

DRAFT RESOLUTION NO. ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF AGOURA HILLS APPROVING
VARIANCE NO. 07-VAR-001

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

Section 1. An application was duly filed by Charles Blaugrund for Mr. and Mrs. Butson with respect to the real property located at 5619 Slicers Circle, Assessor's Parcel Number 2054-018-132, requesting approval of a Variance from Zoning Ordinance Section 9253.3.E. to allow a 14.5-foot rear yard setback instead of the minimum 15 feet in the RM zone. Public hearings were duly held on May 3, 2007 and June 7, 2007, at 6:30 p.m. in the Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California; and that notice of time, date and place and purpose of the aforesaid was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid Public Hearings.

Section 3. The Planning Commission finds, pursuant to the Agoura Hills Zoning Ordinance regarding the variance requests described in Section I, that:

A. The size, shape, topography, location or surroundings, the strict application of this article deprives the property of privileges enjoyed by other property owners in the vicinity and under identical zoning classification. The proposed second-story addition to the rear portion of the residence is logically situated within the same footprint of the first floor. The existing single-story residence is located 14.5 feet from the rear property line, and the second floor addition will not decrease this existing rear yard distances.

B. The granting of the Variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone. The granting of a Variance to allow a 14.5 foot rear setback is a minor setback reduction and is reasonable as it would avoid a 6 inch offset to the second floor.

C. The strict interpretation and enforcement of the provisions of the Zoning Ordinance. Strict interpretation of the Zoning Ordinance would pose a practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance. The existing rear yard setback is non-conforming by 6 inches.

D. That the granting of the variance will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements of the aesthetic value in the vicinity. The requested rear yard setback reduction of 6 inches is to accommodate the second story addition which will not have the same visual and massing effect as the addition on the front portion of the residence as the rear of the house backs up to the golf course.

E. The granting of the variance will be consistent with the character of the surrounding area. The granting of the Variance to deviate from the minimum rear yard setback requirement will be consistent with the character of the surrounding area. The rear addition will be compatible with the neighborhood due to the existing rear yard setback variations in the area.

Section 4. The project is a request for an addition to an existing single-family residence and is exempt from the California Environmental Quality Act (CEQA), per Section 15303 and does not require adoption of an environmental impact report or negative declaration.

Section 5. Based on the aforementioned findings in Section 3 the Planning Commission hereby approves Variance Request Case No. 07-VAR-001. This Variance is valid only in conjunction with Site Plan/Architectural Review Case No. 07-SPR-002.

PASSED, APPROVED, and ADOPTED on this 7th day of June, 2007 by the following vote to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Curtis Zacuto, Vice Chairperson

ATTEST:

Doug Hooper, Secretary