



**ORANGE COUNTY ZONING ADMINISTRATOR
SUMMARY MINUTES
REGULAR MEETING DATE: January 5, 2023, 1:30 PM**

- I. Call to Order – Hearing called to order at 1:30 pm.**
- II. Minutes of December 15, 2022 – Approved by Associate Zoning Administrator, Laree Alonso.**
- III. Discussion Item(s)**

ITEM #1 PUBLIC HEARING – (PA) 22-0094 – APPLICANT – ZACHARIA REDA, PROPERTY OWNER – AGENT- CRAIG SCHULTZ, LAIDLAW SCHULTZ ARCHITECTS - LOCATION – 412 EMERALD BAY, LAGUNA BEACH, WITHIN THE 5TH SUPERVISORIAL DISTRICT. (APN 053-071-17)

A request for a Coastal Development Permit, Use Permit and Variance in conjunction with the remodeling and additions to an existing two-level 2,600 square foot home. 414 square feet of new living and deck area is proposed with an additional 32 square feet in a garage expansion. 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 15 feet 1-inch feet and a rear setback of 15 feet, where the Zoning Code would require 19 feet 1 inch for a setback on a shallow lot. Also, a deck/balcony would extend to within 8 feet of the rear property line where Zoning would otherwise require a setback of 14 feet. A Use Permit is required to permit over-height privacy wall of 7 feet 4 inches in the front setback area where a maximum height of 3.5 feet is otherwise required.

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 PA22-0094 subject to the attached Findings and Conditions of Approval (Attachments 1 and 2).

Special Notes:

Kevin Canning, Contract Planner, provided a presentation and answered questions of the Zoning Administrator. Mr. Canning also read into the record the following corrections and



comments to address inadvertent errors and questions on the project’s staff report.

1. The CEQA finding included one incorrect Section reference, it should be updated as follows:

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.

2. Further CEQA clarification – in the discussions regarding the applicability of the cited CEQA Guidelines sections (Page 7), references to the project description as a demolition of the existing residence should be clarified to note it as a partial demolition associated with the remodeling of the existing residence.
3. Typographical errors on Page 5 – should read as 19 feet 4 inches; and on Page 6 ‘...required setback...’; headers on all sheets, corrected date of January 5, 2023.
4. Discussions of project proposal – staff notes that where the applicant’s letter notes a garage expansion of 23.6 square feet, the staff report describes it as a 32 square foot expansion. Staff’s description is based upon its measurement from the plans which included areas to the exterior of proposed new walls; it is assumed that perhaps the applicant’s measurement was only of the added space within the interior of the garage. Staff also notes that proposed area of the garage expansion is of secondary importance as there is no minimum nor upper limit to a garage space within the Zoning Code other than would be allowed by required or proposed property line setbacks.

Andrew Heermann, representing the applicant, answered questions of the Zoning Administrator, and stated that they have read and accepts the Conditions of Approval and the corrections and comments provided by staff.

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

Approve Planning Application PA22-0094, subject to the attached Findings and Conditions of Approval (Attachments 1 and 2).

APPROVE
DENIED

OTHER

ITEM #2 PUBLIC HEARING – (PA) 22-0129 – APPLICANT – MARK GHASSEMI, PROPERTY OWNER – AGENT- YOLANDA MENDOZA - LOCATION – 1019 EMERALD BAY, LAGUNA BEACH WITHIN THE 5TH SUPERVISORIAL DISTRICT. (APN 053-021-05).



A request for a Coastal Development Permit and Variance in conjunction with the remodeling and additions to an existing two-level home of approximately 3,900 square feet. 345 square feet of new living area is proposed with an additional 74 square feet in an expansion of the existing three-car garage. 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 5 feet, where the Zoning Code would require 12.4 feet for a shallow lot with less than 100 feet of depth. Portions of the existing structure have a nonconforming front setback of 5 feet.

Recommended Action(s):

1. Receive staff report and public testimony as appropriate; and
2. Find that the proposed project is Categorical 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 PA22-0129 subject to the attached Findings and Conditions of Approval (Attachments 1 and 2).

Special Notes:

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

1. The CEQA finding included one incorrect Section reference, it should be updated as follows:
Find that the proposed project is Categorical 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.
2. Further CEQA clarification – in the discussions regarding the applicability of the cited CEQA Guidelines sections (Page 6), references to the project description as a demolition of the existing residence should be clarified to note it as a partial demolition associated with the remodeling of the existing residence.
3. Typographical error on Page 3 – under the Coastal Development Permit discussion, it should read as a proposed three-car garage.

Yolanda Mendoza, Agent, representing the applicant, answered questions of the Zoning



Administrator, and stated that they have read and accepts the Conditions of Approval the corrections and comments provided by staff.

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

Approve Planning Application PA22-0129, subject to the attached Findings and Conditions of Approval (Attachments 1 and 2).

APPROVE
DENIED

OTHER

IV. Public Comments:

- None

V. Adjournment:

The January 5, 2023, Zoning Administrator hearing adjourned at 1:55 pm.