

Attachment 4



November 19, 2024  
County of Orange, OC Public Works, OC Planning  
Land Use Planning  
300 N. Flower  
Santa Ana, CA

Re: Letter of Project Proposal and Scope of Work  
The Thomas Residence (325 Emerald Bay)

Owner: Cristina Thomas  
526 Emerald Bay  
Laguna Beach, CA 62951  
714.342.6768  
Cristinabthomas@gmail.com

The project proposes demolishing the existing house and construct a new 2-story single family residence. The proposed 3,700 sq ft. (livable space) construction will have 3 Bedrooms, 4 Baths, and a 3 Car Garage. The proposed residence and over height yard walls currently in the county setback area will be in conformance (within the buildable area) per the variance requested reduced setbacks.

The existing residence is to be completely removed; temporary and permanent shoring walls will be constructed, as required, to construct the proposed residence.

This house has been reviewed & approved at a very stringent Preliminary Architectural Design Review process. This review process ensures that New Construction abides by strict architectural guidelines to not disrupt the harmonious setting of Emerald Bay.

#### Variance for Front and Rear Setbacks

The subject lot has an average depth of 54 feet 2 inches (see lot calculations on Sheet A092 in the Plan Set) and therefore qualifies as a shallow lot under Zoning Code Section 7-9-61.2, which prescribes that the front and rear setbacks may be reduced to 15% of the average depth, or in this case to 8 feet 1.5 inches. The project proposes a 5-foot setback for both front, side, and rear property lines.

Projects requesting 5-foot setbacks within this community have been requested and approved on many occasions in the past. This is due to the prevalence of substandard lot sizes, the often-steep topography on individual lots throughout the Emerald Bay community and the strict architectural restrictions that limit structures height and massing that would obstruct ocean views from adjoining properties. The combination of these factors often limits the options and opportunities for home designs in Emerald Bay that would be available to properties under similar zoning in other parts of the County. Where an Emerald Bay project design is limited by height or view restrictions, the alternative is to expand the building envelope on the lot with reduced setbacks.

Zoning Code Section 7-9-125.6 requires that certain findings be made to approve a variance request, as follows:

- a. *Special circumstances. There are special circumstances applicable to the subject building site which, when applicable zoning regulations are strictly applied, deprive the subject building site of*

*privileges enjoyed by other property in the vicinity and subject to the same zoning regulations. (The special circumstances shall be specified in the adopted finding.)*

*b. No special privileges. Approval of the application will not constitute a grant of special privileges which are inconsistent with the limitations placed upon other properties in the vicinity and subject to the same zoning regulations, when the specified conditions are complied with.*

Staff find that the special circumstances relating to the property include its shape, size and topography, and its location in a coastal community with strict architectural guidelines. All of these are unique aspects to the subject lot and vicinity when compared to other R1 zoned properties within the County. The community of Emerald Bay has had many previous variance requests approved for reduced front yard setbacks. The proposed setback variance would not be a special privilege as it is consistent with other approved variances within the immediate area allowing for the reasonable development of the property consistent with homes in the vicinity.

General Welfare

This proposed project will in no way affect the public health and safety of the general welfare for residents, visitors, wildlife, or others concerned.

Sincerely,

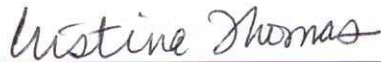
Agent of Owner – Project Coordinator/ Architect



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Charles d'Arcy

Property Owner



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Cristina Thomas