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RESOLUTION NO. 03-56

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF HERMOSA BEACH, CALIFORNIA, DENYING A
REQUESTED VARIANCE FROM LOT COVERAGE
REQUIREMENTS AT 259 31ST STREET LEGALLY
DESCRIBED AS LOT 19, BLOCK 117, SHAKESPEARE TRACT**

The Planning Commission does hereby resolve and order as follows:

Section 1. An application was filed by A. Jonathan Schwartz owner of real property located at 259 31st Street in Hermosa Beach, seeking a Variance from Section 17.08.030(J), Permissible Lot Coverage in the R-1 Zone, to allow an addition and remodel, and conversion of a duplex to a single-family dwelling, resulting in 71% lot coverage rather than the maximum 65%.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application for a Variance on October 21, 2003, at which testimony and evidence, both written and oral, was 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 subject lot is zoned R-1 and contains 2100 square feet with a dimension of 30' X 70'. This is the typical lot size for this block, which is a walk street, and is considered a small lot pursuant to the R-1 zoning standards, which provides an exception to open space requirements for small lots.

2. The subject property is currently developed with a two-story stacked duplex, with a two-car garage with access to the alley. The current use as two units is a nonconforming use in the R-1 zone. The property is also nonconforming with respect to front and side yard requirements, open space, lot coverage and parking summarized as follows:

Front Yard: 0 rather than required 7 feet (10% of lot depth)

Side Yard: 1.5 feet on the west side rather than the required 3 feet (10% of lot width), including a bay window that projects to the property line.

Open Space: Complies with the total requirement for small lot exception of 300 square feet, as a total of 500 square feet is available on the roof deck (380) and excess yard areas on the ground (120), but does not comply with the requirement that 60% be located adjacent to primary living areas, as 120 square feet is available on ground rather than 180 square feet.

Lot Coverage: currently 68% rather than the required 65%

Parking: one space per unit plus one guest rather than two spaces per unit

3. The proposed project involves eliminating one of the units by removing the first floor kitchen and connecting this floor with the second floor with a spiral stair. Also, the garage will be relocated and reconstructed closer to the alley allowing the addition of 175 square feet of floor area on the first floor for an additional bedroom and bathroom, and the addition of a master bath on the second floor above a portion of the new garage. The proposed remodel and addition will bring the property

1 into conformance with the Zoning Ordinance with respect to use because of the elimination of one unit,
2 and bring the property into compliance with parking requirements. The nonconforming front and side
3 yards will remain, and the project will remain nonconforming to small lot open space requirements. The
4 project as designed causes lot coverage is to be increased by 58.5 square feet (approx 3%) to
5 accommodate the relocated garage and master bathroom. Therefore, a Variance is required from the
6 lot coverage requirement.

7
8 4. The applicant is proposing a 233 square foot expansion, resulting in an increase of valuation
9 of 44% as combined with a 1997 expansion and remodel project.

10 Section 4. Based on the foregoing factual findings, the Planning Commission makes the
11 following findings pertaining to the application for a Variance:
12

13 1. There are not exceptional or extraordinary circumstances relating to the property because the
14 lot is typical in size, topography and shape for the neighborhood. While the lot is small (2100 square
15 feet with dimension of 30' X 70', this small lot condition exists on this entire block (38 lots have the
16 same dimension). Further, because these small lots are recognized in the code; the property is already
17 given some relief from development standards relating to open space. The existing condition of the
18 structure, historically a duplex, is not unusual since this condition exists on 7 other lots on this block.

19 2. The Variance is not necessary for the enjoyment of a substantial property right possessed by
20 other properties in the vicinity as the existing structure already contains almost 2,000 square feet, and
21 thus the owner enjoy a property right which is in parity with surrounding development. Further,
22 reasonable alternatives are available to the applicant to modify the plan to provide the additional square
23 footage desired in order enlarge the home, and still comply with the lot coverage requirement.

24 Section 5. Based on the foregoing, the Planning Commission hereby denies the requested
25 Variance.
26

27
28 VOTE: AYES: Perrotti, Pizer, Chairman Hoffman
29 NOES: Tucker, Kersenboom
ABSENT: None
ABSTAIN: None

CERTIFICATION

I hereby certify that the foregoing Resolution P.C. 03-56 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
October 21, 2003.

Peter Hoffman, Chairman

Sol Blumenfeld, Secretary

Date

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