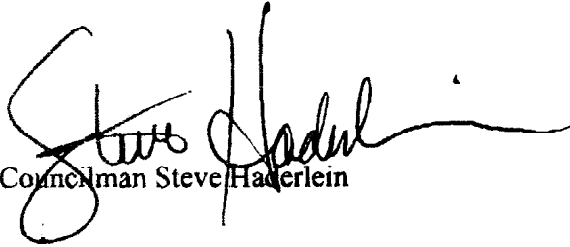


From: Steve Haderlein
To: Jane Rodriguez
Date: 12/20/2002 2:20:24 PM
Subject: City Council agenda item

Ms. Rodriguez:

I am requesting that you place on the City Council agenda a review of Conditional Use Permit #3881 (3271 New York Drive #3, Hillside Overlay District-Slope greater than 50%) and the associated variance (approval to exceed maximum allowable top plate height) for a referral to the Board of Zoning Appeals.

Please call me if you have any questions.


Councilman Steve Haderlein

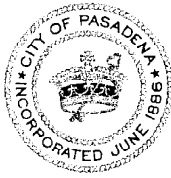
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PLANNING & DEVELOPMENT DEPARTMENT
PLANNING DIVISION

December 20, 2002

Scott Yang
Nevis Construction
255 East Santa Clara Street #210
Arcadia, CA 91006

**RE: Conditional Use Permit #3881
3271 New York Drive
Council District #4**

Dear Mr. Yang:

Your application for a **Conditional Use Permit** at **3271 New York Drive**, was considered by the **Zoning Hearing Officer** on **December 18, 2002**.

Conditional Use Permit: To allow construction of a new home in the Hillside District on a lot with an average slope over 50%. A Variance is also requested to the top plate height requirement. Lastly, the proposal includes a request to remove four (4) protected trees.

After careful consideration of this application, and with full knowledge of the property and vicinity, the Zoning Hearing Officer made the findings as shown on Attachment A to this letter.

Based upon these findings, it was decided by the Zoning Hearing Officer that the Conditional Use Permit, Variance and private tree removal be **approved** in accordance with submitted plans stamped **December 18, 2002**. The conditions listed in Attachments B and C were made a part of the approval.

In accordance with Section 17.80.050 of the Pasadena Municipal Code, the exercise of the right granted under this application must be commenced within two years of the effective date of the approval, unless otherwise specified in the conditions of approval. The Zoning Administrator can grant a one-year extension of your approval. Such a request and the appropriate fee must be received before the expiration date. The right

Conditional Use Permit #3881

granted by this approval may be revoked if the entitlement is exercised contrary to the conditions of approval or if it is exercised in violation of the Zoning Code. You are advised that an application for a building permit is not sufficient to vest the rights granted by this approval. The building permit must be issued and construction diligently pursued prior to the expiration of this approval. It should be noted that the time frame within which judicial review of the decision must be sought is governed by California Code of Civil Procedures, Section 1094.6

You are hereby notified that, pursuant to Pasadena Municipal Code Chapter 17.104, any person affected or aggrieved by the decision of the Zoning Hearing Officer has the right to appeal this decision within **ten days (December 30, 2002)**. The effective date of this case will be **December 31, 2002**. Prior to such effective date, a member of the City Council or Planning Commission may stay the decision and request that it be called for review to the Board of Zoning Appeals. However, if the tenth day falls on a day when City offices are closed, the appeal deadline shall be extended through the next day when offices are open. The decision becomes effective on the eleventh day from the date of the decision. The regular Appeal fee is \$1,041.93. The Appeal fee for Non-profit Community-based Organizations pre-registered with Neighborhood Connections is \$520.96.

Any permits necessary may be issued to you by the Building Division on or after the effective date stated above. A building permit application may be submitted before the appeal deadline has expired with the understanding that should an appeal be filed, your application may, at your expense, be required to be revised to comply with the decision on the appeal. **You should call the Current Planning office at 626-744-6777 to find out if any appeal or call for review has been filed before you submit your building permit application.** A copy of this letter must be attached to all plans submitted for building permits.

An Initial Environmental Study recommending a Mitigated Negative Declaration has been prepared. The comment period for the Initial Study runs from November 27, 2002 through December 18, 2002. You may present comments to staff in writing or orally at the public hearing.

For further information regarding this case, please contact **Jason Kruckerberg at (626) 744-6726.**

Sincerely,



Paul Novak
Zoning Hearing Officer

Enclosures: Attachment A, Attachment B, Attachment C

Conditional Use Permit #3881

xc: City Clerk, City Council, Building Division, Public Works, Power Division, Water Division, Design and Historic Preservation, Hearing Officer, Code Enforcement-George Chapjian, Case File, Decision Letter File, Planning Commission (9)
