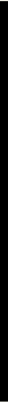


VARIANCES AND TREE PERMIT FOR
2754 LIMERICK ROAD
NEW SINGLE-FAMILY RESIDENCE AND
JUNIOR ACCESSORY DWELLING UNIT,
DRIVEWAY PLATFORM, & CARPORT

COUNTY FILE #CDVR23-01026



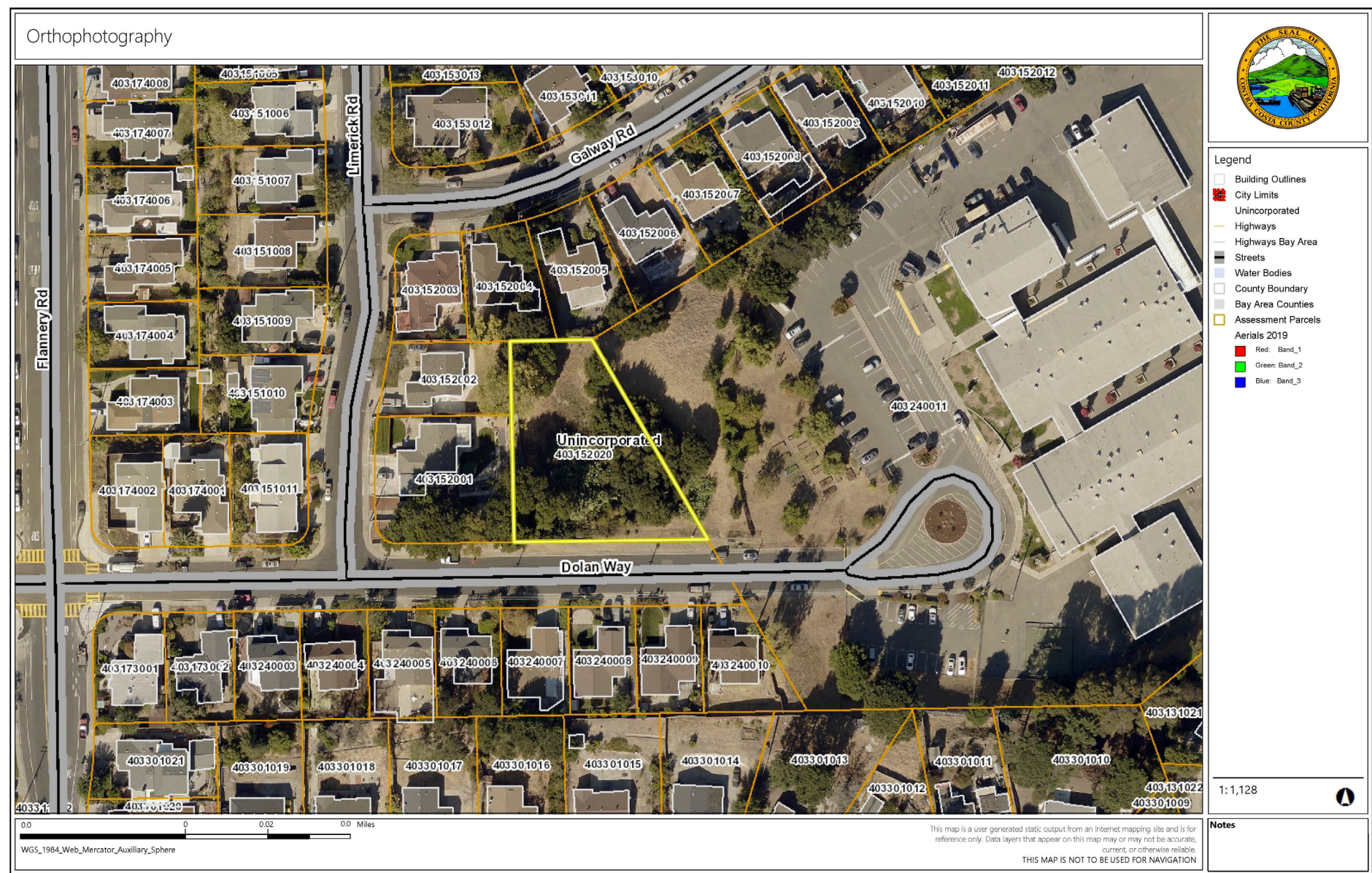
Board of Supervisors
September 16, 2025



Project Description

- New 5,104 square-foot single-family residence with a junior accessory dwelling unit on a vacant lot in the San Pablo area of unincorporated Contra Costa County
- Variances requested:
 - 0-foot front setback for a driveway platform with access from Dolan Way
 - 15-foot front setback for a carport on the driveway platform for off-street parking
- Tree Permit to remove four (4) code-protected trees on the property:
 - Two (2) code-protected coast live oak trees for the construction of the driveway platform and carport.
 - One (1) code-protected red willow tree outside of the construction area due to poor structure (severe lean) and form.
 - One (1) code-protected coast live oak tree outside of the construction area due to poor health, with poor structure and form.

Aerial View



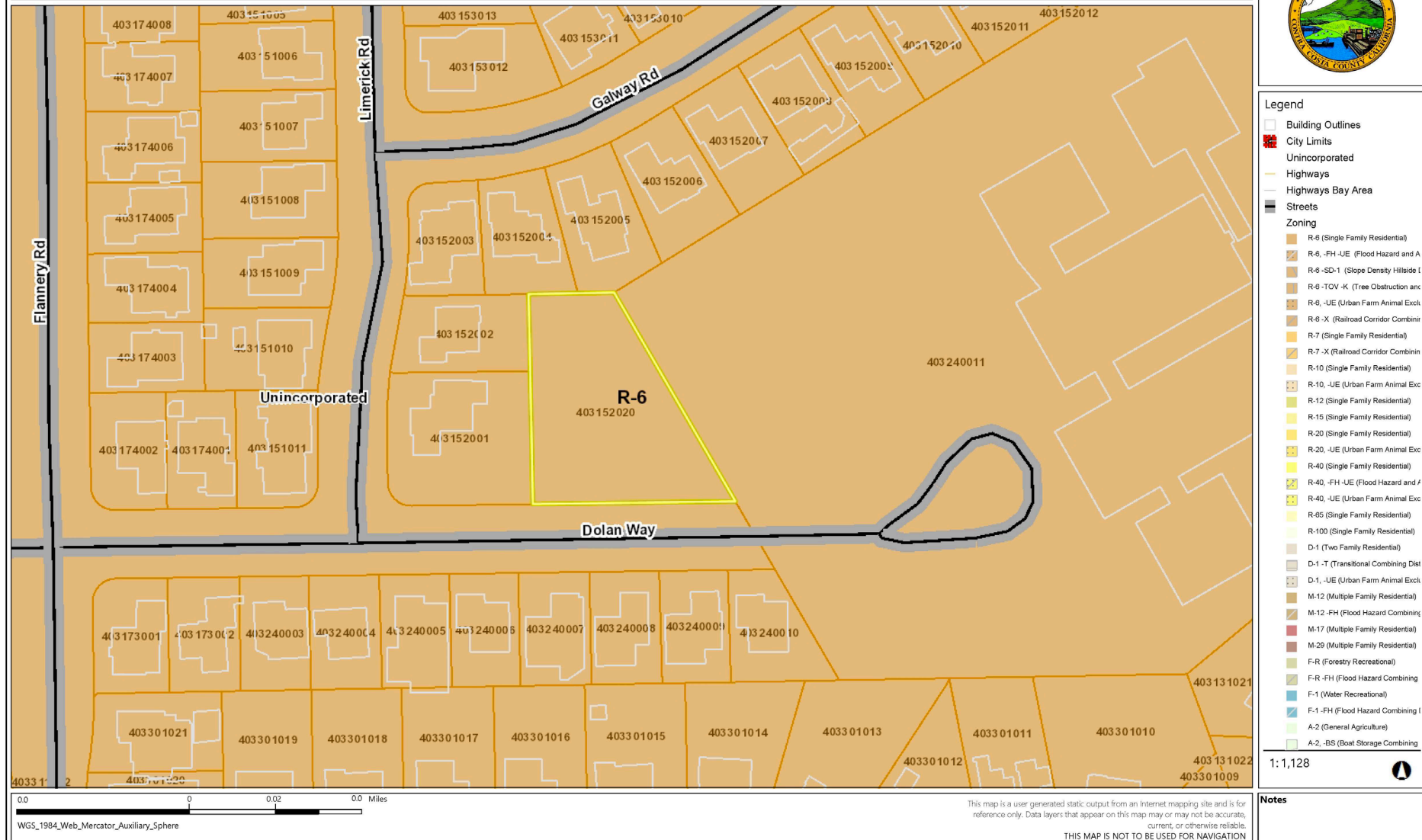
General Plan

General Plan: Single-Family Residential-High Density (SH)



Zoning

Zoning: R-6 Single-Family Residential District



Slope Percentage

SLOPE PERCENTAGE



Background

- April 24, 2023: The subject Variance application with a Tree Permit was submitted.
- May 6, 2024: Matter heard by the County Zoning Administrator, who approved the application with modifications to the findings for Housing Sites Inventory.
- May 15, 2024: One letter from Ronald Collins was received, appealing the Zoning Administrator's decision.
- December 11, 2024: Appeal was heard by the County Planning Commission (CPC), and the matter continued as an open hearing.
- May 28, 2025: At the continued hearing, the CPC granted the appeal and denied the variances and tree permit.
- June 4, 2025: One letter from Carl Adams was received, appealing the CPC's decision.

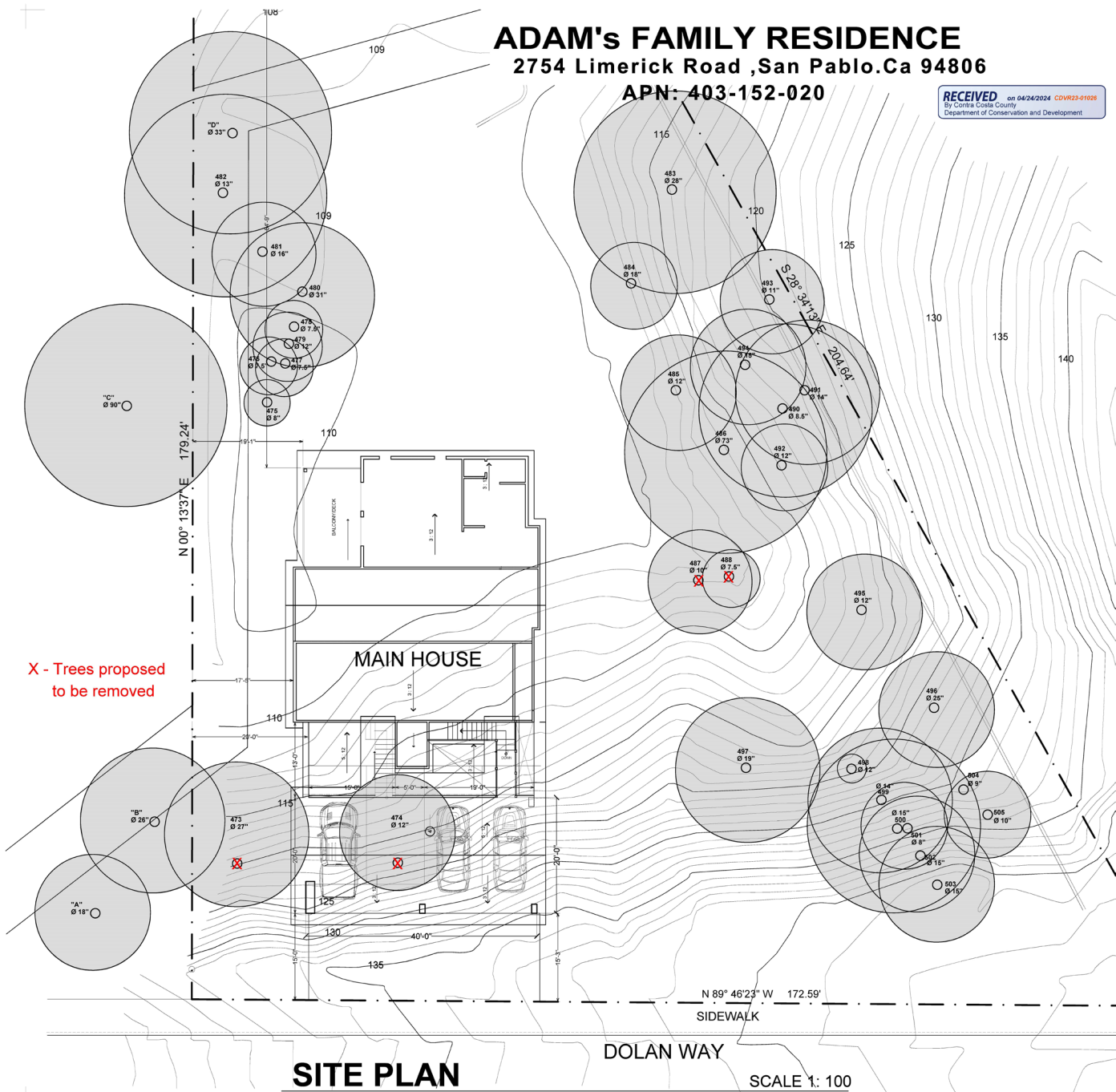
Dolan Way Frontage





LIMERICK ROAD & DOLAN WAY

Site Plan



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ELEVATIONS

Summary of Appeal Points

- The Commission applied an incorrect legal standard for “special privilege” by demonstrating predetermined bias against variance applications by stating that “all variances constitute a special privilege.”
- The Commission misapplied “special circumstances” requirements by requiring geotechnical, biological, and stormwater reports as prerequisites for variance approval, rather than basing their decision on demonstrated property conditions (topography, shape, size) and thereby created new, unwritten standards for variance applications.
- The Commission ignored substantial evidence in support of all required findings including no special privilege, special circumstances due to topography, and meeting the intent and purpose of the R-6 Zoning district, and the Zoning Administrator properly found all three statutory criteria satisfied the findings.

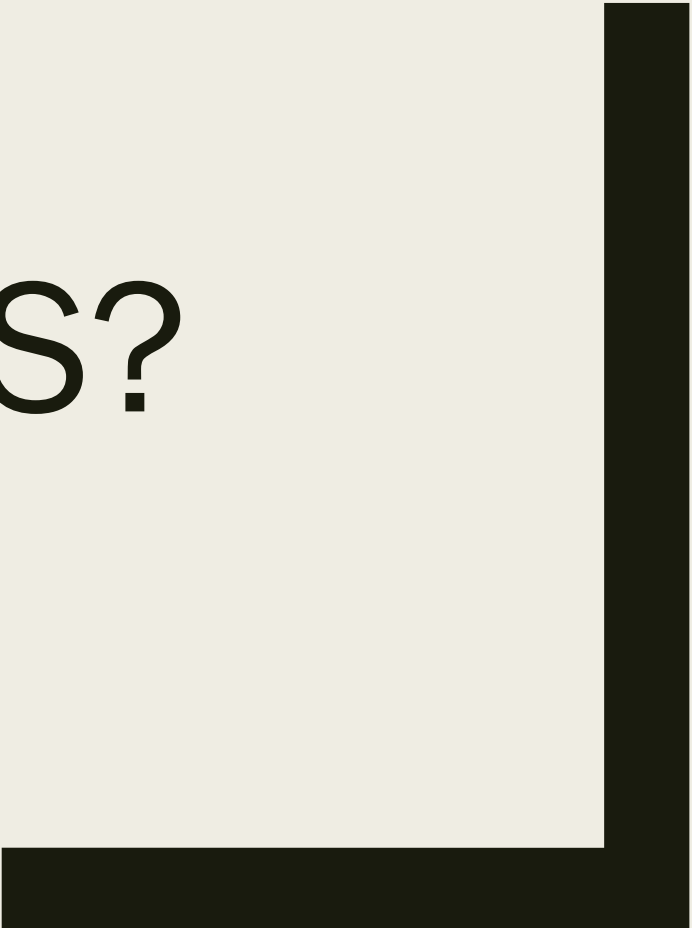
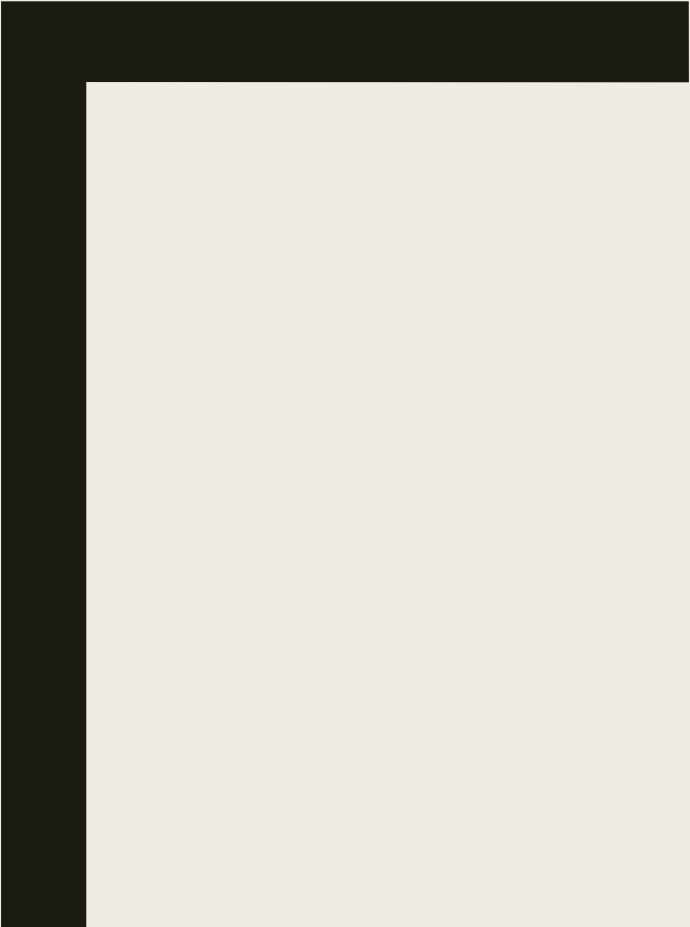
Summary of Appeal Points (continued)

- The project provides needed housing units to address regional housing shortages; denial of the project goes against state law requiring local agencies to facilitate housing development and in meeting the County's Regional Housing Needs Allocation (RHNA).
- None of the neighbor concerns over privacy/views, tree removal, drainage/runoff, and construction impacts override variance criteria.

Staff Recommendation

■ Staff recommends that the Board of Supervisors:

- OPEN the public hearing on an appeal of the County Planning Commission's decision to deny a tree permit and variances to allow the construction of a new, single-family residence located at 2754 Limerick Road in the unincorporated Tara Hills area; RECEIVE testimony; and CLOSE the public hearing.
- GRANT the appeal by Carl Adams.
- DETERMINE that the proposed project is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15303(a) and (e) [new construction of small structures].
- APPROVE the tree permit to allow the removal of four code-protected trees for the purpose of constructing the new, single-family residence.
- APPROVE variances to allow a 0-foot front setback for the construction of a driveway platform structure and a 15-foot front setback for the construction of a three-car carport on the driveway platform.
- APPROVE the attached findings in support of the project.
- APPROVE the project conditions of approval.
- APPROVE the project, County File #CDVR23-01026.
- DIRECT the Department of Conservation and Development to file a CEQA Notice of Exemption with the County Clerk.



QUESTIONS?