



**CITY OF NEWPORT BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION ACTION REPORT**

**TO:** CITY COUNCIL, CITY MANAGER AND PLANNING COMMISSION

**FROM:** Kimberly Brandt, Community Development Director  
Brenda Wisneski, Deputy Community Development Director

**SUBJECT:** Report of actions taken by the Zoning Administrator, and/or Planning Division staff for the week ending August 9, 2013

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**COMMUNITY DEVELOPMENT DIRECTOR  
OR PLANNING DIVISION STAFF ACTIONS**

Item 1: Staff Approval No. SA2013-010 (PA2013-011)  
12 Land Fall Court

Action: Approved

Council District 2

**APPEAL PERIOD:** An appeal may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered unless a different period of time is specified by the Municipal Code (e.g., Title 19 allows ten (10) day appeal period for tentative parcel and tract maps, lot line adjustments, or lot mergers). For additional information on filing an appeal, contact the Planning Division at 949 644-3200.



## COMMUNITY DEVELOPMENT DEPARTMENT

### PLANNING DIVISION

100 Civic Center Drive, P.O. Box 1768, Newport Beach, CA 92658-8915

(949) 644-3200 Fax: (949) 644-3229

[www.newportbeachca.gov](http://www.newportbeachca.gov)

## **COMMUNITY DEVELOPMENT DIRECTOR ACTION LETTER**

**APPLICATION:** SA2013-010  
**APPLICANT:** Jim Caras  
**LOCATION:** 12 Land Fall Court  
**LEGAL DESCRIPTION:** TR 7817 LOT 3 UNIT 179 OF PROJECT LOCATED ON AP 424-041-01 TOGETHER

On **August 7, 2013**, pursuant to Section 20.54.070 (Changes to an Approved Project) of the Zoning Code, the Community Development Director authorized minor changes to an approved site plan to allow an existing balcony to be expanded/converted into a deck that would extend 2.5 feet into the 3.5-foot setback established by the Newport Crest Planned Community Development Plan. This authorization is based on the following findings and subject to the following conditions.

### **ZONING DISTRICT/GENERAL PLAN**

- **Zone:** PC-14 (Newport Crest Planned Community)
- **General Plan:** RM (Multiple-Unit Residential)

### **I. BACKGROUND**

12 Land Fall Court is a Newport Crest condominium. The Newport Crest Planned Community was approved by Use Permit No. 1585 in 1972. The original approved site plan, floor plans, and elevations serve as the Planned Community Development Plan. The location of balconies and decks depicted on the site plan serve as de facto "setbacks." Setbacks for balconies along the perimeter were set at either 3.5 or 10 feet.

From 1985 to 2007, the City approved 19 modification permits to allow balconies along the southern property line of the project to extend into the setback areas depicted on the site plan. Most of these balconies were permitted to extend 0.5-foot or less from the property line.

In 2010, the Zoning Code Update limited modification requests to a maximum 10% deviation from the standard setback.

II. **PROPOSED CHANGES**

The expansion of an existing first floor 13-foot, 6-inch by 6-foot balcony to convert it into a 19-foot, 8-inch by 9-foot deck would extend 2 feet, 6-inches into the 3-foot, 6-inch setback established by the Newport Crest Planned Community Development Plan.

III. **DISCUSSION**

The proposed deviation to the balcony setback is over 71%; therefore, a modification permit cannot be used to allow the expansion of the balcony, as was done in the past. The City authorized an average 85% deviation to the balcony setback standard for 19 of the 39 units along the southern property line with the same unit/balcony orientation. In essence, the reduced setback has become the new standard for the project. Therefore, it was deemed appropriate to treat the proposed balcony/deck expansion as a minor change to the approved site plan pursuant to Section 20.54.070 (Changes to an Approved Project) of the Zoning Code.

IV. **FINDINGS**

In order to authorize minor changes to an approved site plan, architecture, or the nature of the approved use, without a public hearing, the Community Development Director must first find:

- A. *The proposed changes are consistent with all applicable provisions of this Zoning Code.*

Facts in Support of Finding:

1. The expansion/conversion of the balcony into a deck will not extend into any required bluff, alley, waterfront or traffic safety/visibility setback areas.
2. The proposed deck will be open and will not significantly impair the provision of; access to and around structures, access to natural light and ventilation, separation of incompatible land uses, space for privacy, landscaping, and recreation, protection of natural resources or safety from fire and geologic hazards.

Finding:

- B. *The proposed changes do not involve a feature of the project that was a basis for or subject of findings or exemptions in a negative declaration or Environmental Impact Report for the project.*

Facts in Support of Finding:

1. The location of balconies was not the subject of findings for the approval of Use Permit No. 1585 or the environmental analysis of the project.

Finding:

- C. *The proposed changes do not involve a feature of the project that was specifically addressed or was the subject of a condition(s) of approval for the project or that was a specific consideration by the applicable review authority in the project approval*

Facts in Support of Finding:

1. Condition No. 25 of Use Permit No. 1585 required the applicant to submit a plan showing the areas designed for patio construction to the City for review and approval. The condition was later interpreted to include balconies and decks. The authority to approve the location of patios, balconies, and decks was left to the discretion of the Community Development Department.

Finding:

- D. *The proposed changes do not result in an expansion or change in operational characteristics of the use.*

Facts in Support of Finding:

1. The expansion/conversion of the balcony will not result in an expansion or change in the residential use of the Newport Crest Planned Community.

**V. CONDITIONS**

1. Within 10 days of this approval, the applicant shall withdraw the application for Variance No. VA2013-001.
2. The balcony/deck shall be constructed of non-combustible material or fire-treated wood, or a combination of both.
3. The applicant shall obtain a Modification from the Building Division to allow the construction of the balcony/deck to be either by non-combustible material or fire-treated wood, or a combination of both and to allow the balcony/deck to be within one foot of the property line.

**APPEAL PERIOD:** An appeal may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered unless a different period of time is specified by the Municipal Code (e.g., Title 19 allows ten (10) day appeal period for tentative parcel and tract maps, lot line adjustments, or lot mergers). For additional information on filing an appeal, contact the Planning Division at 949 644-3200.

On behalf of Kimberly Brandt, AICP, Community Development Director

By:

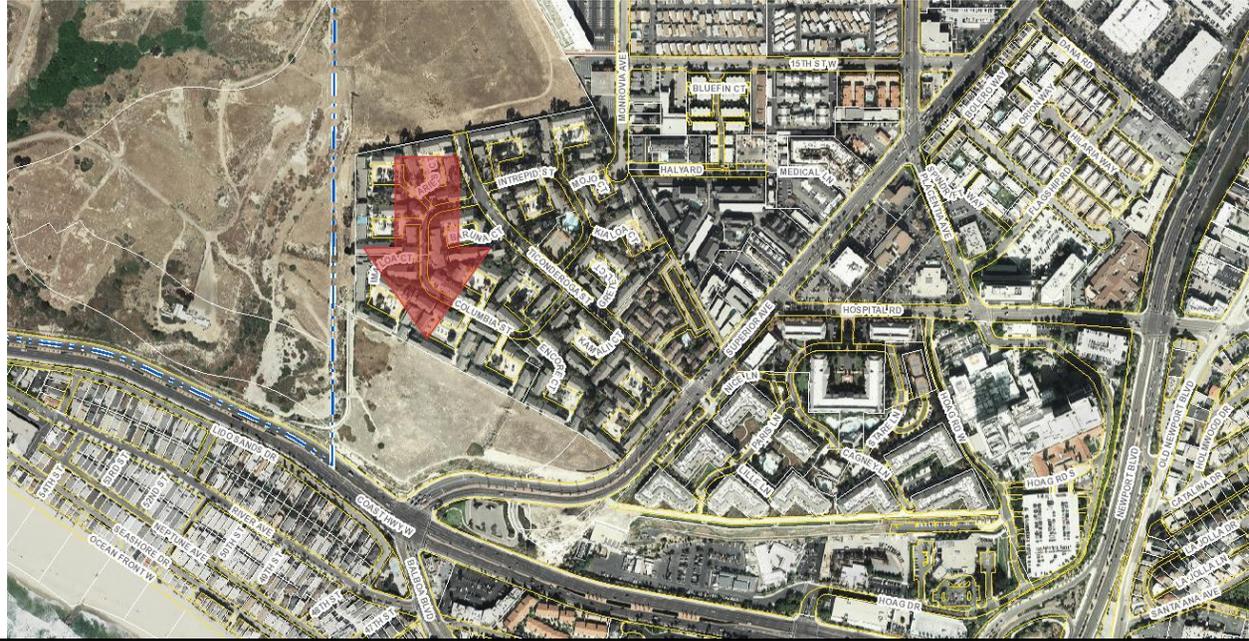


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Patrick J. Alford, Planning Manager

- Attachments:
1. CD1 Vicinity Map
  2. CD2 Project Plans
  3. CD3 Applicant's Project Description

## VICINITY MAP



SA2013-010  
PA2013-011

**12 Land Fall Court**

# **Attachment No. CD 2**

Project Plans

# NEWPORT CREST CONDOMINIUMS

NEWPORT BEACH, CA 92663

## BUILDING DATA

BUILDING CODE: 2010 California Residential Code  
2010 California Fire Code

PROJECT DESCRIPTION (SCOPE OF WORKS): HOUSE REAR LOWER EXISTING DECK IS TO BE REPAIRED WITH ADDITIONAL AREA EXTENDED.

PROPERTY MANAGEMENT: NEWPORT CREST HOMEOWNERS ASSOC. CO  
OPTIMUM PROPERTY MANAGEMENT  
17731 IRVINE BLVD, # 212 TUSTIN, CA 92780

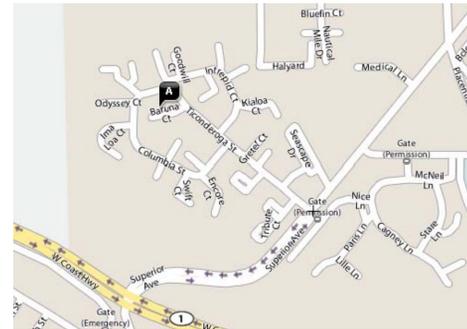
OCCUPANCY GROUP: R30

TYPE OF CONSTRUCTION: VB

NUMBER OF BUILDING STORIES: 2

PROJECT LOCATION AND OTHER INFO. PER FOLLOWING TABLE:

	ADDRESS	LOCATION	SIZE	CATEGORY	REMARK	NOTES
17	LANDFALL 12	LOWER REAR	(E) 6' X 14' (N) 9' X 20'	2	TYP.	NEW SIZE IS PROPOSED



VICINITY MAP  
Scale: N.T.S.

## SHEET INDEX

A1 : GENERAL NOTES & BUILDING DATA  
A2 : PLAN & ELEVATION  
A3 : ARCHS NOTES & DETAILS

S1 : STRUCTURAL NOTES & FLOOR PLAN  
S2 : STRUCTURAL DETAILS

## GENERAL NOTES

1. ALL REPAIR WORK SHALL CONFORM TO THE EDITION OF THE UNIFORM BUILDING CODE THAT WAS CURRENT DURING THE ORIGINAL CONSTRUCTION AS APPROVED BY THE CITY OF NEWPORT BEACH ALL ADOPTED AMENDMENTS, BUILDING DEPARTMENT SUPPLEMENTARY PROCEDURES AND NEWSLETTERS, NFPA BULLETINS AND ALL OTHER LOCAL CODES HAVING JURISDICTION OVER THE WORK.

2. THE CONTRACTOR, SUBCONTRACTORS AND MATERIAL SUPPLIERS SHALL REFER TO THE DRAWINGS, SCHEDULES AND SPECIFICATIONS AS A WHOLE WHEN DETERMINING THE CONSTRUCTION REQUIREMENTS FOR THE PROJECT. THE CONTRACTOR SHALL PROVIDE THE CONSTRUCTION MANAGER WITH A PLANNED SCHEDULE OF WORK PRIOR STARTING CONSTRUCTION.

3. THE CONTRACTOR IS RESPONSIBLE FOR IDENTIFYING ALL AREAS ON THE PROJECT WHICH REQUIRE TOLERANCES BETWEEN ROUGH OPENINGS AND/OR FINISH MATERIALS AND PROVIDE FOR THE PROPER TOLERANCES TO COMPLETE THE CONSTRUCTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE CONTRACT DOCUMENTS. CONTRACTOR SHALL VERIFY CONDITIONS AND DIMENSIONS OF THE JOB PRIOR TO COMMENCEMENT OF WORK.

4. THE CONTRACTOR AND SUBCONTRACTORS SHALL BE RESPONSIBLE FOR REVIEW AND COORDINATION OF ALL DRAWINGS, SCHEDULES, AND SPECIFICATIONS. ANY DISCREPANCIES, OMISSIONS OR ERRORS IN THE DRAWINGS OR SPECIFICATIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER IN WRITING PRIOR TO SUBMISSION OF BIDS SO THAT APPROPRIATE CLARIFICATION MAY BE ISSUED.

5. ALL WORK PERFORMED IN CONFLICT WITH ANY PART OF THE CONTRACT DOCUMENTS, CODE REQUIREMENTS OR INDUSTRY STANDARD SHALL BE CORRECTED BY THE CONTRACTOR AT HIS/HER SOLE EXPENSE, UNLESS OTHERWISE APPROVED IN WRITING PRIOR TO INSTALLATION.

6. ALL DOCUMENTS WERE PREPARED BASED ON REVIEW OF AVAILABLE RECORD DATA SUPPLIED BY THE CONSTRUCTION MANAGER IN THE EVENT UNKNOWN UTILITIES OR CONDITIONS ARE FOUND DURING CONSTRUCTION AT UNEXPECTED LOCATIONS, THE ENGINEER OF RECORD IS TO BE NOTIFIED OF SUCH CONDITIONS AT ONCE, PRIOR TO PROCEEDING WITH WORK.

7. ISSUANCE OF DOCUMENTS FOR PLAN CHECK APPROVALS WILL BE THE RESPONSIBILITY OF THE CONSTRUCTION MANAGER. IT WILL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PAY FOR AND TO PULL ALL NECESSARY BUILDING PERMITS FOR THIS PROJECT.

8. PRIOR TO COMMENCEMENT OF WORK, THE CONTRACTOR SHALL PROVIDE THE CONSTRUCTION MANAGER A COPY OF HIS STATE OF CALIFORNIA CONTRACTORS LICENSE INDICATING LICENSE NUMBER AND DATE OF EXPIRATION.

9. DO NOT SCALE THESE DRAWINGS. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS AND SHALL BE VERIFIED ON THE JOB SITE. ANY DISCREPANCY SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGNERS-ENGINEERS PRIOR TO COMMENCEMENT OF ANY WORK. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, CONDITIONS, ETC AND SHALL REPORT TO ENGINEER OR HIS REPRESENTATIVE BEFORE PROCEEDING WITH THE WORKS.

10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR HIS EMPLOYEES AND THOSE OF ANY ALL SUBCONTRACTORS WHILE WORKING ON THE PROJECT, MAKING SURE THEY CONDUCT THEMSELVES IN A PROFESSIONAL MANNER AT ALL TIMES.

11. SHOULD THE CONTRACTOR OR ANY SUBCONTRACTOR DISCOVER SPECIFIC SITE SITUATIONS WHEREIN ACTUAL CONDITIONS ARE DIFFERENT FROM THE DETAILS INDICATED IN THE CONSTRUCTION DOCUMENTS, THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF SUCH CONDITIONS IMMEDIATELY PRIOR TO CONSTRUCTING ANY SPECIFIC REPAIRS OR ORDERING MATERIALS.

12. CONTRACTOR SHALL INSPECT ANY OPENED AREAS FOR VISIBLE SIGNS OF TERMITE OR DRY ROT DAMAGE AND NOTIFY THE CONSTRUCTION MANAGER AND ENGINEER OR HIS REPRESENTATIVE IF FURTHER TERMITE OR DRY ROT INSPECTIONS ARE NECESSARY. ALL DETERIORATED STRUCTURAL SECTIONS MUST BE REVISED BY THE STRUCTURAL ENGINEER. SOME REPAIRS MAY, IN ADDITION, REQUIRE REVIEW BY THE CITY OF NEWPORT BEACH BUILDING AND SAFETY INSPECTION DEPARTMENT.

13. CONTRACTORS MUST TAKE EVERY PRECAUTION IN MAKING SURE THAT THE PROJECT SITE IS MAINTAINED IN A SAFE AND ORDERLY CONDITION AT ALL TIMES THROUGHOUT THE PERIOD OF WORK BOTH FOR CONSTRUCTION WORKERS, AND FOR ALL RESIDENTS AND OR VISITORS TO THE SITE. SAFETY GUIDELINES SHALL FOLLOW CAL-OSHA REQUIREMENTS, WITHOUT LIMITATION.

14. ALL DETAILS AND KEY NOTES ARE TYPICAL FOR EACH BUILDING TYPE. WHEN A DETAIL OR KEY NOTE IS TYPICAL FOR ALL SIMILAR CONDITIONS.

15. ANY PROPOSED OR PROBABLE UTILITY OUTAGES SHALL BE COORDINATED WITH THE CONSTRUCTION MANAGER EXCEPT WHERE SPECIFICALLY PERMITTED. ALL UTILITY OUTAGES SHALL BE SCHEDULED 1 WEEK IN ADVANCE AND ALL AFFECTED HOMEOWNERS OR TENANTS SHALL BE NOTIFIED AT LEAST ONE WEEK AND 24 HRS IN ADVANCE OF ANY PLANNED UTILITY SHUT OFF.

16. CONTRACTOR IS RESPONSIBLE TO NOTIFY HOMEOWNERS OR TENANTS IN WRITING 2 WEEKS, 1 WEEK AND 24 HRS IN ADVANCE OF STARTING WORK. ALL NOTICES SHALL BE SUBMITTED TO THE CONSTRUCTION MANAGER FOR REVIEW.

17. ALL GSM FLASHING TO BE PREPPED, CLEANED AND PRIMED ON ALL SURFACES PRIOR TO INSTALLATION. PROVIDE JOB TOUCH UP PRIOR TO COVERING OF ANY METAL PIECES ON WHICH PRIMER IS SCRATCHED DUE TO TRANSPORTATION OR JOB CONDITION.

18. CONTRACTOR WILL BE RESPONSIBLE FOR REPAIRING ANY WATER DAMAGE TO INTERIORS, DIRECTLY RELATED TO THE REPAIR WORK.

19. ALL WORK SHALL BE CONDUCTED BETWEEN THE HOURS OF 8:00AM AND 5:00 PM MONDAY THROUGH FRIDAY, U.N.O. AND APPROVED BY OWNER IN WRITING.

20. CONTRACTORS AND SUBCONTRACTORS ARE RESPONSIBLE FOR DAMAGE CREATED TO EXISTING CONDITION BY THEIR EMPLOYEES. I.E. HANDRAILS, SIDING, STUCCO, PLUMBING FIXTURES, ETC. AND WILL BE RESPONSIBLE FOR REPLACEMENT OR REPAIR OF DAMAGES.

21. THE GENERAL CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS ON THE JOB PERTAINING TO SAID REPAIRS PRIOR TO SUBMISSION OF BIDS/COMMENCEMENT OF WORKS. THIS RESPONSIBILITY SHALL BE ALL INCLUSIVE FOR THIS PROJECT.

22. ALL MANUFACTURED CUT SHEET DATA ARE INTENDED FOR REFERENCE PURPOSES ONLY. SPECIFIC EXISTING CONDITIONS MAY DICTATE ALTERNATE METHODS OF REPAIR. SHOULD AN ALTERNATE METHOD OR REPAIR BE REQUIRED, THE CONTRACTOR SHALL COORDINATE WITH THE ENGINEER OR HIS REPRESENTATIVE PRIOR TO COMMENCEMENT OF CONSTRUCTION OF THAT DETAIL.

23. APPLY WOOD PRESERVATIVE AND PRIMER TO ALL SURFACES/END CUTS ON EXISTING AND NEW LUMBER AND FRAMING MEMBERS.

24. AVERAGE MOISTURE CONTENT OF EXPOSED LUMBER SHALL NOT BE MORE THAN 19% PRIOR TO PRIMING AND INSTALLATION. EXPOSED LUMBER SHOULD BE ALLOWED TO "CLIMATIZE" PRIOR TO PRIMING OR INSTALLATION.

25. ALL FASTENERS TO BE CORROSIVE RESISTANT, I.E. HOT DIPPED GALVANIZED, STAINLESS STEEL, ETC. ALL THROUGH BOLTS AND LAG BOLTS SHALL BE INSTALLED WITH STEEL AND NEOPRENE WASHERS.

26. ALL EXPOSED HARDWARE, I.E. HANGERS, COLUMN CAPS, SUPPORT BASES, SHALL BE PRIMED ON ALL SURFACES PRIOR TO BEING INSTALLED.

27. BALCONY AND DECK PROVIDE 2% MIN. SLOPE AND SLOPE DIRECTION FOR DRAINAGE.

28. PROVIDE PRESSURE TREATED LUMBER FOR ALL POSTS RESTING ON CONCRETE FOOTINGS AND ALL FRAMING WITHIN 6" OF THE EXPOSED EARTH. WOOD FRAMING MEMBERS INCLUDING WOOD SHEATHING, THAT REST ON EXTERIOR FOUNDATION WALLS AND ARE LESS THAN 6" FROM EXPOSED EARTH SHALL BE OF NATURALLY DURABLE OR PRESERVATIVE-TREATED WOOD.

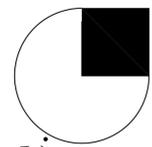
29. PROJECT WILL MAINTAIN ALL SOUND AND JOIR FIRE RATED PARTITIONS, FLOOR AND DECKS.

30. SMOKE ALARMS AND CARBON MONOXIDE ALARMS SHALL BE PROVIDED IN REQUIRED LOCATIONS PER CRC SECTION R314.6

LOCATION-17:  
12 LANDFALL



PLOT PLAN  
Scale: N.T.S.



STRUCTURAL ENGINEER  
**AQX ENGINEERING INC.**

1520 BROOKHOLLOW, SUITE #45,  
SANTA ANA, CA 92705  
OFF. (714) 662-0510  
FAX (714) 662-0550  
info@aqxengineering.com



PROJECT TITLE

PREPARED FOR:  
**NPC**  
NEWPORT CREST COND.  
NEWPORT BEACH, CA 92663

SHEET TITLE

GENERAL NOTES

PLOT PLAN

REVISIONS

- 1
- 2
- 3
- 4

JOB NO. 2012-612B

DATE 11/26/2012

DRAWN: G.C.

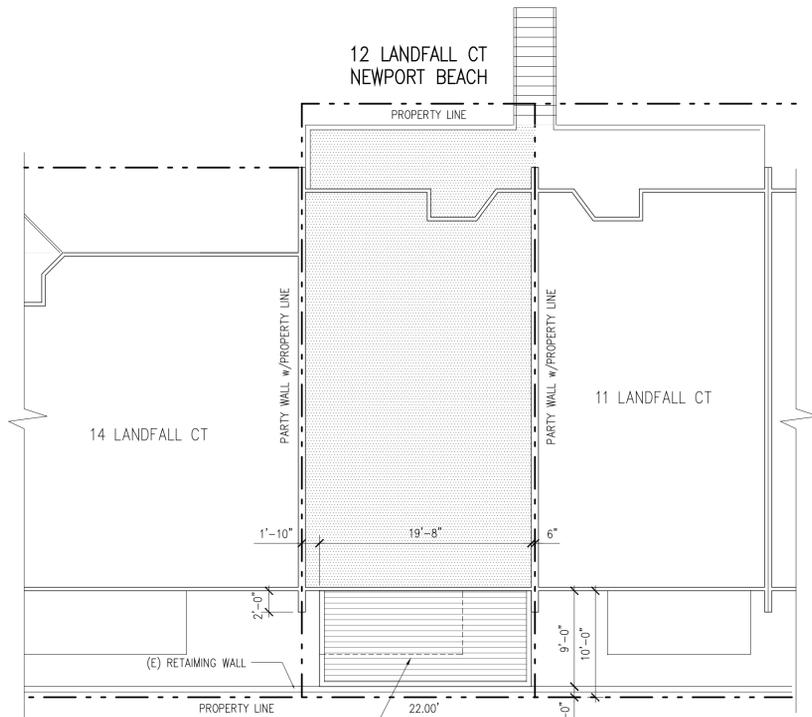
SHEET NUMBER

**A-1**



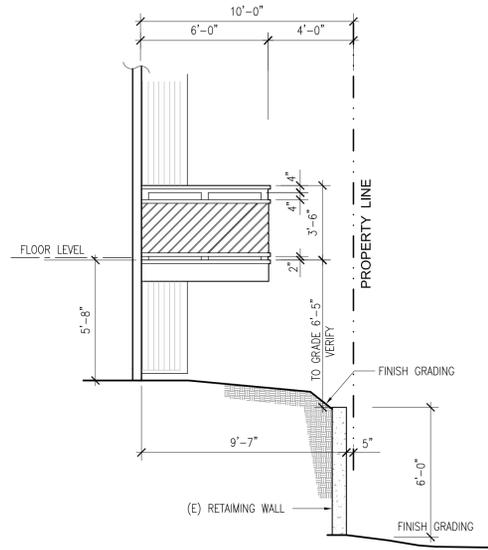
**ELEVATION PHOTO**

HOUSE REAR LOWER EXISTING DECK IS TO BE REPAIRED WITH ADDITIONAL AREA EXTENDED,

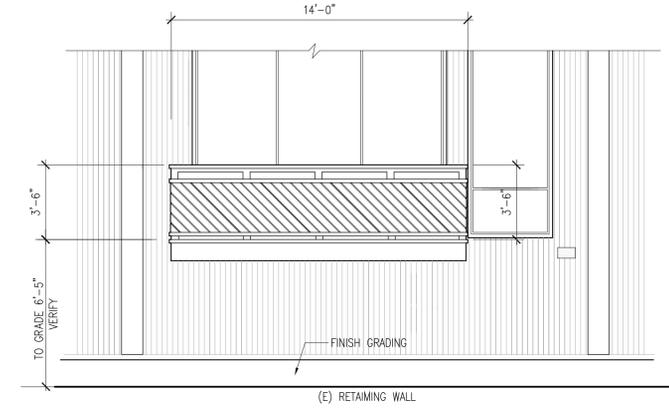


**SITE PLAN**

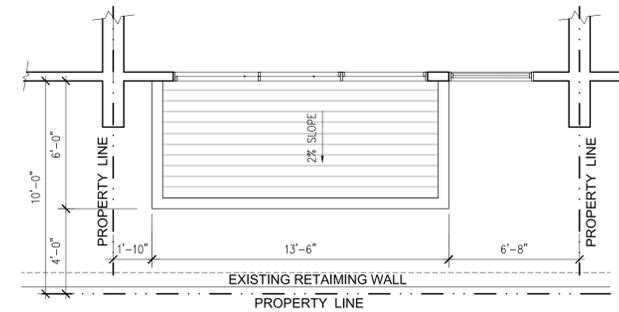
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**(E) LEFT SIDE ELEVATION**



**(E) REAR ELEVATION**



**(E) DECK PLAN**

ADDRESS

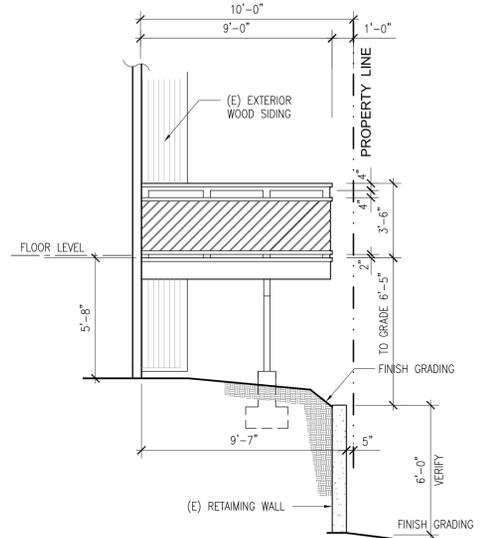
12 LANDFALL

EXISTING DECK

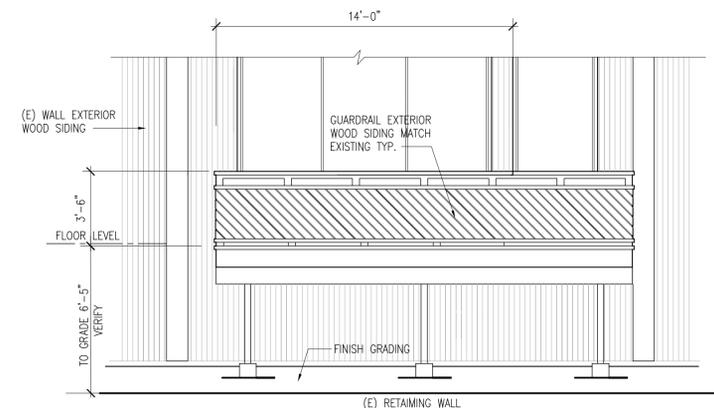
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17

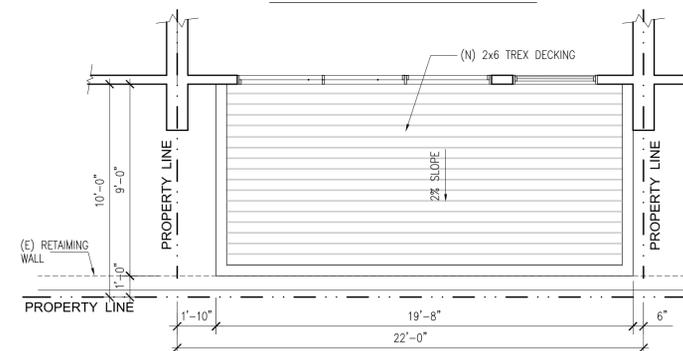
PROJECT TITLE



**(N) LEFT SIDE ELEVATION**



**(N) REAR ELEVATION**



**(N) DECK PLAN**

ADDRESS

12 LANDFALL

NEW DECK

SCALE: 1/4"=1'-0"

17a

PREPARED FOR:

**NPC**

NEWPORT CREST COND.  
NEWPORT BEACH, CA 92663

SHEET TITLE

BALCONIES  
PLAN  
ELEVATION

REVISIONS

- 1
- 2
- 3
- 4

JOB NO. 2012-612B

DATE 11/26/2012

DRAWN: G.C.

SHEET NUMBER

**A-2**

Z:\CAD (NEW\Projects)\2012-612B Newport Crest 18 Balconies\Arch\12 Landfall Ct\_Rev\A2.dwg Nov 28, 2012 5:09 pm

STRUCTURAL ENGINEER

**AQX ENGINEERING INC.**

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**DECKING SYSTEM GENERAL NOTES**

**DECKING**

1. DECKING SYSTEM: DECKING SYSTEM SHALL BE PROVIDED BY TREX COMPANY INC. OR EQUAL, SHALL CONFORM TO THE ASTM DESIGNATION AND COMPLY WITH THE MECHANIC PROPERTIES TEST AS FOLLOWS:

1. SURFACE -BURNING CHARACTERISTICS (ASTM E-84)
2. FLEXURAL STRESS (ASTM D4761)
3. TENSION (ASTM D198)
4. MODULUS OF ELASTIC (ASTM D476-1)
5. COMPRESSION PARALLEL TO GRAIN (ASTM D198)
6. COMPRESSION PERPENDICULAR TO GRAIN (ASTM D198)
7. SHEAR (ASTM D143)

CHECK WITH THE RESEARCH REPORT: LARR 25308 (CSI # 06510) BASED UPON IC-E5 EVALUATION DEC. 2009 REPORT No. ICC-ER-1190

2. DECKING INSTALLATION: DECKING INSTALLATION SHALL COMPLY WITH THE REPORT No. ESR-1190 AND THE MANUFACTURERS PUBLISHED INSTALLATION INSTRUCTIONS. PER TREX COMPANY INSTALLATION INSTRUCTIONS:

TREX DECKING	MINIMUM FASTENERS SIZE
PROFILE	NAILS & SCREWS
5/4" x 6"	LENGTH GAUGE LENGTH No
2"x6"	3" 12 2 1/2" #8, #10 3" #8, #10

IT IS RECOMMENDED TO INSTALL ALL FASTENERS PERPENDICULAR (90°)

INSTALLING THE LAST BOARD USING WITH OVERHANG: PRIOR TO INSTALLING LAST BOARD, PREDRILL A PILOT HOLE AT 45° ANGLE THROUGH RIM JOIST. ONCE HOLE IS DRILLED, PUT LAST BOARD IN PLACE AND INSTALL A 2 1/2" DECKING SCREW INTO PREDRILLED PILOT HOLE.

TREX DECKING 4 RAILING SPAN CHART (O.C.)		
LOADING	RESIDENTIAL DECKS, LIGHT DUTY DOCKS, RESIDENTIAL DAYCARE PLAYGROUND	COMMERCIAL DECKS, BOARDWALKS & MARINAS
5/4" BOARDS	12'	10'
2"x4"	20'	20'
2"x6"	24'	16'

**TREX MAX RAILING SPAN FOR ALL APPLICATIONS (ON CENTER OF POSTS)**

ARTISAN RAILING	9'
DESIGNER RAILING	7'

TREX DECKING MUST BE GAPPED, BOTH END TO END AND WIDTH TO WIDTH. GAPPING IS NECESSARY TO FACILITATE PROPER DRAINAGE AND FOR THE SLIGHT THERMAL EXPANSION AND CONTRACTION OF THE TREX DECKING BOARDS. ANOTHER REASON FOR GAPPING IS TO ACCOUNT FOR SHRINKAGE OF THE WOOD JOIST SYSTEM. MAXIMUM ALLOWABLE OVERHANG FOR TREX 5/4" PERPENDICULAR ALL DECKS REQUIRE AIR CIRCULATION TO KEEP THEM DRY AND LOOKING GOOD. LEAVE OPENINGS UNDER THE DECKING OR INCREASE GAPPING TO 3/8" TO IMPROVE AIR FLOW.

WIDTH TO WIDTH: THE MIN REQUIRED WIDTH TO WIDTH GAPPING IS 1/4". WHEN INSTALLING IN TEMPERATURES BELOW 40°F, 3/8" GAPPING IS RECOMMENDED. FOR DOCKS AND HEAVILY WOODED AREAS, TREX RECOMMENDS A 3/8" GAP AS WELL. NO GAPPING SHOULD EVER EXCEED 1/2".

WHEN "TOE NAILING" TO A COMMON JOIST, PRE DRILLING IS RECOMMENDED IF THE SCREW IS PLACED LESS THAN 1-1/4" FROM THE BOARD'S END. TO AVOID PREDRILLING, A "NAILER" BOARD MAY BE USED AND THE SCREW SHOULD BE INSTALLED AT 90° ANGLE INTO THE "NAILER" BOARD. FOR BEST RESULTS, IT IS RECOMMENDED TO USE THE FOLLOWING FASTENERS:  
 SPLITTOP™ STAR DRIVE TITAN 3 COMPOSITE SCREW, DEXTER™ COMPOSITE SCREW, FASTENMASTER™ TRAPEZOIDAL COMPOSITE SCREW, OTHER FASTENERS SUCH AS STANDARD COMPOSITE DECK SCREWS, NAILSCREWS, TRIM HEAD SCREWS, RING SHANK NAILS AND CONVENTIONAL EXTERIOR GRADE DECK SCREWS ALSO WORK WELL. HOWEVER SCREWS HOLES MAY NEED ZONE REVORING TO GIVE A SMOOTH, AESTHETIC APPEARANCE. A METHOD TO REDUCE DIMPLING IS TO DRILL A 1/8" DEEP PILOT DRILL BIT THAT IS THE SAME DIAMETER AS THE SCREW HEAD. CAUTION SHOULD BE USED TO NOT COUNTERSINK MORE THAN 1/4" AS THIS WILL IMPACT THE SCREW'S HOLDING POWER.

3. EPOXY FOR WOOD REPAIRMENT: ABATRON ISO 9001:2000 REGISTERED

WOOD EPOX (E)	TYPICAL TEST RESULTS		
	KG/CM2	Mpa	Psi
COMPRESSIVE STRENGTH	389.6	37.92	5500
ELONGATION	4%		
HARDNESS SHORE D	93-95		
TENSILE STRENGTH	176	17.5	2500

**PAINTING**

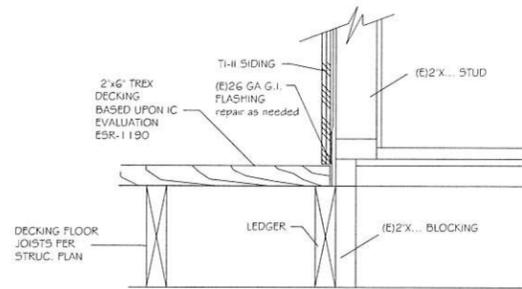
1. THE CONTRACTOR SHALL PREPARE SURFACES, FURNISH ALL PAINT, MATERIAL, LABOR AND EQUIPMENT REQUIRED FOR THE PAINTING OF ALL SURFACES AS REQUIRED.
2. PAINTS TO BE APPLIED IN ALL WORKMANLIKE MANNER. UPON COMPLETION, REMOVE ALL MATERIALS AND DEBRIS CAUSED BY THIS CONTRACTOR. ALL HARDWARE, FLOORS, GLASS, FRAMES FIXTURES AND THE LIKE SHALL BE THOROUGHLY CLEANED OF PAINT.
3. REGULATORY REQUIREMENTS: ALL MATERIALS MUST COMPLY WITH AIR POLLUTION CONTROL REGULATIONS, SUCH AS L.A. COUNTY APCD RULE 1113 AND BAY AREA PCD REG. 3.
4. ALL STEEL COLUMNS AND MISC. METALS SHALL BE PRIMED AND PAINTED.
5. FIRE PREVENTION: TAKE EVERY PRECAUTION AT THE END OF THE DAY TO REMOVE OILY RAGS AND COMBUSTIBLE MATERIALS FROM THE SITE OR STORE IN METAL CONTAINER WITH TIGHT COVERS.
6. FINAL TEXTURE & COLOR PER OWNERS INSTRUCTIONS.
7. ANCHORS: CONCRETE ANCHORS SHALL BE HILTI KWIK BOLT II (ICBO #E-4627) OR EQUIVALENT EPOXY ANCHORS OR GROUTED REBAR SHALL USE HILTI HY-150 ADHESIVE SYSTEM (ICBO #E-5193) OR EQUIVALENT. INSTALL IN ACCORDANCE WITH MANUFACTURERS INSTRUCTIONS. EMBEDMENT LENGTHS SHALL BE AS SHOWN ON DRAWINGS.
8. SHOP PAINTING: CONFORM TO AISC SPECIFICATION SEC M2 AND AISC CODE SEC. 6.5. DO NOT PRIME SURFACES TO BE FIREPROOFED. IN CONTACT WITH CONCRETE, OR FIELD WELDED. STEEL WORK TO BE CONCEALED BY INTERIOR BUILDING FINISH OR TO BE IN CONTACT WITH CONCRETE DOES NOT REQUIRE PAINTING. ALL OTHER STEELWORKS SHALL BE GIVEN ONE COAT OF SHOP PAINT.

**GYP BOARD**

1. 5/8" TYPE X FIRE RESISTANT TAPERED EDGE BOARDS SHALL BE USED WHERE REQUIRED FOR RATED FIRE PROTECTION.
2. CORNER BEADS: STANDARD WALLBOARD CORNER BEADS MANUFACTURED OF GALVANIZED STEEL WITH PRE FORMED FLANGES, AN51-CB-FF.
3. EDGE TRIM OR CASTING: STANDARD WALLBOARD EDGE TRIM 1/2" MANUFACTURED OF GALVANIZED STEEL WITH PERFORATED FLANGES, AN51-US, SQUARE NOSE, SIZE AS REQUIRED FOR THICKNESS OF WALLBOARD.
4. FASTENERS: 1-1/4" USG OR EQUAL TYPE W BUGLE HEAD DRYWALL SCREWS, 1-1/4" GWB-54 ANNULAR RING NAILS, OR 1-5/8" COOLER NAILS.
5. INSTALLATION SHALL CONFORM TO REQUIREMENTS OF GYPSUM ASSOCIATION "GA-216-78R". ELECTRICAL BOX AND OTHER ROUGH-IN OPENINGS MUST BE CLEANED OF EXCESS SPACKLE BEFORE PAINTER STARTS. USE METAL CORNER BEAD ON OUTSIDE CORNERS. USE METAL EDGE BEAD ON UNEXPOSED EDGES. BENT OR RUSTY MATERIAL IS NOT ACCEPTABLE. SPACKLED AREAS SHALL BE SANDED SMOOTH AND FINE.
6. DRYWALL TEXTURE SHALL BE SPRAY-ON SPATTER/KNOCKDOWN TYPE. OUTDOOR USE DRYWALL NEED TO WATERPROOF.

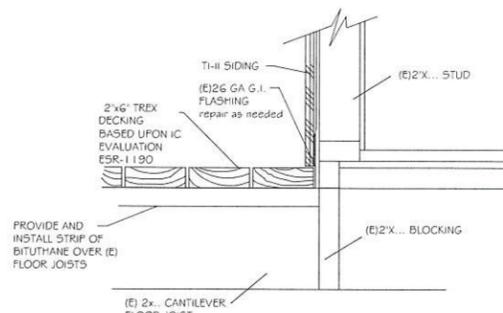
**NOTE:** SEE STRUCTURAL DRAWINGS FOR CONNECTION DETAILS.

**NOTE:** ALL DIMENSIONS ON THE FIELD TO BE VERIFIED PRIOR TO CONSTRUCTION.



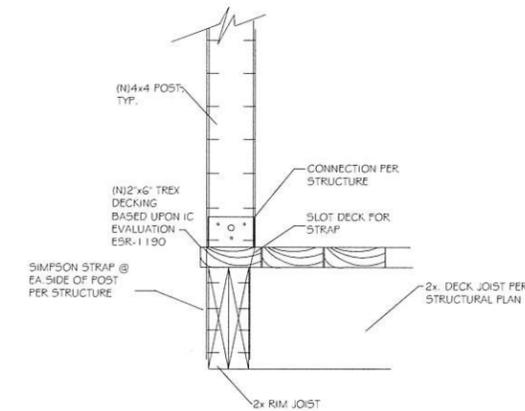
7 2"x6" DECK TO WALL

N.T.S.



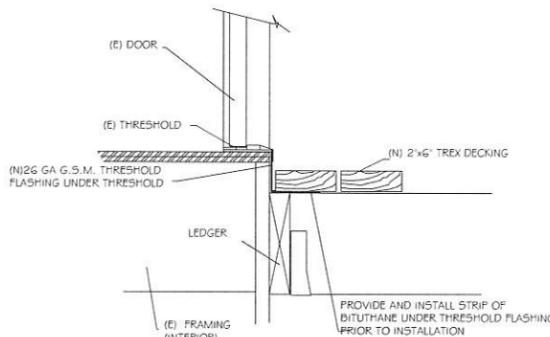
4 2"x6" DECK TO WALL

N.T.S.



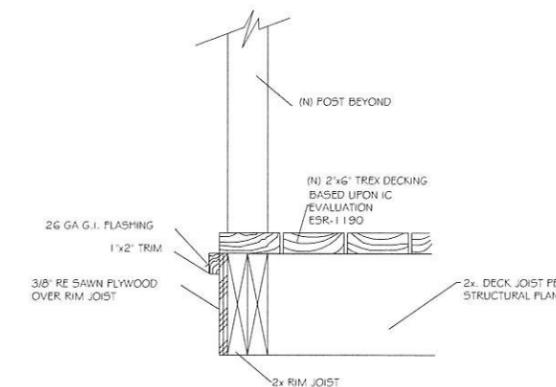
1 POST AT DECK TYP.

N.T.S.



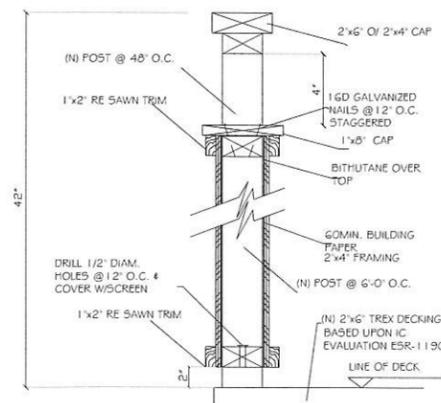
5 THRESHOLD FLASHING

N.T.S.



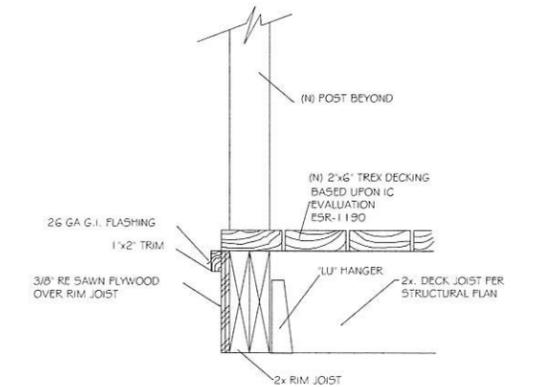
2 2"x6" DECK & RIM JOIST(PARA.)

N.T.S.



6 TYP. GUARDRAIL

N.T.S.



3 2"x6" DECK & RIM JOIST(PERP.)

N.T.S.

STRUCTURAL ENGINEER  
**AQX ENGINEERING INC.**  
 1510 BROOKHOLLOW, SUITE #45,  
 SALVATA ANCA, CA 92705  
 OFF: (714) 662-0510  
 FAX: (714) 662-0559  
 info@aqxengineering.com



PROJECT TITLE

PREPARED FOR:  
**NPC**  
 NEWPORT CREST COND.  
 NEWPORT BEACH, CA 92663

SHEET TITLE

NOTES & DETAILS

REVISIONS

1	
2	
3	
4	

JOB NO. 2012-612B  
 DATE 11/26/2012  
 DRAWN: G.C.

SHEET NUMBER

# **Attachment No. CD 3**

Applicant's Project Description

## Variance Permit Application

**Project Address:** 12 Landfall Court

**Parcel Number:** 932-581-79

**Applicant:** Jim Caras

Thank you for considering my request for a variance permit to expand my balcony.

When I purchased the property in 2005, it was with the intent and knowledge that I could expand the balcony, as many of the other neighboring properties in the vicinity had their balconies expanded, and it was allowable as per the city's building code.

Although I had looked into it and was ready to do the expansion shortly after in 2006, I had to delay getting it done, because the downturn in the economy affected my income and jeopardized me even being able to keep my residence. After recovering from the financial hardship, I went to expand the balcony last year, only learning then that the city code had changed.

That is why I now am requesting the variance permit – to fulfill my original plans and desire to expand the balcony so I can fully enjoy my residence.

Thank you for your consideration.

Jim Caras

### **Project Description:**

Balcony Expansion

### **Justification:**

A strict compliance with the zoning code would deprive me of these same privileges enjoyed by the other properties in the same vicinity that are under the same identical zoning code in the following ways:

- 1) An increased property value, which would be similar to my neighbors who have the same or similar balcony expansion that I am seeking. Without the expansion, the value of my property would be less than my neighbors. I would be compromised, because my property would not be comparable.
- 2) Having more usable area to have outdoor seating, and enjoy the deck and the view of the coastline, like my neighbors who have expanded balconies are enjoying.

Granting me a variance is necessary for me to enjoy these substantial property rights enjoyed by many of my neighbors.

Granting the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties (residences) in the vicinity and in the same zoning district as a majority\* of my neighbors already have and enjoy the balcony expansion I am seeking.

*\*Note:* There are 43 properties (residences) that are in the same comparable location, same vicinity and zoning district as my property. Of these 43 properties, 26 (60%) have and enjoy the same balcony expansion that I am seeking (*please see the attached map showing these and my property*).

Granting a variance permit:

- 1) Does not affect the growth or harmony of the city as my residence is only one unit in a continuous building in a planned community.
- 2) Does not endanger, jeopardize, and is not a hazard to public convenience as the public cannot get to it. Also, it is within the property boundary, so it does not jeopardize anyone.
- 3) Is not a hazard to the health, interest, safety or general welfare as the public cannot get to it or walk by it, and they do not have access to it.
- 4) Is not a fire hazard as it does not constitute a safety issue as the construction methods (fire wall) preclude this. It also would not affect access to or around the residential structure or any other structure.

Granting the variance will not be in conflict with the intent or purpose of the Zoning Code, General Plan or any other plans of the city.

This variance is a logical use of the property that is already enjoyed by a majority of the other properties in this vicinity. It will be consistent with the other balconies located in the same vicinity and in Newport Crest. The neighbors in the Newport Crest and the vicinity have balconies of varying sizes and depths that are comparable in size and location with the proposed balcony expansion.

Additionally, because the proposed balcony expansion is not accessible to the public, is within the property boundary, does not affect access to any structure, is located on the same level or lower than the other balcony's on the neighboring and attached units, and because there are no public views across or through my residence or balcony, the proposed balcony expansion:

- 1) Will not be detrimental to any persons, property or improvements in the neighborhood.
- 2) Will not interfere with the sight distance from any street, alley, or driveway.
- 3) Will not affect visibility or traffic safety.
- 4) Will not affect access to and/or around any structure.
- 5) Will not interfere with anyone's view.
- 6) Will not have an impact on any neighboring residents, as it overlooks an open space lot.
- 7) Will not have an impact, effect or even be seen by any businesses in the vicinity.
- 8) Will not affect the flow of air or light to anyone or property, including the adjoining residential properties.
- 9) Will not affect landscaping, recreation, or the protection of natural resources.
- 10) Will not obstruct public views from adjacent public roadways, parks, or at all, because
  - (a) There are no public views across or through the subject property and its proposed balcony expansion, and
  - (b) The proposed balcony is located at the same level or lower than other decks on the neighboring attached units.

Thank you for your consideration of this variance permit.

