

February 20, 2007

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

**Regular Meeting of
February 20, 2007**

SUBJECT: VARIANCE 07-3

LOCATION: 136 HILL STREET

APPLICANT: LAWRENCE MANNING
136 HILL STREET
HERMOSA BEACH, CA 90254

REQUEST(S): A VARIANCE TO ALLOW FOR A 1,074-SQUARE FOOT ADDITION TO AN EXISTING 2,458-SQUARE FOOT NON-CONFORMING SINGLE FAMILY RESIDENCE FOR A TOTAL OF 3,532 SQUARE FEET AS OPPOSED TO THE MAXIMUM 3,000 SQUARE FEET PERMITTED BY THE NON-CONFORMING ORDINANCE

Recommendation:

To direct staff as deemed appropriate.

Background:

ZONING:	R-1
GENERAL PLAN:	Low Density Residential
LOT SIZE:	4,000 Square Feet
OFF-STREET PARKING PROVIDED:	3 Parking Spaces
EXISTING DWELLING UNIT FLOOR AREA:	2,458 Square Feet
PROPOSED DWELLING UNIT FLOOR AREA:	3,532 Square Feet

Background:

The subject lot was previously zoned M-1 (Light Manufacturing) and rezoned to R-1 (Single-Family Residential) on October 1, 1986, as part of a General Plan Amendment (Attachment 4). The lot is currently developed with a two-story, concrete block constructed, single-family dwelling which has the following nonconformities:

- 66% percent lot coverage rather than the maximum 65% allowed in the R-1 zone;
- 100 square feet of usable open space as opposed to the required 400 square feet; and
- A side yard setback of 4" inches along the north property and a 2-foot setback along the south property line rather than the required 4-foot setback.

The applicant is proposing to add 1,074-square foot second-story addition including a 365-square foot master bedroom and walk-in-closet, a 176.5-square foot bathroom, and a 412.5-square foot den. In addition, a new 621-square foot rooftop deck is proposed (Please refer to plans, sheet 3).

In 2005, the Zoning Ordinance provisions pertaining to nonconforming structures were amended, and include a provision that limits expansion to nonconforming structure to a maximum of 3,000 square feet. Prior to this revision, a 50% expansion was allowed by right regardless of the total resulting square footage.

In 2001, the same proposal was approved under the provisions of the Zoning Ordinance in effect at that time. The code allowed for a maximum fifty (50) percent of the current replacement cost of the existing building by right (Attachment 5). Due to unforeseen financial constraints, the applicant was unable to fully complete the approved project. The applicant was only able to construct a portion of the addition which was approved at that time, enclosing an existing 67.5-square balcony on the west elevation of the home (approximately 2.82% additional floor area).

Analysis:

The applicant's objective is to obtain a Variance for a 50% increase in floor area that would have been permitted by right under the superseded Non-Conforming Ordinance. The applicant contends that there have been no alterations to the proposed plans from the original 2001 conceptual plans. There are no other modifications proposed at this time.

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

1. There are exceptional or extraordinary circumstances; limited to the physical conditions applicable to the property involved.
2. 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.
3. 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.
4. 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/her property in a manner basically consistent with the established regulations with such minor variation as will place him/her in parity with other property owners in the same zone.


Finding 1: The property was originally zoned M-1 and the lot was developed with a concrete block structure typically associated with light manufacturing building in this part of the City. The M-1 development standards allow for structures to be built to property line as compared to the R-1 development standards that require minimum setbacks. Therefore, it is arguable that exceptional or extraordinary conditions exist both related to the historical use and the physical conditions of the subject property, because it is currently developed with this concrete block structure as compared to traditional wood-frame constructed homes in the neighborhood. Also, instead of completely demolishing the structure in order to construct a residence, the applicant has considered the existing architectural integrity to transform the previously industrially used structure into a functional residence.

Finding 2: Arguably the variance is not necessary for the preservation and enjoyment of a substantial property right or to achieve parity with other properties in the same vicinity and zone since a 542-square foot addition to the home, up to 3,000 square feet, could be constructed by right under the current provisions of the Zoning Ordinance regarding expansions to nonconforming structures. The applicant has not demonstrated why an additional 532-square foot increase in floor area over 3,000 square feet is necessary to achieve parity with the neighborhood.

The intent of the 3,000-square foot cap for expansion to non-conforming buildings is not to preclude residences over 3,000 square feet, but to require such buildings that reach that threshold to be brought up to code. For a typical wood frame building with only limited nonconforming conditions, bringing an existing structure up to code is

usually possible without completely rebuilding the structure. However, considering the constraints of the existing concrete block construction, it is impossible to remodel the existing portions of the building and bring this structure up to code, making the only possibility to build a larger home over 3,000 square a complete demolition and rebuild which is extremely cost prohibitive. Therefore, given the unique circumstances of this case, the 3,000 square foot cap precludes the opportunity for expanding this residence that otherwise would be possible for lots of a similar size. Therefore, it may be arguable that the Variance from this cap is necessary for the owner to enjoy a substantial property right to build what would otherwise be considered a reasonably sized residence (3,500 square feet), and thus to achieve parity with other properties that are not constrained by these unusual existing conditions.

Findings 3 and 4: Currently the home exceeds the 65% lot coverage maximum by 1% (66% total lot coverage). However, the existing block frame footprint is 18.5 feet from the front property line. The R-1 zone development standards specify a maximum setback requirement of 10' feet. The applicant has proposed to place the addition entirely to the rear of the property, therefore preserving the architectural integrity of the existing front façade. Therefore, the proposed wood-frame addition to the subject property will not be readily visible from the street. As a result, the addition will not be materially detrimental or injurious to the property or other properties in the vicinity. Furthermore, an addition to the single-family home in this location is consistent with the policies and goals of the General Plan because the construction of a single-family dwelling unit is consistent with the General Plan designation.



Richard S. Denniston,
Associate Planner

CONCUR:



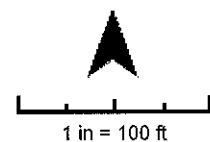
Sol Blumenfeld, Director,
Community Development Department

Attachments

1. Location Map
2. Photo Survey
3. Zone Check and Height Calculation
4. Resolution 86-43
5. Superseded Non-Conforming Ordinance



City of Hermosa Beach
136 Hill Street



Date Printed: 2/13/2007

136 Hill Street



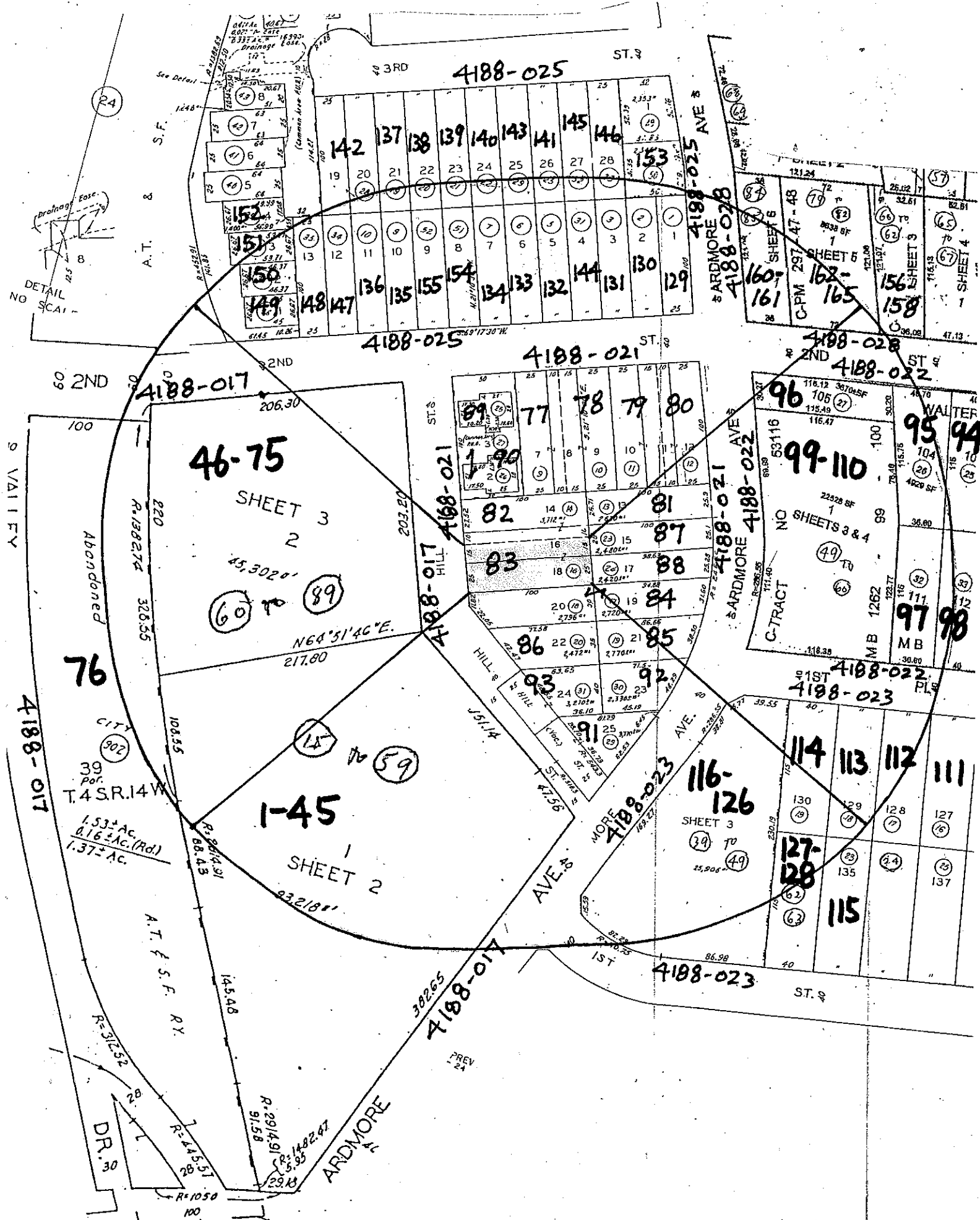
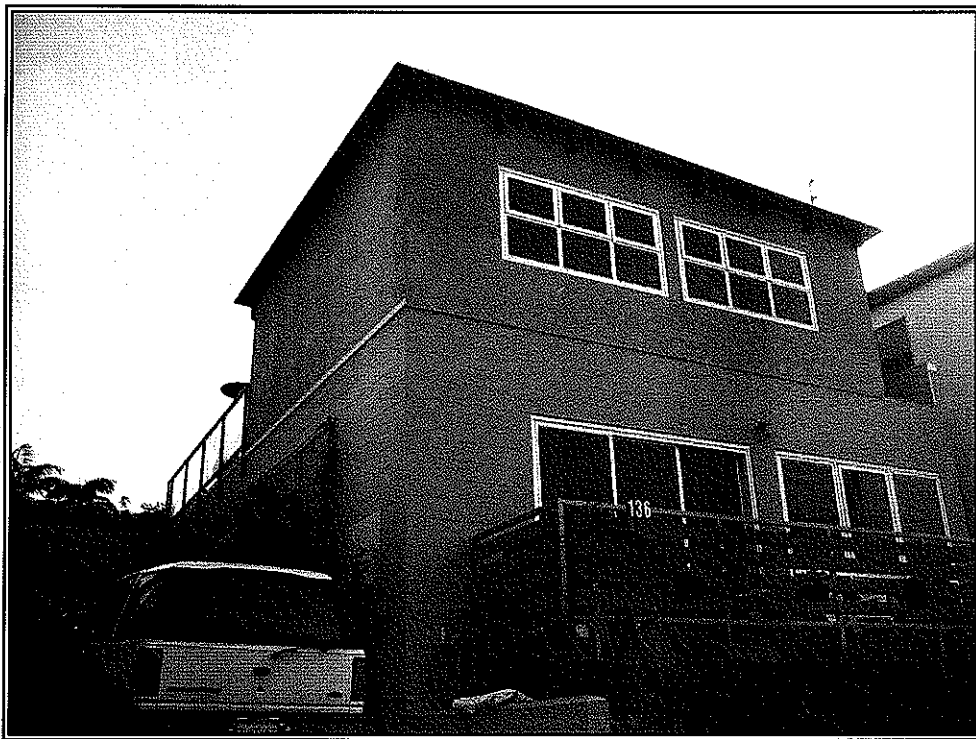


PHOTO SURVEY
136 HILL STREET



APPLICANT/ARCHITECT Manning/Green
PROJECT ADDRESS 136 Hill St.
APN 41856-021-016
LOT SQUARE FOOTAGE 3999
PROJECT TYPE ADDITION TO SFR
DATE 2.13.07

ZONE R-1
GENERAL PLAN LD (136/20)
COASTAL COMMISSION NA
REVIEW BY RD

ITEMS CHECKED IN THE LEFT HAND COLUMN NEED TO BE MODIFIED FOR COMPLIANCE WITH THE ZONING ORDINANCE. RESUBMIT TWO SETS OF REVISED PLANS WITH ALL REQUIRED CHANGES.

- 1) ALLOWABLE DENSITY 1du EXISTING DENSITY 1du PROPOSED SAME
✓ 2) ALLOWABLE BUILDING HEIGHT 25' EXISTING N/A PROPOSED 25' (131.44')
Maximum and proposed heights, property corners, and distance to CPs shown properly on plans? NO
✓ 3) MAXIMUM LOT COVERAGE 65% EXISTING 66% PROPOSED 66%
4) REQUIRED FRONT YARD SETBACK 10' EXISTING 18.4' PROPOSED SAME
5) REQUIRED REAR YARD SETBACK 5' / 3' EXISTING 6" / 3' PROPOSED SAME / 3'
6) REQUIRED SIDE YARD SETBACK 4' / 4' EXISTING 4" / 2' PROPOSED 4' / 4'
MULTIPLE ROW DWELLINGS YES NO ✓ IF YES: (CAND FL)
REQUIRED SIDE-YARD NA EXISTING N/A PROPOSED N/A
7) REQUIRED PARKING SPACES: STANDARD 2 GUEST 1
EXISTING SPACES: STANDARD N/A GUEST N/A
PROPOSED SPACES: STANDARD 2 GUEST 1
8) PARKING SPACES MINIMUM SIZE 8'1/2' x 20' EXISTING 8'1/2' x 20' PROPOSED SAME
GUEST SPACES MINIMUM SIZE 8'1/2' x 17' EXISTING 8'1/2' x 17' PROPOSED SAME
9) GARAGE SETBACK REQUIRED 17' EXISTING 57' PROPOSED SAME
10) TURNING AREA REQUIRED 23' EXISTING 60' PROPOSED SAME
11) DRIVEWAY: (GUEST SPACE)
REQUIRED WIDTH 9' EXISTING 11' PROPOSED SAME
MAXIMUM SLOPE 12.5% EXISTING N/A PROPOSED SAME
CLEARANCE MAXIMUM 7' EXISTING N/A PROPOSED SAME
✓ 12) REQUIRED USABLE OPEN SPACE 4000 sq ft EXISTING N/A PROPOSED 10000 sq ft
MINIMUM DIMENSION REQUIRED 10' EXISTING N/A PROPOSED > 10'
MAXIMUM COVERAGE ALLOWED 6% EXISTING N/A PROPOSED 0%
N/A 13) MINIMUM DISTANCE BETWEEN BUILDINGS:
MAIN BUILDINGS EXISTING PROPOSED EXISTING
MAIN BUILDING AND ACCESSORY EXISTING PROPOSED EXISTING
N/A 14) ARCHITECTURAL ENCROACHMENTS INTO REQUIRED YARDS:
MAXIMUM EAVE LENGTH EXISTING PROPOSED EXISTING
BAY WINDOW PROJECTION EXISTING PROPOSED EXISTING
COLUMNS/CHASES ETC. PROJECTION EXISTING PROPOSED EXISTING
FIREPLACE PROJECTION EXISTING PROPOSED EXISTING
MAXIMUM STAIRWAY/BALCONY FRONT SETBACK ENCROACHMENT: EXISTING PROPOSED EXISTING

N/A 15) CHIMNEY/VENTS HEIGHT LIMIT (NOT TO EXCEED MAX. BUILDING HEIGHT EXCEPT TO THE EXTENT NECESSARY TO MEET BUILDING CODE)

N/A 16) STAIRWAY IN SIDEYARD: ABOVE 1ST LEVEL: YES ___ NO ___
EXTEND IN BOTH DIRECTIONS: YES ___ NO ___

MAX. HEIGHT ___ EXISTING ___ PROPOSED ___

N/A 17) PERIMETER WALLS/FENCES --LOT TYPE:

INTERIOR ☒ CORNER ___ REVERSED CORNER ___

FRONT HEIGHT MAXIMUM ___ EXISTING ___ PROPOSED ___

SIDE HEIGHT MAXIMUM ___ EXISTING ___ PROPOSED ___

REAR HEIGHT MAXIMUM ___ EXISTING ___ PROPOSED ___

N/A 18) NONCONFORMING REMODEL STRUCTURE:

PARKING (MINIMUM SPACE SIZE 8.5 FT. W. X 18.0 FT. D.)

LESS THAN 1 PARKING SPACE PER UNIT MAX. EXPANSION ___ PROPOSED ___

ONE-SPACE PER DWELLING UNIT MAX. EXPANSION ___ PROPOSED ___

2 SPACES PER DWELLING UNIT MAX. EXPANSION BY RIGHT ___ PROPOSED ___

NONCONFORMING USE - GREATER THAN 45-UNITS PER ACRE? ___

MAXIMUM DEMOLITION ___ PROPOSED ___

N/A 19) SOUND TRANSMISSION INSULATION/NO PLUMBING FIXTURES IN WALLS (CONDO) ___

20) CARD FILE AND MASTER FILE REVIEW

OPEN PERMITS YES ___ NO ☒

CODE ENFORCEMENT PENDING YES ___ NO ☒

OPEN COMPLAINTS YES ___ NO ☒

PREVIOUS ADDITION TO NONCONFORMING REMODEL NO ___ YES ☒ IF YES, % 2.80% (67.5%)

N/A 21) CORNER VISION CLEARANCE (Corner Lots Only) YES ___ NO ___

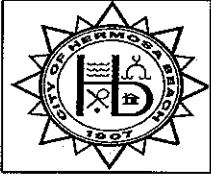
X 22) ENCLOSED TRASH FACILITY (Min. 5' Screen Wall) YES ___ NO ☒

N/A 23) HISTORIC LANDMARK OR RESOURCE ___

X 24) SIGNED DOCUMENTS CONNECTED W/ DISCRETIONARY APPROVAL ___

X 25) ADDITIONAL COMMENTS:

C. PLANS

**City of Hermosa Beach****Civic Center, 1315 Valley Drive, Hermosa Beach 90254****Critical Height Calculation For:****136 Hill Street****02/13/2007**

Elev. Pt. A	101.43	
Elev. Pt. B	110	
Length A-B	100	
Length A-AB'	81.9	
	<i>Elev. AB':</i>	<i>108.44883</i>
Elev. Pt. C	101.49	
Elev. Pt. D	112.2	
Length C-D	100	
Length C-CD'	81.9	
	<i>Elev. CD':</i>	<i>110.26149</i>
Length AB'-CD'	40	
Length AB'-CP1	36	
	<i>Elev. CP1:</i>	<i>110.080224</i>
Height Limit	25	
Max. Ht. @ CP1:	135.08	
Proposed Ht.	131.44	

RESOLUTION P.C. 86-43

1 A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING AMENDING THE
2 GENERAL PLAN, AND/OR ZONING MAP FOR VARIOUS AREAS WITHIN THE CITY
3 AS SHOWN ON THE ATTACHED EXHIBITS A THROUGH F AND AS DESCRIBED
4 BELOW.

5 WHEREAS, the Planning Commission held a public hearing on
6 September 2, 1986 and made the following Findings:

7 1. The subject properties are inconsistently General Plan
8 designated and/or zoned;

9 2. The State Law requires consistency between zoning and the
10 General Plan;

11 3. Redesignating, and/or rezoning the subject properties as
12 indicated on the attached Exhibits A through F will result in
13 consistency between the zoning and General Plan;

14 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission
15 recommends amending the General Plan and Zoning Map for various
16 areas as shown on the attached Exhibits and described as follows:

17 Area I, From Medium Density to High Density Residential and from
18 M-Zone and Open Space to R-3 Multiple Family Residential Zone.

19 This area is bounded on the south by the City Limits, on the
20 north by Fifth St., on the east by the easterly property lines of
21 lots 1,22,33,53,68,85,100,115,124,140, and the east property line
22 of the west half of lot 146 of the Walter Ransom Co. Venable
23 Place Tract, and on the west by Ardmore Ave.

24 Area IA, From Medium Density and Open Space to Low Density except
25 for parks (5th and Ardmore and Bicentennial) and from M-Zone to

26 R-1, One Family Residential Zone. This area is bounded on the
27 south by Second St. and Hill St., on the northwest by A.T.& S.F.
28 Railroad Right-of-Way, and on the northeast by Ardmore Ave.

Area II, From R-2 to R-3, Multiple Family Residential Zone. This area is bounded on the south by property commonly known as the South School, on the north by 8th St., on the west by Sunset Dr. and on the east by the rear property lines of lots fronting on Cypress Ave.

Area III, From R-3 to R-2, Two Family Residential Zone. This area is bounded on the South by 2nd St., on the north by property commonly known as South School, on the east by Valley Dr., and on the west by the rear property lines of lots abutting Culper Ct. Ingleside Park (Ingleside & 33rd St.), from Medium Density To Open Space designation.


Moondust Park (N. of Meyer Ct. & S. of 2nd St.), from Low Density to Open Space designation.

VOTE: AYES: Comms.Compton,Peirce,Chmn.Sheldon
NOES: None
ABSENT: Comms.Rue,Schulte
ABSTAIN: None

CERTIFICATION

I hereby certify that the foregoing Resolution P.C. 86-43 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 September 2, 1986.


Chuck Sheldon, Chairman


Michael Schubach, Secretary

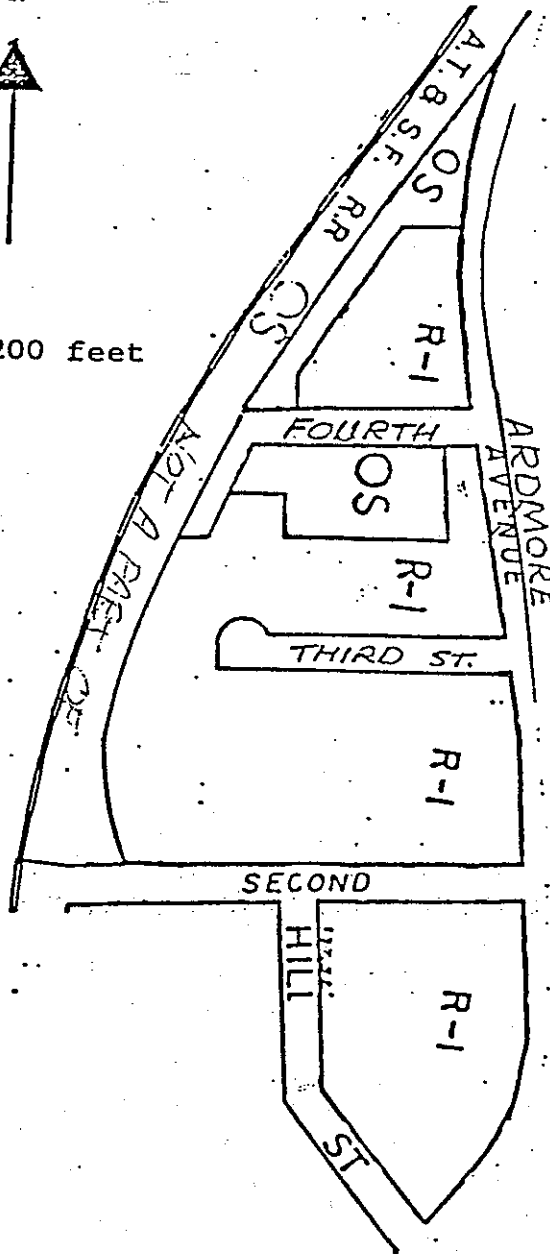
10/7/86
Date

EXHIBIT A

Area IA



1 inch = 200 feet



GENERAL PLAN DESIGNATION

Low Density

Open Space

ZONING

R-1 Single-Family
Residential

OS Open Space