

March 12, 2007

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

**Regular Meeting of  
March 20, 2007**

SUBJECT: VARIANCE 07-2

LOCATION: 429 GOULD AVENUE

APPLICANT: LINSEY AND KIRK MILLER  
429 GOULD AVENUE  
HERMOSA BEACH, CA 90254

REQUEST: VARIANCE TO ALLOW AN EXISTING DRIVEWAY USED FOR PARALLEL PARKING LOCATED IN FRONT OF A ONE-CAR GARAGE TO BE CONSIDERED A SECOND PARKING SPACE AND FOR LESS THAN REQUIRED OPEN SPACE IN ORDER TO ALLOW AN ADDITION OF 884 SQUARE FEET TO THE EXISTING DWELLING, RATHER THAN THE 500 SQUARE FOOT ADDITION OTHERWISE ALLOWED FOR SITES WITH ONLY ONE PARKING SPACE

**Recommendations**

To approve the requested Variance to allow an existing driveway used for parallel parking located in front of a one-car garage to be considered a second parking space and for less than required open space.

**Background**

ZONING:	R-1
GENERAL PLAN:	Low Density Residential
LOT SIZE:	2,407 Square Feet
EXISTING DWELLING UNIT SIZE:	1,512 Square Feet
PROPOSED ADDITION:	884 Square Feet
PROPOSED DWELLING UNIT SIZE:	2,396 Square Feet

The subject site is located on the north side of Gould Avenue, across the street from Valley Park. The lot, like others on the block between Valley Drive and Morningside Drive, has a dedicated alley, 28<sup>th</sup> Court, to the rear which is not improved for vehicle access. The alley is only accessible to four (4) lots west of 413 Gould Avenue. The subject lot has the typical size as other properties to the north zoned R-2, having an 80-foot depth and 30-foot width. The subject block, however, is the only one between Gould Avenue and 30<sup>th</sup> Street in the neighborhood which is zoned R-1.

The existing one-story dwelling was constructed in 1958, with significant upgrades to electrical and plumbing in 2003. The dwelling is nonconforming as follows:

- Parking: only one qualifying parking space is available
- Garage setback: existing 10 feet setback rather than the required 17 feet setback for front loading garages
- Side yard requirement: the west side yard is setback 2.75 feet rather than the required 3 feet
- Open space requirement: 330 square feet of open space is provided in the open patio area adjacent to the one-car garage while a total of 400 square feet is required

The unused alley behind the rear yard provides 225 square feet of open area at the ground level which does not count towards the open space requirements since it is within the dedicated public right-of-way. The alley area is also used as yard area for properties east of 413 Gould Avenue.

### Analysis

The applicant is requesting the Variance in order to allow the expansion of the first floor entryway and a second story addition. The proposed expansion will increase the structure from 1,525 square feet to 2,396 square feet of habitable area. Currently, there is no sidewalk or curb and gutter on the subject block and Public Works staff has indicated they will not require the applicant to construct a sidewalk or curb and gutter.

The applicant is requesting that an existing open parking area parallel to the street, in front of the existing garage door be considered a parking space in order to comply with the parking requirements and a Variance from open space resulting from a second story projection. The second parking space is necessary to allow the proposed expansion to exceed 500 square feet, as Section 17.52.035 limits expansion to 500 square feet when only one parking space exists. While open parking in tandem is allowed, a Variance is needed to allow the open parking space to be located parallel to the garage door, and to allow the parking space to be counted as a required parking space. Section 17.52.035 provides exceptions for existing parking that does not meet the parking setback requirement. However, tandem parking is defined as parking aligned in a lengthwise fashion per Section 17.44.010 thus requiring a Variance for the subject case.

The second story addition cantilevers over a portion of the existing open space on ground level located in the front patio area, thereby reducing the open space area dimension clear to the sky from 12' in width to 7,' causing this area to no longer qualify as open space pursuant to Section 17.08.030(L) even though the actual ground area dimension remains the same. Dwelling units in the R-1 zone are required to provide a minimum of four hundred (400) square feet of usable open space unobstructed from ground to sky with a minimum dimension of ten feet. Given the narrow width of the subject lot and the location of its entryway, it is difficult to provide the required ground level open space and pursue a second story addition with a functional width without partially covering the ground level.

The applicant wishes to retain the existing structure and floor plan which was recently remodeled, rather than moving the garage back from the street to provide a 17-foot setback which would be required to add a second space to the side of the existing garage. Given the location of the existing building with the living area on the first floor, and the narrow width of the lot, providing a 17-foot garage setback would require removing a substantial portion of the existing first floor and significantly change the floor plan.

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/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 lot, while smaller than typical lots within the City, is not considered a "small lot" under the R-1 development standards as it is greater than 2100 square feet, nor is it out of character with surrounding

lots. The subject lot width of 30-feet is typical for the subject block. Having a nonconforming garage setback facing the street is not unusual or out of character with surrounding properties as the only vehicular access is through Gould Avenue for properties to the east of 413 Gould Avenue. This is due to a dedicated public right-of-way behind the rear yard where access to the alley is blocked off. Thus, it is not possible to have the garage access from the alley.

Of the 17 lots on the subject block, 13 lots have front loading garages facing Gould Avenue with various garage setbacks ranging from 10-feet to 15-feet, and the garage setback areas are used for parking. The remaining 4 lots have garages accessed from the alley with garage setbacks ranging from 5-feet to 9-feet. The narrow width of the lot and its current entry way create a hardship to provide a complying second parking space, garage setback and the required open space without significantly compromising the floor plan and the size of the house. It could be argued that the lack of alley access to a garage in combination with the smaller sized R-1 zoned lot creates an exceptional and extraordinary condition.

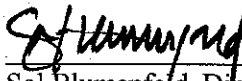
**Finding 2:** The Variance may arguably be necessary for the enjoyment of a substantial property right possessed by other properties in the vicinity, and to construct a reasonably sized dwelling. This finding can be made with respect to the parking Variance, as varying from this requirement is necessary for the property to enjoy a property right possessed by neighboring properties and to retain existing usable floor area on the ground floor. The owners wish to exercise a property right, possessed by others in the neighborhood, to use the existing driveway as a second parking space. The Variance from open space is arguably necessary to enjoy a property right to build a functional second story addition that because of its width will partially cover the existing open space area on ground level.

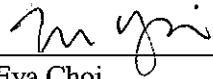
**Finding 3:** The Variance from the parking setback and open space, if granted, would not be materially detrimental to neighboring properties as it simply allows the owner to continue to use the garage setback area for parking, as a majority of lots on the same block use the setback area in the same fashion. The applicant currently uses the unused alley area behind the rear yard as open space in the same manner as do other property owners east of 413 Gould Avenue.

**Finding 4:** The project is not unusually large or out of scale with the neighborhood, with the requested corrections on side yard setback; the construction of a single family home at this location is in conformance with the General Plan.

In conclusion, in order for the applicant to achieve parity with neighboring properties, staff believes that findings can be made to support a Variance for a second parking space in front of an existing garage and proving less than the required open space. If the Variance for the parking is approved, the applicant will be able to proceed with the proposed project, otherwise, with only 1 parking space; the addition is limited to 500 square feet and the existing open space area adjacent to the garage must remain open to the sky with dimensions not less than 10 foot.

CONCUR:

  
Sol Blumenfeld, Director  
Community Development Department

  
Eva Choi  
Planner Assistant

Attachments

1. Resolution
2. Location Map
3. Zoning Analysis
4. Photographs
5. Applicant project description and discussion of Variance findings

Var429Gould

RESOLUTION NO. 07-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING VARIANCES FROM OFF-STREET PARKING LOCATION (SECTION 17.44.090(C), TO ALLOW OPEN PARKING DIRECTLY IN FRONT OF AN EXISTING GARAGE COUNT TOWARD REQUIRED PARKING AND FOR LESS THAN REQUIRED OPEN SPACE, IN CONNECTION WITH A PROPOSED ADDITION AND REMODEL TO AN EXISTING SINGLE FAMILY DWELLING AT 429 GOULD AVENUE LEGALLY DESCRIBED AS LOT 15, BLOCK 128, SHAKESPEARE TRACT.

The Planning Commission does hereby resolve and order as follows:

Section 1. An application was filed by Lindsey and Kirk Miller, owners of real property located at 429 Gould Avenue in Hermosa Beach, seeking Variances from Section 17.44.090(E) Off-Street Parking Location to allow open parking directly in front of an existing garage with less than the required garage setback count toward required parking, and from Section 17.08.030(L) Open Space to allow open space area with less than the required dimension in order to remodel the first floor and add a second floor to an existing nonconforming single family residence, pursuant to Chapter 17.52 of the Zoning Ordinance

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application for a Variance and expansion and remodel to a nonconforming building on March 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 is 2,407 square feet and has the typical size as other properties to the north zoned R-2. The subject block is the only block between Gould Avenue and 30<sup>th</sup> Street in the neighborhood which is zoned R-1.

2. The subject lot fronts on Gould Avenue with a 15-foot unused alley, 28<sup>th</sup> Court, abutting the rear yard. The alley is only accessible to four (4) lots west of 413 Gould Avenue..

3. The lot is currently developed with a one-story single family dwelling, nonconforming to parking as it has a one-car garage, 10 feet garage setback rather than 17 feet and open space requirement of 330 square feet rather than 400 square feet.

4. The applicant is requesting Variances from off-street parking requirements to allow open parking in front of the existing garage to count towards required parking and open space requirement as the proposed addition will project over the open patio area on the ground level to less than the required dimensions of 10 feet by 10 feet.

5. The applicant is requesting these Variances in order to allow the addition of a second story and to increase the existing single story home from 1,512 square feet to 2,396 square feet.

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

- 3            1. There are exceptional and extraordinary circumstances relating to the physical  
4 conditions of this property for the following reasons: the subject lot is one of thirteen  
5 lots on the block without alley access and has a front loading garage with a  
6 nonconforming garage setback. This is due to a dedicated public right-of-way behind  
7 the rear yard where access to the alley is blocked off. Thus, it is not possible to have the  
8 garage access from the alley. Combined with the narrow width of the lot and its current  
9 entry way, it creates a hardship to provide a complying second parking space and garage  
10 setback without significantly compromising the existing floor plan and the size of the  
11 proposed expansion.
- 12            2. The Variance is necessary for the enjoyment of a substantial property right possessed by  
13 other properties in the vicinity as it allows the applicant to continue to use the garage  
14 setback area for parking, as a majority of lots on the same block use the setback area in  
15 the same fashion. The applicant currently uses the unused alley area behind the rear  
16 yard as open space in the same manner as do other property owners east of 413 Gould  
17 Avenue, although this area does not contribute toward allowable open space for the  
18 property. The Variance from open space is necessary to enjoy a property right to build a  
19 second story addition without having to demolish a portion of the structure or to reduce  
20 the size of the proposed expansion.
- 21            3. The requested Variance will not be materially detrimental to the public welfare or  
22 injurious to property or improvements in the vicinity as it allows the applicant to  
23 continue to use the nonconforming garage setback area for parking and the unused alley  
24 area behind the rear yard as open space area in the same manner as do other properties  
25 owners east of 413 Gould Avenue.
- 26            4. The construction of a single-family home in this location is consistent with the General  
27 Plan.

28            Section 6. Based on the foregoing, and since the Planning Commission can make all 4  
29 required findings as required by Section 17.54.020 of the Zoning Ordinance, the Planning  
Commission hereby approves the requested Variances from off-street parking location and open  
space requirements subject to the following Conditions of Approval:

- 30            1.    **The development and continued use of the property shall be in conformance with  
31 submitted plans received and reviewed by the Commission at their meeting of  
32 March 20, 2007, and modified pursuant to the conditions below. Any minor  
33 modification shall be reviewed and may be approved by the Community  
34 Development Director.**
- 35            a)    **The proposed second story must meet the required side yard setback of 3 feet from  
36 the westerly property line.**
- 37            2.    **The Variance are specifically limited to the parking requirements in order to allow  
38 an open parallel parking in front of an existing garage and open space requirement  
39 as specified, and applicable to the situation and circumstances that result relative to**

1 the proposed project and is not applicable to the development of future structures  
2 or any future expansion

- 3 3. Upon issuance of building permits the project shall proceed in compliance with the  
4 scope of work outlined on the plans and any further demolition or construction  
5 contrary to said plans will result in project delays in order for the City to review  
6 project modifications, and may require new plan submittals and Planning  
7 Commission review to proceed with construction work

8 VOTE: AYES:  
9 NOES:  
10 ABSTAIN:  
11 ABSENT:

12 CERTIFICATION

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

16 \_\_\_\_\_  
17 Kent Allen, Chairman

18 \_\_\_\_\_  
19 Sol Blumenfeld, Secretary

20 \_\_\_\_\_  
21 Date

22 \_\_\_\_\_  
23 Var429  
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429 Gould Avenue





# ZONING CHECK LIST

ADDRESS 429 Gould Ave. ZONE R-1  
 OWNER/ARCHITECT Miller / Lane Building Design GENERAL PLAN LD  
 PROJECT TYPE Non conforming Addition/Remodel COASTAL ZONE YES  NO   
 DATE 2/12/07 **\*IF YES, A COASTAL PERMIT IS REQUIRED PRIOR TO BUILDING PERMIT ISSUANCE.**

**ITEMS CHECKED NEED CORRECTION**

- 1) ALLOWABLE DENSITY 1 du/lot EXISTING DENSITY 1 du/lot PROPOSED no change
- 2) ALLOWABLE BUILDING HEIGHT 25' EXISTING 1 story PROPOSED 24.81' @ CP#2  
 MAXIMUM HEIGHT INFORMATION PROPERLY SHOWN ON ROOF PLAN/ELEVATIONS:  
 PC ELEVATIONS Yes CRITICAL POINT MAX AND PROPOSED Yes DISTANCES TO C.P.'S Yes
- 3) NO. OF STORIES EXISTING 1 PROPOSED 2
- 4) MAXIMUM LOT COVERAGE 65% EXISTING 58% PROPOSED 63.3%
- 5) REQUIRED FRONT YARD SETBACK 8' EXISTING 10' PROPOSED no change
- 6) REQUIRED REAR YARD SETBACK, 1<sup>ST</sup> FL. 3' 2<sup>ND</sup> FL. 1' EXISTING 0 N/A PROPOSED no change  
 (15' Alley - easement area)
- 7)  REQUIRED SIDE YARD SETBACK 3' EXISTING 3.03' East & 2.75' West PROPOSED no change &
- MULTIPLE ROW DWELLINGS YES  NO  IF YES:
- REQUIRED SIDE-YARD EXISTING \_\_\_\_\_ PROPOSED \_\_\_\_\_
- 8) REQUIRED PARKING SPACES STANDARD 2 GUEST 1  
 EXISTING SPACES STANDARD 1 GUEST 0  
 PROPOSED SPACES STANDARD 1 GUEST 1
- 9) PARKING SPACES MINIMUM SIZE:  
 STANDARD INSIDE GARAGE 8.5' x 20' EXISTING 8.5' x 20' PROPOSED no change  
 2<sup>nd</sup> parking  
 GUEST SPACE(S) OUTSIDE 8.5' x 17' EXISTING 0 PROPOSED 8.5' x 17'
- 10) GARAGE OR PARKING SETBACK REQUIRED 17' EXISTING 10' PROPOSED No change
- 11) MIN. GARAGE DOOR/CEILING CLEARANCE 7' EXISTING 7' PROPOSED no change
- 12) ? TURNING AREA REQUIRED 23' EXISTING 50' PROPOSED no change
- 13) DRIVEWAY:  
 ? REQUIRED WIDTH 9' EXISTING 10' PROPOSED no change  
 MAXIMUM SLOPE 12.5% EXISTING 4.5% PROPOSED no change  
 MINIMUM CLEARANCE 7' EXISTING ∞ PROPOSED 7.5'

✓ 14) REQUIRED USABLE OPEN SPACE 400# EXISTING 330# PROPOSED dedicated right-of-way behind rear yard  
MINIMUM DIMENSION REQUIRED 10' EXISTING 12' PROPOSED 12.25#  
MAXIMUM COVERAGE ALLOWED 0 EXISTING 0 PROPOSED \_\_\_\_\_  
MINIMUM ADJACENT TO PRIMARY LIVING AREA (R-2, R-3 OR R-1 SMALL LOT) OR MINIMUM  
REQUIRED ON GRADE (R-1 & R-1A) 300# EXISTING 330# PROPOSED \_\_\_\_\_

N/A 15) MINIMUM DISTANCE BETWEEN BUILDINGS:  
MAIN BUILDINGS \_\_\_\_\_ EXISTING \_\_\_\_\_ PROPOSED \_\_\_\_\_  
MAIN BUILDING AND ACCESSORY \_\_\_\_\_ EXISTING \_\_\_\_\_ PROPOSED \_\_\_\_\_

✓ 16) ARCHITECTURAL ENCROACHMENTS INTO REQUIRED YARDS:  
MINIMUM EAVE SETBACK 30" EXISTING 26" PROPOSED no change  
MINIMUM FIREPLACE SETBACK 30" EXISTING 30" PROPOSED no change  
MINIMUM BAY WINDOW SETBACK 3' EXISTING N/A PROPOSED \_\_\_\_\_  
MINIMUM COLUMNS/CHASES ETC. SETBACK 30" EXISTING N/A PROPOSED \_\_\_\_\_

17) MAXIMUM STAIRWAY/<sup>2nd Floor</sup>BALCONY FRONT SETBACK ENCROACHMENT 36"  
EXISTING 0 PROPOSED 12"

18) STAIRWAY IN SIDEYARD: ABOVE 1ST LEVEL YES \_\_\_\_\_ NO ✓  
EXTEND IN BOTH DIRECTIONS YES \_\_\_\_\_ NO \_\_\_\_\_  
MAXIMUM HEIGHT \_\_\_\_\_ EXISTING \_\_\_\_\_ PROPOSED \_\_\_\_\_

✓ 19) PERIMETER WALLS/FENCES --LOT TYPE:  
INTERIOR ✓ CORNER \_\_\_\_\_ REVERSED CORNER \_\_\_\_\_  
FRONT HEIGHT MAXIMUM 42" EXISTING \_\_\_\_\_ PROPOSED \_\_\_\_\_  
SIDE HEIGHT MAXIMUM 6' EXISTING \_\_\_\_\_ PROPOSED \_\_\_\_\_  
REAR HEIGHT MAXIMUM 6' EXISTING \_\_\_\_\_ PROPOSED \_\_\_\_\_

20) CHIMNEY/VENTS PROJECTION ABOVE HEIGHT LIMIT  
FLAT ROOF \_\_\_\_\_ SLOPED ROOF ✓  
MAXIMUM PROJECTION ABOVE ROOF 2' EXISTING 2' PROPOSED 2' relocating existing fireplace and add 1 fireplace on 2nd fl.  
CHIMNEY BULK: MAX DIMENSION \_\_\_\_\_ EXISTING \_\_\_\_\_ PROPOSED \_\_\_\_\_

N/A 21) SOUND TRANSMISSION INSULATION BETWEEN WALLS (CONDOMINIUMS)  
MIN. S.T.C. RATING BETWEEN FLOORS \_\_\_\_\_ PROPOSED \_\_\_\_\_  
MIN. S.T.C. RATING BETWEEN COMMON WALLS \_\_\_\_\_ PROPOSED \_\_\_\_\_  
NO PLUMBING FIXTURES IN COMMON WALLS \_\_\_\_\_

22) NONCONFORMING REMODEL STRUCTURE: (PARKING MINIMUM SPACE SIZE: 8 1/2 FT. W x 18 FT. D)  
 MAX. EXPANSION (PERCENT SQUARE FEET) BY RIGHT 100% *in this case = 1512 sq ft* PROPOSED 58.5% = 884 sq ft  
 ONE PARKING SPACE PER DWELLING UNIT MAX. EXPANSION 500 sq ft PROPOSED N/A  
 LESS THAN 1 PARKING SPACE PER UNIT MAX. EXPANSION 100 sq ft PROPOSED N/A  
 NONCONFORMING USE - GREATER THAN 45-UNITS PER ACRE? No IF YES NO EXPANSION ALLOWED

23) REVIEW CARD FILE AND MASTER FILE  
 OPEN PERMITS YES  NO  *2 building permits in issued status from 2000, 1 plumbing permit in issued status from 2003.*  
 CODE ENFORCEMENT ACTION PENDING YES  NO   
 OPEN COMPLAINTS YES  NO   
 PREVIOUS ADDITION TO NONCONFORMING REMODEL NO  YES  IF YES, % \_\_\_\_\_

N/A 24) CORNER VISION CLEARANCE YES  NO

25) SCREENED TRASH FACILITY YES  NO  *not indicated on plan*

N/A 26) SIGNED DOCUMENTS CONNECTED WITH DISCRETIONARY APPROVAL

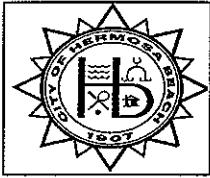
	<u>NEEDED</u>	<u>RECEIVED</u>
ACCEPTANCE OF CONDITIONS AFFIDAVIT	_____	_____
NOTICES OF PENDING CONSTRUCTION AFFIDAVIT	_____	_____
CC & R'S FOR RECORDATION	_____	_____
ASSUMPTION OF RISK IF SUMP PUMP	_____	_____

No 27) HISTORIC LANDMARK OR RESOURCE? No  
 NOMINATED \_\_\_\_\_ DESIGNATED \_\_\_\_\_ CERTIFICATE OF APPROPRIATENESS \_\_\_\_\_

No 28) SUBSTANDARD LOT SIZE OR WIDTH, WITH EXISTING STRUCTURE STRADDLING THE PROPERTY LINE WITH ADJACENT LOT (SUBJECT TO LOT MERGER)

29) **\*IF A COASTAL APPROVAL FOR THIS PROJECT IS REQUIRED, 2 SETS OF CONCEPTUAL PLANS AND A COASTAL PERMIT APPLICATION NEEDS TO BE SUBMITTED TO THE CITY AFTER ZONE CHECK APPROVAL. CONTACT PLANNING STAFF FOR INFORMATION (310) 318-0242.**

30) ADDITIONAL COMMENTS  
 - Side yard setback: proposed 2nd story addition must meet side yard setback requirement of 3'.  
 - ~~a minimum of 300 sq ft of open space required on ground level, area must be open to sky with minimum dimensions of 10' x 10'.~~



**City of Hermosa Beach**  
**Civic Center, 1315 Valley Drive, Hermosa Beach, Califor**

**Critical Height Calculation For:**

429 Gould Avenue

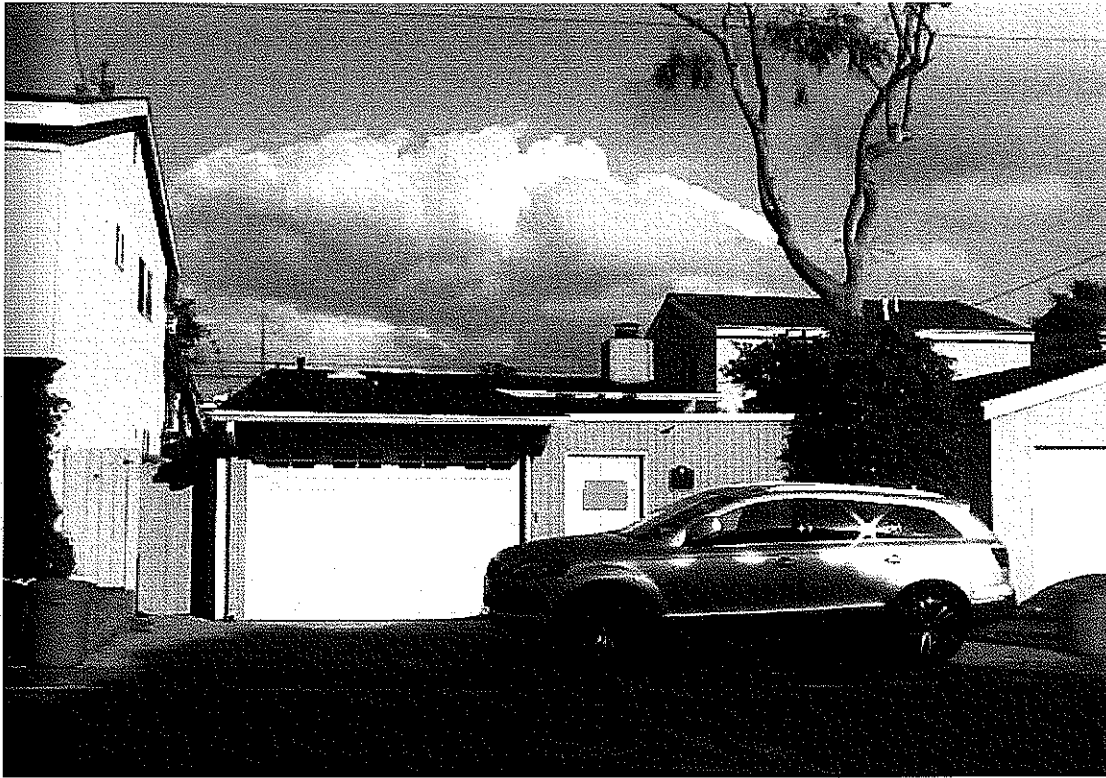
02/12/2007

Elev. Pt. A	90.96	
Elev. Pt. B	99.98	
Length A-B	80.22	
Length A-AB'	<b>14.97</b>	
	<i>Elev. AB':</i>	92.6432386
Elev. Pt. C	91.02	
Elev. Pt. D	99.38	
Length C-D	80.22	
Length C-CD'	<b>14.97</b>	
	<i>Elev. CD':</i>	92.5800748
Length AB'-CD'	30.01	
Length AB'-CP1	<b>7.5</b>	
	<i>Elev. CP1:</i>	92.6274529
Height Limit	25	
Max. Ht. @ CP1:	<b>117.63</b>	
Prop. Ht. @ CP1:	116.5	

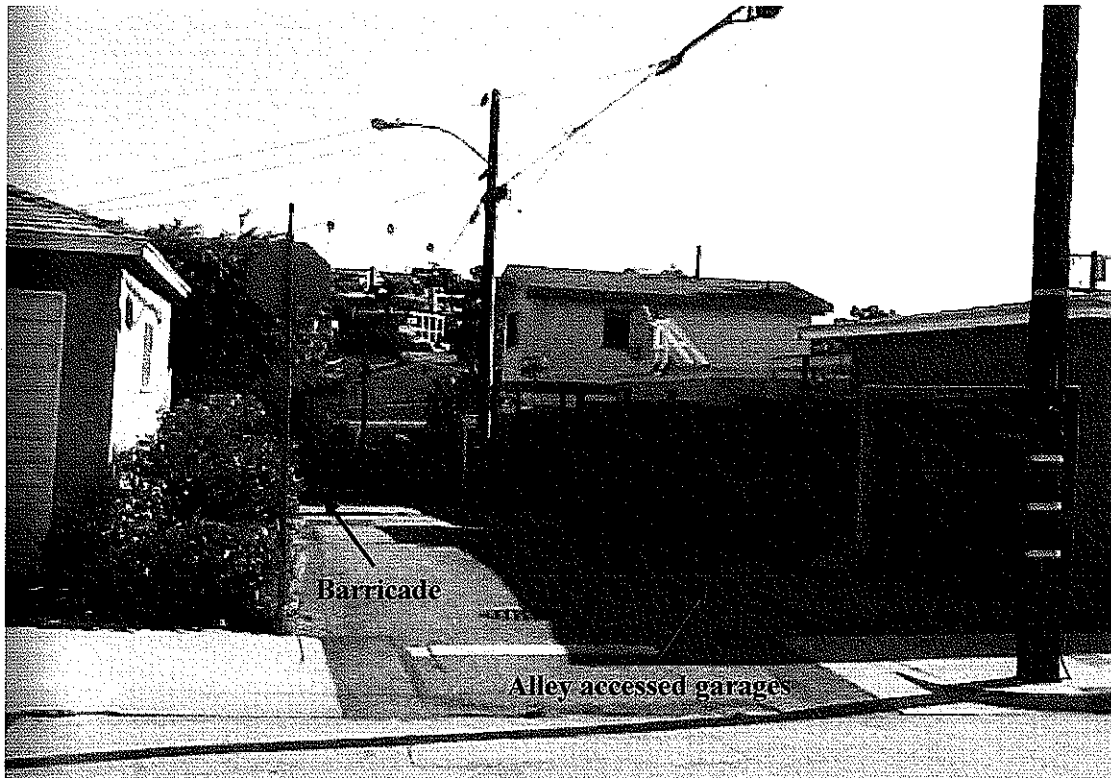
Elev. Pt. A	90.96	
Elev. Pt. B	99.98	
Length A-B	80.22	
Length A-AB'	<b>34</b>	
	<i>Elev. AB':</i>	94.7829868
Elev. Pt. C	91.02	
Elev. Pt. D	99.38	
Length C-D	80.22	
Length C-CD'	<b>34</b>	
	<i>Elev. CD':</i>	94.563256
Length AB'-CD'	30.01	
Length AB'-CP2	<b>2.25</b>	
	<i>Elev. CP2:</i>	94.7665125
Height Limit	25	
Max. Ht. @ CP2:	<b>119.77</b>	
Prop. Ht. @ CP2:	119.58	

Elev. Pt. A	90.96	
Elev. Pt. B	99.98	
Length A-B	80.22	
Length A-AB'	<b>53.8</b>	
	<i>Elev. AB':</i>	97.0093144
Elev. Pt. C	91.02	
Elev. Pt. D	99.38	
Length C-D	80.22	
Length C-CD'	<b>53.8</b>	
	<i>Elev. CD':</i>	96.6266816
Length AB'-CD'	30.01	
Length AB'-CP3	<b>11.25</b>	
	<i>Elev. CP3:</i>	96.8658749
Height Limit	25	
Max. Ht. @ CP3:	<b>121.87</b>	
Prop. Ht. @ CP3:	121	

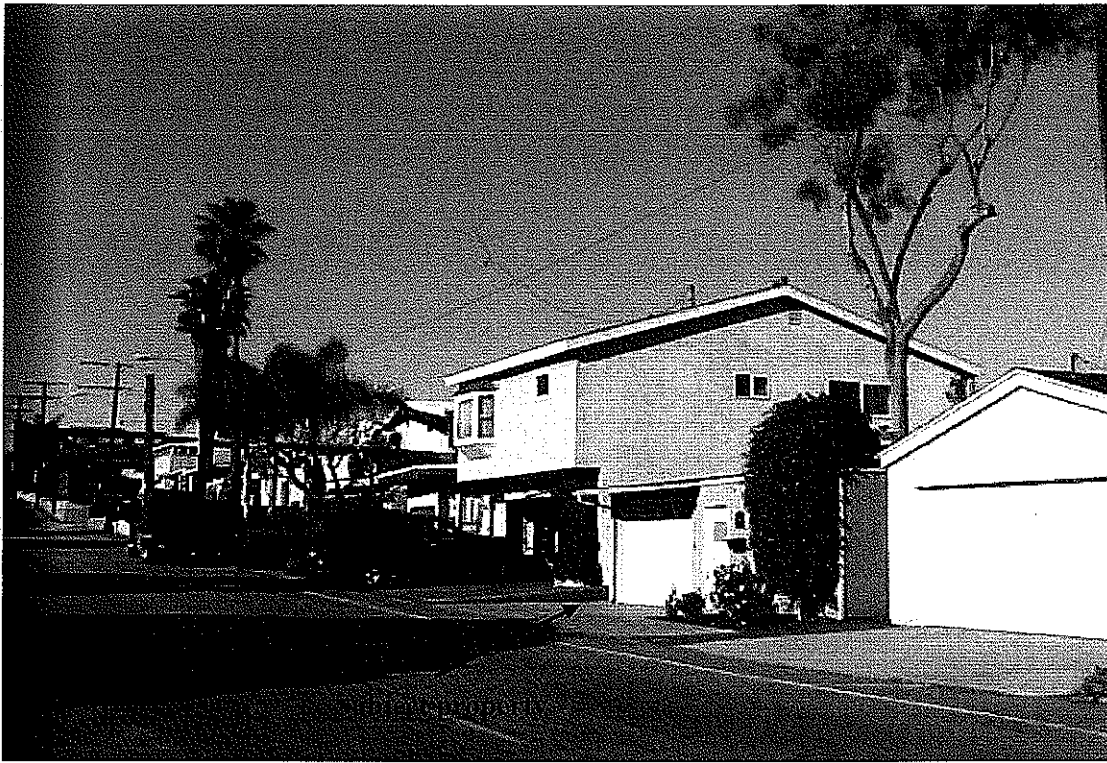
Elev. Pt. A	90.96	
Elev. Pt. B	99.98	
Length A-B	80.22	
Length A-AB'	<b>70.64</b>	
	<i>Elev. AB':</i>	98.9028173
Elev. Pt. C	91.02	
Elev. Pt. D	99.38	
Length C-D	80.22	
Length C-CD'	<b>70.64</b>	
	<i>Elev. CD':</i>	98.3816355
Length AB'-CD'	30.01	
Length AB'-CP4	<b>11.25</b>	
	<i>Elev. CP4:</i>	98.7074392
Height Limit	25	
Max. Ht. @ CP4:	<b>123.71</b>	
Prop. Ht. @ CP4:	121	



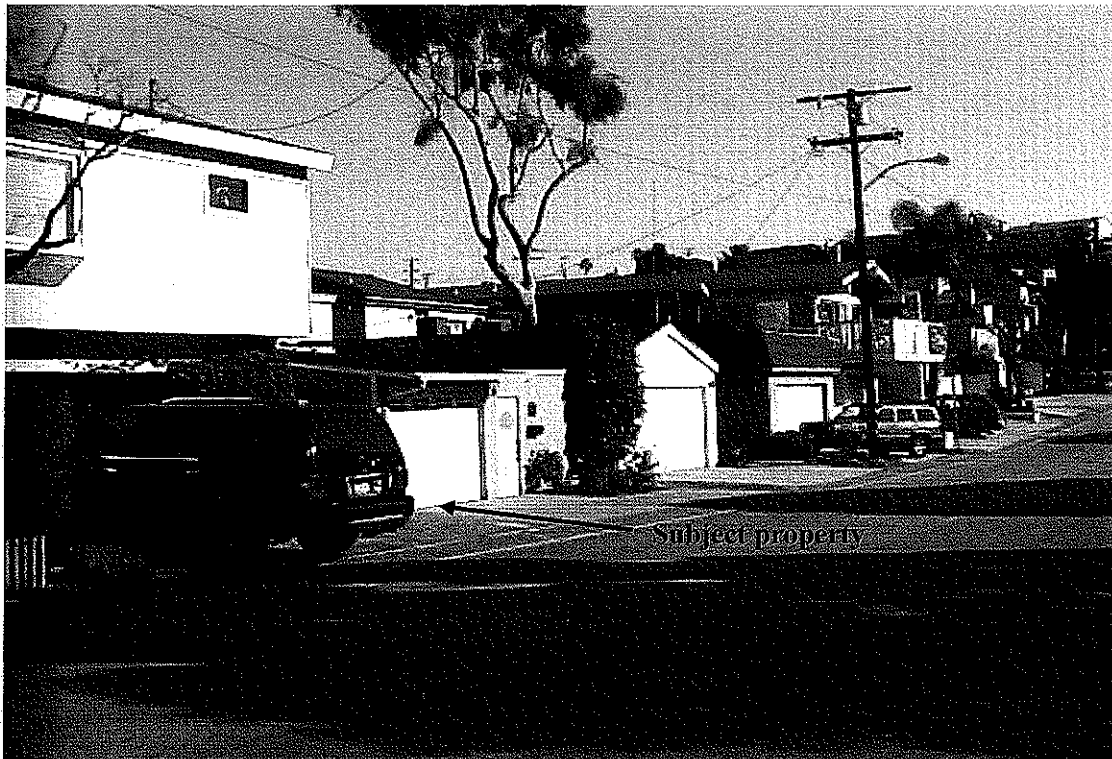
429 Gould Avenue with vehicle parked in front, showing no sidewalk and curb cut.



15-foot alley, 28<sup>th</sup> Court. Picture showing the four most westerly lots with garage accessed from the alley. Note location of barricade, restricting vehicular access for the remainder of the block.



Properties to the immediate east and west both have similar driveways.



Subject property and properties to the east, showing cars parked in driveways.

LINSEY & KIRK MILLER  
429 GOULD AVENUE  
HERMOSA BEACH, CA 90254

January 22, 2007

Mr. Sam Perrotti  
Mr. Ron Pizer  
Mr. Peter Hoffman  
Mr. Kent Allen  
Mr. Langley Kersenboom  
City of Hermosa Beach Planning Commission  
1315 Valley Drive  
Hermosa Beach, CA 90254

RECEIVED

JAN 22 2007

COMMUNITY DEV. DEPT.

Dear Commission Members:

We would like to request your approval for two variances in order to add on to our existing home at 429 Gould Avenue. Today we enjoy our house and our neighborhood, but need to expand in order to make room for our family. The most ideal and cost-effective way to do this is to add on to our existing home so we can continue to enjoy our great neighborhood and the benefits of living in Hermosa Beach. Both of the variances we request are necessary to maintain two current features of the home – two parking spaces with one space in the garage and the other in the driveway (as currently used), and a non-conforming fence height (also as currently used).

Due to the prohibitive cost of building a new home, and our preference not to build a zero-lot line home which consumes all outdoor space, we desire to add on to our existing home. Since our addition adds 884 square feet, these existing features become variances which must be approved. We currently already have two parking spaces, but to continue to use them as we currently do a variance is required, and our proposal for parking is attached to this letter. The non-conforming fence currently encloses our front patio, which we also would like to maintain.

There are several reasons we need to keep the parking spaces as they are currently positioned, and to keep the fence height as it currently exists, some of which are listed below:

- Adequate parking exists in front of the house today:
  - The proposed 2<sup>nd</sup> parking space is the same as we currently park.
  - The proposed variance for parking is similar to our neighbors' current use of their own driveways.
  - Additional parking is also available at Valley Park across the street.
- The design of the house does not accommodate two parking spaces directly in front of the structure, with the living area on the entrance level and the front door entrance positioned in the middle of the lot, adjacent to the garage.
  - The patio, and its high fence, creates a barrier from the traffic of Gould Avenue, which is extremely important to our child's safety.
  - A parking space in front of the living area would require the exterior wall to be moved into the existing living space, and would also orient a car directly in front

LINSEY & KIRK MILLER  
429 GOULD AVENUE  
HERMOSA BEACH, CA 90254

February 22, 2007

Mr. Sam Perrotti  
Mr. Ron Pizer  
Mr. Peter Hoffman  
Mr. Kent Allen  
Mr. Langley Kersenboom  
City of Hermosa Beach Planning Commission  
1315 Valley Drive  
Hermosa Beach, CA 90254

RECEIVED

MAR 05 2007

COMMUNITY DEV. DEPT.

Dear Commission Members:

It has come to our attention that we must submit a third variance request in addition to the two other variances originally submitted on January 22. In order to meet the requirement for 300 square feet of outdoor space, with a minimum 10 ft. by 10 ft. area clear and visible from the sky, we must request a variance that this space is met by our existing (and not to be modified) back yard, and our patio, which we are trying to maintain in our other variance request for parking.

As you can tell from our previous request we are trying to maintain maximum outdoor space with our addition, and to build a house that is larger, yet still appealing to the community. Because our addition widens the space above the garage, it covers a portion of our patio. Previously our patio met this requirement for the minimum 10 ft. by 10 ft. dimensions, but now it is more narrow, and therefore we must also submit this as a variance request.

Sincerely,



Linsey Miller  
429 Gould Avenue



Kirk Miller  
429 Gould Avenue



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MAR 05 2007

COMMUNITY DEV. DEPT.

**429 Gould Avenue  
Proposed Variance**

**Linsey and Kirk Miller -  
Homeowners**

**Gary Lane - Owner, Lane  
Building & Construction**

**Project Goals**

- *Design Goals:* We desire to preserve the original design philosophy of natural light, open ceilings and a beach look. Existing home built in 1958 by architect Richard G. Pollock (AIA Architects) as his own residence
- *Add bedrooms:* Expansion of existing home by 884 square feet (currently 1512 sq. ft.) to make room for our family – adding 2 bedrooms, 1 bathroom, laundry area
- *Preserve* main level living area as it currently exists
- *Maintain* 1 car garage and front parking space
- *Preserve* existing patio space
- *Preserve* orientation of front door access and windows

## Variance Request Summary

- Request: Maintain one parking space in existing garage, the other space in the front driveway (same as current)
- Request: Non-conforming height fence to remain (same as current)
- Request: 300 square feet of open space (visible from the sky) requirement is met by patio and backyard space

## Reasoning for Request for Variance

- We want to maintain the patio and entrance look and feel to the front, and we don't need a two-car garage
- Adequate parking exists in front of house:
  - Proposed 2<sup>nd</sup> parking space is same as we currently park
  - Similar to neighbors' use of their own driveways
  - Parking available at Valley Park across the street
- All homes on this block of Gould Avenue do not require a sidewalk
- No access to rear of house (half of our block has an alleyway, but our half has an easement/backyard.)
- Very few houses in our high-density neighborhood meet the requirement for 300 sq. ft., (with min. 10x10 ft. dimensions, not on easement) outdoor space visible from sky.

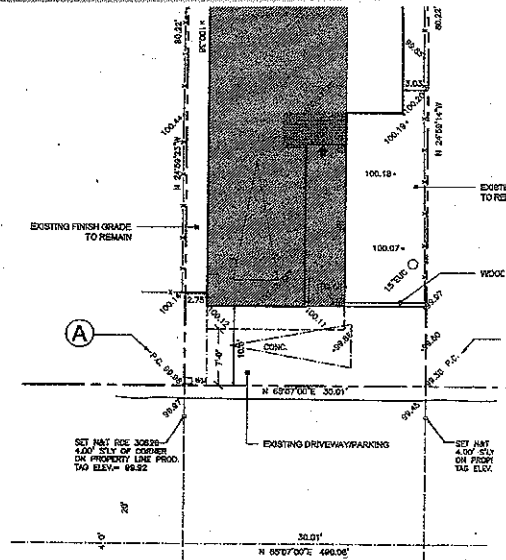
[ Current Parking ]



[ Current Parking ]



## Proposed Parking



## Review of 4 Required Findings

- #1 – Exceptional or Extraordinary circumstances, limited to the physical conditions applicable to the property involved.
  - No alley access
  - No sidewalk or street parking on house side of street
  - House not designed for 2 car garage or 2 car parking directly in front of house

## [ Review of 4 Required Findings ]

- #2 – A variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same vicinity and zone, denied to the property in question:
  - Patio and natural light designed for 1<sup>st</sup> story main living area, other houses in area were designed for a two car garage directly in front of house, and have living areas on second floor.
  - No alley access

## [ Review of 4 Required Findings ]

- #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.
  - Adequate parking in front of house as currently used
  - Adequate parking at park across street
  - Design for proposed variance is more appealing to look of neighborhood than a house with a garage that consumes entire street-facing view
  - Neighbor approval attached

## [ Review of 4 Required Findings ]

- #4 – The granting of the variance will not adversely affect the comprehensive General Plan.
  - The variance does not affect the General Plan.

## [ Front Patio ]



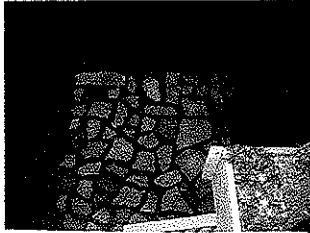
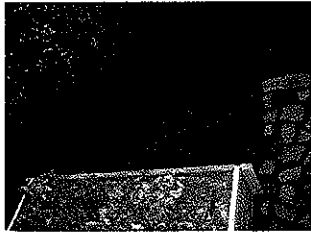
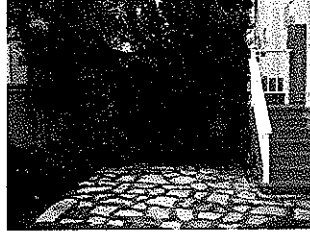
## [ Reasoning for Request for Variance – Special Circumstances of Property ]

- Design of house does not accommodate two parking spaces directly in front of structure, with living area on entrance level and front door entrance in middle of lot and adjacent to garage.
  - The patio creates a barrier from the traffic of Gould Avenue, which is *extremely important* to our child's **safety**.
  - The **patio area is an appealing aspect of the house** and its location at the beach, allowing outdoor enclosed living space and foliage.
  - The patio provides **natural light** to the main level of the house with a south-facing exterior.
  - A parking space in front of living area would require exterior wall to be moved into existing living space, and would also orient a car directly in front of the current front door and windows – **would diminish value of property**

## [ Current Front Patio ]



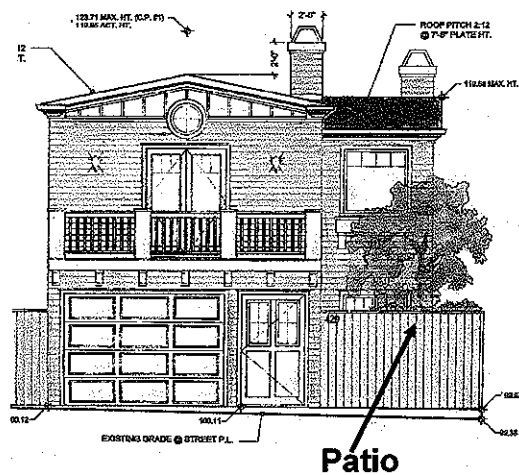
## Backyard - Easement



Backyard easement + front patio + balcony provides greater than 300 square foot space required for visibility from the sky

## Reasoning for Request for Variance continued

- Proposed design is very appealing from front, and allows for patio, driveway and garage while maintaining the privacy and the security of home





## Neighbor Feedback About Proposed Variance

- Excerpt from Margarita and Bill Stover (next-door neighbors on East side of home):  
*"The patio is a great feature of their home. To gain the space they need, we fear that if the variance is not granted they might consider moving. We would hate to lose them as neighbors."*
- Excerpt from Sharon and Dean Woolman (two doors East next to the Stovers' house):  
*"We feel this proposed design would not negatively affect the neighborhood but if anything it would enhance it."*

## Summary

- Adequate room for parking in front as demonstrated
- Front patio, balconies and easement provide required visibility from the sky
- Due to the benefits the patio provides our house (outdoor area, safety, light) our renovation allows us to stay in our house without need for expansion or move to an area with bigger yard-space
- Our variance does not impact the General Plan

Trying to find these qualities in a house in Hermosa Beach today is not affordable for us, and so we respectfully submit our request for variance to the committee for approval

## Questions?



## Precedent: Other Relevant Variances in the Area

- 7/25/06 – 311 31<sup>st</sup> Street – Variance to allow a zero foot front yard setback rather than the required seven feet.
- 8-22-05 – 249 26<sup>th</sup> Street – Allowed 5 ft. garage setback, no guest parking, a 3' rear setback instead of 5'
- 9/18/06 – 2231 Hermosa Avenue – Allowed 9 foot garage setback rather than required 17 feet
- 12-19-05 2056 Monterey Blvd. – Allowed 3 ft. garage setback instead of required 17 ft.
- 10-6-05 – 1806 and 1820 Hillcrest Drive – Allowed a garage setback of 8 ft. instead of 17ft. And a wall greater than 42" in front yard

City of Hermosa Beach  
Planning Commission Members:  
Mr. Sam Perrotti  
Mr. Ron Pizer  
Mr. Peter Hoffman  
Mr. Kent Allen  
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1315 Valley Drive  
Hermosa Beach, CA 90254

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IAN 22 2007

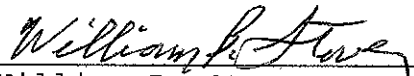
COMMUNITY DEV. DEPT.

Dear Sirs:

We are neighbors of Lindsey and Kirk Miller of 429 Gould Avenue. We are Writing to you in regards to their proposed variance for parking. We support The Miller's request to keep a one-car garage, with parking situated in front as they currently park, so that they can preserve the patio in front of their house.

They are excellent neighbors. The patio is a great feature of their home. To gain the space they need, we fear that if the variance is not granted they might consider moving. We would hate to lose them as neighbors.

Sincerely,



William B. Stover &  
433 Gould Avenue  
Hermosa Beach, CA 90254-2141

  
Margarita M. Stover

*4 January 2007*

*City of Hermosa Beach  
Planning Commission Members:  
Mr. Sam Perrotti  
Mr. Ron Pizer  
Mr. Peter Hoffman  
Mr. Kent Allen  
Mr. Langley Kersenboom  
1315 Valley Drive  
Hermosa Beach, CA 90254*

*Dear Sirs:*

*We are neighbors of Linsey and Kirk Miller of 429 Gould Avenue, Hermosa Beach. We are writing to you in regards to their proposed variance for parking. We support the Miller's request to keep a one car garage, with parking situated in the front as they currently park, so that they can preserve the patio in front of their house.*

*We feel this proposed design would not negatively effect the neighborhood but if anything it would enhance it.*

*Sincerely,*

*Dean Woolman  
Sharon Woolman*

*Dean and Sharon Woolman  
437 Gould Avenue  
Hermosa Beach, CA 90254*