

City of Costa Mesa

Memorandum

TO: SCOTT DRAPKIN, ASSISTANT DEVELOPMENT SERVICES DIRECTOR

FROM: GABRIEL VILLALOBOS, ASSISTANT PLANNER

DATE: August 5, 2024

SUBJECT: MINOR MODIFICATION PMND-24-0009 FOR A REDUCED SIDE YARD SETBACK TO ACCOMODATE A PROPOSED RESIDENTIAL ADDITION AT 2015 ORANGE AVENUE

BACKGROUND

The property at 2015 Orange Avenue is developed with an one-story, 1,723 square foot single-family residence and a 391-square foot, attached two-car garage.

In 2004, via Minor Modification (MM-04-17), the City granted a deviation to allow an one-foot encroachment into the required five-foot south side yard for garage. This approval was revised in 2005 to include a 19-foot driveway and reduced front yard setback of 16 feet for a residential addition. The residence was then renovated and expanded by 440 square feet under permit number B04-00535.

The single-story residence is currently developed with three bedrooms and two bathrooms.

SETTING

The subject property is designated Medium Density by the Land Use Element of the General Plan and is zoned R2-MD (Multifamily Residential, Medium Density). Properties to the north, south, and west are similarly designated. Properties to the east are designated for detached single family development. Properties located nearby along Orange Avenue generally consist of cottage-style one-story detached single-family homes. Properties located farther away on Orange Avenue and to the west are generally improved with two-story multi-family structures.

REQUEST

This application seeks City approval to encroach one foot (i.e., 20-percent) into the required five-foot side-yard setback.

Pursuant to Costa Mesa Municipal Code Section 13-28(j)(1), deviations of 20-percent or less located in the side-yard may be considered through the City's minor modification process.

DESCRIPTION

The proposed encroachment would facilitate the addition of a 260 square-foot kitchen to the home. This kitchen would be located behind the existing two-car garage and beside the house in the area currently occupied by a trellis patio cover and used as an outdoor patio.

As a result of this addition, the existing kitchen would be converted into a new office. A pocket door would be installed to separate the new office from the existing dining room.

The new kitchen would align with the exterior side wall of the garage that is setback four feet from the southerly property line. The kitchen will be approximately 16.5 feet wide by 14.08 feet deep. The kitchen is designed with a vaulted ceiling and is proposed to be 15.5 feet tall, which is approximately two feet taller than the ridgeline of the existing garage. The new kitchen is designed with a three-foot tall by six-foot-wide window that faces the south property line. This window is positioned over the kitchen sink and will have a sill height of approximately 4.5 feet above ground level. Views from this window to the neighbor's property are obscured by an approximate six-foot-tall fence and landscape.

Excepting the proposed one-foot encroachment, all other applicable development standards for the R2-MD (Multifamily Residential, Medium Density) zone will be satisfied.

ANALYSIS

Staff supports the requested one-foot encroachment. The proposal is relatively minor and would not have an adverse impact upon the neighbor's use and enjoyment of their property. In fact, the project applicant has submitted an email from the neighbor at 2011 Orange Avenue expressing support of the requested encroachment.

Improvements on the neighbor's lot along this common property line consist mostly of hardscape and some landscaping that lead to a back unit. The new kitchen on the adjacent property would be approximately 18 feet from the neighbor's house and approximately 22 feet from the back house. Because of the need to maintain access to the back house an enhanced side yard setback will likely always be maintained that will result in a greater building-to-building setback than the 10 feet currently resulting from strict application of the code.

For these reasons, staff finds that the addition will not be materially detrimental to health, safety, and welfare of the adjacent (i.e., most affected) neighbor. Additionally, the new kitchen is designed to mirror the existing home in terms of architectural style, materials, colors, and side setback. As such, the one-story addition will complement the existing improvements and not look out of place for the area, which is mostly comprised of a series of cottage-style one-story homes along Orange Avenue, with some two-story apartments beyond.

Minor Modification Findings

Per CMMC 13-29(g)(6), two findings must be made for the Director of Economic and Development Services to approve a minor modification. These facts in support of the required findings are provided below:

Finding I: *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.*

Facts in Support of Finding:

The one-foot encroachment associated with the proposed kitchen addition will not be detrimental to the health and safety and general welfare of any neighboring property. The addition is positioned behind an existing garage and beside the house and will be substantially obscured from street view by these improvements. On the neighboring property along the common property line, improvements consist mostly of hardscape and some landscaping that lead to a back unit. The new kitchen would be approximately 18 feet from the neighbor's house and approximately 22 feet from the back house. Because of the need to maintain access to the neighboring back house, an enhanced side yard setback will likely always be maintained that will result in a greater building-to-building setback than the 10 feet (i.e., a five-foot setback on each property) currently resulting from strict application of the code. Additionally, the new kitchen is designed with a three-foot tall by six-foot wide window that faces the south property line. This window is positioned over the kitchen sink and will have a sill height of approximately four and one-half feet above ground level. Views from this window to the neighbor's property are obscured by an approximate six-foot-tall fence and landscaping.

Finding II: *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.*

Facts in Support of Finding:

The new kitchen is designed to mirror the existing home in terms of architectural style, materials, and colors. As such, the one-story addition will complement the existing improvements and not look out of place for the area, which is mostly comprised of a series of cottage-style one-story homes along Orange Avenue, with some two-story apartments beyond. Further, the new kitchen aligns with the exterior side wall of the garage approximately four feet from southerly property line. The existing garage condition has existed since about 2004 via the City's approval of Minor Modification (MM-04-17). Staff is not aware of any complaints associated with that approval that has now been a part of the neighborhood's fabric for about twenty years. Considering the kitchen's placement behind the garage and site lines as well as two story construction behind the subject property, it is unlikely that this relative small addition will be substantially apparent and, when visible, that it will appear to be out of character for the neighborhood. Moreover, the project's scope does not envision any changes

to the front of the home or the front yard landscaping. Thus the character of the site will remain substantially compatible with that generally found along Orange Avenue.

RECOMMENDATION

Approve the minor modification.

ATTACHMENTS

- 1. PLANS

DIRECTOR DECISION

THE 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 persons residing or working within the immediate vicinity of the project or to property and improvements within the neighborhood.

The improvement **is** / **is not** 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.

Zone: R2-MD (Multiple Family Residential, Medium Density)

Approved by: [Signature] Decision Date: 8/5/24

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.

