

EXHIBIT A**Recommendation:**

Staff recommends that the Planning Commission take the following action supporting 948 Oak Terrace Drive - VAR 18-01, a request to allow a 1.5-foot side-yard setback where 10 feet is required per City Zoning Ordinance Section 10-5-6(D)5, for an already constructed 456 square foot carport.

- I. Adopt the Staff Report as part of the public record.
- II. Make the following Findings of Fact:
 - A. That the application is categorically exempt from the requirements of CEQA pursuant to Section 15303, Class 3, which includes the construction of accessory structure carports.
 - B. That the application is consistent with the General Plan and Zoning Ordinance with approval of a Variance in that it involves a Variance request for the development of a carport in an area that contains an array of existing residential uses and accessory uses.
 - C. That the granting of the application is necessary for the preservation, enjoyment and use of the property by the applicant in that the carport would be authorized without the burden of eliminating landscape features, including a mature pine tree.
 - D. That the granting of the Variance will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing in the neighborhood of the property of the applicant and will not, be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood in that the carport is located in a less visible portion of the subject parcel, Robert Patton, the neighboring property owner, approves of the carport adjacent to the property line he shares with the subject site, which therefore does not appear to adversely affect persons residing in the neighborhood.
- III. Approve VAR 18-01, subject to Conditions of Approval as follows:
 1. Approval is granted for the Variance request described in the application date-stamped April 13, 2018, and staff's report to the City Council dated August 28, 2018, except as modified by the conditions of approval, and is valid for a period of eighteen (18) months during which time the rights granted must be exercised by obtaining a construction permit for the carport structure.
 2. The permit shall apply only to 948 Oak Terrace Road, APN 050-451-05, regardless of any change of ownership, and may not be transferred to another parcel.
 3. These conditions of approval shall be binding on the applicant and all successors in interest in the event the project site is sold to another party.

4. Any proposed future change to the site or modification to the application beyond what is authorized under this permit shall be submitted to the Development Services Department for a determination of appropriate procedures.