

September 10, 2003

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

**Regular Meeting of
September 16, 2003**

SUBJECT: APPEAL OF DIRECTOR'S DECISION REGARDING THE GRADE USED FOR
THE HEIGHT MEASUREMENT ON A CONVEX SLOPING LOT.

LOCATION: 242 33RD STREET

APPLICANT: TYRUS LUM

Recommendation

To direct staff as deemed appropriate by minute order, from the following alternatives:

1. Interpolate the grade from the corner points only.
2. Interpolate from intermediate points on the top of the slope, as proposed by the applicant.

Background

The subject lot is located on the south side of 33rd Street between Manhattan Avenue and Highland Avenue. The lot is zoned R-2 with a height limit of 30-feet. The lot, like others along the south side of this block, is relatively flat at the top half of the lot where it fronts on the street, but slopes down steeply at the rear half of the lot towards the alley (33rd Place).

Analysis

Pursuant to the definition of building height, as set forth in Section 17.04.040 of the Zoning Ordinance, and the method of determining building height, as set forth in Section 17.46.015, the grade used for the height measurements is based on the surveyed elevations points at the property corners. The method for determining building height, however, also allows consideration of other points for lots with "convex" contours. In these situations, the grade of a lot may be based on points along the property line in addition to the corner points. In cases where the datum for height measurement is disputed, the final determination of the grade may be referred to the Planning Commission.

For the subject lot, the applicant is requesting consideration as a convex lot, and is proposing alternative points at the top of the bank as the basis for measuring height rather than the southerly corner points. This would allow the construction of a new single-family dwelling that has two-stories above a basement on the flat portion of the lot. If a standard straight-line interpolation from the corner points were used, the construction of a second story above a basement and first story would not be possible unless the building is lowered into the grade.

The applicant's request appears to be reasonable given the existing condition of the lot and surrounding terrain. The attached photos of the property and surroundings indicate that the grade of the lot, like others on the block, is relatively flat before it steeply slopes in the back portion of the lot, and this convex condition appears to be the natural grade. This grade is generally either cut and protected by a retaining wall or graded.

CONCUR:

Scott Lunceford
Associate Planner

Sol Blumenfeld, Director
Community Development Department

Attachments

1. Property Survey
2. Photos

Appeal242



242 33rd Street – frontage looking west



Rear grade from 33rd Place between 242 33rd Street and property to the east



Rear grade from 33rd Place between 242 33rd Street and property to the west



Rear grade from 33rd Place between two properties to the west of 242 33rd Street