



**ORANGE COUNTY ZONING ADMINISTRATOR
SUMMARY MINUTES
SPECIAL MEETING DATE: June 10, 2021, 1:30 PM**

- I. Call to Order – Hearing called to order at 1:30 pm. Staff and members of the public participated in person, practicing social distancing, and were also invited to participate via WebEx phone call.**
- II. Minutes of May 20, 2021 – Approved by Zoning Administrator, Laree Alonso**
- II. Discussion Item(s)**

ITEM #1 PUBLIC HEARING – PA19-0051- APPLICANTS – ANDY FUENTES – LOCATION – 8182 LA MONTE ROAD, WITHIN THE STANTON COMMUNITY, IN THE 2nd SUPERVISORIAL DISTRICT (APN 131-221-10).

A request for a Use permit to allow for a 1,024 sq. ft. garage addition to the existing garage. The new structure will have a maximum height of 16 ft. and 11 in. and is located 6 ft. from the rear property line and 4 ft. from the side property line.

Recommended Action(s):

1. Receive staff report and public testimony as appropriate, and.
2. Find that the proposed project is Categorical Exempt from the provisions of CEQA according to Class 1 (existing facilities) and Class 3 (new construction or conversion of small structures), pursuant to Sections 15301 and 15303, of the State CEQA Guidelines and Classes 1, and 3 of the Orange County Local CEQA Procedures Manual. In addition, find that none of the exceptions listed in Section 15300.2 of the State CEQA Guidelines to the Categorical Exceptions would apply; and
3. Approve Planning Application PA19-0051, for a Use Permit for an over-height accessory structure in the rear and side setback areas, a subject to the attached Findings and Conditions of Approval.

Special Notes:

Ilene Lundfelt, Associate Planner, provided a presentation and answered questions from the Zoning Administrator. Mr. Tran, a neighbor of this project, ask for clarification regarding the structure being built without a permit. Ms. Lundfelt verified that Mr. Tran was correct, and the applicant has a permit application for the structure. Mr. Tran had no



further concerns and supports the project.

The following is the action taken by the Orange County Zoning Administrator, Laree Alonso:

Approve Planning Application PA19-0051, for a Use Permit for an over-height accessory structure in the rear and side setback areas, a subject to the attached Findings and Conditions of Approval.

APPROVE
DENIED

OTHER

ITEM #2 PUBLIC HEARING - PA19-0049 – APPLICANT – EMERALD BAY ELEVEN LLC (TOM TOOMA), PROPERTY OWNER – AGENT- GEOFF SUMICH DESIGN - LOCATION – 141 EMERALD BAY, WITHIN THE 5TH SUPERVISORIAL DISTRICT (APN 053-040-07).

A request for a Coastal Development Permit, Use Permit and Variance in conjunction with the demolishing of an existing home and construction of a new three-level 8,411 residence with attached garage spaces. The Coastal Development Permit is required for the demolition of the existing home and construction of the new residence with associated site grading. The Variance is required for a proposed front setback of 5 feet, where the Zoning Code would require 20 feet. A Use Permit is required to permit over-height walls in the front and rear setback areas.

Recommended Action(s):

1. Receive staff report and public testimony as appropriate, and;
2. Find that the proposed project is Categorically Exempt from the California Environmental Quality Act (CEQA) under the Class 1, Class 2, and Class 3 exemptions pursuant to Sections 15303, 15302 and 15303 of the California Environmental Quality Act (CEQA) Guidelines and County of Orange procedures; and,
3. Approve Planning Application PA19-0049, subject to the attached Findings and Conditions of Approval.



Special Notes:

Kevin Canning, Planner provided a presentation and answered questions from the Zoning Administrator. Prior to the date of the hearing, Mr. Canning received an inquiry from Mr. Bob Cole stating that he was not able to access the staff report on the county website. Mr. Canning provided Mr. Cole with the correct link to the county website and emailed Mr. Cole the complete staff report. Mr. Canning did not receive any further inquiries from Mr. Cole. Mr. Canning also received an email from Mr. Craig Johnson regarding his concerns of the approval of the variance and that the proposed project would obstruct his view. Mr. Canning stated that he replied to Mr. Johnson and informed him that the project has been approved by the Emerald Bay Community Association. Mr. Canning also explained to Mr. Johnson that the Emerald Bay Community Association's review and action was a requirement of the Emerald Bay LCP. Mr. Canning did not receive any further inquiry from Mr. Johnson.

Kevin Canning, Planner, stated that prior to the date of the hearing, after further discussion with the Project Architect, Mr. Canning stated that he will delete the discussion of an over-height wall in the rear setback and will modify the staff report.

At the public hearing, Scott Rosenbaum, Project Architect, representing the applicant stated that he has read and accepts the proposed Conditions of Approval, including the modification to remove the discussion of the over height wall from the setback. Mr. Bill Hart, resident across the street from the subject project, states that this is an unnecessary encroachment regarding the carport. Staff explained that the encroachment of the carport to within 5 feet of the front property line was a common request for projects within the Emerald Bay community and that staff felt that is was justified due to the frontage of the property having an encroachment into the lot due to the cul de sac turning radius.

The following is the action taken by the Orange County Zoning Administrator, Laree Alonso:

Approve Planning Application PA19-0049, subject to the attached Findings and Conditions of Approval including the modification on page 6 of the staff report to delete the discussion of an over height wall in the rear setback.

APPROVE

OTHER

DENIED

ITEM #3 PUBLIC HEARING – PA20-0015 – APPLICANT – AFS REALTY INVESTMENTS LLC (ANDREA SHELLY), PROPERTY OWNER – AGENT-



**EHRlich YANAI RHEE CHANEY ARCHITECTS (JESSICA CHANG), -
LOCATION – 117 EMERALD BAY, WITHIN THE 5TH SUPERVISORIAL
DISTRICT (APN 053-040-53).**

A request for a Coastal Development Permit, Use Permit and Variance in conjunction with the demolishing an existing home and construction of a new three-level 4,888 residence

with attached garage spaces. The Coastal Development Permit is required for the demolition of the existing home and construction of the new residence with associated site grading. The Variance is required for reduced rear setback of 5 feet, where the Zoning Code would require 17 feet under the shallow lot criteria. A Use Permit is required to permit over-height retaining walls in the front, side and rear setback areas.

Recommended Action(s):

1. Receive staff report and public testimony as appropriate;
2. Find that the proposed project is Categorically Exempt from the California Environmental Quality Act pursuant to Sections 15303, 15302 and 15303 of the California Environmental Quality Act (CEQA) Guidelines and County of Orange procedures; and, (CEQA) under the Class 1, Class 2, and Class 3 exemptions
3. Approve Planning Application PA20-0015, subject to the attached Findings and Conditions of Approval.

Special Notes:

Kevin Canning, Planner provided a presentation and answered questions from the Zoning Administrator. Jessica Chang, Architect, stated that she has read the staff report and accepts the conditions of approval.

The following is the action taken by the Orange County Zoning Administrator, Laree Alonso:

Approve Planning Application PA20-0015, subject to the attached Findings and Conditions of Approval.

APPROVE

OTHER

DENIED

IV. Public Comments:

- None



V. Adjournment:

The June 10, 2021 Zoning Administrator hearing adjourned at 2:27 pm.