

April 9, 2007

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

**Regular Meeting of
April 17, 2007**

SUBJECT: APPEAL OF DIRECTOR'S DECISION TO BASE THE HEIGHT
MEASUREMENT ON A CONVEX SLOPING LOT

LOCATION: 931 MONTEREY BOULEVARD

APPLICANT: JEFFREY BRIGGS

Recommendation

To direct staff as deemed appropriate by minute order, from the following alternatives:

1. Determine the property to be a uniformly sloping lot and interpolate the grade from the corner points only; or
2. Determine the property to be a convex sloping lot and interpolate from intermediate points on the top of the slope, as proposed by the applicant.

Background

The subject lot is a half lot, located on the west side of Monterey Boulevard. The property is located within the R-3 zone with a height limit of 30-feet. The existing single family residence was constructed in 1965. There is an existing nonconforming stairwell that provides access to the roof deck and is over the current allowable height of 30 feet.

Analysis

Pursuant to the definition of building height and grade, as set forth in Section 17.04.040 of the Zoning Ordinance, and the method of determining building height, as set forth in Section 17.46.015, the grade used for the height measurements is based on the surveyed elevations points at the property corners. The method for determining building height, however, allows for consideration of other points along the property line for lots with "convex" contours. In these situations, the grade of a lot may be based on alternate points along the property line in addition to property corner points. The intent of this convex slope finding is to allow use of alternate points if the evidence supports that there is a natural or unaltered convex condition. In cases where the datum for height measurement is disputed, the final determination of the grade may be referred to the Planning Commission.

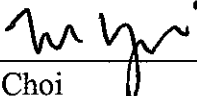
The applicant is requesting consideration of alternate points along both the north and south property lines where the survey and topographic profile show a convex condition as compared to a straight line interpolation.

The grade along the side yards lot slopes up substantially from the rear of the lot to about the halfway point and is relatively flat for the remainder of the lot east to Monterey Boulevard. The topographic profile clearly shows an abrupt change in grade in both these side yards. The elevation changes from the front of the lot to the rear are approximately 9 feet along the north property line and 7 feet along the south property line. The lot to the immediate north of the subject property (935 Monterey Boulevard), was determined to have a convex contour and the convex

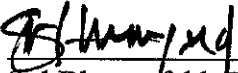
slope interpretation was used as the basis for height calculation for the single family residence built in 2001.

In summary, the current grades demonstrate a convex condition and the convex slope appears to be the trend for adjacent properties.

CONCUR:



Eva Choi
Planning Assistant



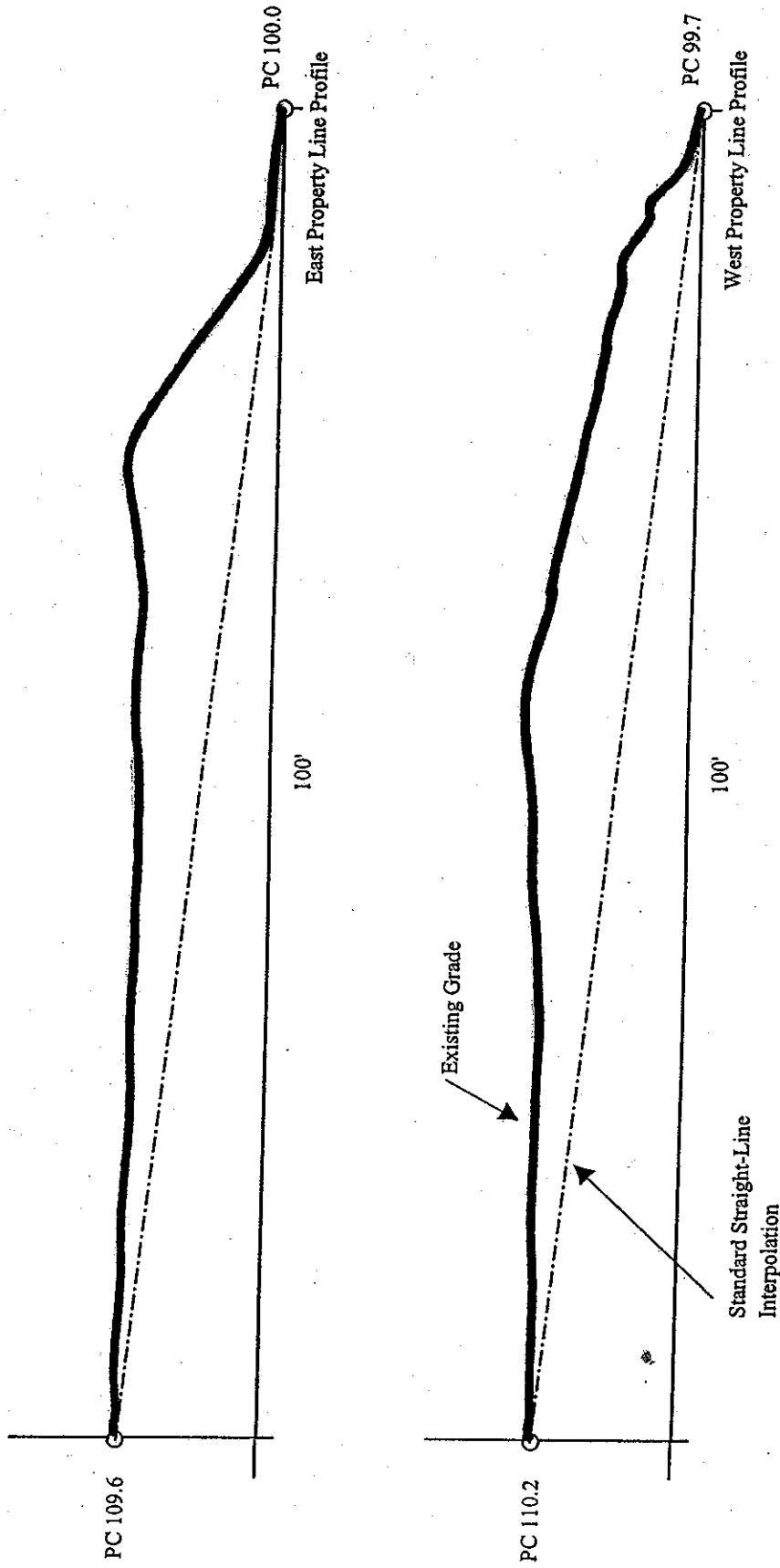
Sol Blumenfeld, Director
Community Development Department

Attachments

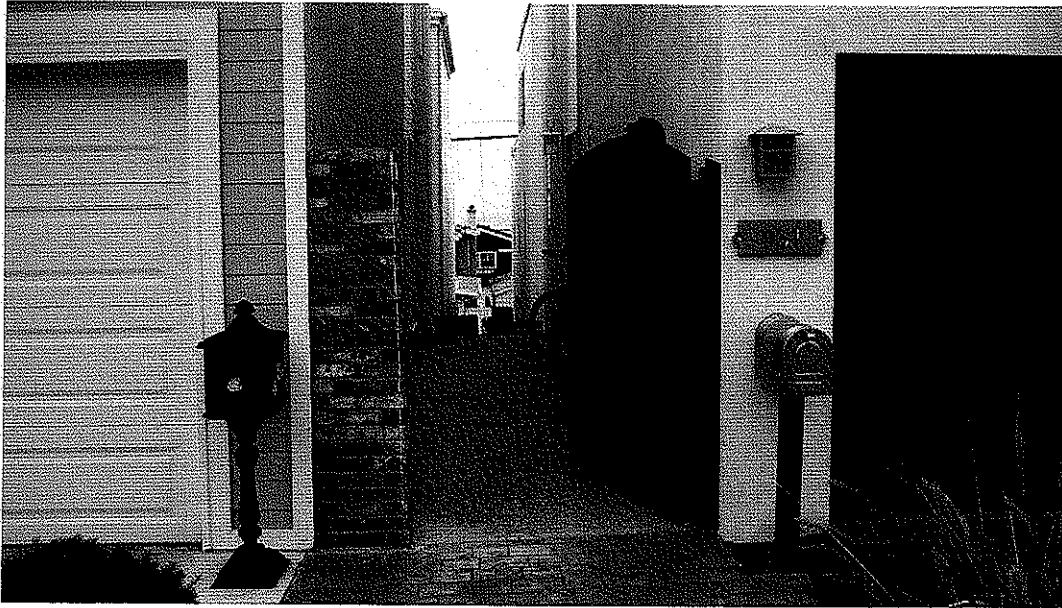
1. Property survey
2. Topographic profile
3. Photos

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Topographic Profile Example



TOPOGRAPHIC PROFILE EXAMPLE
Scale _____



Front views of subject property.



Views along the South property line, showing elevation changes and entrance to the residence.



Views along the North property line, showing elevation changes.