Staff Report City of Loma Linda

From the Department of Community Development

PLANNING COMMISSION MEETING OF JUNE 1, 2011

TO: PLANNING COMMISSION

FROM: KONRAD BOLOWICH, DIRECTOR,

SUBJECT: VARIANCE (VA) NO. 11-62

SUMMARY

A request for a ten-foot encroachment into the required 25-foot front yard set back requirement and an eleven-foot encroachment into the required 15-foot side yard set back as prescribed in Section 17.34.050 and Section 17.34.070 (respectively) of the Loma Linda Municipal Code for single-family structures. The encroachment will accommodate a proposed 499 square-foot addition to an existing 1,700 square-foot residence. The current structure is legal non-conforming in that the building foot print (north and east wall) encroaches onto the front and side yard set backs. The proposed addition will align with the east wall. The project site is located at 24736 Daisy Avenue in a Single-Family Residence (R-1) Zone.

RECOMMENDATION

The recommendation is that the Planning Commission approve VA No. 11-62 based on the Findings.

PERTINENT DATA

Property Owner/Applicant:	Cristiana DeLong/Trent & Cristiana DeLong
General Plan/Zoning:	Low Density Residential/Single-Family Residence (R-1)
Site:	8,500 square-foot developed lot
Topography:	Graded street level lot
Vegetation:	Mature landscaping
Special Features:	Existing legal non-conforming structure

BACKGROUND AND EXISTING SETTING

Background

On April 27, 2011, the applicants submitted an application for the above referenced project. On May 5, 2011 the Administrative Review Committee (ARC) reviewed the project and deemed it complete for processing pursuant to the California Permit Streamlining Act.

Existing Setting

The 8,500square-foot lot is located south of Barton Road, east of Campus Street in a low density residential land use area. The neighborhood is comprised of existing single-family lots which are part of Tract 5811. The tract was developed in the 1960's and the architecture of the existing house is indicative of contemporary styling of that time.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) STATUS

Pursuant to Section 15301(e)(1) of the CEQA Guidelines, the project is eligible for a Class 1 Categorical Exemption, which allows additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structure prior to the addition, or 2,500 square feet, which ever is less.

Public Comments

Public notice for this project was posted and mailed to parcel owners and occupants within 300 feet of the project site on May 19, 2011. As of the writing of this report, there have been no written or oral comments received in opposition or in favor of the proposal.

ANALYSIS

Project Description

The project is a request to add 499 square feet to an existing 1,700 square-foot single-family residence. The new construction will add a new enclosed two-car garage to the existing single story structure. The addition will take place at the eastern portion of the building adjacent to the outdoor courtyard. The scope of work for the addition will not go beyond the existing eastern building set back, however, the addition will result in a ten-foot encroach into the front yard set back . Presently, the layout for the single-family structure is sub-standard and is considered legal non-conforming. The related variance request is seeking relief from the residential code that requires a minimum of 25 feet of front yard set back and 15 feet of set back for the side (long) yard.

Site Analysis

The existing building foot print accounts for approximately 20 percent of the overall parcel (lot coverage). The proposed addition will add approximately five percent to the lot coverage for a total of 25 percent. According to Section 17.34.040 of the Loma Linda Municipal Code (LLMC) parcels located in R-1 Zones shall not exceed 40 percent of lot coverage. The construction of the proposed addition will be well within the lot coverage requirements.

The Single-Family Residence (R-1) Zone requires a minimum 25 foot front-yard setback with a minimum separation of five and 15 feet on the side yards and 15 to the rear of the property. As previously stated, the existing residence was constructed in the 1960's and was designed to meet the San Bernardino County's developmental requirements (which are different from the City's). The change in jurisdictions and the difference in regulations have resulted in a legal non-conforming lot. Specifically, the east side yard set back is currently at four feet where a minimum of 15 feet is required and the front yard set back is currently at 22 feet where a minimum of 25 feet is required. The proposed addition will maintain the same distance to the east property line but will encroach ten feet into the front yard set back.

Access to the project site is via driveway off of Daisy Avenue. Interior access is through the traditional front entry as well as the proposed garage. There is an existing garage on the west of the property which will be converted into living area in the near future. The new garage will enable the property to gain parking compliance (Section 17.24.060) once the conversion of the existing garage takes place.

Architecture Analysis

The proposed addition would incorporate architectural elements such as a gabled roof, earth toned stucco walls and trim that would blend with the existing structure and the other properties in the area. As proposed, the building exhibits a contemporary style consistent with post World War II residential construction. The vertical height of the addition will not exceed height of the main structure.

Variance Findings

1. *That there are exceptional and extraordinary circumstances of conditions applicable to the property involved.*

   The existing lot of record is located in an area of the City where older tracts were developed. Due to the time of development the existing structure was already non-conforming in that the front and side yard setbacks were substandard. The L-shaped structure is centrally located on the lot which has a generous rear setback (approximately 35 feet) but has a more restrictive side yard setback (five feet and four feet) and front yard set back (22 feet). Providing additional space for parking will compensate for the conversion of the existing garage in the future.

2. *That such variance is necessary for the preservation and enjoyment of the substantial property right possessed by other property in the same vicinity and zone and denied to the property in question.*

   The surrounding neighborhood was constructed prior to the City's incorporation (1970). The existing structures were likely built according to the San Bernardino County building development requirements, which are different from the adopted development criteria for the City of Loma Linda. Accordingly, some of the existing buildings (that were constructed prior to incorporation) are considered to be nonconforming and possibly substandard. The proposed variance would allow the subject property to enjoy the same property rights possessed by other properties in the neighborhood which include the right to expand living area.

3. *That the granting of such a variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located.*

   The proposed relief from Sections 17.34.050 and 17.34.070 of the LLMC will not be detrimental to the public welfare or injurious to property and improvements in that the existing site will provide adequate space for at least two enclosed garage spaces. Approval of the variance will limit the amount of construction on an already constrained lot. The construction will be subject to the necessary building code requirements to ensure compatibility and safety.

4. *The granting of such variances will be consistent with the general plan for the city.*

   The variance request to accommodate a set back relief from Sections 17.34.050 and 17.34.070 of the LLMC for minimum front and side yard requirements facilitates Policy No. 1.2 of the General Plan Housing Element (Chapter 5.0), which identifies the necessity to ensure the supply of safe, decent, and sound housing for all residents. The granting of the variance will allow the applicant to meet the minimum parking requirements prescribed for single-family residences once the conversion of the existing garage is complete.

5. *That a public hearing was held wherein the applicant is heard and in which he substantiates all of the conditions cited in this subsection.*

   The variance request is scheduled for review on the June 1, 2011 Planning Commission Meeting. The conditions to the project are included as Attachment B to this report.

CONCLUSION

Staff recommends approval of the project because it is consistent with the General Plan and the findings can be made to support the approval of the variance request. The project will maintain the existing land use and is compatible with the future uses in the surrounding area.

Report prepared by:

Allan Penaflorida
Assistant Planner

ATTACHMENTS

A. Vicinity Map
B. Project Plans
C. Photographs of Project Site

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Attachment A

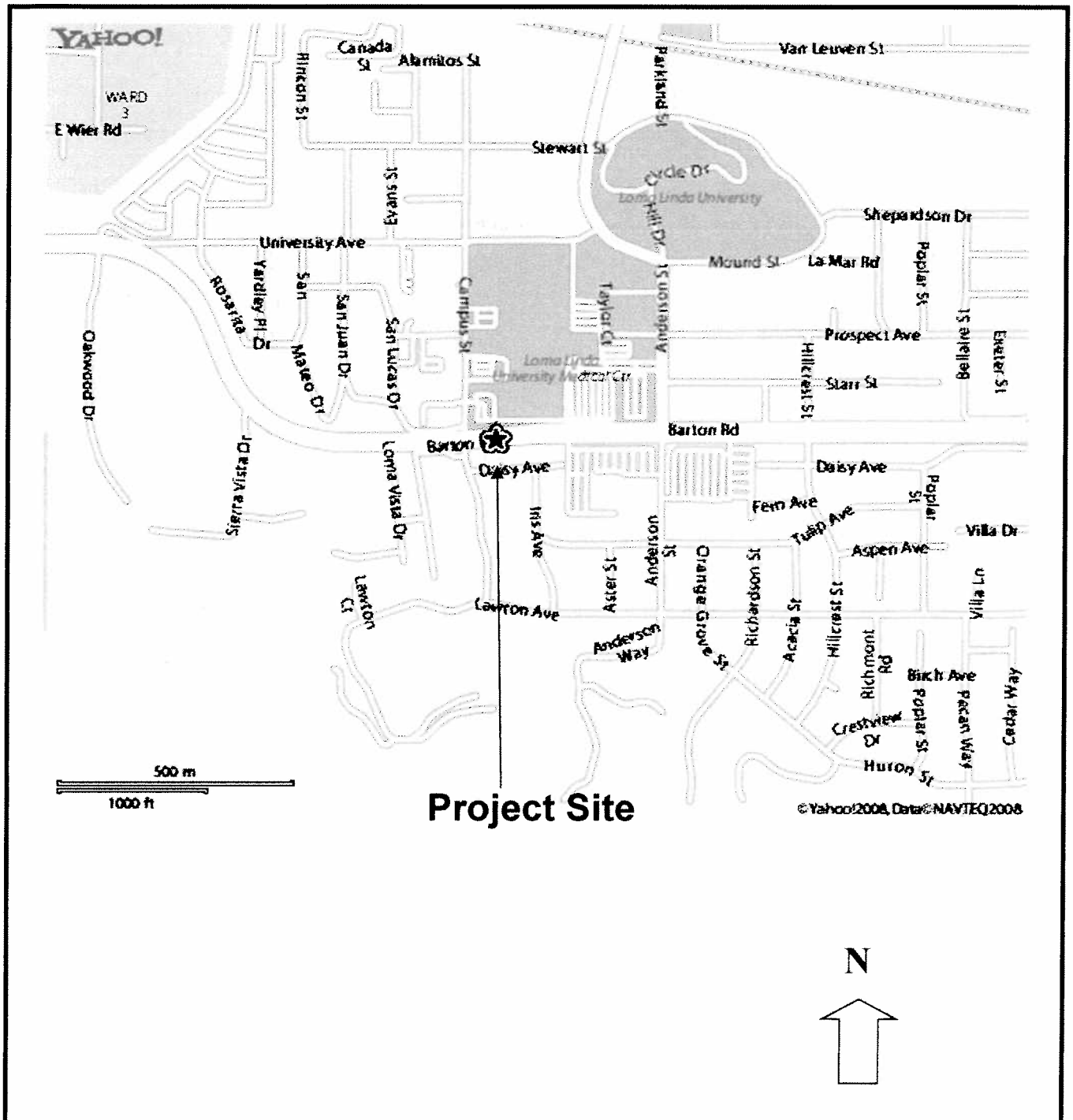
Vicinity Map

VA No. 11-62

June 1, 2011

City of Loma Linda

Community Development Department
25541 Barton Road, Loma Linda, CA 92354
(909) 799-2830; Fax (909) 799-2894



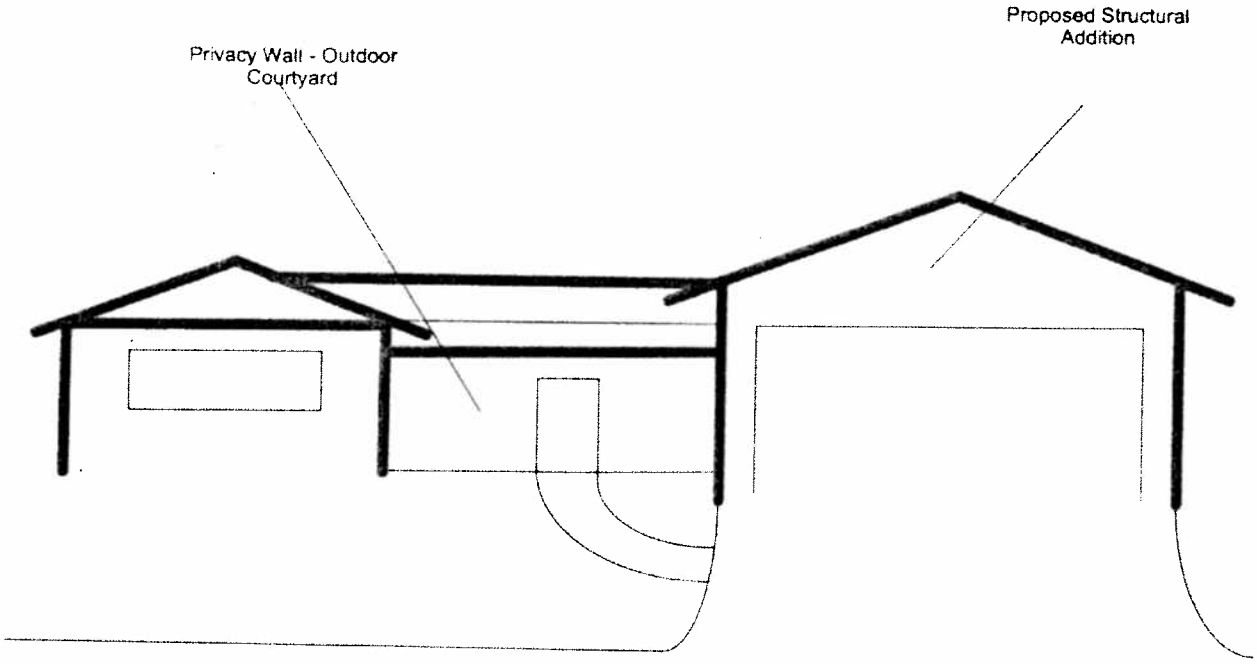
Vicinity Map | **VA No. 11-62**

Attachment B

Project Plans

VA No. 11-62

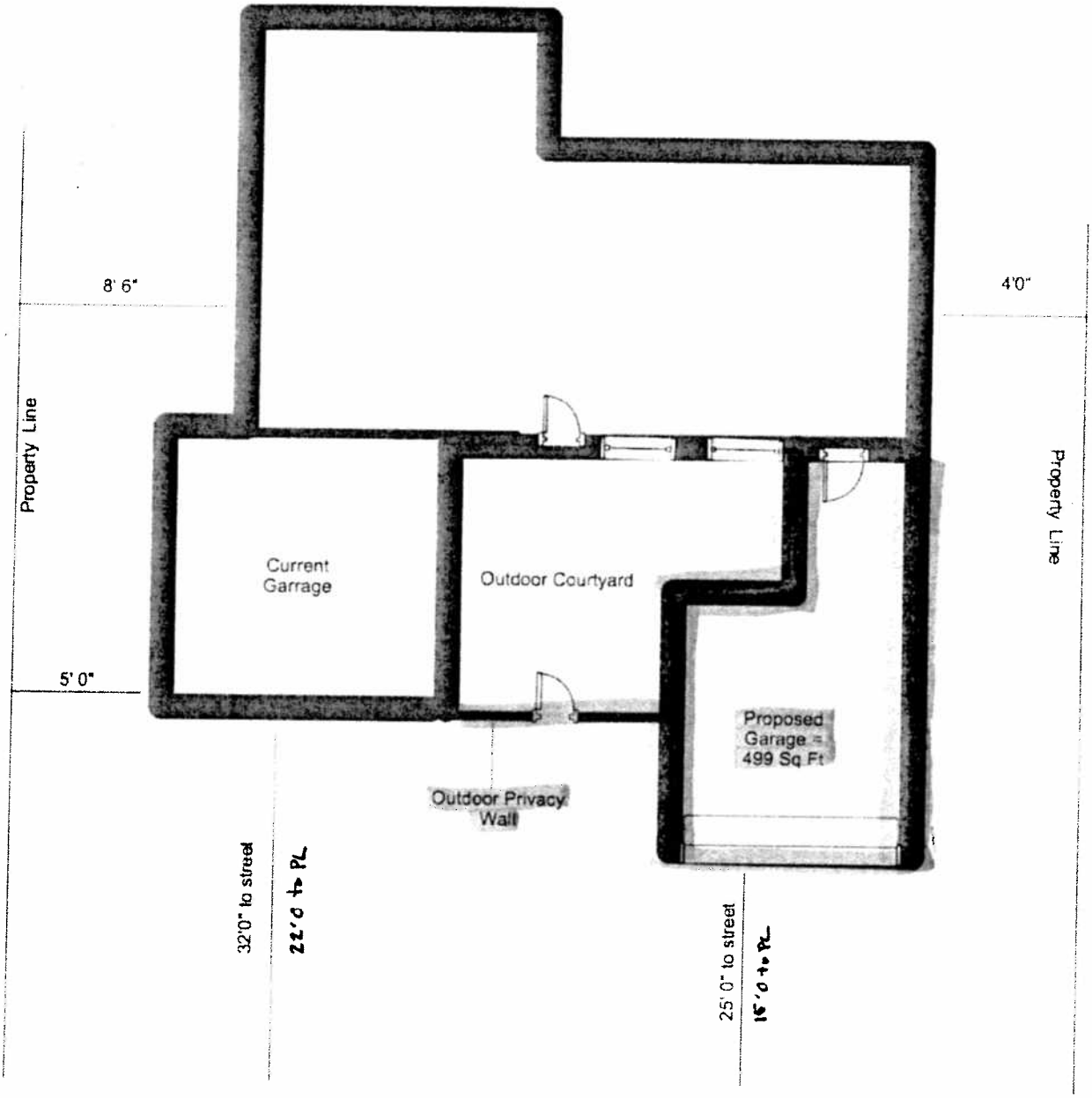
June 1, 2011



24736 Daisy Ave
Loma Linda CA 92354

Trent DeLong
916-844-8219

Project: Proposed Garage Addition to East Side
of residence, and construction of a
privacy wall.



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Project: Proposed Garage Addition to East Side of residence, and construction of a privacy wall.

Attachment C

Photographs of Project Site

VA No. 11-62

June 1, 2011

11339
24724
24736
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DAISY AVE.
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24731
24731
24741
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