

August 10, 2004

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

**Regular Meeting of
August 17, 2004**

SUBJECT: VARIANCE 04-3

LOCATION: 3410 HERMOSA AVENUE (AND 111 34TH STREET)

APPLICANT: LASALLE BANK
401 B STREET, SUITE 320
SAN DIEGO, CA 92101

REQUEST: VARIANCE TO ALLOW A 3-FOOT SIDE YARD RATHER THAN THE
REQUIRED 5-FEET FOR A MERGED LOT

Recommendation

Direct staff as deemed appropriate.

Background

ZONING:	R-3
GENERAL PLAN:	High Density Residential
EXISTING LOT SIZE:	2550 Square Feet (30' X 85')
PROPOSED LOT SIZE (MERGED LOTS)	5100 Square Feet (60' X 85')
EXISTING USES:	Two separate single-family homes
PROPOSED USE:	Single family dwelling w/ addition
EXISTING FLOOR AREA (3410 HERMOSA):	4,431 Square Feet
PROPOSED ADDITION:	680 Square Foot guest room, garage, terrace and pool
PERCENT INCREASE IN VALUATION:	25%

The three-story home at 3410 Hermosa Avenue was constructed in 1982, in conformance with the 3-foot side yard requirements for a 30-foot wide lot, and in accordance with the 35-foot height limit in effect at that time. The building is nonconforming to the current 30-foot height limit and to the front yard and parking setback requirement, as the existing dwelling exceeds 30-feet in height, the front yard is 7 feet rather than the required 10-feet, and the garage is setback 11.5 feet rather than 17 feet from the sidewalk. These nonconforming conditions are not being changed, and therefore the project is subject to Chapter 17.52 and is limited to an increase of 50% in valuation.

Analysis

The Variance is needed because the applicant is proposing to merge two existing 30-foot wide lots together, and maintain the existing dwelling with its current 3-foot north side yard. The merger of the two lots increases the side yard requirement from 3 feet to 5 feet, as the side yard requirement is 10% of lot width, up to a maximum required 5-feet. The project also includes demolishing the existing dwelling at 111 34th Street, and constructing an addition to the existing dwelling at 3410 Hermosa Avenue extending south over the former 111 34th Street property. The addition includes a

guest room, terrace, pool and additional garage parking. The proposed addition is in compliance with the Zoning Ordinance, and consists of less than 50% increase in valuation.

The proposed lot merger creates the need for the Variance, and the lot merger is needed to accommodate the applicant's plan to connect the southerly expansion to the existing dwelling for a guest room, rather than constructing a detached separate dwelling on the property. The applicant is attempting to restore what they consider a historically and architecturally significant building in the Modern Architecture style (The Lawrence House), which apparently was an early noteworthy project designed by the renowned Los Angeles based architecture firm Morphosis.

The applicant argues that the required 5-foot setback on the north side of the existing Lawrence House cannot be achieved without demolition of existing house. In order to complete the addition to the south a variance must be granted that allows the setback on the north side of the building to remain at 3 feet (actually 2' 10" based on the survey). The setback is not the result of the modification of the Lawrence House on the side in question, but due to the proposed expansion to the south and the merging of the two lots.

In order to grant a Variance, the Commission must make the following findings:

1. There are exceptional or extraordinary circumstances, limited to the physical conditions applicable to the property involved.
2. The Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same vicinity and zone, and denied to the property in question.
3. The granting of the Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located
4. The Variance is consistent with the General Plan

Discussion of findings:

Finding 1: The subject lots in their current configuration are fairly typical of surrounding properties, and do not contain any unique physical conditions that might be considered extraordinary or exceptional. They are two 30-foot wide lots, which is the prevailing width of lots along Hermosa Avenue. Therefore the standard side yard for all lots in this situation is 3 feet. What is unusual, however, is that when these lots are combined the side yard requirement increases, since a 60-foot wide lot requires a 5-foot side yard, even though the circumstances of the surrounding lot and development pattern do not change. Application of this 5-foot side yard to an existing condition that is otherwise consistent with prevailing side yard requirements would seem to be an extraordinary and exceptional circumstance, and creates an unnecessary hardship for this applicant. One of the reasons for the side yard standard being a function of lot width, is to create consistency within a neighborhood that has a prevailing lot pattern, and the proposed merger of parcels does not change the prevailing pattern.

Finding 2: The owner wishes to exercise a property right to expand an existing single-family home to take advantage of the purchase of an adjacent property. While the Variance is necessary for this dwelling addition to be connected as proposed by the applicant, there are other options available to the applicant to exercise their property right that would not require a Variance. For example, the applicant could develop a "detached" new single-family home to serve as a guest homer, honoring the setback requirements between the two lots, with access only on the ground.

The Commission may want to consider the other unique circumstances that surround this case, relating to the historical attributes of the property, and the fact that the subject of the Variance is limited to the right to maintain a 3-foot side yard, which is typical of side yards on other properties in the area characterized by 30-foot lots.

Finding 3: The project will not likely be materially detrimental to property improvements in the vicinity and zone since the project complies with all other requirements of the Zoning Code, and does not involve a major expansion. In fact, the proposed expansion is substantially less than if a new home were proposed for the adjacent property. Further, parking will be increased well in excess of the standard requirement for a single-family dwelling and no on-street parking will be lost.

Finding 4: The project is otherwise in conformance with the Zoning Ordinance and the General Plan.

If the Commission decides to approve the Variance it must adopt all the required findings. Staff will return with a resolution at the next meeting based on the Commission's direction. If approved, staff also recommends that conditions of approval be included that the roof plans and elevations be revised to properly depict compliance with the 30-foot height limit for the addition.

CONCUR:

Ken Robertson
Senior Planner

Sol Blumenfeld, Director
Community Development Department

Attachments

1. Applicant's discussion of Variance findings
2. Information about the architectural significance
3. Location Map
4. Zoning Analysis
5. Photographs