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ORANGE COUNTY
Public Works
MEMORANDUM

DATE: September 16, 2026

TO: North Tustin Advisory Committee

FROM: Ilene Lundfelt, Associate Planner
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SUBJECT: PA26-0014 – Variance request to reduce the required 13 feet 6 inches side yard setbacks to 5 feet 2 inches from the north side yard and 10 feet 5 inches from the south side yard to accommodate proposed additions to an existing single-family residence located at 13661 Hewes Street, Santa Ana, California 92705 (APN 395-451-06).

APPLICANT: Clarice Shirley, Applicant

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 approve the proposed Variance request to reduce the required 13 feet 6 inches side yard setbacks to 5 feet 2 inches from the north side yard and 10 feet 5 inches from the south side yard to accommodate proposed additions to an existing single-family residence at 13661 Hewes Street, Santa Ana, CA 92705.

SUMMARY

The applicant is requesting a Variance to reduce the required side yard setbacks to 5 feet 2 inches from the north side yard and 10 feet 5 inches from the south side yard to accommodate proposed additions to the existing single-family residence where 13 feet 6 inches is the required side yard setback. The proposed additions would expand the existing residence while maintaining the existing residential use of the property. Due to the irregular configuration of the lot, the requested setback reduction is necessary to accommodate the proposed addition while maintaining a functional site layout.

BACKGROUND

The subject property is zoned 100-E4 “Small Estates” District, which requires a minimum lot width of approximately 100 feet. The site is an irregularly shaped parcel consisting of approximately 29,957 square feet. The site is currently developed with a 2,264-squarefoot (sq.ft.), one-story single-family residence and a detached two-car garage with workshop. The residence was originally constructed in 1935.

DISCUSSION

The applicant is seeking approval of a Variance to reduce the required side yard setbacks to 5 feet 2 inches from the north side yard and 10 feet 5 inches from the south side yard where 13 feet 6 inches is the required side yard setback. The Variance request is to facilitate construction of a

1,288-sq. ft. first-floor addition, a new 1,195-sq. ft. second floor, and a new 1,160-sq.ft. attached three-car garage with storage and workshop areas, to the existing single-family residence.

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 placed upon other properties in the vicinity and subject to the same zoning regulations, when specified conditions are complied with.

Special Circumstances:

The subject property is an irregularly shaped parcel within the 100-E4 "Small Estates" District. The irregular configuration of the property creates a unique site constraint that limits the area available for expansion of the existing residence while maintaining the required side yard setbacks. The existing residence was constructed in 1935, prior to the current zoning regulations and development standards applicable to the property.

Strict application of the required 13 feet 6 inches side yard setback requirements would significantly limit the location and configuration of the proposed additions and would constrain the reasonable expansion of the existing residence. The proposed addition to the master bedroom, which would accommodate a new master bathroom and walk-in closet, would have 5 feet 2 inches side yard setback on the north side of the property. On the south side of the property, the proposed new attached three-car garage with workshop would have 10 feet 5 inches side yard setback. The existing detached garage with workshop proposed for demolition is currently located approximately 9 feet 6 inches from the south property line. Accordingly, the proposed replacement garage with workshop would provide a greater setback from the south property line and would be more conforming to the applicable zoning district requirements than the existing structure. Because the existing garage provides required covered parking spaces, the demolition of the garage will require replacement of the required covered parking as part of the proposed improvements. The proposed attached three-car garage will provide the replacement covered parking while also accommodating the proposed workshop area. The requested setback reductions are necessary to accommodate the proposed improvements within the existing site configuration while providing a functional and more conforming expansion of the residence.

No Special Privileges:

Approval of the Variance would not constitute a grant of special privilege because the requested setback reductions are based on the existing configuration of the subject property, including the location of the existing residence and the proposed consolidation of the existing detached garage and workshop.. The proposed addition would remain compatible with the existing residential development and neighborhood character.

Additionally, similar setback Variances have been approved for properties in the surrounding area under comparable circumstances, demonstrating that the requested relief is consistent with prior County approvals and established development patterns. The Variance is limited in scope and would not provide the property with a unique development advantage over similarly situated properties.

Staff finds that the required findings for approval of the Variance can be made. The irregular shape of the subject property and the existing development constitute special circumstances that constrain the reasonable expansion of the residence under the current setback requirements. Furthermore, approval of the requested reduction in side yard setbacks would not constitute a grant of special privilege inconsistent with the limitations placed upon other properties in the vicinity.

COMPLIANCE WITH CEQA

The proposed project is categorically exempt (Class 3) from the provisions of CEQA pursuant to CEQA Guidelines Section 15303, because it provides for the construction of new structures or accessory (appurtenant) structures.

Attachments:

1. Plans
2. Scope of Work/Justification Letter