

RESOLUTION NO. 15-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF LOOMIS APPROVING A SIDE SETBACK VARIANCE FOR A NEW SHED FOR BRENT AND TRICIA BROWNING AT 4305 INDIAN CREEK DRIVE; ASSESSOR PARCEL NUMBER (APN) 045-200-010.

WHEREAS, Brent and Tricia Browning, the owner(s), have requested one (1) variance approvals at 4305 Indian Creek Drive, Assessor Parcel Number (APN) 045-200-010, such application being identified as #15-06; and

WHEREAS, on September 22, 2015, the Planning Commission conducted a public hearing of the application, at which time any person interested in the matter was given an opportunity to be heard; and

WHEREAS, the Planning Commission reviewed and considered the staff report relating to said application, the plans, the written and oral evidence presented to the Planning Commission in support of and in opposition to the application; and

WHEREAS, the Planning Commission of the Town of Loomis hereby makes the findings attached herein as Exhibit A in connection with the conditions set forth in Exhibit B.

NOW THEREFORE, based upon the findings set forth hereinabove, the Planning Commission of the Town of Loomis, at its meeting of September 22, 2015, did resolve as follows:

1. The project is categorically exempt under CEQA section 15305.
2. The approved variance is consistent with the goals, policies and land uses in the Town of Loomis General Plan and Zoning Ordinance.
3. The project application #15-06 is hereby approved per the findings set forth in Exhibit A and the conditions set forth in Exhibit B.

ADOPTED this 22nd day of September, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Mike Hogan, Chairman

Amanda Rose, Planner

EXHIBIT A

FINDINGS

09/22/2015

VARIANCE (side setback for shed):

- a.** There are special circumstances applicable to the property (e.g., location, shape, size, surroundings, topography, or other conditions), so that the strict application of this title denies the property owner privileges enjoyed by other property owners in the vicinity and within the same zoning district. *There are no special circumstances applicable to the property.*
- b.** Granting the variance is necessary for the preservation and enjoyment of substantial property rights enjoyed by other property owners in the same vicinity and zoning district and denied to the property owner for which the variance is sought; *Owner is requesting reconstruction of their shed in generally the same area as their previous shed.*
- c.** The variance is consistent with the general plan and any applicable specific plan. *Yes.*

EXHIBIT B

CONDITIONS OF APPROVAL

09/22/15

This side setback variance request for the new shed is approved for Brent and Tricia Browning at 4305 Indian Creek Drive, Assessor's Parcel Number 045-200-010, per the following conditions.

GENERAL CONDITIONS

1. _____ Owner shall comply with all applicable provisions of the Town of Loomis Municipal Code.
2. _____ The owner shall indemnify, exonerate and hold harmless the Town of Loomis and all officers and employees thereof against all claims, demands and causes of action arising out of improvements constructed within this project.
3. _____ The conditions of approval of the application shall prevail over all omissions, conflicting notations, specifications, dimensions, typical sections, and the like, which may or may not be shown on the map or improvement plans.
4. _____ The property owner shall be responsible to ensure all conditions to this permit are binding on all successors-in-interest (e.g. by incorporating into the standard provisions of any sale, lease and/or rental agreements, etc.).
5. _____ Development shall be substantially in accordance with the plans submitted as part of the application, except as may be modified by the conditions stated herein.
6. _____ When submitting for Plan Check the owner must provide to the Planning Department a copy of the final conditions of approval with a cover letter specifying how and where the revised plans address each of the conditions. Plan Check by the Planning Department and Town Engineer will not be initiated without compliance with this condition. All plans shall be consistent with that approved by the Planning Department. The owner shall be responsible for correcting any inconsistency which may occur through error or omission during plan preparation or construction.