



ORANGE COUNTY  
**OC Public Works**  
 MEMORANDUM

County Administration South  
 601 North Ross Street  
 Santa Ana, CA 92701

P.O. Box 4048  
 Santa Ana, CA 92702

(714) 667-8800

info@ocpw.ocgov.com

OCPublicWorks.com



**DATE:** January 21, 2026

**TO:** North Tustin Advisory Committee

**FROM:** Ilene Lundfelt, Associate Planner  
[Ilene.Lundfelt@ocpw.ocgov.com](mailto:Ilene.Lundfelt@ocpw.ocgov.com) or (714)667-9697

**SUBJECT:** PA25-0146 - Variance requests to reduce the required front yard setback and to increase the required maximum building site coverage for a proposed addition to an existing single-family residence located at 12911 Browning Avenue, Santa Ana, California 92705 (APN 103-383-09)

**APPLICANT:** Nicolae Anca, Property Owner

**RECOMMENDATION**

By motion find that:

1. The Advisory Committee received the proposed project memorandum and finds that the proposed project is consistent with the applicable land use regulations; and
2. The Advisory Committee recommends that the Zoning Administrator approves the proposed Variance requests to establish a 21 feet 6 inches front yard setback and 41 percent maximum building site coverage.

**SUMMARY**

The applicant is requesting approval of two variances by the Zoning Administrator to reduce the required front yard setback from 30 feet (30') to 21 feet, 6 inches (21' 6"), and to increase the maximum building site coverage from the required 35 percent (35%) to 41%. The two variances are requested to allow the proposed addition of two new bedrooms to an existing single-family residence.

**BACKGROUND**

The subject property is zoned E4 "Small Estates" District. The parcel is approximately 25,200 square feet (sq. ft.), with a width of 65' and an approximate depth of 111'. The site is developed with a 2,047-sq.ft., one-story single-family residence and an attached two-car garage. The residence was constructed in 1957.

**DISCUSSION**

The applicant is seeking approval of two variances to facilitate construction of a 562-sqft addition consisting of two bedrooms and two bathrooms. The proposed addition would be located at the front of the residence and would maintain a front yard setback of 21' 6". Approval of the variance would allow a reduced front yard setback from the required minimum of 30'. The proposed addition would also increase the maximum building site coverage to 41%. Approval of the variance would allow an increase of the maximum building site coverage of 35%.

Pursuant to Zoning Code Section 7-9-125.6(d), two required findings must be made in order to approve a variance:

1. **Special Circumstances:** There are special circumstances applicable to the subject building site which, when applicable zoning regulations are strictly applied, deprive the subject building site of privileges enjoyed in the vicinity and subject to the same zoning regulations.
2. **No Special Privileges:** Approval of the application will not constitute a grant of special privileges which are inconsistent with the limitations place upon other properties in the vicinity and subject to the same zoning regulations, when specified conditions are complied with.

#### Special Circumstances:

Assessor's records indicate the residence was constructed in 1957. When the property was originally developed it was under the R1 zoning regulations which allows for a 20' front yard setback. At the time the original building permits were issued, the residence was approved with a front yard setback of approximately 21.5'. As a result, the proposed addition would align with the existing structure.

Additionally, the property is legal nonconforming. At the time of subdivision and original development, the site was zoned R1 (Single-Family Residential), which did not include a lot coverage limitation and only required a minimum building site area of 7,200 sq. ft. The current E4 zoning standards impose a minimum building site of 10,000 sq. ft. and a maximum building site coverage of 35%. These standards were not in effect at the time of development, creating a constraint on the site.

#### No Special Privileges:

There have been 5 similar projects involving setback variances that have been approved in the surrounding area. Similar variances have been granted to nearby properties within the surrounding area under comparable circumstances, resulting in reduced front yard setbacks that align with existing development patterns. Approval of the variance would therefore be consistent with prior actions and established conditions in the neighborhood and would not confer a unique or exclusive benefit to the subject property. The proposed reduction is limited in scope and is necessary to allow development that is compatible with surrounding residences and consistent with the intent of the zoning regulations.

The requested increase in maximum building site coverage does not constitute a grant of special privilege because it results from the application of current zoning standards to a legally nonconforming residence that was developed prior to the establishment of maximum building site coverage limitations and the minimum building site requirement of 10,000 sq. ft. The proposed addition modestly increases lot coverage to 41% and would align with the existing attached garage and does not result in a development intensity or massing that is inconsistent with other properties in the vicinity. The overall scale, height, and residential use of the structure remain consistent with neighboring single-family residences, and the project does not confer a development advantage beyond what has been previously approved for similar properties subject to comparable site constraints. The requested variances are consistent with prior approvals in the vicinity and are typical of development patterns in the neighborhood.

Staff finds that the required findings for approval of both variance requests can be made. There are special circumstances applicable to the subject building site which, when applicable zoning regulations are strictly applied, deprive the subject building site of privileges enjoyed in the vicinity and subject to the same zoning regulations. Approval of the requested variances would not constitute the granting of special privileges inconsistent with limitations placed upon other properties in the area.

#### COMPLIANCE WITH CEQA

The proposed project is categorically exempt (Class 1) from the provisions of CEQA pursuant to CEQA Guidelines Section 15301, because the exemption provides for the minor alteration or addition to existing private structures that do not increase the floor area by 50 percent or 2,500 square feet, and involve negligible or no expansion of existing use.

#### **Attachments:**

1. Plans
2. Scope of Work/Justification Letter