

# **STANDARDS VARIANCE FINDINGS**

**5701 East Seaside Walk**

**Application No. 2006-02 (APL20-003,SV20-001, LCDP20-005)**

**September 3, 2020**

Pursuant to Section 21.25.306 of the Long Beach Municipal Code, a Standards Variance can be granted only when positive findings are made consistent with the following criteria set forth in the Zoning Ordinance. These findings and staff analysis are presented for consideration, adoption, and incorporation into the record of proceedings:

## **THE SITE OR THE IMPROVEMENTS ON THE SITE ARE PHYSICALLY UNIQUE WHEN COMPARED TO OTHER SITES IN THE SAME ZONE;**

The subject site is zoned Two-family Residential, intensified development (R-2-I) Zoning District and located in the General Plan land use designation of Mixed Style Homes (LUD 2). The standards variance request proposes a four-foot garage setback where 20 feet is required, as shown on the project plans found within the case file.

The geographical constraints and intensified development of this site and neighborhood are highlighted in both the zoning code in section 21.31.020 and the 1989 General Plan.

The subject site is further characterized by constraints that make it physically unique. The site is an end corner lot with limited street access. There are 474 parcels within the R-2-I zoning district and only 54 other lots have a similar configuration. The only vehicle access to the lot is via a limited section of 57<sup>th</sup> Place which is approximately 34 feet in length. This access is further reduced by a 9-foot ingress and egress easement that benefits an abutting property. The resulting available access to the lot is a limited 25 feet of street access. The total lot area is 2,962 square feet; the easement reduces that buildable area to 2,602 square feet. This existing configuration and lot size that is encumbered by an easement are physically unique when compared to other sites in the same zone.

## **THE UNIQUE SITUATION CAUSES THE APPLICANT TO EXPERIENCE HARDSHIP THAT DEPRIVES THE APPLICANT OF A SUBSTANTIAL RIGHT TO USE OF THE PROPERTY AS OTHER PROPERTIES IN THE SAME ZONE ARE USED AND WILL NOT CONSTITUTE A GRANT OF SPECIAL PRIVILEGE INCONSISTENT WITH LIMITATIONS IMPOSED ON SIMILARLY ZONED PROPERTIES OR INCONSISTENT WITH THE PURPOSE OF THE ZONING REGULATIONS;**

The subject is zoned Two-family Residential, intensified development (R-2-I) Zoning District and located in the General Plan land use designation of Mixed Style Homes

(LUD 2). The standards variance request proposes a 4' garage setback where a 20' is required, as shown on the project plans found within the case file.

Properties on the Peninsula were developed under a previous zoning code with reduced development standards for driveways and garage setbacks. Applying current development standards, however, causes a compliance hardship and deprives the owner of the right to use and develop the property in the same manner as adjacent properties by reducing buildable area so much that a habitable ground floor plan and site plan becomes extremely constrained, contrary to how similar nearby properties in the same zone are developed. Moreover, with limited land area, the applicant experiences hardship in development options and patterns. Typical citywide development of long driveways that lead into a garage is not only impractical at the site, but also, in turn, deprives the applicant of the already limited developable land area. The need to house vehicles is heightened by environmental conditions. It should also be noted that the purpose of the Zoning Regulations is, in part, to provide reasonable development standards while allowing the reuse and improvements of the property. The city further recognizes that certain properties, due to their unique size, shape, location, or other physical condition, cannot be developed in strict accord with development regulations. Therefore, the specific procedures of a Standards Variance establish guidelines for the granting of relief from certain provisions in specific situations. The unique access and limited developable lot area of this site fall within the stipulated guidelines for seeking a standards variance.

**THE VARIANCE WILL NOT CAUSE SUBSTANTIAL ADVERSE EFFECTS UPON THE COMMUNITY; AND**

The reduced garage setback will be designed and conditioned as to not allow vehicles to overhang onto the public right of way. Furthermore, since vehicular parking is being built to provide off-street parking, this mitigates exacerbating the already existing parking impacts of the community. Conditions of approval in the project file further mitigate adverse effects upon the community.

**IN THE COASTAL ZONE, THE VARIANCE WILL CARRY OUT THE LOCAL COASTAL PROGRAM AND WILL NOT INTERFERE WITH PHYSICAL, VISUAL AND PSYCHOLOGICAL ASPECTS OF ACCESS TO OR ALONG THE COAST.**

The subject site is located as the first lot from the water and is privately owned. There are no existing easements or access that intersect with the property which provides access to the coast. The Local Coastal Program (LCP) further identifies the subject site as residential comprised primarily as single-family and duplexes. This project proposes to rebuild an existing single-family dwelling on private property and thus will not interfere with the access to or along the coast. This development is therefore consistent with the LCP. Furthermore, the project will meet all other development standards such as building setbacks, height, FAR, etc., which will maintain the appropriate development of the neighborhood and environment and will not detract

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from the coastal environment, psychological access to the coast or negatively affect neighboring properties.

## **LOCAL COASTAL DEVELOPMENT PERMIT FINDINGS**

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Application No. 2006-02 (APL20-003,SV20-001, LCDP20-005)  
September 3, 2020**

Pursuant to Section 21.25.903 of the Long Beach Municipal Code, a Local Coastal Development Permit can be granted only when positive findings are made consistent with the following criteria set forth in the Zoning Ordinance. These findings and staff analysis are presented for consideration, adoption, and incorporation into the record of proceedings:

### **THE PROPOSED DEVELOPMENT CONFORMS TO THE CERTIFIED LOCAL COASTAL PROGRAM INCLUDING BUT NOT LIMITED TO ALL REQUIREMENTS FOR REPLACEMENT OF LOW AND MODERATE-INCOME HOUSING; AND**

The Local Coastal Program (LCP) identifies the subject site as residential comprised primarily as single-family and duplexes. This project is located in Area E of the LCP (Naples Island and The Peninsula). The LCP mainly emphasizes public access to the shoreline and regulation of recreation and visitor-serving facilities, but also calls for the preservation of the residential character of the area. Since this project involves the demolition of an existing single-family dwelling and construction of a new single-family dwelling on the same site, it is consistent with that requirement of the LCP. All development will occur on an established lot, and will not encroach upon any public right-of-way. No low and moderate-income housing will be removed as a result of the project.

### **THE PROPOSED DEVELOPMENT CONFORMS TO THE PUBLIC ACCESS AND RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT. THIS SECOND FINDING APPLIES ONLY TO DEVELOPMENT LOCATED SEAWARD OF THE NEAREST PUBLIC HIGHWAY TO THE SHORELINE.**

The proposed project is located seaward of the nearest public highway to the shoreline. No public access ways will be affected by this project. The project will make no change to existing recreation land uses and will not affect the suitability of the waterfront property for water-oriented recreation uses.