

PLANNING COMMISSION MINUTES OF FEBRUARY 11, 2008

2007-1259: Application for a Special Development Permit to allow a 176 square foot single-story addition to a single-family residence resulting in 45.6% Floor Area Ratio (FAR) where 45% FAR may be allowed without Planning Commission Review. The property is located at **506 Davenport Ct.** (near Yukon Dr.) in an R-2/PD (Low-Medium Density Residential/Planned Development) Zoning District. (APN: 323-31-025) RZ

Gerri Caruso, Principal Planner, presented the staff report. She said staff recommends the Planning Commission approve the Special Development Permit with the attached conditions.

Comm. Hungerford commented that on his site visit that he noticed a blue tarp over something on the site and asked what it was covering. Staff said that the applicant would be able to answer that question.

Chair Sulser opened the public hearing.

Jian Miremadi, applicant, read a portion of Attachment D which is a letter he submitted to staff explaining his situation and his reasoning for wanting to make the proposed additions to his home. He said his family has grown since he originally bought the home and there are now space constraints. He said he wants to modify the atrium of his home by putting on a pitched roof rather than the flat roof suggested by staff explaining that the flat roof is unappealing to his family, that the other flat roofed areas of the home have leaked, and said that the proposed pitched roof does not affect his neighbors. He said he has discussed the proposal with his neighbors to the east and they are not opposed to the addition. He said the pitched roof would be visible from the cul-de-sac, adding that the design is in harmony with the community as it is similar to the existing A frame of the house. He said his family would appreciate approval of the pitched roof as proposed as any modification to the height would result in additional work and charges from the architect.

Comm. Babcock asked Mr. Miremadi what the highest point of the proposed roof is. Mr. Miremadi referred to Attachment C, page 7 and said the highest point of the proposed roof is 13 feet which is the same height as the lower frame of the triangular windows of the existing A frame. Comm. Babcock asked what the height of the roof is if the roof were flat. Mr. Miremadi said a flat roof would be 8 feet in height.

Comm. Hungerford asked Mr. Miremadi what is under the blue tarp over the atrium area. Mr. Miremadi said he had begun construction without permits as he had seen this design on another house in the neighborhood. He said a neighbor

complained and he stopped construction and hired an architect and applied for the permits. He said he will take down anything that is not approved by the permit. Comm. Hungerford asked if the proposed roof height would be as high as the blue tarp area. Mr. Miremadi said the proposed roof would be 1½ feet lower than the blue tarp area.

Chair Sulser said that staff is recommending the removal of a shed and it sounds like Mr. Miremadi is not contesting the requirement to remove the shed. Mr. Miremadi said that he needs the shed for storage. He said they really have no other options for storage. He said over the years he has spent about \$15,000 to build shed. He said the shed is not visible to the neighbors behind them and the neighbors next door do not mind it being there.

Mr. Miremadi said he would appreciate the Commission's approval of the project as proposed and said he would like to keep the shed.

Chair Sulser closed the public hearing.

Comm. Klein moved for Alternative 2 to approve the Special Development Permit with modified conditions: to modify condition 1.G to include allowing the applicant six months to remove the accessory utility building due to financial constraints. Comm. Babcock asked the maker of the motion if a condition could be included allowing the family room addition height be up to and not exceed 13 feet. This amendment was acceptable to the maker of the motion. Comm. Babcock seconded the motion.

Comm. Klein said he was able to make the findings for the addition. He said he understands the condition with the shed and that it was built without permits. He said the decision about the shed cannot be influenced by what has already been spent. He said he thinks the conditions as modified will help the applicant make a nice addition on their home.

Vice Chair Rowe said she would be supporting the motion. She commented that there have been other applications before the Planning Commission to modify a Bahl home, like this home, and other neighbors did not want the character of the Bahl home layout changed. She said if we allow one applicant to do something we need to allow another to do the same thing. She said the yards are very small and the houses are very close together. She said she must support that motion as is.

Comm. Chang said he would be supporting the motion. He said he agrees there are others who may have modified their homes without permits and that this applicant is doing the right thing by making the modifications with permits. He encouraged the applicant to work with staff in completing the project.

ACTION: Comm. Klein made a motion on 2007-1259 to approve the Special Development Permit with modified conditions: to modify condition 1.G to include allowing the applicant six months to remove the accessory utility building; and to add to the conditions that the height of the family room addition be up to and not exceed 13 feet. Comm. Babcock seconded. Motion carried unanimously, 7-0.

APPEAL OPTIONS: This action is final unless appealed to the City Council no later than February 26, 2008.