



# PLANNING COMMISSION STAFF REPORT

**APPLICATION:** V2017-01

**AGENDA ITEM:** PH-1

**PREPARED BY:** Teresa Santilena  
Assistant Planner

**MEETING DATE:** June 14, 2017

**SUBJECT:** Variance V2017-01  
154 Grand Avenue

**REQUEST:** Approve a variance to construct a 583 square foot garage that encroaches into the required side yard setback. A 6" side yard setback is proposed (in lieu of 5'). This property is located in the RM3000 (Residential Medium Density) zone.

**APPLICANT:** Chris Fauria  
1707 Via El Prado Suite 201  
Redondo Beach, CA 90277

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

**BACKGROUND:** The applicant is proposing to construct a 583 square foot 3-car garage to replace an existing 517 square foot 2-car garage that has been damaged by tree roots. A variance is requested to allow the new garage to encroach 4'-6" into the required side yard setback.

**SUBJECT PROPERTY:** The subject property is located on the east side of Grand Avenue, between Sierra Vista and Pearl Avenues. According to the Los Angeles County Assessor, the irregularly shaped lot measures approximately 50 feet wide and 150 feet deep, and has a total lot area of 7,234 square feet.

The subject property is designated Residential Medium Density (17.4 du/acre) in the General Plan and is zoned RM3000. The site is surrounded by the following land uses.

**North (Across Colorado Boulevard):**

General Plan: Residential Medium Density (17.4 du/acre)  
Zoning: RM 3000 (Residential Medium 3000)  
Land Use: Multifamily Residential (3 units)

**South:**

General Plan: Residential Medium Density (17.4 du/acre)  
Zoning: RM 3000 (Residential Medium 3000)  
Land Use: Multifamily Residential (2 units)

**East:**

General Plan: Residential Medium Density (17.4 du/acre)  
Zoning: RM 3000 (Residential Medium 3000)  
Land Use: Single Family Residential (1 unit)

**West (Across Grand Avenue):**

General Plan: Residential Medium Density (17.4 du/acre)  
Zoning: RM 3000 (Residential Medium 3000)  
Land Use: Single Family Residential (1 unit)

**DISCUSSION/ANALYSIS:** The parcel is currently improved with two residential units and a detached garage. The front unit is developed with 1,019 square feet of living area and was built in 1967. The rear unit totals 729 square feet of living area and was built in 1914.

***Site Plan/Elevations***

The proposed garage will be situated 6" off the north property line. The proposed exterior finishes of the detached garage will match the stucco and roof materials of the existing front unit. The hip roof will measure 12' to the ridge, which is standard height for an accessory structure. The roof slope and overhang will match that of the existing front unit so as to minimize impacts to the neighboring property.

***Variance***

The approval of a variance is subject to findings set forth in Monrovia Municipal Code (MMC) Section 17.52.100. 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.

The shape of the subject parcel makes strict application of the zoning ordinance a practical difficulty in that the front and rear property lines create a parcel shape of a parallelogram. Zoning setback standards assume that residential lots are rectangular in shape. The RM zone allows detached accessory structures to be built up to the rear and side property lines. However, MMC §17.12.030 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 required side yard setback for accessory structures that are located within 80' of the front property line is 10% of the lot width and a minimum of 5'. In this case, the property measures 50' wide, thus requiring a 5' side yard setback from the north property line.

The accessory structure is proposed to be set back 6" from the side (north) property line. The proposed garage is 80' from the front property line on the north side of the parcel, however, the slanting front and rear property lines cause a portion of the proposed structure to be located closer than 80' from the front property line. The southwest corner of the proposed garage is located 72'-3" from the front property line.

The proposed location of the garage is the most practical option due to the limited developable area on the lot. MMC §17.24.030 requires interior garage dimensions of 18' wide by 20' deep and requires that garages are independently accessible with a minimum 25' of unobstructed space to be provided for the maneuvering of vehicles. MMC §17.12.030 also

requires a 10' separation between facing walls of separate buildings. These development standards severely limit where the garage could be located on the property. Furthermore, the 583 square foot three-car garage brings the residence closer into conformity, as §17.24.030 of the Monrovia Municipal Code requires a two-car garage per residential unit. The parcel is currently developed with two residential units and one two-car garage. Thus, strict application of the Zoning Ordinance would deprive the owner of this property from providing enclosed garage parking, 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 structures. Additionally, conditions have been imposed upon the development to maintain the concrete slab adjacent to the rear unit as an open parking space and to provide an 8' garage door and a 16' garage door to accommodate parking for three vehicles within the garage.

**RECOMMENDATION:** Staff and the Development Review Committee recommend approval of V2017-01. 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 V2017-01 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 V2017-01, which are incorporated herein by this reference.
4. The Planning Commission approves V2017-01, 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 V2017-01 pursuant to the recommendations in the Staff Report.**



## **STANDARD CONDITIONS FOR MULTIPLE RESIDENTIAL DEVELOPMENT**

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 conditional use permit.

### **DEVELOPMENT STANDARDS**

1. A final materials board shall be submitted to the Planning Division Manager for review and approval prior to building permit issuance. The final materials board shall include a breakdown by unit of materials to be used and samples/examples of siding, stucco, stone veneers, windows, exterior doors, garage doors, roofing, color schemes and exterior light fixtures.
2. No roof mounted mechanical equipment shall be permitted.
3. Ground level mechanical equipment shall be placed a minimum of 5' from the interior property lines and shall be completely screened with landscaping. Ground level mechanical equipment shall not be located within the front setback.
4. All 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 plans with provisions for appropriate screening.
5. An 8' garage door and a 16' garage door shall be installed to accommodate parking for three vehicles within the garage structure.
6. The concrete slab adjacent to and on the south side of the rear unit shall be maintained as an open parking space.
7. All paved parking and driveway areas shall be surfaced with Portland cement concrete (3-1/2" minimum thickness) or approved alternative.

### **GENERAL REQUIREMENTS**

8. The development shall be constructed in strict compliance with the approved building elevations and site plan.

9. In addition to Planning (Data Sheet No. 1) conditions of approval the Applicant shall also comply with all requirements of the Monrovia Municipal Code, Building Division and Fire Department that are directly applicable to the project.
10. 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.
11. 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 Numbers 1 and 2. The Variance V2017-01 shall be void and of no force or effect unless such written consent is submitted to the City within the 30 day period.
12. 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.
13. All of the above conditions shall be complied with prior to issuance of the Certificate of Occupancy, unless an earlier compliance period is specified as part of a condition.
14. 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.



# DATA SHEET 3

# Findings

V2017-01

154 Grand 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. V2017-01 to construct a garage that encroaches into the side yard setback at for the property located at 154 Grand Avenue is based on the following findings:

- A. Special circumstances applicable to this property related to the size, shape, topography, location, surroundings, or 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 shape of the subject parcel makes strict application of the zoning ordinance a practical difficulty in that the front and rear property lines create a parcel shape of a parallelogram. Zoning setback standards assume that residential lots are rectangular in shape. Monrovia Municipal Code (MMC) Section 17.12.030 states that accessory structures located less than 80' from the front property line must be set back the same distance from the side property line as a main structure (i.e., 5'), however, accessory structures located 80' or more from the front property line can be built up to the side property line. The accessory structure is proposed to be set back 6" from the side (north) property line. The proposed garage is 80' from the front property line on the north side of the parcel, however, the slanting front and rear property lines cause a portion of the proposed structure to be located closer than 80' from the front property line. The southwest corner of the proposed garage is located 72'-3" from the front property line.*
- 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. *The site is currently developed with two residential units and a two-car garage. Granting a variance for the new garage to encroach into the required side yard setback is not a grant of special privileges. §17.24.030 of the Monrovia Municipal Code requires a two-car garage per dwelling unit. Condition No. 5 on Data Sheet 1 requires that "an 8' garage door and a 16' garage door be installed to accommodate parking for three vehicles within the garage structure," which will bring the multifamily development closer into conformity with the City's parking standards. Furthermore, Condition No. 6 on Data Sheet 1 requires that "The concrete slab adjacent to and on the south side of the rear unit shall be maintained as an open parking space," so that parking for four vehicles can be accommodated on site.*
- C. The proposed development is expressly authorized by the zoning regulation governing the parcel of property. *Multiple family residential developments are permitted in the RM3000 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 two garage spaces per dwelling unit. The proposed 3-car garage brings the residence closer into conformity, which is nonconforming due to parking.*



# DATA SHEET 4

# Surrounding Land Uses

Variance V2017-01

154 Grand Avenue

## Property Description:

Located on the east side of Grand Avenue, between Sierra Vista and Pearl Avenues. According to the Los Angeles County Assessor, the lot measures approximately 50 feet wide and 150 feet deep, for a total lot area of 7,234 square feet.

## Zoning

Subject site:

RM3000 (Residential Medium 3000) Density

Surrounding pattern:

north: RM3000 (Residential Medium Density)

south: RM3000 (Residential Medium Density)

east: RM3000 (Residential Medium Density)

west: RM3000 (Residential Medium Density)

## Land Use

Subject site:

Multi Family Residence

Surrounding pattern:

north: Multi Family Residence

south: Multi Family Residence

east: Single Family Residence

west: Single Family Residence

Environmental Determination:

Categorical Exemption Class 3

Applicable Ordinance Regulations:

MMC 17.52.100 Planning Commission Authority for Variance



**NEW TWO CAR GARAGE FOR:**

Dale Sidebotham  
 154 Grand Avenue  
 Monrovia, CA 91016  
 (714) 403-4230

**LEGAL DESCRIPTION:**

Field & Booths Lot 13  
 A.P.N.: 8518-006-002

**ZONING:**

RM3000

**OCCUPANCY + TYPE OF CONSTRUCTION:**

R-3/U; Type V-B, 2 one story residences with detached 2 car garage

**SCOPE OF WORK:**

New 2 car garage

**NARRATIVE:**

To allow the home owner to be as close to the required 25 foot back up space from new garage while conforming to the City of Monrovia's drainage requirements and minimum interior garage depth.

**EXISTING FLOOR AREA:**

**BUILDING 1:**  
 LIVING AREA (existing to remain) 729 sq. ft.

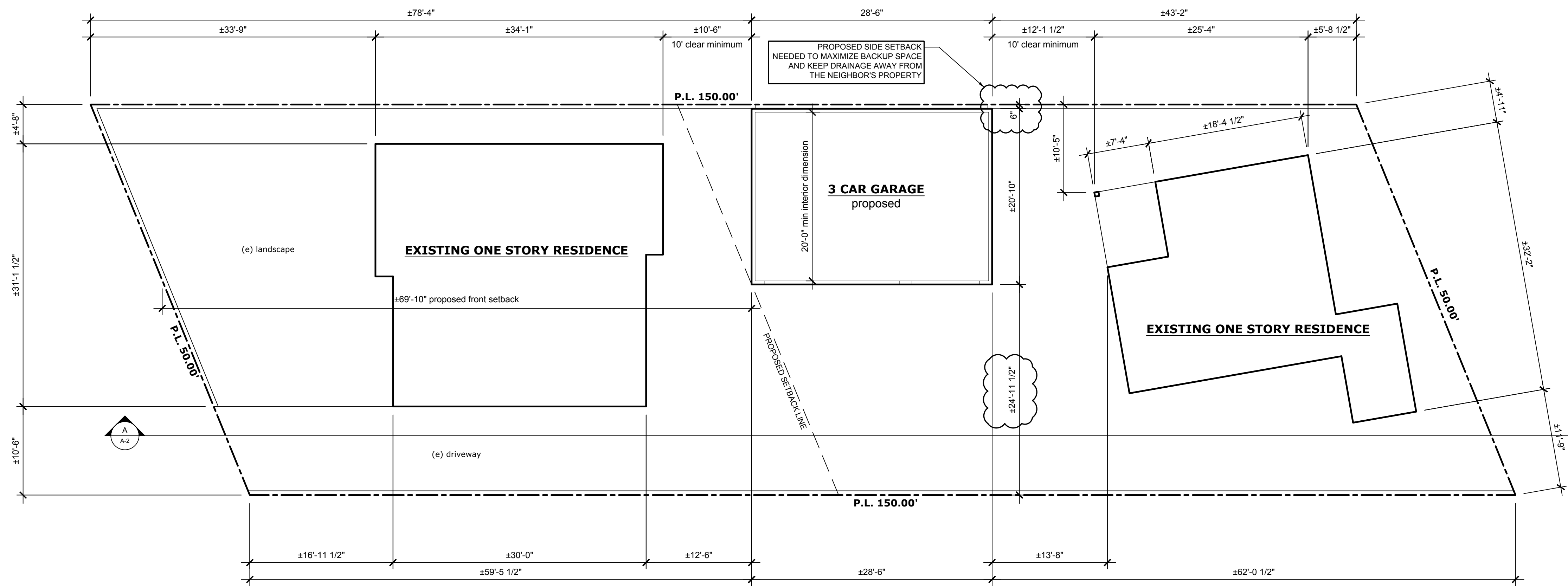
**BUILDING 2:**  
 LIVING AREA (existing to remain) 1,019 sq. ft.

**DETACHED GARAGE:**  
 GARAGE (demo) 517 sq. ft.

**PROPOSED GARAGE:**  
 GARAGE (new) 583 sq. ft.

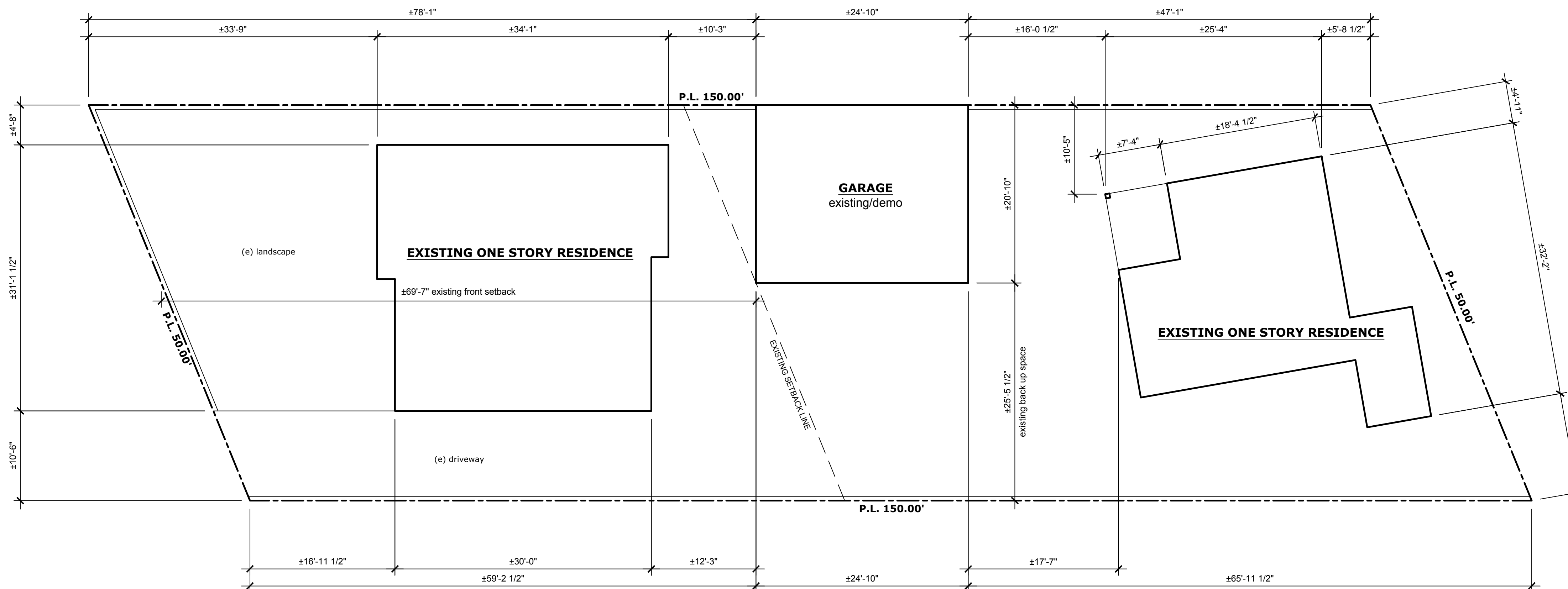
**LOT AREA/COVERAGE:**

LOT AREA (50' x 150.00') 6,945 sq. ft.  
 MAXIMUM FLOOR AREA RATIO (.4) 2,778 sq. ft.  
 EXISTING F.A.R. 1,646 sq. ft./24%  
 PROPOSED F.A.R. (no change) 1,646 sq. ft./24%



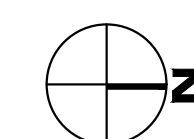
**PROPOSED SITE PLAN**

1/8" = 1'-0"

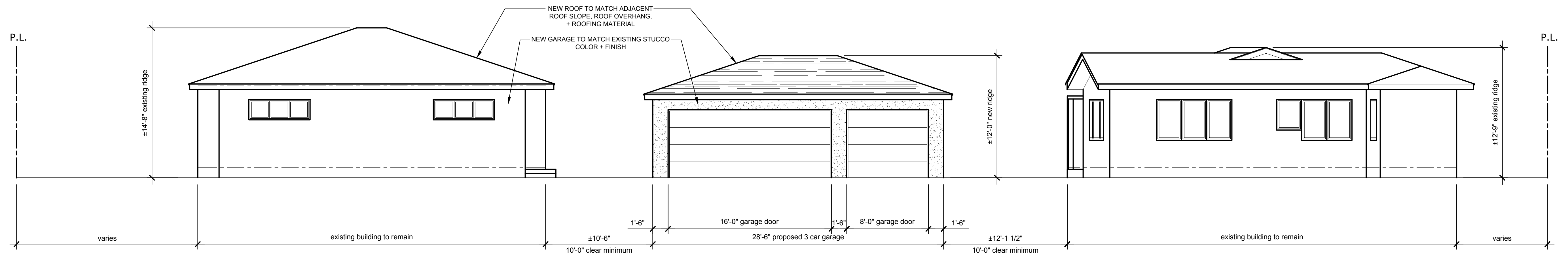


**EXISTING SITE PLAN**

1/8" = 1'-0"



**SIDEBOTHAM RESIDENCE**  
 154 Grand Avenue, Monrovia



**PROPOSED ELEVATION A**

3/16" = 1'-0"