

**APPLICANT:** REDA  
**ADDRESS:** #412  
**PROJECT:** 3012 **TRACT:** 977 **LOT:** 64  
**SCOPE OF WORK:** 10% - 25% REMODEL W/MEDIUM LANDSCAPE/HARDSCAPE  
**SUBMITTAL:** PRELIMINARY RESUBMITTAL  
**ARCHITECT:** Craig Schultz  
**Phone:** 949-645-9982 **License:** C22287  
**LANDSCAPE ARCHITECT:** Dale Waldo  
**Phone:** 714-730-3947

*Architectural review by Ken Wilkins*

*Landscape review by James Dockstader*

**FINAL COMMITTEE RECOMMENDATION: APPROVAL**

**HISTORY OF SUBMITTALS:**

- |                  |             |              |
|------------------|-------------|--------------|
| • September 2021 | CONCEPT     | ACKNOWLEDGED |
| • February 2022  | PRELIMINARY | DISAPPROVED  |

**SUMMARY OF PROPOSED ARCHITECTURAL IMPROVEMENTS:**

The scope of work indicated in the Submittal Application is a remodel of an existing residence of approximately 3,045.9 SF, which includes a 2-car non-conforming garage. **The proposed changes add 379.56 SF/ 3,045.9 SF = 12.5% (was 14.5%)** and include creating/ replacing a rear deck, adding square footage at two levels, internal remodeling, simplify the exterior, adding an operable louvered patio cover, introduce additional doors and windows and replace roofing. **Overlays were revised / corrected.**

The areas indicated on the submittal are:

	<b>Existing</b>	<b>Proposed</b>	<b>Change</b>
• Upper Level	1,710.6 SF	1,818.09 SF	+107.49 SF
• Lower Level	871 SF	1,118.79 SF	+247.79 SF
• Garage	464.3 SF	488.58 SF	+24.28 SF
• Supported Deck	142.8 SF	97.17 SF	- 45.63 SF
• Cantilevered Deck	173.5 SF	386.30 SF	+212.8 SF

**Primary revisions since last submittal include:**

- Pull back cantilevered deck to 10'
- Trellis revisions
- Parking area reduction
- Overlays were revised/ corrected

## SUMMARY OF PROPOSED LANDSCAPE IMPROVEMENTS:

Proposed landscape improvements include: water features, walls, spa, overhead structures, paving, planting, irrigation

## STAFF ARCHITECTURAL FINDINGS:

1. ARCHITECT STAMP (Section B.2): The plans are stamped and signed. **OK**

**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, Tract 977, Lot 64.**

The lot coverage is stated on the Submittal Application as  $2,433.6 / 6,115.7 = 39.8\%$  (was **39.996%**). **The new revised 1960 Topo shows 6,116 SF as the certified Lot area. Lot Coverage remains at the virtual maximum allowed leaving minimal tolerance for inaccuracies in calculations and/or construction variation which is highly discouraged. OK**

**Trellises which are at least 50% open may not count toward lot coverage.**

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

4. **UTILITY EASEMENTS (Section C.3):** Portions of retaining walls, stairs and planters are allowed within the Utility Easements. **These will be reviewed by the Emerald Bay Service District prior to Final approval.**
5. PARKING (Section C.4): The parking requirement shown on the Submittal Application is 2,996.21 SF. **The existing 2-car Garage (only 20' in depth, existing non-conforming) has been enlarged to be in compliance. The garage area used for required parking (20'x 21'-6") is not included in the parking calculations. EBCA calculation  $2,936.88 + 488.58 - 430 = 2,995.46$  SF. This requires a two-car garage OK**
6. SERVICE YARD (Section C.5): Existing noted on the Northwest side yard. **OK**
7. **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 Committee will review at the Final review.**
8. 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 a structure with 2 stories. No change is proposed. **OK**

9. **BUILDING HEIGHT (Section D.2):** The maximum height envelope for this lot is “No portion of the Structure disclosed by the lot building plans shall exceed fifteen (15) feet above the highest point of that portion of the Lot or Parcel where the Natural Grade of the Lot or Parcel intersects the exterior wall of the Structure nearest to the highest portion of the Natural Grade of the Lot or Parcel, nor shall any portion of the Structure exceed twenty (20) feet in height above the Natural Grade of the building Lot or Parcel.” **The previously submitted revised Toal topo plan completely revises the prior heights. The structure appears below the height maximums. OK**
10. **COMPATIBILITY (Section D.3):** Materials are noted as zinc standing seam roof, textured limestone and plaster walls, mechanical louvered trellis, aluminum windows and doors, no wall material noted. **Materials will be verified at Final review.**
11. **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.  
**All new elements must conform to the current Architectural Regulations. No new non-conforming elements may be added.**  
**Existing non-conforming elements:**
- **2 car Garage clear depth (20' vs. 21'-6" required) – made conforming**
- New non-conforming elements:**
- **None**
12. **ROOFS (Section D.5):** The intent of the roof requirements includes that design is consistent with prevailing appearances within the Community.
- Roof pitch: 3.5:12, 4:12 **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. Apparent existing and new flat roof areas are shown. **Noted as 7.3%. Overlay provided.**
- Roof materials: Zinc standing seam, Certainteed modified bitumen, Class “A”. **OK**
- Roof Equipment: None shown. **OK**
- Parapet: Parapets are limited to 25% of the roof perimeter. The added flat roof areas that project beyond the pitched roof areas should be included in the perimeter total. **Noted as 7.8%. OK**
13. **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 identified. **OK**
14. **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.**

15. WINDOWS AND DOORS (Section D.8): Aluminum clad windows and doors. **OK**
16. ANTENNAS (Section D.9): None shown. **OK**
17. SOLAR PANELS (Section D.10): Existing shown. **14 Existing panels on the front appear to be relocated as 17 panels on the rear. OK**
18. SKYLIGHTS (Section D.11): None shown. **OK**
19. 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 indicate a couple light fixture locations, noted as “night sky compliant sconces” The wattage and number of fixtures are to be kept to a minimum. OK**

20. GUTTERS AND DOWNSPOUTS (Section D.13): Shown. **OK**

**21. OTHER COMMENTS:**

- **The neighbors at 414 EB (O’Keefe), and 411 EB (Pontremoli) provided photos from their homes and letters of rejection regarding the view impact of the proposed staking. Some of the view of the staking was obscured by overgrown hedges. After the hedges were reduced and clarification regarding the staking were resolved, the concerned parties were ok with the proposed staking.**
- **A letter of support was received by 500 EB (Gordon)**

**STAFF LANDSCAPE FINDINGS:**

1. SUBMITTAL COMPLETENESS (Section B.5): Submittal must be generally complete enough for review. **OK, except for items described 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. Force main will be upgraded.**
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. **NA**

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. **Show at time of final submittal.**
7. **EXTERIOR MECHANICAL EQUIPMENT (Sec E.1):** Mechanical equipment shall not be located in easement areas. **Existing AC unit is shown to remain, outside easement area. OK.**

Mechanical spa equipment appears to be screened from view. **Drawings indicate that spa equipment is integral within spa.**

Noise impacts on adjacent neighbors must be avoided and/or minimized. **Reviewed at time of acoustical report submittal.**

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 for the spa equipment.**

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. **12 uplights are proposed to uplight perimeter hedges and mailbox and may produce glare.**
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. **The screen wall and gate appear to be level with the top of garage door and is lower than the previous submittal. OK**

In side yard and rear yard setback areas fences and/or walls and hedges must be 6' high or less as compared to existing grade along neighbor's side of property line. **Not enough topo information is provided for the properties to the south to verify conformance with height restrictions. With information given, it appears gate a fence in north side setback will be overheight. Notes limiting the heights of walls and fences are included in this submittal, but will not be adequate for at time of final.**

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

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

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. **None proposed.**

The minimum setback for any open firepit shall be a minimum of 10'. **None proposed**

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 **OK**

Security/pool fencing is shown. **Relationship of new fencing to existing and proposed walls is unclear. Fences on top of existing walls are not detailed and may create stepping surfaces, taller fence heights, and overheight fences.**

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. **No additional trees are proposed. An existing tall hedge is shown to remain.**

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:

- **Applicant may wish to consider OCFA guidelines for defensible space and fire safety, including vegetation close to structure, vertical and horizontal separation, etc.**
- **Landscape plan proposes a new wood fence but design, relationship to walls, and heights are unclear.**

## FINAL COMMITTEE RECOMMENDATIONS:

1. The Committee initially recommended disapproval of the plans as submitted. The following items were adequately addressed. Therefore, the Committee voted a **Approve** the project as revised.
  - a. At time of final submittal: provide enough topographical information for property to the south to confirm conformance with height restrictions and pool enclosure requirements. Clearly show all tops of walls and tops of fencing elevations for existing and proposed elements in side and rear areas. Approval of general notes at preliminary submittal should not be construed as adequate for final. Add note on site plan: Indicate 6-foot max above fence height above neighbor grade. **Done**
  - b. Delete portions of pool gate and fencing in north side yard setback that appear to be overheight compared to neighbor's grade. **Done**
  - c. Show design for proposed new wood fencing, including how pool enclosure can be achieved while fence is on existing or new walls while conforming to height restrictions. **Done**
  - d. On civil drawings, clarify proposals for existing retaining wall along the rear property line and indicate grades in the rear yard setback area. **Done**
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. 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.
  - c. Material Board as required if materials and colors are proposed to be changed.
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. Any changes to the Final approved plans must be submitted for Architectural Committee's review prior to construction.
  - d. All future submittals must be accompanied by a detailed scope of work and highlighting revisions to previous scope of work, if any.
  - e. The Committee reserves the right to reclassify a project at any time before or after construction begins.
  - f. 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.

**Craig Schultz (Architect) and Maha Reda (Owner) were in attendance to further discuss the submittal.**

**At their meeting on April 5, 2022, the Board voted to approve the recommendation of the Architectural Committee.**