

# Department of Conservation and Development <u>County Planning Commission</u>

#### Wednesday, December 11, 2024 - 6:30 P.M.

STAFF REPORT Agenda Item #\_\_\_

**Project Title:** Variance and Tree Permit for a New Single-Family Residence

on Limerick Road in San Pablo

County File(s): #CDVR23-01026

**Appellant:** Ronald Collins

**Applicant/Owner:** Carl Adams (Applicant & Owner)

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

(Residential Low-Medium Density (RLM))

**Zoning:** R-6 Single-Family Residential District

**Site Address/Location**: 2754 Limerick Road in unincorporated San Pablo, CA

(APN: 403-152-020)

California Environmental

**Quality Act (CEQA) Status:** 

Categorical Exemption – Class 3: CEQA Guidelines, Section 15303(a), new construction of a single-family residence.

**Project Planner:** Nai Saephan, Planner I, (925) 655-2874

nai.saephan@dcd.cccounty.us

**Staff Recommendation:** Deny the Appeal and Uphold the Zoning Administrator's

Decision (See Section II for full recommendation)

#### I. PROJECT SUMMARY

This is a hearing on an appeal of the Zoning Administrator's decision to approve a new 5,104 square foot, two-story, single family residence with variances to allow a 0-foot front setback (where 20 feet is required) for a driveway structure and a 15-foot front setback (where 20 feet is required) for a carport within the driveway structure, with a tree permit to remove three (3) code-protected coast live oak trees

and one (1) code-protected red willow tree for the construction of the driveway structure and carport on a vacant lot. The new residence will be accessed with the new driveway from Dolan Way.

#### II. RECOMMENDATION

Department of Conservation and Development, Community Development Division (CDD) staff recommends that the County Planning Commission:

- A. OPEN the public hearing on the appeal of the variance and tree permit, RECEIVE testimony, and CLOSE the public hearing.
- B. DENY the appeal by Ronald Collins and UPHOLD the Zoning Administrator's decision to approve County File #CDVR23-01026.
- C. ADOPT the attached findings and conditions of approval.
- D. FIND that the project is categorically exempt from CEQA under Section 15303(a) of the CEQA Guidelines.
- E. DIRECT the Department of Conservation and Development to file a Notice of Exemption with the County Clerk.

#### III. BACKGROUND

The variance application CDVR23-01026 was accepted on April 24, 2023, requesting approval for variances to allow a 0-foot front setback (where 20 feet is required) for construction of a driveway platform structure, and a 15-foot front setback (where 20 feet is required) for construction of a carport on the driveway platform. The driveway and carport structures would provide access from Dolan Way and off-street parking for a new 5,104 square-foot two-story single-family residence on a vacant lot. The project also proposes a 500 square-foot junior accessory dwelling unit (ADU) at the lower level of the single-family residence which is allowed by-right. A separate ADU application has been submitted requesting approval of the junior ADU (file #CDSU23-00055). The application also includes a request for approval of a tree permit to allow the removal of three (3) code-protected coast live oak trees and one (1) code-protected red willow tree.

On May 6, 2024, the variance application was reviewed by the Zoning Administrator at a public hearing. After considering testimony provided at the public hearing from the applicant and neighbors, the Zoning Administrator read Housing Inventory Sites findings into the record and approved CDVR23-01026 as recommended by staff.

An appeal of the Zoning Administrator's decision was filed on May 15, 2024, within the 10-day appeal period by the appellant, Mr. Ronald Collins.

#### IV. GENERAL INFORMATION AND STAFF ANALYSIS

- A. <u>Site/Area Description</u>: The subject property is located within the community of Tara Hills in the unincorporated San Pablo area of Contra Costa County. The subject property is bounded by Tara Hills Elementary School to the east, Dolan Way to the south, and residential properties to the south, west, and north. The trapezoid-shaped lot is half an acre in area and has a steep slope with an elevation of around 160 feet from the southeast corner of the property at the Dolan Way frontage sloping downwards to the northwest corner of the property which has an elevation of around 120 feet. Although the property has a Limerick Road street address, the property does not have direct access to this street and will be accessed from Dolan Way.
- B. <u>Project Description</u>: The applicant is requesting approval of two variances for reduced front setbacks. The variances include a request for a 0-foot front setback (where 20 feet is the minimum required) for the construction of a driveway platform structure, and a 15-foot front setback (where 20 feet is the minimum required) for the construction of a carport on the driveway platform. The driveway platform will provide access to the subject property from Dolan Way and the carport structure will provide off-street parking for the proposed residence and junior accessory dwelling unit.

The applicant is also requesting approval of a tree permit to remove three (3) coast live oak trees measuring 7.5 inches, 12.7 inches, and 27.1 inches in diameter, and one (1) red willow tree measuring 10 inches in diameter. One of the coast live oaks is located near the driveway platform and one is located within the same area as the proposed carport structure. The third coast live oak and the red willow are located approximately 26 feet to the east of the proposed residence but according to the arborist report, both are in poor health with poor structure and form. All four trees are recommended for removal by the consulting arborist.

- C. General Plan: On November 5, 2024, the County Board of Supervisors adopted a new County General Plan (Envision 2045). The subject property previously had a Single-Family Residential-High Density (SH) General Plan land use designation at the time of the Zoning Administrator's decision, and now has a Residential Low-Medium Density (RLM) designation under the current General Plan. In addition, the project was deemed "complete" for processing on November 16, 2023, therefore, staff's analysis is based on the SH land use designation. Primary and secondary land uses permitted in the SH designation include detached single-family homes and accessory buildings and structures. Secondary uses generally considered to be compatible with high density homes may be allowed, including home occupations, small residential care and childcare facilities, churches and other similar places of worship, accessory dwelling units, and other uses and structures incidental to the primary uses. The proposed two-story single-family residence with a junior accessory dwelling unit meets the criteria for both the primary and secondary land uses as described above and is therefore consistent with the uses allowed in the SH General Plan land use designation, as well as the uses, intent, and purpose of the RLM land use designation.
- D. Zoning: The subject property is located within an R-6, Single-Family Residential District (R-6) which is intended to promote the orderly development of high-density residential neighborhoods. The uses permitted in a R-6 district include a detached single-family dwelling on each lot and the accessory structures and uses normally auxiliary to it, accessory dwelling units, and junior accessory dwelling units. The proposed project to construct a new single-family residence, accessory structures, and a junior accessory dwelling unit is consistent with the uses allowed in the R-6 zoning district.

No single-family dwelling or other structure permitted in the R-6 district shall be erected or placed on a lot smaller than 6,000 square feet in area, less than 60 feet in average width, or exceed two and one-half stories or 35 feet in height. The subject property is 21,780 square feet in area and approximately 122 feet in average width and is therefore not substandard in size or average width. The proposed, two-story single-family residence would have a maximum height of 28'-11" which is consistent with the R-6 district height requirements.

The R-6 district requires a minimum side yard width of five feet wide, a minimum aggregate side yard width of 15 feet, and a minimum 15-foot rear yard. The proposed residence is designed with a side yard of 17'-5" at its closest point to

the western property line, an approximately 53-foot side yard from the eastern property line, and approximately 85' to the rear property line to the north. Therefore, the proposed residence is consistent with the requirements for minimum side yard, aggregate side yard width, and rear yard requirements. Likewise, the proposed carport and driveway platform are consistent with the minimum side yard requirements.

Although the subject property has a Limerick Road street address, it does not front Limerick Road, nor does it have access to Limerick Road. The subject property wholly fronts Dolan Way. As such, the property is not considered a corner lot. The applicant is requesting variances to the front setback requirement to allow a 0-foot setback for the driveway platform and a 15-foot setback for the carport structure, where the R-6 district requires a 20-foot front yard setback. Staff believes that due to the steep slope of the property where a traditional driveway at grade would not be suitable, the findings exist to allow the requested variances for the construction of the driveway platform and carport. Therefore, the proposed project and variances substantially meet the intent and purpose of the R-6 District in which the property is located. Further discussion of the variances can be found in the attached Findings section of this report.

If granted, the proposed tree permit would allow for the removal of three code-protected coast live oak trees and one code-protected red willow tree from the subject property. Two of the code-protected coast live oak trees will need to be removed for construction of the proposed driveway platform and carport structure. The project arborist recommended removal of one code-protected coast live oak tree and one red willow tree that are outside of the construction area due to their declining health and poor structure and form. The County's Tree Preservation and Protection Ordinance (County Code Chapter 816-6) is intended to provide for the protection of trees on private property through restitution for tree removal while allowing for reasonable enjoyment of private property rights and development. The reasonable development of the subject property requires the removal of the four subject trees. Therefore, staff believes the required findings exist to allow the proposed removal of the trees.

#### V. APPEAL OF ZONING ADMINISTRATOR'S MAY 6, 2024, DECISION

During the appeal period following approval by the Zoning Administrator, one appeal from Ronald Collins, owner of 2750 Limerick Road, was received by staff on

May 15, 2024. The following are summaries of the concerns raised in the letter of appeal, followed by staff's responses to each appeal point:

1. <u>Summary of Appeal Point #1</u>: Appellant is concerned about the removal of the two trees on the slope east of the proposed residence and the impact on soil stability and drainage.

<u>Staff Response</u>: The arborist report has identified thirty-four (34) codeprotected trees on the subject property. According to the arborist report prepared for the project, the arborist's recommendation for removal of the two trees of concern is due to fair to poor health with poor structure and form of each tree. Both trees are leaning towards the location of the proposed residence. The two trees are in a stand of 23 trees; therefore 21 trees would remain in the vicinity of the two trees removed from the eastern slope of the subject property. Thus, the removal of only these two trees is not expected to cause soil instability or have significant impact to drainage.

2. <u>Summary of Appeal Point #2</u>: Appellant states that wildlife seek shelter in the trees, that their habitat is being destroyed, and that the vacant property has become an animal sanctuary.

<u>Staff Response</u>: Four of the 34 mature trees inventoried by the arborist would be removed from the subject property. The remaining 30 trees, mostly within the areas along the eastern slope of the property outside of the project site, will remain as habitat for wildlife. Staff has determined that the factors exist to recommend removal of the trees and that the issuance of a tree permit will not negatively affect the sustainability of the resource, as indicated in the attached findings.

3. <u>Summary of Appeal Point #3</u>: Appellant states that a change of hill runoff into appellant's property could cause possible flooding of existing improvements.

<u>Staff Response</u>: The subject property is fairly steep along the Dolan Way frontage, rising approximately 30 to 40 feet from the approximate center of the property south towards Dolan Way. The proposed residence is designed to extend towards the bottom of the sloped area to the relatively flat portion of the property. The driveway platform would be elevated above the natural grade. There is no grading proposed under the driveway platform that would

change the hill runoff direction. If approved, the project to construct the new residence and accessory structures will be required to comply with current grading and building codes and County ordinances in regard to drainage and stormwater control. As such, the project is not anticipated to change the direction of the hill runoff in any significant manner.

4. <u>Summary of Appeal Point #4</u>: Appellant is concerned that the occupants of the new residence could look directly into their backyard and bedroom window and that the removal of the two trees on the Dolan side of the subject property would compromise their privacy.

Staff Response: Staff considered that the new residence would be expected to have a negligible impact on privacy in the adjacent properties, however, privacy is not an element considered in determining if a project is compliant with zoning or General Plan regulations. Furthermore, as designed, the proposed residence will maintain a 17'-5" distance at its closest point to the side property line on the west, adjacent to the appellant's property, which is consistent with the R-6 zoning district requirement for a minimum 5-foot side yard. Based on available information, the appellant's residence appears to be approximately 50 feet from the shared property line. Therefore, as measured from the closest point of the new residence to the appellant's residence, there is an approximate distance of 67 feet. The two trees to be removed from the southwestern area of the property are located in the same area as the proposed driveway and carport. As such, the removal of these two trees is not expected to significantly compromise appellant's privacy as they would not block western views from the proposed residence if they were to remain. Nevertheless, to address privacy concerns, staff has recommended as a condition of approval a requirement to plant trees along the shared property line where there are currently no trees (COA #7). Once mature, these trees are expected to provide a level of privacy to address the appellant's concerns.

5. <u>Summary of appeal point #5</u>: The appellant is concerned that the proposed residence will be located too close to the shared property line and that the new residence will block sunlight to their yard in the morning, and why the proposed residence is not located closer to the school side of the property.

<u>Staff Response</u>: As discussed above, the proposed location of the new residence takes advantage of the relatively flat middle area of the property and have reasonable access to Dolan Way. The proposed residence is located

17'-5" from the western property boundary adjacent to the appellant's property which is more than the 5 feet minimum side yard required within the R-6 zoning district. In addition, the proposed residence would be approximately 29 feet in height from grade which is less than the 35 feet that is allowed in the R-6 zoning district. Locating the residence further east and closer to the school side of the property would place it on a steeper slope where the majority of mature trees are growing on the subject property. Thus, the location of the residence minimizes the amount of grading that would be required to construct a house and driveway on a steep slope and the number of trees to be removed or that would be altered during construction or grading due to dripline encroachment. Furthermore, when factoring in the height of hillside and the many mature trees on the eastern side of the property that are already naturally blocking sunlight access to the west in the morning, the new residence is not expected to block sunlight any further than what already exists.

6. <u>Summary of Appeal Point #6</u>: *Appellant states that there is no valid reason for the four trees to be removed.* 

<u>Staff Response</u>: As stated in the arborist report, two of the trees are within the general area of the proposed development while the other two trees on the sloped area are recommended for removal due to concerns about their health, structure, and form. The County's Tree Protection and Preservation Ordinance (County Code Chapter 816-6) is intended to provide for the protection of trees on private property through restitution for tree removal while allowing for reasonable enjoyment of private property rights and development. Staff believes the factors exist for removal of the trees, which have been included in the attached findings.

7. <u>Summary of Appeal Point #7</u>: *Appellant is concerned about the structure and size of the proposed residence and asserts that it is a 3-story house.* 

<u>Staff Response</u>: As shown on the section drawings on the project plans, the proposed residence is a two-story structure approximately 29 feet in height above grade, which is below the 35-foot maximum height limit and conforms to the requirement of the R-6 zoning district for a maximum number of 2-1/2 stories. The property is consistent with the minimum lot size and average width of the R-6 zoning district and therefore, there is no small lot design

review component in which findings would need to be made to support the bulk and scale of a proposed structure.

8. Summary of Appeal Point #8: Appellant states that the site is not suitable to build a home as it is where water collects from all of the hills above to where a pond used to exist before the applicant hired a construction crew to remove the pond and install stormwater piping to a storm drain and aqueduct below the subject property.

Staff's Response: The design and location of the proposed residence is to take advantage of a flatter area of the lot. Having water collect at the flat areas of the property from the sloping ridges on the east and south of the property due to water runoff from rain is common due to the hilly landscape of the area. The adjacent properties to the west, northwest, and north of the subject property are all at the bottom of the same hills, and all of these properties have been developed with single-family residences. There is no evidence in the record that an aqueduct has been installed on the subject property or of the presence of a drainage or water utility easement on the subject property. Nonetheless, in the event the project is approved, grading and building inspection staff will review the plans to ensure that the proposed residence and its accessory structures have been designed to meet applicable grading and building codes and County ordinance codes, including those related to drainage and stormwater control.

9. <u>Summary of Appeal Point #9</u>: *Appellant indicated that there has been illegal dumping of dirt onto the property in the past.* 

<u>Staff Response</u>: Staff confirms that in 2005, there was a code enforcement case opened on the property for grading and placing fill on a steep hillside without a permit (file #BIRF05-01632). The case has since been closed by County Code Enforcement, which indicates that the issue was resolved.

#### VI. CONCLUSION

The proposed project to construct a new single-family residence on a vacant lot is consistent with the applicable goals and policies of the General Plan including the intent and purpose of the previous Single-Family Residential-High Density (SH) and is also consistent with the current Residential Low-Medium Density (RLM) land use designations. According to all of the information available for this application, it

appears that granting the requested variances for reduced front setbacks for the driveway platform and carport structure does 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. Additionally, granting the requested variances to provide relief from the strict application of the 20-foot setback will allow the property owner to have driveway access to the property and provide for off-street parking for the residents similar to other properties within the identical land use district. Therefore, based on the attached findings, the project is consistent with the standards of the R-6 Single-Family Residential Zoning District. Given the topographical constraints of the property, the requested tree removal is also reasonable in order to allow the property owner an opportunity to develop the site similar to other residential properties within the vicinity. Therefore, staff recommends that the County Planning Commission deny the appeal and uphold the Zoning Administrator's decision to approve County file #CDVR23-01026, based on the attached findings and subject to the attached conditions of approval.

#### Attachments:

- A. Findings and Conditions of Approval
- B. Appeal Letter
- C. Maps (Assessor's Parcel Map, General Plan, Zoning, Aerial)
- D. Project Plans
- E. Presentation Slides

## FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE #CDVR23-01026; CARL ADAMS (APPLICANT & OWNER):

#### I. <u>Variance Findings</u>

1. <u>Required Finding:</u> 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.

<u>Project Finding</u>: The requested variances for a zero-foot setback for the construction of a driveway platform and a 15-foot setback for the construction of a driveway platform and carport structure provide the necessary driveway access from Dolan Way as well as off-street parking for the new single-family residence and junior accessory dwelling unit. Having basic driveway access to property from a public right-of-way is common on most, if not all, properties throughout the county that have residential development. Therefore, granting of a variance for a zero-foot front yard setback for a driveway platform structure and a 15-foot front yard setback for a driveway platform and carport structure is not a grant of special privilege inconsistent with the limitations of other properties in the vicinity and the respective land use district.

2. <u>Required Finding:</u> 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.

<u>Project Finding</u>: The subject property slopes steeply downward from the Dolan Way Street frontage towards the rear of the property. This steep slope makes it difficult to construct a standard driveway at natural grade to access the site. Having a variance for a zero-foot front setback for the construction of the driveway platform starting at the property line and extending to the new residence is the least intrusive design to access the property as compared to significant grading and retaining walls that would be needed for a standard driveway. Therefore, strict application of the R-6 standards is found to deprive the subject property of the rights enjoyed by other properties in the vicinity and within the identical land use district due to its steep topography.

3. <u>Required Finding</u>: That any variance authorized shall substantially meet the intent and purpose of the respective land use district in which the property is located.

<u>Project Finding</u>: Generally speaking, the intent and purpose of the R-6 Single-Family Residential zoning district is to facilitate orderly development and maintenance of high-density single-family residential neighborhoods. The new single-family residence with a junior accessory dwelling unit on the subject property is consistent with the desired development mentioned above. Additionally, there is no element of the project that will inhibit future residential uses or development on the subject property or those in the surrounding neighborhood. Therefore, a variance authorized for the reduced setbacks substantially meets the intent and purpose of the R-6 zoning district in which the subject property is located.

#### II. <u>Tree Permit Findings</u>

The Zoning Administrator is satisfied that the following factors, as provided by County Code Section 816-6.8010 for granting a tree permit, have been satisfied:

- <u>Project Finding</u>: Reasonable development of the property would require removal and/or work within the dripline of code-protected trees and this development could not be reasonably accommodated on another area of the lot.
- <u>Project Finding</u>: Where the arborist or forester report has been required, the Zoning Administrator is satisfied that the issuance of a permit will not negatively affect the sustainability of the resource.

#### **III. Housing Sites Inventory Findings**

Government Code Section 65863(b)

<u>Section 65863(b)(1)</u> No city, county, or city and county shall, by administrative, quasi-judicial, legislative, or other action, reduce, or require or permit the reduction of, the residential density for any parcel to, or allow development of any parcel at, a lower residential density, as defined in paragraphs (1) and (2) of subdivision (g), unless the city, county, or city and county makes written findings supported by substantial evidence of both of the following:

(A) The reduction is consistent with the adopted general plan, including the housing element.

<u>Project Finding</u>: The subject property has a General Plan land use designation of Single-Family Residential-High Density (SH), which allows between 5.0 and 7.2 single-family units per net acre. The subject property is half an acre in area, therefore the allowable units range between 1.9 and 2.7 single-family units. The project proposes one single-family residence and one accessory dwelling unit on the half acre property for a total of two units. Thus, there is no reduction in the residential density from the density that is allowed by the existing General Plan land use designation.

(B) The remaining sites identified in the housing element are adequate to meet the requirements of Section 65583.2 and to accommodate the jurisdiction's share of the regional housing need pursuant to Section 65584. The finding shall include a quantification of the remaining unmet need for the jurisdiction's share of the regional housing need at each income level and the remaining capacity of sites identified in the housing element to accommodate that need by income level.

The 6<sup>th</sup> Regional Housing Needs Allocation (RHNA) was Project Finding: prepared by ABAG for the period of June 30, 2022, through December 15, 2030. As part of this process, ABAG requires each jurisdiction to plan for a certain number of housing units for this period. This requirement is satisfied by identifying adequate sites that could accommodate housing that is affordable to very low, low, moderate, and above moderate-income households. ABAG has determined that the unincorporated County's share of regional housing needs is a total of 7,610 new housing units, which includes the construction of 3,133 above-moderate units, 1,211 moderate-income units, 1,194 low units, and 2,072 very low units. Based on the 2023 Housing Element Annual Progress Report, the County has constructed a total of 536 units across all income levels with 263 above-moderate units, 171 moderate-income units, 71 low-income units, and 31 very low-income units. The remaining RHNA to be constructed for the County's share of the 6th Cycle of the Housing Element RHNA are 2,870 above-moderate units, 1,040 moderate-income units, 1,123 low-income units, and 2,041 very lowincome units.

The development on the subject property proposes two units, one single family residence and one accessory dwelling unit. The site is listed on the Housing Element sites inventory for three above-moderate units. An above-moderate unit are units that are for incomes above 120 percent of the area median income. Market-rate units are counted as an above-moderate income unit.

The Housing Element has incorporated into the sites inventory a surplus of units at all income categories. The surplus of units for the above-moderate category is 975 units. Calendar year 2023 is the first year of the eight-year Housing Element cycle. Many of the vacant/underutilized parcels listed in the sites inventory have not been developed, that have the capacity for above-moderate units. The undeveloped parcels include two parcels in Walnut Creek and one in Vine Hill that have a capacity of 198, 156, and 144 above-moderate units. Although the project does not propose three above-moderate units as anticipated by the County's 6th Cycle Housing Element sites inventory, there remains capacity in the sites inventory to meet the remaining unmet need for above-moderate units.

Section 65863(b)(2) If a city, county, or city and county, by administrative, quasi-judicial, legislative, or other action, allows development of any parcel with fewer units by income category than identified in the jurisdiction's housing element for that parcel, the city, county, or city and county shall make a written finding supported by substantial evidence as to whether or not remaining sites identified in the housing element are adequate to meet the requirements of Section 65583.2 and to accommodate the jurisdiction's share of the regional housing need pursuant to Section 65584. The finding shall include a quantification of the remaining unmet need for the jurisdiction's share of the regional housing need at each income level and the remaining capacity of sites identified in the housing element to accommodate that need by income level.

<u>Project Finding</u>: The 6<sup>th</sup> Regional Housing Needs Allocation (RHNA) was prepared by ABAG for the period of June 30, 2022, through December 15, 2030. As part of this process, ABAG requires each jurisdiction to plan for a certain number of housing units for this period. This requirement is satisfied by identifying adequate sites that could accommodate housing that is affordable to very low, low, moderate, and above moderate-income households. ABAG has determined that the unincorporated County's share of regional housing needs is a total of 7,610 new housing units, which includes the construction of 3,133 above-moderate units, 1,211 moderate-income units, 1,194 low units, and 2,072 very low units. Based on the 2023 Housing Element Annual Progress Report, the County has constructed a total of 536 units across all income levels with 263 above-moderate units, 171 moderate-income units, 71 low-income units, and 31 very low-income units. The remaining RHNA to be constructed for the County's share of the 6th Cycle of the Housing Element RHNA are 2,870 above-moderate units, 1,040 moderate-income units, 1,123 low-income units, and 2,041 very lowincome units.

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#### **CONDITIONS OF APPROVAL FOR COUNTY FILE #CDVR23-01026:**

#### **Project Approval**

- 1. **Variance Permit is APPROVED** to allow a zero-foot front yard setback, where 20 feet is the minimum required, to construct a driveway platform structure, and a 15-foot front yard setback, where 20 feet is the minimum required, to construct a driveway platform and carport structure to provide driveway access from Dolan Way and off-street parking for a new 5,104 square-foot two-story single-family residence with a 500 square-foot junior accessory dwelling unit on a vacant lot.
- 2. **Tree Permit is APPROVED** for the removal of four (4) code-protected trees, which include three (3) coast live oaks measuring 7.5 inches, 12.7 inches, and 27.1 inches in diameter, and one (1) red willow measuring 10 inches in diameter.
- 3. The Variance and Tree Permit approvals described above are based on and as generally shown on the following documents:
  - a) application materials received by the Department of Conservation and Development, Community Development Division (CDD) on April 24, 2023, and revised plans received on April 24, 2024.
  - b) arborist report received by the CDD on January 12, 2023.

#### **Arborist Expense**

4. The expenses associated with all required arborist services shall be borne by the property owner.

#### **Arborist Recommendations**

5. The applicant shall implement all recommended measures of the consulting arborist's report, which are intended to mitigate the impacts of construction activities.

#### **Timing of Tree Removal**

6. The four (4) code-protected trees approved for removal shall not be removed until a building or grading permit for construction of the residence has been obtained from the County.

#### **Tree Planting to Protect Privacy**

7. The applicant shall plant screening (privacy) trees along the western portion of the property bordering the adjacent property directly to the west where there are currently no existing trees. Photographic evidence shall be submitted to the CDD prior to final building inspection.

#### **General Provisions**

8. Any deviation from the approved plans shall require review and approval by the CDD and may require the filing of an application for a new Variance and/or Tree Permit.

#### **Payment of Fees**

9. The application was subject to an initial deposit of \$3,250.00. The application is subject to time and material costs if the application review expenses exceed the initial deposit. Any additional fee due must be paid prior to an application for a grading or building permit, or 60 days of the effective date of this permit, whichever occurs first. The fees include costs through permit issuance and final file preparation. Pursuant to Contra Costa County Board of Supervisors Resolution Number 2019/553, where a fee payment is over 60 days past due, the Department of Conservation and Development may seek a court judgement against the applicant and will charge interest at a rate of ten percent (10%) from the date of judgement. The applicant may obtain current costs

by contacting the project planner. A bill will be mailed to the applicant shortly after permit issuance in the event that additional fees are due.

#### **Accessory Dwelling Unit Permit**

10. Approval of this permit does not constitute approval for an Accessory Dwelling Unit (ADU). Approval of the ADU is contingent on the review of a separate Accessory Dwelling Unit permit prior to CDD stamp of approval of plans for the issuance of a building permit for an ADU.

#### **Construction Period Restrictions and Requirements**

All construction activity shall comply with the following restrictions:

11. A publicly visible sign shall be posted on the property with the telephone number and person to contact regarding construction-related complaints. This person shall respond and take corrective action within 24 hours. The CDD phone number shall also be visible to ensure compliance with applicable regulations.

The following conditions shall be included on the construction drawings:

- 12. The applicant shall make a good faith effort to minimize project-related disruptions to adjacent properties, and to uses on the site. This shall be communicated to all project-related contractors.
- 13. The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.
- 14. Construction equipment and materials shall be stored onsite.
- 15. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.
- 16. A good faith effort shall be made to avoid interference with existing neighborhood traffic flows.
- 17. Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays

on the calendar dates that these holidays are observed by the State or Federal government as listed below:

New Year's Day (State and Federal)

Martin Luther King, Jr. Day (State and Federal)

Washington's Birthday (Federal)

Presidents' Day (State)

Cesar Chavez Day (State)

Memorial Day (State and Federal)

Juneteenth National Independence Holiday (Federal)

Independence Day (State and Federal)

Labor Day (State and Federal)

Columbus Day (Federal)

Veterans Day (State and Federal)

Thanksgiving Day (State and Federal)

Day after Thanksgiving (State)

Christmas Day (State and Federal)

For specific details on the actual day the State and Federal holidays occur, please visit the following websites:

Federal Holidays: Federal Holidays (www.opm.gov)
California Holidays: State Holidays (www.sos.ca.gov)

- 18. Large trucks and heavy equipment shall be subject to the same restrictions that are imposed on construction activities, except that the hours are limited to 9:00 AM to 4:00 PM.
- 19. <u>Tree Damage</u> The applicant shall notify the CDD of any unintended damage that occurs to any tree not approved for removal during construction or grading activity. The owner shall repair any damage as determined by an arborist designated by the Director of Conservation and Development.

Any tree not approved for removal that dies or is significantly damaged as a result of construction or grading shall be replaced with a tree or trees of equivalent size and of a species as approved by the Director of Conservation and Development to be reasonably appropriate for the particular situation.

#### **ADVISORY NOTES**

ADVISORY NOTES ARE NOT CONDITIONS OF APPROVAL; THEY ARE PROVIDED TO ALERT THE APPLICANT TO ADDITIONAL ORDINANCES, STATUTES, AND LEGAL REQUIREMENTS OF THE COUNTY AND OTHER PUBLIC AGENCIES THAT MAY BE APPLICABLE TO THIS PROJECT.

A. NOTICE OF OPPORTUNITY TO PROTEST FEES, ASSESSMENTS, DEDICATIONS, RESERVATIONS OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.

Pursuant to California Government Code Section 66000, et seq., the applicant has the opportunity to protest fees, dedications, reservations or exactions required as part of this project approval. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and must be delivered to the Community Development Division within a 90-day period that begins on the date that this project is approved. If the 90th day falls on a day that the Community Development Division is closed, then the protest must be submitted by the end of the next business day.

- B. Prior to applying for a building permit, the applicant is strongly encouraged to contact the following agencies to determine if additional requirements and/or additional permits are required as part of the proposed project:
  - Department of Conservation and Development, Building Inspection Division
  - Contra Costa County Fire Protection District
  - Contra Costa County Public Works Department
  - Contra Costa Health, Environmental Health Division
  - East Bay Municipal Utility District
  - West County Wastewater District

OOF4 5-15-24

### COUNTY FILE# CDVR23-01026

TO NAI SAEPHAN PARCEU # 403-152-020 (CARL ALAMS) (4) TREES TO BE CUT DOWN

THIS IS A APPEAL OF 4 TREES TO BE LEMONED ON 2754 LIMERICK ROAD, I APPEAL THIS DEBCISION BASED ON THESE FACTS

- 1) THE FIRST & TREES ARE ON A STEEPS COPE THEY GREW THROUGH 52 DUMP TRUCKS OF ICLEGACLY DUMPELS DIRT OF DOLLAW IN 2005 I AM WORRIED THAT IF THE TREES ARE REMOVED THE HALL COULD SUIDE INTO MY YARD DUE TO THE COOSENING OF THE SOIL AND DRANIESE CHANGE OF WATER KUN OFF.
- 2) WILLIFE SEEK SHELTER IN THE TREES THERE HAVE KREAWY BEEN TREES &BAMBOO REMOVED WHICH WAS USED BY SQU'RRELS, HAWKS, TURKEYS & MINNY OTHER BIRDS, THERE HABITAT IS BEING DESTROPED
- 3) CHANGE OF HILL RUN OFF INTO MY PROPERTY CAUSING POSSIABLE FEDODING OF MY HOME
- 4) PRIVACY FROM DOLAN WHY STREET AUD ALSO NEW HOME OCCUPANTS COULD LOOK DIRECTLY INTO MY BACK PIND & BETMOON WINDOW WOULD BE GAEATLY DISTURBING ON OUR LIVES. IF THE TREES ARE REMOVED, THERE HAS ACKEDUY BEEN SIGNIFICANT THINNING OF THE PROPERTY OVER THE YEARS AND THE REMOVAL OF THE ZTREES ON DOLAN SIDE WORLD COMPROMISE MY PRIVACY.

30F4

	5) I SEE NO REASON FOR THE 4 TREES
	TO BE REMOVED FROM THE LAND, THEY
	POSE NO TREAT AS STATED IN THE CETTER
	ILECEIVED
	6) THIS PIECE OF CAND IS TRULY LIKE AN
	ANIMAL SANCTUARY NOT JUST ON A EMPTY COT.
	I HAVE WITNESSED SEEING IN MY 32 YEARS
	OF CIUNG HERE SO MANY ANIMACS
	TO SEE THERE HAAMATELOWLY TAKEN AWAY
	OVER THE YEARS IS TRULY SADDEDING,
	THESE 4 TREES & THE ANIMHUS THEY SERVE
	DESERVE TO REMAIN WHERE THEY ARE,
7	
	TIPAL GOLD
	LONALIS COLLINS
	AURACIS CUCCIOS

SECOND PART OF APPEAL IS THE STRUCTURE ( SIZE OF HOUSE, MY PROPERTY IS RIGHT BELOW ON 2750 CIMERICK ROAD, TWILL HAVE (OBZERO) PRIVACY FROM A 140GE 3 STORY HOUSE, COUNTY SAYS IT WILL BE A 2 STORY WITH ADDED ADU AT BOTTOM, YOU ALSO SAY YOU WILL HAVE CARL ANDAMS PUT PRIVACY TREES IN BETWEEN OUR YARDS YOU ( CARL WOOLD HAVE TO PLANT 30' FOOTTREES FOR PRIVACY, County says when mature will provide privacy". Realistically that would be at least a decade THE PROPERTY IS NOT A PLACE TO to provide BURD A HOME, THE COT IS AT THE BOTTOM PING OF WHERE ALL THE WATER COLLECTS FROM ALL THE ABOUT HILLS, THERE WAS A POND BACK THERE TIL CALL ADAMS HAD 415 CONSTRUCTION CREW TAKE A TRACTOR & USH IT OUT INTO ALL OUR PARDS IN 2018, NOW HE HAS A QUEDUCT OF WATER UNDER HIS PROPERTY ALL YEAR ROULD, HE HAS ILLEGALLY POTINZ 9" PIPES ABOUT 4" 10+0 GROUND CONVECTING INTO BRAND IVEW STORMINAVIO TUST PUT IN BY SCHOOL ZYEARS AGO, CARLADAS HAS BEEN USING A GAS GENERATOR TO POMP WHATER SEDIMENT INTO THE PIPE, ITSTICKS DUT OF THE GROWN AT LEAST 31. I HAVE VIDEO OF HIM ILLEGALY PUMPING WATER & WHATEVER CONTAMILEUTS FROM HIS PROPERTY CARLAGAMS DUMPED ST DAMP TRUCKS OF HOWN THE STEEP HILL FROM DOLAN IN 2005. TIC CCCOUNTY CODE ENFORCEMENT RED TAPED THE AREA SHUT DOWN THE DUMPING

(4) OF 4

FART IS SET BACE

THE STRUCTURE IS SO HULE COMPARED

TO MINE, HIS WILL BE AROWD 3 STONYATSSOOD

FT & MINESTIS AT ANDOND 1100 SOFT,

WHYDOES THE HOUSE HAVE TO SIT SO CLOSE

TO MY PROPERTY LINE, THERE IS NO WAY

HE WILL NOT BE BLOCKING SON LIGHT TO

MY YARD IN THE MORKING, THE SON COMES

UP EXACTLY WHERE LARL ADAMS WANTS

TO BUILD HIS HOUSE, WHY CANT HE BUILD

IT CLOSER TO SCHOOLS SIDE PROPERTY,

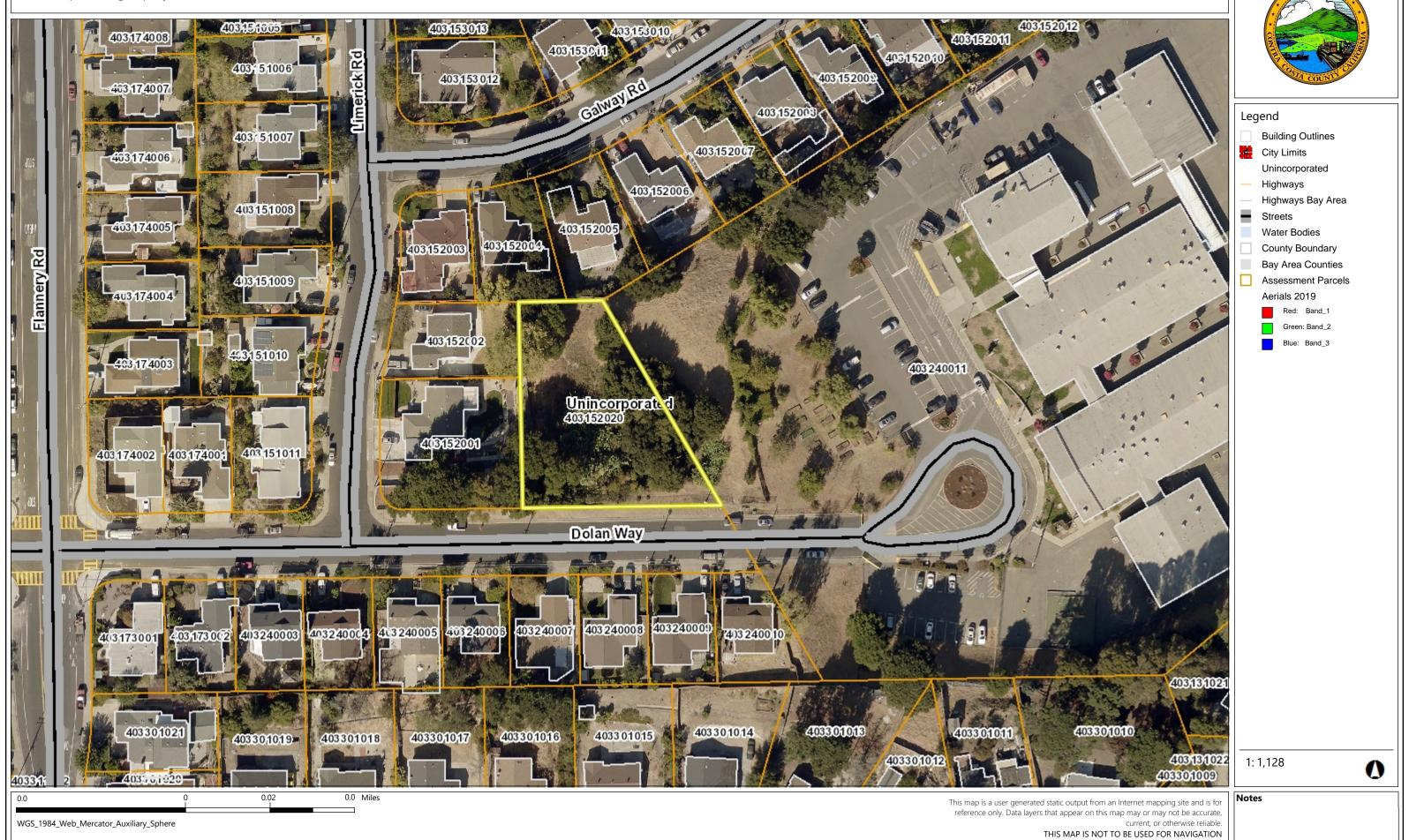
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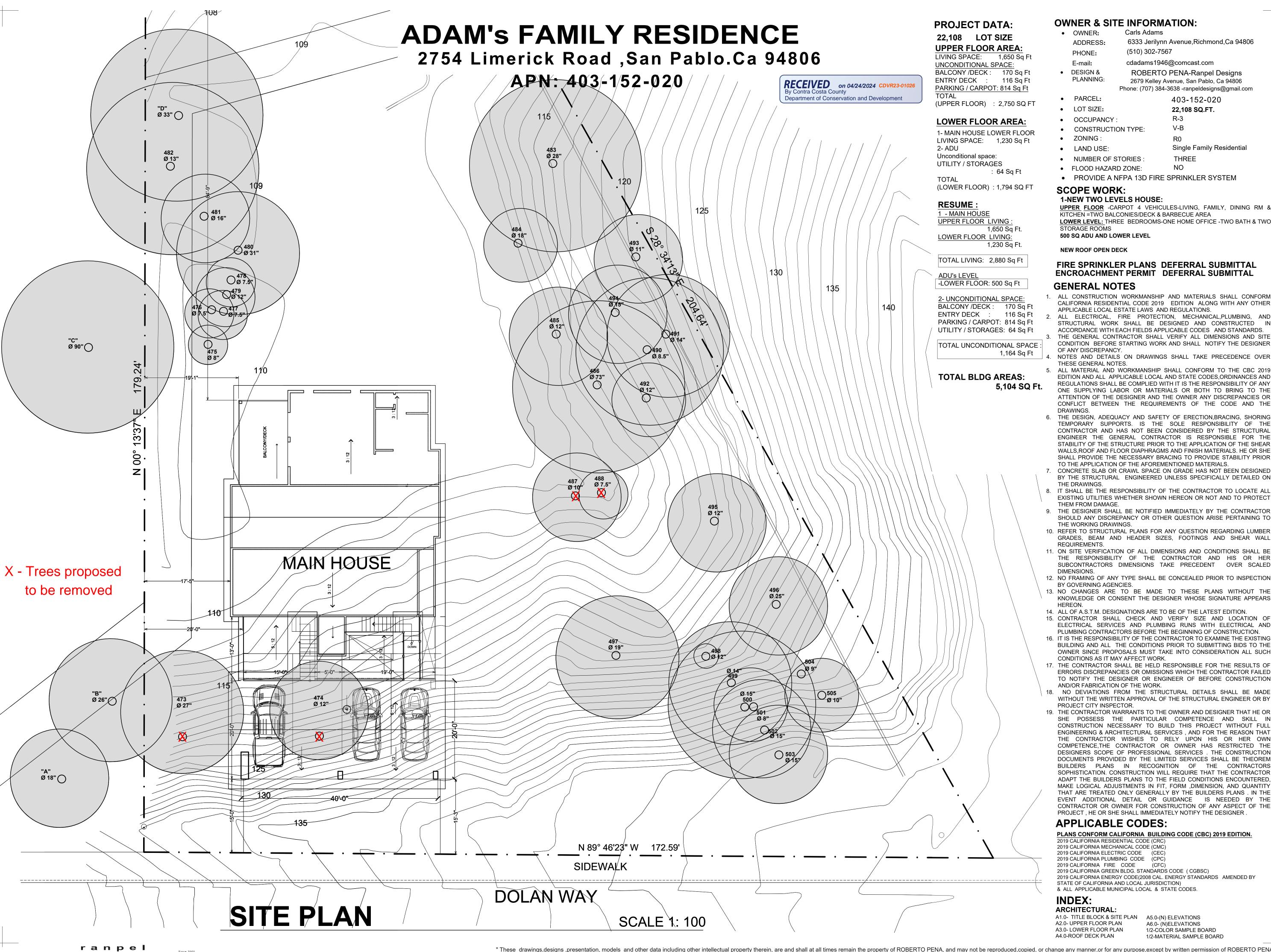
RONALD COCUNS 2750 LIMERICE KOAIS SAN BABLO CA 94806





#### Orthophotography





#### **OWNER & SITE INFORMATION:**

Carls Adams OWNER:

6333 Jerilynn Avenue, Richmond, Ca 94806 ADDRESS:

(510) 302-7567 PHONE:

cdadams1946@comcast.com E-mail:

 DESIGN & **ROBERTO PENA-Ranpel Designs** PLANNING: 2679 Kelley Avenue, San Pablo, Ca 94806 Phone: (707) 384-3638 -ranpeldesigns@gmail.com

> 403-152-020 22,108 SQ.FT.

Single Family Residential LAND USE:

 NUMBER OF STORIES THREE

PROVIDE A NFPA 13D FIRE SPRINKLER SYSTEM

#### **SCOPE WORK:**

1-NEW TWO LEVELS HOUSE:

UPPER FLOOR -CARPOT 4 VEHICULES-LIVING, FAMILY, DINING RM & KITCHEN =TWO BALCONIES/DECK & BARBECUE AREA LOWER LEVEL: THREE BEDROOMS-ONE HOME OFFICE -TWO BATH & TWO STORAGE ROOMS

**500 SQ ADU AND LOWER LEVEL** 

**NEW ROOF OPEN DECK** 

FIRE SPRINKLER PLANS DEFERRAL SUBMITTAL ENCROACHMENT PERMIT DEFERRAL SUBMITTAL

#### **GENERAL NOTES**

ALL CONSTRUCTION WORKMANSHIP AND MATERIALS SHALL CONFORM CALIFORNIA RESIDENTIAL CODE 2019 EDITION ALONG WITH ANY OTHER APPLICABLE LOCAL ESTATE LAWS AND REGULATIONS.

ALL ELECTRICAL, FIRE PROTECTION, MECHANICAL, PLUMBING, AND STRUCTURAL WORK SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH EACH FIELDS APPLICABLE CODES AND STANDARDS. THE GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND SITE CONDITION BEFORE STARTING WORK AND SHALL NOTIFY THE DESIGNER NOTES AND DETAILS ON DRAWINGS SHALL TAKE PRECEDENCE OVER

EDITION AND ALL APPLICABLE LOCAL AND STATE CODES,ORDINANCES AND REGULATIONS SHALL BE COMPLIED WITH IT IS THE RESPONSIBILITY OF ANY ONE SUPPLYING LABOR OR MATERIALS OR BOTH TO BRING TO THE ATTENTION OF THE DESIGNER AND THE OWNER ANY DISCREPANCIES OR CONFLICT BETWEEN THE REQUIREMENTS OF THE CODE AND THE

THE DESIGN, ADEQUACY AND SAFETY OF ERECTION, BRACING, SHORING CONTRACTOR AND HAS NOT BEEN CONSIDERED BY THE STRUCTURAL ENGINEER THE GENERAL CONTRACTOR IS RESPONSIBLE FOR THE STABILITY OF THE STRUCTURE PRIOR TO THE APPLICATION OF THE SHEAR WALLS.ROOF AND FLOOR DIAPHRAGMS AND FINISH MATERIALS. HE OR SHE SHALL PROVIDE THE NECESSARY BRACING TO PROVIDE STABILITY PRIOR TO THE APPLICATION OF THE AFOREMENTIONED MATERIALS.

CONCRETE SLAB OR CRAWL SPACE ON GRADE HAS NOT BEEN DESIGNED BY THE STRUCTURAL ENGINEERED UNLESS SPECIFICALLY DETAILED ON

9. THE DESIGNER SHALL BE NOTIFIED IMMEDIATELY BY THE CONTRACTOR

SHOULD ANY DISCREPANCY OR OTHER QUESTION ARISE PERTAINING TO 10. REFER TO STRUCTURAL PLANS FOR ANY QUESTION REGARDING LUMBER GRADES, BEAM AND HEADER SIZES, FOOTINGS AND SHEAR WALL

11. ON SITE VERIFICATION OF ALL DIMENSIONS AND CONDITIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND HIS OR HER SUBCONTRACTORS DIMENSIONS TAKE PRECEDENT OVER SCALED

12. NO FRAMING OF ANY TYPE SHALL BE CONCEALED PRIOR TO INSPECTION BY GOVERNING AGENCIES.

13. NO CHANGES ARE TO BE MADE TO THESE PLANS WITHOUT THE KNOWLEDGE OR CONSENT THE DESIGNER WHOSE SIGNATURE APPEARS

14. ALL OF A.S.T.M. DESIGNATIONS ARE TO BE OF THE LATEST EDITION. 15. CONTRACTOR SHALL CHECK AND VERIFY SIZE AND LOCATION OF ELECTRICAL SERVICES AND PLUMBING RUNS WITH ELECTRICAL AND

PLUMBING CONTRACTORS BEFORE THE BEGINNING OF CONSTRUCTION. 16. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO EXAMINE THE EXISTING BUILDING AND ALL THE CONDITIONS PRIOR TO SUBMITTING BIDS TO THE OWNER SINCE PROPOSALS MUST TAKE INTO CONSIDERATION ALL SUCH CONDITIONS AS IT MAY AFFECT WORK.

17. THE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR THE RESULTS OF ERRORS DISCREPANCIES OR OMISSIONS WHICH THE CONTRACTOR FAILED TO NOTIFY THE DESIGNER OR ENGINEER OF BEFORE CONSTRUCTION AND/OR FABRICATION OF THE WORK.

18. NO DEVIATIONS FROM THE STRUCTURAL DETAILS SHALL BE MADE WITHOUT THE WRITTEN APPROVAL OF THE STRUCTURAL ENGINEER OR BY

19. THE CONTRACTOR WARRANTS TO THE OWNER AND DESIGNER THAT HE OR SHE POSSESS THE PARTICULAR COMPETENCE AND SKILL IN CONSTRUCTION NECESSARY TO BUILD THIS PROJECT WITHOUT FULL ENGINEERING & ARCHITECTURAL SERVICES, AND FOR THE REASON THAT THE CONTRACTOR WISHES TO RELY UPON HIS OR HER OWN COMPETENCE, THE CONTRACTOR OR OWNER HAS RESTRICTED THE DESIGNERS SCOPE OF PROFESSIONAL SERVICES . THE CONSTRUCTION DOCUMENTS PROVIDED BY THE LIMITED SERVICES SHALL BE THEOREM BUILDERS PLANS IN RECOGNITION OF THE CONTRACTORS SOPHISTICATION. CONSTRUCTION WILL REQUIRE THAT THE CONTRACTOR ADAPT THE BUILDERS PLANS TO THE FIELD CONDITIONS ENCOUNTERED MAKE LOGICAL ADJUSTMENTS IN FIT, FORM ,DIMENSION, AND QUANTITY THAT ARE TREATED ONLY GENERALLY BY THE BUILDERS PLANS . IN THE EVENT ADDITIONAL DETAIL OR GUIDANCE IS NEEDED BY THE CONTRACTOR OR OWNER FOR CONSTRUCTION OF ANY ASPECT OF THE PROJECT, HE OR SHE SHALL IMMEDIATELY NOTIFY THE DESIGNER.

#### **APPLICABLE CODES:**

PLANS CONFORM CALIFORNIA BUILDING CODE (CBC) 2019 EDITION.

2019 CALIFORNIA RESIDENTIAL CODE (CRC) 2019 CALIFORNIA MECHANICAL CODE (CMC) 2019 CALIFORNIA ELECTRIC CODE (CEC)

2019 CALIFORNIA PLUMBING CODE (CPC) 2019 CALIFORNIA FIRE CODE (CFC)

2019 CALIFORNIA GREEN BLDG. STANDARDS CODE (CGBSC) 2019 CALIFORNIA ENERGY CODE(2008 CAL. ENERGY STANDARDS AMENDED BY STATE OF CALIFORNIA AND LOCAL JURISDICTION) & ALL APPLICABLE MUNICIPAL LOCAL & STATE CODES.

1/2-MATERIAL SAMPLE BOARD

#### INDEX:

**ARCHITECTURAL:** 

A1.0- TITLE BLOCK & SITE PLAN A5.0-(N) ELEVATIONS A2.0- UPPER FLOOR PLAN A6.0- (N)ELEVATIONS A3.0- LOWER FLOOR PLAN 1/2-COLOR SAMPLE BOARD



Ranpel Designs
Roberto Pena **DESIGN & PLANNING** 

Phone: (707)384-3638

ranpeldesigns@gmail.com PLANS BY

**ROBERTO PENA** 

OWNER:

Carls Adams

April 2024

San Pablo, California

**CONTENTS:** Site Plan

Bldg. Areas Diagram

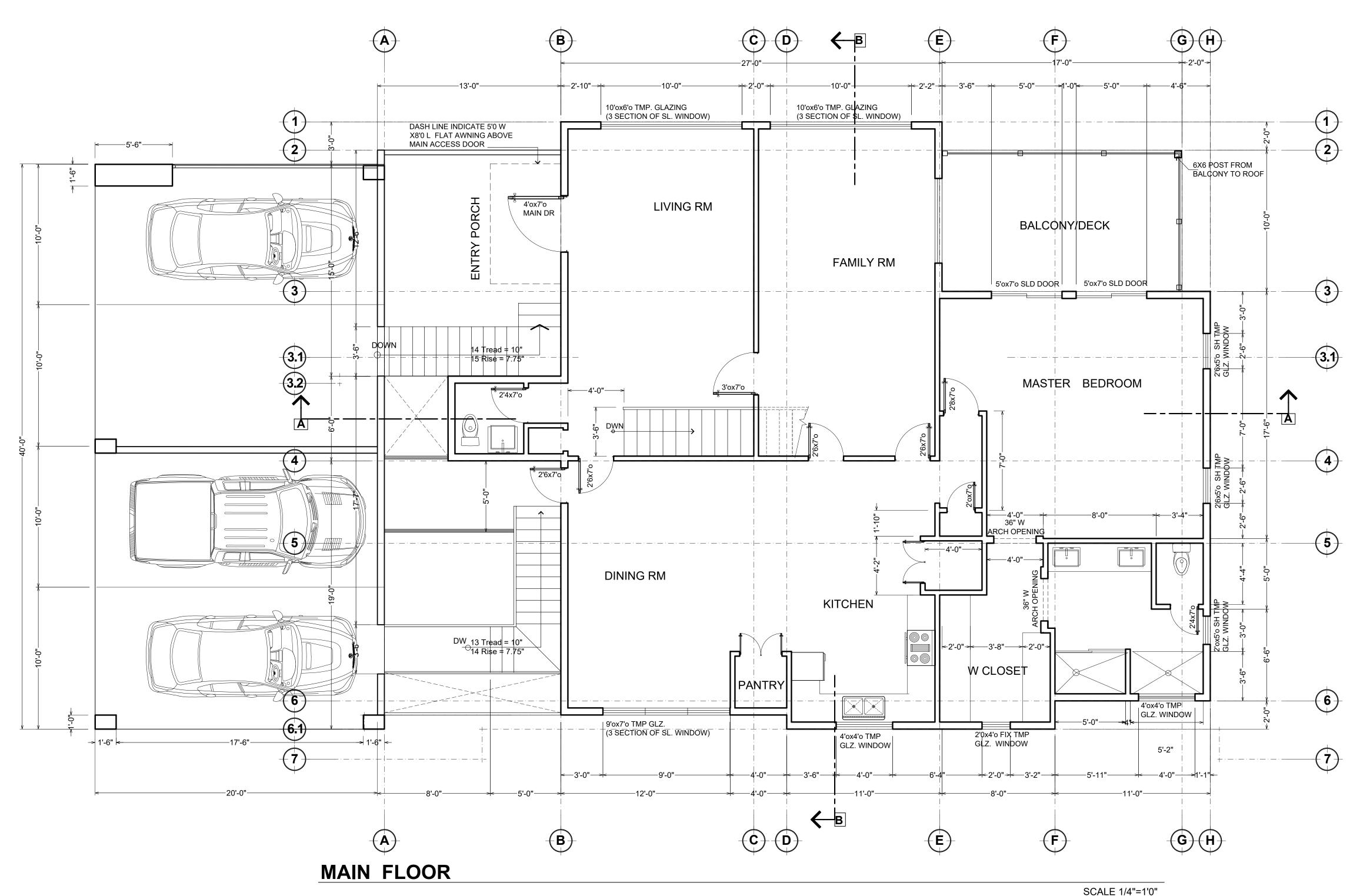
11-23-22 | Planning Set 01-31-23 | Planning Set 04-24-24 Planning Set

20210927



#### **FLOOR PLAN KEY NOTES:**

- 1. ALL WINDOWS TO BE DUAL GLAZED ,PROVIDE SCREENS ON OPERABLE WINDOWS. VERIFY ALL WINDOW ROUGH OPENINGS WITH WINDOW MANUFACTURED
- 2. PROVIDE SAFETY GLAZING IN FIXED OR OPERABLE PANELS ADJACENT TO A DOOR WHERE DE NEAREST EXPOSED EDGE OF THE GLAZING WITHIN A 24" ARC OF EITHER VERTICAL EDGE OF THE DOOR IN A WALKING SURFACE & EXPOSED BOTTOM EDGE IS LESS THEN 18" ABOVE THE FLOOR FOR WINDOWS AND DOOR (PROVIDE TEMPERATE GLAZING)
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- 4. ALL EXTERIOR DOOR IS TO BE SOLID CORE 1 3/4" DOORS AND OF THE TYPE AND DESIGN SHOWN ON THE ELEVATIONS AND FLOORS PLANS WITH WEATHERPROOF TIGHT FIT.
- 5. ALL STRUCTURAL ELEMENTS SUPPORTING THE FLOOR / CEILING ASSEMBLIES USED AS A FIRE RATED SEPARATION SHALL HAVE  $\frac{5}{8}$ " GYPSUM BOARD PROTECTION. (CRC Table R302.6).
- 6. EXTERIOR DOORS ONTO PORCHES SHALL BE PROVIDE 36" OUTSIDE LANDING .THE WIDTH OF THE LANDING SHALL BE NOT LESS THAN THE DOOR WIDTH AND 36" MINIMUM DEPTH.LANDING AT REQUIRED EGRESS DOORS SHALL NOT BE MORE THAN 1 ½" LOWER THAN THE TOP OF THRESHOLD. Exception: A DOOR MAY OPEN AT A LANDING THAT IS NOT MORE THAN 7 ¾" LOWER THAN THE FLOOR LEVEL IF THE DOOR DOES NOT SWING OVER THE LANDING. ( CRC R311.3.1 & DOLL OF SWING OVER THE LANDING.)
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PLANS BY:

ROBERTO PENA

OWNER : Carls Adams

April 2024

San Pablo , California

DAM'S FAMILY RESIDEN

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CONTENTS:

Upper/Main Floor Plan

11-23-22 Planning Set 01-31-23 Planning Set 04-24-24 Planning Set

04-24-24 Planni

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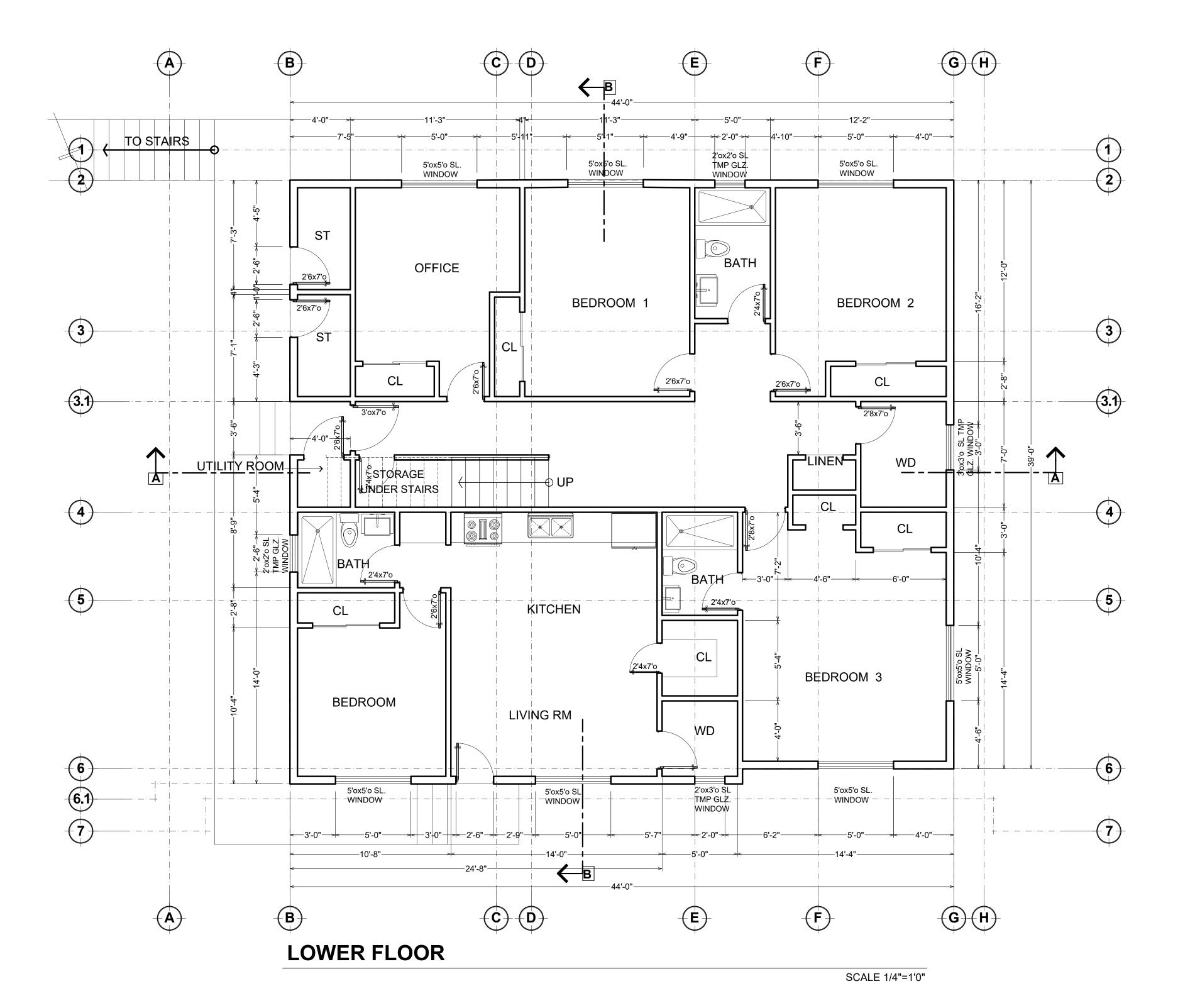
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AS SHOWN

Project #
20210927

A2.0

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ROBERTO PENA

OWNER : Carls Adams

April 2024

San Pablo , California

Y RESIDENCE

DAM's FAMILY

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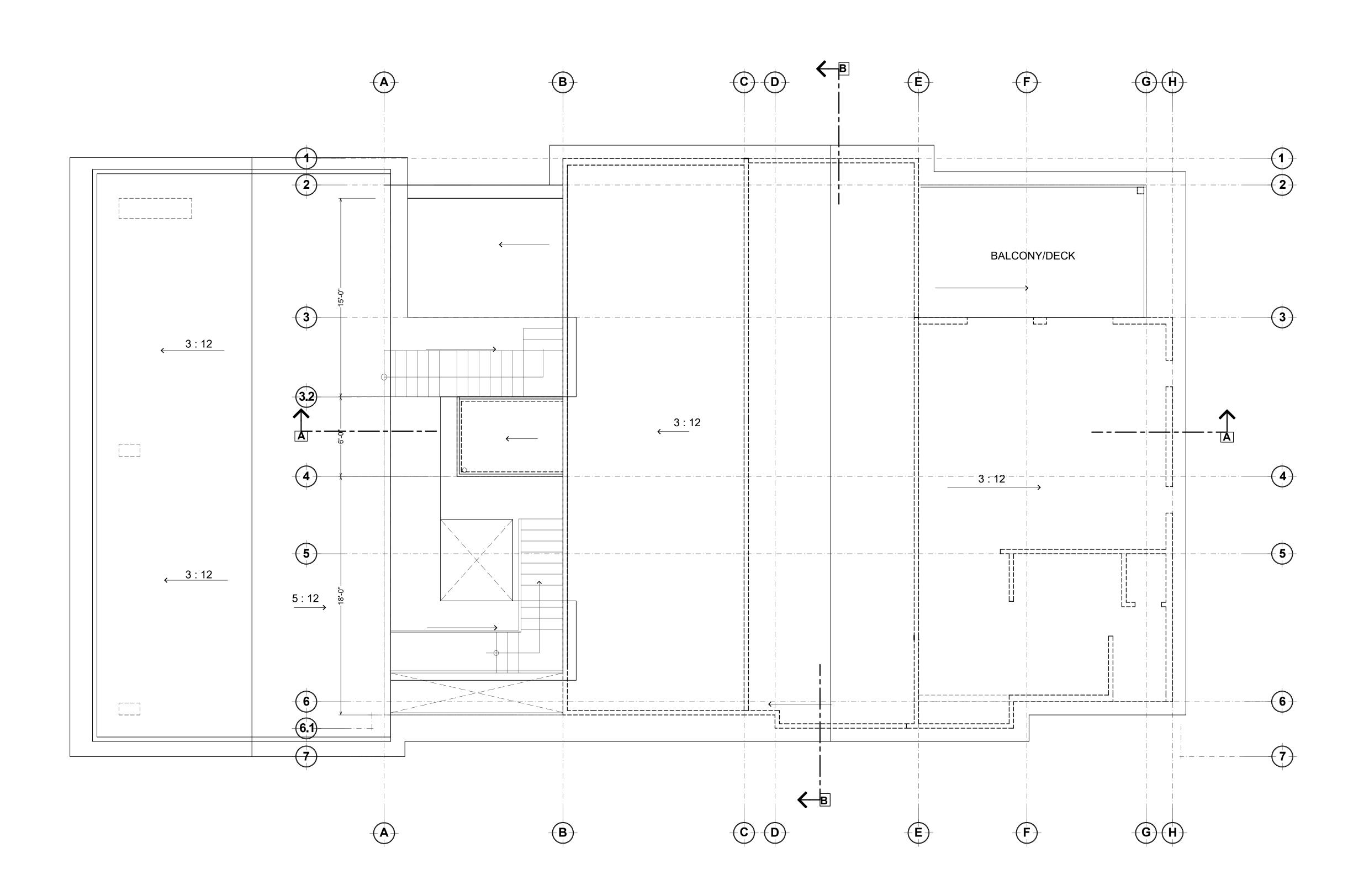
CONTENTS:

Lower /JADU Floor Plan

11-23-22 Planning Set 01-31-23 Planning Set 04-24-24 Planning Set

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ROBERTO PENA

OWNER:

RESIDENC

Carls Adams

April 2024 San Pablo , California

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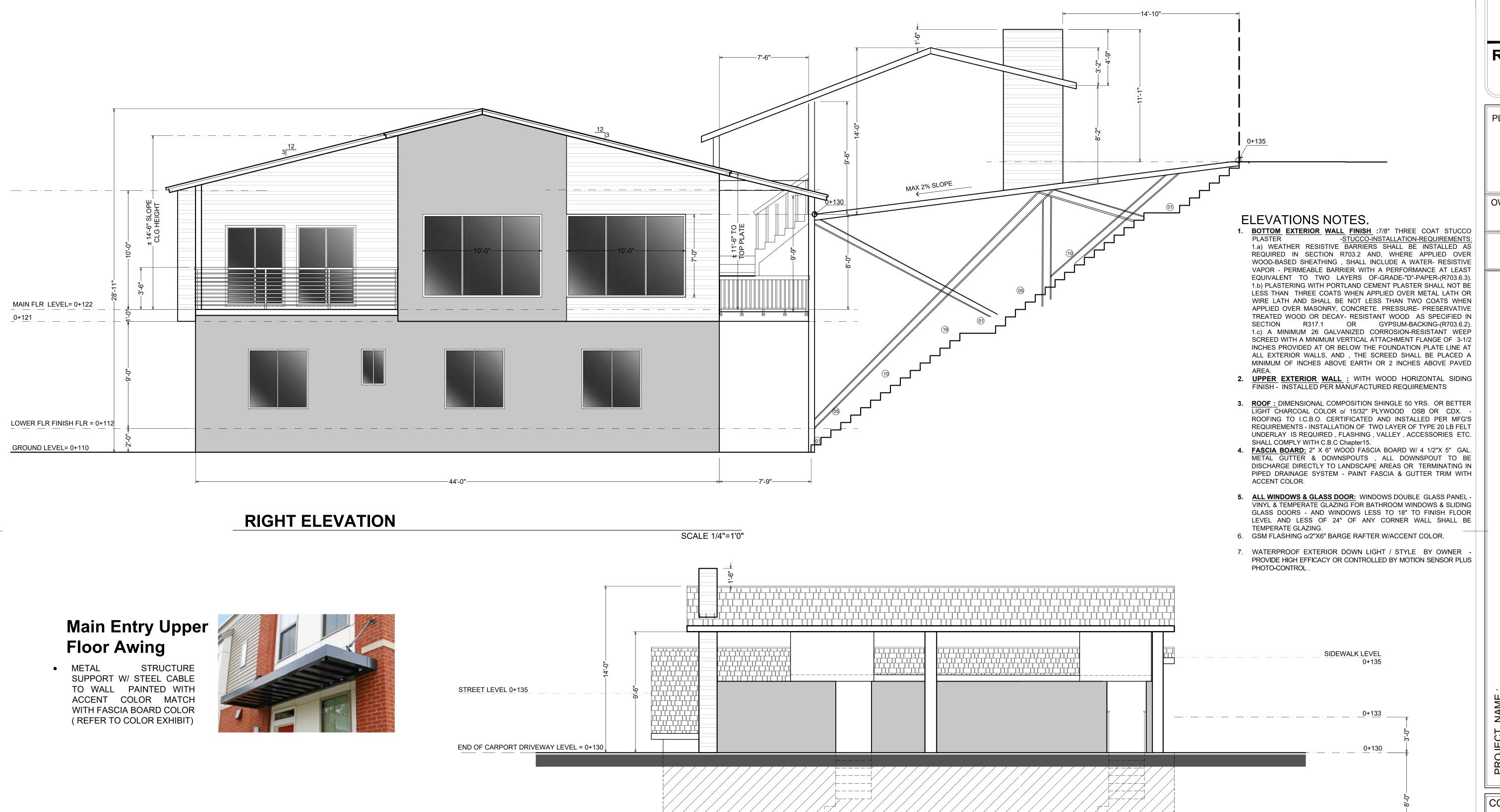
Roof Deck Plans

11-23-22 Planning Set 01-31-23 Planning Set 04-24-24 Planning Set

CALE: AS SHOWN

20210927

ranpe Roberto Antonio Pena Lopez



MAIN FLR LEVEL= 0+122

LOWER FLR FINISH FLR = 0+112

GROUND LEVEL= 0+110

0+121



Ranpel Designs
Roberto Pena **DESIGN & PLANNING** 

Phone: (707)384-3638 ranpeldesigns@gmail.com

PLANS BY



OWNER:

Carls Adams

April 2024

San Pablo , California

00 APN

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CONTENTS:

0+122

0+112

0+110

Elevations

11-23-22 Planning Set

01-31-23 Planning Set 04-24-24 Planning Set

CALE: AS SHOWN

20210927

Wood

**Siding Wall** 

DARK GREY COLOR

PROVIDE HORIZONTAL

NATURAL COLOR

(LEFT SIZE OF BUILDING )

WOOD SIDING -PAINT WITH WEATHERPROOF STAIN

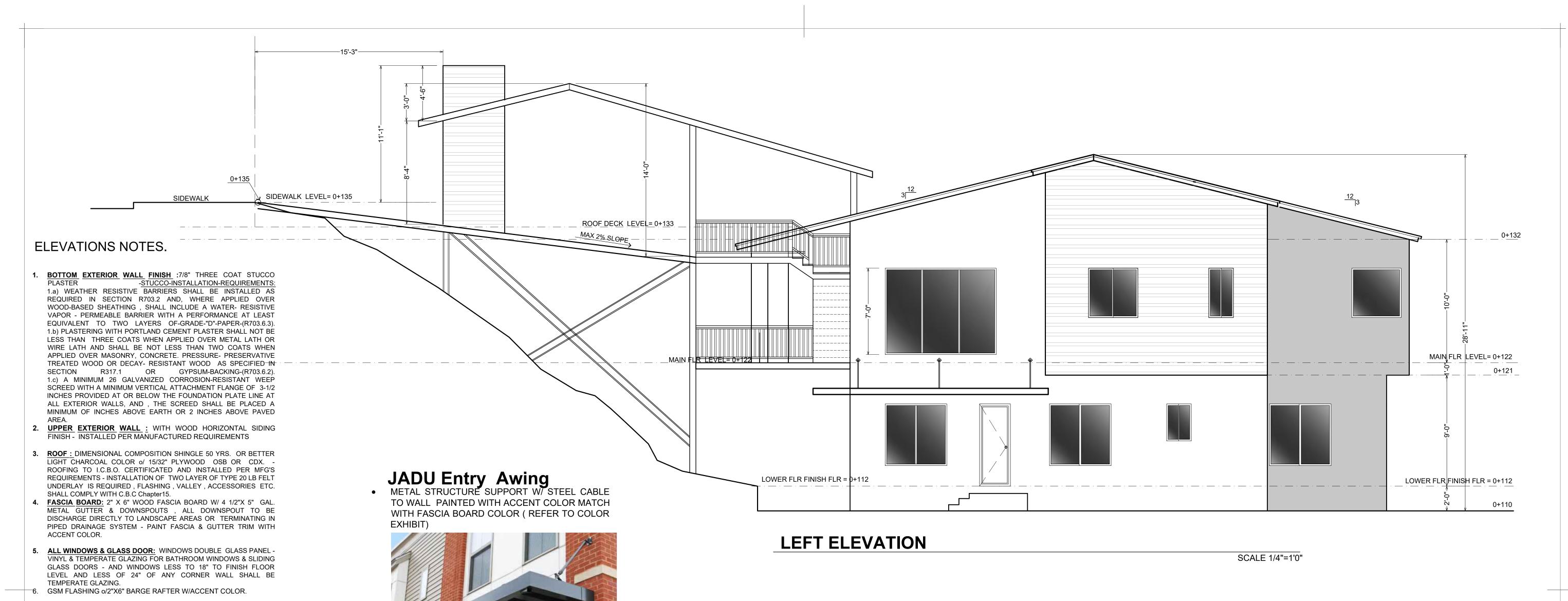
SCALE 1/4"=1'0"

HATCH INDICATED

UNDERGROUND AREA

FOR REFERENCE ONLY

FRONT ELEVATION





7. WATERPROOF EXTERIOR DOWN LIGHT / STYLE BY OWNER

PHOTO-CONTROL

PROVIDE HIGH EFFICACY OR CONTROLLED BY MOTION SENSOR PLUS

## Wood Siding Wall

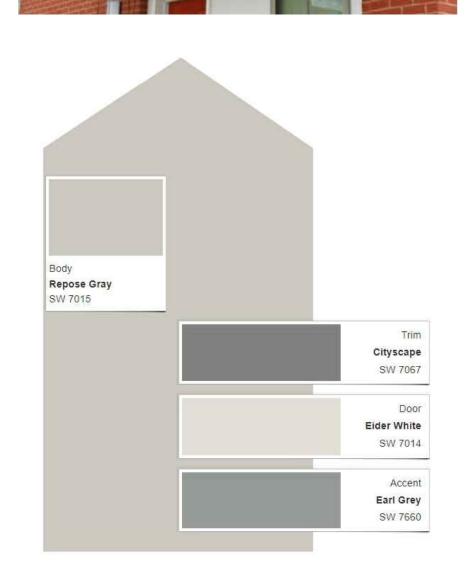
DARK GREY COLOR

(LEFT SIZE OF BUILDING )
PROVIDE HORIZONTAL
WOOD SIDING -PAINT WITH
WEATHERPROOF STAIN
NATURAL COLOR



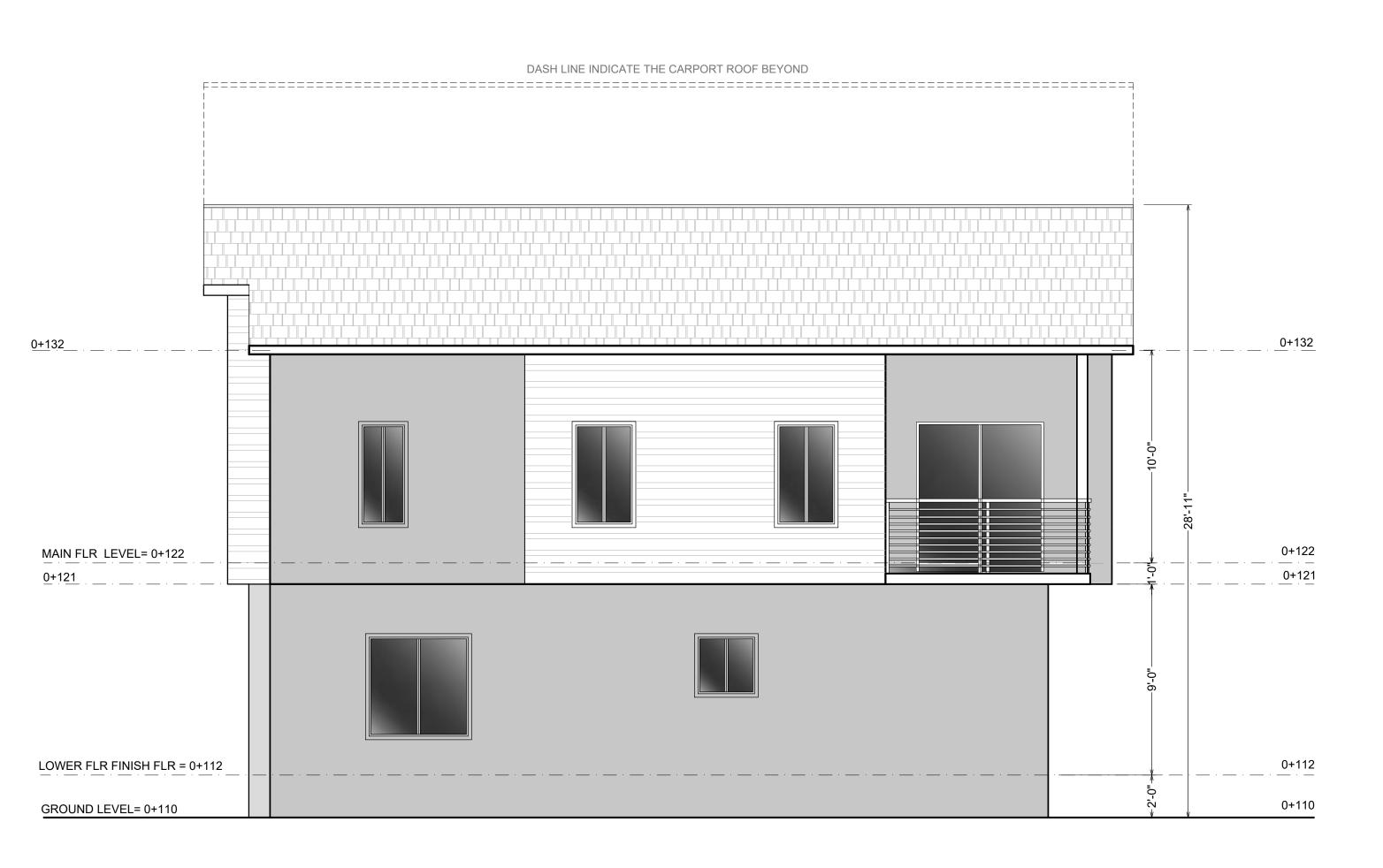
## Roof Material

DARK GREY COLOR COMPOSITION SHINGLE 50 YRS



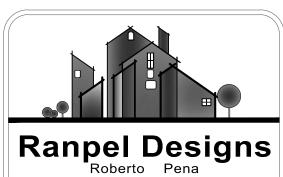
## **Color Sample**

- ALL EXTERIOR WALLS SMOOTH STUCCO FINISHED WITH:
- 1. BODY OF BUILDING WALLS REPOSE GREY (SW7015) SHERWIN WILLIAMS COLOR ).
- ALL WOOD SIDING AND TRIMS WITH CITYSCAPE (SW 7067 -SHERWIN WILLIAMS COLOR).
- FASCIA BOARD, GUTTER & DOWNSPOUT PAINTED CITY SCAPE (SW 7067-SHERWIN WILLIAMS COLOR).
- ALL DOORS DOOR PAINTED W/ EIDER WHITE (SW 7014 -SHERWIN WILLIAMS COLOR).



## **REAR ELEVATION**

SCALE 1/4"=1'0"



DESIGN & PLANNING Phone: (707)384-3638 ranpeldesigns@gmail.com

PLANS BY:

ROBERTO PENA

OWNER : Carls Adams

Δnril 2024

April 2024 San Pablo , California

LY RESIDENCE

ADAM'S FAMILY F

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CONTENTS:

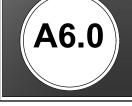
Elevations

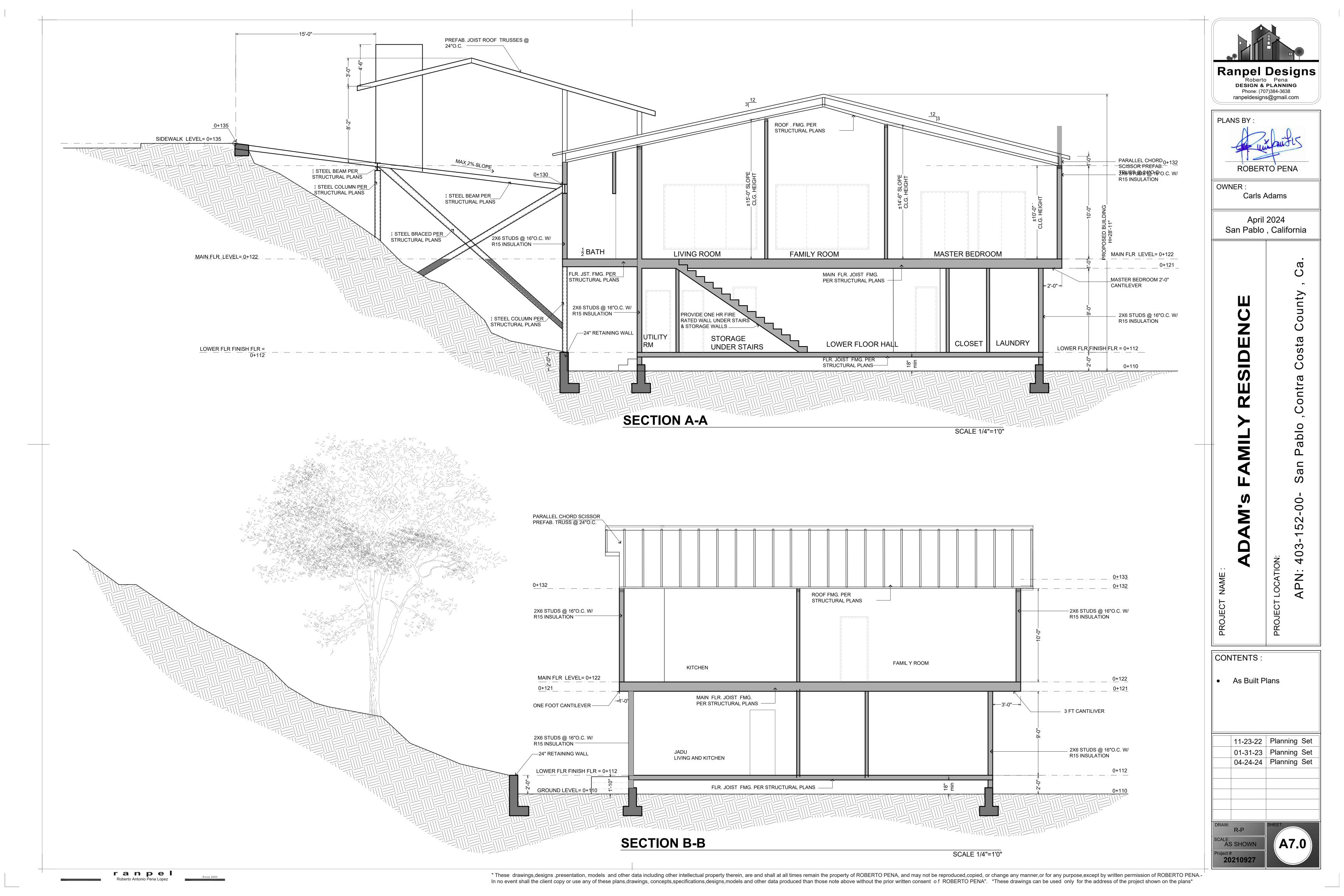
Elevations

11-23-22 Planning Set
01-31-23 Planning Set
04-24-24 Planning Set

04-24-24 Planning Se

R-P
SCALE:
AS SHOWN
Project #
20210927





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

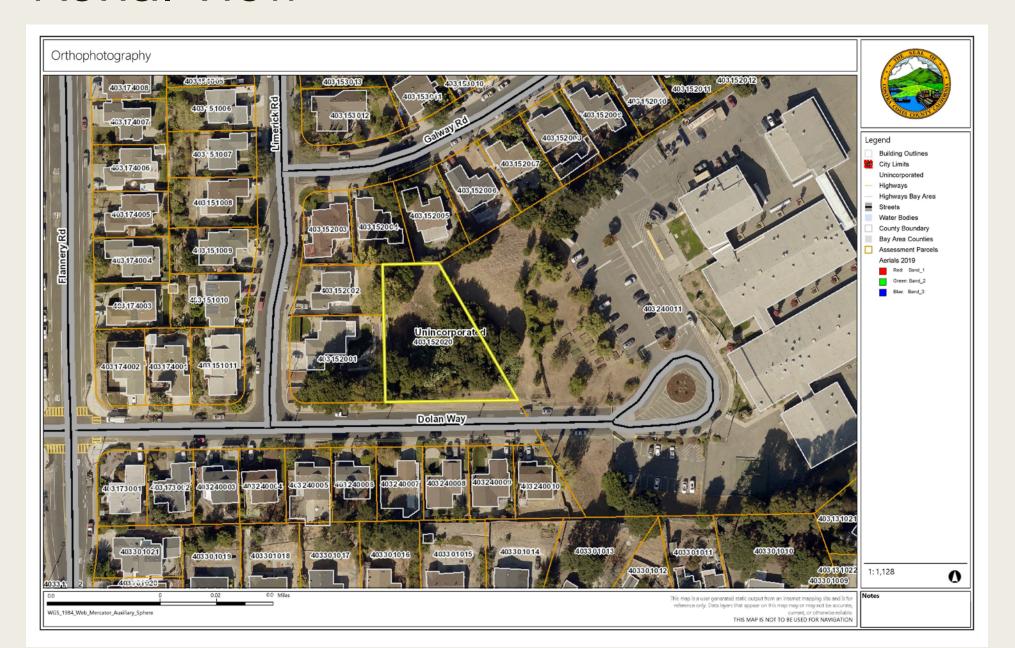
COUNTY FILE #CDVR23-01026

County Planning Commission December 11, 2024

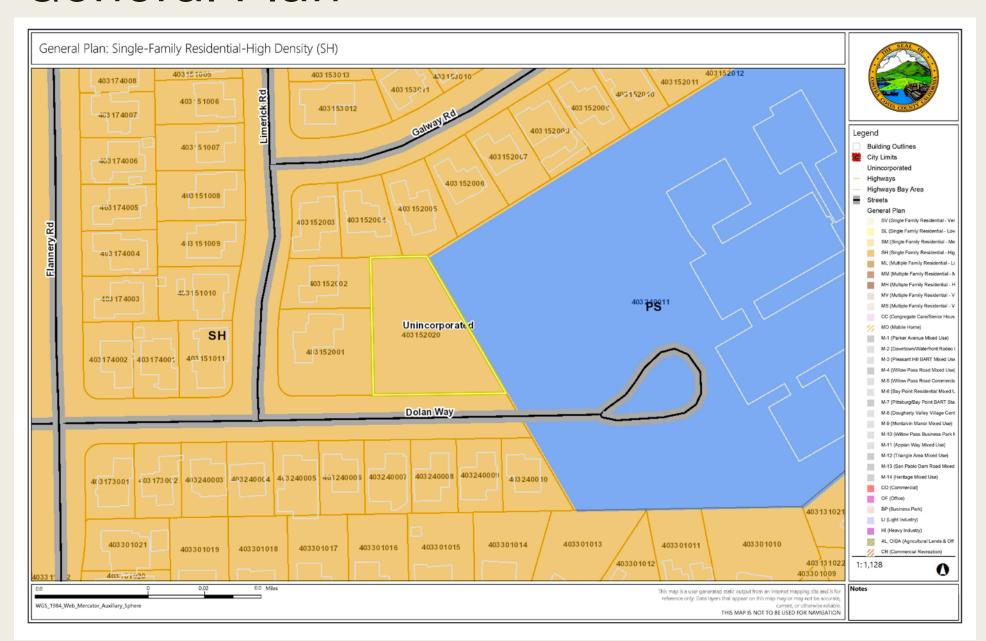
## **Project Description**

- 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
- Reduced minimum front setback for an elevated driveway platform from Dolan Way
- Reduced minimum front setback for a carport structure 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 structure.
  - 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



# Zoning



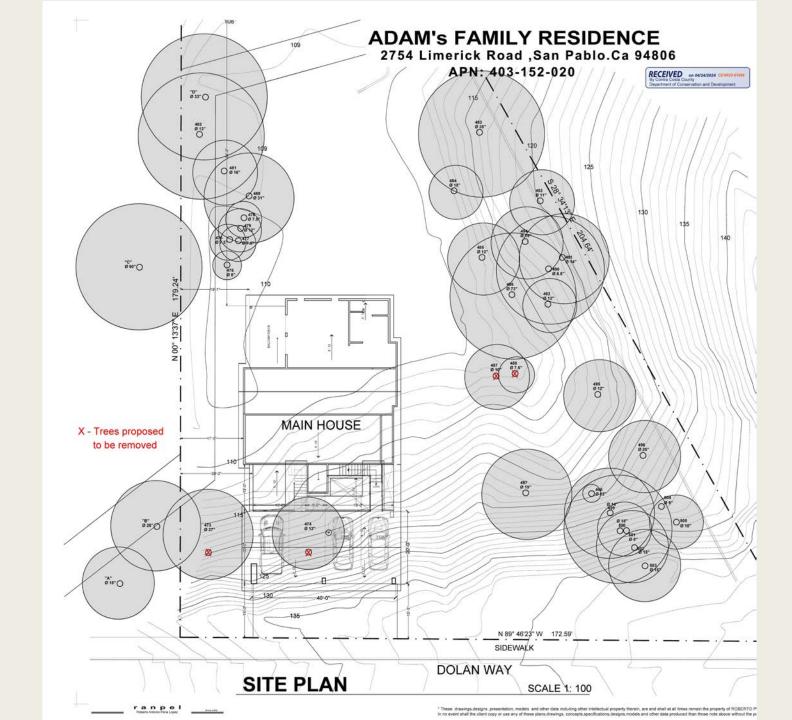
# Background

- A Variance application (County File #CDVR23-01026) was submitted on April 24, 2023.
- The matter was heard by the County Zoning Administrator on May 6, 2024. The County Zoning Administrator read the Housing Sites Inventory Findings into the record and approved the variances and tree permit as recommended by staff.
- On May 15, 2024, staff received one letter from Ronald Collins, appealing the Zoning Administrator's decision.

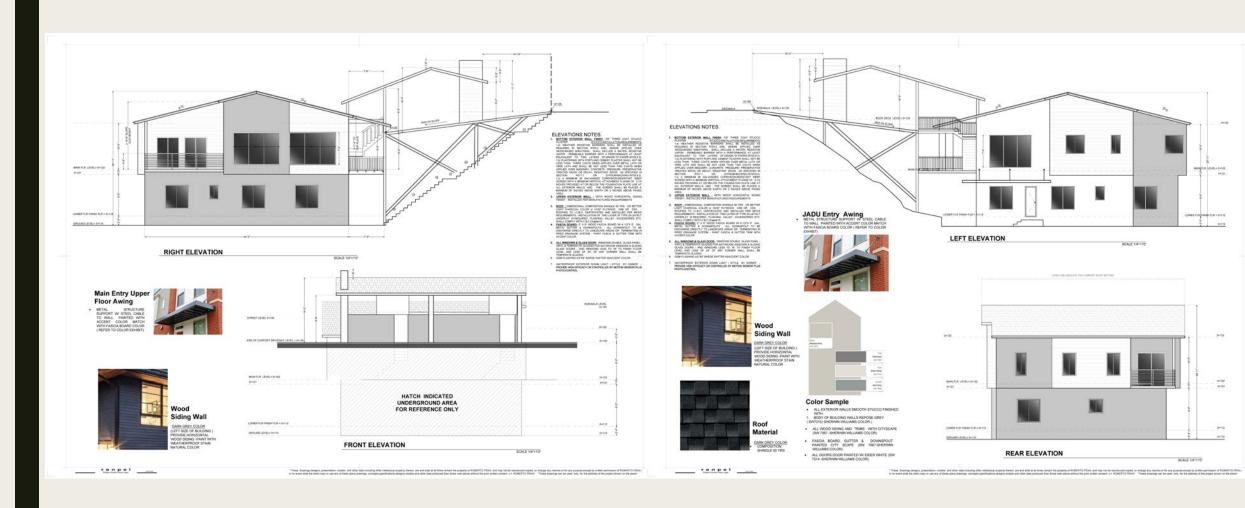
# Dolan Way Frontage



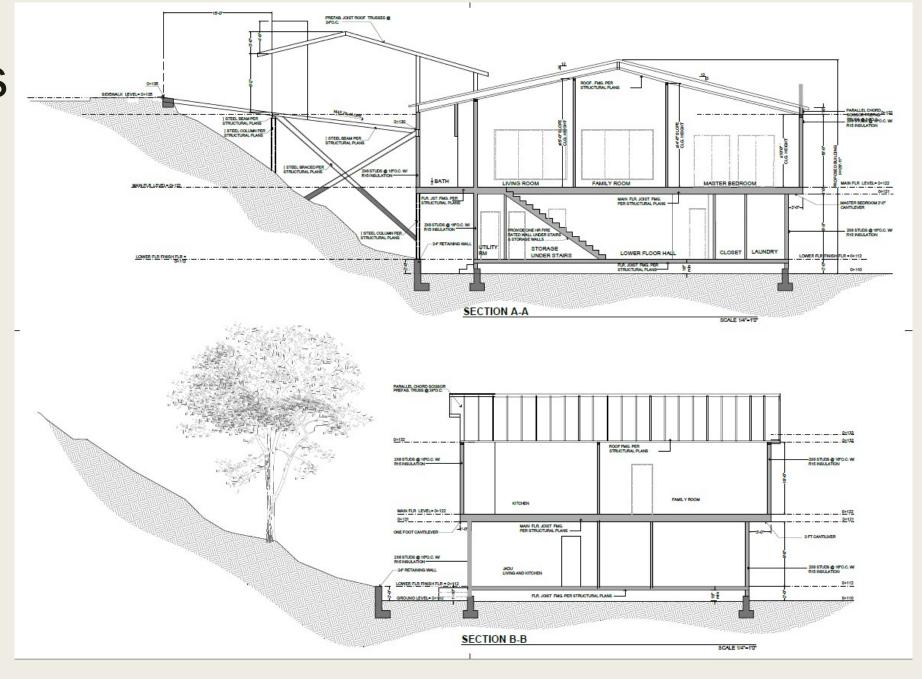
### Site Plan



### Elevations



# Sections



### Summary of Appeal Points

- Soil stability and Drainage: Appellant is concerned about the removal of the two trees on the slope east of the proposed residence and the impact on soil stability and drainage.
- Wildlife Habitat/Animal Sanctuary: Appellant states that wildlife seek shelter in the trees, that their habitat is being destroyed, and that the vacant property has become an animal sanctuary.
- Change of Hill Runoff: Appellant states that a change of hill runoff into appellant's property due to the proposed development could cause possible flooding of existing improvements.
- <u>Privacy Concerns</u>: Appellant is concerned that the occupants of the new residence could look directly into their backyard and bedroom window and that the removal of the two trees on the Dolan side of the subject property would compromise their privacy.
- Location of Residence Blocking Sunlight: Appellant is concerned that the proposed residence will be located too close to the shared property line and that the new residence will block sunlight to their yard in the morning.

# Summary of Appeal Points (continued)

- No Valid Reason for Tree Removal: Appellant states that there is no valid reason for the four trees to be removed.
- <u>Structure and Size</u>: Appellant is concerned about the structure and size of the proposed residence and asserts that it is a 3-story house.
- Not Suitable for Development/Water Ponding: Appellant states that the site is not suitable to build a home as water collects from the hills above and ponds within the flatter areas of the property; the applicant hired a construction crew to remove the pond and install stormwater piping to a storm drain and aqueduct below the subject property.
- <u>Illegal Dumping</u>: Appellant indicated that there has been illegal dumping of dirt onto the property in the past.

### Staff Recommendation

- Staff recommends that the County Planning Commission:
  - OPEN the public hearing on the variance and tree permit requests for the construction of a driveway platform and carport structure and a new singlefamily residence, RECEIVE testimony, and CLOSE the public hearing.
  - DENY the appeal by Ronald Collins and UPHOLD the Zoning Administrator's decision to approve County File #CDVR23-01026.
  - ADOPT the attached findings and conditions of approval.
  - FIND that the project is categorically exempt from CEQA under Section 15303(a) of the CEQA Guidelines.
  - DIRECT the Department of Conservation and Development to file a Notice of Exemption with the County Clerk.

# QUESTIONS?



# Department of Conservation and Development <u>County Planning Commission</u>

Wednesday, May 28, 2025 - 6:30 P.M.

STAFF REPORT Agenda Item #\_\_\_

#### CONTINUED PUBLIC HEARING ITEM

**Project Title:** Variance and Tree Permit for a New Single-Family Residence

on Limerick Road in San Pablo

County File: #CDVR23-01026

**Appellant:** Ronald Collins

**Applicant/Owner:** Carl Adams (Applicant & Owner)

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

(Residential Low-Medium Density (RLM))

**Zoning:** R-6 Single-Family Residential District

**Site Address/Location**: 2754 Limerick Road in unincorporated area of San Pablo, CA

(Assessor's Parcel Number 403-152-020)

California Environmental

**Quality Act (CEQA) Status:** 

Categorical Exemption – Class 3: CEQA Guidelines Section 15303(a), new construction of a single-family residence.

**Project Planner:** Nai Saephan, Planner I, (925) 655-2874

nai.saephan@dcd.cccounty.us

**Staff Recommendation:** Deny the Appeal and Uphold the Zoning Administrator's

Decision (See Section IV for Full Recommendation)

#### **CONTINUED PUBLIC HEARING FROM DECEMBER 11, 2024**

#### I. PROJECT SUMMARY

This is a hearing on an appeal of the Zoning Administrator's decision to approve variances to allow a 0-foot front setback (where 20 feet is required) for a driveway

structure for access from Dolan Way and a 15-foot front setback (where 20 feet is required) for a carport within the driveway structure, and a tree permit to remove three code-protected coast live oak trees and one code-protected red willow tree for the construction of improvements. The variances and the tree permit are granted for the purpose of allowing construction of a new 5,104-square-foot, two-story, single-family residence on a vacant lot.

#### II. BACKGROUND

The project was heard by the County Planning Commission on December 11, 2024. At the hearing, Chair Van Buskirk opened the public hearing and accepted testimony from the appellant, Ronald Collins. The applicant, Carl Adams, was not present at the hearing. After receiving Mr. Collins' testimony, the Commissioners posed four questions for the applicant and County staff to address, concerning the following:

- Unpermitted fill/illegal dumping in the past;
- Unpermitted trenching related to drainage issues on the property;
- The reason for the proposed removal of two trees not in the construction zone; and
- The possible relocation of the proposed residence to avoid tree removal for the carport.

The County Planning Commission then voted to have the matter be continued as an open hearing in order to give the applicant and staff time to respond to their questions.

#### III. COUNTY PLANNING COMMISSION QUESTIONS

At the hearing held on December 11, 2024, the County Planning Commission posed the following questions and requested a response from the applicant and/or County staff:

1. Is County Grading and/or Code Enforcement staff aware of the past unpermitted fill/illegal dumping that the appellant has raised in the appeal letter and in public testimony before the County Planning Commission?

<u>Staff Response</u>: As stated in Summary of Appeal Point #9 in the staff report prepared for the December 11, 2024, County Planning Commission hearing, staff confirms that in 2005, a code enforcement case was opened on the

property for grading and placing fill on a steep hillside without a permit (file #BIRF05-01632). The case was closed by County Code Enforcement, which indicates that the issue has been resolved. CDD staff conferred with staff of the County Grading Inspection Division and Code Enforcement who indicated that there is no additional information in the record regarding unpermitted grading activity on the subject property.

2. Is Code Enforcement aware of the storm water and drainage issues on the property in which the appellant has stated that the applicant has installed pipes that connected to an existing drainage system to remove water that has collected on the property?

Staff Response: Code Enforcement opened case file #CECF24-00363 on May 10, 2024, after a complaint was received for overgrown vegetation throughout the subject property. According to file records, on May 17, 2024, the applicant claimed in an email to the Code Enforcement Officer that they were unable to remove overgrown vegetation due to standing water on the property, and that they were in the process of removing the water. During site inspections for this case, the Code Enforcement Officer documented evidence with photographs of trenching work and drainage pipes installed in the ground on the property. File records indicate that during an additional site inspection on July 2, 2024, the Code Enforcement Officer confirmed that the overgrown vegetation was removed, and the case was closed. No separate or additional code enforcement case has been opened specifically for the trenching or installation of pipes on the property that connect to an existing drainage system as the appellant has stated.

On July 2, 2024, the applicant reached out to staff to ask about the proper permitting for trenching on the subject property in preparation for removing water runoff during the rainy season. Staff advised the applicant to hold off on submitting grading and/or building permits for drainage improvements on the property while the application for a variance with a request for a tree permit is going through the appeal process. It is staff's understanding that the applicant has ceased trenching activity until a determination has been made on the variance and tree permit for the proposed residence. Once a determination has been made on the variance, the proper permits for drainage improvements, including a tree permit, if necessary, can be obtained.

3. Why are the two trees on the east side of the property being proposed for removal if they are not impacted by the proposed development?

<u>Response</u>: In their report dated November 14, 2022, the project arborist indicated that one coast live oak tree and one red willow tree located in the eastern area of the subject property are in declining health and exhibit poor structure and form. As such, although they are outside of the construction area, the arborist recommended removal of these two code-protected trees. The County's Tree Protection and Preservation Ordinance allows for tree removal based on factors such as an arborist indicating a tree is in poor health and cannot be saved or is in poor form and does not merit saving (County Code section 816-6.8010).

4. Can the proposed residence be relocated at least 15 feet to the right (east) on the property so that the proposed driveway/carport structure and residence will be lower by five feet and would not require removal of any trees?

Response: The Commissioner's question about moving the proposed residence up to 15 feet further east of its currently proposed location was sent to the applicant. However, neither the applicant, nor the response letter prepared by Knox & Ross Law Group on behalf of applicant (submitted January 21, 2025) addressed the question. Nor has the applicant provided revised plans showing any new location of the proposed driveway, carport, and/or residence in response to the question.

#### IV. CONCLUSION

The County Planning Commission posed four clarifying questions for the applicant and staff at the public hearing on the appeal of County File #CDVR23-01026 held on December 11, 2024. The project was continued to give the applicant and staff time to look into the issues and provide responses. Staff provided responses to the first three questions as part of this staff report. On January 21, 2025, the applicant submitted a letter addressed to the County Planning Commission, which did not directly respond to the Commissioner's fourth question about relocating the proposed residence to avoid tree removal.

#### V. <u>RECOMMENDATION</u>

Staff recommends that the County Planning Commission deny the appeal and uphold the Zoning Administrator's decision to approve County file #CDVR23-01026, as stated in the report prepared for the December 11, 2024, hearing, and based on the attached findings and subject to the attached conditions of approval.

#### Attachments:

- A. Findings and Conditions of Approval
- B. Appeal Letter
- C. Letter Provided by Applicant from Knox & Ross Law Group
- D. Project Plans
- E. Presentation Slides

### FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE #CDVR23-01026; CARL ADAMS (APPLICANT & OWNER):

#### I. Variance Findings

1. <u>Required Finding:</u> 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.

<u>Project Finding</u>: The requested variances for a zero-foot setback for the construction of a driveway platform and a 15-foot setback for the construction of a driveway platform and carport structure provide the necessary driveway access from Dolan Way as well as off-street parking for the new single-family residence and junior accessory dwelling unit. Having basic driveway access to property from a public right-of-way is common on most, if not all, properties throughout the county that have residential development. Therefore, granting of a variance for a zero-foot front yard setback for a driveway platform structure and a 15-foot front yard setback for a driveway platform and carport structure is not a grant of special privilege inconsistent with the limitations of other properties in the vicinity and the respective land use district.

2. <u>Required Finding:</u> 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.

<u>Project Finding</u>: The subject property slopes steeply downward from the Dolan Way Street frontage towards the rear of the property. This steep slope makes it difficult to construct a standard driveway at natural grade to access the site. Having a variance for a zero-foot front setback for the construction of the driveway platform starting at the property line and extending to the new residence is the least intrusive design to access the property as compared to significant grading and retaining walls that would be needed for a standard driveway. Therefore, strict application of the R-6 standards is found to deprive the subject property of the rights enjoyed by other properties in the vicinity and within the identical land use district due to its steep topography.

3. <u>Required Finding</u>: That any variance authorized shall substantially meet the intent and purpose of the respective land use district in which the property is located.

<u>Project Finding</u>: Generally speaking, the intent and purpose of the R-6 Single-Family Residential zoning district is to facilitate orderly development and maintenance of high-density single-family residential neighborhoods. The new single-family residence with a junior accessory dwelling unit on the subject property is consistent with the desired development mentioned above. Additionally, there is no element of the project that will inhibit future residential uses or development on the subject property or those in the surrounding neighborhood. Therefore, a variance authorized for the reduced setbacks substantially meets the intent and purpose of the R-6 zoning district in which the subject property is located.

#### II. Tree Permit Findings

The Zoning Administrator is satisfied that the following factors, as provided by County Code Section 816-6.8010 for granting a tree permit, have been satisfied:

- <u>Project Finding</u>: Reasonable development of the property would require removal and/or work within the dripline of code-protected trees and this development could not be reasonably accommodated on another area of the lot.
- <u>Project Finding</u>: Where the arborist or forester report has been required, the Zoning Administrator is satisfied that the issuance of a permit will not negatively affect the sustainability of the resource.

#### III. Housing Sites Inventory Findings

Government Code Section 65863(b)

<u>Section 65863(b)(1)</u> No city, county, or city and county shall, by administrative, quasi-judicial, legislative, or other action, reduce, or require or permit the reduction of, the residential density for any parcel to, or allow development of any parcel at, a lower residential density, as defined in paragraphs (1) and (2) of subdivision (g), unless the city, county, or city and county makes written findings supported by substantial evidence of both of the following:

(A) The reduction is consistent with the adopted general plan, including the housing element.

<u>Project Finding</u>: The subject property has a General Plan land use designation of Single-Family Residential-High Density (SH), which allows between 5.0 and 7.2 single-family units per net acre. The subject property is half an acre in area, therefore the allowable units range between 1.9 and 2.7 single-family units. The project proposes one single-family residence and one accessory dwelling unit on the half acre property for a total of two units. Thus, there is no reduction in the residential density from the density that is allowed by the existing General Plan land use designation.

(B) The remaining sites identified in the housing element are adequate to meet the requirements of Section 65583.2 and to accommodate the jurisdiction's share of the regional housing need pursuant to Section 65584. The finding shall include a quantification of the remaining unmet need for the jurisdiction's share of the regional housing need at each income level and the remaining capacity of sites identified in the housing element to accommodate that need by income level.

The 6<sup>th</sup> Regional Housing Needs Allocation (RHNA) was Project Finding: prepared by ABAG for the period of June 30, 2022, through December 15, 2030. As part of this process, ABAG requires each jurisdiction to plan for a certain number of housing units for this period. This requirement is satisfied by identifying adequate sites that could accommodate housing that is affordable to very low, low, moderate, and above moderate-income households. ABAG has determined that the unincorporated County's share of regional housing needs is a total of 7,610 new housing units, which includes the construction of 3,133 above-moderate units, 1,211 moderate-income units, 1,194 low units, and 2,072 very low units. Based on the 2023 Housing Element Annual Progress Report, the County has constructed a total of 536 units across all income levels with 263 above-moderate units, 171 moderate-income units, 71 low-income units, and 31 very low-income units. The remaining RHNA to be constructed for the County's share of the 6th Cycle of the Housing Element RHNA are 2,870 above-moderate units, 1,040 moderate-income units, 1,123 low-income units, and 2,041 very lowincome units.

The development on the subject property proposes two units, one single family residence and one accessory dwelling unit. The site is listed on the Housing Element sites inventory for three above-moderate units. An above-moderate unit are units that are for incomes above 120 percent of the area median income. Market-rate units are counted as an above-moderate income unit.

The Housing Element has incorporated into the sites inventory a surplus of units at all income categories. The surplus of units for the above-moderate category is 975 units. Calendar year 2023 is the first year of the eight-year Housing Element cycle. Many of the vacant/underutilized parcels listed in the sites inventory have not been developed, that have the capacity for above-moderate units. The undeveloped parcels include two parcels in Walnut Creek and one in Vine Hill that have a capacity of 198, 156, and 144 above-moderate units. Although the project does not propose three above-moderate units as anticipated by the County's 6th Cycle Housing Element sites inventory, there remains capacity in the sites inventory to meet the remaining unmet need for above-moderate units.

Section 65863(b)(2) If a city, county, or city and county, by administrative, quasi-judicial, legislative, or other action, allows development of any parcel with fewer units by income category than identified in the jurisdiction's housing element for that parcel, the city, county, or city and county shall make a written finding supported by substantial evidence as to whether or not remaining sites identified in the housing element are adequate to meet the requirements of Section 65583.2 and to accommodate the jurisdiction's share of the regional housing need pursuant to Section 65584. The finding shall include a quantification of the remaining unmet need for the jurisdiction's share of the regional housing need at each income level and the remaining capacity of sites identified in the housing element to accommodate that need by income level.

<u>Project Finding</u>: The 6<sup>th</sup> Regional Housing Needs Allocation (RHNA) was prepared by ABAG for the period of June 30, 2022, through December 15, 2030. As part of this process, ABAG requires each jurisdiction to plan for a certain number of housing units for this period. This requirement is satisfied by identifying adequate sites that could accommodate housing that is affordable to very low, low, moderate, and above moderate-income households. ABAG has determined that the unincorporated County's share of regional housing needs is a total of 7,610 new housing units, which includes the construction of 3,133 above-moderate units, 1,211 moderate-income units, 1,194 low units, and 2,072 very low units. Based on the 2023 Housing Element Annual Progress Report, the County has constructed a total of 536 units across all income levels with 263 above-moderate units, 171 moderate-income units, 71 low-income units, and 31 very low-income units. The remaining RHNA to be constructed for the County's share of the 6th Cycle of the Housing Element RHNA are 2,870 above-moderate units, 1,040 moderate-income units, 1,123 low-income units, and 2,041 very lowincome units.

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#### **CONDITIONS OF APPROVAL FOR COUNTY FILE #CDVR23-01026:**

#### **Project Approval**

- 1. **Variance Permit is APPROVED** to allow a zero-foot front yard setback, where 20 feet is the minimum required, to construct a driveway platform structure, and a 15-foot front yard setback, where 20 feet is the minimum required, to construct a driveway platform and carport structure to provide driveway access from Dolan Way and off-street parking for a new 5,104 square-foot two-story single-family residence with a 500 square-foot junior accessory dwelling unit on a vacant lot.
- 2. **Tree Permit is APPROVED** for the removal of four (4) code-protected trees, which include three (3) coast live oaks measuring 7.5 inches, 12.7 inches, and 27.1 inches in diameter, and one (1) red willow measuring 10 inches in diameter.
- 3. The Variance and Tree Permit approvals described above are based on and as generally shown on the following documents:
  - a) application materials received by the Department of Conservation and Development, Community Development Division (CDD) on April 24, 2023, and revised plans received on April 24, 2024.
  - b) arborist report received by the CDD on January 12, 2023.

#### **Arborist Expense**

4. The expenses associated with all required arborist services shall be borne by the property owner.

#### **Arborist Recommendations**

5. The applicant shall implement all recommended measures of the consulting arborist's report, which are intended to mitigate the impacts of construction activities.

#### **Timing of Tree Removal**

6. The four (4) code-protected trees approved for removal shall not be removed until a building or grading permit for construction of the residence has been obtained from the County.

#### **Tree Planting to Protect Privacy**

7. The applicant shall plant screening (privacy) trees along the western portion of the property bordering the adjacent property directly to the west where there are currently no existing trees. Photographic evidence shall be submitted to the CDD prior to final building inspection.

#### **General Provisions**

8. Any deviation from the approved plans shall require review and approval by the CDD and may require the filing of an application for a new Variance and/or Tree Permit.

#### **Payment of Fees**

9. The application was subject to an initial deposit of \$3,250.00. The application is subject to time and material costs if the application review expenses exceed the initial deposit. Any additional fee due must be paid prior to an application for a grading or building permit, or 60 days of the effective date of this permit, whichever occurs first. The fees include costs through permit issuance and final file preparation. Pursuant to Contra Costa County Board of Supervisors Resolution Number 2019/553, where a fee payment is over 60 days past due, the Department of Conservation and Development may seek a court judgement against the applicant and will charge interest at a rate of ten percent (10%) from the date of judgement. The applicant may obtain current costs

by contacting the project planner. A bill will be mailed to the applicant shortly after permit issuance in the event that additional fees are due.

#### **Accessory Dwelling Unit Permit**

10. Approval of this permit does not constitute approval for an Accessory Dwelling Unit (ADU). Approval of the ADU is contingent on the review of a separate Accessory Dwelling Unit permit prior to CDD stamp of approval of plans for the issuance of a building permit for an ADU.

#### **Construction Period Restrictions and Requirements**

All construction activity shall comply with the following restrictions:

11. A publicly visible sign shall be posted on the property with the telephone number and person to contact regarding construction-related complaints. This person shall respond and take corrective action within 24 hours. The CDD phone number shall also be visible to ensure compliance with applicable regulations.

The following conditions shall be included on the construction drawings:

- 12. The applicant shall make a good faith effort to minimize project-related disruptions to adjacent properties, and to uses on the site. This shall be communicated to all project-related contractors.
- 13. The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.
- 14. Construction equipment and materials shall be stored onsite.
- 15. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.
- 16. A good faith effort shall be made to avoid interference with existing neighborhood traffic flows.
- 17. Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays

on the calendar dates that these holidays are observed by the State or Federal government as listed below:

New Year's Day (State and Federal)

Martin Luther King, Jr. Day (State and Federal)

Washington's Birthday (Federal)

Presidents' Day (State)

Cesar Chavez Day (State)

Memorial Day (State and Federal)

Juneteenth National Independence Holiday (Federal)

Independence Day (State and Federal)

Labor Day (State and Federal)

Columbus Day (Federal)

Veterans Day (State and Federal)

Thanksgiving Day (State and Federal)

Day after Thanksgiving (State)

Christmas Day (State and Federal)

For specific details on the actual day the State and Federal holidays occur, please visit the following websites:

Federal Holidays: Federal Holidays (www.opm.gov)
California Holidays: State Holidays (www.sos.ca.gov)

- 18. Large trucks and heavy equipment shall be subject to the same restrictions that are imposed on construction activities, except that the hours are limited to 9:00 AM to 4:00 PM.
- 19. <u>Tree Damage</u> The applicant shall notify the CDD of any unintended damage that occurs to any tree not approved for removal during construction or grading activity. The owner shall repair any damage as determined by an arborist designated by the Director of Conservation and Development.

Any tree not approved for removal that dies or is significantly damaged as a result of construction or grading shall be replaced with a tree or trees of equivalent size and of a species as approved by the Director of Conservation and Development to be reasonably appropriate for the particular situation.

#### **ADVISORY NOTES**

ADVISORY NOTES ARE NOT CONDITIONS OF APPROVAL; THEY ARE PROVIDED TO ALERT THE APPLICANT TO ADDITIONAL ORDINANCES, STATUTES, AND LEGAL REQUIREMENTS OF THE COUNTY AND OTHER PUBLIC AGENCIES THAT MAY BE APPLICABLE TO THIS PROJECT.

A. NOTICE OF OPPORTUNITY TO PROTEST FEES, ASSESSMENTS, DEDICATIONS, RESERVATIONS OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.

Pursuant to California Government Code Section 66000, et seq., the applicant has the opportunity to protest fees, dedications, reservations or exactions required as part of this project approval. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and must be delivered to the Community Development Division within a 90-day period that begins on the date that this project is approved. If the 90th day falls on a day that the Community Development Division is closed, then the protest must be submitted by the end of the next business day.

- B. Prior to applying for a building permit, the applicant is strongly encouraged to contact the following agencies to determine if additional requirements and/or additional permits are required as part of the proposed project:
  - Department of Conservation and Development, Building Inspection Division
  - Contra Costa County Fire Protection District
  - Contra Costa County Public Works Department
  - Contra Costa Health, Environmental Health Division
  - East Bay Municipal Utility District
  - West County Wastewater District

OOF4 5-15-24

### COUNTY FILE# CDVR23-01026

TO NAI SAEPHAN PARCEU # 403-152-020 (CARL ALAMS) (4) TREES TO BE CUT DOWN

THIS IS A APPEAL OF 4 TREES TO BE LEMONED ON 2754 LIMERICK ROAD, I APPEAL THIS DEBCISION BASED ON THESE FACTS

- 1) THE FIRST & TREES ARE ON A STEEPS COPE THEY GREW THROUGH 52 DUMP TRUCKS OF ICLEGACLY DUMPELS DIRT OF DOLLAW IN 2005 I AM WORRIED THAT IF THE TREES ARE REMOVED THE HALL COULD SUIDE INTO MY YARD DUE TO THE COOSENING OF THE SOIL AND DRANIESE CHANGE OF WATER KUN OFF.
- 2) WILLIFE SEEK SHELTER IN THE TREES THERE HAVE KREAWY BEEN TREES &BAMBOO REMOVED WHICH WAS USED BY SQU'RRELS, HAWKS, TURKEYS & MINNY OTHER BIRDS. THERE HABITAT IS BEING DESTROPED
- 3) CHANGE OF HILL RUN OFF INTO MY PROPERTY CAUSING POSSIABLE FEDODING OF MY HOME
- 4) PRIVACY FROM DOLAN WHY STREET AUD ALSO NEW HOME OCCUPANTS COULD LOOK DIRECTLY INTO MY BACK PIND & BETMOON WINDOW WOULD BE GREATLY DISTURBING ON OUR LIVES. IF THE TREES ARE REMOVED, THERE HAS ACKEDUY BEEN SIGNIFICANT THINNING OF THE PROPERTY OVER THE YEARS AND THE REMOVAL OF THE ZTREES ON DOLAN SIDE WORLD COMPROMISE MY PRIVACY.

30F4

	5) I SEE NO REASON FOR THE 4 TREES
	TO BE REMOVED FROM THE LAND, THEY
	POSE NO TREAT AS STATED IN THE CETTER
	ILECEIVED
	6) THIS PIECE OF CAND IS TRULY LIKE AN
	ANIMAL SANCTUARY NOT JUST ON A EMPTY COT.
	I HAVE WITNESSED SEEING IN MY 32 YEARS
	OF CIUNG HERE SO MANY ANIMACS
	TO SEE THERE HAAMATELOWLY TAKEN AWAY
	OVER THE YEARS IS TRULY SADDEDING,
	THESE 4 TREES & THE ANIMHUS THEY SERVE
	DESERVE TO REMAIN WHERE THEY ARE,
7	
	TIPAL GOLD
	LONALIS COLLINS
	AURACIS CUCCIOS

SECOND PART OF APPEAL IS THE STRUCTURE ( SIZE OF HOUSE, MY PROPERTY IS RIGHT BELOW ON 2750 CIMERICK ROAD, TWILL HAVE (OBZERO) PRIVACY FROM A 140GE 3 STORY HOUSE, COUNTY SAYS IT WILL BE A 2 STORY WITH ADDED ADU AT BOTTOM, YOU ALSO SAY YOU WILL HAVE CARL ANDAMS PUT PRIVACY TREES IN BETWEEN OUR YARDS YOU ( CARL WOOLD HAVE TO PLANT 30' FOOTTREES FOR PRIVACY, County says when mature will provide privacy". Realistically that would be at least a decade THE PROPERTY IS NOT A PLACE TO to provide BURD A HOME, THE COT IS AT THE BOTTOM PING OF WHERE ALL THE WATER COLLECTS FROM ALL THE ABOUT HILLS, THERE WAS A POND BACK THERE TIL CALL ADAMS HAD 415 CONSTRUCTION CREW TAKE A TRACTOR & USH IT OUT INTO ALL OUR PARDS IN 2018, NOW HE HAS A QUEDUCT OF WATER UNDER HIS PROPERTY ALL YEAR ROULD, HE HAS ILLEGALLY POTINZ 9" PIPES ABOUT 4" 10+0 GROUND CONVECTING INTO BRAND IVEW STORMINAVIO TUST PUT IN BY SCHOOL ZYEARS AGO, CARLADAS HAS BEEN USING A GAS GENERATOR TO POMP WHATER SEDIMENT INTO THE PIPE, ITSTICKS DUT OF THE GROWN AT LEAST 31. I HAVE VIDEO OF HIM ILLEGALY PUMPING WATER & WHATEVER CONTAMILEUTS FROM HIS PROPERTY CARLAGAMS DUMPED ST DAMP TRUCKS OF HOWN THE STEEP HILL FROM DOLAN IN 2005. TIC CCCOUNTY CODE ENFORCEMENT RED TAPED THE AREA SHUT DOWN THE DUMPING

(4) OF 4

FART IS SET BACE

THE STRUCTURE IS SO HULE COMPARED

TO MINE, HIS WILL BE AROWD 3 STONYATSSOOD

FT & MINESTIS AT ANDOND 1100 SOFT,

WHYDOES THE HOUSE HAVE TO SIT SO CLOSE

TO MY PROPERTY LINE, THERE IS NO WAY

HE WILL NOT BE BLOCKING SON LIGHT TO

MY YARD IN THE MORKING, THE SON COMES

UP EXACTLY WHERE LARL ADAMS WANTS

TO BUILD HIS HOUSE, WHY CANT HE BUILD

IT CLOSER TO SCHOOLS SIDE PROPERTY,

TISAINK YOU

RONALD COCUNS 2750 LIMERICE KOAIS SAN BABLO CA 94806



January 10, 2025

Contra Costa County Planning Commission 30 Muir Road Martinez, CA 94553

Re: Appeal of Zoning Administrator's Decision (County File #CDVR23-01026)

Property: 2754 Limerick Road, San Pablo (APN: 403-152-020)

Appellant: Mr. Ronald Collins

Dear Members of the Planning Commission:

My office represents Mr. Carl Adams in connection with the above-referenced matter. I am writing regarding the appeal filed by Mr. Ronald Collins concerning the Zoning Administrator's decision to grant Mr. Adams' application for a Zoning Variance and Tree Permit for his property at 2754 Limerick Road in the unincorporated area of San Pablo, California.

I strongly support the Zoning Administrator's decision and concur with the Planning Department staff's recommendation that the Commission deny Mr. Collins' appeal. The staff report prepared for the appeal hearing thoroughly analyzes the relevant issues and correctly concludes that the required findings for both the variance and tree permit can be made.

However, after reviewing the video of the last hearing, I am also concerned that the Commission appears to be entertaining arguments, as well as new unsubstantiated allegations made by the appellant, that were not included in the appellant's original appeal application. This practice undermines the appeal process and prejudices property owners who rely on the documented grounds for appeal when preparing their responses. The Commission should limit its consideration to those specific objections properly raised in the initial appeal filing.

The Zoning Administrator's decision was based on substantial evidence in the record and careful consideration of all applicable standards and requirements. I respectfully request that the Commission uphold this decision and deny the appeal at its next-earliest scheduled meeting.

Thank you for your consideration of this matter.

Sincerely,

**Knox & Ross Law Group** 

Zachary A. Knox Zachary A. Knox, Esq. Attorney for Carl Adams

Cc: Carl Adams cdadams1946@comcast.net

John Kopchick, Director of the Conservation and Development Department <a href="mailto:John.kopchick@dcd.cccounty.us">John.kopchick@dcd.cccounty.us</a>

Ruben Hernandez, Deputy Director of the Conservation and Development Department Ruben.hernandez@dcd.cccounty.us

**Commissioners:** 

Kevin Van Buskirk, Chair of the Contra Costa County Planning Commission Kevin.buskirk@dcd.cccounty.us

Bhupen Amin, Vice Chair of the Contra Costa County Planning Commission Bhupen.amin@dcd.cccounty.us

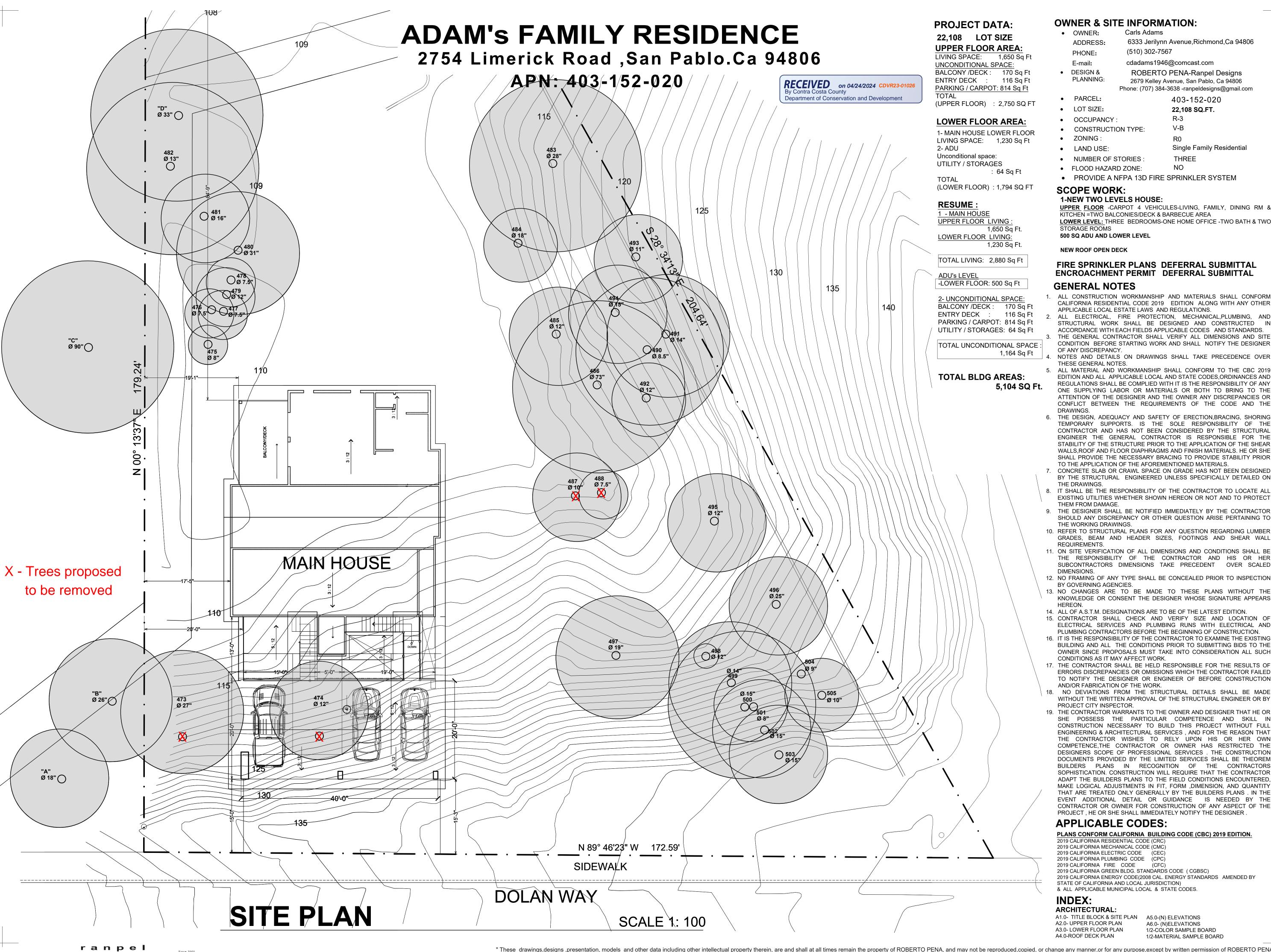
Jeffrey Wright, Commissioner of the Contra Costa County Planning Commission <a href="mailto:Jeffrey.wright@dcd.cccounty.us">Jeffrey.wright@dcd.cccounty.us</a>

Donna Allen, Commissioner of the Contra Costa County Planning Commission <a href="mailto:Donna.allen@dcd.cccounty.us">Donna.allen@dcd.cccounty.us</a>

Bob Mankin, Commissioner of the Contra Costa County Planning Commission <a href="mailto:Bob.mankin@dcd.cccounty.us">Bob.mankin@dcd.cccounty.us</a>

Ross Hillesheim, Commissioner of the Contra Costa County Planning Commission Ross.hillesheim@dcd.cccounty.us

Sanjiv Bhandari, Commissioner of the Contra Costa County Planning Commission Sanjiv.bhandari@dcd.cccounty.us



### **OWNER & SITE INFORMATION:**

Carls Adams OWNER:

6333 Jerilynn Avenue, Richmond, Ca 94806 ADDRESS:

(510) 302-7567 PHONE:

cdadams1946@comcast.com E-mail:

 DESIGN & **ROBERTO PENA-Ranpel Designs** PLANNING: 2679 Kelley Avenue, San Pablo, Ca 94806 Phone: (707) 384-3638 -ranpeldesigns@gmail.com

> 403-152-020 22,108 SQ.FT.

Single Family Residential LAND USE:

 NUMBER OF STORIES THREE

PROVIDE A NFPA 13D FIRE SPRINKLER SYSTEM

#### **SCOPE WORK:**

1-NEW TWO LEVELS HOUSE:

UPPER FLOOR -CARPOT 4 VEHICULES-LIVING, FAMILY, DINING RM & KITCHEN =TWO BALCONIES/DECK & BARBECUE AREA LOWER LEVEL: THREE BEDROOMS-ONE HOME OFFICE -TWO BATH & TWO STORAGE ROOMS

**500 SQ ADU AND LOWER LEVEL** 

**NEW ROOF OPEN DECK** 

FIRE SPRINKLER PLANS DEFERRAL SUBMITTAL ENCROACHMENT PERMIT DEFERRAL SUBMITTAL

#### **GENERAL NOTES**

ALL CONSTRUCTION WORKMANSHIP AND MATERIALS SHALL CONFORM CALIFORNIA RESIDENTIAL CODE 2019 EDITION ALONG WITH ANY OTHER APPLICABLE LOCAL ESTATE LAWS AND REGULATIONS.

ALL ELECTRICAL, FIRE PROTECTION, MECHANICAL, PLUMBING, AND STRUCTURAL WORK SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH EACH FIELDS APPLICABLE CODES AND STANDARDS. THE GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND SITE CONDITION BEFORE STARTING WORK AND SHALL NOTIFY THE DESIGNER NOTES AND DETAILS ON DRAWINGS SHALL TAKE PRECEDENCE OVER

EDITION AND ALL APPLICABLE LOCAL AND STATE CODES,ORDINANCES AND REGULATIONS SHALL BE COMPLIED WITH IT IS THE RESPONSIBILITY OF ANY ONE SUPPLYING LABOR OR MATERIALS OR BOTH TO BRING TO THE ATTENTION OF THE DESIGNER AND THE OWNER ANY DISCREPANCIES OR CONFLICT BETWEEN THE REQUIREMENTS OF THE CODE AND THE

THE DESIGN, ADEQUACY AND SAFETY OF ERECTION, BRACING, SHORING CONTRACTOR AND HAS NOT BEEN CONSIDERED BY THE STRUCTURAL ENGINEER THE GENERAL CONTRACTOR IS RESPONSIBLE FOR THE STABILITY OF THE STRUCTURE PRIOR TO THE APPLICATION OF THE SHEAR WALLS.ROOF AND FLOOR DIAPHRAGMS AND FINISH MATERIALS. HE OR SHE SHALL PROVIDE THE NECESSARY BRACING TO PROVIDE STABILITY PRIOR TO THE APPLICATION OF THE AFOREMENTIONED MATERIALS.

CONCRETE SLAB OR CRAWL SPACE ON GRADE HAS NOT BEEN DESIGNED BY THE STRUCTURAL ENGINEERED UNLESS SPECIFICALLY DETAILED ON

EXISTING UTILITIES WHETHER SHOWN HEREON OR NOT AND TO PROTECT THEM FROM DAMAGE. 9. THE DESIGNER SHALL BE NOTIFIED IMMEDIATELY BY THE CONTRACTOR

SHOULD ANY DISCREPANCY OR OTHER QUESTION ARISE PERTAINING TO 10. REFER TO STRUCTURAL PLANS FOR ANY QUESTION REGARDING LUMBER GRADES, BEAM AND HEADER SIZES, FOOTINGS AND SHEAR WALL

11. ON SITE VERIFICATION OF ALL DIMENSIONS AND CONDITIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND HIS OR HER SUBCONTRACTORS DIMENSIONS TAKE PRECEDENT OVER SCALED

12. NO FRAMING OF ANY TYPE SHALL BE CONCEALED PRIOR TO INSPECTION BY GOVERNING AGENCIES.

13. NO CHANGES ARE TO BE MADE TO THESE PLANS WITHOUT THE KNOWLEDGE OR CONSENT THE DESIGNER WHOSE SIGNATURE APPEARS

14. ALL OF A.S.T.M. DESIGNATIONS ARE TO BE OF THE LATEST EDITION. 15. CONTRACTOR SHALL CHECK AND VERIFY SIZE AND LOCATION OF ELECTRICAL SERVICES AND PLUMBING RUNS WITH ELECTRICAL AND

PLUMBING CONTRACTORS BEFORE THE BEGINNING OF CONSTRUCTION. 16. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO EXAMINE THE EXISTING BUILDING AND ALL THE CONDITIONS PRIOR TO SUBMITTING BIDS TO THE OWNER SINCE PROPOSALS MUST TAKE INTO CONSIDERATION ALL SUCH CONDITIONS AS IT MAY AFFECT WORK.

17. THE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR THE RESULTS OF ERRORS DISCREPANCIES OR OMISSIONS WHICH THE CONTRACTOR FAILED TO NOTIFY THE DESIGNER OR ENGINEER OF BEFORE CONSTRUCTION AND/OR FABRICATION OF THE WORK.

18. NO DEVIATIONS FROM THE STRUCTURAL DETAILS SHALL BE MADE WITHOUT THE WRITTEN APPROVAL OF THE STRUCTURAL ENGINEER OR BY

19. THE CONTRACTOR WARRANTS TO THE OWNER AND DESIGNER THAT HE OR SHE POSSESS THE PARTICULAR COMPETENCE AND SKILL IN CONSTRUCTION NECESSARY TO BUILD THIS PROJECT WITHOUT FULL ENGINEERING & ARCHITECTURAL SERVICES, AND FOR THE REASON THAT THE CONTRACTOR WISHES TO RELY UPON HIS OR HER OWN COMPETENCE, THE CONTRACTOR OR OWNER HAS RESTRICTED THE DESIGNERS SCOPE OF PROFESSIONAL SERVICES . THE CONSTRUCTION DOCUMENTS PROVIDED BY THE LIMITED SERVICES SHALL BE THEOREM BUILDERS PLANS IN RECOGNITION OF THE CONTRACTORS SOPHISTICATION. CONSTRUCTION WILL REQUIRE THAT THE CONTRACTOR ADAPT THE BUILDERS PLANS TO THE FIELD CONDITIONS ENCOUNTERED MAKE LOGICAL ADJUSTMENTS IN FIT, FORM ,DIMENSION, AND QUANTITY THAT ARE TREATED ONLY GENERALLY BY THE BUILDERS PLANS . IN THE EVENT ADDITIONAL DETAIL OR GUIDANCE IS NEEDED BY THE CONTRACTOR OR OWNER FOR CONSTRUCTION OF ANY ASPECT OF THE PROJECT, HE OR SHE SHALL IMMEDIATELY NOTIFY THE DESIGNER.

### **APPLICABLE CODES:**

PLANS CONFORM CALIFORNIA BUILDING CODE (CBC) 2019 EDITION.

2019 CALIFORNIA RESIDENTIAL CODE (CRC) 2019 CALIFORNIA MECHANICAL CODE (CMC) 2019 CALIFORNIA ELECTRIC CODE (CEC)

2019 CALIFORNIA PLUMBING CODE (CPC) 2019 CALIFORNIA FIRE CODE (CFC)

2019 CALIFORNIA GREEN BLDG. STANDARDS CODE (CGBSC) 2019 CALIFORNIA ENERGY CODE(2008 CAL. ENERGY STANDARDS AMENDED BY STATE OF CALIFORNIA AND LOCAL JURISDICTION) & ALL APPLICABLE MUNICIPAL LOCAL & STATE CODES.

1/2-MATERIAL SAMPLE BOARD

### INDEX:

**ARCHITECTURAL:** 

A1.0- TITLE BLOCK & SITE PLAN A5.0-(N) ELEVATIONS A2.0- UPPER FLOOR PLAN A6.0- (N)ELEVATIONS A3.0- LOWER FLOOR PLAN 1/2-COLOR SAMPLE BOARD



Ranpel Designs
Roberto Pena **DESIGN & PLANNING** 

Phone: (707)384-3638

ranpeldesigns@gmail.com PLANS BY

**ROBERTO PENA** 

OWNER:

Carls Adams

April 2024

San Pablo, California

**CONTENTS:** Site Plan

Bldg. Areas Diagram

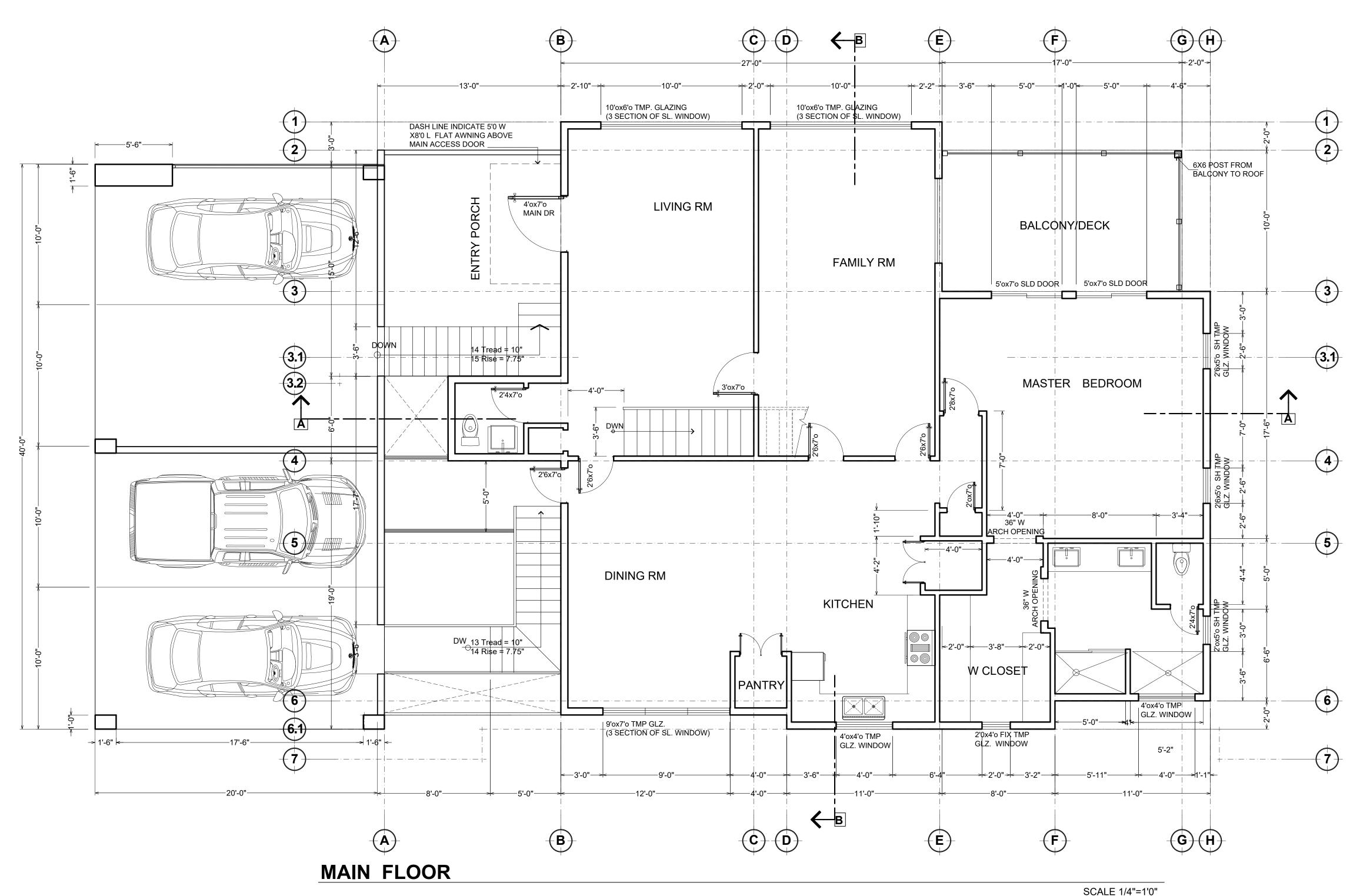
11-23-22	Planning Set
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04-24-24	Planning Set

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### **FLOOR PLAN KEY NOTES:**

- 1. ALL WINDOWS TO BE DUAL GLAZED ,PROVIDE SCREENS ON OPERABLE WINDOWS. VERIFY ALL WINDOW ROUGH OPENINGS WITH WINDOW MANUFACTURED
- 2. PROVIDE SAFETY GLAZING IN FIXED OR OPERABLE PANELS ADJACENT TO A DOOR WHERE DE NEAREST EXPOSED EDGE OF THE GLAZING WITHIN A 24" ARC OF EITHER VERTICAL EDGE OF THE DOOR IN A WALKING SURFACE & EXPOSED BOTTOM EDGE IS LESS THEN 18" ABOVE THE FLOOR FOR WINDOWS AND DOOR (PROVIDE TEMPERATE GLAZING)
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- 4. ALL EXTERIOR DOOR IS TO BE SOLID CORE 1 3/4" DOORS AND OF THE TYPE AND DESIGN SHOWN ON THE ELEVATIONS AND FLOORS PLANS WITH WEATHERPROOF TIGHT FIT.
- 5. ALL STRUCTURAL ELEMENTS SUPPORTING THE FLOOR / CEILING ASSEMBLIES USED AS A FIRE RATED SEPARATION SHALL HAVE  $\frac{5}{8}$ " GYPSUM BOARD PROTECTION. (CRC Table R302.6).
- 6. EXTERIOR DOORS ONTO PORCHES SHALL BE PROVIDE 36" OUTSIDE LANDING .THE WIDTH OF THE LANDING SHALL BE NOT LESS THAN THE DOOR WIDTH AND 36" MINIMUM DEPTH.LANDING AT REQUIRED EGRESS DOORS SHALL NOT BE MORE THAN 1 ½" LOWER THAN THE TOP OF THRESHOLD. Exception: A DOOR MAY OPEN AT A LANDING THAT IS NOT MORE THAN 7 ¾" LOWER THAN THE FLOOR LEVEL IF THE DOOR DOES NOT SWING OVER THE LANDING. ( CRC R311.3.1 & DOLL OF SWING OVER THE LANDING.)
- R311.3.2)
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PLANS BY:

ROBERTO PENA

OWNER : Carls Adams

April 2024

San Pablo , California

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Upper/Main Floor Plan

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04-24-24 Planni

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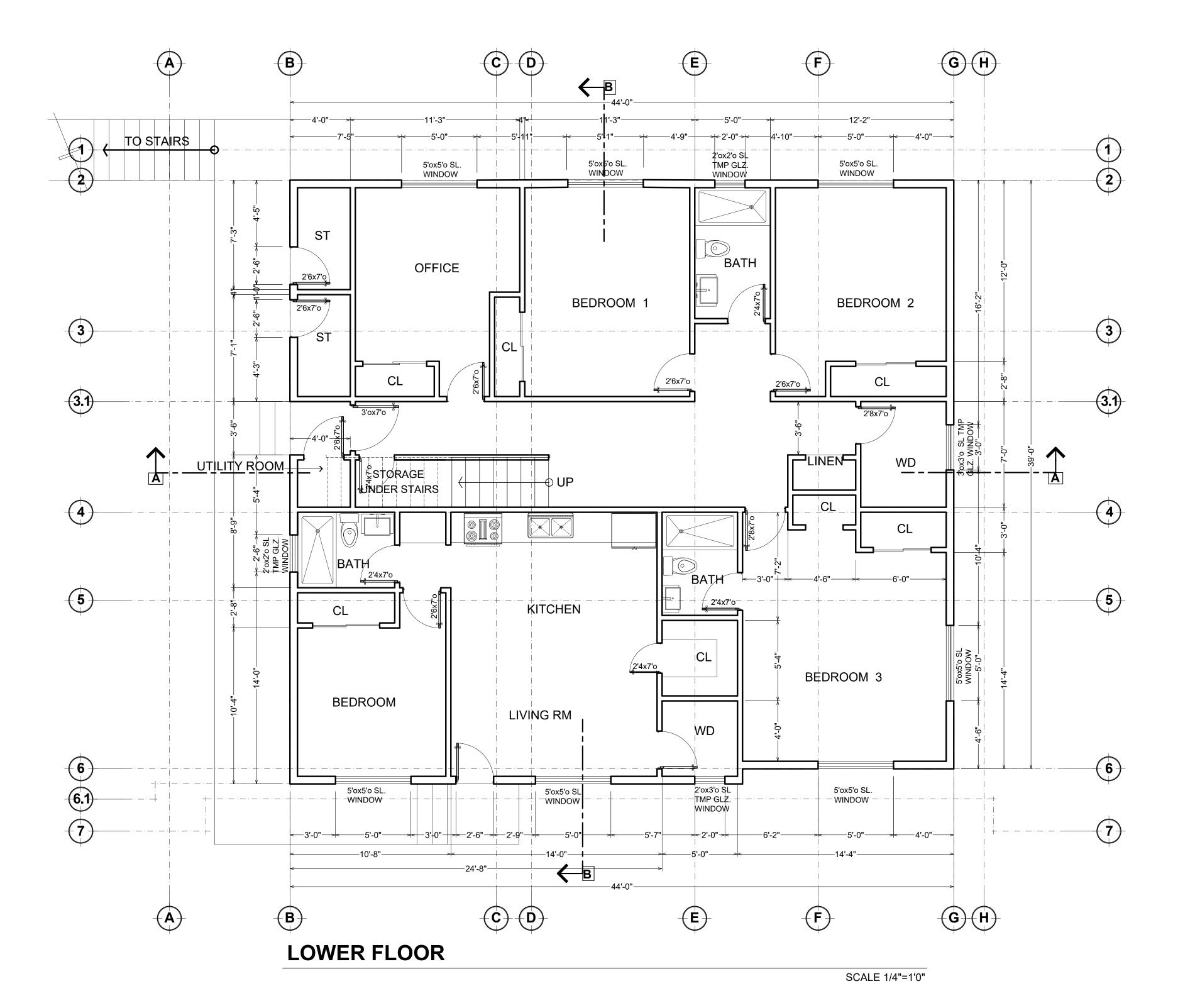
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PLANS BY:

ROBERTO PENA

OWNER : Carls Adams

April 2024

San Pablo , California

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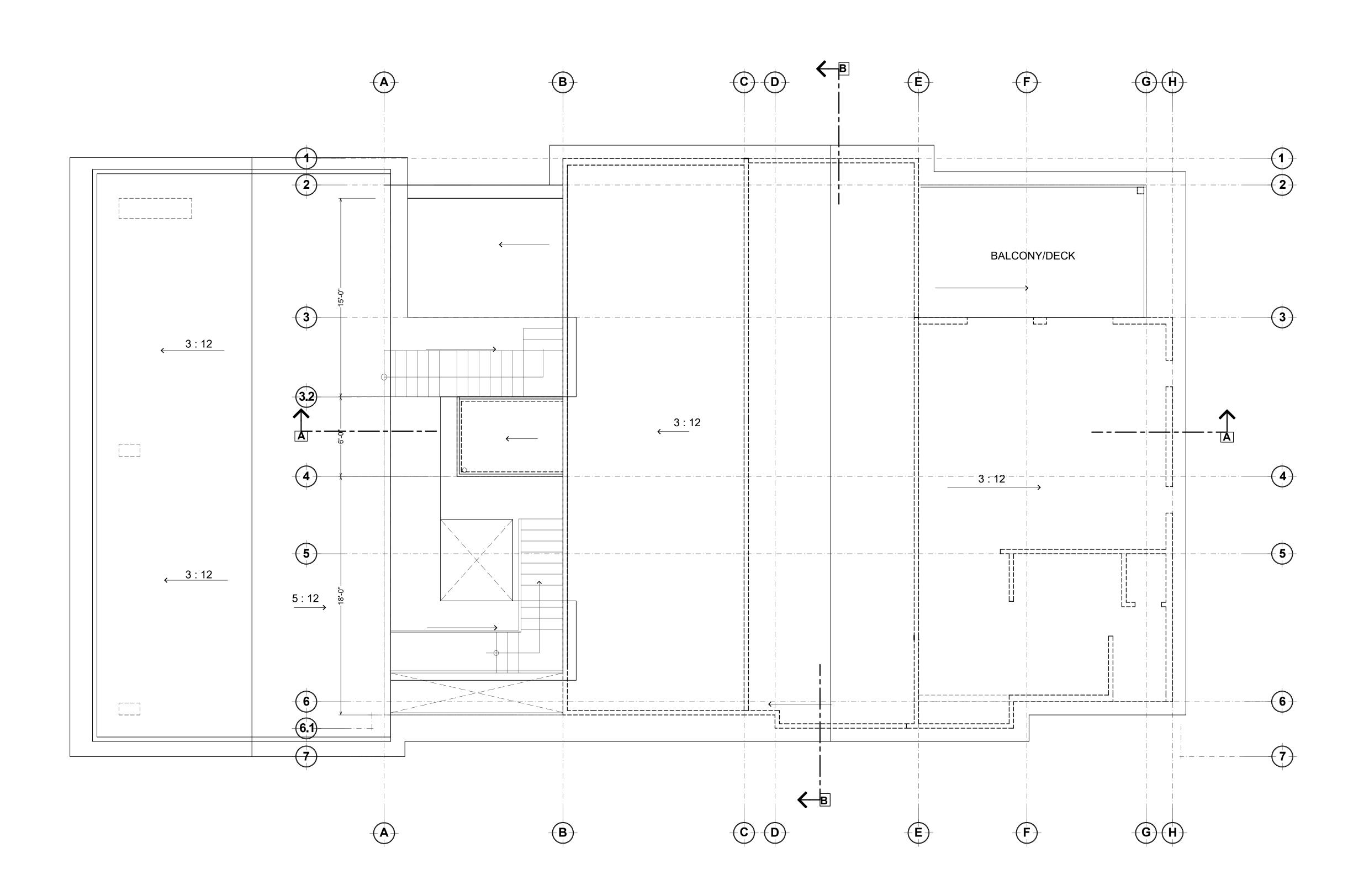
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Lower /JADU Floor Plan

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ROBERTO PENA

OWNER:

RESIDENC

Carls Adams

April 2024 San Pablo , California

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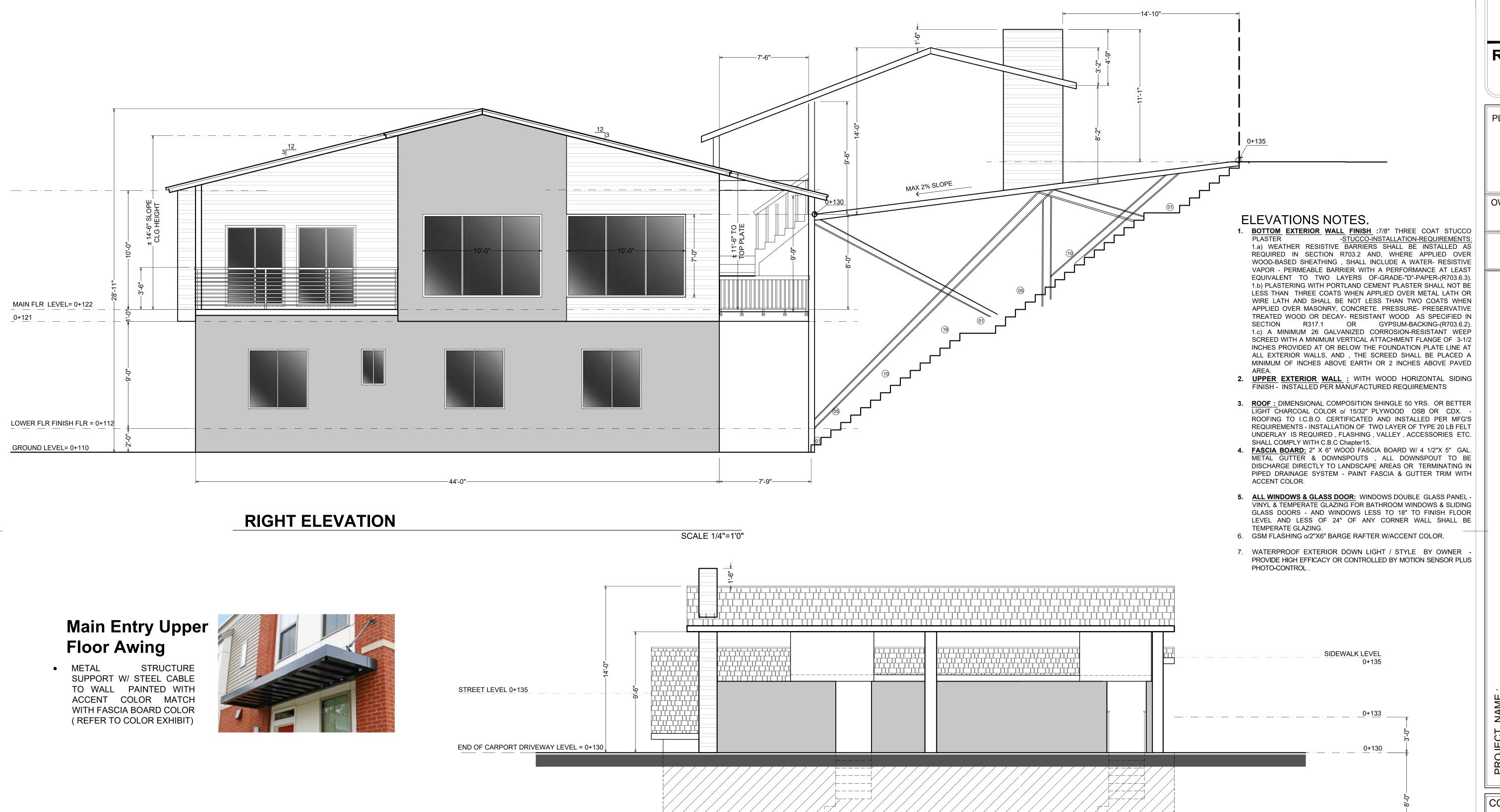
Roof Deck Plans

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ranpe Roberto Antonio Pena Lopez



MAIN FLR LEVEL= 0+122

LOWER FLR FINISH FLR = 0+112

GROUND LEVEL= 0+110

0+121



Ranpel Designs
Roberto Pena **DESIGN & PLANNING** 

Phone: (707)384-3638 ranpeldesigns@gmail.com

PLANS BY



OWNER:

Carls Adams

April 2024

San Pablo , California

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CONTENTS:

0+122

0+112

0+110

Elevations

11-23-22 Planning Set

01-31-23 Planning Set 04-24-24 Planning Set

CALE: AS SHOWN

20210927

Wood

**Siding Wall** 

DARK GREY COLOR

PROVIDE HORIZONTAL

NATURAL COLOR

(LEFT SIZE OF BUILDING )

WOOD SIDING -PAINT WITH WEATHERPROOF STAIN

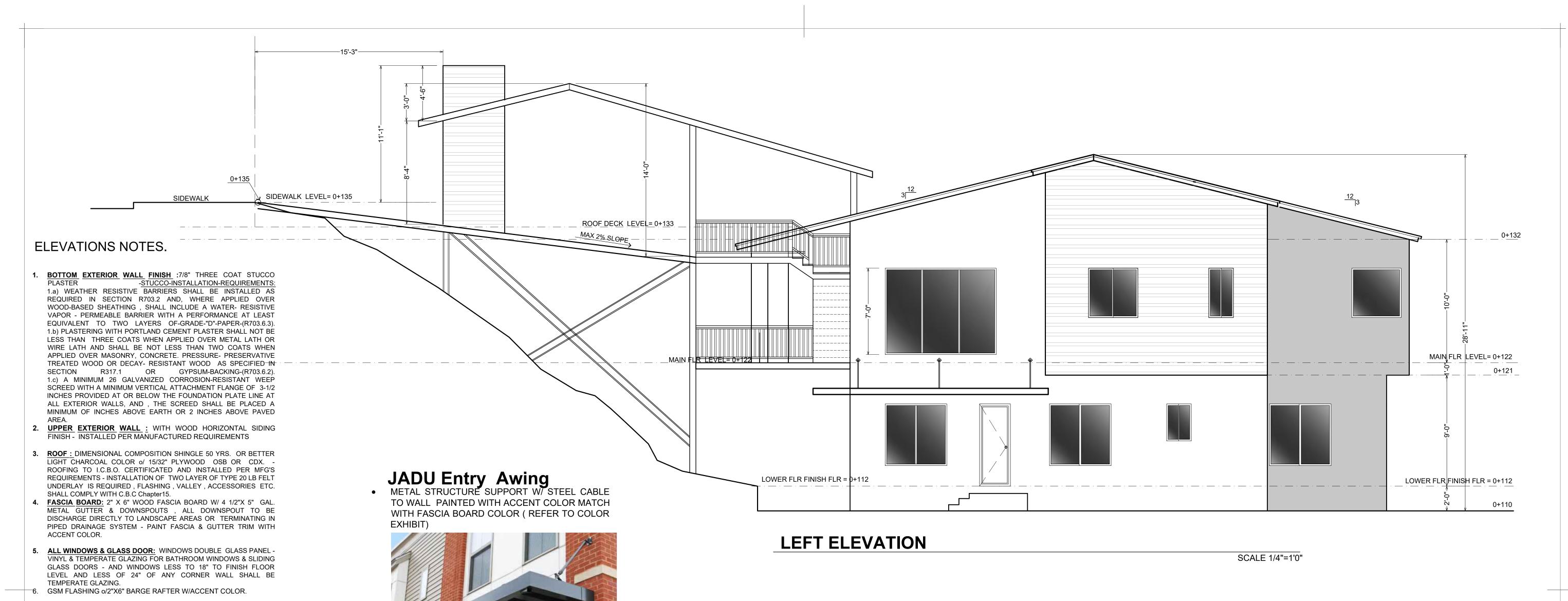
SCALE 1/4"=1'0"

HATCH INDICATED

UNDERGROUND AREA

FOR REFERENCE ONLY

FRONT ELEVATION





7. WATERPROOF EXTERIOR DOWN LIGHT / STYLE BY OWNER

PHOTO-CONTROL

PROVIDE HIGH EFFICACY OR CONTROLLED BY MOTION SENSOR PLUS

#### Wood Siding Wall

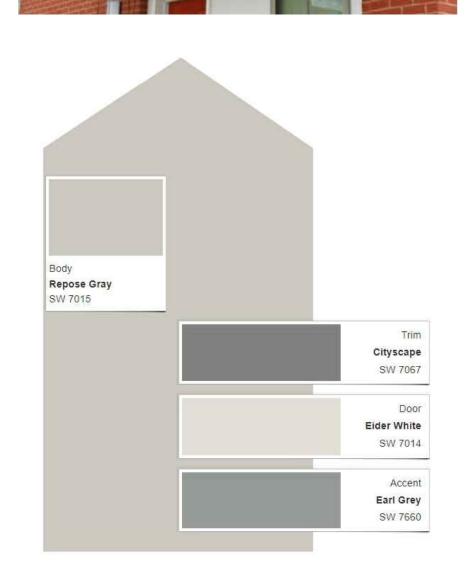
DARK GREY COLOR

(LEFT SIZE OF BUILDING )
PROVIDE HORIZONTAL
WOOD SIDING -PAINT WITH
WEATHERPROOF STAIN
NATURAL COLOR



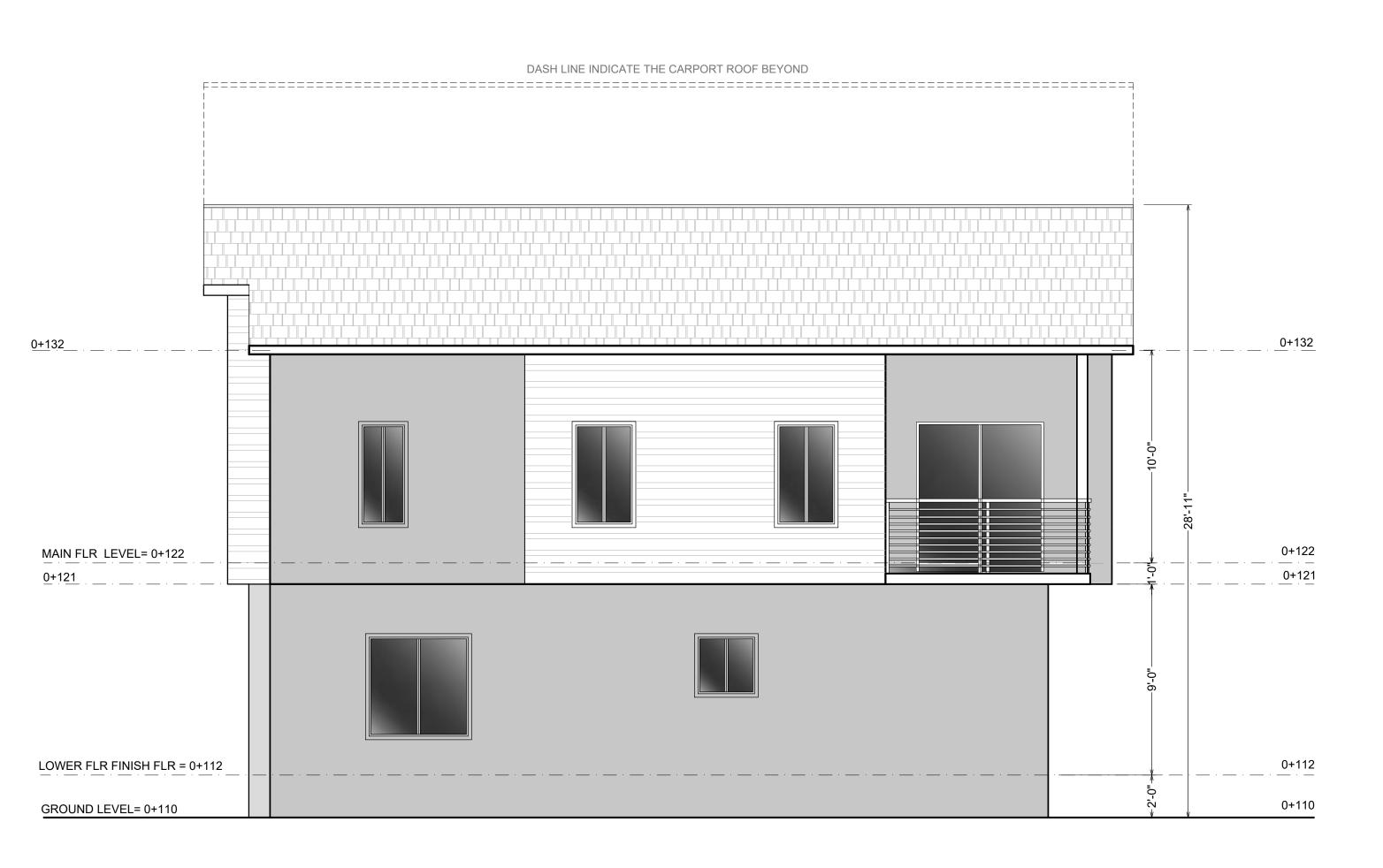
#### Roof Material

DARK GREY COLOR COMPOSITION SHINGLE 50 YRS



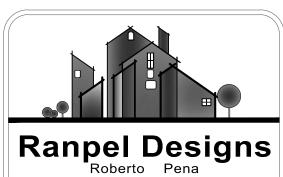
#### **Color Sample**

- ALL EXTERIOR WALLS SMOOTH STUCCO FINISHED WITH:
- 1. BODY OF BUILDING WALLS REPOSE GREY (SW7015) SHERWIN WILLIAMS COLOR ).
- ALL WOOD SIDING AND TRIMS WITH CITYSCAPE (SW 7067 -SHERWIN WILLIAMS COLOR).
- FASCIA BOARD, GUTTER & DOWNSPOUT PAINTED CITY SCAPE (SW 7067-SHERWIN WILLIAMS COLOR).
- ALL DOORS DOOR PAINTED W/ EIDER WHITE (SW 7014 -SHERWIN WILLIAMS COLOR).



#### **REAR ELEVATION**

SCALE 1/4"=1'0"



DESIGN & PLANNING Phone: (707)384-3638 ranpeldesigns@gmail.com

PLANS BY:

ROBERTO PENA

OWNER : Carls Adams

Δnril 2024

April 2024 San Pablo , California

LY RESIDENCE

ADAM'S FAMILY F

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CONTENTS:

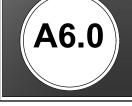
Elevations

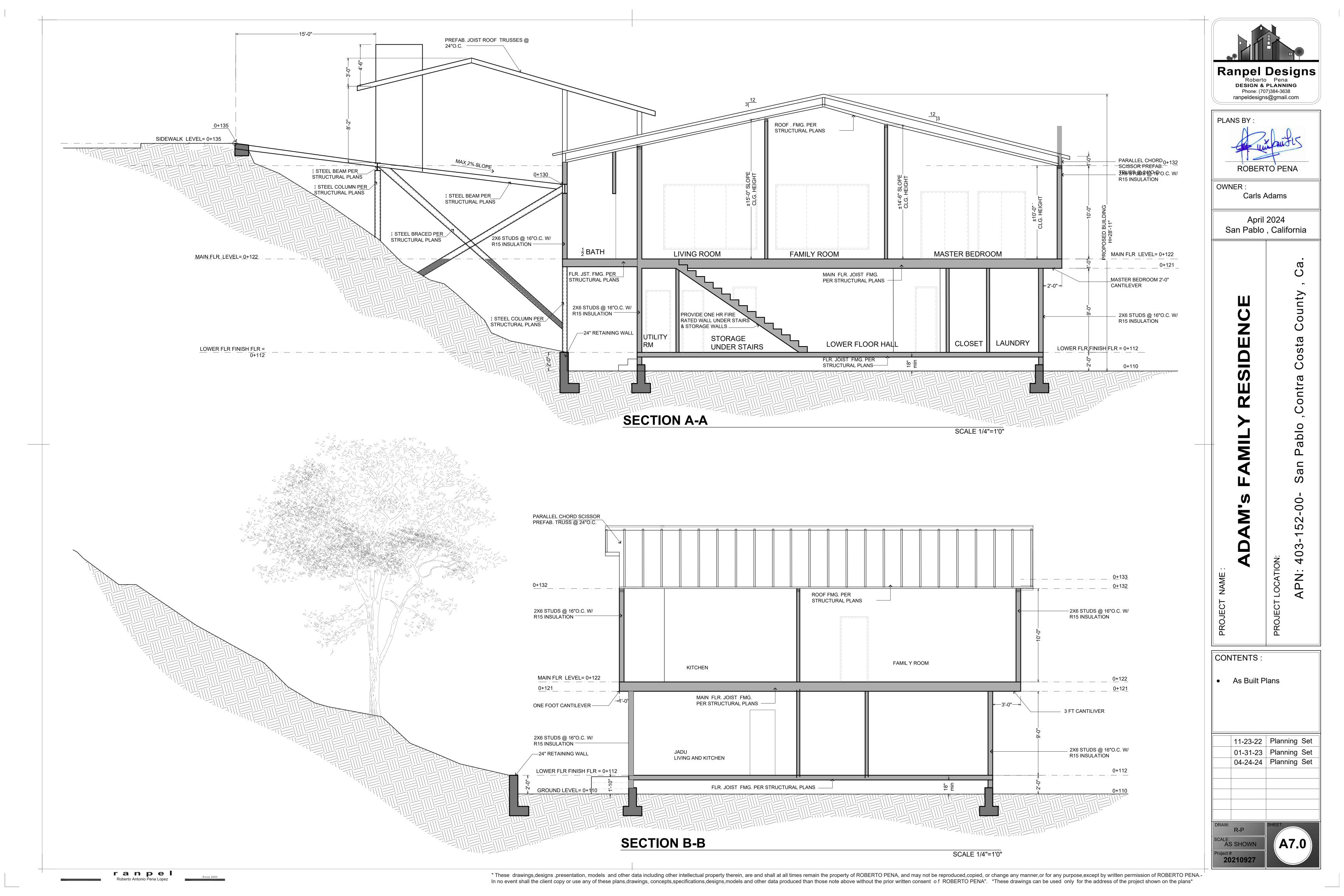
Elevations

11-23-22 Planning Set 01-31-23 Planning Set 04-24-24 Planning Set

04-24-24 Planning Se

R-P
SCALE:
AS SHOWN
Project #
20210927





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

COUNTY FILE #CDVR23-01026

County Planning Commission May 28, 2025 Continued Open Hearing

# **Project Description**

- Reduced minimum front setback for a driveway structure that will provide driveway access from Dolan Way to a proposed 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.
- Reduced minimum front setback for a carport within the driveway structure that will provide off-street parking for the new single-family residence and junior accessory dwelling unit.
- Tree Permit to remove the following 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 structure.
  - 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.

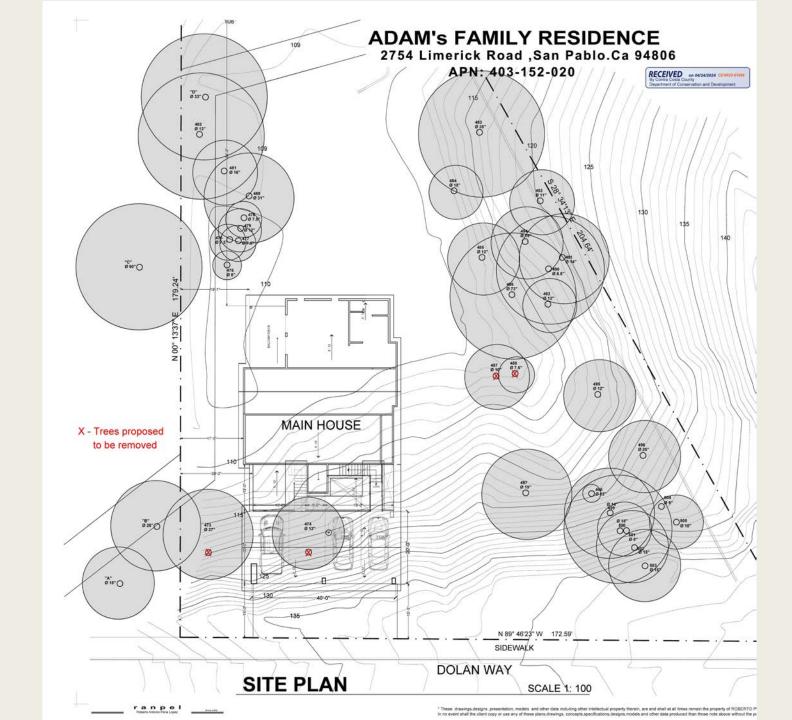
## **Aerial View**



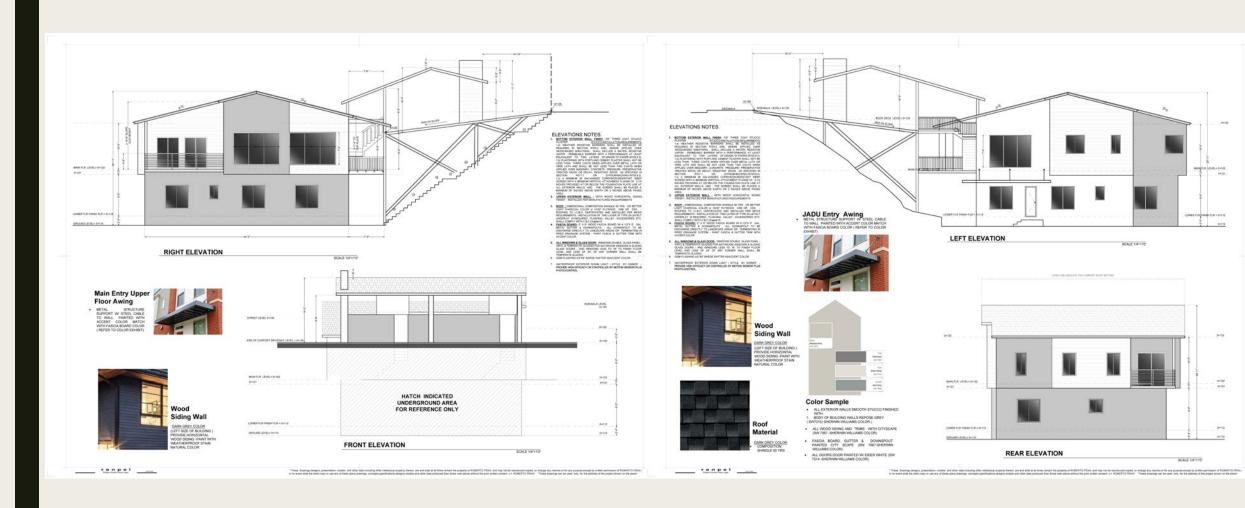
# Background

- A Variance application (County File #CDVR23-01026) was submitted on April 24, 2023.
- The matter was heard by the County Zoning Administrator on May 6, 2024, and approved the variances and tree permit as recommended by staff.
- Staff received one letter from Ronald Collins on May 15, 2024, appealing the Zoning Administrator's decision.
- The appeal was heard by the County Planning Commission on December 11, 2024.
- At the hearing, Chair Van Buskirk opened the public hearing and accepted testimony from the appellant, Ronald Collins. The applicant, Carl Adams, was not present.
- After receiving testimony from Mr. Collins, the Commissioners posed four questions for the applicant and County staff to address.
- The County Planning Commission voted to have the matter be continued as an open hearing to give the applicant and staff time to respond to their questions.

## Site Plan



# Elevations



## Summary of Appeal Points

- Soil stability and drainage
- Destruction of wildlife habitat/animal sanctuary
- Change of hill runoff/potential flooding of nearby downslope improvements:
- Privacy concerns
- Blocked sunlight due to location of proposed residence
- No valid reason for tree removal
- Structure and size of proposed residence
- Hillside lot that collects runoff from properties above Not Suitable for Development
- Illegal Dumping

# Commissioners' Questions

- Unpermitted fill/illegal dumping in the past
- Unpermitted trenching related to drainage issues on the property
- The reason for the proposed removal of two trees not in the construction zone
- The possible relocation of the proposed residence to avoid tree removal for the carport

#### Staff Recommendation

- Staff recommends that the County Planning Commission:
  - DENY the appeal and UPHOLD the Zoning Administrator's decision to approve County File #CDVR23-01026
  - ADOPT the attached updated findings and conditions of approval

# QUESTIONS?