



Legislation Text

File #: 09-0235, **Version:** 1

Hearing to consider an appeal of the Conditions of Approval Numbers 8, 9, and 34 of Parcel Map P08-0022 approved by the Zoning Administrator on February 4, 2009, to create two lots consisting of five acres each, served by private wells and septic systems on property identified as APN 091-070-01, consisting of 10 acres, in the Shingle Springs area, Appellant: Parvin Honarvar. (Supervisory District 2)

RECOMMENDED ACTION: Planning Services recommends the Board of Supervisors take the following action: 1. Deny the appeal and uphold the approval of the parcel map as conditioned by the Zoning Administrator, as listed in Attachment 1.

Hearing to consider an appeal of the Conditions of Approval Numbers 8, 9, and 34 of Parcel Map P08-0022 approved by the Zoning Administrator on February 4, 2009, to create two lots consisting of five acres each, served by private wells and septic systems on property identified as APN 091-070-01, consisting of 10 acres, in the Shingle Springs area, Appellant: Parvin Honarvar. (Supervisory District 2)

Background: Parcel Map P08-0022 was approved by the Zoning Administrator on February 4, 2009. An appeal was submitted on February 11, 2009 with the specific reasons and staff's responses listed below.

Specific reasons for appeal:

1. The applicant is requesting the timing of Conditions 8 and 9 be changed from "prior to the filing of the final/parcel map," to "prior to the issuance of a building permit for new construction."

Response: Conditions 8 and 9 make provisions for both on and off-site road improvements, as required by the Design and Improvement Standards Manual. As approved, both the on and off-site portions of Trotter Lane, extending to French Creek Road (approximately 300 feet) will be improved to a 20 foot width with one-foot shoulders on each side prior to filing the parcel map. Further, the Design and Improvement Standards Manual requires these improvements to be surfaced with asphalt due to both the slope of the road and the pre-existing asphaltic surface found on the road. The applicant has cited a specific instance in which the County has allowed road improvements to occur at the time of building permit issuance (Z07-0034/P07-0033 Cemo). In that circumstance, however, the project parcel was undeveloped. Since the parcels would be developed in the future, triggering a permit and, consequently, the required road improvements, the alternate timing of the conditions is acceptable. With the subject parcel map, however, both proposed parcels are developed with existing single family residences. As such, it is likely no permits will be issued in the foreseeable future, and the required road improvements will not be completed.

2. The applicant is requesting Condition 34 be amended to delete the requirement, "provided that written approval from the Fire District is received prior to recording the parcel map."

Response: The first Zoning Administrator hearing for this project was continued allowing time for the applicant and the Fire District to resolve questions about the required fire hydrant. During that time, some discussion was had, though no official comment was received from the Fire District. As such, and in the absence of a representative from the Fire District at the hearing, the Zoning Administrator amended the condition to defer the installation of a hydrant until the time of construction, provided the Fire District provides written approval. Elimination of this provision will effectively circumvent the Fire District's approval of the amended condition and will delay the installation of the hydrant possibly indefinitely as it is likely no permits will be issued in the foreseeable future.

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