

PUBLIC HEARINGS

**CITY COUNCIL
March 25, 2003**

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

SUBJECT: Consideration of Revision to Variance Application No. 0485 for Construction of a Single-Family Residence on a Substandard Lot – Location: 18262 Windsor Drive; Applicant: Nadeem Shariff.

BACKGROUND

At its meeting of May 28, 2002, the City Council approved Variance Application No. 0485 to permit construction of a single-family residence on a substandard lot. Condition No. 1 of Resolution No. 2002-2606 approving the Variance stated, "The structure shall be in accordance with the approved plans on file with the City Clerk."

The applicant is requesting a change in the layout of the proposed residence and access way.

FINDINGS

The subject property is located at the corner of Windsor Drive and Center Drive and is in the 100-E4-20,000 Small Estate zoning district. The lot area is 12,500 square feet and is a substandard lot within the E4 zone.

With the exception of lot size, the proposed development meets the requirements for building height, square footage, lot coverage and setbacks.

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

Approve revision to Variance Application #0485 for construction of a new single-family residence on a substandard lot, with the following conditions; 18262 Windsor Drive – Applicant: Nadeem Shariff.

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. If the existing frontage wall is located within the ultimate street right-of-way, an encroachment agreement shall be filed.
4. 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.
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6. Temporary toilet facilities are not permitted in the front setback areas.
7. The 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 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 plan showing landscaping on the Center Drive side of the proposed residence shall be approved by the City Manager prior to the issuance of a certificate of Use and Occupancy.
10. A residential site review from the Orange County Fire Authority is required prior to issuance of building permits.