

DRAFT RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF AGOURA HILLS APPROVING
CONDITIONAL USE PERMIT CASE NO. 05-CUP-004, AND
OAK TREE PERMIT CASE NO. 06-OTP-004

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

Section 1. An application was duly filed by Robert Mahterian for Tom and Susan Mogan with respect to the real property located at 28250 Laura La Plante Drive, Assessor's Parcel Number 2061-017-046, requesting approval of a Conditional Use Permit Case No. 05-CUP-004, and an Oak Tree Permit Case No. 06-OTP-004, to allow the construction of a 1,015 square-foot, first and second floor addition to an existing 1,339 square-foot, single-family residence and a request for an Oak Tree Permit to encroach in the protective zone of two Oak trees for the proposed construction. A public hearing was duly held on April 6, 2006, 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 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid Public Hearing.

Section 3. Pursuant to Section 9673.2.E of the Agoura Hills Zoning Ordinance, the Planning Commission finds that:

- A. The proposed use, as conditioned, is consistent with the objectives and provisions of the Zoning Ordinance and the purpose of the land use district in which the use is located. The proposed project, which is an expansion of the existing single-family residential use, is located within the RS (Residential Single Family) zone and the IH (Indian Hills Design Overlay) district, which provides general design standards for residential developments. A single-family residence is an allowed use in the RS zone. Minimum development standards have been met or exceeded with regard to height, lot coverage, and architectural guidelines.
- B. The proposed use, as conditioned, is compatible with the surrounding properties. The proposed building style of architecture and building materials including beige color stucco, tan trim, clay tile roof, a brown stain finish for the front door, and clad windows are compatible with the neighborhood and meet the requirements of the Indian Hills Design Overlay District. The expanded size of the residence is compatible with the sizes of the developed residential homes in the Indian Hills area.
- C. The proposed use and the conditions under which the project will be operated or maintained will not be detrimental to the public health, safety or welfare in that the location of the proposed additions will ensure adequate light, air and privacy, and open space to surrounding properties. The project will be constructed per City Building Code Standards and will be served by a public sewer.

- D. The proposed use, as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance except for approved modifications. The two-story home complies with the provisions of the Residential Single-Family zone and the Indian Hills Design Overlay District in regards to lot coverage, building height Hillside Ordinance Standards, and the provision of on-site parking.
- E. The distance from other similar and like uses is sufficient to maintain the diversity of the community. The proposed additions are an expansion to an allowable single-family residential use of the property within the RS zone.
- F. The proposed use, as conditioned, is consistent with the goals, objectives and policies of the General Plan. The proposed addition to the existing two-story residence 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 beige stucco, tan trim, stone siding, and a clay tile roof, as called for in the Community Design Element of the General Plan.

Section 4. The proposed construction of the additions, as conditioned, will be accomplished without endangering the health of the existing oak trees. The proposed Oak tree encroachment mitigation measures satisfy the Oak Tree Preservation Ordinance requirements.

Section 5. The proposed project is a request for a 1,015 square-foot addition to an existing single-family residence and is therefore, categorically exempt from the requirements of the California Environmental Quality Act (CEQA), per Section 15303.

Section 6. Based on the aforementioned findings, the Planning Commission hereby approves Conditional Use Permit Case No. 05-CUP-004 and Oak Tree Permit Case No. 06-OTP-004, subject to the attached conditions, with respect to the property described in Section I hereof.

PASSED, APPROVED, and ADOPTED this 6th day of April, 2006 by the following vote to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chairperson

ATTEST:

Doug Hooper, Secretary