

PLANNING & DEVELOPMENT SERVICES DEPARTMENT REPORT
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DATE: April 25, 2002

TO: Orange County Zoning Administrator

FROM: Planning and Development Services Department/Current Planning Services Division

SUBJECT: Public Hearing on Planning Application PA02-0020 for Coastal Development Permit

PROPOSAL: The applicant requests approval of a Coastal Development Permit to allow for the demolition of an existing one-story single-family dwelling and the construction of a new three-story, 2,951 square feet single family dwelling.

LOCATION: The proposal is located in the community of Sunset Beach, inland of Pacific Coast Highway, at 16735 Bay View Drive. Second Supervisorial District

APPLICANT: William DeWing, property owner
Andrew Goetz, agent

STAFF CONTACT: William V. Melton, Project Manager
Phone: (714) 834-2541 FAX: (714) 667-8344

SYNOPSIS: Current Planning Services Division recommends Zoning Administrator approval of PA02-0020 subject to the attached Findings and Conditions of Approval.

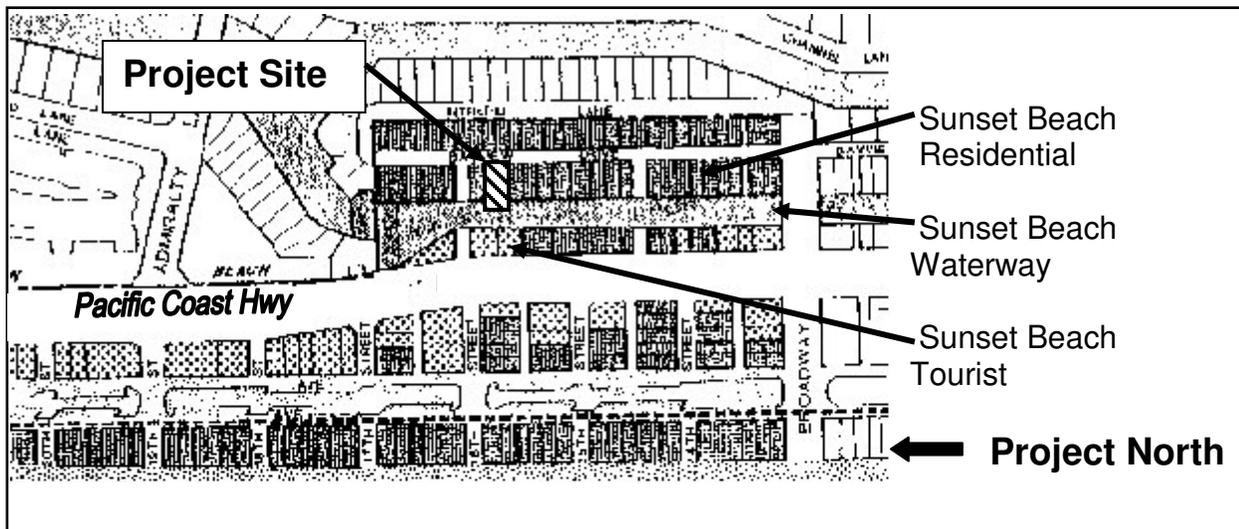
BACKGROUND:

The subject site is a typical of the lots in Sunset Beach between Bay View Drive and the channel. The lot is 2,250 square feet in area, measuring 30 feet wide by 75 feet deep. The front of the property is on Bay View Drive and the rear is on the Sunset Beach channel. The site is developed with a one-story single-family dwelling and a bulkhead and boat dock on the channel. The property is in the Sunset Beach Specific Plan/Local Coastal Program and has a land use designation of SBR "Sunset Beach Residential". One or two dwellings are permitted on each building site in the SBR designation.

The applicant proposes to demolish the exiting dwelling and construct a larger three-story single-family dwelling with attached two-car garage. This permit is not altering the existing bulkhead or the boat dock at the rear of the property. Since this project is in the coastal zone, a Coastal Development Permit is required for both the demolition of the existing residence and construction of the new residence. Additionally, the project is an *appealable development*, which is subject to appeal to the California Coastal Commission. Most all sites in Sunset Beach are in the Coastal Commission appeal area.

SURROUNDING LAND USE: (assumes Pacific Ocean is to the west)

Direction	Land Use Designation	Existing Land Use
Project Site	SBR “Sunset Beach Residential”	Residential
North	SBR “Sunset Beach Residential”	Residential
South	SBR “Sunset Beach Residential”	Residential
East	SBP “Sunset Beach Residential”	Residential
West	SBW “Sunset Beach Waterway” SBT “Sunset Beach Tourist”	Sunset Channel Commercial boat sales



REFERRAL FOR COMMENT AND PUBLIC NOTICE:

A Notice of Hearing was mailed to each property owner of record within 300 feet of the subject site, the LCP Board of Review and the California Coastal Commission. Coastal Development regulations also require mailing of the notice to the resident of a house within 100 feet of the subject site. However, the Post Office in Sunset Beach does not deliver mail directly to the homes. All U.S. Postal Service delivery is through post office boxes at the Sunset Beach Post Office. To satisfy Coastal Development requirements, a Notice of Hearing is posted at the Sunset Beach Post Office. Additionally, a Notice of Hearing was posted at the site as well as the Osborne Building. A copy of the planning application along with a copy of the proposed site plan were distributed for review and comment to nine County divisions and the Sunset Beach LCP Review Board. As of the writing of this staff report, no comments raising issues with the project have been received from other County divisions by staff. The Sunset Beach LCP Review Board recommended project approval.

CEQA COMPLIANCE:

Negative Declaration No. PA020020 (Exhibit 2) has been prepared for this proposal. It was posted for public review on February 28, 2002 and became final on March 19, 2002. Prior to project approval, this ND must be found adequate to satisfy the requirements of CEQA by the Zoning Administrator. Appendix A contains the required CEQA Finding.

DISCUSSION/ANALYSIS:

The proposal as submitted is consistent with all site development standards of the SBR “Sunset Beach Residential” land use designation of the Sunset Beach Specific Plan/Local Coastal Program. Following is a chart of those development standards:

STANDARD	REQUIRED	PROPOSED
Front setback		
Garage, ground level	5 feet	7 feet
2 nd and 3 rd levels	6 inches	5 feet
Rear setback		
Ground level	10 feet	10 feet
2 nd and 3 rd levels	5 feet	5 feet
Side setback		
All levels	3 feet	3 feet
Ground level elevation	2 feet above bulkhead	2 feet above bulkhead.
Max Building height	35’ above ground level	35’ above ground level
Parking	2 covered spaces	2 garaged spaces

There are no planning issues associated with the proposed demolition of the existing residence and construction of a new larger single-family residence. The Sunset Beach LCP Review Board recommended project approval. The project proposed is comparable and compatible with recently constructed homes along Bay View Drive. Staff notes that several new developments along Bay View Drive (between Bay View and Intrepid) have been the replacement of single-family dwellings with duplex condominium dwellings. Because this project will remain single-family residential, it will not result in any increased traffic, which has been a recent concern of those persons living on Bay View Drive. Staff supports the applicant’s request, is of the opinion that the Zoning Administrator is able to make the four Coastal Development Permit findings in Appendix A and makes a recommendation as follows.

RECOMMENDED ACTION:

Current Planning Services Division recommends the Zoning Administrator:

- a. Receive staff report and public testimony as appropriate; and,
- b. Approve Planning Application PA02-0020 for Coastal Development Permit subject to the attached Findings and Conditions of Approval.

Respectfully submitted

Chad G. Brown, Chief
CPSD/Site Planning Section

WVM

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APPENDICES:

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

EXHIBITS:

1. Applicant's Letter of Explanation
2. Negative Declaration No. PA020020
3. Site photos
4. Site 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. If you challenge the action taken on this proposal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this report, or in written correspondence delivered to the Planning and Development Services Dept.

In addition, this project is within the Coastal Zone and is an "appealable development". Approval of an appealable development may be appealed directly to the California Coastal Commission (telephone number 562-560-5071), in compliance with their regulations, without exhausting the County's appeal procedures.