



STAFF REPORT
3/14/2024

TO: Planning Commission Chair and Commissioners

FROM: Adrian Moreno, Associate Planner

SUBJECT: Variance 23-04 – Rochin, Setback

SPECIFICS: Variance No. 23-04 a request for a for five foot five inch rear yard setback variance and five percent lot coverage variance for an existing 644 SF patio structure constructed without a permit at 48440 Charlton Peak Street. Applicant: Ramon Rochin.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission adopt Resolution No. PC 2024-02 approving Variance (VAR) No. 23-04, a request for a five foot five inch rear yard setback variance and five percent lot coverage variance that allows for an accessory structure to be constructed at a four foot and seven inch rear yard setback from the rear property line and at 55% lot coverage for an existing 644 SF patio structure constructed without a permit at 48440 Charlton Peak Street.

BACKGROUND:

The applicant submitted an application for a JADU in June of 2023 where Staff discovered that the patio in the rear yard was not permitted with the City. The applicant chose to submit a variance for the rear yard setback and lot coverage that allows for an accessory structure to be constructed at a four foot and seven inch rear yard setback from the rear property line and at 55% lot coverage for an existing 644 SF patio structure. The variance would allow the applicant to keep the patio to remain as existing. On February 21, 2024, this item was heard by Planning Commission where they continued the item and directed staff to prepare a resolution of approval of Variance No. 23-04.

ENVIRONMENTAL REVIEW:

Staff has determined that the proposed project is categorically exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act as “New Construction or Conversion of Small Structures” (CEQA Guidelines, Section 15303). The proposed project consists of the location of a small patio structure.

ALTERNATIVES:

- 1) Adopt Resolution No. PC2024-02 approving Variance No. 23-04 with the findings and conditions as recommended by Staff.
- 2) Adopt Resolution No. PC2024-02 with the findings and conditions as recommended by Staff with modifications as proposed by the Planning Commission.
- 3) Not approve Resolution No. PC 2024-02 and request that staff prepare a Planning Commission Resolution for denial of Variance No. 23-04.
- 4) Continue this item and provide staff and the applicant with direction

CONCLUSIONS AND RECOMMENDATIONS

Based on the analysis contained herein and the findings listed below, staff is recommending that the Planning Commission approve Variance No. 23-04 with the findings listed in Resolution No. PC2024-02.

Attachments:

1. Resolution No. PC2024-02
2. Vicinity Map
3. Site Plan
4. Structural Plan
5. Site Photos
6. Riverside County Fire Department Comments
7. City Building Department Comments