



**DEPARTMENT OF PLANNING AND
COMMUNITY DEVELOPMENT**

TO: Planning Commission

FROM: Planning Staff

SUBJECT: Site Plan/Architectural Review Case No. 07-SPR-008 (Mahterian for Hesen)

DATE: June 19, 2008

BACKGROUND AND DISCUSSION

On February 7, 2008, the Planning Commission held a public hearing for a Site Plan/Architectural Review request to construct a first and second story addition and a garage addition to an existing single-family residence located at 5575 Micaela Drive. The applicant, Robert Mahterian for Jen and Mitch Hesen, desired to add 1,672 square feet of additional space to the 2,430 square foot, two-story residence.

Upon conducting a public hearing and receiving oral and written testimony from staff, the applicant and the public, the Planning Commission continued the public hearing to the March 6, 2008 Planning Commission meeting and requested that the applicant submit alternate plans which address changes to the project that were recommended by the Planning Commission. At the request of the applicant, the public hearing was continued to April 3, 2008. An additional continuance was granted to the June 19, 2008 Planning Commission meeting, as requested by the applicant, to allow his clients additional time to consider proposed design revisions.

Since the February 7, 2008, public hearing for this project, staff has frequently requested the applicant submit revised plans for the Planning Commission's review. However, to date no plans have been submitted and, despite staff's requests, the applicant has not indicated with certainty whether his clients desire to continue pursuing this project and has given no indication that revised plans will be submitted in the near future. As such, staff recommends that the Planning Commission take final action on the application by directing staff to return with a resolution of denial, or a resolution of approval, for adoption at the next Planning Commission meeting of July 17.

RECOMMENDATION

Staff recommends the Planning Commission adopt a motion directing staff to return with a resolution of denial, or a resolution of approval, for Site Plan/Architectural Review Case No. 07-SPR-008, for adoption at the July 17, 2008 Planning Commission meeting.

ATTACHMENTS

- Minutes of the February 7, 2008 Planning Commission Meeting
- February 7, 2008 Staff Report



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

**MINUTES OF THE REGULAR SCHEDULED MEETING OF
THE PLANNING COMMISSION - AMENDED
February 7, 2008**

CALL TO ORDER was amended – Chair O’Meara called meeting to order at 6:32 p.m.

ROLL CALL was amended – to Chair O’Meara and Commissioner Steve Rishoff

CALL TO ORDER: Chair O’Meara Rishoff-called the meeting to order at 6:32 p.m.

FLAG SALUTE: Commissioner Nouzille

ROLL CALL: Chair John O’Meara Steve Rishoff, Vice Chair Curtis Zacuto, Commissioners Illece Buckley Weber, Cyrena Nouzille, and Steve Rishoff John O’Meara

Also present were Assistant Community Development Director Doug Hooper, Assistant Planner Renee Madrigal, Planning Technician Britteny Tang, Assistant Engineer Kelly Fisher, Oak Tree and Landscape Consultant Kay Greeley, and Recording Secretary Sheila Keckhut.

APPROVAL OF MINUTES: January 17, 2008 Planning Commission Meeting

Chair O’Meara requested, with the consent of the Planning Commission, that the approval of the January 17, 2008 Planning Commission Meeting minutes be continued to the February 21, 2008 meeting.

COMMENTS FROM THE PUBLIC ON ITEMS NOT LISTED ON THE AGENDA:

None

CONSENT ITEMS: None

CONTINUED PUBLIC HEARING

3. REQUEST: A request for approval of a Conditional Use Permit to construct five (5) detached buildings totaling 33,680 square feet in size for retail and restaurant use (Shops at Oak Creek); and a request for a Sign Permit for approval of the project's proposed sign program.
- APPLICANT: Danari Oak Creek, LLC
c/o Adler Realty Investments, Inc.
20950 Warner Center Drive, Suite C
Woodland hills, CA 91367
- CASE NOS.: 06-CUP-007 and 06-SP-037
- LOCATION: 28941-29145 Canwood Street
(A.P.N. 2048-011-(049-053) and 2048-011-061)
- ENVIRONMENTAL DETERMINATION: Compliant with the Certified Environmental Impact Report for the Tract
- RECOMMENDATION: Staff recommended the Planning Commission continue Conditional Use Permit Case No. 06-CUP-007 and Sign Permit Case No. 06-SP-037, to the February 21, 2008 Planning Commission meeting.
- ACTION: On a motion by Commissioner Buckley Weber, seconded by Vice Chair Zacuto, the Planning Commission moved to continue Conditional Use Permit Case No. 06-CUP-007 and Sign Permit Case No. 06-SP-037, to the February 21, 2008 Planning Commission meeting. Motion carried 4-0-1. Commissioner Nouzille abstained.

NEW PUBLIC HEARING

None

SITE PLAN/ARCHITECTURAL REVIEW

4. REQUEST: Request for approval of a Site Plan/Architectural Review application to construct a first and second-story addition and a garage addition, totaling 1,672 square feet, to an existing two-story residence.

APPLICANT: Robert Mahterian Architects
For Jen and Mitch Hesen
28351 Agoura Road, Suite A
Agoura Hills, CA 91301

CASE NO.: 07-SPR-008

LOCATION: 5575 Micaela Drive
(A.P.N. 2053-024-097)

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA per Section 15303

RECOMMENDATION: Staff recommended approval of Site Plan/Architectural Review Case No. 07-SPR-008, subject to conditions.

PUBLIC COMMENTS: Chair O'Meara opened the Public Hearing
The following persons spoke in favor of the project.
Robert Mahterian – Architect, Applicant's Representative
Mitch Hesen – Applicant

The following persons spoke in opposition of the project.

Mark McCoy, Resident Agoura Hills, CA

Lisa McCoy, Resident Agoura Hills, CA

REBUTTAL: Robert Mahterian, Architect representing applicant gave rebuttal regarding the project and answered additional questions of the Planning Commission.

ACTION: On a motion by Vice Chair Zacuto, seconded by Commissioner Nouzille, the Planning Commission moved to continue Site Plan/Architectural Review Case No. 07-SPR-008, to the March 6, 2008 Planning Commission meeting. Motion carried 5-0.

5. REQUEST: Request for approval of a Site Plan/Architectural Review amendment to increase by 426 square feet the first floor of an existing residence, and grade on two lots; and a request for an Oak Tree Permit to encroach within the protected zone of two (2) off-site Oak trees for the proposed construction.

APPLICANT: Francisco Vasquez for Janice Atkins
7801 Alabama Avenue, Suite 6
Canoga Park, CA 91304

CASE NOS.: 04-SPR-022 (Amendment) and 08-OTP-001

LOCATION: 28506 Driver Avenue
(A.P.N. 2055-004-011)

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA per Section 15301(e)

RECOMMENDATION: Staff recommended the Planning Commission adopt a motion to approve the proposed amendment to Site Plan/Architectural Review Case No. 04-SPR-022 (amendment), subject to Conditions, based on the findings of the draft Resolution.

RECESS: Chair O'Meara called for a recess at 8:20 p.m.

RECONVENE: Chair O'Meara reconvened the meeting at 8:46 p.m.

PUBLIC COMMENTS: Chair O'Meara opened the Public Hearing



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

ACTION DATE: February 7, 2008

APPLICANT: Robert Mahterian Architects
for Jen and Mitch Hesen
28351 Agoura Road, Suite A
Agoura Hills, CA 91301

CASE NO.: 07-SPR-008

LOCATION: 5575 Micaela Drive
(A.P.N. 2053-024-097)

REQUEST: Request for approval of a Site Plan/
Architectural Review application to construct a
first and second-story addition and a garage
addition, totaling 1,672 square feet, to an
existing two-story residence.

ENVIRONMENTAL ANALYSIS: Categorically exempt from CEQA per Section
15303

RECOMMENDATION: Staff recommends approval of Site Plan/
Architectural Review Case No. 07-SPR-008,
subject to conditions.

ZONING DESIGNATION: RS-(5)-7,000 (Residential Single Family)

GENERAL PLAN DESIGNATION: RS (Residential Single Family)

I. PROJECT BACKGROUND AND DESCRIPTION

The applicant, Robert Mahterian for Jen and Mitch Hesen, is proposing to construct 1,672 square feet of room and garage additions to an existing 2,430 square foot, two-story residence. Specifically, the applicant is proposing a 704 square foot addition to the first floor, a 704 square foot addition to the second floor, and a 264 square foot addition to the existing attached garage. The residence is located at 5575 Micaela Drive in the RS-(5)-7,000 (Residential Single Family) zone. The Zoning Ordinance requires the submittal of an Administrative Site Plan/Architectural Review application since the second floor exceeds 50% of the size of the first floor. An adjacent neighbor submitted a letter to staff in opposition of the project due to the potential losses of their view shed, privacy, property values, compatibility and the aesthetic value of the neighborhood. Copies of

both the complainant's letter and the applicant's response letter are attached to this report in Exhibits A and B. The Director of Planning and Community Development has referred this project to the Planning Commission to take action on the request at a public hearing for which staff has already noticed.

On January 29, 2004 the City of Agoura Hills approved a lot line adjustment for the Oak View Ranch Homeowners Association, and on November 24, 2004 the lot line adjustment was recorded by the Los Angeles County Recorder. The lot line adjustment reduced the Association's Open Space, giving portions of the open space property to the abutting homeowners, including the applicant's. The applicant's lot increased from roughly 8,842 square feet to 10,600 square feet. A storm drain easement of 2,640 square feet runs along the east portion of the property.

Property Index:

	Existing	Proposed	Required/Allowed (Code Section 9243.4)
A. Lot Size	10,600 sq. ft.	10,600 sq. ft.	7,000 sq. ft. (minimum)
B. Building Height	22.5 feet	22.5 feet	35 feet (maximum)
C. Building Size			
a. First Floor	1,417 sq. ft.	2,121 sq. ft.	N/A
b. Including garage	1,844 sq. ft.	2,385 sq. ft.	N/A
<u>c. Second Floor</u>	<u>1,013 sq. ft.</u>	<u>1,717 sq. ft.</u>	N/A
(total)	2,430 sq. ft.	4,102 sq. ft.	N/A
D. Building Coverage	17.4%	26.5%	50% (maximum)
E. Setback			
a. Front (East Property Line)	28 feet	21.5 feet	20 feet (minimum)
b. Rear (West Property Line)	37.5 feet	32 feet	20 feet (minimum)
c. Side (South Property Line)	4.65 feet	No Change	8 feet minimum (with not less than a combined setback of 18 feet).
d. Side (North Property Line)	45 feet	18 feet	8 feet minimum (with not less than a combined setback of 18 feet).

II. STAFF ANALYSIS

The proposed project would expand both floors of the two-story residence. On the first floor, proposed improvements of 968 square feet would include expanding the two-car garage to a three car garage, adding a play room, and adding a guest bedroom with a bathroom and laundry area. The first floor addition is proposed 18 feet from the north side yard property line, 32 feet from the west rear yard property line, and 21.5 feet from the east front yard property line.

On the second floor a proposal of 704 square feet of improvements would include adding a new master bedroom, and adding a new study/exercise room. The second floor addition is proposed directly above the 704 square foot addition to the first floor, and will be 18 feet from the north sideyard property line, 32 feet from the west, rear yard property line, and 35 feet from the east, front yard property line. The proposed combined side yard setbacks totals 22.6 feet, which exceeds the 18-foot minimum side yard setbacks required in the RS-7,000 zone.

The existing 4.65-foot south sideyard setback is a non-conforming sideyard by 3.35 feet, but is permitted to be maintained by the Zoning Ordinance for a second story addition, provided that at least 18 feet of combined side yard area is provided for both sides of the residence. In this case, a combined sideyard area of 22.65 feet is proposed, thus exceeding the minimum requirement for the zone. The Zoning Ordinance also allows the second story to be placed anywhere above the existing footprint of the residence, provided the required setback to the front, rear and side property lines are being met. With regards to the proposal that requirement is being met.

The proposed 1,672 square foot addition to the existing 2,430 square foot residence represents a 68% increase in residential floor area. The building lot coverage will increase from 17.4% to 26.5%, which is less than the 50% maximum building coverage allowed for the zone.

The proposed additions will be in keeping with the existing roof height of 22.5 feet, which is less than the 35-foot maximum height allowed for the zone. The proposal would also include change-outs of all existing windows, and matching the additions with the existing residence. Proposed exterior materials include off-white colored stucco, brown trimming, and dark brown window trimming. Although new exterior doors and windows are proposed on both floors, privacy between neighbors will be maintained with yard areas that meet or exceed the minimum requirements of the zone. The Oak View Ranch Homeowners Association's approval for the proposed project is attached to this report in Exhibit D.

The proposal will encroach within an existing storm drain easement. Though normally projects are not permitted to be built on top of an easement, the County of Los Angeles has indicated that they have abandoned the easement. Furthermore, the applicant has been in contact with Los Angeles County and will be required to obtain a permit from the County prior to the issuance of a building permit, as indicated in the conditions of

approval. Overall, staff finds the proposal to be in compliance with the Zoning Ordinance and the required findings of approval listed in the draft Resolution, subject to the recommended conditions.

Based upon the review of this project by the City Environmental Analyst, no significant environmental impacts have been identified for the project. The project includes additions of no more than 2,500 square feet to an existing residence, which has been determined to be Categorically Exempt from the California Environmental Quality Act per Section 15303.

III. RECOMMENDATION

Based on the above analysis, staff recommends the Planning Commission adopt a motion to approve Site Plan/Architectural Review Case Number 07-SPR-008, subject to the attached Conditions.

IV. ATTACHMENTS

- Draft Resolution and Conditions of Approval
- Exhibit A: Letter from Neighbor
- Exhibit B: Letter of response from Applicant
- Exhibit C: Oak View Ranch Homeowners Association Approval
- Exhibit D: Reduced Copies of Architectural Plans
- Exhibit E: Vicinity Map Assessor
- Exhibit F: Parcel Map and Lot Line Adjustment Map
- Exhibit G: Environmental Determination

Case Planner: Yi Xing (Brittney) Tang, Planning Technician

DRAFT RESOLUTION NO. _____
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF AGOURA HILLS
APPROVING SITE PLAN/ARCHITECTURAL REVIEW
CASE NO. 07-SPR-008

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

Section I. An application was duly filed by Robert Mahterian for Mitch and Jen Hesen with respect to the property located at 5575 Micaela Drive (Assessor's Parcel Number: 2053-024-097), requesting approval of Site Plan/Architectural Review Case Number 07-SPR-008, to allow the construction of a 1,672 square foot, one-story and two-story addition to an existing 2,430 square-foot, single-family residence. A public meeting was duly held on February 7, 2008, at 6:30 p.m. in the Council Chambers at 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 II. Evidence both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid Public Hearing.

Section III. Pursuant to Section 9677.5 of the Agoura Hills Zoning Ordinance, the Planning Commission finds:

- A. The proposed use, as conditioned, is consistent with the objectives and provisions of the Zoning Ordinance and the purposes of the land use district in which the use is located. The proposal is for a room addition of 1,672 square feet to an existing, two-story single-family residence, which is a permitted use in the Residential Single Family zone. All minimum development standards have been met or exceed with regard to building height, lot coverage and required yard areas.
- B. The proposed use, as conditioned, and the manner in which it will be operated or maintained will not be detrimental to the public health, safety, or general welfare. The location of the proposed additions will ensure adequate light, air and privacy, and open space to surrounding properties. All building plans will comply with the City Building Code.
- C. The proposed use, as conditioned, shall not conflict with the character and design of the buildings and open space in the surrounding area in that the exterior building materials, including off-white colored stucco, brown trimming, and dark brown window trimming, will match the existing residence and will be compatible with the neighboring homes. Minimum development standards of the zone will be met.
- D. The proposal, as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance. The construction will meet the development standards

for the RS zone by complying with and/or exceeding the limits of the building lot coverage, building height, and setbacks from property lines.

- E. The proposed use, as conditioned, is consistent with the City's General Plan. The proposed addition serves an understandable and efficient relationship between its purpose and the land use which it serves, and is compatible with the surrounding community in regard to its design, colors and materials, as called for in the Community Design Element of the General Plan.

- F. The proposed use, as conditioned, preserves and enhances the particular character and assets of the surrounding area and its harmonious development. The proposed additions will consist of materials and colors that are consistent with the architecture of the surrounding area. The proposed additions are logical expansions to the existing single-family residence and will be constructed in accordance with the development standards of the Residential Single Family zone.

Section IV. The proposed project is a request for a room addition of 1,672 square feet to an existing single-family residence is categorically exempt from the requirements of the California Environmental Quality Act, per Section 15303.

Section V. Based on the aforementioned findings, the Planning Commission hereby approves Site Plan/Architectural Review Case No. 07-SPR-008, subject to the attached conditions, with respect to the property described in Section I hereof.

PASSED, APPROVED, and ADOPTED this 7th of February 2008 by the following vote to wit:

AYES:
NOES:
ABSTAIN:
ABSENT:

John O'Meara, Chairperson

ATTEST:

Doug Hooper, Secretary

CONDITIONS OF APPROVAL (CASE NUMBER 07-SPR-008)

STANDARD CONDITIONS

1. This decision, or any aspect of this decision, can be appealed to the Planning Commission within fifteen (15) days from the date of action, subject to filing appropriate forms and related fees.
2. This action shall not be effective for any purpose until the applicant agrees in writing that he/she is aware of and accepts all conditions of this permit with the Department of Planning and Community Development.
3. Except as modified herein, the approval of this action is limited to and requires complete conformance with the approved Site Plan, Floor Plan and Elevation Plans.
4. Except as modified herein, all exterior materials and colors of the additions shall match the materials and colors proposed and approved with this permit.
5. It is hereby declared to be the intent that if any provision of this permit is declared invalid, the permit shall be void and the privileges granted herein shall lapse.
6. It is further declared and made a condition of this action that if any condition herein is violated, and if the applicant has been given written notice to cease such violation but has failed to comply for a period of thirty (30) days, the permit shall be void and the privileges granted herein shall lapse.
7. The applicant shall obtain all required construction and occupancy permits from the Department of Building and Safety.
8. Unless this permit is used within two (2) years from the date of approval Case No. 07-SPR-008 shall expire. A written request for a one (1) year extension may be considered prior to the expiration date.
9. The applicant shall comply the school impact fee requirements of the Las Virgenes Unified School District, prior to issuance of a building permit. The current fee is \$2.63 per square foot.
10. Prior to the issuance of a building permit the applicant shall pay the Fire District Development Fee, at the rate in effect at the time of building permit issuance. The current rate is \$0.9223 per square foot.
11. The applicant shall pay the City the applicable General Plan Update Recovery Fee prior to the issuance of a building permit. The current fee is \$1.41 per \$1,000 of building valuation. Actual fees will be determined at the time of building permit issuance.

SPECIAL CONDITIONS

12. Prior to the issuance of a building permit, a licensed architect or engineer shall submit to the City Engineering Department for review a wet-stamped letter indicating the amount of grading required for construction, subject to approval by the City Engineer.
13. Prior to the issuance of a building permit, a permit from the Los Angeles County allowing the construction of the addition within the drainage easement shall be submitted by the applicant to the City Engineering Department.
14. The residence shall be protected by a residential fire sprinkler system, as determined by the Building Official.

END

Exhibit A

12.20.07 CITY OF AGOURA HILLS

2007 DEC 21 AM 10:08

CITY CLERK

Mark And Lisa McCoy
30131 Amelia Drive
Agoura Hills, CA 91301
(818) 889-0750

Mike Kamino
Director of Planning and Community Development
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

Dear Mike,

It has come to our attention that our neighbors Jen and Mitch Hesen who reside at 5575 Micaela Drive in Agoura Hills are seeking approval to build a 1,672 square foot addition to their existing residence. This is an increase of 68% in size which means it will exceed the largest floor plan in our neighborhood by 47% or 1,317 square feet making their home out of scale with the rest of the homes in the area. This brings into question their ability to build an addition that will conform cosmetically to the original 23 year old structure.

We certainly understand their need to expand the size of their home, however, we strongly feel it is wrong to allow them to do so when it causes us to suffer a potential loss in property value and cost us financially to protect our privacy. One of the advantages of living in a planned community is the comfort of being protected from owners building on to their existing residence that may affect you personally and financially. The additions the Hesen's seek to build have the potential to reduce the value of our property and the attractiveness to a potential future buyer. This is our home now but it's also an investment.

When we purchased our home over seven years ago, one of the most attractive features was the amount of space between homes and the view of the hills. Should these plans be approved, the new structure would completely impede the beautiful view of the hills and openness we currently enjoy from our home inside and out. It also creates a situation where the Hesen's would have a direct view into our family room, breakfast area and bedroom thus decreasing the appeal of our property to a potential future buyer while costing us financially to protect our privacy.

We don't have a problem with the Hesen's making modifications to their home as long as it does not create a situation to where their home is out of scale with the rest of the neighborhood and does not cause us to lose financially or force us to adjust our lifestyle to accommodate them. Another words their gain should not come at our expense or our neighbors.

Page II

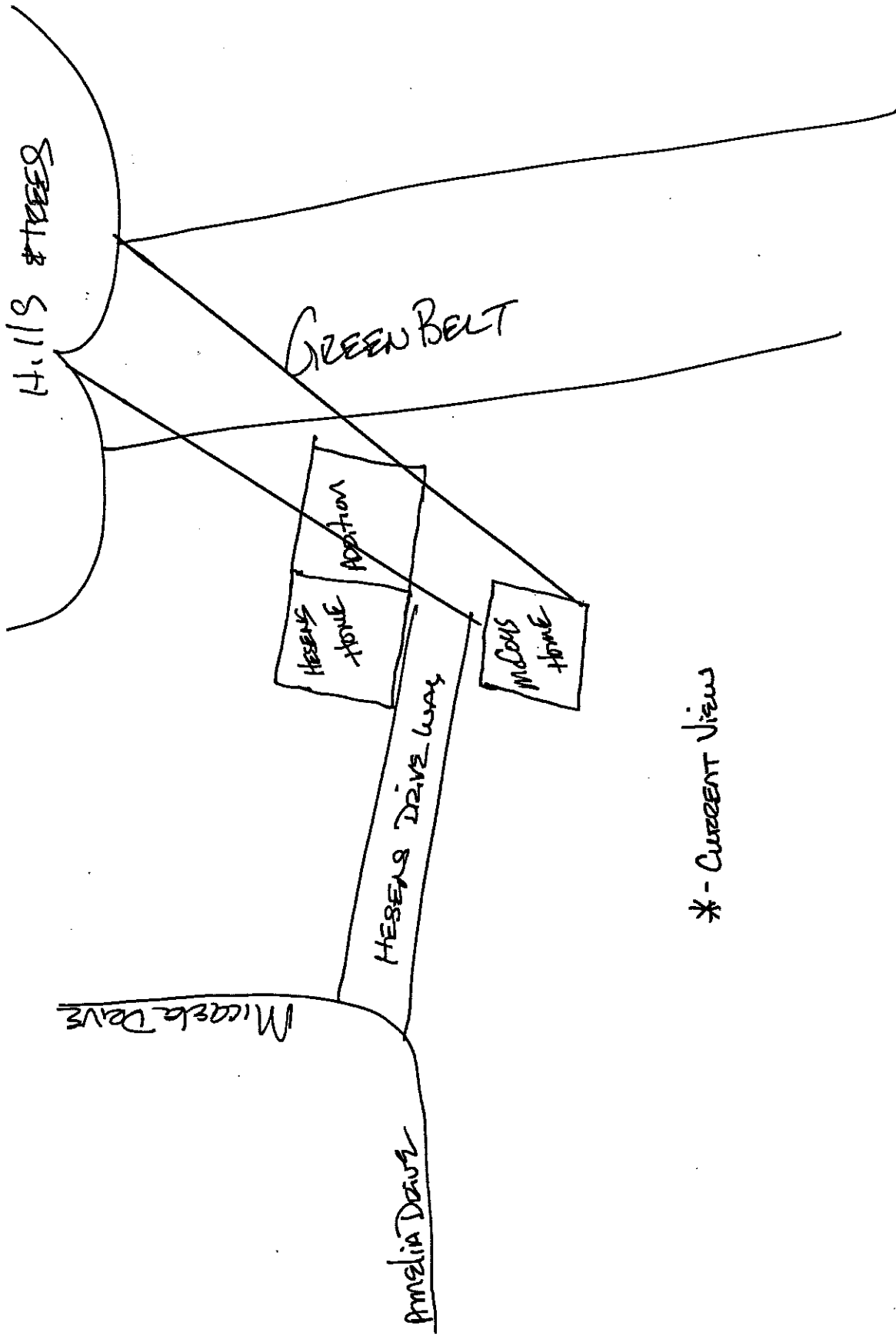
We respectfully request that the Hesens' please revisit their plans to expand with their architect and look for another way to build an addition that meets their needs without infringing on ours.

Enclosed are pictures and a diagram to demonstrate the view we would be losing in addition to pictures showing the angle the Hesens' would have looking into our home.

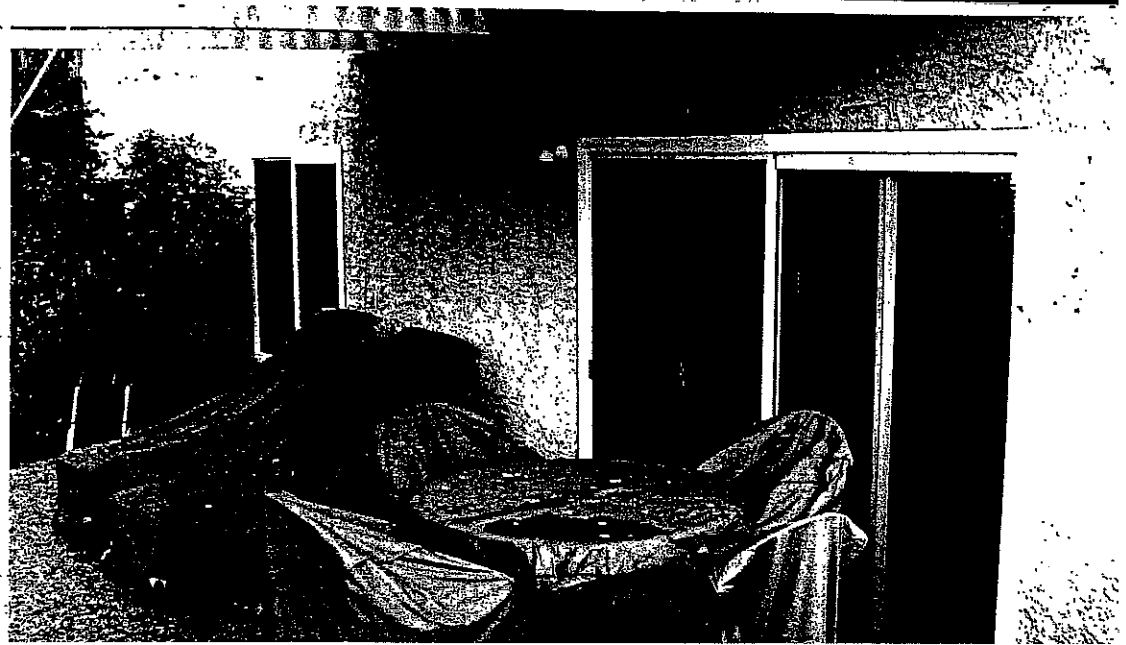
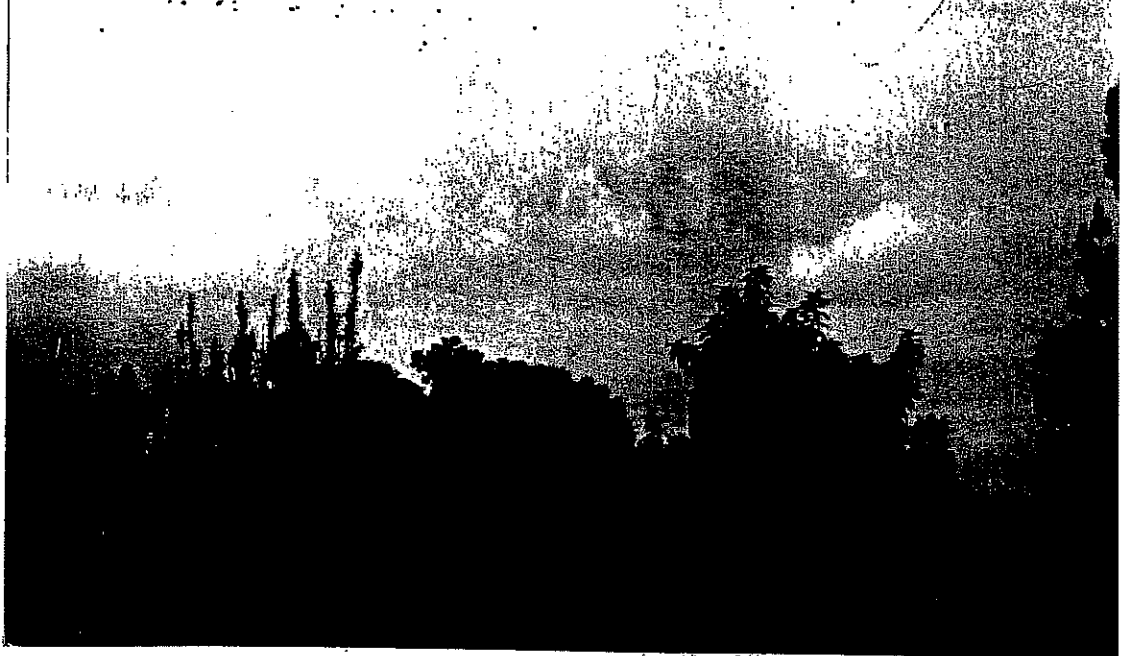
We appreciate your willingness to hear our concerns and we hope you'll rule fairly for both parties.

Sincerely,

Mark and Lisa McCoy



* - Current View



* View from our bedroom. This also demonstrates the angle the would have looking into our bed room.

* View from our patio —

* The view angle the HEEEN'S would have looking into our family room & dining AREA.

Exhibit B

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ARCHITECTS , INC.**

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CITY OF AGOURA HILLS

2008 JAN -2 PM 4: 38

CITY CLERK

January 2, 2008

Mr. Mike Kamino
Director of Planning and Community Development
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

Re: 5575 Micaela Drive
Agoura Hills, CA
Case No.: 07-SPR-008

Dear Mr. Kamino,

This letter is in response to the copy of the letter received from Brittany Tang from the neighbors located at 30131 Amelia Drive regarding the concern of the proposed addition to the Hesen Property. The McCoy's concerns seem to be as follows:

1. Size of addition
2. Space between homes
3. View from McCoy home over Hesen property to mountains
4. View from Hesen home into McCoy home

Size of Addition: The area of the proposed addition conforms to the Agoura Hills Municipal Code regarding home size. In this development, lot sizes range from 4,580 s.f. to 11,568 s.f. The Hesen's property of 10,600 s.f. is one of the largest sites in the development. The proposed footprint of 2,812 s.f. would bring coverage to only 26% of the lot area. The majority of lots in the development are in the 5,000 to 6,000 s.f. range, and with the largest footprint of 1,844 s.f. most properties have a lot coverage range of between 31% to 37%. The Hesen family specifically purchased this property for the value of the land and potential for an addition.

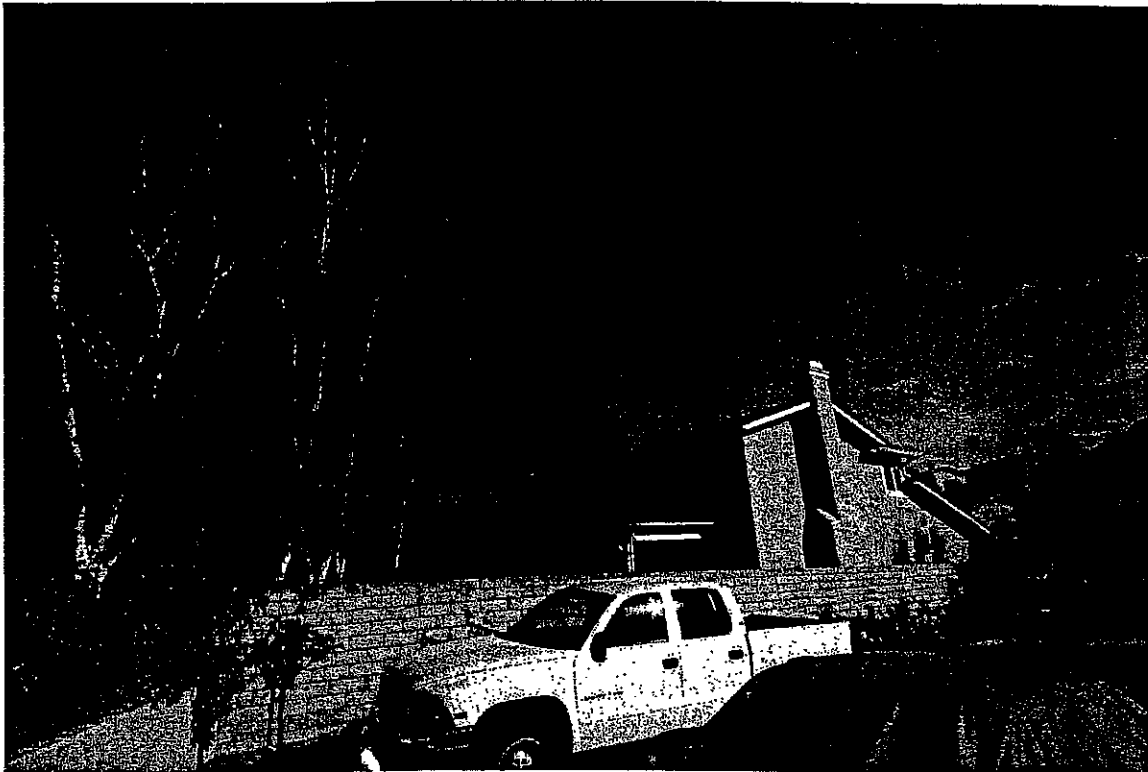
Space between Homes: The space between the Hesen's proposed habitable addition to the shared property line with the McCoy's is over 31'-0"; the garage is over 18'-0" from the side property line. The current development standards per Section 9243.4 of Agoura Hills Municipal Code mandate side yards no less than 8'-0" on one side, with a combined total of 18'-0" for both. In fact, when the development was constructed, the side-yard setback requirements were much less at 5'-0." The proposed addition greatly exceeds the

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current city standards and great care was taken in the design phases to minimize the impact to the adjacent neighbor as well as minimize the visual impact from the street.

View through the Hesen Property: The Hesen family has been holding this portion of their lot for a future addition since they purchased the property. There are no trees and minimal landscaping in this flat area of their property. While the adjacent neighbor may have become accustomed to the openness afforded by this lack of trees, foliage or building, I know of no place in the jurisdictional codes that grant a protection of open space to neighbors. The concern has been raised by the McCoy's that they can see the mountains from their property, and this view would be restricted with the addition. In fact, the McCoy's have four large trees on their property, which range in height from 20'-0" to 30'-0;" one of which is a California Redwood. Their current view from their ground floor of mountains or rather open space as seen in the picture below is severely restricted by the trees on their own property, the 6'-0" block wall on the property line, and their own patio cover. See picture below.

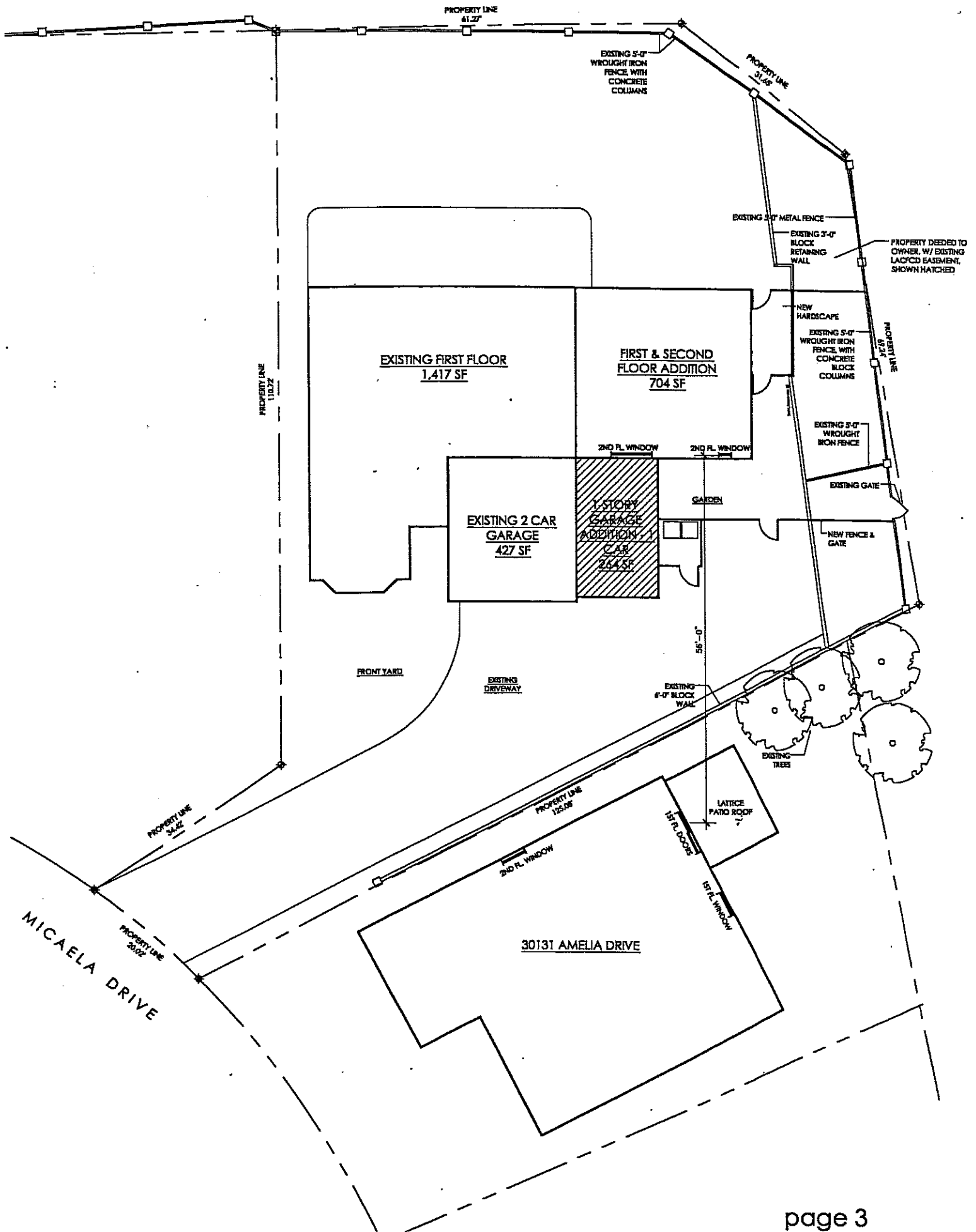


Again, in an attempt to minimize impact to the McCoy's, the proposed two-story addition was aligned with the current two-story portion of the Hesen home. I want to also point out, that this view area of concern is as an extreme oblique angle. See diagram below.

28351 Agoura Road, Suite A
Agoura Hills, CA 91301

Tel: (818) 889-1196

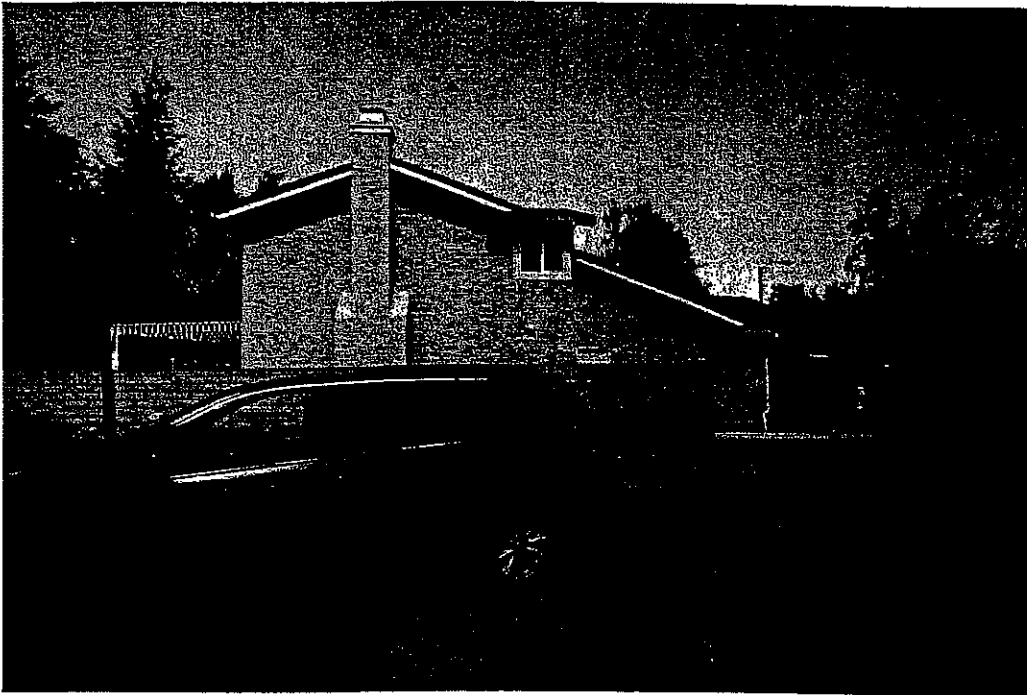
Fax: (818) 889-0680



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View into McCoy Property: As stated above, the Hesen's proposed two-story addition is aligned with the existing building mass. There are existing windows that look onto the side of the McCoy's property, *as would be expected with a home located on a flag lot*. In fact, the McCoy's have a second-floor side window looking at the Hesen home, which is much more invasive, as it is approximately 6'-0" from the shared property line. See photo below.



The Hesen's existing and proposed second-story windows are all located over 30'-0" from the shared property line. Also, because of the siting of the two homes, there is a severe angle looking from the Hesen's home into the windows facing the backyard of the McCoy residence. We calculate that from the Hesen's closest window in the proposed master bathroom to the McCoy's windows is over 50'-0." It will be almost impossible to view into the McCoy's home because of the angle and distance.

28351 Agoura Road, Suite A
Agoura Hills, CA 91301

Tel: (818) 889-1196

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ARCHITECTS , INC.**

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In conclusion, as an Architect and member of the community I take great effort in trying to balance the needs of the clients with the neighborhood as a whole. Though the jurisdictional codes would allow us to place an addition much closer than we have, I felt it was in the best interest of the community to place the addition where it is. It is unfortunate that the McCoy's are not supportive of the Hesen's project; perhaps they have misunderstood the rights of the Hesen's to improve their property according to the Municipal Code or perhaps they have been misled to believe that views through another's property are protected. We look forward to an expedient approval of this project.

Please let me know if you have any questions regarding this information. I would be happy to meet you at the site to demonstrate the minimal impact of this project.

Best regards,

Robert Mahterian, Architect

28351 Agoura Road, Suite A
Agoura Hills, CA 91301

Tel: (818) 889-1196

Fax: (818) 889-0480

Exhibit C

**OAK VIEW RANCH
HOMEOWNERS ASSOCIATION**

APPLICATION FOR ARCHITECTURAL APPROVAL

C/O THE EMMONS CO.
One Boardwalk Ave., Suite 102
Thousand Oaks, CA 91360
(805) 413-1170

PLEASE FILL IN ALL SPACES COMPLETELY - ALLOW UP TO TWO WEEKS FOR REVIEW
DO NOT START WORK UNTIL YOU RECEIVE APPROVAL

PROPERTY OWNER	MITCHELL HESEN	LOT #	7/002
STREET ADDRESS	5575 MICHAELA DR	AGOURA HILLS, CA 91301	
HOME PHONE:	818 889 5798	BUSINESS PHONE:	818 999 2800

TYPE OF REQUEST			
<input type="checkbox"/> LANDSCAPE	<input type="checkbox"/> PATIO COVER	<input checked="" type="checkbox"/> ROOM ADDITION	<input type="checkbox"/> OTHER: _____
<input checked="" type="checkbox"/> PAINT	<input type="checkbox"/> POOL/SPA	<input type="checkbox"/> SKYLIGHT	<input type="checkbox"/> _____
<input type="checkbox"/> REMODEL	<input type="checkbox"/> TREE REMOVAL	<input checked="" type="checkbox"/> WINDOWS	<input type="checkbox"/> _____
<input type="checkbox"/> DOORS	<input type="checkbox"/> ROOF	<input type="checkbox"/> MAILBOXES	<input type="checkbox"/> _____

Please provide a brief description of proposed plan or modification. For color changes indicate where each color will be used, the type of surface to be painted, i.e., stucco, wood siding, etc., manufacturer and color number. Submit two (2) sets of color chips. For roofing, list manufacturer, roofing material and color.

ADD THIRD GARAGE BAY, BEDROOMS, BATHROOMS.

REPAINT STUCCO USING DUNN EDWARDS BRAND PAINT # 310 ^{DEW}

REPAINT TRIM USING DUNN EDWARDS BRAND PAINT # 163 ^{DEA}

REPLACE EXISTING WINDOWS TO MATCH NEW WINDOWS

ANTICIPATED STARTING	ANTICIPATED COMPLETION	ATTACHMENTS:	OTHER:
DATE: <u>6/1/2007</u>	DATE: <u>8/1/2008</u>	<input checked="" type="checkbox"/> PLANS & SPECIFICATIONS	<input type="checkbox"/> _____
		<input checked="" type="checkbox"/> COLOR SAMPLES (2 SQ. IN. MIN.) 2 Sets	<input type="checkbox"/> _____

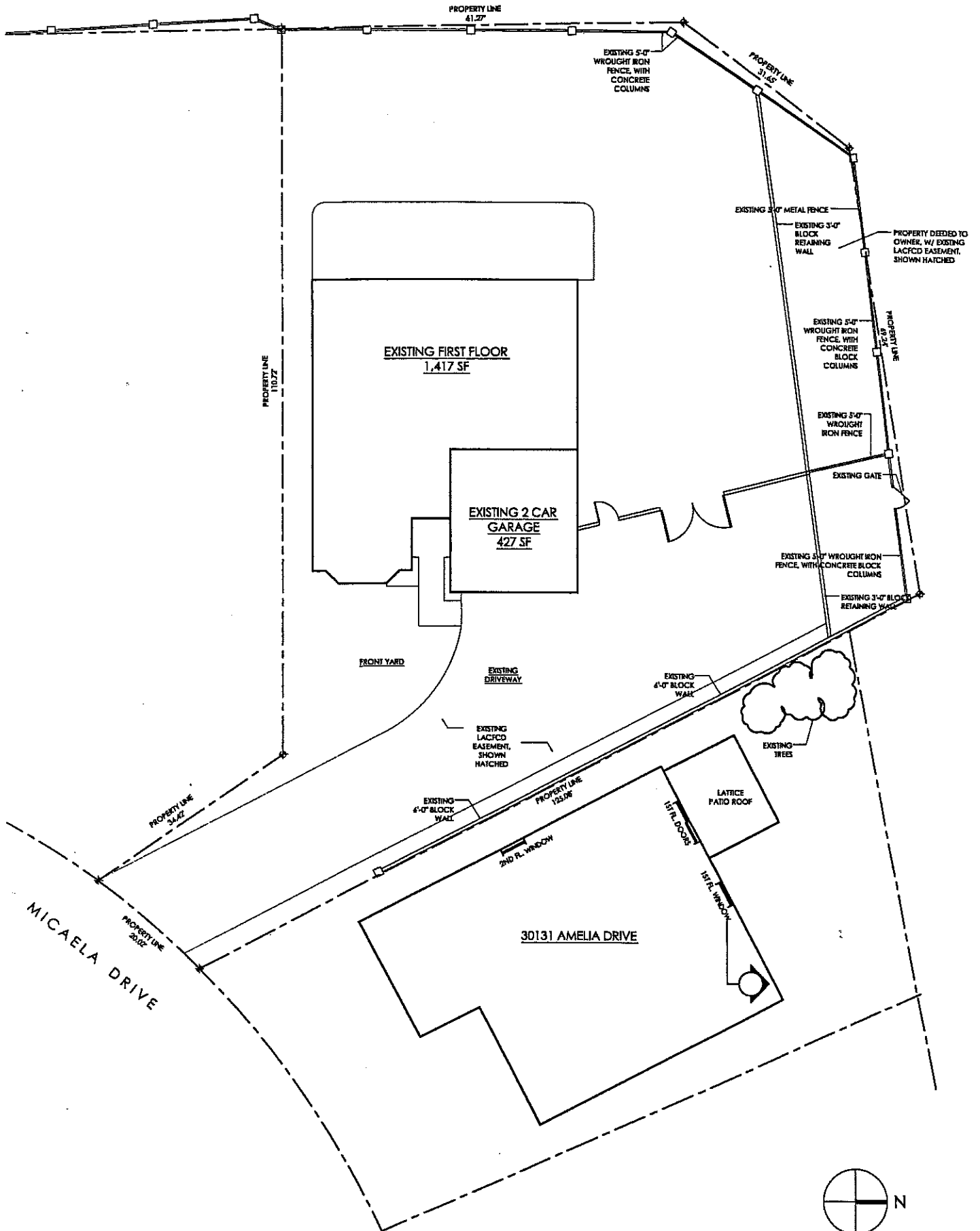
We, the undersigned, certify that we are the legal owners of the above property and that we agree to abide by Oak View Ranch CC&Rs. Approval by this Architectural Board does not constitute waiver of any requirements of applicable governing agencies. We furthermore understand and agree that building permits for home improvements are required and that the cost of the permits and responsibility of obtaining permits and subsequent inspection will be borne by us.

Signatures(s) [Signature] Date: 3/10/07

For Office Use Only:		
Date Submitted: <u>3/13/07</u>	Date Approved: <u>3/14/07</u>	Approved by: <u>[Signature]</u>
Date Denied: <u>1/1</u>	Reason _____	

Exhibit D

HOMEOWNERS
ASSOCIATION GREENBELT



HOMEOWNERS ASSOCIATION GREENBELT

PROPERTY LINE 41.37'

ENTRANCE TO WALKWAY WITH FENCE, WITH CONCRETE COURSE

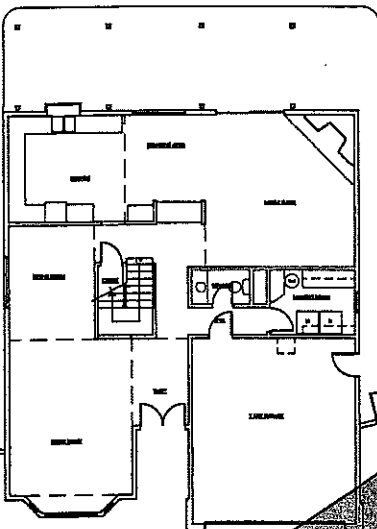
PROPERTY LINE 31.46'

PROPERTY DEEDED TO OWNER, W/ EXISTING LACED ELEMENT, SHOWN HATCHED

PROPERTY DEEDED TO OWNER, W/ EXISTING LACED ELEMENT, SHOWN HATCHED

ENTRANCE TO WALKWAY WITH FENCE, WITH CONCRETE COURSE

ENTRANCE TO WALKWAY WITH FENCE, WITH CONCRETE COURSE



FRONT YARD

DRIVING DRIVEWAY

DRIVING DRIVEWAY

PROPERTY LINE 38.24'

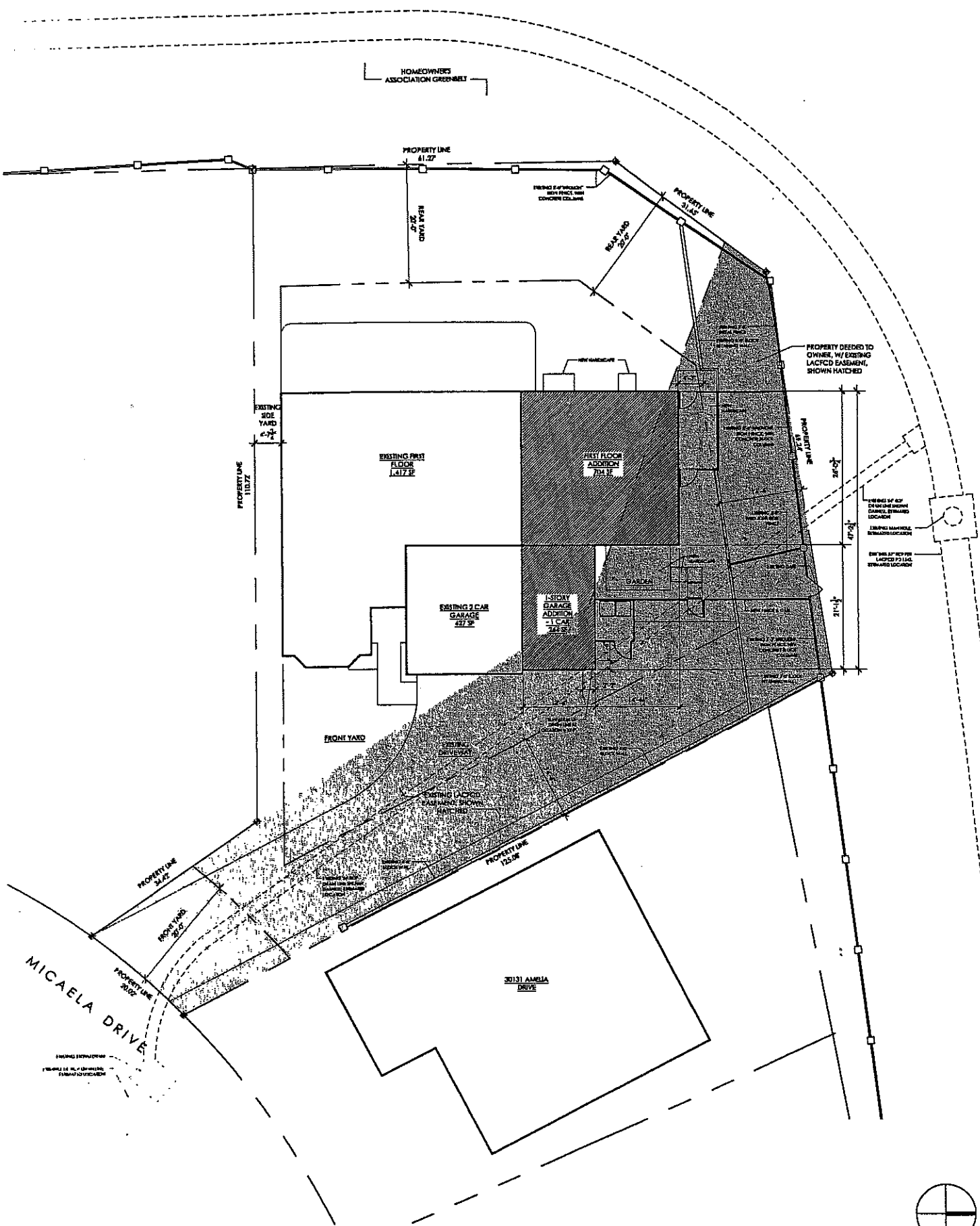
PROPERTY LINE 12.56'

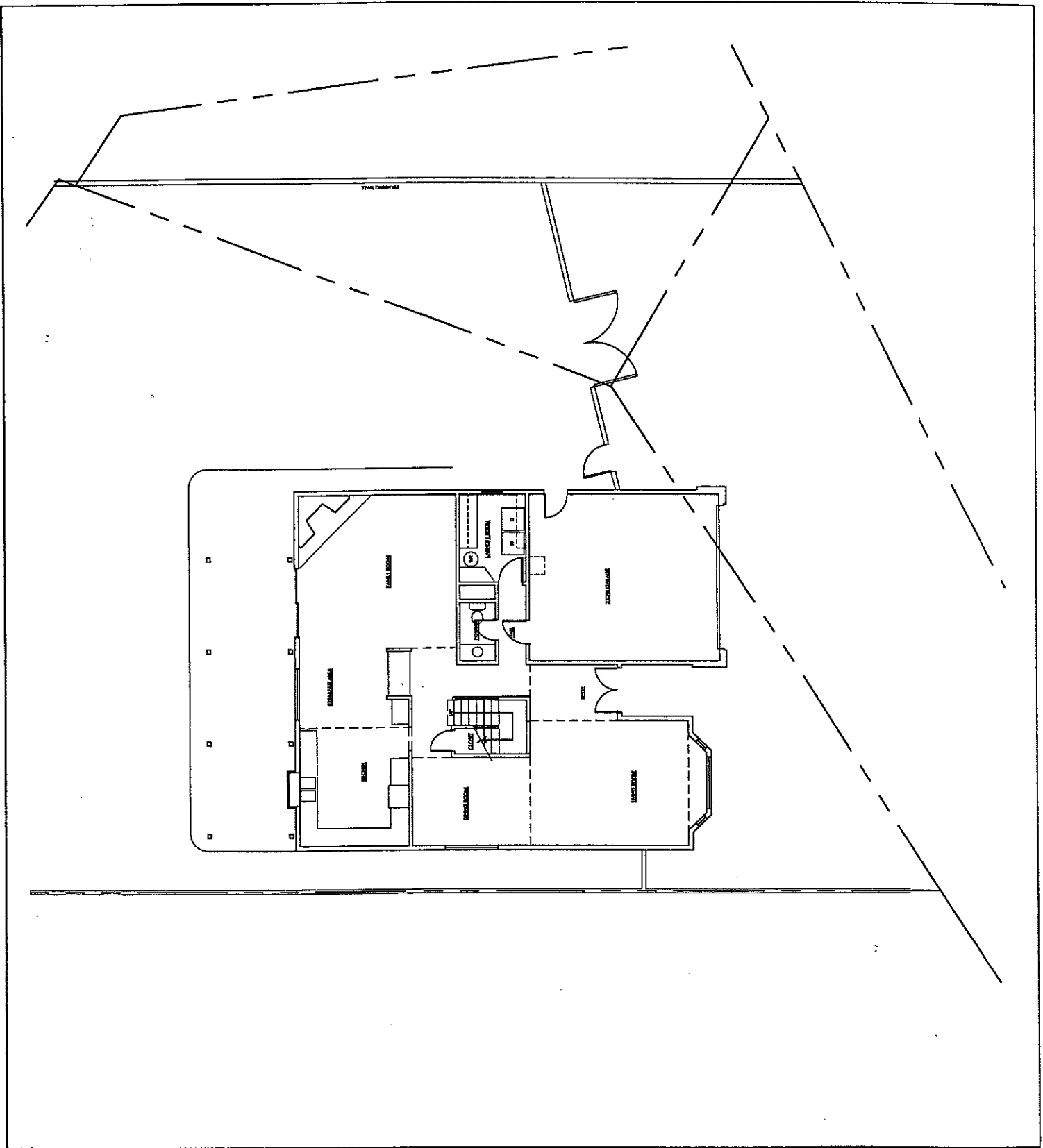
PROPERTY LINE 20.27'

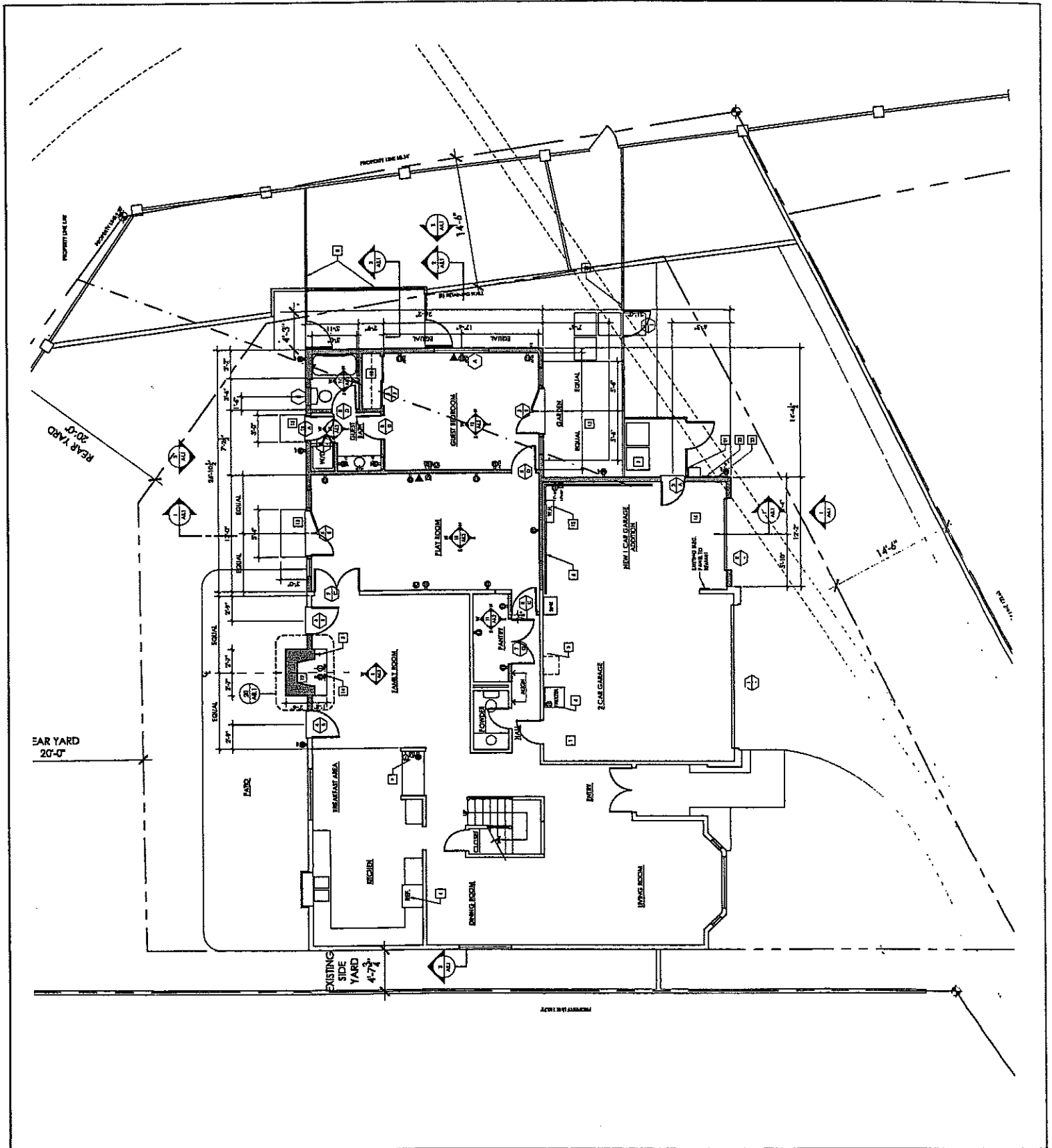
MICHAELA DRIVE

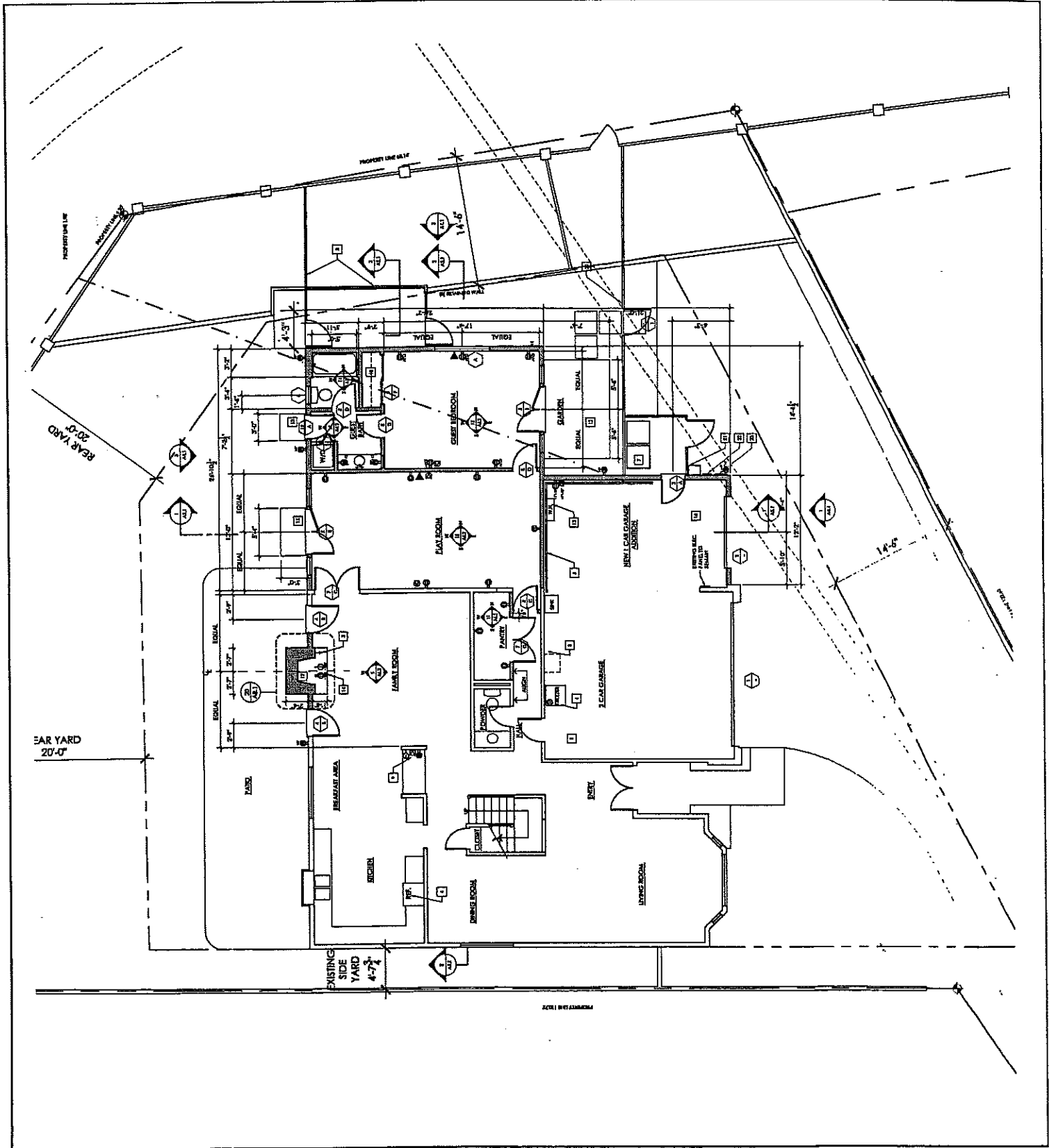
PROPERTY LINE 10.00'

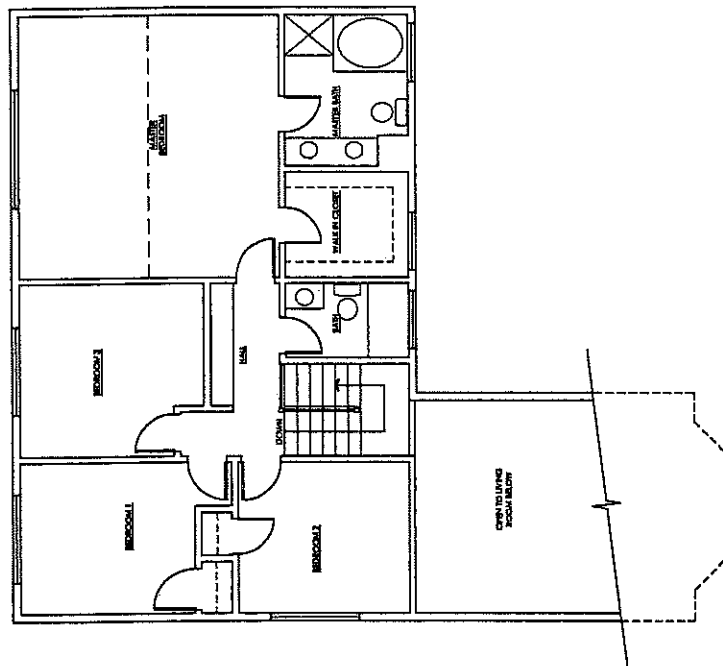


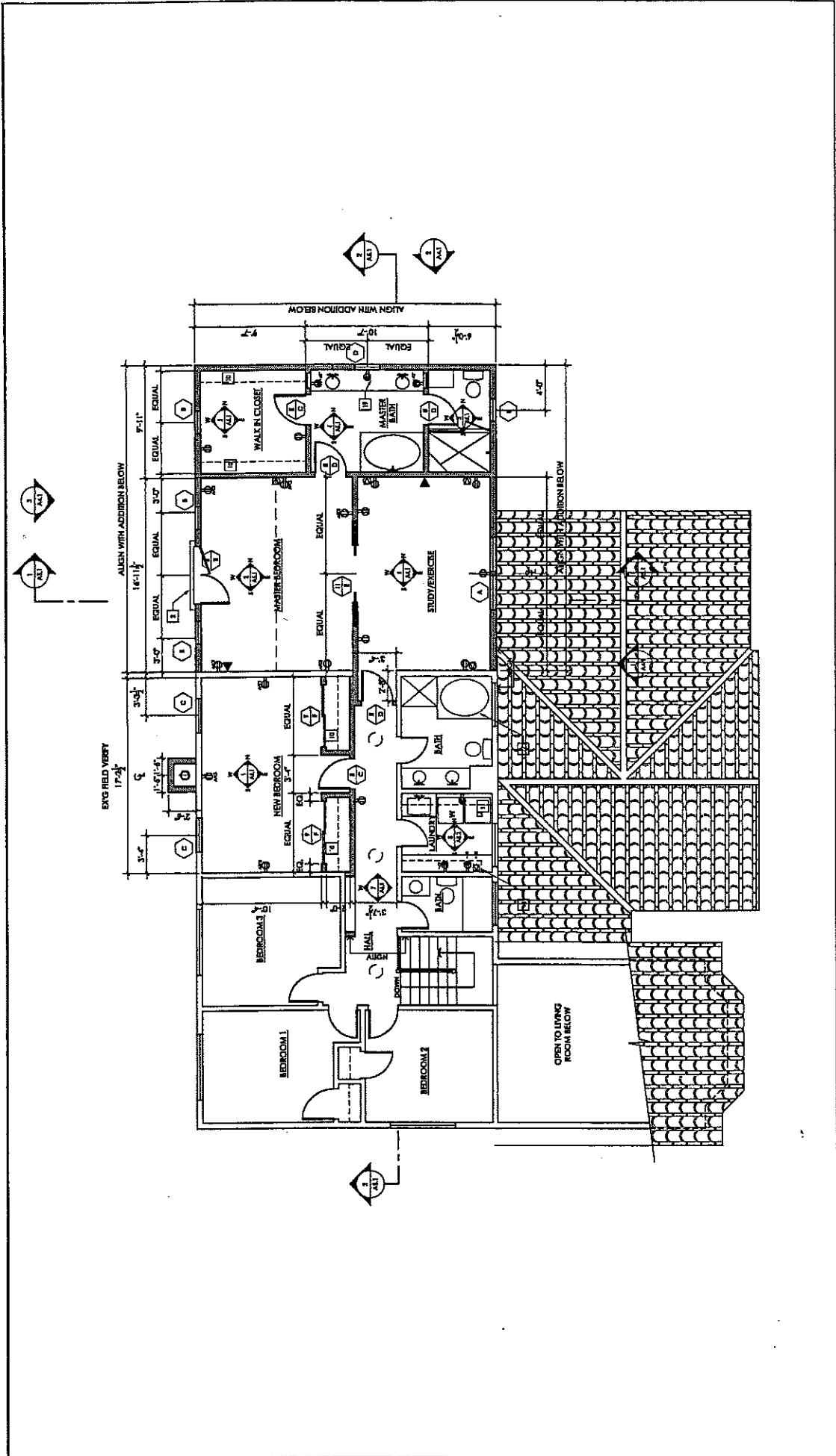


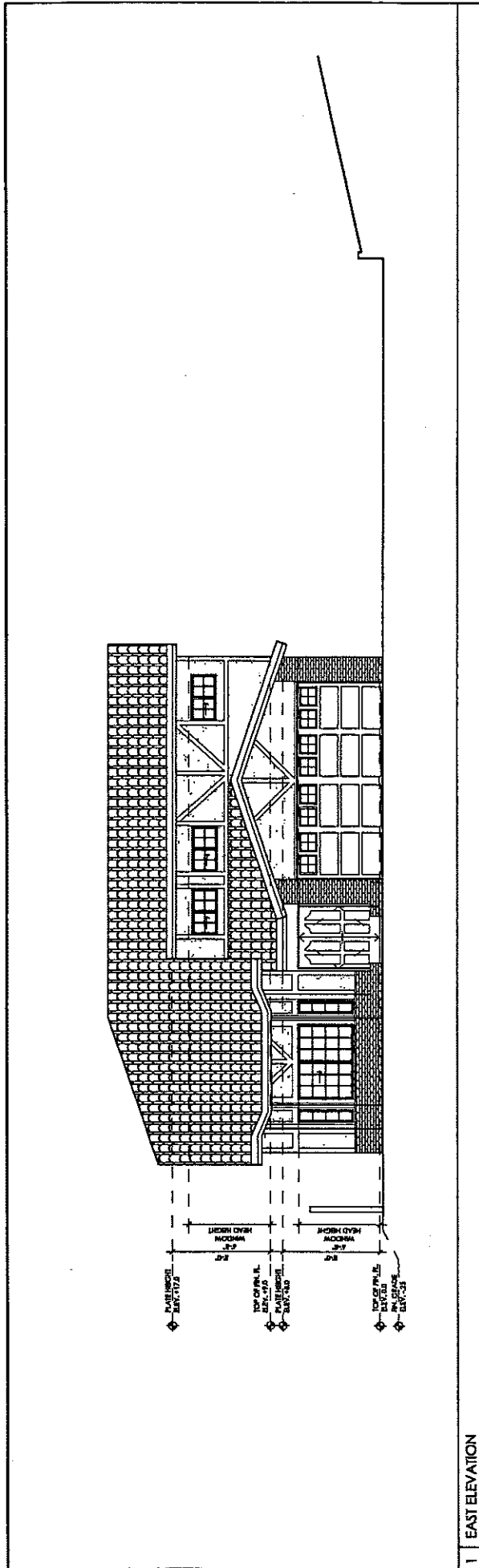




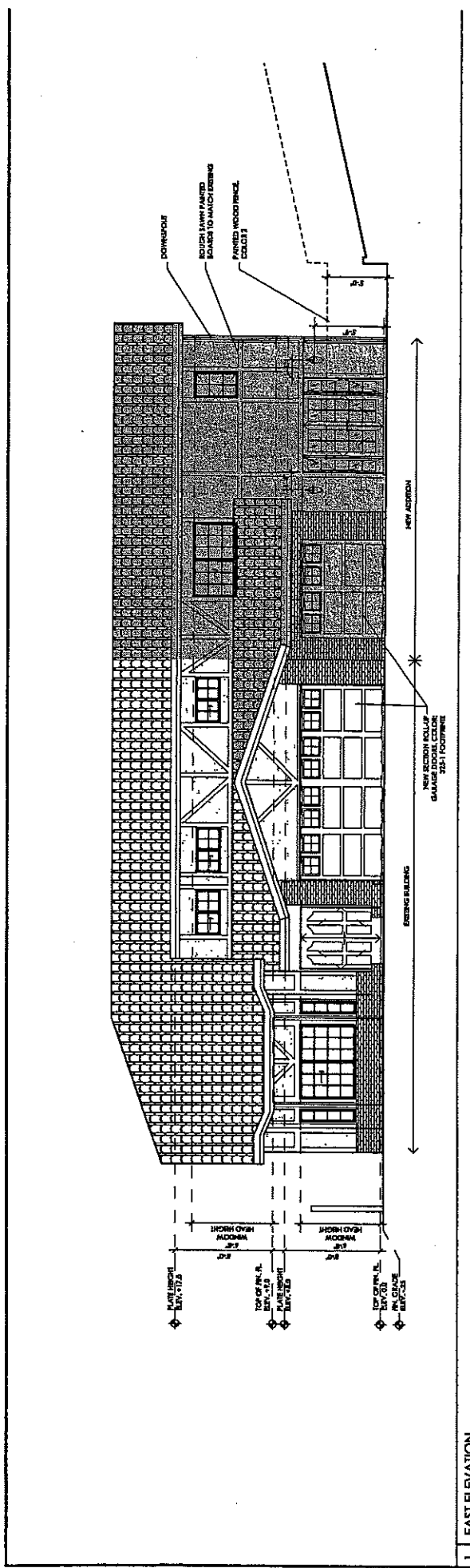




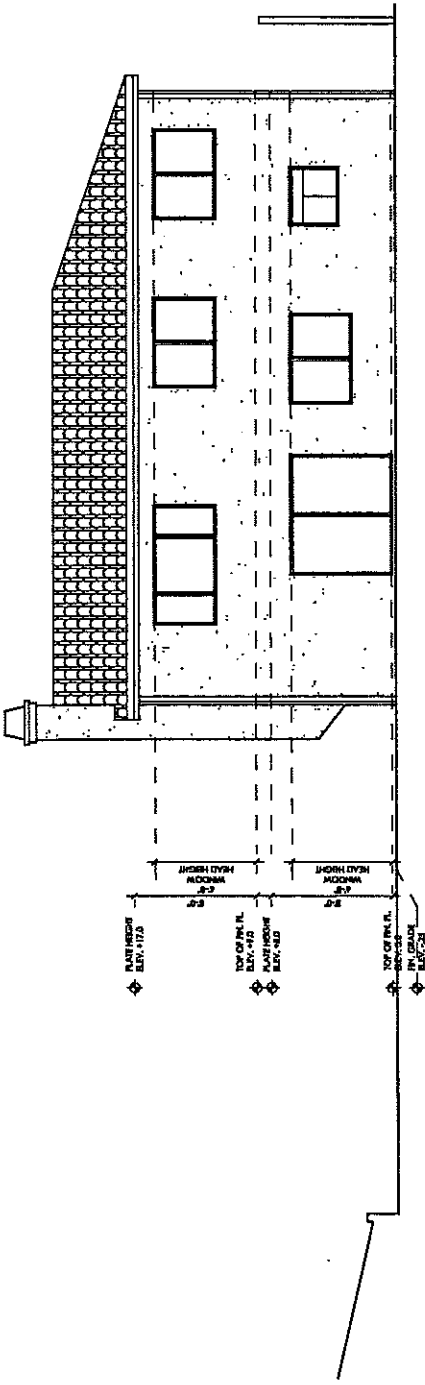




1 EAST ELEVATION



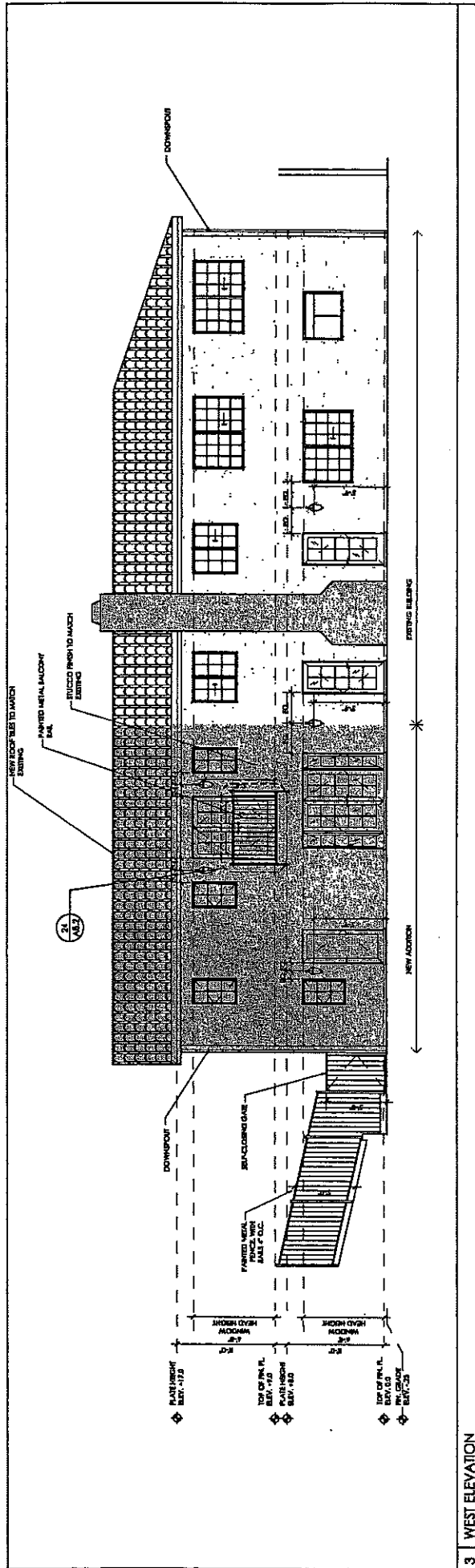
1. EAST ELEVATION



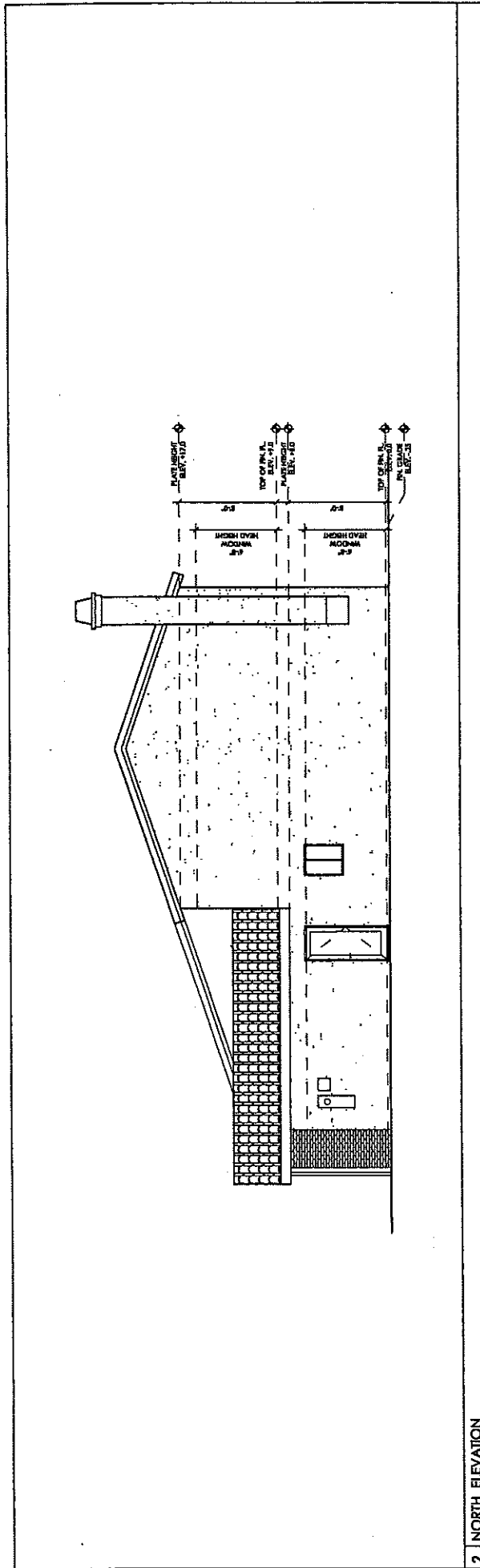
◆ PLANTING BED ELEV. 112.0
 ◆ TOP OF FIN. FL. ELEV. 110.0
 ◆ FIN. FLOOR ELEV. 108.0
 ◆ TOP OF FIN. FL. ELEV. 106.0
 ◆ FIN. FLOOR ELEV. 104.0

WINDOW HEAD HEIGHT 8'-0"
 WINDOW HEAD HEIGHT 8'-0"
 WINDOW HEAD HEIGHT 8'-0"

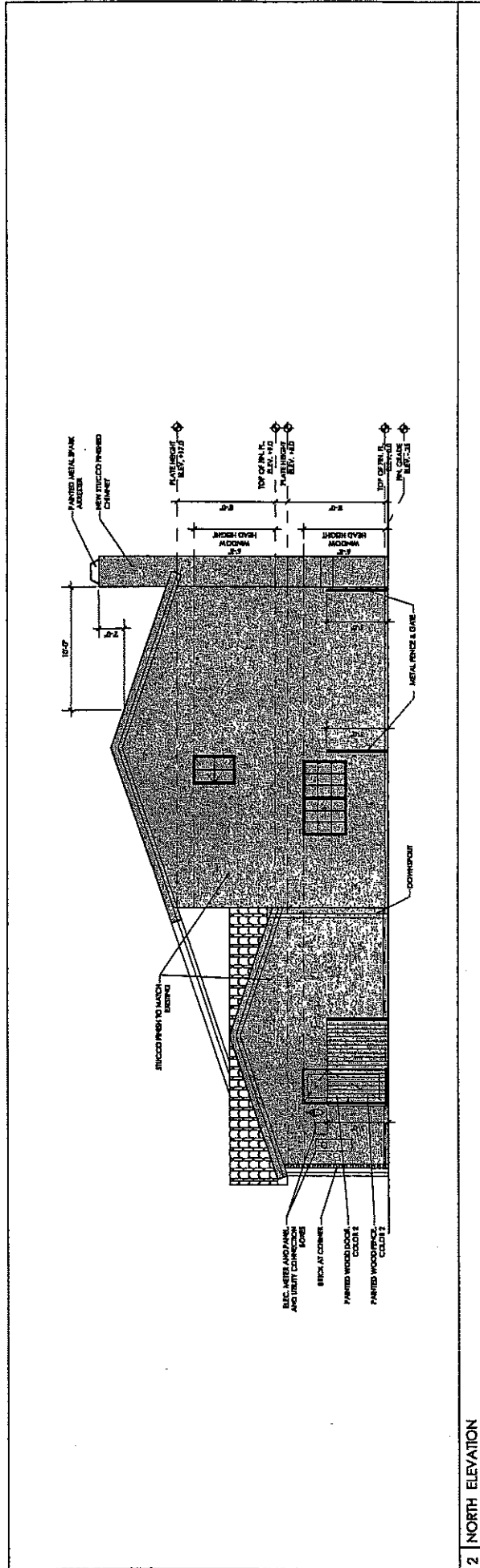
3 WEST ELEVATION



3 WEST ELEVATION



2 | NORTH ELEVATION



2 NORTH ELEVATION

Exhibit E

5575 Micaela Drive (A.P.N.: 2053-024-097)

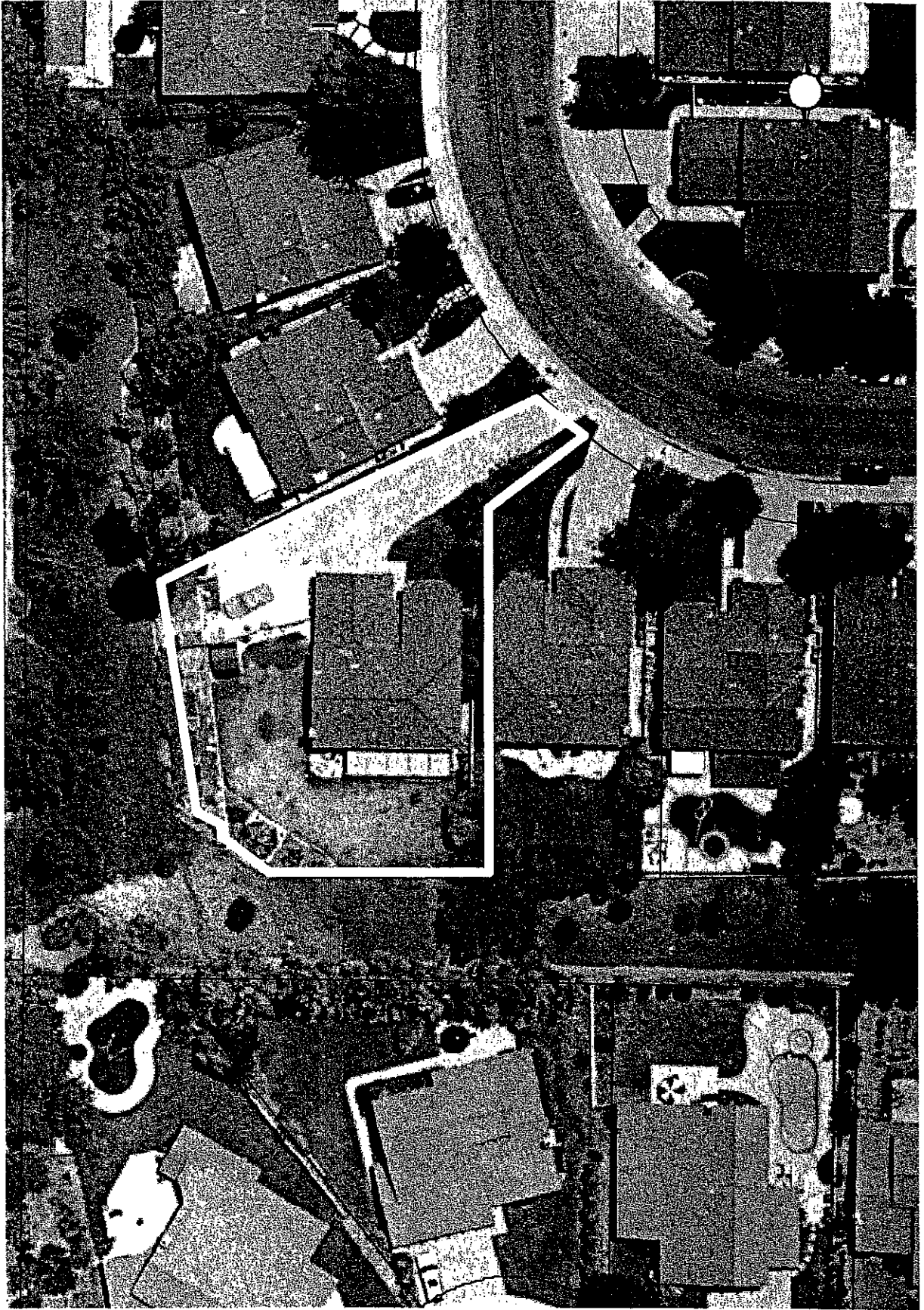
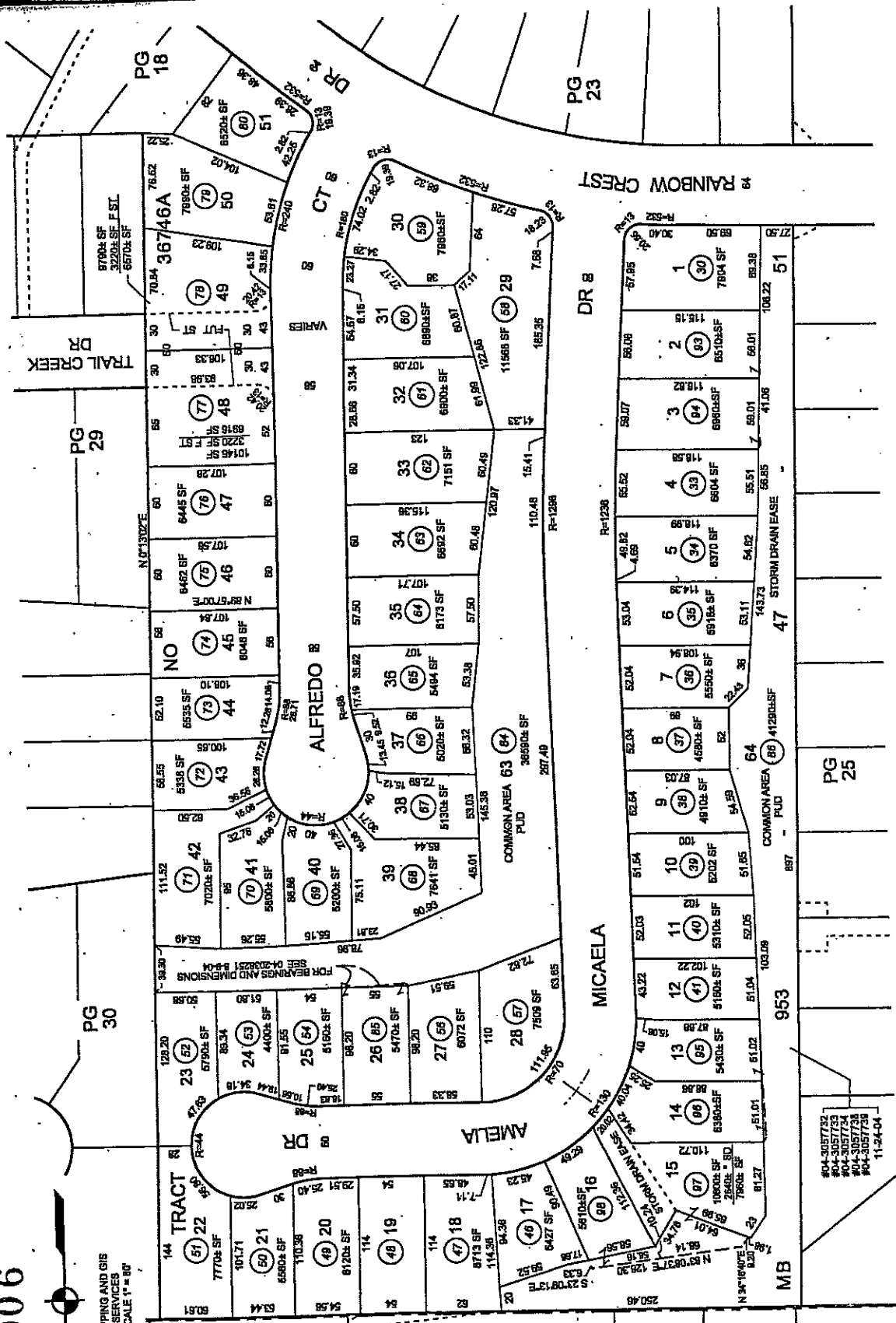


Exhibit F

2006

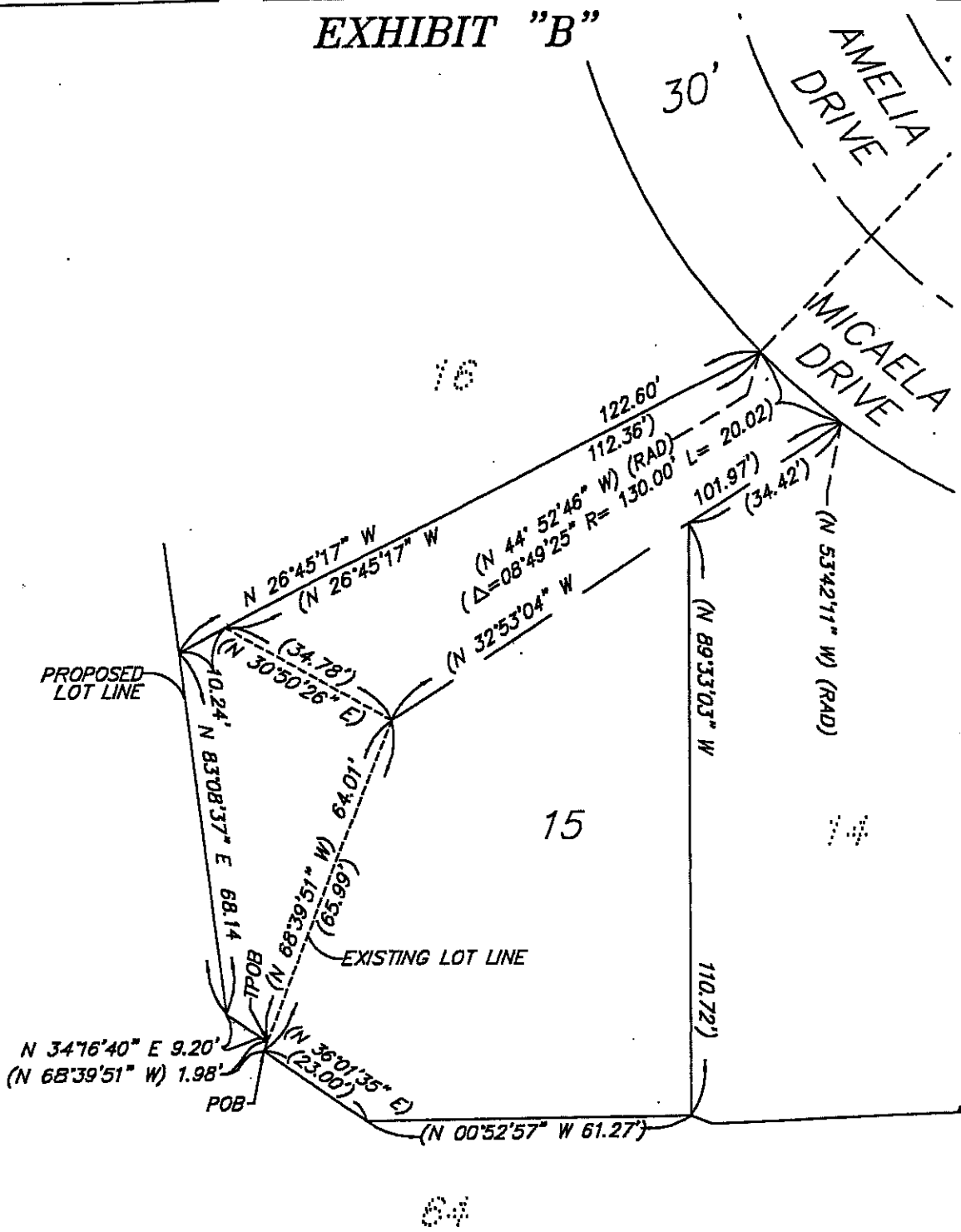
MAPPING AND GIS SERVICES
 SCALE 1" = 80'



#04-3057732
 #04-3057733
 #04-3057734
 #04-3057735
 11-24-04

94 3057732

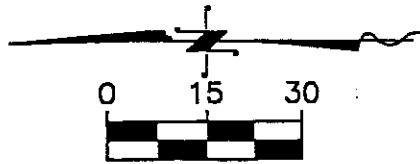
EXHIBIT "B"



CC&R Inc

Engineering
 Planning
 Surveying

143 Triunfo Canyon Road
 Suite 100
 Westlake Village, CA 91361
 Phone: 805/496-1928
 818/889-8641



GRAPHIC SCALE
 SCALE : 1"=30'

Legend:
 PROPOSED LOT LINE ———
 EXISTING LOT LINE - - - - -
 POB = POINT OF BEGINNING
 (DIM) = RECORD DIMENSION
 PER TRACT NO. 36746A

TRACT NO. 36746A
 IN THE CITY OF AGOURA HILLS,
 COUNTY OF LOS ANGELES,
 STATE OF CALIFORNIA

R:\JUN1874\B-6x11\exhibits\LOT15EXHIBIT.DWG

2

RECORDING REQUESTED BY:

City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

04 3057732

WHEN RECORDED MAIL TO:

City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

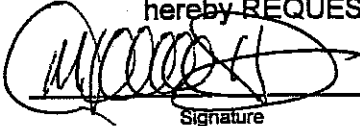
SPACE ABOVE THIS LINE FOR RECORDER'S USE

CERTIFICATE OF COMPLIANCE

REQUEST FOR CERTIFICATE OF COMPLIANCE FOR LOT LINE ADJUSTMENT

CERTIFICATE OF COMPLIANCE NO. 03-LLA-006

I / We the undersigned owner(s) of record of real property within the City of Agoura Hills, hereby REQUEST to adjust existing property lines of the following described parcels:


Signature

Signature

Signature

Mitchell H. Heslen
Name (Typed or printed)

Name (Typed or printed)

Name (Typed or printed)

Signature

Signature

Signature

Name (Typed)

Name (Typed)

Name (Typed)

10-22-02
Date

Date

Date

LEGAL DESCRIPTION OF NEW PARCELS (TYPED)

EXHIBIT "A"
SEE EXHIBIT "B"

Lot 15A

All of Lot 15, Tract No. 36746 A in the City of Agoura Hills, County of Los Angeles, State of California, as per map recorded in Book 953, Pages 47 through 51 inclusive of Maps, in the Office of the County Recorder of said County,

APPLICANT: Mitchell H. Hesen

CERTIFICATE OF COMPLIANCE

CONTINUATION

TOGETHER WITH that portion of Lot 64 of said Tract No. 36746 A described as follows:

COMMENCING at the Northwesterly corner of said Lot 15; thence along the Northerly line of said Lot 15, South 68° 39'51" East 1.98 feet to the TRUE POINT OF BEGINNING; thence leaving said boundary,

North 34° 16'40" East 9.20 feet; thence,

North 83° 08'37" East 68.14 feet to the Northwesterly prolongation of the Northeasterly line of said Lot 15; thence along said Northwesterly prolongation,

South 26° 45'17" East 10.24 feet to the Northeasterly corner of said Lot 15; thence along the boundary line of said Lot 15 the following two courses,

South 30° 50'26" West 34.78 feet; thence,

North 68° 39'51" West 64.01 feet to the TRUE POINT OF BEGINNING.

I hereby certify that the above described parcel complies with the provisions of the State Subdivision Map Act and of the City Subdivision Ordinance, having been exempt from said act and ordinance at the time of its creation, and may therefore be sold, financed, leased, or transferred.

NOTE: This determination DOES NOT GUARANTEE that the subject property meets current design and improvement standards for subdivided parcels. Prospective purchasers should check conditions and applicable development codes to determine whether the property is suitable for their intended use.

AMB:

DEPARTMENT OF COMMUNITY DEVELOPMENT

DEPARTMENT OF COMMUNITY DEVELOPMENT BY:
CITY OF AGOURA HILLS
COUNTY OF LOS ANGELES
STATE OF CALIFORNIA

Mike Kamins

TITLE: Director

DATE: 1-29-04

CITY OF AGUADILLA
This page is part of your document - DO NOT DISCARD

2004 DEC 22 PM 3: 04

CITY CLERK

04 3057734

RECORDED/FILED IN OFFICIAL RECORDS
RECORDER'S OFFICE
LOS ANGELES COUNTY
CALIFORNIA

9:01 AM NOV 24 2004

TITLE(S) :



FEE

FEE \$ 37- <u>v</u>
DAF \$ 2-
C-20

D.T.T

CODE
20

CODE
19

CODE
9

Assessor's Identification Number (AIN)

To be completed by Examiner OR Title Company in black ink.

Number of AIN's Shown

Exhibit G

Notice of Exemption

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, Ca 95814

From: City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

County Clerk
County of Los Angeles
Los Angeles County Clerk
12400 E. Imperial Hwy.
Norwalk, CA 90659

Project Title: Hesen Single Family Residence (Case #07-SPR-008)

Project Location-Specific: 5575 Micaela Drive (APN 2053-024-097)

Project Location-City: City of Agoura Hills

Project Location-County: Los Angeles

Description of Nature, Purpose, and Beneficiaries of Project: The project consists of the construction of a 704 square-foot first story addition, a 704 square-foot second story addition, and a 264 square-foot garage addition to an existing 2,430 square-foot two-story residence with a 427 square-foot garage.

Name of Public Agency Approving Project: City of Agoura Hills

Name of Person or Agency Carrying Out Project: Robert Mahterian for Hesen

Exempt Status: (Check One)

- Ministerial (14 Cal Code of Regs. Sec. 15268);
 Declared Emergency (14 Cal Code of Regs. Sec. 15269(a))
 Emergency Project (14 Cal Code of Regs. Sec. 15269(b),(c), (d) and (e)). State subsection letter
 Statutory Exemption (14 Cal. Code of Regs. Sections 15260 et seq.) State Statutory Number
 Categorical Exemption (14 Cal Code of Regs. Sections 15300 et seq.) State of California CEQA Guidelines Section 15303, Class 3. New Construction or Conversion of Small Structures
 No possibility of physical impact. (14 Cal Code of Regs. Section 15061 (b)(3))

Reasons why project is exempt: The project consists of an addition to an existing residence. The project would not result in any significant environmental impacts. The project site is not within: 1) an environmentally sensitive resource area; 2) a state designated scenic highway area; 3) a hazardous waste site; or 4) an historical resource area.

Lead Agency Contact Person: Allison Cook, Senior Planner, City of Agoura Hills

Area Code/Telephone/Extension: (818) 597-7310

Signature: Allison Cook

Date: 6/8/07

Title: Senior Planner

