

**STAFF REPORT TO: AMADOR COUNTY PLANNING COMMISSION
FOR MEETING OF: JANUARY 9, 2024**

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. The applicant has requested a delay in the expiration of the variance to 2 years from the decision date, to accommodate potential delays due to inclement weather and contractor availability.

If the variance is approved, the applicant must complete the abandonment of the public utility easement included within the 25' front setback prior to issuance of any building permit, and 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.

E. Prior Review and Recommendation: This project was reviewed by the Tri-County Technical Advisory Committee (Tri-TAC) on December 8, 2023. Tri-TAC has no technical objections to the Planning Commission recommending approval of the variance and the proposed Exemption from CEQA.

F. Planning Commission Action: Following the public hearing, the first action of the Planning Commission should be to determine the adequacy of the proposed Exemption under Section 15305, Class 5 of the State CEQA Guidelines (minor setback variance not resulting in the creation of any new parcel). The Commission may then make a recommendation of the project to the Board of Supervisors, subject to the findings set forth below.

G. 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, existing accessory structures, 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).

Notice of Exemption

NOTICE OF EXEMPTION

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

From: Amador County Planning Commission
810 Court Street
Jackson, CA 95642

County Clerk - County of Amador
810 Court Street
Jackson, CA 95642

Project Title: V-23;11-1 Gallaher

Project Applicant/Address/Phone Number: Gary & Elaine Gallaher, 19 Valley Drive, Orinda, CA 94563

Project Location - Specific: 33951 Danburg Drive, Kirkwood, CA 95646 (APN: 026-163-005)

Project Location - County: Amador

Project Location - City: N/A

Description of Nature, Purpose and Beneficiaries of Project: 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.

Name of Public Agency Approving Project: Amador County Board of Supervisors

Name of Person or Agency Carrying Out Project: Ecosense Designs Architecture, Representative

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Section 15305, Class 5 of State CEQA Guidelines
- Statutory Exemptions. State code number:

Reasons why project is exempt: The granting of the Variance is sanctioned by County Code Section 19.52 and is consistent with County Code Section 19.52.020 in that the project will not be detrimental to the health, safety, peace, morals, comfort and general welfare of the persons residing or working in the neighborhood or the general welfare of the County; and 2) A review of the Variance was conducted by staff and found the project will not have a significant effect on the environment and is Categorically Exempt according 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.

Lead Agency Contact Person: Nicole Sheppard, Planner

Telephone: 209-223-6380

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? Yes No

Signature: _____

Date: _____

Title: Planner

Signed by Lead Agency

Revised 2011

File No. _____

Posted On _____

Posting Removed _____

Affidavit



AMADOR COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT

PHONE: (209) 223-6380
FAX: (209) 223-6254
WEBSITE: www.amadorgov.org
E-MAIL: planning@amadorgov.org

COUNTY ADMINISTRATION CENTER • 810 COURT STREET • JACKSON, CA 95642-2132

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the PLANNING COMMISSION of the County of Amador, State of California, has received an application for the project described in this notice.

PROJECT DESCRIPTION: Request for a variance (V-23;11-1 Gallaher) from the front 25-foot 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 from the residence to the front property line (APN: 026-163-005).

Owner/Applicant: Gary & Elaine Gallaher
Representative: Ecosense Designs Architecture
Supervisorial District: 3
Location: 33951 Danburg Dr., Kirkwood, CA 95646

PUBLIC HEARING: Discussion and possible action on this project by the Amador County Planning Commission will take place following a public hearing scheduled for **January 9, 2024 at 7:00 p.m.** in the Board Chambers of the County Administration Center located at 810 Court St., Jackson, CA 95642. The meeting may be attended in person or via teleconference by dialing **669-900-6833** and using **meeting ID 537-512-9883**, or by using the following link: <https://zoom.us/j/5375128983>.

The Chairperson will invite the public to comment via phone/online. Public comment will also be accepted at the above address or at planning@amadorgov.org. Comments received prior to publication of the agenda will be included in the agenda packet. The agenda will be published online at www.amadorgov.org in the Agendas and Minutes section. Comments received after publication of the agenda will be distributed to the Commissioners prior to the meeting, and shall be subject to the same rules as would otherwise govern speaker comments at the meeting. However, be advised that due to time constraints, the Commissioners may not be able to give letters submitted after the agenda is published, as detailed a review as those received earlier. Therefore, it may be to your benefit to attend the hearing and summarize your concerns orally. Letters will not be read aloud at the public hearing.

In compliance with the Americans with Disabilities Act, if you need an accessibility-related modification or accommodation to participate in this meeting, please contact the Amador County Planning Department, at (209) 223-6380, by email to planning@amadorgov.org. Requests must be made as early as possible, and at least two business days before the start of the meeting.

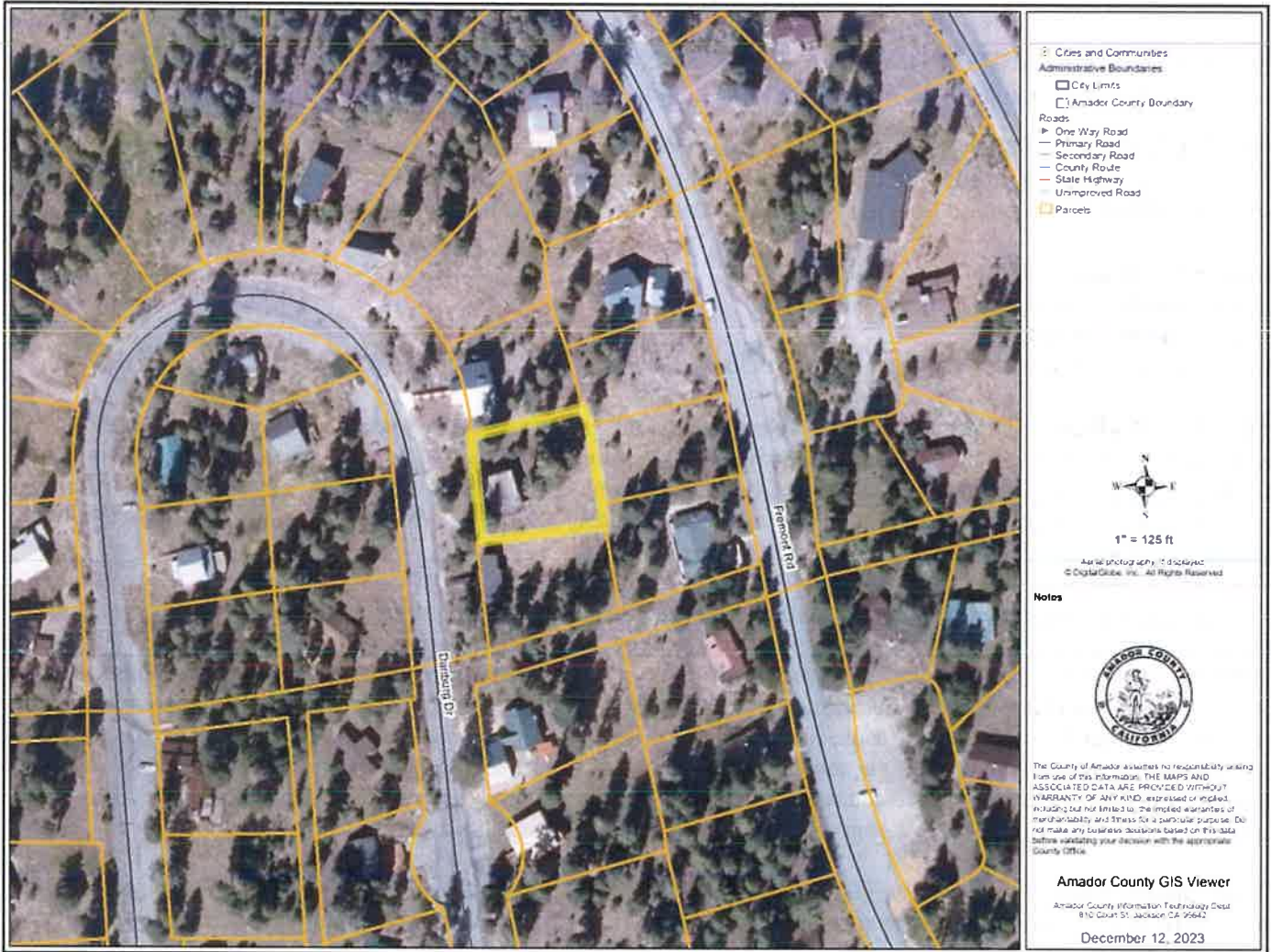
NOTE: If you do not comment at the public hearing or send in written comments and later decide to challenge the nature of this proposed action in court, you may be limited to raising only those issues you raised at the public hearing or have given in written correspondence delivered to the public entity conducting the hearing at, or prior to, the public hearing.

ENVIRONMENTAL REVIEW PROCESS: In accordance with the California Environmental Quality Act (CEQA), the lead agency, the Amador County Planning Commission, intends to consider this project Categorical Exempt under 15305, Class 5 (a) (minor setback variance not resulting in the creation of any new parcel). The application materials appear to be complete and indicate there are no extraordinary or unique environmental issues. The Tri-County Technical Advisory Committee (TCTAC) has reviewed this project and has found no technical objection to the approval of this project along with filing the project as exempt under CEQA.

If you have any questions or desire more information, please contact this office.

AMADOR COUNTY PLANNING COMMISSION
Date of this notice: December 27, 2023

SUBJECT PARCEL HIGHLIGHTED BELOW



Application

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

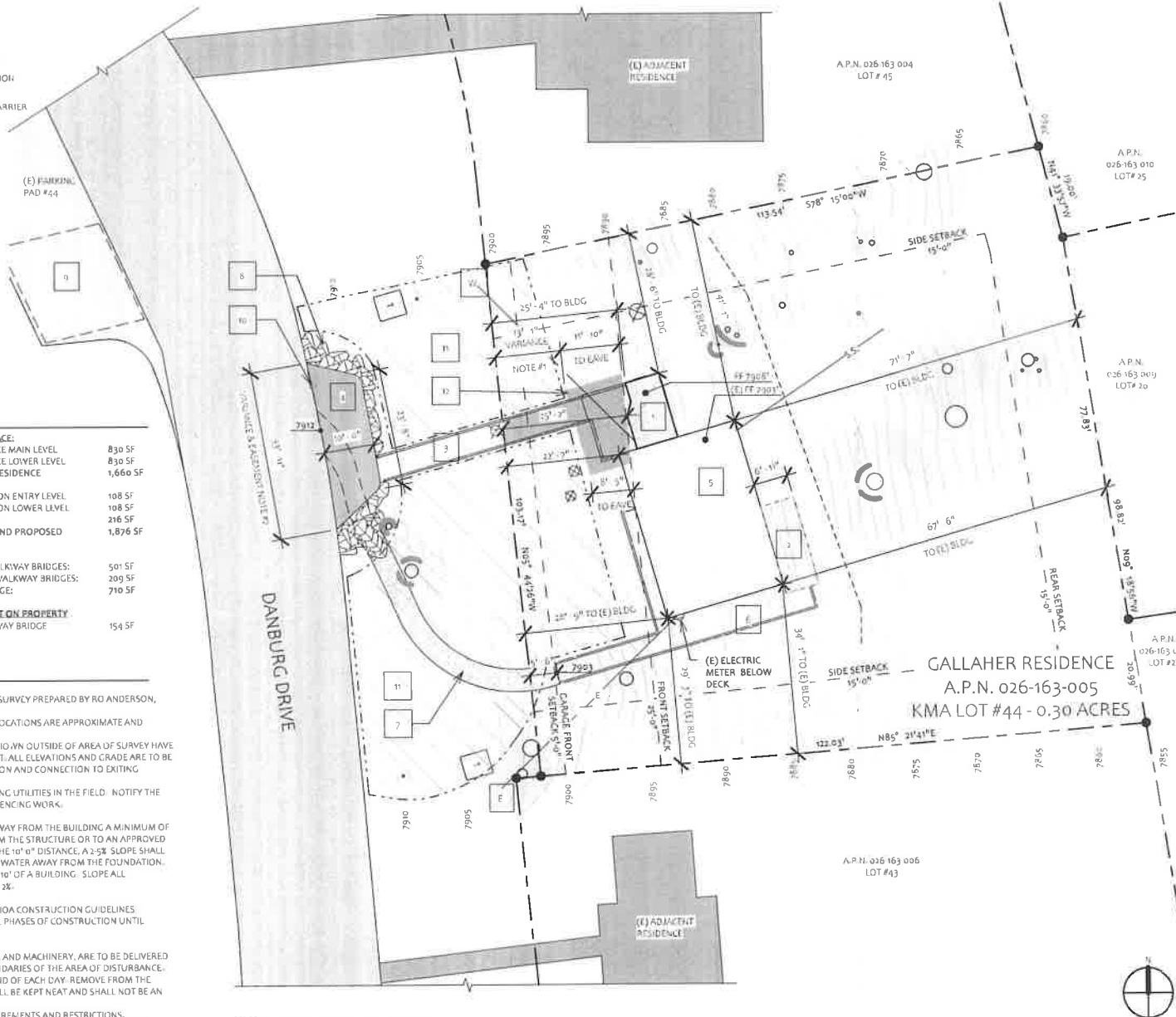
THE PROJECT ALSO PROPOSES TO ADD A ROOF EXTENSION OVER THE EXISTING REAR DECK TO SHED SNOW OVER THE EXISTING RAILING ON TO THE GROUND BELOW. ADDITIONALLY ALL EXISTING GUARD RAILS, DECKING, ROOFING AND SIDING MATERIALS ARE PROPOSED TO BE REPLACED WITH NEW FIRE RESISTANT MATERIALS. NO CHANGES TO EXISTING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

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

PROPOSED SF NOT ON PROPERTY: 154 SF
 PROPOSED WALKWAY BRIDGE

SITE PLAN NOTES:

1. TOPOGRAPHIC SURVEY:
 - A. TOPOGRAPHIC AND OTHER SURVEY INFORMATION OBTAINED FROM A SURVY 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 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 SALLS 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 AND REMAIN WITHIN THE IMPROVEMENT ENVELOPE AND THE BOUNDARIES OF THE AREA OF DISTURBANCE.
 - 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 EYESORE, 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 ON PUBLIC VIEW.
 - H. TEMPORARY POWER, 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"

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.



PLOT PLAN

GALLAHER RESIDENCE
 ENTRY ADDITION
 39951 DANBURG DRIVE
 KIRKWOOD CA 95646
 APN: 026-163-005

SCALE
 As indicated

DATE
 NOVEMBER 15, 2023

REFERENCE REVISIONS

A1.1a

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

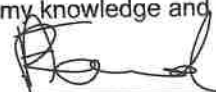
- 17. Change in existing features or any lakes or hills, or substantial alteration of ground contours.
- 18. Change in scenic views or vistas from existing residential areas, public lands, or roads.
- 19. Change in pattern, scale, or character of general area of project.
- 20. Significant amounts of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

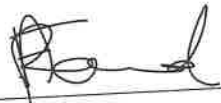
Project: Gallaher Residence Addition

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/RI/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

- checkbox computed on full value of property conveyed, or checkbox computed full value less value of liens or encumbrances remaining at the time of sale checkbox [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

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 G. Munson

Gary G. Gallaher Gary G. Gallaher

Elaine S. Gallaher Elaine S. Gallaher



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