Comments on V23-0001; Atkins Garage

PC 02/22/2024 Item#3 20 Pages

jennifer@gordonconsultinginc.com < jennifer@gordonconsultinginc.com >

Wed 2/21/2024 9:26 AM

1 attachments (6 MB)

GCI comments on Atkins Garage for 2.22.2024 EDC PC hearing.pdf;

Hello,

I am submitting the attached comments to be distributed to the Planning Commission for Item V23-0001 at the 2/22/2024 hearing.

Please confirm receipt and distribution.

Thank you, Jennifer

Jennifer Quashnick Gordon Consulting Inc. PO Box 4470 (USPS) 297 Kingsbury Grade, Suite 1185 (Fedex/UPS) Stateline, NV 89449-4470 (530) 577-4233 voice/text (888) 389-8072 fax

GORDON CONSULTING INC.

El Dorado County Planning Commission 330 Fair Lane, Building A Placerville, CA 95667 February 21, 2024

Subject: Application for Variance to Setbacks, V23-0001, 1627 Player Court, El Dorado County, CA.

Dear Members of the El Dorado County Planning Commission,

Thank you for the opportunity to comment on the proposed Atkins Variance (V23-0001). Gordon Consulting Inc. (GCI) has been hired by the owner, Joshua Atkins, to work with the affected agencies and utilities to pursue permit approvals for the proposed two-car garage associated with this variance request. GCI appreciates the discussion and consideration the Commission gave to this item during the 1/11/2024 hearing and the opportunity to make revisions and return with a revised proposal.

Specifically, the Commission approved a motion for a continuance based on redesigning the proposed project and variance to exclude the encroachment into the 5' side setback. GCI reviewed the coverage implications of adjusting the location and found the garage could be removed from the side setback within coverage limits if the front setback was reduced from 6' to 5' and the garage slightly rotated. The application originally submitted to the EDC Surveyor for the Abandonment Of Easement (AOE) had in fact proposed a reduction of the front Public Utility Easement (PUE) to 5'. GCI consulted with EDC planning staff and it was agreed that with the Dept. of Transportation (DOT) and affected utility companies already having approved a 5' PUE as required in the original application for the AOE, the site plan could be modified and the proposed Variance adjusted to reflect this.

We believe El Dorado County (EDC) planning staff have provided ample support detailing how the proposed Variance meets the findings required by EDC Code. The purpose of having the Variance process in the code is to address unique situations such as exist in this case. As outlined in the findings, the coverage restrictions and the unique shape of the parcel qualify the parcel for the Variance:

Coverage limits:

As extensively documented, TRPA's coverage requirements limit where the garage could be located based on the existence of a Stream Environment Zone (SEZ) and associated 10' 'buffer' on the property. The TRPA land capability was assessed per standard TRPA methods and a qualified expert following TRPA methodology that has been employed for decades. No evidence has been presented from a qualified soils expert challenging TRPA's findings of land capability. The TRPA does not have a variance process in their code and the coverage limits cannot be adjusted to accommodate for unique circumstances.

2. Parcel shape:

The associated Subdivision Map (E-102) for this area shows no other parcels that have this type of serpentine shape and narrowing 'tip' in the front setback which combined result in a defacto increase in the front setback to the extent placed on Mr. Atkin's property. While some other properties located on cul-de-sacs do have curved front yards, they are not as narrow or restrictive as Mr. Atkin's property in this respect.

Additional public comment was provided to EDC on 2/16 and posted online 2/20. The comments included a collection of signed "Petitions" from what the owner of 1625 Player Ct. refers to as "nearby neighbors" that oppose the project. After reviewing the submittals, addresses, and distance relative to his location, plus speaking with several of the residents who signed the Petitions, Mr. Atkins submitted comments regarding his findings on 2/20; his results are herein incorporated by reference. In addition to the information provided in his letter, it is noted that the "Petitions" refer to a 3' side setback. As was stated in the PC's approved Motion on 1/11, the proposed Variance has been changed to eliminate the request for a reduction in the side setback. The Petitions provide no evidence regarding how reducing the front setback would be injurious to their properties (which range up to almost six miles away) or detrimental to public safety (approval by the EDC DOT and public utility companies [as documented in the AOE application], and review by the fire dept. would also suggest otherwise).

Thank you again for your consideration.

Sincerely,

Jennifer Quashnick

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jennifer@gordonconsultinginc.com

(530) 577-4233

Attachments:

- Subdivision Map E-201 (annotated)
- Signed Utility Company statements for AOE application

Attachment Subdivision Parcel Map

Attachment

Utility Company statements for AEO application

April 19, 2023

At&t
Attn: Astrid Willard/Easements
2700 Watt Ave. Rm 3473-11
Sacramento, CA 95821
Ae6863@att.com
(916) 484-2388

Dear Mr. Willard/Whom it May Concern:

I am requesting an abandonment of the public utility easement(s), located on the front of my property, located on Assessor's Parcel Number **081-132-003**. Please refer to the enclosed drawing of my parcel and the easement area(s) I wish the County to abandon.

The El Dorado County Surveyor's Office requires your letter of "no-objection." Please return the attached *Vacation (Abandonment) Release Letter* to me with your original signature or you may email a digital copy directly to the El Dorado County Surveyor's Office at surveyor@edcgov.us The letter must cite the Assessor's Parcel Number and have the exhibit identifying the specific location of the easement(s) to be abandoned attached. I have provided an extra copy of the exhibit for that purpose. For further clarity, your letter can reference the exhibits. (i.e. "Please see Exhibit A and Exhibit B attached.") The County Surveyor's Office is requesting this degree of specificity in order to protect your rights and interests.

Please forward the hard copy original of your approval to me at:

Josh Atkins 1627 Player Ct. South Lake Tahoe, CA 96150

Thank you for your prompt attention to my request.

Sincerely,

Josh Atkins (530) 407-8291 josh@ascendantcom.com



360 Fair Lane, Placerville, CA 95667

Phone (530) 621-5440

To Agency Contact: Andrea Galeste	Agency: At&t
Mailing Address: 2700 Watt Ave. Rm 347	
City: Sacramento	State: CA Zip: 95821
Phone: (916) 484-2388	
Email: ag9576@att.com	
From Parcel Owner: Mailing Address: City: South Lake Tahoe Phone: (530) 407-8291	State: <u>CA</u> Zip: <u>96150</u>
Email: josh@ascendantcom.com	
	was dedicated: E-102 and E-102A
2) Recorded Map(s) where easement 2) Location of vacation: 1627 Player Ct. 4) Proposed use of vacated area: Residual Res	
2) Location of vacation:	of El Dorado County. Please view the attached below. Please type or print any comments and within two weeks. If you prefer, you can email this exhibit to the El Dorado County Surveyor's Office acation.
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EXHIBIT "B" CURVE TABLE R=20.00' PLAYER COURT L=17.45 CH=N70'14'50"W 16.90 -5' PUBLIC UTILITY EASEMENT DELTA=49'59'06" AND SNOW STORAGE EASEMENT = 30'TO REMAIN R=50.00' L=62.50' DOUBLE HATCHED AREA IS A CH=N81*03'10"W 58.51 10' PUBLIC UTILITY EASEMENT BEING REDUCED TO A 5' PUBLIC UTILITY DELTA 71'36'55" EASEMENT HATCHED AREA IS A 20' PUBLIC UTILITY EASEMENT BEING REDUCED TO A 5' PUBLIC UTILITY EASEMENT 2'x25' POLE, ANCHOR LOT 13 AND GUY EASEMENT COUNTRY CLUB TO REMAIN HEIGHTS UNIT NO. 6 LOT 14 APN 081-132-003-000 LOT 12 1627 PLAYER COURT LOT 15

InSite Land Surveys, P.O. Box 551085, South Lake Tahoe, California 96155 530-577-4815

EXHIBIT "A"

ABANDONMENT AND REDUCTION OF A PUBLIC UTILITY EASEMENT

DESCRIPTION OF EASEMENT AREA BEING ABANDONED

All that certain real property located in the County of El Dorado, State of California, being a portion of the SW1/4 of Section 21, Township 12 North, Range 18 East, M.D.M., more particularly described as follows:

A strip of land, 20 feet in width, being the northerly 20 feet of Lot 13 of Country Club Heights Unit No. 6, the plat of which is filed for record in the office of the El Dorado County Recorder, in Book E of Maps, at Page 102.

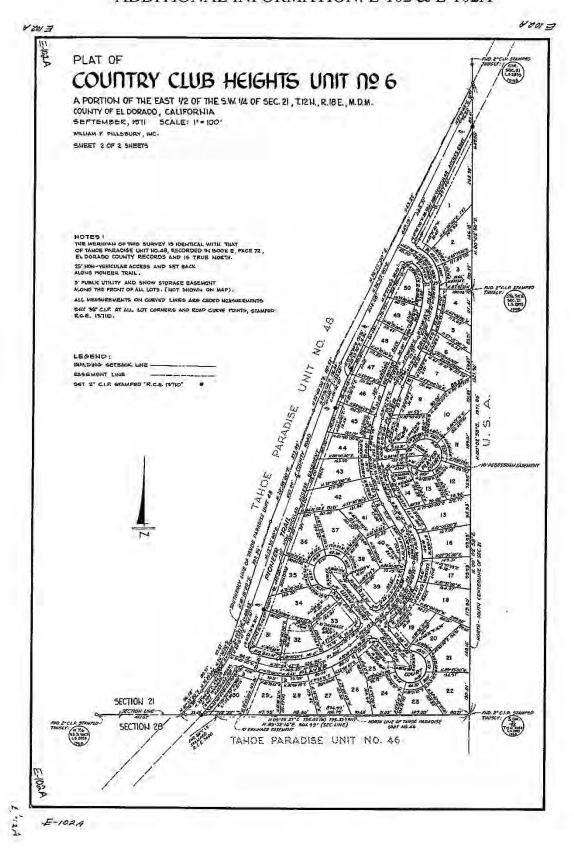
EXCEPTING THEREFROM the northerly 5 feet of said strip.

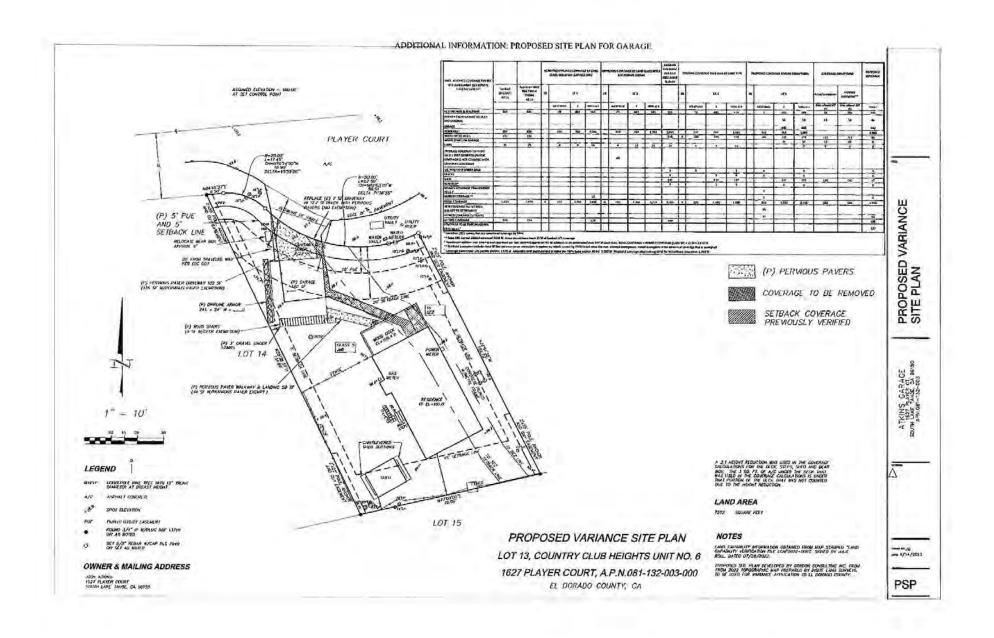
See attached Exhibit "B".

This legal description was prepared by Stephen Brejc, PLS 7949 for Joshua R. Atkins, and is for the purpose of abandoning a portion of the public utilities easements that were created over the herein described strip of land with the filing of said subdivision plat.

Stephen Brejc

ADDITIONAL INFORMATION: E-102 & E-102A







360 Fair Lane, Placerville, CA 95667

Phone (530) 621-5440

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		John Cressaty	Ag	ency:	Liberty Utilities
	ddress: 93				
City: Sc	outh Lake Tah	oe	State:	CA	Zip:96150
Phone:	(775) 72				
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Stephen Brejc

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InSite Land Surveys, P.O. Box 551085, South Lake Tahoe, California 96155 530-577-4815



360 Fair Lane, Placerville, CA 95667

Phone (530) 621-5440

Mailing A	y Contact:R <u>yan Lee, Customer S</u> ddress:1275 Meadow Crest Dr				
	uth Lake Tahoe	State:	CA	Zip:	96150
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	arson City	State:	_NV_	Zip: <u>89702-1190</u>
Phone:	775-887-2898		_	
Email:	frank.lee@swgas.com		_	
From Par	cel Owner: Joshua Atkins			
Mailing A	ddress: 1627 Player Ct.			
	South Lake Tahoe	State:	CA	Zip: 96150
Phone:	(530) 407-8291			
Email:	josh@ascendantcom.com		T	
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