



DATE: April 5, 2007
TO: File/Record/Applicant
FROM: Tim Neely, Director RDMD/ Planning and Development Services
SUBJECT: Planning Application PA070005 for Site Development Permit
APPLICANT: Bill Heffern, property owner.

I. NATURE OF PROJECT: The property owner seeks approval of a Site Development Permit by the Director of Planning & Development Services to allow for a mobile home residence during construction of a Single-Family dwelling, which would be located on the previous driveway within property in compliance with Section 7-9-136.7 of the County Zoning Code.

The Orange County Zoning Code Section 7-9-136.7(a) allows temporary mobile home in all residential districts and similar areas during construction of permanent dwelling subject to approval of a site development permit application. The project will thus require a site development permit to establish the subject use on condition that other additional requirements are satisfied.

The applicant has demonstrated through the site plan that the temporary mobile home is located on the same building site and concurrent with the construction of a permanent dwelling and shown in issuance of a building permit number (RS061642 issued 10/23/06). The County Drainage, Fire Authority and grading have no objections to the design, size and location of the proposed mobile home as long as the project adheres to all County Codes. No other comments from surrounding property owners were received.

II. REFERENCE: Authority for Administrative action is given by Orange County Zoning Code sections and 7-9-150 "Discretionary Permits and Procedures".

III. ENVIRONMENTAL DOCUMENTATION:

The proposed project is categorically exempt under CEQA, Section 15303: Class 3 - New construction or conversion of small structures. Appendix A contains the required CEQA Findings.

IV. CERTIFICATION:

I hereby certify that the subject proposal has been Conditionally Approved as shown in Appendix A Finding and Appendix B Conditions of Approval.

Tim Neely, Director
RDMD/Planning and Development Services Department

By: _____
Ron Tippet, Chief
PDS/Environmental Planning Services

ATTACHMENTS:

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

APPEAL PROCEDURE

Any interested person may appeal the decision of the Director 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 \$ 760.00 filed at the Development Processing Center.

5 [ED04
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CATEGORICALLY EXEMPT PA070005 (Custom)

That the proposed project is Categorically Exempt Section 15303 (Class 3) from the provisions of CEQA.

6 [MC01
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SITE PLAN

PA070005

That the mobile home is a temporary use and the associated activities will not conflict with adjacent and nearby residents.

**Appendix B
Conditions of Approval
PA070005**

1 [Z01 CP CP NA **BASIC/ZONING REG** **PA070005**
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This approval constitutes approval of the proposed project only to the extent that the project complies with the Orange County Zoning Code and any other applicable zoning regulations. Approval does not include any action or finding as to compliance of approval of the project regarding any other applicable ordinance, regulation or requirement.

2 [Z02 CP CP NA **BASIC/TIME LIMIT** **PA070005**
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This approval is valid for a period of 12 months from the date of final determination. If the use approved by this action is not established within such period of time, this approval shall be terminated and shall thereafter be null and void.

3 [Z03 CP CP NA **BASIC/PRECISE PLAN** **PA070005**
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Except as otherwise provided herein, this permit is approved as a precise plan. If the applicant proposes changes regarding the location or alteration of any use or structure, the applicant shall submit a changed plan to the Director, PDS, for approval. If the Director, PDS, determines that the proposed change complies with the provisions and the spirit and intent of the approval action, and that the action would have been the same for the changed plan as for the approved plot plan, he may approve the changed plan without requiring a new public hearing.

4 [Z04 CP CP NA **BASIC/COMPLIANCE** **PA070005**
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Failure to abide by and faithfully comply with any and all conditions attached to this approving action shall constitute grounds for the revocation of said action by the Orange County Planning Commission.

5 [Z05 CP CP NA **BASIC/OBLIGATIONS** **PA070005**
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Applicant shall defend at his/her sole expense any action brought against the County because of issuance of this permit. Applicant shall reimburse the County for any court costs and attorneys fees that the County may be required to pay as a result of such action. The County may, at its sole discretion, participate in the defense of any action, but such participation shall not relieve applicant of his/her obligations under this condition.

6 [Z06 CP CP NA **BASIC/APPEAL EXACTIONS** **PA070005**
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Pursuant to Government Code Section 66020, the applicant is hereby informed that the 90-day approval period in which the applicant may protest the fees, dedications, reservations or other exactions imposed on this project through the conditions of approval has begun.

7 [Z02] CP CP NA **BASIC/TIME LIMIT** **PA070005**

Prior to issuance of Certificate of Use and Occupancy for the main building, the applicant must submit in writing and photographs to the Manager, Building & Grading Services for review and approval that the subject mobile home located on the original driveway has been removed.