

58 Canyon Lake Drive Repair and Addition

County File #CDVR19-01051

BOARD OF SUPERVISORS

MAY 18, 2021

Project Description

Small Lot Design Review for the purpose of determining neighborhood compatibility of the proposed improvements on a substandard lot.

Variance to allow reduced minimum and aggregate side yards for a 185 square-foot lower-level addition, 957 square-foot second story addition, and new wooden deck, for an existing fire damaged, single-family residence.

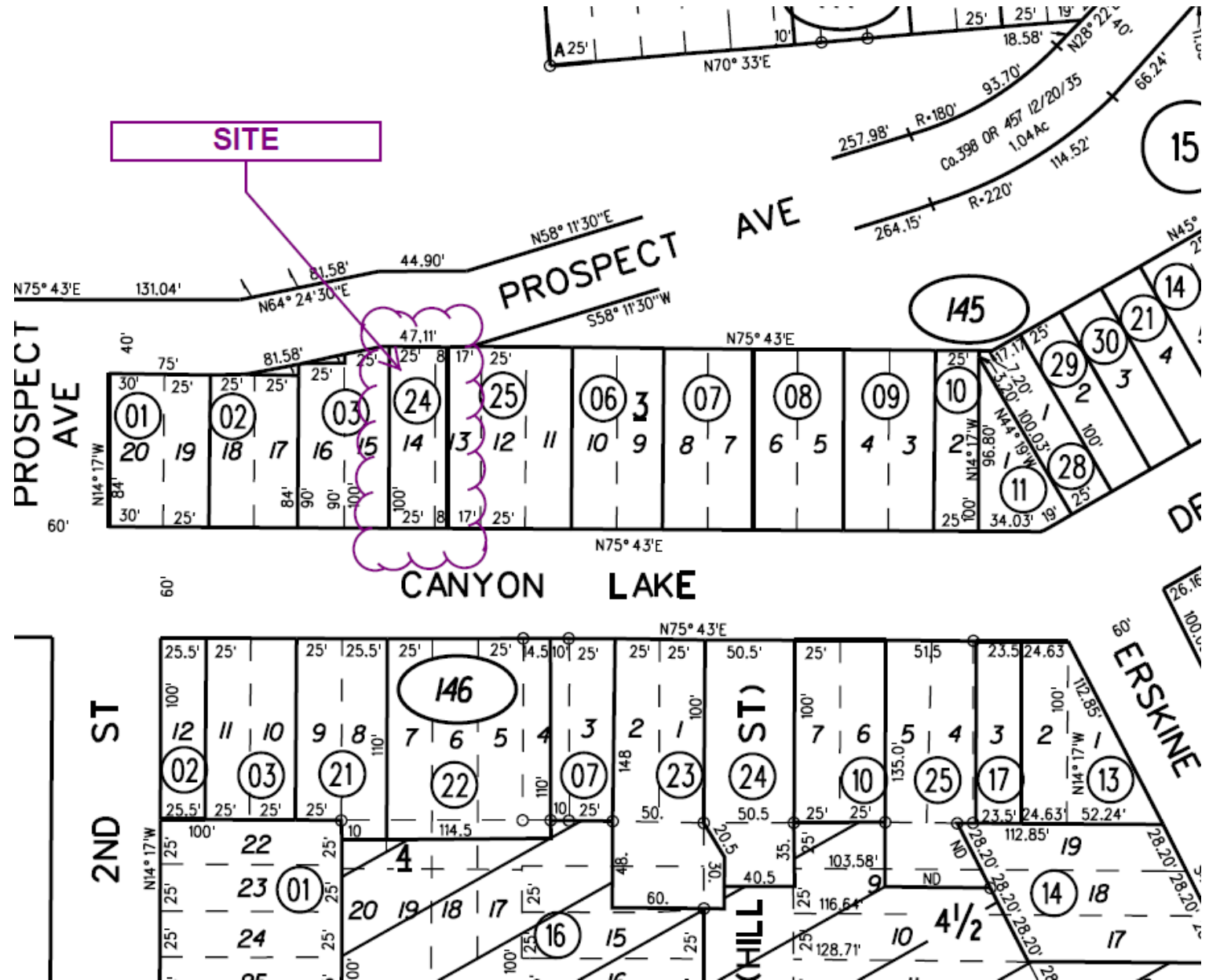
Variance to allow a reduced minimum side yard and reduced front setback to construct a retaining wall up to 6-feet in height.

Variance to allow a reduced minimum side yard for two tandem off-street parking spaces.

Exception to Title 9 drainage requirements:

- Reduce the building footprint clearance (where 3 feet is required) from the culvert wall, as determined by a County approved field survey, pursuant to storm drain easement requirements of County Code Section 914-14.004.

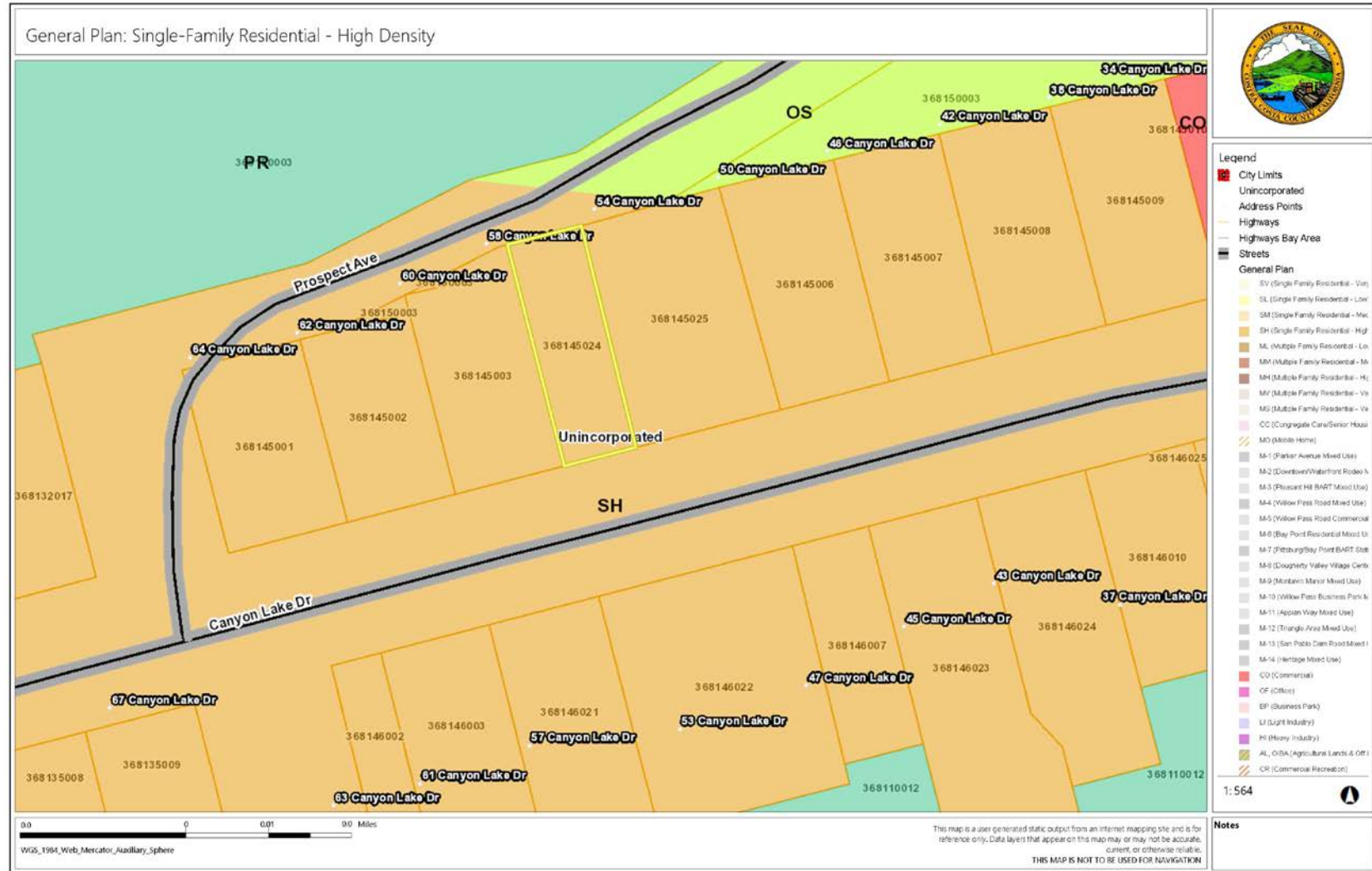
Parcel Map



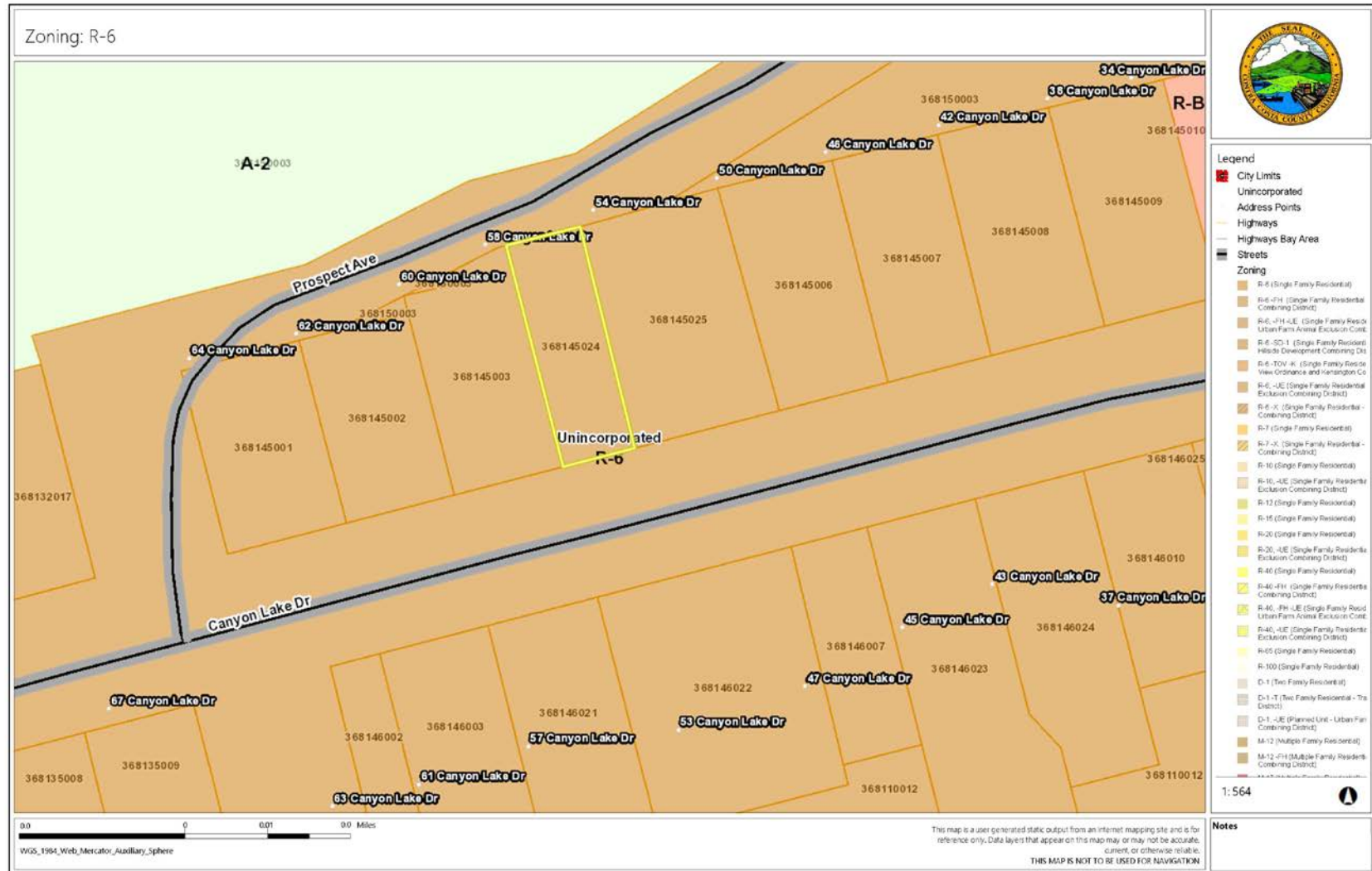
Aerial View



General Plan



Zoning



Background

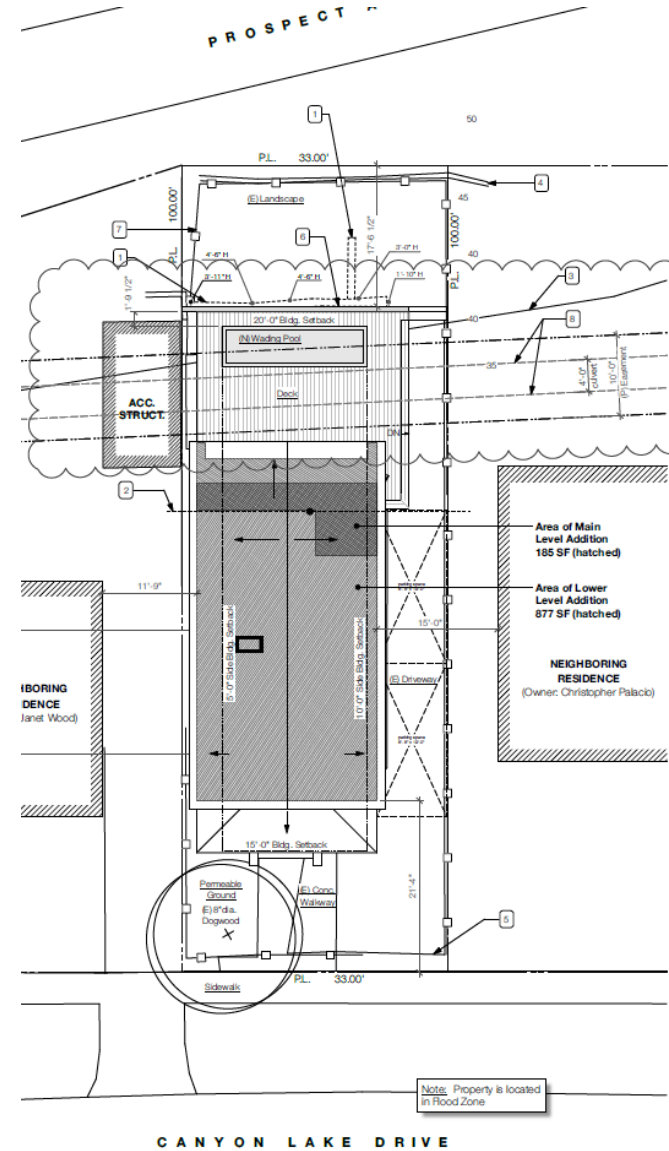
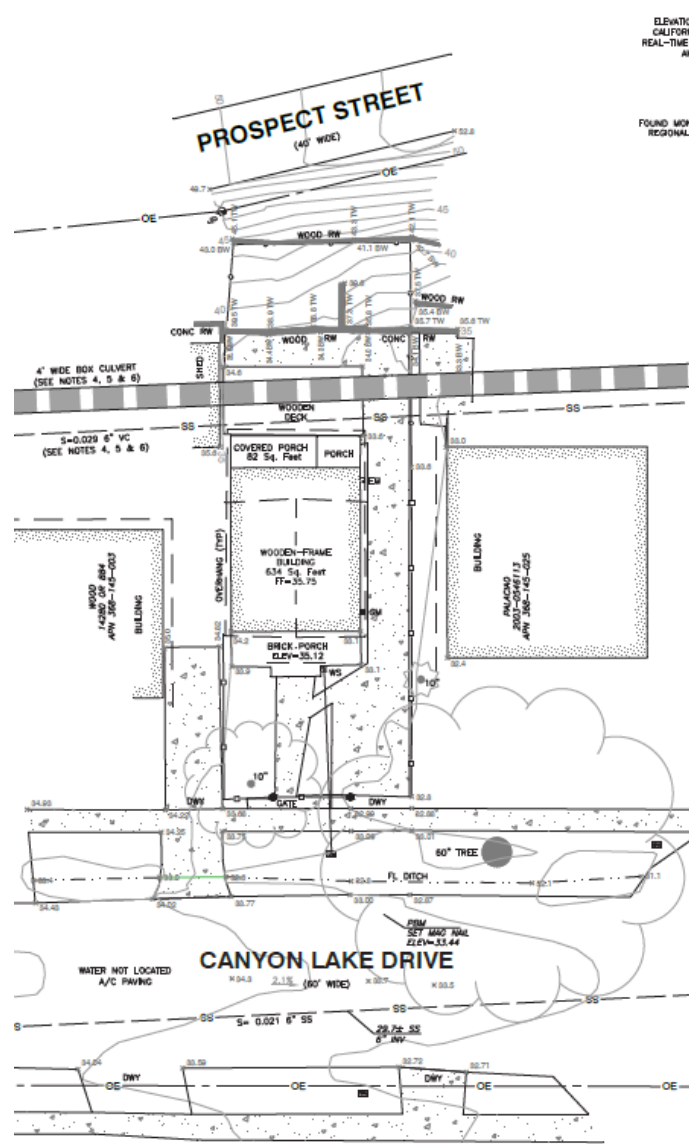
A Variance application with Small Lot Design Review was submitted on November 18, 2019 (County File #CDVR19-01051).

The matter was heard by the County Zoning Administrator on July 6, 2020. The County Zoning Administrator approved the variance permit with the addition of a condition of approval to calculate and establish the Base Flood Elevation (B.F.E) and determine the need to obtain a 1010 Drainage Permit prior to issuance of building/grading permits due to the existence of a culvert and Bull Valley Creek traversing the subject property

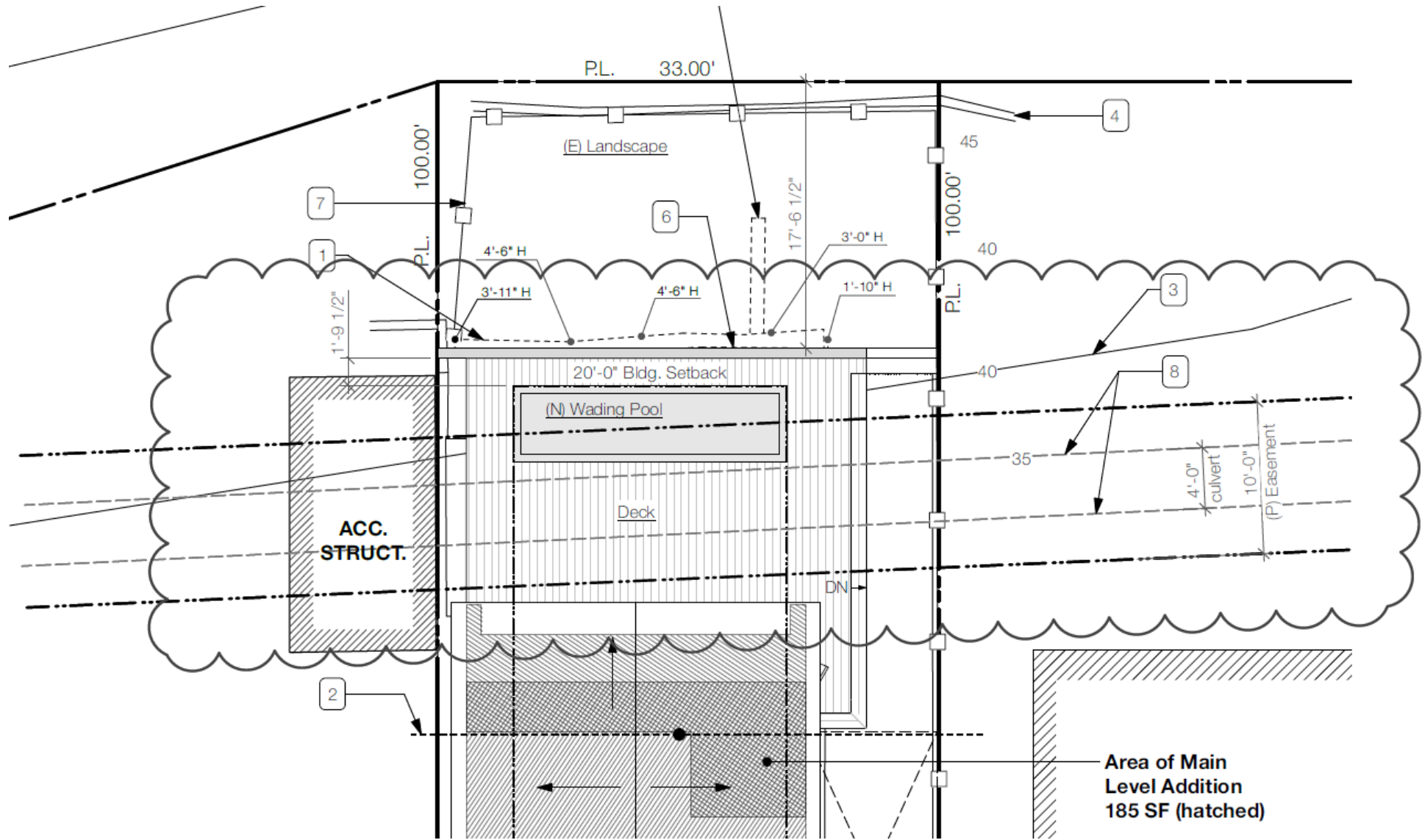
Staff received one letter from Chris Palacio and Ryan DeGooyer on July 16, 2020, appealing the Zoning Administrator's decision.

The matter was heard by the County Planning Commission on February 10, 2021. The County Planning Commission denied the appeal and approved the project with modifications consisting of an added variance for a reduced secondary front setback, an added exception to storm drain easement standards, and an additional condition of approval requiring the dedication of a private stormdrain easement.

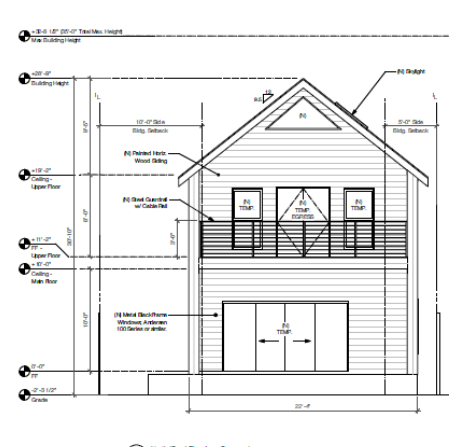
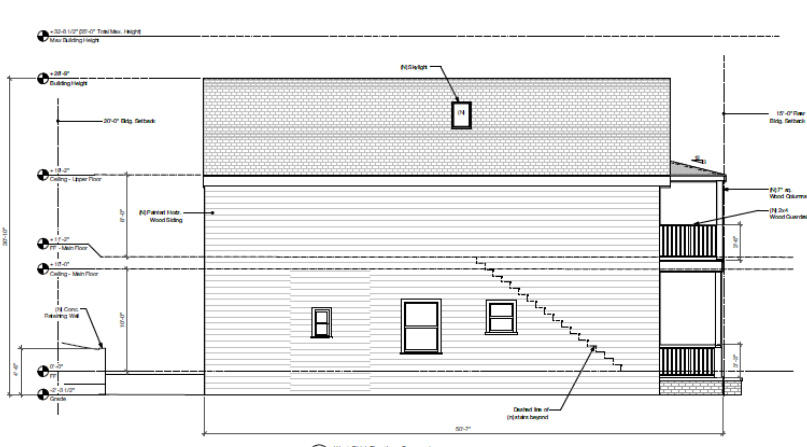
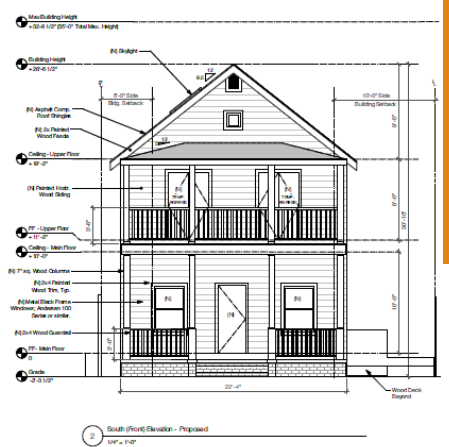
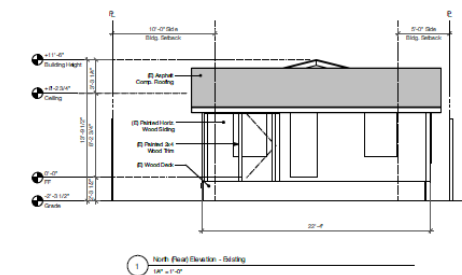
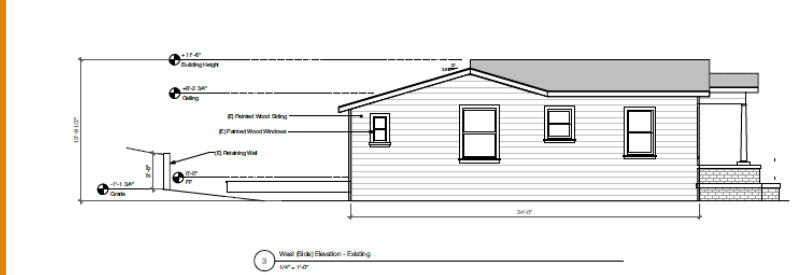
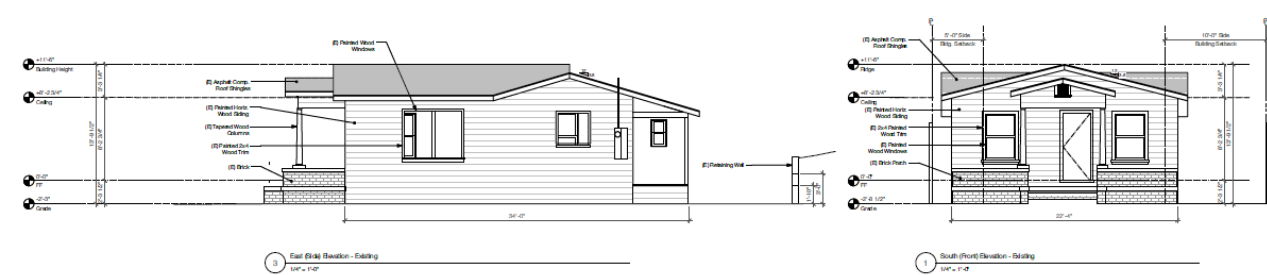
Staff received one letter from Ryan DeGooyer on February 19, 2021, appealing the County Planning Commission's decision.



Topographic Survey & Proposed Site Plan



Proposed Site Plan: Culvert Close-Up



Elevations

Summary of Appeal Points

Setbacks and Rear Yards: The County misapplied its setback requirements and the applicant was allowed to swap front and back yard setbacks without requesting a 15-foot front yard variance for the residential structure.

Culvert Size and Location: The applicant's drawings incorrectly depict the size and location of the culvert resulting in a miscalculation of the required easement.

Third-Party Mapping of Culvert: The appellant requests a neutral third party to map the culvert.

Mediation Between Planner, Appellant, and Applicant The appellant requests the Board of Supervisors give the planner, appellant, and applicant time to work together to determine a true and accurate location and width of the culvert.

Size/Additions: The home is too large for the lot.

Staff Recommendation

Staff recommends that the Board of Supervisors:

1. OPEN the public hearing on an appeal of the County Planning Commission's approval of a small lot design review, and associated variances and exception, for 58 Canyon Lake Drive in the Port Costa area (County File #CDVR19-01051), RECEIVE testimony, and CLOSE the hearing.
2. DENY the appeal by Ryan DeGooyer.
3. APPROVE the small lot design review, including an exception to storm drain easement requirements to allow a 2.5-foot width between the residence and outside wall of the existing culvert on the subject property.
4. APPROVE variances to allow: a 1-foot, 10-inch side setback along the western boundary, an 8-foot, 9-inch side setback along the eastern boundary, and a 10-foot, 7-inch aggregate side yard setback for the residence; a 0-foot side setback along the western and east boundaries and a 17-foot, 6-inch setback from the northern boundary for a retaining wall; and a 0-foot side setback along the eastern boundary for two tandem off-street parking spaces in an existing driveway.
5. APPROVE the attached findings in support of the project.
6. APPROVE the attached project conditions of approval.
7. DETERMINE that the project is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301(d) and (e) (Existing Facilities).
8. DIRECT the Department of Conservation and Development to file a CEQA Notice of Exemption with the County Clerk.

Questions?