

12-17-13
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These minutes were approved by the Zoning Administrator on 12-05-13.

**CITY OF SAN CLEMENTE
MINUTES OF THE REGULAR
ZONING ADMINISTRATOR MEETING
December 4, 2013**

Staff Present: James Holloway, Amber Gregg, John Ciampa, Adam Atamian, and Kimberly Maune

2. MINUTES

Minutes of the Zoning Administrator meeting of November 20, 2013 received and filed.

3. ORAL AND WRITTEN COMMUNICATION

None

4. PUBLIC HEARINGS

A. 1011 Calle Amanecer – Special Activities Permit 13-453 – Sheckler Foundation 15 Year Event (Gregg)

A request to consider a special activity permit for a fundraising event consisting of approximately 200 people at 1011 Calle Amanecer. This is the second fundraising event in a one-year period at this location. The project is located in the Rancho San Clemente Business Park, and the legal description is Lot 7, Tract 13563, and Assessor's Parcel Number 688-151-13.

Associate Planner Amber Gregg stated that after this project application was received and noticed, the applicant decided they did not want to have a second special activity this year and they requested a withdrawal. Before the Zoning Administrator today is a request to receive and file the applicant's letter notifying the City of their withdrawal of this application.

The applicant was not present.

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

Action: The Zoning Administrator withdrew Special Activities Permit 13-453, Sheckler Foundation 15 Year Event.

B. 311 Calle Felicidad – Minor Architectural Permit 13-414 – Blum Residence Remodel (Atamian)

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A request to consider a 477 square foot expansion of a non-conforming 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 asked for clarification regarding the sidewalk waiver. Mr. Atamian responded there is currently sidewalk; however, it is not compliant when it goes through the drive apron. Mr. Holloway stated the sidewalk waiver is to deviate from full ADA compliance rather than a waiver for installing a sidewalk.

Applicant Jeff Blum was present; he had no comments.

Neighbor Kevin Kellerman was present. Mr. Kellerman stated the neighbors were originally told there was going to be approximately 300 square feet added on. When he received the notice of public hearing it stated over 400 square feet was being added on. He is curious about the change.

Neighbor John Milroy was present; he had no comments.

Mr. Holloway asked staff, Mr. Kellerman, and Mr. Milroy to examine the plans. He directed staff to describe the changes the applicant made to the project since originally submitted. Mr. Atamian explained the project in detail while he and the two neighbors examined the plans. Mr. Atamian explained that per the Zoning Ordinance any additions to a nonconforming structure over 300 square feet require discretionary approval, being a Minor Architectural Permit. The applicant decided to include another section of addition now so they only have to go through this hearing process once.

Architect Rob Williams of Studio 6 Architects was present. He stated the project is nonconforming. There was an addition done prior to the Blum's purchasing the property, and after 1996. The code states that anything done after 1996 has to include the square footage from previous additions, which kicked this addition over 300 square feet. If the previous owner had not done an addition or done that addition prior to 1996, then this addition would only be 300 square feet and this permit would not be required. He stated this will remain a one story home, they are not adding a second story.

Mr. Kellerman stated he understands the project now. He stated he is not happy about the view that is being blocked, particularly from Mr. Milroy's

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house. Mr. Kellerman stated he has a two story home two doors down, he was concerned about a second story being added to this home.

Mr. Holloway stated within limits the City wants a simple process for homeowners to make improvements and additions. This request is within the limits established by the Zoning Ordinance for expansions of nonconforming structures, the key one being that the proposed addition, including the previous addition, is 22 percent of the total square footage of the structure as it was in 1996. The maximum expansion allowed is 50 percent of the gross floor area. If it was 51 percent the applicant would have to bring the entire project into conformance.

Mr. Holloway asked when the code amendment went into affect regarding sidewalk waivers being a part of discretionary reviews. Mr. Atamian responded two weeks ago; this is the first time this has come up. He spoke at length with Zak Ponsen, Senior Civil Engineer, regarding this project.

Mr. Holloway stated this is the first sidewalk waiver the Zoning Administrator has heard due to a recent code amendment. This waiver, which has been approved by the City Engineer/Public Works Director and the City Manager, tentatively, is included with this request. It is not a waiver to not have a sidewalk; it is a waiver to deviate from 2013 ADA standards having to do with cross slope. There is a sidewalk; however, the cross slope does not meet the ADA standards because of the slope of the driveway.

Mr. Holloway thanked the neighbors for attending the meeting. He informed the applicant of the ten day appeal period. He thanked everyone for working with staff. Mr. Williams stated that Mr. Atamian has been great to work with.

Action: The Zoning Administrator approved Minor Architectural Permit 13-414, Blum Residence Remodel, subject to Resolution ZA 13-045 with attached Conditions of Approval.

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

C. 226 Trafalgar Lane – Minor Cultural Heritage Permit 13-343 – Proctor Residence Deck Addition (Atamian)

A request to consider a 310 square foot deck addition in the rear portion of a residence. The lot is on a coastal canyon and abuts a historic property. The project is located at 226 Trafalgar Lane within the Residential Low Density (Coastal Zone) zoning district. The legal

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description is Lot 7, of Block 10, of Tract 822, Assessor's Parcel Number 692-252-17.

Assistant Planner Adam Atamian summarized the staff report.

Architect Jack Garland was present. Mr. Garland stated prior to finalizing the drawings the homeowner met with the owner of the historic structure. Originally the existing deck was going to extend out three more feet. In meeting with the owner of the historic structure it was determined that if they did not do that it would make him happier; the new deck addition will not interfere with his ocean view and his canyon view.

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

Mr. Holloway stated the main purpose of the Minor Cultural Heritage Permit is to determine impacts and weigh impacts on historic structures. He can determine from the plans that the location of the addition will not visually impact the historic resource next door. He appreciates that the neighbors worked together, that is always good and makes things better in the long run.

Mr. Holloway stated this will be a nice addition, and again he appreciates the homeowner's sensitivity to their neighbors. Since this project is located on a coastal canyon the applicant must obtain approval from the California Coastal Commission. Mr. Garland thanked Mr. Holloway and Mr. Atamian.

Action: The Zoning Administrator approved Minor Cultural Heritage Permit 13-343, Proctor Residence Deck Addition, subject to Resolution ZA 13-046 with attached Conditions of Approval.

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

D. 220 West Esplanade – Minor Architectural Permit 13-390/Minor Exception Permit 13-432 – Da Cunha Residence (Ciampa)

A request to consider an addition that continues a legal non-conforming five foot side yard setback to a house. The project is located at 220 West Esplanade within the Residential Low zoning district and Coastal Zone (RL-CZ). The legal description is Lot 10, Block 12, of Tract 822, Assessor's Parcel Number 692-241-22.

Associate Planner John Ciampa summarized the staff report.

Architect Kirk Bassett was present; he had no comments.

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

Mr. Holloway stated this project is a good example of how the one wall standing amendments to the nonconforming section of the code is supposed to work. This house was built in 1955. There are some nonconforming issues that are a result of code changes that have occurred since 1955. The property owner wants to expand his home at a reasonable scale that is consistent and in conformance with the neighborhood. This is not an expansion that will be out of scale with the neighborhood.

Mr. Bassett stated originally the project was larger. When he realized the project did not conform he reworked it. Mr. Holloway responded this will be a nice addition.

Mr. Holloway informed Mr. Bassett of the ten day appeal period and thanked him for working with staff. Mr. Bassett stated Mr. Ciampa was great to work with.

Action: The Zoning Administrator approved Minor Architectural Permit 13-390/Minor Exception Permit 13-432, Da Cunha Residence, subject to Resolution ZA 13-048 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 3:40 p.m. to the regular Zoning Administrator meeting to be held on December 18, 2013 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

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