

January 9, 2006

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

**Regular Meeting of  
January 17, 2006**

SUBJECT: NONCONFORMING REMODEL 06-1

LOCATION: 219 2<sup>ND</sup> STREET

APPLICANT: MICHAEL AND MICHELLE BRAUE  
219 2<sup>ND</sup> STREET  
HERMOSA BEACH, CA 90254

REQUESTS: ADDITION AND REMODEL TO AN EXISTING NONCONFORMING SINGLE  
FAMILY DWELLING RESULTING IN A GREATER THAN 50% INCREASE  
IN VALUATION

**Recommendation**

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

**Background**

LOT SIZE	3,199 square feet
EXISTING FLOOR AREA	2,151 square feet
PROPOSED ADDITION	1,078 square feet
PERCENT INCREASE IN VALUATION	65.7%
ZONING	R-3
GENERAL PLAN	Low Density Residential
ENVIRONMENTAL DETERMINATION	Categorically Exempt

The existing two-story building was constructed in 1937. The dwelling is nonconforming to the following zoning requirements:

*Front Yard:* no setback rather than the required 2 feet

*Side Yard:* no setback along the east side yard rather than the required 4 feet

*Garage Setback:* 2.3 feet from the edge of the alley rather than the required 3, 9 or 17 feet

*Turning Area:* 22.3 feet rather than the required 23 feet

*Eave Setback:* a 1-foot encroachment into the public right-of-way (on 2<sup>nd</sup> Street) rather than the minimum eave setback of 2.5 feet

*Perimeter Fence Height:* 7.5 feet rather than the maximum allowable fence height of 3.5 feet in the front yard and 6 feet in the side yard

**Analysis**

The project is being considered under the original provisions of Chapter 17.52 (Nonconforming Remodels and Uses) since it had a complete application prior to the effective date of the recent amendments to that Chapter and the City Council has exempted such projects from consideration

under the new Ordinance. Chapter 17.52 of the Zoning Ordinance requires Planning Commission approval when an expansion/remodel of a nonconforming building exceeds 50% increase in valuation. The applicant is proposing to add 1,078 square feet on the first and second story, and a new attached two-car garage. The total living area of the dwelling will increase from 2,151 square feet to 3,229 square feet. The expansion and remodel results in the removal of 21.8% of the existing exterior walls and a 65.7% increase in valuation. The project will correct the nonconforming garage and side yard setbacks, and the nonconforming turning area.

The proposal conforms to all other planning and zoning requirements. All required setbacks are provided, and the lot coverage is 63.4%. Open space is provided on grade adjacent to the new family room and on a new roof deck, for a total of 343 square feet of useable open space. Although the proposed addition complies with the 30-foot height limit, the roof plan does not accurately show the exact location of the critical height point. Staff believes this issue can be resolved as a Condition of Approval.

Based on visual inspection by staff, the nonconforming front setback, eave encroachment and perimeter fence height are not unusual given the age of the subject dwelling, and the age and pattern of surrounding development. Also, the scope of the project is reasonable, allowing the owner to add a family room on the first floor and add two bedrooms, including a master bedroom suite, on the second floor, add a roof deck, and remodel a portion of the first and second floor living areas. Therefore, staff believes the project is consistent with the goals and objectives Chapter 17.52 of the Zoning Ordinance.

CONCUR:

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Scott Lunceford  
Associate Planner

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Sol Blumenfeld, Director  
Community Development Department

Attachments

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



219 2<sup>nd</sup> Street

**P.C. RESOLUTION NO. 06-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA APPROVING AN ADDITION TO AN EXISTING NONCONFORMING SINGLE FAMILY DWELLING RESULTING IN A GREATER THAN 50% INCREASE IN VALUATION AT 219 2<sup>ND</sup> STREET**

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

Section 1. An application was filed by Michael and Michelle Braue, owners of real property located at 219 2<sup>nd</sup> Street, requesting an addition to an existing nonconforming single-family residence, which results in a greater than 50% increase in valuation, pursuant to Chapter 17.52 of the Zoning Ordinance.

Section 2. The Planning Commission conducted a hearing to consider the application on January 17, 2006, 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 to add 1,078 square feet of livable area, on the first and second floors, to an existing single-family dwelling with nonconforming conditions with respect to perimeter fence height, garage and eave setbacks, turning area, and front and side yard requirements. The expansion will increase the living area of the house from 2,151 square feet to 3,229 square feet. The project results in a 65.7% increase in valuation.

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

1. The existing nonconformities are not severe or unusual.
2. The scale of the proposed expansion is reasonable, and is consistent with planning and zoning requirements for the R-3 zone and does not warrant requiring the current nonconforming conditions to be brought into conformance;
3. Approval of the expansion is consistent with the intent and goals of Chapter 17.52 of the Zoning Ordinance;
4. 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 resulting in an extension of existing walls with a nonconforming side yard, subject to the following **Conditions of Approval**:

- 1. The project shall be consistent with submitted plans. Minor modifications to the plan not involving any further expansion or remodel may be reviewed and approved by the Community Development Director.**
  - a) The roof plan shall be revised to show the location of all critical height points.**
- 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. The applicant shall submit all required plans and reports to comply with the City's construction debris recycling program including manifests from both the recycler and County landfill.**
- 4. 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. 06- 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 January 17, 2006.

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Peter Hoffman, Chairman

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Sol Blumenfeld, Secretary

January 17, 2006  
Date