

RESOLUTION NO.: 05-0080

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO DENY AN AMENDMENT TO CONDITIONAL USE PERMIT 05-008
(CARDELLI)

APN: 008-301-004

WHEREAS, Section 21.16I.210.C.1 of the Municipal Code of the City of El Paso de Robles requires approval of a Conditional Use Permit for detached accessory buildings when the gross square footage of the building is greater than 50 percent of the main building and/or the height of the building is taller than 15-feet; and

WHEREAS, the Planning Commission approved CUP 05-008 via Resolution 05-0045, allowing the construction of a 1560 square foot, two-story detached storage/garage building located at 130 17th Street; and

WHEREAS, the plan for the building was approved with a 10-foot interior side yard setback to the eastern property line as proposed by the applicant; and

WHEREAS, the applicant is now requesting to construct the building with a 5-foot setback to the eastern property line; and

WHEREAS, the Development Review Committee reviewed the proposal at their meeting on August 29, 2005, where they recommended that the Planning Commission approve the proposal subject to a public hearing by the Planning Commission; and

WHEREAS, a public hearing was conducted by the Planning Commission on September 13, 2005 to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this Conditional Use Permit Amendment 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 the proposed setback reduction from 10-feet to 5-feet for the two story garage have impacts on the neighbors to the east based on the proximity of the two

story structure being too close and therefore, the establishment, maintenance or operation for the requested use or building applied for , will, 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 deny an Amendment to Conditional Use Permit 05-008.

PASSED AND ADOPTED THIS 13th day of September 2005, by the following roll call vote:

AYES: Johnson, Menath, Mattke, Steinbeck, Flynn, Hamon, Hostine

NOES: None

ABSENT: None

ABSTAIN: None

CHAIRMAN ED STEINBECK

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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