

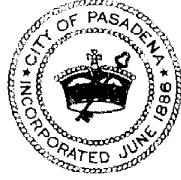
Jane,

Please Agendaize for call-up
to the Board of Zoning Appeals
CUP # 4334 at 953-955
Crawford Ave.

Thanks,

Paul Little
6/14/04

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CITY OF PASADENA



PLANNING & DEVELOPMENT DEPARTMENT
PLANNING DIVISION

REVISION TO JUNE 2, 2004 DECISION LETTER

June 4, 2004

Neil Smith
57 West Palm Street
Altadena, CA 91001

**RE: Conditional Use Permit #4334
953-955 Catalina Avenue
Council District #5**

Dear Mr. Smith:

Your application for a **Conditional Use Permit** at **953-955 Catalina Avenue**, was considered by the **Zoning Hearing Officer** on **June 2, 2004**.

CONDITIONAL USE PERMIT: To permit the expansion of an existing non-conforming use (Two-units in a zoning district where only one is permitted).
Variance: To locate a carport visible from the public street.

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 and Variance be **approved** in accordance with submitted plans stamped **June 2, 2004**. 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 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 (June 14, 2004)**. The effective date of this case will be **June 15, 2004**. 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 \$1,449.47. The Appeal fee for Non-profit Community-based Organizations pre-registered with Neighborhood Connections is \$724.73.

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.

This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, Class 1 §15301, Existing Facilities).

For further information regarding this case please contact **Jose Jimenez at (626) 744 - 7137.**

Sincerely,



Dave Mercer
Zoning Hearing Officer

Enclosures: Attachment A, Attachment B, Attachment C

Conditional Use Permit #4334

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

ATTACHMENT A
FINDINGS FOR CONDITIONAL USE PERMIT #4334

Conditional Use Permit – Expansion of a Non-conforming use.

1. *The location of the Conditional Use Permit is in accordance with the special purposes of Title 17 of the Pasadena Municipal Code and the purposes of the RS-6-LD1 district in which the proposed project is located.* Specifically, the proposal meets the intent of the development standards as specified in Section 17.20 (Residential Single-Family District). The proposed addition will be within the scope of development intended for the subject site, and will not convey an over developed appearance from any public rights-of-way and the character of the neighborhood will be retained.
2. *The location of the Conditional Use Permit and the proposed conditions in which it would operate will be consistent with the General Plan.* An objective of the General Plan Land Use Element is to ensure that residential development is in character and scale of the existing residential neighborhood. The proposed addition has been designed to take into consideration to match the existing building lines which exist currently on the property. The proposed addition and conversion are not within view of the street.
3. *The Conditional Use Permit will not be detrimental to the public health, safety, or welfare of persons residing, or working in or adjacent to the neighborhood of such use, or injurious to properties or improvements in the vicinity.* The proposed development is consistent with the uses intended for this lot. The location of the proposal matches the existing rear building line and is setback to meet the separation requirements set forth in the Zoning Code. Single-family additions constructed within the limitations of the Zoning Code are not known to have significant adverse impacts to the public health, safety and welfare.
4. *The proposed Conditional Use Permit will comply with the provisions of Title 17, including any specific condition required for the proposed conditional use permit in the district in which it would be located.* Noncompliance with any of the conditions of approval or any of the provisions of Title 17 would suspend issuance of permits to construct the proposed second story addition.

Variance - To place a carport that will be visible from the street.

5. *There are exceptional or extraordinary circumstances or conditions applicable to the development site that do not apply generally to sites in the same zoning district.* Since the lot has a depth of over 203 linear feet the lot has enough space to setback said structure to a point where it can be minimally seen from the public street. Furthermore, there is a change in grade at front of the street that position people passing by at a grade lower than that of the proposed carport, which in turn results in minimal view of the rear of the subject property.
6. *Granting the application is necessary for the preservation and enjoyment of a substantial property right of the applicant, and to prevent unreasonable property loss or unnecessary hardship.* Granting of the Variance is necessary for the preservation of a substantial property right. Strict application of the development standard for off-street parking and placement of such structure would result in significant negative impact to both units since a limitation would be placed on providing covered parking.

7. *Granting the application will not be detrimental or injurious to property or improvements in the vicinity of the project site, or to the public health, safety, or general welfare.* The carport has been designed and located in a manner that will not alter or disrupt the character of the existing home or neighborhood and function as a garage. The subject site is located in a residentially zoned area with similarly structures. As such, the carport will not be detrimental or injurious.
8. *Granting the application is consistent with the General Plan and the purposes of Title 17 of the Municipal Code and will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zone district.* The Variance will not compromise the character and quality of the existing residential neighborhood. The General Plan has targeted the subject area for residential development. The General Plan policies are intended to promote development to serve community needs, to preserve Pasadena's character and environment and to promote a healthy family community.
9. *Cost to the applicant of strict compliance with a regulation is not the primary reason for the granting of the variance* in that the cost to the applicant of complying with the city's development standards has not been considered a factor at any time throughout the review of this application

ATTACHMENT B
CONDITIONS FOR CONDITIONAL USE PERMIT #4334

The applicant or successor in interest shall meet the following conditions:

1. Development shall occur substantially as shown on the submitted Site Plan, stamped "Received at Hearing June 4, 2004", except as herein modified.
2. The applicant shall comply with Chapter 17.20 of the Zoning Code, which relates, to development in the Residential-Single Family District.
3. Any future additions to either unit shall require review and approval of a new Conditional Use Permit.
4. The applicant shall provide four (4) covered parking as prescribed by the Zoning Ordinance, Off-Street Parking Requirements and to the satisfaction of the Planning Department, except as modified by the hearing officer.
5. A two-car garage shall be permitted to be placed within view of the public street, located at the rear of the subject property.
6. The applicant or successor in interest shall meet the applicable code requirements of all other City Departments.
7. The proposed project, Case No. PLN20104-00089, shall meet the conditions of approval subject to a Final Zoning Inspection. A Final Inspection is required for your project prior to the issuance of a Certificate of Occupancy. Contact the Code Compliance Staff at (626) 744-4633 to schedule an inspection appointment time.

ATTACHMENT C

MEMORANDUM - CITY OF PASADENA DEPARTMENT OF PUBLIC WORKS

DATE: May 20, 2004

TO: Denver Miller, Zoning Administrator
Planning and Development Department

FROM: City Engineer
Department of Public Works

RE: Conditional Use Permit No. 4334
953-955 North Catalina Avenue

The Department of Public Works has reviewed the application for Conditional Use Permit No. 4334 at 953-955 North Catalina Avenue. The conditional use permit is to permit the expansion of a non-conforming use in the Residential Single Family Zoning District to allow two units in this district where only one per property is permitted. There is an existing dwelling on the site. The applicant is proposing to construct a 74 square-foot addition to the dwelling, convert an existing garage and add livable space to form a second unit, and construct two new 2-car covered carports. In addition, a variance is requested to place one of the carports within view from the public street and not between the main structure and rear property line. The approval of this conditional use permit should be based upon satisfying all of the following conditions:

1. Catalina Avenue was resurfaced in September 2002. If the street is excavated for utility connections prior to September 2007, repaving of the street will be required. Excavations in the street for utility connections shall be as close as possible to each other and the pavement shall be restored contiguously between extreme excavations.
2. The applicant shall close any unused drive approach with standard concrete curb, gutter and sidewalk and shall repair any existing or newly damaged curb, gutter and sidewalk, without cutting the asphalt pavement along the subject frontage prior to the issuance of a Certificate of Occupancy. Sawcutting shall be done along the flowline. Existing street trees shall be protected using the City's Tree Protection Standards available from the Parks and Natural Resources Division (744-4514).

3. The project shall comply with the Tree Protection Ordinance (TPO) that provides protection for specific types of trees on private property as well as all trees on public property.
4. The applicant shall comply with the current NPDES (National Pollutant Discharge Elimination System) Permit requirements for Development Planning and Development Construction through the Planning and Development Department of the City.
5. The proposed development shall be connected to the public sewer by a method approved by the Department of Public Works.
6. The applicant shall submit the following plan and form which are obtainable from the Recycling Coordinator, (626) 744-4721, of the Department of Public Works for approval:
 - a. C & D Recycling & Waste Assessment Plan – Submit plan prior to issuance of the grading permit. A list of Construction and Demolition Recyclers can be obtained from the Recycling Coordinator.
 - b. Monthly reports must be submitted throughout the duration of the project.
 - c. Summary Report with documentation must be submitted prior to final inspection.
7. Past experience has indicated that projects such as this tend to damage the abutting street improvements with the heavy equipment and truck traffic that is necessary during construction. Additionally, the City has had difficulty in requiring developers to maintain a clean and safe site during the construction phase of development. Accordingly, the applicant shall place a \$2,000 deposit with the Department of Public Works prior to the issuance of a building or grading permit. This deposit is subject to refund or additional billing, and is a guarantee that the


Denver Miller, Zoning Administrator
Conditional Use Permit No. 4334
May 20, 2004
Page 3

7. (Continued)

applicant will keep the site clean and safe, and will make permanent repairs to the abutting street improvements that are damaged, including striping, slurry seal/resurfacing, curb, gutter, and sidewalk, either directly or indirectly, by the construction on this site. A processing fee will be charged against the deposit.

8. Prior to the start of construction or the issuance of any permits, the applicant shall meet with the Department of Public Works Permit Inspection Supervisor for review and approval of construction staging, parking, delivery and storage of materials, and any of the specifics that will affect the public right-of-way.

9. All costs associated with these conditions shall be the applicant's responsibility. Unless otherwise noted in this memo, all costs are based on the General Fee Schedule that is in effect at the time these conditions are met. A processing fee will be charged against all deposits.



DANIEL A. RIX
City Engineer

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