

Agenda Item No.: 4.1
Supervisory District: Second
Project Planner: Bahelila Boothe

Plot Plan Number: 24127
Variance No. 1836
Applicant: Gerald Kohutck
Directors Hearing: February 8, 2010
Continued from: January 25, 2010
Continued from: January 11, 2010
Continued from: December 21, 2009
CEQA Exempt

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

This plot plan is a proposal to permit construction of a RV garage/storage building 1st floor 3,960 square foot and 2nd floor 1,582 square foot, 324 square foot free-standing gazebo and Variance No. 1836 to construct building 21 feet from road right of way on .73 acre with existing 1,642 square foot residence located at 2007 Gail Drive in Riverside, CA. APN: 175-320-009.

ISSUES OF RELEVANCE:

The project was continued from the January 25, 2010 Director's Hearing for Planning Staff to verify compliance of the proposed structure with the Variance requirements. Based on the review with counsel, Planning Department will recommend approved of the proposed project based on the finding included in this staff report.

January 25, 2010

The project was continued from the January 11, 2010 Director's Hearing for County Council additional review for compliance with the variance requirements. At this time Planning Department and County Council haven't completed the findings and the project will be continued to the February 8, 2010 Director's Hearing.

January 11, 2010

Applicant has received comment letter from Building and Safety Department regarding construction of this proposed RV garage/storage building, a copy of the comment letter is included in the Planning Department staff report. These issues will be address during the permit process with Department of Building and Safety.

December 21, 2009

This project was continued from the December 21, 2009 Directors Hearing for Planning Department and County Counsel to verify project compliance with Variance Application. As of date, the project is not in compliance with the Variance requirements and staff has not prepared a final determination. At this time Planning Department recommends continuance of the Plot Plan 24127 to the January 25, 2010 Director's Hearing agenda for final recommendations and determination by the department.

RECOMMENDATIONS:

APPROVAL of Plot Plan No. 24127, subject to the attached conditions of approval, and **APPROVAL** of Variance No. 1836, based upon the findings and conclusions incorporated in the staff report.

CONCLUSIONS:

1. The proposed project is in conformance with the Riverside County General Plan.
2. The proposed project is not consistent with Section 18.18 of Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348. Variance No. 1836 will address those issues.
3. The public's health, safety, and general welfare are protected through project design.
4. The proposed project is compatible with the present and future logical development of the area.
5. The proposed project will not have a significant effect on the environment.
6. Accessory buildings are exempt under section 15303(e) of the California Environmental Quality Act.

FINDINGS: The following findings are in addition to those incorporated in the summary of findings, which is incorporated herein by reference.

1. The project has a primary dwelling on the parcel where the accessory building is proposed.
2. The project site is designated Community Development: Medium Density Residential (2-5 DU/AC) on the Jurupa Area Plan.
3. The proposed accessory uses are permitted uses in the general plan designation.
4. The proposed accessory uses are permitted uses, subject to approval of a plot plan in the Residential Agriculture (R-A) zone.
5. The proposed accessory uses are consistent with the development standards set forth in the zone.
6. The location of the subject property is on the corner of Armstrong Road and Gail Drive.
7. The location on this corner requires access to the subject property from Gail Drive.
8. The access from Gail Drive causes the front half of the lot to face Gail Drive.
9. The access from Gail Drive and the location of the adjacent lot to the north causes the subject property to have a smaller back yard and larger side yard than the surrounding properties. The surrounding properties have the traditional larger back yards and less wide side yards.

10. The subject property's smaller back yard will not accommodate the proposed accessory structure; and, therefore, it needs to be placed in the side yard of the subject property.
11. The accessory structure will be placed 21 feet from Gail Road.
12. With the approval of Variance No. 1836, the proposed accessory structure is consistent with the development standards set forth in the zone.
13. There is an adjacent lot to the west of the subject property. The placement of the accessory structure in the side yard will be equal to or greater than 75 feet from the front half of this adjacent lot.
14. There is an adjacent lot to the north of the subject property. The placement of the accessory structure in the side yard will be equal to or greater than 75 feet from the front half of this adjacent lot.
15. The proposed RV garage/storage building 1st floor 3,960 square foot and 2nd floor 1,582 square foot and 324 square foot free-standing gazebo is considered detached accessory buildings under section 18.18 of Ordinance 348.
16. The detached RV garage/storage building is located 30 feet or more from the main building.
17. The accessory building is consistent with the character of the surrounding community.
18. The project conforms to Section 15303, New Construction or Conversion of Small Structures, of the CEQA guidelines and is exempt from CEQA if the project meets the following conditions: Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include but are not limited to: ... (e) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.