

CUP 105-71

ST. PAUL CATHOLIC CHURCH
C.U.P. - 105-71

Name of Applicant ST. CLAF'S CHURCH

Address 12432 96

Phone 534-2329

Name of Applicant's Representative _____

Address _____

Phone _____

Applicant Interviewed By _____ Application By _____

Date Filed 2-25-71 Hearing Date 3-17-71

PERTINENT FACTS:

PLANNING COMMISSION ACTION

Approved _____ Hearing Date _____
 Denied _____
 DWP _____ RES. NO. _____
 FWR _____
 Date Appealed _____

CITY COUNCIL ACTION

Approved _____ Hearing Date _____
 Denied _____
 DWP _____ RES. NO. _____
 Returned to P. C. _____ Ord. No. _____

PLANNING COMMISSION RECONSIDERATION

Approved _____ Hearing Date _____
 Denied _____
 DWP _____ RES. NO. _____

CITY COUNCIL FINAL ACTION

Approved _____ Hearing Date _____
 Denied _____
 DWP _____ RES. NO. _____
 FWR _____ Ord. No. _____

ZONING ADMINISTRATOR ACTION

Approved Hearing Date 3/17/71
 Denied _____ DEC. NO. 229
 Date Appealed _____

ADMINISTRATIVE ACTION

Approved _____ Hearing Date _____
 Denied _____

LATER ACTION:

STAFF REPORT --- CASE DATA SHEET

CASE NO. CU105-71 APPLICANT: ST. CLAS WITHELL TECH. 3 DATE 3-10-71

A. PLAN CHECK:

1. Legal Building Site? YES A. P. NO. 90-521-25
 2. Use O. K.? YES Planning Action Required Z.A. APPROVAL
 3. Setbacks: Front OK Right Side OK Left Side OK Rear _____
 4. Parking: Required OK Provided OK Design Okay? OK
 5. Placement of Buildings, Parking Areas Okay? YES
 6. Distance Between Buildings Okay? YES
 7. Relevant CC & R's, Easements, Deed Restrictions NOTED
 8. Building Height Okay? YES
 9. Landscaping Okay? "
 10. Underground Utilities Required? NO Shown? NO
 11. Signs Okay? - Shown? NO
 12. Walls Shown Okay? YES Walls Required Okay? (CONDITION)
 13. Lighting Confined to Premises? YES
 14. Noise or Other Objectionable Emissions NO
 15. Need for Sound Attenuation? NO
 16. Need for Street Lights? NO
 17. Park & Recreation Fee: \$ NONE Possible Reduction: \$ NONE
 18. Drainage Fee: \$ NONE

B. REQUEST OF APPLICANT:

1. Rezone from _____ to _____
 2. Site Plan
 3. Conditional Use Permit Unclassified Use Permit
 4. Variances:

Section _____ To Permit _____

*CHILD CARE & DLE-SCHOOL FACILITY.

C. FIELD CHECK:

1. Surrounding Land Uses:
 North S.F.D.
 West S.F.D.
 South S.F.D.
 East S.F.D.

2. Topography
 Subject Property _____ LEVEL
 Adjoining " _____

3. Noteworthy Features _____

D. STAFF ANALYSIS:

1. Memo from Supervisor: PROCEED AS USUAL TOM 3/18/71

2. P. C. C. Evaluation Reviewed 3/5/71

3. Background Information: a. Previous Cases on Subject Property:
Case No. _____ Date _____

NONE

Case No. _____ Date _____

Case No. _____ Date _____

b. Previous Cases on Abutting Properties:

NONE

c. City-wide Precedents:

NONE

d. Other Historical Data:

4. STAFF COMMENTS:

- a. Explain Applicant's Request
- b. R. D. Q. Evaluation
- c. Recreation and Drainage Fees
- d. Departmental Comments
- e. Staff Evaluation/Recommendation

5. CONDITIONS OF APPROVAL

- a. Complete Sentences
- b. Mandatory
- c. Not a Code Requirement

March 10, 1971

St. Olaf Lutheran Church
12432 Ninth Street
Garden Grove, California 92640

Conditional Use Permit No. C.U.P. 105-71

March 18, 1971

Decision No. 220

ZONING ADMINISTRATOR

DECISION NO. 229

CONDITIONAL USE PERMIT NO. 105-71

ST. CLAF LUTHERAN CHURCH

MARCH 18, 1971

This is a conditional use permit application pertaining to property located on the northeast corner of Ninth Street and Lampson Avenue at 12432 Ninth Street.

A public hearing was held by the Zoning Administrator on March 17, 1971, and all testimony presented at the public hearing and evidence applicable to this case have been considered.

The applicant is requesting approval of a conditional use permit to permit the use of existing church facilities for a day nursery and pre-school in the R-1 zone.

The applicant has testified that the church site is ideally located for the subject use. It is centrally located and is near the Garden Grove Civic Center. The site has facilities located some distance from adjoining single family dwellings and has more than adequate recreational area. The recreational area will be fenced off from the balance of the church site and will not be near any single family dwellings.

Section 9219.4 - Purpose of a Conditional Use Permit - paragraph (a) states: "...to assure that the degree of compatibility made the purpose of this Chapter shall be maintained with respect to the particular use on the particular site and in consideration of other existing and potential uses and improvements within the general area in which such is proposed to be located."

A review of the applicant's testimony and the exhibits submitted indicates that the site does provide adequate facilities and open recreation area in a manner and location whereby compatibility to adjoining uses is assured. Therefore, it has been demonstrated that the applicant's request is justified.

In consideration of the evidence submitted and after a review of the criteria established for the granting of conditional use permits, it is hereby determined that Conditional Use Permit No. 105-71 should be and is hereby approved subject to the following conditions:

1. All play areas shall be completely enclosed and all gates shall be self-latching.
2. Minor modifications may be approved by the Zoning Administrator or the Building-Zoning Manager.

/s/ STEWART O. MILLER
ZONING ADMINISTRATOR

The appeal deadline for this case is March 25, 1971.

CONDITIONAL USE PERMIT NO. 105-71
ST. OLAF LUTHERAN CHURCH
Northeast corner of Ninth St. and Lampson Avenue
March 17, 1971.

Mr. Merrell stated no correspondence has been received concerning the subject case.

Mr. Miller declared the public hearing open.

Mrs. Wold, 12901 Lucille, appeared as wife of the Pastor of St. Olaf's Church. She stated she is the proposed organizer and director of the day nursery. It has been the conviction of her and her husband that, because they serve in a tax exempt facility, they own something to the community which has granted this service. They feel that one of the services the church can render would have to do with families, children and youth. They have existing facilities which are adequate and they plan to use these facilities in a way that would be consistent with non-profit organizations. They are located in a neighborhood area and she feels personally that a neighborhood type situation is much more conducive to the emotional well being of the children than any other. They feel that the facilities they have should and could be used in this way to serve the community which supports them. The proposal is for 75 children and they feel the indoor and outdoor space which is available is in keeping with the requirements of the Department of Social Welfare. They are familiar with the Garden Grove Municipal Code requirements for this type of facilities and they do conform to those requirements.

No one appeared in opposition to the subject request.

Mr. Miller declared the public hearing closed.

March 15, 1971

St. Olaf Lutheran Church
12432 Ninth Street
Garden Grove, California 92640

Gentlemen:

Conditional Use Permit 105-71 Zoning Administrator

Zoning Administrator March 17, 1971.

1:30 p.m.

Encl. Staff Report

STAFF REPORT TO THE ZONING ADMINISTRATOR

CASE NO. CONDITIONAL USE PERMIT 105-71
APPLICANT: ST. OLAF LUTHERAN CHURCH
HEARING DATE: MARCH 17, 1971

REQUEST: The applicant requests a conditional use permit to allow the use of existing church facilities for a day nursery and pre-school in the R-1 zone. The property is located at the northeast corner of Ninth Street and Lampson Avenue at 12432 Ninth Street.

I. PREVIOUS CASES:

A. There have been no previous cases filed on the subject property.

II. GENERAL PLAN IMPLICATIONS:

A. Land Use. The Land Use Element of the General Plan indicates low density residential use for the subject property. The proposed use is within this designation.

B. Fire Protection. The subject property would be served by Headquarters Fire Station which is approximately 1.1 miles to the southwest. This travel distance is within the allowable distance as recommended by this Element.

III. STAFF COMMENTS:

A. The applicant is proposing the establishment of a day nursery and pre-school on the present site of the St. Olaf Lutheran Church. Municipal Code Section 9204 states: *"Pre-schools or day care nurseries when integrated with the church program and conducted on the church premises, subject to a conditional use permit and further subject to the following conditions:*

1. *A play area to be not less than 600 square feet in area, plus 75 square feet of area for each child in excess of nine. Such play lot shall not be located in any required front or side yard."*

B. The applicant has met or exceeded the conditions enumerated above.

C. There are no variances being requested.

D. The proposed use meets applicable zoning and development regulations. Therefore, it would appear justification for approval is warranted.

IV. SUGGESTED CONDITIONS OF APPROVAL:

A. All play areas shall be completely enclosed and all gates shall be self-latching.

B. Minor modifications may be approved by the Zoning Administrator or the Building-Zoning Manager.

Land use

INTERDEPARTMENTAL CASE RESUME SHEET

DATE: 2-25-71

CASE: CUP-105-71

APPLICANT: ST. CLAF'S CHURCH

HEARING DATE: 3-17-71

REQUEST: ALLOW A PRE-SCHOOL AT CHURCH

RETURN TO LAND USE SECTION BY 3-1-71

DEPARTMENT COMMENTS:

no comment

BY: J. Beiler FM

DATE: 3-1-71

INTERDEPARTMENTAL CASE RESUME SHEET

DATE: 2-25-71

CASE: CUP-105-71

APPLICANT: ST. CLAF'S CHURCH

HEARING DATE: 3-17-71

REQUEST: ALLOW A PRE-SCHOOL AT CHURCH

RETURN TO LAND USE SECTION BY 3-1-71

DEPARTMENT COMMENTS: No Comments

BY: Rich Smith - Water

DATE: 3-1-71

INTERDEPARTMENTAL CASE RESUME SHEET

DATE: 2-25-71

CASE: CUP-105-71

APPLICANT: ST. OLAF'S CHURCH

HEARING DATE: 5-17-71

REQUEST: ALLOW A PRE-SCHOOL AT CHURCH

RETURN TO LAND USE SECTION BY 3-1-71

DEPARTMENT COMMENTS:

No comment

BY: [Signature]

DATE: 2-25-71

March 5, 1971

St. Olaf Lutheran Church
12432 Ninth Street
Garden Grove, California 92640

CONDITIONAL USE PERMIT NO. C.U.P.-105-71

March 17, 1971.

Applicant Notified

UP 105-71 3-17-71

A.P. PARCEL NAME AND ADDRESS LISTING 03/24/71 PAGE

TAX CODE	PARCEL NUMBER	SUB NO.	NAME	ADDRESS	CITY-STATE
18046	09009208	00	BELLER, ALVIN L	11422 MIDWICK PL	GARDEN GROVE CAL 92640
18046	09009223	00	DEVINE, RAY I	11421 LAMPSON AVE	GARDEN GROVE, CAL 92640
18046	09009224	00	TIGOTKE, DONALD R	11441 LAMPSON AVE	GARDEN GROVE, CAL 92640
18046	09009225	00	MARTIN, JAMES E	11461 LAMPSON	GARDEN GROVE, CAL 92640
18046	09009226	00	WILLNER, JUSTINE	12861 WEST ST SPACE 33	GARDEN GROVE, CAL 92640
18046	09009227	00	FINLEY, ROBERT E	12431 - 9TH ST	GARDEN GROVE, CAL 92640
18046	09009228	00	RURKE, EDWARD L	12391 9TH ST	GARDEN GROVE, CAL 92640
18046	09009229	00	BUCK, PAULINE	WALTER R MYERS / ASSDC	4252 SANDBURG WAY
18046	09009230	00	RAPP, WILLIAM K	12411 9TH ST	GARDEN GROVE, CAL 92640
18046	09011001	00	LA FOHI, MARCEL ET AL	6292 BEACH BLVD	BUENA PARK, CAL 90621
18046	09030106	00	HILL, RUSSELL L	12542 9TH ST	GARDEN GROVE, CAL 92640
18046	09030107	00	JOHNSON, EDWARD S	12532 S 9TH ST	GARDEN GROVE, CAL 92640
18046	09030108	00	WOODS, OWEN J JR	11512 LAMPSON AVE	GARDEN GROVE, CAL 92640
18046	09030109	00	DANSON, ERNEST JR	11562 LAMPSON AVE	GARDEN GROVE, CAL 92640
18046	09030119	00	MARTIN, VERN P	12521 SAFFORD	GARDEN GROVE, CAL 92640
18046	09030111	00	VAN DER LINDE, PHILLIP M	12531 SAFFORD ST	GARDEN GROVE, CAL 92640
18046	09030112	00	WELLS, JAMES H JR	12551 SAFFORD ST	GARDEN GROVE, CAL 92640
18046	09030301	00	KIMBLE, ERVIN H	9581 DODSON WAY	VILLA PARK, CAL 92657
18046	09030302	00	HAMOR, ERNEST E	12522 SAFFORD ST	GARDEN GROVE, CAL 92640
18046	09030303	00	MC MAHAT, ROBERT H	12532 SAFFORD	GARDEN GROVE, CAL 92640
18046	09030324	00	HUGRIDGE, JAMES H	12552 SAFFORD ST	GARDEN GROVE, CAL 92640
18046	09030326	00	RAPPAPORT, ROBERT G	11662 LAMPSON	GARDEN GROVE, CAL 92640
18046	09030328	00	STEGERT, ROBERT E	11642 LAMPSON AVE	GARDEN GROVE, CAL 92640
18046	09030329	00	BUGGAN, MARGARET	11622 LAMPSON AVE	GARDEN GROVE, CAL 92640
18046	09030336	00	KOCH, WILLIAM A	1128 W ROSEBONT	ANAHEIM, CAL 92805
18046	09030338	00	NELSON, HARRY	11612 LAMPSON ST	GARDEN GROVE, CAL 92640
18046	09030339	00	BALLIET, GLENN K	11602 LAMPSON AVE	GARDEN GROVE, CAL 92640
18046	09030340	00	BRANDELLI, IVO	12362 9TH ST	GARDEN GROVE, CAL 92640
18046	09030342	00	LOZZI, AURORA	12372 9TH ST	GARDEN GROVE, CAL 92640
18046	09030343	00	ROBLE, GEORGE W	12371 GAMMA ST	GARDEN GROVE, CAL 92640
18046	09030344	00	REINES, ROBERT G	12361 GAMMA	GARDEN GROVE, CAL 92640
18046	09030345	00	YEOGE, FRANK H JR	12362 GAMMA	GARDEN GROVE, CAL 92640
18046	09030346	00	SHAW, PASCAL PETE	12372 GAMMA	GARDEN GROVE, CAL 92640
18046	09030347	00	BURROUGHS, DAN W	12371 DELTA ST	GARDEN GROVE, CAL 92640
18046	09030348	00	WAGNER, JOSEPH	12361 DELTA ST	GARDEN GROVE, CAL 92640
18046	09030349	00	WRIGHT, JESSIE	11362 DELTA ST	GARDEN GROVE, CAL 92640
18046	09030350	00	GUERRERO, JOSE ET AL	12372 DELTA	GARDEN GROVE, CAL 92640
18046	09030351	00	DE GUIDO, ANNA	12571 EPSILON	GARDEN GROVE, CAL 92640
18046	09030352	00	RUSSELL, HENRY L	12361 EPSILON ST	GARDEN GROVE, CAL 92640
18046	09030353	00	CUMMINGS, ETTY W 2ND	11552 BETA AVE	GARDEN GROVE, CAL 92640
18046	09030354	00	PROBST, EUGENE R	11562 BETA	GARDEN GROVE, CAL 92640
18046	09030355	00	SHELTER PROPERTIES INC	2701 W EDINGER	SANTA ANA, CALIF
18046	09030356	00	JUBLIN, DONALD R	11582 BETA ST	GARDEN GROVE, CAL 92640
18046	09030357	00	PUZZO, ANTHONY	11602 BETA ST	GARDEN GROVE, CAL 92640
18046	09030358	00	GOODMAN, SHELDON S	11612 BETA AVE	GARDEN GROVE, CAL 92640
18046	09030359	00	ANDERSON, JACK MICHAEL	11622 BETA	GARDEN GROVE, CALIF
18046	09030360	00	BENTLEY, JAMES E	11632 BETA AVE	GARDEN GROVE, CAL 92640
18046	09030361	00	WEIDERT, CARL L. JR.	11642 9ET	GARDEN GROVE, CALIF

18046	09030223	00	DEVINE, RAY T	11421 LAMPSON AVE	GARDEN GROVE, CAL	92660
18046	09030224	00	TIEDTKE, DONALD R	11441 LAMPSON AVE	GARDEN GROVE, CAL	92640
18046	09030225	00	MARTIN, JAMES E	11461 LAMPSON	GARDEN GROVE, CAL	92640
18046	09030226	00	WILBER, JUSTINE	12861 WEST ST SPACE 33	GARDEN GROVE, CAL	92640
18046	09030227	00	FINLEY, ROBERT E	12431 - 9TH ST	GARDEN GROVE, CAL	92640
18046	09030228	00	BURKE, EDWARD L	12391 9TH ST	GARDEN GROVE, CAL	92640
18046	09030229	00	BUDD, PAULINE	WALTER R MYERS / ASSOC	4252 SANDBURG WAY	IRVINE, CAL 92604
18046	09030230	00	RAPP, WILLIAM K	12411 9TH ST	GARDEN GROVE, CAL	92640
18046	09030106	00	LA FOIT, MARCEL ET AL	6292 BEACH DIVD	BUENA PARK, CAL	90621
18046	09030107	00	HILL, RUSSELL L	12542 9TH ST	GARDEN GROVE, CAL	92640
18046	09030108	00	JOHNSON, EDWARD S	12532 S 9TH ST	GARDEN GROVE, CAL	92640
18046	09030109	00	WODOS, OWEN J JR	11512 LAMPSON	GARDEN GROVE, CAL	92640
18046	09030110	00	DANSON, ERNEST JR	11562 LAMPSON AVE	GARDEN GROVE, CAL	92640
18046	09030111	00	MARTIN, VERN P	12521 SAFFORD	GARDEN GROVE, CAL	92640
18046	09030112	00	VAN DER LINDE, PHILLIP M	12531 SAFFORD ST	GARDEN GROVE, CAL	92640
18046	09030113	00	WELLS, JAMES H JR	12551 SAFFORD ST	GARDEN GROVE, CAL	92640
18046	09030201	00	KIMBLE, ERVIN W	9501 DOBSON WAY	VILLA PARK, CAL	92657
18046	09030202	00	HAMOR, ERNEST E.	12522 SAFFORD ST.	GARDEN GROVE, CAL	92640
18046	09030203	00	MC MANAY, ROBERT H.	12522 SAFFORD	SAPLEN GROVE, CAL	92640
18046	09030204	00	MUGRIDGE, JAMES M	12552 SAFFORD ST	GARDEN GROVE, CAL	92640
18046	09030225	00	RAPPAPORT, ROBERT C.	11662 LAMPSON	GARDEN GROVE, CAL	92640
18046	09030228	00	SIEGERT, ROBERT E	11642 LAMPSON AVE	GARDEN GROVE, CAL	92640
18046	09030229	00	CUSCAN, MARGARET	11622 LAMPSON AVE	GARDEN GROVE, CAL	92640
18046	09030230	00	KOCH, WILLIAM A	1120 W ROSEMONT	ANAHEIM, CAL	92805
18046	09030231	00	NELSON, HARRY	11612 LAMPSON ST	GARDEN GROVE, CAL	92640
18046	09030239	00	BALLIET, GLENN K	11602 LAMPSON AVE	GARDEN GROVE, CAL	92640
18046	09030209	00	BRANDELLI, IVO	12362 9TH ST	GARDEN GROVE, CAL	92640
18046	09030210	00	LUZZI, AURORA	12372 9TH ST	GARDEN GROVE, CAL	92640
18046	09030211	00	HOBLE, GEORGE W	12371 GAMMA ST	GARDEN GROVE, CAL	92640
18046	09030212	00	REYNES, ROBERT G	12361 GAMMA	GARDEN GROVE, CAL	92640
18046	09030309	00	YEASE, FRANK H JR	12362 GAMMA	GARDEN GROVE, CAL	92640
18046	09030310	00	SHONS, PASCAL PETE	12372 GAMMA	GARDEN GROVE, CAL	92640
18046	09030311	00	BURROUGHS, DAN W	12371 DELTA ST	GARDEN GROVE, CAL	92640
18046	09030312	00	HOCHNER, JOSEPH	12361 DELTA ST	GARDEN GROVE, CAL	92640
18046	09030409	00	WRIGHT, JESSIE T	12362 DELTA ST	GARDEN GROVE, CAL	92640
18046	09030410	00	GUERRERO, JOE M ET AL	12372 DELTA	GARDEN GROVE, CAL	92640
18046	09030411	00	DE GUIDO, ANTHONY J	12371 EPSILON	GARDEN GROVE, CAL	92640
18046	09030412	00	RUSSELL, HENRY L	12361 EPSILON ST	GARDEN GROVE, CAL	92640
18046	090304502	00	CUNHINGS, BETTY W THDR	11552 BETA AVE	GARDEN GROVE, CAL	92640
18046	090304503	00	PROUST, EUGENE R	11562 BETA	GARDEN GROVE, CAL	92640
18046	090304504	00	SHELTER PROPERTIES INC	2701 W ERIANGER	SANTA ANA, CALIF	92743
18046	090304505	00	JUULIN, DONALD R.	11582 BETA ST.	GARDEN GROVE, CAL	92640
18046	090304506	00	FUZZO, ANTHONY	11602 BETA ST	GARDEN GROVE, CAL	92640
18046	090304507	00	GOODMAN, SHELTON S	11612 BETA AVE	GARDEN GROVE, CAL	92640
18046	090304508	00	ANDERSON, JACK MICHAEL	11622 BETA	GARDEN GROVE, CALIF	
18046	090304509	00	DEWITLY, JAMES E	11652 BETA AVE	GARDEN GROVE, CAL	92640
18046	090304510	00	WELDEBT, CARL L. JR.	11642 BETA	GARDEN GROVE, CAL	92640
18046	090304511	00	DELUCKROY, HARVEY JR	11652 BETA	GARDEN GROVE, CALIF	

TAX CODE	PARCEL NUMBER	SUB NO.	NAME	ADDRESS	CITY-STATE
18046	09034512	00	WIELSON, ROBERT W	11662 BETA AVE	GARDEN GROVE, CAL 92640
18046	09034513	00	RUSS, TELLIO L.	11672 BETA	GARDEN GROVE, CAL 92640
18046	09034519	00	ELESH, FRED S.	12412 9TH ST	GARDEN GROVE, CAL 92640
18046	09034522	00	VAN DALSEM, PAUL H	11532 BETA AVE	GARDEN GROVE, CAL 92640
18046	09052103	00	HONER, THEODORE R	11571 LAMPSON AVE	GARDEN GROVE, CALIF
18046	09052104	00	HODELL, FREDERICK H	12471 GEORGE ST	GARDEN GROVE, CAL 92640
18046	09052105	00	SLAWA, KENNETH A	12441 GEORGE ST	GARDEN GROVE, CAL 92640
18046	09052105	00	KNIIGHT, THOMAS A	12441 GEORGE ST	GARDEN GROVE, CAL 92640
18046	09052107	00	KOVERDUCK, MAX H	11641 PICKETT LN	GARDEN GROVE, CAL 92640
18046	09052108	00	MORELAND, GERALD W	11651 PICKETT LN	GARDEN GROVE, CAL 92640
18046	09052109	00	WILLIAMS, HOWARD U	11651 PICKETT LN	GARDEN GROVE, CAL 92640
18046	09052110	00	CAPLE, GORDON W	11681 PICKETT LN	GARDEN GROVE, CAL 92640
18046	09052120	00	SEEL, WILLIAM T JR	11611 LAMPSON AVE	GARDEN GROVE, CAL 92640
18046	09052121	00	SARVER, CLYDE C JR	11591 LAMPSON AVE	GARDEN GROVE, CAL 92640
18046	09052175	00	CHURCH, ST OLAF	EVANGELICAL LUTHERAN CH	GARDEN GROVE, CAL 92640
18046	09052201	00	GARDEN GROVE, CAL 92640	12432 9TH ST	GARDEN GROVE, CAL 92640
18046	09052202	00	FISHER, LOVAL W	11662 PICKETT LN	GARDEN GROVE, CAL 92640
18046	09052203	00	WALSH, DAVID M	11661 LAMPSON AVE	GARDEN GROVE, CAL 92640
18046	09052203	00	MURPHY, ARTHUR R	11662 PICKETT LANE	GARDEN GROVE, CAL 92640

LEGAL NOTICE

NOTICE OF PUBLIC HEARING CONCERNING
CONDITIONAL USE PERMIT NO. C.U.P.-105-71

NOTICE IS HEREBY GIVEN THAT THE ZONING ADMINISTRATOR OF THE CITY OF GARDEN GROVE will hold a PUBLIC HEARING IN THE COUNCIL CHAMBERS OF THE GARDEN GROVE CITY HALL, 11391 ACACIA STREET, GARDEN GROVE, CALIFORNIA, on the date indicated * to receive and consider all evidence and reports relative to the application described below.

*MARCH 17, 1971
1:30 O'CLOCK P.M.

CONDITIONAL USE PERMIT NO. C.U.P.-105-71

APPLICANT: ST. OLAF LUTHERAN CHURCH
REQUEST: Conditional use permit to allow the use of existing church facilities for a day nursery and pre-school in the R-1 zone.
LOCATION: Northeast corner of Ninth and Lampson at 12432 Ninth Street.
DATE: MARCH 5, 1971

ALL INTERESTED PARTIES are invited to attend said HEARINGS and express opinions or submit evidence for or against the proposal as outlined above.

Petitions and letters are not considered direct evidence. The decision of the Zoning Administrator may not rest solely on them.

FURTHER INFORMATION which may include site plans, building elevations, and floor plans on the above application may be reviewed at the Development Services Department in City Hall or telephone: 537-4200, extension 41.

APPLICATION FOR A CONDITIONAL USE PERMIT

FEE: \$50.00

Application No. C.U.P. 105-71

Date: February 24, 1971

Application is hereby made to the Garden Grove Zoning Administrator for a Conditional Use Permit.

Name of Applicant: ST. OLAF LUTHERAN CHURCH Telephone: 534-2329

Mailing Address: 12432 Ninth Street, Garden Grove, California

The recorded owner of the property.

Purchasing under contract.

The lessee.

638-9490

The authorized agent of any of the foregoing. If the applicant is not the property owner, he must be authorized to act on behalf of the recorded owner for which a form is attached to this application.

Name and Address of the Recorded Owner: ST. OLAF LUTHERAN CHURCH,
12432 Ninth Street, Garden Grove, California

Date of Acquisition of Property: 1958

Street Address of Property: 12432 Ninth Street, Garden Grove, California

Property is situated on the East side of said street between Lampson Street and Beta Street.

REASON FOR APPLICANT'S REQUEST: (Include in your description those factors which make the requested use reasonably compatible with surrounding uses.)

The existing educational structures of St. Olaf Lutheran Church, the applicant, are ideally suited for the operation of a day nursery and pre-school. The proposed play-rooms have been used as primary school classrooms and are still used for other church school purposes. They are not adjacent to any private dwellings and the playground is in an atrium situation, and will therefore provide maximum security for the children.
(For additional space, use reverse side.) (over)

I HEREBY CERTIFY that all of the information contained in this application is, to the best of my knowledge and belief, true and correctly represented.

By: Robert W. Richardson
Robert Richardson, President
(Signature of Applicant)

Acknowledgement of Fee Payment

Accepted by Land Use Section

By: Carol Heath Date: 2/25/71

By: [Signature] Date: 2-25-71

EXCERPT FROM ARTICLE IX OF THE MUNICIPAL CODE
OF THE CITY OF GARDEN GROVE, CALIFORNIA

Section 9219.12. EFFECTIVE DATE OF ORDER GRANTING OR DENYING VARIANCE, CONDITIONAL USE PERMIT, UNCLASSIFIED USE PERMIT OR SITE PLAN. TIME FOR APPEAL. The order, granting or denying a variance, conditional use permit, unclassified use permit or site plan shall become final and effective seven (7) days after the order, UNLESS WITHIN SUCH SEVEN (7) DAY PERIOD AN APPEAL IN WRITING IS FILED WITH THE CITY CLERK BY EITHER AN APPLICANT OR OPPONENT. The filing of such appeal within such time limit shall stay the effective date of the order until such time as the City Council has acted on the appeal as hereafter set forth in this Chapter.

Section 9221.3. FEE FOR APPEAL. A fee of \$25.00 shall be charged for the appeal of a site plan, variance, conditional use permit or unclassified use permit.

NOTE: Evidence not presented to the Planning Commission or Zoning Administrator in connection with this case will not be considered by the City Council. All maps, petitions, plans, testimony, and other facts or opinions must have been heard by the Planning Commission or Zoning Administrator in order to be heard by the City Council.

Any new evidence which you desire to submit must be presented as part of a new application for which the normal filing fees will be charged. The new application will be heard by the Planning Commission or Zoning Administrator in the manner set forth in the Garden Grove Municipal Code.

Section 9223.1. SITE PLANS, VARIANCES OR PERMITS MAY BE REVOKED.

The Planning Commission or Zoning Administrator, as the case may be, may, after a public hearing held in the manner prescribed in Part 19 governing variances, conditional use permits and unclassified use permits or as prescribed in Part 20 governing site plans, revoke or modify on any one of more of the following grounds any site plan, variance, conditional use permit or unclassified use permit previously issued:

- (a) That the approval was obtained by fraud.
- (b) That the use for which such approval was granted is not being exercised.
- (c) That the use for which such approval was granted has ceased to exist or has been suspended for one (1) year or more.
- (d) That the site plan, variance, conditional use permit or unclassified use permit is being, or recently has been, exercised contrary to the terms or conditions of such approval, or in violation of any statute, ordinance, law or regulation.
- (e) That the use for which the approval was granted was so exercised as to be detrimental to the public health or safety or so as to constitute a nuisance.

Section 9223.2. EXPIRATION.

Any site plan, variance, conditional use permit or unclassified use permit granted becomes null and void if not exercised within the time specified in the approval of said site plan, variance, conditional use permit or unclassified use permit, or if no date is specified, within one (1) year from the date of approval of said site plan, variance, conditional use permit or unclassified use permit. In no case shall the Planning Commission or Zoning Administrator specify a time period exceeding three (3) years.

I HEREBY CERTIFY that I have read and understand the information contained in this application.

Robert Richardson

Robert Richardson, President

(Signature of Applicant)