

City of Burlingame

Parking Variance

Item No. 8b
Regular Action Item

Address: 1101 Rosedale Avenue

Meeting Date: January 14, 2019

Request: Application for Parking Variance to legalize an uncovered parking space within the front setback that does not lead to a garage or carport.

Applicant and Designer: Martin Miller

APN: 025-241-010

Property Owners: Martin Miller and Jennifer McNally

Lot Area: 5,610 SF

General Plan: Low Density Residential

Zoning: R-1

Environmental Review Status: The project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15301 (a) which states that interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveniences are exempt from environmental review.

Project Description: The subject property is a corner lot with frontages on California Drive (rear), Rosedale Avenue (exterior side), and Eastmoor Road (front). The driveway entrance on Rosedale Avenue leads to two attached single-car garages.

The current application proposes a primarily interior remodel to the existing house that will eliminate the interior garage adjacent to the living space. This will reduce the amount of covered and required parking on-site. The footprint, setbacks, lot coverage, and floor area of the existing house will not be altered.

The proposed interior remodel will increase the number of bedrooms from two to three. The existing driveway has a nonconforming depth of 10'-6" (to inner edge of sidewalk) and therefore does not provide enough area for a code compliant uncovered parking space on-site. The zoning code requires that single family dwellings with four or fewer bedrooms have a total of two off-street parking spaces (one of which must be covered). In this case, the existing house complies with the parking requirements by providing two covered parking spaces. With the proposed project, one covered space will be removed. The applicant is requesting a Variance to legalize an existing uncovered parking space within the front setback that does not lead to a garage or carport. Legalizing this space would fulfill the amount of required parking on-site for the proposed project.

The exterior-side single-car garage has a clear interior dimension of 10' x 21'-11" and the interior single-car garage has a clear interior dimension of 10'-6" x 22'-2". With the proposed remodel, the interior garage will be converted into a bedroom and a bathroom with a hall that leads into the kitchen. There are no proposed improvements to the exterior-side garage.

The applicant is requesting the following application:

- Parking Variance to legalize an uncovered parking space within the front setback that does not lead to a garage or carport (C.S. 25.70.030 (c)(1)).

Staff Comments: None

Study Meeting: At the Study meeting on December 10, 2018, the Planning Commission reviewed the proposed requests for a Special Permit for reduction of on-site parking and Variance for not meeting the minimum amount of required parking on-site. Though the Commission could support the Special Permit, they could not find support for the Variance request. Because there is an existing uncovered paved area within the front setback that has been historically used for parking, the Commission directed the applicant to revise their Variance application to legalize this uncovered parking area instead (see attached December 10, 2018 Planning Commission Minutes).

The applicant submitted revised plans date stamped December 18, 2018.

Required Findings for Parking Variance: In order to grant a Parking Variance the Planning Commission must find that the following conditions exist on the property (Code Section 25.54.020 a-d):

- (a) there are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to property in the same district;
- (b) the granting of the application is necessary for the preservation and enjoyment of a substantial property right of the applicant, and to prevent unreasonable property loss or unnecessary hardship;
- (c) the granting of the application will not be detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety, general welfare or convenience; and
- (d) that the use of the property will be compatible with the aesthetics, mass, bulk and character of existing and potential uses of properties in the general vicinity.

Suggested Findings for a Variance: That granting the Parking Variance will not be detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety, general welfare or convenience because the uncovered space is existing, has been used in this manner for many years, and no additional alterations are being proposed to the paved area. That there are no changes to the aesthetics or mass of the building and though it is within the front setback, the uncovered space is compatible with the parking patterns of other residences on the same block (Eastmoor Road). For these reasons the project may be found to be compatible with the variance criteria listed above.

Planning Commission Action: The Planning Commission should conduct a public hearing on the application, and consider public testimony and the analysis contained within the staff report. Action should include specific findings supporting the Planning Commission's decision, and should be affirmed by resolution of the Planning Commission. The reasons for any action should be stated clearly for the record. At the public hearing the following conditions should be considered:

- 1. that the project shall be built as shown on the plans submitted to the Planning Division date stamped December 18, 2018, sheets A1 through A5;
- 2. that if any changes are made to the unpaved area that reduces the required parking dimensions (9' x 20'), then the Parking Variance associated with 1101 Rosedale Avenue shall be void and/or an amendment to the permit may be required;
- 3. that any recycling containers, debris boxes or dumpsters for the construction project shall be placed upon the private property, if feasible, as determined by the Community Development Director;
- 4. that demolition or removal of the existing structures and any grading or earth moving on the site shall not occur until a building permit has been issued and such site work shall be required to comply with all the regulations of the Bay Area Air Quality Management District;
- 5. that the project shall comply with the Construction and Demolition Debris Recycling Ordinance which requires affected demolition, new construction and alteration projects to submit a Waste Reduction plan and meet recycling requirements; any partial or full demolition of a structure, interior or exterior, shall require a demolition permit; and
- 6. that the project shall meet all the requirements of the California Building and Uniform Fire Codes, 2016 Edition, as amended by the City of Burlingame.

'Amelia Kolokihakaufisi
Associate Planner

c. Martin Miller, applicant and property owner

Attachments:

December 10, 2018 Planning Commission Minutes
Application to the Planning Commission
Variance Application
Planning Commission Resolution (proposed)
Notice of Public Hearing – Mailed January 4, 2019
Area Map