



City of Grover Beach

COMMUNITY DEVELOPMENT DEPARTMENT

April 1, 2026

Rick Hippach
858 Newport Ave
Grover Beach, CA 93433

Subject: Development Application DA-26-0005 (858 Newport Ave): Request for a Modification to Standards to allow a reduction to the additional setback requirement for a second-story deck, resulting in a 7-foot 5-inch setback where 10 feet is normally required.

Dear Rick Hippach:

The Community Development Director approved on April 1, 2026, the above-referenced project located at 858 Newport Ave (APN: 060-155-003), subject to the conditions herein. This Permit authorizes a Modification to Standards (Development Code Section 6.20.072) to allow a reduction to the additional setback requirement for a second-story deck, resulting in a 7-foot 5-inch setback where 10 feet is normally required.

Pursuant to Section 3.10.080.F, deviations from the additional setback requirement may be approved through the Modification to Standards process. The applicant is requesting this modification to allow for the reasonable use of the property, where strict compliance with the full setback would have a negligible effect towards adjacent properties as the requested reduction is minor in nature, and provides sufficient separation from the neighboring property.

This approval is based upon the following findings for a Modifications to Standards Permit:

1. The requested Modification to Standards is consistent with the General Plan, Development Code. The reduction applies only to the additional setback required for a second-story deck, while maintaining the required first-floor setback. The modification preserves the intent of the setback regulations to ensure adequate light, air, and neighborhood compatibility while allowing reasonable residential use of the property.
2. The proposed reduction will not be detrimental to public health, safety, or general welfare. The deck remains compliant with the required ground-floor setback and will not affect fire separation, emergency access, or building code requirements. The design of the deck railing subject to the reduced setback has been designed as a solid wall to minimize potential privacy or visual impacts, and reduce concerns related to direct overlook towards adjacent properties.
3. Site characteristics make strict adherence to the additional second-story setback impractical, due to the placement of windows along the existing residence. Requiring full compliance with the additional setback would result in a negligible change from existing

conditions of the property and would not substantially decrease any privacy or visual impact concerns from adjacent properties, whereas the requested modification allows reasonable residential use of the property consistent with other R1 properties in the neighborhood.

In approving a Modification to Standards Permit, conditions of approval may be imposed to ensure that the development will comply with the findings above. The conditions of approval are in addition to, and do not include mandatory code requirements. Code compliance will be verified during the plan check process, which may include additional requirements applicable to the project. This approval is subject to the following conditions of approval:

General Conditions and Standards:

1. This approval authorizes a reduction to the additional setback requirement for a second-story deck, resulting in a 7-foot 5-inch setback where 10 feet is normally required, in substantial conformance with the plans attached as Exhibit A and as amended by conditions contained herein.
2. The approval granted by this permit shall be valid for twenty-four (24) months from the decision date and shall expire unless a valid building permit has been submitted. A request for a time extension shall be submitted to the Community Development Department as provided in Grover Beach Municipal Code Article IX, Section 6.30.060.
3. The Applicant agrees, as a condition of approval of this permit, to indemnify, defend and hold harmless, at Applicant's expense, City and City's agents, officers, attorneys and employees from and against any loss, liability, costs, damages, claims, action or proceeding of any kind including also any proceeding commenced to attack, review, set aside, void or annul the approval of this permit or to determine the reasonableness, legality or validity of any condition attached hereto. City shall promptly notify Applicant of any such loss, liability, costs, damages, claims, action or proceeding to which City receives notice, and City will cooperate fully with Applicant in the defense thereof. Applicant shall reimburse the City for any court costs and attorney's fees that the City may be required to pay as a result of any such claim, action or proceeding. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding, but such participation shall not relieve Applicant of the obligations of this condition. Applicant's acceptance of this Permit or commencement of construction or operations under this permit shall be deemed to be acceptance of all conditions contained in this permit.
4. All Conditions of Approval shall be provided on a full-size sheet as part of the construction plan set. All notes and specifications as shown on the plans shall be considered Conditions of Approval. If there is a conflict between the approved plans and the Conditions of Approval, the Conditions of Approval shall prevail. The project shall comply with all Federal, State, Local and City codes, regulations, and standards. Construction plans shall comply with applicable California Building Codes in effect at the time of plan submittal.
5. Plans submitted for a building permit shall include a railing system for the balconies that provides a design that visually obscures views of storage on the balconies and provides additional privacy between properties in accordance with Development Code Section 3.10.080.E.6, subject to the satisfaction of the Community Development Director.

6. Plans submitted for a building permit shall identify all existing trees on the property, including those to be retained. Plans shall include tree protection measures during construction, such as protective fencing and limits of disturbance within the dripline. All approved measures shall be maintained throughout construction.
7. The hours of construction shall be from 7:00 a.m. to 7:00 p.m. Monday through Friday, and 8:00 a.m. to 5:00 p.m. Saturday, Sunday, and holidays, in accordance with Municipal Code Section 3120.1. All construction traffic shall access the site utilizing the truck route(s) closest to the site as defined in the City Circulation Element and as approved by the City's Police Department.

This Permit approved by the Community Development Director is appealable to the Planning Commission within 10 working days of this letter. Appeals shall be filed as provided in Municipal Code Article IX Development Code Section 6.30.020.

Please review the conditions carefully. As the applicant, you are responsible for ensuring that the conditions are implemented. This Permit approved by the Community Development Director is appealable to the Planning Commission within 10 working days of this letter. Appeals shall be filed as provided in Municipal Code Article IX Development Code Section 6.30.020. If you have questions regarding this Permit or the appeal process, please contact the Community Development Department at (805) 473-4520 or comdev@groverbeach.org.

Sincerely,



Megan Martin
Community Development Director

Exhibit A

