

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

RESOLUTION NO. 03-63

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
HERMOSA BEACH, CALIFORNIA, DENYING A REQUESTED VARIANCE
TO ALLOW A GREATER THAN 250 SQUARE FEET ADDITION ON A
PROPERTY CONTAINING THREE UNITS WITH LESS THAN TWO
PARKING SPACES PER UNIT AT 1427 MONTEREY BOULEVARD**

The Planning Commission does hereby resolve and order as follows:

Section 1. An application was filed by William Febbo owner of real property located at 259 1427 Monterey Boulevard in Hermosa Beach, seeking a Variance from Section 17.44.140(B), to allow a greater than 250 square foot expansion to a property with less than two parking spaces per dwelling unit.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application for a Variance on November 18, 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 2,909 square feet with a dimension of 29.09' in width X 100' in depth.

2. The subject property is currently developed with a single story home on the front part of the lot with a single car garage, and a two-story stacked duplex on the rear with a two-car garage with access to the alley. City records show that the single-story home was constructed in 1931 and was partially remodeled in 1986. No records are available regarding the original construction date of the apartment in the rear, but it was determined to be a legal two units in 1974. In 1984 it was substantially remodeled and expanded pursuant to a Variance granted by the City Council, allowing the expansion despite nonconforming side yards and nonconforming parking. The current use as three units is a nonconforming use in the R-3 zone, as the lot size only permits 2 units. The property is also nonconforming with respect to front and side yard requirements, parking, parking setback requirements, open space, and separation between buildings, summarized as follows:

Front Yard: 0 rather than required 2 feet

Side Yard: 2.1 and 2.2 feet on the south side rather than the required 3 feet (10% of lot width), including a fireplace encroachment to closer than 30' to the property line on the north side.

Parking: three spaces existing rather than the required 6 spaces plus 2 guest spaces one space per unit plus one guest rather than two spaces per unit.

Parking Setback: 2 feet instead of 3 feet on the alley; 14 feet instead of 17 feet on the street.

Open Space: 324 square feet is available at grade between the units, which is well below the total of 900 square feet for 3 units. Also, no open space is adjacent to primary living levels.

Separation between buildings: 5 feet rather than 8 feet.

1 3. The proposed project involves adding a second floor and roof deck to the single-story
2 dwelling located in front, and expanding the existing garage to a 2-car garage with a 17-foot setback
3 from the sidewalk. The proposed remodel and addition will bring the property into conformance with
4 the front yard setback except for the front entrance balcony, and while it will increase parking for the
5 front unit and bring it up to code, and increase open space, it will not bring the property into
6 conformance with any of the other nonconforming conditions.

7 4. Pursuant to Section 17.52.030 of the Zoning Ordinance regarding additions to
8 nonconforming buildings, a building may increase up to 50% in valuation. However, the parking is
9 subject to Section 17.44.140(B), which limits expansion of properties containing one space per unit to a
10 maximum of 250 square feet. Therefore, a Variance is being requested to add more than 250 square
11 feet, while maintaining less than two spaces per unit for the property.

12 5 The applicant is proposing an 898 square foot expansion to the front dwelling unit, resulting
13 in an increase in valuation of 34.5%.

14 Section 4. Based on the foregoing factual findings, the Planning Commission makes the
15 following findings pertaining to the application for a Variance:
16

17 1. There are not exceptional or extraordinary circumstances relating to the property because
18 the lot is typical in size, topography and shape for the neighborhood and the same vicinity and zone.
19 The lot width of 29 feet, while smaller than the majority of lots on the same block, and slightly smaller
20 than typical 30-foot wide lots throughout the vicinity, is similar in size and width to other 29-foot lots in
21 the vicinity. Also, the difference in width of these 29-foot wide lots is not exceptional or extraordinary
22 as compared to the typical lot width of 30-feet in the vicinity.

23 2. The Variance is not necessary for the enjoyment of a substantial property right possessed
24 by other properties in the vicinity as the existing improvements on the property already consist of three
25 dwelling units for a total of 2,638 square feet structure, and thus the owner enjoys a property right
26 which is in parity with surrounding development. Further, reasonable alternatives are available to the
27 applicant to modify the project in order to comply with the parking requirement, which would allow
28 expansion to the front dwelling unit.

29 Section 5. Based on the foregoing, the Planning Commission hereby denies the requested
Variance.

VOTE:	AYES:	Hoffman, Perrotti, Pizer, Tucker
	NOES:	None
	ABSTAIN:	None
	ABSENT:	Kersenboom

CERTIFICATION

I hereby certify that the foregoing Resolution P.C. 03-63 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
November 18, 2003.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

Peter Hoffman, Chairman

Sol Blumenfeld, Secretary

November 18, 2003

Date

Varreso1427Monterey