

RESOLUTION NO. R08-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES, CALIFORNIA, DENYING AN APPEAL OF THE ACTION OF THE PLANNING COMMISSION GRANTING APPROVAL OF NEIGHBORHOOD COMPATIBILITY, GRADING AND MISCELLANEOUS APPLICATIONS FOR A NEW SINGLE FAMILY RESIDENCE AT 376 VIA ALMAR

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

Section 1. Applications (the "Applications") for neighborhood compatibility, a grading permit and miscellaneous approvals for the construction of a new single family residence (the "Project") were submitted for the property located at Lot 5 of Block 1514 of Tract No. 6886 in the County of Los Angeles, commonly known as 376 Via Almar, Palos Verdes Estates, California (the "Property"). The Applications were approved by the Planning Commission on April 15, 2008, subject to certain conditions.

Section 2. On April 28, 2008, the applicant, A+A Group Architects, ("Appellant") appealed one of the conditions the Planning Commission added to its approval of the Applications. That condition required the elimination of the two rear storage areas on the first floor of the Project (the "Storage Areas").

Section 3. On May 13, 2008, 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 the written appeal of Appellant, oral and written staff reports, and documentary evidence, including, but not limited to, site plans, minutes of the Planning Commission meeting, and a photographic presentation, and received and considered oral testimony and presentation from the Appellant.

Section 4. Based upon the evidence presented, the City Council hereby finds and determines as follows:

- a. Each fact set forth in Sections 1 through 3, above, is true and correct.
- b. Each fact set forth in the memorandum for Agenda Item No. 3, Meeting Date 5/13/08 from Allan Rigg to Joseph M. Hoefgen, presented to the City Council on said date, is true and correct.
- c. The proposed Project is larger than surrounding property improvements even with the reductions required by the Planning Commission.

- d. Appellant did not show evidence of any mistake in the Planning Commission's deliberation or decision.
- e. Even if the Storage Areas were built the pool area would still be visible from property above the Property.

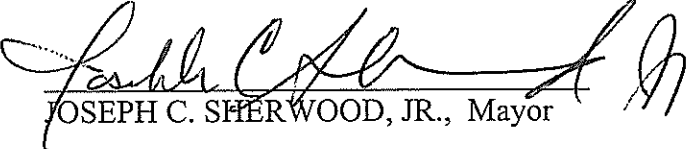
Section 5. Based upon the findings set forth herein, the City Council finds the Project, as approved by the Planning Commission:

- a. is designed and will be developed to preserve to the greatest extent practicable the natural features of the land, including the existing topography since the new dwelling has been reduced in size and the grading has been reduced as well;
- b. is designed and will 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 the Project is consistent with all zoning code requirements and the removal of the Storage Areas will reduce the potential for illegal conversion of their use and reduces the massing of the structure;
- c. is designed and will be developed in a manner which will preserve to the greatest extent practicable the privacy of persons residing on adjacent properties in that the proposed new residence will not create privacy issues which cannot be alleviated;
- d. is designed and will be developed in a manner to the extent reasonably practicable so it does not unreasonably interfere with any neighbors' existing views, in that the Project has been situated so as to mitigate impacts on views;

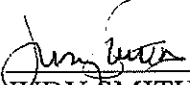
Section 6. Based upon the findings and determinations set forth herein, as supported by the evidence considered in connection therewith, the City Council finds and determines the appeal of the Planning Commission's approval of the Application should be denied and the Application is hereby approved subject to the conditions contained in the Planning Commission's approval of the Project.

Section 7. 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 May, 2008.

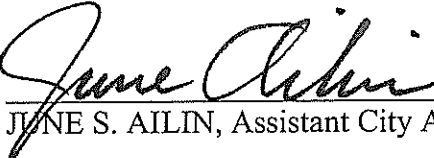

JOSEPH C. SHERWOOD, JR., Mayor

ATTEST:



JUDY SMITH, City Clerk

APPROVED AS TO FORM:



JUNE S. AILIN, Assistant City Attorney

NOTICE IS HEREBY GIVEN: IF YOU DESIRE TO CHALLENGE THE COUNCIL'S DENIAL OF YOUR APPEAL YOU MUST FILE A COURT ACTION WITHIN NINETY (90) DAYS FOLLOWING THE DATE THIS RESOLUTION IS MAILED TO YOU.

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

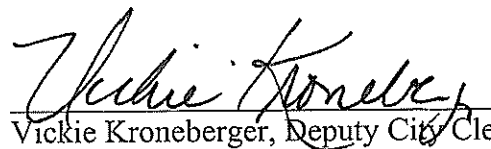
I, Vickie Kroneberger, Deputy City Clerk for the City of Palos Verdes Estates, California, do hereby certify that the foregoing Resolution **R08-10** was duly and regularly approved and adopted by the City Council of the City of Palos Verdes Estates at its regular meeting of the City Council on the 27th day of May, 2008, by the following vote:

AYES: COUNCILMEMBERS: Sherwood, Perkins, Humphrey,
and Rea

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: Goodhart


Vickie Kroneberger, Deputy City Clerk

CERTIFICATE OF MAILING

I, Vickie Kroneberger, am employed by the City of Palos Verdes Estates as Deputy City Clerk. On June 6, 2008, in the course of my duties as Deputy City Clerk, I placed a true copy or copies of Resolution No. R08-10 in a sealed envelope or envelopes addressed as follows:

1. Mr. David Alptekin
A+A Group Architects
20341 S.W. Bird St., Ste. 320
Newport Beach, CA 92660
2. Mehmet & Muge Kocarslan
376 Via Almar
Palos Verdes Estates, CA 90274

I placed each such envelope for collection and mailing following ordinary business practices. I am readily familiar with the City's practice for collection and processing of correspondence for mailing. Under that practice, the correspondence would be deposited with the United States Postal Service on that same day, with adequate postage thereon fully prepaid at Palos Verdes Estates, California, in the ordinary course of business.

Executed on June 6, 2008, at Palos Verdes Estates, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Vickie Kroneberger

(Type or print name)



(Signature)