



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: July 20, 2022

TO: Hearing Officer

SUBJECT: Minor Variance #11953

LOCATION: 3810 Ranch Top Road

APPLICANT: Toros Balyan

ZONING DESIGNATION: RS-6-HD-1 (Single-Family Residential, 0-6 units per acre, Upper Hastings Ranch Overlay)

GENERAL PLAN DESIGNATION: Low Density Residential

CASE PLANNER: Joseph Weaver

STAFF RECOMMENDATION: Adopt the Environmental Determination and Specific Findings in Attachment A to **approve** Minor Variance #11953 with conditions in Attachment B.

PROJECT PROPOSAL: Minor Variance: To allow a 102 square-foot addition to an existing single-family residence with a 23'-10" front yard setback, where the minimum requirement is 25 feet.

ENVIRONMENTAL DETERMINATION: This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, Class 1 §15301, Existing Facilities), and there are no features that distinguish this project from others in the exempt class; therefore there are no unusual circumstances. Section 15301 specifically applies to small additions, expansions or alterations to existing structures where there is negligible or no expansion of the use. The project adds 102 square feet to an existing 2,014 square-foot single-family residence and is therefore exempt.

BACKGROUND:

Site Characteristics: The site is a 9,048 square-foot, rectangular-shaped lot located on the south side of Ranch Top Road between Hastings Ranch Drive and Carriage House Road. The site is currently developed with a 2,014 square-foot, one-story single-family residence and a 439 square foot attached garage.

Adjacent Uses: North – Single-Family Residential
South – Single-Family Residential
East – Single-Family Residential
West – Single-Family Residential

Adjacent Zoning: North – RS-4-HD-1 (Single-Family Residential, 0-4 units per acre, Upper Hastings Ranch Overlay Zone)
South – RS-6-HD-1 (Single-Family Residential, 0-6 units per acre, Upper Hasting Ranch Overlay Zone)
East – RS-6-HD-1 (Single-Family Residential, 0-6 units per acre, Upper Hasting Ranch Overlay Zone)
West – RS-6-HD-1 (Single-Family Residential, 0-6 units per acre, Upper Hasting Ranch Overlay Zone)

Previous Zoning Cases on this Property: None

PROJECT DESCRIPTION:

The applicant, Toros Balyan, has submitted an application for a Minor Variance to facilitate the construction of a 102-square-foot addition to the front of an existing single-story single-family residence. Specifically, the applicant requests a 23'-10" front setback where the minimum requirement is 25 feet. A Minor Variance is required to adjust a required setback. The site is located within the RS-6-HD-1 (Single-Family Residential, Upper Hastings Ranch Overlay) zone. No protected trees are proposed to be removed or impacted as part of the project.

ANALYSIS:

The project is subject to the development standards of the RS-6-HD-1 zone. With the exception of the requested Minor Variance for the front setback, the proposed addition complies with all other applicable development standards, as shown in Table 1.

Table 1 – Residential Development Standards

Development Standard	Requirement	Proposed Project	Compliance	
Setbacks (Minimum)	Front	25'	23'-10"	<i>Minor Variance</i>
	Side (east)	7'-9"	7'-2"	Existing Nonconforming
	Side (west)	7'-9"	6'	Existing Nonconforming
	Rear	25'	56'	Complies
Height (Maximum)	25'	18'-3"	Complies	
Top Plate Height (first story maximum)	10'	8'-4"	Complies	
Site Coverage (Maximum)	35% or 3,166 sq. ft.	28.2% or 2,555 sq. ft.	Complies	
Floor Area (Maximum)	30% + 500 sq. ft. or 3,214 sq. ft.	2,555 sq. ft.	Complies	

Minor Variance: To allow a 23'-10" front setback, where the Zoning Code requires a minimum of 25 feet.

Pursuant to Table 6-4 of Zoning Code Section 17.61.080 (Variances), adjustments of required setbacks are allowed subject to approval of a Minor Variance. The Hearing Officer may approve a Minor Variance to adjust a required setback only after making five findings in the affirmative pursuant to Zoning Code Section 17.61.080.G (Findings and Decision). The general purpose of review is to identify compliance with the Zoning Code and General Plan, whether exceptional or extraordinary circumstances exist, whether the application is necessary for the preservation and enjoyment of property rights, and to ensure no detriment or injury to surrounding properties. In addition, a Minor Variance shall not be granted that would have the effect of granting a special privilege not shared by other property owners in the vicinity and under identical zoning districts. Lastly, cost to the applicant of strict compliance with a regulation shall not be the primary reason for granting the Minor Variance.

Pursuant to Zoning Code Section 17.22.050.A.1, where 40 percent or more of the lots on a blockface in the same zoning district (excluding corner yards of reversed corner lots) are developed with primary structures (including the existing setback of the proposed development site), the minimum front setback shall be the average of the front setbacks of the developed lots, but not less than 25 feet. In this case, the blockface average is 14 feet; therefore, the minimum required front setback is 25 feet.

The existing residence is situated toward the front (north) portion of the lot and is currently sited within the required 25-foot front setback. Specifically, the attached garage is set back 14 feet from the front property line, and the front occupancy of the residence is set back 23'-10" from the front property line. The current front occupancy of the residence is articulated with a front porch and varying setbacks. Because of the location of the existing residence within the 25-foot front yard setback, development opportunities to the front of the residence are constrained. The applicant is requesting a Minor Variance to construct a small, 102 square-foot addition at the front portion of the residence under the existing roofline to match the existing 23'-10" setback.

The granting of the Minor Variance would facilitate a reasonable enjoyment of real property because the addition will provide for a slightly larger bedroom and additional bathroom for the property owner to enjoy. The addition would allow for natural light within the rooms and would improve the quality of life for the residents. The project will result in a minimal visual impact from the street because it will be located entirely beneath the existing roofline and will maintain the front setback of the existing residence, thus maintaining the character of the streetscape along

Ranch Top Road. In addition, as the blockface average is 14 feet, the granting of this application will not constitute a special privilege because many other properties within the vicinity also enjoy an existing non-conforming front setback. As such, the Minor Variance request would facilitate a reasonable enjoyment of real property.

Tree Protection Ordinance

A tree inventory was provided demonstrating two onsite trees, which are proposed to remain. The property does not contain any protected trees under the City's Tree Protection Ordinance, and no trees are proposed to be removed.

GENERAL PLAN CONSISTENCY:

The subject site is designated as Low Density Residential in the General Plan Land Use Element. The use of the site would remain a single-family residence; therefore, the character of the neighborhood, consisting of single-family residences would be maintained. General Plan Land Use Element, Goal 21, Desirable Neighborhoods, Policy 21.5 (Housing Character and Design) encourages the renovation of existing housing stock in single- and multi-family neighborhoods. When additions or replacement housing is proposed, these should reflect the unique neighborhood character and qualities, including lot sizes; building form, scale, massing, and relationship to street frontage; architectural design, and landscaped setbacks. The project would allow the construction of an addition to a single-family residence within the required front yard setback. The proposed addition would not alter the existing character of the neighborhood as it involves a small expansion to the front of an existing one-story, single-family residence beneath the existing roofline. Additionally, the addition will match the existing front setback of the residence, thus maintaining the character of the streetscape and same visual appearance as the existing homes along Ranch Top Road.

ENVIRONMENTAL REVIEW:

This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, Class 1 §15301, Existing Facilities), and there are no features that distinguish this project from others in the exempt class; therefore there are no unusual circumstances. Section 15301 specifically applies to small additions, expansions or alterations to existing structures where there is negligible or no expansion of the use. The project adds 102 square feet to an existing 2,014 square-foot single-family residence and is therefore exempt.

COMMENTS FROM OTHER DEPARTMENTS:

The proposed project was reviewed by the Department of Public Works, Fire Department, Building and Safety Division, and Design and Historic Preservation Section. The Fire Department and Department of Public Works had no comments at this time and would review the project during the building permit plan check process to ensure compliance with applicable code requirements. The Design and Historic Preservation Section conducted a Historic Resource Evaluation on the subject property, which concluded the property does not meet the criteria for any historical designation and that no further review would be needed. The Building and Safety Division provided conditions of approval, which are incorporated in Attachment B of this staff report.

CONCLUSION:

Staff concludes that the findings necessary for approving the Minor Variance can be made. The proposed project meets all other applicable development standards required by the Zoning Code, with the exception of the front setback. The approval of the Minor Variance request would allow the property owner enjoyment of the existing residence without impacting the surrounding residential neighborhood. Conditions of approval would ensure that the project is compatible with the surrounding area. Therefore, staff recommends approval of the Minor Variance, subject to the findings in Attachment A and recommended conditions of approval in Attachment B.

Attachments:

Attachment A: Minor Variance Findings

Attachment B: Recommended Conditions of Approval

ATTACHMENT A
SPECIFIC FINDINGS FOR MINOR VARIANCE #11953

Minor Variance: To allow a 23'-10" front setback, where the Zoning Code requires a minimum of 25 feet.

1. *There are exceptional or extraordinary circumstances or conditions applicable to the development site that do not apply generally to sites in the same zoning district.* The subject site is a rectangular-shaped lot located on the south side of Ranch Top Road between Hastings Ranch Drive and Carriage House Road. There are exceptional conditions applicable to the site in that the existing residence was constructed toward the northern portion of the lot within the required front setback. In addition, as the blockface average is 14 feet, the granting of this application will not constitute a special privilege because many other properties within the vicinity also enjoy an existing non-conforming front setback.
2. *Granting the application is necessary for the preservation and enjoyment of a substantial property right of the applicant, and to prevent unreasonable property loss or unnecessary hardship.* Because of the location of the existing residence within the 25-foot front yard setback, development opportunities to the front of the residence are constrained. The intent of the proposed addition is to enlarge an existing bedroom, which is currently located at the front of the residence, and to add a bathroom. The proposed of addition 102 square feet is a modest extension of the existing residence. The Minor Variance request would facilitate a reasonable enjoyment of real property because the addition will provide for a larger bedroom and additional bathroom for the property owner to enjoy while maintaining the existing front setback and roofline of the residence.
3. *Granting the application will not be detrimental or injurious to property or improvements in the vicinity of the project site, or to the public health, safety, or general welfare.* The project will result in a minimal visual impact from the street because it will be located entirely beneath the existing roofline and will maintain the front setback of the existing residence thus maintaining the character of the streetscape along Ranch Top Road. Additionally, the project would comply with applicable development standards for the zone, the addition will be one-story and the project will not result in a change in use. Further, the project will be required to obtain building permits ensuring that the construction will be safe. Conditions of approval will ensure that the project remains compatible with the surrounding area in that it would be a single-story addition to the front of the property.
4. *Granting the application is consistent with the General Plan and the purposes of Title 17 of the Municipal Code and will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zone district.* The subject site is designated as Low Density Residential in the General Plan Land Use Element. The use of the site would remain a single-family residence; therefore, the character of the neighborhood would be maintained. General Plan Land Use Element, Goal 21, Desirable Neighborhoods, Policy 21.5 (Housing Character and Design) encourages the renovation of existing housing stock in single- and multi-family neighborhoods. When additions or replacement housing is proposed, these should reflect the unique neighborhood character and qualities, including lot sizes; building form, scale, massing, and relationship to street frontage; architectural design, and landscaped setbacks. The proposed addition would not alter the existing character of the neighborhood as it involves a small, 102 square foot addition that will be contained entirely beneath the existing roofline. Additionally, the addition will match the existing front setback of

the residence, thus maintaining the character of the streetscape and same visual appearance as the existing homes along Ranch Top Road.

5. *Cost to the applicant of strict compliance with a regulation is not the primary reason for the granting of the Variance.* The cost to the applicant of complying with the City's development standards has not been considered throughout the review of this application.

ATTACHMENT B
RECOMMENDED CONDITIONS OF APPROVAL FOR MINOR VARIANCE #11953

The applicant or successor in interest shall meet the following conditions:

General

1. The site plan, floor plan, elevations, and building sections submitted for building permits shall substantially conform to plans stamped "Approved at Hearing, July 20, 2022," except as modified herein.
2. The right granted under this application must be enacted within 24 months from the effective date of approval. It shall expire and become void, unless an extension of time is approved in compliance with Zoning Code Section 17.64.040.C.
3. This approval allows a minimum front setback of 23'-10" in conjunction with an addition totaling 102 square-feet.
4. The applicant or successor in interest shall meet the applicable code requirements of all City Departments.
5. The final decision letter and conditions of approval shall be incorporated in the submitted building plans as part of the building plan check process.
6. At no time shall construction activities, including, but not limited to, construction materials, vehicles and equipment, obstruct access to vehicular driveways of adjacent properties.
7. The proposed project, Activity Number **ZENT2022-00043** is subject to the Inspection Program by the City as well as the Mitigation Monitoring and Reporting program. A Final Zoning Inspection is required for your project prior to the issuance of a Certificate of Occupancy or approval of the Final Building Inspection. Contact Joseph Weaver, Current Planning Section, at (626) 744-3813 to schedule an inspection appointment time.

Building and Safety Division

8. Governing Codes: Comply with the Current Edition of California Building Code, California Electrical Code, California Plumbing Code, California Mechanical Code, California Energy Code, California Green Building Standard Code and the City of Pasadena Municipal Code. The governing edition is based on the date in which the project is submitted to the City of Pasadena for review.
9. Building Code Analysis: Provide a Building Code Analysis on the title sheet. Include the code(s) information for each building proposed: Descriptive scope of work, occupancy, assessor's parcel number, number of stories, type of construction, fire sprinklers, floor area, height, and allowable floor area.
10. Best Management Practices: Photocopy to plans and complete the Best Management Practice page 1 (form must be signed). Photocopy any other applicable pages and cross reference the location at the site plan, i.e. the material storage, the concrete waste management, etc. These forms can be found at:
<https://www.cityofpasadena.net/planning/building-and-safety/bs-applications->

[forms/#informational-handouts](https://www.cityofpasadena.net/planning/building-and-safety/bs-applications-forms/#informational-handouts) .

11. Green Code: Photocopy to plans and complete the 2019 California Green Building Standards Code with City of Pasadena Amendments Forms. These forms are being provided attach and can be found at <https://www.cityofpasadena.net/planning/building-and-safety/bs-applications-forms/#informational-handouts>.

12. Means of Egress (Exiting): Provide and specify at least one operable exterior opening in basements, habitable attics, and every sleeping room with the minimum clear opening requirements for an emergency escape and rescue opening on the plans or schedule.

Provide a minimum of 8 percent for natural lighting and 4 percent for natural ventilation of the floor area of all habitable rooms/areas.

13. Energy: Submit the current, applicable residential energy documentation using either the "Prescriptive Standard" or the "Performance Standard". Photocopy form to plans, include the mandatory measures.

14. Required Plans and Permit(s): In addition to architectural plans, provide Structural, Shoring, Plumbing, Mechanical, Electrical plans, PV systems and grading plans as required. No deferred submittal.

Separate permits are required for the following: Mechanical, Electrical, Plumbing, Fire Sprinkler, Demolition, Block walls, others.