

DATE: February 10, 2011

NUMBER OF PAGES, INCLUDING COVER: 6

NAME/COMPANY	PHONE NO.	FAX NO.
Mark Jomsky, City Clerk City of Pasadena	626-744-4709	626-744-3921

FROM: Steven G. Madison

RE: Hillsides Development Permit #5481

MESSAGE:

Please agendaize for Council consideration a call for review of the Hillsides Development Permit No. 5481

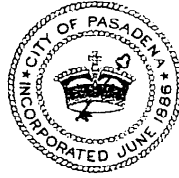
Thanks for your assistance

Steve Madison



02/28/2011

Item 15



PLANNING DEPARTMENT
PLANNING DIVISION

February 4, 2011

Annette Nicole
1493 Scenic Dr.
Pasadena, CA 91103

**Subject: Hillside Development Permit #5481
1493 Scenic Drive
Council District #6**

PLN2010-00280

Dear Ms. Nicole:

Your application for a **Hillside Development Permit #5481** at **1493 Scenic Drive** was considered by the **Hearing Officer** on **February 2, 2011**.

HILLSIDE DEVELOPMENT PERMIT:

- 1) Hillside Development Permit: To add a new second floor and additions to the first floor to an existing one-story single-family residence;**
- 2) Variance: To supply only one covered parking space where two covered parking spaces are required; and**
- 3) Variance: To allow the new second story to located within the encroachment plane.**

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

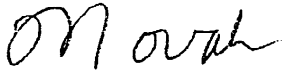
Based upon these findings, it was decided by the Hearing Officer that the **Hillside Development Permit #5481** be **disapproved** with conditions listed in Attachment B and in accordance with submitted plans stamped **February 2, 2011**.

You are hereby notified that, pursuant to Pasadena Municipal Code Chapter 17.72, any person affected or aggrieved by the decision of the Hearing Officer has the right to appeal this decision within **ten days (February 14, 2011)**. The effective date of this case will be **February 15, 2011**. Prior to such effective date, a member of the City Council or Planning Commission may request that it be called for review to the Board of Zoning Appeals. However, if there is a request for a call for review, the appeal period will continue to run. 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 \$3,833.89. The Appeal fee for Non-profit Community-based Organizations pre-registered with Neighborhood Connections is \$1,916.94.

For a period of twelve months following the effective date of disapproval of a land use permit, no application for the same or substantially the same permit shall be filed except on grounds of new evidence, proof of changed circumstances, or if the disapproval was without prejudice. A disapproval is statutorily exempt from the California Environmental Quality Act.

For further information regarding this case please contact **Jacqueline Ellis** at **(626) 744-6709**.

Sincerely,



Paul Novak
Hearing Officer

Enclosures: Attachment A, Attachment B (site map)

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
SPECIFIC FINDINGS FOR HILLSIDE DEVELOPMENT PERMIT #5481

Hillside Development Permit to Construct an Addition Greater than 500 Square Feet

9. *There are no exceptional or extraordinary circumstances regarding the physical make-up of the lot that does not apply to other lots in the surrounding area.* The lot is approximately 50 feet in width and 128 feet in depth. The site is a flat, rectangular-shaped lot of average width and depth, reasonably similar to most other lots in the neighborhood. The shape of the site is not irregular, there is no significant topography, and there are no significant mature trees. In this regard, the lot is in no way unique, exceptional, nor extraordinary compared to nearly every lot in the surrounding neighborhood.

The proposed design submitted by the applicant can not be constructed without the requested variance to allow one covered parking space where two are required. At more than 6,000 square feet, however, the lot avails itself to multiple options for a reasonable addition to the existing single-family residence wherein the two covered parking spaces could be covered.

10. *Not granting this variance will not impose a hardship, or take away reasonable development rights of the applicant or of this property.* The applicant's design included substantial demolition of the entire residential portion of the house visible from the street (the remaining residential portion is behind the existing garage). The portion of the house left as is included two small bedrooms and their corresponding bathrooms. The entire remaining living area (kitchen, dining, and living area) was to be demolished and replaced in its entirety. Even the existing garage was being modified. In short, the proposal is more of a complete demolition and replacement of the existing house than it is an addition. In this regard, there are any number of design options that would allow for a house of the size sought by the applicant that would also allow for two covered parking spaces.

It is clear that the project could be re-designed to provide two covered parking spaces. With some effort expended on the design, the additional required covered space could be located on-site and accommodate the applicant's desire to maintain the existing driveway location and the swimming pool in the rear yard. If a hardship is at all present, it is a self-imposed hardship created by the applicant's insistence on the selected design. It is clear that the design is driving the applicant's request rather than any inherent hardship or site constraint

Reasonable expansion of the existing single-family dwelling and compliance with the development standard requiring two covered parking spaces is entirely feasible. Neither the configuration of the lot nor the existing improvements create the simple "either or" scenario presented by the applicant. Developing an addition to the existing single-family residence and providing the two covered parking spaces is entirely feasible.

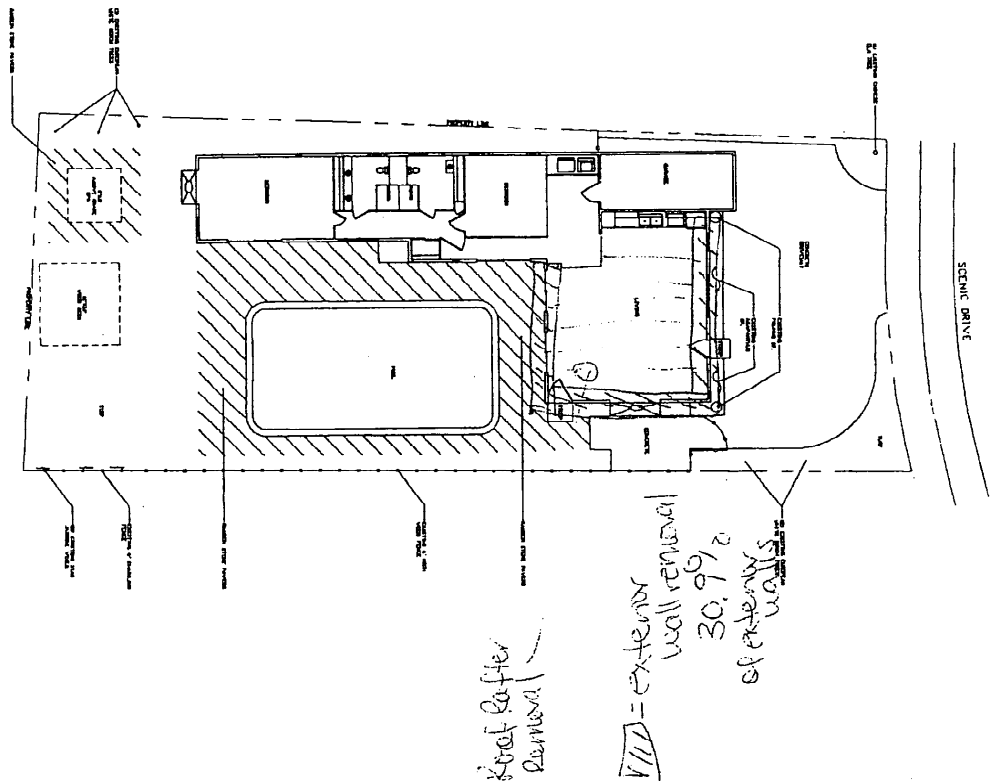
11. *Granting the application will be detrimental or injurious to property or improvements in the vicinity of the subject site, or to the public health, safety or general welfare.* The project as proposed will adversely impact the neighborhood by not providing adequate on-site parking. The development standard requiring two covered parking spaces in single-family residential districts is intended to keep streets free of excess cars. Approval of the

requested variance would adversely impact every other single-family residence as well as motorists traveling along Scenic Drive.

The proposal is significantly increasing the size of the house and not providing adequate on-site parking, which clearly will adversely impact the street and surrounding property-owners. The public health, safety, and general welfare is not enhanced when a 2,200+/- square foot home is developed with only one covered parking space, especially when it is self-evident that the parking could, in fact, be provided

ATTACHMENT B SITE PLAN

HILLSIDE DEVELOPMENT PERMIT #5481



SHEET 1 OF 1 L1.01	REVISIONS NO. DATE BY DESCRIPTION 1. 11/11/09 JMM 2. 11/11/09 JMM 3. 11/11/09 JMM 4. 11/11/09 JMM 5. 11/11/09 JMM 6. 11/11/09 JMM 7. 11/11/09 JMM 8. 11/11/09 JMM 9. 11/11/09 JMM 10. 11/11/09 JMM 11. 11/11/09 JMM 12. 11/11/09 JMM 13. 11/11/09 JMM 14. 11/11/09 JMM 15. 11/11/09 JMM 16. 11/11/09 JMM 17. 11/11/09 JMM 18. 11/11/09 JMM 19. 11/11/09 JMM 20. 11/11/09 JMM 21. 11/11/09 JMM 22. 11/11/09 JMM 23. 11/11/09 JMM 24. 11/11/09 JMM 25. 11/11/09 JMM 26. 11/11/09 JMM 27. 11/11/09 JMM 28. 11/11/09 JMM 29. 11/11/09 JMM 30. 11/11/09 JMM 31. 11/11/09 JMM 32. 11/11/09 JMM 33. 11/11/09 JMM 34. 11/11/09 JMM 35. 11/11/09 JMM 36. 11/11/09 JMM 37. 11/11/09 JMM 38. 11/11/09 JMM 39. 11/11/09 JMM 40. 11/11/09 JMM 41. 11/11/09 JMM 42. 11/11/09 JMM 43. 11/11/09 JMM 44. 11/11/09 JMM 45. 11/11/09 JMM 46. 11/11/09 JMM 47. 11/11/09 JMM 48. 11/11/09 JMM 49. 11/11/09 JMM 50. 11/11/09 JMM 51. 11/11/09 JMM 52. 11/11/09 JMM 53. 11/11/09 JMM 54. 11/11/09 JMM 55. 11/11/09 JMM 56. 11/11/09 JMM 57. 11/11/09 JMM 58. 11/11/09 JMM 59. 11/11/09 JMM 60. 11/11/09 JMM 61. 11/11/09 JMM 62. 11/11/09 JMM 63. 11/11/09 JMM 64. 11/11/09 JMM 65. 11/11/09 JMM 66. 11/11/09 JMM 67. 11/11/09 JMM 68. 11/11/09 JMM 69. 11/11/09 JMM 70. 11/11/09 JMM 71. 11/11/09 JMM 72. 11/11/09 JMM 73. 11/11/09 JMM 74. 11/11/09 JMM 75. 11/11/09 JMM 76. 11/11/09 JMM 77. 11/11/09 JMM 78. 11/11/09 JMM 79. 11/11/09 JMM 80. 11/11/09 JMM 81. 11/11/09 JMM 82. 11/11/09 JMM 83. 11/11/09 JMM 84. 11/11/09 JMM 85. 11/11/09 JMM 86. 11/11/09 JMM 87. 11/11/09 JMM 88. 11/11/09 JMM 89. 11/11/09 JMM 90. 11/11/09 JMM 91. 11/11/09 JMM 92. 11/11/09 JMM 93. 11/11/09 JMM 94. 11/11/09 JMM 95. 11/11/09 JMM 96. 11/11/09 JMM 97. 11/11/09 JMM 98. 11/11/09 JMM 99. 11/11/09 JMM 100. 11/11/09 JMM	PROJECT TITLE NICOLE RESIDENCE 1493 SCENIC DR. PASADENA, CA 91103	SHEET TITLE EXISTING LANDSCAPE PLAN/ SITE PLAN EXISTING LANDSCAPE PLAN/ SITE PLAN	DRAWN BY: JMM CHECKED BY: JMM DATE: 11/11/09 SCALE: AS SHOWN PROJECT NO: 09-001 SHEET NO: 1 OF 1
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