



## Staff Report

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REPORT 19-0456

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### Honorable Chairman and Members of the Hermosa Beach Planning Commission Regular Meeting of July 16, 2019

Variance 19-1- A Variance from the Multiple Family Residential (R-3) open space zone provisions and parking standards to allow a new single-family residence to provide less than required open space, 230 square feet, rather than the required 300 square feet with a parking space located within the front 20 feet of the lot not leading to a garage at 1515 Monterey Boulevard and determination that the project is categorically exempt from the California Environmental Quality Act.

#### **Recommended Action:**

Adopt the attached resolution denying Variance 19-1 a request to deviate from the open space provisions and parking standards of the Multiple Family Residential (R-3) zone, and determine that this action is categorically exempt from the California Environmental Quality Act (CEQA).

#### **Background:**

On June 18, 2019, the Planning Commission conducted a duly noticed public hearing to consider a proposed Variance at 1515 Monterey Boulevard. The applicant's request involves deviating from Section 17.16.080 of the Hermosa Beach Municipal Code to reduce their required open space, which is 300 square feet, by 70 square feet. Additionally, their request is to deviate from Section 17.44.090 (D) of the Hermosa Beach Municipal Code, to allow parking within the front 20 feet of the lot that does not lead to a garage.

During the hearing, only the applicant addressed the Planning Commission; however, two letters in opposition were submitted prior to the hearing. Approval of a Variance requires the Planning Commission to adopt four specific findings. During their deliberations on the project, the Commission noted that they could not make two of the required findings. A summary of the Planning Commission's comments, as they apply to these two findings, is as follows:

#### ***Finding 1: There are exceptional circumstances applicable to the property involved.***

The subject site has a lot site of 1,154 square feet, whereas the minimum lot size for the R-3 zone is 4,000 square feet. While this parcel is a small lot, it is not a unique circumstance in the City of Hermosa Beach. Other small parcels in the City have been able to construct new single-family residences, while meeting all of the zoning standards. The applicant's "hardship" is being driven by the size of the proposed home. The applicant could propose a smaller home that provides all of the necessary open space and a two-car enclosed garage to meet the parking requirements, thus eliminating the need for the deviations.

#### ***Finding 2: The variance is necessary for the preservation of a substantial property right***

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***possessed by other properties in the vicinity of the subject property.***

The substantial property right that exists for the subject site is the ability to provide a residence. There is no guarantee as to the size of said residence. Inasmuch as the property is currently improved with an 888 square foot single-family residence, the owner is already being provided the same property rights as other properties in the vicinity. It is possible for the applicant to provide a new, larger home on the property and meet of the development standards on the site. Elimination of the third bedroom on the first floor will give sufficient space to provide a two-car garage, thus meeting the parking requirements. Furthermore, a 70 square foot reduction of the living space on the third floor will provide additional space on the balconies to meet the open space requirements.

After accepting the written and oral testimony, and duly deliberating on the matter, the Planning Commission voted 5-0 to deny the Variance and directed staff to return with a denial resolution for the Commission's consideration.

### Attachments:

1. Proposed Resolution

Respectfully Submitted by: David Blumenthal, AICP, Senior Planner

Approved: Ken Robertson, Community Development Director

Legal Review: Lauren Langer, City Attorney