

March 31, 2022

County of Orange, OC Public Works, OC Planning
Land Use Planning
300 N. Flower Street
Santa Ana, CA

**RE: Letter of Justification/Explanation
CDP & Variance for 1008 Emerald Bay, Laguna Beach, CA 92651
Ochal Residence**

Owner: Glenn and Dylan Ochal
1008 Emerald Bay
Laguna Beach, CA 92651
APN: 053-021-06

This letter of explanation is submitted on behalf of the owners of 1008 Emerald Bay, Glenn and Dylan Ochal. The project is located on a sloping site in the Emerald Bay community. There is an existing single level 2,850 sf residence with attached two car garage which will be demolished. The proposed two-story residence has 5,280 sf of living area with attached three car garage, site walls, hardscape and landscape. The proposed residence has roughly the same site coverage as the existing residence but is excavated into the site to create a lower basement level which allows for the increase in floor area. The current residence has a non-conforming 13' front setback, a non-conforming 5' rear setback and conforming 5' side yard setbacks. The proposed setbacks for the new residence are 14.5' front, 5' /8.25'sides and 5' rear.

Request:

As the location is in the Emerald Bay LCP, and involves the construction of a new residence, a Coastal Development Permit will be required.

Based upon Sec. 7-9-61.9 Building Lines Chart of the Orange County Zoning Code, a rear yard encroachment variance is requested for the residence to reduce the rear setback from 25' to 5'. Based upon 7-9-61.14 Building Lines Based on Averaging of Adjoining Sites of the Orange County Zoning Code, the required front yard setback is 14.5' (18' + 11' / 2)

Compatibility:

The proposed residence has a the same minimum 5'-0" rear setback as the existing home and many homes within the Emerald Bay community. The home is set into the sloping site, conforming to the Emerald Bay maximum height of 20'-0" and thereby preserving views for surrounding residences. The home has also been pushed back on the site and away from the street to help maintain existing views and privacy for adjoining residences. The project was noticed to the community and the preliminary submittal reviewed at a public hearing & approved by the EBCA Architectural Committee on March 29, 2022. The project will be formally approved by the EBCA Board of Directors on April 5, 2022.

General Welfare:

The proposed addition and site development will not be detrimental to the public health, safety or welfare of the community of which it is a part.

Special Circumstances:

The site is irregularly shaped, shallow, and steeply sloping.

The community of Emerald Bay is developed under a standard that is inconsistent with the general plan and zoning regulations of Orange County. Throughout the community, residences, as a matter of course, stand outside the County zoning regulations. While this project exceeds standard Orange County zoning regulations it is consistent with the community of which it is a part.

No Special Privileges:

The requested variance is consistent with development of neighboring properties in the community either by land use privileges, "Grandfather Conditions," or by variance. The proposed development will help bring this underdeveloped property in line with the community of which it is a part.

Sincerely,

Agent for the owner – architect

A handwritten signature in black ink, appearing to read 'SL', written over a horizontal line.

Scott Laidlaw

Laidlaw Schultz architects