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C Misinformation Regarding Building Setbacks and Build-ability

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From: BBC_Big_Black_Cat Sent: Monday, May 11, 2009 06:35 AM What is a build-able lot?

According to our local office of Building and Safety (336-0640), here are the rules:

If the lot is less than 5,000 square feet, the new home must be 600 square feet in size. If the lot is 5,000 square feet or more, the new home must 750 square feet in size. There is a minimum structure size of 15 feet wide in any case. The building foot print can not be greater than 40% of the lot size. Manzanita trees can be removed only within that building footprint.

Setbacks are:

(front) 35 feet from the center of the street (rear) 15 feet (sides) 20% of frontage on each side

So, to Mr Famous Cedarpines Parker.... lot 38 which you have "dubbed" a green belt next to your house is, in fact, a build-able lot at 25 X 100 in size. Complain About This Message

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From: CP_Maynard

Sent: Monday, May 11, 2009 09:25 AM So build your 15' X 60' house I don't care. Would that be a house or a tunnel? If you are talkin to me, are you talkin to me? Cause I heard a little sumthin... are you going to build on top of the existing structure's septic? Complain About This Message

From: CP_Maynard Sent: Monday, May 11, 2009 09:27 AM Oh wait, I'm not the famous CPP'er As Emily Litella would say "Nevermind" Complain About This Message

From: Sushi (Cedar) Sent: Monday, May 11, 2009 09:32 AM Hmmmm, I have to assume that doesn't apply to all parts of San Bernardino County since my 900 sq ft, "built" in 2004 house in Big Bear sits on a 2,400 sq ft lot. Complain About This Message

From: OLDGUY Sent: Monday, May 11, 2009 10:35 AM Sushi, I think the house sizes stated are the minimums. Complain About This Message

From: CP_Maynard

Sent: Monday, May 11, 2009 10:41 AM Sushi Cedar Violet Blue Horse I never hear from you guys anymore! Complain About This Message

From: Sushi (Cedar)

Sent: Monday, May 11, 2009 10:52 AM

We've been busy with the new kitten the new puppy the new landscaping the new hair color . . . Only one of us is platinum blond now. Sorry if that ruins any fantasies for you. Complain About This Message

From: Sushi (Cedar)

Sent: Monday, May 11, 2009 11:06 AM

Actually now that I look at it, what was posted doesn't make any sense. There is no minimum of maximum attached to any of the numbers, and a house can't be more than 15 feet wide?

Complain About This Message

From: Roncpp

Sent: Monday, May 11, 2009 04:44 PM

County rules are not standardized for all areas. Up here there are water percolation requirements and with septic tanks the minimum area for a leech field plus the tank are more than you have described. The setback is not from the "center of the street" but from the centerline on the plot map. Up here the streets often do not actually lie the way they are drawn. If you want to build a house on a 2500 sf lot, you will have to get some variances which I don't believe are available. Does lot 38 have a water share? That would also be a factor in getting any permit.

Complain About This Message

From: Roncpp Sent: Monday, May 11, 2009 04:45 PM You also must provide off street parking for 2 cars. That would have to be an air lot in front of your "house". Complain About This Message

From: Roncpp

Sent: Monday, May 11, 2009 04:48 PM

That 20% of frontage would be 5 feet and the actual requirement is at least 10 feet. 25 feet of frontage is all that is available and the centerline is 4 feet off the pavement so your 35 feet takes you nearly halfway down the slope toward your back line (and mine). Budget for lots of stairs.

Complain About This Message

From: Roncpp

Sent: Monday, May 11, 2009 04:49 PM

Then check out the cost of pumping a holding tank which is the only way to avoid the septic requirements. The pumper would have to have a long hose and a very powerful pump to pump your effluent that far uphill.

Complain About This Message

From: Sushi (Cedar) Sent: Monday, May 11, 2009 05:20 PM Ahh, so you all have no hook up to a sewer system? That would make a difference. Very few houses left over here on septic tanks; only the ones furthest out in the boonies. Complain About This Message

From: BBC_Big_Black_Cat

Sent: Monday, May 11, 2009 05:57 PM

Ron, you didn't call Building and Safety now did you? Some things can't be found on the internet. Everything listed is accurate. The "center of the street" is established at time of survey and topo and yes, you are right that the parcel maps (especially in Cedarpines Park) can be off a foot or 2.

Regarding a parking deck, they are allowed within 1 foot of the property side lines, which in this case equals 23 feet wide (plenty big enough for 2 cars). And, the grade is the same grade as the famous Cedarpines Parker's property!

So, if you are the "Famous Cedarpines Parker", I'd suggest that you buy that lot if you forever want to keep it as your very own "greenbelt". Complain About This Message

From: OLDGUY

Sent: Monday, May 11, 2009 06:02 PM

BBC, you DO know that facts are not relevant to this discussion, don't you? Facts just confuse the issue and make certain people so upset they will start picking on you. Please leave the facts out of it and simply bow to the emperor - he has spoken. Complain About This Message

From: jim (jeepseahawk)

Sent: Tuesday, May 12, 2009 06:33 AM This might unravel into "dog park II." Should be fun to follow, hopefully a 600 foot outhouse will be built, let the illegals loiter there while looking for work. Complain About This Message

From: sabro Sent: Tuesday, May 12, 2009 06:36 AM What about garages? Are those rules different?

My lot sits with the longer axis as the frontage... meaning at 100' my side set backs are 20'.... does this mean that an unattached garage has to be 20' from the side of the lot? Complain About This Message

From: Roncpp

Sent: Tuesday, May 12, 2009 11:04 AM

I have been a regular user of B&S guidelines as various projects were done on my property. The only reason I mentioned parking is that after the deck at street level, you then proceed 35 feet down slope from the 4 feet the centerline is already off the pavement and you are at spot 39 feet from the closest edge of the pavement before you can build your shack. You cannot build within 10 feet of either side line so you have 5 feet of width to deal with 61 feet left to your back line. You can't install a septic tank because you have insufficient area for the leech field. That means you must dig a hole to place your holding tank somewhere in what little space you have left.

Go ahead and try for a permit. I'll be watching the show.

Complain About This Message

From: Sushi (Cedar) Sent: Tuesday, May 12, 2009 11:18 AM Maybe a nice six seater outhouse? I like the way you think Jim Complain About This Message

From: BBC_Big_Black_Cat Sent: Tuesday, May 12, 2009 09:40 PM Ron... sometimes you make me dizzy! Here is a set back map for lot 38 which is typical for a lot that is 25 x 100.

http://i301.photobucket.com/albums/nn44/hairballsupremo/2...

Sabro... No structures (garages) are allowed within the setback areas. Complain About This Message

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From: MTNDUNN Sent: Tuesday, May 12, 2009 09:50 PM

Setbacks are only there to make you pay for major/minor deviations.

If your neighbor decides he wants to build outside the setback he pays the varience fee,

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you are notified and you can complain but it will do no good. It will be approved.

If you don't want a 20x20 shiatbox shoved in 5 feet off your side window you better buy the lots next to you.

Complain About This Message

Shopping For A Steel Building?

From: sabro Sent: Tuesday, May 12, 2009 09:51 PM So if the frontage is 100' I have to set back 20' from the side and 35' from the centerline of the street? Complain About This Message

From: sabro

Sent: Tuesday, May 12, 2009 09:52 PM There is a 25 x 100' lot next to mine that I have been trying to buy for years. Complain About This Message

From: BBC_Big_Black_Cat

Sent: Tuesday, May 12, 2009 09:59 PM Sabro... yes Complain About This Message

From: Roncpp

Sent: Wednesday, May 13, 2009 05:53 AM

BBC: Pay attention. The setback map you posted assumes the centerline of the road is in the center of the pavement. I have told you several times the road deviates from the survey to the west and the surveyed centerline is actually 4 feet downslope from east edge of the pavement. Measuring the setback from the actual surveyed centerline is required which means the map is way off. I have 125' of frontage and the centerline at the opposite side of my property is a foot from the west side then forms a straight diagonal over that 125' to the east side of the road. Many surveyors have found this to be true. My required set back on the south corner would actually begin about 10 feet east of the edge of pavement. I could probably get a variance for a garage because my immediate neighbor to the south has his garage well inside the setback. The lot 38 setback is an entirely different matter. It is a greenbelt for the neighborhood to enjoy and no structure will ever be approved without a holding tank because we will never have sewers in Cedarpines Park. Complain About This Message

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From: Roncpp

Sent: Wednesday, May 13, 2009 05:53 AM Variances are denied all the time. Complain About This Message

From: BBC_Big_Black_Cat

Sent: Wednesday, May 13, 2009 06:09 AM Giberish. Lot 38 is private property and is assessed as so. You are starting to contradict yourself. First you say you can get a variance and then you say they are denied all the time. Sounds like you must be the famous Cedarpines Parker huh? Complain About This Message

From: BBC_Big_Black_Cat

Sent: Wednesday, May 13, 2009 06:12 AM Lowe's sells kit homes that will fit on a 25 x 100 lot...

http://www.lowes.com/lowes/lkn?action=pg&p=2006_landi...

Complain About This Message

From: sabro

Sent: Wednesday, May 13, 2009 06:20 AM

I had thought the side set backs were 5'. A setback of 20' means that the entire driveway is in the wrong place and extensive excavation would be necessary. Not cheap. Not easy. Complain About This Message

From: Roncpp

Sent: Wednesday, May 13, 2009 06:27 AM

Sabro: Set backs are not all the same. I believe there are exceptions to the 10 foot sideline requirement. There are examples of homes built about 10 feet apart allowing for fire fighter access. Variances are applied for and may be granted and may be denied. BBC, chill a bit. I am not making up what I say. The only sure thing is that if you want to build a home anywhere you will have to convince B&S to approve it. And if you refer to the storage sheds sold by Lowe's as "kit homes" suitable for human habitation you need to have a talk with building and safety. The instant you introduce the idea someone will be living in such a structure you invoke a whole host of additional requirements. There are no legal homes sold by Lowes that will comply with code up here. And you never addressed my question about availability of water shares.

From: BBC_Big_Black_Cat

Sent: Wednesday, May 13, 2009 06:28 AM

Ron is correct in that there is no sewer system in all of Cedarpines Park. Building lots need to pass a percolation test and have enough ground area for a leach field or one must install a holding tank. There is no way a 25 x 100 foot lot would pass for ground area so builders install 2,000 gallon holding tanks that need to be pumped out when full. This can be expensive for full time residency but quite ideal for vacation cottages. Future has it that private sewage treatment equipment will treat your sewage into solids and irrigation water for about \$15,000. These systems are becoming popular along the Colorado River as it develops.

Complain About This Message

From: Roncpp

Sent: Wednesday, May 13, 2009 06:32 AM

What did I say about lot 38 not being private property? It is a greenbelt because it buffers two adjoining parcels with homes. That has nothing to do with assessments or ownership. I knew the owner when he built the house on the parcel next to this orphan lot. He may have sold it to someone since. We see a lot of eBay lot buyers wandering around looking

for their property. Is that what this is about? Did you buy it and think you can do something with it? Good Luck if that is the case. Complain About This Message

From: BBC Big Black Cat

Sent: Wednesday, May 13, 2009 06:36 AM

Ron, why would I address the water share stock with you? Aren't you on the board? ahhhhhhhhhh you must be the "Famous Cedarpines Parker! That is why you have "Dubbed" that private property as your very own green belt. I see.. now that opens up a lot of questions. First, why aren't you paying the private property taxes for lot 38? Complain About This Message

From: Roncpp

Sent: Wednesday, May 13, 2009 06:40 AM

I've seen quotes in the \$300 range for pumping a tank. Some have to do it frequently. Elevation from the access point (the street) and the bottom of the tank is an issue. Some truck mounted pumps cannot handle more than a specific distance/elevation difference. This is why location of the tank is critical. Scheduling is also an issue. If you live there during the winter and roads are closed due to snow and your tank is full, you will do what? All that expense for a tiny shack on a steep lot with no view except the underside of your parking structure, my 15' high fence, the side of my neighbor's house and the erosion channel running behind this lot? There are more suitable home sites available. Complain About This Message

From: BBC_Big_Black_Cat

Sent: Wednesday, May 13, 2009 06:43 AM Ok, so it's still a build-able lot and times do change. I would not like to live on a 25 by 100 but someone else would.

I am truly surprised by your ambiguity. Complain About This Message

From: BBC_Big_Black_Cat

Sent: Wednesday, May 13, 2009 06:44 AM Please make your offer for lot 38. Complain About This Message

From: Roncpp

Sent: Wednesday, May 13, 2009 06:48 AM

The discussion was about the practicality of building a home on 2500 sf lot. Water is always a factor. Since you have paid so much attention to this particular lot and it's proximity to my property, I thought the question was germaine. If you actually have purchased the lot or are contemplating doing so, the question of water availability is pertinent. I am not required to pay taxes on adjacent property obviously. My point, since you seem to have missed it, was that I don't feel the need to buy this lot because it is functionally useless as a home site. The benefit of having the buffer is obvious, but that doesn't create a legal obligation to pay anything for that benefit. The standard minimum square footage out here is around 13,000 sf plus room for the home footprint as I recall. That assumes a septic system. Assembling several of these tiny lots into a larger parcel is how most of the existing homes were permitted. Of course standards have changed over time and are more strict now than ever.

Complain About This Message

From: Roncpp Sent: Wednesday, May 13, 2009 06:50 AM I know there are realtors who will promote this idea. I blew the whistle on one of them who was misrepresenting the suitability of some of the worst lots up here. His descriptions were distortions and aimed at the gullible.

From: SBCBI

Sent: Monday, May 18, 2009 07:51 PM Front setback: 35' from center of Right of Way, not street, pavement or anything else.

Rear setback: 15' period.

Side setback: 20% of width of lot, minimum 5', maximum 15'.

These side set back requirements are for square or rectangular lots only. If you have a lot that is not contact a Land Use Tech at the Twin Peaks office. If your lot has a street on more than one side the set back requirements also change on that side.

Lot surveys are required for all permitted structures to be built in the mountains. Period.

Projections into setbacks:Garages and carports in Mountain Region only that:Do not project beyond property lineLimited to 1 story in height

Front setback - Allowed. 10 ft. minimum from existing edge of roadway pavement.

Rear setback: Allowed Garages, carports, sheds and other similar detached, enclosed accessory structures that: • Occupy no more than 25% of yard • Limited to 1 story in height Complain About This Message

From: SBCBI Sent: Monday, May 18, 2009 07:59 PM SABRO: 100' frontage: 15' side setback each side. Complain About This Message

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From: sabro Sent: Monday, May 18, 2009 08:05 PM Thanks. I need a garage...

So I have to be 10' back from the pavement and I am limited to one story on a detached structure...

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That is what is sounds like? Complain About This Message

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From: SBCBI

Sent: Monday, May 18, 2009 08:15 PM

Yes, you do. Buy the lot next to you, merge it and the PL goes away between those two lots.

Complain About This Message

From: sabro

Sent: Monday, May 18, 2009 08:21 PM I have been offering money for that lot for years...

What is a good price on a 20x100' lot in Arrowbear that is locked in between two other properties? Complain About This Message

From: BBC_Big_Black_Cat Sent: Monday, May 18, 2009 09:49 PM SBCBI

I am assuming that you are a San Bernardino County Building Inspector by your user name and articulation. Thank you for jumping in and polishing my post. Just one question for you... what is the distance between the center of the "right of way" and the "center of the street"? Is there a set formula to determine the center of the right away based on the street width?

Sabro, I buy and sell land. We have sold over 90 lots here on the mountain in the last 4 years. We have online access to reports and I would be happy to help you get information on the lot next door. Email to digitalot1 at msn dot com the APN number. If you do not have the number, just give me yours and we can go from there. BTW nice picture on face book!



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BBC Complain About This Message

From: Roncpp Sent: Tuesday, May 19, 2009 09:29 AM Or log on to your friendly Assessors office or Tax collectors office site and you too will have access to lots of information which is the source of any other source. Complain About This Message

From: jaoldmill

Sent: Tuesday, May 19, 2009 10:29 AM

In SD county, to get approved plans for an entire house with septic, the permits and plans go through multiple signatories. For a septic field, first you have to get an approved septic layout through the Department of Health Services, then you permit the plans with Building and Safety office (with which you provide utility company approvals), and the third is through the Fire Marshal for access and other fire mitigation requirements. I assume it may be similar in SB county, but I've never gone through the permitting process for a complete house in SB county.

We did in SD county for a house on Palomar Mountain and fire access was the most difficult part to get approval for, especially if you are in a remote area off of a dirt road or access road.

I haven't investigated the septic permitting process in SB, but in SD, they have a leach field sizing chart based on perk numbers, and you must have 100% reserve. There are also setbacks related to the septic field and holding tanks, so there definitely could be issues with any particular lot that would not allow for all the normal building setbacks with the addition of a sewage holding tank (as there is no way a septic field would fit on that small of a lot).

Any really steep lot might require extra soil engineering that might also preclude building or at least building within any reasonable price range. Roncpp is correct that if a lot has no water share, it would also prevent building.

There are homes that are currently on lots in the mountains that would not be approved under today's codes, so you can't just go by existing homes as examples. Complain About This Message

From: Roncpp

Sent: Tuesday, May 19, 2009 11:06 AM

Yep: Which is why I caution those shopping for lots to be skeptical of those selling those lots. e-Bay sales and others are highly dubious by nature and lots of misinformation is offered. The tax sale orphans are particularly bad. They exist in landlocked areas without access of any kind and yet people pay good money for the fantasy that there are great deals for a dream home in the woods. The good ones do not go cheaply and have none of the characteristics of these formerly marketed tent sites.

Complain About This Message

From: Sushi (Cedar) Sent: Tuesday, May 19, 2009 02:07 PM Thanks SBCBI. What you wrote makes sense, and jives with what I've seen up here. Appreciate your input. Complain About This Message

From: BBC_Big_Black_Cat Sent: Tuesday, May 19, 2009 05:04 PM Ron, we have subscription access to on line services that John Q Public doesn't. I have been so busy and I need to catch up on this thread so please stand by. Complain About This Message

From: SBCBI

Sent: Tuesday, May 19, 2009 07:47 PM

BBC: The center line of right of way and the center of the pavement are rarely the same. The Transportation Dept. would LIKE for every ROW to be 40' wide hence the 35' setback from CL of ROW. Can you see Peak Circle in CPP ever being 40' wide? Complain About This Message

From: BBC_Big_Black_Cat

Sent: Saturday, May 23, 2009 08:01 PM Ron you have stated:

1. "The setback is not from the "center of the street" but from the centerline on the plot map" (wrong)

2. "20% of frontage would be 5 feet and the actual requirement is at least 10 feet" (wrong)

3. "You cannot build within 10 feet of either side line" (wrong)

4. "if you refer to the storage sheds sold by Lowe's as "kit homes" suitable for human habitation you need to have a talk with building and safety" (wrong)

5. "you never addressed my question about availability of water shares" (wrong)

6. "There are more suitable home sites available" (right)

7. "The standard minimum square footage out here is around 13,000 sf plus room for the home footprint as I recall" (wrong)

8. "The tax sale orphans are particularly bad. They exist in landlocked areas without access of any kind (mostly right)

Your score is 16% for this test (giving full credit for mostly right).

Regarding the need for a water share, I have already surmised that you have control over that because you are on the board. Is it possible that one can get a water tank and fire letter without a share of stock?

Jaoldmil,

Thanks for adding that valuable information.

SBCBI,

Thank you for your clarification... great service. You have made it clear that the "right of way" is the actual lay of the highway optimally designed to be 40 feet wide and centered on the parcel map (agreed, Peak Circle will never be) and takes preference over all land owners setbacks. Therefore, one would assume that in the case that a land owner is negatively affected on one side of a roadway, there is a positive offset on the other side of the roadway.

In any case, I would suspect that if the "right of way" is in such a position that denies a private land owner the benefit of using his property or renders the property unbuildable, the property should be or becomes public property and should not be taxed as private. Clearly, this is not the norm and therefore the setback map I presented represents a standard minimum buildable lot per code and guidelines received directly from the Twin Peaks Office of Building and Safety:

http://i301.photobucket.com/albums/nn44/hairballsupremo/2...

Sabro,

If you can get that little lot next to you, I would also recommend that you do. BBC Complain About This Message

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