

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 and Variance Permit No. 0544 for an Addition Creating 4 Garage Stalls; an Increase in the Floor Area Coverage Allowed; and a Variance from the Rear Yard Setback Area – Location: 18552 Alice Lane; Applicant: Christopher J. Felix.

BACKGROUND

The applicant is requesting a conditional use permit to allow the following:

- Construction of an additional garage creating 4 or more garage stalls on the property
- Increase in the 32% maximum floor area allowed to 33.64%.

The applicant is also requesting a variance from the rear yard setback area.

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.

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 Villa Park Municipal Code requires a Conditional Use Permit to exceed the maximum floor area of 32%.

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.

Variances: The Zoning Code authorizes the City Council to approve, conditionally approve, or disapprove variance applications. Variances from the terms and regulations of the Zoning Code are to be granted when, because of special circumstances applicable to the property, a strict application of the terms and regulations of the Zoning

Code deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classifications.

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FINDINGS

The subject property is located at 18552 Alice Lane and is in the 100-E4-20,000 zoning district. The lot area is 20,035 square feet. The property is developed with an existing residence of 5,672 square feet and an existing three-car garage of 738 square feet. Surrounding uses are residential.

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

The proposed garage addition would contain 330 square feet. The total number of garage spaces on the property will increase to four; and therefore requires a Conditional Use Permit. The additions comply with the lot coverage and height requirements.

The applicants are also requesting a Variance from the 25-foot rear yard setback requirement to 10 feet for the proposed addition.

A variance from the maximum allowable total floor area coverage ratio of 32% to 33.64% is being requested for the garage addition.

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 cannot recommend approval of this application.

APPROVAL MOTION

Adopt Resolution No. 2003-2693, A Resolution of the City Council of the City of Villa Park approving Conditional Use and Variance Permit No. 0544 for an Addition Creating 4 Garage Stalls; a Variance from the Rear Yard Setback Area; and an Increase in the Floor Area Coverage Allowed – Location: 18552 Alice Lane; Applicant: Christopher J. Felix.

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. 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.
4. 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.
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 and variance 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 and variance 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 review from the Orange County Fire Authority is required prior to issuance of building permits.