



## Design Review Subcommittee (DRSC)

Meeting Date: March 29, 2023

**PLANNER:** Chris Johnson, Senior Planner

**SUBJECT:** **Minor Architectural Permit (MAP) 22-424 and Minor Exception Permit (MEP) 22-423,** application for a second story addition of 735 square feet to an existing legal non-conforming single-family residence, proposed rooftop deck and two additional decks located at 113 West Mariposa (Ely/BonaDonna Residence).

### **BACKGROUND:**

The proposed project is located at 113 West Mariposa within the Residential Medium (RM) Zoning District. The existing residence is approximately 1,149 square feet (S.F.). Surrounding land use consists of single-family residential to the east, west and south and a multi-family residential lot to the north. Please refer to Attachment 1 for the vicinity map and Attachment 2 for photos of the existing conditions.

#### **Minor Architectural Permit:**

Minor Architectural Permits (MAP) are required for nonconforming structures that seek to expand the existing floor area by 50 percent or greater. This allowance is specific to single-family residences with less than 1,400 S.F. of floor area, as of March 21, 1996, seeking to expand up to 2,100 S.F. The applicant is proposing a 735 S.F. addition to an existing 1,149 S.F. residence which is a 64% increase to a new floor area total of 1,884 square feet. Pursuant to San Clemente Municipal Code (SCMC) Section 17.72.050, *Repair, Alteration, and Expansion of Nonconforming Structures*, an addition of 50% or greater to a non-conforming structure requires review by the Design Review Subcommittee (DRSC). Please refer to Attachment 3 for the location of the proposed improvements.

#### **Minor Exception Permit:**

The proposed project will also require a Minor Exception Permit (MEP). Pursuant to SCMC Section 17.16.090, an MEP is required in order to allow the "continuation of legal nonconforming side yard setbacks up to within 30 inches of the side property line for any stories, existing or new." Specifically, the MEP is required due to the proposed encroachment/continuation of the master bedroom into the side yard setback along the south elevation ("right elevation" on submitted plans). Please refer to Attachment 4 for the location of the continued master bedroom and Attachment 5 for a full set of project plans.

**Analysis:**

The proposed improvements are consistent with other properties in the vicinity of the project. The massing of the proposed second story addition and roof deck is set back from buildings on adjoining properties. Several residences across the street also have patio/deck spaces oriented toward the street and a residence located three properties to the south has a roof deck above an existing garage.

It is staffs position concerning the MAP that the architectural treatment and general appearance of the proposed project is in keeping with the character of the neighborhood and therefore a reasonable and compatible use with adjacent development.

With regards to the MEP, the continuation of the existing wall for a distance of approximately 6' within the nonconforming sideyard setback would not adversely affect adjacent properties or be detrimental to the health, safety or welfare of the general public.

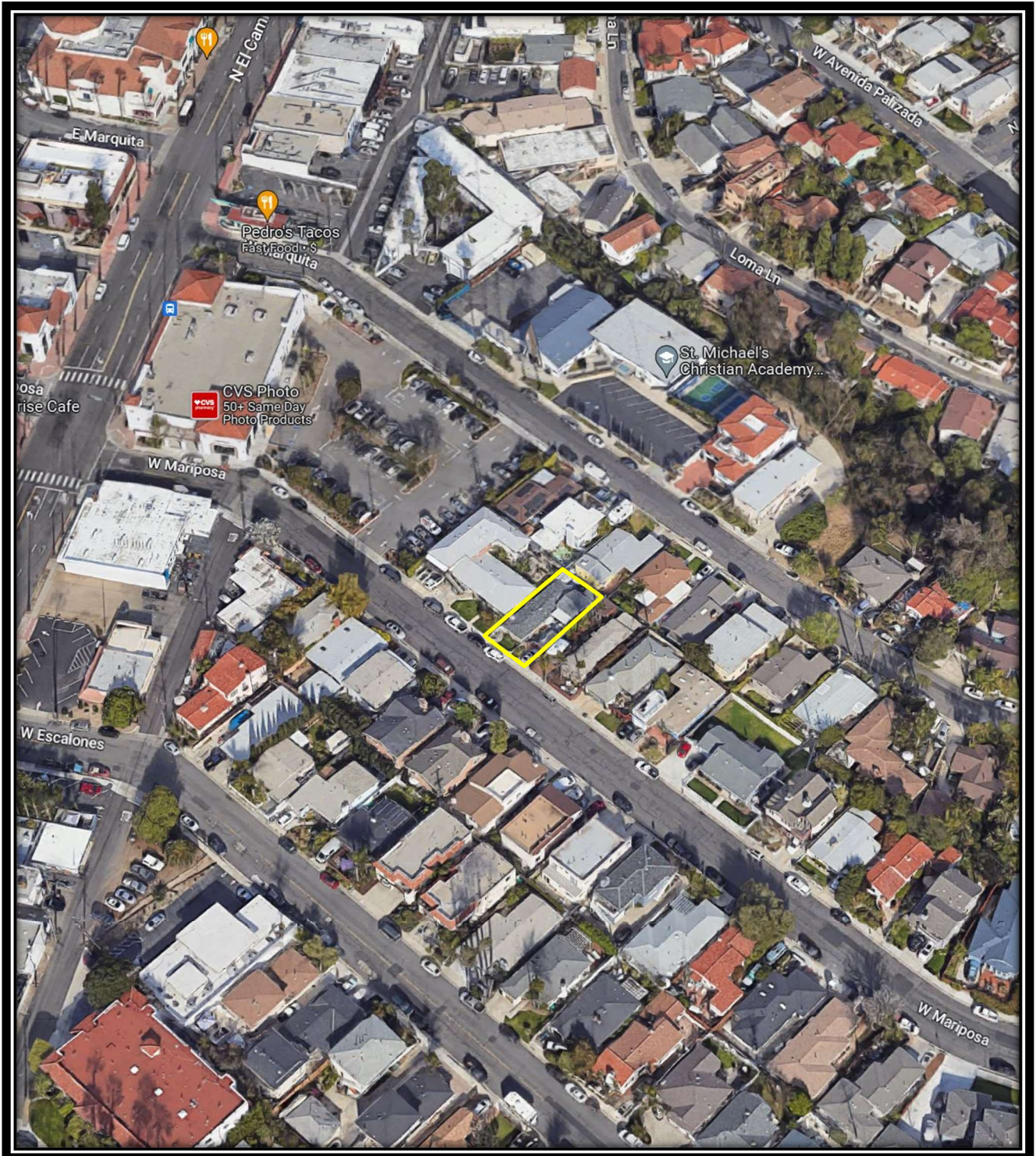
**RECOMMENDATIONS:**

Staff is requesting DRSC's review of the proposed improvements prior to being scheduled for Zoning Administrator review at a future public hearing.

**ATTACHMENTS:**

1. Project Site
2. Photograph of Existing Condition
3. Proposed Improvement's (Plan View)
4. Colored Architectural Elevations
5. Project Plans (Full Set)

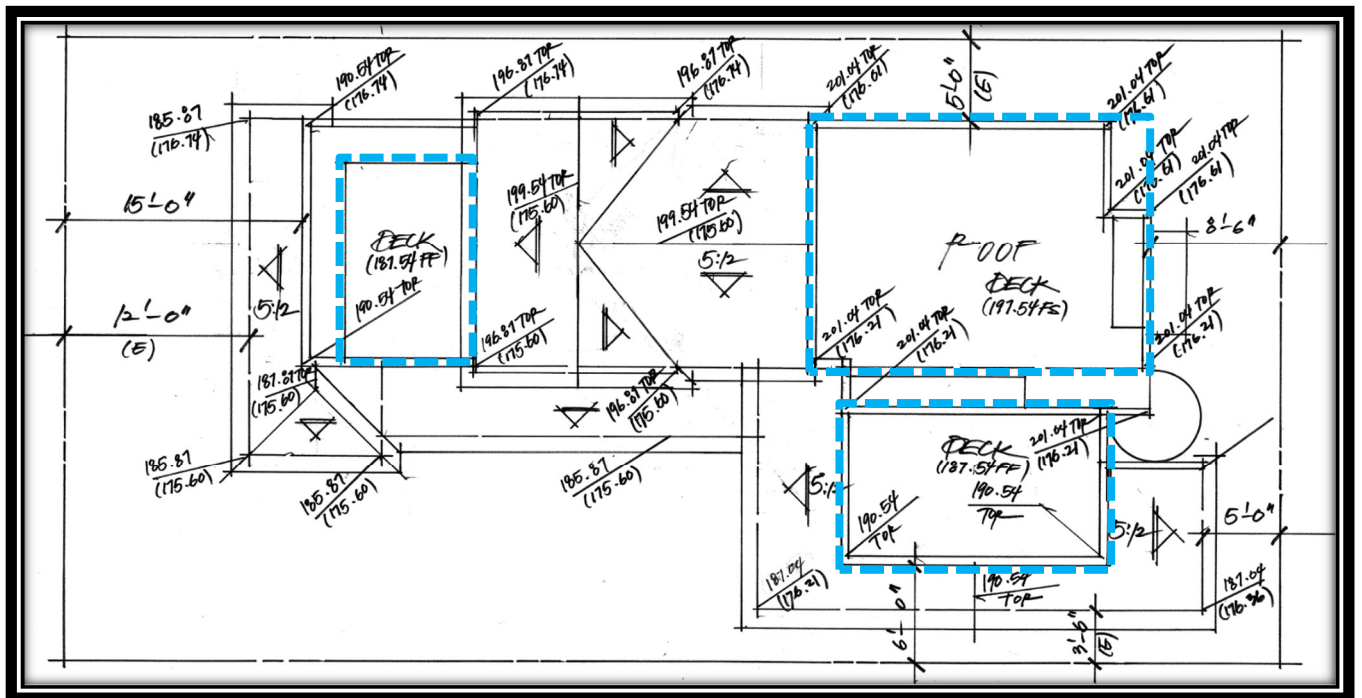
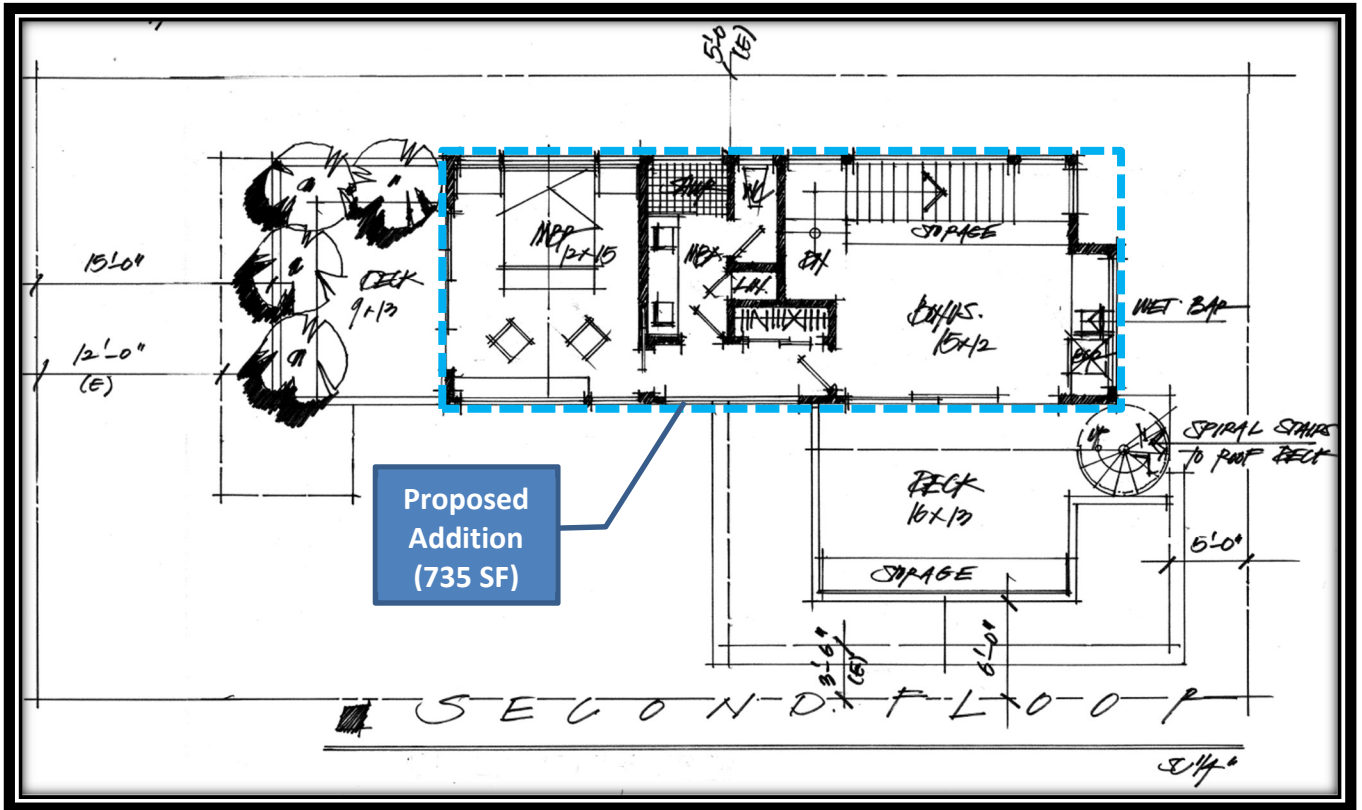
Project Site



Photograph of Existing Condition



Proposed Improvements



Colored Architectural Elevations



Front Elevation



Right Elevation

**Project Plans**