

**MINUTES**  
**HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR**  
**Room B-8 - Civic Center**  
**2000 Main Street**  
**Huntington Beach California**

**WEDNESDAY, APRIL 6, 2005 - 1:30 P.M.**

**ZONING ADMINISTRATOR:** Herb Fauland, Acting Zoning Administrator

**STAFF MEMBER:** Rami Talleh, Paul Da Veiga, Ron Santos, Ramona Kohlmann (recording secretary)

**MINUTES:** March 2, 2005  
**CONTINUED TO THE APRIL 13, 2005 MEETING**

**ORAL COMMUNICATION:** **NONE**

*Items 2 and 3 were moved to the front of the agenda. Please note the Minutes will reflect actions taken in their original order.*

**ITEM 1: COASTAL DEVELOPMENT PERMIT NO. 05-04 (MC CORD RESIDENCE)**

**APPLICANT:** David Pacheco, 714 Adams Suite 207, Huntington Beach, CA 92648  
**PROPERTY OWNER:** Frank McCord, 5561 Ocean Terrace Drive, Huntington Beach, CA 92648  
**REQUEST:** To permit the demolition of a single-family dwelling and construction of a 5,905 sq. ft. two-story single-family dwelling with attached garage. The request includes a review and analysis for compliance with the Infill Lot Ordinance. The Infill Lot Ordinance encourages adjacent property owners to review proposed development for compatibility/privacy issues, such as window alignments, building pad height, and floor plan layout.  
**LOCATION:** 16111 Santa Barbara Lane (west side of Santa Barbara Lane, south of Edinger Avenue)  
**PROJECT PLANNER:** Rami Talleh

Rami Talleh, Staff Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing uses of the requested project. Staff presented a review of the proposed project and the suggested findings and conditions of approval as outlined in the executive summary. Staff stated that the proposed project is subject to the Infill Lot Ordinance and that the proposed window offset is in compliance with the Ordinance.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions as outlined in the executive summary. No written or verbal comments were received in response to the public notification.

Herb Fauland, Acting Zoning Administrator, asked staff what the status was concerning Suggested Condition of Approval No. 2. Staff stated that the applicant has indicated that correspondence from the homeowner's association has been delayed and is in process.

**THE PUBLIC HEARING WAS OPENED.**

**THERE WERE NO PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.**

**COASTAL DEVELOPMENT PERMIT NO. 05-04 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) WORKING DAYS.**

**FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15303 of the CEQA Guidelines, because the project consists of construction of one single-family residence in a residential zone.

**FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 05-04:**

1. Coastal Development Permit No. 05-04 for the demolition of a single-family dwelling and construction of a 5,905 sq. ft. two-story single-family dwelling with attached garage, as proposed, conforms with the General Plan, including the Local Coastal Program land use designation of Residential Low-Density. The project is consistent with Coastal Element Land Use Policy C 1.1.1 to encourage development within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction will occur on a previously developed site, contiguous to existing residential development.
2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The project, as conditioned, complies with all applicable development regulations, including maximum building height, minimum yard setbacks, maximum lot coverage, and minimum on-site parking.
3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The proposed project will be constructed in an urbanized area with direct access from an existing public street and with all necessary services and infrastructure available including water, sewer and electricity.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access or impact public views to coastal resources. In addition, the project is subject to payment of required park fees; to be used for acquiring and maintaining public park land for recreational use.

**CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 05-04:**

1. The site plan, floor plans, and elevations received and dated March 11, 2005, shall be the conceptually approved design.
2. Prior to submittal for building permits, a letter from the Property Owner Association or Architectural Committee shall be submitted indicating that the proposed project has been approved, denied, or that the CC&R's do not require Association or Committee review.

**INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

**ITEM 2: COASTAL DEVELOPMENT PERMIT NO. 05-01 (FEVERSTEIN REMODEL)**

APPLICANT: Jim Caldwell, 1614 Warwick Lane, Newport Beach, CA 92660  
PROPERTY OWNER: Arnold Feverstein, 508 W 30<sup>th</sup> Street, Newport Beach, CA 92663  
REQUEST: To permit the addition of 585 sq. ft. to an existing 3,708 sq. ft. two-story single-family residence. The addition includes 400 sq. ft. to the 1<sup>st</sup> floor and 185 sq. ft. to the 2<sup>nd</sup> floor. The request includes a review and analysis for compliance with the Infill Lot Ordinance. The Infill Lot Ordinance encourages adjacent property owners to review proposed development for compatibility/privacy issues, such as window alignments, building pad height, and floor plan layout.  
LOCATION: 16232 Wayfarer Lane (north side of Wayfarer Lane, west of Mistral Drive)  
PROJECT PLANNER: Paul Da Veiga

Paul Da Veiga, Staff Planner, displayed project plans and stated the purpose, location, zoning, and existing uses of the requested project. Staff presented a review of the proposed project and the suggested findings and conditions of approval as outlined in the executive summary.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions as outlined in the executive summary.

Herb Fauland, Acting Zoning Administrator, and staff engaged in discussions concerning demolition of the interior walls exceeding 50% thereby subjecting the proposed project to the Infill Lot Ordinance. Mr. Fauland confirmed with staff that no written or verbal comments were received in response to the public notification.

**THE PUBLIC HEARING WAS OPENED.**

Jim Caldwell, 1614 Warwick Lane, Newport Beach, applicant, questioned the nine-foot height requirement for the westerly wall as set forth in Suggested Condition of Approval No.1.

Discussion ensued and Mr. Fauland advised the applicant that the wall would need to be redesigned to comply with code and that the plans would have to be amended.

**THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.**

**COASTAL DEVELOPMENT PERMIT NO. 05-01 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) WORKING DAYS.**

**FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301 of the CEQA Guidelines, because the project consists of an addition to an existing structure, which increases the floor area less than 50 percent and involves negligible or no expansion of an existing use.

**FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 05-01:**

1. Coastal Development Permit No. 05-01 to permit an addition of 400 sq. ft. to the 1<sup>st</sup> floor and 185 sq. ft. to the 2<sup>nd</sup> floor, as modified by conditions of approval, conforms with the General Plan, including the Local Coastal Program land use designation of Residential Low-Density. The project is consistent with Coastal Element Land Use Policy C 1.1.1 to encourage development within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction will occur on a previously developed site, contiguous to existing residential development.
2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code, including maximum building height, minimum yard setbacks and minimum on-site parking requirements.
3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The proposed addition will be

constructed on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer and roads.

4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access or impact public views to coastal resources.

**CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 05-01:**

1. The site plan, floor plans, and elevations received and dated March 2, 2005 shall be the conceptually approved design with the following modification:
  - a. The height of the entry feature/wing wall located along the westerly property line shall be reduced to a maximum of nine feet.

**INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

**ITEM 3: COASTAL DEVELOPMENT PERMIT NO. 05-06 (ALVES RESIDENCE)**

APPLICANT:	Alan Knebel, 14971 Chestnut Street, Westminster, CA 92683
PROPERTY OWNER:	Tony and Rochelle Alves, 17012 Baruna Lane, Huntington Beach, CA 92649
REQUEST:	To permit the demolition of an existing single-family dwelling and construction of a 4,227 sq. ft. two-story single-family dwelling with attached garages. The request includes a review and analysis for compliance with the Infill Lot Ordinance. The Infill Lot Ordinance encourages adjacent property owners to review proposed development for compatibility/privacy issues, such as window alignments, building pad height, and floor plan layout.
LOCATION:	17012 Baruna Lane (east side of Baruna Lane north of Sirius Drive)
PROJECT PLANNER:	Ron Santos

Ron Santos, Staff Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing uses of the requested project. Staff presented a review of the proposed project and the suggested findings and conditions of approval as outlined in the executive summary.

Staff stated that the proposed project is subject to the Infill Lot Ordinance because the partial demolition exceeds 50 percent. Staff stated that the only window in alignment with the adjoining property is a bathroom window, which will be obscure glass.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions as outlined in the executive summary. No written or verbal comments were received in response to the public notification.

Herb Fauland, Acting Zoning Administrator, reviewed the plans with staff. Discussion ensued with staff concerning the suggested conditions of approval for the second-story top plate not to exceed a height of 25 feet. Mr. Fauland confirmed with staff that the applicant has concurred with the aforementioned condition and that the condition conforms to code.

#### **THE PUBLIC HEARING WAS OPENED.**

Mr. Fauland confirmed with the applicant, Alan Knebel, that they have reviewed and concur with the suggested conditions for approval.

#### **THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.**

**COASTAL DEVELOPMENT PERMIT NO. 05-06 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) WORKING DAYS.**

#### **FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15302 of the CEQA Guidelines, because the project consists of the replacement of an existing structure where the new structure will have substantially the same purpose and capacity as the structure replaced.

#### **FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 05-06:**

1. Coastal Development Permit No. 05-06 to permit the demolition of an existing single-family dwelling and construction of a 4,227 sq. ft. two-story single-family dwelling with attached garages, as modified by conditions of approval, conforms with the General Plan, including the Local Coastal Program land use designation of Residential Low-Density. The project is consistent with Coastal Element Land Use Policy C 1.1.1 to encourage development within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction will occur on a previously developed site, contiguous to existing residential development.
2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code, including maximum building height, minimum yard setbacks and minimum on-site parking requirements.

Conditions of approval require the project to be modified so as to not exceed the maximum second-story top-plate height allowed by code.

3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The proposed addition will be constructed on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer and roads.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access or impact public views to coastal resources.

**CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 05-06:**

1. The site plan, floor plans, and elevations received and dated February 4, 2005, shall be the conceptually approved design with the following modification:
  - The second-story top plate shall not exceed a height of 25 feet.

**INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

**THE MEETING WAS ADJOURNED AT 1:45 PM BY THE ZONING ADMINISTRATOR TO THE NEXT REGULARLY SCHEDULED MEETING OF THE ZONING ADMINISTRATOR ON WEDNESDAY, APRIL 13, 2005 AT 1:30 PM.**

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Herb Fauland, Acting  
Zoning Administrator

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