

RESOLUTION NO. 02-38

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING A 232 SQUARE FOOT EXPANSION AND REMODEL TO AN EXISTING DUPLEX WITH DEMOLITION OF EXTERIOR WALLS EXCEEDING 10%, WHILE MAINTAINING NONCONFORMING PARKING, AND LAND USE AT 241 LONGFELLOW AVENUE

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

Section 1. An application was filed by Robert Schonberger, owner of real property located at 241 Longfellow Avenue, requesting a 232 square foot expansion and remodel to an existing nonconforming duplex pursuant to Section 17.44.140B of the Zoning Ordinance, and to demolish more than 10% the existing exterior walls pursuant to Section 17.52.030.

Section 2. The Planning Commission conducted a hearing to consider the application on September 17, 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 subject property is zoned R-2 and contains two dwelling units, determined to be legal dwellings in 1977. The existing duplex is nonconforming to parking as one parking space per unit is available, and nonconforming to the lot area per dwelling unit requirements of the R-2 zone, meaning the existing duplex is a nonconforming use.

2. The applicant is proposing a 232 square foot expansion while maintaining only one parking space per unit, and pursuant to Section 17.44.140B of the Zoning Ordinance, up to 250 square feet may be added when 1 parking space is available per unit, subject to Planning Commission approval for nonconforming uses.

3. The plans include demolition of greater than 10% of the existing exterior walls (approximately 25% demolition), and Section 17.52.030 of the Zoning Ordinance requires Planning Commission approval to exceed 10% demolition on buildings containing nonconforming uses.

4. The dwelling units are nonconforming to open space requirements, but this nonconforming condition will become no worse with the proposed remodel and expansion.

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

1. The nonconformities with the Zoning Ordinance pertaining to parking and use are not unusual or severe for this area of the City.

2. The scale of the proposed expansion and remodel is reasonable, and is consistent with Planning and Zoning requirements for the R-2 zone and Chapter 17.52 pertaining to nonconforming uses and does not warrant requiring the nonconforming conditions to be brought into conformance;

3. Approval of the expansion/remodel is consistent with the intent and goals of Chapter 17.52 and Section 17.44.140B. of the Zoning Ordinance;

1 4. The project is Categorically Exempt from the requirements of the California Environmental
2 Quality Act, pursuant to CEQA guidelines, Section 15301 e (2) with the finding that the project is in an
3 area with available services and not in an environmentally sensitive area.

4 Section 5. Based on the foregoing, the Planning Commission hereby approves 232 square foot
5 expansion and remodel, subject to the following **Conditions of Approval:**

- 6 **1. The development and continued use of the property shall be in conformance with**
7 **submitted plans received and reviewed by the Planning Commission at their meeting of**
8 **September 17, 2002. Minor modifications shall be reviewed and may be approved by the**
9 **Community Development Director.**
- 10 **2. Prior to issuance of building permits for demolition and construction, the contractor shall**
11 **verify the structural integrity of the proposed walls to be retained with a structural**
12 **inspection approved by the Community Development Director, with details incorporated**
13 **on construction drawings. This may require further additional structural pest inspections**
14 **and/or an inspection by a structural engineer.**
- 15 **3. Upon issuance of building permits the project shall proceed in compliance with the scope of**
16 **work outlined on the plans and any further demolition or construction contrary to said**
17 **plans will result in project delays in order for the City to review project modifications, and**
18 **may require new plan submittals and Planning Commission review to proceed with**
19 **construction work.**
- 20 **4. Revised roof and elevation plans shall be provided denoting both maximum allowed and**
21 **proposed height at the critical point for the new construction area (located at the SW**
22 **corner of the deck railing on the roof deck).**
- 23 **5. The main building structure and the accessory building shall be separated by a minimum**
24 **distance of six (6) feet.**
- 25 **6. The fireplace encroachment into the side yard shall provide a minimum clearance of 30” to**
26 **the property line.**

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

AYES: Hoffman, Kersenboom, Perrotti, Pizer
NOES: None
ABSENT: None
ABSTAIN: Tucker

CERTIFICATION

I hereby certify that the foregoing Resolution P.C. 02-38 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

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