



DATE: March 23, 2015

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A REGULAR COASTAL PERMIT (RC14-00008) AND VARIANCE (V14-00009) FOR THE REMODEL OF AN EXISTING NON-CONFORMING THREE-STORY SINGLE FAMILY RESIDENCE AND THE ADDITION OF 388 SQUARE FEET OF ENCLOSED HABITABLE SPACE ON THE SECOND AND THIRD STORIES, ALONG WITH A TOTAL OF 612 SQUARE FEET OF EXTERIOR OPEN DECK AREA ON THE SINGLE-FAMILY RESIDENCE LOCATED AT 1825 SOUTH PACIFIC STREET – SWAJIAN RESIDENCE - APPLICANT: GREGORY AND DAWN SWAJIAN**

RECOMMENDATION

- 1) Staff recommends that the Planning Commission deny Regular Coastal Permit (RC14-00008) and Variance (V14-00009) and adopt Planning Commission Resolution No. 2015-P09 as attached.

PROJECT DESCRIPTION AND BACKGROUND

Background: The subject site is a 5,700 square-foot beachfront lot created as part of the Ocean Front Addition subdivision of 1904. An interior lot bounded by developed properties to the north and south, the site measures 30 feet in width and extends seaward from South Pacific Street to the mean high tide line. The property is developed with a 3,566 square-foot two-story single-family residence that includes a 530 square-foot two-car garage and 240 square-foot patio area on the basement level and a 240 square-foot deck area on the west elevation of the second floor/main floor accessed directly off of Pacific St.

In keeping with the character of existing development along the seaward side of South Pacific Street, where projects have historically benefitted from codified exceptions to the standard front yard setback, the existing residence lies less than three feet from the front property line. The residence maintains three-foot interior side yard setbacks, consistent with the minimum requirement for the surrounding zone. At the rear, a portion of the basement and first floor of the existing residence extends slightly beyond the coastal stringline, as determined by beachfront benchmarks recently identified by City staff.

Situated within the Coastal Zone and the South Oceanside Neighborhood Planning Area, the property bears a land use designation of Low Density Residential and a zoning designation of R-1 (Single-Family Residential). The property is bordered by single-family development to the north, south, and east.

As a shoreline property within 300 feet of a coastal bluff, the property also lies within the appeal jurisdiction of the California Coastal Commission. Any final action by the City of Oceanside on this proposed coastal development permit may be appealed to the California Coastal Commission. Through the Coastal Commission appeal process, the City's decision may be upheld, reversed, or modified.

The existing residence comprises four separate levels of enclosed habitable space, three of which qualify as stories. As a three-story building within a zoning district that allows a maximum of only two stories, the existing residence is a legal non-conforming structure.

In 2007, the existing residence underwent extensive renovation that resulted in the addition of 768 square feet of enclosed habitable space, 288 square feet of which is located on the non-conforming third story. This addition to the non-conforming third story was approved and implemented in spite of zoning standards that preclude the intensification of an existing non-conformity. It is thus staff's position that this addition was contrary to the zoning standards in place at the time.

On September 19, 2011, the Planning Commission approved a 460 square-foot addition to a legal non-conforming three-story residence at 1823 South Pacific Street, immediately north of the subject property. This project involved the expansion of the existing master bedroom and bathroom on the third story, along with the westward extension of two open deck areas. Expansion of the non-conforming third story required approval of a variance. City staff determined that the subject property did not by virtue of its size, shape, location, topography or other physical features – place constraints on development not encountered on other properties in the vicinity, and therefore recommended denial of the project. However, the Planning Commission approved the variance with the finding that the steep topography of the lot precluded the establishment of a second level basement (on what instead qualifies as the first story).

Project Description: The project application is comprised of the following two entitlements:

Regular Coastal Permit (RC14-00008) represents a request for the following:

To allow a minor remodel and addition to an existing 3,566 square-foot single-family residence located on the west side of Pacific Street. The scope of the project would include the addition of approximately 120 square feet of habitable floor area on the second story and 60 square feet on the non-conforming third story of the existing residence. Non-Habitable additions in the form of open deck areas would include the extension of an existing open deck area an additional 4'-0" seaward for an addition of 96 square feet on the second story, the addition of two new 48 and 60 square-foot open deck areas on the stepped third story, and creation of a 288 square-foot roof top deck accessed off of the higher portion of the stepped third story. The proposed project would

extend both the second and stepped third stories an additional five (5) feet seaward, across the entire width of the residence. Additional floor area on the second story would be created by enclosing a 5'-0" portion of the existing open deck area, with the remaining open deck area on the second story being extended seaward an additional 4'-0". On the newly created stepped third story, additional floor area would be located on the lower stepped north portion of the project and would be extended approximately 5'-0" seaward to meet the new building line of the story below. The only portion of the proposed addition that would extend out beyond the coastal stringline would be the open deck area located on the westerly portion of the second story and would be constructed with transparent glazing.

Variance (V14-00009) represents a request for the following:

- (a) To exceed the Development Standards that limits height to 35 feet or two stories, whichever is less pursuant to Article 17, Section 1709 of the 1986 Oceanside Zoning Ordinance; and

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

1. General Plan Land Use Element
2. 1986 Zoning Ordinance
3. Local Coastal Program
4. California Environmental Quality Act (CEQA)

ANALYSIS

1. General Plan Compliance

Goal 1.32: Coastal Zone

Objective: To provide for the conservation of the City's coastal resources and fulfill the requirements of the California Coastal Act of 1976.

Policy A: The City shall utilize the certified Local Coastal Plan for review of all proposed projects within the Coastal Zone. Specifically, the goals and policies of the Local Coastal Program Land Use Plan are the guiding policy review document.

The proposed project has been reviewed by staff for compliance with the policies of the Local Coastal Program (LCP). Staff finds that the application does not comply with the applicable policies of the LCP, as follows:

The City shall ensure that all new development is compatible in height, scale, color and form with the surrounding neighborhood.

The proposed residential remodel and approval of the non-conforming third story addition would be inconsistent with existing single-family development located immediately to the north, south, east, and west of the subject property, in terms of both

height and architectural design. The height and overall scale of the proposed residence would be inconsistent with the pattern of development throughout the south Oceanside coastal neighborhood. Creatively stepping a story height that establishes off-set ceiling heights within a designated floor, along with little to no exterior wall treatments/fenestration to off-set the massing of the extensive wall planes would be inconsistent with recent development projects immediately adjacent to the site and found throughout the surrounding neighborhood. Furthermore, allowing stepped story heights for the sole purpose of gaining height would not be compatible with existing forms of design found throughout the area and would establish a precedent for future development within the coastal zone.

2. Zoning Compliance

As noted above, the existing residence qualifies as a legal non-conforming structure, exhibiting three stories where only two stories are allowed. While zoning standards and Planning Division policy make it possible for some beachfront development to achieve as many as four levels of habitable space without exceeding the two-story limitation (through the incorporation of two basement levels), only the lowest level of the existing residence qualifies as a basement, thereby rendering each of the upper three levels a separate story.

In accordance with Zoning Ordinance Section 1803, "any additions, alterations, or changes [to a non-conforming structure] shall conform to all provisions of the Zoning Ordinance." The proposed expansion of the non-conforming third story would intensify the existing non-conformity and thereby conflict with the two-story limitation for R-1 properties. As previously noted, the non-conforming third story was already expanded once, in 2006. This expansion created a 280 square-foot office over the entire footprint of the existing garage and brought the total enclosed floor area of the non-conforming third story to over 1,320 square feet. Not only was this expansion contrary to applicable zoning standards but also inconsistent with recent policy direction provided by the Planning Commission and City Council, encouraging articulated façades on both the front and rear elevations of beachfront homes.

It is staff's position that allowing yet another expansion of the non-conforming third story would compromise the integrity of the zoning ordinances applicable development standards, and would establish a precedent to formally approve the existing non-conforming third story.

The existing residence is clad with a faux stone veneer. The same veneer would be applied to new exterior surfaces, and without the addition of any design elements necessary to provide ample relief to the extensive wall planes on the north and south elevations.

The following table summarizes the relationship between existing and proposed floor area and open deck area:

TABLE 1
Existing and Proposed Floor Area and Open Deck Area

	EXISTING FLOOR AREA	PROPOSED FLOOR AREA	EXISTING DECK AREA	PROPOSED DECK AREA
Beach Level (Basement)	384 sq. ft.	No Change	240 sq. ft.	No Change
Lower Level (1 st Story)	1,028 sq. ft.	No Change	None	No Change
Street Level (2 nd Story)	812 sq. ft.	932 sq. ft.	240 sq. ft.	216 sq. ft.
Upper Level (3 rd Story)	1,342 sq. ft.	1,610 sq. ft.	None	108 sq. ft.
Roof Top	0	No Change	0	288 sq. ft.
Total	3,566 sq. ft.	3,954 sq. ft.	480 sq. ft.	852 sq. ft.

Staff finds that the applicant has already been granted a building envelope on the non-conforming third story greater than allowed under current zoning standards, through the aforementioned approval of the renovation that was implemented in 2006, and does not support intensification of the non-conformity through creative stepped designs.

3. Local Coastal Program Compliance

The subject property lies within the Appeal Jurisdiction of the City's Coastal Zone and is thus governed by the City's Local Coastal Program (LCP). The LCP establishes policies and guidelines for enhancing public access to coastal resources, expanding visitor-serving amenities, enhancing the visual character of the built environment, and preserving environmentally sensitive areas (including Buena Vista Lagoon). The LCP policies and guidelines relevant to the proposed project include those pertaining to the visual character of existing neighborhoods. With respect to the visual character of the surrounding neighborhood, the proposed project to approve a non-conforming third story remodel and addition would allow a benefit to the homeowner only allowed by two other properties within the South Oceanside neighborhood. Allowing a variance for the sole purpose of increasing interior square footage and deck area would continue to allow a building scale that adds to adverse massing impacts on adjacent properties. Consequently, staff has determined that the proposed remodel and addition is in direct conflict with the City's LCP Coastal Development Design Standards for Preserving the Past and is not compatible with the surrounding South Oceanside neighborhood. Continued granting of variances to allow structure heights/stories in excess of that permitted by regulation will overtime prove to alter the character of the neighborhood and allow for degradation of public views as seen from off-site.

DISCUSSION

Issue: Visual Compatibility with the Surrounding Built Environment

Will the proposed addition be visually consistent with the existing development pattern in the surrounding neighborhood and compatible in form and scale to nearby homes?

Recommendation: Although the proposal under consideration would maintain the original footprint of the single-family residence, allowing the continuation of a non-conforming third story designed in a manner that is stepped (Varying Roof Plate Heights) would allow for an expansion of the non-conformity, and would establish a structure that reads like a four-story over basement. Overall architectural design and building massing would be intensified as viewed from off-site, and would not incorporate adequate relief along exterior elevations necessary to off-set massing impacts associated with large expanses of flat unarticulated wall planes. In addition, the lack of implementation of a mix of architectural forms and enhanced finish materials would further create visual impacts associated with the design as viewed from adjacent properties, the public right-of-way, and from the beach side of the property.

It is staff's position that the proposed minor addition and remodel would not provide visual enhancement to the surrounding neighborhood, and would actually contribute to a canyon effect along Pacific Street.

Issue: Project consistency with development standards of the 1986 Zoning Ordinance: Do the proposed residences conform to the applicable development standards of the surrounding zone?

Recommendation: As noted above, the proposed project would constitute a three-story structure, where the applicable zoning standards allow a maximum of two stories. In order to support the variance required to allow the proposed third story, staff must find that the subject property – by virtue of its size, shape, location, topography or other physical features – places constraints on development not encountered on other properties in the vicinity. Staff is unable to make this finding, given that the subject property is no different from neighboring properties in its physical form or orientation. Although two other properties in the vicinity accommodate three-story development (in some cases, through the benefit of a variance), this fact does not constitute grounds for issuance of a variance under local zoning standards or state planning law (Government Code Section 65906). As noted earlier in this staff report, staff has found that existing three-story development in the vicinity was approved contrary to zoning standards in place or through variances issued more than 20 years ago. For those projects approved through issuance of a variance, it is not clear how the hardship findings noted above were made, given that the properties in question do not present unique constraints upon development.

At present, the applicant already enjoys the fundamental development right afforded under the R-1 zoning designation – i.e., a single-family residence. Comprised of over 3,566 square feet of habitable space and 480 square feet of open deck area, the existing residence is comparable in size to other single-family homes in the vicinity. Expansion of the existing residence is not necessary to relieve a hardship condition, nor is the proposed project the only means by which the applicant could achieve additional square footage.

ENVIRONMENTAL DETERMINATION

Pursuant to the California Environmental Quality Act of 1970 and State Guidelines thereto; the City of Oceanside acting as Lead Agency intends to disapprove the project and in accordance with CEQA Section 15270 "Projects Which are Disapproved" (b) allows for an initial screening of projects on the merits for quick disapprovals prior to initiation of the CEQA process where the agency can determine that the project cannot be approved. Should staff's recommendation to deny be overturned, the project could be deemed exempt, and the Planning Commission could confirm issuance of a Class 1 Categorical Exemption per Section 15303 (Existing Facilities) of the California Environmental Quality Act as part of their action.

PUBLIC NOTIFICATION

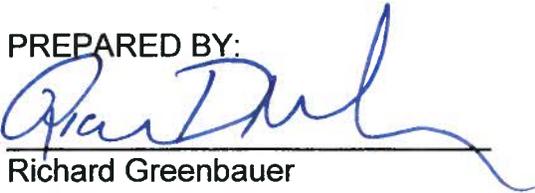
Pursuant to the Staff Handbook of the City's Local Coastal Program, legal notice was published in the newspaper and notices were sent to property owners of record within a 300-foot radius and occupants within a 100-foot radius of the subject property, to individuals/organizations requesting notification, and to the applicant. Copies of this agenda item have been mailed to the applicant.

SUMMARY

Staff has determined that the project is inconsistent with the development standards of the 1986 Zoning Ordinance; as well as, the objectives and policies of the Local Coastal Program. Staff recommends that the Planning Commission deny the project. The Planning Commission action should be:

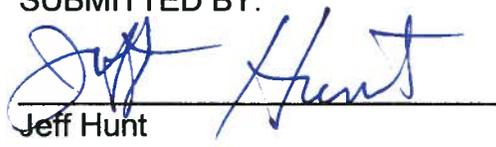
- Move to deny Regular Coastal Permit (RC14-00008) and Variance (V14-00009) and adopt Planning Commission Resolution No. 2015-P09 as attached.

PREPARED BY:



Richard Greenbauer
Senior Planner

SUBMITTED BY:

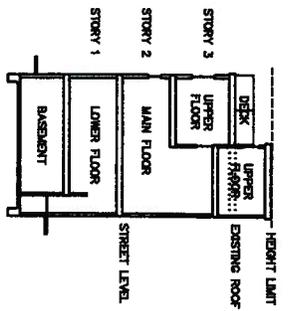


Jeff Hunt
Interim City Planner

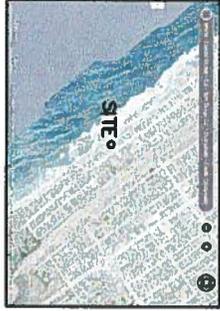
JH/RG/fil

Attachments:

1. Site Plan/Floor Plan and Elevations
2. Planning Commission Resolution No. 2015-P09
3. Letters of Opposition/Support
4. Other Attachments (Application Page, Description and Justification, Legal Description)



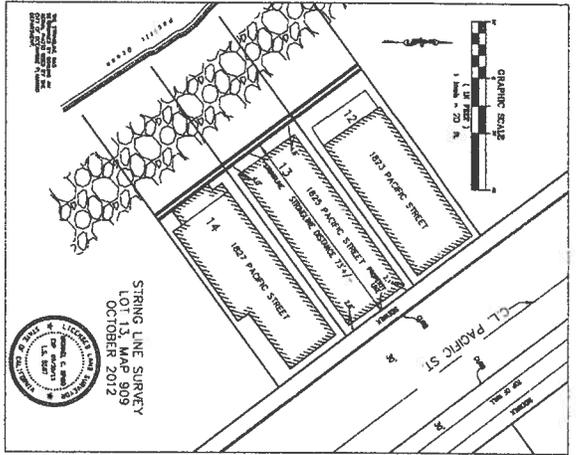
SECTION LOOKING EAST



CONTEXTURAL SITE PLAN : MACRO



CONTEXTURAL SITE PLAN : MICRO



SHEET INDEX

- 1 SITE PLAN, PROJECT SUMMARY
- 2 BEACH, LOWER AND MAIN FLOOR PLANS
- 3 UPPER FLOOR AND ROOF PLAN
- 4 UPPER AND LOWER ELEVATIONS
- 5 SOUTH AND WEST ELEVATIONS
- 6 BUILDING SECTIONS

PROJECT SUMMARY

OWNER:

GREEN AND DAWN SWAMAN
1825 S PACIFIC ST
OCEANSIDE, CALIFORNIA
TEL: (760) 881-0800

PROJECT ADDRESS:

1825 S PACIFIC ST
OCEANSIDE, CALIFORNIA

PROJECT DESCRIPTION:

- EXPAND LIVING ROOM AT MAIN FLOOR 8' TO WEST
- EXTEND DECK WEST OF LIVING ROOM 4' TO STRINGLINE
- CREATE NEW INTERVAL FLOOR (STING ROOM) IN EXISTING VAULTED SPACE
- NEW DECKS AT UPPER LEVEL
- CONVERT PORTION OF EXISTING ROOF TO DECK

ASSIGNMENT PARCEL NUMBERS:

153-250-09-00

LEGAL DESCRIPTION:

LOT 13, BLK F, TR 909

ZONING REGULATIONS:

R-1 COASTAL LAND USE PLAN

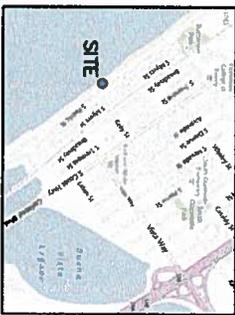
SETBACKS
FRONT - 20'
REAR - STRINGLINE
INTERIOR SIDES - 5'
OCCUPANCY: R3
CONSTRUCTION TYPE: VB

SCALED FOOTPRINTS:

HOUSE GARAGE	1,998 SF	EXISTING
LIVING RM EXPANSION	120 SF	NEW HEATED
NEW STING ROOM (INTERNAL)	268 SF	NEW HEATED
NEW DECK AREA	462 SF	

BY LEVEL:

	CURRENT	HEATED DECK	AFTER	HEATED DECK
BASEMENT	394	240	394	240
LOWER	1028	0	1028	0
MAIN	812	240	832	216
UPPER	1342	0	1342	0
ROOF	0	0	6910	1108
	3666	480	3864	892



MONITRY MAP
THOMAS BRICK 1109 04

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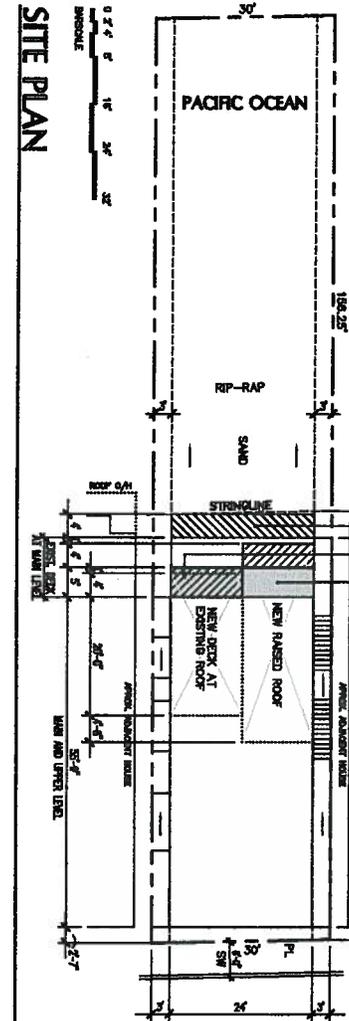
DEC 22 2014

CITY OF OCEANSIDE
DEVELOPMENT SERVICES

SWAMAN RESIDENCE



TON S. MURPHY
ARCHITECT

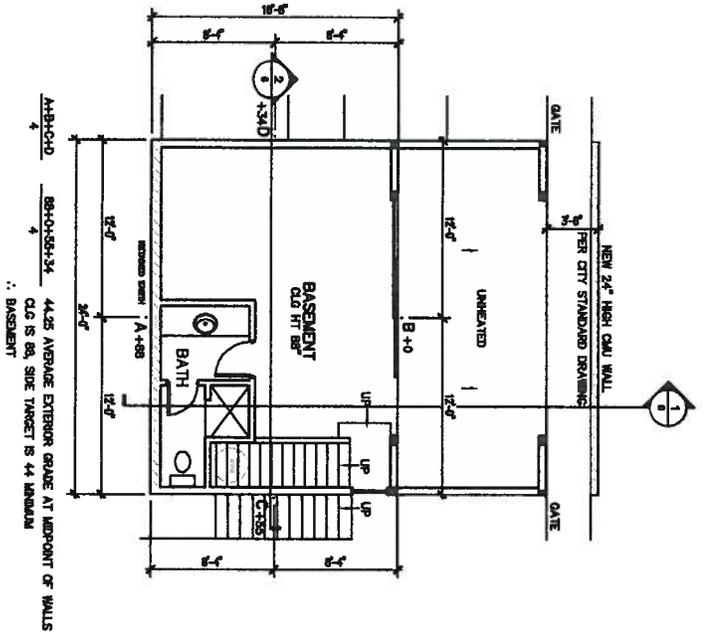


SITE PLAN



NORTH
1"=110'

TON S. MURPHY
ARCHITECT
DATE: 07.2014



BASEMENT LEVEL

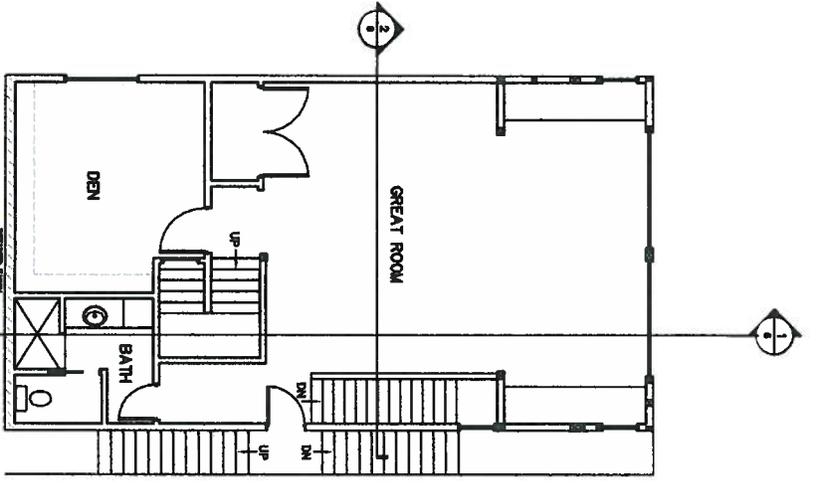


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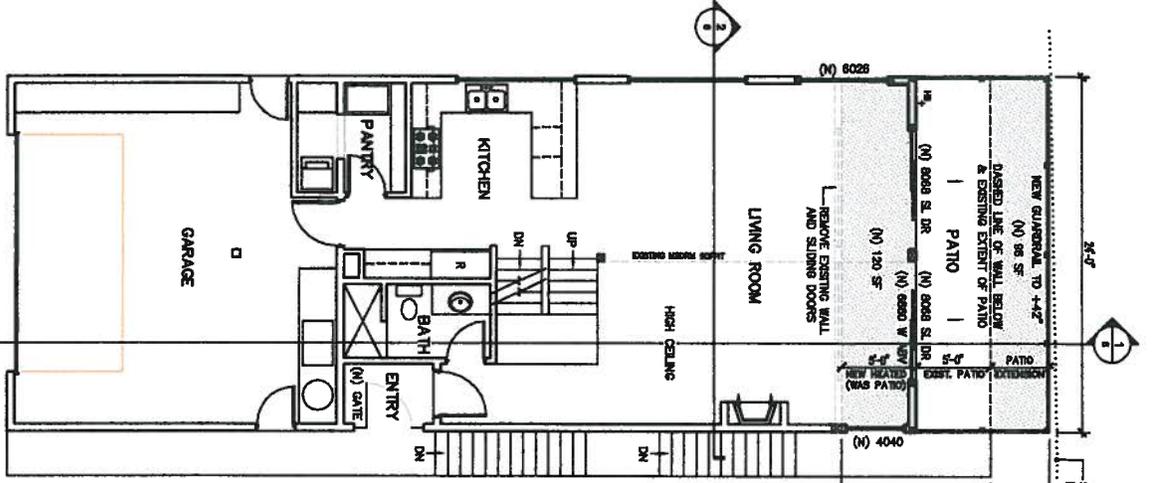
**CITY OF OCEANSIDE
DEVELOPMENT SERVICES**

LOWER FLOOR



MAIN FLOOR

96 SF NEW DECK
120 SF LIVING ROOM EXPANSION



- WALL LEGEND**
- NEW WALL 2x STUDS @ 16" O.C.
 - EXISTING WALL TO REMAIN
 - EXISTING WALL TO BE REMOVED
 - REINFORCED CMU WALL
 - NEW EXTERIOR WORK

APPLICANT:
GREG AND DAWN SWANAN
1825 S PALM ST.
OCEANSIDE, CALIFORNIA
TEL. (760) 861-0860

PROJECT ADDRESS:
1825 S PALM ST.
OCEANSIDE, CALIFORNIA



SWANAN RESIDENCE

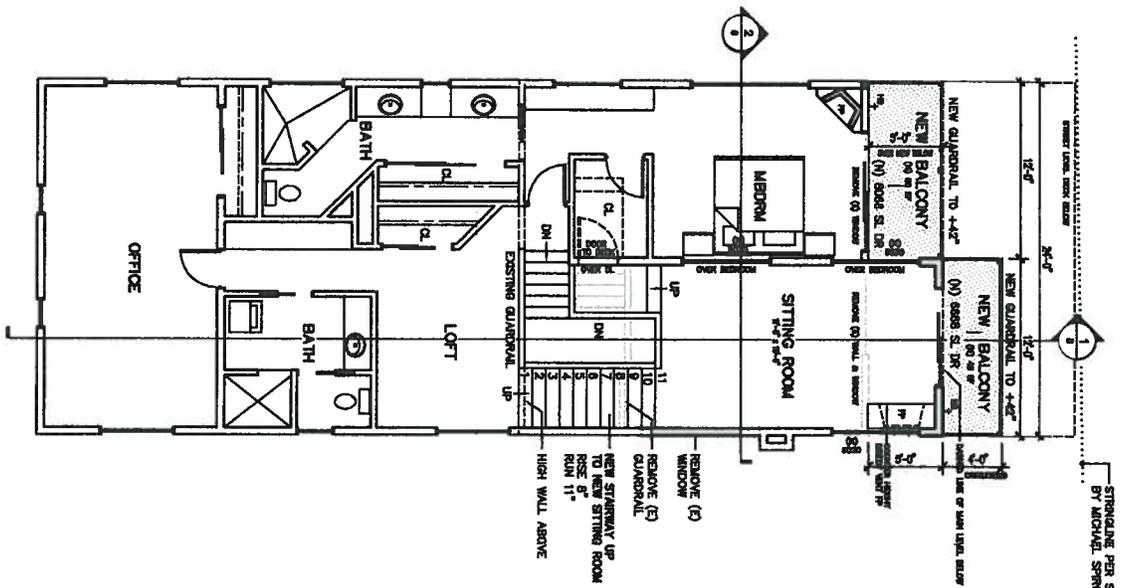
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CON & ARCHITECT
1825 S PALM ST.
OCEANSIDE, CALIFORNIA
TEL. (760) 861-0860

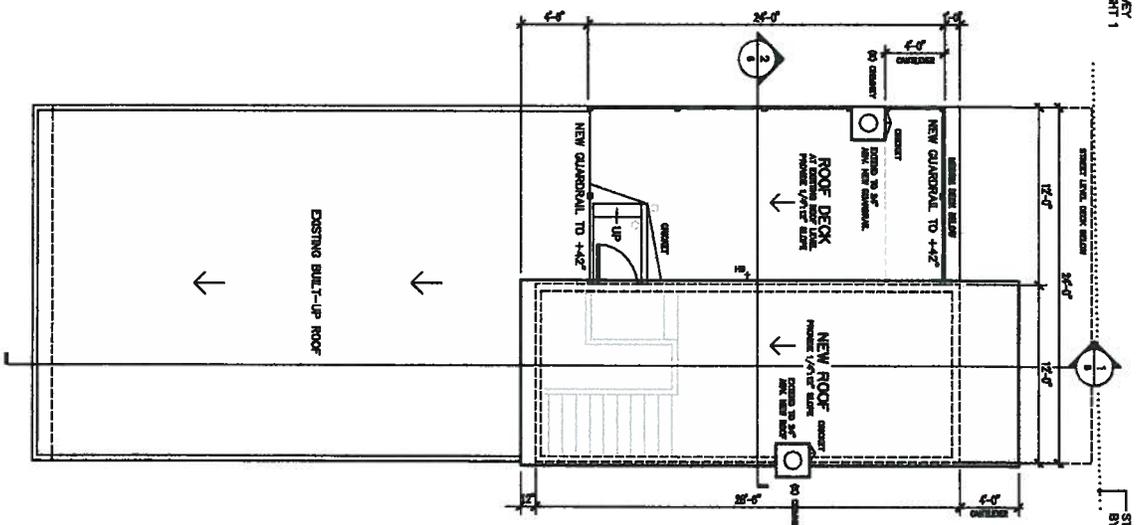
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CITY OF OCEANSIDE
DEVELOPMENT SERVICES



UPPER FLOOR
108 SF NEW BALCONY
288 SF NEW SITTING ROOM (INTERNAL)
1/4"=1'-0" NORTH



ROOF PLAN
288 SF NEW DECK ON (C) ROOF
1/4"=1'-0" NORTH

- WALL LEGEND**
- NEW WALL: 2x4 STUDS @ 16" O.C.
 - EXISTING WALL TO REMAIN
 - EXISTING WALL TO BE REMOVED
 - REINFORCED CMU WALL, SOLID GROUTED
 - NEW EXTERIOR WORK

APPLICANT:
GREG AND PAUL SWANAN
1805 S PALMVIEW ST.
OCEANSIDE, CALIFORNIA
TEL: (760) 991-0880
PROJECT ADDRESS:
1805 S PALMVIEW ST.
OCEANSIDE, CALIFORNIA



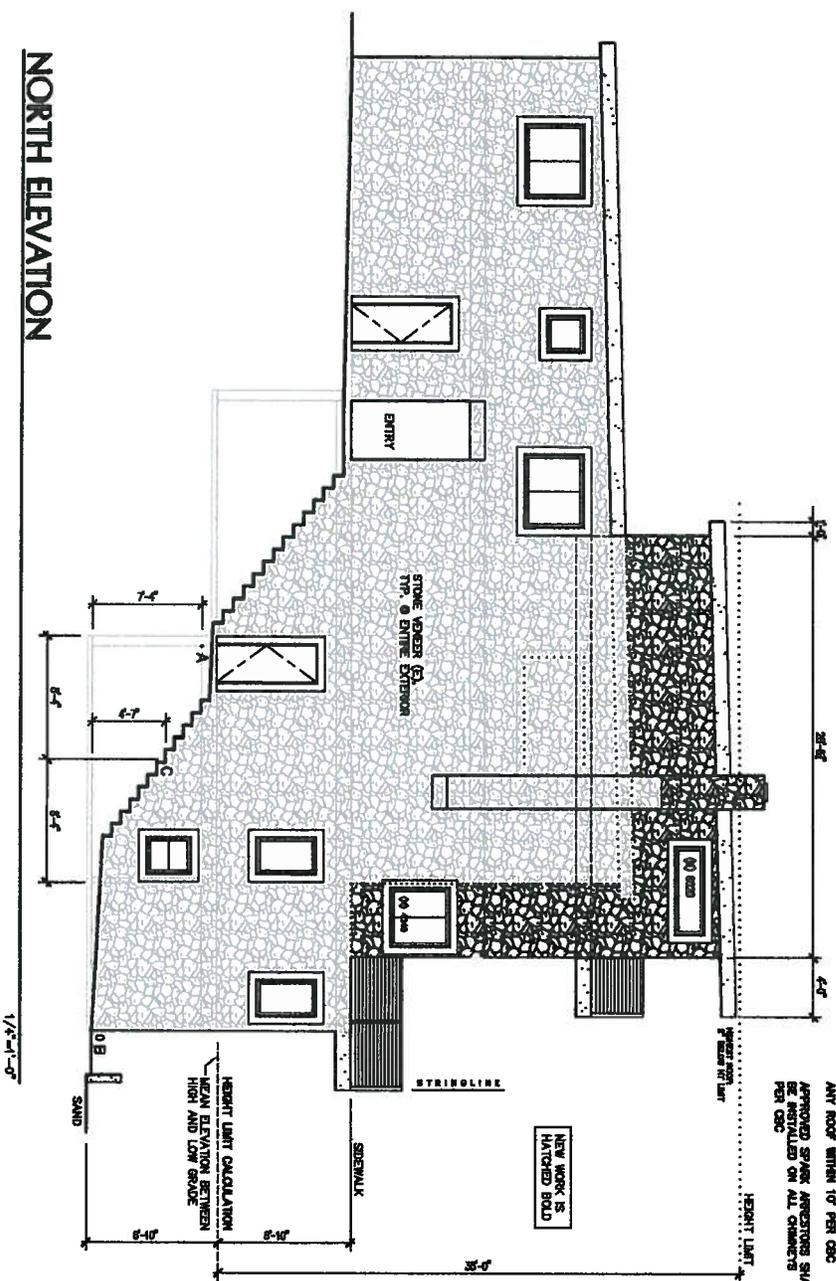
SWANAN RESIDENCE
3

ON 3 MINUTELY
AGENCY
1805 S PALMVIEW ST.
OCEANSIDE, CA 92054
TEL: (760) 991-0880
WWW.SWANANRESIDENCE.COM

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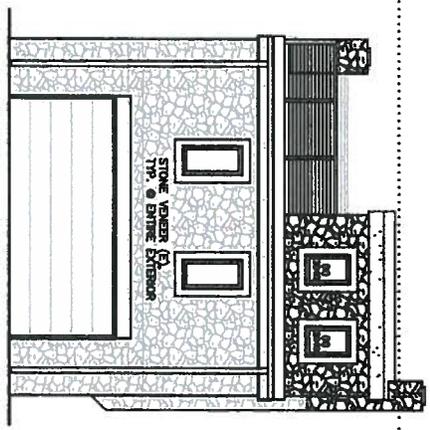
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NORTH ELEVATION



CHANGES MUST BE 3/4" ABOVE
ANY ROOF WITHIN 10' PER OSC
APPROVED SPARK ARRESTORS SHALL
BE INSTALLED ON ALL CHIMNEYS
PER OSC

EAST ELEVATION



BASEMENT CALCULATION

POINT OF	GRADE HEIGHT
POINT A EASTERN WALL	7'-6" 88"
POINT B WESTERN WALL	0'-0" 0"
POINT C SOUTHERN WALL	4'-7" 55"
POINT D NORTHERN WALL	2'-10" 34"

HEIGHT OF CEILING 88"
AVERAGE OF IMPROV'T GRADES (88+0+55+34 / 4) 44.38"
THIS IS GREATER THAN 1/2 THE CEILING HEIGHT (44")

APPLICANT:
GREG AND PAUL SWANAN
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TEL (760) 881-0880

PROJECT ADDRESS:
1825 S PACIFIC ST
OCEANSIDE, CALIFORNIA

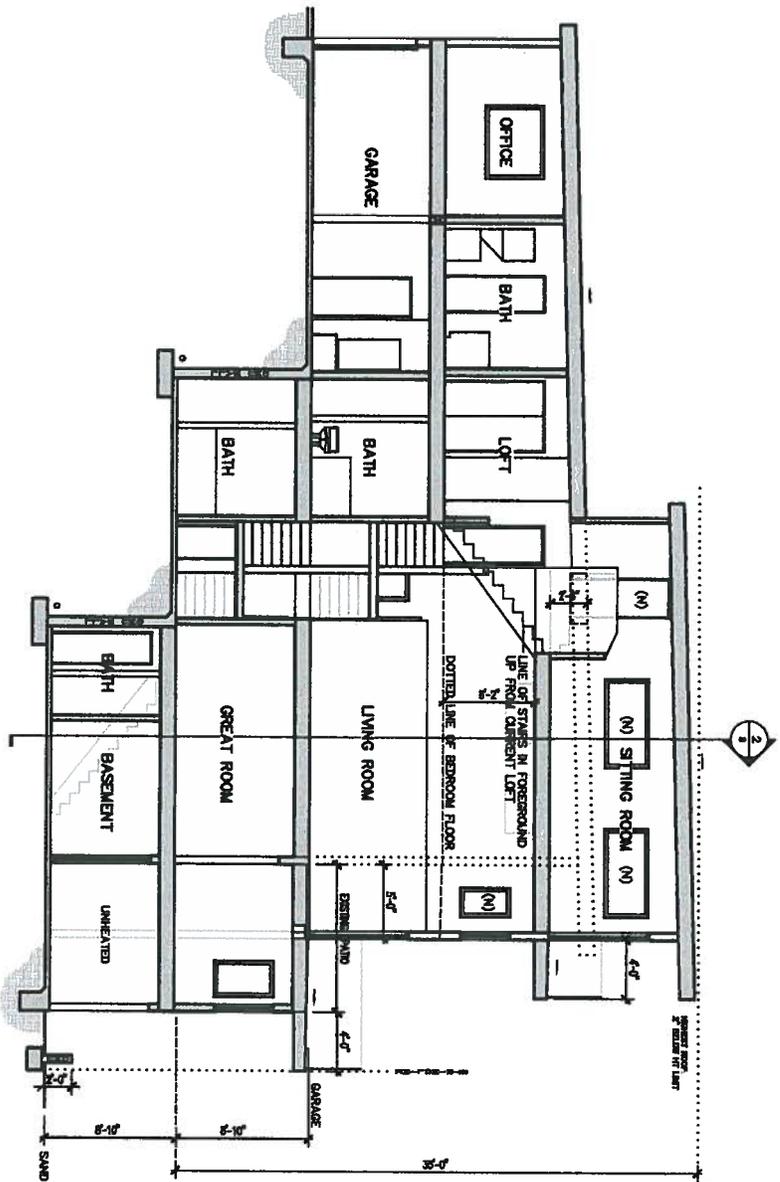
- EXTERIOR FINISHES:
ROOF: BLACK BUILT-UP ROOFING TO MATCH EXISTING, SLOPED 1/2"=12"
BUILDING FACE:
STONE VENEER OVER PLYWOOD TO MATCH EXISTING
DOOR AND ROOF CHIMNEYS:
EXTERIOR STUCCO
COLOR & TEXTURE TO MATCH EXISTING
DOORS AND WINDOWS:
MANTIN, PULL, GLAZED
DECK SURFACE:
TILE OVER THINSET OVER DEK-O-TEX
WATERPROOF MEMBRANE
DECK RAILING:
CABLE-RAIL BY FERRY



SWANAN RESIDENCE

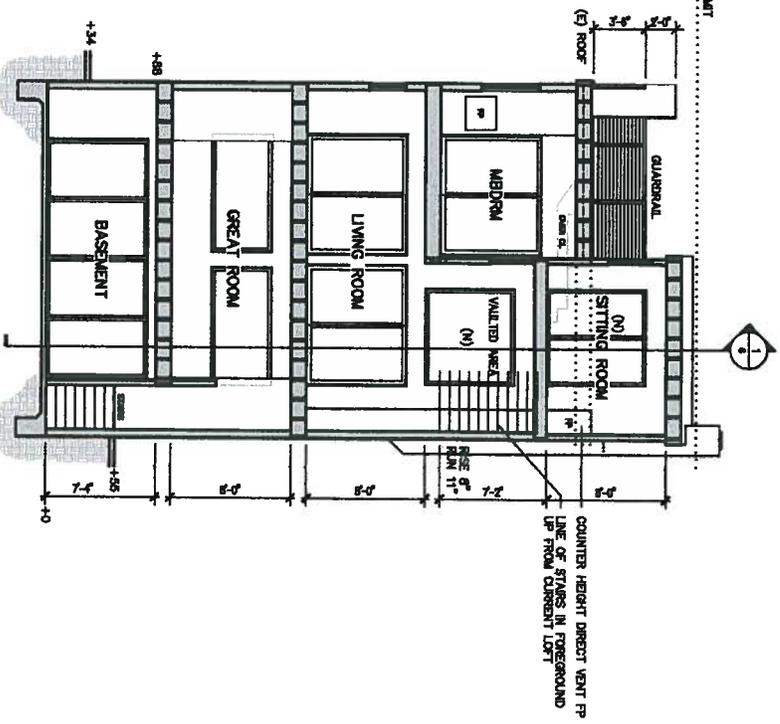
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APPLICANT:
 GREG AND DAWN SWALAN
 1825 S PACIFIC ST.
 OCEANSIDE, CALIFORNIA
 TEL. (760) 861-0890
 PROJECT ADDRESS:
 1825 S PACIFIC ST.
 OCEANSIDE, CALIFORNIA



SECTION 1

1/8"=1'-0"



SECTION 2

1/8"=1'-0"

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DEC 22 2014

CITY OF OCEANSIDE
 DEVELOPMENT SERVICES

SWALAN RESIDENCE
 6
 FOR I. HERRITY
 ARCHITECT
 2014

1 PLANNING COMMISSION
2 RESOLUTION NO. 2015-P09

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA DENYING A REGULAR
5 COASTAL PERMIT AND VARIANCE ON CERTAIN REAL
6 PROPERTY IN THE CITY OF OCEANSIDE

6 APPLICATION NO: RC14-00008 and V14-00009
7 APPLICANT: Gregory and Dawn Swajian
8 LOCATION: 1825 South Pacific Street
APN 153-250-09-00

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

11 WHEREAS, there was filed with this Commission a verified petition on the forms
12 prescribed by the Commission requesting a Regular Coastal Permit and Variance under the
13 provisions of the City of Oceanside Local Coastal Program and 1986 Zoning Ordinance to permit
14 the following:

15 a remodel and addition to an existing 3,566 square-foot single-family residence. The
16 overall project request would essentially create a stepped third story and addition of 388
17 square feet of enclosed habitable space on the second and third floors, along with the
18 creation of open deck areas totaling 612 square feet for the second floor, third floor, and
19 roof top areas;

20 on certain real property described in the project description.

21 WHEREAS, the subject request involves proposed improvements to the property located at
22 1825 South Pacific Street;

23 WHEREAS, the Planning Commission, after giving the required notice, did on the 23rd day
24 of March, 2015, conduct a duly advertised public hearing as prescribed by law to consider said
25 application;

26 WHEREAS, the documents or other material which constitute the record of proceedings
27 upon which the decision is based will be maintained by the City of Oceanside Planning Division,
28 300 North Coast Highway, Oceanside, California 92054.

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

3 FINDINGS:

4 For the Regular Coastal Permit (RC14-00008) to allow an addition and creation of a stepped
5 third story on an existing non-conforming single-family residence:

- 6 1. The proposed single-family residence does not conform to the policies of the Local Coastal
7 Program (LCP), as implemented by the City's 1986 Zoning Ordinance, in that it currently
8 exceeds the story limitation established within Zoning Ordinance Section 1709 and
9 creates a modified development that is not compatible in height, scale, and form with the
10 surrounding neighborhood and that conflicts with the City's LCP Coastal Development
11 Design Standards for Preserving the Past.

12 For the proposed Variance (V14-00009) to allow three stories of development within an R-1
zone, pursuant to Sections 1709(a) of the 1986 Zoning Ordinance:

- 13 1. Relative to other properties in the vicinity, there are no special circumstances extant at
14 1825 South Pacific Street, in terms of the property's size, shape, location or topography,
15 that warrant deviation from the two-story limitation applicable to detached single-family
16 development in R-1 zones. The fact that two properties under the same zoning
17 designation accommodate three-story development does not, in and of itself, constitute a
18 special circumstance.

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1 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby deny
2 Regular Coastal Permit (RC14-00008) and Variance (V14-00009).

3 PASSED and ADOPTED Resolution No. 2015-P09 on March 23, 2015 by the following
4 vote, to wit:

5 AYES:

6 NAYS:

7 ABSENT:

8 ABSTAIN:

9
10
11
12 _____
13 Robert Neal, Chairperson
14 Oceanside Planning Commission

15 ATTEST:

16
17 _____
18 Jeff Hunt, Secretary

19 I, JEFF HUNT, Secretary of the Oceanside Planning Commission, hereby certify that this is a
20 true and correct copy of Resolution No. 2015-P09.

21 Dated: March 23, 2015
22
23
24
25
26
27
28



Developer Deposit Account

FORM NO. 1341.87

ORDER NO. 1201601-9

ALTA PLAIN LANGUAGE POLICY

EXHIBIT "1"

LOT 13, BLOCK "F", OCEAN FRONT ADDITION, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 909, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 8, 1904. EXCEPTING THEREFROM THAT PORTION, IF ANY, NOW OR HERETOFORE LYING BELOW THE MEAN HIGH TIDE LINE OF THE PACIFIC OCEAN.

RECEIVED
JUL 01 2014
CITY OF OCEANSIDE
DEVELOPMENT SERVICES

Richard Greenbauer
City of Oceanside
Planning Division
300 N. Coast Highway
Oceanside, CA 92054

RECEIVED
FEB 19 2015
CITY OF OCEANSIDE
DEVELOPMENT SERVICES

February 16, 2015

RE: Swajian Residence
1825 S. Pacific Street, Oceanside, CA
RC 14-00008

Dear Mr. Greenbauer

Please be advised that I am the owner of real property located near the Swajian Residence on S. Pacific Street in Oceanside. I have previously discussed with the Swajians their application number RC 14-00008 to the City of Oceanside. We reviewed the proposed repairs and improvements to their home at 1825 S. Pacific Street. I support their application.

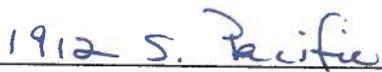
Cordially



(Signature)



(Print Name)



(Print Address)

RECEIVED

FEB 17 2015

CITY OF OCEANSIDE
DEVELOPMENT SERVICES

Rich Greenbauer
City of Oceanside
Planning Division
300 N. Coast Hwy
Oceanside, 92054

Dear Rich Greenbauer,

I am very concerned about the proposed Swajian Addition, RC 14 – 0008 and V14-00009. My home is across the street from their house and my view to the west will be obstructed by their proposed deck and room to be built on the roof of their present house.

We would not like to see the precedent set for homes that currently do not meet city standards allowing increases in height, to be given variances to do so.

Also, the deck should not go beyond the recognized string line on the west side of the house. This will affect the open feeling at the beach.

Thank you for your consideration.

Jeresa Flynn

This is my address in Oceanside: 1824 S. Pacific Street
I built my home in 1987— according to the
city standards — thus I feel all of us
should abide by those existing standards.

Rich Greenbauer
City of Oceanside
Planning Division
300 N. Coast Hwy
Oceanside, 92054

RECEIVED

JAN 26 2015

CITY OF OCEANSIDE
DEVELOPMENT SERVICES

Dear Rich Greenbauer,

I am very concerned about the proposed Swajian Addition, RC 14 – 0008 and V14-00009. My home is across the street from their house and my view to the west will be obstructed by their proposed deck and room to be built on the roof of their present house.

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Also, the deck should not go beyond the recognized string line on the west side of the house. This will affect the open feeling at the beach.

Thank you for your consideration.

John Filipow
John Filipow

This is my address in Oceanside:

1938 S. Pacific ST

Rich Greenbauer
City of Oceanside
Planning Division
300 N. Coast Hwy
Oceanside, 92054

Dear Rich Greenbauer,

I am very concerned about the proposed Swajian Addition, RC 14 – 0008 and V14-00009.

My home is across the street from their house and my view to the west will be obstructed by their proposed deck and room to be built on the roof of their present house.

We would not like to see the precedent set for homes to be over 35' and would even prefer that they be lower.

Also, the deck should not go beyond the recognized string line on the west side of the house. This will affect the open feeling at the beach.

Thank you for your consideration.

Iona V. Gates
Iona V. Gates

This is my address in Oceanside:

1834 S. Pacific
Oceanside, CA.

Rich Greenbauer
City of Oceanside
Planning Division
300 N. Coast Hwy
Oceanside, 92054

Dear Rich Greenbauer,

I am very concerned about the proposed Swajian Addition, RC 14 – 0008 and V14-00009. My home is across the street from their house and my view to the west will be obstructed by their proposed deck and room to be built on the roof of their present house.

~~We would not like to see the precedent set for homes that currently do not meet city standards allowing increases in height, to be given variances to do so.~~

Also, the deck should not go beyond the recognized string line on the west side of the house. This will affect the open feeling at the beach.

Thank you for your consideration.

Joseph + Gloria Webster

This is my address in Oceanside:

1816 S. Pacific

Rich Greenbauer
City of Oceanside
Planning Division
300 N. Coast Hwy
Oceanside, 92054

RECEIVED

JAN 26 2015

CITY OF OCEANSIDE
DEVELOPMENT SERVICES

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We would not like to see the precedent set for homes that currently do not meet city standards allowing increases in height, to be given variances to do so.

Also, the deck should not go beyond the recognized string line on the west side of the house. This will affect the open feeling at the beach.

Thank you for your consideration.

Norma Miller

This is my address in Oceanside:

1830 So. Pacific

*Please Keep Current Laws Regarding our
Ocean properties Just As They Are.
It is Ridiculous To Continue
Certain individuals to Be exempt From
These Laws.*

Rich Greenbauer
City of Oceanside
Planning Division
300 N. Coast Hwy
Oceanside, 92054

RECEIVED

JAN 29 2015

CITY OF OCEANSIDE
DEVELOPMENT SERVICES

Dear Rich Greenbauer,

I am very concerned about the proposed Swajian Addition, RC 14 – 0008 and V14-00009. My home is across the street from their house and my view to the west will be obstructed by their proposed deck and room to be built on the roof of their present house.

We would not like to see the precedent set for homes that currently do not meet city standards allowing increases in height, to be given variances to do so.

Also, the deck should not go beyond the recognized string line on the west side of the house. This will affect the open feeling at the beach.

Thank you for your consideration.

Ruth M. Brown

This is my address in Oceanside:

*1840 S. Pacific St
Oceanside, CA 92054*

Rich Greenbauer
City of Oceanside
Planning Division
300 N. Coast Hwy
Oceanside, 92054

RECEIVED

FEB 11 2015

CITY OF OCEANSIDE
DEVELOPMENT SERVICES

Dear Rich Greenbauer,

I am very concerned about the proposed Swajian Addition, RC 14 - 0008 and V14-00009. My home is across the street from their house and my view to the west will be obstructed by their proposed deck and room to be built on the roof of their present house.

We would not like to see the precedent set for homes that currently do not meet city standards allowing increases in height, to be given variances to do so.

Also, the deck should not go beyond the recognized string line on the west side of the house. This will affect the open feeling at the beach.

Thank you for your consideration.

Steve & Laura Hanch

This is my address in Oceanside:

1922 South Pacific Street.

Laura & myself value this unique neighborhood, located "South of Cassidy" and strongly discourage the city to facilitate any variance to increase height of houses along the water.

RECEIVED

JAN 08 2015

CITY OF OCEANSIDE
DEVELOPMENT SERVICES

Rich Greenbauer
City of Oceanside
Planning Division
300 N. Coast Hwy
Oceanside, 92054

1-4-15

Dear Rich Greenbauer,

I am very concerned about the proposed Swajian Addition, RC 14 - 0008 and V14-00009. My home is across the street from their house and my view to the west will be obstructed by their proposed deck and room to be built on the roof of their present house.

We would not like to see the precedent set for homes to be over 35' and would even prefer that they be lower.

Also, the deck should not go beyond the recognized string line on the west side of the house. This will affect the open feeling at the beach.

Thank you for your consideration.

Kimberly Ling

This is my address in Oceanside:

1926 S. Pacific Street

My mailing address is - PO Box 307

Pacific Palisades, CA 90272

Rich Greenbauer
City of Oceanside
Planning Division
300 N. Coast Hwy
Oceanside, 92054

RECEIVED

JAN 14 2015

CITY OF OCEANSIDE
DEVELOPMENT SERVICES

Dear Rich Greenbauer,

I am very concerned about the proposed Swajian Addition, RC 14 – 0008 and V14-00009. My home is across the street from their house and my view to the west will be obstructed by their proposed deck and room to be built on the roof of their present house.

We would not like to see the precedent set for homes that currently do not meet city standards allowing increases in height, to be given variances to do so.

Also, the deck should not go beyond the recognized string line on the west side of the house. This will affect the open feeling at the beach.

Thank you for your consideration.

Susan Franklin

This is my address in Oceanside:

2002 So. Pacific St.

Dear Neighbor,

January 9, 2015

A few months ago I contacted you about the building plans for the stone house across the street on 1825 S. Pacific Street. I am happy to report that the letters received from many of you, to the planning department, helped halt those plans. In fact, the plans were halted even before they were presented to the planning commission. However, there is now a new plan that answers many of the concerns of the building department but still has notable failures. Most importantly, the building will tower 35' over the beach, a rise of 6.5' over its current height. This new section will be 28' x 12' with an additional 4 foot overhang, 2 chimneys that go even higher, and a 3.5' high fence that extends 24' by 12'.

You should probably be concerned about blockage to your view to the west, and even more importantly the precedent that it sets. Additionally, facing the street, the house maintains a stark, monolithic façade as opposed to the articulated more interesting look called for by the city. On the beach side the house is planned to be extended west by 5' plus 4 additional feet of deck – way beyond the stringline (the western limit that buildings can be built towards the ocean) that other houses comply with.

We encourage letters to the planning department soon as they are making their determinations on this now. The opinion of neighbors matters a lot to the city. The changes applied for do not meet the standards of the city. Therefore it will require a variance. This variance process is especially sensitive to neighbor input.

My husband and I live at 1823 S. Pacific Street, neighbors to the north of this house. We are not looking forward to having our home shaded from the southern sun by the increased height of this house.

We have attached a letter that you can sign and/or add your comments to and mail to the city for your convenience. You can also either call or email the planner in charge of the project. Here is his contact information and it is also on the yellow sign posted on the building.

Rich Greenbauer
Rgreenbauer@ci.oceanside.ca.us
760-435-3519

There will be a planning commission meeting to approve or deny the variance request in the next couple of months. If you contact me with your email address I can notify you of the time and date. Your letter is very important, also if you can attend the meeting that will be very impactful. If you would like to contact me please feel free to either call or email me.

Deena Altman
daltman@altmanplants.com
760-535-0509

Deena and Ken Altman
1823 S. Pacific Street

Rich Greenbauer
City of Oceanside
Planning Division
300 N. Coast Hwy
Oceanside, 92054

RECEIVED
JAN 14 2015
CITY OF OCEANSIDE
DEVELOPMENT SERVICES

Dear Rich Greenbauer,

I am very concerned about the proposed Swajian Addition, RC 14 – 0008 and V14-00009. My home is across the street from their house and my view to the west will be obstructed by their proposed deck and room to be built on the roof of their present house.

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Also, the deck should not go beyond the recognized string line on the west side of the house. This will affect the open feeling at the beach.

Thank you for your consideration.

Dr Mary Ellen Shannon

This is my address in Oceanside:

*1904 S. Pacific St.
Oceanside, Ca 92054*

Rich Greenbauer
City of Oceanside
Planning Division
300 N. Coast Hwy
Oceanside, 92054

RECEIVED
JAN 14 2015
CITY OF OCEANSIDE
DEVELOPMENT SERVICES

Dear Rich Greenbauer,

I am very concerned about the proposed Swajian Addition, RC 14 – 0008 and V14-00009. My home is across the street from their house and my view to the west will be obstructed by their proposed deck and room to be built on the roof of their present house.

We would not like to see the precedent set for homes that currently do not meet city standards allowing increases in height, to be given variances to do so.

Also, the deck should not go beyond the recognized string line on the west side of the house. This will affect the open feeling at the beach.

Thank you for your consideration.

This is my address in Oceanside: – 1828 So. Pacific St.
Oceanside, Ca 92054

Over the last 30 years I have seen the dramatic changes made in the heights of homes on the ocean front. Every new home seems to be increasing in height and how dramatically decreased the view of the Ocean. When will it stop?

Sincerely,

Rose M. Blake

Rich Greenbauer
City of Oceanside
Planning Division
300 N. Coast Hwy
Oceanside, 92054

RECEIVED

JAN 16 2015

CITY OF OCEANSIDE
DEVELOPMENT SERVICES

Dear Rich Greenbauer,

I am very concerned about the proposed Swajian Addition, RC 14 – 0008 and V14-00009. My home is across the street from their house and my view to the west will be obstructed by their proposed deck and room to be built on the roof of their present house.

We would not like to see the precedent set for homes that currently do not meet city standards allowing increases in height, to be given variances to do so.

Also, the deck should not go beyond the recognized string line on the west side of the house. This will affect the open feeling at the beach.

Thank you for your consideration.

Stephen D. McHall

This is my address in Oceanside: *1918 S. Pacific St., Oceanside, Ca. 92054*

Rich Greenbauer
City of Oceanside
Planning Division
300 N. Coast Hwy
Oceanside, CA

RECEIVED
SEP 08 2014
CITY OF OCEANSIDE
DEVELOPMENT SERVICES

Dear Mr. Greenbauer,

We are part of the South O neighborhood and would like to address the recent application of the Swajian Addition RC 14-008 and V14-0009. Our concern and disagreement with this application is: It not only pushes the limits, but asks for quite a change in policy.

The higher roof heights and the string line moved farther out to the west. Please keep the existing limits on both items.

As these projects come in to your department, isn't there a consistency of regulations? I know when we remodeled our residence in 2007, we had strict guidelines to adhere to.

I attended a planning commission meeting in June for the 1738 So. Pacific St. that was approved over objection from other residents of the area. That project pushed the limits for R 1 and could have been classified as H O T E L. That was quite a disappointment for the concerned citizens, especially since the house next door has the same owners and business model. Three commissioners that night expressed the need for more comprehensive guidelines for the area. To your knowledge has that been addressed? My concern is simply this - is the Oceanside community served by a planning commission that does not have a consistent plan?

It was also noted at that meeting by the board, that it was the code enforcement department to enforce any infractions. As a resident here since 1995, we have seen many infractions and know that is not a efficient plan for growth and maintaining consistency in property values.

Thank you for your time and consideration,

Jeanie Betancourt 9/5/14

Jeanie Betancourt
2008 So. Pacific St.
Oceanside, CA 92054
760-433-3179

September 2, 2014

Rich Greenbauer
City of Oceanside
Planning Division
300 N. Coast Hwy
Oceanside, CA 92054
Re: 1825 S. Pacific, Swajian Addition, RC 14-0008 and V14-00009

Dear Mr. Greenbauer:

I want to voice my concern regarding the variance request, as communicated to me regarding this project.

The rules on the coast have been ever changing, with the result that we now have a set of rules and requirements that is very comprehensive with string lines on the coast and street and with height limits. Homeowners, neighbors and the community have an understanding of what to expect. Variances to string line and height have the most impact and should be heavily protected. As you know, our city gets trapped by precedents and opens the city to future lawsuits and bureaucracy. A deck beyond the sting line or anything that exceeds the preexisting non-conforming condition of the roof or that is over 35' should not be allowed.

As such I would hope that the city help the homeowner to the extent possible with their needs, without allowing for variances to string line or height. It is not fair to the enjoyment of the neighbors or residents.

Sincerely,

Phillip Schneider
1841 S. Pacific St.
Oceanside, CA 92054

Richard Greenbauer

From: Phillip Schneider <pschnei1@me.com>
Sent: Thursday, September 11, 2014 10:46 AM
To: Richard Greenbauer
Subject: 1825 S. Pacific St.
Attachments: Planning dept. letter1825 s. pacific.docx

Re: Swajian Variance Proposal
Submitted by Neighbors to the North
Deena and Ken Altman
1823 S. Pacific Street 760-535-0509

The Swajians proposed plans are not consistent with the following Planning Department regulations:

1. The 5th floor on this submittal will be over the allowed 35' above average grade that is permitted. It is possible that even the guard rail may not qualify on the roof deck.
2. There are now four stories and they want to add yet one more for a fifth floor. The lower levels do not qualify as a basement.
3. This also brings into question how they were permitted to build the addition they now have without a variance - given that they are four floors with no basement. And now to add more square footage to a structure that already does not conform to the regulations should not be allowed.
4. The proposed plan shows expansion of their existing street level deck. This goes way beyond the string line that the City of Oceanside has established for recent projects.
5. Is there a precedent for putting in a mechanical room on the roof top? Even though the Zoning Ordinance says that the max height of 35' above average grade can be penetrated by non-habitable spaces (such as a stair tower) the actual policy is to not allow any portion of a building to be over 35' above grade. Two observations on the mechanical room: what mechanical would they put up there that would be different than what they have now, and secondly, why does a mechanical room need so many windows on all sides plus a sliding glass door?
6. With this proposal west face is now too vertical. It is not showing the articulation that the community is striving for on beachfront properties so they do not look like a row of tall fortresses. There would be two vertical stories on the bottom and then 3 more above that. These are not the set backs and articulation of the façade that the Planning Commission is looking for.

Variance proposal and acceptance framework:

A variance application should include a well conceived improvement for the neighborhood, follow community guidelines, and not just answer the needs of the resident.

1. The Oceanside community and Planning Commission are striving for more approachable houses with articulation and design that feels open on the street side and more articulated and less looming on the beach side.
2. The current Swajian house on the street side has an impenetrable stone rectangular surface with no articulation and nothing planned in the proposal to change that.
3. The current Swajian house on the beach side has 2 vertical levels below 2 vertical levels with one balcony. The proposed plan will have 2 vertical levels below 3 vertical levels that will loom closer to the beach as they will project the walls out 5 additional feet and will be over 10 feet higher than the vertical face is now. The street level balcony will cross the string line by four additional feet.
4. The proposal should fit the building envelop in the neighborhood. Currently there are no structures that we have seen with any kind of room, mechanical or otherwise, projecting above 35' feet average grade. Also, the houses are not 5 stories.

Neighbor issues that the Swajians surfaced:

1. The Swajians themselves made a large issue of our house being built too high at 35' average grade. In response to this the Planning Department mandated that our house needed to be lowered by over 2 feet. This created a huge and costly change to our remodel (over \$100,000). The street level roof that was going to remain had to be lowered, the stair to the top floor had to be reconfigured, and a new powder room had to be built instead of using the existing. Given this precedent, the Swajians should be held to the same standard of 32.5 feet. And we as their neighbors should have the same right to ask them to adhere to this precedent.
2. The Swajians objected to one of our windows as they were concerned about privacy. Our window was forced into a different position – a position that will now make our master bedroom exposed to their deck and the windows of their “mechanical room”.

3. The Swajians objected to our 3' deck that wrapped our south side for privacy issues. We were therefore required to set back our house away from their house with a 3 foot roof element instead of the planned deck, whereas they have no such set back planned for their fifth floor. Instead, their proposed addition is as close as it could possibly be to our house and windows.
4. With this new proposal they are projecting their west wall of floors 3, 4 and 5 out by 5 feet, and up by 10 feet. This monolithic wall will extend into our view shed beyond our western façade by 5 feet plus the additional decks. We were careful to set back our upper floor façade and deck in response to what the community was looking for. Now we could suffer less view shed and less light from a neighbor that is requesting to project their west wall out an additional 5 feet and higher by 10 feet. This is on top of an existing remodel that was incorrectly permitted without a variance.

Summary:

1. The Swajian Variance application is not in accordance with Oceanside Planning Department regulations for building and should therefore be denied. This includes height limitations, established string line, floors allowed over a basement, and remodel to an edifice that is already out of compliance
2. The structure does not offer the articulated, friendly façade the community has requested for variance approval and therefore should be denied.
3. The Swajians should be held accountable to their own objections made to neighbors building next to them.

Rich Greenbauer
City of Oceanside
Planning Division
300 N. Coast Hwy
Oceanside, 92054

RECEIVED

AUG 27 2014

CITY OF OCEANSIDE
DEVELOPMENT SERVICES

8/25/14

Dear Rich Greenbauer,

I am very concerned about the proposed Swajian Addition, RC 14 – 0008 and V14-00009.

My home is across the street from their house and my view to the west will be obstructed by their proposed deck and room to be built on the roof of their present house.

We would not like to see the precedent set for homes to be over 35' and would even prefer that they be lower.

Also, the deck should not go beyond the recognized string line on the west side of the house. This will affect the open feeling at the beach.

Thank you for your consideration.



This is my address in Oceanside: 1824 S. Pacific Street
Oceanside, Ca. 92054

I have lived here 25 years. This would spoil the value of our homes and we would lose complete view of the ocean if this variance was ok'd.

Rich Greenbauer
City of Oceanside
Planning Division
300 N. Coast Hwy
Oceanside, 92054

SEP 03 2014
CITY OF OCEANSIDE
DEVELOPMENT SERVICES

Dear Rich Greenbauer,

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We would not like to see the precedent set for homes to be over 35' and would even prefer that they be lower.

Also, the deck should not go beyond the recognized string line on the west side of the house. This will affect the open feeling at the beach.

Thank you for your consideration.

Stephen D. McNall

This is my address in Oceanside:

1918 S. Pacific St.

Rich Greenbauer
City of Oceanside
Planning Division
300 N. Coast Hwy
Oceanside, 92054

RECEIVED

SEP 08 2014

CITY OF OCEANSIDE
DEVELOPMENT SERVICES

Dear Rich Greenbauer,

I am very concerned about the proposed Swajian Addition, RC 14 – 0008 and V14-00009.

My home is across the street from their house and my view to the west will be obstructed by their proposed deck and room to be built on the roof of their present house.

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Also, the deck should not go beyond the recognized string line on the west side of the house. This will affect the open feeling at the beach.

Thank you for your consideration.



This is my address in Oceanside:

Mick Zerk - Chuck Zerk
1818 S. Pacific St.
Oceanside CA 92054

Rich Greenbauer
City of Oceanside
Planning Division
300 N. Coast Hwy
Oceanside, 92054

RECEIVED
AUG 25 2014
CITY OF OCEANSIDE
DEVELOPMENT SERVICES

Dear Rich Greenbauer,

I am very concerned about the proposed Swajian Addition, RC 14 – 0008 and V14-00009.

My home is across the street from their house and my view to the west will be obstructed by their proposed deck and room to be built on the roof of their present house.

We would not like to see the precedent set for homes to be over 35' and would even prefer that they be lower.

Also, the deck should not go beyond the recognized string line on the west side of the house. This will affect the open feeling at the beach.

Thank you for your consideration.

Norma Miller

This is my address in Oceanside:

1830 So. Pacific

Oceanside, Cal 92054

Rich Greenbauer
City of Oceanside
Planning Division
300 N. Coast Hwy
Oceanside, 92054

RECEIVED

AUG 28 2014

CITY OF OCEANSIDE
DEVELOPMENT SERVICES

Dear Rich Greenbauer,

I am very concerned about the proposed Swajian Addition, RC 14 – 0008 and V14-00009.

My home is across the street from their house and my view to the west will be obstructed by their proposed deck and room to be built on the roof of their present house.

We would not like to see the precedent set for homes to be over 35' and would even prefer that they be lower.

Also, the deck should not go beyond the recognized string line on the west side of the house. This will affect the open feeling at the beach.

Thank you for your consideration.

Rose M. Blade

This is my address in Oceanside:

*1828 So. Pacific
Oceanside, Ca 92054*

RECEIVED

AUG 25 2014

CITY OF OCEANSIDE
DEVELOPMENT SERVICES

Rich Greenbauer
City of Oceanside
Planning Division
300 N. Coast Hwy
Oceanside, 92054

Dear Rich Greenbauer,

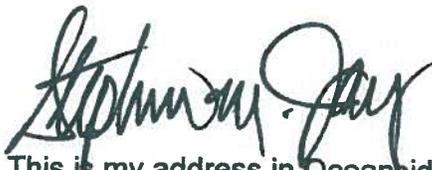
I am very concerned about the proposed Swajian Addition, RC 14 – 0008 and V14-00009.

My home is across the street from their house and my view to the west will be obstructed by their proposed deck and room to be built on the roof of their present house.

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Also, the deck should not go beyond the recognized string line on the west side of the house. This will affect the open feeling at the beach.

Thank you for your consideration.



This is my address in Oceanside:

1814 S. Pacific St.
Oceanside, CA 92054



Rich Greenbauer
City of Oceanside
Planning Division
300 N. Coast Hwy
Oceanside, 92054

Dear Rich Greenbauer,

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My home is across the street from their house and my view to the west will be obstructed by their proposed deck and room to be built on the roof of their present house.

We would not like to see the precedent set for homes to be over 35' and would even prefer that they be lower.

Also, the deck should not go beyond the recognized string line on the west side of the house. This will affect the open feeling at the beach.

Thank you for your consideration.

Dr Mary Ellen Shannon

This is my address in Oceanside:

*Mary Ellen Shannon
1904 S. Pacific St.
Oceanside, Ca 92054*

Richard Greenbauer

From: Linda Williams <beachtwo@sbcglobal.net>
Sent: Friday, August 29, 2014 8:12 PM
To: Richard Greenbauer
Subject: 1825 S Pacific Street
Attachments: DSC05519.jpeg; ATT00001.txt

Dear Rich,

As nearby neighbors to the house at 1825. S Pacific Street, many of us are very concerned about the proposed variance request that will affect our view to the west.

We have included a letter for your files with our signatures

Alth Crumrine
City of Oceanside
Planning Division
303 N. Coast Hwy
Oceanside, 92054

Dear Alth Crumrine:

I am very concerned about the proposed Seajon Addition, AC 14 - 0000 and 1714-00000. My home is across the street from their house and my view to the west will be obstructed by their proposed deck and screen to be built on the east of their present house.

We would not like to see the proposed wall for houses to be over 30' and would even prefer that they be lower.

Also, the deck should not go beyond the recognized zoning line on the west side of the house. This will affect the open feeling of the beach.

Thank you for your contribution.

Shirley Williams
The McNeil

This is my address in Oceanside

1918 S Pacific St

James Brusso
Retired Educator
1920 South Pacific Street, Oceanside, CA 92054

RECEIVED

SEP 02 2014

CITY OF OCEANSIDE
DEVELOPMENT SERVICES

Rich Greenbauer
City of Oceanside
Planning Division
300 N. Coast Highway
Oceanside, CA 92054

Mr. Greenbauer:

I am writing to express my concern and dismay about the proposed Swagian Addition, RC 14-0008 and V14-00009. My home is across the street and just south of this proposed addition and will affect our view and the view of many of our neighbors. It was my understanding that the city was concerned about the "canyonization" of Pacific Street. The homes on the west side of the street, south of Cassidy, have plenty of room to build DOWN, below street level. They should be limited to only one story above the street, NOT given a variance to encroach on view corridors to an even greater extent.

The proposal to extend any part of the building beyond the current limits should also be unacceptable. Why should one person be allowed to encroach on public land more than anyone else? The beaches here are small enough, do not let anyone affect the openness and beauty of what we have left.

If Oceanside is to become the comfortable, modern coastal community we all envision, YOU must protect the quality of life for your residents and tax payers as well as preserve the city's natural resources for our visitors.

Thank you for your attention to this matter.



James Brusso

8-30-14

Rich Greenbauer
City of Oceanside
Planning Division
300 N. Coast Hwy
Oceanside, 92054

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SEP 02 2014

CITY OF OCEANSIDE
DEVELOPMENT SERVICES

Dear Rich Greenbauer,

I am very concerned about the proposed Swajian Addition, RC 14 – 0008 and V14-00009. My home is across the street from their house and my view to the west will be obstructed by their proposed deck and room to be built on the roof of their present house.

We would not like to see the precedent set for homes to be over 35' and would even prefer that they be lower.

Also, the deck should not go beyond the recognized string line on the west side of the house. This will affect the open feeling at the beach.

Thank you for your consideration.

Ann Filipone
Katherine Filipone

This is my address in Oceanside:

1938 S. Pacific ST

Mrs. Ruth M. Brown
1840 South Pacific
Oceanside, California 92054

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SEP 08 2014

CITY OF OCEANSIDE
DEVELOPMENT SERVICES

Dear Mr. Greenbauer,

Please do not grant a variance
to Mr. Swajian for his addition,
RC #4-0008 and V14-00009.

It will interfere with my
ocean view. It will set a precedent
for future development in the
area.

Please don't let money
influence your decision!

My children plan
to keep this place. I have
lived here since 1989!

Ruth Brown
1840 S. Pacific

Rich Greenbauer
City of Oceanside
Planning Division
300 N. Coast Hwy
Oceanside, 92054

Dear Rich Greenbauer,

I am very concerned about the proposed Swajian Addition, RC 14 – 0008 and V14-00009. My home is across the street from their house and my view to the west will be obstructed by their proposed deck and room to be built on the roof of their present house.

We would not like to see the precedent set for homes that currently do not meet city standards allowing increases in height, to be given variances to do so.

Also, the deck should not go beyond the recognized string line on the west side of the house. This will affect the open feeling at the beach.

Thank you for your consideration.

John Filippone
Kathy Filippone

This is my address in Oceanside:

1938 S. Pacific St



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

RECEIVED

BY

JUL 01 2014

CITY OF OCEANSIDE
 DEVELOPMENT SERVICES

[Signature]

Please Print or Type All Information

HEARING

PART I - APPLICANT INFORMATION

1. APPLICANT <i>GREGORY + DAWN SWAJIAN</i>	2. STATUS <i>OWNERS</i>
3. ADDRESS <i>1825 S. PACIFIC ST. OCEANSIDE</i>	4. PHONE/FAX/E-mail <i>760 861-0660</i>
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) <i>JOHN WEINBERG</i>	
6. ADDRESS <i>1209 FALL RIVER WY. SAN MARCOS</i>	7. PHONE/FAX/E-mail <i>760 727-3000</i>

GPA
MASTER/SP.PLAN
ZONE CH.
TENT. MAP
PAR. MAP
DEV. PL.
C.U.P. <i>V14-0009</i>
VARIANCE <i>RC14-0008</i>
COASTAL
O.H.P.A.C.

PART II - PROPERTY DESCRIPTION

8. LOCATION <i>1825 S. PACIFIC ST. OCEANSIDE, CA</i>			9. SIZE <i>.108 AC</i>	
10. GENERAL PLAN <i>COASTAL</i>	11. ZONING <i>R1</i>	12. LAND USE <i>RES</i>	13. ASSESSOR'S PARCEL NUMBER <i>153-250-09-00</i>	
14. LATITUDE <i>33.172169</i>		15. LONGITUDE <i>117.364975</i>		

PART III - PROJECT DESCRIPTION

16. GENERAL PROJECT DESCRIPTION
RESIDENTIAL ADDITION OF 120 SF HEATED SPACE, 626 SF OF EXTERIOR DECK & 343 SF OF UNHEATED MECHANICAL ROOM. VARIANCE TO ADD TO EXISTING 3 STORY SFR OVER BASEMENT, WHERE ONLY 2 STORIES ARE ALLOWED IN ZONE.

17. PROPOSED GENERAL PLAN <i>COASTAL</i>	18. PROPOSED ZONING <i>R1</i>	19. PROPOSED LAND USE <i>RES</i>	20. NO. UNITS <i>1</i>	21. DENSITY
22. BUILDING SIZE <i>3686 SF</i>	23. PARKING SPACES <i>2</i>	24. % LANDSCAPE <i>0</i>	25. % LOT COVERAGE or FAR <i>34%</i>	

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 PAGES AS NECESSARY).

35. APPLICANT OR REPRESENTATIVE (Print): <i>GREGORY + DAWN SWAJIAN</i>	36. DATE <i>7/19/14</i>	37. OWNER (Print): <i>GREGORY + DAWN SWAJIAN</i>	38. DATE <i>7/19/14</i>
Sign <i>[Signature]</i>		Sign <i>[Signature]</i>	

I DECLARE UNDER PENALTY OF 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.

Item #26

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JUL 01 2014
CITY OF OCEANSIDE
DEVELOPMENT SERVICES

Detailed description of Project - For the Variance:

1. There are special circumstances warranting approval of a variance due to the steep topography of the lot precluding the creation of a double basement resulting in three stories where two stories are allowed by the 1986 Zoning Ordinance. Strict application of the 2-story limit would deprive the applicant such property rights enjoyed by other property in the vicinity and in the same zone classification that have residences with the appearance of similar bulk, scale, and mass as other homes in the neighborhood.
2. The granting of the variance will not constitute a special privilege to the property. Other similar variances for exceeding the 2-story limit have been granted for homes in the vicinity.
3. The granting of this variance will not adversely affect any Specific Plan, Precise Plan, or General Plan standards adopted or being studied for the area.
4. The granting of the variance will not be materially detrimental or injurious to the surrounding property nor to the general development pattern of the neighborhood. The variance is consistent with Regular Coastal Permit (RC10-00009) and Variance (V11-00004), The Altmans' Project at 1823 South Pacific, Oceanside, California approved by the City of Oceanside on September 26, 2011 and several deviations through 2014. These Applicants request that the Altmans' file be incorporated, by reference, in consideration of this request for variance that is similar in scale and character to the surrounding community and will not result in any adverse impact to public access, recreation, or public views. The owner of 1827 S. Pacific Street has reviewed the plans and has signed a letter approving our submittal.

Developer Deposit Account
