

RESOLUTION NO. 07-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, TO APPROVE A VARIANCE TO ALLOW 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 AT THE PROPERTY ADDRESSED AS 136 HILL STREET AND LEGALLY DESCRIBED AS SOUTHEAST FIFTEEN FEET OF LOT 16 AND ALL OF LOT 18, MAP BOOK 14-13

The Planning Commission does hereby resolve and order as follows:

Section 1. An application was filed by Lawrence Manning, owner of the property located at 136 Hill Street, seeking a Variance to allow 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.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application for the Variance on February 20, 2007, 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 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.
2. 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.
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.
4. 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. 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

1 addition which was approved at that time, enclosing an existing 67.5-square balcony on the west
2 elevation of the home (approximately 2.82% additional floor area).

- 3 5. The applicant's objective is to obtain a Variance for a 50% increase in floor area that would have
4 been permitted by right under the superseded Non-Conforming Ordinance.

5 Section 4. Based on the factual findings, the Planning Commission makes the following findings
6 pertaining to the application for a Variance:

- 7 1. The property was originally zoned M-1 and the lot was developed with a concrete block structure
8 typically associated with light manufacturing building in this part of the City. The M-1
9 development standards allow for structures to be built to property line as compared to the R-1
10 development standards that require minimum setbacks. Therefore, exceptional and extraordinary
11 conditions exist both related to the historical use and the physical conditions of the subject
12 property, because it is currently developed with this concrete block structure as compared to
13 traditional wood-frame constructed homes in the neighborhood. Also, instead of completely
14 demolishing the structure in order to construct a residence, the applicant has considered the
15 existing architectural integrity to transform the previously industrially used structure into a
16 functional residence.
- 17 2. The intent of the 3,000-square foot cap for expansion to non-conforming buildings is not to
18 preclude residences over 3,000 square feet, but to require such buildings that reach that threshold
19 to brought up to code. For a typical wood frame building with only limited nonconforming
20 conditions, bringing an existing structure up to code is usually possible without completely
21 rebuilding the structure. However, considering the constraints of the existing concrete block
22 construction, it is impossible to remodel the existing portions of the building and bring this
23 structure up to code, making the only possibility to build a larger home over 3,000 square a
24 complete demolition and rebuild which is extremely cost prohibitive. Therefore, given the unique
25 circumstances of this case, the 3,000 square foot cap precludes the opportunity for expanding this
26 residence that otherwise would be possible for lots of a similar size. Therefore, the Variance from
27 this cap is necessary for the owner to enjoy a substantial property right to build what would
28 otherwise be considered a reasonably sized residence (3,500 square feet), and thus to achieve
29 parity with other properties that are not constrained by these unusual existing conditions.
3. 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.
4. 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.

Section 5. The project is Categorical 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.

1 Section 6. Based on the foregoing, the Planning Commission hereby approves the requested
2 Variance subject to the following **Conditions of Approval:**

- 3 **1. The project shall be consistent with the submitted plans reviewed by the Planning**
4 **Commission at their meeting of February 20, 2007. Any further minor modifications to the**
5 **plan shall be reviewed and may be approved by the Community Development Director.**
- 6 **2. The Variance is specifically limited to the situation and circumstances that result relative to**
7 **the proposed project and is not applicable to the development of new structures or any**
8 **future expansion.**

9 VOTE: AYES: K. Allen, P. Hoffman, L. Kersenboom, S. Perotti, R. Pizer,
10 NOES: None
11 ABSTAIN: None
12 ABSENT: None

13 CERTIFICATION

14 I hereby certify that the foregoing Resolution P.C. 07-08 is a true and complete record of the action
15 taken by the Planning Commission of the City of Hermosa Beach, California, at their regular meeting
16 of February 20, 2007.

17 _____
18 Kent Allen, Chairman

19 _____
20 Sol Blumenfeld, Secretary

21 _____
22 March 20, 2007

23 _____
24 Date