

**APPLICANT:** KOURY  
**ADDRESS:** #135  
**PROJECT:** 2979 TRACT: Point LOT: N-2  
**SCOPE OF WORK:** NEW RESIDENCE w/ MAJOR LANDSCAPE/HARDSCAPE  
**SUBMITTAL:** PRELIMINARY  
**ARCHITECT:** Eric Trabert & Assoc.  
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**LANDSCAPE ARCHITECT:** Rick King  
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*Architectural review by Ken Wilkins*

*Landscape review by James Dockstader*

**FINAL COMMITTEE RECOMMENDATION: APPROVAL**

**HISTORY OF SUBMITTALS:**

- |                  |           |              |
|------------------|-----------|--------------|
| • September 2020 | CONCEPT   | ACKNOWLEDGED |
| • April 2021     | CONCEPT 2 | ACKNOWLEDGED |
| • August 2021    | CONCEPT 3 | ACKNOWLEDGED |

**SUMMARY OF PROPOSED ARCHITECTURAL IMPROVEMENTS:**

The scope of work indicated in the Submittal Application is a new residence of approximately 7,519 SF (was 7,547 SF), which includes a 2-car + 1 car garage. There are 487 SF of cantilevered decks. **Overlays were provided.**

The areas indicated on the submittal are:

	<b>Concept 3</b>	<b>Proposed</b>	<b>Change</b>
• Second Floor	2,604 SF	2,604 SF	0 SF
• First Floor	1,966.3 SF	1,966.3 SF	0 SF
• Basement	2,187 SF	2,187 SF	0 SF
• Garage	761.5 SF	761.5 SF	0 SF
• Cantilevered Deck	487 SF	487 SF	0 SF

**SUMMARY OF PROPOSED LANDSCAPE IMPROVEMENTS:**

Proposed landscape improvements include: Walls, paving, pool, water feature, BBQ, irrigation, planting.

**STAFF ARCHITECTURAL FINDINGS:**

1. **ARCHITECT STAMP (Section B.2):** The plans are stamped and signed. **This will be verified at each submittal.**
2. **ARCHITECTURAL REVIEW - SUBMITTAL COMPLETENESS (Section B.5):** Submittal is generally complete enough for review. **OK**

3. **LOT COVERAGE (Section C.1):** A structure shall not exceed 40% coverage of the lot. Lot coverage shall be calculated as the total area of the roof less the overhang including anchored decks. Elevated surfaces (patios, pools, planters) greater than 5'-0" above finished grade are included in lot coverage. Cantilevered decks and covered below grade structures less than 6'-6" in height are not included.

A signed copy of the 1960 topo plan was submitted.

The lot coverage is stated on the Submittal Application as  $(3,014.8 / 7,540) = 39.99\%$ . **OK**

4. **SETBACKS (Section C.2):** The existing structure appears to respect the 5'-0" minimum setbacks on all sides.

**The Committee may require greater setbacks. This will be further evaluated at time of staking. OK**

5. **UTILITY EASEMENTS (Section C.3):** Portions of retaining walls, stairs and planters are allowed within the Utility Easements. **The new Concept removed the downward sloping driveway and subterranean parking garage.**

**At Preliminary, show all foundation structures INCLUDING the anticipated size of shoring caissons and structural footings/caissons. Not shown.**

**EBSD will review at time of Final.**

6. **PARKING (Section C.4):** The parking requirement shown on the Submittal Application is 6,874.5 SF. The Garage area used for required parking (430 SF + 180 = 610 SF) is not included in the parking calculations. **EBCA calculation is  $7,478.5 - 610 = 6,868.5$ . The 40 SF for the light well is not included in the required parking area.** This requires 6 parking spaces. A two-car garage plus 4 additional off-street parking spaces with a maximum of one compact. **A two-car Garage plus a one car Garage and 3 additional off-street parking spaces in the driveway are provided. OK**

7. **SERVICE YARD (Section C.5):** Noted on the South side yard. **OK**

8. **BACKFLOW PREVENTION DEVICES (Section C.8):** New residences and renovations/remodels/additions which include the addition of 2 or more plumbing fixtures require a backflow prevention device. **The Service District will review at time of Final.**

9. **NUMBER OF STORIES (Section D.1):** No structure shall exceed two stories. First Basement Rule: If the elevation of the finished floor level directly above a basement is more than 6 feet above Natural Grade for more than 50% of the perimeter or is more than 12 feet at any point then it shall be considered a story. The Submittal Application indicates an existing structure with 2 stories plus a basement. **Interpolated internal topo lines shown. The structure appears to meet the first basement rule. OK**

10. **BUILDING HEIGHT (Section D.2):** The height of any Structure on any Lot or Parcel in this Zone shall not exceed thirty (30) feet above the Natural Grade of the Lot or Parcel.

**Interpolated internal topo lines shown. The main ridge height is noted as 132.52'. The Structure appears to be within the height envelope. OK**

**A proposed chimney was added 2'-6" above the highest roof ridge and above the height maximum. Over height chimneys are at the discretion of the Committee with**

**consideration given for impact to views and general aesthetics but must be kept to the minimum required by Code. OK**

11. **COMPATIBILITY (Section D.3):** Materials indicated include stucco, limestone, glass railing, black aluminum frame doors and windows. **Materials will be verified at Final review.**

**Overall, the Committee discussed the design appears to be more compatible with the neighborhood that the front elevation is better articulated taking advantage of stepping the house away from the street and the glazing, stone and landscaping are better balanced.**

12. **NON-CONFORMING STRUCTURES (Section D.4):** A pre-existing, non-conforming Structure or portions of a Structure may be retained where the proposed alteration does not increase the square footage by 25% or more, increase the height of the Structure such that it is above the height envelope for the Tract and there is no change to the existing broad style of architecture.  
**N/A**

**All new elements must conform to the current Architectural Regulations.**

**Existing non-conforming elements:**

- N/A

**New non-conforming elements:**

- None

13. **ROOFS (Section D.5):** The intent of the roof requirements includes that design is consistent with prevailing appearances within the Community.

Roof pitch: 3:12 **OK**

Flat roof: Roof slopes less than 3:12 are considered flat. The maximum area of flat roofs is 15% of the total aggregate roof area. **An overlay was provided. No flat roof is shown at the interior valleys but will be required to drain the interior of the roof.** Appears to be within requirements. **OK**

Roof materials: **Not clearly indicated. Detail says slate, Roof Material Notes does not state. Noted as Class "A". Consistently identify as slate tile if that is what is proposed.**

Roof Equipment: None shown. **OK**

Parapet: None noted. **OK**

14. **ROOF DECKS (Section D.6):** A roof deck is considered to be a covered or uncovered exterior space constructed over any part of the residence Structure or garage. Roof decks are not allowed except when the deck is directly accessible from an interior living space on the same level and the area of the deck is equal to or less than the area of the living space from which access is taken. None shown. **OK**

15. **MATERIALS AND COLORS (Section D.7):** Actual materials samples and exterior colors are required to be submitted on a board no smaller than 11 x 17 and no larger than 18 x 24. A color rendering must be included on the board to clearly identify the location of all proposed materials and colors. **The Committee will review the color and materials at the Final review. Provide actual glazing sample for color.**

16. WINDOWS AND DOORS (Section D.8): **Anderson E Series, color noted as black. These will be reviewed further at time of Final with the Material and Color board. OK**

17. ANTENNAS (Section D.9): None shown. **OK**

18. SOLAR PANELS (Section D.10). None shown. **OK**

19. SKYLIGHTS (Section D.11): Existing shown. **OK**

20. **ARCHITECTURAL EXTERIOR LIGHTING (Section D.12):** Light fixtures must be down lit or shielded to prevent glare or be a nuisance to neighbors. Light fixtures must be complementary to the architectural style of the residence.

**Elevations with light fixture locations were provided. Identified as Eglo wall sconces. OK**

21. GUTTERS AND DOWNSPOUTS (Section D.13): Inset recessed gutters indicated and a detail provided. **Internal downspout locations at perimeter are shown. OK**

22. **OTHER COMMENTS:**

- **No neighbor comments were received. The owner reported they contacted the neighbors directly.**

**STAFF LANDSCAPE FINDINGS:**

1. SUBMITTAL COMPLETENESS (Section B.5): Submittal must be generally complete enough for review. **OK except as noted below**

2. LANDSCAPE STRUCTURES ARE SET BACK 5' FROM LOT BOUNDARIES (Tract Schedule A Exhibits): Except for fences and walls, structures are 5' from PL. **OK**

UTILITY ELEMENTS / EBSD SUBMITTAL: Evidence of EBSD review and approval will be required at the time of final submittal. **Submit at time of final.**

3. LOT COVERAGE (Sec C.1): Landscape features such as raised patios and/or freestanding structures must not create a lot coverage overage. **OK**

4. SITE DRAINAGE (Sec C.6): A conceptual grading and drainage plan must be included, generally showing adequate site drainage. **OK**

5. CURBS AND GUTTERS (Sec C.7): For new residences and major remodels, plans must show complete replacement of curb and gutter along entire street frontage with reference to EBSD requirements. **OK**

6. BACKFLOW PREVENTION (Sec C.8): A backflow prevention device must be installed for proposed irrigation systems and must not be located on Association Property. **NA**

7. EXTERIOR MECHANICAL EQUIPMENT (Sec E.1): Mechanical equipment shall not be located in easement areas. **Two AC condensers are shown very close to north side yard setback with no further information about screening or noise mitigation. Pool equipment is shown in an existing vault in the rear yard. New fountain pump and filter are shown near south setback line.**

Mechanical spa equipment appears to be screened from view. **Unclear**

Noise impacts on adjacent neighbors must be avoided and/or minimized. **Unclear. It is difficult to say that the AC condensor location minimizes potential impacts to neighbors, given its close proximity to the setback.**

An acoustical report prepared by a qualified expert is submitted showing that anticipated noise impacts are less than the County maximum at the nearby property lines. **Submit at time of final submittal. Include AC condensers and new fountain pump. NOTE: any enclosures required for sound mitigation or screening will be required to be out of the 5' setback.**

Acoustical report assumptions and recommendations are consistent with submittal drawings. **Reviewed at time of final**

8. EXTERIOR LIGHTING (Sec E.2): Landscape lighting proposals must be shown and must appear to limit glare and annoyance. **More than one upright per tree is shown.**
9. FENCES, WALLS, AND HEDGES (Sec E.3):

In front yard setback areas fences, hedges, and walls are to be 4' high or less as compared to adjacent top of curb elevations. For corner lots, the maximum height is 3'. **OK**

Between the front yard setback and the house structure fences, walls, hedges, railings or other features are to be 4' high or less compared to finished grade. **OK**

Front yard improvements address issues of visual impact, compatibility, and contributions to common visual streetscape. **Front areas appear to be more balanced in terms of proportions between planting and hardscape. The center of the front appears to be turf.**

In side yard and rear yard setback areas fences and/or walls must be 6' high or less as compared to existing grade along neighbor's side of property line. **OK**

Property line fences, walls, and footings must be constructed completely on the subject property. **OK**

Block walls are finished on all sides. **Unclear**

At the street fences, walls, and railings must be held back a minimum of 18 inches from face of curb. **OK**

10. PLAY EQUIPMENT AND PLAY HOUSES (Sec E.5): Issues of noise and visual impact have been adequately addressed. **None proposed. NA**
11. MAILBOXES (Sec E.6): Design and location must be shown. **OK**

12. OUTDOOR FIREPLACES, FIREPITS, COOKING ELEMENTS (Sec E.7): Outdoor fireplaces, BBQs, and ovens shall be a minimum of 5' clear of any property line and must be gas only. **OK**

The minimum setback for any open firepit shall be a minimum of 10'. **OK**

13. WATER FEATURES, SWIMMING POOLS, SPAS (Sec E.8): Pool and spa structures are located entirely outside the 5' utility easement area. **OK**

Issues of noise and visual impact must be adequately addressed.

Security/pool fencing is shown. **OK**

14. PARKWAY ACCESS (Sec E.12): Planting and paving within 18-24" of face of curb shall allow for convenience of on-street parking **OK**

15. IMPROVEMENTS ON EBCA PROPERTY (Section C, Part 21): Trees, hedges, and structures are not proposed on EBCA property. **OK**

16. POTENTIAL OBSTRUCTION OF VIEW (Sec A.5): Trees and shrubs must not unreasonably block a neighbor's view. **Two Kentia Palms are proposed in the sideyards which can grow to 25' or more.**

17. PREPARATION BY LANDSCAPE ARCHITECT (Sec B.2): **OK**

18. FUEL MODIFICATION (Sec E.14): Highly flammable target species shall not be proposed. **OK**

Perimeter properties appear to be consistent with Orange County requirements for Zone A. **OK**

19. OTHER:

- **Water feature in front should be described as low volume, low noise.**

#### **FINAL COMMITTEE RECOMMENDATIONS:**

1. The Committee initially recommended disapproval of the plans submitted. The following items were adequately addressed. Therefore, the Committee voted to approve the project as revised.
  - a. The Committee reviewed the staking and takes no exception. **Staking to remain up until November 3<sup>rd</sup> and to be removed by November 12<sup>th</sup>.**
  - b. Show all foundation structures INCLUDING the anticipated size of shoring caissons if applicable and structural footings/caissons. **Relocated to the exterior wall of the house. This shows minimal encroachment into the Utility Easement. This will be further reviewed a Final when the Structural drawings are provided.**

- c. Verify Roof material **Concrete tile - OK**
  - d. Delete uplights in excess of one per tree. **OK**
  - e. Show that property line walls are finished on all sides. **Noted. OK**
  - f. Describe front fountain as low volume, low noise **Noted. OK**
2. At time of FINAL submittal:
- a. An executed Easement Agreement recorded with the County of Orange for improvements on EBCA property will be required. An Encroachment Permit application and exhibits prepared by a licensed civil engineer describing the area of the Easement and legal descriptions are required for EBCA to prepare the Agreement. This is required to be approved by the EBCA Board of Directors prior to the approval of the project.
  - b. For review of proposed color and materials, a board must be submitted of actual color and material samples, not photographs.
  - c. Submit drawings and the application fee of \$400 to EBSD for review. Provide evidence of EBSD review and approval. The preliminary plans must be developed in sufficient detail to confirm that there will be minimal structural encroachments into the 5' Utility easement.
  - d. Submit light fixture cutsheets for all architectural lighting.
  - e. Show backflow preventer within the owner's property.
  - f. An acoustical report prepared by a qualified expert must be submitted showing that anticipated noise impacts are less than the County maximum at the closest property line. Submitted plans must be consistent with the recommendations of the report.
3. Note:
- a. If a Member would like to appeal the recommendation of the Architectural Committee or determination of the Board, please to the CC&Rs, ARTICLE VIII, Section 5 – Notice and Hearing Requirements.
  - b. Approvals are valid for one year. See extension request requirements in the Architectural Regulations for additional information.
  - c. All future submittals must be accompanied by a detailed scope of work and highlighting revisions to previous scope of work, if any.
  - d. If it becomes necessary or desirable for the Association to utilize its easements within private property boundaries, it is the responsibility of the owner of such property to remove improvements (whether previously approved by the Association or not) to provide access and to replace or repair improvements subsequent to Association access at no cost to the Association.
  - e. Any changes to the Final approved plans must be submitted for Architectural Committee's review prior to construction.

**No representatives were in attendance to further discuss the submittal.**

**At their meeting on November 2, 2021 the Board voted to approve the recommendation of the Architectural Committee.**