

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

WEDNESDAY, OCTOBER 29, 2008 - 1:30 P.M.

ZONING ADMINISTRATOR: Ricky Ramos

STAFF MEMBER: Tess Nguyen, Rami Talleh, Kimberly De Coite (recording secretary)

MINUTES: **NONE**

ORAL COMMUNICATION: **NONE**

ITEM 1: CONDITIONAL USE PERMIT NO. 2007-031 (JENNINGS RESIDENCE)

APPLICANT: Warren Pitt
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.
LOCATION: 17238 Sandra Lee Lane, 92649 (east side of Sandra Lee Lane, north of Los Patos Avenue)
PROJECT PLANNER: Tess Nguyen

Tess Nguyen, Associate Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff presented an overview of the proposed project and the suggested findings for denial as presented in the executive summary.

Ms. Nguyen stated that staff received one public comment, stating that the proposed deck is too high.

THE PUBLIC HEARING WAS OPENED.

Mr. Pitt, applicant, stated that he was only given two days notice for the meeting. He stated that he misunderstood Ms. Nguyen's initial directions. He discussed the design of the roof.

Mr. Ramos asked Mr. Pitt if staff's concerns about the roof had been conveyed to him and if he understood why the design of the roof was not acceptable to staff. Mr. Pitt stated that he has spoken with staff previously regarding staff's position. However, he only understood staff's concerns at the meeting. He stated that he went through at least three drafts of the project

plans with Ms. Nguyen and did not feel the requirements had been clearly stated at that time. He noted that several nearby houses were three stories.

Mr. Ramos indicated that he had viewed the neighboring houses and felt that they were more in line with staff's recommendations.

Dale Jennings, property owner, asked for clarification regarding the roof line. Ms. Nguyen stated that the roof line of the third story addition should be incorporated into the existing second story roof line. She indicated that she discussed possible redesigns with Mr. Pitt.

Mr. Jennings stated that the original intention was not to have a third floor but to provide a staircase to the proposed view deck. He presented pictures of neighboring houses with third floors. He stated that, due to the orientation of the lot, the view deck would not violate the privacy of his neighbors.

Mr. Jennings objected to the required five foot setback for the deck. He stated that several neighboring houses have decks without the five foot setback and indicated that he has not seen any houses in the area with a deck setback. He indicated that the reason for the design was to make it aesthetically pleasing for neighbors.

Mr. Ramos noted that many of the homes Mr. Jennings had referenced were built before the current code was in effect. Mr. Jennings asked if an enclosed third floor would be acceptable. Mr. Ramos indicated that an enclosed third floor addition was acceptable as long as it adhered to the zoning code.

Mr. Jennings asked if he could have Mr. Ramos view new design plans. Mr. Ramos stated that he would prefer to continue with the public hearing and then discuss Mr. Jennings's options, including allowing for a continuance so that there would be time for a redesign of the plans. Ms. Nguyen briefly explained the various options for a compliant roof line.

John Olson, 17152 Sandra Lee Lane, asked when the code had changed to not require a public hearing for third story additions. Mr. Ramos indicated that a hearing for a third story addition was still required. Mr. Olson indicated that he had built houses in the area and was not allowed to build to three stories. He stated that he does not feel the view deck will have a view. He expressed concern about the addition of a third story and was not in support of it.

Ted Downing, 17192 Sandra Lee Lane, stated that he attended a hearing for a similar project at a nearby house and was informed that the project was approved because the site was a corner house with only one neighbor. He stated that he was told by staff that other third story projects in the area would not be approved.

Susan Jennings, property owner, expressed concern that the proposed second story addition with view deck would not be approved but a much larger third story addition might be approved. Mr. Ramos stated that approval of a third story was not guaranteed but that the current design of this project does not adhere to code and is not supported by staff.

Mr. Jennings stated that he is the abutting neighbor of the project mentioned by Mr. Downing. He stated that he did not protest that project with the expectation that he would be allowed to pursue his much smaller addition.

Ted Phillips, 17142 Sandra Lee Lane, stated that he objects to three story houses. He asked what exactly constitutes three stories. Mr. Ramos stated that a third story is habitable space above a second floor. Mr. Ramos explained the process for a Conditional Use Permit to allow a third floor.

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

Mr. Ramos stated that he would not be able to support the request because it does not comply with the zoning code. He presented the applicant with the option of requesting a continuance or appealing a denial to the Planning Commission.

Mr. Jennings asked for a continuance. Mr. Ramos explained the process. Mr. Talleh indicated that continuing to a date certain would not require renoticing. He recommended continuing to the December 3, 2008 meeting to provide appropriate time for staff to meet with the applicant and review any new designs. Mr. Ramos asked if that date was agreeable to the applicant and property owners. Mr. Pitt and Mr. Jennings agreed to the December 3, 2008 meeting date.

CONDITIONAL USE PERMIT NO. 2007-031 WAS CONTINUED TO THE DECEMBER 3, 2008 MEETING AT THE REQUEST OF THE APPLICANT.

THE MEETING WAS ADJOURNED AT 1:50 PM TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, NOVEMBER 5, 2008 AT 1:30 PM.



Ricky Ramos
Zoning Administrator

RR:kdc