



Los Angeles County  
Department of Regional Planning



Planning for the Challenges Ahead

Richard J. Bruckner  
Director

March 6, 2012

Michele Coudures  
2273 Suree Ellen Lane  
Altadena, CA 91001

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

REGARDING: PROJECT NUMBER R2008-00981-(5)  
OAK TREE PERMIT 200800031  
2273 Suree Ellen Lane

Dear Applicant:

Hearing Officer, Alejandro Garcia, by his action of Tuesday, March 6, 2012, **APPROVED** the above described application (**Oak tree permit for the retroactive encroachment into the protected zones of 14 oak trees**). The applicant and other interested persons 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 Tuesday, March 20, 2012.** 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.

The attached documents contain the Hearing Officer's findings and conditions relating to the approval. Please carefully review each condition.

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 Diane Aranda of the Zoning Permits East Section at (213) 974-6435 or e-mail at [DAranda@planning.lacounty.gov](mailto:DAranda@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,

Richard J. Bruckner  
Director

  
Maria Masis, Supervising Regional Planner  
Zoning Permits East Section

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

c: Zoning Enforcement, Forestry, Michele Coudures  
MM: DA

**FINDINGS AND ORDER OF THE HEARING OFFICER  
THE COUNTY OF LOS ANGELES**

**PROJECT NUMBER R2008-00981-(5)**

**OAK TREE PERMIT NUMBER 200800031**

**REQUEST:**

The applicant, Michele Coudures, is requesting an oak tree permit for the past encroachment into the protected zones of 14 oak trees for the construction of a pool, spa and landscaping. The property is located at 2273 Suree Ellen Lane in the R-1-20000 (Single Family Residence-20000 Square Foot Lot Minimum) Zone in the Altadena Zoned District.

**HEARING DATE: March 6, 2012**

**PROCEEDINGS BEFORE THE HEARING OFFICER:**

A duly noticed public hearing was held on March 6, 2012 before the Hearing Officer. There was no one present to testify in favor or in opposition of the proposed project. There being no further testimony, the Hearing Officer closed the public hearing, and approved project R2008-00981-(5) with attached conditions.

Findings

1. The subject property is located at 2273 Suree Ellen Lane within the unincorporated community of Altadena in the Altadena Zoned District. The property is on a 0.5 acre lot with access along a driveway via Suree Ellen Lane.
2. The applicant, Michele Coudures, is requesting an oak tree permit for the past encroachment into the protected zones of 14 oak trees for the construction of a pool, spa and landscaping. There are fourteen coast live oak trees (*Quercus agrifolia*) throughout the subject property.
3. The subject property is located within the Altadena Community Plan and has a land-use designation of Category 2 – Low Density Residential (1-6 du/gross acre), which corresponds to common suburban tract residential development. The purpose of this category is to maintain the existing single-family neighborhoods.
4. The subject property is zoned R-1-20000 (Single-Family Residence-20000 square foot lot minimum) and is established for single-family residences, group home, second units, family childcare homes, and adult residential facilities. The subject property is also located in the Altadena Community Standards District. The previously approved additions meet all of the zone specific development standards of code section 22.44.127.
5. Zoning Conformance Review 200800070 approved the construction of a 680-square-foot pool and spa with landscaping on January 21, 2008. Plot plan 200700154 was approved on March 30, 2007 to convert an existing attached garage into a kitchen and convert the existing kitchen into a family room. The construction of an 800-square-foot detached four-car garage was also approved with plot plan 200700154.
6. There are no open zoning violations on the subject property

7. The site plan depicts an existing 2,949-square-foot one-story single-family residence and an 800-square-foot detached four car garage on a 0.5 acre lot. Fourteen Coast Live oak trees (*Quercus agrifolia*) are located throughout the property. The previous encroachments are for the protected zones of oak trees labeled T1 to T14.
8. The property is surrounded by single family residences to the north, east and south, and a golf course to the west. The existing use is compatible with the surrounding neighborhood.
9. 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 newspaper, library posting and Department of regional Planning website posting.
10. The County Forester is of the opinion that the oak tree report prepared by the certified arborist on May 21, 2008 accurately addresses the impacts to the oak resources on the site. The Forester recommends approval of the oak tree permit subject to the conditions provided in the Forester's report dated June 3, 2008.
11. The Department of Regional Planning has determined that a Categorical Exemption, Class 4- Minor Alterations to Land, is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements.
12. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13<sup>th</sup> 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 East Section, Los Angeles County Department of Regional Planning.

**BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:**

- A. That the past encroachment into the protected zones of fourteen oak trees did not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated;
- B. That the past encroachment into the protected zones of fourteen oak trees is not contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure;

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for oak tree permit as set forth in Sections 22.56.2100, Title 22, of the Los Angeles County Code (Zoning Ordinance).

**HEARING OFFICER ACTION:**

1. The Hearing Officer finds that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA). The project is within a class of projects, which have been determined not to have a significant effect on the environment in that it meets the criteria set forth in Section 15303 of the State CEQA Guidelines and Class 4 Minor Land Alterations Categorical Exemption of the County Environmental Document Reporting Procedures and Guidelines, Appendix G.

2. In view of the findings of facts presented above, Oak Tree Permit No. 200800031 is **APPROVED**, subject to the attached conditions.

c: Zoning Enforcement, Building and Safety, Forestry

MM:DA  
03/6/2012

**CONDITIONS OF APPROVAL  
DEPARTMENT OF REGIONAL PLANNING  
PROJECT NUMBER R2008-00981-(5)  
OAK TREE PERMIT NUMBER 200800031**

This grant authorizes the past encroachment into the protected zones of 14 oak trees for the construction of a pool, spa and landscaping. The property is located at 2273 Suree Ellen Lane in the R-1-20000 (Single Family Residence- 20000 Square Foot Lot Minimum) Zone in the Altadena Zoned District and is subject to the following conditions:

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 property involved (if other than the permittee) have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant, and until all required fees have been paid pursuant Condition No. 7 and all fees required pursuant to the County Forester's letter dated June 3, 2008, which is attached and incorporated herein by this reference. Notwithstanding the foregoing, this condition (No. 2) and Condition Nos. 4, 5, 6, and 8 shall be effective immediately upon final approval of this grant by the County. The date of final approval is the date the County's action becomes effective pursuant to Section 22.60.260.
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 notify the permittee of any claim, action, or proceeding and the County shall fully cooperate 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 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 Regional Planning'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 or expenses shall be billed and deducted:
  - a. If during the litigation process, actual costs or expenses 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 material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
6. This grant shall expire unless used within two (2) years from the date of final approval of the grant by the County. A single, one-year time extension may be requested in writing and with payment of the applicable fee prior to the expiration date.
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. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. **The permittee shall deposit with the County of Los Angeles the sum of \$200.00.** The deposit shall be placed in a performance fund, which shall be used exclusively to compensate 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 one (1) inspection. Inspections shall be unannounced and may be coordinated with the County Forester.

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 Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection or the current recovery cost at the time any additional inspections are required, 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. All requirements of the Zoning Ordinance and of the specific zoning of the subject property shall be complied with unless otherwise modified as set forth in these conditions or as shown on the approved plans.
10. The permittee shall strictly comply with all conditions and requirements contained in the County of Los Angeles Forester and Fire Warden, Forestry Division, letter dated June 8, 2008, which is attached hereto and incorporated by this reference as if set forth fully herein, to the satisfaction of said Division, except as otherwise required by said Division.
11. Where grading or any other similar activity is specifically approved within the protected zone, the applicant shall provide an individual with special expertise acceptable to the Director to supervise all excavation or grading proposed within the protected zones and to further supervise, monitor and certify to the County Forester and Fire Warden the implementation of all conditions imposed in connection with the applicant's oak tree permit.

12. Any excavation or grading allowed within the protected zone or within 15 feet of the trunk of a tree, whichever distance is greater, is limited to hand tools or small hand-power equipment.
13. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.

Attachment: County Forester's Letter dated June 3, 2008