

APPLICANT: JAEGER
ADDRESS: 131
PROJECT #: 131-24 **TRACT:** 975 **LOT:** 36
PROJECT CLASSIFICATION: NEW RESIDENCE WITH MEDIUM LS/HS
SUBMITTAL STAGE: PRELIMINARY RESUBMITTAL (2) W/ VARIANCE (Previously Approved)
ARCHITECT: BRANDON ARCHITECTS **Lic. #** C-35732
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LANDSCAPE ARCHITECT: Benjamin Montrella **Lic. #:** 5819
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Architectural review by Ken Wilkins

Landscape review by Richard Ramsey

FINAL COMMITTEE DECISION: CONDITIONAL APPROVAL

HISTORY OF SUBMITTALS:

- | | | |
|-----------------|-----------------------------|--------------|
| • October 2024 | CONCEPT | ACKNOWLEDGED |
| • November 2024 | PRELIMINARY | DISAPPROVED |
| • February 2025 | PRELIMINARY RESUBMITTAL (2) | DISAPPROVED |

SUMMARY OF PROPOSED ARCHITECTURAL IMPROVEMENTS:

The submittal application indicates a new residence of **5,085 SF** which includes a total of 2 stories with 0 basements and a **500 SF, 2 - car garage**.

Revisions since previous submittal appear to include: Revised shape of Service Yard. **A/C units placed in well on the roof. VARIANCE PREVIOUSLY SUBMITTED.**

New revisions appear to include: Added Lot Area to certified topo, Service Yard relocated, second floor lowered by 1', selected roof levels lowered up to 2'.

Floor Area breakdown:

	Prelim Resub	Proposed	Change
• 2nd story	2,396 SF	2,396 SF	NC
• 1 st story	2,189 SF	2,189 SF	NC
• <u>Garage</u>	500 SF	500 SF	NC
Total:	5,085 SF	5,085 SF	NC
• Deck	unclear	370 SF	

PROJECT CLASSIFICATION (Section 6):

The submittal application indicates the project's classification is New Residence with Medium Landscape/Hardscape. **OK**

ARCHITECTURAL ANALYSIS:

1. ARCHITECT STAMP (Section 2.2): The plans are stamped and signed by a California licensed architect. This will be verified at each submittal. **OK.**
2. SUBMITTAL COMPLETENESS (Section 2.5 & 2.7): Submittal provides the required documents per the regulations and conveys the proposed design. **See committee recommendations for missing, unclear, or corrections of the plans provided.**
3. **LOT COVERAGE (Section 3.1):** A Structure shall not exceed the applicable-Tract's 40% Lot Coverage general guideline of the Lot or Parcel upon which it is built, with the exception of Tract 940. Per the Building Restrictions, Tract 940 has no Lot Coverage guidelines.

Noted on application: 2,687.668 SF / 6,734.20 SF = 39.91% (was 39.2%) It is highly recommended that a sufficient buffer to the maximum be provided. Pool Equipment Vault appears to add to Lot Coverage – see landscape note

A signed copy of the 1960 topo plan with a Lot Area was submitted.

4. SETBACKS (Section 3.2): The structure shall be setback 5'-0" minimum from the property line. **OK**
5. PARKING (Section 3.4): The parking provided meets the requirement shown on Parking Requirement Table per the calculated applicable area. **Cabinets shown within the required Garage parking space are noted to be 48" above the floor.** Total Floor Area less garage area used for parking less section C.4 exceptions. **The Garage deduction is 430 SF.**

Noted on plans: 2,688 SF – 500 SF + 2,396 SF / 1000 SF = 4,584 SF, therefore 4 total spaces are required. 2 garage spaces and 2 off-street spaces. 2 Garage spaces and 2 driveway off-street spaces are noted on plans. EBCA calc 5,085 – 430 = 4,655. OK.

6. SERVICE YARD (Section 3.5): Service yards must be fenced or enclosed and practical and usable, of appropriate size. **The Service Yard was relocated. Fence noted as "wood fence (opaque)" on Site Plan. OK**
7. BACKFLOW PREVENTION DEVICES (Section 3.8): New residences and improvements that include the addition of 2 or more plumbing fixtures require a backflow prevention device for sewage. **OK**
8. NUMBER OF STORIES (Section 4.1): No Structure shall exceed four Stories which includes basements. **OK**

2 total stories shown which includes 0 basements.

9. **BUILDING HEIGHT (Section 4.2):** The maximum height of any Improvement shall be in conformance with the Building Restrictions per tract specific requirements. **Appears OK, 30' above NG max. Topo added on roof plan overlay. The Chimney appears to be over-height. Note height to be held to Building Code minimum. [3rd Request for this wording]**

A signed copy of the 1960 topo plan was submitted.

10. COMPATIBILITY (Section 4.3): The Committee shall have the authority to interpret aesthetic and functional compatibility and harmony of proposed Improvements and their potential impact on adjacent properties, the surrounding neighborhood, and the Association at large.
11. **NON-CONFORMING STRUCTURES (Section 4.4):** Pre-existing, non-conforming Improvements, or portions of an Improvement, may be retained where all three of the following conditions are met: The

proposed alteration does not increase the Floor Area of an existing Structure by 25% or more, any proposed height increase of any portion of the Structure remain within the allowable height envelope for the Tract set forth in the Building Restrictions. If the proposed height increases result in a Key View impairment from other properties, the Applicant shall comply with the view mitigation criteria discussed in these Regulations, and any change in exterior design is within the same broad style of architecture. **No as listed below**

No additional non-conforming elements shall be allowed, and the proposed Structure must otherwise meet the requirements of the Architectural Regulations. **Unclear as listed below**

Existing non-conforming:

- None

New non-conforming elements:

- Possible Lot Coverage
- Equipment on roof (variance approved)

12. ROOFS (Section 4.5): The intent of the roof requirements considers the design being consistent with prevailing appearances within the Community.

Roof pitch: 3.75:12, 4:12, 4.5:12, 4.75:12, 9:12

Flat roof: Roof slopes less than 3:12 are considered flat. The maximum area of flat roofs is 15% of the roof area. **OK**

Roof materials: Class 'A' fire rating not indicated on low slope roof at A/C well.

[2nd Request]

Material noted as **standing seam metal. Identify low slope roof material.**

Parapet: Less than 25% of roof perimeter. **OK, none proposed.**

13. ROOF DECKS (Section 4.6): The deck is directly accessible from and adjacent to an interior living space on the same Story and the area of the deck is equal to or less than the area of the living space from which access is taken. **OK, none proposed.**

14. **MATERIALS AND COLORS (Section 4.7):** Exterior color and material samples must be submitted for review to the Committee. Material board must be no less than 11" x 17" and no larger than 18" x 24" with actual samples of all proposed materials included. A colored elevation must be included on the material board clearly identifying the location of all proposed colors and materials. **T&G cedar paneling, stone veneer, Kynar painted aluminum, standing seam metal roof, wood trellis noted. Guardrails noted as tempered glass and cedar siding. Provide material board at Final.**

15. WINDOWS AND DOORS (Section 4.8): Acceptable finish of doors (including garage) and windows indicated. **OK. Noted as aluminum clad windows and doors. Wood Garage door.**

16. ANTENNAS (Section 4.9): Exterior satellite dishes, antennas, or similar equipment are acceptable as located and designed. **OK, none proposed**

17. SOLAR PANELS (Section 4.10). Location, specifications, and reflectivity are compliant with the regulation. **None. Proposed future to be submitted in detail prior to approval.**

18. SKYLIGHTS (Section 4.11): Size and quantity of skylights will be considered when evaluating the appropriateness. **Noted as non-reflective with shades. OK**
19. **ARCHITECTURAL EXTERIOR LIGHTING (Section 4.12):** Exterior lighting must be downlit or otherwise shielded so as not to create glare or be a Nuisance to neighboring properties. Light fixtures must be complementary to the Residence's architectural style. Fixture cutsheets may be required at Final. **Shown on exterior elevations identified (high efficiency). Note as downlit or shielded. (Prior request).**
20. **GUTTERS AND DOWNSPOUTS (Section 4.13):** Indicated on plan and materials are acceptable. **Unclear, no downspouts noted. Show method of draining (slope) at all decks. [3rd request]**
21. COVERED DECKS, PATIOS, AND TERRACES (Section 4.14). Locations of attached or detached covered areas, except for eaves, are appropriate and are outside 5' Setback areas. **OK, none indicated.**
22. **OTHER COMMENTS:**
 - Provide breakdowns of overlays (show rectangular areas)
 - **A/C units were previously added in a well on the roof. No roof material or drainage noted (Prior request). Variance submitted and approved.**
 - The Variance Request for the following items was approved at the February Committee meeting as follows:

Variance #1

Roofs 4.5.f.6:

Roof mounted mechanical equipment shall not be allowed.

AC condensers to be located in a well in the roof.

Reasons:

Corner lot with two "front yards" reduces space to locate equipment

Community benefit: Keeps sound away from neighbors, reduces noise of the units at a greater level, reduces size of the service yard, minimizes the massing at the street corner.

Equipment will be sunk into roof and not visible from the street and will not be above the roof plain.

Five Committee members voted unanimously to **approve** the variance.

NOTE:

Approval of a Variance Request to allow non-conforming elements to remain is based on the scope, character, hardship, and community benefit associated with the current submittal. If future submittals propose to significantly alter these aspects of the property, the Architectural Committee may at that time evaluate the new proposals to determine if proposals negate, diminish, or adversely affect the conditions under which the prior Variances were granted. In such cases, the Committee may require that the Applicant alter the new proposed scope or eliminate existing non-conforming conditions.

It is not the intent of the Committee or the Board, in granting approval of the variance request, to confer extraordinary future development rights to the Applicant or future Applicants beyond what is allowed by the Architectural Regulations.

SUMMARY OF PROPOSED LANDSCAPE IMPROVEMENTS:

Proposed Landscape Improvements appear to include: Spa, firepit, fencing and walls, water feature, BBQ, planting, and hardscape.

Revisions since the previous submittal appear to include: **Service yard moved, pool equipment in a vault in the front yard, planting changes made to address Committee comments.**

LANDSCAPE ANALYSIS:

1. LANDSCAPE ARCHITECT STAMP (Section 2.2): The plans are stamped or signed by a California licensed landscape architect. **OK**
2. SUBMITTAL COMPLETENESS (Section 2.5 & 2.7): Submittal provides the required documents per regs and conveys the proposed design. **OK, Except as noted below**
3. **LOT COVERAGE (Section 3.1):** Landscape features such as raised patios, terraces, and/or freestanding Structures must not create a Lot Coverage overage. **OK. Provide details for pool equipment vault, verify that it does not contribute to lot coverage.**
4. SETBACKS (Section 3.2): Projections of Landscape elements such as elevated stairways, trellis/shade Structures, and decks into minimum yard Setbacks are not allowed. **OK**
5. UTILITY EASEMENTS (Section 3.3): Significant Landscape elements in the Service District and Association utility easement areas are not proposed. **OK**
 - a. Evidence of Service District review and approval will be required at the time of Final Submittal (Section 2.8). **Submit at time of Final.**
6. SITE DRAINAGE (Section 3.6): A conceptual grading and drainage plan must be included, generally showing adequate site drainage. A more detailed grading and drainage plan may be required for Final submittal and for Service District review. **OK**
7. CURBS AND GUTTERS (Section 3.7): For new residences and Substantial Remodels, plans must show complete replacement of curb and gutter along entire street frontage with reference to Service District requirements. **OK**
8. BACKFLOW PREVENTION DEVICES (Section 3.8): A backflow prevention device must be installed for proposed irrigation systems and must not be located on Association Property. **OK**
9. UTILITIES AND INFRASTRUCTURE IN FRONT AREAS (Section 3.9): Consideration is given to space required for potential above-grade and below-grade elements such as vaults, meters, transformers, and other devices. **OK**
 - a. At time of Final Submittal utility and infrastructure elements are shown on Landscape drawings. **Show at time of final**
10. EXTERIOR MECHANICAL EQUIPMENT (Section 5.1): Mechanical equipment shall not be located in 5' Setback areas. **OK**

- a. Mechanical spa equipment appears to be screened from view. **OK**
 - b. Noise impacts on adjacent neighbors must be avoided and/or minimized. **Pending acoustic report and community input.**
 - c. 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. **Submit at time of Final for spa and proposed new AC units**
 - d. Acoustical report assumptions and recommendations are consistent with submittal drawings. **Reviewed at time of Final for any new mechanical equipment**
11. LANDSCAPE AND HARDSCAPE LIGHTING (Section 5.2): Landscape and Hardscape lighting must be down lit or otherwise shielded so as not to create glare or be a Nuisance to neighboring properties. **OK.**
- a. Uplighting should be limited in quantity and wattage. **None proposed, OK**
 - b. Landscape lighting on Association Property is not allowed. **OK**
12. FENCES, WALLS, AND HEDGES (Section 5.3, 3.2):
- a. In front yard setback areas: fences, walls, hedges, railings, and other Landscape features not more than 48" in height above adjacent curb elevation may be allowed in the front yard Setback area. For corner Lots, the maximum allowed height for these elements is 36" at the street corner. **OK**
 - b. Between the front yard setback and the house Structure, fences, walls, hedges, railings or other features are to be 48" high or less compared to finished grade. **OK**
 - c. Front yard Improvements address issues of visual impact, compatibility, and contributions to common visual streetscapes. **OK**
 - d. Significant excavation and/or retaining elements over 5' tall, and/or other significant features that could impact future use of the Association and Service District's easements may not be allowed in the 5' front Setback. **OK**
 - e. 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. **New wall on SW PL appears to exceed 6' in relation to neighbors existing grade.**
 - f. Property Line fences, walls, and footings must be constructed completely on the subject Property. **OK, existing to remain.**
 - g. Block walls are finished on all sides. **OK**
 - h. At the street fences, walls, and railings must be held back a minimum of 18" from the face of curb. **OK**

13. PLAY EQUIPMENT AND PLAY HOUSES (Section 5.5): Issues of noise and visual impact have been adequately addressed. **None proposed, OK**
14. MAILBOXES (Section 5.6): Design and location must be shown. **OK**
15. OUTDOOR FIREPLACES, FIRE PITS AND COOKING FACILITIES (Section 5.7): Outdoor flame producing fireplaces, fire pits, and fire bowls shall be a minimum of 10 'clear of any Lot Line and must be gas only. **Firepit is proposed in rear yard, more than 10 'from property line. OK**
 - a. The minimum Setback for any cooking facility such as BBQs, ovens, or grills shall be a minimum of 5 'from any Property Line. **OK**
16. WATER FEATURES, SWIMMING POOLS, SPAS (Section 5.8): Pool and spa Structures, including bond beams, must not encroach into the 5 'utility easement area and Setback. **OK**
 - a. Issues of noise and visual impact must be adequately addressed. Water features are described as low volume, low noise. **OK**
 - b. Pool or water feature lighting is not extensive or distracting. **OK**
 - c. Security/pool fencing is shown. **OK**
17. SYNTHETIC GRASS (Section 5.9): Use of synthetic grass is limited, and a sample is submitted at time of Final Submittal. **OK**
18. OUTDOOR SPEAKERS AND TELEVISIONS (Section 5.10): Outdoor speakers and televisions are not shown or are unusually distant from neighboring properties. **OK**
19. DRIVEWAY GATES (Section 5.11): Driveway gates are not proposed. **None proposed, OK**
20. STREET ADJACENT LANDSCAPE (Sec 5.12): Lawn, low ground cover and/or stepping pads shall be placed within 24" of the curb face or street edge for convenience of on-street parking. **OK**
 - a. Trees and shrubs are located to avoid street overhang. **OK**
21. IMPROVEMENTS ON ASSOCIATION PROPERTY (Section 5.13): The following are not allowed on EBCA property: Trees, hedges, new retaining walls, buildings, Structures, steps, other major Improvements, Backflow prevention devices and other pressure-related irrigation equipment. **OK**
22. FUEL MODIFICATION (Section 5.14): Trees and plants identified as having a high fuel volume and flammability by the County of Orange and/or Orange County Fire Authority are not allowed. **OK**
23. TREES AND OTHER TALL VEGETATION (Section 5.15) Trees and other tall vegetation that may significantly overhang a property line without significant and/or periodic pruning may not be allowed. **OK**
 - a. Proposals to add trees or other tall vegetation must avoid impacts to neighbors' Key Views. **OK.**

24. OUTDOOR SHOWERS (Section 5.16): Noise and visual impacts to neighbors and community must be avoided and/or minimized. **OK**

- a. Outdoor showers in the front Setbacks are not allowed. Outdoor showers between house and street are not allowed unless at an appropriate distance from the street and screened in an architecturally appropriate manner. **OK**
- b. Freestanding shower elements over 6' tall are not allowed to encroach into Setbacks. **OK**
- c. Shower areas shown in Setbacks are cold water only. **OK**

25. OTHER:

- **With respect to existing and proposed plantings, the Applicant may wish to consider OCFA maintenance guidelines for defensible space and fire safety.**

SUMMARY OF COMMITTEE FINDINGS:

The Committee initially recommended disapproval of the plans as submitted. The following items were adequately addressed except for items 1. and 7. Therefore the Committee voted to CONDITIONALLY APPROVE the project as revised.

- 1. Lot Coverage (3.1): Show details of Pool Equipment vault to verify that lot coverage remains within limits. **Provided 4/28/25 - Noted at 40% on Sheet A-02. Lot Coverage still needs to be verified via an overlay. Committee strongly recommends a buffer. VERIFY PRIOR TO FINAL**
- 2. Building Height (4.2): Add note "chimney height to be limited to Building Code minimum" on Elevation Drawing. [3rd Request] **Provided 4/28.25 – Note added on Sheet a-41, Elevation #1. OK.**
- 3. Roofs (4.5): Identify Class "A" material at slopes less than 3:12, include AC well. [2nd Request] **Updated 4/28/25 on Sheet A-3.0 Keynote 12. OK.**
- 4. Material (4.7): Provide color board at **FINAL**.
- 5. Lighting (4.12): Note as downlit or shielded. Provide cutsheets at **FINAL**.
- 6. Gutters and downspouts (4.13): Note downspout locations and show slope direction of **ALL** deck drainage. [3rd Request] **Updated 4/28/25 – Sheet A-3.0, Keynotes #8 & 9 for drainage at A/C Well and Keynotes #10 & 11 for in-wall drains & overflow drains. Sheet A-2.1 also updated re 2% drainage at balconies. OK.**
- 7. Mechanical Equipment (5.1): Submit acoustic reports at **PRIOR TO FINAL**.

8. Delete the outdoor television OK but omit Media Wall from Landscape details **Updated 4/28/25 - Omitted on Revised Sheet L-1, Keynote #14. OK.**
9. Ensure all property line walls do not exceed 6' in relation to neighbors' existing grade. **Shown on Site Plan 4/28/25. OK.**
10. General notes:
 - a. An executed Hardscape & Landscape Non-Exclusive Easement Agreement, approved by the Association, and recorded with the County of Orange for any designed improvements on EBCA property will be required. See Regulations Section 2.5(a)(5) for specifics. Submittal, and Association approval of the Hardscape & Landscape Non-Exclusive Easement is required prior to the approval of the Final Working Drawing submittal and recordation is required prior to construction beginning.
 - b. If a Member would like to appeal the decision of the Architectural Committee or determination of the Board, please refer to the CC&Rs, ARTICLE VIII, Section 8.14 Notice and Hearing Requirements.
 - c. Approvals are valid for one year. See extension request requirements in the Architectural Regulations for additional information.
 - d. All future submittals must be accompanied by a detailed scope of work and highlighting revisions to previous scope of work, if any.
 - 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.

LETTERS RECEIVED:

- 133 EB Nguyen (with signatures from Pierce 1010 EB, Weiner 132 EB, Johnson 136 EB) Opposing the project due to imposing size, compatibility with neighborhood, privacy concerns, and loss of mature landscape (letter rec'd 4/22/25).

Gavin Friehauf (Architect) and James Jaeger (Member) were in attendance to discuss the submittal.

COMMITTEE ACTION ON April 29, 2025:

1. A motion was made, and seconded, to **Conditionally Approve** the Submittal based on these findings and discussion at the Committee meeting with the Committee members below present and voting. The motion passed.

2. Conditions: **Provide acoustic report on pool equipment vault prior to FINAL and verify lot coverage is less than 40% with overlay prior to FINAL.**

Lauren Moss (Deputy Chair); Chris Brown; Chris Gwaltney; Richard Ramsey (Landscape Architect); & Ken Wilkins (Alternate Architect, did not vote)