



Legislation Text

File #: 18-1553, Version: 2

**AGENDA REPORT
REQUEST FOR CITY COUNCIL ACTION**

DATE: 3/7/2018

TO: Honorable Mayor and City Council Members

FROM: Community Development Department

SUBJECT:

V2017-0102: City Council consideration to take no action or set for review the Planning and Housing Commission's approval of V2017-0102, application to reduce the minimum required rear yard setback from 10 feet to 6.48 feet for an existing single family dwelling (located at 404 S. Merrill Street) to enable a potential future lot split in the SF (Single Family) designation of the Downtown Corona Revitalization Specific Plan (SP98-01). (Applicant: George Landry)

RECOMMENDED ACTION:

That the City Council:

1. Take no action, thereby affirming the Planning and Housing Commission's action granting V2017-0102, based on the findings contained in the staff report and conditions of approval.

OR

2. Set the item for review at a subsequent meeting.

ANALYSIS:

Variance 2017-0102 is an application by the property owner of 404 S. Merrill Street requesting a variance from the building setback required by the Downtown Revitalization Specific Plan (SP98-01) for Single Family (SF) residential properties. Specifically, the applicant is requesting to reduce the rear yard setback from 10 feet to 6.48 feet for an existing residence in order to accommodate a future lot split on the property. The property owner owns 14,810 square feet and only 7,405 square feet of the property is developed with a single family residence. The remainder of the property is undeveloped and essentially excess property for the owner. The owner is proposing to subdivide the property into two equal lots having an area of 7,405 square feet in order to allow another single family residence to be built on the vacant portion of the property. The SF designation of SP98-01 requires a minimum lot size of 7,200 square feet. Therefore, the future lot split would meet the minimum lot size of the zone.

The house as it stands today on the property adheres to the development standards of the SF designation. The property is a corner lot and the front of the property faces Merrill Street with the side facing Fourth Street. The municipal code definition for lot frontage is defined as *that portion of a lot which abuts a public right-of-way or approved private right-of-way; provided, however, if certain portions of a lot abut two or more public rights-of-way or approved private rights-of-way, the frontage of the lot shall be the narrowest portion of the lot which abuts the rights-of-way*. The proposed lot split would change the orientation of the parcel to where the front would now face Fourth Street and the side would be along Merrill Street. This results in the previous side yard becoming the rear yard and requiring a 10 foot building setback to the property line as opposed to the five foot setback required for the side yard. The vacant portion of the property is located to the west of the residence resulting in the lot split going in a north and south direction.

The findings for a variance shall demonstrate that the subject property must be considered to be deprived of privileges enjoyed by other properties in the vicinity in the same zoning designation. It can be seen that the properties in the vicinity accommodate single family residences. The vacant portion of the project site is at a distinct disadvantage to be able to accommodate a single family residence unless the reconfiguration of the lot line can be executed, and that necessitates the consideration of the subject variance for the rear yard setback on the occupied portion of the project site. The variance would not change the physical location or appearance of the existing residence and therefore not affect the public health, safety and general welfare of properties in the vicinity of the subject site.

COMMITTEE ACTION:

The Infrastructure Committee at its meeting on November 1, 2017 discussed the variance and the Committee expressed no objection to the request.

STRATEGIC PLAN:

Not applicable.

FISCAL IMPACT:

The applicant has paid all required processing fees for this request.

ENVIRONMENTAL ANALYSIS:

The project qualifies as a Class 5 Categorical Exemption under the CEQA Section 15305 (Minor Alternations in Land Use Limitations including setback variances) because the project consists of reducing the rear yard setback for an existing single family dwelling from 10 feet to 6.48 feet. The reduction of the setback will enable the property owner to re-orient an existing east-west lot line to a north-south configuration freeing up a substantial vacant portion of the site to be constructed with a single family residence. Since the property is originally comprised of two lots, the setback variance would not result in the creation of any new parcel as the lot line adjustment would result in the same number of lots (two) that are existing on the property. Also, the variance will not change the physical location of the existing residence.

PLANNING AND HOUSING COMMISSION ACTION:

At its meeting of February 12, 2018, the Planning and Housing Commission considered the subject matter and took the following action:

Motion was made, seconded (Carrillo/Jones) and carried unanimously with Commissioner Norton

absent, that the Planning and Housing Commission adopt Resolution No. 2507 granting V2017-0102 based on the findings contained in the staff report and conditions of approval. The minutes of the Planning and Housing Commission meeting are included as Exhibit 4.

PREPARED BY: JOANNE COLETTA, COMMUNITY DEVELOPMENT DIRECTOR

REVIEWED BY: KERRY D. EDEN, ASSISTANT CITY MANAGER/ADMINISTRATIVE SERVICES DIRECTOR

SUBMITTED BY: DARRELL TALBERT, CITY MANAGER

Exhibits:

1. Locational and Zoning Map.
2. Site Plan for V2017-0102.
3. Planning and Housing Commission Staff Report
4. Draft Minutes of the Planning and Housing Commission meeting of February 12, 2018.