



## PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

### STAFF REPORT

**DATE:** August 17, 2022

**TO:** Hearing Officer

**SUBJECT:** Minor Variance #11951

**LOCATION:** 3715 E. Sierra Madre Blvd

**APPLICANT:** Alex Campos

**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 #11951 with conditions in Attachment B.

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**PROJECT PROPOSAL:** Minor Variance: To allow an 11'-8" rear setback, where a 25-foot minimum setback is required, in order to accommodate the construction of a 135 square-foot single-story addition at the rear of an existing single-story single-family residence.

**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 400 square feet to an

existing 1,480 square-foot single-family residence and is therefore exempt.

**BACKGROUND:**

**Site Characteristics:** The site is a 7,241 square-foot, corner lot is located on the northwest corner of East Sierra Madre Boulevard and Hasting Ranch Drive. The site is currently developed with a 1,480 square-foot, one-story single-family residence and a 369 square-foot detached garage.

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

**Adjacent Zoning:** North – RS-6-HD-1 (Single-Family Residential, 0-6 units per acre, Upper Hastings Ranch Overlay Zone)  
South – PS (Public and Semi-Public)  
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, Alex Campos, has submitted an application for a Minor Variance to facilitate the construction of a 135 square-foot addition to the rear of an existing single-story single-family residence. Specifically, the applicant requests an 11'-8" rear setback where the minimum requirement is 25 feet. A Minor Variance is required to adjust a required setback. The project also includes an addition of 265 square feet and a front porch; both of which comply with all applicable development standards. 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 rear setback, the proposed 125 square-foot addition complies with all other applicable development standards, as shown in Table 1.

**Table 1 – Residential Development Standards**

<b>Development Standard</b>	<b>Requirement</b>	<b>Proposed Project</b>	<b>Compliance</b>	
<b>Setbacks (Minimum)</b>	Front	28'-3'	25'	Existing Nonconforming
	Corner Side (east)	10"	13'-3"	Complies
	Side (west)	7'-6"	23'-5"	Complies
	Rear	25'	11'-8"	<i>Minor Variance</i>
<b>Height (Maximum)</b>	25'	12'-3"	Complies	
<b>Top Plate Height (First Story Maximum)</b>	10'	8'-6"	Complies	
<b>Site Coverage (Maximum)</b>	35% or 2,534 sq. ft.	32.5% or 2,353 sq. ft.	Complies	
<b>Floor Area (Maximum)</b>	30% + 500 sq. ft. or 2,672 sq. ft.	2,249 sq. ft.	Complies	

Minor Variance: To allow an 11'-8" rear 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.

The existing residence is situated toward the center of the lot and is currently sited within the required 25-foot rear setback. Specifically, the existing residence is located 18'-4" from the rear property line. The site is unique in that the existing residence is located with the required rear setback. Further, the rear property line is at an angle and the lot depth decreases toward the corner side property line. Because of these conditions, development opportunities to the rear of the residence are constrained. The applicant is requesting a Minor Variance to construct a 135 square-foot addition at the rear portion of the residence which will be setback 11'-8" from the rear property line.

The granting of the Minor Variance would facilitate a reasonable enjoyment of real property because the addition will provide for a master bedroom and an improved floor plan design for the property owner to enjoy. The addition of 135 square feet is a minor extension to accommodate a master bedroom at the rear of the property. Compliance with applicable development requirements including side and corner side setbacks, maximums for floor area, and lot coverage will moderate mass and would ensure the adjustment to the setback do not create any detriment to the neighborhood. As such, the Minor Variance request would facilitate a reasonable enjoyment of real property and will not be detrimental or injurious to property in the vicinity.

### Tree Protection Ordinance

A tree inventory was provided demonstrating eleven 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 rear yard setback. The proposed addition would not alter the existing character of the neighborhood as it involves a small expansion to the rear of an existing one-story, single-family residence. The use of the property will remain as a single-family residence.

### **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 400 square feet to an existing 1,480 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 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 and Department of Public Works 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 rear 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 #11951**

Minor Variance: To allow an 11'-8" rear setback, where a minimum of 25 feet is required.

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 corner lot located on the northwest corner side of E. Sierra Madre Boulevard and Hasting Ranch Drive. There are exceptional conditions applicable to the site in that the existing residence was constructed within the required 25-foot rear setback. Further, the rear property line is angled in a way that limits additions to the rear of the residence. These existing conditions create constraints on the property that do not apply generally to sites in the same zoning district.
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 rear setback and the angle of the rear property line, development opportunities to the rear of the residence are constrained. Granting the Minor Variance will facilitate a master bedroom and an improved floor plan layout which allows for the preservation and enjoyment of a substantial property right. The proposed addition of 135 square feet is a modest extension of the existing residence. Therefore, granting the application prevents unnecessary hardship and allows for the preservation and enjoyment of the property.
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 not be detrimental to property in the vicinity because it involves a small, one-story expansion to the rear of the site. The site will remain as a single-family use and the project will comply with all other applicable development standards that moderate size, height, and appearance. The project is also required to comply with all applicable Fire Department and Building and Safety Division standards through the City's plan check process.
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 approval of a Minor Variance will not grant a special privilege because the project must comply with all other applicable standards that limit development on the property consistent with limitations of other properties in the vicinity.
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 #11951**

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, August 17, 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 rear setback of 11'-8" in conjunction with an addition totaling 135 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 **ZENT2022-00009** 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. 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>.

11. 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.
12. 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.

### Public Works Department

13. A closed circuit television (CCTV) inspection of the house sewer serving the property shall be performed and a CCTV inspection video submitted to the Department of Public Works for review. At the time of the video submittal, a non-refundable flat fee, per the current General Fee Schedule, shall be placed by the applicant to cover the staff cost of video review. The house sewer inspection shall include footage from the private cleanout to the connection at public sewer main, with no or minimum flow in the pipe during the televising. The property address, date of inspection, and a continuous read-out of the camera distance from the starting point shall be constantly displayed on the video. The applicant shall correct any defects revealed by the inspection. Defects may include, excessive tuberculation, offset joints, excessive root intrusion, pipe joints that can allow water infiltration, cracks, and corrosion or deterioration of the pipe or joint material, damaged or cracked connection to the sewer main, or other defects as determined by the City Engineer. The method of correction of the defects shall be subject to the approval of the City Engineer, and may include partial or total replacement of the house sewer, or installation of a structural or non-structural pipe liner. The applicant shall be responsible for all costs required to obtain the CCTV inspection of the existing sewer connection, and if required, to correct the defects.
14. The applicant shall protect all existing public facilities and maintain the right of way in good clean condition during the construction. If any damage is proven to be caused by the subject development, the applicant is responsible for replacing and/or repairing the facilities to the satisfaction of the City, prior to the issuance of Certificate of Occupancy.
15. All costs associated with these conditions shall be the applicant's responsibility. Unless otherwise noted in this memo, all costs are based on the General Fee Schedule that is in effect at the time these conditions are met.
16. In addition to the above conditions, the requirements of all applicable Pasadena Municipal Code (PMC) will apply and be implemented during the corresponding plan review and permitting. They may include but not limited to:
  - Sidewalk Ordinance - Chapter 12.04
  - Sewer Facility Charge – Chapter 4.53
  - Residential Impact Fee – Chapter 4.17
  - City Trees and Tree Protection Ordinance - Chapter 8.52
  - Construction and Demolition Waste Ordinance - Chapter 8.62
  - Holiday Moratorium of activities within public right-of-way – Chapter 12.24.100