



# CITY of YORBA LINDA

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## CITY OF YORBA LINDA ZONING ADMINISTRATOR MEETING MINUTES

Wednesday, July 23, 2025, 3:00 p.m.

Council Chambers  
4845 Casa Loma Avenue

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### 1. ROLL CALL

PLANNING STAFF:	3	Eva Choi, Acting Zoning Administrator Alexis Garcia, Associate Planner Nichole Valdez, Recording Secretary
APPLICANT/OWNER:	2	Lucci & Diane Tira, Homeowners Scott Small, Project Management
PUBLIC RESIDENTS:	1	Jay Kornoff, Neighbor (4885 Sunbeam Lane)

### 2. PROJECT NAME:

#### 2.1 **CONDITIONAL USE PERMIT(ZA) 2024-42 TIRA**

A request to construct a 911 square foot second-story addition to an existing 6,339 square foot two-story single-family residence, the area of construction within seventy feet (70') of another single-family residence, on the property addressed as 4895 Sunbeam Lane, located on the northeast corner of Sunbeam Lane and Hidden Hills Road, within the RE (Residential Estate) zone. (APN: 353-593-02, 353-581-06).

CEQA STATUS: Categorical Exemption (Class 1: Existing Facilities)  
MEASURE B APPLICABILITY: a) Vote – No; b) Public Notice – No  
TRAFFIC COMMISSION REVIEW: No  
RECOMMENDATION: To adopt a resolution approving the project

Acting Zoning Administrator Eva Choi gave a brief introduction of the proposed project and informed all present of the process for reviewing Conditional Use Permit entitlement applications at the Zoning Administrator level. Mrs. Choi turned it over to Alexis Garcia, Project Planner.

Mr. Kornoff stated that he would like to object to the meeting due to Ms. Choi being the Acting Zoning Administrator who is also a colleague of Alexis Garcia, Associate Planner. Mr. Kornoff stated that it is a conflict of interest to have someone from the Planning Department be the Acting Zoning Administrator because the Planning staff are recommending approval and he does not feel he will have a fair hearing.

Ms. Choi provided a brief explanation that the Zoning Administrator office is created under state law and by that subsequently the city's Municipal code adopted the Zoning Administrator process and allowing the Community Development Director as the acting person to make the decision regarding Zoning Administrator's application. The Community Development Director who spoke with Mr. Kornoff before the meeting stated that he designated Ms. Choi to be the Acting Zoning Administrator for this project.

Ms. Choi stated Mr. Kornoff's objection of this project is noted for the record. Ms. Choi provided the explanation to Mr. Kornoff's concern. Ms. Choi turned it over the Alexis Garcia, Project Planner.

Mr. Garcia stated that the project before us is CUP(ZA) 2024-42 Tira, the property is located at 4895 Sunbeam Lane in Yorba Linda. The project entails a 911 square foot second-story addition to an existing 6,339 square foot two-story single-family residence. The area of construction is within 70 feet which triggered the Conditional User Permit.

Mr. Garcia stated that there was an opposition letter received on July 19<sup>th</sup> from the northernly adjacent neighbor. There was also a second letter received on July 23<sup>rd</sup>.

Mr. Garcia stated that staff did visit the site to assess current conditions. There was an assessment on vegetation height, location and the grade variation. The concerns of the project are centered primarily around the privacy impacts and the massing of the structure as summarized in the letter received on July 29<sup>th</sup>. And the second letter that was received on July 23<sup>rd</sup> was regarding the location of an existing tree that is not planned to be removed. The neighbor who sent the letter regarding the tree is not in attendance.

Mr. Garcia explained that there are preliminary findings that were prepared for the project but are not approved yet. Staff is making a recommendation to the Zoning Administrator. Once approved, the Zoning Administrator will finalize the conditions of approval, sign it and send it to the applicant.

Based on Mr. Garcia's review of the project, he finds that the proposed project is buffered by mature vegetation approximately 10 feet in height which limits the direct line of sight. Furthermore, the subject property does sit at a lower natural grade as compared to the neighboring property to the north, approximately 5 feet of a change in grade. Lastly the applicant has provided modification to the second story windows along the northernly façade to prevent any privacy impacts, essentially allowing the windows to serve as an architectural interest for the main dwelling without providing any views towards the property to the north. With the conditions considered, the second story addition design and applicants' efforts to provide sufficient privacy impacts do allow staff the ability to support the second story addition and staff would like to further note the modifications made were from June 10, 2025, and the modification to the windows along the northernly façade to be frosted instead of clear glass. Another finding is the addition of the building that the design of the two-story construction may be architecturally integrated to the existing home. Staff have found that the existing home modern design and architectural elements will remain in the newly created addition along the westerly elevation.

Mr. Garcia stated further findings do touch on a variety of conditions primarily that they are in compliance with the Yorba Linda Municipal Code and that the project did not trigger CEQA review. This project does not repeal, amend or adopt any part of the Land Use policy. It was not part of the Yorba Linda right to vote amendment.

Ms. Choi clarified that that since this is the first time the adjoining neighbor has heard the recommendation from staff she wanted to reiterate the Municipal Code and what staff is required to review in order to make the proper decisions for this application. Ms. Choi referenced the Municipal Code Section 18.38 under subsection B there is a list of four required findings that staff are required to make these findings before they make a decision on the project. Mr. Garcia reviewed the findings in his staff report and no. 4 is not applicable to this project because it is a detached single-family home. Mr. Garcia has provided findings for no. 1, 2, and 3.

Ms. Choi asked Mr. Kornoff if he has any questions. Mr. Kornoff said yes, he has an issue with no.1 and provided an exhibit he dropped off to Mr. Garcia during the week. Mr. Kornoff stated that the CUP is not something they have a right to, it's a discretionary approval subject to mandatory findings listed in the code. The only right is his right to enjoyment of his home. He also explained that he has vegetation on his property and Mr. Tira does not. Mr. Kornoff feels that he does not have the privacy he should have.

Mr. Kornoff stated that Mr. Lucci put in illumination light every 10 feet on the side of the house facing Mr. Kornoff's home. Mr. Kornoff said the light is so bright and goes into his home. Mr. Lucci said he would turn off the lights by 10pm. Mr. Kornoff also stated that the addition will be so long and tall that there is nothing he can do to block it. Mr. Kornoff said the project is unreasonable. The neighborhood is considered the upper Hidden Hills area with approximately one hundred homes which all have 20-to-30-foot setback because they are on a terrace. None of the homes have a 10ft setback.

Mr. Garcia explained that the proposed project is for a second-story area only. If it was a single story, it would not need a CUP. The structure does not request deviation of the code, that's typically done through an administrative adjustment or a variance in severe cases. In this case the setback is determined by the shape of the lot and specifically the lot width. When we look at the lot width it is smaller lot than most, so when looking at the setbacks that are being proposed and the height, both of those items are in compliance as well as our required lot coverage maximum. For those reasons staff is providing their preliminary recommendation which is not final until today's motion.

Mr. Garcia stated in regard to the lighting and noise issues there are standard requirements for any CUP. If they are noncompliant, Code Enforcement will be involved, and this will be done after the fact. The city does not limit the number of events or parties at a specific residence. All of this is considered a private matter. As of today, we are only considering the addition. In terms of the exhibit that was received yesterday, Mr. Garcia would like to note that the windows will be frosted which is not displayed in the visual.

Mr. Kornoff stated that the side of the lot is a slope and is unbuildable. The side that is buildable has already been maxed out according to the calcs. Mr. Garcia said it is not, and the maximum allowable coverage is 35 percent and this project is proposing 28 percent. Mr. Kornoff asked if the FAR is 35 percent and Mr. Garcia stated that the city does not enforce FAR. Mr. Kornoff stated that this project is unreasonable to the neighborhood.

Ms. Choi appreciated Mr. Kornoff expressing his concerns. Ms. Choi would like to discuss reasonable options so both the applicant and neighbor can agree on. The Municipal Code can address exterior lighting to prevent the issue Mr. Kornoff is having as well as the noise. If the neighbor is not in compliance with the Municipal Code Mr. Kornoff can contact Community Preservation. Mr. Kornoff does not want to have to call and create issues with Mr. Tira.

Ms. Choi would like to inform Mr. Kornoff of the usage of the addition. It will be kids room, study, party room, however the applicant would like to label it on the plans, it is unfortunately not under the purview of city staff. So long that they are not creating a separate unit within that space, they want a three-party room within a single-family residence they can have it. Staff do not have the ability to prevent that from happening. The staff's job is to make sure that the building meets the setback and lot coverage requirements. Because this is an extension from the existing two-story home architecturally it does integrate with the home which is one of the required findings, we don't have concerns with the architectural elements of this project. However, Mr. Kornoff did bring up the frosted windows and expressed that the frosted windows do not provide enough privacy when utilizing his backyard. Staff would like to hear from the applicant in terms of staircase landing, exterior lighting and the windows. Would the applicants like to offer consensus or modifications to the plans now that they have heard Mr. Kornoff's concerns. Ms. Choi suggested the staircase be relocated inside the building which would also eliminate the lighting at the staircase landing.

Mr. Tira agreed that he can remove the staircase and lighting.

Mr. Small said he met with Mr. Kornoff six to eight months ago regarding another project on Mr. Tira's property and they came to an agreement on that project. Now with this project he thought all were in good standing however that is not the case and now the relationship is not as friendly. Mr. Small is willing to place the staircase inside and eliminate the lighting on the side that is on Mr. Kornoff's property. Mr. Small will also provide a texture on the side of the wall, so it is more appealing.

Mr. Kornoff stated that Mr. Small's suggestions are disingenuous.

Mr. Garcia stated the purpose of the meeting is to come to an agreement and provide potential recommendations. The staircase is something that staff are flexible to relocate. The building department does require lighting for egress or entrance into a structure. By relocating the staircase, it will eliminate the platform that will no longer be visible to Mr. Kornoff's yard, and it will also eliminate the required lighting. When speaking with the applicant regarding the windows, staff did suggest that the windows be smaller or eliminate some of the windows and be frosted.

Ms. Choi wanted to discuss the construction timeline and wanted to be sensitive about the impact it would have on Mr. Kornoff. Ms. Choi offered the applicant to provide a tentative schedule of construction. Mr. Kornoff denied.

Mr. Kornoff stated that Mr. Garcia never discussed that he would be looking at a 47-foot wall, 24 feet high that does not have any architectural features, it's just stucco. He does not think it will be appealing to look at.

Ms. Choi made a suggestion that the applicants remove all the windows along the side of the wall and provide clerestory windows that is 6 ½ feet above finished floor. Those windows will be frosted to reduce light emitting out of those windows. The exterior staircase will be relocated to a interior staircase. It would not be reasonable to ask the applicant to reduce the height of this building because the plate height will be consistent with the first and second floor. The portion of the second story addition that will be visible on Mr. Kornoff's side of the property would be at most 10 ft above the hedge. The applicants need to provide their own hedge on their side property line. The hedge needs to start with 25-gallon box tree. As for the wall, because those are smooth stucco that they have on site, without introducing additional exterior material that may not work with the design of the building, it is reasonable to ask for scoreline which is a groove line coming down vertically which will break up the blank wall evenly.

For the record, Ms. Choi clarified the three items that are required from the applicant. One, the applicant shall provide clear story windows that will be 6 ½ feet above the finish floor height of the second floor. The

windows shall be frosted, the applicant shall provide an interior staircase, the exterior staircase shall be removed. There shall be no exterior lighting along the addition portion of the project. The applicant should provide a hedge along the length of the proposed addition. The hedge needs to start with a 25-gallon box tree. The applicant shall provide scorelines to break up the façade of the second story addition. With these conditions and the Municipal Code with lighting noise requirements issues, Ms. Choi approved the project with a 15-day appeal period. The appeal deadline is Thursday, August 7, 2025.