

January 6, 2005

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

**Regular Meeting of  
January 18, 2005**

SUBJECT: APPEAL OF DIRECTOR'S DECISION REGARDING THE GRADE USED FOR  
HEIGHT MEASUREMENT

LOCATION: 429 24<sup>TH</sup> STREET

APPLICANT: GREG AND LISA PERLOT

**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.

**Background**

The subject lot is at the crest of a hill that slopes slightly up from Park Avenue before dropping steeply down towards Power Street. It is located on the north side of 24<sup>th</sup> Street between Park Avenue and Power Street. The lot is zoned R-1 with a height limit of 25-feet, and can be developed with one dwelling unit. Along the westerly property line the property grade slopes up gradually from the street for 32 feet up to a 3.5-foot tall retaining wall. From that point to the middle of the lot it is relatively flat before sloping down toward the rear property line for the last third of the lot. Similarly, the grade along the lot's easterly property line slopes up gradually from the street for 32 feet up to a 3.5-foot tall retaining wall. From that point to the middle of the lot it is relatively flat before sloping down toward the rear property line for the last third of the lot.

**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 where there is significant variation in elevations between adjacent grades at corner points, the point of measurement shall be established based on the elevation at the nearest public improvement or an alternative point within 3 horizontal feet which, based on supporting evidence, represents existing unaltered grade. In cases where the datum for height measurement is disputed, the final determination of the grade may be referred to the Planning Commission.

The street profile map for 24<sup>th</sup> Street (Profile Map #2081) shows that the grade along the north side of 34<sup>th</sup> Street near and after the hill crest (beginning after 105 feet from Park Avenue) was cut, most significantly at the hill's crest, when the thoroughfare was originally paved. Thus, the grade at the front of the lot appears to have been cut significantly when the street was originally paved, and the grade, both at the top of the retaining wall on the west side of the property and at the top of slope at the east side of the property, appears to represent unaltered grade (please see attached map).

The applicant is requesting consideration of a cut slope situation, and is proposing alternative points at the top of the retaining wall intersecting the west property line and at the top of slope along the east property line as the basis for measuring height rather than the southerly corner points. Using the alternative height points will allow the construction of a 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 dwelling 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.

CONCUR:

---

Scott Lunceford  
Associate Planner

---

Sol Blumenfeld, Director  
Community Development Department

Attachments

1. Property Survey and Slope Elevations
2. Annotated Portion of Street Profile Map #2081
3. Photos

Appeal429