

June 6, 2007

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

**Regular Meeting of
June 19, 2007**

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

LOCATION: 242 31st STREET

APPLICANT: JAMES AND KAREN OMAN

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 street to alley lot on a walk street, located on the south side of 31st Street between Manhattan Avenue and Morningside Drive. The subject lot is a "small lot" (lots with 2,100 square feet or less) under the R-1 development standards, Section 17.08.040. The property is located within the R-1 zone with a height limit of 25 feet.

The applicant is requesting consideration as a convex sloping lot and is proposing alternative points at the top of the bank, along both the east and west property lines as the basis for measuring height rather than using the straight line interpolation.

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 measurement 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.

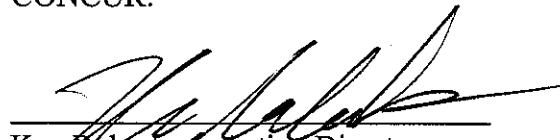
The grade along both side yards slopes up for the first twelve feet of the lot and is relatively flat for the next thirty feet and slopes down for the remainder of the lot toward the rear property line.

The topographic profile (Attachment 2) clearly shows the mid portion of the lot is relatively flat and changes in grade along both side yards in the front and the rear of the lot, however, the changes are more noticeable along the westerly property line. This convex condition is more apparent for properties west of the subject site. This is the first property on the subject block seeking approval to use alternate points along the property line for height measurement.

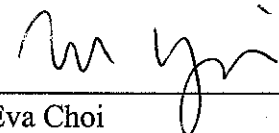
Summary:

The current grades demonstrate a convex slope which appears to be a natural condition consistent with other properties on the block to the west.

CONCUR:



Ken Robertson, Acting Director
Community Development Department

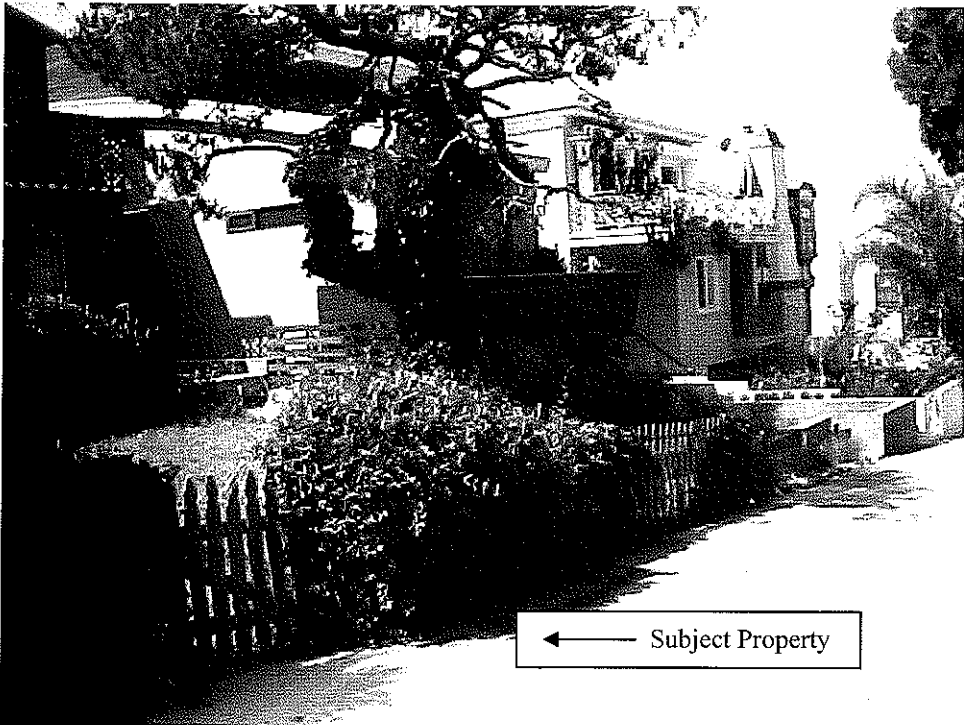


Eva Choi
Planning Assistant

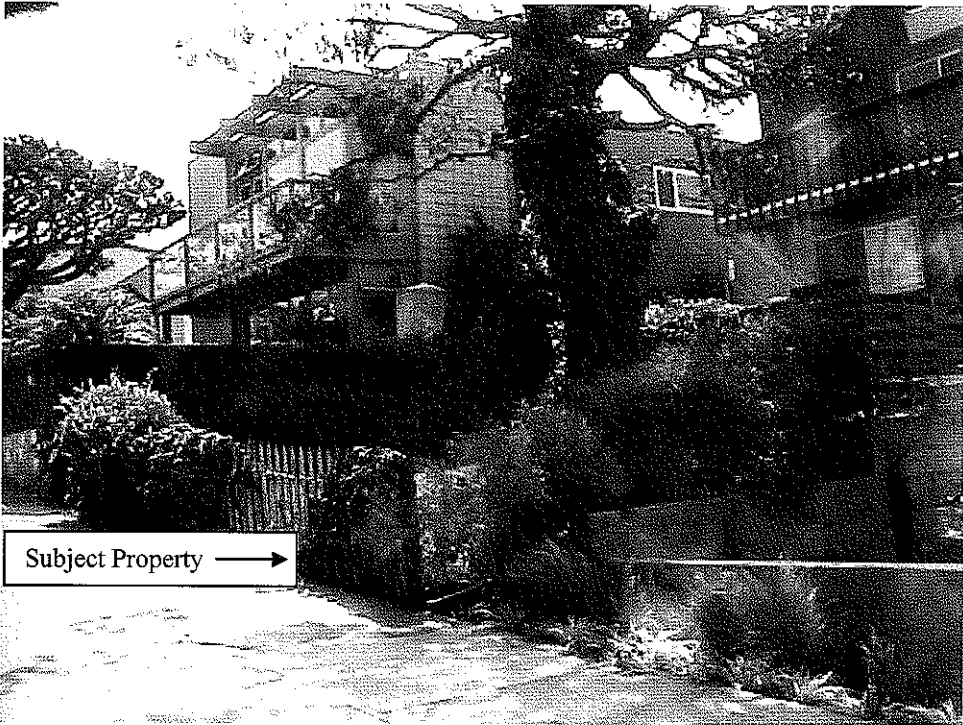
Attachments

1. Property Survey
2. Topographic Profile (Sheet A-1b)
3. Photo

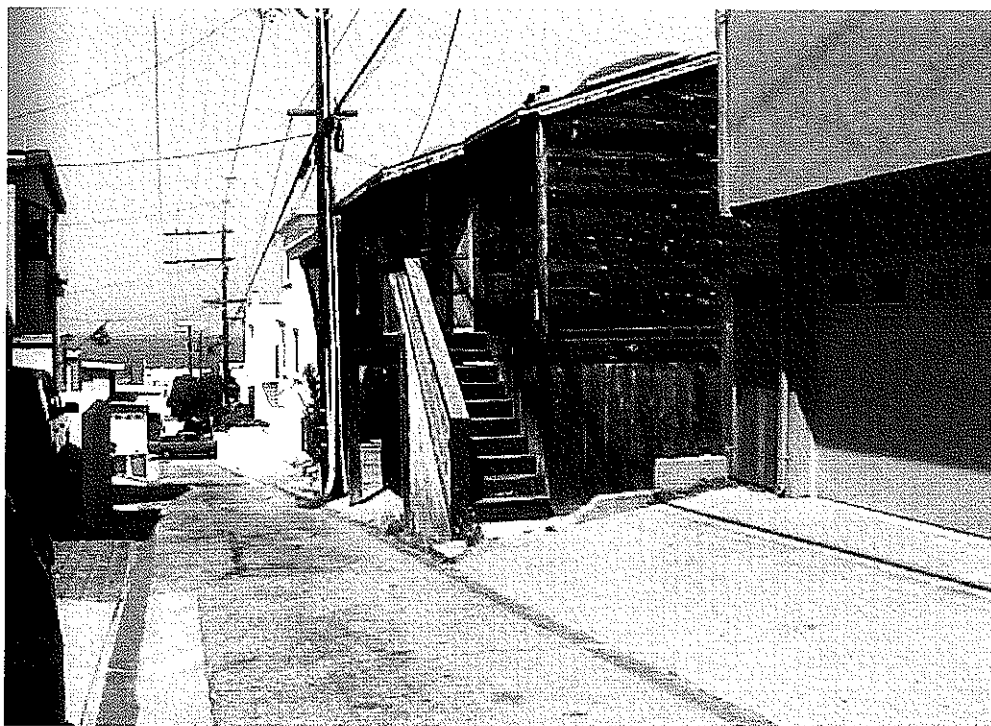
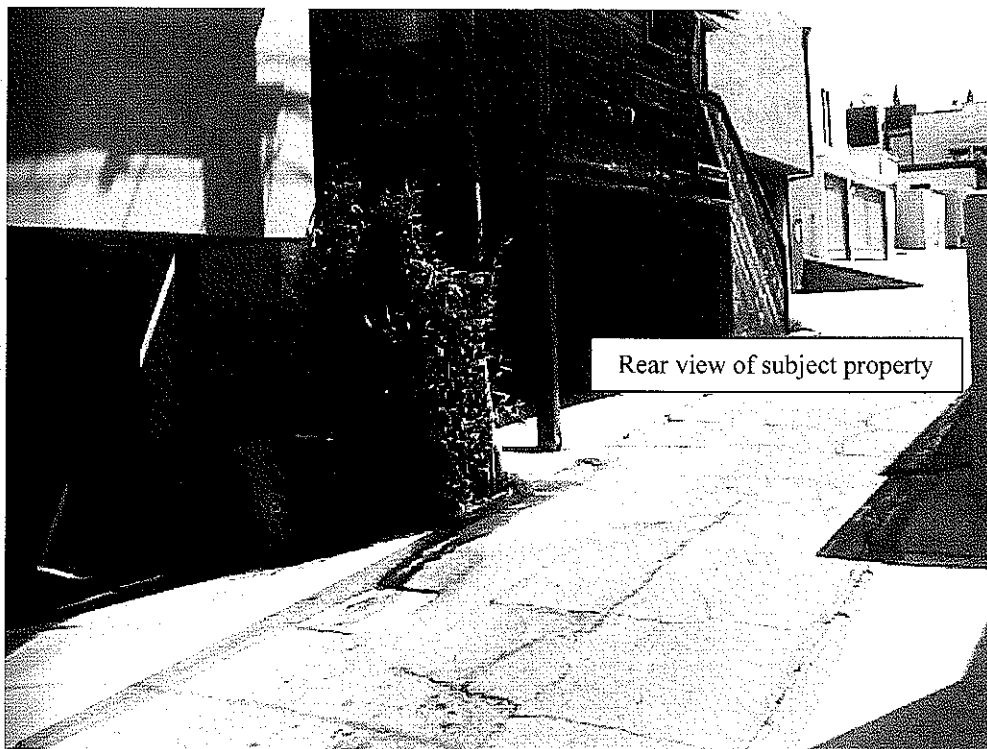
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Subject property and properties to the west.



Subject property and properties to the east.



Subject property is the dark brown wood structure on the right.