

May 9, 2005

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

**Regular Meeting of
May 17, 2005**

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

LOCATION: 106 HILL STREET

APPLICANT: CARL & POLLYANNA SCHNEIDER

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 Hill Street, which goes south off of 2nd Street between Valley Drive and Ardmore Avenue. The lot is zoned R-1 with a height limit of 25-feet, and can be developed with one dwelling unit. The lot, like the few others located on the east side of the southerly end of this block (after Hill Street bends to the southeast), slopes up steeply from the street for the first portion of the lot and then is relatively flat for the remainder of the lot to the rear.

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 an alternative point at the top of the bank along the north property line as the basis for measuring height rather than the northwesterly corner point. This will allow the construction of a 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 the addition would not be possible unless the building is substantially lowered (at least 3 feet approximately) into the grade.

The street profile map for Hill Street (Profile Map #2398) shows that the grade along the east side of Hill Street as it intersects the north property line of subject property was cut 3.5 feet, and the cut increases more significantly as the street continues south, 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 along the southwest portion of the front property line and at the top of slope at the front of the north side of the property, appears to represent unaltered grade (please see attached map).

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 and Topographic Profile
2. Portion of Street Profile Map #2398
3. Photos

Appeal106



106 Hill Street – front view



106 Hill Street – view of north property line



View of adjacent properties to the north



View of adjacent properties to the south