

MANHATTAN BEACH - CITY COUNCIL APPEAL – 2505 CREST DRIVE

RESPECTFULLY PRESENTED TO THE CITY COUNCIL MEMBERS

1. 5 Planning Committee Members voted as follows:
Paralusz: OK with Findings #2 and #3 – Hard time making Finding #1
Ortmann: OK with Findings #2 and #3 – Hard time making Finding #1
Conaway: OK with Findings #2 and #3 – Hard time making Finding #1
Andreani: OK with #2 Maybe or no on #3 – No on #1
Gross: OK with #2 – No on #1 and #3.

2. Commissioner Paralusz encourages applicant to pursue an appeal to the City Council.

3. There was not one NEGATIVE response from anyone in the community to the Planning Department from the neighborhood mailings sent out or from the Newspaper notice.
Nor was there anyone from the community opposed to it at the Planning Committee Meeting on June 13, 2012.

4. The enclosed south facing deck of approximately 53 square feet is within the Foot-print of the building (No overhanging parts or extensions). The existing roof line remains the same height. (There is no raised roof line.)

5. The existing subject property is not overdeveloped. The total square footage for the buildings is approximately 1000 square feet less than the maximum allowed.

6. The existing building is located in an area where there are similar buildings with similar height and some with greater bulk. The enclosure of this south deck does not result in any negative or in an unattractive physical way that would obstruct or interfere with neighbors.

7. The south adjacent neighbors (relatives) are delighted that the deck is enclosed. The 13' foot long deck that faced the north side of their home presented problems. Not only did it run parallel for about 1/3rd of their home creating privacy issues, but it also created environmental issues: noise pollution, smoke emanating from cooking food on the barbeque on the deck.

8. Would like to discuss one of the three required findings before a variance may be granted. The first of the three is ambiguous and needs clarification.

#1. "Special circumstances applicable to the subject property, including narrowness and hollowness or shape, strict application of the requirements of this title would result in peculiar and exceptional difficulties to or exceptional and/or undue hardships upon, the owner of the property."

Staff member misinformed the Commissioners who were told that the finding for the special circumstances refers only to the lot, incorrectly interpreting a standard that was not contained within the code.

Special circumstances would apply: Flawed architectural design. The 13' deck should not have been placed between the two buildings causing hardship for the neighbor to the south. (See above Item No.7)

Hardship/ Privation: It would also correct an architectural deficient layout in the Living room where it was impossible for the placement of furniture. (lack of basic necessities or comforts of life.).

It seems from their remarks, there were at least 3 Planning Commissioners who would have wanted to vote for the variance.

9. The 53 square feet variance is a reasonable request. Overall development and use of the entire property complies with provisions of the RH zoning and also is in substantial conformance with the intent and provisions of the General Plan.

Thank You for Your Thoughtful Consideration,

Antonina Armato

On my behalf, my brother, Leonard Armato, will be making this appeal presentation to the members of the City Council.

HARDSHIP

1. Extreme privation: adversity, suffering
2. A source or cause of privation or difficulty

PRIVATION

1. Lack of the basic necessities or comforts of life. The condition resulting from such lack
2. An act, condition or result of deprivation or loss

PROPERTY

1. Ownership
2. A possession or possessions collectively
3. Something tangible or intangible to which its owner has legal title