

**CITY OF SAN CLEMENTE
MINUTES OF THE REGULAR
ZONING ADMINISTRATOR MEETING
May 7, 2014**

Staff Present: James Holloway, Christopher Wright, Amber Gregg, Adam Atamian, and Kimberly Maune

2. MINUTES

Minutes of the Zoning Administrator meeting of April 16, 2014 received and filed.

3. ORAL AND WRITTEN COMMUNICATION

None

4. PUBLIC HEARINGS

A. 161 S. Avenida San Antonio – Minor Architectural Permit 13-427/Minor Exception Permit 14-135 – Knottnerus Addition (Gregg)

A request to consider a first and second story addition, totaling 777 square feet, to a legal nonconforming single family residence located at 161 S. Avenida San Antonio. The Minor Exception Permit is a request to legalize the existing encroachment into the front yard setback. The subject site is within the Residential Low and Coastal zoning districts (RL-CZ), and the legal description is Lot 51, of Block 5, of Tract 852 and Assessor's Parcel Number 054-191-17.

Associate Planner Amber Gregg summarized the staff report.

Applicant Colleen Knottnerus was present; she had no comments.

Designer Chris Foerstel was present; he stated they are happy to move forward.

There were no members of the public present to address this item.

Mr. Holloway stated the staff report was clear and this is a straight forward request. The current home is 1,136 square feet, they would like to add 777 square feet for a total of 1,913 square feet. Based on this square footage and the photographs of the adjacent neighborhood provided with the staff report, it is clear this request is totally in keeping with the character of this neighborhood.

Mr. Holloway stated this is consistent and in keeping with the neighborhood and that is why the City has this process, so these additions fit both numerically and design wise in the neighborhood.

Mr. Holloway informed Ms. Knottnerus and Mr. Foerstel of the ten day appeal period and thanked them for working with staff.

Action: The Zoning Administrator approved Minor Architectural Permit 13-427/Minor Exception Permit 14-135, Knottnerus Addition, subject to Resolution ZA 14-020 with attached Conditions of Approval.

ACTION SUBJECT TO APPEAL TO OR CALL-UP BY CITY COUNCIL

B. 834 Camino De Los Mares – Minor Exception Permit 14-076 – Northrup Addition (Atamian)

A request to consider a one foot reduction of the required side yard setback of an existing single family residence located at 834 Camino De Los Mares. The subject site is within the Residential Low (RL-13) zoning district. The site's legal description is Lot 21, of Tract 5654 and Assessor's Parcel Number 680-021-24.

Assistant Planner Adam Atamian summarized the staff report.

Applicant Richard Northrup was present; he had no comments.

There were no members of the public present to address this item.

Mr. Holloway asked for more details about the addition to this home. Mr. Atamian stated the applicant wants to add a second story to the home. The most feasible place to do this is in line with the existing wall that is encroaching into the side setback. In order to allow the addition the applicant needs a Minor Exception Permit to allow the encroachment. The addition is 751 square feet. The existing structure is 1,270 square feet; however, because of the attached garage, the only way they will get an addition of this size would be if the house was conforming. If the house remained nonconforming, the addition would have to be smaller and the applicant would have to go through the Minor Architectural Permit process. Most of this neighborhood is nonconforming, there are a number of encroachments, either the sides or the garages are encroaching.

Mr. Holloway stated the current, single family, single story structure is 1,270 square feet and the addition is 751 square feet. The total square footage will be 2,021 square feet. Mr. Atamian stated the total living area will be 2,021 square feet; with the attached garage the structure will be 2,488 square feet.

Mr. Holloway stated it is clear from the photographs of this neighborhood that there are a number of two story, single family residences throughout this neighborhood. Mr. Atamian added that one of those residences is located next door to this home. Mr. Holloway stated this request is in keeping with the scale and the basic design characteristics of this neighborhood.

Mr. Holloway informed the applicant of the ten day appeal period and thanked him for working with staff.

Action: The Zoning Administrator approved Minor Exception Permit 14-076, Northrup Addition, subject to Resolution ZA 14-019 with attached Conditions of Approval.

ACTION SUBJECT TO APPEAL TO OR CALL-UP BY CITY COUNCIL

C. 311 Calle Felicidad – Amendment to Minor Architectural Permit 14-152 – Blum Residence Remodel Amendment (Atamian)

A request to consider amending an approved Minor Architectural Permit to reduce the square footage and layout of an addition to a nonconforming structure located at 311 Calle Felicidad. The project is located in the Residential Low (RL-11) zoning district. The legal description is Lot 109, of Tract 5655, Assessor's Parcel Number 690-124-03.

Assistant Planner Adam Atamian summarized the staff report.

Mr. Holloway stated this item was publicly noticed and the site was posted so the neighbors were informed of this request. It appears from the second to the last bullet point of the staff report that the neighbors viewed the plans previously. Mr. Atamian responded yes, when this item originally went to the Zoning Administrator.

Mr. Holloway asked if the neighbors have viewed the new plans associated with the amendment request. Mr. Atamian responded no, the neighbors viewed the original plans and they were concerned about the rear portion of the project, they were not happy about what was proposed in the back. The neighbors had no concerns about what was being done in the front.

Mr. Holloway stated at the previous public hearing the neighbors originally did not like what was proposed in the back; however, once they learned there would not be a second story they were fine with the original plans. Now the addition originally proposed in the rear has been removed from the plans.

Architect Ron Witteveen was present representing Geoff and Kory Blum. Mr. Witteveen stated it has been brought to his attention that the engineer would like to scrap the entire roof and provide a new roof using trusses. There is uneven framing and other situations with this house which are causing the engineer to want to start with a clean plate.

Mr. Witteveen would like to change one of the hips in the rear to a gable. Mr. Atamian asked if the height of the structure would be increased; Mr. Witteveen responded no. Mr. Atamian stated as long as the project is substantially in conformance with the approvals given today then this change would not be an issue.

Mr. Holloway explained that substantial conformity in measuring heights in San Clemente means less than or equal to. It does not mean one inch above, it could be 100 inches below, but it cannot be one inch above. He directed Mr. Witteveen to continue to work with staff on this issue and to take the one inch seriously.

Neighbor John Milroy was present, he stated that he attended the previous meeting and at that time he was concerned about the back yard. He understands that now there will be no extension into the back yard. He has no problem with a second story; that was never an issue. Mr. Blum thought the neighbors would be concerned about a second story.

Mr. Holloway stated this amendment request entirely eliminates the addition in the rear portion, which is what concerned the neighbors previously. He thanked Mr. Milroy for attending this meeting.

Mr. Holloway stated this project is absolutely consistent with the neighborhood; it is almost identical to other designs in this neighborhood, with the front patio area addition. There will not be any addition in the back.

Mr. Holloway informed Mr. Witteveen of the ten day appeal period and thanked him for working with staff. Mr. Witteveen thanked everyone.

Action: The Zoning Administrator approved Amendment to Minor Architectural Permit 14-152, Blum Residence Remodel Amendment, subject to Resolution ZA 14-018 with attached Conditions of Approval.

ACTION SUBJECT TO APPEAL TO OR CALL-UP BY CITY COUNCIL

- D. **213 Avenida Barcelona – Minor Architectural Permit 14-096/Minor Exception Permit 14-097 – Bernbeck Residence (Wright)**

A request to consider an expansion of a nonconforming residence with minor zoning exceptions for the continuation of a legal nonconforming five foot, nine inch side setback (where a six foot setback is required), and a 10 percent reduction (one foot) of the required 10 foot rear yard setback. The subject site is in the Residential Low Density zoning district and Coastal Overlay (RL-CZ) at 213 Avenida Barcelona. The site's legal description is Lot 23, Block 12 of Tract 852 and Assessor's Parcel Number 692-241-07.

Associate Planner Christopher Wright summarized the staff report.

Applicants Elizabeth Bernbeck and Stefan Schreck were present; they had no comments.

Mr. Holloway stated this is a large lot, it is over 7,000 square feet. The home was built in 1955. It was built according to the Zoning Code in 1955, but the codes have changed and that is why this home is now nonconforming. The City has this process which allows homeowners to build within the plane line of the existing structural bearing walls. This is a 19 percent addition, which is well below the 50 percent addition threshold which requires complete conformance with the Zoning Code.

Mr. Holloway informed the applicants of the ten day appeal period and thanked them for working with staff.

Action: The Zoning Administrator approved Minor Architectural Permit 14-096/Minor Exception Permit 14-097, Bernbeck Residence, subject to Resolution ZA 14-022 with attached Conditions of Approval.

ACTION SUBJECT TO APPEAL TO OR CALL-UP BY CITY COUNCIL

E. Minor Site Plan Permit 14-120 – Alta Sales Trailer (Wright)

A request to consider a temporary home sales office for Talega Tracts 16630 ("Alta") and 16636 ("Carillon"). The subject site is in the Residential Low Density area of the Talega Specific Plan. The site's legal description is Lots 57-58 of Tract 16630 and Assessor's Parcel Numbers 708-102-17 and 708-102-18.

Associate Planner Christopher Wright summarized the staff report.

Applicant Crystal Burckle of Standard Pacific Homes was present. Ms. Burckle stated that Mr. Wright did an excellent job.

Mr. Holloway stated there will be 39 units built. Ms. Burckle stated there will be 22 built at Alta and 17 built at Carillon. Mr. Holloway asked how

many total units are left to be built at Talega. Mr. Wright responded that there are 75 units. The Planning Commission recently approved revised architecture for the Alora (36 units) and Alta (22 units) subdivisions. The Planning Commission is scheduled to consider revised architecture for the Carillon (17 units) subdivision later this month. Construction is underway on the Alora units.

There were no members of the public present to address this item.

Mr. Holloway asked what the absorption rate is expected to be. Ms. Burckle responded they are hoping it will be two to three per month. This is what they have been seeing in the market and what they have been experiencing at other projects. Other projects in various areas are higher than this. They have not been in Talega for a while, they are keeping their eye on Alora right now.

Mr. Holloway informed Ms. Burckle of the ten day appeal period and thanked her for working with staff.

Action: The Zoning Administrator approved Minor Site Plan Permit 14-120, Alta Sales Trailer, subject to Resolution ZA 14-021 with attached Conditions of Approval.

ACTION SUBJECT TO APPEAL TO OR CALL-UP BY CITY COUNCIL

5. **NEW BUSINESS** - None

6. **OLD BUSINESS** - None

ADJOURNMENT

The meeting adjourned at 3:35 p.m. to the regular Zoning Administrator meeting to be held on May 21, 2014 at 3:00 p.m., at the Community Development Department, Conference Room A, located at 910 Calle Negocio, Suite 100, San Clemente, California.

Respectfully submitted,

SAN CLEMENTE ZONING ADMINISTRATOR


James Holloway