

DRAFT RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF AGOURA HILLS
APPROVING CONDITIONAL USE PERMIT CASE NO. 06-CUP-013 AND
OAK TREE PERMIT CASE NO. 06-OTP-030

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

Section I. An application was duly filed by Leo Roit with respect to the real property located 28161 Laura La Plante Drive, Assessor's Parcel Number 2061-016-053, requesting the approval of a Conditional Use Permit Case No. 06-CUP-013 and an Oak Tree Permit Case No. 06-OTP-030 to allow the development of a 2,124 square-foot, single-story, single-family residence and a 441 square-foot, attached two-car garage. A Public Hearing was duly held June 21, 2007, at 6:30 p.m. in the Council Chambers, City Hall at 30001 Ladyface Court, Agoura Hills, CA 91301. Notice of the time, date and place and purpose of the aforesaid was duly given.

Section II. Evidence, both written and oral, was duly presented to and considered by the Planning Commission of the aforesaid Public Hearing.

Section III. The Planning Commission finds, pursuant to the Agoura Hills Zoning Ordinance, that:

A. The proposed use, as conditioned, is consistent with the objectives of this article and the purposes of the district in which the use is located. The proposed project is located within the Residential Single-Family zone and the Indian Hills Overlay District, which provides general design standards for residential developments. Minimum development standards have been met with regard to lot coverage, side and rear setbacks, height and architectural design guidelines.

B. The proposed use, as conditioned, is compatible with the surrounding properties. The project will contribute to the aesthetic value of the neighborhood as a whole. The proposed single-story building style of architecture and building materials including stucco and a tile roof are compatible with the neighborhood and meet the requirements of the Indian Hills Design Overlay District. The in-fill lot is compatible with the size of the developed, residential lots in the Indian Hills area.

C. The proposed use, as conditioned, and the conditions under which the project will be operated or maintained will not be detrimental to the public health, safety or welfare. The proposed project will be constructed within the development standards of the RS zone relative to building height, lot coverage and rear and side yard setbacks. The proposed structure will be compliant with the City Building Ordinance.

D. The proposed use as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance, except for approved variances, regarding building height, lot coverage and rear and side yard setbacks. The 12 foot height of the proposed

residence does not exceed the maximum height of 15 feet at front property line per the Hillside Ordinance; the lot coverage of 33% will be below the maximum allowable lot coverage of 35% for the zone; the 26-foot rear yard setback will exceed the minimum 25 foot requirement and the 22.36-foot combined side yard setback will exceed the minimum 22-foot combined side yard requirement for the RS zone.

E. The proposed use, as conditioned, will maintain the diversity of the community by its architectural design of the building. The project will require minimal grading (42 cubic yards of cut and 37 cubic yards of fill) of the site. Placement of surrounding properties and mature landscaping is such that the project will not impact view-sheds of these properties.

F. The proposed use, as conditioned, is consistent with the goals, objectives and policies of the General Plan. The proposed residence is a permitted use within the RS land use district and ensures that this infill development is compatible with adjacent land uses, as called for in Policy 2.4 of the General Plan Land Use Element.

G. As conditioned, encroachment into the five protected on-site Oak trees is necessary for construction of the proposed residence and for construction access and footing construction and will not significantly impact the health of the trees.

Section IV. The project is a request for one, 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 V. Based on the aforementioned findings, the Planning Commission hereby approves Conditional Use Permit Case No. 06-CUP-013 and Oak Tree Permit Case No. 06-OTP-030, subject to the attached Conditions, with respect to the property described in Section I hereof.

PASSED, APPROVED and ADOPTED this 21st day of June, 2007 by the following vote to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Steve Rishoff, Chairperson

ATTEST:

Doug Hooper, Secretary