

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 3/24/2015	(3) CONTACT/PHONE Stephanie Fuhs, Planner III/(805)781-5721	
(4) SUBJECT Submittal of Amendment No. 1 (relating to parcel 17) to the agreement establishing restrictions and obligations for real property (parcels 1-35) with Fredrick G. Kerr and Judy K. Kerr, Trustees of the Fred Kerr and Judy Kerr Revocable Trust dated April 7, 1997. District 5.			
(5) RECOMMENDED ACTION It is recommended that the Board instruct the Chairperson to sign the Amendment No. 1 (Relating to Parcel 17) to the Agreement Establishing Restrictions and Obligations for Real Property (Parcels 1-35) with Fredrick G. Kerr and Judy K. Kerr, Trustees of the Fred Kerr and Judy Kerr Revocable Trust Dated April 7, 1997.			
(6) FUNDING SOURCE(S) Current Budget	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ___) <input type="checkbox"/> Board Business (Time Est. ___)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW Lisa Howe			
(18) SUPERVISOR DISTRICT(S) District 5			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Stephanie Fuhs, Planner III

VIA: Ellen Carroll, Planning Manager/Environmental Coordinator

DATE: 3/24/2015

SUBJECT: Submittal of Amendment No. 1 (relating to parcel 1) to the agreement establishing restrictions and obligations for real property (parcels 1-35) with Fredrick G. Kerr and Judy K. Kerr, Trustees of the Fred Kerr and Judy Kerr Revocable Trust dated April 7, 1997. District 5.

RECOMMENDATION

It is recommended that the Board instruct the Chairperson to sign the Amendment No. 1 (Relating to Parcel 17) to the Agreement Establishing Restrictions and Obligations for Real Property (Parcels 1-35) with Fredrick G. Kerr and Judy K. Kerr, Trustees of the Fred Kerr and Judy Kerr Revocable Trust Dated April 7, 1997.

DISCUSSION

Attached is an amendment to the agreement establishing restrictions and obligations that was required with the original land use permit D000195D/COAL00-0292 for the project site. The original agreement establishing restrictions and obligations delineated a building envelope for the subject property. The current amendment to that agreement allows the current owner to move the original envelope approximately 30 feet to the east in order to have proposed development located near the existing garage and driveway.

The current project, DRC2014-00025, is a conditional use permit to: 1) amend development plan D000195D/ S000136L/COAL00-0292 to shift a designated building envelope by approximately 30 feet to the east, and 2) allow the development of a 1,564 square foot garage and guesthouse within the adjusted building envelope pursuant to Title 22 Section 22.30.410. The new building envelope will not increase the development potential of the site. The proposed project is within the Rural Lands land use category and is located at 9250 North Forty Road, west of the village of Garden Farms. The project site is in the Salinas River Sub Area of the North County Planning Area. The Conditional Use Permit was approved by the Planning Commission on January 8, 2014.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel prepared the Notice and approved the document as to form and legal effect.

FINANCIAL CONSIDERATIONS

None.

RESULTS

Approving and accepting Amendment No. 1 (Relating to Parcel 17) to the Agreement Establishing Restrictions and Obligations for Real Property (Parcels 1-35) will allow the building envelope on Parcel 17 of Lot Line Adjustment COAL 00-0292 to be moved in order to accommodate development of a garage and guesthouse near the existing garage and driveway on the project site. This is consistent with the County goal of providing a healthy and livable community.

ATTACHMENTS

Attachment 1 – Resolution
Attachment 2 – Agreement
Attachment 3 - Graphics