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PLANNING & DEVELOPMENT SERVICES DEPARTMENT REPORT

HEARING DATE: January 31, 2002

TO: Orange County Zoning Administrator

FROM: Current Planning Services Division

SUBJECT: Public Hearing on Planning Application PA 01-0119

PROPOSAL: The applicant requests a Variance for a rear yard setback of 13'8" instead of the 15' required. Addition will "square off" existing rear of single-family dwelling.

LOCATION: 3102 Quail Run Road, Rossmoor, the unincorporated portion of Los Alamitos within the 2nd Supervisorial District.

APPLICANT: Pierre J. Bouchard, property owner

STAFF CONTACT: James Thue, Project Manager
Phone: (714) 834-2179 FAX: (714) 834-4652

SYNOPSIS: Current Planning Services Division recommends Zoning Administrator approval of PA 01-0119 subject to findings and conditions.

BACKGROUND:

The 7,700 square foot lot consists of an existing 2,180 square foot single-story single-family dwelling with attached garage. The residence is located in Rossmoor, a residential area in the unincorporated area of Los Alamitos. A Certificate of Use and Occupancy was issued for the home on August 29, 1960.

The residence is zoned R1 "Single-family Residence District" (C3849). The R1 District is established to provide for the development and maintenance of medium density single-family neighborhoods. The zoning C3849 refers to Ordinance 3556, which was adopted by the Board of Supervisors and regulates the zoning in Rossmoor. According to the ordinance, a 15' rear yard setback is required instead of the 25' rear yard setback as established by Zoning Code Section 7-9-127. A 5' side-yard setback and a 20' front setback are required for the R1 District.

Currently, a 15' setback exists for the front yard, which is permitted by variance V-4127. Existing setbacks for the side yards include a 5' side yard setback for the left side, and an 8'6" setback for the right side. A 13'8" setback for the rear yard exists instead of the required 15' rear yard setback. However, variance V-5085 was granted in 1962, which permitted the construction of an addition in the rear yard setback area. The previous 456 square foot addition is composed of a family room, bedroom, and bathroom. The current

variance requests the construction of a small addition in the rear setback area that will square off and match the existing previously approved rear setback of 13’8”.

SURROUNDING LAND USE:

Project Site	Zoning	Existing Uses/Structures
North	R1 “Single Family Residence” (C3849)	Residence
South	R1 “Single Family Residence” (C3849)	Residence
East	R1 “Single Family Residence” (C3849)	Residence
West	R1 “Single Family Residence” (C3849)	Residence

REFERRAL FOR COMMENT AND PUBLIC NOTICE:

A Notice of Hearing was mailed to all owners of record within 300 feet of the subject site. Additionally, a notice was posted at the site, at the 300 N. Flower Building and Clerk of the Board Office, and as required by established public hearing posting procedures. The proposal was distributed to Los Alamitos/Rossmoor Homeowners Association for review and comment. The Los Alamitos/Rossmoor Homeowners Association voiced no concerns with the project and issued no comments (see Exhibit 2).

CEQA COMPLIANCE:

This proposal has been declared Categorical Exempt under the provisions of the California Environmental Quality Act (CEQA). Appendix A contains the required CEQA findings.

DISCUSSION/ANALYSIS:

The original addition, which was constructed in 1964, consisted of a family room, bedroom, and a bathroom. The back bedroom was constructed in such a way that it protruded into the rear yard setback. This current proposal will square off the back of the building by constructing a 260 square foot addition on the rear of the structure. When completed the total combined square footage of the residence will be approximately 2,440.

The rear yard setback requirement for the R1 (C3849) zone is 15’. However, due to the previously approved variance the above-mentioned bedroom is situated 13’8” from the rear property line. This proposal requests an addition, which will widen the back bedroom and maintain the same rear-yard setback distance of 13’8” from the rear property line. The proposal will encroach into the 15’ setback area by 1’4”. The new portion on the left side of the building will be extended roughly 22’ into the rear yard and will measure roughly 22’ X 7’. The portion on the right side of the structure will be extended 6’9” and will measure approximately 6’9” X 11’6”. The majority of the home will be roughly 36’ from

the rear property line. Only the bedroom and the proposed addition will be in the required setback area. The proposed addition will meet the 5’ side yard setback. A gable style roof was used in the construction of the original addition. The gabled roof will need to be raised from 10’ in height to 11’ in height in order to accommodate the new expansion. The raised roof will blend into the architecture of the existing roofline.

More than a dozen variances have been recorded in the neighborhood. Six variances regarding setback requirements are recorded on the same block as this request.

Variance	Location	Setback Distance
V4933	Quail Run Road	Rear yard; from 22’ to 19’6”
V7657	Kensington Rd & Quail Run Rd	Rear yard; from 25’ to 7’4”
V5423	Kensington Rd & Quail Run Rd	Rear yard; from 22’ to 15’
V6212	Kensington Rd & Quail Run Rd	Side yard; from 3’ to 2.5’
V6516	Donnie Ann Rd.	Rear yard; from 21.5’ to 15’
V5995	Donnie Ann Rd	Rear yard; from 22’ to 16’

CONCLUSION OR SUMMARY:

Numerous residences in Rossmoor have applied and received similar setback variances and therefore this variance will not create any special privileges. These variances do not disturb the quality of the neighborhood. The location and design of the project is compatible with the surrounding neighborhood. The addition will not extend across the entire width of the rear yard, but instead only the small portion, which will be attached where a previous variance was granted for an addition. The applicant simply requests that the rear of the structure be “squared off”. Since the structure currently is situated 13’8” from the rear property line and the applicant desires to extend portions of the structure to match the existing dimensions, staff supports the belief that a special circumstance exists for the property and therefore staff supports approval of this variance.

RECOMMENDED ACTION:

Current Planning Services Division recommends the Zoning Administrator:

- a. Receive staff presentation and public testimony as appropriate; and,
- b. Approve Planning Application PA 01-0119 for a variance subject to the attached Findings and Conditions of Approval.

Respectfully submitted

Chad G. Brown, Section Chief
 CPSD/Site Planning Section

ATTACHMENTS:

- Appendix A. Recommended Findings
- Appendix B. Recommended Conditions of Approval

EXHIBITS:

1. Applicant's Letter of Explanation
2. Rossmoor Home Owners Association Letter
3. Aerial Photo
4. Project Plans

APPEAL PROCEDURE:

Any interested person may appeal the decision of the Zoning Administrator on this permit to the Orange County Planning Commission within 15 calendar days of the decision upon submittal of required documents and a filing fee of \$245.00 filed at the Development Processing Center, 300 N. Flower St., Santa Ana.