



City of Huntington Beach Planning Department
STAFF REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning
BY: Andrew Gonzales, Assistant Planner **AG**
DATE: January 23, 2008

SUBJECT: APPEAL OF ZONING ADMINISTRATORS APPROVAL OF COASTAL DEVELOPMENT PERMIT NO. 07-013 (TADDEO RESIDENCE)

APPLICANT: Greg Howell, 20561 Suburbia Lane, Huntington Beach, CA 92646

APPEALANT: Joe Shaw, Planning Commissioner

PROPERTY

OWNER: Robert & Mary Taddeo, 18204 3rd Street, Fountain Valley, CA 92708

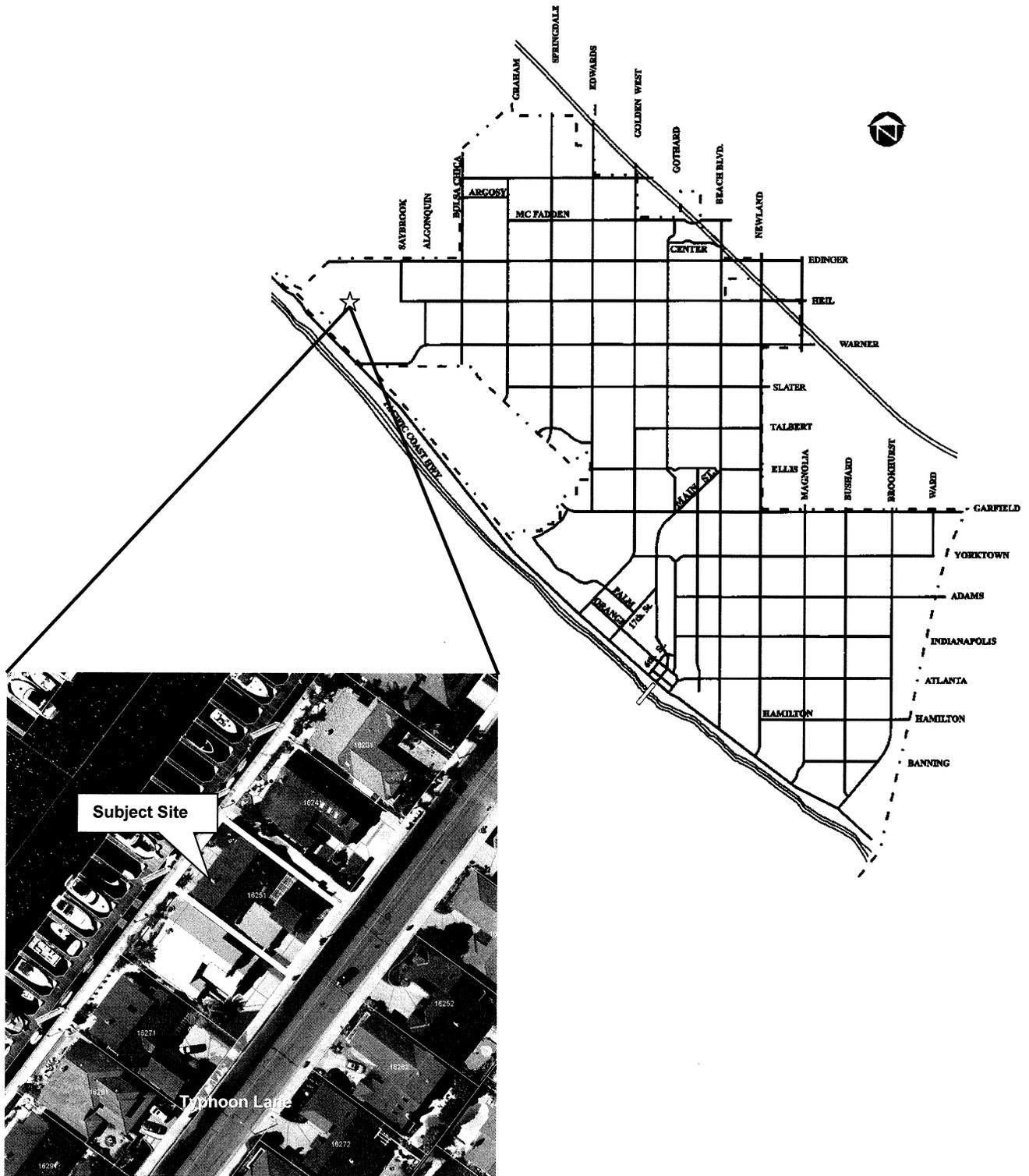
LOCATION: 16251 Typhoon Lane, 92649 (west side of Typhoon Lane, between Sagamore and Venture Drives – Trinidad Island, Huntington Harbor)

STATEMENT OF ISSUE:

- ◆ Coastal Development Permit Request 07-013 request:
 - Demolition of an existing single family dwelling and construction of an approximately 4,194 sq. ft., two story, single family residence with an attached 593 sq. ft. garage.
- ◆ Staff's Recommendation:

Approve Coastal Development Permit No. 07-013 based upon the following:

 - The requested entitlement will be consistent with the General Plan, including Local Coastal Program land use designation of Residential Low-Density.
 - Consistent with requirements of the Coastal Zone (CZ) Overlay District of the base zoning district and other applicable provisions of the Municipal Code.
 - The proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program.
 - The project will not impede public access or impact public views to coastal resources.



VICINITY MAP
COASTAL DEVELOPMENT PERMIT NO. 07-013
(TADDEO RESIDENCE – 16251 TYPHOON LANE)

RECOMMENDATION:

Motion to:

“Approve Coastal Development Permit No. 07-013 with suggested findings and conditions of approval (Attachment No.1)”

ALTERNATIVE ACTION(S):

The Planning Commission may take alternative actions such as:

- A. “Deny Coastal Development Permit No. 07-013 with findings for denial”.
- B. “Continuance of Coastal Development Permit No. 07-13 and direct staff accordingly.”

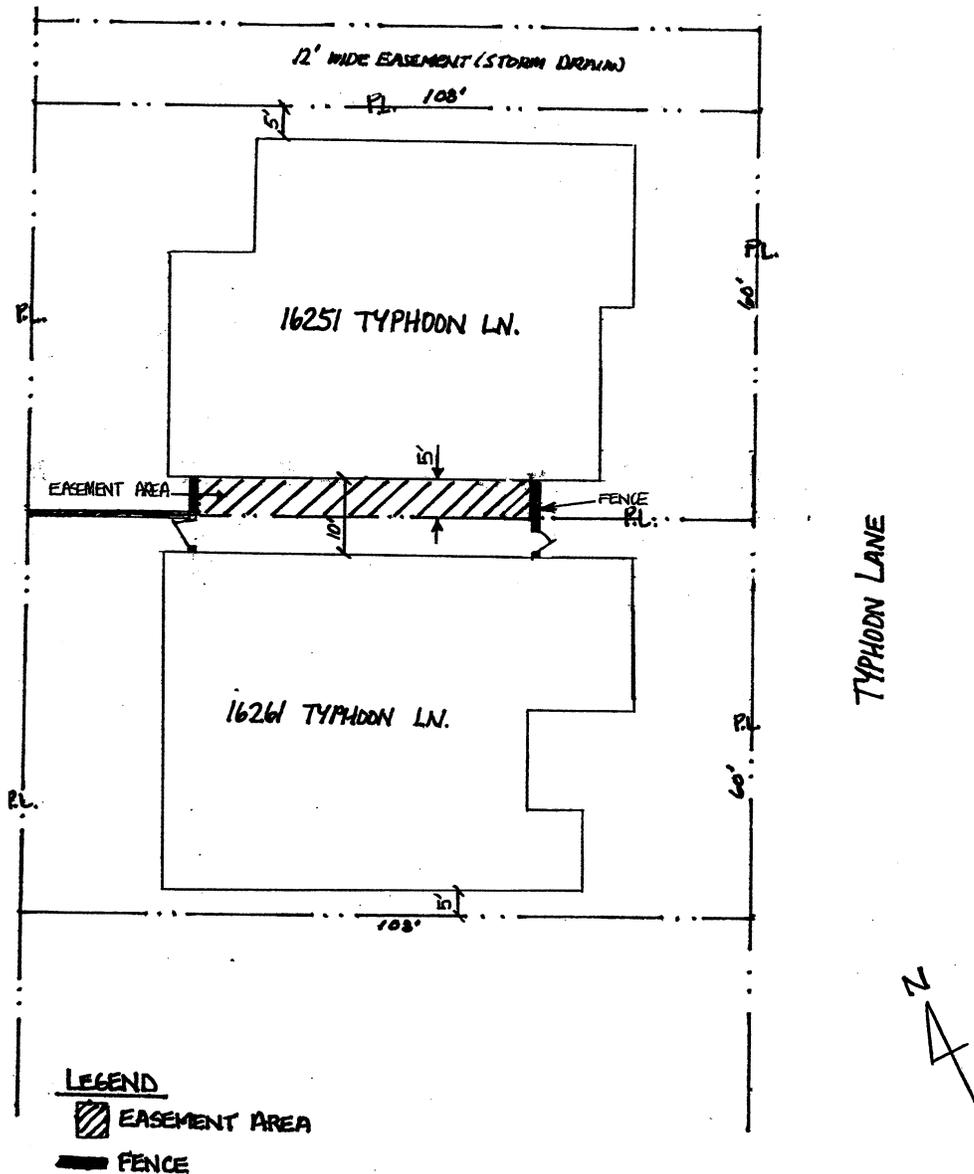
PROJECT PROPOSAL:

Coastal Development Permit No. 07-013 filed pursuant to Chapter 245 of the Huntington Beach Zoning and Subdivision Ordinance – *Coastal Development Permit*, represents a request for the following:

To permit the demolition and construction of an approximately 4,194 sq. ft., two story, single family residence with an attached 593 sq. ft. garage within the coastal zone pursuant to Section 245.06, *Permit Required*, of the HBZSO.

The proposed single family residence is located on a waterfront lot located within an established residential neighborhood on Trinidad Island. The project shall encompass a two-story lay out that will include a three-bedroom and three-bathroom floor plan. A three-car, side entry attached garage will provide an additional onsite parking space based on the number of bedrooms provided pursuant to the HBZSO.

At the January 8, 2008 Planning Commission Study Session, the Commission expressed concern regarding the potential impact of the proposed development on an adjacent private easement and City water line. Through investigation it was determined that the location of the new residence will not impact the existing water line. In addition, the proposed single family dwelling is located outside of all public and private easements, including any utility lines that are on the subject property (See figure below). The Planning Commission also requested the location and number of similar private easement conditions within the surrounding area. The additional information could not be obtained due to the fact that said easements are private and the plotting of structures reflect typical single family layouts. In order to identify each property with the private easement, staff would have to request a title search for each property within the surrounding neighborhood.



Zoning Administrator's Action:

The proposed Coastal Development Permit was considered by the Zoning Administrator on November 28, 2007 (Attachment 4). The applicant and the property owners spoke in support of the project. Written public comment was received from the adjoining neighbors who reside at 16261 Typhoon Lane. They expressed concern that potential infringement of the proposed development will occur on an exclusive easement along the shared property line. The neighbors' counsel highlighted that approval of the development would be an infringement of the owners' property rights, specifically with access to the easement during site development. In addition, surrounding neighbors expressed similar concerns and were opposed to the project.

The Zoning Administrator emphasized that the project complies with the General Plan, including the Local Coastal Program land use designation and is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provision of the Municipal Code, including maximum site coverage, maximum building height, minimum setbacks, and minimum on-site parking. Based on compliance with these requirements, the Zoning Administrator had little basis to deny the project. Therefore, the Zoning Administrator approved the project based on the following findings:

- ◆ Coastal Development Permit No. 2007-013 for the demolition of an existing single family dwelling and construction of an approximately 4,194 sq. ft., two story, single family dwelling conforms with the General Plan, including the Local Coastal Program land use designation of Residential Low-Density. The project is consistent with Coastal Element Land Use Policy C 1.1.1 to encourage development within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction will occur on a previously developed site, contiguous to existing residential development.
- ◆ The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code, including maximum site coverage, maximum building height, minimum yard setbacks, and minimum on-site parking.
- ◆ 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 project will be constructed on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer and roads.
- ◆ The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access or impact public views to coastal resources

Appeal:

The Zoning Administrator's approval of Coastal Development Permit No. 07-013 was appealed to the Planning Commission by Planning Commissioner Joe Shaw for reasons stated in a memo dated December 10, 2007 (Attachment No. 5). The basis for the appeal is that the approval for development of the new single family residence at the subject lot (26) will infringe on a recorded private easement exclusive to 16261 Typhoon Lane (Lot 25).

Code Enforcement History:

The City has no active code enforcement cases or knowledge of violations associated with the property.

ISSUES:

Subject Property And Surrounding Land Use, Zoning And General Plan Designations:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	RL-7 (Residential Low Density – Max. 7 du/ac)	RL (Residential Low Density)	Single-Family Residential
North, South and East of Subject Property	RL-7 (Residential Low Density – Max. 7 du/ac)	RL (Residential Low Density)	Single-Family Residential
West of Subject Property	OS-W (Water Recreation)	OS-WR (Water Recreation Subdistrict)	Long Channel - waterway

General Plan Conformance:

The proposed temporary use is consistent with the site’s RL-7 General Plan designation and the following General Plan goals and objectives:

A. Land Use Element

Policy LU 9.2.1: New residential development within existing residential neighborhoods (i.e., infill) be compatibly with existing structures including building heights, grade elevations, orientation, and bulk that are compatible with the surrounding development.

Approval of the request Coastal Development Permit furthers the General Plan Objective and Policies by developing the site with a new single family residence that is compatible with existing developments in the neighborhood by providing a home that is comparable in size, orientation, and design with existing developments.

B. Coastal Element

Policy C 1.1.1: New development shall be encourage to be located within, contiguous or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services, and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

The project is contiguous to existing developed areas able to accommodate. The proposed construction will occur on a previously developed site, contiguous to existing residential development.

Zoning Compliance:

The proposed project is located in the Residential Low Density (RL) and Coastal Zone Overlay District (CZ), and complies with the requirements of that zone. In addition, a list of City Code Requirements, Policies, and Standard Plans of the Huntington Beach Zoning & Subdivision Ordinance and Municipal Code has been provided to the applicant (Attachment No. 6) for informational purposes only.

Urban Design Guidelines Conformance: Not applicable

Environmental Status:

The proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15303, Class 3 of the California Environmental Quality Act, because the project is located within an urbanized residential zone and involves the construction of a new single family dwelling

Coastal Status

The proposed project is within an appealable portion of the Coastal Zone. Coastal Development Permit No. 07-013 is being processed pursuant to Chapter 245 of the ZSO. The proposed project complies with the zoning code and Coastal Zone requirements, and will implement the following policies of the Coastal Element of the General Plan:

- ◆ New development shall be encourage to be located within, contiguous or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services, and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

The California Coastal Commission review period will commence after the City appeal period has ended and no appeals have been filed. The Coastal Commission shall review the project for a period of 10 working days at which time an aggrieved person may file an appeal, pursuant to Section 30603 of the Public Resources Code.

Redevelopment Status: Not applicable.

Design Review Board: Not applicable.

Subdivision Committee: Not applicable.

Other Departments Concerns and Requirements:

The Departments of Building and Safety, Fire and Public Works have reviewed the proposed project and identified applicable code requirements (Attachment No. 6).

Public Notification:

Legal notice was published in the Huntington Beach/Fountain Valley Independent on January 10, 2008, and notices were sent to property owners of record and tenants within a 100 ft. radius of the subject property, individuals/organizations requesting notification (Planning Department's Notification Matrix), applicant, and interested parties. As of January 15, 2008, no additional communication supporting or opposing the request has been received.

Application Processing Dates:

DATE OF COMPLETE APPLICATION:

MANDATORY PROCESSING DATE(S):

November 8, 2007

January 5, 2008

Coastal Development Permit No. 07-013 was filed on October 9, 2007 and deemed complete on November 8, 2007. The Zoning Administrator acted on the application on November 28, 2007, in compliance with mandatory processing times.

ANALYSIS:

The primary issue for the Planning Commission to consider is whether or not approval of the coastal development permit (CDP) fulfills the required findings. As noted, the proposed single family residence complies with all applicable base zoning and coastal zone requirements. HBZSO Section 245.30 Findings for a CDP, states that the Planning Commission must make the following findings when granting an approval:

1. That the development project, as proposed or as modified by conditions of approval, conforms to the General Plan, including the Local Coastal Program.
2. That the project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code.
3. That at the time of occupancy the proposed development is provided with infrastructure in a manner that is consistent with the Local Coastal Program.
4. The development conforms to the public access and public recreation policies of Chapter 3 of the California Coastal Act.

If the Planning Commission finds that there is no basis for each of the findings listed above, the application must be denied.

The Zoning Administrator's approval of Coastal Development Permit No. 07-013 was appealed to the Planning Commission by Planning Commissioner Joe Shaw. Commissioner Shaw's appeal is based on the Zoning Administrator's approval for the development of the proposed single family residence at the subject site (Lot 26) and that the development will infringe on a recorded private easement exclusive to 16261 Typhoon Lane (Lot 25).

The issue of access rights to the 5 ft. wide and 50 ft. long exclusive private easement, which was established along the south property line for the purposes of maintenance of 16261 Typhoon Lane, is not negated by the approval of this development because no encroachment into the easement will occur. Please refer to the figure on page 4 of this staff report. Therefore, the contention between property owners over the exclusive easement for maintenance purposes is a private civil matter separate from the CDP. The building configuration is similarly designed as to other properties in the surrounding neighborhood, and will be placed in the identical location as the previous residence. In addition, the project design has been reviewed and approved by the Trinidad Island Homeowners' Association (Attachment 7).

SUMMARY:

Staff recommends approval of Coastal Development Permit No. 07-031 for the following reasons:

- The requested entitlement will be consistent with the General Plan, including Local Coastal Program land use designation of Residential Low-Density.
- The project will be consistent with requirements of the Coastal Zone (CZ) Overlay District of the base zoning district and other applicable provisions of the Municipal Code.
- The proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program.
- The project will not impede public access or impact public views to coastal resources.

ATTACHMENTS:

1. Suggested Findings and Conditions of Approval – CDP 07-013
2. Site plan, floor plans, and elevations received and dated October 9, 2007
3. Narrative dated received October 16, 2007
4. Zoning Administrator Minutes dated November 28, 2007
5. Planning Commissioner Joe Shaw appeal memo dated December 10, 2007
6. Code Requirements Letter dated November 7, 2007
7. Trinidad Island Homeowners Association letter dated received January 8, 2008
8. Letters of Opposition and Support (9 total)
9. Title and Deed – 16251 Typhoon Lane dated received January 8, 2008

SH:HF:AG

ATTACHMENT NO. 1

SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL

COASTAL DEVELOPMENT PERMIT NO. 2007-013

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 15303 of the CEQA Guidelines, because the project is located within an urbanized residential zone and involves the construction of a new single family dwelling.

SUGGESTED FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2007-013:

1. Coastal Development Permit No. 2007-013 for the demolition of an existing single family dwelling and construction of an approximately 4,194 sq. ft., two story, single family dwelling conforms with the General Plan, including the Local Coastal Program land use designation of Residential Low-Density. The project is consistent with Coastal Element Land Use Policy C 1.1.1 to encourage development within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction will occur on a previously developed site, contiguous to existing residential development.
2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code, including maximum site coverage, maximum building height, minimum yard setbacks, and minimum on-site parking.
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 project will be constructed on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer and roads.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access or impact public views to coastal resources.

SUGGESTED CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2007-013:

1. The site plan, floor plans, and elevations received and dated October 9, 2007, shall be the conceptually approved design.

2. Prior to submittal of building permits, an exhibit shall be provided to the Planning Department verifying that the proposed first floor nook, kitchen, and laundry room windows will not align with first floor windows of the adjacent residence to the north. Any windows on the new residence that line up with those on the adjacent residence shall be moved so as not to align with existing windows.
3. 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/index.cfm?fuseaction=guidelines>).

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.

PROPOSED CUSTOM ESTATE FOR:
THE TADDEO FAMILY
 16251 TYPHOON LANE
 HUNTINGTON BEACH, CALIFORNIA 92646

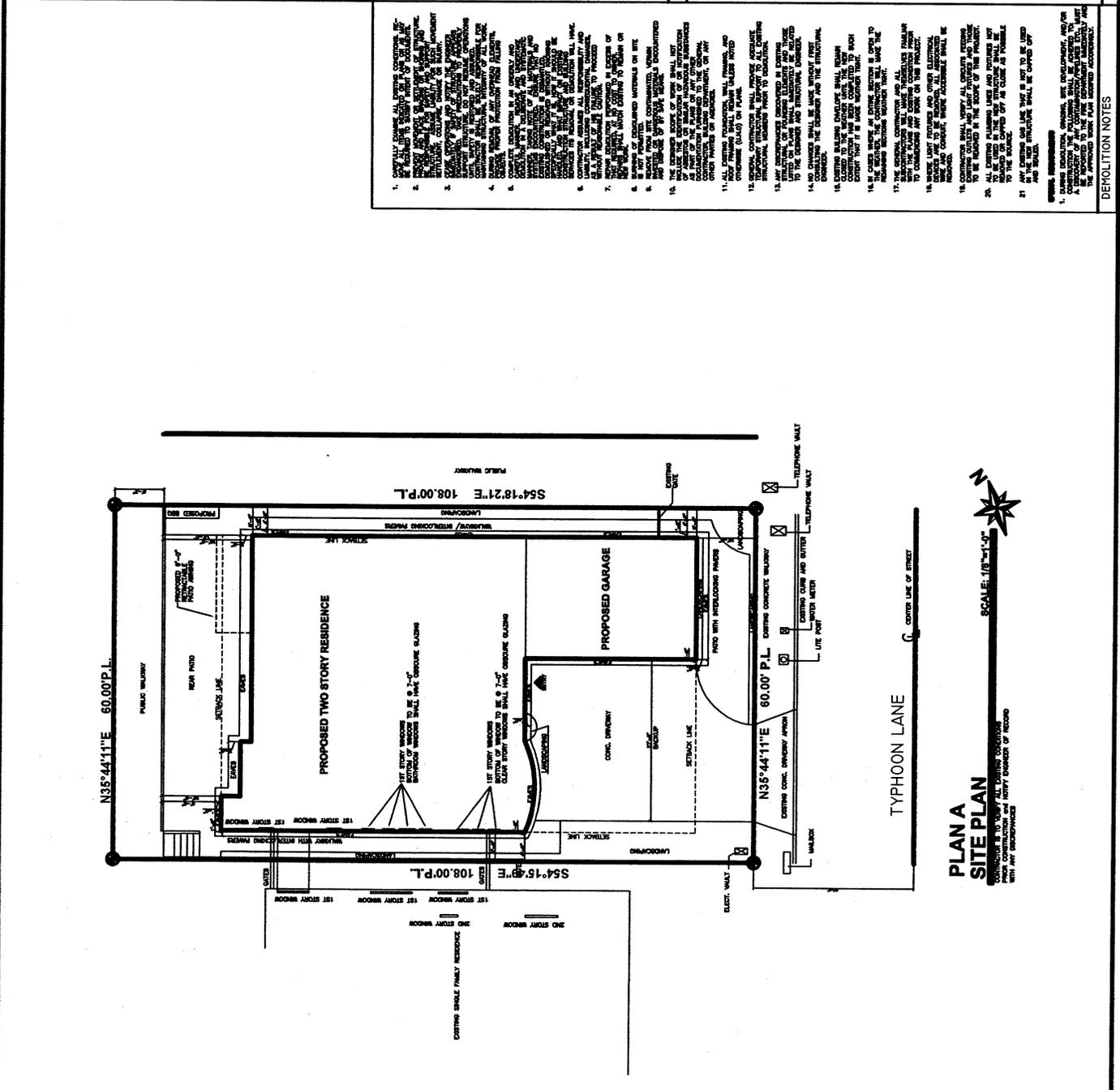
architects: kowal & greg hovey
 20001 sullivan lane, huntington beach, ca 92646
 phone: 714-963-4000
 email: greg@kghovey.com

SITE PLAN NOTES

1. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
2. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES UNLESS OTHERWISE SHOWN ON THIS PLAN.
3. ALL UTILITIES SHALL BE PROTECTED AND DEEPENED AS NECESSARY TO AVOID CONFLICT WITH THE PROPOSED FOUNDATION.
4. THE CONTRACTOR SHALL MAINTAIN THE EXISTING CURB AND GUTTER THROUGHOUT CONSTRUCTION.
5. ALL UTILITIES SHALL BE REINSTALLED TO ORIGINAL OR BETTER CONDITIONS.
6. THE CONTRACTOR SHALL MAINTAIN THE EXISTING DRIVEWAY AND SIDEWALK.
7. ALL UTILITIES SHALL BE PROTECTED AND DEEPENED AS NECESSARY TO AVOID CONFLICT WITH THE PROPOSED FOUNDATION.
8. THE CONTRACTOR SHALL MAINTAIN THE EXISTING CURB AND GUTTER THROUGHOUT CONSTRUCTION.
9. ALL UTILITIES SHALL BE REINSTALLED TO ORIGINAL OR BETTER CONDITIONS.
10. THE CONTRACTOR SHALL MAINTAIN THE EXISTING DRIVEWAY AND SIDEWALK.
11. ALL UTILITIES SHALL BE PROTECTED AND DEEPENED AS NECESSARY TO AVOID CONFLICT WITH THE PROPOSED FOUNDATION.
12. THE CONTRACTOR SHALL MAINTAIN THE EXISTING CURB AND GUTTER THROUGHOUT CONSTRUCTION.
13. ALL UTILITIES SHALL BE REINSTALLED TO ORIGINAL OR BETTER CONDITIONS.
14. THE CONTRACTOR SHALL MAINTAIN THE EXISTING DRIVEWAY AND SIDEWALK.

ABBREVIATIONS

1. 1" = 10' HORIZONTAL SCALE
 2. 1" = 4' VERTICAL SCALE
 3. 1" = 1" SCALE
 4. 1" = 1" SCALE
 5. 1" = 1" SCALE
 6. 1" = 1" SCALE
 7. 1" = 1" SCALE
 8. 1" = 1" SCALE
 9. 1" = 1" SCALE
 10. 1" = 1" SCALE
 11. 1" = 1" SCALE
 12. 1" = 1" SCALE
 13. 1" = 1" SCALE
 14. 1" = 1" SCALE
 15. 1" = 1" SCALE
 16. 1" = 1" SCALE
 17. 1" = 1" SCALE
 18. 1" = 1" SCALE
 19. 1" = 1" SCALE
 20. 1" = 1" SCALE
 21. 1" = 1" SCALE
 22. 1" = 1" SCALE
 23. 1" = 1" SCALE
 24. 1" = 1" SCALE
 25. 1" = 1" SCALE
 26. 1" = 1" SCALE
 27. 1" = 1" SCALE
 28. 1" = 1" SCALE
 29. 1" = 1" SCALE
 30. 1" = 1" SCALE
 31. 1" = 1" SCALE
 32. 1" = 1" SCALE
 33. 1" = 1" SCALE
 34. 1" = 1" SCALE
 35. 1" = 1" SCALE
 36. 1" = 1" SCALE
 37. 1" = 1" SCALE
 38. 1" = 1" SCALE
 39. 1" = 1" SCALE
 40. 1" = 1" SCALE
 41. 1" = 1" SCALE
 42. 1" = 1" SCALE
 43. 1" = 1" SCALE
 44. 1" = 1" SCALE
 45. 1" = 1" SCALE
 46. 1" = 1" SCALE
 47. 1" = 1" SCALE
 48. 1" = 1" SCALE
 49. 1" = 1" SCALE
 50. 1" = 1" SCALE
 51. 1" = 1" SCALE
 52. 1" = 1" SCALE
 53. 1" = 1" SCALE
 54. 1" = 1" SCALE
 55. 1" = 1" SCALE
 56. 1" = 1" SCALE
 57. 1" = 1" SCALE
 58. 1" = 1" SCALE
 59. 1" = 1" SCALE
 60. 1" = 1" SCALE
 61. 1" = 1" SCALE
 62. 1" = 1" SCALE
 63. 1" = 1" SCALE
 64. 1" = 1" SCALE
 65. 1" = 1" SCALE
 66. 1" = 1" SCALE
 67. 1" = 1" SCALE
 68. 1" = 1" SCALE
 69. 1" = 1" SCALE
 70. 1" = 1" SCALE
 71. 1" = 1" SCALE
 72. 1" = 1" SCALE
 73. 1" = 1" SCALE
 74. 1" = 1" SCALE
 75. 1" = 1" SCALE
 76. 1" = 1" SCALE
 77. 1" = 1" SCALE
 78. 1" = 1" SCALE
 79. 1" = 1" SCALE
 80. 1" = 1" SCALE
 81. 1" = 1" SCALE
 82. 1" = 1" SCALE
 83. 1" = 1" SCALE
 84. 1" = 1" SCALE
 85. 1" = 1" SCALE
 86. 1" = 1" SCALE
 87. 1" = 1" SCALE
 88. 1" = 1" SCALE
 89. 1" = 1" SCALE
 90. 1" = 1" SCALE
 91. 1" = 1" SCALE
 92. 1" = 1" SCALE
 93. 1" = 1" SCALE
 94. 1" = 1" SCALE
 95. 1" = 1" SCALE
 96. 1" = 1" SCALE
 97. 1" = 1" SCALE
 98. 1" = 1" SCALE
 99. 1" = 1" SCALE
 100. 1" = 1" SCALE



DATE	10-25-07
SCALE	1/4"=1'-0"
PROJECT	2ND FLOOR PLAN
CLIENT	THE TADEO FAMILY
ADDRESS	16255 TYPHOON LANE HUNTINGTON BEACH, CALIFORNIA 92646
DESIGNER	STREET 901

PROPOSED CUSTOM ESTATE FOR:
THE TADEO FAMILY
 16255 TYPHOON LANE
 HUNTINGTON BEACH, CALIFORNIA 92646

Sheehy Architects - Howard & Gary Howard
 28064 Scripps Lane, Huntington Beach, CA 92646
 Email: greg@sheehyarchitects.com Phone: 714-853-6000

DATE: 10-25-07
 SCALE: 1/4"=1'-0"
 PROJECT: 2ND FLOOR PLAN
 CLIENT: THE TADEO FAMILY
 ADDRESS: 16255 TYPHOON LANE, HUNTINGTON BEACH, CA 92646
 DESIGNER: STREET 901

A-4

LEGEND

- FINISH, LOCATED FROM CEILING HEIGHT
- FINISH, LOCATED FROM FINISH FLOOR
- FINISH, LOCATED FROM FINISH FLOOR, FINISHES ETC.
- FINISH, LOCATED FROM FINISH FLOOR, FINISHES ETC.

- FLOOR PLAN NOTES**
1. ALL WETTED DIMENSIONS SHALL MEET REQUIREMENTS OF ALL APPLICABLE CODES.
 2. ALL WETTED DIMENSIONS SHALL MEET REQUIREMENTS OF ALL APPLICABLE CODES.
 3. ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.
 4. ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.
 5. ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.
 6. ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.
 7. ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.
 8. ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.
 9. ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.
 10. ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.
 11. ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.
 12. ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.
 13. ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.
 14. ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.
 15. ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.
 16. ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.
 17. ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.
 18. ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.
 19. ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.
 20. ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.

- LAUNDRY NOTES**
1. LAUNDRY CLOSET SHALL BE LOCATED IN THE FOLLOWING AREAS:
 2. LAUNDRY CLOSET SHALL BE LOCATED IN THE FOLLOWING AREAS:
 3. LAUNDRY CLOSET SHALL BE LOCATED IN THE FOLLOWING AREAS:
 4. LAUNDRY CLOSET SHALL BE LOCATED IN THE FOLLOWING AREAS:
 5. LAUNDRY CLOSET SHALL BE LOCATED IN THE FOLLOWING AREAS:
 6. LAUNDRY CLOSET SHALL BE LOCATED IN THE FOLLOWING AREAS:
 7. LAUNDRY CLOSET SHALL BE LOCATED IN THE FOLLOWING AREAS:
 8. LAUNDRY CLOSET SHALL BE LOCATED IN THE FOLLOWING AREAS:
 9. LAUNDRY CLOSET SHALL BE LOCATED IN THE FOLLOWING AREAS:
 10. LAUNDRY CLOSET SHALL BE LOCATED IN THE FOLLOWING AREAS:
 11. LAUNDRY CLOSET SHALL BE LOCATED IN THE FOLLOWING AREAS:
 12. LAUNDRY CLOSET SHALL BE LOCATED IN THE FOLLOWING AREAS:
 13. LAUNDRY CLOSET SHALL BE LOCATED IN THE FOLLOWING AREAS:
 14. LAUNDRY CLOSET SHALL BE LOCATED IN THE FOLLOWING AREAS:
 15. LAUNDRY CLOSET SHALL BE LOCATED IN THE FOLLOWING AREAS:
 16. LAUNDRY CLOSET SHALL BE LOCATED IN THE FOLLOWING AREAS:
 17. LAUNDRY CLOSET SHALL BE LOCATED IN THE FOLLOWING AREAS:
 18. LAUNDRY CLOSET SHALL BE LOCATED IN THE FOLLOWING AREAS:
 19. LAUNDRY CLOSET SHALL BE LOCATED IN THE FOLLOWING AREAS:
 20. LAUNDRY CLOSET SHALL BE LOCATED IN THE FOLLOWING AREAS:

- FIRE BLOCKS & DRAFT STOPS**
1. FIRE BLOCKS SHALL BE INSTALLED AT ALL PENETRATIONS THROUGH EXTERIOR WALLS AND ROOFS.
 2. FIRE BLOCKS SHALL BE INSTALLED AT ALL PENETRATIONS THROUGH EXTERIOR WALLS AND ROOFS.
 3. FIRE BLOCKS SHALL BE INSTALLED AT ALL PENETRATIONS THROUGH EXTERIOR WALLS AND ROOFS.
 4. FIRE BLOCKS SHALL BE INSTALLED AT ALL PENETRATIONS THROUGH EXTERIOR WALLS AND ROOFS.
 5. FIRE BLOCKS SHALL BE INSTALLED AT ALL PENETRATIONS THROUGH EXTERIOR WALLS AND ROOFS.
 6. FIRE BLOCKS SHALL BE INSTALLED AT ALL PENETRATIONS THROUGH EXTERIOR WALLS AND ROOFS.
 7. FIRE BLOCKS SHALL BE INSTALLED AT ALL PENETRATIONS THROUGH EXTERIOR WALLS AND ROOFS.
 8. FIRE BLOCKS SHALL BE INSTALLED AT ALL PENETRATIONS THROUGH EXTERIOR WALLS AND ROOFS.
 9. FIRE BLOCKS SHALL BE INSTALLED AT ALL PENETRATIONS THROUGH EXTERIOR WALLS AND ROOFS.
 10. FIRE BLOCKS SHALL BE INSTALLED AT ALL PENETRATIONS THROUGH EXTERIOR WALLS AND ROOFS.
 11. FIRE BLOCKS SHALL BE INSTALLED AT ALL PENETRATIONS THROUGH EXTERIOR WALLS AND ROOFS.
 12. FIRE BLOCKS SHALL BE INSTALLED AT ALL PENETRATIONS THROUGH EXTERIOR WALLS AND ROOFS.
 13. FIRE BLOCKS SHALL BE INSTALLED AT ALL PENETRATIONS THROUGH EXTERIOR WALLS AND ROOFS.
 14. FIRE BLOCKS SHALL BE INSTALLED AT ALL PENETRATIONS THROUGH EXTERIOR WALLS AND ROOFS.
 15. FIRE BLOCKS SHALL BE INSTALLED AT ALL PENETRATIONS THROUGH EXTERIOR WALLS AND ROOFS.
 16. FIRE BLOCKS SHALL BE INSTALLED AT ALL PENETRATIONS THROUGH EXTERIOR WALLS AND ROOFS.
 17. FIRE BLOCKS SHALL BE INSTALLED AT ALL PENETRATIONS THROUGH EXTERIOR WALLS AND ROOFS.
 18. FIRE BLOCKS SHALL BE INSTALLED AT ALL PENETRATIONS THROUGH EXTERIOR WALLS AND ROOFS.
 19. FIRE BLOCKS SHALL BE INSTALLED AT ALL PENETRATIONS THROUGH EXTERIOR WALLS AND ROOFS.
 20. FIRE BLOCKS SHALL BE INSTALLED AT ALL PENETRATIONS THROUGH EXTERIOR WALLS AND ROOFS.

- CONSTRUCTION NOTES**
1. REFER TO SHEET 10-25-07 FOR ALL CONSTRUCTION NOTES.
 2. REFER TO SHEET 10-25-07 FOR ALL CONSTRUCTION NOTES.
 3. REFER TO SHEET 10-25-07 FOR ALL CONSTRUCTION NOTES.
 4. REFER TO SHEET 10-25-07 FOR ALL CONSTRUCTION NOTES.
 5. REFER TO SHEET 10-25-07 FOR ALL CONSTRUCTION NOTES.
 6. REFER TO SHEET 10-25-07 FOR ALL CONSTRUCTION NOTES.
 7. REFER TO SHEET 10-25-07 FOR ALL CONSTRUCTION NOTES.
 8. REFER TO SHEET 10-25-07 FOR ALL CONSTRUCTION NOTES.
 9. REFER TO SHEET 10-25-07 FOR ALL CONSTRUCTION NOTES.
 10. REFER TO SHEET 10-25-07 FOR ALL CONSTRUCTION NOTES.
 11. REFER TO SHEET 10-25-07 FOR ALL CONSTRUCTION NOTES.
 12. REFER TO SHEET 10-25-07 FOR ALL CONSTRUCTION NOTES.
 13. REFER TO SHEET 10-25-07 FOR ALL CONSTRUCTION NOTES.
 14. REFER TO SHEET 10-25-07 FOR ALL CONSTRUCTION NOTES.
 15. REFER TO SHEET 10-25-07 FOR ALL CONSTRUCTION NOTES.
 16. REFER TO SHEET 10-25-07 FOR ALL CONSTRUCTION NOTES.
 17. REFER TO SHEET 10-25-07 FOR ALL CONSTRUCTION NOTES.
 18. REFER TO SHEET 10-25-07 FOR ALL CONSTRUCTION NOTES.
 19. REFER TO SHEET 10-25-07 FOR ALL CONSTRUCTION NOTES.
 20. REFER TO SHEET 10-25-07 FOR ALL CONSTRUCTION NOTES.

- TITLE 24 MAX. FLOW RATES**
1. WATER CLOSETS: 1.0 GPM
 2. LAVATORY/FACETS: 0.5 GPM
 3. SINK/FACETS: 0.5 GPM
 4. SHOWER: 2.0 GPM
- GENERAL ENERGY COMPLIANCE

- LEGEND**
- FINISH, LOCATED FROM CEILING HEIGHT
 - FINISH, LOCATED FROM FINISH FLOOR
 - FINISH, LOCATED FROM FINISH FLOOR, FINISHES ETC.
 - FINISH, LOCATED FROM FINISH FLOOR, FINISHES ETC.

- BATHROOM NOTES**
1. FINISH TO FACE UNLESS NOTED OTHERWISE.
 2. FINISH TO FACE UNLESS NOTED OTHERWISE.
 3. FINISH TO FACE UNLESS NOTED OTHERWISE.
 4. FINISH TO FACE UNLESS NOTED OTHERWISE.
 5. FINISH TO FACE UNLESS NOTED OTHERWISE.
 6. FINISH TO FACE UNLESS NOTED OTHERWISE.
 7. FINISH TO FACE UNLESS NOTED OTHERWISE.
 8. FINISH TO FACE UNLESS NOTED OTHERWISE.
 9. FINISH TO FACE UNLESS NOTED OTHERWISE.
 10. FINISH TO FACE UNLESS NOTED OTHERWISE.
 11. FINISH TO FACE UNLESS NOTED OTHERWISE.
 12. FINISH TO FACE UNLESS NOTED OTHERWISE.
 13. FINISH TO FACE UNLESS NOTED OTHERWISE.
 14. FINISH TO FACE UNLESS NOTED OTHERWISE.
 15. FINISH TO FACE UNLESS NOTED OTHERWISE.
 16. FINISH TO FACE UNLESS NOTED OTHERWISE.
 17. FINISH TO FACE UNLESS NOTED OTHERWISE.
 18. FINISH TO FACE UNLESS NOTED OTHERWISE.
 19. FINISH TO FACE UNLESS NOTED OTHERWISE.
 20. FINISH TO FACE UNLESS NOTED OTHERWISE.

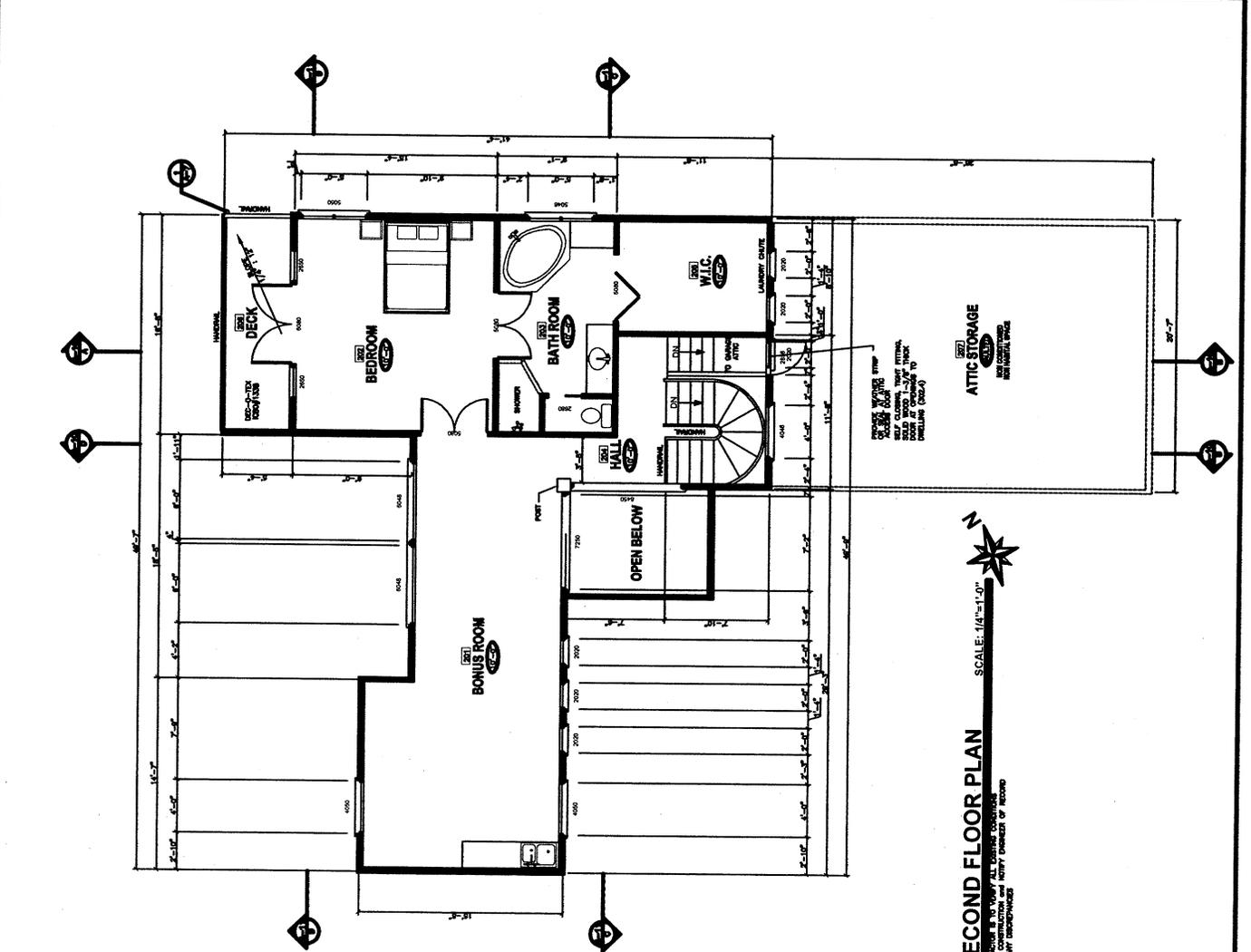
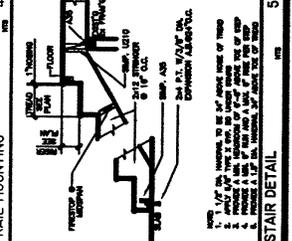
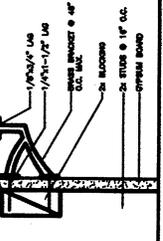
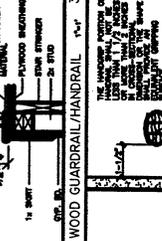
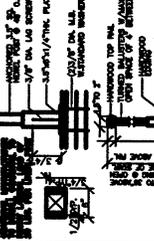
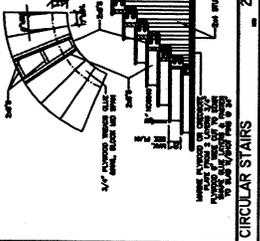
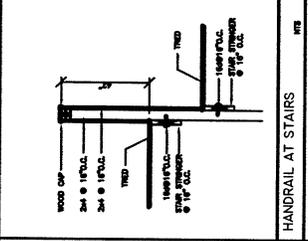
- SECURITY REQUIREMENTS**
1. SECURITY REQUIREMENTS SHALL BE AS FOLLOWS:
 2. SECURITY REQUIREMENTS SHALL BE AS FOLLOWS:
 3. SECURITY REQUIREMENTS SHALL BE AS FOLLOWS:
 4. SECURITY REQUIREMENTS SHALL BE AS FOLLOWS:
 5. SECURITY REQUIREMENTS SHALL BE AS FOLLOWS:
 6. SECURITY REQUIREMENTS SHALL BE AS FOLLOWS:
 7. SECURITY REQUIREMENTS SHALL BE AS FOLLOWS:
 8. SECURITY REQUIREMENTS SHALL BE AS FOLLOWS:
 9. SECURITY REQUIREMENTS SHALL BE AS FOLLOWS:
 10. SECURITY REQUIREMENTS SHALL BE AS FOLLOWS:
 11. SECURITY REQUIREMENTS SHALL BE AS FOLLOWS:
 12. SECURITY REQUIREMENTS SHALL BE AS FOLLOWS:
 13. SECURITY REQUIREMENTS SHALL BE AS FOLLOWS:
 14. SECURITY REQUIREMENTS SHALL BE AS FOLLOWS:
 15. SECURITY REQUIREMENTS SHALL BE AS FOLLOWS:
 16. SECURITY REQUIREMENTS SHALL BE AS FOLLOWS:
 17. SECURITY REQUIREMENTS SHALL BE AS FOLLOWS:
 18. SECURITY REQUIREMENTS SHALL BE AS FOLLOWS:
 19. SECURITY REQUIREMENTS SHALL BE AS FOLLOWS:
 20. SECURITY REQUIREMENTS SHALL BE AS FOLLOWS:

- WINDOW NOTES**
1. WINDOW NOTES SHALL BE AS FOLLOWS:
 2. WINDOW NOTES SHALL BE AS FOLLOWS:
 3. WINDOW NOTES SHALL BE AS FOLLOWS:
 4. WINDOW NOTES SHALL BE AS FOLLOWS:
 5. WINDOW NOTES SHALL BE AS FOLLOWS:
 6. WINDOW NOTES SHALL BE AS FOLLOWS:
 7. WINDOW NOTES SHALL BE AS FOLLOWS:
 8. WINDOW NOTES SHALL BE AS FOLLOWS:
 9. WINDOW NOTES SHALL BE AS FOLLOWS:
 10. WINDOW NOTES SHALL BE AS FOLLOWS:
 11. WINDOW NOTES SHALL BE AS FOLLOWS:
 12. WINDOW NOTES SHALL BE AS FOLLOWS:
 13. WINDOW NOTES SHALL BE AS FOLLOWS:
 14. WINDOW NOTES SHALL BE AS FOLLOWS:
 15. WINDOW NOTES SHALL BE AS FOLLOWS:
 16. WINDOW NOTES SHALL BE AS FOLLOWS:
 17. WINDOW NOTES SHALL BE AS FOLLOWS:
 18. WINDOW NOTES SHALL BE AS FOLLOWS:
 19. WINDOW NOTES SHALL BE AS FOLLOWS:
 20. WINDOW NOTES SHALL BE AS FOLLOWS:

- DOOR NOTES**
1. DOOR NOTES SHALL BE AS FOLLOWS:
 2. DOOR NOTES SHALL BE AS FOLLOWS:
 3. DOOR NOTES SHALL BE AS FOLLOWS:
 4. DOOR NOTES SHALL BE AS FOLLOWS:
 5. DOOR NOTES SHALL BE AS FOLLOWS:
 6. DOOR NOTES SHALL BE AS FOLLOWS:
 7. DOOR NOTES SHALL BE AS FOLLOWS:
 8. DOOR NOTES SHALL BE AS FOLLOWS:
 9. DOOR NOTES SHALL BE AS FOLLOWS:
 10. DOOR NOTES SHALL BE AS FOLLOWS:
 11. DOOR NOTES SHALL BE AS FOLLOWS:
 12. DOOR NOTES SHALL BE AS FOLLOWS:
 13. DOOR NOTES SHALL BE AS FOLLOWS:
 14. DOOR NOTES SHALL BE AS FOLLOWS:
 15. DOOR NOTES SHALL BE AS FOLLOWS:
 16. DOOR NOTES SHALL BE AS FOLLOWS:
 17. DOOR NOTES SHALL BE AS FOLLOWS:
 18. DOOR NOTES SHALL BE AS FOLLOWS:
 19. DOOR NOTES SHALL BE AS FOLLOWS:
 20. DOOR NOTES SHALL BE AS FOLLOWS:

- STAIR DETAIL**
1. STAIR DETAIL SHALL BE AS FOLLOWS:
 2. STAIR DETAIL SHALL BE AS FOLLOWS:
 3. STAIR DETAIL SHALL BE AS FOLLOWS:
 4. STAIR DETAIL SHALL BE AS FOLLOWS:
 5. STAIR DETAIL SHALL BE AS FOLLOWS:
 6. STAIR DETAIL SHALL BE AS FOLLOWS:
 7. STAIR DETAIL SHALL BE AS FOLLOWS:
 8. STAIR DETAIL SHALL BE AS FOLLOWS:
 9. STAIR DETAIL SHALL BE AS FOLLOWS:
 10. STAIR DETAIL SHALL BE AS FOLLOWS:
 11. STAIR DETAIL SHALL BE AS FOLLOWS:
 12. STAIR DETAIL SHALL BE AS FOLLOWS:
 13. STAIR DETAIL SHALL BE AS FOLLOWS:
 14. STAIR DETAIL SHALL BE AS FOLLOWS:
 15. STAIR DETAIL SHALL BE AS FOLLOWS:
 16. STAIR DETAIL SHALL BE AS FOLLOWS:
 17. STAIR DETAIL SHALL BE AS FOLLOWS:
 18. STAIR DETAIL SHALL BE AS FOLLOWS:
 19. STAIR DETAIL SHALL BE AS FOLLOWS:
 20. STAIR DETAIL SHALL BE AS FOLLOWS:

- RAIL MOUNTING**
1. RAIL MOUNTING SHALL BE AS FOLLOWS:
 2. RAIL MOUNTING SHALL BE AS FOLLOWS:
 3. RAIL MOUNTING SHALL BE AS FOLLOWS:
 4. RAIL MOUNTING SHALL BE AS FOLLOWS:
 5. RAIL MOUNTING SHALL BE AS FOLLOWS:
 6. RAIL MOUNTING SHALL BE AS FOLLOWS:
 7. RAIL MOUNTING SHALL BE AS FOLLOWS:
 8. RAIL MOUNTING SHALL BE AS FOLLOWS:
 9. RAIL MOUNTING SHALL BE AS FOLLOWS:
 10. RAIL MOUNTING SHALL BE AS FOLLOWS:
 11. RAIL MOUNTING SHALL BE AS FOLLOWS:
 12. RAIL MOUNTING SHALL BE AS FOLLOWS:
 13. RAIL MOUNTING SHALL BE AS FOLLOWS:
 14. RAIL MOUNTING SHALL BE AS FOLLOWS:
 15. RAIL MOUNTING SHALL BE AS FOLLOWS:
 16. RAIL MOUNTING SHALL BE AS FOLLOWS:
 17. RAIL MOUNTING SHALL BE AS FOLLOWS:
 18. RAIL MOUNTING SHALL BE AS FOLLOWS:
 19. RAIL MOUNTING SHALL BE AS FOLLOWS:
 20. RAIL MOUNTING SHALL BE AS FOLLOWS:



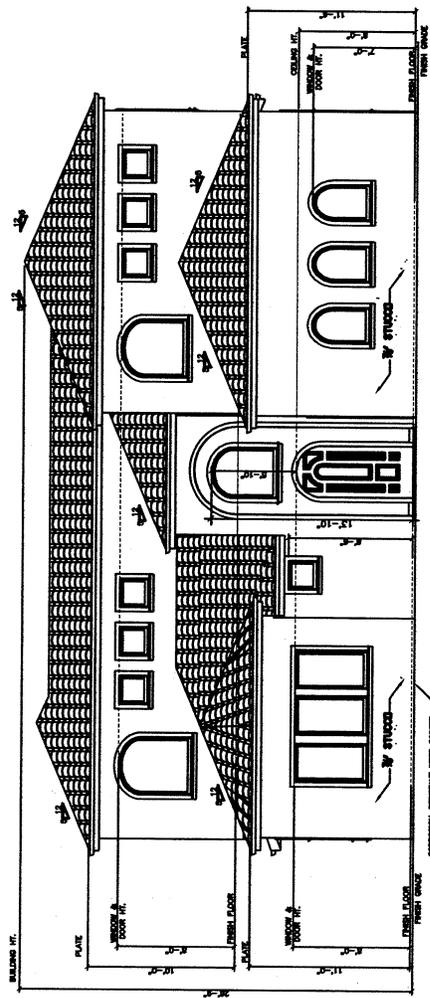
DATE	10-1-07
SCALE	1/4"=1'-0"
PROJECT	THE TADDEO FAMILY
CLIENT	THE TADDEO FAMILY
DESIGNER	STANLEY H. HARRIS ARCHITECTS
PROJECT NO.	1000000000
SHEET NO.	A-5

STANLEY H. HARRIS ARCHITECTS
 22601 SOUTHWEST LANE, HUNTINGTON BEACH, CA 92646
 PHONE: 714-963-4800
 EMAIL: SHARRIS@STANLEYHARRISARCHITECTS.COM

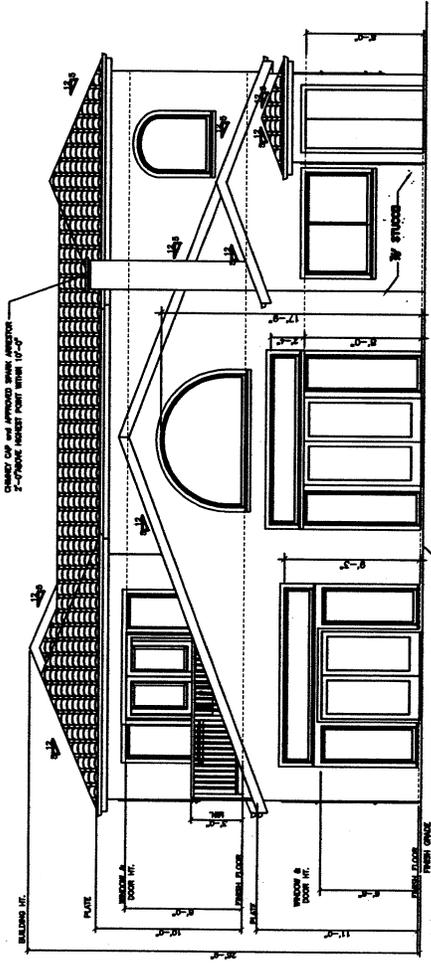
PROPOSED CUSTOM ESTATE FOR
THE TADDEO FAMILY
 16251 TYPHOON LANE
 HUNTINGTON BEACH, CALIFORNIA 92646

DATE	10-1-07
SCALE	1/4"=1'-0"
PROJECT	THE TADDEO FAMILY
CLIENT	THE TADDEO FAMILY
DESIGNER	STANLEY H. HARRIS ARCHITECTS
PROJECT NO.	1000000000
SHEET NO.	A-5

STANLEY H. HARRIS ARCHITECTS



EAST ELEVATION
 SCALE: 1/4"=1'-0"
 DRAWN TO SHOW ALL EXTERIOR SURFACES
 WITH ANY REFINISHES



WEST ELEVATION
 SCALE: 1/4"=1'-0"
 DRAWN TO SHOW ALL EXTERIOR SURFACES
 WITH ANY REFINISHES

STUCCO (EXTERIOR PLASTER):
 COLOR: "CREAM WHITE"
TRIM AND FRONT DOOR:
 COLOR: "HUNTER DOG"
ROOFING TILE COLOR:
 COLOR: "HUNTER BLUE"

MATERIALS:
 1. TILE: "HUNTER BLUE"
 2. EXTERIOR PLASTER: "CREAM WHITE"
 3. EXTERIOR TRIM: "HUNTER DOG"
 4. EXTERIOR DOOR: "HUNTER DOG"
 5. EXTERIOR WINDOWS: "HUNTER DOG"
 6. EXTERIOR LIGHTS: "HUNTER DOG"
 7. EXTERIOR VENTS: "HUNTER DOG"

ROOFING TILE NOTES:
 EXTERIOR LATH & PLASTER
 EXTERIOR PLASTER ON ALL LATH
 EXTERIOR TRIM: 3 LAYERS OF 1/2"
 EXTERIOR DOOR: 3 LAYERS OF 1/2"
 EXTERIOR WINDOWS: 3 LAYERS OF 1/2"
 EXTERIOR VENTS: 3 LAYERS OF 1/2"

EXTERIOR PLASTER NOTES:
 1. EXTERIOR TRIM AND ROOFING COLORS TO MATCH EXTERIOR.
 2. EXTERIOR STUCCO TO MATCH EXTERIOR APPLIED.
 3. FINISHES TO BE MATCHED TO EXTERIOR SIDE OF FOUNDATION/WALL. ALL WALLS TO BE FINISHED WITH STUCCO UNLESS NOTED OTHERWISE.
 4. ALL STUCCO TO BE APPLIED TO EXTERIOR WALLS.
 5. ALL STUCCO TO BE APPLIED TO EXTERIOR WALLS.
 6. ALL STUCCO TO BE APPLIED TO EXTERIOR WALLS.
 7. ALL STUCCO TO BE APPLIED TO EXTERIOR WALLS.

ELEVATION NOTES
 1. ALL EXTERIOR SURFACES TO BE FINISHED WITH STUCCO UNLESS NOTED OTHERWISE.
 2. ALL EXTERIOR TRIM AND ROOFING COLORS TO MATCH EXTERIOR.
 3. ALL EXTERIOR PLASTER TO MATCH EXTERIOR APPLIED.
 4. ALL EXTERIOR TRIM AND ROOFING COLORS TO MATCH EXTERIOR.
 5. ALL EXTERIOR PLASTER TO MATCH EXTERIOR APPLIED.
 6. ALL EXTERIOR TRIM AND ROOFING COLORS TO MATCH EXTERIOR.
 7. ALL EXTERIOR PLASTER TO MATCH EXTERIOR APPLIED.

sky view designs

20561 suburbia lane, huntington beach, ca 92646

phone / fax
714.963.4600

Oct. 9, 2007

Taddeo Residence
16251 Typhoon Ln.
Huntington Beach, CA 92649

Narrative in support of the Coastal Development Permit application.

The property owners are requesting that an existing single story, single family residence built in 1980 be demolished.

The new two story SFR would consist of 2 bedrooms, 2.5 baths, exercise room and 3 car garage.

Total 1st. floor living of 2390 sq. ft. and 2nd floor living 1211 sq. ft. 3601 sq. ft. total living area. The garage would be 593 sq. ft. Totals 4194 sq. ft.

The building foot print is 2983 sq. ft. Lot coverage of 45%.

The owners would like to begin construction as soon as possible and appreciate your attention to this application.

Respectfully Submitted,



Greg Howell

City of Huntington Beach

OCT 16 2007

ATTACHMENT NO. ~~3.1~~

MINUTES
HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR
Room B-8 - Civic Center
2000 Main Street
Huntington Beach California

WEDNESDAY, NOVEMBER 28, 2007 - 1:30 P.M.

ZONING ADMINISTRATOR: Mary Beth Broeren

STAFF MEMBER: Andrew Gonzales, Ron Santos, Rami Talleh, Pamela Avila (recording secretary)

MINUTES: October 31, 2007
APPROVED AS SUBMITTED

ORAL COMMUNICATION: **NONE**

ITEM 1: COASTAL DEVELOPMENT PERMIT NO. 2007-013 (TADDEO RESIDENCE)

APPLICANT: Greg Howell, 20561 Suburbia Lane, Huntington Beach, CA 92646

PROPERTY OWNER: Robert Taddeo, 18204 3rd Street, Fountain Valley, CA 92708

REQUEST: To permit the demolition of an existing single family dwelling and construction of an approximately 4,194 sq. ft., two story, single family dwelling. The request includes a review and analysis for compliance with the Infill Lot Ordinance. The Infill Lot Ordinance encourages adjacent property owners to review proposed development for compatibility/ privacy issues, such as window alignments, building pad height, and floor plan layout.

LOCATION: 16251 Typhoon Lane, 92649 (west side of Typhoon Lane, between Sagamore and Venture Drives – Trinidad Island, Huntington Harbor)

PROJECT PLANNER: Andrew Gonzales

Andrew Gonzales, Assistant Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as presented in the executive summary, specifically Condition #2 which covers the first floor window alignments which were not shown on the plans. This condition calls for the submittal of exhibits prior to receiving building permits verifying that the first floor kitchen and laundry room windows do not align with first floor windows of the adjoining property to the north.

Staff received three letters of opposition. One was from the Huntington Harbor Property Owners' Association indicating that they had not approved the plans prior to submittal to the City. They recommended continuance until they review the plans.

The second letter was from Don Evans, who felt that the proposed structure infringes on the established five foot wide, 50 ft. long easement along the shared property line and recommended denial of the project or continuance.

The third letter was from Paul and Donna Salmon, Typhoon Lane, who are opposed to the request due to the size of the residence, orientation of windows, and incompatibility with the neighborhood.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions of approval as presented in the executive summary.

Mary Beth Broeren, Zoning Administrator, confirmed with staff that the proposed project did not require any variances or deviations for height and complies with all of the standard setbacks. The overall building height is 26 ft., 9 in. and is allowed to go up to 30 ft. Ms. Broeren stated that she had reviewed the letters dated 11/21/07, 11/26/07, and 11/27/07 from Mr. Don Evans, the letter from the Huntington Harbor Property Owners' Association, and the letter from Paul and Donna Salmon.

THE PUBLIC HEARING WAS OPENED.

Victor Cohn, neighbor at 16281 Typhoon Lane, is in opposition of this proposed project. He stated that each property has an easement for the exclusive use of the abutting property. He is concerned that if the project were approved for a fence, it would set a precedent that any neighbor could alter and enclose the easement as they choose.

Donna Hakala, representing Mrs. Mary Taddeo, stated that there were no current plans to build a fence or any other structure within the easement in question.

Kathy Halsey, neighbor at 16261 Typhoon Lane, stated her concerns and opposition to the proposed project. Ms. Halsey stated that the applicant will not have access to her easement during construction of the house. She anticipates that they will be under construction for at least a year. She is concerned with the size of the structure, the location of the windows, and overhanging of eaves into the easement. She wants to sell her home and is concerned that the proposed project will hinder her prospects. Mrs. Halsey has stated she will litigate these issues if necessary.

Mary Taddeo, applicant, confirmed that no permanent structure will be built on the easement. She claimed that the neighbor on the south has built structures within the easement in violation of the CC&Rs.

Dan Carlton, representing Mrs. Kathy Halsey and Don Evans, spoke in opposition to the proposed project. He said that his clients have exclusive rights to the easement on the south side of the subject site. He mentioned that the applicant has not received approval from the Architectural Review Board of the Huntington Harbor Property Owners' Association.

Linda Davis, friend of Mrs. Halsey, spoke in opposition of the proposed project.

Mr. Todd Swain, neighbor at 16271 Typhoon Lane, shared similar concerns as other neighbors and is opposed to this project.

THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

Ms. Broeren confirmed with Staff that the 5 ft. easement coincides with the required 5 ft. setback and that the proposed structure does not extend into the neighbor's easement. Staff confirmed that this was accurate. Ms. Broeren reviewed all the correspondence and information regarding the easement.

Ms. Broeren stated that in the Huntington Harbor area there are many two story structures. Private views are not protected in the Coastal Zone and public views are. Ms. Broeren stated that this house is notably smaller than the average for this area. She stated that the exclusive use of the easement has to be discussed between the homeowners. The City is not a party to nor does it enforce the CC&Rs. The plans fully conform to the City's codes. Mrs. Halsey's concern is a civil matter and it would be hoped that it could be worked out amicably.

COASTAL DEVELOPMENT PERMIT NO. 2007-013 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) WORKING DAYS.

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 15303 of the CEQA Guidelines, because the project is located within an urbanized residential zone and involves the construction of a new single family dwelling.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2007-013:

1. Coastal Development Permit No. 2007-013 for the demolition of an existing single family dwelling and construction of an approximately 4,194 sq. ft., two story, single family dwelling conforms with the General Plan, including the Local Coastal Program land use designation of Residential Low-Density. The project is consistent with Coastal Element Land Use Policy C 1.1.1 to encourage development within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction will occur on a previously developed site, contiguous to existing residential development.
2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code, including maximum site coverage, maximum building height, minimum yard setbacks, and minimum on-site parking.
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 project will be

constructed on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer and roads.

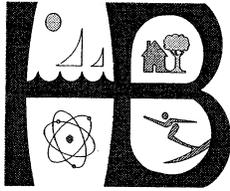
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access or impact public views to coastal resources.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2007-013:

1. The site plan, floor plans, and elevations received and dated October 9, 2007, shall be the conceptually approved design.
2. Prior to submittal of building permits, an exhibit shall be provided to the Planning Department verifying that the proposed first floor nook, kitchen, and laundry room windows will not align with first floor windows of the adjacent residence to the north. Any windows on the new residence that line up with those on the adjacent residence shall be moved so as not to align with existing windows.
3. 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/index.cfm?fuseaction=guidelines>).

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.



CITY OF HUNTINGTON BEACH

City Council Communication

TO: Scott Hess, Planning Commission Secretary

FROM: Joe Shaw, Planning Commissioner JS YHR

DATE: December 10, 2007

SUBJECT: **APPEAL OF THE ZONING ADMINISTRATOR'S APPROVAL OF COASTAL DEVELOPMENT PERMIT NO. 07-13 (TADDEO RESIDENCE)**

I am hereby appealing the Zoning Administrator's November 28, 2007 approval of Coastal Development Permit No. 07-013. The request is to permit the demolition of an existing single family dwelling and construction of an approximately 4,194 sq. ft., two story, single family dwelling at 16251 Typhoon Lane.

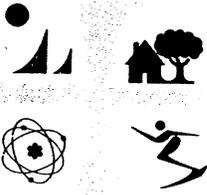
The basis of my appeal is that approval for the development of the proposed single family residence at the subject site (Lot 26) will infringe on a recorded easement exclusive to 16261 Typhoon Lane (Lot 25).

Pursuant to Section 248.18 of the HBZSO, the Planning Commission shall hear an appeal from the Zoning Administrator.

JS:SH:ag

Cc: Planning Commissioners
Penelope Culbreth-Graft, City Administrator
Paul Emery, Deputy City Administrator
Herb Fauland, Principal Planner
Andrew Gonzales, Assistant Planner
Robert Taddeo, Property Owner

City of Huntington Beach
DEC 10 2007



City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

DEPARTMENT OF PLANNING

Phone 536-5271
Fax 374-1540

November 7, 2007

Greg Howell
20561 Suburbia Lane
Huntington Beach, CA 92646

**SUBJECT: COASTAL DEVELOPMENT PERMIT NO. 2007-013
PROJECT IMPLEMENTATION CODE REQUIREMENTS**

Dear Mr. Howell,

In order to assist you with your development proposal, staff has reviewed the project and identified applicable city policies, standard plans, and development and use requirements, excerpted from the City of Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes. This list is intended to help you through the permitting process and various stages of project implementation.

Please be advised that pending the status on your application, it should be noted that this requirement list is in addition to any "conditions of approval" adopted by the Zoning Administrator. Please note that if the design of your project or site conditions change, the list may also change.

The attached project implementation code requirements may be appealed to the Planning Commission as a matter separate from the associated entitlement(s) within ten calendar days of the Zoning Administrator's determination of the project pursuant to the Huntington Beach Zoning and Subdivision Ordinance Section 248.24. The appeal fee is \$494.00.

If you would like a clarification of any of these requirements, an explanation of the Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes, or believe some of the items listed do not apply to your project, and/or you would like to discuss them in further detail, please contact me at 714-374-1547 or at agonzales@surfcity-hb.org and/or the respective source department (contact person below).

Sincerely,


Andrew Gonzales
Assistant Planner

Enclosures: Planning Department requirements dated November 7, 2007

Fire Department requirements dated November 1, 2007
Public Works Department requirements dated November 1, 2007
Building & Safety Department requirements dated October 30,
2007

Cc: Daniel Lee, Building and Safety Department – 714-536-5679
Lee Caldwell, Fire Department – 714-536-5531
Steve Bogart, Public Works – 714-536-1692
Herb Fauland, Principal Planner
Jason Kelley, Planning Department
Project File



CITY OF HUNTINGTON BEACH PLANNING DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: NOVEMBER 6, 2007
PROJECT NAME: TADDEO RESIDENCE
ENTITLEMENTS: CONDITIONAL USE PERMIT NO. 2007-013
PROJECT LOCATION: 16251 TYPHOON LANE, HUNTINGTON BEACH
PLAN REVIEWER: ANDREW GONZALES, ASSISTANT PLANNER
TELEPHONE/E-MAIL: (714) 371-1547/ AGONZALES@SURFCITY-HB.ORG
PROJECT DESCRIPTION: TO PERMIT THE DEMOLITION AND CONSTRUCTION OF A 4,194 SQ. FT., TWO STORY, SINGLE FAMILY RESIDENCE LOCATED WITHIN THE COASTAL ZONE. THE REQUEST INCLUDES A REVIEW AND ANALYSIS FOR COMPLIANCE WITH THE INFILL LOT ORDINANCE. THE INFILL LOT ORDINANCE ENCOURAGES ADJACENT PROPERTY OWNERS FOR COMPATIBILITY PRIVACY ISSUES, SUCH AS WINDOW ALIGNMENTS, BUILDING PAD HEIGHT, AND FLOOR PLAN LAYOUT.

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated October 9, 2007. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Zoning Administrator in conjunction with the requested entitlement(s), if any, should your project be approved. If you have any questions regarding these requirements, please contact the Plan Reviewer.

COASTAL DEVELOPMENT PERMIT NO. 2007-013:

1. The site plan, floor plans, and elevations approved by the Zoning Administrator shall be the conceptually approved design.
2. Prior to issuance of demolition permits, the applicant shall follow all procedural requirements and regulations of the South Coast Air Quality Management District (SCAQMD) and any other local, state, or federal law regarding the removal and disposal of any hazardous material including asbestos, lead, and PCB's. These requirements include but are not limited to: survey, identification of removal methods, containment measures, use and treatment of water, proper truck hauling, disposal procedures, and proper notification to any and all involved agencies.
3. Prior to submittal for building permits, the zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of Fire and Public Works 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.

ATTACHMENT NO. 6.3

4. During demolition, grading, site development, and/or construction, all Huntington Beach Zoning and Subdivision Ordinance and Municipal Code requirements including the Noise Ordinance. All activities including truck deliveries associated with construction, grading, remodeling, or repair shall be limited to Monday - Saturday 7:00 AM to 8:00 PM. Such activities are prohibited Sundays and Federal holidays.
5. The final building permit(s) cannot be approved until the following has been completed:
 - a. Compliance with all conditions of approval specified herein shall be verified by the Planning Department.
 - b. 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.
7. The Development Services Departments (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 Planning 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.
8. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.
9. Coastal Development Permit No. 2007-013 shall not become effective until the ten working day appeal period has elapsed for Coastal Development Permits. For projects in the appealable area of the coastal zone, there is an additional ten working day appeal period that commences when the California Coastal Commission receives the City's notification of final action.
10. Coastal Development Permit No. 2007-013 shall become null and void unless exercised within one year 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 Department a minimum 30 days prior to the expiration date.
11. The Zoning Administrator reserves the right to revoke Coastal Development Permit No. 2007-013 pursuant to a public hearing for revocation, if any violation of the conditions of approval, Huntington Beach Zoning and Subdivision Ordinance or Municipal Code occurs.
12. The project shall comply with all applicable requirements of the Municipal Code, Building & Safety Department and Fire Department, as well as applicable local, State and Federal Fire Codes, Ordinances, and standards, except as noted herein.
13. The applicant shall submit a check in the amount of \$50.00 for the posting of the Notice of Exemption at the County of Orange Clerk's Office. The check shall be made out to the County of Orange and submitted to the Planning Department within two (2) days of the Zoning Administrator's approval of entitlements.

14. All landscaping shall be maintained in a neat and clean manner, and in conformance with the HBZSO. Prior to removing or replacing any landscaped areas, check with the Departments of Planning and Public Works for Code requirements. Substantial changes may require approval by the Zoning Administrator.
15. Any proposed cantilevered deck, dock, and/or ramp improvements located in the public waterway shall require separate permits.



CITY OF HUNTINGTON BEACH FIRE DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: NOVEMBER 11, 2007

PROJECT NAME: NEW SFD – TADDEO RESIDENCE

ENTITLEMENTS: COASTAL DEVELOPMENT PERMIT NO. 2007-013

PROJECT LOCATION: 16251 TYPHOON LANE, HUNTINGTON BEACH, CA

PLANNER: ANDREW GONZALES, ASSIANT PLANNER

TELEPHONE/E-MAIL: (714) 374-1547/ AGONZALES@SURFCITY-HB.ORG

PLAN REVIEWER-FIRE: LEE CALDWELL, FIRE DEVELOPMENT SPECIALIST

TELEPHONE/E-MAIL: (714) 536-5531/ LCALDWELL@SURCITY-HB.ORG

PROJECT DESCRIPTION: TO PERMIT THE DEMOLITION AND CONSTRUCTION OF A 4,194 SQ. FT., TWO STORY, SINGLE FAMILY RESIDENCE LOCATED WITHIN THE COASTAL ZONE. THE REQUEST INCLUDES A REVIEW AND ANALYSIS FOR COMPLIANCE WITH THE INFILL LOT ORDINANCE. THE INFILL LOT ORDINANCE ENCOURAGES ADJACENT PROPERTY OWNERS TO REVIEW PROPOSED DEVELOPMENT FOR COMPATIBILITY/ PRIVACY ISSUES, SUCH AS WINDOW ALIGNMENTS, BUILDING PAD HEIGHT, AND FLOOR PLAN LAYOUT.

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated October 16, 2007. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. If you have any questions regarding these requirements, please contact the Plan Reviewer- Fire: LEE CALDWELL, FIRE DEVELOPMENT SPECIALIST.

PRIOR TO DEMOLITION, GRADING, SITE DEVELOPMENT, ISSUANCE OF BUILDING PERMITS, AND/OR CONSTRUCTION, THE FOLLOWING SHALL BE REQUIRED:

- a. **NOTE:** Records indicate a 10" diameter city waterline is in the vicinity of the walkway between this property and the property to the north. Public Works should be consulted for the precise location of this line.
- b. *No additional Fire requirements this section. (FD)*

THE FOLLOWING CONDITIONS SHALL BE MAINTAINED DURING CONSTRUCTION:

- a. Fire/Emergency Access And Site Safety shall be maintained during project construction phases in compliance with City Specification #426, Fire Safety Requirements for Construction Sites. **(FD)**

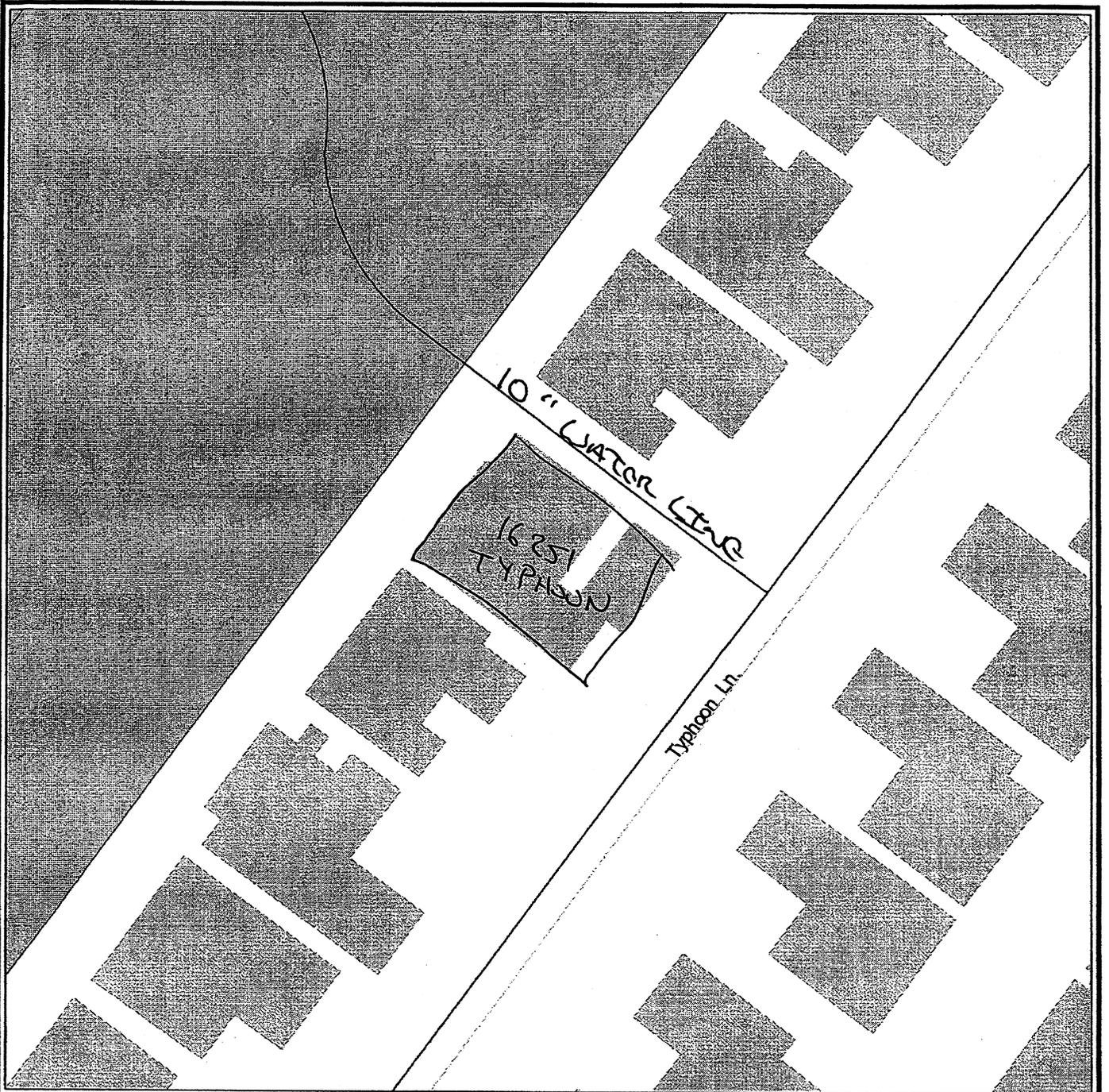
OTHER:

- a. Discovery of soil contamination or underground pipelines, etc., must be reported to the Fire Department immediately and the approved work plan modified accordingly in compliance with City Specification #431-92 Soil Clean-Up Standards. **(FD)**
- b. Outside City Consultants The Fire Department review of this project and subsequent plans may require the use of City consultants. The Huntington Beach City Council approved fee schedule allows the Fire Department to recover consultant fees from the applicant, developer or other responsible party. **(FD)**

Fire Department City Specifications may be obtained at:
Huntington Beach Fire Department Administrative Office
City Hall 2000 Main Street, 5th floor
Huntington Beach, CA 92648
or through the City's website at www.surfcity-hb.org

If you have any questions, please contact the Fire Prevention Division at (714) 536-5411.

S:\Prevention\1-Development\CUP's\Typhoon 16251 SFD-Demo, New SFD CDP# 2007-013 11-04-07.doc

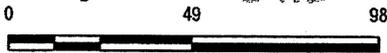


Huntington Beach

Map produced by information contained in the City of Huntington Beach Information Services Department Geographic Information System. Information warranted for City use only. Huntington Beach does not guarantee its completeness or accuracy.
Map Produced on 11/4/2007



HB
GIS



One inch equals 49 feet

FIRE STATIONS



OIL WELLS



FIRE HYDRANTS



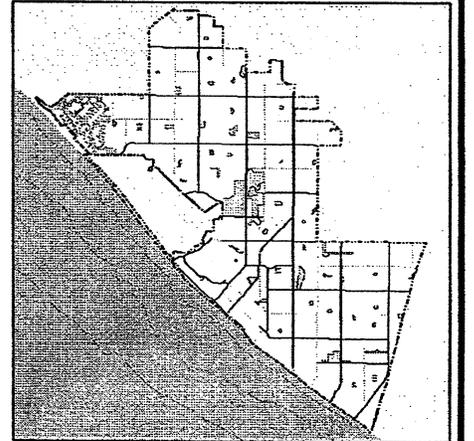
STREET NAMES



WATER MAINS



CITY BOUNDARY



Attributes for Feature on Water Mains Layer

USE	1
CLASS	150
MATERIAL	PVC
MILES	.080
DIAMETER	10
LENGTH	421.526
SYMBOL	82
WMNUMBER	6975
NOTES	
INDEX	6975
YEAR	77



CITY OF HUNTINGTON BEACH PUBLIC WORKS DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: NOVEMBER 1, 2007
PROJECT NAME: TADDEO RESIDENCE
ENTITLEMENTS: COASTAL DEVELOPMENT PERMIT NO. 2007-013
DATE OF PLANS: OCTOBER 9, 2007
PROJECT LOCATION: 16251 TYPHOON LANE, HUNTINGTON BEACH
PROJECT PLANNER: ANDREW GONZALES, ASSISTANT PLANNER
TELEPHONE/E-MAIL: 714-374-1547 / AGONZALES@SURFCITY-HB.ORG
PLAN REVIEWER: STEVE BOGART, SENIOR CIVIL ENGINEER
TELEPHONE/E-MAIL: 714-374-1692 / SBOGART@SURFCITY-HB.ORG
PROJECT DESCRIPTION: TO PERMIT THE DEMOLITION AND CONSTRUCTION OF A 4,194 SQ. FT., TWO STORY, SINGLE FAMILY RESIDENCE LOCATED WITHIN THE COASTAL ZONE. THE REQUEST INCLUDES A REVIEW AND ANALYSIS FOR COMPLIANCE WITH THE INFILL LOT ORDINANCE. THE INFILL LOT ORDINANCE ENCOURAGES ADJACENT PROPERTY OWNERS TO REVIEW PROPOSED DEVELOPMENT FOR COMPATIBILITY/ PRIVACY ISSUES, SUCH AS WINDOW ALIGNMENTS, BUILDING PAD HEIGHT, AND FLOOR PLAN LAYOUT.

The following is a list of code requirements deemed applicable to the proposed project based on plans as stated above. The items below are to meet the City of Huntington Beach's Municipal Code (HBMC), Zoning and Subdivision Ordinance (ZSO), Department of Public Works Standard Plans (Civil, Water and Landscaping) and the American Public Works Association (APWA) Standards Specifications for Public Works Construction (Green Book), the Orange County Drainage Area management Plan (DAMP), and the City Arboricultural and Landscape Standards and Specifications. The list is intended to assist the applicant by identifying requirements which shall be satisfied during the various stages of project permitting, implementation and construction. If you have any questions regarding these requirements, please contact the Plan Reviewer or Project Planner.

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO ISSUANCE OF A GRADING PERMIT:

1. A Precise Grading Plan, prepared by a Licensed Civil Engineer, shall be submitted to the Public Works Department for review and approval. (MC 17.05/ZSO 230.84) The plans shall comply with Public Works plan preparation guidelines and include the following improvements on the plan:
 - a. The minimum finished floor elevation for the new house shall be 10.00 feet North American Vertical Datum of 1988. (NAVD 88)

- b. The existing damaged driveway approach on Typhoon Lane shall be removed and reconstructed as an ADA compliant driveway approach per Public Works Standard Plan No. 209. (ZSO 230.84)
 - c. A new sewer lateral shall be installed connecting to the main in Typhoon Lane. If the new sewer lateral is not constructed at the same location as the existing lateral, then the existing lateral shall be severed and capped at the main or chimney. (ZSO 230.84)
 - d. A new domestic water service and meter shall be installed per Water Division Standards, and sized to meet the minimum requirements set by the California Plumbing Code (CPC). The domestic water service shall be a minimum of 1-inch in size. (MC 14.08.020)
 - e. A separate backflow protection device shall be installed per Water Division Standards for the domestic water service. (Resolution 5921 and Title 17)
 - f. The existing domestic water service and meter shall be abandoned per Water Division Standards. (ZSO 230.84)
2. A Landscape and Irrigation Plan, prepared by a Licensed Landscape Architect shall be submitted to the Public Works Department for review and approval by the Public Works and Planning Departments. (ZSO 232.04)
- a. "Smart irrigation controllers" and/or other innovative means to reduce the quantity of runoff shall be installed. (ZSO 232.04D)
 - b. Standard landscape code requirements apply. (ZSO 232)
 - c. One 36-inch box tree shall be planted in the front yard, adjacent to the street frontage. (ZSO 232.08, Resolution 4545, MC 13.50).
3. All landscape planting, irrigation and maintenance shall comply with the City Arboricultural and Landscape Standards and Specifications. (ZSO 232.04B)
4. Landscaping plans should utilize native, drought-tolerant landscape materials where appropriate and feasible. (DAMP)
5. A project Water Quality Management Plan (WQMP) conforming to the current National Pollution Discharge Elimination System (NPDES) requirements, prepared by a Licensed Civil Engineer, shall be submitted to the Department of Public Works for review and acceptance (Drainage Area Management Plan DAMP) and shall include the following:
- a. Discusses regional or watershed programs (if applicable)
 - b. Addresses Site Design BMPs (as applicable) such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas
 - c. Incorporates the applicable Routine Source Control BMPs as defined in the Drainage Area Management Plan (DAMP)
 - d. Incorporates Treatment Control BMPs as defined in the DAMP
 - e. Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs
 - f. Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs
 - g. Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs

- h. Includes an Operations and Maintenance (O&M) Plan for all structural BMPs
 - i. After incorporating plan check comments of Public Works, three final WQMPs (signed by the owner and the Registered Civil Engineer of record) shall be submitted to Public Works for acceptance. After acceptance, two copies of the final report shall be returned to applicant for the production of a single complete electronic copy of the accepted version of the WQMP on CD media that includes:
 - i) The 11" by 17" Site Plan in .TIFF format (400 by 400 dpi minimum).
 - ii) The remainder of the complete WQMP in .PDF format including the signed and stamped title sheet, owner's certification sheet, Inspection/Maintenance Responsibility sheet, appendices, attachments and all educational material.
 - j. The applicant shall return one CD media to Public Works for the project record file.
6. Indicate the type and location of Water Quality Treatment Control Best Management Practices (BMPs) on the Grading Plan consistent with the Project WQMP. The WQMP shall follow the City of Huntington Beach; Project Water Quality Management Plan Preparation Guidance Manual dated June 2006. The WQMP shall be submitted with the first submittal of the Grading Plan.
 7. A soils report, prepared by a Licensed Engineer shall be submitted for reference only. (MC 17.05.150)

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLIED WITH DURING GRADING OPERATIONS:

1. An Encroachment Permit is required for all work within the City's right-of-way. (MC 12.38.010/MC 14.36.030)
2. All haul trucks shall arrive at the site no earlier than 8:00 a.m. or leave the site no later than 5:00 p.m., and shall be limited to Monday through Friday only. (MC 17.05)
3. Wet down the areas that are to be graded or that is being graded, in the late morning and after work is completed for the day. (WE-1/MC 17.05)
4. The construction disturbance area shall be kept as small as possible. (California Stormwater BMP Handbook, Construction Erosion Control EC-1) (DAMP)
5. All haul trucks shall be covered or have water applied to the exposed surface prior to leaving the site to prevent dust from impacting the surrounding areas. (DAMP)
6. Prior to leaving the site, all haul trucks shall be washed off on-site on a gravel surface to prevent dirt and dust from leaving the site and impacting public streets. (DAMP)
7. Comply with appropriate sections of AQMD Rule 403, particularly to minimize fugitive dust and noise to surrounding areas. (AQMD Rule 403)
8. All construction materials, wastes, grading or demolition debris and stockpiles of soils, aggregates, soil amendments, etc. shall be properly covered, stored and secured to prevent transport into surface or ground waters by wind, rain, tracking, tidal erosion or dispersion. (DAMP)

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO ISSUANCE OF A BUILDING PERMIT:

1. A Precise Grading Permit shall be issued. (MC 17.05)

ATTACHMENT NO. 6.12

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO FINAL INSPECTION OR OCCUPANCY:

1. Complete all improvements as shown on the approved grading and landscape plans. (MC 17.05)
2. All landscape irrigation and planting installation shall be certified to be in conformance to the City approved landscape plans by the Landscape Architect of record in written form to the City Landscape Architect. (ZSO 232.04D)
3. Applicant shall provide City with CD media TIFF images (in City format) and CD (AutoCAD only) copy of complete City Approved landscape construction drawings as stamped "Permanent File Copy" prior to starting landscape work. Copies shall be given to the City Landscape Architect for permanent City record.
4. Prior to grading or building permit close-out and/or the issuance of a certificate of use or a certificate of occupancy, the applicant shall:
 - a. Demonstrate that all structural Best Management Practices (BMPs) described in the Project WQMP have been constructed and installed in conformance with approved plans and specifications.
 - b. Demonstrate all drainage courses, pipes, gutters, basins, etc. are clean and properly constructed.
 - c. Demonstrate that applicant is prepared to implement all non-structural BMPs described in the Project WQMP.
 - d. Demonstrate that an adequate number of copies of the approved Project WQMP are available for the future occupiers.
5. All new utilities shall be undergrounded. (MC 17.64)
6. The Water Ordinance #14.52, the "Water Efficient Landscape Requirements" apply for projects with 2500 square feet of landscaping and larger. (MC 14.52)
7. All applicable Public Works fees shall be paid at the current rate unless otherwise stated, per the Public Works Fee Schedule adopted by the City Council Resolutions 2007-58 and 2007-59. (ZSO 240.06/ZSO 250.16)



**CITY OF HUNTINGTON BEACH
DEPARTMENT OF BUILDING & SAFETY
PROJECT IMPLEMENTATION CODE REQUIREMENTS**

DATE: October 30, 2007
PROJECT NAME: Taddeo Residence
ENTITLEMENTS: Preliminary Plan Review No. 2007-002
PROJECT LOCATION: 16251 Typhoon Lane (West side of Typhoon Lane, between Sagamore and Venture Drives – Trinidad Island)
PLANS DATED: October 9, 2007
PROJECT PLANNER: Andrew Gonzales, Assistant Planner
PLAN REVIEWER: Daniel Lee, Plan Check Engineer
TELEPHONE/E-MAIL: (714) 536-5679 / dalee@surfcity-hb.org
PROJECT DESCRIPTION: To permit the demolition and construction of a 4,194 sq. ft., two story, single family residence located within the Coastal Zone.

The following is a list of code requirements deemed applicable to the proposed project based on plans received as stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. This list is not intended to be a full and complete list and serves only to highlight possible building code issues on the proposed preliminary plans. Electrical, plumbing, and mechanical items are not included in this review. If you have any questions regarding these comments, please contact the plan reviewer.

I. SPECIAL CONDITIONS:

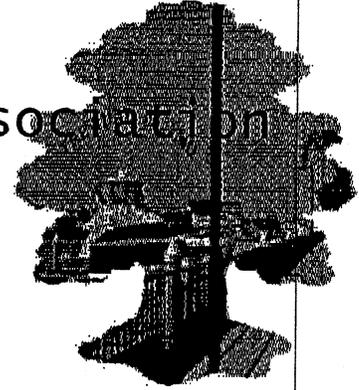
1. None

II. CODE ISSUES BASED ON PLANS & DRAWINGS SUBMITTED:

1. Project shall comply with the 2001 California Building Code, 2001 California Mechanical Code, 2001 California Plumbing Code, 2004 California Electrical Code, 2005 California Energy Code and the Huntington Beach Municipal Code (HBMC). Compliance to all applicable state and local codes is required prior to issuance of building permit.
2. Plans submitted on or after January 1, 2008 shall comply with the new 2007 CBC.
3. Structural calculations and drawings by a licensed professional is required.
4. Stairway windows shall be tempered.
5. Storage space and wine cellar under stairs shall have walls and soffits of 5/8" Type X gyp.
6. The self-closing tight fitting door in the garage shall be a '20 minute' fire-rated door.
7. A soils report is required. This report shall include a soil corrosivity analysis for buried pipes and recommendations regarding liquefaction potential.
8. An approved grading plan is required. Two copies are required prior to permit issuance.
9. Provide roof attic ventilation per 1/150.

Trinidad Island Homeowners Association

c/o Tritz Professional Management Services Inc.
 1536 E. Warner Avenue, Suite A
 Santa Ana, Ca. 92705
 714-557-5900 – Fax 714-557-4248



Architectural Approval

December 7, 2007

Mr. and Mrs. Taddeo
 16251 Typhoon Lane
 Huntington Beach, California 92649

Re: Submitted Architectural Application

Dear Mr. and Mrs. Taddeo:

The Architectural Control Committee approved your request. Please note that approval was granted under the following conditions:

- 1) The structure must occupy the same footprint as the old.
- 2) **No** attempt will be made to reclaim any easement.
- 3) No dividing wall will be constructed.
- 4) No first floor windows on the zero property line easement (this would cause more frequent "trespass" situations for cleaning of windows, etc.)
- 5) New color of roof.
- 6) The project must be done exactly as submitted. Any changes to the approved plans must be submitted to the Architectural Committee for additional review and approval. The Board of Directors reserves the right to inspect and reject any and all improvements.
- 7) The Association approval is in no way intended to be in lieu of the required governmental permits or inspections. All building permits must be obtained by the homeowner.
- 8) All repairs, maintenance, as well as any problems related to the modification or addition will be the sole responsibility of the homeowner. It is homeowner responsibility, at his/her own expense, to see that all common areas and common area landscaping are restored to their original condition.
- 9) If the homeowner sells the home, he/she will provide to the buyer copies of this approval, plans for this project, and any subsequent correspondence relating to the project.
- 10) The homeowner must provide proper liability insurance as determined by a professional insurance representative of the homeowner's choice.
- 11) Large projects must request in writing to be able to make use of portable toilet facilities, large trash bins, etc. Any approval request must state the length of time these items would be used, where they will be placed and illustrate how they will be camouflaged from view.
- 12) All projects must project a reasonable completion date.

Respectfully,

Trinidad Island Homeowner Association
 Architectural Control Committee

City of Huntington Beach

JAN 08 2008

ATTACHMENT NO. 71

December 14, 2007

City of Huntington Beach
Planning Department Commissioner:

John Scandura
Devin Dwyer
Blair Farley
Joe Shaw
Elizabeth Shier-Burnett
Fred Speaker
Tom Livengood

12/17/07 -

2000 Main Street
Huntington Beach, CA 92648

Dear Commissioners:

We propose to build a two story home on the property located at 16251 Typhoon Ln, Huntington Beach. We received tentative approval of the architectural plans at the Zoning meeting on November 28, 2007. The Home Owners Association of Trinidad Island has also given approval of the home. The home meets all code requirements. The footprint of the proposed home is the same as the existing home and will not encroach on any neighboring property as alleged in the appeal.

The owners of the property to the south at 16261 Typhoon have waged a campaign in the neighborhood in an attempt to prevent the building of our home. Although we recognize that new construction is potentially disruptive, we feel this is not an issue for the Planning Commission to address. As long as the home meets all of the zoning codes we feel the proposed plans should be approved without delay.

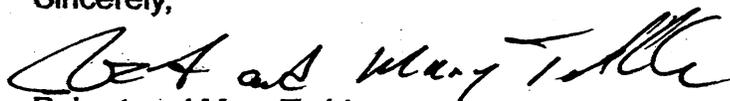
The owners of the adjacent property have alleged that the proposed home will encroach upon their property. This is not true at all. They initially alleged we were placing a wall on the "easement" which is also not true.

In actuality we are the legal owners of the property five feet adjacent to the home on the south and north side of the lot. Although the neighbors believed they had easement rights they do not. We paid for and have a property survey that indicates our lot is 60' x 108'. We also have copies of the Grant Deed from the original owners issued in 1983 as well as the current Grant Deed issued to us. There are no recorded easements for this property. A title search has confirmed this.

Therefore, the basis of the appeal is invalid for two reasons: We are not building on the five feet of adjacent property and the property in actuality belongs to us.

We are requesting that the appeal be withdrawn and the building permit be issued as recommended by the City of Huntington Beach Planning Department.

Sincerely,



Robert and Mary Taddeo
714-345-0679

FACSIMILE
(949) 752-2141

LAW OFFICES OF
DANIEL C. CARLTON
2600 MICHELSON DRIVE, SUITE 1120
IRVINE, CALIFORNIA 92612

TELEPHONE
(949) 757-0707

December 3, 2007

VIA FACSIMILE & U.S. MAIL

City of Huntington Beach Planning Department
Attn: Andrew Gonzales
2000 Main Street, 3rd Floor
Huntington Beach, CA 92648

RE: Zoning Administrator's Hearing – November 28, 2007
Application to construct improvements at
16251 Typhoon Lane, Huntington Beach, CA
Owners: Robert and Mary Taddeo
Our Clients: Mr. Don Evans and Ms. Kathleen Ann Halsey

Dear Mr. Gonzales:

It was a pleasure meeting you last week at the referenced Zoning Administrator's Hearing.

Upon our request, you have confirmed that the Taddeo's Application does not in any way encroach on our clients' side yard easement. This issue is of concern to our clients, since someone heard at the Hearing that there would be a six inch encroachment. You have confirmed, however, that there will be no roof eave or other encroachment onto our clients' easement.

If this does not comport with your understanding and that of the terms of the Application approval, please contact me immediately so that we can prepare an appeal of the Zoning Administrator's decision.

Thank you for your prompt attention to this matter.

Respectfully,


DANIEL C. CARLTON

City of Huntington Beach
DEC 04 2007

DCC:ra

cc: Don Evans



December 3, 2007

Zoning Administrator
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Via Facsimile only

Re: Public Hearing - Coastal Development Permit No. 2007-013
Taddeo Residence - 16251 Typhoon Lane, 92649
November 28, 2007, Room B-8

Dear Zoning Administrator:

On November 26, 2007, the Huntington Harbour Property Owner's Association ("HHPOA") objected to the above referenced application for a Coastal Development Permit based on lack of a plan submittal from the homeowner.

In reviewing our records, it appears that this residence is not within the jurisdiction of the HHPOA. Therefore, we withdraw our objection and our request for a continuance of this matter.

We apologize for any inconveniences this has caused the City or the homeowner. Thank you for your understanding.

Yours truly,

Mike Palikan
Architectural Review Committee

City of Huntington Beach

DEC 03 2007

Huntington Harbour Property Owner's Association, Inc.
P.O. Box 791 Sunset Beach, CA 90742 (714)840-7877

TOTAL P.02

ATTACHMENT NO. 8.3

Wednesday, November 28, 2007

City of Huntington Beach
Zoning Administrator
Don Evans and Kathy Halsey

My wife Susan and I own the home at 16281 Typhoon Lane, Huntington Beach, CA 92649, 4 homes south of the proposed domolition. We very
STRONGLY oppose granting Mr. Taddeo, the current owner of 16251 Typhoon Lane,
permission to put a fence around the easement on the south side of his
property.

When we purchased our home it was with the understanding that the easement on the north side of our property would be permanently ours to use. We have a very pleasant sitting area there as well as storage for our trash containers.

To now create a precedent of allowing any neighbor on Trinidad Island to enclose a permanent easement will substantially damage the use and value of our home and any other with a similar easement. Mr. Taddeo has plenty of room in the front and rear of his property to allow for the building of the gigantic home he wants without taking away what rightfully belongs to his neighbor to his south.

Once again we strongly oppose granting Mr. Taddeo the right to enclose the easement on the south side of his house.

Respectfully,


Victor A. Cohn


Susan Cohn

City of Huntington Beach

NOV 28 2007

ATTACHMENT NO. 84

Ms. Mary Beth Broeren
Principal Planner and Zoning Administrator
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Subject: Permit 2007-013

Dear Ms. Broeren,

We, Don Evans and Kathy Halsey, own our home at 16261 Typhoon Lane in Huntington Beach. Our neighbor, Mr. Robert Taddeo, at 16251 Typhoon Lane is proposing to demolish and reconstruct a home on the lot adjacent to ours. We have sent information to you that accurately describes an exclusive, recorded five foot easement we own on this adjacent lot, the restrictions that Mr. Taddeo has regarding access to this easement for exterior wall maintenance only, and the recognition of this easement and the associated restrictions that are "expressly incorporated by reference as though set out herein in full" in Mr. Taddeo's recorded deed.

We are shocked and dismayed that the planning staff of Huntington Beach is recommending approval of Mr. Taddeo's permit application without restrictions. This recommendation by the City is totally inappropriate, in that the City is choosing to support Mr. Taddeo's illegal taking of our property. Approval of this permit application without restrictions will drive us into litigation, damaging us as property owners in the City.

If the City will not consider a denial or a continuance, we request that any approval by the City be conditioned subject to the existing sideyard easement and the associated Declaration of Annexation of Tract 8636, which are recorded in Mr. Taddeo's deed.

We have also been told by staff that the outcome of the Public Hearing is predetermined and an expensive appeal process is our only alternative. As residents, we are incredibly disappointed if the Public Hearing process is not fair and open. We respectfully request that we receive an unbiased review of our objection to Permit Application 2007-013.

Sincerely,



Don Evans

City of Huntington Beach

NOV 28 2007

ATTACHMENT NO. 8.5

Paul and Donna Salmon
16262 Typhoon Lane
Huntington Beach, CA 92649
714-846-4040

City of Huntington Beach
NOV 27 2007

November 21, 2007

RE: Costal Development Permit No. 2007-013 (TADDEO Residence)

To Andrew Gonzalas – Project Planner:

Hello, we live across the street from the proposed project. We have reviewed the proposed plans which have been modified to remove a wall encroaching on the neighbor's easement. We will be unavailable the day of the Public Hearing so we want to submit this letter as our point of view challenging the current plan for demolition of the current house and construction of a new two story house at 16251 Typhoon Lane, Huntington Beach, CA 92649.

We would not agree to the plan as it is proposed for a number of reasons. Firstly, the owners are replacing a one story house with a two story house which is twice the size. We currently enjoy a partial view of the channel and a delightful summer sunset. It is one of the reasons we decided to purchase our home 6 years ago. With the additional height of a two story house much of that view is replaced with the new house. Secondly, even though it doesn't really effect us, it sure seems like a bad design to include windows on the side of the house where the zero property line is. These windows will then be viewing directly into the neighbor's side yard and kitchen.

The current house is in need of repair and we understand why the Taddeo's want to rebuild it. If the Taddeo's decide to replace the house with a one story home not exceeding the current height and width then we will support that. Another neighbor down the street was able to use some of the external walls and totally replace the house with a beautiful new house. As it is planned now – We would not want this plan to move forward as it affects the neighborhood and the value of our home.

Please contact us anytime if you have any questions or concerns. Our phone number is (714)846-4040.

Regards,



Paul and Donna Salmon

ATTACHMENT NO. 8.6



November 26, 2007

Zoning Administrator
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Via Facsimile only

Re: Public Hearing - Coastal Development Permit No. 2007-013
Taddeo Residence - 16251 Typhoon Lane, 92649
November 28, 2007, Room B-8

Dear Zoning Administrator:

It has come to the attention of the Huntington Harbour Property Owner's Association ("HHPOA") that the above referenced homeowner has applied for a Coastal Development Permit. The HHPOA objects to this application, because it has not received a plan submittal as required by the Declaration of Limitations, Covenants, Conditions, Restrictions and Reservations ("CC& R's").

The CC&R's which were recorded against and apply to this property mandate that the homeowner must first obtain written approval from the Architectural Review Committee ("ARC") of the HHPOA before proceeding on their project. This is probably just an oversight by the homeowner, so therefore we ask for his/her cooperation with our review program, and that he/she submits their project plans to us for approval as required.

However, since we have not yet received the plans, and in order to preserve our rights and the rights of all homeowners subject the CC&R's, we must respectfully object to this project until plans are submitted and approved in writing by the ARC. To that end, we would suggest a continuance of this matter until the HHPOA has received the plans from the homeowner.

We have already sent plan submittal instructions to the homeowner, and we invite him/her to contact us by phone should there be any questions. The homeowner may drop off the plans at our Post Office Box, or directly to our office, located at 16899 Algonquin Street, Suite "C", Huntington Beach, CA, 92649. Upon receipt, we will promptly review the project. Thank you for your considering our objection.

Yours truly,

Mike Palikan
Architectural Review Committee

City of Huntington Beach

NOV 26 2007

Huntington Harbour Property Owner's Association, Inc.
P.O. Box 791 Sunset Beach, CA 90742 (714)840-7877

TOTAL P.02

ATTACHMENT NO. 87

FACSIMILE
(949) 752-2141

LAW OFFICES OF
DANIEL C. CARLTON
2600 MICHELSON DRIVE, SUITE 1120
IRVINE, CALIFORNIA 92612

TELEPHONE
(949) 757-0707

November 20, 2007

VIA FACSIMILE & U.S. MAIL

City of Huntington Beach Planning Department
Attn: Andrew Gonzales
2000 Main Street, 3rd Floor
Huntington Beach, CA 92648

City of Huntington Beach
NOV 26 2007

**RE: Application to construct improvements at
16251 Typhoon Lane, Huntington Beach, CA
Owners: Robert and Mary Taddeo**

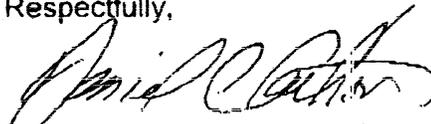
Dear Mr. Gonzales:

This firm represents Mr. Don Evans and Ms. Kathleen Anrie Halsey, owners of 16261 Typhoon Lane, Huntington Beach, which is adjacent to the Taddeo's property referenced above.

Our clients have discovered that the Taddeo's have submitted an Application to construct improvements on their property which would compromise their side yard easement. We have enclosed a copy of our letter to Coby Keller, the Taddeo's attorney, which outlines our concerns relating to this application. As noted in paragraph 5(c) of the Declaration of Annexation (also attached), it is clear that the Taddeos may enter upon our clients' easement area only for the purpose of maintaining the exterior wall of their home. Any work contemplated in excess of maintaining their property would be a violation of our clients' property rights, and would be vigorously opposed and litigated, if necessary.

Thank you for your cooperation in this matter. If you have any questions or comments, please contact the undersigned at your convenience.

Respectfully,


DANIEL C. CARLTON

DCC:ra
Enclosure

cc: Don Evans

ATTACHMENT NO. 88

City of Huntington Beach
Planning and Zoning Department
2000 Main Street
Huntington Beach, California 92648

Attn: Mr. Andrew Gonzales

Subject: Opposition to demolition and construction at 16251 Typhoon Lane

We, Don Evans and Kathy Halsey, are residents of Huntington Beach at 16261 Typhoon lane. We are opposed to the proposed demolition of the existing home and construction of a new home at 16251 Typhoon Lane. We have an exclusive easement for the five feet of lot 26 (16251 Typhoon Lane) that adjoins our Lot 25 (16261 Typhoon). Furthermore, the conditions of the easement restrict access to the easement for the sole purpose of periodic maintenance of the exterior wall of 16251 Typhoon Lane with proper notice. The owner of 16251 Typhoon Lane does not have access for construction.

The Easement is duly recorded on our deed. Since we have a recorded easement for the five of Lot 25 adjoining our Lot 26 and the easement does not allow construction or permanent access, approval of the plans submitted by the owner of Lot 26 would violate our property rights. We ask that the application for demolition of the existing structure and the construction of a new house at 16251 Typhoon be denied. It is inappropriate for the City of Huntington Beach to approve projects that violate the property rights of other property owners.

Sincerely,


Don Evans

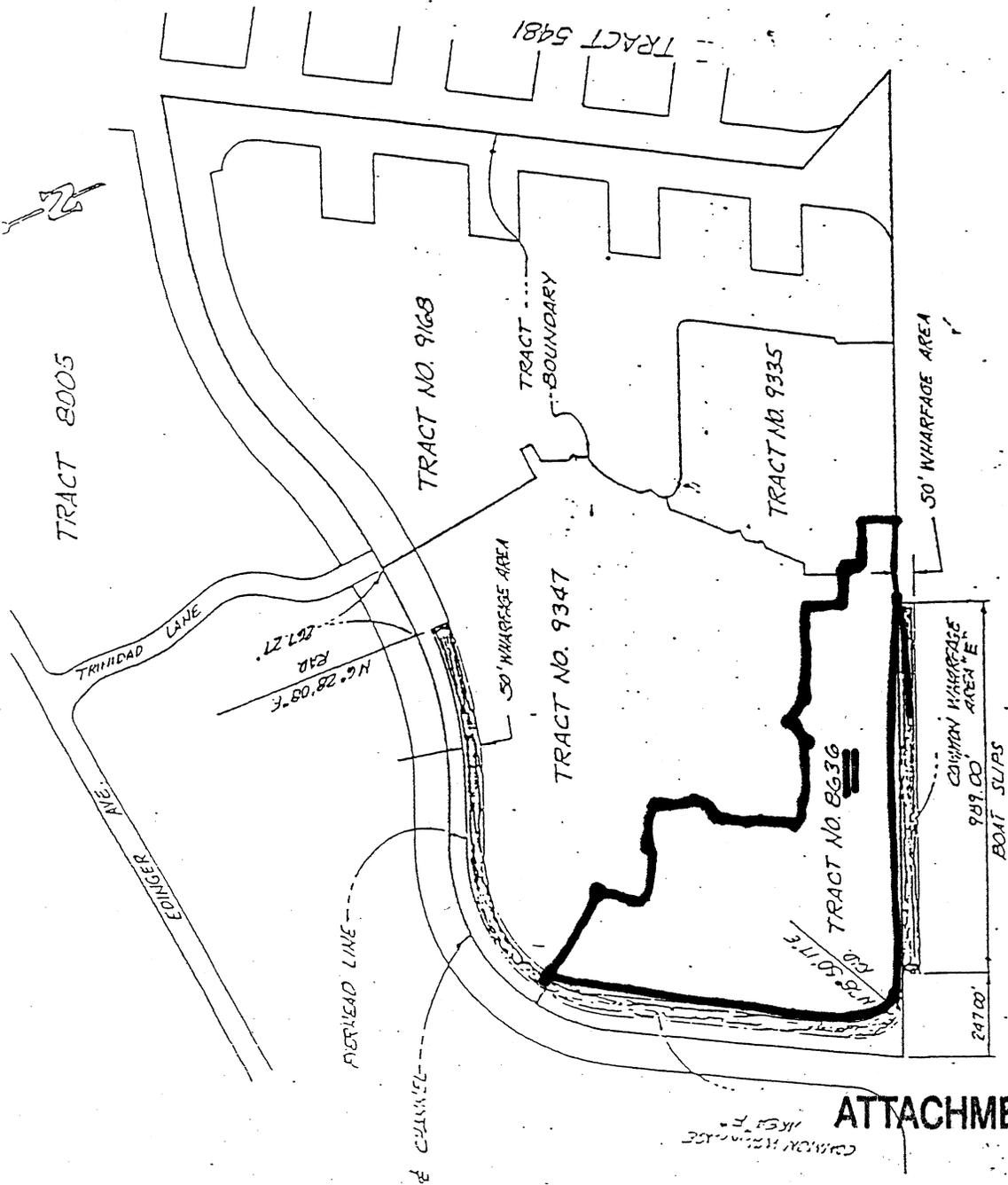
Attachments

1. Map of tract 8636
2. Property Deed of Lot 26 describing easement
3. Declaration of annexation that establishes the sideyard easements in Tract 8636

City of Huntington Beach

NOV 21 2007

ATTACHMENT NO. 8.9



City of Huntington Beach

NOV 21 2007

W12951R 537

TRACT BOUNDARY

LOT A

PERHEAD LANE

BULKHEAD LINE

LOT B

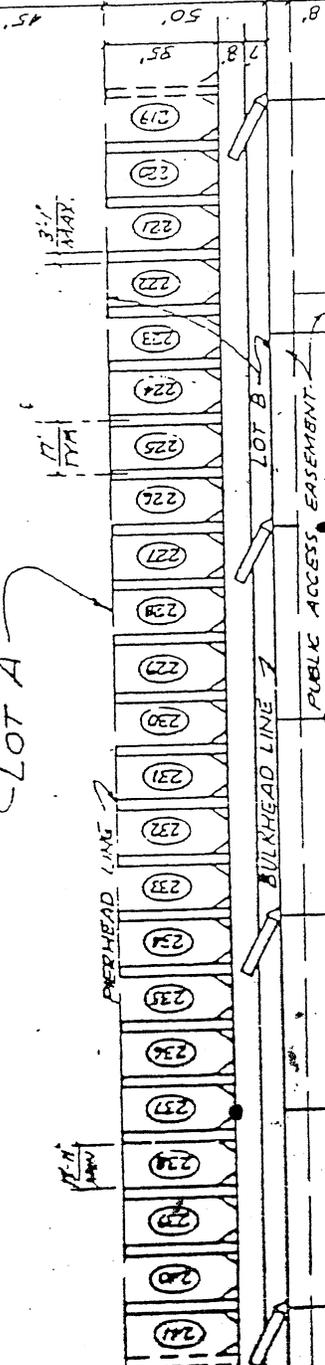
PUBLIC ACCESS EASEMENT

TYPHOON LANE

TRACT NO. 8636

3 1/2' MAY.

7' TYP.



BOAT SLIP DESIGNATION

NOTES:

- △ THE ACTUAL WIDTH OF BOAT SLIP AND THERE LOCATIONS RELATIVE TO RESIDENTIAL LOTS MAY VARY SLIGHTLY FROM THIS PLAN DUE TO ADJUSTMENTS MADE DURING THE COURSE OF CONSTRUCTION. HOWEVER, THE INTERIOR WIDTH OF THE SLIPS WILL NOT BE LESS THAN THE 13' MIN. SHOWN HEREON.
- △ RAMPS ARE SHOWN AT THEIR APPROXIMATE LOCATIONS.

COMMON MARINA AREA

EXHIBIT 'A'
SCALE: 1" = 40'
SHEET 2 OF 7

CITY OF HUNTINGTON
NOV 21 2001

(8636, DECLARATION OF ANNEXATION)

ATTACHMENT NO. 111

RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL THIS DEED AND MAIL TAX STATEMENTS TO:

Mr. Donald S. Evans
16261 Typhoon Lane
Huntington Beach, CA 92649

Recorded In Official Records, Orange County

Tom Daly, Clerk-Recorder



12.00

2005000492305 04:20pm 06/24/05

119 42 G02 3

0.00 0.00 0.00 0.00 6.00 0.00 0.00 0.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN:

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S);
DOCUMENTARY TRANSFER TAX IS \$ 0- *No Consideration*

- computed on full value of property conveyed, or
- computed on full value less value of liens or encumbrances remaining at time of sale,
- Unincorporated Area City of Huntington Beach

By this instrument dated June 23, 2005, for a valuable consideration,
Donald S. Evans, an unmarried man

hereby GRANT(S) to
Donald S. Evans, An Unmarried Man and Kathleen Anne Haisey, an unmarried woman, as joint tenants

the following described real property in the City of Huntington Beach
County of Orange, State of California:

Lot 25, Tract 8636, County of Orange, State of California, as per map recorded in Book 397, Page 33 to 35 of
Maps, in the office of the County Recorder of said County.

REFER TO EXHIBIT 'A' FOR COMPLETE LEGAL DESCRIPTION:

STATE OF CALIFORNIA
COUNTY OF Orange

ON 6-23-05 before me,
Diana L. Wood personally appeared
Donald S. Evans

Donald S. Evans

City of Huntington Beach

NOV 21 2007

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.

Signature

(This area for official notarial seal)

Exhibit "A"
DESCRIPTION

Page 1
Order No. 58531094

PARCEL 1:

LOT 25 OF TRACT NO. 8636, IN THE CITY OF HUNTINGTON BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP RECORDED IN BOOK 397, PAGES 33, 34 AND 35 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

PARCEL 2:

AN EXCLUSIVE EASEMENT FOR SUCH RESIDENTIAL USES AS ARE CONSISTENT WITH THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED IN BOOK 11900, PAGE 1094, OF OFFICIAL RECORDS OVER THE SOUTHWESTERLY 5 OF THE SOUTHEASTERLY 50.20 FEET OF THE NORTHWESTERLY 74.70 FEET OF LOT 26 OF SAID TRACT 8636, SUCH EASEMENT BEING SUBJECT TO THE CONDITIONS AND RESTRICTIONS CONTAINED IN PARAGRAPH 5 OF THE DECLARATION OF ANNEXATION, RECORDED IN BOOK 12951, PAGE 532, OF OFFICIAL RECORDS.

PARCEL 3:

THE EXCLUSIVE RIGHT TO UTILIZE BOAT SLIP #228 AS SHOWN ON EXHIBIT "A" ATTACHED TO THE AFORESAID DECLARATION OF ANNEXATION, TRACT 8636, RECORDED IN BOOK 12591, PAGE 532 OF OFFICIAL RECORDS.

PARCEL 4:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS TO THE BOAT SLIP DESCRIBED AS PARCEL 3, IN OVER, ACROSS, UPON AND THROUGH THE COMMON WHARFAGE AREA AS THAT TERM IS DEFINED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, RECORDED IN BOOK 11900, PAGE 1094, OFFICIAL RECORDS.

City of Huntington Beach

NOV 21 2007

WHEN RECORDED RETURN TO:

6817

HARBOUR-PACIFIC, LTD.
3025 Olympic Boulevard
Santa Monica, California 90404
Attn: Lee N. Eckel, Esq.

\$13.00

RECORDED AT REQUEST OF
FIRST AMER. TITLE INS. CO.
IN OFFICIAL RECORDS OF
ORANGE COUNTY, CALIFORNIA

8:00 A.M. DEC 6 1978

LEE A. BRANCH, County Recorder

DECLARATION OF ANNEXATION
TRACT 8636
ORANGE COUNTY, CALIFORNIA

THIS DECLARATION OF ANNEXATION, is made this 5th day of December, 1978, by HARBOUR-PACIFIC, LTD., a partnership, (hereinafter referred to as "Declarant") with reference to the following facts:

A. Reference is hereby made to that certain Declaration of Covenants, Conditions and Restrictions for Tract 9168 recorded on September 24, 1976, in Book 11900, pages 1094 through 1127, inclusive, of the Official Records of Orange County, California, and amended in Book 12077, page 1790 of said Official Records (hereinafter referred to as the "Declaration").

B. Declarant is the sole owner of that certain property described as lots 1 through 72 inclusive in Tract 8636 (the "Annexed Property" herein) as shown on the map thereof filed in the Office of the County Recorder of Orange County, California, in Book 397, pages 33 through 35 of Miscellaneous Maps. Said property constitutes a portion of the real property described, in Exhibit "C" of the Declaration.

C. Section 2 of Article VIII of the Declaration provides that land within the area described in Exhibit "C" may be annexed to Tract 9168 and added to the scheme of the Declaration and subject to the jurisdiction of the Trinidad Island Homeowners Association by the recording of a Declaration of Annexation in accordance with the provisions of Section 3 of said Article VIII.

D. The annexation contemplated herein is in accordance with the provisions of said Declaration.

NOW, THEREFORE, Declarant declares that the real property located in the City of Huntington Beach, County of Orange, State of California, more particularly described in paragraph B above, is and shall hereafter be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, charges and liens hereinafter set forth and as set forth in said Declaration and by this reference thereto said Declaration is hereby incorporated herein and made a part hereof, all of which shall run with and shall apply to and be binding upon all parties having or acquiring any right, title or interest in the property hereinabove described or any part thereof; and are imposed upon said real property and every part thereof as a servitude in favor of each and every parcel thereof as the dominant tenement or tenements.

1. Retaining Wall. Each Owner of a Channel Lot acknowledges the fact that a retaining wall approximately six inches in width and varying from three to four feet in height has been constructed on that portion of his Residential Lot which lies adjacent to the eight foot public walkway along the northern boundary of the Annexed Property. In respect thereto, no act shall be performed nor permitted to be performed by an Owner which would impair the character or structural integrity of said retaining wall. Further, each Owner of a Channel Lot shall permit the Association to enter upon his property for the purpose of maintaining said retaining wall and any and all

City of Huntington Beach

NOV 21 2007

electrical wires, lines, conduits and fixtures which may be located therein, thereon or thereunder.

2. Wharfage. Attached hereto as Exhibit "A" is the Wharfage Plan for the boat slips located (a) within Lot B of Tract 8636 (i.e., the northwesterly portion of Common Wharfage Area F, referred to in Article V, Section 2 of the Declaration), and (b) within the area leased from the State of California and referred to in said Article V, Section 2 of the Declaration as Common Wharfage Area E. The original conveyance of exclusive right to use boat slips within said area shall be made by reference to the slip number indicated on said Wharfage Plan.

3. Guest Slips. Those certain common area boat slips depicted on Exhibit "A" as numbers 222, 223, 301, 302, 327, 328, (the "Guest Slips") shall be maintained by the Association for the use only by members of the general public who are visiting the Properties. The Association shall establish rules and regulations concerning use of the Guest Slips covering such matters as the reservation of slips and the setting of daily rates for such use; provided, however, in no event shall a guest dock be utilized for the mooring of any boat for a period in excess of seventy-two (72) hours at a time.

4. Vista Point. The cross-hatched portion of Common Wharfage Areas F and E as shown on Exhibit "A" hereof shall remain free at all times of anything which might obstruct the view from lot 74 of said Tract 8636. No vessel of any kind shall be permitted to be moored within said cross-hatched area, nor shall any structure or improvement be constructed, placed, or be permitted to remain in such area.

5. Sideyard Easements. In the Grant Deeds by which Declarant conveys lots 1-72 of said Tract to individual purchasers, easements over portions of the sides of certain lots shall be granted to the owners of certain adjacent lots for uses consistent with those permitted in the Declaration. Each such easement shall be accurately described in the deed of the dominant and benefited lot and such easement shall also be referenced in the deed of the lot subject to said easement. Said easements shall be granted for the enhancement of the Annexed Property and each of the lots benefited thereby and shall be deemed appurtenant to each lot to which such easement shall initially attach. Such easement shall be subject to the following:

(a) Any encroachment into said easement area by the roof overhang or eaves of the house located on the lot subject to said easement created or arising out of the original construction of said house by Declarant.

(b) Any drainage into said easement area from the house situated on the lot subject to said easement resulting from the normal use of said house provided: (i) the owner of said house shall not alter the drainage onto said easement area from that created by the original construction of said house and the original grading of said lot; and (ii) the owner of the lot benefiting from said easement shall maintain said easement area in such a manner as will not interfere with the established drainage pattern.

City of Huntington Beach
NOV 21 2007

(c) The owner of the lot subject to said easement shall have the right from time to time as may be necessary, upon reasonable notice to the owner of said easement, to enter upon said easement area for the purpose of maintaining the exterior wall of said owner's house which forms one of the boundaries of said easement area. Said owner by the acceptance of his deed hereby agrees to indemnify and hold the owner of said easement harmless against any damage to his property or liability that may arise out of the exercise of right of entry hereby reserved.

(d) No swimming pool, jacuzzi, hot tub, room addition, shed, planter box, or any other similar or substantial improvement shall be constructed in said easement area without said improvement first being approved by the City of Huntington Beach and the Architectural Committee as provided in the Declaration, and no such improvement shall be approved by said Architectural Committee which (i) would unreasonably interfere with the right of entry to the easement area described in subparagraph (c) above, or (ii) which would, in normal use, be likely to cause damage to the house located on the lot subject to said easement.

(e) The provisions of Article II, Section 15 of the Declaration insofar as it requires the construction of walls or fences on the side lot lines of Residential Lots shall be inapplicable to those Residential Lots within the Annexed Property which have sideyard easements on both sides of the lot. Fences or walls for such lots shall be constructed on the lots subject to such sideyard easements from the exterior face of the sidewall of the house which forms one of the boundaries of the easement area to the rear lot line of such lots. Each owner of a sideyard easement shall extend his rear fence or wall beyond his side lot line to meet such side fence or wall.

(f) In the event that any lot which is subject to one of the aforescribed easements is valued for property tax purposes to include said easement area or any improvements that may have been constructed thereon, the adjoining lot owners shall determine by mutual agreement between themselves, taking into account the relative square footage of such area, any improvements which have been installed thereon, and any tax bills rendered upon valuation based upon assessing such property, and the owner having such beneficial use shall reimburse the owner subject to such assessment for the portion of such assessment attributable to the portion of his lot beneficially used by the reimbursing party.

6. Amendment. Notwithstanding the provisions contained in Article X, Section 4 of the Declaration, the provisions of paragraph 5 of this Declaration of Annexation that relate specifically to the property being annexed hereby may be amended by a recorded document signed by the owners of residential lots representing at least 51% of both the Class A and Class B members within said Annexed Property.

City of Huntington Beach
NOV 21 2007

RECORDING REQUESTED BY:

Alan M. Reedy

WHEN RECORDED MAIL TO:

Alan M. Reedy,
Attorney at Law
4590 MacArthur Blvd, Suite 370
Newport Beach, Ca 92660

Recorded in Official Records, Orange County
Tom Daly, Clerk-Recorder



2007000499939 09:38am 08/10/07

104 212 D10 2
0.00 0.00 0.00 0.00 3.00 0.00 0.00 0.00

MAIL TAX STATEMENTS TO:

Mr. and Mrs. Robert Taddeo
18204 Third Street
Fountain Valley, CA 92708

(This Space Is Reserved For Recorder's Use ONLY)

AP # 178-731-09

TRUST TRANSFER DEED

Documentary Transfer Tax \$ 0.00
 Computed on Full Value of Property Conveyed,
 or Computed on Full Value Less Liens and Encumbrances Remaining at time of sale
Transfer to Revocable Living Trust

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
Robert Oreste Taddeo, a Married Man as His Sole and Separate Property

hereby GRANTS to Robert and Mary Taddeo as trustees of the Robert and Mary Taddeo Revocable Living Trust dated December 17, 2000, the following described real property in the County of Orange, State of California, City of Huntington Beach, more fully described in Exhibit "A", attached hereto and incorporated herein.

More Commonly known as 16251 Typhoon Lane, Huntington Beach, CA.

The property continues to be the sole and separate property of Robert Oreste Taddeo in trust.

DATED this 2nd day of August, 2007.

Robert Oreste Taddeo
ROBERT ORESTE TADDEO

Mary R. Taddeo
MARY R. TADDEO

City of Huntington Beach

JAN 08 2008

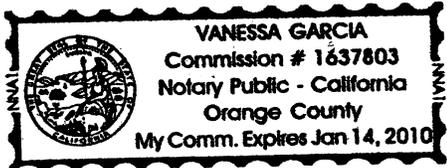
ACKNOWLEDGMENT

STATE OF CALIFORNIA) ss.
COUNTY OF ORANGE)

On August 2nd, 2007, before me, Vanessa Garcia, a Notary Public, personally appeared Robert Oreste Taddeo and Mary R. Taddeo personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) (is) (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

Vanessa Garcia
WITNESS my hand and official seal.

Seal



ATTACHMENT NO. 9.1

RECORDING REQUESTED BY:
Ticor Title Company of California
Escrow No. 138705-BT
Title Order No. 199239

Recorded in Official Records, Orange County
Tom Daly, Clerk-Recorder

When Recorded Mail Document
and Tax Statement To:
Mr. Taddeo
18204 Third Street
Fountain Valley, CA 92708



12.00

2007000415836 04:30pm 06/29/07

113 49 G02 3
0.00 0.00 0.00 0.00 6.00 0.00 0.00 0.00

APN: 178-731-09

GRANT DEED

SPACE ABOVE THIS LINE FOR RECORDER'S USE

The undersigned grantor(s) declare(s)

Documentary transfer tax is \$ City Transfer Tax is \$

- computed on full value of property conveyed, or
- computed on full value less value of liens or encumbrances remaining at time of sale,
- Unincorporated Area City of Huntington Beach

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Robert ^{Oeste} ~~Oeste~~ Taddeo, who acquired title as Successor Trustee of the Taddeo Family Revocable Living Trust dated 8-17-1989 and Mary R. Taddeo, spouse of Grantee

hereby GRANT(S) to Robert Oeste Taddeo, a Married Man as His Sole and Separate Property

the following described real property in the City of Huntington Beach,
County of Orange, State of California:

See Attached exhibit "A"

DATED: June 21, 2007

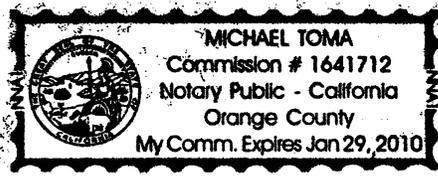
State of California
County of Orange

Robert Oeste Taddeo, Successor Trustee

On June 25, 2007 before me,
Michael Toma - Notary Public
(here insert name and title of the officer)

Mary R. Taddeo

personally appeared Robert Oeste Taddeo
and Mary R. Taddeo
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.
Signature (Seal)

City of Huntington Beach
JAN 08 2008

MAIL TAX STATEMENTS AS DIRECTED ABOVE

LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ORANGE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

LOT 26 OF TRACT NO. 8636, IN THE CITY OF HUNTINGTON BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 397, PAGE(S) 33 THROUGH 35 INCLUSIVE OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES, LYING BELOW A DEPTH OF 500 FEET, WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED IN INSTRUMENTS OF RECORD.

EXCEPT THEREFROM ALL WATER AND SUBSURFACE WATER RIGHTS, BELOW A DEPTH OF 500 FEET, WITHOUT THE RIGHT OF SURFACE ENTRY, AS DEDICATED TO THE CITY OF HUNTINGTON BEACH ON THE MAP OF SAID TRACT.

PARCEL 2:

THE EXCLUSIVE RIGHT TO UTILIZE BOAT SLIP #225, AS SHOWN ON EXHIBIT "A" ATTACHED TO THE AFORESAID DECLARATION OF ANNEXATION, TRACT 8636.

PARCEL 3:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS TO THE BOAT SLIP DESCRIBED AS PARCEL 3, IN, OVER, ACROSS, UPON AND THROUGH THE COMMON WHARFAGE AREA AS THAT TERM IS DEFINED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS.

City of Huntington Beach
JAN 0 8 2006

ATTACHMENT NO. 9.3

RECORDING REQUESTED BY.

83-519374

AND WHEN RECORDED MAIL TO

\$6.00

Recorded at the request of
FIRST AMER. TITLE INS. CO.

8:00 NOV 10 1983
A.M.

Official Records
Orange County, California

Lee A Branch Recorder

Oreste D. Taddeo
2831 Duarte Road
San Marino, Calif.

MAIL TAX STATEMENTS TO

same as above

SPACE ABOVE THIS LINE FOR RECORDER'S USE

A.P. # 178-731-09

Partnership Grant Deed

1374808 RO

PAID
DOC TRANSFER TAX
LEE A. BRANCH
ORANGE CO. RECORDER

4

The undersigned grantor(s) declare (s):
Documentary transfer tax is \$ 544.50

- () computed on full value of property conveyed, or
- () computed on full value less value of liens and encumbrances remaining at time of sale.
- () Unincorporated area: () City of Huntington Beach, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

HARBOUR PACIFIC, LTD.,

a Limited
hereby GRANTS to

partnership organized under the laws of the State of California

ORESTE D. TADDEO AND LENA P. TADDEO, Husband and Wife as Joint Tenants

the following described real property in the City of Huntington Beach
County of Orange, State of California:

Lot 26 of Tract no. 8636, together with appertaining wharfage area and the exclusive right of use of Boat Slip #225, in the County of Orange, State of California, subject property more particularly described per Exhibit attached hereto and made a part hereof.

"THIS CONVEYANCE IS MADE AND ACCEPTED and said realty is hereby granted upon and subject to that certain Declaration of Covenants, Conditions, and Restrictions recorded September 24, 1976, in Book 11900, Pages 1094 through 1127, inclusive of Official Records of Orange County, California; that certain Declaration of Annexation - Tract #8636 recorded December 6, 1978, in Book 12951, Pages 532 through 542, inclusive of the Official Records of Orange County, California; and any amendments thereto, and the covenants, conditions, restrictions, rights, easements, reservations, benefits and burdens in such Declaration contained each and all of which are hereby expressly incorporated by reference as though set out herein in full."

Dated: October 7, 1983

STATE OF CALIFORNIA }
COUNTY OF _____ } ss.

On _____ before me, the undersigned, a Notary Public in and for said State, personally appeared

See attached Jurat

known to me to be _____ of the partners of the partnership that executed the within instrument, and acknowledged to me that such partnership executed the same.
WITNESS my hand and official seal.

Signature _____

(This area for official notarial seal)

Harbour Pacific, Ltd.
Marina Pacific, Ltd., a California
Corporation, General Partner Partner
By [Signature] Partner
By Gary E. Farmer Partner
By Vice President Partner
By _____ Partner

Title Order No. _____

Escrow or Loan No. _____

MAIL TAX STATEMENTS AS DIRECTED ABOVE

ATTACHMENT NO. 9.4

City of Huntington Beach
JAN 08 2000

DB

A533
3-2211

DESCRIPTION

EXHIBIT

83-519374

ALL THAT CERTAIN LAND SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF ORANGE, CITY OF HUNTINGTON BEACH, DESCRIBED AS FOLLOWS:

PARCEL 1:

LOT 26 OF TRACT 8636 AS SHOWN ON A MAP RECORDED IN BOOK 397, PAGES 33, 34 AND 35 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

EXCEPTING THEREFROM ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER OR THAT MAY BE PRODUCED FROM A DEPTH OF BELOW 500 FEET BELOW THE SURFACE OF SAID LAND, WITHOUT RIGHT OF ENTRY UPON THE SURFACE OF ANY OF SAID LAND FOR THE PURPOSE OF MINING, DRILLING, EXPLORING, OR EXTRACTING SUCH OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, OR OTHER USE OF OR RIGHTS IN OR TO ANY PORTION OF THE SURFACE OF SAID LAND TO A DEPTH OF 500 FEET BELOW THE SURFACE THEREOF, BUT WITH THE RIGHT TO DRILL INFO, LOCATE WELLS AND PRODUCE OIL, GAS AND OTHER HYDROCARBON SUBSTANCES FROM ANY PORTION OF SAID LAND WHICH LIES BELOW 500 FEET FROM THE SURFACE THEREOF, AS RESERVED IN DEEDS OF RECORD.

EXCEPTING THEREFROM THE SUBSURFACE WATER RIGHTS BUT WITHOUT ANY RIGHT OF ENTRY TO THE SURFACE OR TO THE SUBSURFACE ABOVE THE DEPTH OF 500 FEET FROM THE SURFACE AS DEDICATED TO THE CITY OF HUNTINGTON BEACH ON THE MAP OF SAID TRACT.

PARCEL 2:

THE EXCLUSIVE RIGHT TO UTILIZE BOAT SLIP #225 AS SHOWN ON EXHIBIT "A" ATTACHED TO THE AFORESAID DECLARATION OF ANNEXATION, TRACT 8636, RECORDED IN BOOK 12591, PAGE 532 OF OFFICIAL RECORDS.

PARCEL 3:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS TO THE BOAT SLIP DESCRIBED AS PARCEL 2, IN OVER, ACROSS, UPON AND THROUGH THE COMMON WHARFAGE AREA AS THAT TERM IS DEFINED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, RECORDED IN BOOK 11900, PAGE 1094 OF OFFICIAL RECORDS.

* * * * *

City of Huntington Beach
JAN 08 2008

ATTACHMENT NO. 9.5

83-519374.

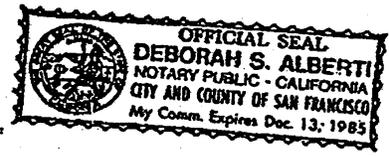
STATE OF CALIFORNIA }
COUNTY OF SAN FRANCISCO } ss

On October 27, 1983 before me the undersigned, a Notary Public in and for said State, personally appeared Gary E. Farmer known to me to be the Vice President of MARINA PACIFIC, LTD., a California Corporation, the corporation that executed the within instrument and known to me to be the person who executed the within instrument on behalf of said corporation, said corporation being known to me to be the general partner of HARBOUR PACIFIC, LTD., a California Limited Partnership, said general partner that executed the within instrument on behalf of such partnership.

WITNESS MY HAND AND OFFICIAL SEAL

Deborah S. Alberti
Signature

Deborah S. Alberti
Name Typed or Printed



City of Huntington Beach
JAN 08 2008

ATTACHMENT NO. 9.6

Recording requested by

83-519375

\$8.00

Recorded at the request of
FIRST AMER. TITLE INS. CO.

8:00 NOV 10 1983
A.M.

Official Records
Orange County, California

Life A Branch

When recorded mail to
HOME SAVINGS OF AMERICA
P.O. BOX 3991
NORTH HOLLYWOOD, CALIFORNIA 91609

Escrow or Title
Loan No. 489585-0 Order No. 1374808

SPACE ABOVE THIS LINE FOR RECORDER'S USE

1374808 R0

Deed of Trust and Assignment of Rents
ADJUSTABLE INTEREST RATE LOAN

This Deed of Trust, made this 28th day of OCTOBER, 1983, between
CRESTE D. TADDEO AND LENA P. TADDEO, HUSBAND AND WIFE

herein called TRUSTOR, whose address is 16251 TYPHOON LANE (number and street)
HUNTINGTON BEACH CA 92649
(city) (state) (zip code)

SERRANO RECONVEYANCE COMPANY, a California corporation, herein called TRUSTEE, and
HOME SAVINGS OF AMERICA, F.A.

a corporation, herein called BENEFICIARY.

WITNESSETH: Trustor irrevocably grants, transfers and assigns to Trustee, in Trust, with power of sale, that real property in ORANGE
County, California, described as:

AS PER LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

PARCEL 1:

ODT
O.D.T.

004895850

L.P.T.
L.P.T.

LOT 26 OF TRACT 8636 AS SHOWN ON A MAP RECORDED IN BOOK 397, PAGES
33, 34 AND 35 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY,
CALIFORNIA.

EXCEPTING THEREFROM ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES
IN AND UNDER OR THAT MAY BE PRODUCED FROM A DEPTH OF BELOW 500 FEET
BELOW THE SURFACE OF SAID LAND, WITHOUT RIGHT OF ENTRY UPON THE
SURFACE OF ANY OF SAID LAND FOR THE PURPOSE OF MINING, DRILLING,
EXPLORING, OR EXTRACTING SUCH OIL, GAS AND OTHER HYDROCARBON
SUBSTANCES, OR OTHER USE OF OR RIGHTS IN OR TO ANY PORTION OF THE
SURFACE OF SAID LAND TO A DEPTH OF 500 FEET BELOW THE SURFACE
THEREOF, BUT WITH THE RIGHT TO DRILL IN (Q), LOCATE WELLS AND PRODUCE
OIL, GAS AND OTHER HYDROCARBON SUBSTANCES FROM ANY PORTION OF SAID
LAND WHICH LIES BELOW 500 FEET FROM THE SURFACE THEREOF, AS
RESERVED IN DEEDS OF RECORD.

EXCEPTING THEREFROM THE SUBSURFACE WATER RIGHTS BUT WITHOUT ANY
RIGHT OF ENTRY TO THE SURFACE OR TO THE SUBSURFACE ABOVE THE DEPTH
OF 500 FEET FROM THE SURFACE AS DEDICATED TO THE CITY OF HUNTINGTON
BEACH ON THE MAP OF SAID TRACT.

PARCEL 2:

THE EXCLUSIVE RIGHT TO UTILIZE BOAT SLIP #225 AS SHOWN ON EXHIBIT
"A" ATTACHED TO THE AFORESAID DECLARATION OF ANNEXATION, TRACT
8636, RECORDED IN BOOK 12591, PAGE 532 OF OFFICIAL RECORDS.

PARCEL 3:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS TO THE BOAT SLIP
DESCRIBED AS PARCEL 2, IN OVER, ACROSS, UPON AND THROUGH THE COMMON
WHARFAGE AREA AS THAT TERM IS DEFINED IN THE DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS, RECORDED IN BOOK 11900,
PAGE 1094 OF OFFICIAL RECORDS.

ATTACHMENT NO. 9.7

TO PROTECT THE INTERESTS OF THE BENEFICIARY IN THE PROPERTY DESCRIBED IN THIS DEED OF TRUST, THE TRUSTOR AGREES TO:
(1) Construction or Improvements. To complete in good and workmanlike manner any building or improvement or repair relating thereto which may
be begun on such property or contemplated by the loan secured hereby, to pay when due all costs and liabilities incurred therefor, and not to permit any
mechanic's lien against such property, nor any stop notice against any loan proceeds. Trustor also agrees, anything in this Deed of Trust to the contrary
notwithstanding, (a) to promptly commence work and to complete the proposed improvements promptly, (b) to complete same in accordance with plans
and specifications as approved by Beneficiary, (c) to allow Beneficiary to inspect such property at all times during construction, (d) to replace any work or
materials damaged or destroyed by Beneficiary, within fifteen (15) days after written notice from Beneficiary of such fact, which notice may be given to Trustor by
registered mail, sent to his last known address, or by personal service of the same.

City of Huntington Beach

JAN 08 2008