

## **ATTACHMENT 2**

### **FINDINGS**

**File Number TM69-0002C3/Harr Final Map Amendment  
Map E-29, Lot 128, Gold Ridge Forest Unit 1  
Board of Supervisor's Hearing January 13, 2009**

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made:

#### **FINDINGS FOR APPROVAL**

##### **1.0 CEQA Findings**

- 1.1 The map amendment project 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 Gold Ridge Forest Unit 1 subdivision being recorded in 1969, prior to the existence and requirements of the current El Dorado County Zoning Ordinance. Under the current zone district, Section 17.14.020 (*Front Setback Reduction for Slope*), the required distance between the main building and the property line at the highway or county road may be reduced by up to fifty percent. Section 17.14.030 (*Setback variation for private garage*), allows a 50 percent reduction in front yard setback if the elevation at the required building line is more than six feet above or below the street elevation. With the reduction of the recorded map building setback and public utility easement to 12.5 feet, Section 17.14.030 could be applied to development on this parcel.
- 2.2 **That the modifications proposed do not impose any additional burden on the present fee owner of the property.** Reducing both the 25-foot building setback and the 20-foot front public utility easement to 12.5 feet for the subject lot, would benefit, and not burden, the current owners as it would allow them to reduce the length and the steepness of their driveway as well as create additional area for septic facilities and replacement area.

- 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 established in 1969 to match the setback required by the zoning regulations at that time. All applicable utility companies which have interest in the 20-foot public utility easement have responded stating no concerns regarding the reduction of the building setback and public utility easement lines to 12.5 feet.
- 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 building setback to 12.5-feet would not conflict with easements for access through or use of, property within the Gold Ridge Forest Subdivision. No utility company, public agency, or parcel owner with interest in the easement areas within the subject setback line for Lot 128 objected to the building setback and public utility easement reduction.