



DATE: December 4, 2006

TO: Chairman and Members of the Planning Commission

FROM: Community Development Department/Planning Division

SUBJECT: **CONSIDERATION OF A VARIANCE (V-8-06) TO ALLOW A ONE-CAR GARAGE TO REMAIN WHILE CONSTRUCTING A 958-SQUARE FOOT ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE LOCATED AT 512 BARNWELL STREET – SVOBODA RESIDENCE – APPLICANT: FATISHA A. ROUGELY**

**RECOMMENDATION**

Staff recommends that the Planning Commission approve the Variance (V-8-06) and adopt Planning Commission Resolution No. 2006-P71 as attached.

**PROJECT DESCRIPTION AND BACKGROUND**

**Background:** The subject site, as well as several lots within the surrounding neighborhood, were created by a grant deed agreement prior to approval of 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 512 Barnwell Street and consists of a 17,800-square foot lot with an existing 958-square foot residence. The habitable space consists of 705 square feet with an attached 287-square foot single car garage. The subject site is relatively flat in grade with a one-foot grade difference from the front of the property and the rear of the house. The rear yard contains an approximately 15-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. The site is surrounded in all directions by single-family residences. The abutting lots located north and south of the property share a similar home design and lot configuration as the project site.

**Project Description:** The applicant is requesting a Variance 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. The proposed addition will consist of an approximate 958-square foot addition adjoining the rear of the existing residence and two outdoor decks consisting of 166 square feet. The proposed addition will consist of similar materials, colors and design as the existing residence.

## **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 surroundings 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.
  - 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.
  - 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.

## **DISCUSSION**

Staff believes that the applicant's request meets the findings for the Variance. There are special circumstances or conditions that exist at the subject site. These special conditions or circumstances are the physical constraints caused by the narrowness of the lot. The RS zone minimum development standards require 6,000 square feet lots with a minimum width of 65 feet. The development standards such as setbacks, lot coverage, and landscaping are based on this minimum lot size standard.

The subject site is 15,575 square feet in size and is 73 feet in width at the front of the property and 43 feet at the rear. Due to the dramatic change in lot width throughout the property and the orientation of the existing house, it is impossible to provide the eight-foot width necessary to meet the required 19-foot garage width dimension and within the 7.5-foot side yard setback standard for the RS zone.

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

	<u>Required</u>	<u>Proposed</u>
Front Yard	20	20
Side yard	6	7.5
Rear yard	15	110
Lot coverage	45%	35%
Covered parking	2 car garage (20'wide X19' deep)	One Car Garage(12wide X 23'deep)

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.

### **ENVIRONMENTAL DETERMINATION**

The project is exempt under the provisions of the California Environmental Quality Act (CEQA).

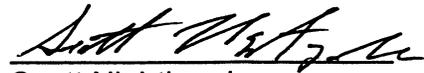
### **SUMMARY**

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-8-06) and adopt Planning Commission Resolution 2006-P71 as attached.

PREPARED BY:

SUBMITTED BY:



Scott Nightingale  
Planner II



Jerry Hittleman  
Acting City Planner

JH/SN/fil

Attachment:

1. Site/Floor/Elevation Plans
2. Planning Commission Resolution No. 2006-P71
3. Photos of existing and neighboring properties







REVISIONS	BY

DAVID A. DENT II (858) 205-2446  
 DESIGNER & DRAFTSMAN

SVOBODA RESIDENCE  
 512 S. BARNWELL ST. - OCEANSIDE - CA 92054

DATE 07-25-08  
 SCALE  
 SHEET TITLE NW FLR  
 SHEET NO. 1  
 OF SHEETS A-2.0

**GENERAL FLOOR PLAN NOTES**

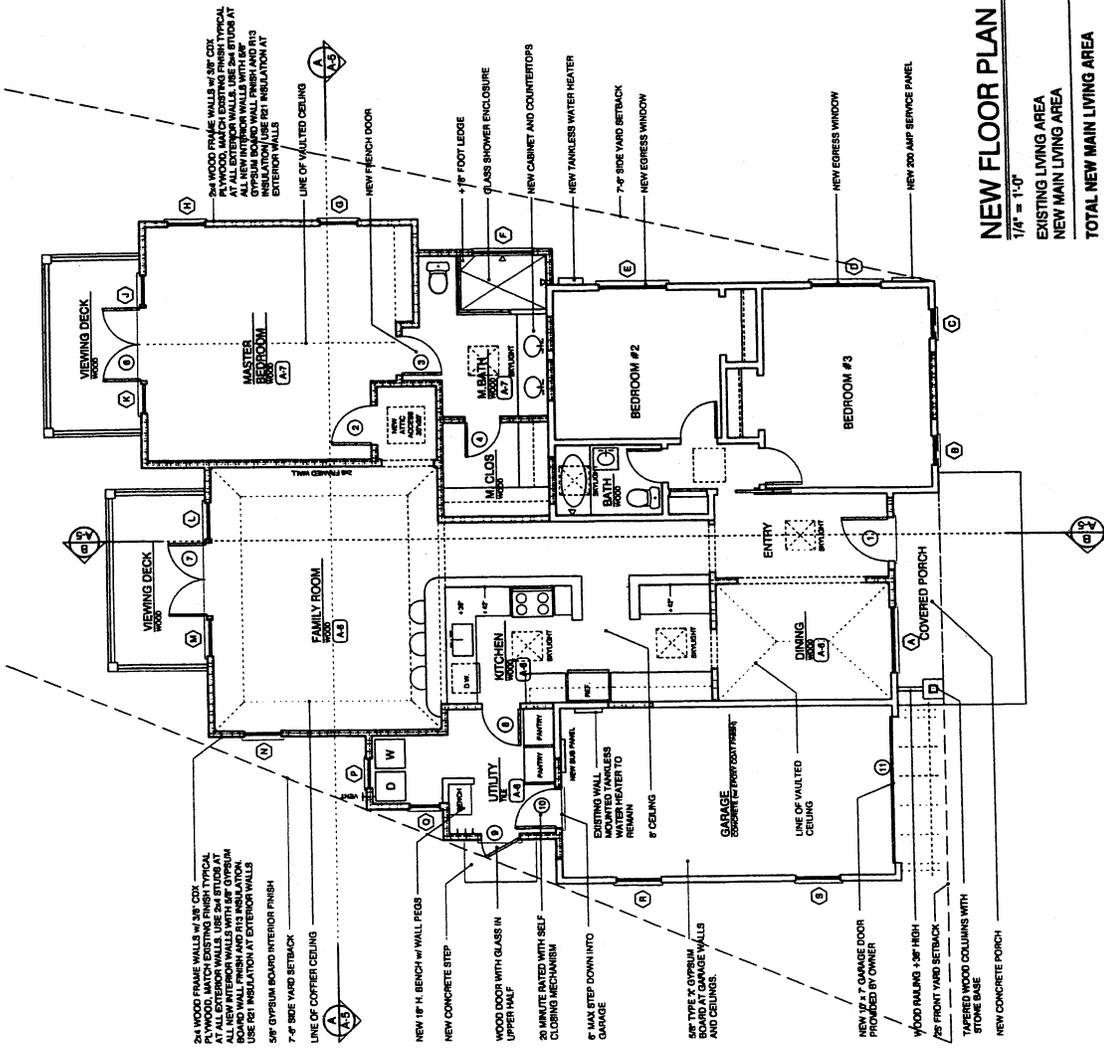
1. ALL FINISHES SHALL BE AS SHOWN. CONSTRUCTION SHALL COMPLY WITH THE CALIFORNIA BUILDING CODE (TITLE 24) WHICH ADOPTS THE FOLLOWING MODEL CODES: 1997 IBC, 2000 IRC, 2000 CBC AND 2000 MEPC. ALL FINISHES SHALL BE APPLIED TO THE EXTERIOR SURFACE UNLESS OTHERWISE NOTED.
2. THE GENERAL CONTRACTOR SHALL VERIFY TO ALL OTHER TRADES AS SHOWN.
3. THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS ARE TO HAVE CURRENT LICENSES IN GOOD STANDING AND HAVE THE REQUIRED INSURANCE POLICIES IN PLACE.
4. ALL WATER VALVES IN SHOWERS AND TUBS SHALL BE INSTALLED WITH A WATER STOP AND SHALL BE INSTALLED WITH A GALLONS OF WATER PER FLUSH. THE PERMANENT WALL SHALL HAVE A MINIMUM RESISTANCE SYSTEM BOARD. A 1/2" GYPSUM BOARD SHALL BE INSTALLED OVER THE BOARD. ALL NEW INTERIOR WALLS WITH 8" GYPSUM BOARD SHALL BE FINISHED WITH 8" GYPSUM BOARD INTERIOR FINISH.
5. SHOWERS SHALL BE INSTALLED IN EACH BATHROOM AND SHALL ACCESS TO THE BATHROOM THROUGH THE ENTRY.
6. ALL EXTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OR OTHER APPROVED FINISH.
7. ALL EXTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OR OTHER APPROVED FINISH.
8. ALL EXTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OR OTHER APPROVED FINISH.
9. ALL EXTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OR OTHER APPROVED FINISH.
10. ALL EXTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OR OTHER APPROVED FINISH.
11. ALL EXTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OR OTHER APPROVED FINISH.
12. ALL EXTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OR OTHER APPROVED FINISH.
13. ALL EXTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OR OTHER APPROVED FINISH.
14. ALL EXTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OR OTHER APPROVED FINISH.
15. ALL EXTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OR OTHER APPROVED FINISH.
16. ALL EXTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OR OTHER APPROVED FINISH.
17. ALL EXTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OR OTHER APPROVED FINISH.
18. ALL EXTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OR OTHER APPROVED FINISH.
19. ALL EXTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OR OTHER APPROVED FINISH.
20. ALL EXTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OR OTHER APPROVED FINISH.
21. ALL EXTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OR OTHER APPROVED FINISH.
22. ALL EXTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OR OTHER APPROVED FINISH.

**LEGEND**

- (E) SYMBOL FOR WINDOW SCHEDULE
- (D) SYMBOL FOR DOOR SCHEDULE
- (A4) SHEET NUMBER FOR INTERIOR ELEVATIONS
- NEW WALLS

**NEW FLOOR PLAN**  
 1/4" = 1'-0"

EXISTING LIVING AREA 706 S.F.  
 NEW MAIN LIVING AREA 958 S.F.  
 TOTAL NEW MAIN LIVING AREA 1,663 S.F.  
 REMODELED AREA 306 S.F.  
 GARAGE 287 S.F.  
 NEW DECK AREA 166 S.F.

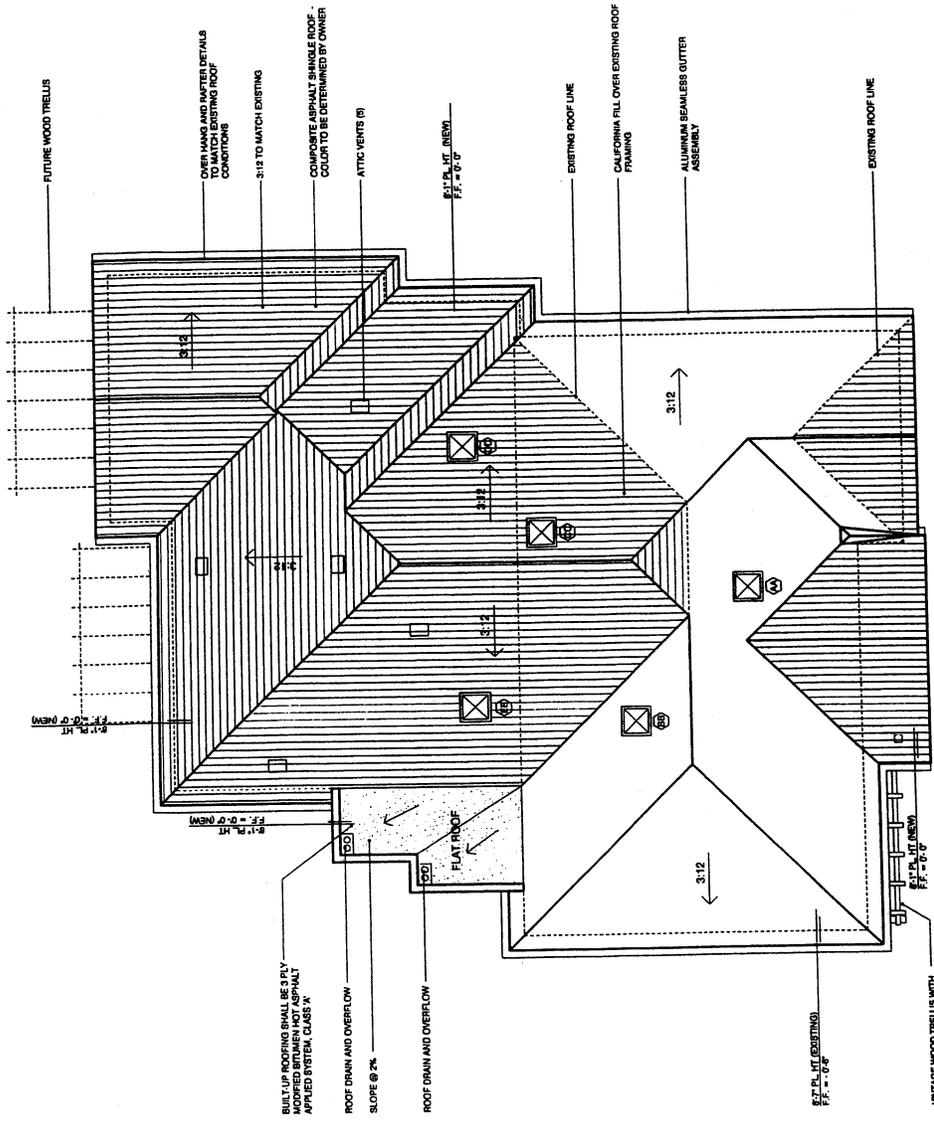


REVISIONS	BY

DESIGNER & DRAFTSMAN  
 DAVID A. DENT II (858) 205-2446

SVOBODA RESIDENCE  
 512 S. BARNWELL ST. - OCEANSIDE - CA 92054

DATE 07-25-06  
 SCALE  
 SHEET  
 OF  
 A-3



**ROOF PLAN NOTES**

1. REMOVE EXISTING COMPOSITE ASPHALT SHINGLES AT 480 PLY AND CLASS X.
2. PROVIDE ALL NECESSARY FLASHING AND FINISHING TO INSURE A WATER TIGHT ROOF.
3. PROVIDE ATTIC VENTILATION BY MEANS OF ATLANTA VENTS (B).
4. PROVIDE ALL NECESSARY FLASHING AND FINISHING TO INSURE A WATER TIGHT ROOF.
5. PROVIDE A COP EDGE FLASHING AT THE EDGE OF THE FLATWOOD SHINGLES TO PROTECT THAT EDGE AND DIRECT WATER INTO THE GUTTER ON THE GUTTER FRANCH.
6. PROVIDE ALL NECESSARY FLASHING AND FINISHING TO INSURE A WATER TIGHT ROOF.
7. NEW BRICKS SHALL BE: FLAT, TAMPED, CLEAR GLASS BRICKS ON APPROVED ALUMINUM FRAME, CORNER MOUNTED. USE WHITE GLASS BRICKS.
8. ALL VENT PIPES ARE TO BE PAINTED TO MATCH THE ROOF COLOR.

**ROOF PLAN**  
 1/4" = 1'-0"

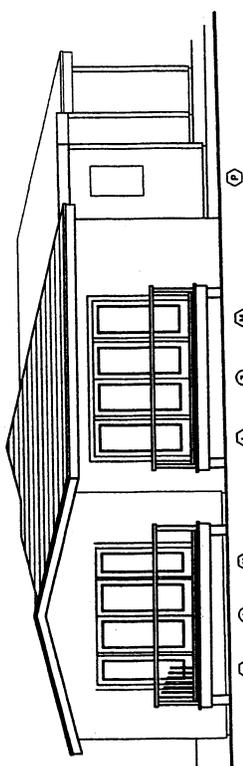


REVISIONS	BY

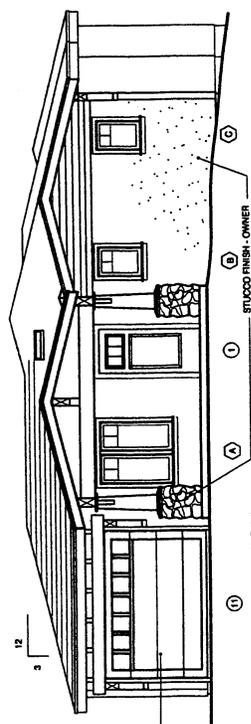
DAVID A. DENT II (858) 205-2446  
 DESIGNER & DRAFTSMAN

SVOBODA RESIDENCE  
 512 S. BARNWELL ST. - OCEANSIDE - CA 92054

DATE 07-25-06  
 SCALE  
 SHEET TITLE ELEV.  
 JOB  
 SHEET  
 OF  
 A-4

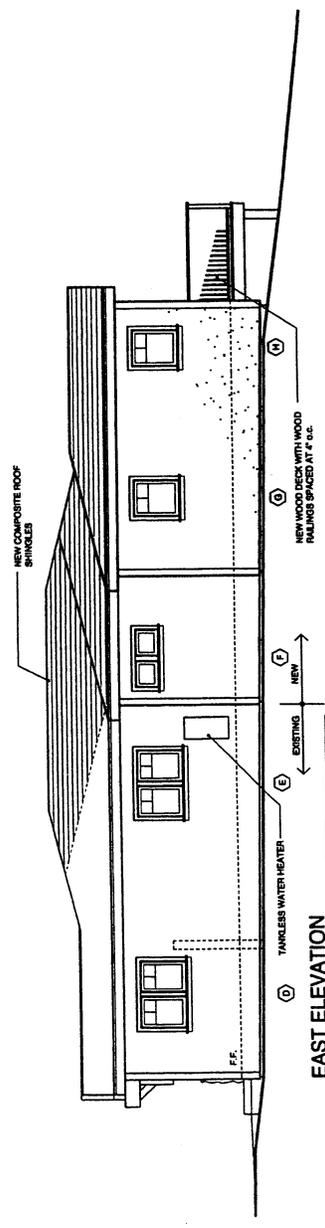


**NORTH ELEVATION**  
 1/4" = 1'-0"

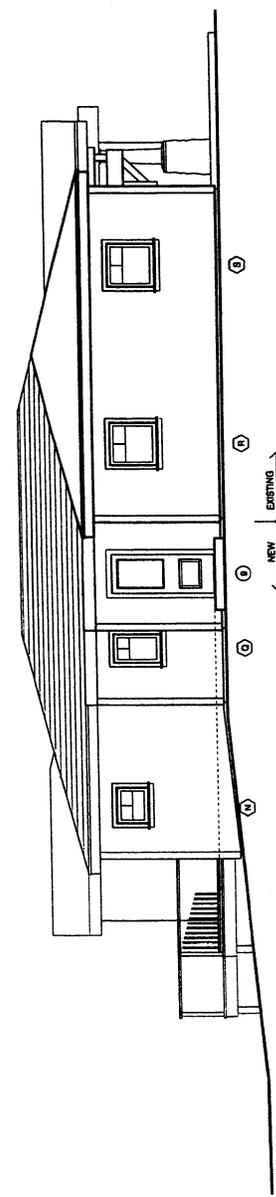


**SOUTH ELEVATION**  
 1/4" = 1'-0"

NEW 10' GARAGE DOOR  
 PROPOSED BY OWNER



**EAST ELEVATION**  
 1/4" = 1'-0"



**WEST ELEVATION**  
 1/4" = 1'-0"

NEW COMPOSITE ROOF  
 SHINGLES

NEW WOOD DECK WITH WOOD  
 FALINGS SPACED AT P.c.c.

TANKLESS WATER HEATER

EXISTING

NEW

EXISTING

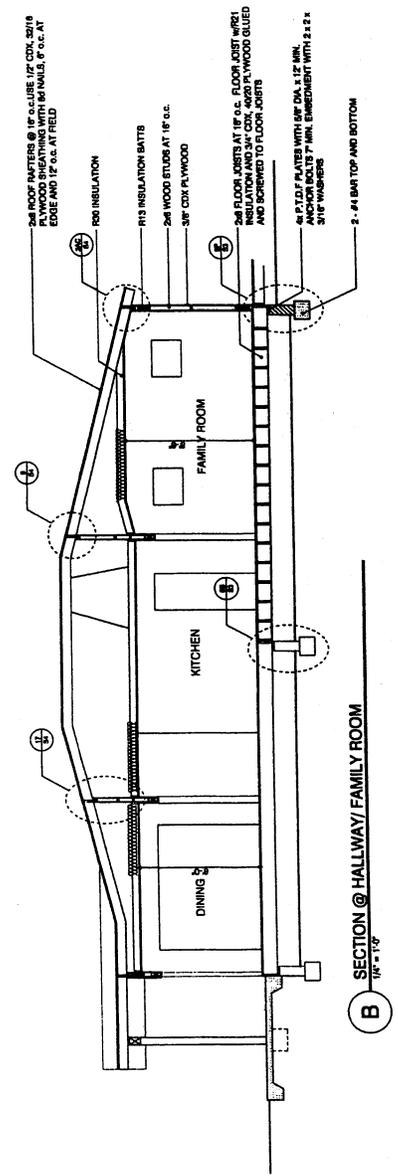
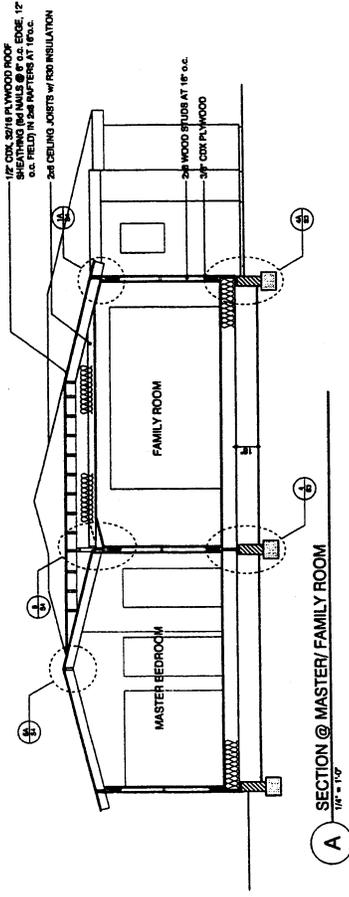
NEW

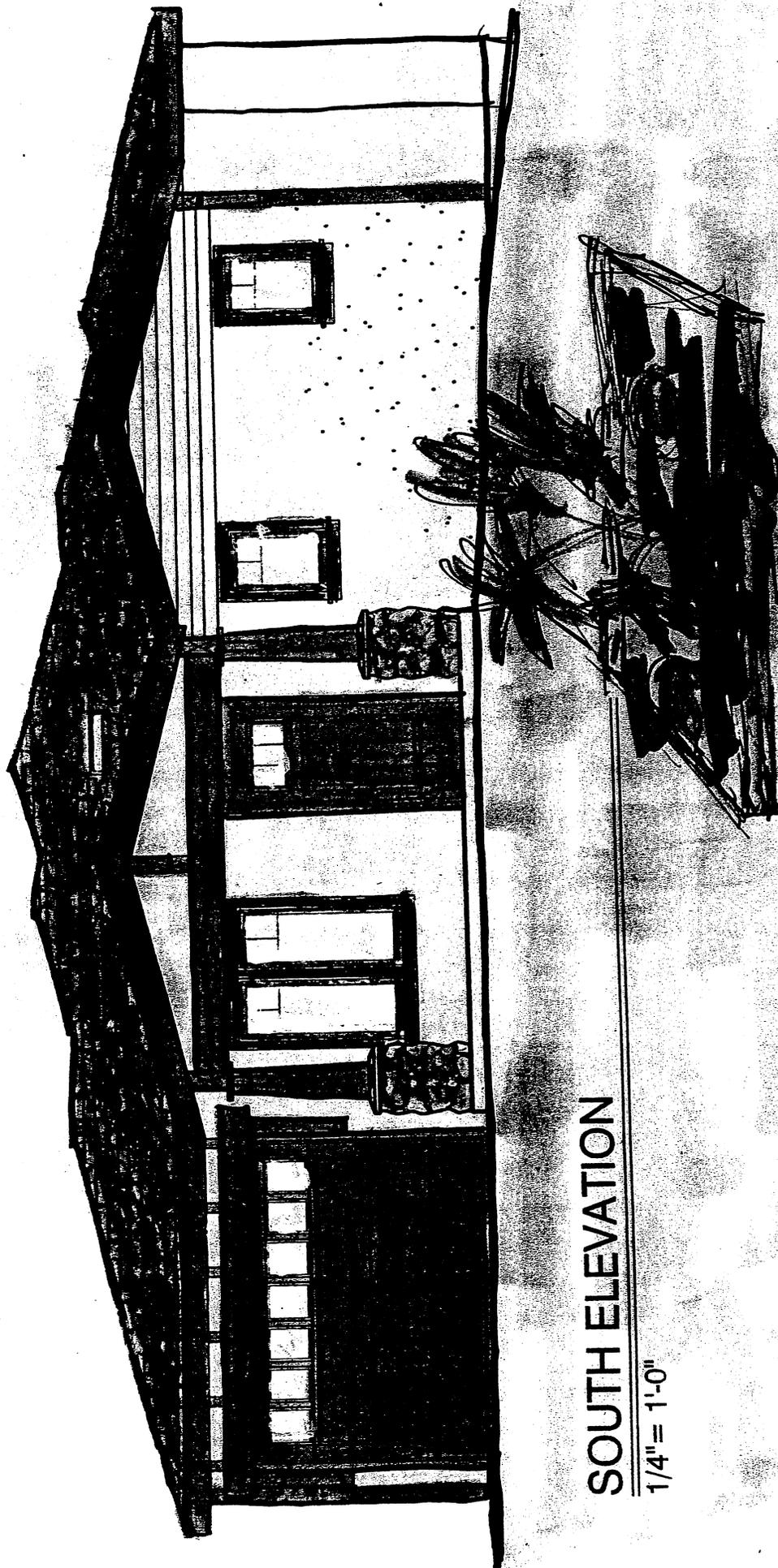
REVISIONS	BY	

DAVID A. DENT II (858) 205-2446  
 DESIGNER & DRAFTSMAN

SVOBODA RESIDENCE  
 512 S. BARNWELL ST. - OCEANSIDE - CA 92054

DATE	07-25-08
SCALE	
BY	M.J. SEC
JOB	
SHEET	A-5
	OF 5 SHEETS





**SOUTH ELEVATION**

**1/4" = 1'-0"**

RECEIVED

AUG 30 2006

Planning Department

SV0207A

**ROOF**

**Asphalt roof shingle**



**STUCCO COLOR**

**Fraze: 8330W**

**Sachet rose**

**WINDOW & DOOR TRIM**

**Fraze: 7646N**

**Wild Mint**

**FRONT DOOR & WINDOWS**

**Fraze: 8326N**

**Brick Shadow**



**SVOBODA RESIDENCE**

**512 South Barnwell St. – Oceanside – California- 92054**

**08-29-06**

**Variance # V-8-06**

RECEIVED

AUG 30 2006

Planning Department

1 PLANNING COMMISSION  
2 RESOLUTION NO. 2006-P71

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

---

6 APPLICATION NO: V-8-06  
7 APPLICANT: Fatisha A. Rougely  
8 LOCATION: 512 Barnwell Street

---

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 and 31  
12 of 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 Environmental Quality Act of 1970, and State Guidelines  
15 thereto; this project is categorically exempt from CEQA per Article 19, Section 15303(e);

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

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

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

23 FINDINGS:

24 For the approval request to allow a one-car garage (instead of the required two-car garage) for a  
25 room addition that exceeds 50 percent of the existing home:

- 26 1. Special circumstances or conditions applicable to the development site, including size, shape,  
27 topography, location and surroundings warrant the granting of the Variance. Due to the  
28 narrowness of the lot width, it is impossible to construct an addition to the existing garage

1 that shall meet the two-car garage development standards. The strict application of the  
2 requirements of the Zoning Ordinance would deprive the property of privileges enjoyed by  
3 other properties in the vicinity and under identical zoning classification.

4 2. The single car garage is not out of character with property improvements within the vicinity.  
5 That granting the variance for the retention of the non-conforming off-street parking will not  
6 be detrimental or injurious to property or improvements in the vicinity of the development  
7 site, or to the public health, safety or general welfare.

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

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

13 **Building:**

14 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for  
15 Building Division plan check.

16 **Fire:**

17 2. All structural mitigation notes and details resulting from the Fire Department conditions  
18 shall be included on the architectural plans when submitted to the Building Division for  
19 building permit.

20 **Planning:**

21 3. This Variance (V-8-06) shall expire on December 4, 2008, unless the variance is  
22 implemented or the Planning Commission grants a time extension.

23 4. This Variance approves the request to allow a one-car garage to remain and to construct a  
24 958-square foot room addition as shown on the exhibits presented to the Planning  
25 Commission for review and approval. No deviation from these approved plans and exhibits  
26 shall occur without Planning Division approval. Substantial deviations shall require a  
27 revision to the Variance or a new Variance.

28 5. The project shall provide one street tree in the right of way per the current City of Oceanside  
requirement and one five-gallon shrub within the front yard area.

- 1 6. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold  
2 harmless the City of Oceanside, its agents, officers or employees from any claim, action or  
3 proceeding against the City, its agents, officers, or employees to attack, set aside, void or  
4 annul an approval of the City, concerning Variance (V-8-06). The City will promptly  
5 notify the applicant of any such claim, action or proceeding against the City and will  
6 cooperate fully in the defense. If the City fails to promptly notify the applicant of any  
7 such claim action or proceeding or fails to cooperate fully in the defense, the applicant  
8 shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.
- 9 7. A covenant or other recordable document approved by the City Attorney shall be prepared  
10 by the owner and recorded prior to the approval of the building permit. The covenant shall  
11 provide that the property is subject to this resolution, and shall generally list the conditions  
12 of approval.
- 13 8. Prior to the transfer of ownership and/or operation of the site, the owner shall provide a  
14 written copy of the applications, staff report and resolutions for the project to the new owner  
15 and or operator. This notification's provision shall run with the life of the project and shall  
16 be recorded as a covenant on the property.
- 17 9. Failure to meet any conditions of approval for this development shall constitute a violation  
18 of the Variance.
- 19 10. Unless expressly waived, all current zoning standards and City ordinances and policies in  
20 effect at the time building permits are issued are required to be met by this project. The  
21 approval of this project constitutes the applicant's agreement with all statements in the  
22 Description and Justification, and other materials and information submitted with this  
23 application, unless specifically waived by an adopted condition of approval.

22 //  
23 //  
24 //  
25 //  
26 //  
27 //  
28 //

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

11. The plans shall be substantially the same as those approved by the Planning Commission. These shall be shown on the plans submitted to the Building and Planning Divisions.

PASSED AND ADOPTED Resolution No. 2006-P71 on December 4, 2006 by the following vote, to wit:

- AYES:
- NAYS:
- ABSENT:
- ABSTAIN:

\_\_\_\_\_  
Dennis Martinek, Chairman  
Oceanside Planning Commission

ATTEST:

\_\_\_\_\_  
Jerry Hittleman, Secretary

I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 2006-P71.

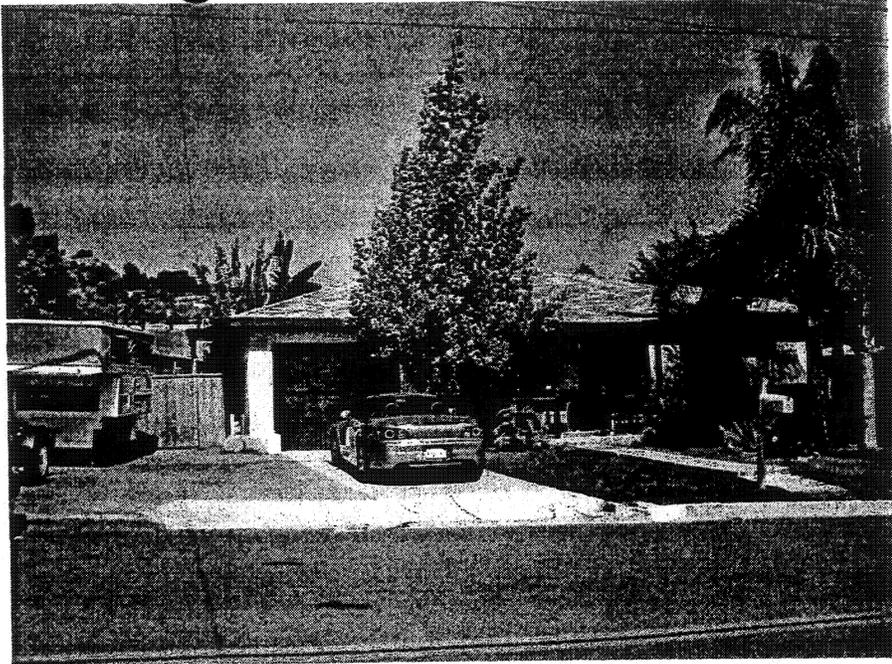
Dated: December 4, 2006

SVOBODA RESIDENCE  
512 S. BARNWELL ST.  
OCEANSIDE, CA 9054  
A.P.N. 149 - 170-10

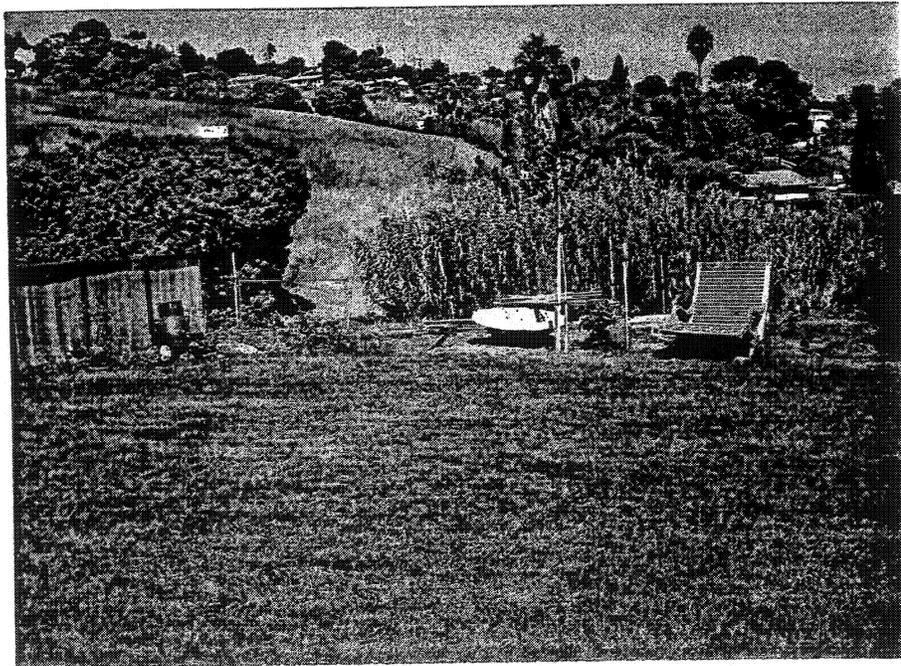
RECEIVED  
JUN 14 2006  
Planning Department

## PHOTOS OF SUBJECT PROPERTY AND NEIGHBORING RESIDENCES

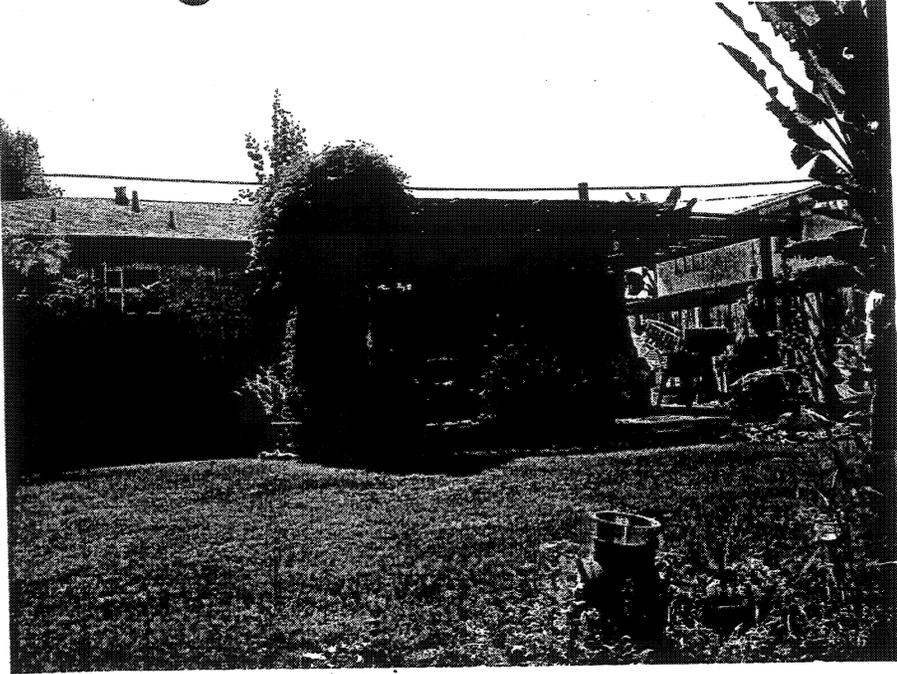
CURRENTLY THE SUBJECT PROPERTY HAS A SINGLE CAR GARAGE. THIS VARIANCE IS TO RETAIN THIS ONE-CAR GARAGE PRECEDING A 958 S.F. ADDITION TO THE REAR OF THE EXISTING RESIDENCE. PHOTOS SHOW THE SUBJECT PROPERTY AND NEIGHBORING RESIDENCES WITH SINGLE CAR GARAGES. APPROVING THIS VARIANCE WILL ALLOW THE SUBJECT RESIDENCE TO MAINTAIN THE NEIGHBORHOOD CHARACTER.



**512 S. BARNWELL (SUBJECT PROPERTY)  
(FRONT YARD )**



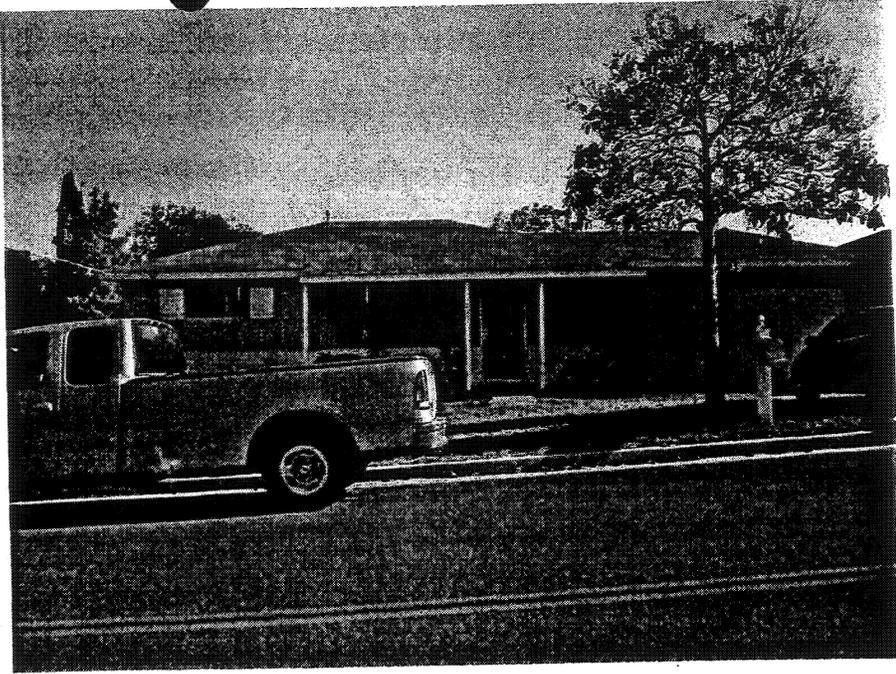
**512 S. BARNWELL (SUBJECT PROPERTY)  
(REAR YARD)**



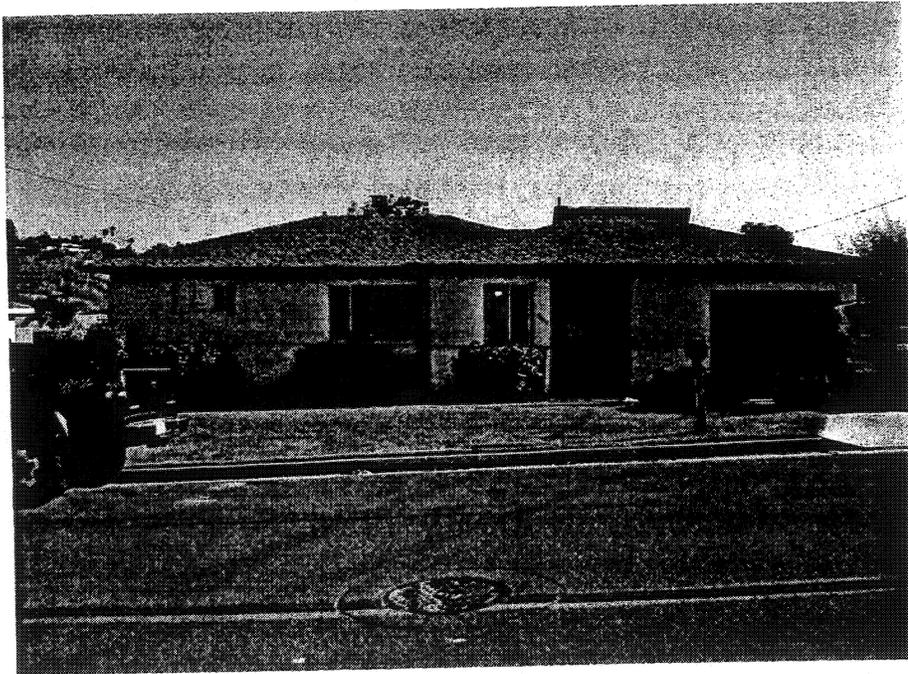
**512 S. BARNWELL (SUBJECT PROPERTY)  
(NORTH SIDE YARD )**



**512 S. BARNWELL (SUBJECT PROPERTY)  
(SOUTH SIDE YARD)**



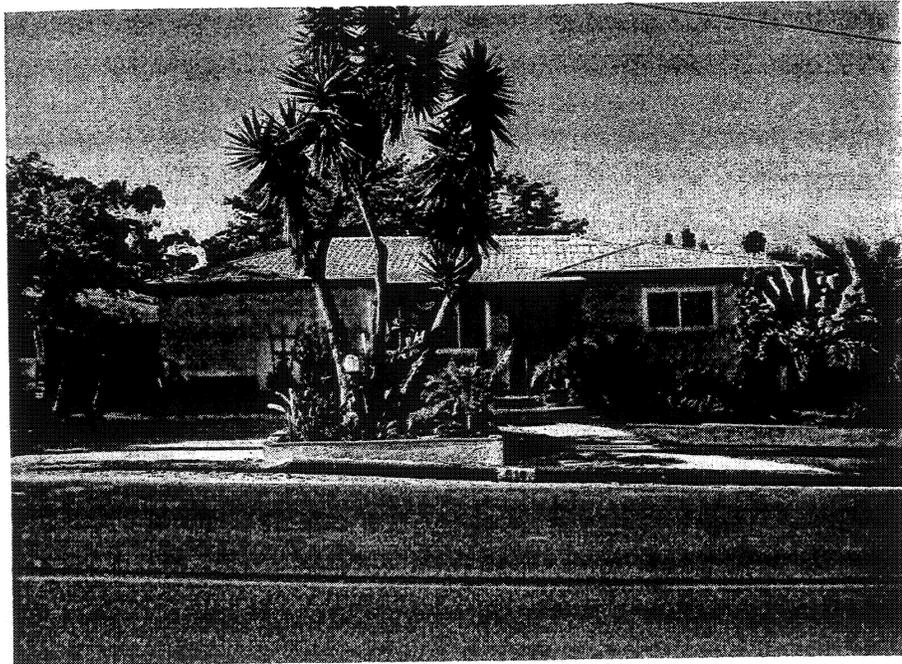
**521 S. BARNWELL  
(WEST OF SUBJECT PROPERTY)**



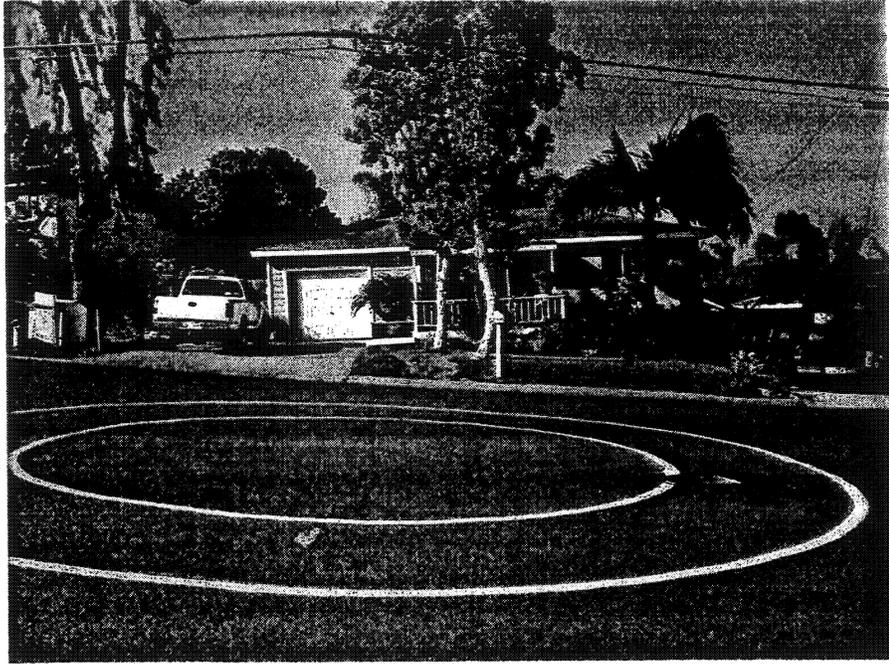
**517 S. BARNWELL  
(WEST OF SUBJECT PROPERTY)**



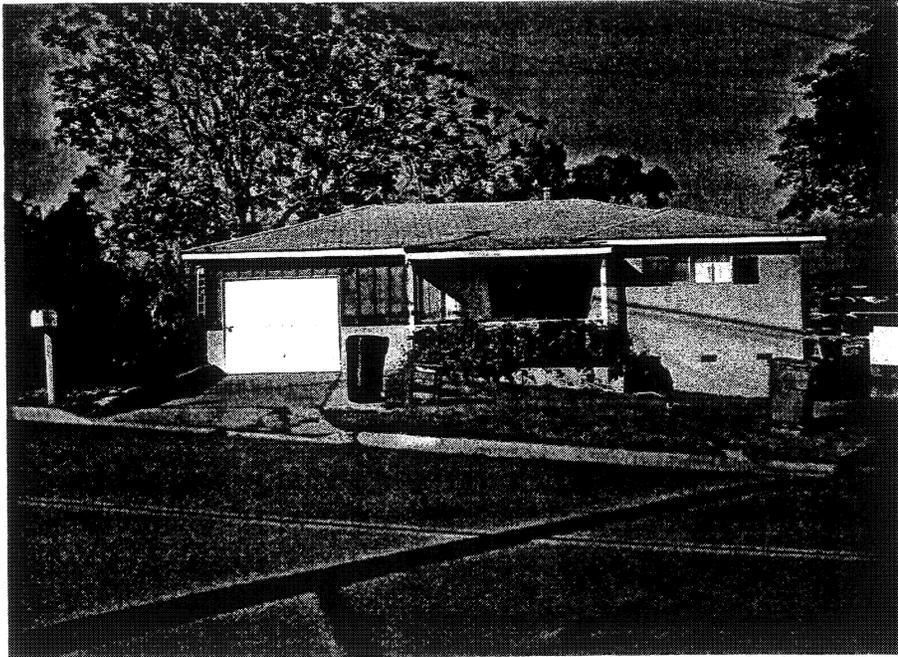
**524 S. BARNWELL  
(SOUTH OF SUBJECT PROPERTY)**



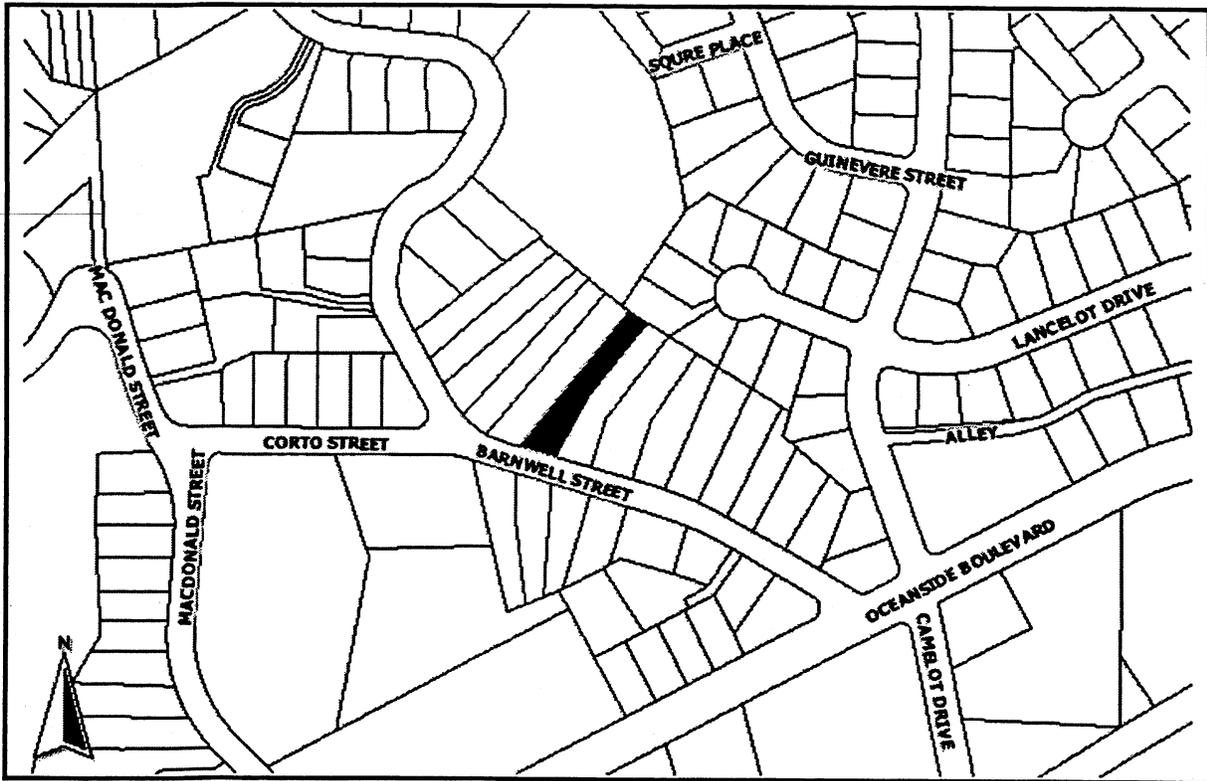
**516 S. BARNWELL  
(NEIGHBOR SOUTH OF SUBJECT PROPERTY)**



**504 S. BARNWELL  
(NORTH OF SUBJECT PROPERTY)**



**412 S. BARNWELL  
(NORTH OF SUBJECT PROPERTY)**



**File Number:** V-8-06

**Applicant:** Fatisha A. Rougely

**Description:**

VARIANCE (V-8-06) to allow a one-car garage to remain as it is after constructing a 958 square foot addition to an existing single-family residence located at 512 Barnwell Street. The project site is zoned RS (Single Family Residential) and is situated within the Loma Alta Neighborhood. **SVOBODA RESIDENCE**

**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**

Planning Department (760) 435-3520  
 Oceanside Civic Center  
 300 North Coast Highway  
 Oceanside, California 92054-2885

**STAFF USE ONLY**

ACCEPTED BY  
 6/14/06 SN.

RECEIVED  
 JUN 14 2006  
 Planning Department

Please Print or Type All Information  
**PART I - APPLICANT INFORMATION**

1. APPLICANT <b>FATISHA A. ROUGELY</b>	2. STATUS Planning Department	HEARING GPA	
3. ADDRESS <b>1345-A CAMINITO GABARDON SAN DIEGO 92108</b>	4. PHONE/FAX <b>(619) 435-7582 297-3705 (F)</b>	MASTER/SP.PLAN	
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) <b>SAME AS ABOVE</b>		ZONE CH.	
6. ADDRESS	7. PHONE/FAX	TENT. MAP	
		PAR. MAP	
		DEV. PL.	
		C.U.P.	
		VARIANCE	<b>V-8-06</b>
		COASTAL	
		O.H.P.A.C.	

**PART II - PROPERTY DESCRIPTION**

8. LOCATION <b>512 BARNWELL ST. OCEANSIDE, CA 92054</b>	9. SIZE
10. GENERAL PLAN <b>PRESIDENTIAL</b>	11. ZONING <b>RS</b>
12. LAND USE <b>SINGLE FAMILY RES.</b>	13. ASSESSOR'S PARCEL NUMBER <b>149-170-10</b>

**PART III - PROJECT DESCRIPTION**

14. GENERAL PROJECT DESCRIPTION <b>VARIANCE TO RETAIN EXISTING ONE-CAR GARAGE DUE TO LOT SIZE RESTRICTIONS REV - 8/30/06</b>			
15. PROPOSED GENERAL PLAN <b>N/A</b>	16. PROPOSED ZONING <b>N/A</b>	17. PROPOSED LAND USE <b>N/A</b>	18. NO. UNITS <b>N/A</b>
			19. DENSITY <b>N/A</b>
20. BUILDING SIZE <b>1,950</b>	21. PARKING SPACES <b>1</b>	22. % LANDSCAPE <b>N/A</b>	23. % LOT COVERAGE <b>14</b>

**PART IV - ATTACHMENTS**

ALL APPLICATIONS		DEV. PLANS, C.U.P.s & TENT. MAPS
<input checked="" type="checkbox"/> 24. DESCRIPTION/JUSTIFICATION	<input checked="" type="checkbox"/> 25. LEGAL DESCRIPTION	<input checked="" type="checkbox"/> 30. FLOOR PLANS AND ELEVATIONS
<input checked="" type="checkbox"/> 26. 300-FT. RADIUS MAP	<input checked="" type="checkbox"/> 27. PROPERTY OWNERS' LIST	<input checked="" type="checkbox"/> 31. CONSTRUCTION SCHEDULE
<input checked="" type="checkbox"/> 28. ENVIRONMENTAL ASSESSMENT	<input checked="" type="checkbox"/> 29. PLOT PLANS	32. OTHER, <b>PKS</b>

**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): <b>FATISHA A. ROUGELY</b>	34. DATE <b>6/14/06</b>	37. OWNER (Print): <b>M. SVOBODA</b>	38. DATE <b>6/12/06</b>
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.		Sign: <b>M. SVOBODA</b>	
35. APPLICANT (Print): <b>FATISHA A. ROUGELY</b>	36. DATE <b>6/14/06</b>	39. OWNER (Print): <b>KARL M. SVOBODA</b>	40. DATE <b>6-12-06</b>
Sign: <b>Fatisha A. Rougely</b>		Sign: <b>llwllwllw</b>	

RECEIVED

JUN 14 2006

Planning Department  
 Planning Department

RECEIVED

JUN 14 2006

Planning Department

APPLICATION PACKAGE FOR PLANNING DEPARTMENT PROCESSING  
PART IV-ATTACHMENTS

SVOBODA RESIDENCE  
512 BARNWELL STREET  
OCEANSIDE, CA 92054  
APN 149-170-10-00

RECEIVED  
AUG 30 2006  
Planning Department

24. DESCRIPTION OF JUSTIFICATION:

(a) THE OWNERS OF THIS PROPERTY, KARL & MARIEKE SVOBODA, WOULD LIKE TO ADD 958 SQ. FT. TO THE REAR OF THEIR EXISTING 705 SQ. FT. HOME. CURRENTLY, THE SUBJECT PROPERTY HAS AN EXISTING 287 SQ. FT. ONE-CAR GARAGE. WITH THE PROPOSED ADDITION, THE RESIDENCE WITH THE ADDITION WOULD HAVE A TOTAL LIVING AREA OF 1,663 SQ. FT. IT IS UNDERSTOOD THAT DUE TO THE SIZE OF THE PROPOSED ADDITION, THE CITY'S ORDINANCE STATES THAT WITH THIS SIZE OF ADDITION, THE RESIDENCE WOULD HAVE TO ACCOMMODATE 2 COVERED PARKING SPACES. SOME OF THE BOUNDARIES OF THE EXISTING RESIDENCE REST VERY CLOSE TO, IF NOT ON, THE SIDE YARD SETBACKS. THE LOT HAS A VERY UNUSUAL NARROW SHAPE THAT RESTRICTS BUILDING A LEGAL DRIVEWAY THAT WOULD PROVIDE ACCESS TO THE REAR. INITIALLY, THIS WAS THE OWNERS' PLAN UNTIL THEY DISCOVERED THAT THEIR LOT WOULD NOT ALLOW FOR THE CONSTRUCTION OF A NEW DRIVEWAY.

WE ARE REQUESTING A VARIANCE TO RETAIN THE EXISTING ONE-CAR GARAGE DUE TO THESE LOT RESTRICTIONS. THE CURRENT LAYOUT OF THE RESIDENCE DOES NOT ALLOW THE OWNERS TO ACQUIRE ADDITIONAL SPACE BY REMOVING OR DEMOLISHING SOME OF THE EXISTING AREAS OF THE HOME IN ORDER TO ACCOMMODATE THE TWO PARKING SPACES. SINCE THE RESIDENCE IS SO SMALL, DEMOLITION WOULD LEAVE THE SVOBODA'S WITHOUT A MAJORITY OF THEIR HOME. THE COUPLE WOULD LIKE TO ADD ON A FAMILY ROOM AND MASTER BEDROOM. THE DESIGNER OF THE PLANS INCORPORATED MANY OF THE EXISTING WALLS IN HIS DESIGN TO KEEP THE OVERALL INTEGRITY OF THE HOME. THE EXISTING WALLS WERE ALSO USED BECAUSE THERE IS SUCH LITTLE SPACE TO WORK WITH. WITH AN ADDITION, THE OWNERS WOULD LIKE TO MAXIMIZE THEIR LIVING AREA, NOT COMPROMISE IT. TEARING DOWN THE GARAGE WALL AND ADDING TO THAT SPACE FOR A TWO-CAR

GARAGE WOULD REQUIRE THE COUPLE TO FORFEIT THEIR EXISTING LIVING ROOM AND KITCHEN.

THE PLOT PLAN FOR THIS PROJECT CLEARLY INDICATES THAT THE UNIQUE SHAPE AND SIZE OF THE LOT LIMITS CONSTRUCTION DEVELOPMENT TO THE REAR OF THE EXISTING PROPERTY. THE COUPLE DOES NOT INTEND TO BUILD INTO THE SETBACKS SO THEY HAVE DECIDED TO ADD THEIR ADDITIONAL SQUARE FOOTAGE IN THE BACK; THE ONLY SCENARIO POSSIBLE DUE TO THE SPECIAL LOT-RESTRICTIVE CIRCUMSTANCES.

(b) ADHERING TO THE REQUIREMENTS OF THE CITY ORDINANCE FOR A TWO-CAR GARAGE WOULD DEPRIVE THE SVOBODAS OF BEING ABLE TO MAINTAIN THE AESTHETICS AND INTEGRITY OF THEIR HOME IN COMPARISON TO THE NEIGHBORING HOMES IN THEIR AREA. MANY, IF NOT ALL, OF THE NEIGHBORING PROPERTIES ADJACENT TO AND NEAR KARL & MARIEKE HAVE ONE-CAR GARAGES. IF THE SVOBODAS ARE FORCED TO HOUSE A TWO-CAR GARAGE, IT WOULD BE THE ONLY ONE ON THE BLOCK-INCONSISTENT WITH THE SURROUNDING HOMES-AND WOULD STICK OUT LIKE A SORE THUMB.

DUE TO THE NATURE OF THE PROPOSED VARIANCE, GRANTING THIS APPLICATION AND APPROVING THE VARIANCE SHALL BEAR NO BURDEN ON THE SURROUNDING NEIGHBORHOODS. AN APPROVAL WILL NOT COMPROMISE PUBLIC SAFETY OR WELFARE. AN APPROVAL WILL ALLOW THE SVOBODAS TO MAINTAIN A HOME THAT APPEARS CONSISTENT WITH THE OTHER HOMES IN THE NEIGHBORHOOD. THE PROPOSED REAR ADDITION WOULD NOT AFFECT THE OVERALL LOOK OF THE HOUSE FROM A FRONT-VIEW PERSPECTIVE, WHICH IS IMPORTANT IN EVERY NEIGHBORHOOD OR COMMUNITY. FROM THE STREET, THE SVOBODA HOUSE AND EXISTING ONE-CAR GARAGE MAINTAIN THE CHARACTER OF THE EXISTING RESIDENCE, WHILE KEEPING WITH THE AESTHETICS OF THE SURROUNDING HOMES. A TWO-CAR GARAGE NEGATES THIS.

(c) GRANTING THIS VARIANCE WILL PROVE TO BE CONSISTENT WITH THE PURPOSES OF THIS ORDINANCE AND DEEM THIS PROJECT NULL AND VOID OF ANY SPECIAL PRIVILEGES THAT WOULD SHOW AN INCONSISTENCY WITH THE LIMITATIONS ON OTHER PROPERTIES IN THE VICINITY. THE VARIANCE APPROVAL WILL ENABLE THE OWNERS TO MAKE NECESSARY REVISIONS AND/OR ADDITIONS WITH THE COMPLETION OF THEIR PROPOSED ADDITION. IT WILL ALSO ALLOW THE SVOBODAS TO BRING THE HOME UP TO TODAY'S STANDARDS.

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY 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 SAN DIEGO COUNTY, JANUARY 13, 1930 AS DOCUMENT NO. 1814 IN BOOK 1724, PAGE 274 OF DEEDS; THENCE SOUTH  $74^{\circ}20'$  EAST ALONG SAID NORTHERLY LINE 17.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH  $38^{\circ}32'20''$  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  $51^{\circ}31'$  EAST ALONG SAID NORTHEASTERLY LINE 43 FEET; THENCE SOUTH  $37^{\circ}42'02''$  WEST 179.48 FEET; THENCE SOUTH  $28^{\circ}10'$  WEST 120 FEET TO A POINT IN SAID NORTHEASTERLY LINE OF SAID STREET; THENCE NORTH  $74^{\circ}20'$  WEST ALONG SAID NORTHEASTERLY LINE 73 FEET TO THE TRUE POINT OF BEGINNING.

LEGAL DESCRIPTION

FILED  
Gregory J. Smith, Recorder/County Clerk

NOV 02 2006



CITY OF OCEANSIDE  
PLANNING DEPARTMENT

A. Consul

BY \_\_\_\_\_ DEPUTY

# NOTICE OF EXEMPTION

TO: X RECORDER/COUNTY CLERK  
COUNTY OF SAN DIEGO  
P.O. BOX 1750  
SAN DIEGO, CA 92112-4147

PROJECT TITLE AND FILE NUMBER:  
SVOBODA VARIANCE (V-8-06)

PROJECT LOCATION - SPECIFIC:  
512 Barnwell St.

PROJECT LOCATION - GENERAL:  
City of Oceanside

DESCRIPTION OF NATURE, PURPOSE AND BENEFICIARIES OF PROJECT:  
A Variance to allow an existing one car garage to remain, while constructing a 958 square foot addition to the rear of the existing home.

NAME OF PUBLIC AGENCY APPROVING PROJECT:  
City of Oceanside

NAME OF PERSON(S) OR AGENCY CARRYING OUT PROJECT:  
Fatisha A. Rougely  
1395 A Camino Gabaldon  
San Diego, CA 92108  
(619) 865-7588

Exempt Status per the Guidelines to Implement the California Environmental Quality Act (CEQA)  
(Public Resources Code Section 21000 et. al.):

NOT SUBJECT TO CEQA PER THE GENERAL RULE, SECTION 15061(B)(3)

STATUTORY EXEMPTION PER ARTICLE 18, SECTION(S)

CATEGORICAL EXEMPTION PER ARTICLE 19, SECTION(S) 15303

REASONS WHY PROJECT IS EXEMPT:

The project involves an addition to an existing single family home .

Contact Person: Scott Nightingale, Planner II

  
\_\_\_\_\_  
SIGNATURE For: Jerry Hittleman, City Planner  
October 30, 2006  
DATE

CITY HALL, 300 NORTH COAST HIGHWAY, OCEANSIDE CA 92054, TELEPHONE (760) 435-3520, FAX (760) 435-3538

FILED IN THE OFFICE OF THE COUNTY CLERK  
San Diego County on NOV 02 2006  
Posted NOV 02 2006 Removed \_\_\_\_\_  
Returned to agency on \_\_\_\_\_  
Deputy A. Consul