# AGENDA NO. 5

**PLANNING COMMISSION** **STAFF REPORT**

DATE: August 27, 2012

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A REGULAR COASTAL PERMIT (RC12-00010) TO PERMIT THE REPLACEMENT OF AN EXISTING SECOND STORY BALCONY OVER AN ENTRY WITHIN AN EXTENSION OF THE ROOF AND TO CONSTRUCT A 52.3-SQUARE FOOT STORAGE AREA WITHIN THE LOWER PORTION OF AN EXISTING DECK OF A SINGLE-FAMILY RESIDENCE LOCATED AT 56 SAINT MALO BEACH – MUNZER RESIDENCE – APPLICANT: DAN & PAM MUNZER**

## RECOMMENDATION

Staff recommends that the Planning Commission by motion:

(1) Confirm issuance of a Class 3 Categorical Exemption for New Construction or Conversion of Small Structures; and adopt Planning Commission Resolution No. 2012-P40 approving Regular Coastal Permit (RC11-00010) with findings and conditions of approval attached herein.

## PROJECT DESCRIPTION AND BACKGROUND

**Background:** The 0.19-acre site is within the South Oceanside Neighborhood, within the Saint Malo Beach residential community. The property contains a single-family residence constructed prior to the 1986 Local Coastal Program adoption date, so a regular coastal permit was not necessary at the time of the home's original construction.

The property is relatively flat with a minimal grade differential of five feet between the highest and lowest points of the site. Surrounding land uses include single-family residential (R1) developments in all directions and the Buena Vista Lagoon/Open Space (OS) to the south.

The subject site is currently zoned Single-Family Residential (R1) and the General Plan land use designation is Residential.

**Site Review:** The site is zoned R-1 (Single-Family Residential) and has a land use designation of Single-Family Detached Residential (SFD-R). The underlying neighborhood district is South Oceanside and surrounding land uses include: Single-Family Residential (R-1) homes to the north and east, the Pacific Ocean exist to the west and the Buena Vista Lagoon is located directly to the south of the project site.

Being situated within the coastal zone, the project requires a Regular Coastal Permit, pursuant to Section III.D.1 of the Coastal Permit Handbook adopted May 8, 1985. The property is also within the "appeal jurisdiction" of the City's Coastal Zone. Under the certified Local Coastal Program (LCP), any local action by the City on this proposed coastal development permit may be appealed to the California Coastal Commission.

**Project Description:** The project application is comprised of a Regular Coastal Permit.

Regular Coastal Permit (RC12-00010) represents a request for the following:

(a) This project would allow the construction of an approximate 52.26-square foot storage room under an existing balcony space and the reconstruction of a second story balcony with railing to a roof overhang over an existing entry located at 56 Saint Malo Beach. This deck/balcony conversion to a roof will be consistent in size, shape, design, colors, and materials as the existing roof. The foot print of the home will not be altered with the construction of the balcony conversion and the storage area, because the balcony conversion and the construction of the storage area to the portion of the southwestern balcony will be entirely within the same square footage as the existing balcony above. Several interior upgrades are included with the construction, but these upgrades do not require a Coastal Permit, because the changes do not alter the exterior of the home or square footage. Other improvements that will be incorporated with this plan will consist of an outdoor beach shower attached to the exterior of the home, new gutter spouts, a new fence on the west side of the garage face, new pocket doors to the lower family room, and a change from a French door to a window for the removal of the balcony to the newly constructed roofing overhang over the entry.

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

1. General Plan Land Use Element
2. Zoning Ordinance
3. Local Coastal Program
4. California Environmental Quality Act

## ANALYSIS

KEY PLANNING ISSUES

### 1. General Plan Compliance

Goal 1.23: Architecture

Objective: The architectural quality of all proposed projects shall enhance neighborhood and community values and City image.

Policy:

A. Architectural form, treatments, and materials shall serve to significantly improve the visual image of the surrounding neighborhood.

The proposed minor improvements would not extend southward or westward beyond the existing footprint of the single-family residence. No established string line is established near this property, and views shall not be obstructed from all directions due to the limited amount of homes in this area.

The proposed addition would not alter public views or any views of adjoining neighbors, because the improvements are within the footprint of the home and not within proximity of public beach access areas. The proposed project is in conformance with the General Plan; therefore the project is compatible to the surrounding properties and neighborhood character.

### 2. Zoning Ordinance Compliance

The existing structure and the proposed addition shall meet all of the development regulations of the underlying R1 zone per the 1986 Oceanside Zoning Ordinance in effect in the Coastal Zone. Such projects are reviewed for compatibility with existing and surrounding development, as well as applicable public beach access regulations.

The purpose of the R1 District is to provide opportunities for tourist and year-round visitor-serving facilities, including permanent and transient residential and related uses, within the City's Coastal Zone.

Table 1 compares the existing structure to local property development regulations pursuant to Article 32, Residential Tourist Zone Property Development Regulations.

Table 1 Development Standards

| Requirement | Required | Existing | Proposed |
|---|---|---|---|
| Front | 20 feet | 35 feet | No change |
| Side | 5 feet | 6.6 feet | No change |
| Minimum Rear Yard | 15 feet & outside of the 100 feet habitat buffer | 16 feet | No change |
| Height | 35 feet | 25.6 feet | No change |

3. **Local Coastal Program Compliance**

The proposed project is within the appeal jurisdiction of the Local Coastal Program (LCP) and complies with all provisions of this program. The proposed improvements to the home will not exceed the 35-foot height limit within the Single-Family Residential (R1) District.

## DISCUSSION

*Issue: Project Compatibility with the Existing Neighborhood and surrounding properties*
Will all improvements to the property be consistent with, and compatible to, the existing residence and the adjoining homes in the surrounding area?

*Recommendation:* Staff finds that (in terms of height, design, bulk and distance from the established setback areas) the deck/balcony conversion to a roof overhang for the existing entry way and the addition of a small 52.6-square foot storage area under the southwestern balcony would be consistent with the existing residence and will be consistent with the surrounding neighborhood. Many of the adjoining neighbors in the area have similar roof features and storage areas on their homes, so the improvements will not be out of character with the surrounding neighborhood. The proposed design and material will be architecturally similar to the existing home, and will keep with the Dutch architectural theme within the Saint Malo community.

## ENVIRONMENTAL DETERMINATION

The project is exempt under the provisions of the California Environmental Quality Act (CEQA) Class 3, Section 15303(b) New Construction or Conversion of Small Structures.

## PUBLIC NOTIFICATION

Legal notice was published in the North County Times and notices were sent to residents within a 300-foot radius, and property owners of record within a 100-foot radius of the subject property, individuals and/or organizations requesting notification, the applicant and other interested parties.

## SUMMARY

The proposed Regular Coastal Permit (RC12-00010), as conditioned, is consistent with the land use policies of the General Plan, the requirements of the Zoning Ordinance, and the policies of the Local Coastal Program. The project has been conditioned to meet or exceed all applicable standards. As such, staff recommends that the Planning Commission approve the project based on the findings and subject to the conditions contained in the attached Resolution. Staff recommends that the Planning Commission:

-- Move to approve Regular Coastal Permit (RC12-00010) and adopt Planning Commission Resolution No. 2012-P40 as attached.

PREPARED BY:

Scott Nightingale
Planner II

SUBMITTED BY:

John Helmer
Interim City Planner

Attachments:

1. Site Plan/Floor Plan and Elevations
2. Planning Commission Resolution No. 2012-P40

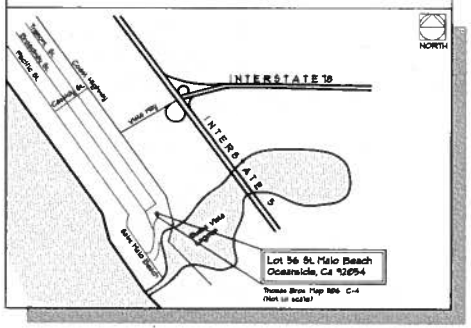
# MUNZER

# Remodel / Addition

## PROJECT DIRECTORY

| | |
|---|---|
| OWNER | Dan & Pam Munzer<br>56 St. Malo Beach<br>Oceanside, CA 92054<br>h. 714-895-4953 |
| ARCHITECT | John S. Berry, Architect, A.I.A.<br>2091 Las Palmas, Suite D<br>Carlsbad, CA 92011<br>p: 760.438.2963<br>f: 760.438.2965 |
| STRUCTURAL ENGINEER | T.B.D. |
| MECHANICAL ENGINEER (T24 Only) | T.B.D. |
| SOILS ENGINEER | T.B.D. |
| GENERAL CONTRACTOR | T.B.D. |
| GOVERNING AGENCY | City of Oceanside<br>300 North Coast Highway<br>Oceanside, CA 92054<br>p: 760-435-3950 |

## VICINITY MAP




FIRE DEPARTMENT NOTES

1. Approved address numbers shall be placed on the structure in such a position as to be plainly visible and legible from the street or roadway fronting the property. Numbers shall be minimum of four inches in height and contrasting with their background.
2. Plans will comply with California Residential code.

## SHEETS


| | |
|---|---|
| T-1 | Title Sheet |
| C-1 | Site Plan |
| A-1 | New Main & New Upper Floor Plan |
| A-2 | New Roof Plan |
| A-3 | New Exterior Elevations |


## PROJECT DATA

**PROJECT DESCRIPTION**

The project is to complete general construction to plumbing, electrical, HVAC, roofing and interior finish for maintenance and repair to existing conditions without adding any square footage to the project and to provide new remodeles for the vacation home to function better while in use. Pocket doors to lower family, provide upgrades to existing family bar, provide some exterior bench storage (50 s.f.) & provide new bench shower (13 s.f.) under existing deck, add new transfer bath to bedroom and enlarge master shower, partial kitchen remodel, provide new gutter and downspout system & general upgrades to the property neighbored over time. Provide new fence to match existing on west side of existing garage.

**PROJECT LOCATION**

56 ST. MALO BEACH
OCEANSIDE, CA 92054

**LEGAL DESCRIPTION**

THAT PORTION OF LOT 3 IN SECTION 1, TOWNSHIP 12 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF OCEANSIDE, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF PACIFIC STREET, AS SAID STREET IS SHOWN ON MAP NO. 800, OF OCEAN FRONT ADDITION, FILED IN THE OFFICE OF COUNTY RECORDER OF SAN DIEGO COUNTY, WITH THE NORTH LINE OF SAID LOT 3; THENCE SOUTH 41°30' EAST ALONG THE SOUTHEASTERLY PROLONGATION OF SAID CENTER LINE OF PACIFIC STREET, 225.34 FEET TO THE BEGINNING OF A TANGENT CURVE

CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 75.39 FEET AND A CENTRAL ANGLE OF 76°09'; THENCE SOUTHEASTERLY ON THE ARC OF SAID CURVE 100.09 FEET TO A POINT OF COMPOUND CURVATURE WITH A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 1432.46 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 2°42'42" AN ARC DISTANCE OF 67.82 FEET; THENCE ALONG THE PROLONGATION OF A RADIAL LINE SOUTH 29°59'42" EAST, 115.52 FEET; THENCE NORTH 59°49'17" EAST, 64.71 FEET TOT HE SOUTHWESTERLY LINE OF PARCEL 2 OF THE LAND DESCRIBED IN DEED TO FRANCES MOULTON, BY UE, RECORDED OCTOBER 9, 1946 IN BOOK 3241, PAGE 394 OF OFFICIAL RECORDS; THENCE ALONG SAID SOUTHWESTERLY LINE SOUTH 32°22'42" EAST, 34.87 FEET TO THE MOST SOUTHERLY CORNER OF SAID LAND, BEING THE TRUE POINT OF BEGINNING; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID LAND NORTH 32°37'32" EAST, 65.46 FEET TO THE MOST EASTERLY CORNER OF SAID PARCEL 2; THENCE SOUTH 34°46'42" EAST, 119.74 FEET TOT HE MOST NORTHWESTERLY LINE OF A PARCEL OF LAND DESCRIBED IN DEED TO NANCY SUSIE TEDAGLIA, RECORDED JUNE 3, 1980 AS DOCUMENT NO. 117275 OF OFFICIAL RECORDS; THENCE ALONG SAID NORTHWESTERLY LINE SOUTH 32°37'32" WEST TO THE SOUTHEASTERLY PROLONGATION OF THE SOUTHWESTERLY LINE OF SAID MOULTON'S LAND ABOVE MENTIONED; THENCE ALONG SAID SOUTHEASTERLY PROLONGATION NORTH 32°22'42" WEST, 119.34 FEET TO THE TRUE POINT OF BEGINNING.

**A.P.N.** 155-101-57-08

**SETBACKS**
FRONT: 20'-0" from property line
SIDES: 5'-0" (10% Lot Width, not less than 3', & not more than 5')
REAR: 15'-0" from property line
LAGOON: 15'-0" from any property line fronting lagoon

**FEMA**
Lagoon waterline elevation = 15.1' above sea level datum.
Finish floor elevation = Existing No Change

**LOT SIZE** 8,308 S.F.

**ZONE** R-1

**OVERLAY ZONE(S)** Coastal Overlay Zone

**REQUIRED PARKING**
(2) Off street required
(2) Off street provided (existing)

**LOT COVERAGE** 40% MAXIMUM = (3,323.2 s.f.max.) > (2,808 S.F. Existing) = 33.8%

**BUILDING HEIGHT**
MAXIMUM: 35'-0" MAX.
PROPOSED: 25'-0" Existing to remain

**FLOOR AREA**

| | EXISTING | PROPOSED |
|---|---|---|
| -Existing Main Floor | 1,110 SF | 0 SF |
| -Existing Upper Floor | 2,210 SF | 0 SF |
| TOTAL | 3,320 SF | 0 SF |

| | |
|---|---|
| -Existing Garage | 423 SF |
| -Existing Deck | 583 SF |
| -NEW Exterior Bench Storage | 50 SF |
| New exterior shower | 13 SF |

**TYPE OF CONSTRUCTION CODES** TYPE VB NON-RATED

These plans and all work shall comply with the 2010 edition of the California Building Standard Code found in Title of California Title 24 CCR as amended and adopted by the City of Oceanside which includes the 2010 California Building Code and 2010 California Residential Code.

Design to comply with Section 1613 CBC 2010 (Floor Loads) and CBC Section 1403.5 Flood resistance and CBC Section 1403.6 Breakaway construction.

The 2010 editions of the California Building codes will be based on the following model codes:

- 2010 California Residential Code
- 2010 California Green Building Code
- 2010 California Building Code based on 2009 IBC
- 2010 California Fire Code (CFC) based 2006 IFC
- 2010 California Mechanical Code (CMC) based 2009 UMC
- 2010 California Plumbing Code (CPC) based on 2009 UPC
- 2010 California Electrical Code (CEC) based on 2008 NEC

Construction Hours are limited to 7 am to * pm Monday thru Saturday

| REVISIONS | By |
|---|---|
| | |

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BERRY GROUP INC
ARCHITECTURE
2091 Las Palmas Drive, Suite D
Carlsbad, CA 92011
760.438.2963

MUNZER ADDITION / REMODEL
LOT 56, ST. MALO BCH
OCEANSIDE, CA

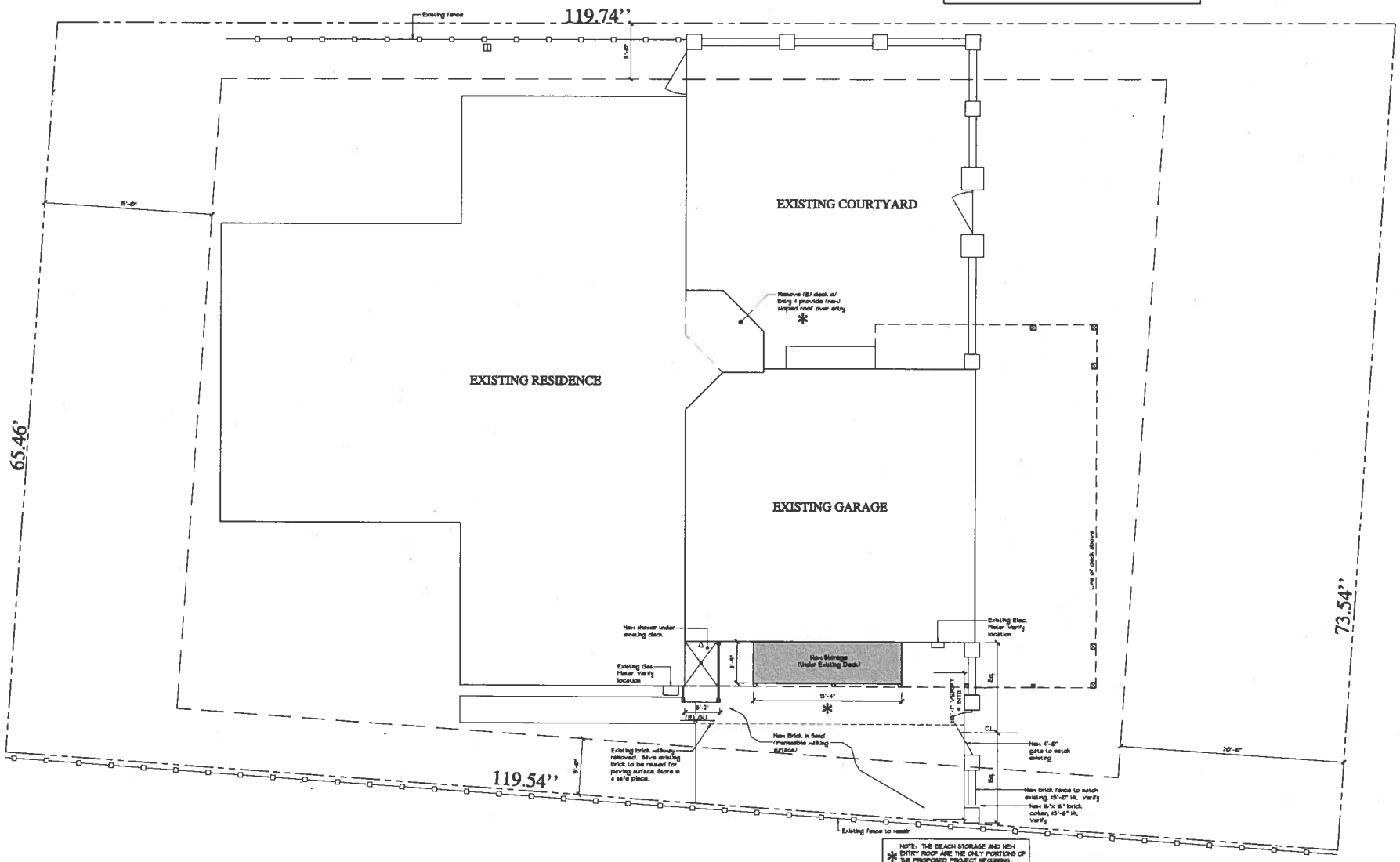
Date ----
Scale 1/4"=1'-0"
Drawn by: MA
Job No. 1209
Sheet T-1
of Sheets

06.29.12

## LANDSCAPE NOTES

1 Protect existing grape stake wood fence panels, trim back existing oleanders and provide new galv. steel post (painted) w/ concrete footings and reinstall existing wood fence panels & gate. Provide new gate hardware as necessary.

NORTH




NOTE: THE BEACH STORAGE AND NEW ENTRY ROOF ARE THE ONLY PORTIONS OF THE PROPOSED PROJECT REQUIRING PLANNING AND COASTAL DISCRETIONARY REVIEW REVIEW & APPROVAL

I have reviewed these accessible elevations and have approved their contents as including all of the design intents I had previously authorized. I understand my project will be constructed as specified by these accessible elevations.

Signature Date

# SITE PLAN

REVISIONS By

LICENSED ARCHITECT JOHN S. BERRY C-7100 RES. 5815 STATE OF CALIFORNIA

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BERRY GROUP INC.
ARCHITECTURE
3091 Los Primos Drive, Suite D
Carlsbad, CA 92011
760.434.3963

MUNZER ADDITION / REMODEL
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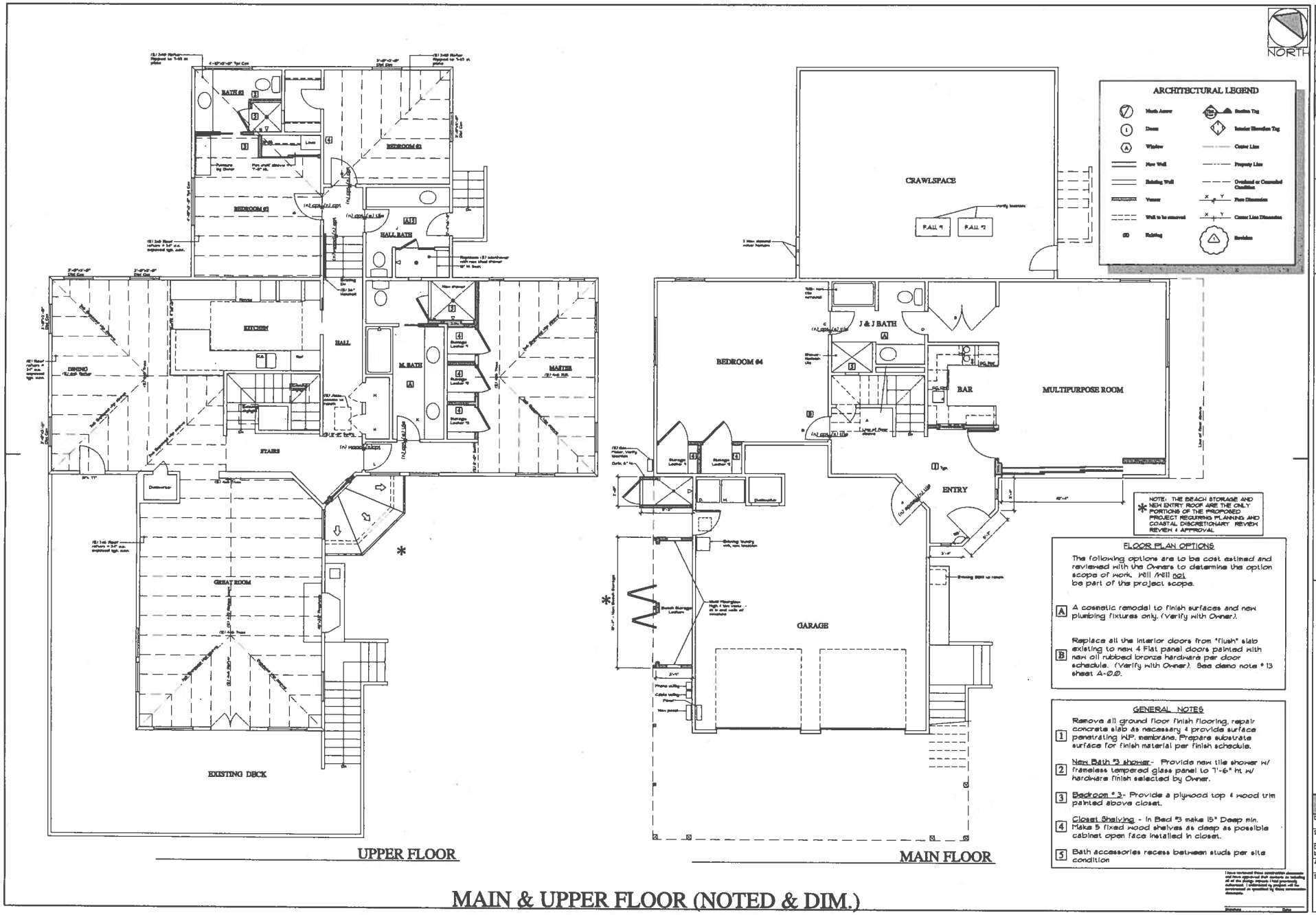


NOTE: THE BEACH STORAGE AND NEW ENTRY ROOF ARE THE ONLY PORTIONS OF THE PROPOSED PROJECT REQUIRING PLANNING AND COASTAL DISCRETIONARY REVIEW REVIEW & APPROVAL

## FLOOR PLAN OPTIONS

The following options are to be cost estimed and reviewed with the Owners to determine the option scope of work. Will /Will not be part of the project scope.

A — A cosmetic remodel to finish surfaces and new plumbing fixtures only. (Verify with Owner).

B — Replace all the interior doors from "flush" slab existing to new 4 Flat panel doors painted with new oil rubbed bronze hardware per door schedule. (Verify with Owner). See demo note # 13 sheet A-0.0.

## GENERAL NOTES

1. Remove all ground floor finish flooring, repair concrete slab as necessary & provide surface penetrating W.P. membrane. Prepare substrate surface for finish material per finish schedule.
2. New Bath #3 shower - Provide new tile shower w/ frameless tempered glass panel to 7'-6" ht w/ hardware finish selected by Owner.
3. Bedroom # 3 - Provide a plywood top & wood trim painted above closet.
4. Closet Shelving - In Bed #3 make 15" Deep min. Make 5 fixed wood shelves as deep as possible cabinet open face installed in closet.
5. Bath accessories recess between studs per site condition

# MAIN & UPPER FLOOR (NOTED & DIM.)

REVISIONS | By

LICENSED ARCHITECT ★ VIRGINIA STATE OF CALIFORNIA — JOHN S. BEERY — C-1508 — REN. 12/03

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ARCHITECTURE — BEERY GROUP INC.
2091 Las Palmas Drive, Suite D
Carlsbad, CA 92011
760.438.2363

MUNZER ADDITION / REMODEL
LOT 56, ST. MALO BCH
OCEANSIDE, CA

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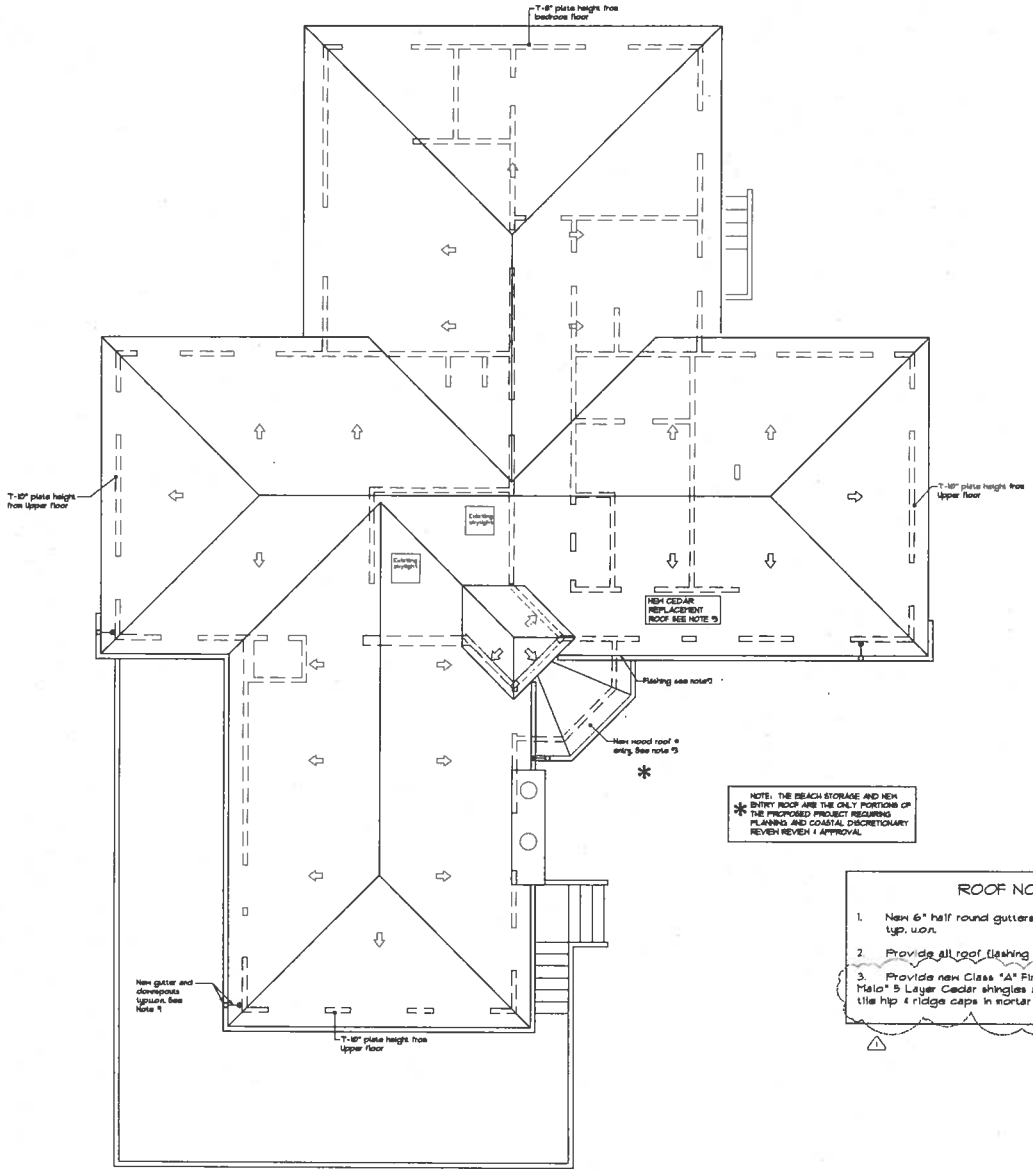


* NOTE: THE BEACH STORAGE AND NEW ENTRY ROOF ARE THE ONLY PORTIONS OF THE PROPOSED PROJECT REQUIRING PLANNING AND COASTAL DISCRETIONARY REVIEW REVIEW & APPROVAL

## ROOF NOTES

1. New 6" half round gutters & full round downspouts typ. u.o.n.
2. Provide all roof flashing to be copper typ. u.o.n.
3. Provide new Class "A" Fire rated assembly. "San Malo" 5 Layer Cedar shingles w/ "Satillo" barrel slay tile hip & ridge caps in mortar typ. u.o.n.

1

# EXISTING/ NEW ROOF PLAN

| REVISIONS | By |
|---|---|
| 1 07.30.12 | HOA |

LICENSED ARCHITECT ★ STATE OF CALIFORNIA ★ JOHN S. BEERY ★ C-1608 REX. 10/03

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ARCHITECTURE
BEERY GROUP INC.
2091 Las Palmas Drive, Suite D
Carlsbad, CA 92011
760.438.2983

MUNZER ADDITION / REMODEL
LOT 56, ST. MALO BCH
OCEANSIDE, CA

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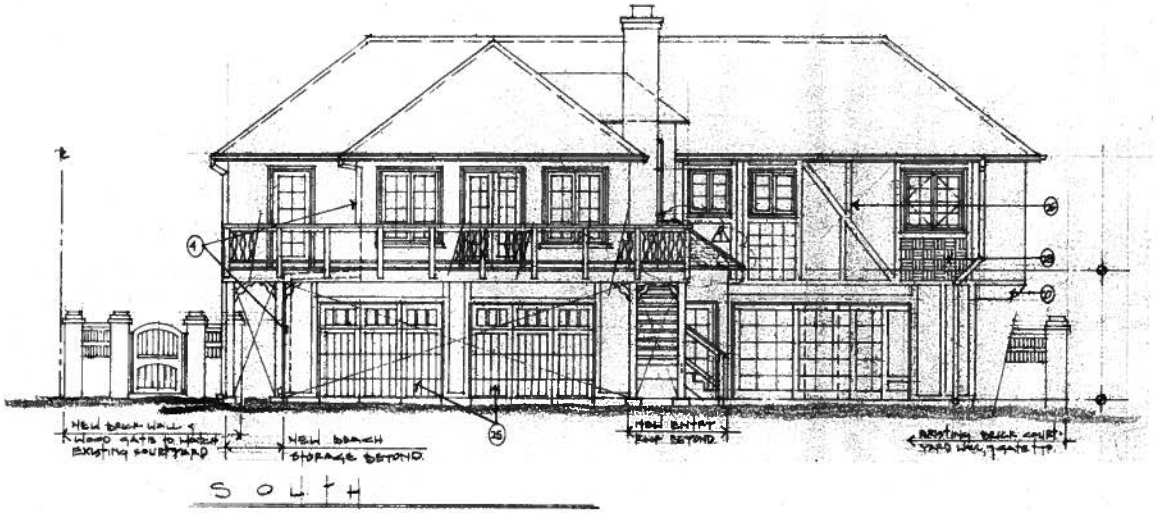


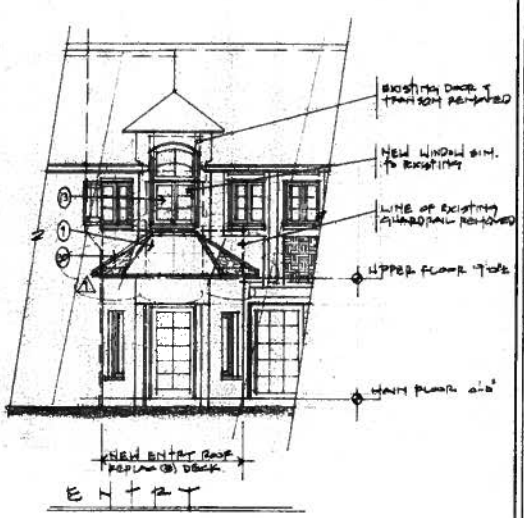


## MATERIAL LEGEND

| | | |
|---|---|---|
| 1 | ROOF AS - | Traditional "Sea Water" & Sage Cedar shingle roof (new second - "Super-Lite" fire rated shingles required in a standard "Santa" blend only the not in mirror hips & ridges lighter). |
| 2 | FASCIA - | 1X Fascia board painted w/ solid pigmented satin painted lgt. sum. sealing |
| 3 | GUTTER, DOWNSPOUTS - | 6" Half round copper gutter & full round downspouts lgt/sat |
| 4 | CHIMNEYS - | Concealed white cell downspout. |
| 5 | STUCCO - | Exterior walls, 3 coat, stucco or EIF, & wire mesh w/ "smooth" sand finish coat painted lgt. sum. |
| 6 | WATER HEATERS - | Owners Water heaters lgt. sum. verify location. |
| 7 | GAS METERS - | Existing gas meter to remain. |
| 8 | T.V. - | Meter proof the main or stucco base on walls & ceiling. |
| 9 | DOORS - | Fiberglass solid core, exterior doors w/ locking hardware, stain painted lgt. sum. - all exterior door hardware shall be oil rubbed bronze. |
| 10 | FOUNDATION - | Concrete foundations poured w/ dowels connected to HS, with primer and sand trap drain out & breakaterior drain cover. |
| 11 | FOUNDATION - | Concrete slab w/ continuous footings lgt. sum. |
| 12 | WINDOWS - | Substituent V.Dl., wood casement window primed & painted interior & exterior lgt. sum. |
| 13 | GUARDRAIL - | 4x Wood posts equally spaced w/ 2x6 top handrail with slot, 2x6 top and bottom rail "Sandwiching the 2x4 shaped balusterade lgt. sum. |
| 14 | TRIM - | 4" Wood trim primed and painted lgt/sat sum. |
| 15 | DECORATIVE - | Basement water and petrol tank to be replaced for maintenance |
| 16 | FRONT GARDEN - | Photos & plants known to remain. |
| 17 | IRRIGATION - | Irrigation controller to be relocated |
| 18 | POST - | 4x4 Post painted lgt. sum |
| 19 | POST - | 4x4 Post painted, 4 of 4 across from alternation lgt. sum. only |
| 20 | BRACKETS - | 4x Shaped round brackets painted lgt. sum. |
| 21 | CEILING - | Wood panels primed & painted lgt. sum. |
| 22 | CORICIAS - | Plantations HP. sandstone lgt. sum. |
| 23 | GUTTERS - | 5" Wood "plank & nail" shutters painted lgt. sum. |
| 24 | GARAGE DOOR - | 4 Panel Oak overlayed doors w/ black, paradise & opener - door finish to "Carriage Light" painted lgt/sat |
| 25 | TRIM - | 5/4 - "Half Timber" wood trim primed & painted lgt. sum. |
| 26 | RAILING - | Exposed 2x4x Wood trellis primed & painted lgt. sum. |
| 27 | TRANSOM - | Site lamp cement "wagging" in trellis relative primed lgt. sum. |
| 28 | ROOF - | NOT USED |
| 29 | FLOORING - | All roof and wall flashing is copper (required) |
| | NOTE: | All exterior exposed trim shall be "brush" primed on all sides and all one shall be "spray" primed prior to installation |
| | NOTE: | All exterior fair shelve and panels shall match existing and be approved by Owner lgt. sum. |

| REVISIONS | By |
|---|---|
| 1 7/30/08 | |

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ARCHITECTURE
BERRY GROUP INC.
2091 Las Palmas Drive, Suite D
Carlsbad, CA 92011
760-729-7991

# MUNZER REMODEL
LOT 56, ST. MALO BCH
OCEANSIDE, CA

Date: ----
Scale: 1/8" = 1'-0"
Drawn by: J.B.
Job No. 0809
Sheet: A-3
of Sheets

PLANNING COMMISSION
RESOLUTION NO. 2012-P40

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A REGULAR COASTAL PERMIT ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

---

APPLICATION NO: RC12-00010
APPLICANT: Dan & Pam Munzer
LOCATION: 56 St. Malo Beach

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a Regular Coastal Permit (RC12-00010) under the provisions of the City of Oceanside Local Coastal Program to permit the following:

construction of an approximate 52.26-square foot storage room under an existing balcony space and the reconstruction of a second story balcony with railing to a roof overhang over an existing entry located at 56 Saint Malo Beach;

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 27th day of August, 2012 conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto; this project has been found to be categorically exempt from environmental review per Article 19, Section 15303 (a) "New Construction or Conversion of Small Structures";

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

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

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| Description | Authority for Imposition | Current Estimate Fee or Calculation Formula |
|---|---|---|
| Parkland Dedication/Fee | Ordinance No. 91-10<br>Resolution No. 06-R0334-1 | $3,503 per unit |
| Drainage Fee | Ordinance No. 85-23<br>Resolution No. 06-R0334-1 | Depends on area (range is $2,843-$15,964 per acre) |
| Public Facility Fee | Ordinance No. 91-09<br>Resolution No. 06-R0334-1 | $.713 per square foot or $713 per thousand square feet for non-residential uses and $2,072 per unit for residential |
| School Facilities Mitigation Fee | Ordinance No. 91-34 | $.42 per square foot non-residential for Oceanside ($.42 for Vista and Fallbrook)<br>$2.63 per square foot residential ($2.63 for Vista; $2.63 for Fallbrook) |
| Thoroughfare Fee (For commercial and industrial please note the 75 percent discount) | Ordinance No. 83-01<br>Resolution No. 06-R0334-1 | $255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG) |
| Water System Buy-in Fees | Oceanside City Code §37.56.1<br>Resolution No. 87-96<br>Ordinance No. 05-OR 0611-1 | Fee based on water meter size. Residential is typically $4,597 per unit; Non-residential is $36,775 for a 2" meter. |
| Wastewater System Buy-in fees | Oceanside City Code § 29.11.1<br>Resolution No. 87-97<br>Ordinance No. 05-OR 0610-1 | Based on capacity or water meter size. Residential is typically $6,313 per unit; Non-residential is $50,501 for a 2" meter. |
| San Diego County Water Authority Capacity Fees | SDCWA Ordinance No. 2005-03 | Based on meter size. Residential is typically $4,326 per unit; Non-residential is $22,495 for a 2" meter. |

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;

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

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

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

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

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

FINDINGS:

For the Regular Coastal Permit:

1. The proposed construction of an approximate 52.26-square foot storage room under an existing balcony space and the reconstruction of a second story balcony with railing to a roof overhang over an existing entry at an existing residence at 56 St. Malo Beach is consistent with the land use policies of the Local Coastal Program as implemented through the Zoning Ordinance. Specifically, the project will not substantially alter or impact existing public views of the coastal zone area and the physical aspects of the project are consistent with existing development on neighboring sites. The applicant has designed the improvements within the confines of the existing single family home.
2. The proposed improvements will not obstruct any existing, planned, or required public beach access; therefore, the project is in conformance with the policies of Chapter 3 of the Coastal Act.

3. The project will not result in the loss of any on-street public parking spaces, as the minor improvements to the existing single family residence, will not trigger additional parking or take away from the existing parking fronting the project site.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve Regular Coastal Permit (RC12-00010) subject to the following conditions:

**Building:**

1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building Division plan check.
2. Construction shall comply with the latest edition of the California Codes.
3. Construction hours are limited to 7:00 a.m. to 6:00 p.m. Monday through Friday.
4. The developer shall monitor, supervise and control all building construction and supporting activities so as to prevent these activities from causing a public nuisance, including, but not limited to, strict adherence to the following:
   a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for work that is not inherently noise-producing. Examples of work not permitted on Saturday are concrete and grout pours, roof nailing and activities of similar noise-producing nature. No work shall be permitted on Sundays and Federal Holidays (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Day) except as allowed for emergency work under the provisions of the Oceanside City Code Chapter 38 (Noise Ordinance).
   b) 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 approved solid waste containers shall be considered compliance with this requirement. Small amounts of construction debris may be stored on-site in a neat, safe manner for short periods of time pending disposal.

**Fire:**

5. Fire Department requirements shall be placed on plans in the notes section.

**Planning:**

6. This Regular Coastal Permit shall expire two years from its effective date (i.e., on August 27, 2014 if not appealed), unless implemented per the Zoning Ordinance or unless the Planning Commission grants a time extension.

7. This Regular Coastal Permit approves the construction of an approximate 52.26-square foot storage room under an existing balcony space and the reconstruction of a second story balcony with railing to a roof overhang over an existing entry located at 56 Saint Malo Beach, as presented to the Planning Commission for review and approval. No deviation from these approved plans and exhibits shall occur without Planning Division approval. Substantial deviations shall require a revision to the Regular Coastal Permit or a new Regular Coastal Permit.

8. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold harmless the City of Oceanside, its agents, officers or employees from any claim, action or proceeding against the City, its agents, officers, or employees to attack, set aside, void or annul an approval of the City, concerning Regular Coastal Permit (RC12-00010). The City will promptly notify the applicant of any such claim, action or proceeding against the City and will cooperate fully in the defense. If the City fails to promptly notify the applicant of any such claim action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.

9. Prior to the issuance of building permits, compliance with the applicable provisions of the City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed and approved by the Planning Division. These requirements, including the obligation to remove or cover with matching paint all graffiti within 24 hours, shall be noted on the Architectural Site Plan and shall be recorded in the form of a covenant affecting the subject property. A covenant or other recordable document approved by the City Attorney shall be prepared by the applicant and recorded prior to the issuance of building permits. The covenant shall provide that the property is subject to this resolution, and shall generally list the conditions of approval.

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

11. Failure to meet any conditions of approval for this development shall constitute a violation of the Regular Coastal Permit.

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

13. Elevations, siding materials, colors, roofing materials and floor plans shall be substantially the same as those approved by the Planning Commission. These shall be shown on plans submitted to the Building Division and Planning Division.

14. The improvments to living space shall be substantially the same material, colors, and design as the existing single-family residence.

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15. Prior to issuance of a building permit, the applicant and landowner, shall execute and record a covenant, in a form and content acceptable to the City Attorney.

PASSED AND ADOPTED Resolution No. 2012-P40 on August 27, 2012 by the following vote, to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____

Tom Rosales, Chairperson
Oceanside Planning Commission

ATTEST:

_____

Richard Greenbauer, Secretary

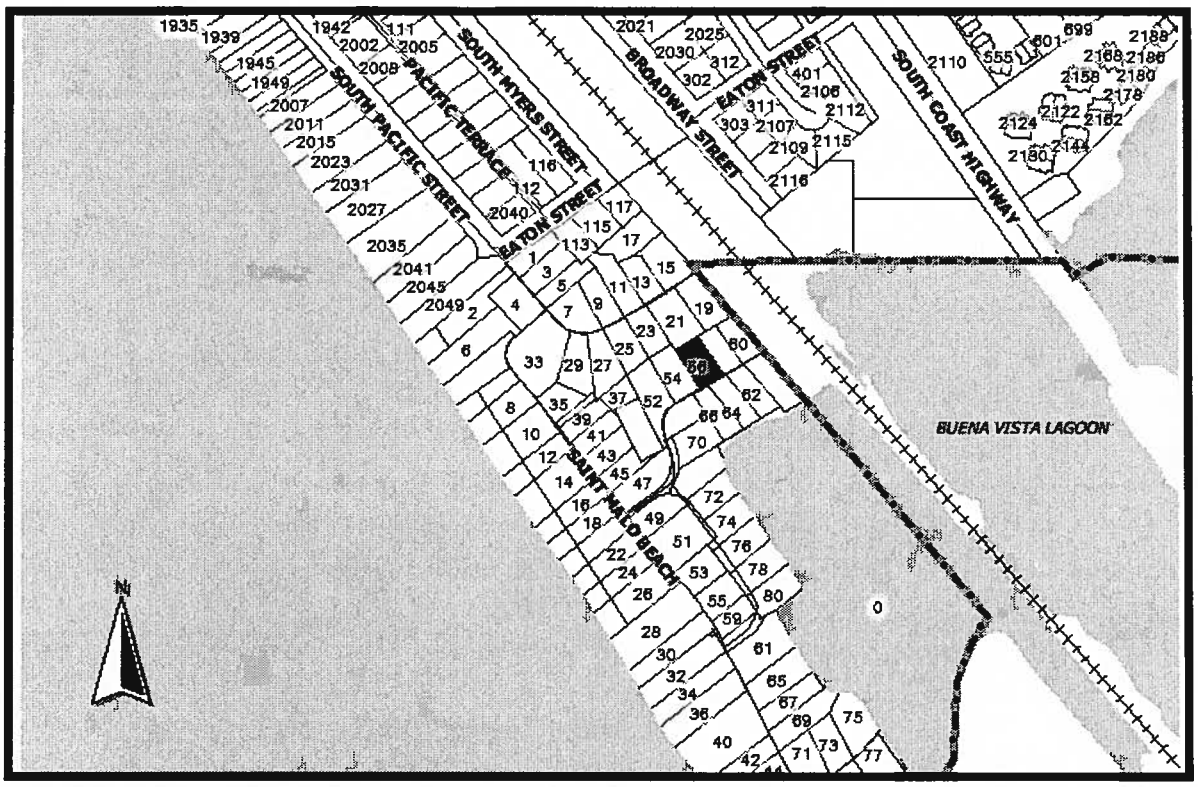
I, RICHARD GREENBAUER, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 2012-P40.

Dated: August 27, 2012

Applicant accepts and agrees with all conditions of approval and acknowledges impact fees may be required as stated herein:

_____ _____

Applicant/Representative Date




**File Number: RC12-00010**

**Applicant: Dan & Pam Munzer**

**Description:**

REGULAR COASTAL PERMIT (RC12-00010) to allow the replacement of an existing deck over an entry with a new roof, replace the existing French doors with a new sliding pocket door, a new exterior shower, and add a new 50-square foot storage area under an existing deck to an existing single-family home. The subject property is located at 56 Saint Malo Beach and situated within the South Oceanside Neighborhood Planning Area and the Coastal Zone. The subject property bears a Local Coastal Program land use designation of Residential and a zoning designation of Single Family Residential-Tourist (R1). – **MUNZER RESIDENCE**

**Environmental Determination:**
The project is exempt from the California Environmental Quality Act.

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

# Application for Discretionary Permit

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

| STAFF USE ONLY | |
|---|---|
| ACCEPTED 5-17-12 | BY TM |

**Please Print or Type All Information**

| HEARING | |
|---|---|
| GPA | |
| MASTER/SP.PLAN | |
| ZONE CH. | |
| TENT. MAP | |
| PAR. MAP | |
| DEV. PL. | |
| C.U.P. | |
| VARIANCE | |
| COASTAL RC12-00010 | |
| O.H.P.A.C. | |

**PART I – APPLICANT INFORMATION**

| 1. APPLICANT | 2. STATUS |
|---|---|
| Dan & Pam Munzer | OWNER |
| **3. ADDRESS** | **4. PHONE/FAX/E-mail** |
| 3450 E. Spring St. #218 Long Beach Ca 90806 | 714-895-4953 |
| **5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing)** John Beery A.I.A. Architect | |
| **6. ADDRESS** | **7. PHONE/FAX/E-mail** |
| 2091 Las Palmas Dr. # D, Carlsbad Ca 92011 | 760.438.2963 X123 |

**PART II – PROPERTY DESCRIPTION**

| 8. LOCATION | 9. SIZE |
|---|---|
| LOT 56 ST. MALO BEACH | 8308 S.F. |

| 10. GENERAL PLAN | 11. ZONING | 12. LAND USE | 13. ASSESSOR'S PARCEL NUMBER |
|---|---|---|---|
| | R-1 | SFD | 155-101-57-00 |

| 14. LATITUDE | 15. LONGITUDE |
|---|---|
| 33 10'05.06"N | 117 21'34.07"W |

**PART III – PROJECT DESCRIPTION**

16. GENERAL PROJECT DESCRIPTION

Replace existing deck over entry with a new roof, Replace existing french doors with new sliding pocket door, add storage and shower under existing deck. NEW FENCE

| 17. PROPOSED GENERAL PLAN | 18. PROPOSED ZONING | 19. PROPOSED LAND USE | 20. NO. UNITS | 21. DENSITY |
|---|---|---|---|---|
| No Change | No Change | SFD- No Change | 1 | |

| 22. BUILDING SIZE | 23. PARKING SPACES | 24. % LANDSCAPE | 25. % LOT COVERAGE or FAR |
|---|---|---|---|
| 3,320 Sf | 2 (No Change) | 41.8% | 33.8% (2808 sf) |

**PART IV – ATTACHMENTS**

| | | | | | |
|---|---|---|---|---|---|
| | 26. DESCRIPTION/JUSTIFICATION | | 27. LEGAL DESCRIPTION | | 28. TITLE REPORT |
| | 29. NOTIFICATION MAP & LABELS | | 30. ENVIRONMENTAL INFO FORM | | 31. PLOT PLANS |
| | 32. FLOOR PLANS AND ELEVATIONS | | 33. CERTIFICATION OF POSTING | | 34. OTHER (See attachment for required reports) |

**PART V – SIGNATURES**

SIGNATURES FROM 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 PAGAES AS NECESSARY).

| 35. APPLICANT OR REPRESENTATIVE (Print): | 36. DATE | 37. OWNER (Print) | 38. DATE |
|---|---|---|---|
| John Beery A.I.A. Architect | 5/16/12 | Dan & Pam Munzer | 5/14/12 |
| Sign: | | Sign: | |

- **I DECLARE UNDER PENALTYOF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. FURTHER, I UNDERSTANDING THAT SUBMITTING FALSE STATEMENTS OR INFORMATION IN THIS APPLICATION MAY CONSTITUTE FRAUD, PUNISHABLE IN CIVIL AND CRIMINAL PROCEEDINGS.**
- **I HAVE READ AND AGREE TO ABIDE BY THE CITY OF OCEANSIDE DEVELOPMENT SERVICES DEPARTMENT AND ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT POLICY NO. 2011-01/POLICY AND PROCEDURE FOR DEVELOPMENT DEPOSIT ACCOUNT ADMINISTRATION.**

RC12-00010

# PROJECT DESCRIPTION & JUSTIFICATION

**Project:** Munzer Remodel/Addition

**Location:** 56 Saint Malo Beach

## Description:

The project is to complete general construction to plumbing, electrical, HVAC, roofing and interior finish for maintenance and repair to existing conditions without adding any habitable square footage to the project, provide general upgrades to the property neglected over time, to provide new amenities for the vacation home to function better while in use. Scope of work includes:

Pocket doors to lower family

Provide interior upgrades to existing bar,

Provide more exterior beach storage (50 s.f.)

Provide new beach shower (12 s.f.) under existing deck,

Provide new interior bath to Bedroom #3

Enlarge master shower,

Provide partial kitchen remodel (interior modification only)

Provide new gutter and downspout system

New Fence on west side of Garage facing south

## Justification:

The proposed improvements are consistent with the zoning ordinance and the general plan because they are proposing no changes to either ordinance or the general plan because they are proposing no changes to either ordinance or plan and are being developed within the allowable guidelines of both the ordinance and plan.

The proposed improvements are insignificant enough to be able to be adequately, reasonable and conveniently served by existing public services, utilities and facilities.

The proposed improvements are compatible with the surrounding neighborhood because these improvements are consistent and reasonable for the use of the property.

These improvements are well within the land use elements of the general plan and are consistent with these policies and more specifically the proposed improvements conform to the local coastal plan and its policies and do not affect or diminish any public access which already exists.

# LEGAL DESCRIPTION
(continued)

**PARCEL 1:**

THAT PORTION OF LOT 3 IN SECTION 1, TOWNSHIP 12 SOUTH, RANGE 5 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF OCEANSIDE, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF PACIFIC STREET, AS SAID STREET IS SHOWN ON MAP NO. 909, OF OCEAN FRONT ADDITION, FILED IN THE OFFICE OF COUNTY RECORDER OF SAN DIEGO COUNTY, WITH THE NORTH LINE OF SAID LOT 3; THENCE SOUTH 41°16' EAST ALONG THE SOUTHEASTERLY PROLONGATION OF SAID CENTER LINE OF PACIFIC STREET, 225.24 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 75.39 FEET AND A CENTRAL ANGLE OF 76°00'; THENCE SOUTHEASTERLY ON THE ARC OF SAID CURVE 100.00 FEET TO A POINT OF COMPOUND CURVATURE WITH A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 1432.40 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 2°42'43" AN ARC DISTANCE OF 67.80 FEET; THENCE ALONG THE PROLONGATION OF A RADIAL LINE SOUTH 29°58'43" EAST, 112.50 FEET; THENCE NORTH 58°49'17" EAST, 64.71 FEET TOT HE SOUTHWESTERLY LINE OF PARCEL 2 OF THE LAND DESCRIBED IN DEED TO FRANCIS MOULTON, ET UX, RECORDED OCTOBER 9, 1946 IN BOOK 2241, PAGE 374 OF OFFICIAL RECORDS; THENCE ALONG SAID SOUTHWESTERLY LINE SOUTH 32°22'43" EAST, 16.67 FEET TO THE MOST SOUTHERLY CORNER OF SAID LAND, BEING THE TRUE POINT OF BEGINNING; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID LAND NORTH 58°34'39" EAST, 65.46 FEET TO THE MOST EASTERLY CORNER OF SAID PARCEL 2; THENCE SOUTH 34°46'43" EAST, 119.74 FEET TOT HE MOST NORTHWESTERLY LINE OF A PARCEL OF LAND DESCRIBED IN DEED TO NANCY KEITH TENAGLIA, RECORDED JUNE 8, 1960 AS DOCUMENT NO. 117378 OF OFFICIAL RECORDS; THENCE ALONG SAID NORTHWESTERLY LINE SOUTH 58°34'39" WEST TO THE SOUTHEASTERLY PROLONGATION OF THE SOUTHWESTERLY LINE OF SAID MOULTON'S LAND ABOVE MENTIONED; THENCE ALONG SAID SOUTHEASTERLY PROLONGATION NORTH 32°22'43" WEST, 119.54 FEET TO THE TRUE POINT OF BEGINNING.

RESERVING AN EASEMENT AND RIGHT OF WAY FOR ROAD, SEWER, WATER, GAS, POWER, AND TELEPHONE LINES AND APPURTENANCES THERETO OVER, UNDER, ALONG AND ACROSS THAT PORTION LYING WITHIN PARCEL 4 HEREINAFTER DESCRIBED.

**PARCEL 2:**

AN EASEMENT AND RIGHT OF WAY FOR ROAD AND STREET PURPOSES OVER, ACROSS THE FOLLOWING DESCRIBED PROPERTY:

THAT PORTION OF LOT 3 IN SECTION 1, TOWNSHIP 12 SOUTH, RANGE 5 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

# LEGAL DESCRIPTION
(continued)

BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF PACIFIC STREET AS SAID STREET IS SHOWN ON MAP NO. 909 OF OCEAN FRONT ADDITION, FILED IN THE OFFICE OF COUNTY RECORDER OF SAN DIEGO COUNTY, WITH THE NORTH LINE OF SAID LOT 3; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 3 A DISTANCE OF 39.91 FEET; THENCE SOUTH 41°16' EAST PARALLEL WITH THE SOUTHEASTERLY PROLONGATION OF SAID CENTER LINE OF PACIFIC STREET, 229.16 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 110.97 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 76°00'00" A DISTANCE OF 147.20 FEET TO A POINT OF COMPOUND CURVATURE WITH A CURVE HAVING A RADIUS OF 1444.90 FEET; THENCE NORTHEASTERLY ALONG THE ARC THEREOF 201.74 FEET TO THE END OF SAID CURVE; THENCE TANGENT TO SAID CURVE NORTH 54°44' EAST, 77.76 FEET MORE OR LESS TO AN INTERSECTION WITH THE SOUTHWESTERLY LINE OF THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY RIGHT OF WAY; THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY LINE 25.14 FEET; THENCE SOUTH 54°44' WEST, 75.36 FEET, MORE OR LESS, TO A POINT IN THE LINE THAT IS RADIAL TO THE LAST DESCRIBED CURVE THROUGH THE POINT THEREINABOVE DESIGNATED AS "THE END OF SAID CURVE"; THENCE SOUTHWESTERLY ALONG A CURVE CONCENTRIC WITH THE CURVE HEREINABOVE DESCRIBED AS HAVING A RADIUS OF 1444.90 FEET THROUGH A CENTRAL ANGLE OF 8°00'00" AN ARC DISTANCE OF 198.26 FEET TO A POINT OF COMPOUND CURVATURE WITH A CURVE HAVING A RADIUS OF 39.81 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE 52.81 FEET; THENCE TANGENT TO SAID CURVE NORTH 41 °16' WEST, 221.82 FEET MORE OR LESS TO THE NORTH LINE OF SAID LOT 3, THENCE WEST ALONG SAID NORTH LINE 39.91 FEET TO THE POINT OF BEGINNING.

**PARCEL 3:**

AN EASEMENT FOR ROAD, OVER THAT PORTION OF LOT 3, SECTION 1, TOWNSHIP 12 SOUTH, RANGE 5 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

# LEGAL DESCRIPTION
(continued)

BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF PACIFIC STREET AS SAID STREET IS LOCATED ON MAP 909 OF OCEAN FRONT ADDITION, FILED IN THE OFFICE OF COUNTY RECORDER OF SAN DIEGO COUNTY, WITH THE NORTH LINE OF SAID LOT 3; THENCE SOUTH 41° 16' EAST ALONG THE SOUTHEASTERLY PROLONGATION OF THE CENTER LINE OF PACIFIC STREET, 176.34 FEET; THENCE SOUTH 48°44P WEST, 30 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 41 °16' WEST, 40 FEET TO A POINT ON A CURVE WHOSE CENTER BEARS SOUTH 48°44P WEST, 20 FEET FROM SAID POINT; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE 31.42 FEET; THENCE TANGENT TO SAID CURVE SOUTH 48°44' WEST, 59.02 FEET; THENCE ALONG A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 84.90 FEET AN ARC DISTANCE OF 130.81 FEET; THENCE TANGENT TO SAID CURVE SOUTH 39°33' EAST, 658.14 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 932.92 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 195.80 FEET TO THE END OF SAID CURVE; THENCE TANGENT TO SAID CURVE SOUTH 27°33' EAST, 394.18 FEET TO THE SOUTHERLY LINE OF SAID LOT 3; THENCE SOUTH 89°55'30" EAST ALONG SAID SOUTHERLY LINE 45.15 FEET; THENCE NORTH 27°33* WEST, 415.11 FEET MORE OR LESS TO A POINT IN A LINE THAT IS RADIAL TO THE LAST DESCRIBED CURVE THROUGH THE POINT HEREINABOVE DESCRIBED AS THE END OF SAID CURVE; THENCE NORTHWESTERLY ALONG A CURVE CONCENTRIC WITH THE CURVE HEREINABOVE DESCRIBED AS HAVING A RADIUS OF 932.92 FEET THROUGH A CENTRAL ANGLE OF 12° AN ARC DISTANCE OF 204.19 FEET; THENCE TANGENT TO SAID CURVE NORTH 39°33' WEST, 658.14 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 44.90 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE 69.18 FEET; THENCE TANGENT TO SAID CURVE NORTH 48°44' EAST, 79.02 FEET; THENCE NORTH 41°16' WEST, 20 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM A STRIP OF LAND 40 FEET IN WIDTH, THE CENTER LINE THEREOF BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF PACIFIC STREET AS SAID STREET IS SHOWN ON MAP NO. 909 OF OCEAN FRONT ADDITION ON FILE IN THE OFFICE OF COUNTY RECORDER OF SAN DIEGO COUNTY, WITH THE NORTH LINE OF SAID LOT 3; THENCE SOUTH 41°16' EAST ALONG THE SOUTHEASTERLY PROLONGATION OF THE SAID CENTER LINE OF PACIFIC STREET, 176.34 FEET; THENCE SOUTH 48°44F WEST, 109.02 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 64.90 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE 100 FEET; THENCE TANGENT TO SAID CURVE SOUTH 39°33' EAST 622.52 FEET TO THE MOST EASTERLY COMER OF LAND CONVEYED BY UNION TRUST COMPANY OF SAN DIEGO TO KENYON A. KEITH, ET UX, RECORDED JULY 5,1930 IN BOOK 1797, PAGE 112 OF DEEDS; AND THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED LINE; THENCE CONTINUING SOUTH 39°33' EAST, 35.62 FEET TOT HE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 954.92 FEET THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°06' 10" A DISTANCE OF 118.38 FEET TO THE END OF THE HEREIN DESCRIBED LINE.

# LEGAL DESCRIPTION
(continued)

**PARCEL 4:**

AN EASEMENT AND RIGHT OF WAY FOR ROAD OVER, ALONG AND ACROSS THAT PORTION OF LOT 3 IN SECTION 1, TOWNSHIP 12 SOUTH, RANGE 5 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF OCEANSIDE, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 3, SECTION 1; THENCE ALONG THE EAST LINE OF SAID LOT 3, NORTH 0°04'30" WEST, 417.05 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE ATCHISON, TOPEKA AND SANTA FE RAILWAY; THENCE ALONG SAID LINE NORTH 41° 16' WEST, 899.53 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 41G16' WEST, 17.77 FEET; THENCE SOUTH 58°34'39" WEST, 254.07 FEET TO A TANGENT 75 FOOT RADIUS CURVE, CONCAVE EASTERLY; THENCE SOUTHWESTERLY AND SOUTHERLY ALONG SAID CURVE 117.81 FEET THROUGH AN ANGLE OF 90°00'; THENCE TANGENT TO SAID CURVE SOUTH 31 °25'21" EAST, 15 FEET, MORE OR LESS, TO THE MOST NORTHERLY CORNER OF THE LAND DESCRIBED IN DEED TO HELEN D. FORVE, RECORDED SEPTEMBER 19, 1936 AS DOCUMENT NO. 60328 IN BOOK 563, PAGE 436 OF OFFICIAL RECORDS; BEING ON A POINT ON AN 83.31 FOOT RADIUS CURVE, CONCAVE WESTERLY THENCE SOUTHERLY AND SOUTHWESTERLY ALONG SAID CURVE TO THE SOUTHWESTERLY TERMINUS THEREOF; THENCE TANGENT TO SAID CURVE SOUTH 50°27' WEST, 92.50 FEET; THENCE SOUTH 39°33' EAST, 7.50 FEET; THENCE NORTH 50°27' EAST, 81 FEET TO A TANGENT 50 FOOT RADIUS CURVE, CONCAVE SOUTHERLY; THENCE EASTERLY ALONG SAID CURVE 54.24 FEET TO AN ANGLE POINT IN THE BOUNDARY LINE OF THE LAND DESCRIBED IN DEED TO NORMAN L. MACLEOD, ET UX, RECORDED FEBRUARY 21, 1961 AS DOCUMENT NO. 30789 OF OFFICIAL RECORDS; THENCE ALONG THE BOUNDARY LINE OF SAID LAND, NORTH 22°36'40" EAST, 29.16 FEET; THENCE NORTH 5°26'39" EAST, 29.34 FEET TO A POINT IN THE ARC OF A 100 FOOT RADIUS CURVE, CONCAVE WESTERLY, A RADIAL LINE OF SAID CURVE BEARS SOUTH 84°33'21" EAST TO SAID POINT; THENCE NORTHERLY ALONG SAID CURVE 64.34 FEET THROUGH AN ANGLE OF 36°52'; THENCE TANGENT TO SAID CURVE NORTH 31 °25'21" WEST, 15 FEET TO A TANGENT 45 FOOT RADIUS CURVE, CONCAVE EASTERLY; THENCE NORTHEASTERLY ALONG SAID CURVE 70.69 FEET THROUGH AN ANGEL OF 90°00'; THENCE TANGENT TO SAID CURVE NORTH 58°34'39" EAST, 264.53 FEET TO SAID SOUTHWESTERLY RIGHT OF WAY LINE ABOVE MENTIONED; THENCE NORTH 41°16' WEST, 12.69 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION, IF ANY, INCLUDED IN LAND DESCRIBED IN DEED TO ST. MALO ASSOCIATION, INC., RECORDED MARCH 27, 1956 IN BOOK 6034, PAGE 430 OF OFFICIAL RECORDS.

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TOGETHER WITH AN EASEMENT FOR ROAD PURPOSES DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY TERMINUS OF THAT COURSE ABOVE DESIGNATED "NORTH 22°36'40" EAST, 29.16 FEET" ABOVE; THENCE WESTERLY ALONG THE 50 FOOT RADIUS CURVE ABOVE DESCRIBED 54.24 FEET: THENCE SOUTH 50°27P WEST, 81 FEET; THENCE SOUTH 39°33' EAST, 20 FEET; THENCE NORTH 50°27' EAST, 81 FEET TO A TANGENT 30 FOOT RADIUS CURVE, CONCAVE SOUTHERLY; THENCE EASTERLY ALONG SAID CURVE TO A LINE WHICH BEARS SOUTH 22°36'40" WEST FROM THE POINT OF BEGINNING; THENCE NORTH 22°36'40" EAST, 20 FEET TO THE POINT OF BEGINNING.

# LEGAL DESCRIPTION
(continued)

**PARCEL 5:**

AN EASEMENT AND RIGHT OF WAY FOR ROAD OVER, ALONG AND ACROSS THAT PORTION OF LOT 3 IN SECTION 1, TOWNSHIP 12 SOUTH, RANGE 5 WEST, SAN BERNARDINO MERIDIAN IN THE CITY OF OCEANSIDE, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 3, SECTION 1; THENCE ALONG THE EAST LINE OF SAID LOT 3 NORTH 0°04'30" WEST, 417.05 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE ATCHISON, TOPEKA AND SANTA FE RAILWAY; THENCE ALONG SAID LINE NORTH 41° 16' WEST, 899.53 FEET; THENCE SOUTH 58°34'39" WEST, 207.03 FEET TO THE NORTHWESTERLY PROLONGATION OF THE NORTHEASTERLY LINE OF THE LAND DESCRIBED IN DEED TO NORMAN L. MCLEOD JR., AND WIFE, RECORDED APRIL 15, 1957 AS DOCUMENT NO. 55406 IN BOOK 6536, PAGE 543 OF OFFICIAL RECORDS; THENCE ALONG SAID PROLONGATION AND SAID NORTHEASTERLY LINE SOUTH 31°2571" EAST, 132.50 FEET TO THE MOST EASTERLY CORNER OF SAID LAND; THENCE SOUTH 58°34'39" WEST, 120.31 FEET TO THE TRUE POINT OF BEGINNING, BEING A POINT IN THE BOUNDARY LINE OF THE LAND DESCRIBED IN DEED TO NANCY KEITH TENAGLIA, RECORDED JUNE 18, 1960 UNDER DOCUMENT NO. 144767 OF OFFICIAL RECORDS; THENCE ALONG THE BOUNDARY LINE OF SAID LAND AS FOLLOWS:

NORTHERLY ALONG THE ARC OF A 100 FOOT RADIUS CURVE, CONCAVE WESTERLY 64.34 FEET; THENCE LEAVING SAID CURVE SOUTH 58°34'39" WEST - RECORD SOUTH 69°42R WEST - 26.35 FEET MORE OR LESS TO THE MOST NORTHERLY CORNER OF THE LAND DESCRIBED IN DEED TO HELEN D. FORVE, RECORDED SEPTEMBER 19, 1936 AS DOCUMENT NO. 60328 IN BOOK 563, PAGE 436 OF OFFICIAL RECORDS; BEING A POINT ON AN 83.31 FOOT RADIUS CURVE, CONCAVE WESTERLY; THENCE SOUTHERLY AND SOUTHWESTERLY ALONG SAID CURVE TO THE SOUTHWESTERLY TERMINUS THEREOF; THENCE TANGENT TO SAID CURVE SOUTH 50°27' WEST, 92.50 FEET; THENCE SOUTH 39°33' EAST, 7.50 FEET; THENCE NORTH 50°27' EAST, 81 FEET TO A TANGENT 50 FOOT RADIUS CURVE, CONCAVE SOUTHERLY; THENCE EASTERLY ALONG SAID CURVE 78.54 FEET; THENCE SOUTH 39°33' EAST, 132.50 FEET; THENCE SOUTH 50°27' WEST, 30 FEET; THENCE SOUTH 39°33' EAST, 35.62 FEET TO A TANGENT 1054.92 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY; THENCE SOUTHERLY ALONG SAID CURVE 185.30 FEET; THENCE LEAVING SAID CURVE AND SAID BOUNDARY LINE NORTH 60°32'30" EAST, 40 FEET TO A POINT IN THE ARC OF A 1094.92 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY A RADIAL LINE OF SAID CURVE BEARS NORTH 60°32'30" EAST TO SAID POINT; THENCE NORTHWESTERLY ALONG SAID CURVE 192.85 FEET; THENCE LEAVING SAID CURVE NORTH 23°52' WEST, 37 FEET TO A POINT IN A LINE WHICH IS PARALLEL WITH AND 20 FEET NORTHEASTERLY MEASURED AT RIGHT ANGLES FROM THE SOUTHWESTERLY LINE OF SAID TENAGLIA LAND; THENCE ALONG SAID PARALLEL LINE NORTH 39°33F WEST, 169.47 FEET; THENCE NORTH 5°26'39" EAST, 29.34 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN PARCEL 4 ABOVE.

# LEGAL DESCRIPTION
(continued)

**PARCEL 6:**

AN EASEMENT AND RIGHT OF WAY FOR ROAD OVER, ALONG AND ACROSS THAT PORTION OF LOT 3 IN SECTION 1, TOWNSHIP 12 SOUTH, RANGE 5 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF OCEANSIDE, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 3, SECTION 1; THENCE ALONG THE EAST LINE OF SAID LOT 3, NORTH 0°04'30" WEST, 417.05 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE ATCHISON, TOPEKA AND SANTA FE RAILWAY; THENCE ALONG SAID LINE NORTH 41° 16' WEST, 899.53 FEET; THENCE SOUTH 58°34'39" WEST, 207.03 FEET TO THE NORTHWESTERLY PROLONGATION OF THE NORTHEASTERLY LINE OF THE LAND DESCRIBED IN DEED TO NORMAN L. MCLEOD JR. AND WIFE, RECORDED APRIL 15, 1957 AS DOCUMENT NO. 55406 IN BOOK 6536, PAGE 543 OF OFFICIAL RECORDS; THENCE ALONG SAID PROLONGATION AND SAID NORTHEASTERLY LINE SOUTH 31 °25'21" EAST, 132.50 FEET TO THE MOST EASTERLY CORNER OF SAID LAND; THENCE SOUTH 58°34'39" WEST, 120.31 FEET BEING A POINT IN THE BOUNDARY LINE OF THE LAND DESCRIBED IN DEED TO NANCY KEITH TENAGLIA, RECORDED JUNE 18, 1960 UNDER DOCUMENT NO. 144767 OF OFFICIAL RECORDS; THENCE ALONG THE BOUNDARY LINE OF SAID LAND AS FOLLOWS:

NORTHERLY ALONG THE ARC OF A 100.00 FOOT RADIUS CURVE, CONCAVE WESTERLY 64.34 FEET; THENCE LEAVING SAID CURVE SOUTH 58°34'39" WEST - RECORD SOUTH 69°42' WEST - 26.35 FEET MORE OR LESS TO THE MOST NORTHERLY CORNER OF THE LAND DESCRIBED IN DEED TO HELEN D. FORVE, RECORDED SEPTEMBER 19,1936 AS DOCUMENT NO. 60328 IN BOOK 563, PAGE 436 OF OFFICIAL RECORDS; BEING A POINT ON A 83.31 FOOT RADIUS CURVE, CONCAVE WESTERLY; THENCE SOUTHERLY AND SOUTHWESTERLY ALONG SAID CURVE TO THE SOUTHWESTERLY TERMINUS THEREOF; THENCE TANGENT TO SAID CURVE SOUTH 50°27' WEST. 92.50 FEET; THENCE SOUTH 39°33' EAST. 7.50 FEET; THENCE NORTH 50°27' EAST 81.00 FEET TO A TANGENT 50.00 FOOT RADIUS CURVE, CONCAVE SOUTHERLY; THENCE EASTERLY ALONG SAID CURVE 54.24 FEET TO AN ANGEL POINT IN THE BOUNDARY TINE OF THE LAND DESCRIBED IN DEED TO NORMAN L. MACLEOD, ET UX, RECORDED FEBRUARY 21, 1961 AS DOCUMENT NO. 30789 OF OFFICIAL RECORDS, BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING EASTERLY ALONG SAID 50.00 FOOT RADIUS CURVE 24. 30 FEET; THENCE SOUTH 39°33F EAST 26.50 FEET; THENCE SOUTH 50°27' WEST, 20.00 FEET; THENCE NORTH 39°33' WEST TO A POINT OF TANGENCY WITH A 30.00 FOOT RADIUS CURVE, CONCAVE SOUTHERLY WHICH IS CONCENTRIC WITH THAT 50.00 FOOT RADIUS CURVE DESCRIBED ABOVE; THENCE WESTERLY ALONG SAID 30.00 FOOT RADIUS CURVE TO A LINE WHICH BEARS SOUTH 22°36'40" WEST FROM THE TRUE POINT OF BEGINNING; THENCE NORTH 22°36'40" EAST, 20.00 FEET TO THE TRUE POINT OF BEGINNING.

END OF LEGAL DESCRIPTION

# NOTICE OF EXEMPTION
**City of Oceanside, California**

Post Date:
Removal:
(180 days)

1. **APPLICANT:** Dan & Pam Munzer
2. **ADDRESS:** 3450 Spring St. #218, Long Beach, CA. 90806
3. **PHONE NUMBER:** (714) 895-4953
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Scott Nightingale, Planner
6. **PROJECT TITLE:** RC12-00010 Munzer Residence
7. **DESCRIPTION:** This project would allow the construction of an approximate 52.26-square foot storage room under an existing balcony space and the reconstruction of a second story balcony with railing to a roof overhang over an existing entry located at 56 Saint Malo Beach. This deck/balcony conversion to a roof will be consistent in size, shape, design, colors, and materials as the existing roof. The foot print of the home will not be altered with the construction of the balcony conversion and the storage area, because the balcony conversion and the construction of the storage area to the portion of the southwestern balcony will be entirely within the same square footage as the existing balcony above. Other improvements that will be incorporated with this plan will consist of an outdoor beach shower attached to the exterior of the home, new gutter spouts, a new fence on the west side of the garage face, new pocket doors to the lower family room, and a change from a French door to a window for the removal of the balcony to the newly constructed roofing overhang over the entry.

**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 is generally for an internal modification of an existing building, with a parking lot modification. Therefore, the Environmental Coordinator has determined that further environmental evaluation is not required because:

[X] The project qualifies for a Class 3 categorical exemption under Section 15303(a) "New Construction or Conversion of Small Structures;."

[ ] "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 of section] (Section xxxxx); or,

[ ] The project does not constitute a "project" as defined by CEQA (Section 15378).

Date: 8/27/12

Scott Nightingale, Planner

cc: [x] Project file [x] Counter file [x] Library Posting: [ ] County Clerk $50.00 Admin. Fee