

**PLANNING COMMISSION
CITY OF ROLLING HILLS ESTATES
LOS ANGELES COUNTY, CALIFORNIA
RESOLUTION NO. PA-220190**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS ESTATES GRANTING A NEIGHBORHOOD COMPATIBILITY DETERMINATION (NC-220191) FOR THE CONSTRUCTION OF A NEW 2,743 SQUARE-FOOT DECK AT THE REAR OF THE HOUSE WHERE A PORTION OF THE DECK IS DETACHED AND WILL BE CONSTRUCTED ON A HILLSIDE. THE PROPOSAL ALSO INCLUDES A VARIANCE APPLICATION (V-220192) FOR THE LENGTH OF THE DECK TO EXCEED 50% OF THE WIDTH OF THE LOT. APPLICANT: PRAVEEN GATTU; LOCATION: 58 SILVER SADDLE LANE (APN 7575-012-016)

The Planning Commission of the City of Rolling Hills Estates resolves as follows:

SECTION 1. General Findings. The Planning Commission finds as follows:

A. Praveen Gattu filed an application (PA-220006) with the Planning Department requesting approval of a Neighborhood Compatibility Determination (NC-220191) for the construction of a new 2,743 square-foot deck at the rear of the house where a portion of the deck is detached and will be constructed on a hillside. The proposal also features two attached patio covers at the rear of the home. The proposal also includes a Variance application (V-220192) for the length of the deck exceeding 50% of the width of the lot (collectively, the "Project").

B. The Project was reviewed in accordance with the California Environmental Quality Act (Public Resources Code § 21000 et seq.: "CEQA"), and was determined to be Categorically Exempt under Class 15, Section 15301(e)(1) Existing Facilities.

C. The Planning Commission conducted a duly noticed public hearing on the 6th day of September, 2022. All interested parties were given full opportunity to be heard and to present evidence.

SECTION 2. Neighborhood Compatibility Findings. The Planning Commission finds with respect to the application for NC-220191 as follows:

A. Natural Amenities. Improvements to residential property shall respect and preserve to the greatest extent possible existing topography, landscaping, and natural features. These criteria have been met since the proposal would not significantly change the existing topography or the natural features since the proposed project would be built within the existing topography and landscape as no grading is being proposed as part of this project.

B. Neighborhood Character. Proposals shall be compatible with the existing neighborhood character in terms of scale of development, architectural style and materials. These criteria have been met since the proposal maintains compatibility with the development in the existing neighborhood. The proposed detached deck extends 18' from the at-grade deck and, at 12' in height, is less than the maximum 16' height requirement. The proposed project will also feature a patio cover which will complement the overall style of the existing home.

C. Scale. Designs should minimize the appearance of overbuilt property to both public and private view. The square footage of the residence and total lot coverage should reflect the rural character of the City and neighborhood. These criteria have been met since the existing home's square footage will be maintained and the proposal is limited to adding at-grade decking, patio cover, and a detached deck. The existing home sits on a relatively small building pad at only 2,192 square feet of living area which is below average living area for the Los Ranchos Verdes neighborhood. Although the applicant is applying for a Variance to increase the maximum allowable length of the detached deck, this is because the existing hillside topography at the rear of the property limits the use of the property rendering almost no use of a rear yard. Further, total lot coverage will be 28.8% which is less than the maximum required 30% for the RA-15 zone.

D. **Style.** Proposals shall address the following design elements: façade treatments (avoid stark and unbroken walls), structure height(s), open spaces, roof design, appurtenances, mass and bulk. These criteria have been met since the proposal will not feature any changes to the home itself but rather be limited to the new decking, patio covers, and detached deck. The detached deck will feature decorative iron railing and hardscape that will complement the style of the home.

E. **Privacy.** Proposals shall maintain an adequate separation between the proposed structures and adjacent property lines. In addition, proposed balconies, decks and windows shall respect the existing privacy of surrounding properties. These criteria have been met since the proposed detached deck is located at the rear of the home and will not overlook any windows of the adjacent neighbors on the northerly or southerly sides. Additionally, the applicant has provided a drone photo (Attachment D of the Staff Report) which shows that the proposed view from the edge of the detached deck. The photo shows that it overlooks only the front yard of the adjacent neighbor to the east at 6 Shady Vista Road. As a result, there is no expectation of privacy for a view of an adjacent neighbor's front yard.

F. **Views.** Designs should respect existing neighboring views. These criteria have been met since the proposed detached deck will not affect any views. Although the proposal features a hillside deck, it is relatively low scale in that it measures 12' from the lowest local grade to the top of the iron railing. The views from the west side of upper Silver Saddle Lane and Hawkhurst Drive will be maintained since the detached deck only projects 18' from the edge of the at-grade decking. Additionally, the adjacent neighbors have reviewed and provided their signatures/approval of the applicant's plans (Attachment G of the Staff Report).

SECTION 3. Variance Findings. The Planning Commission finds with respect to the application for V-220192 as follows:

A. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to its intended use, which do not apply generally to other properties in the same zoning district and neighborhood because the subject property has limited standard development opportunities. The primary limiting factor is the extreme slope along the hillside in the rear yard that extends to the edge of the rear property line thereby rendering an unusable rear yard. Most homes in the City and neighborhood as a whole have a relatively flat rear yard with the exception of the properties along the east side of upper Silver Saddle Lane. This portion of the street is unique due to the steep slope of the hillside along the rear portions of these properties. As a result, the steep hillside constitutes the extraordinary circumstance that exists on the subject property.

B. That such a Variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the same zoning district and neighborhood. It has been demonstrated in the Staff Report that the subject property has no usable rear yard. The applicant is requesting that their detached deck be located on the hillside for the purposes of entertainment and enjoyment of the outdoor area of their property. The 50% of the lot width limit on the proposed deck would provide an undue physical hardship on the property limiting the area of enjoyment that most other property owners possess within the Los Ranchos Verdes neighborhood.

C. That the granting of this Variance will not be materially detrimental to the public welfare or injurious to property improvements in the zoning district and neighborhood in which the property is located because the applicant has prepared a preliminary soils report (Attachment F of the Staff Report) which outlines the existing topography and the recommended building specifications for the proposed hillside deck. With adherence to the conditions of approval and California Building Code requirements, these criteria will be met.

D. That the granting of such Variance will not be contrary to the objectives of the General Plan because the proposal complies with the findings of Neighborhood Compatibility as summarized above.

E. That the granting of the Variance will not authorize a use or activity which is not otherwise expressly authorized by the zoning regulations governing the parcel of the property because the installation of a detached deck is allowed within the RA-15 zoning district.

SECTION 4. Approval of Planning Application PA-220190. The foregoing findings constitute sufficient grounds for the approval of the requested project, including NC-220191, and V-220192.

These approvals are granted subject to the following conditions, which must be met at all times, unless otherwise stated, in order to enjoy the use of the subject property for any and all uses permitted by the granting of the requested approvals.

General Conditions

1. That all improvements hereafter constructed or installed on land which is the subject of this approval shall be located substantially as shown on Exhibit A and/or as required under the Municipal Code and/or as required in these conditions.
2. That in the event of one or more violations of these conditions, the City Manager shall have enforcement capability to remedy such violations and/or revoke said approvals.
3. The applicant shall submit the entire project for plan check with the Department of Building and Safety within six months of approval of this application (RHEMC Section 17.72.110.C.2), with two six-month time extensions maximum allowed to be granted by the Planning Commission.
4. The applicant shall ensure compliance with the City's Noise Ordinance (RHEMC Section 8.32) at all times.
5. The applicant shall work with staff to develop a reasonable plan to identify locations for construction vehicle parking during grading and construction activities, so as to ensure such activities do not obstruct ingress and egress for any surrounding residences on upper Silver Saddle Lane and/or Shady Vista Lane. This plan must be submitted to, and approved by, the Community Development Department prior to issuance of building permits.
6. Per RHEMC Section 8.20.120, the City of Rolling Hills Estates maintains an exclusive franchise agreement with Waste Management, for the collection of solid waste, recycling, and green waste services for residential and non-residential properties, as well as for the collection of construction-related generated waste for residential and non-residential projects. All bins maintained on private property and/or any bins placed in the Public Right of Way, with benefit of an encroachment permit during construction activities, must be contracted through Waste Management. Service may be coordinated by contacting Waste Management at (800) 774-0222.
7. The applicant shall, at their own expense up to a maximum of \$10,000, work with the City to install – and provide irrigation to – a new tree located in the public right-of-way along westerly side Shady Vista Road near the existing line of trees. The size of the tree and its species type shall be to the satisfaction of the Community Development/Public Works Director.

SECTION 5. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision will not affect the validity of the remainder of this resolution. The Planning Commission hereby declares that it would have adopted this resolution, and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof is declared invalid or unconstitutional.

SECTION 6. Record of Proceedings. The City Clerk is directed to certify to the adoption of this Resolution and to keep a copy of same along with such other documents and records of proceedings as may be designated by the City Manager.

ADOPTED this 6th day of September, 2022.



 ROBERT SCHACHTER, CHAIR

ATTEST:




LAUREN PETTIT, CITY CLERK

I HEREBY CERTIFY that the foregoing Resolution No. PA-220190 was adopted by the Planning Commission of the City of Rolling Hills Estates at a regular meeting held thereof on the 6th day of September, 2022, by the following vote:

AYES: SCHACHTER, YOO, MEDAWAR, LOW, OLSON, EDLER

NOES:

ABSENT: CARMAN

ABSTAIN:


LAUREN PETTIT, CITY CLERK