

**DECISION LETTER OF NOVEMBER 16, 2005
BOARD OF ZONING APPEALS**



PLANNING & DEVELOPMENT DEPARTMENT
PLANNING DIVISION

November 28, 2005

REVISED

Richard McLaughlin
McLaughlin Associates Architects
975 E. Green Street, Suite 103
Pasadena, CA 91106

**RE: Conditional Use Permit #4533
94-112 Waverly Drive
Council District #6**

Dear Mr. McLaughlin:

Your application for a **Conditional Use Permit, Variances, Minor Conditional Use Permit, and Private Tree Removal** at 94-112 Waverly Drive was considered by the **Board of Zoning Appeals** on **November 16, 2005**.

CONDITIONAL USE PERMIT: To allow the conversion of existing residential uses as well as new construction for the establishment of a private high school (Waverly High School) to accommodate 120 students.

Variance: To allow parking in the front yard.

Variance: To deviate from aisle width and back-up turning radius for parking and loading.

Variance: To deviate from landscaping standards for parking lots.

Minor Conditional Use Permit: For tandem parking spaces.

Private Tree Removal: Of one protected specimen tree.

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

Based upon the findings, the Board of Zoning Appeals decided to **overrule** the decision of the Hearing Officer and **approve** the Conditional Use Permit for the school use; Variance to deviate from landscaping standards for parking lots; Variance to deviate from back-up turning radius for loading; Minor Conditional Use Permit for tandem parking spaces, and Private Tree Removal; with the conditions in Attachments C, D, and E.

In accordance with Section 17.64.040 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.

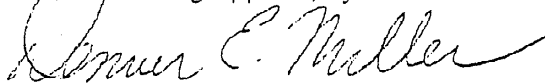
You are advised that an application for a building permit is not sufficient to vest the rights granted by this approval. The building permit must be issued and construction diligently pursued prior to the expiration of this approval. It should be noted that the time frame within which judicial review 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 17.72, any person affected or aggrieved by the environmental decision of the Board of Zoning Appeals has the right to appeal this decision within **ten days (November 28, 2005)**. The effective date of this case will be **eleven days from the date of the decision (November 29, 2005)**. Prior to the effective date, a member of the City Council may stay the decision and request that it be called for review to the City Council. 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 \$1,569.98. The Appeal fee for Non-profit Community-based Organizations pre-registered with Neighborhood Connections is \$784.99.

An initial environmental study (IS) prepared for the project determined that there will be less than significant impacts on the environment because mitigation measures will be incorporated to the project. Therefore a Mitigated Negative Declaration was adopted.

For further information regarding this case please contact John Steinmeyer at (626) 744-6880.

Board of Zoning Appeals, by



DENVER E. MILLER
Zoning Administrator

DEM:js:ac

Enclosures: Attachment A, Attachment B, Attachment C; Attachment D

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).