

**NEWPORT BEACH ZONING ADMINISTRATOR MINUTES**  
**100 Civic Center Drive, Newport Beach**  
**Corona del Mar Conference Room (Bay E-1st Floor)**  
**Thursday, June 13, 2013**  
**REGULAR HEARING**  
**3:30 p.m.**

**A. CALL TO ORDER** – The meeting was called to order at 3:30 p.m.

Staff Present: Brenda Wisneski, Zoning Administrator  
Jason Van Patten, Planning Technician  
Rosalinh Ung, Associate Planner  
Gregg Ramirez, Senior Planner

**B. MINUTES** of May 30, 2013

**Action:** Approved

**C. PUBLIC HEARING ITEMS**

**ITEM NO. 1** Port Edward Circle Lot Line Adjustment No. LA2013-002 (PA2013-042)  
1985 and 1991 Port Edward Circle CD 5

Jason Van Patten, Planning Technician, provided a brief project description stating that the lot line adjustment affected two properties in the Harbor View Hills Planned Community. He stated the applicant requested to shift a portion of the interior lot line to the north, taking land from 1985 Port Edward Circle, Lot 20, and adding to 1991 Port Edward Circle, Lot 19. He stated there would be no change in the number of lots, and that both lots complied with the Harbor View Hills Planned Community Regulations which stated that an average area of 7,000 square-feet shall be provided for each dwelling unit.

The Zoning Administrator inquired whether the lot line adjustment would create a nonconforming setback situation, and whether any new development had been proposed with the application.

Mr. Van Patten replied that the lot line adjustment would not affect required setbacks and that no new development had been formally submitted for review.

The Zoning Administrator opened the public hearing.

One member of the public, Jim Mosher, spoke and inquired about the purpose of the lot line adjustment. He stated that the aerial photo provided in the staff report appeared to show the existing structure protruding over the lot line. Mr. Mosher commented that it was unclear whether the lot line adjustment was for a future improvement, or meant to affect the existing development.

Applicant Bruce Manzer, of Manzer and Associates, on behalf of the applicant, introduced himself and stated he had reviewed the draft resolution and the required conditions. He stated that the proposed addition would be for a patio cover, open on three sides, and would not increase the floor area. He added that there were no illegal buildings on the site that led to the lot line adjustment request.

There were no other public comments.

The Zoning Administrator stated that on the basis that the application was strictly for a lot line adjustment, that the lots complied with development standards, and did not create a nonconforming setback situation, the requested application was appropriate in this case and took action to approve Lot Line Adjustment No. LA2013-002.

**Action:** Approved

**ITEM NO. 2** Uptown Newport Parcel Map No. NP2013-010 (PA2013-085)  
4311 & 4321 Jamboree Road, N/S of Jamboree Rd., between Birch Street  
and MacArthur Boulevard CD 3

Rosalinh Ung, Associate Planner, requested that this item be continued to June 27, 2013 meeting. The applicant agreed to this request.

The Zoning Administrator opened the public hearing. Seeing that no one from the public wished to comment the public hearing was closed.

**Action:** Continued to June 27, 2013 meeting

**ITEM NO. 3** Smith Residence Remodel - Modification Permit No. MD2013-009 (PA2013-094)  
220 Ruby Avenue CD 5

Gregg Ramirez, Senior Planner, provided a brief project description and explained that the proposed setback encroachment is related to the enclosure of an existing exterior staircase.

Applicant Jeannette Bond of Mark Teale Architecture explained that the family often stays in the upper unit and that the enclosure would allow interior access from one unit to another. She stated that she had reviewed the draft resolution and the required conditions and did not have any questions.

The Zoning Administrator opened the public hearing.

One member of the public, Mr. Jim Mosher, spoke and stated that the Fire Code does not require the stairs to be enclosed and therefore questioned whether the hardship finding could be made and questioned if the enclosed staircase setback would be compatible with the neighborhood.

There were no other public comments.

The Zoning Administrator indicated that Modification Permit requests are limited to a 10% deviation and that in this case the minor encroachment would result in a structure that would be compatible with the surrounding area and that the findings for approval can be made.

**Action:** Approved

**ITEM NO. 4** Back Bay Tavern Minor Use Permit - Amendment No. 1 of Minor Use Permit No.  
UP2012-006 (PA2013-087)  
415 Newport Center Drive CD 5

Gregg Ramirez, Senior Planner, provided a brief project description and explained that the request was to extend the hours of operation for one of two restaurants located within the Whole Foods market and that staff was recommending operating hours of 7:00 a.m. to 11:00 p.m.

The applicant stated they did not have any comments to add.

The Zoning Administrator opened the public hearing. Seeing that no one from the public wished to comment the public hearing was closed.

The Zoning Administrator requested that resolution for approval be corrected to reflect the staff recommended hours of 7:00 a.m. to 11:00 p.m.

**Action:** Approved

**D. PUBLIC COMMENTS ON NON-AGENDA ITEMS**

None.

**ADJOURNMENT**

The hearing was adjourned at 3:44 p.m.

**The agenda for the Zoning Administrator Hearing was posted on June 7, 2013, at 4:00 p.m. on the City Hall Bulletin Board located in the entrance of the Council Chambers at 100 Civic Center Drive and on the City's website on June 7, 2013, at 4:15 p.m.**

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Brenda Wisneski, AICP, Zoning Administrator

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