



**ORANGE COUNTY ZONING ADMINISTRATOR
SUMMARY MINUTES
REGULAR MEETING DATE: February 2, 2023, 1:30 PM**

- I. Call to Order – Meeting called to order at 1:30 pm.**
- II. Minutes of January 19, 2023 – approved by Zoning Administrator, Laree Alonso.**
- III. Discussion Item(s)**

ITEM #1 PUBLIC HEARING – PA 22-0163 – COASTAL DEVELOPMENT PERMIT, USE PERMIT AND VARIANCE - APPLICANT – ANDREA SHELLEY, PROPERTY OWNER – AGENT- JASON YAW, MYD STUDIO LTING, ARCHITECT – LOCATION - PLANNING - LOCATION – 117 EMERALD BAY, LAGUNA BEACH (APN 053-040-53), WITHIN THE 5TH SUPERVISORIAL DISTRICT.

A request for a Coastal Development, Use Permit and Variance in conjunction with the major remodeling of and additions to an existing single-level 2,131 square foot home. 990 square feet of new living area in a new second floor is proposed. The Coastal Development Permit is required for the improvements to the existing home with associated site grading. The Use Permit is required for over-height retaining walls at the rear of the property (abutting Coast Highway) and for a reduced driveway depth. The Variance is required for reduced setbacks: a) reduced front setback of 5 feet 9 inches, where the Zoning Code would require 7 feet 5 inches for a front setback based upon the average of front setbacks on adjoining lots; b) a reduced rear yard of 10 feet 10 inches where Zoning would require 17 feet 8 inches on a shallow lot; c) reduced side yard setback to a minimum of 4 feet 10 inches to allow the proposed new constriction to match existing, nonconforming side yard setbacks where Zoning would require 5 feet. (NOTE: The variance for side yard setback was modified in the approving action to apply only to the existing nonconforming portions of the structure, as new construction did not require the variance).

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 15301, 15302 and 15303 of the California Environmental Quality Act (CEQA) Guidelines and County of Orange procedures; and,
- 3) Approve Planning Application PA22-0163 subject to the attached Findings and Conditions of Approval (Attachments 1 and 2).



Special Notes:

Kevin Canning, Contract Planner, provided the presentation and answered questions of the Zoning Administrator. Jason Yaw, representing the applicant, stated that he has read and accepts the Conditions of Approval including the amendment to the Proposal in the Staff Report and identifying Condition of Approval #11 as a custom Condition of Approval.

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

Approve Planning Application PA22-0163 subject to the attached Findings and Conditions of Approval (Attachments 1 and 2) and amend Condition of Approval #11 to identify as custom. Amend the Proposal in the Staff Report as follows:

A request for a Coastal Development, Use Permit and Variance in conjunction with the major remodeling of and additions to an existing single-level 2,131 square foot home. 1,035 square feet of new living area in a new second floor is proposed. The Coastal Development Permit is required for the improvements to the existing home with associated site grading. The Use Permit is required for over-height retaining walls at the rear of the property (abutting Coast Highway) and for a reduced driveway depth. The Variance is required for reduced setbacks: a) a reduced rear yard of 10 feet 10 inches where Zoning would require 17 feet 8 inches on a shallow lot; and b) to legalize the existing nonconforming side yard setback of 4 feet 10 inches. (NOTE: The publicly noticed front yard setback variance for the proposed raised front deck has been determined to conform to Zoning standards and the variance for side yard setback was modified in the approving action to apply only to the existing nonconforming portions of the structure, as new construction did not require the variance). See discussion below under Variances for Setbacks).

APPROVE
DENIED

OTHER

IV. Public Comments:

- None

V. Adjournment:

The February 2, 2023, Zoning Administrator hearing adjourned at 1:51 pm.