

MINUTES OF THE REGULAR MEETING OF THE STAFF REVIEW COMMITTEE
COUNCIL CONFERENCE ROOM FULLERTON CITY HALL
THURSDAY, 10:00 A.M., JULY 19, 2007

CALL TO ORDER

Chairman Eastman called the meeting to order at 10:07 a.m.

COMMITTEE MEMBERS PRESENT

Eastman, Lopez, Voronel, Petropulos, St. Paul, Tabatabaee

COMMITTEE MEMBERS ABSENT

None

STAFF MEMBERS PRESENT

Allen, Kusch, Pasillas

APPROVAL OF MINUTES

MOTION by Committee Member St. Paul, SECONDED by Committee Member Lopez, and CARRIED unanimously by all voting members present to APPROVE the June 21, 2007 and July 5, 2006 minutes.

ACTION ITEMS

PRJ07-00288 – ZON07-00064. APPLICANT: GEORGE BEHNAM; PROPERTY OWNER: RUHAN KAINTH. A request for a 20% reduction in the rear-yard setback, from 20 feet to 16 feet, on property located at 1522 Mesa Verde (end of Mesa Verde, approximately 300 feet west of Camino La Vista) (R-1-10 zone) (Categorically exempt under Section 15303 of CEQA Guidelines) (HAL)

Acting Senior Planner Allen explained the request was to add a second story over the existing house, which would encroach into the rear-yard setback. Code required that the second story not exceed 70% of the first story, and the proposed addition looked to be approximately 84% of the existing home. Staff recommended denial of the request because the project would need to be redesigned to fit within the 70% requirement, and there would not be a need to encroach into the rear-yard setback with the revised floor plan.

Committee Member Tabatabaee asked if the applicant had been made aware of this requirement and given a chance to change their drawings and Chairman Eastman responded that they had not. Committee Member Tabatabaee believed the project could be redesigned to fit within Code by either reducing the exterior walls or increasing the interior open space. Chairman Eastman clarified that the intent of the Code was to reduce the size of the exterior, but in the past an increase of open-to-below space had been allowed to meet this requirement.

Public hearing opened.

Michael Morcos, the architect, stated that he was not aware of the 70% of footprint requirement and believed that the encroachment may not be needed once the addition was redrawn and recalculated.

Ruhan Kainth, the property owner, stated that she would like to look at revising the drawings to meet Code requirements.

Chairman Eastman read a letter from Marie H. Lester, 1528 Mesa Verde.

Virginia Saget, 1516 Mesa Verde expressed the following concerns (and Chairman Eastman responded):

- Windows on the side of the second floor addition would invade her privacy (Chairman Eastman explained the proposed windows)
- Who the actual property owner was (no Code requirement for the property owner to live onsite)
- Who would pay to have construction dirt and debris removed (property owner's responsibility, and would be monitored by City building inspectors)
- Dense landscape (possibly remove some landscaping to allow for construction)
- Would more people be moving into the home when the addition was completed (City only restricts how many rooms a property owner could rent out)
- An increase in the cockroaches and rats (could file a complaint with Community Preservation)

Mr. Morcos clarified that the windows in the bathroom would be obscure glass and would be used mainly for light. The window in the back bedroom would be angled away from the neighbor's property. He also commented that Mrs. Saget had an elevated deck in her backyard which invaded his client's privacy.

Ms. Kainth explained that she had an organic garden and did not use pesticides. Her neighbors used pesticides and she believed that the cockroaches and rodents came to her yard from their yards since she did not. As part of this project, her property would be hardscaped and her trees trimmed.

Chairman Eastman stated that these issues were not in the purview of the SRC, but may be addressed by Community Preservation.

Public hearing closed.

Committee Member Tabatabaee believed the application should be withdrawn, and the plans redrawn so that a reduction in setback would not be needed.

Chairman Eastman explained that the application could be withdrawn or the project could be continued.

Public hearing opened.

Ms. Kainth stated that both she and her husband were property owners and both lived on the property.

Mr. Morcos believed the project should be continued to allow him to discuss the project with his client.

MOTION by Chairman Eastman, SECONDED by Committee Member Tabatabaee, and CARRIED unanimously by all voting members present to CONTINUE the project to the August 2, 2007 meeting.

PRJ07-00284 – ZON07-00063. APPLICANT: AMBIANCE ADDITIONS; PROPERTY OWNER: GARY EARLS. A request for a 20% reduction in the rear-yard setback, from 15 feet to 12 feet, for a proposed single-story patio enclosure on property located at 1833 Rolling Hills Drive (north side of Rolling Hills Drive, between approximately 150 and 230 feet west of the intersection of Merlin Avenue) (R-1-10 zone) (Categorically exempt under Section 15303 of CEQA Guidelines) (AKU)

Acting Associate Planner Kusch described the property and the request. The property to the rear was on a down slope, which would make this addition appear larger if it was too close to the property line. He explained that staff did not see a justification for the request and recommended denial.

Chairman Eastman asked if the room addition would be habitable or not, and Committee Member Tabatabaee explained the difference and that he would need to look into this further to clarify.

Public hearing opened.

Aaron O'Neil, a representative of Ambiance Additions, explained the property layout and why his client believed this size room was needed to be a useable room.

Public hearing closed.

Chairman Eastman stated that the room could be reduced in size and still be a useable room. He was concerned with having a structure near the rear property line and the neighbor below looking up to the structure.

Committee Member St. Paul asked what changes would be made to the exterior of the existing house, and Mr. O'Neil responded there would be none other than a possible "smooth coat" over the existing stucco.

MOTION by Committee Member Tabatabaee, SECONDED by Committee Member St. Paul, and CARRIED unanimously by all voting members present to CONTINUE the project to the August 2, 2007 meeting.

OTHER MATTERS

Chairman Eastman gave an update on the downtown moratorium and the hiring status for the new Community Development Director.

PUBLIC COMMENTS

None.

Adjourned at 11:16 a.m. as Staff Review Committee.