

RESOLUTION NO. 06-25

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING A VARIANCE TO THE FRONT YARD REQUIREMENT TO ALLOW NO FRONT YARD (A ZERO FOOT FRONT SETBACK) RATHER THAN THE REQUIRED SEVEN (7) FEET AT 311 31<sup>ST</sup> STREET, LEGALLY DESCRIBED AS LOT 23, BLOCK 117, SHAKESPEARE TRACT

The Planning Commission does hereby resolve and order as follows:

Section 1. An application was filed by Thomas and Barbara Zondiros, owners of the property located at 311 31<sup>ST</sup> Street seeking a Variance to allow the reconstruction of a single-family residence with no front yard rather than the required seven (7) feet.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application for the Variance on August 15, 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 "small lot" under the R-1 development standards, as it is 2100 square feet.
2. The Variance to the front yard requirement is to allow the reconstruction of a single family home consistent with a previous approval for an expansion and remodel (for which Variances were approved in December 2005, to open space and lot coverage and to allow a 214% increase in valuation to a nonconforming structure) which has not proceeded in accordance with approved plans. Since the existing nonconforming wall at the front property line was removed, the project is no longer an expansion and remodel, and a Variance is therefore necessary to allow the reconstruction of the building at the front property line.
3. The Variances granted for open space and lot coverage are still in effect, since these were not existing nonconforming conditions, but granted as Variances for the new construction portions of the project. The Variances were granted to allow lot coverage of 70.9% rather than 65%, and to allow the project with no open space accessible to the primary living area on the ground floor.

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

1. There are exceptional or extraordinary circumstances limited to the physical conditions applicable to the subject property because the lot is considered a "small lot" on a walk street with the only garage access off a narrow 10-foot wide alley at the rear of the property. Because the garage access is limited to the rear of the property, the front yard cannot be provided without significantly reducing the main living area which is provided on the ground floor of the proposed project.
2. The owners wish to exercise a property right, possessed by others in the neighborhood, to construct a single family home to meet current standards of livability and to be a reasonable size, and to maintain

1 their front building line at the property line. The property fronts on a walk street that effectively provides  
2 open space and is a desirable feature enjoyed by other properties with a walk street orientation, and several  
3 other lots on the block have their existing structures abutting the front property line. The combined  
4 conditions of the small lot and narrow rear alley parking access affect the property owner's ability to  
5 achieve parity with other similar walk street properties.

6 3. The project will not likely be materially detrimental to property improvements in the vicinity and  
7 Zone since the project complies with all other requirements of the Zoning Code, and is not inconsistent  
8 with development in the neighborhood.

9 4. The project is not unusually large or out of scale with other new projects in the neighborhood, and  
10 is otherwise in conformance with most of the requirements of the Zoning Ordinance and the General Plan.

11 Section 5. Based on the foregoing, and since the Planning Commission can make all 4 required  
12 findings as required by Section 17.54.020 of the Zoning Ordinance, the Planning Commission hereby  
13 approves the requested Variance from the front yard requirement subject to the following **conditions of**  
14 **approval.**

- 15 1. **The development and continued use of the property shall be in conformance with**  
16 **submitted plans received and reviewed by the Planning Commission at their meeting of**  
17 **August 15, 2006.**
- 18 2. **The Variance is specifically limited to the situation and circumstances that result relative**  
19 **to the proposed project and is not applicable to the development of new structures or any**  
20 **future expansion**

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

#### 25 CERTIFICATION

26 I hereby certify that the foregoing Resolution P.C. 06-25 is a true and complete record of the action  
27 taken by the Planning Commission of the City of Hermosa Beach, California at their regular meeting  
28 of August 15, 2006.

29 Kent Allen, Vice Chairman

Sol Blumenfeld, Secretary

September 19, 2006

Date

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