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**RESOLUTION NO. 04-3**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, VALIDATING THE LEGALITY OF NONCONFORMING ROOM ADDITION AT 2050 MANHATTAN AVENUE**

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

Section 1. An application was filed by R. Tarik Hijazi and Lesley Wright seeking a determination of the legality of a room addition at the rear of a residence located at 2050 Manhattan Avenue.

Section 2. The Planning Commission conducted a hearing to consider the application on January 20, 2004, 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 subject property is in the R-1 zone and contains a single-family residence.
2. The subject room addition was the subject of an investigation in response to an inquiry by a neighbor.
3. The room addition is at the rear of the single-family residence originally constructed in 1n 1936. It extends to within one-foot of the rear property and therefore is nonconforming to the rear yard setback requirement.

Section 4. Based on the foregoing factual findings and the available evidence of City records and provided by the applicant, the Planning Commission makes the following findings:

1. The available evidence and testimony from neighbors indicates that the room addition in question was constructed prior to 1959.
2. The City's permit records are not clear and conclusive as to whether or the subject addition was constructed with building permits, so it is possible that one of the permits noted in the record from 1939 or 1942 was for the subject room. Therefore, based on all the evidence and testimony, the Commission finds that the addition is a legal nonconformity.

Section 5. Based on the foregoing, the Planning Commission hereby determines that the continued use of the property for two dwelling units is a legal nonconforming use.

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

**CERTIFICATION**

I hereby certify that the foregoing Resolution P.C. 04-3 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 January 20, 2004.

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Langley Kersenboom, Chairman

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Sol Blumenfeld, Secretary

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February 17, 2004

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