

P.C. RESOLUTION 02-35

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, TO DENY A REQUESTED VARIANCE TO LEGALIZE AND MAINTAIN TWO DWELLING UNITS ON A LOT SUBSTANDARD TO THE MINIMUM LOT SIZE REQUIREMENT FOR TWO UNITS IN THE R-3 ZONE, AND WITH LESS THAN REQUIRED OFF-STREET PARKING FOR TWO UNITS AT 136 SECOND STREET.

The Planning Commission does hereby resolve and order as follows:

Section 1. An application was filed by Maureen Anderson, owner of real property located at 136 Second Street in Hermosa Beach, seeking to legalize and maintain two dwelling units at 136 Second Street which requires Variances from the lot area per dwelling unit requirements of the R-3 zone, and the parking requirements for the Zoning Ordinance.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application for this Variance on September 17, 2002, 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 subject property contains 2,082.5 square feet of lot area, and is improved with a single family dwelling, two-car garage, and bedroom and bathroom above the garage with separate exterior access from the main dwelling. The dwelling was constructed in 1938, and the bedroom and bath addition were permitted and constructed in 1977. The 1977 permit was for an addition to the single-family dwelling and was not for a second unit or second kitchen.

2. The applicant purchased the property in 1987, and signed the copy of the Residential Building Report, which identifies the property as one unit.

3. The applicant is requesting Variances from the Zoning Ordinance to allow her to use the rooms above the garage for a second unit. A Variance is needed to the lot area per dwelling unit requirement of one unit per 1,320 square feet in the R-3 zone (Section 17.16.090 of the Zoning Ordinance) since the lot area is not sufficient to support two units in compliance with this requirement. A Variance is also needed from the parking requirements of Chapter 17.44 of the Zoning Ordinance since two parking spaces are required per dwelling unit and the property currently only has two parking spaces for the single dwelling.

Section 4. Based on the foregoing factual findings, the Planning Commission makes the following findings pertaining to the application for Variances from the lot area per dwelling unit requirement and parking requirements:

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1. There are no exceptional or extraordinary circumstances related to the physical conditions of the property. While the applicant argues that the lot is unusually small, this argument is not supported by the conditions of the surrounding blocks in the vicinity. Eighteen of the 116 existing lots in a one-block radius have been split creating 35 “split” lots. (Two lots were combined and then split into three lots resulting in an odd number of total split lots including the applicants at 2,082 square feet.) The split lots range in size from 1,218 square feet to 2,380 square feet with an average of 1,500 square feet. Therefore, the subject lot is not particularly unique or unusual. In fact, there are 33 split lots which are smaller than the subject lot and 28 lots which are significantly smaller (1,500 square feet or less) than the subject lot. All of these lots are subject to the same requirement of one dwelling unit per lot.

2. A Variance is not necessary for the preservation of a substantial property right possessed by other properties in the vicinity of the subject property. While some of the split lots may have two units on them (staff has identified 8 of the 35 that have two units) these were legally created prior to 1970 when two units were allowed per lot no matter what the size. The majority of the split lots are in the same situation as the subject lot, containing one dwelling.

3. Both the Variances for use and for relief of off-street parking requirements present potentially detrimental effects on surrounding properties with respect to congestion and density, and parking on the street. The lack of parking on site means more vehicles would be forced to park on street.

4. The proposed Variance would conflict with the General Plan as it would permit development on this lot at a density of over 42 units per acre. The maximum of the range for the High-Density designation in the General Plan is 33 units per acre.

Section 5. Based on the foregoing, the Planning Commission hereby denies the subject Variance request to allow two units on the subject property.

VOTE:	AYES:	Hoffman, Kersenboom, Perroti, Pizer, Tucker
	NOES:	None
	ABSTAIN:	None
	ABSENT:	None

CERTIFICATION

I hereby certify that the foregoing Resolution P.C. 02-35 is a true and complete record of the action taken by the Planning Commission of the City of Hermosa Beach, California at their regular meeting of September 17, 2002

Ron Pizer, Chairman

Sol Blumenfeld, Secretary

Date

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