

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

**WEDNESDAY, JUNE 15, 2005 - 1:30 P.M.**

**ZONING ADMINISTRATOR:** Mary Beth Broeren

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

**MINUTES:** April 20, 2005  
May 11, 2005  
**APPROVED AS SUBMITTED**

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

**ITEM 1: COASTAL DEVELOPMENT PERMIT NO. 05-12 (REED – ADDITION AND REMODEL)**

APPLICANT/  
PROPERTY OWNER: Robert Reed, 7573 Slater Avenue, Unit J, Huntington Beach, CA 92647

REQUEST: To permit a 90 sq. ft. addition to the first floor and a new 2,930 sq. ft. second story to an existing 2,525 sq. ft. one-story single-family residence with a maximum building height of 30 feet. The request also includes a new four-car 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: 3322 Easter Circle (terminus of Easter Circle, east of Channel Lane)

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 stated that the Infill Lot Ordinance is applicable and that none of the proposed windows will align with adjacent neighboring windows.

Mary Beth Broeren, Zoning Administrator, asked if correspondence has been received from the homeowner's association. Staff stated that a letter of approval has been received. No other written or verbal comments were received in response to the public notification.

**THE PUBLIC HEARING WAS OPENED.**

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

Ms. Broeren confirmed with the applicant that they agree to the suggested condition of approval maximizing landscaping.

**COASTAL DEVELOPMENT PERMIT NO. 05-12 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 an addition to an existing single-family residence in a residential zone.

**FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 05-12:**

1. Coastal Development Permit No. 05-09 to permit a 90 sq. ft. addition to the first floor and a new 2,930 sq. ft. second story to an existing 2,525 sq. ft. one-story single-family residence with a maximum building height of 30 feet, 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. 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. 05-12:**

The site plan, floor plans, and elevations received and dated May 4, 2005, shall be the conceptually approved design with the following modification:

- a. Landscaping shall be provided in the front portion of the lot to the maximum extent possible. The remainder of the front setback that cannot be landscaped shall be provided with decorative paving.

**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. 05-11/CONDITIONAL USE PERMIT NO. 05-07 (RAUH WALL)**

APPLICANT: Robert Reed, 7573 Slater Avenue, Unit J, Huntington Beach, CA 92647  
PROPERTY OWNER: Ross Rauh, 16822 Bay View Drive, Huntington Beach, CA 92649  
REQUEST: To permit an existing three (3) ft. tall wood lattice extension on top of an existing three (3) ft. tall block wall for an overall height of six (6) ft. in lieu of the maximum 42 inches permitted within the 15 ft. front yard setback.  
LOCATION: 16822 Bay View Drive (east side of Bayview Drive, south of Broadway)  
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 request is a result of a complaint received by Code Enforcement.

Staff stated that one telephone call was received from a property owner to the north of the subject site inquiring into the nature of the project. No other written or verbal comments were received in response to the public notification.

Mary Beth Broeren, Zoning Administrator, confirmed with staff that the request is based upon liability and security reasons.

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

Dean Garland, 16772 Broadway, neighboring property owner, stated that he initiated the Code Enforcement complaint. Mr. Garland voiced opposition to the proposed project and stated that a prescriptive easement precludes the proposed fence extension.

Robert Reed, 7573 Slater Avenue, Unit J, applicant, spoke on behalf of the proposed project, presented an overview of the history of the newly replaced electrical panel, and urged the Zoning Administrator's approval.

Tom Burke, 16835 Bay View Drive, neighboring property owner, voiced concern regarding the trash containers and suggested a condition requiring removal of the trash container.

Ross Rauh, 16822 Bay View Drive, property owner, presented photographs and information concerning the electric meter, trash containers, the lattice, and parking area. Mr. Rauh urged the Zoning Administrator's approval.

Ms. Broeren engaged in discussions with Mr. Rauh concerning trespass problems onto his property and access to the electric panel. She confirmed with the applicant that the electric panel is compliant with the Building and Safety Department.

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

Ms. Broeren offered suggestions that could be amenable to Mr. Rauh and Mr. Garland stating encouragement that they resolve existing issues between them without having to incur legal costs. She stated that the proposed project is an aesthetic improvement.

**COASTAL DEVELOPMENT PERMIT NO. 05-11/CONDITIONAL USE PERMIT NO. 05-07 WERE 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 minor alterations to a developed residential property involving no expansion of use beyond that existing at the time of the lead agency's determination.

**FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 05-11:**

1. Coastal Development Permit No. 05-11 to permit an existing three ft. tall wood lattice extension on top of an existing three ft. tall block wall for an overall height of six ft, as proposed, conforms with the General Plan, including the Local Coastal Program. The proposed three foot tall lattice extension is located along the side property line at a four foot setback from the front property line. The proposed wall extension will not negatively impact any public views or access to coastal amenities since there are none existing at the subject site.
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 Zoning Code allows a deviation from the standards for height of walls within a required setback subject to the approval of a Conditional Use Permit.
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. All necessary infrastructure is currently in place.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The development will not adversely impact public views or public access in that no public access or recreation space exists on the subject site.

**FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 05-07:**

1. Conditional Use Permit No. 05-07 to permit an existing three ft. tall wood lattice extension on top of an existing three ft. tall block wall for an overall height of six ft. will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The wood fence extension is proposed along the westerly side property line. The adjacent multi-family development to the west is provided with a 2'-6" side yard setback. The proposed wood fence extension is located entirely on the subject site and preserves the adjacent structure's existing 2'-6" side yard. The wood fence extension is also provided with a greater front yard setback than the

adjacent structure. In addition, the proposed fence extension complies with applicable code requirements for visibility at driveway and street intersections.

2. The conditional use permit will be compatible with surrounding uses because the proposed fence extension is constructed with similar materials, height, and setback to that of other fences existing within the neighborhood.
3. The proposed Conditional Use Permit No. 05-07 will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. The Zoning Code allows for a deviation from the height requirements within the required setback area with the approval of a Conditional Use Permit.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of Residential, Low Density on the

subject property. In addition, it is consistent with the following goals and policies of the General Plan:

- a. Avoid building materials, colors, and construction elements that visually dominate their setting and contrast significantly with the character of the neighborhood. (LU 9.1.2.b)
- b. Include an adequate landscape setback along the street frontage that is integrated with abutting sidewalks and provides continuity throughout the neighborhood. (LU 9.2.1.e)

The wood fence extension is proposed on an existing block wall located along the side property line. The extension is constructed of wood lattice, which maintains a certain degree of visibility through the fence so as not to visually dominate the setting or contrast with the character of the neighborhood. Furthermore, the applicant proposes six potted trees adjacent to the proposed fence extension to enhance the appearance of the fence.

**CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT  
NO. 05-11/CONDITIONAL USE PERMIT NO. 05-07:**

1. The site plan and elevations received and dated March 30, 2005, shall be the conceptually approved design.
2. Within 30 days of approval of Coastal Development Permit No. 05-11 and Conditional Use Permit No. 05-07, building permits shall be obtained for the three foot tall wood fence extension on top of the three foot tall block wall installed without permits or shall be removed.

**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: TENTATIVE PARCEL MAP NO. 2005-122 (HARTFORD AVENUE LOT SPLIT)**

APPLICANT/  
PROPERTY OWNER: Dewey David, Emily Rose Properties, Inc., P.O. Box 911,  
Huntington Beach, CA 92648

REQUEST: To permit the subdivision of one 7,725 sq. ft. lot into two 3,862 sq.  
ft. lots (31 ft. by 127 ft.) after required dedication for alley  
widening.

LOCATION: 615 Hartford Avenue, Huntington Beach (north side of Hartford  
Avenue, east of Delaware Street)

PROJECT PLANNER: Ron Santos

Ron Santos, 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.

**THE PUBLIC HEARING WAS OPENED.**

Bunnie Foxcroft, 619 Geneva Avenue, neighboring property owner, voiced opposition and asked what the actual dimensions would be for the proposed lots.

Robert B, XXX Avenue, neighboring property owner, voiced opposition to the proposed project. Mr. B stated that they had numerous letters from neighboring property owners expressing concern that the proposed project would change the historical character of the neighborhood. He submitted a letter stating his opposition.

Debra Putnam, 618 Hartford Avenue, neighboring property owner, voiced opposition to the proposed project stating that their life style would be infringed upon.

One of the co-applicant's, referenced the City's Master Plan and spoke on behalf of the proposed project.

Lisa Carden, 635 Hartford Avenue, read a letter on behalf of her mother, a neighboring property owner, in opposition to the proposed project. Ms. Carden's major concerns were intrusion upon the existing character of the neighborhood.

Anne V, XXX Avenue, neighboring property owner, spoke in opposition to the proposed project. Ms. V major concerns were changes to the historical nature of the neighborhood. She presented a letter to the Zoning Administrator.

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

Mary Beth Broeren, Zoning Administrator, explained the designated zoning for the subject site and advised that the applicant is not requesting a zoning change. She stated that the current zoning and the City's General Plan permit what is being proposed and that a parcel map is required.

Ms. Broeren stated that the majority of requests for a parcel map are not an issue. She stated that no telephone calls opposing the subject request were received and a controversy was not expected. Ms. Broeren stated that she was going to continue the request for one week in order to allow time for her to visit the subject site.

The applicant acknowledged availability of a representative to attend the next meeting.

**TENTATIVE PARCEL MAP NO. 2005-122 WAS CONTINUED TO THE JUNE 22, 2005, MEETING WITH THE PUBLIC HEARING CLOSED.**

**THE MEETING WAS ADJOURNED AT 2:30 PM BY THE ZONING ADMINISTRATOR TO THE NEXT REGULARLY SCHEDULED MEETING OF THE ZONING ADMINISTRATOR ON WEDNESDAY, JUNE 22, 2005 AT 1:30 PM.**

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Mary Beth Broeren  
Zoning Administrator

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