

May 7, 2003

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

**Regular Meeting of  
May 20, 2003**

SUBJECT: NONCONFORMING REMODEL 03-

LOCATION: 840 20<sup>TH</sup> STREET

APPLICANT: RONALD NELSON  
840 20<sup>TH</sup> STREET  
HERMOSA BEACH, CA 90254

REQUEST: ADDITION AND REMODEL TO AN EXISTING SINGLE FAMILY DWELLING  
WITH NONCONFORMING SIDE YARDS RESULTING IN A GREATER THAN  
50% INCREASE IN VALUATION AND REMOVAL OF MORE THAN 30%  
EXISTING LINEAR FEET OF EXTERIOR WALLS

**Recommendation**

To approve the expansion subject to conditions.

**Background**

LOT SIZE:	3,900 square feet
EXISTING FLOOR AREA:	2,011 square feet 341 square feet garage 200 square feet deck
PROPOSED ADDITION:	1,450 square feet 60 square feet garage 632 square feet deck
PERCENT INCREASE IN VALUATION:	76.4%
ZONING:	R-1
GENERAL PLAN:	Low Density Residential
ENVIRONMENTAL DETERMINATION:	Categorically Exempt

The existing two-story dwelling was originally constructed in 1941. The dwelling is nonconforming to current side yard requirements. The side yards are 2.92 feet (west) and 2.75 feet (east) rather than the required 4 feet.

**Analysis**

Chapter 17.52 of the Zoning Ordinance requires Planning Commission approval when an expansion/remodel of a nonconforming building exceeds 50% and/or requires removal of more than

thirty (30) percent existing linear feet of the exterior walls. The applicant is proposing to expand and remodel the building by adding 157 square feet of livable area on the first floor, 1293 square feet of livable area on the second floor, and 632 square feet of decks on the second floor and roof. The expansion results in a 76.4% increase in valuation, and requires removing 35% of existing exterior walls.

The applicant proposes to have the second story addition match the existing nonconforming side setbacks of the first floor. Pursuant to Section 17.52.030, existing nonconforming side yards of nonconforming buildings may be continued and extended subject to Planning Commission approval. The nonconforming setbacks are proposed to extend 10 feet on the east side and 38.5 feet on the west side above the existing first floor.

The proposal generally conforms to planning and zoning requirements. The applicant proposes to enlarge the garage to comply with current parking space size requirements. Adequate open space is provided in the back yard area and new decks on the second floor and roof, to exceed the minimum 300 square feet required at grade and minimum 400 square feet total. Proposed lot coverage is 57%. The building with the proposed addition will be below the maximum height limit at the critical points.

The nonconforming side yards are not severe or unusual conditions, and the amount of expansion and extension of the nonconforming side yards are reasonable given the lot size, and the age, size, and condition of the existing structure.

CONCUR:

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Scott Lunceford  
Planning Assistant

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Sol Blumenfeld, Director  
Community Development Department

Attachments

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

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840 20<sup>th</sup> Street

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**RESOLUTION NO. 03-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA APPROVING A GREATER THAN 50% EXPANSION AND REMODEL AND REMOVAL OF MORE THAN 30% EXISTING LINEAR FEET OF EXTERIOR WALLS OF AN EXISTING SINGLE-FAMILY DWELLING WHILE EXTENDING EXISTING NONCONFORMING SIDE YARDS AND AT 840 20<sup>TH</sup> STREET**

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

Section 1. An application was filed by Ronald Nelson, owner of real property located at 840 20<sup>th</sup> Street, requesting a greater than 50% expansion and remodel, removal of more than 30% existing linear feet of exterior walls, and extending existing nonconforming side yards of an existing nonconforming single family dwelling, 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 1,450 square foot expansion to a single-family dwelling, a 62-year old structure, resulting in an increase of valuation of 98.7% and removal of 35% existing linear feet of exterior walls while extending existing nonconforming side yards.

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

1. The existing nonconforming side yards 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-1 zone and does not warrant requiring the current nonconforming side yards to be brought into conformance;
3. Approval of the expansion 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.

Section 5. Based on the foregoing, the Planning Commission hereby approves a greater than 50% expansion, removal of greater than 30% linear feet of existing exterior walls, and extension of existing nonconforming side yards subject to the following **conditions of approval:**

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1. The project shall be consistent with submitted plans. Minor modifications to the plan which do not involve any further expansion shall be reviewed and may be approved by the Community Development Director.
2. Existing spa shall be relocated so as to not encroach into any required yards.
3. A termite and structural inspection report verifying the structural integrity of the building must be submitted prior to issuance of building permit.
4. 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.
5. 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.

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

- 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.

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Peter Hoffman, Chairman

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Sol Blumenfeld, Secretary

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May 20, 2003  
Date

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