

**MINUTES**

**REGULAR PLANNING COMMISSION MEETING**

**OCTOBER 14, 2002**

A regular meeting of the Planning Commission of the City of Rolling Hills Estates was called to order at 7:30 p.m. in the City Hall Council Chambers, 4045 Palos Verde's Drive North, by CHAIRMAN ZERUNYAN.

2. **PLEDGE OF ALLEGIANCE**

CHAIRMAN ZERUNYAN led the assembly in the Pledge of Allegiance to the Flag.

3. **ROLL CALL**

Commissioners Present: Rein, Somers, Bayer, Chairman Zerunyan

Commissioners Absent: Killen, Conway

Staff Present: Director Wahba, Assistant Planner Wong, Assistant Planner Tran, Zoning & Code Administrator Roy Beall

4. **APPROVAL OF MINUTES**

COMMISSIONER BAYER moved, seconded by COMMISSIONER SOMERS

TO APPROVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING of SEPTEMBER 30, 2002.

There being no objection, CHAIRMAN ZERUNYAN so ordered.

5. **AUDIENCE ITEMS**

None.

6. **CONSENT CALENDAR**

A. Waive reading in full all resolutions that are presented for Planning Commission consideration.

B. Quarterly Code Enforcement Report.

C. A Resolution of the Planning Commission (PA-11-02) granting a request to approve a Neighborhood Compatibility Determination for single story additions at the front, sides, and rear of a single story home; a Minor Deviation to reduce the front yard area by 10%; and two Variance applications to exceed the required 30% front yard coverage, and to maintain a non-conforming front yard setback. APPLICANT: Mr. & Mrs. Tom Fournier; LOCATION: 38 Encanto Drive.

COMMISSIONER BAYER moved, seconded by COMMISSIONER SOMERS

TO RECEIVE AND FILE ITEMS 6A, AND 6B, AND ADOPT RESOLUTION NO. PA-11-02 (ITEM 6C) OF THE CONSENT CALENDAR.

AYES: Rein, Somers, Bayer, Chairman Zerunyan

NOES:

ABSENT: Conway, Killen

ABSTAIN:

Director Wahba stated there is a 20-day appeal period for Item 6C.

7. BUSINESS ITEMS

- A. PLANNING APPLICATION NO 36-02; APPLICANT: MR. SUNNY YUEN; LOCATION: 18 SAN MIGUEL. A REQUEST TO APPROVE A GRADING PERMIT TO EXTEND A BUILDING PAD (WITH A 3' RETAINING WALL) ONTO AN EXISTING SLOPE FOR THE CONSTRUCTION OF A TRELIS, SWIMMING POOL AND SPA IN THE REAR YARD.

Director Wahba reminded the Planning Commission that at the last meeting on September 30, 2002, the Commission approved a similar application (PA-35-02 for #9 San Miguel) as the application before them tonight. He said that because the City Council will be reviewing the Commission's decision for PA-35-02 at the Council meeting of November 12, 2002, he requested that the Planning Commission consider the following three options:

1. To hear this item and render a decision; or
2. To hear this item and defer making a decision until the City Council renders a decision for #9 San Miguel; or
3. To not hear this item and continue this application to a date uncertain until after the City Council renders a decision for #9 San Miguel.

CHAIRMAN ZERUNYAN and the Commission discussed with Director Wahba the options presented and the practicality of a decision at this time. COMMISSIONER BAYER stated that because she did not have the ability to visit the site she was unable to make a decision at this time.

COMMISSIONER BAYER moved, seconded by COMMISSIONER SOMERS

TO CONTINUE PLANNING APPLICATION NO. 36-02 TO THE NEXT MEETING OF NOVEMBER 4, 2002, AT WHICH TIME THERE WILL BE A QUORUM TO CONSIDER THIS ITEM.

There being no objection, CHAIRMAN ZERUNYAN so ordered.

8. PUBLIC HEARINGS

- A. PLANNING APPLICATION NO. 37-02; APPLICANT: MR. & MRS MARK TIEMAN; LOCATION: 66 BUCKSKIN LANE. A REQUEST TO APPROVE A NEIGHBORHOOD COMPATIBILITY DETERMINATION FOR A FIRST STORY ADDITION AT THE FRONT AND REAR OF THE HOME, A BASEMENT ADDITION, A SECOND STORY ADDITION, AND A DETACHED TWO-CAR GARAGE TO THE REAR; A MINOR DEVIATION FOR A FRONT YARD PORCH TO DECREASE THE FRONT YARD AREA BY LESS THAN 10% AND A VARIANCE TO MAINTAIN A LEGAL NON-CONFORMING SOUTH SIDE YARD SETBACK.

Assistant Planner Wong gave a staff report (as per written material) and recommended that the Planning Commission open the public hearing; take public testimony; close the public hearing; discuss the issues; and direct staff to approve Planning Application No. 37-02.

CHAIRMAN ZERUNYAN discussed his concern and dilemma with this application, due to the proximity to his residence. He further stated that if he abstains from voting as he would usually under these circumstances, there would not be the appropriate votes for this application (due to a lack of quorum). He stated that to the extent of necessity, the application would not impact his residency. He requested that the applicant inform him if they were uncomfortable with this situation, and if so, he would abstain from voting.

The applicants were present and indicated they were comfortable with him voting.

COMMISSIONER SOMERS moved, seconded by COMMISSIONER BAYER

TO OPEN THE PUBLIC HEARING FOR PLANNING APPLICATION NO. 37-02.

AYES: Somers, Bayer, Rein, Chairman Zerunyan  
NOES:  
ABSTAIN:  
ABSENT: Conway, Killen

The applicant, Mr. Mark Tieman, stated that they have been working extensively with staff.

COMMISSIONER REIN asked the applicant about some specifics regarding the turning radius of the driveway, and the status of the trees in the rear yard where the addition is proposed.

The applicant discussed the driveway and advised COMMISSIONER REIN that one tree would need to be removed due to its proximity to the construction area, but informed him that they had also planted numerous trees. The applicant presented various pictures for the Commission to review.

COMMISSIONER SOMERS and COMMISSIONER BAYER indicated they had no problems or concerns with the application.

COMMISSIONER CONWAY moved, and seconded by COMMISSIONER BAYER

TO CLOSE THE PUBLIC HEARING FOR PA NO. 37-02.

AYES: Somers, Bayer, Rein, Chairman Zerunyan  
NOES:  
ABSTAIN:  
ABSENT: Conway, Killen

COMMISSIONER BAYER moved, and seconded by COMMISSIONER SOMERS

TO DIRECT STAFF TO PREPARE A RESOLUTION APPROVING PA-37-02.

AYES: Somers, Bayer, Rein, Chairman Zerunyan  
NOES:  
ABSTAIN:  
ABSENT: Conway, Killen

Director Wahba stated that staff will bring back a resolution approving PA-37-02.

9. COMMISSION ITEMS

In response to questions from COMMISSIONER BAYER, Director Wahba discussed the current status of the property on the corner of Rockbluff and Willow Wood, the current status of the "Linares" house and the current trend of "mansionization."

COMMISSIONER SOMERS presented a "church expansion" article for the Planning Commission's review.

10. DIRECTOR'S ITEMS

Director Wahba advised the Commission that this meeting will be adjourned to the Rolling Hills Covenant Church Workshop meeting on October 23, 2002. He further discussed the proposed meeting plans for the Workshop.

11. MATTERS OF INFORMATION

- A. Park and Activities Minutes (October 1, 2002)
- B. City Council Actions (October 8, 2002)

COMMISSIONER BAYER moved, and seconded by COMMISSIONER SOMERS  
TO RECEIVE AND FILE ITEM 11 A AND 11B.

They're being no objection, CHAIRMAN ZERUNYAN so ordered.

12. ADJOURNMENT

At 8:10 p.m. CHAIRMAN ZERUNYAN adjourned the Planning Commission meeting to the Rolling Hills Covenant Church Workshop meeting of October 23, 2002, at 7:30 p.m.

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Judith Trujillo  
Minutes Secretary

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Douglas R. Prichard  
City Clerk