



DATE: February 11, 2008

TO: Chairman and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A VARIANCE (V-11-07) TO ALLOW AN 8-FOOT ENCROACHMENT INTO THE REQUIRED 25 FRONT YARD SETBACK FOR THE CONSTRUCTION OF A SWIMMING POOL TO BE LOCATED AT 2329 SNEAD DRIVE - SANDIFER VARIANCE - APPLICANT BILL SANDIFER**

### **RECOMMENDATION**

Staff recommends that the Planning Commission by motion:

- (1) Approve Variance (V-11-07) by adopting Planning Commission Resolution No. 2008-P08 with findings and conditions of approval attached herein; and
- (2) Confirm issuance of a Class 3, Categorical Exemption "Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences."

### **PROJECT DESCRIPTION AND BACKGROUND**

**Background:** The property was originally established under the El Camino Estates number two subdivision in 1961. The 23,522-square-foot lot is developed with a 2,219-square-foot single-family residence that was built in 1974. Majority of the property is relatively flat, with the exception of the front elevation that slopes dramatically towards the west with a ten foot grade difference between the high and low points.

The subject site is currently zoned Residential Estate-B (RE-B). The General Plan land use designation is Estate-B Residential (EB-R), which single-family homes and accessory structures. Surrounding land uses include similar Estate-B Residential (EB-R) developments to the east, south and north.

**Project Description:** The project application is comprised of a Variance (V-11-07) and as follows:

Variance (V-11-07) represents a request to:

- (a) Permit a 32-foot by 22-foot swimming pool and attached spa to be constructed at a 17-foot front yard setback from the face of the curb in lieu of the required 25-foot setback for pools and spas to Section 3005.

The project is subject to the following Ordinances and City policies:

1. Zoning Ordinance
2. General Plan Land Use Element
3. California Environmental Quality Act (CEQA)

## **ANALYSIS**

### **KEY PLANNING ISSUES**

Is the Variance request supported by the following required findings as specified under Section 4105(B) of the Zoning Ordinance?

- That because of special circumstances or conditions applicable to the development site, including size, shape, topography, location or surroundings strict application of the requirements of the Zoning Ordinance deprive such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.
- That granting the application will not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety or general welfare.
- That granting the application is consistent with the purposes of the Zoning Ordinance and will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zoning district.

In evaluating the circumstances of this Variance request in relation to the findings that are necessary for its approval, it is staff's opinion that the findings can be supported.

Staff believes that the applicant's request meets the findings for the Variance. There are special circumstances or a condition that exist at the subject site such as lot constraints due to a steep slope in the rear yard that precludes construction of a pool.

#### **1. General Plan conformance**

The General Plan Land Use Map designation on the subject property is EB-R (Estate-B Residential). The proposed project is consistent with this designation and the goals and objectives of the City's General Plan as follows:

**A. Land Use Element**

**Goal 1.23: Architecture**

**Objective**: The architectural quality of all proposed projects shall enhance the neighborhood, community values and City image.

**Policy A**: Structures shall work in harmony with landscaping and adjacent urban and/or topographic form to create an attractive line, dimension, scale and/or pattern.

The configuration and design of the proposed swimming pool, spa and associated rock features and sundeck will be consistent with the design of custom homes in the surrounding neighborhood and will enhance the property and the image of the neighborhood. The swimming pool design will utilize an unusable area of the property and the rock features and existing landscaping will provide a tranquil enhancement to the area. The proposed pool and associated features will not be detrimental to the neighborhood. The placement of the pool at a the lower elevation than the public street will shield the pool from public view and the associated treatment, such as the rock features and the existing landscaping will enhance the property as well as the neighborhood.

**1. Zoning Compliance**

This project is located in the Residential Estate-B (RE-B) district and complies with the requirements of that zone with the exception of the front yard requirement for pools and spas for which the applicant has requested consideration/approval of a Variance.

**2. Land Use Compatibility with surrounding developments**

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	EB-R (Estate-B Residential)	RE-B (Residential Estate-B)	Single Family Residential
North of Subject Property	EB-R (Estate-B Residential)	RE-B (Residential Estate-B)	Single Family Residential
East of Subject Property:	EB-R (Estate-B Residential)	RE-B (Residential Estate-B)	Single Family Residential
South of Subject Property:	EB-R (Estate-B Residential)	RE-B (Residential Estate-B)	Single Family Residential
West of Subject Property:	EB-R (Estate-B Residential)	RE-B (Residential Estate-B)	Single Family Residential

The subject land use is consistent with the underlying General Plan and the Zoning Ordinance residential designations.

## **DISCUSSION**

*Issue: Project Compatibility with Existing Neighborhood Character.* The proposed project is in compliance with single-family residential development standards with the exception of the front yard pool and spa setback requirement. The 32-foot long by 22-foot wide and 4 to 7-foot deep pool will be placed at a lower elevation than the public street, which will shield the pool and spa from public view from the street. The existing landscaping will provide a landscape buffer to enhance and shield the pool from public view. The elevation limitations of the rear and side yards, restrict the placement of the pool to be constructed within the front yard requirements. Existing physical constraints such as lot configuration and existing topographic limitations warrants the approval of the request for the Variance.

*Recommendation:* The site is constrained by the existing building orientation on the lot and topography in the rear yard areas. Circumstances applicable to this particular site warrant granting of the requested variance.

## **ENVIRONMENTAL DETERMINATION**

The proposed project is categorically exempt pursuant to Class three, Section (15303 (e) of the California Environmental Quality Act.

## **PUBLIC NOTIFICATION**

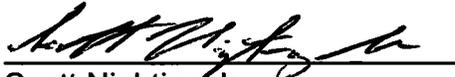
Legal notice was published in the North County Times and notices were sent to property owners of record within a 300-foot radius of the subject property, individuals/organizations requesting notification, applicant and their representative, and interested parties. No communication supporting or opposing the request has been received to date.

## **SUMMARY**

The proposal is consistent with the intent and land use policies of the General Plan and in substantial compliance with applicable development standards with the exception of the required front yard setback for pools and spas for which the 8-foot encroachment into the required 25-foot front yard setback Variance has been requested. The project is compatible in terms of architecture, landscaping and site design elements with surrounding residential developments. As such, staff recommends that the Planning Commission approve the project based on the findings and subject to the conditions contained in the attached staff resolution. Staff recommends that the Planning Commission:

- Move to approve Variance (V-11-07) and adopt Planning Commission Resolution No. 2008-P08 as attached.

PREPARED BY:



Scott Nightingale  
Planner II

SUBMITTED BY:

  
Jerry Hittleman  
City Planner

JH/SN/vnm

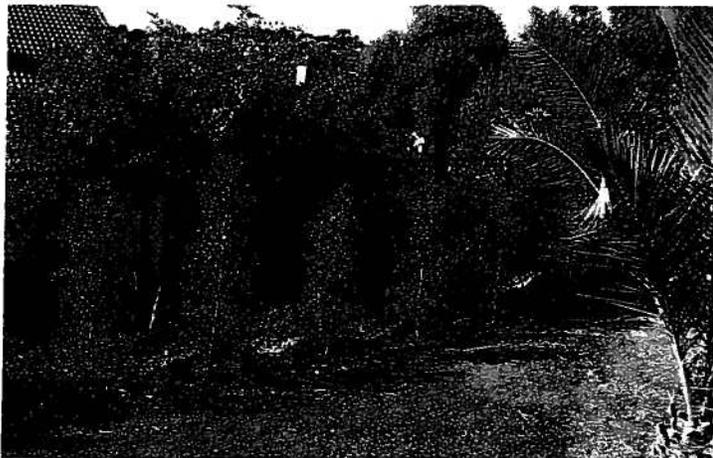
Attachments:

1. Floor/Elevation/Site Plans
2. Pictures of existing conditions
3. Planning Commission Resolution No. 2008-P08



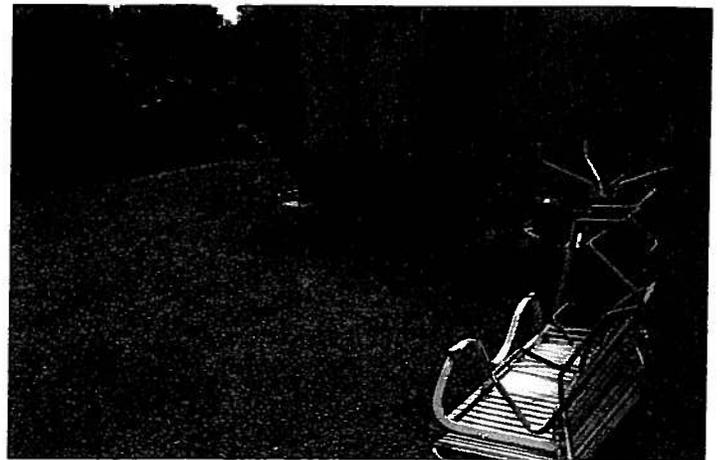
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Planning Department

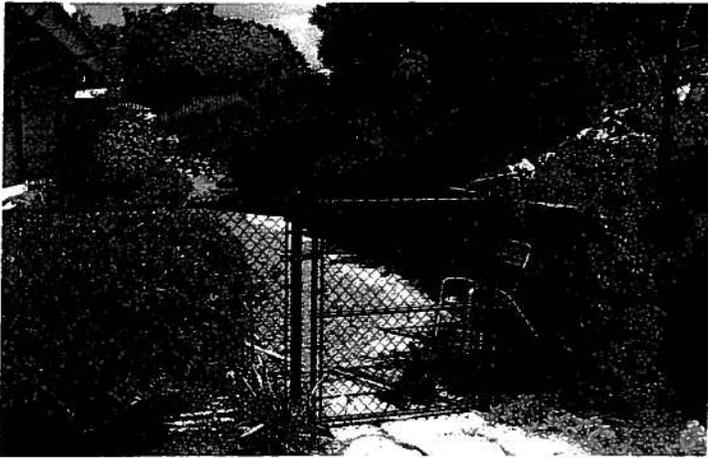
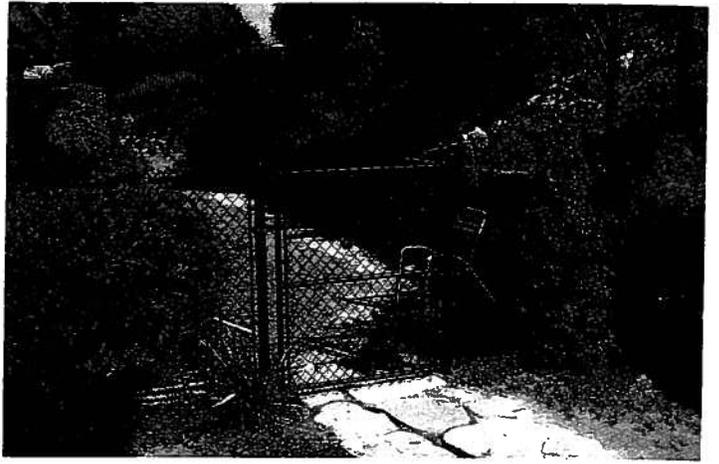
FRONT (EAST) ELEVATIONS





FRONT & SIDE ELEVATIONS







1 PLANNING COMMISSION  
2 RESOLUTION NO. 2008-P08

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE  
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A  
5 VARIANCE ON CERTAIN REAL PROPERTY IN THE CITY OF  
OCEANSIDE

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6 APPLICATION NO: V-11-07  
7 APPLICANT: Bill Sandifer  
8 LOCATION: 2329 Snead Drive

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9 THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA DOES  
10 RESOLVE AS FOLLOWS:

11 WHEREAS, there was filed with this Commission a verified petition on the forms  
12 prescribed by the Commission requesting a Variance under the provisions of Articles 10, 41, 43 of  
13 the Zoning Ordinance of the City of Oceanside to permit the following:

14 construct a swimming pool and spa within the front yard requirement;  
15 on certain real property described in the project description.

16 WHEREAS, the Planning Commission, after giving the required notice, did on the 11<sup>th</sup> day  
17 of February, 2008 conduct a duly advertised public hearing as prescribed by law to consider said  
18 application.

19 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State  
20 Guidelines thereto; this project is categorically exempt from CEQA per class 3 Section 15303 (e);

21 WHEREAS, there is hereby imposed on the subject development project certain fees,  
22 dedications, reservations and other exactions pursuant to state law and city ordinance;

23 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS HEREBY GIVEN that the  
24 project is subject to certain fees, dedications, reservations and other exactions as provided below:

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre)

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$2,072 per unit for residential
School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.63 per square foot residential
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
Thoroughfare Fee	Ordinance No. 83-01 Resolution No. 06-R0334-1	\$255 per vehicle trip
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Residential is typically \$4,395 per unit.
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Residential is typically \$6,035 per unit.
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,154 per unit.
Inclusionary housing in lieu fees—Residential only.	Chapter 14-C of the City Code.	\$1,000 per development project + \$100 per unit plus \$10,275 per unit.

WHEREAS, the current fees referenced above are merely fee amount estimates of the impact fees that would be required if due and payable under currently applicable ordinances and resolutions, presume the accuracy of relevant project information provided by the applicant, and are not necessarily the fee amount that will be owing when such fee becomes due and payable;

WHEREAS, unless otherwise provided by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 32B of the Oceanside City Code and the City expressly reserves the right to amend the fees and fee calculations consistent with applicable law;

1 WHEREAS, the City expressly reserves the right to establish, modify or adjust any fee,  
2 dedication, reservation or other exaction to the extent permitted and as authorized by law;

3 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS FURTHER GIVEN that  
4 the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction  
5 described in this resolution begins on the effective date of this resolution and any such protest must  
6 be in a manner that complies with Section 66020;

7 WHEREAS, pursuant to Oceanside Zoning Ordinance §4603, this resolution becomes  
8 effective 10 days from its adoption in the absence of the filing of an appeal or call for review;

9 WHEREAS, studies and investigations made by this Commission and in its behalf reveal  
10 the following facts:

11 FINDINGS:

12 For the Variance for the reduction in the front yard setback:

- 13 1. The proposed 17-foot front yard pool setback is consistent with similar sized lots located  
14 along Snead Drive. The unique topographic features, dramatic slopes on the property and  
15 existing building constraints warrants consideration and granting of the variance request.  
16 The strict applications of the requirements of the Zoning Ordinance deprive such property  
17 of privileges enjoyed by other property in the vicinity and under identical zoning  
18 classification.
- 19 2. The proposed 17-foot front yard setback will not be out-of-character with existing  
20 developments in the vicinity. The granting of the variance will allow for the required  
21 parking per the Oceanside Zoning Ordinance. As such, granting the variance for the  
22 proposed reduced setback will not be detrimental or injurious to property or  
23 improvements in the vicinity of the development site, or to the public health, safety or  
24 general welfare.
- 25 3. The granting of the reduction in setbacks will not constitute a grant of special privilege  
26 inconsistent with limitations on other properties in the vicinity and in the same zoning  
27 district.

28 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby  
approve Variance (V-11-07) subject to the following conditions:

1 **Building:**

- 2 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for  
3 Building Division plan check.
- 4 2. The granting of approval under this action shall in no way relieve the applicant/project from  
5 compliance with all State and Local building codes.
- 6 3. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the plans.
- 7 4. **All electrical, communication, CATV, etc. service lines within the exterior lines of  
8 the property shall be underground (City Code Sec. 6.30).**
- 9 5. Construction plans submitted to the Building Division after January 1<sup>st</sup> 2008 must comply  
10 with the State adopted ICC codes.
- 11 6. A complete Pool Plan, Engineered Pool Plans will be required at time of plans submittal  
12 to the Building Division for plan check.
- 13 7. The developer shall monitor, supervise and control all building construction and supportive  
14 activities so as to prevent these activities from causing a public nuisance, including, but not  
15 limited to, strict adherence to the following:
- 16 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00  
17 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for work  
18 that is not inherently noise-producing. Examples of work not permitted on Saturday  
19 are concrete and grout pours, roof nailing and activities of similar noise-producing  
20 nature. No work shall be permitted on Sundays and Federal Holidays (New Year's  
21 Day, Memorial Day, July 4<sup>th</sup>, Labor Day, Thanksgiving Day, Christmas Day) except  
22 as allowed for emergency work under the provisions of the Oceanside City Code  
23 Chapter 38 (Noise Ordinance).
- 24 b) The construction site shall be kept reasonably free of construction debris as  
25 specified in Section 13.17 of the Oceanside City Code. Storage of debris in  
26 approved solid waste containers shall be considered compliance with this  
27 requirement. Small amounts of construction debris may be stored on-site in a neat,  
28 safe manner for short periods of time pending disposal.

1 **Engineering:**

2 8. The developer shall monitor, supervise and control all construction and construction-  
3 supportive activities, so as to prevent these activities from causing a public nuisance,  
4 including but not limited to, insuring strict adherence to the following:

5 a) Dirt, debris and other construction material shall not be deposited on any public  
6 street or within the City's stormwater conveyance system.

7 b) All grading and related site preparation and construction activities shall be limited to  
8 the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No engineering related  
9 construction activities shall be conducted on Saturdays, Sundays or legal holidays  
10 unless written permission is granted by the City Engineer with specific limitations to  
11 the working hours and types of permitted operations. All on-site construction  
12 staging areas shall be as far as possible (minimum 100 feet) from any existing  
13 residential development. Because construction noise may still be intrusive in the  
14 evening or on holidays, the City of Oceanside Noise Ordinance also prohibits "any  
15 disturbing excessive or offensive noise which causes discomfort or annoyance to  
16 reasonable persons of normal sensitivity."

17 c) The construction site shall accommodate the parking of all motor vehicles used by  
18 persons working at or providing deliveries to the site.

19 d) A haul route shall be obtained at least 7 days prior the start of hauling operations  
20 and must be approved by the City Engineer. Hauling operations shall be 8:00 a.m.  
21 to 3:30 p.m. unless approved otherwise.

22 9. Pavement sections for all streets, alleys, driveways and parking areas shall be based upon  
23 approved soil tests and traffic indices. The pavement design is to be prepared by the  
24 developer's soil engineer and must be approved by the City Engineer, prior to paving.

25 10. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during  
26 construction of the project, shall be repaired or replaced as directed by the City Engineer.

27 **Planning:**

28 11. This Variance shall expire on February 11, 2010, unless a time extension is granted by the  
Planning Commission.

- 1 12. This Variance approves the permit a 32-foot by 22-foot swimming pool and attached spa to  
2 be constructed at a 17-foot front yard setback from the face of the curb in lieu of the  
3 required 25-foot setback for pools and spas to Section 3005 as shown on the plans and  
4 exhibits presented to the Planning Commission for review and approval. No deviation from  
5 these approved plans and exhibits shall occur without Planning Division approval.  
6 Substantial deviations shall require a revision to the Variance and or a new Variance.
- 7 13. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold  
8 harmless the City of Oceanside, its agents, officers or employees from any claim, action or  
9 proceeding against the City, its agents, officers, or employees to attack, set aside, void or  
10 annul an approval of the City, concerning Variance (V-11-08). The City will promptly  
11 notify the applicant of any such claim, action or proceeding against the City and will  
12 cooperate fully in the defense. If the City fails to promptly notify the applicant of any  
13 such claim action or proceeding or fails to cooperate fully in the defense, the applicant  
14 shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.
- 15 14. A covenant or other recordable document approved by the City Attorney shall be prepared  
16 by the subdivider and recorded prior to the approval of the final map. The covenant shall  
17 provide that the property is subject to this resolution, and shall generally list the conditions  
18 of approval.
- 19 15. Prior to the issuance of building permits, compliance with the applicable provisions of the  
20 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed  
21 and approved by the Planning Division. These requirements, including the obligation to  
22 remove or cover with matching paint all graffiti within 24 hours, shall be noted on the  
23 Landscape Plan and shall be recorded in the form of a covenant affecting the subject  
24 property.
- 25 16. Prior to the transfer of ownership and/or operation of the site the owner shall provide a  
26 written copy of the applications, staff report and resolutions for the project to the new owner  
27 and or operator. This notification's provision shall run with the life of the project and shall  
28 be recorded as a covenant on the property.
17. Failure to meet any conditions of approval for this development shall constitute a violation  
of the Variance.

1 18. Unless expressly waived, all current zoning standards and City ordinances and policies in  
2 effect at the time building permits are issued are required to be met by this project. The  
3 approval of this project constitutes the applicant's agreement with all statements in the  
4 Description and Justification and other materials and information submitted with this  
5 application, unless specifically waived by an adopted condition of approval.

6 PASSED AND ADOPTED Resolution No. 2008-P08 on February 11, 2008 by the  
7 following vote, to wit:

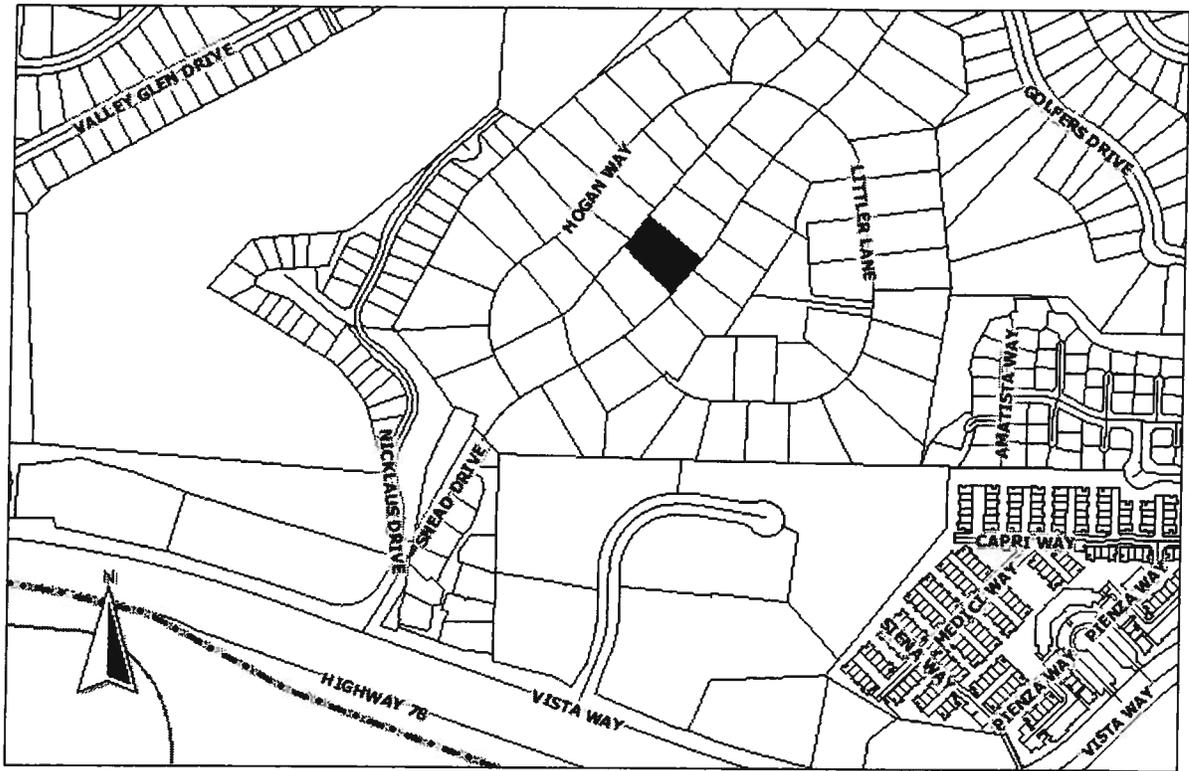
- 8 AYES:
- 9 NAYS:
- 10 ABSENT:
- 11 ABSTAIN:

12  
13 \_\_\_\_\_  
Dennis Martinek, Chairman  
Oceanside Planning Commission

14 ATTEST:  
15 \_\_\_\_\_  
16 Jerry Hittleman, Secretary

17 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that  
18 this is a true and correct copy of Resolution No. 2008-P08.

19 Dated: February 11, 2008  
20  
21  
22  
23  
24  
25  
26  
27  
28



**File Number: V-11-07**

**Applicant: Bill Sandifer**

**Description:**

VARIANCE (V-11-07) to allow the encroachment into the front yard requirement for the construction of a swimming pool located at 2329 Snead Drive. The project site is zoned RE-B (Residential Estate-B) and is situated within the Mira Costa Neighborhood. – **SANDIFER VARIANCE**

**Environmental Determination:**

The project is exempt from the California Environmental Quality Act.

City of Oceanside, Planning Division  
300 N. Coast Highway  
Oceanside, CA 92054 (760) 435-3520



**Application for Public Hearing**

Community Development Department / Planning Division  
(760) 435-3520  
Oceanside Civic Center 300 North Coast Highway  
Oceanside, California 92054-2885

**STAFF USE ONLY**

ACCEPTED 10/18/07  
RECEIVED  
OCT 18 2007  
Planning Department  
BY  
SN.

Please Print or Type All Information

HEARING

**PART I - APPLICANT INFORMATION**

1. APPLICANT: **BILL SANDIFER**  
2. STATUS: **OWNER**  
3. ADDRESS: **2329 SNEAD DRIVE OCEANSIDE CA. 92056**  
4. PHONE/FAX/E-mail: **760-722-2389**

GPA  
MASTER/SP.PLAN  
ZONE CH.  
TENT. MAP  
PAR. MAP  
DEV. PL.  
C.U.P.

5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing): **TONY SWIRSKY**  
6. ADDRESS: **19915 FORTUNA DELESTE E SCANDINO CA. 92029**  
7. PHONE/FAX/E-mail: **PH. 760-437-5802 FAX 760-439-3124**

VARIANCE  
COASTAL  
O.H.P.A.C.

**PART II - PROPERTY DESCRIPTION**

8. LOCATION: **2329 SNEAD DRIVE OCEANSIDE CA. 92056**  
10. GENERAL PLAN: **RES**  
11. ZONING: **RE-B**  
12. LAND USE: **EB-R**

9. SIZE: **32' X 22'**  
13. ASSESSOR'S PARCEL NUMBER: **165-170-10**

**PART III - PROJECT DESCRIPTION**

14. GENERAL PROJECT DESCRIPTION: **VARIANCE TO REDUCE SIDE YARD SETBACK FROM 25' TO 17' TO ALLOW FOR SWIMMING POOL**

15. PROPOSED GENERAL PLAN: **EB-R**  
16. PROPOSED ZONING: **RE-B**  
17. PROPOSED LAND USE: **N/A.**  
18. NO. UNITS: **1**  
19. DENSITY: **N/A.**  
20. BUILDING SIZE: **2300 SF**  
21. PARKING SPACES: **2**  
22. % LANDSCAPE: **N/A.**  
23. % LOT COVERAGE or FAR: **7,689.5**

**PART IV - ATTACHMENTS**

X 24. DESCRIPTION/JUSTIFICATION X 25. LEGAL DESCRIPTION X 26. TITLE REPORT  
X 27. NOTIFICATION MAP & LABELS X 28. ENVIRONMENTAL INFO FORM X 29. PLOT PLANS  
X 30. FLOOR PLANS AND ELEVATIONS 31. CERTIFICATION OF POSTING X 32. OTHER (See attachment for required reports) **PICS**

**PART V - SIGNATURES**

33. APPLICANT OR REPRESENTATIVE (Print): **WILLIAM P. SANDIFER**  
34. DATE: **10-15-07**

SIGNATURES OF ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).

Sign: *William P. Sandifer*

35. OWNER (Print): **WILLIAM P. SANDIFER**  
36. DATE: **10-15-07**  
Sign: *Vivian Denise Sandifer*

I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Sign: *William P. Sandifer*  
**10-15-07**

**SCOTT**

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Planning Department

2600007 +01 ADWA  
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**BILL & DENISE SANDIFER  
2329 SNEAD DR  
OCEANSIDE, CA 92056**

October 16, 2007

City of Oceanside  
Planning Department

Re: Request for variance at 2329 Snead Drive due to lot constraints:

Westerly facing yard is not suitable for any building due to the abrupt slope of the hill. Slope starts 16 feet from house foundation and runs downhill.

North facing yard has as 10-foot setback and only six feet from house to setback.

South facing entrance is unusable due to drive way.

Easterly facing yard has existing retaining wall, grading and 5 foot chain link fence. No additional encroachment into slope is necessary. A distance of 17 feet is currently in place between house foundation and retaining wall. No additional grading is necessary. A total of 52 feet will exist from center (property line) of Snead drive to retaining wall.

All utilities are located in southeasterly quadrant of property, approximately 70 feet from start of project. Water meter runs from east to west approximately 60 feet from construction, no utilities will be impacted by construction. There are no streetlights, gas lines, water lines, and phone or cable lines in easement.

Currently easement and setbacks on easterly side of house actually penetrates 1-½ feet into existing house. This project will not be seen from Snead drive due to the low elevation of the pool site.

RECEIVED  
OCT 18 2007  
Planning Department

December 5, 2007

RECEIVED  
DEC - 5 2007  
Planning Department

City of Oceanside  
Community Development Department/Planning Division  
300 N Coast Highway  
Oceanside, Ca 92054  
Attn: Scott Nightingale Planner II

Re: Sandifer Variance (V-11-07)

Dear Scott Nightingale,

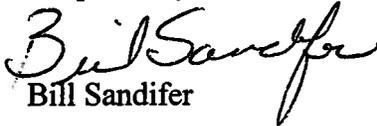
In reference to the Sandifer variance (V-11-07) topography of water feature and rocks, the proposed water feature (waterfall) shall extend 12 (twelve) feet up existing slope. Water-feature will not be seen from street (Snead) and not encroach on any utilities.

A swale of approximately 1 (one) foot will be evcavated from slope to provide containment of water and be lined with various rock sizes, none of which will exceed 3 (three) feet from existing elevation.

Landscaping will also be added to soften impact of rocks and waterfall from neighboring properties. No structures (i.e. rocks, boulders, lighting will extend beyond 3 (three) foot from slope elevation.

A 5 (five) foot fence is in place as stipulated by city of Oceanside. Electrical and water utilities to water-feature are included in construction of pool.

Respectfully,

  
Bill Sandifer



FORM NO. 1341.87

ORDER NO. 1192998-9

ALTA PLAIN LANGUAGE POLICY

EXHIBIT "1"

PARCEL 1:

LOT 30, EL CAMINO ESTATES UNIT NO. 2, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 4766, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MAY 17, 1961.

PARCEL 2:

AN EASEMENT FOR INGRESS AND EGRESS OVER THOSE CERTAIN STRIPS OF LAND WHICH ARE DELINEATED AND DESIGNATED AS "66.00 FOOT ACCESS AND PUBLIC UTILITY EASEMENT"; AND "60.00 FOOT ACCESS AND PUBLIC UTILITY EASEMENT"; AND "50.00 FOOT ACCESS AND PUBLIC UTILITY EASEMENT", ACCORDING TO MAP THEREOF NO. 4766, BEING THE MAP OF EL CAMINO ESTATES UNIT NO. 2, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MAY 17, 1961.



## NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:  
Removal:  
(30 days)

1. **APPLICANT:** Bill Sandifer
2. **ADDRESS:** 2329 Snead Drive  
Oceanside CA. 92056
3. **PHONE NUMBER:** (760) 722-2389
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Scott Nightingale, Planner II
6. **PROJECT TITLE:** Sandifer Variance V-11-07
7. **DESCRIPTION:** A request to construct a swimming pool and spas within the required front yard setback.

**ADMINISTRATIVE DETERMINATION:** Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based on that review, the Environmental Coordinator finds that the proposed project constitutes interior alterations involving such things as interior partitions, plumbing and electrical conveyances, and the project is categorically exempt. Therefore, the Environmental Coordinator has determined that further environmental evaluation is not required because:

- "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" (Section 15061(b)(3)); or,
- The project is statutorily exempt, Section \_\_\_\_\_, <name> ( Sections 15260-15277); or,
- The project is categorically exempt, Class three, "New Construction or Conversion of Small Structures" (Section 15303) (e); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).

A handwritten signature in black ink, appearing to read "Scott Nightingale".

Scott Nightingale, Planner II

Date: February 11, 2008

cc:  Project file  Counter file  Library

Posting:  County Clerk \$50.00 Admin. Fee