
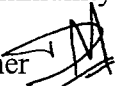


**CITY OF MANHATTAN BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT**

**TO:** Planning Commission

**FROM:** Richard Thompson, Director of Community Development 

**BY:** Daniel A. Moreno, Associate Planner 

**DATE:** February 13, 2008

**SUBJECT:** Consideration of a Variance to allow a Two-Car Enclosed Garage in Lieu of the Code Required Three-Car Enclosed Garage, for a Proposed Addition/Remodel at 311 N. Rowell Avenue

**RECOMMENDATION**

Staff recommends that the Planning Commission **APPROVE** the attached Resolution **DENYING** the subject request.

**APPLICANT/OWNER**

Robert E. Bickel  
311 N. Rowell Avenue  
Manhattan Beach, Ca. 90266

**BACKGROUND**

On December 28, 2007, the applicant submitted a Variance application seeking approval to increase the total overall building square footage to greater than 3,600 square feet and maintain a two-car enclosed garage. The application is part of an addition/remodel of an existing two-story single family residence with an attached two-car garage constructed in 1976.

Per MBMC Section 10.64.030, Off-Street Parking Spaces Required, dwellings with Buildable Floor Area (BFA), plus any exempted basement floor area, totaling 3,600 square feet or more, must provide a 3-car enclosed parking area.

**PROJECT OVERVIEW**

**LOCATION**

Location: 311 N. Rowell Avenue between 2<sup>nd</sup> Street and 6<sup>th</sup> Street  
(See Site Location Map, Exhibit B).

Legal Description: Lot 2, Tract 32586

Area District: I

## LAND USE

General Plan: Low Density Residential

Zoning: RS, Residential Single Family

<u>Land Use:</u>	<u>Existing</u>	<u>Proposed</u>
	2,900 sq. ft. (living area)	723 sq. ft. (above grade)
	452 sq. ft (garage area)*	745 sq. ft. (basement)
		452 sq. ft. (garage)*
		1,468 sq. ft. (total proposed)
		2,900 sq. ft. (total existing)
		4,368 sq. ft. (countable BFA)

\* Area not counted towards Buildable Floor Area

<u>Buildable Floor Area:</u>	<u>Allowable</u>	<u>Proposed</u>
	5,228 sq. ft.	4,368 sq. ft.

## PROJECT DETAILS

Parcel Size: 7,675 sq. ft. (65' x 118')

<u>Building Setbacks:</u>	<u>Existing</u>	<u>Proposed</u>
Front (east)	20 ft.	20 ft.
Side (north)	5 ft.	5 ft.
Side (south)	5 ft.	5 ft.
Rear (west)	15.37 ft.	40 ft.

## DISCUSSION

With the adoption of the ZORP requirements in 1990, a provision was added which required a 3-car enclosed parking area when dwellings exceeding more that 3,600 square feet or more of total Buildable Floor Area.

During the one-year review of the Bulk/Volume standards approved in 2004, and as a result of many buildings being designed with large basement areas (and exempted from countable Buildable Floor Area), the code was revised which included basement area when determining required parking.

The approved two story single-family residence currently contains approximately 2,900 square feet of living area with an attached 420 square foot 2-car enclosed garage.

Several months ago the applicant contacted staff regarding an addition/remodel to the existing residence, which included the demolition of the existing two-car garage, powder room, and entry way. The proposed addition would include the construction of a new 452 square foot two-car enclosed area and 43 square foot entry area on the first level; a

197 sq. ft. storage area (with full ceiling height) on the second level; and a below grade 745 square foot basement area. With the proposed 1,468 square foot building area plus the existing 2,900 square foot building area the site would contain a total of 4,368 square feet and therefore would be required to provide a 3-car enclosed garage per MBMC Section 10.64.030. The applicant was advised on several occasions that any basement area, even though it's exempted from countable Buildable Floor Area, cannot be exempt from total floor area for required parking.

With the recently adopted "Mansionization" provisions, which encourage the retention of older homes, no provisions were added to grant an exemption to required parking.

### ***Variance Findings***

Variances are intended to resolve practical difficulties or unnecessary physical hardships that may result from the size, shape, or dimensions of a site or the location or existing structures thereon; from geographic, topographic, or physical conditions on the site or in the immediate vicinity. Per MBMC Section 10.84.060 (B), in order to grant a Variance request, the Planning Commission must make the following findings:

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.

The applicant's attached narrative (attached, Exhibit C) states that the variance should be approved for the following reasons:

1. Due to the slope of the lot requiring a 3-car garage would necessitate demolition of much of the existing two story section of the house in order to provide access to the second story and a workable kitchen space.
2. If the project would include both a basement area and a 3-car garage there would be no option other than to demolish the existing house.
3. The proposed basement will not be visible from the exterior of the house.
4. Incorporating a basement area affords space in the home for all the belongings and opens-up space in the garage for the parking of vehicles.
5. Granting the Variance would have a negative impact on the neighbors and would increase open parking spaces.
6. The topography of the lot places the house substantially below the grade of the street and an adjacent parking lot, necessitating continued split level entry to both the first and second floors of the existing house.

7. Granting the Variance would preserve the 30 year old house, will improve neighborhood parking and will not increase the bulk of the existing house.
8. The proposal is consistent with the goals of the Mansionization committee to retain older homes, encourage open space and reduces the bulk of houses as presented to the street.

***Staff Recommendation***

Staff recommends that the Planning Commission deny the subject request as the project does not meet the required Variance finding. A 'draft' resolution of denial is attached for the Commission's review.

***Variance Findings:***

- a) There are no special circumstances or conditions applicable to the subject property whereby strict application of the requirements for relief from required parking would result in peculiar and exceptional difficulties to, or exceptional and/or undue hardship upon the owner of the property.
- b) The relief for required parking cannot be granted without substantial detriment to the public good as the square footage of the proposed building requires a 3-car enclosed area when it exceeds 3,600 square feet. The zoning code does not exempt basement areas. Additionally, the Zoning Code requires that basement area square footage must be included when determining required parking.
- c) Granting the application is not consistent with the purposes of this title and will constitute granting of a special privilege inconsistent with limitations on other properties in the vicinity and in the same zoning district and area district which requires a 3-car parking area when it exceeds 3,600 square feet of building area.

***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 one e-mail (attached, Exhibit D) in support of the project. Additionally, the applicant has submitted a petition of signature from surrounding property owners in support of the project (attached, Exhibit E).

**Attachments:**

- |           |                                    |
|-----------|------------------------------------|
| Exhibit A | 'Draft' Resolution PC 08-0         |
| Exhibit B | Site Location Map                  |
| Exhibit C | Applicants Narrative and Findings  |
| Exhibit D | Letter in Support                  |
| Exhibit E | Applicant's Petition of Signatures |
| Exhibit F | Conceptual Plans                   |

cc: Robert E. Bickel, Applicant/Property Owner

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH DENYING A VARIANCE TO ALLOW A TWO-CAR ENCLOSE GARAGE IN LIEU OF THE CODE REQUIRED THREE-CAR ENCLOSED GARAGE, FOR A PROPOSED ADDITION/REMODEL AT 311 N. ROWELL AVENUE**

**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 public hearings pursuant to applicable law on February 13, 2008, to consider an application for a Variance from required parking for a proposed addition/remodel, for the property legally described as Lot 2, Tract 32686, at 311 N. Rowell Avenue in the City of Manhattan Beach.
- B. The public hearing was advertised pursuant to applicable law, testimony was invited and received.
- C. The applicant is Robert E. Bickel, property owner.
- D. The existing two-story single family residence, constructed in 1976 currently contains 2,900 square feet of living area with an attached 420 square foot 2-car enclosed garage. The proposed addition would encompass an additional 1,468 square feet of building area (including a 745 square foot basement) for a total building area of 4,368 square feet.
- E. MBMC Section 10.64.030, Off-Street Parking Spaces, dwellings with Buildable Floor Area (BFA), plus any exempted basement floor area, totaling 3,600 square feet or more, must provide a 3-car enclosed area.
- E. The Variance request seeks approval to increase the total overall building square footage to greater than 3,600 square feet and maintain a 2-car enclosed parking area.
- F. The project is located in Area District I and is zoned (RS) Residential Single Family as are the properties to the north, south, east and west.
- G. The General Plan designation for the properties is Low Density Residential.
- H. Based upon State law and MBMC Section 10.84.060, relating to the Variance application for the proposed addition/remodel to an existing single family residence, the Planning Commission is unable to make the necessary findings to approve the Variance application. The Planning Commission hereby makes the following findings.

*Variance Findings:*

- a) There are no special circumstances or conditions applicable to the subject property whereby strict application of the requirements for relief from required parking would result in peculiar and exceptional difficulties to, or exceptional and/or undue hardship upon the owner of the property.
- b) The relief for required parking cannot be granted without substantial detriment to the public good as the square footage of the proposed building requires a 3-car enclosed parking area when it exceeds 3,600 square feet. Additionally, the Zoning Code requires that basement area square footage must be included when determining required parking.
- c) Granting the application is not consistent with the purposes of this title and will constitute granting of a special privilege inconsistent with limitations on other properties in the vicinity and in the same zoning districts and area districts which requires a 3-car parking area when it exceeds 3,600 square feet of building area.



**'DRAFT' RESOLUTION NO. PC 08-**

**SECTION 2.** The Planning Commission of the City of Manhattan Beach hereby **DENIES** the subject Variance application.

**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 **February 13, 2008** and that said Resolution was adopted by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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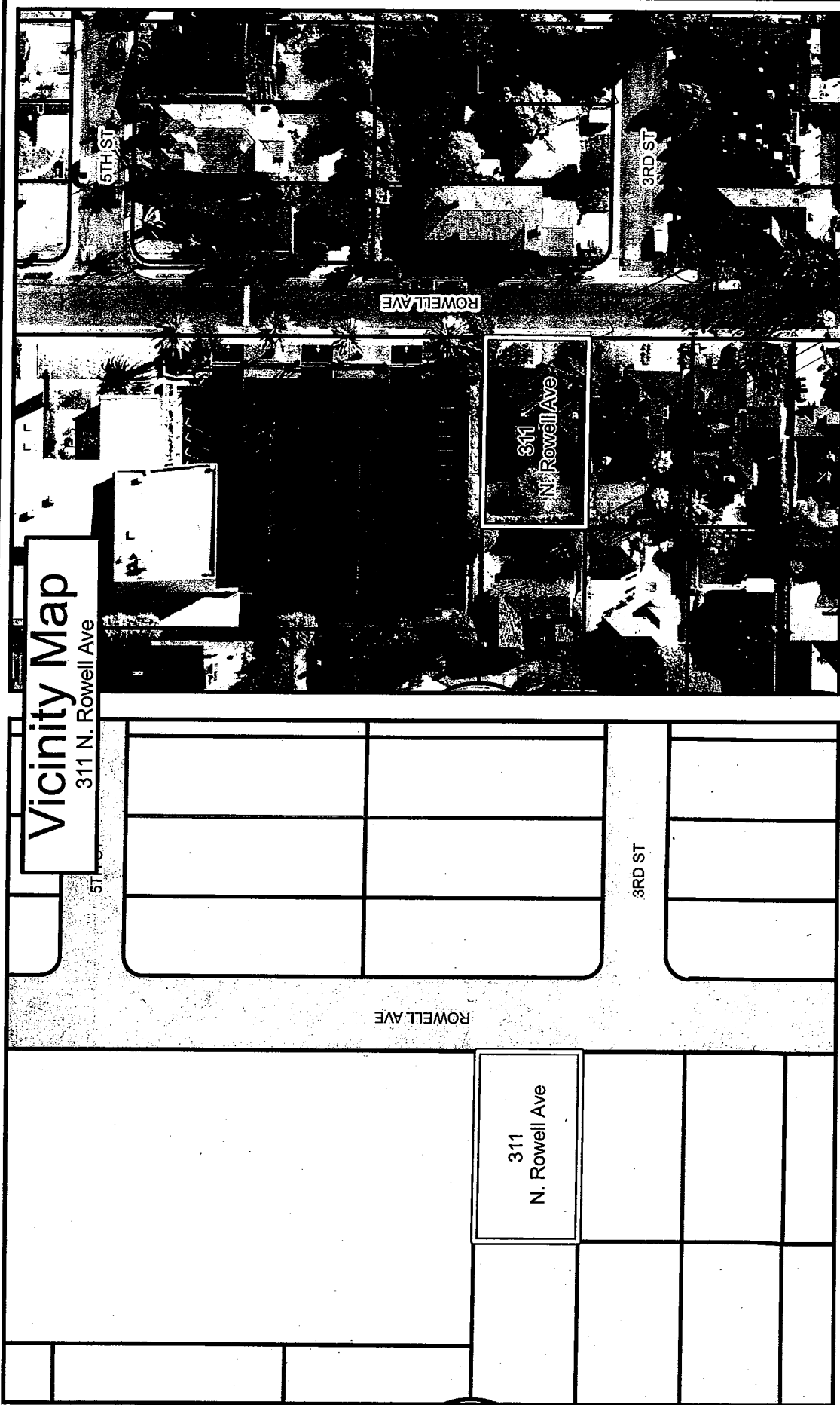
**Richard Thompson**  
Secretary to the Planning Commission

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**Sarah Boeschen**  
Recording Secretary

# Vicinity Map

311 N. Rowell Ave



### Legend

311 N. Rowell Ave

Parcels

### Zoning

RS - Residential Single Family



City of Manhattan Beach  
Community Development

## Exhibit B



**311 N. Rowell Ave.  
Manhattan Beach, CA 90266**

## **Description of How Variance Findings Are Met**

**December 28, 2007**

**R. E. Bickel  
(310) 372-7842  
bickel.family@verizon.net**



**PC**



# Introduction

- ▶ We have a two story split level house that we are remodeling. The house has a two story section in the rear and a one story section in the front. The front section is comprised of an entrance and garage at street level. The rear section 1st story is 4' below street grade due to the slope of the lot.
- ▶ The lot itself is considerably shallower and slightly wider than standard lots in the neighborhood. The property to the north contains a parking lot immediately adjacent to our property. This is church property and maintains street grade all the way to the rear of their property which extends far beyond and above the rear of our property.
- ▶ Our remodeling project rebuilds the current garage, sized for two cars, over a new basement. The project BFA is 3551 with SF of 4092 due to the added basement provided for storage and workspace. The remodel retains the existing footprint of our house. Living area is added to the second floor, at the rear of the home, and basement storage is added at the front under the entry and garage.
- ▶ We added a basement to our plans specifically to allow us to remove stored possessions from the garage and from a remote storage facility. The added 2nd story space is insufficient for this purpose. This will make room in the garage for our cars, which we currently must park on the street, without increasing the bulk impact of our house.

## **For Variances – Finding B.1.**

- ▶ **Due to the slope of the lot, the current footprint of the house, and the fact that this is a remodel, requiring a three car garage would necessitate demolition of much of the existing two story section of the house in order to provide access to the second story and to provide for a workable kitchen space.**
- ▶ **To make financial sense, if our project were to include a basement as planned and a three car garage as required under current code, there would be no option other than to demolish the existing house and construct an entirely new house. This would impose an undue financial hardship on us with an expected minimum three fold increase in the cost of the project.**

## **For Variances – Finding B.2.**

- ▶ **The planned basement is within the footprint of the existing house. Retaining walls at the periphery of the basement are engineered to be sufficiently strong to prevent ground movement or impact to the adjacent properties. The basement will not be evident outside of the house, other than the low profile egress well hidden behind front yard landscaping.**
- ▶ **Incorporation of a basement into our project allows space in our home for all of our belongings and opens up space in our garage for our cars. This improvement removes our cars from street parking.**
- ▶ **Due to the nearly invisible nature of the added basement space, granting this variance will not have any negative impact on the neighbors, the neighboring property/improvements, or the neighborhood. Granting this variance will actually improve the general welfare of the neighborhood due to the increase in open parking spaces.**
- ▶ **We have spoken to many of our neighbors on many occasions regarding this variance. Not only have we not encountered any objections, we have received overwhelming support and encouragement in our pursuit of this variance. Yesterday afternoon and early evening, on 12/27/2007, we visited as many people in our 500' radius as we could find at home and discussed this variance with them. Each and every one we met with signed the attached petition in support of our application for variance.**

## **For Variances – Finding B.3.**

- ▶ **Our situation is unique with a number of distinguishing characteristics.**
  - We are proposing a remodel of an existing house to add a basement for storage and workspace.
  - We are not changing the footprint of the house.
  - The topography of our lot places our house substantially below the grade of the street and an adjacent parking lot, necessitating continued split level entry to both the 1st and 2nd floors of the existing house.
- ▶ **Granting this variance will preserve our 30 year old house, will improve neighborhood parking, and will not increase the bulk of our house as presented to the street. This is wholly consistent with the purposes of this title. Because of our unique situation, granting this variance will not confer special privilege over other properties in our district. This is also consistent with the goals of the mansionsization committee to retain older homes, discourage tear downs, encourage open space, and reduce the bulk of houses as presented to the street.**

**Daniel Moreno**

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**From:** Dale Kitchen [dljkit@msn.com]  
**Sent:** Wednesday, February 06, 2008 8:23 AM  
**To:** Daniel Moreno  
**Cc:** bickel.family@verizon.net  
**Subject:** Public Hearing -Variance Application to the Robert Bickel home

Dear Daniel Moreno

We are neighbors and friends of the Bickel family. We have seen and reviewed their plans for the remodel/addition to their home at 311 N. Rowell. We support the project and view it as an enhancement to the home and the neighborhood. We do not foresee any problems with the request for a variance to provide a two-car garage rather than the required three-car garage. Parking is not an issue on Rowell near the Bickel home. Please allow them to proceed with their plans.

Sincerely,

Dale & Laura Kitchen

1420 5th St

Manhattan Beach, CA 90266

310-372-3353



