



PLANNING AND BUILDING DEPARTMENT

PLANNING DIVISION

www.edcgov.us/Government/Planning

PLACERVILLE OFFICE:

2850 Fairlane Court, Placerville, CA 95667

BUILDING

(530) 621-5315 / (530) 622-1708 Fax

bldgdept@edcgov.us

PLANNING

(530) 621-5355 / (530) 642-0508 Fax

planning@edcgov.us

LAKE TAHOE OFFICE:

924 B Emerald Bay Rd

South Lake Tahoe, CA 96150

(530) 573-3330

(530) 542-9082 Fax

TO: County of El Dorado Agricultural Commissioner/Commission

FROM: Jon Philip Mijat, Associate Planner

DATE: March 17, 2021

RE: **ADM21-0010 Tuttle Agricultural Setback Relief**
Administrative Relief from Agricultural Setback to Build Dwelling
Assessor's Parcel Number: 099-150-059-000

Planning Request and Project Description:

The applicant is requesting administrative relief from the required 200-foot agricultural setback for the above-referenced project be reduced to 68 feet from the south west corner of the panhandle of parcel 099-150-058 for a dwelling through building permit number 336095.

The applicant's parcel, APN 099-150-059, is 7.36 acres and zoned Rural Lands -10 acre (RL-10). The parcel located to the north is 099-150-058 is zoned Limited Agriculture 10 acre (LA-10); the parcel to the east is 099-150-042 is zoned RL-10; the parcel located to the south is 099-160-011 zoned RL-10; and the parcels located to the west is 099-150-016 & 099-150-020 is zoned Residential Estates 5 acre (RE-5). The parcels to the north, east, west, and the subject parcel are in Supervisor District 3. The properties to the south are in Supervisor District 2. The subject parcel and those to the north, east and south are located in an Agricultural District.

Please see attached application packet that includes site plans that illustrate this request.

Re: Submitted

3-11-21

To: Jon Philip Mijat - Assistant Planner
jon.mijat@edc.gov.us (530-621-5993)

Re: ADM 21-0010 Agricultural Setback Relief
for Dwelling Unit APN 099-150-059-000
Bldg Permit # 336095 TUTTLE

Requested additional Info:

a. pls see Project Narrative with
property line information requested
b. pls see attached to-scale site plan
with 100' drainage easement and
50' PUE and two large Quercus
lobata located on said plan.

c. The legal description that references
DOC# 2020-005510/easements is in fact the purchasers
(see Doc herewith) (the church) statement of its rights to
build a church with parking and
landscaping. The EDC Surveyors
office after careful review could
not find that it was an easement
that could be identified as any
type of restriction for the new
owner/purchaser. [The word
"easement" was not used in its
typical/legal meaning]

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MAR 11 2021
BLD DOGADO COUNTY
BUILDING DEPARTMENT

Project Narrative for Mark + Melissa Tuttle -

We are requesting administrative relief from agriculture setback. Our reasons for this request are as follows:

1. The ag. property bordering our parcel is used for a driveway & is not used for ag. purposes.
2. It is the only suitable building site on the parcel.
3. The adjoining property in question is 310' from the proposed dwelling but is only 68' from a corner of a narrow driveway peninsula of said property. (Please see attached site plan)

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ALPINE COUNTY
BUILDING DEPARTMENT

PLEASANT VALLEY ROAD

SITE PLAN
scale: 1"=30'

A.P.N. : 099-150-59 7.56 ACRES

ADM 21-0010

336095

COWBOY TRAIL

511.00'

50' RUE

5' dia
Quercus lobata

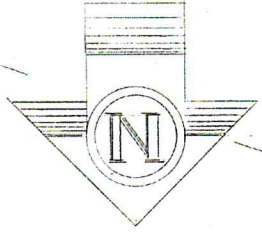
Pinus

FF = 22'

driveway

100' drainage easement

5' dia
Quercus lobata





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Administrative Permit Application

File # assigned by County ADM 21-0010

Assessor's # (s) 09915059

Project Name/Request (describe proposed use) Single family residence - Ag setback relief

Applicant Name Mark & Melissa Tuttle

Mailing Address 4011 Cowboy Trail, Placerville, Ca 95667

Phone: 530-409-5678 Email: mark_tuttle@sbccglobal.net

Property Owner Mark & Melissa Tuttle

Mailing Address 4011 Cowboy Trail, Placerville, Ca 95667

Phone 530-409-5678 or 5679 Email mark_tuttle@sbccglobal.net

Please list additional property owners on a separate sheet, if applicable

Engineer/Architect Lowell Smith

Mailing Address 1480 Canyon Falls Rd., Placerville, Ca 95667

Phone: 530-409-5854

Email: _____

Location: The property is located on North side of Pleasant Valley Rd.

North West side of the intersection with Cowboy Trail

In the Placerville area. PROPERTY SIZE 7.36 Acres (acreage or Sq Ft)

Mark D. Tuttle
X Signature of property owner or authorized agent

3/2/21
Date

FOR OFFICE USE ONLY

Date 3/5/21 Fee \$ 594- Receipt # R29655 Rec'd by PLBLD Census _____

Zoning RL-10 GPD RR Supervisor Dist 3 Sec _____ TwN _____ Rng _____

Action by Staff Level ☐

Action by Board of Supervisors ☐

Approval/Hearing Date _____ Approval/Hearing Date _____

Findings/Conditions
Attached

Findings/Conditions
Attached

Appeal

Approved ☐

Denied ☐



PLANNING AND BUILDING DEPARTMENT

PLANNING DIVISION

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ADM21-0010

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(530) 621-5355 / (530) 622-0508 Fax
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Administrative Permit, Relief, or Waiver

PURPOSE

An Administrative Permit is required in cases where limited review of a proposed structure or use is necessary to verify compliance with established standards adopted to ensure compatibility with adjacent uses and availability of public services and infrastructure. The Administrative Permit is used for the processing of Oak Tree/Oak Woodland Removal Permits in compliance with Oak Resources Conservation Ordinance Section 130.39.060 (Oak Tree and Oak Woodland Removal Permits – Ministerial Development Projects), administrative relief or waiver requests in compliance with Zoning Ordinance Subsection 130.52.010.B (Administrative Relief or Waiver) or to establish the legal nonconforming status of a use or structure in compliance with Zoning Ordinance Chapter 130.61 (Nonconforming Uses, Structures, and Lots).

The issuance of an Administrative Permit shall be a ministerial project pursuant to the California Environmental Quality Act (CEQA).

INITIAL PROCESS

1. Applicant/agent prepares all required submittal information and makes an appointment to submit the application to the Planning Division, (530) 621-5355 or schedule an appointment
2. The Planning Division reviews submittal and makes a determination on zoning conformance or if public hearing is required within 20 working days.

NOTE: Ranch marketing and winery activities require Agricultural Commission review, extending the determination by approximately 30-45 days.

APPEALS

If an appeal is requested, Zoning Ordinance 130.52.090, it must be made within ten working days from date of decision and filed with Planning Division and applicable fees paid.

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MAY 11 2021

FEES

Current application and revision fees may be obtained by accessing the Planning Division online [fee schedule](#) or calling (530) 621-5355.

Should your application be denied, application fees are nonrefundable. Should you request withdrawal of the application, you may receive only that portion of the fee which has not yet been expended.

DEED RESTRICTIONS

Please review and understand any private deed restrictions recorded against your property to insure your proposed application does not violate such deed restrictions. If a conflict exists between the deed restrictions and your application, the County can still approve your application and issue necessary permits. **However, County approval does not absolve your obligation to comply with deed restrictions.**

APPLICATION

If the application and submittal requirements are not attached to this information packet, please contact Planning Services. You may also call Planning Division at (530) 621-5355 for general assistance.

APPOINTMENT

Applications are accepted by appointment only: [Schedule an appointment](#) or call (530) 621-5355. Please have all required submittal information completed before your appointment.



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ADM 21-0010

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Planning
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South Lake Tahoe, CA 96150
(530) 573-3330 / (530) 542-9082

The required application materials are listed below. Please use on the ☐ left to be sure you have all the required information. **The application will be deemed incomplete and will not be accepted if not provided.** All plans and maps must be folded to 8½" x 11".

Applications are accepted by appointment only. Schedule an appointment call (530) 621-5355 or call (530) 621-5355. Please have all required submittal information completed before your appointment.

Required Forms and Maps

1. ☒ Application form and agreement for payment of processing fees are complete and signed.
2. ☐ n/a Letter of authorization from all property owners authorizing agent to act as applicant, when applicable.
3. ☒ Proof of ownership (Grant Deed), if the property has changed title since the last taxroll.
4. ☒ Please attach a Project Narrative that includes what the request is for and any history or special circumstance.
5. ☒ An 8 ½" x 11" vicinity map showing the location of the project in relation to the distance to major roads, intersections, and townsites.

2021-06-05 AM 11:16
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Oak Tree/Oak Woodland Removal

The following supplemental information is required if any oak woodlands, individual native oak trees, or heritage trees, as defined in El Dorado County Zoning Ordinance, Section 130.39.030, will be impacted by the project consistent with Section 130.39.070.

If Oak Resources *will not* be impacted

1. ☐ Oak Resources Technical Report prepared by a qualified professional consistent with Section 2.5 of the Oak Resources Management Plan

If Oak Resources *will* be impacted

1. ☐ Completed Oak Resources Technical Report Checklist, also available from Planning Division. Include supplemental data for impacted individual native oak trees within oak woodlands, as applicable.
2. ☐ Security deposit for on-site oak tree/oak woodland retention and/or replacement planting (if proposed as part of project mitigation) consistent with El Dorado County Zoning Ordinance, Section 130.39.070.G
3. ☐ Reason and objective for impact to oak trees and/or oak woodlands.

Required Information on Site Plan

Three copies plus an **electronic copy** of the site plan detailing what exists on the site at the time of application shall be submitted on 24" x 36" sheets or smaller, drawn to scale, and of sufficient size to clearly show all details and required data. **All plans MUST be folded to 8 1/2" x 11", plus one 8 1/2" x 11" reduction. No rolled drawings will be accepted.**

1. ☒ Three site plan copies plus an electronic version
2. ☒ Project name, applicant name, address and designer, if applicable
3. ☒ North point, and scale
4. ☒ Entire parcel showing perimeter with dimensions
5. ☒ All roads, alleys, streets, include all names
6. ☒ Location of easements, stating purpose and width
7. ☒ All existing and proposed uses (buildings, driveways, dwellings, utility transmission lines, etc.)
8. ☐ n/a Parking and loading stalls with dimensions (refer to Zoning Ordinance 130.35 and the Community Design Standards - Parking and Loading Standards)

9. ☐ n/a Location(s) for trash/litter storage or collection areas and propane tank(s)
10. ☐ n/a Total gross square footage of proposed buildings
11. ☒ Proposed/existing fences or walls
12. ☐ n/a Sign locations and sizes, if proposed (refer to Zoning Ordinance 130.16)
13. ☐ n/a Pedestrian walkways, courtyards, etc., if proposed
14. ☐ n/a Exterior lighting plan, if proposed. Include a Photometric Study and fixture specifications (refer to Zoning Ordinance 130.35 and the Community Design Standards - Outdoor Lighting Standards) Existing/proposed water, sewer, septic systems and wells, if applicable
15. ☐ n/a Existing/proposed fire hydrants
16. ☐ n/a Location of rock outcropping, lava caps, drainage courses, lakes, canals, reservoirs, rivers, streams, spring areas subject to inundation and wetlands, if applicable. Show respective 100-foot and 50-foot septic system setbacks when a septic system is proposed.
17. ☐ n/a Identify areas subject to a 100-year flood on perennial streams or creeks, and show high water level (100 year) on map
18. ☐ n/a Note any proposed trails or connection to existing/proposed trail systems.
19. ☐ n/a Summary table on plans (or attached) demonstrating compliance with zoning regulations regarding the following:
- a. ☐ Signs (refer to Zoning Ordinance 130.16)
 - b. ☐ Parking (refer to Zoning Ordinance 130.35 and the Community Design Standards - Parking and Loading Standards)
 - c. ☐ Landscaping (refer to Zoning Ordinance 130.33 and the Community Design Standards - Landscaping and Irrigation Standards)
 - d. ☐ Development standards regarding maximum coverage for the lot (refer to applicable zone district development standards)

Preliminary Landscape Plan Requirements

We require a landscaping plan for all new discretionary proposals (refer to Zoning Ordinance 130.33, Community Design Standards - Landscaping and Irrigation Standards and Model Water Efficient Landscape Ordinance (MWELO))

1. ☐ n/a Two copies folded into 8½" x 11", plus one 8½" x 11" reduction, plus an electronic copy
2. ☐ n/a Location, quantity, and a gallon size of proposed plant material (refer to Zoning Ordinance 130.33 and the Community Design Standards - Landscaping and Irrigation Standards)
3. ☐ n/a Location, type (pine, oaks, etc.), quantity, and size of all existing trees in areas subject to grading or may be removed/affected by proposed improvements.
4. ☐ n/a List of common and botanical names of plant material. Drought tolerant species are required and a list is available in Planning Division (refer to Zoning Ordinance 130.33 and the Community Design Standards - Landscaping and Irrigation Standards)
5. ☐ n/a Location/type of irrigation proposed.

**The final Landscape Plan will ultimately be required to meet the County's
Water Conserving Landscape Standards and Model Water Efficient Landscape Ordinance
Model Water Efficient Landscape Ordinance (MWELO)**

APPOINTMENT

Applications are accepted by appointment only. Schedule an appointment or call (530) 621-5355. Please have all required submittal information completed before your appointment.

Electronically Recorded in Official Records
County of El Dorado
Janelle K. Horne
Recorder-Clerk

DOC# 2020-0055101

10/02/2020

Titles: 1 Pages: 4

02:54 PM

Fees	\$23.00
Taxes	\$247.50
CA SB2 Fee	\$0.00
Total	\$270.50

MMF

RECORDING REQUESTED BY:
Simplifile & Old Republic Title FBO
Markham and Melissa Tuttle
4004 Cowboy Trail
Placerville, CA 95667

AND WHEN RECORDED MAIL THIS DEED AND
UNLESS OTHERWISE SHOWN BELOW,
MAIL TAX STATEMENTS TO:
Markham and Melissa Tuttle
4004 Cowboy Trail
Placerville, CA 95667

ESCROW NO. 304789NCT
TITLE ORDER NO.2202063982A-52

APN: 099-150-059-000

Space Above This Line For Recorder's Use

Property No.548-1775

- ☐ This transfer is exempt from the documentary transfer tax.
☐ The documentary transfer tax is \$247.50 and is computed on:
 ☒ the full value of the interest or property conveyed.
 ☐ the full value less the liens or encumbrances remaining thereon at the time of sale.
The property is located in ☒ an unincorporated area ☐ the city of Placerville

CORPORATION GRANT DEED

By this instrument dated 29th day of September, 2020, and for a valuable consideration, **THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS**, a Utah corporation sole, formerly known as, **CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS**, a Utah corporation sole, hereby **GRANTS** to **MARKHAM D. TUTTLE AND MELISSA C. TUTTLE, HUSBAND AND WIFE AS COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP**, the following described real property in, County of El Dorado, State of California:

See Exhibit "A" attached hereto and made part thereof.

Subject to easements, rights, rights-of-way, reservations, conditions, restrictions, covenants and taxes and assessments of record or enforceable in law or equity.

RECORDING REQUESTED BY:
Simplifile & Old Republic Title FBO
Markham and Melissa Tuttle
4004 Cowboy Trail
Placerville, CA 95667

THIS DOCUMENT HAS BEEN RECORDED ELECTRONICALLY
ENTRY # 2020-0055101 DATE 10/02/2020 @ 2:54 PM

AND WHEN RECORDED MAIL THIS DEED AND
UNLESS OTHERWISE SHOWN BELOW,
MAIL TAX STATEMENTS TO:
Markham and Melissa Tuttle
4004 Cowboy Trail
Placerville, CA 95667

ESCROW NO. 304789NCT
TITLE ORDER NO.2202063982A-52

APN: 099-150-059-000

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☐ The documentary transfer tax is \$247.50 and is computed on:
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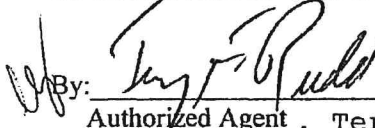
See Exhibit "A" attached hereto and made part thereof.

Subject to easements, rights, rights-of-way, reservations, conditions, restrictions, covenants and taxes and assessments of record or enforceable in law or equity.

The Grantor specifically reserves, excepts and retains Mineral Rights. For purposes of this instrument, "Mineral Rights" include, whether on, in or under the premises, all of the following-- minerals, whether common or precious; coal; carbons; hydrocarbons; oil; gas; petroleum; chemical elements and substances whether in solid, liquid or gaseous form; and steam and all sources of geothermal energy. In the event all or part of the Mineral Rights have been reserved or severed previously from the surface estate, grantor hereby reserves, excepts and retains all of the Mineral Rights not previously reserved and reserves, excepts and retains its after-acquired title to all of the Mineral Rights to the extent that prior reservations thereof are released or abandoned after the date of this conveyance.

IN WITNESS WHEREOF, said corporation has caused its corporate name and seal to be affixed hereto and this instrument to be executed by its Authorized Agent.

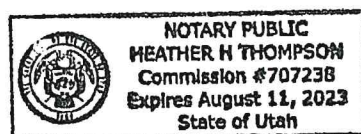
THE CHURCH OF JESUS CHRIST OF LATTER-
DAY SAINTS, a Utah corporation sole
f/k/a/CORPORATION OF THE PRESIDING
BISHOP OF THE CHURCH OF JESUS CHRIST
OF LATTER-DAY SAINTS, a Utah corporation sole

By: 
Authorized Agent, Terry F. Rudd

STATE OF UTAH)
 :SS
COUNTY OF SALT LAKE)

On this 29th day of September, 2020, before me, the undersigned officer, personally appeared Terry F. Rudd, acting in the capacity of Authorized Agent for The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole, f/k/a Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole, and known to me (or proved to me on the basis of satisfactory evidence) to be the person described in and whose name is subscribed to the foregoing instrument, and acknowledged before me that he executed the foregoing instrument for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



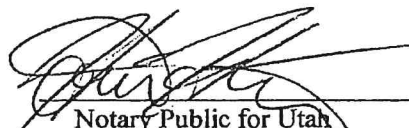

Notary Public for Utah

EXHIBIT A

The land referred to is situated in the unincorporated area of the County of El Dorado, State of California, and is described as follows:

Parcel One:

Parcel 2, as shown on the Parcel Map, filed March 27, 1998 in Book 46 of Parcel Maps, at page 103, El Dorado County Records.

APN: 099-150-059-000

Parcel Two:

An exclusive easement in perpetuity for improvements of any kind or nature not limited to but including parking, landscaping and other improvements for the benefit of the Church Meetinghouse Site to be placed upon the adjacent property of grantee including the right to construct, operate, maintain, replace, reconstruct, improve, repair and remove such improvements as said grantee may from time to time require, on the following described property located in the County of El Dorado, State of California, and more particularly described as follows, to-wit:

A portion of the Northeast 1/4 Section 25, Township 10 North, Range 11 East, M.D.M., more particularly described as follows:

Portion of Parcel 2 as shown on that certain Parcel Map on file in the office of the Recorder of the County of El Dorado, California in the Book 44 of Parcel Maps, at page 111, more particularly described as follows:

Commencing at a 3/4 inch diameter capped iron pipe stamped LS 4130 set at the Southwesterly corner of said Parcel 2 and from which point a 1/1-2 inch diameter capped iron pipe stamed "LS 3961, S 1/16, S 24-25, 1978" bears the following 3 courses:

- 1) North 00°23'21" West 1138.75 feet;
- 2) South 83°50'30" East 469.86 feet and
- 3) South 79°00'00" East 245.74 feet;

Thence from said point of commencement the following two courses:

- a) along the Westerly property line of siad Parcel 2 North 00°23'21" West 239.88 feet, thence
- b) North 89°36'39" East 394.19 feet, to the true point of beginning;

thence from the true point of beginning the following five courses:

- A) North 89°36'39" East 70.04 feet; thence

- B) South $02^{\circ}14'58''$ East 233.59 feet to a point on the cul-de-sac bulb representing a public utility easement on said Parcel Map; thence
- C) along the curve of the cul-de-sac bulb to the left having a radius of 60.00 feet, an arc length of 55.59 feet, a central angle of $53^{\circ}05'00''$ subtended by a chord bearing South $31^{\circ}12'32''$ West, 53.62 feet to the Southerly line of said Parcel 2, thence
- D) along the Southerly line of said Parcel 2 North $85^{\circ}19'58''$ West 40.73 feet; thence
- E) North $02^{\circ}14'58''$ West 275.70 feet to the true point of beginning.

Project Narrative for Mark + Melissa Tuttle -

We are requesting administrative relief from agriculture setback. Our reasons for this request are as follows:

1. The ag. property bordering our parcel is used for a driveway + is not used for ag. purposes.
2. It is the only suitable building site on the parcel.

2021 MAR -5 AM 11:31
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DEPARTMENT OF AGRICULTURE WEIGHTS AND MEASURES

Juli Jensen
Agricultural Commissioner
Sealer of Weights and Measures

311 Fair Lane
Placerville, CA 95667
(530) 621-5520
(530) 626-4756 FAX
eldcag@edcgov.us

ADM 21-0010

REQUEST FOR ADMINISTRATIVE RELIEF FROM AN AGRICULTURAL SETBACK - APPLICATION

APPLICANT(S) NAME(S): Mark & Melissa Tuttle

SITE ADDRESS: 4011 Cowboy Trail, Placerville, Ca 95667

MAILING ADDRESS: Same as above

TELEPHONE NUMBER(S): (DAY) 530-409-5678 (EVE) 530-409-5679

APN#: 09915059 PARCEL SIZE: 7.3 acres ZONING: RL10

LOCATED WITHIN AN AG DISTRICT? YES ☒ NO ☐ ADJACENT PARCEL ZONING: Varies

IF THE ADJACENT PARCEL IS ZONED TPZ OR NATURAL RESOURCES, IS YOUR PROPERTY LOCATED WITHIN A COMMUNITY REGION OR RURAL CENTER? YES ☐ NO ☒ NOT APPLICABLE

REQUIRED AG SETBACK: 200 foot SETBACK YOU ARE REQUESTING: 65 foot

REQUESTED USE (AGRICULTURALLY-INCOMPATIBLE): Single family residence

DO YOU HAVE A BUILDING PERMIT FOR REQUESTED USE? ☒ YES (Permit # 336095) NO ☐

PLEASE ANSWER THE FOLLOWING:

1. ☒ YES ☐ NO Does a natural barrier exist that reduces the need for a setback?
(☐ Topography ☒ Other Driveway)
2. YES ☒ NO ☐ Is there any other suitable building site that exists on the parcel except within the required setback?
3. ☒ YES ☐ NO Is your proposed agriculturally-incompatible use located on the property to minimize any potential negative impact on the adjacent agricultural land?
4. List any site characteristics of your parcel and the adjacent agricultural land that the Agricultural Commission should consider (including, but not limited to, topography, vegetation, and location of agricultural improvements, etc.):

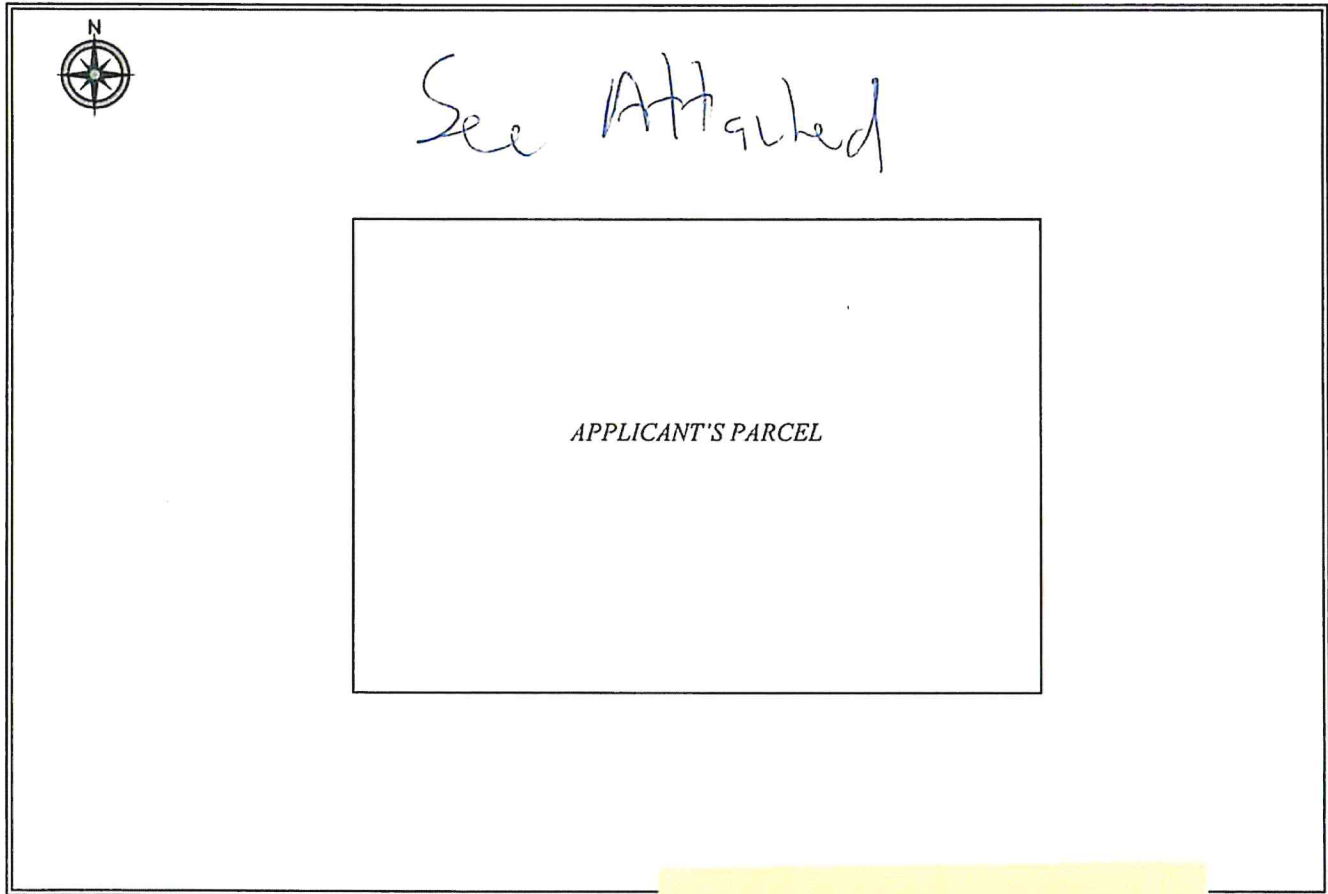
No ag. activity on the ag. zone parcel bordering our parcel. (It is a driveway) The location of house would have no negative impact. No other location on property would be suitable for the house.

IN THE DIAGRAM BELOW, SHOW THE FOLLOWING:

- A. Zoning of your parcel
- B. Zoning of adjacent parcels
- C. Placement of agriculturally-incompatible use
- D. Indicate requested setback distance
- E. Indicate any unique site characteristics of property

2021 APR -5 AM 11:31

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See Attached

APPLICANT'S PARCEL

ANY ADDITIONAL COMMENTS?

We would like to have this on the agenda for the Ag. Commis. promptly forward. Thank you.



APPLICANT'S SIGNATURE

Cops! This is supposed to be for Ag's review fee (not Planning's) ADM fee receipt

OFFICE USE ONLY:

☒ Fee Paid

Date: 3/5/21

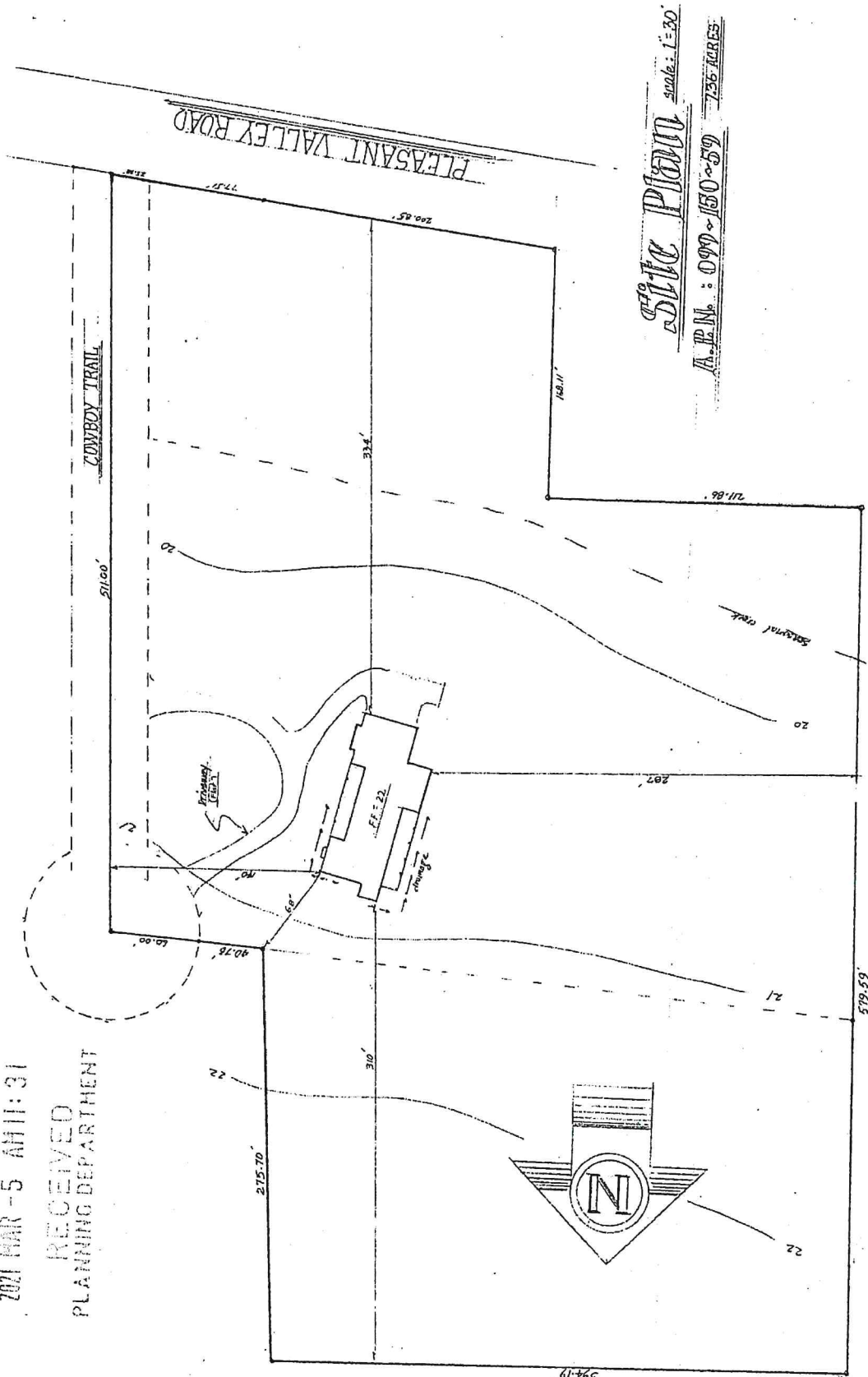
Receipt #:

R29655-ADM permit

Initials:

BD

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2021 MAR -5 AM 11:32
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