



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: September 28, 2023 REPORT NO. PC-23-031

HEARING DATE: October 12, 2023

SUBJECT: 12785 Via Felino, Process 2 Appeal

PROJECT NUMBER: [PRJ-1062720](#)

OWNER/APPLICANT: David Lowell Barker, Owner/Daniel Alvear, Applicant

SUMMARY

Issue: Should the Planning Commission grant or deny an appeal of the Development Services Department approval of a Coastal Development Permit to demolish an existing residence and detached garage and construct a new, two-story, 4,362 square-foot, single-family residence with associated site work located at [12785 Via Felino](#) within the [Torrey Pines Community Planning Area](#)?

Proposed Action:

1. Deny the appeal and uphold the Development Services Department's decision to approve Coastal Development Permit No. 3166864;
2. Grant the appeal and deny the Development Services Department's decision to approve Coastal Development Permit No. PMT-3166864.

Housing Impact Statement: The project is within the RS-1-7 zone (Residential-Single Unit) and proposes to demolish a single-family residence and construct a new, two-story, 4,362-square-foot single-family residence with associated site work.

Community Planning Group Recommendation: On February 14, 2023, the Torrey Pines Community Planning Board voted 5-0-1 to approve the project (Attachment 10).

Environmental Impact: The City of San Diego determined the project would not have the potential to cause a significant effect on the environment. The project meets the criteria set forth in CEQA Section 15303, which consists of the construction and location of limited numbers of new small facilities or structures, and CEQA Section 15301, which includes the demolition and removal of individual small structures. Since CEQA Section 15303 allows for the construction of single-family residences in urbanized areas, utility extensions, of reasonable lengths to serve such construction,

and accessory (appurtenant) structures, and CEQA Section 15301 allows for the demolition and removal of single-family residences and accessory structures including garages, these exemptions were deemed appropriate. In addition, the exceptions listed in CEQA Section 15300.2 would not apply.

This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303, New Construction or Conversion of Small Structures, and Section 15301, Existing Facilities. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on June 5, 2023, and the opportunity to appeal that determination ended on June 20, 2023.

BACKGROUND:

The project site is located at 12785 Via Felino. The 0.17-acre site is in the RS-1-7 and Coastal Overlay (non-appealable) zone within the Torrey Pines Community Plan area. The project site is currently developed with a single-family residence and is surrounded by similarly zoned existing residential development. The project site does not contain any sensitive riparian habitat or other identified habitat community. Furthermore, the project site does not contain, nor is it adjacent to, the City of San Diego Multi-Habitat Planning Area (MHPA) designated lands.

The site is approximately 0.6 miles west of the Pacific Ocean, and it is not located between the sea and the nearest public roadway paralleling the sea. The site has no existing physical coastal access used legally or otherwise by the public and is not located within or adjacent to a scenic view corridor or a scenic coastal area identified by the Community Plan.

DISCUSSION

Project Description:

The project proposes to demolish the existing 1,142-square foot (sf) single-story residence and detached garage; and the construction of a new, two-story, 4,362-square-foot, single-family residence with associated site work including hardscape and landscaping on the 0.17-acre lot previously developed in 1932 (Attachment 12 – Project Plans). The project was designed to comply with the development regulations of the underlying RS-1-7 Zone, including building height (26 feet 6 inches) that does not exceed the 30-foot height limit, density, setbacks, and floor area ratio (.57) that is below the .75 maximum allowed. No deviations or variances are required.

Community Plan Analysis:

Figure 13 of the Torrey Pines Community Plan identifies the land use as Low-Density Residential (5-9 du/ac). The proposed project will provide a new single dwelling unit that does not require deviations and conforms to the plan's Urban Design Guidelines and the base zone. The proposed project will not change the density of the area and conform to the policies of the Torrey Pines Community Plan.

Permit Required:

Pursuant to San Diego Municipal Code (SDMC) Sections [126.0702](#) and [126.0707\(a\)](#), the project requires a Process Two, Coastal Development Permit for the development of premises within the Coastal Overlay Zone (non-appealable area), to be decided by City staff. Staff's decision is appealable to the Planning Commission.

On June 22, 2023, the Development Services Department issued a Notice of Decision (Attachment 7) approving Coastal Development Permit No. PMT-3166864. The appeal period for the decision ended on July 7, 2023.

On June 28, 2023, Duncan Agnew (Appellant) filed a project appeal (Attachment 8) to the Notice of Decision citing factual error and new information.

Legal Standard for Appeal of Department of Development Services Decision

Pursuant to SDMC Section [112.0504](#), an appeal of a Process Two decision may only be granted with evidence supporting one of the following findings:

1. Factual Error: The statements or evidence relied upon by the decision maker when approving, conditionally approving, or denying a permit, map, or other matter were inaccurate; or
2. New Information: New information is available to the applicant or the interested person that was not available through that person's reasonable efforts or due diligence at the time of the decision; or
3. Findings Not Supported: The decision maker's stated findings to approve, conditionally approve, or deny the permit, map, or other matter are not supported by the information provided to the decision maker; or
4. Conflicts: The decision to approve, conditionally approve, or deny the permit, map, or other matter is in conflict with a land use plan, a City Council policy, or the Municipal Code.

The Planning Commission can only deny the appeal and uphold approval of the project if none of the above-mentioned findings are supported by sufficient evidence or grant the appeal and deny approval of the project if the Planning Commission finds that one of the above-referenced findings is supported by sufficient evidence.

PROJECT APPEAL DISCUSSION

The Appellant's appeal issues (Attachment 8) are repeated below along with Staff's response.

Appeal Issue #1:

"The permit as submitted fails to address (1) the unusual location of Appellants' rear yard in relation to the Project and the Proposed Residence; (2) the substantial harms the Proposed Residence would inflict on the Appellants' property, of which the Owners are aware; and (3) how the Applicant and Owners will mitigate these harms. Therefore, we request the following relief:

1. That the findings of the staff and approval of Permit PRJ-1062720 should be repealed and re-reviewed in light of new information demonstrating that the Permit not only fails to mitigate negative impacts to Appellants' property but also, as proposed, needlessly maximizes those negative impacts.
2. That the Commission condition the permit approval on the Proposed Residence implementing North and West setbacks of 8.8 feet and 19 feet, respectively, to mitigate adverse impacts (harms) caused by the Project and Proposed Residence. This condition would not require the Proposed Residence to undergo any redesign or structural changes, nor would it adversely impact the Proposed Residence, given that (1) the Proposed Residence's South-side setback is a true side setback, and that (2) the Plan gives the Proposed Residence the minimum possible front yard (West) setback, while its rear-yard (East) setback is well in excess of the requirement in San Diego Municipal Code (SDMC) Section [131.0431, Table 131-04D](#) (Attachment 10a of appeal)."

Response to Issue #1:

The proposed project adheres to the base zone setbacks and all other requirements of the San Diego Municipal Code (SDMC). The appellant's claim of "negative impacts" to their property is discussed in the responses to issues 2-7.

Appeal Issue #2:

"Figures 2 and 3 show the building permit and accompanying site plan for the Appellant's residence at 12797 Via Felino (then Oak Street), as approved by the City in 1960. Figure 3 (Attachment 7) shows three setbacks:

1. For the yard fronting on Oak (Via Felino), the setback is the average front-yard setback for existing houses on the East side of Oak; scaling from the site plan indicates that this setback is 26.5 feet. This yard is designated as the front yard.
2. On the East side of the house, opposite the front yard, the setback is given as 5 feet, and the yard is labeled "side yard".
3. On the South side of the house, the setback is given as 24 feet, and the yard is labelled "back yard".

In 1960 the City thus made an affirmative decision to make an exception to the standard setbacks for construction, by (1) allowing a small setback on the East side of the property, where a rear yard would normally be, and (2) designating the yard on the South side of the property, and adjacent to the front yard, as a rear yard.

Though not shown on the site plan, the placement of entrances to the residence on this property is consistent with this configuration: the front entrance is on the North side, facing Grandview (now Via Aprilia), while the opposite entrance on the South side opens onto the back yard.

Diagram [113-02Z in Section 113.0246](#) of the SDMC prescribes the standard configuration of yards and setbacks on a corner lot. According to this diagram, the rear property line is the line opposite whichever front property line is shorter, which for 12797 would be the West line on Oak (Via Felino), and the side property lines connect the front and rear property lines. The rear yard is then the one bounded by the rear property line and is opposite the front yard.

The difference between this standard and the configuration plotted in Figure 3 demonstrates that this configuration required an exception. As far as we have been able to determine, this configuration is unique, at least within the Torrey Pines community. In accordance with this configuration, the yard on the South side of the Appellants' property has in fact been used, since the house was constructed in 1961, for all the usual purposes of a rear yard: as a private outdoor space, and for recreation, social activities, and gardening."

Response to Issue #2:

Setbacks are measured from the front, side, and rear property lines as determined by SDMC Section [113.0249](#) and not by how the structure is designed or the space is used. According to [Table 131-04D](#) of SDMC Section 131.0431, the RS-1-6 setback requirements are a minimum of 15 feet for the front yard, 15 feet for the rear yard, and 8% of the lot width for the side yard setbacks (for this property 6.13 feet on both sides). The proposed structure is observing the 15-foot front yard setback and is stepped back further than the 15-foot rear yard setback. The project is utilizing the allowance of [Footnote 2 of Table 131-04D](#), which allows the reallocation of side yard setbacks for lots greater than 50 feet in width, provided no setback is less than 4 feet. This results in a northern side yard setback at 5.5 feet and a southern side yard setback at 7.3 feet. Other than this allowance to the side yard setbacks within the development regulations of the RS-1-6 base zone, no exceptions or deviations were requested or granted for the proposed project.

Appeal Issue #3:

"San Diego Municipal Code Section [131.0403\(a\)](#) states that:

The purpose of the RS zones is to provide appropriate regulations for the development of single dwelling units that accommodate a variety of lot sizes and residential dwelling types, and which promote neighborhood quality, character, and livability. It is intended that these zones provide for flexibility in development regulations that allow reasonable use of property while *minimizing adverse impacts to adjacent properties*.

The setback rules laid out in SDMC Section [131.0431, Table 131-04D](#), serve the purpose stated in Section [131.0403\(a\)](#) by providing a minimum rear-yard setback of 13 feet, as compared to the side-yard minimum of 4 feet. This difference between the two setbacks acknowledges that rear yards, which are actively used as outdoor space by the residents of the property, would be much more seriously impacted by a nearby structure than side yards, which are not so used.

The goal of providing a certain level of separation between structures and yard space is further shown by Section [131.0443\(a\)\(2\)\(B\)](#), which states that if a rear yard abuts an alley, one half of the alley width may be counted toward the required rear setback. In such a case the alley, as usually

unoccupied space, provides part of the separation between a rear yard and the structure on the adjoining property.”

Response to Issue #3:

According to [Table 131-04D \(Attachment 10a\) in Section 131.0431](#) of the SDMC, the RS-1-6 setback requirements are minimum 15 feet for the front yard, 15 feet for the rear yard, and 8% of the lot width (6.13 feet on both sides for the subject property) for the side yard setbacks. The proposed structure is observing the 15-foot front yard setback and is stepped back further than the 15-foot rear yard setback. The project is utilizing the allowance of Footnote 2 of Table [131-04D of the SDMC](#) , which allows the reallocation of side yard setbacks for lots greater than 50 feet in width, provided no setback is less than 4 feet. This results in a northern side yard setback at 5.5 feet and a southern side yard setback at 7.3 feet. The assertion that the difference in lengths of the required setbacks acknowledges how those yards are used is an opinion and not factually supported by the SDMC.

Appeal Issue # 4:

“An adverse impact of an adjoining property arises from actions taken by a landowner that substantially deprive an adjoining owner of the reasonable enjoyment of his or her property. The Plan shows that the Proposed Residence: (a) has the maximum allowed width North to South, (b) has the maximum allowed floor-area ratio, and (c) minimizes its Northside and front yard setbacks. These choices, together, produce clear and substantial adverse impacts on Appellants’ property. First, the mass and scale of the Proposed Residence creates a substantial visual and physical impact. Second, the design of the Proposed Residence and its proposed use creates a substantial impact on Appellants’ privacy.”

Response to Issue #4:

The base zone regulations including but not limited to setbacks and required angled building envelope ensure that bulk and scale are controlled and prevent impacts to community character and provide relief for privacy concerns. The site is not within a public view corridor, and the City does not protect private views. The proposed structure reduces visual impacts through building articulation, step backs on the second story, and architectural projections. These elements, along with the strict adherence to the base zone setbacks and angled building envelope plane assist in mitigating privacy concerns. ~~and structure height assist in mitigating privacy concerns.~~

Appeal Issue #5:

"A. Physical and Visual Impacts

The height of the first-floor roofline of the Proposed Residence, as shown on the North-side Elevation is 16.7 feet above the datum elevation of 70.6 feet. The elevation of the Appellants’ rear yard to the North, as shown on the survey plans for the Project, averages about 74.5 feet, about 4 feet above this datum. Accounting for this four-foot elevation, the first-floor roofline of the Proposed Residence will therefore rise 12.7 feet above the Appellant’s rear yard: almost 3 feet higher than the roofline of the Appellant’s own residence. (For perspective, a 12.7-foot-high wall is taller than what is required for US military base security fencing, and taller than the Berlin Wall.)

What is more, along 20 feet of the roof of the Proposed Residence the visual height will be

even taller, because the highest element will be an outside deck. This deck will have a safety wall extending 2.5 feet above the first-floor roof level (15.2 feet above the Appellants' rear yard) and a deck overhang whose top is 11 feet above that roof level: in total, a vertical element that will loom 23.7 feet above the Appellants' yard: a height nearly equal to the width of Appellants' yard."

Response to Issue #5:

Structure height is measured in a three-part calculation at this location according to SDMC Sections [113.0270 \(a\)\(2\)](#) & [113.0270\(a\)\(4\)\(D\)](#), which is the plumb line measurement, overall height measurement, and Prop D (Coastal Height) measurement to ensure compliance with the height limits of the base zone and Coastal Height Limit Overlay Zone. The northern wall at the setback line is less than 20 feet in height (including the roof deck railings). The assertion that it will be visually looming is merely an opinion of the appellant. The proposed structure reduces the bulk and scale by stepping back the roof deck and second story from the property line, all while being in compliance with the maximum building heights and the angled building envelope plane.

Appeal Issue #6:

"Adverse impact on Appellant's reasonable enjoyment of their rear yard. Because the Proposed Residence has the smallest possible front setback, its North wall is next to almost the entirety of the Appellant's rear yard (Figure 4 [Attachment 7]). This means that anyone in the Appellant's rear yard will be overwhelmed by a physically and visually imposing wall, an effect amplified by the safety wall and overhang. Put another way, the Appellant's rear yard will seem to be a canyon between two walls: the lower one being the South side of the Appellant's residence and the much taller one on the North side of the Proposed Residence. In essence, the Proposed Residence will turn Appellants' rear yard- intended to be an open, private space-into an uncomfortable and claustrophobic area, seriously impacting Appellants' reasonable enjoyment of it."

Response to Issue #6:

The claim that the impacts to persons within the appellant's rear yard being overwhelmed by a physically and visually imposing wall is an opinion of the appellant. The northern wall is observing a 5.5-foot setback from the northern property line and is 44 feet in length on the ground floor, with a roof deck that is less than half of the wall above it. The roof deck is stepped back further from the side yard setback and is observing the required angled building envelope plane as required in SDMC Section [131.0444](#). The second story is stepped back further from the northern property line and will provide visual relief through offsetting planes and windows. This will allow for further relief from adjoining properties and will help minimize the perceived bulk and scale.

Appeal Issue # 7:

"Adverse impact on Appellant's reasonable use of their rear yard. Because the Proposed Residence is South of the Appellant's rear yard, it will limit the Appellant's reasonable use of their rear yard. The Proposed Residence's height will block sunlight for much of the year, which will be detrimental and possibly destructive to the Appellant's use of their rear yard to grow food for personal consumption. During the winter, the Proposed Residence will produce shade that will reach into all but three feet of the Appellant's rear yard. This will unavoidably harm the plants currently in place, which provide food and also prevent significant erosion of the soil above and at the property line/retaining wall.

Response to Issue #7:

The base zone regulations and Coastal Development Permit requirements do not require a shade study to be performed for single-dwelling unit development. The angled building envelope required per SDMC Section [131.0444](#) provides relief for adjacent property owners, and the adherence to that Angled Building Envelope Plane will assist in minimizing adverse impacts. The proposed project is a single dwelling unit replacing an existing dwelling unit, and no deviations have been requested or granted for the proposed development.

CONCLUSION: Staff has reviewed the project plans and documents, and all the necessary findings can be made to deny the appeal and approve the project as discussed above and demonstrated in the resolution of approval (Attachment 4 and 5). Staff recommends that the Planning Commission deny the appeal and approve Coastal Development Permit No. PMT-3166864.

ALTERNATIVES

1. Deny the appeal and uphold the Development Services Department's decision to approve Coastal Development Permit No. PMT-3166864.
2. Grant the appeal and deny the Development Services Department's decision to approve Coastal Development Permit No. PMT-3166864.

Respectfully submitted,



Renee Mezo
Assistant Deputy Director
Development Services Department

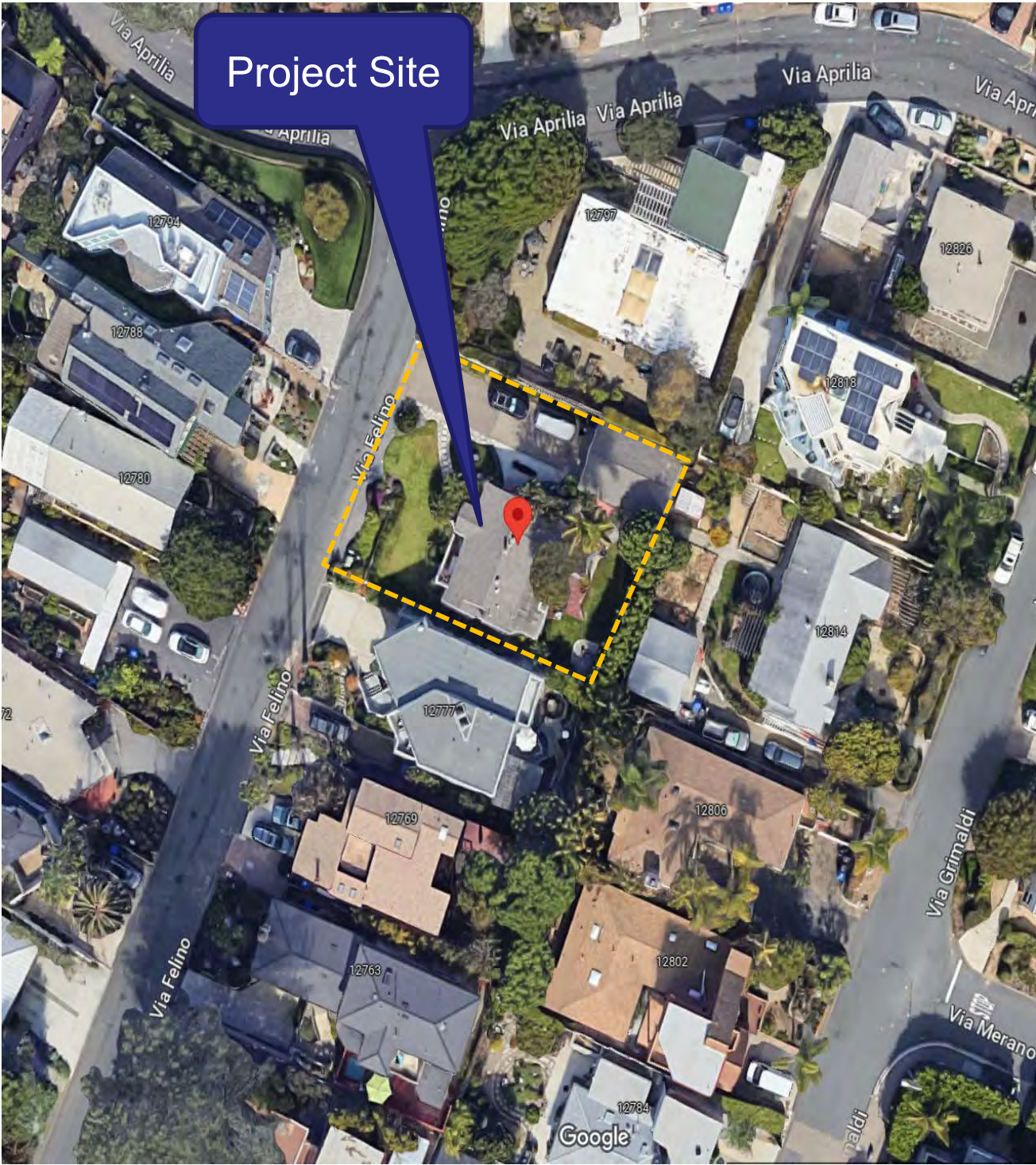


Andrew Murillo
Development Project Manager
Development Services Department

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Draft Permit with Conditions
4. Draft Permit Resolution with Findings
5. Environmental Exemption
6. Ownership Disclosure Statement
7. Notice of Decision

8. Copy of Appeal
9. Project Plans
10. Community Planning Group Meeting Minutes

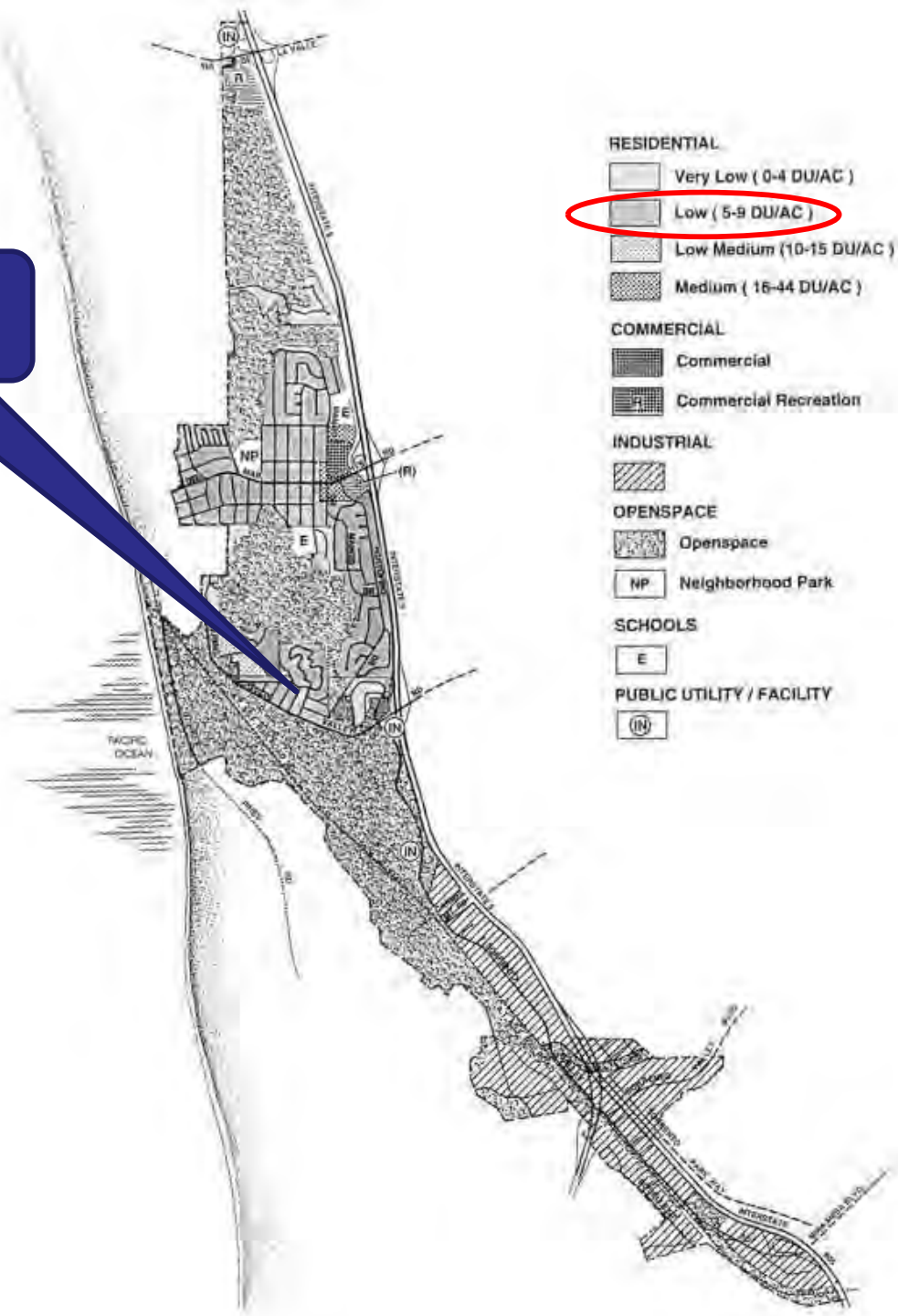


Aerial Photograph

12785 Via Felino
Project No. PRJ-1062720



Project Site



Community Plan Land Use Map

12785 Via Felino
Project No. PRJ-1062720



RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION
501

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

INTERNAL ORDER NUMBER: 11004543

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. PMT-3166864
VIA FELINO - PROJECT NO. PRJ-1062720
PLANNING COMMISSION

This Coastal Development Permit No. PMT-3166864 is granted by the Planning Commission of the City of San Diego to David Barker and Jeanne Loring, Owners/Permittees, pursuant to San Diego Municipal Code [SDMC] section 126.0702. The 0.17-acre site is located at 12785 Via Felino in the Torrey Pines Community Plan Area. The site is zoned RS-1-7 with overlay zones including the Coastal Height Limit Overlay Zone and Coastal Overlay Zone (non-appealable area 1). The project site is legally described: as Lots 21 and 22 in block 8 of Del Mar Terrace, in the City of Del Mar, County of San Diego, State of California, according to Map No. 1527, filed in the County Recorder of San Diego County, on February 5, 1913.

Subject to the terms and conditions set forth in this Permit, permission is granted to the Owner/Permittee to demolish an existing residence and detached garage for the construction of a new, two-story, single-family residence with associated site work described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated October 12, 2023, on file in the Development Services Department.

The project shall include:

- a. Demolition of the existing 1,142-square-foot (SF) single-story, single dwelling unit and detached garage and construction of a two-story, 4,362 SF single-dwelling unit residence with associated improvements including hardscape and landscaping;
- b. Off-street parking;
- c. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision-maker. This permit must be utilized by October 12, 2026.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision-maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State, or City laws, ordinances, regulations, or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
9. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required

to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify the Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, the Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation-related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

CLIMATE ACTION PLAN REQUIREMENTS:

11. Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

ENGINEERING REQUIREMENTS:

12. Prior to the issuance of any building permit, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement, for the private landscape & irrigation, non-standard driveway, walkway, steps, and sidewalk underdrains within the Via Felino right-of-way, satisfactory to the City Engineer.

13. Prior to the issuance of any construction permit, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be drafted in accordance with Part 2, Chapter 4.2, and Appendix 'D' of the City of San Diego Storm Water Standards Manual.

14. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications, satisfactory to the City Engineer.

PLANNING/DESIGN REQUIREMENTS:

15. The automobile, motorcycle, and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose unless otherwise authorized in writing authorized by the appropriate City decision-maker in accordance with the SDMC.

16. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

17. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

18. Prior to the issuance of any building permits, if it is determined during the building permit review process the existing water and sewer service will not be adequate to serve the proposed project, the Owner/Permittee shall assure by permit and bond, the design and construction of new water and sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Department and the City Engineer.

19. Prior to the issuance of any building permit Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private backflow prevention device(s), on each water service (domestic, fire, and irrigation), in a manner satisfactory to the Public Utilities Department and the City Engineer. BFPDs shall be located above ground on private property, in line with the service, and immediately adjacent to the right-of-way.

20. All proposed private water and sewer facilities are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Planning Commission of the City of San Diego **October 12**, 2023, and Resolution No. XXXX

DRAFT

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Andrew Murillo
Development Project Manager

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.**

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

David Barker
Owner/Permittee

Jeanne Loring
Owner/Permittee

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1189 et seq.**

PLANNING COMMISSION RESOLUTION NO. XXXX
COASTAL DEVELOPMENT PERMIT NO. PMT-3166864
VIA FELINO - PROJECT NO. PRJ-1062720

WHEREAS, DAVID BARKER and JEANNE LORING, Owners/Permittees, filed an application with the City of San Diego for a permit to demolish an existing residence and detached garage and construct a new, two-story, 4,362-square-foot single-family residence with associated site work (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. PMT-3166864), on portions of a 0.17-acre site;

WHEREAS, the project site is located at 12785 Via Felino. The 0.17-acre site is in the RS-1-7 and Coastal Overlay (non-appealable, area 1) zone within the Torrey Pines Community Plan area;

WHEREAS, the project site is legally described as Lots 21 and 22 in block 8 of Del Mar Terrace, in the City of Del Mar, County of San Diego, State of California, according to Map No. 1527, filed in the County Recorder of San Diego County, on February 5, 1913;

WHEREAS, on October 12, 2023, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guidelines Sections 15303 (New Construction) and 15301 (Existing Facilities) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on June 22, 2023, the Planning Commission of the City of San Diego considered Coastal Development Permit No. PMT-3166864 pursuant to the Land Development Code of the City of San Diego; NOW THEREFORE,

BE IT RESOLVED by the Development Services Department of the City of San Diego, that it adopts the following findings with respect to Coastal Development Permit No. PMT-3166864:

COASTAL DEVELOPMENT PERMIT SDMC Section 126.0708

- 1. The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.**

The proposed project is the demolition of an existing single dwelling unit on an existing developed lot that was previously graded under city-issued building permits. No portion of the property is identified in the City's adopted Local Coastal Program or the Torrey Pines Community Plan as an accessway to the area's coastline. The site is privately owned and does not encroach upon any existing physical accessway legally utilized by the general public. Furthermore, the property is 0.6 miles from the ocean and is not located adjacent to the public shoreline or within a public view, there will be no obstructions or otherwise adverse effects on the public views of the ocean and/or any other scenic coastal areas. Therefore, the proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.

- 2. The proposed coastal development will not adversely affect environmentally sensitive lands.**

The proposed project site is currently developed and does not contain any environmentally sensitive lands. There will be no impacts on biological resources, and the site is not within or adjacent to the Multiple Species Conservation Program/Multi Habitat Planning Area. The project site does not contain any sensitive riparian habitat or other identified habitat communities. Furthermore, the project site does not contain, nor is it adjacent to, the City of San Diego Multi-Habitat Planning Area (MHPA) designated lands. Additionally, the proposed project has been deemed Categoricaly exempt from CEQA pursuant to CEQA State Guidelines, Section 15303, New Construction or Conversion of Small Structures, and Section 15301, Existing Facilities.

- 3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.**

The 0.17-acre site is located at 12785 Via Felino (in the RS-1-7 Zone) and is located approximately 0.6 miles from the Pacific Ocean. The project site is not adjacent to any existing or proposed physical access way or view corridor and does not impact any intermittent or partial vistas, view sheds, or scenic overlooks as identified in the adopted Torrey Pines Community Plan and Local Coastal Program.

The proposed development includes the replacement of a dwelling unit. The RS-1-7 zone allows for single dwelling units. The Community Plan supports single dwelling unit development and encourages the expansion of residential areas at the plan density. The proposed development complies with the Torrey Pines Community Plan as it matches the existing diverse neighborhood character and architectural design. Additionally, the development also conforms to the scale of an existing development of the surrounding areas.

Therefore, the proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

The project site is located approximately 0.6 miles east of the Pacific Ocean and is not within the First Public Roadway. There is no public access from the project site, as identified in the Community Plan. The proposed project is the demolition of an existing single dwelling unit on an existing developed lot that was previously graded under city-issued building permits. The project will be developed entirely within private property and will not adversely impact any public recreation opportunities. Therefore, the project conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

The above findings are supported by the minutes, maps, and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED that, based on these findings adopted by the Planning Commission, Coastal Development Permit No. PMT-3166864 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms, and conditions as set forth in Permit No. 3166864, a copy of which is attached hereto and made a part hereof.



Andrew Murillo
Development Project Manager
Development Services Department

Adopted on: October 12, 2023
IO#: 11004543

DRAFT

NOTICE OF EXEMPTION

(Check one or both)

TO: Recorder/County Clerk
P.O. Box 1750, MS A-33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2400

From: City of San Diego
Development Services Department
1222 First Avenue, MS 501
San Diego, CA 92101

Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Project Name/Number: 12785 Via Felino / PRJ-1062720

SCH No.: N/A

Project Location-Specific: 12785 Via Felino, San Diego, CA 92014

Project Location-City/County: San Diego/San Diego

Description of nature and purpose of the Project A Coastal Development Permit to demolish the existing 1,142-square-foot (SF) single-story residence and detached garage and construct a two-story, 4,362 SF single-family residence with associated improvements including hardscape and landscaping, located at 12785 Via Felino. The 0.17-acre site is zoned Residential (RS-1-7) and designated for Low Density Residential (5-9 du/ac) within the Torrey Pines Community Plan area. The project is also located in the Coastal Overlay (non-appealable) zone and Council District 1. (LEGAL DESCRIPTION: Lots 21 and 22 in Block 8 of Del Mar Terrace Map No. 1527)

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Daniel Alvear, 210 Terol Ct, San Diego, CA 92114 (617) 997-9418

Exempt Status: (CHECK ONE)

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))
- Categorical Exemption: CEQA State Guidelines, Section 15303 (New Construction or Conversion of Small Structures), and Section 15301 (Existing Facilities).
- Statutory Exemptions:
- Other:

Reasons why project is exempt: The City of San Diego determined the project would not have the potential to cause a significant effect on the environment. The project meets the criteria set forth in CEQA Section 15303, which consists of construction and location of limited numbers of new small facilities or structures and CEQA Section 15301, which includes the demolition and removal of individual small structures. Since CEQA Section 15303 allows for the construction of a single-family residences in urbanized areas, utility extensions, of reasonable lengths to serve such construction, and accessory (appurtenant) structures, and CEQA Section 15301 allows for the demolition and removal of a single-family residences and accessory structures including garages, these exemptions were deemed appropriate. In addition, the exceptions listed in CEQA Section 15300.2 would not apply.

Lead Agency Contact Person: Marlene Watanabe

Telephone: 619-446-5129

If filed by applicant:

1. Attach certified document of exemption finding.

2. Has a notice of exemption been filed by the public agency approving the project? Yes No

It is hereby certified that the City of San Diego has determined the above activity to be exempt from CEQA

Jeff Szymanski Senior Planner
Signature/Title

June 22, 2023
Date

Check One:

- Signed By Lead Agency
- Signed by Applicant

Date Received for Filing with County Clerk or OPR:



**City of San Diego
Development Services**
1222 First Ave., MS 302
San Diego, CA 92101
(619) 446-5000

Ownership Disclosure Statement

**FORM
DS-318**

October 2017

Approval Type: Check appropriate box for type of approval(s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit Variance
 Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment • Other _____

Project Title: Barker Residence **Project No. For City Use Only:** _____

Project Address: 12785 VIA FELINO, DEL MAR, CA, 92014

Specify Form of Ownership/Legal Status (please check):

Corporation Limited Liability -or- General - What State? _____ Corporate Identification No. _____
 Partnership Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the owner(s), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Property Owner

Name of Individual: David Lowell Barker Owner Tenant/Lessee Successor Agency

Street Address: 12818 VIA GRIMALDI

City: Del Mar State: CA Zip: 92014

Phone No.: 858-353-9678 Fax No.: _____ Email: dbarker@alumni.caltech.edu

Signature: David L Barker Date: 6/6/2022

Additional pages Attached: Yes No

Applicant

Name of Individual: Daniel Alvear Owner Tenant/Lessee Successor Agency

Street Address: 445 Marine View Ave, Ste. 280

City: Del Mar State: CA Zip: 92014

Phone No.: 858 792 2800 Fax No.: _____ Email: dalvear@hayerarchitecture.com

Signature: _____ Date: 05/23/2022

Additional pages Attached: Yes No

Other Financially Interested Persons

Name of Individual: Jeanne Frances Loring Owner Tenant/Lessee Successor Agency

Street Address: 12818 Via Grimaldi

City: Del Mar State: CA Zip: 92014

Phone No.: _____ Fax No.: _____ Email: _____

Signature: Jeanne F Loring Date: 6/6/2022

Additional pages Attached: Yes No

Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services.
 Upon request, this information is available in alternative formats for persons with disabilities.



THE CITY OF SAN DIEGO

DATE OF NOTICE: June 22, 2023

NOTICE OF DECISION

DEVELOPMENT SERVICES DEPARTMENT

PROJECT NO:	PRJ-1062720
PROJECT NAME:	<u>12785 VIA FELINO</u>
PROJECT TYPE:	COASTAL DEVELOPMENT PERMIT, PROCESS TWO
APPLICANT:	DANIEL ALVEAR
COMMUNITY PLAN AREA:	TORREY PINES
COUNCIL DISTRICT:	1
CITY PROJECT MANAGER:	(Jesus) Andrew Murillo, Development Project Manager
PHONE NUMBER/E-MAIL:	(619) 557-7986/JMurillo@sanidiego.gov

On June 22, 2023, Development Services Department APPROVED an application for the demolition of the existing 1,142-square-foot (SF) single-story residence and detached garage and construction of a two-story, 4,362 SF single-family residence with associated improvements including hardscape and landscaping, located at 12785 Via Felino. This development is within the Coastal Overlay (non-appealable) zone and the application was filed on July 22, 2022.

If you have any questions about this project, or the decision, or wish to receive a copy of the resolution approving or denying the project, contact the Development Project Manager above.

The decision of the Development Services Department Staff can be appealed to the Planning Commission. Appeal procedures are described in [Information Bulletin 505](https://www.sandiego.gov/sites/default/files/dsdib505.pdf) (<https://www.sandiego.gov/sites/default/files/dsdib505.pdf>) and can be filed by email/mail or in person:

- 1) Appeals filed via email/mail: Send the fully completed appeal application [DS-3031](#) (including grounds for appeal and supporting documentation in pdf format) via email to PlanningCommission@sanidiego.gov by 4:00pm on the last day of the appeal period. When received by the City, the appellant will be invoiced for payment of the required Appeal Fee. Timely payment of this invoice is required to complete processing of the appeal. Failure to pay the invoice within 5 business days of invoice issuance will invalidate the appeal application.
- 2) Appeals filed in person: Bring the fully completed appeal application [DS-3031](#) (including grounds for appeal and supporting documentation) to the touchless Payment Drop-Off drop safe in the first-floor lobby of the Development Services Center, located at 1222 First Avenue in Downtown San Diego by 4 p.m. on the last day of the appeal period. The completed appeal package must be clearly marked on the outside as "Appeal" and must include the required appeal fee per this bulletin in the form of a check payable to the City Treasurer. This safe is checked daily, and payments are processed the following business day. All payments must be in the exact amount, drawn on US banks, and be made out to "City Treasurer." Please include in the

memo of the check the invoice # or Project # or attach the invoice to the check. Cash payments are only accepted by appointment; email DSDCashiers@sandiego.gov to schedule an appointment.

The decision made by the Planning Commission is the final decision by the City.

This project was determined to be categorically exempt from the California Environmental Quality Act on June 5, 2023, and the opportunity to appeal that determination ended June 20, 2023.

This information will be made available in alternative formats upon request.

Internal Order No.: 11004543

cc: Adam Gevanthor, Chair, Torrey Pines CPG



Development Services Department

Andrew Murillo/ Project No. PRJ-1062720
1222 First Ave., MS 501
San Diego, California 92101-4101

RETURN SERVICE REQUESTED

FORM

DS-3031

November 2022

Development Permit/ Environmental Determination Appeal Application

In order to ensure your appeal application is successfully accepted and processed, you must read and understand Information Bulletin [\(IB\) 505, "Development Permits/Environmental](#)

[Determination Appeal Procedure."](#)

1. Type of Appeal: Appeal of the Project
 Appeal of the Environmental Determination
2. Appellant: Please check one Applicant Officially recognized Planning Committee
 "Interested Person"
[\(Per San Diego Municipal Code \(SDMC\) § 113.0103\)](#)

Name:

Duncan Agnew

E-mail:

kdagnew@sbcglobal.net

Address:

12797 Via Felino

City:

Del Mar

State:

CA

Zip Code:

92014

Telephone:

(858) 922-2906

3. Project Name: 12785 Via Felino
4. Project Information: Coastal Development Permit, Process Two

Permit/Environmental Information Determination and Permit/Document No: **Project # PRJ-1062720**

Date of Decision/Determination: **June 22, 2023**

City Project Manager: **Andrew Murillo**

Decision (Describe the permit/approval decision): Development Services Dept. approved an application for a CDP to demolish an existing 1,142-square-foot (SF) single-story residence and detached garage and construct a two-story, 4,362 SF single-family residence with associated improvements at 12785 Via Felino

5. Ground for Appeal (Please check all that apply):



Factual Error



New Information



Conflict with other Matters



City-wide Significance (Process four decisions only)



Findings Not Supported

Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in the [SDMC § 112.0501](#). Attach additional sheets if necessary.)

Visit our website: sandiego.gov/DSD.

Upon request, this information is available in alternative formats for persons with disabilities. DS-3031 (11-22)

6. Applicant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature: *Duncan Carr Agnew* Date: June 28, 2023

Note: Faxed appeals are not accepted.

Reference Table
<ul style="list-style-type: none">• San Diego Municipal Code (SDMC)• Development Permits/Environmental Determination Appeal Procedure (IB-505)

City of San Diego Planning Commission
City Administration Building, 12th Floor
202 C Street
San Diego, CA 92101

Re: Appeal of Process 2 Coastal Development Permit, 12785 Via Felino (PRJ-1062720)

Dear Chair Hofman and Planning Commissioners:

We, the Appellants, Duncan and Kathleen Agnew, are appealing the decision, by the City of San Diego's Development Services Department on June 22, 2023, to approve the Coastal Development Permit ("Permit") for a proposed residential construction project ("Project") at 12785 Via Felino (PRJ-1062720). This project includes the demolition of the existing 1,142-square-foot (SF) single-story residence and detached garage, and the subsequent construction of a two-story, 4,362 SF single-family residence ("Proposed Residence").

Appellants own and reside at 12797 Via Felino, a property immediately adjacent to the North of 12785 Via Felino (Figure 1). Our appeal is based on new information and a factual error, as explained in more detail below.

We wish to note that, prior to filing this appeal, we made several attempts to reach an amicable solution with the Owners of 12785 Via Felino, David Barker and Jean Loring ("Owners"), for whom the Applicant (architect Daniel Alvear) is acting as agent. The Owners have been our neighbors since 2002, living in a three-story house at 12818 Via Grimaldi, which abuts the East side of our property (Figure 1). Since 2002, this has afforded the Owners a view that shows the size of our backyard. They are aware that we regularly use it, and also are aware of our desire for privacy because they can see the bamboo we planted as a screen to block the view into our backyard from this three-story house when it was built by its original owner in 1997. As a neighborly courtesy we have trimmed this bamboo, at the Owners' request, to improve the ocean views from this three-story house, which is their current residence.

Relief Requested

The permit as submitted fails to address (1) the unusual location of Appellants' rear yard in relation to the Project and the Proposed Residence; (2) the substantial harms the Proposed Residence would inflict on the Appellants' property, of which the Owners are aware; and (3) how the Applicant and Owners will mitigate these harms. Therefore, we request the following relief:

1. That the findings of the staff and approval of Permit PRJ-1062720 should be repealed and re-reviewed in light of new information demonstrating that the Permit not only fails to mitigate negative impacts to Appellants' property, but also, as proposed, needlessly maximizes those negative impacts.
2. That the Commission condition the permit approval on the Proposed Residence implementing North and West setbacks of 8.8 feet and 19 feet, respectively, to mitigate adverse impacts (harms) caused by the Project and Proposed Residence. This condition would not require the Proposed Residence to undergo any redesign or structural changes, nor would it adversely impact the Proposed Residence, given that (1) the Proposed Residence's South-side setback is a true side setback, and that (2) the Plan

gives the Proposed Residence the minimum possible front yard (West) setback, while its rear-yard (East) setback is well in excess of the requirement in San Diego Municipal Code (SDMC) Section 131.0431, Table 131-04D.

Relevant Facts

Figures 2 and 3 (appended) show the building permit and accompanying site plan for the Appellant's residence at 12797 Via Felino (then Oak Street), as approved by the City in 1960. Figure 3 shows three setbacks:

1. For the yard fronting on Oak (Via Felino), the setback is the average front-yard setback for existing houses on the East side of Oak; scaling from the site plan indicates that this setback is 26.5 feet. This yard is designated as the front yard.
2. On the East side of the house, opposite the front yard, the setback is given as 5 feet, and the yard is labeled "side yard".
3. On the South side of the house, the setback is given as 24 feet, and the yard is labelled "back yard".

In 1960 the City thus made an affirmative decision to make an exception to the standard setbacks for construction, by (1) allowing a small setback on the East side of the property, where a rear yard would normally be, and (2) designating the yard on the South side of the property, and adjacent to the front yard, as a rear yard.

Though not shown on the site plan, the placement of entrances to the residence on this property is consistent with this configuration: the front entrance is on the North side, facing Grandview (now Via Aprilia), while the opposite entrance on the South side opens onto the back yard.

Diagram 113-02Z in Section 113.0246 of the SDMC prescribes the standard configuration of yards and setbacks on a corner lot. According to this diagram, the rear property line is the line opposite whichever front property line is shorter, which for 12797 would be the West line on Oak (Via Felino), and the side property lines connect the front and rear property lines. The rear yard is then the one bounded by the rear property line, and is opposite the front yard.

The difference between this standard and the configuration plotted in Figure 3 demonstrates that this configuration required an exception. As far as we have been able to determine, this configuration is unique, at least within the Torrey Pines community. In accordance with this configuration, the yard on the South side of the Appellants' property has in fact been used, since the house was constructed in 1961, for all the usual purposes of a rear yard: as a private outdoor space, and for recreation, social activities, and gardening.

Municipal Code Sections Regarding Setbacks

San Diego Municipal Code Section 131.0403(a) ("Purpose of RS Zones") states that:

The purpose of the RS zones is to provide appropriate regulations for the development of single dwelling units that accommodate a variety of lot sizes and residential dwelling types and which promote neighborhood quality, character, and livability. It is intended that these zones provide for flexibility in development

regulations that allow reasonable use of property while *minimizing adverse impacts to adjacent properties*.

(Emphasis added).

The setback rules laid out in SDMC Section 131.0431, Table 131-04D, serve the purpose stated in Section 131.0403(a) by providing a minimum rear-yard setback of 13 feet, as compared to the side-yard minimum of 4 feet. This difference between the two setbacks acknowledges that rear yards, which are actively used as outdoor space by the residents of the property, would be much more seriously impacted by a nearby structure than side yards, which are not so used.

The goal of providing a certain level of separation between structures and yard space is further shown by Section 131.0443(a)(2)(B), which states that “if a rear yard abuts an alley, one half of the alley width [...] may be counted toward the required rear setback.” In such a case the alley, as usually unoccupied space, provides part of the separation between a rear yard and the structure on the adjoining property.

Clear Adverse Impact on Adjoining Property

An adverse impact of an adjoining property arises from actions taken by a landowner that substantially deprive an adjoining owner of the reasonable enjoyment of his or her property. The Plan shows that the Proposed Residence: (a) has the maximum allowed width North to South, (b) has the maximum allowed floor-area ratio, and (c) minimizes its North-side and front yard setbacks. These choices, together, produce clear and substantial adverse impacts on Appellants’ property. First, the mass and scale of the Proposed Residence creates a substantial visual and physical impact. Second, the design of the Proposed Residence and its proposed use creates a substantial impact on Appellants’ privacy.

A. Physical and Visual Impacts

The height of the first floor roofline of the Proposed Residence, as shown on the North-side elevation, is 16.7 feet above the datum elevation of 70.6 feet. The elevation of the Appellants’ rear yard to the North, as shown on the survey plans for the Project, averages about 74.5 feet, about 4 feet above this datum. Accounting for this four-foot elevation, the first-floor roofline of the Proposed Residence will therefore rise 12.7 feet above Appellant’s rear yard: almost 3 feet higher than the roofline of the Appellants’ own residence. (For perspective, a 12.7 foot high wall is taller than what is required for US military-base security fencing, and taller than the Berlin Wall.)

What is more, along 20 feet of the roof of the Proposed Residence the visual height will be even taller, because the highest element will be an outside deck. This deck will have a safety wall extending 2.5 feet above the first-floor roof level (15.2 feet above the Appellants’ rear yard) and an deck overhang whose top is 11 feet above that roof level: in total, a vertical element that will loom 23.7 feet above the Appellants’ yard: a height nearly equal to the width of Appellants’ yard.

These heights, unless mitigated by adequate setbacks, create the following adverse impacts:

1. *Adverse impact on Appellant’s reasonable enjoyment of their rear yard.* Because the Proposed Residence has the smallest possible front setback, its North wall is next to almost the entirety of Appellants’ rear yard (Figure 4). This means that anyone in

Appellant's rear yard will be overwhelmed by a physically and visually imposing wall, an effect amplified by the safety wall and overhang. Put another way, Appellants' rear yard will seem to be a canyon between two walls: the lower one being the South side of the Appellants' residence and the much taller one the North side of the Proposed Residence. In essence, the Proposed Residence will turn Appellants' rear yard—intended to be an open, private space—into an uncomfortable and claustrophobic area, seriously impacting Appellants' reasonable enjoyment of it.

2. *Adverse impact on Appellant's reasonable use of their rear yard.* Because the Proposed Residence is South of the Appellants' rear yard, it will limit Appellant's reasonable use of their rear yard. The Proposed Residence's height will block sunlight for much of the year, which will be detrimental and possibly destructive to Appellants' use of their rear yard to grow food for personal consumption. During the winter, the Proposed Residence will produce shade that will reach into all but three feet of Appellants' rear yard. This will unavoidably harm the plants currently in place, which provide food and also prevent significant erosion of the soil above and at the property line/retaining wall.

B. Privacy Impacts

The first-floor roof terrace of the Proposed Residence also creates a significant negative impact. As designed, the floor of the terrace will be 13 feet above the level of the Appellants' rear yard and only 4 feet back from the North wall of the Proposed Residence. Anyone standing on the terrace could look into the Appellants' rear yard from 17 feet above it (accounting for average eye height). The terrace provides an uninterrupted view of the Appellants' rear and front yards, which is a very substantial invasion of Appellant's privacy and adversely impacts Appellants' use and enjoyment of these spaces. Appellants' only remedy would be to place a high screen (such as the bamboo already planted elsewhere) along their South property line to shield their property from view. This would significantly worsen the already severe physical and visual impacts from the Proposed Residence.

The elevation also maximizes the sound impacts of any activities taking place on the roof terrace of the Proposed Residence, from which sounds will be easily transmitted into the Appellants' front and rear yards. We understand that the current intent is to use this space as an outside office for telephone calls, and for social events. Certainly the latter might be a very regular use if the Proposed Residence were at some point to become (as is common in this area) used as a short-term rental.

Current Application of Setback Rules to the Proposed Project

Given the frontage (80 feet) and side-setback rules for Zone RS-1-7 (8% of frontage for each side), a total of 12.8 feet of side setback is available for the Project. In the initial submission to Development Services, the Proposed Residence had the maximum width possible (68.8 feet), and the side setback on the North side (adjacent to the Appellants' property) was set to the minimum allowed (4 feet) so that the setback on the South side was 8.8 feet, the largest amount possible given the width of the Proposed Residence.

In response to comments by the Project Review Committee (PRC) of the Torrey Pines Community Planning Board (TPCPB) on January 10, 2023, the revised plans (dated 2/7/2023) submitted to the TPCPB-PRC on February 14, 2023 showed an increase of the

North-side setback by 1.5 feet, to 5.5 feet, reducing the South-side setback to 7.3 feet (the width of the structure was not changed), thereby avoiding time and expense of demolishing and rebuilding the existing retaining wall. In addition, the overhang above the outside deck was shortened by 1.5 feet, and the safety wall on the deck's North side was moved back from the North wall of the Proposed Residence by 4 feet.

Modification of Setbacks to Decrease Harm to Adjacent Property

While the changes just described are in the right direction, it remains the case that the North-side setback is, while no longer the minimum allowed, much smaller than the South-side setback. This setback allocation is despite the quite different impacts the Proposed Residence will have on the Southern versus the Northern adjacent properties. As described above, the North side is adjacent to a rear yard, whereas on the South side (as shown in the Survey Plan, page C01 of the Project plan) the adjoining yard has a width between 4.6 and 5.6 feet, making it clearly a side yard.

Given that the yard to the North (the Appellants' property) is a rear yard, it would seem appropriate for a rear-yard setback to be applied. According to SDMC Section 131.0431, Table 131-04D, this is 13 feet; however SDMC Section 131.0443(a)(2)(A)(i) would appear to allow it to be 9.6 feet. *Appellants request that the permit not be granted unless the North-side setback of the Proposed Residence is a minimum of 9.6 feet.*

However, we recognize that the South-side setback minimum of 4 feet would then require the width of the Proposed Residence to be reduced from 68.8 feet to 68.0 feet. As a neighborly courtesy we are prepared to accept, instead, a North-side setback of 8.8 feet; that is, the maximum reallocation of side-yard setbacks would be to the North side. This allows the structure to be left unchanged, though shifted (relative to the present plan) by 3.3 feet to the South. *In the alternative, Appellants request that the permit not be granted unless the North side set-back of the Proposed Residence is a minimum of 8.8 feet.*

Finally, in order to provide adequate and near-equitable relief to Appellants, the City should also require that the front-yard setback of the Proposed Residence be increased by at least 4 feet. The Plan shows that the front-yard setback of the Proposed Residence is currently the minimum allowed, 15 feet. Increasing the front-yard setback by 4 feet will decrease the inter-visibility between the Appellants' front yard and the deck on the first-floor roof of the Proposed Residence, because of the presence of the Appellants' house between them. The current rear-yard setback of the Proposed Residence is 24 feet, 11 feet in excess of the 13 feet required, so a shift of the Proposed Residence to the East by 4 feet would not require any redesign of the Proposed Residence. *Appellants request that the permit not be granted unless the front-yard setback is increased by at least 4.0 feet.*

City's Role in Protecting Appellants' Interest

In 1960 the City allowed an exception to the usual rules for setbacks and configuration of yard space on what is now Appellants' property. Appellants firmly believe that it is the City's responsibility to protect the interests of Appellants that are bound up in the City's decision, and the consequences flowing from it. The City's past decision meant that the rear yard of the Appellant's property came to be located on the South side, and the Appellants look to the City to ensure that Appellants can enjoy the same rights and protections that all their neighbors freely enjoy today: namely, the reasonable use and enjoyment of their rear

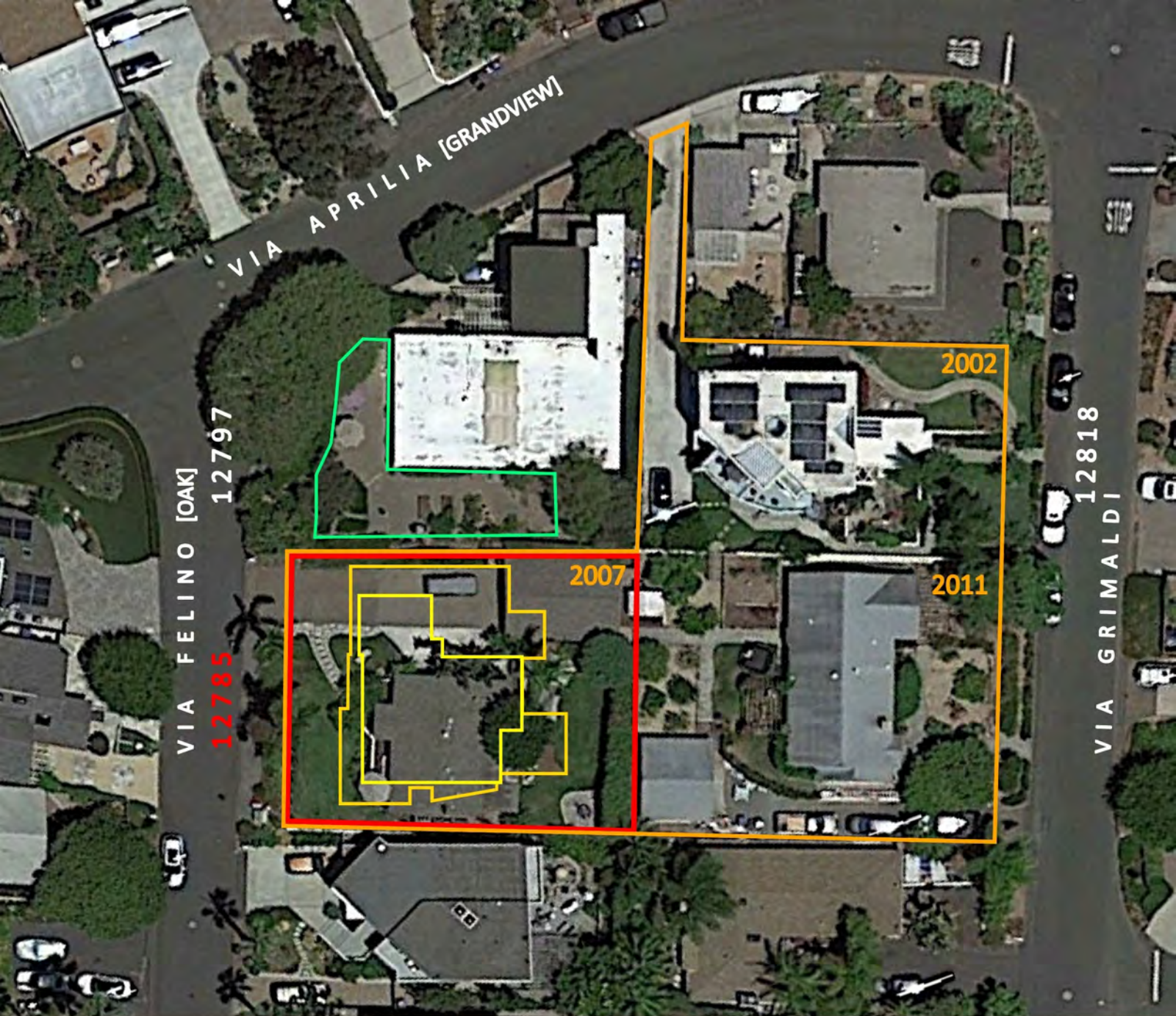
yard, with the adverse impact from new construction being minimized to the extent created by the standard rear-yard setbacks on adjoining properties.

Sincerely,

Duncan Agnew, Kathleen Agnew

List of Figures

1. Neighborhood of proposed project, showing location and ownership of adjoining properties.
2. Building permit, approved February 1960, for residence on Appellants' property (now 12797 Via Felino).
3. Site plan (plan number 2804B) accompanying the 1960 building permit.
4. Plan and elevation of the existing residence at 12797 Via Felino (Appellants' property) and the Proposed Residence at 12785 Via Felino (Owners' property).



- Parcels owned by Owners with year of purchase (plus access easement)
- Location of project
- Footprint of project — 2nd floor footprint
- Front and rear yards, 12797 property

Building Permit Application **APPLICANT FILL INSIDE HEAVY LINES**

OWNER'S NAME Gerald L. Allen

MAIL ADDRESS Rt 1 Box 37C

CITY Del Mar TEL. NO. SK 5-9057

ARCHITECT or ENGINEER Paul and Alvard

STREET ADDRESS Del Mar, Calif

STATE LICENSE NO. C-2024 TEL. NO. SK 5-2131

BUILDING CONTRACTOR Harold Crosby

STREET ADDRESS 402-8th ST.

CITY Del Mar TEL. NO. SK 5-1377

STATE LICENSE NO. 174690 -B-1

JOB DESCRIPTION

LEGAL DESCRIPTION: (Attach Metes & Bounds if Necessary)

LOT 23424 BLOCK 8 TRACT Del Mar Terrace

BUILDING ADDRESS ~~2445~~ Oak and Laurel

NEW ALTER DEMOLISH
 ADD REPAIR MOVE

RESIDENTIAL NUMBER OF STORIES _____ NUMBER OF DWELLING UNITS _____
 NON-RESIDENTIAL

COUNTY SANITATION DISTRICT _____ PRIVATE DISPOSAL APPROVAL RECEIPT NO. YES

STATEMENT OF PROPOSED USE
Single family residence

I hereby acknowledge that I have read this application; that the information given is correct; and that I am the owner, or the duly authorized agent of the owner. I agree to comply with city and state laws regulating construction; and in doing the work authorized thereby, no person will be employed in violation of the Labor Code of the State of California relating to Workmen's Compensation Insurance.

SIGNATURE OF OWNER or AGENT Gerald L. Allen

ADDRESS Rt 1 Box 37C Del Mar

EVIDENCE OF AGENCY NOTED _____
 PLOT PLAN CHECK & APPROVED _____
 HEALTH DEPT. APPROVAL J. B. Salaske 1-24-60
approved etc.

PLAN FILE NUMBER 2804B BUILDING PERMIT NUMBER 720010

JOB ADDRESS 12797 OAK ST.

SIDE YARD 5' SET BACK 15' on ramp REAR YARD 20'

USE ZONE R-1 MAP NO. Del Mar #3 VACANT SITE YES NO

BLS CODE 01 ECONOMIC LOCATION EA. LBD. TAX CENSUS TRACT DMT

BUILDING AREA 2550 LOT AREA 8170 VARIANCE NO. _____

Encroachment Yes PERMIT NUMBER _____ ST. GRADE CHECK _____
 Permit Req'd 'No'

METER SIZE 5/8" CLEARANCE 2 Receipts CHECKED BY: _____

REQUESTED METER LOCATION EXISTING CENTER LINE OTHER OF PROPERTY

TYPE OF CONNECTION Septic Tank BOOK PAGE _____ VERIFIED BY _____

FIRE ZONE 1 2 3 Type of Construction I II III IV V STREET IMPROVED YES NO

SPECIAL INSPECTOR REQ'D. YES NO OCCUPANCY GROUP A B C D E F G H I J I

PLAN CHECKED BY W. K. ... PLAN CHECK RECEIPT NO. 85880

BUILDING VALUATION ~~20000~~ 17073

BUILDING PERMIT FEE ~~87.00~~ 46.04

LESS PLAN-CHECK FEE 28.00 28.00


SEWER FEE _____

AMOUNT DUE \$38.00

ATTENTION:

THIS PERMIT AUTHORIZES ONLY THE WORK NOTED

INSPECTION DEPARTMENT



CITY OF SAN DIEGO

APPLICATION APPROVAL

THIS PERMIT DOES NOT BECOME VALID UNTIL SIGNED BY THE DIRECTOR OF BUILDING INSPECTION, OR HIS DEPUTY; AND FEES ARE PAID, AND RECEIPT IS ACKNOWLEDGED IN SPACE PROVIDED.

By: _____

Date: 2/16/60

INSPECTOR

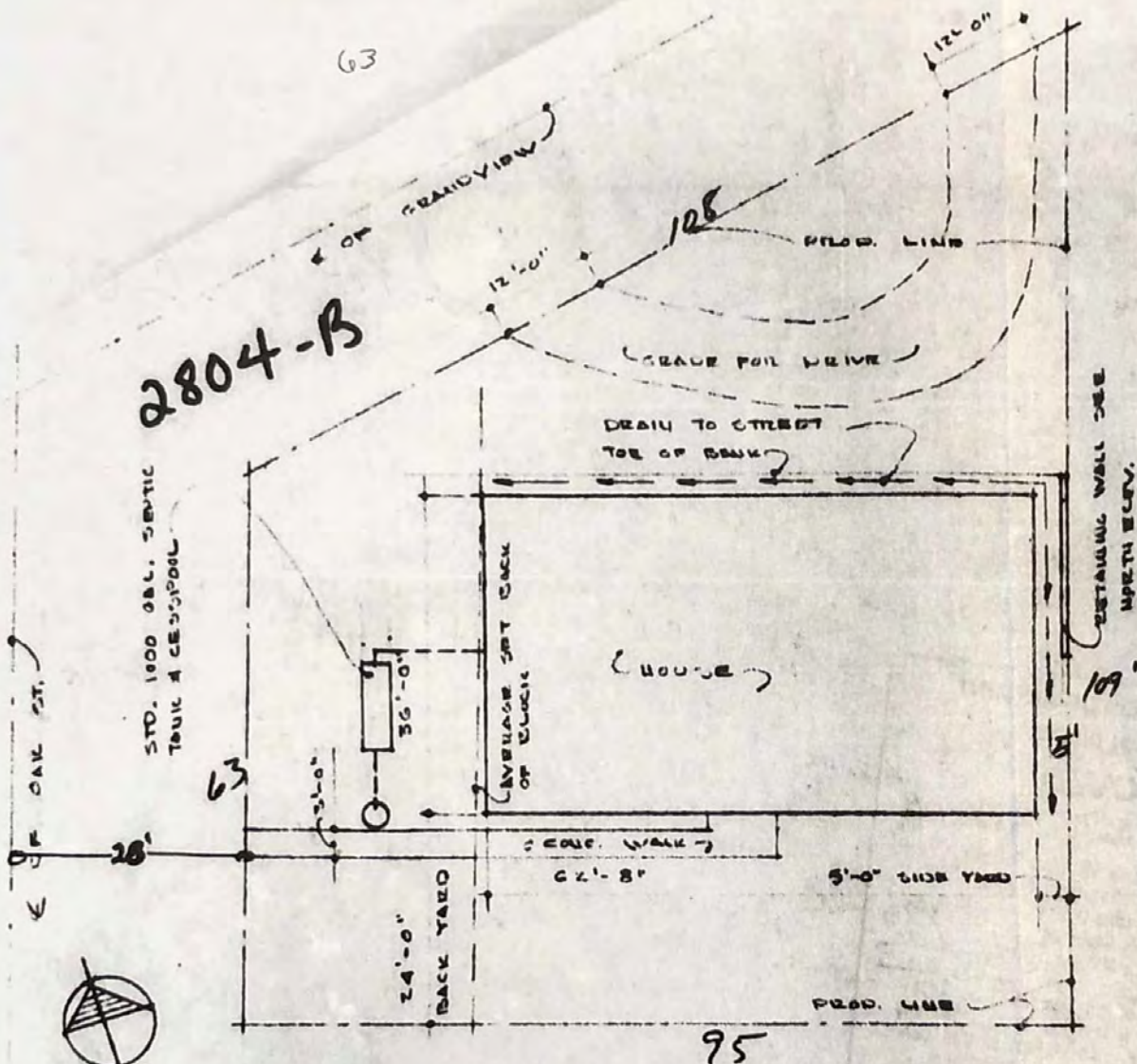
FORM NO. 258

PLANNING
ENG.
WATER
SEWER
INSPECTION

2804B

63

2804-B

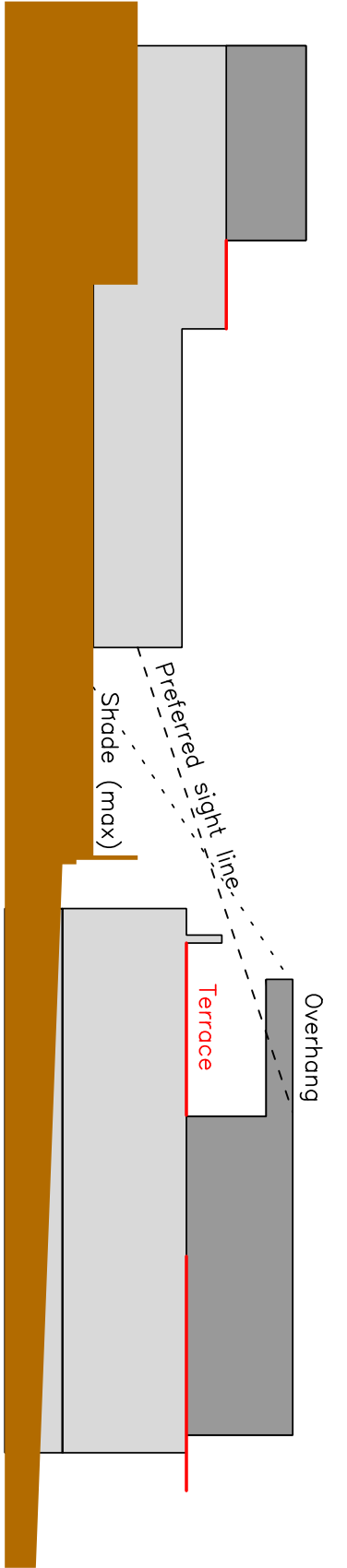
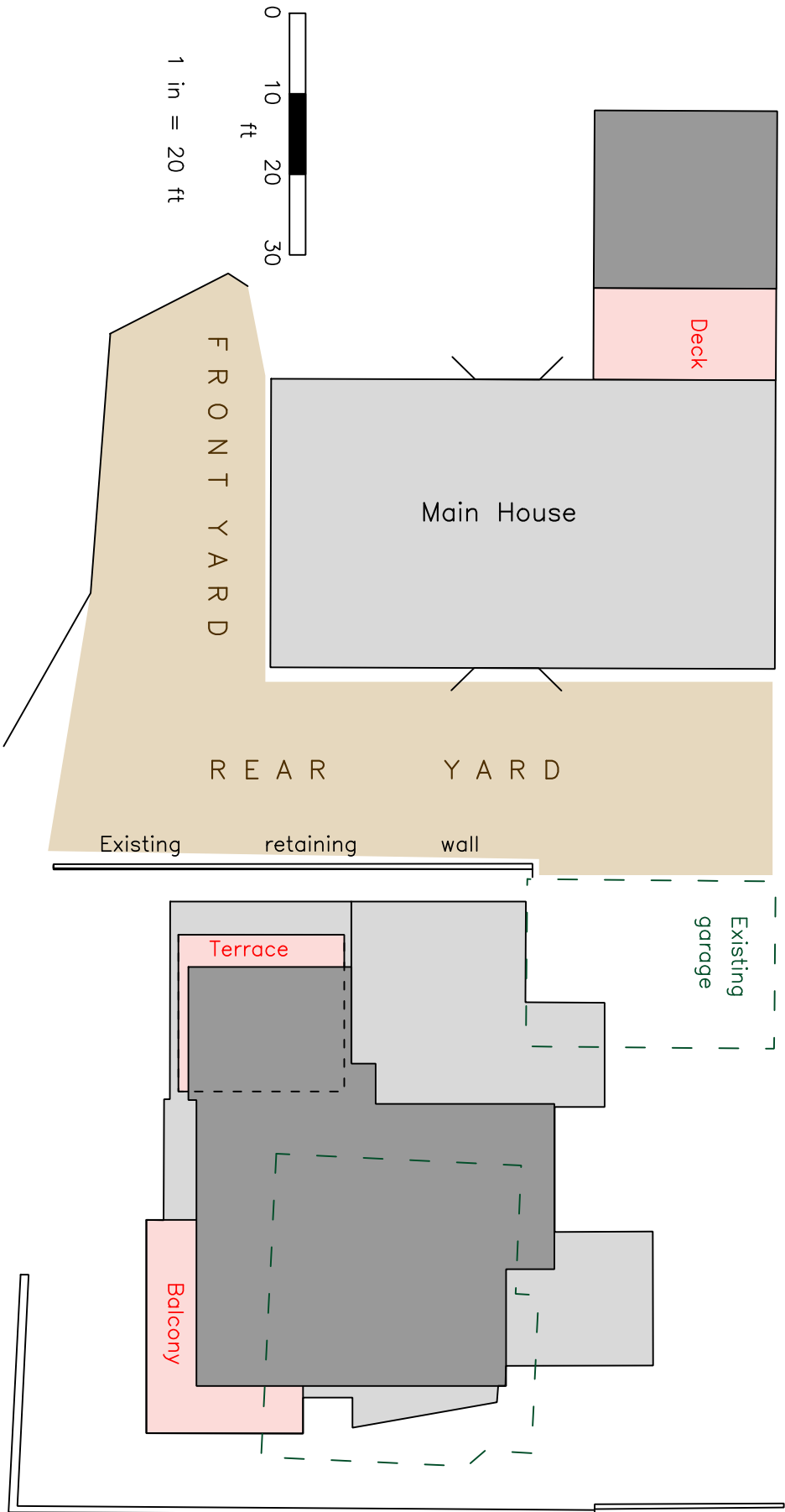


SITE PLAN

X₆" = 1'-0"

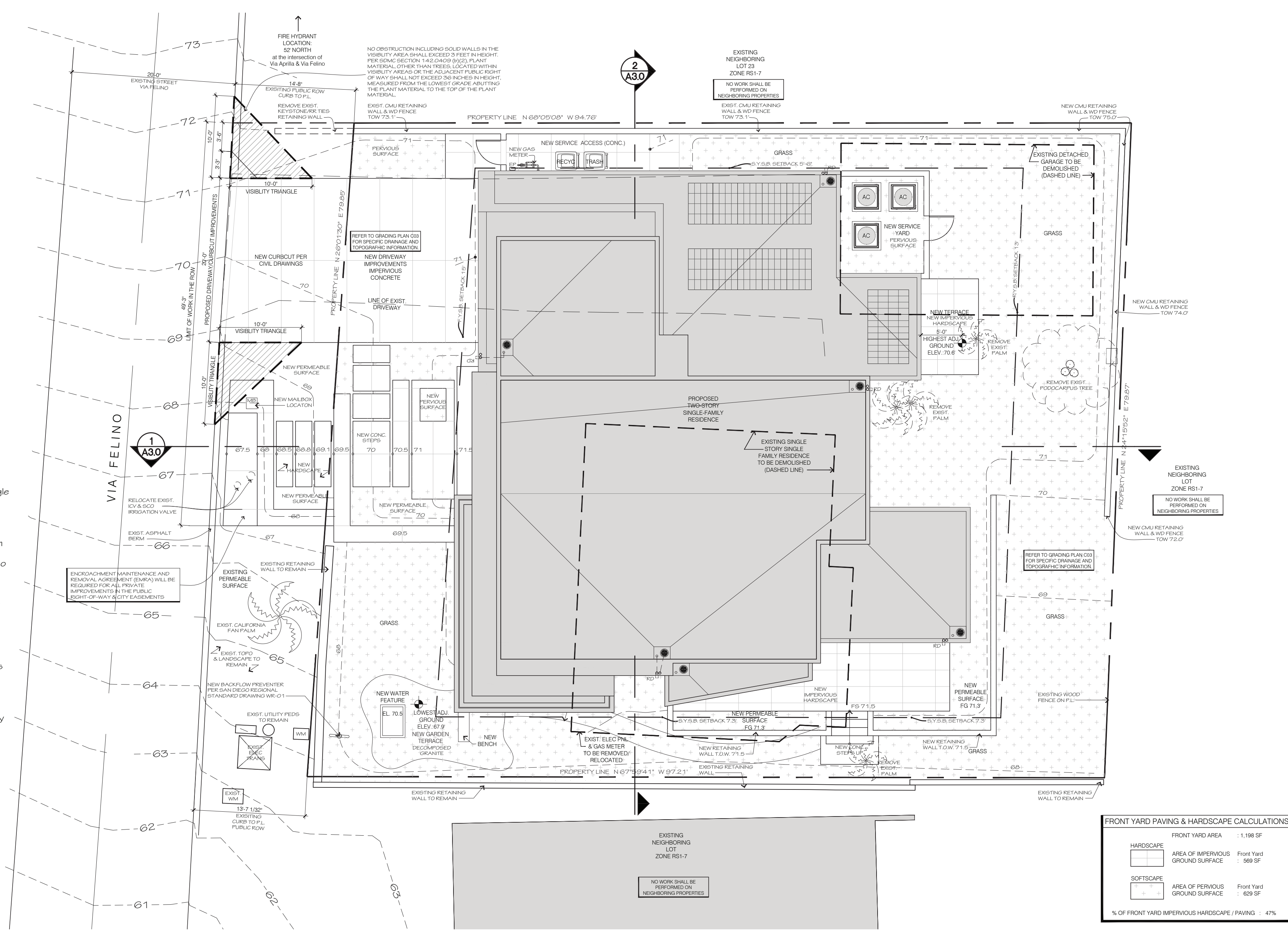
LOT 23 & 24 - BLOCK 8
DCL MAR TERRACE MAP 1527

12797 Via Felino



DEVELOPMENT SUMMARY

PROJECT ADDRESS:	12785 VIA FELINO, DEL MAR, CA, 92014
SCOPE OF WORK:	DEMOLITION OF AN EXISTING SINGLE STORY SINGLE FAMILY RESIDENCE & DETACHED GARAGE. COASTAL DEVELOPMENT PERMIT FOR THE CONSTRUCTION OF A NEW TWO STORY SINGLE FAMILY RESIDENCE W/ ATTACHED GARAGE & ASSOCIATED OUTDOOR TERRACES & GRADING. UPGRADE THE EXISTING CURB CUT AND DRIVEWAY.
LEGAL DESCRIPTION:	LOTS 21 & 22 IN BLOCK 8 OF DEL MAR TERRACE MAP NO. 1527
APN:	301-102-14-00
CONSTRUCTION TYPE:	VB
OCCUPANCY:	RESIDENTIAL (R-3)
USE EXISTING:	SINGLE FAMILY RESIDENCE
USE PROPOSED:	SINGLE FAMILY RESIDENCE
ZONING:	RS-1.7 COASTAL OVERLAY COASTAL HEIGHT LIMIT OVERLAY PARKING IMPACT OVERLAY
ENV. SENSITIVE LANDS:	NONE
ON-SITE EASEMENTS:	NONE
STORMWATER REOS:	STANDARD DEVELOPMENT PROJECT
GEOLOGIC CATAGORY:	53
EXISTING YEAR BUILT:	1932
HISTORIC DISTRICT:	NO
DESIGNATED HISTORIC:	NO
TRANSIT STOPS ADJACENT:	NONE 2.3 Miles from the N Torrey rd Bus Stop
OFFSTREET PARKING:	2 SPACES (GARAGE)
PROJECT TEAM:	
OWNER:	DAVID BARKER 12818 VIA GRIMALDI DEL MAR, CA 92014
SURVEYOR:	WOODS LAND SURVEYING, INC. 2180 GARNET AVE., STE 3-G SAN DIEGO, CA 92109 858 273 4700 (STEVE)
ARCHITECT:	HAYER ARCHITECTURE 445 MARINE VIEW AVE., SUITE 280 DEL MAR, CA 92014 858 792 2800 (BILL)
CIVIL ENGINEER:	CHRISTENSEN ENGINEERING & SURVEYING 7888 SILVERTON AVENUE, SUITE J SAN DIEGO, CA 92126 858 271 9901 (TONY)
GEOTECHNICAL ENGINEER:	TERRA PACIFIC CONSULTANTS 4010 MORENA BLVD., SUITE 108 SAN DIEGO, CA 92117 858 521 1190 (CHRIS)
DRAWING INDEX:	
A1.1	SITE PLAN
C01	TOPOGRAPHIC PLAT - EXISTING SURVEY
C02	PRELIMINARY GRADING PLAN
C03	PRELIMINARY GRADING PLAN
L1.1	LANDSCAPE CALCULATION DIAGRAM
A1.3	1ST FLOOR PLAN
A1.4	2ND FLOOR PLAN
A1.5	ROOF PLAN
A2.1	EXTERIOR ELEVATION
A2.2	EXTERIOR ELEVATION
A2.3	EXTERIOR ELEVATION
A2.4	EXTERIOR ELEVATION
A3.0	SITE SECTIONS
A3.1	BUILDING SECTION
A3.2	BUILDING SECTION



FRONT YARD PAVING & HARDSCAPE CALCULATIONS

FRONT YARD AREA	1,198 SF
HARDSCAPE	AREA OF IMPERVIOUS GROUND SURFACE
FRONT YARD	369 SF
SOFTSCAPE	AREA OF PERVIOUS GROUND SURFACE
FRONT YARD	829 SF
% OF FRONT YARD IMPERVIOUS HARDSCAPE / PAVING : 47%	



TORREY PINES KEY POLICY #3
Residential development shall reflect the diversity of existing homes in the community, and shall be in compliance with all development regulations. The community does not recommend or support, within single-family zoned areas, the construction of shared housing (also known as mini-dorms or Go-Homes). Proposed project meets this policy by providing a single dwelling unit that will be in conformance to the development regulations.

Torrey Pines Residential Goal #1
Single-family development incorporating a variety of architectural styles, colors and building materials. Proposed project will meet this goal by providing a new single dwelling unit that provides a different architectural style than the surrounding neighborhood.

Torrey Pines Residential Goal #3
New single-family homes that are similar in bulk and scale to existing homes within the immediate neighborhood. Bulk and scale is controlled by the base zone regulations, which the proposed single dwelling unit will be in compliance with and no deviations are proposed, meeting this goal.

Torrey Pines Residential Goal #4
Residential neighborhoods that are designed to protect the safety and security of its residents. The base zone regulations are enforced to ensure that surrounding properties are not negatively affected by proposed development, which the proposed development will meet this goal.

Torrey Pines Residential Policy #1
New residential developments shall be consistent with the design guidelines of this element. Along with the Urban Design guidelines and the base zone, proposed project will acknowledge this policy by conforming to both.

Torrey Pines Residential Policy #2
The construction of shared housing (also known as mini-dorms) within the Torrey Pines community planning area shall be discouraged. Proposed development acknowledges this policy by proposing a new single dwelling unit which is not to be used as a Rooming House.

Torrey Pines Residential Policy #3
Commercial development shall not be permitted within areas designated for residential development. The proposed development is a residential development and will acknowledge this policy by not proposing a commercial use.

Figure 13 of the Torrey Pines Community Plan identifies the land use as Low Density Residential (5-9 du/ac). Proposed project will not change the density of the area.

SITE NOTES

- REFER TO GRADING PLAN C03 FOR SPECIFIC DRAINAGE AND TOPOGRAPHIC INFORMATION.
- LOTS SHALL BE GRADED TO DRAIN SURFACE WATER AWAY FROM FOUNDATION WALLS. THE GRADE SHALL FALL A MINIMUM OF 6 INCHES WITHIN THE FIRST 10 FEET

DEVELOPMENT REGULATIONS RS1-7

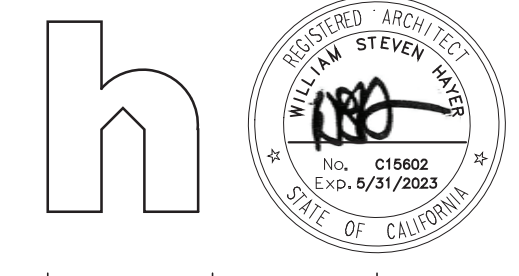
3.) ADDRESS IDENTIFICATION:
BUILDINGS SHALL HAVE APPROVED ADDRESS IDENTIFICATION THAT IS LEGIBLE & PLACED IN A POSITION THAT IS VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. ADDRESS IDENTIFICATION CHARACTERS SHALL CONTRAST W/ THEIR BACKGROUND. ADDRESS NUMBERS SHALL BE ARABIC NUMBERS OR ALPHABETICAL LETTERS. LETTERS SHALL NOT BE SPELLED OUT. EACH CHARACTER SHALL BE NOT LESS THAN 4 INCHES IN HEIGHT WITH A STROKE WIDTH OF NOT LESS THAN 1/8 INCH. WHERE ACCESS IS BY MEANS OF A PRIVATE ROAD AND THE BUILDING ADDRESS CANNOT BE VIEWED FROM THE PUBLIC WAY, A MONUMENT, POLE OR OTHER SIGN OR MEANS SHALL BE USED TO IDENTIFY THE STRUCTURE. ADDRESS IDENTIFICATION SHALL BE MAINTAINED. (R319.1 CRC)

AREA TABULATIONS

BUILDING AREAS	
MAIN LVL. Garage Mech Elev	582 SF
MAIN LVL. HABITABLE	2,168 SF
MAIN LVL. TOTAL	2,750 SF
UPPER FLR MECH ELEV	57 SF
UPPER FLR HABITABLE	1,555 SF
UPPER FLR TOTAL	1,612 SF
TOTAL HABITABLE	3,731 SF
TOTAL GROSS FLOOR AREA	4,362 SF
GROSS SITE AREA	
GROSS SITE AREA	7,663 SF
ALLOWABLE FLR AREA RATIO	4,362 SF (.57)
PROPOSED FLR AREA RATIO	4,362 SF (.57)
OUTDOOR AREAS	
DRIVEWAY	350 SF
MAIN LVL. ENTRY	302 SF
MAIN LEVEL LANAI	614 SF
MAIN LEVEL TERRACE	75 SF
2ND FLOOR DECK	252 SF
ROOF TERRACE	478 SF
LANDSCAPE AREA TABULATION	
LOT PERVIOUS AREA	3,274 SF (43% LANDSCAPE)
LOT IMPERVIOUS AREA	4,379 SF includes Bldg 1st Fl.

VICINITY MAP





+ project + + +

BARKER RESIDENCE

12785 VIA FELINO
DEL MAR, CA 92014
APN: 301-102-14

+ + + +

+ + + +

+ + + +

+ + + +

TITLE BLOCK

PREPARED BY:
HAYER ARCHITECTURE
445 MARINE VIEW AVE, STE. 280
DEL MAR, CA 92014
PHONE: (658) 792 2800

PROJECT:
BARKER RESIDENCE
12785 VIA FELINO
DEL MAR, CA 92014

ORIGINAL PREP. DATE: 06/07/2022

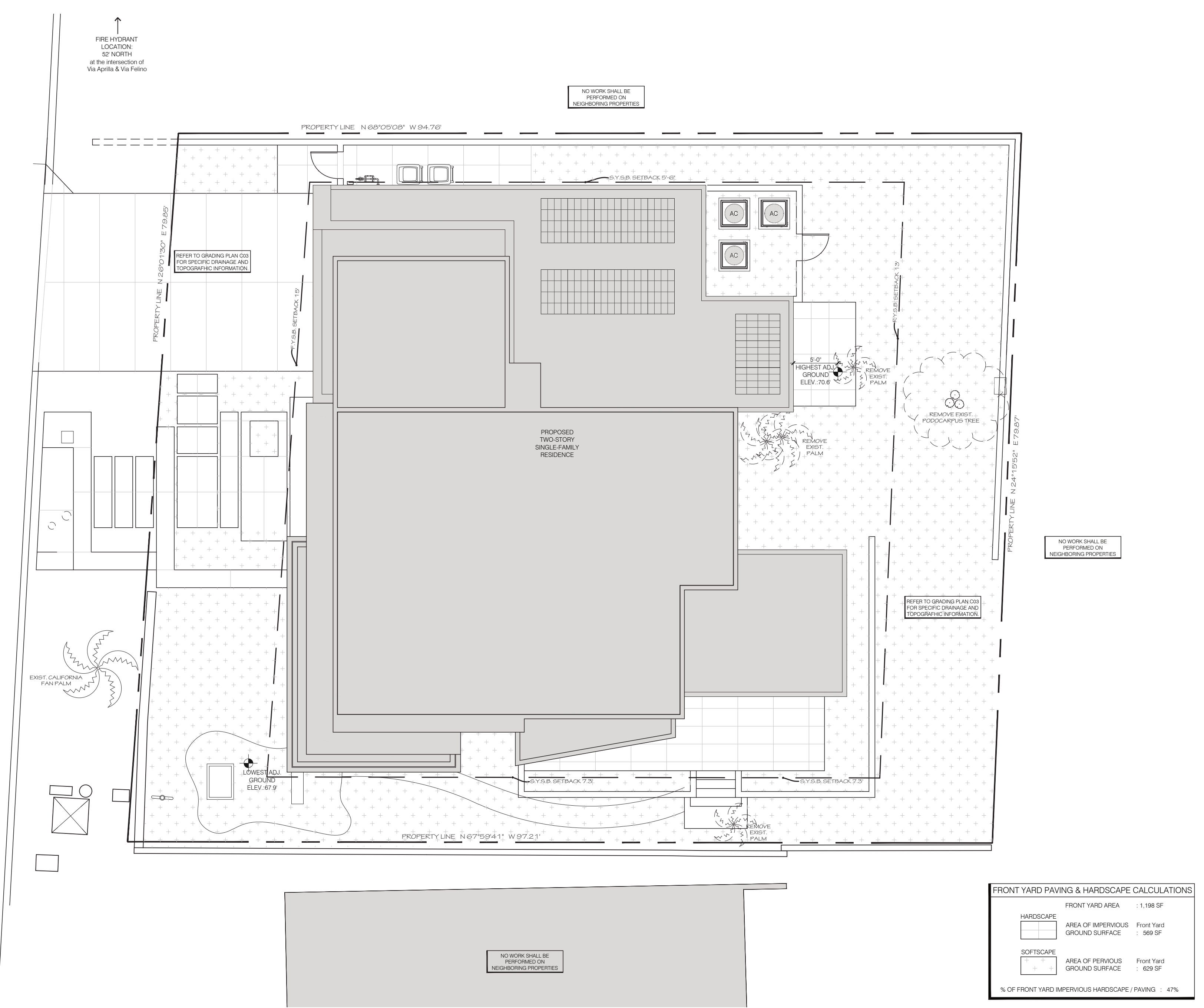
REVISION DATE:
REV 1: 12-05-22 ADDRESS CITY COMMENTS
: 3-13-23 ADDRESS CITY COMMENTS
: 3-23-23 TPCG COMMENTS

SHEET TITLE:
LANDSCAPE CALCULATION/DIAGRAM

SHEET NUMBER:

L1.1

SHEET COUNT: 5 OF 15



KEY	
	AREA OF PERVIOUS GROUND SURFACE LANDSCAPE : 3,274 SF
	AREA OF IMPERVIOUS GROUND SURFACE HARDSCAPE : 1,629 SF
	AREA OF IMPERVIOUS GROUND SURFACE BUILDING FOOTPRINT : 2,750 SF

LANDSCAPE DATA	
LOT AREA	: 7,653 SF
LANDSCAPE AREA PROVIDED	: 3,274 SF
LANDSCAPE % PROVIDED	: 43%
HARDSCAPE PROVIDED	: 1,629 SF
HARDSCAPE % PROVIDED	: 21%
BUILDING FOOTPRINT	: 2,750 SF
% OF LOT	: 36%

BARKER TOPOGRAPHIC PLAT

12785 VIA FELINO, SAN DIEGO, CA

LEGAL DESCRIPTION:

LOT 21 & 22 IN BLOCK 8 OF DEL MAR TERRACE, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1527, FILED IN THE OFFICE OF THE SAN DIEGO COUNTY RECORDER ON FEBRUARY 5, 1913.

SITE ADDRESS:

12785 VIA FELINO
DEL MAR, CA 92014

ASSESSORS PARCEL NUMBER:

301-102-14

GROSS LOT ACREAGE:

7,653 S.F. / 0.176 ACRES

BENCHMARK:

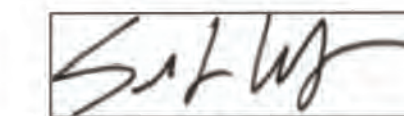
THE BENCHMARK USED FOR THE PURPOSES OF THIS PLAT IS A CITY OF SAN DIEGO BENCHMARK, BEING A BRASS PLUG IN THE TOP OF CURB LOCATED AT THE SOUTHEAST CORNER OF PORTOFINO DRIVE & PORTOFINO CIRCLE. ELEV: 165.453' DATUM: MSL, NGVD29 RECORD FROM: CITY OF S.D. VERTICAL CONTROL

SURVEYOR'S EASEMENT & UTILITY NOTES:

NO TITLE REPORT WAS SUPPLIED OR REVIEWED AT TIME OF SURVEY, EASEMENTS AND/OR MAY BE IN PLACE AND AFFECT THE SUBJECT PROPERTY. CLEANOUTS & ABOVE-GROUND UTILITIES OBSERVED ON SITE ARE PLOTTED HEREON, UNDERGROUND ROUTES & DEPTHS OF UTILITY LINES ARE UNKNOWN. ACTUAL LOCATIONS OF LINES SHOULD BE LOCATED BY UNDERGROUND UTILITY MARK-OUT CONTRACTORS BEFORE ANY FINAL DESIGN OR CONSTRUCTION.

DATE OF SURVEY:

THIS SURVEY WAS PERFORMED BY ME ON 3-22-2022.



6-6-2022

STEVEN L. WOODS, REGISTERED LAND SURVEYOR
STATE OF CALIFORNIA LICENSE NO. 6427
LICENSE EXPIRATION DATE: 12/31/2022



TITLE BLOCK

PROJECT:
BARKER RESIDENCE
12785 VIA FELINO
DEL MAR, CA 92014

ORIGINAL PREP. DATE: 06/07/2022

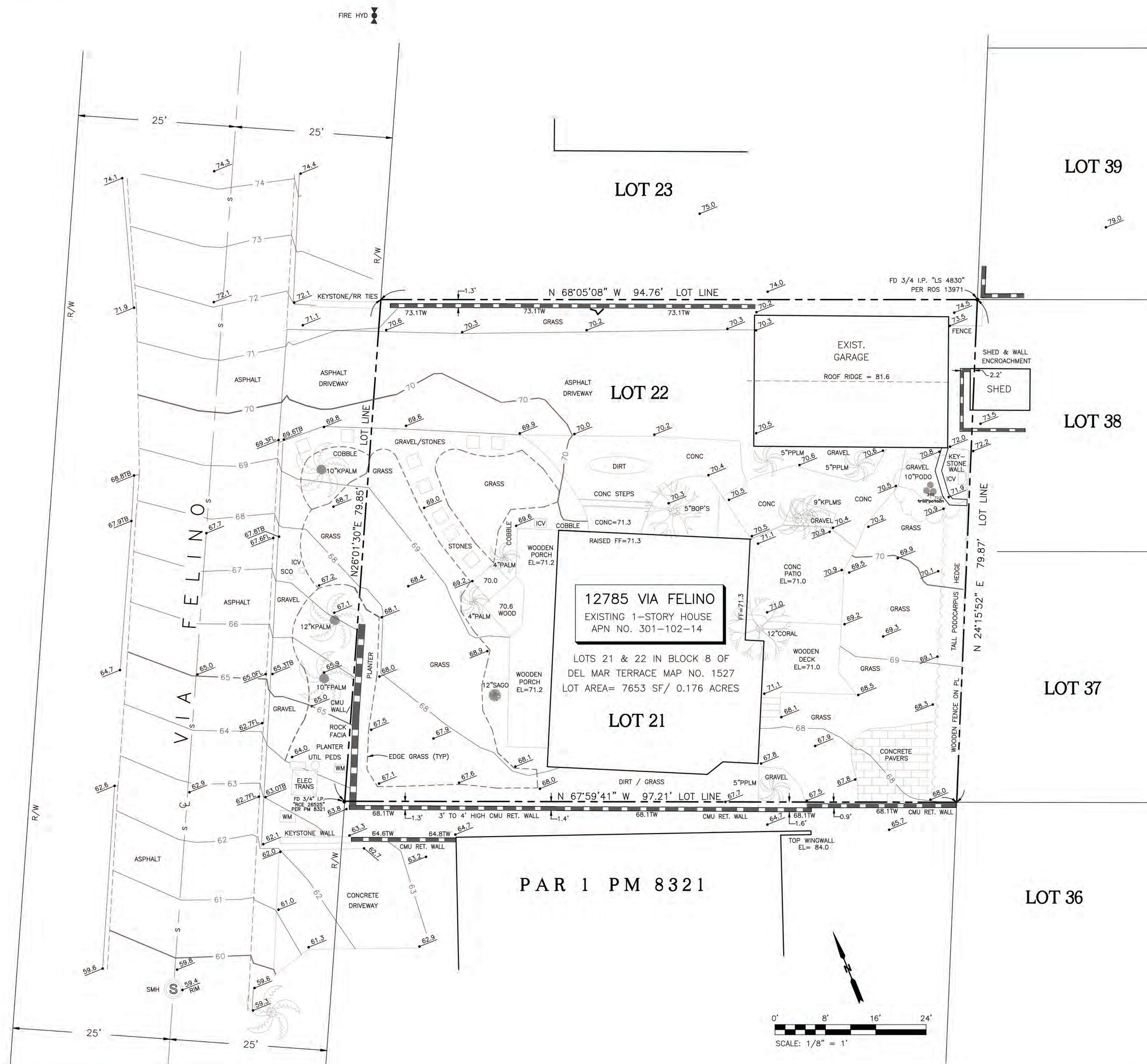
REVISION DATE:

SHEET TITLE:
TOPOGRAPHIC PLAT

SHEET NUMBER:

C01

SHEET COUNT: 2 OF 15



PAR 1 PM 8321

12785 VIA FELINO
EXISTING 1-STORY HOUSE
APN NO. 301-102-14

LOTS 21 & 22 IN BLOCK 8 OF
DEL MAR TERRACE MAP NO. 1527
LOT AREA= 7653 SF/ 0.176 ACRES

LOT 21

LOT 22

LOT 23

LOT 39

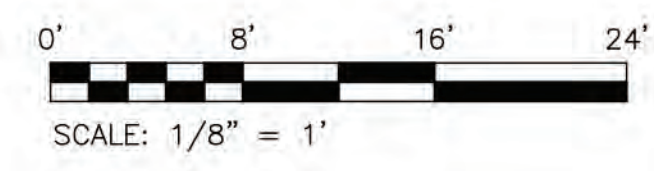
LOT 38

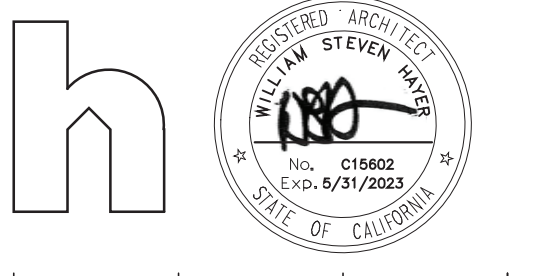
LOT 37

LOT 36

VIA FELINO

SMH





+ consultant +

+ project +

**BARKER
RESIDENCE**

12785 VIA FELINO
DEL MAR, CA 92014
APN: 301-102-14

+ + + +

+ + + +

+ + + +

+ + + +

TITLE BLOCK

PREPARED BY:
HAYER ARCHITECTURE
445 MARINE VIEW AVE, STE. 280
DEL MAR, CA 92014
PHONE: (858) 792 2800

PROJECT:
BARKER RESIDENCE
12785 VIA FELINO
DEL MAR, CA 92014

ORIGINAL PREP. DATE: 06/07/2022

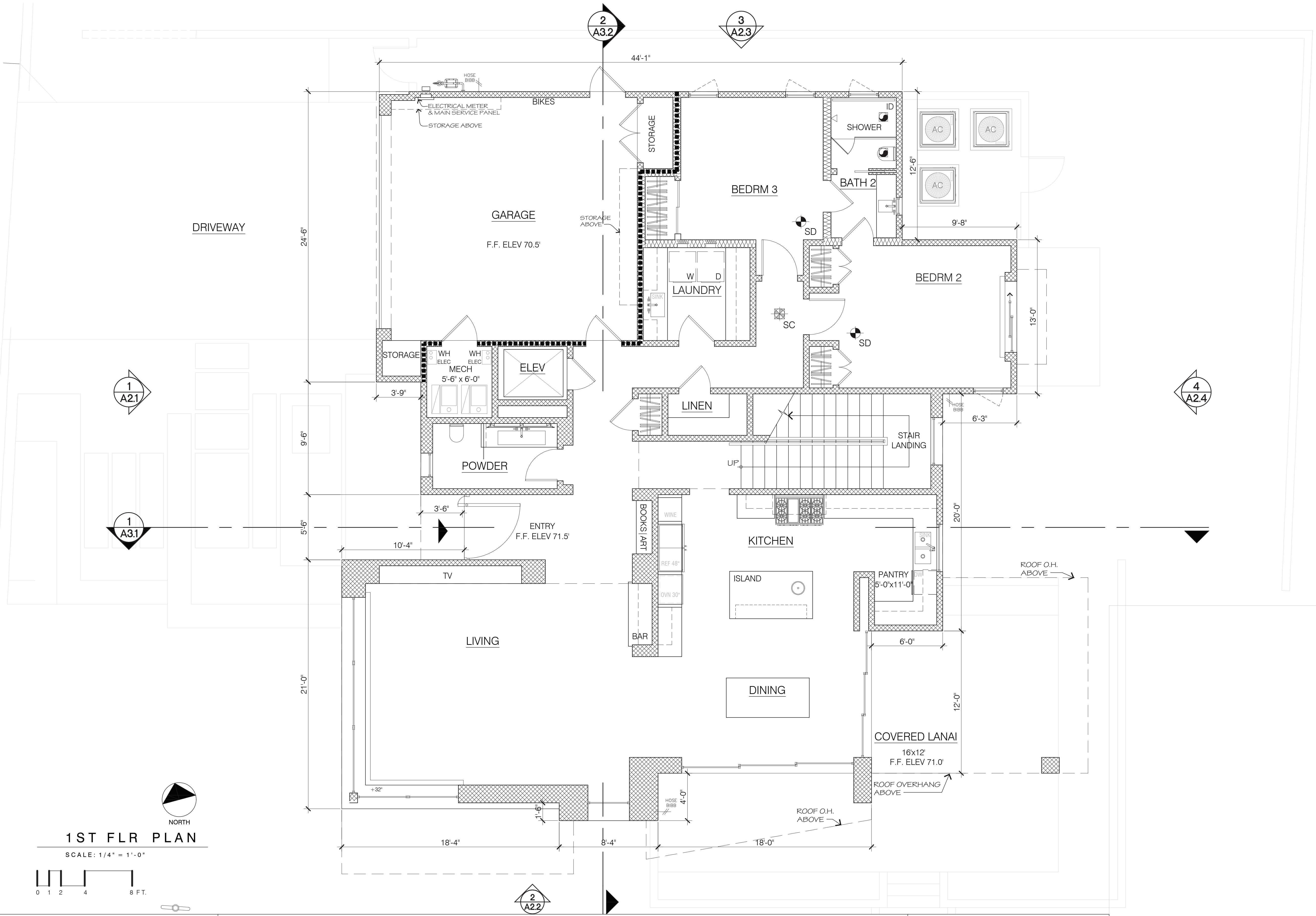
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REV 1: 12-05-22 ADDRESS CITY COMMENTS
: 3-13-23 ADDRESS CITY COMMENTS
: 3-23-23 TPCG COMMENTS

SHEET TITLE:
**FIRST FLOOR PLAN
- DIMENSIONS**

SHEET NUMBER:

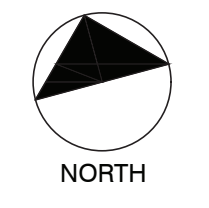
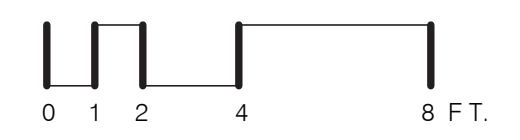
A1.3

SHEET COUNT: 6 OF 15



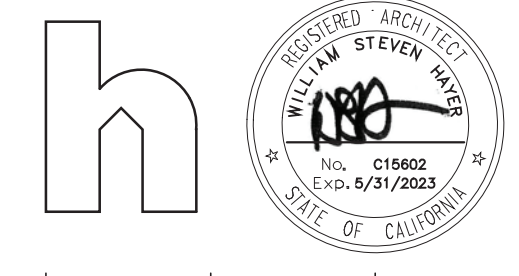
1ST FLR PLAN

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



KEY	
	INDICATES TOP OF FINISH FLOOR MATERIAL SURFACE. CONTRACTOR SHALL VERIFY TOP OF STRUCTURAL SLAB (BELOW).
	2x6 WD STUDS @ 16" O.C.
	FIRE RATED AREA SEPARATION WALL PER CRC SECTION R302.5 & R302.6
	SOUND WALL
	STONE VENEER
	ROOF OR DECK DRAIN & OVERFLOW
	R.D. & O.F. FROM ABOVE
	GAS OUTLET
	HOSE BIB
	SHOWER DRAIN - "INFINITY" OR EQUAL W/ STONE INSERT
	DOOR NUMBER
	WINDOW NUMBER
	COMBO CARBON MONOXIDE / SMOKE ALARM
	EXHAUST FAN / PER MECHANICAL DWGS.
	BUILDING ELEVATION REFERENCE
	BUILDING SECTION REFERENCE
	WALL SECTION REFERENCE
	DETAIL REFERENCE

PLAN NOTES	
1. FINISH FLOOR HEIGHT INDICATES TOP OF FINISH FLOOR MATERIAL. CONTRACTOR SHALL VERIFY TOP OF STRUCTURAL SLAB FOR SURFACES INDICATED BY ARCHITECT AND /OR INTERIOR DESIGNER PRIOR TO START OF CONSTRUCTION.	8. PAPER FACED INSULATION IS NOT PERMITTED IN ATTICS OR OTHER VENTILATED SPACES.
2. MAIN LVL FINISH FLR ELEVATION IS INDICATED ON THIS DRAWING AS: 71.5'	9. THE PROPERTY IS SERVICED BY NATURAL GAS.
3. THE INSPECTOR WILL RE-CHECK FOR EXPANSIVE SOILS AND/OR GRADING REQUIREMENTS AT THE FIRST FOUNDATION INSPECTION.	10. ALL GRADE AND FLATWORK SURFACES SHALL SLOPE AWAY FROM BUILDING AT MINIMUM 1/4" PER FOOT.
4. THE PROJECT WILL COMPLY WITH LOCAL LIGHTING ORDINANCES.	11. ALL SMOKE AND CARBON MONOXIDE DETECTORS ARE LOCATED ON REFLECTED CEILING PLANS.
5. WATER HEATERS: ELECTRIC TANKLESS WH PER PLUMBING DRAWINGS	12. BATHTUB AND SHOWER FLOORS AND WALLS ABOVE BATHTUBS WITH INSTALLED SHOWER HEADS AND IN SHOWER COMPARTMENTS SHALL BE FINISHED WITH A NONABSORBENT SURFACE. SUCH WALL SURFACES SHALL EXTEND TO A HEIGHT OF NOT LESS THAN 6 FEET ABOVE THE FLOOR. (CRC 307.2).
6. FIRE PLACES WITH GAS APPLIANCES ARE REQUIRED TO HAVE THE FLUE DAMPER PERMANENTLY FIXED IN THE OPEN POSITION AND FIREPLACES WITH LPG APPLIANCES ARE TO HAVE NO "PIT" OR "SUMP" CONFIGURATIONS.	13. PERMANENTLY WIRED 120-VOLT SMOKE DETECTORS AND CARBON MONOXIDE DETECTORS WITH BATTERY BACKUP SHALL BE PROVIDED: a. IN EACH SLEEPING ROOM. b. OUTSIDE EACH SLEEPING AREA, IN THE IMMEDIATE VICINITY OF THE BEDROOMS. c. ON EACH ADDITIONAL STORY OF THE DWELLING, INCLUDING BASEMENTS AND HABITABLE ATTICS, BUT NOT INCLUDING CRAWL SPACES AND UNINHABITABLE ATTICS. d. AT ADDITIONAL LOCATIONS AS INDICATED ON PLANS
7. ALL WATER CLOSETS IN THIS BUILDING TO BE STATE OF CALIFORNIA, DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT APPROVED W/ MAXIMUM 1.28 gallons PER FLUSH.	14. BATHROOMS SHALL BE PROVIDED WITH 50 CFM INTERMITTENT VENTILATION EXHAUSTED DIRECTLY TO THE OUTSIDE (R303.3)
	15. ALL GLASS SHOWER ENCLOSURES SHALL BE SAFETY GLAZING



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

NUMBERED NOTES			
1	EXTERIOR PLASTER WALLS: "ENERGY" 3-COAT STUCCO FINISH OVER CORROSION RESISTANT LATH, 7/8" MIN. THICKNESS. FINE SAND TEXTURE. COLOR PER ARCHITECT - PROVIDE MOCK SAMPLES	5	FLAT ROOF CANOPY W/ INSET GUTTER: CUSTOM SHAPED 1/8" SHEET METAL FASCIA / CAP. KYNAR FINISH, DARK BRONZE (MATCH WINDOWS) NO FASTNERS TO BE VISIBLE
2	EXTERIOR WALL CLADDING: EXTRUDED COMPOSITE WOOD SIDING NEWTECHWOOD ULTRASHEILD OR EQUAL COLOR TBD FINISH TBD PROVIDE SAMPLES FOR APPROVAL	6	EXTERIOR EXTRUDED ALUMINUM SLATS: 4"x1/2" ALUMINUM SLATS WITH NO REVEALS WRAPPED WITH NON-PVC FILM. FINISH: TBD "FORTINA" ARCHITECTURAL SYSTEM OR EQUAL PROVIDE MOCK-UP SAMPLES FOR APPROVAL
3	EXTERIOR ALUMINUM CLADDING: CUSTOM SHAPED 1/8" SHEET METAL KYNAR FINISH, DARK BRONZE (MATCH WINDOWS) NO FASTNERS TO BE VISIBLE	7	GARAGE DOORS: CUSTOM SECTIONAL DOORS PER DOOR SCHEDULE
4	EXTERIOR STONE CLAD WALLS: LIMESTONE ADHERED 24"x48" MODULE W/ 3" CAP MANUF. OLLIN OR APPROVED EQUAL FINISH: HONED COLOR: MOCHA CREME PROVIDE MOCK-UP SAMPLE FOR APPROVAL	8	DOORS: CUSTOM UNITS PER DOOR SCHEDULE
		9	WINDOWS: CUSTOM ALUMINUM UNITS PER SCHEDULE
		10	NOT USED.
		11	FLAT ROOF: CLASS A ASSEMBLY THERMOPLASTIC POLYOLEFIN (TPO) ROOFING MEMBRANE, ULTRAPLY TPO #3 BY FIRESTONE OR APPROVED EQUAL. ICC ESR-2831. COLOR GRAY. INSTALL PER MANUFACTURER INSTRUCTIONS.
		12	VENTS & FLUES: ALL VENTS & FLUES FROM FAU, WATER HEATERS, WASTE VENTS, ETC. ARE TO BE CONCEALED BEHIND PARAPETS OR SHROUDS
		13	SITE WALL: C.M.U. WALL W/ PLASTER FINISH
		14	GATES: CUSTOM UNITS. REFER TO LANDSCAPE SET. ALL SHOP DRAWINGS, DETAILS, COLOR AND FINISH TO BE REVIEWED BY ARCHITECT PRIOR TO FABRICATION
		15	WATER RESISTIVE BARRIER (WALLS): ONE LAYER OF NO. 15 ASPHALT FELT, COMPLYING W/ ASTM D226 FOR TYPE 1 FELT OR OTHER APPROVED WATER-RESISTIVE BARRIER SHALL BE APPLIED OVER ALL EXTERIOR WALLS. SUCH MATERIAL SHALL BE APPLIED HORIZONTALLY, W/ THE UPPER LAYER LAPPED OVER THE LOWER LAYER NOT LESS THAN 2 INCHES. WHERE JOINTS OCCUR, FELT SHALL BE LAPPED NOT LESS THAN 6 INCHES. OTHER APPROVED MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE WATER-RESISTIVE BARRIER MANUFACTURER'S INSTALLATION INSTRUCTIONS. WHERE APPLIED OVER WOOD-BASED SHEATHING, SHALL INCLUDE A WATER-RESISTIVE, VAPOR-PERMEABLE BARRIER WITH A PERFORMANCE AT LEAST EQUIVALENT TO TWO LAYERS OF GRADE D PAPER.
		16	ROOF DECK SURFACING STONE PAVERS SET OVER ADJUSTABLE HEIGHT PEDESTAL SYSTEM AS MANUFACTURED BY: BISON PRODUCT NAME: VERADJUST OVER "GAP" MEMBRANE ROOFING (SEE ROOF PLAN NOTE #2)
		17	BUILDING HEIGHT MEASUREMENT: MAX BUILDING HEIGHT PLANE PER CITY OF SAN DIEGO MUNICIPAL CODE AND COASTAL HEIGHT LIMIT REQUIREMENTS.
		18	HANDRAIL: CUSTOM HANDRAIL. ALL SHOP DRAWINGS, DETAILS, COLOR AND FINISH TO BE REVIEWED BY ARCHITECT PRIOR TO FABRICATION
		19	TEMPERED GLASS GUARD RAIL: CUSTOM GLASS RAIL. ALL SHOP DRAWINGS, DETAILS, COLOR TO BE REVIEWED BY ARCHITECT PRIOR TO FABRICATION
		20	ADDRESS IDENTIFICATION: BUILDINGS SHALL HAVE APPROVED ADDRESS IDENTIFICATION THAT IS LEGIBLE AND PLACED IN A POSITION THAT IS VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. ADDRESS IDENTIFICATION CHARACTERS SHALL CONTRAST WITH THEIR BACKGROUND. ADDRESS NUMBERS SHALL BE ARABIC NUMBERS OR ALPHABETICAL LETTERS. LETTERS SHALL NOT BE SPELLED OUT. EACH CHARACTER SHALL BE NOT LESS THAN 4 INCHES IN HEIGHT WITH A STROKE WIDTH OF NOT LESS THAN 1/8 INCH. WHERE ACCESS IS BY MEANS OF A PRIVATE ROAD AND THE BUILDING ADDRESS CANNOT BE VIEWED FROM THE PUBLIC WAY, A MONUMENT, POLE OR OTHER SIGN OR MEANS SHALL BE USED TO IDENTIFY THE STRUCTURE. ADDRESS IDENTIFICATION SHALL BE MAINTAINED.

TITLE BLOCK

PREPARED BY:
HAYER ARCHITECTURE
445 MARINE VIEW AVE, STE. 280
DEL MAR, CA 92014
PHONE: (858) 792 2800

PROJECT:
BARKER RESIDENCE
12785 VIA FELINO
DEL MAR, CA 92014

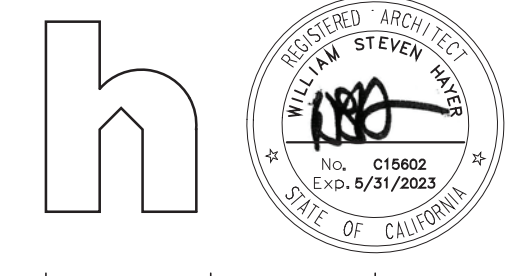
ORIGINAL PREP. DATE: 06/07/2022

REVISION DATE:
REV 1: 12-05-22 ADDRESS CITY COMMENTS
: 3-13-23 ADDRESS CITY COMMENTS
: 3-23-23 TPOCG COMMENTS

SHEET TITLE:
EXTERIOR BUILDING ELEVATIONS

SHEET NUMBER:

A2.1



+ consultant +

+ project +

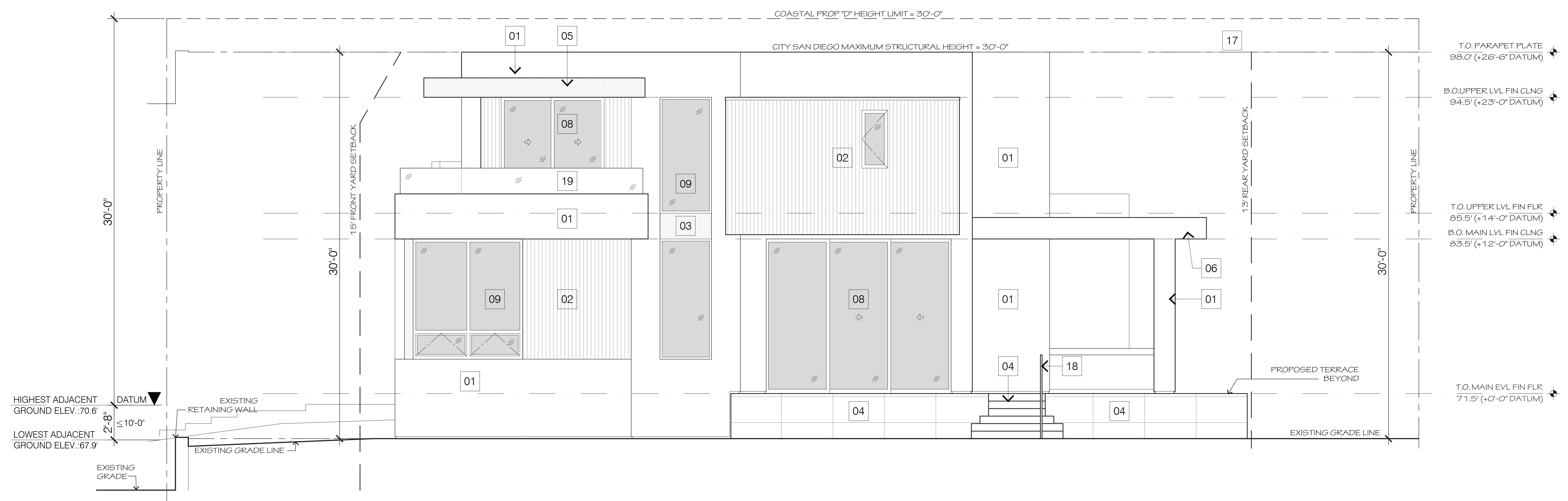
**BARKER
RESIDENCE**
12785 VIA FELINO
DEL MAR, CA 92014
APN: 301-102-14

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+ + + +

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+ + + +



BUILDING ELEVATION - SOUTH - SIDE **2**
0 1 2 5 10 FT. SCALE: 1/4" = 1'-0"

TITLE BLOCK

PREPARED BY:
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DEL MAR, CA 92014
PHONE: (858) 792 2800

PROJECT:
BARKER RESIDENCE
12785 VIA FELINO
DEL MAR, CA 92014

ORIGINAL PREP. DATE: 06/07/2022

REVISION DATE:
REV 1: 12-05-22 ADDRESS CITY COMMENTS
: 3-13-23 ADDRESS CITY COMMENTS
: 3-23-23 TPOG COMMENTS

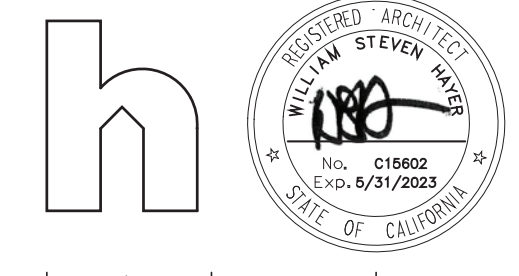
SHEET TITLE:
EXTERIOR BUILDING ELEVATIONS

SHEET NUMBER:

A2.2

SHEET COUNT: 10 OF 15

NUMBERED NOTES			
1	EXTERIOR PLASTER WALLS: "ENERGY" 3-COAT STUCCO FINISH OVER CORROSION RESISTANT LATH, 7/8" MIN. THICKNESS. FINE SAND TEXTURE. COLOR PER ARCHITECT - PROVIDE MOCK SAMPLES	5	FLAT ROOF CANOPY W/ INSET GUTTER: CUSTOM SHAPED 1/8" SHEET METAL FASCIA / CAP. KYNAR FINISH, DARK BRONZE (MATCH WINDOWS) NO FASTENERS TO BE VISIBLE
2	EXTERIOR WALL CLADDING: EXTRUDED COMPOSITE WOOD SIDING NEWTECHWOOD ULTRASHEILD OR EQUAL COLOR: TBD FINISH: TBD PROVIDE SAMPLES FOR APPROVAL	6	EXTERIOR EXTRUDED ALUMINUM SLATS: 4"x1/2" ALUMINUM SLATS WITH NO REVEALS WRAPPED WITH NON-PVC FILM. - FINISH: TBD "FORTINA" ARCHITECTURAL SYSTEM OR EQUAL PROVIDE MOCK-UP SAMPLES FOR APPROVAL
3	EXTERIOR ALUMINUM CLADDING: CUSTOM SHAPED 1/8" SHEET METAL KYNAR FINISH, DARK BRONZE (MATCH WINDOWS) NO FASTENERS TO BE VISIBLE	7	GARAGE DOORS: CUSTOM SECTIONAL DOORS PER DOOR SCHEDULE
4	EXTERIOR STONE CLAD WALLS: LIMESTONE ADHERED 24"x48" MODULE W/ 3" CAP MANUF. OLLIN OR APPROVED EQUAL FINISH: HONED COLOR: MOCHA CREME PROVIDE MOCK-UP SAMPLE FOR APPROVAL	8	DOORS: CUSTOM UNITS PER DOOR SCHEDULE
		9	WINDOWS: CUSTOM ALUMINUM UNITS PER SCHEDULE
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		11	FLAT ROOF, CLASS A ASSEMBLY THERMOPLASTIC POLYOLEFIN (TPO) ROOFING MEMBRANE, ULTRAPLY TPO #3 BY FIRESTONE OR APPROVED EQUAL, ICC ESR-2831, COLOR GRAY. INSTALL PER MANUFACTURER INSTRUCTIONS.
		12	VENTS & FLUES: ALL VENTS & FLUES FROM FAU, WATER HEATERS, WASTE VENTS, ETC. ARE TO BE CONCEALED BEHIND PARAPETS OR SHROUDS
		13	SITE WALL: C.M.U. WALL W/ PLASTER FINISH
		14	GATES: CUSTOM UNITS. REFER TO LANDSCAPE SET, ALL SHOP DRAWINGS, DETAILS, COLOR AND FINISH TO BE REVIEWED BY ARCHITECT PRIOR TO FABRICATION
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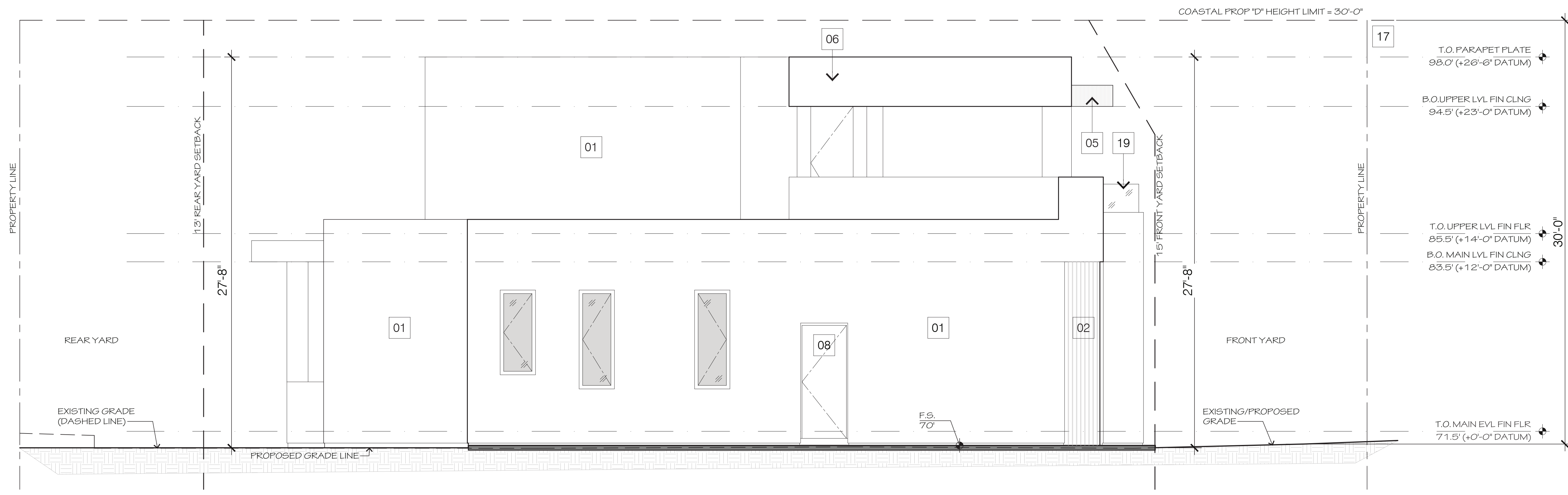
+ consultant +

+ project +

**BARKER
RESIDENCE**

12785 VIA FELINO
DEL MAR, CA 92014
APN: 301-102-14

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+ + + +
+ + + +



0 1 2 5 10 FT. SCALE: 1/4" = 1'-0" **BUILDING ELEVATION - NORTH - SIDE** 3

TITLE BLOCK

PREPARED BY:
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445 MARINE VIEW AVE, STE. 280
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PHONE: (658) 792 2800

PROJECT:
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12785 VIA FELINO
DEL MAR, CA 92014

ORIGINAL PREP. DATE : 06/07/2022

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REV 1: 12-05-22 ADDRESS CITY COMMENTS
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: 3-23-23 TPCG COMMENTS

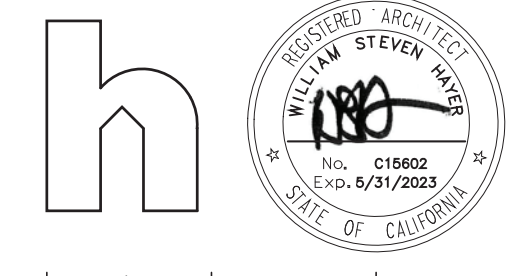
SHEET TITLE :
EXTERIOR BUILDING ELEVATIONS

SHEET NUMBER :

A2.3

SHEET COUNT : 11 OF 15

NUMBERED NOTES			
1	EXTERIOR PLASTER WALLS: "ENERGY" 3-COAT STUCCO FINISH OVER CORROSION RESISTANT LATH, 7/8" MIN. THICKNESS. FINE SAND TEXTURE. COLOR PER ARCHITECT - PROVIDE MOCK SAMPLES	5	FLAT ROOF CANOPY W/ INSET GUTTER: CUSTOM SHAPED 1/8" SHEET METAL FASCIA / CAP. KYNAR FINISH, DARK BRONZE (MATCH WINDOWS) NO FASTNERS TO BE VISIBLE
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consultant

project

BARKER RESIDENCE

12785 VIA FELINO
DEL MAR, CA 92014
APN: 301-102-14

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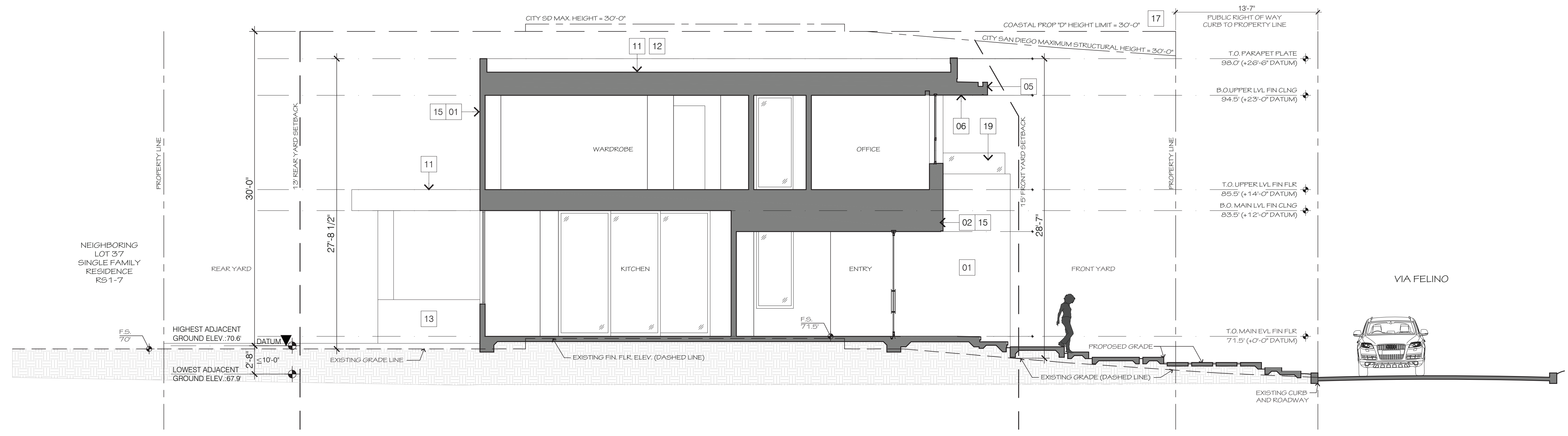
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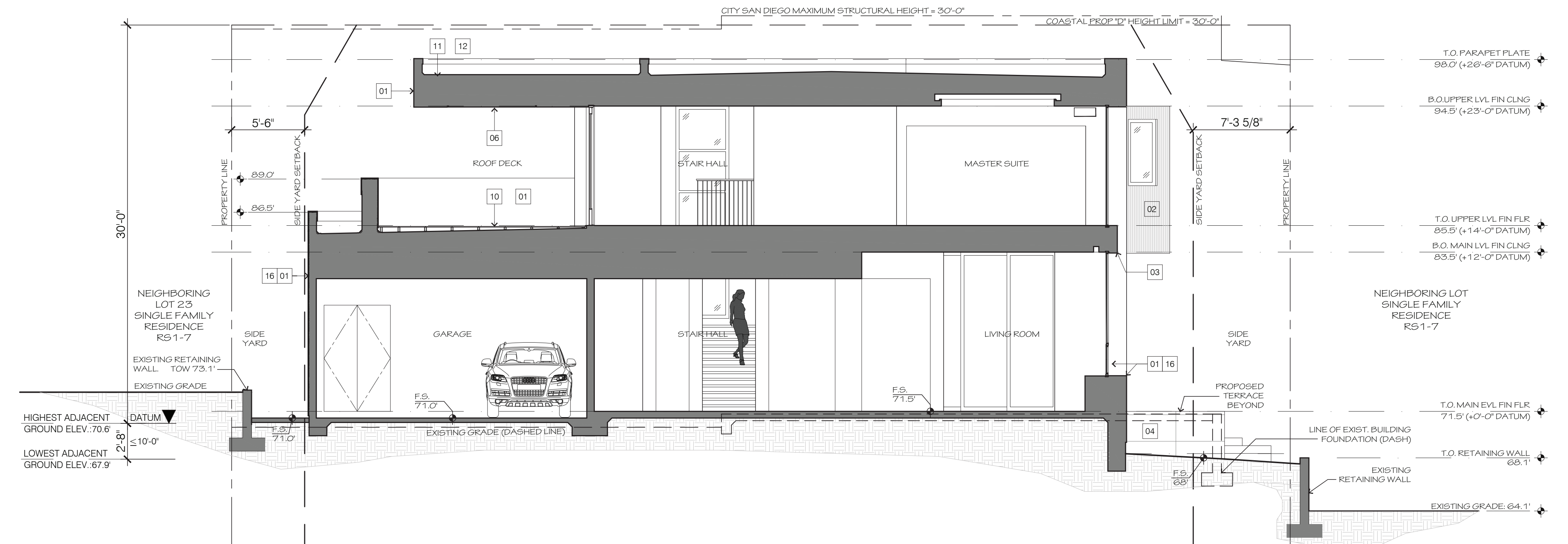
A3.0

SHEET COUNT: 13 OF 15



BUILDING SITE SECTION 1
0 1 2 5 10 FT. SCALE: 3/16" = 1'-0"

1



BUILDING SITE SECTION 2
0 1 2 5 10 FT. SCALE: 3/16" = 1'-0"

2

NUMBERED NOTES			
1	EXTERIOR PLASTER WALLS: "ENERGY" 3-COAT STUCCO FINISH OVER CORROSION RESISTANT LATH, 7/8" MIN. THICKNESS. FINE SAND TEXTURE. COLOR PER ARCHITECT - PROVIDE MOCK SAMPLES	5	FLAT ROOF CANOPY W/ INSET GUTTER: CUSTOM SHAPED 1/8" SHEET METAL FASCIA / CAP. KYNAR FINISH. DARK BRONZE (MATCH WINDOWS) NO FASTNERS TO BE VISIBLE
2	EXTERIOR WALL CLADDING: EXTRUDED COMPOSITE WOOD SIDING NEWTECHWOOD ULTRASHEILD OR EQUAL. COLOR: TBD - FINISH: TBD. PROVIDE SAMPLES FOR APPROVAL	6	EXTERIOR EXTRUDED ALUMINUM SLATS: 4"x1/2" ALUMINUM SLATS WITH NO REVEALS WRAPPED WITH NON-PVC FILM. - FINISH: TBD "FORTINA" ARCHITECTURAL SYSTEM OR EQUAL. PROVIDE MOCK-UP SAMPLES FOR APPROVAL
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TITLE BLOCK

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DEL MAR, CA 92014
PHONE: (658) 792 2800

PROJECT:
BARKER RESIDENCE
12785 VIA FELINO
DEL MAR, CA 92014

ORIGINAL PREP. DATE: 06/07/2022

REVISION DATE:
REV 1: 12-05-22 ADDRESS CITY COMMENTS
3-13-23 ADDRESS CITY COMMENTS
3-23-23 TPCG COMMENTS

SHEET TITLE:
SITE SECTIONS

SHEET NUMBER:

A3.0

SHEET COUNT: 13 OF 15



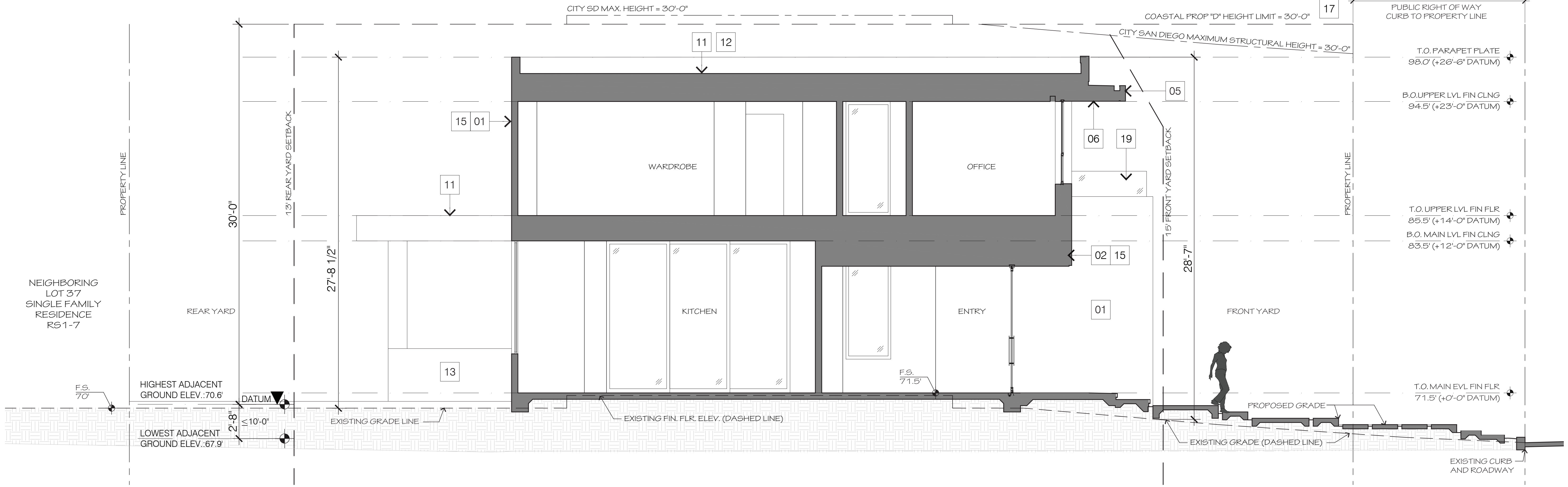
+ consultant +

+ project +

BARKER RESIDENCE

12785 VIA FELINO
DEL MAR, CA 92014
APN: 301-102-14

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BUILDING SECTION 1
0 1 2 5 10 FT. SCALE: 1/4" = 1'-0"

TITLE BLOCK

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: 3-13-23 ADDRESS CITY COMMENTS
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SHEET TITLE:
BUILDING SECTIONS

SHEET NUMBER:

A3.1

SHEET COUNT: 14 OF 15

NUMBERED NOTES			
1	EXTERIOR PLASTER WALLS: "ENERGY" 3-COAT STUCCO FINISH OVER CORROSION RESISTANT LATH, 7/8" MIN. THICKNESS. FINE SAND TEXTURE. COLOR PER ARCHITECT - PROVIDE MOCK SAMPLES	5	FLAT ROOF CANOPY W/ INSET GUTTER: CUSTOM SHAPED 1/8" SHEET METAL FASCIA / CAP. KYNAR FINISH. DARK BRONZE (MATCH WINDOWS) NO FASTNERS TO BE VISIBLE
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14	GATES: CUSTOM UNITS. REFER TO LANDSCAPE SET. ALL SHOP DRAWINGS, DETAILS, COLOR AND FINISH TO BE REVIEWED BY ARCHITECT PRIOR TO FABRICATION	16	ROOF DECK SURFACING: STONE PAVERS SET OVER ADJUSTABLE HEIGHT PEDESTAL SYSTEM AS MANUFACTURED BY: BISON PRODUCT NAME: VERADJUST OVER "GAP" MEMBRANE ROOFING (SEE ROOF PLAN NOTE #2)
		17	BUILDING HEIGHT MEASUREMENT: MAX BUILDING HEIGHT PLANE PER CITY OF SAN DIEGO MUNICIPAL CODE AND COASTAL HEIGHT LIMIT REQUIREMENTS.
		18	HANDRAIL: CUSTOM HANDRAIL. ALL SHOP DRAWINGS, DETAILS, COLOR AND FINISH TO BE REVIEWED BY ARCHITECT PRIOR TO FABRICATION
		19	TEMPERED GLASS GUARD RAIL: CUSTOM GLASS RAIL. ALL SHOP DRAWINGS, DETAILS, COLOR TO BE REVIEWED BY ARCHITECT PRIOR TO FABRICATION
		20	ADDRESS IDENTIFICATION: BUILDINGS SHALL HAVE APPROVED ADDRESS IDENTIFICATION THAT IS LEGIBLE AND PLACED IN A POSITION THAT IS VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. ADDRESS IDENTIFICATION CHARACTERS SHALL CONTRAST WITH THEIR BACKGROUND. ADDRESS NUMBERS SHALL BE ARABIC NUMBERS OR ALPHABETICAL LETTERS. LETTERS SHALL NOT BE SPELLED OUT. EACH CHARACTER SHALL BE NOT LESS THAN 4 INCHES IN HEIGHT WITH A STROKE WIDTH OF NOT LESS THAN 1/4 INCH. WHERE ACCESS IS BY MEANS OF A PRIVATE ROAD AND THE BUILDING ADDRESS CANNOT BE VIEWED FROM THE PUBLIC WAY, A MONUMENT, POLE OR OTHER SIGN OR MEANS SHALL BE USED TO IDENTIFY THE STRUCTURE. ADDRESS IDENTIFICATION SHALL BE MAINTAINED.



+ consultant +

+ project +

BARKER RESIDENCE
12785 VIA FELINO
DEL MAR, CA 92014
APN: 301-102-14

+ + + +

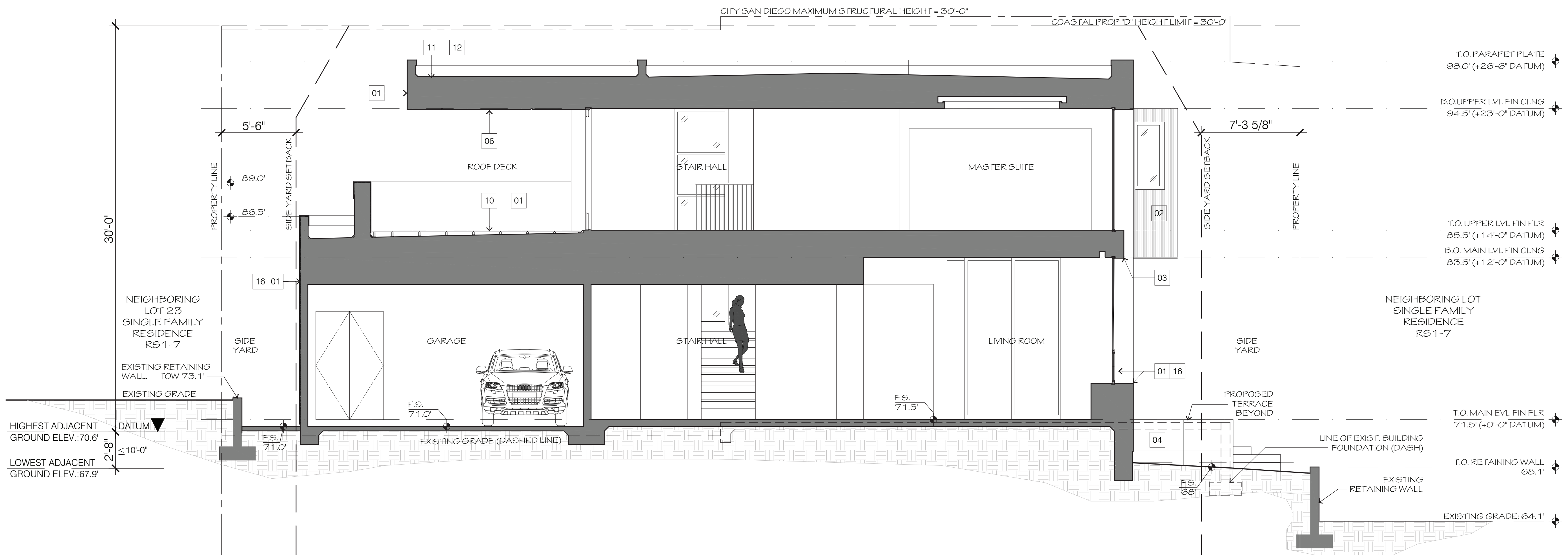
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BUILDING SECTION
0 1 2 5 10 FT. SCALE: 1/4" = 1'-0"
2

TITLE BLOCK

PREPARED BY:
HAYER ARCHITECTURE
445 MARINE VIEW AVE, STE. 280
DEL MAR, CA 92014
PHONE: (658) 792 2800

PROJECT:
BARKER RESIDENCE
12785 VIA FELINO
DEL MAR, CA 92014

ORIGINAL PREP. DATE: 06/07/2022

REVISION DATE:
REV 1: 12-05-22 ADDRESS CITY COMMENTS
: 3-13-23 ADDRESS CITY COMMENTS
: 3-23-23 TPCG COMMENTS

SHEET TITLE:
BUILDING SECTIONS

SHEET NUMBER:

A3.2

SHEET COUNT: 15 OF 15

NUMBERED NOTES			
1	EXTERIOR PLASTER WALLS: "ENERGY" 3-COAT STUCCO FINISH OVER CORROSION RESISTANT LATH, 7/8" MIN. THICKNESS. FINE SAND TEXTURE. COLOR PER ARCHITECT - PROVIDE MOCK SAMPLES	5	FLAT ROOF CANOPY W/ INSET GUTTER: CUSTOM SHAPED 1/8" SHEET METAL FASCIA / CAP. KYNAR FINISH. DARK BRONZE (MATCH WINDOWS) NO FASTNERS TO BE VISIBLE
2	EXTERIOR WALL CLADDING: EXTRUDED COMPOSITE WOOD SIDING NEWTECHWOOD ULTRASHEILD OR EQUAL. COLOR: TBD FINISH: TBD PROVIDE SAMPLES FOR APPROVAL	6	EXTERIOR EXTRUDED ALUMINUM SLATS: 4"x1/2" ALUMINUM SLATS WITH NO REVEALS WRAPPED WITH NON-PVC FILM. - FINISH: TBD "FORTINA" ARCHITECTURAL SYSTEM OR EQUAL PROVIDE MOCK-UP SAMPLES FOR APPROVAL
3	EXTERIOR ALUMINUM CLADDING: CUSTOM SHAPED 1/8" SHEET METAL KYNAR FINISH. DARK BRONZE (MATCH WINDOWS) NO FASTNERS TO BE VISIBLE	7	GARAGE DOORS: CUSTOM SECTIONAL DOORS PER DOOR SCHEDULE
4	EXTERIOR STONE CLAD WALLS: LIMESTONE ADHERED 24"x48" MODULE W/ 3" CAP MANUF.: OLLIV OR APPROVED EQUAL FINISH: HONED COLOR: MOCHA CREME PROVIDE MOCK-UP SAMPLE FOR APPROVAL	8	DOORS: CUSTOM UNITS PER DOOR SCHEDULE
		9	WINDOWS: CUSTOM ALUMINUM UNITS PER SCHEDULE
		10	NOT USED.
		11	FLAT ROOF: CLASS A ASSEMBLY THERMOPLASTIC POLYOLEFIN (TPO) ROOFING MEMBRANE. ULTRAPLY TPO #3 BY FIRESTONE OR APPROVED EQUAL. ICC ESR-2831. COLOR GRAY. INSTALL PER MANUFACTURER INSTRUCTIONS.
		12	VENTS & FLUES: ALL VENTS & FLUES FROM FAU, WATER HEATERS, WASTE VENTS, ETC. ARE TO BE CONCEALED BEHIND PARAPETS OR SHROUDS
		13	SITE WALL: C.M.U. WALL W/ PLASTER FINISH
		14	GATES: CUSTOM UNITS. REFER TO LANDSCAPE SET. ALL SHOP DRAWINGS, DETAILS, COLOR AND FINISH TO BE REVIEWED BY ARCHITECT PRIOR TO FABRICATION
		15	WATER RESISTIVE BARRIER (WALLS): ONE LAYER OF NO. 15 ASPHALT FELT, COMPLYING W/ ASTM D226 FOR TYPE 1 FELT OR OTHER APPROVED WATER-RESISTIVE BARRIER SHALL BE APPLIED OVER ALL EXTERIOR WALLS. SUCH MATERIAL SHALL BE APPLIED HORIZONTALLY, W/ THE UPPER LAYER LAPPED OVER THE LOWER LAYER NOT LESS THAN 2 INCHES. WHERE JOINTS OCCUR, FELT SHALL BE LAPPED NOT LESS THAN 6 INCHES. OTHER APPROVED MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE WATER-RESISTIVE BARRIER MANUFACTURERS INSTALLATION INSTRUCTIONS.
		16	ROOF DECK SURFACING: STONE PAVERS SET OVER ADJUSTABLE HEIGHT PEDESTAL SYSTEM AS MANUFACTURED BY: BISON PRODUCT NAME: VERADJUST OVER "GAP" MEMBRANE ROOFING (SEE ROOF PLAN NOTE #2)
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Torrey Pines Community Planning Board
DRAFT Board Meeting Minutes
March 21, 2023, 7:00pm
Del Mar Hill Academy – In Person Only

Meeting Called to order by Adam Gevanthor at 7:00pm

Establishment of Quorum | Roll Call (X=Present)

Current Board Members	Term Start	Yrs of Svc								DARK	SPECIAL MEETING				
			3/17/22	4/21/22	5/19/22	6/21/22	7/19/22	8/16/22	9/20/22	10/17/22	12/20/22	1/17/23	2/21/2023	3/21/2023	
Adam Gevanthor	Chair	10/18/21	1	X	X	X	X	X		X		X	X	X	X
Greg Jabin	Vice Chair	6/27/22	1				X	X				X	X	X	X
Jeffrey Burges	Sec/Treas	12/20/22	0	X		X	X	X		X		X	X	X	X
Brad Remy		4/12/18	4			X		X		X		X		X	
Deborah Currier		5/11/20	3		X	X	X	X		X		X	X	X	X
Sandip Patel		10/18/22	0										X	X	
Duncan Agnew		10/18/22	0									X	X	X	X
Evan White		10/18/22	0									X	X		
Ian Galton		10/18/22	0									X	X	X	X
Lisa Coles		10/18/22	0									X	X		X
Dennis Ridz		11/18/21	1	X	X	X	X	X		X				X	
Christy Herold															
Jonathan Parot															
Dee Rich															
Liz Shopes															
Total Present												10	9	11	7
% Present												77%	69%	85%	54%
Quorum?												Yes	Yes	Yes	Yes

*Per our bylaws, a fourth cumulative, or a third consecutive, absence from regular meetings in the board year (April-March) will result in a written report from the secretary documenting the seat's vacancy. The absence tally, above, will serve as said report. (Special meetings do not impact the tally.) Term of service is 3 years. Members cannot serve greater than 9 years of continuous service. Members that term out may wait 1 year before seeking another term.

Quorum Established with 7 of 13 (54%) members present at 7:00pm.

Approval of Agenda


Adam makes motion to approve the Agenda. Greg seconds, unanimous approval and the motion carried.

Approval of February 21, 2023 meeting minutes

Greg makes motion to approve the February 21, 2023 meeting minutes with the change that Dennis talked about regarding the term of board member appointment vs. election. Duncan seconded the motion, the vote was unanimous, and the motion carried. Minutes stand approved as distributed.

Public Forum

In October 2022 a member of public provided an election violation notice from community. A member of the public attended this March 2023 Board meeting and requested an update on that notice.



Torrey Pines Community Planning Board
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Election Results

Adam stated that since we have more seats available than candidates thus all candidates are appointed by acclamation. Term will be for 3 years commencing in the April 2023 meeting.

Adam made a motion that we approve the candidates listed below. Ian seconded the motion. No discussion. Vote was unanimous, and the motion carried.

- Christy Herold i- A Business Property Owner in Sorrento Valley.
- Liz Shopes – Past Board Member and Interim Chair of the Torrey Pines Community Planning Board
- Jonathan Parot – owner representative of the Breakthrough Properties site on Sorrento Valley Blvd.
- Dee Rich – Previous Vice Chair of the Torrey Pines Community Planning Board
- Los Penasquitos Lagoon Foundation Representative

Nomination of Treasurer

Adam makes motion that Jeff Burges be elected our Treasurer unless someone else wants to step up. Duncan seconded. The vote was unanimous and the motion carried.

Consent Agenda

Project Review Committee - (Removed from Consent & heard by Board)

PRJ-1062720 | Via Felino CD – Project was pulled off Consent Agenda. Adam summarized the project and stated that PRC reviewed the project twice. Owner is a member of the Torrey Pines Community Planning Board. The changes PRC suggested; to shift the house over by 18”, offset parapette wall by 4’, shave 2nd story deck overhang by 18”, use a warmer color per community plan, and minor landscape modifications, have all been agreed upon. Thus, no consent agenda needed. PRC approved project with 5 Yes, 0 No, and 1 abstention.

Adam makes motion that subject to the items above, we approve the project. Jeff seconded. The vote was unanimous except for 1 abstention. Motion carried.

Committee Updates

The board discussed hybrid meeting location options.

Adam made a motion that we use Del Mar Heights Academy with zoom link cam and audio going forward. Further that all board members would be required to come in person until and unless Zoom meetings are allowed. Greg commented that the only requirement is that the Board meet in person. Zoom for community is not required, it is just nice to have and is inclusive. Greg seconded the motion, the vote was unanimous and the motion carried.



Torrey Pines Community Planning Board
DRAFT Board Meeting Minutes
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CPG – Brad Remy is our representative and Adam Gevanthor is our First Alternate. Adam asked for volunteers to be nominated for the Second Alternate. Liz Shopes volunteered. Adam made a motion to appoint Liz to CPG as Second Alternate. Greg seconded the motion, the vote was unanimous and the motion carried.

Adam commented that CPG spearheads major land use changes afoot at the city and there often is not time to get our board's blessing. Thus the representative(s) have to be ready to abstain or vote on the topic for the board in good faith.

SDG&E Undergrounding, Del Mar Heights Area 1Y Update was provided. Location of all poles to be removed. No street lights shown. Currently they exist at end of cul de sac and at intersections.

Treasurer's Report – Jim Smith has resigned and was not present. As reported above, Jeff Burges was nominated and approved as our new Treasurer. **Jeff will provide a Treasurer's report at the April 2023 meeting, and thereafter.**

Rail Committee

Committee chair Sandip was not present. Dee and Adam provided the LOSAN update.

LOSAN alignments are actively being analyzed to include the East alignment with a portal likely located on protected wildlife refuge land dedicated by the Point Del Mar developer, and the West alignment which generally follows the Camino Del Mar location with a portal close to the Foreign Car service shop and ultimately following the route of the current tracks through the reserve.

Now that these preliminary alternatives have been selected, a more thorough engineering design and environmental evaluation is in process. The TPCPB is now in a holding pattern waiting for the final preliminary report. The report will include biological, visual, environmental, cost and eminent domain issues. TPCPB will look closely at this report when completed and will comment in detail.

Adam commented that he feels the environmental groups focus on flora and fauna and tend to not consider adverse environmental affects as related to visual impacts. Diminished visual resources affect the environmental quality of our coastal resources and therefore must be held in higher regard.


Smart Streetlight/Automated License Plate Recognition System.

San Diego Police Department had a public hearing on the new system. None of our Board members attended. **Jeff agreed to research this issue and present it to the Board in April.**

Community Goals/Priorities

Adam began a comprehensive discussion about community goals and priorities. It was soon determined that we must use a more efficient means of discussing and analyzing the issues.

The board decided to ask members that have strong interest in an issue to be a champion of that issue. Being a champion means to research and provide a report on the goal or idea they want to lead. The board agreed this would be a time efficient way to get the issues on the table for further discussion.



Torrey Pines Community Planning Board
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Adam indicated that Representative La Cava will not “support” further traffic calming efforts on Del Mar Heights Road until after the traffic signal is installed.

The board discussed our need to galvanize the community around our priorities. Next Door, Block Captains appointed, spread the word, were all mentioned.

Prior to the April 2023 board meeting, board members are asked to champion a project on our priorities and propose solutions with a well thought out presentation. The board is asked to distribute materials to the board (without discussion) in advance.

Greg makes motion to extend the meeting for 15 minutes. Jeff seconded, the vote was unanimous, and the motion carried.

Reports

SDPD Liaison Report - Officer John Briggs – Not Present

Senator Toni Atkins Representative Cole Reed (ColeReed@sen.ca.gov) – Cole Reed reported on the following issues:

- 1) Dr. Addai received a Woman of the Year award for her selfless dedication to women who have cancer worldwide.
- 2) SB 411 is working its way through the State Senate. This bill would allow teleconferencing as was allowed during the emergency proclamation to continue without such an emergency proclamation.

Assemblymember Chris Ward’s Representative Rachel Granadino (Rachel.granadino@asm-ca.gov) or Ansermio Estrada – Not Present

Supervisor Terra Lawson Remer’s Representative Rebecca Smith (Rebecca.smith2@sdcounty.ca.gov) – Not Present

Mayor Todd Gloria’s Representative Emily Piatanesi (epiatanesi@sandiego.gov) – Not present

Councilperson La Cava’s Representative Krissy Chan (chank@sandiego.gov) - Not present however a written memo provided and include in these minutes.

City of San Diego Planning Representative Jeff Ryan (jtryan@sandiego.gov) - Not present

Announcements from the Chair

Coastal Connections Study Presentation during April 2023 board meeting.

Meeting adjourned at 9:02pm.