



Legislation Text

File #: 07-478, Version: 1

Supervisor Baumann recommending consideration of a swimming pool as an allowed use accessory to an existing single family dwelling on APN 078-060-16 due to circumstances present on subject property.

RECOMMENDED ACTION: Approve.

Supervisor Baumann recommends the Board determine that a swimming pool be considered an allowed use accessory to the existing single family dwelling on APN 078-060-16 due to the specific circumstances present on the subject property.

APN is located within a Timberland Preserve Zone (TPZ) District described in Section 17.44 of Title 17 of the Zoning Ordinance. This Zone District is reserved for properties eligible and enrolled in the Timberland Preserve Program Forest Taxation Reform Act of 1976. Properties within the TPZ District are generally not eligible for residential development. Residential development (i.e. living quarters and outbuildings) is allowed only by Special Use Permit (SUP) where intensive management of the land is necessary for timber operations.

APN 078-060-16 is developed with a single family dwelling recently remodeled under a building permit issued by the County. The original dwelling existed prior to the inclusion of the property within the TPZ District. The recent permit to remodel was issued as the proposed construction remained within the historic footprint of the building.

The property owner has applied for a building permit to install a swimming pool adjacent to the existing single family dwelling. Such residential accessory structures are not listed in Section 17.44 as either allowed by right or by SUP. However, specific circumstances associated with the subject property would support a determination that a pool be allowed as part of the established residential use. These circumstances include:

1. The proposed pool would not involve the removal of any trees or substantially impair any future timber harvesting operations.
2. A pool could serve as a source of fire suppression water in the event of a wildfire in this remote area.
3. The subject parcel is designated "Rural Residential" in the County General Plan. The allowance of a pool would be consistent with this designation.
4. Approximately 85% of the perimeter of the subject property adjoins residentially-zoned lands (RE-5 or RA-20) where a pool would be allowed. Thus, the character of development in the area would not be substantially altered.

Given the above circumstances, the allowance of a pool as an accessory structure to the existing residence would not violate the intent of the TPZ regulations.