

APPLICANT: RICCI
ADDRESS: #1209
PROJECT: 2994 TRACT: 3125 LOT: 47
SCOPE OF WORK: MAJOR REMODEL WITH MAJOR LANDSCAPE/HARDSCAPE with VARIANCE
SUBMITTAL ARCHITECT: FINAL Richard Krantz
LANDSCAPE ARCHITECT: EPT Design
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Architectural review by Ken Wilkins

Landscape review by James Dockstader

FINAL COMMITTEE RECOMMENDATION: APPROVAL

HISTORY OF SUBMITTALS:

- | | | |
|-----------------|---------------------|--------------|
| • February 2021 | CONCEPT | ACKNOWLEDGED |
| • June 2021 | PRELIMINARY | APPROVED |
| • July 2022 | EXTENSION | APPROVED |
| • October 2022 | REVISED PRELIMINARY | WITHDRAWN |

SUMMARY OF PROPOSED ARCHITECTURAL IMPROVEMENTS:

The scope of work indicated in the Submittal Application is a remodel of an existing residence of approximately 4,335 SF, which includes a 2-car garage. The proposed addition of 722 SF (16.6%) (was 698 SF) with changes that include a “California Mediterranean” exterior with simple stucco and cut back overhangs. The existing ridge to remain. Interior stair relocation added Den/Bedroom with raised roof and two added Bedrooms at an existing crawl space. **Rear Decks at two levels have been extended further placing the railings over height. The graphics were previously revised.**

Previous revisions with this submittal include:

Lower Level Deck, East side pushed +/- 3' away from adjacent neighbor. Upper Level Deck, Southeast corner notched back +/-4'- 4.5' (-96 SF), South line extended an additional +/-2' (+157 SF). Wall adjacent to driveway cut back outside the driveway.

The areas indicated on the submittal are:

	Existing	Proposed	Change
• Upper Level	2,540 SF	2,856 SF	+316 SF
• Lower Level	1,075 SF	1,470 SF	+395 SF
• Garage	720 SF	722 SF	+2 SF
• Cantilevered Deck	629 SF	630 SF	-1 SF
• Supported Deck	121 SF	571 SF	+450 SF

SUMMARY OF PROPOSED LANDSCAPE IMPROVEMENTS:

Proposed landscape improvements include: Firepit, walls, fencing/railing, paving, irrigation, planting, lighting.

STAFF ARCHITECTURAL FINDINGS:

1. ARCHITECT STAMP (Section B.2): The plans are stamped and signed. **OK**
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 $4,201 / 11,601 = 36.2\%$ (was 34.8%)
Areas on both sides of the supported deck extension appear to be supported. EBCA calculation $4,311.75 / 11,601 = 37.2\%$. Clarify. Revised to 36.2%. OK
4. SETBACKS (Section C.2): The existing structure appears to respect the 5'-0" minimum setbacks. **The Deck adjacent to the Master Bedroom is noted to be repaired and pulled back to the setback line. OK**
5. 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.**
6. PARKING (Section C.4): The parking requirement shown on the Submittal Application is 4,462 SF. The garage area used for required parking (430 SF) is not included in the parking calculations. EBCA calculation $5,048 - 430 = 4,618$ SF. **This requires four spaces, a two-car garage plus two off-street parking spaces. A 2-car Garage is shown plus one regular off-street parking space and one compact in the driveway. An "extra" parking space was removed. Two regular off-street spaces are now required. Previously, one was shown to extend beyond the property line. Clarify. Revised, OK.**
7. SERVICE YARD (Section C.5): Existing shown on the (East) 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 the Final review. These cannot be located on EBCA property.**
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 a structure with 2 stories. **No change is proposed. OK**

10. **BUILDING HEIGHT (Section D.2):** The maximum height envelope for this lot is “15 feet above the highest level of the Lot or Parcel and shall not exceed 20 feet above Natural Grade” as defined by the 1960 Topo Plan. **Existing non-conforming roof ridge and eave heights above the 20’ maximum are noted. The two added raised roofs at the front elevation appear to be below the height maximums. See Section 12, Existing Non-conforming. Decks and related railings have been pushed out further at the lower level Family Room and upper level Kitchen placing the railings +/- 4.5’ to 7’ (noted as 6.75’) over height (previously +/-2’- 3.5’). Revise proposed railing heights over height limit on sheet A2.3. VARIANCE submitted. OK**

11. **COMPATIBILITY (Section D.3):** Materials are noted as flat ceramic roof tile, stucco, cast stone, glass panel railings, aluminum doors and windows. **Materials will be verified at Final review. OK**

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.

The proposed alteration does not increase the square footage greater than 25% ($722/4,335 = 16.6\%$) however, the existing architectural style and character of the existing house is changing, and therefore it is a Substantial Remodel and all existing non-conforming elements must be brought into compliance.

All new elements must conform to the current Architectural Regulations.

A Variance request was approved by the Board at the June 13, 2021 meeting to allow the following non-conforming elements:

- Retain a portion of the existing roof and rear deck structure that is over 20 feet height envelope as measured above Natural Grade (1960 Topo).

A Variance request was approved by the Board at the December 13, 2022 meeting to allow the following non-conforming elements:

- Retain a portion of the existing roof and new rear deck railing that is over the 20 feet height envelope as measured above Natural Grade (1960 Topo).

If non-conforming elements are removed during construction, they must be rebuilt per the current architectural regulations. These would require review and approval.

Existing non-conforming elements:

- **West side yard setback (Deck proposed to be pulled back).**
- **Building Height. (previously approved)**

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. None shown. **OK**

Roof materials: Ceramic flat tile, Noted as Class “A”. **OK**

Roof Equipment: None shown. **OK**

Parapet: None shown. **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 identified, a small portion of the Middle Level appears to be complying. **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. OK**

16. WINDOWS AND DOORS (Section D.8): Aluminum. **OK**

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

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

19. SKYLIGHTS (Section D.11): Replacement noted, one removed, noted as non-reflective. **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.

Light fixtures are indicated on plans and elevations. **Cut-sheet provided, glass type and bulb wattage are not indicated. Wattage provided. OK**

21. GUTTERS AND DOWNSPOUTS (Section D.13): Indicated. **OK**

22. OTHER:

- **Civil sheets not signed.**

STAFF LANDSCAPE FINDINGS:

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

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.

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. **OK**
7. EXTERIOR MECHANICAL EQUIPMENT (Sec E.1): Mechanical equipment shall not be located in easement areas. **Two AC units are shown in service yard at NE corner. OK**

Mechanical spa/AC equipment appears to be screened from view. **OK**

Noise impacts on adjacent neighbors must be avoided and/or minimized. **OK**

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. **OK**

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

8. EXTERIOR LIGHTING (Sec E.2): Landscape lighting proposals must be shown and must appear to limit glare and annoyance. **No change from preliminary, OK.**
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**

- a. 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. **Compared to the prior approval, walls around the front gates have been raised. The Committee is ok with the proposed height increase per red-lined sketch.**

Front yard improvements address issues of visual impact, compatibility, and contributions to common visual streetscape. **OK**

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. **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. **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. **None proposed. NA**

Issues of noise and visual impact must be adequately addressed. **NA**

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

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. **OK**

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:

- **With respect to existing and proposed plantings, the Applicant may wish to consider OCFA maintenance guidelines for defensible space and fire safety.**
- **On civil plan, shape of the lower level curving site wall is different than shown on other plans.**

FINAL COMMITTEE RECOMMENDATIONS:

1. The Committee recommends **APPROVAL**, pending the required Easement is recorded with the County and on file in the EBCA office.
 - a. It is noted on the previously approved Variance, that the conditions of Approval were the benefits to the Community. Two of these conditions were Maintaining the 35% Lot Coverage and providing a 5th off-street parking space. On this submittal, the proposed Lot Coverage is at 37.2% and the 5th parking space has been removed. We will consider the proposed parking, but the Committee is requesting to reduce the Lot Coverage to 36%. **Lower deck supports moved back and Lot Coverage was reduced to 36.2%. OK**
 - b. Revise civil plan so hardscape at lower-level matches site plan. **Revised. OK**
 - c. Civil Plans not signed. **Digital signatures provided. OK**
 - d. Indicate regular off-street parking (8'-8"x18'-0") on site plan instead of compact off-street parking. **Updated. OK**
 - e. Indicate glass type and bulb wattage on exterior lighting. Bulbs that are 4-5w (LED), 40w (incandescent), or 450 Lumens. **Cut sheet provided: Lamp will have seeded glass with 450 lumens lighting. OK**

Note: Project will require a County recorded easement prior to construction.

2. 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.
 - f. The Committee reserves the right to reclassify a project at any time before or after construction begins.

Richard Krantz (Architect) and Ray and Lisa Ricci (Owners) were in attendance to discuss the submittal.

At their meeting on July 11, 2023, the Board voted to approve the recommendation of the Architectural Committee.