

May 12, 2003

**Honorable Chairman and Members of the
Hermosa Beach Planning Commission**

**Regular Meeting of
May 20, 2003**

SUBJECT: NONCONFORMING REMODEL 03-1

LOCATION: 553 24TH PLACE

APPLICANT: EDWARD AND MADELINE BEELES
553 24TH PLACE
HERMOSA BEACH, CA 90254

REQUESTS: TO ALLOW A FIRST FLOOR ADDITION TO A SINGLE-FAMILY HOME WITH
AN EXTENSION OF EXISTING WALLS WITH NONCONFORMING SIDE YARDS

Recommendation

To approve the expansion subject to the conditions in the attached resolution.

Background

LOT SIZE	6,250 square feet
EXISTING FLOOR AREA	2,633
PROPOSED ADDITION:	434 square feet
PERCENT INCREASE IN VALUATION	27%
ZONING:	R-1
GENERAL PLAN:	Low Density Residential
ENVIRONMENTAL DETERMINATION:	Categorically Exempt

The house was originally constructed in 1953. A Variance was granted in 1981 to allow the second story addition with continuation of the existing sub-standard side yards of 2'-5" on the west side and 3'-4" on the east side, rather than the required 5-feet. The applicant is currently proposing an extension of the first floor, in conjunction with the addition of an elevator to the second floor. The remodel and addition will increase the size of the existing dining room, add a breakfast nook, and enlarge the family room.

Analysis

Pursuant to Section 17.52.030.B (Expansion, Remodeling, and Alteration of Nonconforming Buildings) of the Zoning Ordinance, existing nonconforming side yards may be continued and extended subject to Planning Commission approval. The applicant is proposing to add on to the first floor under the cantilevered second floor, and to extend the dwelling 5'-6" further into the rear yard. The expansion will increase the living area of the house from 2,633 square feet to 3,067 square feet. The expansion results in a 27% increase in valuation.

Other than the proposed extension of walls with nonconforming side yards, the proposal generally conforms to planning and zoning requirements, as the large lot provides substantial front and rear

yards. The existing “two-car” garage, however, is 16’-4” wide rather than the required 17 feet and therefore does not qualify as two spaces. Section 17.44.140(B) allows expansion of nonconforming properties with at least two existing parking spaces. The Planning Commission can determine that the parking requirement is satisfied in this case, even though the garage is considered as only one space, as an additional open parking space with satisfactory dimensions is located in tandem in the driveway in front of the garage, providing two spaces pursuant to this section.¹ Otherwise, the applicant would be required to widen the garage, which would require moving an interior load bearing wall, since no additional room is available to widen the garage into the west side yard.

The side yard setbacks represent a fairly unusual condition as they are deficient on both sides, however, a Variance has already been granted to substantially extend the existing walls with these nonconforming yards. The proposed new extension is relatively minor and would not substantially worsen the existing condition.

CONCUR:

Ken Robertson
Senior Planner

Sol Blumenfeld
Community Development Director

Notes:

¹ Section 17.44.140(B) pertaining to parking requirements for additions to existing structures, states that “there shall be provided, permanently maintained, and permanently available two parking spaces for each existing unit, including requirements for turning radius and parking standards as required by this chapter,” and allows exceptions for up to a 250 square foot addition if only one space is provided, or 100 square feet with no parking. In this project the addition is 434 square feet, requiring two spaces. The Commission can allow the expansion as proposed, despite the substandard garage width, as at least two parking spaces can be considered to be provided: one in the garage and one in front of the garage in tandem. Tandem parking is permitted in the R-1 zone, and the exterior space complies with minimum 8.5’ X 18’ dimensions for exterior parking. This parking only works in a situation like this that involves an expansion to a nonconforming building, and would not satisfy parking requirements for a new project or major expansion greater than 50% because of lack of adequate guest parking (i.e. two in the garage plus one guest).

Attachments

1. Proposed Resolution
2. Location Map
3. Photographs
4. Zoning Check List/Nonconforming worksheet

553 24th Place



P.C.RESOLUTION NO. 03-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA APPROVING AN ADDITION TO AN EXISTING SINGLE FAMILY DWELLING WHICH EXTENDS EXISTING NONCONFORMING SIDE YARDS AT 533 24TH STREET

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

Section 1. An application was filed by Edward and Madeline Beeles, owner of real property located at 533 24th Street, requesting an addition to an existing single-family residence, which extends both existing nonconforming side yards, pursuant to Chapter 17.52 of the Zoning Ordinance.

Section 2. The Planning Commission conducted a hearing to consider the application on May 20, 2003, 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 434 square foot expansion to the livable floor area of an existing nonconforming 50-year-old single-family dwelling, resulting in an increase of valuation of 27%.

2. The existing west side yard is 2'-5" and the east side yard is 3'-4" rather than the required 5 feet.

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

1. The minor extension of the walls with nonconforming side yards is minor, and will not significantly worsen the existing nonconforming condition.

2. The existing parking, despite the substandard garage width of 16'-4" rather than 17', accommodates two legal parking spaces as one is provided in the garage and one is provided in tandem in front of the garage, complying with Section 17.44.140(B) of the Zoning Ordinance.

3. The scale of the proposed expansion is reasonable, and is consistent with planning and zoning requirements for the R-1 zone and does not warrant requiring the current nonconforming side yards be brought into conformance.

4. Approval of the expansion is consistent with the intent and goals of Chapter 17.52 of the Zoning Ordinance.

5. The project is Categorically 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.

Section 5. Based on the foregoing, the Planning Commission hereby approves an extension of nonconforming side yards, subject to the following **Conditions of Approval**:

1. **The project shall be consistent with submitted plans. Minor modifications to the plan not involving any further expansion may be reviewed and approved by the Community Development Director.**
2. **Upon issuance of building permits the project shall proceed in compliance with the scope of work outlined on the plans and any further demolition or construction contrary to said plans will result in project delays in order for the City to review project modifications, and may require new plan submittals and Planning Commission review to proceed with construction work.**
3. **Prior to issuance of building permits for demolition and construction, the contractor shall verify the structural integrity of the proposed walls to be retained with a structural inspection approved by the Community Development Director, with details incorporated on construction drawings. This may require further additional structural pest inspections and/or an inspection by a structural engineer.**

VOTE: AYES:
 NOES:
 ABSTAIN:
 ABSENT:

CERTIFICATION

I hereby certify that the foregoing Resolution P.C. 03- 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 May 20, 2003.

 Peter Hoffman, Chairman

 Sol Blumenfeld, Secretary

May 20, 2003
 Date

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