

August 11, 2003

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

**Regular Meeting of
August 19, 2003**

SUBJECT: NONCONFORMING REMODEL 03-8

LOCATION: 456 31ST STREET

APPLICANT: CHRIS & KAREN KOHLES
456 31ST STREET
HERMOSA BEACH, CA 90254

REQUESTS: ADDITION AND REMODEL TO AN EXISTING SINGLE FAMILY DWELLING WITH
NONCONFORMING FRONT YARD, SIDE YARD AND GARAGE SETBACKS
RESULTING IN A GREATER THAN 50% INCREASE IN VALUATION

Recommendation

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

Background

LOT SIZE	2,100 square feet
EXISTING FLOOR AREA	761 square feet
PROPOSED ADDITION	758 square feet 432 square feet deck
PERCENT INCREASE IN VALUATION	95.9%
ZONING	R-1
GENERAL PLAN	Low Density Residential
ENVIRONMENTAL DETERMINATION	Categorically Exempt

The existing one-story dwelling was constructed in 1946. The dwelling is nonconforming to current front yard, side yard, and garage setbacks. At the garage the west side yard is 2.4 feet rather than the required 3 feet, the front yard is 2 feet rather than the required 7 feet, and the garage is setback 3.7 feet from the nearest public improvement rather than the required 13 feet for a garage that fronts on an alley less than 15 feet wide.

Analysis

Chapter 17.52 of the Zoning Ordinance requires Planning Commission approval when an expansion/remodel of a nonconforming building exceeds 50%. The applicant is proposing to construct a first and second story addition of 758 square feet. As part of the project, the applicant proposes to demolish the existing nonconforming garage and construct a new attached garage. The expansion will increase the living area of the house from 761 square feet to 1,519 square feet, and lot coverage after the expansion is 62%. The expansion results in a 95.9% increase in valuation.

The proposal generally conforms to planning and zoning requirements, with the new garage proposed to comply with current parking and turning radius requirements, except the garage door needs to be one foot wider to comply with the stall opening standards for a garage with a 22-foot turning radius off an alley and the required driveway slope information is not provided on the plans. Also, the proposed height of the parapet wall at the critical height point is 3 inches higher than the maximum allowable height of 25 feet. The survey

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 WITH NONCONFORMING FRONT YARD, SIDE YARD AND GARAGE SETBACKS RESULTING IN A GREATER THAN 50% INCREASE IN VALUATION AT 456 31ST STREET

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

Section 1. An application was filed by Chris and Karen Kohles, owners of real property located at 456 31st Street, requesting an addition to an existing nonconforming single-family residence resulting in a greater than 50% increase in valuation, pursuant to Chapter 17.52 of the Zoning Ordinance.

Section 2. The Planning Commission conducted a hearing to consider the application on August 19, 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 758 square foot expansion to livable floor area and a 432 square foot expansion to deck area of an existing 57-year-old single-family dwelling, resulting in an increase of valuation of 95.9% while maintaining a nonconforming front yard setback.
2. The applicant proposes to demolish the existing nonconforming garage and construct a new attached garage in order to remove the existing nonconforming side yard and garage setbacks.

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

1. The existing nonconformities are not severe or unusual.
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 front yard 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 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.

also fails to label the property corner points. Staff believes these problems can be resolved as Conditions of Approval.

Pursuant to Section 17.08.030 L.1 (Exceptions for Small Lots) of the Zoning Ordinance, lots of 2100 square feet or less in area in the R-1 zone shall be allowed a minimum of 300 square feet of usable open space with minimum dimensions of 7 feet in length and width, and all of the required usable open space may be provided on balconies or decks provided that at least 60% of the usable open space is directly accessible to primary living areas. These requirements are similar to the open space requirements of the higher density residential zones (R-2 and above). However, because the applicant wants to have a traditional floor plan with the primary living areas on the ground floor, 180 square feet (60%) of the required open space must be available at grade. Staff has worked with the applicant to provide a possible solution to accommodate the open space requirement at grade while bringing the existing garage into compliance, by using the required side yard to meet the minimum dimension (7 feet) required in conjunction with excess yard area. The Zone Code is silent as to whether a required side yard on a small lot in the R-1 zone can be used to meet the minimum dimension requirement for open space calculations as possible in higher density residential zones¹. Staff is requesting direction on whether or not the required side yard can be used for determining the minimum dimension required for open space on a small lot in the R-1 zone.

Based on visual inspection by staff, the nonconforming front yard setback is not unusual conditions for the street as the majority of the lots seem to have similarly nonconforming setbacks. The applicant proposes to correct the existing nonconforming side yard and garage setbacks. The project is therefore consistent with Chapter 17.52 of the Hermosa Beach Zone Code.

CONCUR:

Scott Lunceford
Planning Associate

Sol Blumenfeld, Director
Community Development Department

Attachments

1. Proposed Resolution
2. Location Map
3. Photographs
4. Zoning Checklist & Height Calculation
5. Valuation Worksheet

nr456 (03-8)

¹ Sections 17.12.080, 17.14.080, and 17.16.080 provide that when computing open space in conjunction with yard areas, only an area which exceeds the minimum required yard area may be counted toward open space and only if the overall dimension of the required setback and the exceeding area together has a dimension of at least seven feet in width and length.