

**CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC 2019-19**

**APPROVING VARIANCE VA 2019-2 FOR A REDUCED MINIMUM CORNER LOT
WIDTH IN ORDER TO ALLOW A LOT SPLIT AT 1207 SILVER STREET**

WHEREAS, the property owner of 1207 Silver Street (APN 011-193-006) has filed a variance application requesting a reduced minimum corner lot width to accommodate a lot split of the property; and

WHEREAS, the Planning Commission considered the request during a public hearing at its November 13, 2019 meeting; and

WHEREAS, this action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305 (Minor Alterations in Land Use Limitations).

NOW, THEREFORE, BE IT RESOLVED by the City of Calistoga Planning Commission, that the Planning Commission, having duly considered the written and oral reports from staff, materials submitted by the applicant, and public testimony, makes the following findings pursuant to Section 17.42.020 of the Calistoga Municipal Code:

1. Finding: Conditions apply to the property that do not apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size or shape, topography, or other circumstances over which the applicant has no control.

Supporting Evidence: The property is unique in that it is situated on a corner in a part of town where the lots were created prior to the existing standards found in the zoning code. None of the other existing corner lots in this part of town comply with the minimum lot width of 70 feet found in the municipal code.

Finding: The variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by owners of other property in the same zone or vicinity.

Supporting Evidence: The applicant's Findings Statement points out that this is merely in some way a reinstatement of a property right as this lot had once been two separate lots smaller in width than required under the current zoning code standards. There are at least fifteen other corner lots in this neighborhood that similarly do not comply with the required minimum 70-foot corner lot width. Allowing for this variance will grant the property owner the same ability to split, sell, and develop the lot as have other owners of corner lots in the area.

2. Finding: 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.

Supporting Evidence: The proposed reduced minimum corner lot width of 60 feet will allow for a lot split with a resulting corner lot that is identical in width and

overall size to the other corner lots in this neighborhood. In no way will the reduced lot width impact adjoining neighbors as any development on the new lot, if approved, would still comply with all relevant development standards including height, setbacks, and coverage.

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

Supporting Evidence: The proposed reduced minimum corner lot width of 60 feet is the minimum required in order to create a buildable lot commensurate with other lots existing in the neighborhood and to maintain the minimum lot width of the remaining lot.

BE IT FURTHER RESOLVED by the Planning Commission that based on these findings, Variance VA 2019-2 is approved, subject to the following conditions:

1. This variance authorizes a reduction to sixty (60) feet for the minimum corner lot width to accommodate a lot split of the property at 1207 Silver Street (APN 011-193-006), as show on the exhibit received by the City on October 3, 2019.
2. The term of approval for the variance shall expire one year from its effective date, unless a lot split has been approved for the project prior to the expiration date.

APPROVED AND ADOPTED on November 13, 2019, by the following vote of the Calistoga Planning Commission:

AYES: Coates, McNair, Abernathy
NOES: None
ABSENT: Wilkes, Cooper
ABSTAIN: None



Paul Coates, Chairman
ATTEST: _____
Zach Tusinger, Acting Secretary