



City of Pittsburgh Zoning Administrator Agenda

November 18, 2020

Zoning Administrator Agenda *(Virtual Meeting)*

02:00 PM

Please click the link below to join:

<https://us02web.zoom.us/j/88125122060?pwd=ZklmZU9Nak4yMTVQRkJTeFJ0QXpzZz09>

Enter Meeting ID: 881 2512 2060

Enter Password: 132103

To join by Telephone:

Dial: +1 669 900 9128

Meeting ID: 881 2512 2060

Password: 132103

CALL TO ORDER

DELETIONS, WITHDRAWALS OR CONTINUANCES

COMMENTS FROM THE AUDIENCE (For items not listed on the agenda.)

PUBLIC HEARING

3800 Hillsdale Drive Variance, AP-20-1525 (VA)

This is a public hearing on a request for Zoning Administrator approval of a variance to legalize an existing unpermitted structure which encroaches 2-feet 8-inches into a required 5-foot side yard setback, at 3800 Hillsdale Drive in the RS-6 (Single-Family Residential, 6,000 Square Foot Minimum) District.
Assessor's Parcel Number: 087-381-018.

ADJOURNMENT

NOTICE TO PUBLIC

GENERAL INFORMATION

A decision by the Zoning Administrator is not final until the appeal period expires 10 calendar days after the date the decision occurred. The applicant, City Council member(s), City Manager, or any affected person may appeal either the denial, approval, or any condition of approval of an item within the 10-day appeal period. A completed appeal form and the applicable filing fee must be filed with the City Planner, 65 Civic Avenue, Pittsburg. The appeal form must include the name and address of the appellant and state the reasons for the appeal. The appeal will be set for Planning Commission consideration and public notice given.

The Zoning Administrator requests that you refrain from disruptive conduct during the meeting and that you observe the order and decorum of the meeting. Please turn off or set to vibrate all cellular phones and pagers, and refrain from making personal, impertinent, or slanderous remarks. Boisterous or disruptive behavior during the meeting, and the display of signs in a manner that violates the rights of others or prevents others from watching or fully participating in the meeting is a violation of Municipal Code, and the Zoning Administrator can direct any person who engages in such conduct to leave the meeting.

NOTICE TO THE DISABLED AND VISUALLY OR HEARING IMPAIRED

In compliance with the Americans with Disabilities Act, the city of Pittsburg will provide special assistance for disabled citizens. Upon request, an agenda for the meeting will be made available in appropriate alternative formats. If you need special assistance to participate in this meeting, or wish to request a specially formatted agenda, please contact the City Planner at 925-252-4920. Notification at least 24 hours prior to the meeting will enable the city to make reasonable arrangements to ensure accessibility to this meeting or provide the requested agenda format. (28 CFR 35.102-35.104 ADA Title II)



Memorandum

MEMO: November 18, 2020
TO: Zoning Administrator
FROM: John Dacey, Assistant Planner
RE: **3800 Hillsdale Drive Variance, AP-20-1525 (VA)**

ORIGINATED BY: Jim Blanton, 3800 Hillsdale Drive, Pittsburg, CA 95465

SUBJECT: This is a public hearing on a request for Zoning Administrator approval of a variance to legalize an existing unpermitted structure which encroaches two feet and eight inches into a required five-foot side yard setback. The project site is located at 3800 Hillsdale Drive in the RS-6 (Single-Family Residential, 6,000 Square Foot Minimum) District. Assessor's Parcel Number: 087-381-018.

RECOMMENDATION: Staff recommends the Zoning Administrator adopt Resolution No. 362 denying Planning Application No. 20-1525.

BACKGROUND:

In 2013, the applicant obtained a building permit to construct a 6.5-foot retaining wall and foundation for a garage at the southeast corner of the property. The applicant built the retaining wall and poured the foundation for the new structure but did not obtain a final inspection for that phase of work due to issues he was having with his contractors. The building permit for the retaining wall and foundation eventually expired in 2015. The applicant went on to finish the structure without a building permit and this resulted in citations from the City. In 2019, the applicant obtained a building permit to legalize the structure, but it was then discovered that the foundation was poured in the wrong location. Due to this error, the structure currently encroaches two feet and eight inches into the required five-foot side yard setback.

This planning application was filed on August 20, 2020. The Notice of Intent to Conduct a Zoning Administrator Public Hearing for this item was provided to the Planning Commission on November 10, 2020.

PROJECT DESCRIPTION:

Existing Conditions: The subject site is a 25,200-square-foot parcel located along Hillsdale Drive between Malibu Place and Crestview Drive. It is flag lot, with a long

driveway setting it behind the houses that front directly onto Crestview Drive. The driveway is also utilized by the neighboring property to the east at 3805 Hillsdale Drive. The site was originally developed in 1977 and it includes a 3,318-square-foot single family dwelling, a 1,000 square-foot patio, an additional 450 square-foot patio and a 250-square-foot shed.

Proposed Project: The applicant is requesting Zoning Administrator approval of a variance to legalize the existing unpermitted workshop/garage structure which currently encroaches 2-feet 8-inches into a required 5-foot side yard setback.

CODE COMPLIANCE:

The subject site is located in the RS-6 (Single-Family Residential, 6,000 Square Foot Minimum) District. Pittsburg Municipal Code (PMC) section 18.84.005 allows for the establishment of accessory structures in residentially zoned districts, subject to limitations in location, rear yard placement, height, and size. The unpermitted workshop/garage meets the rear yard placement, height, and size requirements, but fails to meet the location requirements in PMC section 18.84.005.B, which states as follows:

Location – General. An accessory structure, other than an accessory dwelling unit, may occupy any portion of the lot where a main building is permitted. Except as provided in this subsection, a nonresidential accessory structure may not occupy a required yard or, other than a garage or carport, be placed beyond the front building line of a main structure on a site.

As described earlier, the unpermitted workshop/garage currently encroaches two feet and eight inches into the required five-foot side yard setback. Therefore, the applicant is requesting a variance from the required setback.

Required Findings: Pursuant to PMC section 18.16.050, the Zoning Administrator may grant a variance from the required side yard setback if they can make findings that:

- a. because of special circumstances concerning the subject property including size, shape, topography, location of surroundings, the strict application of zoning regulations deprives the property of privileges enjoyed by other properties in the vicinity and in the same land use district;
- b. the variance will not constitute a grant of special privilege which is not generally available to other property in the vicinity and in the same land use district; and,
- c. the variance substantially complies with the intent and purpose of the land use district to which the property is classified.

Environmental: This item is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 3, “New Construction or Conversion of Small Structures” of the State CEQA Guidelines, section 15303.

Public Noticing: On or prior to November 8, 2020, notice of the November 18, 2020 public hearing was posted at City Hall, near the subject site, and on the ‘Public Notices’ section of the city’s website; and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the project site, and to individuals who had previously filed written request for such notice, in accordance with Pittsburg Municipal Code (PMC) section 18.14.010 and Government Code section 65091. The notice was also posted on www.nextdoor.com (Nextdoor) and was sent directly to all subscribed residents in the “Atherton Ave”, “Golf Course/Crestview” and “Woodland Hills” neighborhoods.

STAFF ANALYSIS:

Staff does not believe that the Zoning Administrator can make all the required findings to approve the variance request for the unpermitted workshop/garage structure. Staff acknowledges that the property is located on a hillside, however the site’s topography does not create a special circumstance that limits the property from being developed in compliance with the development regulations for the zoning district. The applicant has stated that the only reason the structure encroaches into the required side yard is because the contractor poured the foundation in the wrong location. It is possible for the applicant to modify the building and achieve compliance; however, he wishes to maintain the structure as-is so that he does not incur additional expenses. Avoidance of additional expenses does not qualify as a special circumstance for granting a variance. Staff believes granting the variance would constitute a grant of special privilege, since the location standards for accessory structures apply to all properties in the R District.

REQUIRED ACTION:

Move to adopt Resolution No. 362, denying Variance Application No. 20-1525.

ATTACHMENTS:

1. Proposed Resolution No. 362
2. Written Variance Justification submitted with application
3. Project Plans dated August 20, 2020
4. Site Photos from October 6, 2020
5. Property Development Regulations
6. Comments received from the public
7. Public Hearing Notice/Vicinity Map

PROPOSED

BEFORE THE ZONING ADMINISTRATOR OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Denying a Request for a)	Resolution No. 362
Variance to Legalize an Existing)	
Unpermitted Structure Which Encroaches)	
2-feet 8-inches into a Required 5-foot)	
Setback "3800 Hillsdale Drive Variance,)	
<u>AP-20-1525 (VA)."</u>)	

The Zoning Administrator DOES RESOLVE as follows:

Section 1. Background

- A. On August 20, 2020, Jim Blanton, filed Planning Application No. 20-1525, requesting Zoning Administrator approval of a variance to legalize an existing unpermitted structure which encroaches two feet eight inches into a required five-foot side yard setback at 3800 Hillsdale Drive, in the RS-6 (Single-Family Residential, 6,000 Square Foot Minimum Lot Size) District. Assessor’s Parcel Number 087-381-018.
- B. The proposed project is governed by the policies and development standards in the Pittsburg General Plan, Pittsburg Municipal Code (PMC) Title 18 (Zoning), and the City of Pittsburg Development Review and Design Guidelines (Planning Commission Resolution No. 9864).
- C. Pursuant to PMC section 18.10.050 and 18.28.020, the Zoning Administrator shall, after notice pursuant to PMC sections 18.14.020(E) and (F) and notice to the Planning Commission, hear and decide each application for a variance, unless the zoning administrator determines that, because of the probable controversial nature of the proposal or because of its significance to the City, the Planning Commission should hear and decide the application.
- D. On November 10, 2020, a Notice of Intent to conduct a Zoning Administrator public hearing pursuant to Pittsburg Municipal Code (PMC) section 18.10.050 regarding a request for approval of a variance was provided to the Planning Commission
- E. The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 3, “New Construction or Conversion of Small Structures,” of the state CEQA Guidelines, sections 15303.
- F. On or prior to November 8, 2020, notice of the November 18, 2020 public hearing was posted at City Hall, near the subject site, and on the ‘Public Notices’ section of the city’s website; and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the project site, and to individuals who had previously filed written request for such notice, in

accordance with Pittsburg Municipal Code (PMC) section 18.14.010 and Government Code section 65091. The notice was also posted on www.nextdoor.com (Nextdoor) and was sent directly to all subscribed residents in the "Atherton Ave", "Golf Course/Crestview" and "Woodland Hills" neighborhoods.

- G. On November 18, 2020, the Zoning Administrator held a public hearing to consider Planning Application No. 20-1525, at which time oral and/or written testimony was considered.

Section 2. Findings

- A. Based on the Zoning Administrator Staff Report entitled, "3800 Hillsdale Drive Variance, AP-20-1525 (VA)," dated November 18, 2020, and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the Zoning Administrator finds that:
1. All recitals above are true and correct and are incorporated herein by reference.
 2. Staff acknowledges that the property is located on a hillside, however there are no unique topographical characteristics of the site to create a special circumstance to support a variance for the encroachment of the workshop/garage structure. The applicant has stated the foundation encroaches into the side yard due to contractor error when laying the foundation, and that he wishes to maintain the unpermitted workshop/garage structure at the location for aesthetic purposes and to not incur unnecessary expense. Consideration of aesthetic purposes and monetary expenses do not qualify as a special circumstance to grant a variance.
 3. The variance will constitute a grant of special privilege which is not generally available to other properties in the vicinity and in the same land use district, as the location standards for accessory structures exist for all properties located in the R District.
 4. The variance substantially complies with the intent and purpose of the land use district to which the property is classified, as accessory structures are permitted in residential zone districts. The workshop/garage structure would otherwise be required to meet all applicable development standards for accessory structures in the R District.

Section 3. Decision

Based on the findings set forth above, the Zoning Administrator hereby denies Planning Application No. 20-1525.

Section 4. Effective Date

This resolution shall take effect immediately upon adoption of this resolution.

The foregoing resolution was passed and adopted the 18th day of November 2020, by the Zoning Administrator of the City of Pittsburg, California.

KRISTIN POLLOT, AICP
ZONING ADMINSTRATOR

To: City of Pittsburg

Subj: Variance for 3800 Hillsdale Dr.

From: James and Pamela Blanton

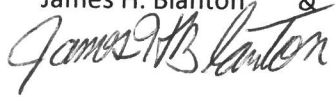
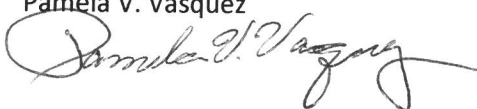
Date: July 6, 2020

On Nov. 18 2013 a permit was issued for my property to pour a concrete slab that was to eventually become a structure. It was engineered to be two stories however this did not happen and only a single-story building was erected. The contractor's name was Lavulavu permit number BP-13-1083. As it turned out, the contractor we hired stole another person's contractor's license number and posed as him. He also abandoned the job and we had to have another Bonafede contractor finish at great expense. The contractor assured me that it was completely legal as he knew what to look for and would have the plans drawn up. At that time, we also had it planned so that we could add a toilet and obviously water and power, this was also approved but no utilities would be done until I had more money. The plan was to erect the building at a later date due to lacking of money to do the building.

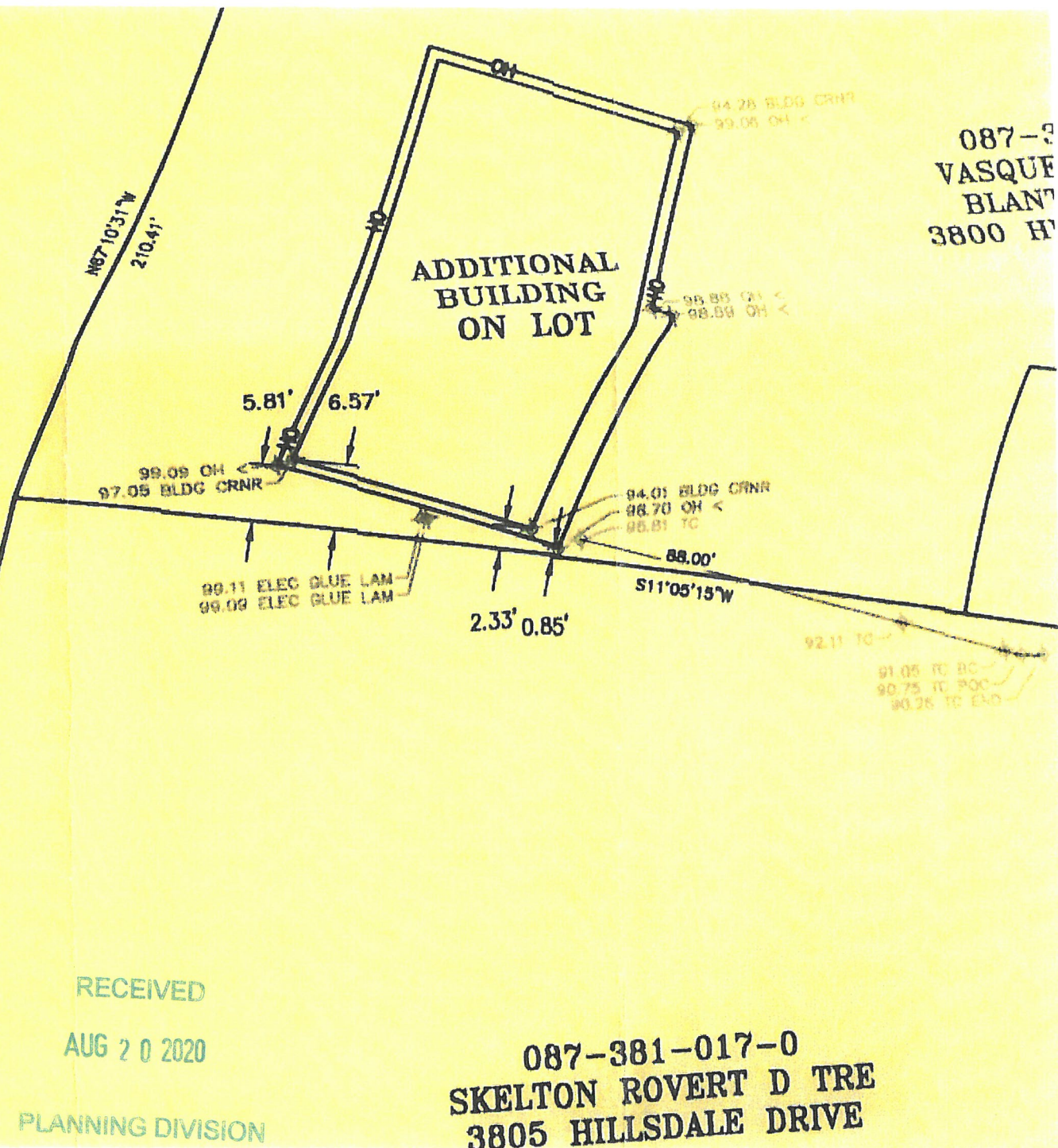
By my own foolishness, I went and built the building without benefit of a permit of which I have one now. (I was red tagged) Since this time, it has come to the attention of my neighbor and I that the corner of the building is in violation of the setbacks by 32 inches. A portion of the eastern wall, and the northeast corner of the building encroach into the required setback area. I have also included a printout of the county assessors map and it clearly has the corner of my building 6.8 ft from the property line leaving 1.8 clearance. My neighbor has no problem with the buildings location and astatically the building fits the lay of the land. If I should have to cut off the northeast corner of my building and re-build, re-pour & get new drawings - this will create a great unnecessary expense for approximately 37.8 sq. ft. There are two homes here, mine and my neighbors and the portion of that is affected is against a hill so there should be no impact on public safety or interest.

Please review the documentation I've included and hope to hear soon from you so that we may discuss in further detail to find an amical solution.

Thank You,

James H. Blanton & Pamela V. Vasquez
 

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VASQUE
BLANT
3800 H



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AUG 20 2020

PLANNING DIVISION

087-381-017-0
SKELTON ROBERT D TRE
3805 HILLSDALE DRIVE

DATUM NOTE:

HORIZONTAL AND VERTICAL CONTROL DATA IS BASED ON REAL TIME GPS/INTEGRATED NETWORK OBSERVATIONS PROVIDED BY CALIFORNIA DRAFTING AND SURVEY SUPPLY CALIFORNIA COORDINATE SYSTEM ZONE 10 NORTH NAVD83 DATUM (EVCH 2011)

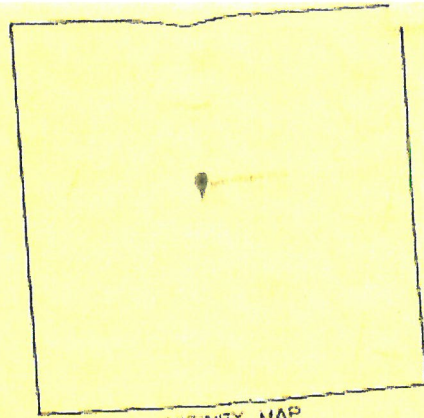
THIS TOPOGRAPHIC SURVEY WAS PERFORMED IN A FIELD INSTRUMENT THE SURVEYING OF CHARLES TAPP, MARCH 10, 2018



PROJECT NO. 1801
P.L.S. 1801



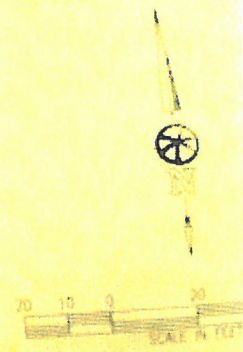
TOPOGRAPHIC SURVEY
SKELTON
3800 HILSDALE DRIVE
CITY OF STEUBEN COUNTY OF CENTRAL FLORIDA, STATE OF
OCTOBER 2018



VICINITY MAP

LEGEND

1/4"	ROAD CENTERLINE
1/8"	ROAD EDGE
1/16"	PROPERTY LINE
1/32"	BOUNDARY
1/64"	CONCRETE
1/128"	PAVED DRIVE
1/256"	PAVED
1/512"	UNPAVED
1/1024"	ROAD
1/2048"	SETBACK
1/4096"	SETBACK
1/8192"	BUILDING



Bellecci & Asso
Civil Engineering - Landscaping
2000 Colonial Parkway, Suite 100
Miami, FL 33133 (305) 442-1100 Fax: 305

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Attachment 4
Site Photos

3800 Hillsdale Drive Variance, AP-20-1525 (VA)



View from end of driveway on Hillsdale Drive

Attachment 4
Site Photos

3800 Hillsdale Drive Variance, AP-20-1525 (VA)



Workspace/Garage structure from the south

Attachment 4
Site Photos

3800 Hillsdale Drive Variance, AP-20-1525 (VA)



View of structure from the east

Attachment 4
Site Photos

3800 Hillsdale Drive Variance, AP-20-1525 (VA)



The northern elevation of the structure taken from northeast corner

Attachment 4
Site Photos

3800 Hillsdale Drive Variance, AP-20-1525 (VA)



View from northwest corner looking east

Attachment 5
Property Development Regulations
3800 Hillsdale Drive Variance, AP-20-1525 (VA)

Development Regulations: <i>RS-6 (Residential Single-Family Residential – 6,000 Square Foot Minimum Lot Size) District</i>	Requirement:	Proposed Project: <i>Existing unpermitted structure</i>
Max. Density (min. lot area per unit):	6,000 s.f.	25,200 s.f.
Max. Height:	28 ft.	11-ft 7-in
Max. Lot Coverage:	40%	23%
Minimum Lot Area:	6,000 s.f.	25,200 s.f.
Minimum Yards:	-	
Front:	15 ft.	Approx 88 ft.
Side*:	5 ft.	2 ft., 8 in.*, approx. 150 ft.
Rear:	10 ft.	Approx 17ft.

* The applicant has requested a variance in order to allow a reduced setback.

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PLANNING DIVISION

Nov 11, 2020

To: John Dacey 925-252-4824

From: Bob Sketton 3805 Hillsdale Drive 925-597-8973

Re: 3800 Hillsdale Drive Vancor AP-20-1525-(VA)

I wish to deny a set back charge on the lot line due to the following reasons:

1. During the construction and maintenance of the building - who will be liable for injuries if a worker falls off a ladder and gets hurt on my property?
2. I don't feel it was an accidental case of building on the wrong spot - as I paid to get 4 surveys regarding a line dispute, and as soon as the surveyors left, Mr Blanton removed the survey stakes, and I watched him remove them. He has a lot twice the size of other lots in the area, why not put it in his back yard? He has asked me numerous times to sign him a chunk of my front yard to make his legal - as he has no money & just write him permission on a scribbled paper for legalities. Why not use the back for a shop and save the paved area for valuable parking spaces?
3. The building is on eposure - especially in wet weather as the wood siding wasn't put on studs properly, and siding curls badly when it rains, and exposes the inner structure.

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I realize it takes time and effort to finish a project, but it seems everytime he works on it, it gets worse, and it appears to be built on after thoughts, and no pre planning. I feel he has had ample time to make some attempt to improve it. His roofing and tar paper came off in winter storms, and he lets it lay in my yard, and will never pick it up or retrieve it. This has happened numerous times. I feel since he is a licensed contractor he would put a little effort into doing a quality job. Mr Blanton has mentioned numerous times his desire to add a second story to his shed, as a rental unit. I shudder to think of that, as well as extra traffic on the roadway and parking. He had someone living in one portion of the building during his construction and am afraid of whats to come.

4. I'm older and feel I will need to sell my property to pay for nursing care, and won't be able to find a buyer at market rates due to my diminished property values due to his construction that's half finished

5. I would appreciate any help in this matter.

Thank you

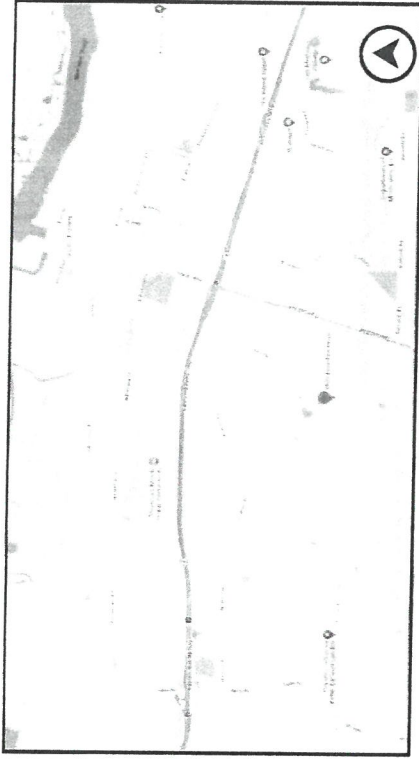
Bob Shelton



City of Pittsburg

Community Development Department – Planning Division
65 Civic Avenue, Pittsburg, CA 94565 | Tel: (925) 252-4920 | Fax: (925) 252-4814

Project Title: 3800 Hillisdale Drive Variance AP-20-1525 (VA)
Location: 3800 Hillisdale Drive, APN: 087-381-018



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the **ZONING ADMINISTRATOR** of the City of Pittsburg will conduct an online public meeting on:

DATE: November 18, 2020
TIME: 2:00 p.m.
PLACE: Zoom Teleconference (see public advisory on last page)

Concerning the following matter:

3800 Hillisdale Drive Variance, AP-20-1525 (VA)
This is a public hearing on a request for Zoning Administrator approval of a variance to legalize an existing unpermitted structure which encroaches 2-feet 8-inches into a required 5-foot side yard setback, at 3800 Hillisdale Drive in the RS-6 (Single-Family Residential, 6,000 Square Foot Minimum) District. Assessor's Parcel Number: 087-381-018.

PROJECT PLANNER: John Dacey, (925) 252-4824 or jdacey@ci.pittsburg.ca.us

Why am I receiving this notice?

You are receiving this notice because you have either previously requested notifications from the Planning Division, or a project has been proposed in your neighborhood and all property owners within a minimum 300-foot radius of the project site are required to be notified under the Pittsburg Municipal Code.

Where can I get more information about this project?

The complete file for this project is available for public inspection; please contact the project planner listed above to make necessary arrangements.

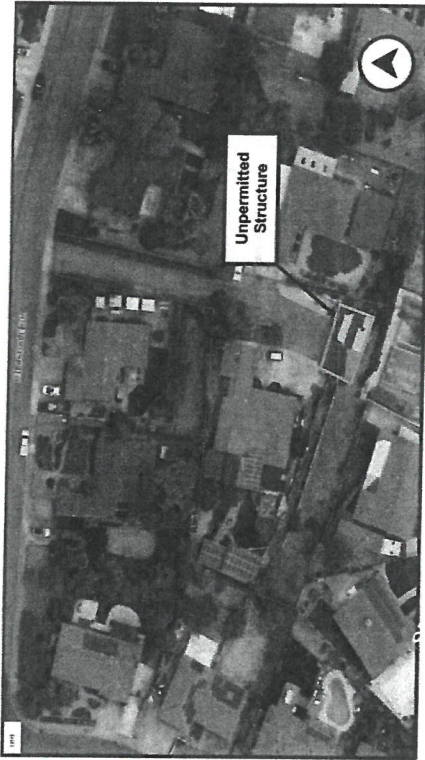
What can I do if I have comments on the project?

Comments or objections to the project can be made by writing or through oral testimony during the public hearing. Written comments citing the project name may be emailed to the project planner listed above or may be mailed or delivered to Pittsburg Planning Division, 65 Civic Avenue, Pittsburg, CA 94565. You may also register your comments or objections by participating in the Zoom Teleconference on the date and time listed above.

Pursuant to Section 65009 of the California Government Code, if you challenge this matter in court, you may be limited to those issues you or someone else raised at the public hearing described in this notice, or in written correspondence on the matter delivered to this agency at, or prior to the public hearing. Any written correspondence delivered to the Planning Division before the hearing body's action on the matter will become a part of the administrative record.

Para Información en español:
(925) 252-4920

KRISTIN POLLOT, AICP
ZONING ADMINISTRATOR



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NOV 11 2020
PLANNING DIVISION

Jack A Dei Monti

308 Kingsberry Pl
Pittsburg, Ca 94565

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NOV 11 2020

PLANNING DIVISION

Nov. 12, 2020

City of Pittsburg
65 Civic Ave
Pittsburg, Ca 94565
Attn: John Dacey
Re: AP -20-1525(VA)

This letter is in response to the letter we received in the mail from the City of Pittsburg in regards to 3800 Hillsdale Drive and the building that is going up behind our property.

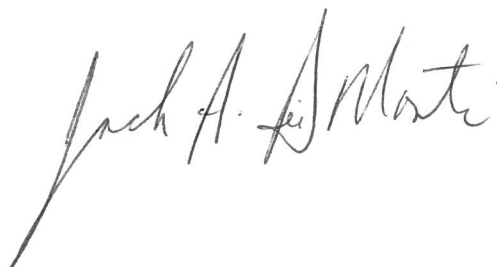
I am an HVAC contractor and I have done work for Jim the owner of 3800 Hillsdale Dr. I know Jim personally and have done work for him on his air conditioning system, I actually did all of the duct work under his house because of a raccoon problem.. I also know Bob as I have installed 3 systems for him at his properties. They are both my friends.

When Jim was putting up this building and I was talking to him, he told me that he is going to put a second story on it with windows facing my house on the second story and a balcony off the second story for whoever he rents it to will have a view. I told him if he puts a second story on that building he would take away my view that I paid extra for in 1977. He said that he is going to put a second story on there. I told him we are friends but if he does that I would sue him and take him to court and try to get it to stop. When he was putting the building up he told me the City had permitted it and also knowing Bob it looks like he intruded into Bob's property. This building is like 20 feet from Bob's front window in his home.

My personal opinion is that if you allow this building to stay up you are degrading the value of Bob's property and I pray that the City never lets him put up a second story on there. If they permit it they take away my view and give his renter a view. I did suggest to him if he is determined to put a 2 story to get a view to put it on top of his own home, he didn't agree with that. He is determined to put a second story on the new building. After talking to John Dacey he said he can't put a second story on the building because of California height law but it could change and he could figure out some way to get the City to OK it and I would have to spend a bunch of money to fight it. If he puts a second story on that building he decreases the value of my home also as I won't have a view lot anymore. I think that this so called apartment hat he is building here is not a good idea because of what it is doing to Bob's and my property values. No matter what happens Jim is still my friend.

Sincerely,

Jack A Dei Monti
925-381-7555



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NOV 11 1977

PLANNING DIVISION



City of Pittsburg
 Community Development Department – Planning Division
 65 Civic Avenue, Pittsburg, CA 94565 | Tel: (925) 252-4920 | Fax: (925) 252-4814

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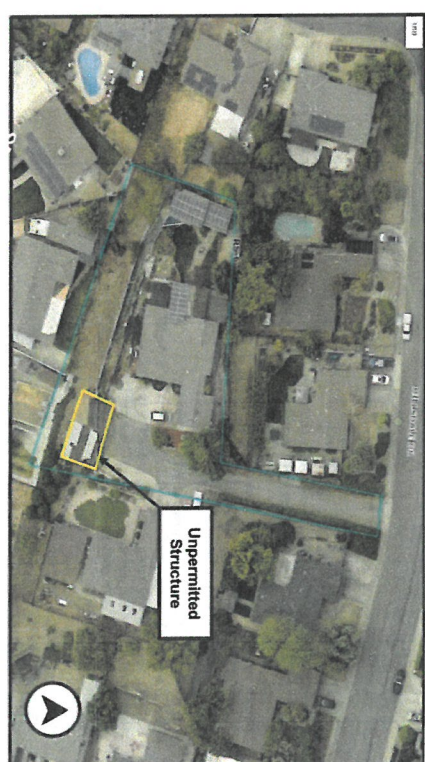
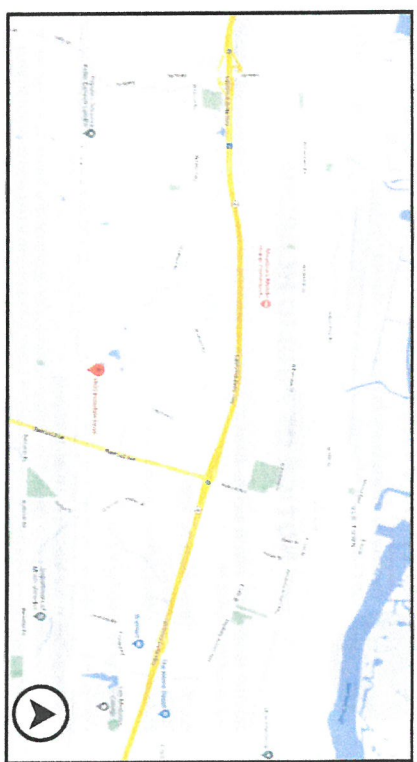
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Pursuant to Section 65009 of the California Government Code, if you challenge this matter in court, you may be limited to those issues you or someone else raised at the public hearing described in this notice, or in written correspondence on the matter delivered to this agency at, or prior to the public hearing. Any written correspondence delivered to the Planning Division before the hearing body's action on the matter will become a part of the administrative record.

Para informacion en español:
 (925) 252-4920

KRISTIN POLLLOT, AICP
 ZONING ADMINISTRATOR

Project Title: 3800 Hillisdale Drive Variance AP-20-1525 (VA)
Location: 3800 Hillisdale Drive, APN: 087-381-018



NOV 11

PLANNING DIVISION

From: [GLENN NOLAN](#)
To: [John Dacey](#)
Subject: 3800 Hillside Drive Variance, AP-20-1525 (VA)
Date: Wednesday, November 11, 2020 3:25:47 PM

****External Sender: Use caution before opening links or attachments****

Dear Sir, I received the above referenced Notice Of Public Hearing. I am curious as to why we would consider approval of a variance to legalize an existing unpermitted structure which encroaches almost 3 feet into a required 5-foot side yard. Especially for an individual who violates permitting and encroaches on others property. This person installed a large doe boy swimming pool within three feet of our fence. This pool leaked all its water into my back yard hillside flooding my patio, damaging my retaining walls and killing multiple full grown plants. This individual did not advise me of what had happened until I confronted him after we began to loose plants and noticed that a huge wash of water had disturbed the ground of the hillside. He then admitted what had happened and replaced three of the plants that died. These plants had been in the ground for at least 20 years. I asked him if he had a permit for the pool as it seemed to me that it was to close to the fence line. He lied and said he did not need a permit. I complained to the city and the city directed him to move the pool. In the process of moving the pool he flooded our backyard a second time. To approve this variance would be in my opinion rewarding an individual who has no respect for the permitting process much less his neighbors. I have had to seek permits on every project regarding my home and do it willing paying fees required. This guy should not be rewarded for his illegal actions and I suggest an inspection of other structures on the property as they may also be in violation of permitting.



City of Pittsburg

Community Development Department – Planning Division

65 Civic Avenue, Pittsburg, CA 94565 | Tel: (925) 252-4920 | Fax: (925) 252-4814

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the **ZONING ADMINISTRATOR** of the City of Pittsburg will conduct an online public meeting on:

DATE: November 18, 2020
TIME: 2:00 p.m.
PLACE: Zoom Teleconference (see public advisory on last page)

Concerning the following matter:

3800 Hillsdale Drive Variance, AP-20-1525 (VA)

This is a public hearing on a request for Zoning Administrator approval of a variance to legalize an existing unpermitted structure which encroaches 2-feet 8-inches into a required 5-foot side yard setback, at 3800 Hillsdale Drive in the RS-6 (Single-Family Residential, 6,000 Square Foot Minimum) District. Assessor's Parcel Number: 087-381-018.

PROJECT PLANNER: John Dacey, (925) 252-4824 or jdacey@ci.pittsburg.ca.us

Why am I receiving this notice?

You are receiving this notice because you have either previously requested notifications from the Planning Division, or a project has been proposed in your neighborhood and all property owners within a minimum 300-foot radius of the project site are required to be notified under the Pittsburg Municipal Code.

Where can I get more information about this project?

The complete file for this project is available for public inspection; please contact the project planner listed above to make necessary arrangements.

What can I do if I have comments on the project?

Comments or objections to the project can be made by writing or through oral testimony during the public hearing. Written comments citing the project name may be emailed to the project planner listed above or may be mailed or delivered to Pittsburg Planning Division, 65 Civic Avenue, Pittsburg, CA 94565. You may also register your comments or objections by participating in the Zoom Teleconference on the date and time listed above.

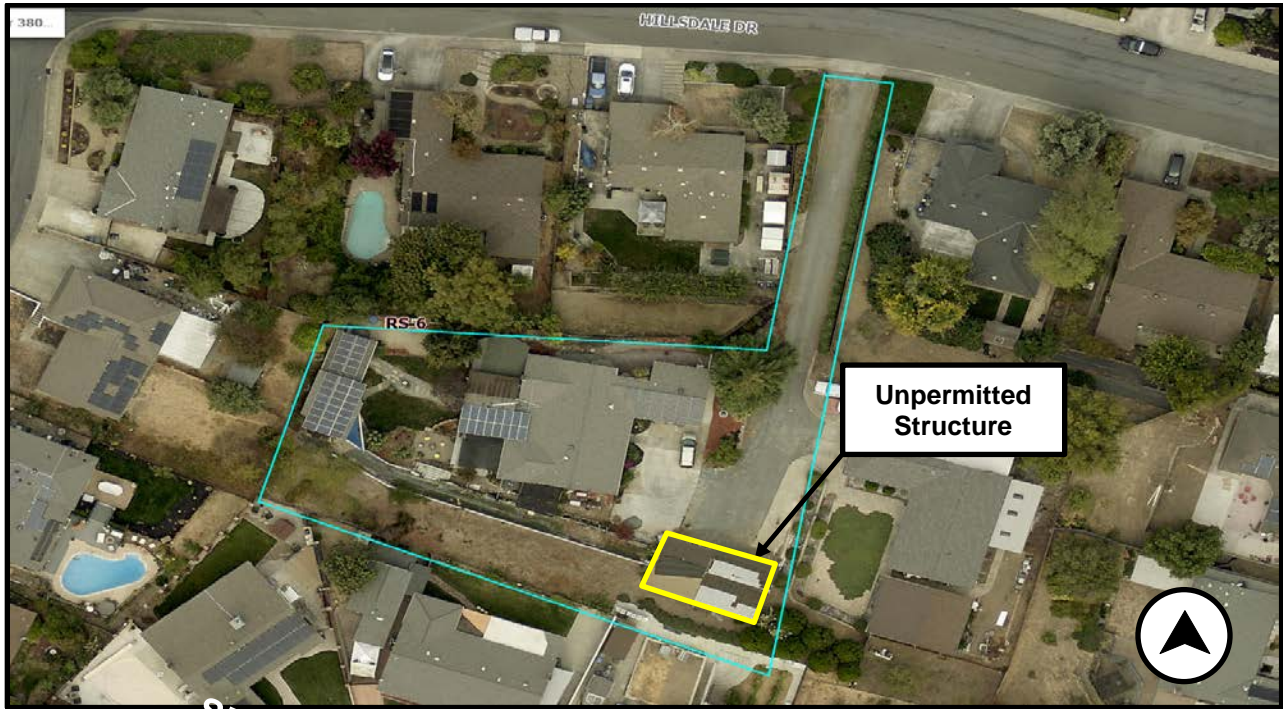
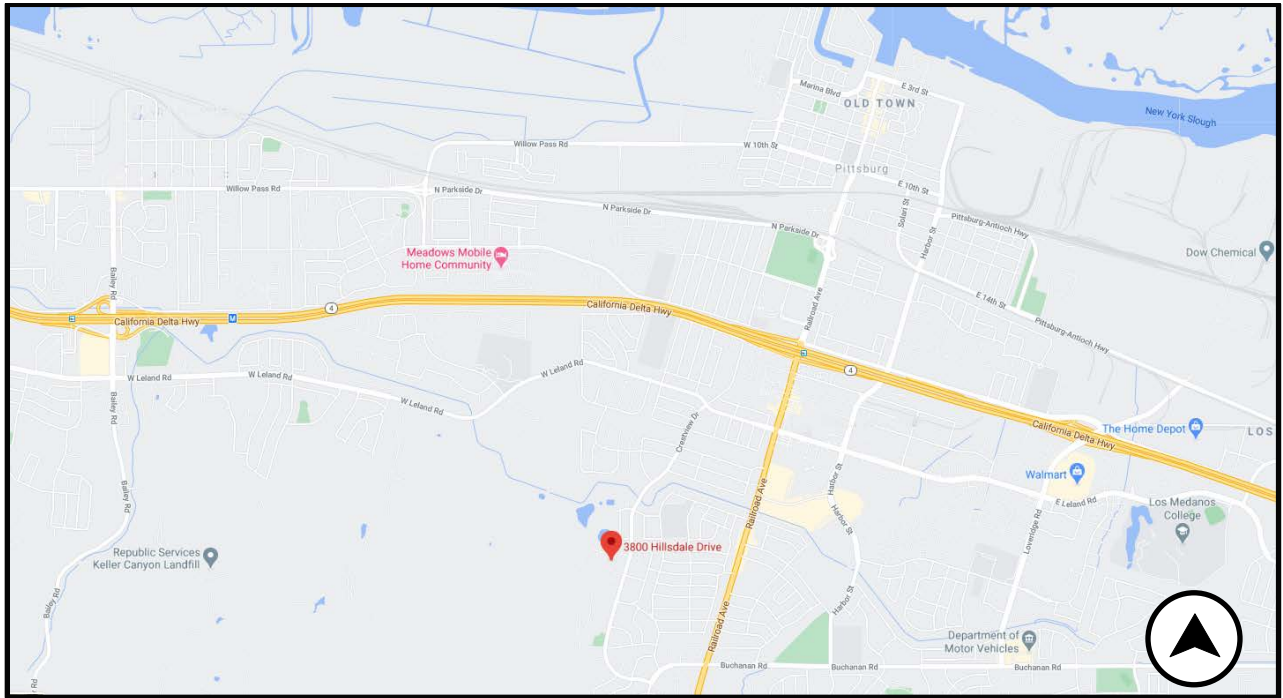
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*Para información en
español:
(925) 252-4920*

KRISTIN POLLOT, AICP
ZONING ADMINISTRATOR

Project Title: 3800 Hillsdale Drive Variance AP-20-1525 (VA)

Location: 3800 Hillsdale Drive, APN: 087-381-018



**PUBLIC ADVISORY:
CITY HALL WILL NOT BE OPEN TO THE PUBLIC**

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the meeting of the Zoning Administrator for **November 18, 2020**, will be conducted telephonically through Zoom.

Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, City Hall will not be open for the meeting. The Zoning Administrator will be participating telephonically and will not be physically present at City Hall.

The City of Pittsburg thanks you in advance for taking all precautions to prevent spreading the COVID-19 virus.