

ATTACHMENT 1**NOTICE OF DECISION AND FINDINGS OF FACT FOR ALII WAY SHED APPEAL
LOCATED ON AT 5164 ALII WAY IN THE SINGLE FAMILY ALTERNATIVE (R-1A) ZONE.
(Z97-078)**

At the regular meeting of November 6, 1997, the City Planning Commission heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Planning Commission took the following actions for the location listed above:

- A. **Environmental Determination (Exemption)**
- B. **Denied the Appeal of the Zoning Administrator's Decision to deny Variance to reduce the required front yard setback from 25 feet to 15.5 feet for a 64 square foot storage shed for a single family residence on 0.10± developed acres in the Single Family Alternative zone.**

These actions were made based upon the following findings of fact:

FINDINGS OF FACT

- A. **Categorical Exemption:** The City Planning Commission finds and determines that the proposed project is exempt from environmental review pursuant to Sections 15301 and 15303(a) of the California Environmental Quality Act.
- B. **Appeal of the Zoning Administrator's Decision to Deny a Variance:** The appeal of the Zoning Administrator's Denial of a Variance for the proposed second unit is denied subject to the following findings of fact:
 - 1. The proposed project, as conditioned, is not based upon sound principles of land use in that:
 - a. the shed is located within the front setback area;
 - b. there is an existing two car garage that can be used for storage; and
 - c. the proposed storage shed in the front yard setback area will substantially alter the characteristics of the site and surrounding neighborhood.
 - 2. Granting the variance would constitute a special privilege extended to an individual applicant in that a variance has not been and would not be granted to other property owners facing similar circumstances.

ATTEST:

SECRETARY TO
CITY PLANNING COMMISSION CHAIRPERSON

Z97-078