

**RESOLUTION NO. 3629**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTE SERENO  
APPROVING A SITE DEVELOPMENT PERMIT(SS-16-26) AND A VARIANCE (V-16-  
01) TO ALLOW FOR A TANDEM GARAGE WITH INTERIOR DIMENSIONS OF  
APPROXIMATELY 15 FEET BY 39 FEET WHERE A SIDE BY SIDE GARAGE IS  
REQUIRED AND DIMENSIONS OF 10 FEET BY 20 FEET EACH ARE REQUIRED.  
15827 POPPY LANE  
(HOAGLAND/LANZL)**

WHEREAS, Cal Hoagland and Linda Lanzi (collectively referred to as "Applicant") applied for [1] a Site Development Permit for the demolition of an existing, non-conforming, detached garage, and construction of a new, attached approximately 707 square foot tandem garage with a new 494 square foot secondary dwelling unit on the second floor of the new garage, Application No. SS-16-26 ("SDP"); and [2] a Variance to allow for a tandem garage with interior dimensions of approximately 15 feet by 39 feet where a side by side garage is required and dimensions of 10 feet by 20 feet each are required, Application No. V-16-01 ("Variance") (applications collectively referred to as "Applications"); and

WHEREAS, The Site and Architecture Commission considered the Applications on September 7, 2016, and recommended approval of the applications to the City Council;

WHEREAS, a public hearing was set and held on September 20, 2016, to take evidence on the Applications and at that hearing evidence was given both orally and in writing; and

WHEREAS, the City Council has considered all the evidence presented regarding the SDP and subject parking/garage Variance.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MONTE SERENO AS FOLLOWS:

Section 1. The City Council hereby finds as follows with respect to the parking/garage Variance:

A. Section 65906 of the California Government Code only allows a variance to be granted when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classifications.

B. With Respect to the Variance, the City Council finds:

1. Special circumstances do exist on this property to justify the variance. The lot is narrow with an existing structure on it.

2. Strict application of the requirement for a side-by-side two-car garage in this instance would result in depriving the property of a privilege enjoyed by other property in the vicinity and under an identical zoning classification because most all other properties in the area and typical of the R-1-8 zoning district have a 60 to 70 foot wide lot, where the subject lot has a 52 foot width.
3. The granting of this Variance will not result in a special privilege for the property not enjoyed by other properties because it will merely enable them to provide for the required two covered parking spaces in an alternative configuration.

Section 2. The City Council hereby finds as follows with respect to the SDP:

- A. Pursuant to Code section 10.08.040(A) a Site Development Permit is required for any new building or structure.
- B. In accordance with Code section 10.08.050(B), no Site Development Permit may be issued unless certain specific findings can be made.
- C. The City Council hereby makes the following findings:
  1. The proposed improvement retains the existing character of the neighborhood in which it is located because it is consistent with the design of the existing dwelling and consistent with the mix of two-story homes within the neighborhood.
  2. The architectural design proposed to be employed and the 60+ foot setback of the new 2-story garage and secondary unit will mitigate any significant visual impact that could result from the proposed improvement.
  3. The proposed improvement will provide for minimum grading and the retention of the natural contours of the land then existing in order to protect the natural slope of the lot.
  4. The proposed improvement provides
    - [a] A building height and footprint designed in such a way as to protect significant trees as defined elsewhere in the Code, and;
    - [b] Preservation of reasonable solar access
  5. The landscaping for the proposed improvement emphasizes the use of native material in the area.
  6. Site drainage for the proposed improvement provides for no increase in water run-off to neighboring lots.

7. The proposed improvements are consistent with the City Design Guidelines in style and character.

Section 3. Based upon the findings set out above, the City Council hereby determines, concludes and orders that the Site Development Permit and Garage/Parking Variance should be approved.

Section 4. The City Clerk is hereby directed to give notice of this decision to the Applicant by serving Applicant by first class mail, postage prepaid, with a copy of this resolution.


**REGULARLY PASSED AND ADOPTED** this 20<sup>th</sup> day of September, 2016 by the following roll call vote:

Ayes:	Council Members Anstandig, Craig, Wolsheimer and Mayor Allan
Noes:	None
Abstain:	None
Absent:	Council Member Huff



BY: Lionel M. Allan, Mayor

ATTEST:



Andrea Chelemengos, City Clerk