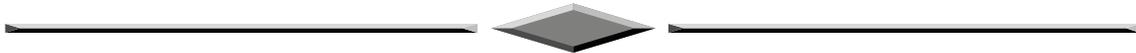


**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Tess Nguyen, Associate Planner
DATE: October 29, 2008
SUBJECT: **CONDITIONAL USE PERMIT NO. 2007-031 (JENNINGS RESIDENCE)**
LOCATION: 17238 Sandra Lee Lane, 92649 (east side of Sandra Lee Lane, north of Los Patos Avenue)



Applicant: Warren Pitt, 8907 Warner Avenue, Suite 232, Huntington Beach, CA 92647
Property Owner: Jennings Trust, 17238 Sandra Lee Lane, Huntington Beach, CA 92649
Request: To permit the construction of an approximately 1,040 sq. ft. second story addition and an approximately 131 sq. ft. rooftop deck above the second story to an existing single family residence with an overall height of 35 feet.
Zone: RL – CZ (Residential Low Density – Coastal Zone)
General Plan: RL – 7 (Residential Low Density – 7 units/acre max.)
Existing Use: Single-family residential



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

SUGGESTED FINDINGS FOR DENIAL - CONDITIONAL USE PERMIT NO. 2007-031:

1. Conditional Use Permit No. 2007-031 to permit an approximately 1,040 sq. ft. second story addition and an approximately 131 sq. ft. rooftop deck above the second story to an existing single family residence with an overall height of 35 ft. will be detrimental to the general welfare of persons working or residing in the vicinity and detrimental to the value of the property and improvements in the neighborhood. The mass and scale of the proposed project will impact the visual character of the neighborhood. Pursuant to the Huntington Beach Zoning and Subdivision Ordinance (HBZSO), third floor habitable area is required to be enclosed within the second floor roof volume so as to minimize the overall mass and bulk of a structure and provide the appearance of a two-story structure. The proposal negates the intent of this code by incorporating a gable roof that does not fully enclose the stair and attic area within the second floor roof volume. In addition, the location and orientation of the proposed third floor deck impacts the privacy of contiguous residences. The third floor deck is oriented toward the adjacent residences.

2. The conditional use permit will not be compatible with developments in the surrounding area because the design of the proposed third-floor habitable space does not comply with a provision of the HBZSO which requires that the third-floor habitable space be confined within the second story roof volume. This Code section is intended to achieve and maintain the appearance of two-story construction (as a maximum) throughout the neighborhood. The incompatibility results from the design of the stairway, attic space, and third story deck that contributes to the overall bulk of the residence. In addition, the third floor balcony area is oriented toward the adjoining residence to the south which may result in privacy issues and is not compatible with similar developments in the surrounding neighborhood.
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. The design of the proposed third floor habitable area, including the stairway and attic area, does not comply with a provision of the HBZSO which requires that third-floor habitable space be confined within the roof volume.
4. The granting of the conditional use permit will adversely affect the General Plan. It is inconsistent with the Land Use Element designation of RL-7 (Residential Low-Density – 7 Units Per Acre Maximum) on the subject property. In addition, it is inconsistent with the following goals and policies of the General Plan:

LU 9.2.1: Require that all new residential development within existing residential neighborhoods (i.e., infill) be compatible with existing structures, including use of building heights, grade elevations, orientation, and bulk that are compatible with the surrounding development and maintenance of privacy on abutting residences.

LU 9.1.2: Avoid building materials, colors, and construction elements that visually dominate their setting and contrast significantly with the character of the neighborhood.

The proposed design prominently features the proposed third floor addition, which is not designed to be confined within the roof volume, as required by the Huntington Beach Zoning and Subdivision Ordinance, and as a consequence, is inconsistent with the desired character of the neighborhood and the goals and policies of the General Plan.