

## ATTACHMENT 2

### FINDINGS

#### MAP AMENDMENT TM68-0001-C5/Dito Board of Supervisors/July 1, 2008

#### 1.0 CEQA FINDINGS

- 1.1 The map amendment is Statutorily Exempt from the requirements of CEQA pursuant to *Section 15268(b) (3)*.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is base are in the custody of the Development Services at 2850 Fairlane Court, Placerville, CA.

#### 2.0 Map Correction Findings

- 2.1 *That there are changes in circumstances which make any and all of the conditions of such a map no longer appropriate or necessary.*

The changes in circumstances are a result of the Glenridge Park Unit No. 2, Subdivision Map E-20 being recorded on October 7, 1968, prior to the existence and requirements of the current El Dorado County Zoning Ordinance and the Tahoe Regional Planning Agency (TRPA). The inherent conflict between potential structures located at the 25-foot building setback line and the later evolving coverage and driveway requirements of the TRPA make the project parcel difficult to develop as is allowed by right under the current zone district (TR1) and the 2004 General Plan Designation (Adopted Plan). Under the current zone district, *County Code Section 17.14.020* allows a 50 percent reduction in front yard setback for main buildings if the front half of the property is comprised of slopes greater than 25 percent, and *County Code Section 17.14.030* allows a 50 percent reduction in front yard setback for single-story private garages if the building site is six (6) feet above or below the street elevation at the edge of the roadway. Without the recorded map setback, *Sections 17.14.020 and/or 17.14.030* could be applied to development on this parcel. This necessitates the removal of the setback line and allows a typical residential structure to be constructed upon the lot, compliant with TRPA requirements, and all applicable El Dorado County Ordinances and Codes.

- 2.2 *That the modifications proposed do not impose any additional burden on the present fee owner of the property.*

Amending recorded Subdivision Map E-20 for Lot 64 (Assessor's Parcel Number 034-363-10) within Glenridge Park Unit No. 2 subdivision to remove the recorded 25-foot

front-yard setback line for the subject parcel would benefit, and not burden, the current property owner. The amendment accommodates the desire of the owner of the project parcel.

- 2.3 *That the modifications proposed do not alter any right, title or interest in the real property reflected in the recorded map.*

The 25-foot front setback line was presumably originally established in 1968 to match the setback required by the zoning regulations at that time. The Final Subdivision Map amendment does not substantially alter any right, title or interest in the real properties reflected in the recorded map, since the setback has not been consistently applied for past building permits in the subdivision and other exceptions, corrections, and variances have been approved. Sierra Pacific Power Company (SPPC), Tahoe City Public Utility District (TCPUD), American Telephone and Telegraph (AT&T), all of whom have interest in the easement, have had the project proposal distributed to their staff and none responded with concerns regarding the removal of the 25-foot front yard setback line.

- 2.4 *That the map as modified conforms to the provisions of Section 66474 of the Government Code.*

The applicable portion of *Section 66474(g)* requires that the County find the reduction of the 25-foot front yard setback line to 10-feet from Subdivision Map C-20 will not conflict with easements for access through or use of, property within Glenridge Park Unit No. 2 subdivision. No utility company, public agency, or parcel owner with interest in the easement areas within the subject setback line for Lot 64, objected to the setback reduction.