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**PUBLIC NOTICE**  
**CITY OF DANA POINT**  
**NOTICE OF PUBLIC HEARING**

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NOTICE IS HEREBY GIVEN THAT a public hearing will be held by the Planning Commission of the City of Dana Point to consider the following:

**Minor Conditional Use Permit CUP24-0003(M) and Minor Site Development Permit SDP23-0033(M) located at 34572 Camino Capistrano:** A Minor Conditional Use Permit [CUP(M)] to allow a 396 square foot addition to the second story of a nonconforming multiple family dwelling in the Residential Duplex 14 Zoning District, and a Minor Site Development Permit [SDP(M)] to allow the construction of a 300 square foot roof deck atop the proposed addition and to allow a retaining wall over 30 inches and freestanding wall over 42 inches within the required front and side yard setback areas. Dana Point Zoning Code (DPZC) Section 9.63.035(a) requires a CUP(M) for a one-time ten (10) percent or less expansion of the gross floor area of nonconforming structures containing residential uses. DPZC Section 9.05.230 permits roof decks subject to the approval of an SDP(M). DPZC Section 9.05.120(c)&(d)(2) permits alternatives to height limits for fences and retaining walls subject to the approval of an SDP(M).

**Project Numbers:** Minor Conditional Use Permit CUP24-0003(M) & Minor Site Development Permit SDP23-0033(M)  
**Project Location:** 34572 Camino Capistrano (APN: 691-382-06)  
**Project Applicant:** Michael Fox, FoxLin Architects  
**Property Owner:** Pankaj and Sonal Kadakia  
**Environmental:** Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15303(e) (Class 3 – New Construction or conversion of small structures) and Section 15301(e)(1) (Class 1 – Existing Facilities) since the project consists of the construction of a 300 square foot roof deck, fences/walls and an addition that is less than 50 percent of the floor area of the structure before the addition.  
**Hearing Date:** Monday, October 28, 2024  
**Hearing Time:** 6:00 PM (or as soon thereafter as possible)  
**Hearing Location:** 33282 Golden Lantern, Dana Point, CA 92629 (Dana Point City Hall)

All persons either favoring or opposing the subject project are invited to present their views to the Commission at this hearing.

**Note:** This project may be appealed to the City Council. If you challenge the action taken on this proposal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Dana Point prior to the public hearing. Any litigation related to this project may be subject to the 90-day statute of limitations set forth in California Government Code section 1094.6 and/or 65009.

For further information, please contact Alyssa Gonzalez, Associate Planner, at the City of Dana Point, Community Development Department, 33282 Golden Lantern, Suite 209, Dana Point, (949) 248-3556.

STATE OF CALIFORNIA            )  
COUNTY OF ORANGE)       ss     AFFIDAVIT OF POSTING  
CITY OF DANA POINT )

I, Brenda Wisneski, Director of the Community Development Department of the City of Dana Point, do hereby certify that on or before October 14, 2024, I caused the above notice to be posted in three places in the City of Dana Point, to wit: City Hall, the Dana Point Post Office and the Capistrano Beach Post Office.

  
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Brenda Wisneski, Director  
Community Development Department



City of Dana Point

**Public Hearing Notice for CUP24-0003(M) & SDP23-0033(M)**

Alyssa Gonzalez, Associate Planner

Community Development Department

33282 Golden Lantern

Dana Point, CA 92629-1805

**IMPORTANT PUBLIC HEARING NOTICE  
THIS MAY AFFECT YOUR PROPERTY**

## VICINITY MAP



**Project:** Minor Conditional Use Permit CUP24-0003(M) and Minor Site Development Permit SDP23-0033(M)

**Applicant:** Michael Fox

**Location:** 34572 Camino Capistrano

