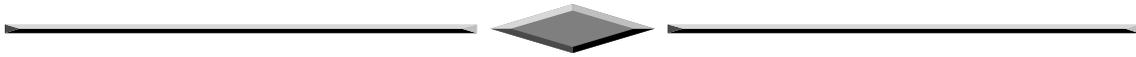


**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Joanna Cortez, Assistant Planner
DATE: December 7, 2016

**SUBJECT: COASTAL DEVELOPMENT PERMIT NO. 16-021/ VARIANCE NO. 16-006
(O'NEILL RESIDENCE)**

LOCATION: 17027 Edgewater Lane, 92649 (south side of Edgewater Ln., west of Waverly Ln.)



Applicant: Roslyn Amparo, 1524 Brookhollow Dr., Santa Ana, CA 9270548

Property Owner: Brian O'Neill, 17027 Edgewater Ln., Huntington Beach, CA 92649

Request: To permit a 605 sq. ft. second story addition to an existing single family dwelling; expand the existing garage by 266 sq. ft.; and exceed the allowable lot coverage by an additional 3.3% for a total of 53.3%. in lieu of the maximum allowable lot coverage of 50%.

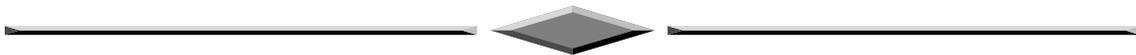
Environmental Status: This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act.

Coastal Status: Appealable

Zone: RL-CZ (Residential Low Density - Coastal Zone Overlay)

General Plan: RL-7 (Residential Low Density)

Existing Use: Residential



RECOMMENDATION: Staff recommends approval of the proposed project based upon the following findings:

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301 of the CEQA Guidelines, because the project consists of an addition to an existing single-family residence within a residential zone.

SUGGESTED FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 16-021:

1. Coastal Development Permit No. 16-021 for the 602 sq. ft. second story addition to an existing single family dwelling and expansion of the existing garage by 266 sq. ft. conforms with the General Plan, including the Local Coastal Program. The project is consistent with Coastal Element Policy C 1.1.1, which encourages development within, or contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction will occur on a developed site, contiguous to existing single-family residential developments.
2. The request for the 602 sq. ft. second story addition to an existing single family dwelling and expansion of the existing garage by 266 sq. ft. is consistent with the requirements of the Coastal Zone (CZ) Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code except for the variance for increased lot coverage. The project complies with the minimum onsite parking, minimum setbacks, and maximum building height requirements.
3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The proposed 602 sq. ft. second story addition to an existing single family dwelling and expansion of the existing garage by 266 sq. ft. is on a site in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.
4. The request for a 602 sq. ft. second story addition to an existing single family dwelling and expansion of the existing garage by 266 sq. ft. conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The proposed addition and request to exceed the maximum lot coverage will not impede public access, recreation, or views to coastal resources.

SUGGESTED FINDINGS FOR APPROVAL - VARIANCE NO. 16-006:

1. The granting of Variance No. 16-006 for 53.3% lot coverage in lieu of the maximum 50% will not constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zone classification. In order to provide additional on-site parking, the new development would exceed the maximum allowable lot coverage. The subject property is located on a 5,021 sq. ft. lot, which is less than the average 6,000 sq. ft. lot found under an identical zone classification. In addition, several properties in the immediate area were built under a previous code requirement which permitted lot coverage up to 55%. The proposed second floor and garage addition at the subject site is consistent with other properties in the vicinity and under an identical zone classification.

2. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification. The applicant would like to provide additional on-site parking by adding a third car garage to the property, a common feature of many homes in the vicinity. The property is located on a 5,021 sq. ft. lot, smaller than the average 6,000 sq. ft. lot. There are several homes in the immediate vicinity which have been granted variances beyond the maximum lot coverage of 50%. Additionally, several properties in the immediate area were built under a previous code requirement which permitted lot coverage up to 55%.
3. The granting of a variance is necessary to preserve the enjoyment of one or more substantial property rights. By increasing the lot coverage to 53.3% in lieu of the maximum 50%, the property owner will enjoy the same benefits imparted to the surrounding properties. In addition, it would be consistent with several homes in the immediate vicinity which have been granted variances beyond the maximum lot coverage of 50%, as well as several properties in the immediate area that were built under a previous code requirement which permitted lot coverage up to 55%.
4. The granting of the variance will not be materially detrimental to the public welfare or injurious to property in the same zone classification. The requested variance for 53.3% lot coverage in lieu of the maximum 50% will not result in a structure that would be incompatible with the surrounding neighborhood. The addition will not result in a mass and bulk that is inconsistent with the area. The 3.3% increase in lot coverage would allow for additional on-site parking and represents a small increase in the overall development of the lot.
5. The granting of the variance will not adversely affect the General Plan. It is consistent with the Land Use Element designation of RL-7 (Residential Low Density – 7 units/acre Specific Plan) on the subject property, including the following policy:

LU 7.1.2: Require that development be designed to account for the unique characteristics of project sites and objectives for community character as appropriate.

The requested variance accounts for the smaller than average lot size. Granting the addition would allow the subject property the opportunity to be designed in the same manner as nearby properties with similar lot sizes.

SUGGESTED CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 16-021 /VARIANCE NO.16-006:

1. The site plan, floor plans, and elevations received and dated October 14, 2016 shall be the conceptually approved design.
2. Prior to submittal for building permits, zoning entitlement conditions of approval and code requirements shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical, and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
3. The final building permit(s) cannot be approved until the following have been completed:

- a. All improvements must be completed in accordance with approved plans.
 - b. Compliance with all conditions of approval specified herein shall be verified by the Community Development Department.
 - c. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an off-site facility equipped to handle them.
4. CDP No. 16-021 and VAR No. 16-006 shall become null and void unless exercised within two years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning Division a minimum 30 days prior to the expiration date.
 5. The applicant and/or applicant's representative shall be responsible for ensuring that accuracy of all plans and information submitted to the City for review and approval.
 6. The Development Services Departments and divisions (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Community Development may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.
 7. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/green-building-guidelines-rating>).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.