



**PLANNING COMMISSION
COUNTY OF ALPINE, STATE OF CALIFORNIA**

AGENDA
THURSDAY, APRIL 23, 2020
5:00 P.M.

Nick Hartzell, Chair
Jim Holdridge, Vice-Chair
Tom Sweeney
Erin Kelly
Bob Broyer

Meeting Location:
VIRTUAL MEETING ONLY

VIRTUAL MEETING NOTICE

The Planning Commission meeting of April 23, 2020 will be conducted virtually and not available for in person public participation (pursuant to State Executive Order N-29-20). The meeting will be an internet based video and phone conference. Public participation is available at the following:

Website link: <https://zoom.us/j/91432768848>
Phone number: 669-900-9128
Zoom meeting ID: 914 3276 8848

In order to minimize the risk of exposure during this time of emergency, the public may participate in the meeting by web conference, phone, or sending comments to cacuna@alpinecountyca.gov in lieu of personal attendance. All public comment will be made immediately available to the Commissioners, staff, and the general public as they are received and processed by staff.

The Planning Commission welcomes you to its meetings, which are regularly scheduled for the last Thursday of each month. Your participation and interest are encouraged and appreciated. All members of the public are encouraged to participate in the discussion on any items on the agenda at the time the items come up for Commission consideration. Speakers are requested to identify themselves before speaking. Whenever possible, lengthy testimony should be presented to the Commission in writing and only pertinent points presented.

All proceedings are conducted on English. The Commission is committed to making its proceedings accessible to all citizens. Individuals with special needs may call 530-694-2140. All inquiries must be made at least 48 hours prior to the meeting.

So far as practical, unless otherwise altered by the Chair of the Commission, the order of business for the Commission meeting is as follows. Please note that designated times are for that particular item only.

1. CALL TO ORDER

2. ORAL COMMUNICATION – GENERAL PUBLIC COMMENT

Any person may make comments during the Oral Communication – General Public Comment period on items of interest, within the subject matter jurisdiction of the Commission, that are not listed on the posted agenda. No action will be taken on any oral communication item. All oral communications must be directed to the Commission as a whole, not to individual Commission members and not to the audience.

3. MINUTES

3.1. Request approval of regular meeting minutes of February 27, 2020

4. UNFINISHED BUSINESS

4.1. 121 West Fork Lane Above Ground Utility Variance –

Requested hardship variance to allow construction of above ground utilities to serve a new residence to be located at 121 West Fork Lane in Woodfords, CA. The variance would allow utilities to be constructed from an existing utility pole at the southeast corner of the lot. APN: 001-110-009 Planning Case #2020-04. Applicant: Ryan Swehla

5. NEW BUSINESS

None

6. PUBLIC HEARINGS

None

7. OTHER BUSINESS

7.1. **Director's Report** – Brian Peters

7.2. **Items initiated by Commissioners**

8. ADJOURNMENT

The Commission will adjourn to the next regular meeting with the meeting date, time and location to be determined.



PLANNING COMMISSION
COUNTY OF ALPINE, STATE OF CALIFORNIA
Administration Building, Board Chambers
99 Water Street, Markleeville, CA 96120

MINUTES
Thursday February 27, 2020

1. CALL TO ORDER

Tom Sweeney called the meeting to order at 5:00 p.m. with Commissioners Erin Kelly, Jim Holdridge and Tom Sweeney present.

A quorum was established.

2. ORAL COMMUNICATION – GENERAL PUBLIC COMMENT

None

3. MINUTES

3.1. Request approval of regular meeting minutes of December 5, 2019 meeting.

MOTION: Kelly/Second: Sweeney approving the regular meeting minutes of December 5, 2019 meeting minutes with changes to spelling of Karen Brickey name.

AYES: Kelly, Sweeney, Holdridge

MOTION CARRIED

4. UNFINISHED BUSINESS

4.1. Short term rental regulations of County Code 18.73 - Discussion and possible direction to staff

Zach Wood introduced the staff memo.

Rich Harvey expressed concern about absentee landlords who do not live in Alpine County but are running short term rentals in the County. Harvey's major complaint is the County does not have a lot of funding and needs volunteers. If we continue to covert residential homes into short term rentals who is going to volunteer?

Edie Veatch stated that Alpine Kids has been ran by volunteers for 37 years and the people who help me with the community events are all volunteers and short

term rental people are not qualified to volunteer, participation would decrease if we keep allowing more short term rentals over residential homes. Short term rentals are not putting children in our schools and if the school closes the kids will have to get on a bus and go to schools in Tahoe 30 minutes away.

John Super stated that the short term rental home in his neighborhood is parking more cars than allowed taking up the majority of the street. Another issue is outdoor lighting when lights are left on because people don't know how to turn them off.

Frank Dobrant stated that they spend a lot of time looking after their short term rental and want to work together with everyone to make short term rental homes available in Alpine.

Michael Barton feels like the enforcement resources in the County are too limited to enforce any more short term rentals. We should look at limiting the number of short term rental property in neighborhoods and limiting the number of short term rentals allowed on the east slope of Alpine County all together.

Virginia York suggested that these absentee landlords hire a local service to look after these short term rentals when they are occupied.

Blake Weyland stated Alpine County jobs and population are decreasing and if you look at where the income in this County is coming from it would be tourism. The thing we should look at is not stopping short term rentals but maybe trying to change the parts that we don't agree with because without them this County dies.

Katy Harvey asked the Commissioners to put a pause on new applications for short term rentals because the County does not have the ability to enforce the rules on these types of rentals, the lack of wildfire knowledge on short term renters and the owners.

Leonard Turnbeough described the renters of his short term rental home they keep returning every year and enjoying what Alpine County has to offer. His short term rentals has a binder with all rules and regulations and menus with the restaurants in town.

Sandy Dobroute stated after the December 5th meeting the rule on the short term rental homes they manager got stricter. The welcome letter now states that there is no outside music allowed after 6:00 p.m. and please respects the neighbors on both side and if they do know they will be asked to leave.

Barbra Barton commented about the issue is the number of absentee landlords and the lack of enforcement.

Mark Schwartz suggested doing more homework with data on short term rentals before we make the wrong decision and in order to do that we should recommend a moratorium.

Karen Brickey mention that her employment depends on these short term rentals and in the last two years is the first time earning income due to them.

Irina Alexandrova stated the lack of work in the community makes it tough to be able to afford homes in Alpine County and a good alternative would be renting short term rentals.

Jim Lams stated that the land lord should be liable for enforcing rules and getting something signed from the renter stating that they are aware of the rules.

Commissioner Sweeney commented that the felt like the Short Term rental ordnance draft covered every issue that comes with rentals.

Commissioner Kelley stated she has no amendment comments or alternations to the draft.

Commissioner Holdridge stated he would like to in the ordinance about lighting language and consider limiting the number of permits issues in each area.

Commissioner Sweeney and Commissioner Kelly disagreed with limiting the number of permits issued in each area.

MOTION: Kelly/Second: Holdridge directing staff to make the minor changes, as suggested by commissioners and post a public hearing for a possible recommendation to the Board of Supervisors at the next Planning Commission meeting.

AYES: Kelly, Sweeney, Holdridge

MOTION CARRIED

5. NEW BUSINESS

5.1 Planning Commission rules - Discussion and possible direction to staff of revisions to County Code 2.68 and the Rules of Procedure adopted by Planning Commission resolution including consideration of alternate members

Zach Wood introduced the memo and review of attendance back to 2016. The concept of alternate commissioners was brought up at the Board meetings. Changes to the

makeup of the Planning Commission and this would require changes to the ordinance and through Planning Commission rules of procedure.

Staff's recommendation is to have a few alternate commissioners that substitute as needed instead of having an alternate for each individual commissioner. The alternate commissioners would have to act as regular commissioners and would have to attend meetings, read the planning commission packets, they need to be qualified to train and in a regular Commission absence the alternate commissioner would step in and be able to act/vote on an agenda item.

Commissioner Sweeney asked if the Commissioners are discussing an item on the agenda for three or four meetings and at the next meeting it's ready to be voted on but a regular commissioner misses a meeting so the alternate comes up and has a different view and wants to start discussion over again, how would this work?

Wood responded that staff is still looking into all rules with alternate commissioners. Some systems say that if you heard that item initially then that commissioner gets to hear it till the end and an alternate cannot come in to your place and take over.

Public Comment:

John Super- If you have alternates at large and they sit in at the meeting and participate at the meeting you'll have a better chance for a majority vote and that person can participate and should be part of the Board. People are getting turned down to be a Commissioner because they are not in the right district and that is not the best way for the Board to act. The Commissioners should pick the best person available not because of the district they live in but because they are the right person for the job.

Commissioner Holdridge feels like having alternates would break up the continuity of the planning commission and it already seems like there is a recruitment problem for planning commissioners. Holdridge then referred to Planning Commission bylaw, section 14, regarding meeting attendance and stated that he does not feel like this has been enforced or talked about. If we stated taking attendance and enforcing what we already have in the by-laws that might resolve this quorum issue more efficiently.

The Commission gave direction not to peruse alternate Planning Commissioner revision to ordinance

6. PUBLIC HEARINGS

6.1. Revision to the Safety Element of the Alpine County General- Review and possible recommendation to the Board of Supervisors of the Safety Element, a mandatory element of the Alpine County General Plan. It establishes goals, policies and implementations on measures intended to avoid or minimize injury and protect property by reducing the exposure of the community to the following hazards: wildland fire; geologic hazards; floods; noise, and; hazardous materials.
Applicant: Alpine County Community Development Department

Brian Peters presented the memo and indicated that there are some additional steps that need to be made before the amendment can go to the board. Peters stated that the draft is ready for Planning Commission action, with findings.

The public hearing was opened at 5:17 p.m.

Leonard Turnbeaugh acknowledged one of the concerns is, Markleeville is a 6 mile cul-de-sac, Hot Springs is 3 ½ miles cul-de-sac. When you take a look at these areas how are you going to develop a secondary access for a lot of the areas here while meeting these standards?

Skip Veatch mentioned that the secondary access puts the County in a bind because if we can't find an alternate way out there can't be any more construction.

Terry Hughes commented the County already has the problem of one way in and one way out. If you were to put in a secondary access you still end up on Hot Springs Road and that is still only one way in. When we are talking about getting people evacuated and put people on those roads it limits the ability to fight fires. It's not just about people getting out but the fire department getting to the fire.

The item was continued by the Planning Commission to the next meeting

6.2. Morgan Final Map Amendment– Amendment to the Final Parcel Map of Parcel “A” – Book 1, Page 75-78-1 (Book 4, Pages 26-27 of recorded maps) to remove a map note prohibiting further subdivision. The project includes two lots located at 20601 and 20701 State Route 88 accessed from Memdewee Down, a private road. (APNs 001-300-022, 001-300-023). Planning Case #2020-05. Applicant: Carole Morgan, David Devore.

Zach Wood introduced the staff report.

Commissioner Kelly asked that limitation of the map has nothing to do with the development according to the new development standards?

Woods responded yes, the requirement to meet the development standards are triggered by development applications and could bring up a review of the current development requirements that apply to all levels of development

The public hearing was opened at 5:36 p.m.

The public hearing was closed at 5:36 p.m.

MOTION: Sweeney / Second: Holdridge approval of the final map amendment with findings

Findings:

1. The County development standards were updated in 2014 to specifically allow for the development of residential lanes. A residential lane standard is determined to be a safe and viable emergency access standard serving two to five lots. Memdewee Down currently serves three lots in the vicinity of the subject property. Any improvement of Memdewee down required to serve new development would be more appropriately considered by the 2014 Development Standards. The 1986 improvement standards and requirements for a map note are unnecessary to assure that future development meets minimum emergency access requirements.
2. The modification to the Final Parcel Map of removing the map note prohibiting subdivision does not impose an additional burden on the fee owner of the property. The map note amendment removes the burden of an ambiguous map note which does not account for future development or change in County development standards.
3. The County General Plan land use element and zoning ordinance determine the land use potential of the subject property and surrounding neighborhood. The final map amendment does not alter any right, title or interest in the real property reflected on the recorded map.
4. That the map as modified conforms to all the provisions of the Subdivision Map Act and local implementing ordinance. The 1995 Final Parcel Map and tentative map were approved according to the Map Act and Alpine County Subdivision Ordinance applicable at that time. Future subdivision or development of the properties would be required to meet applicable subdivision or building regulations prior to approval.

and to adopt the Categorical Exemption in compliance with the California Environmental Quality Act.

AYES: Sweeney, Kelly, Holdridge

Motion Carried 3-0

6.3. 121 West Fork Lane Above Ground Utility Variance–

Requested hardship variance to allow construction of above ground utilities to serve a new residence to be located at 121 West Fork Lane in Woodfords, CA. The variance would allow utilities to be constructed from an existing utility pole at the southeast corner of the lot. APN: 001-110-009 Planning Case #2020-04. Applicant: Ryan Swehla

Zach Wood introduced the staff report

The public hearing was opened at 5:57 p.m.

Ryan Swehla mention the location of where the underground power would connect creates challenges and trenching would be pricey with boulders underground. The site is a half-acre parcel and where the current lines run to our house is about a 70 foot powerline run from the existing pole to our house. The conflict with underground power is that it interferes with the only spot that the sceptic system can go on our property.

The public hearing was closed at 6:02 p.m.

Kelly mentions that she would like to continue this item until she is able to do a site visit. Kelly asked if there was going to be a transformer and if the applicant could find this information out before next meeting.

MOTION: Holdridge / Second: Sweeney to continue this item to the next meeting so commissioners can do a site visit and the applicant to get more information from the contractor and Liberty Utilities

7. OTHER BUSINESS

7.1. Director's Report- Brian Peters

Community Development held two public workshops this week, one in Markleeville and one in Bear Valley, for the Wild Fire Risk Mitigation Plan grant that was funded by Cal Fire. The next public workshop in late April or May will be about potential projects.

Cal Trans has plans to replace the bridge in Markleeville and do a public open house meeting where Cal Tran's staff will talk about all the projects they have coming up in of Alpine County. Cal Trans will discuss issues related to this bridge replacement and time frame for starting the project.

The anticipated date for completion of the Behavioral Health Building and move in date should be the end of March.

The sign ordinance that Planning Commission had a public hearing for back in June and made a recommendation to take to the Board of Supervisions will be a public hearing at the next Board meeting, March 17th.

The Department is authorized to move forward with the SB2 housing grant to update the housing element., We received the funding letter back in October and grant agreement last week..

7.2. Items initiated by Commissioners

None

8. ADJOURNMENT

At 9:27 p.m. the Commission adjourned to the next regular meeting at 5:00 p.m. at the Board of Supervisors Meeting Room 99 Water Street Markleeville, CA 96120

Nick Hartzell, Chair

Attest:

Carey Umbdenstock, Administrative Assistant II
Alpine County Community Development



**COUNTY OF ALPINE
Community Development**

Brian Peters, Director

Memo

To: Planning Commission

From: Zach Wood, Planner III

ZW

Date: April 15, 2020

Re: 121 Westfork Lane Utility Variance

At the meeting of February 27 the Commission continued the public hearing and possible action on the variance and requested the following information and action:

- Applicant to provide information from Liberty Utilities regarding the proposed connection
- Commissioners to visit the site

On March 9 Commissioners Kelly and Sweeney visited the subject property with staff. The site visit included a review of the utility connections of neighboring properties and the existing above ground Liberty Utilities poles and wires.

Site photos and map

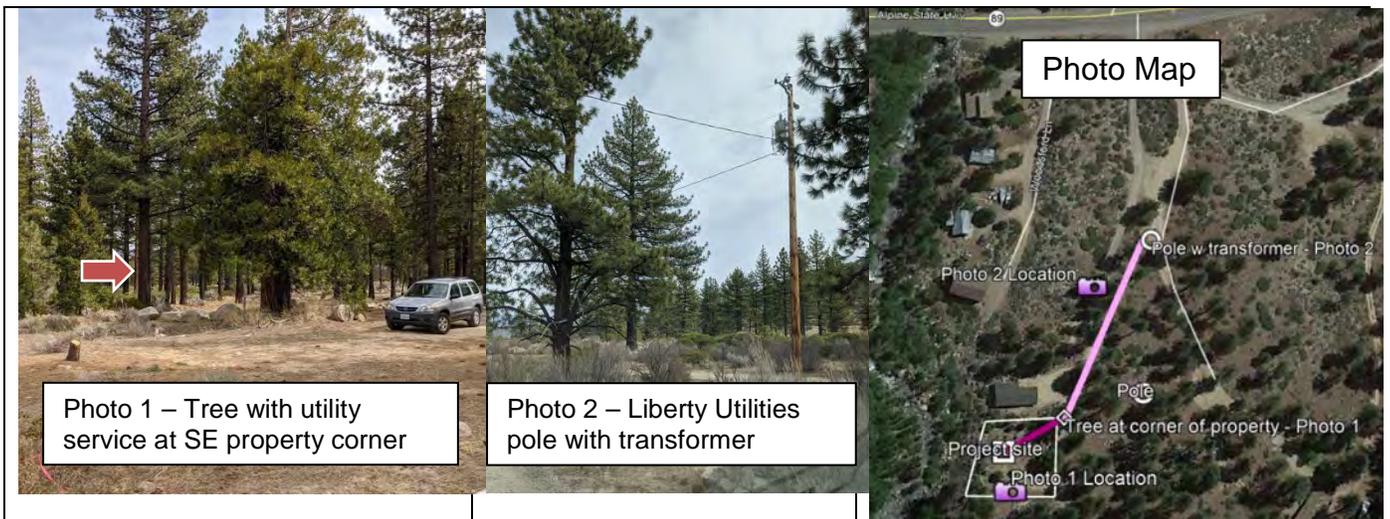


Photo 1 – Tree with utility service at SE property corner

Photo 2 – Liberty Utilities pole with transformer

The applicant provided an estimate to provide trenching from a licensed contractor per Liberty Utilities requirements (Attachment 1). The approximate distance to trench is 500 feet. Liberty Utilities has provided a letter noting agreement with the cost estimate and recommending approval of a variance citing easier maintenance (Attachment 2).

The significantly increased trenching distance required by the utility compared to the original application supports approval of the variance. The information provided by the applicant is consistent with and supports the staff recommended findings. Staff recommends amending finding 2b of the February 27 staff report (Attachment 3) to include reference to the increased distance required per Liberty Utilities:

Finding 2 (b)

The applicant would be required to trench through the existing septic leach field or designated leach field replacement area. The applicant would be required to install underground utilities approximately 500 feet in order to connect to the utility. The soil conditions include large boulders of up to five feet in diameter. The requirement to install unground utilities, trench through or near areas of existing septic system , and the possible conflict with large boulders is an unreasonable hardship which justifies granting a variance.

Staff Recommended Action

1. Approval of the hardship variance with the following findings:
 - a. The subject parcel existed prior to the effective date of the ordinance and is in the 1956 Canyon Subdivision for Grant Merrill subdivision which is developed and served by existing overhead utilities. Overhead utilities were established with the construction of the subdivision prior to the effective date of the ordinance.
 - b. The applicant would be required to trench through the existing septic leach field or designated leach field replacement area. The applicant would be required to install underground utilities approximately 500 feet in order to connect to the utility. The soil conditions include large boulders of up to five feet in diameter. The requirement to install unground utilities, trench through or near areas of existing septic system , and the possible conflict with large boulders is an unreasonable hardship which justifies granting a variance.
2. Adopt a Notice of Exemption (Attachment 2) for the project in conformance with the requirements of the California Environmental Quality Act (CEQA).

Attachments

1. Contractor's estimate
2. Correspondence from Liberty Utilities
3. February 27 staff report

ATTACHMENT 1

Contractor's Estimate

CRUZ

CONSTRUCTION CO., INC.

19 Cygnet Drive

Mound house, NV 89706

Tel: (775)883-6161 Fax: (775)246-5556

Proposal/Contract

General Contractor

Commercial - Industrial - Residential

NV License No. 41648

CA License No. 741126

Submitted to:

Mday Construcion (Mike Day)

Telephone:

775-848-8500

Email:

Mdayconst@gmail.com

Street:

P.O. Box 489

Job Description

Electrical Install

City, State, Zip:

Minden, Nv 89423

Job Location:

121 Westfork Lane, Woodfords, Ca

Estimator:

Billy Dunn

Date:

03/05/2020

Job Description:

Electrical Power Installation- Approximate 500/lf

\$50,000.00

Install approx. 500/lf of 3" DB120 conduit for main electrical line.

Includes the following:

1ea. 3" DB120 Conduit, 500/lf

5ea. Secondary Pull Boxes

10' Rigid Riser Pipe and Weather Head

All 3" Sweeps

Mule Tape and Mandrelling

We hereby agree to furnish material and labor to complete job in accordance with the above specifications for the sum of:

\$50,000.00

30% down - \$

Payment Terms: 30% deposit due upon acceptance of proposal. Balance due upon completion of work.

A service charge of 0.75% bi-weekly or 18% annually will be assessed for payments over 15 days. There is a \$20.00 returned check fee.

Cruz rejects any requirement that payment shall be delayed until Hiring Party is paid by others.

All material is guaranteed to be as specified. All work will be completed in a workmanlike manner according to standard practices. All extra work done beyond the above job description will be an addition to this Proposal/Contract. We are not responsible for any damage caused by snow removal equipment, structural settling, erosion, or Acts of God. No Warrantee for crack patching and crack filling.

Authorized Signature: *Billy Dunn*

Date: 03/05/2020

The offer on this Proposal/Contract is good for ten days only from the above stipulated date if accepted and signed by client.

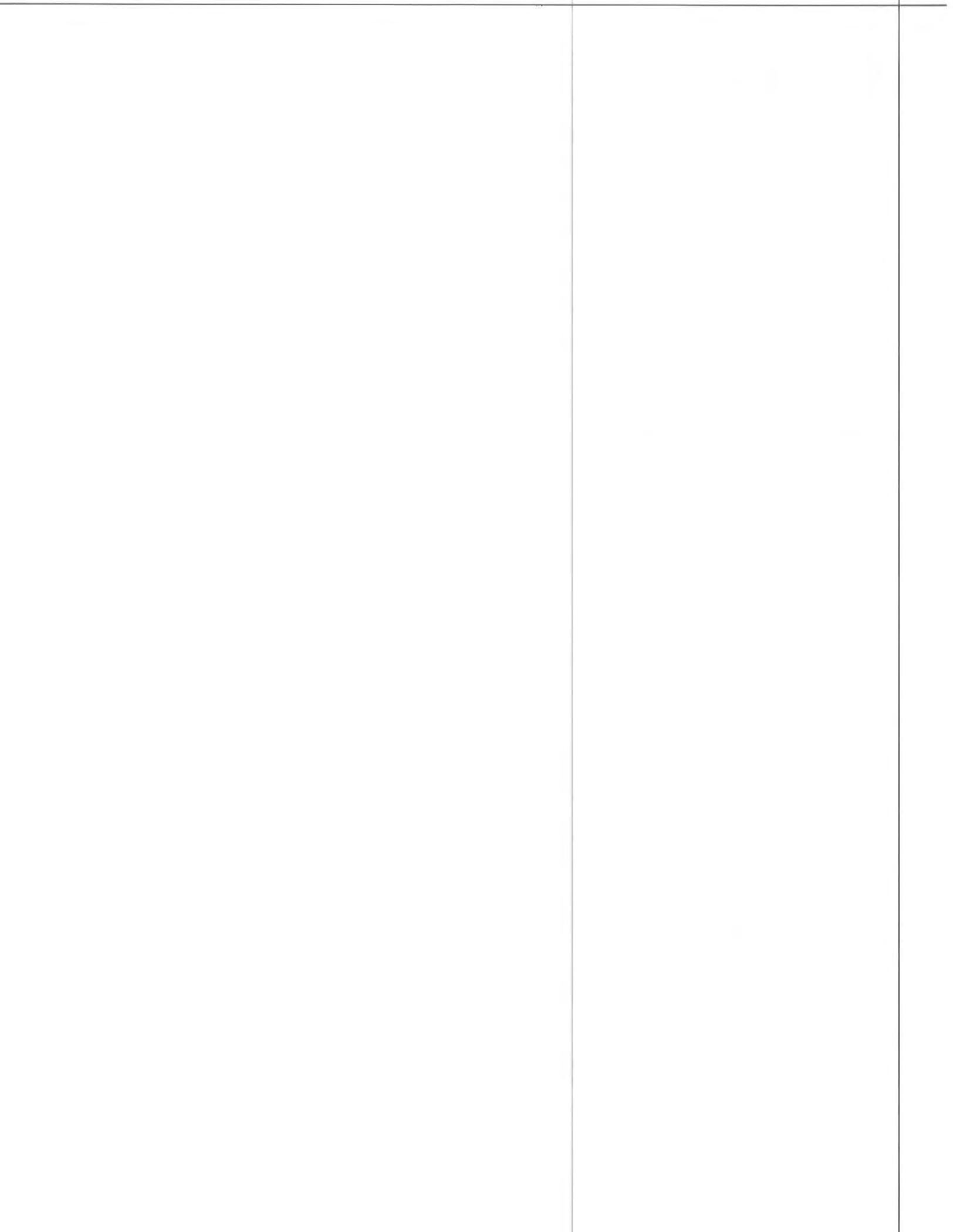
Client Signature:

Date:

Acceptance of Proposal/Contract:

The above prices, specifications, and conditions are satisfactory and are hereby accepted. Cruz Construction Co. Inc. is authorized to do the work as specified. Payment will be made as outlined above

ALL WORK GUARANTEED FOR ONE YEAR



ATTACHMENT 2

Liberty Utilities Correspondence



Monday, March 23, 2020

To whom it may concern,

My name is Andrew Gregorich, and I work as an Associate Planner for Liberty Utilities. I'm currently working with Ryan Swehla, develop a design for 121 W. Fork Lane in Markleeville, California.

Due to the location of the site, and the difficulty accessing it during the winter months, an overhead design would be easier for the utility to maintain. I know that Alpine County has an underground ordinance, but in my opinion, this site is ideal for an overhead exemption. I agree with the cost assessment from the contractor, Cruz Construction CO. INC., of \$50,000.00. This is based off of work from a similar nature, in a comparable area.

Please let me know if you have any questions, or if I can help in anyway.

Best regards,

Andrew Gregorich
Assoc. Planner – Liberty Utilities
933 Eloise Ave
So. Lake Tahoe, CA 96150
(530) 543-5278

ATTACHMENT 3

February Staff Report

STAFF REPORT

February 27, 2020

TO: Planning Commission

FROM: Planning Department

DATE: February 20, 2020

SUBJECT: 6.3. 121 West Fork Lane Above Ground Utility Variance (5:45 pm) –
Requested hardship variance to allow construction of above ground utilities to serve a new residence to be located at 121 West Fork Lane in Woodfords, CA. The variance would allow utilities to be constructed from an existing utility pole at the southeast corner of the lot. APN: 001-110-009 Planning Case #2020-04. Applicant: Ryan Swehla

RECOMMENDATION

Approval

SITUATION

A. Applicant

Ryan Swehla
923 Harvard Ave Modesto, CA 95350

B. Background

Location: 121 West Fork Lane
Woodfords, CA, 96120
General Plan Designation: Residential Medium density (RM)
Zoning: Residential Neighborhood (RN)
Environmental Processing: Categorical Exemption
Previous Processing: None

C. Project description

The applicant is requesting a hardship variance from the requirement to install new utilities underground per County Code 13.20. The variance would allow the applicant to install overhead power for service to future single family dwelling construction on the property. The proposed utility service would extend to the structure from the southeast corner of the lot from an existing Liberty Utilities pole (Attachment 1). Existing electrical

power and telecommunications in the West Fork\Woodfords Lane neighborhood are installed above ground along private roads. Residences in the vicinity are served by overhead utility service. The subject property is flat bordered to the north by the West Fork Carson River.

D. Criteria for Decision

Section 13.20.060 of the Alpine County Code includes the following criteria for variances to the requirement to install underground utilities:

- A. Such parcel legally existed on or before the effective date of the ordinance codified in this chapter and is within an area which is developed and served by existing overhead utilities.
- B. The requirement of underground installation would involve unreasonable hardship.

E. Issues & Staff Analysis

Date of Lot Establishment: The final map of the Canyon Subdivision for Grant Merrill was recorded in 1956. The overhead power ordinance was first adopted in 1979 and amended to its current form in 1981. The subject parcel existed prior to the effective date of the ordinance and is in an area which is developed and served by existing overhead utilities. Overhead utilities were established with the construction of the subdivision prior to the effective date of the ordinance.

Hardship: The application describes that trenching for utilities will be difficult due to the expectation that large boulders of up to five feet will conflict with trenching. The location of the septic system and replacement area also conflict with new underground utilities through the front yard. Utilities may not be placed within the area of the existing septic or replacement field on the south portion of the lot. It is staff opinion that this application meets the hardship standard in the ordinance due to the requirement to construct utility trenches in conflict with existing septic system, septic replacement area, and the probability of conflict with large boulders.

Neighborhood Overhead Utilities: The applicant provided an exhibit which describes that eight (8) of the existing residences in the neighborhood have above ground utilities. Many of the properties in the subdivision were developed prior to the enactment of the ordinance in 1981.

The application is similar to other properties in the are which were granted hardship variances. The following overhead power variances in Woodfords have been approved in the vicinity of the project.

Woodfords Underground Hardship Variances	
Case File	Address
81-12	180 Lower Manzanita
81-35	20505 SR 89
85-10	230 Zellmer Lane
87-13	Domench - Woodfords
94-12	501 West Fork Ln
2009-02	35 Sage St

Consistency or harmony with the neighborhood is not a requirement for the underground hardship variance. The existing conditions do support approval of a variance as above ground utility distribution and individual services exist in the neighborhood. The conditions of the property are similar to those properties where previous variances have been approved.

ENVIRONMENTAL REVIEW

The project is categorically exempt from CEQA pursuant to Section 15303(a) the CEQA Guidelines - Class 3, New Construction or Conversion of Small Structures. A notice of exemption is included in Attachment 2.

RECOMMENDED CONDITIONS

None

PUBLIC NOTIFICATION

Notice of the public hearing was mailed to the owners of adjacent property located within 300 feet. No comments have been received as of the date of this report.

ALTERNATE ACTIONS

1. Deny the application with specific findings addressing the criteria for decision listed in this report.
2. Continue the public hearing pending consideration of additional information necessary to make a decision.

RECOMMENDATION

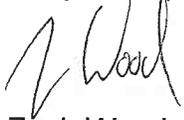
1. Approval of the hardship variance with the following findings:
 - a. The subject parcel existed prior to the effective date of the ordinance and is in the 1956 Canyon Subdivision for Grant Merrill subdivision which is

developed and served by existing overhead utilities. Overhead utilities were established with the construction of the subdivision prior to the effective date of the ordinance.

- b. The applicant would be required to trench through the existing septic leach field or designated leach field replacement area. The soil conditions include large boulders of up to five feet in diameter. The requirement to install unground utilities, trench through or near areas of existing septic system , and the possible conflict with large boulders is an unreasonable hardship which justifies granting a variance.

2. Adopt a Notice of Exemption (Attachment 2) for the project in conformance with the requirements of the California Environmental Quality Act (CEQA).

Respectfully submitted,



Zach Wood
Planner III

- Attachments:
1. Applicant's Materials
 2. Notice of Exemption

Attachment 1

Applicant's materials

January 21, 2020

Alpine County Planning Commission & Department
ATTN: Zach Wood
50 Diamond Valley Road
Markleeville, CA 96120

RE: Variance Application for 121 Westfork Lane – Swehla Residence

Dear Alpine County Planning Commission & Department,

Thank you for reviewing our application for variance from County Code ordinance section 13.20 regarding underground installation of electrical service. While we understand to purpose and intent of this code, we respectfully request a variance based on the following findings:

A. The parcel legally existed before the effective date of the ordinance and is within an area which is developed and served by existing overhead facilities.

The residential parcels located on Westfork Ln. have been in existence for 50+ years. All of the parcels located in this area have existing overhead service and that overhead service runs across the street frontage of our parcel. The extension line serving our neighbor is at the corner of our lot (where our service would extend from). In addition, there are remnants of an existing foundation on our property that looks to have been a residential structure that was burned down in the fire which occurred in the 1980s or 1990s. Thus, it is possible that our parcel already had overhead electrical service provided in the past.

B. The requirement of underground installation would involve unreasonable hardship.

Due to the fact that all surrounding parcels have overhead service, the cost to underground our service would be prohibitive. In addition, the “soil” in this area consists of large (2 to 5 foot diameter) granite boulders packed under the ground surface. Excavation for the septic system resulted in a boulder pile of over 100 such boulders. The foundation excavation will likely require the same. Excavation for undergrounding utilities of any length would involve heavy machinery, labor, and time (not simply a trencher as would be suitable in other areas). The property is also surrounded by a beautiful, mature pine forest that further compounds the cost of trenching. Lastly, the direction utility service arrives on the property is across and perpendicular to the leach lines of the septic system. The leach lines would need to be removed and due to the small lot size (only ¼ acre is flat & useable), there is no readily available way for the septic system to be laid out differently without directly conflicting with underground utilities.

Thank you for your consideration.

Sincerely,
Ryan & Kim Swehla



APPLICATION FOR DEVELOPMENT

Alpine County Planning Department
 50 Diamond Valley Road Markleeville, CA 96120
 Tel: (530) 694-2140, Fax: (530) 694-2149

OFFICIAL USE ONLY: Received by _____ Date _____	
Deposit/Fees paid _____	Receipt # _____ Case # _____

PROJECT AND SITE INFORMATION

Project Name <u>121 Westfork Ln - Swehla Residence</u>	
Project Location/Address <u>121 Westfork Ln., Woodfords</u>	
Assessor Parcel Numbers <u>001-110-009</u>	
Parcel Size <u>0.49 acres</u>	Existing Uses: <u>residential land</u>

PROPERTY OWNER INFORMATION

Name <u>Ryan + Kimberly Swehla</u>			
Address <u>923 Harvard Ave.</u>			
City <u>Modesto</u>	State <u>CA</u>	Zip <u>95350</u>	
Phone <u>209-380-4425</u>	Fax _____	Cell _____	Email <u>ryan@sentinelrocktrust.com</u>

APPLICANT/AGENT INFORMATION (if different from property owner)

Name <u>same</u>			
Address _____			
City _____			
Phone _____	Fax _____	Cell _____	Email _____

TYPE OF APPLICATION

Code Amendment	Lot Line Adjustment	Tentative Tract Map
Conditional Use Permit	Preliminary Review	<u>Variance</u>
Envelope Modification	Surface Mining Permit	Zone Change
General Plan Amend.	Tentative Parcel Map	Other

AUTHORIZATION AND ACKNOWLEDGEMENTS

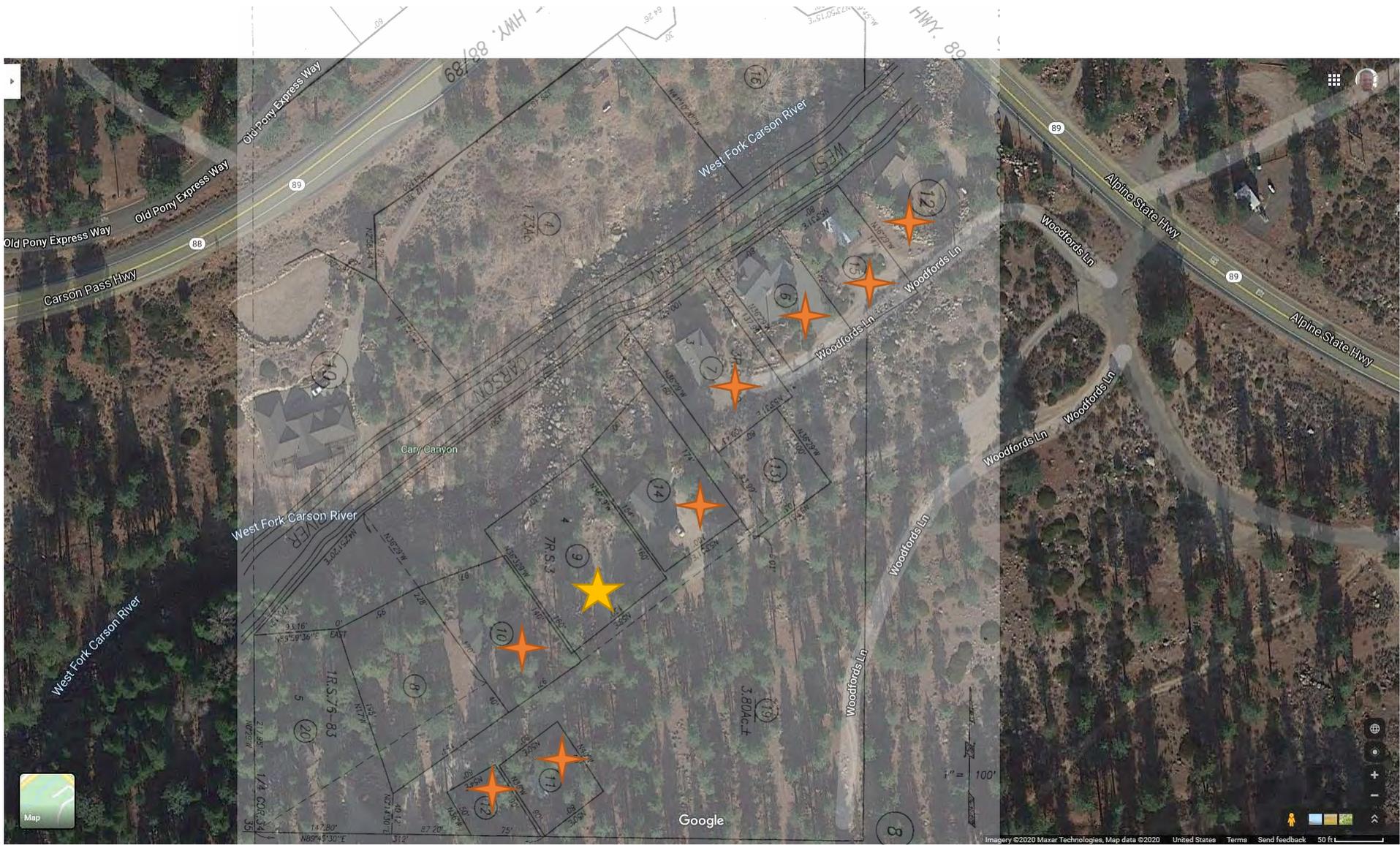
I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge. In filing the application I am acting with the knowledge and consent of those persons who are owners of the subject property or are parties to this application. I understand that all materials required by Alpine county must be submitted prior to having this matter processed. I understand that I am consenting to allow the County staff involve in this application or their designees to enter onto and inspect the subject property at any reasonable time, without obtaining any prior consent.

I understand that public hearings or meetings may be required. The property owner and/or applicant/agent or their representative shall be present at all official public meetings and public hearings relative to this application. Processing deposits and/or fees for reviewing the application shall be paid in accordance with the Alpine County Planning Department Schedule of Fees and Deposits (Board of Supervisors Resolution No. R2005-30 or as may be amended in the future). I understand that additional fees or materials may be required as a result of considerations which may arise in the processing of this application.

SIGNATURE OF PERSON SUBMITTING APPLICATION	DATE <u>1/21/2020</u>
PROPERTY OWNER SIGNATURE	DATE <u>1/21/2020</u>



--- APPROXIMATE SUBJECT PROPERTY PARCEL LINE



EXISTING NEIGHBOR WITH OVERHEAD ELECTRICITY DELIVERY



SUBJECT PROPERTY

Attachment 2

Categorical Exemption



Date Posted:
Date Removed:

ALPINE COUNTY
Community Development Department
50 Diamond Valley Rd, Markleeville, CA 96120
Tel 530-694-2140 Fax 530-694-2149

NOTICE OF EXEMPTION

1. APPLICANT: Ryan Swehla
2. ADDRESS: 923 Harvard Ave Modesto CA 95350
3. PHONE NUMBER: 530 694 2140
4. LEAD AGENCY: Alpine County, California
5. PROJECT TITLE: 121 West Fork Lane Above Ground Utility Variance
6. DESCRIPTION: Requested hardship variance to allow construction of above ground utilities to serve a new residence to be located at 121 West Fork Lane in Woodfords, CA. The variance would allow utilities to be constructed from an existing utility pole at the southeast corner of the lot. APN: 001-110-009 Planning Case #2020-04. Applicant: Ryan Swehla

ADMINISTRATIVE DETERMINATION: The Planning Department has completed a preliminary review of this project in accordance with Alpine County adopted guidelines for implementing the California Environmental Quality Act (CEQA) of 1970. Based on that review, the Environmental Administrator finds that the proposed project constitutes a Categorical Exemption. Therefore, the Environmental Administrator has determined that further environmental evaluation is not required because:

[X] The project is categorically exempt, Class 3, New Construction – Single Family residence (Section 15303(a)).

Date: _____
Brian Peters, Planning Director
Environmental Coordinator