

BOARD OF ZONING ADJUSTMENT
RESOLUTION NO. 2020-05

A RESOLUTION DENYING THE APPEAL OF THE SHERWOOD FOREST
HOMEOWNERS TO A STAFF DECISION APPROVING A PROPOSED SECOND-
STORY ADDITION LOCATED AT 3109 YORKSHIRE LANE

WHEREAS, an application for a second story review to allow the addition of a second story over a proposed garage for property located at 3109 Yorkshire Lane was filed by Nathan Eslinger on April 13, 2020; and

WHEREAS, a letter was mailed on April 14, 2020, to the owners of the abutting properties to inform them of the proposed new construction; and

WHEREAS, staff found the proposal met the requirements of Section 10-4.110 of the City of Modesto Municipal Code and on May 8, 2020, approved the proposed two-story addition and sent a letter to the owners of the abutting properties to inform them of staff project approval; and

WHEREAS, an appeal was filed by Sherwood Forest Homeowners in a timely manner; and

WHEREAS, Section 10-9.102 of the Modesto Municipal Code authorizes the Board of Zoning Adjustment to hear and decide on appeals; and

WHEREAS, a notice for the appeal was sent ten days prior to the public hearing to all property owners within 300 feet of 3109 Yorkshire Lane; and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on July 23, 2020, in Chambers, 1010 Tenth Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered; and

WHEREAS, that the public hearing was continued to August 27, 2020, due to failing to get a minimum of four votes to grant or deny the appeal; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Adjustment that it finds and determines that the second story addition is consistent with the R-1 Zone, that the second story addition will not have a negative effect on the privacy of adjacent rear yards and that the addition is of a scale and massing compatible with the neighborhood due to small size and low height of the addition; and

BE IT FURTHER RESOLVED by the Board of Zoning Adjustment that the appeal of Sherwood Forest Homeowners to a staff decision approving a proposed second story addition location at 3109 Yorkshire Lane be denied.

The foregoing resolution was introduced at the regular meeting of the Board of Zoning Adjustment on August 27, 2020, by Rodriguez, who moved its adoption, which motion was seconded by Roddick, and carried by the following vote:

Ayes: Goriel, Roddick, Rodriguez, Selover, Vohra
Noes: Blom, Moradian
Absent: None
Recused: None

BY ORDER OF THE BOARD OF ZONING ADJUSTMENT OF THE CITY OF MODESTO.

Original, signed copy on file in CEDD
Steve Mitchell, Secretary