

**CITY OF SAN CLEMENTE  
MINUTES OF THE REGULAR  
ZONING ADMINISTRATOR MEETING  
January 21, 2015**

Staff Present: Jim Pechous, Amber Gregg, Adam Atamian, and Kimberly Maune

**2. MINUTES**

Minutes of the Zoning Administrator meeting of January 7, 2015 received and filed.

**3. ORAL AND WRITTEN COMMUNICATION**

None

**4. PUBLIC HEARINGS**

**A. 150 West Avenida Magdalena – Minor Exception Permit 14-442 – Cuthbertson Wall (Atamian) (continued from 01-07-15)**

A request to consider an eight foot, six inch high retaining wall in the rear yard of a residence. A minor exception is requested to allow the height of the wall to exceed six feet. The site is located at 150 West Avenida Magdalena and is zoned Residential Low Density, Coastal Zone Overlay, and Special Residential Overlay (RL-5/CZ). The legal description is Lot A and Portion of Lot 6 of Tract 960, Assessor's Parcel Number 060-183-21.

Associate Planner Adam Atamian summarized the staff report. Mr. Atamian stated that due to an emergency the applicant is unable to attend this hearing. The applicant read the staff report and he is fine with his item being heard without him being present.

Mr. Pechous asked what the wall material will be. Mr. Atamian responded the wall will be a gravity block system, a stacked and staggered block wall with a geo grid and it will be a light tan color. Mr. Pechous stated this will mitigate the look of the wall on the vegetation side and potential view of the neighbors.

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

Mr. Pechous stated the Zoning Administrator continued this item to allow for clarification of the drainage; he is satisfied with the response from the Engineering Division regarding the drainage.

Mr. Pechous stated the height of the wall is appropriate. He understands why the property owner wants to have a usable back yard; everyone wants to enjoy their property. The wall is adequately mitigated, there is no direct view from the street; there are no significant public views. Any potential private views will be mitigated with landscaping and the earth tone color.

Action: The Zoning Administrator approved Minor Exception Permit 14-442, Cuthbertson Wall, subject to Resolution ZA 15-002 with attached Conditions of Approval.

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

**B. 2717 Via Santo Tomas – Minor Architectural Permit 14-485 – Wagner Residence Addition (Atamian)**

A request to consider a 400 square foot, single-story addition to the front of a nonconforming single family residence located at 2717 Via Santo Tomas, within the Residential Low (RL-11-CZ) zoning district. The legal description is Lot 25, of Tract 4804, Assessor's Parcel Number 691-285-08.

Associate Planner Adam Atamian summarized the staff report. Mr. Atamian stated staff received one telephone call from a neighbor who received the Notice of Public Hearing; the neighbor had no comments regarding the actual addition to the home.

Applicants Philip and Kathy Wagner and their son Burt were present; they had no comments.

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

Mr. Pechous stated this request fits with the scale of other projects in the area. He directed staff to investigate the possibility of eliminating the requirement for these types of requests to go through a Zoning Administrator hearing to get a minor addition approved. Many of the homes in Shorecliffs became nonconforming because of a change in a previous Zoning Ordinance update that required an 18 foot setback to the garage door. This was to address an issue in other areas of San Clemente where parked cars hang over the sidewalks. Unfortunately Shorecliffs got caught up in the new standard. He would like to know the feasibility of a Zoning Ordinance update which would allow projects like this to be handled administratively.

Mr. Pechous thanked the applicants for attending this meeting.

Action: The Zoning Administrator approved Minor Architectural Permit 14-485, Wagner Residence Addition, subject to Resolution ZA 15-003 with attached Conditions of Approval.

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

**C. 238 West Avenida Canada – Minor Cultural Heritage Permit 13-264/Minor Exception Permit 13-333 – Eklund Accessory Structure  
(Atamian)**

A request to consider a 106 square foot accessory structure, a four-foot, six-inch tall stucco block wall adjacent to Avenida Del Poniente and a portion of the side property line, and the demolition of a nonconforming accessory structure at a historic property located at 238 West Avenida Canada. The property is within the Residential Medium (RM-CZ) zoning district. The legal description is Lot 17, of Block 3, of Tract 794, Assessor's Parcel Number 692-081-11.

Associate Planner Adam Atamian summarized the staff report.

Mr. Pechous asked if this item was reviewed by the Design Review Subcommittee (DRSC). Mr. Atamian responded yes and stated the DRSC wanted the originally proposed shed roof changed to a gable roof, which the applicant has complied with. There was discussion of the height of the wall at the rear of the property, the height was subsequently lowered. Additionally the landscaping was improved. Other than these items, the DRSC was supportive of the project. Mr. Pechous stated the applicant incorporated the DRSC comments.

Pat Whalley and property owner Dodi Eklund were present; they had no comments.

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

Mr. Pechous stated he supports this project. The update to the shed will be a nice addition to the property and it will be in keeping with the historic resource; it is detached and clearly differentiated from the original historic resource. The recommendations to comply with the Historic Property Preservation Agreement (HPPA) are not an additional burden to the property owner because they are a requirement of the HPPA. The height of the wall is completely in keeping with the character of the neighborhood. He drove by the property, he understands the need for privacy. He likes the design and the match to the existing wall; this will be a nice addition to the property.

Mr. Pechous thanked everyone for attending the meeting. He informed the applicants of the ten day appeal period and he noted that projects are not officially approved until these Zoning Administrator meeting minutes go to the City Council. He asked the applicants to keep in touch with Mr. Atamian so they know when they can pull their Building permits and finish their project.

Action: The Zoning Administrator approved Minor Cultural Heritage Permit 13-264/Minor Exception Permit 13-333, Eklund Accessory Structure, subject to Resolution ZA 15-004 with attached Conditions of Approval.

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

**D. 1705 North El Camino Real – Minor Cultural Heritage Permit 14-455 – Album Façade Improvements (Gregg)**

A request to consider a new garage door and minor façade improvements at the building located at 1705 North El Camino Real, within the Commercial zoning district and the Architectural, Coastal zone and Pedestrian Overlays (C-2-A-P-CZ) of the North Beach Study Area. The legal description is Lot 10, Block 1, Tract 795, and Assessor's Parcel Number 057-191-14.

Associate Planner Amber Gregg summarized the staff report. Ms. Gregg stated the original application included a mural on the east side of the building facing the Rider's Club. When the Design Review Subcommittee (DRSC) reviewed this project they could not recommend approval of the mural, not because they did not like the mural, but because they were concerned about setting precedent because of the style in the Architectural Overlay. After discussing this with the applicant, he agreed to go forward with the minor façade changes now and after this meeting there will be a meeting with the City Planner to discuss the next steps for businesses that would like to have murals in this part of town since it is in the Architectural Overlay.

Applicant Nathan Harris was present; he had no comments.

Mr. Pechous asked what the business is; Mr. Harris responded they do custom surfboards as well as retail. Mr. Pechous stated that will fit perfectly in this area.

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

Mr. Pechous stated he likes the solution for the door, it is a good blending of Spanish Colonial Revival character of the area while still fitting in with

the character of the existing building. He likes the addition of the wood, it warms it up and with the earth tones it stays true to the architectural style. It is difficult to make a building like this more Spanish. He commended the DRSC for staying true to the existing style of the building, adding tones to make it more consistent with the overall district without trying to take it into another realm that wouldn't make it compatible.

Mr. Pechous thanked Mr. Harris for attending this meeting and he stated this project will not be officially approved until the City Council approves these meeting minutes at their next City Council meeting. Mr. Harris thanked everyone.

Action: The Zoning Administrator approved Minor Cultural Heritage Permit 14-455, Album Façade Improvements, subject to Resolution ZA 15-006 with attached Conditions of Approval.

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

**E. 251 La Rambla Avenue – Minor Exception Permit 14-428 – Janis Addition (Gregg)**

A request to consider a 660 square foot addition to a legal nonconforming single-family home located at 251 La Rambla Avenue. The applicant would like to legalize his existing encroachment into the side yard setback and encroach three feet into the front yard setback for a covered porch. The parcel is located in the Residential Low zoning district and in the Coastal Zone Overlay (RL1-CZ), the legal description is Lot 19 of Tract 1495, and Assessor's Parcel Number 692-264-05.

Associate Planner Amber Gregg summarized the staff report. Mr. Pechous and Ms. Gregg examined the plans.

Mr. Pechous asked if there are other, similar encroachments in this block. Ms. Gregg responded yes. She stated the second story does not encroach any further and the request meets the six foot side yard setback requirement. With the open patio, and not the living space, encroaching into the front yard setback, staff felt this would be a nice architectural feature to the neighborhood. Mr. Pechous asked how far that goes beyond the front doors. Ms. Gregg responded three feet, and stated the habitable area of the home meets the 20 foot setback requirement. It is just the overhang that encroaches.

Applicants Joe and Vickie Janis were present; they had no comments.

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

Mr. Pechous stated this will be a nice architectural addition to the neighborhood. He informed the applicants of the minimum ten day appeal period once these meeting minutes are approved by the City Council. He thanked the applicants for attending this meeting; they thanked everyone.

Action: The Zoning Administrator approved Minor Exception Permit 14-428, Janis Addition, subject to Resolution ZA 15-005 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 February 4, 2015 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



Jim Pechous