

**CITY OF SAN CLEMENTE
MINUTES OF THE REGULAR MEETING
OF THE ZONING ADMINISTRATOR
DECEMBER 23, 2021**

**San Clemente City Hall
First Floor Community Room
910 Calle Negocio
San Clemente, California 92673**

1. CALL TO ORDER

Zoning Administrator Adam Atamian called the Regular Meeting of the City of San Clemente Zoning Administrator to order at 3:01 pm on December 23, 2021 in the First Floor Community Room of San Clemente City Hall, 910 Calle Negocio.

Staff Present: Adam Atamian, Zoning Administrator
Stephanie Roxas, Senior Planner

2. MINUTES

- A. The minutes of the Zoning Administrator meeting of October 21, 2021 will be received and filed at the next Zoning Administrator meeting, as staff was unaware if Community Development Director Cecilia Gallardo-Daly had reviewed and approved those minutes in her capacity as Zoning Administrator.

3. ORAL AND WRITTEN COMMUNICATION

None

4. PUBLIC HEARING

Minor Exception Permit 21-063, 1416 Avenida De La Estrella, Ben-Ezra Residence (Webber)

A request to consider a 608 sq. ft. detached, in-the-bank, two-car garage 5 feet from front-yard property line with a 12-foot grade difference measured 25 feet back from top of curb face. The proposed project will satisfy the requirement of having 2-covered parking spaces on a developed single-family residential lot.

Kyle Webber, Assistant Planner, was not present at the meeting. Senior Planner Stephanie Roxas summarized the staff report on his behalf.

Jeremy Caulkins of Strucco Engineering & Construction and Applicant Dina Ben-Ezra were present and available for questions.

ZA Adam Atamian opened the public hearing,

Heather Gilbert, resident of 1412 Avenida de la Estrella, was present and expressed her support for the project.

Senior Planner Stephanie Roxas read into the record a statement of support from Angela Pulas and Jake Reesen, residents of 102 Calle Redondel.

ZA Adam Atamian closed the public hearing:

ZA Adam Atamian stated he reviewed the staff report, findings, plans, conditions of approval, and visited the property.

ZA Adam Atamian asked the applicant if there was any intent of converting this garage into habitable space in the future. The applicant stated that there was not.

ZA Adam Atamian asked the applicant if there was any intent of adding a rooftop deck to this in-the-bank garage at this time. The applicant stated that there was not.

ZA Adam Atamian asked if the applicant intended to store trash receptacles in the garage. The applicant confirmed that the trash receptacles will be stored inside the garage.

ZA Adam Atamian approved Minor Exception Permit 21-063, making the findings that neighboring properties will not be adversely affected as a result of the approval or conditional approval of the Minor Exception Permit. The project does not exacerbate the existing non-conformity on the site. The approval or conditional approval of the Minor Exception Permit will not be detrimental to the health, safety or welfare of the general public. The proposed project will be required to meet the California Building Code and Orange County Fire Authority regulations. ZA Atamian approved Minor Exception Permit 21-063 with the following additional Conditions of Approval: (1) The proposed garage shall not be converted into an accessory dwelling unit or used for habitable purposes, and (2) any future deck that may be added on to the roof will not encroach into the 20-foot front yard setback.

The project is Categorically Exempt from CEQA pursuant to State CEQA Guidelines Section 15305 (Class 5: Minor Alterations and Land Use Limitations).

Action: The Zoning Administrator approved and adopted Resolution ZA 21-028, Minor Exception Permit 21-063, Ben-Ezra In-Bank Garage, subject to the Conditions of Approval with the addition of two Conditions. The first Condition being that no decks on top of the proposed garage shall encroach into the front

yard setback area. The second Condition is that notwithstanding any federal or state laws prohibiting such Condition, the applicant/owner or their designee understands and acknowledges that the garage shall not be used for habitable purposes, and that the City will not approve any permits to convert the garage interior space for habitable purposes, including, but not limited to, conversion to an Accessory Dwelling Unit (ADU).

5. **NEW BUSINESS**

None

6. **OLD BUSINESS**


None

7. **ADJOURNMENT**

The meeting adjourned at 3:19 p.m. to the Regular Meeting of the Zoning Administrator, which will be held Thursday, January 6, 2022 at 3:00 p.m. at City Hall, First Floor Community Room, located at 910 Calle Negocio, San Clemente, California.

Respectfully submitted,

SAN CLEMENTE ZONING ADMINISTRATOR



Adam Atamian, Zoning Administrator