

**CITY OF DANA POINT
PLANNING COMMISSION
AGENDA REPORT**

DATE: NOVEMBER 18, 2019

TO: DANA POINT PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT
KELLY REENDERS, INTERIM DIRECTOR OF COMMUNITY
DEVELOPMENT
JOHN CIAMPA, SENIOR PLANNER

SUBJECT: COASTAL DEVELOPMENT PERMIT CDP18-0015 TO CONSTRUCT A
NEW 4,881 SQUARE-FOOT TWO STORY SINGLE-FAMILY DWELLING
AND ATTACHED 711 SQUARE FOOT TWO-CAR GARAGE WITHIN
THE COASTAL HIGH-DENSITY RESIDENTIAL (C-RHD) ZONE OF THE
DANA POINT SPECIFIC PLAN LOCATED AT 34312 SHORE LANTERN

RECOMMENDATION: That the Planning Commission adopt the attached resolution
approving Coastal Development Permit CDP18-0015.

APPLICANT: Gene Bauman, Property Owner

REPRESENTATIVE: Jason Florence, Architect

REQUEST: Approval of a Coastal Development Permit to construct a new
4,881 square foot two-story, single-family dwelling and
attached 711 square foot two-car garage located within the
Coastal High-Density Residential (C-RHD) zone of the Dana
Point Specific Plan, Coastal Overlay District.

LOCATION: 34312 Shore Lantern (APN 682-331-16)

NOTICE: Notices of the Public Hearing were mailed to property owners
within a 500-foot radius and occupants within a 100-foot
radius on November 8, 2019, published within a newspaper of
general circulation on November 8, 2019, and posted on
November 8, 2019, at Dana Point City Hall, the Dana Point
and Capistrano Beach Branch Post Offices, as well as the
Dana Point Library.

ENVIRONMENTAL: Pursuant to the California Environmental Quality Act (CEQA),
the project is found to be Categorically Exempt per Section
15303(a) (Class 3 – New Construction) in that the project
involves the construction of one single-family dwelling in a
residential zone.

ISSUES:

- Project consistency with the Dana Point General Plan, Dana Point Specific Plan (DPSP) and Local Coastal Program (LCP);
- Project compatibility with and enhancement of the site and surrounding neighborhood; and
- Project satisfaction of all findings required pursuant to the DPSP and LCP for approval of a Coastal Development Permit (CDP).

BACKGROUND: The subject site is a 7,253 square-foot vacant lot on a single loaded street in the Lantern Bay Estates, which consists of a built-out neighborhood of single-family dwellings. The property is a pre-graded lot with a flat pad area that transitions to a slope at the back portion of the parcel. The site is zoned Coastal High-Density Residential (C-RHD) within the Dana Point Specific Plan. In 1980 an Area Plan 80-6P was approved for the Lantern Bay Estates that specified the development standards for the community (Supporting Document 2). The property is located within the City's Coastal Overlay District (California Coastal Zone); however, it is located outside of the California Coastal Commission Appeals Jurisdiction area.

DISCUSSION: The project includes the construction of a new 4,881 square-foot, two-story single-family dwelling with a 711 square-foot attached two-car garage. The proposed structure consists of an office, four bedrooms, five bathrooms, lounge, and an open concept living, dining, and kitchen area. The two-car garage meets the covered parking requirement for a single-family residence with four bedrooms.

The Lantern Bay Estates neighborhood is comprised of one and two-story houses that are a mix of architectural styles that began development in the mid-1980s. The proposed structure is a Spanish design with sloped roof forms and stepped back building forms at the front elevation to break up the massing of the structure. The house is designed with two-piece terra cotta tile, stucco siding, stone tile veneer, and wood eaves to convey the Spanish design. The project design was approved by the Lantern Bay Estates Architectural Control Committee on August 21, 2019 (Attachment 5).

The proposed landscape plan will be subject to compliance with DPZC Chapter 9.55, Water Efficient Landscape Standards and Requirements.

Table 1 summarizes applicable development standards from Area Plan 80-6P and the project's conformance with those requirements:

Table 1: Compliance with Area Plan 80-6P Development Standards

Development Standard	Requirement	Proposed	Compliant with Standard
Front Setback (living area)	20' minimum	20'	Yes
Front Setback (garage)	5' minimum	5'	Yes
Side Setbacks	5' minimum	5'	Yes
Rear Setback	Top of Slope	Top of Slope*	Yes
Height	28' maximum	28'	Yes
Parking Required	2 car garage	2 car garage	Yes

**Verified by the topography plan for the project.*

The project, as designed, complies with all applicable development standards, including setbacks, parking, and height limits. No deviations are requested.

Coastal Development Permit CDP18-0015

Pursuant to the Dana Point Specific Plan, construction of a new single-family dwelling on land located in the City's Coastal Overlay District and requires the approval of a Coastal Development Permit (CDP).

Section 10 of the Coastal Development District Regulations of the Dana Point Specific Plan stipulates a minimum of three (3) findings to approve a Coastal Development Permit, requiring that the project:

- 1. That the development project proposed by the application conforms with the certified local coastal program.*
- 2. That the application is consistent with the purpose and intent as well as the other provisions of the orange county zoning code or district regulations of this specific plan applicable to the property.*
- 3. That the project conforms with the public access and public recreation policies of the California Coastal Act.*

The recommended findings for approval of the CDP are outlined in the draft Resolution No. 19-11-18-XX, attached to this report as Action Document 1.

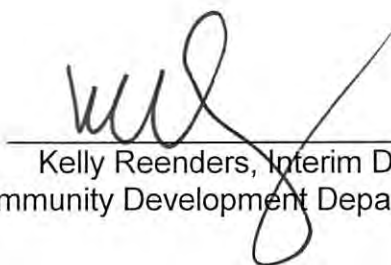
CORRESPONDENCE: On August 21, 2019, the proposed project received approval from the Lantern Bay Estates Architectural Control Committee. Correspondence was received from the neighbor who has raised concern with the project's compliance with the Home Owners Association's CC&Rs and the top of slope setback requirement.

Letters received are included as Supporting Document 6.

CONCLUSION: Staff finds the proposed project is consistent with the policies and provisions of the City of Dana Point General Plan, Dana Point Specific Plan, and Local Coastal Program. The project has been found to comply with all development standards, and staff recommends that the Planning Commission adopt the attached draft Resolution, approving Coastal Development Permit 18-0015 subject to the findings and conditions of approval contained therein.



John Ciampa, Senior Planner



Kelly Reenders, Interim Director
Community Development Department

ATTACHMENTS:

Action Documents

1. Draft Planning Commission Resolution No. 19-11-18-xx

Supporting Documents

2. Vicinity Map
3. Area Plan 80-6P
4. Color and Material Sample Boards
5. HOA Approvals
6. Letters Associated with the Project
7. Site Photos
8. Architectural Plans

RESOLUTION NO. 19-11-18-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING COASTAL DEVELOPMENT PERMIT CDP18-0015 TO CONSTRUCT A NEW 4,881 SQUARE-FOOT SINGLE-FAMILY DWELLING AND A 711 SQUARE-FOOT ATTACHED TWO-CAR GARAGE LOCATED IN THE CITY'S COASTAL OVERLAY DISTRICT AT 34312 SHORE LANTERN

The Planning Commission for the City of Dana Point does hereby resolve as follows:

WHEREAS, Jason Florence, Architect, (the "Representative") has filed an application on behalf of Gene Bauman, ("Applicant"), the owners of real property commonly referred to as 34312 Shore Lantern (APN 682-331-16) (the "Property"); and

WHEREAS, the Representative filed a verified application for a Coastal Development Permit to allow the construction of a new single-family dwelling at the Property; and

WHEREAS, said verified application constitutes a request as provided by Title 9 of the Dana Point Municipal Code; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is Categorically Exempt per Section 15303 (Class 3 - New Construction or Conversion of Small Structures) in that the application proposes the construction of one, new single-family dwelling; and

WHEREAS, the Planning Commission did, on the 18th day of November 2019, hold a duly noticed public hearing as prescribed by law to consider said request; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, said Commission considered all factors relating to Coastal Development Permit CDP18-0015.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Dana Point as follows:

- A. That the above recitations are true and correct and incorporated herein by this reference.
- B. Based on the evidence presented at the public hearing, the Planning Commission adopts the following findings and approves CDP18-0015 subject to the following conditions of approval:

Findings:

Coastal Development Permit CDP18-0015

1. That the development project proposed by the application conforms with the certified local coastal program; **in that, the site and architectural design of the proposed structure is found to comply with all development standards of the Dana Point General Plan and Dana Point Specific Plan (the latter acting as the Local Coastal Program Implementation Plan for the property). The project will further General Plan Urban Design Element Goal No. 2, which states that development should “*preserve the individual positive character and identity of the City’s communities*” which is achieved with the new Spanish designed residence that is compatible and complementary to surrounding structures in the community. The project has no impact on coastal resources as it is located within a development community, it will not impact public access to the beach or recreation, and the project will not impact environmentally sensitive habitat as none exists on or adjacent to the property.**
2. That the application is consistent with the purpose and intent as well as the other provisions of the orange county zoning code or district regulations of this specific plan applicable to the property; **in that, the project is proposing a single-family residence that conforms to the applicable standards of the approved Area Plan 80-6P and the Dana Point Specific Plan including height, setbacks, and parking standards and no Variances are requested as part of the project.**
3. That the project conforms with the public access and public recreation policies of the California Coastal Act; **in that, the project is located in a built-out private neighborhood that is not located between the sea and the nearest public roadway and does not impact public access to the coast or areas of recreation. Adequate public access to public tidelands and areas of recreation exist nearby at City parks, County and State beaches; therefore, the project conforms to the public access and recreation policies of Chapter Three of the California Coastal Act.**

Conditions:

General:

1. Approval of this application permits the construction of a new 4,881 square-foot single-family dwelling and 711 square-foot attached two-car garage at 34312 Shore Lantern in accordance with the plans on file with the Community Development Department. Subsequent submittals for this project shall be in substantial compliance with the plans presented to the Planning Commission, and in compliance with the applicable provisions of the Dana Point General Plan, Local Coastal Program Implementation Plan and Zoning Code.

2. This resolution shall be copied in its entirety, placed directly onto a separate plan sheet behind the cover sheet of any plans submitted to the City of Dana Point Building/Safety Division for plan check.
3. Approval of this application is valid for a period of 24 months (two years) from the noted date of determination. If the development approved by this action is not established, or a building permit for the project is not issued within such period of time, the approval shall expire and shall thereafter be null and void.
4. The application is approved as a plan for the location and design of the uses, structures, features, and materials shown on the approved plans. Any demolition beyond that described in the approved plans or any relocation, alteration, or addition to any use, structure, feature, or material, not specifically approved by this application, will nullify this approving action. If any changes are proposed regarding the location of, or alteration to the appearance or use of any structure, an amendment to this permit shall be submitted for approval by the Director of Community Development. If the Director determines that the proposed change complies with the provisions, spirit and intent of this approval action, and that the action would have been the same for the amendment as for the approved site plan, he/she may approve the amendment without requiring a new public hearing.
5. Failure to abide by and faithfully comply with any and all conditions attached to the granting of this permit shall constitute grounds for revocation of said permit.
6. The Applicant or any successor-in-interest shall defend, indemnify, and hold harmless the City of Dana Point ("CITY"), its agents, officers, or employees from any claim, action, or proceeding against the CITY, its agents, officers, or employees to attack, set aside, void, or annul an approval or any other action of the CITY, its advisory agencies, appeal boards, or legislative body concerning the project. Applicant's duty to defend, indemnify, and hold harmless the City shall include paying the CITY's attorney fees, costs and expenses incurred concerning the claim, action, or proceeding.

The Applicant or any successor-in-interest shall further protect, defend, indemnify and hold harmless the City, its officers, employees, and agents from any and all claims, actions, or proceedings against the City, its officers, employees, or agents arising out of or resulting from the negligence of the Applicant or the Applicant's agents, employees, or contractors. Applicant's duty to defend, indemnify, and hold harmless the City shall include paying the CITY's attorney fees, costs and expenses incurred concerning the claim, action, or proceeding. The Applicant shall also reimburse the City for City Attorney fees and costs associated with

the review of the proposed project and any other related documentation.

The Applicant, and their successors-in-interest, shall be fully responsible for knowing and complying with all conditions of approval, including making known the conditions to City staff for future governmental permits or actions on the project site.

7. The project shall meet all water quality requirements.
8. A grading permit shall be obtained prior to any work.
9. The applicant shall be responsible for coordination with water district, sewer district, SDG&E, AT&T California and Cox Communication Services for the provision of water, sewer, electric, telephone and cable television services.
10. The applicant shall exercise special care during the construction phase of this project. The applicant shall provide erosion and sediment control. The erosion control measures shall be constructed prior to the start of any other grading operations. The applicant shall maintain the erosion and sediment control devices until the final approval for all permits.
11. The applicant, property owner or successor in interest shall prepare a Waste Management Plan to the City's C&D official per the Dana Point Municipal Code. A deposit will be required upon approval of the Waste Management Plan to ensure compliance.

Prior to Issuance of a Grading Permit:

12. The applicant shall submit an application for a grading permit. The application shall include a grading plan, in compliance with City standards, for review and approval by the Director of Public Works. The applicant shall include all plans and documents in their submittal as required by the current Public Works Department's plan check policies, City of Dana Point Municipal Code and the City of Dana Point Grading Manual and City's Municipal Separate Storm Sewer Systems (MS4s) Permit requirements.
13. As a part of the grading permit application, a topographic and boundary survey will be required to be submitted for review and approval. The topographic and boundary survey shall be prepared by a licensed CA surveyor. The boundary survey will be required for setback certification. A Record of Survey shall be submitted to the County of Orange as needed per the Land Surveyor Act.
14. The submitted topographic and boundary survey shall clearly show the existing top of slope, as required for setback purposes on the plans. The existing top of slope may require additional staking or field verification prior to the issuance of a grading permit.

15. The applicant shall submit a geotechnical report in compliance with all the City of Dana Point standards for review and approval.
16. The applicant shall submit a Landscape Plan, in compliance with City standards, for review and approval. The Landscape plan shall be in accordance with the approved grading plan, City of Dana Point Municipal Code and the City of Dana Point Grading Manual and City's Municipal Separate Storm Sewer Systems (MS4s) Permit requirements.
17. The project shall meet all water quality requirements including Low Impact Development (LID) implementation.
18. A performance bond shall be required for all grading activities up to 100% of the proposed improvements.

Prior to Issuance of a Building Permit:

19. Building plan check submittal shall include two (2) sets of the following construction documents: building plans (4 sets), energy calculations, structural calculations, soils/geology report, and drainage plan.
20. All documents prepared by a professional shall be wet-stamped and signed.
21. The Applicant, or Applicant's agent(s), shall cause the preparation and submittal of three (3) separate sets of building plans directly to the Orange County Fire Authority for review and approval. A fire sprinkler system or waiver is required from the Fire Chief.
22. The Applicant, or Applicant's Agent(s), shall submit payment for all supplemental fees, including school, park, water, sewer and other impact-related fees.
23. The Applicant, or Applicant's agent(s), shall obtain a grading permit and complete rough grading (establishment of building pads) in accordance with the approved grading plans and reports.
24. The applicant shall provide on-site staking of the property corners, the limits of grading and/or building corners, elevation (blue-top) staking of graded PAD elevations and staking of pre-graded top of slope, as required for setback verification.
25. The applicant shall submit a rough grade certification for review and approval by the City Engineer by separate submittal. The rough grade certification by the civil engineer (the City's standard Civil Engineer's Certification Form for Rough Grading) shall approve the grading as being substantially completed in conformance with the approved grading plan

and shall document all pad grades to the nearest 0.1-feet to the satisfaction of the City Engineer. The civil engineer and/or surveyor shall specifically certify that the elevation of the graded pad is in compliance with the vertical (grade) position approved for the project.

26. The applicant shall submit a rough grade certification from the Geotechnical Engineer of Record for review and approval by the City Engineer by separate submittal. The rough grade certification by the geotechnical engineer (the City's standard Geotechnical Engineer's Certification Form for Rough Grading) shall approve the grading as being substantially completed in conformance with the recommendation of the project geotechnical report approved grading plan from a geotechnical standpoint.
27. An as graded geotechnical report may be prepared by the project geotechnical consultant following grading of the subject site. The report should include the results of all field density testing, depth of reprocessing and recompaction, as well as a map depicting the limits of grading. Locations of all density testing, restricted use zones, settlement monuments, and geologic conditions exposed during grading. The report should include conclusions and recommendations regarding applicable setbacks, foundation recommendations, erosion control and any other relevant geotechnical aspects of the site. The report shall state that grading of the site, including associated appurtenances, as being completed in conformance with the recommendations of the preliminary geotechnical report.
28. The Applicant, or Applicant's Agent(s), shall submit a final Landscape and Irrigation Plan for review and approval by both the Public Works/Engineering Department and the Planning Division. The plan shall include all proposed and existing plant materials (location, type, size, and quantity), an irrigation plan (if irrigation is proposed), site plan and a copy of the entitlement conditions of approval. The plan shall be in substantial compliance with applicable provisions of the Zoning Code, the preliminary plans approved by the Planning Commission and further, recognize the principles of drought tolerant landscaping.
29. Prior to commencement of framing, the Applicant, or Applicant's Agent(s), shall submit a setback certification, by survey, that the structure will be constructed in compliance with the dimensions shown on plans approved by the Planning Commission, including finish floor elevations and setbacks to property lines and pre-graded top of slope included as part of CDP18-0015. The City's standard "Setback Certification" form shall be obtained from the Project Planner at time of building permit issuance, completed by a licensed civil engineer/surveyor and be delivered to the Building/Safety and Planning Divisions for review and approval.

30. Prior to release of the roof sheathing inspection, the applicant shall certify by a survey or other appropriate method that the height of the structure is in compliance with plans approved by the Planning Commission and the structure heights included as part of CDP18-0015. The City's standard "Height Certification" form shall be obtained from the Project Planner at time of building permit issuance, completed by a licensed surveyor and be delivered to the Building/Safety and Planning Divisions for review and approval before release of final roof sheathing is granted.

Prior to Final Approval of All Permits:

31. A Final Geotechnical Report shall be prepared by the project geotechnical consultant in accordance with the City of Dana Point Grading Manual.
32. A written approval by the Geotechnical Engineer of Record approving the grading as being in conformance with the approved grading plan from a geotechnical standpoint.
33. A written approval by the Civil Engineer of Record approving the grading as being in conformance with the approved plans and which specifically approves construction for all engineered drainage devices and retaining walls.
34. An As-Built Grading Plan shall be prepared by the Civil Engineer of Record.
35. All permanent best management practices, including landscaping, shall be installed and approved by either the project Landscape Architect or the Civil Engineer of Record.
36. Public Works final approval will be required for all permits.
37. All structural best management practices (BMPs) shall be constructed and installed in conformance with approved plans and specifications.
38. The Applicant, or Applicant's agent(s), shall schedule a final onsite inspection with the Community Development Department that shall include a review of landscaping, finish architecture/materials and compliance with any outstanding project conditions of approval. All landscaping of the subject property shall be installed (per plan) prior to final inspection by the Planning Division.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Dana Point, California, held on this 18th day of November, 2019 by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Roy Dohner, Chairperson
Planning Commission

ATTEST:

Kelly Reenders, Interim Director
Community Development Department



Vicinity Map

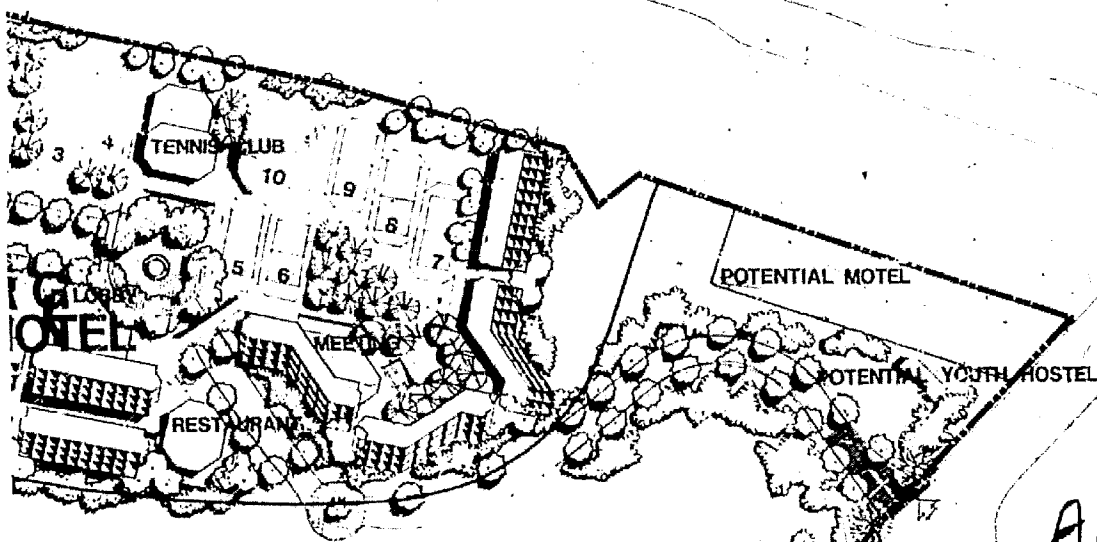
34312 Shore Lantern

CDP18-0015



PACIFIC COAST HIGHWAY

child center



GRANTED
WITH
CONDITIONS

AP80-6P

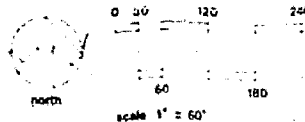
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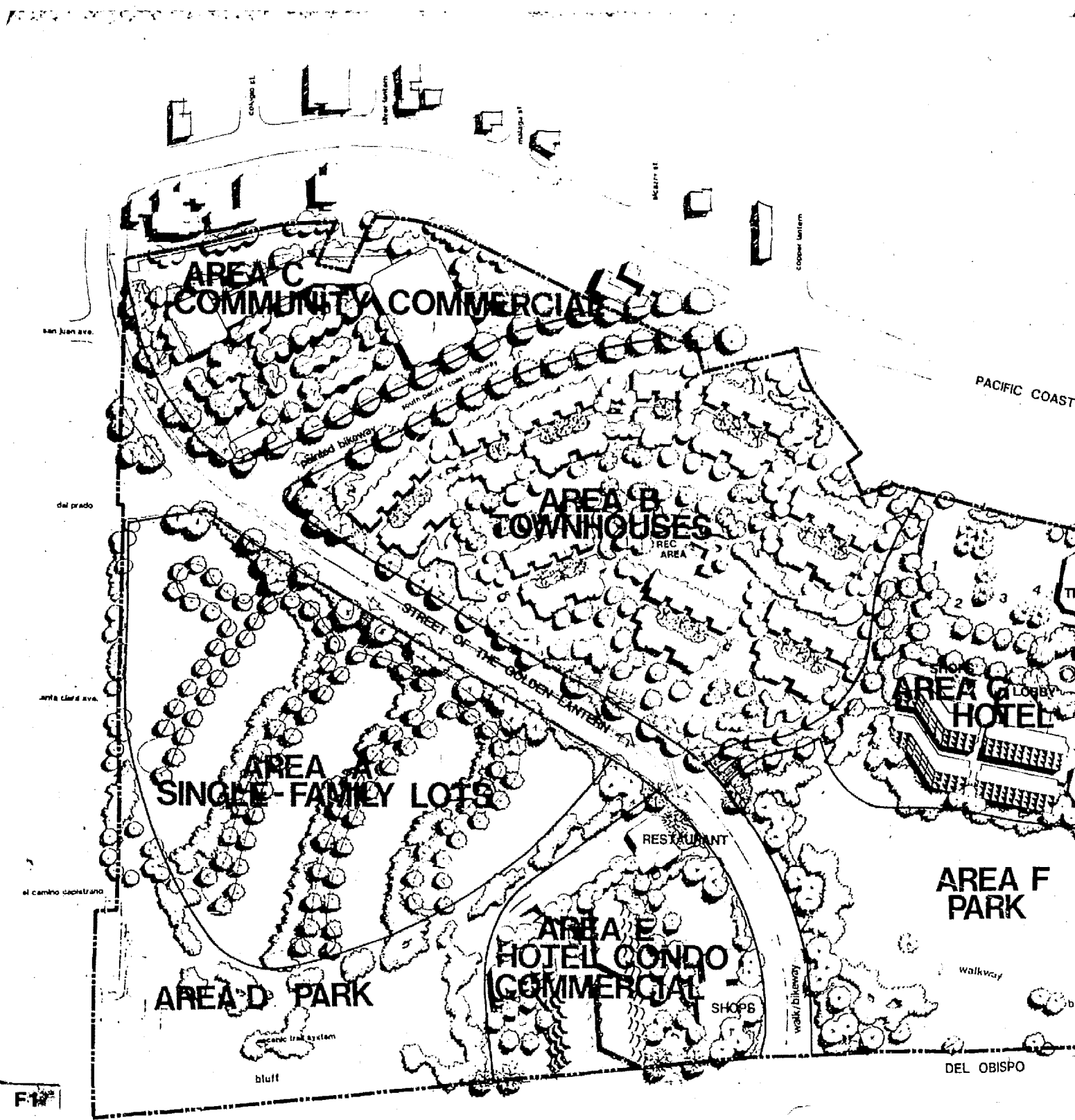
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OBISPO

AREA PLAN/ CONCEPTUAL SITE PLAN



corbin · yamafuji and partners, inc.
architecture · planning



dana point marina

LANTERN BAY

SMYTH BROTHERS INCORPORATED

Figure 1 is a map of the study area, showing the location of the study site (indicated by a star) relative to the coast of the Gulf of Mexico. The map includes a scale bar (0 to 240 km) and a north arrow.

dana point marina

LANTERN BAY
SMYTH BROTHERS INCORPORATED

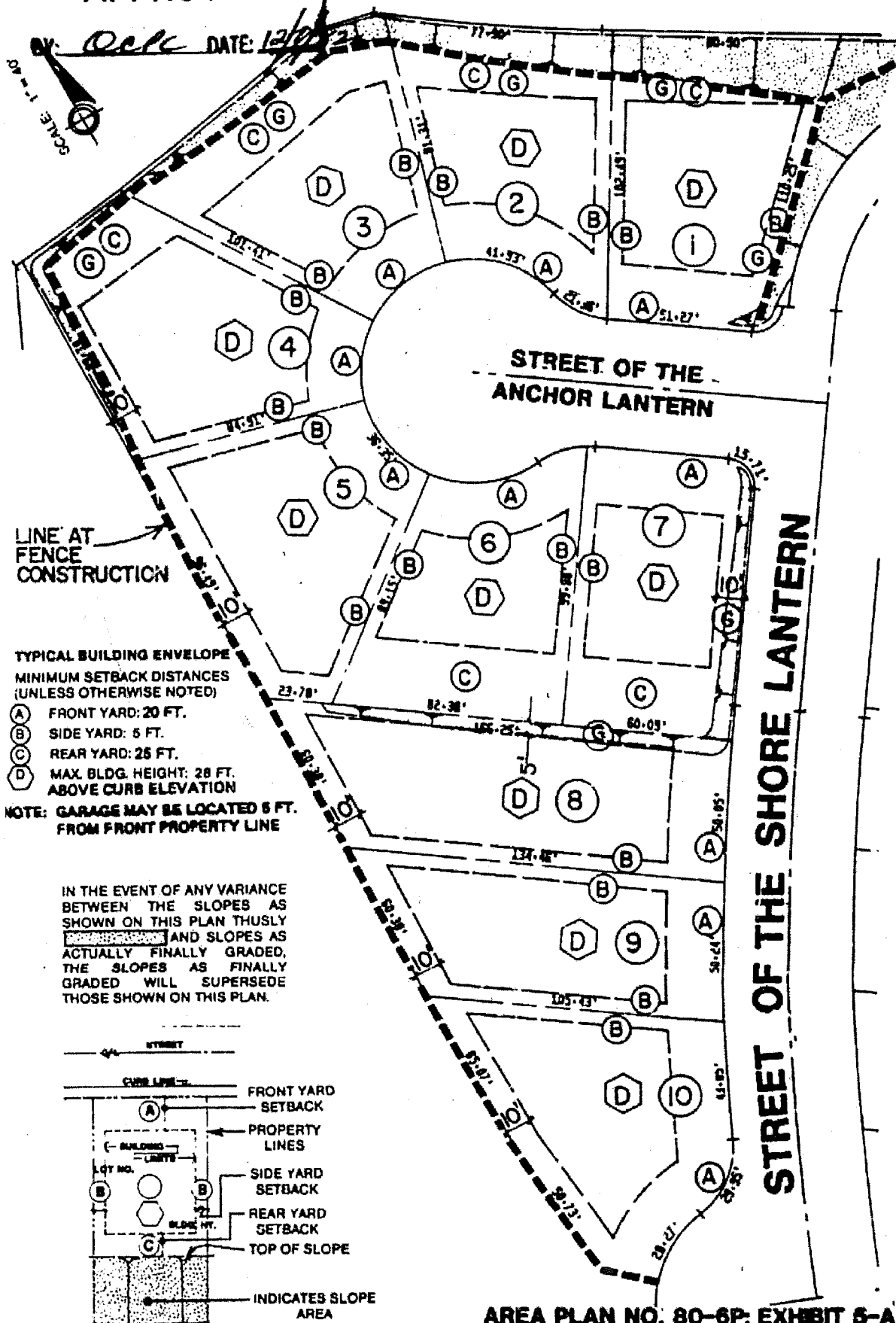
TRACT NO. 11153

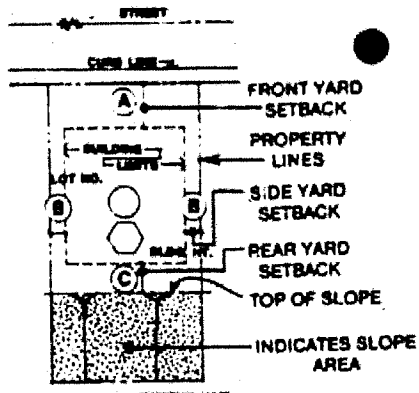
LOTS 1,2,3,4,5,6,7,8,9&10

BUILDING LINE PLAN

*Amend.
AP80-6P*
**CONDITIONALLY
APPROVED**

① REFER TO THE ORANGE COUNTY GRADING CODE
FOR GRADING SETBACK REQUIREMENTS:





TRACT NO.11153

LOTS 11, 12, 13, & 14

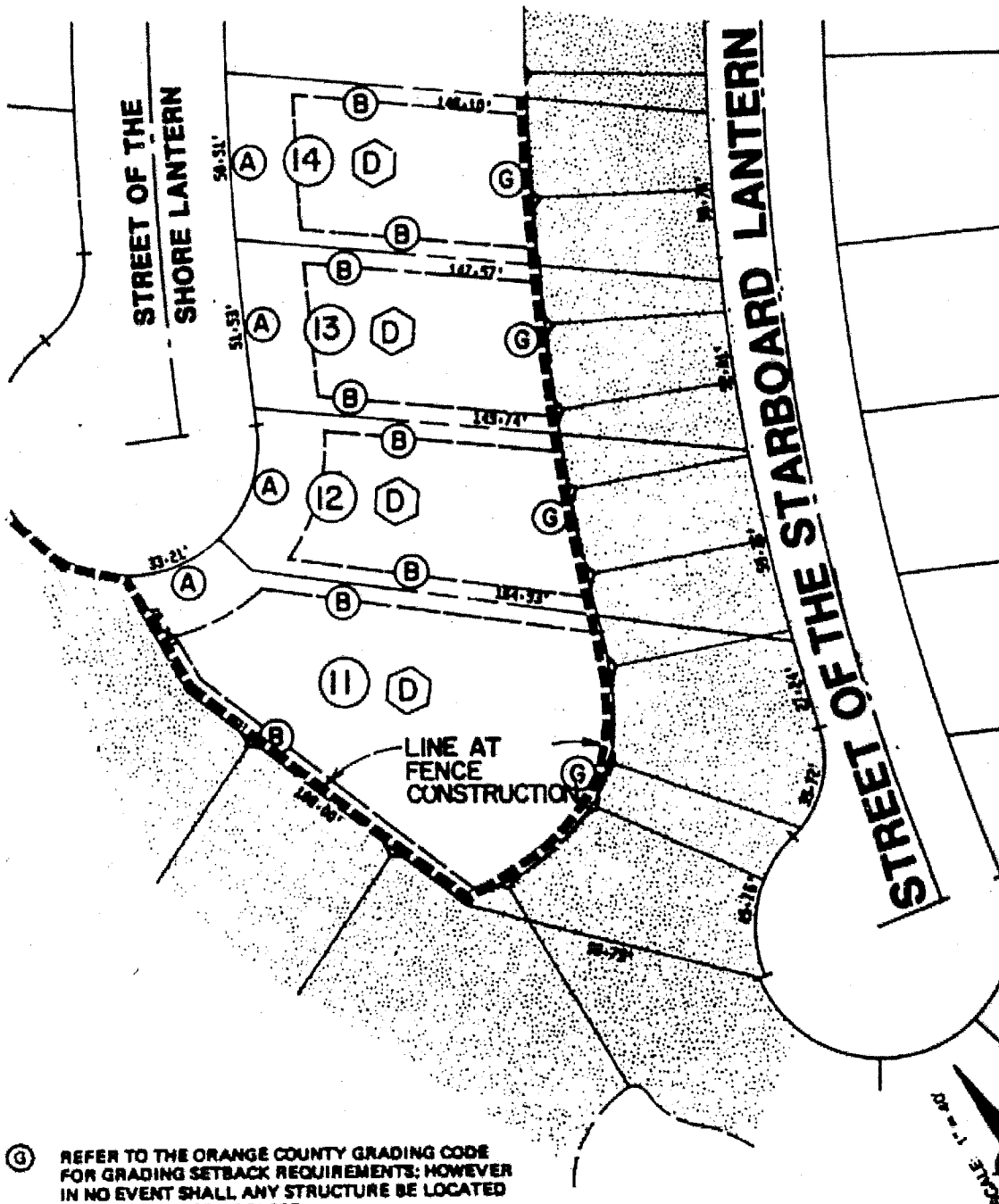
BUILDING LINE PLAN

TYPICAL BUILDING ENVELOPE
MINIMUM SETBACK DISTANCES
(UNLESS OTHERWISE NOTED)

- (A) FRONT YARD: 20 FT.
- (B) SIDE YARD: 5 FT.
- (C) REAR YARD: SEE (G)
- (D) MAX. BLDG. HEIGHT: 28 FT. ABOVE CURB ELEVATION

IN THE EVENT OF ANY VARIANCE BETWEEN THE SLOPES AS SHOWN ON THIS PLAN THUSLY AND SLOPES AS ACTUALLY FINALLY GRADED, THE SLOPES AS FINALLY GRADED WILL SUPERSEDE THOSE SHOWN ON THIS PLAN.

NOTE: GARAGE MAY BE LOCATED 8 FT. FROM FRONT PROPERTY LINE



(G) REFER TO THE ORANGE COUNTY GRADING CODE FOR GRADING SETBACK REQUIREMENTS; HOWEVER IN NO EVENT SHALL ANY STRUCTURE BE LOCATED BEYOND THE TOP OF SLOPE.

TRACT NO. 11153

LOTS 15,16,17,18&19

BUILDING LINE PLAN



AREA PLAN NO. 80-6P: EXHIBIT 5-C

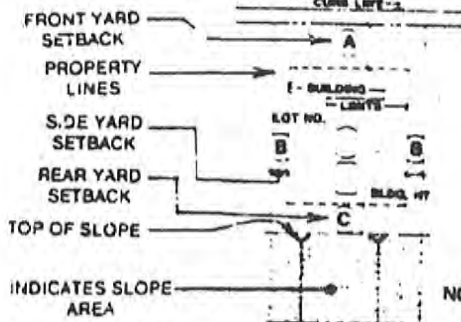
(G) REFER TO THE ORANGE COUNTY GRADING CODE FOR GRADING SETBACK REQUIREMENTS; HOWEVER IN NO EVENT SHALL ANY STRUCTURE BE LOCATED BEYOND THE TOP OF SLOPE.

TYPICAL BUILDING ENVELOPE
MINIMUM SETBACK DISTANCES
(UNLESS OTHERWISE NOTED):

- (A) FRONT YARD: 20 FT.
- (B) SIDE YARD: 5 FT.
- (C) REAR YARD: SEE (G)
- (D) MAX BLDG. HEIGHT: 28 FT
ABOVE CURB ELEVATION

NOTE: GARAGE MAY BE LOCATED 5 FT.
FROM FRONT PROPERTY LINE

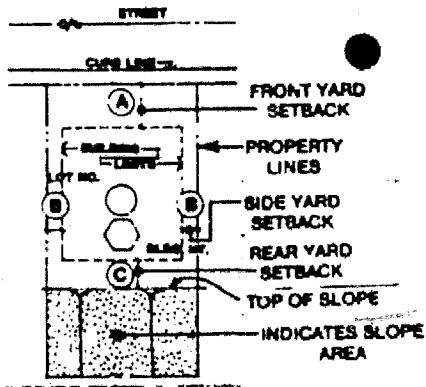
IN THE EVENT OF ANY VARIANCE
BETWEEN THE SLOPES AS
SHOWN ON THIS PLAN THUSLY
AND SLOPES AS
ACTUALLY FINALLY GRADED,
THE SLOPES AS FINALLY
GRADED WILL SUPERSEDE
THOSE SHOWN ON THIS PLAN



TRACT NO. 11153

LOTS 20,21,22,23,24,25&26

BUILDING LINE PLAN

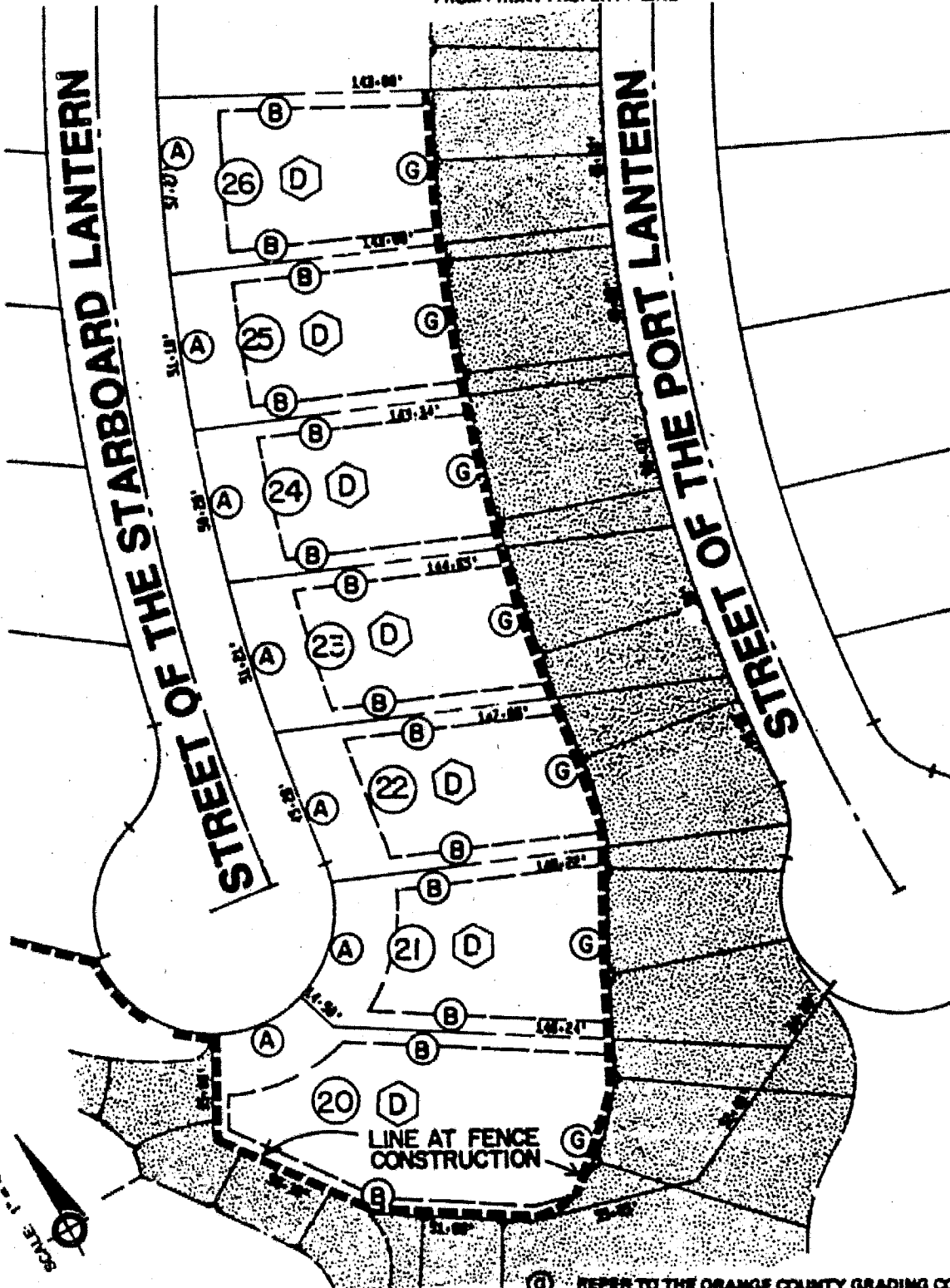


TYPICAL BUILDING ENVELOPE
MINIMUM SETBACK DISTANCES
(UNLESS OTHERWISE NOTED)

- (A) FRONT YARD: 20 FT.
- (B) SIDE YARD: 5 FT.
- (C) REAR YARD: SEE (G)
- (D) MAX. BLDG. HEIGHT: 25 FT. ABOVE CURB ELEVATION

NOTE: GARAGE MAY BE LOCATED 6 FT. FROM FRONT PROPERTY LINE

IN THE EVENT OF ANY VARIANCE BETWEEN THE SLOPES AS SHOWN ON THIS PLAN THUSLY AND SLOPES AS ACTUALLY FINALLY GRADED, THE SLOPES AS FINALLY GRADED WILL SUPERSEDE THOSE SHOWN ON THIS PLAN.

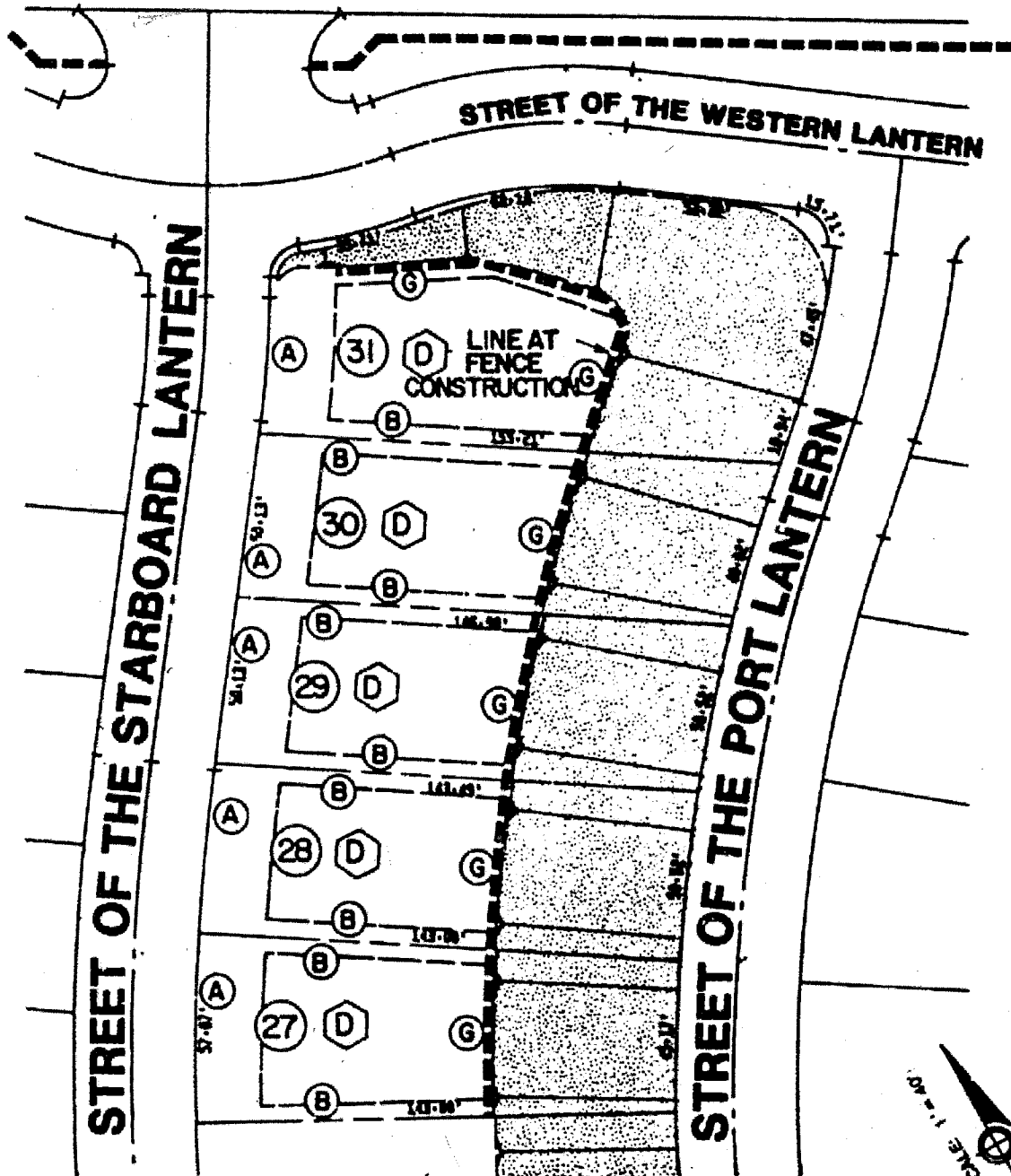


(G) REFER TO THE ORANGE COUNTY GRADING CODE FOR GRADING SETBACK REQUIREMENTS; HOWEVER IN NO EVENT SHALL ANY STRUCTURE BE LOCATED

TRACT NO.11153

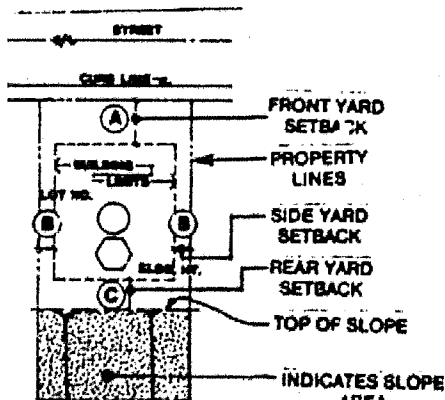
LOTS 27, 28, 29, 30 & 31

BUILDING LINE PLAN



AREA PLAN NO. 80-6P: EXHIBIT 5-E

- (G) REFER TO THE ORANGE COUNTY GRADING CODE FOR GRADING SETBACK REQUIREMENTS; HOWEVER IN NO EVENT SHALL ANY STRUCTURE BE LOCATED BEYOND THE TOP OF SLOPE.



TYPICAL BUILDING ENVELOPE
MINIMUM SETBACK DISTANCES
(UNLESS OTHERWISE NOTED)

- (A) FRONT YARD: 20 FT.
- (B) SIDE YARD: 5 FT.
- (C) REAR YARD: SEE (G)
- (D) MAX. BLDG. HEIGHT: 25 FT.
ABOVE CURB ELEVATION

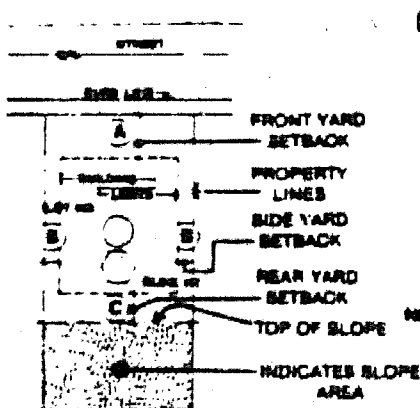
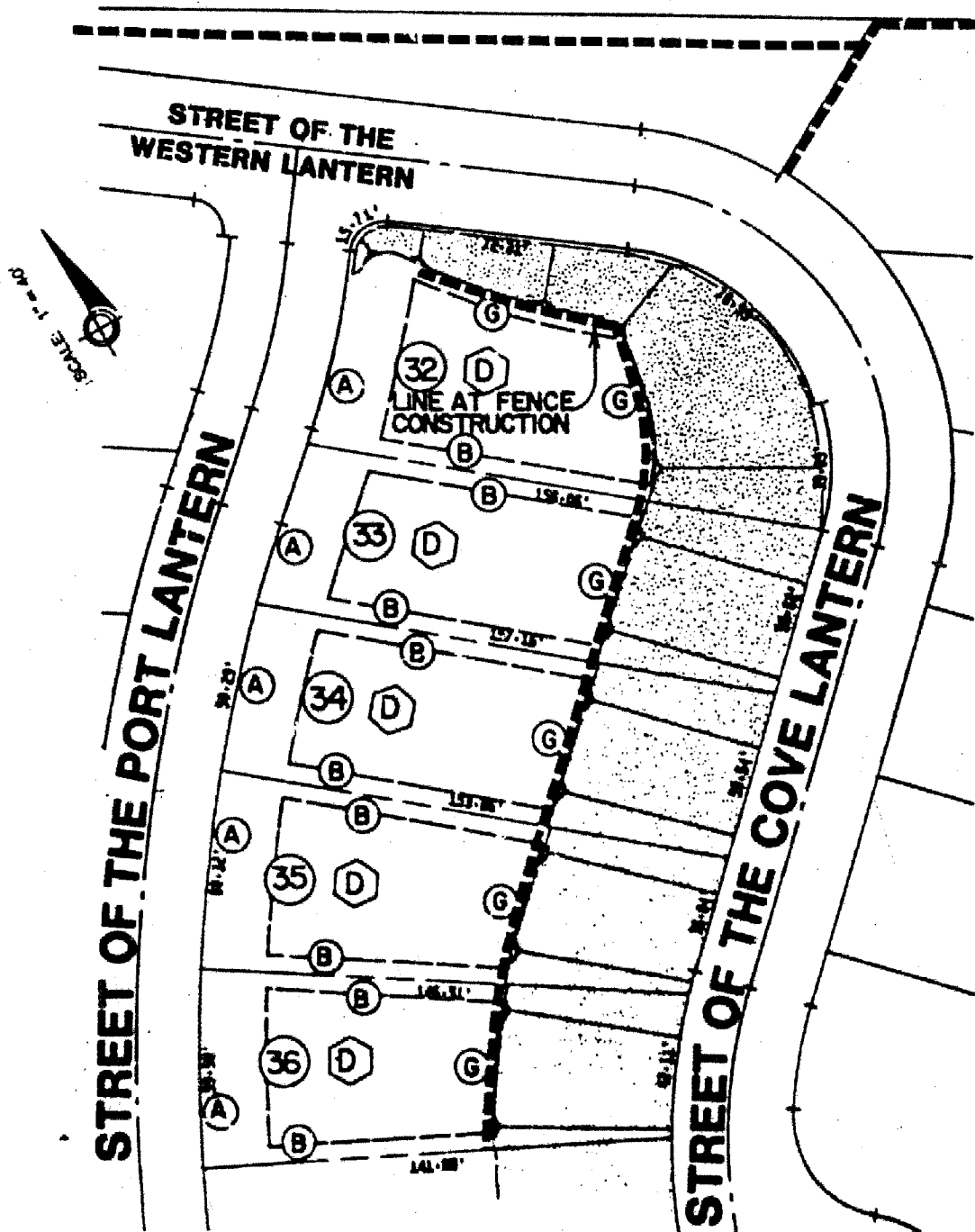
NOTE: GARAGE MAY BE LOCATED 5 FT.
FROM FRONT PROPERTY LINE

IN THE EVENT OF ANY VARIANCE
BETWEEN THE SLOPES AS
SHOWN ON THIS PLAN THUSLY
AND SLOPES AS
ACTUALLY FINALLY GRADED,
THE SLOPES AS FINALLY
GRADED WILL SUPERSEDE
THOSE SHOWN ON THIS PLAN.

TRACT NO. 11153

LOTS 32,33,34,35&36

BUILDING LINE PLAN



REFER TO THE ORANGE COUNTY GRADING CODE FOR GRADING SETBACK REQUIREMENTS; HOWEVER IN NO EVENT SHALL ANY STRUCTURE BE LOCATED BEYOND THE TOP OF SLOPE.

TYPICAL BUILDING ENVELOPE
MINIMUM SETBACK DISTANCES
(UNLESS OTHERWISE NOTED)

(A) FRONT YARD 30 FT.

(B) SIDE YARD 5 FT.

(C) REAR YARD 10 FT.

(D) MAX BLDG HEIGHT 25 FT.

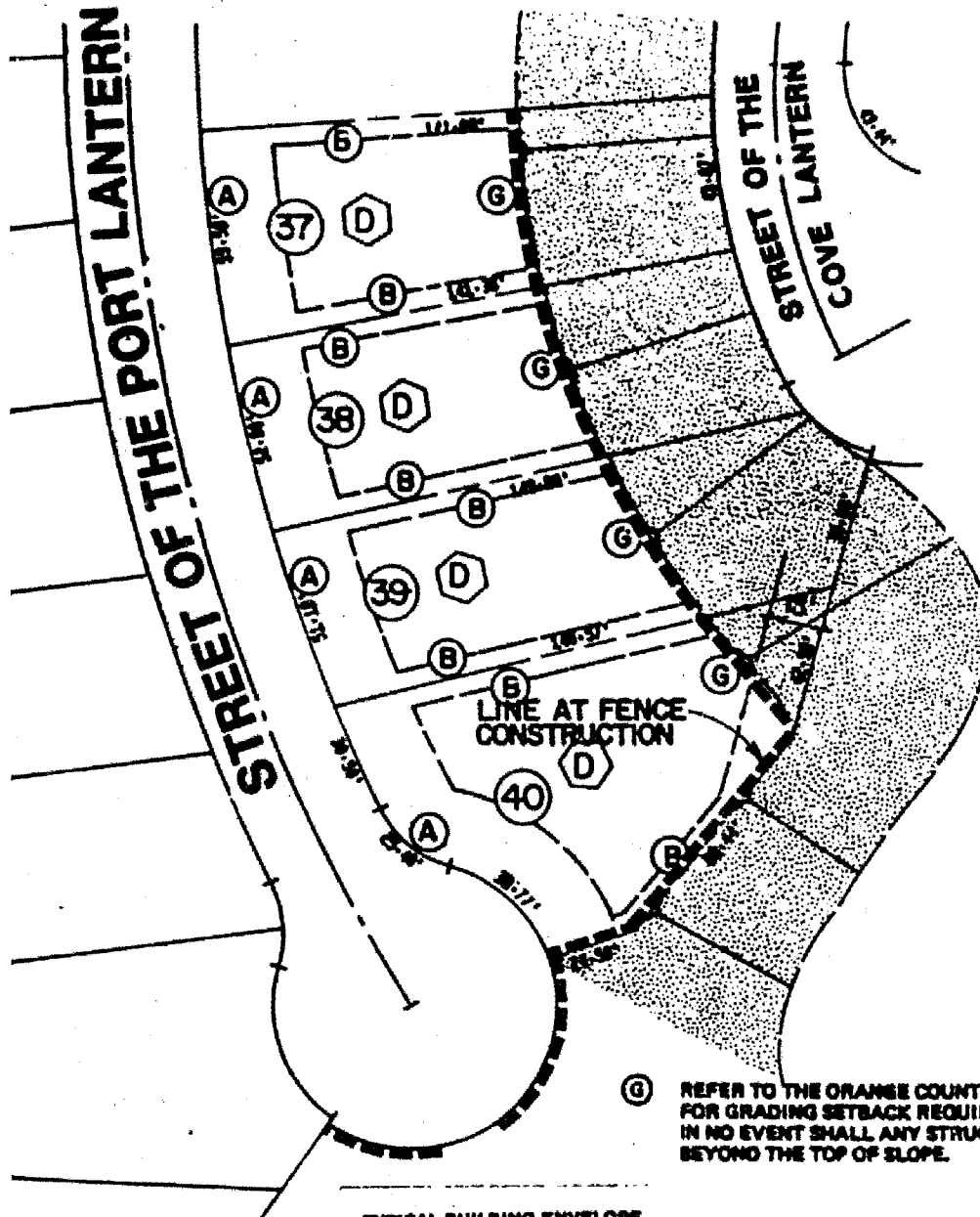
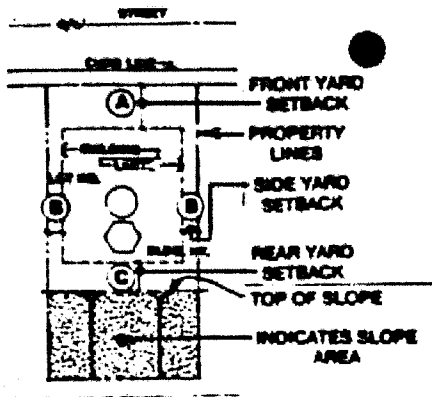
NOTE: ABOVE CURB ELEVATION
GARAGE MAY BE LOCATED 5 FT.
FROM FRONT PROPERTY LINE

IN THE EVENT OF ANY VARIANCE
BETWEEN THE SLOPES AS
SHOWN ON THIS PLAN THUSLY
AND SLOPES AS
ACTUALLY FINALLY GRADED,
THE SLOPES AS FINALLY
GRADED WILL SUPERSEDE
THOSE SHOWN ON THIS PLAN

TRACT NO. 11153

LOTS 37,38,39&40

BUILDING LINE PLAN



(G) REFER TO THE ORANGE COUNTY GRADING CODE FOR GRADING SETBACK REQUIREMENTS; HOWEVER IN NO EVENT SHALL ANY STRUCTURE BE LOCATED BEYOND THE TOP OF SLOPE.

TYPICAL BUILDING ENVELOPE
MINIMUM SETBACK DISTANCES
(UNLESS OTHERWISE NOTED)

- (A) FRONT YARD: 20 FT.
- (B) SIDE YARD: 5 FT.
- (C) REAR YARD: SEE (G)
- (D) MAX. BLDG. HEIGHT: 25 FT. ABOVE CURB ELEVATION

NOTE: GARAGE MAY BE LOCATED 5 FT. FROM FRONT PROPERTY LINE

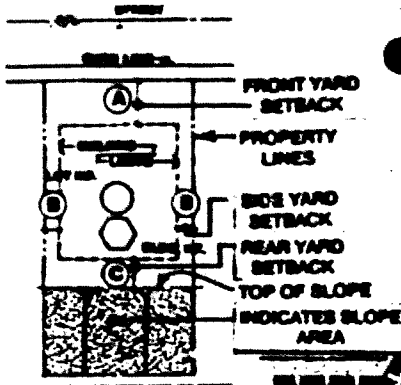
IN THE EVENT OF ANY VARIANCE BETWEEN THE SLOPES AS SHOWN ON THIS PLAN THUSLY ~~INDICATED~~ AND SLOPES AS ACTUALLY FINALLY GRADED, THE SLOPES AS FINALLY GRADED WILL SUPERSEDE THOSE SHOWN ON THIS PLAN.



TRACT NO. 11153

LOTS 41,42,43,44,45&46

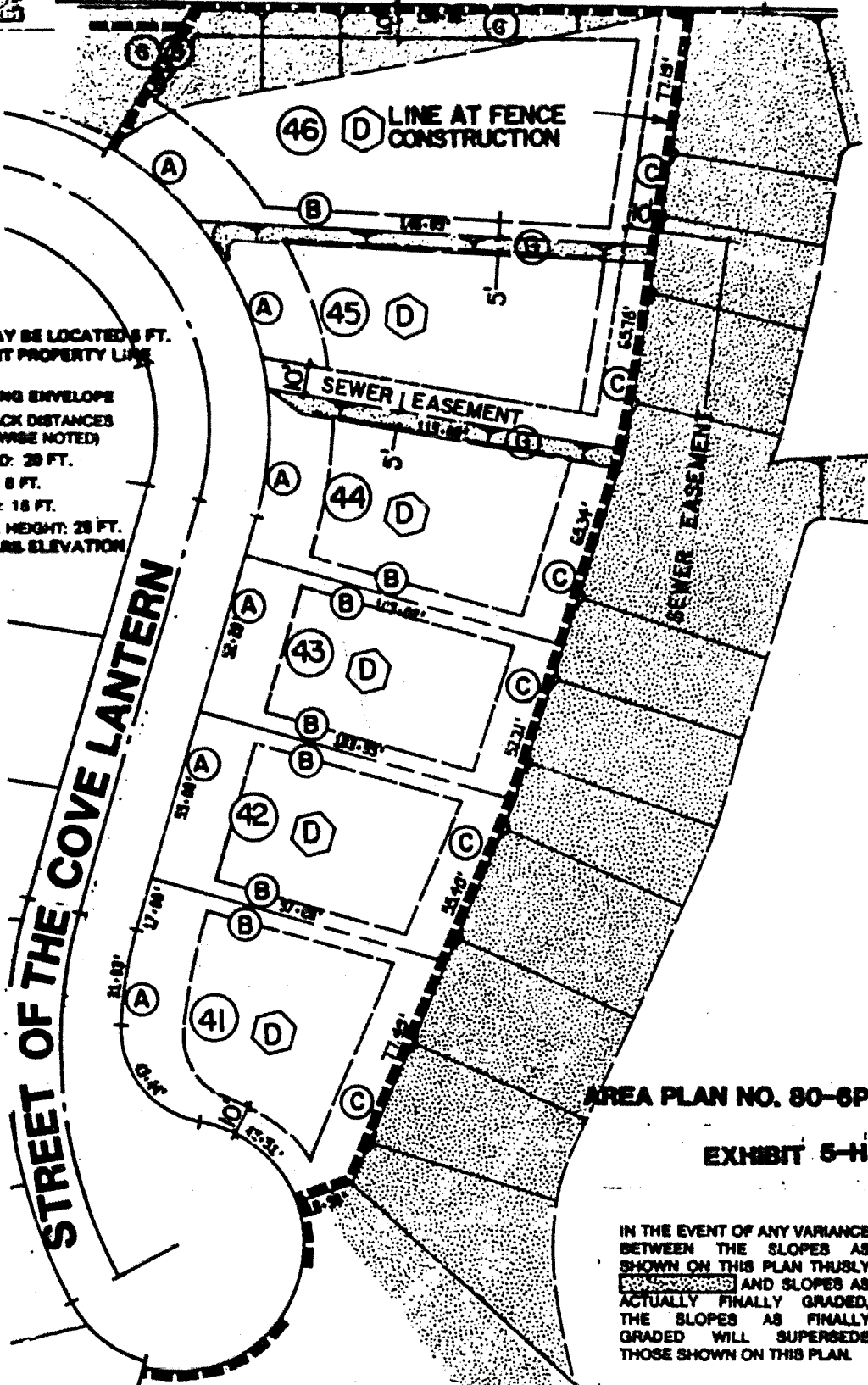
BUILDING LINE PLAN



OTE: GARAGE MAY BE LOCATED 8 FT. FROM FRONT PROPERTY LINE

TYPICAL BUILDING ENVELOPE
MINIMUM SETBACK DISTANCES
(UNLESS OTHERWISE NOTED)

- (A) FRONT YARD: 20 FT.
- (B) SIDE YARD: 8 FT.
- (C) REAR YARD: 16 FT.
- (D) MAX. BLDG. HEIGHT: 25 FT. ABOVE CURB ELEVATION



AREA PLAN NO. 80-6P:

EXHIBIT 5-H

IN THE EVENT OF ANY VARIANCE BETWEEN THE SLOPES AS SHOWN ON THIS PLAN THUSLY INDICATED AND SLOPES AS ACTUALLY FINALLY GRADED, THE SLOPES AS FINALLY GRADED WILL SUPERSEDE THOSE SHOWN ON THIS PLAN.

(G) REFER TO THE ORANGE COUNTY GRADING CODE FOR GRADING SETBACK REQUIREMENTS

TWO-PIECE CLAY MISSION
BARREL TILE ROOF. MANU. BY:
BORAL
COLOR: NEWPORT BLEND, MIX
OF REGULAR AND RUSTIC



EXTERIOR
WINDOWS
COLOR:
ALUMINUM
DARK
BRONZE
GLAZING:
LOW-E,
DUAL

STUCCO FINISH: SANTA BARBARA FINISH
SUPPLIER: LA HABRA/INTERTEK OR EQUAL
COLOR: DOVE GREY

EXTERIOR
TEXTURES
LIMESTONE
TILE AT
ENTRY.
FINISH:
TALEA
GREYHONED



SHIELDED,
EXTERIOR
LIGHT FIXTURE
W/ BLACK
METAL FINISH

STAINED WOOD CLAD
GARAGE DOOR & EAVE
CORBELS
STAIN: SEMI-
TRANSPARENT
SUPPLIER: SHERWIN
WILLIAMS
COLOR: CHESTNUT



SW 3524

Chestnut

FRONT DRIVEWAY &
WALKWAY PAVERS:
ANGELUS 4X8 TUMBLED
PAVERS IN HERRINGBONE
PATTERN. COLOR:
BLENDED GRAY MOSS
CHARCOAL.



Lantern Bay Estates Owners Association

August 29, 2018

Mr. Gene Bauman
18446 Calle La Serra
Rancho Santa Fe, CA 92021

RE: **LANTERN BAY ESTATES OWNERS ASSOCIATION**
Improvement – New Residence – 34312 Shore Lantern, Dana Point, CA
Preliminary Submission #1

Dear Mr. Bauman:

Thank you for your preliminary submission of the improvement as noted above. Your submittal was reviewed in accordance with the Architectural Guidelines for Lantern Bay Estates Owners Association and the preliminary submission for your new home has been **approved** as submitted. **Please refer to the attached comments, conditions and recommendations by the Associations Architect and the Architectural Committee.**

Please note that the hours for construction are: 7:00 a.m. - 4:30 p.m., Monday –Friday, with no work permitted on Saturdays, Sundays and Holidays. No materials may be stored on the sidewalks or in the streets. Please remind your contractor to clean the construction site daily, which includes sweeping the streets and gutters. Members are responsible for the actions of their contractors.

Please be advised that any deviation from the approved plans will be grounds to cease the project. If there are any changes made, revised drawings will be **required before commencement**, and can be submitted to Progressive Community Management for the Committee's next review. Approval of any project by the Architectural Control Committee does not waive the homeowners' responsibility to obtain the required building permits from the City of Dana Point. All work must be submitted and approved by the City of Dana Point and/or other governmental agencies.

Please complete and send the enclosed Notice of Completion to our office at the completion of this project. Upon receipt, we will forward your communication to the ACC for their final inspection and approval to release your construction deposit.

Thank you.

Sincerely,
Lantern Bay Estates Owners Association
Architectural Control Committee


Carol Griffin, Assistant to
Lisa Klasky, CCAM
Community Manager

cc: Board of Directors
LB026/ARC/New Residence Preliminary Approval/08.29.2018

Supporting Document 5

August 17, 2018

**LANTERN BAY ESTATES
HOMEOWNERS ASSOCIATION
ARCHITECTURAL REVIEW COMMITTEE**

c/o Progressive Community Management
27405 Puerta Real, Ste 300,
Mission Viejo, CA 92691

RE: Bauman Residence
34312 Shore Lantern
ARC Action on Submittal No. 1

This is a request for approval of a new home. I have reviewed the submittal for conformance to the Lantern Bay Design Guidelines and the C.C.&R.'s. The submittal will be reviewed by the Architectural Review Committee at their next meeting. The submittal is recommended for Preliminary Approval subject to the Conditions noted below. The following conditions must be addressed prior to a recommendation of Final Approval being made:

Many of the materials are called out "by Architect" and "by Owner". Please specify by manufacturer, color name, color number each of the materials and colors and schedule them on the plans. A Color and Materials Board will be required. The board shall be 8.5" x 11" with actual samples of all of the proposed materials. For large materials such as a roof tile, small sample chips will suffice. If more space is needed, provide additional 8.5" x 11" boards.

The color called specified for the stucco is Crystal White. The Guidelines discuss off-white as the preferred color, which offers a much softer image than the stark Crystal White. Please revise the selection.

Please confirm that the required staking of the rear berm is in place so the verification inspection can be completed.

The window styles are very inconsistent. Some windows are divided lite, others are single pane. As an example, there appears to be 9 different sized windows on the south elevation. In general, please try to simplify the fenestration, and be consistent with the design of the window sash (divided lite vs. single pane).

The drawing shows the tile roofs over the allowable height of the lot. Please adjust the heights of the building to achieve the maximum height allowed on the lot within the finished materials.

It is unclear if the decks sheet flow drain to the open side of the deck. This will result in staining of the stucco and an unsightly condition. If they do sheet flow, please provide curbs and drains within the deck surface, or provide gutters as an integral part of the design.

The light fixture placement should relate to the elements on the façade. As an example, the top of lights on the front of the garage should align with the break point of the arched opening, not at the random height shown on the plans. And, the lights should be centered within the columns, not close to the exterior edge as shown. Please review the light placement.

Please note the following standard conditions:

Lantern Bay Estates Homeowners Association grants no Approval until the Final Plans are stamped approved by Lantern Bay Estates Homeowners Association on each sheet of the submittal. Lantern Bay Estates Homeowners Association does not issue approvals by letter only.

Lantern Bay Estates Homeowners Association review/approval does not constitute waiver of any requirements required by applicable governmental agencies and does not constitute acceptance of any technical or engineering specifications. Owner is responsible for obtaining any necessary permits and inspections from the applicable governmental agencies.

All work must be done per the approved Final Plans. Any work that deviates from the Approved Final Plans cannot be approved by the Inspector. This is true for all parts of the project: the building and its details; the windows, doors and garage door(s); materials and colors; the landscaping and the hardscape. If a change during construction is required, please resubmit to the ARC for approval **prior** to the change.

All resubmittals must be made to the Management Company. Submittals made directly to the reviewing architect without a management company transmittal will not be accepted.

After a thorough review of these comments, if there are any questions, please call our office.

Sincerely,

KEISKER & WIGGLE ARCHITECTS, INC.

Gary R. Wiggle, A.I.A.
Architect
LEED AP BD&C
Lantern Bay Estates HOA Consulting Architect

Bill Green
Re: 34312 Shore Lantern - Vacant Lot
Aug 24, 2018 at 10:11:33 PM
Kelly Ferjulian
bsmyth@cox.net, Carol Griffin
And Kevin OConnor

April

Hi Kelly

Barbara and I met this afternoon to comment on the Preliminary Architect Plans and reviewed Gary Wiggles comments and are in agreement with his remarks.

The ARC has a suggestion which might assist the owners in preserving aesthetic features of the rear roof line and possibly enhance the access and maintenance to the proposed solar panels by situating the panels in the central portion of the roof. With some modification to the pitched roof into a flat roof with a parapet screen the entire array of panels would be screened. We did note some minor repositioning of the sunroof would be necessary. Also having numerous sunroofs will generate heat and encourage fading of carpets and clothes in the closet areas.

These recommendations are only suggestions as a courtesy.

Further review comments will be noted once the working drawings, color and materials boards have been submitted.

Would the Board Members like to review the plans prior to ARC returning them to Progressive Management?

Sincerely,

Bill and Barbara

Architectural Review Committee

RECEIVED

AUG 28 2018

Progressive
Community
Management



Lantern Bay Estates Owners Association

August 21, 2019

Mr. Gene Bauman
29 Siena
Laguna Niguel, CA 92677

RE: **LANTERN BAY ESTATES OWNERS ASSOCIATION**
Improvement – New Residence (Final Plan Submittal)
34312 Shore Lantern, Dana Point, CA

Dear Mr. Bauman:

Thank you for your submission of the improvement as noted above. Your final submittal was reviewed in accordance with the Architectural Guidelines for Lantern Bay Estates Owners Association and the final plan submittal for the above-mentioned improvement has been **approved**, subject to the following conditions:

1. The Association is to be notified about the status of the survey once the City approvals are received by you.
2. Landscape plans must be reviewed and approved prior to any landscape or hardscape being constructed. Please address the comments from the previous review in the landscape resubmittal.

Please note that the hours for construction are: 7:00 a.m. - 4:30 p.m., Monday –Friday, with no work permitted on Saturdays, Sundays and Holidays. No materials may be stored on the sidewalks or in the streets. Please remind your contractor to clean the construction site daily, which includes sweeping the streets and gutters. Members are responsible for the actions of their contractors.

All work must be done per the approved final plans. Any deviation from the approved plans will be grounds to cease the project. If there are any changes made, revised drawings will be **required before commencement**, and can be submitted to Keystone Property Management for the Committee's next review. Approval of any project by the Architectural Control Committee does not waive the homeowners' responsibility to obtain the required building permits from the City of Dana Point. All work must be submitted and approved by the City of Dana Point and/or other governmental agencies.

Please complete and send the enclosed Notice of Completion to our office at the completion of this project. Upon receipt, we will forward your communication to the ACC for their final inspection and approval to release your construction deposit.

Sincerely,

Lantern Bay Estates Owners Association
Architectural Control Committee


Elizabeth Reed, CMCA
Sr. Community Manager

cc: Board of Directors
LB016/ARC/Final Plan New Residence Approval/08.21.2019

Enclosure: Notice of Completion Form

Proudly Managed by Keystone Pacific Property Management, LLC
16775 Von Karman Avenue • Suite 100 • Irvine, CA 92606 • Phone: (949) 833-2600 • Fax: (949) 377-3309

August 19, 2019

**LANTERN BAY ESTATES
HOMEOWNERS ASSOCIATION
ARCHITECTURAL REVIEW COMMITTEE**
c/o Keystone Pacific Property Management
16775 Von Karman Avenue, Suite 100
Irvine CA 92606

RE: Bauman Residence
34312 Shore Lantern
Submittal No. 4 Building Plans Only

This is a Final Plan submittal addressing comments from the previous review. This is a request for approval of a new home. I have reviewed the submittal for conformance to the Lantern Bay Design Guidelines and the C.C.&R.'s, and the previous comments. The Building Plans as submitted are recommended for approval. Please advise the HOA about the status of the survey once the City Approvals are received.

The Landscape Plans must be reviewed and approved prior to any landscape or hardscape being constructed. Please address the comments from the previous review with the Landscape resubmittal.

Please note the following standard conditions:

Lantern Bay Estates Homeowners Association grants no Approval until the Final Plans are stamped approved by Lantern Bay Estates Homeowners Association on each sheet of the submittal. Lantern Bay Estates Homeowners Association does not issue approvals by letter only.

Lantern Bay Estates Homeowners Association review/approval does not constitute waiver of any requirements required by applicable governmental agencies and does not constitute acceptance of any technical or engineering specifications. Owner is responsible for obtaining any necessary permits and inspections from the applicable governmental agencies.

All work must be done per the approved Final Plans. Any work that deviates from the Approved Final Plans cannot be approved by the Inspector. This is

Lantern Bay Estates

Homeowners Association

Bauman Residence, Sub. 4, Bldg. Plans Only

Keisker & Wiggle Architects, Inc.

August 19, 2019

Page 2

true for all parts of the project; the building and its details; the windows, doors and garage door(s); materials and colors; the landscaping and the hardscape. If a change during construction is required, please resubmit to the ARC for approval **prior** to the change.

All resubmittals must be made to the Management Company. Submittals made directly to the reviewing architect without a management company transmittal will not be accepted.

After a thorough review of these comments, if there are any questions, please call our office.

Sincerely,

KEISKER & WIGGLE ARCHITECTS, INC.

Gary R. Wiggle, A.I.A.

Architect

LEED AP BD&C

Lantern Bay Estates HOA Consulting Architect

April & Kevin O'Connor
34302 Shore Lantern
Dana Point, CA 92629
(949) 493-4914 home
aprilconnor@me.com

April 22, 2019

Dear Dana Point Planning Department:

Below are comments regarding the Bauman Project at 34312 Shore Lantern. Staking should be required by the City to resolve the inconsistencies in the slope boundary designation.

Our survey from Toal Engineering dated August 2017 shows that at the property line, the top of slope for the Baumans and the O'Connors is where our seat wall is located at 4'7" from the edge of our house. The Bauman's survey, on the other hand, is about 6' beyond Toal Engineering's top of slope line. The discrepancy between these two surveyors is the key issue because if Toal Engineering is correct then the following design problems occur:

1. Bauman's Plans Show an Approximate 6-foot Encroachment Over the Top of Slope/Berm by the Second Story Overhang, the Patio, Rear Wall, Structural Column, and Water Feature

Toal Engineering made their measurements based on Lantern Bay's original topographical survey dated September 15, 1989. Toal measured from the found monuments and lines of occupation. Toal's survey showed that the O'Connor's seat wall is located on the top of slope at the property line between the Baumans and O'Connors. (See attached Toal Engineering Survey).

Why is the Bauman's surveyor 6-feet beyond Toal Engineering's top of slope line? On what did the Bauman's base their survey?

The top of slope line measured from the corner of the O'Connor's home:
Toal Engineering survey says it is 4'7";
Bauman's surveyor says it is 10'6".
Which surveyor is correct?

If Bauman's surveyor is correct then the Bauman's 2-story home will extend approximately 10'6" passed the rear corner of the O'Connor's home. No other home on the slope is located this far over the berm and the projection over the slope is inconsistent with the neighborhood.

The Architectural Guidelines for "Rear Yard Berm Criteria and Guidelines" (p. 11):

- Section A(1): "The rear yard of each lot is very small and even an 18" berm is critical."
- Section B(6): "A structure or appurtenances to a structure such as eaves or decks, cannot extend past the existing top of berm line."
- Section B(7): "Plants, trees, bushes umbrellas, or other view obstructions are not allowed to extend past the berm line."

Based on the above, if Toal's survey is correct, then the Bauman's second story overhang, rear yard, water feature, and structural column should not be approved.

If Bauman's surveyor is correct, then the slope will have to be raised up and re-graded. How will the Bauman's protect the adjacent houses from slope slippage when they build up the nonexistent pad to extend their 6-foot yard and provide structural support for their second story overhang?

If the Bauman's surveyor is correct and they have discovered a new top of slope line and re-drawing it at 10'6", it would provide everyone else on the slope an opportunity to use the new line to extend passed the berm.

2. Baumans are Proposing to Use Their Adjacent Neighbors' Land and Side Yard Walls to Extend the Project Over the Berm/Top of Slope

Both Bauman's and O'Connor's surveys show that the stucco side yard wall is located on the O'Connor's property (not on the property line). In order to enclose the Bauman's extended yard over the berm, the Bauman's are proposing about a 3-foot extension by using the O'Connor's stucco wall and land. It is unclear if the Bauman's are raising the height of the O'Connor's wall. Nevertheless, the result of the wall extension would block the O'Connor's sit down ocean view. Basically, the Bauman's want privacy in their yard and are using the O'Connor's wall and land to block the O'Connor's ocean view.

The Bauman's are doing the same thing to their neighbor on the other side. The Bauman's are proposing to enclose their yard over the berm by using the adjacent neighbor's land (at 34322) by extending the neighbor's stucco wall. *Both wall extensions are over the berm.*

This is a bold proposal to use both their adjacent neighbors' land and side yard walls for the Bauman's own personal benefit. It also leads to questions regarding neighbor-to-neighbor property rights and easement issues.

3. How Are the Bauman's "Green Wall" Planters Attached to Their Neighbors' Walls?

The Bauman's are proposing to hang two "green walls", one on each of their neighbors' side yard walls. How will they be attached? Will they be drilling holes into the O'Connor's stucco side yard wall located on O'Connor's property? The O'Connors are concerned that the Bauman's irrigation water might damage the stucco wall. If the wall has water damage, which neighbor is responsible to fix the wall? Will the Bauman's require the O'Connors to fix the wall because the wall is

within the O'Connor's property lines even though the damage was caused by the Baumans? This same condition effects the adjacent neighbor at 34322.

4. Noise from Two Air Conditioner Condensers

The two air conditioner condensers are located near the O'Connor's bedroom, outdoor patio, kitchen, dining room, and front entryway. There is a canyon effect within the 5-foot setback that augments sound decibels. This is the O'Connor's primary residence and the noise from the two condensers will impact the O'Connor's quiet enjoyment of their property. This is the living corridor side of the house for the O'Connors and the Bauman's are using it as their utility corridor. The O'Connors request the condensers be moved to the opposite side of the property.

5. Odor from the Trash Bins

The trash bins are located near the O'Connor's bedroom, kitchen, outdoor patio, dining, and front entryway. All the circulation windows are located on this side of the O'Connor's house. It is from these windows that they receive fresh air into their home. This is the O'Connor's primary residence and the trash bin odors will impact their quality of life. Again, this is the living corridor side of the house for the O'Connors however, this project is using it as their utility corridor. The O'Connors request that the trash bins be moved to the opposite side of the property.

6. Location of the "Water Feature" Pump

How deep is the water in the "water feature"? What type of equipment will be used? How many decibels is it? Where will it be located?

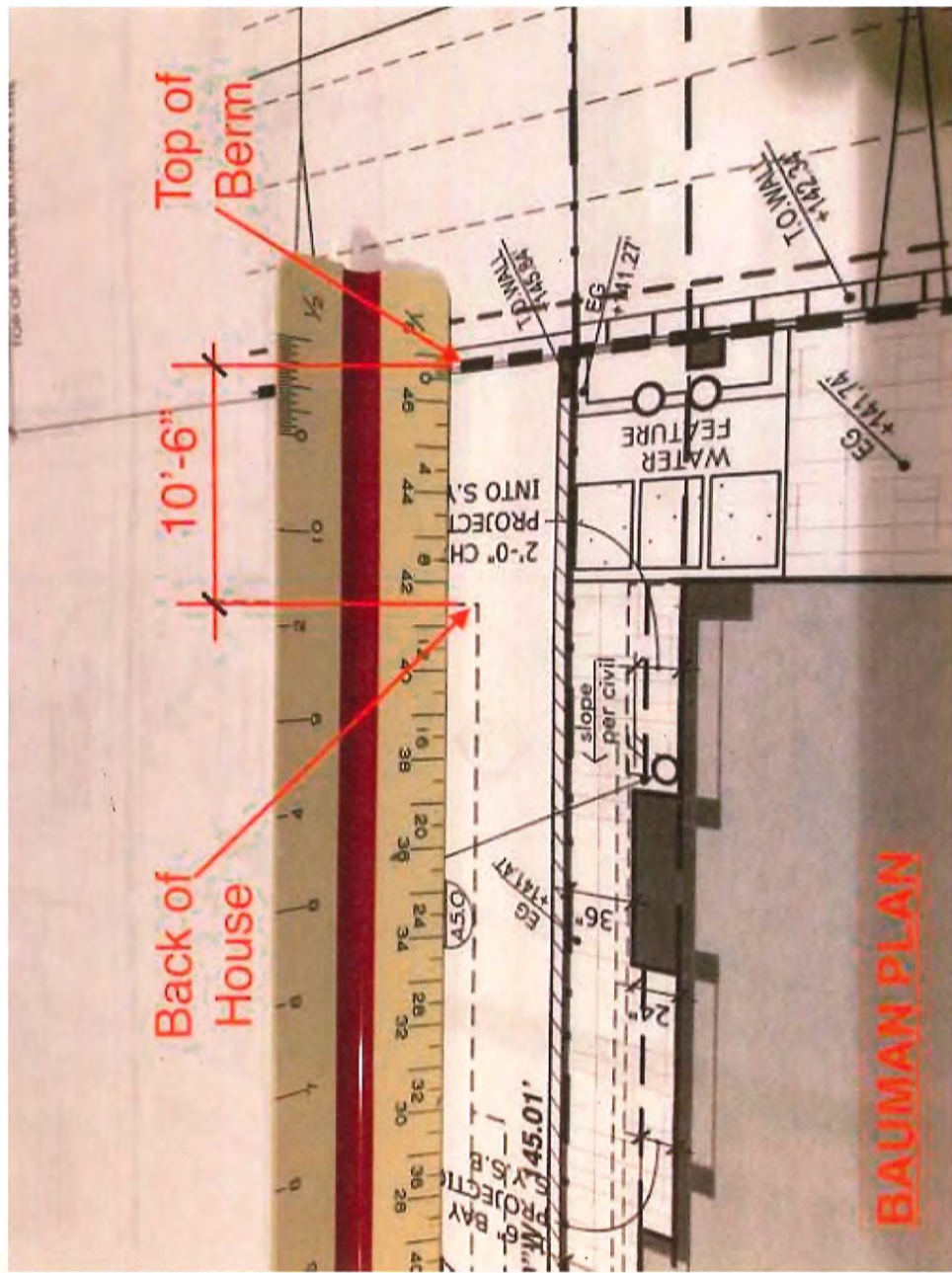
In conclusion, there is a discrepancy between Toal Engineering's survey for the top of slope line and the Bauman's surveyor's top of slope line. Staking the yard and house on the slope will demonstrate the second story projection over the berm.

If this 28-foot tall structure is allowed to extend approximately 6 feet passed the top of slope (which is 10.5 feet past the O'Connor's home), it will re-draw the top of slope line for Shore Lantern. No other house extends this far over the berm because this is not the top of slope line recorded on the land.

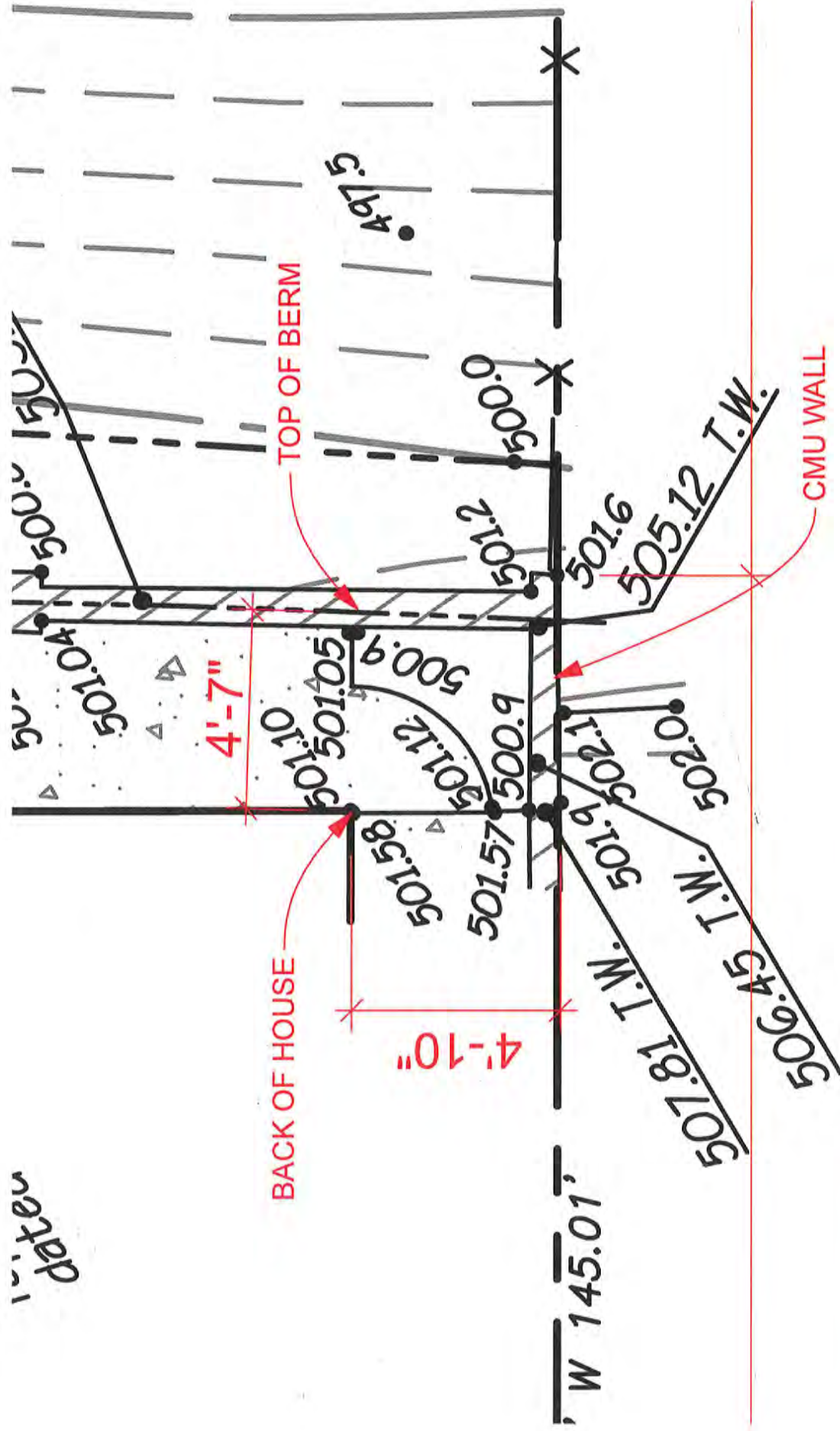
The O'Connors also request that the utility area for the project be relocated to the other side of the property. This is the living corridor side of the house for the O'Connors, and unfortunately the Bauman's are using it as an utility corridor.

This project is an attempt to shoe-horn the biggest box of a house onto a small buildable pad. Eventually this house will switch ownership, but its negative impact on Lantern Bay will endure. **Please deny this project as proposed.**

Very truly yours, April & Kevin O'Connor



date



O'CONNOR (Toal Eng) SURVEY

Johnathan Ciampa

From: April O'Connor <apriloconnor@me.com>
Sent: Monday, June 3, 2019 6:51 PM
To: Johnathan Ciampa
Cc: Viktor Meum; Kevin O'Connor; gary@kw-architects.com; Lisa Klasky; Carol Griffin
Subject: Fwd: Historical top of slope surveys regarding 34312 Shore Lantern
Attachments: 1989 34302 Original Survey Toal Eng.pdf; ATT00001.htm; 2017 34302 Shore Lantern Toal Engineering Top of Slope per topo.pdf; ATT00002.htm; 2019 34302 Shore Lantern Overlay w ATS Stakes Reviewed by Toal Eng.pdf; ATT00003.htm; LANTERN BAY RESIDENCE Partial Plans (r).pdf; ATT00004.htm

John,

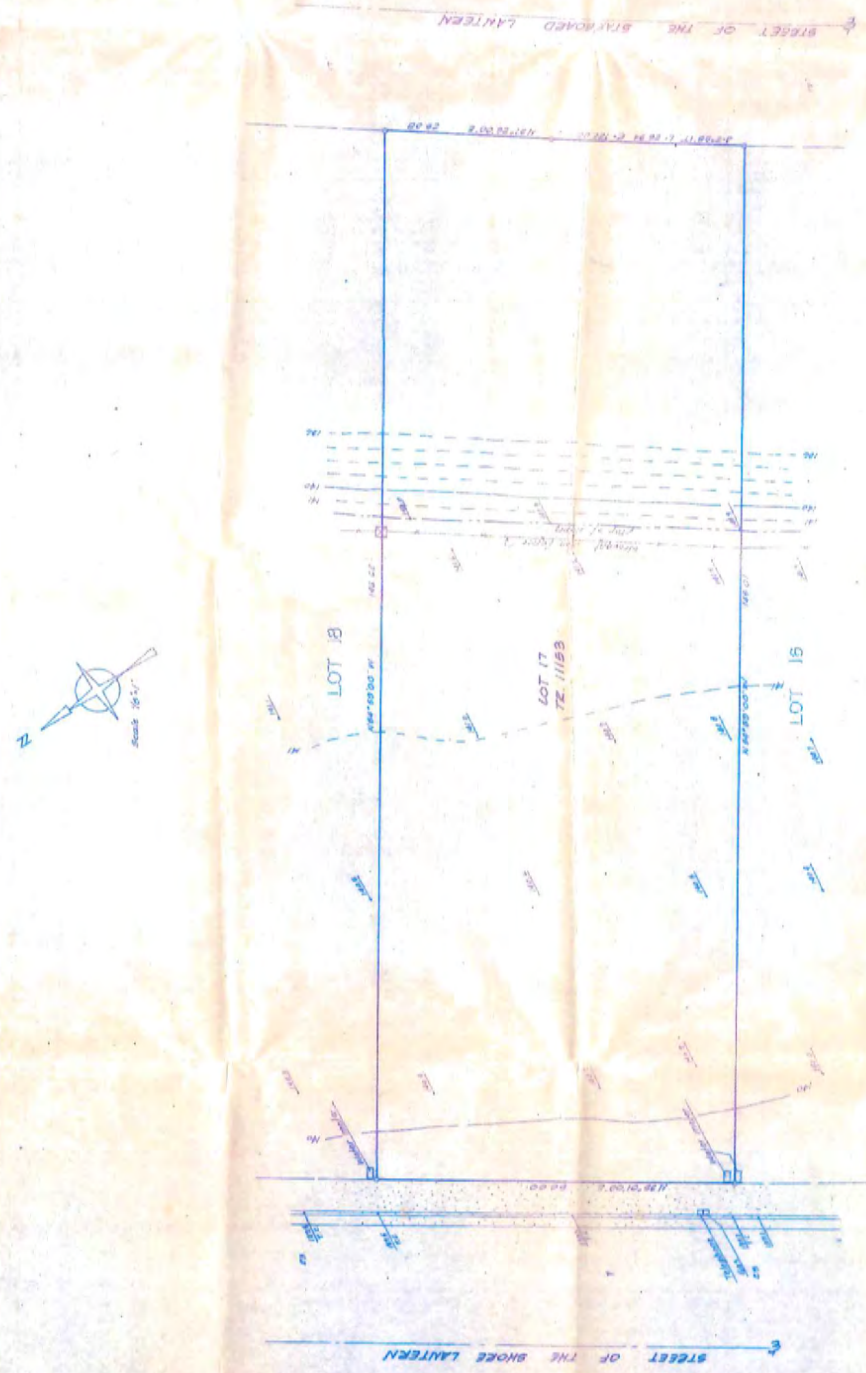
I am attaching three Toal Engineering surveys from 1989, 2017, and 2019 that determine an historical top of slope line at the property line. The 2019 survey conducted by Toal Engineering is an overlay of the current stakes located at the subject property. Bauman's current stakes are beyond the top of slope and the second story encroachment is an aggressive encroachment over that line. Toal Engineering has indicated that the Bauman's "topographic survey was not signed by a Licensed Land Surveyor." I hope that the City will require a licensed surveyor to sign-off on the project before a PC hearing is scheduled. My understanding is that the current Bauman plans have been denied by the HOA, please feel free to verify with the HOA's architect, Gary Wiggle, AIA or Keystone Management.

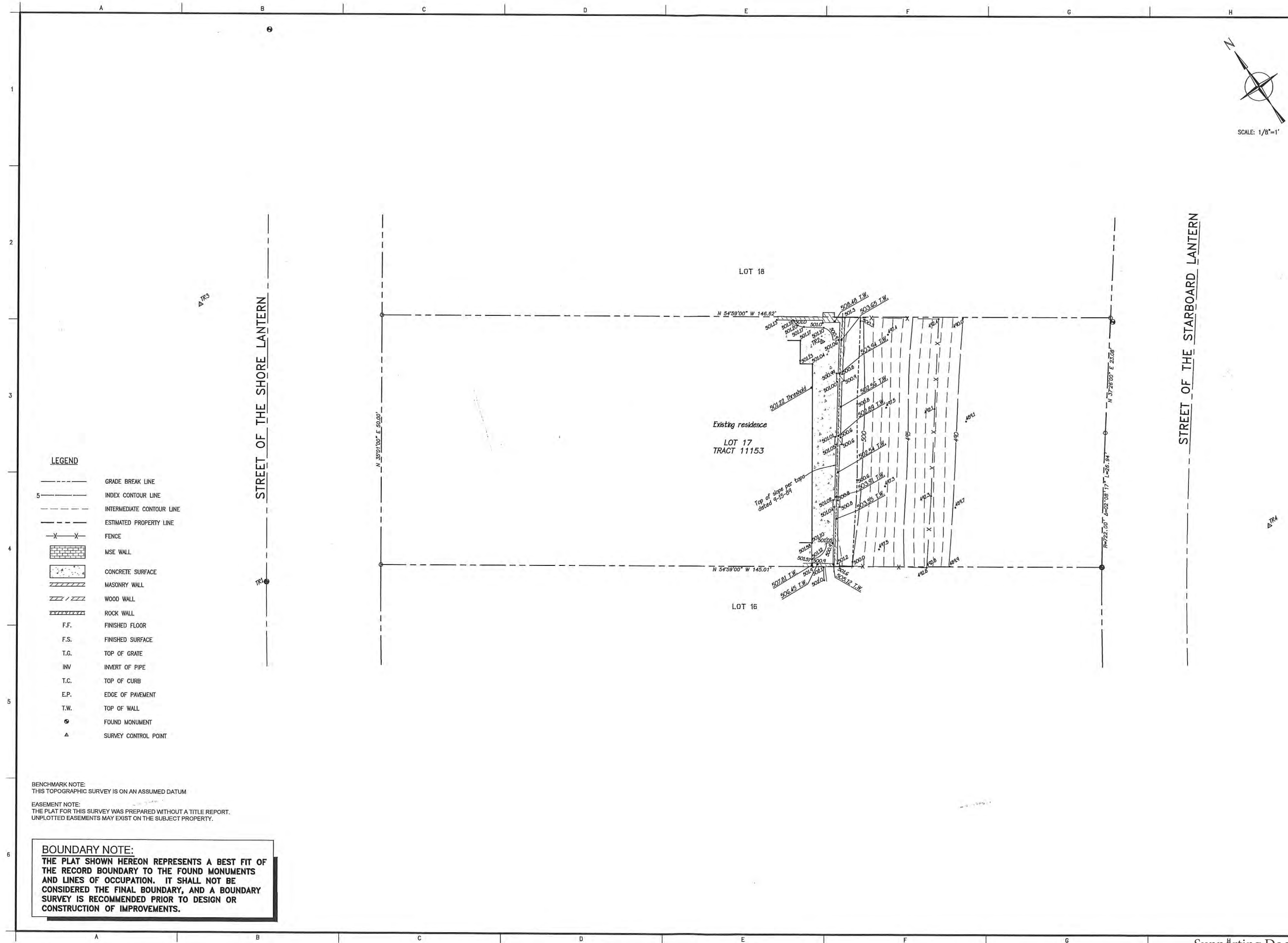
All of these issues would be resolved if there was a certified staking of the second story and top of slope line. It would take a lot of the mystery out of this project if we all could see where they intend to build their second story! Thank you for your consideration.

All the best,

April O'Connor

This e-mail and any attachments are confidential and intended for the sole use of the addressee(s).





PLANS PREPARED BY:

TOAL
ENGINEERING, INC.

**CIVIL ENGINEERING
LAND SURVEYING
STORMWATER QUALITY**

139 Avenida Navarro
San Clemente, CA 92562
949.492.8586
www.toalengineering.com



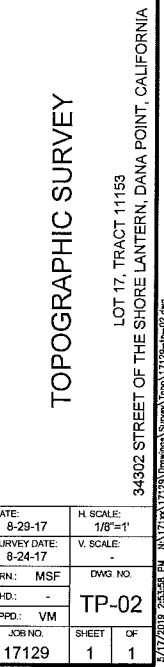
VIKTOR P. MEUM
P.L.S. 8682
DATE: _____
PREPARED FOR:
APRIL O'CONNOR

[illegible]

TOPOGRAPHIC SURVEY

LOT 17, TRACT 11153
34302 STREET OF THE SHORE LANTERN, DANA POINT, CALIFORNIA
1229 Drawings Survey Topo 17122-tp-01.dwg

DATE: 8-29-17	H. SCALE: 1/8"=1'	
SURVEY DATE: 8-24-17	V. SCALE: -	
URN: MSF	DWG. NO.	
HD: -	TP-01	
PPD: VM		
JOB NO. 17129	SHEET 1	OF 1



Johnathan Ciampa

From: April O'Connor <aprilconnor@me.com>
Sent: Wednesday, June 5, 2019 9:00 PM
To: Johnathan Ciampa
Cc: klasky Lisa; gary@kw-architects.com; Carol Griffin; Viktor Meum; Kevin O'Connor
Subject: Issues regarding Bauman's stakes after hedge removal
Attachments: Bauman's proposal.jpg; ATT00001.htm; Shore Lantern Bauman Plan.jpeg; ATT00002.htm; Building Line Plan for Shore Lantern CC&Rs.pdf; ATT00003.htm; IMG_3157.jpg; ATT00004.htm

Follow Up Flag: Follow up
Flag Status: Flagged

John,

I've attached photos to elaborate on the issues:

Issue 1: Sheet A1 of the Bauman's plans shows the edge of his 28-foot structure in the area of the post circled in Attachment 1. There is an encroachment discrepancy between the Bauman's plan sheets G5 and A1. Furthermore, the stakes were placed by their unlicensed surveyor who did not reference any of these stakes as points on their plans. Unfortunately, there is one stake that was accidentally removed and relocated by the landscapers when they cut back the hedges. It would be in everyone's best interest if the 28-foot encroachment is staked by a licensed surveyor so we all know what and where the project will be built. I really believe this will expedite their project especially since the Bauman's plan sheets contradict each other.

Issue 2: Our Toal Engineering surveys from 1989, 2017, and 2019 show the top of slope at the middle of our seat wall at the property line (see Attachment 1 & 4) The top of slope for the Bauman's lot does not magically jump out past that point at the property line. Furthermore, the Bauman's pad height is lower than ours by approximately 3 inches.

Issue 3: The Bauman's lot at #16 is concave (our prior owner and our neighbors behind us stayed behind that line with the appurtenances). See the CC&R's tract map below in Attachment 3. The Bauman's need to draw the straight vertical line of their 28-foot encroachment from the inner part of the concave, not from the outer points. In order to determine that concave, there will need to be more than 3 stakes in the ground to make an accurate determination of that concave line. Plan G5 shows a straight line from the outer points and that is incorrect. Again, there needs to be a certified survey to determine that concave line and the vertical 28-foot encroachment needs to be at the innermost point.

Issue 4: The fourth attachment shows our stucco side-wall which is located on our side of the property. The A1 sheet on the Bauman's plans shows that they will be extending our stucco wall all the way to the circled post in the prior photo. (Sadly, the Bauman's are imposing that same extension upon the neighbor on the other side). I believe that wall extension does not list a height, but the Bauman's could be planning on extending it at the highest point to the circled post. Obviously, we have problems with that wall extension on our side. Because both neighbors' side-walls are not located on the Bauman's property, the Bauman's have approximately gained an extra 8x12 room/closet because the side walls are not located on their property!

Issue 5: The Bauman's air conditioners are located outside our bedroom, front entry, patio area, kitchen, and dining room. Please ask them to relocate their a/c's to the other side of their property.

Issue 6: The Bauman's have their trash bins located outside our bedroom, front entry, patio area, kitchen, and dining room. This is our active living side of our home and we are full-time residents. This is our source of fresh air from this side of our home. This is our entry where our family and guests enter our home and we do not want the odors of their trash cans on this side of our home. I'd like to barbecue on my patio, open my kitchen windows, open the bedroom window without smelling their trash cans! Please have the Bauman's relocate their trash bins to the other side of their property.

In conclusion, before the Bauman's proceeded with their construction drawings, they should have: (1) asked their neighbors for input as to the location of their utility area and, (2) determined the size of their lot based on a licensed surveyor and then they would have known how big of a box they could build.

The entire neighborhood welcomes a beautiful home to be built on that vacant lot; however, the Bauman's need to follow the top of slope line established in 1989 since the current line is in question.

Thank you for your consideration.

All the best,

April O'Connor

This e-mail and any attachments are confidential and intended for the sole use of the addressee(s).

Attachment 1:





Johnathan Ciampa

From: April O'Connor <apriloconnor@me.com>
Sent: Friday, June 7, 2019 5:57 PM
To: Johnathan Ciampa
Cc: Lisa Klasky; Gary Wiggle; Viktor Meum; Kevin O'Connor
Subject: Fwd: Questions regarding the land survey for 34312 Shore Lantern
Attachments: CA Brd Prof Eng & Land Surveyors local_officials_guide.pdf; ATT00001.htm; LANTERN BAY RESIDENCE Partial Plans (r).pdf; ATT00002.htm

John,

Please look at paragraph 3 of Toal Engineering's email below. Mr. Meum has written that Bauman's land survey was conducted by a post-1982 civil engineer, William C. Hobbs.

I'm attaching the California Board for Professional Engineers and Land Surveyors' licensing rules. On pages 16 and 17 it shows that post-1982 civil engineers are unauthorized to sign land surveys. It's our understanding that the last civil engineer allowed to perform a land survey was license #C 33966 (page 17, Section 45b), and Mr. Hobbs is license #42265. It appears to us that the State of California would deem the Bauman's land survey is invalid. Please let us know if the City of Dana Point agrees or let us know if there is a different interpretation of Mr. Hobbs' license.

Thank you and have a great weekend!

All the best,

April O'Connor

DAVIS • TOFT

A PROFESSIONAL CORPORATION

August 28, 2019

D758

VIA EMAIL AND
FIRST CLASS MAIL

Board of Directors
Lantern Bay Estates Owners Association
c/o Ms. Elizabeth Reed
Ms. Carol Griffin
Keystone Pacific Management
16775 Von Karman Ave., #100
Irvine, CA 92606
Email: ereed@keystonepacific.com
Email: cgriffin@keystonepacific.com

Re: Bauman Project at Lot 16 Tract 11153

Dear Directors:

We have been retained by April and Kevin O'Connor to represent them in connection with their opposition to the construction of the single family residence by the Baumans at Lot 16 Tract 11153. The O'Connors and I wish that we did not have to write this letter. The O'Connors do not desire to be involved in litigation against their neighbors or the Association, but a flawed process has resulted in a bad decision by the Association and one which violates the governing documents of the Association. I would also say that the O'Connors support the construction of a new home on the Baumans' lot, but not one which pushes the building envelope beyond what the governing documents allow.

We understand that the Association has approved plans for this project. It is further our understanding that the approved plans contemplate the construction of a structure that will violate the clear terms of the Lantern Bay Estates CC&Rs as described below. Unless the Association withdraws its approval of said plans, we have been instructed to take legal action against the Association and the Baumans to enjoin the construction of the project as proposed.

When the developer for the Lantern Bay Estates laid out the site, it had to address both slope maintenance issues and view issues. In the original CC&Rs, most of which are carried over into the Amended and Restated CC&Rs in effect today, section 1.08 provides: "The Association Maintenance Areas shall include the masonry pilasters and the wrought iron fences installed by Grantor and located on the Lots **is at the top of slopes.**" The wrought iron fence at the back of the Baumans' lot is still in existence and is by definition, then, **at the top of the slope** on the Baumans' lot. The location of the fence is identified on an exhibit to the CC&Rs which is attached to this letter as Exhibit "1." It clearly states: "in no event shall any structure be located **beyond the top of slope.**" The plans proposed by the Baumans and now approved by the Association violate this tenet because they provide for the construction of a new structure approximately three (3) feet beyond the Grantor installed wrought iron fence—in other words, **three (3) feet beyond the top of slope.** We understand that historically and consistently, the

Board of Directors
Lantern Bay Estates Owners Association
August 28, 2019
Page 2 of 2

Association has prevented homeowners from building any structures that extend beyond the Grantor installed wrought iron fences. Your approval of the Baumans' plans sets a dangerous precedent. It allows the Baumans to construct a structure which is approximately three (3) feet into the Association Maintenance Area. This is a violation of the CC&Rs.

The O'Connors do not oppose this project merely because the plans violate the CC&Rs, but because the proposed structure will interfere with the O'Connors' views, privacy and quiet enjoyment of their property. They are also concerned about the stability of the slope below the proposed new residence. These factors were among the reasons that the original developer included restrictions on construction below the top of slope as the Baumans propose to do. You have an obligation to enforce the CC&Rs, and, as such, you must revoke your approval of the Baumans' plans to the extent that they provide for the completion of structures that extend beyond the top of slope and infringe onto the Association Maintenance Area.

Please respond at your earliest convenience. If you wish to discuss this matter or have any questions please contact me. The O'Connors and I are willing to meet to discuss this matter if that is of interest to you and might resolve this conflict.

Very truly yours,

DAVIS TOFT
a professional corporation



THOMAS P. DAVIS

Enclosures (2)

cc: Mr. Gene Bauman
Mr. John Ciampa (City of Dana Point)

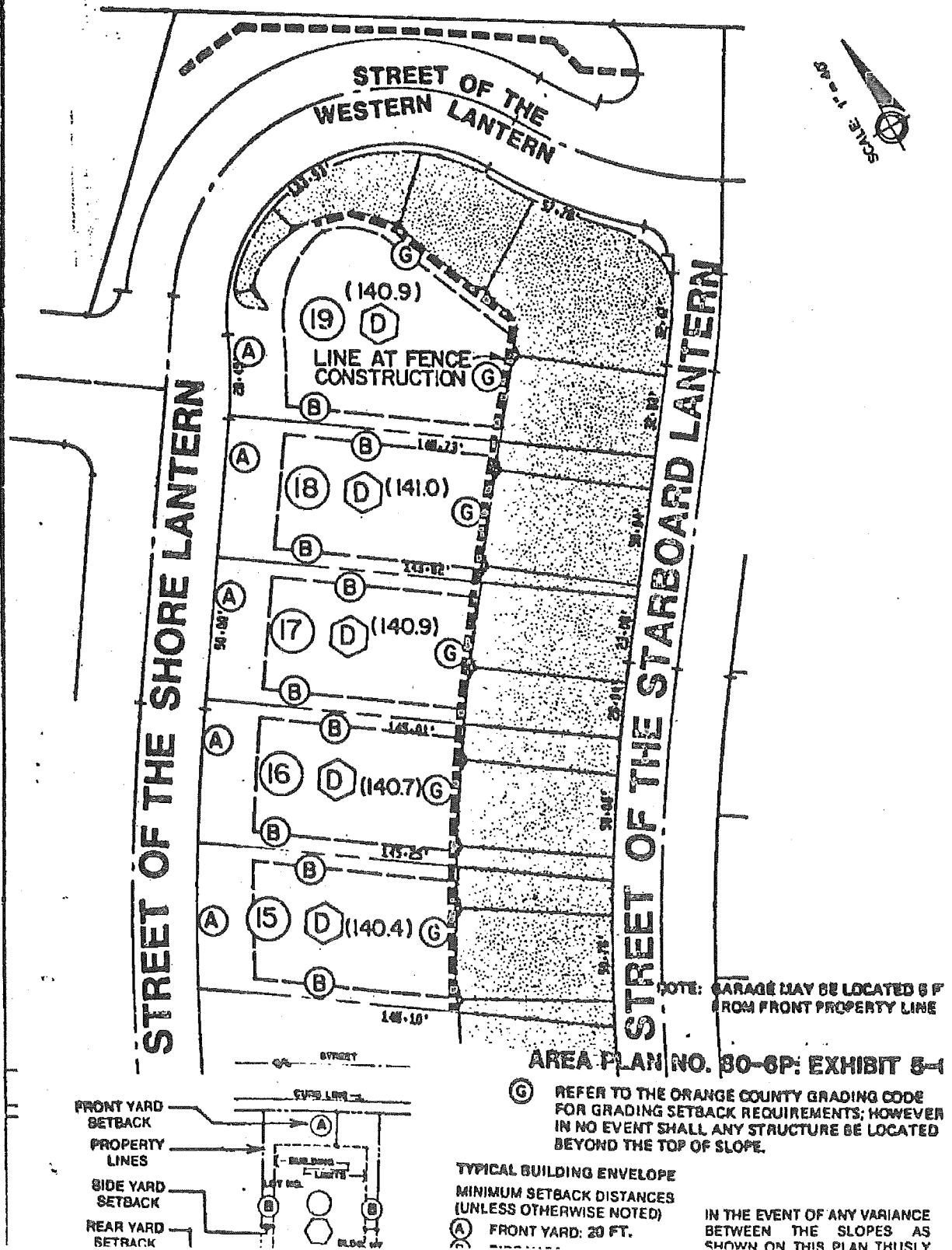
EXHIBIT "1"

83-321347

TRACT NO. 11153

LOTS 15,16,17,18&19

BUILDING LINE PLAN



To: Kelly Ferjulian
Tim Tupper
Cc: Andrew Muzi
Jason Florence
Gary Wiggle
Elizabeth Reed
John Ciampa

Subject; Response to letter dtd August 28, 2019 from Thomas Davis

The following is a factual response to Mr. Davis letter making demands of the HOA. All of my response is based upon the "First Amended and Restated Declaration Of Covenants, Conditions and Restrictions for Lantern Bay Estates". This document was signed and notarized on Sept. 10, 2018 by Kelly Ferjulian, on Sept. 5 2018 by April O'Conner, then filed and recorded with the County of Orange on Sept. 24, 2018. You may pull up a copy of it at www.progressivecm.com/lanternbay using the username: bluff and password: point (all lower case).

In Mr. Davis letter, 3rd paragraph he uses the CC&R's to justify his assertion of "top of slope" by referring to section 1.08. A copy of that section is attached (see attachment 1) Nowhere in this article does it discuss the interior safety fence installed as being utilized as "top of slope", nor does it even discuss the interior safety fence. Section 1.08 refers to "Exhibit A" (see attachment 2) which shows the general location of fencing, walls, and pilasters maintained by the Association, they are all the walls surrounding the development. Exhibit B indicates in very general terms the nonexclusive maintenance easement (see attachment 3).

The first time "top of slope" is mentioned in the CC&R's is in the recorded tract maps labeled "exhibit C" (see attachment 4). On each tract map it states the following :**"Refer to Orange County grading code for grading setback requirements: however, in no event shall any structure be located beyond top of slope"**. It states further **"In the event of any variance between slopes as shown on this plan thusly and slopes as actually graded, the slopes as actually finally graded will supersede those shown on this plan."**

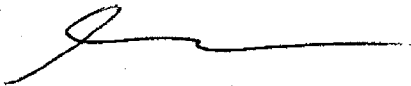
Mr. Davis states in his next to last paragraph that the our construction will interfere with the O'Conner's views, privacy and quiet enjoyment of their property. Section 10.08 View Obstruction (see attachment 5) states ***"Each Owner by accepting a deed to a Lot hereby further acknowledges that all Owners of Lots shall be entitled to construct a Dwelling Unit and other improvements customarily incident to a Dwelling Unit within the building line boundaries on their respective Lots as shown on the building plan, that such construction may impair the view of such owner and hereby consents to such***

impairment". It also states *"If there is a dispute between owners concerning obstruction of a view from Dwelling unit, the dispute shall be submitted to the ARC, whose decision in such matters shall be binding"*. I don't know if the O'Connors followed the rules.

Mr Davis went further to address the stability of the slope. This has never been in question and was certified by my Soils Report and is on file with the City.

All I am asking is that I be treated as any other Property Owner should be. My project is 100% within the CC&R's and that is why the ARC and HOA approved my project.

Regards

A handwritten signature in black ink, appearing to read 'Gene P. Bauman', with a long horizontal stroke extending to the right.

Gene P. Bauman

ARTICLE I

DEFINITIONS

Unless otherwise expressly provided, the following words and phrases when used herein shall have the meanings hereinafter specified.

Section 1.01. "ARC" shall mean the Architectural Review Committee created pursuant to Article VIII hereof.

Section 1.02. "Articles" shall mean the Articles of Incorporation of the Association filed in the office of the Secretary of State of the State of California, as such Articles may be amended time to time.

Section 1.03. "Assessment, Capital Improvement" shall mean a charge against each Owner and his Lot, representing a portion of the costs to the Association for installation or construction of any Improvements on any portion of the Common Area of Association Maintenance Areas which the Association may from time to time authorize, pursuant to the provisions of this Declaration. Such charge shall be levied among all Owners and their Lots in the same proportion as Common Assessments.

Section 1.04. "Assessment, Common" shall mean the annual of supplemental charge against each Owner and his Lot, representing a portion of the total, ordinary costs of maintaining, improving, repairing, replacing, managing and operating the Common Area and the Association Maintenance Areas, which are to be paid by each Owner to the Association, as provided herein.

Section 1.05. "Assessment, Reconstruction" shall mean a charge against each Owner and his Lot, representing a portion of the cost to the Association for reconstruction of any portion of the Improvements on the Common Area and Association Maintenance Areas pursuant to the provisions of this Declaration. Such charge shall be levied among all Owners and their Lots in the same proportion as Common Assessments.

Section 1.06. "Assessments, Special" shall mean a charge against a particular Owner and his Lot, directly attributable to, or reimbursable by, that Owner, equal to the cost incurred by the Association for corrective action, performed pursuant to the provision of this Declaration, or a reasonable fine or penalty assessed by the Board, plus interest and other charges on such Special Assessments as provided for herein. Special Assessments shall not include any late payment penalties, interest charges or costs incurred by the Association (including attorneys' fees in the collection of Common, Capital Improvement and Reconstruction Assessments).

Section 1.07. "Association" shall mean LANTERN BAY ESTATES OWNERS ASSOCIATION, a corporation formed under the Nonprofit Mutual Benefit Corporation Law of the State of California, its successors and assigns.

Section 1.08. "Association Maintenance Areas" shall mean certain plantings, planted trees, shrubs, slopes, and other landscaping Improvements, sound attenuation walls and perimeter walls which are located on the Lots as hereinafter defined. The Association shall have a nonexclusive easement for maintenance purposes over the Association Maintenance Areas. The Association

Maintenance Areas are depicted on the drawings which are marked Exhibit "A", attached hereto and incorporated herein by this reference. The Association Maintenance Areas shall include the masonry pilasters and wrought iron fences generally depicted on the attached map entitled Exhibit "B."

Section 1.09. "Association Maintenance Funds" shall mean the accounts created for receipts and disbursements of the Association, pursuant to Article VI hereof.

Section 1.10. "Beneficiary" shall mean a mortgagee under a mortgage or a beneficiary under a deed of trust, as the case may be, and the assignees of such mortgage or beneficiary.

Section 1.11. "Board" or "Board of Directors" shall mean the Board of Directors of the Association, elected pursuant to the Bylaws of the Association.

Section 1.12. "Bylaws" shall mean the Bylaws of the Association, as such Bylaws may be amended by the Members of the Association from time to time.

Section 1.13. "Close of Escrow" shall mean the date on which a deed is Recorded conveying a Lot in the Properties pursuant to a transaction requiring the issuance of a Final Subdivision Public Report issued by the California Department of Real Estate.

Section 1.14. "Common Area" shall mean all the real property and Improvements, including, without limitation, driveway, street and open parking areas, landscape areas and monuments, which are owned by the Association for the common use and enjoyment of all of the Owners. The Common Area shall include that certain real property located in the City of Dana Point, County of Orange, State of California, described more particularly as follows:

Lot A, B and C, inclusive of Tract No.
11153, as shown on a Subdivision Map,
recorded on April 29, 1982, in Book 502,
Pages 13 to 19, inclusive, of Miscellaneous
Maps, in the Office of the Orange County
Recorder.

Section 1.15. "Common Expenses" shall mean the actual and estimated costs of: maintenance, management, operation, repair and replacement of the Common Area and the Association Maintenance Areas (including unpaid Special Assessments, Reconstruction Assessments and Capital Improvement Assessments), including those costs not paid by the Owner responsible for payment; the costs of any commonly metered utilities and other commonly metered charges for the Properties; costs of management and administration of the Association including, but not limited to, compensation paid by the Association to managers, accountants, attorneys and other employees; the costs of all utilities, gardening, trash pick-up and other services benefiting the Common Area and the Association Maintenance Areas; the costs of fire, casualty and liability insurance, worker's compensation insurance, and other insurance all covering the Properties; the costs of bonding the members of the management body; taxes paid by the Association; amounts paid by the Association for discharge of any lien or encumbrance levied against the Properties, or portions thereof; and the costs of any other item or items designated by the Association for any reason whatsoever in connection with the Properties, for the benefit of all of the Owners.

ATTACHMENT 1 (cont'd)

EXHIBIT "A"
TO
FIRST AMENDED AND RESTATED
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
LANTERN BAY ESTATES

ATTACHMENT 2

LUAL ENGINEERING, INC.
 139 AVENIDA NAVARRO
 SAN CLEMENTE, CALIFORNIA 92672
 (949) 492-8886
 FAX (949) 498-8825

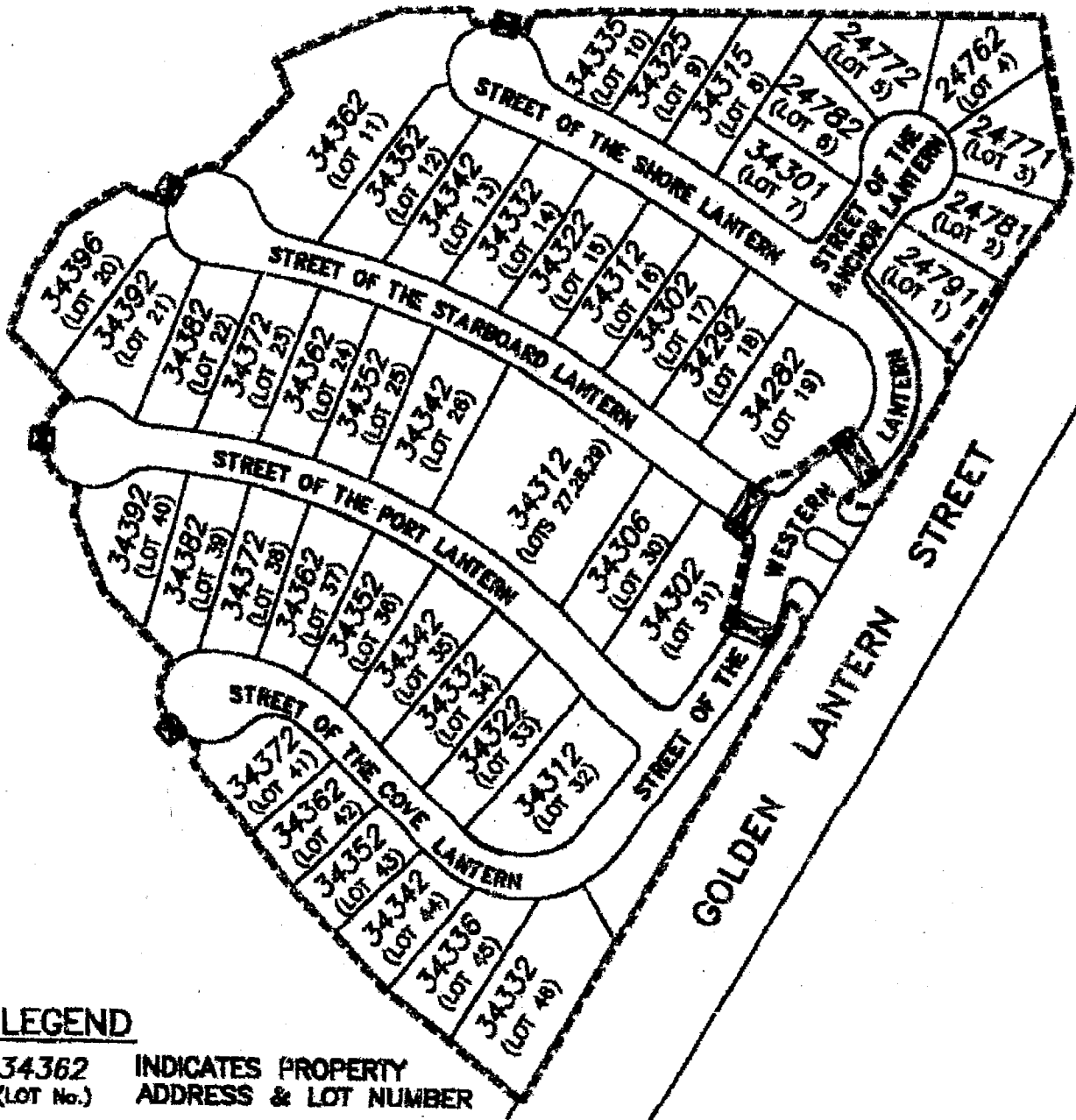
DWG. ASSOCIATION MAINTAINED FENCING & WALLS EXHIBIT

DATE JANUARY 2015

NO SCALE



EXHIBIT 'A'



LEGEND

34362
 (LOT No.) INDICATES PROPERTY ADDRESS & LOT NUMBER

- - - - - INDICATES GENERAL LOCATION OF FENCING, WALLS AND PILASTERS MAINTAINED BY THE ASSOCIATION.

- - X - - INDICATES GENERAL LOCATION OF VEHICULAR AND/OR

ATTACHMENT 2 (cont'd)

EXHIBIT "B"
TO
FIRST AMENDED AND RESTATED
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
LANTERN BAY ESTATES

ATTACHMENT 3

83-124265

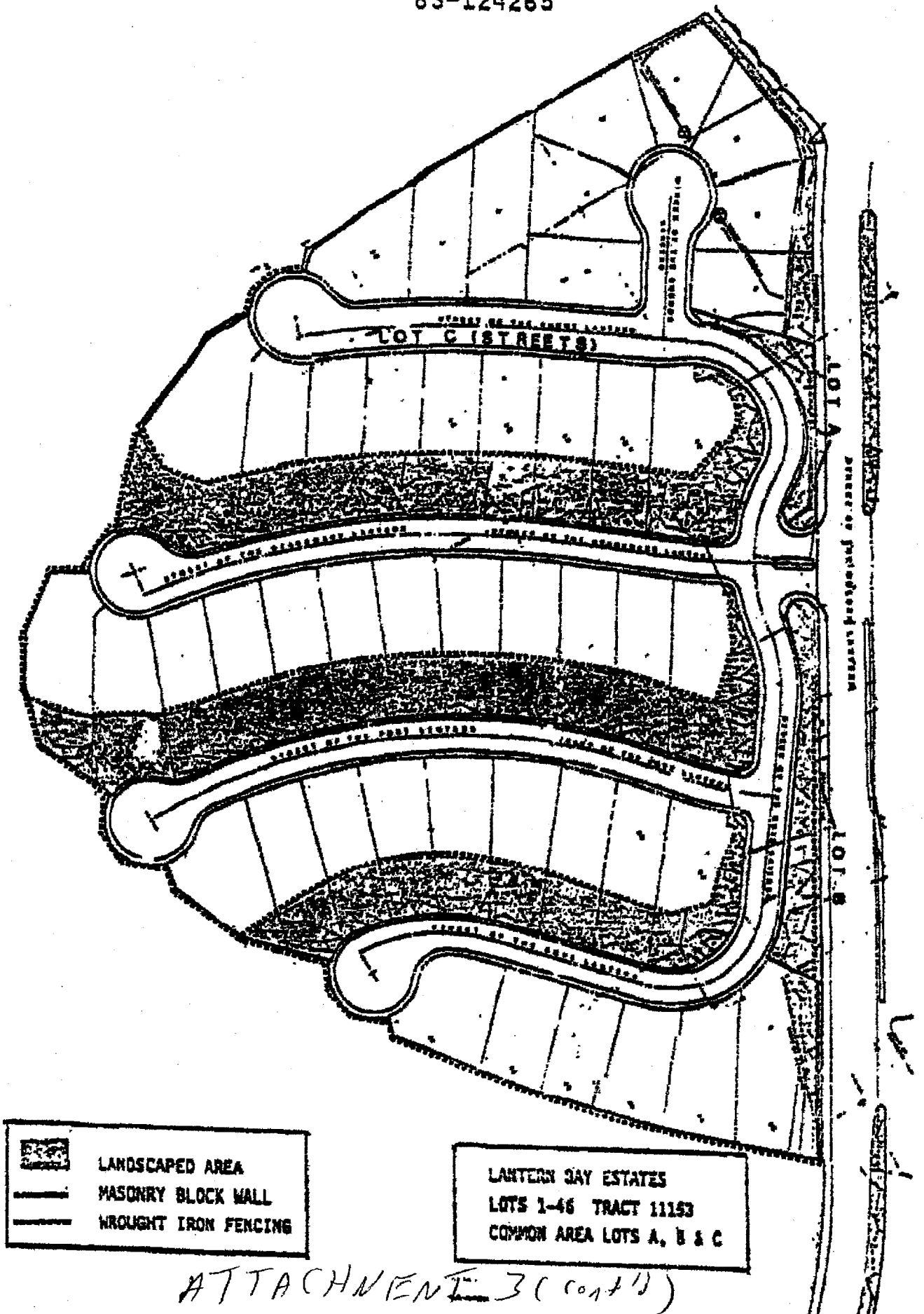


EXHIBIT "C"
TO
FIRST AMENDED AND RESTATED
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
LANTERN BAY ESTATES

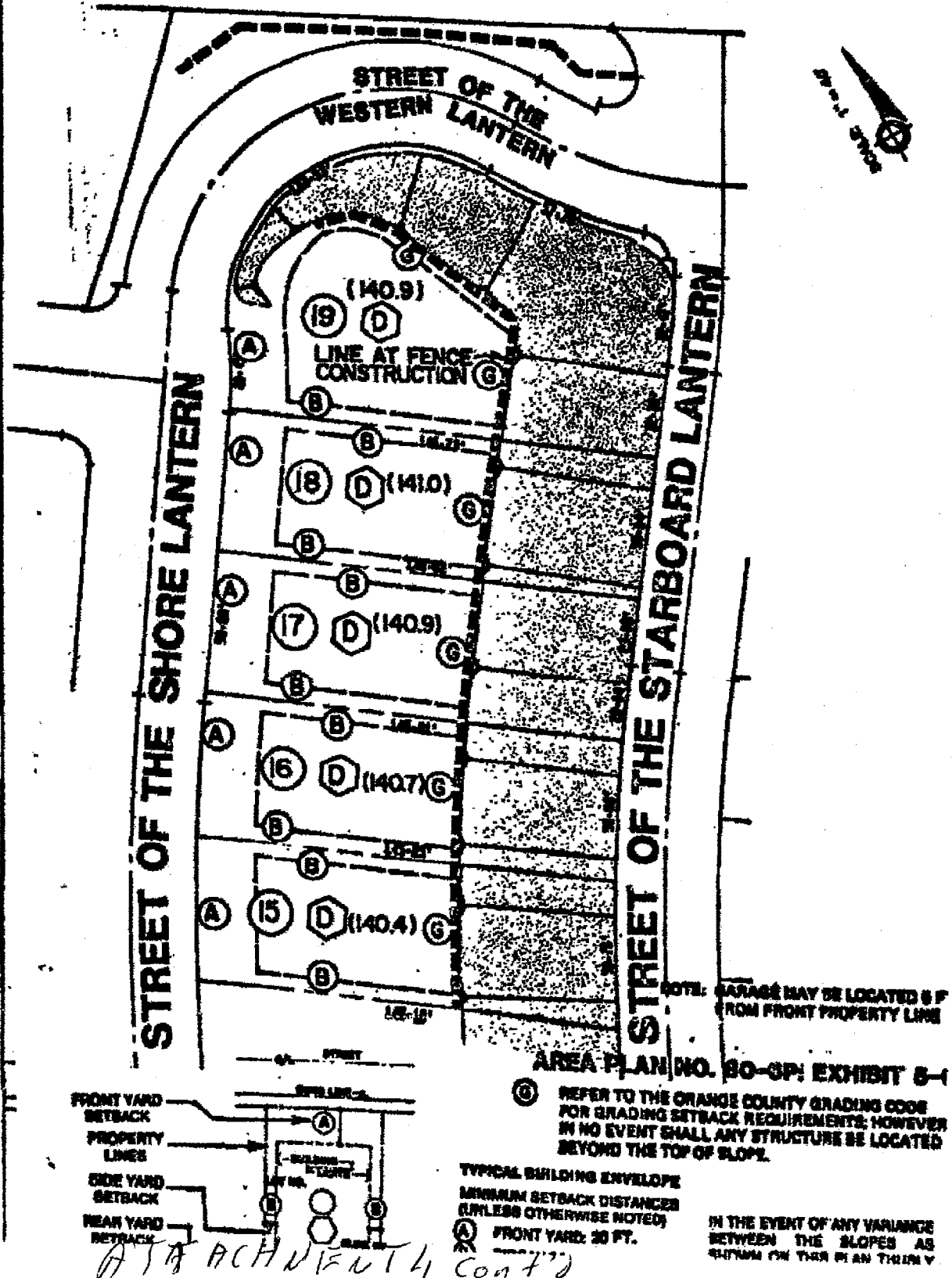
ATTACHMENT 4

83-321347

TRACT NO. 11153

LOTS 15, 16, 17, 18 & 19

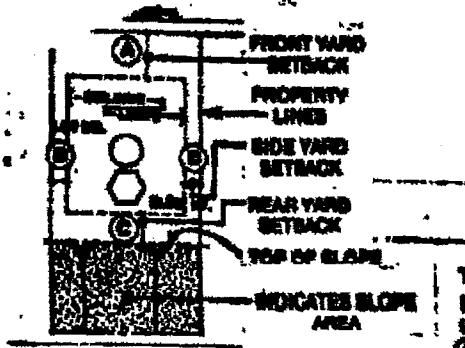
BUILDING LINE PLAN



83-321347 TRACT NO.11153

LOTS 11, 12, 13, & 14

BUILDING LINE PLAN

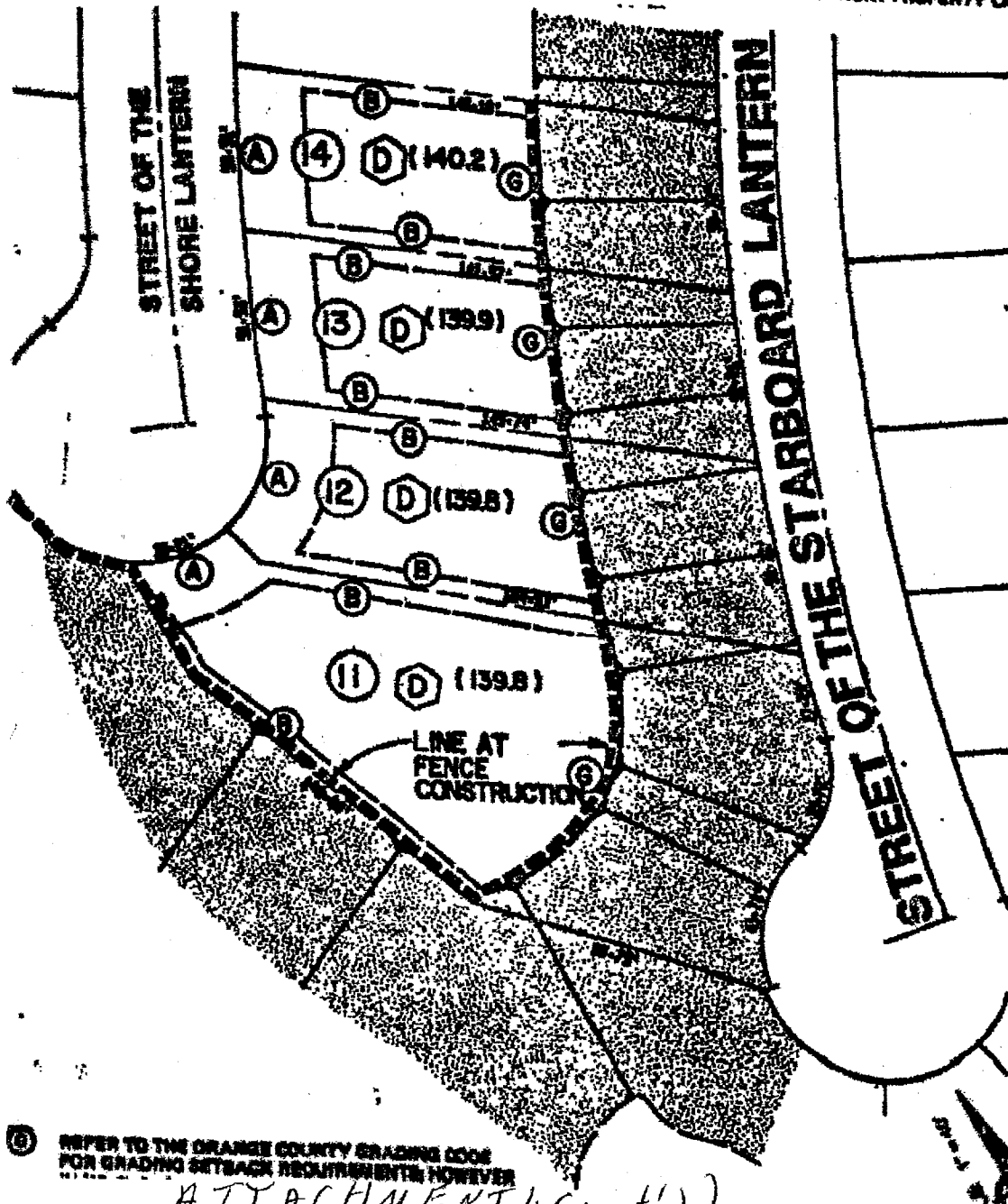


TYPICAL BUILDING ENVELOPE
MINIMUM SETBACK DISTANCES
(UNLESS OTHERWISE NOTED)

- (A) FRONT YARD: 20 FT.
- (B) SIDE YARD: 5 FT.
- (C) REAR YARD: SEE (E)
- (D) MAX. BLDG. HEIGHT:
25 FEET ABOVE FINISH
GRADE ELEVATION AS
SHOWN ON EACH LOT IN
PARENTSHEET.

IN THE EVENT OF ANY VARIANCE
BETWEEN THE SLOPES AS
SHOWN ON THIS PLAN THINLY
GRADED AND SLOPES AS
ACTUALLY FINALLY GRADED,
THE SLOPES AS FINALLY
GRADED WILL SUPERSEDE
THOSE SHOWN ON THIS PLAN.

NOTE: GARAGE MAY BE LOCATED 5 FT.
FROM FRONT PROPERTY LINE



(E) REFER TO THE ORANGE COUNTY GRADING CODE
FOR GRADING SETBACK REQUIREMENTS, HOWEVER

ATTACHMENT 4 (cont'd)

Section 10.06. Animal Restrictions. No insects, reptiles, poultry or animals of any kind shall be raised, bred or kept on the Properties, except that usual and ordinary domestic dogs, cats, fish, birds and other household pets (excluding, without limitation, equine, bovine, sheep, swine, goats and other such animals) may be kept on Lots, provided that they are not kept, bred or maintained for commercial purposes or in unreasonable quantities, nor in violation of the Rules and Regulations adopted by the Association as provided in the Bylaws. As used in this Declaration, unreasonable quantities shall ordinarily mean more than two (2) pets per household; provided, however, that the Board of Directors may determine that a reasonable number in any instance may be more or less. The Association, acting through the Board of Directors, shall have the right to prohibit maintenance of any animal which constitutes, in the opinion of the Board, a nuisance to any other Owner. Animals belonging to Owners, occupants or their licensees, tenants or invitees within the Properties must be kept either within an enclosure, an enclosed yard or patio, or on a leash being held by a person capable of controlling the animal. Furthermore, any Owner shall be absolutely liable to each and all remaining Owners, their families, guests, tenants and invitees, for any unreasonable noise or damage to person or property caused by any animals brought or kept upon the Properties by such Owner or by members of his family, his tenants or his guests; and it shall be the absolute duty and responsibility of each such Owner to clean up after such animals which have used any portion of the Common Area.

Section 10.07. Trash. No rubbish, trash or garbage or other waste material shall be kept or permitted upon any Lot or Common Area, except in sanitary containers located in appropriate areas screened and concealed from view, and no odor shall be permitted to arise therefrom so as to render the Properties, or any portion thereof, unsanitary, unsightly, offensive or detrimental to any other property in the vicinity thereof or to its occupants. Such containers may be exposed to the view of neighboring Lots only when set out for a reasonable period of time (not to exceed twelve (12) hours before and after scheduled trash collection hours). There shall be no exterior fires whatsoever except barbecue fires contained within receptacles therefor and fire pits in the enclosed yards designed in such a manner that they do not create a fire hazard. No clothing or household fabrics shall be hung, dried or aired on or over any Lot in such a way as to be visible from any other lot, and no lumber, grass, shrub or tree clippings or plant waste, metals, bulk material, scrap, refuse or trash shall be kept, stored or allowed to accumulate on any portion of the Properties except within an enclosed structure or if appropriately screened from view. No plants or seeds infected with noxious insects or plant diseases shall be brought upon, grown or maintained upon the Properties.

Section 10.08. View Obstruction. Each Owner by accepting a deed to a Lot hereby further acknowledges that all Owners of Lots shall be entitled to construct a Dwelling Unit and other Improvements customarily incident to a Dwelling Unit within the building line boundaries on their respective Lots as shown on the Building Line Plan, that such construction may impair the view of such Owner and hereby consents to such impairment. In order to protect the view of Owners from their respective Lots, no Improvement or other obstruction shall be constructed, planted or maintained upon any Lot the height of which exceeds the maximum allowable height for a Dwelling Unit on such Lot. If there is a dispute between Owners concerning the obstruction of a view from a Dwelling unit, the dispute shall be submitted to the ARC, whose decision in such matters shall be binding. Any item or vegetation maintained upon any Lot which item or vegetation is exposed to the view of any Owner, shall be removed or otherwise altered to the satisfaction of the ARC, if it determines that the maintenance of such item or vegetation in its then existing state is contrary to the purposes or provisions of this Declaration. The ARC shall ensure that the vegetation on the Common Areas and Association Maintenance Areas maintained by the Association is cut frequently, so that the view of any Owner is not unreasonably obstructed.

~~SEE~~
ATTACHMENT 25

Johnathan Ciampa

From: April O'Connor <apriloconnor@me.com>
Sent: Tuesday, September 24, 2019 3:23 PM
To: MATTHEW KUNK
Cc: Johnathan Ciampa; Kevin O'Connor
Subject: Fwd: Issues with a civil engineer survey

Matt,

I read your email below, but I am unclear as to the City's position regarding this project. Please let me know whether the City will require a licensed land surveyor on the Bauman project. I hope it will be required because there are significant issues that need resolution:

1. Mr. Hobbs' survey plans have been wrong from the beginning. Our existing house is still shown in the wrong position in relation to their "apparent top of slope," or in the worst case scenario, the proposed home is actually beyond the current stakes;
2. When the stakes for Bauman's house were initially placed, the stakes were 6 feet down the slope. This calls into question the reliability of Mr. Hobbs' surveys;
3. The existing staking refers to no specific point on the site plans. Once those stakes are removed, there is no reference point on record and those stakes have no bearing on where the edge of the house will be built. The house could then be located anywhere;
4. The stakes as currently placed are in a curvature and that curve is not reflected on the site plan;
5. The house as proposed is a straight line which means that the house does not relate to the staking. It remains unclear as to WHERE on the lot the house will be built; and,
6. The support posts are at the "apparent top of slope" which means that the footings are past the "apparent top of slope" and into the Association Maintenance Area.

According to your email, civil engineers are allowed to survey existing conditions; however, it appears to us that Mr. Hobbs has consistently done an inaccurate job of showing what is to be proposed on the land. Obviously, without a licensed land surveyor, these same issues continue to be unresolved since Mr. Hobbs' survey is unrelated to any site monuments. How do you know where to place a new home on a lot without a licensed land survey?

Unfortunately, there is no hearing process at Lantern Bay Estates and despite numerous requests to do so, we were not given an opportunity to fix these problems or present our case to the HOA. We still believe that the CC&R's say that the grantor installed wrought iron fence is at the top of slope and there can be nothing built past that fence. All the homes in this neighborhood align themselves with the grantor installed fence. It would be incompatible to the neighborhood to allow this project to extend past that point.

Nevertheless, if there is any doubt regarding the location of the top of slope, then you should err on the side of caution and not push the envelope.

All the best,

April O'Connor

This e-mail and any attachments are confidential and intended for the sole use of the addressee(s).

Begin forwarded message:

From: MATTHEW KUNK <MKUNK@DanaPoint.org>
Subject: RE: Questions regarding the land survey for
Date: September 18, 2019 at 4:24:01 PM PDT
To: April O'Connor <apriloconnor@me.com>
Cc: Johnathan Ciampa <JCiampa@DanaPoint.org>

April,

Sorry for my delayed response. The City of Dana Point does not have any additional ordinances that apply to surveyors or civil engineers licensed scope of work. The most recent California Engineer's Act does allow for licensed civil engineers to perform some surveying work as outlined. Per John's email below, Section 6731.1. of the California Engineer's Act outlines allowed practices for current licensed civil engineers, which include topography. The City would not further limit the civil engineers practices if approved by the state Engineer's Act. All that being said, the City is still reviewing the submitted Topographic Survey and CDP application and has not currently approved either. John or myself will reach out as the current review is completed.

Thanks.

Matthew Kunk, P.E.
Principal Civil Engineer
City of Dana Point
Phone: (949) 248-3562
Fax: (949) 248-7372

From: April O'Connor [<mailto:apriloconnor@me.com>]
Sent: Wednesday, September 11, 2019 12:12 PM
To: MATTHEW KUNK
Cc: Johnathan Ciampa
Subject: Fwd: Questions regarding the land survey for

Hi, Matthew,

John Ciampa suggested I contact you regarding the land survey that was submitted in the above-referenced project. The signature on the survey is by William C. Hobbs, RCE 42265. He is a "post-1982" engineer and not permitted to sign for surveys. What is the City's position regarding allowing this survey to be used for the project?

All the best,

April O'Connor
34302 Shore Lantern
Dana Point, CA 92629
(949) 493-4914 home

Begin forwarded message:

From: Johnathan Ciampa <JCiampa@DanaPoint.org>
Subject: RE: Questions regarding the land survey for 34312 Shore Lantern
Date: August 21, 2019 at 9:30:41 AM PDT
To: April O'Connor <apriloconnor@me.com>

April,

Thank you for your message the other day on the status of the project adjacent to your property. I have not received a resubmittal of the applicant so I assume project details are being addressed by the HOA and the Architect for the property owner.

I had the City Engineers review your concern regarding the surveying of the subject property and they provided the information below.

Section 6731 States:

Civil engineers registered prior to January 1, 1982, shall be authorized to practice all land surveying as defined in Chapter 15 (commencing with Section 8700) of Division 3.

Please note the "all land surveying language."

Section 6731.1.

Civil engineering - additional authority for engineering surveying

Civil engineering also includes the practice or offer to practice, either in a public or private capacity, all of the following:

(a) Locates, relocates, establishes, reestablishes, or retraces the alignment or elevation for any of the fixed works embraced within the practice of civil engineering, as described in

Section 6731.

(b) Determines the configuration or contour of the earth's surface or the position of fixed

objects above, on, or below the surface of earth by applying the principles of trigonometry or photogrammetry.

(c) Creates, prepares, or modifies electronic or computerized data in the performance of the activities described in subdivisions (a) and (b).

2019 Professional Engineers Act 9

(d) Renders a statement regarding the accuracy of maps or measured survey data pursuant to subdivisions (a), (b), and (c).

Section (b) allows civil engineers to provide contours, section (c) allows civil engineers to prepare topographic maps, section (d) allows civil engineers to certify topographic information they performed.

John

John Ciampa

Senior Planner
City of Dana Point, Planning Division
33282 Golden Lantern
Dana Point, CA 92629
949-248-3591
JCiampa@DanaPoint.org

Please be aware that effective March 1, 2018, City of Dana Point Community Development and Public Works Public Counter "walk in" Business Hours are Monday through Friday 7:30 a.m. to 3:30 p.m. Counter services after 3:30pm will remain available by appointment only.

From: April O'Connor [<mailto:apriloconnor@me.com>]
Sent: Friday, June 7, 2019 5:57 PM
To: Johnathan Ciampa
Cc: Lisa Klasky; Gary Wiggle; Viktor Meum; Kevin O'Connor
Subject: Fwd: Questions regarding the land survey for 34312 Shore Lantern

John,

Please look at paragraph 3 of Toal Engineering's email below. Mr. Meum has written that Bauman's land survey was conducted by a post-1982 civil engineer, William C. Hobbs.

I'm attaching the California Board for Professional Engineers and Land Surveyors' licensing rules. On pages 16 and 17 it shows that post-1982 civil engineers are unauthorized to sign land surveys. It's our understanding that the last civil engineer allowed to perform a land survey was license #C 33966 (page 17, Section 45b), and Mr. Hobbs is license #42265. It appears to us that the State of California would deem the Bauman's land survey is invalid. Please let us know if the City of Dana Point agrees or let us know if there is a different interpretation of Mr. Hobbs' license.

Thank you and have a great weekend!

All the best,

April O'Connor

Johnathan Ciampa

From: April O'Connor <apriloconnor@me.com>
Sent: Thursday, October 3, 2019 6:03 PM
To: Johnathan Ciampa; Matt Schneider
Cc: Kevin O'Connor; MATTHEW KUNK
Subject: 34312 Shore Lantern/Bauman Project
Attachments: 2019.10.09 Lantern Bay Brd Pkt red GS (dragged) 2.pdf; ATT00001.htm

Matt and John,

Apparently, the day after Lantern Bay Estates issued their approval, they sent a clarification of their approval dated August 20. The City is cc'd on it. Of note, the letter says "After ARC Approved the plans you mentioned that you [Bauman] were needing to remove the existing galvanized irrigation pipe. However, ARC did not Approve modification to the HOA Landscape Area or irrigation pipes." The Baumans' "apparent top of slope" stakes are past the HOA's irrigation pipe, and the Baumans' plans show their 2-story structure will be past that irrigation pipe. So, the HOA's August 20 letter (cc'ing the City of Dana Point) invalidates the HOA's prior August 19 approval letter. If the irrigation pipe cannot be moved to build the structure, then the project has by de facto been rescinded by the HOA.

I believe this project is faulty at its core. Without a valid land survey there has been confusion on everyone's part regarding where the structure is proposed to be situated on the lot. Furthermore, there is no valid HOA approval. I cannot see how the City can allow this project to move forward. I request that you address this problem.

All the best,

April O'Connor

This e-mail and any attachments are confidential and intended for the sole use of the addressee(s).

August 20, 2019

Mr. Gene Bauman
34312 Shore Lantern
Dana Point, California 92629

RE: New Residence

Dear Mr. Bauman:

Lantern Bay Estates Architectural Review Committee (ARC) and the Neighborhood look forward to your New Home and we want to welcome you to our community and would like to acknowledge the Approval of your Plans to construct your new home.

However, ARC would like to also emphasize the committee DID NOT approve grading or removal of earth beyond the Top of Slope or into the HOA Maintained Landscaped Slope Area or any other encroachment. As ARC mentioned to you this date you would need a Berm or Wall at rear of pad to ensure no drainage would overflow onto the slope areas. You assured ARC that your area drains would control all drainage to prevent overflow.

After ARC Approved the Plans you mentioned that you were needing to remove the existing galvanized irrigation pipe. However ARC did not Approve modification to the HOA Landscape Area or irrigation pipes. Any subsequent modifications to the HOA Areas would need to be shown on a Landscape and Irrigation Plan under a new application and coordinated with the Contract Landscape Maintenance company (Note the HOA slopes are irrigated with Recycled water).

Again Lantern Bay Estates Welcomes you to Shore Lantern!

Sincerely,

The Architectural Review Committee for Lantern Bay Estates Homeowners Association

CC Board of Directors
 Gary Wiggle, KW-Architects
 Carol Griffin, Keystone Pacific Property Management
 City Of Dana Point Building Department



Lantern Bay Estates Owners Association

October 15, 2019

April and Kevin O'Connor
c/o Davis Toft Law
34302 Shore Lantern
Dana Point, CA. 92629

RE: O'Connor Bauman Request for IDR

The Lantern Bay Estates Owners Executive Committee has agreed to have IDR regarding their opposition to the construction on the Bauman property. They will meet on October 30, 2019 at 10:00 AM on the property, 34312 Shore Lantern, to include Mr. Bauman, his architect, the Association Architect and the Association Attorney.

Mr. Bauman has requested that neither the O'Connors nor their attorney come on to his property until he is there to escort them.

Please let us know that this has been received and the offer of IDR on October 30, 2019 at 10:00 AM is agreed upon.

Sincerely,

At the direction of the Lantern Bay Estates Executive Committee,

Elizabeth Reed

Elizabeth Reed, CMCA
District Manager

Johnathan Ciampa

From: Kevin O'Connor <ksoc@mac.com>
Sent: Tuesday, November 12, 2019 4:48 PM
To: MATTHEW KUNK; Johnathan Ciampa
Cc: April O'Connor
Subject: 34312 Shore Lantern Opposition CDP 180015
Attachments: Shore Lantern 1990 Planning Comm Book.pdf; ATT00001.htm

Matt and John,

Here is some information related to the above-referenced lot. Our position is that the proposed project has erroneously placed the top of slope. But even if you give them their alleged "apparent top of slope", their project is bigger than what they have staked. Therefore, the project should be denied.

Thank you,

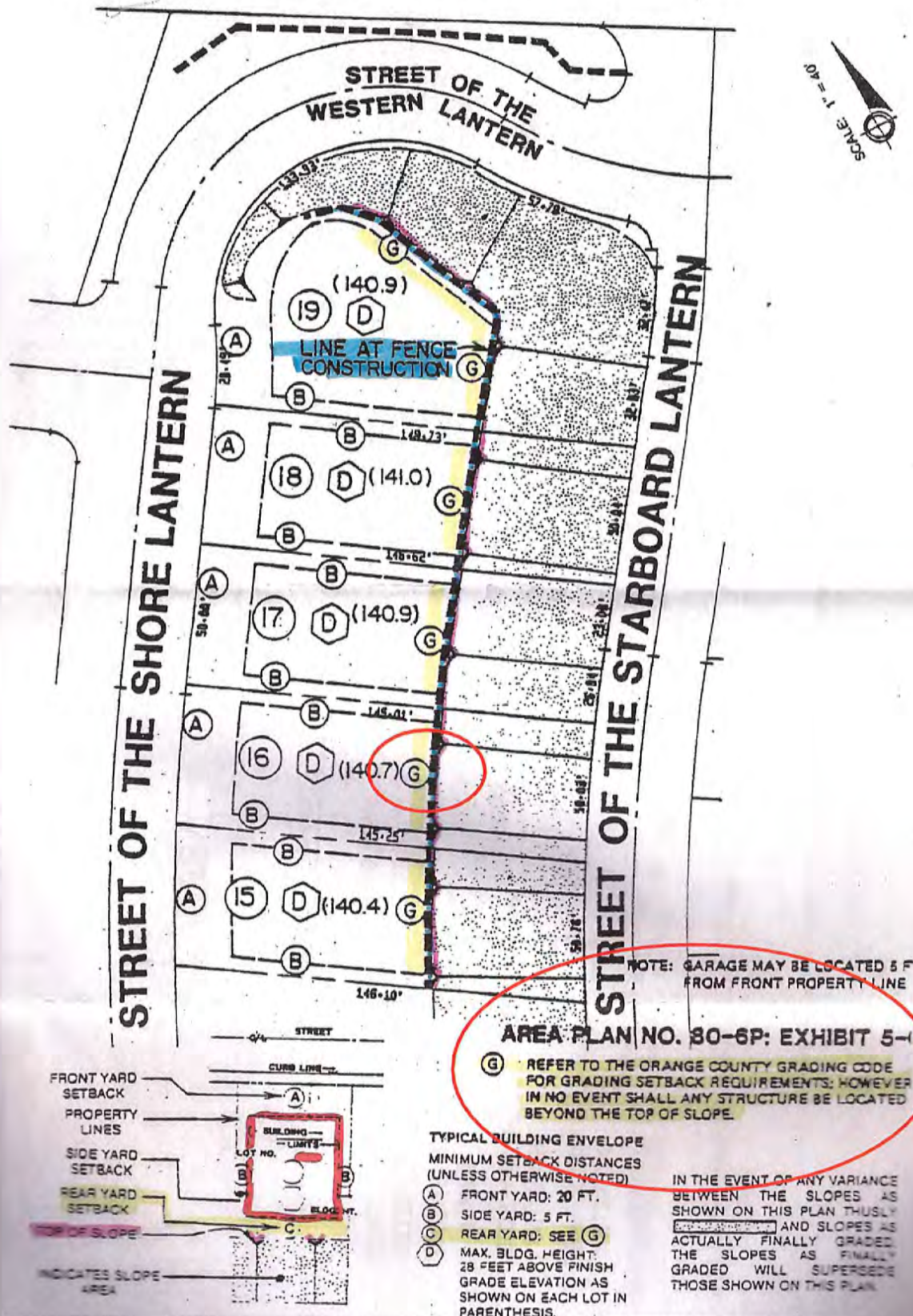
Kevin O'Connor
34302 Shore Lantern
Dana Point, CA 92629

949.493.4914 (t)
949.887.8905 (c)

TRACT NO. 11153

LOTS 15,16,17,18&19

BUILDING LINE PLAN

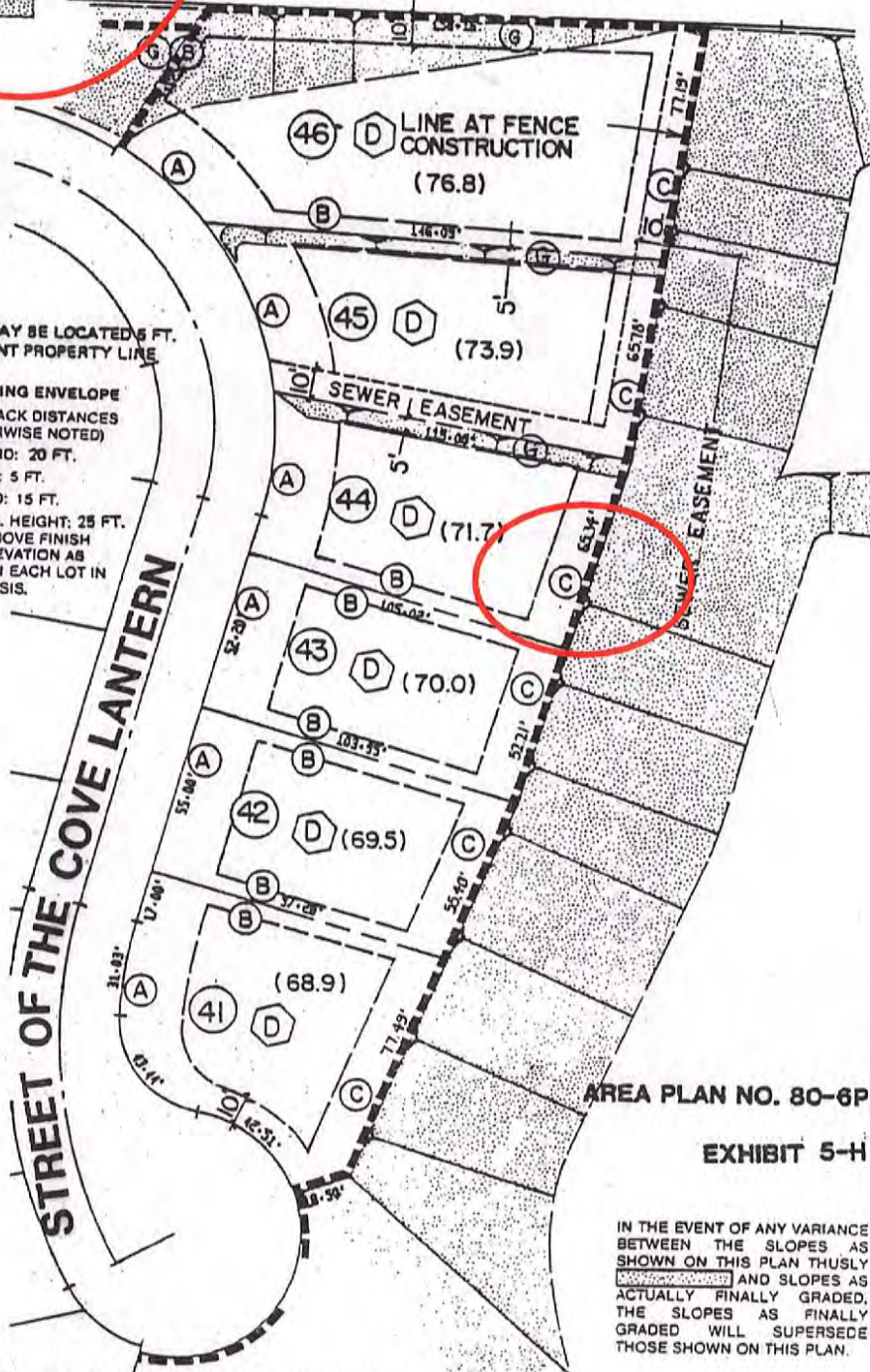


TRACT NO. 11153
LOTS 41,42,43,44,45&46
BUILDING LINE PLAN



E: GARAGE MAY BE LOCATED 6 FT. FROM FRONT PROPERTY LINE

TYPICAL BUILDING ENVELOPE
 MINIMUM SETBACK DISTANCES
 UNLESS OTHERWISE NOTED)
 FRONT YARD: 20 FT.
 SIDE YARD: 5 FT.
 REAR YARD: 15 FT.
 MAX. BLDG. HEIGHT: 25 FT.
 FEET ABOVE FINISH
 GRADE ELEVATION AS
 SHOWN ON EACH LOT IN
 PARENTHESIS.



AREA PLAN NO. 80-6P:

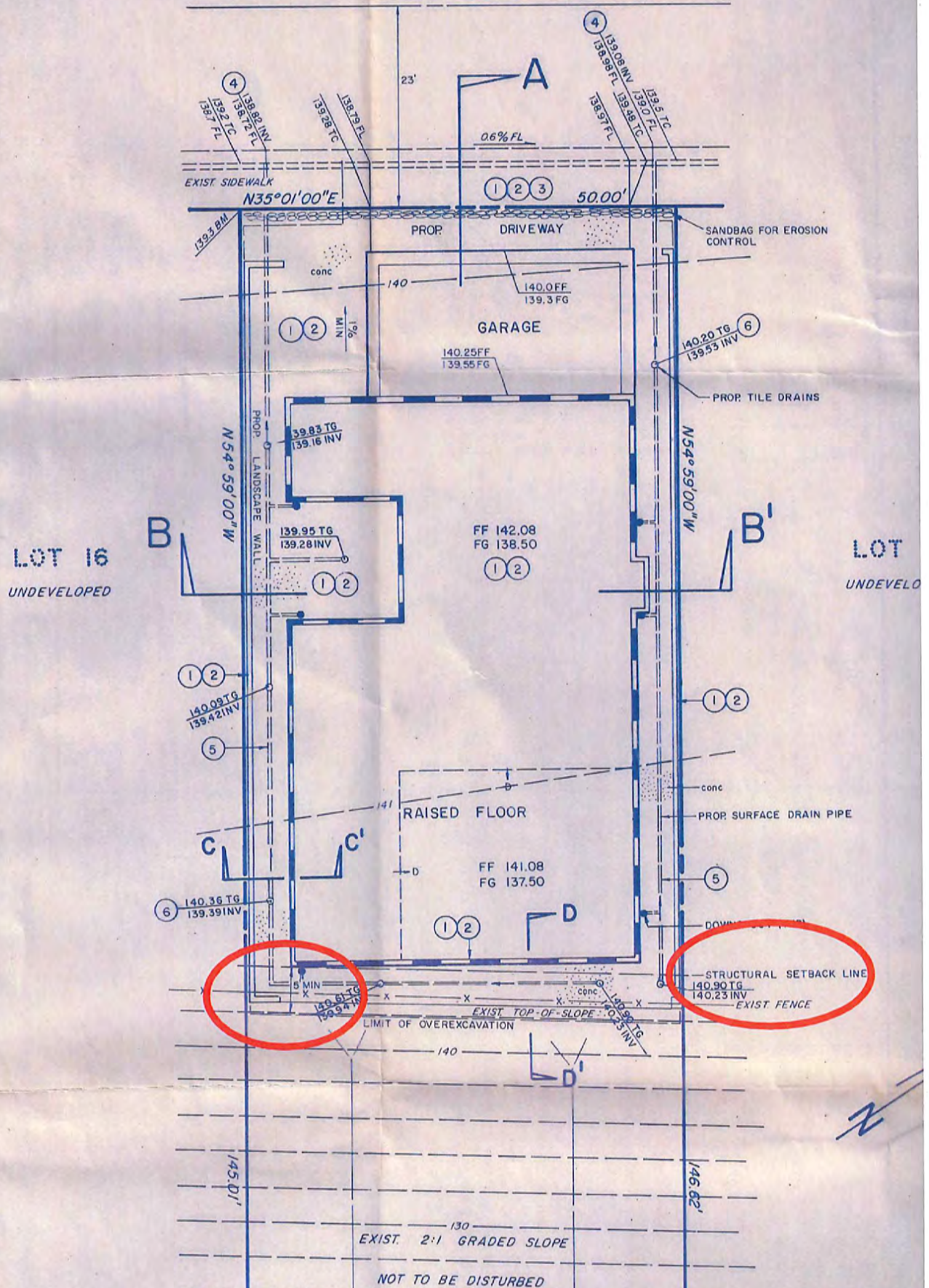
EXHIBIT 5-H

IN THE EVENT OF ANY VARIANCE
 BETWEEN THE SLOPES AS
 SHOWN ON THIS PLAN THUSLY
 AND SLOPES AS
 ACTUALLY FINALLY GRADED,
 THE SLOPES AS FINALLY
 GRADED WILL SUPERSEDE
 THOSE SHOWN ON THIS PLAN.



REFER TO THE ORANGE COUNTY GRADING CODE
 FOR GRADING SETBACK REQUIREMENTS

LANTERN



PLAN

GRADING NOTES

be in accordance with the grading code of the City and the County of Orange and any special the grading permit. A copy of the City and Code and Manual shall be retained on the job is in progress. When referenced on the plans, Standard Plans shall be retained on the site. It be started without first notifying the Inspector. A pre-grading meeting on the site is start of grading with the following people: grading contractor, design civil engineer, geologist, City grading inspector and when geologist and paleontologist. The required grading will be explained at this meeting. of the grading plan shall be on the site work is in progress.

es shall be no steeper than 2 foot foot vertical, except where specifically e. impacted throughout to a minimum of 90% Maximum density shall be determined by Code Std. No. 70-1 or approved equivalent. by Uniform Building Code Std. No. 70-2 or nt.

fill shall be properly prepared and ng by the Soil Engineer and the Building placing fill.

s shall be approved by the Building Official to placing additional fill.

xcess material shall be approved by the prior to excavation.

er, as a condition of rough grade approval, blue top with accompanying witness stake,

of each pad reflecting the pad elevation s and a blue top with witness stake set at le high point reflecting the high point iminary permits.

taining wall backfills shall be tested and ils Engineer per the Grading Code.

all be investigated both during and after logist to determine if any slope stability Should excavation disclose any geological al geological hazards, the geologist shall treatment to the building official for

brought near grade, the geologist shall edrock is extensively fractured or faulted ransmit water. If considered necessary by oil engineer, a compacted fill blanket will

perform periodic inspections and submit and map upon completion of the rough

ort and approval from the soil engineer type of field testing performed. Each test with the method of obtaining the in-place nd cone or drive ring and shall be so noted fficient maximum density curves shall be the accuracy of the maximum density curves echnician.

and geologist shall perform sufficient available during grading and construction e with the plans, specifications and the rview.

shall be available during grading to verify e plans, specifications, code and any f the permit within their purview.

onsible for dust control measures. shall be maintained on the site. protection of all utilities is the e permittee.

DRAWING PLAN RESIDENCE LANTERN CALIFORNIA	PREPARED FOR VOLNEY BROWN 6373 KERIN PLACE SAN GABRIEL, CALIFORNIA	APPROVED BY 3/21 [Signature]	APPROVED BY CITY OF DANA POINT [Signature] CITY ENGINEER	DATE: 5/15/90	SCALE: 1"=10'	JOB NO: 90-100-02	DRN BY: HSA	REV. DATE: 10/11/90	GPN:			
				REVISIONS								
				3/1 BASEMENT FOOTPRINT	5/5 SITE GRADING	5/1 GARAGE FOOTPRINT AND GRADES	ADDED DETAILS - SHEET 2 OF 2		6/6 REV. PER CITY'S FIRST PLAN CHECK 6/4			
				SHEET 1		OF 2		2 SHEETS				

CITY OF DANA POINT
AGENDA REPORT

**See 5 ft note on
the 3rd page**

DATE: MAY 1, 1990
TO: DANA POINT PLANNING COMMISSION
FROM: COMMUNITY DEVELOPMENT DEPARTMENT
SUBJECT: COASTAL DEVELOPMENT PERMIT, CDP-90-2, A PROPOSED
SINGLE FAMILY RESIDENCE AT 34302 STREET OF THE
SHORE LANTERN [FF # 610-65/CDP-90-2]

RECOMMENDATION: That the Planning Commission adopt the attached
Resolution approving CDP-90-2.

APPLICANT: John McInnes
OWNER: Volney & Peggy Brown
LOCATION: 34302 Street of the Shore Lantern within Lantern
Bay Estates.
REQUEST: Approval of Coastal Development Permit CDP-90-2 to
build a single family house.

ENVIRONMENTAL: This project is a Section 15303 (Class 3)
categorical exemption from the provisions set forth
in the California Environmental Quality Act [CEQA]
because it is a small new construction.

ISSUES:

1. Does the proposal comply with the Dana Point
Specific Plan/Local Coastal Program?
2. Does the proposal comply with Area Plan AP-80-6P
that applies to Lantern Bay Estates?
3. Is the proposal compatible with and an enhancement
to the neighborhood and City?
4. Is the proposed approximately ten (10") inch
intrusion into the building height limit for a
chimney appropriate?

DISCUSSION: The proposal is to construct a 6,107 square foot two
story house with basement and three car garage on a 4,600 square
foot building pad and 7,292 square foot Lot. The proposed site
plan and elevations are shown on Exhibit 'A'.

RESOLUTION NO. 90-05-01-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING COASTAL DEVELOPMENT CDP-90-2 FOR A 6,107 SQUARE FOOT SINGLE FAMILY DETACHED RESIDENCE AT 34302 STREET OF THE SHORE LANTERN.

THE PLANNING COMMISSION OF THE CITY OF DANA POINT DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Volney and Peggy Brown filed a request for a Coastal Development Permit to construct a single family detached dwelling at 34302 Street of the Shore Lantern; and

WHEREAS, the project is subject to the requirements of Area Plan (AP80-6P) as well as the regulations of the Dana Point Specific Plan; and

WHEREAS, the subject site is zoned Coastal High Density Residential (C-RHD); and,

WHEREAS, surrounding properties to the North, South, East, and West are also zoned C-RHD; and,

WHEREAS, the subject project is categorically exempt from the requirements of the California Environmental Quality Act (Class 3, Section 15303); and,

WHEREAS, the property is not located in a fire station or library fee area as that term is defined in Section 7-9-702; and

WHEREAS, the Planning Commission did on the _____ day of _____, 1990, hold a duly noticed public hearing as prescribed by law to consider said request; and

WHEREAS, as said public hearing, upon hearing all testimony and arguments, if any, of all persons desiring to be heard, said Commission considered all of the facts relating to CDP-90-2.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Dana Point as follows:

- a) That the above recitations are true and correct
- b) That based on the evidence presented at the public hearing the Commission makes the following findings and approve the following conditions:

Consistent with the applicable C-RHD designation of the Dana Point Specific Plan/Local Coastal Program, the proposal provides the minimum five (5) feet sideyard setbacks. The proposal exceeds the minimum twenty-five (25) rear yard setback by approximately thirty-five (35) feet, and provides a five (5) foot top of slope setback. The area plan AP-80-6P allows, and the applicant proposes, a five (5) foot garage setback with the installation of an automatic garage opener, and the provision of a third parking space. The third space is within the garage. The proposal incorporates intrusions into the front (four feet) and north side (two feet) setbacks with second story balconies. These intrusions are allowed by the C-RHD regulations. The two-story building is twenty-seven feet and ten (10") inches, which is within the twenty (28) feet building height limit. A ten (10") inch intrusion into the twenty (20) foot building height limit is proposed for two (2) chimney caps. This small intrusion presents no substantial issues with respect to building height or view blockage. The proposed basement is accessed through the house interior.

The proposal has received the approval of the Lantern Bay Estates Home Owners Association as shown on Exhibits 'B' and 'C'. Although an intense use of the site, the proposal is compatible with surrounding homes in Lantern Bay Estates. The house would be in a California style. White stucco, red tile roof, heavy wood, and wrought iron trim are proposed materials.

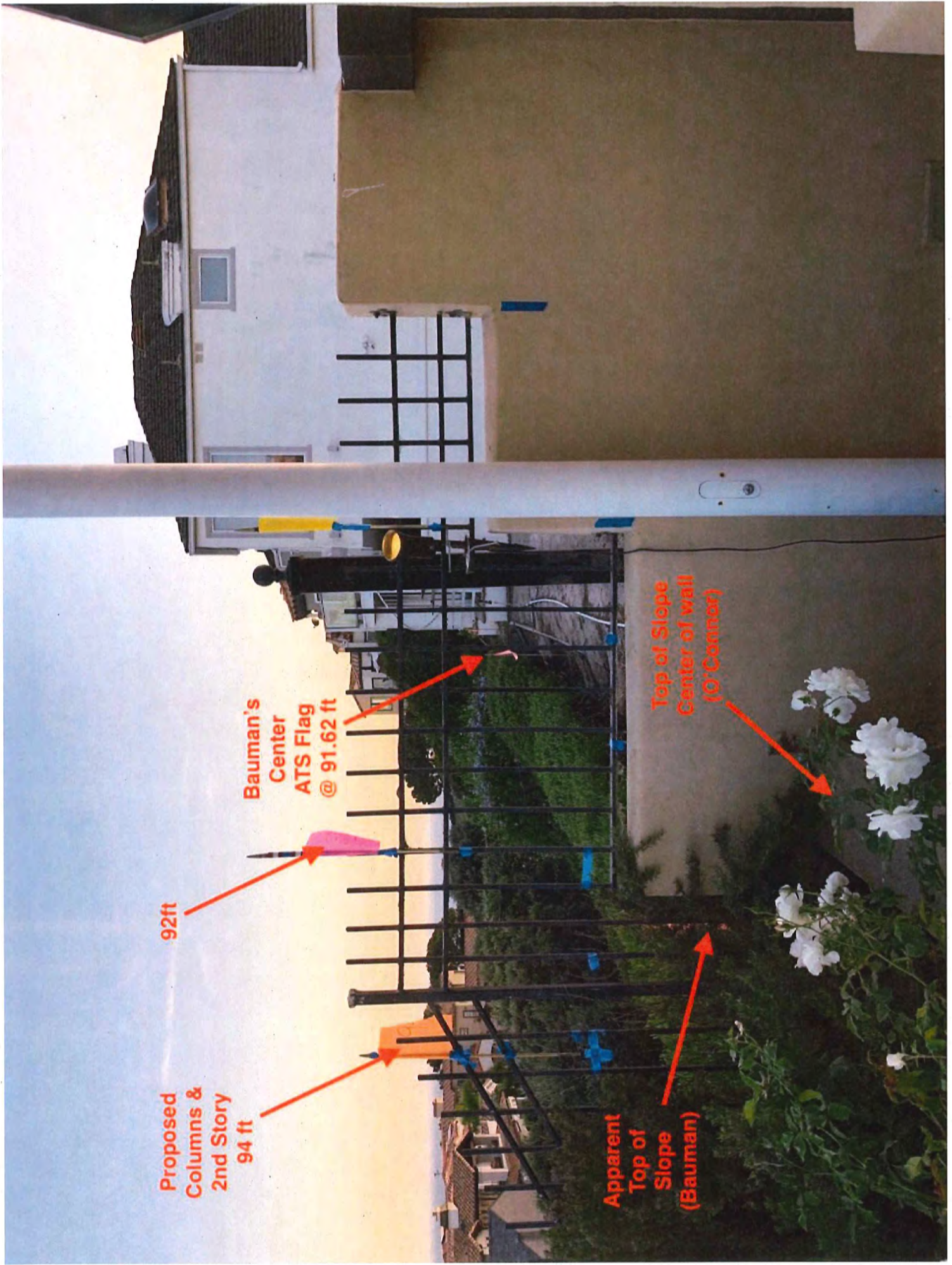
The quality of architectural design and detail would be an enhancement to this gate-guarded neighborhood. As such, staff recommends approval of CDP-90-2.

ATTACHMENTS:

1. Notice of Exemption
2. Draft Resolution
3. Exhibit 'A' - Site and Building Plans for 34302 Street of the Shore Lantern
4. Exhibit 'B' - Letter dated 11/20/89 from Joe Martinez
5. Exhibit 'C' - Letter dated 1/19/90 from Joe Martinez

Lance B. Schulte
Senior Planner

Edward M. Knight, A.I.C.P.
Director of Community Development





**Bauman's Center
ATS Flag
@ 91.62 ft**

**Proposed
Columns &
2nd Story
94 ft**

92ft

**Apparent
Top of
Slope
(Bauman)**

**Top of Slope
Center of wall
(O'Connor)**

Johnathan Ciampa

Subject:

FW: Letter in Opposition regarding 34312 Shore Lantern

From: April O'Connor [<mailto:apriloconnor@me.com>]

Sent: Wednesday, November 13, 2019 10:07 AM

To: SHAYNA SHARKE

Subject: Letter in Opposition regarding 34312 Shore Lantern

Dear Mr. Chairman and Planning Commissioners:

I served on the Planning Commission for 12 years and saw some problematic projects. The proposed project at 34312 Shore Lantern is flawed and has serious issues that need addressing. Please VOTE NO and do not approve it.

1. The proposed house is a 28-foot second story cantilever over the visual "apparent top of slope." No other house in the neighborhood has built into the slope which belongs to the HOA. The applicant needs to dig into the slope for the support columns of this 28-foot second story.
2. Our HOA has no hearing process. The architectural committee approved this project without an open hearing so homeowners were not given a chance to voice their concerns. We had to hire a lawyer to invoke Civil Code Section 5910 so we could get a meet and confer with the HOA. On October 30th we met with the HOA and as of the writing of this email, we are still awaiting the HOA's response to our appeal.
3. As of the writing of this email, the HOA has contradictory approval letters. The HOA's August 21, 2019 letter says the project is approved. The August 20th letter says that the Architectural Committee "DID NOT approve grading or removal of earth beyond the Top of Slope" or relocation of the HOA's galvanized irrigation pipe. These letters show that the HOA does not know where the project is located on the lot. If there had been a real land survey by a licensed land surveyor, the plans would have shown that the only way for the project to be built, is by digging into the slope, moving the HOA's galvanized irrigation pipe, in order to build the support columns. It would also require extending the building pad into HOA land. But the applicant's plans did not place the HOA's irrigation pipe on the plans, or mark the location of the red top of slope stakes, and the applicant was able to slip his project through the HOA's architectural process.
4. The plans for this project were misleading. The 28-foot cantilevered second story was not shaded on the plans. It is our belief that is why the plans were erroneously approved by the HOA's Architectural Review Committee because they did not realize what they were approving. The second story was unshaded and the galvanized pipe was omitted from the plans. For this PC meeting, it is my understanding that City Staff asked the applicant to shade the second story.
5. The applicant's visual top of slope red flag stakes are not shown on the plans. Once the red flags are removed during construction or by wrongdoing, the applicant can extend passed the slope as far as they want. Toal Engineering advised us that there is no reference point on the applicant's plans which refer back to the stakes! Therefore, the applicant can grade the lot and create a new, more favorable, visual "apparent top of slope" and no one would be the wiser. For these reasons, we spent our own money to have Toal Engineering (a licensed land surveyor) who is allowed to cross vacant land to survey property. This is why Mr. Bauman has accused us of trespassing on his land; because he doesn't want anyone to know or record what he is doing.
6. The California Board of Professional Engineers & Land Surveyors licensing rules (Section 6731) does not allow post-1982 civil engineers to sign-off on site surveys. Toal Engineering (our licensed land surveyor) told us that the applicant's civil engineer is not licensed to do a land survey. The applicant's civil engineer has a post-1982 license and City Staff is allowing the applicant's civil engineer's survey, with all its defects, to stand. Although a civil engineer might show what exists on the lot, they are unlicensed to place with any historically accurate reference where things are located. That is why our house is located in the wrong position on different pages of the applicant's plans. Without a licensed land survey, NO ONE REALLY KNOWS WHERE THE SUPPORT COLUMNS AND 28-FOOT SECOND STORY CANTILEVER WILL ENCROACH

UPON THE SLOPE. To preserve slope stability, would it not be prudent to have a licensed land surveyor properly do the job? How can you allow new construction on a slope without accurate placement on the lot?

7. Why won't the applicant stake the support columns? Because he doesn't want anyone to know the impact of how his 28-foot second story cantilever will encroach into and over the slope. It is staff's position that they will let the applicant build his project and when before the "footings are poured", then they will address it. But by then it will be too late to expect the applicant to pull back his house from the top of slope. Would it not be prudent to have the applicant stake the support columns now?

8. What's "apparent" top of slope? The applicant, and it appears the City planning department, have used a visual "apparent top of slope." A licensed land surveyor would have used monuments and established historical points of reference to determine top of slope, not a visual interpretation of it. We disagree with the City Staff for allowing a visual top of slope, rather than a land surveyor's top of slope.

9. Our HOA has specific CC&Rs that say the top of slope is the original grantor-installed fence that is currently located on the property at about 89-feet. All original home structures in Lantern Bay have stayed behind that line. Subsequently, there have been "boot-legged" decks and recent patio extensions, but the actual second story building structures have remained behind that line, and first stories have a 5-foot setback. The proposed project is way beyond that grantor-installed fence and measures at a length of 94-feet, even though his own top of slope is measured at 92-feet. The applicant is beyond his own alleged top of slope! Our position is that there is an approximate 5-foot encroachment into HOA slope area. This project's encroachment is completely incompatible with Lantern Bay homes.

10. The "apparent" visual top of slope is a concave line (a relaxed C-shape), but City Staff is allowing a straight line 2-feet beyond the applicant's longest staked edges of the C-shape. Nevertheless, the applicant will have to create land inside the C-shape where the soil drops away and becomes slope.

11. The support columns and the 28-foot cantilever are passed the applicant's own stakes at the narrowest point of the concave by more than 4 feet, and passed the longest stakes by about 2 feet. City Staff is allowing the applicant to build passed the applicant's own visual top of slope stakes! Why? Perhaps because there is no licensed land surveyor to accurately place the proposed structure or the red top of slope stakes on the plans.

12. Where is the rear yard setback? In 1990 when our house was built by the former owner, the City of Dana Point required a 5-foot rear yard setback from the top of slope. Why is this applicant able to build the support columns of his 28-foot cantilevered structure directly on top of slope with no rear yard setback? Those columns at the top of slope will have to carry the weight of the second story cantilever. Please protect the slope stability of our neighborhood and require the support columns to be moved 5 feet behind the top of slope.

Mr. Chairman and Planning Commissioners, please VOTE NO and deny this flawed project because:

There needs to be a licensed land surveyor to tell us precisely where the house will be located and to tell us where is the top of slope;

The columns need to be staked;

There needs to be a 5-foot rear yard setback; and,

The project needs to be a straight line at the narrowest point of the concave so the applicant does not have to create land inside the "C" to build his project.

All the best,

April O'Connor

34302 Shore Lantern

Dana Point, CA 92629

(949) 493-4914 home

All the best,

April O'Connor

This e-mail and any attachments are confidential and intended for the sole use of the addressee(s).

34312 SHORE LANTERN
EXISTING SITE CONDITIONS
PHOTO EXHIBIT

















LANTERN BAY RESIDENCE

EARLY CALIFORNIA STYLE RESIDENCE FOR MR. GENE BAUMAN

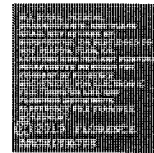


3 4 3 1 2 SHORE LANTERN

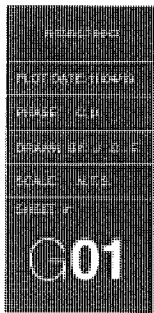
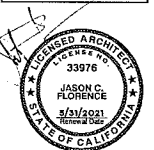
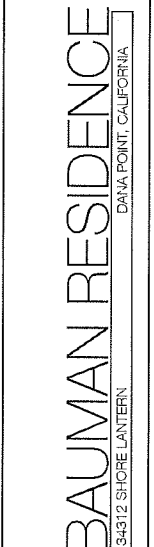
DANA POINT, CA

FLORENCE ARCHITECTS

FLORENCE ARCHITECTS

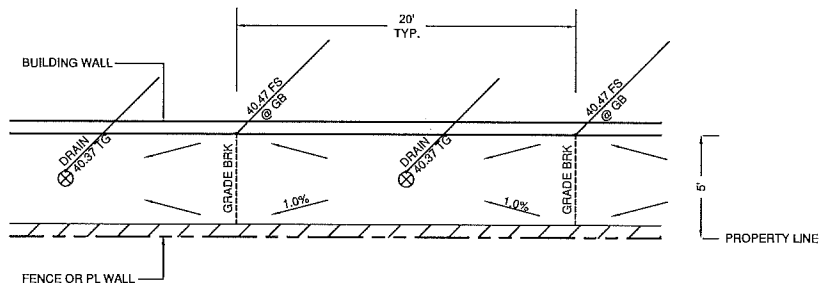
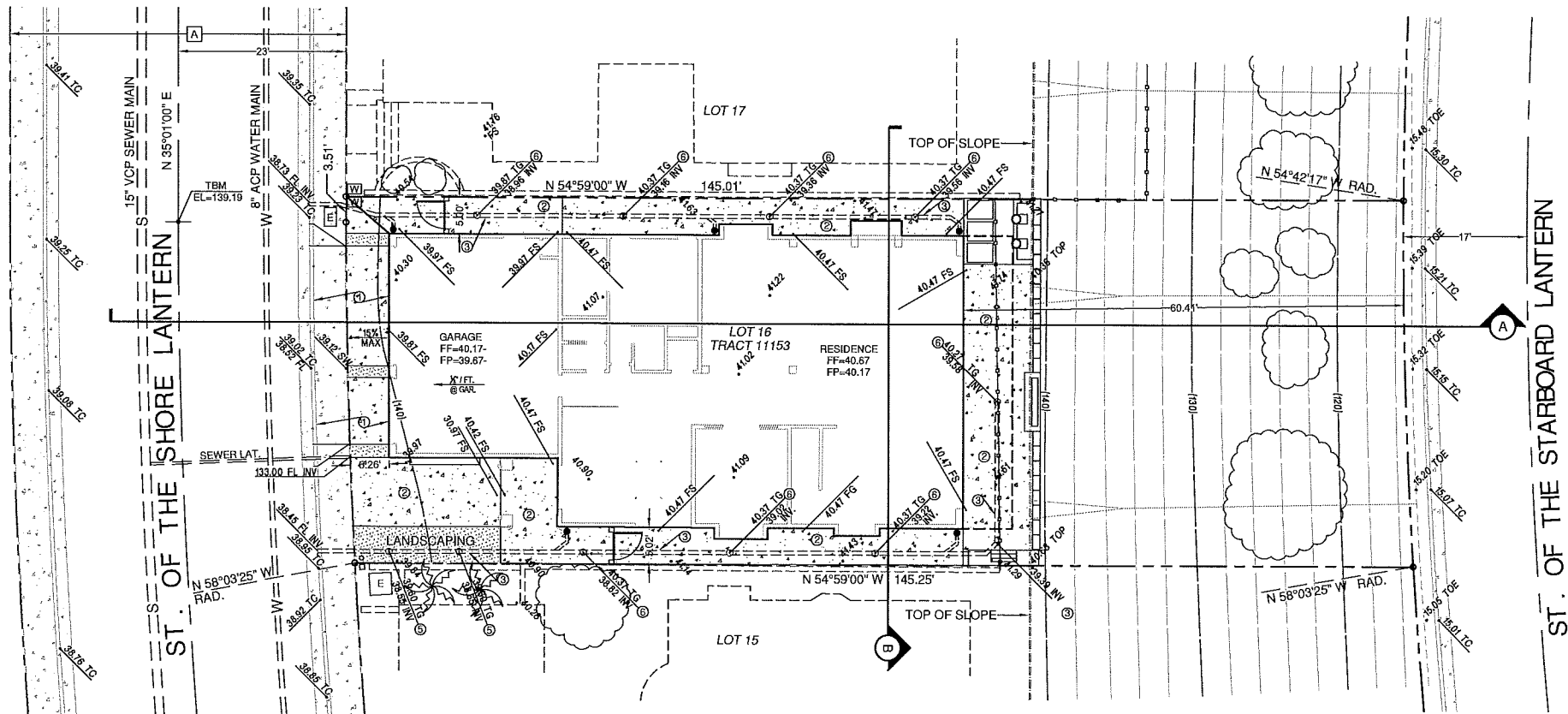
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SET DESCRIPTION & DATE
DATE
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EASEMENT NOTES:

- A NON-EXCLUSIVE EASEMENTS FOR ACCESS, INGRESS, EGRESS, MAINTENANCE, REPAIR, DRAINAGE, ENCROACHMENT, SUPPORT AND FOR OTHER PURPOSES, ALL AS DESCRIBED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND RESERVATION OF EASEMENTS FOR LANTERN BAY ESTATES ("DECLARATION") RECORDED ON MARCH 24, 1983 AS INSTRUMENT NO. 83-124285, OFFICIAL RECORDS AS AMENDED BY A FIRST AMENDMENT TO THE DECLARATION, RECORDED ON APRIL 12, 1983 AS INSTRUMENT NO. 83-151659, OFFICIAL RECORDS AND AS AMENDED BY A SECOND AMENDMENT TO THE DECLARATION, RECORDED ON JULY 28, 1983 AS INSTRUMENT NO. 83-321347, OFFICIAL RECORDS OF ORANGE COUNTY, CALIFORNIA, AND ANY AMENDMENTS THERETO.



DETAIL
SIDE YARD DRAINAGE SCHEME, TYP.
NOT TO SCALE

LEGEND

- EXISTING CONTOUR
- PROPOSED CONTOUR
- EXISTING SPOT ELEVATION, TYP.
- PROPOSED SPOT ELEVATION
- PROPOSED CONCRETE PAVING
- PROPOSED STORM DRAIN
- WROUGHT IRON OR GLASS FENCE
- PROPOSED SCREEN WALL
- PROPOSED RETAINING WALL
- DOWNSPOUT
- DRAIN GRATE
- SHEET FLOW
- SWALE FLOW

ABBREVIATIONS

- FF PROPOSED FINISH FLOOR
- FP PROPOSED FINISH PAD
- FS PROPOSED FINISH SURFACE
- FG PROPOSED FINISH GROUND
- TG TOP OF GRADE
- FL FLOW LINE
- INV INVERT OF PIPE
- TC TOP OF CURB
- PL PROPERTY LINE
- PA PLANTER AREA
- TW TOP OF WALL
- TF TOP OF FOOTING
- RW RIGHT OF WAY
- CL CENTER LINE
- () DENOTES EXISTING

UTILITY NOTES:

- EXISTING SEWER AND WATER UTILITY LOCATIONS AND SIZES WERE OBTAINED FROM THE IMPROVEMENT PLANS FOR TRACT 11153 (T1-291).
- CONTRACTOR TO FIELD VERIFY LOCATIONS OF ALL UTILITIES PRIOR TO CONSTRUCTION.

HAUL ROUTE:

GOLDEN LANTERN TO DEL PRADO, SOUTH TO PCH, SOUTH TO INTERSTATE 5, SOUTH TO CAMP PENDLETON DUMP SITE.

SUPPLEMENTAL NOTES:

- ALL ROOFS SHALL BE GUTTERED AND DOWNSPOUTS CONNECTED TO STORM DRAIN SYSTEM.
- WHERE INTERIOR AND EXTERIOR UTILITY TRENCHES ARE PROPOSED IN A DIRECTION THAT PARALLELS ANY BUILDING FOOTING, THE BOTTOM OF THE TRENCHES SHALL NOT EXTEND BELOW A 1:1 PLANE PROJECTED DOWNWARD FROM THE BOTTOM EDGE OF FOOTING. WHERE THIS OCCURS, ADJACENT FOOTING SHALL BE DEEPEMED OR UTILITY CONSTRUCTED AND BACKFILLED PRIOR TO THE BUILDING CONSTRUCTION.
- FOR BUILDING FOOTING AND FOUNDATION DESIGN, REFER TO BUILDING STRUCTURAL PLANS.
- RETAINING WALLS TO BE CONSTRUCTED UNDER SEPARATE PERMIT.
- ALL RECOMMENDATIONS CONTAINED IN THE SOIL REPORT(S) PREPARED BY COASTAL GEOTECHNICAL, PROJECT NUMBER 7758.1CG, DATED OCTOBER 2, 2015, ARE CONSIDERED PART OF THIS PLAN.

CONSTRUCTION NOTES

- CONSTRUCT CONCRETE DRIVEWAY, DETAIL ON SHEET G3
- CONSTRUCT CONCRETE HARDSCAPE, DETAIL ON SHEET G3
- INSTALL 4" DIAMETER SCHEDULE 40 PVC PIPE DRAIN SYSTEM
- INSTALL 6" DIAMETER SCHEDULE 40 PVC PIPE DRAIN SYSTEM
- INSTALL 6" ATRIUM DRAIN (NDS TYPE 80) WITH RISER AND ADAPTOR OR EQUAL
- INSTALL 6" DECK DRAIN (NDS TYPE 80) WITH RISER AND ADAPTOR OR EQUAL

PLANS REVIEWED BY:
CITY OF DANA POINT, PUBLIC WORKS & ENGINEERING SERVICES
33282 GOLDEN LANTERN
DANA POINT, CA 92629

MATTHEW V. SINACORI, CITY ENGINEER DATE

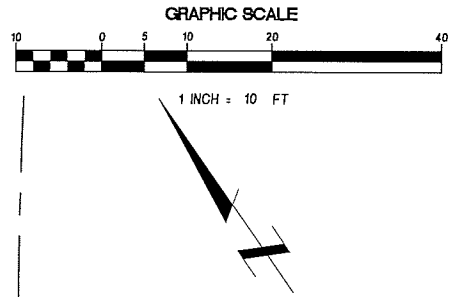
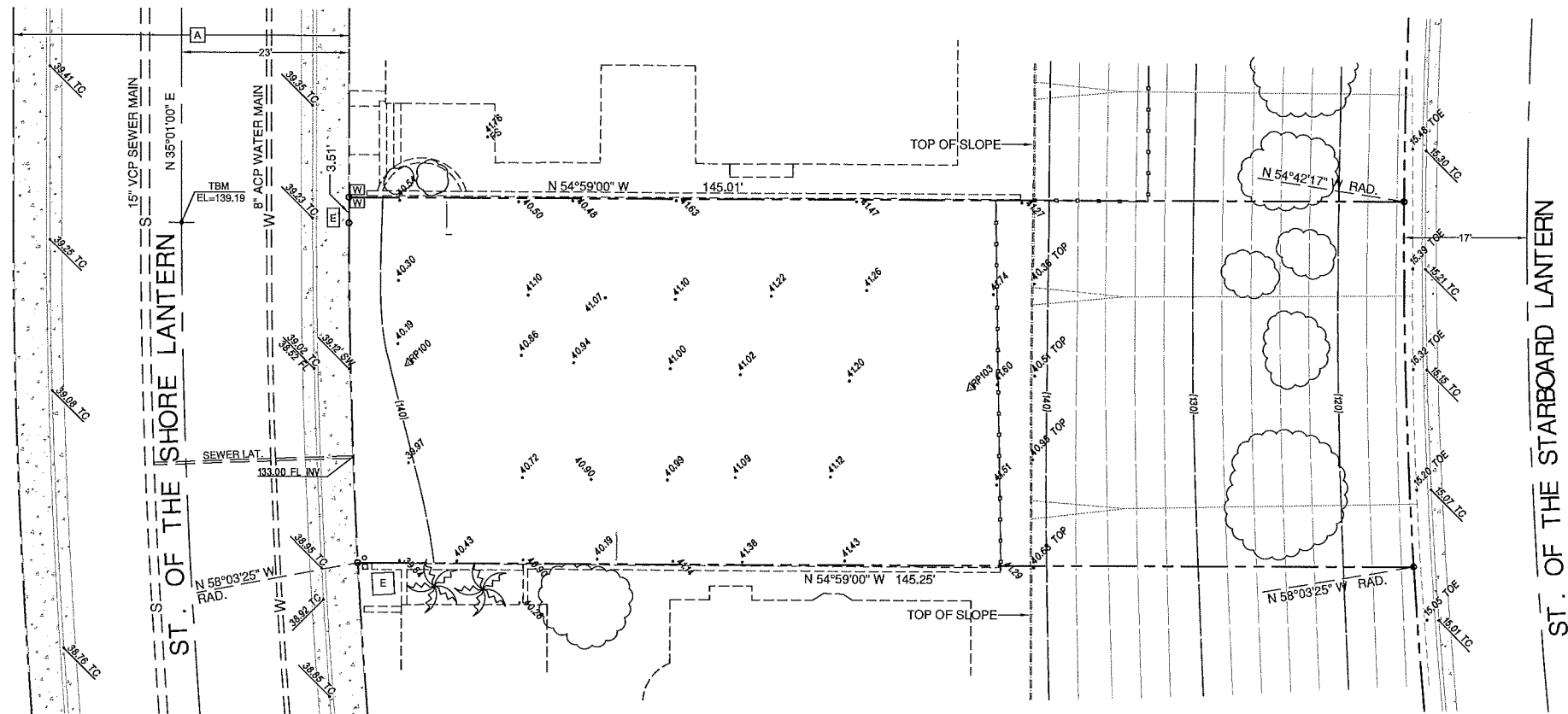
THIS PLAN IS SIGNED BY THE CITY ENGINEER FOR SCOPE AND ADHERENCE TO CITY STANDARDS AND REQUIREMENTS, CITY CODES, AND OTHER GENERAL ENGINEERING AND REGULATORY REQUIREMENTS ONLY. THE CITY ENGINEER IS NOT RESPONSIBLE FOR DESIGN, ASSUMPTIONS OR ACCURACY.

CITY OF DANA POINT
PRECISE GRADING PLAN FOR
34312 SHORE LANTERN
LANTERN BAY ESTATES, LOT 16, TRACT 11153
APN 682-331-16

PLAN CHECK NO.
ENG 19-
G2 OF 5 SHEETS

ORIGINAL SCALE: 1" = 10' U.N.O.

REVISION	DESCRIPTION	APPROVED	DATE	SCALE:	DESIGNED:	DRAWN:	CHECKED:	PLANS PREPARED BY:	BENCHMARK	APPROVED BY THE CITY OF DANA POINT
				1"=10' U.N.O.	WCH	WCH	DMH	W. C. HOBBS, CONSULTING ENGINEER	O.C.S. DESIGNATION S-783 NAVD 88 / 2004 O.C.S. ADJ. ELEV. = 125.319 FT. CORNER OF ALCAZAR DR. AND PACIFIC COAST HWY.	THIS PLAN HAS BEEN REVIEWED FOR ZONING ONLY AND MEETS THE REQUIREMENT OF THE DANA POINT MUNICIPAL CODE
				ACAD FILE NO.			4/9/2019			
				PROJECT NO.			DATE			
				GP 1511			42285			
					WILLIAM G. HOBBS		R.C.E. NO.			



EASEMENT NOTES:

[A] NON-EXCLUSIVE EASEMENTS FOR ACCESS, INGRESS, EGRESS, MAINTENANCE, REPAIR, DRAINAGE, ENCROACHMENT, SUPPORT AND FOR OTHER PURPOSES, ALL AS DESCRIBED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND RESERVATION OF EASEMENTS FOR LANTERN BAY ESTATES ("DECLARATION") RECORDED ON MARCH 24, 1983 AS INSTRUMENT NO. 83-124265, OFFICIAL RECORDS AS AMENDED BY A FIRST AMENDMENT TO THE DECLARATION, RECORDED ON APRIL 12, 1983 AS INSTRUMENT NO. 83-151659, OFFICIAL RECORDS AND AS AMENDED BY A SECOND AMENDMENT TO THE DECLARATION, RECORDED ON JULY 28, 1983 AS INSTRUMENT NO. 83-321347, OFFICIAL RECORDS OF ORANGE COUNTY, CALIFORNIA, AND ANY AMENDMENTS THERETO.

REVISION	DESCRIPTION	APPROVED	DATE	SCALE: 1"=10' U.N.O.	DESIGNED: WCH	DRAWN: WCH	CHECKED: DMH	PLANS PREPARED BY: W. C. HOBBS, CONSULTING ENGINEER 33892 COPPER LANTERN, UNIT A DANA POINT, CALIFORNIA 92629 951.650.9800 wchobbs@wwdb.org	BENCHMARK O.C.S. DESIGNATION S-783 NAVD 88 / 2004 O.C.S. ADJ. ELEV. = 125.319 FT. CORNER OF ALCAZAR DR. AND PACIFIC COAST HWY.	APPROVED BY THE CITY OF DANA POINT PLANNING DEPARTMENT THIS PLAN HAS BEEN REVIEWED FOR ZONING ONLY AND MEETS THE REQUIREMENT OF THE DANA POINT MUNICIPAL CODE CITY PLANNING DEPARTMENT	PLANS REVIEWED BY: CITY OF DANA POINT, PUBLIC WORKS & ENGINEERING SERVICES 33392 GOLDEN LANTERN DANA POINT, CA 92629 MATTHEW V. SINACORI, CITY ENGINEER RCE #59239 THIS PLAN IS SIGNED BY THE CITY ENGINEER FOR SCOPE AND ADHERENCE TO CITY STANDARDS AND REQUIREMENTS, CITY CODES, AND OTHER GENERAL ENGINEERING AND REGULATORY REQUIREMENTS ONLY. THE CITY ENGINEER IS NOT RESPONSIBLE FOR DESIGN, ASSUMPTIONS OR ACCURACY.	CITY OF DANA POINT TOPOGRAPHIC SURVEY FOR 34312 SHORE LANTERN LANTERN BAY ESTATES, LOT 16, TRACT 11153 APN 682-331-16	PLAN CHECK NO. ENG 19- G5 OF 5 SHEETS		
				ACAD FILE NO.			4/9/2019 DATE								
				PROJECT NO. GP 1511		WILLIAM C. HOBBS	42265 R.C.E. NO.								

ORIGINAL SCALE: 1"=10' U.N.O.

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REVISION # & DATE	
1	5/9/19

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ENCINITAS, CALIFORNIA

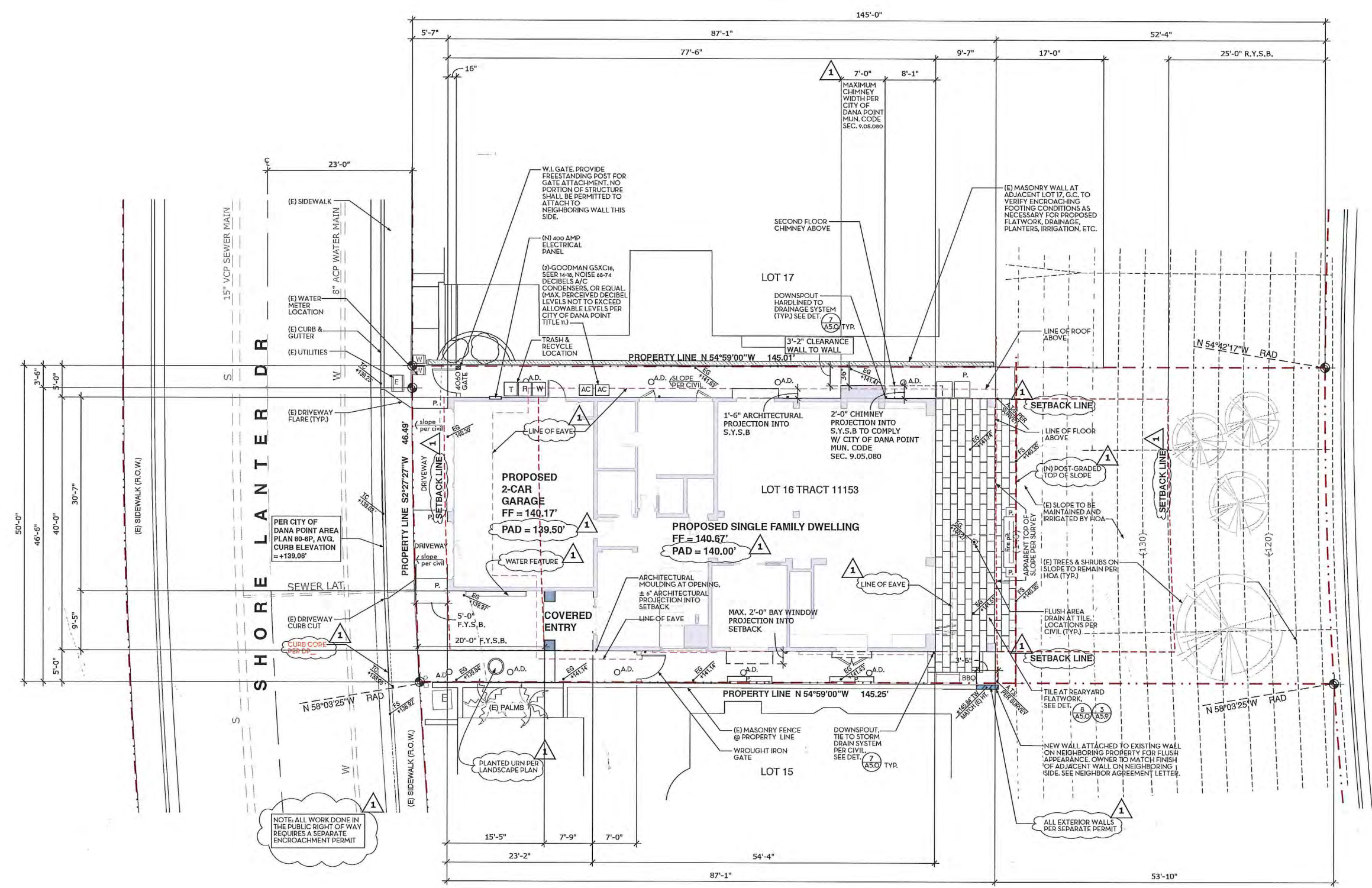
BAUMAN RESIDENCE
34312 SHORE LANTERN
DANA POINT, CALIFORNIA

PHASE	DATE
COASTAL SUBMITTAL	12/14/18



SITE PLAN
PLOT DATE: 11/12/19
PHASE: C.D.
DRAWN BY: J. C. F.
SCALE: 1/8" = 1' - 0"
SHEET #:

A1.0



MINIMUM BMP REQUIREMENTS

NOTE: THIS PROJECT SHALL COMPLY WITH ALL REQUIREMENTS OF THE STATE PERMIT; CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, AND 2016 CAL GREEN CODE REQUIREMENTS

- The Contractor shall be responsible for cleanup of all silt and mud on adjacent street(s) due to construction vehicles or any other construction activity at the end of each work day or after a storm event that causes a breach in installed construction BMPs which may compromise Storm Water Quality within any street(s).
- All stockpiles of soil and/or building materials that are intended to be left for a period greater than seven calendar days are to be covered. All removable BMP devices shall be in place at the end of each working day when five day rain probability forecast exceeds 40%.
- A concrete washout shall be provided on all projects which propose the construction of any concrete improvements which are to be poured in place on site.
- The contractor shall restore all erosion/sediment control devices to working order after each run-off producing rainfall or after any material breach in effectiveness.
- All slopes that were recreated or disturbed by construction activity must be protected against erosion and sediment transport at all times.
- The storage of all construction materials and equipment must be protected against any potential release of pollutants into the environment.

EPA/NPDES NOTE

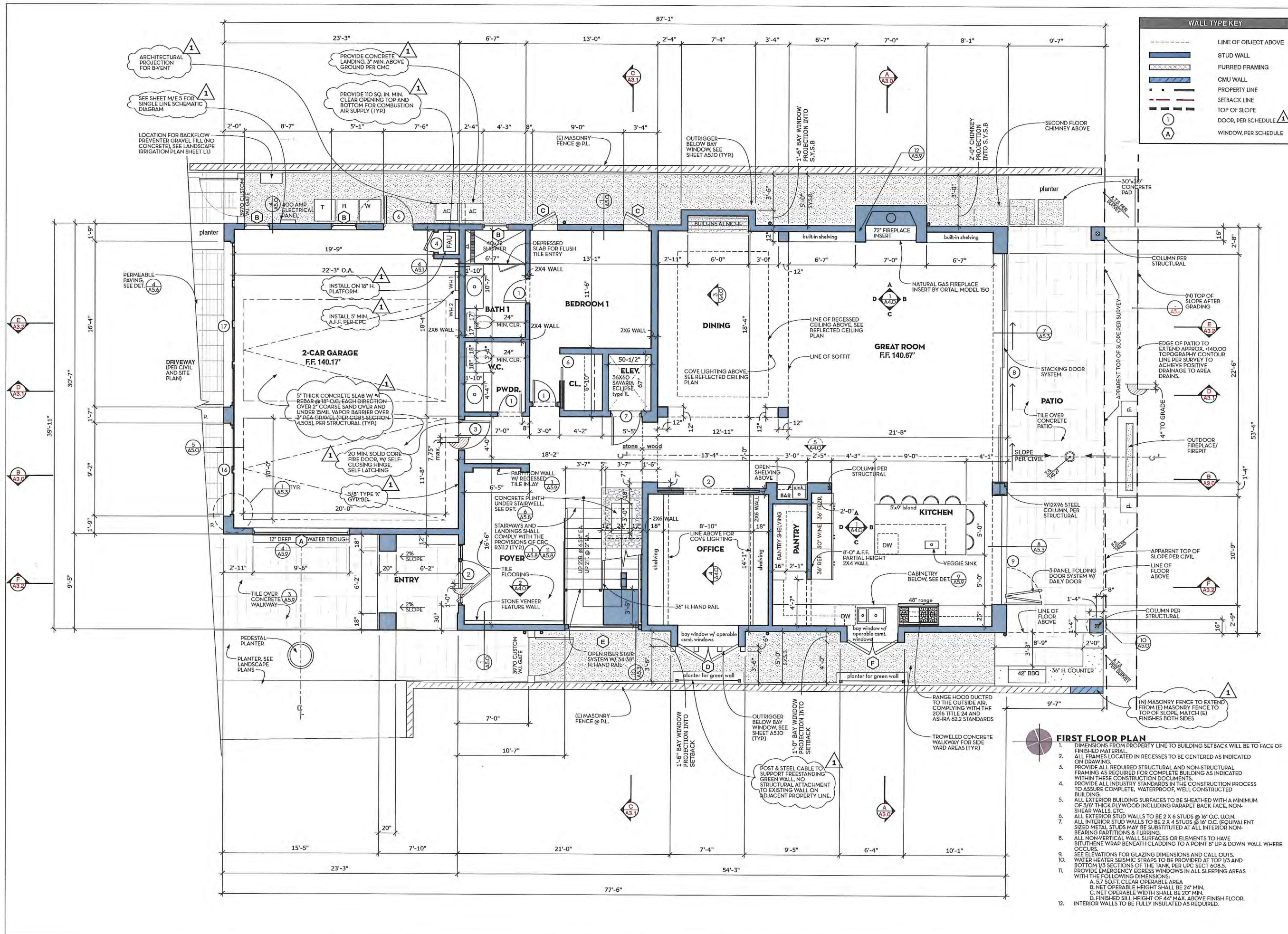
THE DISCHARGE OF POLLUTANTS TO ANY STORM DRAINAGE SYSTEM IS PROHIBITED. NO SOLID WASTE, PETROLEUM BYPRODUCTS, SOIL PARTICULATE, CONSTRUCTION WASTE MATERIALS, OR WASTEWATER GENERATED ON CONSTRUCTION SITES OR BY CONSTRUCTION ACTIVITIES SHALL BE PLACED, CONVEYED OR DISCHARGED INTO THE STREET, GUTTER OR STORM DRAIN SYSTEM

STORM WATER DRAINAGE AND RETENTION DURING CONSTRUCTION

PROJECTS WHICH DISTURB LESS THAN 1 ACRE OF SOIL AND ARE NOT PART OF A LARGER COMMON PLAN OF DEVELOPMENT SHALL MANAGE STORM WATER DRAINAGE DURING CONSTRUCTION.

SITE SYMBOLS KEY	
	PROPERTY LINE
	EXISTING MINOR CONTOUR LINE
	EXISTING MAJOR CONTOUR LINE
	SETBACK LINE
	TOP OF SLOPE
	PROPOSED TO BE BUILT
	NEW MASONRY WALL
	EXISTING MASONRY WALL
	PERMEABLE PAVERS
	HARDSCAPE
	AREA DRAIN PER CIVIL





WALL TYPE KEY	
	LINE OF OBJECT ABOVE
	STUD WALL
	FURRED FRAMING
	CMU WALL
	PROPERTY LINE
	SETBACK LINE
	TOP OF SLOPE
	DOOR, PER SCHEDULE
	WINDOW, PER SCHEDULE

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REVISION # & DATE	
1	5/9/19

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ENCINITAS, CALIFORNIA

BAUMAN RESIDENCE
34312 SHORE LANTERN
DANA POINT, CALIFORNIA

PHASE	DATE
COASTAL SUBMITTAL	12/14/18



FIRST FLOOR PLAN

PLOT DATE: 11/04/19

PHASE: C.D.

DRAWN BY: J. C. F.

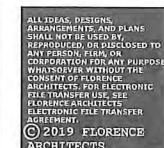
SCALE: 1/4" = 1' - 0"

SHEET #:

A1.1

FIRST FLOOR PLAN

- DIMENSIONS FROM PROPERTY LINE TO BUILDING SETBACK WILL BE TO FACE OF FINISHED MATERIAL.
- ALL FRAMES LOCATED IN RECESSES TO BE CENTERED AS INDICATED ON DRAWING.
- PROVIDE ALL REQUIRED STRUCTURAL AND NON-STRUCTURAL FRAMING AS REQUIRED FOR COMPLETE BUILDING AS INDICATED WITHIN THESE CONSTRUCTION DOCUMENTS.
- PROVIDE ALL INDUSTRY STANDARDS IN THE CONSTRUCTION PROCESS TO ASSURE COMPLETE, WATERPROOF, WELL CONSTRUCTED BUILDING.
- ALL EXTERIOR BUILDING SURFACES TO BE SHEATHED WITH A MINIMUM OF 5/8" THICK PLYWOOD INCLUDING PARAPET BACK FACE, NON-SHEAR WALLS, ETC.
- ALL EXTERIOR STUD WALLS TO BE 2 X 6 STUDS @ 16" O.C. U.O.N.
- ALL INTERIOR STUD WALLS TO BE 2 X 4 STUDS @ 16" O.C. (EQUIVALENT SIZED METAL STUDS MAY BE SUBSTITUTED AT ALL INTERIOR NON-BEARING PARTITIONS & FURRING).
- ALL NONVERTICAL WALL SURFACES OR ELEMENTS TO HAVE BITUTHENE WRAP BENEATH CLADDING TO A POINT 8" UP & DOWN WALL WHERE OCCURS.
- SEE ELEVATIONS FOR GLAZING DIMENSIONS AND CALL OUTS.
- WATER HEATER SEISMIC STRAPS TO BE PROVIDED AT TOP 1/3 AND BOTTOM 1/3 SECTIONS OF THE TANK, PER UPC SECT 608.5.
- PROVIDE EMERGENCY EGRESS WINDOWS IN ALL SLEEPING AREAS WITH THE FOLLOWING DIMENSIONS:
A. 5.7 SQ. FT. CLEAR OPERABLE AREA
B. NET OPERABLE HEIGHT SHALL BE 24" MIN.
C. NET OPERABLE WIDTH SHALL BE 20" MIN.
D. FINISHED SILL HEIGHT OF 44" MAX. ABOVE FINISH FLOOR.
- INTERIOR WALLS TO BE FULLY INSULATED AS REQUIRED.



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PHASE	DATE
COASTAL SUBMITTAL	12/14/18



A12

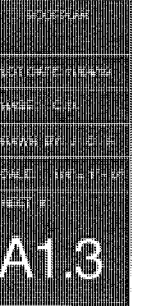
A1.2





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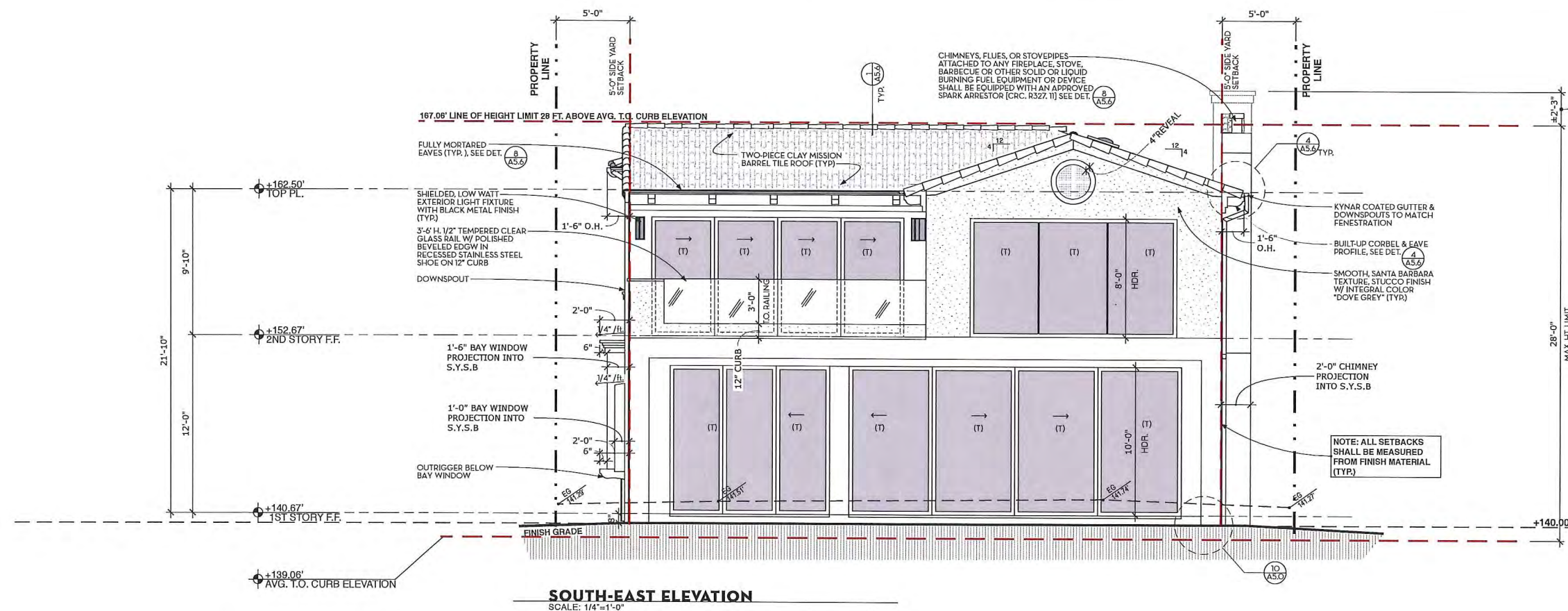
PHASE	DATE
POSTAL SUBMITTAL	12/14/18



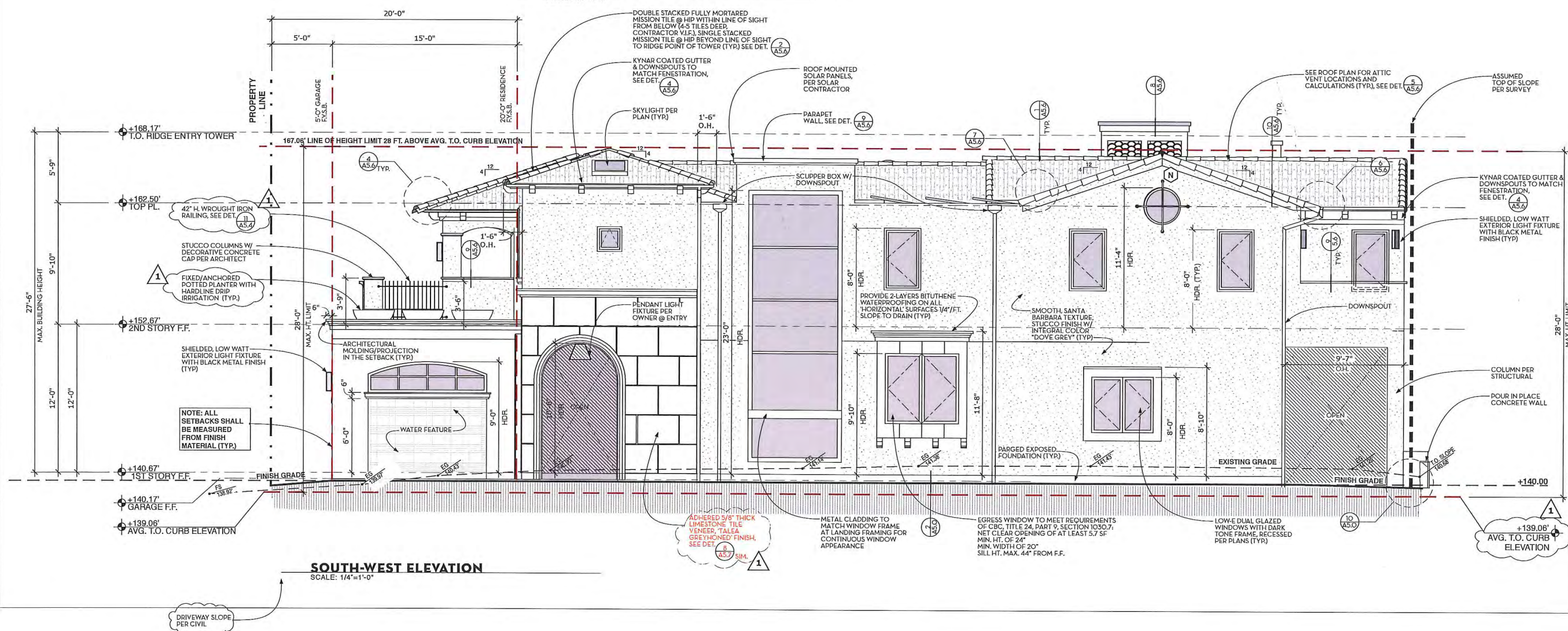
NOTE: PROVIDE RADIANT HEAT BARRIER AT ROOF WITH ATTIC PER T-24 REPORT.



A triangle with the number 1 inside it.



SOUTH-EAST ELEVATION
SCALE: 1/4" = 1'-0"



SOUTH-WEST ELEVATION
SCALE: 1/4" = 1'-0"

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FLORENCE
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ENCINITAS, CALIFORNIA

BAUMAN RESIDENCE
34312 SHORE LANTERN
DANA POINT, CALIFORNIA

PHASE DATE
COASTAL 12/14/18
SUBMITTAL

REGISTERED ARCHITECT
JASON C. FLORENCE
5/31/2021
STATE OF CALIFORNIA

ELEVATION VIEWS 2

PLOT DATE: 11/04/19

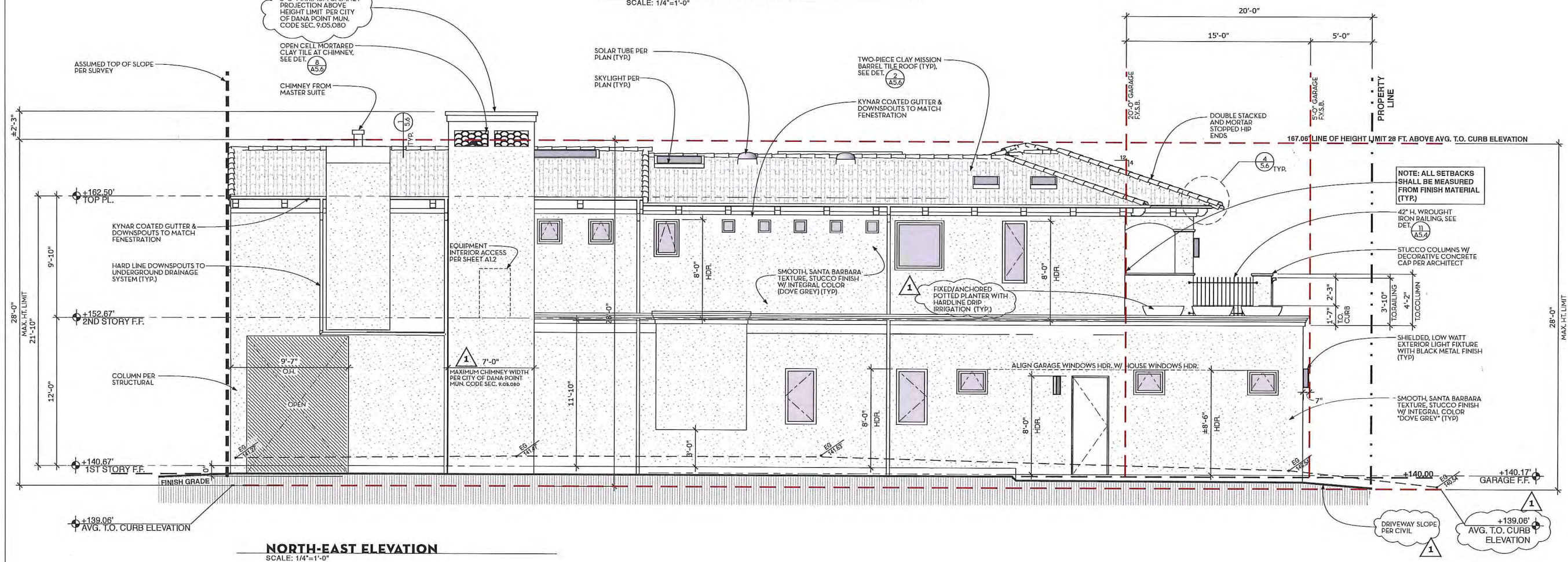
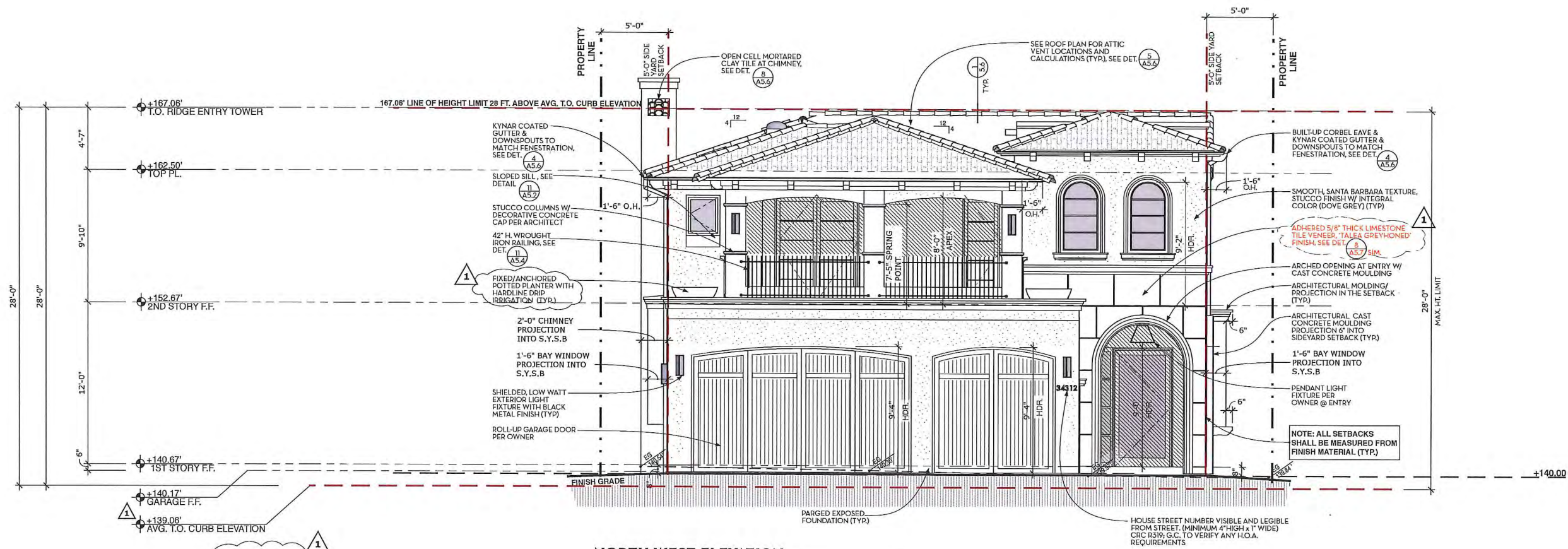
PHASE: C.D.

DRAWN BY: J. C. F.

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

SHEET #

A2.1



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BAUMAN RESIDENCE
34312 SHORE LANTERN
DANA POINT, CALIFORNIA

PHASE	DATE
COASTAL	12/14/18
SUBMITTAL	



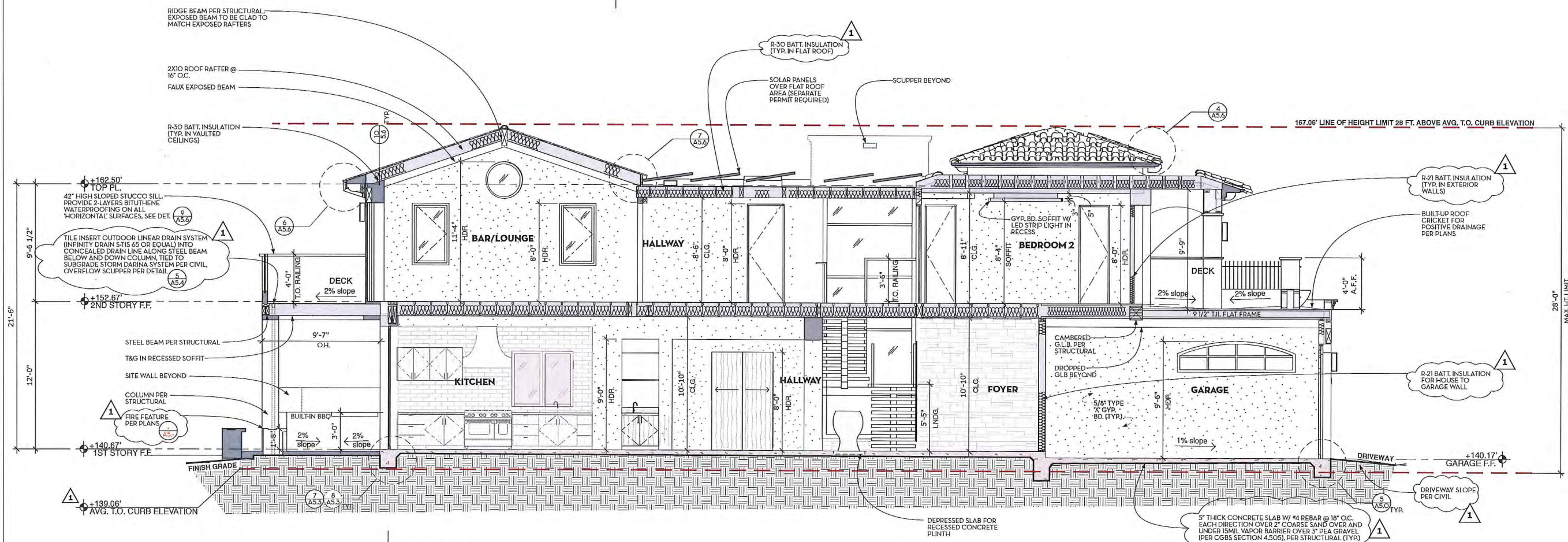
SECTION VIEWS

PLOT DATE:	11/04/19
PHASE:	C.D.
DRAWN BY:	J. C. F.
SCALE:	1/4" = 1' - 0"
SHEET #	

A3.0



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



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

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DANA POINT, CALIFORNIA

PHASE DATE
COASTAL 12/14/18
SUBMITTAL



SECTION VIEWS 2

PLOT DATE: 11/04/19

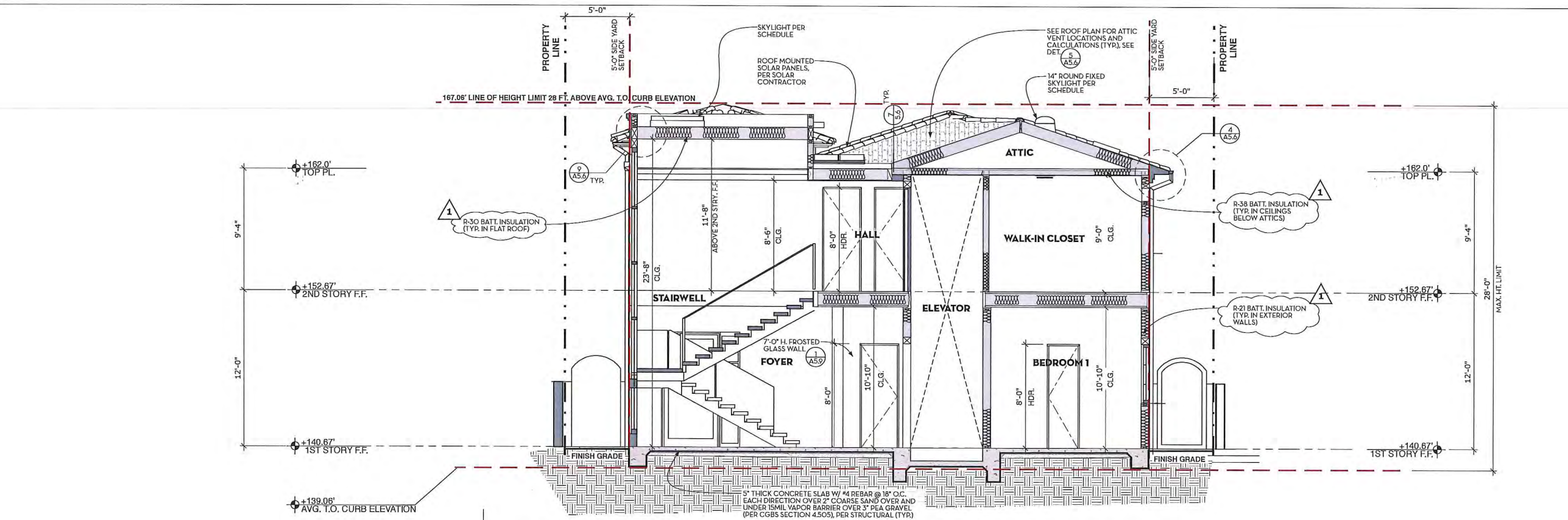
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DRAWN BY: J. C. F.

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

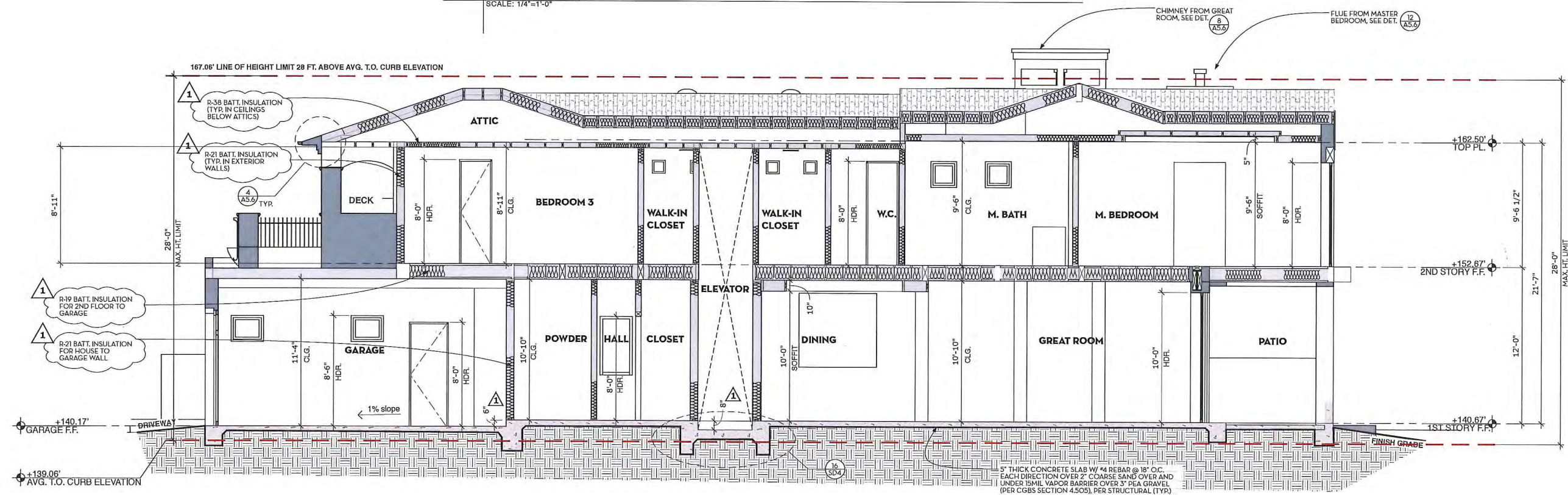
SHEET #:

A3.1



SECTION C-C

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



SECTION D-D

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

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34312 SHORE LANTERN
DANA POINT, CALIFORNIA

PHASE DATE
COASTAL 12/14/18
SUBMITTAL



SECTION VIEWS 3

PLOT DATE: 11/04/19

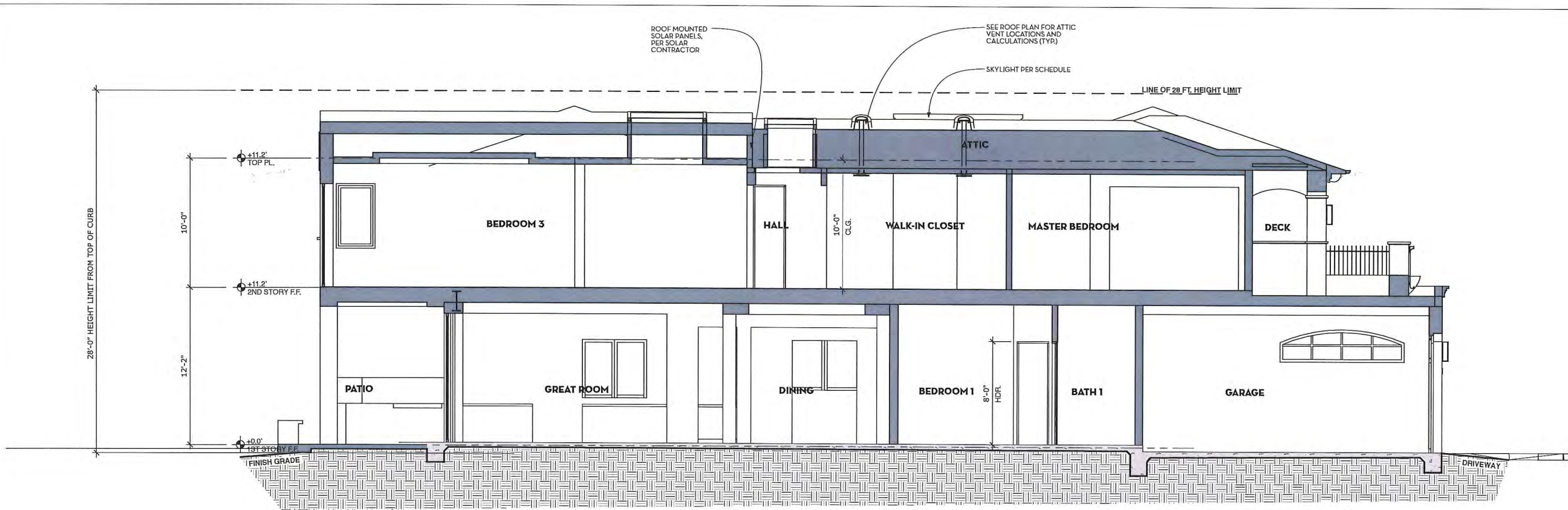
PHASE: C.D.

DRAWN BY: J. C. F.

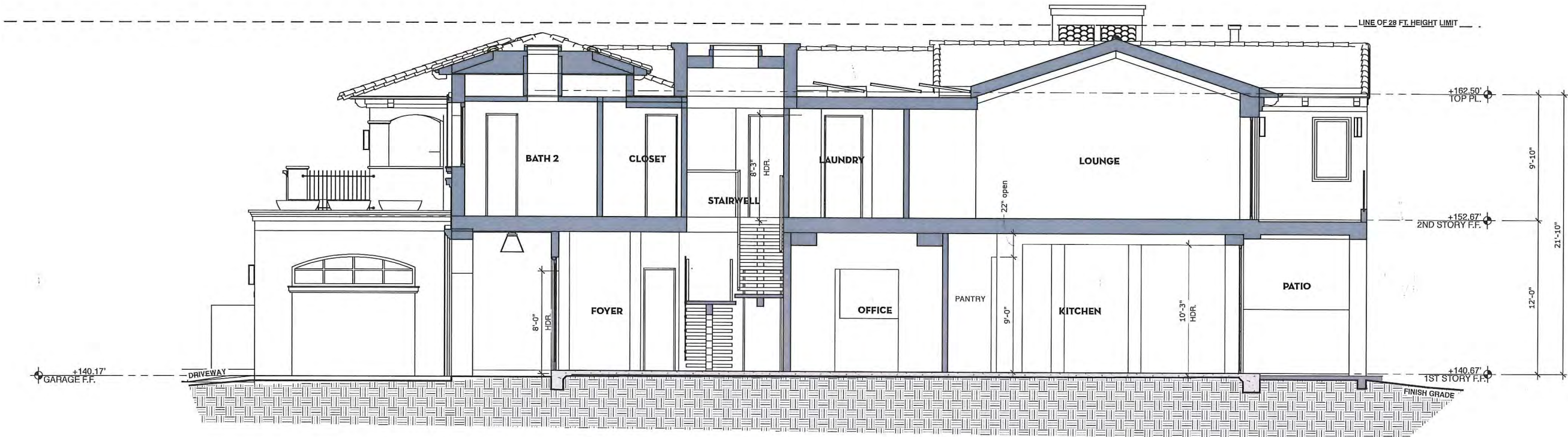
SCALE: 1/4" = 1' - 0"

SHEET #

A3.2



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



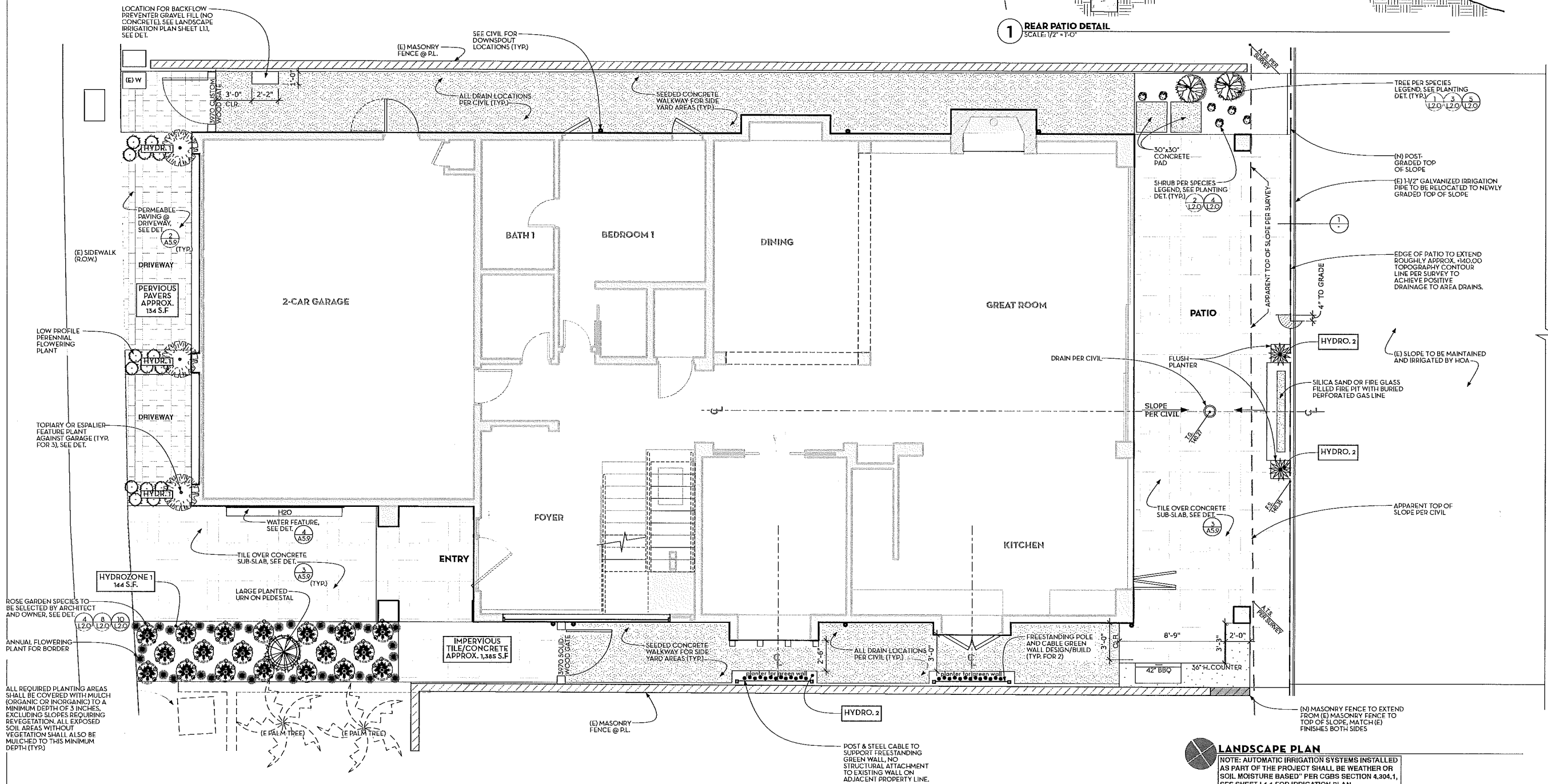
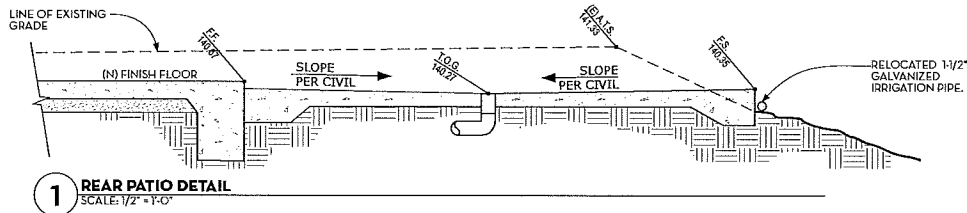
SECTION F-F
SCALE: 1/4" = 1'-0"











TREES						SPECIES LEGEND SUCCULENTS & GROUNDCOVER						SHRUBS & PERENNIALS					
SYMBOL	COMMON	BOTANICAL	WATER USE	PLANT FACTOR	SIZE	SYMBOL	COMMON	BOTANICAL	WATER USE	PLANT FACTOR	SIZE	SYMBOL	COMMON	BOTANICAL	WATER USE	PLANT FACTOR	SIZE
	YELLOW OLEANDER	THEVETIA PERUVIANA					BOUGAINVILLEA	BOUGAINVILLEA 'MONKA'	LOW	0.3	FLAT		PAPYRUS	CYPERUS PAPYRUS	MODERATE	0.5	5 GAL.
	GOLD MEDALLION TREE	CASSIA LEPTOPHYLLA	LOW	0.3	15 GAL.		ROSE 'RED DRIFT'	ROSA 'MEIGALAPO'					ROSE	ROSA SPP.	MODERATE	0.5	5 GAL.
	SILVER SHEEN	PITTOSPORIUM TENUIFOLIUM	LOW	0.3	15 GAL.		PENCIL TREE	EUPHORBIA TIRUCALLI 'STICKS ON FIRE'	LOW	0.3	1 GAL.		NEW ZEALAND FLAX 'BRONZE'	PHORMIUM TENAX	LOW	0.3	5 GAL.
	YEW TREE	PODOCARPUS GRACILIOR					SOFT AGAVE	AGAVE ATTENUATA	LOW	0.3	5 GAL.		WHITE CAMELIA TOPIARY	CAMELLIA SASANKUA 'SETSUGEKKA'	MODERATE	0.5	5 GAL.
	PYGYMY PALM	PHOENIX ROBELINI	LOW	0.3	15 GAL.		ELEPHANT'S BUSH	PORTULACARIA AFRA	LOW	0.3	FLAT		NARROW LEAF AGAVE	AGAVE ANGUSTIFOLIA	LOW	0.3	5 GAL.
	MEDITERRANEAN FAN PALM	CHAMAEREOPS HUMILIS											DAYLILY 'AUTUMN RED'	HEMEROCALLIS	MODERATE	0.5	1 GAL.
													MANDEVILLA 'CRIMSON RED'	MANDEVILLA SANDERI	LOW	0.3	1 GAL.










MAINTENANCE NOTE: ALL REQUIRED LANDSCAPE AREAS SHALL BE MAINTAINED BY OWNER. THE LANDSCAPE AREAS SHALL BE MAINTAINED FREE OF DEBRIS AND LITTER, AND ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION. DISEASED OR DEAD PLANT MATERIAL SHALL BE SATISFACTORILY TREATED OR REPLACED PER CONDITIONS OF THE PERMIT.

WALL TYPE KEY	
	LINE OF OBJECT ABOVE
	STUD WALL
	(E) CMU WALL
	(N) CMU WALL

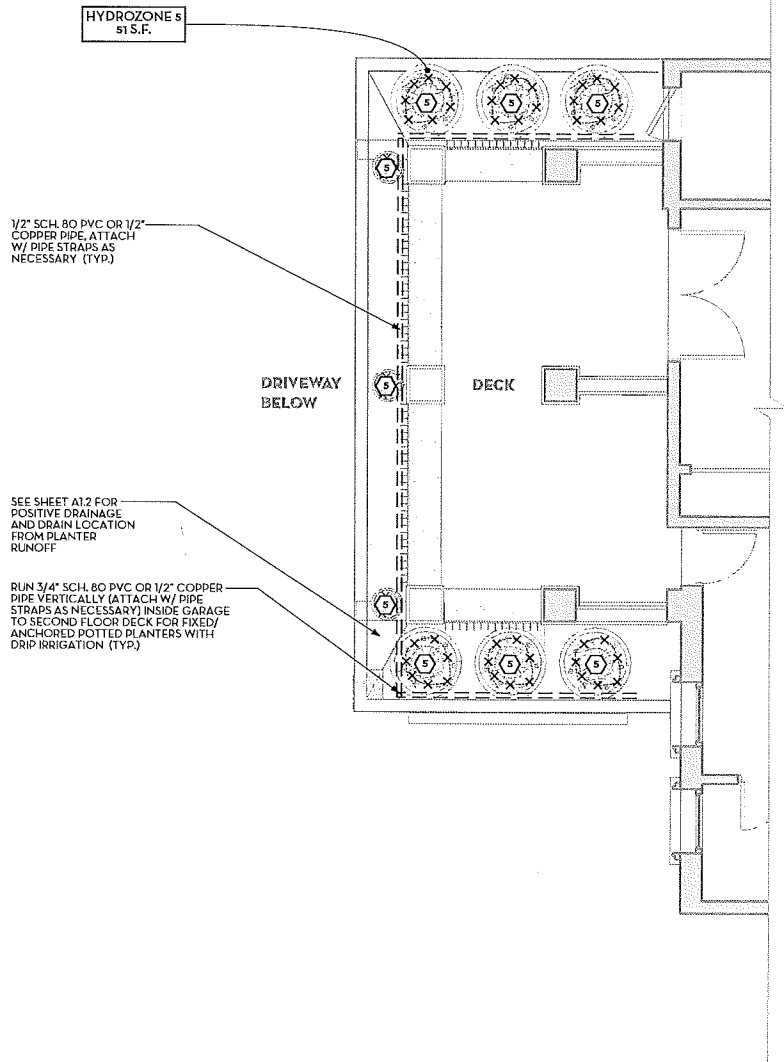
LANDSCAPE MATERIAL TYPE KEY	
	DECOMPOSED GRANITE
	DECORATIVE LANDSCAPE BOULDER
	TILE OR PAVERS
	TROWEL FINISH CONCRETE



IRRIGATION LEGEND	
SPRINKLER COMPONENTS	
	WATER METER
	VALVE BOX
	1" SOLENOID INLINE VALVE, BRASS RECOMMENDED
	IRRIGATION CONTROLLER
	BELOW GRADE PRESSURE MAIN SCH. 40 PVC 1 1/2" OR COPPER TYPE "L" PIPE
	BELOW GRADE SCH. 40 PVC 3/4" - 1" LATERAL LINE
	BACKFLOW PREVENTER/PRESSURE REDUCER
	RAIN SENSOR
	SHUT-OFF VALVE
	IRRIGATION ZONE (HYDROZONE)
NOTE: INSTALLER OF IRRIGATION SYSTEM IS RESPONSIBLE FOR VERIFYING WATER PRESSURE POUNDS PER SQ. IN. (PSI) & FLOW RATE GALLONS PER MINUTE (GPM); ADDITIONAL VALVES MAY BE REQUIRED FOR INDIVIDUAL HYDROZONES DEPENDING ON PSI AND GPM (TYP.)	

IRRIGATION LEGEND						
SPRAY HEADS AND NOZZLE TYPES						
SYMBOL	DESCRIPTION	ARC	RADIUS	PSI	GPM	QTY.
	HUNTER BRAND PGP ADJ ROTOR W/ 1.5 NOZZLE OR SIMILAR SPECS; 22'-52" RADIUS, 0.5 - 14.1 GPM	360	24'-30'	40	3.7	14
	HUNTER TREE BUBBLER; 360, 0.3 GPM	360	3'	40	0.3-2	12
	HUNTER PCN-25 BUBBLER	90	1'	30	.25	5
	POP-UP MULTI-STREAM ROTATOR	90	8'-15'	40	.8	1 (1)
	POP-UP MULTI-STREAM ROTATOR	180	8'-15'	40	.8	1 (3)
	POP-UP MULTI-STREAM ROTATOR	360	12'-18'	40	.8	1 (2)
	POP-UP MULTI-STREAM ROTATOR ADJUSTABLE	90-270	4'-18'	40	.8	20 (10)
NOTE: INSTALLER OF IRRIGATION SYSTEM IS RESPONSIBLE FOR FIELD ADJUSTING SPRINKLERS TO ELIMINATE OVERSPRAY ONTO HARDSCAPE AND DRIVEWAY AND MINIMIZE OVERSPRAY TO ADJACENT LANDSCAPE AREAS						
DRIP IRRIGATION						
	1/2" POLY TUBE WITH ENCLOSED PRESSURE REGULATING DRIP EMITTER 0.9 GPM (NETAFIM BRAND OR SIMILAR)					
	1/2" POLY TUBE					

REGULATORY NOTES
IRRIGATION: AN AUTOMATIC, ELECTRICALLY CONTROLLED IRRIGATION SYSTEM SHALL BE PROVIDED AS REQUIRED BY LDC 142.0403(c) FOR PROPER IRRIGATION, DEVELOPMENT, AND MAINTENANCE OF THE VEGETATION IN A HEALTHY, DISEASE-RESISTANT CONDITION. THE DESIGN OF THE SYSTEM SHALL PROVIDE ADEQUATE SUPPORT FOR THE VEGETATION SELECTED.
STANDARDS NOTE: ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE STANDARDS OF THE CITY-WIDE LANDSCAPE REGULATIONS AND THE CITY OF SAN DIEGO LAND DEVELOPMENT MANUAL LANDSCAPE STANDARDS AND ALL OTHER LANDSCAPE RELATED CITY AND REGIONAL STANDARDS.



SECOND FLOOR DECK PLANTERS



REVISION # & DATE

BAUMAN RESIDENCE

34312 SHORE LANTERN DANA POINT, CALIFORNIA

PHASE	DATE
COASTAL SUBMITTAL	12/14/16



DESIGNER	DATE
FILED	12/14/16
PROJECT	BAUMAN RES.
SHEET	L1.2