

PUBLIC HEARINGS

**CITY COUNCIL
June 24, 2003**

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

SUBJECT: Consideration of Conditional Use Permit No. 0542 – Location: 19382 Mesa Drive; Applicant: Sepulveda Builders.

BACKGROUND

The applicant is requesting conditional use permits for the following:

- Construction of a new single-family residence above 25 feet in height
- 4 or more garage stalls on the property

AUTHORITY

Conditional Use Permits. 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 19382 Mesa Drive and is in the 100-E4-20,000 zoning district. It is an irregularly shaped lot of approximately 39,969 square feet with a front property line of 356.14' and a rear property line of 120.84'.

Staff has visited the site for purposes of viewing the property as it relates to this request.

The property owner is requesting two Conditional Use Permits to construct a new two-story residence with an attached 4-car garage and a 2-car garage. Total floor area of the new home, including porches and balconies, is 10,381 square feet – total lot coverage is 7,151 square feet. The addition is proposed at a maximum height of 31'6". The structure complies with all lot coverage, setback, floor area, and height restrictions.

CEQA Compliance: This project is exempt from requirements of CEQA by Section 15303 Class 3: New Construction or Conversion of Small Structures.

FISCAL IMPACT

None.

STAFF RECOMMENDATION

Staff recommends approval of this application.

APPROVAL MOTION

Adopt Resolution No. 2003-2690, A Resolution of the City Council of the City of Villa Park approving Conditional Use Permit No. 0542 for a new residence above 25 feet in height, and 4 or more garage spaces on the property, with conditions; 19382 – Applicant: Sepulveda Builders.

RECOMMENDED ACTION

It is recommended that the City Council open the 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 31'6".
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. If deemed necessary by the City Engineer, a street dedication and improvement bond shall be required for all work exceeding three hundred (300) square feet of floor area prior to issuance of any building permit.

6. 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.
7. Temporary toilet facilities are not permitted in the front setback areas.
8. 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.
9. 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.
10. A residential site review from the Orange County Fire Authority is required prior to issuance of building permits.