COUNTY OF PLACER
Community Development Resource Agency

Michael J. Johnson, AICP
Agency Director

PLANNING

EJ Ivaldi
Deputy Director, Planning

HEARING DATE: May 21, 2015
TIME: 9:40AM

TO: Zoning Administrator

FROM: Development Review Committee

SUBJECT: Variance (PLN15-00148) - White

PLAN AREA: Placer County General Plan

GENERAL PLAN DESIGNATION: Agricultural/Timber

ZONING: Farm 10-Acre Minimum

STAFF PLANNER: Nikki Streegan, Associate Planner

LOCATION: The project is located at 1488 Sego Lane, Lincoln, CA – APN# 021-250-039

APPLICANTS/OWNERS: Jaenna and Greg White

PROPOSAL:
The applicants request approval of a Variance to allow for a 13-foot rear setback for a swimming pool, where 25 feet from the property line is required.

CEQA COMPLIANCE:
This project is categorically exempt from environmental review pursuant to provisions of Section 15303 of the California Environmental Quality Act Guidelines and Section 18.36.050 (E) of the Placer County Environmental Review Ordinance (Class 5 – Minor alterations in land use limitations). The Zoning Administrator will be required to make a finding to this effect.

BACKGROUND:
The subject property is located in the Lincoln area in a Farm Zone District. The property is approximately five acres and developed with a single-family home, and is bordered by residential land uses to the north, east, south and west. The parcels immediately to the east and southeast are separated with a significant amount of tree coverage along the property lines. The home with the most visible access is located approximately 300 feet southwest from the proposed swimming pool. A large field over 50,000SF separates the project from this neighboring property.

The proposed project is an oblong-shaped pool, approximately 24'x18' and is located along the southern property boundary. In addition to the single-family home, a shed, shop, and carport are included in the existing development on the site. There are some trees on the site, many are located along the eastern and wester property boundaries.

ANALYSIS:
The applicants are proposing the new swimming pool with safety fencing, which provides some screening to the southeast and southwest. As shown on the site plan, the building site is located 17' south of the single-family home currently developed on the property and 13' from the south property line. One tree with a canopy of 20' constrains an alternative location that could meet the rear setback requirement, however, will not be removed in the proposed location.

Due to the current configuration of the house and other structures on the property, alternatives to the placement of the structure in reasonable proximity to the house are not feasible. Based on a site visit, the only neighbor to be affected by the proposal is the parcel to the southwest. The owners have been informed and have no objection to the request. Because of these reasons and given the constraints on site, staff supports the request for a Variance to the rear setback.

RECOMMENDATION:
The Development Review Committee recommends that the Zoning Administrator **approve** this Variance (PLN15-00148) based upon the following findings and recommended conditions of approval.

FINDINGS:
CEQA
This project is categorically exempt from environmental review pursuant to provisions of Section 15303 of the California Environmental Quality Act Guidelines and Section 18.36.050 (E) of the Placer County Environmental Review Ordinance (Class 5 – Minor alterations in land use limitations).

VARIANCE:
Having considered the staff report, supporting documents and public testimony, the Zoning Administrator hereby finds that:

1. Because of special circumstances applicable to this property, the strict application of the provisions of Chapter 17 would deprive the property of privileges enjoyed by other residential properties in the vicinity and under identical zoning classification.

2. The granting of this Variance does not constitute a grant of special privileges inconsistent with limitations upon other residential properties in the vicinity and in the zone district.

3. The granting of this Variance does not authorize a use that is not otherwise authorized in the zone district in which the property is located.

4. The granting of this Variance does not, under the circumstances and conditions applied in the particular case, adversely affect public health or safety, is not materially detrimental to the public welfare, or injurious to nearby property or improvements.

5. The Variance is consistent with the objectives, policies, general land uses and programs as specified in the Placer County General Plan.

6. The Variance, as granted, is the minimum necessary departure from the applicable requirements of Chapter 17 to grant relief to the applicant, consistent with sections 1 and 2 above.

RECOMMENDED CONDITIONS OF APPROVAL:

1. Approval of this Variance allows for a 13-foot setback from the south property line where 25 feet from the property lines is required, in order to allow a swimming pool to be built. (PLN)

2. The applicant shall apply for a Building Permit for the array through the Placer County Building Department within 30 days of approval of the Variance. (PLN)

4. The applicant shall defend, indemnify, and hold harmless the County of Placer, the County Board of Supervisors, and its officers, agents, and employees, from any and all actions, lawsuits, claims, damages, or costs, including attorneys fees awarded in any proceeding brought in any State or Federal court, challenging the County's approval of that certain Project know as the White Variance (PLN15-00148). The applicant shall, upon written request of the County pay, or at the County's option reimburse the County for, all reasonable costs for defense of any such action and preparation of an administrative record, including the County staff time, costs of transcription and duplication. The County shall retain the right to elect to appear in and defend any such action on its own behalf regardless of any tender under this provision. This indemnification obligation is intended to include, but not be limited to, actions brought by third parties to invalidate any determination made by the County under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) for the Project or any decisions made by the County relating to the approval of the Project. Upon written request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provisions of this condition. (PLN)

5. This Variance (PLN15-00148) shall expire on May 21, 2016 unless previously exercised with approval of a building permit and final inspection. (PLN)

Respectfully submitted,

Nikki Streegan
Associate Planner

ATTACHMENTS:
Attachment A - Memo from Engineering and Surveying Division
Attachment B – Memo from Environmental Health Services
Attachment C – Site Plan

cc: Phil Franz - Engineering and Surveying Department
Laura Rath - Environmental Health Services
Jaenna and Greg White - Applicants

COUNTY OF PLACER
Community Development Resource Agency

ENGINEERING & SURVEYING

MEMORANDUM

TO: LINDSAY DEROBERTIS, PLANNING DIVISION
NIKKI STREEGAN, PLANNING DIVISION

DATE: MAY 8, 2015

FROM: PHILLIP A. FRANTZ, ENGINEERING & SURVEYING DEPARTMENT

SUBJECT: PLN15-00148: REAR SETBACK FOR POOL; JAENNA & GREG WHITE; (APN: 021.250.039)

The Engineering & Surveying Department (ESD) **supports the Development Review Committee's recommendation** for the Variance application and has no comments or recommended Conditions of Approval.

Ref: 15-00148 vaa rear pool setback conditions white.doc

ATTACHMENT A

Placer County
Health and Human Services Department

Jeffrey S. Brown, M.P.H., M.S.W.
Department Director

Wesley G. Nicks, R.E.H.S.
Environmental Health, Director

MEMORANDUM

DEPARTMENT OF HEALTH & HUMAN SERVICES
ENVIRONMENTAL HEALTH SERVICES

To: Zoning Administrator

From: Laura Rath, REHS
Land Use and Water Resources Section

Date: May 1, 2015

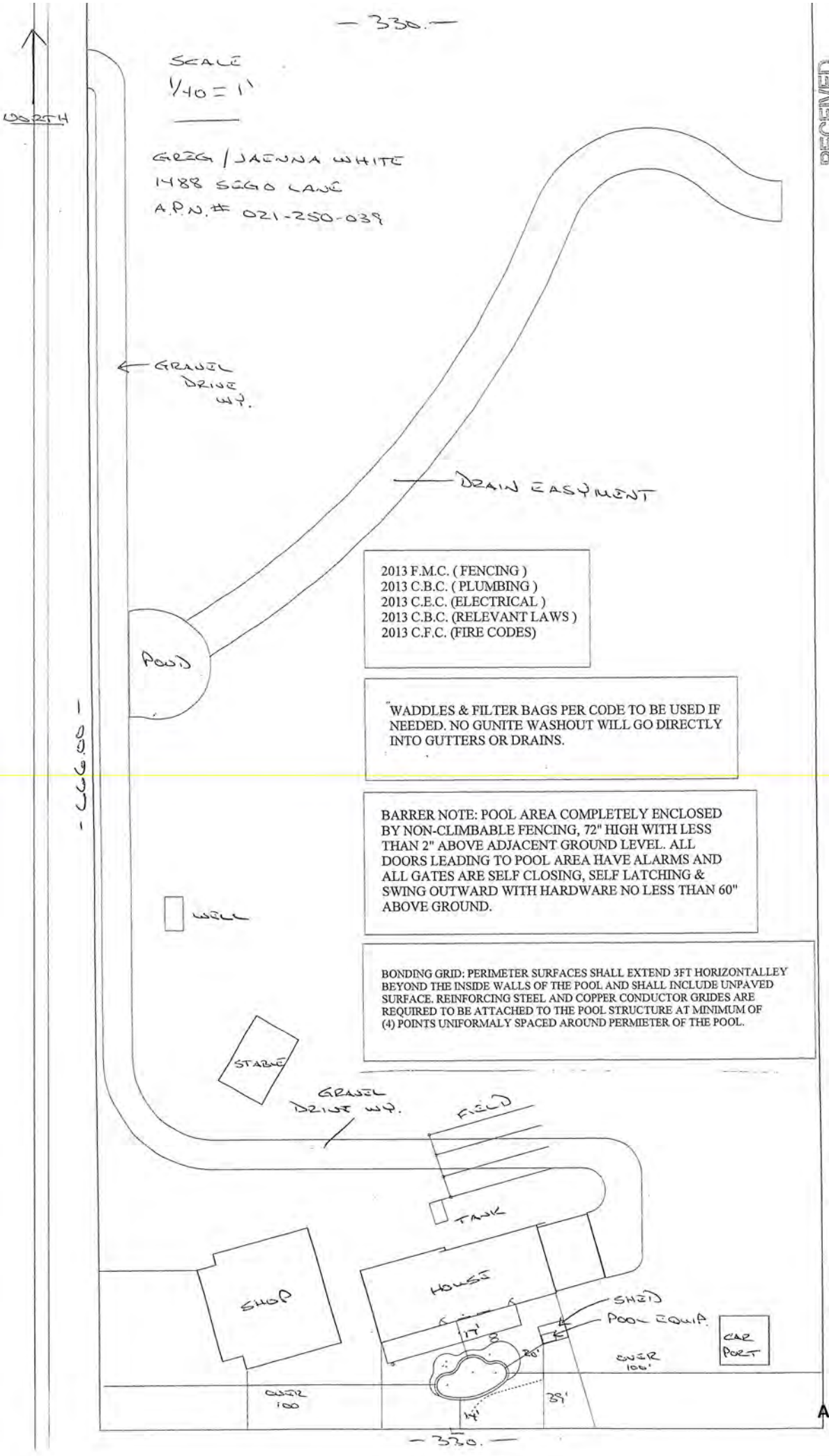
Subject: **PLN 15-00148, White Pool Setback, APN 021-250-039**

Environmental Health Services has reviewed the above mentioned application for variance and has no comments or recommended conditions of approval.

Perspective, Hope, and Opportunity

3091 County Center Drive, #180, Auburn, CA 95603 ● wnicks@placer.ca.gov
530.745.2300 ● www.placer.ca.gov ● fax 530.745.2370

ATTACHMENT B



2013 F.M.C. (FENCING)
2013 C.B.C. (PLUMBING)
2013 C.E.C. (ELECTRICAL)
2013 C.B.C. (RELEVANT LAWS)
2013 C.F.C. (FIRE CODES)

WADDLES & FILTER BAGS PER CODE TO BE USED IF NEEDED. NO GUNITE WASHOUT WILL GO DIRECTLY INTO GUTTERS OR DRAINS.

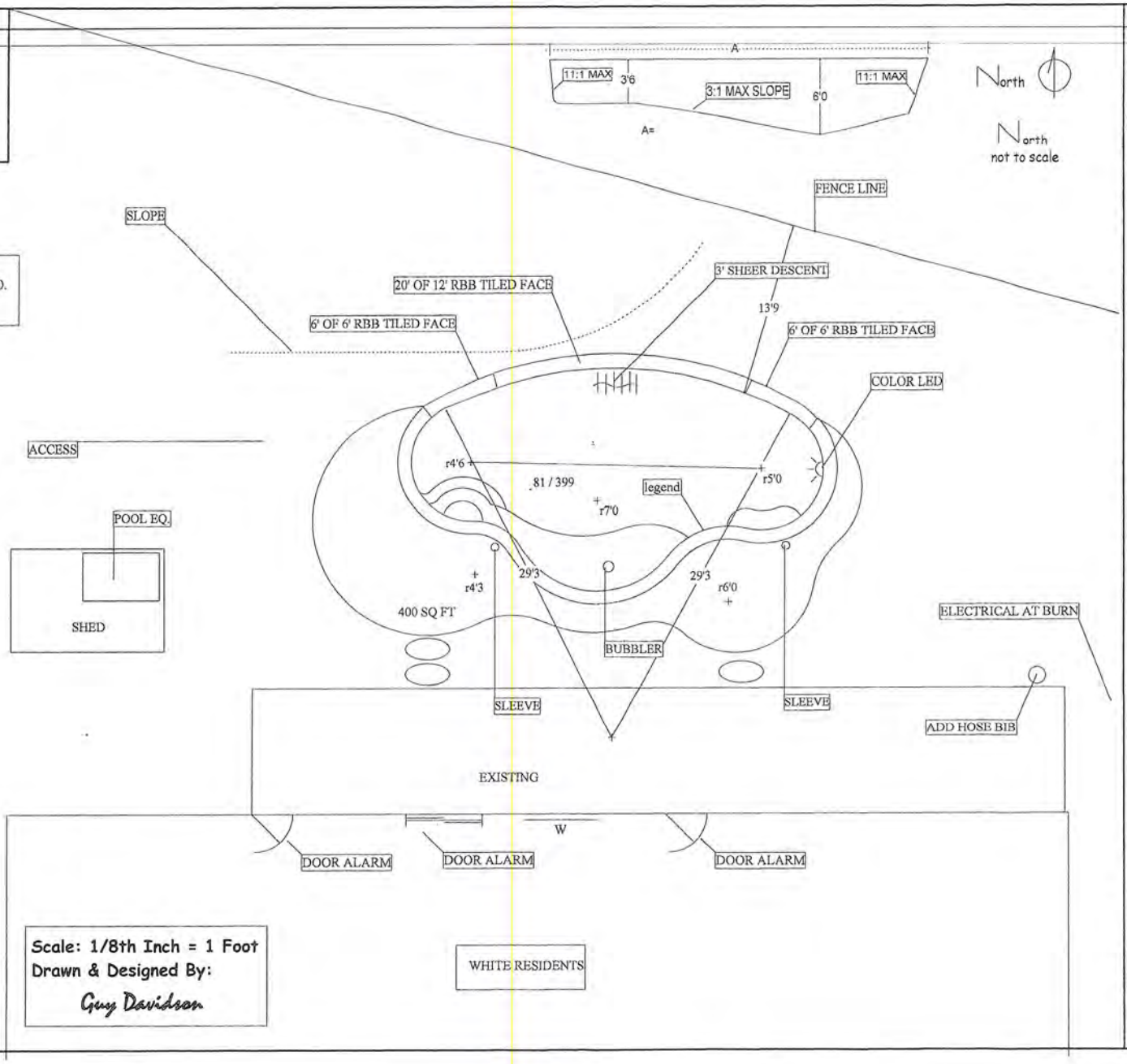
BARRER NOTE: POOL AREA COMPLETELY ENCLOSED BY NON-CLIMBABLE FENCING, 72" HIGH WITH LESS THAN 2" ABOVE ADJACENT GROUND LEVEL. ALL DOORS LEADING TO POOL AREA HAVE ALARMS AND ALL GATES ARE SELF CLOSING, SELF LATCHING & SWING OUTWARD WITH HARDWARE NO LESS THAN 60" ABOVE GROUND.

BONDING GRID: PERIMETER SURFACES SHALL EXTEND 3FT HORIZONTALLEY BEYOND THE INSIDE WALLS OF THE POOL AND SHALL INCLUDE UNPAVED SURFACE. REINFORCING STEEL AND COPPER CONDUCTOR GRIDES ARE REQUIRED TO BE ATTACHED TO THE POOL STRUCTURE AT MINIMUM OF (4) POINTS UNIFORMALY SPACED AROUND PERMIETER OF THE POOL.

RECEIVED
APR 13 2015
CDRA

ATTACHMENT C

Sun-Fare Pools
1200 Fowler Rd.
New Castle 95658



Tile selection:

First Choice: _____

Second Choice: _____

Scale: 1/8th Inch = 1 Foot
Drawn & Designed By:
Guy Davidson

WHITE RESIDENTS

Name: GREG / JAENNA WHITE
Address: 1488 SEGO LANE
City,Zip: LINCLON, 95648
Telephone: 530-344-3362
Work phone: 530-652-6808

GENERAL POOL SPECIFICATIONS

Pool Size: 32'8 x 17'7
Perimeter: 81
Sq. Feet: 399
Depth: 3'6 x 6'
Volume: 13000 gl.
Filter: PENTAIR 320
Pump: PENTAIR 3050 VS
Pool Cleaner: PENTAIR LEGEND
Heater: NO
Gas Line: NO
Fill Line:
Electric: 280 sq ft
Remote: NO
Tile:
Trim Tile: NO
Plaster Color: MED TAHOE GRAY
Deck Size: 400 sq ft
Deck Finish: 1 COLOR STAMPED
Coping: NO
Mastic Color: NO
Light: COLOR LED
Maint. Kit/Tel. Pole: YES
Waterfall: 3' SHEER DESCENT
Waterfall Pump: NO
Pool Purifier: OFF LINE
Extra Grading: NO
Fences Replaced: NO
Tractor Type: BOBCAT
Conc. Removal: NO
Miscellaneous: DIRT ON SITE

12' of 6' RBB TILED FACE
20' of 12' RBB TILED FACE

SPA

Size:
No. of Jets:
Booster Pump:
Damwall:
Auto Controls:

PLAN APPROVAL

Signature indicates owner's approval of pool and equipment locations and all accessories listed hereon. Owner to install safety fencing or devices per state code Date:
Owner: