

## **BLUE FOLDER ITEM**

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### **PLANNING COMMISSION MEETING May 20, 2021**

**J.2. PUBLIC HEARING FOR CONSIDERATION OF AN EXEMPTION DECLARATION AND VARIANCE FOR A REDUCED REAR YARD SETBACK TO CONSTRUCT A NEW ATTACHED TWO-CAR GARAGE, WITH A SECOND-STORY ADDITION ABOVE, ON PROPERTY LOCATED IN A LOW-DENSITY MULTIPLE-FAMILY RESIDENTIAL (R-2) ZONE.**

**APPLICANT: STEWART AND CHIKAKO HOFFMAN  
ADDRESS: 2323 CLARK LANE  
CASE NO: VAR-2021-02**

**CONTACT: ANTONIO GARDEA, SENIOR PLANNER**

- Written comment received after release of agenda

1302 S. Gertruda Ave.  
Redondo Beach, CA 90277

May 21, 2021

RE: 2323 Clark Lane/Case No: VAR-2021-02

Dear Planning Commissioners,

What's wrong with an ADU that's taller than 16'? In my opinion, nothing if the ADU is created within the primary dwelling's buildable envelope.

This application contains some important nuanced issues and I hope the Planning Commission will discuss.

1. The State has repeatedly demonstrated that it can and will change zoning regulations, and allow the conversion of any space into a separate dwelling unit. So, great care should be given when expanding any property's buildable area beyond the Code's by-right allowances.
2. Deviating from a specific design standard requires compelling reasons and unique conditions. Are there substantial physical constraints that deprive a person of a reasonable use of the property? Design preferences are not justification for a variance or setback modification. If there is a special circumstance, is the request proportional to the circumstance or is it seeking a one-for-one offset?
3. What is a special privilege? Granting a discretionary entitlement in the absence of justification, arguably creates a special privilege. An approval entitles the subject property to leniency, but everyone else must adhere to the requirements.
4. Once built, an improvement will be here long after all of us are gone. Sometimes a project's components should be reviewed separately. For a project that is outside the buildable envelope, is the design well-integrated into the existing building, is it minimizing its bulk, and is it preserving as much of the setback from ground to the sky as possible?
5. What is the crux of the issue and are there alternatives?

If an addition cannot be built because of a lack of enclosed off-street parking, then maybe the answer is to analyze the enclosed parking requirement. Perhaps a ground floor setback modification is reasonable to create a garage, or perhaps substituting unenclosed off-street parking spaces for enclosed parking is functionally equivalent and retains open space. Let's be honest a large percentage of one-family properties don't use the garage for parking anyway.

Last, please do not let peripheral issues cloud an application. Such things as the difficulty with on-street parking, unfounded assurances about the effects of enclosed parking alleviating street parking, an individual's personal reasons, or a neighbor's sentiment are considerations, but only after affirmatively answering that a project qualifies for an exception because the exception is reasonably related to the hardship that deprives them of reasonable use.

Thank you for your time and consideration.

Sincerely,

Laura MacMorran