

**Minutes
Zoning Administrator Meeting
November 12, 2009**

Staff Present

Charley Stump, Zoning Administrator
Jennifer Faso, Associate Planner
Cathy Elawadly, Recording Secretary

Others Present

Jan Moeller
Ronda Moeller

1. CALL TO ORDER

Zoning Administrator Stump called the meeting to order at 2:07 p.m. in Conference Room No. 1, Ukiah Civic Center, 300 Seminary Avenue, Ukiah, California.

2. SITE VISIT VERIFICATION

Staff confirmed the site visit for item 6A.

3. APPROVAL OF MINUTES: July 9, 2009

Zoning Administrator Stump approved the minutes for July 9, 2009.

4. APPEAL PROCESS

Zoning Administrator Stump read the appeal process. For matters heard at this meeting, the final date to appeal is November 23, 2009.

5. VERIFICATION OF NOTICE

Associate Planner Faso confirmed Minor Variance 09-34 VAR-ZA was legally noticed in accordance with the provision of the Ukiah Municipal Code.

6. PUBLIC HEARINGS

6A. Minor Variance 09-34 VAR-ZA, 284 Carleton Drive, APN 001-392-16. Request for a variance to allow a 17-foot front yard garage setback within the Single Family Residential Zone (R-1).

Zoning Administrator Stump:

- The applicant is requesting a minor variance to allow a 17-foot front yard garage setback from the required front yard setback of 30 feet to enclose a carport for use as a garage in the R-1 Zoning District. Given the existing configuration of the structure on the parcel a 30 foot front yard setback for the garage is not feasible.
- Staff and the applicants are the only persons in attendance.
- Dispensed with the staff report.

Associate Planner Faso indicated a letter in support of the project was included in the staff report packet. There were no negative responses received from the neighborhood regarding the project.

PUBLIC HEARING OPENED: 2:09 p.m.

Jan Moeller questions:

1. Attachment 2, page 7, item 2, \$50 Fish and Game filing fee payable to Mendocino County.

2. Attachment 2, page 7, item 6, 'Plans submitted for building permit must be prepared by an engineer.' It is his understanding that he can draw the plans and have them certified by a licensed engineer.

Associate Planner Faso:

1. This is a standard condition of approval. The \$50 fee was paid at the time the application was submitted for a minor variance.
2. This condition of approval is poorly worded. The City Building Official is asking the applicant to have the building plans approved by a licensed engineer and recommended the applicant consult with the City Building Official about the building plan requirements.

Zoning Administrator Stump revised Condition of Approval No. 6 to read, 'Plans submitted for a building permit shall comply with the requirements of the City of Ukiah Building Official.'

Other than the questions raised above concerning Conditions of Approval nos. 1 & 6, the applicant had no other questions concerning the project findings/conditions and conclusions.

PUBLIC HEARING CLOSED: 2:11p.m.

Zoning Administrator Stump:

- Has visited the site, agrees with the staff report findings/conditions and conclusions.
- There are other garages in the neighborhood that are closer than 30 feet to the street; There are some that are 20 feet closer to street.
- The City Code has been modified such that the property owner is required to maintain a 30 foot front yard setback for new garages as opposed to 20 feet.
- Agrees with staff's analysis that approval of the minor variance would not be a constitute a grant of special privilege to the applicant.
- Agrees with staff analysis regarding the Finding concerning special circumstances. There are special circumstances applicable to the property.
- Added a sentence to Condition of Approval No. 1 to read: 'Plans submitted for a building permit shall be in substantial conformance with the plans approved herein.'

Zoning Administrator Stump approved Minor Variance 09-34 VAR-ZA with Findings 1-4 and Conditions of Approval 1-9 with modifications to Condition of Approval Nos. 1 & 6.

7. ADJOURNMENT

There being no further business, the meeting was adjourned at 2:13 p.m.

Charley Stump, Zoning Administrator

Cathy Elawadly, Recording Secretary