



# CITY OF DEL REY OAKS

650 CANYON DEL REY RD. • DEL REY OAKS, CALIFORNIA 93940  
PHONE (831) 394-8511 • FAX (831) 394-6421

October 30, 2015

## AGENDA

### REGULAR DEL REY OAKS PLANNING COMMISSION MEETING WEDNESDAY, NOVEMBER 4, 2015 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, October 2015
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: Building Activity Report, October 2015
6. NEW BUSINESS:  
None
7. OLD BUSINESS:

A. Applicant's Name:	Ronald Hardy
File Number:	ARC# 15-05
Site Location:	810 Avalon Place
Planning Area:	APN# 012-561-021
Environmental Status:	Categorically Exempt
Project Description:	Requesting Architectural Review for a 5 foot

retaining wall, with an attached 6 foot fence in the rear portion of back yard of the single family dwelling that was built without approval. The Planning Commission recommended to carry the item over from the October 14, 2015, for additional clarification by the Licensed Surveyor that produced the survey in question for the project.

- B. Applicant's Name:** Milos and Sandra Pesic  
**File Number:** ARC# 15-06/VAR#15-01  
**Site Location:** 21 Quendale Ave  
**Planning Area:** APN# 012-501-036  
**Environmental Status:** Categorically Exempt  
**Project Description:** Requesting Architectural Review and Variance approval for work started prior to the October meeting. The Planning Commission recommended that the item be carried over from the October 14, 2015 meeting, until a Variance application could be reviewed. Materials and colors match existing.

8. **ANNOUNCEMENTS/COMMENTS BY PLANNING COMMISSIONERS**
9. **NEXT MEETING: Wednesday, December 9, 2015 at 6:00 P.M.**
10. **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, OCTOBER 14, 2015 AT 6:00 P.M.  
CHARLIE BENSON MEMORIAL HALL**

**Present:** Commissioner Green, Commissioner Donaldson, Commissioner Jaksha,  
Commissioner Hayworth, Commissioner Cecilio and Vice Chair Weir.

**Absent:** Chairman Gaglioti

**Also Present:** City Manager Dawson, City Attorney Trujillo and Deputy City Clerk  
Minami

**PLEDGE OF ALLEGIANCE:** Led by Vice Chair Weir

**CONSENT AGENDA:**

The Commission considered **ITEM 3.A.**, Planning Commission Meeting Minutes,  
August 12, 2015. Asked for “noticed by mail” to be changed to “notified by mail”.

***Motion by Commissioner Hayworth to approve, with changes, seconded by  
Commissioner Jaksha***

***No comments***

***6-0***

**PUBLIC COMMENT:**

None

**BUILDING REPORT:**

The Commission accepted **ITEM 5.A.**, Building Activity Report, September 2015

**NEW BUSINESS:**

**Applicant's Name:** Ronald Hardy  
**File Number:** ARC# 15-05  
**Site Location:** 810 Avalon Place  
**Planning Area:** APN# 012-561-021  
**Environmental Status:** Categorically Exempt  
**Project Description:** Requesting Architectural Review for work  
done prior to meeting. Applicant seeking approval for a 5 foot retaining  
wall, with an attached 6 foot fence constructed in the rear portion of back  
yard of the single family dwelling. Materials and colors match existing.

**Ronald Hardy, Applicant:** Didn't realize that he needed approval, wants to do the right thing and apologized.

**Commissioner Cecilio:** Survey?

**Ronald Hardy:** After construction and it was submitted to the city.

**Commissioner Donaldson:** How high was old wall?

**Ronald Hardy:** It had fallen and had brush grow over it, doesn't know for sure, maybe 4 ft?

**Marlies Hammer, Property Owner of 821 Arlington:** Shares google map with Planning Commission, goes up to the dais. Applicant's survey isn't accurate, isn't certified and isn't recorded with the County. It's a site plan, it's not a survey. Reads from a letter from her surveyor regarding removed marker to build fence and 5 feet of fill. He is encroaching on our property.

**Commissioner Green:** Which house? The applicant mentioned the 5 feet of fill.

**Vice Chair Weir:** Why is this a problem, we have a survey stamped by Lucido.

**Marlies Hammer:** The survey states it's for design approval only, not construction.

*\*This section of the meeting is inaudible, as Mrs. Hammer is walking up to the dais and not talking directly into a microphone\**

**City Manager Dawson:** (stands up to the dais with the Commission) The applicants survey shows the corner markers. Asks Mrs. Hammer if she has a survey of her own to show that the fence is on her property.

**Marlies Hammer:** Not here, but there is a survey from 1999. Her surveyor says there is no evidence where the wall is on her property. The plan is miss-leading and not accurate. She had a civil engineer come out and look at it. Reads something from her surveyor.

**City Manager Dawson:** Staff recommends that Frank Lucido Surveyor to come to explain and clarify for the commission at the next meeting.

**Marlies Hammer:** Wants the Commission or Dan to admit to applicants mistakes and agree with her. Survey wasn't recorded with the county for a new fence line and isn't for construction. Reads from survey. There is a 4 inch drain now that drains into her property, when wall was built pushed dirt up against her side of the wall. Didn't pull out marker and shouldn't have to pay for another survey.

*\*This section of the meeting is inaudible, as Mrs. Hammer is walking up to the dais and not talking directly into a microphone\**

**Commissioner Cecilio:** Is it draining more now than when the old wall was there?

**Vice Chair Weir:** Likes the idea from the City Manager about the surveyors showing up and fighting it out.

**Marlies Hammer:** Doesn't think she should pay for another survey. Applicant's surveyor removed the original stake.

**Commissioner Jaksha:** The stake doesn't have to be in the ground, a surveyor can triangulate from down the street if need be, a block away sometimes to verify your property line.

**Commissioner Hayworth:** It's Architectural Review and this is past the work of this Commission, all of this should be figured out, before it comes to us.

**Ronald Hardy:** Didn't know when he bought the house that the old broken wall was on his property, should have been disclosed. Wondered why a hose bib was sticking out. Did not try to deceive anyone! He followed the two stakes and two points and made sure it was built on his side of the line. Before starting construction, spoke with the resident of the house that the Hammers own, and they liked the idea. I did not move a marker and neither did Mr. Lucido, that's fictitious. If there is a set-back issue, I will make sure to do the right thing.

**City Manager Dawson:** To Mrs. Hammer: anything to be included for next month meeting must be given to staff.

*Motion by Commissioner Jaksha to postpone ARC #15-05 until Frank Lucido, Surveyor can clarify survey in question, give a brief outline of how he came up with this property line seconded by Commissioner Hayworth.*

*No public comment received*

*Motion passed 6-0*

<b>Applicant's Name:</b>	Milos and Sandra Pesic
<b>File Number:</b>	ARC# 15-06
<b>Site Location:</b>	21 Quendale Ave
<b>Planning Area:</b>	APN# 012-501-036
<b>Environmental Status:</b>	Categorically Exempt
<b>Project Description:</b>	Requesting Architectural Review for work started prior to meeting. Applicant seeking approval for fence, pillars and gate at the front and side portions of the property. Applicant received approval for a covenant agreement at the September 22, 2015 City Council Meeting. Materials and colors match existing.

*Commissioner Green steps down from the dais, as she owes property 500 feet from the project.*

**Milos Pesic, Applicant:** Greets and explains. Bikes, walkers and some cars cross over his property since he is on the corner.

**Commissioner Hayworth:** Was it surveyed?

**Deputy City Clerk Minami:** No

**Commissioner Donaldson:** According to the Municipal Code, needs a use permit or variance. The fence is in the right of way and into set-backs.

**Vice Chair Weir:** Pillars are in set-backs and needs a variance.

**Milos Pesic, Applicant:** Followed the line of fences in the neighborhood. There is enough room for a bike or walkers. Didn't know the rules before starting work. Wants to make it look nice for neighborhood and secure for his property.

**Vice Chair Weir:** Covenant agreement?

**Commissioner Donaldson:** A covenant agreement and a variance are two different things.

**City Manager Dawson:** The cart before the horse on this one because of the stop work. Covenant agreement allows the fence to be on City property, and it's here for design review or grant a variance because of the corner lot. Set-backs aren't an issue because of the City Council approval. The staff recommends to lower the fence to 3 feet.

**City Attorney Trujillo:** Topography issue could be a reason for a variance.

**Ralph Games, 12 Voe Place:** Doesn't understand why this got built without permits, it's nice work but too big and no room to park. Everyone should follow the rules and regulations and variances are to cover up mistakes.

**Commissioner Jaksha:** Height situation meets the variance. There are others in the City that have been granted variance for high fences. Parking shouldn't be a problem, it enhances the neighborhood. Agrees the pillars could be lower. Could the commission add a variance to this item tonight and decide on it?

**City Manager Dawson:** It was noticed as an Architectural Review and not a Variance. Must be properly noticed for a future meeting and a variance application must be submitted with the three findings listed.

**Deputy City Clerk Minami:** When they apply for a variance, there are three findings.

**Vice Chair Weir:** Covenant agreement muddies the water.

**Commissioner Donaldson:** Variance should have been applied for before this meeting.

**City Manager Dawson:** Working backwards on this one, because he started work with no permits. Clearly should have applied for a variance, but won't need a variance if the Commission recommends to take fence down to 3 feet. Why waste the time for the covenant if the design isn't approved by the Commission.

**Vice Chair Weir:** Explains variance findings. Slope of the land will meet one of the findings hardship on the land. Unless applicant is willing to go to 3 feet, we have no other choice than to bring this item back once an application for a variance is submitted.

**Milos Pesic, Applicant:** Doesn't make any sense to have 3 foot fence, with 2 sons asking for a dog. Doesn't want to take down to 3 feet.

**City Manager Dawson:** Then applicant will have to apply for variance and he would help with application.

*Motion by Commissioner Donaldson to postpone ARC #15-06 until a variance application is submitted, seconded by Commissioner Cecilio.*

*No public comment received*

*Motion passed 5-0*

Commissioner Green came back to dais.

#### **ANNOUNCEMENTS/COMMENTS:**

**City Manager Dawson:** Commissioner Green has brought up the General Plan and wants to review it yearly. It is the duty of the Commission to review it. Shows the 1975 amended copy. There is a 1997 version as well. Staff will make copies for all Commissioners. Could have someone come in and review it, do a mock general plan update or whatever the commission would like. Let the Commission know some possible dates.

**Commissioner Green:** Suggests that everyone re-read the General Plan, agrees with Dan and is thrilled to have someone to come in and review.

**Commissioner Jaksha:** Can't wait to give input on the Fort Ord portion of the City.

**Vice Chair Weir:** Is there any value in reading the 1997 update.

**City Manager Dawson:** Everyone will receive a copy of the 1997 update.

**NEXT MEETING:** Wednesday, November 4, 2015 at 6:00 p.m.

7:15 p.m. Meeting Adjourned

Approved: \_\_\_\_\_

**CITY OF DEL REY OAKS**  
**BUILDING ACTIVITY REPORT**  
**October 2015**

PERMIT#	DATE	ADDRESS	NAME	PROJECT DESCRIPTION	TYPE	STATUS	LAST INSP.
B-13-35	10/18/13	908 Via Verde	Budrick/Sharp Const.	Foundation work	R-1	Current	10/7/2015
B-15-06	02/13/15	899 Rosita	Del Rey Oaks Garden Ctr.	Site Improvements	C-1	OK to Occ	7/1/2015
B-15-08	02/19/15	815 CDR	Safeway/KW Const.	Interior work	C-1	Letter Sent	2/19/2015
B-15-14	04/14/15	1048 Paloma	Burton/Kelly Howell Const.	Water damage repairs	R-1	Letter Sent	5/18/2015
B-15-16	04/22/15	815 CDR	Safeway/Tilton Construction	Interior work	C-1	Current	8/5/2015
B-15-17	05/04/15	908 Via Verde	Budrick/Ted Kelly Const.	Deck replacement	R-1	Current	10/7/2015
B-15-19	05/14/15	1062 Portola	Woodbury/THD At Home	Retrofit vinyl windows	R-1	Letter Sent	5/14/2015
B-15-20	05/18/15	1007 Portola	Donaldson/Owner-Builder	Addition and remodel	R-1	Current	10/21/2015
B-15-21	07/15/15	924 Portola	Miller/Bruno-Owner-Builder	Addition and remodel	R-1	Current	10/12/2015
B-15-22	07/23/15	817 Portola	Baumann/Owner-Builder	Re-Roof	R-1	Current	7/23/2015
B-15-23	07/24/15	815 CDR	Safeway/KW Const.	Tenant Improvement	C-1	Current	8/5/2015
B-15-24	07/27/15	900 Paloma	Baker/Positive Results	Re-Roof	R-1	Current	7/27/2015
B-15-26	08/17/15	58 Los Encinos	Richmond/Young	Exterior Steps	R-1	Current	8/17/2015
B-15-30	08/31/15	854 Portola	Palma/Semmel	Solar Panels	R-1	Current	8/31/2015
B-15-31	09/02/15	973 Rosita	Stroud/Knox Roofing	Re-Roof	R-1	Current	9/2/2015
B-15-32	09/08/15	1003 Portola	Bencit/Wolffy's Roofing	Re-Roof	R-1	Current	9/8/2015
B-15-33	09/08/15	1044 Paloma	Grossman/Lobato Roofing	Re-Roof	R-1	Current	10/27/2015
B-15-34	09/08/15	1110 Rosita	Abanico/Solar City	Solar Panels	R-1	Current	9/8/2015
B-15-35	09/08/15	1007 Paloma	Roesner/Owner-Builder	Interior work	R-1	Current	9/8/2015
B-15-36	09/09/15	1044 Paloma	Grossman/Alltera Solar	Solar Panels	R-1	Current	9/9/2015
B-15-37	09/10/15	3 Wallace	Brennan/Premo Roofing	Re-Roof	R-1	Current	9/10/2015
B-15-38	09/21/15	1031 Paloma	Scott/American Solar	Solar Panels	R-1	Current	9/21/2015
B-15-39	09/28/15	1068 Paloma	Corcoran/Ross Roofing	Re-Roof	R-1	Current	9/28/2015
B-15-40	10/06/15	10 Alta Circle	Ventimiglia/Scudder Roof	Re-Roof	R-1	Current	10/7/2015
B-15-41	10/22/15	75 Carlton	Edelen/Reliable Roof	Re-Roof	R-1	Current	10/22/2015

**STAFF REPORT**

**City of Del Rey Oaks**

**Office of the City Clerk**

**DATE:** November 4, 2015  
**TO:** Planning Commission  
**FROM:** Karen Minami - Deputy City Clerk  
**RE:** Agenda Item 7.A.- 810 Avalon Place

---

**Applicant's Name:** Ronald Hardy  
**File Number:** ARC# 15-05  
**Site Location:** **810 Avalon Place**  
**Planning Area:** APN# 012-561-021  
**Environmental Status:** Categorically Exempt  
**Project Description:** Requesting Architectural Review for a 5 foot retaining wall, with an attached 6 foot fence in the rear portion of back yard of the single family dwelling that was built without approval. The Planning Commission recommended to carry the item over from the October 14, 2015, for additional clarification by the Licensed Surveyor that produced the survey in question for the project.

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



CITY OF DEL REY OAKS

Use Permit: [ ] Conditional [ ] Minor [ ] Home Occupational [ ] Signage [ ] Auxiliary Building
Variance: [ ] Yes [ ] No

Architectural Review Type: [x] Residential [ ] Commercial
RECEIVED
SEP 23 2015
CITY OF DEL REY OAKS
CITY CLERK

Applicants Name: RONALD HARDY

Owner's Name: RONALD HARDY

Project Address: 810 AVALON PL DEL REY OAKS CA 93940

Telephone#: 831-402-0300 APN #: 012-561-021

Lot #: 21 Block: - Subdivision: Del Rey Terrace #2

INSTRUCTIONS:

- 1. Briefly, using as much detail as possible, describe the nature of your permit request.
2. For variance request, also include in writing A, B & C of section 17.44.020 along with a details plot plan.

Rebuild 5 FT. High Retaining WALL, AND 6 FT. fence IN PORTION OF BACK YARD. Retaining wall made of 4x6 Pressure treated post and 2x12 Pressure treated Boards. A 6 foot Red wood fence will be attached to the top of Retaining wall. WALL AND fence to be built ON REAR Property line.

[ ] Check here if additional materials are attached.

[Signature]
Applicant's Signature

I HAVE RECEIVED A COPY OF THE CITY'S FLAGGING/NETTING POLICY AND UNDERSTAND THE REQUIREMENTS THAT MUST BE MET Initial Here

\*\*\*\*\*

-FOR OFFICE USE ONLY-

APPLICATION # ARC-15-015

DATE: 9/23/15

FEE \$200 CASH/CHECK/CC # 6291

RECEIVED BY: [Signature]

DATE SCHEDULED FOR CONSIDERATION Wednesday, Oct. 14th, 2015 @ 6pm

APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_

NOV. 4, 2015 @ 6pm

Jim Hammer  
Marlies Hammer  
125 Laureles Grade  
Corral de Tierra, CA 93908

October 21, 2015

Planning Commission  
City of Del Rey Oaks  
650 Canyon Del Rey Blvd.  
Del Rey Oaks, CA 93940

*Re: Illegal fence encroachment at 821 Arlington Place, Del Rey Oaks, CA 93940-5607*

Planning Commission Members:

We own the residential property located at 821 Arlington Place, Del Rey Oaks, CA 93940-5607 (hereinafter, "our property"). For the past 32 years, our family enjoyed the preexisting six-foot high fence (hereinafter, "the original fence") that separated our property line from the neighboring property line at 820 Avalon Place, Del Rey Oaks, CA 93940-5608 (hereinafter, "the adjoining property"), in harmony and without issue.

However, in August, 2015, while visiting our property we noticed that the occupant in the adjoining property (hereinafter, "the encroacher") removed the original fence that had separated our properties for at least 32 years. Instead of building a similar fence in the same location as the original fence, the encroacher constructed an 11-foot high fence (hereinafter, "the encroaching fence") that is currently encroaching upon my property by six to twelve inches. *See Exhibit A.* The construction workers' presence on my property during their construction of the encroaching fence constitutes a legal trespass.

As described in the encroacher's permit application and as depicted in the drawings submitted by the encroacher post-construction, the face of the fence was built on our adjoining property lines. Therefore, the footings necessarily encroach onto our property by six to twelve inches. *See Exhibit B.* Photos of the encroacher's new property corner stakes clearly show the fence post on the property line with the corresponding footings encroaching onto our property. *See Exhibit C.*

Secondly, the encroacher added to the encroaching fence, a drain at the base (*see the encroacher's drawing*) that will collect storm water from at least 37 linear feet along the encroacher's rear yard. This storm water will flow into a channel and be released into a single outlet that drains directly down to our house. *See Exhibit D.*

Finally, the encroaching fence and corresponding wall structure containing the illegal storm drain is ten feet above grade and improperly engineered given the total height of the encroaching fence, soil conditions, and effects from the wind. The encroacher has provided no engineering documentation demonstrating that this uninspected encroaching structure will withstand the elements. To the contrary, it may very well collapse.

The encroaching fence is illegal. Accordingly, the Del Rey Oaks Planning Commission should reject its approval. If improperly approved, we will resort to legal action, as we have already consulted an attorney. We hope that we may instead reach a more amicable resolution promptly.

Your thorough attention to this matter is appreciated.

Sincerely,



Homeowners of 821 Arlington Place, Del Rey Oaks, CA 93940-5607  
Jim Hammer  
Marlies Hammer

✓ Cc: Christina Trujillo, City Attorney

# Exhibit A

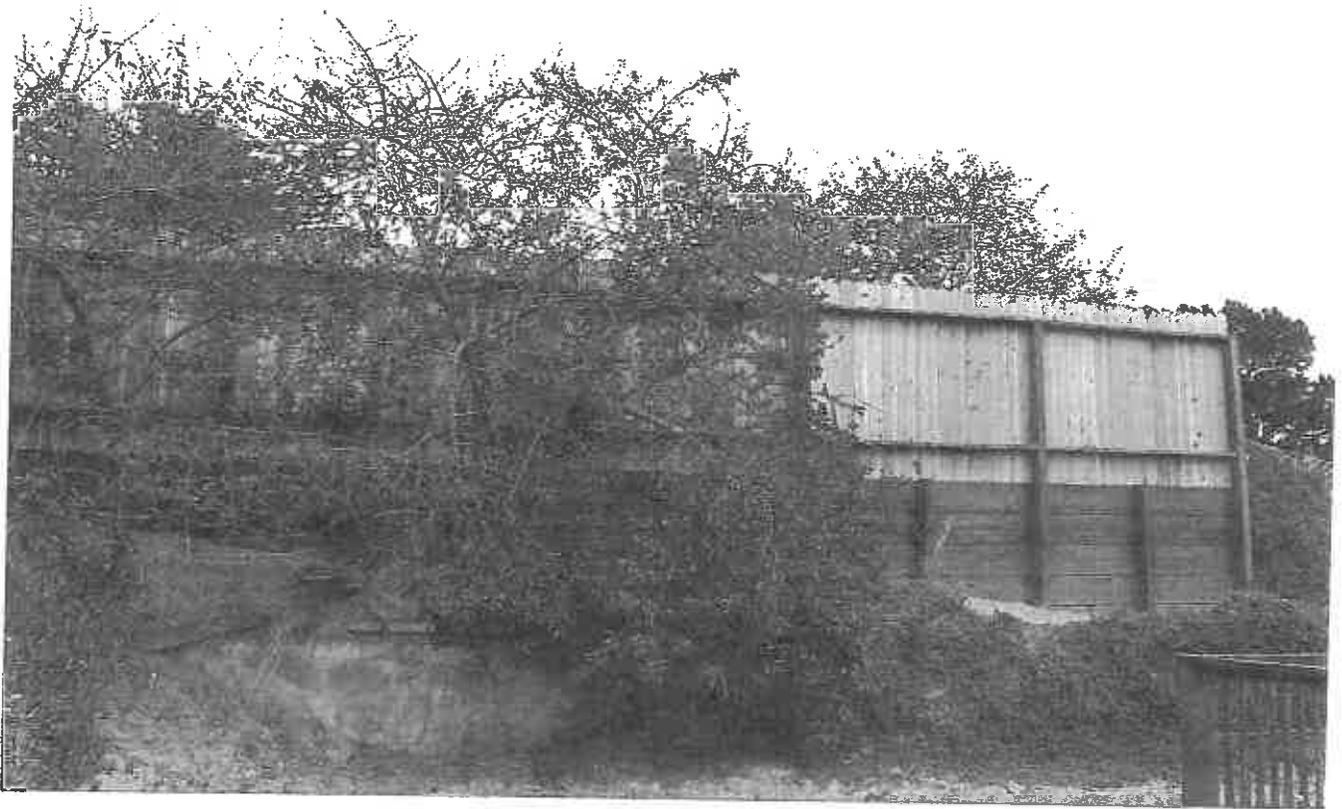
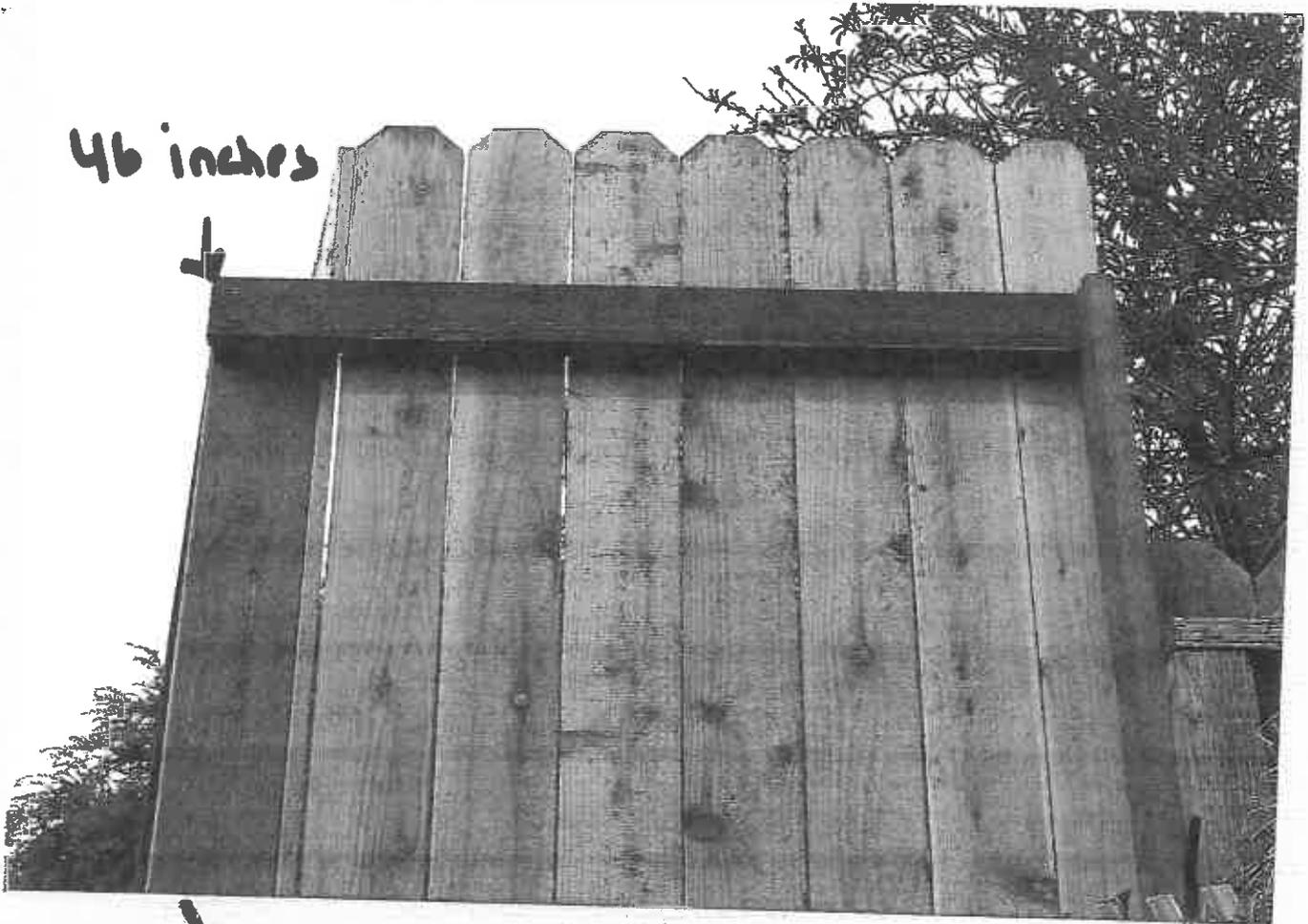


Exhibit A

Bottom of  
46 inch addition.  
(wall)

←  
Old fence  
line.

Exhibit A



46 inches



↑ Old fence line

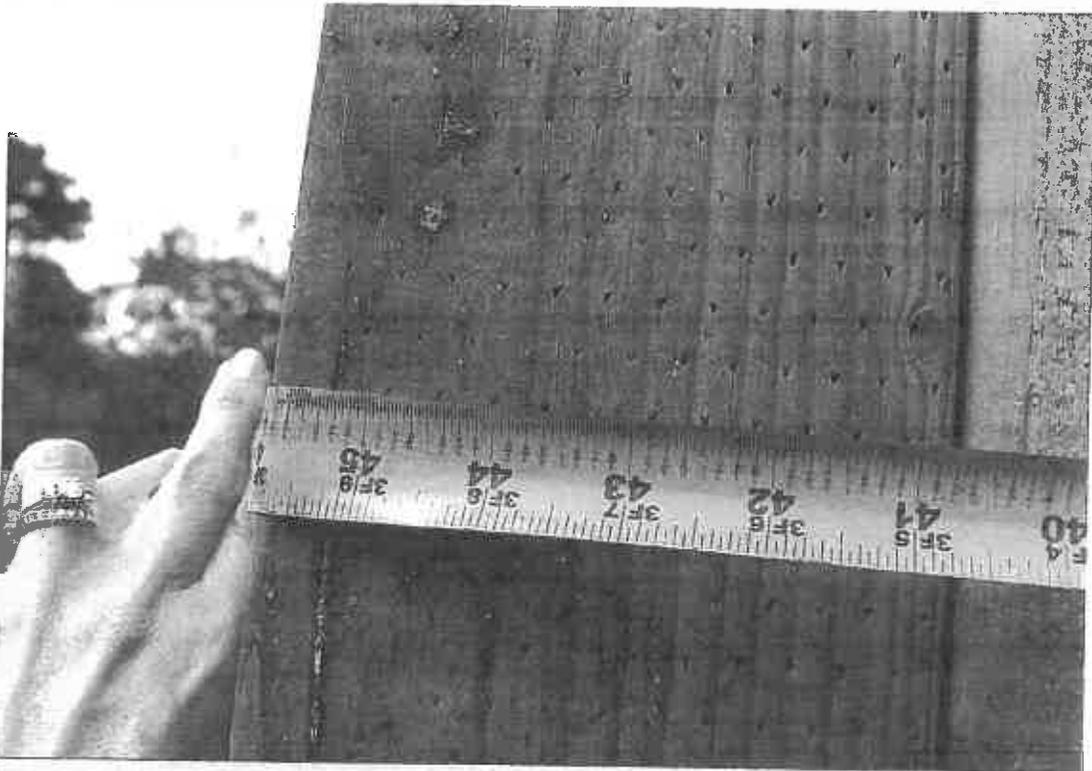


Exhibit A

# Exhibit B



# CITY OF DEL REY OAKS

Use Permit:  Conditional  
 Choose all that Apply  Minor  
 Home Occupational  
 Signage  
 Auxiliary Building

Variance:  Yes  
 No

Architecture/Review Types  
 Residential  
 Commercial  
**RECEIVED**  
 SEP 23 2015  
 CITY OF DEL REY OAKS  
 CITY CLERK

Applicants Name: RONALD HARDY

Owner's Name: RONALD HARDY

Project Address: 810 AVALON PL DEL REY OAKS CA 93940

Telephone#: 831-402-0300 APN #: 012-561-021

Lot #: 21 Block: — Subdivision: Del Rey Terrace #2

### INSTRUCTIONS:

- Briefly, using as much detail as possible, describe the nature of your permit request.
- For variance request, also include in writing A, B & C of section 17.44.020 along with a details plot plan.

Actually, new construction!  
Rebuild 5 FT. High Retaining  
WALL, And 6 FT. fence in portion of  
Back yard. Retaining wall made of  
4x6 Pressure treated Post and 2x12 Pressure  
Treated Boards. A 6 foot Red wood fence  
will be attached to the top of Retaining  
wall. Wall and fence to be built on  
Rear Property line.

Check here if additional materials are attached.

[Signature]  
 Applicant's Signature

I HAVE RECEIVED A COPY OF THE CITY'S FLAGGING/NETTING POLICY AND UNDERSTAND THE REQUIREMENTS THAT MUST BE MET Initial Here \_\_\_\_\_

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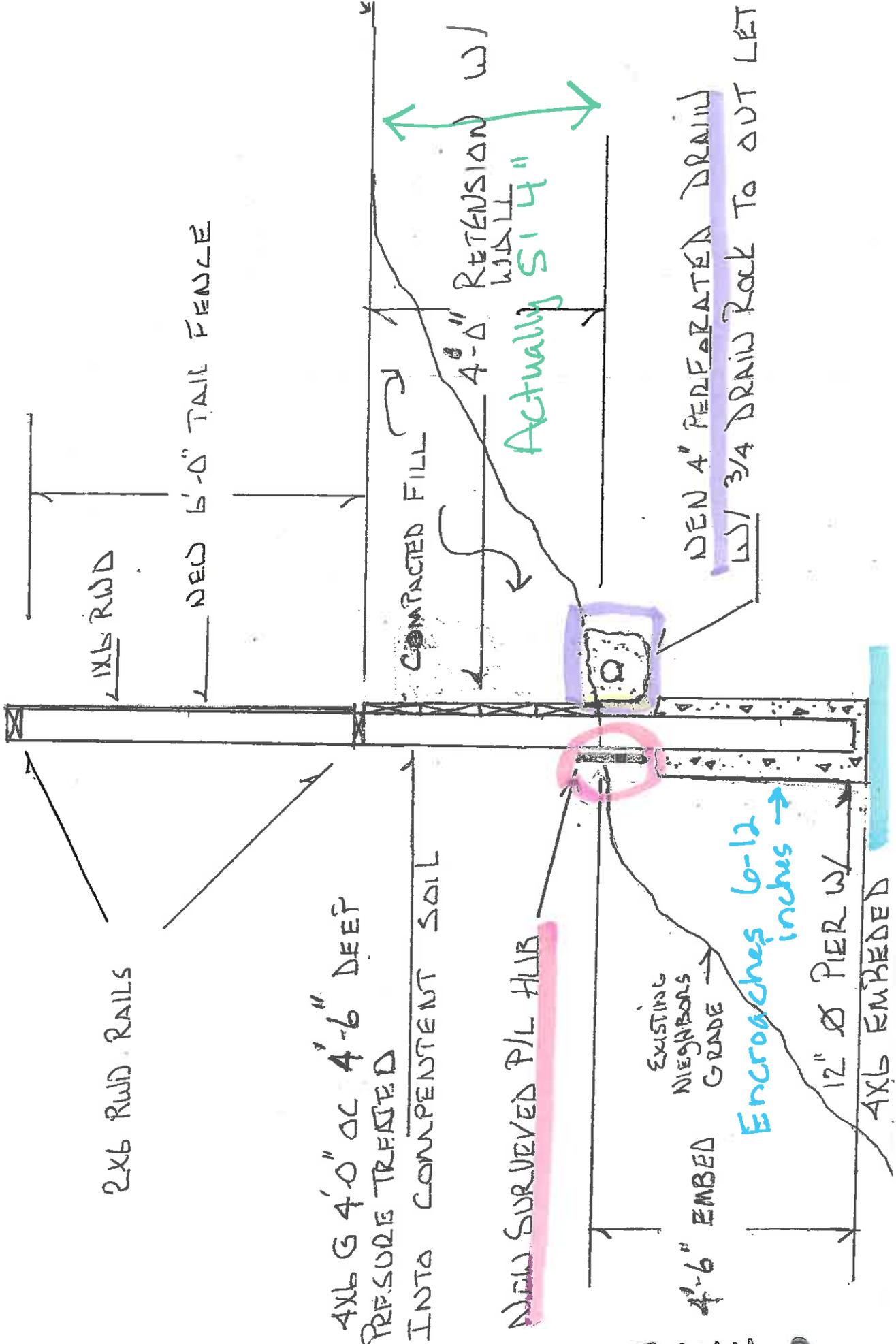
### -FOR OFFICE USE ONLY-

APPLICATION # ARC-15-05 DATE: 9/23/15

FEE \$200 CASH/CHECK/CC # 6291 RECEIVED BY: [Signature]

DATE SCHEDULED FOR CONSIDERATION Wednesday, Oct. 14th, 2015 @ 6pm

APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_



2x6 RWD RAILS

1x6 RWD

NEW 6'-0" TAIL FENCE

4x6 4'-0" OC 4'-6" DEEP  
PRESURE TREATED  
INTO COMPACTED SOIL

COMPACTED FILL

4'-0"

RETENTION WALL

NEW SURVEYED P/L HUB

EXISTING NEIGHBORS GRADE

4'-6" EMBED

Encroaches 6-12 inches

12" Ø PIER W/

4x6 EMBEDDED

NEW 4" PERFORATED DRAIN

W/ 3/4" DRAIN ROCK TO OUT LET

Actually 5'4"

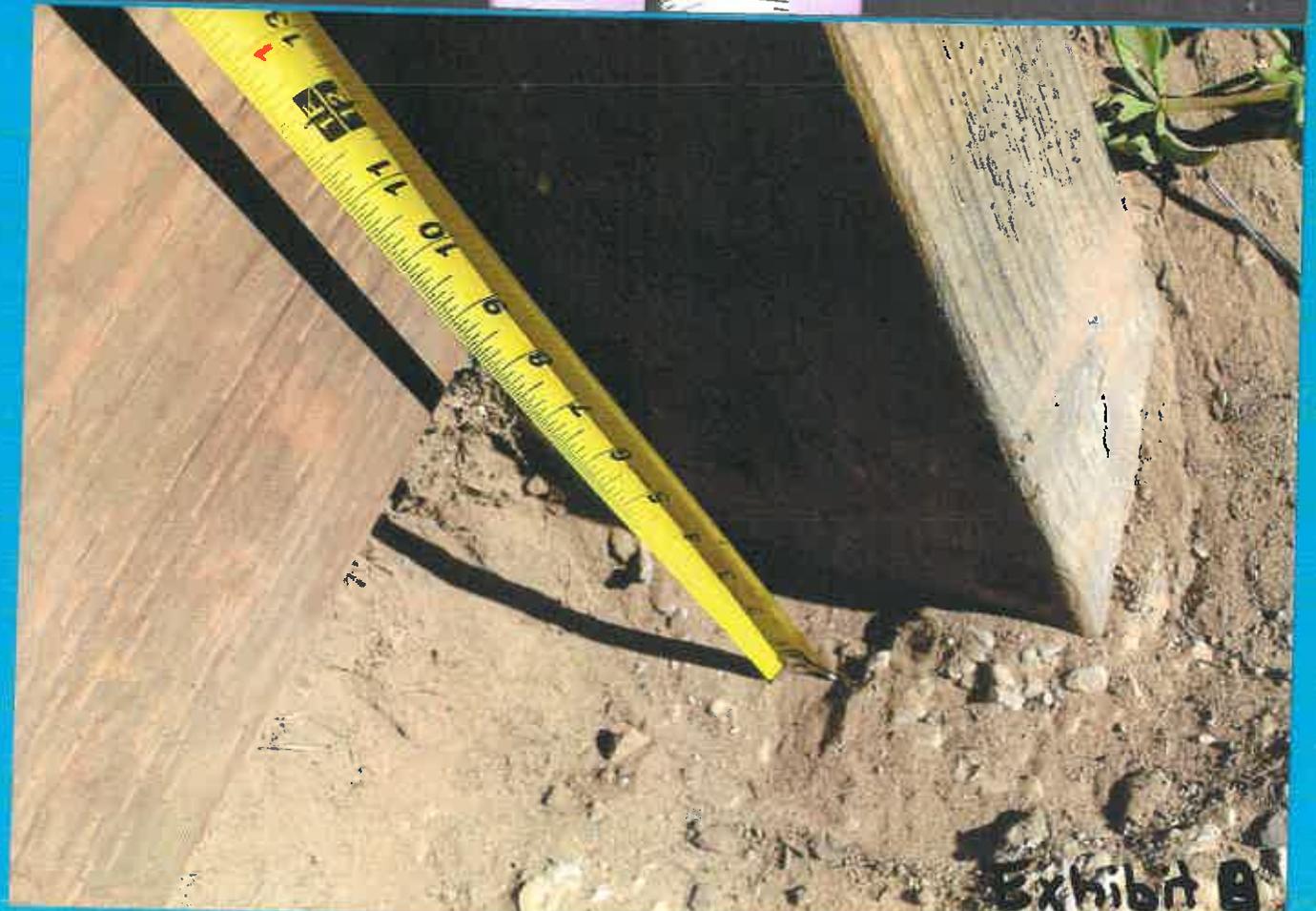
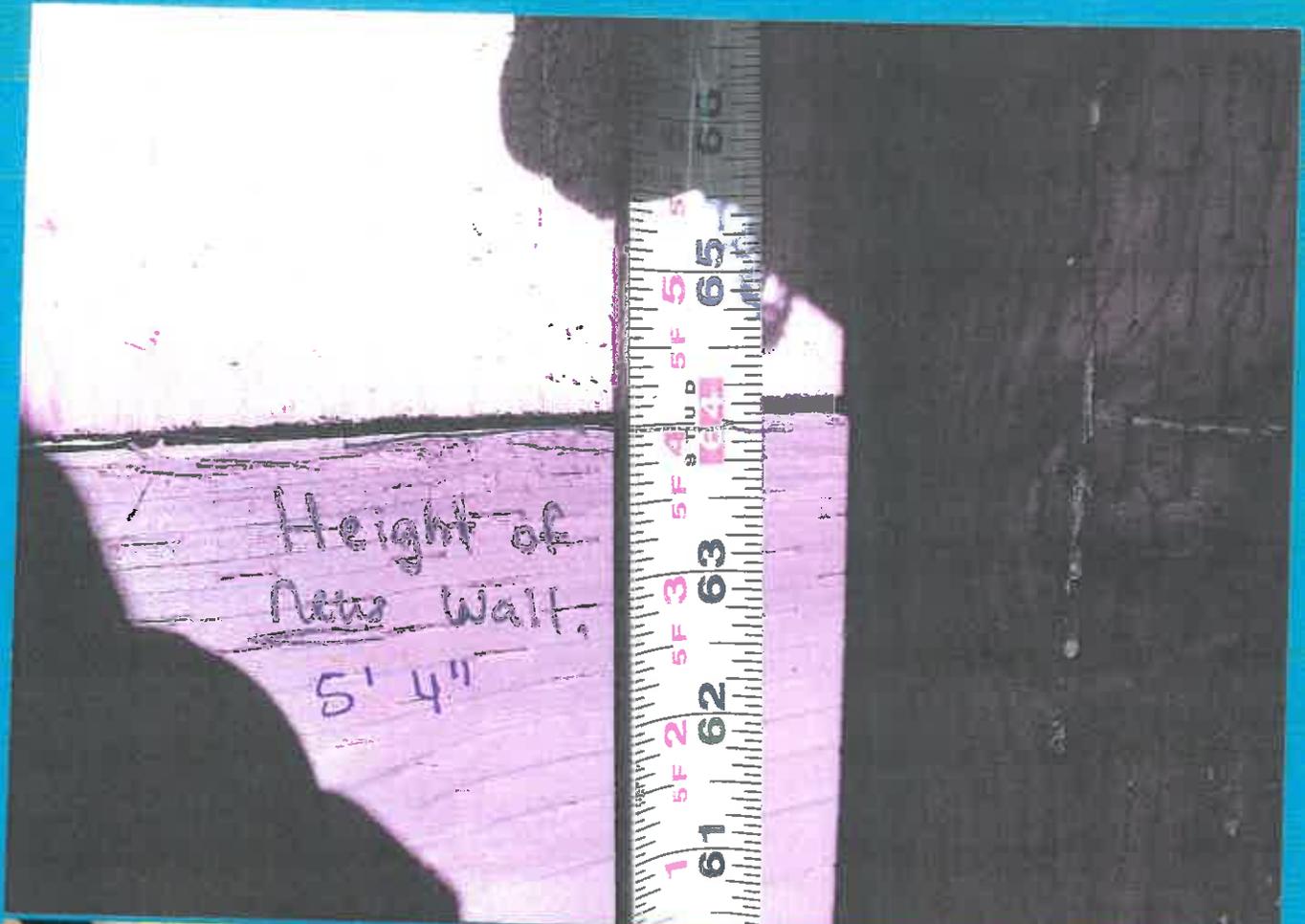


Exhibit B

# Exhibit C



"New Survey  
Hub"



Exhibit C



Marker  
←  
as shown  
above.

Corner  
Footing



Exhibit C



Another footing

# Exhibit D



Exhibit D



**Exhibit B**

**STAFF REPORT**

**City of Del Rey Oaks**

**Office of the City Clerk**

**DATE:** November 4, 2015  
**TO:** Planning Commission  
**FROM:** Karen Minami - Deputy City Clerk  
**RE:** Agenda Item 7.B.- 21 Quendale Ave

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**Applicant's Name:** Milos and Sandra Pesic  
**File Number:** ARC# 15-06/VAR#15-01  
**Site Location:** 21 Quendale Ave  
**Planning Area:** APN# 012-501-036  
**Environmental Status:** Categorically Exempt  
**Project Description:** Requesting Architectural Review and Variance approval for work started prior to the October meeting. The Planning Commission recommended that the item be carried over from the October 14, 2015 meeting, until a Variance application could be reviewed. Materials and colors match existing.

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

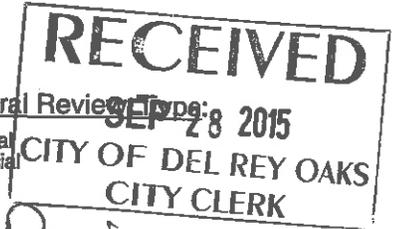
***Commissioner Green will need to step down, she owns a home within 500 feet of the project.***



CITY OF DEL REY OAKS

Use Permit: [ ] Conditional [ ] Minor [ ] Home Occupational [ ] Signage [ ] Auxiliary Building
Variance: [X] Yes [ ] No

Architectural Review: [X] Residential [ ] Commercial



Applicants Name: MILOS PESIC & SANDRA PESIC

Owner's Name: -11- -11-

Project Address: 21 QUENDALE AVE. DEL REY OAKS, CA 9394

Telephone#: (831) 917-0507 APN #: 012501036

Lot #: Block: Subdivision:

INSTRUCTIONS:

- 1. Briefly, using as much detail as possible, describe the nature of your permit request.
2. For variance request, also include in writing A, B & C of section 17.44.020 along with a details plot plan.

We live on the corner of Quendale and Brae Street in Del Rey Oaks. There are a lot of people walking their dogs on our street and some of them would let their dogs enter our property. They would allow them to defecate but not clean after their pets. Also, there is a lot of traffic coming from Seaside, as well as from Monterey. In the past we had two dog fights on our property. We used to have a cat that got attacked by a dog but survived. Couple of months later, our cat got killed by a car in front of our house. We are not going to be able to have a new pet until we finish the fence. We have two sons, they play soccer in our front yard. Sometimes, the ball goes on the street so we would like to have a fence before any accident occurs. In the past several items such as two big flower pots, outdoor table, and chairs from the deck have been stolen from our front yard. It was reported to the Del Rey Oaks Police, but unfortunately those items have never been found. Our two sons always wanted to have a small dog or another cat. This fence would make their wish come true. Both of them are straight A students and excellent athletes and having a pet is what they deserve.

[X] Check here if additional materials are attached.

[Signature]
Applicant's Signature

I HAVE RECEIVED A COPY OF THE CITY'S FLAGGING/NETTING POLICY AND UNDERSTAND THE REQUIREMENTS THAT MUST BE MET Initial Here n/a

\*\*\*\*\*

APPLICATION # ARC 15-06/VAR 15-01 DATE: 9/28/15

FEE 200.00 CASH/CHECK/CC # CASH RECEIVED BY: M. Minami

10/6/15 DATE SCHEDULED FOR CONSIDERATION OCT. 14, 2015 @ 6:00 PM

APPROVED DENIED NOV. 4, 2015 @ 6:00 PM

## VARIANCES

RECEIVED

OCT 21 2015

CITY OF DEL REY OAKS  
17.44.020, along with  
CITY CLERK

For variance requests, include in writing A, B & C of section application and detailed plot plan.

- A. That there are exceptional or extraordinary circumstances or conditions applying to the land, building or use referred to in the application, which circumstances or conditions do not apply generally to land, buildings and/or uses in the same district;

**Evidence:** Due to the property land being uneven, I had to make some pillars higher than others in order for the fence to be leveled. Because my neighbors' fences are leveled, I would like to match theirs in order for mine not to stand out.

- B. That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner;

**Evidence:** By leveling out the fence, not only would it look better, but also I would like the fence to be a little higher than the ordinance demands. This way I can keep neighbors' dogs from entering the yard. A higher fence would benefit our future puppy from the danger of other dogs.

- C. That the granting of such application will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood or the property of the applicant and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to the property or improvements in said neighborhood.

**Evidence:** I don't think that by adding an additional foot to the fence would affect the health or safety of the neighbors in any way. In fact, a higher fence would prevent our dog from jumping over and causing any trouble.





2 FEET

2 FEET

2 FEET

2 FEET

2 FEET



10 FEET

27 FEET

27 FEET



26 FEET

10 FEET



10 FEET  
10 FEET





10 1/2"

10 1/2"  
10 1/2"  
10 1/2"  
10 1/2"  
10 1/2"



4 FEET 2 INCH

4 Feet

3 Feet 10 inch

4 Feet





4 Feet 10 inches

4 Feet 7 inches

4 Feet 6 inches

4 Feet 5 inches

4 Feet 3 inches

4 FEET 2 INCH



2' 10"

4' 5"

2' 4"

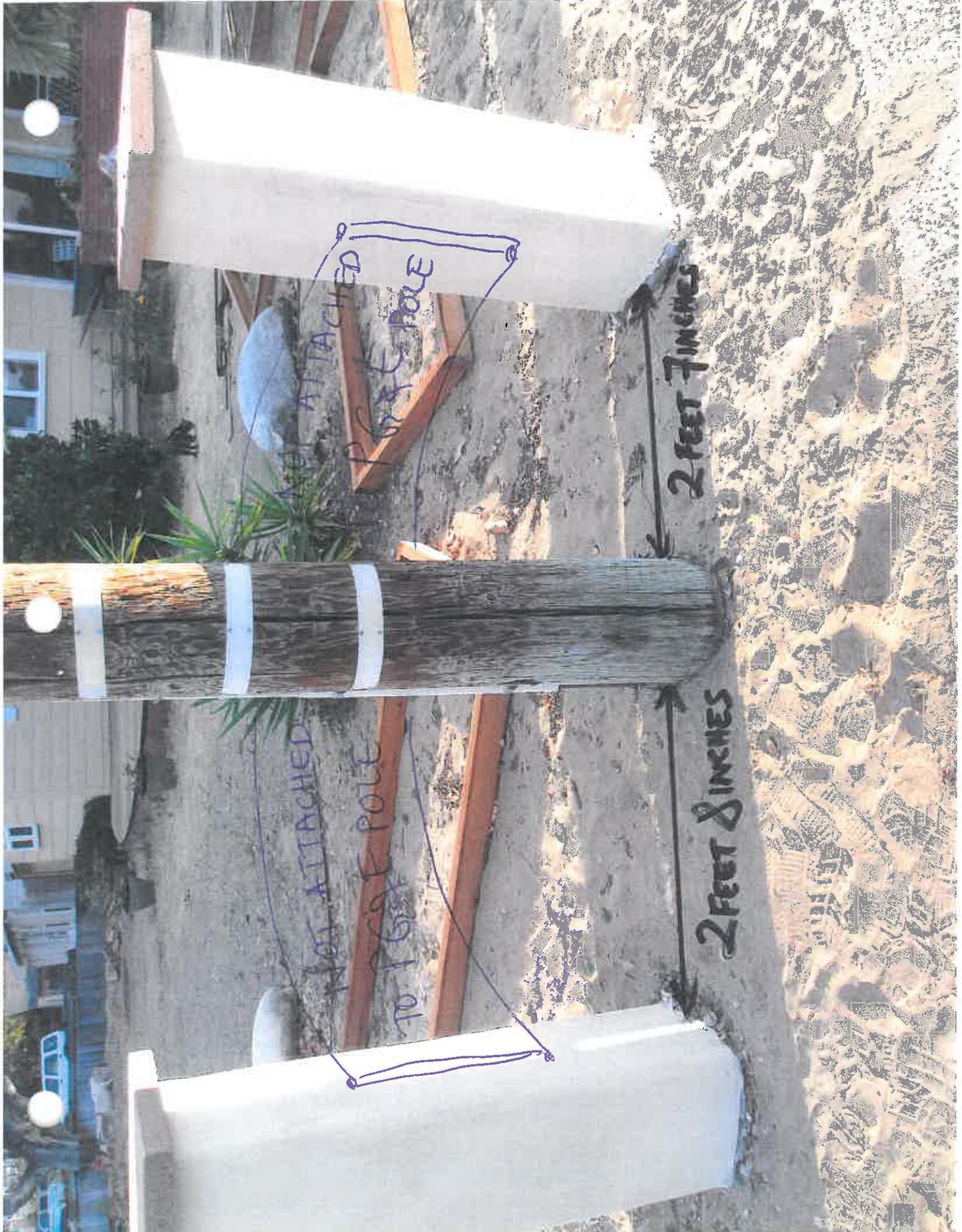
4' 5"

4' 8"

4' 2"

4'

3' 10"



ATTACHED  
TO 1 1/2\"/>

2 FEET 7 INCHES

NOT ATTACHED  
TO 1 1/2\"/>

2 FEET 8 INCHES