

RESOLUTION NO. 2021-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING VARIANCE NO. 2021-01 FOR LOT 7 OF TRACT 31957 TO ENCROACH 5.6 FEET INTO THE REQUIRED 20 FOOT REAR YARD SETBACK DUE TO SITE CONSTRAINTS

Whereas, Edgar Gomez, Richmond American Homes has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2016-56 (Residential Design Review No. 2021-01 and Variance No. 2021-01) proposing the design and construction of 96 single-family residential units, preliminary plotting, conceptual wall and fence plan, and related improvements located within Tract Map No. 31957 and a variance for Lot 7 to encroach 5.6 ft. into the required 20 ft. rear yard setback due to site constraints. The project proposes five (5) single-story floor plans ranging in size from 2,012 sq. ft. to 2,481 sq. ft. and three architectural styles. The lot sizes for Tract Map No. 31957 range in size from 6,050 sq. ft. to 16,100 sq. ft. and are 8,162 sq. ft. on average. The project site is located northerly of Lincoln Street and westerly of Mountain Street and Running Deer Road (APNs: 394-120-007, 008, 012, and 013); and,

Whereas, pursuant to Section 17.415.080 (Variances) of the Lake Elsinore Municipal Code (LEMC) the Planning Commission (Commission) has been delegated with the responsibility of reviewing and approving, conditionally approving, or denying variance applications; and,

Whereas, on May 18, 2021, at duly noticed Public Hearing the Commission has considered evidence presented by the Community Development Department and other interested parties with respect to this item.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1: The Commission has considered the project and has found it acceptable.

Section 2: The Commission finds and determines that no new CEQA documentation is necessary. The project comprises the whole of an action that was analyzed in the previously adopted Mitigated Negative Declaration No. 2005-06. Approval of the project will not change density or intensity of use; it simply establishes standards for color palettes, articulation, orientation, and design of single-family residential development. Therefore, no further environmental review is necessary.

Section 3: That in accordance with the LEMC, the Commission makes the following findings regarding Planning Application No. 2016-56 (Variance No. 2021-01):

1. Adequate conditions and safeguards pursuant to LEMC, Section 17.415.080.F have been incorporated into the approval of the variance to ensure development of the property in accord with the objectives of the General Plan and the purpose of the planning district in which the site is located.

The project site has a General Plan Land Use designation of Low-Medium Density Residential, which allows for detached single-family homes with densities ranging between one (1) to six (6) dwelling units per net acre. The proposed project constitutes build out of a previously approved tract map (Tract Map No. 31957) that was found to

comply with the goals and objectives of the General Plan. The proposed variance would not diminish the residential nature of the property. The proposed variance would not alter the existing land use.

2. There are special circumstances, pursuant to the purpose of Section 17.415.080 of the LEMC, applicable to the subject property which do not apply generally to other properties in the neighborhood, and, therefore, granting of the variance shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and district in which the subject property is located.

The project is requesting a variance to encroach 5.6 ft. into the required 20 ft. rear yard setback for Lot 7 of Tract Map No. 31957. Lot 7 is an irregular diamond shaped lot and the strict application of the code will prevent this lot from enjoying the same rights as the surrounding lots. The granting of the variance will not constitute granting of a special privilege to this lot. The variance will allow Lot 7 to be developed in a similar fashion as the surrounding properties.

3. In approving the variance, any reductions authorized from the strict interpretation of the zoning ordinance represents the minimum deviation from this code necessary to fulfill the purpose of this chapter and enable reasonable development of the property.

The proposed variance would allow Lot 7 to be developed with a single-family residence consistent with the other lots located adjacent to the project area. The proposed variance represents the minimum deviation necessary to enable reasonable development of the property in a manner consistent with the surrounding area.

Section 4: Based upon the evidence presented, the above findings, and the Conditions of Approval imposed upon the project, the Commission hereby approves Planning Application No. 2016-56 (Variance No. 2021-01).

Section 5: This Resolution shall take effect immediately upon its adoption.

Passed and Adopted on this 18th day of May, 2021.

Rendell Klaarenbeek, Chairman

Attest:

Justin Kirk,
Assistant Community Development Director

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF LAKE ELSINORE)

I, Justin Kirk, Assistant Community Development Director of the City of Lake Elsinore, California, hereby certify that Resolution No. 2021-__ was adopted by the Planning Commission of the City of Lake Elsinore, California, at a regular meeting held on May 18, 2021 and that the same was adopted by the following vote:

AYES

NOES:

ABSTAIN:

ABSENT:

Justin Kirk,
Assistant Community Development Director