



Staff Report

File #: 23-0882

REQUEST FOR CITY COUNCIL ACTION

DATE: 11/01/2023
TO: Honorable Mayor and City Council Members
FROM: Planning and Development Department

SUBJECT:

VARIANCE 2023-0001 TO ALLOW THE HEIGHT OF A BLOCK WALL AND WROUGHT IRON GATE TO BE INCREASED TO SIX (6) FEET WITHIN THE FRONT YARD SETBACK THAT WILL FUNCTION AS A SIDE YARD FOR THE PROPERTY LOCATED AT 1085 ROMANS ROAD. (APPLICANT: THEODORE RAY OF ROMANS ROAD, LLC.)

EXECUTIVE SUMMARY:

This staff report asks the City Council to affirm Variance 2023-0001, as recommended by the Planning and Housing Commission at its public hearing on October 9, 2023. The property at 1085 Romans Road is a two-acre lot located in the R-1A (Single Family Residential) zone. The applicant is currently building a single family house on the property and has oriented the front of the house to face Romans Road and the side to face Gilbert Avenue. According to the definition in the Zoning Code, the front yard is technically Gilbert Avenue due to the width of the lot along this street and not Romans Road. Solid walls within the front yard are limited to a height of three feet and non-opaque fences and gates are limited to a height of five feet. Variance 2023-0001 will allow the applicant to have a six foot high solid wall and gate within the front yard setback, which will serve as the side yard for the property.

RECOMMENDED ACTION:

That the City Council:

- a. Take no action, thereby affirming the Planning and Housing Commission's action granting V2023-0001, based on the findings contained in the staff report and conditions of approval.

OR

- b. Set the item for review at a subsequent meeting.

BACKGROUND & HISTORY:

The project site is a two-acre residential lot, located at 1085 Romans Road. The lot was originally made up of two separate one-acre lots (1043 and 1085 Romans Road) before the applicant merged them into a single lot via a lot line adjustment process in 2021. The purpose of the merger was to enable the owner to build an estate-sized house on the lot. The house is currently under construction.

The property is a corner lot with street frontage on Romans Road and Gilbert Avenue. Per Corona Municipal Code Section 17.04.267, the lot frontage is defined as:

that portion of a lot which abuts a public right-of-way or approved private right-of-way, provided, however, if certain portions of a lot abut two or more public rights-of-way or approved private rights-of-way, the frontage of the lot shall be the narrowest portion of the lot which abuts the rights-of-way.

The applicant has designed the front of the house to face Romans Road with the side of the house facing Gilbert Avenue. The garages and driveways will also take access from Romans Road. As a result of the two separate lots being merged to create one larger lot, the front of the property is technically along Gilbert Avenue because it is the narrowest portion of the lot that abuts the right-of-way. The portion of the lot facing Romans Road would be the street side yard.

The applicant would like to construct a six-foot high block wall and six-foot-high gate along the property line adjacent to Gilbert Avenue to enclose the side yard, which would be within the front yard setback of the property. Corona Municipal Code Section 17.70.060(F)(1)(b) limits the height of a solid wall to three feet and wrought iron fence and gate to five feet in the front yard setback. Since the applicant's proposed six-foot high block wall and wrought iron gate are technically in the front yard setback, it would exceed the height limit allowed by the municipal code.

ANALYSIS:

The property is unique due to the fact that two separate lots were merged to create one larger lot, which changed the orientation of the front and side yards from the initial one-acre lot that was created at the corner of Gilbert Avenue and Romans Road. The reorientation of the yards does not visually impact the neighborhood as the six-foot high block wall would match the alignment of the block wall on the property to the north. Additionally, a six-foot high block wall is constructed on the property to the south on the street side of Gilbert Avenue. Therefore, the wall and gate would be consistent with the existing built environment in the immediate area of the project site.

Per CMC Section 17.96.020, a variance can only be granted by the Planning and Housing Commission if there are special circumstances applicable to the property that deprive the property of privileges otherwise enjoyed by other properties in the vicinity that have identical zoning. Per state law, the special circumstances applicable to the property would include the size, shape, topography, location, or surroundings.

The subject property was created when two lots were merged, and the orientation of the front yard was changed based on the definition provided in CMC Section 17.04.267. Based on the size and

shape of the new parcel, it is logical that the applicant would want the house to have front yard access from Romans Road, a cul-de-sac street, instead of Gilbert Avenue. Also, having the portion of the lot facing Romans Road function as the front yard instead of the side yard maintains the interface with the other front yards located on the south side of Romans Road.

Additionally, if the applicant had not merged the two lots, the side yard would have remained on the side facing Gilbert Avenue and would have been allowed to have a six-foot high solid wall and gate.

FINANCIAL IMPACT:

The applicant paid the application processing fees of \$6,059.14 to cover the cost of the Variance.

ENVIRONMENTAL ANALYSIS:

This action is categorically exempt pursuant to Section 15303(e) (Class 3 New Construction or Conversion of Small Structures) of the Guidelines for the California Environmental Quality Act (CEQA). The exemption applies to accessory structures including, but not limited to, garages, carports, patios, swimming pools, and fences. The project is a variance to increase the height of a block wall and gate in the front yard setback, which will not result in any impacts to the environment. Therefore, no environmental analysis is required.

PLANNING AND HOUSING COMMISSION ACTION:

At its meeting of October 9, the Planning and Housing Commission considered the subject matter and took the following action:

Motion was made, seconded (Alexander/Siqueland) and carried unanimously that the Planning and Housing Commission adopt Resolution No. 2619 granting V2023-0001 based on the findings contained in the staff report and conditions of approval. The minutes of the Planning and Housing Commission meeting are included as Exhibit 4.

PREPARED BY: JOANNE COLETTA, PLANNING & DEVELOPMENT DIRECTOR

Attachments:

1. Exhibit 1 - Locational and zoning map
2. Exhibit 2 - Site Plan for V2023-0001
3. Exhibit 3 - Planning and Housing Commission Staff Report
4. Exhibit 4 - Draft Minutes of the Planning and Housing Commission meeting of October 9, 2023