



MODIFICATION COMMITTEE AGENDA

CITY OF EL MONTE MODIFICATION COMMITTEE

TUESDAY OCTOBER 8, 2019

5:00 P.M.

CITY HALL WEST – CONFERENCE ROOM A
11333 VALLEY BOULEVARD

OPENING OF MEETING

CITY OF EL MONTE MODIFICATION COMMITTEE

CHAIRPERSON

ROBERTO ESTRADA CRUZ

CITY PLANNER

JASON MIKAELIAN

CHIEF BUILDING OFFICIAL

TODD MORRIS

- 1. Call Meeting to Order**
- 2. Flag Salute**
- 3. Roll Call**
- 4. Public Comments**

Citizens wishing to address the Modification Committee on land use and development matters may do so at this time. Note that the Committee cannot respond to or take any action on the item.

Citizens wishing to speak on an agenda item will be given the opportunity to speak after the item is presented by staff.

Limit your comments to three (3) minutes. State your name and address the record.

Phone: (626) 258-8626
www.elmonteca.gov
planning@elmonteca.gov

PUBLIC HEARING

5. Modification No. 26-19

Address: 12101 Lambert Avenue / APN: 8545-010-006

Request: To legalize a 379 square foot enclosed patio attached to an existing 1,352 square foot single-story single-family residence. The Modification is requested to reduce the rear setback from 20 feet to six (6) feet. The proposed rear yard setback of six (6) feet would be a continuation of the existing building setback. This request is made pursuant to Chapter 17.20 of the El Monte Municipal Code (EMMC).

CEQA Determination: Article 19. Categorical Exemptions - Section 15301 (Class 1 – Existing Facilities) in accordance with the requirements of the California Environmental Quality Act of 1970 and the CEQA Guidelines.

Recommendation: Approve subject to conditions

Case Planner: Marlene Vega, Planning Aide

NEXT SCHEDULED MODIFICATION COMMITTEE MEETING

Tuesday, October 22, 2019 at 5:00 P.M.

City Hall West – Conference Room A

TO: MODIFICATION COMMITTEE

FROM: BETTY DONAVANIK
COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR

JASON C. MIKAELIAN, AICP
CITY PLANNER

BY: MARLENE VEGA
PLANNING AIDE

TONY BU
ASSOCIATE PLANNER

SUBJECT: MODIFICATION NO. 26-19

LOCATION: 12101 LAMBERT AVENUE
EL MONTE, CA 91731

**APPLICANT/
PROPERTY OWNER:** WAN CHUN XIANG
12101 LAMBERT AVENUE
EI MONTE CA, 91732

**ENVIRONMENTAL
DETERMINATION:** ARTICLE 19 CATEGORICAL EXEMPTIONS,
SECTION 15301 (CLASS 1- EXISTING FACILITIES) IN
ACCORDANCE WITH THE REQUIREMENTS OF THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970
AND THE CEQA GUIDELINES, AS AMENDED

RECOMMENDATION: APPROVE MODIFICATION NO. 26-19 SUBJECT TO
CONDITIONS

REQUEST

The applicant requests the approval of Modification No. 26-19 to reduce the rear setback from 20 feet to 6 feet to legalize a 379 square foot enclosed patio cover to an existing 1,352 square foot single-family residence. The property is located in the R-1B (Low-Density/Single-Family Dwelling) Zone. This request is made pursuant to Chapter 17.20 of the El Monte Municipal Code (EMMC).

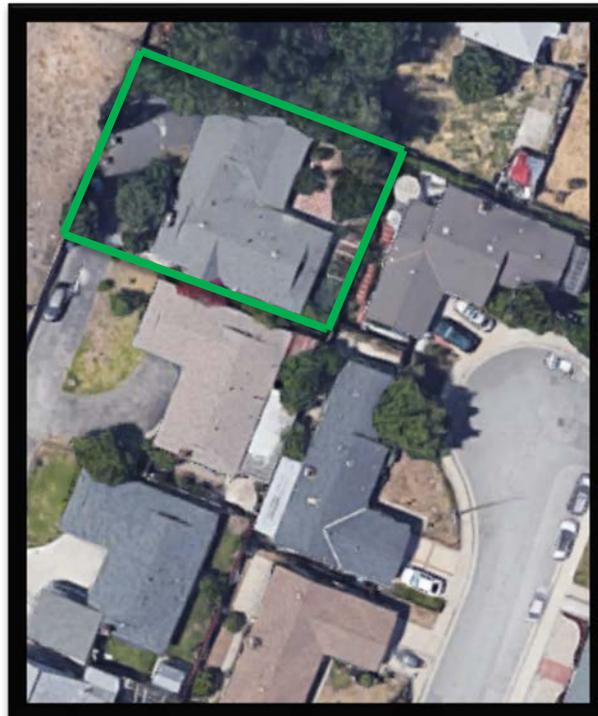
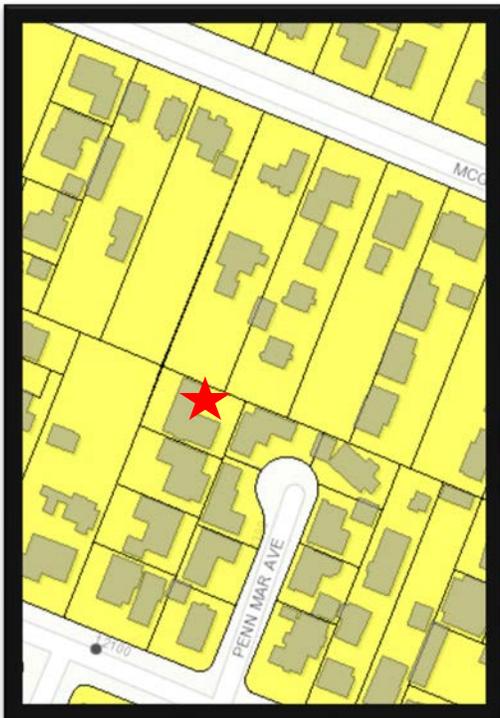
SUBJECT PROPERTY

Location:	North side of Lambert Ave
General Plan:	Low-Density Residential (FAR: 35%)
Zone:	R-1B (One-Family Dwelling)
Street Frontage:	Lambert Ave: N/A (Access through Lambert Avenue)
Lot Area:	7,032 square feet
Existing Improvements:	1,352 square foot dwelling unit with a 160 square foot patio cover and 2-car garage

SURROUNDING PROPERTIES

	General Plan:	Zoning:	Land Use:
North:	Low density Residential	R-1B	One Family Dwelling
South:	Low density Residential	R-1B	One Family Dwelling
West:	Low density Residential	R-1B	One Family Dwelling
East:	Low density Residential	R-1B	One Family Dwelling

ZONING AND AERIAL PHOTO



PROJECT ANALYSIS

Development Standards

The table below provides the development standards for the R-1B Zone, and determines whether the proposed project complies with each standard.

Development Standard	R-1B Requirement	Proposed Development	Meets Requirement?
Floor Area:	35%	19.2%	Y
Lot Coverage:	40%	33%	Y
Front Setback	20'	8'-0"	Legal Non-conforming
Side Setback (West):	5'	35"	Y
Side Setback (East):	5'	13"	Y
Rear Setback:	20'	6"	N; Modification requested
Height:	35'	12"	Y
Density:	N/A	1du	Y
Minimum Unit Size:	1,000 SQ FT	1,352 SQ FT	Y
Distance to accessory	6'	n/a	Y
Parking	2-car garage per first 1,200 SQ FT. 3-car garage for 1,200-1,500 SQ FT	<u>Existing:</u> 2- car garage <u>Proposed:</u> N/A	Y

BACKGROUND

In 1964, the subject property was improved with a 1,352 square foot single-family residence with a 484 square foot two-car garage. Per the City's Building Division records, a 160 square foot enclosed patio was permitted on the property in 2010 and was later expanded to provide 379 square feet of enclosed patio area. Because there are no Building permits found to expand the enclosed patio, the applicant is proposing to legalize the 379 square foot enclosed patio that will provide a property lot coverage total of 2,375 square feet. However, because the R-1B zone requires a minimum 20 foot rear setback, the Applicant is requesting a Modification to reduce the rear setback from 20 feet to six (6) feet.

Staff recommends approval of Modification No. 26-19 under the requirement that all necessary conditions of approval are incorporated into the project and the following "findings of facts" are adequately justified.

FINDINGS OF FACT

In order to approve the project, the Modification Committee is required to make certain findings. Section 17.20.020 (EMMC) - Necessary conditions, outlines the four required findings and conditions to be met in order to approve any Modification request:

FINDING:

- A. There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to the property or class of use in the same zone or vicinity;

FACT:

The subject property was constructed in 1964 as an older subdivision with a driveway that serves a total of four (4) individually-owned detached dwelling units. The subject dwelling unit is located at the rear portion of the 4-unit subdivision with no street frontage; thus resembling the layout of a flag-lot. In addition, because the site does not provide direct street frontage along Lambert Avenue, Staff has determined that the front and rear property lines are those that run parallel to the street. Therefore, the property's existing front setback is six (6) feet with an existing rear setback of six (6) feet.

Furthermore, in order to comply with the R-1B's rear setback requirement of 20 feet and to retain the current/desired dwelling unit square footage, the property owner would need to demolish significant portions of the existing house and garage to make way for a second story addition. Such construction would have greater mass and bulk and would not be as compatible with the surrounding neighborhood.

FINDING:

- B. The granting of such modification will not be materially detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity in which the property is located;

FACT:

Granting the Modification will not be detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity in which the property is located. Per the EMMC, the maximum lot coverage required for the property is 40%. By approving the 379 square foot addition, the property will have a lot coverage of 33% or 2,375 square feet; which is still considerably under the maximum lot coverage requirement. The addition will be an enclosed patio cover and will meet all other zoning code standards such as floor area, building separation, dwelling unit size, parking, etc.

FINDING:

Because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of the zoning

ordinance is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under the identical zone classifications;

FACT:

The subject property was constructed in 1964 as an older subdivision with a driveway that serves a total of four (4) individually-owned detached dwelling units. The subject dwelling unit is located at the rear portion of the 4-unit subdivision with no street frontage; thus resembling the layout of a flag-lot. In addition, because the site does not provide direct street frontage along Lambert Avenue, Staff has determined that the front and rear property lines are those that run parallel to the street. Therefore, the property's existing front setback is six (6) feet with an existing rear setback of six (6) feet.

Furthermore, in order to comply with the R-1B's rear setback requirement of 20 feet and to retain the current/desired dwelling unit square footage, the property owner would need to demolish significant portions of the existing house and garage to make way for a second story addition. Such construction would have greater mass and bulk and would not be as compatible with the surrounding neighborhood.

FINDING:

C. The granting of such modification/variance will not adversely affect the comprehensive general plan.

FACT:

The approval of this modification will not affect the comprehensive general plan and will continue to be consistent with its intent. The proposed project will support the rehabilitation of a residentially developed property, and improve the quality of life of the residents and the neighborhood.

CONDITIONS OF APPROVAL

1. Comply with all Building Code requirements.
2. A copy of the final decision letter with the conditions of approval shall be submitted with the Building plans.
3. No other additions shall be permitted without complying with all of the current zoning requirements.
4. Per the review and approval of the Planning Division, the finish materials for the enclosed patio addition shall match and/or be complimentary to the existing residence.
5. Prior to the issuance of any Building permits, the applicant shall work with the Planning Division to rehabilitate all of the landscape planters that are visible from the driveway.

RECOMMENDATION

Staff recommends that the Planning Commission evaluate the proposal and consider the following actions:

1. Adopt a Categorical Exemption under Section 15301 (Class 1 – Existing Facilities) pursuant to the California Environmental Quality Act and Guidelines, as amended
2. Adopt the Finding of Facts to approve Modification No. 26-19, subject to the conditions of approval.

ATTACHMENTS

- A. Project Plans
- B. Public Hearing Notice
- C. Radius Map