

February 10, 2004

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

**Regular Meeting of
February 17, 2004**

SUBJECT: APPEAL OF DIRECTOR'S DECISION TO CONFIRM HEIGHT
MEASUREMENT ON A CONVEX SLOPING LOT.

LOCATION: 225 33RD STREET

APPLICANT: JOSEPH HILLER

Recommendation

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

1. Determine the property to be a regularly sloping lot and interpolate the grade from the corner points only; or
2. Determine the property to be a convex sloping lot and interpolate from intermediate points on the top of the slope, as proposed by the applicant; or
3. Determine the retaining walls at the northerly corner points represent unaltered grade and interpolate from the top of wall elevations.

Background

The subject lot is located on the north side of 33rd Street between Manhattan Avenue and Highland Avenue. The lot is zoned R-2 with a height limit of 30-feet, and can be developed with one dwelling unit. The lot, like others along the north side of this block, is relatively flat for the majority of the lot from where it fronts on the street, then slopes down at the rear 10 feet of the lot. The grade at the rear of the lot appears to have been cut to provide access to a garage fronting the alley (please see attached photos) with retaining walls at the rear corner portions of the lot that appear to represent unaltered grade.

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 alternate 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.

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 northerly corner points. This will allow the construction of a proposed roof deck above the existing single-family dwelling on the flat portion of the lot. If a standard straight-line interpolation from the corner points were used, the construction of the roof deck 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 slopes more in the back portion of the lot. This condition appears to be either a convex condition, or a cut grade condition with the top of wall elevations of the existing retaining walls at the rear of the lot, appearing to be the natural grade.

CONCUR:

Scott Lunceford
Associate Planner

Sol Blumenfeld, Director
Community Development Department

Attachments

1. Property Survey
2. Photos

Appeal225



225 33rd Street – front view



225 33rd Street – east side yard view looking north



Alley view of neighboring properties to the east



Alley view of neighboring properties to the west



View of retaining condition at northwest property corner



View of retaining condition at northeast property corner