



**ORANGE COUNTY ZONING ADMINISTRATOR
SUMMARY MINUTES
REGULAR MEETING DATE: December 1, 2022, 1:30 PM**

- I. Call to Order – Hearing called to order at 1:30 pm.**
- II. Minutes of September 1, 2022 – Approved by Associate Zoning Administrator, Laree Alonzo.**
- II. Discussion Item(s)**

ITEM #1 PUBLIC HEARING – PA22-0095 – COASTAL DEVELOPMENT PERMIT, VARIANCE AND USE PERMIT - APPLICANT – DOUGLAS AND JOAN HANSEN, PROPERTY OWNERS – AGENT- CAA PLANNING - LOCATION – 1016 EMERALD BAY, LAGUNA BEACH (APN 053-320-73), WITHIN THE 5TH SUPERVISORIAL DISTRICT.

A request for a Coastal Development Permit, Use Permit and Variance in conjunction with the remodeling and additions to an existing two-level 3,622 square foot home. 875 square feet of new living area is proposed with an additional 32 square feet in a garage expansion. The completed project would total 5,029 square feet of living area and 531 square foot in attached garages.

The Coastal Development Permit is required for the improvements to the existing home with associated site grading. The Variance is required for reduced front setback of 8 feet, where the Zoning Code would require 13.4 feet for new construction utilizing the average adjoining setbacks criteria. The existing structure has a nonconforming front setback of 8.67 feet. A Use Permit is required to permit over-height wall of 6.5 feet in the front setback area where a maximum height of 3.5 feet is otherwise required. A Use Permit is also required to allow the required third off-street parking space to be uncovered.

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 15302 and 15303 of the California Environmental Quality Act (CEQA) Guidelines and County of Orange procedures; and,
3. Approve Planning Application PA22-0095 for a Coastal Development Permit, Use Permit, and Variance subject to the attached Findings and Conditions of Approval.



Special Notes:

Kevin Canning, Contract Planner, provided a presentation and answered questions of the Zoning Administrator.

Pua Whitford, representing the applicant, stated that she has read and accepts the Conditions of Approval.

The following is the action taken by the Orange County Zoning Administrator, Bea Bea Jiménez.

Approve Planning Application PA22-0095, subject to the attached Findings and Conditions of Approval, including the direction to staff to make corrections on the staff report, page 2, in the recommendation actions. Section 15303 is listed twice.

APPROVE
DENIED

OTHER

ITEM #2 PUBLIC HEARING – PA22-0104 – COASTAL DEVELOPMENT PERMIT AND VARIANCE – APPLICANT – STEVE OLSON, PROPERTY OWNER – AGENT – CHARLES D’ARCY, ARCHITECT - LOCATION – 52 EMERALD BAY, LAGUNA BEACH (APN 053-060-92), WITHIN THE 5TH SUPERVISORIAL DISTRICT.

A request for a Coastal Development Permit and Variance in conjunction with the demolition of an existing 2,500 square foot home and the construction of a new residence with 5,750 square feet of living area on three levels and garage spaces for three cars.

The Coastal Development Permit is required for the demolition of the existing home and construction of the new home with associated site grading. The Variance is requested for reduced front and rear setback of 5 feet, where the Zoning Code would require a setback of 8.35 feet utilizing shallow lot provisions (less than 75 feet deep) of the Zoning Code.

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 15302 and 15303 of the California Environmental Quality Act (CEQA) Guidelines and County of Orange procedures; and,
3. Approve Planning Application PA22-0104 for a Coastal Development Permit, Use Permit, and Variance subject to the attached Findings and Conditions of Approval.



Special Notes:

Kevin Canning, Contract Planner, provided an update regarding revised recommendations by staff, to continue this item.

Staff has received a letter expressing concerns with the subject project. Concerned neighbors, Neel and Sharlene Grover as represented by Robert Labbe, presented information and their conclusions refuting Planning staff's analysis and its conclusion of a recommendation of approval of the project subject to conditions for the requested Coastal Development Permit and Variance necessary to construct the proposed new residence. Because this information was only received on November 30, 2022, staff has not had adequate time to assess and respond to the issues raised (NOTE: Staff would like to point out that Mr. Labbe had attempted to convey this information to staff last week but due to the holiday that conversation did not occur).

Based upon the new information received and in order to allow sufficient time for Planning staff to fully review and assess this information, OC Development Services/Planning recommends that the Zoning Administrator: 1. Receive a summary staff report 2. Accept public testimony limited to proposed continuation of the public hearing 3. Continue the public hearing to January 5, or such other date as deemed appropriate.

Robert L. Labbe, attorney, representing Neel and Sharlene Grover, accepts the revised recommendations presented by staff.

The following is the action taken by the Orange County Zoning Administrator, Bea Bea Jiménez.

Continue the public hearing for Planning Application PA22-0095 to the date of January 19, 2023.

APPROVE
DENIED

OTHER

IV. Public Comments:

- None

V. Adjournment:

The December 1, 2022, Zoning Administrator hearing adjourned at 2:05 pm.