



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-37451 – APPLICANT/OWNER: PAUL BROSSEAU

**** CONDITIONS ****

Staff recommends APPROVAL, subject to conditions:

Planning and Development

1. This Variance (VAR-3288) shall expire on May 5, 2012 unless another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval of the Variance (VAR-3288) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site has a single family dwelling with a previously approved Variance to allow a 5-foot side yard setback where 10 feet is the minimum required for an addition to the existing residence at 304 Canyon Drive. The applicant had received two previous extensions of time for the Variance (VAR-3288). No building permits have been issued for the proposed project. The applicant is requesting an extension of time due to insufficient funding to undertake the project at this time. Staff is recommending approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/28/96	The Board of Zoning Adjustment approved a request for a Variance (V-0054-96) to allow an addition to an existing single family dwelling six feet from the side property line where 10 feet is the minimum setback required; to allow 35 feet from the front property line where 50 feet is the minimum setback required; to allow a two-foot wrought iron extension to an existing six-foot high block wall along the side and rear property lines where six feet is the maximum height allowed at 304 Canyon Drive.
07/01/97	The Board of Zoning Adjustment approved a request for an Extension of Time [V-0054-96 (1)] of a previously approved Variance (V-0054-96) to allow an addition to an existing single family dwelling six feet from the side property line where 10 feet is the minimum setback required; to allow 35 feet from the front property line where 50 feet is the minimum setback required; to allow a two-foot wrought iron extension to an existing six-foot high block wall along the side and rear property lines where six feet is the maximum height allowed at 304 Canyon Drive.
06/19/02	The City Council approved a request to amend portions of the Southeast Sector map of the General Plan (GPA-0047-01) in the general vicinity of the Charleston Boulevard/Rancho Drive intersection from SC (Service Commercial) to O (Office), from R (Rural Density Residential) to DR (Desert Rural Density Residential) and from L (Low Density Residential) to DR (Desert Rural Density Residential). The Planning Commission recommended denial on 03/28/02.
05/05/04	The City Council approved a request for a Variance (VAR-3288) to allow a 5-foot side setback where 10 feet is required for an addition to an existing single family dwelling at 304 Canyon Drive. The Planning Commission recommended approval on 02/12/04.

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/15/06	The City Council approved a request for an Extension of Time (EOT-11441) of a previously approved Variance (VAR-3288) to allow a 5-foot side setback where 10 feet is required for an addition to an existing single family dwelling at 304 Canyon Drive.
05/07/08	The City Council approved a request for an Extension of Time (EOT-27272) of a previously approved Variance (VAR-3288) to allow a 5-foot side setback where 10 feet is required for an addition to an existing single family dwelling at 304 Canyon Drive.
<i>Related Building Permits/Business Licenses</i>	
03/02/99	A building permit (99004224) was issued for a room addition at 304 Canyon Drive. The permit was finalized on 04/15/99.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this type of application, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this type of application, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.57

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Dwelling	DR (Desert Rural Density Residential)	R-E (Residence Estates)
North	Single Family Dwelling	DR (Desert Rural Density Residential)	R-E (Residence Estates)
South	Single Family Dwelling	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Single Family Dwelling	DR (Desert Rural Density Residential)	R-E (Residence Estates)
West	Water District Park	PF (Public Facilities)	C-V (Civic)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Rancho/Charleston Land Use Study	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (140 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

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ANALYSIS

This is the third request for an Extension of Time of a previously approved Variance (VAR-3288) to allow a five-foot side yard setback where 10 feet is required for an addition to an existing single family residence at 304 Canyon Drive. The applicant has not made any progress on the project in the form of the issuance of building permits or the submittal of plans for review. In this case, the Variance would be exercised when approval of a final inspection occurs.

FINDINGS

The Variance (VAR-3288) has not the requirements outlined in Title 19.18.070 to exercise the entitlement as no building permits have been issued for the proposed project. The applicant is requesting an extension of time due to insufficient funding to undertake the project at this time. Staff is recommending approval of this request with a two-year time limit. Conformance to the conditions of approval of the Variance (VAR-3288) shall be required.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0