



ORANGE COUNTY  
**OC Public Works**  
 MEMORANDUM

County Administration South  
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**DATE:** April 16, 2025

**TO:** North Tustin Advisory Committee

**FROM:** Cynthia Burgos, Contract Staff Planner  
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**SUBJECT:** PA24-0133 – Use Permit for project located at 1322 Faren Dr, Santa Ana, CA 92705 (APN 502-283-09)

**APPLICANT:** Edon Kagasoff, Property Owner  
 Meghan Heitmann, Agent

RECOMMENDATION

By motion find that:

1. The Advisory Committee received the proposed project memorandum and finds that the proposed project is consistent with the applicable land use regulations; and
2. The Advisory Committee recommends that the Zoning Administrator approves the proposed Use Permit.

SUMMARY

The applicant requests a Use Permit to install a 10-foot-high chain link fence, located 10 feet 6 inches from the front property line (where 30 feet is required) and 12 feet 4 inches from the left side property line (where 14 feet is required). The Use Permit would allow the fence to exceed the maximum height limits of 3 feet 6 inches in the front setback and 6 feet in the side setback.

BACKGROUND

The subject site is located at 1322 Faren Dr, Santa Ana. It is zoned 125-E4-20000– Small Estates. The subject site is a rectangular shaped lot with sloped topography. The lot is 20,088 square feet in size and has an approximate width of 139 feet and a depth of 144 feet. The property faces Faren Drive and has an existing 4,100 square foot two-story dwelling.

DISCUSSION

The applicant requests a Use Permit to install a 10-foot-high chain link fence, located 10 feet 6 inches from the front property line (where 30 feet is required) and 12 feet 4 inches from the left side property line (where 14 feet is required). The Use Permit would allow a chain link fence in the front setback and permit it to exceed the height limits of 3'6" in the front and 6' in the side setback.

County of Orange Zoning Code Section 7-9-64(f) state that exceptions and modifications to the fence height provisions may be permitted by approval of a Use Permit by Zoning Administrator if the following findings can be made:

- A. *That the height and location of the fence or wall as proposed will not result in or create a traffic hazard.*

- B. The location, size, design and other characteristics of the fence or wall will not create conditions or situations that may be objectionable, detrimental or incompatible with other permitted uses in the vicinity.*

The proposed fence would enclose an existing basketball court located in the front yard. Due to the steep slope of the property, the fence is necessary to ensure the safety of children and family members using the court by preventing accidental falls and containing stray balls that could otherwise enter adjacent streets and pose hazards to vehicles and pedestrians. The height and placement of the fence have been reviewed by Traffic Engineering, which has determined that the proposed fence will not create or contribute to a traffic hazard. Therefore, the proposed fence will promote safe conditions for both the property occupants and the surrounding community.

Additionally, similar projects in the area have been proposed and approved. The location, size, and design of the proposed fence are consistent with similar improvements in the area and will not be objectionable, detrimental, or incompatible with other permitted uses in the vicinity. Based on this analysis, staff recommends that the two required findings to approve a modification to the permitted fence height can be made.

#### COMPLIANCE WITH CEQA

The proposed project is Categorically Exempt (Class 3) from the provisions of CEQA pursuant to Section 15303, because the exemption provides for construction of accessory structures including fences.

#### **Attachments:**

1. Plans
2. Letter of Justification
3. Site Photo