

April 12, 2005

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

**Regular Meeting of
April 19, 2005**

SUBJECT: NONCONFORMING REMODEL 05-5

LOCATION: 250 33rd STREET

APPLICANT: IAN MCDONALD
250 33RD STREET
HERMOSA BEACH, CA 90254

REQUESTS: ADDITION AND REMODEL TO AN EXISTING NONCONFORMING SINGLE
FAMILY DWELLING GUEST PARKING RESULTING IN A GREATER THAN 50%
INCREASE IN VALUATION AND A GREATER THAN 30% EXTERIOR WALL
REMOVAL

Recommendation

To approve the remodel and expansion subject to the conditions in the attached resolution.

Background

LOT SIZE	1,385 square feet
EXISTING FLOOR AREA	1,224 square feet
PROPOSED GROSS ADDED FLOOR AREA (NEW AND REPLACED)	682 square feet
PROPOSED TOTAL FLOOR AREA	1,410 square feet
PERCENT INCREASE IN VALUATION	72 %
ZONING	R-2
GENERAL PLAN	Medium Density Residential
ENVIRONMENTAL DETERMINATION	Categorically Exempt

The subject property is a half-lot located at the southwest corner of Highland Avenue and 33rd Street, with Highland Avenue considered as the front yard. The existing two story building, containing a basement garage was originally constructed in 1936 and according to City permit records has undergone several changes and remodels since that time. The dwelling is nonconforming to several current zoning requirements as follows:

- Rear yard: 2'4" rather than the required 5 feet
- Side yards: North 0' at the entry stair and 1' at upper level rather than 3.4'
South 1' at the upper level deck and stair to roof deck
- Garage setback: 3'6" rather than required 17-feet
- Parking: The existing garage space only has a ceiling clearance of 5.5' rather than 7-feet:.
No guest parking.
- Open Space: 244 square feet rather than required 300 square feet, with none adjacent to
primary living area instead of 100 square feet

Also staff noticed some irregular conditions that are not in conformance with current Building Code requirements, as the bedroom above the garage is substandard in head clearance, and the existing roof deck does not provide a 36" rail along its northern edge, which is instead bordered by the sloping roof. When inspecting the property it appeared that these irregularities may be due the construction without permits, but a research of the permit records shows that several building permits have been obtained and finalized between 1969 and 1990 that appear to have allowed most, if not all of this construction. Given the existing condition of the property and the various permits granted in the past, it's impossible to determine conclusively if any of the existing nonconforming conditions are due to illegal construction.

Analysis

Chapter 17.52 of the Zoning Ordinance requires Planning Commission approval when an expansion/remodel of a nonconforming building exceeds 50% and when demolition of existing walls and/or floor area exceeds 30%. The applicant is proposing to demolish and replace the portion of the existing structure located over the garage (in order to bring the garage up from only a 5.5' clearance to 8 feet) requiring demolition and replacement of the two levels above. The gross new floor area after to demolition will be 682 square feet, representing a net increase in floor area of 186 square feet. The remodel and expansion will increase the living area of the house from 1,224 square feet to 1,410 square feet and calculates as a 72% increase in valuation. The project will correct the nonconforming clearance of the garage by raising the ceiling level, and will remove the nonconforming north side setback at the second floor. Also, all existing conditions of the building not in compliance with the Building Code will be corrected.

The proposal conforms to all other planning and zoning requirements. The new construction will conform to required setbacks; lot coverage is 64%; and the new roof line complies with the 30-foot height limit. The nonconforming conditions with respect to yard requirements, open space, and guest parking will remain but will not be increased.

In addition to modernizing and expanding the building, the primary reason for the applicant's request is to provide a usable garage, and provide normal head clearances in the floors above the garage. To accomplish this objective, the side of the building over the garage must be completely demolished and reconstructed, causing the project to exceed the 30% demolition threshold, and to exceed a 50% increase in valuation, even though the net increase in floor area is only 186 square feet. While several nonconforming conditions will remain, none are severe or unusual, or cause negative impacts on nearby properties. Therefore, staff believes the project is reasonable in scope, considering the existing condition of the property, and consistent with the goals and objectives Chapter 17.52 of the Zoning Ordinance. Further, the project will substantially improve the property and correct several of the existing deficiencies with respect to both the Zoning and Building Codes.

CONCUR:

Ken Robertson
Senior Planner

Sol Blumenfeld, Director
Community Development Department

Attachments

1. Proposed Resolution
2. Location Map
3. Photographs
4. Zoning Checklist & Height Calculation
5. Valuation Worksheet

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