



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

Jon Sanabria Acting Director of Planning

April 7, 2009

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mary Coolman and Associates
5075 Sereno Drive
Temple City, CA 91780

**Regarding: Project Number R2007-02565 - (5)
Conditional Use Permit 200700172 - (5)
2284 Winrock Avenue, Unincorporated Altadena, CA**

Dear Applicant:

Hearing Officer Mitchell Glaser, by his action of April 7, 2009, **APPROVED** the above described Conditional Use Permit. The attached documents contain the Hearing Officer's findings and conditions relating to the approval. Please carefully review each condition. Condition No. 3 requires that the permittee file an affidavit accepting the conditions before the grants becomes effective.

The applicant or any other interested person may appeal the Hearing Officer's decision to the Regional Planning Commission at the office of the commission secretary, Room 1350, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. Please contact the commission secretary for the appeal procedures and fee at (213) 974-6409. **The appeal period for this project will end at 5:00 p.m. on April 21, 2009.** Any appeal must be delivered in person to the commission secretary by this time. If no appeal is filed during the specified period, the Hearing Officer's action is final.

Upon completion of the appeal period, please notarize the attached acceptance forms and **hand deliver** this form and any other required fees or materials to the planner assigned to your case. Please **make an appointment** with the case planner to assure that processing will be completed expeditiously.

For further information on appeal procedures or any other matter pertaining to these approvals, please contact Jeantine Nazar in the Zoning Permits Section II at (213) 974-6435.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING
Jon Sanabria
Acting Director of Planning

Maria Masis, Supervising Regional Planner
Zoning Permits II Section

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion)

C: Commission Services, DPW (Building and Safety), Zoning Enforcement, Testifiers, Altadena Town Council,
Fire Department

JN

FINDINGS AND ORDER OF THE HEARING OFFICER COUNTY OF LOS ANGELES

**PROJECT NUMBER R2007-02565 – (5)
CONDITIONAL USE PERMIT CASE NO 200700172 – (5)**

REQUEST:

The applicant, Mary Coolman, is proposing to construct a 150 square foot addition to an existing 1,577 square foot single family residence. The request is to modify the Altadena CSD requirement of five foot side yard setback to four feet to accommodate the addition. The proposed addition will be constructed in line with the existing garage side yard setback of 4 feet on the north side. In addition, the applicant proposes to convert the existing garage to a living space and to add a 480 square foot, two car attached garage.

PROCEEDINGS BEFORE THE HEARING OFFICER

April 7, 2009 Public Hearing

A duly noticed public hearing was held on April 7, 2009 before the Hearing Officer. The applicant's representative was sworn in and testified in favor of the request and answered questions presented by the Hearing Officer.

There being no further testimony, the Hearing Officer closed the public hearing and indicated his intent to approve the permit, subject to conditions as agreed to by the applicant.

Findings

1. The project site is located at 2284 Winrock Avenue in the unincorporated Los Angeles County within the Altadena Zoned District and Altadena Community Standards District in the 5th Supervisorial District.
2. The subject property is zoned R-1-7,500 (Single Family Residence-7,500 minimum lot size). Surrounding properties to the north, south and east are developed with single family dwellings, zoned R-1-7,500. The property is adjacent to the Altadena Golf Course, zoned RR (Resort and Recreation) to the west.
3. The subject property is a three bedroom, single family residence of 1853 square feet. The 630 square foot addition will increase the area to 2,483 square feet plus 480 square feet of garage area to a total of 2,963 square feet.
4. The land use designation for the subject property is Low Density Residential, allowing 1-6 units per gross acre. The purpose of the Low Density Residential designation is to maintain existing single-family neighborhoods allowing infill and new development at the prevailing density (Altadena Community Plan). The proposed use is consistent with the County Community Plan's requirements.

5. The Altadena Community Standards District determines the maximum Lot Coverage area as per Section 22.44.127 subsection D part b-ii. The plans are to be revised to indicate the maximum lot coverage accurately.
6. The subject property complies with the Altadena CSD setback requirements except for the existing garage and the new addition with 4 foot north side setback in lieu of 5 foot on the north side, front required setback is 19 in lieu of the existing 20 foot setback and rear yard required setback of 25 in lieu of the existing 20 foot setback. Altadena CSD was effective in 1998, the existing house was built between 1957 and 1993.
7. The standards of Altadena CSD may be modified if a conditional use permit has first been approved as provided in part I of Chapter 22.56.
8. The construction of the new addition is compatible with the character of the community.
9. The addition is an integral part of the house and the use is suitable from the standpoint of functional developmental design.
10. Staff did not receive any opposition to this project.
11. The applicant presented the proposed project to the Altadena Town Council on January 20, 2009. The Council approved the project and provided an approval letter to the Department of Regional Planning.
12. The Fire Department in its letter of July 29, 2008 recommends submitting architectural drawings to the Fire Prevention Engineering section at the Commerce office for review and approval prior to building permit issuance.
13. Public Works' letter dated May 7, 2008 recommended approval of this CUP.
14. The approval of this modification shall not establish a precedent for approval of other modifications within the Altadena Community Standards District.
15. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
16. The Department of Regional Planning has determined that a Categorical Exemption Class 3- New Construction or Conversion of Small Structures is appropriate.
17. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the

Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits II Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

- A. That the proposed use is consistent with the adopted general plan for the area; and
- B. That the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare; and
- C. That the proposed site is adequate in size and shape to accommodate the development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings and burden of proof for a Conditional Use Permit as set forth in Section 22.56.040 of the Los Angeles County Code.

HEARING OFFICER ACTION:

1. The Hearing Officer has considered the Categorical Exemption for this project and certifies that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.
 2. In view of the findings of fact and conclusions presented above, Conditional Use Permit 200700172 is Approved, subject to the attached draft conditions.
- c: Hearing Officer, Zoning Enforcement, Building and Safety, Altadena Town Council , Fire Department, Testifiers

This grant authorizes modification to Altadena Community Standards District for the required a five foot side yard setback to a four foot side yard setback to accommodate an addition of 150 square foot laundry room. In addition, the applicant proposes to convert the existing garage to a living space and to construct a 480 square foot, two car garage, located at 2284 Winrock Avenue, in Altadena subject to the following conditions of approval;

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition Number 6, and until all required monies have been paid pursuant to Condition Number 7.
3. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate reasonably in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
4. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee according to Los Angeles County Code Section 2.170.010.

5. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
6. Prior to the use of this grant, the property owner or permittee shall **record the terms and conditions** of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the property during the term of this grant, the property owner or permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
7. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. The permittee shall deposit with the County of Los Angeles the sum of **\$300.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The deposit provides for **two (2)** inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be \$150.00 per inspection, or the current recovery cost, whichever is greater.

8. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.
9. Upon receipt of this letter, the permittee shall submit architectural plans to the Fire Prevention Engineering section of the Los Angeles County Fire Department, Commerce office, for review and approval prior to building permit issuance.

10. All structures shall conform to the requirements of the Division of Building and Safety of the Department of Public Works.
11. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.
12. All structures, walls and fences open to public view shall remain free of extraneous markings, drawings or signage that was not approved by the Department of Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises.
13. In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
14. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." The Altadena Community Standards District determines the maximum Lot Coverage area as per Section 22.44.127 subsection D part b-ii. The plans are to be revised to indicate the maximum lot coverage accurately. A Revised Exhibit "A" shall be submitted to the Department of Regional Planning within sixty (60) days of the date of approval for the Conditional Use Permit.
15. The proposed converted living addition shall have no kitchen facilities, including wet bars, microwaves, stoves, ovens and kitchen sinks.
16. A notarized covenant recorded with the County's Records office is required to ensure that the proposed addition and conversion are an integral part of the existing house and shall be used only as a single family residence and shall not be rented, converted or used as separate dwelling units.

MM:JN
3/24/2009