

## PLANNING COMMISSION STAFF REPORT

APPLICATION: V2016-01 AGENDA ITEM: PH-1

PREPARED BY: Teresa Santilena MEETING DATE: February 10, 2016

**Assistant Planner** 

**SUBJECT:** Variance V2016-01

1846 10<sup>th</sup> Avenue

**REQUEST:** Approve a variance to construct a 346 square foot addition to a single

family residence that encroaches into the front, rear, and side yard setbacks. A 22' front yard setback is proposed (in lieu of 25'), a 10'-1" rear yard setback is proposed (in lieu of 20'), and a 5' side yard setback is proposed (in lieu of 9'). This property is located in the RM4000

(Residential Medium 4000) Density zone.

**APPLICANT:** Brent Williams

18428 Kirkwall Road Azusa, CA 91702

**ENVIRONMENTAL DETERMINATION:** Categorical Exemption (Class 3)

**BACKGROUND:** The applicant is proposing a 346 square foot addition to an existing 543 square foot single family residence. The addition will attach the garage to the dwelling unit. A variance is requested to allow the new construction to encroach into the front, rear and side yard setbacks.

**SUBJECT PROPERTY:** The subject property is located on the east side of 10<sup>th</sup> Avenue, south of Duarte Road, one parcel to the north of El Norte Avenue. The boundary line between the City of Monrovia and the City of Arcadia runs along the north side of El Norte Avenue. The subject parcel measures 90' wide and 52' deep, for a total lot area of 4,680 square feet.

Like the subject property, all surrounding properties are zoned RM4000. The property to the north is improved with a Planned Unit Development (PUD), as are the two properties across 10<sup>th</sup> Avenue to the west. The properties to the south and east, both of which have frontage on El Norte Avenue, are developed with single family residences.

**DISCUSSION/ANALYSIS:** The parcel is currently improved with a 543 square foot single family residence, and a 424 square foot two-car garage. The existing home was built in 1948.

#### Site Plan/Elevations

The proposed addition will be situated on the north side of the property, and will attach the dwelling unit to the existing detached garage. §17.12.030 of the Monrovia Municipal Code requires that accessory structures located less than 80' from the front property line must meet the setback development standards for the primary dwelling unit. The front face of the

residential addition will be even with the face of the garage. In the rear, the proposed addition extends into the rear yard setback so that it matches the existing structure's building line. The exterior of the addition will match the stucco, windows and roof materials on the existing house.

#### Variance

In order to approve a major variance, the Commission must find that there are special circumstances applicable to this property related to the size and/or configuration of the property, which makes strict application of the Zoning Ordinance a deprivation of privileges enjoyed by other property owners in the same zone. Additionally, the Commission must find that granting the variance shall not constitute a grant of special privileges.

In the RM zone, the required front yard setback is 25'. The proposed addition sets the front of the unit 22' back from the front property line, even with the face of the garage. The required rear yard setback is 20' in the RM zone. The proposal continues the existing nonconforming rear yard setback of 10'-1". Due to the shallowness of the lot (i.e., 52'), the development standards established by the Monrovia Municipal Code would allow only 7' of developable depth on the subject parcel.

The required side yard setback for one-story construction is 10% of the lot width and a minimum of 5'. In this case, the property measures 90' wide, thus requiring a 9' side yard setback from the north property line. The proposal calls for the addition to attach the existing garage to the dwelling unit. The current side yard setback of 5' for the garage exceeds the required setback for accessory structures. However, when a garage is attached to a dwelling unit, the entire structure is required to meet the main dwelling unit setbacks. The proposed addition therefore causes the garage to encroach 4' into the required setback.

The proposed location of the addition is the most logical choice because of the limited developable area on the lot, caused by the shallowness of the parcel. Additionally, the 346 square foot addition brings the residence closer into conformity, as §17.12.030 of the Monrovia Municipal Code requires a minimum unit size of 1,250 square feet in the RM zone. Thus, strict application of the Zoning Ordinance would deprive the owners of this property from expanding their living space, while other owners in the area with similar lot sizes and topography are able to satisfy that requirement.

#### Conclusion

The proposed new construction will not change the character of the neighborhood or negatively impact neighboring properties. The proposal has given consideration to the style of the existing residence and location of adjacent properties. Additionally, conditions have been imposed upon the development to screen new utilities and to match the materials of the existing single family residence.

**RECOMMENDATION:** Staff and the Development Review Committee recommend approval of V2016-01. If the Planning Commission concurs with this recommendation then, following the public hearing, the following actions would be appropriate:

1. Pursuant to the California Environmental Quality Act ("CEQA") and the City's local CEQA Guidelines, the Planning Commission in the exercise of its independent judgment finds that V2016-01 is categorically exempt from CEQA under Class 3.

- 2. The Planning Commission finds that the custodian of records for all other materials that constitute the record of proceeding upon which this decision is based is the Planning Division Manager. Those documents are available for public review in the Planning Division located at 415 South Ivy Avenue, Monrovia, California, 91016.
- 3. The Planning Commission in the exercise of its independent judgment hereby makes the findings listed on attached Data Sheet No. 3 for V2016-01, which are incorporated herein by this reference.
- 4. The Planning Commission approves V2016-01, subject to the attached Planning Conditions on Data Sheet No. 1, and recommendations in the Staff Report, all of which are incorporated herein by this reference.

#### **MOTION:**

Approve V2016-01 pursuant to the recommendations in the Staff Report.

## **DATA SHEET 1**

## **Planning Conditions**



Variance V2016-01

1846 10<sup>th</sup> Avenue

Development of the subject property and operations on the site must remain in substantial conformance at all times with the request and application forms and plans submitted by the Applicant, as approved by the Planning Commission and placed on file in the office of the Planning Division, except as modified by the conditions imposed by the Planning Commission and by subsequent modifications determined by the Planning Division Manager to be in substantial compliance with the conditions of approval. The term "Applicant" as used herein shall include the applicant, the property developer and all successors in interest to this variance.

#### **DEVELOPMENT STANDARDS**

- 1. All materials applied to the addition that is approved by this determination shall match existing building materials.
- 2. New utilities and structures such as gas meters, electrical meters, telephone pedestal-mounted terminal boxes, surface mounted electrical transformers, or other potential obstructions shall be noted on the plan with provisions for appropriate screening.
- 3. The fence adjacent to the rear property line shall be constructed using an approved material as determined by the Planning Division Manager.

#### **GENERAL REQUIREMENTS**

- 4. Any violation of these conditions of approval or the Monrovia Municipal Code may be subject to the Administrative Fine Ordinance, other available remedies and/or revocation or modification of this permit at the discretion of the City Attorney and City Prosecutor.
- 5. In addition to Planning (Data Sheet No. 1) and Public Works (Data Sheet No. 2) conditions of approval, the Applicant shall also comply with all requirements of the Building Division and Fire Department that are directly applicable to the project.
- 6. Indemnification. As a condition of approval, Applicant agrees to defend, indemnify, protect and hold harmless City, its officers, officials, employees, agents and volunteers from and against any and all claims, actions, or proceeding against the City, its officers, officials, employees, agents and/or volunteers to attack, set aside, void or annul, an approval of the City, Planning Commission or City Council concerning this permit and the project. Such indemnification shall include damages, judgments, settlements, penalties, fines, defensive costs or expenses (including, but not limited to, interest, attorneys' fees and expert witness fees), or liability of any kind

related to or arising from such claim, action, or proceeding. The City shall promptly notify the Applicant of any claim, action, or proceeding. Nothing contained herein shall prohibit City from participating in a defense of any claim, action or proceeding. The City shall have the option of coordinating the defense, including, but not limited to, choosing counsel for the defense at Applicant's expense.

- 7. The development shall be constructed in strict compliance with the approved building elevations and site plan.
- 8. The Applicant shall, within 30 days after approval by the Planning Commission, submit to the Community Development Department his/her written consent to all of the conditions of approval contained in Data Sheet No's 1 and 2. This variance shall be void and of no force or effect unless such written consent is submitted to the City within the 30 day period.
- 9. The development associated with the variance shall begin within one (1) year after its approval or it will expire without further action by the City.
- 10. All of the above conditions shall be complied with prior to issuance of a Certificate of Compliance, unless an earlier compliance period is specified as part of a condition.



## **Public Works Conditions**

Variance V2016-01

1846 10<sup>th</sup> Avenue

Development shall be subject to the conditions of approval listed below. The conditions shall be compiled with prior to the commencement of operations, unless an earlier or later compliance period is specified as part of a condition. The term "Applicant" shall include, without limitation, the applicant, the property developer, the property owner, and all successors in interest to this variance.

#### **Engineering Conditions**

1. A drainage/grading plan shall be submitted to the Building Department for review and approval prior to the start of any construction.

## **DATA SHEET 3**



Variance V2016-01

1846 10<sup>th</sup> Avenue

### **VARIANCE**

As required by Section 17.52.100 of the Monrovia Municipal Code and provisions of Section 65906 of the California Government Code, the decision for granting Variance No. 2016-01 to construct a residential addition on the property located at 1846 10<sup>th</sup> Avenue that will encroach into the minimum front, side and rear yard setbacks is based on the following findings:

- A. Special circumstances applicable to this property related to the size and configuration of the property make strict application of the Zoning Ordinance a deprivation of privileges enjoyed by other property owners in the vicinity and same zone. The parcel is substandard in size, as §17.12.030 of the Monrovia Municipal Code requires a minimum lot size of 10,000 square feet in the RM zone. The configuration of the lot further restricts the developable area. Zoning setback standards assume that residential lots are deeper than they are wide. The subject parcel is situated so that it is wider than it is deep. The lot's shallow configuration (i.e., 52' lot depth) requires any usable floor area to encroach into the minimum setbacks, as the development standards established by the Monrovia Municipal Code would allow only 7' of developable depth on the subject parcel.
- B. Conditions have been imposed to assure that granting the variance will 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. Data Sheet 1 requires that all materials applied to the addition shall match existing building materials, and that new utility lines and structures shall be properly screened. Additionally, it will not change the character of the neighborhood, as the development is consistent with the single-family and multi-family nature of other homes on the block.
- C. The proposed development is expressly authorized by the zoning regulation governing the parcel of property. Single family residences with attached garages are a permitted use in the RM4000 zone. §17.48.020 of the Monrovia Municipal Code allows for nonconforming structures to be altered to decrease their nonconformity. §17.12.030 of the Monrovia Municipal Code requires a minimum dwelling unit size of 1,250 square feet for detached structures. The addition to this existing residence, which is nonconforming due to floor area, brings the residence closer into conformity.



## **Surrounding Land Uses**

Variance V2016-01

1846 10<sup>th</sup> Avenue

**Property Description:** Located on the east side of 10<sup>th</sup> Avenue, south of Duarte

Road, one parcel to the north of El Norte. The lot measures 90 feet wide and 52 feet deep, for a total lot

area of 4,680 square feet.

**Zoning** 

Subject site: RM4000 (Residential Medium 4000) Density

Surrounding pattern:

north: RM4000 (Residential Medium 4000) Density

south: RM4000 (Residential Medium 4000) Density

east: RM4000 (Residential Medium 4000) Density

west: RM4000 (Residential Medium 4000) Density

**Land Use** 

Subject site: Single Family Residence

Surrounding pattern:

north: PUD (Planned Unit Development)

south: Single Family Residence

east: Single Family Residence

west: PUD (Planned Unit Development)

Environmental Determination: Categorical Exemption Class 3

Applicable Ordinance Regulations: MMC 17.52.100 Planning Commission Authority

for Variance

## **Existing Elevation**





2. INTERIOR FINISHES SHALL CONFORM TO CBC CHAPTER 8.

3. THE CONTRACTOR SHALL PROVIDE WALL BACKING FOR ALL HUNG EQUIPMENT/CABINETS

4. ALL GLAZING TO CONFORM TO REQUIREMENTS SET FORTH IN CHAPTER 24 (GLASS AND GLAZING) OF THE CURRENT CBC.

5. ALL EXTERIOR DOORS SHALL COMPLY WITH CHAPTER 17 OF THE CURRENT CBC.

6. ALL SHEET METAL WORK SHALL BE A MIN. 26 GA GALVANIZED STEEL UNLESS OTHERWISE NOTED.

7. ALL LUMBER IN CONTACT WITH CONCRETE OR MASONRY SHALL BE PRESSURE TREATED.

8. ALL NEW FRAMING TO ACCOMMODATE ELECTRICAL DEVICES - SEE ELECTRICAL PLAN

9. CONTRACTOR TO INSTALL MEEP SCREEDS PER SECTION 2512.1.2. SCREEDS SHALL BE 26-GAGE CORROSION RESISTANT MATERIAL INSTALLED NOT LESS THAN 4" ABOVE FINISH GRADE AND 2" ABOVE PAVED AREAS.

10. ALL DIMENSIONS TO FINISH UNLESS NOTED OTHERWISE.

11. CONTRACTOR TO SEAL AROUND ALL NEW WINDOWS FOR WATER TIGHT SEAL

12. GLAZING IN HAZARDOUS AREAS SHALL BE TEMPERED. DOORS AND ENCLOSURES OF HOT TUB, BATHTUB, SHOWERS (ALSO GLAZING IN WALL ENCLOSING THESE COMPARTMENTS WITHIN 5' OF STANDING SURFACE). IF WITHIN 2' OF VERTICAL EDGE OF CLOSED DOOR AND WITHIN5' OF STANDING SURFACE. 2406.3

13. ALL GYP. BD. TO BE 1/2" THICK AND INSTALLED IN SMOOTH, EVEN PLANES. GYP BOARD IN GARAGE CEILING IF REQUIRED TO BE 5/8" THICK. 406.1.4

14. CONTRACTOR TO INSTALL INSULATION IN EXTERIOR WALLS, AND 2ND FLOOR CEILINGS OF NEW CONSTRUCTION PER TITLE 24 ENERGY COMPLIANCE RECOMMENDATIONS. THE INSULATION INSTALLER AND THE CONTRACTOR SHALL POST A SIGNED CERTIFICATE OF COMPLIANCE IN A CONSPICUOUS LOCATION IN THE BUILDING. THE CERTIFICATE SHALL STATE THAT THE INSTALLATIONS AND MATERIALS CONFORM TO THE APPROPRIATE SECTIONS OF THE CALIFORNIA ADMINISTRATIVE CODE, TITLES 20 & 24 AND SHALL SPECIFY THE MANUFACTURER'S NAME AND MATERIAL IDENTIFICATION, THE INSTALLED R-VALUE, AND WHEN LOOSE FILL IS INSTALLED, SHALL STATE THE MINIMUM INSTALLED WEIGHT PER SQUARE FOOT CONSISTENT WITH THE MANUFACTURER LABELED DENSITY FOR THE DESIRED R-VALUE.

15. HABITABLE ROOMS OTHER THAN A KITCHEN SHALL NOT BE LESS THAN 7 FEET IN ANY DIMENSION. 1208.1

16. CEILING HEIGHT FOR HABITABLE ROOMS SHALL BE A MIN. OF 7 FEET 6 INCHES. 1208.2

17. CEILING HEIGHT FOR KITCHENS, HALLS, BATHROOMS, AND TOILET COMPARTMENT SHALL BE A MIN. OF 7 FEET 1208.2

18. WALL COVERING OF SHOWERS OR TUBS WITHIN SHOWERS SHALL BE OF CEMENT, PLASTER TILE, OR APPROVED EQUAL, TO A HEIGHT OF NOT LESS THAN 70 INCHES ABOVE DRAIN INLET. MATERIALS OTHER THAN STRUCTURAL ELEMENTS SHALL BE MOISTURE RESISTANT. GLASS ENCLOSURE DOORS AND PANELS MUST BE LABELED CATEGORY II. SWING DOOR OUTWARD. NET AREA OF SHOWER RECEPTOR SHALL BE NOT LESS THAN 1,024 SQ. IN. OF FLOOR AREA, AND ENCOMPASS 30 INCH DIAMETER CIRCLE.

19. IN EVERY BEDROOM AND BASEMENT, PROVIDE ONE OPENABLE ESCAPE WINDOW MEETING ALL OF THE FOLLOWING: 1026

A. AN OPENABLE AREA OF NOT LESS THAN 5.7 SQ. FT. 1026.2

B. A MINIMUM CLEAR HEIGHT OF 24". 1026.1

C. A MINIMUM CLEAR WIDTH OF 20". 1026.

D. A OPENING HEIGHT OF NOT OVER 44" ABOVE THE FLOOR. 1026.3

20. A DOOR MAY SWING OVER A LANDING THAT IS NOT MORE THAN 1/2 INCH BELOW THRESHOLD. 1008.1.6

21. DOOR MAY OPEN ON THE TOP STEP OF A FLIGHT OF STAIRS OR AN EXTERIOR LANDING PROVIDED DOOR DOES NOT SWING OVER THE TOP STEP OR EXTERIOR LANDING AND THE LANDING IS NOT MORE THAN 7 3/4" BELOW THE FLOOR LEVEL. 1008.1.4

22. THE BUILDING SHALL HAVE WATER CLOSETS (TOILETS) WHICH USE NO MORE THAN 1.28 GALLONS PER FLUSH.

23. ALL SHOWERS AND TUB-SHOWERS SHALL HAVE EITHER A PRESSURE BALANCE OR A THERMOSTATIC MIXING VALVE.

24. ABS AND DWY PIPING INSTALLATIONS SHALL BE LIMITED TO STRUCTURES NOT EXCEEDING TWO STORIES IN HEIGHT.

25. DUCTS SHALL BE SIZED PER CHAPTER 6 OF THE MECHANICAL CODE.

26. 24 INCH WIDE PLYWOOD FLOORING PASSAGEWAY FROM SCUTTLE TO EQUIPMENT AND IT'S CONTROLS. LENGTH OF THE PASSAGEWAY SHALL NOT EXCEED 20FT.

27. NEW OR REPLACEMENT WATER HEATERS SHALL BE STRAPPED TO THE WALL IN TWO PLACES. ONE IN THE UPPER 1/3 OF THE TANK AND ONE IN THE LOWER 1/3 OF THE TANK. THE LOWER POINT SHALL BE A MINIMUM OF 4 INCHES ABOVE THE CONTROLS.

28. AN ATTIC OR FURRED SPACE IN WHICH A WARM-AIR FURNACE IS INSTALLED SHALL BE ACCESSIBLE BY AN OPENING AND PASSAGEWAY AS THE LARGEST PIECE OF THE FURNACE AND IN NO CASE LESS THAN 30"X30" CONTINUOUS FROM THE OPENING TO THE FURNACE AND ITS CONTROLS.

29. THE DISTANCE FROM THE PASSAGEMAY ACCESS TO FURNACE SHALL NOT EXCEED 20' MEASURED ALONG THE CENTER LINE OF THE PASSAGEMAY. THE PASSAGEWAY SHALL NOT BE OBSTRUCTED AND SHALL HAVE CONTINUOUS SOLID FLOORING NOT LESS THAN 24" WIDE FROM THE ENTRANCE OPENING TO THE FURNACE.

30. THE PLANS FOR THE ROOF TRUSSES WILL BE A DEFERRED SUBMITTAL.

31. DEPUTY INSPECTORS SHALL REGISTER WITH AND BE APPROVED BY THE BUILDING OFFICIAL PRIOR TO INSPECTION.

32. PROVIDE BATTERY POWERED SMOKE ALARMS IN THE EXISTING BEDROOMS AND IN THE AREAS GIVING ACCESS TO THOSE ROOMS. 907.2.10.5.2

33. PROVIDE ELECTRICAL POWER WITH BATTERY BACKUP INTER-CONNECTED SMOKE ALARMS IN NEW BEDROOMS AND HALLWAY AUDIBLE THROUGHOUT HOUSE. 907.2.10.3

34. PROVIDE A SMOKE ALARM IN THE ATTACHED GARAGE INTER- CONNECTED TO THE OTHER DETECTORS SO AS TO PROVIDE AN ALARM AUDIBLE IN THE SLEEPING AREAS WHEN THE DETECTOR IN THE GARAGE IS ACTIVATED (BATTERY O.K. FOR EXISTING GARAGES).

35. WATER PIPE MATERIAL TO BE COPPER TYPE "M".

36. METHOD OF HEATING FOR ADDITION PER TITLE 24 CALCULATIONS.

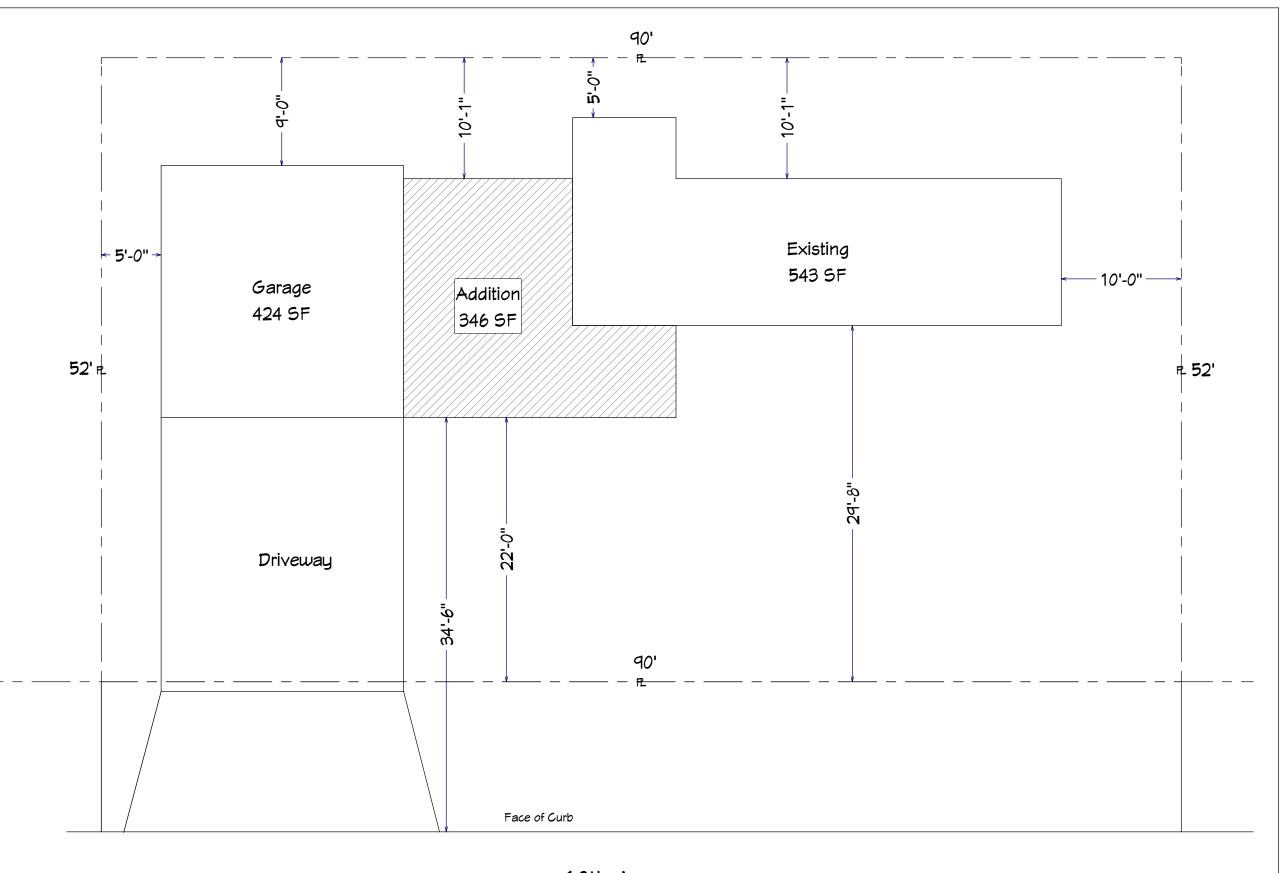
37. COMPLY WITH THE NEW 2013 TITLE 24 ENERGY STANDARDS.

CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE JOB SITE AND NOTIFY THE ARCHITECT OF ANY DIMENSIONAL ERRORS, OMISSIONS OR DISCREPANCIES BEFORE BEGINNING OR FABRICATING ANY WORK. ARCHITECT IS NOT RESPONSIBLE FOR UNFORESEEN EXISTING CONDITIONS.

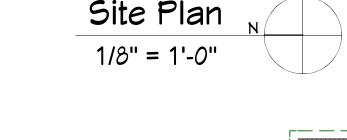
\*ARCHITECTURAL ELEMENTS STUCCO, WINDOWS, AND DOORS WILL MATCH EXISTING MAIN DWELLING.

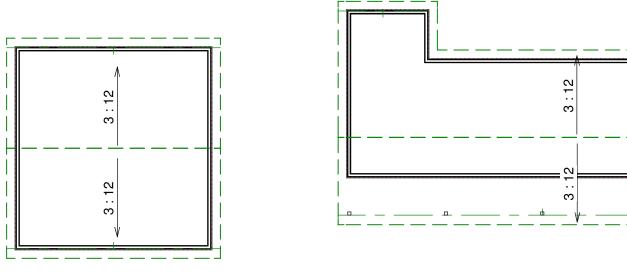
\*RETAINING WALLS, POOLS, SPAS, JACUZZIS, FENCES, AND PATIO COVERS REQUIRE SEPARATE PERMIT.

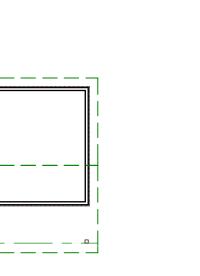
\*ALL DIMENSIONS ARE APPROXIMATE, THE CONTRACTOR SHALL VERIFY ALL (E) DIMENSIONS.

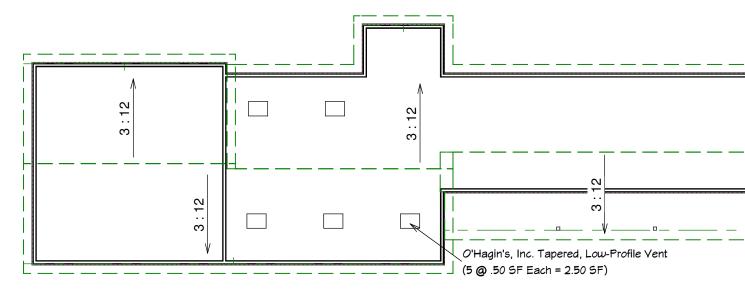


10th Avenue



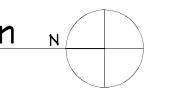






Existing Roof Plan N

New Roof Plan N



# Attic Ventilation

Ratio 1/150 =	2.30 SF
Total New Attic Area	346 SF
Addition Attic	346 SF

O'Hagin's, Inc. Tapered, Low-Profile

(5 @ .50 SF Each = 2.50 SF)2.50 SF Total Provided

APPLICABLE CODES:

Construction Type: VB

Zoning:

Sprinklered:

Use:

2013 Edition California Building Code

Single Family Residence

RM4000

2013 Edition California Electrical Code 2013 Edition California Energy Code

2013 Edition California Mechanical Code

2013 Edition California Plumbing Code

1997 Edition Uniform Housing Code, Chapter 4, 5 &6 and Sections 701.2 and 701.3

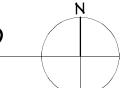
2012 Edition Uniform Swimming Pool, Spa and Hot Tub Code 2010 County of Los Angeles Fire Code

## Lot Coverage Calculations

Lot Coverage Calculations		
	Existing	Added
Room Addition		346 SF
Existing Residence	543 SF	
Existing Garage	424 SF	
Subtotal	967 SF	346 SF
Total Lot Coverage		1313 SF
Lot Size		4680 SF
Percentage of Lot Coverage		28.05%



Location Map



AS NOTED

SCALE:

12/24/2015

DATE:

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SHEET:

A



Anderson Residence 1846 10th Ave. Monrovia, CA 91016

Existing Floor Plan, New Floor Plar Electrical Plan

ge Project Builders

PO Box 336 Azusa, CA 9 (626) 393-22

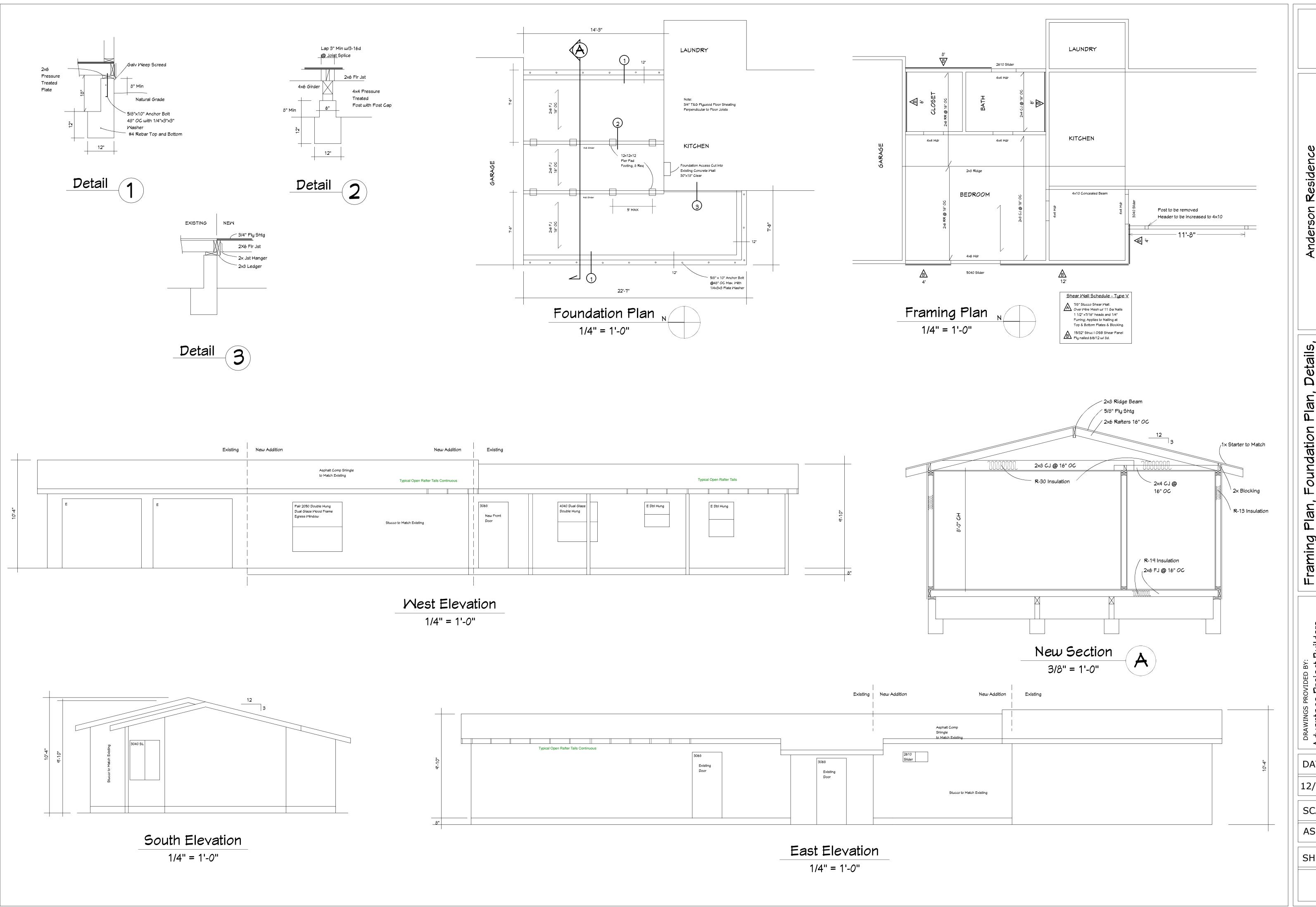
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12/24/2015

SCALE:
AS NOTED

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Anderson Residence 1846 10th Ave. Monrovia, CA 91016

ng Plan, Foundation Plan, Deta Section, Elevations

wings provided by:

antage Project Builders

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a, CA 41702

DATE:

12/24/2015

SCALE:

AS NOTED

SHEET:

A3

