



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

ACTION DATE: March 19, 2009

APPLICANT: Kerry Agapiou
1360 Dumaine Avenue,
Oak Park, CA 91377

CASE NO.: 08-SPR-012 and 08-OTP-007

LOCATION: 28366 Agoura Road
(APN: 2061-022-034)

REQUEST: Request for approval of a Site Plan/ Architectural Review to remodel the interior and exterior of an existing 1,150 square foot, single-story residence, and construct a 520 square foot, single story addition, and a request for an Oak Tree Permit to encroach within the Protected Zone of one Oak Tree for the proposed construction.

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

RECOMMENDATION: Staff recommends approval of Site Plan/ Architectural Review Case No.: 08-SPR-012 and Oak Tree Permit Case No.: 08-OTP-007, subject to conditions.

ZONING DESIGNATION: RS-(2)-20,000-IH (Residential Single Family-Indian Hills Overlay)

GENERAL PLAN DESIGNATION: RS (Residential-Single-Family-District)

I. PROJECT BACKGROUND AND DESCRIPTION

The applicant and property owner, Kerry Agapiou, is proposing to construct a single-story room addition of 520 square feet to an existing residence of 1,150 square foot, single-story residence located at 28366 Agoura Road, within the RS-(2)-20,000-IH (Residential Single Family- Indian Hills Overlay). An existing detached garage serves the residence and will be retained. Proposed residential additions that cause a substantial remodel to an existing single-family dwelling allow the Director of Planning and Community Development the discretion to require the Planning

Commission's review of the proposal. The following chart summarizes the proposed development.

Pertinent Data:

	<u>Existing</u>	<u>Proposed</u>	<u>Required</u>
A. Building Coverage: (includes all on-site structures)	19.18%	25.10%	35% maximum
B. Building Height:	20.1 feet	23 feet	35 feet, or two stories, whichever is less.
C. Building Size:	1,150 sq. ft.	1,670 sq. ft.	N/A
<u>Detached garage:</u>	405 sq. ft.	405 sq. ft.	N/A
(total):	1,555 sq. ft.	2,075 sq. ft.	N/A
D. Lot Size:	8792.75 sq. ft.	8792.75 sq. ft.	20,000 sq. ft. minimum
E. Setbacks			
Front (North):	73.25 feet	60.25 feet	25 feet minimum
Rear (South):	29.83 feet	29.83 feet	25 feet minimum
Side (West):	5.5 feet	5.5 feet	22 feet combined (The minimum combined setbacks for side yards is 22 feet with not less than 10 feet on any given side)
Side (East):	6.75 feet	6.75 feet	22 feet combined (The minimum combined setbacks for side yards is 22 feet with not less than 10 feet on any given side)

II. STAFF ANALYSIS

The proposed 520 square foot addition would allow for a 25-foot wide master bedroom to extend 13 feet towards the front (north) property line. Besides the front yard setback reduction from 73.25 feet to 60.25 feet, all other setbacks will be maintained. The addition would extend along the existing east side-yard setback of 6.75 feet, and the existing west side-yard setback of 5.5 feet. The south rear yard setback will also be maintained at 29.83 feet. The proposed setbacks meet the development standards of the RS zone. The height of the residence will be raised from 20.1 feet to 23 feet.

The proposed work will include the raised roof, an additional bedroom with a balcony, interior kitchen remodel, window treatments and exterior refurbishments. The exterior walls of the residence will be restuccoed and painted off-white with tan and brown trim colors. The residence's new roof will be brown composition shingles. Due to the residence's raised

foundation and retaining walls, polished coral railings will be installed along the porch, stairs and balcony.

The Engineering Department has reviewed the plans, and no street improvements are required for this project. The property is served by a private septic system. The proposal is subject to the Los Angeles County Health Department's approval.

There are three *Quercus agrifolia* (Coast Live Oaks) within the immediate vicinity of the proposed construction. Two (2) of the oaks are on the subject property, one each in the front and rear yards; the third is located on the adjacent property, with a canopy that partially overhangs the rear yard of the subject property. The proposed work may minimally impact the protected zone of one of the trees. Attached to this report are the conditions of approval for the proposed Oak Tree Permit to minimize construction impacts to the tree. The City Oak Tree Consultant recommends approval of the Oak Tree Permit, subject to the conditions.

The residence is within the Indian Hills Overlay. The listed Homeowners Association is currently inactive, however, notification was sent. No comments have been received. Staff finds the proposed work will retain the existing architectural character of the residence and neighborhood. The proposed addition is Categorically Exempt from the California Environmental Quality Act (CEQA) under Section 15301(e.1). Additions to existing structures that will not result in an increase of more than 50% of the existing floor area of the structure or 2,500 square feet, whichever is less may be exempted from the CEQA review.

III. RECOMMENDATION

Based on the above analysis, staff recommends the Planning Commission approve Site Plan/Architectural Review Case No.: 08-SPR-012 and Oak Tree Permit Case No.: 08-OTP-007, subject to the attached Conditions.

IV. ATTACHMENTS

- Draft Resolution and Conditions of Approval
- Exhibit A: Reduced Copies of Architectural Plans
- Exhibit B: Vicinity Map
- Exhibit C: Categorical Exemption from CEQA

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

Draft Resolution and Conditions of Approval

DRAFT RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF AGOURA HILLS
APPROVING SITE PLAN/ARCHITECTURAL REVIEW
CASE NO. 08-SPR-012 AND OAK TREE PERMIT CASE NO. 08-OTP-007

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

Section I. An application was duly filed by Kerry Agapiou with respect to the property located at 28366 Agoura Road (Assessor's Parcel Number: 2061-022-034), requesting approval of a Site Plan/Architectural Review to remodel the interior and exterior of an existing 1,150 square foot, single-story residence, construct a 520 square foot, single story addition, and the request to approve an Oak Tree Permit to encroach within the protected zone of one oak tree for the proposed construction. A public meeting was only held on March 19, 2009, at 6:30 p.m. in the Council Chambers at City Hall, 30001 Ladyface Court, Agoura Hills, California; and that 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 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 an addition of 520 square feet to an existing, single-story residence, which is a permitted use in the Residential Single Family (RS) Zone. All minimum development standards have been met or exceeded 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 and height of the proposed single-story addition will ensure adequate light, air and privacy, and open space to surrounding properties. The building plans will comply with the City Building Code, and a private septic system will serve the residence.
- C. The proposed use, as conditioned, shall not conflict with the character and design of the buildings and open space in the surrounding area. The exterior building materials, including the raised brown roof, off-white stucco, tan colored stuccoed accents around all windows and doors, brown window trims and entryway columns, dark brown doors and sashes of the windows, and polished coral railings will be compatible with the character of the neighborhood.

- D. The proposal, as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance. The construction will meet the development standards relative to 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 residential 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 residential 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 RS zone.

Section IV. The proposed project is a request for a room addition of 520 square feet to an existing single-family residence. The addition is less than 2,500 square feet in size and less than 50% of the size of the existing residence and is categorically exempt from the requirements of the California Environmental Quality Act, per Section 15301(e).

Section V. Based on the aforementioned findings, the Planning Commission hereby approves Site Plan/Architectural Review Case No. 08-SPR-012 and Oak Tree Permit Case No. 08-OTP-007, subject to the attached conditions, with respect to the property described in Section I hereof.

PASSED, APPROVED, and ADOPTED this 19th of March 2009 by the following vote to wit:

AYES:
NOES:
ABSTAIN:
ABSENT:

John O'Meara, Chairperson

ATTEST:

Doug Hooper, Secretary s

CONDITIONS OF APPROVAL (CASE NUMBERS 08-SPR-012 AND 08-OTP-007)

STANDARD CONDITIONS

1. This decision, or any aspect of this decision, can be appealed to the City Council 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 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, Elevation Plans, Roof Plan, and Demolition Plan.
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 have 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 finalized permits from the Department of Building and Safety.
8. Unless this permit is used within two (2) years from the date of approval Case Nos. 08-SPR-012 and 08-OTP-007 shall expire. A written request for a one (1) year extension may be considered prior to the expiration date.
9. The applicant shall comply with the school impact fee requirements of the Las Virgenes Unified School District, prior to the issuance of a building permit. The current fee is \$2.97 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.

22. The approved excavation within the protected zone of Oak Tree #1 (as identified on the project plans and in the oak tree report) shall be performed using only hand tools under the direct observation of the applicant's oak tree consultant.
23. Prior to the start of any work or mobilization at the site, protective fencing shall be installed. Oak Tree #1 shall be fenced at the approved work limits, in accordance with Article IX, Appendix A, Section V.C.1.1.1. The applicant or his Oak Tree Consultant shall consult the City Oak Tree Consultant to determine the exact fencing configuration.
24. The applicant shall provide a minimum of forty-eight (48) hours notice to the City Oak Tree Consultant prior to the start of approved work within the protected zone of any oak tree.
25. No grading, scarifying or other soil disturbance shall be permitted within the portion of the protected zone of any oak tree except as specifically required to complete the approved scope of work and in accordance with this oak tree permit.
26. No vehicles, equipment, materials, spoil or other items shall be used or placed within the protected zone of any oak tree at any time, except as specifically required to complete the approved work.
27. Prior to occupancy, the oak tree shall be mulched throughout the dripline with three inches (3") of approved organic matter.
28. No irrigation or planting shall be installed within the dripline of any existing or new oak tree unless specifically approved by the City Oak Tree Consultant and the Director.
29. Any fertilization of the tree should be based on actual soil tests from the site. Fertilization is generally not necessary unless serious deficiencies are evident in the leaves.
30. Prior to removal of the protective fencing, the applicant shall contact the City Oak Tree Consultant to perform a final inspection. The applicant shall proceed with any remedial measures the City Oak Tree Consultant deems necessary to protect or preserve the health of the subject oak tree at that time.
31. No pruning of live wood shall be permitted unless specifically authorized by the City Oak Tree Consultant. Any authorized pruning shall be performed by a qualified arborist under the direct supervision of the applicant's oak tree consultant. Pruning operations shall be consistent with The Pruning Standards of the Western Chapter of the International Society of Arboriculture.
32. No herbicides shall be used within one hundred feet (100') of the dripline of any oak tree unless the program is first reviewed and endorsed by the City Oak Tree Consultant.
33. The project oak tree consultant shall submit certification letters for all work completed within the protected zone of the oak tree within five (5) working days of the completion of said work. The letters shall describe all work performed, methods utilized, monitoring performed and shall state whether such work was completed in accordance with the above conditions of approval.

SPECIAL CONDITIONS

34. No walls beyond what is shown on the demolition plan shall be removed without prior City approval.

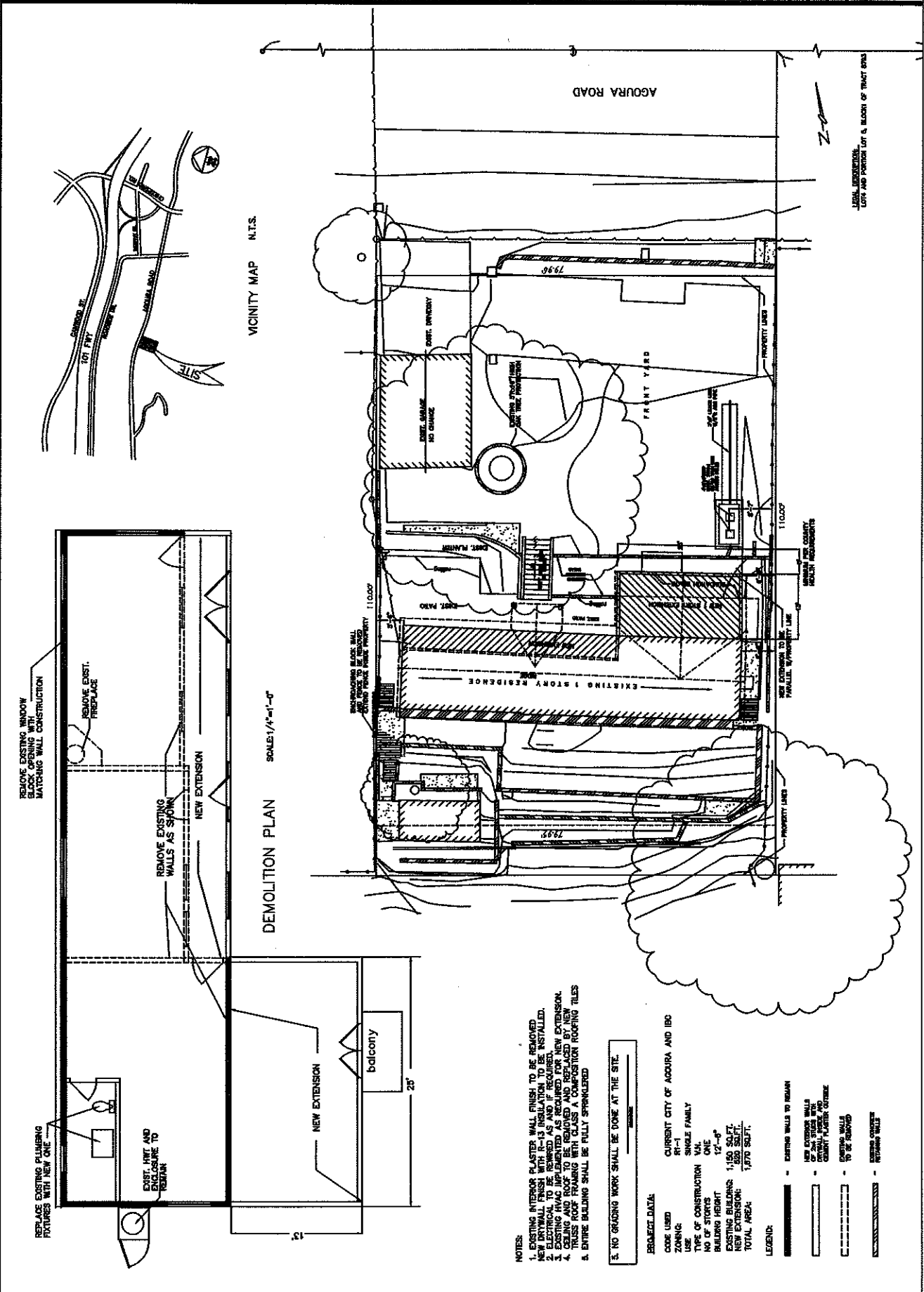
**Exhibit A:
Reduced photocopies of Project Plans**

DATE: NOV. 2007
 SCALE: 1/8"=1'-0"
 CONTRACT NO. 0715
 SHEET NO.

THOMAS BERKES, AIA
 ARCHITECT
 4901 ABBEVILLE AVE., WOODLAND HILLS, CA 91394
 TEL: (818) 285-1330 FAX: (818) 285-0818 EMAIL: tberkes@aiaarchitect.com

PROPOSED EXTENSION TO
 SINGLE FAMILY RESIDENCE
 28365 AGOURA ROAD
 AGOURA HILLS, CA 91301

NO.	DATE	REVISION



DEMOLITION PLAN SCALE: 1/4"=1'-0"

DEMOLITION PLAN N.T.S.

VICINITY MAP N.T.S.

- NOTES:
- EXISTING INTERIOR PLASTER WALL FINISH TO BE REMOVED. NEW DRYWALL FINISH WITH R-13 INSULATION TO BE INSTALLED.
 - EXISTING WALLS TO BE DEMOLISHED AS SHOWN FOR NEW EXTENSION.
 - CEILING AND ROOF TO BE REMOVED AND REPLACED BY NEW TRUSS ROOF FRAMING WITH CLASS A COMPOSITION ROOFING TILES.
 - ENTIRE BUILDING SHALL BE FULLY SPRINKLERED.

5. NO GRADING WORK SHALL BE DONE AT THE SITE.

PERMITS DATA:

CODE USED	CURRENT CITY OF AGOURA AND IBC
ZONING	RI-1
USE	SINGLE FAMILY
TYPE OF CONSTRUCTION	VA
NO. OF STORIES	ONE
BUILDING HEIGHT	12'-0"
EXISTING FLOOR AREA	1,450 SQ. FT.
NEW EXTENSION	1,870 SQ. FT.
TOTAL AREA	3,320 SQ. FT.

- LEGEND:
- EXISTING WALLS TO REMAIN
 - NEW EXTERIOR WALLS OF 2ND STORY WITH COUNTY PLASTER FINISH
 - EXISTING WALLS TO BE REMOVED
 - EXISTING CONCRETE
 - REMOVING WALLS

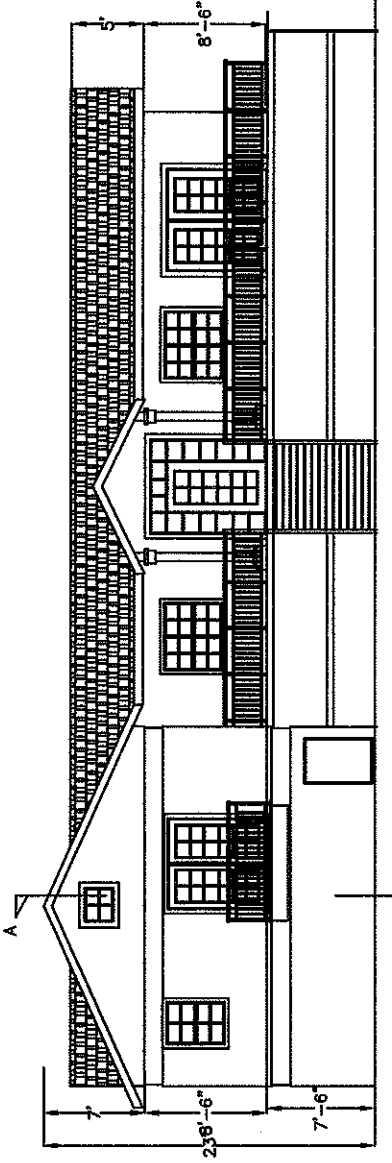
LEGAL JURISDICTION:
 CITY AND COUNTY OF AGOURA HILLS

THOMAS BERKES, AIA
 ARCHITECT
 4901 ABBEVILLE AVE., WOODLAND HILLS, CA 91364
 TEL: (818) 228-1288 FAX: (818) 228-0819 EMAIL: thb@tberkes.com

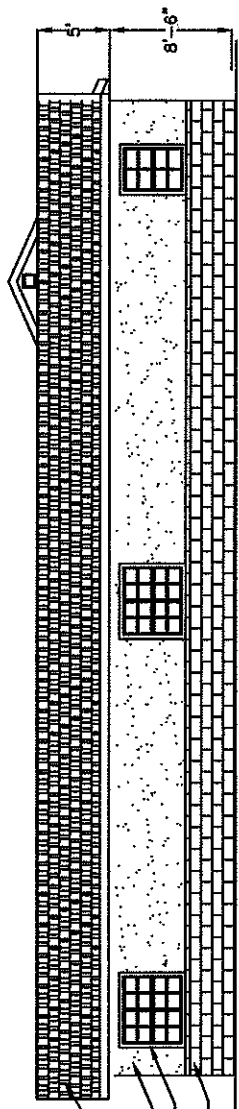
PROPOSED EXTENSION TO
 SINGLE FAMILY RESIDENCE
 28366 AGOURA ROAD
 AGOURA HILLS, CA 91301

NO.	DATE	REVISION

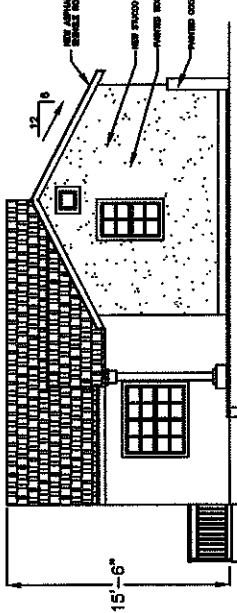
FRONT ELEVATION



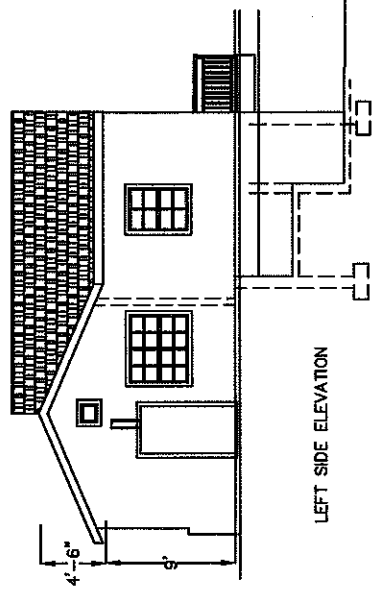
REAR ELEVATION



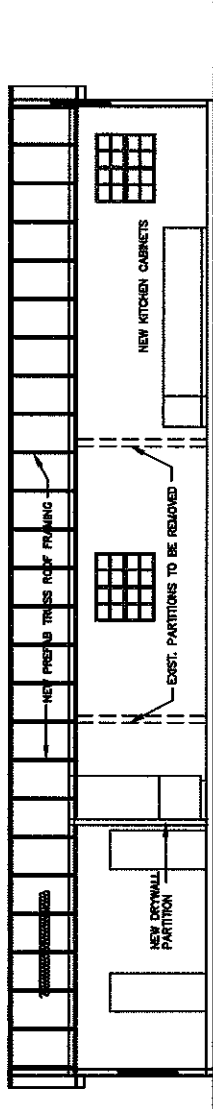
RIGHT SIDE ELEVATION



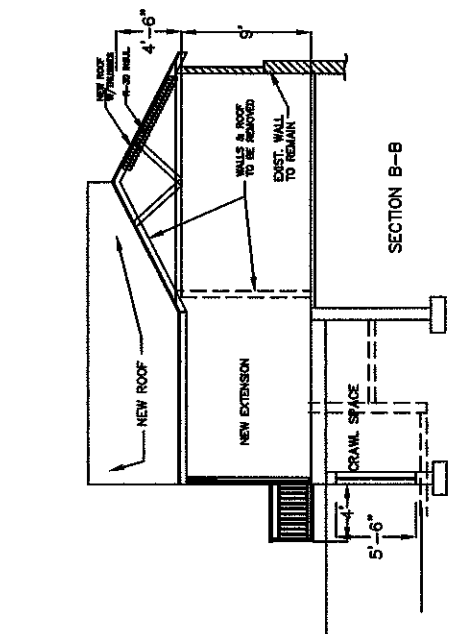
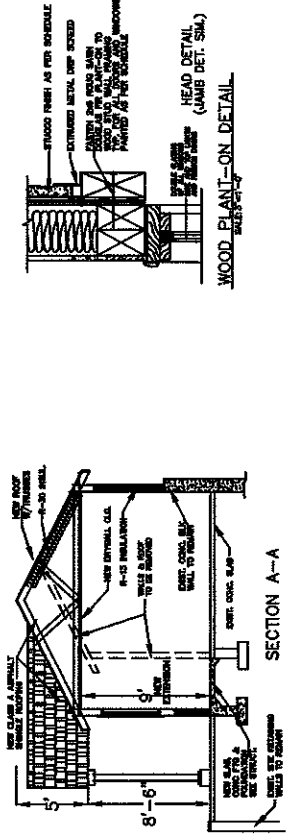
LEFT SIDE ELEVATION



SECTION B-B

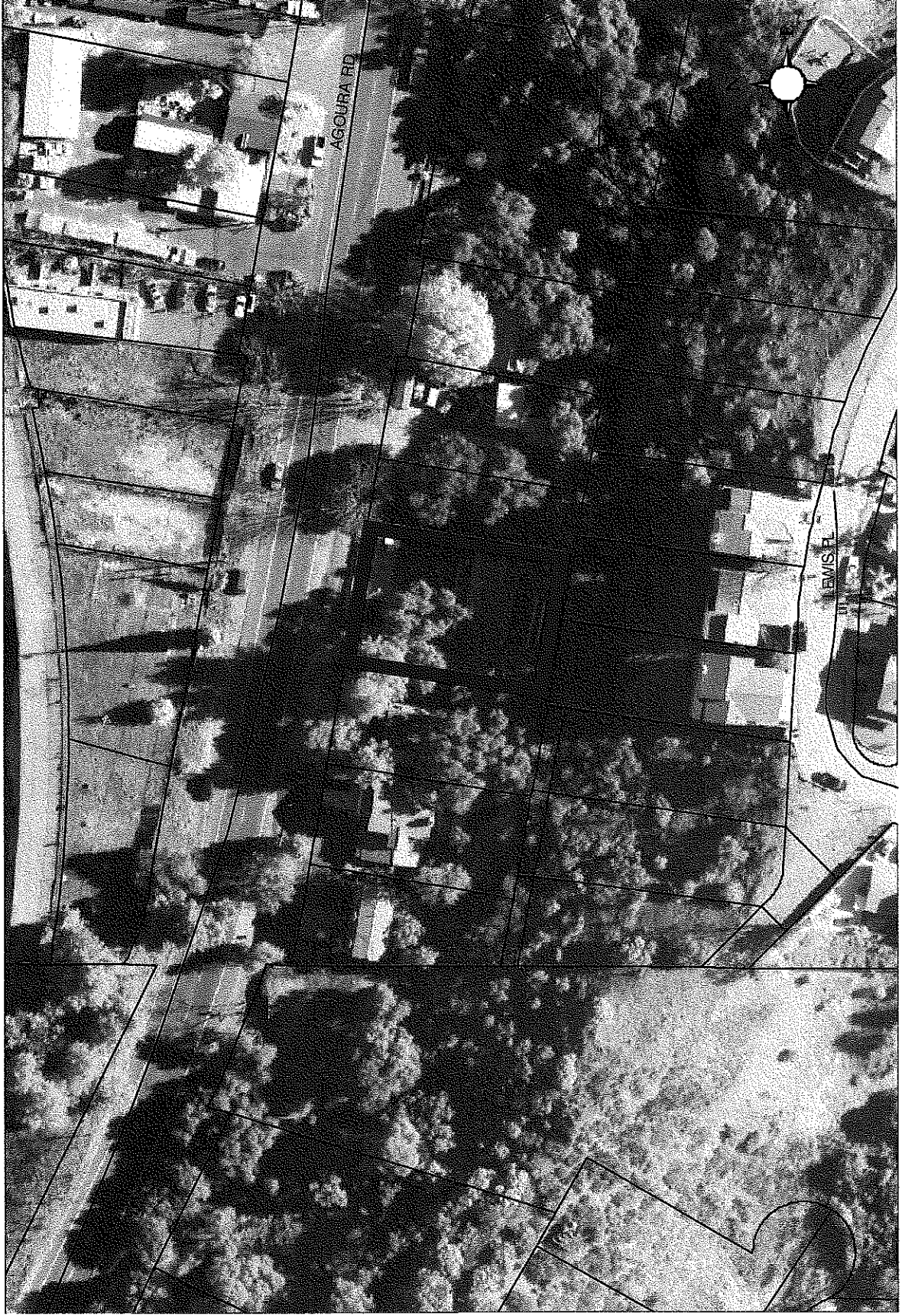


SECTION A-A



**Exhibit B:
Vicinity Map**

**Kerry Agapiou: 08-SPR-012 and 08-OTP-007
28366 Agoura Road (APN: 2061-022-034)**



**Exhibit C:
Categorical Exemption from CEQA**

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: Kerry Agapiou (Case No.: 08-SPR-012 and 08-OTP-007)

Project Location-Specific: 28366 Agoura Road (A.P.N.: 2061-022-034)

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 remodeling of the interior and exterior of an existing 1,150 square foot, single-story residence, and the construction of a 520 square foot, single story addition.

Name of Public Agency Approving Project: City of Agoura Hills

Name of Person or Agency Carrying Out Project: Kerry Agapiou

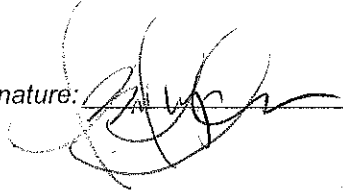
Exempt Status: (Check One)

- 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 15301(e), Existing Facilities.
- 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 single family residence. The project will not result in an increase of more than 50 percent of the floor area of the structure, or 2,500 square feet. 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: Britteny Tang, Planning Technician, City of Agoura Hills

Area Code/Telephone/Extension: (818) 597-7309

Signature: 

Date: 3/29/09

Title: planning Technician