



PLANNING COMMISSION
Minutes of the Regular Meeting
Westminster Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
February 4, 2009
6:30 p.m.

- Call to Order** The Planning Commission of the City of Westminster met in a regular session on Wednesday, February 4, 2009 called to order in the Westminster Council Chambers at 6:30 p.m. by Chairman Tran.
- Roll Call** Commissioners present: Bertels, Ho, Tran, Turro, Vo
Commissioner absent: None
- Staff Attendance** Art Bashmakian, Planning Manager; Michael Patterson, Assistant Planner; Maria Moya, Administrative Assistant; Christian Bettenhausen, Deputy City Attorney
- Salute to the Flag** All persons present joined in the Salute to the Flag, conducted by Commissioner Ho.
- Approval of Minutes** The minutes of the regular meeting of January 21, 2009 were approved on motion of Commissioner Vo, seconded by Commissioner Ho, and carried 5-0.
- Oral Communication** None
- Written Communications** None
- Public Hearing** A. Case 2008-69 Variance.
Location: 14162 Nancy Lee (Assessor's Parcel Numbers 195-312-09)
- A request for a Variance to maintain an existing one-car garage in lieu of providing a two-car enclosed garage required when there is an addition to a single-family residence of more than twenty-five percent of the original gross floor area. The proposed 497 square-foot bedroom addition is over 25% of the original gross floor area (930 square-feet).

STAFF RECOMMENDATION: That the Planning Commission deny the variance.

Mr. Michael Patterson made the presentation on the applicant's request for a variance. Based on staff findings and analysis, Mr. Patterson recommended that the Planning Commission deny the variance request.

The public hearing was opened.

Speaking in favor of the proposal was the son of the homeowner, Mr. Cesar Valdez of 14162 Nancy Lee Drive. He indicated that the rooms are small and as the family grew, they needed extra space to alleviate their living conditions. He stated that they have expanded the driveway in their front lawn to provide more parking spaces.

The next door neighbor, Ms. Irma Ong of 14182 Nancy Lee Drive, stated that there are no homes in the area that have two-car garages. She felt it was unfair to require the applicant to comply with the new building codes as the homes were built in the 1950s. She contended that there is always available parking on the street since it is a residential area.

Mr. Cesar Valdez's brother, Mr. Daniel Valdez, also spoke in favor. He stated that adding another car garage will cause financial hardship to their family. He informed the Commission that aside from the five family members, there are two renters residing in the house.

Having recently graduated from the fire academy, Mr. Cesar Valdez acknowledged the hazards of overcrowding in a residential home but explained that the renters will stay in their house for only two months.

No one spoke in opposition and the public hearing was closed.

Since the homeowner is able to rent one of the rooms, Commissioner Vo felt the applicant had sufficient rooms for the family members to live comfortably. Commissioner Vo pointed out that financial hardship was not a compelling reason that will preclude the applicant from providing a second parking space. He supported staff findings that the second parking space could be easily provided by converting the family room.

Commissioner Ho concurred with Commissioner Vo. She felt that too many people are residing in the house, and if approved, this case could set a precedent.

Commissioner Turro indicated that he visited the site around 12:30 p.m. and observed there was no car parked along the street.

Motion Commissioner Vo moved that the Planning Commission deny the variance. Commissioner Ho seconded and the motion carried 3-2, Commissioners Bertels and Turro dissented.

Reports None

Administrative Adjustments The Planning Commission received notification that there was no Administrative Approval item reviewed by the Planning Manager.

Items from the Planning Commission None

Comments:

Planning Commissioner Commissioner Turro requested Mr. Bashmakian to report to Public Works Director Marwan Youssef that a bunch of palm fronds are on the north curve of McFadden Avenue, east of Nantucket; and a few more on Mcfadden Avenue, east of Magnolia Avenue up to Poinsettia Street.

Planning Manager None

Reporting on AB 1234 None

Adjournment The meeting was adjourned at 7:20 p.m. to the Planning Commission meeting of February 4, 2009 at 6:30 p.m.

Respectfully submitted,

MARIA MOYA
Administrative Assistant

