

P.C.RESOLUTION NO. 05-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF HERMOSA BEACH, CALIFORNIA APPROVING AN
ADDITION TO AN EXISTING NONCONFORMING DUPLEX
IN THE R-1 ZONE RESULTING IN A GREATER THAN 10%
REMOVAL OF EXTERIOR WALLS AT 1224 10TH STREET**

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

Section 1. An application was filed by Joseph and Alison Diaz, owners of real property located at 1224 10th Street, requesting an addition to an existing nonconforming duplex in the R-1 zone pursuant to Chapter 17.52 of the Zoning Ordinance.

Section 2. The Planning Commission conducted a hearing to consider the application on April 19, 2005, 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 applicant is proposing a 930 square foot livable floor area and a 144 square foot deck expansion on the second floor, and a 557 square foot garage expansion on the first floor, of an existing 48-year-old nonconforming duplex on a R-1 zoned property with nonconforming parking, and side and rear yards, resulting in the removal of 15% of the existing exterior walls and a 50% increase in valuation.

Section 4. Based on the foregoing factual findings, the Planning Commission makes the following findings:

1. The existing nonconforming use is not severe or unusual given that the lot is fronting on a predominately residentially zoned street and there are other existing legal nonconforming residential uses in the downtown commercial area.
2. The scale of the proposed expansion is reasonable, and is consistent with planning and zoning requirements for the R-1 zone and does not warrant requiring the current nonconforming conditions to be brought into conformance;
3. The proposed garage addition increases the available parking on the subject property from three to four standard spaces, and the proposed expansion conforms to the same development standards as the R-1 zone;
4. Approval of the expansion is consistent with the intent and goals of Chapter 17.52 of the Zoning Ordinance;
5. The project is Categorically Exempt from the requirements of the California Environmental Quality Act, pursuant to CEQA guidelines, Section 15301 e(2) with the finding that the project is in an area with available services and not in an environmentally sensitive area.

Section 5. Based on the foregoing, the Planning Commission hereby approves an addition to an existing nonconforming single-family residence in a commercial zone resulting in a greater than 10% removal of the existing exterior walls, subject to the following **Conditions of Approval:**

1. The project shall be consistent with submitted plans, revised in accordance with the conditions below. Modifications to the plan involving any further expansion shall be reviewed by the Planning Commission.

a) All required usable open space shall be completely uncovered and open to the sky above.

2. Prior to issuance of building permits for demolition and construction, the contractor shall verify the structural integrity of the proposed walls to be retained with a structural inspection approved by the Community Development Director, with details incorporated on construction drawings. This may require further additional structural pest inspections and/or an inspection by a structural engineer.

3. Upon issuance of building permits the project shall proceed in compliance with the scope of work outlined on the plans and any further demolition or construction contrary to said plans will result in project delays in order for the City to review project modifications, and may require new plan submittals and Planning Commission review to proceed with construction work.

VOTE: AYES:
 NOES:
 ABSTAIN:
 ABSENT:

CERTIFICATION

I hereby certify that the foregoing Resolution P.C. 05- 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 April 19, 2005.

Ron Pizer, Chairman

Sol Blumenfeld, Secretary

April 19, 2005
Date

NRR64