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**RESOLUTION NO. 06-4**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING VARIANCES TO THE GARAGE SETBACK, REAR YARD, OPEN SPACE, AND FRONT YARD ENCROACHMENT REQUIREMENTS FOR A BAY WINDOW TO ALLOW A SECOND STORY ADDITION TO A SINGLE-FAMILY DWELLING, RESULTING IN A 3-FOOT GARAGE SETBACK AND REAR YARD, RATHER THAN THE REQUIRED 17-FEET FROM A STREET (LOMA DRIVE), 200 SQUARE FEET OF GROUND LEVEL OPEN SPACE RATHER THAN 300 SQUARE FEET, AND A BAY WINDOW ENCROACHING IN THE FRONT 30 INCHES AT 2056 MONTEREY BOULEVARD, LEGALLY DESCRIBED AS LOT 22, TRACT 1868.**

The Planning Commission does hereby resolve and order as follows:

Section 1. An application was filed by Saul and Melinda Minkus, owners of the property located at 2056 Monterey Boulevard seeking Variances to allow a second story addition to an existing single-family residence resulting in a 3-foot garage setback and rear yard, 200 square feet of open space on the ground, and a bay window encroaching into the front yard.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application for the Variances on January 17, 2006, 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 lot is considered a through lot with frontage on Monterey Boulevard and Loma Drive. Loma Drive is considered a street for this segment because it has a 30-foot right-of-way, even though it is only improved as a 20-foot wide travel lane similar to an alley. Monterey Boulevard is considered the front of the lot.

2. The lot size is relatively small, and similar to 6 other lots on the block that have an 80-foot depth between 2022 and 2104 Monterey Boulevard, which are smaller than the more typical sized lots both north and south of these few lots.

3. The lot is currently developed with as single family home, with parking in a one-car garage; therefore, the property is currently nonconforming to parking. Also the property is nonconforming to the garage setback requirement, and front and side yard requirements since the one-car garage is setback 13.5 feet, the front yard is 4-feet rather than 8 feet (10% of lot depth), and the south side is 2.8 feet rather than 3 feet.

4. The applicant is requesting these Variances in order to allow the addition of a second story and new two-car garage in order to increase the existing 2-bedroom home containing 1,295 square feet to 2,394 square feet with four bedrooms and a family room.

1           5. Given that the project represents less than a 100% increase in floor area, and two  
2 parking spaces are provided it is consistent with the newly adopted provisions of the  
3 nonconforming ordinance that allow a 100% increase in floor area.

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

6           1. There are exceptional and extraordinary circumstances related to the physical  
7 conditions of this property for several reasons. The lot is one of seven lots on this block which could  
8 be characterized as unique, with respect to lot depth and size, and with respect to the situation of this  
9 portion of the block of Loma being a street for determining the garage setback. Also, the house sits  
10 significantly above the grade of Monterey Boulevard, as the property slopes up from the street in the  
11 encroachment area. The combination of these factors create a hardship and make it difficult to  
12 provide a complying garage while adding a second story without significantly compromising the  
13 floor plan, and the size of the house. For example, to provide a garage on Monterey would require  
14 significant grading and excavation, and the loss of the existing living room area, or a garage with a  
15 17-foot setback on Loma Drive would cause the loss of at least one first floor bedroom. . A new  
16 house would also be subject to the same difficulties. The predominant majority of through lots on  
17 this block (25 out of 32) have their garage access on Loma, and only 3 of these have garages that are  
18 setback 17-feet while the majority appear to be 3-feet or less. .

19           2. The Variance to the garage setback and front yard bay window encroachment are  
20 necessary for the enjoyment of a substantial property right possessed other properties in the vicinity,  
21 in order to construct a typical two car garage that is loaded from Loma Drive, without significantly  
22 compromising the floor plan and total floor area of the building, and to make a minor alteration to  
23 the bay window to complement the architecture. Also, most of the properties currently with this  
24 Monterey Boulevard/Loma through lot conditions have a garage off the Loma Drive side with  
25 garages close the rear property line. The Variance from open space is necessary to enjoy a property  
26 right to build this two car garage without having to also demolish some other portion of the structure  
27 to provide 300 square feet on the ground.

28           3. The Variances will not be materially detrimental to neighboring properties as it allows  
29 the construction of a fairly typical garage to be accessed from the Loma Drive, and a slight  
30 deficiency to open space and a minor modification to a bay window to encroach into the front yard.  
31 The garage will be similar to adjacent properties, as the predominant majority of through lots  
32 between Monterey and Loma on this block provide garages that directly front on Loma with 3-foot  
33 or less setbacks (only 3 of the 32 through lots comply with the 17-foot setback on Loma Drive).

34           4. The construction of a single-family home in this location is consistent with the General  
35 Plan.

36           Section 5. Based on the foregoing, and since the Planning Commission can make all 4  
37 required findings as required by Section 17.54.020 of the Zoning Ordinance, the Planning  
38 Commission hereby approves the requested Variances from the garage setback, rear yard, open  
39 space, and bay window front yard encroachment requirements subject to the following **conditions of  
40 approval.**

- 41           **1. The development and continued use of the property shall be in conformance with  
42 submitted plans received and reviewed by the Planning Commission at their  
43 meeting of December 7, 2005.**

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**2. The Variance for this property is specifically limited to the garage setback, rear yard, open space, and front yard encroachment requirements as specified, and applicable to the situation and circumstances that result relative to the proposed project and is not applicable to the development of future structures or any future expansion.**

VOTE:           AYES:           Allen, Kersenboom, Perrotti, Pizer  
                  NOES:           Hoffman  
                  ABSTAIN:       None  
                  ABSENT:       None

CERTIFICATION

I hereby certify that the foregoing Resolution P.C. 06-4 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.

\_\_\_\_\_  
Ron Pizer, Chairman

\_\_\_\_\_  
Sol Blumenfeld, Secretary

February 21, 2006  
Date

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