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RESOLUTION NO. 05-55

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING VARIANCES TO THE GUEST PARKING, PARKING SETBACK, REAR YARD, AND OPEN SPACE REQUIREMENTS AT 249 26TH STREET LEGALLY DESCRIBED AS THE SE 45-FEET OF LOT 15, BLOCK 112, SHAKESPEARE TRACT

The Planning Commission does hereby resolve and order as follows:

Section 1. An application was filed by Robert J. Beste, owner of the property located at 249 26th Street seeking Variances to allow the construction of a new dwelling with less than required parking setbacks, a rear yard of 3 feet rather than 5 feet, no guest parking rather than the required one guest space, and less than required open space.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application for the Variances on September 20, 2005, 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 zoned R-2, and is a substandard sized “half-lot” containing 1,350 square feet with dimensions of 30-feet wide by 45-feet deep. The lot has frontage on 26th Street, but because it is a half lot does not have access to the alley to the rear.

2. The applicants are proposing to demolish the existing nonconforming single family dwelling that contains a one-car garage, and construct a three level single-family dwelling containing approximately 1,878 square feet.

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

1. There are exceptional or extraordinary circumstances applicable to the property involved since the lot is relatively small (1,350 square feet) compared to surrounding properties, and unusual in that it is only one of 10 half lots that front directly onto a street in this portion of the City, and is the only such half-lot on this block. The lot size and dimensions force a complying garage to be accessed from the street only, not allowing the property to take advantage of the alley, which has lesser setback requirements. These factors impact the ability for the applicant to provide the guest parking, parking setback, rear setback and open space.

2. The Variances to the guest parking, parking setback, rear yard requirement and open space requirement are necessary for the enjoyment of a substantial property right possessed other properties

1 in the vicinity, and to construct usable floor area on the ground floor, and to provide a reasonable
2 floor plan in order to achieve parity with surrounding development.

3 3. The Variances are not materially detrimental to neighboring properties as a new moderate
4 size home would be constructed consistent with development in the neighborhood.

5 4. The Variances for parking setback and rear yard will allow the construction of a project that
6 is not unusually large or out of scale with other projects in the neighborhood, and is otherwise is
7 consistent with the density standards of the General Plan.

8 Section 5. Based on the foregoing, and since the Planning Commission can make all 4
9 required findings as required by Section 17.54.020 of the Zoning Ordinance, the Planning
10 Commission hereby approves the requested Variances from guest parking, parking setback rear yard
11 and open space requirements subject to the following **conditions of approval.**

- 12 **1. The development and continued use of the property shall be in conformance with
13 submitted plans received and reviewed by the Commission at their meeting of
14 September 20, 2005.**
- 15 **2. The Variances for this property are specifically limited to the guest parking,
16 parking setback, rear yard, and open space requirements as specified, and
17 applicable to the situation and circumstances that result relative to the proposed
18 project and is not applicable to the development of future structures or any future
19 expansion.**

20 AYES: Allen, Kersenboom, Pizer
21 NOES: Hoffman, Perrotti
22 ABSTAIN: None
23 ABSENT: None

24 **CERTIFICATION**

25 I hereby certify that the foregoing Resolution P.C. 05-55 is a true and complete record of the
26 action taken by the Planning Commission of the City of Hermosa Beach, California at their
27 regular meeting of September 20, 2005.

28 _____
29 Ron Pizer, Chairman

Sol Blumenfeld, Secretary

Date

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