

**CITY OF SAN CLEMENTE  
MINUTES OF THE  
ZONING ADMINISTRATOR MEETING  
March 3, 2015**

Staff Present: Jim Pechous, Adam Atamian, Sean Nicholas, and Kimberly Maune

**2. MINUTES**

Minutes of the Zoning Administrator meeting of February 18, 2015 received and filed.

**3. ORAL AND WRITTEN COMMUNICATION**

None

**4. PUBLIC HEARINGS**

**A. 163 West Mariposa – Minor Exception Permit 14-379/Minor Cultural Heritage Permit 14-397 – Nielsen Residence (Atamian)**

A request to consider a 140 square foot addition to a nonconforming triplex multi-family structure that proposes to continue a nonconforming three-foot side yard setback a distance of seven feet. The project is located at 163 West Mariposa, in the Residential Medium (RM) zoning district, and is within 300 feet of multiple historic structures. The legal description is Lot 47, of Block 15, of Tract 793, Assessor's Parcel Number 058-131-33.

Associate Planner Adam Atamian summarized the staff report. Mr. Atamian stated when he visited the project site he discovered a legally built wall along the side around a patio, and what appears to be a fence and patio cover which do not comply with today's standards. In looking through the Building records he did not find any Building permits for the fence or patio cover. Since the wall was built in 1992 there may be a chance that the City does not have those records. Staff has included a condition of approval in the resolution, number eight, which states that during the Building permit review process any nonconforming structures that were built illegally will need to be corrected or provide verification that they were built legally with permits.

Mr. Pechous and Mr. Atamian examined the site photos and the plans. Mr. Pechous stated per the plans, this request would align with other buildings on this street. Other than the continuation of the nonconforming side yard setback, this request conforms to the current requirements.

Applicant Al Smith and property owner Ken Nielsen were present; they had no comments.

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

Mr. Pechous stated the reason the City has the Minor Exception Permit is because over time the codes have changed, resulting in nonconforming setbacks. The City did not want to prevent homeowners from the opportunity to expand. This is a relatively minor expansion and it is certainly within the character of the neighborhood.

Mr. Pechous thanked everyone for attending the meeting and he informed them of the ten day appeal period.

Action: The Zoning Administrator approved Minor Exception Permit 14-379/Minor Cultural Heritage Permit 14-397, Nielsen Residence, subject to Resolution ZA 15-009 with attached Conditions of Approval.

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

**B. Marblehead Coastal Residential PA 2 – Amendment to Site Plan Permit 97-16 – 5000 Series Homes Modifications (Nicholas)**

A request to consider a minor modification as a result of the final designs for just the 5000 series homes located in the PA 2 area of the Marblehead Coastal Residential Development adjacent to Avenida Pico. This is for the residential portion of Tract 8817 within the Marblehead Coastal Specific Plan.

Associate Planner Sean Nicholas summarized the staff report. Mr. Nicholas stated he has not received any public comments regarding this particular item other than he continues to receive requests to be able to purchase the homes; he passes those on to Taylor Morrison.

Mr. Pechous and Mr. Nicholas examined the plans. Mr. Nicholas stated the key changes are the heights and the elevations; however, all heights are less than or equal to the City Council approved heights. Mr. Pechous stated the builder is going back to the originally approved heights for some of the homes and some have a modified design; this request is so they can be consistent with the original Marblehead Coastal approval. The designs look identical and the quality is maintained. Mr. Nicholas stated they are identical and staff has made certain they are consistent.

Applicant Don McDougall of Taylor Morrison and architect Chris Barlow of Robert Hidey were present; they had no comments.

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

Mr. Pechous stated this request is consistent with what the City Council's approval was in 2007 for the 5000 series homes. Further, the architectural quality of the project is maintained. He thanked everyone and informed them of the ten day appeal period.

Action: The Zoning Administrator approved Amendment to Site Plan Permit 97-16, Marblehead Coastal Residential 5000 Series Homes Modifications, subject to Resolution ZA 15-012 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 3:15 p.m. to the regular Zoning Administrator meeting to be held on March 18, 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