



## CITY OF CARSON

### PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: April 14, 2010

SUBJECT: Conditional Use Permit No. 777-09

APPLICANT/PROPERTY OWNER: Jae H. Kim  
401 Downey Lane  
Placentia, CA 92870

REQUEST: To approve a Conditional Use Permit for a second dwelling located within the RS (Residential, Single-Family) zoning district.

PROPERTY INVOLVED: 806-808 East Lincoln Street

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#### COMMISSION ACTION

☐ Concurred with staff

☐ Did not concur with staff

☐ Other

#### COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Graber
		Vice-Chair Saenz			Park
		Brimmer			Schaefer
		Diaz			Verrett
		Gordon			

*Item No. 11E*

## **I. Introduction**

The applicant, Jae H. Kim is requesting approval of Conditional Use Permit (CUP) No. 777-09 pursuant to Carson Municipal Code (CMC) Section 9172.21, "Conditional Use Permit" and 9182.3, "Nonconforming Residential Density" for an existing second dwelling unit within the RS (Residential, Single-Family) zoning district located at 806-808 East Lincoln Street (Exhibit No. 1). The project site is located on a 5,130-square-foot parcel with two dwelling units totaling approximately 1,823 square feet (Exhibit No. 2). The first dwelling unit located in the front of the property (806 Lincoln Avenue) was constructed in 1940 and is approximately 704 square feet. The second dwelling unit located in the rear of the property (808 Lincoln Avenue) was constructed in 1930 and is approximately 669 square feet. The rear dwelling unit is considered the second dwelling unit and under consideration for a conditional use permit since it is the smaller unit.

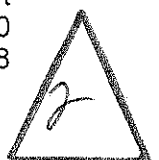
## **II. Background**

On November 10, 2009, the property owner, Jae H. Kim entered into a Property Remediation Agreement with the city of Carson to purchase the foreclosed property located at 806-808 East Lincoln Street and assumed responsibility for the correction of any code violations identified in the Residential Property Report (RPR) (Exhibit No. 3).

During the inspection for the RPR, Building and Safety staff identified several violations. The major violations consist of the existing two-car garage being permitted in 1946 but a final inspection or sign-off was never issued and the existing garage and laundry room were illegally converted to a third unit. The garage was carpeted and the unpermitted laundry room was illegally converted to a bathroom.

The RPR has identified the following corrections required to be completed by the buyer prior to occupancy:

1. Submit an application to the Planning Division to legalize the second dwelling unit or obtain building permits to demolish it.
2. Restore the existing garage.
3. Remove the carpet from the existing garage.
4. Demolish the unpermitted patio cover.
5. Remove the above ground spa.
6. Bring all electrical, plumbing, and water heater up to building code.
7. Submit plans and a completed building permit application to the Planning Division to restore/permit the garage, laundry room, and demolish the patio cover and spa.
8. Correct all violations and finalize all permits with final sign off from the Building Inspector.



Currently, the property owner is in compliance or in the process of complying with the above requirements. The property owner has met the compliance schedule to submit a CUP for the existing second dwelling unit to the Planning Division. All other compliance dates have been postponed and addressed in the conditions of approval. The site is currently unoccupied due to the uninhabitable conditions of the site and the RPR restriction.

### III. Analysis

#### *Conditional Use Permits*

According to CMC Section 9172.21, "Conditional Use Permit", the Planning Commission shall recommend approval of the proposal if it is able to make affirmative findings based on the following criteria:

**a. The proposed use and development will be consistent with the General Plan.**

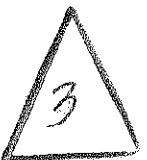
The proposed project is consistent with the General Plan of the city of Carson in that the subject property is designated for Low Density Residential and zoned RS (Residential, Single Family). The adjacent properties to the north, south, east, and west share the same zoning designation.

**b. The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development.**

The proposed project generally meets the design and development standards in the CMC. CMC Section 9182.3 states, "When approving a conditional use permit, the Commission shall make findings regarding the adequacy of on-site parking and applicable development standards contained in CMC 9125.6". In regards to the development standards in CMC 9125.6, the second dwelling unit does not meet the minimum lot size, minimum parking requirements for the second dwelling unit, and exceeds the minimum set back requirements from an accessory structure, rear yard setback, and side yard setback.

Per CMC Section 9182.3, the minimum lot size for a second dwelling unit within the RS zone is 7,500 square feet. The lot size of the property is 5,130 square feet. The required minimum rear yard setback is fifteen (15) feet, side yard setback is five (5) and the required setback for a second dwelling unit to an accessory structure is six (6) feet. The second dwelling unit is three (3) feet and nine (9) inches from the garage/laundry room, four (4) feet and three (3) inches from the side yard and four (4) feet from the rear property line, all of which are legal nonconforming.

A two bedroom second dwelling unit is required to provide two (2) covered parking spaces within a garage. A two-car garage is provided on-site for the primary dwelling unit, however no additional covered parking is provided on-site. Uncovered parking on the driveway is available to accommodate up to two cars.



Although the site does not meet all the developments standards within CMC Section 9182.3, CMC Section 9182.3 (B) states, "In the RS or RA Zone, a lawfully established residential use of a type or with a density of dwelling units no longer permitted in the RS or RA Zone shall be considered to be a nonconforming use subject to the provisions of CMC 9182.21 through 9282.23." Therefore per CMC 9182.21, "conditions may be included which provide for either the continuation or termination of each nonconformity existing on the site" when granting a conditional use permit. Also, CMC 9122.8(C) implies if standards in CMC 9125.6 are not met then a CUP is required for the existing lawfully established unit.

Since the second dwelling unit was lawfully constructed in 1940, staff believes the nonconformities on the site (except for parking) should continue with the approval of a conditional use permit. Staff believes the parking nonconformity should continue until there is an expansion or addition to the second dwelling unit, which at that time, the site will be required to meet all parking requirements.

Per the requirements of the RPR, the applicant is required to meet all electrical, plumbing, and water heater standards. In addition, the applicant has provided staff with a property inspection report that was prepared by a qualified/certified property inspector (Exhibit No. 4). The inspection report includes plans to eliminate or mitigate any building, plumbing, electrical and fire code deficiencies. The deficiencies described in the inspection report will be conditioned to be addressed within 90 days from the approval of the conditional use permit.

The property owner is also renovating the interior of both units, removing all fixtures, carpet, tile, damaged walls and ceilings and replacing them with brand new materials. The property owner will also remove/replace all deteriorated landscaping and maintain existing landscaping.

With the proposed improvements, requirements of the RPR, and conditions of approval the site and building is adequate in size, shape, topography, location, and utilities to accommodate the proposed use.

**c. There will be adequate street access and traffic capacity.**

Adequate driveway widths are provided on-site. Appropriate access is available for circulation and to ensure safety for pedestrians and motorists. The project will not affect or impact the safe circulation of either pedestrians or vehicular traffic.

**d. There will be adequate water supply for fire protection.**

Prior to the issuance of any permits, the Los Angeles County Fire Department will ensure adequate water supply for fire protection is provided. In addition, water supply should already be adequate since the site is existing.

**e. The proposed use and development will be compatible with the intended character of the area.**

The property owner has proposed significant improvements to the site and will be bringing the site into conformance with the approval of a conditional use permit and



completion of the RPR. The site was a foreclosure property and had several nonconformities. With the approval of a conditional use permit, the applicant will be bringing the site into conformance and providing significant improvements that will greatly improve the quality of the site and improve the character of the area.

In addition, the Planning Division will conduct a final inspection to ensure compatibility with the intended character of the area.

**f. Such other criteria as are specified for the particular use in other sections of this chapter (Zoning Ordinance).**

The proposed project is subject to the requirements in CMC Section 9182.3, "Nonconforming Residential Density" and Section 9125.6, "Second Dwelling Unit Development Standard". The specific requirements of these sections have been discussed above under Section III (b).

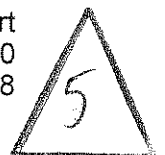
Staff has inspected the property and reviewed all building permit records. There are no major issues identified in the property inspection report that have not already been addressed by the RPR.

Per CMC Section 9182.3 (A), the Commission may require additional improvements to the property, or any buildings or structures thereon, which may include but are not limited to the following:

1. New or rehabilitated landscaping;
2. Exterior changes to promote compatibility of buildings and structures with surrounding development;
3. General repairs to vehicular maneuvering or parking areas; and
4. Modifications designed to bring a structure more nearly into compliance with the applicable standards for second dwelling units.

Staff believes no additional requirements or limitations are needed. The existing second unit and primary unit will be upgraded with the approval of the conditional use permit and result in a positive contribution to the neighborhood and city's housing resource.

Staff believes the project meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations subject to compliance with the conditions of approval. Therefore all of the required findings pursuant to Section 9172.21(D), "Conditional Use Permit, Commission Findings and Decision" and Section 9122.8, "Second Dwelling Units" can be made in the affirmative, if conditions of approval are implemented.



#### IV. Issues of Concern

##### *Owner-Occupancy*

One of the requirements of CMC Section 9125.6 (L) states that the property owner must file a deed restriction with the County Recorder stating, "The second dwelling unit shall be considered legal only so long as either the primary residence or the second dwelling unit is *occupied by the owner of record of the property*". The applicant wishes to renovate the dwelling units on the project site and utilize them as rental units. The applicant is requesting that the Planning Commission remove the owner-occupancy requirement with the approval of the conditional use permit.

Per CMC Section 9172.21, the Planning Commission may impose conditions as deemed necessary to carry out the intent of the Conditional Use Permit process and to protect the public health, safety and general welfare.

Staff believes second dwelling units of single family residential zoned lots provide an important housing resource that should be preserved if findings can be made regarding the adequacy of the building condition, parking, landscaping and other features needed to meet neighborhood compatibility standards. Staff recommends the owner-occupancy requirement be removed with the approval of the conditional use permit.

##### *Parking/Other*

As discussed above, the site does not provide adequate parking to meet the requirements of the second dwelling unit. Any expansions or additions to the second dwelling unit may intensify potential hazards associated with deficient off-street parking. Therefore, to mitigate any foreseeable parking impacts and in compliance with the RPR and CMC Sections 9182.02, 9182.21, and 9182.3, staff recommends the following conditions are added:

1. Any expansions and/or alterations of the secondary unit will constitute as an intensification of use and the nonconforming parking privilege will no longer be continued. An additional two-car garage will be required to be provided on-site prior to the approval of any expansions to the second unit including but not limited to the addition of bedrooms, other habitable areas, and additional square footage.
2. Any minor alterations, improvements and or repairs shall require review and approval by the Planning Division and issuance of a building permit, if applicable.
3. A property inspection report was prepared by a qualified/certified property inspector that includes plans to eliminate or mitigate any building, plumbing, electrical and fire code deficiencies. The deficiencies described in the inspection report shall be eliminated or mitigated within 90 days. The Planning Division shall inspect the property for compliance with the corrective measures. An extension of time to complete necessary corrective measures may be granted for up to an additional 90 days, subject to the discretion of the Planning Division.



4. The existing garage and laundry area shall be properly permitted and brought into compliance with applicable municipal code sections within 90 days, subject to review and approval by the Planning Division.
5. The driveway leading to the garage shall remain clear, except for automobiles, to facilitate automobile parking and access.
6. The existing laundry room must be utilized as a laundry and/or storage room. No other uses will be permitted within this area.
7. Per CMC Section 9125.6.8 (L)(1), the applicant shall submit a deed restriction stating that:
  - a. The second dwelling unit shall not be sold separately;
  - b. The second dwelling unit is restricted to the maximum size allowed per the conditional use permit;
  - c. The restrictions shall be binding upon any successor in ownership of the property and lack of compliance shall void the approval of the unit and may result in legal action against the property owner; and
  - d. *The second dwelling unit shall be considered legal only so long as either primary residence or the second dwelling unit is occupied by the owner of record of the property. (Will be added if the Planning Commission does not waive the owner-occupancy requirement).*

#### V. Environmental Review

Pursuant to Section 15301 – Existing Facilities (Class 1) of the California Environmental Quality Act (CEQA), the existing second dwelling unit does not have the potential to cause a significant effect on the environment.

#### VI. Recommendation

That the Planning Commission:

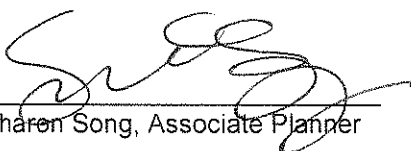
- APPROVE Conditional Use Permit No. 777-09 subject to the conditions of approval attached as Exhibit “B” to the Resolution; and
- WAIVE further reading and ADOPT Resolution No. 10-\_\_\_\_\_, entitled “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CONDITIONAL USE PERMIT NO. 777-09 FOR AN EXISTING SECOND DWELLING UNIT LOCATED AT 806-808 EAST LINCOLN STREET.”



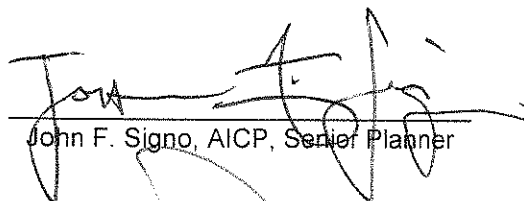
**VII. Exhibits**

1. Draft Resolution
2. Site Map
3. Property Remediation Agreement, which includes the Residential Property Report
4. Property Inspection Report for 806-808 East Lincoln Street
5. Second Dwelling Unit Checklist
6. Development Plans (under separate cover)

**Prepared by:**

  
Sharon Song, Associate Planner

**Reviewed by:**

  
John F. Signo, AICP, Senior Planner

**Approved by:**

  
Sheri Repp, Planning Officer





**CITY OF CARSON**  
**PLANNING COMMISSION**  
**RESOLUTION NO. 10-XXXX**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT  
NO. 777-09 FOR AN EXISTING SECOND DWELLING UNIT  
LOCATED AT 806-808 EAST LINCOLN STREET**

**THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA,  
HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:**

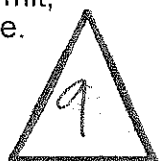
**Section 1.** An application was duly filed by the applicant, Jae H. Kim, with respect to real property located at 806-808 East Lincoln Street, and described in Exhibit "A" attached hereto, requesting the approval of an existing detached second dwelling unit located within the RS (Residential, Single Family) zoned district. The second dwelling unit is 669 square feet and located in the rear of the property.

A public hearing was duly held on April 13, 2010, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

**Section 2.** Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

**Section 3.** The Planning Commission finds that:

- a) The proposed project is identified in the Carson Municipal Code as a permitted use for this land use category subject to Conditional Use Permit approval. There is no specific plan for this area. The surrounding properties are developed with residential single family dwellings and the proposed project is compatible with the neighborhood.
- b) The project is compatible in architecture and design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures, open spaces and other features relative to a harmonious and attractive development of the area. A Property Inspection Report has been prepared that identifies deficiencies that will be corrected by the owner within 90 days of approval.
- c) The project will not generate significant adverse effects to the adjacent public street.
- d) There are no signs intended for the proposed project.
- e) The proposed project conforms to all applicable design standards and guidelines that have been adopted pursuant to Section 9172.15 of the Carson Municipal Code.
- f) The existing second dwelling unit meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations. All of the required findings pursuant to Section 9172.21(d), "Conditional Use Permit, Approval Authority and Findings and Decision" can be made in the affirmative.



**Section 4.** The Planning Commission further finds that the use permitted by the proposed Conditional Use Permit will not have a significant effect on the environment. The proposed use will not alter the predominantly residential single family character of the surrounding area and meets or exceeds all city standards for protection of the environment. Therefore, the proposed project is found to be categorically exempt under the CEQA Guidelines, Section 15301 (Existing Structures or Facilities).

**Section 5.** Based on the aforementioned findings, the Planning Commission hereby approves the categorical exemption and grants Conditional Use Permit No. 777-09 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

**Section 6.** The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

**Section 7.** This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Municipal Code.

**PASSED, APPROVED AND ADOPTED THIS 13<sup>th</sup> DAY OF APRIL, 2010.**

\_\_\_\_\_  
**CHAIRMAN**

**ATTEST:**

\_\_\_\_\_  
**SECRETARY**



## Exhibit "A"

### LEGAL DESCRIPTION

LOT 2 IN BLOCK "E", OF TRACT NO. 5766, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 74 PAGE(S) 69 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.



**CITY OF CARSON**  
**DEVELOPMENT SERVICES**  
**PLANNING DIVISION**

**EXHIBIT "B"**

**CONDITIONS OF APPROVAL**

**CONDITIONAL USE PERMIT NO. 777-09**

**GENERAL CONDITIONS**

1. If Conditional Use Permit No. 777-09 is not used within one year of its effective date, said permit shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
2. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
3. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review and approval by the Planning Commission.
4. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval to be reviewed and approved by the Planning Division within 90 days of receiving approval by the Planning Commission.
5. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
6. It is further made a condition of this approval that if any condition is violated or if any law, statute, or ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.
7. The Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceedings against the City or its agents, officers, or employees to attack, set aside, void or annul, an approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 777-09. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding



the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

8. A property inspection report was prepared by a qualified/certified property inspector that includes plans to eliminate or mitigate any building, plumbing, electrical and fire code deficiencies. The deficiencies described in the inspection report shall be eliminated or mitigated within 90 days. The Planning Division shall inspect the property for compliance with the corrective measures. An extension of time to complete necessary corrective measures may be granted for up to an additional 90 days, subject to the discretion of the Planning Division.
9. The existing garage and laundry area shall be properly permitted and brought into compliance with applicable municipal code sections within 90 days, subject to review and approval by the Planning Division.
10. The existing laundry room must be utilized as a laundry and/or storage room. No other uses will be permitted within this area.
11. All dilapidated landscaping must be removed and replaced with adequate landscaping. Any weeds or similar plant material must be removed from driveways.
12. Per Carson Municipal Code Section 9125.6.8 (L)(1), the applicant shall submit a deed restriction stating that:
  - a. The second dwelling unit shall not be sold separately;
  - b. The second dwelling unit is restricted to the maximum size allowed per the conditional use permit;
  - c. The restrictions shall be binding upon any successor in ownership of the property and lack of compliance shall void the approval of the unit and may result in legal action against the property owner; and
  - d. *The second dwelling unit shall be considered legal only so long as either primary residence or the second dwelling unit is occupied by the owner of record of the property. **(This conditions will be deleted if the Planning Commission waives the owner-occupancy requirement).***
13. The deed restriction shall be recorded at the County Recorder's Office within 30 days after it is reviewed and approved by the Planning Division. Proof of recordation shall be furnished to the Planning Division.

#### SECOND DWELLING UNIT EXPANSION/ALTERATIONS/AESTHETICS

14. Any changes to the second dwelling unit shall be limited to minor alterations, improvements, repairs, or changes of use which do not increase the degree of nonconformity present and do not constitute or tend to produce an expansion or intensification of a nonconforming use.



15. Any minor alterations, improvements and or repairs shall require review and approval (where applicable) by the Planning Division and issuance of a building permit.

#### PARKING

16. Existing garages shall be used for parking of vehicles only and not for storage or habitable space. There shall be no parking of in-operable automobiles on any garage driveway. Driveways shall be kept clear of any household items, firewood, plants or rubbish. Further, there shall be no un-authorized dwelling expansion or alteration that will intensify potential hazards associated with not having sufficient off-street parking.
17. Any expansions and/or alterations of the secondary unit will constitute as an intensification of use and the nonconforming parking privilege will no longer be continued. An additional two-car garage will be required to be provided on-site prior to the approval of any expansions to the second unit including but not limited to the addition of bedrooms, other habitable areas, and additional square footage.
18. The driveway leading to the garage shall remain clear, except for automobiles, to facilitate automobile parking and access.

#### BUILDING & SAFETY

19. All building improvements shall comply with City of Carson Building and & Safety Division requirements.

#### FIRE DEPARTMENT - COUNTY OF LOS ANGELES

20. All requirements by the Los Angeles County Fire Department shall be met.
21. There shall be no storage allowed within any required building setback yard area to promote fire safety.

#### BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

22. Per section 6310 of the Carson Municipal Code, all parties involved in the project, including but not limited to contractors and subcontractors, will need to obtain a City Business License.







## CITY OF CARSON

701 East Carson Street, Carson, California 90745

### PROPERTY REMEDIATION AGREEMENT Carson Municipal Code Section 5909 (c)

THIS AGREEMENT is made as of November 10, 2009, by and between the City of Carson, a body corporate and politic ("City") and Jae H. and Heidi Kim ("Buyer").

#### RECITALS

A. Buyer intends to purchase that certain real property, located within City's territory, commonly known as 806 E. Lincoln Street ("the Property").

B. Buyer has received from the owner of the Property a City-prepared residential property report identifying certain code violations existing at the Property ("the Residential Property Report"). A copy of the Residential Property Report is attached hereto as Exhibit "A" and incorporated herein by this reference.

C. In accordance with Carson Municipal Code Section 5909 (c), Buyer desires to assume responsibility for correction of the code violations identified in the Residential Property Report. City consents to Buyer's assumption of such responsibility under the terms of this Agreement.

D. City and Buyer have negotiated a compliance schedule imposing deadlines for correction of the code violations identified in the Residential Property Report ("the Compliance Schedule"). A copy of the Compliance Schedule is attached hereto as Exhibit "B" and incorporated herein by this reference.

NOW, THEREFORE, in consideration of performance by the parties of the Promises, covenants, and conditions herein contained, the parties hereto agree as follows:

1. **Provision of Performance Security.** Upon execution of this Agreement, Buyer shall provide City with a performance security in the amount of \$12,480.00 to be held in an escrow account. With this security, Buyer assures faithful performance of Buyer's promise to correct the code violations identified in the Residential Property Report in accordance with the deadlines imposed by the Compliance Schedule. Buyer and City agree that the purposes of the performance security are to serve as an incentive to Buyer to complete the corrections in a timely manner, and to reimburse City for its code enforcement costs in the event that Buyer fails to do so. Buyer and City further agree that the



**COMPLIANCE SCHEDULE**  
per Property Remediation Agreement for  
806 E. Lincoln Street  
dated November 10, 2009

Below is the compliance schedule for corrections of code violations identified at above address:

Correction Required:	Number of Days Given to Comply:	Required Date of Compliance:
Submit 3 sets of site plans and a completed building permit application to the Planning Division to restore the garage, demolish the patio cover and spa, and permit storage shed. Obtain all appropriate building permits from the Building and Safety Division.	30	December 10, 2009
Submit application to Planning for conditional use permit (CUP) to legalize second dwelling unit (rear house) or obtain building permits to demolish it.	30	December 10, 2009
Restore garage, demolish patio cover, remove spa, and bring all electrical, plumbing, and water heater up to code.	45	December 29, 2009
Demolish second dwelling unit (rear house) should Buyer decide not to submit application for CUP.	60	January 11, 2010
Correct all violations and finalize all permits with final sign off from Building Inspector.	90	February 8, 2010 (may change if application for CUP is submitted)

At the completion of this Compliance Schedule, a reinspection must be done by a Building and Safety Official specifically to ensure that all corrections were made in accordance with the Residential Property Report. Once the corrections are verified, a release will be given so that funds held in escrow as performance security will be released.



# South Bay Home Inspections

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## SUMMARY REPORT

**Client:** Jae Kim  
**Inspection Address:** 806 - 808 E. Lincoln St., Carson, CA  
**Inspection Date:** 2/28/2010 Start: 9:00 am End: 11:00 am  
**Inspected by:** Randy Pierson

This summary report will provide you with a preview of the components or conditions that need service or a second opinion, but it is not definitive, and it is essential that you read the full report. Regardless, in recommending service, we have fulfilled our contractual obligation as generalists and disclaim any further responsibility. However, service is essential because a specialist might identify further defects or recommend some upgrades that could affect your evaluation of the property.

**This report is the exclusive property of South Bay Home Inspections and the client whose name appears herewith, and its use by any unauthorized persons is prohibited.**

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### *Components and Conditions Needing Service*

#### **Exterior**

##### **Site and Other Observations**

###### **Neglected Property Comments**

- The property has been neglected, and we will not comment further on the obvious and numerous deficiencies. However, you should obtain estimates from a general contractor, because the cost of renovation could affect your evaluation of the property.

##### **Exterior Components**

###### **Fascia and Trim**

- Sections of the fascia and trim need maintenance type service, and particularly on the south facing side where they are exposed to direct sunlight.

###### **Patio Covers or Gazebos**

- The patio cover has substandard aspects, which imply that it could have been built without the benefit of a permit. We can elaborate on this issue, but you should request the permit from the sellers, or seek a second opinion.

###### **Lights**

- Several of the exterior lights did not respond. We recommend further evaluation by a licensed electrician.

#### **Plumbing**

##### **Unit A - Potable Water Supply Pipes**



Inspection Address: 806 - 808 E. Lincoln St., Carson, CA  
Inspection Date/Time: 2/28/2010 9:00 am to 11:00 am

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#### **Water Main Location**

- Unit A & B - The main water shut-off valve is located at the front of the residence. However, water was not on at the time of inspection. As such no plumbing fixtures were tested.

#### **Unit B - Gas Water Heaters**

##### **Vent Pipe and Cap**

- The vent pipe should be replaced with a type B vent. Also, the vent should extend at least 24 inches above the roof line, to safely discharge the bi-products of combustion beyond the residence, and should be serviced.

##### **Relief Valve and Discharge Pipe**

- The discharge pipe from the pressure relief valve should be plumbed to the exterior and terminate no more than twenty-four inches above grade and closer than six inches to it.

#### **Portable Spa**

##### **General Observations**

- The portable spa is severely damaged and should be removed from the property as it poses a safety issue.

#### **Electrical**

##### **Unit A - Main Panel**

##### **No Electricity**

- There was no electricity at the time of inspection. As such the electrical components were not inspected for functionality, just general safety issues.

##### **Unit B - Main Panel**

##### **No Electricity**

- There was no electricity at the time of inspection. As such the electrical components were not inspected for functionality, just general safety issues.

#### **Heat**

##### **Unit A - Wall Furnaces**

##### **Age and Location**

- The house was originally served by an inadequately wall furnace. The wall furnace has since been removed and now there is no provision for heat in all bedrooms as mandated. We recommend further evaluation by a licensed HVAC technician.

##### **Unit B - Wall Furnaces**

##### **Age and Location**

- The house is inadequately served by a wall furnace. There is no provision for heat in all bedrooms as mandated. We recommend further evaluation by a licensed HVAC technician.

#### **Living**

##### **Unit A - Main Entry**

##### **Doors**

- The main entry door has cosmetic damage.

##### **Unit A - Living Room**



Inspection Address: 806 - 808 E. Lincoln St., Carson, CA  
Inspection Date/Time: 2/28/2010 9:00 am to 11:00 am

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#### **Lights**

- There is an open electrical junction box, which should be sealed.

#### **Outlets**

- Outlet needs faceplate

#### **Unit B - Main Entry**

##### **Doors**

- The main entry door has cosmetic damage.

#### **Unit B - Living Room**

##### **Lights**

- Several light fixtures are missing.

##### **Outlets**

- Several face plates on outlets are missing.

#### **Kitchen**

#### **Unit A - Kitchen**

##### **Sink & Countertop**

- The sink and components are missing or damaged.

##### **Faucet**

- The faucet was missing.

##### **Lights**

- There is an open electrical junction box that should be sealed.

#### **Unit B - Kitchen**

##### **Sink & Countertop**

- The sink and components are missing or damaged

#### **Bedrooms**

#### **Unit A - 1st Guest Bedroom**

##### **Doors**

- The doors are incomplete. The door knob was missing.

##### **Lights**

- The bedroom is missing light fixtures. And there are exposed wires that should be further evaluated.

##### **Outlets**

- Several outlets lack faceplates and should be replaced.

#### **Unit A - 2nd Guest Bedroom**

##### **Doors**

- The bedroom door is missing.

##### **Closets**

- The closet is not complete.

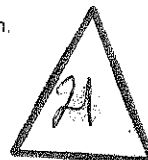
##### **Lights**

- The bedroom is missing light fixtures. And there are exposed wires that should be further evaluated.

#### **Unit B - 1st Guest Bedroom**

##### **Doors**

- The doors are incomplete. The door knob was missing.



**Lights**

- The bedroom is missing light fixtures. And there are exposed wires that should be further evaluated.

**Outlets**

- Several outlets lack faceplates and should be replaced.

**Unit B - 2nd Guest Bedroom**

**Lights**

- The bedroom is missing light fixtures. And there are exposed wires that should be further evaluated.

**Outlets**

- Several outlets lack faceplates and should be replaced.

**Bathrooms**

**Unit A - Main Hallway Bathroom**

**Doors**

- There is no bathroom door.

**Cabinets**

- The cabinets are damaged

**Sink Countertop**

- The sink and components are damaged or missing.

**Tub-Shower**

- The tub shower and components are damaged or missing.

**Toilet & Bidet**

- The toilet should be replaced.

**Lights**

- A wall light is incomplete.

**Unit B - Main Hallway Bathroom**

**Cabinets**

- The cabinets are damaged.

**Sink Countertop**

- The sink and components are damaged or missing.

**Tub-Shower**

- The tub shower and components are damaged or missing.

**Toilet & Bidet**

- The toilet should be replaced.

**Lights**

- There is an open electrical junction box in the bathroom should be sealed.

**Outlets**

- The outlets should be upgraded to have ground-fault protection.

**Laundry**

**Unit A - Laundry Room**

**A Probable Renovation or Addition**

- The Laundry room adjacent the garage appears to have be an addition. If so, we recommend that you verify the permit and certificate of occupancy. This is important because our inspection does not tacitly approve, endorse, or guarantee the integrity of any work that was done without a permit, and latent defects may exist.



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## Garage

### Unit A - Double-Car Garage

#### Garage Conversion

- The entire garage has been converted in living space, and we recommend that you verify the permit and certificate of occupancy. This is important because our inspection does not tacitly approve, endorse, or guarantee the integrity of any work that was done without a permit, and latent defects may exist.



Second Dwelling Unit Checklist for Planning Commission

Property Address: 806 – 808 East Lincoln Avenue

Application #: Conditional Use Permit No. 777-09

Date 1<sup>st</sup> Dwelling Unit Built: 1940

Date 2<sup>nd</sup> Dwelling Unit Built: 1930

**Applicable Development Standards per Section 9125.6**

**MINIMUM LOT SIZE**

Meets Code: No

7,500 square feet for RS zone

**Comments:**

The lot size of the property is 5,130 square feet.

**UNIT SIZE**

Meets Code: Yes

0 bdrm, 1 bthrm and kitchen: 500 s.f. max.

Attached d.u. same as above, but no more than 40% of main d.u.

1 bdrm, 1 bthrm and kitchen: 650 s.f. max.

2 bdrms, 1 bthrm and kitchen: 700 s.f. max.

**Comments:**

The second dwelling unit is approximately 669 square feet. The second dwelling has 2 bedrooms, 1 bathroom, and a kitchen.

**SETBACK REQUIREMENTS**

Meets Code: No

10' from primary residence

15' rear yard

6' from accessory structure

If above accessory structure, 10' min. side yard

5' side yard

**Comments:**

The second unit is 3 feet and 9 inches from the garage/laundry room (accessory structure). The side yard setback is 4 feet and 3 inches on the west side of the unit and 15 feet and 9 inches on the east side of the unit. The rear yard setback is 4 feet. A condition of approval requiring all building setback yard areas to remain clear for fire prevention safety has been included.

**OFF-STREET PARKING**

Meets Code: No

Studio: 1 uncov. sp. outside of FYSB

2 bdrms or over 700 s.f.: 2 spcs. within garage

1 bdrm: 1 sp. in 10'x20' gar. or 9'x20' carport

Main dwelling unit parking provided

**Comments:**

The second dwelling unit is required to provide a 2-car garage. No covered parking is provided on-site for the second dwelling unit, however uncovered parking is available on the driveway. A 2-car garage is existing to serve the primary structure. A condition of approval requiring that there be no dwelling



Second Dwelling Unit Checklist for Planning Commission

expansion or alterations that will intensify the second dwelling, unless parking requirements are met has been included. In addition, all driveways shall remain clear to facilitate garage and driveway parking.

**OWNER OCCUPIED**

Meets Code: No

**Comments:**

The owner is requesting the Planning Commission remove the owner-occupancy requirement with the approval of a conditional use permit. The current owner purchased this foreclosed property in November 2009 and is currently in the process of bringing the site up to code compliance. The owner anticipates upgrading the site and providing the two dwelling units as rentals. The site is currently unoccupied due to improvements.





**Per Section 9122.8, the Commission may require additional improvements to the property, or any buildings or structure thereon, which may include but are not limited to the following:**

**1. Condition of landscaping**

**Staff's evaluation:** Fair

**Comments:**

Adequate landscaping area is provided on-site. The foreclosure process has left the landscaping neglected on-site. The property owner proposes to clean-up deteriorated landscaping and remove/replace any dilapidated areas.

**2. Exterior changes to promote compatibility of buildings and structures with surrounding development**

**Wall Paint:** Fair

**Doors:** Unacceptable

**Building Material:** Fair

**Windows:** Fair

**Building Trim:** Fair

**Porch:** Unacceptable

**Roof:** Fair

**Accessory structure:** Fair

**Eaves:** Fair

**Other:** Not applicable

**Comments:**

Due to the foreclosure process, the property and structure has been neglected. The applicant proposes to repair/restore any paint, building materials, trim, doors, windows, and other exterior structures to improve the aesthetics and quality of the property. The applicant is proposing to remove the unpermitted patio and permit the existing garage and laundry room. Fascia and trim maintenance will be provided as stated in the property inspection report. All recommendations identified in the property inspection report will be implemented.

**3. General repairs to vehicular maneuvering or parking areas**

**Staff's evaluation:** Good

**Comments:**

Vehicular maneuvering and parking areas are adequate. The 2-car garage for the primary structure will be permitted and upgraded to meet current standards.

**4. Modifications designed to bring a structure more nearly into compliance with the applicable standards for second dwelling units.**



Second Dwelling Unit Checklist for Planning Commission

**Staff's evaluation:** Existing is Acceptable

**Comments:**

The applicant proposes significant modifications and upgrades to the existing second dwelling and primary unit. Upgrades and modifications include but are not limited to removal/replacement of the fence, doors to the primary and secondary unit, windows, interior walls, ceilings, carpet, bathroom fixtures, toilets, and other necessary structures. In addition a Residential Property Remediation agreement was made with the property owner and city to ensure compliance with current standards and appropriate upgrades.

Planner: Sharon Song, Associate Planner

Date Completed: 3/29/2010

