

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

TO: Zoning Administrator
FROM: Andrew Gonzales, Assistant Planner
DATE: March 19, 2008

SUBJECT: **VARIANCE NO. 2008-001/COASTAL DEVELOPMENT PERMIT NO. 2008-001 (BOTWIN RESIDENCE)**

LOCATION: 16051 Santa Barbara Lane, 92649 (Westside of Santa Barbara Lane, south of Edinger Avenue)



Applicant: Louie Hernandez – The Louie Group, 19092 Callaway Circle, Huntington Beach, CA 92648

Property Owner: Ron Botwin, 16051 Santa Barbara Lane, Huntington Beach, CA 92649

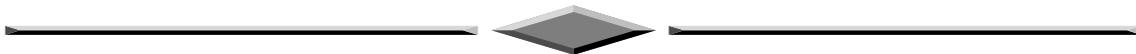
Request: **CDP:** To permit the construction of an approximately 834 sq. ft. 2nd floor addition to an existing single-family dwelling; **VAR:** To permit a proposed 2nd floor addition at a 7'-8" front yard setback in lieu of a minimum 15'-0" required front yard setback.

Environmental Status: This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act.

Zone: RL-CZ (Residential Low Density – Coastal Zone)

General Plan: RL-7 (Residential Low Density – 7 dwelling units per acre maximum)

Existing Use: Single family residence



RECOMMENDATION: Staff recommends approval of the proposed project with modification based upon the following findings:

SUGGESTED 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 addition will not result in an increase of more than 50% of the existing single family dwelling's floor area.

SUGGESTED FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2008-001:

1. Coastal Development Permit No. 2008-001 for the construction of an approximately 834 sq. ft. 2nd floor addition to an existing single-family dwelling conforms to 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 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, with exception of the requested variance for the 2nd floor front yard setback. The proposed addition complies with the maximum site coverage, maximum building height, minimum side and rear yard setbacks, and minimum onsite 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 addition will be constructed on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.
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.

SUGGESTED FINDINGS FOR APPROVAL - VARIANCE NO. 2008-001:

1. The granting of Variance No. 2008-001 to permit a 2nd floor addition at a 7'-8" front yard setback in lieu of a minimum 15'-0" required front yard setback, will not constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zoning classification. The addition will match the existing setback of a garage which was previously approved for a reduced front yard setback. The proposed addition will be consistent with several homes in the immediate vicinity that were approved with similar variances for 2nd floor additions with reduced front yard setbacks. The proposed 2nd floor addition will not project beyond the existing front setback line established by the ground floor garage.
2. Because of special circumstances applicable to the subject property, including size and shape, the strict application of the zoning ordinance is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zoning classification. The subject property is located within a tract that has variances approved for lot size and lot frontage. The subject lot has a narrower street frontage dimension in comparison to residential properties in the surrounding area, including an angled front property line that results in a variable front yard setback. The site limitations created by the configuration and size of the lot is found to deprive the property from expansion opportunities similar to those granted for properties in the surrounding neighborhood.

3. The granting of a variance is necessary to preserve the enjoyment of one or more substantial property rights. Due to the narrow street frontage dimension and angled front property line, the depth of the lot is reduced such that the onsite developable area is less than that allotted for similarly zoned properties in the area. The granting of the variance is necessary to accommodate an addition that is consistent with improvements found on other properties in the surrounding area.
4. The granting of the variance will not be materially detrimental to the public welfare or injurious to property in the same zoning classification. The proposed addition will not encroach any further into the required front yard setback than established by the existing front entry garage. Because the additional living area will not necessitate additional onsite parking or contribute to lot coverage, no detrimental impacts to surrounding properties are anticipated.
5. The granting of the variance will not adversely affect the General Plan. It is consistent with the Land Use Element designation of RL-7 (Residential Low-Density – 7 units/acre) on the subject property, including the following policies:

LU 7.1.2: Require that development be designed to account for the unique characteristics of project sites and objectives for community character as appropriate.

LU 9.1.2(d): Encourage creative and unique design concepts.

The requested variance accounts for the unique configuration of the subject property resulting from the property's variable lot depth. The reduced lot width and diagonal nature of the front property line decreases the overall developable area more than other properties in the surrounding area and under an identical zone classification. Re-orientation of the addition would provide a reduction in the overall living area and alter the unique architectural design of the proposed residence which effectively utilizes contrasting façade breaks to reduce the overall size and mass of the residence.

SUGGESTED CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2008-001/VARIANCE NO. 2008-001:

1. The site plan, floor plans, and elevations received and dated January 3, 2008 shall be the conceptually approved design with the following modification:
 - a. The two proposed 2nd floor balconies located on the north elevation shall be omitted.
2. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/index.cfm?fuseaction=guidelines>).

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.