

RESOLUTION P.C. 02-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA APPROVING THE EXPANSION AND REMODEL OF A NONCONFORMING USE RESULTING IN A GREATER THAN 10% STRUCTURAL REMOVAL OF EXISTING LINEAR FEET OF EXTERIOR WALLS WHILE MAINTAINING NONCONFORMING SIDE AND REAR YARDS, AND GARAGE SETBACK AT 3130 HERMOSA AVENUE.**

The Planning Commission of the City of Hermosa Beach does hereby resolve and order as follows:

Section 1. An application was filed by Lloyd King, owner of real property located at 3130 Hermosa Avenue, requesting a greater than 10% structural removal of existing linear feet of exterior walls of an existing nonconforming use in order to expand and remodel the first and second floors pursuant to Chapter 17.52 of the Zoning Ordinance.

Section 2. The Planning Commission conducted a hearing to consider the application on March 19, 2002, at which testimony and evidence, both written and oral, were 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 a 739 square foot expansion to a nonconforming duplex use resulting in a 42% structural removal of existing linear feet of exterior walls and an increase of valuation of 48.9% while maintaining nonconforming side and rear yards, and garage setback.

Section 4. Based on the foregoing factual findings, the Planning Commission makes the following findings:

1. The existing nonconforming yards to be maintained are not significant or unusual in regards to compatibility with neighboring properties;
2. The scale of the proposed expansion is reasonable, and is consistent with planning and zoning requirements for the R-3 zone and does not warrant requiring the current nonconforming conditions to be brought into conformance;
3. Approval of the expansion and remodel is consistent with the intent and goals of Chapter 17.52 of the Zoning Ordinance;
4. The project is Categorical Exempt from the requirements of the California Environmental Quality Act, pursuant to CEQA guidelines, Section 15301 e(2) with the finding that the project is in an area with available services and not in an environmentally sensitive area.

1            Section 5. Based on the foregoing, the Planning Commission hereby approves a greater than  
2 10% structural removal of existing linear feet of exterior walls, subject to the following **conditions of  
3 approval:**

- 4            1. The project shall be consistent with submitted plans. Modifications to the plan which do not involve any  
5 further expansion shall be reviewed and may be approved by the Community Development Director.
- 6            2. The driveway slope shall be no greater than the 12.5% maximum allowable.
- 7            3. Any new lot perimeter fences and walls shall comply with current maximum height requirements for front,  
8 rear and side yards.
- 9            4. The existing 440 square feet of usable open space shall be replaced by qualifying areas of usable open  
10 space as per Section 17.16.080 of the Zoning Ordinance.
- 11           5. The existing wooden exterior stair and landing for the rental unit shall be replaced with non-combustible  
12 materials.
- 13           6. Revised roof plan shall be provided denoting property corner point elevations.
- 14           7. Prior to issuance of building permits for demolition and construction, the contractor shall verify the  
15 structural integrity of the proposed walls to be retained with a structural inspection approved by the  
16 Community Development Director, with details incorporated on construction drawings. This may require  
17 further additional structural pest inspections and/or an inspection by a structural engineer.
- 18           8. Upon issuance of building permits the project shall proceed in compliance with the scope of work outlined  
19 on the plans and any further demolition or construction contrary to said plans will result in project delays  
20 in order for the City to review project modifications, and may require new plan submittals and Planning  
21 Commission review to proceed with construction work.

22            Section 6. Pursuant to the Code of Civil Procedures Section 1094.6, any legal challenge to the  
23 decision of the Planning Commission, after a formal appeal to the City Council, must be made within 90  
24 days after the final decision by the City Council.

- 25 AYES:  
26 NOES:  
27 ABSENT:  
28 ABSTAIN:

29 CERTIFICATION

30 I hereby certify that the foregoing Resolution P.C. 02- is a true and complete record of the action  
31 taken by the Planning Commission of the City of Hermosa Beach, California at their regular meeting of  
32 March 19, 2002.

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34 Sam Perrotti, Chairman

35 \_\_\_\_\_  
36 Sol Blumenfeld, Secretary

37 \_\_\_\_\_  
38 Date

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