

**PLANNING COMMISSION – October 27, 2021**  
**REQUIRED FINDINGS AND CONSIDERATIONS FOR:**

**56 Kimble Avenue**  
**Variance Application V-20-002**

**Requesting Approval for a Variance from the Town Code for the Height of an Accessory Structure and Length of Driveway, and an Exception to the Hillside Development Standards and Guidelines for the Setbacks of an Accessory Structure on Property Zoned R-1:10. Located at 56 Kimble Avenue. APN 529-33-035.**

**PROPERTY OWNER: Peter Lisherness and Kim Nguyen.**  
**APPLICANT: Jay Plett.**  
**PROJECT PLANNER: Jocelyn Shoopman.**

**FINDINGS:**

**Required finding for CEQA:**

- The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures.

**Required compliance with the Zoning Regulations:**

- The project meets the objective standards of Chapter 29 of the Town Code (Zoning Regulations) with the exception of the reduced front setback and the variances requested for accessory structure height and length of the driveway.

**Required finding for the reduced setbacks on nonconforming property:**

- As required by Section 29.10.265 (3) of the Town Code for modification of zoning rules on nonconforming lots, including setback requirements:
  1. The subject property is nonconforming having a lot area of 7,868 square feet where 10,000 square feet is required by the Town Code;
  2. The subject property is nonconforming having a lot depth of 67 feet where 100 feet is required by the Town Code; and
  3. The reduced front setback is compatible with the neighborhood.

EXHIBIT 2

**Required findings for granting a Variance application:****■ As required by Section 29.20.170 of the Town Code for granting a Variance application:**

- (1) Because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this ordinance deprives such property of privileges enjoyed by other properties in the vicinity and under identical zone; and
- (2) The granting of a variance would not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone which such property is situated.

**Required compliance with the Hillside Development Standards and Guidelines:**

- As required, the project complies with the Hillside Development Standards and Guidelines (HDS&G), with the exception of the proposed front, side, and rear setbacks. The applicant has provided compelling reasons and evidence to support the granting of the setback exceptions to the HDS&G.