

**CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC 2013-__**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, APPROVING VARIANCE (VA 2012-02) ALLOWING PARKING IN THE FRONT YARD ON THE PROPERTY LOCATED AT 33 VIEW ROAD (APN 011-061-023) WITHIN THE “R1” SINGLE FAMILY RESIDENTIAL ZONING DISTRICT

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2 **WHEREAS**, the property owners, Ronald Hartman and Ingrid Summerfield
3 have requested to convert the existing single car garage to living space and allow
4 parking within the front yard setback on the property located at 33 View Road
5 (APN 011-061-023) within the “R1”, Single Family Residential Zoning District;
6 and
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8 **WHEREAS**, the Planning Commission considered the request for a
9 Variance (VA 2012-02) at its regular meeting on January 23, 2013, pursuant to
10 Government Code Section 65090. Prior to taking action on the application, the
11 Commission received written and oral reports by the staff, and received public
12 testimony; and
13

14 **WHEREAS**, pursuant to Section 17.42.020, Calistoga Municipal Code, the
15 Planning Commission adopted the following findings:
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- 17 1. *Conditions apply to the property that do not apply generally to other*
18 *properties in the same zone or vicinity, which conditions are a result of lot*
19 *size or shape, topography, or other circumstances over which the*
20 *applicant has no control.*
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22 Finding: The circumstances for which this variance is being sought have
23 not been created by the applicant. The subject site consists of an existing
24 single family residence with one parking space located in a legal non-
25 conforming single car garage. The placement of the building on the lot
26 prevents the displaced parking from being placed in an acceptable
27 location elsewhere on the property.
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- 29 2. *Variance is necessary for the preservation of a property right of the*
30 *applicant substantially the same as is possessed by owners of other*
31 *property in the same zone or vicinity.*
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33 Finding: The physical constraints (e.g. lot development configuration) of
34 this site create special circumstances which would deprive the applicant of
35 the privileges of developing additional parking area enjoyed by other
36 properties in the vicinity.

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3. *The authorization of the Variance will not be materially detrimental to the purposes of this Title, be injurious to property in the zone or vicinity in which the property is located, or otherwise conflict with the objectives of City development plans or policies*

Finding: Granting the parking variance would likely have no impact on the congestion of area streets or fire safety, nor would the proposed use be detrimental to the public welfare or endanger the public safety because the existing driveway is of adequate length to accommodate a vehicle without obstructing the roadway.

4. *The variance requested is the minimum variance which will alleviate the hardship.*

Finding: Staff finds that the Variance requested is the minimum necessary to reasonably expand the development potential of the lot.

NOW, THEREFORE, BE IT RESOLVED by the City of Calistoga Planning Commission that based on the findings, the Planning Commission approves the Variance, subject to following Conditions of Approval:

CONDITIONS

1. This Variance authorizes the conversion of an existing single car garage to living space and allowing the displaced parking space to be located within the front yard on the property located at 33 View Road as submitted on October 31, 2012 to the Planning and Building Department.
2. This permit shall be valid until it expires or is revoked pursuant to the terms of this permit and/or Title 17 of the Calistoga Municipal Code.
3. The permit holder shall permit the City of Calistoga or its representatives or designees to make periodic inspections at any reasonable time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.
4. This permit may be revoked if the use for which the permit was granted is conducted as to be detrimental to the public health, safety, or welfare or as to be a nuisance, or upon other grounds as listed in Section 17.42.050 of the Calistoga Municipal Code.

80 5. This permit shall be null and void if not used by January 23, 2015. The
81 Variance may remain affective provided the property owners obtain Building
82 Permit approval to legitimize the garage conversion.
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84 **WHEREAS**, this action has been reviewed for compliance with the
85 California Environmental Quality Act (CEQA) and is exempt from the
86 requirements of the CEQA pursuant to Section 15305 of the CEQA guidelines.
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88 **PASSED, APPROVED, AND ADOPTED** on January 23, 2013, by the
89 following vote of the Calistoga Planning Commission:
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91 AYES:
92 NOES:
93 ABSENT:
94 ABSTAIN:
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96 _____
97 JEFF MANFREDI, CHAIRMAN
98
99

100
101 ATTEST: _____
102 Erik V. Lundquist
103 Acting Secretary to the Planning Commission
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