



Planning Commission Meeting Agenda

Tuesday, October 14, 2025 at 6:00 PM

33 Church Street, Sutter Creek, CA 95685

The Agenda can be found on the City's Website: www.cityofsuttercreek.org

The City of Sutter Creek City Council Meeting will be available via Zoom and in person.

Join Zoom meeting:

<https://us02web.zoom.us/j/81391466458?pwd=4jXmBm1AP5bEbiID3iDwuxk4GpreRY.1>

Please note: Zoom participation is only available for VIEWING the Council meeting.

Public Comment will not be taken from Zoom

Or Dial by phone: 301 715 8592 Webinar ID: 816 8589 0182 Passcode: 186036

Unless stated otherwise on the agenda, every item on the agenda is exempt from review under the California Environmental Quality Act ("CEQA") per CEQA Guidelines Sections 15060(c), 15061(b)(3), 15273, 15378, 15301, 15323 and/or Public Resources Code Section 21065.

- 1. Call to Order and Establish a Quorum for Regular Meeting**
- 2. Pledge of Allegiance to the Flag**
- 3. Public Forum**

Discussion items only, no action to be taken. Any person may address the Commission at this time upon any subject within the jurisdiction of the Planning Commission; however, any matter that requires action may be referred to staff and/or Committee for a report and recommendation for possible action at a subsequent meeting. Please note – there is a five (5) minute limit per topic.

- 4. Consent Agenda**

Items listed on the consent agenda are considered routine and may be enacted in one motion. Any item may be removed for discussion at the request of the Commission or the Public.

A. [Planning Commission Minutes of September 8, 2025](#)

[Recommendation: Approval of Minutes](#)

5. Public Hearings

A. [Variance Hearing for 244 Oak Court](#)

[1\) Conduct a public hearing and receive public input; and](#)

[2\) Adopt Resolution 2025-2026-* approving the variance request for 244 Oak Court.](#)

6. Adjournment



Planning Commission Meeting Minutes

Monday, September 08, 2025 at 6:00 PM

33 Church Street, Sutter Creek, CA 95685

The Agenda can be found on the City's Website: www.cityofsuttercreek.org

The City of Sutter Creek Planning Commission meeting is available on YouTube at:

<https://www.youtube.com/live/4nWhVc0jz-w>

1. Call to Order and Establish a Quorum for Regular Meeting

The meeting was called to order at 6:00 PM.

Present: Chair Mike Kirkley, Commissioner Baggett, Commissioner Damiani, Commissioner Mulvey (arrived at 6:04 PM)

Absent: Commissioner Robert Trudgen

Staff: Erin Ventura – Contract Planner, Aaron Wolcott – City Clerk, Tom DuBois – City Manager

2. Pledge of Allegiance to the Flag

The pledge of allegiance was led by Chair Mike Kirkley.

3. Public Forum

There were no members of the public who chose to speak on items not appearing on the agenda.

4. Consent Agenda - Mulvey arrived at 6:04

A. Planning Commission Minutes of July 14, 2025

Motion to approve the Consent Agenda, by Baggett, seconded by Damiani.

AYES: Baggett, Mulvey, Damiani

NOES:

ABSENT: Trudgen

ABSTAIN: Kirley

MOTION CARRIED 3-0

5. Public Hearings

A. A. CONDITIONAL USE PERMIT FOR A SHORT-TERM RENTAL: 23 Main Street APN 018-232-011

Contract Planner, Erin Ventura, presented the application for a three-bedroom short-term rental (STR) in an R-1 single-family residential zone within the Main Street Historic District. Due to previous instructions from City Council regarding the need to be informed when a 20-unit threshold was reached, Ventura explained that Council had instructed staff to continue processing STR applications, while beginning to research longer-term solutions for the city. Staff recommended approval of the application.

During public comments, several adjacent neighbors, Quinton Taylor and Dr. Lisa Ronback, spoke in opposition to the application. Their concerns included the erosion of neighborhood character, loss of community cohesion on the historic street, reduced availability of long-term housing, potential for noise disturbances, and public safety issues. Other residents, Byron Damiani and Cort Strandberg, raised similar concerns.

Desiree Lundgren, representing the property owner, spoke in favor. She stated the intent is to keep the historic home in the family and is planning to use the income for upkeep. She also stated that she intends to host families with a minimum stay requirement to avoid nuisance guests.

Commissioner Laura Damiani expressed concern that a commercial-type use was inconsistent with the historic, residential character of Main Street. The commissioners discussed how the increasing number of STRs affects the community and Commissioner Kirkley pointed to the need for a formal city ordinance regarding STRs.

Commissioner Mulvey stated that she did not think the proposed use met the required findings for approval.

Motion to deny the Conditional Use Permit application as it does not meet Finding #1 (The proposed use of the property is essential or desirable to the public convenience or welfare because it will provide an important tourist-related service to the community.) by Baggett, second by Damiani.

AYES: Baggett, Mulvey, Damiani, Kirkley

NOES:

ABSENT: Trudgen

MOTION CARRIED 4-0

B. CONDITIONAL USE PERMIT FOR A SHORT-TERM RENTAL: 30 Bryson Drive APN 018-332-025

Contract Planner, Erin Ventura, presented the application for a three-bedroom short-term rental (STR) in an R-3 multi-family zone.

During public comments, Robert, a resident in the neighboring Sutter Terraces community spoke in opposition, citing concerns about insufficient parking, increased traffic, and the potential for disruptive guests in a quiet neighborhood with many elderly residents. There was also a letter of opposition received by the commission.

Commissioner Damiani pointed out that the application was incomplete and contained errors. City Manager Tom DuBois advised the commission to consider property rights and apply standards consistently, noting that 50% of homes in the city are not primary residences. The commission again discussed the need for a formal ordinance to provide clear guidance.

Motion to deny the Conditional Use Permit application as it does not meet Finding #1 (The proposed use of the property is essential or desirable to the public convenience or welfare because it will provide an important tourist-related service to the community.) by Mulvey, second by Baggett.

AYES: Baggett, Mulvey, Damiani, Kirkley

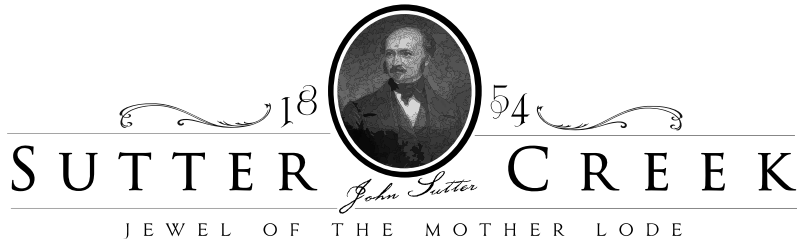
NOES:

ABSENT: Trudgen

MOTION CARRIED 4-0

6. Adjournment

The meeting was adjourned at 7:03PM



STAFF REPORT

TO: CITY OF SUTTER CREEK PLANNING COMMISSION

MEETING DATE: OCTOBER 14, 2025

FROM: ERIN VENTURA, CONTRACT PLANNER

**SUBJECT: REQUEST FOR VARIANCE – 244 OAK COURT
(APN 018-020-024)**

RECOMMENDATION:

- 1) Conduct a public hearing and receive public input; and
- 2) Adopt Resolution 2025-2026-* approving the variance request for 244 Oak Court.

BACKGROUND:

Location: 244 Oak Court; APN 018-020-024

Zoning: R-1

General Plan: RSF Residential Single Family

Request: Request for a variance from the front yard setback requirements for a carport

DISCUSSION:

The applicant is requesting approval of a variance to allow construction of an attached carport to an existing single-family residence. The proposed carport would measure 24 feet by 22 feet (528 square feet) and is designed to match the architectural style of the home.

The subject property is located at the end of a cul-de-sac on a 0.26-acre parcel developed with a 1,584-square-foot single-family residence. The home is situated approximately 30 feet from the front property line. Due to the location of the home in relation to the cul-de-sac, providing covered parking in compliance with the required front yard setback is challenging.

The applicant is requesting a variance to reduce the front yard setback from the required 25 feet to 5 feet 11.5 inches in order to accommodate the carport.

Site Constraints

The configuration of the cul-de-sac creates unique site conditions. The property line is not clearly defined at the curve of the street, and accommodating the carport outside of the setback would require removal of existing fencing, a tree, and landscaping. Additionally, such placement would significantly impact the usable front yard area of the home.

Zoning

The property is zoned R-1 (Single-Family Residential), which requires a 25-foot front setback, 5-foot side setback, and 15-foot rear setback.

Applicant Rational

The applicant states that the variance is necessary due to the irregular shape of the cul-de-sac, the siting of the residence on the lot, and the location of the existing driveway, all of which constrain feasible placement of covered parking in compliance with the development standards.

FIGURE 1 – PARCEL LOCATION MAP – 244 Oak Court



FIGURE 2 – STREET VIEW- 244 Oak Court



FIGURE 3 – SITE PLAN- 244 Oak Court

PROJECT TEAM

DRAFTSMAN: ARIK WILLIAMS - (916) 719-3721
OWNER - KEN PINELLI

PROJECT DATA

APN # 018020024000
LOT # 10 .26 ACRES
OCCUPANCY: U
CONSTRUCTION TYPE: V
JURISDICTION: CITY OF SUTTER CREEK
ZONING: R1

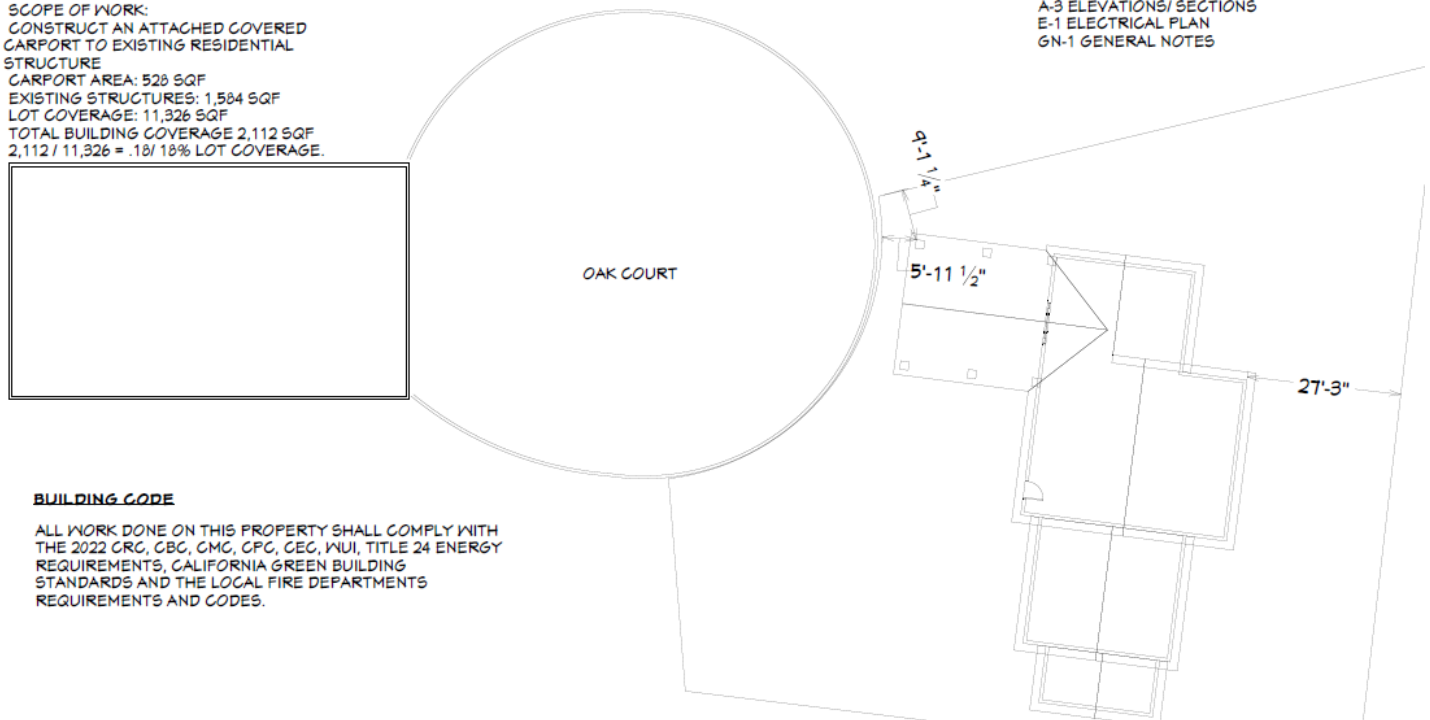
PROJECT INFORMATION

SCOPE OF WORK:
CONSTRUCT AN ATTACHED COVERED
CARPORT TO EXISTING RESIDENTIAL
STRUCTURE
CARPORT AREA: 520 SQF
EXISTING STRUCTURES: 1,504 SQF
LOT COVERAGE: 11,326 SQF
TOTAL BUILDING COVERAGE 2,112 SQF
2,112 / 11,326 = .18/ 18% LOT COVERAGE.

**244 OAK COURT
SUTTER CREEK, CA 95685**

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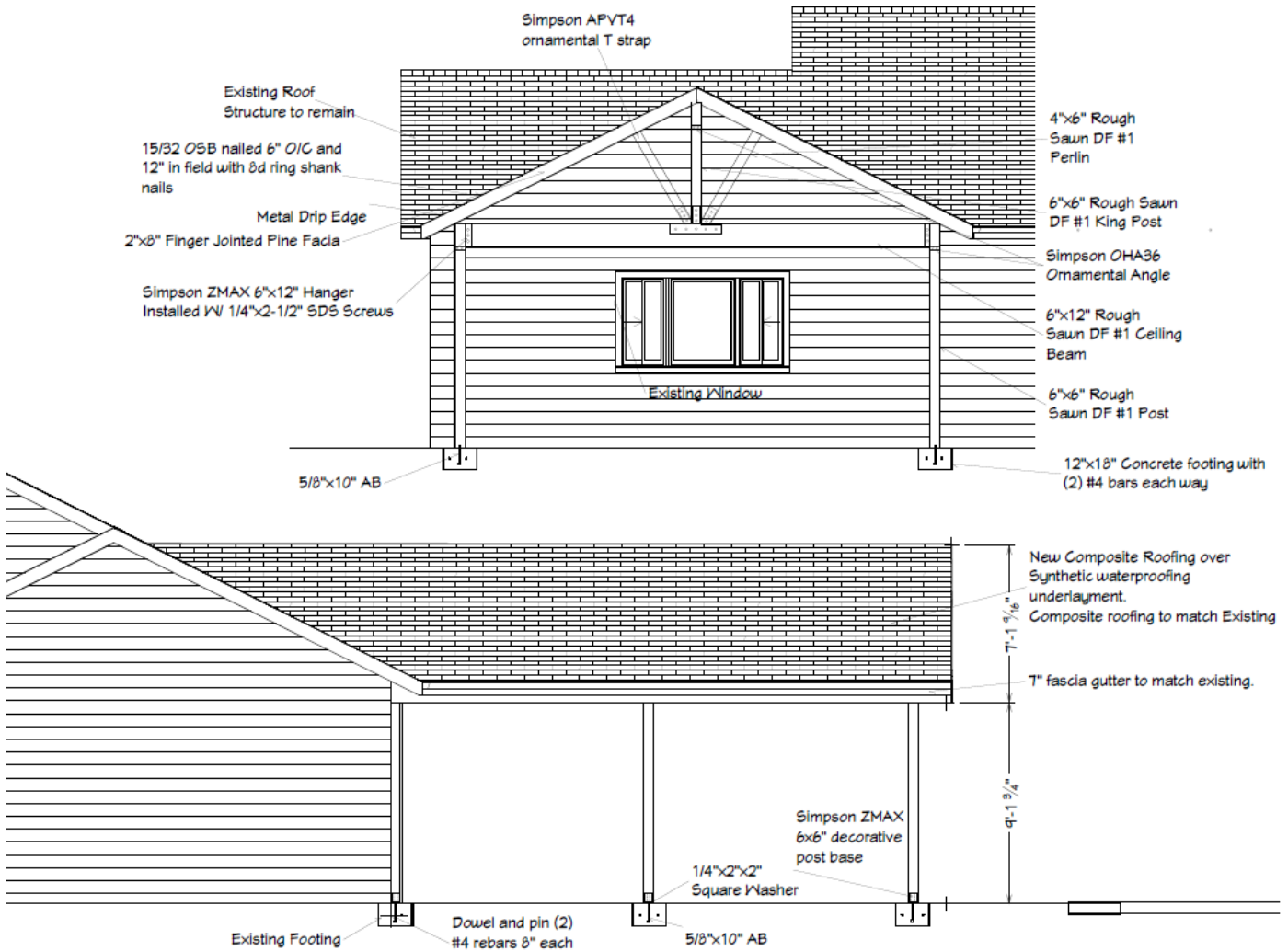
- P-1 COVER SHEET/ SITE PLAN
- A-1 FLOOR PLAN
- A-2 ROOF PLAN
- A-3 ELEVATIONS/ SECTIONS
- E-1 ELECTRICAL PLAN
- GN-1 GENERAL NOTES



BUILDING CODE

ALL WORK DONE ON THIS PROPERTY SHALL COMPLY WITH THE 2022 CRC, CBC, CMC, CFC, CEC, WUI, TITLE 24 ENERGY REQUIREMENTS, CALIFORNIA GREEN BUILDING STANDARDS AND THE LOCAL FIRE DEPARTMENTS REQUIREMENTS AND CODES.

FIGURE 3 – ELEVATIONS - 244 Oak Court



FINDINGS

[Section 18.52.030](#) below outlines the necessary findings to be made to approve the variance.

18.52.030 - Necessary findings.

Before a variance may be granted, all of the following shall be shown:

- A. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to the property or class of use in the same zone or vicinity;

There are exceptional and extraordinary circumstances applicable to this property. The subject parcel is located at the end of a cul-de-sac where the curved street frontage results in irregular

property lines. The configuration of the lot, combined with the placement of the existing driveway, creates unique site conditions that do not generally apply to other properties in the same zone or vicinity..

- B. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or vicinity in which the property is located;

The granting of this variance will not be materially detrimental to the public welfare or injurious to nearby property or improvements. The proposed carport is designed to match the style of the existing residence and will not impair visibility, circulation, or neighborhood character.

- C. That the property owner would suffer a unique hardship under the general zoning regulations due to the property being different from other properties to which the regulations apply;

The property owner would suffer a unique hardship if required to comply with the standard 25-foot front setback. Due to the shape of the cul-de-sac and location of the existing home and driveway, there is no feasible way to construct covered parking without a reduction in the setback. Strict application of the zoning standards would therefore deny the applicant reasonable use of their property.

- D. That such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by other property in the same zone and vicinity; and

The requested variance is necessary to allow the applicant to enjoy a substantial property right commonly possessed by other property owners in the R-1 zone—namely, the ability to provide covered parking that is functional and compatible with the home. Without the variance, the applicant would be denied this property right due to circumstances unique to the lot.

- E. That the granting of such variance will not adversely affect the comprehensive general plan.

The granting of the variance will not adversely affect the City's General Plan. The project maintains the residential use of the property, is compatible with the surrounding neighborhood, and supports the intent of the General Plan to provide safe and livable residential areas.

CONDITIONALS OF APPROVAL

Staff does not recommend additional conditions of approval.

CEQA:

The project qualifies for a California Environmental Quality Act Categorical Exemption under Section 15303-Class 3 – New Construction

BUDGET IMPACT:

None.

City of Sutter Creek · Variance Application (Filled)

Project Information

Project Address: 244 Oak Court, Sutter Creek, CA 95685

APN: 018-020-024-000

Historic District: No (not located within the Historic District, to the best of applicant's knowledge)

Deed References: N/A (deed book and page not available)

General Description of Location: Single-family residential property located on a cul-de-sac; large front yard with limited side yard width.

Zoning District: R1 (Residential Single-Family)

General Plan Land Use Designation: Residential (exact designation unknown)

Property Owner

Name: Ken Pinelli

Phone: 916-717-4497

Email: N/A

Mailing Address: 244 Oak Court

City: Sutter Creek

State: CA

Zip: 95685

Project Applicant / Primary Contact

Name: Arik Williams

Phone: 916-719-3721

Email: williamsarik@yahoo.com

Mailing Address: PO Box 55

City: Sutter Creek

State: CA

Zip: 95685

Variance Request Justification

A. Non-compliance with zoning

The proposed attached carport will encroach into the required 25-foot front setback of the R1 district. Due to the cul-de-sac lot shape and the position of the existing residence, there is no practicable location to site a carport outside of the front setback. The side yards are too narrow and a detached carport elsewhere would not align with the existing driveway.

B. Special circumstances

The lot is pie-shaped at the end of a cul-de-sac, with a generous front yard but narrow side yards. These physical constraints limit the buildable area and preclude placing a carport or garage within the allowable building envelope. Several nearby properties with the same zoning have carports or garages within the front setback; denying the variance would deprive this property of a privilege enjoyed by others.

C. No special privilege

Granting the variance would not confer a special privilege. Numerous properties in the vicinity and under the same zoning have carports or similar structures within their front setbacks. The proposed carport is comparable in size and design, and granting the variance maintains consistent treatment across the neighborhood.

D. Not detrimental

The proposed carport will be open on three sides and constructed of rustic timber beams and decorative hardware that complement the existing residence. It will not obstruct neighboring views because of the cul-de-sac layout, and it will not impact traffic circulation. The design meets building and fire code requirements and improves off-street parking; therefore, it will not be detrimental to public health, safety, or welfare.

E. General plan consistency

The project is a minor residential improvement consistent with the City's General Plan. It maintains the residential use of the property, enhances neighborhood character, and does not increase intensity of use. Therefore, granting the variance does not conflict with the General Plan.

Environmental Information

1. Describe Project

Construct an attached, covered carport (~528 sq ft) to the existing single-family residence. The carport will be open on three sides and built from rustic timber beams with decorative hardware.

2. Existing use of property

Single-family residence.

3. Will grading occur on slopes of 10% or more?

No. The site is relatively flat.

4. Will any springs or wet areas be affected?

No.

5. Estimated length of proposed roads and driveways

None. The project uses the existing driveway; no new roads or driveways are proposed.

6. Vegetation to be disturbed

Minimal. A small area of front lawn and approximately 1-2 small shrubs (less than 100 sq ft) will be removed to accommodate footings.

7a. Proposed facilities

Attached carport providing covered parking for two vehicles; approximately 528 sq ft.

7b. Building sizes

Existing residence: ~1,584 sq ft; proposed carport: 528 sq ft; total coverage: ~2,112 sq ft (18% of the 11,326-sq-ft lot).

7c. Access

Via existing driveway off Oak Court; no changes to street access.

7d. Parking

Two covered spaces in the new carport and existing driveway parking.

7e. Water Source

Municipal water (unchanged).

7f. Estimated Water Consumption

No measurable increase; no new plumbing.

7g. Method of Sewage Disposal

Municipal sewer (unchanged).

7h. Nature of Business

Residential.

7i. Estimated Daily Volume of Traffic

No increase; typical single-family traffic.

7j. Estimated Number of Employees

0.

7k. Estimated Energy Consumption

Minimal; limited to lighting the carport.

7l. Percentage of lot covered by buildings/paving

Approximately 18% of the lot will be covered by structures.

7m. Construction schedule

Begin upon permit approval; estimated 2-3 months to complete.

7n. Historical/archaeological features on property

None known.

7o. Other

N/A.

8. Special circumstances with potential environmental effects

No significant environmental constraints exist. The lot is developed and flat; construction will involve standard equipment with temporary noise during daytime.

9. Mitigation measures to lessen adverse effects

Implement best management practices during construction (e.g., erosion and dust control) and use energy-efficient LED lighting for the carport.

10. Alternatives to the project

Alternatives include constructing a detached carport in a side yard (infeasible due to narrow setbacks), leaving vehicles uncovered (no improvement), or building a smaller carport set further back (would not meet functionality). The proposed design within the front setback is the most logical solution and does not increase environmental impacts.

Certification

I hereby certify that the statements furnished herein and on any attached pages present the data required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

I hereby certify that I own or am the authorized representative of the owner of the land hereby requesting variance approval and that I am aware of and do agree to pay the hourly rates as established by Resolution of the City of Sutter Creek for the time spent by City staff as necessary to process, review and provide consultation to the City concerning this application.

Printed Name: Arive Williams

Signature: 

Date: 09/08/25

PROJECT TEAM

DRAFTSMAN: ARIK WILLIAMS - (916) 719-3721
 OWNER - KEN PINELLI

PROJECT DATA

APN # 018020024000
 LOT # 18 .26 ACRES
 OCCUPANCY: U
 CONSTRUCTION TYPE: V
 JURISDICTION: CITY OF SUTTER CREEK
 ZONING: R1

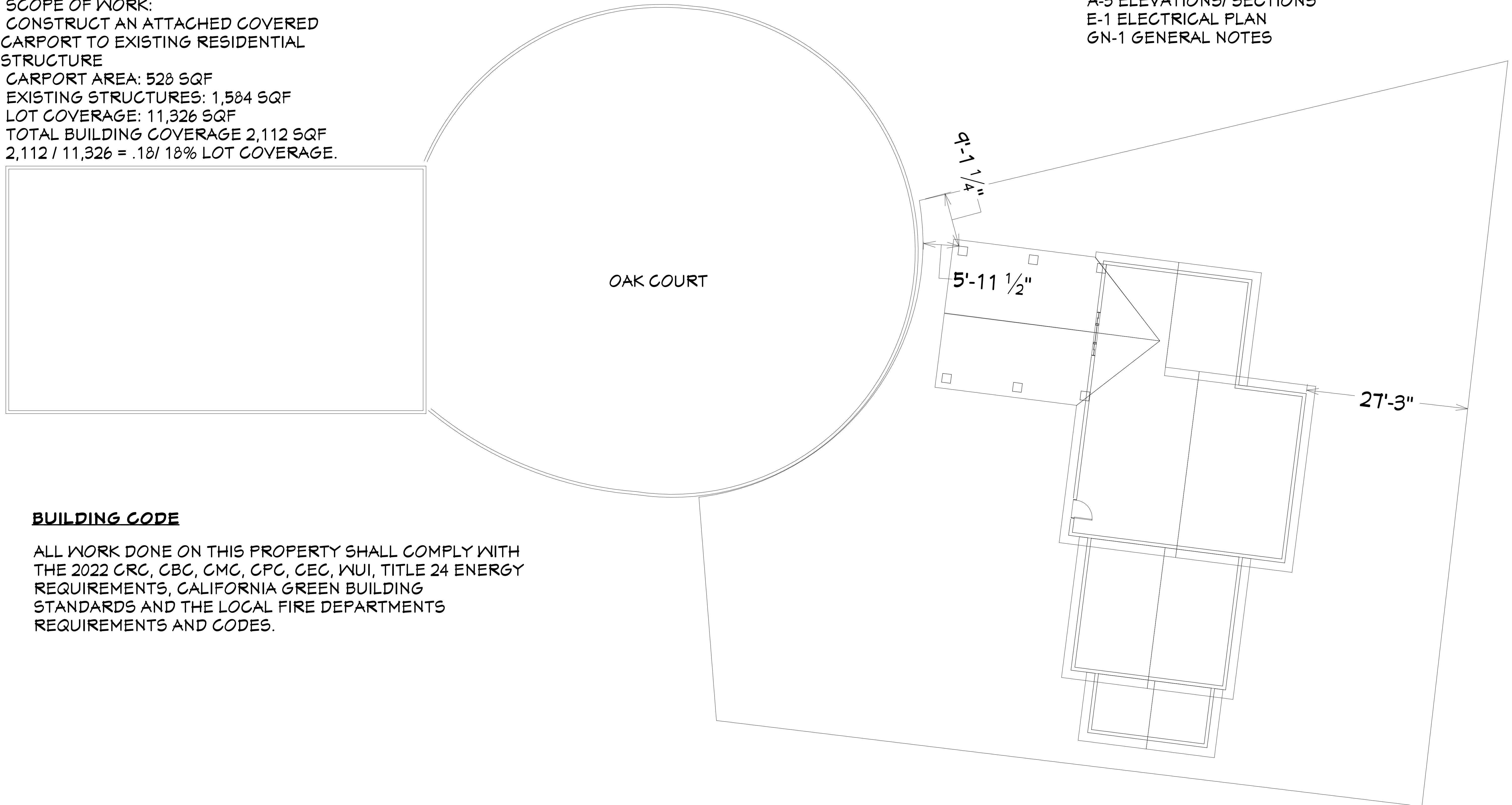
PROJECT INFORMATION

SCOPE OF WORK:
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 CARPORT AREA: 528 SQF
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 LOT COVERAGE: 11,326 SQF
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 2,112 / 11,326 = .18/ 18% LOT COVERAGE.

**244 OAK COURT
 SUTTER CREEK, CA 95685**

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- A-1 FLOOR PLAN
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- GN-1 GENERAL NOTES



BUILDING CODE

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 REQUIREMENTS, CALIFORNIA GREEN BUILDING
 STANDARDS AND THE LOCAL FIRE DEPARTMENTS
 REQUIREMENTS AND CODES.

REVISION TABLE	
NUMBER	DESCRIPTION

244 OAK COURT
 SUTTER CREEK, CA
 95685

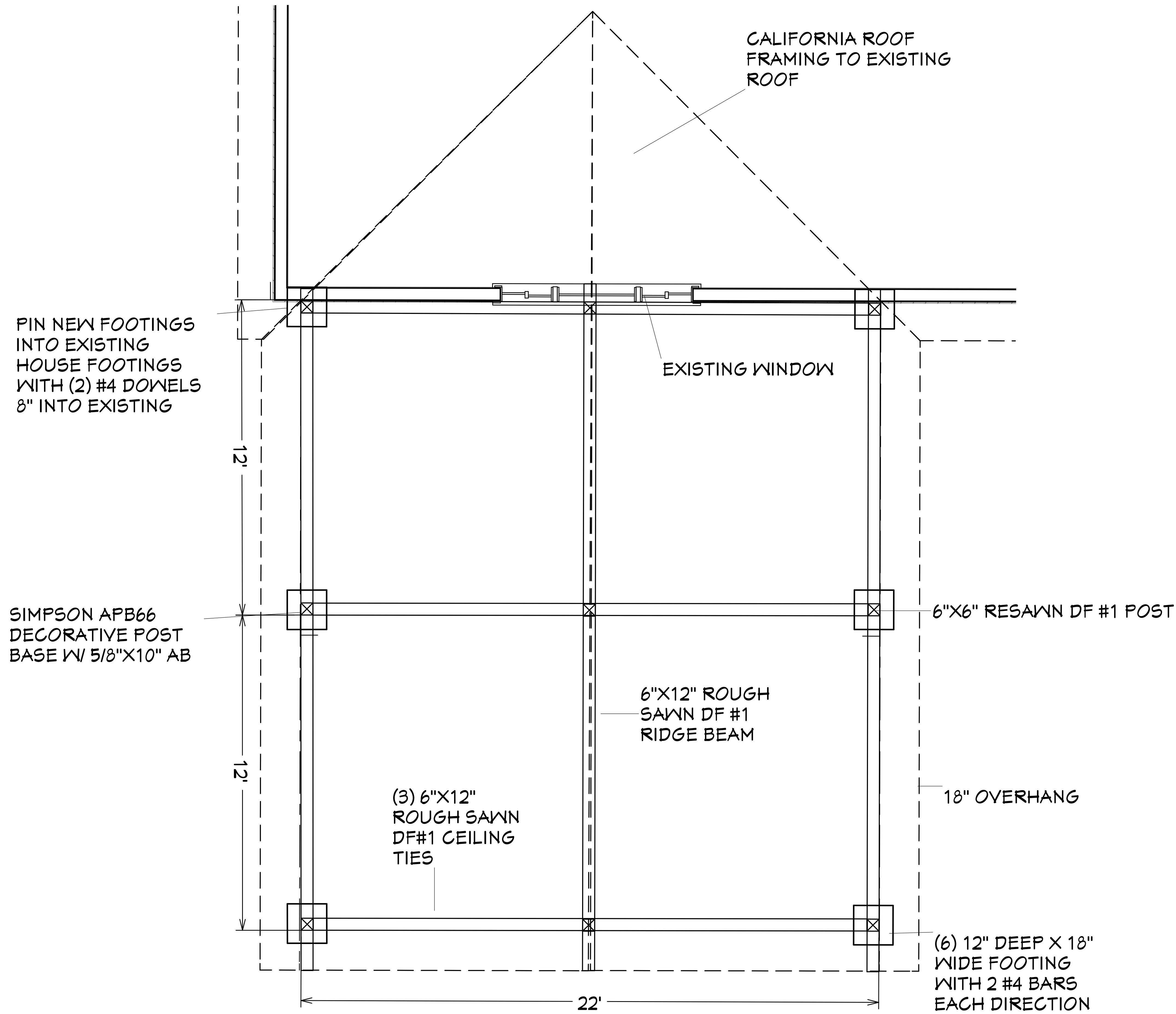
COVER SHEET/
 SITE PLAN

DRAWINGS PROVIDED BY:
 ARIK WILLIAMS
 - (916) 719-3721

DATE:
 9/3/2025

SCALE:

SHEET:
P-1



REVISION TABLE	NUMBER	DATE	REVISED BY	DESCRIPTION

244 OAK COURT
SUTTER CREEK, CA
95685

Floor Plan

DRAWINGS PROVIDED BY:
ARIK WILLIAMS
- (916) 719-3721

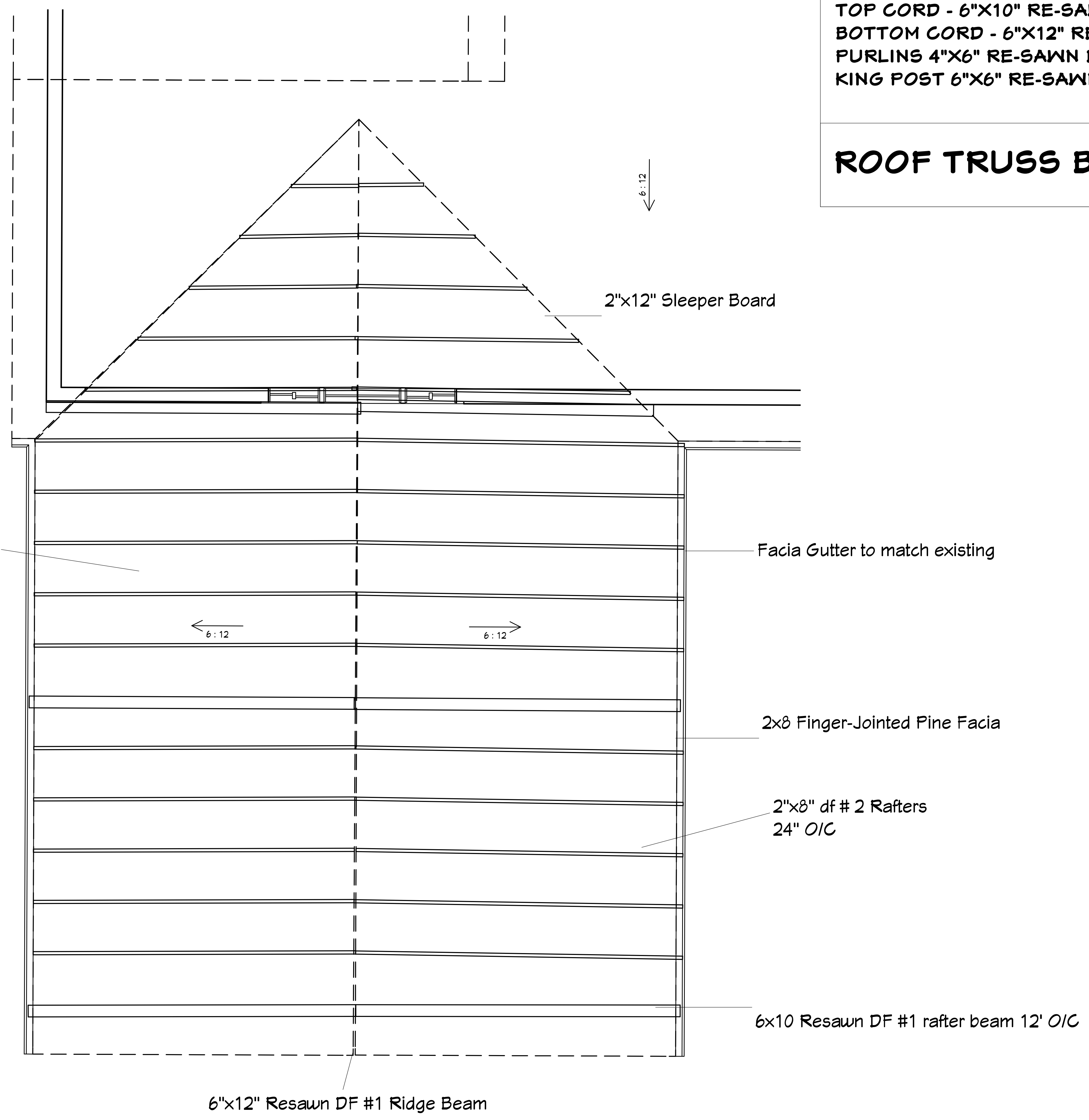
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TOP CORD - 6"X10" RE-SAWN DF #1
 BOTTOM CORD - 6"X12" RE-SAWN DF #1
 PURLINS 4"X6" RE-SAWN DF #1
 KING POST 6"X6" RE-SAWN DF #1

ROOF TRUSS BEAM SCHEDULE



15/32 OSB nailed with 8D ring shank nails 6" on edge 12" in field
 Simpson PSCL Clips on horizontal seams

NUMBER	DATE	REVISION TABLE	REVISOR	DESCRIPTION

244 OAK COURT
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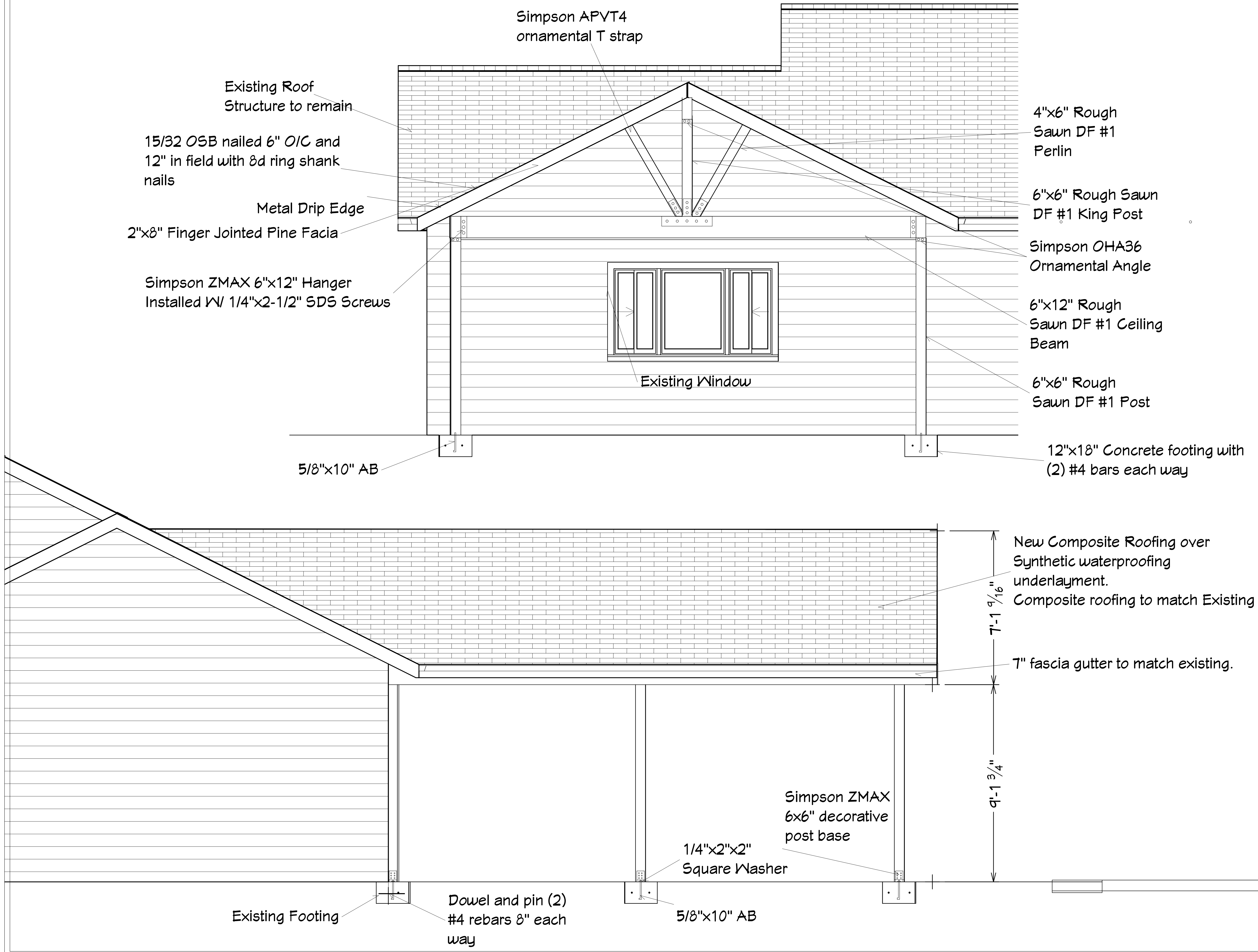
Roof Plan

DRAWINGS PROVIDED BY:
ARIK WILLIAMS
 - (916) 719-3721

DATE:
 9/3/2025

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REVISION TABLE	NUMBER	DATE	REVISED BY	DESCRIPTION

244 OAK COURT
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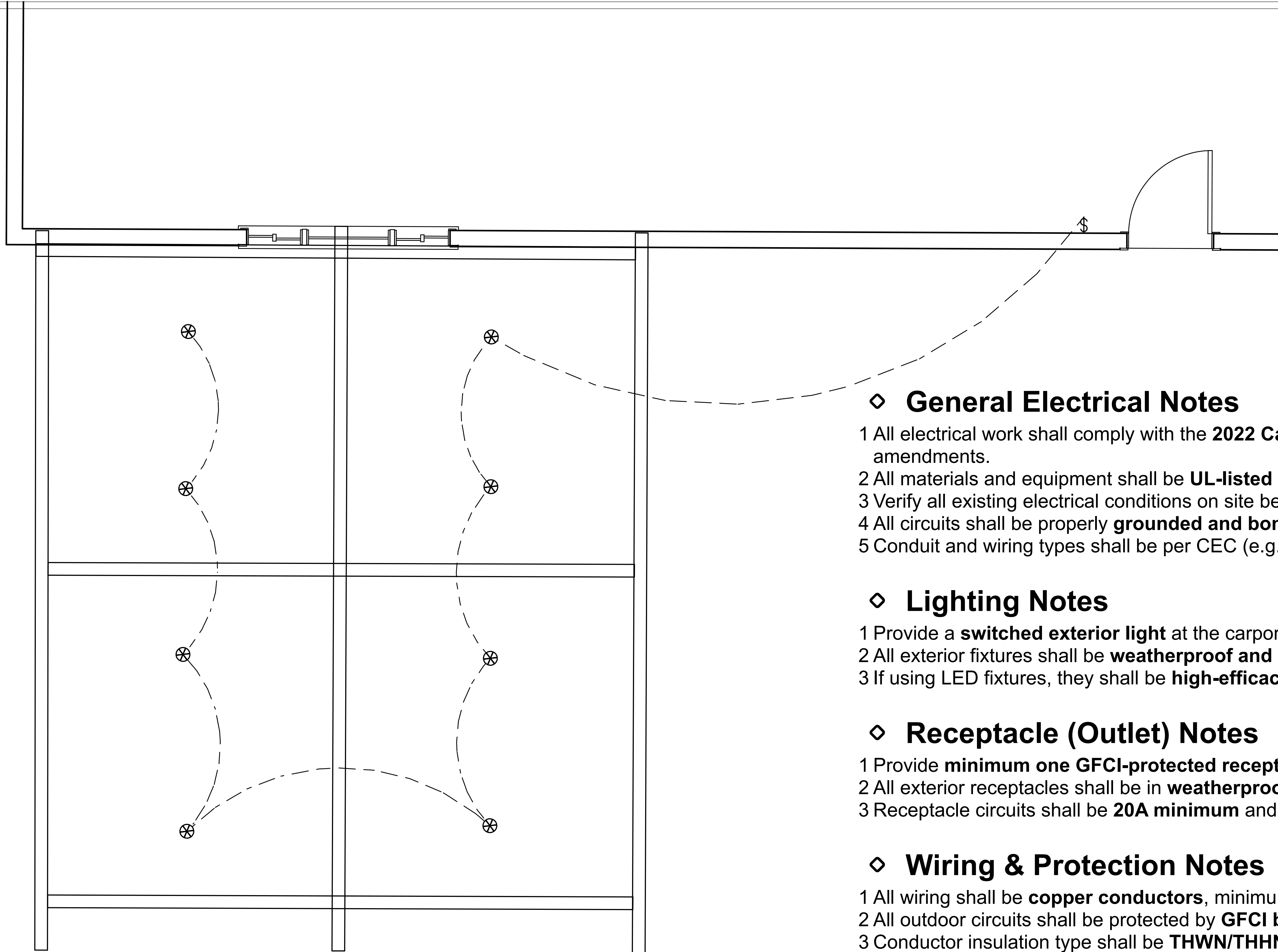
Elevations

DRAWINGS PROVIDED BY:
ARIK WILLIAMS
-(916) 719-3721

DATE:
9/3/2025

SCALE:

SHEET:
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◇ **General Electrical Notes**

- 1 All electrical work shall comply with the **2022 California Electrical Code (CEC)** and all local amendments.
- 2 All materials and equipment shall be **UL-listed** and installed per manufacturer's instructions.
- 3 Verify all existing electrical conditions on site before beginning work.
- 4 All circuits shall be properly **grounded and bonded** per NEC/CEC.
- 5 Conduit and wiring types shall be per CEC (e.g., EMT, PVC, or MC as allowed).

◇ **Lighting Notes**

- 1 Provide a **switched exterior light** at the carport entry for illumination.
- 2 All exterior fixtures shall be **weatherproof and rated for outdoor use**.
- 3 If using LED fixtures, they shall be **high-efficacy per Title 24 energy requirements**.

◇ **Receptacle (Outlet) Notes**

- 1 Provide **minimum one GFCI-protected receptacle** for carport use, mounted at accessible height.
- 2 All exterior receptacles shall be in **weatherproof enclosures** with "in-use" covers.
- 3 Receptacle circuits shall be **20A minimum** and dedicated to outdoor loads if required by local code.

◇ **Wiring & Protection Notes**

- 1 All wiring shall be **copper conductors**, minimum #12 AWG for receptacle/light circuits.
- 2 All outdoor circuits shall be protected by **GFCI breakers or devices**.
- 3 Conductor insulation type shall be **THWN/THHN in conduit** for exterior runs, unless otherwise approved.
- 4 All underground wiring (if feeding the carport from house panel) shall be buried at **minimum 18" depth in conduit**.

◇ **Panel & Circuit Notes (if new circuits are being added)**

- 1 Label new breakers clearly in the main electrical panel.
- 2 Provide dedicated breaker space for carport circuits.
- 3 Load calculations shall confirm existing service can support new circuits.

◇ **Inspection Notes**

- 1 Electrical rough-in inspection required before covering any conduit or boxes.
- 2 Final inspection required after devices, fixtures, and panel labeling are complete.

REVISION TABLE	NUMBER	DATE	REVISED BY	DESCRIPTION

244 OAK COURT
SUTTER CREEK, CA
95685

Electrical Plan

DRAWINGS PROVIDED BY:
ARIK WILLIAMS
-(916) 719-3721

DATE:
9/3/2025

SCALE:

SHEET:
M-1

General Notes

General

- 1 All work shall comply with the 2022 California Residential Code (CRC), California Building Code (CBC), California Electrical Code (CEC), and all applicable local ordinances.
- 2 Verify all dimensions, grades, and conditions on site prior to construction.
- 3 Contractor shall obtain all necessary permits and inspections before starting work.
- 4 All lumber in contact with concrete or soil shall be pressure-treated.
- 5 All fasteners, connectors, and anchors shall be galvanized or corrosion-resistant.

Structural

- 1 Concrete for footings shall be a minimum of 2,500 psi at 28 days (or per local jurisdiction).
- 2 Footings shall extend to local frost depth and be sized per structural requirements.
- 3 Posts shall be anchored to footings with approved post bases.
- 4 Beams, joists, and rafters shall be installed per plan dimensions and specifications.
- 5 Connections to existing structure shall use approved flashing and anchors to resist uplift and leakage.

Fire & Safety

- 1 Maintain required fire separation between carport and dwelling as required by code.
- 2 Maintain clearances from property lines as required by zoning/building code.
- 3 Smoke detectors and CO detectors in the dwelling shall remain in place and operational.

Drainage & Site

- 1 Carport slab shall be sloped a minimum of ¼" per foot to drain water away from structure.
- 2 Provide gutters and downspouts to direct roof drainage away from foundations.

Electrical (if applicable)

- 1 All electrical work shall comply with the California Electrical Code.
- 2 Exterior receptacles shall be GFCI-protected and weatherproof.
- 3 Provide adequate lighting per code.

REVISION TABLE	NUMBER	DATE	REVISED BY	DESCRIPTION

244 OAK COURT
SUTTER CREEK, CA
95685

General Notes

DRAWINGS PROVIDED BY:
ARIK WILLIAMS
- (916) 719-3721

DATE:
9/3/2025

SCALE:

SHEET:
GN-1

RESOLUTION NO. 25-26-**
A RESOLUTION OF THE PLANNING
COMMISSION OF THE CITY OF SUTTER
CREEK APPROVING A REQUEST FOR A
FRONT YARD SETBACK VARIANCE FOR
244 OAK COURT
(PINELLI)

WHEREAS, the Planning Commission of the City of Sutter Creek did on Monday, October 14, 2025 hold a public hearing on a proposed Front yard setback Variance at 244 Oak Court (APN 018-020-024); and

WHEREAS, the Planning Commission did at the public hearing receive a report from the planning staff, receive input from the Applicant, and receive testimony from the public, and at the closing of said public hearing did deliberate and consider the same; and

WHEREAS, the Planning Commission finds that the request for a front yard setback of 5 feet 11.5 inches, where 25 feet is required, is inconsistent with the General Plan and Zoning Code; and

WHEREAS, the Planning Commission hereby responds with the following to grant the variance:

- A. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to the property or class of use in the same zone or vicinity;

There are exceptional and extraordinary circumstances applicable to this property. The subject parcel is located at the end of a cul-de-sac where the curved street frontage results in irregular property lines. The configuration of the lot, combined with the placement of the existing home and driveway, creates unique site conditions that do not generally apply to other properties in the same zone or vicinity..

- B. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or vicinity in which the property is located;

The granting of this variance will not be materially detrimental to the public welfare or injurious to nearby property or improvements. The proposed carport is designed to match the style of the existing residence and will not impair visibility, circulation, or neighborhood character.

- C. That the property owner would suffer a unique hardship under the general zoning regulations due to the property being different from other properties to which the regulations apply;

The property owner would suffer a unique hardship if required to comply with the standard 25-foot front setback. Due to the shape of the cul-de-sac and location of the

existing home and driveway, there is no feasible way to construct covered parking without a reduction in the setback. Strict application of the zoning standards would therefore deny the applicant reasonable use of their property.

- D. That such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by other property in the same zone and vicinity; and

The requested variance is necessary to allow the applicant to enjoy a substantial property right commonly possessed by other property owners in the R-1 zone—namely, the ability to provide covered parking that is functional and compatible with the home. Without the variance, the applicant would be denied this property right due to circumstances unique to the lot.

- E. That the granting of such variance will not adversely affect the comprehensive general plan.

The granting of the variance will not adversely affect the City’s General Plan. The project maintains the residential use of the property, is compatible with the surrounding neighborhood, and supports the intent of the General Plan to provide safe and livable residential areas.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the City of Sutter Creek hereby approves a VARIANCE for 244 Oak Court Road Assessor Parcel No. 018-020-024:

The foregoing resolution was duly passed and adopted at a regular meeting of the Planning Commission of the City of Sutter Creek on the 14th day of October, 2025 by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

- ATTEST:

Michael Kirkley, Chairman

Aaron Wolcott, City Clerk