MODIFICATION COMMITTEE AGENDA

CITY OF EL MONTE
MODIFICATION COMMITTEE

TUESDAY, JANUARY 21, 2020

5:00 P.M.
CITY HALL WEST – CONFERENCE ROOM A
11333 VALLEY BOULEVARD

OPENING OF MEETING

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.
PUBLIC HEARING

5. Modification No. 37-19

Address: 10527 Hickson Street/ APN: 8576-025-020

Request: The Applicant is requesting a modification to reduce the required second story side yard setback from 5'-0" to 2'-0" from the first floor for the construction of a new, two-story, 2,100 square foot Single Family Residence. The subject site is located in the R-1A (One-family Dwelling) zoning district. This request is made pursuant to Chapter 17.20 (Modification/Variance) of the El Monte Municipal Code (EMMC).

CEQA Determination: Article 19. Categorical Exemptions – Section 15303 (New Construction or Conversion of Small Structures) in accordance with the requirements of the California Environmental Quality (CEQA) Act of 1970 and the CEQA Guidelines, as amended.

Recommendation: Approve subject to conditions

Case Planner: Adrian Perez, Administrative Assistant

6. Modification No. 33-19

Address: 4453 Cedar Avenue / APN: 8570-011-035

Request: The Applicant is proposing to legalize an approximately 396 sq. ft. patio cover located at the rear of an existing single-family residence. Modification No. 33-19 is requested to modify the rear yard setback from the required 20'-0" to 5'-0" to legalize the patio cover. The subject site is located in the R-1B (One-family Dwelling) zoning district. This request is made pursuant to Chapter 17.20 of the El Monte Municipal Code (EMMC).

CEQA Determination: Article 19. Categorical Exemptions – Section 15303 (New Construction or Conversion of Small Structures) in accordance with the requirements of the California Environmental Quality (CEQA) Act of 1970 and the CEQA Guidelines, as amended.

Recommendation: Approve subject to conditions

Case Planner: Sandra Elias, Assistant Planner

NEXT SCHEDULED MODIFICATION COMMITTEE MEETING
Tuesday, February 11, 2020 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: ADRIAN PEREZ
PLANNING DIVISION

SUBJECT: MODIFICATION NO. 37-19

LOCATION: 10527 HICKSON STREET/ APN: 8576-025-020

APPLICANT: WALLACE FU
40 E. HUNTINGTON DR.
ARCADIA, CA, 91006

PROPERTY OWNER: YAN ZHANG
10527 HICKSON STREET
EL MONTE, CA, 91731


RECOMMENDATION: ADOPT A CATEGORICAL EXEMPTION & APPROVE MODIFICATION NO. 37-19, SUBJECT TO CONDITIONS

REQUEST:

The Applicant is requesting a Modification to reduce the required second story street side yard setback from 5'-0" to 2'-0" from the first floor for the construction of a new, two-story, 2,100 square foot single-family residence. The subject site is located in the R-1A (One-family Dwelling) zoning district. This request is made pursuant to Chapter 17.20 (Modification/Variance) of the El Monte Municipal Code (EMMC).
SUBJECT PROPERTY:

| Location: | Northwest corner Hickson Street & Esto Avenue |
| General Plan: | Low Density Residential |
| Zone: | R-1A (One-Family Residential) |
| Street Frontage: | Hickson Street (38 feet) |
| Lot Size: | 6350 square feet (0.14 acres) |
| Existing Site Improvements: | Current Status: Vacant lot  
To-Be-Constructed: 2,100 SF Single Family Dwelling |

SURROUNDING PROPERTIES:

<table>
<thead>
<tr>
<th></th>
<th>General Plan:</th>
<th>Zoning:</th>
<th>Land Use:</th>
</tr>
</thead>
<tbody>
<tr>
<td>North:</td>
<td>Low Density Residential</td>
<td>R-1A (One-Family Dwelling)</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td>South:</td>
<td>Industrial Business Park</td>
<td>M-2 (General-Manufacturing)</td>
<td>Warehouse/Office</td>
</tr>
<tr>
<td>West:</td>
<td>Low Density Residential</td>
<td>R-1A (One-Family Dwelling)</td>
<td>Vacant Land</td>
</tr>
</tbody>
</table>

AERIAL PHOTO AND ZONING:

![Aerial Photo and Zoning Diagram]
**BACKGROUND:**

Prior to 2011, the subject property at 10527 Hickson Street was originally zoned M-2 (General Manufacturing) and developed with an electrical substation. The zoning of the property was then changed to R-1A as part of the 2011 General Plan update. All structures on the property were demolished between 2014 and 2018. The former substation was actually made up of four (4) single-family parcels, with the subject property being located at the street corner. All the parcels were then sold to different owners. Staff is currently reviewing construction plans for the other three (3) proposed dwellings.

The subject property is located at the southeastern portion of the Arden Village residential neighborhood. To the south and southeast are industrially zoned and developed properties. The property to the immediate south is also zoned industrial, with a new logistics center under construction.

**DISCUSSION:**

As previously noted, the applicant is proposing to construct a new single-family dwelling. Since the property is a corner lot, the minimum front yard setback is 20 feet and the minimum street side yard setback is ten (10) feet. For the second floor, the EMMC requires an additional setback of five (5) feet. This is to reduce impacts related to the bulk and mass of buildings. However, the applicant proposes to reduce the second story setback facing the street side yard setback to two (2) feet.

**PROJECT ANALYSIS:**

Table 1 below provides the development standards for the R-1A zone, and identifies whether the proposed project complies with each standard. The table has been prepared so that the Modification Committee may better understand the reasoning behind staff’s recommendation.

*Table 1: Development Standards*

<table>
<thead>
<tr>
<th>Development Feature</th>
<th>R-1A Requirement</th>
<th>Proposed</th>
<th>Requirement(s) Met?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Area per Dwelling</td>
<td>6,000 square feet</td>
<td>6,350 square feet</td>
<td>Yes</td>
</tr>
<tr>
<td>Minimum Lot Dimensions</td>
<td>60 feet wide by 100 feet deep</td>
<td>38 to 54.5 feet wide by 117 feet deep</td>
<td>No; Legal Non-conforming</td>
</tr>
<tr>
<td>Front Yard Setback</td>
<td>20 feet; For lots greater than 100 feet deep, 25% of lot or 25 feet, whichever is less</td>
<td>24.5 feet</td>
<td>Yes</td>
</tr>
<tr>
<td>1st Floor Street Side Yard Setback (East)</td>
<td>10 feet</td>
<td>11.5 feet</td>
<td>Yes</td>
</tr>
</tbody>
</table>

10527 Hickson Street
MOD No. 37-19
<table>
<thead>
<tr>
<th>Development Feature</th>
<th>R-1A Requirement</th>
<th>Proposed</th>
<th>Requirement(s) Met?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1&lt;sup&gt;st&lt;/sup&gt; Floor Interior Side Yard Setback (West)</td>
<td>5 feet</td>
<td>5 feet</td>
<td>Yes</td>
</tr>
<tr>
<td>Rear Yard Setback</td>
<td>10 feet</td>
<td>28 feet</td>
<td>Yes</td>
</tr>
<tr>
<td>2&lt;sup&gt;nd&lt;/sup&gt; floor Front Yard Setback</td>
<td>Additional 5 feet from 1&lt;sup&gt;st&lt;/sup&gt; floor setback</td>
<td>5 feet</td>
<td>Yes</td>
</tr>
<tr>
<td>2&lt;sup&gt;nd&lt;/sup&gt; floor Street Side Yard Setback (East)</td>
<td>Additional 5 feet from 1&lt;sup&gt;st&lt;/sup&gt; floor setback</td>
<td>2 feet</td>
<td>No; Modification Requested</td>
</tr>
<tr>
<td>2&lt;sup&gt;nd&lt;/sup&gt; floor Interior Yard Setback (West)</td>
<td>Additional 5 feet from 1&lt;sup&gt;st&lt;/sup&gt; floor setback</td>
<td>5 feet</td>
<td>Yes</td>
</tr>
<tr>
<td>Height</td>
<td>2.5 stories and 35 feet</td>
<td>2 stories and 25 feet</td>
<td>Yes</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>40%</td>
<td>30%</td>
<td>Yes</td>
</tr>
</tbody>
</table>

**FINDINGS OF FACT:**

In order to approve the project, the Modification Committee is required to make certain findings. Section 17.20.020 of the EMMC (Necessary Conditions) outlines the four (4) required findings and conditions to be met in order to approve any Modification:

**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 is located on an irregular shaped lot with five (5) sides and a substandard lot width of only 38 to 54.5 feet (while the EMMC requires a minimum lot width of 60 feet). Of the 14 residential parcels that front Hickson Street, only the subject property and property immediately to the west (which was also part of the former electrical substation) have lot widths less than 60 feet. However, the subject property is more restricted that the property to the west, as it is a corner lot (with a minimum street side yard setback of ten (10) feet).

**FINDING:**

B. The granting of such variance 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:

Approving the Modification will not be detrimental to the public health or welfare in the vicinity in which the subject property is located. Second story setbacks are primarily in place to reduce the bulk and mass of buildings, and further protect the privacy of the adjacent residences. For the subject property, the reduced second story setback faces the street side yard (not another residence). The remaining setbacks of the proposed dwelling will meet the standards of the EMMC; therefore, the privacy of the adjacent residences will be maintained. In addition, the building will include a porched entrance, various roof heights and multiple wall projections/setbacks, resulting in less bulk and mass.

FINDING:

C. 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 is located on an irregular shaped lot with five (5) sides and a substandard lot width of only 38 to 54.5 feet (while the EMMC requires a minimum lot width of 60 feet). Of the 14 residential parcels that front Hickson Street, only the subject property and property immediately to the west (which was also part of the former electrical substation) have lot widths less than 60 feet. However, the subject property is more restricted that the property to the west, as it is a corner lot (with a minimum street side yard setback of ten (10) feet).

FINDING:

D. The granting of such variance will not adversely affect the comprehensive general plan.

FACT:

The subject property has a General Plan Land Use Designation of Low Density Residential. The subject property is located in the City's Arden Village residential neighborhood. Staff finds that the proposed dwelling and design conforms to the goals and policies of the 2011 General Plan.
CONDITIONS OF APPROVAL:

1. Comply with all current Building Code requirements.

2. Attach a copy of the final decision letter with the conditions of approval to be submitted with the building plans.

3. The applicant shall not deviate from the approved plans. Any future additions to the dwelling shall comply with all provisions of the EMMC.

RECOMMENDATION:

Staff recommends that the Modification Committee evaluate the proposal and consider the following Action:

1. Adopt a Categorical Exemption under Section 15303 (Class 3- New Construction or Conversion of Small Structures) pursuant to the California Environmental Quality Act and Guidelines, as amended; and

2. Adopt the finding of Facts to approve Modification No. 37-19, subject to the conditions of approval.

ATTACHMENTS:

A. Project Plans
B. Public Hearing Notice
C. Radius Map
D. Site Posting Photo
LEGAL DESCRIPTION: TRACT #11538 LOT ON NE LINE OF HICKSON ST COM SE THEREON 40.37 FT FROM MOST W COR OF LOT 20 TH N 19°23'45" E 117.4 FT TH S 71°18'41" E 54.23 FT TH SW AND FOLLOWING BDRY LINE OF SD LOT TO BEG PART OF LOT 20

SITE KEY MAP

GRAPHIC SYMBOLS

MATERIAL SYMBOLS

PROJECT SUMMARY

SCOPE OF WORK

- NEW SINGLE FAMILY HOUSE, INCLUDE 1 LIVING, 1 DINING, 1 KITCHEN, 1 FAMILY ROOM
- NEW LIGHTING, 2 BATHROOMS, 2 MASTER SPLIT, 2 RECESSED, 1 SCONCE
- 1 FAN LIGHT
- NEW LANDSCAPING ON SITE
- NEW ELECTRICAL, PLUMBING, MECHANICAL WORKS
- PROPERTY LINE WALLS

PROJECT ADDRESS: HICKSON ST

APPLICABLE CODES:

- Zoning
- Building
- Earthquake Resistant Design
- Electric Code
- Fire Code
- Plumbing Code
- Electrical Code
- Mechanical Code
- Fire Safety Code
- Hazardous Waste

VISION DESCRIPTION DATE: October 5, 2018

CHECKED BY: J.C.

DRAWN BY: Y.F.
TO: All Interested Parties

FROM: City of El Monte Planning Division

PROPERTY LOCATION: 10527 Hickson Street/ APN: 8576-025-020

APPLICATION: Modification No. 37-19

REQUEST: The Applicant is requesting a modification to reduce the required second story side yard setback from 5'-0" to 2'-0" from the first floor for the construction of a new, two-story, 2,100 square foot Single Family Residence. The subject site is located in the R-1A (One-family Dwelling) zoning district. This request is made pursuant to Chapter 17.20 (Modification/Variance) of the El Monte Municipal Code (EMMC).

APPLICANT: Wallace Fu
40 E. Huntington Dr.
Arcadia, CA, 91006

PROPERTY OWNER: Yan Zhang
10527 Hickson Street
El Monte, CA, 91731

ENVIRONMENTAL DOCUMENTATION: Article 19. Categorical Exemptions – Section 15303 (New Construction or Conversion of Small Structures) in accordance with the requirements of the California Environmental Quality (CEQA) Act of 1970 and the CEQA Guidelines, as amended.

PLACE OF HEARING: Pursuant to State Law, the Modification Committee will hold a public hearing to receive testimony, orally and in writing, on the proposed project. The public hearing is scheduled for:

Date: Tuesday, January 7, 2020
Time: 5:00 p.m.
Place: El Monte City Hall West – Conference Room A
11333 Valley Boulevard, El Monte, California

Persons wishing to comment on the environmental documentation or proposed application may do so orally or in writing at the public hearing or in writing prior to the meeting date. Written comments shall be sent to Adrian Perez; El Monte City Hall West; 11333 Valley Boulevard; El Monte, CA 91731 or at aperez@elmonteca.gov. If you challenge the decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Planning Division at, or prior to, the public hearing. For further information regarding this application please contact Adrian Perez at aperez@elmonteca.gov or (626)258-8620 Monday through Thursday, except legal holidays, between the hours of 7:00 a.m. and 5:30 p.m.

Published: Thursday, December 26, 2019
Mailed: Monday, December 23, 2019

City of El Monte Modification Committee
Cristina Graciano, Modification Committee Secretary
TITLE: OWNERSHIP MAP

ADDRESS:
19627 HICKSON ST
EL MONTE CA 91731

PROPERTY OWNER(S):
ZHANG YIN
5812 DUVE ST
TEMPLE CITY CA 91780-3125

APPLICANT(S):
W YF ARCHITECTURE
605 E HUNTINGTON BLVD
ARCADA CA 91006
[919] 919-9999

LEGAL DESCRIPTION:
TRACT 6; 11538 LOT ON NE LINE OF HICKSON ST CC
THEREON 403.7 FT FROM MOST W COR OF LOT 20 THE
196.22' X 117.6 FT
TH 196 1/84' E 54.23' FT TH SW AND FOLLOWING BIBR
LINE OF SD LOT TO BEG PART OF LOT 20

APN:
8576-025-020

ACREAGE:
.1.146 (5,350 SQFT)

THOMAS GUIDE:
LOS ANGELES COUNTY
PAGE/GRID:
597/05

RADIUS: 30 FT
DATE: DECEMBER 09, 2019
SCALE: 1" = 120' NORTH: 1

PROJECT: 12119
DRAWN:

SHEET:
1 of 1
REVISION:

INDEX: 1
TITLE: OWNERSHIP MAP

FOR DEPARTMENT USE

CASE NO.
RECEIVED BY:

DATE

SZETO + ASSOCIATES
LAND USE ENTITLEMENT CONSULTANTS

CONDITONAL USE + VARIANCE + SUBDIVISION CONSULTING
ZONING + LICENSING + LAND USE PLANNING + HAZUS MAPS

KEY ASSOCIATES
NORTELLA CA 92869
TEL 919-919-9999
FAX 919-919-4000
makemaps@szetoassociates.com
TO: MODIFICATION COMMITTEE

FROM: BETTY DONAVANIK
COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR

JASON C. MIKAELIAN, AICP
CITY PLANNER

BY: SANDRA ELIAS
ASSISTANT PLANNER

SUBJECT: MODIFICATION NO. 33-19

LOCATION: 4453 CEDAR AVENUE

APPLICANT: ANH DUONG
C/O ANDREW MA
4453 CEDAR AVENUE
EL MONTE, CA 91732

PROPERTY OWNERS: ANH DUONG
TAI PHUOC DUONG
4453 CEDAR AVENUE
EL MONTE, CA 91732

ENVIRONMENTAL DETERMINATION: ARTICLE 19 CATEGORICAL EXEMPTION, SECTION 15303 (CLASS 3- NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES) IN ACCORDANCE WITH THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970 AND THE CEQA GUIDELINES, AS AMENDED

RECOMMENDATION: ADOPT A CATEGORICAL EXEMPTION & APPROVE MODIFICATION NO. 33-19, SUBJECT TO CONDITIONS

REQUEST

The applicant requests the approval of Modification No. 33-19 to reduce the rear yard setback from 20'-0" to 5'-0" to allow the legalization of an unpermitted 396 sq. ft. patio located at the rear of an existing 1,129 sq. ft. single-family residence. The subject site is located in the R-1-B (One-Family Dwelling) zoning district. This request is made pursuant to Section 17.20 of the El Monte Municipal Code (EMMC).
SUBJECT PROPERTY:

<table>
<thead>
<tr>
<th>Location</th>
<th>South of Emery Street, east of Huddart Avenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Plan</td>
<td>Low Density Residential (Maximum 6 DU/acre)</td>
</tr>
<tr>
<td>Zone</td>
<td>R-1-B (One-Family Dwelling)</td>
</tr>
<tr>
<td>Street Frontage</td>
<td>84’ feet wide with no street frontage; access to site via a common driveway</td>
</tr>
<tr>
<td>Lot Size</td>
<td>6,532 square feet (.15 acres)</td>
</tr>
<tr>
<td>Existing Site Improvements</td>
<td>Single-Family Residence with an attached 400 sq. ft. garage</td>
</tr>
</tbody>
</table>

SURROUNDING PROPERTIES:

<table>
<thead>
<tr>
<th>North</th>
<th>General Plan</th>
<th>Zoning</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North:</td>
<td>Low Density Residential</td>
<td>R-1B (One-Family Dwelling)</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td>South:</td>
<td>Low Density Residential</td>
<td>R-1B (One-Family Dwelling)</td>
<td>Multi-Family Residential</td>
</tr>
<tr>
<td>West:</td>
<td>Low Density Residential</td>
<td>R-1B (One-Family Dwelling)</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td>East:</td>
<td>Low Density Residential</td>
<td>R-1B (One-Family Dwelling)</td>
<td>Single-Family Residential</td>
</tr>
</tbody>
</table>

AERIAL PHOTO AND ZONING:
**BACKGROUND**

The property is currently improved with a one-story 1,129 square foot single-family dwelling with an attached 400 square foot garage. The applicant is requesting to reduce the required rear setback from 20'-0" to 5'-0" to legalize an unpermitted 396 square foot patio located at the rear of the dwelling. The initial request by the applicant included the request to reduce the required rear setback to 4'-0" to legalize a 616 square foot patio. Upon a recommendation by staff, the applicant revised the initial plans by reducing the patio from 616 square feet to 396 square feet. All required permits shall be issued prior to demolishing any portion of the unpermitted patio. Additionally, Code Enforcement Division records indicate that there is an existing 400 square foot unpermitted garage conversion existing on the property. The garage is proposed to be converted back to its intended use (for the storage of vehicles) upon the issuance of all required permits. The storage shed depicted on the plans is approximately 30 square feet and does not require a permit. The storage shed will be removed by the owner.

**PROJECT ANALYSIS**

**Development Standards**

Table 1 below provides the development standards for the R-1B zone and determines whether the proposed project complies with each standard.

<table>
<thead>
<tr>
<th>Development Feature</th>
<th>R-1B Requirement</th>
<th>Proposed</th>
<th>Meet Requirement(s)?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Area per Dwelling</td>
<td>6,000 sf</td>
<td>6,532 sf</td>
<td>Yes</td>
</tr>
<tr>
<td>Front Yard Setback</td>
<td>20’</td>
<td>22’</td>
<td>Yes</td>
</tr>
<tr>
<td>Side Yard Setback(s)</td>
<td>5’</td>
<td>5’</td>
<td>Yes</td>
</tr>
<tr>
<td>Rear Yard Setback</td>
<td>20’</td>
<td>5'-0”</td>
<td>No; Modification requested</td>
</tr>
<tr>
<td>Height</td>
<td>2.5 stories and 35’</td>
<td>13'-6”</td>
<td>Yes</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>40%</td>
<td>29%</td>
<td>Yes</td>
</tr>
<tr>
<td>FAR</td>
<td>35%</td>
<td>17%</td>
<td>Yes</td>
</tr>
<tr>
<td>Parking</td>
<td>2-car garage (20’x20’)</td>
<td>2-car garage (20’x20’)</td>
<td>Yes</td>
</tr>
</tbody>
</table>
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 (4) required findings and conditions to be met in order to approve any Modification:

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:

There are exceptional or extraordinary circumstances or conditions applicable to the property involved due to the existing setting including the accessibility to the subject property and the layout of the existing structures. The subject site can be accessed through a shared/common driveway (shared by a total of four (4) units) along Cedar Avenue. Furthermore, the existing single-family residence and garage are legal non-conforming in that the rear setback is not consistent with current standards thereby restricting the property owner from making improvements to the rear of the property.

FINDING:

B. The granting of such variance 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 properties in the vicinity. The proposed patio is intended to provide shelter to allow the resident to maximize the benefit of the rear yard. There will be no impacts to nearby properties such as daylight obstruction, visual blight, etc. Moreover the property will remain under the maximum Floor Area Ratio (FAR) and lot coverage.

FINDING:

C. 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:

Staff has determined that the requested modifications can be supported due to existing circumstances of the property including the layout of the existing structures. The single-family dwelling and attached garage were constructed prior to current code
requirements. The existing structures are legal non-conforming in that the rear yard setback is currently deficient which thereby deprives the property owner of improvements/expansions to the rear of the property. The proposed project will be consistent with adjacent properties with a similar structural layout.

**FINDING:**

D. The granting of such variance will not adversely affect the comprehensive general plan.

**FACT:**

The approval of such modification to reduce the required rear yard setback from 20 feet to 5'-0" will not adversely affect the comprehensive General Plan. Policy LU-1.1-Code Compliance, ensures land compatibility through adherence to the policies, standards, and regulations in the Municipal Code; Policy LU-1.6-Quality of Life, encourages protecting the quality of life of residents. Allowing the legalization of the existing patio located at the rear of the property and a deviation from the required rear yard setback will provide an amenity that the resident can benefit from thus providing better quality of life for its residents.

**CONDITIONS OF APPROVAL:**

1. The project shall substantially conform to the site plan, floor plan and elevation plans on file with the City’s Planning Division and as presented to the Modification Committee on January 21, 2020 and as amended herein.

2. Plans shall comply with all City Department/Divisions regulations and guidelines including Building, Engineering, Planning and the Los Angeles County Fire Department.

3. The approval of Modification No. 33-19 is valid for one (1) year from the date of approval. During this time period, the applicant is responsible for obtaining the required City permit(s) for the proposed project.

4. A copy of the final decision letter with the conditions of approval to be submitted with the building plans.

5. The reversion of the unpermitted garage conversion to its original intended use (for the storage of vehicles) and the unpermitted portion of patio to be demolished are subject to the issuance of all required permits.

6. Rear and front yard setbacks shall have properly maintained landscape areas. The applicant shall provide details and specifications on the Site Plan for all proposed landscaping/planting materials.

7. The rear patio shall be finished with building/finish materials that complement the existing residence.
RECOMMENDATION:

Staff recommends that the Modification Committee evaluate the proposal and consider the following Action:

1. Adopt a Categorical Exemption under Section 15303 (Class 3- New Construction or Conversion of Small Structures) pursuant to the California Environmental Quality Act and Guidelines, as amended and;

2. Adopt the finding of Facts to approve Modification No. 33-19, subject to the conditions of approval.

ATTACHMENTS:

A. Project Plans
B. Public Hearing Notice
C. Radius Map
D. Site Posting Photo
TO: All Interested Parties

FROM: City of El Monte Planning Division

PROPERTY LOCATION: 4453 Cedar Avenue / APN: 8570-011-035

APPLICATION: Modification No. 33-19

REQUEST: The Applicant is proposing to legalize an approximately 396 sq. ft. patio cover located at the rear of an existing single-family residence. Modification No. 33-19 is requested to modify the rear yard setback from the required 20'-0" to 5'-0" to legalize the patio cover. The subject site is located in the R-1B (One-family Dwelling) zoning district. This request is made pursuant to Chapter 17.20 of the El Monte Municipal Code (EMMC).

APPLICANT / PROPERTY OWNER: Anh Duong
4453 Cedar Avenue
El Monte, CA, 91732

ENVIRONMENTAL DOCUMENTATION: Article 19. Categorical Exemptions – Section 15303 (Class 3 – New Construction or Conversion of Small Structures) in accordance with the requirements of the California Environmental Quality (CEQA) Act of 1970 and the CEQA Guidelines, as amended.

PLACE OF HEARING: Pursuant to State Law, the Modification Committee will hold a public hearing to receive testimony, orally and in writing, on the proposed project. The public hearing is scheduled for:

Date: Tuesday, January 21, 2020 (Continued from January 7, 2020)
Time: 5:00 p.m.
Place: El Monte City Hall West – Conference Room A
11333 Valley Boulevard, El Monte, California

Persons wishing to comment on the environmental documentation or proposed application may do so orally or in writing at the public hearing or in writing prior to the meeting date. Written comments shall be sent to Sandra Elias; El Monte City Hall West; 11333 Valley Boulevard; El Monte, CA 91731 or at selias@elmonteca.gov. If you challenge the decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Planning Division at, or prior to, the public hearing. For further information regarding this application please contact Sandra Elias at selias@elmonteca.gov or (626) 258-8621 Monday through Thursday, except legal holidays, between the hours of 7:00 a.m. and 5:30 p.m.

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4453 Cedar Avenue – Public Notice Site Posting