



Zoning Administrator

Regular Meeting **AGENDA**

Civic Center ♦ 300 Seminary Avenue, Conf. Rm. #3 ♦ Ukiah, CA 95482

To participate virtually, go to the following link: <https://us06web.zoom.us/j/88506465004>

Or you can call in using telephone only:

- **Toll-free 1-669-444-9171**
- **Enter the Access Code: 885 0646 5004**
- **Raise hand: After being recognized, Enter *9**
- **To Speak after being recognized: enter *6 to unmute**

May 20, 2025 - 11:00 AM

1. **CALL TO ORDER**

2. **VERIFICATION OF NOTICE**

3. **APPEAL PROCESS**

All determinations of the Zoning Administrator regarding minor discretionary planning permits are final unless a written appeal, stating the reasons for the appeal, is filed with the City Clerk within ten (10) days of the date the decision was made. An interested party may appeal only if he or she appeared and stated his or her position during the hearing on the decision from which the appeal is taken. For items on this agenda, the appeal must be received by May 30th, 2025 at 5:00 PM.

4. **COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS**

The Zoning Administrator (ZA) welcomes input from the audience that is within the subject matter jurisdiction of the ZA. In order for everyone to be heard, please limit your comments to three (3) minutes per person and not more than ten (10) minutes per subject. The Brown Act regulations do not allow action to be taken on audience comments.

5. **APPROVAL OF MINUTES**

5.a. Approval of the April 15, 2025, Zoning Administrator Meeting Minutes

Recommended Action: Staff Recommends Review & Approval of the April 15, 2025, Zoning Administrator Meeting Minutes (Attachment 1)

Attachments:

1. ZAM.04.15.2025

6. **SITE VISIT VERIFICATION**

7. **PUBLIC HEARING**

- 7.a. Consideration of a Minor Variance to allow a 2' encroachment into the 5' rear/side (southern) setback on this corner lot, for an approximately 9ft x 29ft pool and spa accessory structure in accordance with Ukiah City Code (UCC) §9264(d); File No. 25-000323; Permit No. PA25-000009.

Recommended Action: Staff recommends that the City of Ukiah Zoning Administrator: 1) Conduct a public hearing; and 2) Approve the Minor Variance to allow a 2' encroachment into the 5' rear/side (southern) setback on this corner lot, for an approximately 9ft x 29ft pool and spa accessory structure at 1317 W. Clay Street, Ukiah, CA; APN 001-242-02 in accordance with Ukiah City Code (UCC) §9264(d) based on the Findings in Attachment 1 and subject to the Conditions of Approval in Attachment 2.

Attachments:

1. Draft Findings
2. Draft Conditions of Approval
3. Application Materials

8. ADJOURNMENT

Please be advised that the City needs to be notified 72 hours in advance of a meeting if any specific accommodations or interpreter services are needed in order for you to attend. The City complies with ADA requirements and will attempt to reasonably accommodate individuals with disabilities upon request. I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the bulletin board at the main entrance of the City of Ukiah City Hall, located at 300 Seminary Avenue, Ukiah, California, not less than 24 hours prior to the meeting set forth on this agenda.

Katherine Schaefer 05.01.2025

CITY OF UKIAH
ZONING ADMINISTRATOR MINUTES
Meeting Held in Person and Via Teleconference
April 15, 2025
11:00 a.m.

STAFF & PUBLIC PRESENT

Craig Schlatter, AICP: Zoning Administrator
Jesse Davis, AICP: Chief Planning Manager
Katherine Schaefer: Planning Manager
Victor Chiang: Applicant, 105 Pomeroy St.
Amber Lonski: Applicant, 105 Pomeroy St.
Greg Bardini: Applicant, 105 Pomeroy St.
Dylan McGinty: Applicant, 195 Seminary Ave.

1. CALL TO ORDER

The meeting was called to order at 11:01 a.m.

Zoning Administrator Craig Schlatter Presiding.

2. VERIFICATION OF NOTICE

Verified by Staff.

3. APPEAL PROCESS

Appeal Process Reviewed

4. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

No Comments from Audience.

5. APPROVAL OF MINUTES

a. Approval of the December 19, 2024, Zoning Administrator - Meeting Minutes

Approved by Zoning Administrator Schlatter.

6. SITE VISIT VERIFICATION

The Zoning Administrator noted that he was able to sufficiently access the project sites at 105 Pomeroy Street, and 195 Seminary Avenue.

7. PUBLIC HEARINGS

- a. Consideration of a Minor Site Development Permit to renovate and repurpose an existing commercial structure and utilize its previously approved signage allowance for continued restaurant use. The project includes the integration of a drive-through component, as permitted under Ukiah City Code (UCC) §9081, and in compliance with the off-street parking requirements of UCC §9198(D); File No. 25-000241; Permit No. PA25-000007.

Chief Planning Manager Jesse Davis presented the Staff Report.

Zoning Administrator Craig Schlatter requested that staff include the name of the presiding Zoning Administrator in all future Zoning Administrator hearing reports.

Zoning Administrator Craig Schlatter opened the public hearing at 11:20 a.m.

Speaker: Victor Chiang, Applicant

Zoning Administrator Craig Schlatter closed the public hearing at 11:23 a.m.

Zoning Administrator Schlatter approved the Minor Site Development Permit request, subject to the Findings in Attachment 1 and the Conditions of Approval in Attachment 2.

Zoning Administrator Schlatter further requested that staff include the phrase 'subject to the Findings in Attachment 1 and the Conditions of Approval in Attachment 2' in the Recommended Action prompt for all future public hearing items.

- b. Request to renew the existing Cannabis-Related Business Use Permit 'Local Roots' at 195 Seminary Avenue; APN 002-272-16 pursuant to Ukiah City Code (UCC) §9174.2(D)(1); File No. 25-000215; Permit No. PA25-000005.

Planning Manager Katherine Schaefer presented the Staff Report.

Zoning Administrator Craig Schlatter opened the public hearing at 11:31 a.m.

Speaker: None

Zoning Administrator Craig Schlatter closed the public hearing at 11:32 a.m.

Zoning Administrator Schlatter approved the Cannabis-Related Business Use Permit Renewal request, subject to the Findings in Attachment 1 and the Conditions of Approval in Attachment 2.

8. ADJOURNMENT

There being no further business, the meeting was adjourned at 11:34 a.m.



DATE: May 20, 2025
TO: Zoning Administrator, Craig Schlatter AICP
FROM: Katherine Schaefers, Planning Manager
SUBJECT: Request for a Minor Variance to Allow for a Side Setback Reduction from 5 ft to 3 ft at 1317 W. Clay St. (APN 001-242-02); File No. 25-000323; Permit No. PA25-000009

SUMMARY

PROPERTY OWNER/APPLICANT: Gilgert Wendell (Owner)
Patrick Park (Applicant/Agent)

LOCATION: 1317 West Clay Street (APN 001-242-02)

TOTAL ACREAGE: ±0.81 acre

GENERAL PLAN: Low Density Residential (LDR)

ZONING DISTRICT: Single Family Residential (R1)

AIRPORT COMPATABILITY ZONE: Other Airport Environs (OAE)

ENVIRONMENTAL DETERMINATION: Project is exempt from further environmental review per California Environmental Quality Act (CEQA) Guidelines §15305, Minor Alterations In Land Use Limitations

RECOMMENDATION: Conditional Approval (see Draft Findings in Attachment 1 and Draft Conditions of Approval in Attachment 2)

BACKGROUND AND PROJECT DESCRIPTION

An application was received requesting Zoning Administrator approval of a Minor Variance for reduction of a side/rear setback from 5 ft to 3 ft for installation of a swimming pool and spa within the Single Family Residential (R1) zoning district. Application materials are included in Attachment 3. The parcel is currently developed with a single-family residence on a corner lot and is relatively flat. The site is accessed via Mary Street, a private ± 40-ft roadway. Figure 1 includes an aerial image of the site, Figure 2 includes the Parcel Map, and Figure 3 includes a photo of the existing site (looking west). The Parcel Map, project design schematics, a map of analogous pool sites in the vicinity, and site photos are included in the application materials within Attachment 3.

Staff Report
Minor Variance
Side/Rear Setback Reduction
1317 W. Clay St.; File No. 25-000323

Figure 1, Aerial Imagery

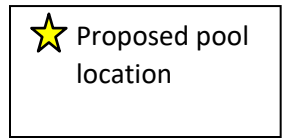
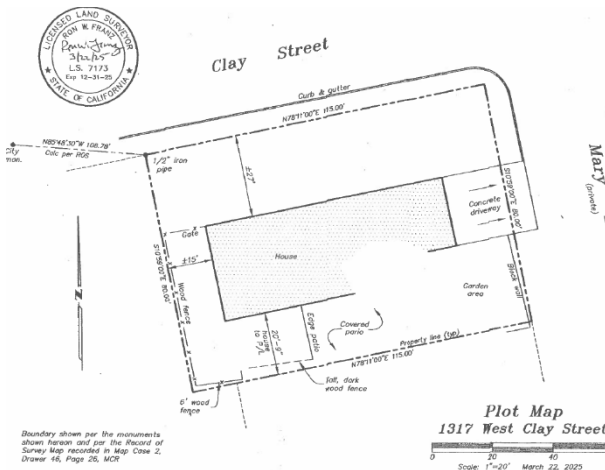


Figure 2, Parcel Map

Figure 3, Site Photo, Looking West



SURROUNDING LAND USES

The parcel carries a General Plan Land Use designation of Low Density Residential (LDR) and is zoned Single Family Residential (R1). The site is surrounded by other single family residential development within the R1 zoning district. Figure 4 includes the General Plan designation map, and Figure 5 includes the zoning designation.

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 Minor Variance
 Side/Rear Setback Reduction
 1317 W. Clay St.; File No. 25-000323

Figure 4, General Plan Designation

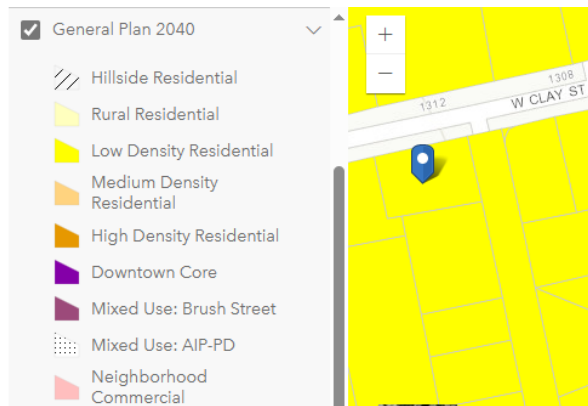
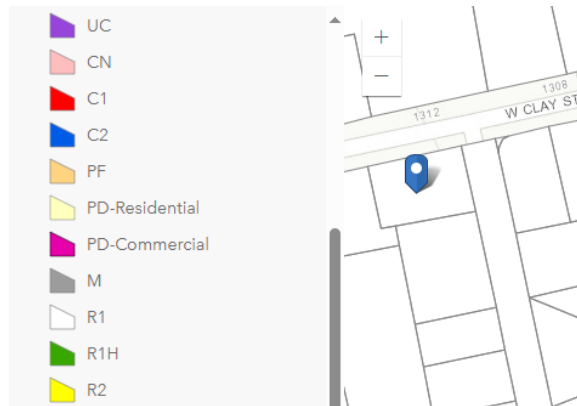


Figure 5, Zoning Designation



AGENCY COMMENTS

The Minor Use Permit application was sent to the following entities for review and comment: City of Ukiah Community Development Director, Building Division, Public Works Department (including the City Engineer), Electric Utility Department, and Ukiah Valley Fire Authority. None of the aforementioned entities identified issues or specific requirements associated with the proposed Variance. However, standard Conditions of Approval have been included in Attachment 2.

STAFF ANALYSIS

General Plan and Zoning Consistency

The parcel carries a General Plan Land Use designation of Low Density Residential (LDR) and is zoned Single Family Residential (R1).

The LDR land use designation is intended to accommodate attached and detached single-family residential uses. The LDR land use designation notes R1 as its corresponding zoning designation and identifies single family homes, accessory dwelling units, and accessory structures as 'allowed' by right. The proposed Variance would aid in the facilitation of an accessory structure within the LDR General Plan designation and R1 zoning district, which are intended for such development. Additionally, the Project is consistent with goals and policies related to housing and orderly infill development within the Housing Element and Land Use Element of the General Plan. See Findings in Attachment 1 for more information.

Minor Variance. Ukiah City Code (UCC) Section 9020 identifies the following setbacks for the R1 zoning district: Front: Ten feet (10') for residences and accessory structures; Sides: Five feet (5') for residences and accessory structures; Rear: Ten feet (10') for residences, and five feet (5') for accessory structures.

However, the applicant proposes a side setback reduction of 2 ft, resulting in a proposed side setback of 3 ft instead of 5 ft. As such, a Minor Variance is required to facilitate this request. Per UCC §9264:

Staff Report
Minor Variance
Side/Rear Setback Reduction
1317 W. Clay St.; File No. 25-000323

1. The Zoning Administrator or Planning Commission, on the basis of the evidence submitted at the hearing, may grant variances from the requirements of this Chapter when:

a. Because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of this Article deprives such property of privileges enjoyed by other property in the vicinity and subject to identical zoning regulations.

b. The issuance of the variance would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and subject to identical zoning regulations.

c. The grant of the variance would not be detrimental to surrounding property owners.

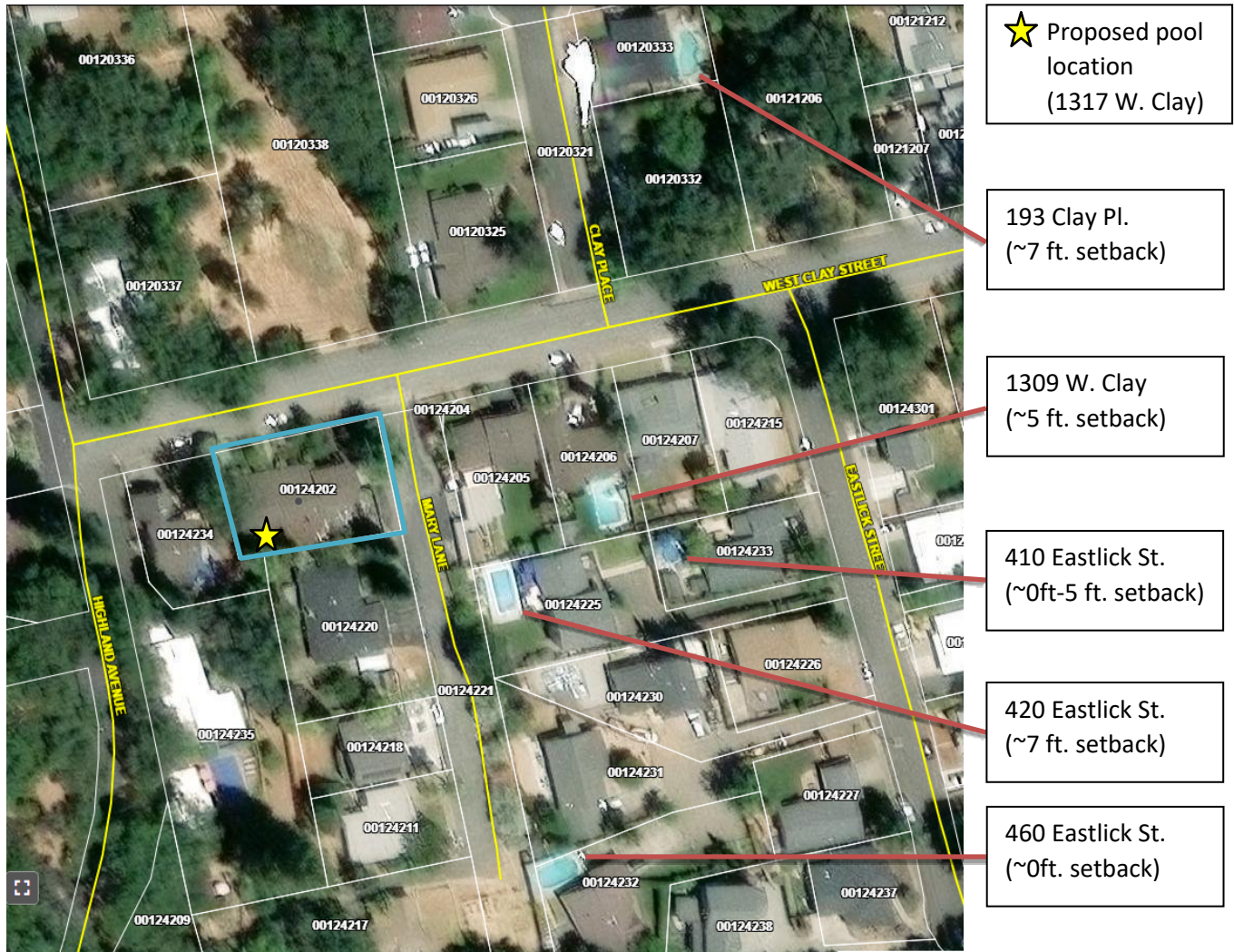
2. The findings shall not be vague and conclusionary. The findings shall be sufficiently detailed to apprise a reviewing court of the basis for the action by bridging the gap between the evidence and the decision-maker's conclusions, and shall be based upon evidence contained in the administrative record.

Based on the evidence provided by the applicant, Staff finds that special circumstances related to the property's topography, corner lot configuration, and existing structural improvements support the requested variance for reduced side yard setback. The subject property includes a significant elevation change east towards Mary Lane. Locating the proposed pool and spa in another area of the lot would present additional design challenges due to elevation changes, existing retaining walls, limited accessibility and setback requirements for a corner lot. Placing the pool in the proposed location adjacent to the south-facing porch, allows for proximity to the house, improved privacy, and alignment with the existing structure, while preserving a minimum of eight feet between the residence and pool. Additionally, multiple surrounding properties within the R-1 zoning district include similarly scaled pools, with at least two appearing to have setbacks of less than five feet (Figure 4), indicating that the variance would not deprive the subject property of privileges enjoyed by others in the vicinity and under the same zoning.

Furthermore, the proposed variance does not appear to grant a special privilege inconsistent with other properties in the area, as similar setback conditions for pools have been observed nearby. The project also does not appear detrimental to adjacent property owners. The proposed construction will retain a vegetative privacy buffer, improve fencing, and maintain a separation of over ten feet from neighboring structures. The project would not require construction access from neighboring properties, and grading improvements are anticipated to address ongoing drainage and infiltration issues affecting the home's foundation. Given the lack of visibility from surrounding streets and the compatibility with existing development patterns, Staff concludes that the proposed variance is reasonable, consistent with zoning limitations in the area, and meets the findings required under UCC §9264.

Findings for approval are included in Attachment 1 and Conditions of Approval are included in Attachment 2.

Figure 4, Neighboring Pool Sites



ENVIRONMENTAL DOCUMENTATION

The project is exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15305, Minor Alterations In Land Use Limitations, which consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but not limited to: (a) Minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcel.

The project includes a minor variance related to the side setback within a level project area. It does not propose any changes to land use, zoning designation, or intended density, nor does it involve the creation of a new parcel. For these reasons, the project qualifies for the cited CEQA exemption.

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 Minor Variance
 Side/Rear Setback Reduction
 1317 W. Clay St.; File No. 25-000323

NOTICE

Notice of the Public Hearing was provided in the following manner, in accordance with UCC §9264(b).

- Published in the Ukiah Daily Journal on May 10, 2025;
- Posted at the Project site and in the Civic Center (glass case) 72 hours prior to the public hearing; and
- Mailed to property owners within 300 feet of the project parcel on May 9, 2025.

RECOMMENDATION

Staff recommends the Zoning Administrator approve the Minor Variance, based on the Findings in Attachment 1 and subject to the Conditions of Approval in Attachment 2.

ATTACHMENTS

1. Draft Findings
2. Draft Conditions of Approval
3. Application Materials

Staff Report
Minor Variance
Side/Rear Setback Reduction
1317 W. Clay St.; File No. 25-000323

**DRAFT FINDINGS TO APPROVE A REQUEST FOR A MINOR VARIANCE TO ALLOW FOR
A SIDE/REAR SETBACK REDUCTION FROM 5 FT TO 3 FT AT
1317 WEST CLAY ST. (APN 001-242-02); FILE NO. 25-000323**

The Community Development Department's approval of a Minor Variance to allow the reduction of the side/rear setback line from 5 ft to 3 ft for installation of a swimming pool and spa within the Single Family Residential (R1) zoning district, as described in the application materials and Staff Report dated May 20, 2025, is based on the following findings, in accordance with UCC Section 9264(d).

Variance Findings

1. Because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of this Article deprives such property of privileges enjoyed by other property in the vicinity and subject to identical zoning regulations.

The subject property includes a significant elevation change east towards Mary Lane. Locating the proposed pool and spa in another area of the lot would present additional design challenges due to elevation changes, existing retaining walls, limited accessibility, and setback requirements for a corner lot.

Placing the pool in the proposed location adjacent to the south-facing porch allows for proximity to the house, improved privacy, and alignment with the existing structure, while preserving a minimum of eight feet between the residence and pool. Additionally, multiple surrounding properties within the R-1 zoning district include similarly scaled pools, with at least two appearing to have setbacks of less than five feet, indicating that the variance would not deprive the subject property of privileges enjoyed by others in the vicinity and under the same zoning.

2. The issuance of the variance would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and subject to identical zoning regulations.

See Finding 1 above. As noted, similar setback conditions for pools have been observed nearby, indicating that the reduced setback would not be out of character or create a zoning inconsistency.

3. The grant of the variance would not be detrimental to surrounding property owners.

Granting of the Minor Variance would not be detrimental to surrounding property owners, as the remaining R1 setbacks would apply. The owner/applicant is also responsible for obtaining Building Permits, in accordance with all applicable fire and building codes related to health and safety.

In addition, the proposed construction will retain a vegetative privacy buffer, improve fencing, and maintain a separation of over ten feet from neighboring structures. The project would not

require construction access from neighboring properties, and grading improvements are anticipated to address ongoing drainage and infiltration issues affecting the home's foundation. Given the lack of visibility from surrounding streets and the compatibility with existing development patterns, the proposed variance would not result in adverse effects on surrounding properties.

Environmental Review

For the reasons discussed in the Staff Report, dated May 20, 2025, the project is exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15303, Minor Alterations In Land Use Limitations, which consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but not limited to: (a) Minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcel.

Public Notice

Notice of the Public Hearing was provided in the following manner, in accordance with UCC §9264(b).

- Published in the Ukiah Daily Journal on May 10, 2025;
- Posted at the Project site and in the Civic Center (glass case) 72 hours prior to the public hearing; and
- Mailed to property owners within 300 feet of the project parcel on May 9, 2025.

**CONDITIONS OF APPROVAL FOR A MINOR VARIANCE
TO ALLOW FOR A SIDE/REAR SETBACK REDUCTION FROM 5 FT TO 3 FT AT
1317 WEST CLAY ST. (APN 001-242-02); FILE NO. 25-000323**

The Community Development Department's approval of a Minor Variance to allow the reduction of the side/rear setback line from 5 ft to 3 ft for installation of a swimming pool and spa within the Single Family Residential (R1) zoning district, as described in the application materials and Staff Report dated May 20, 2025, is based on the following findings, in accordance with UCC Section 9264(d).

Planning Division Conditions

1. This Variance is only applicable to the side/rear setback for the swimming pool and spa on APN 001-242-02. All other development, including accessory structures, are subject to R1 building setbacks identified in UCC Section 9020.
2. All easements shall be shown on site plans.
3. No permit or entitlement shall be deemed effective unless and until all fees and charges applicable to this application and these conditions of approval have been paid in full.
4. All construction shall comply with all fire, building, electric, plumbing, occupancy, and structural laws, regulations, and ordinances in effect at the time the Building Permit is approved and issued.
5. All Conditions of Approval shall be printed on all sets of building permit project plans pertaining to any site preparation work or construction associated with the project.
6. A copy of all conditions of this permit shall be provided to and be binding upon any future purchaser, tenant, or other party of interest, should this use be continued.
7. The variance shall be deemed legally in effect when the appeal period has lapsed, unless a timely appeal is properly filed. If such an appeal is filed, the variance shall be deemed legally effective upon final approval by the City Council. This date shall be so noted in the official variance permit application file and shall also be noted upon the issued variance permit and/or approval confirmation letter.
8. Per UCC Section 9264(G), an approved variance may be revoked through the City's revocation process if the variance project is not being conducted in compliance with the variance as conditioned, or: a) If any project for which a variance has been granted and issued is not established within two (2) years of the variance's effective date; or b) If the structure for which the variance was granted is removed for a period of two (2) years.
9. The Applicant shall submit verification of all applicable permits or approvals in compliance with all local, state and federal laws to the Community Development Department prior to issuance of building permits.
10. This approval is contingent upon agreement of the applicant and property owner and their agents, successors and heirs to defend, indemnify, release and hold harmless the City,

Conditions of Approval
Minor Variance
Side/Rear Setback Reduction
1317 West Clay St.; File No. 25-000323

its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application. This indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the City's action on this application, whether or not there is concurrent passive or active negligence on the part of the City. If, for any reason any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect.

DRAFT



City of Ukiah

Community Development Department
 Planning Division
 300 Seminary Ave., Ukiah CA 95482
 Email: planning@cityofukiah.com
 Web: www.cityofukiah.com
 Phone: (707) 463-6268
 Fax: (707) 463-6204

Planning Permit Application

Application Number:
 CID Number:
 Date Received (place CDD stamp below):

PROJECT NAME: NEW THERAPY POOL & SPA					
PROJECT ADDRESS/CROSS STREETS: 1317 CLAY		Assessor Parcel NUMBER(s): 001-242-02-00			
APPLICANT/AUTHORIZED AGENT NAME: PATRICK PARKS	PHONE NO: 707.485.4761	E-MAIL ADDRESS: hepparade@gmail.com			
APPLICANT/AUTHORIZED AGENT ADDRESS: 475 W CHURCH ST		CITY: UKIAH		STATE/ZIP: CA	
PROPERTY OWNER IF OTHER THAN APPLICANT/AGENT: JACQUES & NANCY LEVEILLE		PHONE NO: 713.392.8419	FAX NO: ---	E-MAIL ADDRESS: NLEVEILLE@COMCAST.NET	
PROPERTY OWNER ADDRESS IF OTHER THAN APPLICANT: 910 LIVE OAK		CITY: UKIAH		STATE/ZIP: CA	
<input type="checkbox"/> AIRPORT LAND USE COMM. DETERMINATION REFERRAL 100.0800.611.003	\$	<input type="checkbox"/> REZONING - PLANNED DISTRICT 100.0800.611.001	\$	<input type="checkbox"/> USE PERMIT - AMENDMENT 100.0400.449.001	\$
<input type="checkbox"/> ANNEXATION 100.0800.611.001	\$	<input type="checkbox"/> SITE DEVELOPMENT PERMIT - AMENDMENT 100.0400.449.001	\$	<input type="checkbox"/> USE PERMIT - MAJOR 100.0400.449.001	\$
<input type="checkbox"/> APPEAL 100.0400.449.001	\$	<input type="checkbox"/> SITE DEVELOPMENT PERMIT - MAJOR 100.0400.449.001	\$	<input type="checkbox"/> USE PERMIT - MINOR 100.0400.449.001	\$
<input type="checkbox"/> GENERAL PLAN AMENDMENT 100.0800.611.001	\$	<input type="checkbox"/> SITE DEVELOPMENT PERMIT - MINOR 100.0400.449.001	\$	<input type="checkbox"/> VARIANCE - MAJOR 100.0400.449.001	\$
<input type="checkbox"/> MURAL PERMIT 100.0400.449.001	\$	<input type="checkbox"/> SPECIFIC/MASTER PLAN 100.0800.611.003	\$	<input checked="" type="checkbox"/> VARIANCE - MINOR 100.0400.449.001	\$
<input type="checkbox"/> PRE-DEVELOPMENT MEETING 100.0800.611.003	\$	<input type="checkbox"/> MINOR SUBDIVISION/TENTATIVE PARCEL MAP (4 OR FEWER LOTS) 100.0800.610.001	\$	<input type="checkbox"/> ZONING AMENDMENT MAP OR TEXT 100.0800.611.001	\$
<input type="checkbox"/> STAFF RESEARCH (MORE THAN 1 HOUR) 10023100.41153	\$	<input type="checkbox"/> MAJOR SUBDIVISION/TENTATIVE SUBDIVISION MAP (5 OR MORE LOTS) 100.0800.610.001	\$	<input type="checkbox"/> REZONING 100.0800.611.001	\$
<input type="checkbox"/> LOT LINE ADJUSTMENT OR MERGER 100.0800.610.001	\$	<input type="checkbox"/> TELECOMMUNICATIONS ADMINISTRATIVE REVIEW PERMIT(1-15 LOCATIONS)	\$	<input type="checkbox"/> OTHER	\$

NOTE: OTHER PLANNING PERMIT FEES WILL INCLUDE COUNTY RECORDER FEES AND CALIFORNIA ENVIRONMENTAL QUALITY ACT FILING FEES. TYPICALLY, THESE ARE DUE PRIOR TO HEARING OF THE PROJECT. FOR INITIAL STUDIES AND ENVIRONMENTAL IMPACT REPORTS, FEES WILL BE DUE AT THE TIME OF APPLICATION.

To Be Completed by Staff

General Plan Designation:	Zoning District:	Airport Land Use Designation:
City's Architectural & Historic Inventory: <input type="checkbox"/> YES <input type="checkbox"/> NO	Age of Building (if proposing demolition):	Flood Designation:
Notes:		

Project Description

Please attach a written project description including summary of work (both interior and exterior for construction and operation) and/or business proposed. The purpose of the project description is to assist Staff in understanding the project. The project description will also be included in the Staff Report required to review (and ultimately approve or deny) the planning permit. Providing complete information will help expedite the project review process and in determining what additional information, if any, related to the project and required environmental review is required.

Environmental Review and Reports

Please be aware that projects are required to comply with the California Environmental Quality Act (CEQA). Projects will be reviewed by Staff for compliance with CEQA and Staff will determine the appropriate CEQA document to prepare for the project (exemption, negative declaration, etc.). In order to make this determination, specific reports (traffic, arborist, soils, etc.) and or additional information may be required.

Use Information (Not applicable to Telecommunication Administrative Review Permits)

Please provide the following information related to the use of the site and building:

Description of Building & Site			
Parcel Size:	Building Size:	Number of Floors:	
Use of Building (check all that apply)	Description	Square Footage	Number of Units/Suites
<input type="checkbox"/> Office (business/professional)			
<input type="checkbox"/> Office (medical/dental)			
<input type="checkbox"/> Retail			
<input type="checkbox"/> Light Industrial			
<input checked="" type="checkbox"/> Residential	SINGLE RESIDENCE NEW POOL w/REMAINING WALL	2300 sqft	2
<input type="checkbox"/> Other:			
Operating Characteristics			
Days and Hours of Operation:			
Number of Shifts:	Days and Hours of Shifts:		
Number of Employees/Shift:			
Loading Facilities: <input type="checkbox"/> Yes <input type="checkbox"/> No	Type/Vehicle Size:		
Deliveries: <input type="checkbox"/> Yes <input type="checkbox"/> No	Type:	Number (day/week/month):	Time(s) of Day:
Outdoor areas associated with use? (check all that apply) <input type="checkbox"/> Yes <input type="checkbox"/> No	Sales area: <input type="checkbox"/> Yes <input type="checkbox"/> No Square Footage:	Unloading of deliveries: <input type="checkbox"/> Yes <input type="checkbox"/> No Square Footage:	Storage: <input type="checkbox"/> Yes <input type="checkbox"/> No Square Footage:
Noise Generating Use? <input type="checkbox"/> Yes <input type="checkbox"/> No	Description:		

AUTHORIZED AGENT

I, Jacques + Nancy Leveille, owner authorize Patrick Parks to act on my behalf for this project and I have read and agree with all of the above. (Application must be signed by owner).

Nancy Leveille Jacques _____ March 31, 2025
PROPERTY OWNER SIGNATURE DATE

I, Jacques + Nancy Leveille, am the owner / authorized agent of the property for which the development is proposed. The above information and attached documents are true and accurate to the best of my knowledge.
I have read and agree with all of the above.

I hereby authorize employees of the City of Ukiah, the City's authorized agents, and persons with review or decision making authority for the project to enter upon the subject property, as necessary, to inspect the premises, post notices, and process this application.

I understand that conditions of approval may be placed on my project by the city of Ukiah and it is my responsibility to fully understand the conditions and ask questions about them before action is taken on my planning permit.

Jacques / Nancy Leveille _____ March 31, 2025
 OWNER / AUTHORIZED AGENT DATE

INDEMNIFICATION AGREEMENT

As part of this application, the applicant agrees to defend, indemnify, and hold harmless the City of Ukiah, its agents, officers, council members, employees, boards, commissions or Council from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void, or annul any approval of the application or related decision, or the adoption or certification of any environmental documents or negative declaration which relates to its approval. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees that may be awarded to the prevailing party arising out of it or in connection with the approval of the application or related decision, whether or not there is concurrent, passive, or active negligence on the part of the City, its agents, officers, council members, employees, boards, commissions of Council. If for any reason, any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect.

The City of Ukiah shall have the right to appear and defend its interests in any action through its City Attorney or outside counsel. The applicant shall not be required to reimburse the City for attorney's fees incurred by the City Attorney of the City's outside counsel if the City chooses to appear and defend itself in the litigation.

I have read and agree to all of the above.

Jacques + Nancy Leveille
 PROPERTY OWNER / AUTHORIZED AGENT
(PLEASE PRINT NAME)

Jacques / Nancy Leveille _____ March 31, 2025
 PROPERTY OWNER / AUTHORIZED AGENT DATE
(SIGNATURE)

Revised 09/03/2019

Jacques & Nancy Levielle
910 Live Oak
Ukiah Ca 95482
713.392.8419
nleveille@comcast.net

03.31.2025

City of Ukiah
Community Development Department
Planning Division
300 Seminary Ave, Ukiah Ca 95482
707.463.6268
planning@cityofukiah.com

SETBACK VARIANCE

Property Address:
1713 Clay
Ukiah Ca 95482

Assessor's Parcel Number:
001-242-02-00

South Boundary Setback Variance: 2' encroachment on current 5' setback (maintain 3' setback with existing porch structure).

Additional work within scope: Existing, West property, pressure treated wood retaining wall, to be replaced with engineered concrete, allowing necessary means for pool development, while also addressing current water infiltration issues via mitigation such as proper retaining wall and roof drainage and grading of the site.

We kindly request a setback variance of the South property boundary from the current 5ft setback to be reduced down to a 3ft setback for our proposal of a therapy pool and spa.

This variance will allow a two-foot encroachment on the current 5ft setback allowing a 3ft setback from the current 2025 property line as surveyed by Ron Franz.

This variance will allow a pool and spa of approximate combined size being 9ftx29ft with a pool depth of equal or less than 5ft deep, to square up and align with existing porch structure; leaving approximately 8ft between the house and pool.

Currently at the South/West area where the pool is proposed, a privacy fence exists in front of a line of trees, with trees residing on 1317 Clay property.

The trees are anticipated to be kept, with the pool design accommodating a new privacy fence to resolve a current existing privacy fence maintenance issue.

The therapy pool and spa will allow us to engage in ongoing therapy within the privacy of our home with less schedule restrictions.

The pool will not be visible from the Clay street or Mary Lane Properties.

As follows is a list of at least 7 residential properties having pools within a 500 ft radius of 1317 Clay; all of similar shape and scale to our proposed pool design; with at least two pools appearing with less than the 5 ft setback from boundary fence lines:

420 Eastlick Street
1309 West Clay
410 Eastlick Street (appearing within less than 5 ft of fence line)
460 Eastlick Street (appearing within less than 5 ft of fence line)
37 Highland Court
260 Highland avenue
193 Clay place

We have examined other locations of the property for building the pool and spa and have proposed this location for the following reasons:

Challenging property topography:

Being a corner lot, developing a pool elsewhere on the property would require a setback variance from Mary Lane. This would generate additional costs to protect existing structures and create equipment ramps to work around existing structural retaining walls; adding to the timeframe of completion. Further development of this area would also include a significant elevation change that would need to be required to navigate. This location would also be farther from the house providing less privacy as the location is at the edge of Mary Lane.

Proposed Area Proximity to House:

An existing 550+ sqft stick framed porch structure attached to the house, is adjacent to the proposed pool area. The porch is within 3 ft of current south surveyed boundary, that is currently serving as an extension of the house.

Distance to neighboring Structures:

There is currently greater than 10 ft between existing neighboring structures, and no current plan to encroach on this space

Construction Ease of Access:

By replacing and relocating the existing, west property, pressure treated wood retaining wall with engineered concrete, all construction can be performed from 1317 West Clay property access and will not require street access from adjoining neighboring properties to complete proposed work. In addition to construction site access and required space for allowed site developmet, a proper drainage and grading plan can now be readily developed and implemented to better address current water infiltration issues affecting the foundation and crawl space that would otherwise be much more difficult to achieve.

We appreciate your time and consideration.

Respectfully


Jacques & Nancy Leveille



PROJECT SITE NEIGHBORING PROPERTIES WITH POOLS Imagery ©2025 Airbus, Maxar Technologies, Map data ©2025 100 ft

AERIAL SATELLITE IMAGE OF PROJECT SITE LOCATION AND NEIGHBORING PROPERTIES WITH SWIMMING POOLS LOCATED WITHIN A 500' RADIUS OF PROJECT SITE ADDRESS

List of at least 7 residential properties having pools within 500' radius of 1317 Clay; all of similar shape and scale to proposed pool design; with at least two pools appearing within less than the 5ft setback from the boundary fence line:

- 420 East Flek Street
- 1309 Clay
- 410 Eastlick Street (appearing within less than 5ft of fence line)

- 460 Eastlick Street (appearing within less than 5ft of fence line)
- 37 Highland Avenue
- 260 Highland Avenue
- 193 Clay Place

**LEVELLLE
RESIDENCE
NEW POOL &
HOUSE RENOVATION**

APN 001-242-02-00

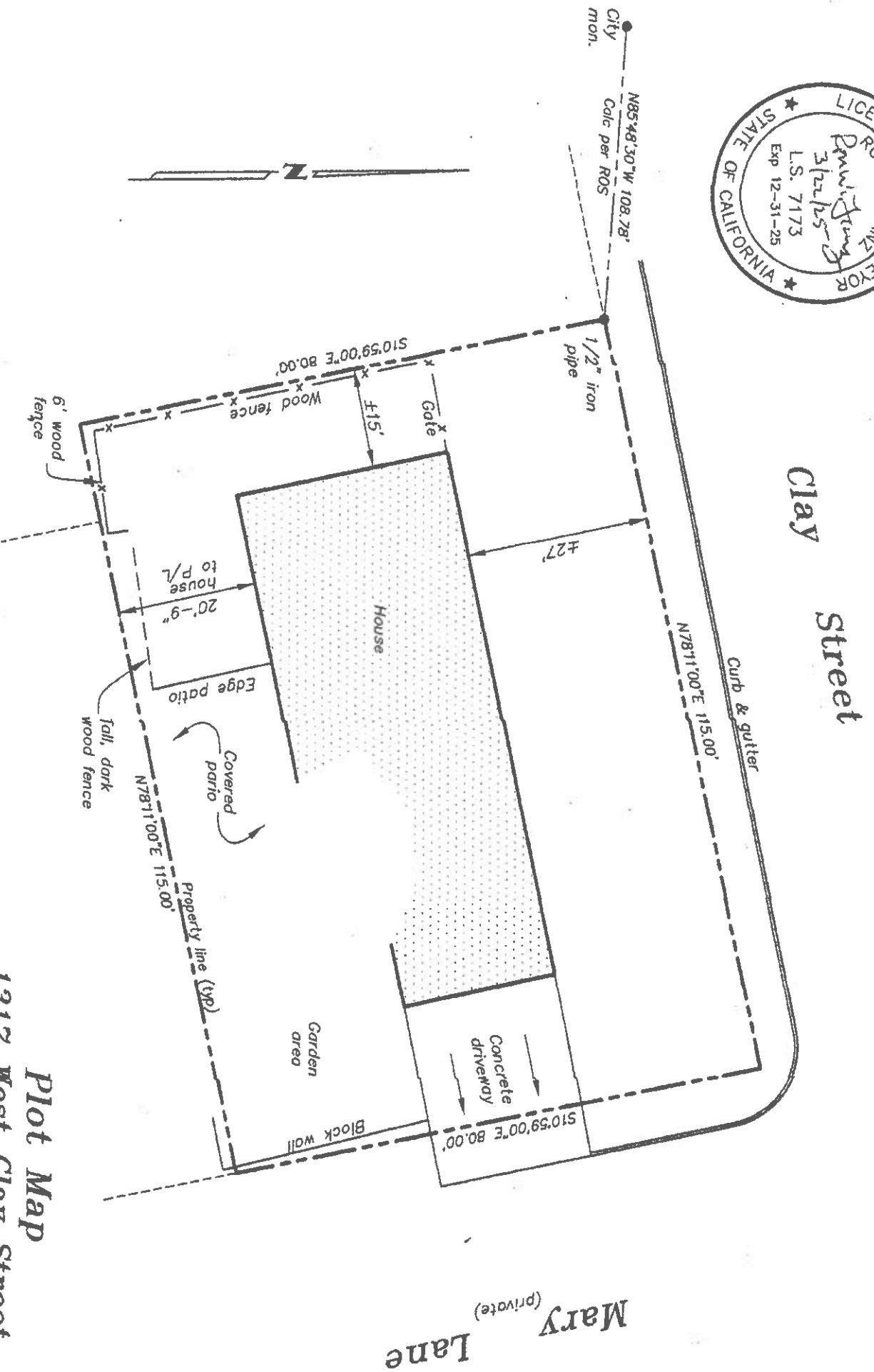
**1317 CLAY
UKIAH CA 95482**



Site Location

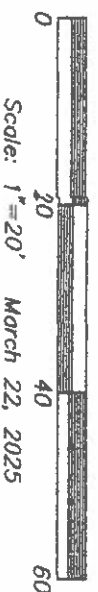
1.7 03.23.25

A050



Boundary shown per the monuments shown hereon and per the Record of Survey Map recorded in Map Case 2, Drawer 46, Page 26, MCR

Plot Map
1317 West Clay Street



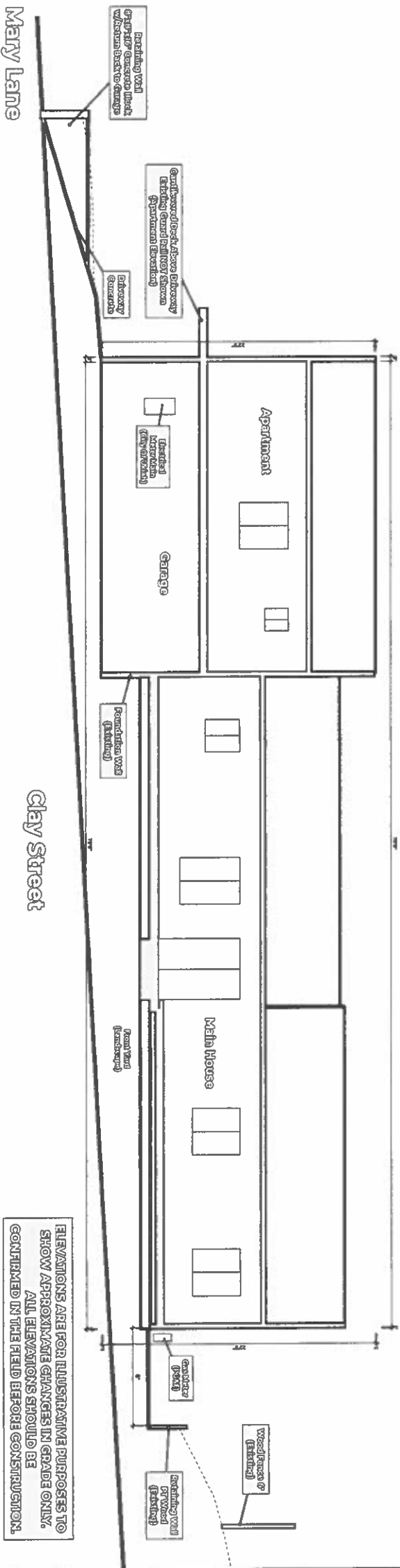
1317 CLAY
UKiah CA 95482
APN 001-242-02-00

LEVEILLE
RESIDENCE
NEW POOL &
HOUSE RENOVATION

Survey 2025

FL7 03.28.25

A051



ELEVATIONS ARE FOR ILLUSTRATIVE PURPOSES TO SHOW APPROXIMATE CHANGES IN GRADE ONLY. ALL ELEVATIONS SHOULD BE CONFIRMED IN THE FIELD BEFORE CONSTRUCTION.

**LEVEILLE
RESIDENCE
NEW POOL &
HOUSE RENOVATION**

1317 CLAY
Ukiah CA 95482
APN 001-242-02-00



**EXTERIOR
NORTH FACE
ELEVATION
(EXISTING)**

V1.0 03.28.23

A201

BASIS OF BEARING
 NORTH 78°11'00" EAST ALONG THE CENTERLINE
 OF CLAY STREET PER MAP CASE 2, DRAWER 43,
 PAGE 66, MENDOCINO COUNTY RECORDS

- LEGEND
- FOUND STANDARD CITY MONUMENT
 - FOUND 1/2" IRON PIPE
 - PER CA. 2, DR. 43, PG. 66, MCR
 - FOUND 3/4" IRON PIPE, NO TAG, PER CA. 1, DR. 6, PG. 96, MCR
 - SET 1/2" IRON PIPE TAGGED RCE 22623.
 - △ THIS SURVEY
 - △ ANGLE POINT, NOTHING FOUND, NOTHING SET
 - () RECORD DATA PER CA. 2, DR. 12, PG. 72, MCR
 - () RECORD DATA PER 909 OR 441, MCR
 - () RECORD DATA PER 370 OR 575, MCR

RECORD OF SURVEY
 FOR FRED ORR IN THE
 CITY OF UKIAH
 MENDOCINO COUNTY, CALIFORNIA
 SCALE 1" = 40' MARCH 1987

UNLESS OTHERWISE INDICATED RECORD BEARINGS AND DISTANCES,
 PER THE REFERENCED DEEDS, AGREE WITH THIS SURVEY.

SURVEYOR'S STATEMENT

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME
 OR UNDER MY DIRECTION IN CONFORMANCE WITH THE
 REQUIREMENTS OF THE LAND SURVEYOR'S ACT AT THE
 REQUEST OF FRED ORR IN MARCH 1987.

Howard H. Bashford
 HOWARD H. BASHFORD RCE 22623

COUNTY SURVEYOR'S STATEMENT

THIS MAP HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION
 8766 OF THE LAND SURVEYOR'S ACT THIS 4TH DAY OF
 SEPTEMBER, 1987.

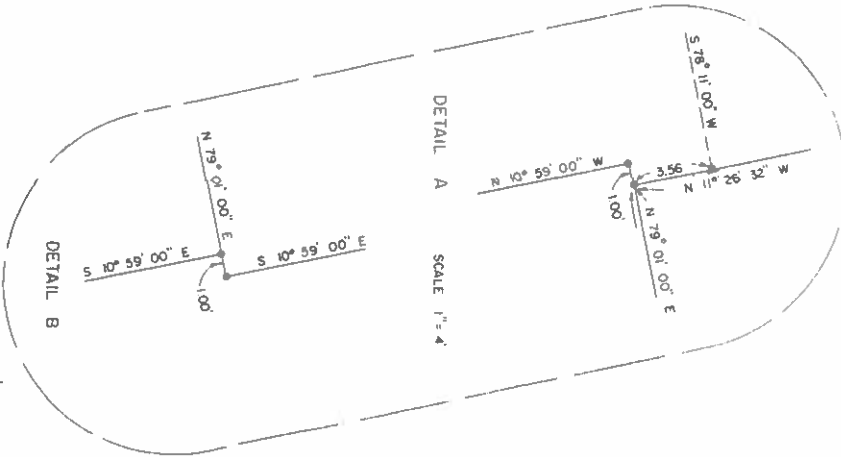
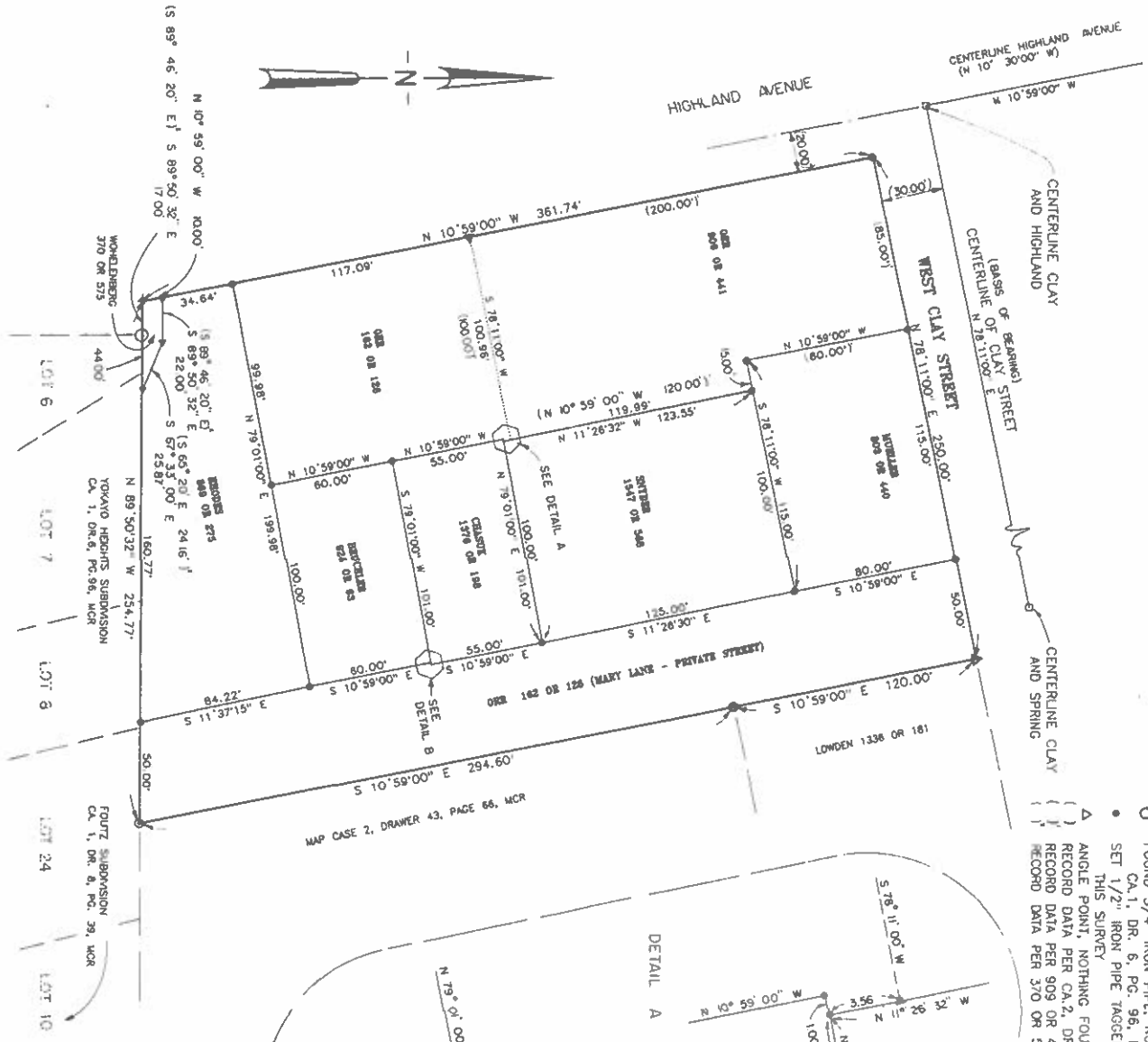
C. F. CAMPBELL, COUNTY SURVEYOR
 COUNTY OF MENDOCINO, STATE OF CALIFORNIA

By *Ronald Boardman* *LS. 4416* DEPUTY
 RICHARD BOARDMAN LIC. EXP. 9-30-91

COUNTY RECORDER'S STATEMENT

FILED THIS 9TH DAY OF September, 1987, AT
 Ukiah, CA, IN MAP CASE 2, DRAWER 43,
 PAGE 26, AT THE REQUEST OF HOWARD H. BASHFORD,
 MARSHA YOUNG
 COUNTY RECORDER

By *Marsha Young* DEPUTY



SHEET 1 OF 1
 Fee \$ 6.00

CASE 15741
 DRAWER 43
 PAGE 26

LEVELLLE
 RESIDENCE
 NEW POOL &
 HOUSE RENOVATION

1317 CLAY
 Ukiah CA 95482
 APN 001-242-02-00

Survey 1987
 11.7 03.28.25
 A052

**LEVEILLE
RESIDENCE
NEW POOL &
HOUSE RENOVATION**

**1317 CLAY
Ukiah CA 95482**

APN 001-242-02-00

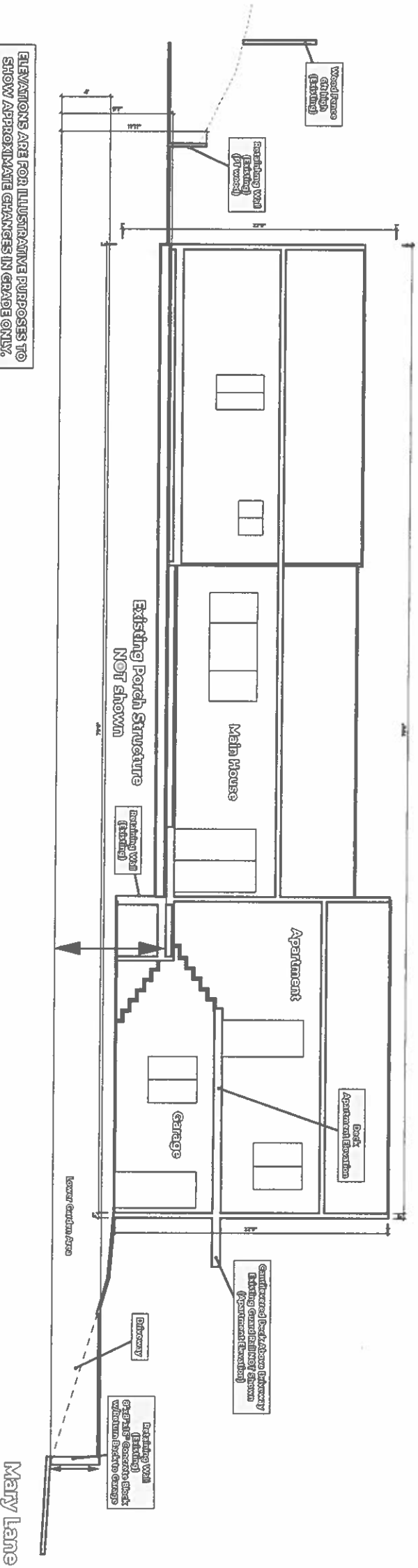


**EXTERIOR
SOUTH FACE
ELEVATION
(EXISTING)**

V1.0 03.28.25

A202

1" = 3/32"



ELEVATIONS ARE FOR ILLUSTRATIVE PURPOSES TO SHOW APPROXIMATE CHANGES IN GRADE ONLY. ALL ELEVATIONS SHOULD BE CONFIRMED IN THE FIELD BEFORE CONSTRUCTION.

**LEVELLIE
RESIDENCE**
NEW POOL &
HOUSE RENOVATION

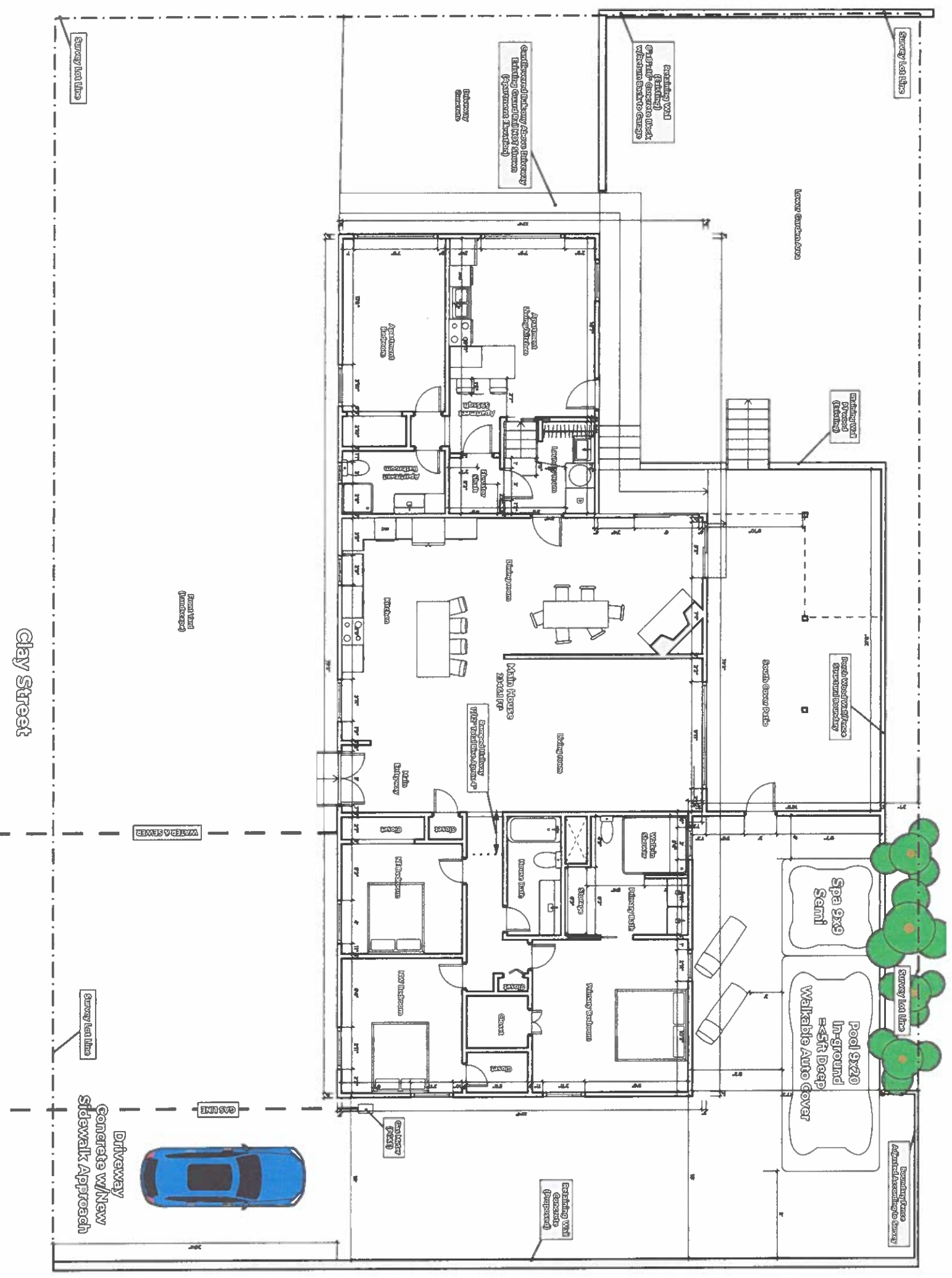
1317 CLAY
Ukiah CA 95482
APN 001-242-02-00



**OCCUPIED
FLOOR
(PROPOSED)**

V1.8 03-28-25

A103



3/32" = 1'

Mary Lane

Clay Street

LEVEILLE RESIDENCE

NEW POOL & HOUSE RENOVATION

1317 CLAY

UKah CA 95482

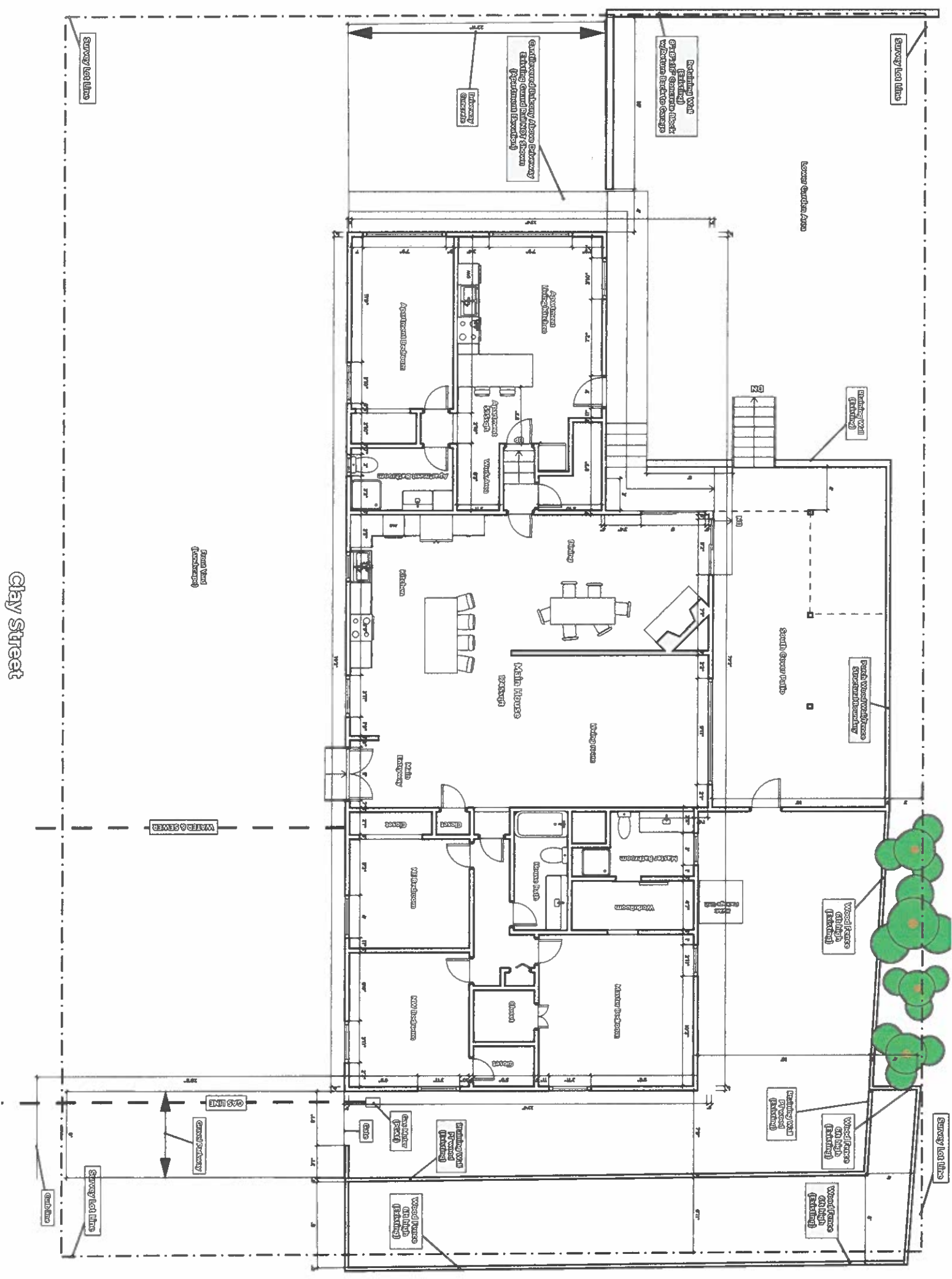
APN 001-242-02-00



OCCUPIED FLOOR (EXISTING)


V1.0 03.28.25

A101



Mary Lane

3/32" = 1'


A photograph of a backyard area. On the left is a green building with a window and a doorway. A utility box is in the foreground, marked with a large red 'X'. A wooden fence runs along the right side, and a tree stands in the yard. The ground is covered with gravel and mulch.

South Porch

A photograph of a backyard. On the left, there is a tall, dark brown wooden fence. In the foreground, there is a lower, reddish-brown wooden retaining wall. The ground is a mix of dirt and sparse green grass. Several young trees and shrubs are planted in the yard. In the background, there are larger, bare trees and a house. The sky is overcast.

WEST FENCE
BOUNDARY

WEST PRESSURE
TREATED RETAINING
WALL FACING THE
NORTH TOWARDS CLAY
STREET

A photograph of a backyard patio area. In the foreground, there are four wooden armchairs with white cushions and a round, patterned coffee table. The patio is paved with gravel. In the background, there is a house with green siding and a wooden deck. A red arrow points to a retaining wall between the house and a garage. The sky is blue and there are trees in the background.

DIN NG ROOM

RETAINING WALL
BETWEEN HOUSE AND
GARAGE (SOUTH TROPICAL
AREA)

LOWER GARDEN AREA
FACING WEST

WEST FENCE
BOUNDARY

PRESSURE RETAINING
WALL

POOL AREA

1317 Clay
Residence

