

October 10, 2006

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

**Regular Meeting of
October 17, 2006**

SUBJECT: VARIANCE 06-4
LOT LINE ADJUSTMENT 06-2

LOCATION: 2231 HERMOSA AVENUE

APPLICANT: JONATHAN BARRIS
2231 HERMOSA AVENUE
HERMOSA BEACH, CA 90254

REQUESTS: LOT LINE ADJUSTMENT TO REALIGN TWO EXISTING LOTS THAT FRONT
ON HERMOSA AVENUE, TO INSTEAD FRONT ON 23RD STREET

VARIANCE TO ALLOW ONE OF THE PROPOSED NEW SINGLE FAMILY
DWELLINGS WITH A 9-FOOT GARAGE SETBACK FROM HERMOSA
AVENUE RATHER THAN THE REQUIRED 17-FEET AT 2231 HERMOSA
AVENUE

Recommendations:

To direct staff as deemed appropriate regarding the Lot Line Adjustment. If the Lot Line Adjustment is approved, staff recommends approval of the Variance.

Background:

ZONING:	R-2
GENERAL PLAN:	Medium Density Residential
CURRENT LOT SIZES:	2,036 and 2,017 Square Feet
PROPOSED LOT SIZES:	2,036 and 2,017 Square Feet

The subject properties are two thirty foot wide lots at the corner of Hermosa Avenue and 23rd Street (a walk street) with alley and street access and their narrowest frontage on Hermosa Avenue. The property is currently developed with a 7-unit multi family structure which covers both lots. The lots do not qualify for merger, pursuant to Section 16.20.030 A of the Subdivision ordinance, since more than 80% of the lots on the block are already split into 30-foot wide lots. Under the current configuration, the property could be developed as two single family dwellings with frontage on Hermosa Avenue, or could be developed as a two-unit condominium project, in which the buildings could be attached or detached and designed with any orientation deemed preferable by the owner.

Analysis:

LOT LINE ADJUSTMENT

The applicant is proposing to re-align the properties so the two lots will both have frontage on the walk street. The lots will have frontages of approximately 31 and 35 feet. With this lot configuration each house can use the encroachment area for a landscaped patio with direct access to the front door. The applicant has submitted conceptual plans to show how each house would include their entry foyer and "game room" at the ground floor with direct access to this patio and landscaped area.

Lot line adjustments are not considered subdivisions, and are exempt from provisions of the Map Act and the City's subdivision ordinance with respect to the need for a tentative map. However, the City may review whether resulting lots from a proposed lot line adjustment conform to the zoning and building regulations. The City has established a process for reviewing and approving lot line adjustments through the Planning Commission. The purpose for Commission review is to ensure that existing newly created lots meet minimum lot size and frontage requirements, or in the case of substandard lots are not any more nonconforming with respect to these requirements. Also, the review includes whether newly created lots can accommodate development that will comply with code requirements with respect to setbacks from existing structures, access and parking, or other requirements. The Commission typically approves lot line adjustments, as long as no substandard lots are created.

In this case, the adjusted lot areas are exactly the same size, and the re-alignment arguably will be more appropriate for these corner properties to enable frontage on the walk streets. The lots are currently configured, however, where vehicle access to each lot will be available from the alley. With the change, one of the lots will have to obtain vehicle access from the side (Hermosa Avenue), requiring a curb cut on Hermosa Avenue, and the loss of a metered public parking space. However, since there is no requirement to use the alley for access, the development of the existing two lots could actually result in two new curb cuts, and the potential loss of up to three on-street spaces. The newly created lot will not have sufficient depth from Hermosa Avenue to allow for a front loading garage and a 17-foot setback, although a side loading garage would be possible.

Before considering the Variance, the Commission needs to decide whether the lots should be re-aligned at all given these circumstances. While the realignment of the lots may be preferable for the walk street, it creates a problem for access to parking, and compliance with the 17-foot setback.

VARIANCE

Consideration of the Variance is only necessary if the properties are re-aligned as proposed. If the lot line adjustment is approved, the result would be that the only option for vehicle access to each lot is from the sides. For the westerly lot the side access is from the alley, and the Zoning Ordinance allows a garage with a 9-foot setback. However, on the easterly lot, the side access is on Hermosa Avenue where a 17-foot garage access is required. The lot, however, has only a 30-foot depth from Hermosa Avenue, making it impossible to provide a standard front loading garage with a 17-foot setback. A side loaded garage is possible, however, but would essentially require that almost all the ground level be dedicated to garage and turning area. The applicant has prepared an exhibit, "parking configuration, scheme 2" which shows how the parking could be provided in this manner, leaving about a 12' deep X 24' wide bonus room at the ground floor, which would probably only accommodate a small entry foyer, and stairway to the floors above. Therefore, the applicant is requesting a Variance to provide a 9-foot garage setback, and is proposing to meet the guest parking requirement with an open parking space to the side of the garage.

In order to grant a Variance, the Commission must make the following findings:

- There are exceptional or extraordinary circumstances; limited to the physical conditions applicable to the property involved.
- The Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same vicinity and zone, and denied to the property in question.

- The granting of the Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located
- The Variance is consistent with the General Plan.

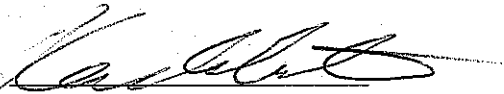
The concept of a Variance is that basic zoning provisions are not being changed but the property owner is allowed to use his property in a manner basically consistent with the established regulations with such minor variation as will place him in parity with other property owners in the same zone.

The applicant's request is based on the premise that the subject lot (as re-aligned) has access from the side of the lot only, with a sub-standard distance of 34-feet to accommodate a front loading garage and driveway, which the applicant argues is the only reasonable way to provide parking for this site. Using a side loaded garage is possible, but it would take up almost the entire ground floor, preventing direct access to the walk-street encroachment area.

Finding 1: Staff agrees that this corner lot on a walk street is uniquely situated with access from the side only, since the front cannot be used for vehicle access. This situation is arguably "exceptional and extraordinary". While there are other corner lots on walk streets, they almost all have alleys parallel to the walk street allowing the garage to be located in the rear with alley access. The situation here is similar to the half-lot at 635 Hermosa Avenue which was recently granted a Variance from the side yard setback to accommodate a garage with access from Hermosa Avenue.

Finding 2: The Variance is necessary for the enjoyment of a substantial property right possessed by other properties in the vicinity because the side lot access does not allow the project to meet all the following requirements for a typical front loading garage: minimum interior parking stall depth (20'); side yard setback (3'); and parking setback (17'). A parking design with a side loaded garage (garage parallel to street) is possible, but would essentially prevent the property from enjoying any significant ground floor living space adjacent to the walk-street encroachment area.

Findings 3 and 4: The Variance to the parking setback is significant, and potentially detrimental to surrounding properties, as it reduces the amount of potential guest parking on site. A 17-foot setback typically provides for guest spaces in addition to the 2-car garage. In this case the plan provides for guest parking to the side of the garage which may alleviate this concern. The construction of a single-family home in this location is consistent with the General Plan.



Ken Robertson,
Senior Planner

CONCUR:



Sol Blumenfeld, Director,
Community Development Department

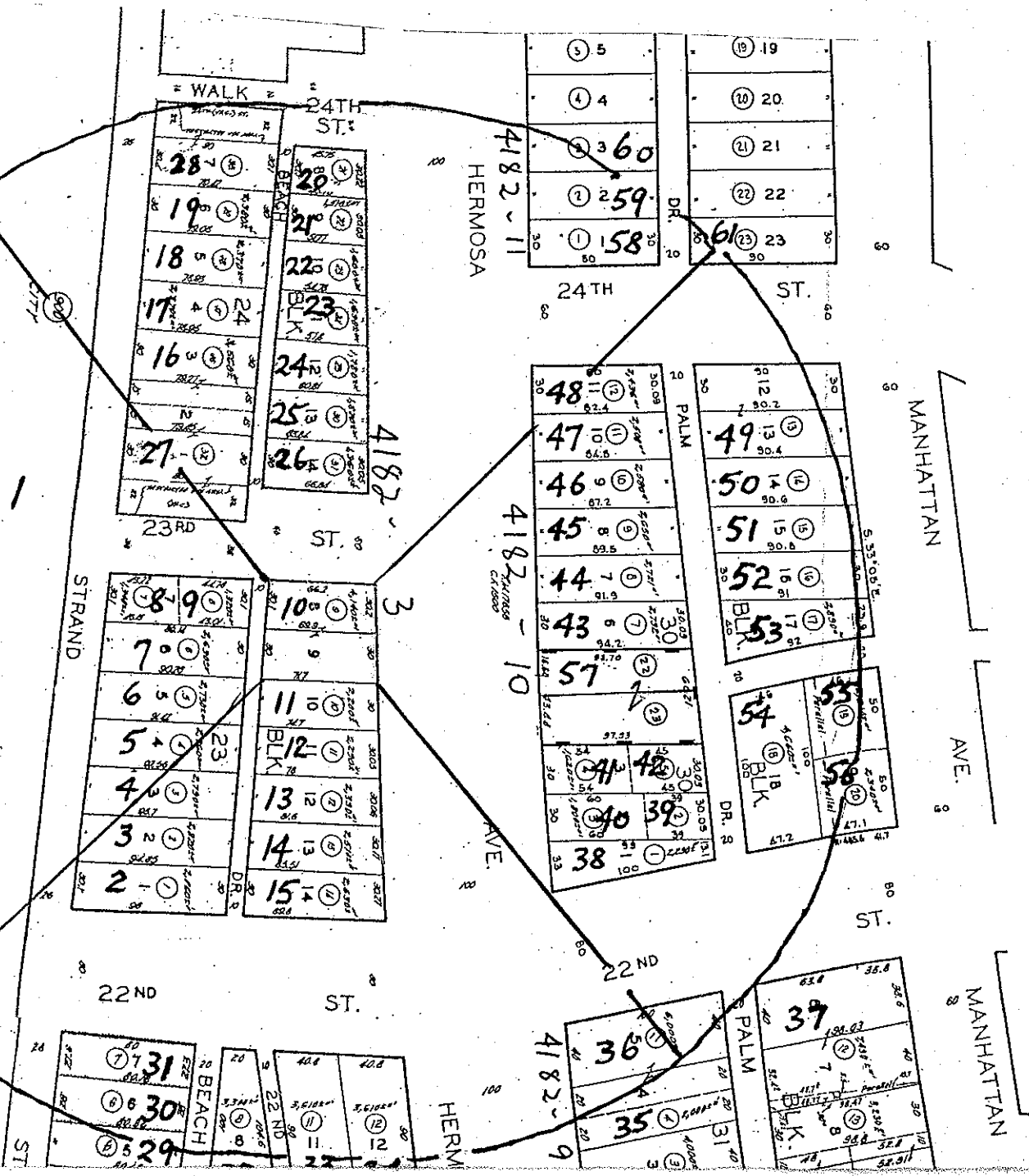
Attachments

1. ~~Proposed Resolution.~~
 2. Location Map
 3. Photos
- Survey; Project plans; and Scheme 2 parking configuration – separate attachments

F:/b95/cd/pc/8-15-06/VAR06-02/635 Hermosa Ave.


PACIFIC OCEAN

C.S. B - 1023-1



2231 HERMOSA AVENUE

SCALE 1" = 100'


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2231 Hermosa Avenue

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