \$0.00 City Transfer Tax is \$0
[ ] computed on full value of property conveyed, or
[ ] computed full value less value of liens or encumbrances remaining at the time of sale
[X] unincorporated area

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Gary G. Gallaher and Elaine S. Gallaher, husband and wife as community property

Hereby GRANTS to

Gary G. Gallaher and Elaine S. Gallaher, Trustees of the Gallaher Living Trust dated March 18, 1996 the following described real property in the unincorporated City of Amador, State of California:

See Exhibit "A" attached hereto and made a part hereof

Dated: July 25, 2003

STATE OF CALIFORNIA COUNTY OF Alameda } ss

On July 25, 2003 before me, G. Munson personally appeared Gary G. Gallaher and Elaine S. Gallaher

[Signature of Gary G. Gallaher] Gary G. Gallaher

[Signature of Elaine S. Gallaher] Elaine S. Gallaher

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature [Signature of G. Munson]



MAIL TAX STATEMENT AS DIRECTED ABOVE

Order No. 90-459

**EXHIBIT "A"  
LEGAL DESCRIPTION**

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF AMADOR, UNINCORPORATED AREA, AND IS DESCRIBED AS FOLLOWS:

LOT 44 OF KIRKWOOD MEADOWS UNIT NO. 1, ACCORDING TO THE OFFICIAL MAP THEREOF, FILED FOR RECORD ON JULY 1, 1970 IN BOOK 3 OF SUBDIVISION MAPS AT PAGE 30, AMADOR COUNTY RECORDS.

EXCEPTING THEREFROM THE TITLE AND EXCLUSIVE RIGHT TO ALL MINERALS AND MINERAL ORES OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED WITHIN OR UNDERLYING SAID LOT, TOGETHER WITH THE EXCLUSIVE RIGHT TO REMOVE THE SAME BELOW A DEPTH OF FIVE HUNDRED FEET

A. P. N. 026-163-005-000

CLTA Preliminary Report

\*END OF DOCUMENT\*



Note: The following Authorization Form is required to be completed by the property owner only when designating an agent of the property owner to apply for a construction permit for the Owner-Builder.

**AUTHORIZATION OF AGENT TO ACT ON PROPERTY OWNER'S BEHALF**

Excluding the Notice to Property Owner, the execution of which I understand is my personal responsibility, I hereby authorize the following person(s) to act as my agent(s) to apply for, sign, and file the documents necessary to obtain an Owner-Builder Permit for my project.

Scope of Construction Project (or Description of Work): Proposed work includes adding a 2 story addition and pedestrian bridge to allow for accessible means of entry to the residence from the roadway and proceed east to parking pad. Additional roof extension over the deck on the east.

Project Address: 33951 Danburg Drive, Kirkwood, CA 95646, Amador County

Name of Authorized Agent: Business Design Architects & Planning 300 New Park Drive Telephone Number: (530) 214-0864

Address of Authorized Agent: P.O. Box 702 Truckee, CA 96160

I declare under penalty of perjury that I am the property owner for the address listed above and I personally filled out the above information and certify its accuracy. Note: A copy of the owner's driver's license or form notarization must be presented to the Building Department when the permit is issued to verify the property owner's signature.

Property Owner's Signature: [Handwritten Signature] Date: NOV. 1, 2023

E. Lavin J. Hallahan 11/1/23

**COPY DRIVERS LICENSE OR ID IN THE SPACE BELOW FOR SIGNATURE VERIFICATION**