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**DATE:** February 25, 2008

**TO:** Chairman and Members of the Planning Commission

**FROM:** Community Development Department/Planning Division

**SUBJECT:** **CONSIDERATION OF A VARIANCE (V-6-06) TO ALLOW A ONE-CAR GARAGE TO REMAIN WHILE CONSTRUCTING A 1,575-SQUARE FOOT ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE LOCATED AT 516 BARNWELL STREET – LOZANO VARIANCE – APPLICANT: FRANCISCO LOZANO**

**RECOMMENDATION**

Staff recommends that the Planning Commission, by motion:

- (1) Confirm the issuance of a Class 1, Categorical Exemption “Existing Facilities”; and
- (2) Approve Variance (V-6-06) by adopting Planning Commission Resolution No. 2008-P11 with findings attached herein.

**PROJECT DESCRIPTION AND BACKGROUND**

**Background:** The property, as well as several lots along Barnwell Street were developed under a grant deed agreement prior to the State Subdivision Map Act, which has resulted in irregular shapes and lot sizes. The existing residence and neighboring properties were developed in 1957. There have been no improvements or additions to the existing residence since that time.

**Site Review:** The subject site is located at 516 Barnwell Street and consists of a 14,800-square foot lot with an existing 733.5-square foot residence. The habitable space consists of 733.5 square feet with an attached 276-square foot single-car garage. A gradual slope exist at the front of the property at a one-foot grade difference for 30 feet and the slope increases dramatically toward the rear yard areas. This rear yard area is large but is constrained by an approximate 18-foot slope from the rear of the house to the rear property line. The lot width of the property narrows in width towards the rear areas of the property, creating a narrow lot width.

The subject site is zoned RS (Residential Single-Family) and is situated within the Loma Alta Neighborhood and is surrounded in all directions by single-family residences. Abutting lots located north and south of the property share a similar home design and lot configuration as the project site.

**Project Description:** A Variance request pertaining to Zoning Ordinance Section (3102 A) has been requested to allow a one-car garage (instead of the required two-car garage) for an addition that exceeds 50 percent of the original floor area for the single-family residence and is over the threshold of 2,000 square feet. This addition will consist of an approximate 1,575.5 square feet adjoining the rear of the existing residence with a 263.5-square foot deck attached to the kitchen and a 56-square foot second story balcony attached to the master suite. The proposed addition will consist of similar materials, colors and design as the existing residence.

The project is subject to the following Ordinances and City policies:

1. Zoning Ordinance
2. General Plan Land Use Element
3. California Environmental Quality Act (CEQA)

## **ANALYSIS**

### **KEY PLANNING ISSUE**

1. Is the Variance request supported by the following required findings as specified under Section 4105(B) of the Zoning Ordinance?
  - That because of special circumstances or conditions applicable to the development site, including size, shape, topography, location or strict application of the requirements of the Zoning Ordinance deprive such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

Staff has analyzed the project for consistency with the surrounding properties and has found that allowing the one-car garage to remain while permitting an addition over 50 percent of the existing residence would not adversely affect the surrounding properties or deviate from the design and character of the neighborhood. Special circumstances or conditions applicable to the development site, including size, shape, topography, location, narrowness of the lot width and steep slopes at the rear of the property makes it impossible to construct an addition to the existing garage that would meet the two-car garage development standards requirement. The required 7 ½- foot side yard setback restricts any type of expansion to the existing garage. The strict application of the requirements of the Zoning Ordinance would deprive the property of privileges of having a one-car garage when making an addition over 50 percent.

- That granting the application will not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety or general welfare.

Staff has evaluated the Variance proposal for consistency with the neighborhood design and public safety for the residence and the neighborhood and finds that the proposed addition would be located at least 15 feet from abutting neighbors and would not result in a physical or visual impact to the adjacent residents.

- That granting the application is consistent with the purposes of the Zoning Ordinance and will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zoning district.

Similar parking non-conformities are shared by other properties in the area. Granting the Variance for the retention of the one-car garage non-conformity will not constitute a grant of special privilege inconsistent with the developed character of the area.

## 2. Zoning Compliance

Below are the requirements of the RS zone for setbacks and parking:

	<u>Required</u>	<u>Proposed</u>
Front Yard	20	20+
Side yard	7.5	8
Rear yard	15	15+
Lot coverage	45%	11%
Covered parking	2 car garage (20'wide X19' deep)	One Car Garage (12wide X 23'deep)
Maximum Height	36 feet	22 ½ feet

Staff believes that granting this Variance will not be detrimental or injurious to the property or improvements in the vicinity. Granting this Variance to allow the reduction in the required parking for an addition that exceeds the 50 percent of the existing residence will not constitute a special privilege for this property.

The addition and renovations to the existing residence will be single-story and will compliment the existing home. The design will result in a quality project that will be consistent with the surrounding neighborhood.

## **DISCUSSION**

*Issue: Project Compatibility with Existing Neighborhood Character.* The proposed project is in compliance with single-family residential development standards with the exception of

the single-car garage to remain while constructing an addition over 500 square feet or 50 percent of the existing residence, whichever is greater as per Oceanside Zoning Ordinance article 31. The 1,575-square foot addition would meet all development standards with the exception of not providing an additional parking space because of lot constraints and the placement of the existing structure limiting development towards the north property lines. The existing attached single-car garage was constructed at a five-foot setback from the property line, limiting any new additions. The existing physical constraints such as lot configuration and existing topographic limitations warrants the approval of the request for the Variance.

*Recommendation:* Staff finds that the overall design of the project is consistent with the existing neighborhood character, and since no opposition has been voiced through public outreach efforts, the project should not be modified in any manner and plans as submitted should be considered.

## **ENVIRONMENTAL DETERMINATION**

The project is exempt under the provisions of the California Environmental Quality Act (CEQA) Class 1, Categorical Exemption "Existing Facilities"

## **PUBLIC NOTIFICATION**

Legal notice was published in the North County Times and notices were sent to property owners of record within a 1500-foot radius of the subject property, individuals and or organizations requesting notification, applicant and other interested parties. As of February 25, 2008, no communication supporting or opposing the request has been received.

## **SUMMARY**

In staff's opinion, the proposed variance for the reduction in the parking requirements is supported by the special property circumstances. The special circumstance is the irregular shape of the lot and the tapering narrowness of the parcel. Therefore, staff recommends that the Planning Commission approve the project. The Commission's action should be:

- Move to approve Variance (V-6-06) and adopt Planning Commission Resolution 2007-P11 as attached.

PREPARED BY:

SUBMITTED BY:

  
\_\_\_\_\_  
Scott Nightingale  
Planner II

  
\_\_\_\_\_  
Jerry Hittleman  
City Planner

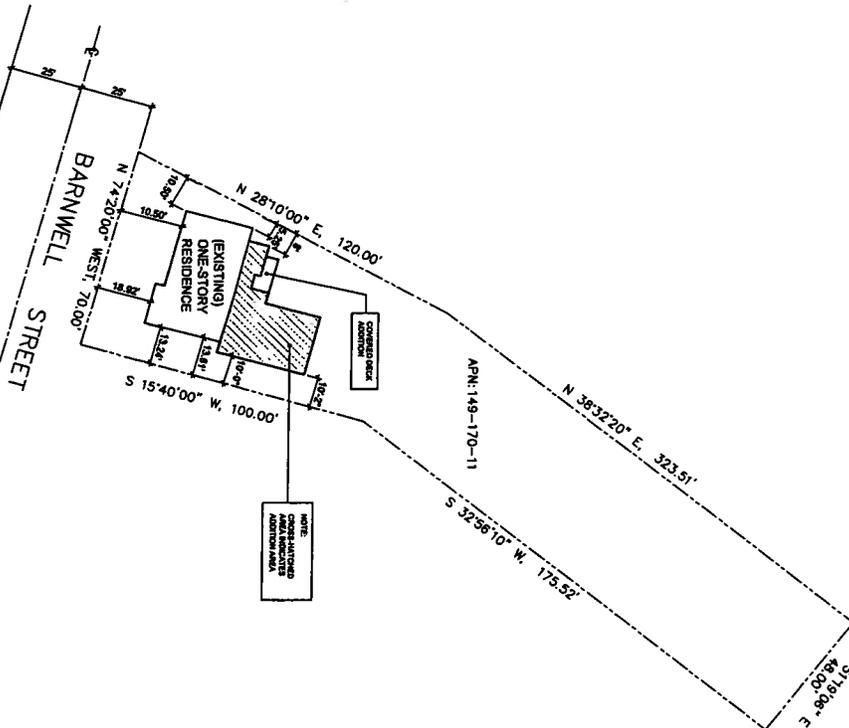
REVIEWED BY:   
Richard Greenbauer, Senior Planner

JH/SN/fil

Attachment:

1. Site/Floor/Elevation Plans
2. Planning Commission Resolution No. 2008-P11
3. Photos of existing and neighboring properties

RECEIVED  
 NOV 07 2007  
 Planning Department



SITE PLAN  
 SCALE: 1" = 20'

SCOPE OF WORK

THE CONSTRUCTION OF A PROPOSED ADDITION TO A ONE-STORY EXISTING RESIDENCE.  
 NOTE: NO SITE GRADING WILL BE REQUIRED AS SITE IS A FLAT LOT WITH 1/4\"/>

PLAN SHEET INDEX

SHEET NO.	DESCRIPTION
A-1	SITE PLAN / SCOPE OF WORK / NOTES
A-2	FLOOR PLAN / EXTERIOR / INTERIOR / DETAILS
A-3	EXTERIOR ELEVATIONS (EAST / WEST)
A-4	EXTERIOR ELEVATIONS (NORTH / SOUTH)
A-5	EXTERIOR ELEVATIONS (EAST / WEST)
A-6	EXTERIOR ELEVATIONS (NORTH / SOUTH)
A-7	EXTERIOR ELEVATIONS (EAST / WEST)
A-8	EXTERIOR ELEVATIONS (NORTH / SOUTH)
A-9	EXTERIOR ELEVATIONS (EAST / WEST)
A-10	EXTERIOR ELEVATIONS (NORTH / SOUTH)
A-11	EXTERIOR ELEVATIONS (EAST / WEST)
A-12	EXTERIOR ELEVATIONS (NORTH / SOUTH)
A-13	EXTERIOR ELEVATIONS (EAST / WEST)
A-14	EXTERIOR ELEVATIONS (NORTH / SOUTH)
A-15	EXTERIOR ELEVATIONS (EAST / WEST)
A-16	EXTERIOR ELEVATIONS (NORTH / SOUTH)
A-17	EXTERIOR ELEVATIONS (EAST / WEST)
A-18	EXTERIOR ELEVATIONS (NORTH / SOUTH)
A-19	EXTERIOR ELEVATIONS (EAST / WEST)
A-20	EXTERIOR ELEVATIONS (NORTH / SOUTH)

PROJECT INFORMATION

LEGAL OWNER / ADDRESS: MR. & MRS. LOZANO  
 515 SOUTH BARNWELL STREET  
 OCEANSIDE, CA 92054

SITE ADDRESS: 515 SOUTH BARNWELL STREET  
 OCEANSIDE, CA 92054

ACCESSOR'S PARCEL MAP NO.: 186-116-11-04

APN: 149-170-11

PROPOSED ZONE / LAND USE: R-10 (R)

TOTAL BLDG. COVERAGE: 4,800 SQ. FT.

OCCUPANCY GROUP / CONSTRUCTION TYPE: R-10 (R)

PERCENT LANDSCAPING: 5%

NUMBER OF PARKING SPACES: 2

FOOTAGE DATA:  
 EXISTING LOT AREA: 7,200 SQ. FT.  
 EXISTING BLDG. FOOTPRINT: 1,200 SQ. FT.  
 EXISTING DRIVEWAY: 1,000 SQ. FT.  
 TOTAL LOT AREA: 7,200 SQ. FT.  
 TOTAL BLDG. AREA: 1,200 SQ. FT.  
 TOTAL DRIVEWAY AREA: 1,000 SQ. FT.

STRUCTURAL ENGINEER:  
 A.V.A. VERA ENGINEERING  
 1000 S. BARNWELL STREET  
 OCEANSIDE, CA 92054

DESIGNER:  
 R.D.A. DESIGN  
 1000 S. BARNWELL STREET  
 OCEANSIDE, CA 92054

GENERAL NOTES

- THESE PLANS AND SPECIFICATIONS SHALL BE CONSIDERED THE BASIS FOR THE CONTRACT AND SHALL BE SUBJECT TO THE APPROVAL OF THE CITY ENGINEER AND THE PLANNING DEPARTMENT.
- CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY ENGINEER'S AND THE PLANNING DEPARTMENT'S REQUIREMENTS.
- ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE CITY ENGINEER AND THE PLANNING DEPARTMENT.
- ALL UTILITIES SHALL BE LOCATED AND DEPTH MARKED PRIOR TO CONSTRUCTION.
- ALL UTILITIES SHALL BE PROTECTED AND SHALL NOT BE INTERRUPTED DURING CONSTRUCTION.
- ALL UTILITIES SHALL BE REPAIRED OR REPLACED AS NECESSARY.
- ALL UTILITIES SHALL BE TESTED AND APPROVED BY THE CITY ENGINEER AND THE PLANNING DEPARTMENT.
- ALL UTILITIES SHALL BE MARKED AND DEPTH MARKED PRIOR TO CONSTRUCTION.
- ALL UTILITIES SHALL BE PROTECTED AND SHALL NOT BE INTERRUPTED DURING CONSTRUCTION.
- ALL UTILITIES SHALL BE REPAIRED OR REPLACED AS NECESSARY.
- ALL UTILITIES SHALL BE TESTED AND APPROVED BY THE CITY ENGINEER AND THE PLANNING DEPARTMENT.

REQUIRED SPECIAL INSPECTIONS

ITEM	REQUIRED?	REMARKS
FOUNDATION	REQUIRED	
ROOF	REQUIRED	
MECHANICAL	REQUIRED	
ELECTRICAL	REQUIRED	
PLUMBING	REQUIRED	
PAINT	REQUIRED	
FINISH	REQUIRED	

VICINITY MAP

A.V.A.

REVISIONS

NO.	DATE	DESCRIPTION



SITE PLAN

A PROPOSED ADDITION / REMODEL FOR:  
 MR. & MRS. LOZANO  
 515 SOUTH BARNWELL STREET  
 OCEANSIDE, CA 92054  
 (760) 721-5301

DATE: 11/07/07  
 DRAWN BY: MICHAEL D. ALVARADO  
 CHECKED BY: MICHAEL D. ALVARADO  
 SHEET: A-1







1 PLANNING COMMISSION  
2 RESOLUTION NO. 2008-P11

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE  
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A  
5 VARIANCE ON CERTAIN REAL PROPERTY IN THE CITY OF  
6 OCEANSIDE

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6 APPLICATION NO: V-6-06  
7 APPLICANT: Franciso Lozano  
8 LOCATION: 516 Barnwell Street

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8 THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA DOES  
9 RESOLVE AS FOLLOWS:

10 WHEREAS, there was filed with this Commission a verified petition on the forms  
11 prescribed by the Commission requesting a Variance under the provisions of Articles 10, 41, 43 of  
12 the Zoning Ordinance of the City of Oceanside to permit the following:

13 a reduction of the off-street parking requirement for a Single-Family Residential Residence;  
14 on certain real property described in the project description.

15 WHEREAS, the Planning Commission, after giving the required notice, did on the 25<sup>th</sup> day  
16 of February, 2008 conduct a duly advertised public hearing as prescribed by law to consider said  
17 application.

18 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State  
19 Guidelines thereto; this project is categorically exempt from CEQA per class 3 Section 15303 (e);

20 WHEREAS, there is hereby imposed on the subject development project certain fees,  
21 dedications, reservations and other exactions pursuant to state law and city ordinance;

22 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS HEREBY GIVEN that the  
23 project is subject to certain fees, dedications, reservations and other exactions as provided below:

24 //////////////

25 //////////////

26 //////////////

27 //////////////

28 //////////////

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre)
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$2,072 per unit for residential
School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.63 per square foot residential
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
Thoroughfare Fee	Ordinance No. 83-01 Resolution No. 06-R0334-1	\$255 per vehicle trip
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Residential is typically \$4,395 per unit.
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Residential is typically \$6,035 per unit.
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,154 per unit.
Inclusionary housing in lieu fees—Residential only.	Chapter 14-C of the City Code.	\$1,000 per development project + \$100 per unit plus \$10,275 per unit.

WHEREAS, the current fees referenced above are merely fee amount estimates of the impact fees that would be required if due and payable under currently applicable ordinances and resolutions, presume the accuracy of relevant project information provided by the applicant, and are not necessarily the fee amount that will be owing when such fee becomes due and payable;

1 WHEREAS, unless otherwise provided by this resolution, all impact fees shall be calculated  
2 and collected at the time and in the manner provided in Chapter 32B of the Oceanside City Code  
3 and the City expressly reserves the right to amend the fees and fee calculations consistent with  
4 applicable law;

5 WHEREAS, the City expressly reserves the right to establish, modify or adjust any fee,  
6 dedication, reservation or other exaction to the extent permitted and as authorized by law;

7 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS FURTHER GIVEN that  
8 the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction  
9 described in this resolution begins on the effective date of this resolution and any such protest must  
10 be in a manner that complies with Section 66020;

11 WHEREAS, pursuant to Oceanside Zoning Ordinance §4603, this resolution becomes  
12 effective 10 days from its adoption in the absence of the filing of an appeal or call for review;

13 WHEREAS, studies and investigations made by this Commission and in its behalf reveal  
14 the following facts:

15 FINDINGS:

16 For the approval request to allow a one-car garage, where a two-car garage is required as per  
17 OZO code section (3102):

- 18 1. Special circumstances or conditions applicable to the development site, including size,  
19 shape, topography, location, narrowness of the lot width and steep slopes at the rear of the  
20 property makes it is impossible to construct an addition to the existing garage that would  
21 meet the two-car garage development standards requirement. The required 7 ½-foot side  
22 yard setback restricts any type of expansion to the existing garage. The strict application of  
23 the requirements of the Zoning Ordinance would deprive the property of privileges of  
24 having a one-car garage when making an addition over 50 percent. Staff has analyzed the  
25 project for consistency with the surrounding properties and has found that allowing the one-  
26 car garage to remain while permitting an addition over 50 percent of the existing residence  
27 would not adversely affect the surrounding properties or deviate from the design and charter  
28 of the neighborhood.
2. The single-car garage is not out of character with property improvements within the  
vicinity. That granting the variance for the retention of the non-conforming off-street

1 parking will not be detrimental or injurious to property or improvements in the vicinity of  
2 the development site, or to the public health, safety or general welfare.

- 3 3. Similar parking non-conformities are shared by other properties in the area. As such,  
4 granting the variance for the retention of the one car garage non-conformity will not  
5 constitute a grant of special privilege inconsistent with the developed character of the  
6 area.

7 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby  
8 approve Variance (V-6-06) subject to the following conditions:

9 **Building:**

- 10 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for  
11 Building Division plan check.
- 12 2. The granting of approval under this action shall in no way relieve the applicant/project from  
13 compliance with all State and Local building codes.
- 14 3. A complete Soils Report, Structural Calculations, & Energy Calculations/documentation  
15 will be required at time of plans submittal to the Building Division for plan check.
- 16 4. Building Division records do not show that a permit was obtained for garage remodel.  
17 Therefore the garage remodel must be shown on the plans submitted or the garage must be  
18 returned back to its original configuration.
- 19 5. The developer shall monitor, supervise and control all building construction and supportive  
20 activities so as to prevent these activities from causing a public nuisance, including, but not  
21 limited to, strict adherence to the following:
- 22 6. Building construction work hours shall be limited to between 7:00 a.m. and 6:00 p.m.  
23 Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for work that is not  
24 inherently noise-producing. Examples of work not permitted on Saturday are concrete and  
25 grout pours, roof nailing and activities of similar noise-producing nature. No work shall be  
26 permitted on Sundays and Federal Holidays (New Year's Day, Memorial Day, July 4<sup>th</sup>,  
27 Labor Day, Thanksgiving Day, Christmas Day) except as allowed for emergency work  
28 under the provisions of the Oceanside City Code Chapter 38 (Noise Ordinance).
- a) The construction site shall be kept reasonably free of construction debris as  
specified in Section 13.17 of the Oceanside City Code. Storage of debris in

1 approved solid waste containers shall be considered compliance with this  
2 requirement. Small amounts of construction debris may be stored on-site in a neat,  
3 safe manner for short periods of time pending disposal.

4 **Planning:**

- 5 7. This Variance shall expire on February 25, 2010, unless a time extension is granted by the  
6 Planning Commission.
- 7 8. This Variance approves the request to allow a one-car garage to remain and to construct a  
8 958-square foot room addition as shown on the exhibits presented to the Planning  
9 Commission for review and approval. No deviation from these approved plans and exhibits  
10 shall occur without City Planner approval. Substantial deviations shall require a revision to  
11 the Variance or a new Variance.
- 12 9. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold  
13 harmless the City of Oceanside, its agents, officers or employees from any claim, action or  
14 proceeding against the City, its agents, officers, or employees to attack, set aside, void or  
15 annul an approval of the City, concerning Variance (V-6-06). The City will promptly  
16 notify the applicant of any such claim, action or proceeding against the City and will  
17 cooperate fully in the defense. If the City fails to promptly notify the applicant of any  
18 such claim action or proceeding or fails to cooperate fully in the defense, the applicant  
19 shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.
- 20 10. A covenant or other recordable document approved by the City Attorney shall be prepared  
21 by the subdivider and recorded prior to the approval of the final map. The covenant shall  
22 provide that the property is subject to this resolution, and shall generally list the conditions  
23 of approval.
- 24 11. Prior to the issuance of building permits, compliance with the applicable provisions of the  
25 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed  
26 and approved by the City Planner. These requirements, including the obligation to remove  
27 or cover with matching paint all graffiti within 24 hours, shall be noted on the Landscape  
28 Plan and shall be recorded in the form of a covenant affecting the subject property.
12. Prior to the transfer of ownership and/or operation of the site the owner shall provide a  
written copy of the applications, staff report and resolutions for the project to the new owner

1 and or operator. This notification's provision shall run with the life of the project and shall  
2 be recorded as a covenant on the property.

3 13. Failure to meet any conditions of approval for this development shall constitute a violation  
4 of the Variance.

5 14. Unless expressly waived, all current zoning standards and City ordinances and policies in  
6 effect at the time building permits are issued are required to be met by this project. The  
7 approval of this project constitutes the applicant's agreement with all statements in the  
8 Description and Justification and other materials and information submitted with this  
9 application, unless specifically waived by an adopted condition of approval.

10 PASSED AND ADOPTED Resolution No. 2008-P11 on February 25, 2008 by the  
11 following vote, to wit:

12 AYES:

13 NAYS:

14 ABSENT:

15 ABSTAIN:

16 \_\_\_\_\_  
17 Dennis Martinek, Chairman  
18 Oceanside Planning Commission

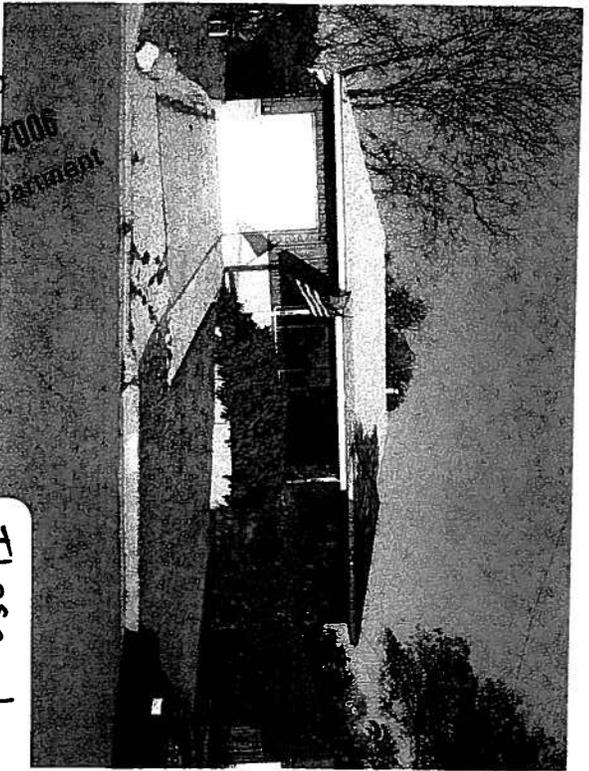
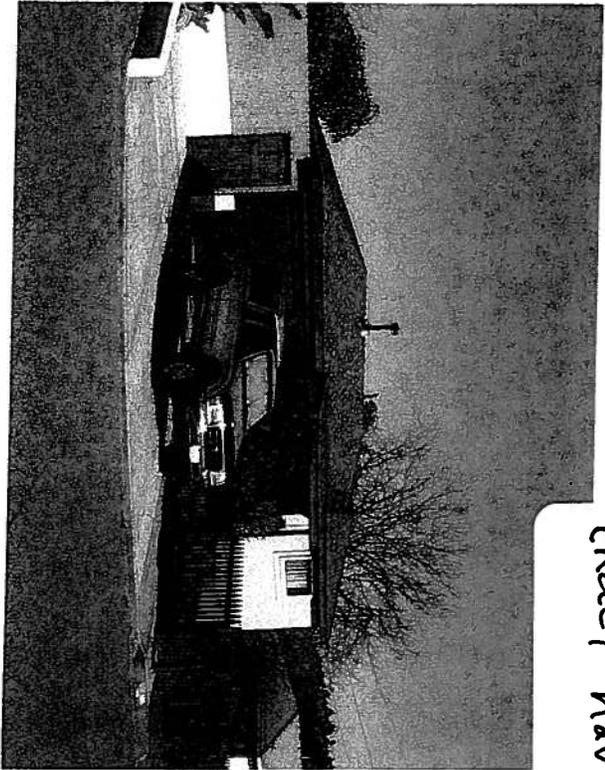
19 ATTEST:

20 \_\_\_\_\_  
21 Jerry Hittleman, Secretary

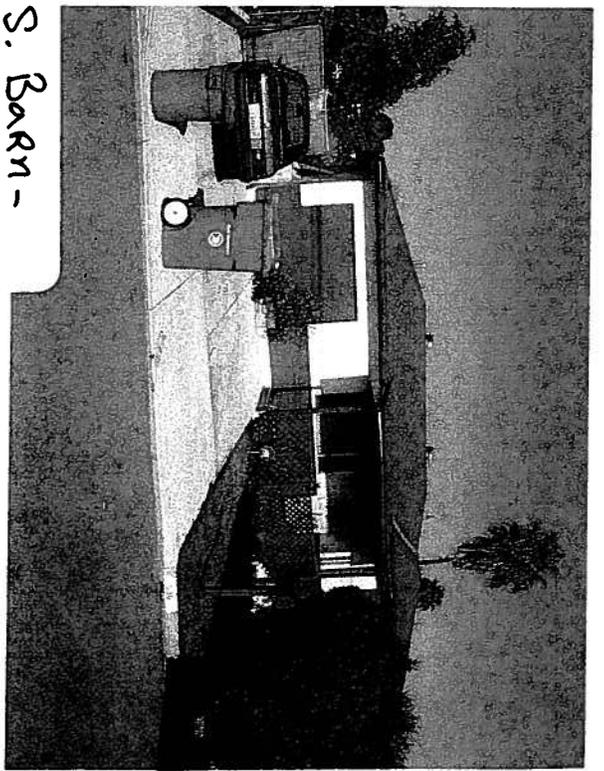
22 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that  
23 this is a true and correct copy of Resolution No. 2008-P11.

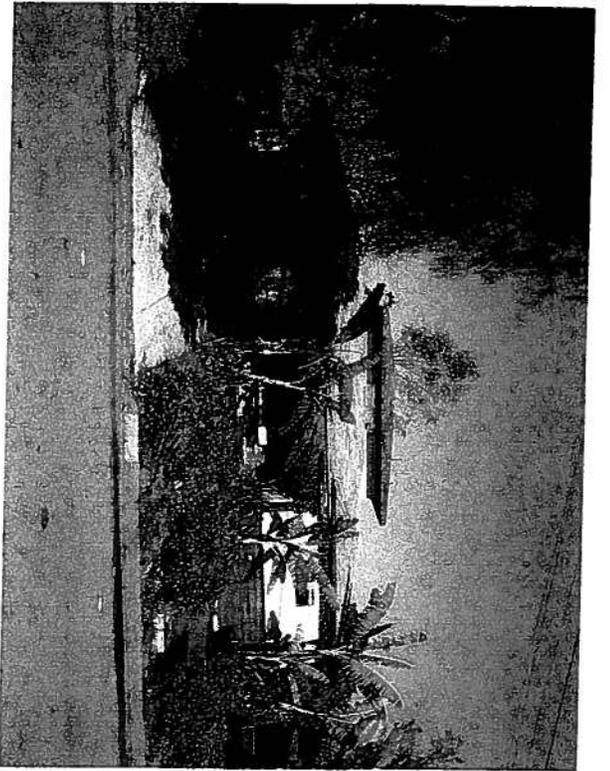
24 Dated: February 25, 2008

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APR 18 2006  
Planning Department

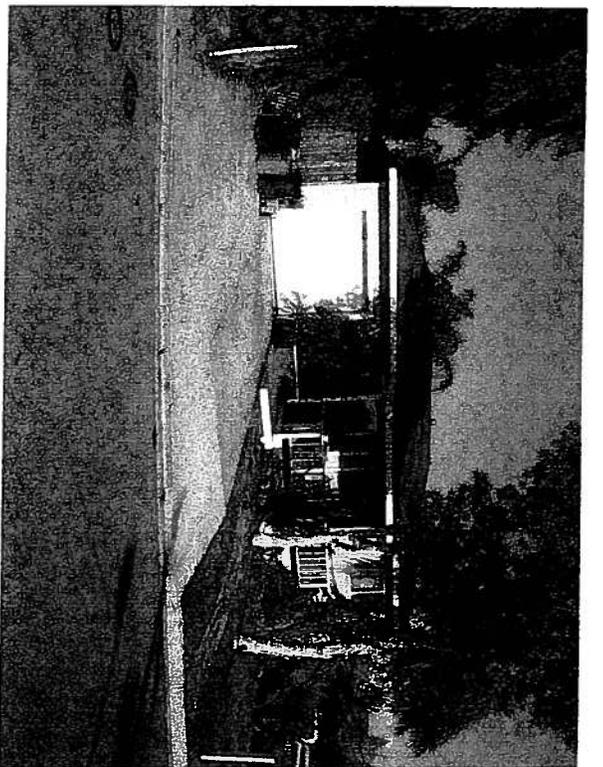


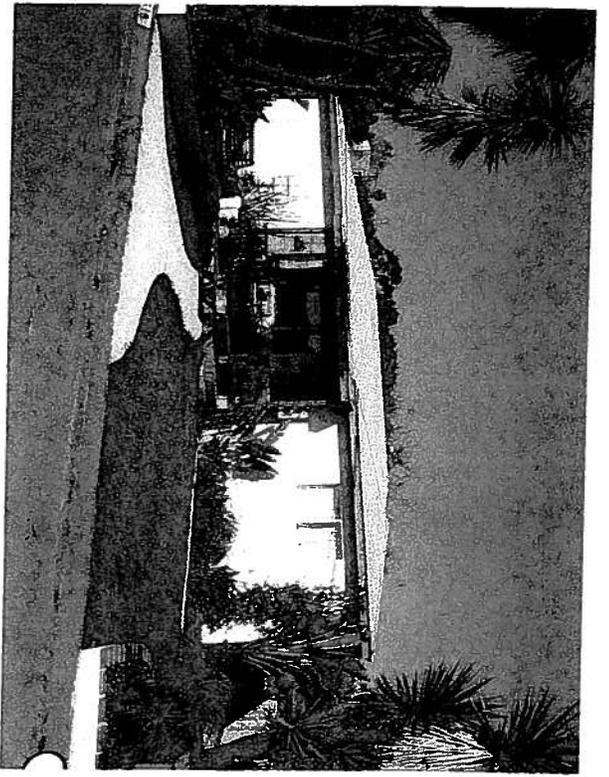
These houses on S. Barn-  
well Street demonstrate  
that all the homes in this  
tract have one car garages.



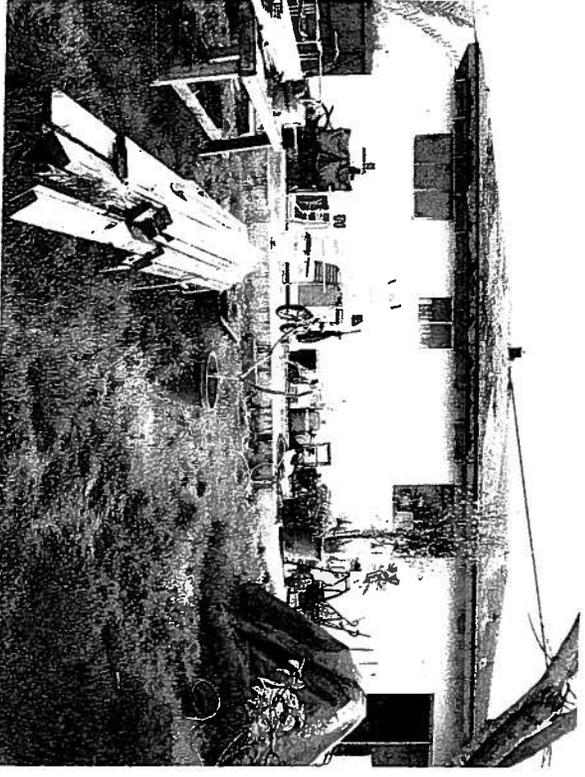


These three homes on  
S. Barnwell have all had  
permitted additions and  
maintain a one car garage.





This is my house at  
516 S. Barnwell St.



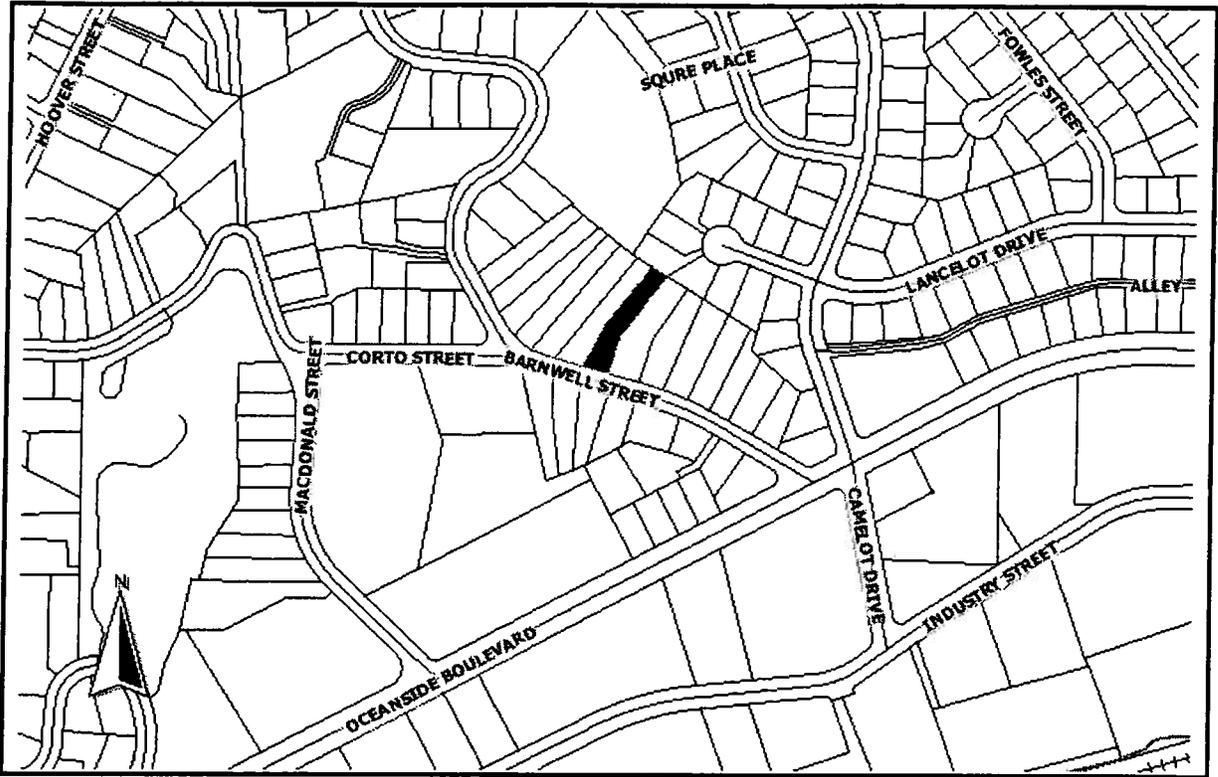
There's Room to grow out.



There is Room for  
two off-street parking spaces



We're in serious need  
for an add-on.



**File Number: V-6-06**

**Applicant: Francisco Lozano**

**Description:**

VARIANCE (V-6-06) to allow a one-car garage to remain as it is after constructing a 1575.5 square foot addition to an existing single-family residence located at 516 Barnwell Street. The project site is zoned RS (Single Family Residential) and is situated within the Loma Alta Neighborhood. **LOZANO VARIANCE**

**Environmental Determination:**

The project is exempt from the California Environmental Quality Act.

City of Oceanside, Planning Department  
300 N. Coast Highway  
Oceanside, CA 92054 (760) 435-3520

Application For Planning Commission Hearing				STAFF USE ONLY	
Planning Department (760) 435-3520 Oceanside Civic Center 300 North Coast Highway Oceanside, California 92054-2885 Please Print or Type All Information				ACCEPTED	BY
				RECEIVED APR 18 2006 Planning Department	
PART I - APPLICANT INFORMATION					
1. APPLICANT		2. STATUS		GPA	
FRANCISCO LOZANO				MASTER/SP.PLAN	
3. ADDRESS		4. PHONE/FAX		ZONE CH.	
516 S. Barnwell St.		721 5391		TENT. MAP	
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing)				PAR. MAP	
SAME				DEV. PL.	
6. ADDRESS		7. PHONE/FAX		C.U.P.	
				VARIANCE	V-6-06
				COASTAL	
PART II - PROPERTY DESCRIPTION				O.H.P.A.C.	
8. LOCATION			9. SIZE		
516 S. Barnwell St.			14,800		
10. GENERAL PLAN	11. ZONING	12. LAND USE	13. ASSESSOR'S PARCEL NUMBER		
SFD-R	R1 RB	residential	149-170-11		
PART III - PROJECT DESCRIPTION					
14. GENERAL PROJECT DESCRIPTION					
home Re-model Rev-11/7/07					
variance from 2-car garage requirement					
15. PROPOSED GENERAL PLAN	16. PROPOSED ZONING	17. PROPOSED LAND USE	18. NO. UNITS	19. DENSITY	
			1		
20. BUILDING SIZE	21. PARKING SPACES	22. % LANDSCAPE	23. % LOT COVERAGE		
PART IV - ATTACHMENTS					
ALL APPLICATIONS			DEV. PLANS, C.U.P.s & TENT. MAPS		
24. DESCRIPTION/JUSTIFICATION	25. LEGAL DESCRIPTION		30. FLOOR PLANS AND ELEVATIONS		
	title report		✓		
26. 300-FT. RADIUS MAP	27. PROPERTY OWNERS' LIST		31. CONSTRUCTION SCHEDULE		
✓	✓				
28. ENVIRONMENTAL ASSESSMENT	29. PLOT PLANS		32. OTHER		
✓			fotos ✓		
PART V - SIGNATURES					
THE APPLICANT OR HIS/HER REPRESENTATIVE MUST BE PRESENT AT THE HEARING. FAILURE TO BE PRESENT MAY RESULT IN DENIAL OF THE APPLICATION.			SIGNATURES OF ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).		
33. APPLICANT OR REPRESENTATIVE (Print):		34. DATE	37. OWNER (Print)		38. DATE
Sign: A. L. Lopez		4/18/06	FRANCISCO LOZANO		4/18/06
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.			Sign: A. L. Lopez		
35. APPLICANT (Print):		36. DATE	39. OWNER (Print):		40. DATE
Sign:			Sign:		

#27 prt. of radius map

2

scott H

**Description of the need for Variance:**

My family is in the loma Alta neighborhood of Oceanside where all the homes built in this tract have one-car garages. It is a small house at approx. 710 sq.ft., yet it sits on a large lot of .33 acres of land. With the pending birth of my son, it is no longer enough for my family of six. Therefore, I began the remodel process and subsequently learned of several planning issues, such as, off street parking, site setbacks and most importantly variances.

I am applying for a one-car garage variance for a variety of reasons. One of the biggest Problems I had complying with a two-car garage code. My lot width does not support this. I would need to make major changes to the original home in order to construct a two-car garage. Also, the existing structure does not allow a parking space access in the rear. The potential option was to demolish the one-car garage and build a detached two-car garage in the back part of the property. This did not work well for me because a two-car garage built in the back would take up to much the much needed space for the room addition and garden space. It would also create a financial hardship due to the increase cost of materials and demolition of the existing garage. My lot already has two off-street parking spaces.

Another reason the variance is needed is that a two-car garage does not fit in with the aesthetics of this neighborhood. Being that all the other homes have one-car garages, mine would stand out without one in the front. Included in this application are some photos of other homes on this street with one-car garages. Most notably though are the three homes that have been granted building permits for remodeling and still have a one-car garage. I truly only want the same privilege that my neighbors have had, which is really to improve the quality of life for me and my family. My remodel would not be detrimental to the surrounding properties or any of their values. If anything, it would be an improvement that would be beneficial to the family, my neighbors and the community in general.

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**LEGAL DESCRIPTION**

Real property in the City of Oceanside, County of San Diego, State of California, described as follows:

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY, APPROVED DECEMBER 27, 1879, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY TERMINUS OF THE 187.56 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY IN THE NORTHERLY LINE OF BARNWELL STREET, AS SAID STREET IS DESCRIBED IN DEED TO THE CITY OF OCEANSIDE, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, JANUARY 13, 1930, AS INSTRUMENT NO. 1814 IN BOOK 1724, PAGE 274 OF DEEDS; THENCE SOUTH 74°20'00" EAST ALONG SAID NORTHERLY LINE 17.00 FEET; THENCE NORTH 38°32'20" EAST, 325.82 FEET TO A POINT IN THE NORTHEASTERLY LINE OF THE LAND CONVEYED TO RUSSELL C. ANDERSON BY DEED RECORDED MARCH 9, 1949, IN BOOK 3134, PAGE 373 OF OFFICIAL RECORDS; THENCE SOUTH 51°31'00" EAST ALONG SAID NORTHEASTERLY LINE 43.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 51°31'00" EAST, 48.00 FEET; THENCE SOUTH 37°56'10" WEST, 178.21 FEET; THENCE SOUTH 15°40'00" WEST, 100.00 FEET TO A POINT IN SAID NORTHEASTERLY LINE OF BARNWELL STREET; THENCE NORTH 74°20'00" WEST ALONG SAID NORTHEASTERLY LINE 70.00 FEET TO A LINE WHICH BEARS SOUTH 28°10'00" WEST FROM A POINT BEARING SOUTH 37°42'02" WEST, 179.48 FEET FROM THE TRUE POINT OF BEGINNING; THENCE NORTH 28°10'00" EAST, 120.00 FEET TO SAID POINT AND NORTH 37°42'02" EAST, 179.48 FEET TO THE TRUE POINT OF BEGINNING.

APN: 149-170-11-00

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# NOTICE OF EXEMPTION

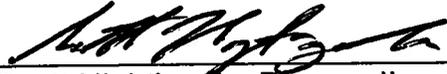
City of Oceanside, California

Post Date:  
Removal:  
(30 days)

1. **APPLICANT:** Francisco Lozano
2. **ADDRESS:** 516 Barnwell St.  
Oceanside CA. 92056
3. **PHONE NUMBER:** (760) 721-5391
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Scott Nightingale, Planner II
6. **PROJECT TITLE:** Lozano Variance (V-6-06)
7. **DESCRIPTION:** A request to allow a one car garage to remain while constructing a 1,575 square foot addition to an existing single family residence.

**ADMINISTRATIVE DETERMINATION:** Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based on that review, the Environmental Coordinator finds that the proposed project constitutes interior alterations involving such things as interior partitions, plumbing and electrical conveyances, and the project is categorically exempt. Therefore, the Environmental Coordinator has determined that further environmental evaluation is not required because:

- "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" (Section 15061(b)(3)); or,
- The project is statutorily exempt, Section \_\_\_\_\_, <name> ( Sections 15260-15277); or,
- The project is categorically exempt, Class three, "Existing Facilities" (Section 15301) (e); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).

  
\_\_\_\_\_  
Scott Nightingale, Planner II

Date: February 15, 2008

cc:  Project file  Counter file  Library

Posting:  County Clerk \$50.00 Admin. Fee