

# County Of Sonoma Agenda Item Summary Report

Clerk of the Board Use Only  
Meeting Date                      Held Until  
/   /                                      /   /  
Agenda Item No:                      Agenda Item No:  
\_\_\_\_\_                                      \_\_\_\_\_

**Department:** Permit and Resource Management Department

**4/5 Vote Not Required**

**Contact:**  
Cynthia Demidovich

**Phone:**  
(707) 565-1754

**Board Date:**  
9/15/2009

**Deadline for Board Action:**

**AGENDA SHORT TITLE:** Final action on a Resolution denying an appeal: PLP09-0008, [REDACTED]

**REQUESTED BOARD ACTION:** Approve a Resolution denying the appeal of the Planning Commission decision to approve the request for a Certificate of Modification and a Zoning Permit for property located at 5231 Las Flores Road, Bodega Bay; APN 101-240-012; Supervisorial District No. 5.

**CURRENT FISCAL YEAR FINANCIAL IMPACT - None.**

**Explanation (if required):** None.

**Prior Board Action:** On August 4, 2009, the Board of Supervisors heard the appeal and took a 5-0 straw vote to deny the appeal.

**Alternatives – Results of Non-Approval:** N/A.

**Background:**

At its regularly scheduled meeting on March 19, 2009, the Planning Commission reviewed a request by [REDACTED] for a Certificate of Modification and a Zoning Permit to modify the Final Map of Sereno Del Mar Unit 3, Lot 24 by reducing the front yard setback from 30 feet to 20 feet, reducing the side yard setback from ten feet to five feet, and enlarging the existing building envelope by 1,985 square feet to construct a 3,000 square foot residence at 5231 Las Flores Road, Bodega Bay: APN 101-240-012; Zoning CC (Coastal Combining District), RR (Rural Residential), B7 (Frozen Lot Size), Z (Second Dwelling Unit Exclusion), G (Geological Hazard); Supervisorial District No. 5.

The Planning Commission opened the public hearing, and after taking testimony closed the public hearing and continued the deliberation to April 2, 2009, to allow staff to provide the following information to the Planning Commission: 1) would the Sereno Del Mar Conditions, Covenants and Restrictions (CC&R's) be violated if the Certificate of Modification and the Zoning Permit were approved; 2) does the County have any obligation to enforce the CC&R's; and 3) does the scope of the Sereno Del Mar Architectural Control Committee have authority relative to the proposed project.

On April 2, 2009, the Planning Commission, with a 5-0 vote, approved the request for a Certificate of Modification and a Zoning Permit.

On April 10, 2009, an appeal of the decision was filed with the Board of Supervisors by the Sereno Del Mar Architectural Control Committee.

On August 4, 2009, the Board of Supervisors heard the appeal and took a 4-0-1 straw vote to deny the appeal and approve the request for the Certificate of Modification and a Zoning Permit. The Board of Supervisors did not propose any changes to the Conditions of Approval. The Board requested that the final Resolution and the Conditions of Approval for the item be brought back on September 15, 2009, on the Consent calendar.

**Attachments:** N/A.

**On File With Clerk:** N/A.

**CLERK OF THE BOARD USE ONLY**

**Board Action (If other than "Requested")**

**Vote:**