

May 12, 2003

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

**Regular Meeting of
May 20, 2003**

SUBJECT: LOT LINE ADJUSTMENT 03-1

LOCATION: 222 CULPER COURT AND THE PACIFIC VILLAS (401-449 2ND STREET AND 201-223 VALLEY DRIVE)

APPLICANT: DAN MELLILO JR.
118 S. CATALINA AVENUE
REDONDO BEACH, CA 90277

REQUEST: TO ADJUST THE EASTERLY LOT LINE OF THE PROPERTY AT 222 CULPER COURT IN ORDER TO ENLARGE THE PROPERTY (IN ORDER TO MEET SETBACK AND LOT COVERAGE REQUIREMENTS CURRENTLY IN VIOLATION DUE TO SURVEY ERROR)

Recommendation

To approve the request.

Background

The applicant is the developer of a two-unit condominium project which has been completed on the subject property at 222 Culper Court. Upon submittal of the final map for City approval staff discovered that the property dimensions from the tentative map and original survey were incorrect as and did not match the final map. Since the design and layout of the building on the site, including the City's approval, was based on the original survey that incorrectly showed a greater area and depth to the property, the project was built in violation of rear yard setback requirements and lot coverage requirements.

The applicant requested Planning Commission approval of an after-the-fact Variance to resolve the rear yard setback and lot coverage problems resulting from the survey error. The Commission denied the requested Variance. The applicant has appealed the Commission decision, but later withdrew his appeal after completing negotiation with the Pacific Villas Homeowners Association for the sale of property necessary to commence with a lot line adjustment.

Analysis

The applicant proposes to adjust the lot line slightly to the east, to follow the existing block wall that separates the subject property from a driveway in the Pacific Villas project. The subject lots involved are zoned R-3 (Culper Court) and R-2 (The Pacific Villa property) and are substantially larger than minimum lot size. With this adjustment the building will comply with the minimum 5-foot rear yard setback on the ground floor, the 3-foot minimum requirement on the upper floors, and the 65% maximum lot coverage requirement pursuant to the original approved plans.

The adjustment to the common area of the Pacific Villa property will not affect any of the individual units, and the overall project area of the Pacific Villas property, 1.65 acres, will decrease by only 143 square feet. The project, which contains 37 units, will still comply with density requirements of the R-2 zone, as after the adjustment the project will contain 22.5 units per acre, (or one unit per 1936 square feet) which complies with the density requirements of the R-2 zone of a maximum of 24 units per acre (or one unit per 1,750 square feet). No part of the project will be materially affected by the change, since the property to be exchanged is an unimproved strip of land located on top of and west of the block retaining wall along a driveway. The closest building on the Pacific Villa property is at least 25 feet from the new property line.

Ken Robertson
Senior Planner

CONCUR:

Sol Blumenfeld, Director
Community Development Department

Attachments

1. Proposed Resolution
2. Certificate of Compliance
3. Survey
4. Photos

Ila222

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P.C. RESOLUTION NO. 03-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
HERMOSA BEACH, CALIFORNIA APPROVING A LOT LINE
ADJUSTMENT BETWEEN 222 CULPER COURT AND THE PACIFIC
VILLAS AT 401-449 2ND STREET AND 201-223 VALLEY DRIVE**

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

Section 1. An application was filed by Dan Mellilo, owner of real property located at 222 Culper Court, requesting approval of a Lot Line Adjustment between his property at 222 Culper Court and the adjacent property known as the Pacific Villas at 401-449 2nd Street and 201-223 Valley Drive

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 has recently completed the construction of a 2-unit condominium project based on an incorrect survey, which resulted in the buildings being constructed in violation of the rear yard setback and lot coverage requirements

2. The applicant is proposing to adjust the rear property line to enlarge his property in order to accommodate a 5-foot rear yard setback and to comply with lot coverage.

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

1. The resulting lots conform to the minimum lot size requirements of the Subdivision and Zoning Ordinances of the City of Hermosa Beach; and,

2. The Lot Line Adjustment will not be detrimental to neighboring properties or to public health, safety, and welfare;

3. Pursuant to Section 66421(d) of the Subdivision Map Act this action is not subject to the requirement for a Parcel Map.

Section 5. Based on the foregoing, the Planning Commission hereby approves a Lot Line Adjustment subject to the following **Conditions of Approval:**

1. A Topographical Lot Survey, stamped and signed by a Civil Engineer or licensed Land Surveyor, must be properly completed to the satisfaction of the Community Development Director.

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- 2. A Certificate of Compliance properly and completely describing the adjusted lots shall be prepared for signature by the City and shall be recorded with the deeds for the two involved properties.
- 3. The Quit Claim Deed shall be fully executed and submitted to the Community Development Department.

VOTE: AYES:
 NOES:
 ABSENT:
 ABSTAIN:

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

Date _____