Council Meeting of
July 20, 2010

SUPPLEMENTAL #1 TO ITEM 13A

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

Members of the Council:

SUBJECT: SUPPLEMENTAL #1 TO COUNCIL AGENDA ITEM 13A
PRE09-00007: JIM & BETSY DELURGIO

The attached correspondence was received after the item was completed.

Respectfully submitted,

JEFFERY W. GIBSON
COMMUNITY DEVELOPMENT DIRECTOR

By _____
Gregg D. Lodan, AICP
Planning Manager

CONCUR:

_____
Jeffery W. Gibson
Community Development Director

NOTED:

_____
LeRoy J. Jackson
City Manager

Attachments:
A. Correspondence

ATTACHMENT A

Martinez, Oscar

From: Herbers, Sue
Sent: Thursday, July 15, 2010 3:40 PM
To: Martinez, Oscar
Subject: FW: 209 Via El Toro

For the Record:

Sue Herbers
City Clerk
City of Torrance | 3031 Torrance Blvd. | Torrance CA 90503 |
310.618.2864 voice | 310.618.2931 fax | SHerbers@TorranceCA.gov | www.TorranceCA.gov

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From: Sutherland, Bill
Sent: Thursday, July 15, 2010 3:25 PM
To: Herbers, Sue
Subject: FW: 209 Via El Toro

Regards Bill Sutherland Torrance City Councilman

From: Chuck Hammer <ballpien99@hotmail.com>
Sent: Thursday, July 15, 2010 3:21 PM
To: Brewer, Tom <TBrewer@TorranceCA.gov>; Rhilinger, Susan <SRhilinger@TorranceCA.gov>; Sutherland, Bill <BSutherland@TorranceCA.gov>; Numark, Cliff <CNumark@TorranceCA.gov>; Barnett, Gene <GBARNETT@TorranceCA.gov>; Scotto, Frank <FScotto@TorranceCA.gov>; Furey, Pat <PFurey@TorranceCA.gov>
Subject: 209 Via El Toro

Torrance City Council Members and Major:

I am writing to voice my objection to the proposed project at 209 Via El Toro. This project is in violation of the Hillside Overlay Ordinance in both view and privacy. Mr. Delurgio most likely will present a scenario where his second story project will cause a lesser impact on view than a one story project would. Well, Duh. The ordinance doesn't say that if two stories has a lesser impact on view than a one story, then it's OK. It says that one cannot impact view, period. The second story windows of the project would allow someone to peer directly down into the back yards of several of the neighbors. this is also banned by the ordinance, as you well know.

For the above reasons the plans for this project are worthless, and should be throw in the trash. Better yet, put them in the recycle bin.

I am asking that you as city council members vote against this project. You should not reward someone who so blatantly violates the ordinance, calls his neighbors criminals, plants fast growing trees to block his neighbors views, refuses to trim them, and brings so much angst to the neighborhood.

Mr. Delurgio would be well served to heed the advice given by one of the planning commissioners just prior to the 6 to 0 vote against this controversial project to move somewhere else that doesn't have the much coveted Hillside Overlay Ordinance.

Thank you for your time, and I hope you have the time to check on this proposed project.

Sincerely,

Charles Hammer
221 Paseo De Suenos
Redondo Beach, CA 90277
310-378-4590

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

Martinez, Oscar

From: Roberta Blowers [drbertab@yahoo.com]
Sent: Monday, July 19, 2010 7:04 PM
To: Sutherland, Bill; Numark, Cliff; Barnett, Gene; Rhilinger, Susan; Furey, Pat; Brewer, Tom; Scotto, Frank
Subject: Regarding the July 20th Hearing: 209 Via El Toro 2nd Story Proposed Project
Attachments: 209 Via El Toro Project- July 20th City Council Hearing.doc

To: Torrance City Council Members 7/19/2010

I object to the second story addition that is proposed for 209 Via El Toro as I believe it violates the Hillside Ordinance because it impacts views and privacy of many of the neighbors; it is not designed to cause the least intrusion on neighboring properties; and its two story design is not in harmony with the neighborhood.

Many neighbors including an architect, have offered good suggestions as to how the project's impact might be mitigated, including some of the square footage below grade (not to include the garage portion when designed) as was done at 410 Paseo de la Playa with a really nice court yard out to one side that brings in lots of light. A petition opposing a second story was signed by 70+ neighbors, of which at least 70% live within the notification circle.

There are many other projects that were built in this area that built below grade (subterranean) and kept within inches of their original existing rooflines such as 443 Camino de Encanto, 440 Camino de Encanto, 410 Paseo de la Playa and more. Why should this project be any different and be allowed to build a second story without maintaining the existing roofline and roof height? Mr. Delurgio has said on numerous occasions when meeting with the neighbors that the only two reasons that he does not want to build below grade is because of the expense and that he does not want to live underground. There is no hardship that exists in this case.

In addition, this is a project that the existing 40+ foot poplar trees that Mr. Delurgio planted recently in anticipation of asking for this second story **should be considered transparent**. I believe these trees should be considered transparent because Mr. Delurgio has entered into an agreement before a judge at his spite tree hearing in Torrance this year that he will be trimming and maintaining the poplar trees to no higher than 14 feet.

Thank you for your time and consideration,
Roberta Blowers
621 Camino de Encanto

Below I have copied some important excerpts from the minutes of the 5/19/2010 Planning Commission hearing in support of denial of this project for you to review:

- Commissioner Busch noted that the applicant has proposed cutting down some tree 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.

- 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 has 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%. (See Page 121-Letter in opposition from Ted and Linda Gohata dated October 19, 2009: "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.")

- Commissioner Browning reported that he observed a white water view from Mr. Constantino's 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.

- 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 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.

- Commissioner 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.

- 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.

- 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.

- Responding the questions from the Commission, Mr. Kusion estimated his view loss to be approximately 50% (from 523 Camino de Encanto). 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.

- Ruth Vogel, 114 Via la Soledad.....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.

From: Herbers, Sue
Sent: Tuesday, July 20, 2010 8:57 AM
To: Martinez, Oscar
Subject: FW: The Guzman house after the flags go down and wood goes up the view is gone

For the record.

Sue Herbers
City Clerk
City of Torrance | 3031 Torrance Blvd. | Torrance CA 90503 |
310.618.2864 voice | 310.618.2931 fax | SHerbers@TorranceCA.gov | www.TorranceCA.gov

From: Sutherland, Bill
Sent: Monday, July 19, 2010 9:44 PM
To: Herbers, Sue
Subject: FW: The Guzman house after the flags go down and wood goes up the view is gone

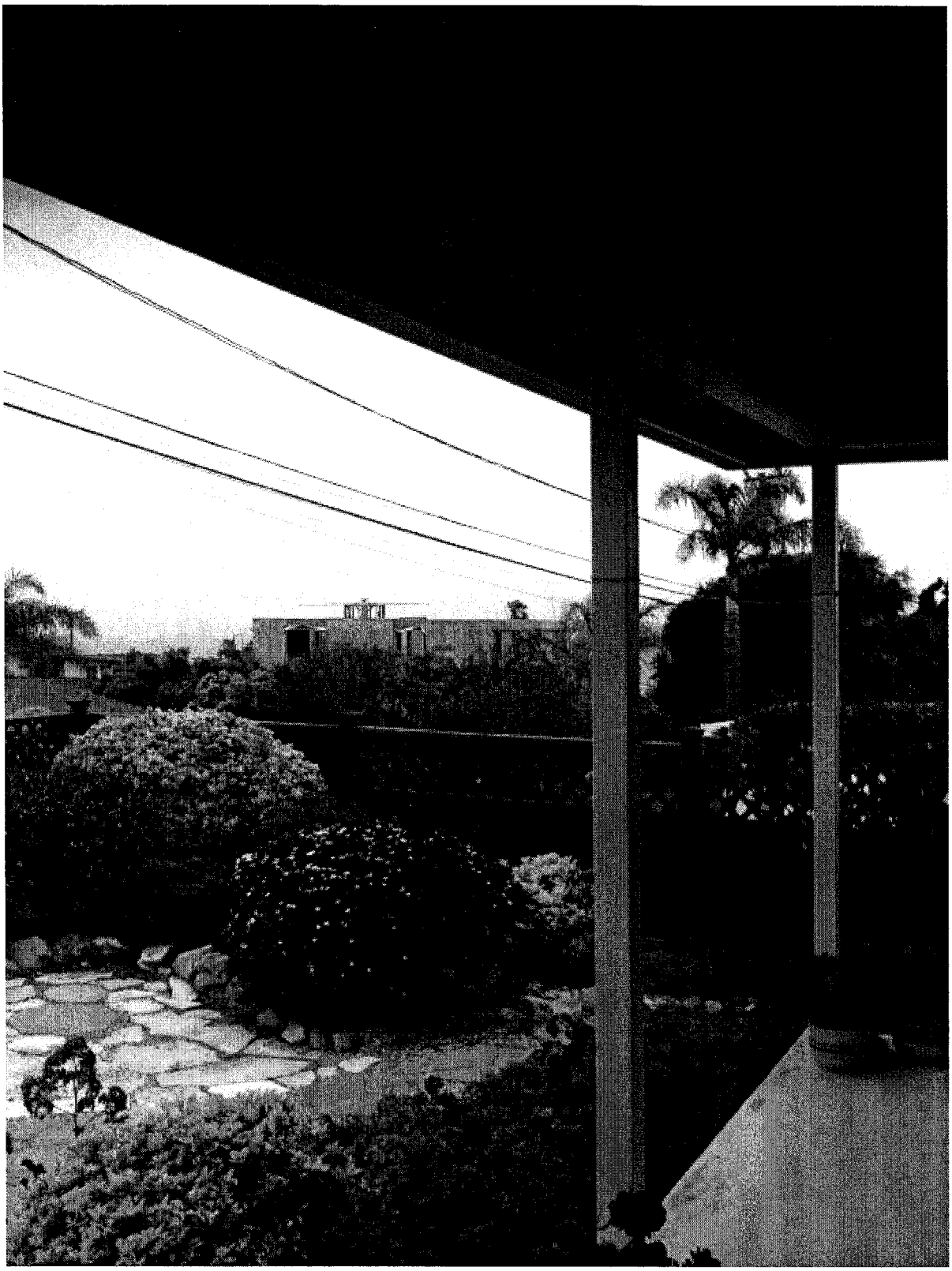
Regards Bill Sutherland Torrance City Councilman

From: PeggyKay@aol.com <PeggyKay@aol.com>
Sent: Sunday, July 18, 2010 10:50 PM
To: PeggyKay@aol.com <PeggyKay@aol.com>
Subject: The Guzman house after the flags go down and wood goes up the view is gone

The photo below was taken from the living room of Charlotte Ferris on Camino De Encanto. Charlotte is 89 years old and original owner of her home. She was never notified of the building of the Guzman home . She had lived here near 45 years and is unable to come out to civic meetings due to age and health reasons. . However her view is gone. She is so upset. Councilmen BREWER did visit her home at election time and she showed her lack of view and said "she has been wiped out" She is more than upset with her total view being taken. Would you like this to happen to you? She had a view and this is her new 'acquired view" PLEASE DON'T LET THIS HAPPEN AGAIN WITH THE HOME ON ELTORO. We'll be there on July 20 to stand by and support our neighbors trying to hold down the oversizing of the neighborhood.

Thank you for considering this and reviewing photos taken on a y iphone with no enhancements or flashes or zoom lenses. Peggy Maddox (627 Camino De Encanto, for Charlotte Ferris) 310-375-6062

From: peggykay@aol.com
To: peggykay@aol.com
Sent: 7/17/2010 6:02:16 P.M. Pacific Daylight Time
Subj: (no subject)



gbarnett@torranceca.gov

Gibson, Jeff

From: drvictoriaradel@cs.com

Sent: Tuesday, July 20, 2010 12:51 PM

To: Gibson, Jeff; Lodan, Gregg; Martinez, Oscar; Barnett, Gene; Brewer, Tom; Scotto, Frank; Sutherland, Bill; Furey, Pat; Rhilinger, Susan; cnumark@torrance.ca.gov

Subject: Request for continuance as attempt consensus on 209 El Toro approval with stipulations

Gentlemen and Councilwoman
I am working very hard to achieve a consensus for the approval of the Delurgio 2 story remodel at 209 Via El Toro.
Last night was the first conversation wherein the 3 of us (Kusion, Constantino and myself) gathered to discuss the potential downsides of not allowing the 2 story in our back yards. We need more time as I am working desperately toward consensus and sincerely feel that if the case goes forward tonight there will be even more bad feelings among neighbors than if we are given time to contemplate the realities which some were not willing to consider until just last night.
Would you kindly grant the continuance?
Respectfully,
Dr Vicki Radel
310-713-2260