



# Community and Economic Development Planning Division

Jamie Bax  
Deputy Director

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**PLANNING COMMISSION DATE:**

**March 2, 2021**

**AGENDA ITEM: #1**

PRJ-PC	#2021-001	To allow construction of a 25'-00" tall garage and to allow a 4'-00" front setback and a 4'-00" side setback for the garage.
VA	#2021-001	
ZV	#2021-002	
APN	070-074-002	Applicant/Owner: Eric Rawn
CEQA	Exempt	

### REQUEST:

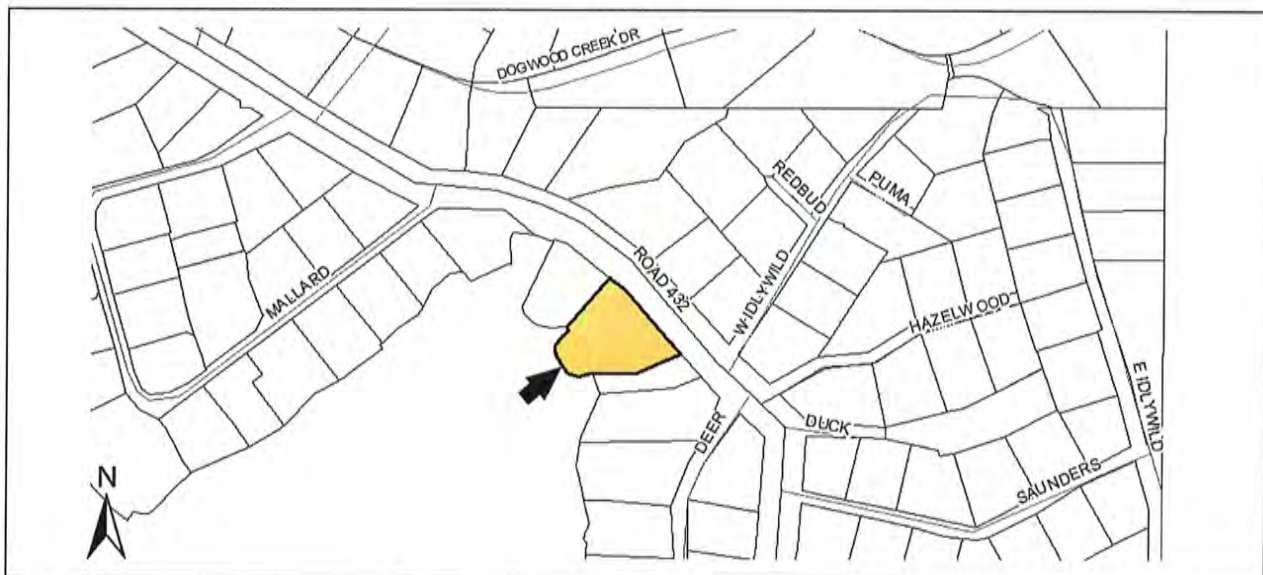
The applicant is requesting a variance and a setback variance to allow a 25'-00" tall garage, where 15'-00" is the maximum height for accessory structures allowed by ordinance and to allow a 4'-00" front yard setback where 25'-00" is required by ordinance and a 4'-00" side setback, where 10'-00" is required by ordinance.

### LOCATION:

The subject property is located on the west side of Road 432, approximately 50 feet northwest of its intersection with W. Idylwild (53850 Road 432), Bass Lake.

### ENVIRONMENTAL ASSESSMENT:

Under the provision of the California Environmental Quality Act (CEQA) Section 15303, and the Madera County Environmental Evaluation Guidelines, the County has determined that this project will not have a significant effect on the environment and is exempt from CEQA.



**RECOMMENDATION:** Approval of VA #2021-001 and ZV #2021-002 subject to conditions.

**GENERAL PLAN DESIGNATION (Exhibit A):**

SITE: LDR (Low Density Residential) Designation

SURROUNDING: LDR (Low Density Residential) Designation and OS (Open Space) Designation

**ZONING (Exhibit B):**

SITE: RMS (Residential Mountain Single Family) District

SURROUNDING: RMS (Residential Mountain Single Family) District and POS (Public Open Space) District

**LAND USE:**

SITE: Residential.

SURROUNDING: Residential, Bass Lake Open Space and Recreation.

**SIZE OF PROPERTY:** 0.36 Acres

**ACCESS (Exhibit A):** The property is accessed by Road 432.

**BACKGROUND AND PRIOR ACTIONS:**

The subject parcel is Lot 104 of the Pines Tract, Phase Two which was recorded on November 3, 1992. In 1998, the Zoning Administrator approved a Setback Variance (ZV #1998-077) to allow a 15'-00" front setback for a new garage (Exhibit M). In 2020, the Zoning Administrator approved a Setback Variance to allow for a 6'-08" front setback for an expansion of the residence, where 25'-00" is required by ordinance (Exhibit L).

**PROJECT DESCRIPTION:**

The project is a request for a 25'-00" tall garage, where 15'-00" is the maximum height for accessory structures allowed by ordinance and for a 4'-00" front yard setback, where 6'-08" was previously approved by Setback Variance #2020-007 and a 4'-00" side setback, where 10'-00" is required by ordinance. The existing garage was destroyed during an extreme weather event.

**ORDINANCES/POLICIES:**

Chapter 18.11.120 of the Madera County Zoning Ordinances outlines the development standards within the RMS (Residential Mountain Single Family) district.

Chapter 18.98.120 of the Madera County Ordinance outlines the maximum increased allowed for a structure.

Chapter 18.106 of the Madera County Zoning Ordinance outlines the requirements for the processing and review of variances.

Madera County General Plan Policy Document (page 10) outlines the allowable uses within the LDR (Low Density Residential) designation.

Section 15303 (e) of the California Environmental Quality Act allows for an exemption on projects which have been determined to not have significant effect on the environment as the project includes the construction of an accessory structure.

**ANALYSIS:**

The application is for a variance of a new garage with the proposed height of 25'-00", where 15'-00" is allowed by ordinance and a setback variance to allow a front setback of 4'-00", where 25'-00" is allowed by ordinance and a side setback of 4'-00" where 10'-00" is allowed by ordinance. The project site experienced significant damage during an extreme weather event in January 2021. During the weather event, a tree fell upon the project site and irrevocably damaged the garage and destroyed part of the residence on the project site.

The destroyed garage was part of Setback Variance #1998-077. The 1998 Setback Variance requested a 15'-00" front setback where 25'-00" was required by ordinance. More recently, in 2020 the applicant applied for a setback variance (ZV #2020-007) to allow a 6'-08" front setback, where 25'-00" is required, for an addition to the residence. The 2020 setback variance was approved by the Zoning Administrator and the addition is under construction.

The property is bordered by stick-rail fencing along Road 432 and the southern property line adjacent to the Lake Access Easement Property. The neighboring property to the northwest shares a vertical board fence with the project site. There are pines trees in the northeast corner of the property. Some of the pine trees will be removed for the new garage. The proposed garage will be in an area that is currently screened by pine trees. The proposed height of the garage is not anticipated to negatively effect the views of Bass Lake. The height of the garage will also create architectural cohesion with the dwelling on the property by maintaining the same height. The new placement of the garage would also allow easier access onto the subject property from Road 432.

The request for the 25'-00" height variance connects two sections of the Madera County Zoning Ordinance. First, Section 18.11.120 lists the maximum height of an accessory structure in the Residential Mountain Single Family Zone District to be 15'-00". Second, Section 18.98.120 provides an exception to the maximum height allowed within any Zone District: "the maximum height of any structure may be increased by not more than ten feet, providing all required offset and setbacks are increased by one foot for each foot which such building exceeds the height limit of the zoning district." Due to the small size of the property, the applicant cannot feasibly comply with additional 10 feet added to the setbacks required by Section

18.98.120. Therefore, due to the proposed height of the garage a Variance has to be considered along with the Setback Variance request.

The subject property has the General Plan Land Use Designation of Low Density Residential (LDR) and is within the Residential Mountain Single Family (RMS) Zone District. Both the General Plan Land Use Designation and Zone District allow for residential uses. The granting of this project would be consistent with land use and zoning for the subject parcel. Also the request for a height variance and setback variance is not unusual for the community of Bass Lake and properties with similar zoning and parcel size.

The project has been circulated to County Departments including the Environmental Health Division, Building Division, Fire Marshal's Office and Public Works Department. The Environmental Health Division noted that the property is served by Community Water and Sewer and must maintain setback standards from any associated equipment (Exhibit I). During the application process for required County Permits a more detailed review of the proposed project's compliance with all current local, state & federal requirements shall be conducted by the Environmental Health Division.

On February 18<sup>th</sup>, the Planning Division received a letter from the Bass Lake Boat Owners Dock Association (Exhibit K). The letter expressed concern regarding the property's access from the Lake Access Easement on Assessor Parcel Number 070-074-004. The placement of the new garage will allow more space in the front of the project property along Road 432. The reconfiguration of the placement for the garage will encourage access from Road 432 as oppose the Lake Access Easement. The applicant may not access the project site from the Lake Access Easement Property.

Since the project entails the construction of a small structure, the project will be categorically exempt under the California Environmental Quality Act (CEQA) section 15303(e). Section 15303(e) allows the construction of accessory structures including garages, carports, patios, swimming pools and fences to be exempt from CEQA review.

**FINDINGS OF FACT:**

The following findings of fact must be made by the Planning Commission to make a finding of approval of the project. Should the Planning Commission vote to approve the project, Staff recommends that the Planning Commission concur with the following:

1. *There are exceptional or extraordinary circumstances or conditions applying to the land, building or use referred to in the application, which circumstances or conditions do not apply generally to land buildings, and*

*/or uses in the same zoning district.* The subject parcel is 0.36 acres. The property is less than the one acre minimum required in the RMS (Residential Mountain Single Family) Zone District. The property is also a peculiar, triangular shape. The shape and size of the property does significantly limit the placement of structures, under strict compliance with setback and height standards.

2. *The granting of the zoning permit and variance is necessary for the preservation and enjoyment of substantial property rights of the petitioner.* The proposed garage would allow the property owner to safely store their vehicles and personal belongings. Also the close proximity to the property lines would allow the property owner to have easier vehicular access to Road 432. The proposed placement of the garage will also discourage any unpermitted access from the Lake Access Easement property to the project site.
3. *The granting of such application will not, under the circumstances of this particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not, in the circumstances of this particular case, be materially detrimental to the public welfare or injurious to the property or improvements in that neighborhood.* No aspect of the submitted plans have indicated that there will be any impacts to health, safety and welfare.
4. *The granting of the variance shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.* Granting the height variance and setback variance does not constitute any special privilege as the applicant is going through the same process as other parcels in the area would have to go through under similar circumstances.
5. *Because of special circumstances, applicable to subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications.* The unusual shape and small size of the property qualify as special circumstances. Properties within Bass Lake have received similar approvals for height and setback variances. The strict application of the zoning code would deprive the property owner of privileges enjoyed by their neighbors.

**WILLIAMSON ACT:**

The property is not subject to a Williamson Act Contract.

**GENERAL PLAN CONSISTENCY:**

The variance and setback variance to construct a garage is consistent with the General Plan and Land Use for the project site. Based on Goal 1.C.7 – *The County shall require residential project design to reflect and consider natural features, noise exposure of residents, circulation access and the relationship of the project to surrounding uses* – the new garage would enable the applicant to safely store their belongings and enhance vehicle access to the property from Road 432.

**RECOMMENDATION:**

The analysis provided in this report supports approval of Variance #2021-001 and Setback Variance #2021-002 subject to the following conditions.

**CONDITIONS**

See attached.

**ATTACHMENTS:**

1. Exhibit A, General Plan Map
2. Exhibit B, Zoning Map
3. Exhibit C, Assessor's Map
4. Exhibit D-1, Site Plan
5. Exhibit D-2, Floor Plan
6. Exhibit D-3, Elevation Map
7. Exhibit D-4, Site Visit Photos from Southern Property Line
8. Exhibit D-5, Site Visit Photos from Eastern Property Line
9. Exhibit D-6, Site Visit Photos from Road 432
10. Exhibit E, Aerial Map
11. Exhibit F, Topographical Map
12. Exhibit G, Operational Statement
13. Exhibit H, Findings of Fact
14. Exhibit I, Comment from Environmental Health Division
15. Exhibit J, Comment from Fire Marshal's Office
16. Exhibit K, Comment from Bass Lake Boat Owners Dock Association
17. Exhibit L, Decision Letter for Setback Variance #2020-007
18. Exhibit M, Setback Variance #1998-077

## CONDITIONS OF APPROVAL

**PROJECT NAME:**

PRJ-PC #2021-001 (VA #2021-001, ZV #2021-002) Eric Rawn APN 070-074-002

**PROJECT LOCATION:**

On the west side of Road 432, approximately 50 feet northwest of its intersection with W. Idylwild (53850 Road 432), Bass Lake

**PROJECT DESCRIPTION:**

A request to allow 25'-00" tall garage, where 15'-00" is the maximum height for accessory structures allowed by ordinance. Also to allow a 4'-00" front yard setback, where 6'-08" was previously approved by Setback Variance #2020-007 and a 4'-00" side setback, where 10'-00" is required by ordinance.

**APPLICANT:**

Eric Rawn

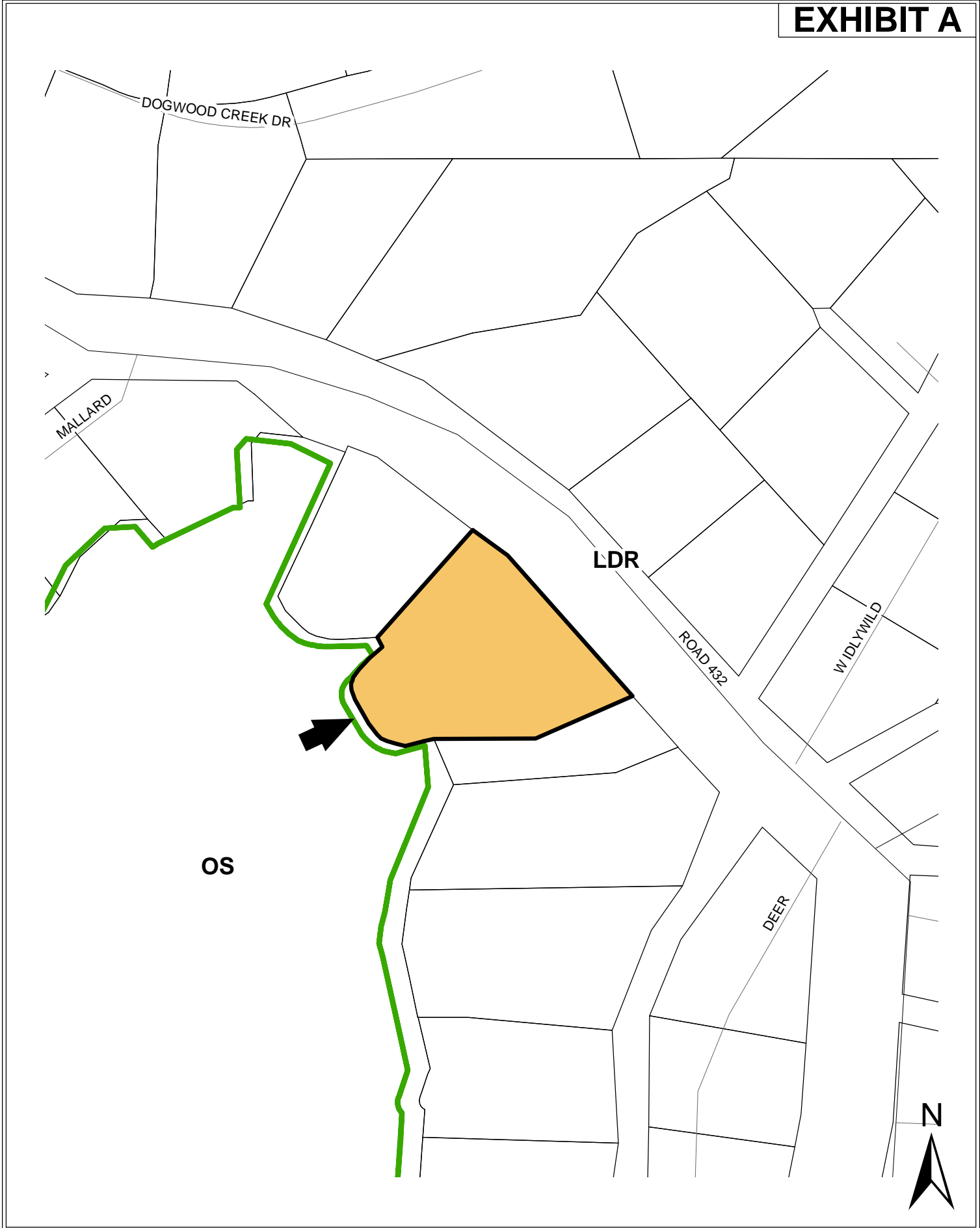
**CONTACT PERSON/TELEPHONE NUMBER:**

(559) 454-9000 ericrawn@gmail.com

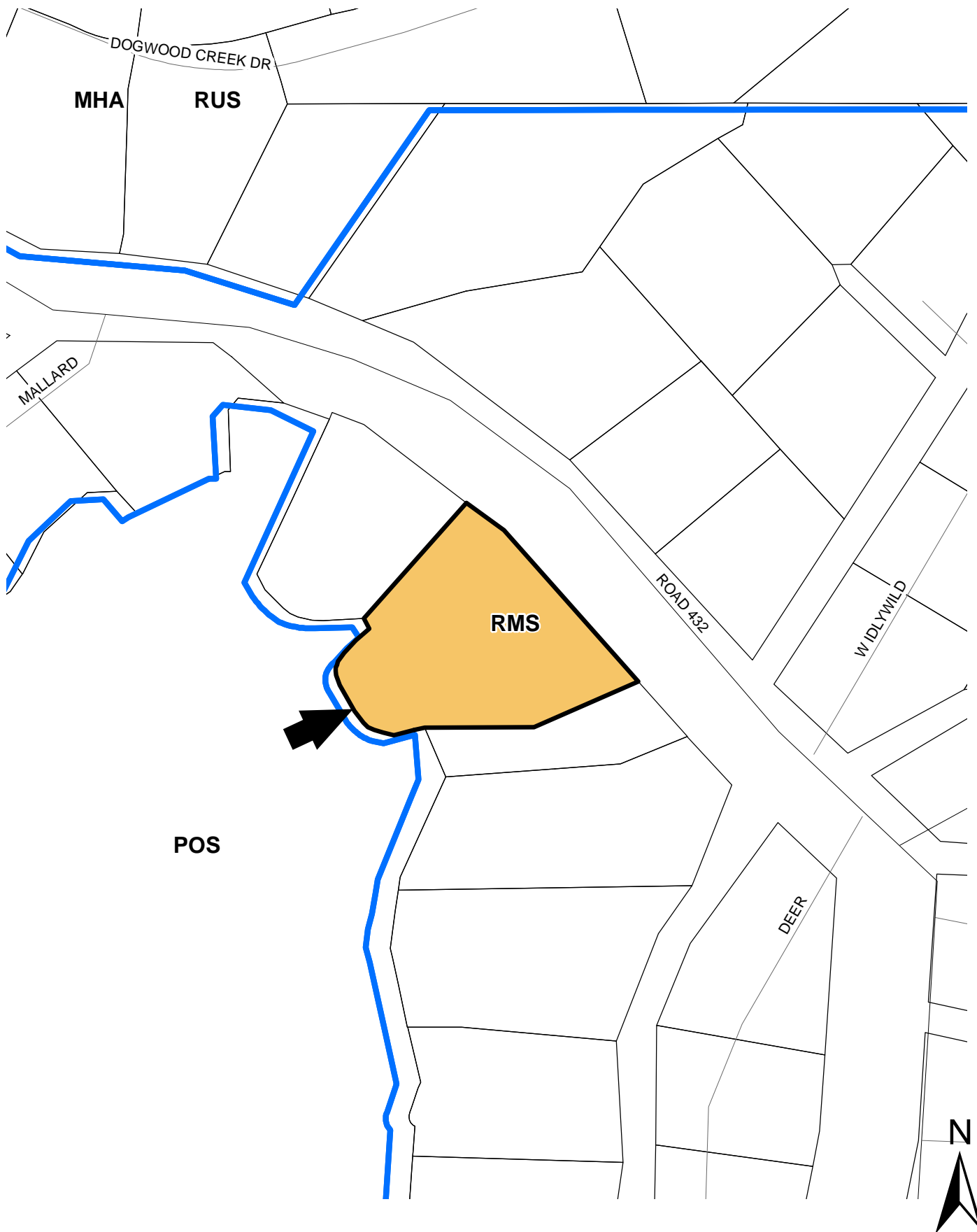
No.	Condition	Department/ Agency	Verification of Compliance		
			Initials	Date	Remarks
<b>Environmental Health</b>					
1	Property is on Community Water and Sewer. Maintain all County setback requirements.	Environmental Health Division			
2	During the application process for required County permits, a more detailed review of the proposed project's compliance with all current local, state & federal requirements will be reviewed by this Division.	Environmental Health Division			
3	The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including but not limited to the following nuisance(s); Dust, Odor(s), Noise(s), Lighting, Vector(s) or Litter. This must be accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal jurisdiction.	Environmental Health Division			
<b>Planning</b>					
1	Construction activities are limited to the hours of 7AM to 7PM Monday through Friday and 9AM to 5PM on Saturday. Construction activities will be prohibited on Sundays.	Planning Division			
2	All roadways and parking areas associated with the project are to be covered and maintained with material sufficient to create a dust free environment.	Planning Division			
3	Any lighting associated with construction must be hooded and directed away from neighboring properties.	Planning Division			

No.	Condition	Department/ Agency	Verification of Compliance		
			Initials	Date	Remarks
4	Access to the project site from the Lake Access Easement is not allowed.	Planning Division			
<b>Fire Marshal's Office</b>					
1	Increase in building height and decrease in building setbacks will mandate additional construction requirements through the California Building Code at the time structural permits are applied for.	Building Division/Fire Marshal's Office			





**GENERAL PLAN MAP**



**ZONING MAP**

70-07

Tax Area Code  
56-003

SEC. 16 T.7S. R.22E. M.D.B.&M.  
PINES TRACT - BASS LAKE  
(PORTION OF LOTS 1-47)  
(PORTION OF PHASE ONE AND PHASE THREE)



NOTE: This map is for assessment purposes only and is not for the intent of interpreting legal boundary rights, zoning regulations and/or legality of land division laws.

Assessor's Map No. 70-07  
Bass Lake  
County of Madera, Calif.  
1993

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ASSESSOR'S MAP

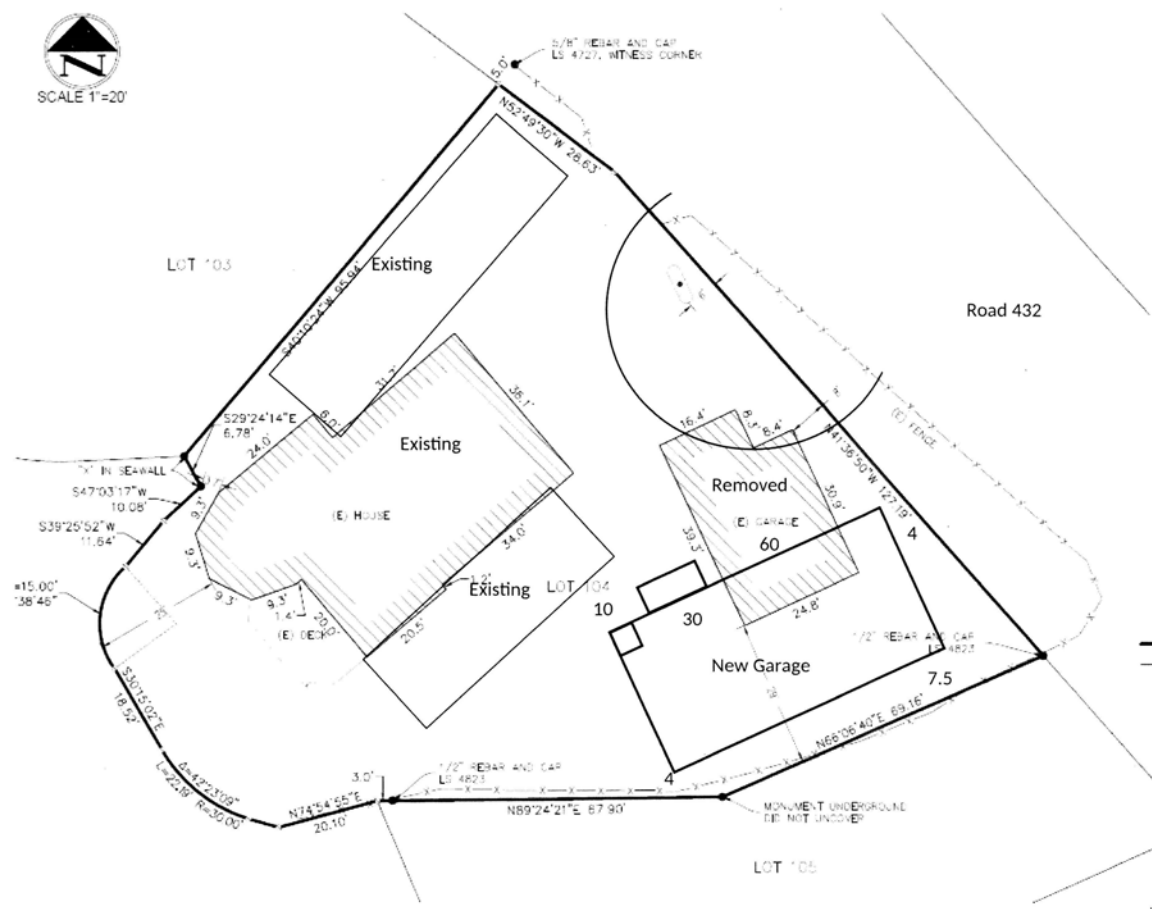
## SITE PLAN

OF  
 53850 ROAD 432, BASS LAKE, CA 93804  
 LOT 104 OF PINES TRACT, PHASE 2, BK 1  
 OFFICIAL MAPS PG 31, M.C.R.  
 LOCATED IN SECTION 16, T22  
 APN 070-074-002

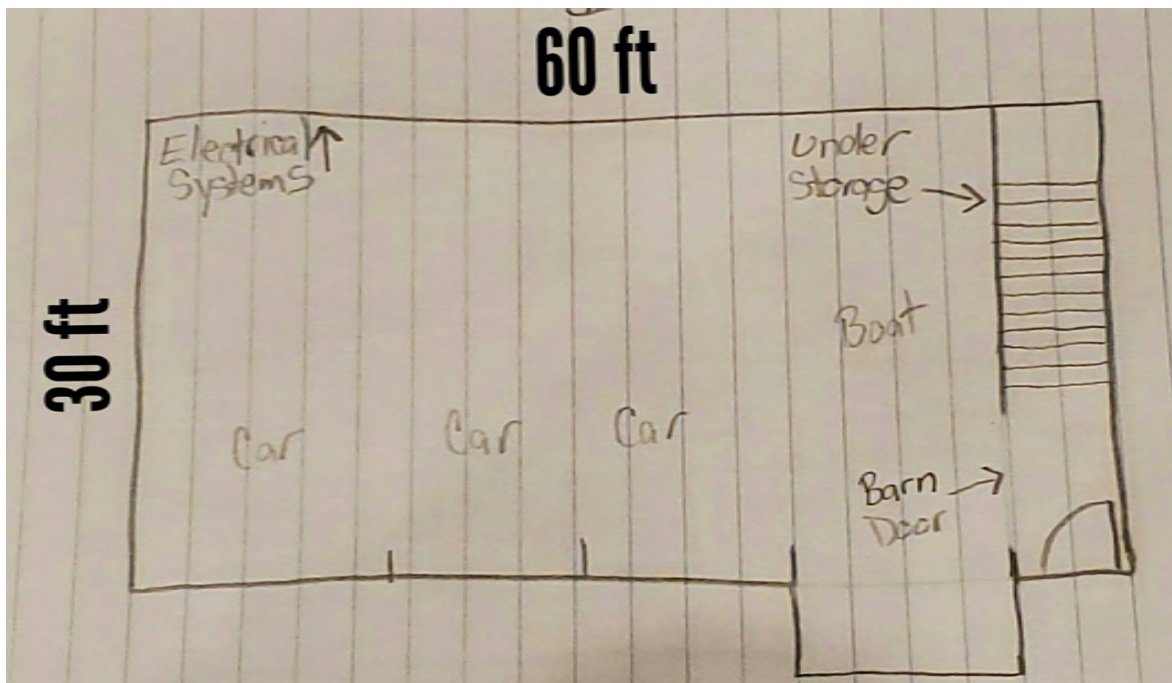


### LEGEND

- SURVEY MONUMENT (AS NOTED)
- ⊕ SET LINE POINT
- ⊖ DIMENSION POINT (NOTHING FOUND OR SET)
- PROPERTY LINE
- - - ADJOINING PROPERTY LINE



JONES SNYDER & ASSOCIATES  
 P.O. BOX 2292, OAKHURST, CA 93844  
 (559) 683-7661 WWW.JSSURVEYING.COM  
 DATE 080320 BY JLL  
FILE W0207004208ALTDwg\wg0113 PLAN.dwg



FLOOR PLAN



**ELEVATION MAP**



**SITE VISIT PHOTOS  
FROM SOUTHERN PROPERTY LINE**



**SITE VISIT PHOTOS  
FROM EASTERN PROPERTY LINE**





**SITE VISIT PHOTOS  
FROM ROAD 432**



**AERIAL MAP**



USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed December, 2019., USGS The National Map: 3D Elevation Program. Data Refreshed January, 2021.

**TOPOGRAPHICAL MAP**



Community and Economic Development  
Planning Division

Matthew Treber  
Director

• 200 W 4<sup>th</sup> Street  
• Suite 3100  
• Madera, CA 93637  
• (559) 675-7821  
• FAX (559) 675-6573  
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**EXHIBIT G**

**OPERATIONAL/ENVIRONMENTAL STATEMENT  
CHECKLIST**

It is important that the operational/environmental statement provides for a complete understanding of your project proposal. Please be as detailed as possible.

1. Please provide the following information:

Assessor's Parcel Number: 070-074-002  
Applicant's Name: Eric Rawn  
Address: 53850 Road 432, Bass Lake CA 93604  
Phone Number: 559-454-9000

2. Describe the nature of your proposal/operation.

We are relocating / rebuilding a separate garage structure destroyed by a fallen tree during the Mono Winds incident in January 2021

3. What is the existing use of the property?

A residential vacation home

4. What products will be produced by the operation? Will they be produced onsite or at some other location? Are these products to be sold onsite?

N/A

5. What are the proposed operational time limits?

Months (if seasonal): February 2021 thru June 2021  
Days per week: Monday thru Saturday  
Hours (from 7a to 4p): Total Hours per day: 8

6. How many customers or visitors are expected?

Average number per day: 3  
Maximum number per day: 6  
What hours will customers/visitors be there? 7am to 4pm

7. How many employees will there be?

Current: 1 general contractor  
Future: 2 from contractor team  
Hours they work: 7am to 4pm  
Do any live onsite? If so, in what capacity (i.e. caretaker)? No

8. What equipment, materials, or supplies will be used and how will they be stored? If appropriate, provide pictures or brochures.

Standard construction equipment, hammers, screw drivers and occasional lifts

9. Will there be any service and delivery vehicles? Yes, for material delivery once a month

Number: 3

Type: Delivery

Frequency: Monthly

10. Number of parking spaces for employees, customers, and service/delivery vehicles. Type of surfacing on parking area.

Parking on the property is available, 5 spots.

11. How will access be provided to the property/project? (street name)

Road 432

12. Estimate the number and type (i.e. cars or trucks) of vehicular trips per day that will be generated by the proposed development.

1 to 2 cars per day on average

13. Describe any proposed advertising, including size, appearance, and placement.

None

14. Will existing buildings be used or will new buildings be constructed? Indicate which building(s) or portion(s) of will be utilized and describe the type of construction materials, height, color, etc. Provide floor plan and elevations, if applicable.

The old garage structure will be removed and a new garage will be built on the same property, but located closer to the edge of the property to allow better flow and more efficient use of the lot

15. Is there any landscaping or fencing proposed? Describe type and location.

No additional landscaping or fencing will be added to the property

16. What are the surrounding land uses to the north, south, east and west property boundaries?

East = dock easement, West = neighbor's home

North = Road 432, South = Lake Front

17. Will this operation or equipment used, generate noise above other existing parcels in the area?

There may be slight noise during the construction project

Our goal is to finish before the summer season to minimize effects

18. On a daily or annual basis, estimate how much water will be used by the proposed development, and how is water to be supplied to the proposed development (please be specific).

Very little water will be needed or used for the garage and buildout

19. On a daily or weekly basis, how much wastewater will be generated by the proposed project and how will it be disposed of?  
None above normal facilities usage

20. On a daily or weekly basis, how much solid waste (garbage) will be generated by the proposed project and how will it be disposed of?  
The demod garage will be disposed of at the transfer station

21. Will there be any grading? Tree removal? (please state the purpose, i.e. for building pads, roads, drainage, etc.)  
Grading will be performed for the new garage building pad

22. Are there any archeological or historically significant sits located on this property? If so, describe and show location on site plan.  
None

23. Locate and show all bodies of water on application plot plan or attached map.  
Provided on site plan map

24. Show any ravines, gullies, and natural drainage courses on the property on the plot plan.  
Provided on site plan map

25. Will hazardous materials or waste be produced as part of this project? If so, how will they be shipped or disposed of?  
None

26. Will your proposal require use of any public services or facilities? (i.e. schools, parks, fire and police protection or special districts?)  
None

27. How do you see this development impacting the surrounding area?  
This development will not impact surrounding areas

28. How do you see this development impacting schools, parks, fire and police protection or special districts?  
This development will not impact surrounding areas

29. If your proposal is for commercial or industrial development, please complete the following; Proposed Use(s):  
N/A  
Square feet of building area(s):  
Total number of employees:  
Building Heights:

30. If your proposal is for a land division(s), show any slopes over 10% on the map or on an attached map.

N/A

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## Variance: Finding of Fact

Eric Rawn  
53850 Road 432, Bass Lake, CA 93604  
APN: 070-074-002

1. What is unique or unusual about your property or the buildings on your site as compared to other properties in your neighborhood that have the same zoning as yours. These unique or unusual features are why you need relief from the rules or requirement that you have requested through this Variance procedure.

On January 18, 2021, a 200 foot tree ripped through my property, completely destroying our separate garage structure along with a portion of the main home. I would like to request a variance on this property so that the current garage structure can be demolished and relocated to the side of the property. It is currently built right in the middle of the property and is inconvenient and inefficient. Since we had to complete tear down the structure, we would like to maximize the useable area of the lot as much as possible. This variance is similar to other neighbor's properties in addition very similar to our current variance on the existing garage setback which will be demo'ed due to the damage.

2. Explain why the granting of your request is needed to allow the reasonable use of this property.

The granting of the variance request will allow us to reasonably use non-functional areas of the property to build and relocate the garage structure, while also keeping consistent with other homes in the area in regard to the structure placement on the property. Since a complete rebuild of the garage will be necessary, the new structure will be designed to carry the same architectural look and structure of the main home, which is single story, that include the height of 25 feet to the ridge line.

3. Explain why you believe that your request will not effect the health or safety or persons who live or work in the neighborhood. Also, explain why your request will not effect the welfare of your neighbors or be detrimental to property or improvements in the neighborhood.

We believe that our request for the variance will not affect the health or safety of others in the neighborhood, but will actually increase the value of surrounding properties. This variance will allow us to relocate the garage to an area of the lot that benefits the use of land and brings more value to the property.

4. Explain why the granting of your request is necessary for you to use your property or make the improvements that you desire. You need to describe why your particular request would not be viewed as a special privilege that has not been granted to other similar properties. Reasons to grant the Variance may include that other properties in your neighborhood with the same zoning were granted a Variance or don't have the limitation of your property.



We feel that the granting of this variance request is necessary to allow us to keep a plot layout similar to other neighbor properties. Currently, the garage structure is located between the road and the home. We want to relocate the garage to the side of the lot so that we can maximize the use of the land while also conforming to other neighbor lots. Our other neighbors have similar variances in regard to the distance from the street of their home and garage, so we are not asking for anything special that others have not been given.

5. Describe the special or unusual physical features that relate to your property such as size, shape, topography, location, or surroundings which limit your ability to develop or use your property in the same way as other property in your neighborhood which has the same zoning as yours.

Our lot is uniquely shaped more as a triangle than a square or rectangle, so our goal is to maximize the use of space for relocating the garage into optimal building areas similar to our neighbors. We are planning to match the new garage to the new home, so that everything looks consistent and provides the most efficient use of space on the property without affecting any surrounding neighbors.



**Community and Economic Development  
Environmental Health Division**

Dexter Marr  
Deputy Director

- 200 W. Fourth St.
- Suite 3100
- Madera, CA 93637
- TEL (559) 661-5191
- FAX (559) 675-6573
- TDD (559) 675-8970

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**MEMORANDUM**

TO: Emily Lane  
FROM: Dexter Marr, Environmental Health Division  
DATE: February 5, 2021  
RE: Eric Rawn - PRJ #2021-001 - Bass Lake (070-074-002-000)

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**Comments**

TO: Planning Division  
FROM: Environmental Health Division  
DATE: February 5, 2021  
RE: Project (PRJ) #2021-001 Eric Rawn, APN 070-074-002

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The Environmental Health Division Comments:

Property is on Community Water and Sewer. Maintain all County setback requirements.

During the application process for required County permits, a more detailed review of the proposed project's compliance with all current local, state & federal requirements will be reviewed by this Division.

The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including but not limited to the following nuisance(s); Dust, Odor(s), Noise(s), Lighting, Vector(s) or Litter. This must be accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal jurisdiction.

If there are any questions or comments regarding these conditions/requirements please, feel free to contact our Division at (559) 675-7823.



**Community and Economic Development  
Fire Prevention Division**

Deborah Mahler, Fire Marshal  
Deputy Director

- 200 W. Fourth St.
- Suite 3100
- Madera, CA 93637
- TEL (559) 661-5191
- FAX (559) 675-6573
- TDD (559) 675-8970

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**MEMORANDUM**

TO: Emily Lane  
FROM: Deborah Mahler, Fire Marshal  
DATE: February 18, 2021  
RE: ERIC RAWN - PRJ-PC #2021-001 - Bass Lake (070-074-002)

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**Conditions**

Increase in building height and decrease in building setbacks will mandate additional construction requirements through the California Building Code at the time structural permits are applied for.

BASS LAKE BOAT OWNERS DOCK ASSOCIATION  
EASEMENT 4  
P.O. BOX 727  
BASS LAKE, CA 93604  
(559) 260-3572  
[hayesharold@sbcglobal.net](mailto:hayesharold@sbcglobal.net)

RECEIVED  
FEB 18 2021  
MADERA COUNTY  
PLANNING DEPARTMENT

Mr. Matthew Treber,  
Planning Director Madera County  
Planning Division  
200 W 4<sup>th</sup> Street  
Madera, CA 93637

RE: Project (PRJ-PC #2021-001)

Dear Mr. Treber,

My name is Harold Hayes, President of the Bass Lake Boat Owners Dock Association located at the end of Easement 4, which is on the south side of Mr. Rawn's property. I represent 31 homeowners which belong to our association.

We are deeply concerned about the ingress and egress into this easement by Mr. Rawn. During the past few months the construction crew has blocked access to the easement with vehicles and construction equipment. It is our understanding a gate will be installed allowing use by Mr. Rawn onto his property. He has another entrance off of Road 432. We have been advised by your Road Department that there is to be no access onto this easement from private property.

This easement is utilized by our members and the public to access the lake and our dock. If this easement is blocked by Mr. Rawn's equipment for any reason, it will create a multitude of issues and public safety.

Another concern we have is the drainage pipe that was installed from Mr. Rawn's property through the easement into the lake. Is this permitted?

Sincerely,



Harold Hayes, President  
Bass Lake Boat Owners Dock Association

Cc: BLBODA Board Members



September 25, 2020

Eric Rawn  
486 W. Kelly Ave.  
Clovis, CA. 93611

RE: ZV #2020-007, APN: #070-074-002

Dear Mr. Rawn:

On September 21, 2020, the Madera County Zoning Administrator held a public hearing to consider your request for a Setback Variance (ZV #2020-007) to allow for a 6' – 8" front setback to allow expansion of an existing structure where 25' – 0" is required by ordinance. The property is located on the west side of Road 432, approximately 50 feet northwest of its intersection with W. Idylwild (53850 Road 432), Bass Lake.

Pursuant to Section 65906 of the California Government Code, the Zoning Administrator may grant a variance if special circumstance findings, such as size, shape, topography, location of surroundings, deprive the property of privileges enjoyed by other properties. A review of the site and the submitted materials did satisfy the mandatory findings. Based on these findings, Setback Variance #2020-007 approves the following:

- Approved: 1. The request was for a 6' –8" front setback to allow expansion of an existing structure where 25' – 0" is required by ordinance.
- Conditions: 1. All future development must be within the setbacks required by the zoning ordinance or a new setback variance application will be required.
2. All structures must be located within the property boundaries for parcel #070-074-002.

NOTE: All applicable statues must be followed as part of development. Statutes cannot be appealed.





If you do not concur with this decision, you may appeal this matter within 15 days of the date of this letter (no later than 5:00 p.m. on Saturday October 10, 2020). To accomplish this, submit a written letter of appeal, with reasons, along with a \$375.00 appeal fee.

Sincerely

ROBERT MANSFIELD  
Senior Planner

Cc: File



**APPLICATION & PERMIT  
MADERA COUNTY PLANNING COMMISSION**

135 West Yosemite Avenue  
Madera, California 93637-3593  
FAX (209) 675-7639 • (209) 675-7821 • TDD (209) 675-8970

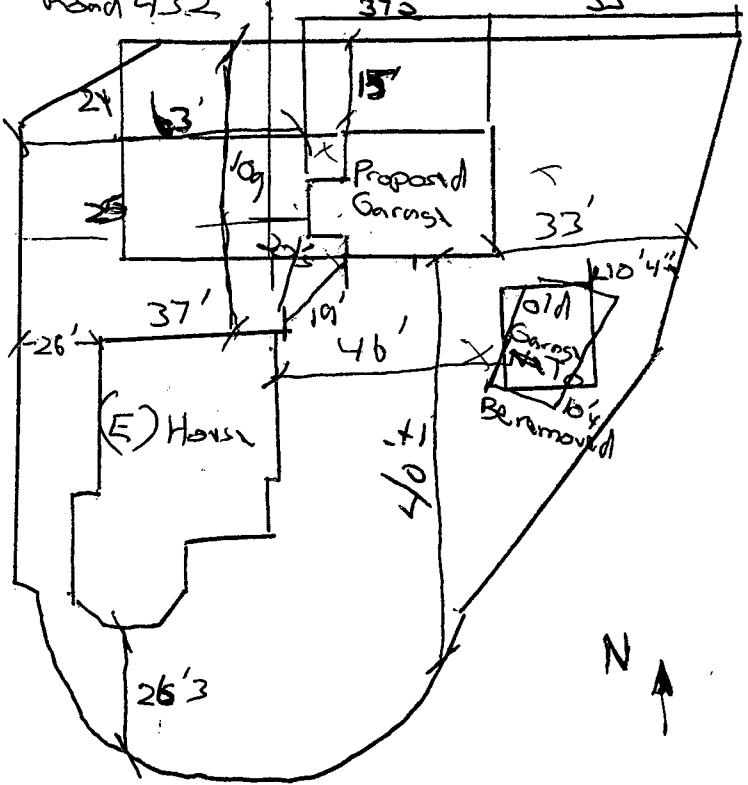
Number 2V 98-77  
 Date 12/17/98  
 Fee 100.00 Penalty —  
 Receipt No. 176200  
 Staff Date of Action 1/11/99  
 Staff  Approved  Denied   
 PC Date of Action \_\_\_\_\_  
 PC  Approved  Denied   
 M.O./Res. No. \_\_\_\_\_  
 B of S Date of Action \_\_\_\_\_  
 B of S  Approved  Denied   
 M.O./Res. No. \_\_\_\_\_

- Manufactured Housing Review
- General Plan Amendment
- Rezoning
- Conditional Use Permit
- Mining Permit
- Zoning Permit
- Variance
- Setback
- Road
- Environmental Review
- Site Plan Review
- Sign Plan Review
- Master

PLEASE PRINT

Applicant KEVIN DURBIN  
 Address 1335 Garland  
 City Clovis State CA Zip 93612  
 Phone (559) 292-3456  
 Property Owner WALTER & HELEN RANDALL  
 Address 53850 Road 432  
 City Bass Lake State CA Zip \_\_\_\_\_  
 Phone (209) 642-3580

SITE PLAN: Show property boundaries, all structures (existing and proposed, including wells and septic systems), access to the property, north arrow, etc.



THIS APPLICATION IS FOR THE FOLLOWING

Sec. 16 Twp. 7 S. Rng. 22 E.  
 Tax Parcel No. 070-074-002  
 Subdivision Name  PINES TRACT - B.L.   
 Lot No. 104

Intended Use 15' front setback for proposed garage

The foregoing information is true and correct to the best of my knowledge and belief. The applicant and property owner hereby acknowledge the requirements as set forth in the Madera County Zoning Ordinance and agree to comply with all County and State Laws. (BOTH MUST SIGN)

SIGNATURE OF APPLICANT X *[Signature]*

SIGNATURE OF PROPERTY OWNER X *[Signature]*

DO NOT WRITE BELOW THIS LINE

CONDITIONS: ① APPROVAL OF A 15 FOOT FRONT SETBACK FOR A DETACHED GARAGE ONLY. ② EXISTING GARAGE WILL BE REMOVED FROM THE PREMISES WITHIN 30 DAYS OF THE DATE OF COMPLETION OF THE NEW DETACHED GARAGE. ③ NO-ADJACENT POOLING AND SIDING ON THE GARAGE. ④ ADDRESS POSTING AS REQUIRED BY LOCAL ORDINANCE.

REFER TO ATTACHMENTS

TIME LIMIT: Valid Until \_\_\_\_\_, 19\_\_

Permits and Variances become void if not used within one year of the date of approval.

AUTHORIZED SIGNATURE *[Signature]* Date: FEB. 1, 1999

PIA 4A  
 ACREAGE .36  
 ZONE RMS  
 ZONE REQUESTED \_\_\_\_\_  
 GP LDR  
 GP REQUESTED \_\_\_\_\_  
 BUILDING PERMIT # 40707  
 DATE 2/12/99