

July 10, 2023

Deputy Director Robert Bronkall, P.E., L.S.
Land Use Division
County of Humboldt
3015 H St.
Eureka, CA 95501

RE: Petition for Exception Request to Required Right of Way Width
Ruffino Subdivision
Anderson Avenue, McKinleyville, CA 95519
APN: 508-091-039

JN: RUF2101

Dear Mr. Bronkall,

Pursuant to Humboldt County Code Section 325-9, I am requesting an exception to the minimum right of way width requirement, as specified in the Appendix to Title IV, Division 2, Humboldt County Code Section 7-2, to allow all the proposed parcels of the Ruffino Subdivision to gain access to a proposed road off of Anderson Avenue. Exceptions to the requirement and regulations of the Code may be granted if the following conditions exist:

- 1) That there are special circumstances or condition affecting said property.
- 2) That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
- 3) That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.

In addition, in granting such exceptions, the Advisory Agency must secure, substantially, the objectives of the regulations to which the exceptions are granted as to light, air and public health, safety, convenience and general welfare.

The proposed Parcels, as shown in the Tentative Map, are consistent with the prescribed density, minimum parcel size and building setbacks, parking regulations, and other development criteria of the applicable regulations. This proposed subdivision is consistent with planned growth of the area, and is General Plan supported in-fill development.

The subject property gains access via Anderson Ave, off School Road. There are currently no residences on APN 508-091-039. Anderson Avenue has a width of 18 feet within a right of way width of 40 feet. This project is proposing an access easement off Anderson Avenue for a new road with a 30.50-foot right of way that would provide access to the parcels created by the subdivision. The new right of way

Whitchurch Engineering, Inc.
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consists of a 20-foot-wide asphalt road and a 10-foot-wide vegetated drainage swale. Adjacent to this right of way is a proposed 10-foot-wide pedestrian access easement and public utilities easement upon which is to be constructed a 4.5-foot landscape strip, and a 5-foot concrete sidewalk.

Since the project, as proposed, satisfies other requirements for land subdivision, granting this exception does not appear to be providing special privileges not available to others; but rather is upholding the preservation and enjoyment of a substantial property right of the landowner. Denying the exception request would deprive the property owner of the ability to subdivide the subject property to the maximum potential as described in the existing General Plan and Zoning Regulations.

The granting of this exception does not appear to be detrimental to the public welfare or injurious to other properties in the vicinity. Based on the above, I respectfully petition that this exception request be granted.

Please do not hesitate to contact the Whitchurch Engineering Eureka office with any questions or concerns regarding this petition to grant an exception to the minimum right of way width requirement for the proposed road in the subject parcel.

Sincerely,



Zach Johnson
RCE# 92416

ZDJ
jps