



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

Jon Sanabria
Acting Director of Planning

July 9, 2009

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

James V. Coane
30 N. Raymond Ave. Suite 611
Pasadena, 91103

**REGARDING: PROJECT NUMBER R2005-00187-(5)
PLOT PLAN RPP200900637
2288 & 2300 North Villa Heights Road, 2199 Kinneloa Ranch Road
Pasadena, CA 91107**

Dear Applicant:

The Regional Planning Commission, by its action of Wednesday, July 8, 2009, **UPHELD** the Director's denial of the above described project and entitlements. The attached documents contain the Regional Planning Commission's findings relating to the denial.

The applicant or any other interested person may appeal the Regional Planning Commission's decision to the Board of Supervisors through the office of Sachi A. Hamai, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Please contact the Executive Office for the amount of the appeal fee at (213) 974-1426. **The appeal period for this project will end at 5:00 p.m. on Wednesday, July 22, 2009.** Any appeal must be delivered in person to the Executive Office by this time. If no appeal is filed during the specified period, the Regional Planning Commission action is final.

For further information on appeal procedures or any other matter pertaining to these approvals, please contact Adam Thurtell of the Zoning Permits Section I at (213)974-6443 or e-mail at athurtell@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING
Jon Sanabria
Acting Director of Planning

Mark Child, Supervising Regional Planner
Zoning Permits Section I Section

Enclosures: Denial Findings

c: BOS; DPW (Building and Safety); Zoning Enforcement, Testifiers, Hui Xian Zhang, Steve Thomas

MC:at
Hearing Footage: 7/8/2009-Item 7

**FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES**

**PROJECT NO. R2005-00187-(5)
PLOT PLAN NO. 200900637-(5)**

REQUEST: Hui Xian Zhang is appealing the Director's denial of a yard modification request. The denied yard modification requested to retroactively authorize a perimeter wall in excess of the maximum height allowed by the County Zoning Code Section 22.48.160.

REGIONAL PLANNING COMMISSION HEARING DATE: July 8, 2009

PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION:

July 8, 2009 Discussion/Possible Action Item

A duly noticed hearing was held before the Regional Planning Commission on July 8, 2009. The Commission heard testimony from the applicant's representatives and testifiers in opposition of the project. After considering the testimony, the commission upheld the Director's denial of the yard modification request.

Findings

1. The applicant is requesting a yard modification to retroactively authorize a perimeter wall in excess of the maximum height allowed by the County Zoning Code. The maximum fence height allowed in required side and rear yards is six feet and 42 inches in front yards. The existing wall ranges in height from six feet to approximately twelve feet, and the proposed changes to the wall ranges in height from six to eight feet. A yard modification is needed to authorize the portion of the wall over six feet in height, and for portions of the wall that are within the front yard setback and are over three and one half feet.
2. The subject property is located at 2288 & 2300 Villa Heights, and 2199 Kinneloa Ranch in the Northeast Pasadena Zoned District.
3. The General Plan land use designation for the property is 1 (Low Density Residential) which allows one to six dwellings per acre.
4. The property is zoned R-1-40,000 (Single Family Residence, 40,000 square foot lot minimum).
5. The three subject properties are each developed with a single-family residence, and 2288 Villa Heights is also occupied by a second unit.
6. The yard requirements for this zone, pursuant to Section 22.48.160 and Chapter 22.48 of Title 22, are:

Fences and walls may be erected and maintained in required yards subject to the requirements specified herein:

- A. Front Yards. Fences and walls within a required front yard shall not exceed a height of three and one-half feet.
 - B. Corner Side Yards. Fences and walls within a required corner side yard shall not exceed three and one-half feet in height where closer than five feet to the highway line, nor exceed six feet in height where five feet or more from said highway line.
 - C. Interior Side and Rear Yards. Fences and walls within a required interior side or rear yard shall not exceed six feet in height; provided, however, that on the street or highway side of a corner lot such fence or wall shall be subject to the same requirements as for a corner side yard.
 - D. Retaining Walls. Retaining walls not to exceed six feet in height are permitted in all yards.
7. Section 22.48.180 of Title 22 authorizes the Director to grant a modification to yard or setback regulations only where topographic features, subdivision plans or other conditions create an unnecessary hardship or unreasonable regulation or make it obviously impractical to require compliance. The applicant's application does not provide justification for waiver of the required yard standards. There are no topographic features that require a wall of over six feet. The subdivision of the area follows or exceeds standard lot configurations and sizes. Complying with the Zoning Code requirements would not create hardship.
 8. Twenty opposition letters were received. One opposition letter was subsequently withdrawn. Opposition letters stated concerns including the height, visual prominence, lack of justification pursuant to County Code 22.48.180, and the fact that the wall was built with no permits.
 9. The Regional Planning Commission reviewed the application and appeal materials submitted by the applicant. At the July 8, 2009 public hearing the Commission upheld the Director's decision to deny the yard modification request.

PLANNING COMMISSION ACTION:

In view of the findings of fact and conclusions presented above, Plot Plan No. 200900637-(5) is **DENIED**.

VOTE: 4-0

Concurring: Bellamy, Rew, Helsley, Modugno

Dissenting: none

Abstaining: none

Absent: Valadez

Action Date: 7/8/2009

c: Zoning Enforcement, Building and Safety

MC:AT
6/24/09