



City of Coronado

Community Development Department
1825 Strand Way, Coronado CA 92118
Phone 619-522-7326 Fax 619-522-2418

REQUEST FOR REASONABLE ACCOMMODATION DETERMINATION

APPROVED ☐CONDITIONALLY APPROVED ☒DENIED ☐

Address of Property 500 A Avenue
Assessor Parcel No.: 536-391-23-00

Owner: James and Melinda S. MarlarApplicant: OwnerMailing Address: 500 A Avenue, Coronado, CA 92118Mailing Address: SamePhone #: (520) 349-7345Phone #: SameEmail: Melinda.marlar@gmail.comEmail: Same

1. Current Use of Property: Residential Proposed Use of Property: Residential

2. Accommodation Request: James and Melinda S. Marlar ("Applicants" or "Owners") have submitted a Reasonable Accommodation Request pursuant to Coronado Municipal Code ("CMC") Chapter 70.130 to allow a 36-square-foot elevator and an approximately 321-square-foot addition to be constructed in a residence addressed as 500 A Avenue. The proposal, as shown, would exceed the maximum FAR (CMC 86.08.035), encroach into the second-story rear yard setback (CMC 86.08.070), and encroach into one existing on-site parking space, thereby reducing the size of the required parking space (CMC 86.58.070 & CMC 86.58.150).

3. Background: The property, located at 500 A Avenue, contains a two-story, single-family residence with an attached garage and basement. The 4,000-square-foot lot is located in the R-1A (Single Family Residential) Zone. The single-family dwelling was approved in November 2000, under previous zoning regulations, which included less restrictive setbacks and floor area ratio (FAR). For example, previous R-1A Zoning did not have a second-story rear yard setback. In addition, the prior Ordinance did not consider attached garages as FAR. The existing basement (602 square feet "finished" and 419 square feet "unfinished") was not counted toward FAR in the approved plans, and basements are still not counted toward FAR under current regulations. Today, the structure exceeds FAR by 63 square feet (total FAR is 2,767 square feet where 2,704 is the maximum currently allowed). The existing residence is considered legal, nonconforming in regard to FAR. Generally, a nonconforming use shall not be enlarged, extended, expanded or in any other manner changed to increase its inconsistency with the current zoning restrictions. (CMC 86.50.070.)

3. Project Description: The Applicants propose to add a 36-square-foot elevator within the attached garage to provide direct access to both the first and second floor. The elevator is not proposed to access the basement. The second floor includes the bedrooms and main bathroom. Although the elevator addition would not increase the FAR at the first story as it would be located within the existing garage, the location of the 36-square-foot elevator would encroach into one of the two required off-street parking spaces. This location would displace one parking space, or at best, reduce the parking space to 14 feet in depth (covered and enclosed parking spaces shall be a minimum of 20 feet in depth – CMC 86.58.070.B.2).

The Applicants also request an approximately 321-square-foot addition to the second story, comprised of 36 square feet for the elevator and 285 square feet for a hallway and extra storage space. This addition would increase the total FAR to approximately 3,088 square feet (384 square feet greater than the maximum FAR allowed).

Finally, the proposed addition at the second story would place the entire addition within the second-story rear yard setback (CMC 86.08.070.B).

4. Necessity of Reasonable Accommodation: The request for reasonable accommodation is to provide access to the second story of the residence through an elevator and to provide additional storage space. Applicants provided a letter from their doctor, Dr. Steven N. Copp, M.D., of the Scripps Orthopedic Surgery department. Dr. Copp writes that both Mr. and Mrs. Marlar have musculoskeletal impediments which makes climbing stairs challenging. The letter reads that Mrs. Marlar's previous hip fracture and chronic osteoarthritis makes climbing stairs difficult and painful. It goes on to state that Mr. Marlar has advanced osteoarthritis in both knees and shoulders, which makes it difficult for him to safely navigate stairs. The reasonable accommodation request of the elevator will provide easier access to the second floor, where the Owners' bedrooms and bathrooms are located.

The Applicants claim that the additional storage is necessary since they are unable to easily navigate the basement and attic, and the bedroom closets are already full. Applicants have not sufficiently demonstrated that the request accommodation is necessary to afford them an equal opportunity to use and enjoy the dwelling. Furthermore, there are alternative reasonable accommodations available that would provide an equivalent level of benefit. For example, belongings could be stored elsewhere, or the Applicants could propose elevator access to the 1,021 square-foot basement, where they could store their additional belongings. Should the Applicant choose to extend the elevator to the basement, staff would support the request.

5. Findings:

1. The housing which is the subject of the request for the elevator will be used by an individual considered disabled under the Federal Fair Housing Act and the California Fair Employment and Housing Act (the "Acts"). The Applicants have provided documentation demonstrating that each of the Applicants, who live at the Property, is an individual with a disability as defined under the Acts;
2. The accommodation requested for an elevator to access the first and second story is reasonable and necessary to make specific housing available to the individual or group of individuals with disability or disabilities under the Acts, as it would provide a means of accessing the bedrooms on the second floor without utilizing the existing stairs. However, the accommodation requested for additional storage space at the second story is not reasonable or necessary to make specific housing available to the individual or group of individuals with disability or disabilities, because the Applicants have not sufficiently demonstrated that the request accommodation is necessary to afford the disabled resident(s) an equal opportunity to use and enjoy the dwelling, and because there are alternative reasonable accommodations available that would provide an equivalent level of benefit. Belongings can be stored elsewhere within the dwelling (e.g., bedrooms, basement, attic, or offsite storage), and the requested accommodation does not actually provide access to the areas of the dwelling (e.g., basement, attic) that the Applicants claim they can no longer access due to their disabilities;
3. The requested accommodations of an elevator and additional storage space will not impose an undue financial or administrative burden on the City; and
4. The requested accommodation for an elevator and additional storage space would not require a fundamental alteration in the nature of a City program or law, including, but not limited to, land use and zoning.

6. Conditions:

1. All information and representations including the building techniques, materials, elevations and/or appearance of the project, as presented for approval on plans, submitted November 15, 2024, and on file with the Community Development Department, shall be the same as required for the issuance of a building

permit, except as modified by these conditions of approval. Modifications or revisions to the project shall be subject to review and approval.

2. The request for a 36-square-foot elevator shall be granted to the Applicants and shall not run with the land. However, the elevator shall not be required to be removed once it is no longer necessary to provide access to the dwelling unit for the current occupant, as long as: a) the modification is physically integrated into the residential structure and cannot easily be removed or altered to comply with the Coronado Municipal Code; and b) the accommodation can be used by another individual with a disability. Should a significant remodel be proposed in the future, the City reserves the right to have the elevator removed if it is no longer necessary to provide access to the dwelling unit by its occupants.
3. Additional storage space above the garage, as requested by the applicant, is not permitted.
4. A hallway to connect the proposed elevator to the second story (approximately 40 square feet) is granted. The exact dimensions of the hallway would need to be demonstrated within the Building Permit to allow for adequate access as required by law, including the California Building Code and Americans for Disabilities Act. Should the applicant choose to extend the elevator to the basement, staff would support the request.
5. The approved use and/or construction is subject to, and shall comply with, all applicable City Ordinances and laws and regulations of other governmental agencies. Prior to construction, the Applicants shall identify and secure all applicable permits from the Building Services Division and other affected City divisions and departments.

7. California Environmental Quality Act

The project has been determined to be exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15301 (Existing Facilities) and Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines (Cal. Code Regs., tit. 14, ch. 3).

8. Determination

The accommodation requested for a 36-square-foot elevator is **conditionally approved**, based on the findings above, and subject to the conditions outlined above. The accommodation requested for additional storage space is **denied**, based on the findings above.

Date of Determination: 2.7.25

Determination by: 
Richard Grunow, Director of Community Development

Owner Acknowledgment: I have read and agree to the conditions of this accommodation request approval.

James Marlar, Property Owner

Melinda Marlar, Property Owner