



CITY OF NEWPORT BEACH ZONING ADMINISTRATOR STAFF REPORT

June 12, 2025
Agenda Item No. 2

SUBJECT: Zak Residence (PA2025-0051)
▪ Modification Permit
▪ Coastal Development Permit

SITE LOCATION: 34 Castaways North

APPLICANT: Oscar Almendaraz

OWNER: Pete Zak

PLANNER: Melinda Whelan, Assistant Planner
949-644-3221 mwhelan@newportbeachca.gov

LAND USE AND ZONING

- **General Plan Land Use Plan Category:** Single Unit Residential Detached (RS-D)
- **Zoning District:** PC43 (Upper Castaways)
- **Coastal Land Use Plan Category:** Single Unit Residential Detached (RSD-A) (0.0 - 5.9 DU/AC)
- **Coastal Zoning District:** PC43 (Upper Castaways)

PROJECT SUMMARY

The applicant requests a modification permit to allow an addition to an existing single-unit dwelling that is greater than 10% of the existing square footage. The existing single-unit dwelling is nonconforming due to the dimensions of the existing garage. Title 20 (Planning and Zoning) of the Newport Beach Municipal Code (NBMC) limits additions to a maximum of 10% of the existing gross floor area when a residence has nonconforming parking. The addition includes 390 square feet on the first floor and 710 square feet on the second floor (1,100 square feet total), which is a 24% addition. The addition otherwise complies with all applicable development standards and no other deviations are requested. Since the project is located within the coastal zone, a coastal development permit is also required.

RECOMMENDATION

- 1) Conduct a public hearing;
- 2) Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301, Article 19 of Chapter 3, (Guidelines for Implementation of the California Environmental Quality Act) under Class 1 (Existing Facilities) of the Guidelines for CEQA, because it has no potential to have a significant effect on the environment; and

- 3) Adopt Draft Zoning Administrator Resolution No. __ approving the Modification Permit and Coastal Development Permit filed as PA2025-0051 (Attachment No. ZA 1).

DISCUSSION

Land Use and Development Standards

- The subject property is in the Upper Castaways Planned Community Zoning District (PC 43), which provides for single unit residential development and is consistent with the City's General Plan and Zoning Code. The property is developed with a two-story, 4,640-square-foot single-unit dwelling, including an attached two-car garage and a one-car garage. PC 43 does not limit the maximum allowed square footage but includes a height limit and minimum setbacks. The project includes an addition of 1,100 square feet for a total gross floor area of 5,740 square feet.
- PC 43 requires a minimum of two garage parking spaces per unit, with the size of the garage specified by the residential parking standards of the Newport Beach Municipal Code (NBMC) Section 20.40.090.A (Parking Standards for Residential Uses). The subject lot is greater than 40 feet wide and requires a two-car garage with minimum dimensions of 20 feet wide by 20 feet deep or two one-car garages that are 10 feet wide by 20 feet deep.

Modification Permit

- The existing interior clear dimensions of the two-car garage is 20 feet, 1 inch wide by 18 feet 10-inches-deep; and the one-car garage is 10 feet wide by 17 feet, 3 inches deep. These interior clear dimensions were approved with the original construction of the dwelling. However, due to the updated Zoning Code development standards of 20 feet wide by 20 feet deep interior clear dimensions (two-car garage) and 10 feet wide by 20 feet deep interior clear dimensions (single-car garage), the existing dwelling is legal nonconforming. Neither garage meets the minimum depth requirement.
- The property currently consists of one legal lot developed with a single-unit dwelling. The neighborhood is predominantly developed with one- and two-story, single-unit dwellings. The addition on the first floor will allow for a new butler's pantry and a new lounge area off of the kitchen. The addition on the second floor includes bathrooms, an office, a new laundry room and a closet. The project complies with all applicable development standards, including height, setbacks and floor area (no maximum floor area within the PC regulations). The proposed design, bulk, and scale of the development will not appear out of character from the surrounding properties within the neighborhood.

- NBMC Subsection 20.38.030(C) (Determination of Nonconformity) defines a “legal nonconforming structure” as any structure that was lawfully erected but does not conform with the current development standards for the zoning district in which it is located by reason of adoption or amendment of the Zoning Code. The existing structure is considered legal nonconforming as it was legally permitted, but is now nonconforming due to the substandard interior garage dimensions. At the time of construction in 1997, there were no minimum size requirements for parking spaces.
- NBMC Subsection 20.38.060(A)(2) (Nonconforming Parking - Residential) limits additions to residential structures with nonconforming parking dimensions to 10% of the existing gross floor area within any 10-year period. Larger additions may be permitted subject to the approval of a modification permit. The applicant proposes a 1,100 square foot addition (24% of the existing gross floor area) and leaving the garage dimensions unchanged. Therefore, a modification permit is required for this request.
- The proposed parking configuration will continue to accommodate the parking of two vehicles within the garage and fulfills the intent of the Zoning Code. Additionally, although a substandard space, the existing one-car garage does provide an additional parking space for a smaller vehicle. PC 43 also requires two guest spaces be provided on driveways with a minimum depth of 20 feet. The existing driveway is 20 feet in depth by 20 feet wide and provides two uncovered guest spaces. Demand for on-street parking in the neighborhood is not anticipated to increase as a result of the project.
- An alternative to this proposal is to reduce the size of the addition to no more than 10% of the existing gross floor area of the structure as authorized under NBMC Section 20.38.060(A) (Nonconforming Parking - Residential) or extend the existing garage walls. Modifying the garage wall of the two-car garage is not feasible because it will require removing the powder bathroom and reframing the garage, which is not part of the project scope. Modifying the one-car garage is restricted as the garage is oriented perpendicular to the side property line with the existing exterior wall already abutting the setback line. Furthermore, the entry of the one-car garage could not be pushed out because it would obstruct the existing entrance to the dwelling. Additionally, the intent of the project is to provide more living area for the residents. A redesign to reduce the size of the addition to 464 square feet (i.e. 10% addition) or extend the garage walls significantly impact the objectives of the project and would not provide similar benefits to the applicant.

Coastal Development Permit

- A coastal development permit is required because the property is in the coastal zone between the first public road and the sea. The proposed development

complies with applicable residential development standards including, but not limited to, floor area limitation, setbacks, height, and parking. Since Title 21 does not specify interior clear dimensions of the required two-car garage, findings from Section 21.52.090 (Relief from Implementation Plan Development Standards) are not required as part of the coastal development permit.

- The property is greater than 300 feet from the coastal bluff and bay, within a developed block of residential dwellings. The addition does not have the potential to impact coastal resources. The property has been developed for approximately 29 years.
- The project site is located between the nearest public road and the sea or shoreline. Implementation Plan Section 21.30A.040 requires that the provision of public access bear a reasonable relationship between the requirement and the project's impact, and be proportional to the impact. Public access along the coastal blufftop is provided by a public path along the bluff adjacent the bay approximately 240 feet south of the subject property. The proposed addition will not impact the blufftop access and public pathway.
- The project site is within the gated community of PC 34 and over 300 feet from the coastal bluff and bay with no potential impact to public access or recreation. There are no existing or proposed public access routes on the property.
- The project site is not located adjacent to a coastal view road, public access way, or Coastal Viewpoint as identified in the Coastal Land Use Plan. The nearest coastal viewpoint is along the blufftop access approximately 470 feet south of the subject property. The subject property is not visible from the viewpoint.

ENVIRONMENTAL REVIEW

This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 under Class 1 (Existing Facilities) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3 because it has no potential to have a significant effect on the environment. The exemption includes additions to existing structures up to 50% of the floor area before the addition, or 2,500 square feet, whichever is less. The proposed project includes a 1,100 square-foot addition and remodel to an existing single-family residence with nonconforming interior parking dimensions in a developed neighborhood with no potential impact on the environment.

PUBLIC NOTICE

Notice of this public hearing was published in the Daily Pilot, mailed to all owners and residential occupants of property within 300 feet of the boundaries of the site (excluding intervening rights-of-way and waterways), including the applicant, and posted on the

subject property at least 10 days before the scheduled hearing, consistent with the provisions of the Municipal Code. Additionally, the item appeared on the agenda for this meeting, which was posted at City Hall and on the City website.

APPEAL PERIOD:

This action shall become final and effective 14 days following the date the Resolution is adopted unless within such time an appeal or call for review is filed with the Community Development Director by the provisions of Title 21 (Local Coastal Program [LCP] Implementation Plan) of the Newport Beach Municipal Code. Final action taken by the City may be appealed to the Coastal Commission in compliance with Section 21.64.035 (Appeal to the Coastal Commission) of the City's certified LCP and Title 14 California Code of Regulations, Sections 13111 through 13120, and Section 30603 of the Coastal Act. For additional information on filing an appeal, contact the Planning Division at 949-644-3200.

Prepared by:



Melinda Whelan
Assistant Planner

Dlee/msw

Attachments:	ZA 1	Draft Resolution
	ZA 2	Vicinity Map
	ZA 3	Project Justification Letter from Applicant
	ZA 4	Project Plans

Attachment No. ZA 1

Draft Resolution

RESOLUTION NO. ZA2025-###

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH, CALIFORNIA APPROVING A MODIFICATION PERMIT AND COASTAL DEVELOPMENT PERMIT FOR AN ADDITION GREATER THAN 10% TO A SINGLE-UNIT DWELLING WITH A LEGAL NONCONFORMING GARAGE LOCATED AT 34 CASTAWAYS NORTH (PA2025-0051)

THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Oscar Almendarez, concerning property located at 34 Castaways North, and legally described as Lot 44 in Tract 15012 requesting approval of a modification permit.
2. The applicant requests a modification permit to allow an addition to an existing single-unit dwelling that is greater than 10% of the existing square footage. The existing single-unit dwelling is nonconforming due to the dimensions of the existing garage. Title 20 (Planning and Zoning) of the Newport Beach Municipal Code (NBMC) limits additions to a maximum of 10% of the existing gross floor area when a residence has nonconforming parking. The addition includes 390 square feet on the first floor and 710 square feet on the second floor (1,100 square feet total), which is a 24% addition. The addition otherwise complies with all applicable development standards and no other deviations are requested. Since the project is located within the coastal zone, a coastal development permit is also required.
3. The subject property is designated Single Unit Residential Detached (RS-D) by the General Plan Land Use Element and is located within the PC43 (Upper Castaways) Zoning District.
4. The subject property is located within the coastal zone. The Coastal Land Use Plan category is Single Unit Residential Detached (RSD-A) (0.0 - 5.9 DU/AC) and it is located within the PC43 (Upper Castaways) Coastal Zoning District.
5. A public hearing was held on June 12, 2025, online via Zoom. A notice of the time, place, and purpose of the hearing was given in accordance with the NBMC. Evidence, both written and oral, was presented to and considered by, the Zoning Administrator at this hearing.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This project is exempt from the California Environmental Quality Act (CEQA) under Section 15301 under Class 1 (Existing Facilities) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3 because it has no potential to have a significant effect on the environment.

2. The exemption includes additions to existing structures up to 50% of the floor area before the addition, or 2,500 square feet, whichever is less. The proposed project includes a 1,100 square-foot addition and remodel to an existing single-family residence with nonconforming interior parking dimensions in a developed neighborhood with no potential impact to the environment.

SECTION 3. REQUIRED FINDINGS.

In accordance with Section 20.52.050(E) (Modification Permits – Required Findings) of the NBMC, the following findings and facts in support of such findings are set forth:

Finding:

- A. *The requested modification will be compatible with existing development in the neighborhood.*

Facts in Support of Finding:

1. The surrounding neighborhood is comprised of one- and two-story single-unit dwellings. The Modification Permit will allow an addition to the existing two-story, single-unit dwelling, which is compatible with other properties in the neighborhood. The Project includes an addition on the first floor for a butler's pantry and a lounge area off the kitchen. The addition on the second floor includes bathrooms, an office, a laundry room and a closet. The density or intensity does not change as a result of the project.
2. The proposed addition will result in a total floor area of 5,740 square feet (including the 687-square-foot garage). The resulting bulk and scale of the Project is compatible with other single-unit dwellings within the neighborhood.

Finding:

- B. *The granting of the modification is necessary due to the unique physical characteristic(s) of the property and/or structure, and/or characteristics of the use.*

Facts in Support of Finding:

1. The existing interior clear dimensions of the property's two-car garage is approximately 20 feet, 1 inch wide by 18 feet 10-inches-deep; and the one-car garage is 10 feet wide by 17 feet, 3 inches deep. These interior clear dimensions were approved with the original construction of the dwelling. However, due to the updated Zoning Code development standards of 20 feet wide by 20 feet deep interior clear dimensions (two-car garage) and 10 feet wide by 20 feet deep interior clear dimensions (single-car garage), the existing dwelling now has nonconforming parking spaces. Neither garage meets the minimum depth requirement.
2. NBMC Subsection 20.38.030(C) (Determination of Nonconformity – Nonconforming Structure) defines a "legal nonconforming structure" as any structure that was lawfully

erected but does not conform with the current development standards for the zoning district in which it is located by reason of adoption or amendment of the Zoning Code. The existing structure is considered legal nonconforming as it was legally permitted but is now nonconforming due to the substandard interior garage dimensions. At the time of construction in 1997, there were no minimum size requirements for parking spaces.

3. Modifying the garage wall of the two-car garage is not feasible because it will require removing the powder bathroom and reframing the garage, which is not part of the project scope. Modifying the one-car garage is restricted as the garage is oriented perpendicular to the side property line with the existing exterior wall already abutting the setback line. Furthermore, the entry of the one-car garage could not be pushed out because it would obstruct the existing entrance to the dwelling. These changes would significantly impact the objectives, costs and scope of the project without benefit to the applicant.
4. The granting of the modification permit is necessary to allow a reasonable addition to an existing dwelling that was constructed in compliance with garage standards in effect at the time of original construction, and that are adequate in width for the parking of two vehicles.

Finding:

- C. *The granting of the modification is necessary due to practical difficulties associated with the property and that the strict application of the Zoning Code results in physical hardships that are inconsistent with the purpose and intent of the Zoning Code*

Facts in Support of Finding:

1. Facts in Support of Finding B are hereby incorporated by reference.
2. Relocating the interior walls 14 inches to achieve the 20-foot clear depth would eliminate the existing powder bathroom that is part of the original construction of the single-unit dwelling. Modifying the one-car garage depth is restricted due to the orientation of the existing garage that is perpendicular and abutting the minimum side setback. The one-car garage entrance is also adjacent to the existing entrance to the dwelling, leaving no space to push out.
3. A redesign to reduce the size of the addition to 464 square feet (i.e. 10% addition) or extend the garage walls significantly impact the objectives of the project and would not provide similar benefits to the applicant. These alternatives would be contrary to the purpose of the Project and would be costly to implement.

Finding:

- D. *There are no alternatives to the modification permit that could provide similar benefits to the applicants with less potential detriment to surrounding owners and occupants, the neighborhood, or to the general public.*

Facts in Support of Finding:

1. Fact 2 of Finding C is hereby incorporated by reference.
2. The intent of the Project is to provide additional living areas on the first level towards the middle and rear of the existing structure; and on the second level second floor reorienting and adding bathrooms and adding an office and laundry room. A redesign to reduce the size of the addition to 464 square feet will significantly impact the objectives of the Project and would not provide similar benefits to the homeowner.

Finding:

- E. *The granting of the modification would not be detrimental to public health, safety, or welfare, to the occupants of the property, nearby properties, the neighborhood, or the City, or result in a change in density or intensity that would be inconsistent with the provisions of this Zoning Code.*

Facts in Support of Finding:

1. The Project conforms to all applicable development standards, including floor area limit, setbacks, and height, and will provide adequate protection for light, air, and privacy. The Project is consistent in scale with other dwellings in the neighborhood.
2. The Project maintains more than the minimum three-foot side yard for emergency access in accordance with NBMC Section 20.30.110 (Setbacks Regulations and Exceptions), Subsection A(1)(c).
3. The approval of this Project is conditioned such that the Applicant is required to obtain all necessary permits in accordance with the Building Code and other applicable Codes.
4. The Property includes a driveway adequate in size which measures 20 feet wide by 20 feet deep to accommodate parking for the two guest parking spaces per unit pursuant to the PC 43 regulations, thereby minimizing demand for on-street parking.

Coastal Development Permit

By Section 21.52.015(F) (Coastal Development Permits - Findings and Decision) of the NBMC, the following findings, and facts in support of such findings are set forth:

Finding:

- F. *That the proposed project conforms to all applicable sections of the certified Local Coastal Program.*

Facts in Support of Finding:

1. The proposed development complies with applicable residential development standards including, but not limited to, floor area limitation, setbacks, height, and parking.
 - a. There is no maximum floor area limitation in PC 43 (Upper Castaways) Planned Community.
 - b. The proposed development provides the minimum required setbacks, which are 10 feet along the front property line, 5 feet along each side property line or 10 feet on one side and 0 on the other, and 10 feet along the rear property line.
 - c. The highest ridge is no more than 29 feet from the established grade, which complies with the maximum height requirements.
 - d. The project includes garage parking for a total of two vehicles, complying with the minimum two-car garage parking requirement for single-family residences within the PC 43 (Upper Castaways) Planned Community. Since Title 21 does not specify interior clear dimensions of the required two-car garage, findings from Section 21.52.090 (Relief from Implementation Plan Development Standards) are not required as part of the coastal development permit.
2. The neighborhood is predominantly developed with two-story, single-family residences. The proposed design, bulk, and scale of the development are consistent with the existing neighborhood pattern of development.
3. The property is in an area known for the potential of seismic activity and liquefaction. All projects are required to comply with the California Building Code (CBC) and Building Division standards and policies. Geotechnical investigations specifically addressing liquefaction are required to be reviewed and approved before the issuance of building permits. Permit issuance is also contingent on the inclusion of design mitigation identified in the investigations. Construction plans are reviewed for compliance with approved investigations and CBC before building permit issuance.
4. The project site is not located adjacent to a coastal view road, public access way, or Coastal Viewpoint as identified in the Coastal Land Use Plan. The nearest coastal viewpoint is along the blufftop access approximately 470 feet south of the subject property. The subject property is not visible from the viewpoint.
5. The proposed addition is for a property located within a developed neighborhood in a gated community, and over 300 feet from the coastal bluff and bay with no potential impact to coastal resources. Given its inland location, the existing property does not include nor propose shoreline protective devices.

6. No natural or cultural resources are located on the site, which has been developed for approximately 29 years.

Finding:

- G. *Conforms with the public access and public recreation policies of Chapter 3 of the Coastal Act if the project is between the nearest public road and the sea or shoreline of any body of water located within the coastal zone.*

Facts in Support of Finding:

1. The project site is located between the nearest public road and the sea or shoreline. Implementation Plan Section 21.30A.040 requires that the provision of public access bear a reasonable relationship between the requirement and the project's impact, and be proportional to the impact. Public access along the coastal blufftop is provided by a public path along the bluff adjacent the bay approximately 240 feet south of the subject property. The proposed addition will not impact the blufftop access and public pathway.
2. The project site is within the gated community of PC 43 and over 300 feet from the coastal bluff and bay with no potential impact to public access or recreation. There are no existing or proposed public access routes on the property.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby finds this project is categorically exempt from the California Environmental Quality Act pursuant to Section 15301 under Class 1 (Existing Facilities) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3 because it has no potential to have a significant effect on the environment.
2. The Zoning Administrator of the City of Newport Beach hereby approves the Modification Permit and Coastal Development Permit filed as PA2025-0051, subject to the conditions outlined in Exhibit A, which is attached hereto and incorporated by reference.
3. This action shall become final and effective 14 days following the date this Resolution was adopted unless within such time an appeal or a call for review is filed with the Community Development Director by the provisions of Title 20 Planning and Zoning, of the Newport Beach Municipal Code.

PASSED, APPROVED, AND ADOPTED THIS 12th DAY OF JUNE 2025.

Liz Westmoreland, AICP, Zoning Administrator

EXHIBIT "A"**CONDITIONS OF APPROVAL****Planning Division**

1. The development shall be in substantial conformance with the approved site plan, floor plans, and building elevations stamped and dated with the date of this approval (except as modified by applicable conditions of approval).
2. The project is subject to all applicable City ordinances, policies, and standards unless specifically waived or modified by the conditions of approval.
3. The applicant shall comply with all federal, state, and local laws. A material violation of any of those laws in connection with the use may cause the revocation of this Modification Permit and Coastal Development Permit.
4. This Modification Permit and Coastal Development Permit may be modified or revoked by the Zoning Administrator if determined that the proposed uses or conditions under which it is being operated or maintained are detrimental to the public health, welfare, or materially injurious to property or improvements in the vicinity or if the property is operated or maintained to constitute a public nuisance.
5. The project shall require the approval of a building permit for the proposed construction.
6. Any change to the approved plans shall require review by the Planning Division. An amendment to or the processing of a new modification permit may be required.
7. A copy of the Resolution, including conditions of approval Exhibit "A" shall be incorporated into the Building Division and field sets of plans before issuance of the building permits.
8. *Each parking space within the garage shall be permanently available and maintained for parking purposes. The interior clear dimensions (20 feet 1 inch wide by 18 feet 10 inches deep) shall be kept clear of obstructions including cabinets, shelving, or similar that may impact the ability to adequately park two vehicles.*
9. The applicant is responsible for compliance with the Migratory Bird Treaty Act (MBTA). In compliance with the MBTA, grading, brush removal, building demolition, tree trimming, and similar construction activities shall occur between August 16 and January 31, outside of the peak nesting period. If such activities must occur inside the peak nesting season from February 1 to August 15, compliance with the following is required to prevent the taking of native birds under MBTA:

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- A. The construction area shall be inspected for active nests. If birds are observed flying from a nest or sitting on a nest, it can be assumed that the nest is active. Construction activity within 300 feet of an active nest shall be delayed until the nest is no longer active. Continue to observe the nest until the chicks have left the nest and activity is no longer observed. When the nest is no longer active, construction activity can continue in the nest area.
- B. It is a violation of state and federal law to kill or harm a native bird. To ensure compliance, consider hiring a biologist to assist with the survey for nesting birds, and to determine when it is safe to commence construction activities. If an active nest is found, one or two short follow-up surveys will be necessary to check on the nest and determine when the nest is no longer active.
10. The discharge of any hazardous materials into storm sewer systems or receiving waters shall be prohibited. Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. A designated fueling and vehicle maintenance area with appropriate berms and protection to prevent spillage shall be provided as far away from storm drain systems or receiving waters as possible.
11. Debris from demolition shall be removed from work areas each day and removed from the project site within 24 hours of the completion of the project. Stockpiles and construction materials shall be covered, enclosed on all sites, not stored in contact with the soil, and located as far away as possible from drain inlets and any waterway.
12. Trash and debris shall be disposed of in proper trash and recycling receptacles at the end of each construction day. Solid waste, including excess concrete, shall be disposed of in adequate disposal facilities at a legal disposal site or recycled at a recycling facility.
13. Revisions to the approved plans may require an amendment to this Coastal Development Permit or the processing of a new coastal development permit.
14. All landscape materials and irrigation systems shall be maintained by the approved landscape plan. All landscaped areas shall be maintained in a healthy and growing condition and shall receive regular pruning, fertilizing, mowing, and trimming. All landscaped areas shall be kept free of weeds and debris. All irrigation systems shall be kept operable, including adjustments, replacements, repairs, and cleaning as part of regular maintenance.
15. Construction activities shall comply with Section 10.28.040 of the Newport Beach Municipal Code, which restricts hours of noise-generating construction activities that produce noise to between the hours of 7:00 a.m. and 6:30 p.m., Monday through Friday, and 8:00 a.m. and 6:00 p.m. on Saturday. Noise-generating construction activities are not allowed on Sundays, or Holidays.
16. Before the issuance of a building permit, the applicant shall pay any unpaid administrative costs associated with the processing of this application to the Planning Division.

17. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by either the current business owner, property owner or leasing agent.
18. This approval shall expire and become void unless exercised within 24 months from the actual date of review authority approval, except where an extension of time is approved in compliance with the provisions of Title 20 (Planning and Zoning) of the Newport Beach Municipal Code.
19. To the fullest extent permitted by law, the applicant shall indemnify, defend and hold harmless the City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs, and expenses (including without limitation, attorney's fees, disbursements, and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of **Zak Residence including, but not limited to, Modification Permit and Coastal Development Permit filed as PA2025-0051**. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorney's fees, and other expenses incurred in connection with such claim, action, causes of action, suit, or proceeding whether incurred by the applicant, City, and/or the parties initiating or bringing the such proceeding. The applicant shall indemnify the City for all the City's costs, attorneys' fees, and damages that which the City incurs in enforcing the indemnification provisions outlined in this condition. The applicant shall pay to the City upon demand any amount owed to the City under the indemnification requirements prescribed in this condition.

Building Division Requirements

20. The building permit plans shall comply with the California Residential Code 2022.

Attachment No. ZA 2

Vicinity Map

VICINITY MAP



Modification Permit and Coastal Development Permit

PA2025-0051

34 Castaways North

Attachment No. ZA 3

Project Justification Letter from Applicant

March 14th 2025

PROJECT DESCRIPTION AND JUSTIFICATION

To Whom It May Concern,

On behalf of homeowners Pete and Kimberly Zak, residing at 34 Castaways North, I, Oscar Almendarez, client representative, am submitting an application for a Coastal Development Permit and a Modification Permit.

Coastal Development Permit

This project involves the expansion of the existing living space over two floors, adding a total of 1,100 square feet to the building. The new construction is intended to improve the functionality and layout of the space, incorporating dedicated areas for media, storage, and personal living. The project is not located on a coastal bluff, nor does it impact any views.

- **Lower Floor Addition:** 390 sq.ft.
- **Upper Floor Addition:** 710 sq.ft.

Modification Permit

The proposed modification pertains to an existing two-car garage that does not currently meet the required zoning standards for clear dimensions of 20' x 20'. The issue is due to an existing powder room sink that encroaches into the garage area, occupying approximately 1'-10" by 3'-4" (a total of 6 square feet). This minor encroachment results in a slight reduction of the garage's usable area, causing it to no longer meet the current zoning standard for a two-car garage. The applicant seeks a modification to allow the garage to remain as-is, maintaining its current dimensions and functional layout. The financial cost to expand the garage to meet the zoning standard is deemed prohibitive.

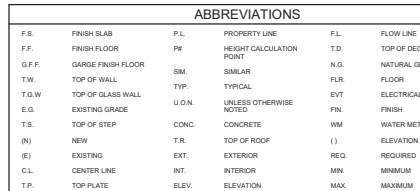
Thank you for your consideration of this request. Please feel free to contact me if you require further information or clarification.

Sincerely,

Oscar Almendarez
Applicant
951-990-4834
oz.almendarez@gmail.com

Attachment No. ZA 4

Project Plans



PUBLIC WORKS NOTES:
1. "A PUBLIC WORKS DEPARTMENT ENCROACHMENT PERMIT INSPECTION IS REQUIRED BEFORE THE BUILDING DEPARTMENT FINAL CAN BE ISSUED. AT THE TIME OF THE BUILDING DEPARTMENT INSPECTION, ANY OF THE EXISTING PUBLIC IMPROVEMENTS SURROUNDING THE SITE IS DAMAGED, NEW CONCRETE SIDEWALK, CURB AND GUTTER, AND ALLEY/STREET PAVEMENT WILL BE REQUIRED. ADDITIONALLY, IF EXISTING UTILITY INFRASTRUCTURE (ELECTRIC, GAS, WATER, SEWER, AND/OR CABLE) IS DAMAGED, REPAIRS SHALL BE REQUIRED. 100% OF THE COST SHALL BE BORNE BY THE PROPERTY OWNER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE EXTENT OF THE REPAIR WORK SHALL BE MADE AT THE DISCRETION OF THE PUBLIC WORKS INSPECTOR. CONTRACTOR IS RESPONSIBLE TO MAINTAIN THE PUBLIC RIGHT-OF-WAY AT ALL TIMES DURING THE CONSTRUCTION PROJECT. A SURETY BOND SHALL BE REQUIRED TO COVER ANY DAMAGE OR UNPERMANENT PORTION OF THE PUBLIC RIGHT-OF-WAY."

1. PRIOR TO EACH RAINFALL THE EROSION CONTROL SYSTEM SHALL BE INSPECTED AND DEFICIENCIES CORRECTED.
2. AFTER EACH RAINFALL, SILT AND DEBRIS SHALL BE REMOVED FROM CHECK DAMS AND DESLTING BASINS AND THE BASINS PUMPED FROM THE BASIN. EXCESS WATER SHALL BE PUMPED TO THE STORM DRAIN. (FILTER MATERIAL MAY BE USED.)
3. AFTER EACH RAINFALL, THE PERFORMANCE OF THE EROSION CONTROL SYSTEM SHALL BE EVALUATED AND REVISED AND REPAIRED AS NECESSARY.
4. DEVICES SHALL NOT BE MOVED OR MODIFIED WITHOUT THE APPROVAL OF THE CITY ENGINEER AND DESIGNEE.
5. THE CONTRACTOR SHALL BE RESPONSIBLE AND SHALL TAKE NECESSARY PRECAUTIONS TO PREVENT PUBLIC TRAFFIC INTO AREAS WHERE IMPROVED WATER CREATES A HAZARDOUS CONDITION.
6. THE CONTRACTOR AND PERMITTEE OR PROJECT OWNER SHALL BE RESPONSIBLE FOR CONTINUAL MAINTENANCE OF THE DEVICES. IN THE EVENT OF A MAJOR RAINFALL, THE CONTRACTOR OR PERMITTEE OR PROJECT OWNER TO PROPERLY MAINTAIN THE DEVICES. THE CITY ENGINEER SHALL BE NOTIFIED OF ANY MAJOR RAINFALLS IN ORDER TO PROTECT ADJACENT PRIVATE AND PUBLIC PROPERTY. THE COST SHALL BE PAID BY THE CONTRACTOR OR PERMITTEE OR PROJECT OWNER. MOBILIZATION COST PLUS THE COST OF DOING THE WORK.

1. LOCATION OF EXISTING WATER HEATER
2. LOCATION OF EXISTING GAS METER
3. LOCATION OF EXISTING ELECTRICAL PANEL
4. LOCATION OF EXISTING A/C UNITS
5. LOCATION OF NEAREST EXISTING FIRE HYDRANT
6. EXISTING 6" CMU BLOCK WALL - STUCCO FINISH
7. EXISTING 5' WOOD FENCE
8. LOCATION OF EXISTING BUILT-IN BBQ 36" ABOVE FINISH SURFACE
9. LOCATION OF EXISTING 5' GATE SELF LATCHING AND SELF-CLOSING

A vicinity map showing the project location (SITE) in a residential area. The map includes streets such as 10th St, 11th St, 12th St, 13th St, 14th St, 15th St, 16th St, 17th St, 18th St, 19th St, 20th St, 21st St, 22nd St, 23rd St, 24th St, 25th St, 26th St, 27th St, 28th St, 29th St, 30th St, 31st St, 32nd St, 33rd St, 34th St, 35th St, 36th St, 37th St, 38th St, 39th St, 40th St, 41st St, 42nd St, 43rd St, 44th St, 45th St, 46th St, 47th St, 48th St, 49th St, 50th St, 51st St, 52nd St, 53rd St, 54th St, 55th St, 56th St, 57th St, 58th St, 59th St, 60th St, 61st St, 62nd St, 63rd St, 64th St, 65th St, 66th St, 67th St, 68th St, 69th St, 70th St, 71st St, 72nd St, 73rd St, 74th St, 75th St, 76th St, 77th St, 78th St, 79th St, 80th St, 81st St, 82nd St, 83rd St, 84th St, 85th St, 86th St, 87th St, 88th St, 89th St, 90th St, 91st St, 92nd St, 93rd St, 94th St, 95th St, 96th St, 97th St, 98th St, 99th St, 100th St. The map also shows the location of the project (SITE) and the surrounding area.

DEFERRED SUBMITTALS

- 1. AC LOCATIONS AND NOISE LEVELS ARE NOT PART OF THIS PLAN CHECK, AND PERMIT: PROVIDE PLANS THAT DEMONSTRATE THE SOUND LEVEL LOCATIONS NOT EXCEED 50 DB 25' DIA WITHIN 65' DIA FROM THE TOWER AND NEIGHBOR'S CONSENT) PER SECTION 10.26 OF THE NBCS. PRIOR TO HOUGH PLUMBING AND ELECTRICAL INSTALLATION LOCATION OF MEASUREMENT TO BE AT ADJACENT PROPERTY PATIO OR OPENING.**
- 2. FIRE SPRINKLERS**
OBTAIN FIRE SPRINKLER PERMIT PRIOR TO CALLING FOR ROOF SHEETING INSPECTION.

*DEFERRED SUBMITTALS TO BE REVIEWED BY PROJECT ARCHITECT OR ENGINEER OF RECORD AND CERTIFIED PRIOR TO SUBMITTAL FOR PLAN CHECK OR APPROVAL.

SHEET INDEX	
A-0.0	COVER SHEETS/ SITE PLAN
A-0.1	CITY NOTES/ DOOR AND WINDOW SCHEDULE
A-0.2	CITY NOTES
A-0.3	EXISTING FLOOR PLAN
A-0.4	DEMOLITION PLAN
A-1.0	LOWER FLOOR CONSTRUCTION PLAN
A-1.1	UPPER FLOOR CONSTRUCTION PLAN
A-2.0	ELECTRICAL PLANS
A-3.0	ROOF PLAN
A-4.0	EXTERIOR ELEVATIONS
A-5.0	BUILDING SECTIONS
A-6.0	DETAILS
D1	ORANGE PLAN
T-0.4 SHEET 1	CR-1R MF-1R TITLE 24 MANDATORY REQ.
T-0.4 SHEET 2	CR-1R MF-1R TITLE 24 MANDATORY REQ.
T-0.4 SHEET 3	CR-1R MF-1R TITLE 24 MANDATORY REQ.
T-0.4 SHEET 4	CR-1R MF-1R TITLE 24 MANDATORY REQ.
SN-1	STRUCTURAL NOTES
SN-2	STRUCTURAL OBSERVATIONS
S-1	FOUNDATION PLAN
S-2	ROOF FRAMING PLAN
SD-1	STRUCTURAL DETAILS
SD-2	STRUCTURAL DETAILS
SD-3	STRUCTURAL DETAILS
HFX-1	HARDY DETAILS
HFX-2	HARDY DETAILS

CONTACT INFO	
<u>OWNER:</u> Zak Residence Kimberly and Pete Zak 34 Castaways North Newport Beach, CA 92660 PH: 415-328-5501 (KIM) PH: 949-633-7383 (Pete) EMAIL: kimberlyzak4@gmail.com EMAIL: pzak@nca-re.com	<u>CONTRACTOR:</u> TBD

SOILS ENGINEER:
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 Laguna Beach, CA 92651
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 EMAIL: panderson@SAGeotechnical.com
 Anthony Zepeda (Project Geologist)
 LICENSE: CEG 2681
 Reza Saberi (Principal Engineer)

TITLE 24 ENERGY CALC'S:
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Design & Consulting
 2416 W. VALLEY BLVD.
 ALHAMBRA, CA 91803
 EMAIL: PERFECTAAA@AOL.COM
 PH. 626-289-8808
 LICENSE: M-27635

PLANS PREPARED BY:
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 26972 Via Escorial
 Mission Viejo, CA 92691
 PH. 951-990-4834
 CONTACT: Oz Almendarez
 EMAIL: ozalmendarez@gmail.com
 LICENSE: 9890490

GENERAL NOTES

1. THIS BUILDING IS OCCUPANCY TYPE 179, USE TO BE FULLY SPRINKLERED.
2. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH PROCEDURES SET FORTH BY CORPORATE STANDARDS SPECIFICATIONS AS APPROVED BY OWNER. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS. THEY SHALL BE CONSIDERED PART OF THESE CONSTRUCTION DOCUMENTS.
3. CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING UTILITIES IN STRICT ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS.
4. CONTRACTOR IS RESPONSIBLE FOR EXAMINING ALL CONTRACT DOCUMENTS, SPECIFICATIONS AND CONDITIONS OF THE PROJECT. BUILD ARE AS SHOWN BEFORE PROCEEDING WITH CONSTRUCTION. IF COORDINATION QUESTIONS, CONTRACTOR SHALL CONSULT WITH THE PROJECT ARCHITECT IMMEDIATELY FROM THE DESIGNER AND/or TRANSIT TRACT CONSTRUCTION COORDINATOR BEFORE ANY WORK IS INITIATED.
5. CONTRACTOR FOR THE PROJECT SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED USING PERMITS.
6. "TV LINES" IN THESE DOCUMENTS SHALL MEAN THAT THE CONDITION IS THE SAME OR REPRESENTATIVE FOR SIMILAR CONDITIONS THROUGHOUT. DETAILS ARE USUALLY KEYED AND NOTED "TYPICAL," ONLY. WHEN THEY FIRST OCCUR, AND ARE REPRESENTATIVE FOR SIMILAR CONDITIONS THROUGHOUT, UNLESS OTHERWISE NOTED.
7. COLUMN CENTER LINES (ALSO REFERRED TO AS GRID LINES) ARE SHOWN FOR DIMENSIONING PURPOSES. (SEE BASE BUILDING DRAWINGS EXACT LOCATION).
8. DO NOT SCALE DRAWINGS. DIMENSION LINES COVER. LARGE SCALE DETAILS SHALL BE BASED ON SMALL SCALE DETAILS.
9. ALL WORK PERFORMED BY THE CONTRACTOR SHALL CONFORM TO THE EXISTING BUILDING CONDITIONS. (SEE NOTE NO. 9 FOR ALTERNATIVES.)
10. CONTRACTOR SHALL PATCH AND REPAIR CRACKS, WALLS AND CEILING IN ORDER TO REESTABLISH THE SPACE AND REPAIR ALL DAMAGES.
11. CONTRACTOR SHALL MAINTAIN THE JOB SITE IN A CLEAN AND ORDERLY MANNER. REMOVAL OF EXCESS MATERIAL SHALL BE COMPLETED IMMEDIATELY UPON COMPLETION OF EACH PHASE OF WORK AND MAINTAIN ALL TRASH AND DEBRIS RELATED TO THE PROJECT AT ALL TIMES.
12. CONTRACTOR SHALL BE RESPONSIBLE FOR THE GENERAL CLEANUP OF A JOB AFTER ITS COMPLETE. CLEANING SHALL INCLUDE INTERIOR OF THE BUILDING BUILDING, TO THE SITE, TO THE SITE AND INCLUDE THE DRAINWAY STAIRS AND PROPERTY GROUNDS.
13. ALL DRAINAGE IS EXISTING AND TO REMAIN UNO.

CODES

2022 CALIFORNIA RESIDENTIAL CODE (CRC)
2022 CALIFORNIA BUILDING CODE (CBC)
2022 CALIFORNIA PLUMBING CODE (CPC)
2022 CALIFORNIA MECHANICAL CODE (CMC)
2022 CALIFORNIA ELECTRICAL CODE (CEC)
2022 BUILDING ENERGY EFFICIENCY STANDARDS (BEES)
2022 CALIFORNIA GREEN BUILDING STANDARDS CODE (CAL GREEN)
CHAPTER 15 OF THE NEWPORT BEACH MUNICIPAL CODE (NBMC)

PROJECT SCOPE

- NEW LOWER FLOOR LIVING SPACE ADDITION 360 SQ. FT. TO INCLUDE: MEDIA RM, BUTLERS PANTRY, LOUNGE
- NEW LOWER FLOOR LIVING SPACE ADDITION 710 SQ. FT. TO INCLUDE: OFFICE, MASTER CLOSET, BATH 5, LAUNDRY, BATH 3, AND BATH 3
- NEW EXTERIOR WINDOWS AND DOORS THROUGHOUT
- NEW EXTERIOR SIDING THROUGHOUT
- NEW CLASS "A" CONCRETE TILE FLOOR THROUGHOUT
- REMODEL EXISTING LOWER FLOOR FOYER, BEDROOM 1, DINING RM, GREAT RM, PWR, LAUNDRY, KITCHEN
- REMODEL EXISTING UPPER FLOOR HALL 4, BEDROOM 2, BATH 2, BEDROOM 3, BATH 3, BEDROOM 5, BEDROOM 6, BATHROOM 4
- NEW FIRE SPRINKLERS TO BE ADDED UNDER SEPARATE PERMIT.
- NEW POOL AND SPA UNDER SEPARATE PERMIT.

LOT INFO/ CALCULATIONS	
<u>LEGAL DESCRIPTION</u>	
APN: 117-802-20	LOT 44
OCCUPANCY:R3/U	
TYPE OF CONSTRUCTION: VB	
FIRE SPRINKLERS: <u>TO BE FULLY SPRINKLERED PER NFPA 13C</u>	

LEGAL DESCRIPTION
APN: 117-802-20 LOT 44
OCCUPANCY:R3/U
TYPE OF CONSTRUCTION: VB
FIRE SPRINKLERS: TO BE FULLY SPRINKLERED PER NFPA 130

OF STORES: 2
GENERAL PLAN USE: RS-O SINGLE UNIT RESIDENTIAL DETACHED
ZONING DISTRICT: PC UPPER CASTAWAYS
PROVIDED PARKING: 3

<u>SQUARE FOOTAGE CALCULATIONS</u>			
	<u>EXISTING</u>	<u>NEW</u>	<u>TOTAL</u>
LIVING SPACE LOWER FLOOR:	1,933 SQ.FT.	390 SQ.FT.	2,323 SQ.FT.
LIVING SPACE UPPER FLOOR:	2,020 SQ.FT.	710 SQ.FT.	2,730 SQ.FT.
TOTAL	3,953 SQ.FT.	1,100 SQ.FT.	5,053 SQ.FT.
GARAGE:	687 SQ.FT.	0 SQ.FT.	687 SQ.FT.

COVERED ENTRY:	0 SQ.FT.	86 SQ.FT.	86 SQ.FT.
AREA OF REMODEL	3,500 SQ.FT.		

REV.	DESCRIPTION/DATE
	ISSUE 02.03.05

PLANS PREPARED BY:
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26972 VIA ESCORIAL
MISSION VIEJO, CA 92691
PH: 951-990-4834
EMAIL: Ohaconstruction@gmail.com

ZAK RESIDENCE
34 CASTAWAYS NORTH
NEWPORT BEACH, CA 92660

COVER SHEET/ SITE PLAN

Project number	2022-00000
Date	12-00-22
Drawn by	Author
Checked by	Checker

Scale	As indicated
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45. Isolation valves are required for tankless water heaters on the hot and cold supply lines with hose bibbs on each valve, to flush the heat exchanger. (Cal Energy Code 110.3 (6))
46. Install 1 automatic clothes washer connection per one- and two-family dwelling. (CPC Table 422.1)

ELECTRICAL:

47. Electrical service shall be underground for new construction, replacement building, or addition to an existing building exceeds fifty (50) percent of the gross floor area of the existing building. (NEMC 15.3.2 (15))
48. Edison Company approval is required for meter location prior to installation.
49. Field inspectors shall review and approve underground service requirement prior to concrete placement.
50. Service equipment and subpanels shall have a min 30" wide by 36" deep clear work space. (CEC 110.26)
51. All lighting is required to be high efficiency. (California energy code section 150.0 (k) and Table 150.0(A))
52. Provide a listed 1-inch raceway to accommodate a dedicated 208/240-volt circuit for future electrical vehicle (EV) charger. (Cal Green 4.106.4.1)
53. All receptacle outlets are required shall be listed tamper resistant (CEC 406.12 and 250.52)
54. Combination type AFCI circuit breakers are required for all 120-volt single phase 15/20 amp branch circuits. Except for bathrooms, garages, and outdoors. (CEC 210.12)
55. A minimum of one dedicated 20 amp circuit is required for a bathroom. (CEC 210.11(C)(3))
56. GFCI protection is required for all receptacle outlets located outdoors, garages, accessory buildings, bathrooms, crawl spaces, kitchens, laundry areas, kitchen dishwasher branch circuit, garbage disposal, all areas within 6 feet of a sink, and all receptacles within 6 feet of a bathtub or shower stall. (CEC 210.8)
57. Receptacle outlets are not allowed within or over a bathtub or shower stall. (CEC 406.9 (C))
58. Subpanels are not allowed to be located in bathrooms or clothes closets. Avoid installing sub-panels in fire wall envelope unless the panel is listed, or fire protection is clearly detailed to the satisfaction of the building official. (CEC 240.24 (D) and (E))
59. Circuits sharing a grounded conductor (neutral) with two ungrounded (hot) conductors must use a two-pole circuit breaker or an identified handle tie. Group non-cable circuits in panel. (CEC 210.4(B)) (CEC 210.4(D))
60. The receptacle outlets that serve kitchen counter tops, dining room, breakfast area, and pantry, must have a min of 2 dedicated 20 amp circuits. (CEC 210.52 (B)(1))
61. Kitchen counter tops 12 inches or wider must have a receptacle outlet. (CEC 210.52(C)(1))
62. Kitchen counter tops must have receptacle outlets so no point along the counter walls is more than 24 inches from a receptacle. (CEC 210.52(C)(1))
63. Island and peninsula counter tops must have at least one receptacle. (CEC 210.52(C)(1), (2), and (3))
64. The spacing for general receptacle outlets must be located so that no point on any wall, floor, glass, or ceiling is over 6 feet from a receptacle outlet. (CEC 210.52(A)(1))

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65. Hallways 10 feet or more must have at least one receptacle outlet. (CEC 210.52(H))
66. Garages shall have at least one receptacle for each car space on the interior. The branch circuit supplying the receptacles shall not serve outlets outside of the garage. (CEC 210.52 (G) (1))
67. Laundry rooms must have at least one dedicated 20 amp receptacle circuit. (CEC 210.11(C) (2))
68. Provide 120V receptacle within 3 feet of water heater. (Cal Energy Code 150.0 (n) 1 A.)

FOUNDATION:

69. Weep screed for stucco at the foundation plate line shall be a minimum of 4 inches above the earth or 2 inches above paved areas. (CRC R703.7.1, CBC 2512.1.2)
70. Fasteners and connectors (nails, anchor bolts, etc.) in contact with preservative-treated wood shall be of hot-dipped zinc-coated galvanized steel, stainless steel, silicon bronze or copper. (CRC R317.3, CBC 2304.10.6)
71. Anchor bolts shall include steel plate washers, a minimum of 0.229" x 3" x 3" in size, between all plate and nut. (CRC R802.11.1, CBC 2308.3, Acceptable alternate SDPWs 4.3.6.4.3)

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FIREPLACE:

19. All fireplaces:
- a. Factory-built fireplaces, chimneys and all their components shall be listed and installed in accordance with their listing and manufacturer's installation instructions. (CRC R1004.1)
- b. Factory built wood burning fireplaces shall be qualified at the U.S. EPA's Voluntary Fireplace Program Phase 2 emissions level. (CRC 1004.1.1)
- c. Decorative shutouts shall not be installed at the termination of factory-built chimneys except where such shutouts are listed and labeled for use with the specific factory-built chimney system and are installed in accordance with manufacturer's installation instructions. (CRC R1005.2 & CMC 802.5.1.1 & CMC 802.5.4.3)
- d. Horizontal openings are not allowed, for exhaust vents, in walls closer than 3 feet to a property line. (Tables R302.1.1) & (2). Horizontal vent caps shall be 2 feet clear from property lines.
- e. Exhaust openings shall not be directed onto walkways. (R303.5.2)
20. Solid fuel burning fireplaces:
- a. Provide a permanently anchored gaseous fuel burning pan to the firebox of a solid fuel burning fireplace.
- b. Solid fuel burning fireplace must comply with the California Energy Standards mandatory measures.
- c. Chimney shall extend at least 2 ft higher than any portion of the building within 10 ft, but shall not be less than 3 ft above the highest point where the chimney passes through the roof. (CRC R1003.9)
- d. Liquid fueled fireplaces are not allowed for interior use.
21. Direct vent gas appliance fireplace:
- a. Direct vent sealed-combustion gas appliance fireplace must comply with the Cal Green code requirements and must comply with US EPA New Source Performance Standards (NSPS). (Cal Green 4.503.1)

MECHANICAL:

22. Rooms containing bathtubs, showers, spas and similar fixtures shall be provided with an exhaust fan with humidity control sensor having a minimum capacity of 50 CFM ducted to terminate outside the building. (CRC R303.3, Cal Green 4.506.1, CBC 1202.5.2.1, CMC 402.3)
23. Where water closet compartment is independent of the bathroom or shower area, a fan will be required in each area. Bathrooms shall have an exhaust fan with humidity control sensor, min. 50 CFM capacity. (CRC R303.3)
24. Where whole house fans are used in bathroom areas, the fan must run continuously and shall not be tied to a humidity control sensor. (Cal Green 4.506.12)
25. The clothes dryer vent shall not exceed 14 ft. in overall length with maximum two 90-degree elbows. (CMC 504.4.2.1)
26. Environmental air ducts shall terminate min. 3 feet from property line or openings into building, and 10 feet from a forced air inlet. (CMC 202.2.1)

2022 Council RESIDENTIAL Construction Requirements 11/2022 5

27. Mechanical equipment shall be installed per the manufacturer's installation instructions. (CMC 303.1)
28. Domestic range vents to be smooth metallic interior surface. (CMC 504.3)
29. Supply and return air ducts to be insulated at a minimum of R-6. (Cal Energy Code Table 150.1.A.)

PLUMBING:

30. Separate water meters are required for all new duplexes. Separate fire risers are required at each water meter.
31. Plumbing Fixtures:
- a. New Construction & Addition/Alterations that increases condition space area, volume, or size (Cal Green 4.303.1)
- i. Comply with CAL Green Mandatory Requirements
- b. Addition & Alteration: Existing fixtures shall be replaced to meet the following requirements:
- i. Shower Heads: 1.8 gpm @ 80 psi
- ii. Lavatory Faucets: 1.2 gpm @ 60 psi
- iii. Kitchen Faucets: 1.8 gpm @ 60 psi
- iv. Water Closet: 1.28 gallons per flush
32. Clearance for water closet to be a minimum of 24 inches in front, and 15 inches from its center to any side wall or obstruction. (CPC 402.5)
33. The water heater burner to be at least 18 inches above the garage floor, if located in a garage. (CPC 507.13)
34. Install a 3-inch diameter by 3 ft. tall steel pipe embedded in concrete slab for protection of water heaters located in garage. (CPC 507.13.1)
35. Water heaters to be strapped at top and bottom with 1 1/2" x 16-gauge strap with 3/8" diameter X 3" lag bolt each end. (CPC 507.2)
36. ABS and PVC drain waste and vent piping material is limited to 2 stories maximum. (CPC 701.2(2) (a), and 703.1.1)
37. ABS and PVC not and deck drain material is limited to 2 stories maximum. (CPC 1101.4)
38. Roof and deck drain systems inside the building are required to be installed with directional DIVV drainage fittings. (CPC 1101.4 and 706.0)
39. Cleanouts are required within 2 feet of the connection between the building interior roof/deck drain piping system and the exterior outside storm drain system. (CPC 1101.13)
40. All hose bibbs shall have vacuum breakers. (CPC 603.5.7)
41. The maximum amount of water closets on a 3-inch horizontal drainage system line is 3. (CPC Table 703.2)
42. The maximum amount of water closets on a 3-inch vertical drainage system line is 4. (CPC Table 703.2)
43. Provide a condensate drain no more than 2 inches above the base of the water heater space. (Cal Energy Code 150.0 (n))
44. Insulate all hot water pipes. (Cal Energy Code 150.0 (j) (1), and CPC 608.12)

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- a. In each sleeping room.
- b. Outside each separate sleeping area in the immediate vicinity of the bedrooms.
- c. On each additional story, including basements and habitable attics.
- d. Not less than 3 feet horizontally from the door or opening of a bathroom that contains a bathtub or shower.
- e. A minimum of 20 feet horizontally from any permanently installed cooking appliance.
- f. Smoke alarms shall be hardwired with battery back-up and interconnected unless exempted in accordance with CRC R314.4 & R314.5 or CRC 907.2.11.5 & 907.2.11.6.

16. Carbon monoxide alarms shall be installed in the following locations (CRC R315.3):

- a. Outside of each sleeping area in the immediate vicinity of the bedrooms.
- b. On every occupiable level of the dwelling unit including basements.
- c. Where a fuel-burning appliance is located within a bedroom or its attached bathroom, a carbon monoxide alarm shall be installed within the bedroom.

Carbon monoxide alarms shall be hardwired with battery back-up and interconnected unless exempted in accordance with CRC R315.6(4).

17. Electrical receptacle outlets, switches and controls shall be located no more than 48" measured from the top of the outlet box and not less than 15" measured from the bottom of the outlet box above the finish floor. CRC R327.1.2
18. Doorbell buttons shall not be installed more than 48" above exterior floor or landing. CRC R327.1.4

19. All fenestrations on windows and doors shall have U-factors (0.30 max) and Solar Heat Gain Coefficient (SHGC=0.23 max) values in accordance with 7.54 energy calculations. All fenestrations must have temporary and permanent labels.

TEMPORARY GENERATOR:

20. Hand operated construction tools powered by electricity must use power provided by Southern California Edison through a temporary pole or available outlet. In the rare case where electricity is not readily available and a portable temporary generator is necessary, then the following restrictions must be adhered to:

- a. Must be portable and may be easily relocated.
- b. Temporary generators are to be located a minimum distance from any property line according to the following table:

Time in Use Hours	Required Setback from Property Line	Required Setback from Adjacent Structures
0 - 1 day	10 feet	5 feet
> 1 day	20 feet	5 feet

- c. If the minimum distance cannot be achieved, then the generator shall be located the most extreme distance practical to inhibit noise. Other methods to inhibit noise may be utilized when practical.

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- d. May be operational for a maximum of five consecutive calendar days. After five consecutive calendar days of use, power shall be provided using a temporary power pole.
- e. Usage is limited to weekdays between the hours from 8:00 AM and 3:30 PM Monday through Friday. No use on the weekends or federal holidays.



CITY OF NEWPORT BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
BUILDING DIVISION
100 Civic Center Drive | P.O. Box 1788 | Newport Beach, CA 92688-8915
www.newportbeach.gov | (949) 644-3200

RESIDENTIAL
CONSTRUCTION MINIMUM REQUIREMENTS

Applicable Standards: 2022 California Residential Code (CRC); 2022 California Building Code (CBC); 2022 California Plumbing Code (CPC); 2022 California Electrical Code (CEC); 2022 California Mechanical Code (CMC); 2022 Building Energy Efficiency Standards (BEEES); 2022 California Green Building Standards Code (Cal Green); & Chapter 15 of the Newport Beach Municipal Code (NBMC)

GENERAL:

1. Residential building undergoing permitted alterations, additions or improvements shall replace non-compliant plumbing fixtures with water-conserving plumbing fixtures meeting the requirements of 2022 California Green Building Standards Code, Section 4.303.1 Plumbing fixture replacement is required prior to issuance of a certificate of occupancy or final inspection by the Chief Building Officer. (Civl Code, Section 11101.1 et seq, NBMC 15.11.010)
2. Issuance of a building permit by the City of Newport Beach does not relieve applicants of the legal requirements to observe covenants, conditions and restrictions, which may be recorded against the property or to obtain plans. You should contact your community associations prior to commencement of any construction authorized by this permit.
3. Prior to performing any work in the city right-of-way an encroachment permit must be obtained from the Public Works Department.
4. A site survey by a licensed surveyor shall be required prior to foundation concrete pour.
5. Garage ceiling height: The minimum unobstructed vertical clearance for parking spaces shall be seven feet, except that the front four feet may have a minimum vertical clearance of four feet. (NBMC 20.40.090 A.4)
6. Utilize one of the city's approved franchise hauler to recycle and/or salvage a minimum of 65% of the nonhazardous construction and demolition waste. (Cal Green 4.408.1, 4.408.3)
7. Stairways shall not be less than 36 inches clear width. (CRC 311.7.1) The minimum head clearance shall be 6'-8" measured vertically from the sloped line adjoining tread nosing. (CRC 311.7.2)
8. **Advisory Note:** Homeowners Association (HOA) approval is independent of the City process and may be required for this improvement. Please check with the HOA Board.
9. **Additional permits** are required for detached structures including but not limited to:
- a. Accessory structures, detached patio covers, and trellises.
- b. Masonry or concrete fences over 3.5 ft. high or within 3 feet of the property line.
- c. Retaining walls over 4 ft. high from the bottom of the foundation to the top of the wall and any retaining wall within 3 ft. of property line regardless of height.

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CONSTRUCTION:

10. Pedestrian protection adjacent to public way to be as follows:

HEIGHT OF CONSTRUCTION	CBC TABLE 1306.1 PROTECTION OF PEDESTRIANS	
	DISTANCE FROM CONSTRUCTION TO LOT LINE	TYPE OF PROTECTION REQUIRED
8 feet or less	Less than 5 feet 5 feet or more	Construction signage None
More than 8 feet	Less than 5 feet 5 feet or more, but not more than one-fourth the height of construction	Barrier and covered walkway
	5 feet or more, but between one-fourth and one-half the height of construction 5 feet or more, but exceeding one-half the height of construction	Barrier None

11. All exterior lath and plaster shall have two layers of 10-minute Grade D paper over wood-based sheathing. (CRC R703.7.3, CBC 2510.6)
12. Wall covering of showers or tubs with showers shall be of cement plaster, tile, or approved equal, to a height of not less than 72 inches above drain vial. Backing for tile shall be cement board or cement plaster. (CRC R507.2, CBC 1209.2.3)
13. Safety glazing shall be provided at the following hazardous locations: (CRC R306.4, CBC 2406.4)
- a. Swinging, bi-fold, and sliding doors.
- b. When located within 60 inches above the floor of wet surfaces such as tubs, showers, saunas, steam rooms, or outdoor swimming pool.
- c. Glazing adjacent to doors:
- i. Within a 24-inch arc of either vertical edge of doors or within 60 inches of walking surface.
- ii. Where the glazing is on a wall perpendicular to the plane of the door in a closed position and within 24 inches of the hinge side of an in-swinging door.
- d. Where glazing area is more than 9 sq. ft. in area, with the bottom edge less than 18 inches above the floor, top edge more than 36 inches above floor, and within 36 inches of a walking surface, measured horizontally.
- e. Glazing where the bottom exposed edge of the glazing is less than 36 inches above the plane of the adjacent walking surface of stairways, landings between flights of stairs and ramps.
- f. Glazing adjacent to the landing at the bottom of a stairway where the glazing is less than 36 inches above the landing and within 60 inches horizontally of the bottom tread.
- g. Glazing in guards and railings.
14. All doors from the house into the pool area shall be equipped with an approved alarm or an approved alternate drowning prevention safety feature. (CBC 3109 (115922))
15. Smoke alarms shall be installed in the following locations (CRC R314.3, CBC 907.2.11.2, 907.2.11.3 & 907.2.11.4):

2022 Council RESIDENTIAL Construction Requirements 11/2022 2

REV.	DESCRIPTION/DATE
	ISSUE 03-03-25

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ZAK RESIDENCE
34 CASTAWAYS NORTH
NEWPORT BEACH, CA 92660

SHEET NAME:

CLEAR:

SCALE:

DATE:

DRAWN BY:

CHECKED BY:

PROJECT NUMBER:

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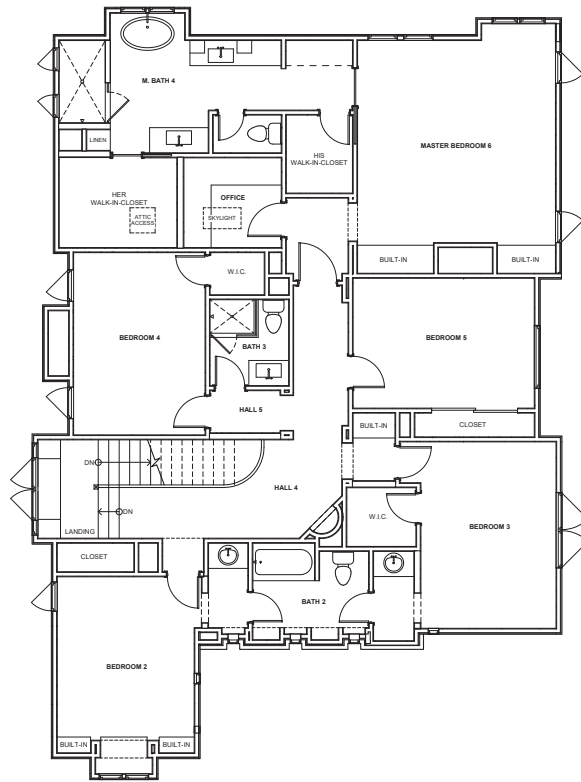
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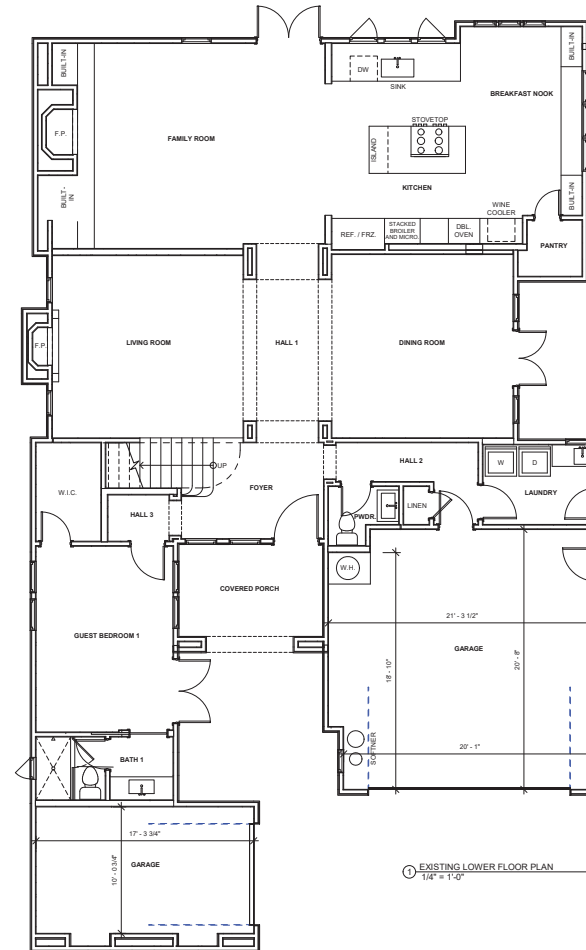
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PROJECT NUMBER:

DATE:



② EXISTING UPPER FLOOR PLAN
1/4" = 1'-0"



① EXISTING LOWER FLOOR PLAN
1/4" = 1'-0"



EXISTING 2X4 STUD WALL
PLAN LEGEND

REV.	DESCRIPTION	DATE
ISSUE	03-03-25	

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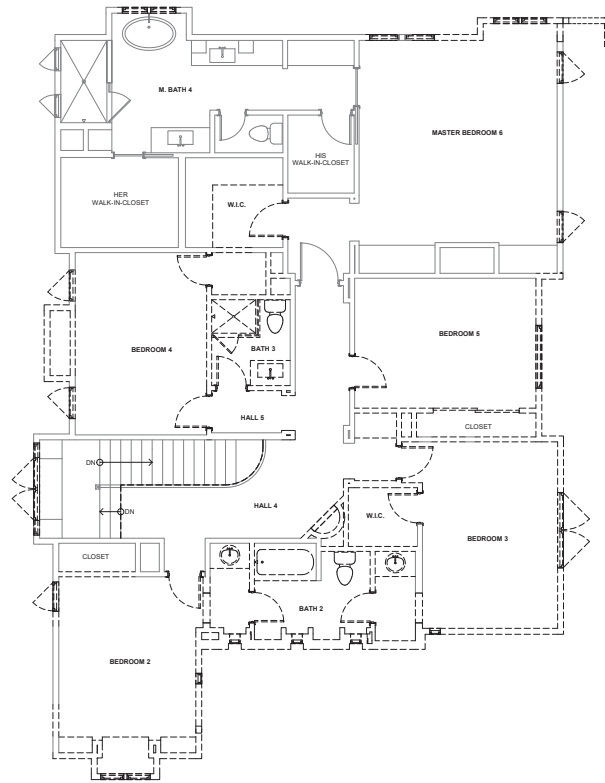
ZAK RESIDENCE
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NEWPORT BEACH, CA 92660

EXISTING FLOOR PLANS

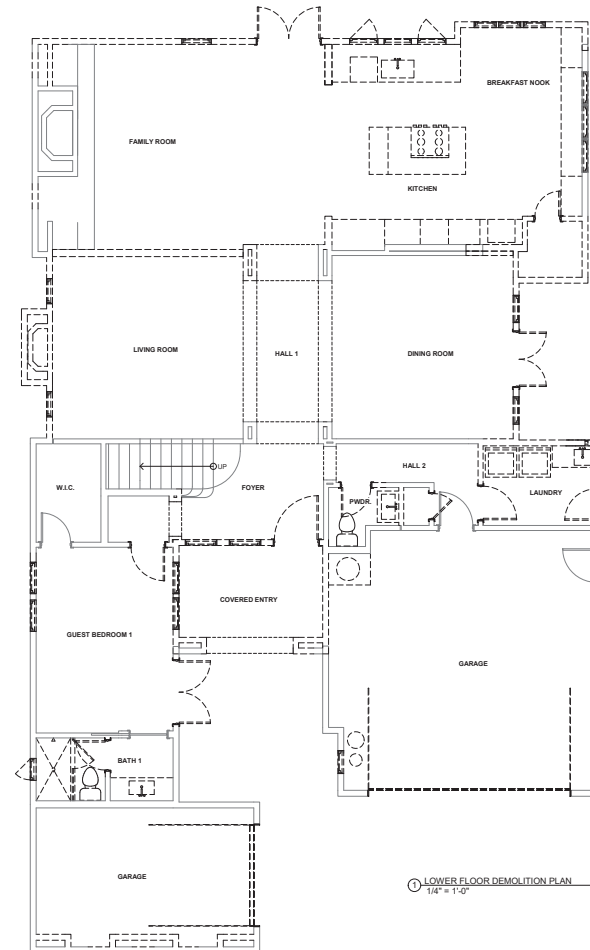
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Date	12-00-22
Drawn by	Author
Checked by	Checker
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A-0.3

3/4/2025 1:43:18 PM



② UPPER FLOOR DEMOLITION PLAN
1/4" = 1'-0"



① LOWER FLOOR DEMOLITION PLAN
1/4" = 1'-0"



	EXISTING 2X4 STUD WALL
	DEMOLITION
PLAN LEGEND	

REV.	DESCRIPTION	DATE
	ISSUE	03-03-25

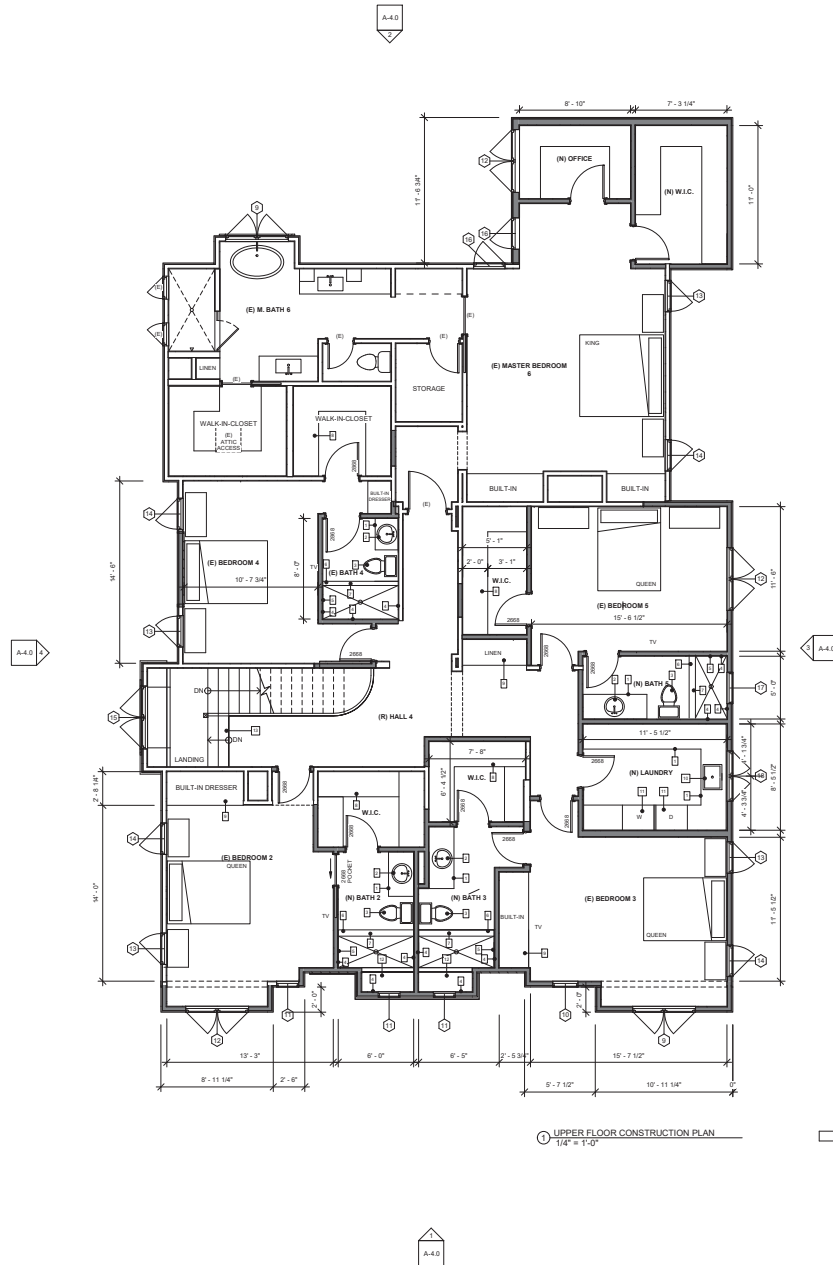
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DEMOLITION PLANS

Project number	2022-00000
Date	12-00-22
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A-0.4	
Scale	1/4" = 1'-0"





	EXISTING 2X4 STUD WALL
	NEW WALL - 2 x 6 STUDS @ 16" O.C.
	NEW WALL - 2 x 4 STUDS @ 16" O.C.
	DEMO WALLS
	WINDOW - REFERENCE SCHEDULE
	DOOR - REFERENCE SCHEDULE
	CABINET - BUILT IN CASEWORK
	COLUMN - REF. STRUCTURAL DWGS.
	DETAIL # BUILDING SECTION
	DETAIL # EXTERIOR ELEVATION
	FURNITURE - FOR PRESENTATION PURPOSES ONLY
	FIREPLACE - PREFAB GAS-ONLY APPLIANCE
	PLUMBING FUTURE - SINK (AS SELECTED)
	PLUMBING FUTURE - TOILET (AS SELECTED)
	LIGHTING FUTURE - REFERENCE ELECTRICAL PLANS
	DOOR TAG - REFERENCE SHEET A-0.1
	WINDOW TAG - REFERENCE SHEET A-0.1
	KEYNOTE TAG - REFERENCE KEYNOTE LEGEND THIS SH.
	SMOKE DETECTOR SEE SHEET A-1.0 & A-1.1
	CARBON MONOXIDE SENSOR SEE SHEET A-1.0 & A-1.1

PLAN LEGEND

REV.	DESCRIPTION	DATE
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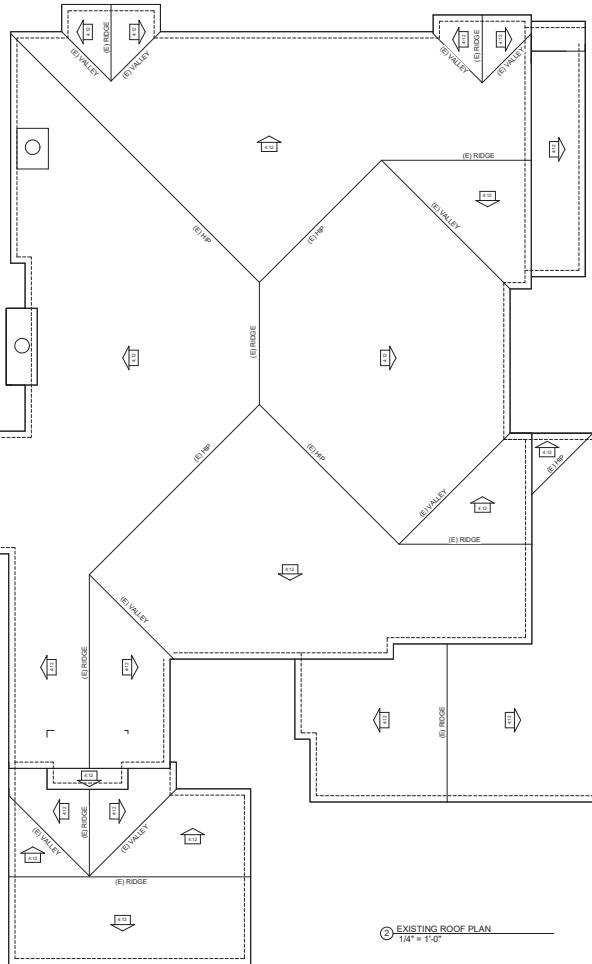
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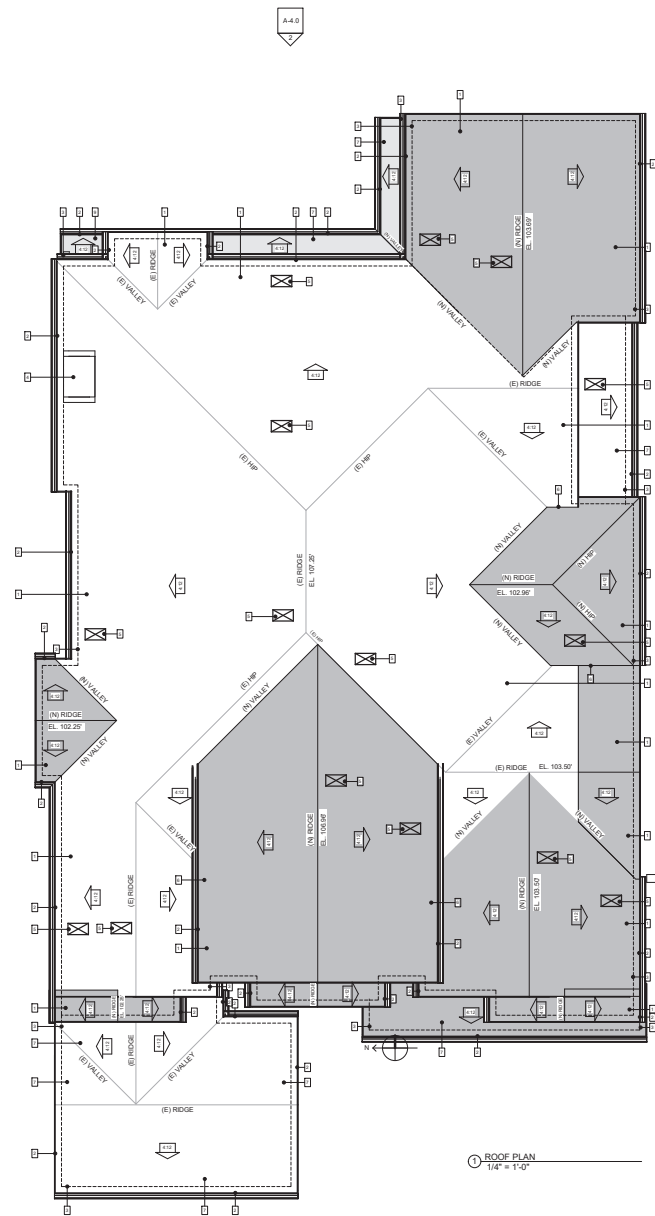
UPPER FLOOR CONSTRUCTION
PLAN

Project number	2022-00000
Date	12-09-22
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Checked by	Checker
Scale	1/4" = 1'-0"

A-1.1



2. EXISTING ROOF PLAN
1/4" = 1'-0"



1. ROOF PLAN
1/4" = 1'-0"

TYPICAL ROOF NOTES:

1. ALL ROOF SHEATHING PER STRUC.
2. NEW FLASHING FINISH TO MATCH RAIN GUTTERS TYPICAL.
3. ENCLOSED ATTICS AND RAFTER SPACES SHALL HAVE CROSS VENTILATION. FOR EACH SEPARATE SPACE, THE TOTAL NET FREE VENTILATING AREA SHALL NOT BE LESS THAN 1/150 OF THE AREA OF THE SPACE VENTILATED. THE TOTAL AREA IS PERMITTED TO BE REDUCED TO 1/350, PROVIDED AT LEAST 40% AND NOT MORE THAN 50% OF THE REQUIRED VENTILATING AREA IS LOCATED IN THE UPPER PORTION OF THE SPACE TO BE VENTILATED AT LEAST 2' ABOVE EAVE OR CORNER VENTS WITH THE BALANCE OF THE REQUIRED VENTILATION PROVIDED BY EAVE OR CORNER VENTS. VENT OPENINGS SHALL BE PROVIDED WITH CORROSION RESISTANT WIRE MESH WITH 1/16" MINIMUM OPENINGS. A MINIMUM OF A 1-INCH AIRSPACE MUST BE MAINTAINED BETWEEN THE INSULATION AND THE ROOF SHEATHING AT THE LOCATION OF VENTS. CIRC RIGID.
4. INSULATION SHALL NOT BLOCK THE FREE FLOW OF AIR. PROVIDE 1 INCH SPACE BETWEEN INSULATION AND ROOF SHEATHING PER SECTION R906.3.

ROOF KEY NOTES:

1. NEW ROOF TO BE LIGHTWEIGHT CONCRETE ROOF TILE, CLASS "A" ROOF.
2. NEW FLASHING FINISH TO MATCH RAIN GUTTERS TYPICAL.
3. ENCLOSED ATTICS AND RAFTER SPACES SHALL HAVE CROSS VENTILATION. FOR EACH SEPARATE SPACE, THE TOTAL NET FREE VENTILATING AREA SHALL NOT BE LESS THAN 1/150 OF THE AREA OF THE SPACE VENTILATED. THE TOTAL AREA IS PERMITTED TO BE REDUCED TO 1/350, PROVIDED AT LEAST 40% AND NOT MORE THAN 50% OF THE REQUIRED VENTILATING AREA IS LOCATED IN THE UPPER PORTION OF THE SPACE TO BE VENTILATED AT LEAST 2' ABOVE EAVE OR CORNER VENTS WITH THE BALANCE OF THE REQUIRED VENTILATION PROVIDED BY EAVE OR CORNER VENTS. VENT OPENINGS SHALL BE PROVIDED WITH CORROSION RESISTANT WIRE MESH WITH 1/16" MINIMUM OPENINGS. A MINIMUM OF A 1-INCH AIRSPACE MUST BE MAINTAINED BETWEEN THE INSULATION AND THE ROOF SHEATHING AT THE LOCATION OF VENTS. CIRC RIGID.
4. INSULATION SHALL NOT BLOCK THE FREE FLOW OF AIR. PROVIDE 1 INCH SPACE BETWEEN INSULATION AND ROOF SHEATHING PER SECTION R906.3.

NEW ROOF ONLY DUCT CALCULATIONS:

REQUIRED NFPA	2,730 sq ft / 200" = 13.65 sq ft
CONVERT TO INCHES	9.1 sq ft x 144" = 1,310 sq in.
HIGH AND LOW VENT	1,310 sq in. x 50% = 655 sq in.
O'Hagen roof vent	97.5 sq in. NFPA
High Profile Model S	
O'Hagen Vent Calculator Below	
TOTAL # OF HIGH VENTS	655 sq in / 97.5 sq in = 6.72 = 7 VENT
TOTAL # OF LOW VENTS	655 sq in / 97.5 sq in = 6.72 = 7 VENT
PROVIDED 7 HIGH VENTS & 8 LOWER VENTS	

	AREA OF NEW ROOF FRAMING 1ST FLOOR
	AREA OF NEW ROOF FRAMING 2ND FLOOR
	LINE OF ROOF
	LINE OF EXTERIOR WALL

ROOF PLAN LEGEND

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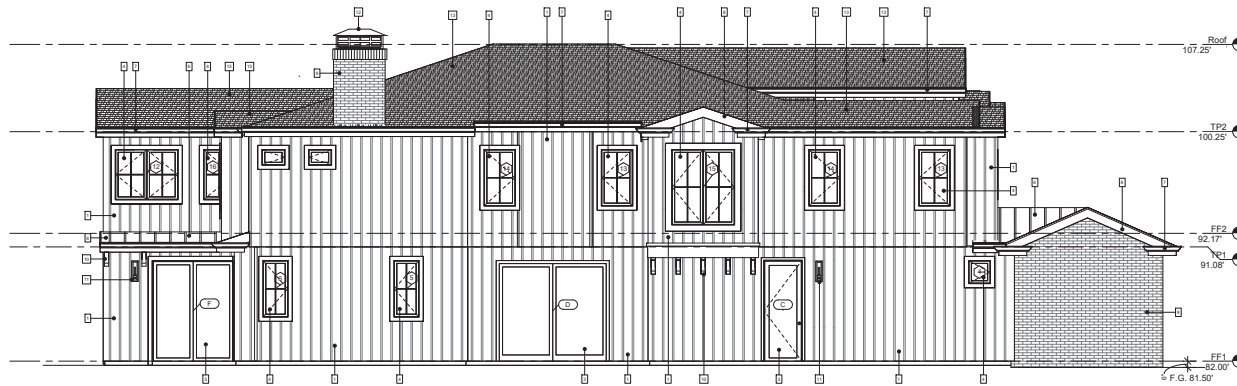
ROOF PLAN

SHEET NAME

Project number	2022-00000
Date	12-00-22
Drawn by	Author
Checked by	Checker
Scale	1/4" = 1'-0"

A-3.0

34/0205 1/4" = 1'-0"



4 SIDE 2 EXTERIOR ELEVATION
1/4" = 1'-0"



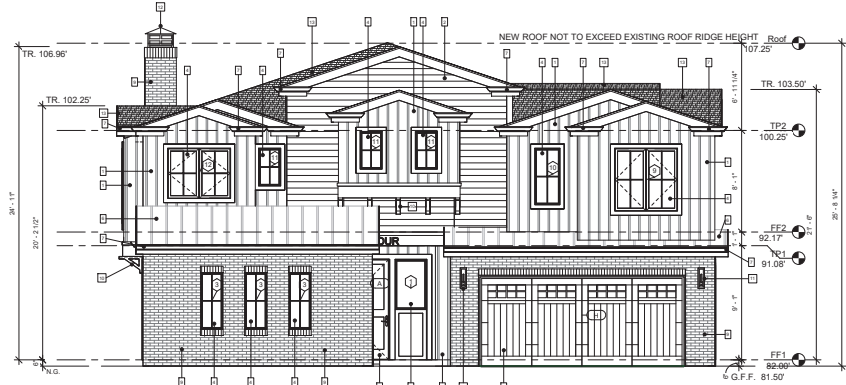
5 SIDE 1 EXTERIOR ELEVATION
1/4" = 1'-0"

ELEVATION KEY NOTES:

1. NEW BOARD AND BATTEN EXTERIOR FINISH - WINDSOR ONE BATTEN 1"x3"
2. PAINTED BENJAMIN MOORE "WHITE DOVE" SATIN FINISH
3. NEW HORIZONTAL LAP SIDING 6" PAINTED BENJAMIN MOORE "WHITE DOVE" SATIN FINISH
4. NEW WINDOW PER SCHEDULE SHEET A-0.1
5. NEW GARAGE DOOR PER SCHEDULE A-0.1
6. NEW CLASS "X" STANDING SEAM METAL ROOF - COLOR BLACK
7. NEW ALUMINUM RAIN GUTTERS COLOR BLACK
8. FASCIA BOARD AND TRIM PAINTED BENJAMIN MOORE "SIMPLY WHITE" SATIN FINISH
9. NEW STONE VENEER 1-1/2" MAX THICKNESS
10. NEW WOOD CORBEL PAINTED BENJAMIN MOORE "SIMPLY WHITE" SATIN FINISH
11. NEW EXTERIOR LED SCONCE
12. NEW COUNTRY 1/2" W/ SPRINK ARRESTOR
13. NEW CLASS "X" LIGHT WEIGHT CONCRETE TILE ROOF EagleLix "PONDERROSA" 303 Sierra Marble



2 REAR EXTERIOR ELEVATION
1/4" = 1'-0"



1 FRONT EXTERIOR ELEVATION
1/4" = 1'-0"

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EXTERIOR ELEVATIONS

SHEET NAME

Project number	2022-00000
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Scale	1/4" = 1'-0"

A-4.0

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