

RESOLUTION NO. 05-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING REQUESTED VARIANCE TO ALLOW AN ADDITION TO AN EXISTING NONCONFORMING SINGLE FAMILY RESDENCE WITH NO REAR YARD SETBACK RATHER THAN THE REQUIRED 5 FEET AT 2010 BAYVIEW DRIVE, LEGALLY DESCRIBED AS THE NORTHWEST 40 FEET OF LOT 7 AND THE SOUTHEAST 5 FEET OF LOT 8, BLOCK 52, FIRST ADDITION TO HERMOSA BEACH

The Planning Commission does hereby resolve and order as follows:

Section 1. An application was filed by Thomas and Barbara Zondiros, owners of the property located at 311 31st Street, seeking Variances to allow an addition and remodel of an existing legal nonconforming single-family residence resulting in 70.9% lot coverage rather than the 65% maximum and 148.1% valuation increase rather than the 100% maximum.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application for a Variance on August 17, 2004, 2004, 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 property is nonconforming with respect to front yard requirements (0 rather than required 7 feet), open space (does not comply with the requirement that 60% be located adjacent to primary living areas), and parking (One space rather than two spaces plus one guest).
2. The applicants are proposing to construct a second-story addition of 1268 square feet to the existing residence. The project also entails remodeling 634 square feet of existing livable floor area. The expansion will increase the living area of the house from 956 square feet to 2,224 square feet.
3. The lot is considered a “small lot” under the R-1 development standards, as it is 2100 square feet.
4. The Variance to the maximum allowable valuation increase of 100% for a nonconforming structure is needed because the proposed expansion and remodel results in a 148.1% increase in valuation. Pursuant to Chapter 17.52 of the Zoning Ordinance, the maximum allowable valuation increase for an expansion and remodel of an existing nonconforming structure is 100%.
5. The Variance to lot coverage is needed because the proposed addition causes lot coverage to be increased by 296 square feet (approximately 14%) to accommodate an enlarged garage, resulting in 70.9% lot coverage rather than the required 65% maximum.

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

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1. Though the lot is considered a “small lot” on a walk street, there are no exceptional or extraordinary circumstances limited to the physical conditions applicable to the subject property because the property shares the same characteristics with the 38 other lots located in the same area.

2. The Variance is only necessary to satisfy the applicants’ desire to maintain the primary living area on the ground floor without providing additional adjacent open space on the property. However, other options are available to the applicant to exercise their property rights that do not require a Variance. Such as building a completely new residence (given that the proposed project greatly increases the existing structure’s valuation) or scaling down the expansion to within the 100% valuation maximum. Therefore the Variance is not necessary to exercise a substantial property right.

Section 5. Based on the foregoing, and since the Planning Commission cannot make all 4 required finding as required by Section 17.54.020 of the Zoning Ordinance, the Planning Commission hereby denies the requested Variance.

VOTE:	AYES:	Allen, Hoffman, Koenig, Pizer, Perrotti
	NOES:	None
	ABSTAIN:	None
	ABSENT:	None

CERTIFICATION

I hereby certify that the foregoing Resolution P.C. 04-29 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 August 17, 2004.

Sam Perrotti, Chairman

Sol Blumenfeld, Secretary

August 17, 2004
Date

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