

Attachment "B"

RE 10428 Hebron Lane

ZONE VARIANCE FINDINGS FOR APPROVAL:

1. Explain why the strict application of the zone code would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.

Proposed Finding: Hebron Lane was originally developed by the City at 18'6" in paved width, the curb cut installed by the City at the intersection with Beverly Glen Blvd. is 18'6", and all of the homes developed on the North Side of Hebron Lane have either a zero set back from the 20' dedicated right of way, or less than five feet. The homes on the South Side of Hebron Lane have retaining walls at approximately 18', or steep driveways up to parking areas 5 -15 feet above street level at the South Edge of the recently re-paved street. There are telephone poles and guy wires that are set at the edge of the recently paved roadway at 18'. It is not practicable to remove the encroaching improvements, telephone poles and regrade existing driveways to increase the existing 18'6" paved roadway to achieve a 20' CPV to Beverly Glen Blvd. from the Project Site.

2. Describe the special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.

Proposed Finding: The Project Property, like all of the properties on the South side of Hebron Lane, rises directly from the existing pavement edge and it is not practicable to significantly widen the pavement in front of the property because of grade changes. However, the pavement in front of the Project is already 19' and it can be practically widened to the edge of the existing 20' dedication, and the Owner is prepared to do so, and to move the existing short rubble retaining wall back to allow this widening.

3. Explain why the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships is denied to the property in question.

Proposed Finding: The Property was originally developed with an extremely small 850 sq.ft. cottage, which is much smaller than essentially all of the other houses on the street. The Easterly house is 1500 sq.ft. three story house on a much smaller lot. Most of the other houses are 2-3000 sq. foot or more. The proposed addition would simply bring the size of the Project in line with the other houses on the street, and at 3bd., 2ba., is

consistent with the size of these other homes. Without the variance the Project would be limited to 1bd., 1ba., which is inadequate even for a small family.

4. Explain why the granting of the variance would not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the subject property is located.

Proposed Finding: If the variance is granted, it will allow an addition that would add approximately 686 square feet to the existing 1289 square foot 1 bd, 1ba existing single family residence for a total of approximately 1975 SF by creating a 2nd floor level at the rear of the existing structure. The addition will add two bedrooms and a bath and make it suitable for a family to live in.

The original building height and roof line of the façade will remain the same with a gable peak of 14 feet. The new set back 2nd floor roof line/ total building height will be less than 26 feet, is equal to an existing stair case to the second level, and well below the allowable building height of 30 feet.

The total square footage is consistent with other adjacent homes in the neighborhood. For example; The property to the west at 10434 Hebron is 4500 SF on a 7500 SF. lot according to city records. The neighbor to the east at 10424 Hebron is 1500 SF on a 3145 SF lot. According to city records. The other properties on Hebron Lane range between 1000 and 3500 square feet and 1-3 stories.

5. Explain why granting of the variance would not adversely affect any element of the General Plan.

Proposed Finding: The property will remain a single family home with no additional dwelling units on the property will not impact the neighborhood adversely by creating additional traffic on the street, and is consistent with the General plan for the area.

Specific to the substandard street variance, 12.24-X, 28(b)(7):

(7) Street Access.

- (i) That the vehicular traffic associated with the Building or Structure will not create an adverse impact on Street access or circulation in the surrounding neighborhood; and

Proposed Finding: The property will remain a single family home with no additional dwelling units on the property will not impact the neighborhood adversely by creating additional traffic on the street.

(ii) That the Building or Structure will not be materially detrimental or injurious to the adjacent property or improvements; and

Proposed Finding: The Project is a second story completely within and above the existing foot print for the house. It is within applicable set backs, which are substantially greater than the set back on the adjacent property, which has a three story wall with limited windows facing West.

(iii) That the Building or Structure will not have a materially adverse safety impact on the surrounding neighborhood.

Proposed Finding: The project is a second story addition on an existing single family home and will not impact the neighborhood adversely by creating additional traffic on the street or materially changing the existing improvements.

(iv) That the site and/or existing improvements make strict adherence to Section [12.21](#) C.10.(i) of this Chapter impractical or infeasible.

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