Council Meeting of
July 20, 2010

Honorable Mayor and Members
of the City Council
City Hall
Torrance, California

PUBLIC HEARING

Members of the Council:

SUBJECT: **Community Development - Consider an appeal of a Planning Commission denial without prejudice of a Precise Plan of Development to allow the construction of first and second story additions to an existing one-story single family residence in conjunction with a new accessory structure on property located within the Hillside Overlay District, in the R-1 Zone at 209 Via El Toro.**

PRE09-00007: JIM & BETSY DELURGIO

Expenditure: None

RECOMMENDATION

Recommendation of the Planning Commission that the City Council deny the appeal and take the following action on property located at 209 Via El Toro:

1. Adopt a Resolution denying PRE09-00007

Recommendation of the Community Development Director that the City Council uphold the appeal and take the following action on property located at 209 Via El Toro:

1. Adopt a Resolution approving PRE09-00007

Funding: Not applicable

BACKGROUND

The property is located at the end of the cul-de-sac on Via El Toro and is currently developed with a one-story residence with attached two-car garage. The project was first heard by the Planning Commission on November 4, 2009 and was continued indefinitely. The project was brought back to the Planning Commission on May 19, 2010 and was denied without prejudice by a vote of 6 to 0 with one Commissioner abstaining. On May 24, 2010, the applicant filed an appeal with the City Clerk.

Prior Hearings and Publications

A Planning Commission Hearing was scheduled for November 4, 2009. On October 22, 2009, 103 notices were mailed to adjacent property owners. A notice of public review period was published in the newspaper on October 23, 2009. A second Planning Commission Hearing was scheduled for May 19, 2010. On May 6, 2010, 78 notices were mailed to adjacent property owners. A notice of public review period was published in the newspaper on May 7, 2010. A City Council Hearing was scheduled for June 22, 2010. On June 11, 2010, 138 notices were mailed to adjacent property owners and Homeowner Associations in the City, the site was posted and a legal advertisement was published in the newspaper. At the June 22, 2010 City Council Hearing, the City Council continued the matter to the July 20, 2010 City Council Hearing. On July 9, 2010, the site was posted with a Notice of Public Hearing.

Environmental Findings

The construction of a single family residence in a residential zone is Categorically Exempted by the 2010 Guidelines for Implementation of the California Environmental Quality Act; Article 19, Section 15303 (a).

ANALYSIS

The applicant requests approval to allow first and second story additions in conjunction with an accessory structure in the rear. The current plans have been modified from the original proposal to address impacts to view, privacy and massing. The plans propose a great room, dining room, living room, kitchen, three bedrooms, two bathrooms and a laundry area on the first floor. The second floor proposes a master suite, a family room and a balcony. The plans also show a detached accessory structure in the rear with an office, art studio, bathroom and solar mechanical room. The plans indicate a pool area to be done under separate permits and also indicate solar panels on the roof of the accessory structure but are not subject to Hillside Review. The project complies with all height and setback requirements of the R-1 Zone.

A project summary follows:

Statistical Information	Current Residence	Original Proposal	Revised Proposal
♦ Lot Area	13,185 sq. ft.	13,185 sq. ft.	13,185 sq. ft.
♦ First Floor Living Area	1,608 sq. ft.	2,315 sq. ft.	2,275 sq. ft.
♦ Second Floor Living Area	N/A	1,213 sq. ft.	965 sq. ft.
♦ Total Living	1,608 sq. ft.	3,528 sq. ft.	3,240 sq. ft.
♦ Garage	418 sq. ft.	498 sq. ft.	515 sq. ft.
♦ Accessory Structure	N/A	634 sq. ft.	677 sq. ft.
♦ Total Floor Area (Inc. Gar/Acc)	2,026 sq. ft.	4,660 sq. ft.	4,432 sq. ft.
♦ Floor Area Ratio	0.15	0.35	0.34
♦ Lot Coverage	15.3%	25%	26%
♦ Maximum 1-story residence allowed at 0.5 FAR:		6,592 sq. ft.	
♦ Maximum 2-story residence allowed at 0.6 FAR:		7,911 sq. ft.	

Prior to the Planning Commission Meeting of May 19, 2010, staff received correspondence from 505, 508, 513, 515, 516, 520, 523, 621 and 627 Camino de Encanto, 206 Calle de Sirenas and 526 Palos Verdes Blvd expressing concerns ranging from privacy and view impacts to the increase of second stories and the precedence being set by approving this application. Staff visited the surrounding properties to view the silhouette of the proposed residence. The properties which had the most potential for impact are 513, 515 and 523 Camino de Encanto.

At 513 Camino de Encanto staff viewed the silhouette from the living room, dining room, bedroom and rear yard area where the owner expressed privacy concerns from the second story windows of the proposed residence to the living and bedroom areas and rear yard areas and impacts to views of the sky. Staff observed ocean and city light views to the north and northwest which are not impacted by the proposed residence and accessory structure. Historically the Hillside Overlay Ordinance has been interpreted by City Council and Planning Commission to be most protective of views afforded by the unique topography and location of the Hillside Overlay District. More protection has been afforded to views of ocean, shoreline,

city lights, white water, etc. Views of the sky are not unique to the Hillside Overlay District and have not generally been afforded the same level of protection. In the judgment of staff, the proposal does not impact views from 513 Camino de Encanto. Staff notes that the windows on the second floor that face the north and east are not large picture windows; one is located within a bathroom, a stairway and two in the family room. These windows all have sill heights five feet or higher. The second floor setback has also been increased from 81-feet 6-inches to 100-feet 6-inches and, in the judgment of staff, the redesigned residence has reduced privacy impacts to 513 Camino de Encanto.

At 515 Camino de Encanto staff viewed the silhouette from the living room, office, bedroom and rear yard area where the owner has expressed concerns with the impacts to ocean views from the living room from the proposed accessory structure. Staff observed ocean, whitewater, city light and mountain views to the north and northwest from the residence. While standing in certain areas of the living room area of the home, a small portion of ocean view to the northwest will be blocked by the accessory structure. In the judgment of staff, 515 Camino de Encanto has the greatest potential for impacts from the development of the subject parcel rendering significant portions of the rear yard unable to be developed without significant impact to views. However staff notes that the proposed plan was designed in such a way as to preserve view corridors over the majority of the lot towards the ocean and whitewater views.

At 523 Camino de Encanto staff viewed the silhouette from the living room area, office area and bedroom where the owner has expressed concerns about ocean and city light views. Staff observed ocean and mountain views to the west and ocean and city light views to the north. The owner provided photographs taken with binoculars of ocean and city light views through the rooftops of 209 Via El Toro and 205 Via El Toro. Based on staff's observations, a small portion of ocean and city light views in this corridor between rooftops as viewed from the office area at 523 Camino de Encanto would be impacted by the proposed addition. The revised project lessened impacts to the north of ocean, whitewater and city light views created by the second story as the proposed structure increased the rear yard setback on both the first and second story. Staff notes that while standing in the living and dining areas and looking west, the silhouette of the project is not visible and does not block views to the horizon of ocean and mountains.

Although the plan introduces a second story element, it appears based on staff observations that this plan is the least impactful to the surrounding neighborhood. Staff's recommendation of approval gives greater weight to the protection of views over the sense of openness that a one-story plan would provide. In the judgment of staff, a one-story plan would likely cause greater view impacts to more surrounding properties.

The applicant has redesigned the proposed project to minimize potential impacts to surrounding neighbors. The project has been reduced in scale to provide less square footage overall, has addressed potential privacy impacts to the neighbors at 513 and 515 Camino de Encanto as window sill heights along the east and south elevations of second floor are at 5-feet or higher and has reduced the second floor massing to preserve view corridors to 513, 515 and 523 Camino de Encanto. Staff determines that if additions to the residence were on the ground to the rear, a greater number of properties would experience loss of views of ocean and city lights as the rear of the property is a primary view corridor for residences to the rear. Additions to the front of the residence are restricted by the shape of the lot as it narrows towards the street and the desire of the applicants to maintain as much off-street parking available.

The applicant has submitted revised plans for a project that complies with the R-1 standards. It maintains height requirements, exceeds the open space requirements, is within the maximum lot coverage and floor area ratio limits and is of moderate size for this property. Staff determines that the subject request will not have a harmful effect on surrounding properties and does not appear to result in adverse impacts on view, light, air or privacy. For these reasons staff recommends approval of this appeal and approval of this project.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission reviewed the current proposal at the May 19, 2010 hearing. The applicant's architect gave a presentation on the project and discussed the changes from the original proposal. Various neighbors voiced their opposition to the project due to impacts to view and privacy and also explained that no major changes were done to the design. The applicant's architect addressed some concerns that were brought up by neighbors and also explained that a one-story residence could have greater impacts to views of adjacent neighbors to the east. At the meeting in addition to the previously mentioned properties, additional property owners spoke and mentioned impacts to views. The Planning Commission closed the public hearing and discussion followed. A Commissioner indicated that sky views are not considered as protected views and another Commissioner indicated impacts to ocean views. A motion to deny the project without prejudice passed with a vote of 6 to 0 with Commissioner Horwich abstaining. Should the Council consider approval of the subject request, a set of recommended conditions is included as Attachment I.

Respectfully submitted,

Jeffery W. Gibson
Community Development Director

CONCUR:

Jeffery W. Gibson
Community Development Director

By _____
Gregg D. Lodan, AICP
Planning Manager

NOTED:

LeRoy J. Jackson
City Manager

Attachments:
A. Resolution
B. Location and Zoning Map
C. Silhouette Certification
D. Letter of Appeal
E. Previous City Council Items
F. Planning Commission hearing Minute Excerpts from 5/19/10
G. Previous Planning Commission Staff Reports and Supplemental
H. Proofs of Publication and Notification
I. Recommended Conditions if Approved
J. Items submitted at the 5/19/10 Planning Commission Hearing
K. Correspondence
L. Plot Plan and Elevations (Limited Distribution)
M. Mayor's Script (Limited Distribution)

RESOLUTION NO. 2010

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DENYING WITHOUT PREJUDICE A PRECISE PLAN OF DEVELOPMENT AS PROVIDED FOR IN DIVISION 9, CHAPTER 1, ARTICLE 41 OF THE TORRANCE MUNICIPAL CODE TO ONE AND TWO-STORY ADDITIONS TO AN EXISTING ONE STORY SINGLE FAMILY RESIDENCE IN CONJUNCTION WITH A NEW ACCESSORY STRUCTURE ON PROPERTY LOCATED IN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE AT 209 VIA EL TORO.

PRE09-00007: JIM & BETSY DELURGIO

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on November 4, 2009, to consider an application for a Precise Plan of Development filed by Jim & Betsy Delurgio to allow first and second story additions to an existing one-story single-family residence in conjunction with a new accessory structure on property located in the Hillside Overlay District in the R-1 Zone at 209 Via el Toro; and

WHEREAS, the Planning Commission of the City of Torrance continued the matter indefinitely for a redesign; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on May 19, 2010, to consider an application for a Precise Plan of Development filed by Jim & Betsy Delurgio to allow first and second story additions to an existing one-story single-family residence in conjunction with a new accessory structure on property located in the Hillside Overlay District in the R-1 Zone at 209 Via el Toro; and

WHEREAS, the Planning Commission of the City of Torrance denied without prejudice the Precise Plan request; and

WHEREAS, the City Council of the City of Torrance conducted a public hearing on June 22, 2010, to consider an appeal of a Planning Commission Denial without Prejudice for a Precise Plan of Development filed by Jim & Betsy Delurgio to allow first and second story additions to an existing one-story single-family residence in conjunction with the construction of a new accessory structure on property located in the Hillside Overlay District in the R-1 Zone at 209 Via el Toro; and

WHEREAS, due and legal publication of notice was given to owners of property in the vicinity thereof and due and legal hearings have been held, all in accordance with the provisions of Division 9, Chapter 6, Article 2 of the Torrance Municipal Code; and

WHEREAS, the construction of a new single-family residence in a residential zone is Categorically Exempted by the 2010 Guidelines for Implementation of the California Environmental Quality Act; Article 19, Section 15303 (a); and

WHEREAS, the City Council of the City of Torrance does hereby find and determine as follows:

a) That the property is located at 209 Via el Toro; and

b) That the property is identified as Lot 126 in Tract 18379 as per map recorded in Parcel Map Book 7512, Page 007 and Parcel 029 in the Office of the County recorder County of Los Angeles, State of California; and

c) That the proposed residence will have an adverse impact upon the view, light, air and privacy of other properties in the vicinity; and

d) That the proposed residence has not been located planned and designed so as to cause the least intrusion on the views, light, air and privacy of other properties in the vicinity because of impacts to views of 515 Camino de Encanto and privacy of 513 Camino de Encanto; and

NOW, THEREFORE, BE IT RESOLVED that PRE09-00007, filed by Jim & Betsy Delurgio to allow first and second story additions to an existing one-story single-family residence in conjunction with a new accessory structure on property located within the Hillside Overlay District in the R-1 Zone at 209 Via El Toro on file in the Community Development Department of the City of Torrance, is hereby denied without prejudice.

Introduced, approved and adopted this 22nd day of June, 2010.

_____

MAYOR, of the City of Torrance

ATTEST:

_____

City Clerk of the City of Torrance

APPROVED AS TO FORM:

JOHN FELLOWS III, City Attorney

By_____

ATTACHMENT B

LOCATION AND ZONING MAP

209 Via el Toro
PRE09-00007

TORRANCE COMMUNITY DEVELOPMENT GIS

LEGEND

Proposed Site

Notification Area

Feet
0 105 210 420

N
W E
S

Prepared using City of Torrance Community Development Geographic Information System
Jeffery W. Gibson, Community Development Director

City of Torrance, Community Development Department Jeffery W. Gibson, Director
3031 Torrance Blvd., Torrance, CA 90503 (310) 618-5990 Fax: (310) 618-5829

Height and Location Certification

The survey must be performed by a licensed land surveyor or civil engineer and should be accompanied by a map which shows the location of the bench mark and the locations where the measurements were taken. The map should also show the location of existing and proposed structures.

SILHOUETTE CERTIFICATION

I have surveyed the silhouette located at 209 Via El Toro (address)

_____ on 5/2/10 (date), based on plans submitted to the City of Torrance

by Obelisk Architects (applicant/architect) on _____ (date). The survey was taken

from a bench mark located at 209 Via El Toro (address)

(attached map) which established a base elevation of 100.0 on lid of exist. SMH.

The ridge line/highest point of the roof was determined to have an elevation of 126.2.

The plans indicate that the elevation should be 126.21.

I certify that I have measured the location of pertinent features located on the subject property. Based on the plans submitted to the Community Development Department, I have verified that the silhouette/construction accurately represents the proposed structure in terms of ***height, building envelope, location on the site, and all setbacks.***

OFFICIAL STAMP
LICENSED LAND SURVEYOR
CHI MING GONG
No. 7243
Exp 12-31-10
STATE OF CALIFORNIA

Chi Ming Gong
Name (please print)

7243
LS/RCE#

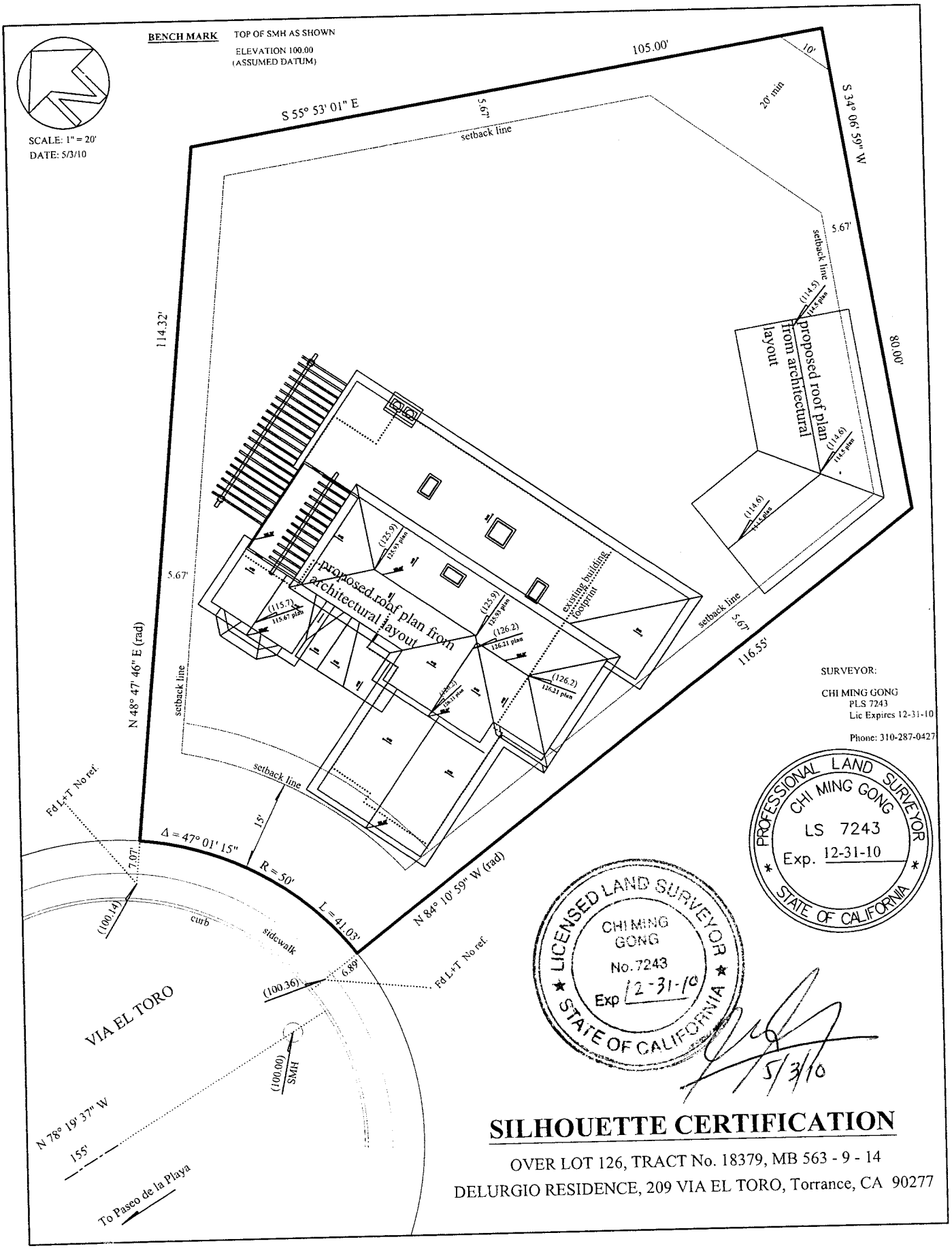
SIGNATURE

(310) 779 5402
PHONE

5/4/10
DATE

Notes: _____

RECEIVED
MAY 04 2010
CITY OF TORRANCE
COMMUNITY DEVELOPMENT



SURVEYOR:

CHI MING GONG
PLS 7243
Lic Expires 12-31-10

Phone: 310-287-0427

PROFESSIONAL LAND SURVEYOR
CHI MING GONG
LS 7243
Exp. 12-31-10
STATE OF CALIFORNIA

LICENSED LAND SURVEYOR
CHI MING GONG
No. 7243
Exp 12-31-10
STATE OF CALIFORNIA

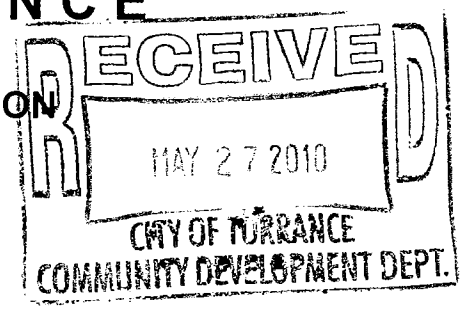
5/3/10

SILHOUETTE CERTIFICATION

OVER LOT 126, TRACT No. 18379, MB 563 - 9 - 14

DELURGIO RESIDENCE, 209 VIA EL TORO, Torrance, CA 90277

CITY OF TORRANCE



INTEROFFICE COMMUNICATION

DATE: May 24, 2010

TO: **Jeffery Gibson, Community Development**

FROM: City Clerk's Office

SUBJECT: **Appeal 2010-06**

Attached is Appeal 2010-06 received in this office on May 24, 2010 from Jim Delurgio, 209 Via El Toro, Torrance, CA 90503. This appeal is of the Planning Commission's denial on May 19, 2010 citing proposal design complies with the Hillside Overlay Ordinance as cited in planning staff recommendations for approval.

The appeal fee of $250.00, paid by check, was accepted by the City Clerk.

SECTION 11.5.3. PROCEDURE AFTER FILING.

a) Upon receipt of the notice of appeal, and the appeal fee, the City Clerk shall notify the concerned City officials, bodies or departments that an appeal has been filed and shall transmit a copy of the appeal documents to such officials, bodies or departments.

b) The concerned City officials, bodies or departments shall prepare the necessary reports for the City Council, provide public notices, posting, mailing or advertising in the same manner as provided for the original hearing or decision making process, request the appeal be placed on the agenda for hearing before the City Council within thirty (30) days of receipt of the said notice of appeal, and notify the applicant in writing of the time, date and place of the hearing not less than five (5) days before the Council hearing.

Sue Herbers
City Clerk

cc: City Council
City Manager
City Attorney

CITY OF TORRANCE

APPEAL FORM

RECEIVED
2010 MAY 24 AM 10:09
CITY OF TORRANCE
CITY CLERK'S OFFICE

AN APPEAL TO:
- ☒ City Council
- ☐ Planning Commission
- ☐ _____

RETURN TO:
Office of the City Clerk
3031 Torrance Boulevard
Torrance CA 90509-2970
310/618-2870

RE: PRE09-00007 Jim & Betsy Delurgio
(Case Number and Name)

Address/Location of Subject Property 209 Via el Toro
(If applicable)

Decision of:
- ☐ Administrative Hearing Board
- ☐ Airport Commission
- ☐ Civil Service Commission
- ☐ Environmental Quality & Energy Conservation Commission
- ☐ License Review Board
- ☒ Planning Commission
- ☐ Community Development Director
- ☐ Special Development Permit
- ☐ Other _____

Date of decision: 5/19/2010 **Appealing:** ☐ APPROVAL ☒ DENIAL

Reason for Appeal: *Be as detailed as necessary. Additional information can be presented at the hearing. Attach pages as required with additional information and/or signatures.)*

Proposed design complies with the Hillside Overlay Ordinance, as cited in planning staff recommendations for approval.

Name of Appellant Jim Delurgio

Address of Appellant 209 Via el Toro

Telephone Number (310) 378-0001

Signature _____

For office use only:
Appeal Fee paid $ 250.00 Date 5/24/10 Received by MM

Notice to: Community Development Department: ☒ Planning ☒ Building & Safety
☒ City Council ☒ City Manager ☐ City Attorney ☐ Other Department(s) _____

Attachment E

Council Meeting of
June 22, 2010

Honorable Mayor and Members
of the City Council
City Hall
Torrance, California

PUBLIC HEARING

Members of the Council:

SUBJECT: **Community Development - Consider an appeal of a Planning Commission denial without prejudice of a Precise Plan of Development to allow the construction of first and second story additions to an existing one-story single family residence in conjunction with a new accessory structure on property located within the Hillside Overlay District, in the R-1 Zone at 209 Via El Toro.**

PRE09-00007: JIM & BETSY DELURGIO

Expenditure: None

RECOMMENDATION

Recommendation of the Community Development Director that the above mentioned case be continued to the July 20, 2010 City Council meeting as requested by the applicant.

Respectfully submitted,

Jeffery W. Gibson
Community Development Director

CONCUR:

Jeffery W. Gibson
Community Development Director

By
Gregg D. Lodan, AICP
Planning Manager

NOTED:

LeRoy J. Jackson
City Manager

Attachments: A. Correspondence from Applicant

Martinez, Oscar

From: Jim Delurgio [jdelurgio@socal.rr.com]
Sent: Wednesday, June 16, 2010 10:23 AM
To: Martinez, Oscar
Cc: Nagy Bakhoum; Betsy Delurgio
Subject: 209 Via el Toro

We would like to request a continuance of our City Council hearing due to the sudden passing of my brother, and a conflict with his funeral which was scheduled for June 22nd.

The next available date of July 20th would work fine for us and our architect. Thank you for your understanding of our situation.

Jim Delurgio

(310)378-0001

EXCERPT OF MINUTES

✓ **Minutes Approved**

~~☐ Minutes Subject to Approval~~

May 19, 2010

MINUTES OF A REGULAR MEETING OF THE TORRANCE PLANNING COMMISSION

1. CALL TO ORDER

The Torrance Planning Commission convened in a regular session at 7:00 p.m. on Wednesday, May 19, 2010 in the Council Chambers at Torrance City Hall.

3. ROLL CALL

Present: Commissioners Busch, Browning, Gibson, Horwich, Skoll, Uchima and Chairperson Weideman.

Absent: None.

Also Present: Planning Manager Lodan, Planning Associate Martinez, Plans Examiner Noh, Fire Marshal Kazandjian, and Civil Engineer Symons.

9. CONTINUED HEARINGS

9A. PRE09-00007: JIM DELURGIO

Planning Commission consideration for approval of a Precise Plan of Development to allow first and second-story additions to an existing one-story, single-family residence in conjunction with a new accessory structure located within the Hillside Overlay District in the R-1 Zone at 209 Via El Toro.

Recommendation

Approval.

Planning Associate Martinez introduced the request and noted supplemental material available at the meeting consisting of correspondence received after the agenda item was completed.

Commissioner Browning stated that it has been brought to his attention that there is a court order pertaining to this property that the applicant has failed to comply with and he was not comfortable proceeding with this hearing without additional information.

Assistant City Attorney Sullivan advised that it was his position that this legal action was irrelevant because the role of Commissioners was limited to evaluating the project before them and any civil dispute was up to the parties involved to resolve through the court system.

Assistant City Attorney Sullivan disclosed that he had a conversation with the applicants, Mr. and Mrs. Delurgio, within the past 2-3 months in his role as supervisor of the criminal prosecution division of the City Attorney's office concerning a matter involving the unauthorized trimming of the Delurgios' trees; that the case was rejected for prosecution and he explained the rationale for this decision; and that he did not

discuss the project with them other than acknowledging that he knew it was coming forward.

Commissioner Browning disclosed that Mr. Delurgio had invited him to view the project approximately two weeks ago, but he declined to do so because he had not received that agenda packet and after reviewing the packet, he decided not to meet with Mr. Delurgio because he felt it was unnecessary. He reported that he did view the silhouette from the living room of 513 Camino de Encanto and observed some view blockage but he has not made a decision on the project.

Commissioner Busch asked about the applicant's claim (Precise Plan Application, Item 2b) that many of the neighbors who claim view and privacy impairment have altered the view and privacy issues in their favor through illegal tree vandalism.

Deputy City Attorney Sullivan advised that Commissioners may give the applicant's statement in the application whatever weight they deem appropriate, noting that neighbors have the ability to comment on this claim during tonight's hearing.

Commissioner Busch asked if there has been legal action filed concerning the trees on this property, and Deputy City Attorney Sullivan reported that there is a videotape of a neighbor and a gardener trimming trees, but no charges were filed due to statute of limitation issues.

Nagy Bakhoum, Obelisk Architects, 3800 Pacific Coast Highway, project architect, voiced his agreement with the recommended conditions of approval. He reported on outreach efforts, noting that two open houses were held since the last hearing and there is an extensive log of communications with neighbors included in the staff report.

With the aid of slides, Mr. Bakhoum explained that despite the large lot, the usable area is fairly small due to views over and through the property and contended that a single-story residence would have a much greater impact on the views of neighbors. He reviewed the revisions that were made to project to address neighbors' concerns, including eliminating square footage and enlarging the rear yard setback.

Commissioner Busch noted that the applicant has proposed cutting down some trees to open up a view corridor for neighbors in conjunction with the project and suggested that doing this now rather than waiting would have given neighbors a better idea of how this would improve their views.

Mr. Bakhoum doubted that cutting down the trees would make any difference as neighbors are fundamentally opposed to a two-story addition on this property.

Commissioner Browning reported that he observed that the project would block a shoreline view at 513 Camino de Encanto; noted that Mayor Scotto has stated that he thinks even a 10% reduction in view was too much; and explained that he would have a difficult time approving this project because he judged the view blockage to be more than 10%.

Mr. Bakhoum declined to estimate the view blockage, but related his belief that the view blockage would be closer to 90% with a single-story addition.

Vice-Chair Horwich invited public comment.

Peter Lattey, 515 Camino de Encanto, contended that the revisions to the plans were not particularly significant and urged the Commission to delay the hearing until trees obstructing the view of the silhouette have been removed or trimmed. Noting that he is a licensed architect with over 30 years' experience, he also urged the Commission

to require that the applicant provide conceptual plans for a one-story project because that's the only way to determine the best way to develop the property.

Roberta Blowers, 621 Camino de Encanto, stated that Mr. Delurgio entered into an agreement before a judge to trim the poplar trees to a height of 14 feet but has not complied, therefore she believes the trees should be considered transparent, as if they were not there. She reported that neighbors discussed their concerns about a potential addition even before the applicant purchased the property so he was well aware of their concerns. She noted that at the last open house, the architect expressed a willingness to draft simple plans for a subterranean option, but the applicant has not allowed him to do so. She related her belief that there was another way to provide the space the applicant desires without impacting surrounding neighbors.

Cindy Constantino, 513 Camino de Encanto, contended that the proposed project clearly violates the Hillside Overlay Ordinance because it would have a drastic impact on her privacy and reported that a licensed appraiser has estimated that the project would decrease the value of her property between $60,000-150,000. She stated that the Delurgios have ignored neighbors' requests that they consider a split-level or partially subterranean addition and shift the pool house/accessory structure to the northeast corner of the lot to preserve views.

Commissioner Busch asked about staff's judgment (staff report – page 3) that the proposed project does not impact views at 513 Camino de Encanto. Ms. Constantino responded that contrary to the staff report, her view of the ocean would be impacted by the project.

Commissioner Browning reported that he observed a white water view from Ms. Constantino's home that was blocked by the silhouette. He pointed out that the staff report states that privacy impacts have been reduced at 513 Camino de Encanto, but it does not say that they have been eliminated.

Gene Kusion, 523 Camino de Encanto, noted that his family has owned this property since 1964. Submitting photographs to illustrate, he stated that the project would block views of the ocean, shoreline, mountains and city lights and it would also intrude on his privacy because the proposed second story would have a direct line of sight into his home. He maintained that the redesigned project was not significantly different from the earlier project submitted in November 2009; noted that the City Council denied a two-story project next door at 210 Via El Toro due to view impact; and voiced his opinion that the project was not designed to cause the least intrusion on neighbors.

Responding to questions from the Commission, Mr. Kusion estimated his view loss to be approximately 50%. He noted that Mr. Delurgio has a spectacular ocean view from his existing home so it would be no hardship for him to build a single-story addition.

The Commission briefly recessed from 8:30 p.m. to 8:45 p.m.

Linda Gohata, 516 Camino de Encanto, stated that while Commissioners have indicated that they give more weight to ocean views, the Hillside Ordinance does not make this distinction. Urging that the project be denied, she related her understanding that the Hillside Ordinance provides that a second story can only be added if a one-story addition is not feasible and there can be no adverse impact to neighbors. She voiced her opinion that the Hillside Ordinance strikes the right balance between cities that have no view protection and cities with ordinances that are overly restrictive.

Commissioner Busch noted that the staff report mentions that historically the Hillside Ordinance has been interpreted by the Planning Commission and the City

Council to afford more protection to views that are unique to the Hillside area and views of the sky have generally not been afforded the same level of protection.

Assistant City Attorney Sullivan advised that both the Planning Commission and the City Council have typically afforded more protection to ocean, mountain and city-light views and impact to blue-sky views has only become an issue within the last couple of years.

Armando Montano, 526 Palos Verdes Boulevard, voiced objections to the project, citing the impact on ocean views. He expressed the hope that Torrance would adopt an ordinance regulating trees, contending that trees on the subject property were only put there to hide the silhouette.

Vicki Radel, 515 Camino de Encanto, stated that she has lived at this address for 38 years and is strongly opposed to the project. She reported that the modifications have resulted in a slight improvement, which she appreciates, but the project would still block more than 10% of her view. She explained that the detached accessory structure will block ocean views from her living room, which can be remedied by using a flat roof, however the applicant has rejected this idea. She stated that the proposed two-story addition is much taller than anything else in the neighborhood and living next to it will be like living next to a cruise ship that never leaves port. She noted that she informed Mr. Delurgio before he purchased the property that she would oppose any addition that blocks her ocean view. She contended that there was no hardship involved to justify the project and that it would have an adverse cumulative impact.

In response to Commissioner Busch's inquiry, Planning Manager Lodan confirmed that it would be possible to use a flat roof on accessory structure.

Andrew Filak, 514 Palos Verdes Boulevard, contended that the architect should have done a better job of familiarizing himself with the Hillside Overlay Ordinance before designing the project, noting that he purchased his home because of the protection it provides. He expressed concerns about the lack of enforcement of the California Coastal Act which limits construction within 1000 feet of the ocean.

Planning Manager Lodan clarified that property owners west of Palos Verdes Boulevard are required to obtain Coastal Commission approval for projects after they have completed the City's approval process.

Commissioner Browning noted that Mr. Bakhoum is familiar with the Hillside Ordinance and has designed other projects in the area.

Chuck Hammer, 221 Paseo de Suenos, stated that the applicant should throw the current plans away and come up with single-story project that does not impact neighbors and that he should apologize to neighbors for taking up their time and explain why the Hillside Ordinance does not apply to him.

Commissioner Horwich cautioned speakers to refrain from making personal remarks.

James Corazzini, 513 Camino de Encanto, reported that Mr. Delurgio was warned by neighbors before he purchased this property that they did not want their views blocked. He stated that Mr. Delurgio already has a better view than any of his neighbors and he should not be allowed to improve his view at their expense.

Voc Gregorian, 625 Camino de Encanto, stated that he was invited to view the project from 513 and 523 Camino de Encanto and observed that it would have a huge

impact on ocean views. He expressed the hope that the applicant would work together with neighbors and design a one-story project that won't affect views.

Commissioner Busch noted that several neighbors have recommended a one-story project, however, according to the staff report, it was staff's judgment that a one-one story project would likely cause greater view impacts to more properties. He asked if it would be possible to build a house of the same approximate size on a single-level without impacting views.

Planning Manager Lodan advised that the only place to add more square footage to the ground floor without significant view impact is in front of the existing residence, but this would take away the desired off-street parking and the area is very limited in size.

Ramzi Ghaby, 509 Camino de Encanto, stated that the proposed project would intrude on his privacy and block a blue sky view.

Ruth Vogel, 114 Via la Soledad, reported that the City Council on July 15, 2008 denied a project on Newton Street in order to protect a neighbor's blue sky view, which she believes set a precedent with regard to this matter. She suggested that had this project been designed to cause the least intrusion on neighbors, it would have included a flat roof and subterranean elements.

Lorraine Marcone, 505 Camino de Encanto, stated that she has worked as a real estate agent for over 25 years and related her experience that buyers rely on the Hillside Ordinance to protect their view, light, air and privacy. She contended that the proposed project shows a blatant disregard for the Hillside Ordinance and it would have no value in the future if the project is approved.

Ted Gohata, 516 Camino de Encanto, maintained that he would lose his entire blue water view if the applicant is allowed to build a second story.

Returning to the podium, Mr. Bakhoum stated that the fact that neighbors are complaining about view impact from the detached accessory structure, which is less than 11 feet in height, illustrates why it is not possible to build a one-story addition on this lot. He explained that it's impossible to design a project for this lot that would have no view impact so he focused on maintaining primary views and related his belief that the project as designed would cause the least detriment. With regard to privacy impact, he pointed out that the second floor is over 100 feet from the rear property line. He urged the Commission to approve the project as submitted.

Commissioner Skoll asked if Mr. Bakhoum and/or Mr. Delurgio had looked at the silhouette from the affected properties after the project was redesigned, and Mr. Bakhoum reported that they went to the edge of the property and looked back at the silhouette.

Commissioner Skoll related his experience that the silhouette needs to be viewed from the affected residence to gauge the full impact.

Commissioner Browning voiced his opinion that the proposed project does not work on this particular lot and suggested that the Delurgios may need to find another location for their dream house.

Commissioner Busch stated that he could not support the project because he believes it violates the Hillside Ordinance in terms of 513 and 515 Camino de Encanto and felt there were changes that could be made to mitigate the project's impact.

Commissioner Uchima asked if attempts were made to view the project from the homes of neighbors to the rear, particularly 515 Camino de Encanto. Mr. Bakhoum stated that some of the neighbors directed the applicant not to come onto their properties, but 515 Camino de Encanto was not one of them.

Commissioner Uchima reported that he viewed the project earlier this afternoon from 515 Camino de Encanto and observed a readily apparent loss of ocean view, therefore he could not support it. He related his belief that the architect would have a better idea of how to mitigate the impact by personally viewing the silhouette from this residence and other affected residences.

MOTION: Commissioner Busch moved to close the public hearing. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote.

Commissioner Horwich stated that the blockage of blue sky views does not carry much weight with him, noting that he lives in a single-story home and homes on either side have added second stories so loss of blue-sky view is not unusual. He commented on the subjective nature of the Hillside Ordinance, pointing out that several people have contended that the proposed project clearly violates the Hillside Ordinance, however, obviously staff did not believe this was the case or they would not have recommended approval of the project.

Assistant City Attorney Sullivan clarified that while statements were made that the Hillside Ordinance requires that a project have no adverse impact on neighboring properties, according to the ruling in the Guzman case, a project may have no "significant or substantial" impacts.

Planning Manager Lodan advised that some people believe that if they can see the silhouette, they are adversely impacted by the project, however that is not the nature of the Hillside Ordinance. He explained that staff looked at the project in the totality of the impact on every house in the neighborhood and tried to balance a variety of interests and while they do see some limited impairment of ocean views, they did not feel it was a significant impact.

Chairperson Weideman stated that after hearing all the testimony, re-reading the case and reviewing the revisions to the plans, he believed the project would have a significant impact on the views of neighbors, therefore he would be voting against it.

Commissioner Busch noted that commissioners and staff sometimes have differing opinions on a project and the Commission is charged with making the final decision, which can be appealed to the City Council. He voiced his opinion that a project violates the Hillside Ordinance if it blocks a significant view of even one homeowner and reiterated his position that there was a violation in this case.

MOTION: Commissioner Busch moved to deny PRE09-00007 without prejudice. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote, with Commissioner Horwich abstaining.

Planning Manager Lodan noted that a resolution reflecting the Commission's action would be brought back for approval at the next meeting.

###

AGENDA ITEM NO. 9A

TO: Members of the Planning Commission

FROM: Development Review Division

SUBJECT: Precise Plan (PRE09-00007) Jim & Betsy Delurgio

LOCATION: 209 Via El Toro

On November 4, 2009, the Planning Commission continued indefinitely a Precise Plan of Development application to allow the construction of first and second story additions to an existing one-story residence. The Planning Commission directed the applicants to work with their neighbors to address the concerns brought up at the hearing. The property owners have retained a new architect, held meetings with neighbors at their residence and have redesigned the project. The new silhouette has now been completed and certified and is now ready to be brought back before the Planning Commission.

The original plan proposed a new second story as well as additions to the first floor and a detached accessory structure. The original plan proposed a kitchen, living room, dining room, three bedrooms, two bathrooms, study area and laundry/mud room on the first floor and a master suite, nursery, family/game room and balcony on the second floor. The accessory structure was 634 square feet and contained an art studio, office, bathroom, dressing area and storage. The previous project proposed a floor area ratio of 0.36 and lot coverage of 26%.

Subsequent to the Planning Commission meeting of November 4, the applicant proposed plans for an accessory building, retaining walls and pool/spa in the rear (MIS10-00101) while also working on revising the house plans with a new architect. The applicant was unable to obtain the required signatures from neighbors who submitted correspondence in opposition to the "splitting" of the request (Attachment #5). The applicant has withdrawn the request (Attachment #6) and has incorporated the accessory structure and retaining wall into the revised plans.

The revised plans indicate that the proposed second floor of the residence has been reduced. The revised plans propose a great room, dining room, living room, kitchen, three bedrooms, two bathrooms and a laundry area on the first floor. The second floor proposes a master suite, a family room and a balcony. The plans also indicate a detached accessory structure in the rear with an office, art studio, bathroom and solar mechanical room.

The revised plan is proposing to maintain a swing-in type garage. The applicant is extending it towards the front and will have a minimum setback of approximately 16½-feet but will maintain the minimum 20-foot average. The side yard setbacks for the residence will be 5-foot 8½-inches along the southerly side and 9-foot 1½-inches along

the northerly side which meet the minimum 5-foot 8-inch requirement. The rear yard setback has been increased from 77-feet to approximately 85-feet. The rear second floor setback has also been increased from 81-feet 6-inches to 100-feet 6-inches. The height of the residence has also increased by one inch from 23-feet 8-inches to 23-feet 9-inches.

As previously mentioned, the previous plans proposed a 634 square foot detached structure with an art studio, office, bathroom, dressing area and storage. The height of the building was 10-feet 10.25-inches to the ridge which was under the 14 foot height limit. The new plans indicate the detached structure to be 677 square feet and contains an office, art studio, bathroom and solar mechanical room. Although the plans call out a height of 10-feet 8¼-inches, when the height of the structure is measured from the lowest adjacent grade to the top of the ridge, the height is 10-feet 11-inches. The plans indicate a pool area to be done under separate permits and also indicate solar panels on the roof of the accessory structure but are not subject to Hillside Review.

An updated project summary follows:

Statistical Information	Current Residence	Original Proposal	Revised Proposal
♦ Lot Area	13,185 sq. ft.	13,185 sq. ft.	13,185 sq. ft.
♦ First Floor Living Area	1,608 sq. ft.	2,315 sq. ft.	2,275 sq. ft.
♦ Second Floor Living Area	N/A	1,213 sq. ft.	965 sq. ft.
♦ Total Living	1,608 sq. ft.	3,528 sq. ft.	3,240 sq. ft.
♦ Garage	418 sq. ft.	498 sq. ft.	515 sq. ft.
♦ Accessory Structure	N/A	634 sq. ft.	677 sq. ft.
♦ Total Floor Area (Inc. Gar/Acc)	2,026 sq. ft.	4,660 sq. ft.	4,432 sq. ft.
♦ Floor Area Ratio	0.15	0.35	0.34
♦ Lot Coverage	15.3%	25%	26%
♦ Maximum 1-story residence allowed at 0.5 FAR:		6,592 sq. ft.	
♦ Maximum 2-story residence allowed at 0.6 FAR:		7,911 sq. ft.	

The applicant has submitted a revised Hillside Ordinance Criteria Response Sheet to reflect the current design of the project (Attachment #3). The applicant was required to revise the silhouette to demonstrate the modified proposal and the potential view impacts. The height and placement of the silhouette has been verified by a licensed engineer (Attachment #4) and a field inspection was made by staff.

Staff has viewed the revised silhouette and contacted neighbors at 505, 513, 515 and 523 Camino de Encanto. At 505 Camino de Encanto, staff viewed the silhouette from living room area and rear yard of the property where the property owner expressed concerns with the second story addition and the potential for other 2-story projects in the neighborhood. Staff notes that each proposal for a Precise Plan is considered on an individual basis and is based on potential impacts specific to that project. Staff

determined that the proposal would not impact view, light, air or privacy at 505 Camino de Encanto.

At 513 Camino de Encanto staff viewed the silhouette from the living room, dining room, bedroom and rear yard area where the owner expressed privacy concerns from the second story windows of the proposed residence to the living and bedroom areas and rear yard areas and impacts to views of the sky. Staff observed ocean and city light views to the north and northwest which are not impacted by the proposed residence and accessory structure. Historically the Hillside Overlay Ordinance has been interpreted by City Council and Planning Commission to be most protective of views afforded by the unique topography and location of the Hillside Overlay District. More protection has been afforded to views of ocean, shoreline, city lights, white water, etc. Views of the sky are not unique to the Hillside Overlay District and have not generally been afforded the same level of protection. In the judgment of staff, the proposal does not impact views from 513 Camino de Encanto. Staff notes that the windows on the second floor that face the north and east are not large picture windows; one is located within a bathroom, a stairway and two in the family room. These windows all have sill heights five feet or higher. The second floor setback has also been increased from 81-feet 6-inches to 100-feet 6-inches and, in the judgment of staff, the redesigned residence has reduced privacy impacts to 513 Camino de Encanto.

At 515 Camino de Encanto staff viewed the silhouette from the living room, office, bedroom and rear yard area where the owner has expressed concerns with the impacts to ocean views from the living room from the proposed accessory structure. Staff observed ocean, whitewater, city light and mountain views to the north and northwest from the residence. While standing in certain areas of the living room area of the home, a small portion of ocean view to the northwest will be blocked by the accessory structure. In the judgment of staff, 515 Camino de Encanto has the greatest potential for impacts from the development of the subject parcel rendering significant portions of the rear yard unable to be developed without significant impact to views. However staff notes that the proposed plan was designed in such a way as to preserve view corridors over the majority of the lot towards the ocean and whitewater views. It is further noted that removal of tall shrubbery at the northerly property lines of 209 Via El Toro will open up more of the view corridor for 515 Camino de Encanto.

At 523 Camino de Encanto staff viewed the silhouette from the living room area, office area and bedroom where the owner has expressed concerns to ocean and city light views. Staff observed ocean and mountain views to the west and ocean and city light views to the north. The owner provided color photographs taken with binoculars of ocean and city light views through the rooftops of 209 Via El Toro and 205 Via El Toro (Attachment #8). Based on staff's observations, a small portion of ocean and city light views in this corridor between rooftops would be blocked by the second story addition from the office area at 523 Camino de Encanto. The revised project lessened impacts to the north of ocean, whitewater and city light views created by the second story as the proposed structure increased the rear yard setback on both the first and second story. Staff notes that while standing in the living and dining areas and looking west, the

silhouette of the project is not visible and does not block views to the horizon of ocean and mountains.

Although the plan introduces a second story element, it appears based on staff observations that this plan is the least impactful to the surrounding neighborhood. Staff's recommendation of approval gives greater weight to the protection of views over the sense of openness that a one-story plan would provide. In the judgment of staff, a one-story plan would likely cause greater view impacts to more surrounding properties. The applicant has redesigned the proposed project to minimize potential impacts to surrounding neighbors. The project has been reduced in scale to provide less square footage overall, has addressed potential privacy impacts to the neighbors at 513 and 515 Camino de Encanto as window sill heights along the east and south elevations of second floor are at 5-feet or higher and has reduced the second floor massing to preserve view corridors to 513, 515 and 523 Camino de Encanto. Staff determines that if additions to the residence were on the ground to the rear, a greater number of properties would experience loss of views of ocean and city lights as the rear of the property is a primary view corridor for residences to the rear. Additions to the front of the residence are restricted by the shape of the lot as it narrows towards the street and the desire of the applicants to maintain as much off-street parking available.

The applicant has submitted revised plans for a project that complies with the R-1 standards. It maintains height requirements, exceeds the open space requirements, is within the maximum lot coverage and floor area ratio limits and is of moderate size for this property. Staff determines that the subject request will not have a harmful effect on surrounding properties and does not appear to result in adverse impacts on view, light, air or privacy. Therefore, staff recommends approval of this request as conditioned.

The applicant is advised that Code requirements have been included as an attachment to the staff report, and are not subject to modification.

PROJECT RECOMMENDATION: APPROVAL

FINDINGS OF FACT IN SUPPORT OF APPROVAL OF THE PRECISE PLAN:
Findings of fact in support of approval of the Precise Plan are set forth in the attached resolution.

RECOMMENDED CONDITIONS, IF PROJECT IS APPROVED:
Recommended conditions of approval the proposed project are set forth in the attached resolution.

Prepared by,

Oscar Martinez
Planning Associate

Respectfully submitted,

Gregg D. Lodan, AICP
Planning Manager

Attachments:
1. Revised Resolution
2. Code Requirements
3. Revised Hillside Ordinance Criteria Response Sheet
4. Revised Silhouette Certification
5. Correspondence from Neighbors regarding MIS10-00101
6. Letter from Applicant Withdrawing MIS10-00101
7. Correspondence from Neighbors
8. Color Photographs Provided by 523 Camino de Encanto (Limited Distribution)
9. Correspondence from Applicant
10. 11/04/09 Planning Commission minute excerpt
11. Past Planning Commission Agenda Items
12. Items Submitted at 11/04/09 Planning Commission meeting
13. Revised Site Plan, Floor Plan, & Elevations (Limited Distribution)

REVISED PLANNING COMMISSION RESOLUTION NO. 09-053

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A PRECISE PLAN OF DEVELOPMENT AS PROVIDED FOR IN DIVISION 9, CHAPTER 1, ARTICLE 41 OF THE TORRANCE MUNICIPAL CODE TO ALLOW FIRST AND SECOND STORY ADDITIONS TO AN EXISTING SINGLE FAMILY RESIDENCE IN CONJUNCTION WITH THE CONSTRUCTION OF AN ACCESSORY STRUCTURE IN THE REAR ON PROPERTY LOCATED WITHIN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE AT 209 VIA EL TORO.

PRE09-00007: JIM & BETSY DELURGIO

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on November 4, 2009, to consider an application for a Precise Plan of Development filed by Jim & Betsy Delurgio to allow first and second story additions to an existing one-story single-family residence in conjunction with a new swimming pool, spa and accessory structure on property located in the Hillside Overlay District in the R-1 Zone at 209 Via el Toro; and

WHEREAS, the Planning Commission of the City of Torrance continued the matter indefinitely for a redesign; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on May 19, 2010, to consider an application for a Precise Plan of Development filed by Jim & Betsy Delurgio to allow first and second story additions to an existing one-story single-family residence in conjunction with the construction of an accessory structure in the rear on property located in the Hillside Overlay District in the R-1 Zone at 209 Via el Toro; and

WHEREAS, due and legal publication of notice was given to owners of property in the vicinity thereof and due and legal hearings have been held, all in accordance with the provisions of Division 9, Chapter 6, Article 2 of the Torrance Municipal Code; and

WHEREAS, the construction of a new single-family residence in a residential zone is Categorically Exempted by the 2010 Guidelines for Implementation of the California Environmental Quality Act; Article 19, Section 15303 (a); and

WHEREAS, the Planning Commission of the City of Torrance does hereby find and determine as follows:

a) That the property is located at 209 Via el Toro; and

b) That the property is identified as Lot 126 in Tract 18379 as per map recorded in Parcel Map Book 7512, Page 007 and Parcel 029 in the Office of the County recorder County of Los Angeles, State of California; and

c) That the proposed residence will not have an adverse impact upon the view, light, air and privacy of other properties in the vicinity as conditioned because the additions have been redesigned to minimize privacy impacts to 513 Camino de Encanto by increasing the second story setback and increasing the window sill height to a minimum of five feet. Furthermore, the rear yard setback has been increased on the first and second story to preserve ocean and whitewater views to the north and northwest of 515 Camino de Encanto and ocean and whitewater views to the north of 523 Camino de Encanto; and

d) That the proposed residence, as conditioned, has been located planned and designed so as to cause the least intrusion on the views, light, air and privacy of other properties in the vicinity because the applicant has exceeded all development standards, increased window sill heights to a minimum of five feet for windows in the east and south elevations of the family room on the second floor to lessen privacy impacts to 513 Camino de Encanto, increased the rear yard setback and reduced the second story massing to preserve view corridors 515 and 523 Camino de Encanto; and

e) That the design provides an orderly and attractive development in harmony with other properties in the vicinity because the exterior materials are similar to neighboring properties such as wood shingles, stone veneer, wood columns and asphalt shingle roof. Furthermore there are other 2-story residences in the vicinity; and

f) That the design will not have a harmful impact upon the land values and investment of other properties in the vicinity because the exterior will be treated with high-quality finishes equal to those of surrounding residences and represents a significant improvement to the property; and

g) That granting such application would not be materially detrimental to the public welfare and to other properties in the vicinity because a single-family residence is an appropriate use for this property as the property complies with the General Plan and R-1 development standards; and

h) That the proposed residence would not cause or result in an adverse cumulative impact on other properties in the vicinity because the proposed construction and resulting residence conforms to the Low-Density Residential Designation of the Land Use Element of the General Plan of the City of Torrance and provides least impact to view, light, air and privacy. Additionally, homes in the surrounding neighborhood have two stories; and

i) That it is not feasible to increase the size of or rearrange the space within the existing building or structure for the purposes intended except by increasing the height because the applicant is attempting to preserve view corridors in the rear of the property to neighbors at 513, 515 and 523 Camino de Encanto due to the shape of the lot; and

j) That denial of such an application would result in an unreasonable hardship to the applicant as the proposed residence meets or significantly exceeds lot coverage, floor area ratio and setbacks, has been designed to minimize view, light, air and

privacy impacts as there are view corridors along the rear of the property for 513, 515 and 523 Camino de Encanto which limit the applicants ability to expand in those areas and there are other two-story residences in the vicinity; and

k) That granting the application would not be materially detrimental to the public welfare and to other properties in the vicinity because the proposed residence complies with all setbacks, lot coverage and floor area ratio and there are other two story structures in the surrounding area within a 500-foot radius; and

WHEREAS, the Planning Commission by the following roll call votes APPROVED PRE09-00007, subject to conditions:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

NOW, THEREFORE, BE IT RESOLVED that PRE09-00007, filed by Jim & Betsy Delurgio to allow first and second story additions to an existing one-story single-family residence in conjunction with an accessory structure in the rear on property located within the Hillside Overlay District in the R-1 Zone at 209 Via El Toro on file in the Community Development Department of the City of Torrance, is hereby APPROVED subject to the following conditions:

1. That the use of the subject property for a single-family residence shall be subject to all conditions imposed in Precise Plan of Development 09-00007 and any amendments thereto or modifications thereof as may be approved from time to time pursuant to Section 92.28.1 et seq. of the Torrance Municipal Code on file in the office of the Community Development Director of the City of Torrance; and further, that the said use shall be established or constructed and shall be maintained in conformance with such maps, plans, specifications, drawings, applications or other documents presented by the applicant to the Community Development Department and upon which the Planning Commission relied in granting approval;

2. That if this Precise Plan of Development 09-00007 is not used within one year after granting of the permit, it shall expire and become null and void unless extended by the Community Development Director for an additional period as provided for in Section 92.27.1;

3. That the maximum height of the residence at the highest point of the roof shall not exceed a height of 23 feet nine inches as represented by the elevation of 126.21 and a lowest adjacent grade of 102.4 based on a bench mark elevation of 100.0 located on the lid of the existing sewer man hole cover at the southwest corner of the property as shown on the official survey map on file in the Community Development Department; (Development Review)

4. That the height of the residence shall be certified by a licensed surveyor/engineer prior to requesting a framing or roof-sheathing inspection and shall not exceed 23 feet nine inches as represented by the elevation of 126.21 and a lowest adjacent grade of 102.4 based on a bench mark elevation of 100.0 located on the lid of the existing sewer man hole cover at the southwest corner of the property as shown on the official survey map on file in the Community Development Department; (Development Review)

5. That the maximum height of the accessory structure at the highest point of the roof shall not exceed a height of 10 feet 11 inches as represented by the elevation of 114.5 and a lowest adjacent grade of 103.6 based on a bench mark elevation of 100.0 located on the lid of the existing sewer man hole cover at the southwest corner of the property as shown on the official survey map on file in the Community Development Department; (Development Review)

6. That the height of the accessory structure shall be certified by a licensed surveyor/engineer prior to requesting a framing or roof-sheathing inspection and shall not exceed 10 feet 11 inches as represented by the elevation of 114.5 and a lowest adjacent grade of 103.6 based on a bench mark elevation of 100.0 located on the lid of the existing sewer man hole cover at the southwest corner of the property as shown on the official survey map on file in the Community Development Department; (Development Review)

7. That automatic garage roll-up doors shall be provided; (Development Review)

8. That exterior color and material samples shall be submitted to the Community Development Department for approval prior to the issuance of any building permits; (Development Review)

9. That within 30 days of the final public hearing, the applicant shall remove the City's "Public Notice" sign, provided there is no appeal, to the satisfaction of the Community Development Director; (Development Review)

10. That the silhouette shall remain in place for at least 15 days through the appeal period, but no more than 45 days after the final public hearing to the satisfaction of the Community Development Director; (Development Review)

Introduced, approved and adopted this 19th day of May, 2010.

_____
Chairman, Torrance Planning Commission

ATTEST:

_____
Secretary, Torrance Planning Commission

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF TORRANCE)

I, Gregg Lodan, Secretary to the Planning Commission of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the Planning Commission of the City of Torrance at a regular meeting of said Commission held on the 19th day of May, 2010, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

_____
Secretary, Torrance Planning Commission

CODE REQUIREMENTS

The following is a partial list of code requirements applicable to the proposed project. All possible code requirements are not provided here and the applicant is strongly advised to contact each individual department for further clarification. The Planning Commission may not waive or alter the code requirements. They are provided for information purposes only.

Building and Safety:

- Comply with the State Energy Requirements.
- Provide underground utilities.
- Pre-wire each unit for cable television.
- Provide a land survey.

Engineering:

- A Construction and Excavation Permit (C&E Permit) is required from the Community Development Department, Engineering Permits and Records Division, for any work in the public right-of-way on Via El Toro.

Environmental:

- The front yard of any property zoned for residential use shall not be more than 50% paved (92.5.14)
- The property shall be landscaped prior to final inspection (92.21.9)
- Provide 4" (minimum) contrasting address numerals for residential, condo, etc. uses
- Obtain a separate permit for the pool and spa. Equipment for pool/spa shall not be located within the sideyard setback areas. Provide minimum five foot high fencing with all gates having self-closing/latching mechanisms 4'6" above the ground.

Development Review:

- Comply with State Department of Water Resources Landscape Design & Irrigation requirements.

Grading Division:

- Obtain Grading Permit prior to issuance of building permit.
- Submit 2 copies of grading/drainage plan with soil investigation report. Show all existing and proposed grades, structures, required public improvements and any proposed drainage structures.

RECEIVED
MAY 14 2010
CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPT.

CITY OF TORRANCE – COMMUNITY DEVELOPMENT DEPARTMENT

TO BE SUBMITTED WITH HILLSIDE PRECISE PLAN APPLICATION PRE_____

GIVE FACTS TO SUBSTANTIATE THE FOLLOWING CRITERIA BY WHICH THE PLANNING COMMISSION MAY GRANT THIS HILLSIDE PRECISE PLAN. IT IS MANDATORY THAT THESE CRITERIA BE MET BEFORE THE CITY MAY LEGALLY GRANT A HILLSIDE PRECISE PLAN: AND, IT IS INCUMBANT UPON THE APPLICANT TO PROVE TO THE SATISFACTION OF THE CITY THAT THE CRITERIA ARE MET:

(To be completed by all applicants)

1. Planning and Design (91.41.6)

   a. The following facts demonstrate that the proposed development will not have an adverse impact upon the view, light, air and privacy of the other properties in the vicinity:

      Our plan has been carefully designed and significantly reduced through neighborly collaboration to include a very low Floor Area Ratio (FAR), low ridge height, and minimal lot coverage to preserve an enormous amount of open space. These design elements were incorporated in our plan to specifically prevent adverse impacts to the views, air, light and privacy of neighboring homes.

      The proposed design contains a 3,240 sq. ft. home with a 515 sq. ft garage, and a 677 sq. ft accessory structure for a total area of 4,431 sq. ft. on our 13,185 sq. ft. lot.

      - The proposed interior floor space of 4,431sq.ft. (.34 FAR) is much smaller than the allowable 6,592 sq. ft. under the .50 F.A.R. Hillside Overlay Ordinance limit for our property.
      - The proposed .34 F.A.R. is consistent with the traditional use of all properties in our neighborhood, which average .35 F.A.R.
      - The proposed lot coverage ratio is only .26, with a footprint of 3,482 sq. ft. which is 1,792 sq. ft. smaller than the allowable .40 Lot Coverage Ratio for a two-story structure on our large 13,185 sq. ft. lot.
      - Due to the size, configuration and topography (7 foot grade differential) with our immediate neighbors on Camino de Encanto, the preservation of open space in our plan is an important attribute supporting our 2 story design.
      - Multiple low-elevation views pass through most of the remaining open space on our lot. Our neighbors have specifically requested that we not build in these areas in order to preserve their views.
      - Our design preserves an open space ratio of .66 which is double the required .33 minimum. In fact the 8,650 of open space remaining on our lot is larger than the entirety of most lots in our neighborhood.

With regard to the height of our home, our design retains existing 8 foot plate heights in order to keep the roof ridge heights low. This was done specifically to not interfere with the view, air, light or privacy of neighboring properties.

- Our maximum ridge height of 23.76 feet is significantly below the maximum ridge height allowed.
- The proposed accessory structure ridge height of 10'-8" was specifically designed at this low height to avoid view obstruction from neighboring homes.
- We have reduced the roof pitch to 3:12 from 4:12 on all roof planes which would otherwise interfere with blue water views.

b. The following planning, design and locational considerations will insure that the proposed development will cause the least intrusion on the views, light, air and privacy of other properties in the vicinity:

Given the multiple low elevation view corridors which pass through our property, the proposed 2 story development is the least intrusive to view, light, air and privacy.

The position of the main house has been pushed toward the southwest portion of our property to avoid conflict with the following specific concerns which had been identified by our neighbors:

- White water and blue water view concerns across the rear portion of our existing home from Eugene Kusion.
- Blue water view concerns expressed to us by our neighbors to the east on from Camino de Encanto.
- Privacy concerns expressed to us by our neighbors to the north of our property on Calle de Sirenas.
- Mountain view concerns expressed to us from neighbors to the west on Paseo de la Playa.
- Front yard clearance concerns from all homes on the Via el Toro cul-de-sac.

We have included the minimal 3:12 roof pitch wherever necessary to preserve views.

We have converted functional (non-habitable) areas from our initial main house design into a small 677 sq. ft detached accessory structure so as to reduce the size of the main house and shift that mass into areas on our lot which do not impact views, light, air or privacy yet still allow us to utilize our property..

- These functional areas in the accessory structure include a pool bathroom/dressing room, a home office, an art studio and a storage/mechanical room.
- The low 10'-8" ridge height and placement of our accessory structure in the southeast corner of our lot was designed to preserve blue water views from adjacent properties on Camino de Encanto.

Very few windows have been placed on the south and east sides of our home in order to maintain privacy for neighbors to the south and the east. The size of these windows is small and their elevation has been increased accordingly.

c. The following design elements have been employed to provide an orderly and attractive development in harmony with other properties in the vicinity:

The proposed shingle style beach bungalow home is designed to have a casual yet elegant feel and be reminiscent of the California bungalow style located throughout Southern California, including many historic homes in Old Torrance.

38% of the homes within the 300' radius of our property are 2 story homes.

We will retain the existing driveway which can accommodate several cars. Parking on our cul-de-sac and throughout our neighborhood is often limited due to beach parking. Preserving adequate off street parking is essential due to the limited parking available on our cul-de-sac.

Our property will be professionally landscaped.

d. The following aspects of the design insure that the development will not have a harmful impact upon the land values and investment of other properties in the vicinity:

We have specifically reduced the mass and height of our structures in consideration of reasonable concerns over view, air, light and privacy from our neighbors.

Our proposed remodel is a significant investment which will greatly improve the appearance of our property, our street, and our neighborhood. The proposed improvements to our original 1951 home will improve property values throughout our neighborhood.

The specifications and measurements within our design fall far below the thresholds defined by all municipal code limitations, including the Hillside Overlay Ordinance.

e. Granting this application would not be materially detrimental to the public welfare and to other properties in the vicinity for the following reason (s):

The proposed remodel of our home has been carefully planned and designed in a manner which is appropriate and consistent with the traditional use of R-1 residential property in our area.

We have submitted a fully conforming design which does not require any variances or waivers.

We are not aware of any reasonable concern that we have failed to resolve with our current design.

f. The proposed development will not cause or result in an adverse cumulative impact on other properties in the vicinity, for the following reasons:

The specifications and measurements within our design fall far below the thresholds defined by all municipal code, including the Hillside Overlay Ordinance.

A single story development would obliterate ocean views, while our proposed 2 story design preserves the views which pass through our property.

We have submitted a fully conforming design which does not require any variances or waivers.

Our design has accommodated all reasonable concerns that have been expressed to us by our neighbors.

Our investment in repairing and improving our property will improve other property values throughout our neighborhood.

2. LIMITATION IN INCREASES IN HEIGHT (91.41.10) (To be completed by applicant for a Precise Plan that would increase the height of any part of the building to a height greater than that of the existing building)

   a. It is not feasible to increase the size of or rearrange the space within the existing building or structure for the purpose intended except by increasing the height, demonstrated by the following facts:

      Due to low-elevation view concerns from many neighbors who look across our property, a one-story structure extended in any other direction on our property would have a significant adverse impact on the views of neighboring properties.

      Open space preserved in our plan, per the request of our neighbors who wish to preserve views, is a key design attribute which clearly supports our need to proceed with a two-story design.

      We have considered a subterranean design as an alternative, but it will not work on our property due to the lack of slope. This complex option presents many design, usability, and economic challenges which combine to make it unfeasible.

      We have worked through the issues that were expressed by our neighbors, and have reduced the size of our design significantly due to neighbor view concerns.

   b. Denial of this application would constitute an unreasonable hardship for the following reason (s):

      We have a growing family and the living requirements of our family require a larger living space.

      We purchased our property in 2005 to build a conforming home to the same extent as other properties in the vicinity have been allowed. After significant design review discussions with many neighbors who have views through our property we understand that the best design for our property is a moderate 2 story design which preserves significant views from neighboring properties.

      Within a 300 foot radius surrounding our property we have made the following calculations:

- Original homes in this area typically have Floor Area Ratios (F.A.R.) of around .35 which is just above the.34 F.A.R. proposed in our plan.
- 38% of the properties in this area already contain two-story homes.
- All major remodel and new construction projects which have been approved exceed the .34 F.A.R. as proposed in our plan.

The lot size, configuration, and topography of our lot is unique for our neighborhood. These attributes of our property combine in a manner which has increased the design complexity for our property:

- The configuration of our lot is five sided with only one right angle. Many neighbors have varying but significant view angles passing through our lot which would be obstructed by a 1 story development.
- Our lot is large and is bordered on the north and east by multiple properties which are much smaller than our own, and were built with a much higher housing density.
- The topography of our lot presents unique design and development challenges due to low view elevations from many neighboring properties.

Many of the neighbors who claim view and privacy impairment have permanently altered the view and privacy issues in their favor through illegal tree vandalism on our property or that of our neighbor.

This 2 story design represents the best and most reasonable design for our property, and the size proposed is far below the maximum use of our land, and preserves the significant ocean views which pass through our property.

With the large size of our lot the FAR for our project is calculated at .34. This FAR is about 33% lower than the .50 allowable (6,592 sq. ft) on our property under the Hillside Overlay Ordinance.

c. Granting this application would not be materially detrimental to the public welfare and to other properties in the vicinity for the following reason (s):

The proposed remodel of our home will allow views through and over our property to be maintained due to the thoughtful 2 story design.

Our investment in improving our property will also improve other property values throughout our neighborhood.

The specifications and measurements within our design fall far below the thresholds defined by all municipal code, including the Hillside Overlay Ordinance.

We have submitted a fully conforming design which does not require any variances or waivers.

3. LIIMITATION IN INCREASE IN BUILDING SPACE LOT COVERAGE (91.41.11) (To be completed by applicant for a Precise Plan that would increase the interior floor area of the building to more than 50% of the area of the lot.)

a. Denial of this application would constitute an unreasonable hardship for the following reason (s):

Not Applicable

b. Granting this application would not be materially detrimental to the public welfare and to other properties in the vicinity for the following reason (s):

Not applicable

CITY OF TORRANCE – COMMUNITY DEVELOPMENT DEPARTMENT

City of Torrance, Community Development Department Jeffery W. Gibson, Director
3031 Torrance Blvd., Torrance, CA 90503 (310) 618-5990 Fax: (310) 618-5829

Height and Location Certification

The survey must be performed by a licensed land surveyor or civil engineer and should be accompanied by a map which shows the location of the bench mark and the locations where the measurements were taken. The map should also show the location of existing and proposed structures.

SILHOUETTE CERTIFICATION

I have surveyed the silhouette located at 209 Via El Toro (address)

_____ on 5/2/10 (date), based on plans submitted to the City of Torrance

by Obelisk Architects (applicant/architect) on _____ (date). The survey was taken

from a bench mark located at 209 Via El Toro (address)

(attached map) which established a base elevation of 100.0 on lid of exist. SMH.

The ridge line/highest point of the roof was determined to have an elevation of 126.2.

The plans indicate that the elevation should be 126.21.

I certify that I have measured the location of pertinent features located on the subject property. Based on the plans submitted to the Community Development Department, I have verified that the silhouette/construction accurately represents the proposed structure in terms of ***height, building envelope, location on the site, and all setbacks.***

OFFICIAL STAMP
LICENSED LAND SURVEYOR
CHI MING GONG
No. 7243
Exp 12-31-10
STATE OF CALIFORNIA

Chi Ming Gong
Name (please print)

7243
LS/RCE#

SIGNATURE

(310) 779 5402
PHONE

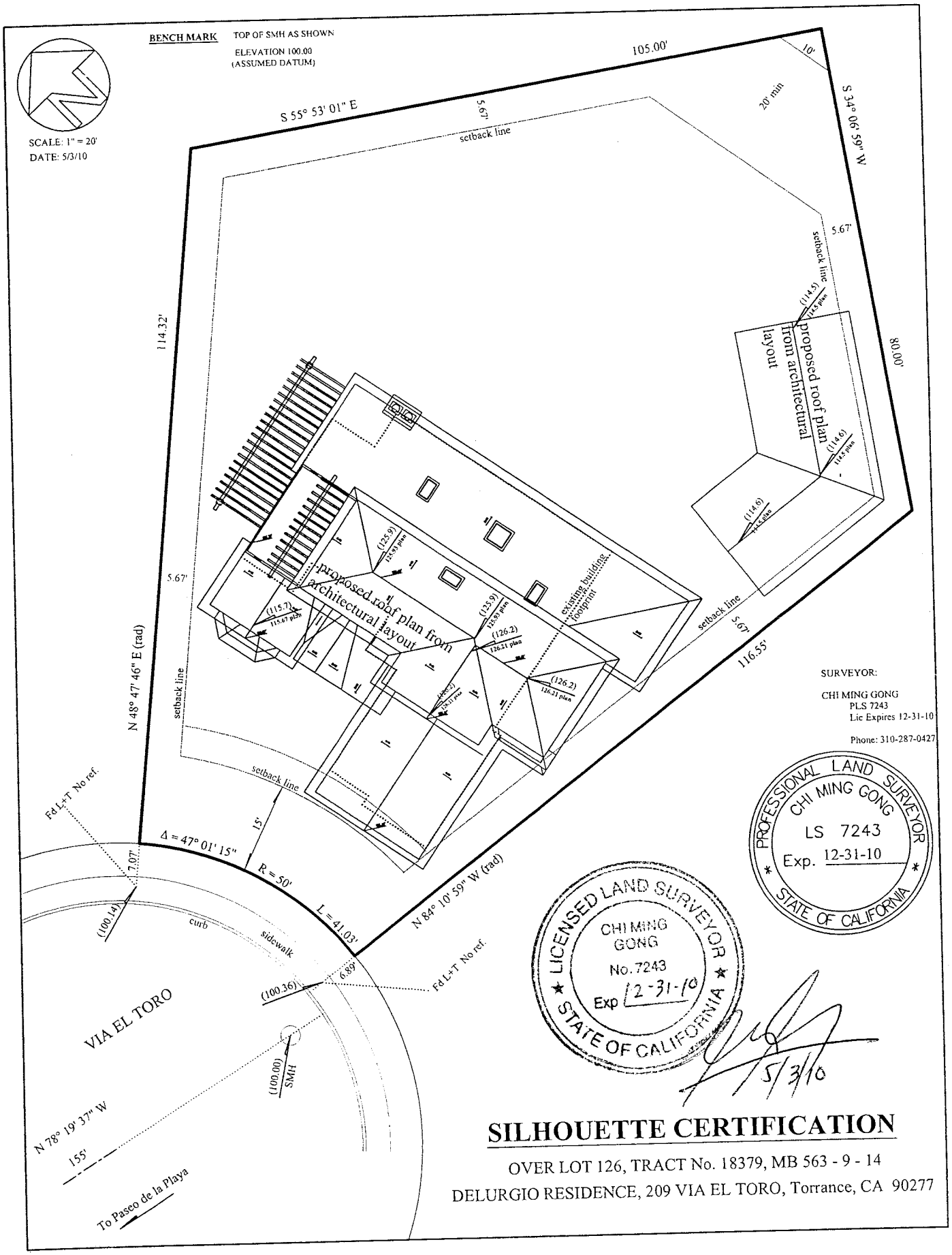
5/4/10
DATE

Notes: _____

RECEIVED
MAY 04 2010
CITY OF TORRANCE
COMMUNITY DEVELOPMENT

09/02

Attachment 4

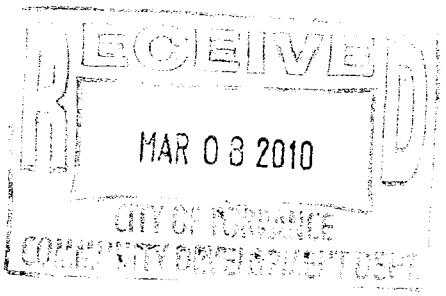


SILHOUETTE CERTIFICATION

OVER LOT 126, TRACT No. 18379, MB 563 - 9 - 14

DELURGIO RESIDENCE, 209 VIA EL TORO, Torrance, CA 90277

E. Kusion
523 Camino De Encanto
Redondo Beach



March 4, 2010

MR. & MRS. DELURGIO
209 Via El Toro
Redondo Beach, Ca. 90277

Re: Review of Building Plans (209 Via El Toro)

Dear Mr. & Mrs. Delurgio:

As much as I would like to review your new building plans I ask that you first exercise common sense and call me in advance to schedule an appointment instead of coming to my door, unannounced during the dinner hour.

Before I meet with you to review your plans I request that you do the following:

1. Trim the trees and foliage per the court settlement agreement that you entered into so as to avoid a court judgment against you and the associated costs and damages.

2. Make a copy of the papers you want me to review, provide them to me in advance of our meeting so I can have an architect look at them before we meet.

3. Erect a new silhouette on your roof as per your new plans.

Once all three of these items have been done by you I will be in a position to intelligently meet you and review the plans.

The sooner you comply with these requets the sooner we can meet.

Very truly yours,

EUGENE KUSION

cc: Torrance CDD
Attn: Greg Loddan;Oscar Martinez

Martinez, Oscar

From: Cindy Constantino [clbc7@hotmail.com]
Sent: Monday, March 15, 2010 3:25 PM
To: Martinez, Oscar
Subject: FW: plans

From: clbc7@hotmail.com
To: jim@delurgio.com
CC: tinez@tormet.com; omartinez@torranceca.gov
Subject: plans
Date: Mon, 15 Mar 2010 16:12:03 -0600

Jim and Betsy,the two of you approached me in my driveway Saturday March 6th 2010 as I was pulling in from work. You had a set of plans in hand that you wanted me to sign off on right then and there if I would. You wanted to show them to me without any notice, and more importantly without meeting with your new architect and our immediate neighbors to hear our concerns and rights? I told you then that I would meet with you as a group, with my neighbors that are involved. I questioned you about the new silhouettes and Betsy said they were the same for the cabana. The solar panels would be higher than the previous ridgeline and especially if the roofline is not flat as we have all suggested. I have now heard from my next door neighbor Peter Lattey (architect) whom looked over your plans and said they were incomplete with special attention to landscape. The planning commissioners instructed you to work with your neighbors. We have been waiting to meet with you and your new architect .It would be neighborly of you to two to trim your trees as court ordered, before we meet, which would lend itself to a more correct visual of your new plan.
Cindy Constantino

The New Busy is not the old busy. Search, chat and e-mail from your inbox. Get started.

Hotmail: Trusted email with Microsoft's powerful SPAM protection. Sign up now.

PETER LATTEY ARCHITECT PMP

515 Camino de Encanto, Redondo Beach, CA, 90277 Phone 310-968-3252 email: lattey@sbcglobal.net

RECEIVED
MAR 24 2010
CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPT.

March 21, 2010
Jim Delurgio
209 Via el Toro
Redondo Beach 90277

RE: APPLICATION TO REDEVELOP 209 VIA EL TORO

Dear Jim

Thank you for the opportunity to review the plans you have had prepared for the development of a swimming pool and pool house at your residence. You have asked us if we could sign off on these plans in connection with your application for a building permit.

We are not prepared to sign off on these plans at this time for a number of reasons. These are:

1. You have indicated to us that you intend to redevelop the entire property with a major addition to your house in addition to the present plans for a pool and pool house. You stated that you hope to have both the pool addition and the main house addition under construction at the same time. We feel it is inappropriate to present what is a major redevelopment of the property in a piecemeal manner for review. This does not allow an overall review of what the impact really will be. Further, the piecemeal approach significantly narrows the options available. In fact your current plans would eliminate one of the options that your architect discussed when we met with him.

2. The plans presented do not have any information as to the nature of the planned landscaping. You have indicated that you are not prepared to commit to low level landscaping as you may want to plant higher landscaping to address "privacy issues" with your development. It seems apparent to us that any landscaping that provides some added degree of privacy could also have a significant impact on the views and possibly light of the properties above yours. As you have previously demonstrated, your concept of appropriate landscaping does have a significant impact on the views of your neighbors. We therefore feel it would be appropriate for you to include a landscaping plan with your submission.

3. In your recent court action with Gene Kusion, our understanding is that you agree to significantly trim the trees on your property to restore his view. We are surprised that you would proceed with this application prior to implementing your agreement as the actual work required does not appear to be great and could be done in a day or two. This could be construed as a lack of good faith on your part. Frankly, we do not want to be in the position of having to go to court at some future date in order to have our view restored as Gene has had to. We suggest that you implement the agreement before proceeding with any more potential restrictions on your neighbor's views.

It was very constructive meeting with you and your architect on March 19. We look forward to seeing the various schemes that he develops. Until these are developed and something finalized, we feel it is inappropriate for you to proceed with one aspect of the redevelopment that will greatly limit his options. We trust that these schemes will include a commitment by you to a landscaping design that will not impact our views.

Yours truly,

Peter Lattey

Dr Victoria Radel

Dr. Victoria Radel

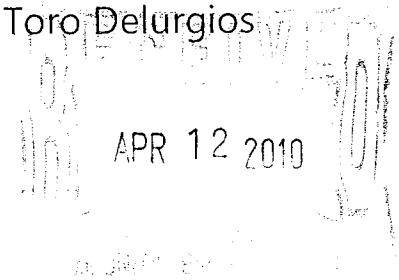
CC. Oscar Martinez and Greg Lodan, Planning Department, City of Torrance

Letter received regarding submission of plan at 209 Via el Toro Delurgios

From: **Constantino, Cindy** (cconstan@elcamino.edu)

Sent: Mon 4/12/10 2:03 PM

To: Cindy Constantino (clbc7@hotmail.com)



Dear Mr. Martinez, Mr.Gibson and Mr. Lodan:

I am responding to the letter I received from you regarding the application to add a new accessory structure and retaining wall pool/spa on the property of Mr. and Mrs. Delurgio as they have submitted. As I noted at our Planning Commission hearing months ago, I completely object to this plan. To my knowledge, and as mentioned to me by the Delurgios, this is the same plan, with the same ridgeline. My neighbors and I disagreed to this plan at our hearing. The Delurgios were reminded at that time, 6 and 1/2 months ago, to work with their neighbors to address any concerns, etc. because of the Hillside Overlay Ordinance.

On March 11, I was approached by the Delurgios, who showed up unannounced in my driveway, with their plans in hand requesting that I sign off on the above mentioned plan. I told them that "there were no new silhouettes." They responded that the "ridgeline is the same." I reminded them that the pitched roof, now with solar panels, and the location of the structure was unacceptable. The solar panels have no clear design explanation or height information. These panels would be seen from just about every room in my home and the roof of the structure would be almost within arms reach when I am seated at my patio table. These panels would be completely obtrusive. My neighbors, Mr. Kusion and Ms. Radel, agree with me that this structure would be best located for all concerned, with regard to view and privacy, in the northeast corner of the property.

A solar pool cover would eliminate another large problem. To put together this original project of trying to obtain a 2nd story against the ordinance guidelines lends a great deal of distrust on most of our parts as to why this project would now start from backward to forward. This is an attempt to use the new layout of the Delurgios' yard to dictate "the only way his new home will fit!" Mr. and Mrs. Delurgio have gone out of their way to cause unnecessary hardships and harassment for me and my neighbors, especially once they found out that there were more than 70 names on a petition against their project. This is a blatant insult and disregard to the meaning of the ordinance.

They accused me of vandalizing their property (cutting honeysuckle twigs which were growing over my wall into my yard). It should be noted that this wall is also located 3 inches on my property. The City Prosecutor threw the case out. The Delurgios had me cited for a possible unpermitted hot tub which is a portable 2 person soft tub. They have planted a now 35-foot spite fence of poplar trees to block Mr. Kusion's view and was ordered by a Torrance judge to trim it; Mr. Delurgio will not comply. He has allowed his entire yard to become overgrown in an attempt to say that he is not blocking our views; and that we never had a view.

They have also insulted the integrity of the Planning Commissioners at our last hearing. It has been almost 8 months since any of the commissioners have come to see what this project with growth and sagging flags now looks like. I would love to have you come out and see what is really going on. Please call me and I will make myself available. It has been extremely difficult to work with the Delurgios as hopefully you have gathered. Mr. Delurgio knew when he and his wife wanted to move from their other home in Riviera with a view and a pool that there were building restrictions. This was the first thing I reminded them of when they viewed the home from my backyard. If by chance you are planning to approve this accessory

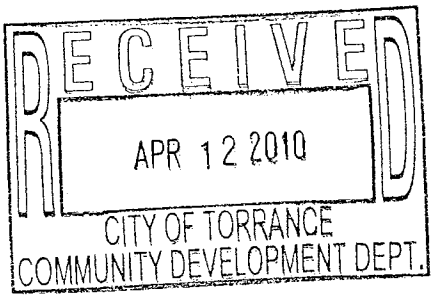
building, etc., my neighbors and I would all like to request a hearing. Thank you for your time and caring.

Sincerely,
Cynthia Constantino
513 Camino de Encanto
Redondo Beach, CA
Phone: (310) 245-0140

The New Busy is not the old busy. Search, chat and e-mail from your inbox. Get started.

Hotmail has tools for the New Busy. Search, chat and e-mail from your inbox. Learn more.

City of Torrance
Attn: Gregg Lodan
Community Development Department/Planning Commission
3031 Torrance Boulevard
Torrance, CA 90503



Mr. Lodan and the Planning Commission,

Concerning plans to build on 209 Via El Toro property:
The neighbors have clearly expressed their concerns regarding negative adverse impacts from a second story built on top of a ground level first story on the Delurgio property at 209 Via El Toro. The neighbors have expressed their desire that the applicant keep the existing roofline and not extend a single story into their view corridors, and consider a subterranean first floor with a courtyard off to one side that would not include a subterranean garage due to the difficult topography for such and to design as flat of a roof as possible.

Mr. Delurgio has decided to piecemeal this whole property design and the neighbors do not want to suffer negative adverse impacts being allowed due to some type of difficulties or limitations caused when he proceeds with plans for the expansion of his home due to now proceeding with this current design and build out of the accessory building, pool/spa and retaining wall.

By proceeding with an accessory building, Mr. Delurgio then acknowledges that he will not be able to claim some type of hardship or limitation exists when he does decide to proceed with further plans to expand his home for reasons that he will not be able to either connect his home to this accessory building and or spend more money redesigning and building an extension of his first floor in the area of this accessory building and pool/spa or have a problem building subterranean because of the accessory building, retaining wall and or pool/spa.

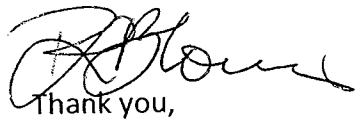
Please consider that any plans for building on this property take into account that in 2010, a Torrance judge has approved the settlement agreement between the applicant and one of the neighbors to trim and maintain the foliage at 209 Via El Toro on the south-east side of his property to a maximum of 14 feet, 10 feet and 6 feet, which includes the view corridor.

Late on March 18, the applicant left notice on some of the neighbor's doorsteps that he was inviting the neighbors to view their plans to build the second story at the applicant's home on March 19. Some neighbors could not make it due to the less than 24 hour notice of such meeting. Some of the neighbors attended including me. The applicant and his new architect met with us and I explained to them and gave them the following list of suggestions that the neighbors had compiled since there were no new plans drafted yet and there were only the old ones to point out concerns on at this meeting. The architect and applicant told us that the architect had only been hired two weeks previous to this March 19 meeting and had not started to design any new plans yet. It is also good that the applicant's new architect just happened to be at the November 2009 Planning Commission hearing to hear many of the suggestions and concerns. At this March 19 meeting, the new architect told me that he was currently going to draft out new plans for a second story design that would be on top of a ground level first story home and not be subterranean.

Suggestions the neighbors have compiled following the November 2009 Planning Commission Hearing:

1. Subterranean first floor with open side court yard area and not to include garage as subterranean (good example of such is on the east side of the 400 block of Paseo de La Playa per architect, Peter Lattey-I believe the address to be 410)
2. Use the open space (from the first design/plans) in left front/side of home to utilize expansion
3. If you have flat roofed accessory building, move to corner of property at low level, so not to affect neighbors negatively (and please redesign as flat roof)
4. Place solar panel on roof (or pool) of new home and not on top of the accessory building
5. Keep existing home's roof height and footprint
6. Do not expand existing home into backyard any further
7. Do not have a rooftop deck
8. Since applicant has expressed difficulty designing a traditional home's flat roof, consider using example of flat roof type seen at home on corner of Calle Mayor/Via Anita

Please take these suggestions into consideration when designing and planning for the property at 209 Via El Toro.



Thank you,
Roberta Blowers
621 Camino de Encanto

From: Lorraine Marcone <lorraine@marcone.us>
Subject: **MIS 10-00101 209 VIA EL TORO**
Date: April 8, 2010 7:03:07 AM PDT
To: CITY OF TORRANCE

Regarding your letter dated April 6, 2010 -- Delurgio remodel.

We have read the letter containing Delurgio's intended construction. However, we would very much like the Delurgio's to submit a landscape design also with intended planting of trees and larger shrubs to be installed in the area under consideration. Needless to say this is to protect views, space, etc. for neighbors.

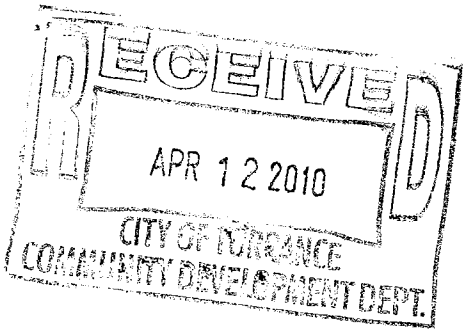
ALSO, CAN YOU PLEASE HAVE DELURGIO'S removed flags and stakes presently installed on their Via El Toro home -- these have been in place an extraordinary amount of time -- and the flags are now "flying" around the neighborhood.

Thank you for your attention to the above.

Lorraine and John Marcone

Lorraine and John Marcone
505 Camino de Encanto
Redondo Beach, CA 90277

cell 310-567-2377



EUGENE/MARIA KUSION
523 Camino De Encanto
Redondo Beach, Ca. 90277

RECEIVED
APR 14 2010
CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPT.

TO: GREGG LODAN, AICP
Planning Manager
City of Torrance - CDD

RE: DELURGIO PROJECT
#MIS-10-00101
209 Via El Toro

Dear Mr. Lodan:

Thank you for your notice dated April 6 regarding the Delurgio application/plan to add a new accessory building, retaining wall and pool/spa in the rear yard of 209 Via El Toro.

I am greatly concerned that the applicant has submitted plans that are limited to the rear yard and make no mention of the main aspect of the 209 project, the house itself.

It seems to me that it is highly unusual, if not unheard of, to take a massive development project, which this in fact is, and submit applications piecemeal to your office for approval.

As the entire property is sought to be redeveloped, it seems to me that the entire property development plans should be submitted at the same time, not piece by piece.

I assume that the house construction will be done at the same time as the pool/spa/wall construction. Therefore, should it not be that the plans for the entire proposed construction be submitted at the same time? Is this not the customary and proper procedure to be followed? When is the last time that the Torrance CDD has been asked to approve an application when the plans were submitted on a piecemeal basis and not in their entirety? This will thus become a highly irregular development.

As a neighbor whose property will be highly impacted, as already noted by your office in its report of November 4, 2010 to the Planning Commission, it seems to me that I cannot support the current application when I do not know what impact the proposed construction will have on the main part of the 209 project, the house itself.

Therefore, I request that your office does not approve this piecemeal application, which is irregular, unusual and almost unheard of, but rather request from the applicant that he submit the entire development plans at the same time. All concerned will then save much time, effort and money in considering same.

Very truly yours,

EUGENE L. KUSION

CC:Oscar Martinez, CDD

Victoria "Vicki" Radel, Ph.D.
515 Camino de Encanto
Redondo Beach, CA 90277
Home: 310-375-0150

RECEIVED
APR 15 2010
CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPT.

April 13, 2010

RE: Delurgio Project # MIS-10-00101 Plans for Accessory Bldg.

Dear Jeffrey Gibson, Gregg Lodan and Oscar Martinez:

Thank you for the letter notice of April 6, although it came as a surprise since both Mr Delurgio and his architect led us to believe at our March 19th meeting that new plans would be drawn for the entire property based upon our concerns.

I oppose the approval of this piecemeal remodel since common sense dictates it is preposterous to proceed with the pool and accessory bldg when there is no new clear plan for the entire project. We need to see a clear plan for development of the entire property presented at best, in a public forum, before the commission for deliberation. I feel strongly that if allowed to proceed with this project it clearly limits the future options on the main building. Mr Delurgio's architect Nagy Bakhoum, even agreed with us on March 19th that to proceed with the accessory and pool plan as is "would limit future options."

I also understand that in the accessory and pool plans there is a retaining wall 4' back from the existing wall, and that between it and the existing wall will be landscaping (another opportunity for obstruction of our views as the trees Delurgio planted have done to my neighbor, Mr Kusion to the south).

Furthermore the accessory and pool plans indicate a "solar mechanical room" in the southeast corner of his property. I am concerned about how much noise it will create.

These questions need to be addressed in a public forum, such as a commissioner's meeting where experts can give us honest answers and that information will be documented in the appropriate manner. It is only fair that Mr. Delurgio be held accountable for disrupting our views, light, air and peace.

I have owned my home for over 38 years and do not want my quality of life nor the dollar value of my home decreased because of this project.

Respectfully,
Vicki Radel Dr Vicki Radel

RECEIVED
APR 15 2010
CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPT.

PETER LATTEY ARCHITECT PMP
515 Camino de Encanto, Redondo Beach, CA, 90277 Phone 310-968-3252 email: lattey@sbcglobal.net

April 12, 2010
Community Development Department
City of Torrance

RE: MIS 10-00101; 209 VIA EL TORO

Dear Jeffrey Gibson and Gregg Lodan:

I am a resident of 515 Camino de Encanto.

I do not support the approval of the current plans for the development of a swimming pool and auxiliary building at 209 Via el Toro. I do not support the application for the following reasons:

1. The application is disingenuous. Mr. Delurgio has indicated to me and the Planning Commission that he intends to redevelop the entire property with a major addition to his house in addition to the present plans for a pool and pool house. He has stated that he intends to have both the pool addition and the main house addition under construction at the same time. He has made a previous application to the Planning Commission for this redevelopment. The previous application was heard by the commission in November 2009, at which time the application was tabled and Mr. Delurgio was directed by the commission to work with his neighbors to develop a plan that addressed their concerns. He has submitted the current application prior to any meaningful discussion with the neighbors. We were invited to meet with him and his architect on March 19, 2010 for a first discussion. At this meeting, the architect and Mr. Delurgio stated that they would be exploring a range of options for the location of all of the elements of the redevelopment, i.e. the house additions, the pool and the pool house. Instead of exploring these options, Mr. Delurgio has submitted an application that is identical to that submitted last fall. However, the submission is for only the pool and pool house. He has stated that he is doing this, "because he can." This application, if approved, effectively removes many possible options for developing the remainder of the property in a manner that will have the least effect on the neighbors.

2. I feel it is inappropriate to present a major redevelopment of the property in a piecemeal manner for review. This does not allow an overall review of what the impact really will be. Further, the piecemeal approach significantly narrows the options available. In fact the current plans would eliminate several of the options that Mr. Delurgio and his architect promised to examine.

3. The plans presented do not have any information as to the nature of the planned landscaping. Landscaping on the Delurgio property is a significant issue. Mr. Delurgio is currently under a court order to remove fast growing, high trees that were planted by him and which blocked the view of a neighbor. He has also called the police to stop another neighbor from trimming view blocking bushes on Delurgio's property which she has been trimming for 25 years. He has stated to me that he is not prepared to commit to low level landscaping as he may want to plant higher landscaping to address "privacy issues" with his development. It is apparent to me that any landscaping that provides some added degree of privacy to his property would also have a significant impact on the views and possibly light of the properties above his. I feel it would be appropriate to include a landscaping plan with the application.

As directed by the Planning Commission, we did have a very constructive, positive meeting with Mr. Delurgio and his architect on March 19. All the neighbors who attended are looking forward to seeing the various schemes that the architect develops. Until these are developed and something is finalized, I feel it is inappropriate to proceed with one aspect of the redevelopment that will greatly limit the options. I was frankly surprised that Mr. Delurgio made an application for the pool and pool house at this time. This is contrary to what he stated his course of action would be during our March 19 meeting.

I feel that the appropriate course of action at this time is for the current application to be rejected, a comprehensive plan for the entire property be prepared and submitted to the Planning Commission and then, after their approval is obtained, construction documents prepared for building department approval.

Yours truly,

Peter Lattey, Architect

Jim & Betsy Delurgio
209 Via el Toro
Redondo Beach, CA 90277

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MAY 05 2010
CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPT.

Oscar Martinez
City of Torrance Community Development Department
3031 Torrance Boulevard
Torrance, CA 90503

Dear Oscar,

We hereby withdraw our miscellaneous application for the swimming pool and pool house at 209 Via el Toro.

Sincerely,

Jim Delurgio

Dear Mr. Lodan and Mr. Martinez,

I am not able to attend the hearing regarding, PRE09-00007: JIM & BETSY DELURGIO. I am their neighbor to the back at 210 Calle de Sirenas on a small lot with a small historic single story hillside bungalow.

Jim and Betsy generously invited me to their home to present the remodel plans and they have visited my home to see the silhouette from my property. We discussed the plans extensively including their reasons for the type of remodel they chose, the efforts they have made to inform their neighbors and the challenges they face. I understand their need to expand to make a comfortable home and yard for their family and I understand their want to do this as a second story addition. I have also spoken to all of my neighbors about the remodel.

In this context, I would like to offer my thoughts.

I support a single story remodel at 209 Via El Toro. I have concerns about a second story addition. While the impact is small, the silhouette is very visible from my front yard, east side yard and back windows. The silhouette casts an imposing presence over my house as seen when one drives up to my property and when one faces south along the east side of my property. It significantly changes the presentation of my home as seen from the street. It gives a different feel to the area like you might get in one of our neighboring beach cities to the north.

Unlike the actual construction, the silhouette does not block light or air, does not significantly block sight lines and does not impact the privacy of other properties in the vicinity. Therefore, it is difficult to get a feel for how my property will actually be impacted. Silhouettes do not accurately represent what a structure will do to the surroundings and therefore they do not fully inform or fully disclose impacts.

I fear that the new views from a second story addition at 209 Via El Toro could be used as a justification for limiting any future development I may consider, either single or second story.

My concerns are written with apprehension and regret because the current process of hearings pits neighbor against neighbor, promotes ill will, encourages hostile behavior and can result in litigation. In short, it is detrimental to our community. I do not want this kind of conflict with my neighbor. At the same time I am forced to represent my interests in this forum.

Thank you for your consideration,

Chris Jensen
210 Calle de Sirenas

11/2/09

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NOV 05 2009
CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPT.

Martinez, Oscar

From: Cindy Constantino [clbc7@hotmail.com]
Sent: Friday, May 07, 2010 10:06 AM
To: Martinez, Oscar
Subject: the delurgio proposal

Hi Oscar,hope all is well with you.Well its time once again to invite you the commissioners out to see what this project looks like first hand, and to see what is really going on. I know how busy you are and I apologize. It would be so fantastic to have some of the commissioners who never come out to look, to do so in this high profile project.Mr. Horwich,and perhaps Ms. Gibson or anyone whom needs to make this extremely life changing decision for myself, neighbors and community in the future.I would love to set up a time convenient to you and Mr.Lodan and anyone else. My cell number is 310 245 0140 Thank You so much Sincerely Cindy Constantino

Hotmail has tools for the New Busy. Search, chat and e-mail from your inbox. Learn more.

Martinez, Oscar

From: Lorraine Marcone [lorraine@marcone.us]
Sent: Friday, May 07, 2010 10:23 AM
To: Martinez, Oscar
Subject: DELURGIO'S PROJECT ON EL TORO

Hi Oscar -- I understand we are to meet with the Torrance Planning Commission on Wednesday, May 19th at 7 pm.

I plan to be in attendance but would very much appreciate the commissioners visiting our neighborhood to view the "new flags" as proposed for the Delurgio project. To my eye, the proposed structure resembles "an apartment building" being constructed in the Hillside Overlay area....if accepted this could easily set a precedent and the entire complexion of this lower Hollywood Riviera neighborhood would change!! not a good thing for property values, privacy and views.

So, again hoping you'll take the time to view the proposed construction on El Toro.

See you on May 19th.

Thank you

Lorraine Marcone
505 Camino de Encanto
Redondo Beach, CA 90277

cell 310-567-2377

Martinez, Oscar

From: Eugene Kusion [kusionlaw@earthlink.net]

Sent: Friday, May 07, 2010 6:53 PM

To: Martinez, Oscar

Subject: 209 Via El Toro - Delurgio

Mr. Martinez:

As you know, a new sillouette has been erected at 209 Via El Toro and a hearing is set for May 19. The proposed second story will destroy my views of the manhattan beach pier, el porto, santa monica mountains, city lights and blue ocean. I invite you to visit my house again to look at the silouette from my back den.
Sincerely, Gene Kusion, 523 Camino De Encanto.

Martinez, Oscar

From: Roberta Blowers [drbertab@yahoo.com]
Sent: Tuesday, May 11, 2010 4:56 PM
To: Martinez, Oscar
Subject: Project at 209 Via El Toro

May 11, 2010
City of Torrance Community Development Department
3031 Torrance Boulevard
Torrance, CA 90503
(310) 618-5990
(310)618-5829 (fax)
Attention: Mr. Oscar Martinez

I am asking that the hearing that is planned to go before the Planning Commission on May 19, 2010 for the Delurgio project at 209 Via El Toro please be delayed until after Mr. Delurgio abides by the court agreement and cuts the trees that impact many neighbors' views of the current silhouettes and the neighbors' view corridors.

Thank you,
Roberta Blowers

Martinez, Oscar

From: gohata@aol.com

Sent: Tuesday, May 11, 2010 10:29 PM

To: Martinez, Oscar

Subject: May 19th meeting re Project at 209 Via El Toro

Mr. Martinez -

We would suggest the hearing for the 209 Via El Toro project be postponed from the current May 19th date. It is our understanding the owner of the property, Mr. Delurgio, must comply with a court order to significantly trim and possibly remove tall trees by May 25th. The trees currently obstruct the silhouette of his proposed project.

While the May 19th date may be administratively convenient or efficient, we believe a rescheduling of the hearing could help facilitate a constructive review of Mr. Delurgio's project by his neighbors. As you have no doubt heard by now, the trees on the Delurgio property are a source of contention by both Mr. Delurgio and his neighbors. By allowing Mr. Delurgio time to comply with the court order and trim/remove the trees, both Mr. Delurgio and his neighbors can view the planned project with both a clear mind and a clear view.

Keeping the hearing on May 19th could actually be a disservice to Mr. Delurgio because his neighbors will continue to point to his actions as being inconsistent with the collaborative spirit of the Hillside Overlay Ordinance. The number of different issues and actions taken in the matter of the 209 Via el Toro property has created a tangled web. It seems prudent to allow each issue/action to completely resolve before addressing another issue/action.

Respectfully,

Ted and Linda Gohata
516 Camino de Encanto
Redondo Beach, CA 90277

RECEIVED
MAY 12 2010
CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPT.

Victoria "Vicki" Radel, Ph.D.
515 Camino de Encanto
Redondo Beach, CA 90277
Home: 310-375-0150

May 12, 2010

RE: Delurgio Project 209 Via El Toro, Redondo Beach, 90277

Dear Greg Lodan and Oscar Martinez:

Thank you for coming out to view the Delurgio silhouettes from our perspective. We feel very strongly that the commission hearing on the Delurgio project, scheduled for May 19, 2010, should be delayed until after Mr Delurgio abides by the court agreement to trim his spite trees.

The trees are over grown to the point that they greatly impact our visibility of the new green and white silhouettes. Yet we are being asked to consider for approval an outline that has been intentionally covered by green overgrowth. This is clearly NOT FAIR therefore we implore you to consider a delay until the foliage is cut to allow a view of what we will literally be faced with if the remodel is permitted rather than the smoke and mirrors we are currently being asked to approve!

I have owned my home for nearly 40 years and am highly offended that anyone would overgrow foliage as part of a calculated plan to then build and further disrupt views, light, air flow and privacy all contrary to the Hillside Overlay Ordinance.

Respectfully,

Dr Vicki Radel

PETER LATTEY ARCHITECT
1545 Hauser Blvd., Los Angeles, CA, 90019-3900 USA Phone 310-968-3252 email: lattey@sbcglobal.net

May 10, 2090

RECEIVED
MAY 12 2010
CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPT.

City of Torrance
Community Development Department
3031 Torrance Blvd.,
Torrance, CA 90503

RE: 209 VIA EL TORO APPLICATION

Dear Sir or Madam:

I am a resident of 515 Camino de Encanto and wish to register my objections to the proposed development by Mr. & Mrs. Delurgio at 209 Via el Toro.

I am an architect licensed in California and have been practicing architecture for over 30 years. I have extensive experience in residential architecture.

First, I request that the hearing on May 19 be adjourned until after June 30 or such time as when Mr. Delurgio has complied with the consent decree which he has signed. As I understand it, this is an agreement for Mr. Delurgio to remove and trim the trees on his property which currently obscure clear viewing of the profiles. As the sole purpose of delaying the removal and trimming of the trees appears to be to obscure a clear view of the profiles, the hearing should be delayed until the profiles can be clearly seen.

When I first met with Mr. Delurgio last fall, I sincerely told him that I looked forward to seeing plans for a development on his property that I could sign off on. I looked forward to assisting him in the planning for his dream home. Sadly, he has turned the planning process into one of acrimony and threats. After considerable effort on his part and many ignored comments from his neighbors, he has resubmitted essentially the same development plan that he submitted last fall. I cannot support this plan.

This plan has the same accessory building and a second story that is designed to gain the Delurgios a spectacular second story view at the expense of their neighbor's views and privacy. As I understand it this is exactly the type of development that the Hillside Overlay Ordinance was conceived to prevent.

We have met with Mr. Delurgio and his architect twice, on March 19 and on April 23. On both occasions, I and the other neighbors made numerous comments and suggestions which would reduce the impact of his development on the neighbor's views and privacy. Many of these comments were also made at the last hearing of the commission to consider his previous application. All of those comments have been ignored and Mr. Delurgio has marched forward with his original scheme with minor modifications. His architect made no effort to visit the most impacted neighbors to see what their view and privacy issues were.

A few other points:

1. A normal part of the architectural design process is to develop alternative schemes or concepts in rough form in order to determine the advantages and disadvantages of each concept. At our first meeting with Obelisk Architect's, I requested the opportunity to view these alternatives and was assured that these would be developed and shown to the neighbors. None were ever presented to the neighbors. It appears that no alternatives were ever developed. I can only presume that the architect was instructed to only make modifications to the original scheme from last fall and not to examine other alternatives.

2. Prior to the hearing last fall and again at our first meeting with Obelisk, I made several suggestions that would have resulted in reducing the impact of the project on the neighbors while still providing the Delurgio's with added area for their house and a swimming pool. However, these suggestions did not include the gaining of a spectacular second story view. Nor did they have such a large negative impact on the neighbors' views and privacy. These suggestions, as well as suggestions from other neighbors that I have heard presented to Mr. Delurgio were all ignored or dismissed.

3. Mr. Delurgio has stated that he will not commit to planting low landscaping along his property boundaries. He has stated that he wishes to keep the option open of planting tall plants for "privacy issues". Any tall plants that provide him with more privacy will have a very real, negative impact on our views. He has previously demonstrated that he has no qualms about obstructing his neighbors' views by planting many poplar trees.

4. Mr. Delurgio has engaged in a long, expensive and ultimately losing legal battle to retain the spite poplars he planted and other view blocking trees. All of these will need to be removed if this design or most other designs for the site are implemented. He has rushed to get this application lodged prior to the deadline by which he must remove the trees. It is apparent that the sole purpose of his legal battle has been to retain the trees long enough to obscure a clear view of the profile flags.

Last October, the Planning Commission directed Mr. Delurgio to work with his neighbors to develop a mutually agreed on design. Rather than do so, Mr. Delurgio has cynically had two meetings with his neighbors at which their comments were ignored. He has then rushed to submit essentially the same design prior to removing the trees which obscure the profiles. I strongly suggest that the Planning Commission reject his application.

Yours truly,

Peter Lattey, RA, LEED AP, MAIBC

Martinez, Oscar

From: Judy English [crudlish@mac.com]
Sent: Thursday, May 13, 2010 10:55 AM
To: Martinez, Oscar
Subject: Delurgio Second Story Project

Dear Mr. Martinez,

Thank you for your message making sure that neighbors knew about the May 19th Planning commission meeting where this project will be presented again. We live at 531 Camino de Encanto, up hill from the El Toro cul-de-sac, and will be at the hearing.

Without seeing the altered plans we can only offer a general opinion as to the second story. But it appears that any second story on the Delurgio house will block important views of at least 1 uphill property owner and probably three. If not, then fine to add it. But if it or landscaping takes away a view it can not be allowed. No owner has the right to arbitrarily take away a view which has quality of living and financial value to another owner.

The new trees and the un-pruned existing trees on the Delurgio property are blocking views now and are not yet even as high as his second story silhouette. It is our belief that these trees exist solely for the purpose of circumventing the lack of any landscaping regulation in Torrance in order to push through a second story approval. If neighbors complain of the remodel the retort could be "What view? There's no view anyone looses as they are all already blocked by trees." An attitude which is not only unneighborly but arrogant of the spirit of laws governing hillside neighborhoods.

The Delurgios are not the only owners trying this scheme. The owners of another El Toro cul-de-sac property, two houses from Delurgios, is trying it with amazing vigor. We became owners of our house in March, 2009, and the week we moved in we were greeted with the sight of our downhill neighbor having many large landscaping plants moved into the backyard. There are now over 200 new cypress trees, planted very close together at the rear and sides of the backyard. The gardner told me these trees grow 20' in one year. Two very tall sycamores were planted in each back corner: they can reach 90' - 100' tall. Our small views, which we did treasure, are all gone, and our light, beach breezes, and openness are on the way out.
And I found out very quickly that Torrance has no landscaping ordinances. We have been financially damaged and can see no recourse. And there are many other examples here in Riviera of similar situations.

We seek your advise in finding a way to stop the damages due to landscaping and your help in stopping remodels which damage neighbors.

Sincerely,

Judith M English and William R. Crudup

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MAY 12 2010
CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPT.

May 12, 2010

City of Torrance
Community Development Department
3031 Torrance Boulevard
Torrance, CA 90503

Re: 209 Via El Toro Application

Dear Planning Commissioners:

I am a resident of 513 Camino de Encanto, Redondo Beach, and would like to list my objections to the proposed development submitted by Mr. and Mrs. Delurgio at 209 Via el Toro. With all due respect, I am requesting that the May 19 hearing be rescheduled until after May 25 for the following reasons:

1) The new silhouettes that Mr. Delurgio has had reconstructed are blocked from a clear view due to the foliage that was planted or left to grow out of control. The new silhouettes appear to be even higher than previous ones, no doubt to hide the real project.

2) Mr. Delurgio has not complied with the consent decree to remove and trim the trees on his property and must be court ordered to trim the trees to allow for proper assessment of his plan.

3) Mr. Delurgio is making a complete mockery of the "coveted" Hillside Overlay Ordinance. Mr. Delurgio would like to think he has worked with his neighbors but the bottom line for him, as it has been from the beginning, "he wants what he wants" at the expense of our little community...and its future.

I am not in favor by any means of a second story, especially when there is "no hardship" for another one-level or partial sub-terranean garage. This is one of the largest lots in Riviera; there are so many options. Unfortunately, Mr. Delurgio is unwilling to work with his neighbors.

You are welcome to come at any time to view the silhouettes and trees from my yard or inside my home. Should you wish to view the property from the yard, note that there are no dogs and the gate is open. Thank you in advance for caring.

Sincerely,

Cindy Constantino
513 Camino de Encanto
Redondo Beach, CA
(310) 245-0140

RECEIVED
MAY 13 2010
CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPT.

Torrance Planning Commission

Dear Members,

I have owned a home since 1956 on Camino de Encanto. This has been one of the most beautiful areas of the city. For so many years I had a lovely view of the ocean and coastline. Now, due to City Council approval, a neighbor on Paseo de la Playa has started extensive expansion of his second story home. My lovely view is lost. His property is so out of proportion to the surrounding homes that it is down-grading other neighborhomes.

Should one neighbor be allowed to change his property to the extent it changes value of others property?

Where is the limit on second story additions?

Where is the limit on expanding second story homes?

What limits will there be on roof decks?

Without some answers the beauty of this lovely area will soon be destroyed.

Sincerely,

Charlotte Ferris

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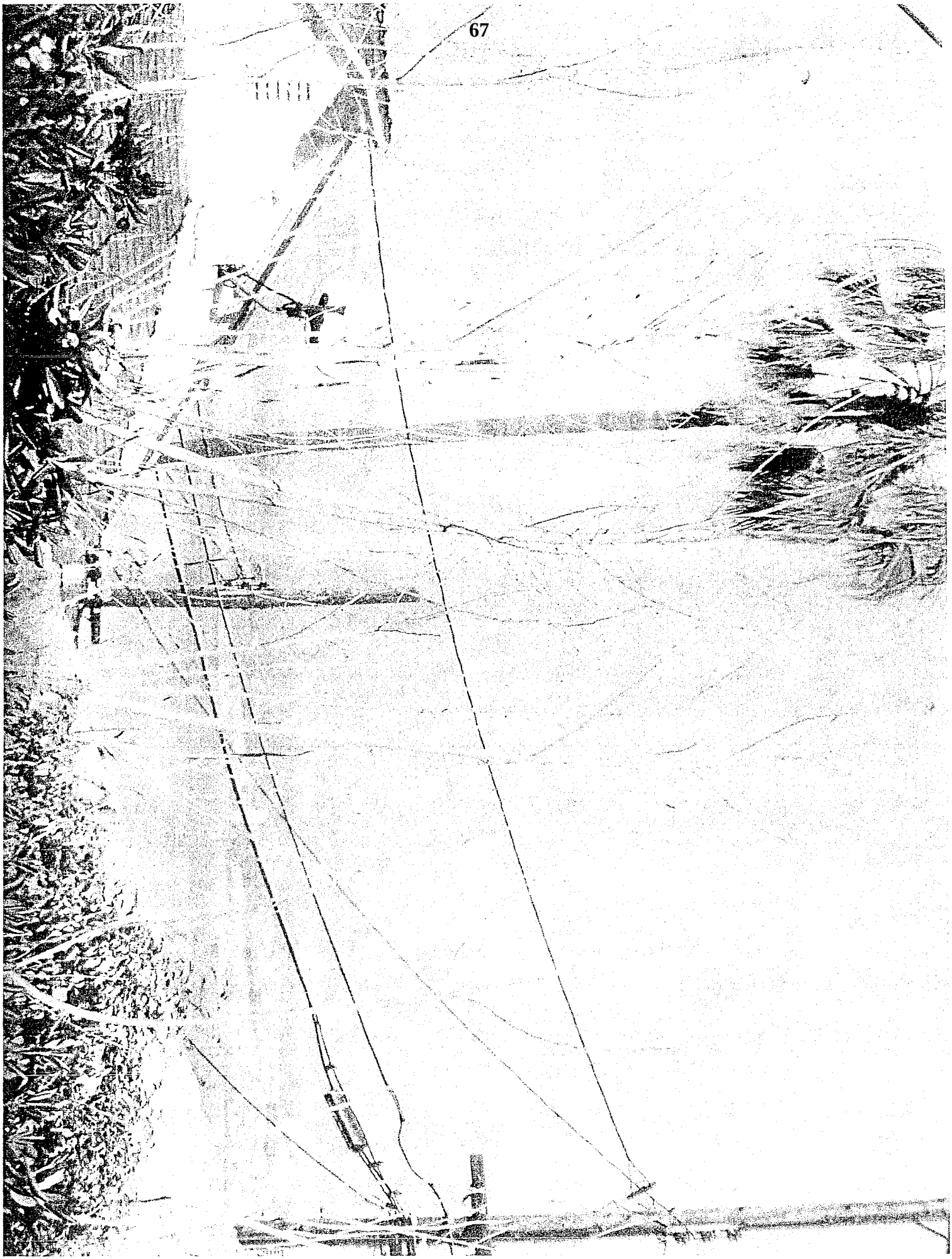
MAY 12 2010
CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPT.



Martinez, Oscar

From: Jim Delurgio [jim@delurgio.com]
Sent: Thursday, May 13, 2010 1:08 PM
To: Martinez, Oscar
Subject: Neighbor letters

I received the letters that have been submitted by our neighbors, and they seem to follow a similar misinformed theme regarding our court supervised settlement with Eugene Kusion.

The city should rest assured that we are in full compliance with the terms of the settlement, and we ask that the City not delay our proceeding any further due to the demands of our neighbors and the president of the Hollywood Riviera Homeowners Association.

In fact the trees that fall under the court supervised settlement have already been trimmed to the agreed upon height and were trimmed well in advance of the May 25th required timeline for tree trimming. We had indicated to the planning department that we would be taking this course of action with regard to foliage on our property in order to reduce any confusion about foliage during our Planning Commission hearing.

We have also trimmed additional trees on our property as requested by neighbors. We had previously committed to do this after our plans are approved, but as we had indicated to you in our meeting last week felt that it would reduce concerns from these neighbors if we did this in advance of the hearing.

Apparently our neighbors continue to try to confuse the city into further delay, hoping that our trees and property will incur more damage if they can get the court to further accelerate the terms of our agreement. It unfortunately worked last time when our conforming plans were delayed under similar demands from our neighbors.

It is important to note that each of these views from neighboring properties was either acquired or expanded through illegal tree trimming after we purchased our property. Despite the fact that this illegal trimming has damaged our property significantly we also understand our neighbors desire to enjoy the views which pass through our property at many various angles. Our proposed plans demonstrate the extent to which we have designed around the views which pass through our property, by reducing the size of our development and shifting the mass toward the front of our property away from view corridors.

We agreed to a settlement on our trees only to move through the plan review and approval process without such delay and confusion, and we ask that the city move forward under the ordinary course of action, as indicated in the terms of our settlement.

It is quite clear to us at this point that anything we do to improve our property will be looked upon negatively by our neighbors.

Please call me if you have any questions or require further clarification.

Sincerely,

Jim Delurgio

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MAY 14 2010
CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPT.

Delurgio Neighbor Communication log since Nov 4th hearing

Date	Participants (in addition to Jim & Betsy Delurgio)	Actions
Nov 5, 2009 ongoing until now	Nagy Bakhoum, Project Architect	Modified conceptual designs and renderings of main house, pool house and swimming pool.
Nov 11, 2009	Oscar Martinez, Planner Greg Lodan, Planning Manager	Met with the planning department to discuss our hearing and recommendations for revision. We received the photos that staff had taken from neighboring properties so that we could consider these perspectives in our design revision in case some neighbors continued to refuse to allow us to make view observations from their property. We discussed the fact that we had an upcoming trial, and that we would prefer to wait until the outcome of the trial before we spend more money on redesign. We discussed the option to submit a plan with only our pool, and were told that it would require the minor hillside exemption process which would be the same process as submitting the pool design which is under 14' in height.
Dec, 10, 2009	Gohata Residence	Left a voice message requesting that we discuss their concerns with the remodel of our property. We never received a response from this message or the prior call from October 23, 2009.
Feb 23, 2010	Eugene Kusion	While in court regarding a lawsuit over our trees, we observed binocular zoom photos of a whitewater view which passes through the rear portion of our property just across the rear of our existing home, which would be obstructed by the extension of our previously proposed 1st and 2nd story additions.
Feb 25, 2010	Planning Department	We submitted a plan for a pool and pool house under the minor hillside exemption process so that we could begin enjoying our property this summer, and allow our 9 year old daughter to continue her swim training as she prepares for the Junior Lifeguard test on May 8, 2010
Feb 28, 2010	Mrs. Becker	Received signoff for Swimming Pool and Pool House, reviewed and discussed proposed changes to main house design.
March 2, 2010	Mr. Jensen	Received signoff for Swimming Pool and Pool House, discussed previous concerns with prior design and reviewed proposed changes to main house design.
March 3, 2010	Marcone Residence, 505	Stopped by to discuss plans, nobody answered the door.

	Camino de Encanto	
March 3, 2010	Ghaby Residence, 509 Camino de Encanto	Stopped by to discuss plans and Sheri Ghaby was the only one home. She asked if we would come back when Ramzi Ghaby was home.
March 3, 2010	Constantino Residence, 513 Camino de Encanto	Stopped by to discuss plans and occupant was not home.
March 3, 2010	Gohata Residence, 516 Camino de Encanto	Stopped by to discuss plans and occupant was not home.
March 3, 2010	Marcone Residence, 505 Camino de Encanto	Stopped by and resident answered the door but told us that she did not have time to discuss plans and to come back at some other time on a weekday between 4:30pm and 5:00pm
March 3, 2010	Radel Residence, 515 Camino de Encanto	Stopped by to discuss plans and Vicki Radel told us that she wanted her fiancé, Architect Peter Lattey to review the plans, and requested that we contact him to arrange such review.
March 3, 2010	Kusion Residence, 523 Camino de Encanto	Jim & Betsy Delurgio stopped by to request that Mr. Kusion review and signoff on our plans to add a swimming pool and pool house. Eugene Kusion told us that he did not have time to review the plans and asked us to leave the plans with him. We told him that we could not leave the plans with him, but would be glad to arrange another time to meet and review the plans with him. He told us to call him at his office to schedule an appointment to review the plans.
March 3, 2010	Mr. Smith, 527 Camino de Encanto	Received signoff for Swimming Pool and Pool House and discussed his previous concerns with prior design. We observed the previous design silhouettes from his property for the first time and proposed changes to the 1st and second story design of our main house in order to preserve the city lights view which passes through our rear yard between the main house and the pool house.
March 4, 2010	Mr. Kusion	Jim Delurgio called Mr. Kusion at his office as he had requested to arrange a time to review the plans for the pool house and swimming pool. He told us that he would not meet with us, and would be sending us a letter demanding that we cut our trees before he reviews anything and that we would have to silhouette and provide him with copies of our plans. We told him that a copy of the plans is on file with the city for review.
March 5, 2010	Mr. Kusion	We received a letter from Eugene Kusion requesting specific conditions by which he would meet with us to review our plans. These conditions would add significant cost and delay to the process, and significantly exceed any action required by the planning department, the planning commission, or the Superior Court with regard to our proposed development.

		In addition to sending us this letter, he copied the City Planning Department, who then became confused about the court settlement, which is not related to our proposed development plans which had been submitted. We see this letter as intentional interference and obstruction of progress toward the completion of our development plans.
March 6, 2010	Ghaby Residence	Stopped by to discuss plans and Mr. Ghaby was home, and reviewed plans but asked that we come back when Sheri is home for signoff.
March 6, 2010	Constantino Residence, 509 Camino de Encanto	Noticed Cindy Constantino turn into her driveway as we were leaving the Ghaby residence (next door to Constantino residence), and asked Cindy Constantino if she had time to review and discuss our plans. She told us that she would not review the plans unless we arrange a specific time to do so, and build a project silhouette, and include all of her neighbors at the meeting. We explained that was not required at this time for this project, and then asked again if there was a time she would like to meet to review our plans, and she did not respond to our question.
March 8, 2010	Marcone Residence	Attempted to reach Mrs. Marcone by telephone, but her phone number as listed on several realtor websites is not accurate, and only directed me to Coldwell Banker in Palos Verdes, where she no longer works. They had no current number.
March 8, 2010	Marcone Residence	Dropped by at 4:40pm, nobody answered the door.
March 10, 2010	Mr. Lattey (on behalf of Mrs. Radel)	Requested copies of plans for his professional review, and we agreed as he agreed to restricted use under copyright laws.
March 10, 2010	Mr. Lattey (on behalf of Mrs. Radel)	Jim Delurgio delivered a single copy of plans for his professional review, as agreed to restricted use under copyright laws.
March 11, 2010	Marcone Residence	Dropped by at 4:50pm, nobody answered the door.
March 11, 2010	Mr. Pardo	Received signoff for Swimming Pool and Pool House, reviewed and discussed proposed changes to main house design.
March 12, 2010	Mr. Garrabrandt	Received signoff for Swimming Pool and Pool House, reviewed and discussed proposed changes to main house design.
March 13, 2010	Mr. Lattey (on behalf of Mrs. Radel)	As requested by Peter Lattey, Jim Delurgio provided an electronic copy of the current state site survey which had been completed by Denn Engineering.
March 13, 2010	Mr. Lattey (on behalf of Mrs. Radel)	Mr. Lattey requested that we commit to landscaping if Mrs. Radel were to signoff. We stated that we cannot make a commitment to landscaping until our plans are

		approved as landscaping is not relevant to design plan consideration. He said that they will not discuss our plans.
March 14, 2010	Ghaby Residence	Received signoff for Swimming Pool and Pool House after reviewing plans with both Ramzi and Sheri Ghaby in attendance. Discussed previous concerns with prior design and proposed changes to main house design.
March 15, 2010	Marcone Residence	Stopped by and Mr. Marcone was in the open garage so we asked if we could arrange a time to review the plans. He told us they are not so hot on anything we are doing, and would not review the plans at that time.
March 15, 2010	Cindy Constantino	We received an email (cc to the city planning department) from Cindy Constantino. She has still not taken the time to meet with us, however she has apparently taken the time to meet with her neighbor who described the plans as incomplete. She claims that she has been waiting to meet with us, but has not done so, despite our multiple offers to meet with her.
March 17 & 18, 2010	All neighbors who have previously stated opposition to our remodel design, and who may be concerned with suggested changes.	Invited many neighbors including Eugene Kusion, Vicki Radel, Cindy Constantino, Eugene Kusion, Mr. Smith, Ramzi & Sheri Ghaby, The Marcones, The Gohatas, Judy English, Bill Crudup, and many others to a casual open house at our property to review proposed plan revisions for our home.
March 19, 2010	Nagy Bakhoum, Project Architect Peter Lattey, Vicky Radel, James Corazzini (on behalf of Cindy Constantino), Judy English, Bill Crudup, Roberta Blowers.	Discussed and reviewed proposed plan revisions to floor plan, site plan and building elevations for main house design. Reviewed drawings and sketches illustrating proposed changes to floor plans, roof plans, and elevations of prior design. Used the existing silhouette as a reference to indicate the location and scope of such changes.
April 5, 2009	Eugene Kusion	Jim & Betsy Delurgio sent another letter requesting a meeting to review design changes, and observe any concerns from 523 Camino de Encanto.
April 16, 2010	All neighbors who have previously stated opposition to our remodel design, or who may be concerned with suggested changes, including The Gohatas, Judy English, and Bill Crudup.	Invited many neighbors including Eugene Kusion, Vicki Radel, Cindy Constantino, Eugene Kusion, Mr. Smith, Ramzi & Sheri Ghaby, The Marcones, The Gohatas, Judy English, Bill Crudup, and many others to our property on April 23rd to review proposed plan revisions for our home. Note: Eugene Kusion again did not respond as of April 16th to our request from April 5th to review plans with him and view his concerns from 523 Camino de Encanto.
April 20, 2010	Jeff Gibson, Director of Community Development, Nagy	The planning staff conducted an onsite walk-through of our property as part of their review of the letters submitted in opposition to our project. This was done to

	Bakhoum, Project Architect, Greg Lodan, Planning Manager, Oscar Martinez, Planner	determine whether or not they would require a hearing. Many of our neighbors have now requested a hearing, but the city has not seen any concerns regarding any element which would require such a public hearing. We again asked the city to simply follow their ordinary process of review and approval for conforming development plans. They said that they will be meeting internally to determine whether to approve the project now, or require an additional public hearing on the matter.
April 23, 2010	Nagy Bakhoum, Steve Goldberg, Cindy Constantino, Vicki Radel, Ramzi Ghaby, Lorraine Marcone, Eugene Kusion, James Corrazini, Peter Lattey	We hosted an open house to review the proposed design revisions, and to share with our neighbors how the revised plans would mitigate their concerns with the prior design. While many neighbors who attended this meeting used this review opportunity to discuss and understand the consideration we have given to their views through our property, Cindy Constantino, James Corrazini and Peter Lattey erupted in highly abusive language and false accusations toward us and our intentions with our property. The most explosive of the many verbal assaults occurred in front of our entire family including our 7 and 9 year old daughters and is truly unbelievable behavior from neighbors. We again asked Eugene Kusion if we could observe the view concerns from his mother's property, and he told us that we blew our chance because our lawyer did not request a court order to allow us to do inspect the premises during the litigation. We could not have tried harder as neighbors to understand concerns from 523 Camino de Encanto.
May 5, 2010	Planning Department	We withdrew our proposal for a pool and pool house due to the delays with regard to these conforming development plans so that we could move forward with a single plan through our planning commission hearing. We submitted our revised plans for the main house and pool house.

5/14/2010

209 Via el Toro

Oscar Martinez

310-618-5990

209 Via el Toro
Redondo Beach, CA 90277

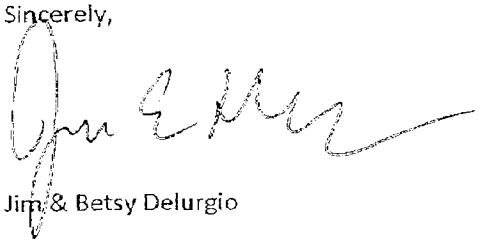
City of Torrance Planning Commission
3031 Torrance Blvd.
Torrance,CA 90503

May 14, 2010

Dear Planning Commission,

Thank you for reviewing our plans for a remodel and addition to our home at 209 Via el Toro. We would greatly appreciate it if you would take the time to visit our home so that we could walk you through our property and you can observe the project from our perspective. It would be very helpful in gaining an understanding of how our 2-story design accommodates the views which pass through our property.

Sincerely,



Jim & Betsy Delurgio

(310)378-0001

11C. PRE09-00007: JIM AND BETSY DELURGIO

Planning Commission consideration for approval of a Conditional Use Permit and Development Permit to allow first and second-story additions to an existing one-story, single-family residence, in conjunction with a new swimming pool, spa and accessory structure on property located within the Hillside Overlay District in the R-1 Zone at 209 Via El Toro.

Recommendation

Denial without prejudice.

Planning Associate Gomez introduced the request.

Commissioner Browning disclosed the following:

- That he visited 515 Camino de Encanto on Saturday, October 31, in response to a letter from the property owner requesting that commissioners make a site visit; that the neighbor was not home at the time so he left his business card; and that this neighbor later called so he returned to the site and viewed the silhouette from several rooms;
- That he visited neighbors at 205 and 210 Via El Toro, both of whom had no objections to the project;
- That he received a phone call from another neighbor on Saturday afternoon requesting that he visit, but he declined to do so because he felt it was unnecessary;
- That he did not share his opinion with any of the neighbors with whom he spoke and his decision would be based on his personal observations, information contained in the staff report, and the testimony at this hearing.

Commissioner Skoll disclosed the following

- That he visited the applicants, Jim and Betsy Delurgio, at 209 Via El Toro, and they discussed their efforts to work with their neighbors and the fact that the project has been revised 3 or 4 times;
- That he visited Vicki Radel, at 515 Camino de Encanto, viewed the silhouette from various rooms, and she discussed her concerns about the project;
- That he briefly visited the home at 513 Camino de Encanto after being given permission by Ms. Radel but spoke to no one at this address;
- That he attempted to visit 523 Camino de Encanto, but no one responded when he knocked on the door and rang the door bell,
- That he briefly spoke with Mr. Gohata, 516 Camino de Encanto, who indicated that he was opposed to the project due to view blockage;
- That none of the discussions he had would influence his decision.

Commissioner Busch disclosed the following:

- That he visited the subject property at 209 Via El Toro on Sunday afternoon but no one was home;
- That he subsequently went to the houses on either side of the subject property and briefly spoke with those residents;
- That he went to the two houses directly behind the project, but no one was home so he viewed the silhouette from the driveway.
- That he has not made a decision on the project pending tonight's hearing.

Jim Delurgio, 209 Via El Toro, applicant, stated that his neighbor Joe Pardo, 210 Via El Toro, requested that his email be read into the record:

> "This email is in regards to events that occurred on October 31 and November 1, 2009. On Saturday, October 31, in the early afternoon I got an unannounced visit from Mr. Browning of the Torrance Planning Commission. Mr. Browning asked me if I had any problems with the development at 209 Via El Toro and I told him that I had no problems at all. Then Mr. Browning asked me if I had any privacy issues and I said I had no problems or concerns about this development. Mr. Browning then stated that the Planning Commission would represent me if I did have any problems with the development due to privacy. I told Mr. Browning for the last time, no thanks, I have no concerns. On Sunday, November 1, 2009, I received another visit in the afternoon from a gentleman who stated he was with the Torrance Planning Commission. I immediately told him I received a visit from a Torrance Planning Commissioner the previous day. The gentleman asked me if I had any concerns about the development and I stated that I had no problems or concerns. He asked if I had written a letter and I told him I had not because I was not planning to fight the development. The gentleman then left my house with no further questions. After receiving the two visits from the Planning Commission, it's obvious to me that the Planning Commission is not happy with the fact I am not contesting the development with the other neighbors. I felt the questioning was an attempt to lead me into having some sort of privacy impact with the development. If you have any questions, please contact me."

Mr. Delurgio expressed concerns that the commissioners seemed to focus on the opposition and none of the positive aspects of the project were discussed and other neighbors who have never been opposed to the project, have suddenly switched sides.

Noting that he was not one of the commissioners in question, Chairperson Weideman took issue with the suggestion that commissioners would try to solicit or elicit negative opinions from neighbors, relating his experience that commissioners bend over backward to be fair.

Commissioner Gibson noted that while she may not agree with what he said, Mr. Delurgio does have the right to express his opinion.

Commissioner Browning clarified that he went to the project site after finding that the neighbor at 515 Camino de Encanto wasn't home; that the next door neighbor at 205 Via El Toro came out of his front door, so he introduced himself and had a brief conversation with him; and that he subsequently rang the doorbell of the neighbor on the other side and had a brief conversation with him. He stated that while he did ask this neighbor if there was a privacy issue, at no time did he attempt to prejudice anyone or create concerns about the project.

Commissioner Busch reported that his experience was similar to Commissioner Browning's; that he never attempted to influence anyone; and that his only intention was to do a public service.

Mr. Delurgio stated that Mr. Pardo, who is a former police officer, felt his concerns needed to be voiced. Commissioner Browning noted that he is also a former police officer, and Commissioner Busch reported that he has spent 35 years in law enforcement, 28 of them in the City of Torrance.

With the aid of slides, Mr. Delurgio reviewed the project, noting that it meets or exceeds all development standards. He reported that he attempted to work with his neighbors throughout the design process and various revisions were made to address their concerns, including a significant reduction in the size of the project. Referring to a diagram to illustrate, he discussed how the project was designed to preserve neighbors' view corridors. With regard to the issue of harmony, he reported that 38% of homes within a 300-hundred foot radius are two-story homes and the average (FAR) Floor Area Ratio is 0.35, the same as the proposed project. He stated that alternative designs were explored, including utilizing a semi-subterranean garage, however, that would only lower the project approximately 3 feet. He emphasized that the square footage is well under what could be built on a lot this size and contended that a one-story design would have a greater impact on neighbors. He expressed concerns that some neighbors have not been cooperative, which has made it difficult to ascertain the project's impact on their property, and they continue to lodge new complaints even as late as this morning. He apologized for his earlier remarks, stating that he now understood that commissioners were only doing their job and he appreciated that they made an effort to visit the site.

Commissioner Browning noted that he observed privacy impacts at 513 and 515 Camino de Encanto, which are also mentioned in the staff report.

Mr. Delurgio expressed his willingness to do whatever necessary to mitigate the privacy impacts, including relocating windows, using obscure glass and and/or planting a hedge. He noted, however, that he will need a view into the backyard as a matter of safety since there will be a swimming pool. He reported that privacy issues were created when trees on his and his next door neighbor's property were cut down without permission.

Commissioner Busch asked about the comment in the staff report that a one-story addition could potentially have a greater impact on views than the proposed two-story project.

Planning Manager Lodan stated that while a one-story addition would address concerns about harmony and bulk, he suspected that it would have a greater impact on views. He explained that relocating square footage from the second floor to the first floor could lead to a higher roof height and potentially affect more properties. He noted that the accessory structure has a very low ridge height and it would not be possible to incorporate this floor space into a one-story addition and maintain this ridge height.

Commissioner Busch asked if staff felt the project could be redesigned to minimize the impact.

Planning Manager Lodan stated that staff believes the two-story design could be slightly altered to reduce the impact on ocean and city-light views at 523 Camino de Encanto, and with regard to other neighboring properties, staff felt that the applicant had minimized the view impact as much as possible.

Noting that he spoke with a number of the neighbors, Commissioner Horwich expressed concerns that some of them have not done a good job of communicating with the applicant.

Chairperson Weideman asked staff to elaborate on comments in the staff report regarding the feasibility of a semi-subterranean garage.

Planning Manager Lodan advised that the relatively flat lot does not lend itself to a semi-subterranean design and staff calculated that it would result in only a three-foot

height reduction. He suggested, however, that changing from the proposed swing-in garage to a front-facing garage would allow for more square footage on the first floor, thereby reducing view impact.

Mr. Delurgio stated that only a small amount of square footage could be added by changing to a front-facing garage and he felt it was more important to focus on preserving primary view corridors. He expressed his willingness to try to mitigate the impact on 523 Camino de Encanto, but noted that this neighbor has not been cooperative and it's difficult to comply with the Hillside Ordinance when you do not have the necessary information to do so.

Gene Kusion, 523 Camino de Encanto, stated that his modest one-story home has been owned by the family since 1964 and he plans to live there for the rest of his life. He contended that the applicant was well aware of building restrictions in the Hillside Overlay before purchasing this property because he formerly lived on Via Colusa. Referring to photographs to illustrate, he reported that the project would block ocean and city-light views, views that have already been impacted by poplar trees planted by the applicant in April 2008. He estimated that the view blockage would result in a loss of property value of between $125,000-150,000. He noted that in October 2006, the City Council rejected a two-story project next door to the subject property at 210 Via El Toro because of the impact on view, light, air and privacy, and voiced his opinion that the proposed project was equally egregious if not more so.

Commissioner Busch questioned whether Mr. Kusion had spoken with Mr. Delurgio.

Mr. Kusion reported that Mr. Delurgio visited his home in September 2008 and wanted to negotiate a deal whereby he would cut down the poplar trees in exchange for support of his two-story addition and he has had no face-to-face discussion since that time. He stated that he was not opposed to a single-story addition that maintains the existing roofline, however, adding a second story would have a detrimental impact on the value of his property as well as 3 or 4 other properties.

Commissioner Skoll pointed out that information in the agenda item indicates that Mr. Delurgio has attempted to speak with Mr. Kusion since that time. Mr. Kusion responded that his mother, who owns the property, sent three letters in June, July and August 2008 asking Mr. Delurgio to trim the trees, but he only wanted to talk about adding a second story.

Commissioner Browning noted that regulating trees was not within the Commission's purview, and Mr. Kusion explained that he only brought this issue up because he wanted the Commission to understand that there was an unimpeded view for 45 years until the applicant planted the trees in 2008.

Vicki Radel, 515 Camino de Encanto, voiced objections to the project, noting that she has owned this property for 38 years. She maintained that the project would obstruct her ocean view, intrude on her privacy, block airflow, and decrease light to her property causing it to be devalued approximately $125,000. She noted that adequate airflow is important for health reasons because she has asthma. She suggested that a subterranean design could be utilized to lessen the impact on neighbors.

Commissioner Horwich doubted that airflow to Ms. Radel's property would be significantly impacted by the project due to the difference in elevation between the two properties.

Commissioner Busch noted that Planning Manager Lodan already mentioned that this lot does not lend itself to a subterranean design.

Planning Manager Lodan advised that semi-subterranean garages are typically used when there is a much greater difference in elevation from street level to the garage, which makes it possible to utilize the natural slope in order to bury square footage to minimize the impact on surrounding properties. He explained, in this case, there is only a three-foot rise from the sidewalk to the garage, therefore it would take a 32-foot long driveway to create a semi-subterranean garage and staff did not believe it was merited given the slight improvement it would yield.

Commissioner Browning clarified that a standard driveway is 20 feet long, so only 12 additional feet would be required.

Peter Lattey, 515 Camino de Encanto, stated that he is a licensed architect and believes that there are ways to provide the space Mr. Delurgio needs while meeting the intent of the Hillside Ordinance, such as building a single-story home around a courtyard with a portion of the building below grade, utilizing a flat roof instead of a pitched roof, and extending the house out to the west. He contended that the project as proposed would almost completely block the blue sky view in the dining room and replace it with a large wall of windows and block sky and ocean views in the living room. He suggested that a better thought-out design would enhance the Delurgios' investment without impacting neighbors.

Lorraine Marcone, 505 Camino de Encanto, noting that she has been a real estate agent for 25 years, reported that potential buyers are cautioned about building restrictions in the Hillside Overlay as evidenced by the listing for this property (agenda material – page 20). She related her experience that the difference in price between homes with a view and homes without a view is $100,000+. She voiced her opinion that the proposed project shows blatant disregard for the Hillside Ordinance and expressed concerns that approving it would open Pandora's Box because it would encourage others in the area to pursue two-story additions.

Commissioner Busch noted that the Commission considers each proposal on an individual basis and does not consider a precedent to be set when a project is approved.

Cindy Constantino, 513 Camino de Encanto, reported that the Delurgios looked at the view from her property and Ms. Radel's property before purchasing their home so they were well aware of potential impacts. She stated that it has always been her position that the only way to develop this property is to have a subterranean garage and push the structure further north, maintaining the existing roofline. She suggested that if going subterranean is too expensive, the Delurgios should put off building their pool and spa. She contended that there is no hardship associated with this property that would justify the building of a second story. She expressed concerns that the value of her property would be diminished if this project is approved, but she would still be paying the same high property taxes.

James Corazzini, 513 Camino de Encanto, voiced objections to the project due to privacy impact, explaining that the project would look directly into the bedroom, living room, dining room and kitchen area of his home.

The Commission briefly recessed from 9:15 p.m. to 9:25 p.m.

Sheri Ghaby, 509 Camino de Encanto, stated that she mainly wanted to support her neighbors in their opposition to the project, however, she was also concerned about privacy impact because she can see the silhouette from her master bedroom.

Michael Guzman, Paseo de la Playa, stated that it took him two years and considerable expense to get his home approved and he would like to spare the Delurgios this ordeal. He encouraged the Commission to challenge those claiming to be impacted by the project to substantiate those claims with hard evidence. He pointed out that just because a petition is signed by 50 people, does not mean that the claims contained in the petition are valid and unsupported opinions repeated by several people does not make them true. He noted that the vast majority of people who live within the Hillside Overlay were not at this meeting, and urged the Commission to consider their silence as support for the project. He voiced his opinion that the City's goal should be managed growth, not irrational stagnation, and that the Hillside Ordinance should not be interpreted based on political pressure or the agenda of any one group.

Commissioner Skoll stated that he personally does not give petitions a lot of credence because he doubted that most people who sign them take the time to view a project's impact for themselves.

Commissioner Browning indicated that he shared Commissioner's Skoll's opinion about petitions, but felt that he couldn't ignore residents who wish to support their neighbors even though they are not personally impacted by a project because everyone who lives within the overlay has an interest in preserving the protections of the Hillside Ordinance.

Roberta Blowers, 621 Camino de Encanto, submitted written material for the record. She voiced objections to the project, relating her belief that it violates the Hillside Ordinance because it impacts views and privacy; it was not designed to cause the least intrusion on neighboring properties; and its two-story design was not in harmony with the neighborhood. She stated that neighbors have offered some good suggestions as to how the project's impact could be mitigated, including locating some of the square footage below grade as was done at 410 Paseo de la Playa. Referring to an enlarged notification map, she explained that the majority of the 150 homes within the notification area are single-story, with a few pre-ordinance second-stories and semi-subterranean homes, and only 3 two-story homes have been approved since the Hillside Ordinance was enacted. She reported that 70% of the people who signed the petition live within the notification area and most have personally viewed the project's impact or were shown photographs.

Jim Vaughan, 444 Camino de Encanto, voiced his opinion that the proposed project violates the Hillside Ordinance because it would adversely impact the views, light, air and privacy of neighbors and it is not in harmony with the neighborhood. He noted that even though the subject lot is one of the largest in the area, the project still must maintain harmony with the neighborhood.

Diane Miltimore, 621 Camino de Encanto, expressed concerns about the cumulative effect of allowing second stories in the Hillside area. She noted that the area was designed with tiered lots to take advantage of views and allowing second stories upsets this balance. She urged denial of the project so that one resident would not gain at another's expense.

Charles Hammer, 221 Paseo de Suenos, contended that the applicants should be required to do whatever is necessary to mitigate the impact on views regardless of the expense because view blockage could significantly devalue neighbors' properties and injure them financially. He related his belief that the claim that a one-story home would result in more view blockage than a two-story home was "malarkey."

Linda Gohata, 516 Camino de Encanto, reported that the proposed structure would completely eliminate her "ocean peek" for which she paid a premium. She expressed concerns that what should be a collaborative process seems more like a war and urged the Commission to send the Delurgios back to the drawing board.

Albert Ortiz, 620 Palos Verdes Boulevard, stated that he lives outside the notification area but shares concerns about this project, noting that he personally observed the impact from homes on Camino de Encanto.

Betsy Delurgio, 209 Via El Toro, applicant, stated that she and her husband have repeatedly tried to communicate with neighbors so that they could create a design that would cause the least intrusion and while they are grateful to those who have cooperated, they are frustrated with those who refuse to discuss their concerns directly. She reported that neighbors at 513 and 515 Camino de Encanto have asked that the entire northeast portion of the lot remain empty so they can continue to enjoy ocean views; that this area is over 6000 square feet, which is the size of these neighbors' entire lots; and that they have honored this request, but the added square footage has to go somewhere. She explained that building on the front of the lot would create an awkward floor plan and obstruct neighbors' mountain views and additionally, it would not be consistent with other homes on the block, which have similar front setbacks, therefore they decided to expand to the south and add a second story. She stated that the privacy issues cited by neighbors to the east are reciprocal as they currently look down into her home and adding the second story will be similar to them having a neighbor next door with the same ridge height. She expressed her willingness to modify windows to address privacy concerns.

Ms. Delurgio related her belief that the proposed two-story design would have the least impact on neighbors because a one-story addition would take up a large portion of the lot and obstruct all significant views that pass through the property. With regard to harmony, she reiterated that 38% of homes within a 300-foot radius are two-story homes. She explained that despite numerous attempts, the neighbor at 523 Camino de Encanto has refused to speak with them; that when they purchased their property, they could only see the chimney and top of the roof of this home due to trees on their next door neighbor's property; and that Mr. Kusion subsequently cut these trees down, an incident for which he was prosecuted by the City. She reported that Mr. Kusion is now claiming a view corridor over their property and suing them over their trees, however, they are willing to explore additional options to mitigate the view impact, but need some cooperation on his part. She requested that the hearing be continued so that they could attempt to reach a compromise with neighbors.

Referring to Precise Plan Application, Item 2b, Commissioner Browning expressed concerns that the responses to this item do not establish that being confined to the height of the existing home would constitute an unreasonable hardship.

Mr. Delurgio explained that he had a reasonable expectation when he purchased this property that he would be able to improve it in a way that is consistent with other homes in the area in order to accommodate his growing family.

Commissioner Busch noted that Item 2c of the Precise Plan Application states that the Delurgios were not aware of any "reasonable" concerns that they have failed to resolve with the current design and questioned whether they were willing to make modifications to address concerns discussed at this meeting.

Mr. Delurgio indicated that he was willing to make changes, but commented on the difficulty of addressing concerns of a neighbor who is uncooperative. He disputed the claim that he offered to trim trees in exchange for support of the project. He stated that he and his wife tried very hard to accommodate their neighbors and came up with a design that preserved the entire ocean views of neighbors to the rear only to have them complain about blockage of blue sky view and airflow, and he requested that this matter be brought before the Commission for direction because attempts to find a compromise were no longer productive.

MOTION: Commissioner Busch moved to continue the hearing to a date uncertain. The motion was seconded by Commissioner Gibson, and discussion briefly continued.

Commissioner Horwich expressed concerns about continuing the hearing indefinitely because of the possibility that people who do not want the project to go forward could accomplish this by refusing to cooperate.

City Attorney Fellows suggested that continuing the hearing indefinitely would give the applicants more flexibility because it would allow them to work with neighbors as long as necessary without a deadline. He noted that the applicants can always ask staff to put the matter on the agenda if they reach an impasse.

Commissioner Skoll voiced support for a continuance and encouraged the applicants to thoroughly review the discussion at tonight's meeting so they would have a clear understanding of the issues involved.

Noting that he is a longtime Hollywood Riviera resident, Commissioner Uchima indicated that he could not support the project as proposed and recommended that the Delurgios focus on the view impact at 523 Camino de Encanto and privacy issues. He stated that even though Ms. Delurgio mentioned that the privacy impact is reciprocal, privacy is a major issue in the Hillside area and he believes this needs to be addressed.

Commissioner Browning recommended that everyone who spoke this evening be notified when the hearing is rescheduled including those who live outside the notification area.

Chairperson Weideman noted that the Commission pays attention to outreach efforts and stressed the need for everyone involved to be more flexible.

Commissioner Busch amended his motion as follows:

MOTION: Commissioner Busch moved to continue the hearing on PRE09-00007 indefinitely, directing staff to include all people who spoke at this meeting when the hearing is re-noticed. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote.

AGENDA ITEM NO. 11C

CASE TYPE & NUMBER: Precise Plan of Development - PRE09-00007

NAME: Jim Delurgio

PURPOSE OF APPLICATION: Request for approval of a Precise Plan of Development to allow first and second story additions to an existing one-story single-family residence in conjunction with a new swimming pool, spa and accessory structure on property located within the Hillside Overlay District.

LOCATION: 209 Via el Toro

ZONING: R-1, Single Family Residential District / Hillside Overlay District

ADJACENT ZONING AND LAND USE:

NORTH:	R-1	Hillside Overlay District, One Story Single Family Residence
SOUTH:	R-1	Hillside Overlay District, One Story Single Family Residence
EAST:	R-1	Hillside Overlay District, One Story Single Family Residence
WEST:	R-1	Hillside Overlay District, One Story Single Family Residence

GENERAL PLAN DESIGNATION: Low-Density Residential

COMPLIANCE WITH GENERAL PLAN: The site has a General Plan Land Use Designation of Low Density Residential allowing up to nine dwelling units per acre. The proposed additions to an existing one-story single family residence on this property are consistent with the Low Density Residential designation.

ENVIRONMENTAL FINDINGS: The expansion of a single family residence in a residential zone is Categorically Exempted by the 2009 Guidelines for Implementation of the California Environmental Quality Act; Article 19, Section 15303 (a).

EXISTING IMPROVEMENTS AND /OR NATURAL FEATURES: The semi-pentagon lot is relatively flat and sits at a lower elevation than the properties to the rear on Camino de Encanto and higher than the lots to the north on Calle de Sirenas. According to the Los Angeles County Assessor's the subject property is developed with an existing 1,430 square foot single family residence with an attached garage originally constructed in 1955.

BACKGROUND AND ANALYSIS:

The applicants request approval to allow first and second story additions to an existing one story residence in conjunction with a new swimming pool, spa and accessory structure in the rear. A Precise Plan is required because the property is located within the Hillside Overlay District and the remodeled residence is over 14 feet in height.

The semi-pentagon lot is 13,185 square feet in area. The remodeled residence will contain a kitchen, living room, dining room, three bedrooms, two bathrooms, study area and laundry/mud room on the first floor and a master suite, nursery, family/game room and balcony on the second floor. The area of the proposed residence is 3,528 square feet and the area of the garage is 498 square feet. The remodeled residence will have a height of

23 feet eight inches, which is 3 feet four inches below the 27-foot maximum. The applicant is also proposing a new accessory structure in the rear. The accessory structure is 634 square feet and will contain an art studio, office, bathroom, dressing area and storage. The height of the building will be 10 feet 10¼ inches to the ridge which is under the 14 foot height limit. The residence will have a minimum front setback of 17 feet when measured from the radius of the curve with an average greater than the 20-foot minimum. The northerly side yard setback is 13 feet 2 inches, the southerly side yard setback is 5 feet 8 inches and the rear yard setback is approximately 77 feet; all setbacks either meet or exceed the minimum requirements.

The project proposes a floor area ratio of 0.36 and lot coverage of 26% which are within the maximum limits of the zone. A project summary is provided below:

Statistical Information

♦ Lot Area	13,185	square feet	
♦ Existing Residence	1,608	square feet	
♦ First Floor Additions	707	square feet	
♦ Second Floor Additions	1,213	square feet	
♦ Total Living Area	3,528	square feet	
♦ Remodeled Garage	498	square feet	
♦ Detached Accessory Structure	634	square feet	
♦ Total Floor Area	4,660	square feet	
♦ Floor Area Ratio	0.35		
♦ Maximum Floor Area Allowed	7,866	square feet	@ 0.6
♦ Lot Coverage	25%		
♦ Maximum Lot Coverage	40%		

The Hillside Ordinance requires that the Planning Commission make a series of findings relating to the design of the project and its potential impact on the view, light, air and/or privacy of properties in the vicinity. The applicant has responded to this requirement in the Hillside Ordinance Criteria Response Sheet (Attachment #4). The applicant was required to construct a silhouette to demonstrate potential impacts (Attachment #5). A licensed engineer has verified the height of the silhouette and staff made a field inspection.

Staff made a field observation of the proposed residence and based on the silhouette and plans there appears to be privacy impacts to 513 and 515 Camino de Encanto and view impacts to 523 Camino de Encanto. At 513 Camino de Encanto, staff viewed the silhouette from a living room, dining room and rear deck area. From these areas, staff evaluated the building mass and proposed window placement. In the opinion of staff, a potential for privacy impacts could occur as the second floor area of the project could look into the home. Staff notes that views are not affected as the second floor mass is located to the south and views are to the north and northwest.

At 515 Camino de Encanto staff observed the silhouette from a bedroom, living room and office area of the home. A potential for privacy impacts occur as the second floor area of the project could look into the office area of the home. Staff was able to view the silhouette through trees and shrubs from the living room and bedroom. Small portions of

ocean view would be blocked that are visible from corridors between adjacent homes in the living room and office from the one-story portion of the proposal. The plan as proposed, however, appears to minimize impacts to the views from 515 Camino de Encanto.

At 523 Camino de Encanto staff observed the silhouette from a living room area and rear yard. Staff observed city light and whitewater views to the north which will be blocked by the second story of the proposal. Staff also viewed the silhouette from 505 Camino de Encanto who had expressed concern with the height and massing of the second story. Staff notes that an attempt to view the silhouette from 516 Camino de Encanto was made but was only able to assess potential impacts from the driveway of the residence. As of the printing of this report, staff has received correspondence from surrounding properties which are attached for your review (Attachment #6).

In reviewing the history of the proposal, staff notes that the applicant went to great lengths to contact the neighbors that are potentially affected. The applicant has provided a summary of the planning and design process they have taken with their neighbors (Attachment #7). Various neighbors have suggested a subterranean garage in the design of the project. Due to the relatively flat topography of the lot, staff finds that a subterranean garage will not lend itself to the design as properties that have incorporated a subterranean garage have a greater difference in grade throughout their lots. When mitigating privacy concerns, staff typically recommends that the size of the windows be reduced, sill-heights raised, the use of frosted glass or a combination of all three. If the request for a one story residence is made, the additions could be done in the front, side and rear of the residence and rotating the garage to make it a front facing garage. In the judgment of staff, a potential for greater view loss could occur and likely affect more properties as more square footage on the ground could lead to a higher roof height.

When talking to neighbors and assessing the potential impacts of this project, it appears that the major concerns are with the second story and the character and harmony of the immediate neighborhood. As the applicant has designed the residence with a second story to preserve and minimize view impacts, staff can not support the project because all of the findings that are required to increase the height of the residence can not be made.

PROJECT RECOMMENDATION: DENIAL WITHOUT PREJUDICE

FINDINGS OF FACT IN SUPPORT OF DENIAL WITHOUT PREJUDICE OF THE PRECISE PLAN:
Findings of fact in support of approval of the precise plan are set forth in the attached Resolution.

RECOMMENDED CONDITIONS, IF PROJECT IS APPROVED:
Should the Commission consider approval of the project, a list of recommended conditions and code requirements for the project is set forth in Attachment #2.

Prepared By,

Oscar Martinez
Planning Associate

Respectfully submitted,

Gregg Lodan, AICP
Planning Manager

ATTACHMENTS:
1. Planning Commission Resolution
2. Recommended Conditions & Code Requirements if Approved
3. Location and Zoning Map
4. Hillside Ordinance Criteria Response
5. Silhouette Verification
6. Correspondence from Neighbors
7. Correspondence from Applicant
8. Color Rendering (Limited Distribution)
9. Contact information/Invitation from Applicant and Neighbors (Limited Distribution)
10. Site Plan, Floor Plans, & Elevations (Limited Distribution)

PLANNING COMMISSION RESOLUTION NO. 09-053

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TORRANCE, CALIFORNIA, DENYING WITHOUT PREJUDICE A PRECISE PLAN OF DEVELOPMENT AS PROVIDED FOR IN DIVISION 9, CHAPTER 1, ARTICLE 41 OF THE TORRANCE MUNICIPAL CODE TO ALLOW FIRST AND SECOND STORY ADDITIONS TO AN EXISTING ONE-STORY SINGLE-FAMILY RESIDENCE IN CONJUNCTION WITH A NEW SWIMMING POOL, SPA AND ACCESSORY STRUCTURE ON PROPERTY LOCATED IN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE AT 209 VIA EL TORO.

PRE09-00007: JIM & BETSY DELURGIO

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on November 4, 2009, to consider an application for a Precise Plan of Development filed by Jim & Betsy Delurgio to allow first and second story additions to an existing one-story single-family residence in conjunction with a new swimming pool, spa and accessory structure on property located in the Hillside Overlay District in the R-1 Zone at 209 Via el Toro; and

WHEREAS, due and legal publication of notice was given to owners of property in the vicinity thereof and due and legal hearings have been held, all in accordance with the provisions of Division 9, Chapter 6, Article 2 of the Torrance Municipal Code; and

WHEREAS, the expansion of a single family residence in a residential zone is Categorically Exempted by the 2009 Guidelines for Implementation of the California Environmental Quality Act; Article 19, Section 15303 (a); and

WHEREAS, the Planning Commission of the City of Torrance does hereby find and determine as follows:

a) That the property is located at 209 Via el Toro; and

b) That the property is identified as Lot 126 in Tract 18379 as per map recorded in Parcel Map Book 7512, Page 007 and Parcel 029 in the Office of the County recorder County of Los Angeles, State of California; and

c) That the proposed residence will have an adverse impact upon the view, light, air and privacy of other properties in the vicinity because the two-story residence will create privacy impacts to the living room and dining room of 513 Camino de Encanto, privacy impacts to 515 Camino de Encanto and city-light and whitewater view impacts to 523 Camino de Encanto; and

d) That the proposed residence has not been located planned or designed so as to cause the least intrusion on the views, light, air and privacy of other properties in the vicinity because the property is large enough to provide additions on the ground level; and

e) That the design does not provide an orderly and attractive development in harmony with other properties in the vicinity because due to the topography of the lot in

relation to surrounding lots, the height and mass is uncharacteristic of the immediate vicinity; and

WHEREAS, the Planning Commission by the following roll call votes DENIED WITHOUT PREJUDICE PRE09-00007:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

NOW, THEREFORE, BE IT RESOLVED that PRE09-00007, filed by Jim & Betsy Delurgio to allow first and second story additions to an existing one-story single-family residence in conjunction with a new swimming pool, spa and accessory structure on property located in the Hillside Overlay District in the R-1 Zone at 209 Via el Toro, on file in the Community Development Department of the City of Torrance, is hereby DENIED WITHOUT PREJUDICE.

Introduced, approved and adopted this 4th day of November, 2009.

_____
Chairman, Torrance Planning Commission

ATTEST:

_____
Secretary, Torrance Planning Commission

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF TORRANCE)

I, Gregg Lodan, Secretary to the Planning Commission of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the Planning Commission of the City of Torrance at a regular meeting of said Commission held on the 4th day of November, 2009, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

_____
Secretary, Torrance Planning Commission

RECOMMENDED CONDITIONS IF APPROVED-

1. That the use of the subject property for a single-family residence shall be subject to all conditions imposed in Precise Plan of Development 09-00007 and any amendments thereto or modifications thereof as may be approved from time to time pursuant to Section 92.28.1 et seq. of the Torrance Municipal Code on file in the office of the Community Development Director of the City of Torrance; and further, that the said use shall be established or constructed and shall be maintained in conformance with such maps, plans, specifications, drawings, applications or other documents presented by the applicant to the Community Development Department and upon which the Planning Commission relied in granting approval;
2. That if this Precise Plan of Development 09-00007 is not used within one year after granting of the permit, it shall expire and become null and void unless extended by the Community Development Director for an additional period as provided for in Section 92.27.1;
3. That the maximum height of the residence at the highest point of the roof shall not exceed a height of 23 feet eight inches as represented by the elevation of 126.1 and a lowest adjacent grade of 102.4 based on a bench mark elevation of 100.0 located at the southwest corner of the property as shown on the official survey map on file in the Community Development Department; (Development Review)
4. That the height of the residence shall be certified by a licensed surveyor/engineer prior to requesting a framing or roof-sheathing inspection and shall not exceed 23 feet eight inches as represented by the elevation of 126.1 and a lowest adjacent grade of 102.4 based on a bench mark elevation of 100.0 located at the southwest corner of the property as shown on the official survey map on file in the Community Development Department; (Development Review)
5. That automatic garage roll-up doors shall be provided; (Development Review)
6. That exterior color and material samples shall be submitted to the Community Development Department for approval prior to the issuance of any building permits; (Development Review)
7. That within 30 days of the final public hearing, the applicant shall remove the City's "Public Notice" sign, provided there is no appeal, to the satisfaction of the Community Development Director; (Development Review)
8. That the silhouette shall remain in place for at least 15 days through the appeal period, but no more than 45 days after the final public hearing to the satisfaction of the Community Development Director; (Development Review)

CODE REQUIREMENTS

The following is a partial list of code requirements applicable to the proposed project. All possible code requirements are not provided here and the applicant is strongly advised to contact each individual department for further clarification. The Planning Commission may not waive or alter the code requirements. They are provided for information purposes only.

Building and Safety:

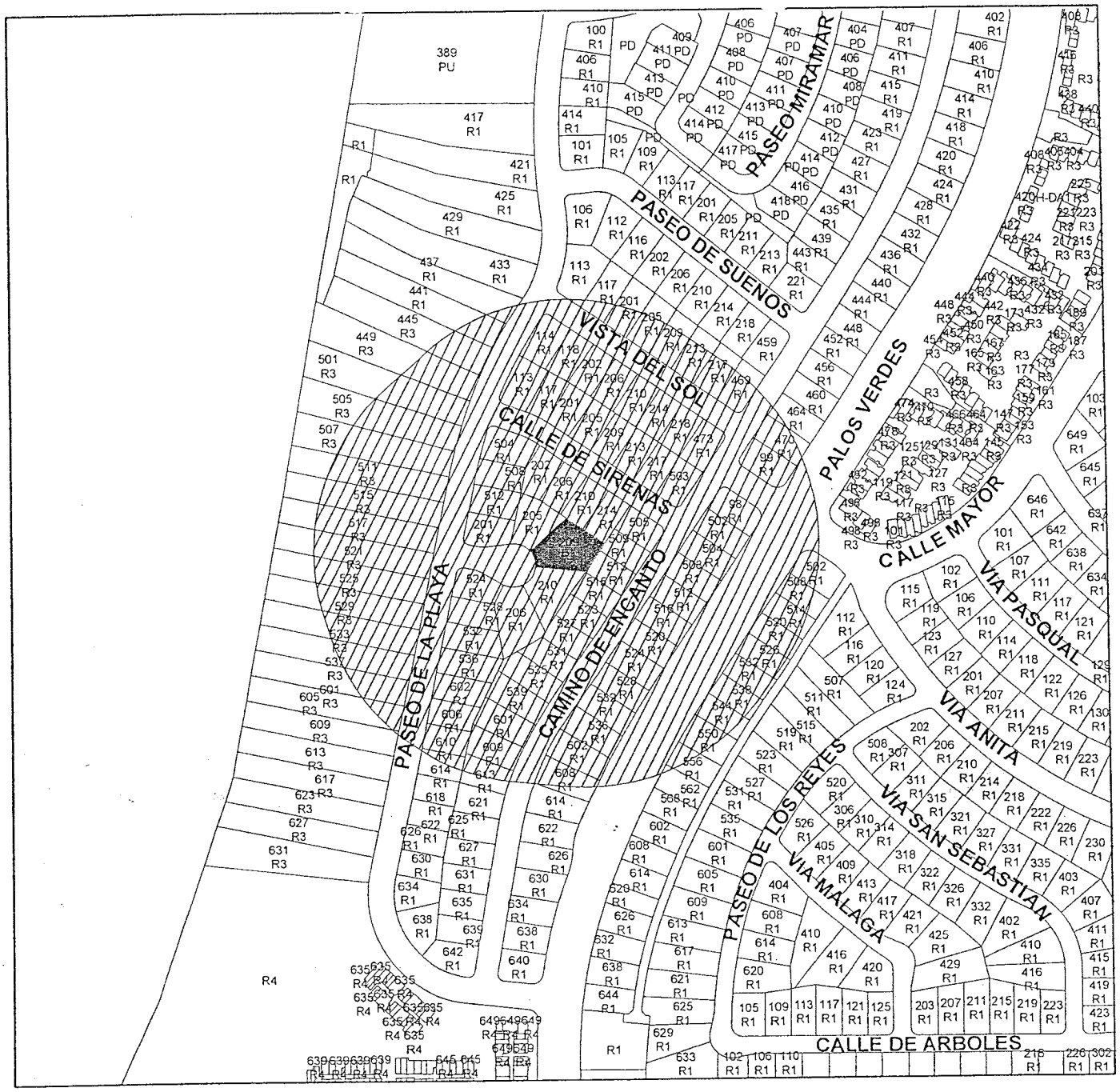
- Comply with the State Energy Requirements.
- Provide underground utilities.

Grading:

- Obtain Grading Permit prior to issuance of building permit.
- Submit 2 copies of grading/drainage plan with soil investigation report. Show all existing and proposed grades, structures, required public improvements and any proposed drainage structures.

Environmental:

- The property shall be landscaped prior to final inspection (92.21.9).
- Provide 4" (minimum) contrasting address numerals for residential, condo, etc. uses.
- The front yard of any property zoned for residential use shall not be more than 50% paved (92.5.14).
- Interior dimensions of a two-car garage shall be 18ft wide by 20ft deep with no encroachments (93.5.2).
- Bedroom sizes to be as determined per Torrance Code (92.20.2).



LOCATION AND ZONING MAP

209 Via el Toro
PRE09-00007

TORRANCE COMMUNITY DEVELOPMENT GIS

LEGEND

Proposed Site

Notification Area

Feet
0 105 210 420

N
W E
S

Prepared using City of Torrance Community Development Geographic Information System
Jeffery W. Gibson, Community Development Director

CITY OF TORRANCE – COMMUNITY DEVELOPMENT DEPARTMENT

TO BE SUBMITTED WITH HILLSIDE PRECISE PLAN APPLICATION PRE_____

GIVE FACTS TO SUBSTANTIATE THE FOLLOWING CRITERIA BY WHICH THE PLANNING COMMISSION MAY GRANT THIS HILLSIDE PRECISE PLAN. IT IS MANDATORY THAT THESE CRITERIA BE MET BEFORE THE CITY MAY LEGALLY GRANT A HILLSIDE PRECISE PLAN: AND, IT IS INCUMBANT UPON THE APPLICANT TO PROVE TO THE SATISFACTION OF THE CITY THAT THE CRITERIA ARE MET:

(To be completed by all applicants)

1. Planning and Design (91.41.6)

   a. The following facts demonstrate that the proposed development will not have an adverse impact upon the view, light, air and privacy of the other properties in the vicinity:

      Our plan has been carefully designed and significantly reduced through neighborly collaboration to include a very low Floor Area Ratio (FAR), low Ridge Heights, and minimal Lot Coverage with an immense portion of Open Space. These design attributes were incorporated to specifically prevent adverse impacts to the views, air, light and privacy of neighboring homes.

      The proposed design contains a 3,528 sq. ft. home with a 498 sq. ft two-car garage, and a 634 sq. ft accessory structure for a total area of 4,660 sq. ft. on a 13,185 sq. ft. lot.

      - The proposed interior floor space of 4,660 sq..ft. (.35 FAR) is much smaller than the allowable 6,592 sq. ft. under the .50 FAR Hillside Overlay Ordinance limit for our property.
      - This .35 FAR is consistent with the traditional use of all properties in our neighborhood.
      - The Lot Coverage Ratio of our plan is .26, and amounts to 3,447 sq. ft.. This is 1,827 sq. ft. smaller than the allowable .40 Lot Coverage Ratio for a two-story structure on our property.
      - Due to the topography (7 foot grade differential) with our immediate neighbors on Camino de Encanto, the preservation of Open Space in our plan is a very important attribute supporting our need to go with a two-story design.
      - It is important to note that there are low-elevation views which pass through almost all of the remaining Open Space. Our neighbors have specifically requested that we not build in these areas in order to preserve their views.
      - Our design preserves 8,548 sq. ft. of open space within our lot. This results in an Open Space Ratio of .65 which is almost double the required .33 minimum.
      - The 8,548 of open space remaining on our lot is larger than the entirety of most lots in our neighborhood.

- We have already reduced 1,221 sq. ft. from our initial design as a result of many preliminary design reviews with neighboring property owners. During these meetings reasonable view and privacy concerns were noted and resolved in subsequent architectural designs.

With regard to the height of our home, our design retains existing 8 foot plate heights in order to keep the roof ridge heights low. This was done specifically to not interfere with the view, air, light or privacy of neighboring properties.

- Our maximum ridge height of 23.11 feet is almost four feet below the maximum ridge height allowed.
- Our accessory structure has a ridge height of only 10'-10" in order to avoid obstruction of views from neighboring properties.
- We have reduced the roof pitch to 3:12 from 4:12 on all roof planes which would otherwise interfere with blue water views.

b. The following planning, design and locational considerations will insure that the proposed development will cause the least intrusion on the views, light, air and privacy of other properties in the vicinity:

Due to the unique size, dimension and topography of our property we put forth a great degree of effort to gather input from all neighbors whom we believed may have concerns about the development of our property.

Through multiple design review sessions with our neighbors and numerous architectural design iterations we were able to design a home that will cause the least intrusion on the view, air, light, and privacy of neighboring properties.

We have positioned our two-story home on our lot in a location which will provide a great degree of distance which helps to mitigate potential privacy, air and light concerns.

The position of all structures on our property has been established toward the southern portion of our property to avoid conflict with the following specific concerns which had been identified during our neighbor meetings:

- Blue water view concerns expressed to us by our neighbors to the east on from Camino de Encanto.
- Privacy concerns expressed to us by our neighbors to the north of our property on Calle de Sirenas.
- Mountain view concerns expressed to us from neighbors to the west on Paseo de la Playa.
- Front yard clearance concerns from all homes on the Via el Toro cul-de-sac.

We have converted functional (non-living) areas from our initial main house design into a small 634 sq. ft detached accessory structure.

- These functional areas in the accessory structure include a Pool Bathroom/Dressing Room, a Home Office, an Art Studio and a Storage Closet.

- The low 10'-10" Ridge Height and placement of our accessory structure in the southeast corner of our lot were designed to preserve blue water views from adjacent properties on Camino de Encanto.

Very few windows have been placed on the south side of our home in order to maintain privacy for neighbors to the south.

c. The following design elements have been employed to provide an orderly and attractive development in harmony with other properties in the vicinity:

The proposed shingle style beach bungalow home is designed to have a casual yet elegant feel and be reminiscent of the California bungalow style located throughout Southern California, including many historic homes in Old Torrance.

Our yard will include a swimming pool and spa and well appointed outdoor living areas which are consistent with the lifestyle we enjoy in our beachside community.

Our pool will be primarily heated using solar energy, and an automated pool cover will retain heat and provide safety for children.

We plan to build a large partially covered deck area including an outdoor kitchen on the north side of our home, and a balcony extending to the north from the second story.

We will retain the existing driveway which can accommodate several cars as well as the option to park a recreational vehicle off of the street. Our immediate area is often encumbered by beach parking, and this excess parking is essential due to the limited parking available on our cul-de-sac.

Our property will be professionally landscaped.

d. The following aspects of the design insure that the development will not have a harmful impact upon the land values and investment of other properties in the vicinity:

We have been careful in the design and placement of our home to ensure neighborhood compatibility.

The specifications and measurements within our design fall far below the thresholds defined by all municipal code limitations, including the Hillside Overlay Ordinance.

We have specifically reduced the mass and height of our structures in consideration of reasonable concerns over view, air, light and privacy from our neighbors.

Our proposed remodel is a significant investment which will greatly improve the appearance of our property, our street, and our neighborhood. The proposed improvements to our original 1951 home will improve property values throughout our neighborhood.

Many of our neighbors have expressed their support for our project as they realize the value it will bring to all properties in our neighborhood.

e. Granting this application would not be materially detrimental to the public welfare and to other properties in the vicinity for the following reason (s):

The proposed remodel of our home has been carefully planned and designed in a manner which is appropriate and consistent with the traditional use of R-1 residential property in our area.

Our investment in improving our property will improve other property values in our neighborhood as well.

The specifications and measurements within our design fall far below the thresholds defined by all municipal code limitations, including the Hillside Overlay Ordinance.

We have submitted a fully conforming design which does not require any variances or waivers.

We have communicated openly and honestly with our neighbors to understand their concerns regarding the development of our property.

Our design has accommodated all reasonable concerns that have been expressed to us by any of our neighbors.

We are not aware of any reasonable concern that we have failed to resolve with our current design.

f. The proposed development will not cause or result in an adverse cumulative impact on other properties in the vicinity, for the following reasons:

The proposed remodel of our home has been carefully planned and designed in a manner which is appropriate and consistent with the traditional use of R-1 residential property in our area.

Our investment in repairing and improving our property will improve other property values throughout our neighborhood.

The specifications and measurements within our design fall far below the thresholds defined by all municipal code, including the Hillside Overlay Ordinance.

We have submitted a fully conforming design which does not require any variances or waivers.

We have communicated openly and honestly with our neighbors to understand their concerns regarding the development of our property.

Our design has accommodated all reasonable concerns that have been expressed to us by any of our neighbors.

We are not aware of any reasonable concern that we have failed to resolve with our current design.

2. LIMITATION IN INCREASES IN HEIGHT (91.41.10) (To be completed by applicant for a Precise Plan that would increase the height of any part of the building to a height greater than that of the existing building)

a. It is not feasible to increase the size of or rearrange the space within the existing building or structure for the purpose intended except by increasing the height, demonstrated by the following facts:

The two-story design has allowed us to meet the conditions of the Hillside Overlay Ordinance while also realizing the economic value of property ownership. The proposed two-story design clearly represents the best use of our land.

Due to low-elevation view concerns from many neighbors who look across our property, a one-story structure extended in any other direction on our property would have a significant adverse impact on the views of neighboring properties.

Open Space preserved in our plan, per the request of our neighbors, is a key design attribute which clearly supports our need to proceed with a two-story design.

We have considered a subterranean design as an alternative, but it will not work on our property. This complex option presents many design, usability, and economic challenges which combine to make it unfeasible.

Most neighboring property owners have accepted our invitation to review our plans and express any concerns to us during the planning and design phase of our project.

We have worked through the issues that were expressed by our neighbors, and have reduced the size of our design significantly to develop a plan which our neighbors can and should support.

b. Denial of this application would constitute an unreasonable hardship for the following reason (s):

We purchased our property in 2005 with the expectation that we would be able to improve our property to the same extent as other properties in the vicinity have been allowed.

While we plan to live in this home forever, we also have return on investment expectations from the improvement of our property. Our reasonable expectations can only be met by increasing the size of the structures.

Within a 300 foot radius surrounding our property we have made the following calculations:

- Original homes in this area have Floor Area Ratios about the same as the .35 FAR proposed in our plan.
- 38% of the properties in this area already contain two-story homes.
- All major remodel and new construction projects which have been approved exceed the .35 FAR as proposed in our plan.

The above facts make it clear that our proposed design is consistent with the existing and traditional use of R-1 residential properties in our area.

Our plan represents the best use of our land. In our situation, due to neighbor views, the best use of our land is far below the maximum use of our land.

The proposed interior floor space of 4,660 sq. ft. is very reasonable. With the large size of our lot the FAR for our project is calculated at .35. This FAR is well below the maximum .50 allowable (6,592 sq. ft) on our property under the Hillside Overlay Ordinance.

c. Granting this application would not be materially detrimental to the public welfare and to other properties in the vicinity for the following reason (s):

The proposed remodel of our home has been carefully planned and designed in a manner which is appropriate and consistent with the traditional use of R-1 residential property in our area.

Our investment in improving our property will also improve other property values throughout our neighborhood.

The specifications and measurements within our design fall far below the thresholds defined by all municipal code, including the Hillside Overlay Ordinance.

We have submitted a fully conforming design which does not require any variances or waivers.

We have communicated openly and honestly with our neighbors to understand their concerns regarding the potential development of our property.

Our design has accommodated all reasonable concerns that have been expressed to us by any of our neighbors.

We are not aware of any reasonable concern that we have failed to resolve with our current design.

3. LIIMITATION IN INCREASE IN BUILDING SPACE LOT COVERAGE (91.41.11) (To be completed by applicant for a Precise Plan that would increase the interior floor area of the building to more than 50% of the area of the lot.)

a. Denial of this application would constitute an unreasonable hardship for the following reason (s):

Not Applicable

b. Granting this application would not be materially detrimental to the public welfare and to other properties in the vicinity for the following reason (s):

Not applicable

City of Torrance, Community Development Department Jeffery W. Gibson, Director
3031 Torrance Blvd., Torrance, CA 90503 (310) 618-5990 Fax: (310) 618-5829

RECEIVED
SEP 08 2009
CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPT.

Height and Location Certification

The survey must be performed by a licensed land surveyor or civil engineer and should be accompanied by a map which shows the location of the bench mark and the locations where the measurements were taken. The map should also show the location of existing and proposed structures.

SILHOUETTE CERTIFICATION

I have surveyed the silhouette located at 209 Via El Toro (address)

_____ on 8/29/09 (date), based on plans submitted to the City of Torrance

by Mr. & Mrs. Delurgio (applicant/architect) on _____ (date). The survey was taken

from a bench mark located at 209 Via El Toro (address)

(attached map) which established a base elevation of 100.0 on lid of existing SMH.

The ridge line/highest point of the roof was determined to have an elevation of 126.1.

The plans indicate that the elevation should be 126.10.

I certify that I have measured the location of pertinent features located on the subject property. Based on the plans submitted to the Community Development Department, I have verified that the silhouette/construction accurately represents the proposed structure in terms of ***height, building envelope, location on the site, and all setbacks.***

OFFICIAL STAMP
LICENSED LAND SURVEYOR
CHI MING GONG
No. 7243
Exp 12-31-10
STATE OF CALIFORNIA

Chi Ming Gong
Name (please print)

LS 7243
LS/RCE#

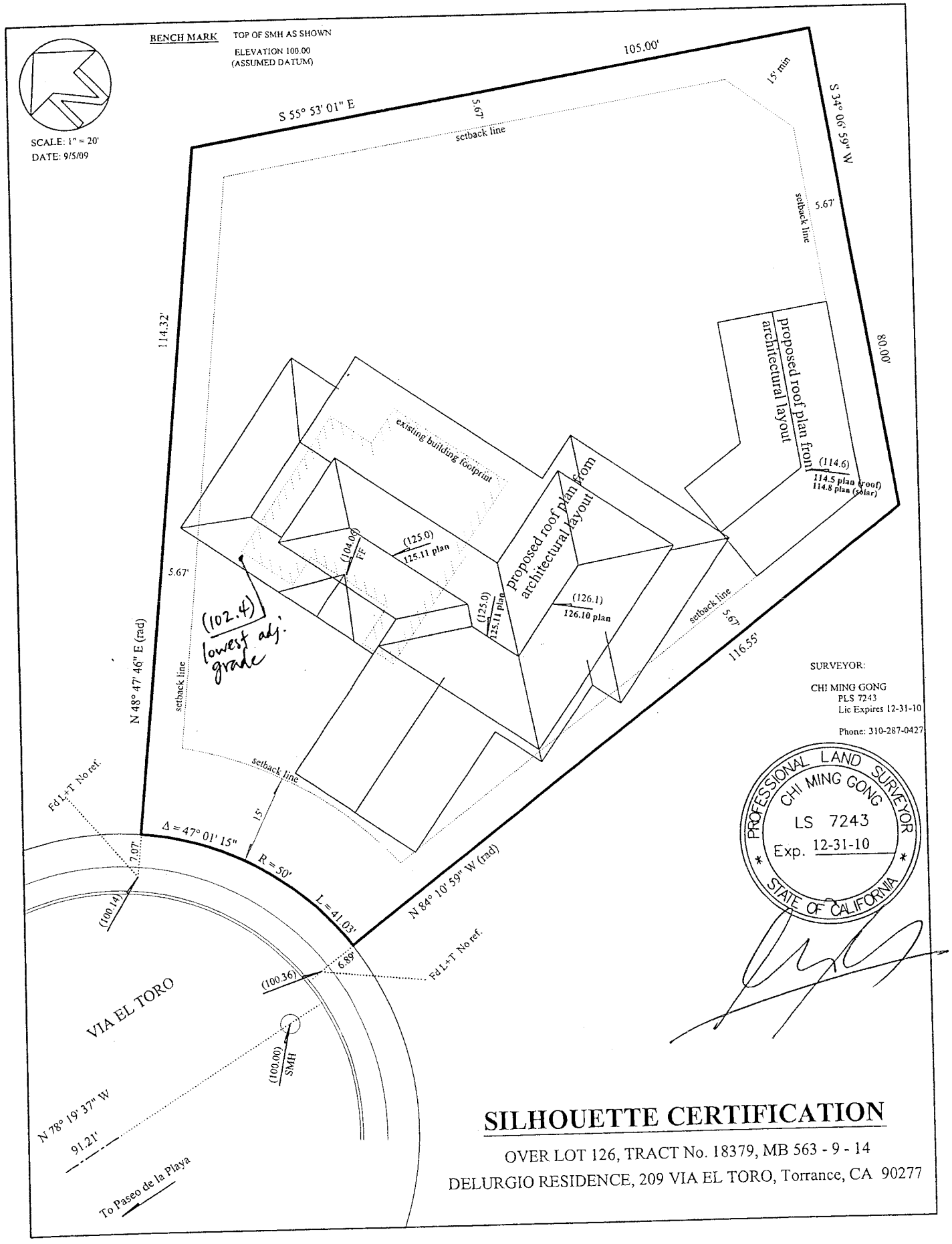
SIGNATURE

(310) 779-5402
PHONE

DATE

Notes: _____

09/02



SILHOUETTE CERTIFICATION

OVER LOT 126, TRACT No. 18379, MB 563 - 9 - 14

DELURGIO RESIDENCE, 209 VIA EL TORO, Torrance, CA 90277

RECEIVED
OCT 01 2009
CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPT.

9-30-09

To Torrance Planning Commission,

This letter is to immediately inform the Planning Commission of my complete objection to the proposed project at 209 Via el Toro, Redondo Beach. This addition/remodel impacts me and my life severely and is clearly violating the Hillside Ordinance by completely infringing on my privacy from the majority of my home. This projects blocks my view, light, decreases property value, and is unnecessary.

Mr. & Mrs. Delurgio were well informed and reminded of the Ordinance by me and my neighbor Ms. Radal while viewing the perspective property from both of our yards. Mr. Delurgio has lived in this community for many years under this zoning. This makes this attempt even more surprising. Enclosed is a copy of the MLS statement that corresponds to his home with the exact reminders as stated above.

I have repeatedly discussed my opposition of a second story with the Delurgio's, while recommending a subterranean garage and perhaps wine cellar. The home could easily be built out to the north of the property keeping the existing roof line and perhaps split level inside. Windows along the front north of home would give a sweeping queen's necklace view. This lot is one of the largest in the Riviera. There would not be any hardship here. The cost of going subterranean they maintain, would become to costly. I recommended putting the pool construction off to off set this for a while. Their second structure lies right beneath my wall as shown in the photos provided. They do not want flat roofs and now have plans to put solar panels, which would be even more unsightly and obtrusive. These rooms include art studio, cabana, and possible office. I can see perhaps a solar cover for a pool. Please find the photos of proposed structures enclosed, as well as MLS reminder of buyer consequences.

I too am very concerned with the orderly growth of this community and the accumulative effect this project would have on it. I would like to see when we can schedule a time when you can come out to see this from my perspective. Thank you very much.

-Cynthia Constantino
513 Camino De Encanto,
Redondo Beach, Ca.

These Listings were manually emailed to you on Friday, September 25, 2009 1:11 PM

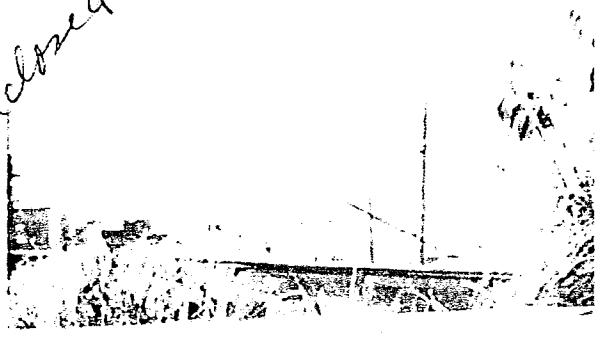
Result 1 of 1.

[1]

209 VIA EL TORO , Redondo Beach 90277 List Price: $1,300,000-Sold Price: $1,45

Please see enclosed

Image 1 of 6



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Basic Information

Status:	Closed Sale
Property Type:	Single Family Residence/Deta
Thomas Guide:	792H3
Year Built:	1955
Sqft/Source:	1,430/Assessor's Data
Lot Sqft/Source:	13,110/Assessor's Data
View:	Yes
Assoc Dues:	$ /Mo

Property Description

Enjoy breathtaking ocean and coastline views, gorgeous sunsets and endless ocean breezes on your 13,110 sq ft, FLAT "dream lot" in the Riviera. Forget about your car on the weekends as you'll find Torrance Beach and Riviera Village within a short, scenic and enjoyable stroll. This is an incredibly unique opportunity to build on or improve upon one of the area's most coveted cul-de-sacs. Property is located in Torrance school district. Property is in the Torrance hillside overlay zone. Check with city on building restrictions.

Interior Features

Bedrooms:	3
Baths (FTHQ):	1,1,0,0
Fireplace:	Yes
Cooling:	Central
Laundry:	Yes
Rooms:	Family Room, Master Bedroom
Eating Area:	Dining El
Floor:	Wall-To-Wall Carpet
Utilities:	

Exterior Features

Pool:	
Spa:	
Patio:	
Sprinklers:	
Structure:	Fixer, Freestanding
Outdoors:	
Fence:	
Roofing:	Stone
Lot/Community:	Cul-De-Sac, Lot-Level/Flat, Lot 10000-19999 Sqft, Value In Land
Legal:	

School Information

School District:	Torrance Unified
Elementary:	RIVIERA
Junior:	RICHARDS
High School:	SOUTH

[1]

Display: Public - Customer Flyer at 10 per page.

MRMLS

lorraine@marcone.us
© 2009 MRMLS. Information is believed to be accurate, but should not be relied upon without verification.
Accuracy of square footage, lot size and other information is not guaranteed.

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clbc7@hotmail.com

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FW: your proposed project

From: **Cindy Constantino** (clbc7@hotmail.com)
Sent: Thu 10/01/09 9:06 AM
To: clbc7@hotmail.com

From: clbc7@hotmail.com
To: delurgio@socal.rr.com
Subject: your proposed project
Date: Thu, 1 Oct 2009 09:04:13 -0600

Hi Jim and Betsy,I know you feel you have somewhat tried to work with some of us on your plans. I just want to reiterate that the thought of not going subterranean for at least your garage and possible wine cellar, while maintaining your existing roofline,pushing structure allot further north and incorporating allot of windows on the north side to achieve the Queens Necklace view has been what I have suggested all along.As you stood in my living room while looking at your latest silhouettes, your remarks were "wow we didn't think it would be high enough to cover that one palm tree" and "it is quite a mass". I was glad to hear you say those two comments in hope of a revision. I have more concerns because you now have plans to place solar panels on top of yourr other structure which is directly below my wall, and I am sure they will be quite visable.I still feel a flat roof there would be best especially if you want these panels now . Thank You Cindy Constantino

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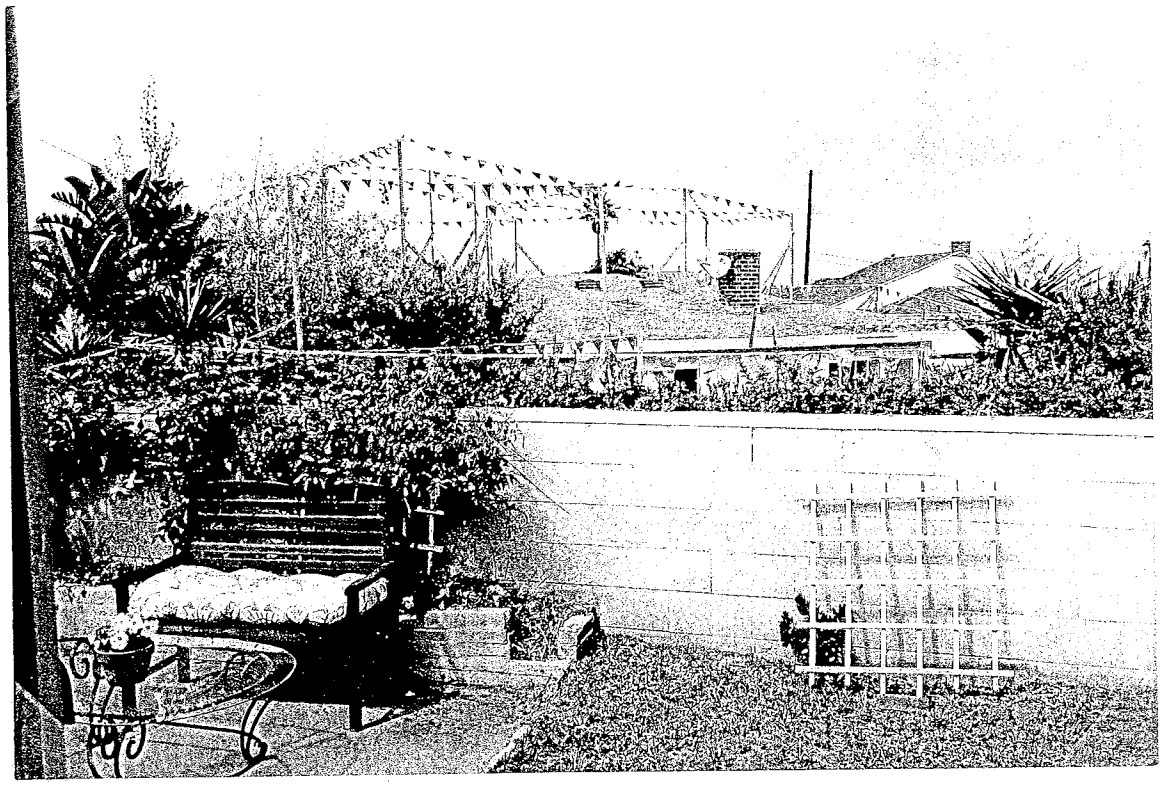
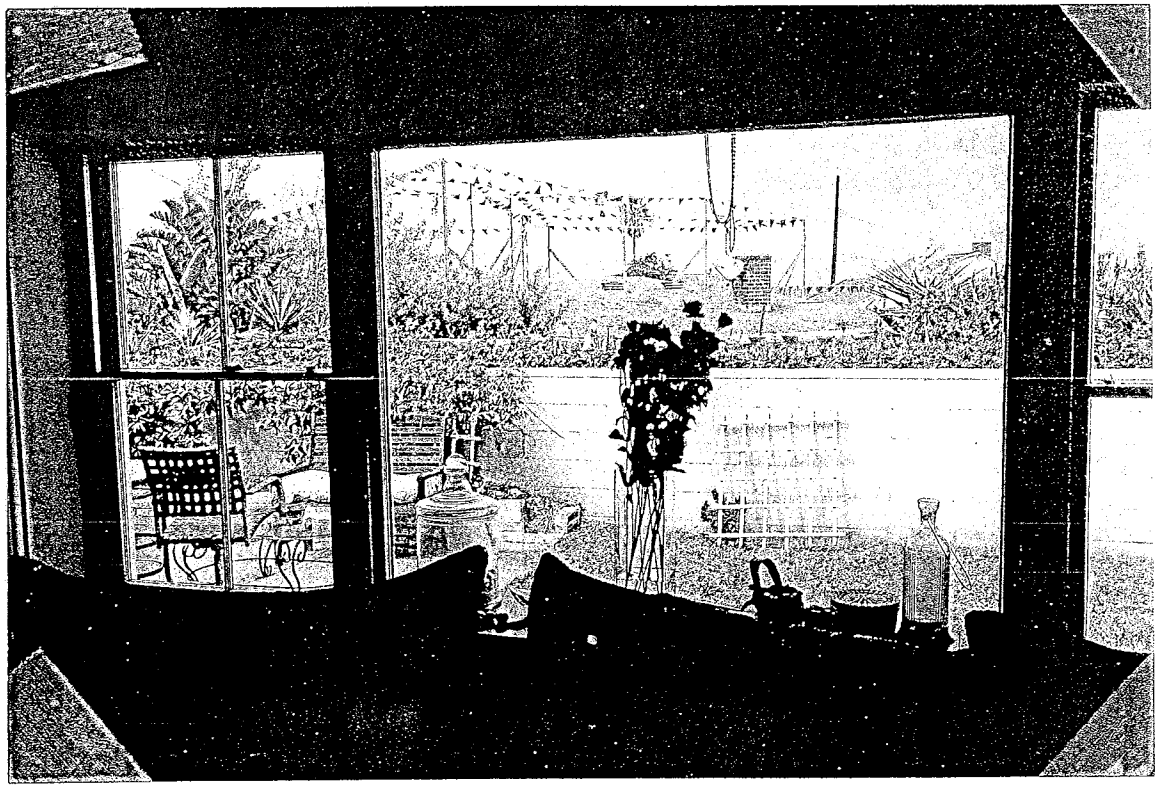
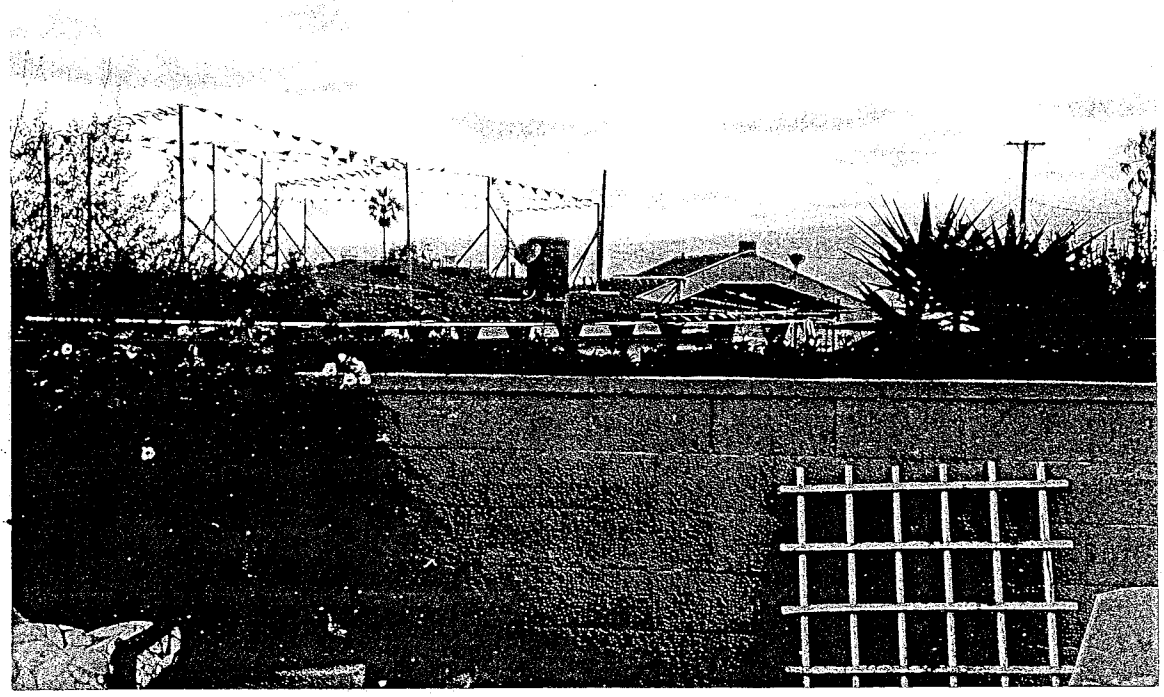
Accour

Ophélie - Intern
Ophélie
Vincent :
Hello !!
Ophélie :
Hey ! Tu es
Vincent :
Ouais, en di
hôtel en bor





LES CAMINS DE ENFANTS



513 CAMINO DE ENCANTO

Martinez, Oscar

From: David Radel [dradel@stanfordalumni.org]
Sent: Monday, October 12, 2009 2:29 PM
To: Lodan, Gregg; Martinez, Oscar
Cc: DrVictoriaRadel@cs.com
Subject: Opposition to Hillside Precise Plan Application for 209 Via El Toro

October 9, 2009

City of Torrance
Community Development Department

Re: Hillside Precise Plan Application for 209 Via El Toro

Dear Sir or Madam:

I write today to express my strong opposition to Mr. Jim Delurgio's proposed house expansion for 209 Via El Toro. Mr. Delurgio's proposal does not conform to the planning and design requirements of the Torrance Hillside Overlay ordinance and will substantially and negatively impact my family's home and the homes the surround us.

In 1971, we purchased our home at 515 Camino de Encanto due in large part to the unique, open residential nature of our beachside community and the spectacular views, light, airflow, and privacy that our property afforded. For the past 38 years, we have enjoyed these valuable features, thanks to the protections of the Torrance Hillside Overlay ordinance. Mr. Delurgio's proposed residential expansion is a drastic departure from the development permitted by the Hillside Overlay ordinance and will substantially compromise the elements of our home that are of the greatest value.

Mr. Delurgio's proposed expansion will have a substantial and adverse impact on the view, light, air, and privacy of our property and other properties in the vicinity.

Pursuant to the Torrance Hillside Overlay ordinance, Mr. Delurgio must demonstrate that his proposed residential development "will not have an adverse impact on the view, light, air, and privacy of other properties in the vicinity." Mr. Delurgio's proposed expansion will greatly impact all four of these elements of our family's property and surrounding properties.

Perhaps the single greatest asset of our family's home is our coveted view of the ocean, which has remained largely unchanged since the 1970s, due in large part to the protections of the Torrance Hillside Overlay ordinance. Mr. Delurgio's proposed construction will substantially impact every ocean view that we enjoy from our home, including the ocean view from our living room, dining area, home office, and master bedroom. From some areas of our living room, up to 50% of our ocean view risks being impacted by Mr. Delurgio's proposal, which will also have a major negative impact on our sky views, our mountain views, our "Queen's Necklace" views, and our natural tree views. Simply put, Mr. Delurgio's house expansion will significantly compromise every westward-facing view that we enjoy from our home, including all of our valuable ocean views.

Similarly, Mr. Delurgio's proposed house expansion will negatively impact the light and privacy that we

enjoy at our home. Mr. Delurgio's proposed second story will irrevocably block a substantial amount of our daily light, particularly during sunset, and will significantly disrupt the privacy of our living room, home office, and master bedroom.

Mr. Delurgio's proposal also threatens to adversely impact the airflow to our property. The majority of our living space faces west, and, for 38 years, we have enjoyed the regular flow of ocean breezes to refresh us and cool our home in the summer. The threatened impact of Mr. Delurgio's development on airflow is of particular concern given my mother's chronic asthma. The scale and size of Mr. Delurgio's proposed house expansion threatens not only to affect our airflow enjoyment, but may also have a deleterious impact on the health of a family member.

The negative effects posed by the proposed expansion will not only be experienced by my family, but also by our neighbors. I have had the opportunity to visit the homes of Mr. Gene Kusion (523 Camino de Encanto) and of Ms. Cindy Constantino (513 Camino de Encanto), whose highly desirable views, light, air and privacy will also be substantially impacted by Mr. Delurgio's proposed development.

Mr. Delurgio's proposed house expansion will have a harmful impact upon the land values and investment of other properties in the vicinity.

While Mr. Delurgio's proposed expansion will substantially increase his own property values, it will come at the cost of the property values of his neighbors. I recently consulted a neighborhood realtor with local real estate market expertise who estimated that the negative effects of Mr. Delurgio's proposed expansion could reduce our home value by approximately $125,000. Mr. Delurgio's proposed expansion will similarly reduce the values of our neighbors' homes, reflecting a collective property value reduction of at least $375,000. For one individual to profit from a house expansion that severely reduces his neighbors' property values and property enjoyment is unfair and violates the Hillside Overlay ordinance.

Mr. Delurgio's proposed development has not been located, planned, and designed so as to cause the least intrusion on the views, light, air, and privacy of other properties in the vicinity.

Mr. Delurgio must demonstrate that the proposed expansion of his home has been "located, planned, and designed so as to cause the least intrusion on the views, light, air, and privacy of other properties in the vicinity." He has failed to do so.

Mr. Delurgio has previously met with our family to discuss his proposed house expansion. Despite the substantial concerns that our family voiced about his expansion plans, Mr. Delurgio has refused to modify his expansion in ways that could lessen the negative impact of his proposal. Indeed, Peter Lattey, a professional architect and my mother's fiancée, has offered to meet with Mr. Delurgio and his architect *free of charge* in order to help him design a house expansion that would minimize the impact on our home and others in the vicinity. Mr. Delurgio refused to accept Mr. Lattey's most recent offer. In my conversations with Mr. Lattey, he has mentioned a number of viable and attractive design alternatives that would reasonably provide Mr. Delurgio with expanded residential space without disrupting his neighbors' enjoyment of their homes. It is unfortunate that Mr. Delurgio will not consider these reasonable alternatives, and has instead chosen a house expansion plan that will dramatically impact numerous properties around him.

Mr. Delurgio has not demonstrated that his proposed house expansion provides a development that is in harmony with other properties in the vicinity.

Mr. Delurgio's proposed two-story house expansion is not in harmony with other neighborhood properties, virtually all of which – particularly those developed after the establishment of the Hillside Overlay ordinance – are one-story homes. The Hillside Overlay ordinance was enacted to preserve the open character of our neighborhood and to ensure that residents' views, light, airflow, and privacy remain protected from subsequent house expansions. Mr. Delurgio's two-story expansion is way out-of-sync with the unobtrusive, one-story homes that define the neighborhood and that the Hillside Overlay ordinance was designed to protect.

Mr. Delurgio's proposed house expansion does not comply with either the letter or the spirit of Torrance's Hillside Overlay ordinance, which was enacted to preserve the unique character of our beautiful, beachside community and to guard against unfair private encroachment upon our protected property interests. As evidenced by the signed petitions and formal letters that you have received regarding this matter, members of our community strongly support the Torrance Hillside Overlay ordinance and oppose the many negative effects that Mr. Delurgio's proposed house expansion will have on our home and other homes in the vicinity. I urge you support the Torrance Hillside Overlay ordinance by rejecting Mr. Delurgio's application to expand his house at the substantial expense of those around him.

Sincerely,

David M. Radel

515 Camino de Encanto
Redondo Beach, CA 90277

Martinez, Oscar

From: DrVictoriaRadel@cs.com
Sent: Monday, October 12, 2009 1:27 PM
To: Lodan, Gregg; Martinez, Oscar
Cc: DrVictoriaRadel@cs.com; lattey@sbcglobal.net; dradel@stanfordalumni.org
Subject: Opposition to 209 Via El Toro remodel from 38 yr. owner of 515 Camino de Encanto
Attachments: delurgioletter.ZIP

Greg and Oscar:
Sorry I was not able to let you in last Wednesday when you stopped by to view Delurgio's remodel at 209 Via El Toro from our perspective. Attached you will find my and, my architect fiancee, Peter Lattey's letters opposing the current silhouette configuration. Please call to arrange a time to stop by and see for yourselves the negative impact.
If you would like originals of our letters with our signatures I will be happy to provide.
My son David's letter is coming to you shortly as well.
FYI: Our neighbor Joe Pardo at 210 Via El Toro has given me permission to trim his shrubbery but I will not proceed with the annual trimming until he is home to supervise, with me, my gardner's work.
Regards,
Vicki Radel
515 Camino de Encanto
Redondo Beach, CA 90277
310-375-0150

PETER LATTEY ARCHITECT PMP
1545 Hauser Blvd., Los Angeles, CA, 90019-3900 USA Phone 310-968-3252 email: lattey@sbcglobal.net

October 8, 2009

City of Torrance
Community Development Department

RE: 209 VIA EL TORO APPLICATION

Dear Sir or Madam:

I am a resident of 515 Camino de Encanto and wish to register my objections to the proposed development by Mr. & Mrs. Delurgio at 209 Via el Toro.

I am an architect licensed in California and have been practicing architecture for over 30 years. I have extensive experience in residential architecture.

I would like to acknowledge that Mr. & Mrs. Delurgio did meet with us to discuss their design and the impact on our views, light and air. These meetings were frank and friendly and resulted in revisions to their design which did lessen the negative impact of the proposed development. However, while the proposed development is an improvement over that originally shown to us, it will still have a significant negative impact on our view, light, privacy and air. I did offer to meet with their architect (at no cost to them) to discuss ways to further lessen the negative impact using my many years of experience in the design of residential projects on hillsides. However, Mr. Delurgio declined this offer.

The architect used by them appears to have little experience with the hillside ordinance.

I have read the Hillside Precise Plan Application submitted by Mr. Delurgio and have the following comments to make on the application. I have used the numbering of the application with my comments for ease of reference.

1. PLANNING AND DESIGN

a. Mr. Delurgio is correct in his arithmetic analysis of the FAR, Lot Coverage Ratio and maximum ridge height. In all of these areas his proposed development is below the maximum allowable. However, as an experienced architect, I am aware that it is difficult to achieve the maximum allowable number in any of these, let alone all of them. There are other considerations which effectively reduce these numbers in almost all instances. In some situations it is the setbacks, in others it is parking requirements. In this case it is the Hillside Ordinance requirements that limit what can be built or require extraordinary effort on the part of the owner and his architect to achieve what is desired. In this case the design developed does not show a great effort to comply with the ordinance but is, in fact, quite ordinary.

As Mr. Delurgio correctly points out, his lot is much larger than others in the area. If his design took creative advantage of this large area it would be possible to enlarge the existing home within the requirements of the Ordinance. The proposed development does not do this. .

b. Mr. Delurgio contends that his proposed development will cause the least intrusion on the views, light, air and privacy of other properties. Sadly, this is not the case. Without belaboring the point I have made elsewhere, there are many avenues of design that have not been explored that could give the Delurgio's what they need in terms of space and functionality with far less impact on their neighbors.

c. The design elements referred to are not very relevant to this application. Mr. Delurgio intends to redevelop his home in a style and manner that is pleasant and will no doubt be attractive. However, if he is allowed to proceed, it will be an attractive building that has a significant negative impact on his neighbors.

d. Mr. Delurgio contends that the proposed development will not have a harmful impact on the values of other properties in the vicinity. Sadly, this is not the case. At least three properties on Camino de Encanto will have their views degraded and property value reduced by at least $125k per property.

By proposing a two story renovation, Mr. Delurgio also moves the neighborhood away from the current suburban, open character towards a character more akin to that of the denser, urban areas of Manhattan Beach. While the denser, urban character is exciting and interesting, it is not the quality of neighborhood that the residents here have chosen.

2. LIMITATION IN INCREASES TO HEIGHT

a. Mr. Delurgio states that it is not feasible to achieve their goals except by increasing the height of the existing structure to two stories. This statement is fundamental to his Application. Having studied the plans he has submitted and had extensive discussions with him, I believe that there are several ways that their existing home could be significantly increased in size without adding an additional story or significantly obstructing views from adjacent properties. Alternative design options that could be explored are:

1. to place part of the building partly underground,
2. to use flat roofs instead of pitched roofs,
3. to extend the house around a courtyard pool,
4. to extend the house to the west portions of the property.

All of these options may be comparable in cost to removing the existing roof and adding a second story. The economics would need to be explored along with the design options. To the best of my knowledge these have not been explored.

b. Mr. Delurgio states that the denial of this application would be an unreasonable hardship. Essentially the hardship that he refers to is the hypothetical hardship of not being able to maximize his return on investment by developing the property in a manner contrary to the intent of the Hillside Ordinance. This is not a hardship. In his purchase of the property he was certainly aware of the Hillside Ordinance. He apparently purchased the property with the intent of significantly increasing the size of the house. A prudent, sophisticated purchaser, which I believe he is, would have consulted with an architect knowledgeable in this area prior to closing escrow to determine what was and was not feasible. At that point he would have been

aware of the limitations to development. To state at this point that there is a hardship is unreasonable.

c. Mr. Delurgio states that his development will not be materially detrimental to other properties in the vicinity and that is consistent with the other properties in the area. In my view, the opposite is true.
We have pointed out to him a number of ways that the proposed development will be significantly detrimental to properties along Camino de Encanto. It will significantly reduce air flow, privacy, light and views for several properties. We estimate that the reduction in view from our property at 515 Camino de Encanto will reduce the property value by at least $125K while enhancing his property value. In effect, his development will transfer property value from our home to his. This is unfair and contrary to the principles of the Hillside Ordinance.

In addition, the majority of residences in the area are single story. Those that are two stories were for the most part constructed prior to the Hillside Ordinance being enacted. I understand that one of the principal reasons for the enactment of the Ordinance was to prevent precisely the type of development that he has proposed. That is, a two story home that blocks the neighbors views and light.

3. LIMITATION IN INCREASE IN BUILDING SPACE LOT COVERAGE

As Mr. Delurgio states this portion of the application is not applicable to his application

CONCLUSION

I suggest that Mr. Delurgio engage a professional who has a good understanding of the Hillside Ordinance and give that professional a free hand to develop new plans that meet his needs while respecting the Ordinance and the legitimate concerns of his neighbors. I would certainly hope to support his development application, if it is based on plans that are within the ordinance and which respect the legitimate concerns of his neighbors.

Yours truly,

Peter Lattey, PMP, RA, Leed AP,

Victoria "Vicki" Radel, Ph.D.
515 Camino de Encanto
Redondo Beach, CA 90277
Home: 310-375-0150
October 8, 2009

RE: Proposed remodel of 209 Via El Toro 90277

Dear Torrance Planning Department, and Esteemed Commissioners:

I have owned my home at 515 Camino de Encanto for 38 years. After unsuccessful attempts to reach a mutually agreeable solution to Delurgio's plan for a remodel I am forced to write this letter of disapproval over the existing silhouettes at 209 Via El Toro.

The proposed remodel is in clear violation of the Hillside Overlay Ordinance for many reasons:

1. *It will create cumulative devaluation of many homes. My value I have been advised will decrease by $125,000+ if he is allowed to build per his current silhouettes.*

2. *It will decrease my original real estate views of blue water, mountain, Queen's Necklace coastline view, and sky view.*

3. *It will negatively impact my airflow which I desperately need due to my asthma. I have a note from my MD reflecting my need of adequate air flow for my health. MD viewed the proposed project photos of silhouette proximity to my home and readily wrote the note.*

4. *It will reduce my privacy which is my human right.*

5. *It will decrease my light.*

I bought this home due to its views, light, air flow and privacy all protected under the Hillside Overlay Ordinance. I emphatically oppose one person increasing the value of his property at the expense of devaluation of so many others. He can easily build subterranean as he has no hardship reason for needing a 2 story. Time and again we have encouraged extending his east wing or going underground as others have but he resists.

Respectfully, Vicki Radel

MARIA KUSION
523 Camino De Encanto
Redondo Beach,Ca 9027

OCTOBER 5, 2009

RECEIVED
OCT 15 2009
CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPT.

TO: TORRANCE PLANNING DEPT./PLANNING COMMISSION

RE: PROPOSED REMODEL OF 209 VIA EL TORO (DELURGIO)

DEAR PLANNING DEPT./PLANNING COMMISSION:

I HAVE OWNED THE HOUSE LOCATED AT 523 CAMINO DE ENCANTO SINCE 1964, A TOTAL OF NEARLY 46 YEARS. I STRONGLY OPPOSE THE PROPOSED SECOND STORY REMODEL AT 209 VIA EL TORO AS IT DOES NOT CONFORM WITH THE PARAMETERS OF THE HILLSIDE ORDINANCE.

WITH THE EXCEPTION OF 1 OR 2 LOTS, THE ENTIRE NEIGHBORHOOD IS SINGLE STORY, AND HAS BEEN SINGLE STORY SINCE IT WAS CREATED. THOSE LOTS ARE TOTALLY OUT OF PLACE IN THE NEIGHBORHOOD AND SHOULD NOT HAVE BEEN ALLOWED IN THE FIRST PLACE.

THE PROPOSED SECOND STORY AT 209 VIA EL TORO WILL ONLY SERVE TO HAVE A NEGATIVE CUMULATIVE EFFECT ON THE SURROUNDING PROPERTIES, INCLUDING MINE.

THE SECOND STORY WILL WIPE OUT OCEAN, BEACH, MOUNTAIN AND CITY LIGHT VIEWS PERMANENTLY. THESE VIEWS WERE A MAJOR REASON I BOUGHT THE PROPERTY IN THE FIRST PLACE. IT IS WHAT I BARGAINED FOR.

THE SECOND STORY WILL RESULT IN THE LOSS OF PRIVACY AS CAN BE SEEN DIRECTLY FROM THE ENCANTO LIVING ROOM. BASED UPON LINE OF SIGHT, IF I CAN SEE THE SECOND STORY FROM INSIDE THE HOUSE THEN I CAN BE SEEN INSIDE THE HOUSE FROM THE SECOND STORY.

THE SECOND STORY WILL ADVERSELY IMPACT LIGHT AND AIRFLOW AS WELL. IT IS AKIN TO CONSTRUCTING A WALL OR WINDBREAK.

THE SECOND STORY WILL RESULT IN DIMINUTION IN VALUE OF THE ENCANTO PROPERTY IN THE SIX FIGURES, AT LEAST $120,000, AND MOST LIKELY MUCH MORE.

THE PROPOSED SECOND STORY WILL ONLY SERVE TO BENEFIT THE OWNER, TO THE DETRIMENT OF MANY PEOPLE IN THE SURROUNDING PROPERTIES. THAT IS NOT PROPER, NOT JUST, AND IN CONTRAVENTION OF THE HILLSIDE ORDINANCE WHICH I REQUEST BE UPHELD.

Sincerely,

Maria Kusion

Maria Kusion

cc: Oscar Martinez

Eugene Kusion
523 Camino De Encanto
Redondo Beach, Ca 90277
(310) 370-6164

RECEIVED
OCT 15 2009
CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPT.

To: Torrance Planning Dept/
Torrance Planning Comm.

Re: Delurgio Remodel at 209 Via El Toro

Dear Department/Commission Members :

I reside at 523 Camino De Encanto. The Kusion family has owned the property since 1964 when I was 10 years old. I grew up on the property.

I am a proponent of the Hillside Overlay Ordinance and request that it be enforced as regards the proposed remodel project at 209 Via El Toro, and specifically that a second story addition not be approved.

Such a second story would serve to significantly impact, if not absolutely destroy, views of the ocean (white and blue water), beaches, mountains and city lights that have been a part of the Encanto property for over four decades. 1/

Furthermore, the proposed second story would block almost all of the sky looking northwest and would akin to a wind break that would block ocean breezes.

A second story would also result in great loss of privacy as the rear of the Encanto house, and particularly the living room and den area, would be exposed to direct sight from the Delurgio addition.

A second story would result in a windfall to the project proponent and a detriment not only to the Encanto property, but also to other surrounding property owners who have lived there for decades.

The original planners and developers of the neighborhood built the neighborhood with single story houses to preserve the views from the houses, to preserve airflow, light and the privacy of each lot.

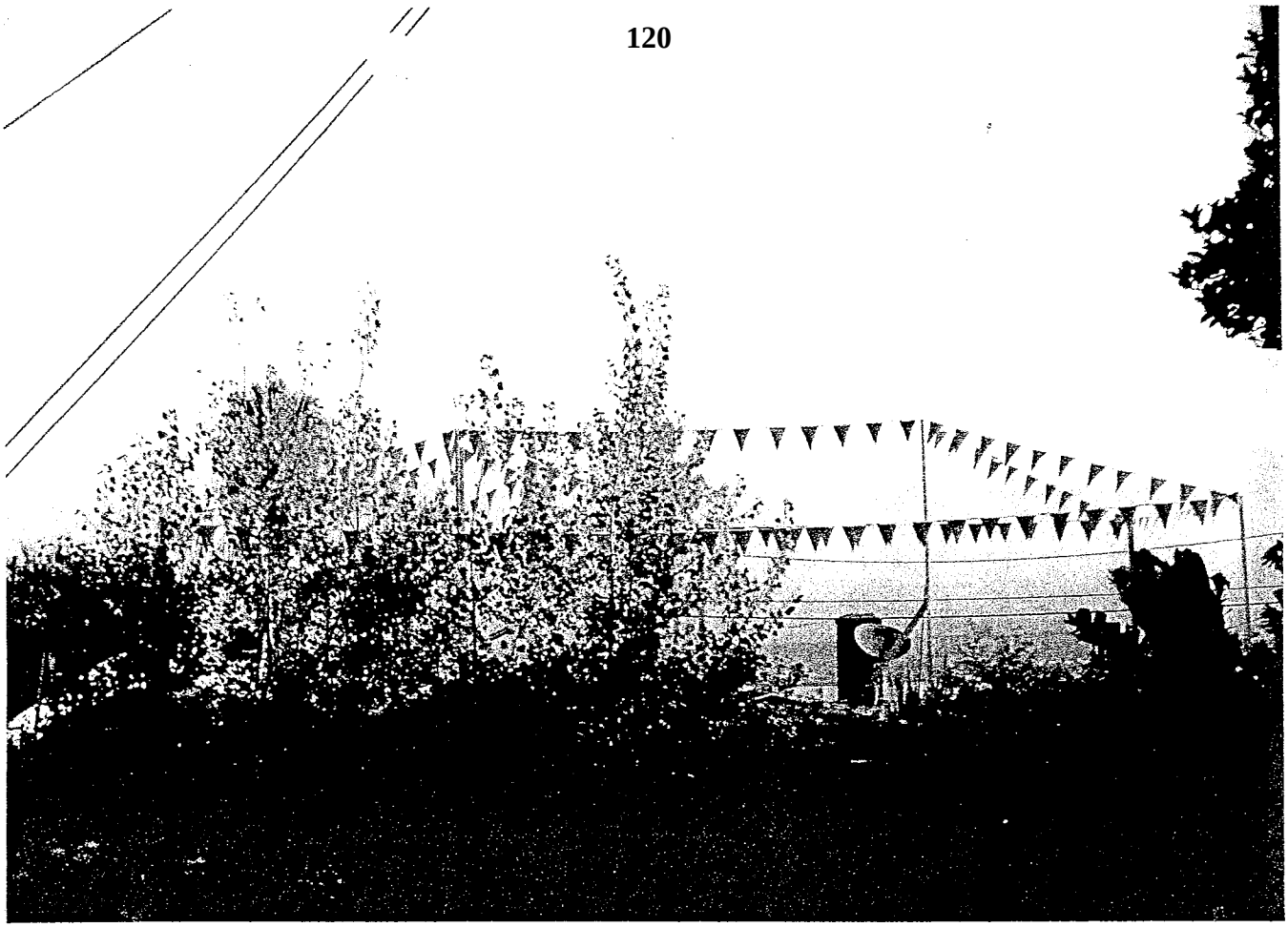
The intent and planning considerations that resulted in the layout of the neighborhood in the 1950's should be preserved.

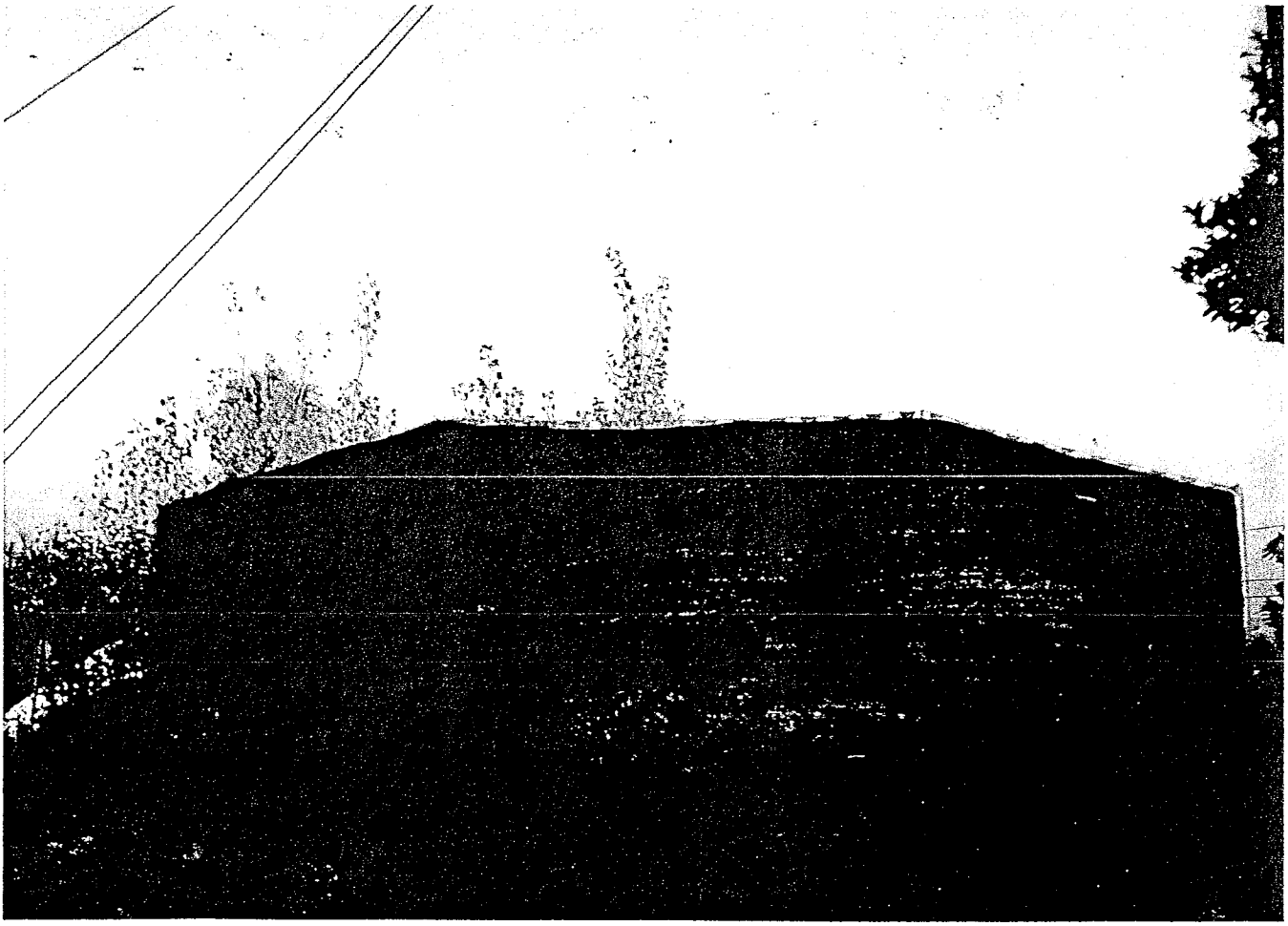
Very truly yours,

Eugene Kusion

1/ In April 2008 Delurgio intentionally planted fast-growing poplars on the south side of the property with the object and purpose of circumventing the view requirements of the HillSide Ordinance. Inspection of the silohuette will show that alomst all the trees are inside the silohuette, thus will be cut/destroyed upon the building of the second story.

cc: Oscar Martinez





RECEIVED
OCT 19 2009
CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPT.

October 17, 2009

City of Torrance
Community Development Department

Subject: Opposition to proposed 2nd story at 209 Via El Toro

When we moved into our home at 516 Camino de Encanto 15 years ago, our real estate agent was very clear about our being in the "flags section" of Torrance and explained the Hillside Overlay ordinance. She was required to have us acknowledge we understood the requirements of the "flags section." After we moved in, we learned more about the city planning process by attended meetings in person and we came to value the foresight of the authors of the Hillside Overlay ordinance. Without knowing of the ordinance's existence, it was clear we had become enamored with the Hollywood Riviera area because of the ordinance's existence and the special environment that has been created as a result.

We are opposed to current configuration being constructed at 209 Via El Toro. The following are our comments:

- When Mayor Scotto addressed the residents of the Hollywood Riviera recently, we were pleased to hear the Mayor explain the importance of the Hillside Ordinance for people who have paid a premium for their views. He also explained when he is evaluating requests to build 2nd stories even a 10% reduction in the view of surrounding neighbors was too much of a loss. We support the Mayor's explanation of the intent of the Hillside Overlay ordinance.
- If the owners at 209 Via El Toro wish to expand the square footage of their living quarters, there are other configurations to consider. We have seen very creative and aesthetically appealing 2nd stories and expansions on Camino de Encanto and nearby Paseo de la Playa. We hope the owners and/or the architects will consider other options.
- If the owners at 209 Via El Toro wish to create an ocean view for themselves, this should have been considered at the time of their purchase, just as all other residents of the Hollywood Riviera have done. If the owners already have a view, it cannot be expanded at the expense of their neighbors. Based on our experience, we assume the owners at 209 Via El Toro were advised of the requirements of the Hillside Overlay at the time of purchase or when it was enacted.
- We currently have a small ocean view, and it will be completely obstructed if the current plans at 209 Via El Toro are approved. Our view instead will be a mass of housing/buildings, which belies the fact we live only a few blocks from the beach. This is not in keeping with the consistent, open, well-spaced living arrangements we currently have.
- The Hollywood Riviera enjoys a special status in the South Bay for a variety of reasons, not the least of which is the open and relaxed environment created by the residents with support of the City via the Hillside ordinance. We have several friends in Hermosa Beach who suffer the effects of an overgrown, unguided residential development process which occurs without any intent of creating an appealing residential atmosphere. While the process of review under the Hillside ordinance may seem protracted and bureaucratic, its success is evident in sustained home values and continuing high demand from home buyers who desire to live in our unique neighborhood.
- We hope the owners will continue to participate in open and creative dialogue, as intended by the ordinance and in alignment with the neighborhood practices within the Hollywood Riviera. The owners should be advised not all plans are approved. The process our community has created is intended to facilitate building decisions that balance the special character of the Hollywood Riviera with individual homeowner desires.

Ted Gohata, Linda Gohata, Fusa Motowaki
516 Camino de Encanto
Redondo Beach, CA 90277
310-375-2641
Gohata@aol.com

Vicki Radel, Ph.D.
515 Camino de Encanto
Redondo Beach, CA 90277
Home: 310-375-0150
Cell: 310-713-2260

October 20, 2009

Dear Gregg Lodan:

The enclosed letters of opposition to the 2-story remodel at 209 Via El Toro are from 4 resident/owners on Camino de Encanto they were emailed to you last week, here are the hardcopies for your files and consideration.

Please share them with Commissioners:
Browning, Busch, Gibson, Horwich, Skoll, Uchima and Weideman.
This is an open invitation to come view our concerns by calling me at the above numbers to set an appointment. We will welcome your visit.

Respectfully,

Vicki Radel

Vicki Radel
38 yr property owner in lower Riviera
Hillside Overlay Ordinance area

RECEIVED
OCT 20 2009
CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPT

Victoria "Vicki" Radel, Ph.D.
515 Camino de Encanto
Redondo Beach, CA 90277
Home: 310-375-0150

October 8, 2009

RE: Proposed remodel of 209 Via El Toro 90277

Dear Torrance Planning Dept, and esteemed Commissioners:

I have owned my home at 515 Camino de Encanto for 38 years. After unsuccessful attempts to reach a mutually agreeable solution to Delurgio's plan for a remodel I am forced to write this letter of disapproval over the existing silhouettes at 209 Via El Toro.

The proposed remodel is in clear violation of the Hillside Overlay Ordinance for many reasons:

1. *It will create cumulative devaluation of many homes. My value I have been advised will decrease by $125,000+ if he is allowed to build per his current silhouettes.*

2. *It will decrease my original real estate views of blue water, mountain, Queen's Necklace coastline view, and sky view.*

3. *It will negatively impact my airflow which I desperately need due to my asthma. I have a note from my MD reflecting my need of adequate air flow for my health. MD viewed the proposed project photos of silhouette proximity to my home and readily wrote the note.*

4. *It will reduce my privacy which is my human right.*

5. *It will decrease my light.*

I bought this home due to its views, light, air flow and privacy all protected under the Hillside Overlay Ordinance. I emphatically oppose one person increasing the value of his property at the expense of devaluation of so many others. He can easily build subterranean as he has no hardship reason for needing a 2 story. Time and again we have encouraged extending his east wing or going underground as others have but he resists.

Respectfully, Vicki Radel

Vicki Radel

PETER LATTEY ARCHITECT PMP
1545 Hauser Blvd., Los Angeles, CA, 90019-3900 USA Phone 310-968-3252 email: lattey@sbcglobal.net

October 8, 2009

City of Torrance
Community Development Department

RE: 209 VIA EL TORO APPLICATION

Dear Sir or Madam:

I am a resident of 515 Camino de Encanto and wish to register my objections to the proposed development by Mr. & Mrs. Delurgio at 209 Via el Toro.

I am an architect licensed in California and have been practicing architecture for over 30 years. I have extensive experience in residential architecture.

I would like to acknowledge that Mr. & Mrs. Delurgio did meet with us to discuss their design and the impact on our views, light and air. These meetings were frank and friendly and resulted in revisions to their design which did lessen the negative impact of the proposed development. However, while the proposed development is an improvement over that originally shown to us, it will still have a significant negative impact on our view, light, privacy and air. I did offer to meet with their architect (at no cost to them) to discuss ways to further lessen the negative impact using my many years of experience in the design of residential projects on hillsides. However, Mr. Delurgio declined this offer.

The architect used by them appears to have little experience with the hillside ordinance.

I have read the Hillside Precise Plan Application submitted by Mr. Delurgio and have the following comments to make on the application. I have used the numbering of the application with my comments for ease of reference.

1. PLANNING AND DESIGN

a. Mr. Delurgio is correct in his arithmetic analysis of the FAR, Lot Coverage Ratio and maximum ridge height. In all of these areas his proposed development is below the maximum allowable. However, as an experienced architect, I am aware that it is difficult to achieve the maximum allowable number in any of these, let alone all of them. There are other considerations which effectively reduce these numbers in almost all instances. In some situations it is the setbacks, in others it is parking requirements. In this case it is the Hillside Ordinance requirements that limit what can be built or require extraordinary effort on the part of the owner and his architect to achieve what is desired. In this case the design developed does not show a great effort to comply with the ordinance but is, in fact, quite ordinary.

As Mr. Delurgio correctly points out, his lot is much larger than others in the area. If his design took creative advantage of this large area it would be possible to enlarge the existing home within the requirements of the Ordinance. The proposed development does not do this. .

b. Mr. Delurgio contends that his proposed development will cause the least intrusion on the views, light, air and privacy of other properties. Sadly, this is not the case. Without belaboring the point I have made elsewhere, there are many avenues of design that have not been explored that could give the Delurgio's what they need in terms of space and functionality with far less impact on their neighbors.

c. The design elements referred to are not very relevant to this application. Mr. Delurgio intends to redevelop his home in a style and manner that is pleasant and will no doubt be attractive. However, if he is allowed to proceed, it will be an attractive building that has a significant negative impact on his neighbors.

d. Mr. Delurgio contends that the proposed development will not have a harmful impact on the values of other properties in the vicinity. Sadly, this is not the case. At least three properties on Camino de Encanto will have their views degraded and property value reduced by at least $125k per property.

By proposing a two story renovation, Mr. Delurgio also moves the neighborhood away from the current suburban, open character towards a character more akin to that of the denser, urban areas of Manhattan Beach. While the denser, urban character is exciting and interesting, it is not the quality of neighborhood that the residents here have chosen.

2. LIMITATION IN INCREASES TO HEIGHT

a. Mr. Delurgio states that it is not feasible to achieve their goals except by increasing the height of the existing structure to two stories. This statement is fundamental to his Application. Having studied the plans he has submitted and had extensive discussions with him, I believe that there are several ways that their existing home could be significantly increased in size without adding an additional story or significantly obstructing views from adjacent properties. Alternative design options that could be explored are:

1. to place part of the building partly underground,
2. to use flat roofs instead of pitched roofs,
3. to extend the house around a courtyard pool,
4. to extend the house to the west portions of the property.

All of these options may be comparable in cost to removing the existing roof and adding a second story. The economics would need to be explored along with the design options. To the best of my knowledge these have not been explored.

b. Mr. Delurgio states that the denial of this application would be an unreasonable hardship. Essentially the hardship that he refers to is the hypothetical hardship of not being able to maximize his return on investment by developing the property in a manner contrary to the intent of the Hillside Ordinance. This is not a hardship. In his purchase of the property he was certainly aware of the Hillside Ordinance. He apparently purchased the property with the intent of significantly increasing the size of the house. A prudent, sophisticated purchaser, which I believe he is, would have consulted with an architect knowledgeable in this area prior to closing escrow to determine what was and was not feasible. At that point he would have been

aware of the limitations to development. To state at this point that there is a hardship is unreasonable.

c. Mr. Delurgio states that his development will not be materially detrimental to other properties in the vicinity and that is consistent with the other properties in the area. In my view, the opposite is true.
We have pointed out to him a number of ways that the proposed development will be significantly detrimental to properties along Camino de Encanto. It will significantly reduce air flow, privacy, light and views for several properties. We estimate that the reduction in view from our property at 515 Camino de Encanto will reduce the property value by at least $125K while enhancing his property value. In effect, his development will transfer property value from our home to his. This is unfair and contrary to the principles of the Hillside Ordinance.

In addition, the majority of residences in the area are single story. Those that are two stories were for the most part constructed prior to the Hillside Ordinance being enacted. I understand that one of the principal reasons for the enactment of the Ordinance was to prevent precisely the type of development that he has proposed. That is, a two story home that blocks the neighbors views and light.

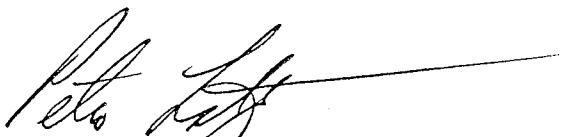
3. LIMITATION IN INCREASE IN BUILDING SPACE LOT COVERAGE

As Mr. Delurgio states this portion of the application is not applicable to his application

CONCLUSION

I suggest that Mr. Delurgio engage a professional who has a good understanding of the Hillside Ordinance and give that professional a free hand to develop new plans that meet his needs while respecting the Ordinance and the legitimate concerns of his neighbors. I would certainly hope to support his development application, if it is based on plans that are within the ordinance and which respect the legitimate concerns of his neighbors.

Yours truly,



Peter Lattey, PMP, RA, Leed AP,

October 9, 2009

City of Torrance
Community Development Department

Re: Hillside Precise Plan Application for 209 Via El Toro

Dear Sir or Madam:

I write today to express my strong opposition to Mr. Jim Delurgio's proposed house expansion for 209 Via El Toro. Mr. Delurgio's proposal does not conform to the planning and design requirements of the Torrance Hillside Overlay ordinance and will substantially and negatively impact my family's home and the homes the surround us.

In 1971, we purchased our home at 515 Camino de Encanto due in large part to the unique, open residential nature of our beachside community and the spectacular views, light, airflow, and privacy that our property afforded. For the past 38 years, we have enjoyed these valuable features, thanks to the protections of the Torrance Hillside Overlay ordinance. Mr. Delurgio's proposed residential expansion is a drastic departure from the development permitted by the Hillside Overlay ordinance and will substantially compromise the elements of our home that are of the greatest value.

Mr. Delurgio's proposed expansion will have a substantial and adverse impact on the view, light, air, and privacy of our property and other properties in the vicinity.

Pursuant to the Torrance Hillside Overlay ordinance, Mr. Delurgio must demonstrate that his proposed residential development "will not have an adverse impact on the view, light, air, and privacy of other properties in the vicinity." Mr. Delurgio's proposed expansion will greatly impact all four of these elements of our family's property and surrounding properties.

Perhaps the single greatest asset of our family's home is our coveted view of the ocean, which has remained largely unchanged since the 1970s, due in large part to the protections of the Torrance Hillside Overlay ordinance. Mr. Delurgio's proposed construction will substantially impact every ocean view that we enjoy from our home, including the ocean view from our living room, dining area, home office, and master bedroom. From some areas of our living room, up to 50% of our ocean view risks being impacted by Mr. Delurgio's proposal, which will also have a major negative impact on our sky views, our mountain views, our "Queen's Necklace" views, and our natural tree views. Simply put, Mr. Delurgio's house expansion will significantly compromise every westward-facing view that we enjoy from our home, including all of our valuable ocean views.

Similarly, Mr. Delurgio's proposed house expansion will negatively impact the light and privacy that we enjoy at our home. Mr. Delurgio's proposed second story will irrevocably block a substantial amount of our daily light, particularly during sunset, and

will significantly disrupt the privacy of our living room, home office, and master bedroom.

Mr. Delurgio's proposal also threatens to adversely impact the airflow to our property. The majority of our living space faces west, and, for 38 years, we have enjoyed the regular flow of ocean breezes to refresh us and cool our home in the summer. The threatened impact of Mr. Delurgio's development on airflow is of particular concern given my mother's chronic asthma. The scale and size of Mr. Delurgio's proposed house expansion threatens not only to affect our airflow enjoyment, but may also have a deleterious impact on the health of a family member.

The negative effects posed by the proposed expansion will not only be experienced by my family, but also by our neighbors. I have had the opportunity to visit the homes of Mr. Gene Kusion (523 Camino de Encanto) and of Ms. Cindy Constantino (513 Camino de Encanto), whose highly desirable views, light, air and privacy will also be substantially impacted by Mr. Delurgio's proposed development.

Mr. Delurgio's proposed house expansion will have a harmful impact upon the land values and investment of other properties in the vicinity.

While Mr. Delurgio's proposed expansion will substantially increase his own property values, it will come at the cost of the property values of his neighbors. I recently consulted a neighborhood realtor with local real estate market expertise who estimated that the negative effects of Mr. Delurgio's proposed expansion could reduce our home value by approximately $125,000. Mr. Delurgio's proposed expansion will similarly reduce the values of our neighbors' homes, reflecting a collective property value reduction of at least $375,000. For one individual to profit from a house expansion that severely reduces his neighbors' property values and property enjoyment is unfair and violates the Hillside Overlay ordinance.

Mr. Delurgio's proposed development has not been located, planned, and designed so as to cause the least intrusion on the views, light, air, and privacy of other properties in the vicinity.

Mr. Delurgio must demonstrate that the proposed expansion of his home has been "located, planned, and designed so as to cause the least intrusion on the views, light, air, and privacy of other properties in the vicinity." He has failed to do so.

Mr. Delurgio has previously met with our family to discuss his proposed house expansion. Despite the substantial concerns that our family voiced about his expansion plans, Mr. Delurgio has refused to modify his expansion in ways that could lessen the negative impact of his proposal. Indeed, Peter Lattey, a professional architect and my mother's fiancée, has offered to meet with Mr. Delurgio and his architect *free of charge* in order to help him design a house expansion that would minimize the impact on our home and others in the vicinity. Mr. Delurgio refused to accept Mr. Lattey's most recent offer. In my conversations with Mr. Lattey, he has mentioned a number of viable and

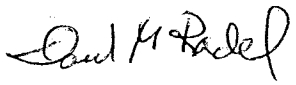
attractive design alternatives that would reasonably provide Mr. Delurgio with expanded residential space without disrupting his neighbors' enjoyment of their homes. It is unfortunate that Mr. Delurgio will not consider these reasonable alternatives, and has instead chosen a house expansion plan that will dramatically impact numerous properties around him.

Mr. Delurgio has not demonstrated that his proposed house expansion provides a development that is in harmony with other properties in the vicinity.

Mr. Delurgio's proposed two-story house expansion is not in harmony with other neighborhood properties, virtually all of which – particularly those developed after the establishment of the Hillside Overlay ordinance – are one-story homes. The Hillside Overlay ordinance was enacted to preserve the open character of our neighborhood and to ensure that residents' views, light, airflow, and privacy remain protected from subsequent house expansions. Mr. Delurgio's two-story expansion is way out-of-sync with the unobtrusive, one-story homes that define the neighborhood and that the Hillside Overlay ordinance was designed to protect.

Mr. Delurgio's proposed house expansion does not comply with either the letter or the spirit of Torrance's Hillside Overlay ordinance, which was enacted to preserve the unique character of our beautiful, beachside community and to guard against unfair private encroachment upon our protected property interests. As evidenced by the signed petitions and formal letters that you have received regarding this matter, members of our community strongly support the Torrance Hillside Overlay ordinance and oppose the many negative effects that Mr. Delurgio's proposed house expansion will have on our home and other homes in the vicinity. I urge you support the Torrance Hillside Overlay ordinance by rejecting Mr. Delurgio's application to expand his house at the substantial expense of those around him.

Sincerely,



David M. Radel
515 Camino de Encanto
Redondo Beach, CA 90277

October 17, 2009

City of Torrance
Community Development Department

Subject: Opposition to proposed 2nd story at 209 Via El Toro

When we moved into our home at 516 Camino de Encanto 15 years ago, our real estate agent was very clear about our being in the "flags section" of Torrance and explained the Hillside Overlay ordinance. She was required to have us acknowledge we understood the requirements of the "flags section." After we moved in, we learned more about the city planning process by attended meetings in person and we came to value the foresight of the authors of the Hillside Overlay ordinance. Without knowing of the ordinance's existence, it was clear we had become enamored with the Hollywood Riviera area because of the ordinance's existence and the special environment that has been created as a result.

We are opposed to current configuration being constructed at 209 Via El Toro. The following are our comments:

- When Mayor Scotto addressed the residents of the Hollywood Riviera recently, we were pleased to hear the Mayor explain the importance of the Hillside Ordinance for people who have paid a premium for their views. He also explained when he is evaluating requests to build 2nd stories even a 10% reduction in the view of surrounding neighbors was too much of a loss. We support the Mayor's explanation of the intent of the Hillside Overlay ordinance.
- If the owners at 209 Via El Toro wish to expand the square footage of their living quarters, there are other configurations to consider. We have seen very creative and aesthetically appealing 2nd stories and expansions on Camino de Encanto and nearby Paseo de la Playa. We hope the owners and/or the architects will consider other options.
- If the owners at 209 Via El Toro wish to create an ocean view for themselves, this should have been considered at the time of their purchase, just as all other residents of the Hollywood Riviera have done. If the owners already have a view, it cannot be expanded at the expense of their neighbors. Based on our experience, we assume the owners at 209 Via El Toro were advised of the requirements of the Hillside Overlay at the time of purchase or when it was enacted.
- We currently have a small ocean view, and it will be completely obstructed if the current plans at 209 Via El Toro are approved. Our view instead will be a mass of housing/buildings, which belies the fact we live only a few blocks from the beach. This is not in keeping with the consistent, open, well-spaced living arrangements we currently have.
- The Hollywood Riviera enjoys a special status in the South Bay for a variety of reasons, not the least of which is the open and relaxed environment created by the residents with support of the City via the Hillside ordinance. We have several friends in Hermosa Beach who suffer the effects of an overgrown, unguided residential development process which occurs without any intent of creating an appealing residential atmosphere. While the process of review under the Hillside ordinance may seem protracted and bureaucratic, its success is evident in sustained home values and continuing high demand from home buyers who desire to live in our unique neighborhood.
- We hope the owners will continue to participate in open and creative dialogue, as intended by the ordinance and in alignment with the neighborhood practices within the Hollywood Riviera. The owners should be advised not all plans are approved. The process our community has created is intended to facilitate building decisions that balance the special character of the Hollywood Riviera with individual homeowner desires.

Ted Gohata, Linda Gohata, Fusa Motowaki
516 Camino de Encanto
Redondo Beach, CA 90277
310-375-2641
Gohata@aol.com

Martinez, Oscar

From: Lorraine Marcone [lorraine@marcone.us]
Sent: Monday, October 19, 2009 4:25 PM
To: gloden@torrnet.com; Martinez, Oscar
Subject: PROPOSED CONSTRUCTION/209 VIA EL TORO

OCTOBER 19, 2009

TO: Greg Lodan, Planning
Oscar Martinez, Planning

GENTLEMEN:

We would like to introduce ourselves, Lorraine and John Marcone. We have been residents of the lower Hollywood Riviera for approximately 18 years and live at 505 Camino de Encanto.

The purpose of this letter is to express deep concerns regarding the construction planned by Mr. and Mrs. Delurgio at 209 Via El Toro and how construction, if approved, would affect THE HILLSIDE OVERLAY AREA ORDINANCE and also how it would adversely impact the residences of the lower Hollywood Riviera now and in the future.

I, Lorraine Marcone, have been a real estate agent in the South Bay for 25+ years, and are well aware of the value that view, light, air and privacy have on any given property. Residents and prospective buyers in the lower Hollywood Riviera have relied on the documentation of the HILLSIDE OVERLAY AREA ORDINANCE for protection of these valuable considerations.

The Delurgio project has a direct and blatant disregard for the wording and protection afforded by the Ordinance and we cite the following examples written into the HILLSIDE OVERLAY document:

1. The proposed development will not have an adverse impact upon the view, light, air and privacy of other properties in the vicinity. (please visit the adjacent homes to 209 Via El Toro -- and view for yourself how destruction the Delurgio construction will be to adjoining properties).

2. The design will not have a harmful impact upon the land values and investment of other properties in the vicinity. (I will be happy to provide you with values of properties presently adjoining 209 Via El

Toro and what subsequent values would be for those same properties if Delurgio construction project is approved).

3. Granting such application would not be materially detrimental to the public welfare and other properties in the vicinity. (in speaking with neighbors who will not sign the petition opposing this construction, I get a distinct impression that a possible motive being if Delurgio's do receive approval for their massive two story home -- this will provide a domino effect for those neighbors to proceed with "like construction".... Such an unfortunate situation for the character of this highly desirable location -- and such an emotional, financial, and stressful situation for those who again relied on the HILLSIDE OVERLAY AREA ORDINANCE to protect them from these very certain circumstances.

The most unfortunate end result of this scenario could be that the HILLSIDE OVERLAY AREA ORDINANCE would effectively have NO VALUE in the future...

We would be more than happy to invite you to our home to discuss the long term result of ignoring the written stipulations of our present ORDINANCE -- and also to provide you with a concrete market analysis regarding values of homes presently and the toll confiscation of view, light, air and privacy would have on these same properties and residents.

Thank you so much for your kind attention to this matter of great concern.

Lorraine Marcone

John Marcone

Martinez, Oscar

From: JEAN SAUNDERS [jeanredondobch@verizon.net]

Sent: Monday, October 26, 2009 4:54 PM

To: Martinez, Oscar

Subject: planned remodel 209 Via el Toro

I live at 524 Paseo de la Playa, and am a neighbor of Jim and Betsy Delurgio. I have visited their site and looked at their plans. I have absolutely no objections and strongly support their planned remodel. V. Jean Saunders

TO: Torrance Planning Commission

Date:

From: Homeowners in the Hollywood Riviera

OCT 28 2009
CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPT.

WE THE UNDERSIGNED HOMEOWNERS AND OCCUPANTS STRONGLY OBJECT TO THE PROPOSED SECOND STORY ADDITION TO THE RESIDENTIAL PROPERTY LOCATED AT 209 VIA EL TORO, REDONDO BEACH, CALIFORNIA (LOCATED IN THE CITY OF TORRANCE). THIS ADDITION/REMODEL CLEARLY VIOLATES THE HILLSIDE OVERLAY ORDINANCE BY BLOCKING VIEWS OF MANY PROPERTIES, INFRINGING ON THE LIGHT, AIR AND PRIVACY OF EXISTING PROPERTIES.

NAME	PROPERTY ADDRESS	SIGNATURE
Patricia Roderick	528 Camino de Encanto Redondo Beach, California 90277	Patricia Roderick
Jimmy VAJID	520 Camino De Encanto Redondo Beach.	[illegible]
Martha Bjerke	512 Camino de Encanto RB	M Bjerke
VAHIK GREGORIAN	625 CAMINO DE ENCANTO RB 90277	[illegible]
TED GOHATA	516 camino de Encanto	Ted K Gohata
DIANE MILTIMORE	621 CAMINO DE ENCANTO RB 90277	Diane Miltimore
Roberta Blowers	621 Camino de Encanto R.B. 90277	[illegible]
Peggy Maddox	627 Cam. De Encanto R.B. CA 9027	Peggy Maddox
R L Maddox	" " " "	Richard L Maddox R L Maddox
ROSE KRUC	630 CAMINO DE ENCANTO	Rose Kruc

TO: Torrance Planning Commission

Date:

From: Homeowners in the Hollywood Riviera

WE THE UNDERSIGNED HOMEOWNERS AND OCCUPANTS STRONGLY OBJECT TO THE PROPOSED SECOND STORY ADDITION TO THE RESIDENTIAL PROPERTY LOCATED AT 209 VIA EL TORO, REDONDO BEACH, CALIFORNIA (LOCATED IN THE CITY OF TORRANCE). THIS ADDITION/REMODEL CLEARLY VIOLATES THE HILLSIDE OVERLAY ORDINANCE BY BLOCKING VIEWS OF MANY PROPERTIES, INFRINGING ON THE LIGHT, AIR AND PRIVACY OF EXISTING PROPERTIES.

NAME	PROPERTY ADDRESS	SIGNATURE
CORY YOUNSERN	536 Paseo De LA Playa	Cory Younsern
GENE KUSION	523 CAMINO DE ENCANTO	Eugene Kusion
Cameron Faber	524 Camino De Encanto	Cameron Faber
RONALD SMITH	521 CAMINO DE ENCANTO	Ronald Smith
ANNE GU	535 CAMINO DE ENCANTO	Anne Gu
MARIA KUSION	523 CAMINO DE ENCANTO	Maria Kusion
TIM YOUNGERN	536 PASEO DE LA PLAYA	Tim Youngern
MARJORIE HILL	539 CAMINO DE ENCANTO	Marjorie Hill
ROBERT HILL	539 CAMINO de ENCANTO	Robert Hill
Mr CRUDUP	531 Camino de Encanto	Mr Crudup
JUDITH M. ENGLISH	531 CAMINO de ENCANTO	Judith M English

Date:

From: Homeowners in the Hollywood Riviera

WE THE UNDERSIGNED HOMEOWNERS AND OCCUPANTS STRONGLY OBJECT TO THE PROPOSED SECOND STORY ADDITION TO THE RESIDENTIAL PROPERTY LOCATED AT 209 VIA EL TORO, REDONDO BEACH, CALIFORNIA (LOCATED IN THE CITY OF TORRANCE). THIS ADDITION/REMODEL CLEARLY VIOLATES THE HILLSIDE OVERLAY ORDINANCE BY BLOCKING VIEWS OF MANY PROPERTIES, INFRINGING ON THE LIGHT, AIR AND PRIVACY OF EXISTING PROPERTIES.

NAME	PROPERTY ADDRESS	SIGNATURE
Augustin CORAY	419, CAMINO de Encanto R.B.	
Jeanne Coray	419 Camino de Encanto	Jeanne Coray
Rex Farnsworth	415 Camino de Encanto R.B.	
Erica Smalley	432 Camino de Encanto	
Lee Farnsworth	415 Camino de Encanto, R.B.	Lee Farnsworth
RICHARD GLIMP	414 Camino de Encanto RB	
Alexis Constantino	513 Camino De Encanto RB.	
Cole Constantino	513 Camino DE ENCANTO RB	

TO: Torrance Planning Commission

Date:

From: Homeowners in the Hollywood Riviera

WE THE UNDERSIGNED HOMEOWNERS AND OCCUPANTS STRONGLY OBJECT TO THE PROPOSED SECOND STORY ADDITION TO THE RESIDENTIAL PROPERTY LOCATED AT 209 VIA EL TORO, REDONDO BEACH, CALIFORNIA (LOCATED IN THE CITY OF TORRANCE). THIS ADDITION/REMODEL CLEARLY VIOLATES THE HILLSIDE OVERLAY ORDINANCE BY BLOCKING VIEWS OF MANY PROPERTIES, INFRINGING ON THE LIGHT, AIR AND PRIVACY OF EXISTING PROPERTIES.

NAME	PROPERTY ADDRESS	SIGNATURE
Cindy Constantine	513 Camino de Encanto Redondo Beach, Ca. 90277	Cynthia L Constantine
JAMES CORAZZINI	419 CAMINO DE ENCANTO REDONDO BEACH, CA 90277	
KATHLEEN LAHEY	470 CAMINO DE ENCANTO REDONDO BEACH, CA 90277	Kathleen M Lahey
EDWARD LAHEY	470 CAMINO DE ENCANTO REDONDO BEACH CA 90277	Edward T. Lahey
John Baldauf	464 Camino de Encanto Redondo Beach, CA 90277	
Mayumi Tomita	464 Camino de Encanto Redondo Beach, CA 90277	
Paul Guaglione	99 Calle Mayor Redondo Beach, CA 90277	
Gerda Guaglione	99 C. MAYOR Red Beach Ca 90277	
Joji Cruz.	502 P.V. BLVD. R.B CA 90277	
ANDY FILAK	514 PALOS VERDES BLVD 373-5004	
Laura M	310-373-2270 520 Palos Verdes Blvd. RB 90277	Laura M

Date:

From: Homeowners in the Hollywood Riviera

WE THE UNDERSIGNED HOMEOWNERS AND OCCUPANTS STRONGLY OBJECT TO THE PROPOSED SECOND STORY ADDITION TO THE RESIDENTIAL PROPERTY LOCATED AT 209 VIA EL TORO, REDONDO BEACH, CALIFORNIA (LOCATED IN THE CITY OF TORRANCE). THIS ADDITION/REMODEL CLEARLY VIOLATES THE HILLSIDE OVERLAY ORDINANCE BY BLOCKING VIEWS OF MANY PROPERTIES, INFRINGING ON THE LIGHT, AIR AND PRIVACY OF EXISTING PROPERTIES.

NAME	PROPERTY ADDRESS	SIGNATURE
Ernest A Mantz	520 Palos Verdes Blvd	
Armando Montaño	526 P.V. Blvd.	
Freda Montaño	526 P.V. Blvd.	
Margaret Moody	568 P.V. Blvd	
Barry Bayless	608 Palos Verdes Blvd	
Veon Filak	514 P.V. Blvd	
David Giannetta	428 Camino De Encanto 310 378 3203	
Denise Carl	428 Camino De Encanto Redondo Beach, 90277	
Louie Sampedro	431 Camino De Encanto Redondo Beach 90277	
Linda Sampedro	431 Camino De Encanto Redondo Beach 90277	
Jon Spallino	427 Camino De Encanto RB, CA 90277	

Date:

From: Homeowners in the Hollywood Riviera

WE THE UNDERSIGNED HOMEOWNERS AND OCCUPANTS STRONGLY OBJECT TO THE PROPOSED SECOND STORY ADDITION TO THE RESIDENTIAL PROPERTY LOCATED AT 209 VIA EL TORO, REDONDO BEACH, CALIFORNIA (LOCATED IN THE CITY OF TORRANCE). THIS ADDITION/REMODEL CLEARLY VIOLATES THE HILLSIDE OVERLAY ORDINANCE BY BLOCKING VIEWS OF MANY PROPERTIES, INFRINGING ON THE LIGHT, AIR AND PRIVACY OF EXISTING PROPERTIES.

NAME	PROPERTY ADDRESS	SIGNATURE
Vicki Radel	515 Camino de Encanto	Vicki Radel
CHRIS HARRIS	440 CAMINO DE ENCANTO	Chris C. Harris
PETER LATTEY	515 CAMINO DE ENCANTO	Peter Lattey
Sharri Everhart	201 VIA EL toro	Sherri Everhart
Ken Everhart	201 VIA EL TORO	Ken Everhart
Don Hughes	610 Playa de la Playa	Don Hughes
Monica Bruechle	626 Paseo de la Playa	Monica Bruechle
Jonathan Bartran	630 Paseo Playa	J Bartran
Johanna Bartran	630 Paseo de la Playa	J Bartran
DAVID RADEL	515 CAMINO DE ENCANTO	[illegible]
Molly WALSH	625 CAMINO DE ENCANTO	[illegible]

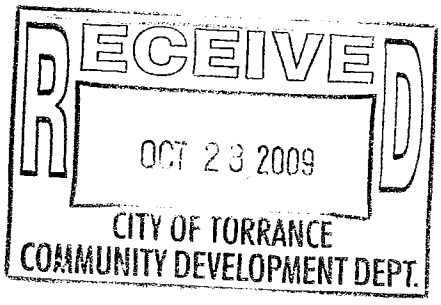
Date:

From: Homeowners in the Hollywood Riviera

WE THE UNDERSIGNED HOMEOWNERS AND OCCUPANTS STRONGLY OBJECT TO THE PROPOSED SECOND STORY ADDITION TO THE RESIDENTIAL PROPERTY LOCATED AT 209 VIA EL TORO, REDONDO BEACH, CALIFORNIA (LOCATED IN THE CITY OF TORRANCE). THIS ADDITION/REMODEL CLEARLY VIOLATES THE HILLSIDE OVERLAY ORDINANCE BY BLOCKING VIEWS OF MANY PROPERTIES, INFRINGING ON THE LIGHT, AIR AND PRIVACY OF EXISTING PROPERTIES.

NAME	PROPERTY ADDRESS	SIGNATURE
LINDA GOHATA	516 CAMINO DE ENCANTO REDONDO BEACH 90277	[signature]
FUSA MOTOWAKI	516 CAMINO DE ENCANTO REDONDO BEACH 90277	[signature]
Sylvia Thomas	113 Calle de Sirenas Redondo Beach 90277	[signature]
[illegible]	614 Palos Verdes Blvd Redondo Beach, CA 90277	[signature]
ALBERT ORTIZ	620 PALOS VERDES B. REDONDO BEACH, CA 90277	[signature]
Charlotte Ferris	613 Camino de Encanto	[signature]
Charles Hammer	221 Paseo De Suenos, RB	[signature]

October 25, 2009



City of Torrance
Community Development Department
3031 Torrance Blvd.
Torrance, CA 90503

Re: PRE09-00007 209 Via el Toro

Dear Sirs,

I own the property located at 520 Camino de Encanto. I am writing to express my 100% opposition to the above-mentioned request. Specifically, I am against the idea of building a two story structure in the Hillside Overlay area which will block the ocean views of all the residents on Camino de Encanto. We all purchased our homes in the Hillside Overlay area with the understanding that our ocean views could not be blocked by two story structures.

If this request passes, the value of my property will drop by 50% overnight. Please do not approve the two story structure in an area designated for single story homes.

Sincerely,

Greg Noel
(310) 377-5470

RECEIVED
JUN 25 2009
CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPT.

Jim Delurgio
209 Via el Toro
Redondo Beach, CA 90277
(310)378-3330

June 23, 2009

Greg Lodan
Planning Manager
Torrance Community Development Dept.
3031 Torrance Blvd.
Torrance, CA 90503

Dear Mr. Lodan:

As we have discussed at the counter, we are continuing with our plan to remodel our home at 209 Via el Toro, and have again started trying to communicate with our neighbors regarding our design as has been suggested by the Planning Department and the Planning Commission.

I have attached a copy of all written communication to our neighbors regarding our development plans. We have also spoken with several neighbors after going door to door in the past. I intend to copy you on all subsequent written correspondence, and would appreciate it if you would keep a record of such communications on file so that they can be attached to our final application.

Since the end of 2006 we have reached out and attempted to discuss our plans with neighboring property owners, but have often been rejected at their door before they even look at our blueprints. As I have told you before, some of our neighbors from Camino de Encanto have refused to discuss our plans until after our silhouette is constructed, which we feel should be late in the process if neighbors would simply collaborate with us. Others have stated that they will try to stop us from building one square inch, even joking that it is going to be expensive if we try to build anything.

Despite the few who resist our effort, many others have been very supportive, and really like our design. Moreover they are glad to see us continue to remodel our old home despite the group who has formed to resist any and all development in our Hollywood Riviera neighborhood.

Sincerely,

Jim Delurgio

Jim & Betsy Delurgio
209 Via el Toro
Redondo Beach, CA 90277
(310)378-3330

June 23, 2009

205 Via el Toro
Redondo Beach, CA 90277

Dear Barry Garrebrandt,

We would like to share with you our drawings for a remodel of our home at 209 Via el Toro. We wish to improve our property in a manner that provides our family with adequate living area, improves the aesthetic appeal of our property, and has minimal impact on neighboring properties.

Our intention for meeting is to gain an understanding of your perspective on our proposed project. Gathering input from our neighbors at this early point in the design process is of great value to us, as it will provide us the opportunity to start the approval process with a workable design.

We have been working with the City of Torrance Community Development Department and have developed a design which will require no waivers or variances. Our hope is that we will proceed through the development approval process with a great degree of community support toward our development plan.

Please let us know a convenient time when we could share our plans with you prior to July 8, 2009. We can be reached at (310) 378-3330.

Sincerely,

Jim Delurgio

Betsy Delurgio

CC: City of Torrance Community Development Department

Jim & Betsy Delurgio
209 Via el Toro
Redondo Beach, CA 90277
(310)378-3330

June 23, 2009

513 Camino de Encanto
Redondo Beach, CA 90277

Dear Cynthia Constantino,

We would like to share with you our drawings for a remodel of our home at 209 Via el Toro. We wish to improve our property in a manner that provides our family with adequate living area, improves the aesthetic appeal of our property, and has minimal impact on neighboring properties.

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Betsy Delurgio

CC: City of Torrance Community Development Department

Jim & Betsy Delurgio
209 Via el Toro
Redondo Beach, CA 90277
(310)378-3330

June 23, 2009

515 Camino de Encanto
Redondo Beach, CA 90277

Dear Vicki Radel,

We would like to share with you our drawings for a remodel of our home at 209 Via el Toro. We wish to improve our property in a manner that provides our family with adequate living area, improves the aesthetic appeal of our property, and has minimal impact on neighboring properties.

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Sincerely,

Jim Delurgio

Betsy Delurgio

CC: City of Torrance Community Development Department

Jim & Betsy Delurgio
209 Via el Toro
Redondo Beach, CA 90277
(310)378-3330

June 23, 2009

PO Box 874
Palos Verdes Estates, CA 90274

Dear Maria Kusion,

We would like to share with you our drawings for a remodel of our home at 209 Via el Toro. We wish to improve our property in a manner that provides our family with adequate living area, improves the aesthetic appeal of our property, and has minimal impact on neighboring properties.

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Sincerely,

Jim Delurgio

Betsy Delurgio

CC: City of Torrance Community Development Department

Jim & Betsy Delurgio
209 Via el Toro
Redondo Beach, CA 90277
(310)378-3330

June 23, 2009

210 Via el Toro
Redondo Beach, CA 90277

Dear Joe Pardo,

We would like to share with you our drawings for a remodel of our home at 209 Via el Toro. We wish to improve our property in a manner that provides our family with adequate living area, improves the aesthetic appeal of our property, and has minimal impact on neighboring properties.

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Betsy Delurgio

CC: City of Torrance Community Development Department

Jim & Betsy Delurgio
209 Via el Toro
Redondo Beach, CA 90277
(310)378-3330

June 23, 2009

505 Camino de Encanto
Redondo Beach, CA 90277

Dear John & Lorraine Marcone,

We would like to share with you our drawings for a remodel of our home at 209 Via el Toro. We wish to improve our property in a manner that provides our family with adequate living area, improves the aesthetic appeal of our property, and has minimal impact on neighboring properties.

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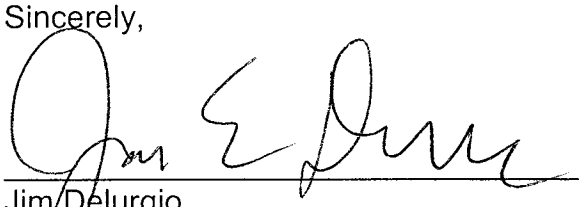
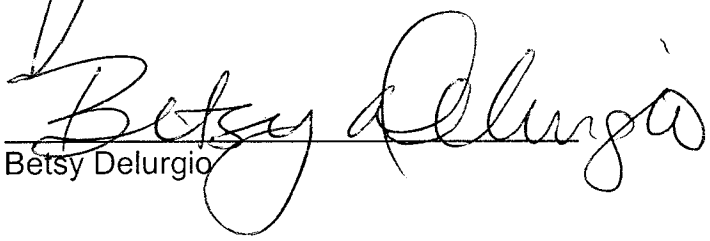


Jim Delurgio



Betsy Delurgio

CC: City of Torrance Community Development Department

Jim & Betsy Delurgio
209 Via el Toro
Redondo Beach, CA 90277
(310)378-3330

June 23, 2009

509 Camino de Encanto
Redondo Beach, CA 90277

Dear Ramzi & Sheridan Ghaby,

We would like to share with you our drawings for a remodel of our home at 209 Via el Toro. We wish to improve our property in a manner that provides our family with adequate living area, improves the aesthetic appeal of our property, and has minimal impact on neighboring properties.

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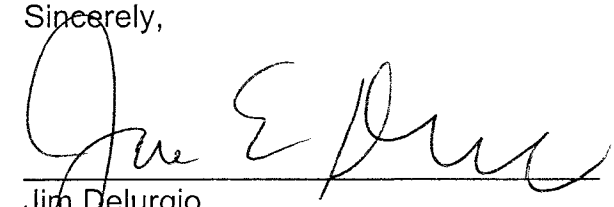
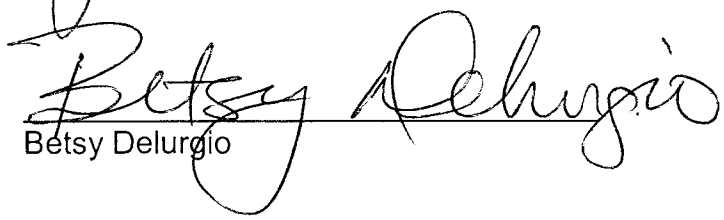


Jim Delurgio



Betsy Delurgio

CC: City of Torrance Community Development Department

Jim & Betsy Delurgio
209 Via el Toro
Redondo Beach, CA 90277
(310)378-3330

June 23, 2009

527 Camino de Encanto
Redondo Beach, CA 90277

Dear Ronald Smith,

We would like to share with you our drawings for a remodel of our home at 209 Via el Toro. We wish to improve our property in a manner that provides our family with adequate living area, improves the aesthetic appeal of our property, and has minimal impact on neighboring properties.

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Sincerely,

Jim Delurgio

Betsy Delurgio

CC: City of Torrance Community Development Department

Jim & Betsy Delurgio
209 Via el Toro
Redondo Beach, CA 90277
(310)378-3330

June 23, 2009

531 Camino de Encanto
Redondo Beach, CA 90277

Dear William Crudup & Judith English,

We would like to share with you our drawings for a remodel of our home at 209 Via el Toro. We wish to improve our property in a manner that provides our family with adequate living area, improves the aesthetic appeal of our property, and has minimal impact on neighboring properties.

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Jim Delurgio

Betsy Delurgio

CC: City of Torrance Community Development Department

Jim & Betsy Delurgio
209 Via el Toro
Redondo Beach, CA 90277
(310)378-3330

June 23, 2009

201 Via el Toro
Redondo Beach, CA 90277

Dear Ken & Sherri Everhart,

We would like to share with you our drawings for a remodel of our home at 209 Via el Toro. We wish to improve our property in a manner that provides our family with adequate living area, improves the aesthetic appeal of our property, and has minimal impact on neighboring properties.

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Sincerely,

Jim Delurgio

Betsy Delurgio

CC: City of Torrance Community Development Department

Jim & Betsy Delurgio
209 Via el Toro
Redondo Beach, CA 90277
(310)378-3330

June 23, 2009

2917 N. Poinsettia Ave.
Manhattan Beach, CA 90266

Dear Marcia Whistler,

We would like to share with you our drawings for a remodel of our home at 209 Via el Toro. We wish to improve our property in a manner that provides our family with adequate living area, improves the aesthetic appeal of our property, and has minimal impact on neighboring properties.

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Jim Delurgio

Betsy Delurgio

CC: City of Torrance Community Development Department

Jim & Betsy Delurgio
209 Via el Toro
Redondo Beach, CA 90277
(310)378-3330

June 23, 2009

202 Calle de Sirenas
Redondo Beach, CA 90277

Dear Mark & Patricia Boyd,

We would like to share with you our drawings for a remodel of our home at 209 Via el Toro. We wish to improve our property in a manner that provides our family with adequate living area, improves the aesthetic appeal of our property, and has minimal impact on neighboring properties.

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Betsy Delurgio

CC: City of Torrance Community Development Department

Jim & Betsy Delurgio
209 Via el Toro
Redondo Beach, CA 90277
(310)378-3330

June 23, 2009

206 Calle de Sirenas
Redondo Beach, CA 90277

Dear Robert & Genevieve Bonn,

We would like to share with you our drawings for a remodel of our home at 209 Via el Toro. We wish to improve our property in a manner that provides our family with adequate living area, improves the aesthetic appeal of our property, and has minimal impact on neighboring properties.

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Betsy Delurgio

CC: City of Torrance Community Development Department

Jim & Betsy Delurgio
209 Via el Toro
Redondo Beach, CA 90277
(310)378-3330

June 23, 2009

210 Calle de Sirenas
Redondo Beach, CA 90277

Dear Chris & Barbara Jensen,

We would like to share with you our drawings for a remodel of our home at 209 Via el Toro. We wish to improve our property in a manner that provides our family with adequate living area, improves the aesthetic appeal of our property, and has minimal impact on neighboring properties.

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Jim Delurgio

Betsy Delurgio

CC: City of Torrance Community Development Department

Jim & Betsy Delurgio
209 Via el Toro
Redondo Beach, CA 90277
(310)378-3330

June 23, 2009

214 Calle de Sirenas
Redondo Beach, CA 90277

Dear Mrs. Becker,

We would like to share with you our drawings for a remodel of our home at 209 Via el Toro. We wish to improve our property in a manner that provides our family with adequate living area, improves the aesthetic appeal of our property, and has minimal impact on neighboring properties.

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Betsy Delurgio

CC: City of Torrance Community Development Department

Jim & Betsy Delurgio
209 Via el Toro
Redondo Beach, CA 90277
(310)378-3330

June 23, 2009

524 Paseo de la Playa
Redondo Beach, CA 90277

Dear Jean Sanders,

We would like to share with you our drawings for a remodel of our home at 209 Via el Toro. We wish to improve our property in a manner that provides our family with adequate living area, improves the aesthetic appeal of our property, and has minimal impact on neighboring properties.

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Betsy Delurgio

CC: City of Torrance Community Development Department

Jim & Betsy Delurgio
209 Via el Toro
Redondo Beach, CA 90277
(310)378-3330

June 23, 2009

521 Paseo de la Playa
Redondo Beach, CA 90277

Dear Jim & Nancy Miller,

We would like to share with you our drawings for a remodel of our home at 209 Via el Toro. We wish to improve our property in a manner that provides our family with adequate living area, improves the aesthetic appeal of our property, and has minimal impact on neighboring properties.

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Jim Delurgio

Betsy Delurgio

CC: City of Torrance Community Development Department

Jim & Betsy Delurgio
209 Via el Toro
Redondo Beach, CA 90277
(310)378-3330

June 23, 2009

528 Paseo de la Playa
Redondo Beach, CA 90277

Dear Alfredo Costa & Cristina Quesada,

We would like to share with you our drawings for a remodel of our home at 209 Via el Toro. We wish to improve our property in a manner that provides our family with adequate living area, improves the aesthetic appeal of our property, and has minimal impact on neighboring properties.

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Sincerely,

Jim Delurgio

Betsy Delurgio

CC: City of Torrance Community Development Department

October 21, 2006

Dear Barry Garrabrant,

We have started to design a remodel and addition to our existing home at 209 Via el Toro, and it is our intention to work with you throughout this process. It has always been our intention to develop our home in a manner that is aesthetically appealing, has a minimal impact on our neighbors, affords us the privacy that we need, and provides us with the room that we desire as a family.

We would like to share our preliminary designs with each of our adjoining neighbors to gather input, cooperation and support as we move toward the approval process with the City of Torrance Community Development Department.

We realize that by reviewing our preliminary designs that you are not committing to agree to anything until we go through the required silhouette, final design review and public hearing process. Our intent is simply that we want to understand any concerns that you may have early in our design process. We hope that our consideration of your input early in our design process will minimize incremental change costs as we move forward.

Please let us know a convenient time when we could get together to review our preliminary plans so that we can best understand any potential concerns. We can be reached at (310) 378-3330.

Sincerely,

Jim & Betsy Delurgio

October 21, 2006

Dear Cindy Constantino,

We have started to design a remodel and addition to our existing home at 209 Via el Toro, and as I stated to you last year, it has always been our intention to develop our home in a manner that is aesthetically appealing, has a minimal impact on our neighbors, affords us the privacy that we need, and provides us with the room that we desire as a family.

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Sincerely,

Jim & Betsy Delurgio

October 21, 2006

Dear Genevieve Bonn,

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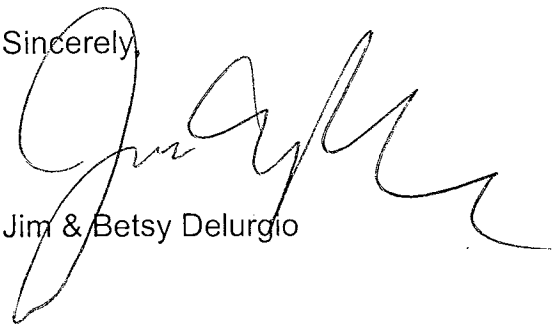

Jim & Betsy Delurgio

October 21, 2006

Dear Vicki Radel,

We have started to design a remodel and addition to our existing home at 209 Via el Toro, and as I stated to you last year, it has always been our intention to develop our home in a manner that is aesthetically appealing, has a minimal impact on our neighbors, affords us the privacy that we need, and provides us with the room that we desire as a family.

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Jim & Betsy Delurgio

OCT 2 9 2009

Design Evolution - 209 Via el Toro

Since we purchased our property in October, 2005 we have done our best to communicate with our neighbors to understand any concerns they may have with regard to our plan to increase the size of our original 1,608 sq. ft. home on our 13,185 sq. ft. lot. Our communications have followed recommendations from the Planning Department, the Planning Commission, and the City Council that we have observed during other precise plan of development hearings. Our design is a thoughtful design of a reasonably sized home based on the input from our neighbors in order to preserve the many views which pass through our property at the 1st floor elevation, as well as privacy concerns which were expressed from neighbors to the north. With a FAR of only .35, our proposed design is similar to the existing build-out of our neighborhood, and is about 2,000 square feet smaller than what is allowed under the Hillside Overlay Ordinance for a property the size of ours.

We willingly opened ourselves up to accept the input and concerns expressed to us by our neighbors with regard to our proposed design. Based on the information gained through neighborly outreach and dialog, we realized that a two story design would have the least impact on neighboring properties while also capturing a reasonable portion of our property development rights. To be specific, we are not maximizing our development rights, a 1st story expansion into the rear undeveloped portion of our property would obstruct our neighbor's ocean views which pass through our property from the east. We greatly appreciate the input that we received from our neighbors during our design process.

Communication of our plans to build in 2006 and 2007 were received well by many neighbors who cooperated and provided valuable input regarding how they would prefer we develop our property. Other neighbors, primarily on Camino de Encanto, ignored our communication or in the case of Vicki Radel, told us that they "would fight us if we tried to build one square inch". Sadly, we had neighbors who took it upon themselves to go and illegally cut down trees on our property or our neighbor's property to permanently alter the facts associated with our proposed development. This criminal activity drove the Kwon family next door out of our neighborhood, as they no longer felt secure in their own home.

We decided to observe as a nearby project proceeded to go through a similar hearing while also facing unreasonable opposition. Shockingly, the illegal tree cutting conspiracy continued in their case, in fact from neighbors on Camino de Encanto. We were impressed that the City Council saw through these crimes and ruled that views acquired or expanded through illegal tree cutting could not be used to oppress development rights of others under the Hillside Overlay. The opponents refused to accept this final determination by the City Council, and sued the City in Superior Court. The Superior Court Judge again ruled in favor of the conforming development, and upheld the City's determination that they cannot allow a view which has been illegally acquired to be used to oppress a property owner's right to build. We were relieved to see justice and fairness prevail over the selfish and illegal actions taken by neighbors who are opposed to conforming development in our community.

We decided to complete and communicate our development plans despite the anti-development attitude of some of our neighbors. This was particularly uncomfortable due to the prior tree trespass crimes our neighbors on Camino de Encanto have committed to acquire view corridors through our property. We were pleased to have communication with many of our neighbors who responded positively to our continued outreach regarding our plans. A breakthrough was achieved when Vicki Radel and Cindy Constantino responded to our letter, each of whom had previously been uncooperative toward any design discussion. This was important to us, as they currently enjoy ocean views through the buildable area of our property.

June 16, 2009 - A revised set of plans was completed and we constructed temporary stakes to help illustrate and measure estimated height and location of our remodel proposal during our design review process with our neighbors.

June 23, 2009 - We sent a letter requesting the review and input of our revised plans to 18 neighboring property owners who may have an interest with our proposed remodel. These neighbors were identified by us due to proximity to our property and the possible impact. The following table (Table 1) indicates the neighbors who were included in our outreach, and the manner in which they responded to our plan review request:

Owner Name	Property Address		Review	Support w/o Review	Late Response	No Response
Mark & Patricia Boyd	202	Calle de Sirenas		X		
Robert & Genevieve Bonn	206	Calle de Sirenas	X			
Chris & Barbara Jensen	210	Calle de Sirenas			10/23/2009	
Mrs. Becker	214	Calle de Sirenas	X			
John & Lorraine Marcone	505	Camino de Encanto			9/4/2009	
Ramzi & Sheridan Ghaby	509	Camino de Encanto				X
Cynthia Constantino	513	Camino de Encanto	X			
Vicki Radel	515	Camino de Encanto	X			
Maria Kusion	523	Camino de Encanto				X
Ronald Smith	527	Camino de Encanto				X
William Crudup & Judith English	531	Camino de Encanto	X			
Jim & Nancy Miller	521	Paseo de la Playa		X		
Jean Sanders	524	Paseo de la Playa	X			
Alfredo Costa & Cristina Quesada	528	Paseo de la Playa	X			
Ken & Sherri Everhart	201	Via el Toro				X
Barry Garrebrandt	205	Via el Toro	X			
Marcia Whistler & Leonard Shapira	206	Via el Toro		X		
Joe Pardo	210	Via el Toro		X		

Table 1

Note: In addition to the neighbors which we had identified, the Planning Department has notified us that a letter of concern regarding our project has been received from the owners of 516 Camino de Encanto. We immediately left a phone message (on 10/23/2009) requesting to see their concern so that we may try to remediate any situation prior to our hearing, but have not received a response. On 10/24/2009 we went and looked from the street in front of 516 Camino de Encanto and did not observe any ocean view.

The best way to show the primary challenges in designing our proposed remodel on our property is the view diagram (Illustration 1) below which shows the many Ocean and Mountain views which pass through our property. All of these views would be obstructed by either a 1st or 2nd story development on our property. Privacy concerns are also shown in the northern portion of our property.

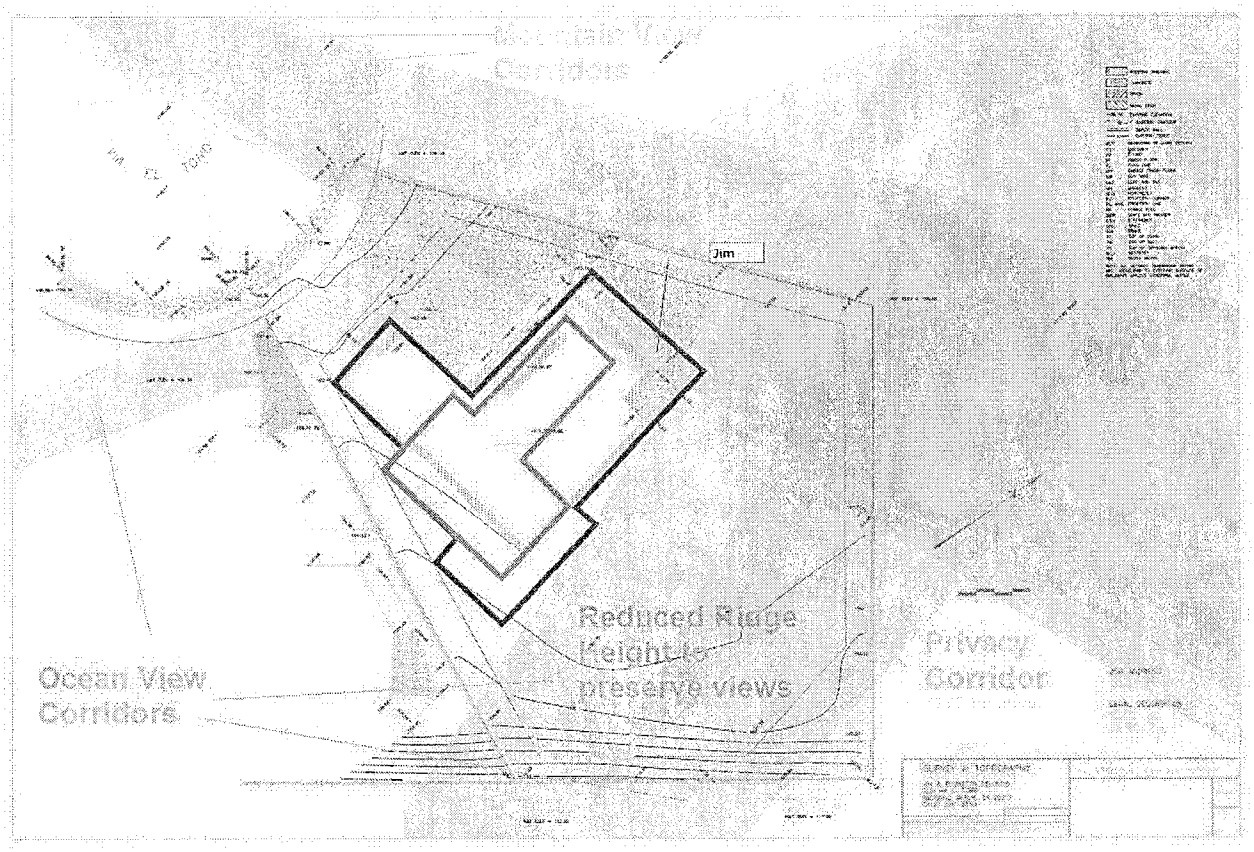


Illustration 1

Through four complete sets of plans, and many reviews with our neighbors and the Planning Department, we have significantly reduced the size and scope from our first revision (Design 1A). The details of these plans are presented in the table below (Table 2), and we are confident that we have arrived at the best design for our property and our neighborhood.

Proposed Design Measurements	
Lot Size	13,185

Max Building Area (HOO) 6,593

Proposed	Design Revision 1A	Design Revision 1B	Design Revision 1C
1st Story Area	3,155	2,850	2,315
2nd Story Area	1,632	1,213	1,213
Garage Area	498	498	498
Accessory Structure	N/A	N/A	634
Total Area	5,285	4,561	4,660
Floor Area Ratio (FAR)	0.40	0.35	0.35

Table 2

Development in the Hillside areas of Torrance requires neighborly communication in order to design homes which have the least impact on neighboring properties. We are proud of the open and honest method by which we conducted our design process.

After we had invested in several complete sets of plans to accommodate the view preservation requests made by both Vicki Radel and Cindy Constantino (whose views pass entirely through the undeveloped portion of our property) as well as other neighbors who expressed view and privacy concerns, we moved forward with a silhouette that we believed would be balanced between our property development rights, and the view and privacy concerns of which we were aware.

After the silhouette was constructed, it became quite clear to us that Cindy Constantino and Vicki Radel would both stand in opposition to any development on our property, despite the fact that each had obtained in this design exactly what they had told us they wished to preserve. We responded as quickly as possible to try and understand their concerns, but our efforts were futile. They are insisting on design revisions which would never work for our family from either a lifestyle or development perspective.

They both now claim that our 2nd story blocks their "Blue Sky" view, and would cause intrusion into their privacy. Each of them has committed tree trespass and vandalism crimes against our property or our neighbor's property in order to acquire or expand their views which pass through our property. These crimes have each resulted in diminished privacy for both us and them. We would have to conclude that their privacy concern must be disingenuous to say the least.

In addition, Vicki Radel has expressed in her letters and emails an unreasonable concern over air flow from the 2nd story portion of our proposed development. This portion of our home would be over 55 feet away from her home (the typical lot width in our area).

Obviously we are highly disappointed by the many tree trespass and vandalism crimes and other disruptive activities which we have observed and experienced by some of our neighbors from Camino de Encanto. These actions clearly undermine the integrity of the Precise Plan of Development Hearing process.

The worst example of this originates from the Kusion property at 523 Camino de Encanto. Maria Kusion (property owner) and her son Eugene (an attorney), who now resides in his mother's property, could not be more uncooperative toward our design communication efforts. The examples of their despicable behavior include numerous tree trespass and vandalism crimes, offensive letters and threatening voice messages. They never agreed to allow us to see the view which they claim is important, but decided to sue us instead as Maria Kusion clearly stated in a voice message we received, to "cost us lots of money on lawyers" - which it has.

On to our New Home

Despite the challenges we have faced during the process of designing the remodel of our home, we strongly believe that we have arrived at the best design for our property and our neighborhood. We look forward to our hearing before your Commission, which we expect to be focused on the merits of our project which is a thoughtful and conforming design.

Design Review Summary - Design Plan 1A

Review Notes

Significant ocean view and slight privacy concerns from neighbors to the east. These ocean views tend to come into our property at an elevation of only 11 feet and drop downward at a very low angle.

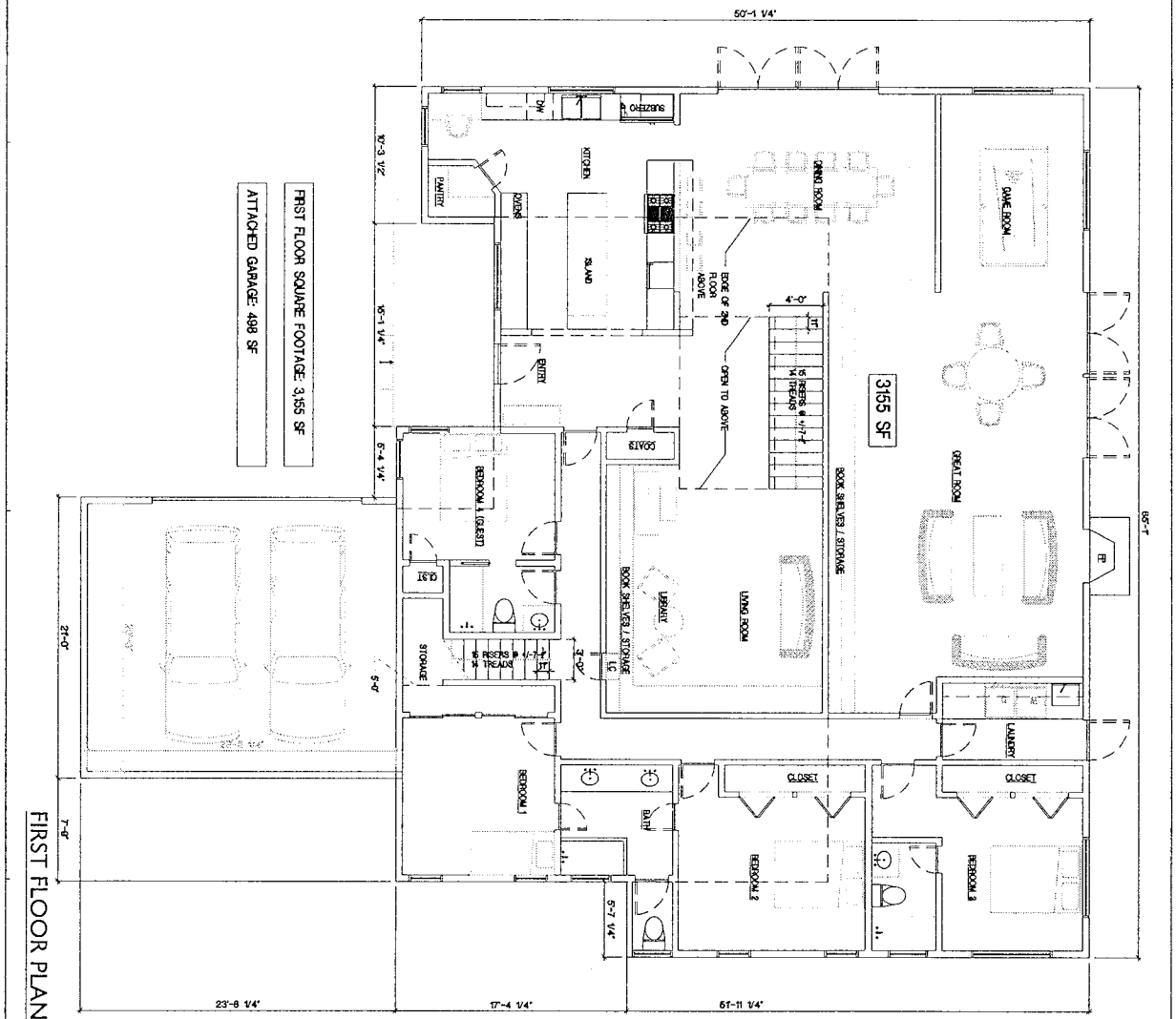
Privacy, light, and mountain view concerns were expressed from neighbors to the north.

No concerns either expressed or observed from neighbors to the south.

Slight concern regarding occasional mountain views which may be partially obstructed from the southwest.

Design Plan 1A - First Story

IF THIS SHEET IS SMALLER THAN 24"W X 36"H THEN IT HAS BEEN REDUCED



FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

DRAWINGS ISSUED

ISSUED FOR	DATE
SCHEMATIC DESIGN	June 16, 2009

SCALE: AS NOTED

SHEET: OF X

PLOT DATE: June 26, 2009

SHEET NAME: FIRST FLOOR PLAN

SHEET NUMBER: A-2.0

LICENSED ARCHITECT ANNE MARIE KAUFMAN C-30875 REN. 12/31/09 STATE OF CALIFORNIA

DELURGIO RESIDENCE
209 Via El Toro
Redondo Beach, CA 90277

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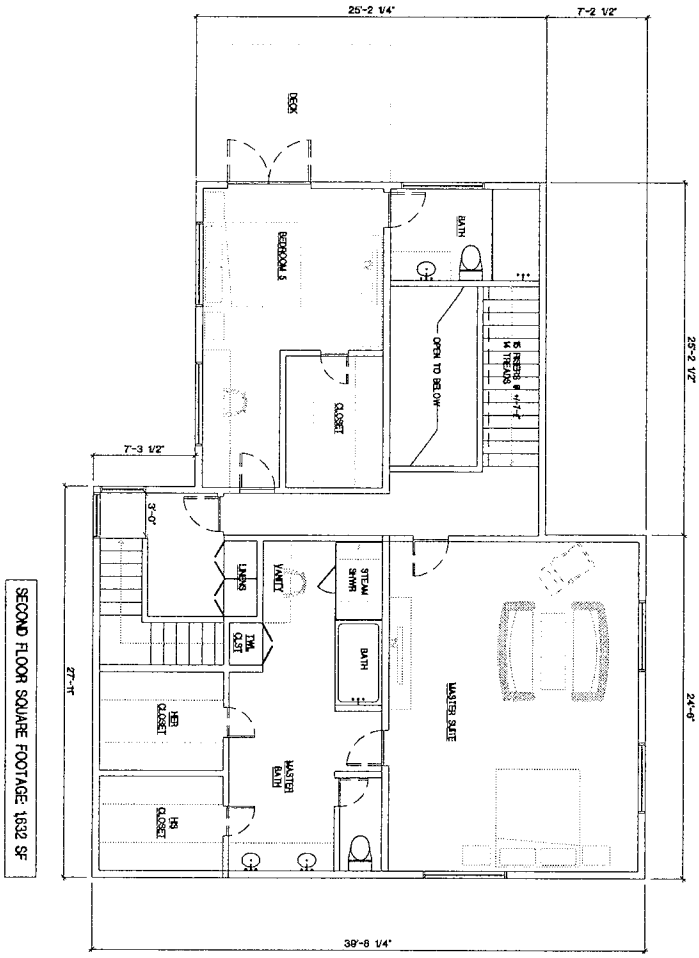
annemariekaufman@ca.rr.com

Design Plan 1A - Second Story

IF THIS SHEET IS SMALLER THAN 24"W X 36"H THEN IT HAS BEEN REDUCED



SECOND FLOOR SQUARE FOOTAGE: 1632 SF

SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"

N

DRAWINGS ISSUED	
ISSUED FOR	DATE
SCHEMATIC DESIGN	June 16, 2009
SCALE: AS NOTED	
SHEET: 2 OF X	
PLOT DATE:	June 26, 2009
SHEET NAME	
SECOND FLOOR PLAN	
SHEET NUMBER	
A-2.1	

LICENSED ARCHITECT ANNE MARIE KAUFMAN C-30875 REN. 12/31/09 STATE OF CALIFORNIA

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AMK ARCHITECTURE

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Design Plan 1B

Change Summary

Due to privacy concerns expressed from Mrs. Becker and Vicki Jantzen from the north, the design was reduced from the Northeast corner by over 35 feet, and the first story area was extended to the east by over 6 feet. Resulting in a total mass reduction of 724 sq. ft.

Review Notes

Significant ocean view and privacy concern from the SE corner at 515 Camino de Encanto. Obstruction is greater than prior Design 1A, which surprised everyone. Alternative designs "courtyard" concept was suggested, and we referred back to our prior design from 2006 which included an accessory structure.

No significant concerns expressed from 513 Camino de Encanto to the east, but still would prefer that we go subterranean.

No significant concerns expressed or observed from neighbors to the north.

No concerns either expressed or observed from neighbors to the south.

Slight concern regarding occasional mountain views which may be partially obstructed from the southwest.

I have included the following e-mail correspondence which demonstrates that we were working with our neighbors to arrive at a reasonable design as we progressed from Design 1B into Design 1C.

From: DrVictoriaRadel@cs.com [mailto:DrVictoriaRadel@cs.com]
Sent: Wednesday, July 15, 2009 3:48 PM
To: jim@delurgio.com; betsy@delurgio.com
Cc: lattey@sbcglobal.net; glodan@torrnet.com; DrVictoriaRadel@cs.com
Subject: Re: Revised design

Dear Jim and Betsy:
Peter and I feel very good about the civility of our meeting last Sunday as well. It bodes well for ongoing positive dialogue and a fair resolution for all concerned. Unfortunately neither of us are available on tomorrow Thursday due to prior commitments. We can avail ourselves for Friday, July 17, after work Peter will be here by 6:30pm or Saturday afternoon 2-4:30pm or Sunday after church commitments, at 1:30pm or later. Which of these options works best for you?
Once we agree on a time I will contact Cindy to check her availability as well.
Respectfully,
Vicki Radel

From: Jim Delurgio [mailto:jim@delurgio.com]
Sent: Tuesday, July 14, 2009 9:27 PM
To: Vicki Radel (drvictoriaradel@cs.com); Peter Latttey (peter.lattey@aecom.com)
Cc: Betsy Delurgio (betsy@delurgio.com); Greg Lodan (glodan@torrnet.com)
Subject: Revised design

Thank you for meeting with us last Sunday to review our plans and share with us specific concerns on our proposed design. Peter, it was great to meet you, your input

on the project was very useful, and helped keep our conversation on track and productive.

I think that we should all be proud of ourselves for what we accomplished through the review and discussion last Sunday. These are difficult conversations to have, as we both need to compromise over our conflicting interests with regard to the development of our property. We are doing our city and our community a great service by getting together and doing our best to work it out without unnecessarily tying up city resources, and putting our neighborhood through endless hearings over what should be resolved in private between neighbors.

I met with our architect yesterday to make the suggested revisions as we had discussed with you and Cindy Constantino. We believe that we have come up with a workable solution which tucks a 1st story accessory structure into the back corner of our property below the slope of your primary view which goes across our property, thereby shifting some of the 1st story mass into a "hidden" corner of our property.

Key changes that we have made in this revised design:

- Moved the Art Studio, our Home Office, and a Pool Bath/Dressing Room from our main home into a detached accessory structure.
- Tucked the new structure into the rear corner closest to your property, with an expectation that we can design a low ridge height for a roof that will fit in with the design of our main house.
- Shifted the Family Room area to the west by 15 feet, changing it to a much smaller game room only.
- Reduced the mass of the 2nd story in the northeast corner so that it is set much further to the west.
- Switched our Master Bedroom to face the front of the house toward our cul-de-sac rather than toward our yard and pool area due to privacy concerns.

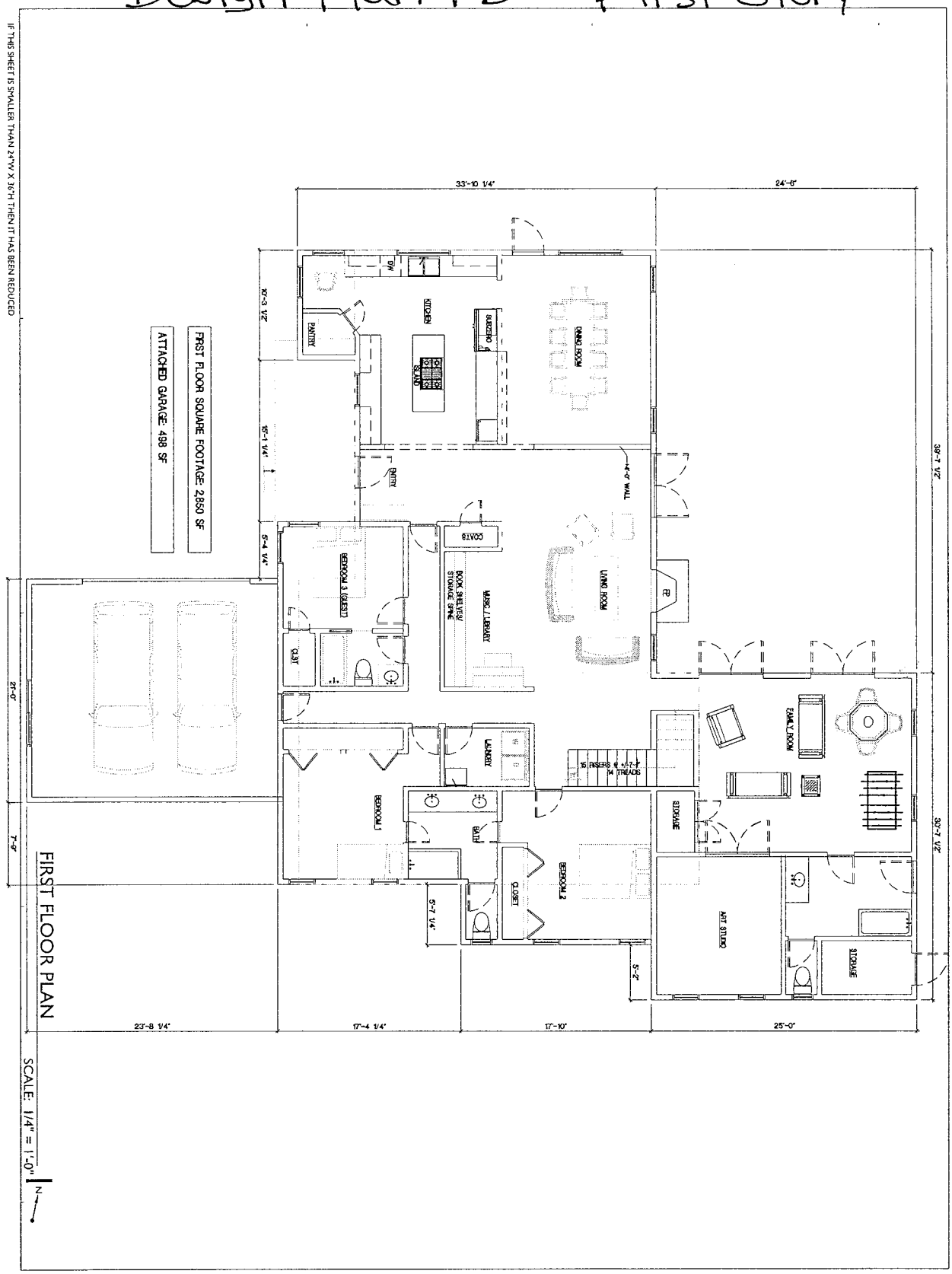
We would like to meet with you and our architect briefly on Thursday if you are available, we can meet anytime on Thursday - day or evening based on your availability, please let us know a time that will work for you.

During the proposed meeting we would like to quickly run through our proposed significant revision (rough drawings), using the same method we had used the other day, and would like to measure to establish an appropriate and agreeable roof ridge height for the accessory structure based on the angle of your primary ocean view across our property (measuring this will be easier than repeatedly testing for various proposed roof heights, and then checking with you).

Thanks again for taking the time to work with us, I feel much better about the way things are going right now. If we continue to make progress toward a reasonable design, we will certainly become a great example of how neighbors can and should work through their opposing interests while living in a Hillside Overlay area of Torrance.

Jim Delurgio

Design Plan 1B - First Story



DRAWINGS ISSUED	
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SCHEMATIC DESIGN	June 16, 2009
SCHEMATIC DESIGN	June 26, 2009
SCALE: AS NOTED	
SHEET: 2 OF X	
PLOT DATE:	June 26, 2009
SHEET NAME	
FIRST FLOOR PLAN	
SHEET NUMBER	
A-2.0	

LICENSED ARCHITECT
ANNE MARIE KAUFMAN
C-30875
REN. 12/31/09
STATE OF CALIFORNIA

DELURGIO RESIDENCE
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Design Plan 1B - Second Story

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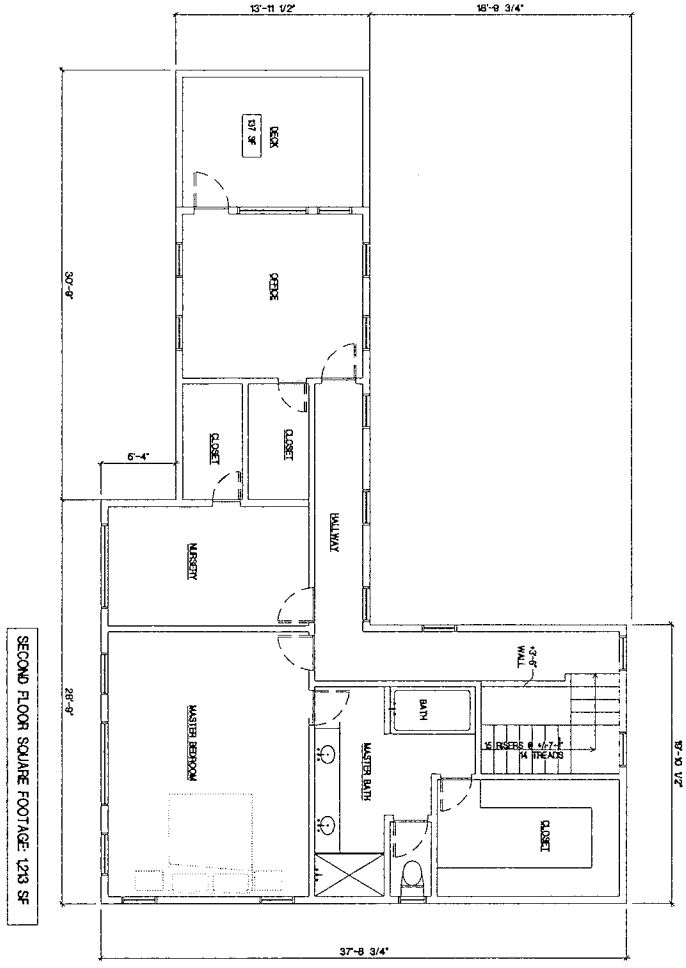

SECOND FLOOR SQUARE FOOTAGE: 1213 SF

SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"

N

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SHEET NAME

SECOND FLOOR PLAN

SHEET NUMBER

A-2.1

LICENSED ARCHITECT ANNE MARIE KAUFMAN C-30875 REN. 12/31/09 STATE OF CALIFORNIA

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Design Plan 1C

Change Summary

Through collaborative design effort with our two neighbors who enjoy the most significant view through our property, we ended up shifting some non-living functional areas to a detached accessory structure with an extremely low ridge height which allows these neighbors to retain their view through the undeveloped portion of our property.

Change Details

- Moved the Art Studio, our Home Office, and a Pool Bath/Dressing Room from our main home into a detached accessory structure.
- Tucked the new structure into the rear corner closest to your property, with an expectation that we can design a low ridge height for a roof that will fit in with the design of our main house.
- Shifted the Family Room area to the west by 15 feet, changing it to a much smaller game room only.
- Reduced the mass of the 2nd story in the northeast corner so that it is set much further to the west.
- Switched our Master Bedroom to face the front of the house toward our cul-de-sac rather than toward our yard and pool area due to privacy concerns.

Review notes

Appreciation was expressed by our neighbors for our design which preserved the entirety of the significant ocean view, and reduced any privacy concerns which had been expressed to us.

No significant concerns expressed or observed from neighbors to the north.

No concerns either expressed or observed from neighbors to the south.

No concern expressed or observed from neighbors to the southwest.

After the silhouette for Design 1C was constructed and certified

"Blue Sky" view and Massing concern from both neighbors to the east. This massing and Blue Sky view obstruction was expected and communicated as we were shifting mass upward and toward the center of our property in order to preserve the Primary Ocean views.

Concern regarding the foliage on our property, which had already been discussed, as well as a new airflow concern expressed from Vicki Radel, 515 Camino de Encanto, was included in an email addressed to us and the entire City Council. This is the point where reasonable communication began to break down. These email communications are included below:

From: Jim Delurgio <jdelurgio@socal.rr.com>
Sent: Monday, August 31, 2009 2:25 AM
To: DrVictoriaRadel@cs.com <DrVictoriaRadel@cs.com>
Cc: lattey@sbcglobal.net <lattey@sbcglobal.net>; Scotto, Frank <FScotto@TorranceCA.gov>; Scotto, Frank <FScotto@TorranceCA.gov>; Barnett, Gene <GBARNETT@TorranceCA.gov>; Furey, Pat <PFurey@TorranceCA.gov>; Numark, Cliff

<CNumark@TorranceCA.gov>; Rhilinger, Susan <SRhilinger@TorranceCA.gov>; Sutherland, Bill <BSutherland@TorranceCA.gov>; dradel@stanfordalumni.org <dradel@stanfordalumni.org>; clbc7@hotmail.com <clbc7@hotmail.com>; betsy@delurgio.com <betsy@delurgio.com>; Lodan, Gregg <GLODAN@TorranceCA.gov>
Subject: RE: Delurgio design's impact on 515 Camino de Encanto, 90277

Dear Vicki,

I had to go to the middle east (on 18 hours notice) the day that the silhouette construction started and unfortunately have not been able to see the silhouette since it has been erected. I expect to return this Friday.

We have been careful to design a home that has the least impact on neighboring properties, and believe that including a second story in our design allows us to achieve the square footage desired without the least impact on views, air, light and privacy. The 2nd story may unfortunately obstruct a small portion of your "blue sky view", but was designed specifically to not obstruct any significant portion of your ocean view. The footprint of the 2nd story is the same as what we had reviewed earlier, but we of course did not have the benefit of the silhouette during that last review to determine precisely the impact our 2nd story may have. We would be glad to come take a look from your perspective after I return on Friday.

We have taken into consideration your fiance's suggestion for an "east wing", but as we stated during our earlier meeting, we feel that primary living areas arranged in such a manner would not be suitable for how we choose to live as a family in our new home. Supervision of our children from such a wing extension would be difficult, and the floor plan would be challenging and undesirable. Peter's idea for pushing out the structure into that portion of the lot revitalized a detached accessory structure concept that we have incorporated into our current design. This area incorporates rooms from our initial design into an area that will not block anybody's view (extremely low ridge height). Tucking this portion of our development down low into that corner of our property would work well given the topography of our lot and neighborhood. Shifting non-living functional areas (Art/Craft studio, home office, and a pool bathroom) from our initial design into this detached structure is a compromise we found acceptable after reviewing earlier designs with you, and appears to work well within our design.

The size of our accessory structure is very limited due to the way that the building code works with our unique lot dimensions. We are limited to only 679 square feet, even though we have an enormous lot! We have worked hard to put together a conforming plan, and I support the city's determination to limit the size of accessory structures in order to prevent people from building 2nd units in R-1 areas of Torrance. It is our intention to not ask for any waivers or variances in our proposal to develop and enjoy a reasonably sized home.

With regard to your concern over air-flow, I would like to point out that our proposed 2nd story is 55 feet away. It does not seem possible that our structure would have a significant impact on air circulation from that distance. Your concern over this matter will likely require a determination by the Planning Commission and/or the City Council during our precise plan hearing. Our design intentionally keeps our structure far away from neighboring properties in order to mitigate the concerns expressed (including yours) over privacy, light and air-flow. I have watched many overlay hearings in order to better understand how these subjective rules are interpreted and I do not believe that they could possibly apply to our situation. The distance for which you are concerned with regard to air-flow is approximately the same as the typical lot width in our area.

We have gone to great lengths to understand and design around our neighbors concerns, and appreciate the dialog that you have had with us regarding our recent design concept drawings and plans. Would Friday afternoon or evening work for you to have Betsy and I come over and take a look from your perspective now that the silhouette is up?

Jim Delurgio

From: DrVictoriaRadel@cs.com [mailto:DrVictoriaRadel@cs.com]
Sent: Monday, August 31, 2009 6:22 AM
To: jim@delurgio.com; betsy@delurgio.com; glodan@torrnet.com
Cc: lattey@sbcglobal.net; DrVictoriaRadel@cs.com; fscotto@torrnet.com; FScotto@TorranceCA.gov; GBarnett@TorranceCA.gov; PFurey@TorranceCA.gov; CNumark@TorranceCA.gov; SRhilinger@TorranceCA.gov; BSutherland@TorranceCA.gov; dradel@stanfordalumni.org; clbc7@hotmail.com
Subject: Delurgio design's impact on 515 Camino de Encanto, 90277

Dear Jim and Betsy:

I reiterate that it has been a pleasure getting to know you both better and I hope we can continue to have an open positive dialogue.

In all due respect, as we now see the red flag silhouette outline of the proposed add-on it is a far larger footprint for the second story than we had envisioned and it looms higher than I thought it would be as well. At this point I have real concerns about both "air flow" and "blue water view."

As I explained to you when we last met, you have already taken a good part of my "blue water view" away by allowing the green shrubbery to grow out of control on the North west corner of your property. Therefore I am not content with the "additional blue water view" the lower addition silhouette takes away. I think we could come to a compromise on that issue if you will, as Betsy indicated, remove those bushes in the North west corner to restore what the lower proposed structure takes away.

I respectfully remind you that I bought the house 38 years ago for the "air flow" (I have asthma and at times difficulty breathing, thus intentionally bought ocean breeze friendly real estate) along with the "blue water view" which I have enjoyed for nearly 4 decades. Your overgrown shrubbery has taken my original real estate "blue water view." I do not wish to loose any more of my view nor my breath of air to be taken away. I would like to work with you so that you can have a remodel that achieves this.

Peter, my architect fiance, has suggested you could wrap the single story further around the East boundary of your property rather than the massive second story. This could not only provide you with a courtyard home around your proposed pool but also give the new addition an ocean view.

Please come over and see for yourselves my concerns. Then let's work this out so that we do not waste the city's time, nor our own attending council meetings. I believe that we can set an example for others of how good neighbors can get along and come to civil agreement.

Sincerely,
Vicki Radel

Her communication of her concerns regarding our project to the entire City Council seem to indicate to us that she will try to use the common anti-development tactic of applying political pressure to influence the outcome of a determination regarding our conforming property development. This intent is further corroborated by her extensive effort to get many residents of our neighborhood to sign a petition against our proposed development rather than leaving that determination up to individual property

owners within the notification zone to deal with effectively through the existing precise plan of development hearing process.

As she stated to us before, she "will fight us if we try to build one square inch" it is clear to us that she will, despite the enormous effort we put forward in our design to preserve her ocean view.

From: Jim Delurgio [mailto:jim@delurgio.com]
Sent: Friday, October 02, 2009 2:03 AM
To: 'Cindy Constantino'
Cc: Betsy Delurgio (betsy@delurgio.com)
Subject: RE: your proposed project

We have gone to great lengths to work with all of our neighbors, and have made significant revisions and compromises in our plans to try to preserve the view from your property as well as the views from other nearby properties.

The topography and site placement of our existing structure does not support a subterranean garage. We have studied the feasibility of doing this, and such a design will not meet code due to the slope of the driveway unless we significantly raise the garage ridge height which would then obstruct views from other properties. It is simply not an option.

Even if it was feasible we would not want to build a subterranean structure for the following reasons:

- Significantly adds cost to our project.
- Reduces the appeal and livability of our home.
- Decreases the views from our property.
- Potential moisture and flooding problems.
- Removes much needed off-street parking.

We do not have plans for a wine cellar. We rarely drink wine, and such a feature has never been high on our priority list, particularly since we have given up over 1,220 square feet of living area from our initial design.

When I returned from the middle east on September 4th and came over to your house to view the silhouette from your perspective you stated that "it is just too big". I agreed that the mass of our design is definitely much larger than our existing little home. We understand that you are not used to seeing a house in the area indicated by our silhouette, and that you are opposed to us building anything at all. You must understand that we have property development rights, and that our proposed design is 42% smaller than code will allow and 30% smaller than the restrictive FAR suggested within the Hillside Overlay. We have significantly reduced the size of our design and placed it in the optimal position on our property to comply with the Hillside Overlay Ordinance.

You specifically called out the ridge height as a concern, but our proposed second story is four feet below code and is actually lower than the ridge height of your own home. While it is a little lower than the initial design, it appears a little bit higher than our initial guesstimate (prior to silhouette construction) but this difference will have a nominal impact on your blue sky and palm tree view (which will continue to grow). We were shocked that this has now become an issue when you know that we have worked so hard, and given up so much house size to preserve your ocean view.

Building in the north portion of our property would affect other primary mountain views from other neighbors on Paseo de la Playa, as well as the ocean view that we observed from Vicki Radel's home on Camino de Encanto, building in this area would impact your ocean view as well. But we agree with you that it would be the ideal location for a first story development.

The solar panels on our accessory structure are for heating our swimming pool. We are committed to minimizing the environmental impact of our home and solar panels are a great way to do so and we are sorry that you may not like their appearance. We were asked by the planning department manager to include them in our drawings even though we are not required to do so. We are trying to be open and honest in our communication of our plans, the last thing we want is for our neighbors to think that we snuck something by them during this process. A flat roof design on our accessory structure will actually impact views more significantly than our existing 3:12 roof pitch design, and a potential flat roof design would have an even greater impact with solar panels due to the required installation angle.

I have some diagrams that may help you to understand the design, view, and code constraints that we are working under.

Please call me or drop by if you have time to look at the diagrams. It may also help for you to observe the minimal slope of our lot in order to understand the complexity of any subterranean development options.

Jim Delurgio

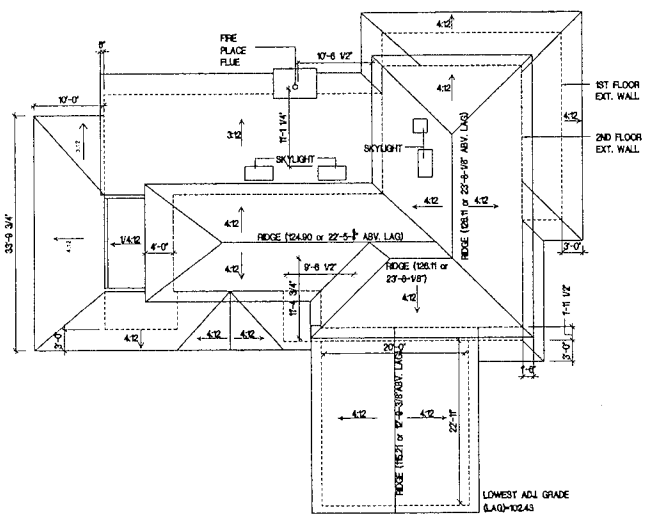
From: clbc7@hotmail.com
To: delurgio@socal.rr.com
Subject: your proposed project
Date: Thu, 1 Oct 2009 09:04:13 -0600

Hi Jim and Betsy,I know you feel you have somewhat tried to work with some of us on your plans. I just want to reiterate that the thought of not going subterranean for at least your garage and possible wine cellar, while maintaining your existing roofline,pushing structure allot further north and incorporating allot of windows on the north side to achieve the Queens Necklace view has been what I have suggested all along.As you stood in my living room while looking at your latest silhouettes, your remarks were "wow we didn't think it would be high enough to cover that one palm tree" and "it is quite a mass". I was glad to hear you say those two comments in hope of a revision. I have more concerns because you now have plans to place solar panels on top of yourr other structure which is directly below my wall, and I am sure they will be quite visable.I still feel a flat roof there would be best especially if you want these panels now .

Thank You Cindy Constantino

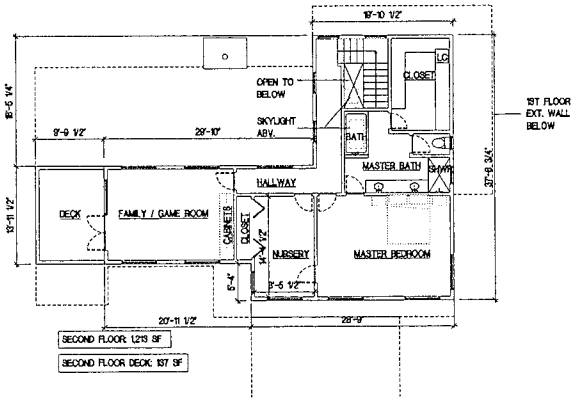
Design Tun 1C - First Story

184



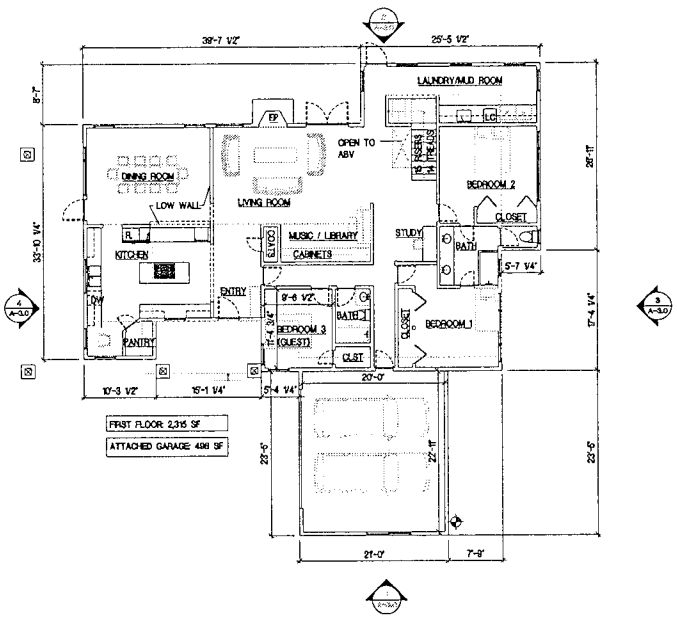
ROOF PLAN

SCALE: 1/8" = 1'-0"



SECOND FLOOR PLAN

SCALE: 1/8" = 1'-0"



FIRST FLOOR PLAN

SCALE: 1/8" = 1'-0"

IF THIS SHEET IS SMALLER THAN 24"W X 36"H THEN IT HAS BEEN REDUCED

AMK ARCHITECTURE
1744 Washington Way, Venice, CA 90291
tel: 310.482.9555
annemariekaufman@ca.rr.com

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ANNE MARIE KAUFMAN, ARCHITECT ©

DELURGIO RESIDENCE
209 Via El Toro
Redondo Beach, CA 90277

LICENSED ARCHITECT
ANNE MARIE KAUFMAN
C-30875
REN. 12/31/09
STATE OF CALIFORNIA

DRAWINGS ISSUED	
ISSUED FOR	DATE
SCHEMATIC DESIGN	June 16, 2009
SCHEMATIC DESIGN	June 26, 2009
SCHEMATIC DESIGN	August 2, 2009
SCHEMATIC DESIGN	September 2, 2009

SCALE: AS NOTED

SHEET: 8 OF 10

PLOT DATE: September 12, 2009

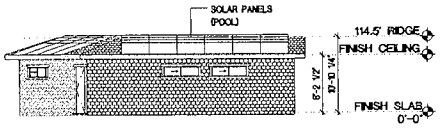
SHEET NAME

FIRST FLOOR, SECOND FLOOR AND ROOF PLANS

SHEET NUMBER

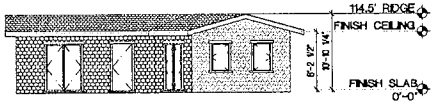
A-2.0

Design Plan 185 PC - Second Story



ACCESSORY BLDG: ELEVATION 6
SCALE: 1/8" = 1'-0"

ACCESSORY BLDG: ELEVATION 5
SCALE: 1/8" = 1'-0"



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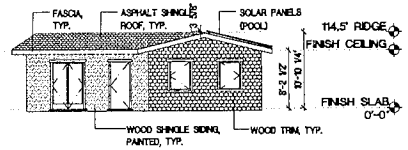

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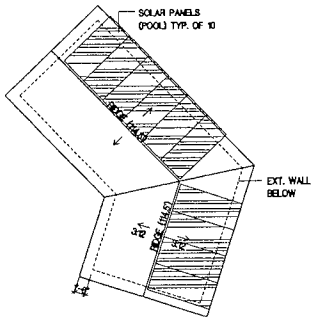
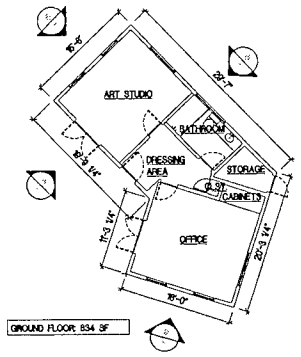


ACCESSORY BLDG: ROOF PLAN 2
SCALE: 1/8" = 1'-0"



ACCESSORY BLDG: FIRST FLOOR PLAN 1
SCALE: 1/8" = 1'-0"

IF THIS SHEET IS SMALLER THAN 24"W X 36"H THEN IT HAS BEEN REDUCED

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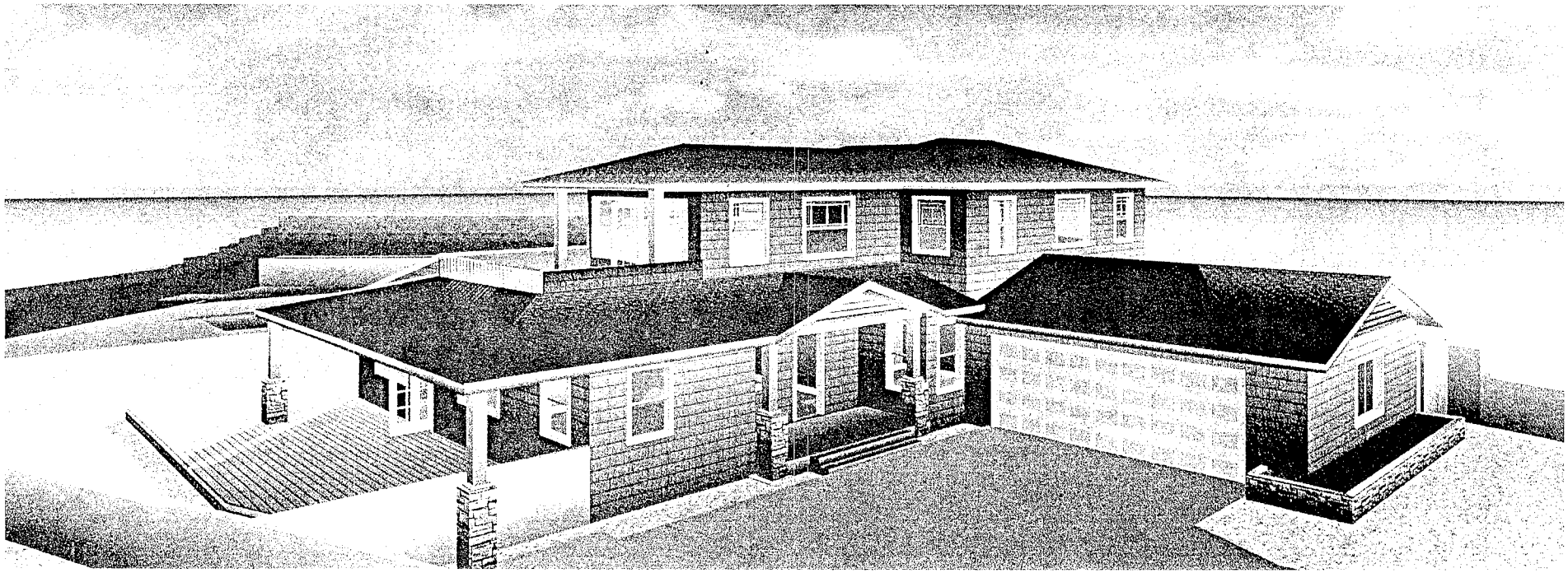
ANNE MARIE KAUFMAN, ARCHITECT ©

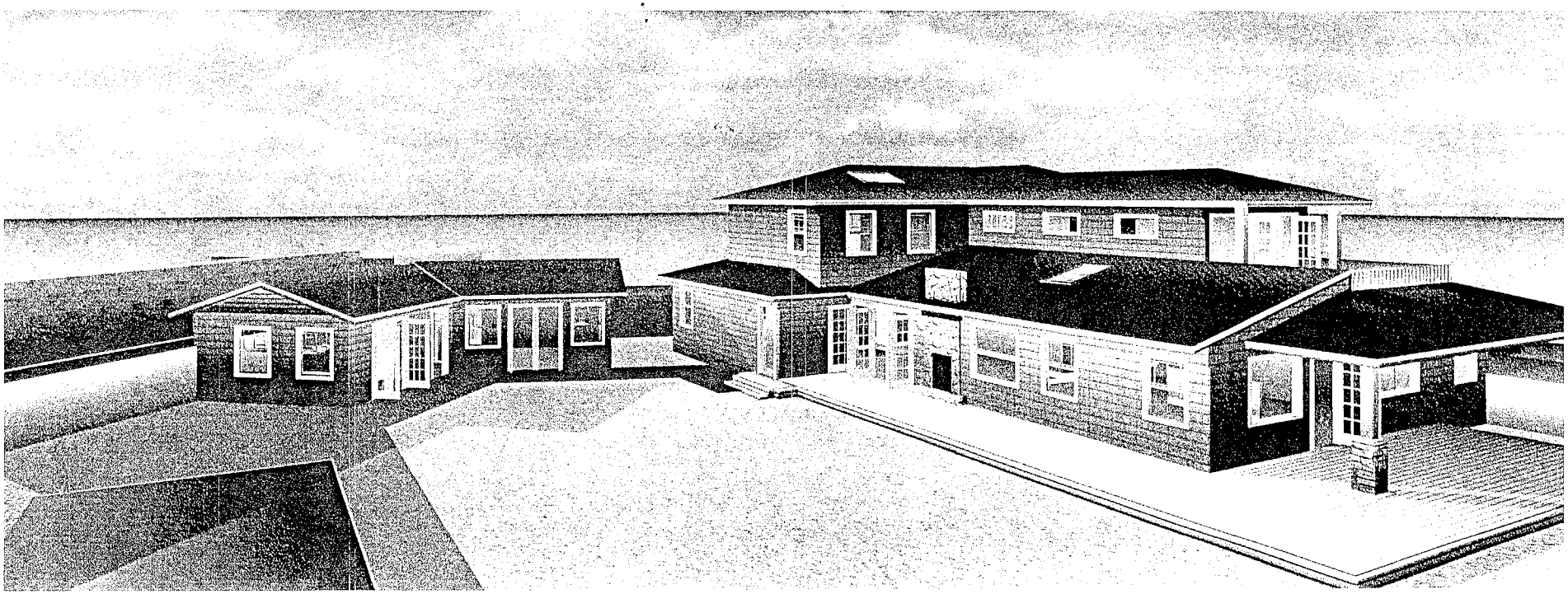
DELURGIO RESIDENCE
209 Via El Toro
Redondo Beach, CA 90277

LICENSED ARCHITECT
ANNE MARIE KAUFMAN
C-30875
REN. 12/31/09
STATE OF CALIFORNIA

DRAWINGS ISSUED	
ISSUED FOR	DATE
SCHEMATIC DESIGN	June 16, 2009
SCHEMATIC DESIGN	June 26, 2009
SCHEMATIC DESIGN	August 2, 2009
SCHEMATIC DESIGN	September 2, 2009
SCHEMATIC DESIGN	September 12, 2009
SCALE: AS NOTED	
SHEET: 9 OF 10	
PLOT DATE :	September 12, 2009
SHEET NAME	
ACCESSORY BLDG PLANS & ELEVATIONS	
SHEET NUMBER	
A-2.1	

Proposed Remodel - 209 Via el Toro





SUPPLEMENTAL #1 TO AGENDA ITEM 11C

TO: Members of the Planning Commission

FROM: Development Review Division

SUBJECT: PRE09-00007 JIM & BETSY DELURGIO

LOCATION: 209 Via el Toro

The attached correspondence was received subsequent to the preparation of the agenda item.

Staff notes that on Page 3 of the staff report, the last sentence should read as follows: "Findings of fact in support of denial without prejudice of the precise plan are set forth in the attached Resolution."

Staff continues to recommend denial without prejudice of the project.

Prepared by,

Oscar Martinez
Planning Associate

Respectfully submitted,

Gregg D. Lodan, AICP
Planning Manager

ATTACHMENTS

1. Correspondence

Martinez, Oscar

From: Barry Garrabrant [bg@torrancebeach.com]
Sent: Sunday, November 01, 2009 6:10 PM
To: Martinez, Oscar
Subject: 209 Via el Toro

Planning associate,
I have been visited by 2 planning commission representatives regarding the planned remodel at 209 Via El Toro. I have no issues with the planned remodel.
Barry Garrabrant
205 Via El Toro

Martinez, Oscar

From: Chris Jensen [ccjmd@hotmail.com]
Sent: Monday, November 02, 2009 10:07 PM
To: Lodan, Gregg; Martinez, Oscar
Subject: 209 Via El Toro precise plan hearing November 4th

Dear Mr. Lodan and Mr. Martinez,

I am not able to attend the hearing regarding, PRE09-00007: JIM & BETSY DELURGIO. I am their neighbor to the back at 210 Calle de Sirenas on a small lot with a small historic single story hillside bungalow.

Jim and Betsy generously invited me to their home to present the remodel plans and they have visited my home to see the silhouette from my property. We discussed the plans extensively including their reasons for the type of remodel they chose, the efforts they have made to inform their neighbors and the challenges they face. I understand their need to expand to make a comfortable home and yard for their family and I understand their want to do this as a second story addition. I have also spoken to all of my neighbors about the remodel.

In this context, I would like to offer my thoughts.

I support a single story remodel at 209 Via El Toro. I have concerns about a second story addition. While the impact is small, the silhouette is very visible from my front yard, east side yard and back windows. The silhouette casts an imposing presence over my house as seen when one drives up to my property and when one faces south along the east side of my property. It significantly changes the presentation of my home as seen from the street. It gives a different feel to the area like you might get in one of our neighboring beach cities to the north.

Unlike the actual construction, the silhouette does not block light or air, does not significantly block sight lines and does not impact the privacy of other properties in the vicinity. Therefore, it is difficult to get a feel for how my property will actually be impacted. Silhouettes do not accurately represent what a structure will do to the surroundings and therefore they do not fully inform or fully disclose impacts.

I fear that the new views from a second story addition at 209 Via El Toro could be used as a justification for limiting any future development I may consider, either single or second story.

My concerns are written with apprehension and regret because the current process of hearings pits neighbor against neighbor, promotes ill will, encourages hostile behavior and can result in litigation. In short, it is detrimental to our community. I do not want this kind of conflict with my neighbor. At the same time I am forced to represent my interests in this forum.

Thank you for your consideration,

Chris Jensen
210 Calle de Sirenas

Hotmail: Trusted email with powerful SPAM protection. Sign up now.

Roberta Blowers
621 Camino de Encanto
Redondo Beach, CA 90277

NOV 0 3 2009

Most people want to be good neighbors and follow the Hillside Overlay Ordinance as it is written. Some people are aware of the Hillside Overlay Ordinance when they buy a home within the ordinance zone, others may not be or just do not understand it well. In the case of Mr. Delurgio, when he bought his home at **209 Via El Toro** in October of 2005, he was very much aware of the Ordinance. I knew the seller's real estate agent representing the sale of this home for quite some time at the time of the sale of this home. This agent and I spoke on quite a few occasions about Mr. Delurgio's decision on purchasing this property. This agent told me that Mr. Delurgio was well informed of the Ordinance. Mr. Delurgio decided before he bought this property, to go to the neighbors homes near the property to visualize and get first hand knowledge as to what limitations he would have on remodeling and or expanding this home. I confirmed with the neighbors that he in fact did so in 2005 just before purchasing the home and expressed that almost any building or expansion of this home would have an adverse impact on these neighbors.

Then in 2007, he approached one of his back yard neighbors, Cindy Constantino, who lives at 513 Camino de Encanto, and asked if she would sign his plans to build on his property, and Cindy told him that if he planned on going up or blocking her view or causing privacy issues that she would not sign. Since his plans were to add a second story on top of his home, she did not sign. Then just after this, Mr. Delurgio planted fast growing trees that obstructed the Kusion family's ocean views from their home at 523 Camino de Encanto and then asked the Kusion's to sign his plans for a second story. The trees were planted right where the second story was already planned to be built, which you can see currently where these trees clearly fall inside of the silhouettes presently there now.

In July of this year, Mr. and Mrs. Delurgio met with some of the immediate neighbors; Vicki Radel, Peter Lattey who live at 515 Camino de Encanto, Cindy Constantino who lives at 513 Camino de Encanto and me to discuss his options. During this meeting, Mr. Delurgio and his wife placed a self-constructed pole that was 14 feet high in their yard at 209 Via El Toro and moved it to various places in his yard so that he and his wife, the neighbors and myself could view the impacts from these neighbor's homes and the result was made obvious that adverse ocean view impacts to these neighbor's homes would be caused if a single story 14 foot high expansion of his existing home into his back yard would be built. Even Mr. Delurgio himself said that no expansion of his home into his back yard would work. Peter Lattey, an architect, suggested at this meeting to design a wing. This wing that was suggested to Mr. Delurgio was somewhat similar to how Mr. Delurgio's current projected accessory building sits now except the suggestion was with a flat roof and longer into the depth of his back yard and connected to his

home, just as long as it w. built at the same level as the cur. t pad that his house is sitting on and kept a flat roof and not high ceilings. The second story was also discussed again and opposed by the neighbors. Mr. Delurgio also told us at this meeting that he had met with the Mayor concerning his addition, and the Mayor had told him to build subterranean. When I asked Mr. Delurgio at this meeting what were his reasons that he was not building subterranean, he said that it would cost him $80,000 and his wife said that they do not like living that way. These reasons do not add up to that denial of this project would cause an unreasonable hardship when you apply the Ordinance section 91.41.10, Limitation on Increases in Height. The Delurgios current and or future projects should not be allowed to go any higher than their existing roofline and should not allow the existing home to be expanded directly into their back yard as confirmed by this 14 foot test, except possibly the discussed specifically placed wing or accessory building with a flat roof and low ceiling height.

I have included an enlarged page of the notification circle and some of the neighboring homes just outside of the circle. On this page, I have drafted out what this neighborhood consists of in the way of single story homes, subterranean homes, pre-ordinance second story homes and after ordinance non subterranean second story homes. Determined from my research, out of approximately 150 homes, the majority of homes in this neighborhood are single story homes along with some pre-ordinance second story homes and a few subterranean second story homes. Only 3 homes were possibly after ordinance, non subterranean second story homes, of which one second story is very small and angled to accommodate any adverse impacts. This project at 209 Via El Toro is not in harmony with this neighborhood. As you can also see by the numerous petition signatures in opposition of this case, this neighborhood does not believe that this house follows the Ordinance as it was written and is opposed to this project.

I believe in order to be a good neighbor you should follow the Hillside Overlay Ordinance when designing a project and you should maintain your landscape to prevent adverse view impacts. I and most of the neighbors in this neighborhood and neighbors that live in the Ordinance zone that I have spoken to are not against development and remodeling of the homes in the area. We are only opposed to development that does not comply with the Hillside Overlay Ordinance. I have viewed the silhouettes from many of the homes on Camino de Encanto and believe that this project does not follow the guidelines of the Hillside Overlay Ordinance. This project would cause adverse impacts, mostly due to privacy and view impacts, to the nearby neighbors. This project is not located, planned and designed so as to cause the least intrusion on the views, light, air and privacy of the other properties in the vicinity. The applicant has the burden of proving that all the requirements of the Ordinance have been met and I believe that the applicant has failed to do so. As such, I am opposed to this project.

Roberta Blowers

OCEAN
PASEO DE LA PLAYA
CAMINO DE ENCANTO
CALLE DE SIRENAS
VISTA DEL SOL
PASEO DE SUENOS
PALOS VERDES
PASEO DE LOS REYES
VIA MALAGA
1 = Single Story
2PD = pre-ordinance 2ND Story
5 = subterranean 2ND Story
AO = After Ordinance (non-subterranean) 2ND Story

Martinez, Oscar

From: Dan Mullin [dan.mullin@verizon.net]
Sent: Tuesday, November 03, 2009 2:00 PM
To: Martinez, Oscar
Cc: Lodan, Gregg
Subject: 209 Via el Toro support

Dear Planning Commissioners,,

My name is Dan Mullin and I live at 505 Paseo de Playa which is within the notification area of the proposed remodel at 209 Via el Toro in the Hillside Overlay area. I strongly support this project and hope you will too.

I am an active real estate agent have lived and worked the South Bay area for 20 years and have sold many homes in the Riviera and homes west of PV Blvd. I represented buyer or sellers at 615 Camino de Encanto, 505 Paseo de la Playa, 417 Paseo de la Playa , 421 Paseo de la Playa, 211 Calle de Sirenas, and 208 Via el Toro.

It is my opinion this remodel will be great for the overall property values in our neighborhood. Currently 209 Via El Toro is one the the homes in our neighborhood that is need of a remodel. A well designed two story home that meets all the cities building requirements would improve the look and value and be in harmony with our neighborhood. This tastefully designed remodel that conforms with the principles of the Hillside Overlay shows a pride of ownership and commitment to the Torrance community.

I have watched as the Delurgios's have reached out and tried to include the neighbors in the planning process. I have also seen the neighborhood mob turn against them. This mentality divides the neighborhood and drives quality citizens out of our city and up to the Peninsula. I know. I have represented some of them in their moves and I know their leaving our city is a loss for our city.

Generally I don't express opinions about property owners projects in the Hillside Overlay for fear it may upset potential future clients however I have reached a breaking point watching the ridiculous and untrue arguments that people make to keep projects that better our neighborhood from being built. I am also tired of the same people who live outside subject property's area get up and oppose nearly every project for the sake of opposing development. The Guzman's project up our street is a classic example of untrue arguments to kill a project. The arguments I heard against the project were often comical. The new home the Guzman's are building will be an asset to our neighborhood and to our property values as will the Delurgio's. Please support this project.

Dan Mullin
Remax Palos Verdes/Execs
310 871-3058
www.danmullin.com

TO: Torrance Planning Commission

Date: 11-2-09

NOV 03 2009
CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPT.

From: Homeowners in the Hollywood Riviera

WE THE UNDERSIGNED HOMEOWNERS AND OCCUPANTS STRONGLY OBJECT TO THE PROPOSED SECOND STORY ADDITION TO THE RESIDENTIAL PROPERTY LOCATED AT 209 VIA EL TORO, REDONDO BEACH, CALIFORNIA (LOCATED IN THE CITY OF TORRANCE). THIS ADDITION/REMODEL CLEARLY VIOLATES THE HILLSIDE OVERLAY ORDINANCE BY BLOCKING VIEWS OF MANY PROPERTIES, INFRINGING ON THE LIGHT, AIR AND PRIVACY OF EXISTING PROPERTIES.

NAME	PROPERTY ADDRESS	SIGNATURE
LORRAINE MARCONE	505 CAMINO DE ENCANTO	Lorraine Marcone
JOHN MARCONE	505 CAMINO DE ENCANTO	John A. Marcone
Karen Handsaker	213 Calle de Sirena	Karen Handsaker
THOMAS HANDSAKER	213 CALLE DE SIRENA	Thomas Handsaker
Barbara Shoemaker	503 Camino de Encanto	Barbara Shoemaker

Date: 11-2-05

From: Homeowners in the Hollywood Riviera

WE THE UNDERSIGNED HOMEOWNERS AND OCCUPANTS STRONGLY OBJECT TO THE PROPOSED SECOND STORY ADDITION TO THE RESIDENTIAL PROPERTY LOCATED AT 209 VIA EL TORO, REDONDO BEACH, CALIFORNIA (LOCATED IN THE CITY OF TORRANCE). THIS ADDITION/REMODEL CLEARLY VIOLATES THE HILLSIDE OVERLAY ORDINANCE BY BLOCKING VIEWS OF MANY PROPERTIES, INFRINGING ON THE LIGHT, AIR AND PRIVACY OF EXISTING PROPERTIES.

NAME	PROPERTY ADDRESS	SIGNATURE
Natalie Kelterborn	113 Vista del Sol, RB CA 90277	Natalie Kelterborn
MICHAEL CONSTANTINO	113 VISTA DEL SOL, RB 90277	MA Constantino
Pamela Kelterborn	113 Vista del Sol RB 90277	
Vanessa Kelterborn	113 Vista del Sol RB 90277	

TO: Torrance Planning Commission

Date: 10/21/09

From: Homeowners in the Hollywood Riviera

WE THE UNDERSIGNED HOMEOWNERS AND OCCUPANTS STRONGLY OBJECT TO THE PROPOSED SECOND STORY ADDITION TO THE RESIDENTIAL PROPERTY LOCATED AT 209 VIA EL TORO, REDONDO BEACH, CALIFORNIA (LOCATED IN THE CITY OF TORRANCE). THIS ADDITION/REMODEL CLEARLY VIOLATES THE HILLSIDE OVERLAY ORDINANCE BY BLOCKING VIEWS OF MANY PROPERTIES, INFRINGING ON THE LIGHT, AIR AND PRIVACY OF EXISTING PROPERTIES.

NAME	PROPERTY ADDRESS	SIGNATURE
Sheri + Ramzi Ghaby	509 Camino de Encanto Redondo Beach, CA	
ELKE ROLFES	508 CAMINO DE ENCANTO RED. BEACH, CA 90277	
RAMZI GHABY	509 CAMINO DE ENCANTO REDONDO BEACH, CA	

TO: Torrance Planning Commission

Date: 11-2-09

From: Homeowners in the Hollywood Riviera

WE THE UNDERSIGNED HOMEOWNERS AND OCCUPANTS STRONGLY OBJECT TO THE PROPOSED SECOND STORY ADDITION TO THE RESIDENTIAL PROPERTY LOCATED AT 209 VIA EL TORO, REDONDO BEACH, CALIFORNIA (LOCATED IN THE CITY OF TORRANCE). THIS ADDITION/REMODEL CLEARLY VIOLATES THE HILLSIDE OVERLAY ORDINANCE BY BLOCKING VIEWS OF MANY PROPERTIES, INFRINGING ON THE LIGHT, AIR AND PRIVACY OF EXISTING PROPERTIES.

NAME	PROPERTY ADDRESS	SIGNATURE
DEAN R. SPITTLE	609 CAMINO DE ENCANTO REDONDO BCH. CA. 90277	Dean R Spittle
Tina M. Spittle	609 Camino de Encanto Redondo Bch, CA 90277	Tina M Spittle

NOV 04 2009
CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPT.

City of Torrance
Community Development Department
3031 Torrance Blvd.
Torrance, CA 90503

November 4, 2009

Attn: Oscar Martinez, Planning Associate - omartinez@torranceca.gov

Re; 209 Via el Toro, Redondo Beach

My name is Deloris Becker and I live at 214 Calle de Sirenas. The south side of my back yard backs up to the property of Mr.and Mrs. Delurgio at 209 Via el Toro ..

The first notice I received from the Delurgio's in regards to their building an extension to their home was in October 2006. He also stopped by my house to discuss the plans. He also invited me (and neighbors) to come and review his plans for an addition to his house. I did not take him up on his invitation at the time since I was recovering from surgery.

The next letter I received was in June 2009 inviting the neighbors and me to come view the plans at his home or he could bring them by my house before the silhouette went up. I did go to their home and looked over the plans with Mr. Delurgio. I was mainly concerned about the distance between my property line and his new addition. . After reviewing the plans with Mr. Delurgio, I was satisfied with the distance from my property line and his new addition and also with the rest of the design plans. About a month later he told me he had another set of plans drawn up in an effort to accommodate some of the neighbors' concerns. This was all before the silhouette went up.

I feel the Delurgio's have been really diligent in notifying the neighbors and me of the progress of their intending remodeling.

I have lived in the same house for 43 years. In all that time there was nothing in that yard (now the Delurgio's yard) except over-grown bushes and some small trees. When the silhouette went up, it was quite a change and it took some getting use to. Frankly, I had expected the addition to infringe more on the surrounding space. It is a big lot and the house will not be as imposing as one would think. .

Their addition will have no impact on my view of the sky, (I have never had an ocean view from my back yard). There would be no privacy issue for me. No more than what I have from my neighbors on the left of me. In fact, once I am in the yard I would not see the house at all. I also think they have done an excellent job with the design of the addition and it will fit into the neighborhood just fine.

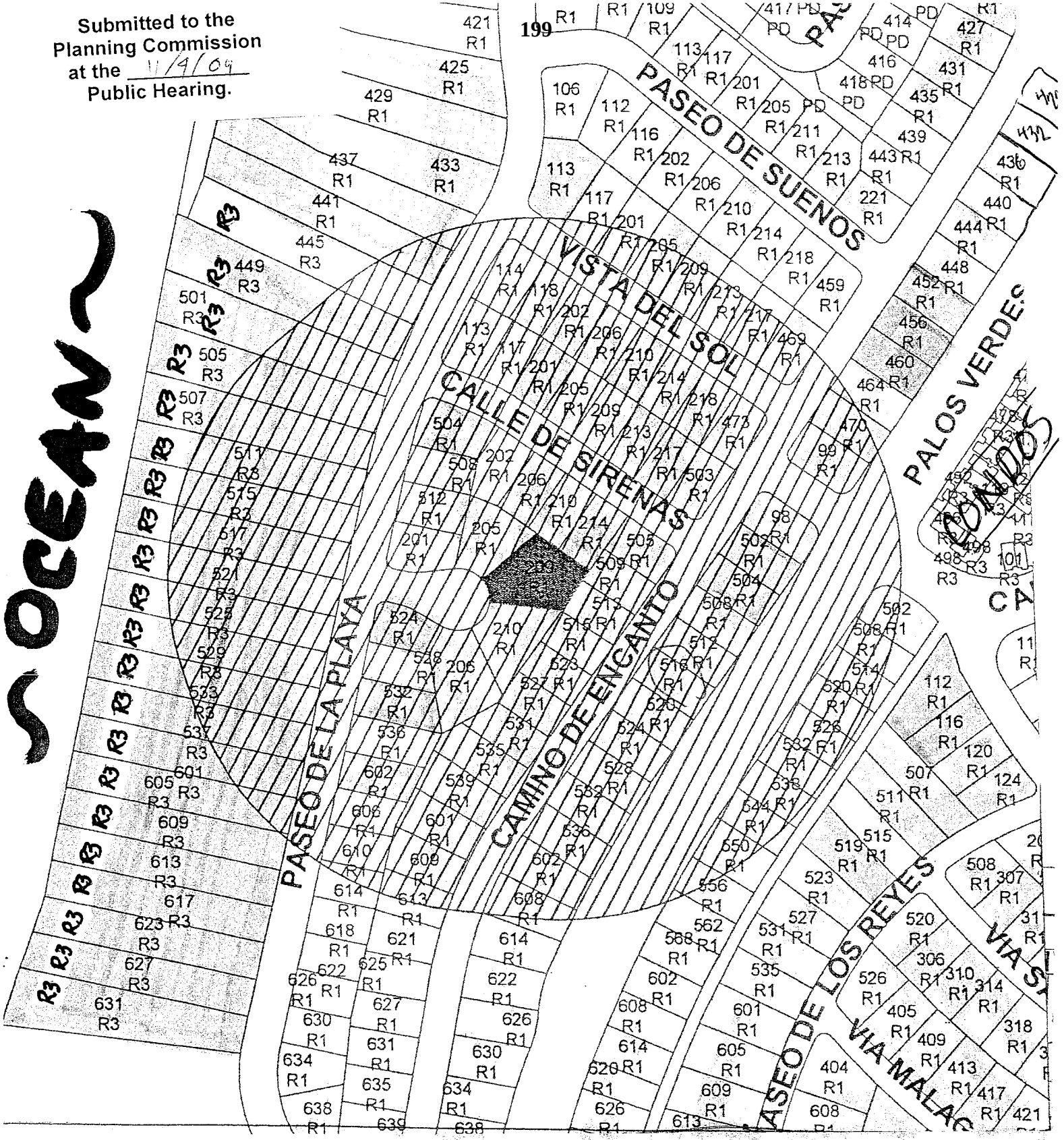
If I had my druthers, I would like to see NO CHANGES and NO MORE BUILDING in our area. However, I know that is not realistic! I believe that Mr. Delurgio has been sincere in his efforts to accommodate people's concerns about his remodeling. With the changes he has made to the original design of the addition, he has managed to stay within the allowed standards of the development. In fact he is below the allowed standards.

Thank you,

Deloris Becker

Deloris Becker
214 Calle de Sirenas
Redondo Beach, CA 90277
(310) 378-5170

Submitted to the
Planning Commission
at the 11/4/09
Public Hearing.



Attachment 12

PETER LATTEY ARCHITECT PMP
1545 Hauser Blvd., Los Angeles, CA, 90019-3900 USA Phone 310-968-3252 email: lattey@sbcglobal.net

November 4, 2009

209 VIA EL TORO APPLICATION

Ladies and gentlemen of the Planning Commission.

My name is Peter Lattey.

I am a resident of 515 Camino de Encanto.

I am a California licensed architect with over 30 years experience, much of it in residential architecture.

The proposed development will have the following effects on our home:

1. It will remove approximately 50% of the bluewater view that was there before the Delurgio's purchased the property.

2. It will almost completely block any view of the sky from the dining area and replace it with a large wall with windows looking directly into our dining area.

3. It will seriously affect the sky and ocean view from the living room.

The challenge of developing a property in this area is to take full advantage of the views and other features while minimizing the impact on the neighbors per the Hillside Overlay Ordinance. It is possible with a skilled designer to do this. Unfortunately, the design that Mr. Delurgio has submitted does not. It has significant impact on the neighbors and fails to take full advantage of the unique aspects of the site.

As I understand it Mr. Delurgio instructed his architect that the renovation was to have certain criteria. All of these reduce the possibility of minimizing impact and maximizing opportunities. He required that the design be:

1. a two story, craftsman style home,
2. without underground or subterranean portions and
3. have a pitched roof.

In other words, he directed his designer that the home be typical of that found in suburban tract homes on flat sites all over the country.

If the architect was removed from the design strait jacket imposed by these criteria, it would be feasible to create a development that met the intent of the Hillside Ordinance and provided the

Submitted to the Planning Commission at the 11/4/09 Public Hearing.

Delurgio's with the space they need. It could also be much improved from the current plans and enhance Delurgio's economic return on his investment.

Some of the ways the design could be enhanced while reducing the impact are:

1. Placing the garage below grade
2. Placing offices or other home work areas below grade with a courtyard adjacent to provide a workspace that has an abundance of light. A very nice example of this is at 410 ~~406~~ Paseo de la Playa.
3. Using a flat roof instead of a pitched roof to reduce the height of the building between 3 and 8 feet.
4. Creating a single story home around a courtyard or pool with portions of the development below grade.
5. Extending the home to the west of the site. This could be done with one story below grade with a courtyard and the typical 4' wall along this boundary.

In summary, I submit to the members of the Planning Commission the following points:

1. the proposed development significantly impacts the views and light of the neighbors
2. a better, well thought out design would greatly enhance both the Delurgio's investment and lessen the impact on their neighbors

Thank you for your attention and consideration of my comments.

Peter Lattey, PMP, RA, Leed AP,

It will negatively impact my airflow which due to asthma, is a medical concern: Even my MD after viewing silhouette proximity to my home readily wrote this note reflecting my need of adequate air flow for my health.

DEA # _____

NANCY CLARE GRIFFITH, M.D.
3701 SKYPARK DRIVE
SUITE 100
TORRANCE, CA 90505
(310) 378-2234 FAX: (310) 791-7994

NAME Vicki Radel

ADDRESS _____ DATE 9-24-09

℞ (Please Print)

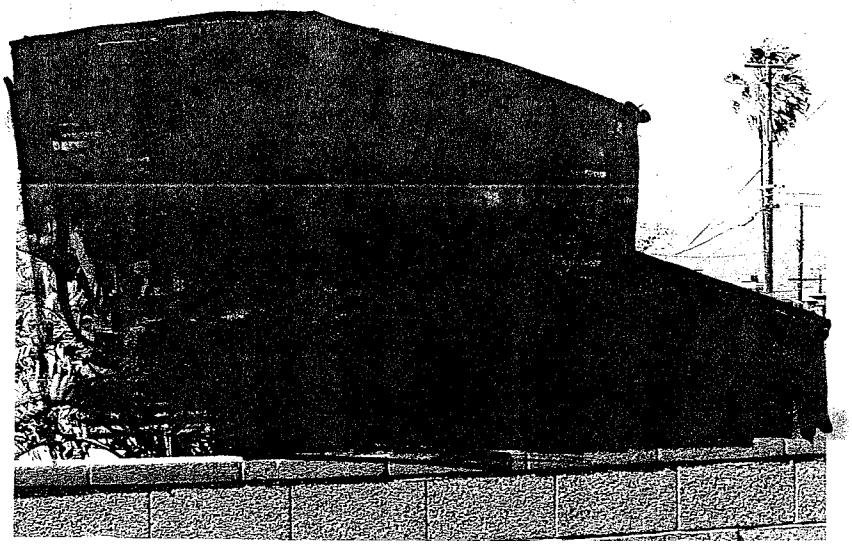
Vicki has asthma
and must have
adequate air flow
for her health

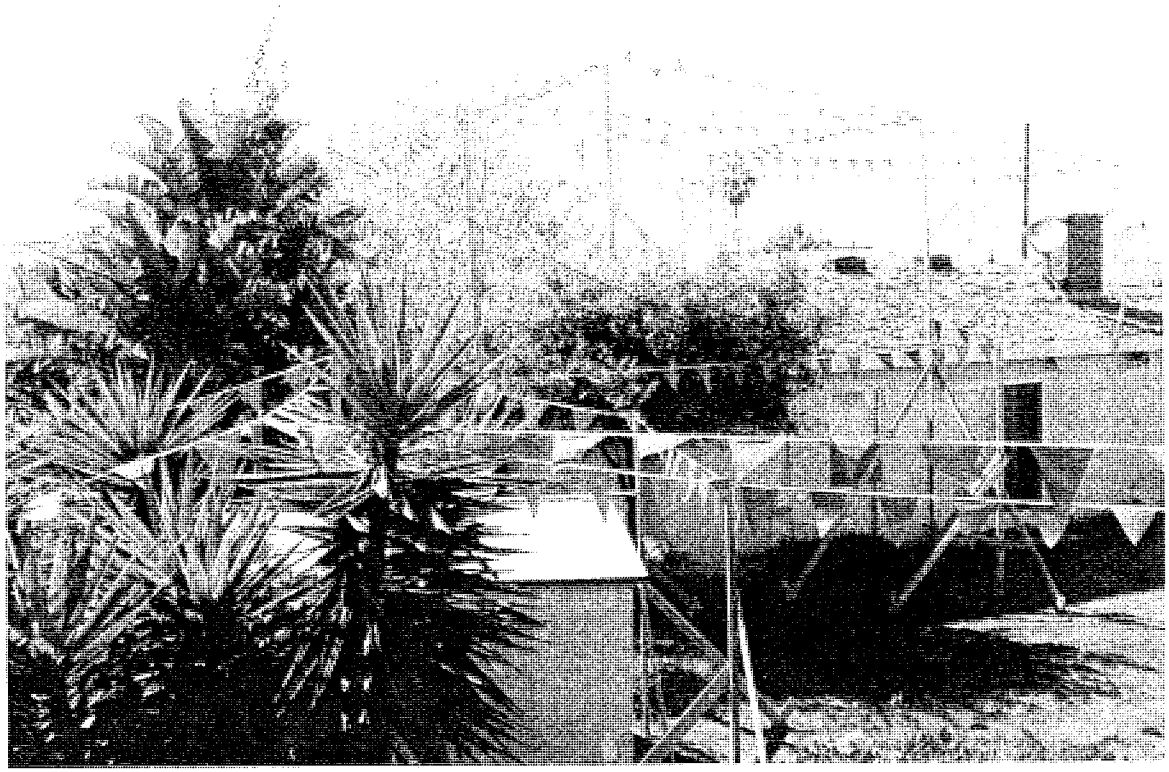
☐ LABEL

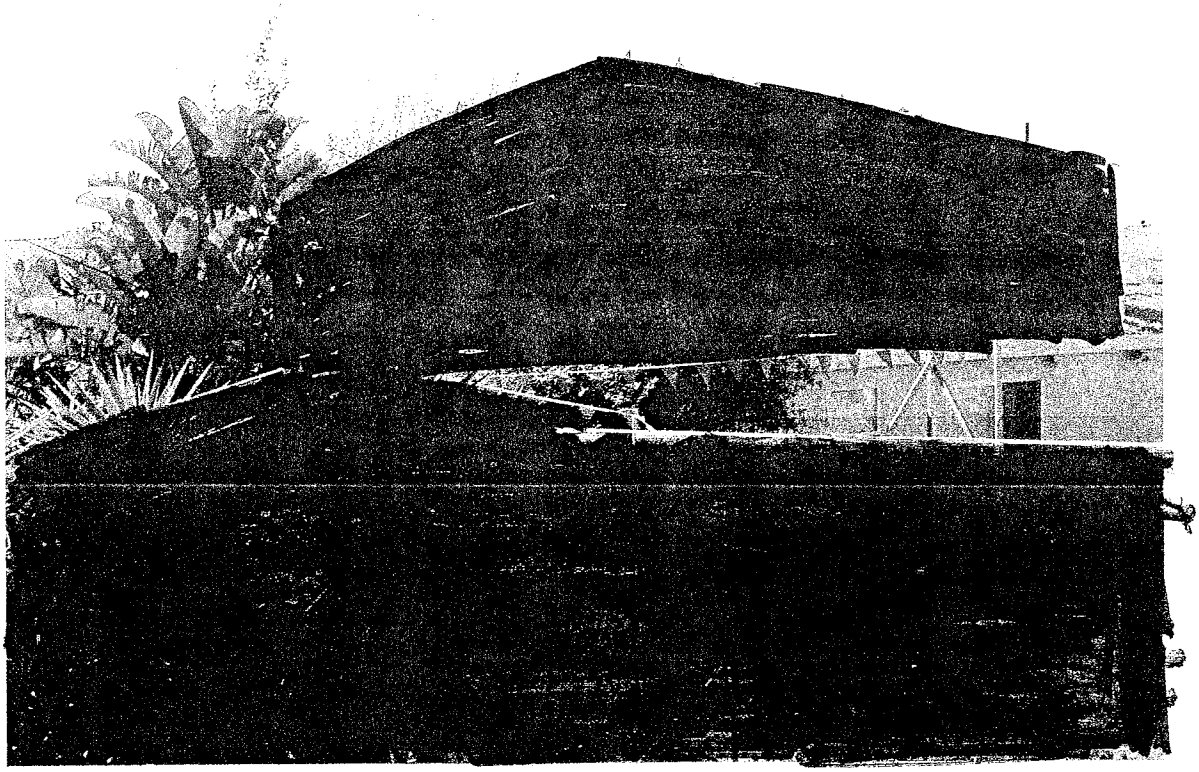
REFILL _____ TIMES PRN NR

☐ DO NOT SUBSTITUTE INITIALS _____

Submitted to the
Planning Commission
at the 11/4/09
Public Hearing.







11/4/09 Esteemed Commissioners:

My name is Vicki Radel and I have owned my home for 38 years. I bought it due to its original real estate VIEW, Privacy, air-flow and light. The terraced topography assured a clear Ocean view.

I have opened my home more than once to Jim and Betsy Delurgio regarding the remodel. I sincerely had every intention of signing off on his plans and not coming tonight if he abided by what I have told him consistently, including years ago when he first asked if I would oppose a remodel? I said, "my ocean view is most important to preserve so if you obstruct any of that I cannot agree to your plans." After that conversation he began to vigorously grow many shrubberies and trees which radically impact my ocean view and with the current plans as the silhouette indicates. If it is allowed...or any such blocking, of so much of my ocean view, it will not only Devalue my property $125,000 plus but it will also reflect a 50% reduction in my ocean view from when he first moved in...

The proposed remodel is in clear violation of the Hillside Overlay Ordinance for reasons besides obstructing my precious blue water view:

It is inconsistent with the other homes in the overlay area.

38 yrs ago I bought in the lower Riviera not Manhattan Beach. I do not want to live under the gaze of my neighbor's close view. Privacy is a

Human Right the current plans impact my privacy immensely.
It will feel as if I'm living next to a high rise apartment building or a cruise ship that will be there as long as I live, never leaving port.

It will negatively impact my airflow which due to asthma, is a medical concern: Even my MD after viewing silhouette proximity to my home readily wrote this note reflecting my need of adequate air flow for my health.

It will decrease my light.

I bought this home due to its views, light, air flow and privacy all protected under the Hillside Overlay Ordinance. I emphatically oppose one person increasing the value of his property at the expense of devaluation of so many others. He can easily build subterranean as he has no hardship reason for needing a 2 story. Time and again we have encouraged extending his east wing or that he build subterranean.

Bottomline, I bought my home for its ocean view etc. and the current silhouettes, coupled with the other intentional growing of shrubs, reflect a self-serving attitude. Please Mr. Delurgio, go back to the drawing board and come up with something considerably less offensive. THANK YOU!

AGENDA ITEM NO. 12A

TO: Members of the Planning Commission

FROM: Development Review Division

DATE: June 16th, 2010

SUBJECT: PRE09-00007 (Jim & Betsy Delurgio)

LOCATION: 209 Via el Toro

A public hearing for consideration of a proposal to construct first and second story additions to a one-story residence in conjunction with an accessory structure was conducted at the Planning Commission Meeting on May 19, 2010. At that meeting, a motion for denial for PRE09-00007 passed by a vote of 6 to 1 with Commissioner Horwich abstaining. Resolutions for denial of this project were not prepared for the Planning Commission's consideration since staff had recommended approval of this project. A resolution of denial without prejudice has been provided for the Planning Commission's consideration.

Prepared by,

Oscar Martinez
Planning Associate

Respectfully submitted,

Gregg D. Lodan, AICP
Planning Manager

ATTACHMENTS:
1. Resolution

PLANNING COMMISSION RESOLUTION NO. 09-053

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TORRANCE, CALIFORNIA, DENYING WITHOUT PREJUDICE A PRECISE PLAN OF DEVELOPMENT AS PROVIDED FOR IN DIVISION 9, CHAPTER 1, ARTICLE 41 OF THE TORRANCE MUNICIPAL CODE TO ALLOW FIRST AND SECOND STORY ADDITIONS TO AN EXISTING SINGLE FAMILY RESIDENCE IN CONJUNCTION WITH THE CONSTRUCTION OF AN ACCESSORY STRUCTURE IN THE REAR ON PROPERTY LOCATED WITHIN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE AT 209 VIA EL TORO.

PRE09-00007: JIM & BETSY DELURGIO

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on November 4, 2009, to consider an application for a Precise Plan of Development filed by Jim & Betsy Delurgio to allow first and second story additions to an existing one-story single-family residence in conjunction with an accessory structure on property located in the Hillside Overlay District in the R-1 Zone at 209 Via el Toro; and

WHEREAS, the Planning Commission of the City of Torrance continued the matter indefinitely for a redesign; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on May 19, 2010, to consider an application for a Precise Plan of Development filed by Jim & Betsy Delurgio to allow first and second story additions to an existing one-story single-family residence in conjunction with the construction of an accessory structure in the rear on property located in the Hillside Overlay District in the R-1 Zone at 209 Via el Toro; and

WHEREAS, due and legal publication of notice was given to owners of property in the vicinity thereof and due and legal hearings have been held, all in accordance with the provisions of Division 9, Chapter 6, Article 2 of the Torrance Municipal Code; and

WHEREAS, the construction of a new single-family residence in a residential zone is Categorically Exempted by the 2010 Guidelines for Implementation of the California Environmental Quality Act; Article 19, Section 15303 (a); and

WHEREAS, the Planning Commission of the City of Torrance does hereby find and determine as follows:

a) That the property is located at 209 Via el Toro; and

b) That the property is identified as Lot 126 in Tract 18379 as per map recorded in Parcel Map Book 7512, Page 007 and Parcel 029 in the Office of the County recorder County of Los Angeles, State of California; and

c) That the proposed residence will have an adverse impact upon the view, light, air and privacy of other properties in the vicinity; and

d) That the proposed residence has not been located planned and designed so as to cause the least intrusion on the views, light, air and privacy of other properties in the vicinity because of impacts to views of 515 Camino de Encanto and privacy of 513 Camino de Encanto; and

WHEREAS, the Planning Commission by the following roll call votes DENIED WITHOUT PREJUDICE PRE09-00007:

AYES:	COMMISSIONERS:	BROWNING, BUSCH, GIBSON, SKOLL, UCHIMA, CHAIRPERSON WEIDEMAN
NOES:	COMMISSIONERS	
ABSENT:	COMMISSIONERS:	
ABSTAIN:	COMMISSIONERS:	HORWICH

NOW, THEREFORE, BE IT RESOLVED that PRE09-00007, filed by Jim & Betsy Delurgio to allow first and second story additions to an existing one-story single-family residence in conjunction with an accessory structure in the rear on property located within the Hillside Overlay District in the R-1 Zone at 209 Via El Toro on file in the Community Development Department of the City of Torrance, is hereby DENIED WITHOUT PREJUDICE:

Introduced, approved and adopted this 16th day of June, 2010

Chairman, Torrance Planning Commission

ATTEST:

Secretary, Torrance Planning Commission

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF TORRANCE)

I, Gregg Lodan, Secretary to the Planning Commission of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the Planning Commission of the City of Torrance at a regular meeting of said Commission held on the 16th day of June, 2010, by the following roll call vote:

AYES:	COMMISSIONERS:	BROWNING, GIBSON, HORWICH, SKOLL, UCHIMA, CHAIRPERSON WEIDEMAN
NOES:	COMMISSIONERS:	
ABSENT:	COMMISSIONERS:	BUSCH
ABSTAIN:	COMMISSIONERS:	

Secretary, Torrance Planning Commission

Attachment H

Daily Breeze

21250 HAWTHORNE BLVE, STE 170 * TORRANCE CALIFORNIA 90503-4077
(310) 543-6635 * (310) 540-5511 Ext. 396

PROOF OF PUBLICATION

(201 5.5 C.C.P.)

STATE OF CALIFORNIA

County of Los Angeles,

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the **THE DAILY BREEZE**

a newspaper of general circulation, printed and published

in the City of **Torrance***
County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of County of Los Angeles, State of California, under the date of

June 10, 1974

Case Number **SWC7146**

that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement there of on the following dates, to-wit

June 11,

all in the year 2010

the foregoing is true and correct.
Dated at Torrance

California, this 11 June 2010

Signature

*The Daily Breeze circulation includes the following cities: Carson, Compton, Culver City, El Segundo, Gardena, Harbor City, Hawthorne, Hermosa Beach, Inglewood, Lawndale, Lomita, Manhattan Beach, Marina Del Rey, Palos Verdes Peninsula, Palos Verdes, Rancho Palos Verdes, Redondo Beach, San Pedro, Torrance and Wilmington

This space is for the County Clerk's Filing Stamp

2010 JUN 15 AM 10:10

CITY CLERK'S OFFICE

Proof of Publication of

DB

DB 6-55

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the Torrance City Council at 7:00 p.m., June 22, 2010 in the City Council Chambers of City Hall, 3031 Torrance Boulevard, Torrance, California, on the following matter:

PRE09-00007 JIM & BETSY DELURGIO: City Council consideration of an appeal of a Planning Commission denial of a Precise Plan of Development to allow the construction of first and second story additions to an existing one-story single family residence in conjunction with a new accessory structure on property located within the Hillside Overlay District, in the R-1 Zone at 209 Via El Toro.

Material can be reviewed in the Community Development Department. All persons interested in the above matter are requested to be present at the hearing or to submit their comments to the City Clerk, City Hall, 3031 Torrance Boulevard, Torrance, CA 90503, prior to the public hearing.

If you challenge the above matter 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 Community Development Department or the office of the City Clerk prior to the public hearing, and further, by the terms of Resolution No. 88-19, you may be limited to ninety (90) days in which to commence such legal action pursuant to Section 1094.6 of the Code of Civil Procedure.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Department at (310) 618-5990. If you need a special hearing device to participate in this meeting, please contact the City Clerk's Office at (310) 618-2870. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].

For further information, contact the **DEVELOPMENT REVIEW DIVISION** of the Community Development Department at (310) 618-5990.

SUE HERBERS
CITY CLERK

Pub: June 11, 2010

PROOF OF SERVICE BY MAIL

I, the undersigned, am a resident of the County of Los Angeles, State of California, over the age of eighteen years, and not a party to the within action. I am employed by the City of Torrance, 3031 Torrance Boulevard, Torrance California 90503.

On **June 11, 2010**, I caused to be mailed **138** copies of the within notification for City Council **PRE09-00007: JIM & BETSH DELURGIO** to the interested parties in said action by causing true copies thereof to be placed in the United States mail at Torrance California.

I declare under penalty of perjury that the foregoing is true and correct.
Executed **June 11, 2010** at Torrance, California.

Denise Ashi

(signature)

RECOMMENDED CONDITIONS IF APPROVED:

1. That the use of the subject property for a single-family residence shall be subject to all conditions imposed in Precise Plan of Development 09-00007 and any amendments thereto or modifications thereof as may be approved from time to time pursuant to Section 92.28.1 et seq. of the Torrance Municipal Code on file in the office of the Community Development Director of the City of Torrance; and further, that the said use shall be established or constructed and shall be maintained in conformance with such maps, plans, specifications, drawings, applications or other documents presented by the applicant to the Community Development Department and upon which the Planning Commission relied in granting approval;

2. That if this Precise Plan of Development 09-00007 is not used within one year after granting of the permit, it shall expire and become null and void unless extended by the Community Development Director for an additional period as provided for in Section 92.27.1;

3. That the maximum height of the residence at the highest point of the roof shall not exceed a height of 23 feet nine inches as represented by the elevation of 126.21 and a lowest adjacent grade of 102.4 based on a bench mark elevation of 100.0 located on the lid of the existing sewer man hole cover at the southwest corner of the property as shown on the official survey map on file in the Community Development Department; (Development Review)

4. That the height of the residence shall be certified by a licensed surveyor/engineer prior to requesting a framing or roof-sheathing inspection and shall not exceed 23 feet nine inches as represented by the elevation of 126.21 and a lowest adjacent grade of 102.4 based on a bench mark elevation of 100.0 located on the lid of the existing sewer man hole cover at the southwest corner of the property as shown on the official survey map on file in the Community Development Department; (Development Review)

5. That the maximum height of the accessory structure at the highest point of the roof shall not exceed a height of 10 feet 11 inches as represented by the elevation of 114.5 and a lowest adjacent grade of 103.6 based on a bench mark elevation of 100.0 located on the lid of the existing sewer man hole cover at the southwest corner of the property as shown on the official survey map on file in the Community Development Department; (Development Review)

6. That the height of the accessory structure shall be certified by a licensed surveyor/engineer prior to requesting a framing or roof-sheathing inspection and shall not exceed 10 feet 11 inches as represented by the elevation of 114.5 and a lowest adjacent grade of 103.6 based on a bench mark elevation of 100.0 located on the lid of the existing sewer man hole cover at the southwest corner of the property as shown on the official survey map on file in the Community Development Department; (Development Review)

7. That automatic garage roll-up doors shall be provided; (Development Review)

8. That exterior color and material samples shall be submitted to the Community Development Department for approval prior to the issuance of any building permits; (Development Review)

9. That within 30 days of the final public hearing, the applicant shall remove the City's "Public Notice" sign, provided there is no appeal, to the satisfaction of the Community Development Director; (Development Review)

10. That the silhouette shall remain in place for at least 15 days through the appeal period, but no more than 45 days after the final public hearing to the satisfaction of the Community Development Director; (Development Review)

CODE REQUIREMENTS

The following is a partial list of code requirements applicable to the proposed project. All possible code requirements are not provided here and the applicant is strongly advised to contact each individual department for further clarification. The Planning Commission may not waive or alter the code requirements. They are provided for information purposes only.

Building and Safety:

- Comply with the State Energy Requirements.
- Provide underground utilities.
- Pre-wire each unit for cable television.
- Provide a land survey.

Engineering:

- A Construction and Excavation Permit (C&E Permit) is required from the Community Development Department, Engineering Permits and Records Division, for any work in the public right-of-way on Via El Toro.

Environmental:

- The front yard of any property zoned for residential use shall not be more than 50% paved (92.5.14)
- The property shall be landscaped prior to final inspection (92.21.9)
- Provide 4" (minimum) contrasting address numerals for residential, condo, etc. uses
- Obtain a separate permit for the pool and spa. Equipment for pool/spa shall not be located within the sideyard setback areas. Provide minimum five foot high fencing with all gates having self-closing/latching mechanisms 4'6" above the ground.

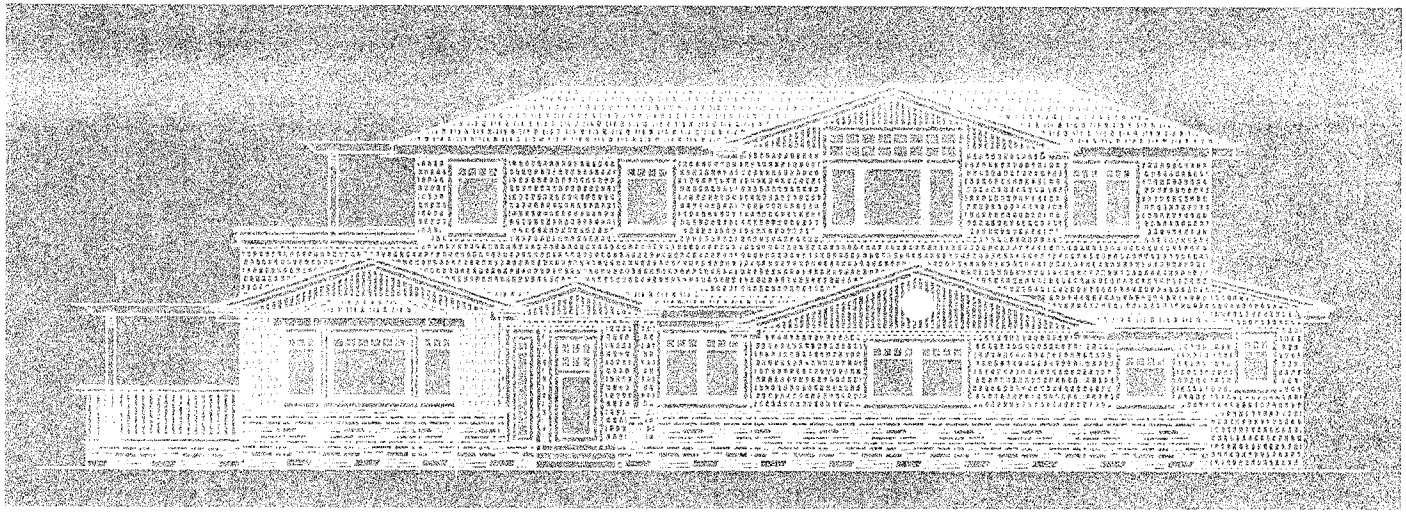
Development Review:

- Comply with State Department of Water Resources Landscape Design & Irrigation requirements.

Grading Division:

- Obtain Grading Permit prior to issuance of building permit.
- Submit 2 copies of grading/drainage plan with soil investigation report. Show all existing and proposed grades, structures, required public improvements and any proposed drainage structures.

209 VIA EL TORO REDONDO BEACH CALIFORNIA



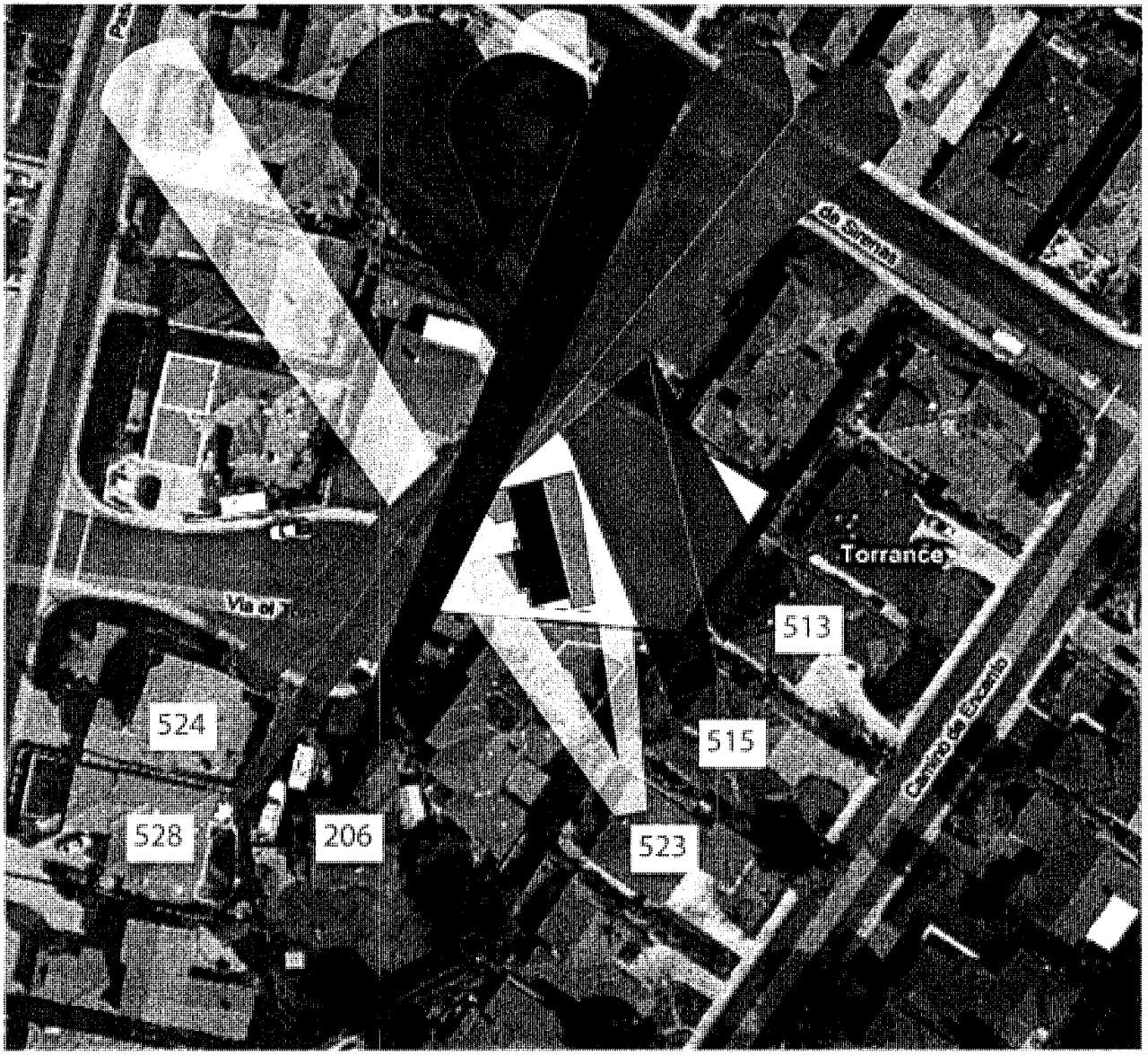
OBELISK
ARCHITECTS, INC.

Attachment J

Submitted to the
Planning Commission
at the 5/19/10
Public Hearing.

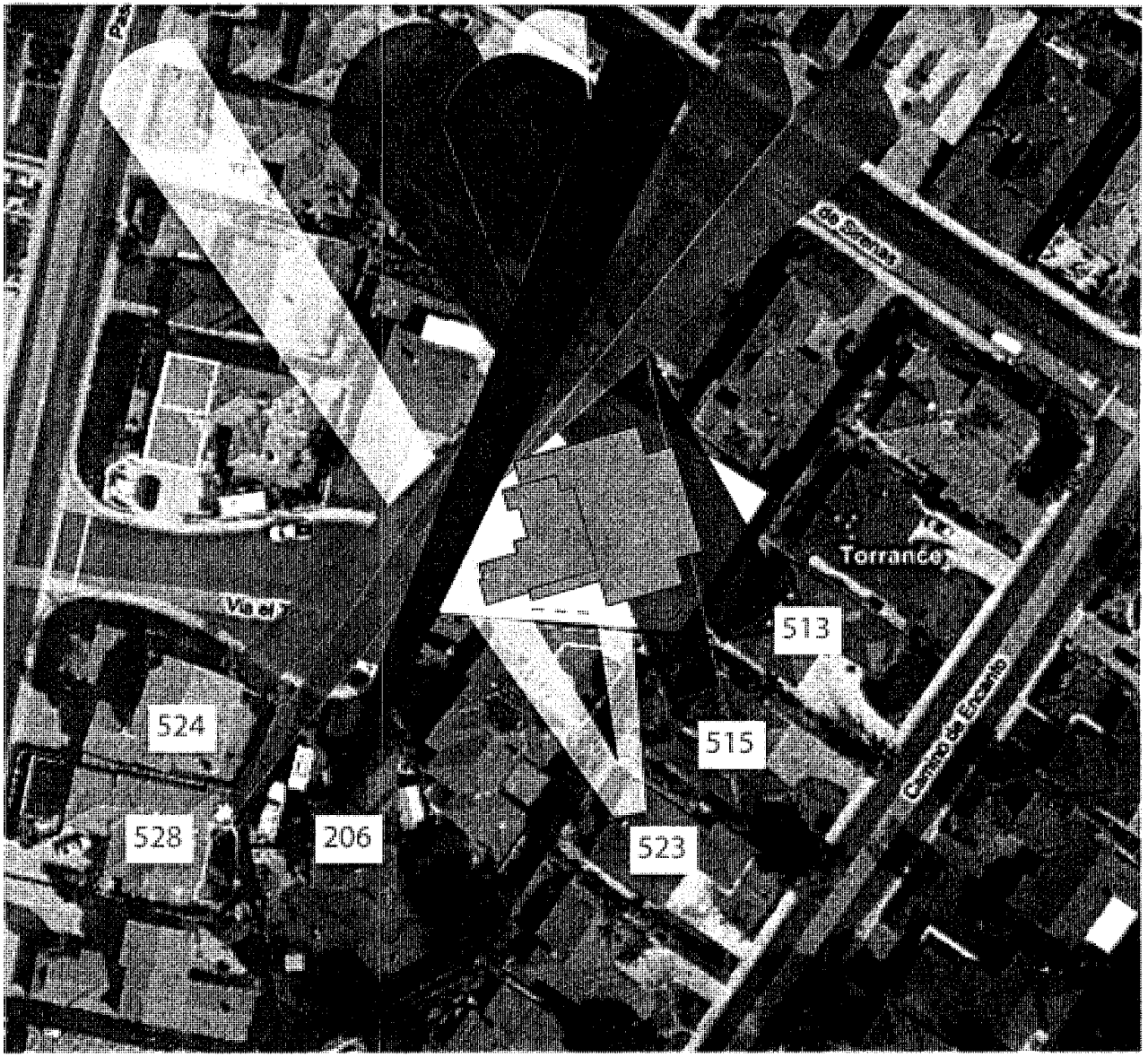
Proposed 1st Floor

Proposed 2nd Floor

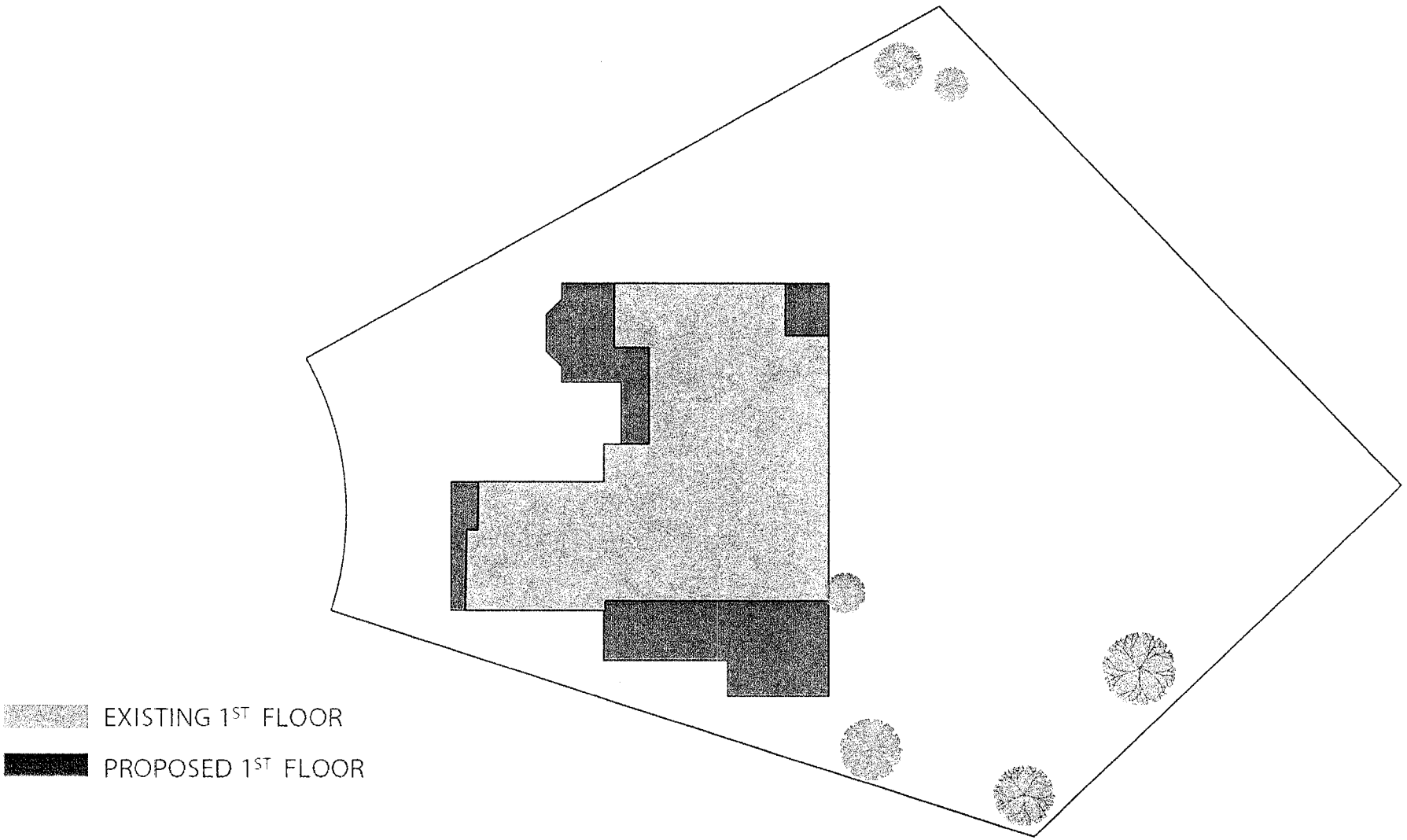


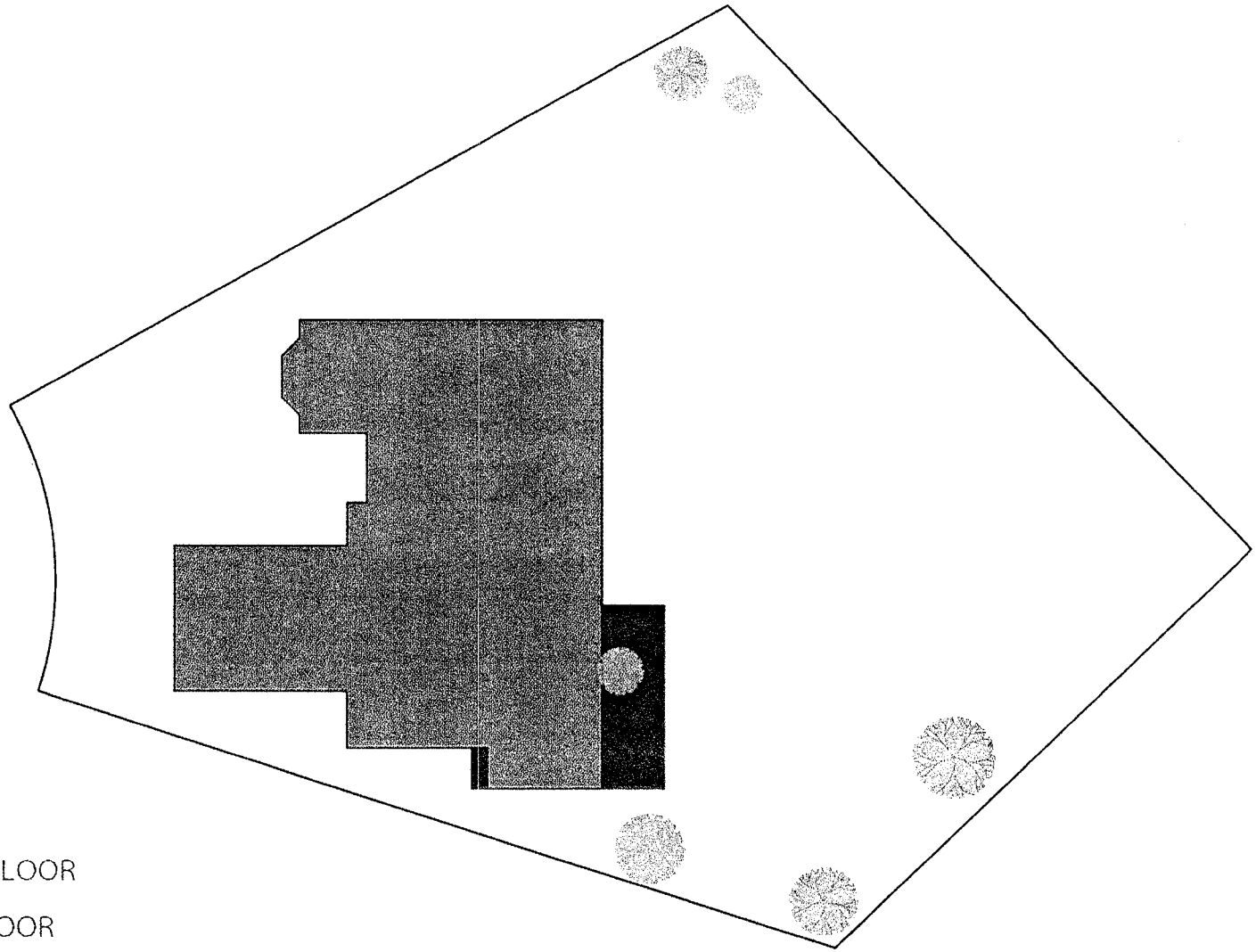
- 1 Story @ 6592.56 SQ. FT.

  50 % F.A.R.



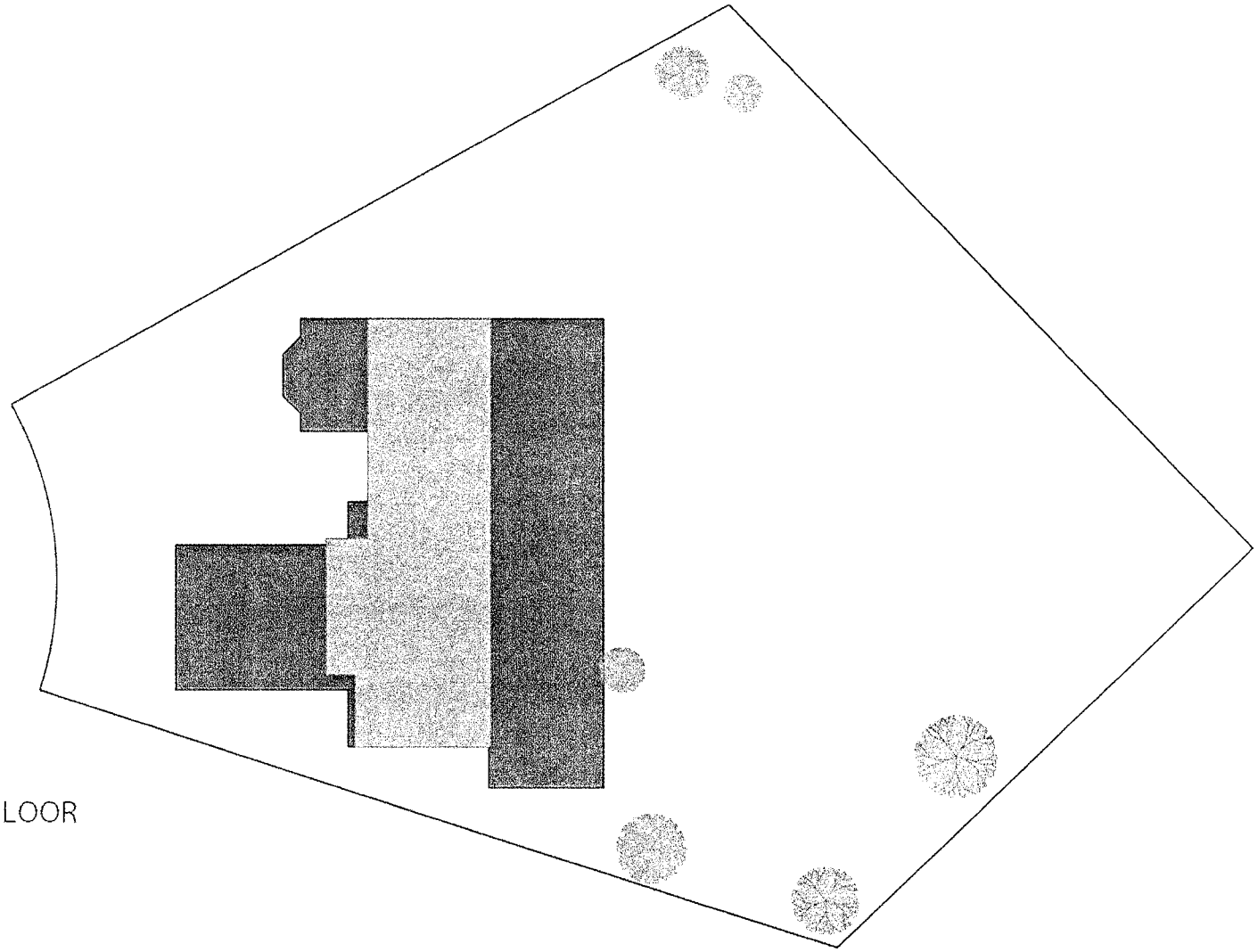
- 1 Story @ 4431.50 SQ. FT.
  33.60 % F.A.R.
  (currently proposed as a 2 story)


EXISTING 1ST FLOOR
PROPOSED 1ST FLOOR

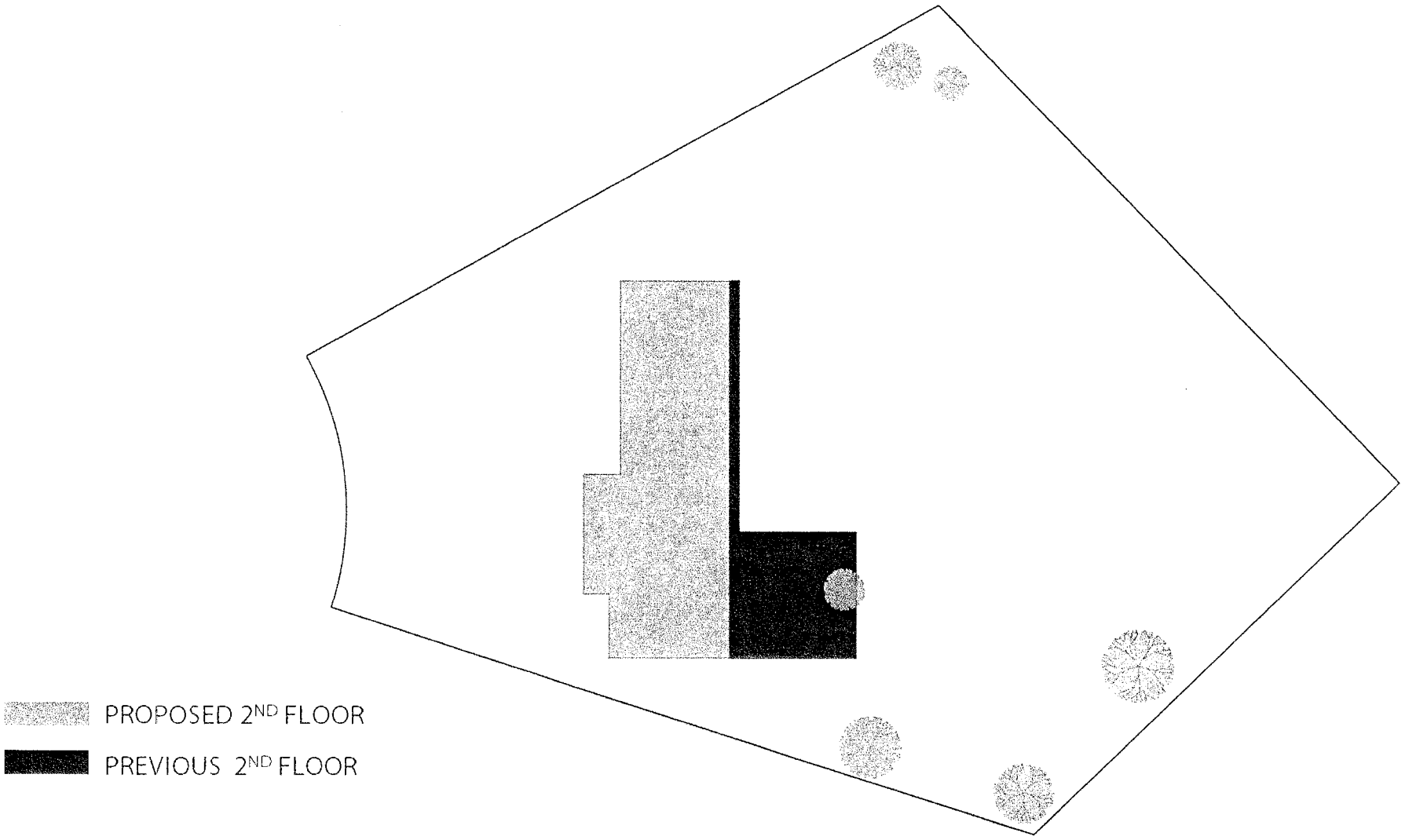


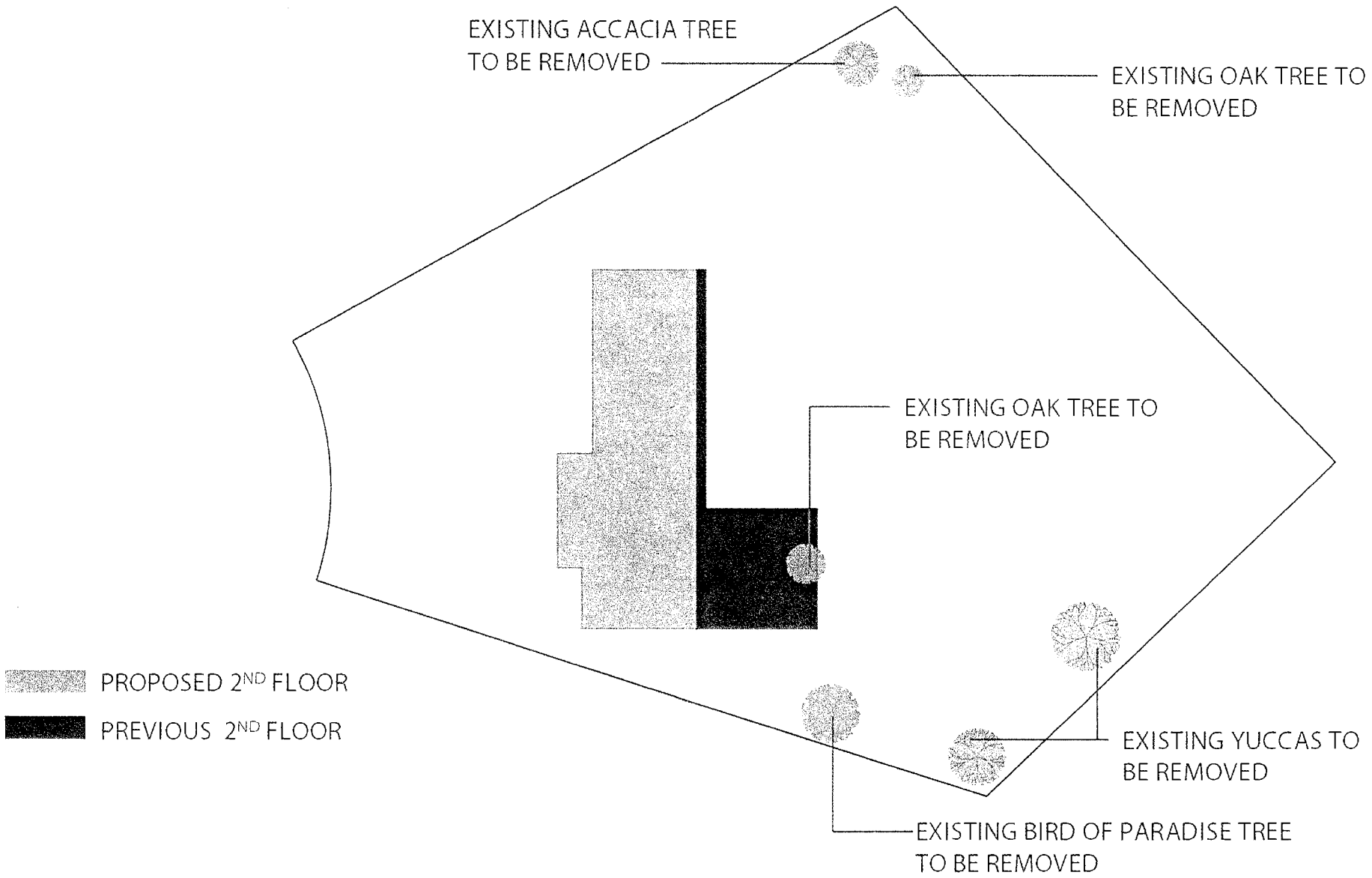
PROPOSED 1ST FLOOR

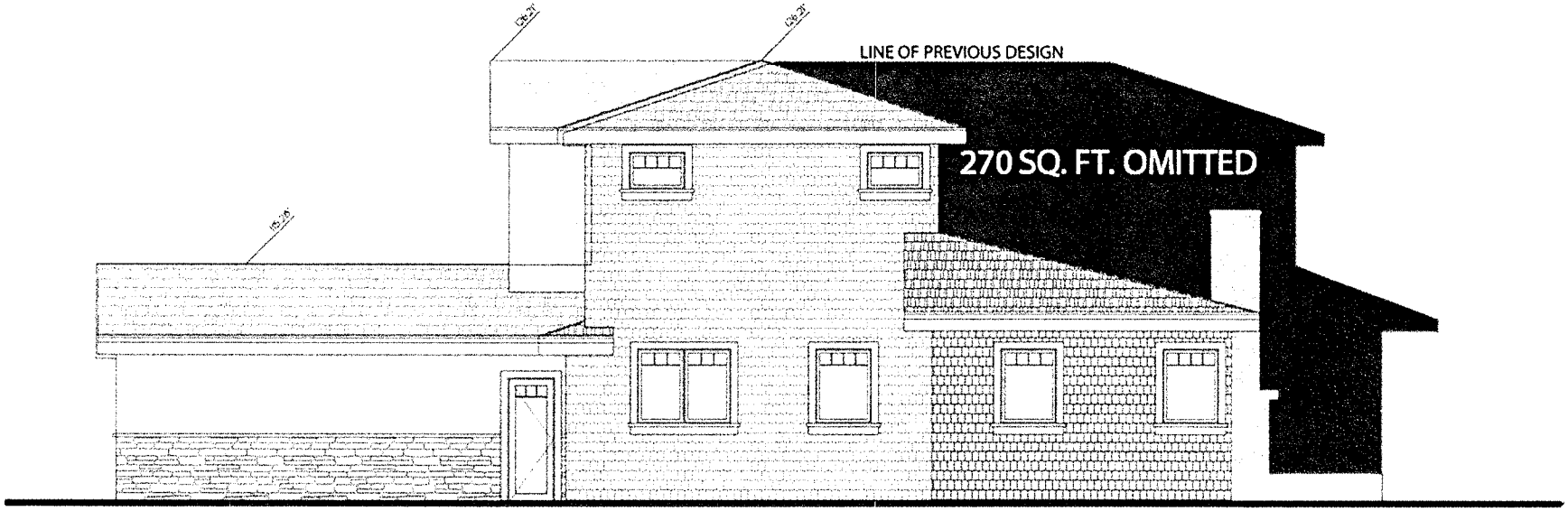
PREVIOUS 1ST FLOOR



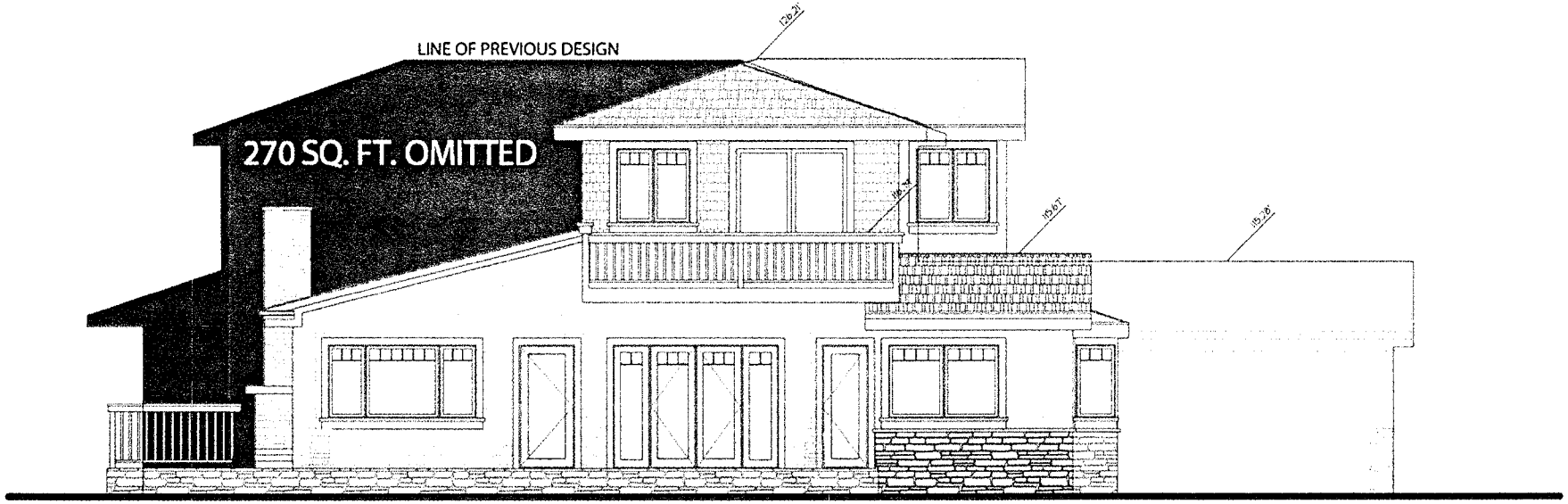
PROPOSED 2ND FLOOR


PROPOSED 2ND FLOOR
PREVIOUS 2ND FLOOR


EXISTING ACCACIA TREE
TO BE REMOVED
EXISTING OAK TREE TO
BE REMOVED
EXISTING OAK TREE TO
BE REMOVED
EXISTING YUCCAS TO
BE REMOVED
EXISTING BIRD OF PARADISE TREE
TO BE REMOVED
PROPOSED 2ND FLOOR
PREVIOUS 2ND FLOOR



REVISED SOUTH ELEVATION

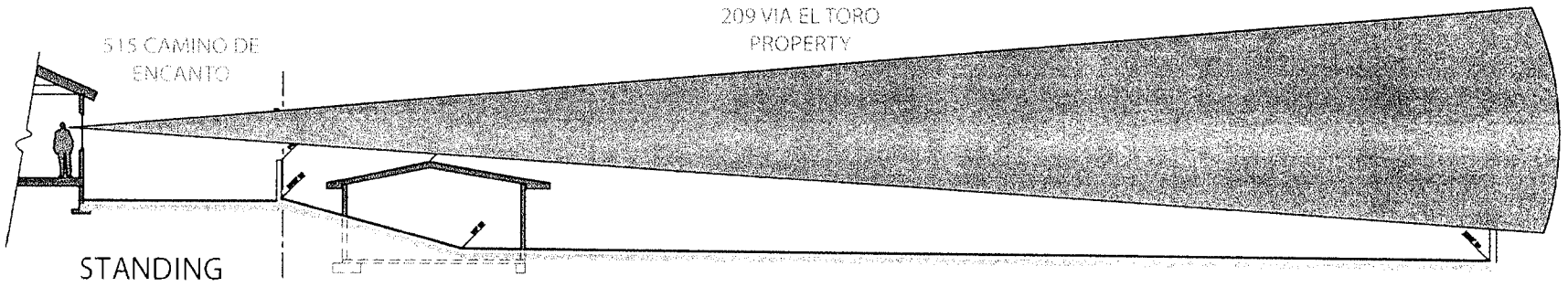


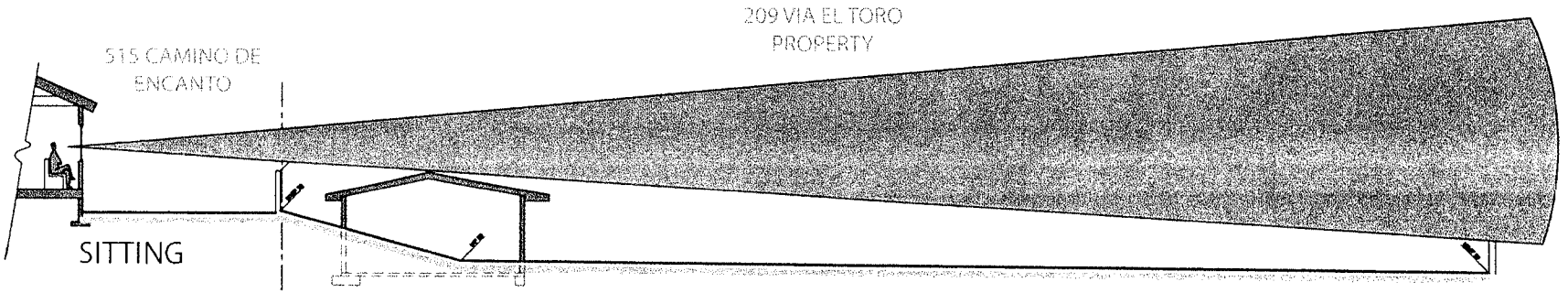
REVISED NORTH ELEVATION

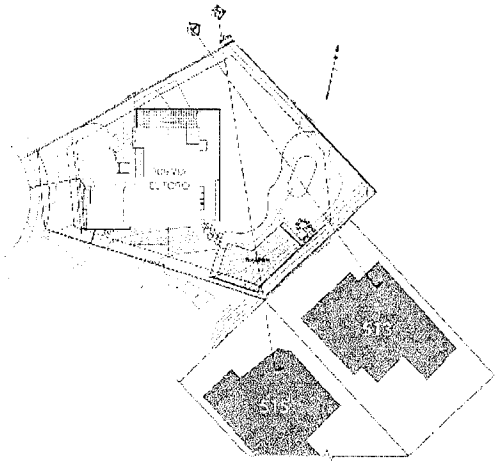
PRIOR DESIGN SILHOUETTE 10/2009

CURRENT DESIGN PROPOSAL 5/2010

Staff photo taken from 523 Camino de Encanto in October 2009 during review of previous development proposal at 209 Via el Toro

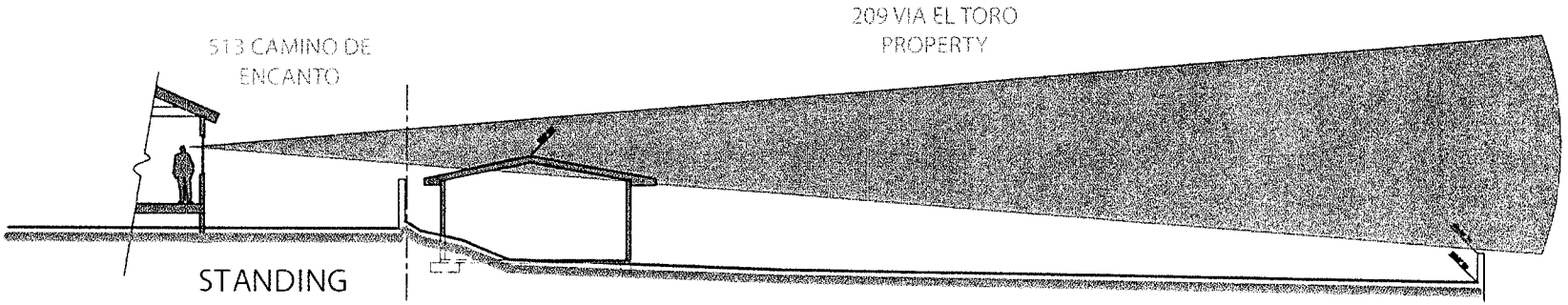


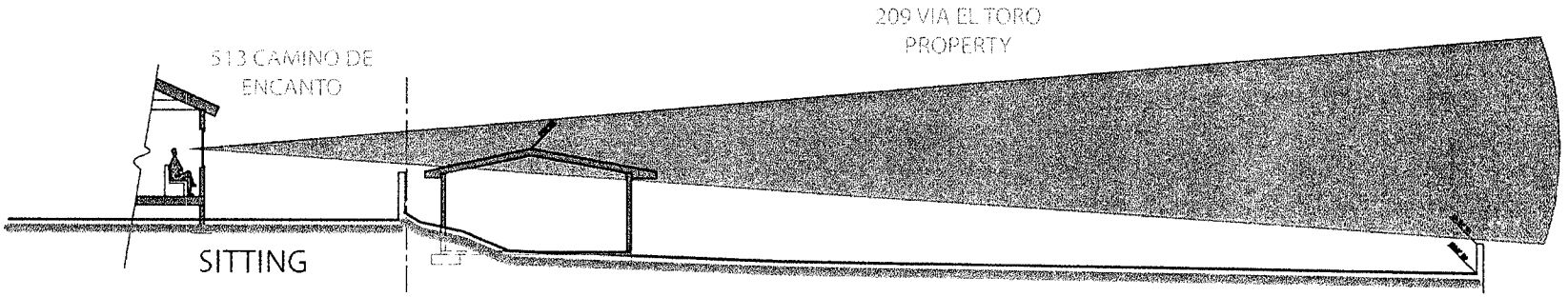


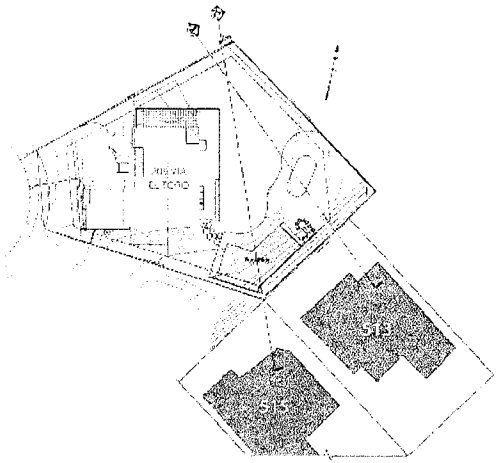


SITE SECTION

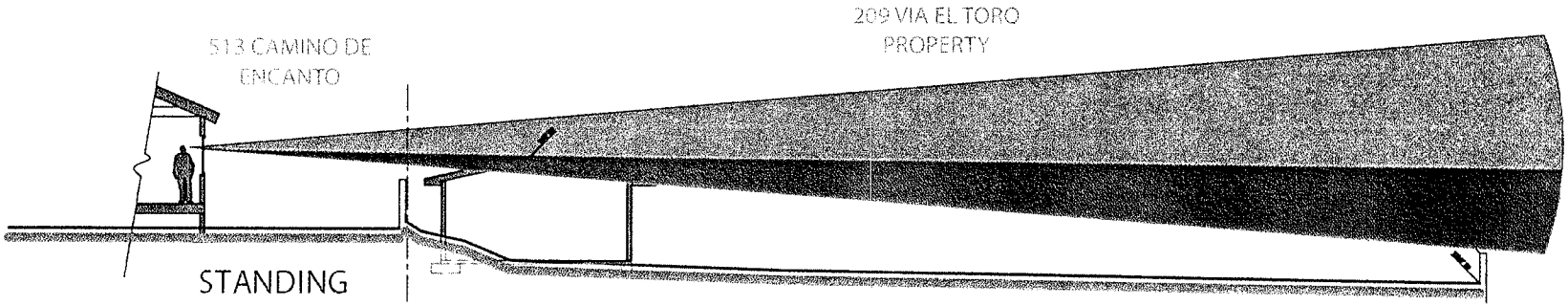
Demonstrates that placement of building will not impact view

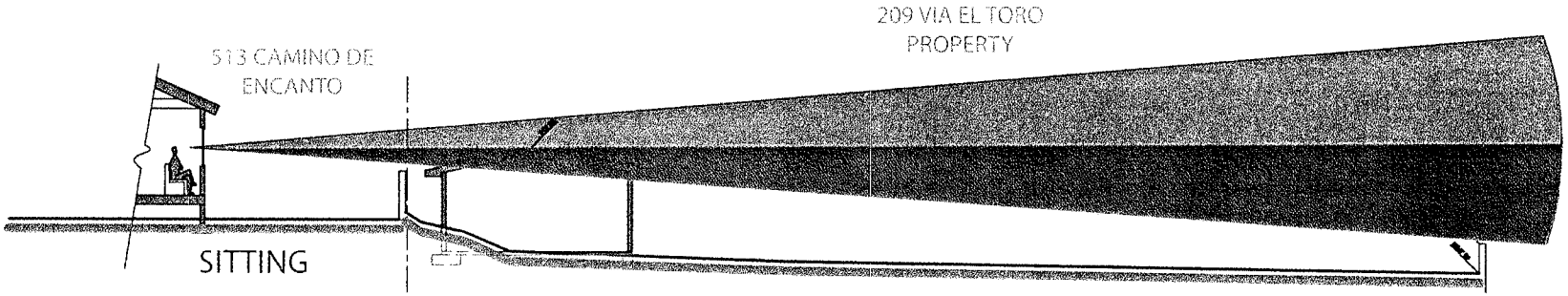


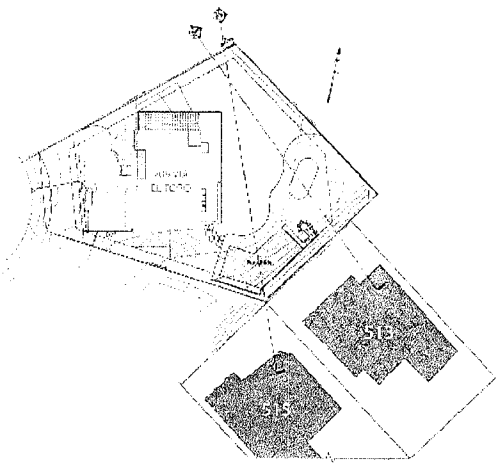




SITE SECTION







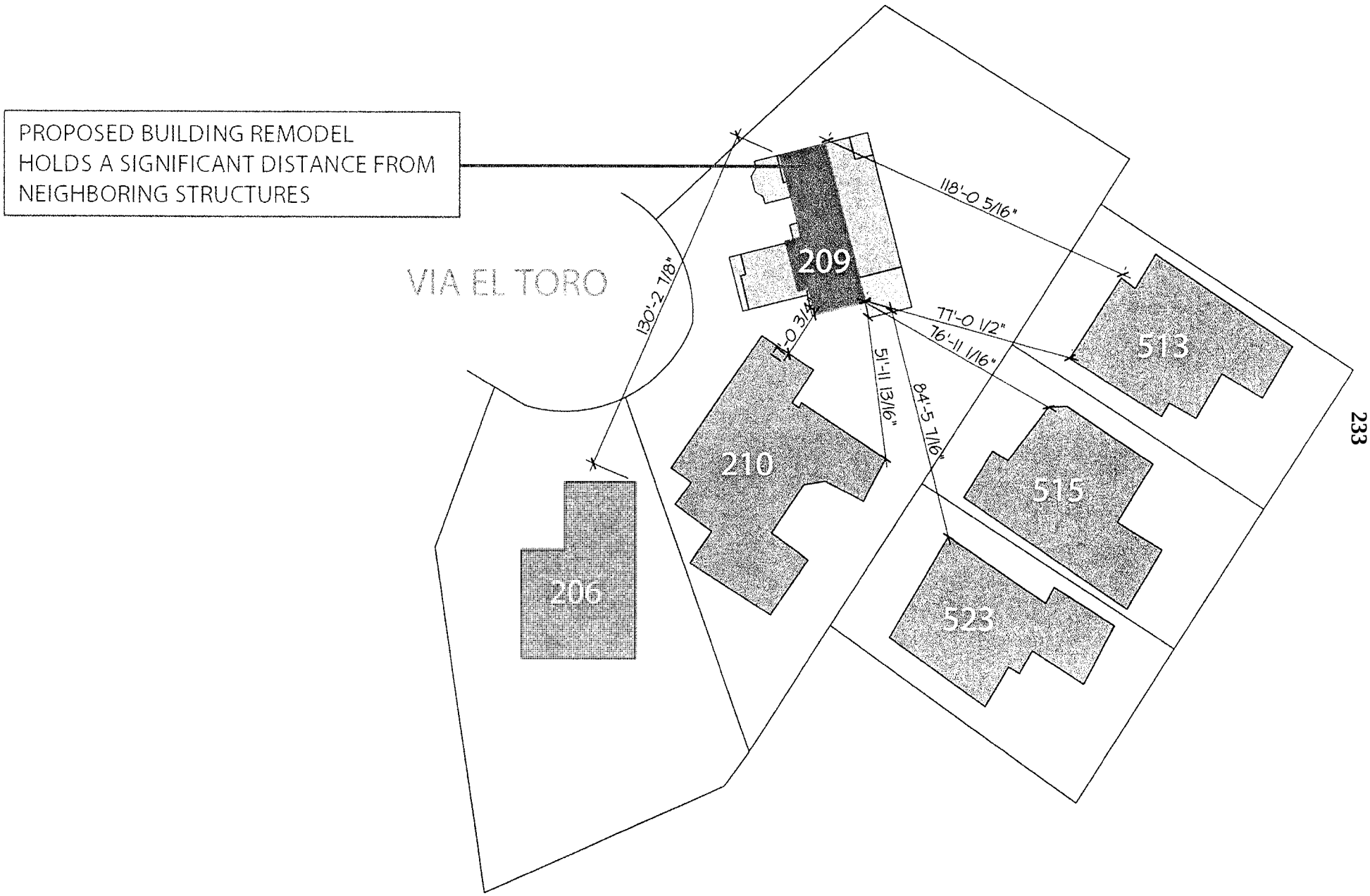
SITE SECTION

Demonstrates that placement of building will impact view from property at 513 Camino De Encanto

NOTE

Building shifted North and lowered 9 inches

PROPOSED BUILDING REMODEL
HOLDS A SIGNIFICANT DISTANCE FROM
NEIGHBORING STRUCTURES

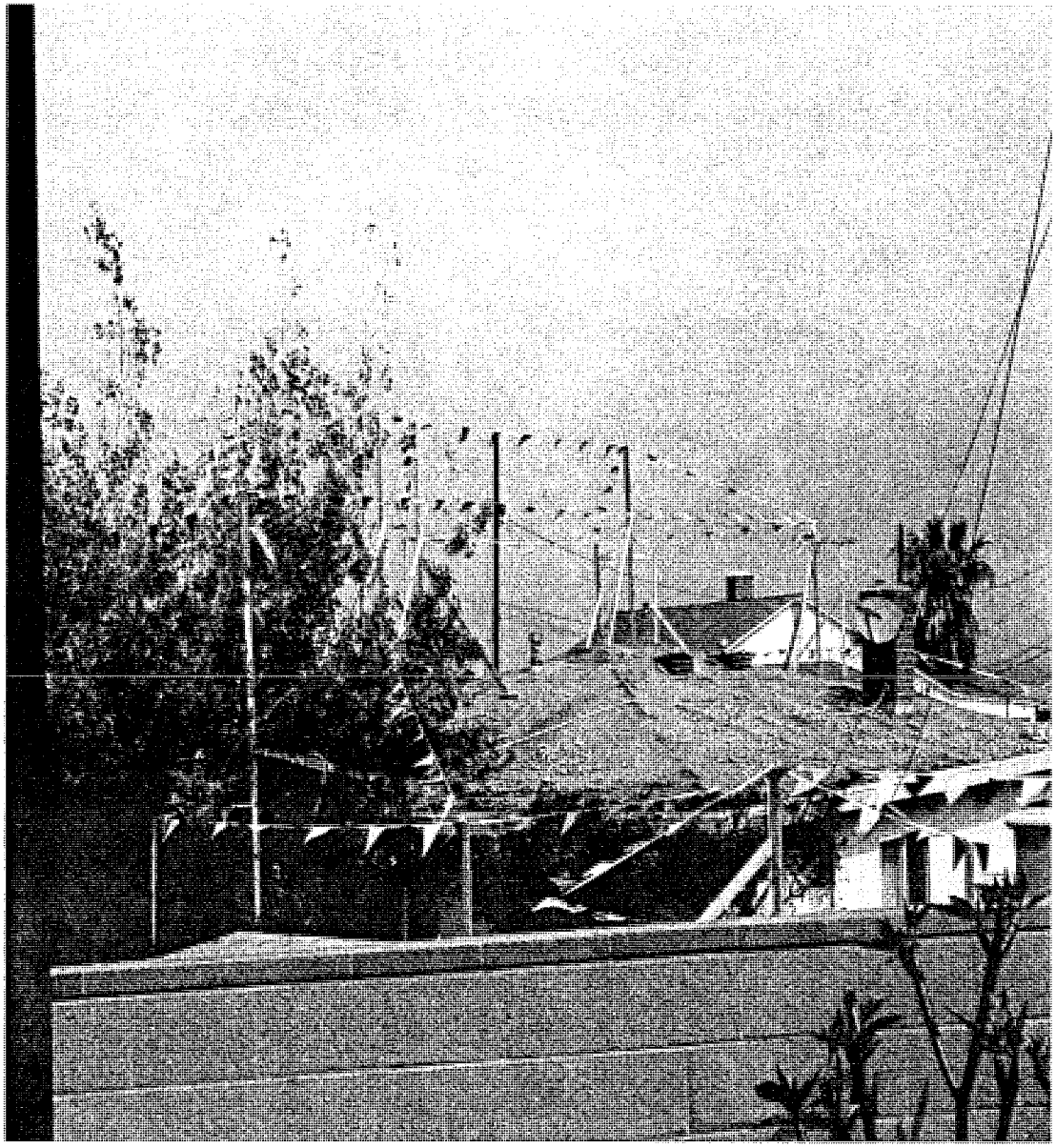


Site			13,185
	Existing	Prior Proposal	Current Proposal
Square Footage	2023	4834	4432
F.A.R.	15.34%	36.66%	33.6%

	Existing	Prior Proposal	Current Proposal
1st Floor	1608	2315	2275
2nd Floor	N/A	1213	965
Pool Bldg.	N/A	634	677

Summary

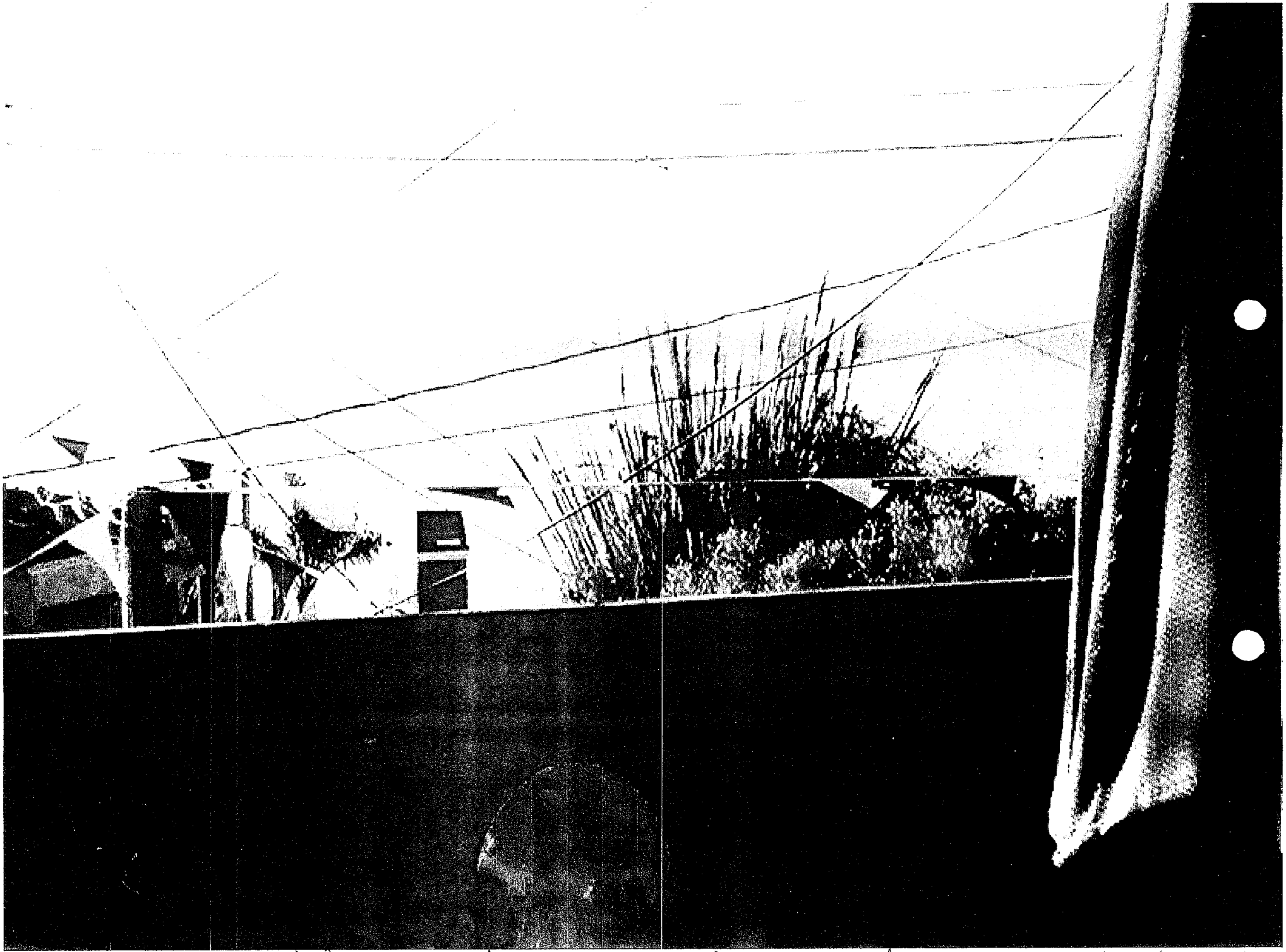
- Reduction of 2nd floor square footage
- Reduction of 1st and 2nd floor building mass
- Pushed proposed 1st and 2nd floor away from view corridor
- Increased the separation between 2nd floor and neighbors
- Increased separation between pool house and home for view
- Proposed removal of trees in view/Open added views
- Reduction of overall square footage/FAR
- Reworked the design of the home to respond to neighbors concerns



515 Camino de Encanto
VIEW FROM OFFICE if apartment type bldg is allowed! As evidenced by this photo, a much higher massive and obstructive proposal than anything in our immediate terraced neighborhood.

Submitted to the
Planning Commission
at the 5/19/2010
Public Hearing

515 Camino de Encanto:
VIEW FROM DINING ROOM TABLE
If remodel allowed it will be like living next to an apartment bldg or cruise ship that will be there as long as we live, never leaving port.

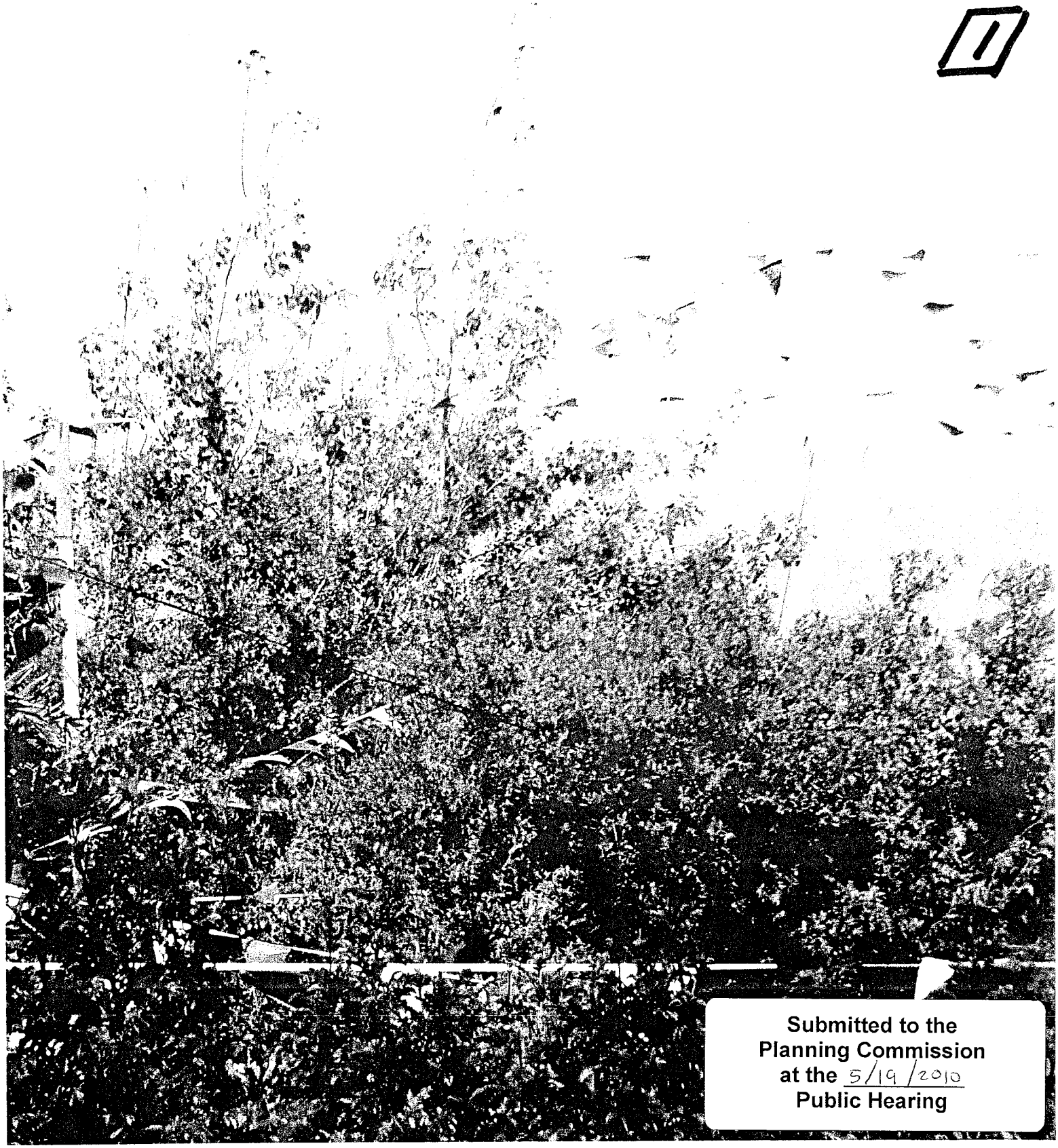


Living room view please modify to that position [illegible]

VIEW FROM 513[239] CAMINO DE ENCANTO

CONSTANTINO

1



Submitted to the
Planning Commission
at the 5/19/2010
Public Hearing

POOR VISIBILITY OF SILOHETTES OR PROPOSAL

"Due to Poplers"

PRIVACY AND BLUE WATER

OCEAN

2

VIEW FROM 513 CAMINO DE ENCANTO

CONSTANTINO

BLUE WATER - PRIVACY AND VIEW

VIEW FRO. 1 513 CAMINO DE ENCANTO

4

VISIBILITY INTENTIONALLY BLOCKED BY SPITE FENCE

RECEIVED
JUN 16 2010
CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPT.

PH 1-310-3:

Attachment K

Kathleen and Edward Lahey
470 Camino de Encanto
Redondo Beach, California 90277-6529

June 15, 2010

To Torrance City Council Re: PRE09-00007 J & B Delurgio

We cannot attend the June 22 Council meeting, so we are submitting this letter to strongly urge the Council to uphold The Planning Commission Denial of the subject Precise Plan at 209 Via El Toro. I shall not reiterate here the objections that have been recorded previously and that you will hear again tonight, except to say that we are in complete concurrence that the size of the proposed structures, etc. would have a very damaging impact on neighboring views and that the potential poolside partying and night lighting would definitely diminish the privacy and property enjoyment of the uphill neighbors on Camino de Encanto.

In the 1970's I served on the Boards of Directors of the Riviera Homeowners Association and the Hollywood Riviera Community assoc., both of which were keenly aware of the unique terrain that makes this section of Torrance such a beautiful and special place to live. These associations worked very hard with Riviera residents and the City of Torrance to develop a fair and legally enforceable Hillside Ordinance that would be binding upon all then current and future property owners in the covered area.

Riviera residents and the City both recognized and agreed that the contours of the hills that make the Riviera so special could often mean that construction appropriate for one parcel would not be permitted on a neighboring lot.

The Hillside Ordinance has helped maintain the integrity of the Riviera Community for over 30 years and is needed even more today to prevent this lovely area from succumbing to the uncontrolled mansionization we have all seen in neighboring So. Calif. cities.

The Delurgio property lies within the 140 plus home tract built in 1955/56 and known as Riviera Beach Estates. Today a large number of these homes, including several currently under construction or recently completed, have been significantly expanded. All, including our own, have been in compliance with the Hillside Ordinance.

I was appalled when I first saw the proposed El Toro project. Never before have my husband and I seen such an egregious violation of the very communal spirit of the Hillside Ordinance, of which the Delurgios were well aware when they purchased their property.

Please send this project back to the drawing board and uphold the Planning Commission denial and protect the future tone of a very beautiful and special residential area of our City.

Sincerely,
Kathleen M. Lahey
Edward T. Lahey

June 14, 2010

City of Torrance
Community Development Dept.
3031 Torrance Blvd.
Torrance, Ca 90503

RECEIVED
JUN 16 2010
CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPT.

Torrance City Council,

Please be advised that we, Armando and Tredo Montano, owner and residents of a single family residence at 526 Palos Verdes Blvd, are opposed to:

the Delurgio construction project, PRE 09-00007.

Specifically it directly impacts our Ocean View and lessens the value of our home.

Respectfully,

Armando Montano
Torrance, Ca 90505
(310) 375-3995

Mr. & Mrs. A. R. Montano
526 Palos Verdes Blvd.
Redondo Beach, CA 90277

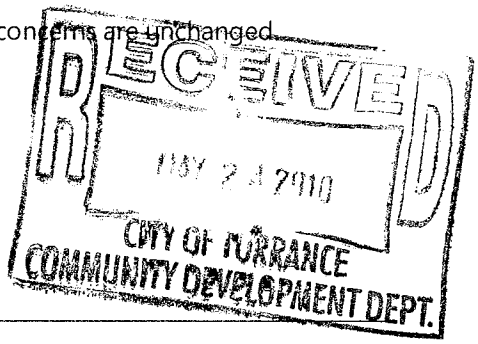
FW: 209 Via El Toro precise plan hearing May 19th

From: **Chris Jensen** (ccjmd@hotmail.com)
Sent: Wed 5/19/10 10:11 AM
To: glodan@torrnet.com; omartinez@torrnet.com; jgibson@torrnet.com

Dear Mr. Lodan, Mr. Martinez, and Gibson,

Attached please find my letter from the previous hearing regarding PRE09-00007.

The newest silhouette is not significantly changed from the prior one and my concerns are unchanged.



Thank you,

Chris Jensen
210 Calle de Sirenas
Redondo Beach, CA 90277

From: ccjmd@hotmail.com
To: glodan@torrnet.com; omartinez@torrnet.com
Subject: 209 Via El Toro precise plan hearing November 4th
Date: Mon, 2 Nov 2009 22:06:36 -0800

Dear Mr. Lodan and Mr. Martinez,

I am not able to attend the hearing regarding, PRE09-00007: JIM & BETSY DELURGIO. I am their neighbor to the back at 210 Calle de Sirenas on a small lot with a small historic single story hillside bungalow.

Jim and Betsy generously invited me to their home to present the remodel plans and they have visited my home to see the silhouette from my property. We discussed the plans extensively including their reasons for the type of remodel they chose, the efforts they have made to inform their neighbors and the challenges they face. I understand their need to expand to make a comfortable home and yard for their family and I understand their want to do this as a second story addition. I have also spoken to all of my neighbors about the remodel.

In this context, I would like to offer my thoughts.

I support a single story remodel at 209 Via El Toro. I have concerns about a second story addition. While the impact is small, the silhouette is very visible from my front yard, east side yard and back windows. The silhouette casts an imposing presence over my house as seen when one drives up to my property and when one faces south along the east side of my property. It significantly changes the presentation of my home as seen from the street. It gives a different feel to the area like you might get in one of our neighboring beach cities to the north.

Unlike the actual construction, the silhouette does not block light or air, does not significantly block sight lines and does not impact the privacy of other properties in the vicinity. Therefore, it is difficult to get a feel for how my property will actually be impacted. Silhouettes do not accurately represent what a structure will do to the surroundings and therefore they do not fully inform or fully disclose impacts.

I fear that the new views from a second story addition at 209 Via El Toro could be used as a justification for limiting any future development I may consider, either single or second story.

My concerns are written with apprehension and regret because the current process of hearings pits neighbor against neighbor, promotes ill will, encourages hostile behavior and can result in litigation. In short, it is detrimental to our community. I do not want this kind of conflict with my neighbor. At the same time I am forced to represent my interests in this forum.

Thank you for your consideration,

Chris Jensen
210 Calle de Sirenas

Hotmail: Trusted email with powerful SPAM protection. Sign up now.

The New Busy is not the too busy. Combine all your e-mail accounts with Hotmail. Get busy.

Martinez, Oscar

From: Mmccammack@aol.com
Sent: Monday, May 24, 2010 7:53 AM
To: Martinez, Oscar
Subject: Attn: Oscar Martinez

Mr. Martinez,

Recently I received an anonymous letter from someone in our neighborhood regarding the hearing today against the Delurgio second story project at 209 Via El Toro. If someone went to the trouble to write such a letter, I don't understand why they couldn't sign their name. Seems like our neighborhood has been at war with each other for some time. This isn't the first time that this has happened on our street. I believe that if the Delurgio are within their height limititation and follow the city codes that they are entitled to improve their home, and that if someone in our neighborhood can stop this project only because their privacy may be jeopardized is not a "good enough" reason to impede this project. This same thing happened at the end of this cul-de-sac a few years ago. The family wanted to enlarge their home by a second floor addition, only to be stopped by a neighbor that had just put a pool in, and did not want them to have a view of their back yard. Too bad. This family because it was expecting an additional had to sell their home and leave. This type of thing seems to be a "theme" on our street. Certainly doesn't make for a friendly neighborhood. It is very sad that a few people can obstruct an improvement that can only enhance our area. I for one am not against this improvement, and wish the Delurgio's good luck.

Mary Lou McCammack
525 Paseo de la Playa
Redondo Beach, CA 90277
310 373-6252

I would be their in person, but I am leaving today on a trip.
my email is: mmccammack@aol.com
Please let me know you received this email.