

Attachment E

Planning Commission Staff Report

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CITY OF NEWPORT BEACH PLANNING COMMISSION STAFF REPORT

August 9, 2018
Agenda Item No. 3

SUBJECT: Hinton and Maloney Residence (PA2017-208)
SITE LOCATION: 3200 Ocean Boulevard
▪ Coastal Development Permit No. CD2017-091
▪ Variance Permit No. VA2017-002
APPLICANT: Nicholson Companies
OWNER: Karen M. Hinton and John D. Maloney
PLANNER: David S. Lee, Assistant Planner
949-644-3225, dlee@newportbeachca.gov

PROJECT SUMMARY

A coastal development permit (CDP) to allow the construction of a new 7,276-square-foot, single-unit residence and a 688-square-foot, three-car garage. The application also includes a request for a variance to allow the residence to encroach 5 feet into the required 10-foot rear setback and exceed the maximum floor area limit.

RECOMMENDATION

- 1) Conduct a public hearing;
- 2) Find the project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303, Article 19, of Chapter 3, Guidelines for Implementation of the California Environmental Quality Act) under Class 3, (New Construction or Conversion of Small Structures) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and
- 3) Adopt Resolution No. PC2018-023 approving Coastal Development Permit No. CD2017-091 and Variance No. VA2017-002 (Attachment No. PC 1).

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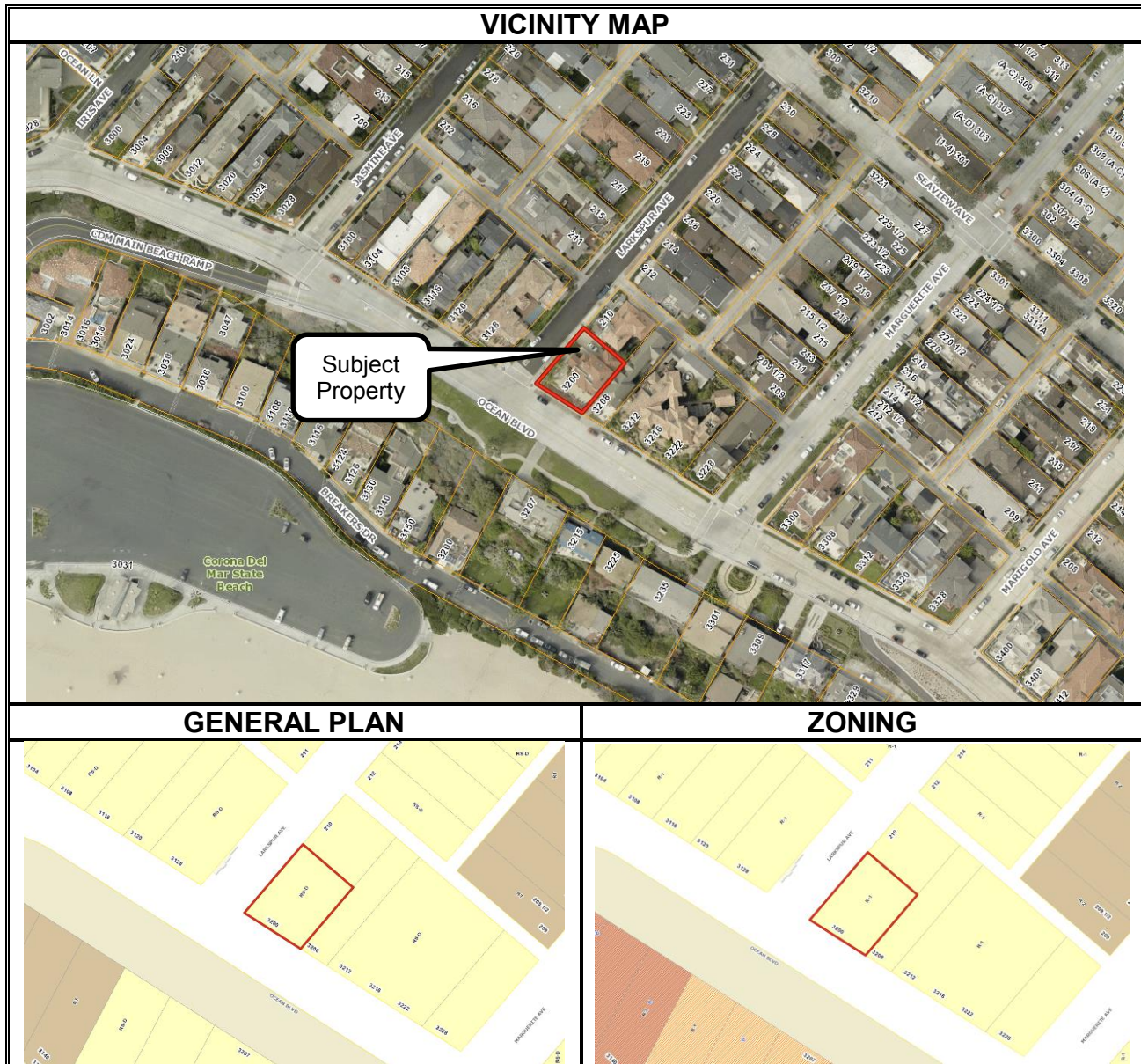


Table 1 – Land Use, Zoning and Uses

LOCATION	GENERAL PLAN	ZONING	CURRENT USE
ON-SITE	Single-Unit Residential Detached (RS-D)	Single-Unit Residential (R-1)	Single-Unit Residence
NORTH	RS-D	R-1	Single-Unit Residences
SOUTH	RS-D	R-1	Single-Unit Residences
EAST	RS-D	R-1	Single-Unit Residences
WEST	RS-D	R-1	Single-Unit Residences

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INTRODUCTION

Project Setting

The 5,445-square-foot lot is located in Corona del Mar on the northeast corner of Ocean Boulevard and Larkspur Avenue, on the northerly side of Ocean Boulevard. The property is located in a residential neighborhood and is immediately surrounded by other single-unit residences. The property takes vehicular access from Larkspur Avenue due to the lack of alley access. The property faces Ocean Boulevard and the Corona del Mar State Beach access ramp is located approximately 250 feet to the west.

The site is currently developed with a 2,904-square-foot, two-story, single-unit residence that encroaches 8 feet, 3 inches into the required 10-foot rear setback. The existing residence also encroaches approximately 4 inches into the required 4-foot interior side setback. In 1990, Modification Permit No. MD3791 was approved authorizing an 885-square-foot addition and alterations to the existing nonconforming dwelling, including allowing the second floor addition to maintain the 4-inch encroachment into the 4-foot side setback.

Project Description

The applicant proposes to demolish the existing single family residence and construct a new 7,276-square-foot, single family residence and a 688-square-foot, three-car garage. The proposed residence would consist of two levels above grade totaling 4,528 square feet (excluding the garage) and a 2,748 square-foot subterranean basement. The proposed three-car garage is designed to include lift access to an additional vehicle storage space within the subterranean basement. In addition, the design includes an elevator that leads to a roof deck above the second floor.

Background – Lot Reorientation

The subject property and surrounding area were originally subdivided in 1904 as part of the Re-Subdivision of Corona del Mar (Attachment No. PC 3). The subject property and neighboring property at 210 Larkspur Avenue consist of portions of Lot 7 and 8 of Block 138 of that original subdivision. At the time of the original subdivision, the two lots were typical of neighboring lots and were oriented in a northeasterly direction with each lot facing Ocean Boulevard with alley access provided at the rear. Prior to the construction of the existing residence in 1948, portions of Lots 7 and 8 were combined and reoriented to provide two lots facing Larkspur Avenue. As a result of reorientation, the subject property (the southern portions of Lots 7 and 8) does not have alley access and maintains vehicular access from Larkspur Avenue. The reoriented lots are highlighted below in Figure 1.

Figure 1 – Reoriented Lots 7 and 8



DISCUSSION

Analysis

General Plan, Local Coastal Plan, and Zoning Code

The site is designated as Single-Unit Residential Detached (RS-D) by the General Plan Land Use Element and Single Unit Residential Detached – 6.0-9.9 DU/AC (RSD-B) by the Coastal Land Use Plan (CLUP). It is located within the Single-Unit Residential (R-1) Zoning District and Coastal Zoning District. The single-unit residence is a permitted use under these land use designations. With the exception of the requested variance for rear setback encroachment and floor area limitation, the proposed residence complies with all other applicable development standards of the R-1 Zoning and Coastal Zoning Districts as illustrated in Table 2 below:

Table 2: Zoning and Coastal Zoning Development Standards			
Development Feature	Required	Existing	Proposed
Setbacks (min.)			
Front	24'	24'	24'
Rear	10'	1'-10"	5' ⁽¹⁾
Left Side (West)	4'	13'-4"	4'
Right Side (East)	4'	3'-8"	4'
Height (max.)			
Flat	24'		24'
Sloped	29'	25'-6"	29'
Open Space (min.)	466 sq. ft.	Exceeded	665 sq. ft.
3 rd Floor Area (max.)	466 sq. ft.	No 3 rd Floor	No 3 rd Floor
Floor Area Limit (max.)	4,234 sq. ft.	2,904 sq. ft.	5,216 sq. ft. (excluding basement) ⁽¹⁾⁽²⁾
Parking (min.)	3 spaces	2 spaces	3 spaces

(1) Variance requested

(2) The floor area of a subterranean basement is not included in the calculation of total gross floor area pursuant to NBMC Sections 20.18.030 and 21.18.030. The total floor area including the subterranean basement is 7,964 square feet.

Variance Findings

The variance is requested to reduce the required rear yard setback and to exceed the maximum floor area limit allowed by the Zoning Code and certified Local Coastal Program (LCP) Implementation Plan. A variance is a request to waive or modify certain standards when, because of special circumstances applicable to the property, including location, shape, size, surroundings, topography, or other physical features, the strict application of the development standards otherwise applicable to the property denies the property owner privileges enjoyed by other property owners in the vicinity and in the same zoning district. A variance should be granted to maintain parity between the variance site and nearby properties in the same zoning district to avoid the granting of special privileges to one property.

Currently, the certified LCP is silent on variance procedures. However, California Coastal Act (Coastal Act) Section 30010 states that the Coastal Act is not intended to "take or damage private property for public use, without the payment of just compensation therefor." Coastal Act Section 30010 further states that the Coastal Act is "not intended to increase or decrease the rights of any owner of property under the Constitution of the State of California or the United States." This policy is reiterated in the certified LCP as CLUP Policy 1.3(1). As the Coastal Act and the certified LCP are not intended to increase or diminish the rights of any property owner, the Community Development Director has made an interpretation pursuant to NBMC Section 21.12.020 (Rules of Interpretation) that the City will rely upon the variance procedures in the City's Zoning Code (Section 20.52.090) for deviations requested from the certified LCP Implementation Plan development standards allowing for due process for the applicant.

The City has a pending LCP amendment under review by the California Coastal Commission to acknowledge variances and modification permits through a CDP, in order to provide due process to the applicant.

Section 20.52.090.F (Variances, Findings and Decision) of the Zoning Code requires the Planning Commission to make the following findings before approving a variance:

- A. There are special or unique circumstances or conditions applicable to the subject property (e.g., location, shape, size, surroundings, topography, or other physical features) that do not apply generally to other properties in the vicinity under an identical zoning classification;*
- B. Strict compliance with Zoning Code requirements would deprive the subject property of privileges enjoyed by other properties in the vicinity and under an identical zoning classification;*
- C. Granting of the Variance is necessary for the preservation and enjoyment of substantial property rights of the applicant;*
- D. Granting of the Variance will not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and in the same zoning district;*
- E. Granting of the Variance will not be detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood; and*
- F. Granting of the Variance will not be in conflict with the intent and purpose of this Section, this Zoning Code, the General Plan, or any applicable specific plan.*

Variance Analysis – Rear Setback Encroachment

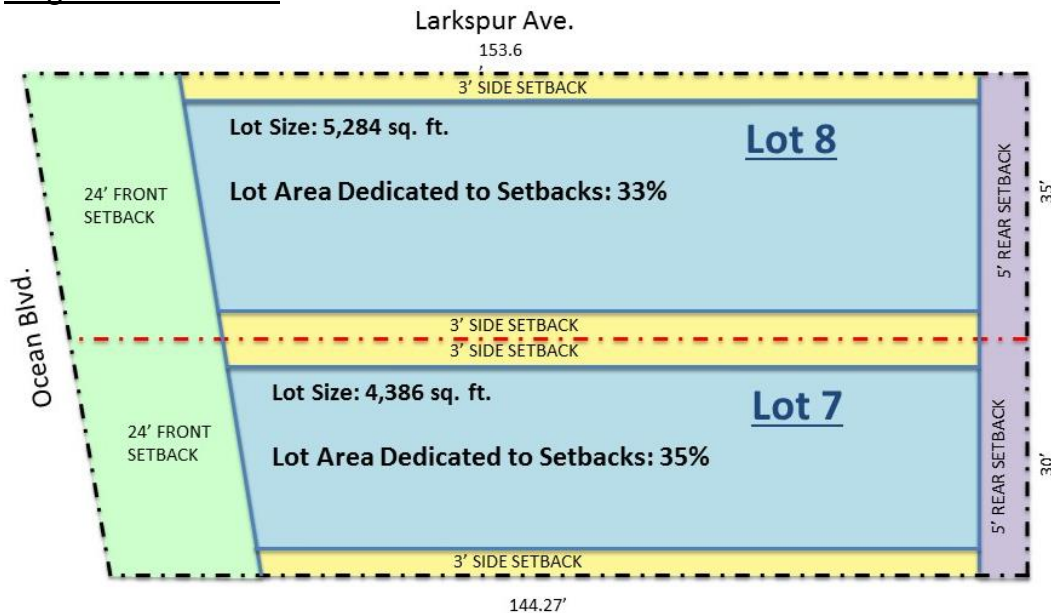
Typical R-1 lots surrounding the subject property abut an alley and are only subject to a 5-foot rear alley setback. However, the subject lot is atypical due to the reorientation and it abuts another lot developed with a residence to the rear instead of an alley. Including the subject property and 210 Larkspur Avenue, there are a total of 13 (3.5 percent) similarly reconfigured lots out of 367 lots in the 1904 Re-subdivision. Out of these 13 lots, 11 have been previously granted deviations from the Zoning Code (See Attachment No. PC 4). Due to the lot not abutting an alley, it is subject to a 10-foot rear setback. The 10-foot rear setback, in addition to the large 24-foot front setback, disproportionately impacts the property owner's ability to develop the property.

As illustrated in Figure 2, the lot's current setback configuration results in 48 percent of the lot dedicated to setback areas, whereas surrounding typical properties have a range between 26 to 38 percent. As such, strict compliance with setback requirements with the

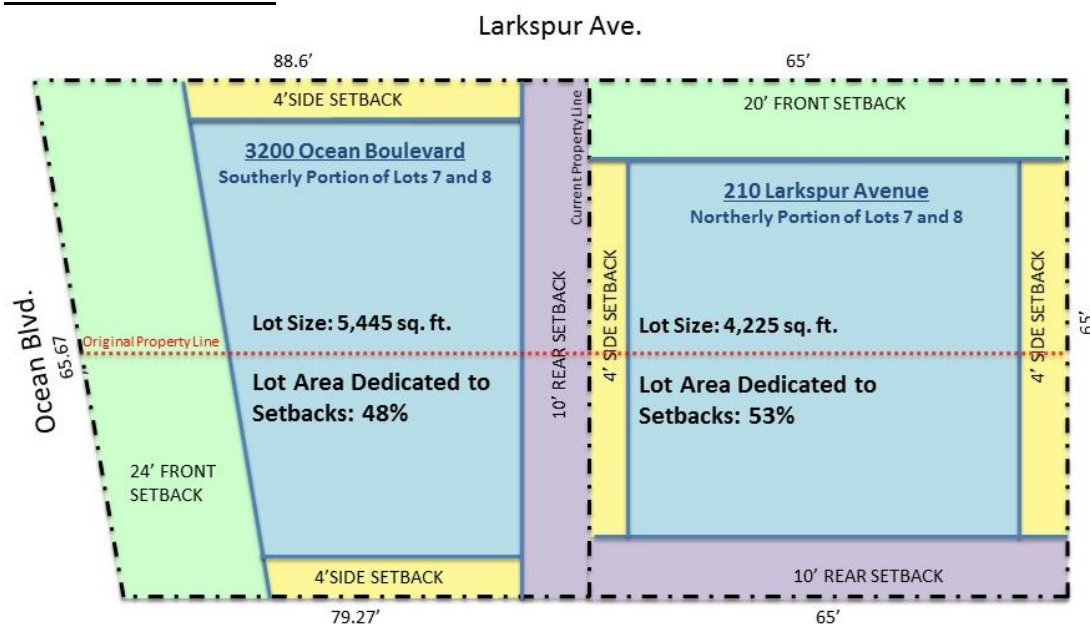
existing atypical lot configuration reduces the usable buildable area when compared to surrounding typical lots with similar lot sizes in the area. Alternatively, if the subject property and neighboring 210 Larkspur Avenue were never reoriented, development of the original Lots 7 and 8 with orientation facing Ocean Boulevard, would be subject to setbacks and a percentage of lot area dedicated to setbacks (35% and 33%) consistent with surrounding typical lots in the area.

Figure 2 – Lot Reorientation (Setbacks)

Original Orientation



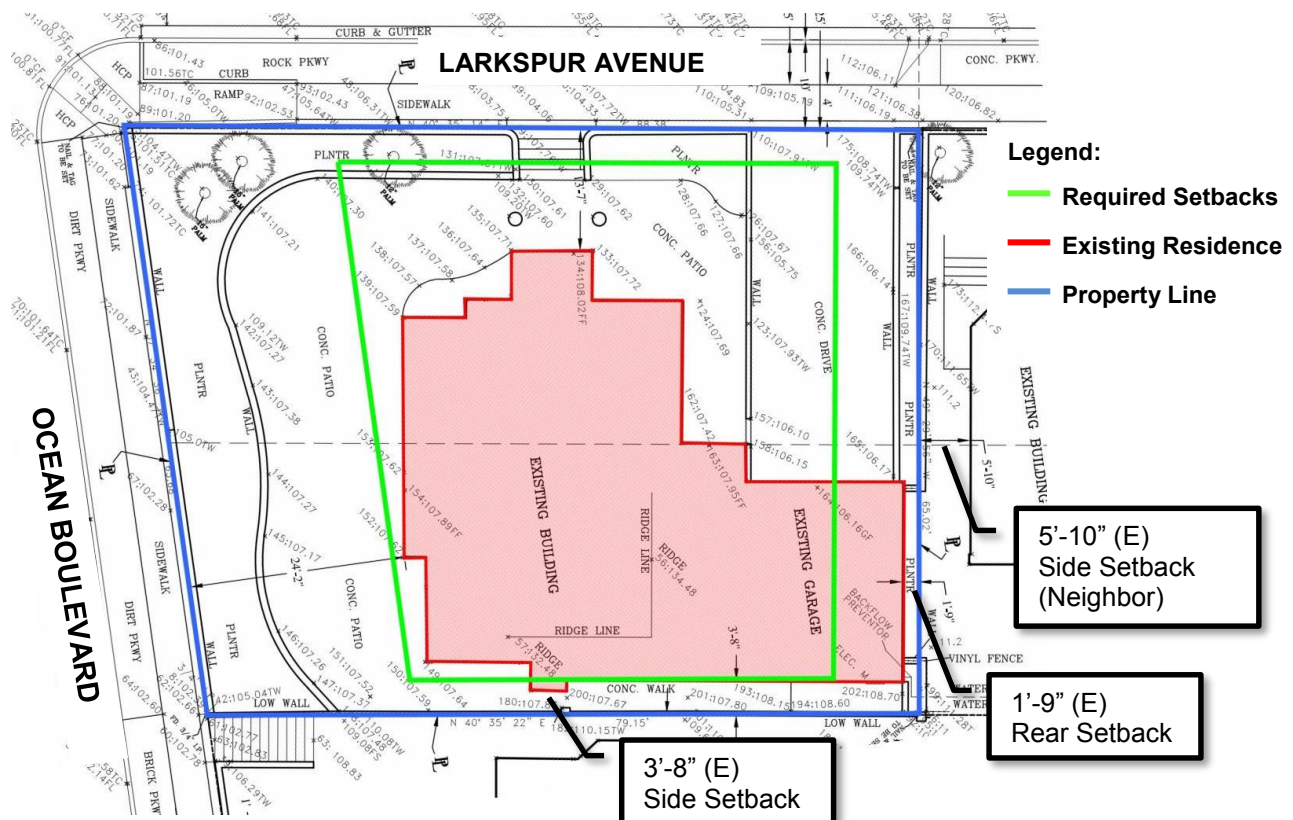
Current Orientation



The requested 5-foot rear yard setback would make the property more compatible with the existing setbacks of the immediately adjacent properties. The remaining properties along the same block have the same large 24-foot front setback, but enjoy a similar 5-foot rear yard setback and larger percentage of buildable area. Granting a 5-foot rear yard setback would decrease the percentage of the lot dedicated to setbacks from 48 to 43 percent and bring parity between the subject property and other lots in the surrounding neighborhood.

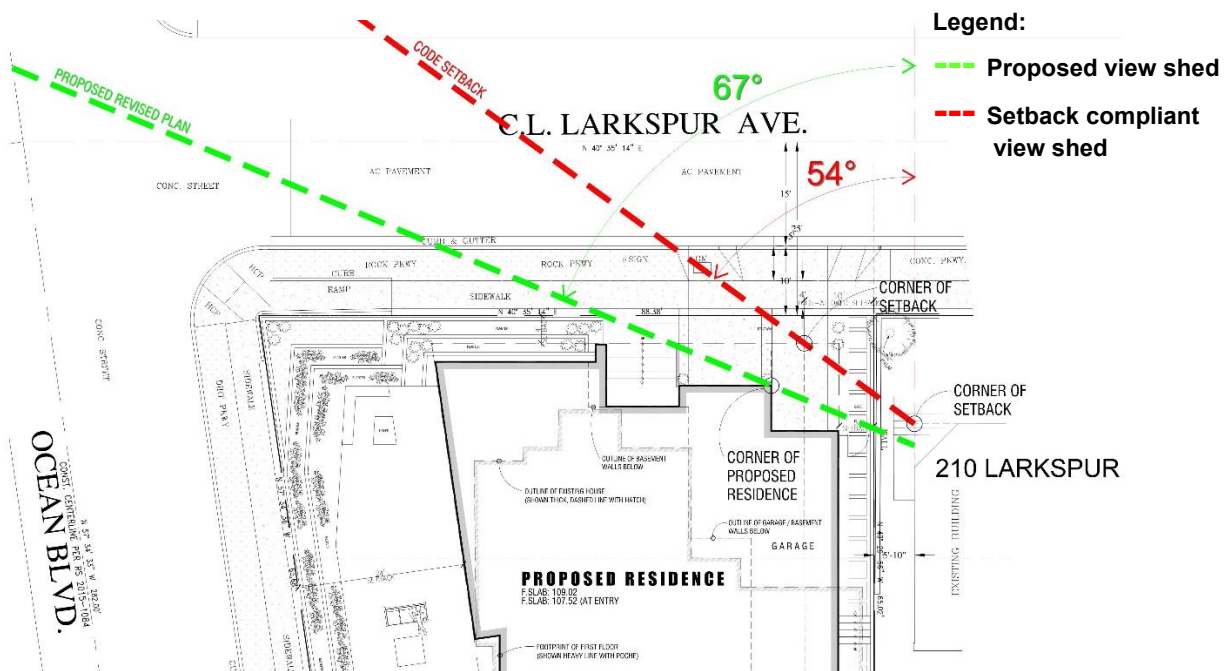
As illustrated in Figure 3, a 22-foot-wide portion of the existing garage and second floor living area currently encroach 8 feet, 3 inches into the required 10-foot rear yard setback, resulting in a setback of 1-foot 9-inches. The proposal includes the demolition of the existing dwelling and the construction of a new dwelling 5 feet from the property line for a width of 37 feet. Although the width of the encroachment increases, the location of the dwelling 5 feet from the property line exceeds what would normally be provided if this were treated as a side yard with a minimum required 4-foot setback, and provides an increased setback distance compared to the existing condition. As a result, there would be increased light and air to the adjacent property. Additionally, the existing setback for the residence of 210 Larkspur Avenue abutting this property is 5 feet, 10-inches (4-foot minimum side setback required), resulting in a proposed separation of 10 feet, 10 inches between the neighboring structures, whereas the existing separation is 7 feet, 7 inches.

Figure 3 – Existing Development



Although the City does not have private view protection policies, the adjacent neighbor located at 210 Larkspur Avenue currently enjoys a private view across the northwesterly corner of the subject lot. The design includes a 204-square-foot open space design feature by way of a larger setback on each of the two levels above grade at the northwesterly corner of the proposed dwelling. The applicant included the feature to preserve a portion of the neighbor's existing private view. As illustrated in Figure 4, the design also provides a greater setback and a greater private view shed than what would be provided with a setback-compliant design. The draft resolution of approval includes a condition that requires the design feature to be maintained.

Figure 4 – Private View Exhibit



Variance Analysis – Floor Area Increase

The maximum floor area permitted on R-1 properties in Corona del Mar is based on a calculation of 1.5 times the buildable area. The buildable area is defined as the area of a lot, excluding the minimum front, side, and rear setback areas. As previously mentioned, due to the reorientation of the lots, the buildable area of the subject property is disproportionately less than that of typical surrounding lots. As a result, the maximum allowable floor area is also similarly impacted. Currently, the subject lot has a buildable area of 2,823 square feet, resulting in a maximum floor area of 4,234 square feet.

Due to the difference in lot sizes and variation in setback areas between the subject property and surrounding lots, staff has calculated the floor to lot area ratios to compare the proposed project to other properties in the area (Table 3 below). A map that shows the referenced properties is shown in Figure 5 below.

Table 3: Lot Comparison					
Property Address	Lot Size (SF)	Buildable Area (SF)	Max Floor Area (Buildable SF x 1.5) (SF)	Floor Area Ratio	Required Setbacks
3200 Ocean Blvd. (Code-Required)	5,445	2,823	4,234	0.777	F:24 R:10 S:4
3200 Ocean Blvd. (Proposed)	5,445	3,108	5,216	0.958	F:24 R:5 S:4
Neighboring Lots					
3128 Ocean Blvd.	8,127	5,631	8,446.5	1.039	F:22 R:5 S:4
3208 Ocean Blvd.	4,263	2,707	4,060.5	0.952	F:24 R:5 S:3
210 Larkspur Ave. ⁽¹⁾	4,225	1,994.6	2,991.9	0.708	F:20 R:10 S:4
211 Larkspur Ave.	5,310	3,626	5,439	1.024	F:15 R:5 S:4
212 Larkspur Ave.*	4,720	3,332	4,998	1.059	F:15 R:5 S:3
217 Larkspur Ave.*	4,720	3,332	4,998	1.059	F:15 R:5 S:3
3300 Ocean Blvd.	7,893	5,355	8,032.5	1.018	F:25 R:5 S:4
3100 Ocean Blvd.	5,746	3,973	5,959.5	1.037	F:8 R:10 S:3
209 Marguerite Ave.*	4,720	3,672	5,508	1.167	F:5 R:5 S:3

*Typical lot size in the neighborhood.
 (1) Staff Approval No. SA2001-017 (August 22, 2001) authorized reconstruction of dwelling to maintain a 4-foot rear setback and 15-foot front setback consistent with prior approval of Modification Permit No. MD2001-090.

Figure 5: Setback/Reference Map



A typical lot in the surrounding area is 4,720 square feet. These lots have FARs between 1.059 and 1.167, depending on their respective setback requirements and the Code-required floor area limit. However, due to the orientation of the subject lot, the buildable area results in a maximum FAR of 0.777, which is approximately 25 percent less than what is allowed on lots of similar or smaller size and with a non-reoriented configuration in the neighborhood.

In its original configuration (see Figure 6A), Lot 7 would have a maximum floor area of 4,247 square feet and Lot 8 would have a maximum floor area of 5,335 square feet, totaling a maximum floor area of 9,582 between the two lots. Due to the reconfiguration of the two lots to face Larkspur Avenue (see Figure 6B), the subject lot has a maximum floor area of 4,234 square feet and 210 Larkspur has a maximum floor area of 2,993 square feet, totaling a maximum floor area of 7,227 square feet which is approximately 25 percent less than the original configuration of the lots would have provided.

Figure 6A – Lot Reorientation (Floor Area)
Original Orientation

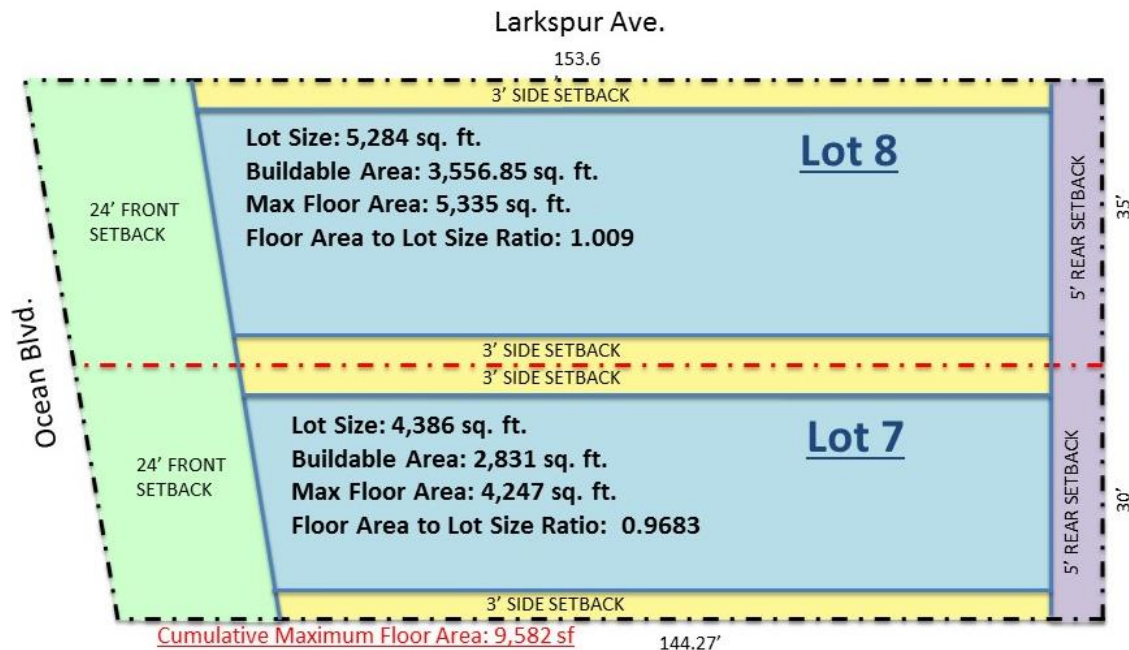
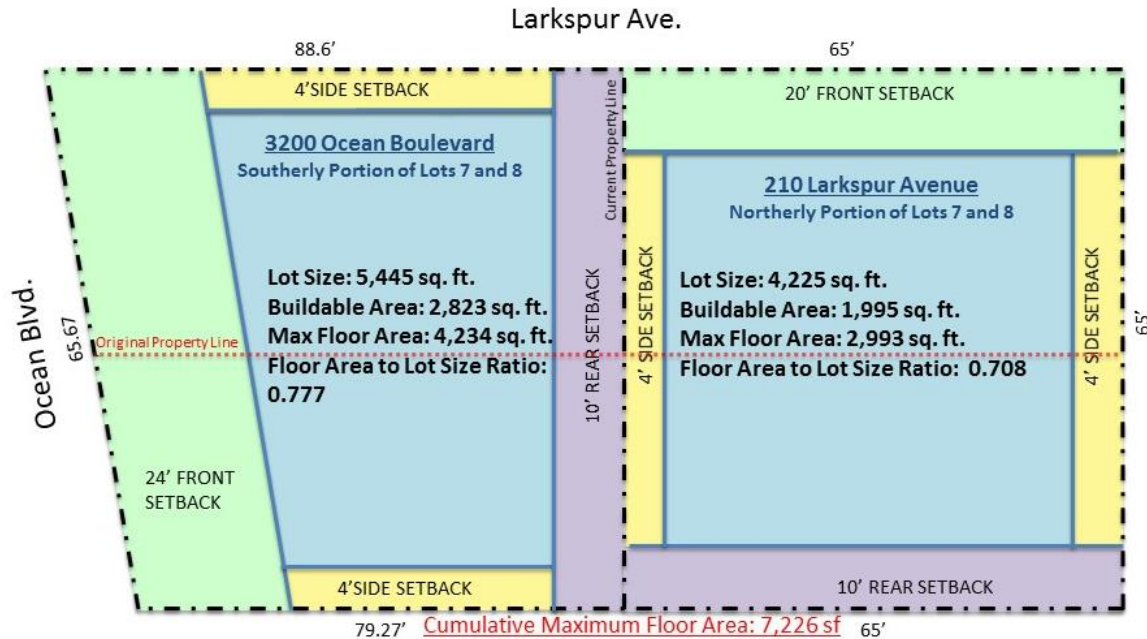


Figure 6B – Lot Reorientation (Floor Area)
 Current Orientation



The applicant is requesting a maximum floor area of 5,216 square feet, which would result in a FAR of 0.958. The granting of the variance would not constitute a special privilege, as it is consistent with and lower than other properties in the vicinity and within the same zone. The subject property has a unique lot configuration that is different from other properties in the vicinity and same zone and results in the application of setbacks and buildable area that is significantly more restrictive. As demonstrated, strict compliance with the Zoning Code requirements would deprive the subject property of constructing a residence with similar FAR and setbacks when compared to neighboring lots and the granting of the variance would not grant more floor area than what could be achieved by other property owners in the same vicinity with identical zoning requirements.

Coastal Development Permit

The subject property is located within the Categorical Exclusion Order (CEO) Area of the Coastal Zone. Projects on properties located within the CEO may be excluded from the requirement to obtain a coastal development permit (CDP) provided it meets the conditions of the Coastal Commission's Exclusion Order CE-5-NPB-16-1. One of the conditions is the 1.5 floor area limit and given that the proposed project does not meet the maximum floor area limit, the project does not qualify for a Categorical Exclusion and requires a coastal development permit.

Pursuant to certified LCP Implementation Plan Section 21.52.15 (F) (Findings and Decision), the review authority may approve or conditionally approve a CDP application, only after first finding that the proposed development:

1. *Conforms to all applicable sections of the certified Local Coastal Program (e.g. development standards, no impacts to public views, natural resources, etc.); and*
2. *Conforms with the public access and public recreation policies of Chapter 3 of the Coastal Act if the project is located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone.*

Staff believes sufficient facts exist to support the CDP request, as proposed by the applicant and demonstrated in the Draft Resolution (Attachment No. PC 1).

Scenic and Visual Quality Protection

The Coastal Land Use Plan of the certified LCP identifies Ocean Boulevard as a coastal view road due to the view of the coast looking south. Due to the location of the project near this protected public view, an initial evaluation of the potential impact to the view shed or the scenic and visual qualities of the coastal zone was conducted pursuant to Section 21.30.100 of the certified LCP Implementation Plan.

The 3100-3200 block of Ocean Boulevard provides views of the ocean, Harbor entrance and Corona del Mar State Beach. However, the subject property is located landward of Ocean Boulevard; therefore, the proposed project site is not between public vantage points along Ocean Boulevard and these view features. Therefore, the project will not impact existing, nor provide an opportunity to enhance, public views along Ocean Boulevard.

Larkspur Avenue provides a view corridor to south and that also allows views of the ocean, Harbor entrance, and Corona del Mar State Beach. While the proposed single-unit residence will be located closer to Larkspur Avenue than the existing residence, it will not encroach into the side setback area established by the certified LCP. Furthermore, the CDP is conditioned to restrict accessory structures and landscaping within this setback area in order to maintain the view corridor. Therefore, the project will not significantly impact existing, nor provide an opportunity to enhance, public views from Larkspur Avenue.

The proposed project will maintain a building envelope consistent with the certified LCP, with the exception of the proposed deviations to the rear setback and floor area limitation. These proposed deviations are limited and only allow for a development that is similar and compatible in design, bulk, and scale of the existing single-unit neighborhood pattern of development and expected future developments permitted pursuant to the certified LCP. When viewed from nearby and distant public viewing areas, the completed project will blend into the low-density residential form of the neighborhood. Therefore, the

proposed project does not have the potential to degrade the visual quality of the Coastal Zone.

As a result of this initial evaluation, it is staff's determination that the proposed deviations will not result in visual impacts that would be detrimental to the surrounding areas in the coastal zone.

Public Access

Certified LCP 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. The project site does not currently provide a public view or access easement and is located more than 200 feet from the nearest public beach. Public access by pedestrians and vehicles to the coast and to public views is presently provided by Ocean Boulevard and Larkspur Avenue, both public roads, and the proposed project is designed and sited so as not to interfere with that access.

The project site does not have alley access and the proposed project will use an existing driveway approach on Larkspur Avenue for vehicular access. Therefore, existing public on-street parking will be maintained. The proposed project will provide three off-street parking spaces within garages, which conforms with Zoning Code and certified LCP off-street parking requirements for a single-unit residence with this amount of floor area. Therefore, the project will not impact public on-street parking available for public access.

Finally, the proposed single-unit residence will replace an existing single-unit residence; therefore, the proposed project will not generate a significant new or increased demand for public access or recreational opportunities as there will be no increase in density.

Summary

The reconfiguration of the subject property has created a unique lot orientation that has a rear setback and floor area limit that is more restrictive than neighboring lots of similar size in the surrounding area. Staff, therefore, recommends Planning Commission approval of the variance and coastal development permit based on the discussion and facts above and findings included in the draft resolution for approval. Conditions of approval have been incorporated into the attached draft resolution (Attachment No. PC 1).

Alternatives

1. The Planning Commission may suggest specific changes that are necessary to alleviate concerns. If any additional requested changes are substantial, the item should be continued to a future meeting to allow a redesign or additional analysis. Should the Planning Commission choose to do so, staff will return with a revised resolution incorporating new findings and/or conditions.

2. If the Planning Commission believes that there are insufficient facts to support the findings for approval, the Planning Commission must deny the application and provide facts in support of denial to be included in the attached draft resolution for denial (Attachment No. PC 2).

Environmental Review

This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 under Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment.

Public Notice

Notice of this hearing was published in the Daily Pilot, mailed to all owners 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 meeting, 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.

Prepared by:

Submitted by:



David S. Lee
Assistant Planner



Jim Campbell
Deputy Community Development Director

ATTACHMENTS

- ~~PC 1 Draft Resolution with Findings and Conditions~~
- ~~PC 2 Draft Resolution for Denial~~
- PC 3 Re-Subdivision Map of Corona del Mar (1904)
- PC 4 Deviations of Reconfigured Lots Along Ocean Boulevard
- PC 5 Project Plans
- PC 6 Correspondence

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~~Attachment No. PC 1~~

~~Draft Resolution with Findings and Conditions~~

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~~Attachment No. PC 2~~

~~Draft Resolution for Denial~~

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of City Council Report for Updated Version

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Attachment No. PC 3

Re-Subdivision Map of Corona del Mar (1904)

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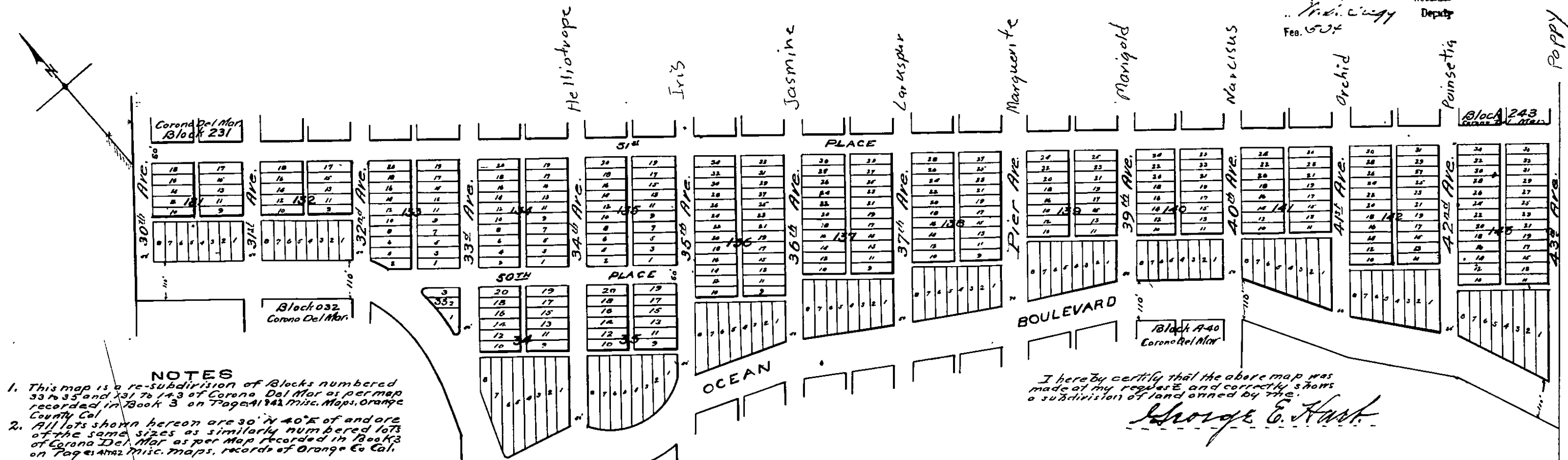
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JUL 10 1906
at request of
Owner
Orange County Records
S. H. Finley
County Surveyor
1006

Map
GOLDEN STATE TRACT
S. H. FINLEY
County Surveyor
1006

MAP OF Re-Subdivision of CORONA DEL MAR

BY S. H. FINLEY
County Surveyor

FILED
JUL 10 1906
at request of
Owner
Orange County Records
S. H. Finley
County Surveyor
1006



- NOTES
1. This map is a re-subdivision of Blocks numbered 33 to 35 and 131 to 143 of Corona Del Mar as per map recorded in Book 3 on Page 142 Misc. Maps, Orange County Cal.
 2. All lots shown hereon are 30' x 40' of and are of the same size as similarly numbered lots of Corona Del Mar as per map recorded in Book 3 on Page 142 Misc. Maps, records of Orange Co. Cal.

S. H. Finley
County Surveyor

I hereby certify that the above map was approved by the Board of Supervisors of Orange Co. Cal. at a meeting held July 10, 1906.

George E. Hart
County Surveyor

I hereby certify that the above map was made of my regular and correctly shows a subdivision of land owned by the

George E. Hart
County Surveyor

Los Angeles, June 25
Edward W. Ferry

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Los Angeles
George E. Hart

Edward W. Ferry

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Attachment No. PC 4

Deviations of Reconfigured Lots Along Ocean Boulevard

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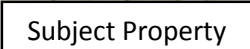
Deviations of Reconfigured Lots Along Ocean Boulevard

Address	Deviation			Discretionary Approval	Description
	Setbacks	Floor Area	Non-conforming		
2824 Ocean Blvd.			X	No discretionary approvals on file	Existing structure encroaches into 10-foot rear setback.
2828 Ocean Blvd.			X	No discretionary approvals on file	Existing structure encroaches into 10-foot rear setback.
211 Heliotrope Ave.	X	X		Alternative Setback Determination No. SA2011-012 <i>Approved June 21, 2011</i>	To modify setbacks and resulting buildable area to 10 feet along Heliotrope Avenue (front), 4 feet along the rear property line, 5 feet along Ocean Lane (side), and 4 feet opposite Ocean Lane (side).
3000 Ocean Blvd.	X			Modification Permit No. 195 <i>Approved May 12, 1970</i>	To permit a detached garage to encroach 7 feet into a 10-foot rear setback.
210 Iris Ave.	X			Modification Permit No. 4459 <i>Approved July 9, 1996</i>	To permit a replacement second floor balcony to encroach 10 feet into a 20-foot front yard setback, and 7 feet 3 inches into a required 10 foot rear setback. Also, to permit a staircase to encroach 3 feet into a 4-foot side yard setback.
	X			Variance No. 62 <i>Approved June 23, 1952</i>	To reduce the front setback (Iris Ave.) from 20 feet to 10 feet, and reduce the rear setback from 10 feet to 3 feet.
	X			Modification Permit No. MD2007-085 <i>Approved December 4, 2007</i>	To permit the encroachment of bay windows 12 feet 3 inches into a 20-foot front setback along Iris Ave and 7 feet 3 inches into a 10-foot rear setback.

3200 Ocean Blvd.	X			Modification Permit No. 3791 <i>Approved December 18, 1990</i>	To permit an addition to encroach 4 inches into a 4-foot side setback.
210 Larkspur Ave.	X	X		Variance No. 1206 <i>Approved June 8, 1995</i> <i>*Never Constructed</i>	To permit an addition to exceed maximum floor area and encroach 1-foot 3 inches into a 20-foot front setback, and 6 feet into a 10-foot rear setback.
	X			Modification Permit No. 2001-090 <i>Approved August 22, 2001</i>	To permit an expansion of an existing fireplace in front setback, and an extension of a second floor deck to encroach 3 feet 6 inches into a 20-foot front setback.
211 Orchid Ave.	X			Modification Permit No. 2533 <i>Approved April 29, 1980</i>	To permit a patio structure to encroach 6 feet into a 10-foot rear setback.
	X	X		Alternative Setback Determination No. SA2012-002 <i>Approved April 5, 2012</i>	To reduce a portion the existing 20-foot front setback to 10 feet, and to reduce the 10-foot rear setback to 7 feet, except for a portion of the rear to be reduced to 4 feet for the garage. Results in increased buildable and maximum floor area.
3600 Ocean Blvd.	X			Variance No. 418 <i>Approved November 21, 1957</i>	To permit a 5-foot encroachment into a 10-foot rear setback.
	X			Variance No. 616 <i>Approved August 18, 1960</i>	To permit a 3-foot, 6-inch overhang to encroach into a 25-foot front setback.
3728 Ocean Blvd.	X			Modification Permit No. 2170 <i>Approved November 29, 1977</i>	To permit the renovation of an existing nonconforming garage that encroaches 4 feet into a required 4-foot setback.
	X			Modification Permit No. 3269 <i>Approved April 14, 1987</i>	To permit an expansion to an existing nonconforming garage that encroaches 3 feet 3 inches into a 4 foot side setback, and the

					reconstruction of a deck above the garage that will encroach 3 feet 3 inches into a 4 foot side setback.
	X			Modification Permit No. 3515 <i>Approved March 7, 1989</i>	To permit a structural alteration to an existing nonconforming garage and second floor deck which encroach 4 feet into a required 4-foot side setback.
	X			Modification Permit No. 4959 <i>Approved August 31, 1999</i>	To permit additions and alterations to an existing residence that encroaches 1 foot 6 inches into the required 4-foot side setback.
215 Poppy Ave.	X			Modification Permit No. 564 <i>Approved September 12, 1972</i>	To permit a second floor balcony to encroach 9 inches into a 20 front setback.

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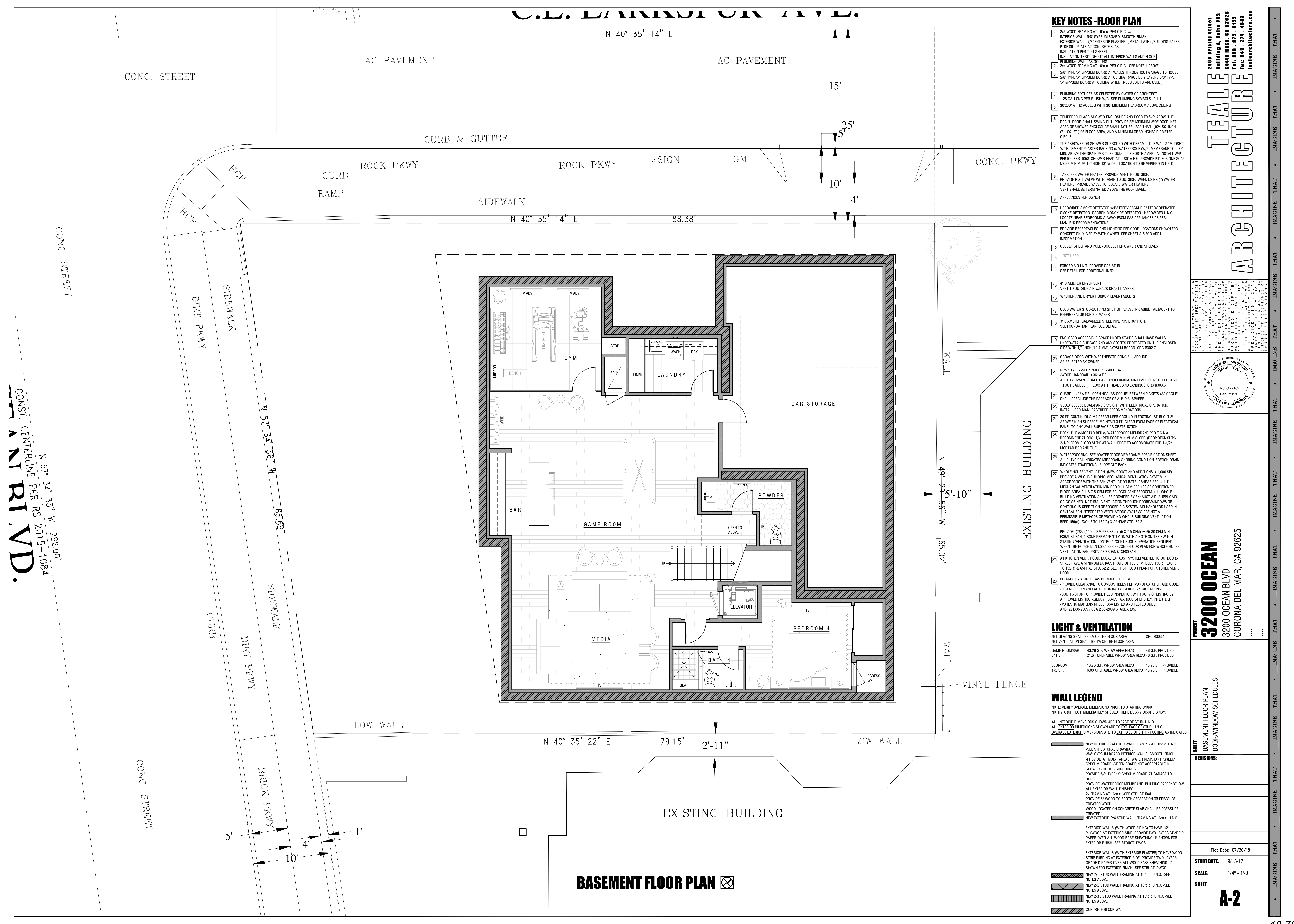




Attachment No. PC 5

Project Plans

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KEY NOTES - FLOOR PLAN

- 2x6 WOOD FRAMING AT 16"o.c. PER C.R.C. w/ INTERIOR WALL - 5/8" GYPSUM BOARD, SMOOTH FINISH EXTERIOR WALL - 7/8" EXTERIOR PLASTER @ METAL LATH @ BUILDING PAPER, PTOT SILL PLATE AT CONCRETE SLAB INSULATION PER T-24 SHEET.
- PLUMBING WALL, AS OCCURS
- 2x4 WOOD FRAMING AT 16"o.c. PER C.R.C. - SEE NOTE 1 ABOVE.
- 5/8" TYPE "X" GYPSUM BOARD AT WALLS THROUGHOUT GARAGE TO HOUSE.
- 5/8" TYPE "X" GYPSUM BOARD AT CEILING. (PROVIDE 2 LAYERS 5/8" TYPE "X" GYPSUM BOARD AT CEILING WHEN TRUSS JOISTS ARE USED.)
- PLUMBING FIXTURES AS SELECTED BY OWNER OR ARCHITECT.
- 1.28 GALLON PER FLUSH W/C - SEE PLUMBING SYMBOLS -A1-1
- 30"x30" ATTIC ACCESS WITH 30" MINIMUM HEADROOM ABOVE CEILING
- TEMPERED GLASS SHOWER ENCLOSURE AND DOOR TO 6'-0" ABOVE THE DRAIN. DOOR SHALL SWING OUT. PROVIDE 22" MINIMUM WIDE DOOR. NET AREA OF SHOWER ENCLOSURE SHALL NOT BE LESS THAN 1.04 SQ. INCH (7.1 SQ. FT.) OF FLOOR AREA, AND A MINIMUM OF 30 INCHES DIAMETER CIRCLE.
- TUB / SHOWER OR SHOWER SURROUND WITH CERAMIC TILE WALLS "MUDSET" WITH CEMENT PLASTER BACKING @ WATERPROOF (W/P) MEMBRANE TO +1/2" MIN. ABOVE THE DRAIN PER TILE COUNCIL OF NORTH AMERICA. INSTALL W/P PER ICC ESR-1058. SHOWER HEAD AT +80" A.F.F. PROVIDE BID FOR ONE SOAP NICHE MINIMUM 18" HIGH 13" WIDE - LOCATION TO BE VERIFIED IN FIELD.
- TANKLESS WATER HEATER. PROVIDE VENT TO OUTSIDE. PROVIDE P & T VALVE WITH DRAIN TO OUTSIDE. WHEN USING (2) WATER HEATERS, PROVIDE VALVE TO ISOLATE WATER HEATERS. VENT SHALL BE TERMINATED ABOVE THE ROOF LEVEL.
- APPLIANCES PER OWNER
- HARDWIRED SMOKE DETECTOR w/BATTERY BACKUP BATTERY OPERATED SMOKE DETECTOR. CARBON MONOXIDE DETECTOR - HARDWIRED U.N.O. - LOCATE NEAR BEDROOMS & AWAY FROM GAS APPLIANCES AS PER MANUF.'S RECOMMENDATIONS
- PROVIDE RECEPTACLES AND LIGHTING PER CODE. LOCATIONS SHOWN FOR CONCEPT ONLY. VERIFY WITH OWNER. SEE SHEET A-3 FOR ADDL INFORMATION.
- CLOSET SHELF AND POLE - DOUBLE PER OWNER AND SHELVES
- NOT USED
- FORCED AIR UNIT. PROVIDE GAS STUB. SEE DETAIL FOR ADDITIONAL INFO:
- 4" DIAMETER DRYER VENT VENT TO OUTSIDE AIR w/BACK DRAFT DAMPER
- WASHER AND DRYER HOOKUP. LEVER FAUCETS
- COLD WATER STUD-OUT AND SHUT OFF VALVE IN CABINET ADJACENT TO REFRIGERATOR FOR ICE MAKER.
- 3" DIAMETER GALVANIZED STEEL PIPE POST. 36" HIGH. SEE FOUNDATION PLAN. SEE DETAIL.
- ENCLOSED ACCESSIBLE SPACE UNDER STAIRS SHALL HAVE WALLS, UNDER-STAIR SURFACE AND ANY SOFFITS PROTECTED ON THE ENCLOSED SIDE WITH 1/2-INCH (12.7 MM) GYPSUM BOARD. CRC R302.7
- GARAGE DOOR WITH WEATHERSTRIPPING ALL AROUND.
- AS SELECTED BY OWNER
- NEW STAIRS - SEE SYMBOLS - SHEET A-1-1
- WOOD HANDRAIL - 36" A.F.F. ALL STAIRWAYS SHALL HAVE AN ILLUMINATION LEVEL OF NOT LESS THAN 1 FOOT CANDLE (11 LUX) AT THREADS AND LANDINGS. CRC R303.6
- GUARD - 42" A.F.F. OPENINGS (AS OCCUR) BETWEEN PICKETS (AS OCCUR) SHALL PRECLUDE THE PASSAGE OF A 4" DIA. SPHERE.
- VELUX VSS005 DUAL-PANE SKYLIGHT WITH ELECTRICAL OPERATION. INSTALL PER MANUFACTURER RECOMMENDATIONS
- 20 FT. CONTINUOUS #4 REBAR UFER GROUND IN FOOTING. STUB OUT 3" ABOVE FINISH SURFACE. MAINTAIN 3 FT. CLEAR FROM FACE OF ELECTRICAL PANEL TO ANY WALL SURFACE OR OBSTRUCTION
- DECK, TILE w/MORTAR BED @ WATERPROOF MEMBRANE PER T.C.N.A. RECOMMENDATIONS. 1/4" PER FOOT MINIMUM SLOPE. (DROP DECK SHTG 2-1/2" FROM FLOOR SHTG AT WALL EDGE TO ACCOMMODATE FOR 1-1/2" MORTAR BED AND TILE)
- WATERPROOFING. SEE "WATERPROOF MEMBRANE" SPECIFICATION SHEET A-1.2. TYPICAL INDICATES MIRADRAIN SHORING CONDITION. FRENCH DRAIN INDICATES TRADITIONAL SLOPE CUT BACK.
- WHOLE HOUSE VENTILATION. (NEW CONST AND ADDITIONS > 1,000 SF) PROVIDE A WHOLE-BUILDING MECHANICAL VENTILATION SYSTEM IN ACCORDANCE WITH THE FAN VENTILATION RATE (ASHRAE SEC. 4.1.1): MECHANICAL VENTILATION MIN REQD. 1 CFM PER 100 SF CONDITIONED FLOOR AREA PLUS 7.5 CFM FOR EA. OCCUPANT BEDROOM +1. WHOLE BUILDING VENTILATION SHALL BE PROVIDED BY EXHAUST AIR, SUPPLY AIR OR COMBINED. NATURAL VENTILATION THROUGH DOORS/WINDOWS OR CONTINUOUS OPERATION OF FORCED AIR SYSTEM AIR HANDLERS USED IN CENTRAL FAN INTEGRATED VENTILATION SYSTEMS ARE NOT A PERMISSIBLE METHODS OF PROVIDING WHOLE-BUILDING VENTILATION. BEES 150(a), Exc. 5 TO 152(a) & ASHRAE STD. 62.2
- PROVIDE: (2830 / 100 CFM PER SF) + (5 X 7.5 CFM) = 65.80 CFM MIN. EXHAUST FAN, 1 SONE PERMANENTLY ON WITH A NOTE ON THE SWITCH STATING "VENTILATION CONTROL." CONTINUOUS OPERATION REQUIRED WHEN THE HOUSE IS IN USE - SEE SECOND FLOOR PLAN FOR WHOLE HOUSE VENTILATION FAN. PROVIDE BROAD OTX80 FAN.
- AT KITCHEN VENT. HOOD, LOCAL EXHAUST SYSTEM VENTED TO OUTDOORS SHALL HAVE A MINIMUM EXHAUST RATE OF 100 CFM. BEES 150(a), Exc. 5 TO 152(a) & ASHRAE STD. 62.2. SEE FIRST FLOOR PLAN FOR KITCHEN VENT. HOOD.
- PREMANUFACTURED GAS BURNING FIREPLACE. PROVIDE CLEARANCE TO COMBUSTIBLES PER MANUFACTURER AND CODE. -INSTALL PER MANUFACTURERS INSTALLATION SPECIFICATIONS. -CONTRACTOR TO PROVIDE FIELD INSPECTOR WITH COPY OF LISTING BY APPROVED LISTING AGENCY (ICC-ES, WARNICK-HERSHEY, INTERTEK) -MAESTIC MARQUIS WILDV, CSA LISTED AND TESTED UNDER: ANSI Z21.88-2009 / CSA 2.33-2009 STANDARDS.

LIGHT & VENTILATION

NET GLAZING SHALL BE 8% OF THE FLOOR AREA	CRC R303.1
NET VENTILATION SHALL BE 4% OF THE FLOOR AREA	
GAME ROOM/BAR	43.28 S.F. WINDOW AREA REQD. 48 S.F. PROVIDED
541 S.F.	21.64 OPERABLE WINDOW AREA REQD 48 S.F. PROVIDED
BEDROOM	13.76 S.F. WINDOW AREA REQD. 15.75 S.F. PROVIDED
172 S.F.	6.88 OPERABLE WINDOW AREA REQD. 15.75 S.F. PROVIDED

WALL LEGEND

- NOTE: VERIFY OVERALL DIMENSIONS PRIOR TO STARTING WORK.
NOTIFY ARCHITECT IMMEDIATELY SHOULD THERE BE ANY DISCREPANCY.
- ALL INTERIOR DIMENSIONS SHOWN ARE TO FACE OF STUD. U.N.O.
ALL EXTERIOR DIMENSIONS SHOWN ARE TO EXT. FACE OF STUD. U.N.O.
OVERALL EXTERIOR DIMENSIONS ARE TO EXT. FACE OF STUD. FOOTINGS AS INDICATED.
- NEW INTERIOR 2x4 STUD WALL FRAMING AT 16"o.c. U.N.O. -SEE STRUCTURAL DRAWINGS.
 - 5/8" GYPSUM BOARD INTERIOR WALLS. SMOOTH FINISH
 - PROVIDE, AT MOST AREAS, WATER RESISTANT "GREEN" GYPSUM BOARD -GREEN BOARD NOT ACCEPTABLE IN SHOWERS OR TUB SURROUNDS.
 - PROVIDE 5/8" TYPE "X" GYPSUM BOARD AT GARAGE TO HOUSE.
 - PROVIDE WATERPROOF MEMBRANE "BUILDING PAPER" BELOW ALL EXTERIOR WALL FINISHES.
 - 2x FRAMING AT 16"o.c. -SEE STRUCTURAL
 - PROVIDE 6" WOOD TO EARTH SEPARATION OR PRESSURE TREATED WOOD.
 - WOOD LOCATED ON CONCRETE SLAB SHALL BE PRESSURE TREATED.
 - NEW EXTERIOR 2x4 STUD WALL FRAMING AT 16"o.c. U.N.O.
 - EXTERIOR WALLS (WITH WOOD SIDING) TO HAVE 1/2" PLYWOOD AT EXTERIOR SIDE. PROVIDE TWO LAYERS GRADE D PAPER OVER ALL WOOD BASE SHEATHING. 1" SHOWN FOR EXTERIOR FINISH -SEE STRUCT. DWGS
 - EXTERIOR WALLS (WITH EXTERIOR PLASTER) TO HAVE WOOD STRIP FURRING AT EXTERIOR SIDE. PROVIDE TWO LAYERS GRADE D PAPER OVER ALL WOOD BASE SHEATHING. 1" SHOWN FOR EXTERIOR FINISH -SEE STRUCT. DWGS
 - NEW 2x6 STUD WALL FRAMING AT 16"o.c. U.N.O. -SEE NOTES ABOVE.
 - NEW 2x8 STUD WALL FRAMING AT 16"o.c. U.N.O. -SEE NOTES ABOVE.
 - NEW 2x10 STUD WALL FRAMING AT 16"o.c. U.N.O. -SEE NOTES ABOVE.
 - CONCRETE BLOCK WALL

3200 OCEAN
3200 OCEAN BLVD
CORONA DEL MAR, CA 92625

PROJECT

ARCHITECTURE

2900 Bristol Street
Building A, Suite 203
Costa Mesa, Ca 92626
Costa: 949 - 975 - 0123
Tel: 949 - 975 - 0123
Fax: 949 - 974 - 4833
costaarchitecture.com

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PROJECT

BASEMENT FLOOR PLAN
DOOR/WINDOW SCHEDULES

SHEET

REVISIONS:

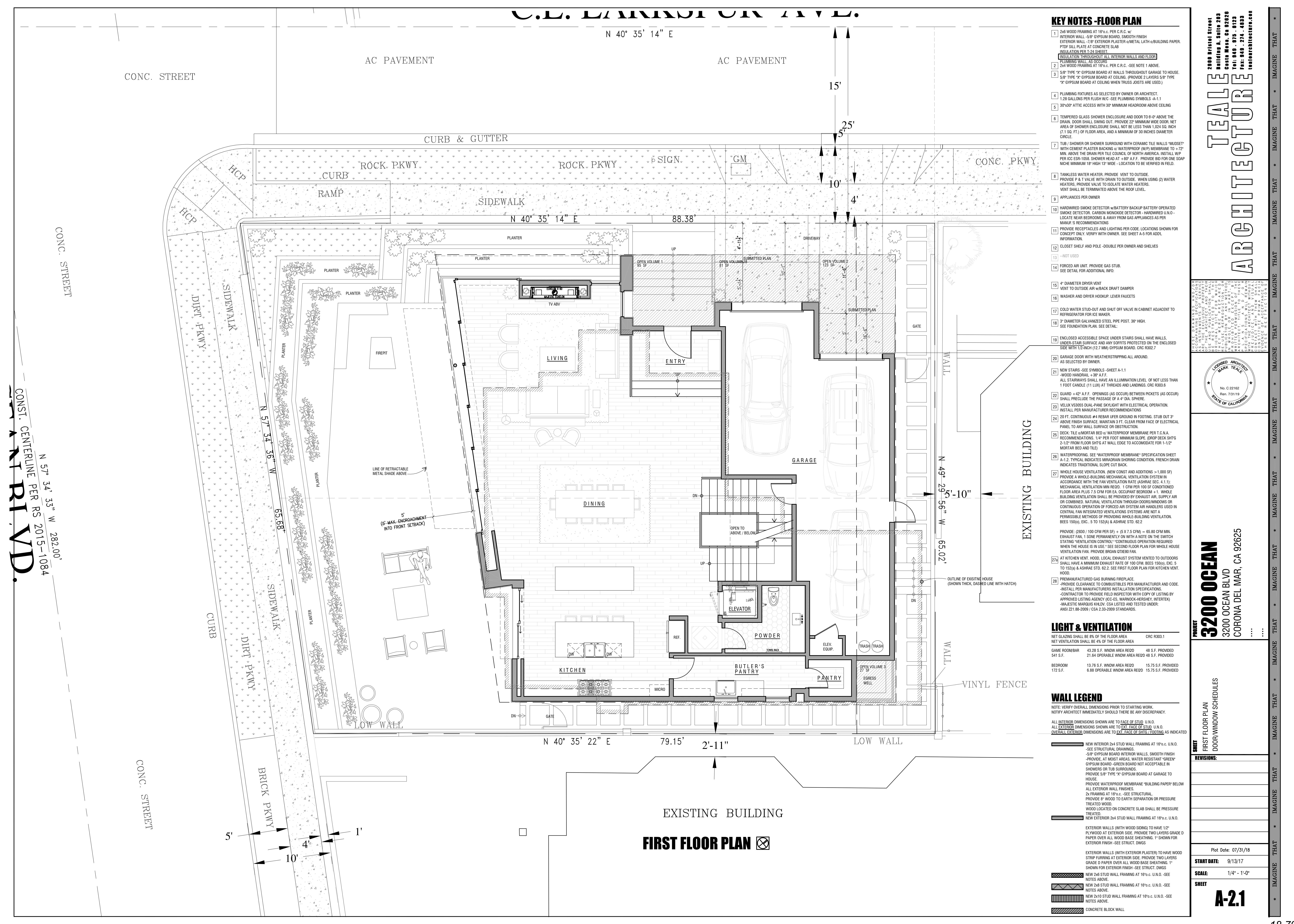
Plot Date: 07/30/18

START DATE: 9/13/17

SCALE: 1/4" = 1'-0"

SHEET

A-2



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3200 OCEAN BLVD
CORONA DEL MAR, CA 92625

ARCHITECT

2900 Bristol Street
Building A, Suite 203
Costa Mesa, CA 92626
Tel: 949 - 975 - 0123
Fax: 949 - 974 - 4833
tealearchitecture.com

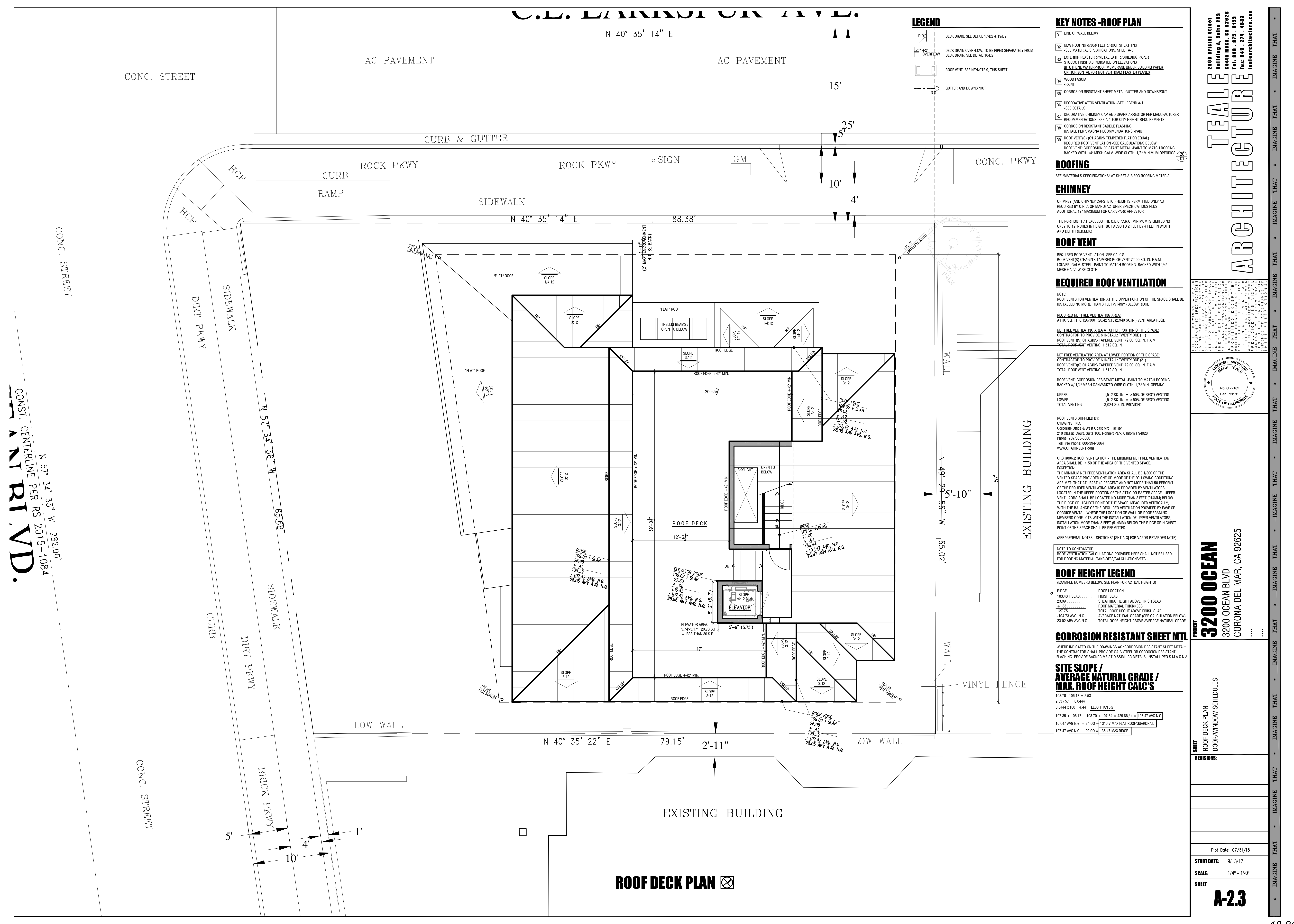
Plot Date: 07/31/18

START DATE: 9/13/17

SCALE: 1/4" = 1'-0"

SHEET

A-21



KEY NOTES - ROOF PLAN

- R1 LINE OF WALL BELOW
- R2 NEW ROOFING 6/30# FELT 0/ROOF SHEATHING
-SEE MATERIAL SPECIFICATIONS, SHEET A-3
- R3 EXTERIOR PLASTER 6/30# METAL LATH 0/BUILDING PAPER
STUCCO FINISH AS INDICATED ON ELEVATIONS
BITUTHENE WATERPROOF MEMBRANE UNDER BUILDING PAPER
ON HORIZONTAL (OR NOT VERTICAL) PLASTER PLANS
- R4 WOOD FASCIA
-PAINT
- R5 CORROSION RESISTANT SHEET METAL GUTTER AND DOWNSPOUT
- R6 DECORATIVE ATTIC VENTILATION -SEE LEGEND A-1
-SEE DETAILS
- R7 DECORATIVE CHIMNEY CAP AND SPARK ARRESTOR PER MANUFACTURER
RECOMMENDATIONS. SEE A-1 FOR CITY HEIGHT REQUIREMENTS.
- R8 CORROSION RESISTANT SADDLE FLASHING
INSTALL PER S/MACNA RECOMMENDATIONS -PAINT
- R9 ROOF VENT(S) (DHAGINYS TEMPERED FLAT OR EQUAL)
REQUIRED ROOF VENTILATION -SEE CALCULATIONS BELOW.
ROOF VENT: CORROSION RESISTANT METAL -PAINT TO MATCH ROOFING
BACKED WITH 1/4" MESH GALV. WIRE CLOTH. 1/8" MINIMUM OPENINGS.

ROOFING

SEE "MATERIALS SPECIFICATIONS" AT SHEET A-3 FOR ROOFING MATERIAL

CHIMNEY

CHIMNEY (AND CHIMNEY CAPS, ETC.) HEIGHTS PERMITTED ONLY AS
REQUIRED BY C.R.C. OR MANUFACTURER SPECIFICATIONS PLUS
ADDITIONAL 12" MAXIMUM FOR CAP/SPARK ARRESTOR.

THE PORTION THAT EXCEEDS THE C.R.C. MINIMUM IS LIMITED NOT
ONLY TO 12 INCHES IN HEIGHT BUT ALSO TO 2 FEET BY 4 FEET IN WIDTH
AND DEPTH (N.B.M.C.)

ROOF VENT

REQUIRED ROOF VENTILATION -SEE CALC'S
ROOF VENT(S) DHAGINYS TAPERED ROOF VENT 72.00 SQ. IN. F.A.M.
LOUVER: GALV. STEEL -PAINT TO MATCH ROOFING. BACKED WITH 1/4"
MESH GALV. WIRE CLOTH

REQUIRED ROOF VENTILATION

NOTE:
ROOF VENTS FOR VENTILATION AT THE UPPER PORTION OF THE SPACE SHALL BE
INSTALLED NO MORE THAN 3 FEET (914mm) BELOW RIDGE

REQUIRED NET FREE VENTILATING AREA:
ATTIC SQ. FT. 6,126/300=20.42 S.F. (2,940 SQ.IN.) VENT AREA REQD

NET FREE VENTILATING AREA AT UPPER PORTION OF THE SPACE:
CONTRACTOR TO PROVIDE & INSTALL TWENTY ONE (21)
ROOF VENT(S) DHAGINYS TAPERED VENT 72.00 SQ. IN. F.A.M.
TOTAL ROOF VENT VENTING: 1,512 SQ. IN.

NET FREE VENTILATING AREA AT LOWER PORTION OF THE SPACE:
CONTRACTOR TO PROVIDE & INSTALL TWENTY ONE (21)
ROOF VENT(S) DHAGINYS TAPERED VENT 72.00 SQ. IN. F.A.M.
TOTAL ROOF VENT VENTING: 1,512 SQ. IN.

ROOF VENT: CORROSION RESISTANT METAL -PAINT TO MATCH ROOFING
BACKED W/ 1/4" MESH GALVANIZED WIRE CLOTH. 1/8" MIN. OPENING

UPPER : 1,512 SQ. IN. = >50% OF REQD VENTING
LOWER: 1,512 SQ. IN. = >50% OF REQD VENTING
TOTAL VENTING 3,024 SQ. IN. PROVIDED

ROOF VENTS SUPPLIED BY:
DHAGINYS, INC.
Corporate Office & West Coast Mfg. Facility
210 Classic Court, Suite 100, Rohnert Park, California 94928
Phone: 707/303-3660
Toll Free Phone: 800/394-3864
www.DHAGINVENT.com

CRS R806.2 ROOF VENTILATION - THE MINIMUM NET FREE VENTILATION
AREA SHALL BE 1/150 OF THE AREA OF THE VENTED SPACE.
EXCEPTION:
THE MINIMUM NET FREE VENTILATION AREA SHALL BE 1/300 OF THE
VENTED SPACE PROVIDED ONE OR MORE OF THE FOLLOWING CONDITIONS
ARE MET: THAT AT LEAST 40 PERCENT AND NOT MORE THAN 50 PERCENT
OF THE REQUIRED VENTILATING AREA IS PROVIDED BY VENTILATORS
LOCATED IN THE UPPER PORTION OF THE ATTIC OR RAFTER SPACE. UPPER
VENTILATORS SHALL BE LOCATED NO MORE THAN 3 FEET (914MM) BELOW
THE RIDGE OR HIGHEST POINT OF THE SPACE, MEASURED VERTICALLY,
WITH THE BALANCE OF THE REQUIRED VENTILATION PROVIDED BY EAVE OR
CORNER VENTS. WHERE THE LOCATION OF WALL OR ROOF FRAMING
MEMBERS CONFLICTS WITH THE INSTALLATION OF UPPER VENTILATORS,
INSTALLATION MORE THAN 3 FEET (914MM) BELOW THE RIDGE OR HIGHEST
POINT OF THE SPACE SHALL BE PERMITTED.

(SEE "GENERAL NOTES - SECTIONS" (SHT A-3) FOR VAPOR RETARDER NOTE)

NOTE TO CONTRACTOR:
ROOF VENTILATION CALCULATIONS PROVIDED HERE SHALL NOT BE USED
FOR ROOFING MATERIAL TAKE-OFFS/CALCULATIONS,ETC.

ROOF HEIGHT LEGEND

(EXAMPLE NUMBERS BELOW. SEE PLAN FOR ACTUAL HEIGHTS)

ROOF LOCATION	FINISH SLAB	SHEATHING HEIGHT ABOVE FINISH SLAB	ROOF MATERIAL THICKNESS	TOTAL ROOF HEIGHT ABOVE FINISH SLAB	AVERAGE NATURAL GRADE (SEE CALCULATION BELOW)	TOTAL ROOF HEIGHT ABOVE AVERAGE NATURAL GRADE
RIDGE	103.43 F.SLAB	23.99	+ .33	127.75	-104.73 AVG. N.G.	23.02 ABV AVG N.G.

CORROSION RESISTANT SHEET MTL

WHERE INDICATED ON THE DRAWINGS AS "CORROSION RESISTANT SHEET METAL"
THE CONTRACTOR SHALL PROVIDE GALV STEEL OR CORROSION RESISTANT
FLASHING. PROVIDE BACKPRIME AT DISSIMILAR METALS. INSTALL PER S.M.A.C.N.A.

SITE SLOPE /
AVERAGE NATURAL GRADE /
MAX. ROOF HEIGHT CALC'S

108.70 - 106.17 = 2.53
2.53 / 57 = 0.0444
0.0444 x 100 = 4.44 LESS THAN 5%

107.35 + 106.17 + 108.70 + 107.64 = 429.86 / 4 = 107.47 AVG N.G.
107.47 AVG N.G. + 24.00 = 131.47 MAX FLAT ROOF/GUARDRAIL
107.47 AVG N.G. + 29.00 = 136.47 MAX RIDGE

3200 OCEAN
3200 OCEAN BLVD
CORONA DEL MAR, CA 92625

ARCHITECTURE
2900 Bristol Street
Building A, Suite 203
Costa Mesa, Ca 92626
Tel: 949 - 975 - 0123
Fax: 949 - 274 - 4833
tealarchitecture.com

PROJECT

REVISIONS:

Plot Date: 07/31/18

START DATE: 9/13/17

SCALE: 1/4" = 1'-0"

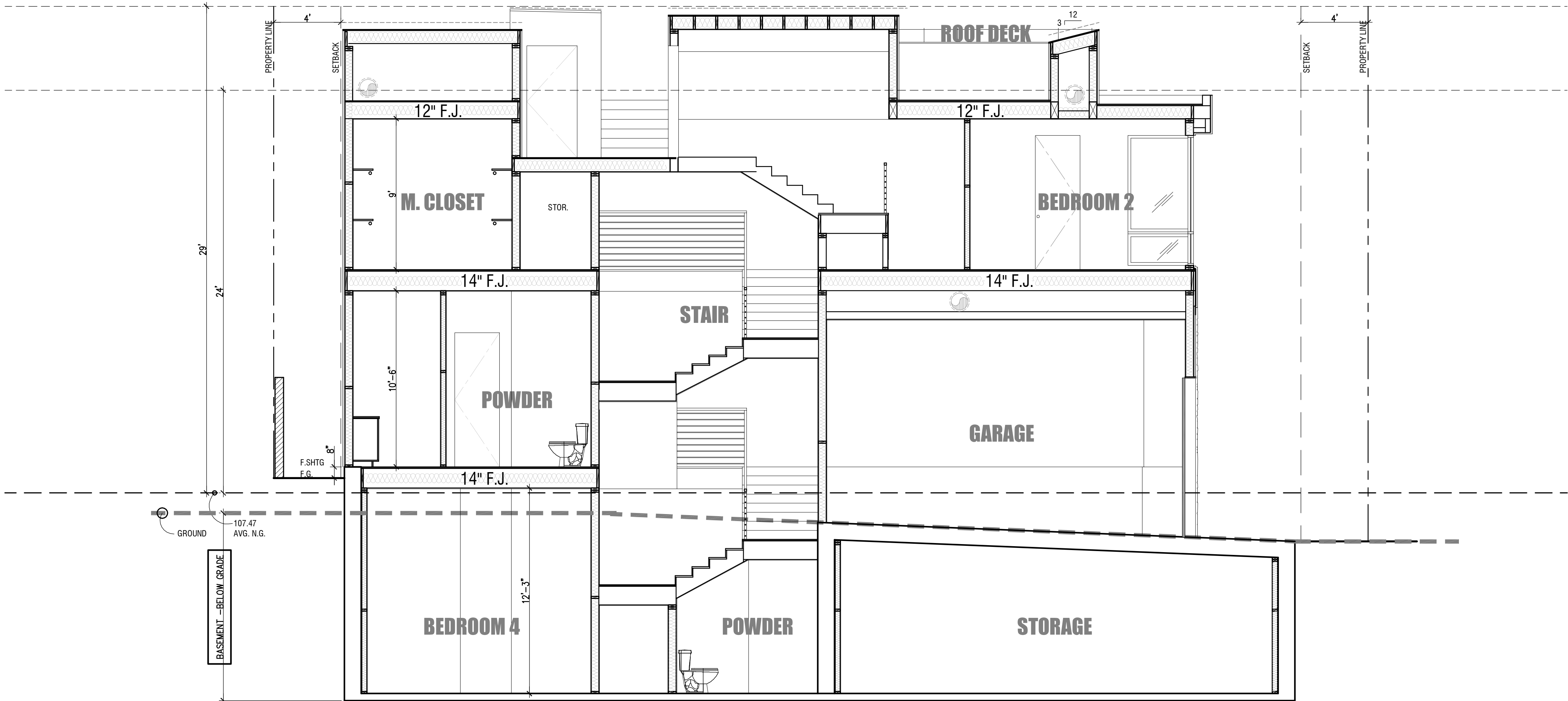
SHEET

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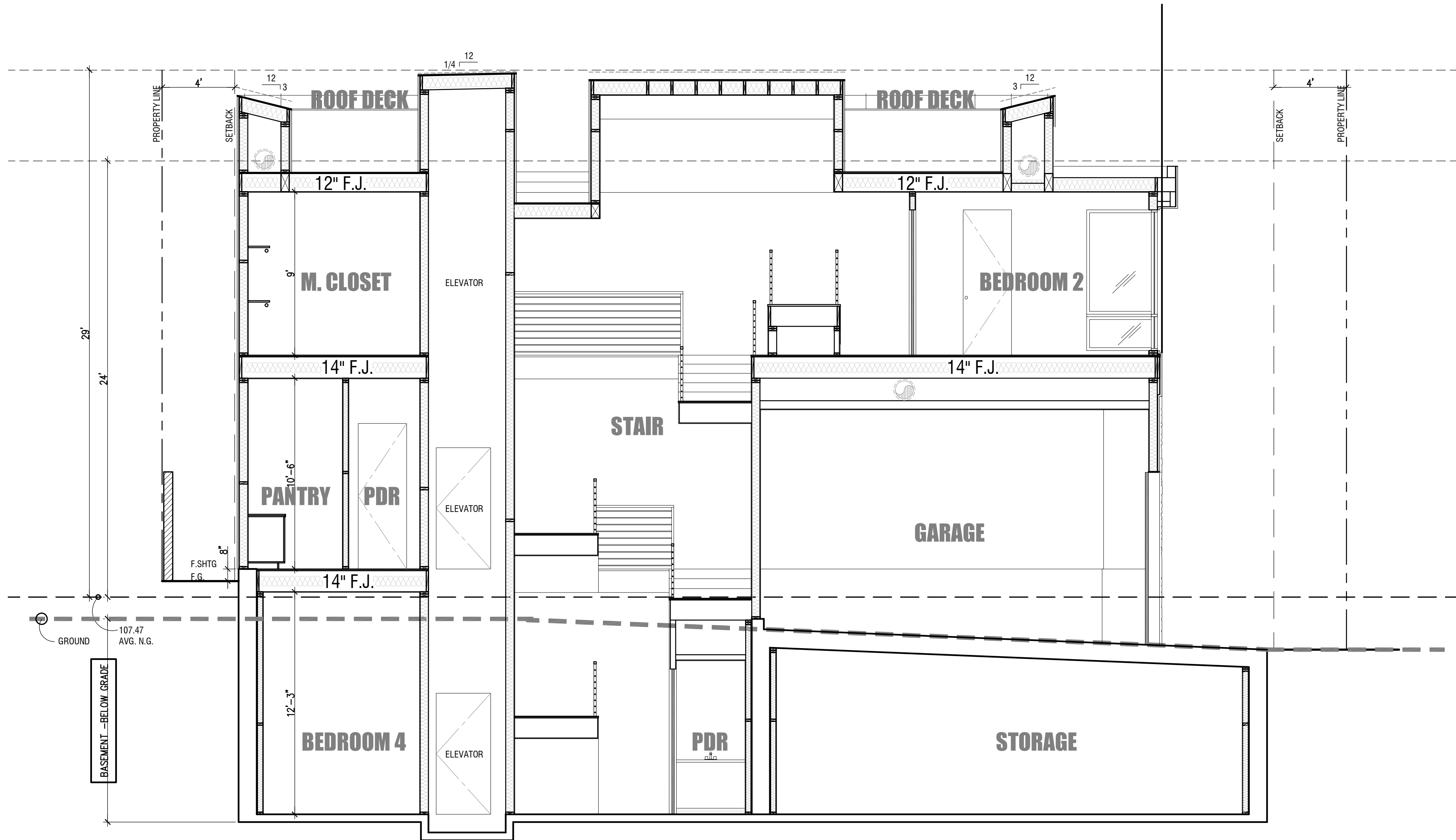
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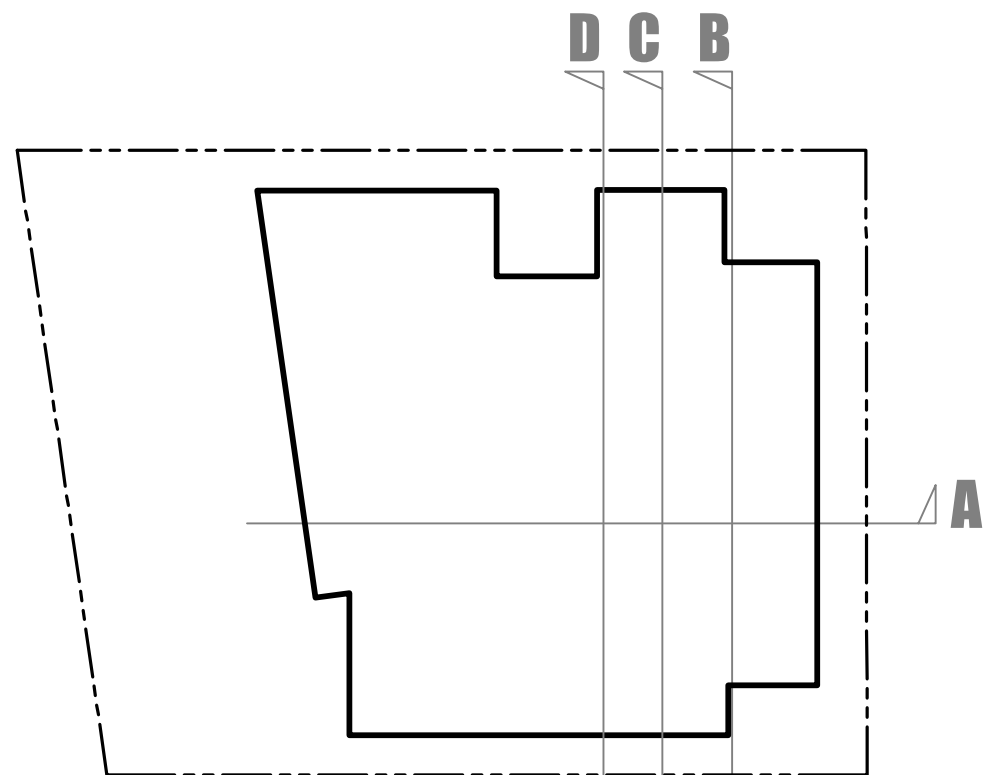
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2900 Bristol Street
Building A, Suite 203
Costa Mesa, Ca 92626
Tel: 949 - 975 - 0123
Fax: 949 - 274 - 4833
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SECTION C-C



SECTION D-D



SECTION KEY

KEY NOTES -SECTIONS

- 1 2x RAFTERS / ROOF JOISTS -SEE FRAMING PLAN
- 2 BEAM PER STRUCTURAL
- 3 CONCRETE FOUNDATION AND FOOTINGS -SEE FOUNDATION PLAN
- 4 CONCRETE SLAB w/ REINFORCING STEEL o/ W/P MEMBRANE -SEE A-1 AND STRUCT. FOR SLAB INFO.
- 5 2x4 CEILING JOISTS @ 16"o.c.
- 6 DOORS AND WINDOWS -SEE PLAN -TYPICAL
- 7 2x4 STUDS @ 16"o.c. (TYPICAL U.N.O.)
- 8 2x6 STUDS @ 16"o.c.
- 9 2x P.T.D.F. MUD SILL
- 10 FLOOR JOISTS @ 16"o.c. -SEE FRAMING PLAN
- 11 EXTERIOR PLASTER o/ METAL LATH o/ BUILDING PAPER COLOR COAT. -SEE SPECIFICATIONS -SHT A-3
- 12 GUARD + 42" ABOVE ADJACENT SURFACE POCKETS-MAX. SPACE 3'-0" BETWEEN
- 13 5/8" PLYWOOD ROOF SHEATHING -SEE TITLE 24 FOR RADIANT BARRIER -AS OCCURS.
- 14 1-1/8" T&G PLYWOOD SUBFLOOR
- 15 PLUSH BEAM -SEE FRAMING PLAN
- 16 LIGHTING -SEE PLAN
- 17 STAIRS. SEE PLAN FOR RISE AND RUN HANDRAIL - 34" TO 38" ABOVE NOSING
- 18 2x SOLID BLOCKING
- 19 F.G. BATT. WALL INSULATION AT 2x6 WALLS. SEE TITLE 24.
- 20A F.G. BATT. FLOOR INSULATION. SEE TITLE 24.
- 20B F.G. BATT. ROOF INSULATION. SEE TITLE 24.
- 21 ROOFING OVER WATERPROOF MEMBRANE SEE ROOF PLAN AND ELEVATIONS
- 22 MAINTAIN FINISH SLAB TO FINISH GRADE OR FINISH SURFACE MIN. CLEARANCES PER CRC R302.11. SLOPE FINISH GRADE OR FINISH SURFACE AWAY FROM BUILDING. SEE DETAIL 30/01
- 23 3/8" TYPE "X" GYPSUM BOARD AT WALLS THROUGHOUT GARAGE TO HOUSE. 5/8" TYPE "X" GYPSUM BOARD AT CEILING. PROVIDE 2 LAYERS 5/8" TYPE "X" GYPSUM BOARD AT CEILING WHEN TRUSS JOISTS ARE USED.) -W/P GYPSUM BOARD ENTIRE GARAGE WHERE TYPE "X" NOT REQUIRED BY CODE.
- 24 ENCLOSED ACCESSIBLE SPACE UNDER STAIRS SHALL HAVE WALLS, UNDER STAIR SURFACE AND ANY SORTITS PROTECTED ON THE ENCLOSED SIDE WITH 1/2-INCH (12.7 MM) GYPSUM BOARD, CRC R302.7
- 25 DECK: SEE "DECK MATERIAL" NOTE ON SHEET A-2.2. MAINTAIN 1/4" PER FOOT MINIMUM SLOPE. DRAIN TO GUTTER OR DECK DRAINS PER PLAN.
- 26 FIRE BLOCK @ 10'-0"o.c. HORIZONTAL AND VERTICAL, PER CRC R302.11
- 27 WATERPROOFING. INSTALL BELOW-GRADE WATERPROOF MEMBRANE PER MANUFACTURER'S RECOMMENDATIONS. PROVIDE PROTECTION BOARD FROM BACKFILL. INSTALL FRENCH DRAIN BEHIND RETAINING WALL PER SOILS REPORT. SEE DETAIL 30/01

GENERAL NOTES -SECTIONS

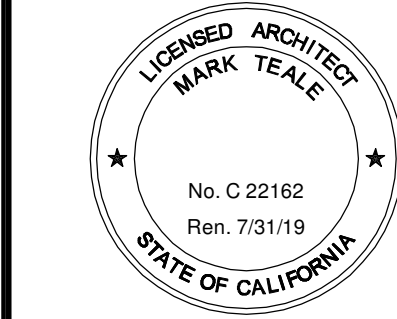
1. PROVIDE FIRE BLOCKS @ 10'-0"o.c. BOTH VERTICALLY AND HORIZONTALLY PER CRC R302.11
2. CONCEALED WALL SPACE NOT TO EXCEED 10 FEET INTERVAL HORIZONTALLY, CRC R302.11
3. WHERE "LIGHT-WEIGHT CONC" IS CALLED OUT, INSTALL o/ WATERPROOF MEMBRANE o/ PLYWOOD SHEATHING.

NOTE TO STRUCT. ENG'R

PROVIDE 1 3/8" FLOOR SHEATHING UNLESS NOTED OTHERWISE.
FOR SHEAR WALLS GREATER THAN 8FT LONG USE 6" LESS THAN THE MEASURED LENGTH FOR CALCULATION PURPOSES WHEREVER POSSIBLE.

2900 Bristol Street
Building A, Suite 203
Costa Mesa, CA 92626
Tel: 949 . 875 . 0123
Fax: 949 . 274 . 4833
tealarchitecture.com

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PROJECT
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3200 OCEAN BLVD
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....

SHEET
BUILDING SECTIONS

REVISIONS:

Plot Date: 07/31/18
START DATE: 9/3/17
SCALE: 1/4" = 1'-0"
SHEET

A-4.1

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Attachment No. PC 6

Correspondence

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From: [Ramirez, Brittany](#)
To: [Lee, David](#)
Subject: FW: Variance Request -3200 Ocean Blvd
Date: Monday, July 09, 2018 11:40:26 AM
Attachments: [image001.png](#)

To be included in your staff report as a correspondence.

BRITTANY RAMIREZ
Community Development Department
Administrative Analyst
bramirez@newportbeachca.gov
949-644-3232

From: Ron Beard [mailto:RonBeard@seproperties.com]
Sent: Monday, July 09, 2018 11:31 AM
To: Koetting, Peter <pkoetting@newportbeachca.gov>; Zak, Peter <pzak@newportbeachca.gov>; Weigand, Erik <eweigand@newportbeachca.gov>; Dunlap, Bill <bdunlap@newportbeachca.gov>; Kleiman, Lauren <lkleiman@newportbeachca.gov>; Kramer, Kory <kkramer@newportbeachca.gov>; Lowrey, Lee <lhowrey@newportbeachca.gov>; Campbell, Jim <JCampbell@newportbeachca.gov>; Planning Commissioners <PlanningCommissioners@newportbeachca.gov>
Subject: Variance Request -3200 Ocean Blvd

City of Newport
Beach
Community Development Department

Re: Variance Request from Nicholson Companies for 3200 Ocean Blvd
File # PA 2017-208
Activity # VA2017-002/CD2017-091

To Whom it May Concern:

We are opposed to the subject proposal, and we certainly hope that the facts get cleared up, as the subject lot DOES NOT warrant or deserve special treatment not afforded to the rest of us in the immediate neighborhood. For example, on our own home at 3208 Ocean Blvd., many years ago, we sought city permission for a permit because our garage was too tight, and we sought to widen it 4 feet X 20 feet. The City said that we had around 45 feet of FAR available, so they processed a permit and only allowed for an expansion of around 3.5 feet of width and roughly 13 feet in length, and they would NOT agree to any variance. They were very emphatic that no variance would be granted. How I would love to have that extra 35 square feet in my garage, and I was doing all the work and spending all the money anyway!

The subject property is UNIQUE; that is true. It enjoys a 65 foot wide expansive, frontage view on Ocean Blvd. That is the beauty of the lot, and for that privilege, years ago, the owners traded away an alley and the setbacks that would have existed under the former scenario. That does NOT mean that a new owner can come in today and present a biased set of facts to support a higher than allowed FAR and a

variance to setbacks to achieve a different result. That is insulting to the rest of us that have to abide by the rules. The setback proposed on Larkspur makes NO SENSE. There is nobody that has that setback on Larkspur, and there is no reason whatsoever to subjectively modify the setback to provide this owner w/ decreased setbacks which create a resultant increase in FAR .

It's time to stop the mansionization of CDM as it's ruining the character and charm of our neighborhoods. Increases in FAR and variances providing for same need to stop. The proposed request does not meet the intent of the required findings for a variance. Compliance with code will not deprive the applicant of privileges enjoyed by other property owners in the vicinity. The variance is not necessary to preserve the enjoyment of any property rights, and it would constitute a grant of a special privilege to 3200 Ocean Blvd. which is not fair. Furthermore, the variance will be detrimental to the adjoining properties, both in property value and privileges currently enjoyed.

Bottom line: it's way too much home for the subject lot, and we expect the city to NOT GRANT the requested setback on Larkspur nor any increase in FAR.

Respectfully,

Ron and Marsha Beard
3208 Ocean Blvd
Corona Del Mar

ronbeard@seproperties.com
marsha.beard@gmail.com

From: Ramirez, Brittany
Sent: Thursday, July 12, 2018 9:24 AM
To: Lee, David
Subject: FW: 3200 Ocean Blvd



Please add to your staff report under correspondence.

BRITTANY RAMIREZ
Community Development Department
Administrative Analyst
bramirez@newportbeachca.gov
949-644-3239

From: Don Kazarian [<mailto:donkazarian@gmail.com>]
Sent: Thursday, July 12, 2018 9:23 AM
To: Planning Commissioners <PlanningCommissioners@newportbeachca.gov>
Subject: 3200 Ocean Blvd

Hello and thank you for your service on the planning commission. To keep it brief, there are no reasons to grant any variances at 3200 Ocean Blvd. in Corona Del Mar. The rules should be enforced. Everyone should be held to the same standards. I live on the 3400 block and if you are in the neighborhood take a look at the five houses on our block. All seem to blend well except the most recently constructed home at 3408. You will see it's front patio is much higher than the others. This is the type of thing that results from making exceptions to the zoning rules. Thank you for your time and consideration.

Regards,
Don Kazarian
3412 Ocean Blvd.
Corona Del Mar, CA 92625

From: Ramirez, Brittany
Sent: Thursday, July 12, 2018 11:28 AM
To: Lee, David
Subject: FW: 3200 Ocean Development

For inclusion in your staff report.

-----Original Message-----

From: jack scrivner [<mailto:jackscrivner@me.com>]
Sent: Thursday, July 12, 2018 11:22 AM
To: Planning Commissioners <PlanningCommissioners@newportbeachca.gov>
Cc: susanskinner949@gmail.com
Subject: 3200 Ocean Development

Gentlemen:

My wife and I have been a residents of Corona del Mar since 1982 and have watched our beautiful community change in many ways. Many changes have been for the good of all, but unfortunately, to many for the bad.

While we have great respect for the property owner and his rights we also believe in the importance of protecting the integrity of the community as a whole.

That said, we are greatly opposed to what we see in the oversized development going on in our neighborhood. The proposed plan to build an 8115 sf mansion at 3200 Ocean Blvd is not only BAD for our community, but beg's the bigger question where does it end!

Having more money than the next guy should not determine whether or not you can build bigger. We must consider the integrity of the community and not how deep someones pockets are.

Generally I am not one to take such a strong position against a property owner, however, this must stop and stop now! There are plenty of properties around our community that can accommodate development of this size. Please do not allow the city's variance rules to be miss used for the purpose of building these mansions.

Please stop the mansionization of Corona del Mar.

Respectfully,
Mr & Mrs Jack O Scrivner

From: Ramirez, Brittany
Sent: Thursday, July 12, 2018 2:51 PM
To: Lee, David
Cc: Murillo, Jaime
Subject: FW: 3200 Ocean BLVD, CDM Variance Request

Follow Up Flag: Follow up
Flag Status: Flagged

For inclusion in your staff report.

-----Original Message-----

From: Renee Pepys Lowe [<mailto:renee@reneepepyslowe.com>]
Sent: Thursday, July 12, 2018 2:46 PM
To: Planning Commissioners <PlanningCommissioners@newportbeachca.gov>
Subject: 3200 Ocean BLVD, CDM Variance Request

Dear Planning Commission,

As a CDM resident, I am writing to you to express our concern of 3200 Ocean BLVD, CDM. We are proud residents of CDM and truly love this very special community. This planned expansion of 3200 Ocean BLVD is a detrimental impact of the continual mansionization in CDM, whereby losing the uniqueness of this wonderful village and hereby granting special privileges to 3200 Ocean Blvd. This granting of the Variance will allow for development which is completely OUT OF SCALE to the Larkspur Ave and the neighborhood and in addition will have a detrimental impact both in property values and privileges currently enjoyed by residents.

I urge you, the Planning Commission to please re-consider this variance request. Please do not disrespect our community.

With best wishes,

Renee and Stan Lowe
CDM Resident

Renee
Renee Pepys Lowe
RPL and Associates, LLC.
Tel: 949-466-3764
renee@reneepepyslowe.com
Skype: renee.pepyslowe1

From: Ramirez, Brittany
Sent: Friday, July 13, 2018 10:08 AM
To: Lee, David
Cc: Murillo, Jaime
Subject: FW: 3200 Ocean Blvd Variance Request - File # PA 2017-208



For inclusion in the staff report going in August.

BRITTANY RAMIREZ
Community Development Department
Administrative Analyst
bramirez@newportbeachca.gov
949-644-3239

From: Brant Dahlfors [<mailto:bdahlfors@mac.com>]
Sent: Friday, July 13, 2018 10:05 AM
To: Planning Commissioners <PlanningCommissioners@newportbeachca.gov>
Cc: Ron Beard <RonBeard@seproperties.com>
Subject: 3200 Ocean Blvd Variance Request - File # PA 2017-208

City of Newport
Beach
Community Development Department

Re: Variance Request from Nicholson Companies for 3200 Ocean Blvd
File # PA 2017-208
Activity # VA2017-002/CD2017-091

To Whom it May Concern:

We are opposed to the subject proposal, and we certainly hope that the facts get cleared up, as the subject lot DOES NOT warrant or deserve special treatment not afforded to the rest of us in the immediate neighborhood. Please consider;

- The detrimental impacts of continual mansionization in CDM
- The proposed request does not meet the intent of the required findings for a variance.
- The property does not have special or unique circumstances or conditions which do not generally apply to other properties in the vicinity.
- Compliance with Code will not deprive the applicant of privileges enjoyed by other property owners in the vicinity.
- The Variance is not necessary to preserve the enjoyment of any property rights.
- The Variance will constitute a grant of a special privilege to 3200 Ocean Blvd.
- The Variance will be detrimental to the adjoining property, both in property value and privileges currently enjoyed.

- The Variance will have a detrimental impact to persons, property, and improvements in the neighborhood and will have a detrimental effect of existing use by surrounding neighbors.
- The granting of the Variance will allow for a development which is out of scale with the surrounding neighborhood.
- The proposed Variance will affect the flow of air and light to the adjoining residential property.
- The applicant has the ability to gain significant additional square footage by adding a basement without the need to request additional square footage above grade or alter setbacks through a variance.

The subject property is UNIQUE; that is true. It enjoys a 65 foot wide expansive, frontage view on Ocean Blvd. That is the beauty of the lot, and for that privilege, years ago, the owners traded away an alley and the setbacks that would have existed under the former scenario. That does NOT mean that a new owner can come in today and present a biased set of facts to support a higher than allowed FAR and a variance to setbacks to achieve a different result.

Compliance with code will not deprive the applicant of privileges enjoyed by other property owners in the vicinity. The variance is not necessary to preserve the enjoyment of any property rights, and it would constitute a grant of a special privilege to 3200 Ocean Blvd. which is not fair. Furthermore, the variance will be detrimental to the adjoining properties, both in property value and privileges currently enjoyed and significantly impact the street appeal for everyone living in the 200 block of Larkspur.

Respectfully,

Thank you!

Brant & Nancy Dahlfors
211 Larkspur Ave.
Bdahlfors@mac.com
949-439-8663

From: [Ramirez, Brittany](#)
To: [Lee, David](#)
Cc: [Murillo, Jaime](#)
Subject: FW: variance for 3200 oceanboulevard
Date: Monday, July 16, 2018 5:26:36 PM
Attachments: [image001.png](#)

For inclusion in your staff report in August.

BRITTANY RAMIREZ
Community Development Department
Administrative Analyst
bramirez@newportbeachca.gov
949-644-3239

From: richard ardis [mailto:tobyardis@gmail.com]
Sent: Monday, July 16, 2018 5:24 PM
To: Planning Commissioners <PlanningCommissioners@newportbeachca.gov>
Subject: variance for 3200 oceanboulevard

dear planning commission members; This is in regard to a variance for property at 3200 Ocean Boulevard, corona del mar. i am opposed to giving the variance. When people in that area purchase property there, they assume that another property owner will not get a variance to build out larger than what had previously been allowed, probably blocking some other peoples view. the view is one of the main reasons people buy in the neighborhood. They also had to pay a premium for their view. I did not like it when i lost a small portion of my view. I am sure that the current owner realized what could and what could not be done with the property. Recently, there have been built many beautiful houses in our community, on lots with various sizes and configurations.. I am sure that the builders and architects can build a beautiful house on the property without getting a variance. thank you, Richard Ardis. 949-673-2099

From: Raquel Dawson <dawson.raquel@gmail.com> on behalf of Raquel Dawson <Raquel.Dawson@chicagobooth.edu>
Sent: Tuesday, July 17, 2018 8:48 AM
To: Lee, David
Subject: Objection to Variance PA2017-208 / Hinton and Maloney Residence

Hello David,

I am writing to formally object to the Planning Commission's approval of PA2017-208 (Hinton and Maloney Residence). This property has no topography challenges. Granting neighbors the right to build a **NEW home that exceeds the maximum floor area limit (FAR)** is unfair and creates unequal property rights in the neighborhood. Why should they be allowed to develop their land more than other neighbors? Unless the property has a topography issue, setbacks should be consistent with code as all new properties are expected to be. The Hiltons / Maloneys should revise their plans so no variances are needed. If they want a bigger home, they should dig a basement.

Denying variances to this project will allow Corona Del Mar to develop NEW homes that are consistent with City code and give no neighbor a special privilege.

Sincerely,

Raquel Dawson
2741 Ocean Blvd
Corona Del Mar, CA 92615

From: Sally Rapp <sjrapp@outlook.com>
Sent: Tuesday, July 17, 2018 2:36 PM
To: Lee, David; Planning Commissioners
Subject: PA2017-208

Dear Planning Commission members and Newport Beach Planning Staff,

I am the homeowner at 3308 Ocean Blvd in Corona del Mar and I would like to submit my opposition to variances requested in relation to the above listed project at 3200 Ocean Blvd. I understand that the matter has been recommended for a continuance but wish to enter my concerns about reduced setbacks and increasing sizes of homes in the neighborhood. From what I have read there are no special circumstances (a lot with no alley access is not a "special" circumstance but rather a basic lot characteristic) to justify a variance in this case and further that it could set a precedent for future property development in my neighborhood. 7421 sqft is a massive house and a 28% reduction would still be enormous. It seems to me that a property buyer should anticipate developing within the constraints of the neighborhood's planning rules and if they "need" a larger house they should buy a different lot where the rules permit such a size (or purchase multiple adjoining lots as others have done). Please register my opposition to the proposed variances and let me know when the matter is rescheduled for hearing.

Please feel free to contact me should you have any questions.

Thank you for your consideration.

Sally Rapp
949-566-9921

From: Ramirez, Brittany
Sent: Wednesday, July 18, 2018 10:27 AM
To: Lee, David
Cc: Murillo, Jaime
Subject: FW: Hinton and Maloney Residence

For inclusion in your staff report in August

-----Original Message-----

From: Sharon McNalley [<mailto:sharonmcn@roadrunner.com>]
Sent: Tuesday, July 17, 2018 5:32 PM
To: Planning Commissioners <PlanningCommissioners@newportbeachca.gov>
Subject: Hinton and Maloney Residence

Dear Mr. Weigand and Members of the Newport Beach Planning Commission,

I wish to express my very strong objections to the variances requested by Nicholson Construction at 3200 Ocean Boulevard, Corona del Mar.

The city code was established to protect and preserve the character of our community and the quality of life for our residents. To grant this variance would be an unconscionable precedent for other developers.

The Maloney family lived at 3200 Ocean Boulevard for many decades without seeking special treatment from the city. There is no justification for encroaching into the rear setback nor for exceeding the maximum floor area limit--- because there are no extenuating circumstances. I find it especially egregious that because the property has exactly the same set-back requirements as everyone else on our block, the builder seeks entitlement for more square footage ---there is absolutely no logic to that. How does the applicant perceive that following the same rules as the rest of us somehow deprives him - ---of what, more income?

Our family moved to Corona del Mar in 1970 when my late husband was recruited to found the cardiology department at Hoag Hospital. We purchased our home at 3228 Ocean Boulevard in 1971 and have resided there throughout the ensuing years. During the past 47 years there have been very few applications for variances, and those were primarily made by builders, not residents. We respect the rights and privileges of our neighbors, and receive the same consideration from them; nor do we or our friends and neighbors expect entitlement for special privileges.

Corona del Mar was long ago established as a residential community with its own unique character. It is not a "Housing Development" despite the unfortunate efforts of the Nicholson Company and previous builders.

I implore you on behalf of the McNalley family and other residents of Corona del Mar, to deny the variances proposed by the Nicholson Construction Company and to preserve the essence of our community. Our family feels immensely privileged to be part of this wonderful Crown of the Sea.

We are placing our trust in the Planning Commission to maintain the city's zoning rules and to deny variances to those who would change the character of our community or negatively affect the quality of life we so appreciate.

Thank you for your consideration.

Respectfully,

Sharon McNalley
3228 Ocean Boulevard
Corona del Mar, CA

From: Ramirez, Brittany
Sent: Wednesday, July 18, 2018 11:41 AM
To: Lee, David
Cc: Murillo, Jaime
Subject: FW: 3200 Ocean Blvd. CcM

For inclusion in the staff report in August.

From: Karen James [<mailto:kjdelmar@yahoo.com>]
Sent: Wednesday, July 18, 2018 11:36 AM
To: Planning Commissioners <PlanningCommissioners@newportbeachca.gov>
Cc: susanskinner949@gmail.com
Subject: 3200 Ocean Blvd. CcM

Planning Commissioners,

Please do the job that you were appointed to do That is to enforce the the zoning RULES.

Please do not grant an exemption to the developer that wants to build an 8000+ s/f home in our neighborhood.

The quaintness and charm of Corona del Mar is gradually disappearing with every mansion that is allowed.

The RULES are in place for a reason, please do not ignore that fact, by granting special privileges to developers.

Sincerely,
Karen James
2627 Cove St.
Corona del Mar, CA 92625
949-675-4412

From: Ramirez, Brittany
Sent: Thursday, July 19, 2018 10:38 AM
To: Lee, David
Cc: Murillo, Jaime
Subject: FW: No change to to zoning rules

Follow Up Flag: Follow up
Flag Status: Completed

Is this for your project?

BRITTANY RAMIREZ
Community Development Department
Administrative Analyst
bramirez@newportbeachca.gov
949-644-3239

-----Original Message-----

From: Norman Pruitt [<mailto:normandpruitt@gmail.com>]
Sent: Thursday, July 19, 2018 10:29 AM
To: Planning Commissioners <PlanningCommissioners@newportbeachca.gov>
Cc: susanskinner949@gmail.com
Subject: No change to to zoning rules

To the Planning Commission
My wife and I have lived at 230 Larkspur for 35 years.
We would like very much to have our voice heard.
Zoning rules were made to protect the neighborhood.
We our strongly against any new zoning that would effect the view of ten houses.
Regards,
Norman Pruitt,

From: Ken Alber <kalber@pentabldggroup.com>
Sent: Tuesday, July 31, 2018 5:09 PM
To: Lee, David
Subject: 3200 Ocean Blvd.



David,

Based upon the revised plans issued 7-31-18, I officially retract my letter of opposition and legal argument previously submitted and now support the project as proposed including the reduction of the rear setback from 10' to 5' in exchange for preservation of sightlines on the Northwest corner of the property as depicted in the plans and mutually agreed with the developer.

I appreciate the involvement and assistance of the staff at the City of Newport Beach to reach the agreeable resolution.

Ken Alber | Principal

550 S. Hope St. Suite 2640 | Los Angeles, CA 90071
181 E. Warm Springs Road | Las Vegas, NV 89119
Office (702) 614.1678 | Fax (702) 614.3851 | Cell (702) 591.7807
kalber@pentabldggroup.com | pentabldggroup.com

Building a Foundation for Success



From: Lee, David <dlee@newportbeachca.gov>
Sent: Tuesday, July 31, 2018 4:21 PM
To: Ken Alber <kalber@pentabldggroup.com>
Subject: Plans

DAVID S. LEE
Community Development Department
Assistant Planner
dlee@newportbeachca.gov
949-644-3225

CITY OF NEWPORT BEACH
100 Civic Center Drive, First Floor Bay C, Newport Beach, California 92660 | newportbeachca.gov

PENTA IT DISCLAIMER: This email was sent from an external user

From: [Lee, David](#)
To: [Ramirez, Brittany](#)
Subject: FW: New Home at 3200 Ocean Boulevard
Date: Wednesday, August 01, 2018 3:57:30 PM

Hi Brittany,

I received this email. Let me know if I need to do anything with it.

Thanks.

From: Robert Miller [mailto:rpmmickey@aol.com]
Sent: Wednesday, August 01, 2018 3:53 PM
To: Lee, David <dlee@newportbeachca.gov>
Subject: New Home at 3200 Ocean Boulevard

August 1, 2018

Planning Commission
City of Newport Beach
100 Civic Center Drive
First Floor, Bay B
Newport Beach, CA 92660

Dear Mr. Lee

We live in Corona Del Mar and wanted to write to express our support for the new home proposed at the corner of Larkspur and Ocean.
It will be a great update to the existing home that is located on that property.

We have seen many Nicholson Company projects over the years and they are a top notch company that builds quality homes.
We also feel that new development is good for our community.

We would appreciate your support for this project.

Thank you,
Bob and Esther Miller
220 Narcissus Avenue
Corona Del Mar
949-566-0010

From: [Lee, David](#)
To: [Ramirez, Brittany](#)
Subject: FW: 3200 Ocean project
Date: Wednesday, August 01, 2018 4:57:46 PM

From: Ben Strom [mailto:stromben@gmail.com]
Sent: Wednesday, August 01, 2018 4:56 PM
To: Lee, David <dlee@newportbeachca.gov>
Cc: Carrie Strom <strom_carrie@allergan.com>
Subject: 3200 Ocean project

Planning Commission
City of Newport Beach
100 Civic Center Drive
First Floor, Bay B
Newport Beach CA 92660

RE: Updated Single Family Home at 3200 Ocean Boulevard

Dear Planning Commission,

I live in Corona Del Mar and I am writing to ask you to approve the new home in Corona Del Mar. I think the new home will be a great update to the property by replacing the existing home.

There is really no reason to oppose progress. For this state and city to stay alive and feed all of the government services, entitlements, etc, we need to allow capitalism and risk takers to make improvements to property. The weather only takes us so far to attracting the wealthy to carry such a huge debt burden that the state carries...which seems many older generations are blind to their poor financial management and huge entitlements (they pay themselves) need to be paid for.

Nicholson Construction looks like they have been building homes for 30+years in Newport Beach. The build high quality homes – and have been such a solid business that they successfully built homes during the recession. I think a homebuilder who survived the recession must be good – really good. The way I have been thinking about it, this company takes old properties throughout the city and invests time and money to improve them. In addition to improving them, they are increasing the values of the properties, which result in helping all of us in the community through nicer neighborhoods and increased tax revenue.

Please approve this project since it is good for the City and good for the neighborhood.

Don't allow selfish cranky old people that pay \$1000 a year in property taxes and that barely anything into the system, instead opting to straddle future generations paying their unsustainable benefits to keep protecting only their best interests. Enough is enough. Progress must happen

Thank you,

Ben Strom

M: 917-495-9958

E: stromben@gmail.com

From: [Lee, David](#)
To: [Ramirez, Brittany](#)
Subject: FW: 3200 Ocean Blvd
Date: Thursday, August 02, 2018 9:35:33 AM
Attachments: [image002.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

From: Bill Bird [mailto:bill@executivemovingsystems.com]
Sent: Thursday, August 02, 2018 7:52 AM
To: Lee, David <dlee@newportbeachca.gov>
Subject: 3200 Ocean Blvd

8/2/18

Planning Commission
City of Newport Beach
100 Civic Center Drive
First Floor, Bay B
Newport Beach, CA 92660

RE: New Home/3200 Ocean Blvd

Dear Planning Commission,

I am a resident and homeowner at 220 Iris Ave Corona Del Mar. Our community at large fully supports the project proposed on the above lot with excitement. The energy created by new quality home builds in our area with the residents is unapparelled to most other communities.

As I am sure you are aware, Nicholson Companies has been a well-established and widely recognized quality professional builder in our community for 30 plus years. This company is a sensitive and caring professional builder with a tract record locally. They have demonstrated competence time and again with builds in our area. With that said I note all street side set backs are maintained or exceed the city code. It goes without saying the final product will enhance our beautiful city and will continue to support the values of our properties which obviously will continue increasing the city revenues.

All residents in which I have come in contact with fully support this project. We trust you will do the same.

My Best,

Bill Bird
President

Executive Moving Systems Inc.

Phone: 714-688-4800

www.ExecutiveMovingSystems.com

: Bill@ExecutiveMovingSystems.com

: [714-688-4800](tel:714-688-4800)



From: [Lee, David](#)
To: [Ramirez, Brittany](#)
Subject: FW: 3200 Ocean Letter of Support 2.docx
Date: Thursday, August 02, 2018 4:09:12 PM
Attachments: [3200 Ocean Letter of Support 2.docx](#)

From: John Ramirez [mailto:john@mljresources.com]
Sent: Thursday, August 02, 2018 3:35 PM
To: Lee, David <dlee@newportbeachca.gov>
Subject: Fw: 3200 Ocean Letter of Support 2.docx

Hi,
See attached forwarded from below.
thx,
John

John P. Ramirez, AICP
Principal
MLJ Resources, LLC.
562-818-6719

From: Tom Nicholson <tom@nicholsoncompanies.com>
Sent: Thursday, August 2, 2018 9:26 AM
To: John Ramirez
Subject: Fwd: 3200 Ocean Letter of Support 2.docx

Sent from my iPhone

Begin forwarded message:

From: Kathy Guarnieri <valleykmg@gmail.com>
Date: August 1, 2018 at 7:11:58 PM PDT
To: Tom Nicholson <tom@nicholsoncompanies.com>
Subject: 3200 Ocean Letter of Support 2.docx

Hi Tom,

You can forward this letter from us.

Best.

Kathy and Dave Guarnieri

Message sent from my i-phone. Kathy Guarnieri

August 2, 2018

Planning Commission
City of Newport Beach
100 Civic Center Drive
First Floor, Bay B
Newport Beach CA 92660

RE: New House at 3200 Ocean Boulevard

Dear Planning Commission,

I live in Corona Del Mar and wanted to write to express my support for the new home proposed at the corner of Larkspur and Ocean. It will be a great update to the existing home that is located on that property.

Sincerely,

Kathy and Dave Guarnieri

To: Susan Skinner; Planning Commissioners; Lee, David
Subject: RE: Comments on 3200 Ocean Blvd

Dear Planning Commissioners:

On August 9, you will consider an application for a variance for 3200 Ocean Blvd. The developer is arguing that his lot has a longer than average frontage on Ocean Blvd with a 24-foot setback rather than the 20-foot setback of an average lot, thus depriving him of the ability to build as large of a house as he would prefer. I would point out that many people would consider the longer frontage to be an advantage as this means a wider ocean view. The developer is also complaining that since the back of the lot is adjacent to another lot, the setback is a 10-foot setback rather than the 5-foot setback that an alley lot would have. He did, of course, know this when he purchased it recently.

Using this as the rationale to open an application for a variance, the developer then proceeds to ask for a very large increase in square footage, far above any increase that the requested change to the setbacks would dictate. In other words, the increases to the potential home size requested are far out of proportion to the changes in the setbacks requested.

Using an average length of the lot as 83.7 feet (the lot is a rhomboid) and a width of 65 feet, the lot size about 5441 sq ft. With a setback of 24 ft in the front, 4 feet on the side and 10 feet in the back, the buildable area is about 2822 sq ft and a maximum home size of 4234 sq ft (not including basement). The back setback exists to protect the neighbor from a home being built right on top of his/her existing home and it is highly inappropriate (in my opinion) for the developer to seek to change this. The only argument that might be made is that the length of the lot, longer than average, creates a disproportionate effect of the 24-foot front setback on the property. If that setback were reduced to a 20-foot setback, the standard for homes not on Ocean Blvd, the subsequent increase in buildable area would be 3061 sq ft with a maximum home size of 4592 sq ft.

The Planning Commission has heard on several occasions now that the neighborhood is very concerned about the ‘mansionization’ of CdM. If you do feel that this lot warrants a variance, please consider limiting the increase in sq footage to no more than would be allowed if the front setback were decreased to a 20-foot setback. Please also remember that the location

of the lot makes the construction of a basement quite easy, allowing another 2748 sq ft of home to be added to this home. This will allow the developer to build a total of 7340 sq ft, which should be sufficient for him to recoup his investment at the time of sale. Zoning rules exist for a reason: to protect the character of the neighborhood. I hope you will take the concerns of the neighbors into consideration as you make your decision.

I will be on vacation on August 9 and will likely not be able to attend the meeting. Thank you for taking my comments into account.

Respectfully,

Susan Skinner

August 1, 2018

Edward Baldus
427 Marguerite Ave.
Corona Del Mar, CA 92625

Planning Commission
City of Newport Beach
100 Civic Center Drive
First Floor, Bay B
Newport Beach CA 92660

RE: New House at 3200 Ocean Boulevard

Dear Planning Commission,

I saw the plans for the new home to be built on Ocean Boulevard. I am writing to support the project. The existing home is dated and it will be great to see a new and modern home in this community. There are several other homes under construction along Ocean Boulevard and it is great to see these cool new homes in the area.

Sincerely,

A handwritten signature in blue ink, appearing to read 'E. Baldus', with a stylized flourish at the end.

From: [Lee, David](#)
To: [Ramirez, Brittany](#)
Subject: FW: 3200 Ocean Blvd
Date: Monday, August 06, 2018 8:00:04 AM
Attachments: [3200 Ocean Support Letter.pdf](#)

From: Darrin Ginsberg [mailto:dg@2gs.com]
Sent: Friday, August 03, 2018 8:34 AM
To: Lee, David <dlee@newportbeachca.gov>
Subject: 3200 Ocean Blvd

Please see attached letter in support of 3200 Ocean Blvd.

Thanks.

Darrin Ginsberg | CEO
949-673-2009 Direct
darrin@supergcapital.com | supergcapital.com



**Darrin Ginsberg
301 Carnation Ave
Corona Del Mar, Ca 92625**

August 2, 2018

Planning Commission
City of Newport Beach
100 Civic Center Drive
First Floor, Bay B
Newport Beach CA 92660

RE: New House at 3200 Ocean Boulevard

Dear Planning Commission,

I live on Carnation Avenue in Corona Del Mar and want to express my support for the new single family house proposed at the corner of Larkspur and Ocean Blvd.

I saw the plans for this new home and think that it will be a nice addition to the neighborhood.

Nicholson Construction only builds quality homes and adds value to the neighborhood and the city.

Please approve this project.

Sincerely,

Darrin Ginsberg

August 9, 2018, Planning Commission Item 3 Comments

These comments on a Newport Beach Planning Commission [agenda](#) item are submitted by:

Jim Mosher (jimmosher@yahoo.com), 2210 Private Road, Newport Beach 92660 (949-548-6229).

Item No. 3. HINTON AND MALONEY RESIDENCE (PA2017-208)

1. The staff reports for applications for variances typically include a letter from the owner/developer explaining what they are asking for and attempting to justify it.
2. In this case, the applicant seems to have left it to one of the City's assistant planners to rationalize the construction of a 7,276 square foot home (5,216 sf not counting a basement almost as large as the entire existing home) on a 5,445 sf lot with 2,823 sf of buildable area, where the code sanctioned Floor Area Limit restricts construction to 4,234 sf.
3. On page 7 of the staff report the planner has advanced some novel theories to justify the granting of variances to the development standards in the City's Local Coastal Program when the certified LCP grants the City no such authority.
 - a. Public Resources Code [Section 30010](#) – a passage about “takings” requiring compensation – is misread as exempting the Coastal Act from itself. That is, as a statement that the enactment of the Coastal Act was not intended to affect property rights.
 - b. The planner misquotes this as saying “***the Coastal Act*** is “*not intended to increase or decrease the rights of any owner of property under the Constitution of the State of California or the United States.*” [emphasis added]
 - c. It actually says “***This section*** is not intended to increase or decrease the rights of any owner of property under the Constitution of the State of California or the United States.” That is, it *at most* says the *preceding sentence* of Section 30010 about “takings” is not meant to change constitutional law on that question.
 - d. The justification for granting variances to the certified LCP before the Coastal Commission has certified the City's authority to do that remains tenuous, at best.
4. The other fundamental error of the staff report is a persistent refusal to acknowledge that the floor area of residential development in Newport Beach is regulated by Floor Area Limit (FAL) – **not** Floor Area Ratio (FAR), the standard used to limit commercial construction.
 - a. Setbacks are purposeful and intended to provide space between residential buildings.
 - b. Setbacks naturally, and purposefully, reduce buildable area.
 - c. The allowed floor area of residential construction is purposefully limited based on the buildable area, not lot size.
 - d. There is no reason residential lot owners should expect to be able to build the same FAR as their neighbors. If they did, it would completely defeat the distinction between FAL and FAR.

5. In this case, the planner asks the Planning Commission, with no compelling reason for doing so, to reduce the rear setback along a 57 foot long area adjacent to 210 Larkspur by 5 feet, increasing the buildable area by 285 sf, from 2,283 to 3,108 sf.
6. Even if one accepted the “need” to reduce the rear setback, and that variances to the LCP can be granted, the increased buildable area would then “justify” building at most $3,108 \times 1.5 = 4,622$ sf of above-ground floor area.
 - a. Instead, for no obvious reason at all, the planner asks the Commission to approve 5,216 sf, for a FAL of 1.68 compared to the expanded buildable area, or 1.85 based on the code-sanctioned buildable area.
 - b. No evidence is presented that anyone else in neighborhood has such a FAL (the maximum code-sanctioned FAL being 1.5), or what physical peculiarities of this lot would justify it at 3200 Ocean Blvd.
7. It seems clear to me the request should be denied.

Hinton and Maloney

Planning Commission - August 9, 2018
Item No. 3d Additional Materials Presented At Meeting
Hinton and Maloney Residence (PA2017-208)

Variance and Coastal Development Permit



Planning Commission
Public Hearing
August 9, 2018





OCEAN BLVD

LARKSPUR AVE

Subject Property

128

211

210

212

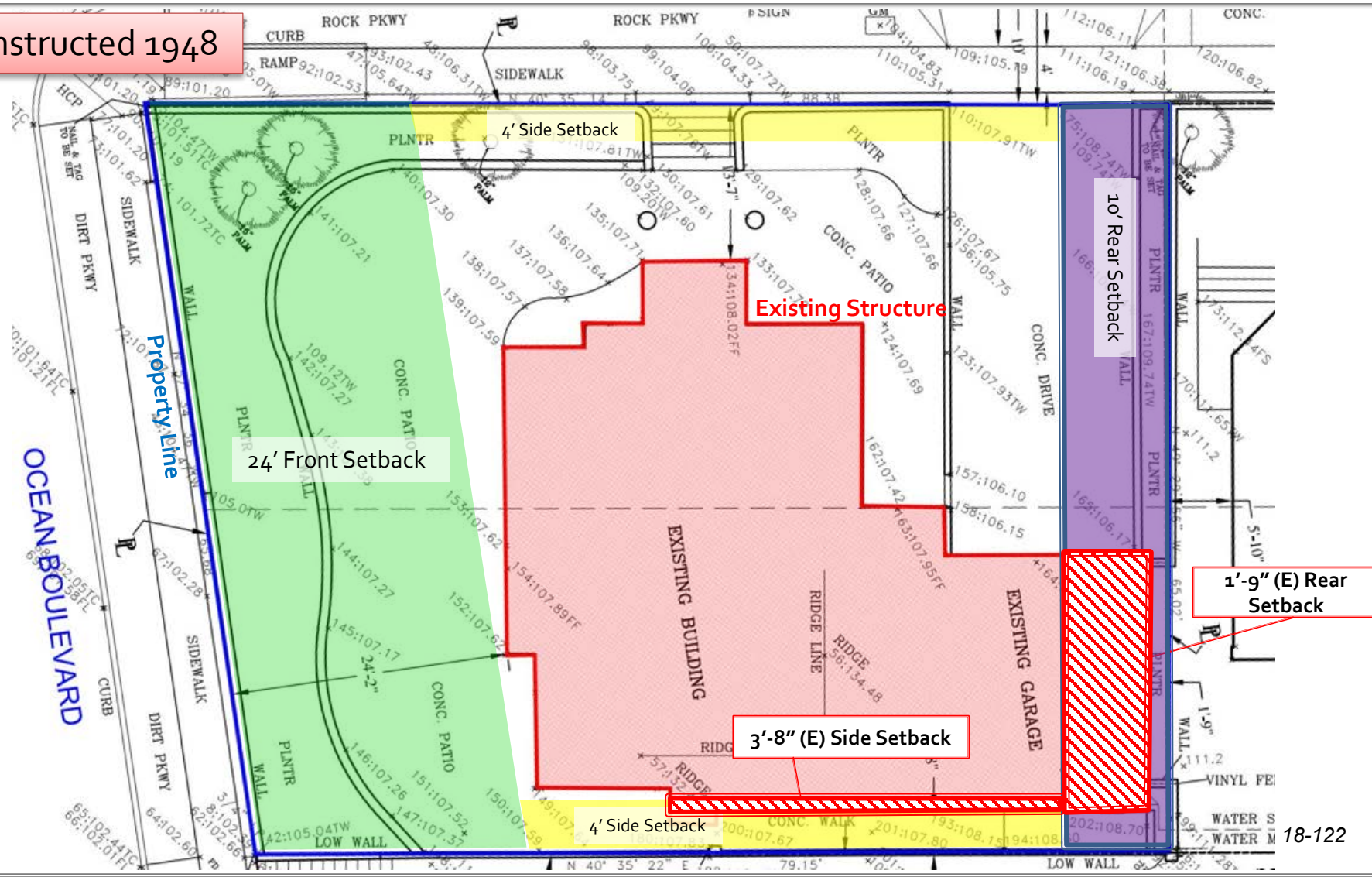
3200

3208

32

Existing Site Plan

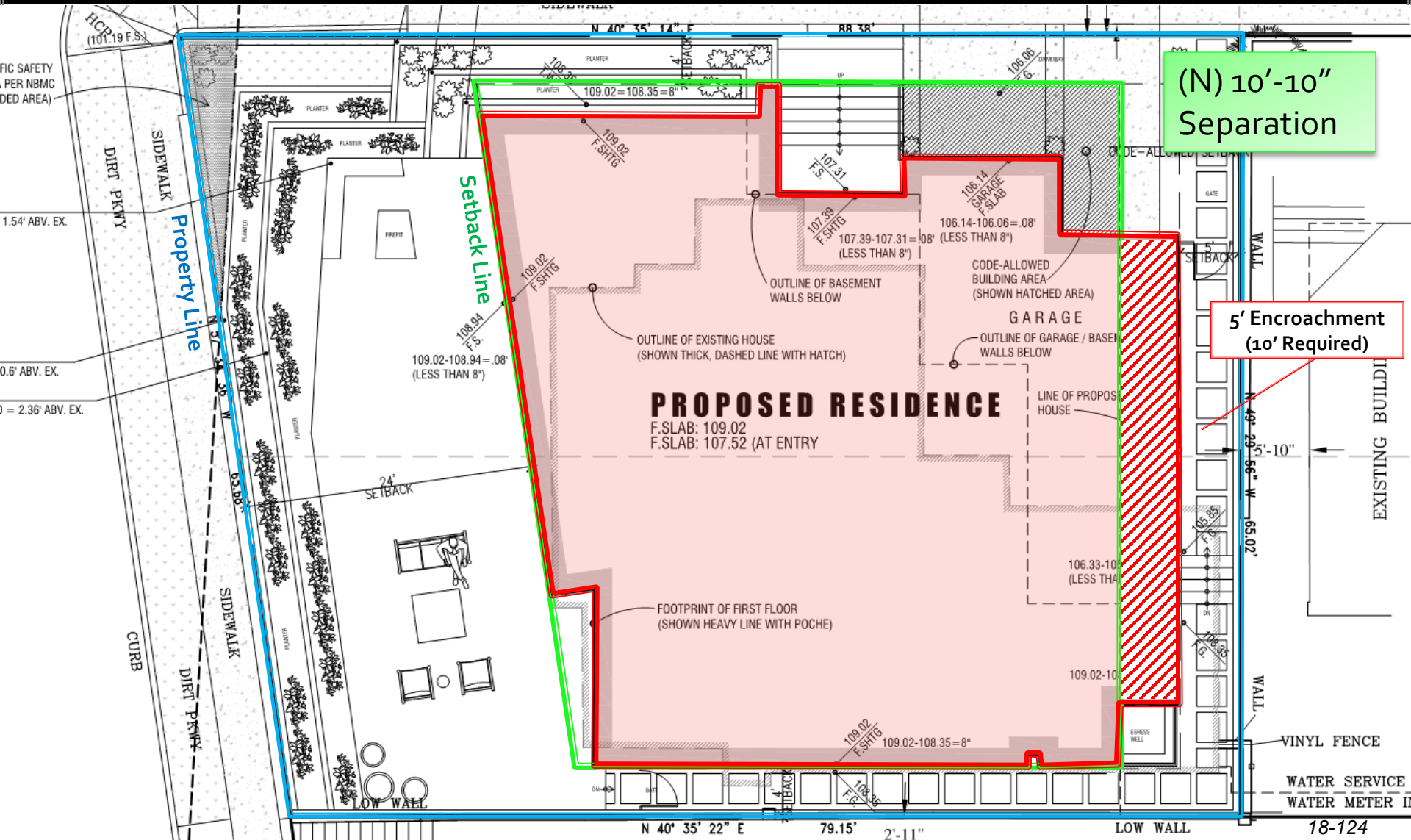
Constructed 1948



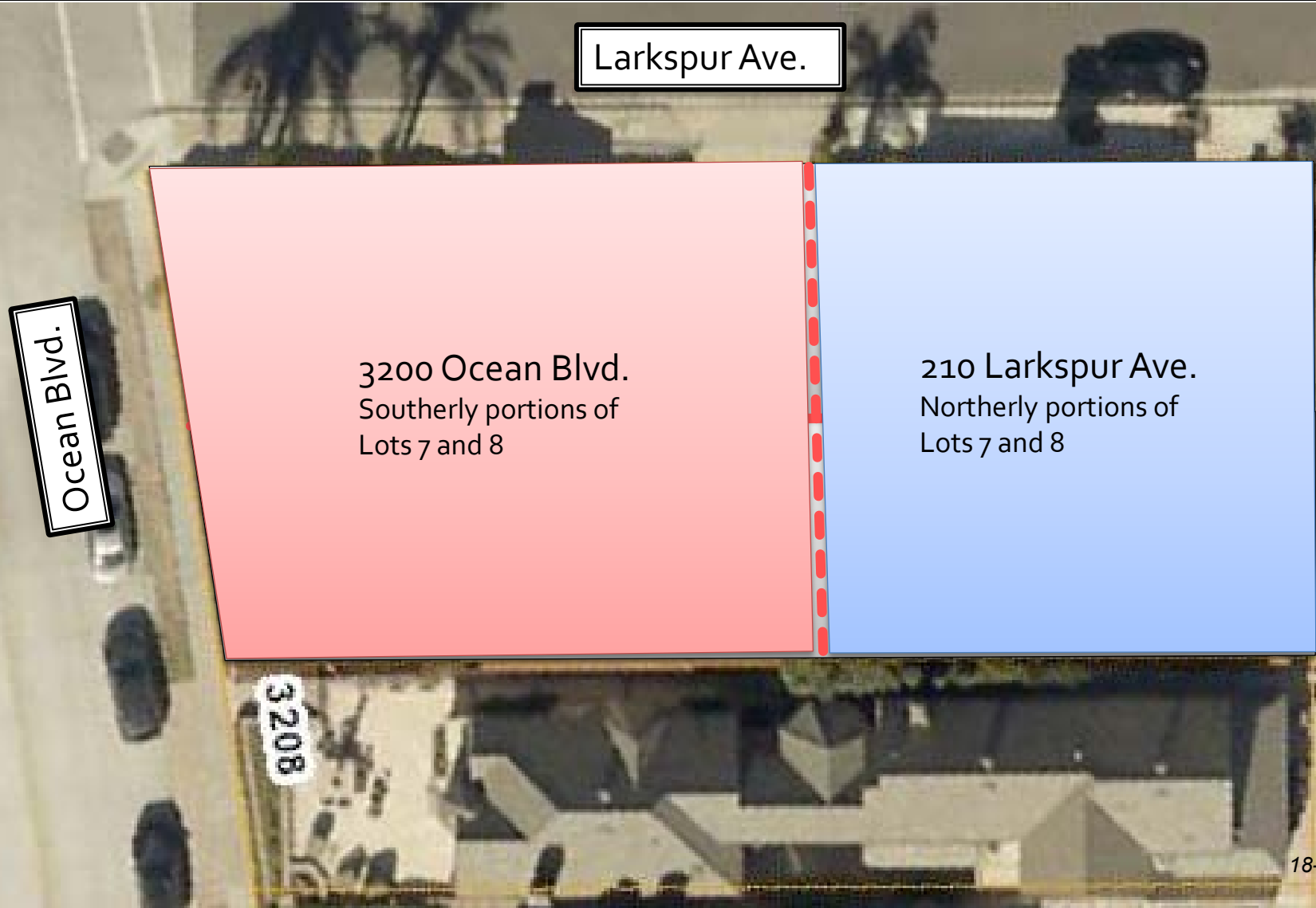
Project Compliance

* variance

Standard	Required	Proposed
Setbacks (min.)		
Front	24'	24'
Rear *	10'	5'
Left Side (West)	4'	4'
Right Side (East)	4'	4'
Height (max.)		
Flat	24'	24'
Sloped	29'	29'
Open Space (min.)	466 sq. ft.	665 sq. ft.
3 rd Floor Area (max.)	466 sq. ft.	No 3 rd Floor
Floor Area Limit (max.)*	4,234 sq. ft.	5,216 sq. ft. (excluding 2,748 sq. ft. basement)
Parking (min.)	3 spaces	3 spaces 18-123



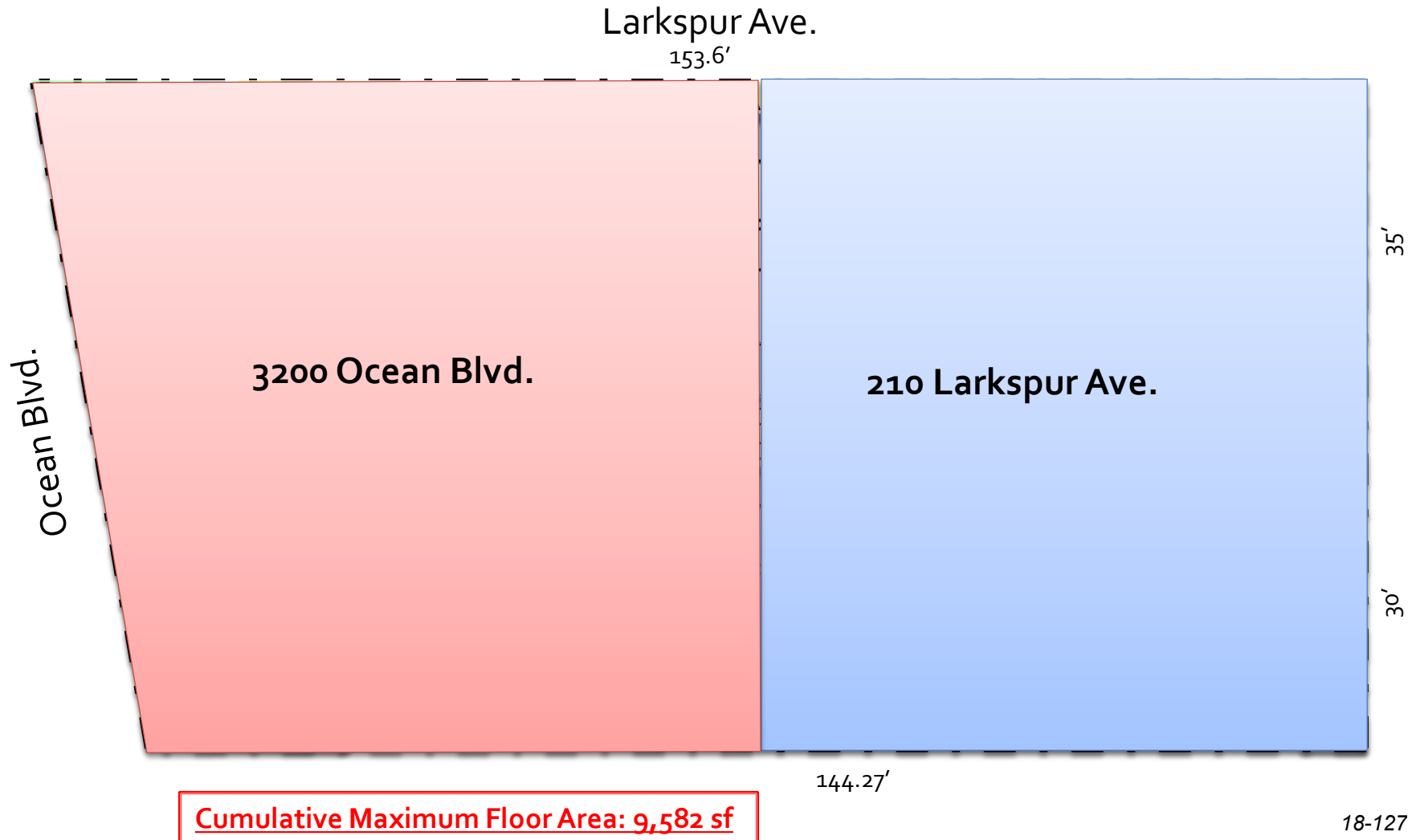
Lot Reorientation



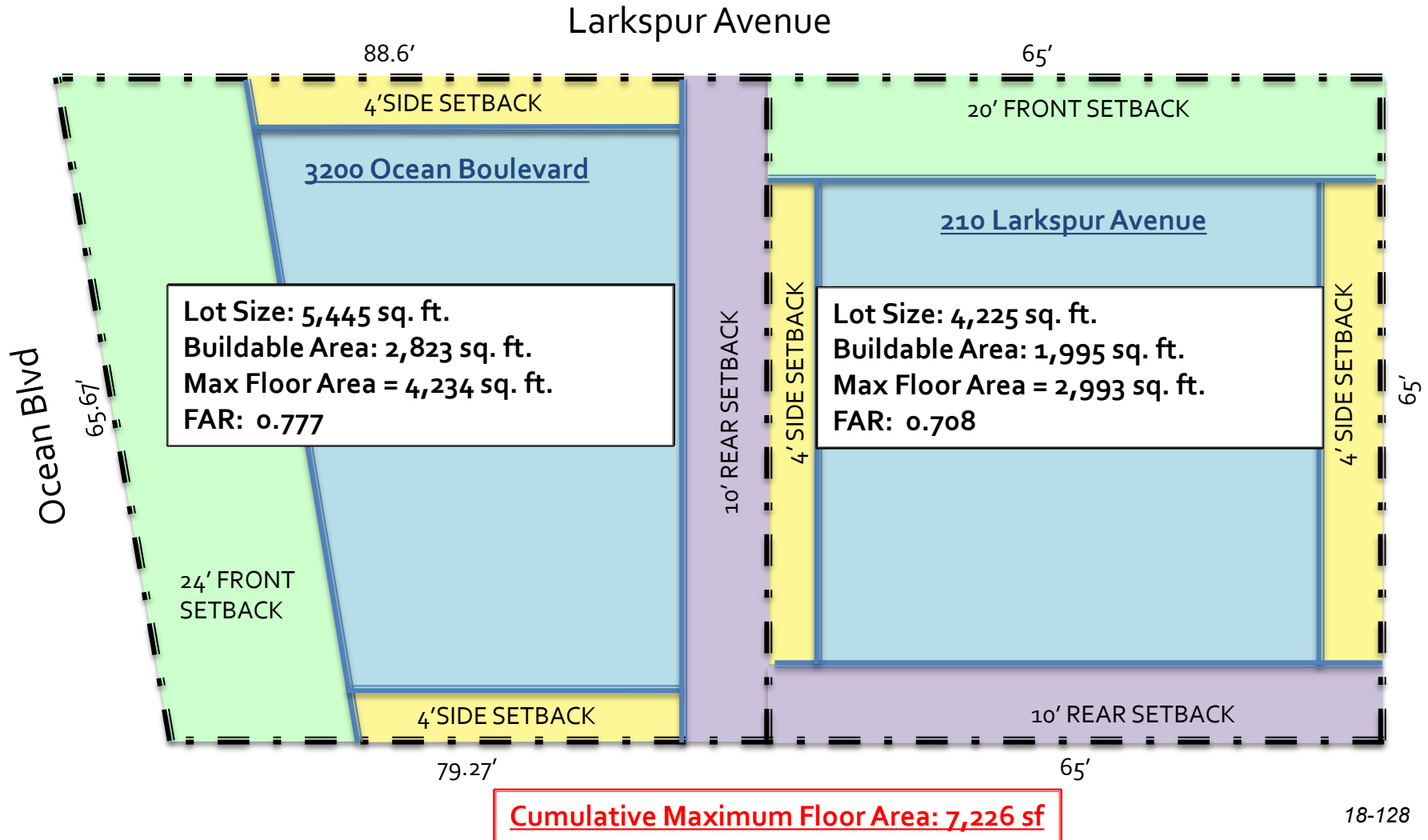
Basis of Variance

- Lot Reorientation
 - Created disproportionate setbacks for subject lot
 - Decreased the buildable area
 - Decreased the maximum floor area
 - Decreased floor area ratio (FAR) of lot
 - *The ratio between the maximum floor area of a residence and the area of the lot*

Original Orientation



Current Orientation (Setbacks)



Lot Orientation Comparison

	Original Orientation (Cumulative of Lot 7 and 8)	Current Orientation (Cumulative of 3200 Ocean and 210 Larkspur)
Lot Area	9,670	9,670
Buildable Area	6,388	4,818
Percentage of Lot Buildable	66%	50%
Maximum Floor Area	9,582	7,227
Floor Area Ratio (FAR)	0.990	0.747

Lot Orientation Comparison

	Original Orientation (Cumulative of Lot 7 and 8)	Current Orientation (Cumulative of 3200 Ocean and 210 Larkspur)
Lot Area	9,670	9,670
Buildable Area	6,388	↓ 4,818
Percentage of Lot Buildable	66%	↓ 50%
Maximum Floor Area	9,582	↓ 7,227
Floor Area Ratio (FAR)	0.990	↓ 0.747



True FAR Comparison

- Lot reorientation decreased the subject property's FAR
- Next Step: Compare the FAR of the subject property to the FAR of lots in the surrounding area

FAR Comparison





Facts in Support of Findings

- Lot orientation is unique within Re-Subdivision
 - 13 lots out of 367 (3.5%)





Facts in Support of Findings

- Reorientation deprives subject property of privileges enjoyed by other properties
 - Reduces buildable area
 - Lower FAR than surrounding properties
 - Removes alley access and creates 10' rear setback
- Not a special privilege
 - FAR is consistent with surrounding lots
 - 5' rear setback is consistent with surrounding lots
 - Rear setback functions as a side setback



Facts in Support of Findings

- Not detrimental to the surrounding area
 - Adequate separation between structures
 - Two-story residence (above grade)
 - Preserves private view for 210 Larkspur (neighbor)

The site plan for 210 Larkspur illustrates the proposed residence and its relationship to the surrounding environment. The property is bounded by C.L. Larkspur Ave. to the north and Ocean Blvd. to the west. The proposed residence is shown with its footprint and setbacks, including a 67° angle and a 54° angle. The plan also shows the existing house, garage, and various setbacks and easements. Key features include:

- Streets:** C.L. Larkspur Ave. (N 40° 35' 14" E), Ocean Blvd. (N 57° 54' 35" W, 283.00'), and Coast Street.
- Proposed Residence:** Outlined with a heavy line with poche, showing the footprint of the first floor and the outline of the existing house.
- Garage:** Located adjacent to the proposed residence.
- Setbacks:** Various setbacks are indicated, including a 67° angle, a 54° angle, and a 20' setback.
- Easements:** A 20' easement is shown along the coast street.
- Other Features:** The plan includes labels for "AC PAVEMENT", "SIDEWALK", "CURB", "DAMP", "SIGN", "GUTTER", "CORNER OF SETBACK", and "EXISTING BUILDING".

The plan also includes a "PROPOSED RESIDENCE" label with the following details:

- PROPOSED RESIDENCE**
- F.SLAB: 109.02**
- F.SLAB: 107.52 (AT ENTRY)**

The plan is titled "210 LARKSPUR" and includes a scale of 1" = 10'.

Coastal Development Permit Request

- Located within Coastal Zone
- New residence exceeds maximum floor area
- Requires a Coastal Development Permit



Coastal Development Permit

- No impact on public views
 - Located on inland lot north of Ocean Blvd.
 - Not between public vantage points along Ocean Blvd. and the water

Coastal View Road





Coastal Development Permit

- No impact on public views
 - Larkspur Ave. has view corridor to the ocean
 - Does not encroach into side setback facing Larkspur
 - Conditions to restrict planting of trees / landscaping (add additional condition)



Coastal Development Permit

- Does not provide nor inhibit coastal access
 - Public access to water remains on Ocean Blvd. and Larkspur Ave.
 - 3-car garage provided; no impact to on-street parking
 - No increase in density



Recommendation

- In summary, staff believes facts exist to support the required findings for the setback and floor area variance requests and the coastal development permit for the project.
- Adopt resolution approving Variance No. VA2017-002 and Coastal Development Permit CD2017-091



For more information contact:

David S. Lee
949-644-3225
dlee@newportbeachca.gov
www.newportbeachca.gov