

NEVADA CITY PLANNING COMMISSION

APPLICATION FOR VARIANCE

The undersigned, requests that a VARIANCE from the provisions of Ordinance No. 361 be granted, pursuant to Section 16.20 of said Ordinance, and hereby certifies as follows:

OWNER'S NAME: Garrett Chow

ADDRESS: PO Box 1227, Nevada City CA 95959 PHONE: (415) 694-2838

LOCATION OF SUBJECT PROPERTY: 377 Wyoming Road, Nevada City CA 95959

ASSESSOR'S PARCEL NO. 005-130-027-000 ZONE: RR PRESENT USE: Undeveloped

NATURE OF REQUESTED VARIANCE: Encroachment on 100' Creek Setback for proposed single family residence.

STATEMENT OF HARDSHIP (Note: The Planning Commission is not authorized to grant a variance if the result would be to confer a special privilege inconsistent with the limitations placed upon other properties in the same zone):

- (a) The following special circumstances or conditions applicable to subject property (including size, shape, topography, location or surroundings) do not generally apply to other properties in the same zone.

The 2.90 acre parcel has a very limited buildable area given the topography, proximity to Deer Creek, and the easement/ location of Wyoming Road that cuts through the property. Approximately 90% of the property contains slopes ranging from 30 to 50 percent. The 100' creek setback cuts across the previously graded and disturbed building pad at a point that creates a limited and irregularly shaped buildable area in the only allowable area for building.

- (b) The granting of a variance would not be materially detrimental to the health, safety or welfare of other persons residing in the vicinity of the subject property, or to other property or improvements in the vicinity, for the following reasons:

Granting of a variance will not affect any neighboring properties, allows for utilization of a previously graded building pad with minimal site disturbance within the 100' setback that is more than 70' in elevation above Deer Creek.

ATTACH MAP or SKETCH showing boundary lines of subject property, adjacent streets, and other relevant facts. SUBMIT 10 COPIES OF APPLICATION AND ACCOMPANYING DOCUMENTS.

_____ Date

_____ Signature of Applicant