

RESOLUTION NO. 3595

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTE SERENO
GRANTING A USE PERMIT (U-15-01A) FOR SPORTS COURT AT 15211
BECKY LANE
(Finch)**

WHEREAS, James and Jeri Finch (referred to as "Applicant") applied for a use permit to allow for a sports court, Application No. U-15-01A ("UP") (referred to as the "Application"); and

WHEREAS, a public hearing was set for June 2, 2015, to take evidence on the Applications and at that hearing evidence was given both orally and in writing; and

WHEREAS, the City Council has considered all the evidence presented.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MONTE SERENO AS FOLLOWS:

Section 1. The City Council hereby finds as follows with respect to the UP for the accessory structure:

- A. In accordance with the Monte Sereno Municipal Code (the "Code") section 10.05.020(B)(9), a use permit is required for the construction of sports court within the zoning classification where the applicant's property is located.
- B. Section 10.10.010(C) of the Code requires the City Council must make certain specific findings before a use permit may be granted and the Council, therefore, finds:
 1. The proposed use will not impair the integrity and character of the zoning district as it is consistent with the zoning, meets all required setbacks, and there are similar sports courts within the neighborhood.
 2. The proposed use would not be detrimental to public health, safety or general welfare as the use is similar to existing uses elsewhere in the zoning district.
 3. The proposed use of the property is in harmony with the various elements or objectives of the General Plan and the purposes of Title 10 of the Monte Sereno Municipal Code.

4. The proposed use, as designed, will not cause a substantial adverse impact upon the environment, or the proposed use will provide public benefits that outweigh the substantial adverse impact upon the environment. In this case, there will be no substantial adverse impact on the environment and minimal grading is proposed.
5. There is not any adverse impacts associated with the use that requires mitigation.

Section 2. Based upon the findings set out above, the City Council hereby determines, concludes and orders that the Application should be approved and they are hereby issued.

Section 3. As a condition to approval of the UP, Applicant shall submit a landscape plan which adds additional screening on the south boundary which will provide screening for the property at 18429 Twin Creeks Road, Monte Sereno Ca. Such landscape plan shall be approved by the City Planning Department subject to City approval, prior to issuance of Building Permit and installed prior to the final approval of the building permit.

Section 4 The City Clerk is hereby directed to give notice of this decision to the Applicant by serving them by first class mail, postage prepaid, with a copy of this resolution.

REGULARLY PASSED AND ADOPTED this 2nd day of June, 2015, by the following roll call vote:

AYES: Council Members Anstandig, Craig, Garner and Mayor Huff
NOES: Council Member Allan
ABSENT: None

BY:



Walter Huff, Mayor

ATTEST:


ANDREA CHELEMENGOS, CITY CLERK