SOLANO COUNTY ZONING ADMINISTRATOR

Department of Resource Management

Planning Services Division 675 Texas Street, Suite 5500 Fairfield, CA 94533 www.solanocounty.com

Telephone No: (707) 784-6765

Fax: (707) 784-2894

Birgitta Corsello, Director Clifford Covey, Asst Director

Application: WA-09-08

Special Meeting of January 28, 2010

Applicant: Josephine Leontini (c/o John Bento)

Agenda Item No. 2

Project Planner: Eric Wilberg

Location: 1072 Collinsville Road, 9.5 miles southwest of the City of Rio Vista

Assessor Parcel Number: 0090-170-140

General Plan: Traditional Community - Residential

Zoning: Exclusive Agriculture 'A-20'

Description: To waive the minimum side yard setback requirements for an accessory structure

(deck).

Environmental Determination:

Pursuant to Section 15303(a) Class 3, (New Construction or conversion of Small Structures), the proposed project will not have a significant on the environment, and it is exempt from the requirements of CEQA.

Notification of Intent (NOI):

Pursuant to Section 28-14(f) of the Solano County Code, a notification of intent to grant waiver application WA-09-08 was sent to owners, as shown on the latest equalized assessment roll, of real property contiguous to that of APN 0090-170-140, ten (10) days in advance of this hearing.

Waiver of Zoning Regulation Section(s)

Side and/or rear yard requirements for an accessory building. [28-50(b)(3)(c)]
Minimum gross floor area requirements for a dwelling unit. [28-58(a)(1)(a)]
Exterior siding requirements for a dwelling unit. [28-58(b)]
Roof eave or gable overhang requirements for a dwelling unit. [28-58(c)]
Roofing material and/or roof pitch requirements for a dwelling unit. [28-58(d)]
Finished first floor height requirements for a dwelling unit. [28-58(e)]
Two-car enclosed garage requirements for a dwelling unit. [28-58(f)]
Yard requirements for parcel(s) with existing legal non-conforming dwelling(s). [28-50(e)]
Fencing requirements for automobile, mobilehome, recreational vehicle or boat storage lots. [28-58(h)(1)]
Setback requirements for wind turbine generators. [28-50(b)(4)(b)]

Conditions of Approval

Building and Safety Division

1. The permittee shall obtain approval from the Building and Safety Division prior to construction, erection, enlargement, altering, repairing, moving, improving, removing, converting, demolishing any building or structure, fence or retaining wall regulated by the Solano County Building laws. Submit four (4) sets of plans to the Building and Safety Division for plan review and permits prior to beginning any improvements.

Public Works Engineering

2. No conditions.

Environmental Health Division

3. No conditions.

Findings

Mandatory Findings

1. That the establishment, maintenance or operation of the use applied for is in conformity to the General Plan of the County with regard to traffic circulation, population densities and distribution, and other aspects of the General Plan considered by the Zoning Administrator.

The proposed use is consistent with the goals, objectives, and policies of the Solano County General Plan, including, but not limited to the Land Use chapter.

2. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

Adequate utilities, access and drainage are being provided to the site.

3. That the applicant exhibits proof that such use will not, under the circumstances of the particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare or the County; provided, that if any proposed building or use is necessary for the public health, safety or general welfare, the finding shall be to that effect.

The applicant has demonstrated evidence to support making this mandatory finding. The project presents no significant environmental impacts and qualifies for a Categorical Exemption under the requirement of the California Environmental Quality Act.

Suggested Findings

- 4. The use will not have a significant negative effect on neighboring properties or pose a threat to health or safety.
- 5. The use will conform to the requirements of the Solano County Zoning Ordinance.
- 6. The use is compatible with surrounding land uses.
- 7. The proposed project will not have a significant effect on the environment, and it is exempt from the requirements of CEQA.

Recommendation

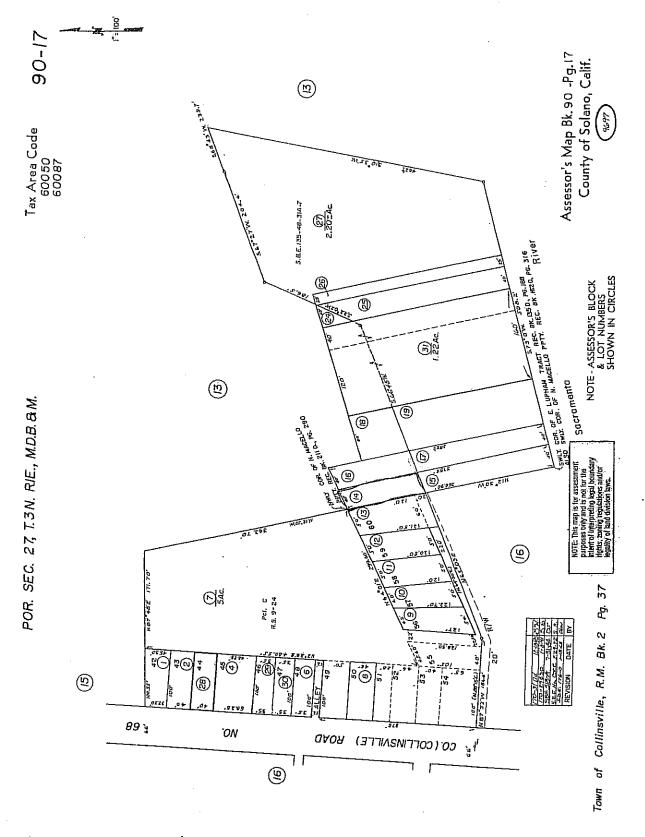
Staff recommends that the Zoning Administrator **APPROVE** the waiver application based on the project's consistency with the mandatory and suggested findings.

Attachments:

Exhibit A - Assessor's Parcel Map

Exhibit B - Site Plan & Building Elevation

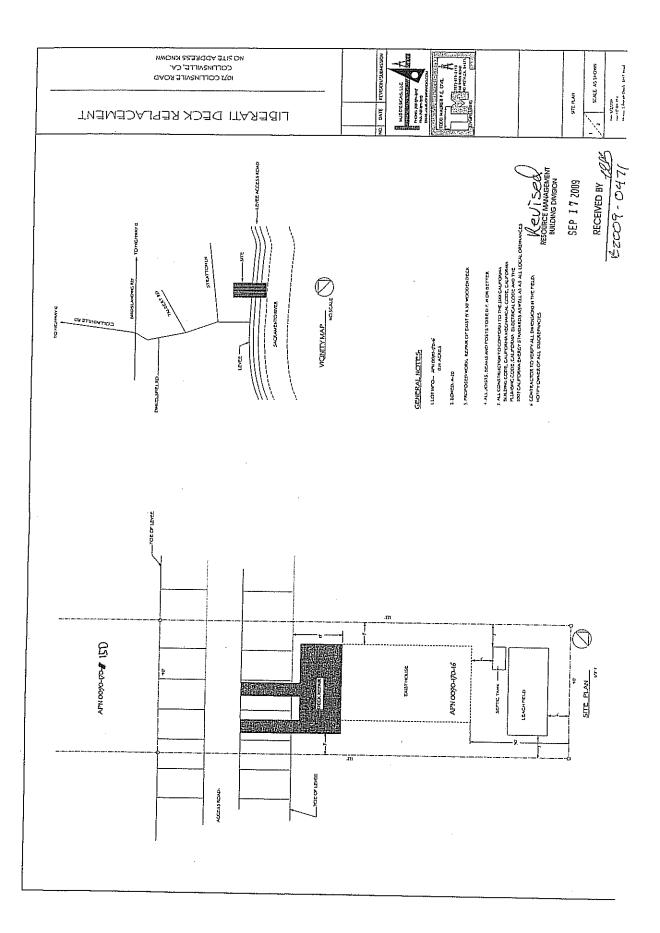
Exhibit C - Notice of Intent

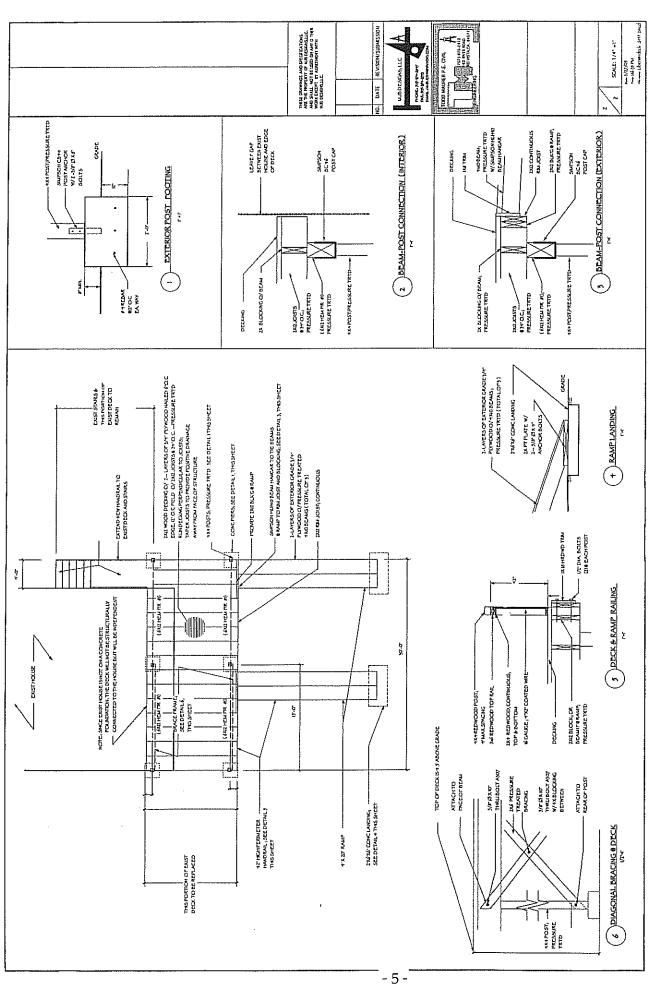


Solano County Dept. of Resource Mgmt. Planning Services Division

File No. WA-09-08 Date Received: 11/13/2009

Exhibit A







Department of Resource Management

675 Texas Street, Suite 5500 Fairfield, CA 94533-6341 www.solanocounty.com

Planning Services (707) 784-6765 FAX (707) 784-4805

NOTICE OF INTENT WA-09-08

This notice is to inform you that this office has received a request from Josephine Leontini (c/o John Bento) to waive the side yard setback for an accessory structure (deck) on property located at 1072 Collinsville Road, 9.5 miles southwest of the City of Rio Vista in an "A-20" Exclusive Agricultural Zoning District, APN: 0090-170-140.

The intent of this office is to grant the waiver request in accordance with Section 28 of the Solano County Code after this ten (10) day notice, depending upon information that might be received. The Zoning Administrator will conduct a hearing on this matter on January 28, 2010, at 10:00 a.m. The hearing will be held in the Department of Resource Management Conference Room, 675 Texas Street, Suite 5500, Fairfield.

If you have any questions or concerns regarding this setback waiver request, please contact this office at (707) 784-6765.

Contact: Eric Wilberg

Solano County Department of Resource Management

Planning Services Division 675 Texas Street, Suite 5500

Fairfield, CA 94533

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