



CONTRA COSTA COUNTY

AGENDA

Contra Costa County Planning Commission

Wednesday, November 12, 2025

6:30 PM

30 Muir Road, Martinez

Zoom: <https://cccounty-us.zoom.us/j/84769800896> | **Call in:** (888)278-0254 **Access code:** 198675

CHAIR: Kevin Van Buskirk

VICE-CHAIR: Bhupen Amin

COMMISSIONERS: Jeffrey Wright, Donna Allen, Bob Mankin, Ross Hillesheim, Sanjiv Bhandari

The public may attend this meeting in person at the above location. The public may also attend this meeting remotely via Zoom or call-in. Login information and call-in information is provided below. Persons wishing to view the meeting but not participate may view the meeting live online at: <https://www.contracosta.ca.gov/4314/County-Planning-Commission>.

Persons who wish to address the Commission during public comment on matters within the Commission's jurisdiction that are not on the agenda, or who wish to comment with respect to an item on the agenda, may comment in person, via Zoom, or via call-in. Those participating in person should come to the podium when called upon. Those participating via Zoom should indicate they wish to speak by using the "raise your hand" feature in the Zoom app. Those calling in should indicate they wish to speak by pushing "#2" on their phone.

All public comments will be limited to 3 minutes per speaker. Public comments may also be submitted before the meeting by email at planninghearing@dcd.cccounty.us, or by voicemail at (925) 655-2860. Comments submitted by email or voicemail will be included in the record of the meeting but will not be read or played aloud during the meeting.

For assistance with remote access, please contact County staff at (925) 494-4516

Any disclosable public records related to an item on a regular meeting agenda and distributed by County staff to a majority of the Planning Commissioners less than 96 hours prior to the meeting are available for inspection at 30 Muir Road, Martinez, CA 94553, during normal business hours.

The Community Development Division of the Department of Conservation and Development will provide reasonable accommodations to those persons needing translation services and for persons with disabilities who wish to participate in County Planning Commission meetings. Please contact County staff at least 48 hours before the meeting at (925) 655-2860

1. PLEDGE OF ALLEGIANCE

2. PUBLIC HEARINGS

- 2a. RYAN BYRKIT (Appellant) – RYAN BYRKIT (Applicant and Owner), County File CDVR23-01032: This is an appeal of the Zoning Administrator’s decision to deny a Variance Permit to allow a 585-square-foot metal carport (where 500 square feet is the maximum size allowed for an accessory building) that is 18-feet 2-inches in total height (where 15 feet is the maximum height allowed). The project site is located at 4486 Sandmound Boulevard in the Oakley area of unincorporated Contra Costa County. (Zoning: F-1 Water Recreation District) (Assessor’s Parcel Number: 032-240-045) GF [25-4532](#)

Attachments: [Attachment A CDVR23-01032 Findings CPC](#)
[Attachment B Letter of Appeal](#)
[Attachment C Maps](#)
[Attachment D Photos](#)
[Attachment E Project Plans](#)
[Attachment F CDVR23-01032 Staff Report and Findings ZA 04.07.2025](#)
[Attachment G CDVR23-01032 Staff Report ZA continued 04.21.2025](#)
[Attachment H Agency Comments](#)
[Attachment I PowerPoint Presentation CDVR23-01032 CPC Presentation](#)

3. PUBLIC COMMENTS

4. STAFF REPORT

5. COMMISSIONERS' COMMENTS

6. COMMUNICATIONS

THE NEXT MEETING OF THE CONTRA COSTA COUNTY PLANNING COMMISSION WILL BE HELD ON DECEMBER 10, 2025.



CONTRA COSTA COUNTY

1025 ESCOBAR STREET
MARTINEZ, CA 94553

Staff Report

File #: 25-4532

Agenda Date: 11/12/2025

Agenda #: 2a.

Project Title: 4486 Sandmound Boulevard Variance

County File(s): CDVR23-01032

Appellant: Ryan Byrkit

Applicant/Owner: Ryan Byrkit (Applicant & Owner)

Zoning/General Plan: F-1 Water Recreational District / RLM Residential Low-Medium Density

Site Address/Location: 4486 Sandmound Boulevard in the Oakley area of unincorporated Contra Costa County (Assessor's Parcel Number: 032-240-045)

California Environmental Quality Act (CEQA) Status: Categorical Exemption, CEQA Guidelines Section 15061(b)(4)

Project Planner: Grant Farrington, Planner III (925) 655-2868
grant.farrington@dcd.cccounty.us

Staff Recommendation: Deny (See Section II for Full Recommendation)

I. PROJECT SUMMARY

This is an appeal of the Zoning Administrator's decision to deny a Variance Permit to allow a 585 -square-foot metal carport (where 500 square feet is the maximum size allowed for an accessory building) that is 18-feet 2-inches in total height (where 15 feet is the maximum height allowed).

II. RECOMMENDATION

Department of Conservation and Development, Community Development Division (CDD) staff

recommends that the County Planning Commission:

- A. DENY the appeal.
- B. FIND that the project is exempt from CEQA under Section 15061(b)(4) of the CEQA Guidelines.
- C. UPHOLD the Zoning Administrator's denial of County File CDVR23-01032, based on the attached findings.
- D. DIRECT staff to file a Notice of Exemption with the County Clerk.

III. GENERAL INFORMATION

- A. General Plan: RLM Residential Low-Medium Density.
- B. Zoning: F-1 Water Recreational District.
- C. California Environmental Quality Act (CEQA): CEQA Guidelines Section 15061(b)(4), Review for Exemption, exemption for projects that will be rejected or disapproved by a public agency.
- D. Previous Applications: There are no previous planning applications.

IV. BACKGROUND

- A. CECF22-00793 Code Enforcement Case: Code Enforcement Case CECF22-00793 for a metal accessory/garage building constructed without permits was initiated on November 15, 2022. A Notice to Comply was sent to the property owner on November 18, 2022.
- B. Zoning Administrator Decision on the CDVR23-01032 Variance: A Variance application was accepted by the Department of Conservation and Development, Community Development Division on June 6, 2023. Staff mailed a Notice of Intent to Render Administrative Decision on July 18, 2024 that included a July 29, 2024 deadline to request a public hearing before the Zoning Administrator (ZA) on the application. On July 25, 2024, staff received a hearing request from Ryan Burkit, the applicant and property owner.

On April 7, 2025, the CDVR23-01032 Variance application was heard by the ZA, who continued consideration of the application to the April 21, 2025 meeting. On April 21, 2025, the ZA denied the Variance.

- C. Appeal of the Zoning Administrator Decision: An appeal of the Zoning Administrator

decision was filed on April 30, 2025, within the 10-day appeal period by Ryan Burkit, the applicant and property owner.

V. SITE/AREA DESCRIPTION

The subject property is 12,160 square-foot rectangular lot on the east side of Sandmound Boulevard and west of the Sand Mound Slough. The lot is developed with a two-story single-family residence. An attached second story deck includes a walkway to the levee access road behind the residence. The lot is similar to other properties in the vicinity on the east side of Sandmound Boulevard that abut the Sand Mound Slough and the levee road.

The surrounding area beyond the immediate vicinity includes a mixture of single-family residential and agricultural land uses with some recreational areas inland and adjacent to the waterfront. To the immediate west is the Oakley city limit. The San Joaquin County line is approximately 2.42 miles to the east.

VI. PROJECT DESCRIPTION

The applicant requests approval of a variance to allow a 585 square-foot metal carport (where 500 square feet is the maximum size allowed) with a height of 18-feet 2-inches (where 15 feet is the maximum height allowed). This accessory building was constructed without obtaining prior planning or building approval. The applicant states that the carport is a prefabricated design that does not allow for modifications that would otherwise conform to the size and height limitations of the County Ordinance Code. Approval of the variance will allow the applicant to obtain a building permit for the as-built accessory building.

The subject property is in the AE flood zone, which is a Special Flood Hazard Area designated by the Federal Emergency Management Agency (FEMA). No construction can occur within the Special Flood Hazard Area unless the applicant can verify that the encroachment into the flood zone will not cause a rise in the FEMA-determined Base Flood Elevation (BFE). Verification requires an Elevation Certificate prepared by a licensed surveyor and supporting documentation as to how the base flood elevation was determined relative to the building site. This documentation will be the basis for a Floodplain Permit that will also be required. Accordingly, the applicant will need to obtain an Elevation Certificate and a Floodplain Permit prior to applying for the building permit.

VII. APPEAL

An appeal letter from Ryan Burkit, the applicant and property owner of 4486 Sandmound Boulevard, was received on April 30, 2025. The appeal letter is included as Attachment B. This appeal is based on four appeal points, each of which are summarized below and followed by a staff response.

- A. Appeal Point #1: The accessory building is not out of character with the existing residence on the subject property.

Staff Response: The carport is subject to the size and height limitations established by the County Ordinance Code for accessory buildings in Section 82-4.212. The existing carport exceeds the applicable size and height limitations. As discussed in the ZT89-1 staff report for the 1996 accessory building zoning ordinance, the majority of accessory buildings are designed and built as small scale structures for uses such as garages and storage buildings, and larger accessory buildings appear to be more appropriate for secondary residential uses. Thus, for the zoning ordinance, staff recommended a maximum size of 500 square feet on parcels under 20,000 square feet, which would be the size of a two-car garage, and a maximum size of 600 square feet on parcels over 20,000 square feet, which would be the size of a three-car garage. Staff also recommended a height limit of 15 feet allowing for a single-story structure with a pitched roof.

The request for a variance from the established size and height limitations for accessory buildings must meet the requirements set forth in Section 26-2.2006, Variance permit standards. Staff has not found any special circumstances regarding the property that creates the need for the accessory building to exceed the height and size limitations of the County Code. As a result, the carport is distinctly different from the other accessory buildings that have been constructed in this neighborhood and in the F-1 District and is out of character with its surroundings..

- B. Appeal Point #2: The lot and surrounding area along Sandmound Boulevard are unique because some residences exceed the 35-foot height limitation.

Staff Response: Properties along Sandmound Boulevard are located in the AE flood zone. The AE flood zone is a FEMA-designated Special Flood Hazard Area which has a 1% annual flood risk or a 26% chance of flooding during a 30-year period. FEMA assigns a Base Flood Elevation to Zone AE areas and structures located in AE flood zone must meet specific requirements such as lower levels must meet or exceed the BFE and enclosed areas below the BFE cannot be used as living spaces. On some properties, variances of the maximum 35-foot height have been granted to allow residences constructed on fill to meet the BFE requirements for living spaces. The BFE requirements for living spaces do not apply to accessory buildings that do not include any living space, such as a carport.

The subject lot is flat and there are no apparent unique conditions on property which necessitate a variance to the height and size limitations for accessory structures. The project does not meet the applicable criteria of Section 82-28.1202 for variances within the floodplain due to the project being personal in nature and unique circumstances not being established.

- C. Appeal Point #3: The accessory building will not negatively impact the subject property or the surrounding vicinity.

Staff Response: The F-1 Water Recreational District allows a detached single-family dwelling and auxiliary accessory structures. The metal carport could be consistent with the residential uses allowed in the F-1 District provided it meets the accessory building regulations in County Code Section 82-4.212 that restricts the size of the accessory building to a maximum size of 500 square feet and a maximum height of 15 feet. The intent of the size and height limitations is to maintain a certain scale for an accessory building to be considered as subordinate to the single-family residence. The existing carport exceeds the applicable size and height limitations. As stated above under Appeal Point #1, the carport is distinctly different from the other accessory buildings that have been constructed in this neighborhood and in the F-1 District. Thus, the existing unpermitted accessory building does not meet the intent of the size and height limitations for accessory buildings and creates a negative impact on its surroundings.

- D. Appeal Point #4: Removing the unpermitted building will create a financial hardship for the applicant.

Staff Response: Economic or financial hardship is not a standard set forth in Section 26-2.2006, Variance permit standards, of the County Ordinance Code, and is not considered to be an exceptional qualification which would necessitate the granting of a variance per Section 82-28.468 of the Floodplain Management Ordinance.

VII. STAFF ANALYSIS AND DISCUSSION

The subject property is located along the east side of Sandmound Boulevard where lots in the F-1 Water Recreational District are less than 20,000 square feet and accessory buildings are subject to the size limitation of County Ordinance Code Section 82-4.212(1) of 500 square feet. Accessory buildings are also limited to a height of 15 feet pursuant to County Code Section 82-4.212(2). In this area, accessory structures have been constructed in compliance with the restrictions in the County Code. There appears to be no precedence in the vicinity for permitting an accessory building to be larger than 500 square feet in size and taller than 15 feet in height. Consequently, approval of the requested variance would be considered a grant of special privilege.

The subject property as well as the surrounding lots on the east side of Sandmound Boulevard are predominantly flat, with an elevation of 0 feet that rises to 10 feet near Sand Mound Slough. There does not appear to be any special circumstance applicable to the subject property due to its size, shape, topography, location or surroundings that support relief from the zoning regulations for accessory buildings. The lack of physical constraints on the property does not

show that the applicable zoning regulations would deprive the subject property of the rights enjoyed by other properties in the vicinity and in the F-1 District.

The F-1 District allows a detached single-family dwelling and auxiliary accessory structures. The metal carport could be consistent with the residential uses allowed in the F-1 District provided it meets the accessory building regulations in County Code Section 82-4.212 that restricts the size of the accessory building to a maximum size of 500 square feet and a maximum height of 15 feet. As discussed in the ZT89-1 staff report for the 1996 accessory building zoning ordinance, the majority of accessory buildings are designed and built as small scale structures for uses such as garages and storage buildings, and larger accessory buildings appear to be more appropriate for secondary residential uses. Thus, the intent of the size and height limitations is to maintain a certain scale for an accessory building to be considered as subordinate to the single-family residence. Therefore, approval of a variance to allow the previously constructed oversized accessory building would not meet the intent and purpose of the F-1 District or of the accessory building zoning ordinance.

In addition to the requirements of the F-1 District, the property is located within a floodplain and as such is subject to the provisions of Floodplain Management Ordinance. Article 82-28.12 of the County Code provides criteria for variance requests located within the floodplain based on the general principal of zoning law that variances pertain to a piece of property and are not personal in nature. In addition, the circumstances of the lot must be unique to the property and not shared by the adjacent parcels. The subject lot as well as other properties along Sandmound Boulevard in the floodplain are very similar in nature and no unique circumstances of the lot have been determined which necessitates an accessory structure that exceeds the height and size limitations of the County Ordinance Code. Therefore, the provisions of Chapter 82-28 do not apply.

VIII. CONCLUSION

The subject property is a predominantly flat lot in the F-1 Water Recreational District that can accommodate an accessory building that does not require a variance to the size and height restrictions of County Ordinance Code Section 82-4.212. Staff is unable to make the required findings for recommending approval of the Variance to allow an accessory building that is 585 square feet (where 500 square feet is the maximum allowed) and 18-feet 2-inches in total height (where 15 feet is the maximum height allowed). Therefore, staff recommends denying the appeal and upholding the Zoning Administrator's denial of Variance CDVR23-01032 to not allow the 585-square-foot metal carport (where 500 square feet is the maximum size allowed for an accessory building) that is 18-feet 2-inches in total height (where 15 feet is the maximum height allowed), based on the findings, which are included in Attachment A.

FINDINGS FOR DENIAL OF COUNTY FILE CDVR23-01032; RYAN BYRKIT (APPLICANT & OWNER)

FINDINGS

A. Variance Findings

County Code Section 26-2.2006 states that all of the following findings must be made to approve the Variance permit application.

1. *That any variance authorized shall not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and the respective land use district in which the subject property is located.*

Project Finding: Approval of the requested variance would allow for an accessory building that is 585 square feet in size and 18-feet 2-inches in height. The subject property is located along the east side of Sandmound Boulevard where lots in the F-1 Water Recreational District are less than 20,000 square feet and accessory buildings are subject to the size limitation of County Ordinance Code Section 82-4.212(1) of 500 square feet. Accessory buildings are also limited to a height of 15 feet pursuant to County Code Section 82-4.212(2). In this neighborhood, accessory structures have been constructed in compliance with the restrictions in the County Code. There appears to be no precedence in the vicinity for permitting an accessory building to be larger than 500 square feet in size and taller than 15 feet in height. Consequently, approval of the requested variance would be considered a grant of special privilege.

2. *That because of special circumstances applicable to the subject property because of its size, shape, topography, location or surroundings, the strict application of the respective zoning regulations is found to deprive the subject property of the rights enjoyed by other properties in the vicinity and within the identical land use district.*

Project Finding: The subject property is a 12,160 square-foot lot in the F-1 Water Recreational District. The subject property as well as the surrounding lots on the east side of Sandmound Boulevard are predominantly flat, with an elevation of 0 feet that rises to 10 feet near Sand Mound Slough. The subject property has been developed with a single-family residence with two covered off-street parking spaces. In addition, a metal carport has been constructed without obtaining prior planning or building approval. Thus, there does not appear to be any special

circumstance applicable to the subject property due to its size, shape, topography, location or surroundings that support relief from the zoning regulations for accessory buildings. The lack of physical constraints on the property does not show that the applicable zoning regulations would deprive the subject property of the rights enjoyed by other properties in the vicinity and in the F-1 District.

3. *That any variance authorized shall substantially meet the intent and purpose of the respective land use district in which the property is located.*

Project Finding: The subject property is located within the F-1 Water Recreational District. The uses allowed in the F-1 District are set forth in Section 84-34.402 of the County Ordinance Code, which includes a detached single-family dwelling and the accessory structures and uses normally auxiliary to it. The metal carport could be consistent with the residential uses allowed in the F-1 District provided it meets the accessory building regulations in County Code Section 82-4.212 that restricts the size of the accessory building to a maximum size of 500 square-feet and a maximum height of 15 feet. The intent of the size and height limitations is to maintain a certain scale for an accessory building to be considered as subordinate to the single-family residence, and allows a single-story structure with a pitched roof. Therefore, approval of a variance to allow the previously constructed oversized accessory building does not meet the intent and purpose of the F-1 District.

B. California Environmental Quality Act (CEQA) Findings

The project is exempt under CEQA Guidelines, Section 15061(4), Review for Exemption, exemption for projects that will be rejected or disapproved by a public agency.

Ryan Byrkit
4486 Sandmound Blvd.
Oakley, Ca. 94561
510-909-2282
Rbyrkit@abmechanical.com

April 29th 2025

To:
Community Development Division
30 Muir Road
Martinez, CA 94553

Subject: Appeal for Variance – Building Height Requirement

Dear Department of Conservation and Development, Community Development Division:

I am writing to formally appeal the denial of my request for a variance concerning both the size and building height restriction for the RV carport that has been erected upon our property located at 4486 Sandmound Blvd., Oakley CA 94561.

I am now informed that current building code restricts the height of RV carport 15 feet. The RV carport that has already been erected has a height of 18 feet 2 inches, exceeding the limit by 3 feet 2 inches. The carport also exceeds the maximum size by 85 square feet. My initial request for a variance was denied on 4/21/25, citing non-compliance with these restrictions.

I respectfully request reconsideration based on the following grounds:

Unique Property Conditions: The lots and existing structures on Sandmound Blvd are unique properties and unlike those of a conventional neighborhood. There are many homes that surpass the 35-foot height limitation. The RV carport is esthetically pleasing and does not look out of place next to my home or the immediate neighbor's house that has an overall height in excess of 45 feet. We designed the RV carport so it would conform to our home. We showed our design to immediate neighbors in advance to building, for their approval. This structure was built more than two years ago. None of our neighbors have ever complained about or objected to our RV carport's size, height or appearance.

Minimal Impact: The additional height does not and will not negatively impact our property of any of the surrounding properties. It does not block or obstruct the views of any other properties. The present height and size of the carport do not negatively alter the appearance or character of either our property or the surrounding neighborhood. The additional size (85 square feet) does not negatively impact either our property of any of our neighbors. I have consulted with my adjacent neighbors, and they are all pleased with the appearance of the RV carport and appreciate the care and pride that went into the carport's design and appearance

so that it conforms in appearance to our home. I have enclosed letters from our two immediate neighbors and the levee board district approving of the design and size of the car port. One of letters is from our neighbor to the north with whom we share a private driveway.

Hardship: Strict adherence to the current height limitation will create an unnecessary hardship upon us. We have already spent \$30,000 to design and erect our RV carport. I admit fault for not getting a permit. However, I am a first-time home owner and I was provided false information from the manufacturer that no building permit was required for our RV carport because it was not a permanent structure. Unless the County approves my request for a variance, we will be forced to incur an additional \$15,000 to remove and lower roof in order to conform to the maximum height of 15 feet. Also, our RV requires a 14-foot door clearance in order to fit into the carport structure. If we are compelled to reduce the carport's height to 15 feet, we will have to convert the roof from its current appearance to a flat roof. Such a change will result in a carport that no longer blends with the appearance of our home or to any of the surrounding properties of our neighbors. We believe that forcing us to have flat roof will have a negative esthetic impact upon both our property and those of our neighbors. We have already complied with all forms and information requested by the County for both a building permit and our request for a variance at a cost of \$5,000. We have also paid all penalties assessed due to our failure to obtain a building permit.

Intent to Comply: Aside from the height and size of our RV carport, all other aspects of the structure fully comply with local building codes and zoning requirements.

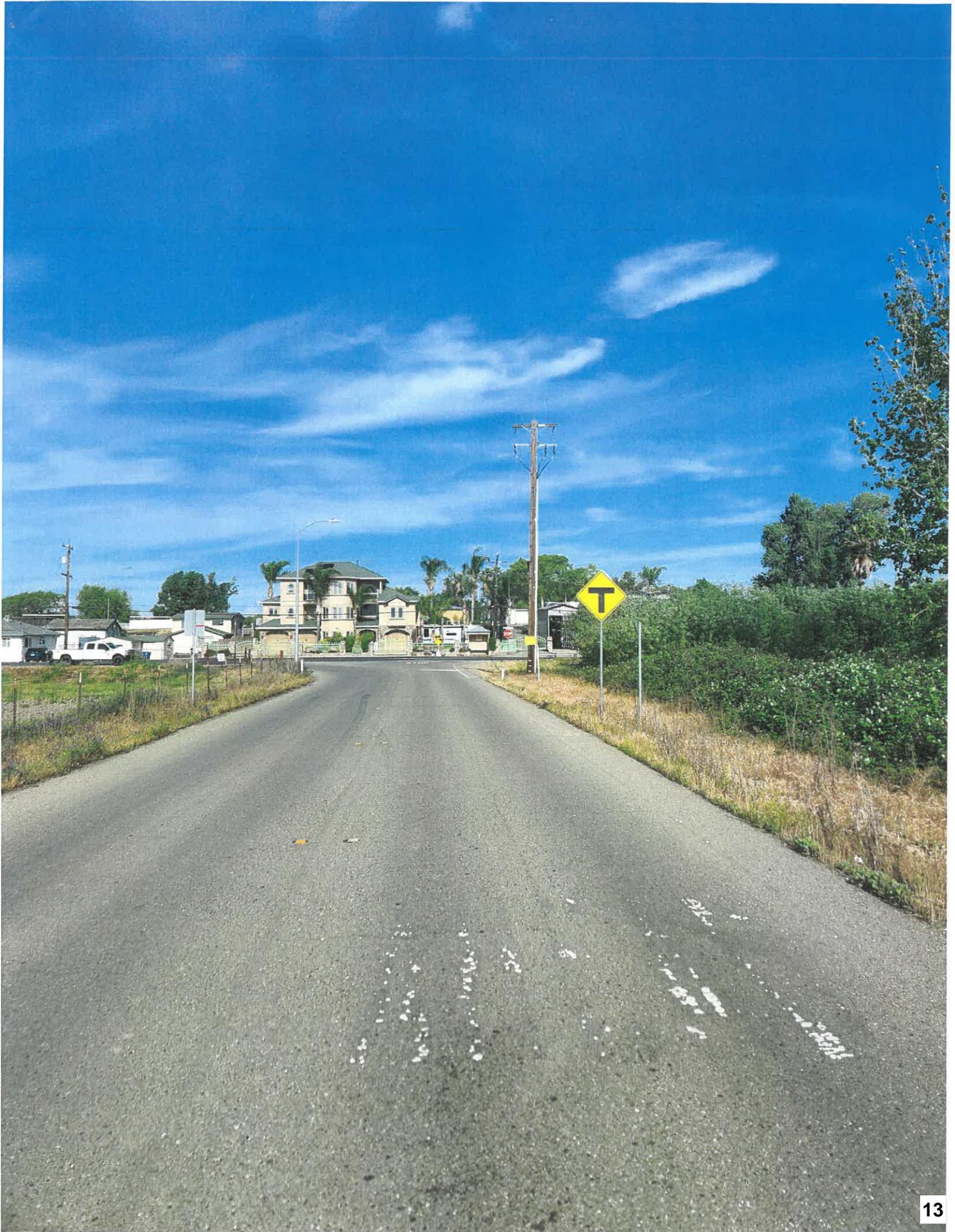
I respectfully request the board to review and consider the specific and unique conditions of my property and reconsider the prior decision in light of the above. I have included a view of my property, so you can see that the RV carport that we erected is not an eye sore and improves the appearance of our neighborhood by concealing our RV from sight of our neighbors. I applied for a variance because of the RV carport as constructed does not comply with either the maximum square footage and/or the maximum height limitation. I believe that my request for a variance is both appropriate and reasonable based on the circumstances of our immediate neighborhood. Since being informed of the code violation, I have endeavored to follow all of the information provided to me by the County as to the proper steps required to obtain both a building permit for our RV carport and a request for a variance as to its height and size. I attended the hearing on 4/21/25, my request was summarily rejected without consideration of the underlying circumstances and appearance of our RV carport in our immediate neighborhood. I am more than willing to attend any additional hearings or, upon your request, to provide further documentation to support this appeal.

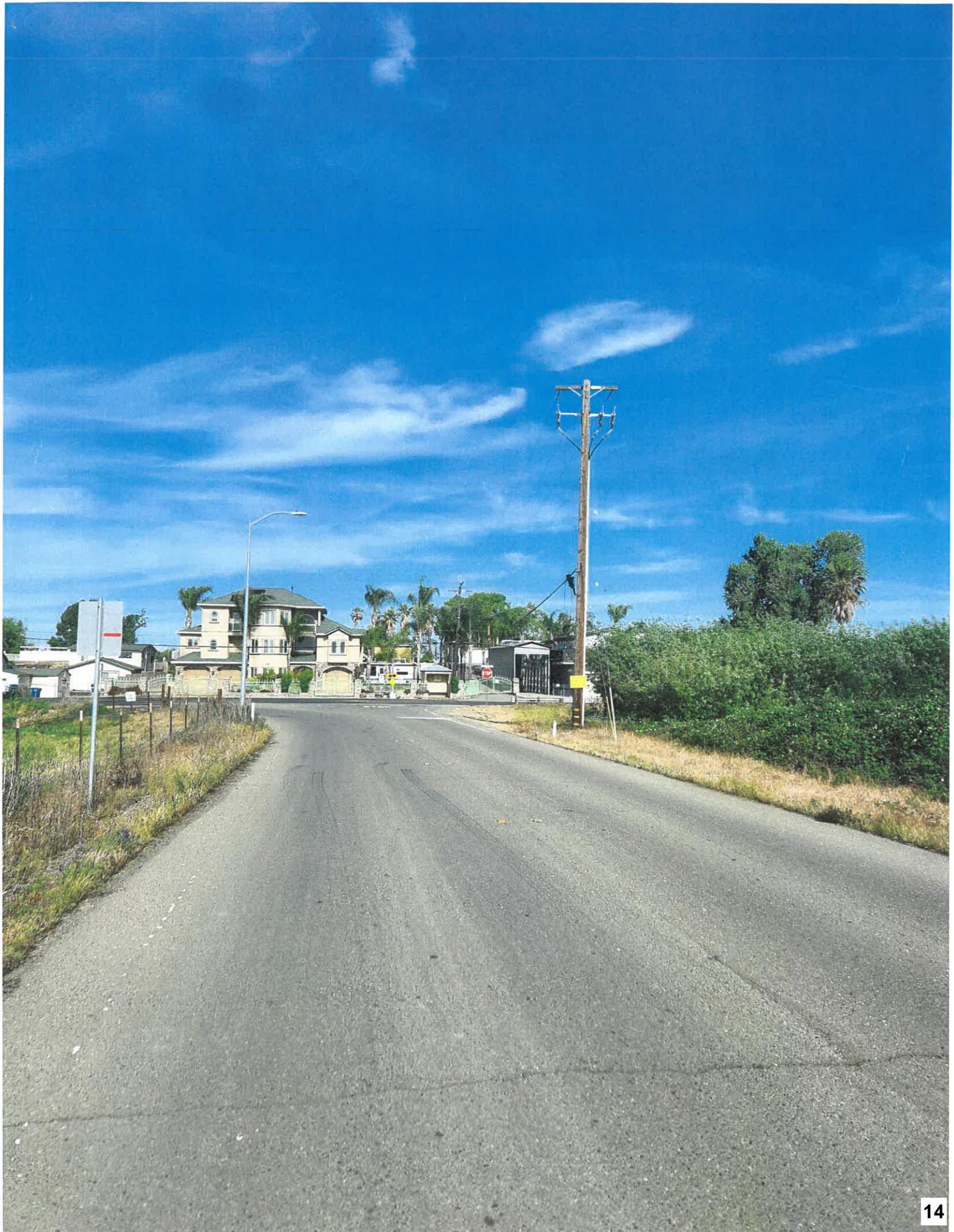
Thank you for your time and consideration.

Sincerely,

Ryan Byrkit

Handwritten signature of Ryan Byrkit and the date 4/29/25.









To whom it may concern,

I am writing in regards to my neighbor Ryan and Janelle Byrkit's RV Carport which sides up to the shared driveway between our two properties. They shared the idea and plans with us prior to building and of course we had no issues at all with it. It provides privacy between our 2 properties and additionally, they carefully selected matching colors to their home making the carport esthetic and uniform to their existing home from a neighborhood point of view.

Ryan and Janelle, as we witness as neighbors, have always cared for their property and possessions and I can support their decision to purchase a carport to protect their RV Trailer from the severe weather we experience in both summer and winter.

So, we have no concerns or complaints with their new addition and hope that you will consider allowing them to keep it.

If you have any other related questions, I can be reached via email.

Sincerely,
Linda and Darrell Jeung
lwjeung12@gmail.com

Christine and William F. Seib
335 East Bellevue Ave.
San Mateo, CA. 94401

Contra Costa Conservation & Development
30 Muir Road
Martinez, CA. 94553

Dear City Planning Department,

We, Chris and William, own the lot located next door to 4486 Sandmound Blvd., to the south, at lot # 032240017. We are writing to express our support for the recent installation of a new carport by our neighbors, Janelle and Ryan, at 4486 Soundmound Blvd. We believe that Janelle and Ryan Byrkit's initiative in enhancing their property has had a positive impact on our community.

The new carport not only adds to the aesthetic appeal of 4486 Soundmound Blvd. but also provides practical benefits such as protection for their vehicle, or boats, from the elements. The design chosen by Janelle and Ryan is both desirable and in keeping with the character of our neighborhood.

We believe that Janelle and Ryan's investment in improving their property reflects a commitment to maintaining and enhancing the quality of life in our community. Their attention to detail and willingness to make improvements that benefit both themselves and their neighbors are commendable.

We understand that Janelle and Ryan will be discussing the carport with you at an upcoming meeting. We wanted to take this opportunity to express our support for the existing carport. We believe that their efforts align with the goals of our community and contribute to making Oakley a better place to live. While we acknowledge that the structure runs slightly over the limits typically associated with this type of structure, we assure you that it does not impede on the safety or access to the levy. After careful consideration, we cannot think of a single reason why its current placement would be a problem. We encourage the city to work with them to resolve any issues that may arise and accept the buildings current placement.

Please do not hesitate to contact us if you require any further information or if we can be of assistance in any way. Our phone number is (650) 349-7898.

Thank you for considering our input.

Sincerely,

Chris and William F. Seib



Reclamation District 799 (Hotchkiss Tract)

PO Box 353

6325 Bethel Island Road, Bethel Island, CA 94511

Phone: 925-684-2398 Fax: 925-684-2399

Website: www.rd799.com

Email: dholder@rd799.com

Board of Trustees:

President –David Senior

& Trustees: Jim Price, Walter Pierce, Chris Mazotti, and Matt Lipary

To Whom It May Concern:

The 585 Square-foot accessory building project at 4486 Sandmound Blvd. (APN #032-240-045) has no impact on Reclamation District 799 (RD 799) facilities. As such, we have no jurisdictional authority to comment further.

Regards,

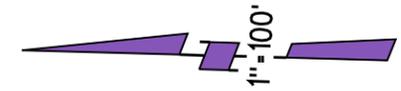
A handwritten signature in black ink, appearing to read "Mike Alvarez", is written over a light blue horizontal line.

Mike Alvarez
Reclamation District 799
District Manager

POR SE 1/4 SEC 27 T2N R3E MDBM

A- SANDMOUND TRACT MB 40-8

1- 70 LSM 43 6-23-82



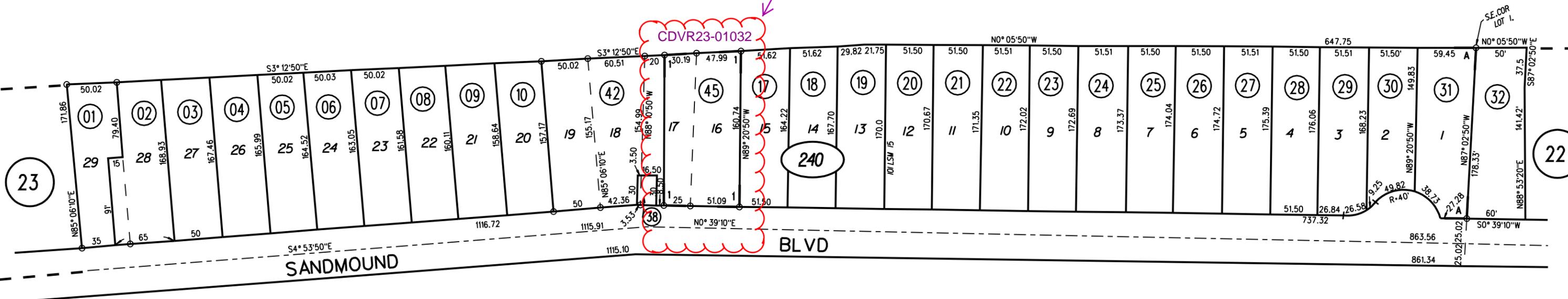
P.B.
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Project Site

SANDMOUND

SLOUGH

CDVR23-01032



23

22

22

240

5/31/05

NOTE: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION DELINEATED HEREON. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT SPLIT OR BUILDING SITE ORDINANCES.

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



Legend

- Building Outlines
- City Limits
- Unincorporated
- Highways
- Highways Bay Area
- Streets
- General Plan**
- SV (Single Family Residential - Ver)
- SL (Single Family Residential - Low)
- SM (Single Family Residential - Me)
- SH (Single Family Residential - Hig)
- ML (Multiple Family Residential - Lc)
- MM (Multiple Family Residential - M)
- MH (Multiple Family Residential - H)
- MV (Multiple Family Residential - V)
- MS (Multiple Family Residential - V)
- CC (Congregate Care/Senior Housi)
- MO (Mobile Home)
- M-1 (Parker Avenue Mixed Use)
- M-2 (Downtown/Waterfront Rodeo I)
- M-3 (Pleasant Hill BART Mixed Use)
- M-4 (Willow Pass Road Mixed Use)
- M-5 (Willow Pass Road Commercia)
- M-6 (Bay Point Residential Mixed U)
- M-7 (Pittsburg/Bay Point BART Sta)
- M-8 (Dougherty Valley Village Cent)
- M-9 (Montalvin Manor Mixed Use)
- M-10 (Willow Pass Business Park M)
- M-11 (Appian Way Mixed Use)
- M-12 (Triangle Area Mixed Use)
- M-13 (San Pablo Dam Road Mixed)
- M-14 (Heritage Mixed Use)
- CO (Commercial)
- OF (Office)
- BP (Business Park)
- LI (Light Industry)
- HI (Heavy Industry)
- AL, OIBA (Agricultural Lands & Off)
- CR (Commercial Recreation)

1: 782



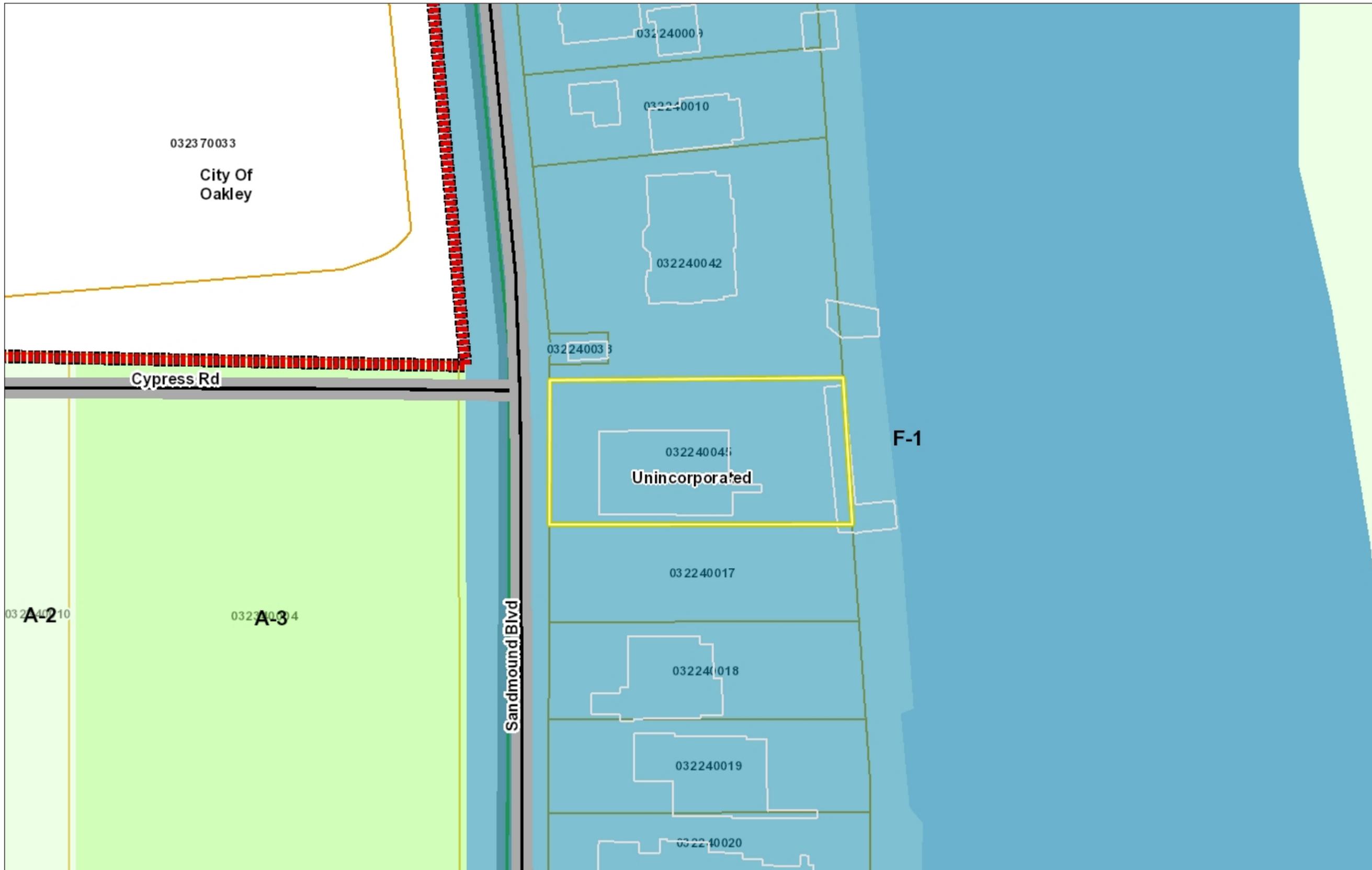
Notes

CDVR23-01032

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Zoning: F-1 Water Recreational District



Legend

- Building Outlines
- City Limits
- Unincorporated
- Highways
- Highways Bay Area
- Streets
- Zoning
 - R-6 (Single Family Residential)
 - R-6, -FH -UE (Flood Hazard and A
 - R-6 -SD-1 (Slope Density Hillside I
 - R-6 -TOV -K (Tree Obstruction anc
 - R-6, -UE (Urban Farm Animal Excl
 - R-6 -X (Railroad Corridor Combinir
 - R-7 (Single Family Residential)
 - R-7 -X (Railroad Corridor Combinir
 - R-10 (Single Family Residential)
 - R-10, -UE (Urban Farm Animal Exc
 - R-12 (Single Family Residential)
 - R-15 (Single Family Residential)
 - R-20 (Single Family Residential)
 - R-20, -UE (Urban Farm Animal Exc
 - R-40 (Single Family Residential)
 - R-40, -FH -UE (Flood Hazard and A
 - R-40, -UE (Urban Farm Animal Exc
 - R-65 (Single Family Residential)
 - R-100 (Single Family Residential)
 - D-1 (Two Family Residential)
 - D-1 -T (Transitional Combining Dist
 - D-1, -UE (Urban Farm Animal Excl
 - M-12 (Multiple Family Residential)
 - M-12 -FH (Flood Hazard Combining
 - M-17 (Multiple Family Residential)
 - M-29 (Multiple Family Residential)
 - F-R (Forestry Recreational)
 - F-R -FH (Flood Hazard Combining I
 - F-1 (Water Recreational)
 - F-1 -FH (Flood Hazard Combining I
 - A-2 (General Agriculture)
 - A-2, -BS (Boat Storage Combining I

1: 782



0.0 0 0.01 0.0 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

CDVR23-01032



Legend

- Building Outlines
 - City Limits
 - Unincorporated
 - Highways
 - Highways Bay Area
 - Streets
 - Maintained Roads
 - Water Bodies
 - County Boundary
 - Bay Area Counties
 - Assessment Parcels
- Aerials 2019
- Red: Band_1
 - Green: Band_2
 - Blue: Band_3



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

1: 391



Notes

CDVR23-01032



View east from Sandmound Blvd. of 4486 Sandmound Blvd.
Location of accessory building is left of the residence adjacent to the levee access road.
Source: Google Maps, accessed 03/11/2025.



View east from Sandmound Blvd. of 4486 Sandmound Blvd. (right) and 4508 Sandmound Blvd. (left).
Small building left of the levee access road is on a separate parcel owned by the Oakley Mutual Water Company.
Source: Google Maps, accessed 03/11/2025.



View north along Sandmound Blvd.
Source: Google Maps, accessed 03/11/2025.



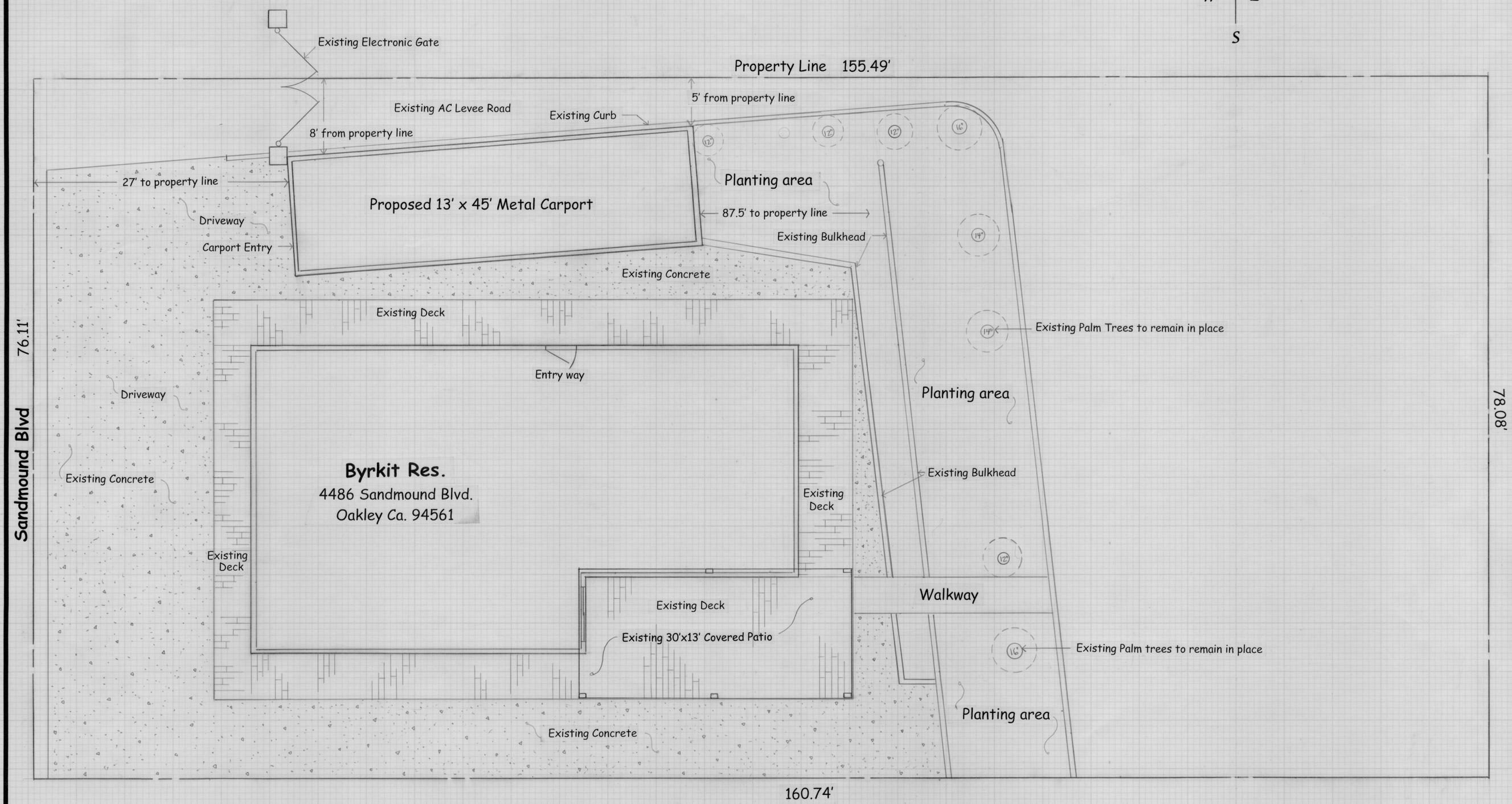
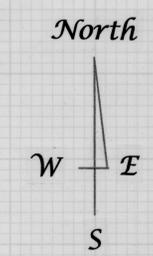
View south along Sandmound Blvd.

Source: Google Maps, accessed 03/11/2025.

RECEIVED on 06/06/2023 CDVR23-01032
 By Contra Costa County
 Department of Conservation and Development

REVISIONS	BY

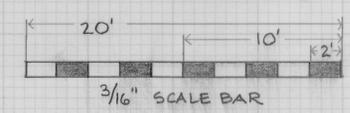
Site Plan



Site Plan

 Ryan & Janelle Byrkit
 4486 Sandmound Blvd.
 Oakley Ca. 94561

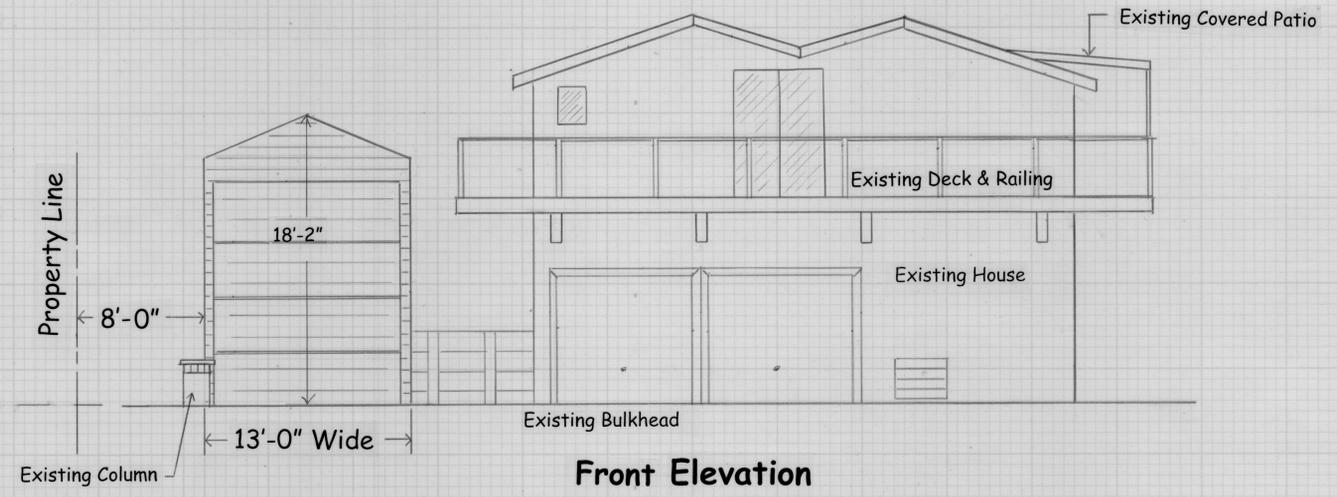
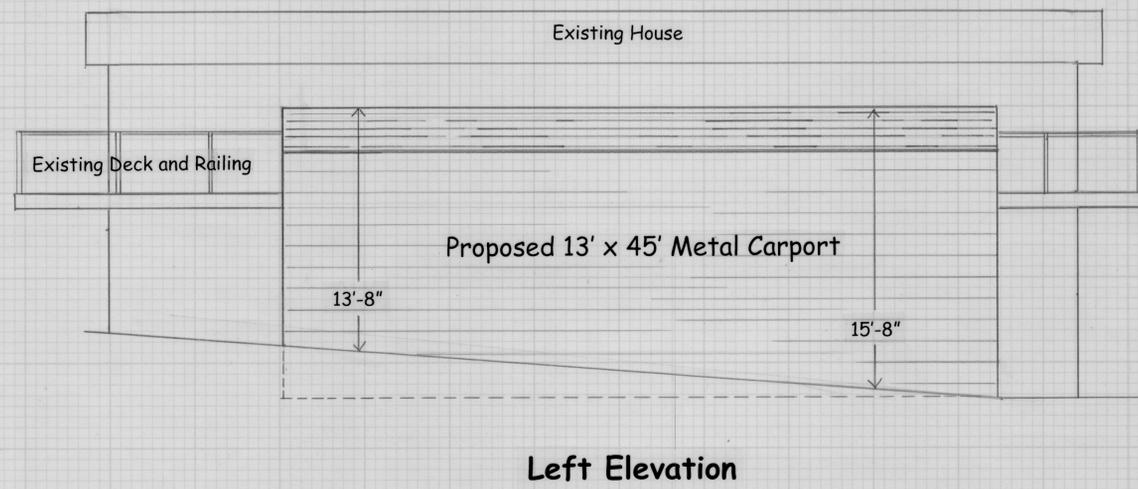
Property Owner: Ryan & Janelle Byrkit
 Property Address: 4486 Sandmound Blvd. Oakley Ca. 94561
 Lot size: 12,235 s.f.
 Home foot print: 1,834 s.f.
 Description of proposed work:
 Metal Carport 13' x 45' (585 s.f.)



PL&C
 Pacheco Landscape & Construction, Inc.
 2252 Railroad Ave Unit A
 Livermore CA 94550

DRAWN GARY PACHELO
CHECKED
DATE 1-16-23
SCALE 3/16" = 1'-0"
JOB NO.
SHEET
Page 1 of 2
OF SHEETS

Plans For Metal Car Port



Ryan & Janelle Byrkit
 4486 Sandmound Blvd.
 Oakley Ca. 94561
 Scale: 3/16" = 1'-0" Date: 5-9-23

REVISIONS	BY

Elevation Plans For Metal Car Port

Ryan & Janelle Byrkit
 4486 Sandmound Blvd.
 Oakley Ca. 94561

DRAWN By: Gary Pacheco CHECKED
DATE Date: 5-9-23
SCALE 3/16" = 1'-0"
JOB NO.

SHEET
 Page 2 of 2
 OF SHEETS





Department of Conservation and Development

County Zoning Administrator

Monday, April 7, 2025 – 1:30 P.M.

STAFF REPORT

Agenda Item # _____

Project Title:	4486 Sandmound Boulevard Variance
County File(s):	CDVR23-01032
Applicant/Owner:	Ryan Byrkit (Applicant & Owner)
Zoning/General Plan:	F-1 Water Recreation District / RLM Residential Low-Medium Density
Site Address/Location:	4486 Sandmound Boulevard in the Oakley area of unincorporated Contra Costa County (Assessor's Parcel Number: 032-240-045)
California Environmental Quality Act (CEQA) Status:	Categorical Exemption, CEQA Guidelines Section 15061(b)(4)
Project Planner:	Grant Farrington, Planner III (925) 655-2868 grant.farrington@dcd.cccounty.us
Staff Recommendation:	Deny (See Section II for Full Recommendation)

I. PROJECT SUMMARY

The applicant requests approval of a Variance Permit to allow a 585-square-foot metal carport (where 500 square feet is the maximum size allowed for an accessory building) that is 18-feet 2-inches in total height (where 15 feet is the maximum height allowed).

II. RECOMMENDATION

Department of Conservation and Development, Community Development Division (CDD) staff recommends that the County Zoning Administrator DENY County File CDVR23-01032 based on staff not being able to make the necessary findings for

approval of a Variance, as required by Section 26-2.2006 of the County Code.

III. GENERAL INFORMATION

- A. General Plan: RLM Residential Low-Medium Density.
- B. Zoning: F-1 Water Recreation District.
- C. California Environmental Quality Act (CEQA): CEQA Guidelines Sections 15061(b)(4), Review for Exemption, exemption for projects that will be rejected or disapproved by a public agency.
- D. Previous Applications: There are no previous planning applications.

IV. SITE/AREA DESCRIPTION

The subject property is 12,160 square-foot rectangular lot on the east side of Sandmound Boulevard and west of the Sand Mound Slough. The lot is developed with a two-story single-family residence. An attached second story deck includes a walkway to the levee access road behind the residence. The lot is similar to other properties in the vicinity on the east side of Sandmound Boulevard that abut the Sand Mound Slough and the levee road.

The surrounding area beyond the immediate vicinity includes a mixture of single-family residential and agricultural land uses with some recreational areas inland and adjacent to the waterfront. To the immediate west is the Oakley city limit. The San Joaquin County line is approximately 2.42 miles to the east.

IV. PROJECT DESCRIPTION

The applicant requests approval of a variance to allow a 585 square-foot accessory building (where 500 square feet is the maximum size allowed) with a height of 18-feet 2-inches (where 15 feet is the maximum height allowed) for a metal carport. The carport was constructed without obtaining prior planning or building approval. The applicant states that the carport is a prefabricated design that does not allow for modifications that would otherwise conform to the size and height limitations of the County Ordinance Code. Approval of the variance will allow the applicant to obtain a building permit for the as-built accessory building.

VI. AGENCY COMMENTS

An Agency Comment Request packet was sent on June 10, 2023 to a number of public agencies, including Building Inspection Division, Application Permit Center Staff of the Public Works Department, East Contra Costa County Habitat Conservancy, Environmental Health Division of the Health Services Department, Contra Costa County Flood Control District, Contra Costa County Fire Protection District, Ironhouse Sanitary District, City of Oakley, Reclamation District #799, Bethel Island Municipal Advisory Council, Delta Protection Commission, and Contra Costa Mosquito and Vector Control District. Agency comments received by staff are included in Attachment 3. Following are summaries of the comments received.

- A. Contra Costa Mosquito and Vector District (CCMVCD): On June 10, 2023, the CCMVCD returned an Agency Comment Request form stating it has no comments on the project.
- B. City of Oakley: On June 13, 2023, City staff sent an email stating they have no comments on the project.
- C. Contra Costa County Fire Protection District (CCCFPD): On June 28, 2023, the Fire Protection District returned an Agency Comment request form stating it has no comments on the project.
- D. Bethel Island Municipal Advisory Council (MAC): At the July 11, 2023 Bethel Island MAC meeting, MAC members voted 5-0 to approve the project.

VII. REQUEST FOR HEARING

A Notice of Intent to Render Administrative Decision was mailed on July 18, 2024 that included a July 29, 2024 deadline to request a public hearing. On July 25, 2024, a request for a public hearing was received from Ryan Burkit of 4486 Sandmound Boulevard, who is the applicant and owner of the subject property. Two letters were attached to the hearing request. The hearing request and letters are included in Attachment D. The following is a summary of the comments received along staff responses:

A. Letter from Chris and William Seib of 0 Sandmound Boulevard

Request for Hearing Comment: Mr. and Mrs. Seib support the installation of the carport because of the aesthetic appeal, and state that the carport does not present a safety issue for the lot or the surrounding area.

Staff Response: The carport is subject to the size and height limitations established by the County Ordinance Code for accessory buildings. The request for a variance from these zoning regulations must meet the requirements set forth in Section 26-2.2006, Variance permit standards. Staff has not found any special circumstances regarding the property that creates the need for the accessory building to exceed the height and size limitations of the County Code.

B. Letter from Linda and Darrell Jeung of 4508 Sandmound Boulevard

Request for Hearing Comment: Mr. and Mrs. Jeung have no objections to the size of the carport and state that it provides privacy between the two residences.

Staff Response: The carport is subject to the limitations of County Ordinance Code Section 82-4.212 for size and total height. In order to support a variance request, staff is required to make findings outlined in Section 26-2.2006 of the County Code for modifying the zoning regulations. The findings are based on special circumstances of the subject property and not on the personal preferences of property owners.

VII. STAFF ANALYSIS AND DISCUSSION

The subject property is located along the east side of Sandmound Boulevard where lots in the F-1 Water Recreation District are less than 20,000 square feet and accessory buildings are subject to the size limitation of County Ordinance Code Section 82-4.212(1) of 500 square feet. Accessory buildings are also limited to a height of 15 feet pursuant to County Code Section 82-4.212(2). In this area, accessory structures have been constructed in compliance with the restrictions in the County Code. There appears to be no precedence in the vicinity for permitting an accessory building to be larger than 500 square feet in size and taller than 15 feet in height. Consequently, approval of the requested variance would be considered a grant of special privilege.

The subject property as well as the surrounding lots on the east side of Sandmound Boulevard are predominantly flat, with an elevation of 0 feet that rises to 10 feet near Sand Mound Slough. There does not appear to be any special circumstance applicable to the subject property due to its size, shape, topography, location or surroundings that support relief from the zoning regulations for accessory buildings. The lack of physical constraints on the property does not show that the applicable zoning regulations would deprive the subject property of the rights enjoyed by other properties in the vicinity and in the F-1 District.

The F-1 District allows a detached single-family dwelling and auxiliary accessory structures. The metal carport could be consistent with the residential uses allowed in the F-1 District provided it meets the accessory building regulations in County Code Section 82-4.212 that restricts the size of the accessory building to a maximum size of 500 square feet and a maximum height of 15 feet. The intent of the size and height limitations is to maintain a certain scale for an accessory building to be considered as subordinate to the single-family residence. Therefore, approval of a variance to allow the previously constructed oversized accessory building would not meet the intent and purpose of the F-1 District.

VIII. CONCLUSION

The subject property is predominantly flat lot in the F-1 Water Recreation District that can accommodate an accessory building that does not require a variance to the size and height restrictions of County Ordinance Code Section 82-4.212. Staff is unable to make the required findings for recommending approval of the Variance to allow an accessory building that is 585 square feet (where 500 square feet is the maximum allowed) and 18-feet 2-inches in total height (where 15 feet is the maximum height allowed). Staff recommends that the Zoning Administrator deny the Variance because the findings required by the County Ordinance Code Section 26-2.2006 cannot be made.

FINDINGS FOR DENIAL OF COUNTY FILE CDVR23-01032; RYAN BYRKIT (APPLICANT & OWNER)**VARIANCE FINDINGS**

County Code Section 26-2.2006 states that all of the following findings must be made to approve the Variance permit application.

1. *That any variance authorized shall not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and the respective land use district in which the subject property is located.*

Project Finding: Approval of the requested variance would allow for an accessory building that is 585 square feet in size and 18-feet 2-inches in height. The subject property is located along the east side of Sandmound Boulevard where lots in the F-1 Water Recreation District are less than 20,000 square feet and accessory buildings are subject to the size limitation of County Ordinance Code Section 82-4.212(1) of 500 square feet. Accessory buildings are also limited to a height of 15 feet pursuant to County Code Section 82-4.212(2). In this area, accessory structures have been constructed in compliance with the restrictions in the County Code. There appears to be no precedence in the vicinity for permitting an accessory building to be larger than 500 square feet in size and taller than 15 feet in height. Consequently, approval of the requested variance would be considered a grant of special privilege.

2. *That because of special circumstances applicable to the subject property because of its size, shape, topography, location or surroundings, the strict application of the respective zoning regulations is found to deprive the subject property of the rights enjoyed by other properties in the vicinity and within the identical land use district.*

Project Finding: The subject property is a 12,160 square-foot lot in the F-1 Water Recreation District. The subject property as well as the surrounding lots on the east side of Sandmound Boulevard are predominantly flat, with an elevation of 0 feet that rises to 10 feet near Sand Mound Slough. The subject property has been developed with a single-family residence with two covered off-street parking spaces. Thus, there does not appear to be any special circumstance applicable to the subject property due to its size, shape, topography, location or surroundings that support relief from the zoning regulations for accessory buildings. The lack of physical constraints on the property does not show that the applicable zoning regulations would deprive the

subject property of the rights enjoyed by other properties in the vicinity and in the F-1 District.

3. *That any variance authorized shall substantially meet the intent and purpose of the respective land use district in which the property is located.*

Project Finding: The subject property is located within the F-1 Water Recreation District. The uses allowed in the F-1 District are set forth in Section 84-34.402 of the County Ordinance Code, which includes a detached single-family dwelling and the accessory structures and uses normally auxiliary to it. The metal carport could be consistent with the residential uses allowed in the F-1 District provided it meets the accessory building regulations in County Code Section 82-4.212 that restricts the size of the accessory building to a maximum size of 500 square-feet and a maximum height of 15 feet. The intent of the size and height limitations is to maintain a certain scale for an accessory building to be considered as subordinate to the single-family residence. Therefore, approval of a variance to allow the previously constructed oversized accessory building would not meet the intent and purpose of the F-1 District.



Department of Conservation and Development

County Zoning Administrator

Monday, April 21, 2025 – 1:30 P.M.

(continued from April 7, 2025)

STAFF REPORT

Agenda Item # _____

Project Title:	4486 Sandmound Boulevard Variance
County File(s):	CDVR23-01032
Applicant/Owner:	Ryan Byrkit (Applicant & Owner)
Zoning/General Plan:	F-1 Water Recreation District / RLM Residential Low-Medium Density
Site Address/Location:	4486 Sandmound Boulevard in the Oakley area of unincorporated Contra Costa County (Assessor's Parcel Number: 032-240-045)
California Environmental Quality Act (CEQA) Status:	Categorical Exemption, CEQA Guidelines Section 15061(b)(4)
Project Planner:	Grant Farrington, Planner III (925) 655-2868 grant.farrington@dcd.cccounty.us
Staff Recommendation:	Deny (See Section III for Full Recommendation)

I. PROJECT SUMMARY

The applicant requests approval of a Variance Permit to allow a 585-square-foot metal carport (where 500 square feet is the maximum size allowed for an accessory building) that is 18-feet 2-inches in total height (where 15 feet is the maximum height allowed).

II. RECOMMENDATION

Department of Conservation and Development, Community Development Division

(CDD) staff recommends that the County Zoning Administrator DENY County File CDVR23-01032 based on staff not being able to make the necessary findings for approval of a Variance, as required by Section 26-2.2006 of the County Code.

III. BACKGROUND

At the April 7, 2025 meeting, the Zoning Administrator continued the project to the April 21, 2025 Zoning Administrator without opening the public hearing at the request of the applicant. There are no revisions to the proposed project plans from the April 7, 2025 hearing.

From: [Kenneth Strelo](#)
To: [Grant Farrington](#)
Subject: 4486 Sandmound Blvd. Carport Variance (CDVR23-01032)
Date: Tuesday, June 13, 2023 9:48:10 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Hi Grant,

No comments from Oakley on this one.

Sincerely,



Kenneth W. Strelo
Planning Manager
925-625-7036
3231 Main Street
Oakley, CA 94561



Thank you for communicating via email. In-person meetings at City Hall will be very limited and will only be by appointment. I look forward to assisting you via email, phone or video conferencing.



AGENCY COMMENT REQUEST

Date June 10, 2023

We request your comments regarding the attached application currently under review.

<p style="text-align: center;"><i>DISTRIBUTION</i></p> <p><u>INTERNAL</u></p> <p> <input checked="" type="checkbox"/> Building Inspection Grading Inspection Advance Planning Housing Programs Trans. Planning Telecom Planner ALUC Staff <input checked="" type="checkbox"/> HCP/NCCP Staff <input checked="" type="checkbox"/> APC PW Staff County Geologist </p> <p><u>HEALTH SERVICES DEPARTMENT</u></p> <p> <input checked="" type="checkbox"/> Environmental Health Hazardous Materials </p> <p><u>PUBLIC WORKS DEPARTMENT</u></p> <p> Engineering Services (1 Full-size + 3 email Contacts) Traffic </p> <p> <input checked="" type="checkbox"/> Flood Control (Full-size) Special Districts </p> <p><u>LOCAL</u></p> <p> <input checked="" type="checkbox"/> Fire District _____ San Ramon Valley – (email) rwendel@srvfire.ca.gov <input checked="" type="checkbox"/> Consolidated – (email) fire@cccfd.org East CCC – (email) brodriguez@cccfd.org </p> <p> <input checked="" type="checkbox"/> Sanitary District <u>Ironhouse Sanitary</u> _____ Water District _____ </p> <p> <input checked="" type="checkbox"/> City of <u>Oakley</u> _____ School District(s) _____ LAFCO </p> <p> <input checked="" type="checkbox"/> Reclamation District # <u>799</u> _____ East Bay Regional Park District Diablo/Discovery Bay/Crockett CSD </p> <p> <input checked="" type="checkbox"/> MAC/TAC <u>Bethel Island MAC</u> _____ Improvement/Community Association </p> <p> <input checked="" type="checkbox"/> CC Mosquito & Vector Control Dist (email) </p> <p><u>OTHERS/NON-LOCAL</u></p> <p> CHRIS (email only: nwic@sonoma.edu) CA Fish and Wildlife, Region 3 – Bay Delta Native American Tribes </p> <p><u>ADDITIONAL RECIPIENTS</u></p> <p> <u>Delta Protection</u> _____ _____ </p>	<p><i>Please submit your comments to:</i></p> <p>Project Planner <u>Grant Farrington</u></p> <p>Phone # <u>925-655-2868</u></p> <p>E-mail <u>Grant.Farrington@dcd.cccounty.us</u></p> <p>County File # <u>CDVR23-01032</u></p> <p>Prior to <u>June 28, 2023</u></p> <p style="text-align: center;">*****</p> <p>We have found the following special programs apply to this application:</p> <p> <input type="checkbox"/> Active Fault Zone (Alquist-Priolo) <input checked="" type="checkbox"/> Flood Hazard Area, Panel # <u>AE</u> 60-dBA Noise Control CA EPA Hazardous Waste Site High or Very High FHSZ </p> <p style="text-align: center;">*****</p> <p>AGENCIES: Please indicate the applicable code section for any recommendation required by law or ordinance. Please send copies of your response to the Applicant and Owner.</p> <p>Comments: None Below ___ Attached</p> <p>Print Name <u>M. CAMERON</u></p> <p>Signature <u>[Signature]</u> DATE <u>6/15/23</u></p> <p>Agency phone # <u>925 941 3300</u></p>
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Bethel Island Municipal Advisory Council



Phil Kammerer, Chair
Office of Supervisor Diane Burgis
Contact: Alicia Nuchols
3361 Walnut Blvd., Suite 140
Brentwood, CA 94513

Respectfully submitted by:
District Representative, Alicia Nuchols

*The Bethel Island Municipal Advisory Committee serves as an advisory body to the
Contra Costa County Board of Supervisors and the County Planning Agency.*

Draft Record of Actions

6:00 p.m.
July 11, 2023

MEMBERS PRESENT: Chair Phil Kammerer, Vice Chair Allen, Councilmember Bittner, Councilmember Brunham, Councilmember Whitlock were present.

MEMBERS ABSENT: None.

APPROVAL OF AGENDA: Motion to approve the agenda as presented made by Bittner. Second made by Brunham. Motion carried: 5-0. AYES: Allen, Bittner, Brunham, Kammerer, and Whitlock.

PUBLIC COMMENT:
None

AGENCY REPORTS:

- a. **Office of the Sheriff:** Lt. Jacquez w/the Delta Station went over calls for service report for June and answered community questions.
- b. **California Highway Patrol:** No Report – Officer Thomas is still out on leave.
- c. **Contra Costa Fire Protection District:** Report out from Asst Fire Chief ?? on 4th of July from 8pm-12am, 58 fires, 50 were fireworks related. Fire Boat 9 is back in Bethel Island. Fire Boat 85 is in Pittsburg and Rescue Boat 81 is in Antioch.
- d. **Office of Supervisor Diane Burgis:** Alicia Nuchols, District Representative read approved updated statement on Anchor Marina. Reminder about Bethel Island Clean-up September 16th, taking appointments beginning August 16th.

CONSENT ITEMS:

- a. **Approval of the Record of Actions for July 11, 2023:** Motion to approve the draft record of actions as presented made by Whitlock. Second made by Brunham. Motion carried: 5-0. AYES: Allen, Bittner, Brunham, Kammerer, and Whitlock.

PRESENTATIONS

- a. None

ITEMS FOR DISCUSSION AND/OR ACTION:

- a. **Agency Comment Request #CDVR23-01032** – The applicant requests the approval of a variance for a 585 sq. ft. metal carport (where 500 sq. ft. is the maximum size allowed for an accessory structure) and an accessory structure height of 18'-2" (where 15 feet is the maximum height allowed). Motion to approve the application, no comments made by Whitlock. Second made by Brunham. Motion carried: 5-0. AYES: Allen, Bittner, Brunham, Kammerer, and Whitlock.
- b. **Agency Comment Request #CDVR23-01038** – The applicant is seeking variance approval to authorize a lot line adjustment merging two adjacent lots into a single parcel having 50-foot average width (where 60 feet is the minimum required). No development is proposed with this application. Motion to approve the application, no comments made by Whitlock. Second made by Kammerer. Motion carried: 5-0. AYES: Allen, Bittner, Brunham, Kammerer, and Whitlock.
- c. Discuss Senior assistance on the Island (*Standing Item*) – Next meeting will update on the Women's Club and then remove the item from the agenda.
- d. Community Projects for Downtown area with Mitigation Funds (*Standing Item*) – No update.
This meeting record is provided pursuant to Better Government Ordinance 95-6, Article 25-2.205(d) of the Contra Costa County Ordinance Code.

COMMITTEE REPORTS/MEMBER REPORTS

- a. **Code Enforcement:** No Report.
- b. **Bethel Island Chamber of Commerce:** No Report.
- c. **Bethel Island Municipal Improvement District:** No Report.
- d. **Bethel Island Post Office:** Turn in new form for box.
- e. **Ad Hoc Park Committee:** Arborist evaluated the tree and it's doing better.
- f. **San Joaquin Yacht Club:** 75th anniversary – good turnout.
- g. **Scout Hall:** No Report.
- h. **Citizens' Fire Committee:** Fire Boat update repeated from Fire report.
- i. **Heart Safe Communities Program:** No Report.
- j. **Emergency Preparedness Committee:** Several meetings, another one scheduled for July 29th. Drainage committee meeting on July 17th, still working on the goals for the committee. Working on a flood evacuation plan for the island.

CORRESPONDANCE/ANNOUNCEMENTS

- a. R-4/14/23 County Planning Commission Cancellation Notice for April 26, 2023
- b. R-6/13/23 Contra Costa County Zoning Administrator for June 21, 2023
- c. R-6/12/23 County Planning Commission Cancellation Notice for June 14, 2023
- d. R-6/16/23 County Planning Commission Cancellation Notice for June 28, 2023
- e. R-6/13/23 Contra Costa County Zoning Administrator Cancellation Notice for July 3, 2023
- f. R-6/30/23 County Planning Commission Cancellation Notice for July 12, 2023

FUTURE AGENDA ITEMS

- Balance in mitigation fund
- Bethel Island Road Extension Update

ADJOURMENT

There being no further business before the Bethel Island Municipal Advisory Council, Councilmember Allen made a motion to adjourn the meeting at 7:07pm. The next regularly scheduled Bethel Island Municipal Advisory Council meeting on August 8, 2023, at 6:00p.m. at Scout Hall in Bethel Island.



4486 Sandmound Boulevard Variance Appeal

County File: CDVR23-01032

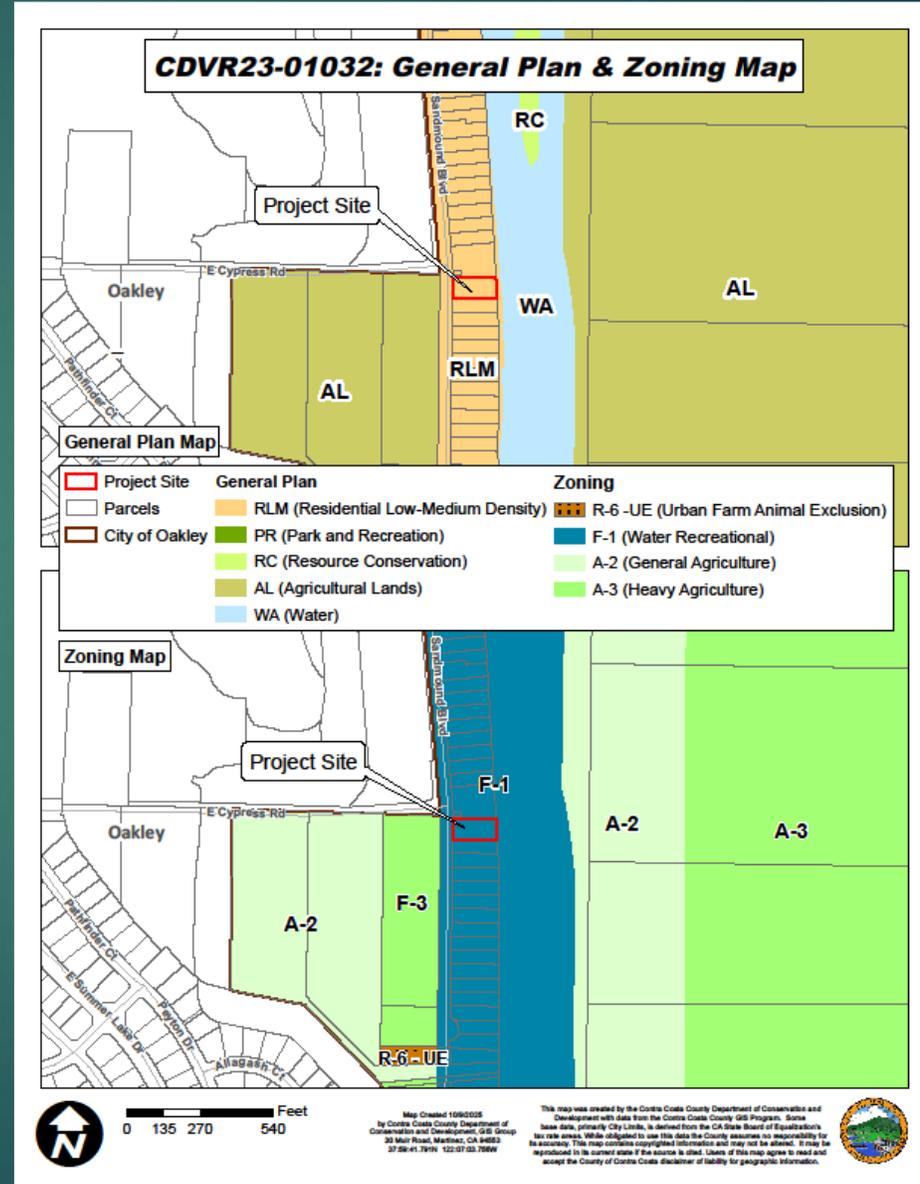
COUNTY PLANNING COMMISSION

NOVEMBER 12, 2025

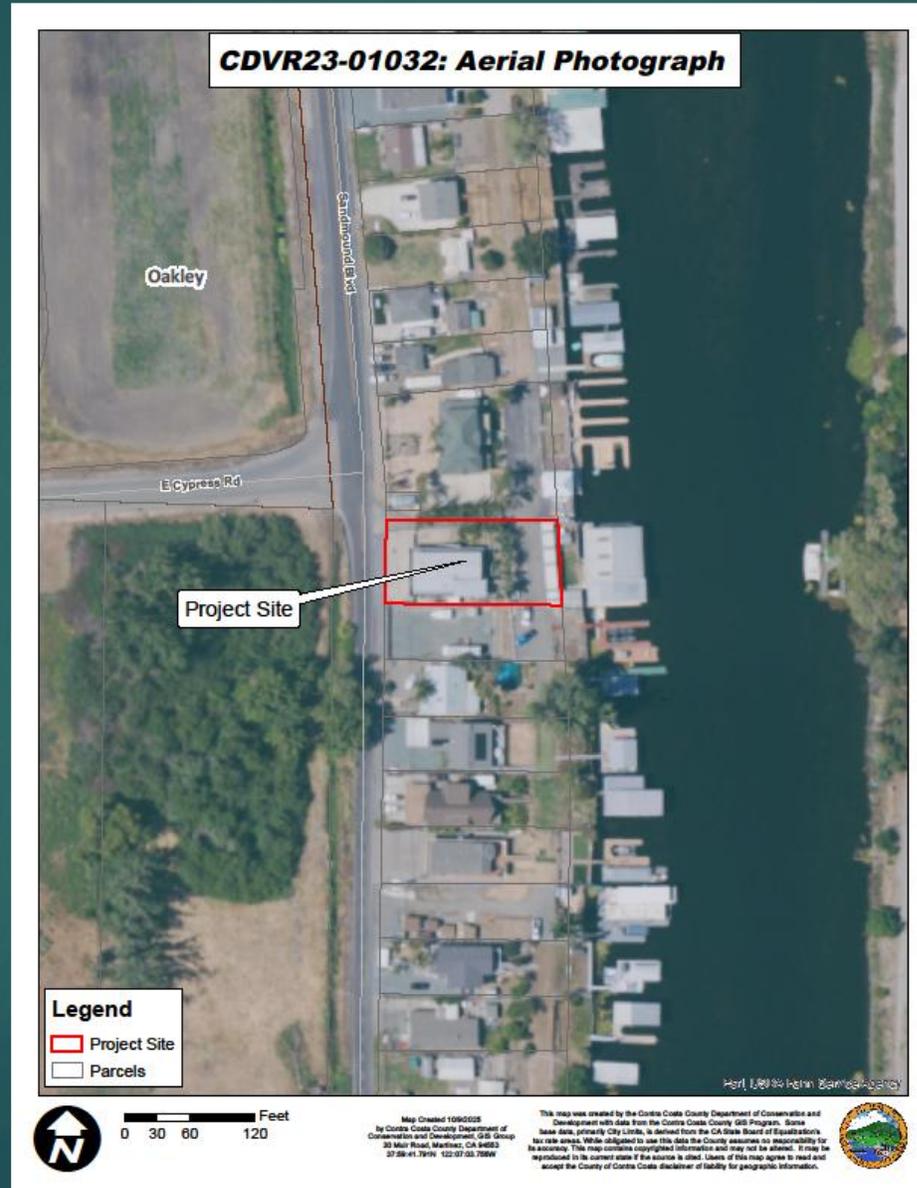
Background

- ▶ Code enforcement case, CECF22-00793, was initiated for the metal carport/accessory building constructed without permits.
- ▶ Ryan Burkit, the property owner, submitted a variance application on June 6, 2023, for the 585-square-foot accessory building that is 18-feet 2-inches tall.
- ▶ Variance CDVR23-01032 was denied by the Zoning Administrator on April 21, 2025.
- ▶ An appeal of the Zoning Administrator's decision was received by Mr. Burkit on April 30, 2025.

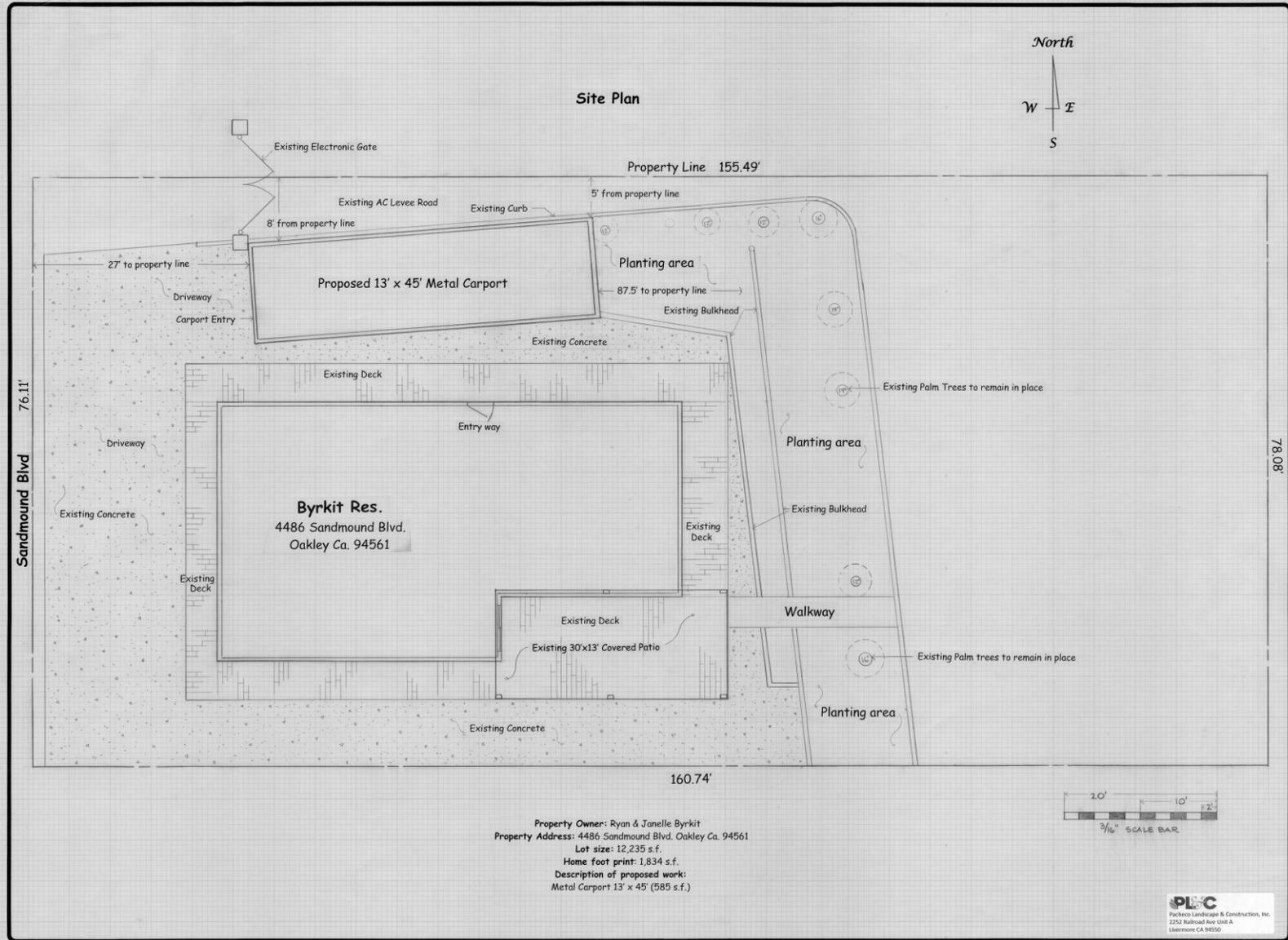
Vicinity, Zoning and General Plan Maps



Aerial Map



Site Plan for Existing Metal Carport/Accessory Building



REVISIONS	BY

Site Plan

Ryan & Janelle Byrkit
4486 Sandmound Blvd.
Oakley Ca. 94561

DRAWN EMERY PUGH/BLG
CHECKED
DATE Date: 1-16-23
SCALE Scale: 3/16" = 1'-0"
JOB NO.
SHEET Page 1 of 2
OF SHEETS



PRINTED ON CLEARPRINT 1000K

Unpermitted Accessory Building

6



Burkit Appeal

- ▶ The accessory building is not out of character with the residence.
- ▶ The lot and surrounding area are unique because some residences exceed 35 feet in height.
- ▶ The accessory building won't negatively impact the lot or surrounding vicinity.
- ▶ Removing the unpermitted building will create a financial hardship.

Staff Response to Appeal

- ▶ The accessory building is subject to the size and height limitations of the Ordinance Code established for accessory buildings.
- ▶ Staff has not found any unique conditions or special circumstances of the lot.
- ▶ Economic or financial hardship is not a finding for granting a variance request.

Questions?



4486 Sandmound Boulevard Variance Appeal

County File: CDVR23-01032

COUNTY PLANNING COMMISSION

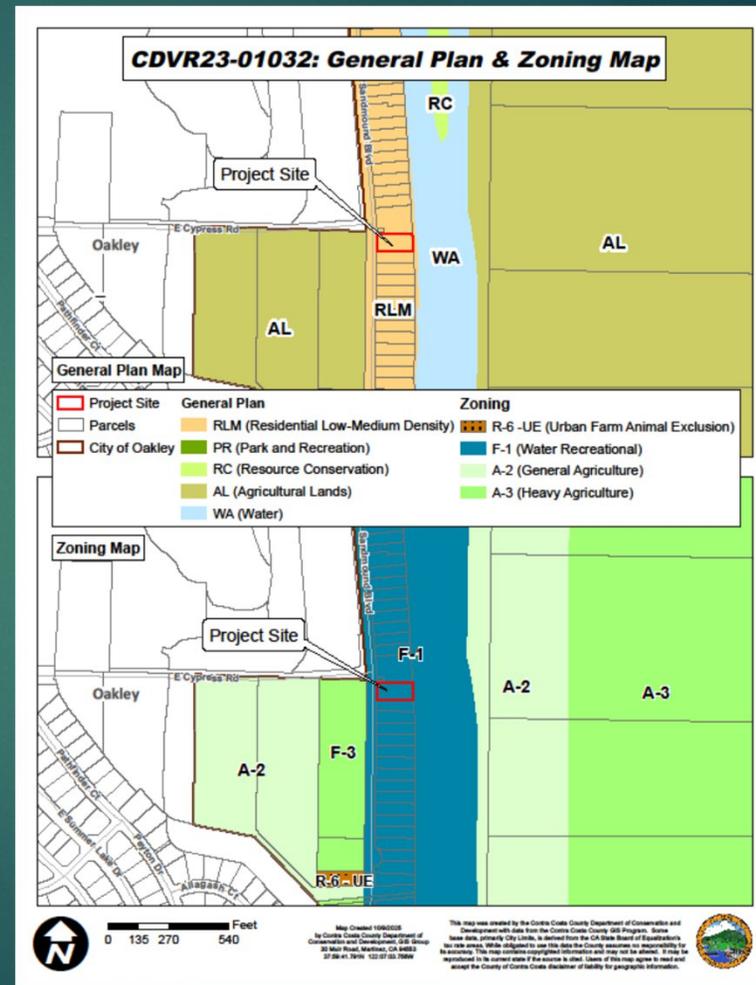
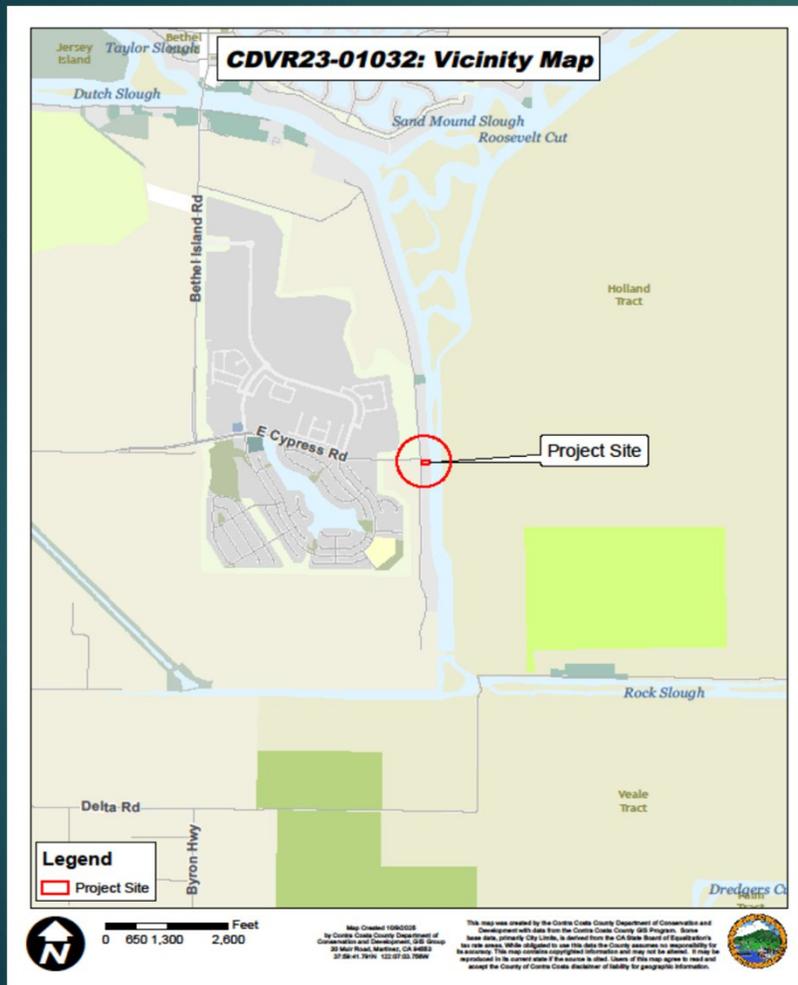
NOVEMBER 12, 2025

Background

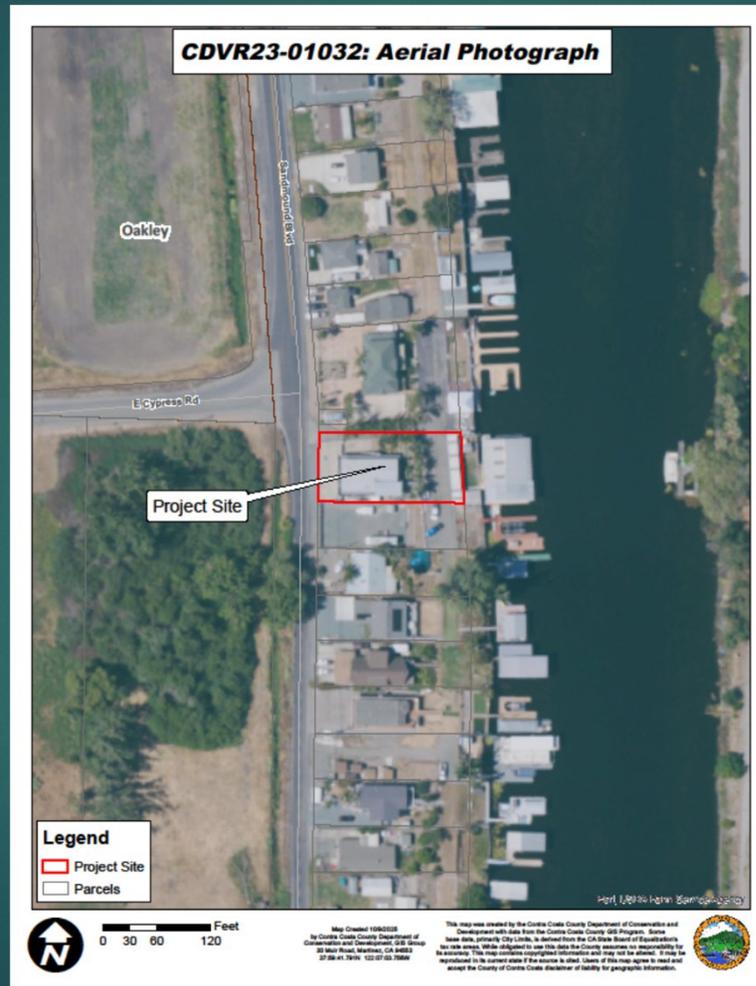
2

- ▶ Code enforcement case, CECF22-00793, was initiated for the metal carport/accessory building constructed without permits.
- ▶ Ryan Burkit, the property owner, submitted a variance application on June 6, 2023, for the 585-square-foot accessory building that is 18-feet 2-inches tall.
- ▶ Variance CDVR23-01032 was denied by the Zoning Administrator on April 21, 2025.
- ▶ An appeal of the Zoning Administrator's decision was received by Mr. Burkit on April 30, 2025.

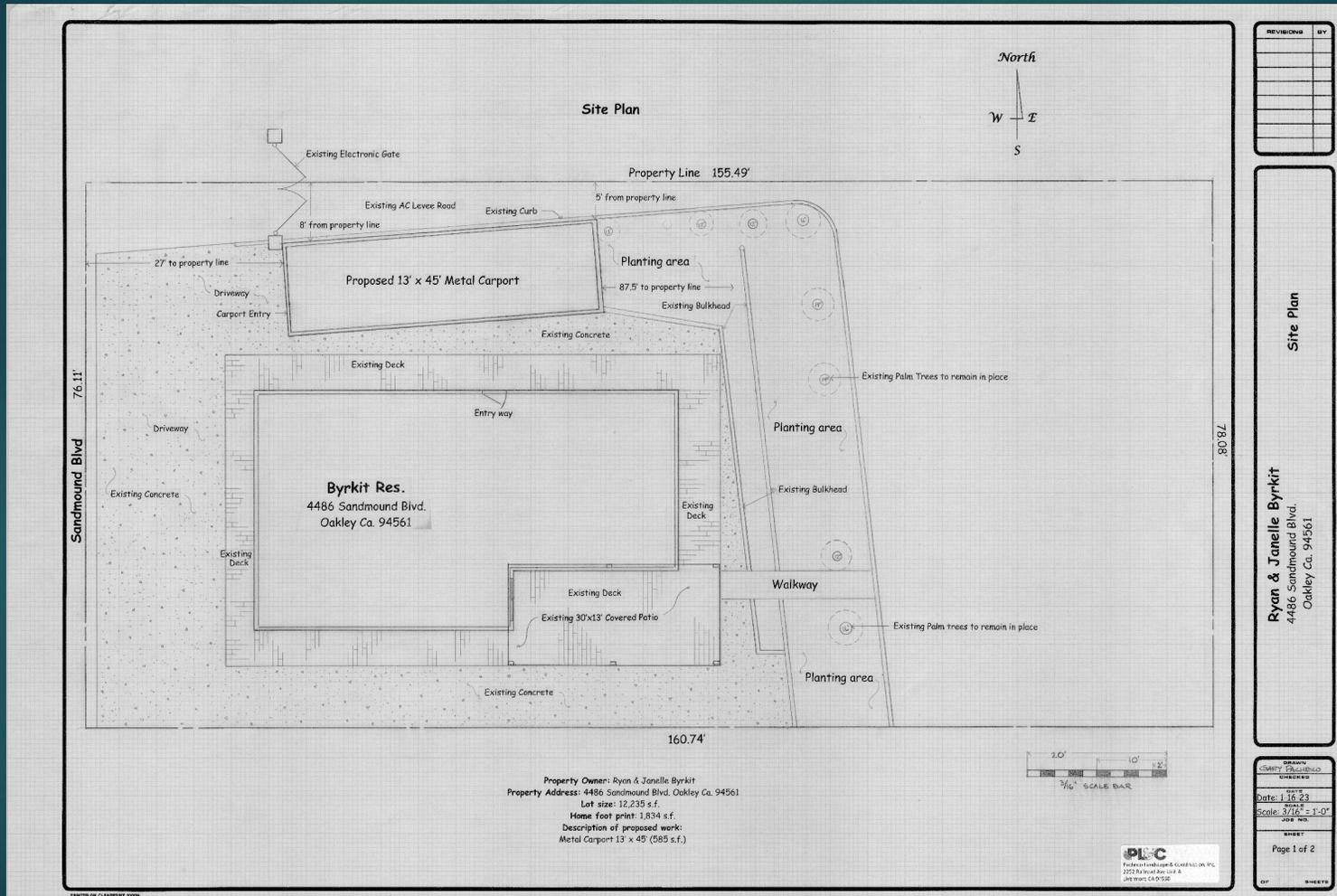
Vicinity, Zoning and General Plan Maps



Aerial Map



Site Plan for Existing Metal Carport/Accessory Building



REVISIONS	BY

Site Plan

Ryan & Janelle Byrkit
4486 Sandmound Blvd.
Oakley Ca. 94561

DATE	1.16.23
SCALE	3/16" = 1'-0"
SHEET	Page 1 of 2

Unpermitted Accessory Building

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Burkit Appeal

- ▶ The accessory building is not out of character with the residence.
- ▶ The lot and surrounding area are unique because some residences exceed 35 feet in height.
- ▶ The accessory building won't negatively impact the lot or surrounding vicinity.
- ▶ Removing the unpermitted building will create a financial hardship.

Staff Response to Appeal

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- ▶ The accessory building is subject to the size and height limitations of the Ordinance Code established for accessory buildings.
- ▶ Staff has not found any unique conditions or special circumstances of the lot.
- ▶ Economic or financial hardship is not a finding for granting a variance request.

Questions?