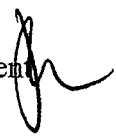



**CITY OF MANHATTAN BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

TO: Planning Commission

FROM: Richard Thompson, Director of Community Development 

BY: Daniel A. Moreno, Associate Planner 

DATE: August 8, 2007

SUBJECT: Consideration of a Variance and Coastal Development Permit For a Proposed New Single Family Residence to Project into a Required Front Yard Setback on a Portion of a Lot at 124-21st Place (Graham)

RECOMMENDATION

Staff recommends that the Planning Commission **CONDUCT THE PUBLIC HEARING**, and **APPROVE** the subject request.

APPLICANTS/OWNERS

Christopher and Mandy Graham
124-21st Place
Manhattan Beach, Ca. 90266

BACKGROUND

On June 19, 2007, the applicants submitted a Variance application seeking approval to allow habitable area to project into a required front yard setback area. The application is part of a proposal to build a new three-story single family residence with an attached two-car garage.

Manhattan Beach Municipal Code Section 10.60.040 allows certain projections into a front yard setback, which include the following:

1. Architectural Features
2. Uncovered porches, platforms, decks, and landings, including access stairs thereto, which do not extend above the floor elevation of an adjoining portion of the first story.
3. Cantilevered archways, awnings, canopies, and entry covers.
4. Stairways above the level of the first floor
5. Patios
6. Balconies and Bay Windows
7. Chimneys

Of the above permitted building projections, habitable area is not a permitted projection into a front setback area.

Per Manhattan Beach Municipal Code Section 10.12.020, Property Development Regulations, the minimum required front yard setback for the subject property located in Area District III, is 5-feet. A Variance approval is required to permit habitable area into this required front yard. The purpose of the Variance is to allow additional living area due to the small size of the parcel (30' x 45'). This projection is allowed on full size lots (30' x 90') abutting an alley per Section 10.12.030 (G), as on a full lot the alley is considered the rear of the property.

PROJECT OVERVIEW

LOCATION

Location: 124-21st Place between 22nd Street and 21st Place (See Site Location Map, Exhibit A).

Legal Description: Portion of Lot 25, Block 8, Subdivision #2 North MB.

Area District: III

LAND USE

General Plan: Medium Density Residential

Zoning: RM, Residential Medium Density

<u>Land Use:</u>	<u>Existing</u>	<u>Proposed</u>
	1,212 sq. ft. SFR (2-story SFR)	1,799 sq. ft. (3-story SFR)

Neighboring Land Uses:

North, across 12 th Place	3-story Duplex (half-lot), 125-121st Place
South,	3-story SFR (half-lot), 125-21 st Street
East,	2-story Duplex (full-lot), 128-12 th Place
West,	2-story Duplex (full-lot), 121-21st St.

PROJECT DETAILS

Parcel Size: 1,350 sq. ft. (30' x 45')

Building Area: 1,799 sq. ft.

Building Height: 30 feet (3-stories)

Parking: 410 sq. ft. (enclosed 2-car garage)

Vehicle Access: 21st Place

<u>Building Setbacks:</u>	<u>Existing</u>	<u>Proposed</u>
Front (north)	5-6 ft. (first level)	5 ft.
	2-3 ft. (second level)	2'-2'-7"
	- (third level)	1'-4"-2'
Sides (east/west)	3 ft.	3 ft.
Rear (south)	5 ft.	5 ft.

DISCUSSION

The existing site currently contains a two-story SFR with an attached two-car garage constructed in 1962. This existing building current provides a living area projection on the second level front which projects approximately 3-feet into the required front yard setback. The submitted preliminary building plans show a proposed three-story 1,799 square foot building with an attached two-car enclosed area. These plans also include proposed living area projections at both the second and third levels (see floor and elevation plans). On the second level the master suite and bathroom would project between 2' to 2'-7" in the setback area; the third level living room would project between 1'-4" to 2' into the setback area. The third level also shows a permitted balcony projection that would maintain a 2' clearance to the property line.

As mentioned above living area is not a permitted projection in a required front yard setback. The subject property is 30 feet in width and therefore provides 24 feet of buildable width (30 feet of width minus both required side yards of 3 feet). This property is substandard for lot area and fronts on 21st Place. Like many portions of lots in Area District III and IV which front on an alley, 21st Place is considered the front of the property and therefore must conform to current projection restrictions into the required 5-foot front yard setback area.

The applicant is seeking relief from MBMC Section 10.60.040, requesting approval to allow living area within the front yard setback as is permitted on full size lots which back onto an alley.

In order to grant a Variance request, Section 10.84.060 (B) of the zoning code requires that the Planning Commission must make required findings as follows:

1. Because of special circumstances or conditions applicable to the subject property, including narrowness and hollowness or shape, exceptional topography, or the extraordinary or exceptional situations or conditions, strict application of the requirements of this title would result in peculiar and exceptional difficulties to, or exceptional and/or undue hardship upon, the owner of the property.
2. The relief may be granted without substantial detriment to the public good; without substantial impairment of affected natural resources; and would not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety or general welfare.

3. Granting the application is consistent with the purposes of this title and will not constitute granting of a special privilege inconsistent with limitations on other properties in the vicinity and in the same zoning district and area district.

MBMC Section 10.84.010, Purpose of a Variance, states that Variances may be granted for “yards” (setbacks), as well as other development standards. Additionally, this Code Section gives the Planning Commission authority to approve, conditionally approve, or disapprove findings for Use Permits and Variances provided that the project meets the required findings.

The applicant’s attached material (Exhibit B – Applicant’s Findings) states that variance approval is appropriate for the following reasons:

1. The Code restriction limits the ability of the owner to provide a reasonable and usable amount of living area for their new home.
2. The permitted projection is permitted on full lots which back onto alley and such a pattern has already been established in the immediate neighborhood.
3. The proposed projections result in an attractive articulation facing the alley that would otherwise not be possible.
4. The requested exception is minor in this setting and would not be detrimental to the surrounding area.
5. The proposed plan is an actual improvement as it replaces existing development having substandard side yards.
6. The requested encroachment is not a unique configuration for this neighborhood. The proposed design is compatible with adjacent development and is totally consistent with the zoning code and residential development policies of the General Plan and the Coastal Plan.
7. Other similar encroachments have been permitted in some situations and this alternative is the simplest and least intrusive design element that can be used to compensate for the confined living area.

Staff Comments

While the subject property is not a full size lot and nonconforming for minimum lot area, it is not unique as there are many portions of lots located in Area District III and IV. The Planning Commission has previously reviewed Variance applications requesting additional living area projections on half lots that front on an alley. In those cases the Commission has approved habitable area for these setback areas finding that the size of those parcels are small and constituted a hardship and special circumstance and that the projections would not be detrimental to the public good due to similar projections from surrounding properties and the request did not grant a special privilege, since all full size lots are allowed rear yard projections onto an alley.

The Planning Commission did deny one Variance request because the adjacent property was under the same ownership.

Public Input:

A public notice for the project was mailed to the property owners within 500 feet of the site and published in the Beach Reporter newspaper. At the writing of this report, staff has received two phone calls requesting general information about the project. Two letters in opposition to the project have been received and are attached (Exhibit C) including a petition of signatures gathered from surrounding property owners in support of the project (attached, Exhibit D).

CONCLUSION

Staff recommends that the Planning Commission conduct the public hearing, consider the information presented, and APPROVE the project and attached 'draft' Resolution.

Attachments:

- Exhibit A Site Location Map
- Exhibit B Applicants Narrative and Findings
- Exhibit C Letters in Opposition
- Exhibit D Applicant's Petition of Signatures
- Exhibit E Conceptual Plans

cc: Christopher and Mandy Graham, Applicants

124-21stPlacePCRpt 8-8-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A VARIANCE AND COASTAL DEVELOPMENT PERMIT FOR A PROPOSED SINGLE FAMILY RESIDENCE TO PROJECT INTO A REQUIRED FRONT YARD SETBACK ON A PORTION OF A LOT AT 124-21ST PLACE

THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Manhattan Beach hereby makes the following findings:

- A. The Planning Commission of the City of Manhattan Beach conducted a public hearing pursuant to applicable law on August 8, 2007, to consider applications for a Variance and Coastal Development Permit for the property legally described as that portion of Lot 25, Block 8, Subdivision No. 2 of North Manhattan Beach Tract, Los Angeles County in the City of Manhattan Beach.
- B. The public hearing was advertised pursuant to applicable law, testimony was invited and received.
- C. The applicants for the Variance and Coastal Development Permit are Christopher and Mandy Graham, property owners.
- D. The applicants propose to construct a new three-story single family residence with an attached two-car garage.
- E. The parcel is a 1,350 square foot portion of an original standard lot, and is legal nonconforming for required area (minimum 2,700 square feet) located in the "RM" zone, Area District III.
- F. The property fronts on the north side of 21st Place between Ocean Drive and Highland Avenue. Multiple properties within this neighborhood, which are full and half-lots, have less than 5-foot upper level setbacks along 21st Place.
- G. The Variance application involves living area projections into the required five-foot front yard setback adjacent to 21st Place. On the second level the master suite and bathroom would project between 2' to 2'-7" in the setback area; the third level living room would project between 1'-4" to 2' into the setback area. The third level also shows a permitted balcony projection that would maintain a 2' clearance to the property line.
- H. The requested Variance would grant relief from Section 10.12.030 ("Property Development Regulations") regarding the minimum five (5) foot front yard required setback in the "RS" zone, Area District III.
- I. Section 10.12.030 (G) of the Manhattan Beach Municipal Code contains a provision which allows properties in Area Districts III and IV to reduce the width of a required rear yard adjoining an alley to two feet at a height of eight feet above the alley grade. Because the subject property utilizes 21st Place as a front yard, the above referenced provision, Section 10.12.030 (G), does not apply.
- J. The General Plan designation for the property is Medium Density Residential. The General Plan encourages development solutions tailored to each neighborhood's unique characteristics.
- K. The Project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15061, (b) (3) based on staff's determination that the project is a minor development and will not have a significant impact on the environment.

'DRAFT' RESOLUTION NO. PC 07-

- L. The project will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
- M. Pursuant to the Manhattan Beach Municipal Code, 10.84.060 B., the Planning Commission made the following findings regarding the Variance application:
1. Because of special circumstances or conditions applicable to the subject property, including narrowness and hollowness or shape, exceptional topography, or the extraordinary or exceptional situations or conditions, strict application of the requirements of this title would result in peculiar and exceptional difficulties to, or exceptional and/or undue hardships upon, the owner of the property, *since the lot is substandard in size(30'x45') and the front yard is adjacent to an alley, not a street.*
 2. The relief may be granted without substantial detriment to the public good; without substantial impairment of affected natural resources; and not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety or general welfare, *since the proposed projections on the second and third levels into the alley is consistent with similar allowed projections from the neighboring properties and there will be no view obstruction.*
 3. Granting the application is consistent with the purposes of this title and will not constitute granting of a special privilege inconsistent with limitations on other properties in the vicinity and in the same zoning district and area district, *since full size lots in the vicinity and zone are allowed to project three (3) feet into the setback adjacent to the alley by code.*
- N. This resolution upon its effectiveness constitutes the Variance and Coastal Development Permit approval for the subject property.

SECTION 2. The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the subject Variance and Coastal Development Permit subject to the following conditions:

1. The project shall be in conformance with the plans submitted to, and approved by the Planning Commission on August 8, 2007.
2. All landscape irrigation backflow devices must meet current City requirements for proper installation.
3. No discharge of construction wastewater, building materials, debris, or sediment from the site is permitted.
4. A property line cleanout must be installed on the sanitary sewer lateral. See City Standard Plan ST-5. Cleanout must be added to the site plan.
5. A backwater valve is required on the sanitary sewer lateral if the discharges from fixtures with flood level rims are located below the next upstream manhole cover of the public sewer. See City Standard Plan ST-24. Must be shown on the plan if applicable.
6. If any existing sewer lateral is used, it must be televised to check its structural integrity. The tape must be made available for review by the Public Works Department. The Public Works Department will review the tape and determine at that time if the sanitary lateral needs repairing, replaced, or that it is structurally sound and can be used in its present condition.
7. Residential properties must provide an enclosed storage area for refuse containers. These areas must be constructed to meet the requirements of M.B.M.C. 5.24.030. The area must be shown in detail on the plans before a permit is issued.

'DRAFT' RESOLUTION NO. PC 07-

8. The back of driveway approach must be six inches higher than the flow line on the street. M.B.M.C. 9.76.030.
9. Sidewalk, driveway, curb, and gutter repairs or replacement must be completed per Public Works Specifications. See City Standard Plans ST-1, ST-2, and ST-3. The plans must have a profile of the driveway, percentage (%) of slope on driveway, and driveway elevations. In the case where the garage level is below the street drainage flow lines, the combined slope of public and private approach shall not exceed 15%.
10. Water meters shall be placed near the property line and out of the driveway approach whenever possible. Water meter placement must be shown on the plans.
11. The water meter box must be purchased from the City, and must have a traffic lid if the box is located in the driveway.
12. Any unused water or sanitary lateral must be abandoned at the City main line.
13. The water supply line for the property on 124-21st Pl. must be placed inside a 2" PVC sleeve from the water meter on 125/127-21st Street to the north property line of the 124-21st Place property.
14. Erosion and sediment control devices BMPs (Best Management Practices) must be implemented around the construction site to prevent discharges to the street and adjacent properties. BMPs must be identified and shown on the plan. Control measures must also be taken to prevent street surface water from entering the site.
15. All storm water, nuisance water, etc. drain lines installed within the street right of way must be constructed of ductile iron pipe. Drains must be shown on plans.
16. All runoff water from the roof and side yards and patios must be discharged onto 21st Place. Drains must be shown on plans.
17. Before the utility pole located at the west property line of the lot on 121-21st Place can be relocated, approval from PPIC and City Council and a building permit must be obtained.
18. Plan holder must have the plans rechecked and stamped for approval by the Public Works Department before the building permit is issued.
19. This Resolution shall become effective when all time limits for appeals have been exhausted as provided in MBMC Section 10.100.030.
20. The Variance shall be approved for a period of two years after the date of approval, with the option for future extensions, in accordance with the Manhattan Beach Municipal Code (MBMC) Section 10.84.090 (A).
21. Pursuant to Public Resources Code section 21089(b) and Fish and Game Code Section 711.4(c), the project is not operative, vested or final until the required filing fees paid.
22. The applicant agrees, as a condition of approval of this project, to pay for all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal actions associated with the approval of this project brought against the City. In the event such a legal action is filed against the project, the City shall estimate its expenses for the litigation. Applicant shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.

SECTION 3. Pursuant to Government Code Section 65009 and Code of Civil Procedure Section 1094.6, any action or proceeding to attack, review, set aside, void or annul this decision, or concerning any of the proceedings, acts, or determinations taken, done or made prior to such decision or to determine the reasonableness, legality or validity of any condition attached to this decision shall not be maintained by any person unless the action or proceeding is commenced within 90 days of the date of this resolution and the City Council is served within 120 days of the date of this resolution. The City Clerk shall send a certified copy of this resolution to the applicant, and if any, the appellant at the address of said person set forth in the record of the proceedings and such mailing shall constitute the notice required by Code of Civil Procedure Section 1094.6.

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of **August 8, 2007** and that said Resolution was adopted by the following vote:

- AYES:**
- NOES:**
- ABSTAIN:**
- ABSENT:**

RICHARD THOMPSON,
Secretary to the Planning Commission

Sarah Boeschen
Recording Secretary

RH

Vicinity Map

124 - 21st Place

MARINE AVE

MARINE AVE

MANHATTAN AVE

21ST PL

21ST PL

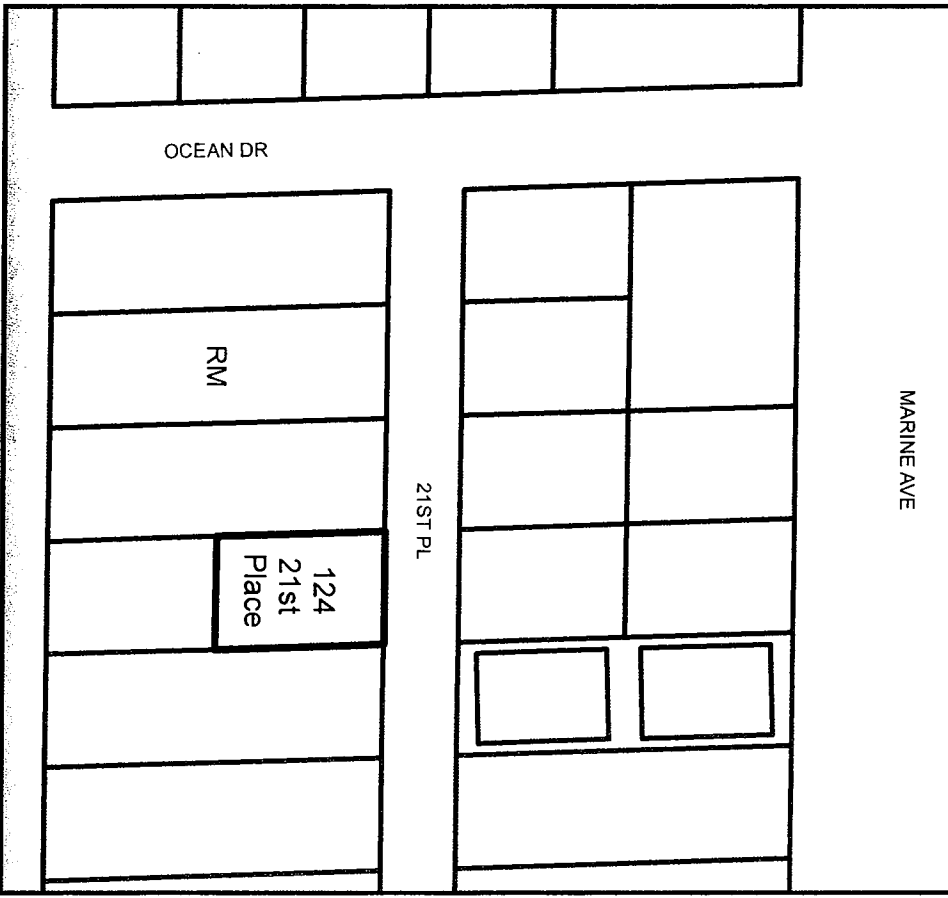
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
RM

124
21st
Place



124
21st
Place



Legend

-  124 - 21st Place
-  Parcels

Zoning

-  RM - Medium Density Residential
-  RH - High Density Residential

50

25

0

50 Feet

Exhibit



City of Manhattan Beach
Community Development

8 Aug 2007 ED

EXHIBIT A

STATEMENT OF FACTS RELATING TO VARIANCE APPLICATION FOR
124 – 21st PLACE, MANHATTAN BEACH

June 2007

The subject 1342 sf site is the rear half of a 30 x 90 lot and faces 21st Place, typically considered an alley. This property does provide the opportunity for a small residence and the goal of the owners is to build a new home with a reasonable amount of usable living area for them and a young family. Because of its size and sloping topography, the lot poses interesting and complicated challenges to the architect. However, it is possible to design an attractive, albeit modest, home.

The purpose of the variance application is to relax the front yard setback requirement at the upper two levels and permit an encroachment of approximately 2' over the front set back (21st Place elevation). The garage level will comply with the 5' set back and height clearance requirements. The Code allows a 3' encroachment over the rear yard set back in Area District III. However, because this is a half lot, the 21st Place elevation is considered the "front" yard rather than the rear yard.

Although the increased square footage (approximately 115 sf) does not appear to be critical, the additional interior two feet enhances the interior living area and results in a meaningful expansion of important living areas such as the master bedroom & bath, living room and open deck. The total living area proposed is 1779 sf. Without the requested projection, the total living area would be approximately 1664 sf.

FINDINGS TO SUPPORT APPROVAL OF THE VARIANCE

1. **SPECIAL CIRCUMSTANCES** The special circumstances relate to the small size of the lot and the fact that it faces 21st Place, which is the rear yard area for each of the adjacent properties as well as most other properties on this alley. Many properties are full lots with front yards facing either 20th or 21st Street and possess the ability to derive very conventional building design and interior environments within standard application of the Code.

Because of the small size of the lot, the only way to enhance the living area and derive a bit more floor area, while still observing all critical development standards, is to allow a projection on the upper levels at the 21st Place elevation which ranges from 2 – 2.5'. This projection is permitted by Code in many other circumstances, and in fact, there is already such a pattern of development established in the immediate neighborhood incorporating the very same configuration.

A similar encroachment has been permitted in some situations, and this alternative is the simplest and least intrusive design element that can be used to compensate for the confined living area. The proposed building delineation results in an attractive articulation facing the alley that would otherwise not be possible. In addition, the proposed building delineation will maintain a greater setback than will be required for either adjacent property when they are developed.

EXHIBIT
B

2. **NO SUBSTANTIAL IMPACT ON PUBLIC GOOD:** The requested exception is minor in this setting, and there will be no resulting detriment to the public good or natural resources, nor will there be any impact on community health, safety or welfare. Other properties in the immediate neighborhood either are presently developed or have the ability to be developed with a similar encroachment configuration.

The proposed plan is actually an improvement as it replaces existing development having substandard side yards, with a contemporary home that complies with all requirements, with the exception of the requested encroachment.

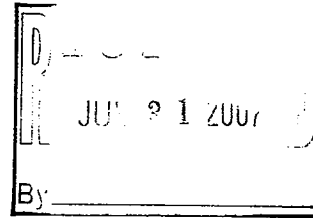
In fact, a denial of this request would unnecessarily limit the ability of the family to provide a reasonable and usable amount of living area for their new home. Granting of the variance application is totally consistent with the goals of the Municipal Code that seek to provide opportunities for single family housing compatible with surrounding development.

This neighborhood is a fairly high density area with a great deal of condominium development. The requested configuration is an established neighborhood pattern and the proposal is an improvement over the existing structure. This minor exception will not inhibit the ability of the City to enforce residential standards in other, more normal circumstances.

3. **CONSISTENCY WITH TITLE:** The requested encroachment is not a unique configuration for this neighborhood. What is disadvantageous about this site is the small size of the lot and that the "front" yard is in fact the rear yard for most other properties along the alley. The proposed design is compatible with adjacent development and is totally consistent with the zoning code and residential development policies of the General Plan and the Coastal Plan.

In conclusion, there is sufficient basis to grant the requested exception, given the small lot size, the established pattern of development for the neighborhood and consistency with established policies.

The proposed plan is well within the spirit of the Zoning Code, and it poses a reasonable balance between constraints resulting from a small lot and its location on what is thought of as an alley and, in reality, a rear yard area. This is not a situation in which strict interpretation of the Code would be beneficial for the neighborhood, and it would certainly be a burden for the property owner. The purpose of this variance is to consider relief from strict application of the Code where an unreasonable hardship would result - which is an appropriate solution in this particular situation.



RE: 124-21st Place, Manhattan Beach, CA

Date: July 28, 2007

Regarding the applicants request for variance approval, I object for several reasons:

- 21st Place is a substandard street. The street is extremely narrow and the setback is necessary for the obvious reason that the street width is substandard and overcrowded to begin with. There are current life safety issues on the street. At any given time three to five cars are illegally parked on the street. If there is an emergency such as a fire it will be nearly impossible for fire trucks to access the street and this could result in an absolute catastrophe and the loss of human life.
- The lot at 124 21st Place is substandard to begin with. Substandard lots contain inherent construction limitations for the reason that they are substandard and too small to contain a typical structure to begin with. Allowing this variance would result in a structure that is substantially larger than should be on a lot of this size.
- There is a legitimate reason that the city has this setback in place currently. There is no legitimate reason for the owner/developer to request additional space except for the developer's own profit. If this encroachment had public benefit and merit than it might be acceptable. However, this encroachment will impinge on the rights and views of every other structure to the east of this property. Nobody else on the street has been provided the ability to impinge on other's rights by blocking their views. The values of every property to the east of this structure will diminish because of this development.
- While there is not a view ordinance in the city of Manhattan Beach, the current zoning regulations act in lieu of a view ordinance. If variances become common place in this area entire streets will depreciate as their rights are taken away by developers obtaining variances to build structures. Their can not be a precedent to automatically or easily grant these variances unless it is for the good of the public such as the construction of a school or affordable housing.

While I am not necessarily pro development I can not deny the owner of this property his or her right to develop this property per current zoning regulations. However, the developer should not have the ability to encroach into a set back unless it is for the good of the entire neighborhood. The reality, as previously mentioned, is that this encroachment will diminish the value of every other house east of this property which is detrimental to the entire neighborhood.

Again, I disapprove of the city providing a variance to allow for an encroachment in the construction of a new residential dwelling at 124 21st Place in Manhattan Beach. I currently own a residence on this block and I object to allowing this encroachment.

Richard "Brent" Sprenkle of 209 21st Place



RE: 124-21st Place, Manhattan Beach, CA

Date: July 31st, 2007

This morning I had the opportunity to review the plans for the above mentioned project with Angelica who was the city planner on duty. There are some additional comments which need to be addressed which were not in the July 28th memo that I provided to Angelica to be placed in the file:

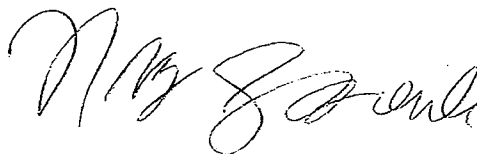
Overall, the request for a variance lacks merit for simple reasons:

- According to the plans and Angelica, the variance will only allow in the increase in square footage of 115 square feet. This is hardly worth granting an easement as it will barely increase the living area of the development. If the variance would increase the square footage from 1,664 square feet to over 2,000 square feet the developer would have a serious argument over its value, but the proposed building square footage is only 1,779 square feet. This is only an increase of 6.91% and hardly worth granting a variance.
- I was told that on 9th Street a similar property was given this variance so the same variance is being sought here. You can not justify another variance being granted as precedence for granting another. Granting a variance is discretionary and on a case by case basis. What happened on 9th Street is irrelevant on 21st Place. 9th Street is probably not a substandard street. 21st Place is substandard. 21st Place is 20 feet wide which is barely wide enough for a fire truck to turn into and go down which is inherently a life safety issue. 9th Street is 50 feet wide and 21st Street is 40 feet wide compared to 20 feet on 21st Place. This is quite a difference and alone enough of a reason to not grant a variance.
- The variance is being justified because if the property was on a full lot there would not be issues with this setback. The current owner, when they purchased the property, was or should have been aware that it was a substandard half lot with inherent limitations. It should not be the burden of the neighbors to grant them the variance because of their own error when they purchased this property.
- The zoning has not changed since when they purchased this property. I could understand that if, when they purchase the property, the setback didn't exist. Again, it should not be the neighborhood's responsibility for the owner not researching this matter when they purchased this asset.
- As mentioned in the July 28th, 2007 letter, there is no public merit or benefit to granting this easement for an encroachment. The developer is not constructing a school or low income housing which would benefit the community. Instead the developer seeks to encroach into a setback which will seriously reduce the property values of the other surrounding properties; especially the houses to the east that only have a 20 foot wide substandard street to begin with.

Again, granting an easement to encroach in the setback lacks merit for multiple reasons as listed above. The owner may retain the ability to develop the property but must do so under the current zoning and setback limitations which may not be altered for this project under any circumstance.

Sincerely,

Richard "Brent" Sprenkle of 209 21st Place



OBJECTIONS TO VARIANCE AT 124-21ST PLACE, MANHATTAN BEACH

TO: City of Manhattan Beach Planning Commission
FROM: Mark Rosenblatt, Owner, 220 21ST Street, Manhattan Beach
DATE: July 31, 2007

Our property faces 21st Street and is one house above the property that abuts 124-21st Place. Our upstairs kitchen window and the sole window in the back bedroom on the second level face the area of the property in question closest to 21st Street, and what is being called the front yard setback for this property is visible through these windows. If a variance is approved and if the living area encroaches into the required front yard setback, the portion of the living area built closest to 21st Street will significantly reduce the light that enters our house through the second story window and through the kitchen. While the kitchen has a secondary light source, the bedroom does not and allowing this variance would prevent light from entering the bedroom.

NEIGHBORS' LETTER OF APPROVAL FOR VARIANCE

To: Community Development Department
Applicant: Chris and Mandy Graham
Project Location: 124 21st Place, Manhattan Beach, Ca 90266
Date: July 31, 2007

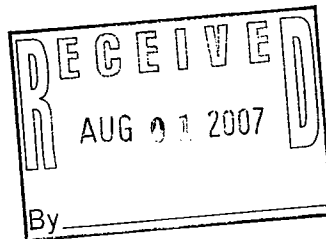
RE: VARIANCE APPROVAL TO ALLOW LIVING AREA TO ENCROACH INTO REQUIRED FRONT YARD SETBACK

By signing below, the owners of the surrounding properties that immediately surround the applicant's property are providing their approval for the proposed variance request. These neighbors are aware of the special circumstances that relate to the applicant's half-lot size and that it faces 21st Place, where a similar encroachment has been permitted for such neighboring properties.

Below is a list of neighbors who are aware that properties within the immediate neighborhood are either presently developed or have the ability to be developed with a similar encroachment configuration and approve of the applicant's variance request (neighbor approval signatures listed below).

The applicant's appreciate their neighbors' support and ensure the proposed project will create a substantial improvement over the existing structure, ultimately improving the neighborhood for everyone's benefit.

[SIGNATURE PAGES FOLLOW]



NEIGHBOR APPROVAL SIGNATURES FOR 124 21ST PLACE VARIANCE REQUEST

SIGNATURE: A. Hammond PRINT: AZAR HAMMOND
ADDRESS: 2116 OCEAN DRIVE, MB. CA

SIGNATURE: Patrick Durham PRINT: PATRICK DURHAM
ADDRESS: 117 21ST PLACE, MB CA

SIGNATURE: Dennis Zimmerman PRINT: Dennis Zimmerman
ADDRESS: 129 21ST PLACE MB CA 90266 310 548-8820

SIGNATURE: Alan Elford PRINT: Alan Elford
ADDRESS: 125 21ST PLACE MB CA 90266 310 546-6454

SIGNATURE: Allen & Janet Adon PRINT: ALLEN & JANET ADON
ADDRESS: 125-21ST ST MB 90266

SIGNATURE: Lisa M. McArdle PRINT: 310-546-6647
ADDRESS: 116-21ST PL MB CA 90266

SIGNATURE: Jim Youngblood PRINT: Jim Youngblood
ADDRESS: 123 21ST PLACE

SIGNATURE: Pearl Bonanni PRINT: Pearl Bonanni
ADDRESS: 132 21ST PLACE + ~~201~~ 201 21ST PLACE

* OWNER OF TWO SEPARATE PROPERTIES ON 21ST PLACE.