



CITY OF DEL REY OAKS

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July 7, 2011

AGENDA

REGULAR DEL REY OAKS PLANNING COMMISSION MEETING
WEDNESDAY, JULY 13, 2011 AT 6:00 P.M.
CHARLIE BENSON MEMORIAL HALL, CITY HALL

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. CONSENT AGENDA:
 - A. Planning Commission Meeting Minutes, June 8, 2011
4. PUBLIC COMMENTS:

Anyone wishing to address the Commission on matters not appearing on the Agenda may do so now. The public may comment on any other matter listed on the Agenda at the time the matter is being considered by the Commission. *There will be a time limit of not more than three minutes for each speaker. No action will be taken by the Commission on matters brought up under this item and all comments will be referred to staff.*
5. REPORTS:
 - A. Building Activity Report, June 2011
6. NEW BUSINESS:
 - A. **Project Name:** Anna Jones
File Number: VAR 11-01/ARC 11-04
Site Location: 65 Work Ave
Planning Area: APN#012-429-027
Environmental Status: Categorically Exempt
Project Description: Requesting a variance to allow a 13' rear yard setback to construct a 310 sq. ft. bedroom and second bathroom addition and requesting Architectural review to construct a 263' bedroom and second bathroom addition. Materials and colors to match existing residence.

7. ANNOUNCEMENTS/COMMENTS BY PLANNING COMMISSIONERS
8. NEXT MEETING: Wednesday, August 10 , 2011 at 6:00 P.M.
9. ADJOURNMENT

All enclosures and materials regarding this agenda are available for public review at Del Rey Oaks City Hall. Information distributed to the Planning Commission at the meeting becomes part of the public Record. A copy of written material, pictures, etc. should be provided to the Secretary for this purpose.

**REGULAR MONTHLY MEETING DEL REY OAKS PLANNING
COMMISSION WEDNESDAY, JUNE 8, 2011 AT 6:00 P.M. CHARLIE
BENSON MEMORIAL HALL**

Present: Commissioner Larson, Jaksha, Weir and Chairman Clarke
Absent: Commissioner Hayworth, Lucido and Thayer
Also Present: Deputy City Clerk Minami and City Manager Dan Dawson

PLEDGE OF ALLEGIANCE: Lead by Chairman Clarke

CONSENT AGENDA:

The Commission considered **ITEM 4.A.**, Planning Commission Meeting Minutes, May 11, 2011.

*Motion by Commissioner Jaksha to approve, seconded by Commissioner Larson
There were no comments received*

Motion passed 3-1, Chairman Clarke abstained, as he was

PUBLIC COMMENT:

City Manager Dan Dawson, presented Commissioners Jaksha and Weir with Certificates of Achievement: which he presented to all staff at the Holiday Party. Commissioner Jaksha and Weir weren't able to attend the party.

REPORTS:

The Commission considered **ITEM 5.A.** Building Activity Report, May 2011
Report was accepted.

There were no public comments received.

Deputy City Clerk Minami: Reported back on issue that Commissioner Jaksha asked about during May meeting. 1067 Rosita was approved without any stipulation of ground covering.

Commissioner Jaksha: Thank you for following up.

NEW BUSINESS:

The Commission considered **ITEM 6.A.**,

Project Name: Anthony Zavitsanos/Anna Jones

File Number: VAR #11-01

Site Location: 65 Work Ave

Planning Area: APN#012-429-027

Environmental Status: Categorically Exempt

Project Description: Requesting a variance to allow a 5'9" rear yard setback to construct an approved 439 square feet bedroom and second bathroom to the rear of the existing single family dwelling. Materials and colors to match existing residence.

Recommended Action: Analyze provided material, make appropriate findings and give direction to staff.

Chairman Clarke: Read the description of item and explained the need for a variance.

Anthony Zavitsanos, Applicant: Gave examples of why they need a variance granted: natural light and garden area. Limited length on rear property line. Rear in 6 feet high than neighbor.

Commissioner Weir: What does "segregated uses" mean, it is listed on one of the alternative plans? One of the alternative plans goes into setback, and one doesn't.

Anthony Zavitsanos, Applicant: The social spaces should be separate from the bathrooms and bedrooms, and in alternative plans they are blended. The bathrooms need windows large enough for circulation and natural light rather than a smaller room with small windows will have to have mechanical ventilation system.

Commissioner Larson: Missing an alternative that would make a lot of sense. A ranch style, with levels to provide more room, without the variance. Would provide more privacy.

Anthony Zavitsanos, Applicant: Great idea, if there is more property. With this size of lot, doing that it would cast shadows and would have less interior space. Limited where to build this much, because of handicapped issue. Bigger doorways, hallway, and roll in showers for wheel chair access.

Chairman Clarke: East side of the property, already is in the set back by 1'6" and should be included in the variance.

Deputy City Clerk Minami: The issue with the side yard, is existing from when they originally built the house, and shouldn't be included in this variance application.

City Manager Dawson: Agreed

Public Comment:

Joanne Davis, Friend of Anna Jones: Attempting to have parents that are ill live with her, and would be devastated if this doesn't work out.

Commissioner Weir: Wished the City Attorney was here, because the variance findings are not usual. First time for variance application due to natural light and living situation.

City Manager Dawson: He is here in lieu of City Attorney.

Commissioner Jaksha: The word handicap is used but access through the garage confuses the issue. Hardship on land hasn't been met, natural light and personal

comfort doesn't meet this. After parent's pass away and house is sold, it would become a rental unit, because it is separate from the original house and has a separate entrance.

Anthony Zavitsanos, Applicant: What happens if it was a smaller lot? They stayed within the City's Building Requirements with the lot coverage. Were told it wouldn't need a variance, that one superseded the other.

Anna Jones, Applicant: Since she works from home and has a small office, there isn't enough room for the addition to be in the any other configuration. Doesn't want to focus on the "what if's" and is looking for support from the community for a reasonable request.

Commissioner Jaksha: Would approve if the addition is off the dining room, doesn't like the private entrance from garage.

Commissioner Larson: Goal is not to turn down reasonable requests, but have to think about setting a precedent for the future. There must be another way to make this work without a variance.

Chairman Clarke: Bound by Muni Code, all of the Commission is sympathetic but the variance findings haven't been met. Gave some examples of what would qualify.

Anna Jones, Applicant: House above her has the same situation the addition off the garage. Isn't fair.

Anthony Zavitsanos, Applicant: Variance rules are not fair. I can make addition fit, but can't make it work, if variance isn't granted.

Commissioner Jaksha: Problem isn't with setback but with the addition style, it's like a duplex.

Anna Jones, Applicant: Design is personal, but a well laid out design is important at re-sale. Helps with property values.

City Manager Dawson: The role of the Commission is not to unduly talk about exits and entrances. Focus on variance findings regard to setbacks. The Commission has rules to follow so they aren't held liable. The applicant may appeal to the City Council if they don't agree with the decision of the Planning Commission.

Anna Jones, Applicant: What is the minimum in order to get this approved? How do I go forward? 10 feet or less?

Chairman Clarke: The Commission is open to look at a re-design.

Anna Jones, Applicant: This design was approved last month.

Chairman Clarke: With the condition that variance finding were met, and they aren't.

Anna Jones, Applicant: Running out of time, now have to come back next month.

Commissioner Weir: The City Manager described it perfectly, we are bound to rules.

There were no other comments received.

Motion by Commissioner Weir to deny item #6.A: Anthony Zavitsanos/Anna Jones, VAR #11-01, 65 Work Ave, APN#012-429-027, based on the lack of variance findings and there are presented alternative plans that could replace this project, seconded by Commissioner Jaksha.

There were no other comments received

Motion passed 4-0

Applicants left the dais, as Chairman Clarke was asking if they want to review alternatives.

OLD BUSINESS: None

ANNOUNCEMENTS/COMMENTS:

Commission Larson: Thanked the Citizens Action Group for the Ice Cream Social, great time!

Commissioner Jaksha: Thanked Denise Wood for organizing the Ice Cream Social.

Commissioner Weir: Appreciated City Manager speaking up, it helped with a hard decision.

Chairman Clarke: Great time at the Ice Cream Social.

NEXT MEETING: Wednesday, July 13, 2011 at 6:00 p.m.

7:15 p.m. Meeting Adjourned

Approved:

CITY OF DEL REY OAKS
 BUILDING ACTIVITY REPORT
 JUNE
 2011

PERMIT#	DATE	ADDRESS	NAME	PROJECT DESCRIPTION	TYPE	STATUS	LAST INSP.
B-08-35	12/11/08	942 Angelus Way	Morgan/Owner-Builder	New Garage	R-1	Extension 1/3/11	N/A
B-10-29	09/16/10	1035 Portola	Crusan/Owner-Builder	Addition	R-1	Finald	6/28/2011
B-10-32	10/11/10	820 Avalon	Bailey/Owner-Builder	Addition	R-1	Finald	6/7/2011
B-11-06	03/22/11	947 Paloma	Maxon/Serrano Develop.	Addition	R-1	Current	4/28/2011
B-11-11	05/11/11	3 Hillwill	Manabe/KelCon, Inc	Kitchen Remodel	R-1	Current	6/28/2011
B-11-14	06/09/11	46 Los Encinos	Cabanillas/Owner-Builder	Window Replacements	R-1	Current	6/9/2011

STAFF REPORT

City of Del Rey Oaks

Office of the City Clerk

DATE: July 13, 2011
TO: Planning Commission
FROM: Karen Minami - Deputy City Clerk
RE: Agenda Item 6.A.- 65 Work Ave

Project Name: Anna Jones
File Number: VAR#11-02/ARC#11-04
Site Location: 65 Work Ave
Planning Area: APN# 012-429-027
Environmental Status: Categorically Exempt
Project Description: Requesting a Variance (VAR 11-02) to allow a 13' rear yard setback to construct a 310 sq. ft. bedroom and second bathroom addition and requesting Architectural review (ARC 11-04) to construct a 263 sq. ft. bedroom and second bathroom addition. Materials and colors to match existing residence.
Recommended Action: Analyze provided material, make appropriate findings and give direction to staff.

CONFLICT OF INTEREST: Chairman's Lucido and Hayworth own property, within 500 feet of the project site and should step down during the consideration of this item.