



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

**WEDNESDAY, SEPTEMBER 5, 2007, 1:30 P.M.**

**ZONING ADMINISTRATOR:** Mary Beth Broeren, Zoning Administrator  
**STAFF MEMBERS:** Andrew Gonzales, Rami Talleh, Pamela Avila (recording secretary)  
**MINUTES:** August 1, 2007  
August 15, 2007  
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**ORAL COMMUNICATION:** Anyone wishing to speak on an item not on the agenda may do so. No action can be taken by the Zoning Administrator on items not on the agenda.

**SCHEDULED ITEMS:**

**1. PETITION DOCUMENT: CONDITIONAL USE PERMIT NO. 2007-025 (BACCARI & O'DOHERTY WALL AND POOL )**  
**APPLICANT:** John Baccari & Jim O'Doherty  
**REQUEST:** To permit the construction of a 5 ft. high block wall along the front property line in lieu of the maximum allowed wall height of 3 ft.-6 in. In addition, the request includes a determination by the Zoning Administrator to consider a pool and spa as landscaping and permit the construction of the pool and spa within the minimum 12 ft. front yard setback. The Planning Department has determined that a pool and spa are considered accessory structures and must be constructed at a minimum 12 ft. front yard setback.  
**LOCATION:** 602 22<sup>nd</sup> Street, 92648 (northeast corner of 22<sup>nd</sup> Street and Acacia Avenue)  
**PROJECT PLANNER:** Andrew Gonzales  
**STAFF RECOMMENDS:** Denial based upon suggested findings.

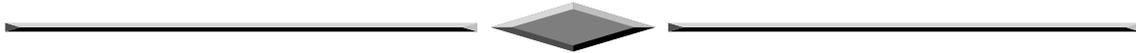
***Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Zoning Administrator is final unless an appeal is filed to the Planning Commission by you or by an interested party. Said appeal must be in writing and must set forth in detail the action and grounds by which the applicant or interested party deems himself aggrieved. Said appeal must be accompanied by a filing fee of One Thousand Two Hundred Eighty Seven Dollars (\$1287.00) if the appeal is filed by a single family dwelling property owner appealing the decision on his own property and One Thousand Five Hundred Sixty Nine Dollars (\$1569.00) if the appeal is filed by any other party. The appeal shall be submitted to the Secretary of the Planning Commission within ten (10) calendar days of the date of the Zoning Administrator's action or ten (10) working days for a coastal development permit.***

**HUNTINGTON BEACH  
OFFICE OF THE ZONING ADMINISTRATOR  
EXECUTIVE SUMMARY**

**TO:** Zoning Administrator  
**FROM:** Andrew Gonzales, Assistant Planner  
**DATE:** September 5, 2007

**SUBJECT:** **CONDITIONAL USE PERMIT NO. 2007-025 (BACCARI & O'DOHERTY WALL AND POOL )**

**LOCATION:** 602 22<sup>nd</sup> Street, 92648 (northeast corner of 22<sup>nd</sup> Street and Acacia Avenue)



**Applicant:** John Baccari & Jim O'Doherty, 602 22<sup>nd</sup> Street, Huntington Beach, CA 92648

**Property Owner:** John Baccari & Jim O'Doherty, 602 22<sup>nd</sup> Street, Huntington Beach, CA 92648

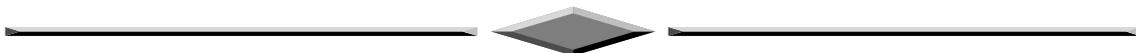
**Request:** To permit the construction of a 5 ft. high block wall along the front property line in lieu of the maximum allowed wall height of 3 ft.-6 in. In addition, the request includes a determination by the Zoning Administrator to consider a pool and spa as landscaping and permit the construction of the pool and spa within the minimum 12 ft. front yard setback. The Planning Department has determined that a pool and spa are considered accessory structures and must be constructed at a minimum 12 ft. front yard setback.

**Environmental Status:** This request is covered by Categorical Exemption, Section 15305, Class 3, California Environmental Quality Act.

**Zone:** RMH-A (Residential Medium High Density-Small Lot Subdistrict)

**General Plan:** RMH-25-d (Residential Medium High Density – 25 units per acre – Design Overlay)

**Existing Use:** Single-family residence



**RECOMMENDATION:** Staff recommends denial of the proposed project based upon the following findings:

## **SUGGESTED FINDINGS FOR DENIAL - CONDITIONAL USE PERMIT NO. 2007-025**

1. Conditional Use Permit No. 2007-025 for construction of a 5 ft. high block wall along the front property line in lieu of the maximum allowed wall height of 3 ft. 6 in. will be detrimental to the general welfare of persons working or residing in the vicinity and detrimental to the value of property and improvements in the neighborhood. The wall exceeds the maximum allowed height within the triangle of visibility at street intersections; as a result, the wall may obstruct pedestrian and motorist visibility creating a potential safety/ traffic hazard. The height of the wall will exceed that of other walls in the vicinity. In addition, the wall lacks variations in height, change in plane, use of pilasters, or landscaped planters to soften the walls appearance, thus impacting the visual character of the neighborhood.
2. The conditional use permit will not be compatible with surrounding structures because other residences in the immediate area do not have 5 ft. high solid masonry walls along the front property line. The neighborhood is predominantly developed with front yard walls consisting of tiered landscaped planters, variable heights, changes in plane, and pilasters.
3. The proposed conditional use permit will not comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance, which allows walls within front yards areas at a maximum height of 3 ft. 6 in., and setback 3 ft. from the front property line. The conditional use permit is inconsistent with the Urban Design Guidelines policy that encourages provision of tiered planters adjacent to perimeter walls along street frontages.
4. The granting of the conditional use permit will adversely affect the General Plan and is not consistent with the following General Plan policy:

LU 9.2: Provide for the preservation of existing residential neighborhoods.

LU16.1.1: Accommodate development of the City's neighborhoods, boulevards, and districts according to the Community Districts and Subarea Schedules, which requires (Subarea 3B) front yard setbacks to maintain the existing residential neighborhood character.

UD 1.1.1: Coordinate streetscape and landscape design in all residential neighborhoods to strengthen their identities.

The proposed wall will not be consistent with existing walls in the immediate area in relation to wall height, landscaping, and design. Other properties with similar wall configurations in the front yard area provide landscaping either along the front property line to soften up the streetscape or designed to allow the viewing of landscaping from public view thereby softening the appearance of the wall.