



City of Costa Mesa, Development Services Department
 77 Fair Drive, P.O. 1200, Costa Mesa, CA 92628-1200
 Phone: (714) 754-5245 www.costamesaca.gov

APPLICATION FOR MINOR MODIFICATION REQUEST

(See Title 13, Ch III, Section 13-28(f) Minor Modifications, of Municipal Code)

Minor Mod # **MM - 23-03**

PROPERTY ADDRESS: 2127 REPUBLIC AVE, COSTA MESA, CA 92627

PROPERTY OWNER: RANDY & KIANA HORNSTMEYER Phone 909-528-0816

Address SAME AS ABOVE Email or Fax # FFS150@HOTMAIL.COM

City _____ State _____ Zip Code _____

Property Owner's Signature Randy S. Hornstmeier Date 6-3-23

AUTHORIZED AGENT: _____ Phone ~~635~~

Address _____ Email or Fax # _____

City _____ State _____ Zip Code _____

Authorized Agent's Signature _____ Date _____

PROJECT DESCRIPTION: [Provide project description & justification for approval below]

See Attached

CONCEPT PLANS/DRAWINGS ARE ATTACHED: YES NO

OFFICE USE ONLY BELOW

THIS MINOR MODIFICATION REQUEST IS APPROVED / DENIED BASED ON THE FOLLOWING FINDINGS:

- The improvement will not be / will be materially detrimental to the health, safety, and general welfare of person residing or working within the immediate vicinity of the project or to property and improvements within the neighborhood.
- The improvement is / is not compatible or considered as an enhancement to the architecture and design of the existing and anticipated development in the vicinity. This includes the site planning, land coverage, landscaping, appearance, scale of structures, open space and any other applicable features relative to a compatible and attractive development.

Zone: R1 Approved by: [Signature] Decision Date: 9/6/23

Appeal of this decision shall be filed within 7 days of the decision date noted above by remittance of the appeal fee and according to the procedures set forth in Title 2, Chapter IX, of the Costa Mesa Municipal Code.

(White - Planning; Canary - Building; Pink - Applicant; Goldenrod - Authorized Agent)

City of Costa Mesa

Inter Office Memorandum

TO: SCOTT DRAPKIN, ASSISTANT DIRECTOR OF DEVELOPMENT SERVICES

FROM: CHRIS YEAGER, ASSOCIATE PLANNER

DATE: September 6, 2023

SUBJECT: MINOR MODIFICATION 23-03 FOR INCREASED FENCE HEIGHT AT 2127
REPUBLIC AVENUE

BACKGROUND

The property at 2127 Republic Avenue is subject of a Code Enforcement case for an unpermitted vinyl fence/gate that are were recently constructed on the property. Portions of the unpermitted fence/gate are greater than the "Standards and Specifications" which, pursuant to the Costa Mesa Municipal Code (CMMC), regulate maximum fence/gate height in the City. The subject fence is constructed on a common property line that is shared by the neighboring property located at 964 Union Avenue.

ANALYSIS

The City Standards and Specifications for Walls, Fences, and Landscaping indicates that fences/gates may be built between two residential properties within the five-foot side-yard setbacks up to six feet in height, provided that the visibility triangle is maintained at all intersections and driveways. Section 13-28(j) of the Costa Mesa Municipal Code (CMMC) allows for Minor Modifications to increase the maximum height of a fence/gate by up to 20-percent (eight-foot maximum height). The applicant is proposing a seven-foot high fence along the southerly property line and therefore requires approval of a Minor Modification. A 6' – 6" high gate has also been installed in this area without permits and provides access to the backyard. The applicant is also requesting a minor modification to exceed the six-foot maximum gate height.

With the exception of the height requirements, the subject fence/gate comply with all requirements of the CMMC. The applicant letter indicates that the fence is necessary because the applicant is a Police Officer/K9 Handler and any shorter fence would allow the K9 to flee the property. The neighboring property owner at 964 Union Avenue has signed a "party wall agreement" with the applicant which indicates support for the fence/gate project. The subject property owner has also provided fence construction details including required footings, and is aware that a permit and possibly engineering will be required.

MINOR MODIFICATION FINDINGS

CMMC Section 13-29(g)(6) specifies that Minor Modification findings must be made to approve a Minor Modification application. Findings and justification for the subject fence/gate are provided below:

Finding: *“The improvement will not be materially detrimental to the health, safety and general welfare of persons residing or working within the immediate vicinity of the project or to property and improvements within the neighborhood.”*

Justification: The proposed fence/gate are located outside of the required visibility triangle and will comply with all applicable zoning, building and fire codes. In addition, the neighboring resident has entered into a “party wall agreement” that indicates support for the location and height of the subject fence/gate. Therefore, the improvement will not be detrimental to the health, safety, and general welfare of residents or visitors in the immediate vicinity of the project.

Finding: *“The improvement is compatible and enhances the architecture and design of the existing and anticipated development in the vicinity. This includes the site planning, land coverage, landscaping, appearance, scale of structures, open space and any other applicable features relative to a compatible and attractive development.”*

Justification: The proposed vinyl fence/gate are compatible with the existing surrounding residential neighborhood in that the improvements are similar to many of the neighboring properties existing fences/gates. The additional one-foot of fence height, and six-inches of gate height do not create any obvious visual obstruction that detract from the scale of nearby neighborhood structures.

RECOMMENDATION

Approve the minor modification.

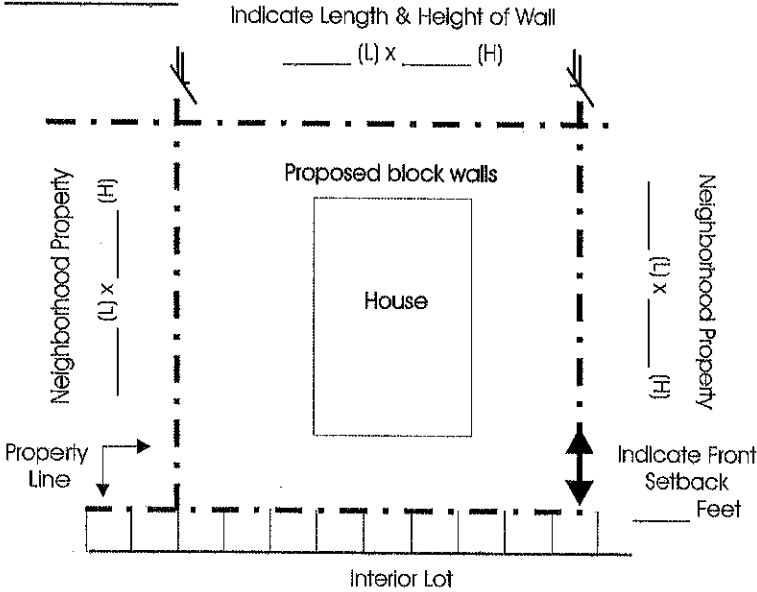


Block /Masonry Walls* on Private Property Building Permit Application

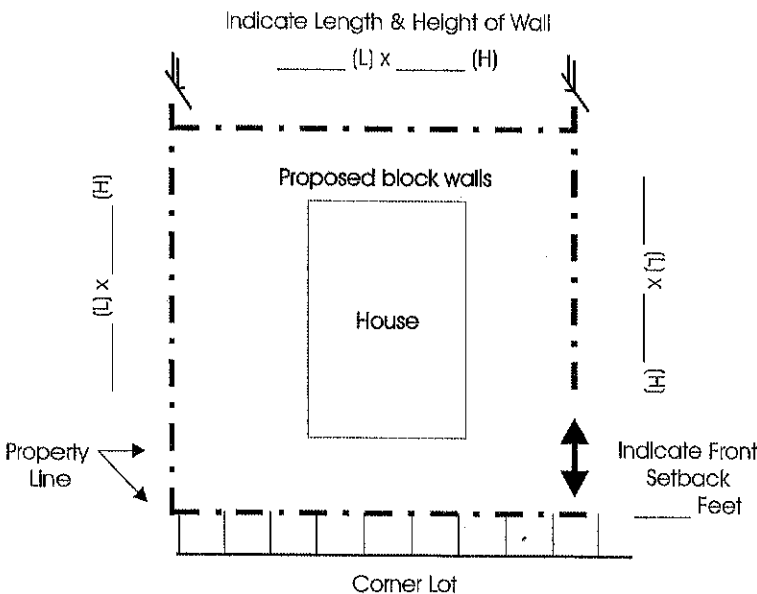
Submit to Development Services Department
77 Fair Drive, Costa Mesa CA 92626 (City Hall, 2nd Floor)

Step 1 Complete Section A, **OR** Section B

Section A



Section B



Note : See fences and walls handout for setback requirements.

Step 2 Complete Section C, **OR** Section D

Section C

I **HAVE** obtained the following Party Wall Agreement:
It is hereby agreed that a party wall will be constructed on the property line between (provide addresses below).

2127 REPUBLIC AVE, COSTA MESA

and

960 UNION AVE, COSTA MESA

In Costa Mesa. The party wall shall be permitted to straddle the property line. The following parties have entered into this agreement.

Property Owner

Signature: Randy S Horstmeier

Print Name: RANDY S HORSTMAYER

Address: 2127 REPUBLIC AVE, COSTA MESA

Adjacent Property Owner

Signature: Dennis O Thompson

Print Name: Dennis O. Thompson

Address: 960 Union Ave.,
Costa Mesa, CA 92627

Section D

I **HAVE NOT** obtained a Party Wall Agreement:
Attached are specifications for a masonry wall to be constructed entirely on my own property.

Landowner

Signature: _____

Print Name: _____

Address: _____

Request for Variance

To whom it may concern,

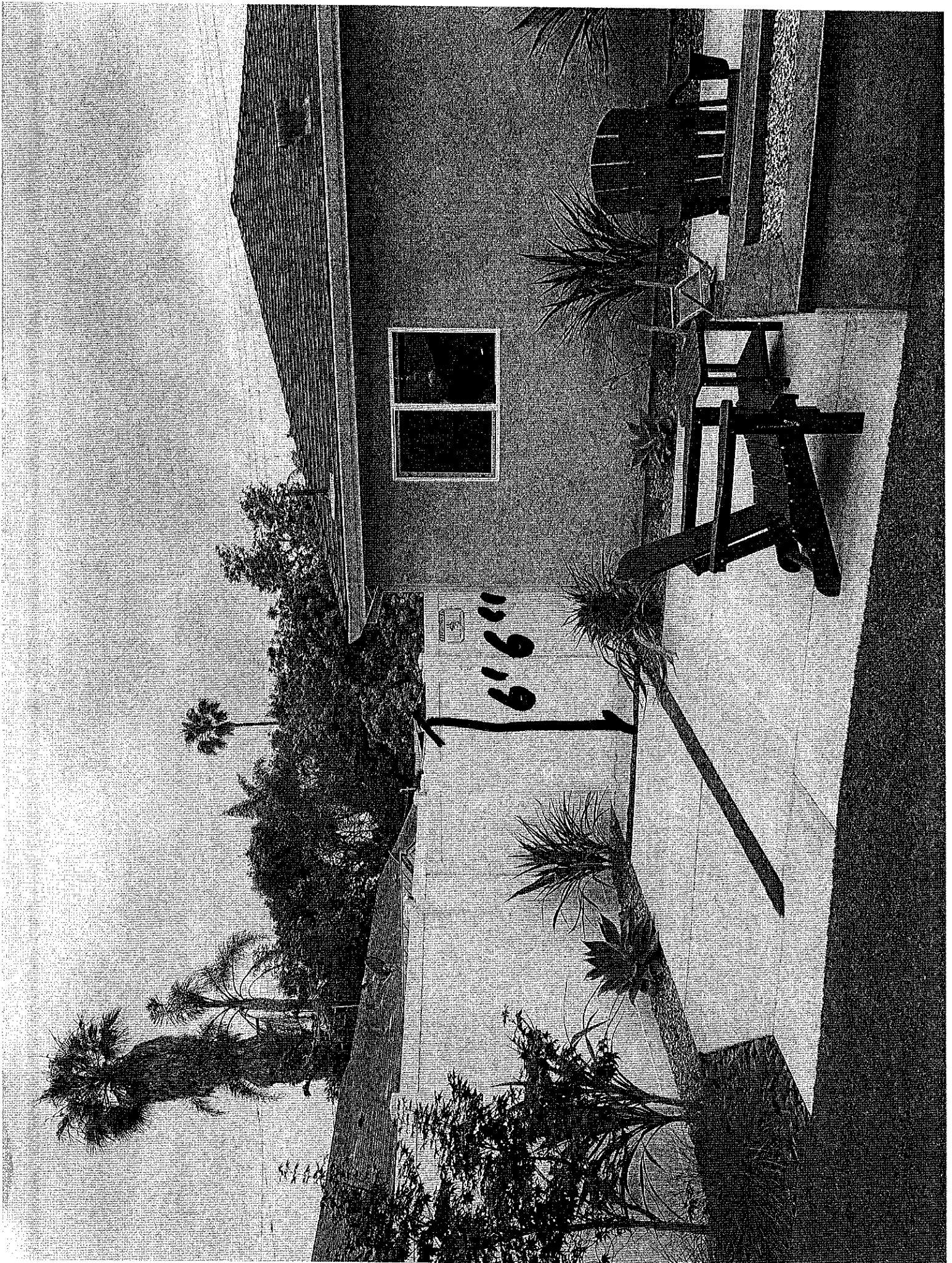
I'm requesting a variance on my existing 7 ft. vinyl fence that is on the south side of my property. The reason why I installed the fence at that height was for multiple reasons.

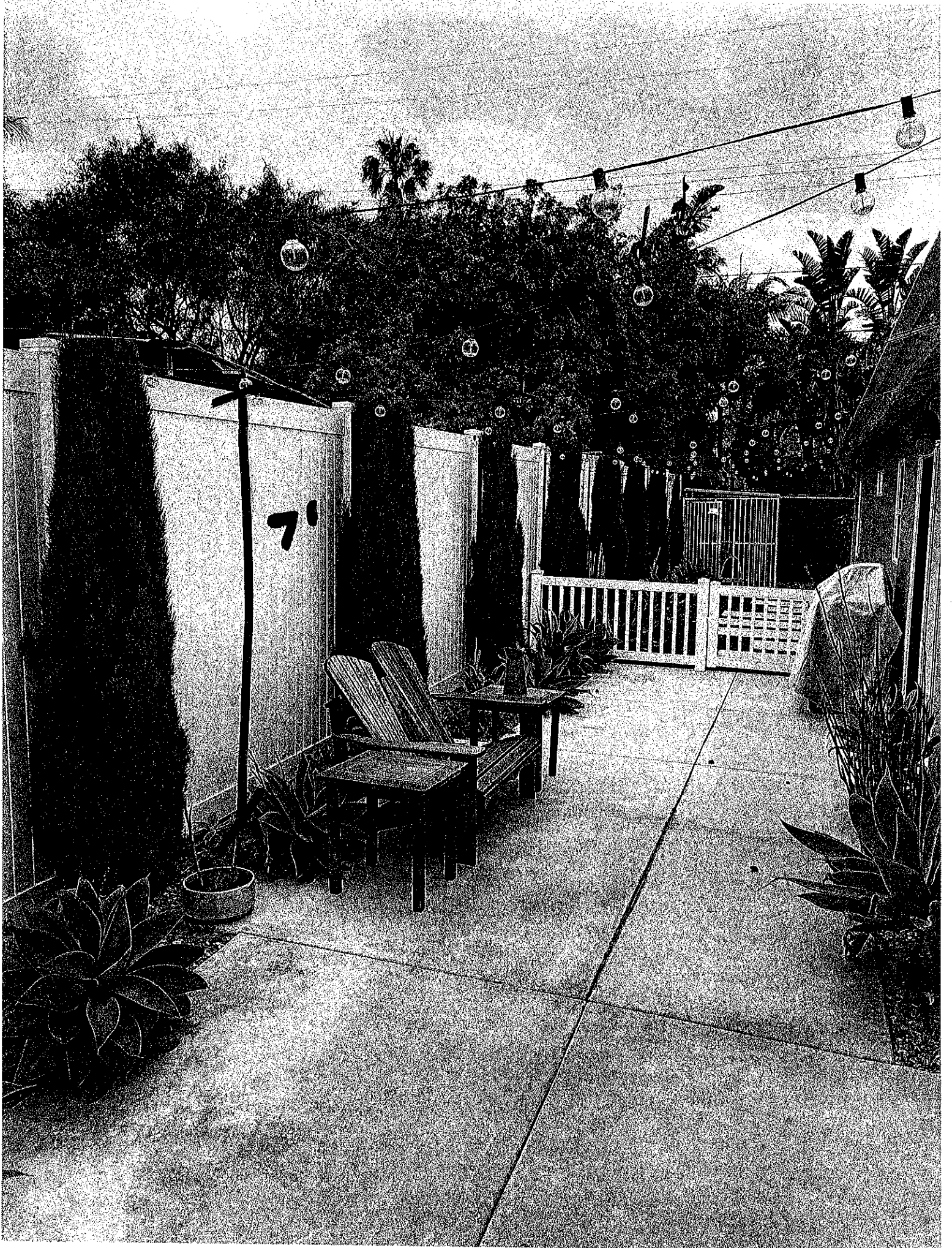
First, I'm a police/K9 handler for LAX and currently have a working K9 that resides at my residence. Due to her agility, she could easily scale a 6 ft. fence. My concern for that side of my property, is that the owner of the adjacent house has a yard that is a danger to my working K9. Even though the owner is being tasked by code enforcement to clean up his yard, in the past and currently, the owner has had tons of junk in his yard. That hoarding aspect brings sharp objects, rats, spiders, and other dangers to my K9. He has also in the past, has had aggressive dogs that have attacked my family and other neighbors, when their dogs have gotten loose in the neighborhood. There are reports, filed by us and other neighbors, on the dogs at that residence due to their aggressive nature. Currently, I don't believe the owner has any dogs there at the moment, but they come and go all the time.

They also have people on drugs that come and go and live at that residence. They have been seen living in their vehicles and at that property. There are multiple reports of citations and arrests being made my CMPD at that residence for drug use and other crimes. For all the reasons stated above, I'm requesting a variance for my 7 ft. Fence to protect my working K9 and family from the hazards associated with living next to a house with that kind of history. Thank you for your consideration in this matter.

Sincerely,

Randy Horstmeyer

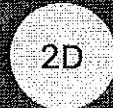






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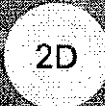
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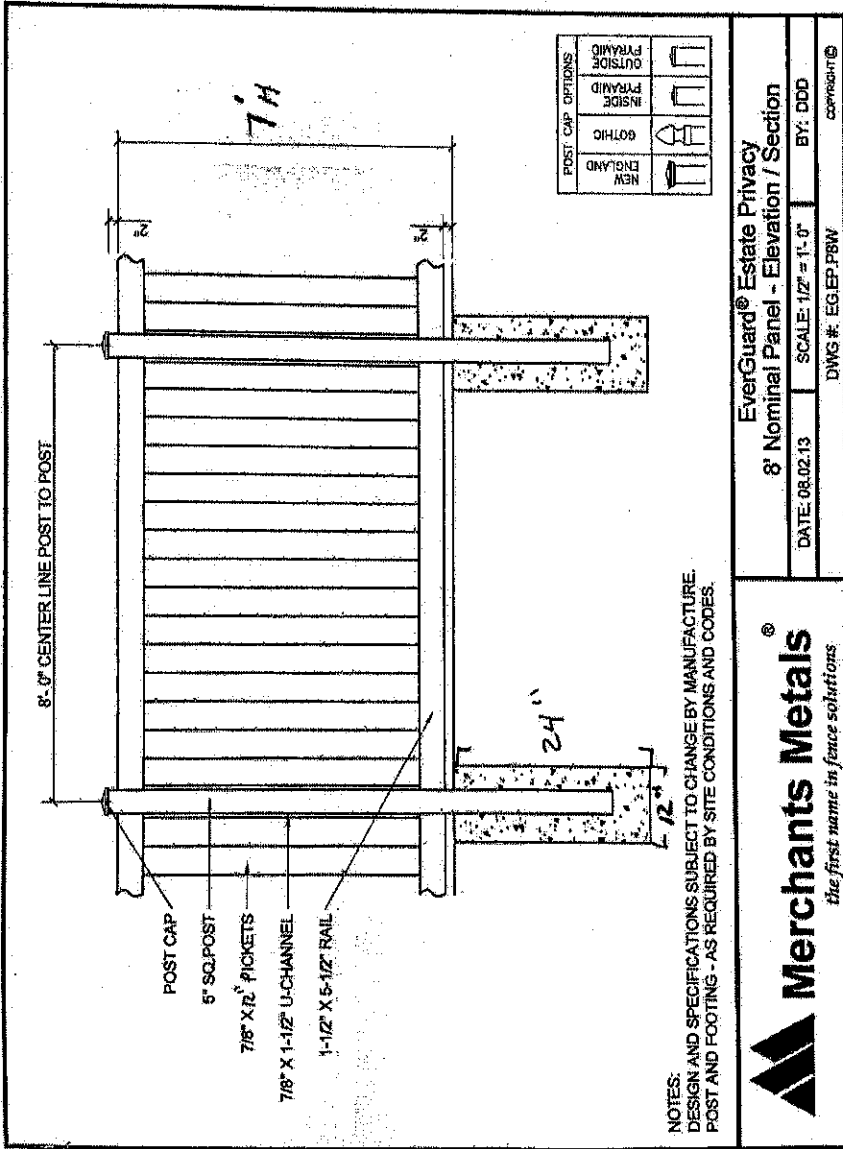
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◀ Search



Google ...°39'04"N 117°56'17"W) 249 ft



POST CAP OPTIONS	
NEW ENGLAND	
GOthic	
INSIDE PYRAMID	
OUTSIDE PYRAMID	

NOTES:
 DESIGN AND SPECIFICATIONS SUBJECT TO CHANGE BY MANUFACTURE.
 POST AND FOOTING - AS REQUIRED BY SITE CONDITIONS AND CODES.



Merchants Metals®
the first name in fence solutions

EverGuard® Estate Privacy
 8' Nominal Panel - Elevation / Section

DATE: 08.02.13 SCALE: 1/2" = 1'-0" BY: DDD

DWG #: EGEP.P8W copyright ©



SHOWTIME VINYL FENCE & PATIO COVER, INC.

1760 Monrovia, Unit B-7, Costa Mesa, California 92627
949.791.8380 • Fax 949.791.8381

THURSDAY/FRIDAY/SATURDAY
www.showtimevinyl.com LIC# 963596

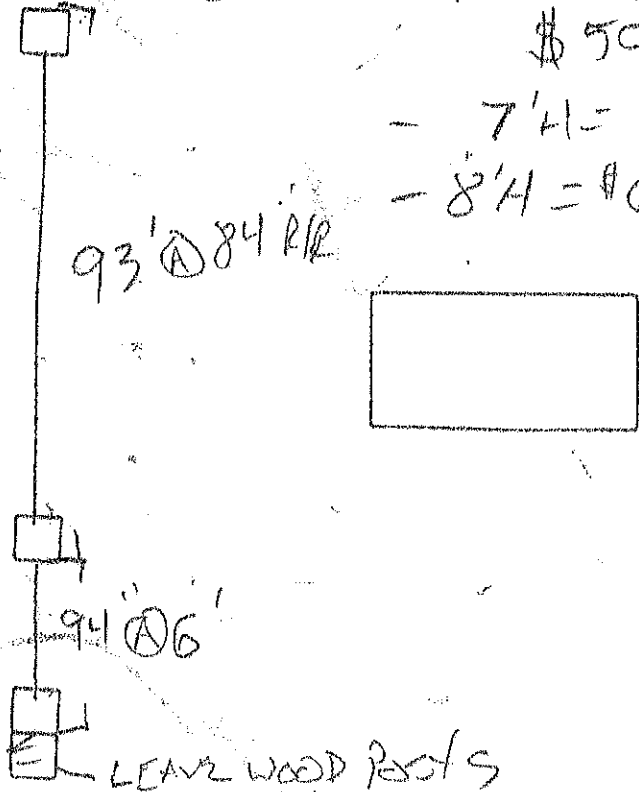
TO: RANDY HORSTMAYER
 STREET: 2127 Republic
 CITY, STATE AND ZIP CODE: COSTA MESA, CA 92627
 DATE: 7-9-19

PHONE: 949-528-0916 WORK PHONE: CELL PHONE:
 EMAIL ADDRESS:
 JOB LOCATION:
 INSTALLATION DATE (APPROX): 1 to 2 wks

We hereby submit specification and estimates for:

TRIF GUY AREXISTS.
 JOE DeLaRocha
 714-658-3608

- DEMO AND HAUL AWAY OF WOOD FENCE INCLUDED
- MOVE STUFF AND CUT TREES BACK \$500
- 7'H = \$5000
- 8'H = \$6000.



- FIX PROLOCK
- 4- NEW 4x4 CAPS

FENCE STYLE: Full Privacy	GATE(S):
FENCE HEIGHT: 84" RR	POST SIZE: <input checked="" type="checkbox"/> 5x5 <input type="checkbox"/> 4x4 <input type="checkbox"/> 3 1/2 x 3 1/2 <input type="checkbox"/> 2 x 3 1/2
P/C STYLE: <input type="checkbox"/> Picket <input type="checkbox"/> Louvers <input type="checkbox"/> Full Shade	POST CAP: <input checked="" type="checkbox"/> PYRAMID <input type="checkbox"/> GOTHIC <input type="checkbox"/> NEW ENGLAND <input type="checkbox"/> BALL
SQUARE FOOTAGE: 101	

CUSTOMER IS RESPONSIBLE FOR: 1. MARKING SPRINKLER AND PROPERTY LINES 2. OBTAINING REQUIRED BUILDING PERMIT 3. ALL UNDERGROUND LINES (Initials) 4. NOTIFYING CUSTOMER'S NEIGHBORS W/ SHARED FENCE LINES OF THE WORK TO BE DONE BY SHOWTIME VINYL FENCE & PATIO COVER, INC. • CALL USA UNDERGROUND SERVICE ALERT 1-800-227-2600	Payment Type	LABOR
	Amount	MATERIALS
		SUBTOTAL
		STATE TAX
		TOTAL

We Propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of: _____ dollars (\$ _____).

Payment to be made as follows:
 50% upon order \$ _____
 50% upon completion \$ _____

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. It is understood and agreed that this work is not provided for in any other agreement and no contractual rights arise until this proposal is accepted in writing. Failure by the Contractor without lawful excuse to substantially commence work within thirty (30) days from the approximate date specified in this contract when the work will begin is a violation of the Contractors' License law.

Authorized Signature: _____ Date: _____ Acceptance: _____ Date: _____

(OWNER'S SIGNATURE)

You, the Buyer, may cancel this transaction at any time prior to midnight of the third business day after the date of this transaction. See the Notice of Cancellation form (reverse side) for an explanation of this right.

