



## AGENDA ITEM

# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5<sup>th</sup> Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

January 19, 2012

CHAIR AND PLANNING COMMISSIONERS  
City of Long Beach  
California

### RECOMMENDATION:

Deny the Appeal from the Peninsula Beach Preservation Group and uphold the Zoning Administrator's November 14, 2011 decision to approve a Standards Variance request for a reduced garage setback off of Ocean Boulevard and a Local Coastal Development Permit in conjunction with the demolition of an existing two-story single family home and construction of a new three-story residence located at 5517 East Ocean Boulevard in the R-2-I Zoning District. (District 3)

APPLICANT: Rahamin Suares  
c/o Ron Hoover  
39 Nieto Avenue  
Long Beach, CA 90803  
(Application No. 1109-06)

APPELLANT: Peninsula Beach Preservation Group

### **BACKGROUND**

The subject property is an interior through lot located at 5517 East Ocean Boulevard in the first block of the peninsula between 55<sup>th</sup> Place and Balboa Place on the north side of Ocean Boulevard and fronting on Alamitos Bay (Exhibit A - Location Map). The site is zoned R-2-I (Two-family residential district with intensified development on the lot) and has a General Plan designation of LUD No. 2 (Mixed Style Homes). The home was built in 1955.

The Zoning Administrator approved a request for a Standards Variance and Local Coastal Development Permit for construction of a new three-story single family home with an attached two-car garage accessed off Ocean Boulevard with a 2-inch garage setback instead of not less than 20 feet-0 inches at a public hearing on November 14, 2011. A representative for the Peninsula Beach Preservation Group spoke against the variance request, stating that the group desired a minimum garage setback of 3 feet-0 inches which is the required front yard setback for construction of new homes. An appeal was filed on November 30, 2011 (Exhibit B – Appeal and Letter).

## CHAIR AND PLANNING COMMISSIONERS

January 19, 2012

Page 2 of 3

This property is one of five lots on the block, which includes two corner lots and three interior through lots. The three interior lots have street frontage on Ocean Boulevard while the two corner lots have garage access from the side streets. The home on the corner of Ocean Boulevard and 55<sup>th</sup> Place has a 3-foot-0-inch setback from Ocean Boulevard with garage access from the side street. The second home has an 18-foot garage setback (built in 1938) and the third home has a 0-foot garage setback. The subject site currently has a 2-inch garage setback and the last home on a corner lot has a 3-foot-0-inch setback from Ocean Boulevard with garage access from the side street. The majority of new homes are approved with a 3-foot-0-inch setback from the front property line, including the garage, to create a consistent setback and provide continuity along the street. The proposed project is the construction of a 4,253-square-foot three-story single family home with an attached 478-square-foot two-car garage on a 2,525-square-foot lot (30' x 87'/81') (Exhibit - C Setback Map).

The unique situation in this case is that the project meets the definition of demolition per Section 21.15.750 of the Long Beach Municipal Code, where more than 50 percent of the exterior walls of an existing building will be removed. If a building is demolished, all nonconforming rights are lost, including setbacks, and the new construction shall meet current code requirements. However, in this particular situation, three of the existing garage walls are being maintained in their current location even with the planned demolition (Exhibit D- Plans and Photographs). The walls of the garage will remain with the exception of a new door on the street elevation. The garage has an interior dimension of 19 feet-7 inches deep and 23 feet-11 inches wide. A new 18-foot-0-inch wide garage door will be provided. The second and third floors above the garage will have a 3-foot-0-inch front yard setback. In addition, the finished floor height of the garage is different than the finished floor height of the home by approximately 12 inches and two steps. To relocate the walls between the garage and home and change the floor levels would be a hardship for the property owner and would require a substantial change to the plans. If the garage walls were being demolished, a 3-foot-0-inch front setback would likely be required. The applicant is requesting that the garage remain in its current location 2 inches from the front property line.

The Zoning Administrator referenced the unique situation created by the maintenance of the three garage walls in their current location and difference in floor elevations in the granting of the variance request (Exhibit E – Findings & Conditions).

On November 30, 2011, the Peninsula Beach Preservation Group filed an appeal. According to Section 21.21.504A of the Long Beach Municipal Code, an appeal of a Zoning Administrator decision shall be heard by the Planning Commission within 60 days of the original action. A January 19, 2012 Planning Commission public hearing of the appeal would satisfy this requirement.

### **PUBLIC HEARING NOTICE**

Public hearing notices were distributed on December 30, 2011, as required by the Long Beach Municipal Code. No responses have been received as of the date of this report.

**ENVIRONMENTAL REVIEW**

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, a Categorical Exemption was prepared for the subject proposal (Exhibit F – CE 11-063).

Respectfully submitted,

DEREK BURNHAM  
PLANNING ADMINISTRATOR

A handwritten signature in blue ink, appearing to read "Amy Bodek", is written over the printed name.

AMY J. BODEK, AICP  
DIRECTOR OF DEVELOPMENT SERVICES

AB:DB:LF

Attachments:

- Exhibit A - Location Map
- Exhibit B - Appeal Form and Letter
- Exhibit C - Setback Map
- Exhibit D - Plans and Photographs
- Exhibit E - Findings and Conditions
- Exhibit F- CE 11-063