

RESOLUTION 01-38

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A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, TO APPROVE THE REQUESTED VARIANCES TO ALLOW A GREATER THAN 250 SQUARE FEET ADDITION TO A NONCONFORMING DWELLING WITH ONLY ONE PARKING SPACE AND TO ALLOW A GREATER THAN 100% INCREASE IN VALUATION WHILE MAINTAINING NONCONFORMING SIDE AND REAR YARDS AND NONCONFORMING OPEN SPACE AT 55 5TH COURT LEGALLY DESCRIBED AS THE SOUTHEAST 40 FEET OF LOT 14 BLOCK 5, HERMOSA BEACH TRACT

The Planning Commission does hereby resolve and order as follows:

Section 1. An application was filed by Nancy Winters owner of real property located at 55 Fifth Court in Hermosa Beach, seeking to expand and remodel an existing nonconforming building. The applicant is seeking a Variance from Section 17.44.140(B) to exceed the 250 square feet allowed for expanding existing dwellings with only one parking space, and a seeking a Variance from Section 17.52.030(B) to exceed 100% increase in valuation allowed for nonconforming buildings. The building is nonconforming to side and rear yard requirements, and open space requirements of the R-3 zone.

Section 2. The Planning Commission conducted a duly noticed de novo public hearing to consider the application for these Variances on December 5, 2001, at which testimony and evidence, both written and oral, was presented to and considered by the Planning Commission.

Section 3. Based on the evidence received at the public hearing, the Planning Commission makes the following factual findings:

1. The applicant is proposing to expand and remodel a nonconforming single-family dwelling, which currently contains 702 square feet and no parking, by converting a portion of the first floor to accommodate a 1-car garage and adding a second floor. The project would increase the livable floor area from 702 square feet to 1,127 square feet and increase parking by one space.
2. The proposal will improve the property with respect to its nonconformity to parking open space by providing one parking space where none currently exists and increasing open space by 100 square feet. However, the property will still not be in complete compliance with parking and open space requirements of the R-3 zone.
3. Existing nonconforming side and rear yard dimensions are proposed to be maintained, while all new construction is proposed to comply with yard, height and lot coverage requirements.
4. The subject lot is a "half-lot" measuring 30' X 40', with a lot size of 1,200 square feet.

Section 4. Based on the foregoing factual findings, the Planning Commission makes the following findings pertaining to the application for Variances from guest parking and from garage dimensions:

1. There are exceptional and extraordinary circumstances unique to the property because of the unusually small lot size. The lot size of 30' X 40' is a uniquely small lot even for a half lot. This small lot size limits the options for maintaining the current very small house and remodeling it into a moderate sized home with a comfortable floor plan, especially if a standard sized two-car garage is required which would usurp the entire square footage on the first floor.
2. The owner wish to exercise a property right, possessed by others in the neighborhood, to construct a functional and reasonable remodel and expansion to the existing house without being forced to

1 demolish and completely rebuild. Without the Variances a home could certainly be constructed, but it
2 would require the total demolition of the existing structure and the construction of a three-story home to
3 have similar features and amenities.

3 3. The project will not be materially detrimental to property improvements in the vicinity and
4 Zone since the project complies with all other requirements of the Zoning Code and the project scale is
5 consistent with older homes in the area, and will be smaller in scale, and thus have less impact than the
6 typical size of new homes in the neighborhood. Further the existing deficiency to parking will be improved.

6 4. The project is not unusually large or out of scale with the neighborhood, and is otherwise
7 in conformance with the Zoning Ordinance and the General Plan

8 Section 5. Based on the foregoing, the Planning Commission hereby approves the subject
9 Variances to allow the expansion with only one parking space and to exceed a 100% increase in valuation
10 of a nonconforming building subject to the following conditions:

10 1. **The project shall be consistent with submitted plans reviewed by the Planning
11 Commission at their meeting of December 5, 2001. Any further minor
12 modifications to the plan shall be reviewed and may be approved by the
13 Community Development Director.**

13 2. **The Variance is specifically limited to the situation and circumstances that result
14 relative to the proposed project and is not applicable to the development future
15 projects.**

15 VOTE: AYES: Tucker, Kersenboom, Vice-Chair Pizer
16 NOES: Hoffman
17 ABSTAIN: None
18 ABSENT: Chairman Perrotti

18 CERTIFICATION

19 I hereby certify that the foregoing Resolution P.C. 01-38 is a true and complete record of the action
20 taken by the Planning Commission of the City of Hermosa Beach, California at their regular meeting of
21 December 5, 2001

21 _____
22 Sam Perrotti, Chairman

21 _____
22 Sol Blumenfeld, Secretary

23 _____
24 Date

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