

RECEIVED
AGENDA
BOARD OF ZONING APPEALS
MAY 20, 2009 **JUN -1 P4 24**

Public Meeting 6:00 PM **CITY CLERK**
Council Chamber, Pasadena **CITY OF PASADENA**
100 North Garfield Avenue, Room S249

1. ROLL CALL
2. READING OF PROCEDURES
3. PUBLIC HEARINGS

To: City Clerk
Please agendaize this matter for call up consideration by the City Council.

Thank you,

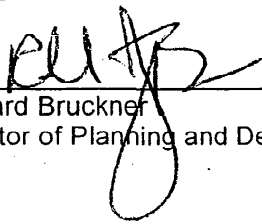
Victor M. Gordo
Victor M. Gordo

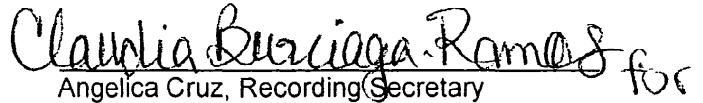
REGULAR CASE

- A. ZA #32: 217 S. Michigan Avenue – Council District #7
Zoning Administrator Interpretation: Legal non-conforming use for alcohol sales
Staff Recommendation: Uphold the Zoning Administrator's Interpretation
Case Manager: Beilin Yu

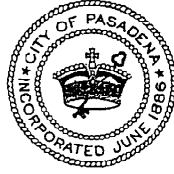
ADJOURNMENT
POSTING STATEMENT:

I HEREBY CERTIFY that this Agenda, in its entirety was posted on the Council Chamber Bulletin Board S249, and the bulletin board in the rotunda area at City Hall, 100 North Garfield Avenue on the 15th day of May, 2009 by 5:30 p.m. The agenda will also be posted on the bulletin board outside the front entrance of the Hale Building, 175 N. Garfield Avenue, an electronic copy sent to the Central Library for posting and the agenda may be viewed at the City's website at:
<http://www.ci.pasadena.ca.us/planning/meetings/notices.asp>
Any items on this agenda will be made available at the Permit Center located at 175 N. Garfield Avenue during normal business hours.


Richard Bruckner
Director of Planning and Development


Claudia Burciaga-Ramos for
Angelica Cruz, Recording Secretary

6/8/2009
7.B.(6)



PLANNING & DEVELOPMENT DEPARTMENT
PLANNING DIVISION

May 26, 2009

Mr. and Mrs. S. T. Demetriades
2065 Vista Ave.
Sierra Madre, CA 91024-1553

**RE: Zoning Administrator Interpretation #32
217 S. Michigan Ave.
Council District #7**

Dear Mr. and Mrs. Demetriades:

Your appeal of the **Zoning Administrator's Interpretation** related to the property located at **217 S. Michigan Ave.** was considered by the **Board of Zoning Appeals** on **May 20, 2009**.

ZONING ADMINISTRATOR INTERPRETATION #32: Legal non-conforming use for alcohol sales.

The Board of Zoning Appeals decided to **overturn** the decision of the Zoning Administrator on the grounds that the one year period has not lapsed. The Board of Zoning Appeals found that the 12 month clock for the discontinuance of a nonconforming use started on May 1, 2008 when the business reopened; that the time was stayed during the pendency of this appeal; and that the applicable deadline for the 12 month period is now October 15, 2009.

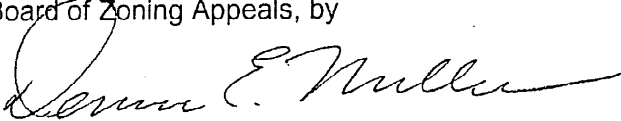
You are hereby notified that the decision on the Zoning Administrator Interpretation of the Board of Zoning Appeals is not subject to further appeal. If, you have reason to believe the Environmental Determination is incorrect, this determination is appealable to the City Council. If the Environmental Determination is appealed, the Council will hold a new hearing on the entire application. In addition, a member of the City Council may stay the decision and request that it be called for review to the City Council. An appeal of this decision shall be within ten days, the last day to file an appeal is **June 1, 2009**. This decision becomes effective on the eleventh day from the date of the decision. The effective date for this case is **June 2, 2009**. Any appeal should be filed with the City Clerk.

Under CEQA Guidelines, Article 5 (Section 15061(b)(3)) describes the "general rule." The general rule states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The action of the Board of Zoning Appeals regarding the Zoning Administrator's interpretation regarding the calculation of accessory structure will not

Appeal of Zoning Administrator Interpretation #32
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result in an impact and can be seen with certainty to have no significant effect on the environment.

Board of Zoning Appeals, by

A handwritten signature in black ink, appearing to read "Denver E. Miller". The signature is fluid and cursive, with a large initial "D" and "M".

DENVER E. MILLER
Zoning Administrator

DEM:by:ac

Enclosures:

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)