

**RESOLUTION NO. 2021-\*\*-VAR-\*\***

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH APPROVING AN EXEMPTION DECLARATION AND GRANTING THE REQUEST FOR A VARIANCE FOR A REDUCED REAR YARD SETBACK TO ALLOW THE CONSTRUCTION OF A NEW TWO-CAR GARAGE WITH A SECOND-STORY ABOVE ATTACHED TO THE MAIN RESIDENCE ON PROPERTY LOCATED WITHIN A LOW-DENSITY, MULTIPLE-FAMILY RESIDENTIAL (R-2) ZONE AT 2323 CLARK LANE**

WHEREAS, an application was filed for the property located at 2323 Clark Lane for approval of an Exemption Declaration and consideration of a Variance to allow construction of a 1,019 square-foot, two-story garage and accessory dwelling unit addition resulting in a non-conforming, reduced rear yard setback on property located within a Low Density Multiple-Family Residential (R-2) zone; and

WHEREAS, notice of the time and place of the public hearing where the Exemption Declaration and applications would be considered was given pursuant to State law and local ordinances by publication in the Easy Reader, by posting the subject property, and by mailing notices to property owners within 300 feet of the exterior boundaries of the subject property; and

WHEREAS, the Planning Commission of the City of Redondo Beach has considered evidence presented by the applicant, the Community Development Department, and other interested parties at the public hearing held on the 20<sup>th</sup> day of May, 2021 with respect thereto.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH DOES HEREBY FIND:

1. In accordance with Section 10-2.2510 of the Redondo Beach Municipal Code, the applicant's request for a Variance is consistent with the criteria set forth therein for the following reasons:
  - a) There are special circumstances applicable to the property, including size, shape, topography, location, or surroundings, such that the strict application of the zoning provisions deprives such property of privileges enjoyed by other property in the vicinity and under identical zone designation; *The property is unique in terms of its small size which is approximately 50 feet in width and 90 feet in depth for a total area of 4,500 square feet. The strict application of the Zoning Code requires removal of a portion of the house to provide an attached, two-car garage. The position of the house does not leave adequate space for an addition with a two-car detached garage; a minimum, 33-foot*

*distance is necessary. The distance from the house to the rear (north) property line is 25 feet, which is insufficient to provide an 18-foot wide garage separated by 15 feet from the rear property line. An alternative detached garage would leave a very narrow six-foot separation between the house and garage and a narrow, 12 by 15 foot space behind the garage. Surrounding properties abutting to the north and across the street on MacKay and Clark Lanes have been granted various exceptions to the Zoning Code allowing additions to the single-family homes.*

- b) Any Variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated; *The granting of a setback Variance is not a special privilege, nor would it be inconsistent with the limitations on other similar properties in that other residences are developed with reduced rear yard setbacks. Specifically, the properties at 1305 MacKay Lane and 1204 Clark Lane were granted a Modification permit and a Variance permit for reduced rear yard setbacks to build an addition to an existing house and a deck attached to a legal non-conforming house, respectively.*
  - c) The granting of a Variance shall not be contrary to the objectives of the Comprehensive General Plan. *The site is within an area designated as low-density, multiple-family residential and the construction of the addition is consistent with the Land Use Element goals, objectives, and policies for residential development (Objectives 1.11, & 1.12). The addition is designed with a similar form, exterior finishes and details as the existing house, conveys the visual character of the surrounding neighborhood, and provides adequate open space and privacy.*
- 2. The plans, specifications and drawings submitted with the applications have been reviewed by the Planning Commission, and are approved at the May 20<sup>th</sup>, 2021 meeting.
  - 3. The project is Categorical Exempt from the preparation of environmental documents, pursuant to Section 15301 (Existing Facilities) of the Guidelines of the California Environmental Quality Act (CEQA).

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. That based on the above findings, the Planning Commission does hereby approve the Exemption Declaration and grant the Variance pursuant to the plans and applications considered by the Planning Commission at its meeting of the 20<sup>th</sup> day of May, 2021.

Section 2. This permit shall be void in the event that the applicant does not comply with the following conditions:

1. The approval granted herein is for the construction of a two-story addition to a single-family residence with reduced rear yard setbacks as reflected on the plans reviewed and approved by the Planning Commission at its meeting on May 20<sup>th</sup>, 2021.
2. The approval is for conceptual plans only and, therefore, the submission to and approval by the Community Development Department of fully dimensioned, detailed and accurate site plan, floor plan, and elevations shall be required prior to the issuance of building permits.
3. The precise architectural treatment of the building exterior (color, materials and compatibility and integration of design), roof, walks, and walls shall be subject to Community Development Department approval prior to issuance of a building permit.
4. The applicants and/or their successors shall maintain the subject property in a clean, safe, and attractive state until construction commences. Failure to maintain the subject property may result in reconsideration of this approval by the Planning Commission.
5. The Community Development Department be authorized to approve minor changes.
6. In the event of a disagreement in the interpretation and/or application of these conditions, the issue shall be referred back to the Planning Commission for a decision prior to the issuance of a building permit. The decision of the Planning Commission shall be final.
7. All on-site litter and debris shall be collected daily.
8. Construction work shall occur only between the hours of 7:00 a.m. and 6:00 p.m. on Monday through Friday, between 9:00 a.m. and 5:00 p.m. on Saturday, with no work occurring on Sunday and holidays.
9. Material storage on public streets shall not exceed 48-hours per load.
10. The project developer and/or general contractor shall be responsible for counseling and supervising all subcontractors and workers to ensure that neighbors are not subjected to excessive noise, disorderly behavior, or abusive language.

11. Barriers shall be erected to protect the public where streets and/or sidewalks are damaged or removed.
12. Streets and sidewalks adjacent to job site shall be clean and free of debris.

Section 3. The approved Variance shall become null and void if not vested within 36 months after the Planning Commission's approval.

Section 4. Prior to seeking judicial review of this resolution, the applicant is required to appeal to the City Council. The applicant has ten days from the date of adoption of this resolution in which to file the appeal.

FINALLY RESOLVED, that the Planning Commission forward a copy of this resolution to the City Council so the Council will be informed of the action of the Planning Commission.

PASSED, APPROVED, AND ADOPTED this 20<sup>th</sup> day of May, 2021.

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Chair  
Planning Commission  
City of Redondo Beach

ATTEST:

STATE OF CALIFORNIA        )  
COUNTY OF LOS ANGELES    )    SS  
CITY OF REDONDO BEACH     )

I, Brandy Forbes, Community Development Director of the City of Redondo Beach, California, do hereby certify that the foregoing Resolution No. 2021-\*\*-VAR-\*\* was duly passed, approved and adopted by the Planning Commission of the City of Redondo Beach, California, at a regular meeting of said Planning Commission held on the 20<sup>th</sup> day of May, 2021 by the following vote:

AYES:

NOES:

ABSENT:

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Brandy Forbes, AICP  
Community Development Director

APPROVED AS TO FORM:

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City Attorney's Office