

## **PUBLIC HEARINGS**

**CITY COUNCIL**  
**April 22, 2003**

To: Mayor and City Councilmember  
From: George J. Rodericks, City Manager  
Originated by: Kathy Adrian, City Clerk

**SUBJECT:** Consideration of Conditional Use Permit Application No. 0535 for Construction of a two-story addition to a single-family residence exceeding 25' in height with 4 or more garage spaces – Location: 10132 Briley Way; Applicants: Steve and Christie Vliss.

### **BACKGROUND**

The applicants are requesting conditional use permits for construction of a two-story addition to a single-family residence above 25 ft. in height with 4 garage spaces on their property at 10132 Briley Way.

### **AUTHORITY**

Because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of the zoning regulations and with respect to their effects on surrounding properties. In order to achieve these purposes, the City Council is empowered to grant and to deny applications for use permits for such conditional uses in such zones as are prescribed in the zone regulations and to impose reasonable conditions upon the granting of conditional use permits.

The Villa Park Municipal Code requires that residential structures exceeding 25 feet in height obtain a Conditional Use Permit. The height limit is established at a maximum of 32 feet.

City of Villa Park Ordinance No. 2000-473 requires that a Conditional Use Permit be obtained for any newly constructed garages that would bring the total number of garage stalls to four or more or where garage doors are 8 feet or more in height.

The public hearing process allows for a review of the exterior elevations of a proposed addition in order to assess its impact on adjacent properties.

### **FINDINGS**

The subject property is located at 10132 Briley Way and is in the 100-E4-20,000 Small Estate zoning district. The lot area is 20,090 square feet. Surrounding uses are residential. Staff has visited the site for purposes of viewing the property as it relates to this request.

The applicant is requesting permission to add a 2,222 s.f. two-story addition with a maximum height of 28 feet. In addition, the applicant will maintain the property with a total of 4 garage spaces. The structure complies with all lot coverage, gross floor area, building height and setback requirements.

**CEQA Compliance:** This project is exempt from requirements of CEQA by Sections 15303 Class 3: New Construction of Small Structures.

**FISCAL IMPACT**

None.

**STAFF RECOMMENDATION**

Staff recommends approval of this application.

**APPROVAL MOTION**

Adopt Resolution No. 2003-2679 approving Conditional Use Permit Application #0535 for construction of a two-story addition to a single-family residence with 4 or more garage spaces, with conditions; 10132 Briley Way – Applicants: Steve and Christie Vliss.

**RECOMMENDED ACTION**

It is recommended that the City Council conduct a Public Hearing, review the application, and make appropriate findings thereto.

**CONDITIONS OF APPROVAL**

1. The structure(s) shall be in accordance with approved plans on file with the City Clerk. Any significant deviation from the approved plans will require subsequent approval by the City Council through a separate Public Hearing. All work will be suspended on the project until such approvals are obtained.
2. Building permits and approvals must be obtained prior to commencement of construction. If the approval is after-the-fact, building permits and approvals are still required.
3. The height of the proposed addition shall not exceed 28 feet.
4. Separate review and approval by the City Engineer is required for all grading, driveway approaches, street improvements, sewer connections, and work within the right-of-way or City easement prior to issuance of any building permit for the project. Additional conditions may apply.
5. A cash bond in the amount of \$575 shall be posted to protect the City from any damages to any public improvements impacted directly or indirectly by the proposed improvements.
6. Temporary toilet facilities are not permitted in the front setback areas.
7. The conditional use permit shall lapse and become void one year following the date of approval unless prior to the expiration of one year, a building permit is issued and construction is commenced and diligently pursued toward completion on the site.
8. The conditional use permit may be renewed for an additional period of one year, provided that prior to the expiration of one year from the date when it or the renewal of same became effective, an application for renewal is filed.
9. A Residential Site Plan and approval from the Orange County Fire Authority is required.