

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

Permit Application No. **5-03-285**

Date: September 18, 2003

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**TU 3b****ADMINISTRATIVE PERMIT****APPLICANT:** James W. Dunn, Jr.

RECORD PACKET COPY

PROJECT**DESCRIPTION:** Remove an existing 144 square foot 2nd floor balcony and construct a new 312 square foot 2nd floor balcony on the oceanfronting side of an existing single-family residence.**PROJECT****LOCATION:** 516 Ocean Avenue, Seal Beach (Orange County)**EXECUTIVE DIRECTOR'S DETERMINATION:** The findings for this determination, and for any special conditions, appear on subsequent pages.

NOTE: P.R.C. Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

Tuesday, October 7, 2003**10:00 am****Hotel Del Coronado****1500 Orange Avenue****Coronado, CA 92118****IMPORTANT - Before you may proceed with development, the following must occur:**

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgement and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.

PETER DOUGLAS
Executive Director

By: Fernie J. Sy
Title: Coastal Program Analyst

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent or interpretation of any term or condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

SPECIAL CONDITIONS: None.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

The Executive Director hereby determines that the proposed development is a category of development, which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an Administrative Permit. Subject to Standard and Special Conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976 and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. If located between the nearest public road and the sea, this development is in conformity with the public access and public recreation policies of Chapter 3.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION:

A. PROJECT DESCRIPTION

The subject site is located at 516 Ocean Avenue within the City of Seal Beach, Orange County (Exhibits #1-2). The project is located within an existing urban residential area and is a beachfront lot located between the first public road and the sea. The proposed project is consistent with development in the vicinity and prior Commission actions in the area. Vertical public access to the beach is available to the west from the project site at the 5th Street, street end and to the east from the project site at the 6th Street, street end.

The applicant is proposing the demolition of an existing 2nd floor oceanside balcony and construction of a new 2nd floor oceanside balcony of an existing single-family residence. The existing 144 square foot deck will be removed and a new 312 square foot deck (extending 5 ½ feet more oceanward than the existing balcony) will be constructed (Exhibit #3). In addition, glass panels with supports to serve as a handrail on the new deck will be installed and two posts to support the new deck will be installed that

will connect with the existing ground floor patio (Exhibit #3). There are no proposed changes to the remainder of the existing single-family residence. No grading is proposed.

B. HAZARDS

Development adjacent to the ocean is inherently hazardous. Development which may require a protective device in the future can not be allowed due to the adverse impacts such devices have upon public access, visual resources and shoreline processes.

The proposed project site is afforded a degree of protection due to the presence of a wide sandy beach. Even though a wide sandy beach currently protects the project site, this does not preclude wave uprush damage and flooding from occurring on beachfront properties in Seal Beach as well as the area known as Surfside, southeast of the pier, and Anaheim Bay during extraordinary circumstances. The beaches in these parts of the City do not adequately buffer beachfront homes from wave uprush during heavy storm events, such as those in 1994 and 1998. Though the subject site may be subject to wave hazards as described above, the Executive Director finds in this specific case that the proposed development does not warrant the imposition of the following three special conditions; 1) No Future Shoreline Protective Device, 2) Assumption of Risk, and 3) Future Improvements, for the reasons articulated below.

For purposes of analysis the project can be divided into two elements, the deck extension and the new deck support posts that will extend to the existing ground floor patio. These improvements may potentially be affected by wave uprush as they are on the oceanward side of the structure. In this case, the Executive Director finds that the deck extension would not be directly affected by wave uprush, as the bottommost portion of the deck would be approximately eight feet above grade (Exhibit #3). Consequently, the deck would only be damaged as a result of the main structure itself being significantly damaged by wave uprush. In addition, the proposed new posts to support the extended deck will be attached to the existing ground floor patio. Thus, these posts would only be damaged if the existing ground floor patio were also damaged. Furthermore, there is an existing deck where the proposed deck would be located. Accordingly, the proposed project does not result in an increased hazard to life and property nor would the proposed improvements create or contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms such as the beach. Therefore, the Executive Director finds that the proposed project is consistent with Coastal Act Section 30253 as submitted.

C. DEVELOPMENT

As proposed, the development is located within an existing developed area and is compatible with the character and scale of the surrounding area. The proposed development does not change the use or intensity of use of the site. Therefore, the Executive Director finds that the development conforms with Sections 30250, 30251, and 30252 of the Coastal Act.

D. PUBLIC ACCESS

The proposed development will not affect the public's ability to gain access to, and/or to use the coast and nearby recreational facilities. Therefore, as proposed, the development conforms to Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

E. LOCAL COASTAL PROGRAM

Section 30604 of the Coastal Act provides for the issuance of coastal development permits directly by the Commission in regions where the local government having jurisdiction does not have a certified local coastal program. The permit may only be issued if the Commission finds that the proposed development will not prejudice the ability of the local government to prepare a Local Coastal Program, which conforms with the Chapter 3 policies of the Coastal Act.

On July 28, 1983, the Commission denied the City of Seal Beach Land Use Plan (LUP) as submitted and certified it with suggested modifications. The City did not act on the suggested modifications within six months from the date of Commission action. Therefore, pursuant to Section 13537(b) of the California Code of Regulations, the Commission's certification of the land use plan with suggested modifications expired. The LUP has not been resubmitted for certification since that time.

The proposed development is consistent with the Chapter Three policies of the Coastal Act. Therefore, the Executive Director finds that the proposed development would not prejudice the ability of the City to prepare a certified coastal program consistent with the Chapter 3 policies of the Coastal Act.

F. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

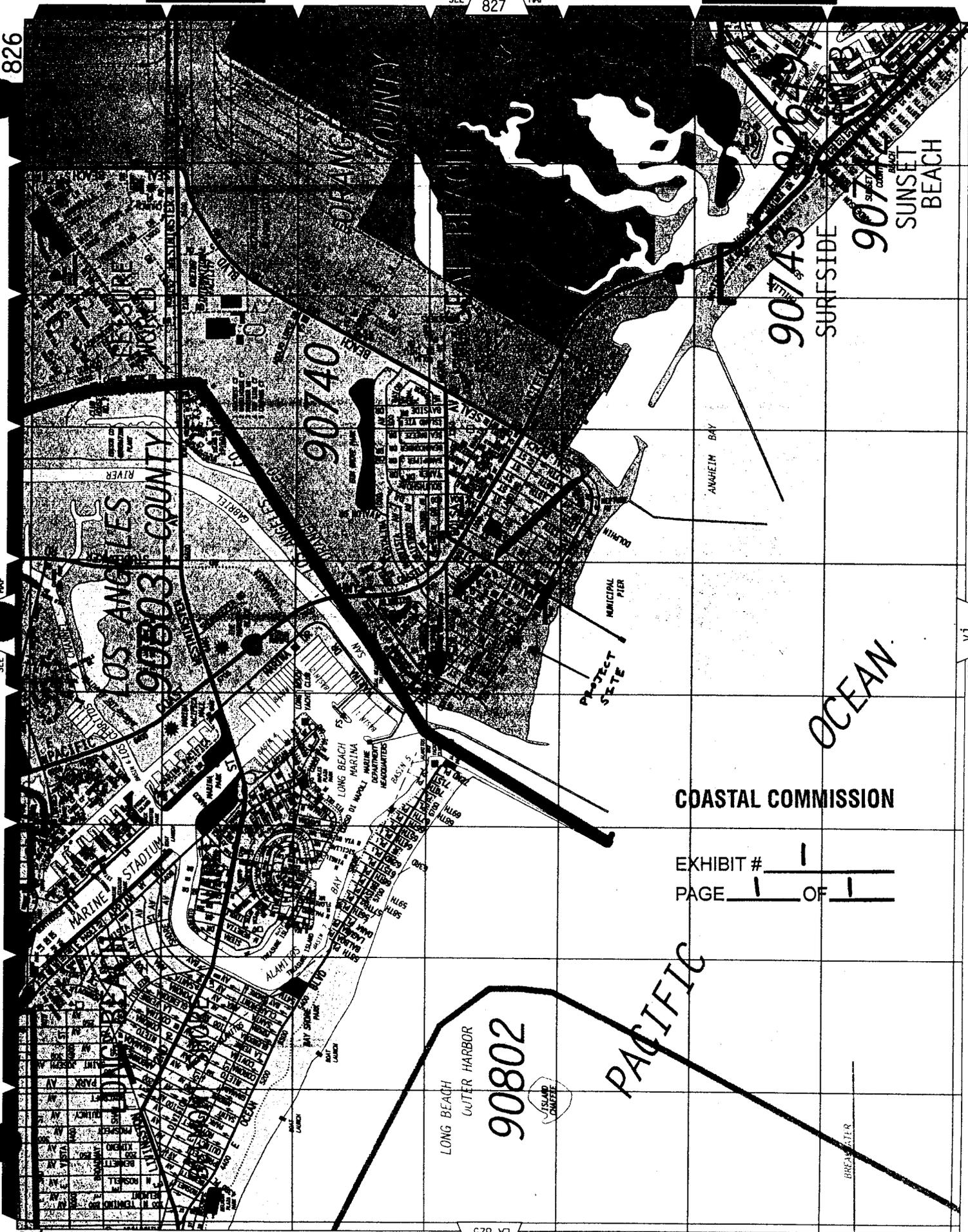
As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect that the activity may have on the environment. Therefore, the Executive Director finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

Applicant's Signature

Date of Signing



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EXHIBIT # 1
PAGE 1 OF 1

LONG BEACH
OUTER HARBOR
90802

PACIFIC

OCEAN

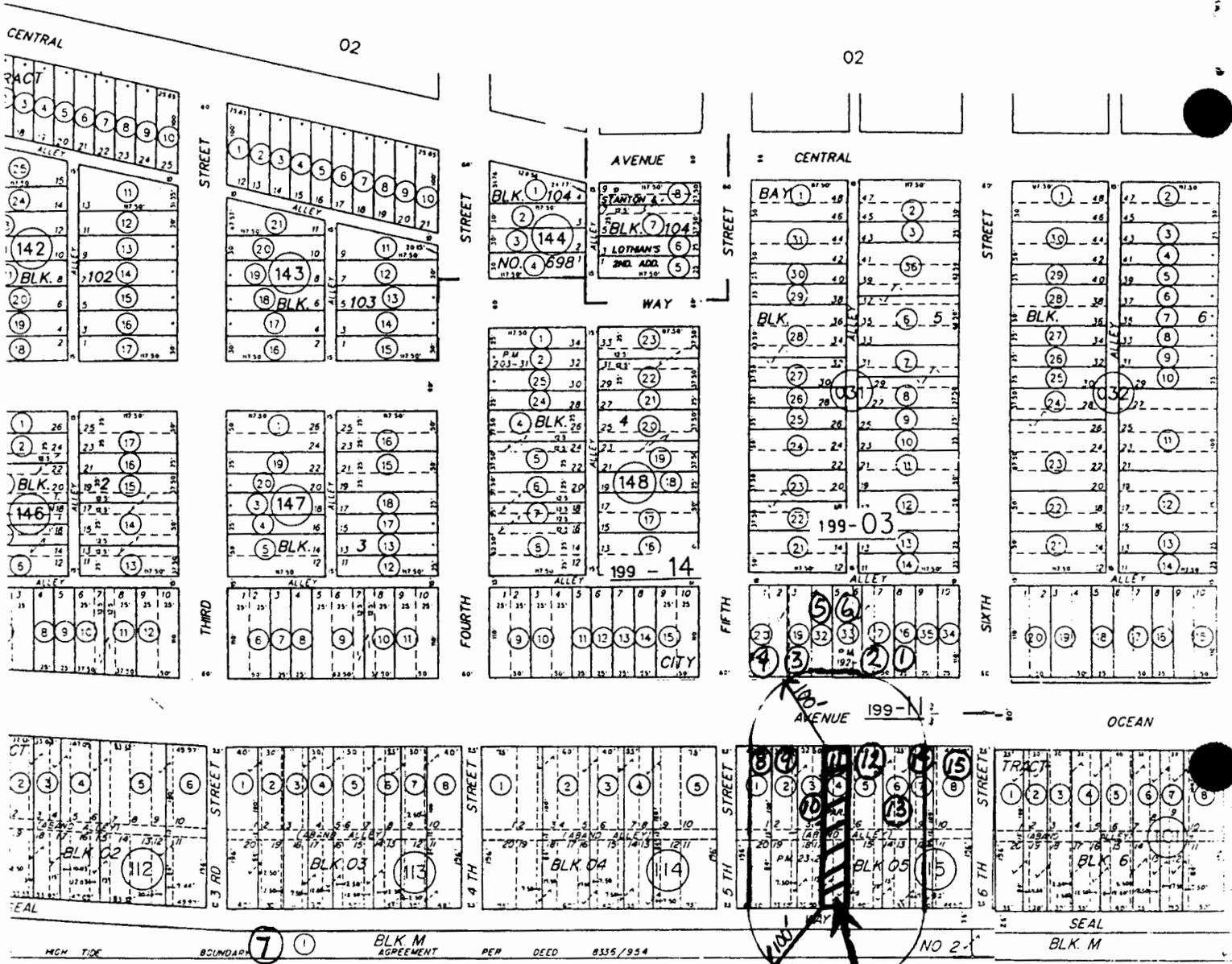
90743
SURFSIDE

90774
SUNSET
BEACH

90740

LOS ANGELES
90803 COUNTY

MARINE
STADIUM



7 1

BLK M AGREEMENT PER DEED 8335/954

PROJECT SITE

1"=200'

PACIFIC

OCEAN

Y
NO. 2
MAP
MAP

M.M. 3-19
M.M. 9-3
P.M. 18-43
P.M. 23-24

NOTE - ASSESSOR'S BLOCK &
PARCEL NUMBERS
SHOWN IN CIRCLES

ASSESSOR'S MAP
BOOK 199 PAGE 11
COUNTY OF ORANGE

MARCH 1983

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EXHIBIT # 2
PAGE 1 OF 1

DONNA'S RADIUS MAPS
Date: 7-08-03
84 S. Gentry Lane
Anaheim Hills, Ca 92807
Phone: (714) 921-2921

DATE	
SCALE	
SHEET NO.	
TOTAL SHEETS	
PROJECT NO.	
DATE	

GENERAL NOTES
 PLOT PLAN
 PROJECT DATA

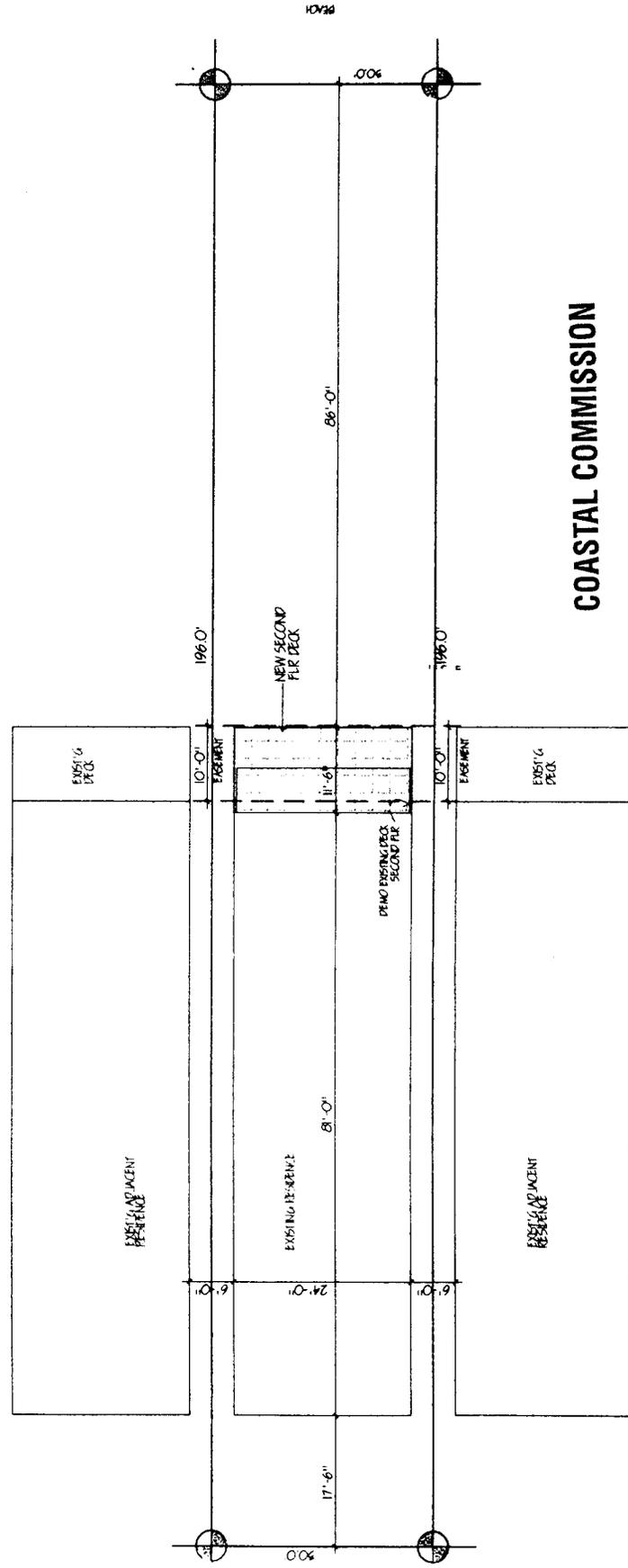
DECK REMODEL
 PLAN REFERENCE
 516 OCEAN AVE
 SEAL BEACH, CA 90740
 562.431.8085

PRESENT DRAWING
 TORI JONES
 2711 OAK RAVEL DR
 ROSSMOOR, CA 90720
 562.393.9785



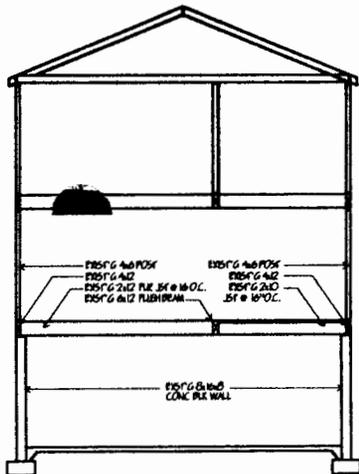
COASTAL COMMISSION

EXHIBIT # 3
 PAGE 1 OF 2



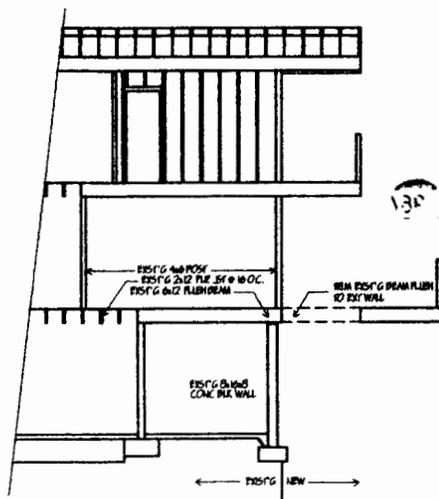
SITE PLAN

SCALE: 1/8" = 1'-0"



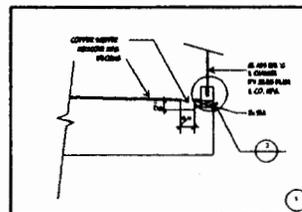
SECTION A

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

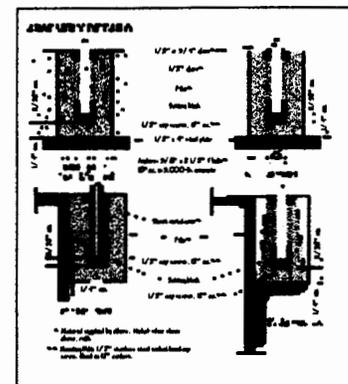


SECTION B

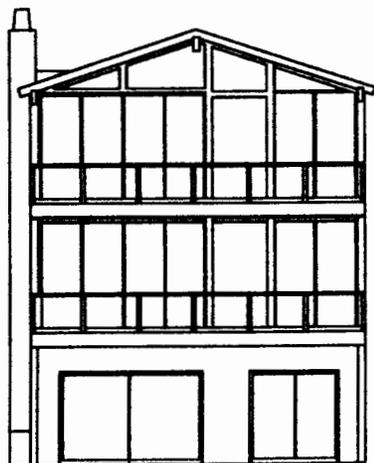
SCALE: 1/4" = 1'-0"



RAILING DETAIL

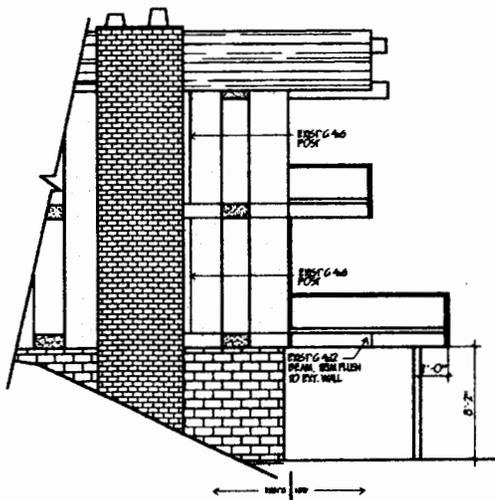


* Material specified by client. Model other than shown, subject to approval of the architect.
 ** Availability of 1/2\"/>



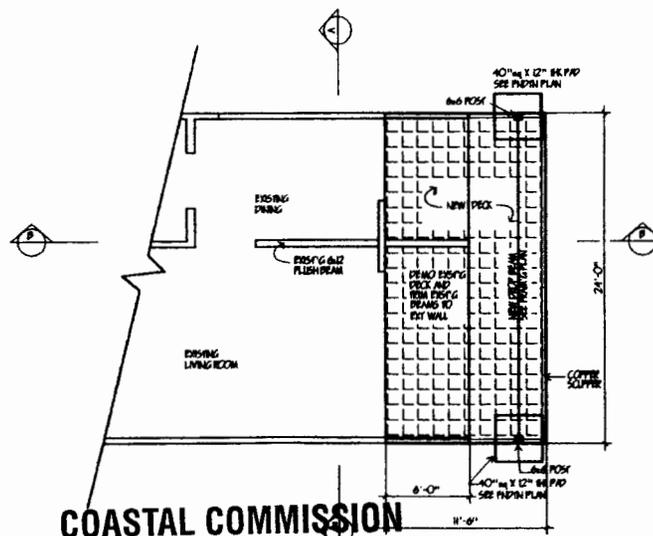
SOUTH ELEVATION

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



EAST ELEVATION

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



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FIRST FLOOR PLAN
 EXHIBIT # 3
 PAGE 2 OF 2

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



FOR LINES
 2711 OAK KNOLL DR.
 ROSAMOND, CA 90740
 818-299-8980

ADDITION FOR:
 DAN RUSSELL
 516 OAK AVE.
 SEAL BEACH, CA 90740
 562-491-8046

SECTIONS
 ELEVATIONS
 FLOOR PLAN

PROJECT	
CLIENT	
DATE	08/10/2011
SCALE	1/4" = 1'-0"
BY	AW
CHECKED	

A-2