

APPLICANT: GHASSEMI
ADDRESS: #1019
PROJECT: 3002 TRACT: 1092 LOT: 90
SCOPE OF WORK: MAJOR REMODEL w/ MAJOR LS/HS (Reclassified from 25-50% REMODEL due to scope of construction, not area added)
SUBMITTAL: FINAL RESUBMITTAL W/ (previous approved variance)
ARCHITECT: Mendoza Design
Phone: 949-304-9525 License: None

Architectural review by Ken Wilkins

FINAL COMMITTEE RECOMMENDATION: APPROVAL

HISTORY OF SUBMITTALS:

- | | | |
|------------------|-------------|---------------------------|
| • April 2021 | CONCEPT | ACKNOWLEDGED |
| • September 2021 | PRELIMINARY | APPROVED w/ Variance |
| • February 2022 | CONCEPT | (Landscape Only) |
| • August 2022 | FINAL | DISAPPROVED (NOT STAMPED) |

SUMMARY OF PROPOSED LANDSCAPE IMPROVEMENTS:

Proposed landscape improvements include: Pools, spa, deck, walls, paving, planting.

SUMMARY OF PROPOSED ARCHITECTURAL IMPROVEMENTS:

The scope of work indicated in the Submittal Application is the remodel of an existing residence of 4,500 SF, which includes a 3-car garage. **The existing Garage dimensions equate to a non-conforming 2-car Garage which has been expanded to be conforming.** The Addition of 418 SF of area is proposed.

The areas indicated on sheet T1 are:

	Existing	Proposed	Change
• Upper Level	1,913 SF	2,051.6 SF	+138 SF
• Lower Level	1,759 SF	1,759 SF	0 SF
• Mezzanine	206 SF	412 SF	+ 206 SF
• Garage	622 SF	695.7 SF	+73.7 SF
• Roof Deck	206 SF	249 SF	+43 SF
• Deck	unclear	314 SF	0 SF

STAFF ARCHITECTURAL FINDINGS:

1. ARCHITECT STAMP (Section B.2): The plans are stamped and signed. **OK**

2. ARCHITECTURAL REVIEW - SUBMITTAL COMPLETENESS (Section B.5): Submittal is generally complete enough for review. **OK**
3. LOT COVERAGE (Section C.1): A structure shall not exceed 40% coverage of the lot. Lot coverage shall be calculated as the total area of the roof less the overhang including anchored decks. Elevated surfaces (patios, pools, planters) greater than 5'-0" above finished grade are included in lot coverage. Cantilevered decks and covered below grade structures less than 6'-6" in height are not included.
A signed copy of the 1960 topo plan was previously submitted.
The Lot Coverage is stated on the Submittal Application as $3,132 / 7,837 = 39\%$. **The cantilevered deck on the South elevation is not counted as Lot Coverage, but the % does not change. OK**
4. SETBACKS (Section C.2): The existing structure appears to respect the 5'-0" minimum setbacks on three sides. **The Northwest side yard shows an existing encroachment at +/- 6" into the setback which has been removed. See Section 12, existing non-conforming.**
The Committee may require greater setbacks. OK
5. UTILITY EASEMENTS (Section C.3): Portions of retaining walls, stairs and planters are allowed within the Utility Easements. **These will be reviewed by the Emerald Bay Service District prior to Final approval.**
6. PARKING (Section C.4): The parking area shown on the submittal application is 4,329.9 SF. **The existing non-conforming Garage depth is being expanded to be conforming.** The garage area used for required parking (430 SF +156 SF is not included in the parking calculations). $4,915.99 - 430 - 156 = 4,329.9$ SF. This requires a two-car garage plus two additional off-street parking spaces. A 3-car Garage plus one car off-street parking space in the driveway is indicated. Add the off-street parking space in the driveway to the floor plan to show all spaces together. **OK**
See Section 12, existing non-conforming.
7. SERVICE YARD (Section C.5): Previously noted on the Northwest side yard, **removed. Trash bins in driveway enclosure noted on the Site Plan as (Service Yard). OK**
8. BACKFLOW PREVENTION DEVICES (Section C.8): New residences and renovations/remodels/additions which include the addition of 2 or more plumbing fixtures require a backflow prevention device. **EBSD will review at the Final review.**
9. NUMBER OF STORIES (Section D.1): No structure shall exceed two stories. First Basement Rule: If the elevation of the finished floor level directly above a basement is more than 6 feet above Natural Grade for more than 50% of the perimeter or is more than 12 feet at any point then it shall be considered a story. The Submittal Application indicates a structure with 2 stories. **A Certified topo plan was submitted and varies from the prior topo lines shown on the Roof Plan. The number of stories appears in compliance. OK**
10. BUILDING HEIGHT (Section D.2): "The height of any Structure on any Lot or Parcel in the Tract shall not exceed fifteen (15) feet in height above the highest level of the Lot or Parcel upon which it is built and shall not exceed twenty (20) feet above the Natural Grade of the Lot or Parcel." Enlarged Roof plan was provided. **A Certified topo plan was submitted**

and varies from the prior topo lines shown on the Roof Plan. The building height appears in compliance. OK

The two existing over height chimneys are being removed. New chimney stacks occur at approximately the same height. Over height chimneys are at the discretion of the committee with consideration for impact to views and general aesthetics. **The chimney heights are above the maximum and must be held to the minimum allowed by code.**

11. COMPATIBILITY (Section D.3): Materials indicated include sintered stone walls, metal trellis, metal and glass railings and a standing seam / natural slate roof.

All garage doors with glazing needs to have obscured glass to reduce view into garage and glazing needs to be tinted to reduce “Glow” effect during nighttime when garage lighting is active. Note added: Garage Doors to use obscured glazing (etched) w/ film on interior face to reduce translucency by 30%.

A planter that steps up to the higher railing was added at the Mezzanine.

Color and materials board along with house glazing sample was submitted - OK

12. **NON-CONFORMING STRUCTURES (Section D.4):** A pre-existing, non-conforming Structure or portions of a Structure may be retained where the proposed alteration does not increase the square footage by 25% or more, increase the height of the Structure such that it is above the height envelope for the Tract and there is no change to the existing broad style of architecture.

All new elements must conform to the current Architectural Regulations.

Existing non-conforming elements:

- Northwest setback (being corrected)
- 2-Car Garage depth (being corrected)
- Chimney Height (Committee discretion – existing being removed)

New non-conforming elements:

- Chimney Height (Committee discretion- held to code minimum)
- Flat Roof/ Parapet at M Bed (See VARIANCE) (no longer needed, plans updated)

13. ROOFS (Section D.5): The intent of the roof requirements includes that design is consistent with prevailing appearances within the Community.

Roof pitch: 3:12 **OK**

Flat roof: Roof slopes less than 3:12 are considered flat. The maximum area of flat roofs is 15% of the total aggregate roof area. **Inaccuracies occur in the roof overlay calculations. EBCA calculations are 443.9 SF / 2,526.37 SF = 17.57% (65 SF over allowable) as a result of reduction in total roof area (See VARIANCE)**

Roof materials: Existing sloped roof is being retained and replaced in areas with standing seam copper. Flat roof noted as built up. **Noted as Class “A”. OK**

Roof Equipment: None shown. **OK**

Parapet: Parapets are limited to 25% of the roof perimeter. The added flat roof areas that project beyond the pitched roof areas should be included in the perimeter total. **Parapets were added at the new flat roof. Parapet length was reduced and appears to be in conformance. OK**

14. ROOF DECKS (Section D.6): A roof deck is considered to be a covered or uncovered exterior space constructed over any part of the residence Structure or garage. Roof decks are not allowed except when the deck is directly accessible from an interior living space on the same level and the area of the deck is equal to or less than the area of the living space from which access is taken. **A new Roof Deck with planter off the Mezzanine (which is being enlarged) appears to be in compliance. OK**
15. MATERIALS AND COLORS (Section D.7): Actual materials samples and exterior colors are required to be submitted on a board no smaller than 11 x 17 and no larger than 18 x 24. A color rendering must be included on the board to clearly identify the location of all proposed materials and colors. **Color and materials board provided - OK**
16. WINDOWS AND DOORS (Section D.8): **Noted as metal and wood. Include glazing sample on Material Board at time of Final. OK**
17. ANTENNAS (Section D.9): None shown. **OK**
18. SOLAR PANELS (Section D.10). None shown. **OK**
19. SKYLIGHTS (Section D.11): **Noted as non-reflective. OK**
20. **ARCHITECTURAL EXTERIOR LIGHTING (Section D.12):** Light fixtures must be down lit or shielded to prevent glare or be a nuisance to neighbors. Light fixtures must be complementary to the architectural style of the residence.
Shown on elevations, only noted as wall mounted.
Provide cutsheets. The wattage and number of fixtures are to be kept to the minimum required. Wattage to needs to be reduced to less than 5w (LED)
21. GUTTERS AND DOWNSPOUTS (Section D.13): **Indicated OK**
22. **OTHER COMMENTS**
 - **Acoustic report submitted**
 - **Color and material board submitted with glazing sample**

STAFF LANDSCAPE FINDINGS:

1. SUBMITTAL COMPLETENESS (Section B.5): Submittal must be generally complete enough for review. **OK.**
2. LANDSCAPE STRUCTURES ARE SET BACK 5' FROM LOT BOUNDARIES (Tract Schedule A Exhibits): Except for fences and walls, structures are 5' from PL. **OK**

UTILITY ELEMENTS / EBSD SUBMITTAL: Evidence of EBSD review and approval will be required at the time of final submittal. **Not required for this scope**

3. LOT COVERAGE (Sec C.1): Landscape features such as raised patios and/or freestanding structures must not create a lot coverage overage. **OK. Some lot coverage is generated by tall existing retaining walls but no new lot coverage is generated.**
4. SITE DRAINAGE (Sec C.6): A conceptual grading and drainage plan must be included, generally showing adequate site drainage. **Grading plan indicates that new drainlines will tie into existing drainlines. It is not clear where existing drainlines daylight, nor is it clear that increased water concentration can be accommodated in existing drainlines. Provide additional description of where the existing drainline daylights and note that capacity and function will be verified in the field.**
5. CURBS AND GUTTERS (Sec C.7): For new residences and major remodels, plans must show complete replacement of curb and gutter along entire street frontage with reference to EBSD requirements. **NA**
6. BACKFLOW PREVENTION (Sec C.8): A backflow prevention device must be installed for proposed irrigation systems and must not be located on Association Property. **Show at time of final.**
7. EXTERIOR MECHANICAL EQUIPMENT (Sec E.1): Mechanical equipment shall not be located in easement areas. **Proposed spa equipment is outside easement area, OK. One new AC unit is proposed, one new AC unit replaces an older one nearby.**

Mechanical spa equipment appears to be screened from view. **OK**

Noise impacts on adjacent neighbors must be avoided and/or minimized. **OK**

An acoustical report prepared by a qualified expert is submitted showing that anticipated noise impacts are less than the County maximum at the nearby property lines. **OK**

Acoustical report assumptions and recommendations are consistent with submittal drawings. **OK**

8. EXTERIOR LIGHTING (Sec E.2): Landscape lighting proposals must be shown and must appear to limit glare and annoyance. **OK**
9. FENCES, WALLS, AND HEDGES (Sec E.3):

In front yard setback areas fences, hedges, and walls are to be 4' high or less as compared to adjacent top of curb elevations. For corner lots, the maximum height is 3'. **No change proposed. OK**

Between the front yard setback and the house structure fences, walls, hedges, railings or other features are to be 4' high or less compared to finished grade. **No change proposed. OK**

Front yard improvements address issues of visual impact, compatibility, and contributions to common visual streetscape. **OK**

In side yard and rear yard setback areas fences and/or walls must be 6' high or less as compared to existing grade along neighbor's side of property line. **OK**

Property line fences, walls, and footings must be constructed completely on the subject property. **OK**

Block walls are finished on all sides. **OK**

At the street fences, walls, and railings must be held back a minimum of 18 inches from face of curb. **OK**

10. PLAY EQUIPMENT AND PLAY HOUSES (Sec E.5): Issues of noise and visual impact have been adequately addressed. **None proposed. NA**

11. MAILBOXES (Sec E.6): Design and location must be shown. **Existing mailbox is shown to remain**

12. OUTDOOR FIREPLACES, FIREPITS, COOKING ELEMENTS (Sec E.7): Outdoor fireplaces, BBQs, and ovens shall be a minimum of 5' clear of any property line and must be gas only. **None proposed. NA**

The minimum setback for any open firepit shall be a minimum of 10'. **None proposed. NA**

13. WATER FEATURES, SWIMMING POOLS, SPAS (Sec E.8): Pool and spa structures are located entirely outside the 5' utility easement area. **OK**

Issues of noise and visual impact must be adequately addressed. **OK**

Security/pool fencing is shown. **OK**

14. PARKWAY ACCESS (Sec E.12): Planting and paving within 18-24" of face of curb shall allow for convenience of on-street parking **OK**

15. IMPROVEMENTS ON EBCA PROPERTY Section C, Part 21): Trees, hedges, and structures are not proposed on EBCA property. **OK**

16. POTENTIAL OBSTRUCTION OF VIEW (Sec A.5): Trees and shrubs must not unreasonably block a neighbor's view. **OK**

17. PREPARATION BY LANDSCAPE ARCHITECT (Sec B.2): **OK**

18. FUEL MODIFICATION (Sec E.14): Highly flammable target species shall not be proposed. **OK**

Perimeter properties appear to be consistent with Orange County requirements for Zone A. **NA**

19. OTHER:

- **Applicant may wish to consider OCFA guidelines for defensible space and fire safety, including vegetation close to structure, vertical and horizontal separation, etc.**

FINAL COMMITTEE RECOMMENDATIONS:

The Committee initially recommended disapproval of the plans submitted pending resolution of items “a.” and “b.” The items were adequately addressed. Therefore, the Committee voted to **Approve** the project.

- a. Add note on plans: Regarding drain line daylighting, indicate where existing drain line daylightings and include note that function and capacity will be verified in the field at time of construction and that changes to daylighting proposals will be submitted for further review. **Notes and existing drainage locations provided. OK**
- b. Provide cut-sheet of sconce lighting. Target wattage is 5w or under (LED). **Provided. OK**

2. Note:

- a. If a Member would like to appeal the recommendation of the Architectural Committee or determination of the Board, please to the CC&Rs, ARTICLE VIII, Section 5 – Notice and Hearing Requirements.
- b. Approvals are valid for one year. See extension request requirements in the Architectural Regulations for additional information.
- c. All future submittals must be accompanied by a detailed scope of work and highlighting revisions to previous scope of work, if any.
- d. If it becomes necessary or desirable for the Association to utilize its easements within private property boundaries, it is the responsibility of the owner of such property to remove improvements (whether previously approved by the Association or not) to provide access and to replace or repair improvements subsequent to Association access at no cost to the Association.
- e. Any changes to the Final approved plans must be submitted for Architectural Committee’s review prior to construction.
- f. The Committee reserves the right to reclassify a project at any time before or after construction begins.

No representatives were in attendance to further discuss the submittal.

At their meeting on October 3, 2022, the Board voted to Approve the recommendation of the Architectural Committee.