

RESOLUTION NO: 01-061

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO APPROVE CONDITIONAL USE PERMIT 01-011  
(HANSEN)  
APN: 009-061-014

WHEREAS, Kevin and Pamela Hansen have applied for Lot Line Adjustment PRAL 00-019 that proposes to adjust the common lot line between two existing single family residential parcels to correct a lot line conflict with an existing building on one of the parcels, and

WHEREAS, the two subject parcels are located between Ridgeview Drive and Fresno Street, with the existing residence (old lot 11 and new lot 1) being addressed at 68 Ridgeview Drive, and

WHEREAS, in correcting the building encroachment the size of the parcel that fronts on Fresno Street (old lot 12 and new lot 2) will be made smaller in size, from 9,755 square feet to 7,901 square feet, and

WHEREAS, the R1 district in which these parcels are located requires a minimum parcel size of 12,500 square feet for new lot 2 based on its average slope characteristics, and

WHEREAS, the existing size of new lot 2 is considered legal non-conforming, and

WHEREAS, Section 21.020.350(d) of the Zoning Code provides that the Planning Commission can consider allowing a parcel to be made more non-conforming in such cases where building encroachments are being corrected, and

WHEREAS, the applicants have filed Conditional Use Permit 01-011 to allow parcel 2 to be made smaller in size in exchange for eliminating the property line conflict with the existing garage for the residence located at 68 Ridgeview Drive, and

WHEREAS, the proposed reduction in the size of new lot 2 will not reduce the size of the building area on that lot, and

WHEREAS, the existing driveway from Fresno Street will continue to serve the residence at 68 Ridgeview Drive and will be placed in an easement and shared as an access for any future residence on new lot 2, and

WHEREAS, the applicants' proposal includes the relocation of above ground utility service lines and existing water lines underground and within proposed easements to coincide with the driveway access easement, and

WHEREAS, this proposal to adjust lot lines and change parcel sizes is Categorically Exempt from environmental review per Section 15305 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA), and

WHEREAS, a public hearing was conducted by the Planning Commission on August 28, 2001 to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this conditional use permit request and its related lot line adjustment map request, and

WHEREAS, based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions of approval listed below, the Planning Commission finds that:

- a) The proposed lot line adjustment will be correcting a property line conflict with an existing garage without having to cause the removal of that structure;
- b) The proposed lot line adjustment will make new lot 2 smaller than the current zoning code requires, but will not reduce the overall available building envelope for that lot;
- c) The proposed lot line adjustment will provide solutions to utility and access easements that are not currently defined between these parcels;
- d) The proposed lot line adjustment is consistent with the adopted General Plan for the City of El Paso de Robles;
- e) The proposed lot line adjustment complies with the zoning and building code standards for the City of El Paso de Robles based on adherence to code section 21.020.350(d) that requires the Conditional Use Permit;
- f) The lot line adjustment request will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the neighborhood of such proposed use, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 01-011, allowing for the approval of Lot Line Adjustment PRAL 00-019, subject to the following conditions:

1. Approval of this use permit shall authorize city staff to grant tentative map approval of PRAL 00-019 in a manner consistent with all applicable city standards.
2. Both parcels shall be developed and used in accordance with all applicable provisions of the R1 zoning standards of which these parcels are located.

PASSED AND ADOPTED THIS 28th day of August, 2001, by the following roll call vote:

AYES: Calloway, Johnson, McCarthy, Nicklas, Steinbeck, Tascona, Warnke

NOES: None

ABSENT: None

ABSTAIN: None

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CHAIRMAN RON JOHNSON

ATTEST:

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ROBERT A. LATA, PLANNING COMMISSION SECRETARY