

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

WEDNESDAY, JANUARY 11, 2006 - 1:30 P.M.

ZONING ADMINISTRATOR: Mary Beth Broeren

STAFF MEMBER: Rami Talleh, Ron Santos, Ramona Kohlmann (recording secretary)

MINUTES: **NONE**

ORAL COMMUNICATION: **NONE**

ITEM 1: VARIANCE NO. 05-06 (ITSON RESIDENCE)

APPLICANT/
PROPERTY OWNER: Cary and Diana Itson, 20172 Imperial Cove Lane, Huntington Beach, CA 92646

REQUEST: To permit a 10 ft. wide, 11 ft. 4 inch. deep driveway in lieu of the minimum required driveway depth of 20 ft and to reduce the percentage of landscaping within the front yard setback from 40 percent (378 sq. ft.) to four percent (39 sq. ft.)

LOCATION: 20172 Imperial Cove Lane (east side of Imperial Cove Lane, and north of Masters Drive)

PROJECT PLANNER: Rami Talleh

Rami Talleh, Staff Planner, requested a continuance of this item in order to correct and re-notice the request. Staff stated that the proposed project was published to reflect a driveway length of 15 ft. instead of the actual 11 ft.

Staff recommended that the item be continued to the January 25, 2006 meeting.

Mary Beth Broeren, Zoning Administrator, stated that in view of the number of people present for this item, she would open the public hearing to those speakers who would not be able to attend the meeting at the suggested continued date of January 25, 2006.

THE PUBLIC HEARING WAS OPENED.

Shawn McNally, 20151 Imperial Cove, neighboring property owner, spoke in opposition of the proposed project voicing concerns related to the existing conditions not being up to code, incompatibility with the neighborhood, and a negative impact on property values. Mr. McNally stated that the request is to accommodate a slab for parking a trailer, presented photographs of the subject property including a photo of a trailer with an electrical cord in use at all times. He urged the Zoning Administrator's denial of the request.

Kelly Keehn, 20091 Imperial Cove, neighboring property owner, spoke in opposition to the proposed project. Ms. Keehn voiced concerns related to aesthetics, property values, improper drainage, and safety issues. She stated that the RV blocks their view.

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

Ms. Broeren stated that she was going to continue the item to the January 25, 2006 meeting. She stated that continued items are not normally re-noticed but will be in this case because of the change to the legal notice. Ms. Broeren advised the residents who submitted letters to staff would receive a public notice.

VARIANCE NO. 05-06 WAS CONTINUED TO THE JANUARY 25, 2006 MEETING WITH THE PUBLIC HEARING OPEN.

ITEM 2: COASTAL DEVELOPMENT PERMIT NO. 05-21 (HARBOUR BAY HOMES DEVELOPMENT)

APPLICANT: Jim Caldwell, 1614 Warwick Lane, Newport Beach, CA 92660
PROPERTY OWNER: Arnold Feurstein, 508 West 30th Street, Newport Beach, CA 92663
REQUEST: To permit construction of a new 5,706 sq. ft., two-story, single-family dwelling and attached garage with an overall building height of 29 ft. 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: 3352 Bounty Circle (Terminus of Bounty Circle east of Channel Lane)
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 an overview of the proposed project and the suggested findings and conditions of approval as outlined in the executive summary.

Staff stated that one letter was received from a neighboring property owner to the south expressing concerns related to window alignment and privacy, particularly at the secondary staircase.

Staff stated that the Infill Lot Ordinance is applicable to the proposed project. Staff presented the project plans and photographs and explained how the proposed windows are in compliance with the Infill Lot Ordinance.

THE PUBLIC HEARING WAS OPENED.

Jim Caldwell, 1614 Warwick Lane, Newport Beach, applicant, spoke on behalf of the proposed project. Mr. Caldwell stated that he was not aware of the neighbor's concerns.

Mary Beth Broeren, Zoning Administrator, confirmed that the applicant was in agreement to using obscure glass to alleviate the neighbor's concerns at the secondary staircase.

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

COASTAL DEVELOPMENT PERMIT NO. 05-21 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. 05-21:

1. Coastal Development Permit No. 05-21 for the construction of a new 5,706 sq. ft., two-story, single-family dwelling and attached garage with an overall building height of 29' ft., 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, and minimum on-site parking. A condition is placed on the project requiring compliance with the maximum lot coverage of 50 percent.
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 parkland for recreational use.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 05-21:

1. The site plan, floor plans, and elevations received and dated November 15, 2005, shall be the conceptually approved design with the exception of the following: The plans shall be modified to comply with the maximum allowed lot coverage of 50 percent.

2. Prior to submittal for building permits, the following shall be completed:
 - a. One set of project plans, revised pursuant to Condition of Approval No. 1, shall be submitted for review, approval and inclusion in the entitlement file, to the Planning Department
 - b. Zoning entitlement conditions of approval identified herein and code requirements, shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
 - c. A letter from the Property Owner Association or Architectural Committee, if applicable, 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.

THE MEETING WAS ADJOURNED AT 1:48 PM BY THE ZONING ADMINISTRATOR TO THE NEXT REGULARLY SCHEDULED MEETING OF THE ZONING ADMINISTRATOR ON WEDNESDAY, JANUARY 18, 2006 AT 1:30 PM.

Mary Beth Broeren
Zoning Administrator

:rmk