

May 12, 2003

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

**Regular Meeting of
May 20, 2003**

SUBJECT: NONCONFORMING REMODEL 03-11

LOCATION: 640 LOMA DRIVE

APPLICANT: MICHAEL BINDER
640 LOMA DRIVE
HERMOSA BEACH, CA 90254

REQUESTS: TO ALLOW A THIRD FLOOR ADDITION AND REMODEL TO AN EXISTING
DUPLEX WITH NONCONFORMING GARAGE SETBACK AND CONVERT TO A
SINGLE FAMILY DWELLING 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	3,180 square feet
EXISTING FLOOR AREA	1,632 square feet
PROPOSED ADDITION:	1,044 square feet
PERCENT INCREASE IN VALUATION	63.5%
ZONING:	R-2
GENERAL PLAN:	Medium Density Residential
ENVIRONMENTAL DETERMINATION:	Categorically Exempt

At the April 15, 2003 meeting, the Planning Commission reviewed an Appeal of the Community Development Department Director's Decision regarding a convex slope for the subject property. The Planning Commission unanimously agreed that this lot should be considered a convex slope.

The duplex was originally constructed in 1971. The building is nonconforming to current garage setback requirements. The garage is 15 feet from the nearest public improvement rather than the required 17 feet. The duplex is a nonconforming use because the lot area is too small to allow two units, but will be brought into compliance when converted to a single-family residence.

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 convert the existing duplex into a single-family residence and add a third story that contains a living room, master bedroom and bath, and a deck. The expansion will increase the living area of the

house from 1,632 square feet to 2,676 square feet. The expansion results in a 63.5% increase in valuation.

The proposal generally conforms to planning and zoning requirements. Adequate open space is provided in the back yard area and new deck on the third floor, to exceed the minimum 300 square feet required. Proposed lot coverage is 41.9%. The building with the proposed addition will be below the maximum height limit at the critical point.

The garage setback is not a severe or unusual condition, and the amount of expansion is reasonable given the lot size, and the age, size, and condition of the existing structure.

CONCUR:

Scott Lunceford
Associate Planner

Sol Blumenfeld
Community Development Director

Attachments

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



640 Loma Drive

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RESOLUTION NO. 03-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA APPROVING AN ADDITION AND REMODEL TO AN EXISTING DUPLEX WITH NONCONFORMING GARAGE SETBACK AND CONVERT TO A SINGLE FAMILY DWELLING RESULTING IN A GREATER THAN 50% INCREASE IN VALUATION AT 640 LOMA DRIVE

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

Section 1. An application was filed by Michael Binder, owner of real property located at 640 Loma Drive, requesting a greater than 50% expansion and remodel while maintaining an existing nonconforming garage setback of an existing nonconforming duplex to be converted to a 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 September 16, 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 1,044 square foot expansion to an existing duplex, a 32-year old structure, and convert the building to a single-family dwelling resulting in an increase of valuation of 63.5% while maintaining an existing nonconforming garage setback.

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

1. The existing nonconforming garage setback is 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-2 zone and does not warrant requiring the current nonconforming garage setback 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 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 a greater than 50% expansion and remodel while maintaining an existing nonconforming garage setback 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. **A termite and structural inspection report verifying the structural integrity of the building must be submitted prior to issuance of building permit.**
- 3. **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.**
- 4. **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 September 16, 2003.

Peter Hoffman, Chairman

Sol Blumenfeld, Secretary

September 16, 2003
Date

NRR640