

March 8, 2005

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

**Regular Meeting of
March 15, 2005**

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

LOCATION: 3317 PALM DRIVE

APPLICANT: C.R.SKELTON & LINDA ZIMMERMAN

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 located on the east side of Hermosa Avenue between 33rd Street and 34th Street. The lot is zoned R-3 with a height limit of 30-feet, and can be developed with one dwelling unit. The lot, like others along the east side of this block, slopes up steeply from the street at the front of the lot and then is relatively flat for the majority of the lot thereafter.

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 two-story 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 a two-story 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. The attached photos of the property and surroundings indicate that the grade

of the lot, like others on the block, slopes steeply up from the street and is relatively flat in the back portion of the lot. This condition appears to be a convex slope condition (see topographic profile).

CONCUR:

Scott Lunceford
Associate Planner

Sol Blumenfeld, Director
Community Development Department

Attachments

1. Property Survey
2. Topographic Profile
3. Photos

Appeal3317