

RESOLUTION NO. R 01- 57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
PALOS VERDES ESTATES, CALIFORNIA, DENYING AN  
APPEAL OF THE ACTION OF THE PLANNING COMMISSION  
DENYING APPROVAL OF A REVISED NEIGHBORHOOD  
COMPATIBILITY APPLICATION AT 1132 GRANVIA ALTAMIRA

The City Council of the City of Palos Verdes Estates does resolve as follows:

Section 1. On August 15, 2001, an application for revisions to a previously approved neighborhood compatibility approval for a new single family residence to permit a new six (6) foot wrought iron fence with gates and pilasters along the front property line within the minimum required front yard setback and an electronic keypad gate opening within the City right-of-way (the "Application") was submitted for the property located at Lot 11 of Block 1750 of Tract No. 8652 in the City of Palos Verdes Estates, County of Los Angeles, State of California, commonly known as 1132 Granvia Altamira, Palos Verdes Estates, California (the "Property").

Section 2. The Planning Commission of the City of Palos Verdes Estates held a hearing on the Application on September 18, 2001, at the conclusion of which the Planning Commission denied the Application.

Section 3. On September 21, 2001, an appeal of the Planning Commission's denial of the Application was filed by the Property owner.

Section 4. On November 13, 2001, the City Council conducted a public hearing on the appeal, which hearing was duly and properly noticed. At such hearing, the Council received and considered oral staff reports and documentary evidence, including, but not limited to, site plans, visual presentations, and minutes of the Planning Commission meeting, and received and considered oral testimony from the appellant and others.

Section 5. Based upon the evidence presented, the City Council hereby finds and determines as follows:

- a. Each fact set forth in Section 1 through 4 above is true and correct.
- b. Each fact set forth in the memorandum for Agenda Item No. 10, Meeting Date November 13, 2001, from Allan Rigg to James B. Hendrickson, presented to the City Council on said dates, is true and correct.
- c. In the immediate neighborhood of the Property (the 40 closest properties), only three (3) have structures exceeding 42 inches in height within the front yard setback.

- d. The non-standard structure proposed for the public right-of-way could expose the city to liability, hinder access for utility companies, and impact the open, uncrowded appearance of the public right-of-way which is prevalent in the area of the Property.

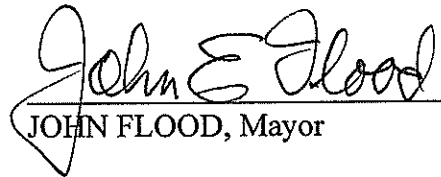
Section 6. Based upon the findings set forth herein, the City Council finds that the Application:

- a. Is not designed and could not be developed to preserve to the greatest extent practicable the natural features of the land, including the existing topography and landscaping in that it would created a walled-in look for the Property.
- b. Is not designed and could not be developed in a manner which will be reasonably compatible with the existing neighborhood character in terms of scale of development and relating to surrounding residences and other structures in that few of the neighboring properties have fences of the size proposed.
- c. Will unreasonably interfere with the use or enjoyment of property by other persons in the City, in that it will result in interference with the public right-of-way and adverse impacts on the open, uncrowded appearance of the area surrounding the Property.

Section 7. Based upon the findings and determinations set forth herein, as supported by the evidence considered in connection therewith, the City Council finds and determines that the Appeal of the Planning Commission's denial of the Application should be denied, and the Application shall be denied. The City Council further finds and determines that each finding set forth in Section 6, above, would alone be sufficient to require the denial of the Application.

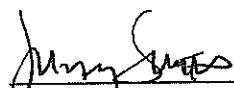
Section 8. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

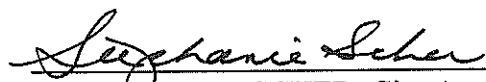
PASSED, APPROVED AND ADOPTED this 27th day of November, 2001.

  
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JOHN FLOOD, Mayor

APPROVED AS TO FORM:

ATTEST:

  
\_\_\_\_\_  
JUDY SMITH, City Clerk

  
\_\_\_\_\_  
STEPHANIE R. SCHER, City Attorney

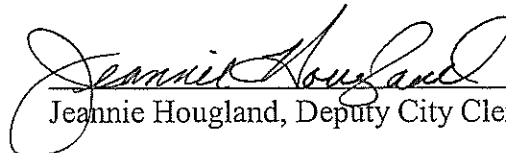
STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) SS:  
CITY OF PALOS VERDES ESTATES )

I, Jeannie Houglan, Deputy City Clerk for the City of Palos Verdes Estate, California, do hereby certify that the foregoing Resolution R01-57 was duly and regularly approved and adopted by the City Council of the City of Palos Verdes Estates at its regular meeting of the City Council on the 27th day of November, 2001, by the following vote:

AYES: COUNCILMEMBERS: Flood, Humphrey, Mackenbach, Turner,  
Sherwood

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

  
Jeannie Houglan, Deputy City Clerk