

MINUTES OF THE REGULAR MEETING OF THE
STAFF SITE PLAN REVIEW COMMITTEE
COUNCIL CONFERENCE ROOM FULLERTON CITY HALL
THURSDAY, 9:00 A.M., AUGUST 17, 2006

CALL TO ORDER: Chairman Eastman called the meeting to order at 9:15 a.m.

COMMITTEE MEMBERS PRESENT: Eastman, Lopez, Petropoulos, St. Paul, Tabatabaee, Thompson, and Villagracia

COMMITTEE MEMBERS ABSENT:

STAFF MEMBERS PRESENT: Ho, Kusch and Leopold

OTHERS PRESENT: George Emigh

APPROVAL OF MINUTES:

MOTION made by Committee Member Thompson, SECONDED by Committee Member Lopez to APPROVE the August 3, 2006 minutes as submitted.

INTRODUCTIONS - COMMITTEE AND STAFF MEMBERS:

ACTION ITEMS:

Item No. 1

PRJ06-00304 – ZON06-00049. APPLICANT AND PROPERTY OWNER: GEORGE EMIGH.

Planning Technician Ho presented a staff report for a request for a minor site plan to reduce the front-yard setback from 103'-6" (based on the average of adjacent properties) to 95'-10", and side-yard setback from 10'-0" to 8'-0" (a 20% reduction) on property located at 711 Rodeo Road (north side of Rodeo Road, approximately 155 feet west of the centerline of Richman Knoll (R-1-20 zone) (Categorically exempt under Section 15301 of CEQA Guidelines) (KHO).

Planning Technician Ho stated the total lot coverage is 31.5 percent. She said the proposed front-yard setback is not common to this street. This project was brought to the Staff Review Committee to consider a side yard and a front yard reduction not to exceed 20%. Planning Technician Ho said the east side of the house is a two-car garage; west side is 2,025 sq. ft. habitable area with 3 bedrooms; and on the east side is proposed an additional 1,204 sq. ft. four car garage. She said the minimum requirement for backup area is 25 ft. The applicant has proposed 29 ft. 8 inches to have a better maneuver area for cars and his big trucks. She explained the project setbacks and said due to the large front yard setback, existing driveway, swimming pool and pool house in the backyard, the addition appears to be best extended to the west side. In order to have the proposed square footage, the applicant would need to have a 2-ft. reduction on the side setback as well.

Committee Member Thompson asked about the distance of the closest fire hydrant. George Emigh, applicant, pointed out the locations on the plans, at the corner of La Cresta. Committee Member Thompson said the access will have to be measured from the driveway and the street to the same location.

Public hearing opened.

Mr. Emigh said he wants to keep the breezeway, access to the backyard and two-car garage. He said he will use the garage for storage and his cars. He explained that he would like to move the laundry room into the house and would like to add a master bath to the master bedroom. Mr. Emigh wants to update the house to match the neighborhood and wants to balance the lot with the setbacks. He said it is difficult to back out of the driveway and go down the driveway with his truck

Chairman Eastman asked Mr. Emigh if he has had communication with his neighbors. He said yes, everyone except the neighbor on the corner of Richman Knoll.

Chairman Eastman asked if the applicant tried to design the project with a 10 ft. setback. Mr. Emigh said yes. Chairman Eastman explained there is a code standard of 10 ft. which applies to all properties. In order for the Committee to make a discretionary determination to reduce the setback by 2 ft., he needs justification to do so. He said he did not have any problems with the front yard setback. However he has some concerns with the other yard setbacks and having a large truck is not a site condition. Chairman Eastman believes the 2 ft. can be accommodated in the design. Mr. Emigh says he is trying to balance the lot and use it the best way he can.

Chairman Eastman reiterated if the applicant's neighbors were clear in what he is requesting. Mr. Emigh said he explained exactly what he is doing and that there would be a public hearing. There were no issues from his neighbors in regard to the project. Chairman Eastman asked Planning Technician Ho if she had received any comments from the neighbors. She answered no, but stated the notice was posted and no comments were received. Chairman Eastman explained to Mr. Emigh that in the past staff has asked that as part of an approval, the adjacent property owners sign a plan acknowledging the project.

Committee Member St. Paul said Mr. Emigh did show some justification for the reduction of the front setback, but he did not see the justification for the east side. Mr. Emigh explained there is a courtyard at the front that when you go to back out, you have to make 3-4 turns before exiting. It would be a lot easier if it were moved over and would allow for additional parking. Chairman Eastman said that in his perspective a reduction of 1 ft. in that setback and a reduction of 1 ft. in the garage dimension to 23 ft. would be more than adequate. He said that what is being proposed is a convenience in design not a site constraint for the most part. Chairman Eastman said he did not have an issue with the property coming closer to the street.

Committee Member Tabatabaee arrived at 9:40 a.m.

Chairman Eastman stated he thinks there is adequate justification for the front yard setback considering the adjacent properties. He said after reviewing the west side yard setback and the design based on the site constraints, he thinks the existing living room and family room and the location of the exterior walls have created a reasonable impediment for the

dimensions you can work within. Chairman Eastman said if the applicant obtains the neighbor's signature of the adjacent property owner indicating that he approved it. Chairman Eastman does not see any real impacts to the community at large and would be willing to approve that. Chairman Eastman said he would like to see the neighbor's signature.

The site can be significantly designed to accommodate the setback with a 23 ft. garage and reducing the backup to 28 ft. 8 inches, whether or not the applicant obtains the neighbors signatures may sway him in that regard.

Chairman Eastman said he would like to see a reduction to meet code at that location. He said it could be designed adequately to meet the applicant's needs and does not see any justification in reducing the setback. He said he was open to discussion as to whether the Committee feels a signature from the neighbor is adequate. Staff discussed the garage setbacks and asked the applicant if he would accept 22 ft. Mr. Emigh said he would rather not, since his truck is 19 ft. Committee Member Tabatabaee said the City's standard for a two-car garage is 19 ft. deep x 19 ft. wide.

Chairman Eastman said that to deviate from the City's laws and codes, and grant a deviation of the code based on the size of the applicant's truck, he could not see a nexus; but he can see circumstances that decessitate a deviation for the addition of the house. He would like to be assured that the neighbor does not have any problems in terms of impacts to them, and requested the applicant obtain the neighbor's signature stating that they understand a 2 ft. encroachment requested and would approve. Chairman Eastman stated he did not have a problem with the front yard setback.

Chairman Eastman asked his applicant if there are alternative solutions that can be met that would give the applicant some time to come back to the Committee. Mr. Emigh said he is trying to balance the lot and explained why he would like to move the garage closer to the property.

Committee Member Thompson asked the applicant if there is a turnaround space in the back? Mr. Emigh said it could be done.

MOTION made by Committee Member Tabatabaee, SECONDED by Committee Member Thompson to CONTINUE the project, so the applicant can talk to the designer and neighbors.

Chairman Eastman said he would be ready to approve the project with modifications. He'd recommend to approve the request for the front yard and the west side reduction, but deny the east side setbacks, as the property owner could construct a 23 ft. garage and a one-foot reduced backup, or a 22 ft. garage and backup as proposed. Chairman Eastman said he would like a letter from the neighbor on the west side.

Chairman Eastman made a SUBSTITUTE MOTION, SECONDED by Committee Member Tabatabaee to APPROVE the west (front) and south (west side) reductions subject to a signature from the west property owner and DENY the east reduction given that the garage can be reduced and re-located or reduced to accommodate the code. Chairman Eastman recommended to DENY WITHOUT PREJUDICE, which would give the applicant an

opportunity to return to the SRC with an alternative solution. CARRIED unanimously by all voting members present.

Chairman Eastman explained the 10-day appeal process.

The application asked for clarification regarding the neighbor's signature and the garage design.

ADJOURNED AT 10:06 AM AS STAFF SITE PLAN REVIEW COMMITTEE:

BY: _____
Ruth Leopold, Clerical Support