

March 11, 2019

**Marty & Joni Vasquez**  
3192 Big Cut Rd Placerville. CA 95667

**Community Development Engineering Department**  
**Planning Division**  
**City of Placerville**  
3101 Center St  
Placerville, CA 95667

To Whom it may concern,

I am writing to request a 10 foot setback variance to extend our deck in our “back yard” that is too steep for us to use as is. We are located at 3192 Big Cut Rd, APN 069-040-054. We had a licensed surveyor prepare a map (see map) that shows we have approx 5+ feet of distance from our existing deck to the 20ft city setback. That 5+ feet is not sufficient for our needs and feel a variance of 10 ft would allow a 15 ft addition to our deck for a play area for the children and enjoyment of the outdoors. Per the surveyor, the terrain is very steep with some areas measured at 85% slope and none under 55%, far too steep to use without injury.

The lower 7 feet of the property that begins at the retaining wall on Benham Ct. and backs up to our property line is owned by the city ( we just found this out when having the survey done). If it weren't for this finding there would be no need for a variance. (See photo from surveyor)

We purchased our home 4 years ago and love the city of Placerville (moved from the Bay Area). We love the outdoors and the view from our home but have limited outdoor space for entertaining and enjoyment. This is of particular importance because the front of our home has no yard, only a driveway and is situated on Big Cut Rd across from the city yard which is a main thoroughfare and is noisy with traffic and at times fast cars speeding by, an unsafe area to let grandchildren play at when visiting. Right now we only have a small deck area overlooking Benham Ct. where the proposed extension of our deck would be. Our home is far enough away and elevated high enough so as not to interfere with any neighbors privacy or enjoyment of their homes/area. We have spoken to several of our neighbors on Benham Ct about our proposal to add an addition to our deck and they were fine with it. One neighbor even told us to have a neighborly BBQ when we were done, which we would love to do. Thank you so much for time and attention to our request.

If you need to reach me for any reason you may contact us at the numbers below

**Marty Vasquez 510-679-0543**

**Joni Vasquez 510-685-2162**

**Attachments:**

**Survey of home showing the area we would like to add on to**  
**Photos of home where deck is located**

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DEVELOPMENT SERVICES DEPT.

CITY OF PLACERVILLE  
PLANNING APPLICATION

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Date: 3/11/19  
Zoning: \_\_\_\_\_ GP: \_\_\_\_\_  
File No: VAR 19-01  
Filing Fee (PZ) \_\_\_\_\_  
Filing Fee (EN) \_\_\_\_\_  
Receipt No: \_\_\_\_\_

**REQUEST FOR:**

CITY OF PLACERVILLE  
DEVELOPMENT SERVICES DEPT.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Annexation                  | <input type="checkbox"/> Boundary Line Adjustment   | <input type="checkbox"/> Certificate of Compliance                                |
| <input type="checkbox"/> Conditional Use Permit      | <input type="checkbox"/> Environmental Assessment   | <input type="checkbox"/> Environmental Impact Report                              |
| <input type="checkbox"/> Final Subdivision Map       | <input type="checkbox"/> General Plan Amendment     | <input type="checkbox"/> General Plan Consistency                                 |
| <input type="checkbox"/> Historic District Review    | <input type="checkbox"/> Landscape Plan Review      | <input type="checkbox"/> Minor Deviation  |
| <input type="checkbox"/> Planned Development Overlay | <input type="checkbox"/> Preliminary Plan Review    | <input type="checkbox"/> Sign Package Review / Amendment                          |
| <input type="checkbox"/> Site Plan Review            | <input type="checkbox"/> Temporary Commercial Coach | <input type="checkbox"/> Temporary Use Permit                                     |
| <input type="checkbox"/> Tentative Parcel Map        | <input type="checkbox"/> Tentative Subdivision Map  | <input checked="" type="checkbox"/> Variance <input type="checkbox"/> Zone Change |

DESCRIPTION: \_\_\_\_\_

ITEMS ABOVE THIS LINE FOR OFFICE USE ONLY

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*City Ordinance #1577 established a Fee & Service Charge System. In some cases project review will require the services of specialists under contract to do work that City staff cannot perform. In these cases, the applicant shall pay the direct cost of these services plus fifteen percent (15%) for City Administration.*

**PROJECT APPLICANT**

**APPLICANT'S REPRESENTATIVE (if different)**

NAME Martin + Joni Vasquez  
MAILING ADDRESS 3192 Big Cut Rd  
Placerville Ca 95667  
PHONE 510-685-2162  
EMAIL VASQUEZMJ@juno.com

NAME \_\_\_\_\_  
MAILING ADDRESS \_\_\_\_\_  
PHONE \_\_\_\_\_  
EMAIL \_\_\_\_\_

**PROPERTY OWNER(S)**

NAME same as above PHONE \_\_\_\_\_  
MAILING ADDRESS \_\_\_\_\_  
EMAIL ADDRESS \_\_\_\_\_

**SURVEYOR, ENGINEER, ARCHITECT, OR OWNER'S REPRESENTATIVE (If applicable)**

NAME Brendan Williams PHONE (530) 957-0293  
MAILING ADDRESS \_\_\_\_\_  
EMAIL ADDRESS (Brendan Williams) bawilliams@northerncalifornia-geomatics.com  
I have notified the mortgage holder, which is: None

**DESCRIPTION OF PROPERTY (Attach legal deed description)**

STREET ADDRESS 3192 Big Cut Rd  
ASSESSOR'S PARCEL NO.(S) 069-040-054  
Above described property was acquired by owner on March 31 2015  
Month Day Year

List or attach any Covenants, Conditions or Restrictions, concerning use of property, of improvements contemplated; as well as yard setback and area or height requirements that were placed on the property by **subdivision** tract developers. Give date said restrictions expire.

I hereby certify that the statements and information contained in this application, including the attached drawings and the required findings of fact, are in all respects true and correct. I understand that all property lines must be shown on the drawings and be visible upon site inspection. In the event that the lines and monuments are not shown or their location found to be incorrect, the owner assumes full responsibility.

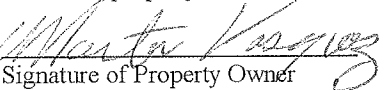
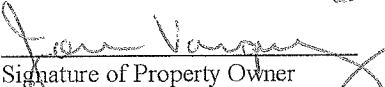
I further understand that if this request is subsequently contested, the burden will be on me to establish: that I produced sufficient factual evidence at the hearing to support this request; that the evidence adequately justifies the granting of the request; that the findings of fact furnished by me are adequate, and further that all structures or improvements are properly located on the ground. Failure in this regard may result in the request being set aside, and structures being built in reliance thereon being required to be removed at my expense.

PROPERTY OWNER agrees to and shall hold the CITY, its officers, agents, employees and representatives harmless from liability for damage or claims for damage for personal injury, including death, and claims for property damage which may arise from the direct or indirect operations of the PROPERTY OWNER or those of his contractor, subcontractor, agent, employee or other person acting on his behalf which relate to this project. PROPERTY OWNER agrees to and shall defend the CITY and its officers, agents, employees and representatives from actions for damages caused or alleged to have been caused by reason of the PROPERTY OWNER'S activities in connection with the project. This hold harmless agreement applies to all damages and claims for damages suffered or alleged to have been suffered by reason of the operations referred to in this paragraph, regardless of whether or not the CITY prepared, supplies or approved plans or specifications or both for the project.

PROPERTY OWNER further agrees to indemnify, hold harmless, pay all costs and provide a defense for CITY in any action challenging the validity of PROPERTY OWNER'S project.

_____ Applicant's Signature	_____ Printed Name of Applicant(s)	_____ Date
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As owner of the property involved in this request, I have read and understood the complete application and its consequences to me as a property owner.

 _____ Signature of Property Owner	<u>Martin Vasquez</u> _____ Printed Name of Property Owner	_____ Date
 _____ Signature of Property Owner	<u>Joni Vasquez</u> _____ Printed Name of Property Owner	_____ Date

NOTICE: Section 10-3-9 of the Placerville Municipal Code prohibits the occupancy of a building or a release of utilities prior to the issuance of a Certificate of Occupancy by the Building Division AND the completion of all zoning requirements and conditions imposed by the Planning Commission or City Council UNLESS a satisfactory performance bond or other acceptable security has been posted to insure completion. VIOLATIONS may result in prosecution and/or disconnection of utilities.

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A Notice of Public Hearing and Staff Report will be prepared for applications requiring public hearing(s). Two Wednesdays prior to the hearing date, the Notice of Public Hearing will be sent to the Applicant and Owner; on the Thursday prior to the hearing date, the Staff Report will be sent to the Applicant and Owner. Notices and Staff Reports will be sent via email if addresses have been provided; if not, the documents will be sent to the mailing addresses provided on this form. Please list below any alternate or additional recipients, along with their contact information, or any alternate instructions for sending these materials to the Applicant or Owner.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Before filling out application please read

**"REQUIREMENTS FOR FILING APPLICATION FOR A VARIANCE"**

- (A) REQUEST: The applicant requests a VARIANCE on the property described on the application for the following purposes: (Use this space only to state exactly what is intended to be done on, or with, the property which does not conform to existing zoning regulations. \_\_\_\_\_)

NOTE: The law requires that the conditions set forth in the following four sections 1, 2, 3, and 4 must be established before a Variance CAN be granted. Answers to these sections must be complete and full.

State fully wherein your case conforms to the following requirements:

1. That because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the provisions of the City's Municipal Code would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications.

Our home is at the top of Benham Ct. and our lot is on a slope so we have no yard to enjoy the outdoors we have a small deck 8'x 20' that we would like to extend out an additional 13' but the set back limits us to only 5.5' to 6' so we are requesting an additional 10' for a total 13' extension. Getting a variance would allow us to utilize our lot and enjoy our yard + view, without it we have a large hill to maintain and not get use out of.

2. That any Variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.

Our home is located high up on the hill on Benham Ct. and is away from neighbors. Our neighbors homes are on low lying areas and have yards/decks to enjoy outdoor space in their yards. We would not interfere with their enjoyment of their properties nor views as we are quite a distance away.

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3. That the granting of the Variance will not be materially detrimental to the public health, safety, convenience and welfare or injurious to property and improvements in the same vicinity and zone in which the subject property is situated.

We are located high on the hill away from our neighbors so as not to pose any health, safety or other issues that would be an inconvenience to anyone

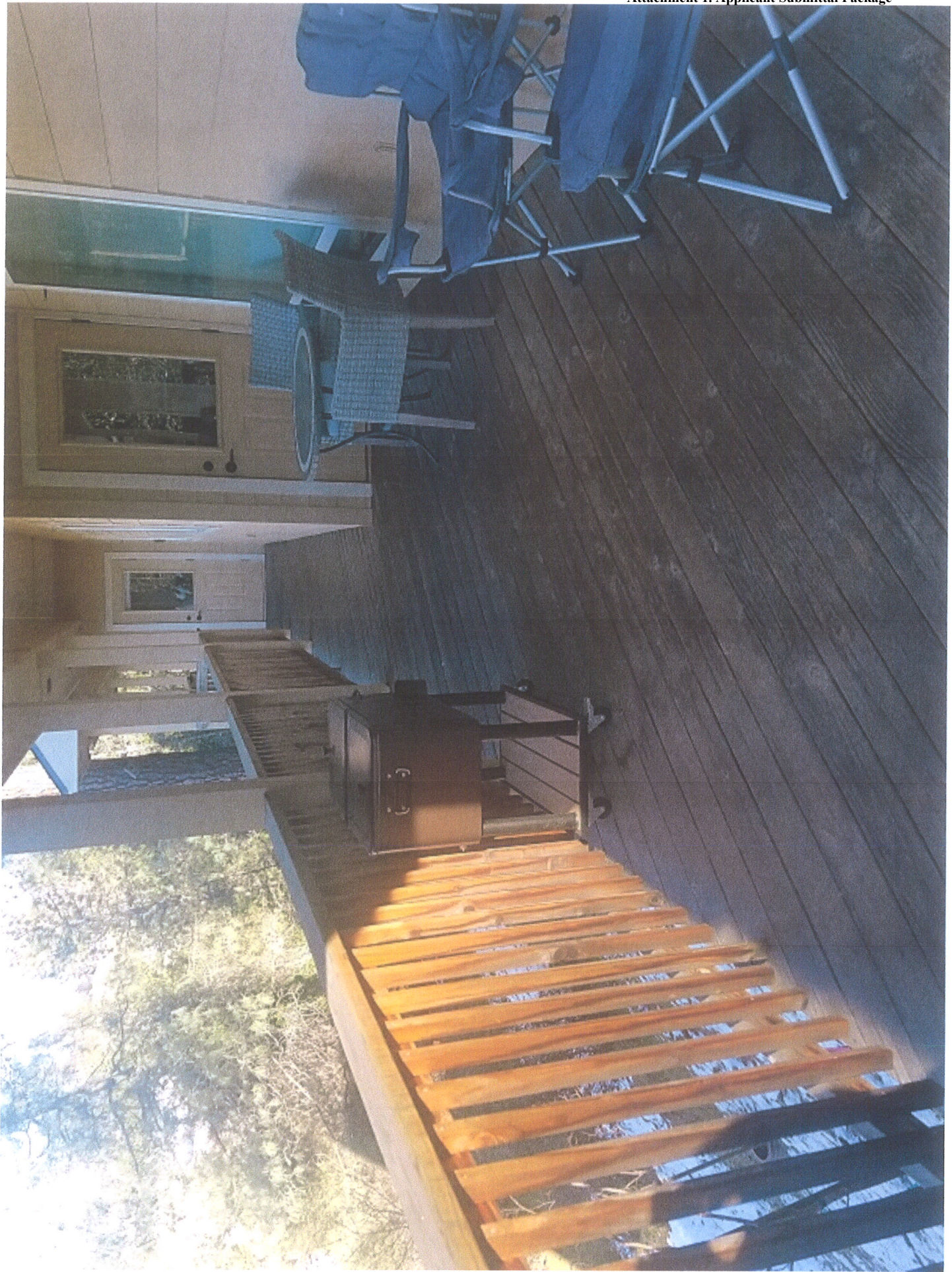
4. That the granting of such Variance will not adversely affect the General Plan of the City.

Our purpose as we have stated is only to extend our deck to be able to enjoy what yard we have, that is sloped, we currently maintain the entire hillside which the city owns the lower 7' behind the retaining wall

Existing Deck

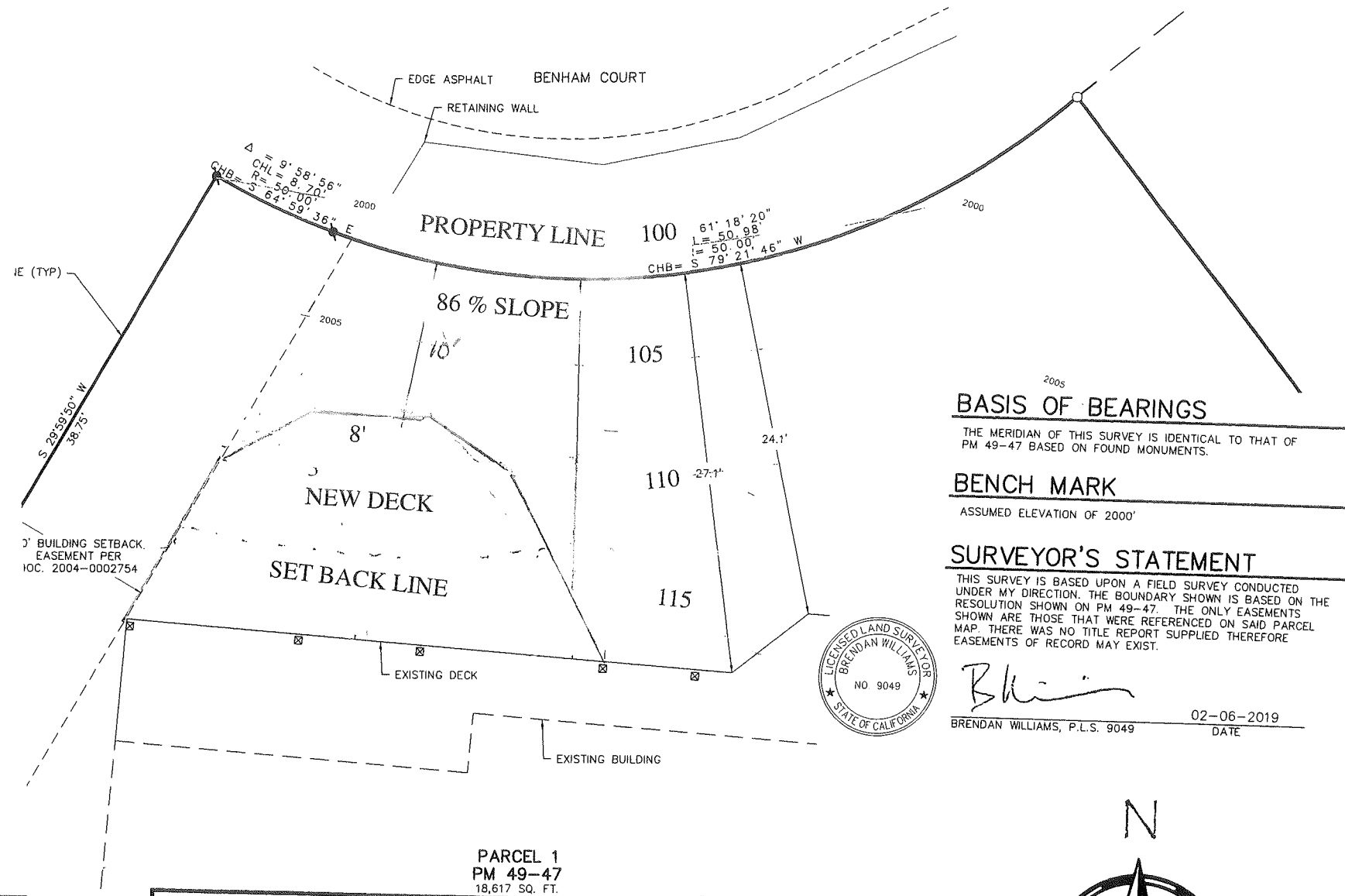
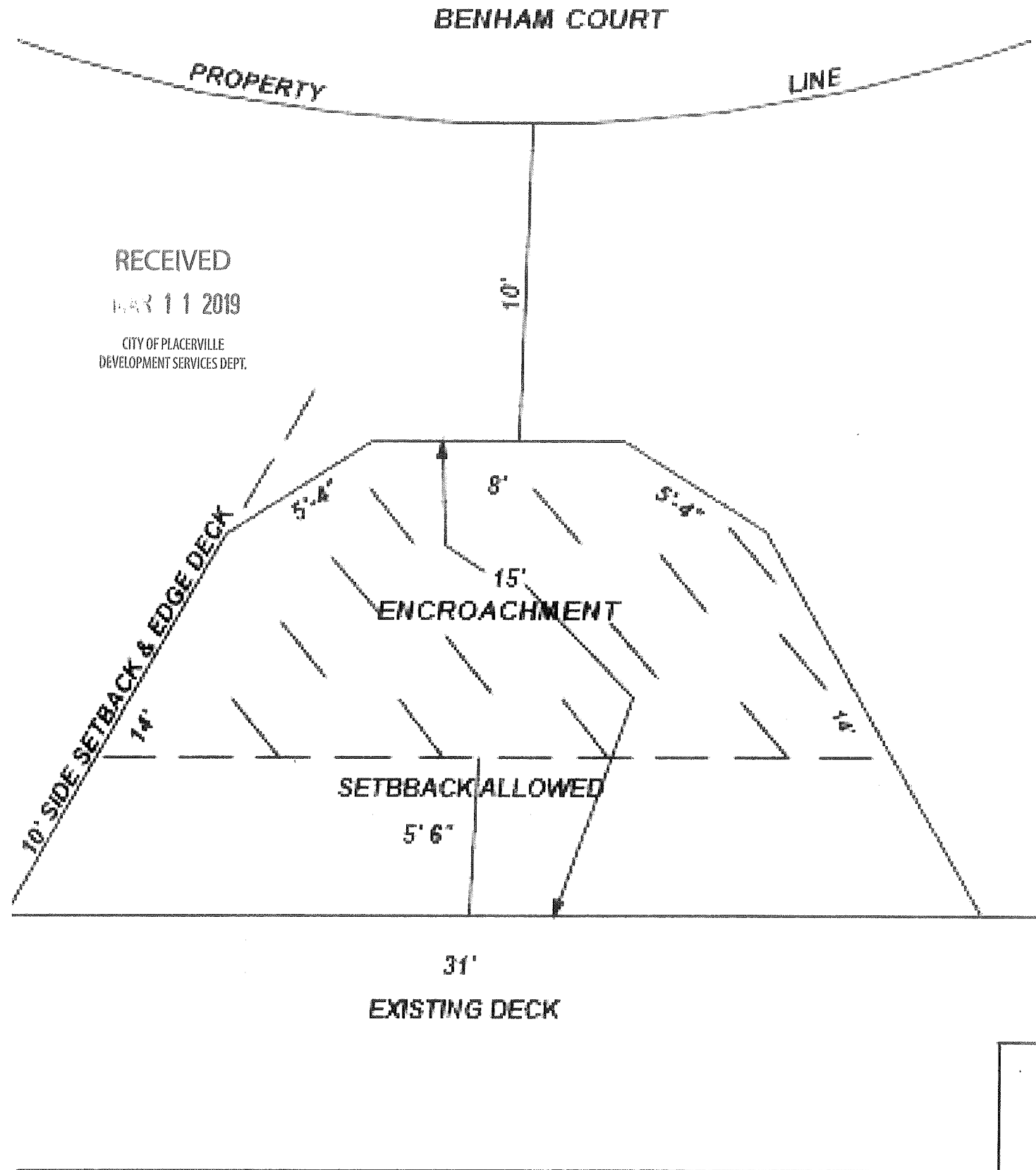


Existing deck





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### BASIS OF BEARINGS

THE MERIDIAN OF THIS SURVEY IS IDENTICAL TO THAT OF PM 49-47 BASED ON FOUND MONUMENTS.

### BENCH MARK

ASSUMED ELEVATION OF 2000'

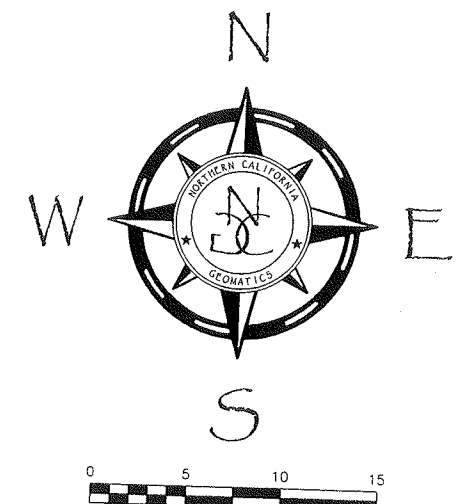
### SURVEYOR'S STATEMENT

THIS SURVEY IS BASED UPON A FIELD SURVEY CONDUCTED UNDER MY DIRECTION. THE BOUNDARY SHOWN IS BASED ON THE RESOLUTION SHOWN ON PM 49-47. THE ONLY EASEMENTS SHOWN ARE THOSE THAT WERE REFERENCED ON SAID PARCEL MAP. THERE WAS NO TITLE REPORT SUPPLIED THEREFORE EASEMENTS OF RECORD MAY EXIST.



*B. Williams*  
BRENDAN WILLIAMS, P.L.S. 9049  
02-06-2019  
DATE

TOPOGRAPHIC SURVEY		
A PORTION OF APN 069-040-054		
COUNTY of EL DORADO,		STATE of CALIFORNIA
PREPARED FOR:	PREPARED BY:	
MARTIN AND JONI VASQUEZ 3192 BIG CUT ROAD PLACERVILLE, CA 95667	NORTHERN CALIFORNIA GEOMATICS 1044 DIAMANTE ROBLES CT. DIAMOND SPRINGS, CA 95619 (530) 957-0293	
DRAWN BW	DATE OF FIELD WORK FEB. 6, 2019	REVISIONS NONE



EXISTING HOUSE SCALE 1"=4'

DETAIL PROPOSED  
DECK ENCROACHMENT