

**LINN K. WYATT**  
CHIEF ZONING ADMINISTRATOR

**ASSOCIATE ZONING ADMINISTRATORS**

R. NICOLAS BROWN  
SUE CHANG  
LOURDES GREEN  
CHARLES J. RAUSCH, JR.  
JIM TOKUNAGA  
FERNANDO TOVAR  
DAVID S. WEINTRAUB  
MAYA E. ZAITZEVSKY

**CITY OF LOS ANGELES**  
CALIFORNIA



**ERIC GARCETTI**  
MAYOR

**DEPARTMENT OF  
CITY PLANNING**

**MICHAEL J. LOGRANDE**  
DIRECTOR

**OFFICE OF  
ZONING ADMINISTRATION**

200 N. SPRING STREET, 7<sup>TH</sup> FLOOR  
LOS ANGELES, CA 90012

(213) 978-1318  
FAX: (213) 978-1334

[www.planning.lacity.org](http://www.planning.lacity.org)

December 8, 2014

Charles Crawford (A)(O)  
184 North Meridith Avenue  
Pasadena, CA 91106

Jessica Greenly (R)  
184 North Meridith Avenue  
Pasadena, CA 91106

CASE NO. ZA 2014-1572(ZAD)  
ZONING ADMINISTRATOR'S  
DETERMINATION  
900 North Cooper Avenue  
Northeast Los Angeles Planning Area  
Zone : R1-1  
D. M. : 156A235  
C. D. : 14  
CEQA: ENV 2014-1573-CE  
Legal Description: Lot 10, Parkdale  
Heights Tract

Pursuant to Los Angeles Municipal Code Section 12.24-X,28, I hereby APPROVE:

a request for a Zoning Administrator's Determination for a deviation from Section 12.21-C, 10(i)(2) of the Los Angeles Municipal Code to allow roadway widening to a width of less than 20 feet as required by the Code for a Substandard Hillside street; and,

a request for deviation from Section 12.21-C, 10(i)(3) of the Los Angeles Municipal Code to grant relief from providing a 20-foot wide continuous paved roadway width from the driveway apron to the boundary of the hillside area; all in conjunction with the construction of a new 23-foot tall 1,522 square-foot single-family residence with a detached 576 square-foot garage on a vacant 22,516 square-foot lot in the R1-1 Zone,

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.



3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
6. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action or proceedings against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
7. Approved herein is the construction of a single-family dwelling with a residential floor area of 1,522 square feet and a detached 576 square-foot garage.
8. The use of the property shall be limited to a single-family dwelling and any other use permitted by-right in the R1-1 Zone.
9. All lighting shall be shielded and directed onto the site. This condition shall not preclude the installation of low-level security lighting.
10. The hours of construction activity shall be limited from 7 a.m. to 6 p.m., Monday through Friday, and 8 a.m. to 4 p.m. on Saturday or national holidays. No construction activity is permitted on Sunday. The operation, repair, or servicing of construction equipment, and delivery of construction materials are prohibited before or after those hours.
11. Measures such as barriers and signs, as permitted by the City, shall be used during construction to prevent physical damage to surrounding properties.
12. All grading involving the driveway and other portions of the subject lot shall be done in accordance with the requirements of the Los Angeles Municipal Code.
13. Any portion of the applicant's proposed driveway which crosses over the City's paper street dedication shall be approved by issuance of a revocable permit.

14. Prior to any sign-off of plans by the Department of City Planning, a plot plan shall be submitted to the Fire Department for review of compliance with the LAMC fire protection provisions for hillside residences.
15. Posted signs shall be installed in and around the construction site establishing the prohibition, "NO SMOKING ALLOWED" during the construction phase of the project.
16. The applicant shall post a cash bond or surety bond in accordance with terms, specifications, and conditions to the satisfaction of the Department of Building and Safety and/or other responsible City agency. Said bond shall remain in full force and effect until the construction is completed, to guarantee that any damage incurred to the roadway adjacent to the property, is properly repaired by the applicant.
17. Within 30 days of the effective date of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

### **OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES**

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

### **TRANSFERABILITY**

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

### **VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR**

Section 12.29 of the Los Angeles Municipal Code provides:

"A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator,

Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code.”

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

#### **APPEAL PERIOD - EFFECTIVE DATE**

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective after DECEMBER 23, 2014, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://planning.lacity.org>.** Public offices are located at:

Figueroa Plaza  
201 North Figueroa Street,  
4th Floor  
Los Angeles, CA 90012  
(213) 482-7077

Marvin Braude San Fernando  
Valley Constituent Service Center  
6262 Van Nuys Boulevard, Room 251  
Van Nuys, CA 91401  
(818) 374-5050

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

#### **NOTICE**

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the Zoning Administrator who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

### FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the statements made at the public hearing on October 14, 2014, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for authorizing a conditional use permit under the provisions of Section 12.24-W have been established by the following facts:

#### BACKGROUND

The subject property is a vacant sloping 22,516 square-foot lot in the R1-1 Zone. The property has a 161 foot frontage on Cooper Avenue. The property is within a Hillside Area, Baseline Hillside Ordinance Area, East Los Angeles State Enterprise Zone, Very High Fire Hazard Severity Zone, Special Grading Area, Transverse Ranges and Los Angeles Basin, within the Raymond Fault Zone and Alquist Priolo Fault Zone. Surrounding uses consist of R1-1 Zone properties developed with single-family residential.

The applicant requests approval to construct a 23-foot tall 1,522 square-foot single-family dwelling with a detached 576 square-foot two-car garage on an approximately 22,516 square-foot parcel fronting on a Substandard Hillside Limited Street. The home will feature a dome shaped architectural design.

The applicant has requested a waiver, from the code requirement to pave and widen the existing adjacent street, Cooper Avenue from its current width, which is less than the required 20 feet. The applicant is also requesting a waiver from the code requirement to provide a 20-foot wide continuous paved roadway width from the driveway apron to the boundary of the hillside area.

Pursuant to the Baseline Hillside Ordinance, maximum building height for structures located within the 20-foot setback area shall not exceed a height of 24 feet. The proposed garage will measure 23 feet in height. The applicant makes reference to the property being located within the jurisdiction of the Northeast Los Angeles Hillside Ordinance, (Ordinance No. 180,403) which would offer the ability to defer to more flexible height requirements. Planning Staff confirmed that the Northeast Los Angeles Hillside Ordinance does not cover the portion of the hillside where the subject property is located.

Additionally, the request made by the applicant does not include consideration of building height. The applicant only requested approval to waive the required street and driveway apron improvements. Building height is not a part of their request.

Cooper Avenue is a Local Street improved to a roadway width of 60 feet with curb and gutters.

Previous zoning related actions on the site include:

Ordinance No. 181,624 - The Baseline Hillside Ordinance ("BHO") was adopted by the City Council to protect the City's hillsides from out of scale development (effective date May 9, 2011.) The BHO regulates the permitted height, setbacks,

floor area, lot coverage, grading, and parking for new construction and additions to properties located in the R1, RS, RE, and RA Zones in designated Hillside Areas.

### **APPLICANT'S OVERALL STATEMENTS**

Substandard Hillside Street: The existing street terminates before reaching the half-way point of the property. We request relief from making any improvements or extensions to it. It was most likely not finished originally because there is a steep hill that it would have had to traverse. The fact that it does not connect to Elder Street on the other side does not pose a hardship. It is easy enough to get to that same point by driving in a square South on Cooper, West on Meridian, North on Avenue 65, and East on Elder for a minute or less. It would most likely be more of a bother to the residents that would have to go from having a peaceful strip of foliage outside their window to a street with cars abutting their property.

In addition, we are just a husband and wife trying to build their first home and we do not have the funds to start improving or extending the street as is. If required to do so, we would no doubt have to abandon the project.

Street Access: Given the natural design of the property, we have no access to it without crossing through city property. In essence, we are land locked. We request authorization to build a driveway through our side of the city's unimproved land in order to gain access. Failure to grant access would be denying us a property right given to everyone else that has a home on the street. The property is zoned for a single family dwelling and should be given the opportunity to be built as such.

Accessory Building in Front Yards: Per code 12.21 C. 10.(a)(10) of the LAMC and Section 1j (1) of the Hillside Ordinance, a private garage may be located on the required Front Yard of a Lot where the Elevation of the ground at a point 50 feet from the Front Lot Line of a Lot and midway between the Side Lot Lines differs 10 feet or more from the curb level, provided every portion of the garage Building is at least 5 feet from the Front Lot Line. Here is how our garage conforms:

1. The curb is at 101 feet whereas 50 feet from the Front Lot Line it is at 136 feet. This is more than the 10 foot requirement portion of the code.
2. Our garage would also be at least 40 feet away from the Side Lot Lines, so that setback requirement would not be a factor.
3. We have the entire garage positioned 5 feet from the Front Lot Line.

Height: Per code 12.21 C. 10. (d)(5) of the LAMC, and Section 4e of the Hillside Ordinance, for any lot fronting onto a Substandard Hillside Limited Street, no portion of a Building or Structure within 20 feet of the Front Lot line shall exceed 24 feet in height(measured from Elevation at the centerline or midpoint of the street on which the Lot fronts).

Under these circumstances our garage would not conform, however, there is another part of the code that changes this:

Per code 12.21 C. 10(l)(4) of the LAMC and section 12d of the Hillside Ordinance, properties subject to the Northeast Los Angeles Hillside Ordinance (No. 180403) shall be exempted from Section 4 - Height Limits. The Council Districts this affects are 1 and 14. We are in Council District 14.

Section 3 A (1a) of the Northeast Los Angeles Hillside Ordinance says that in addition to the height limitations contained in LAMC Section 12.21 A 17(c), no building or structure shall exceed 30 feet in height from adjacent finished grade, measured as the vertical distance from the adjacent finished grade of the site to an imaginary plane located above and parallel to the finished grade.

Our garage is at 23 feet when measured in this way and therefore conforms to this ordinance.

Please see garage elevations and attached garage information to support these findings. (see the file)

### **COMMUNICATIONS TO THE FILE**

Nabil Jarjour - Opposed - October 20, 2014

This email is to inform you that we do not agree with the project at location 900 North Cooper Avenue for the following reasons:

1. Danger of mudslide(s) to my property and or other neighboring houses.
2. The Cooper Avenue is overcrowded and narrow.
3. The project at location 900 North Cooper Avenue will not be allowed to use my property in any way.
4. Any damage to my property due to the new building will result in a law sue (suit).

### **PUBLIC HEARING**

A Notice of Public Hearing was sent to nearby property owners residing near the subject site for which an application, as described below, had been filed with the Department of City Planning. All interested persons were invited to attend the public hearing at which they could listen, ask questions, or present testimony regarding the project.

The hearing was held by a Zoning Administrator from the Office of Zoning Administration who acted under Case No. ZA 2014-1572(ZAD) and CEQA No. ENV- 2014-1573-CE. The hearing date was Tuesday, October 14, 2014 and took place in Los Angeles City Hall, 200 North Spring Street, Room 1020, Los Angeles, CA 90012 at approximately 10:30 a.m.

The subject site was identified as being located at 900 North Cooper Avenue in Council District 14 and in the Northeast Los Angeles Plan Area. The property is zoned R1-1.

The applicants are Charles Crawford and Jessica Greenly and the representative is Jessica Greenly.

The issues before the Zoning Administrator were requests for:

1. A Zoning Administrator's Determination to allow a deviation from Section 12.21-C, 10(i)(2) of the Los Angeles Municipal Code to allow roadway widening to a width of less than 20 feet as required by the Code for a substandard hillside street; and from Section 12.21-C, 10(i)(3) of the Los Angeles Municipal Code to grant relief from providing a 20-foot wide continuous paved roadway width from the driveway apron to the boundary of the hillside area, all in conjunction with the construction of a new 23-foot tall 1,522 square-foot single-family residence with a detached 576 square-foot garage on a vacant 22,516 square-foot lot in the R1-1 Zone.
2. Pursuant to Section 21084 of the California Public Resources Code, the above referenced project has been determined not to have a significant effect on the environment and which shall therefore be exempt from the provisions of CEQA.

The purpose of the hearing was to obtain testimony from affected and/or interested persons regarding the project. The environmental document was among the matters considered at the hearing. Prior to opening the matter to public testimony the Zoning Administrator reviewed the file paying particular attention to the radius map and, plans and photos of the site and its surrounds. With this review completed, the matter was opened to public testimony and the following points were considered.

- The applicant described the project, the steepness of the slope over which the City held dedication for a future street, and the need for the applicant to cross a portion of that dedicated but un-improved roadway with a driveway in order to gain access to the potential building pads located on this steep hillside lot.
- It was pointed out that the existing roadway was improved with a surface material, and curbs and gutters, but that this improved portion of the roadway turned at the top and became a private driveway.
- It did not appear that there were any up-slope properties that relied on the paper street for access.
- A neighbor appeared and explained that City forces had come to the locale to clean the street from sluff that appeared to have been washed down from the slopes above. There was no written record of these efforts in the file. The neighbor was concerned that any work on the slope to improve the street might result in mud flows affecting either his property or his access way.
- Subsequent to the public hearing, the Zoning Administrator visited the subject site along with the senior project planner in whose unit the case had been assigned. They found the site, and both were struck by the steepness of the slope over which the City held paper street rights. One could see the subject property clearly and it was also noted that there did not appear to be any up-slope development that relied on the paper street for access.

- In viewing the property it could be noted that there appeared to be either an existing or natural driveway route, albeit steep, reaching from the improved portion of the street, across the paper street dedication, and gaining access to the subject property.
- The work to improve this access way requires City permission. To gain that access way over the City held dedication would in the strictest sense require physical improvement over the entire roadway on which the subject property fronts. Such improvement would be heroic in scope and monumental in nature, and is unlikely to ever be undertaken.
- It was determined on that field observation that the applicant's request could be granted so long as City interests were protected. The Zoning Administrator believes that this can be done by 1) requiring that all grading involving the driveway and other portions of the subject lot be done in accordance with the requirements of the Los Angeles Municipal Code, and that 2) any portion of the applicant's proposed driveway which crosses over the City paper street dedication be approved by issuance of a revocable permit thus insuring the City's maintained right over development standards should the paper street be developed in the future.

Prior to issuing this Letter of Determination, the Zoning Administrator has considered all the testimony presented at the hearing, written communication received prior to or at the hearing, or subsequent thereto, and the merits of the project as it relates to existing environmental and land use regulations.

### **ZONING ADMINISTRATOR'S OVERALL STATEMENT**

The subject property is a vacant lot located at 900 North Cooper Avenue. Cooper Avenue is a Substandard Limited Hillside Street at the property's street frontage. The applicant has requested a determination to waive the improvements to the roadway adjacent to the property; and from the driveway apron to the boundary of the Hillside Area.

The Northeast Los Angeles Community Plan designates the property for Low Residential land uses with corresponding zones of RE9, RS, R1, RU, RD6 and RD5 and Height District No. 1. The proposed use of the property as a single-family dwelling is consistent with its zoning classification and land use designation. The proposed dwelling is in keeping with the scale and character of the neighborhood; consistent with the residential policies of the Northeast Los Angeles Community Plan.

As to the height of buildings, the Baseline Hillside Ordinance, maximum building height for structures located within the 20-foot setback area shall not exceed a height of 24 feet. The proposed garage will measure 23 feet in height using the Northeast Los Angeles Hillside Ordinance method of calculating height limits based upon the average slope of the lot. The project is located in Northeast Los Angeles Community Plan Area. The garage does not exceed the height requirement.

Additionally, the request made by the applicant does not include consideration of building height. The applicant only requested approval to waive the required street and driveway

apron improvements. Building height is not part of their request. Height of the garage does not have a bearing upon the actual request.

## **FINDINGS**

Following (highlighted) is a delineation of the findings and the application of the relevant facts to same:

1. **The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.**

### **Applicant**

This project is a single family home with detached garage. The proposed layout will barely change the natural contours of the land. The home will be placed on the flat, top portion of the hill, while the garage will be tucked into an existing concave indentation, only requiring the removal of 400 cubic yards of dirt. The plan is to landscape with only native plant species and to irrigate with mostly grey water. Since the house is on top and the garden is below, the natural downward slope is perfect for this scenario.

We are not a developer trying to build multiple homes which would create more traffic, more strain on resources, and less street parking in an otherwise quiet and peaceful neighborhood.

### **Zoning Administrator**

The applicant requests approval to construct a 23-foot tall 1,522 square-foot single-family dwelling with a detached 576 square-foot two-car garage on an approximately 22,516 square-foot parcel fronting on a Substandard Hillside Limited Street. The applicant has requested a waiver to permit the construction of a single-family dwelling on an R1-1 zoned lot that fronts on a Substandard Hillside Limited Street improved to a roadway width of less than 20 feet, and to not require vehicular access from streets improved with a minimum 20-foot wide continuous paved roadway from the driveway apron to the boundary of the Hillside Area. No other deviations from the BHO regulations were requested. The construction of a single-family dwelling on a vacant property zoned for such use will enhance the built environment of the neighborhood.

2. **The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

Applicant

We've chosen a wooden geodesic dome for our proposed home not only for its known environmental benefits, but also because its rounded shape mimics the roundness of the land surrounding it. It is a very conservative 1522 square feet and only 23 feet tall. It would be placed on top of the hill, which is flat, and would be barely visible from the road.

Zoning Administrator

The applicant is proposing to construct an approximately 23-foot tall 1,522 square-foot, two-story single-family residence and a 576 square-foot two-car garage on a 22,516 square-foot vacant sloping hillside lot in the R1-1 Zone. The property has approximately 161 feet of frontage on Cooper Avenue. The surrounding properties are zoned R1-1 and are developed with single-family dwellings. The property is one of the only vacant parcels in the vicinity, so the granting of the waivers should not result in similar requests. As conditioned, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

3. **The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.**

Applicant

This property is zoned for a single family dwelling which is exactly what we are planning to build.

Zoning Administrator

There are eleven elements of the General Plan. Each of these elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code requirements of Los Angeles Municipal Code.

Except for the entitlement described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code. The General Plan Framework Element establishes the broad overall policy and direction for the General Plan.

Objective 3.5 of the Framework Element states: "ensure that the character and scale of stable single-family residential neighborhoods is maintained, allowing for in-fill development provided that it is compatible with and maintains the scale and character of existing development."

Granting of the waiver is consistent with the following Housing Element objective and policy:

Objective 1.5: Reduce regulatory and procedural barriers to the production and preservation of housing at all income levels and needs.

Policy 1.5.1: Streamline the land use entitlement, environmental review, and building permit processes.

The Land Use Element of the General Plan divides the city into 35 Community Plans. The Northeast Los Angeles Community Plan designates the property for Low Residential land uses with corresponding zones of RE9, RS, R1, RU, RD6 and RD5 and Height District No. 1. The property is not located within a Specific Plan area. The proposed dwelling has been designed to comply with height, floor area, lot coverage, and yard requirements of the Baseline Hillside Ordinance. However, the proposed garage will measure 23 feet in height. According to the Baseline Hillside Ordinance:

LAMC Section 12.21-C,10(d)(5) states:

"For any Lot fronting onto a Substandard Hillside Limited Street and subject to the 5-foot Front Yard setback, no portion of a Building or Structure within 20 feet of the Front Lot Line shall exceed 24 feet in height. The 24-foot maximum Building and Structure height shall be measured from the Elevation at the centerline or midpoint of the Street on which the Lot fronts."

The subject property is located in Northeast Los Angeles. According to the Northeast Los Angeles Hillside Ordinance, Ordinance No. 180,403, properties within this jurisdiction shall be exempted from Section 4-Height Limits.

- 4. The vehicular traffic associated with the building or structure will not create an adverse impact on street access or circulation in the surrounding neighborhood.**

Applicant

Applicant did not provide an explanation.

Zoning Administrator

The applicant is proposing to construct a 1,522 square-foot, two-story dwelling. The vehicular traffic associated with the dwelling will be minimal. Vehicular access to the two-car garage will be off of Cooper Avenue. **Transferring responsibility from the property owners along the street to this owner unfairly burdens this one property owner to secure the necessary dedication for street improvements not in proportion to the additional vehicular traffic generated by the proposed single-family home.** Granting a deviation from the BHO street access provisions would not create an adverse impact on street access or circulation in the surrounding neighborhood.

5. **The building or structure will not be materially detrimental or injurious to the adjacent property or improvements and will not have a materially adverse safety impact on the surrounding neighborhood.**

Applicant

Applicant did not provide an explanation.

Zoning Administrator

No evidence was presented that the construction of the 1,522 square-foot single-family dwelling and detached 576 square-foot garage and the proposed waivers of street improvements would be materially detrimental or injurious to the adjacent properties or result in a materially adverse safety impact on the neighborhood. The development conforms to the aesthetics of the neighborhood and is similar in scale. The LAMC requires street improvements and dedications to ensure adequate vehicular and emergency access. This will be accomplished by the Department of Building and Safety and the City Engineer review of the applicant's proposed driveway cross of the City's existing paper street dedication. The property is located within a Very High Fire Hazard Severity Zone and the proposed plans have been made subject to approval and review by the Fire Department Hydrant and Access Unit.

6. **The site and/or existing improvements make strict adherence to Section 12.21-C,10(i) impractical or infeasible.**

Applicant

Applicant did not provide an explanation.

Zoning Administrator

With regard to the subject 22,516 square-foot sloping property, **widening the street is impractical and infeasible as the applicant has no access or authority to the property rights of others.**

**ADDITIONAL MANDATORY FINDINGS**

7. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.
8. On July 17, 2014, the project was issued a Notice of Exemption (Subsection c, Section 2, Article II, City CEQA Guidelines), log reference ENV 2014-1573-CE, for a Categorical Exemption, Class 3, Category 1, Article III, Section 1, City CEQA

Guidelines (Sections 15300-15333, State CEQA Guidelines). I hereby adopt that action.

Inquiries regarding this matter shall be directed to Kinikia Gardner, Planning Staff for the Office of Zoning Administration at (213) 978-1340.

A handwritten signature in black ink, appearing to read "Albert Landini". The signature is written in a cursive, flowing style.

ALBERT LANDINI  
Associate Zoning Administrator

AL:KG:Imc

cc: Councilmember Jose Huizar  
Fourteenth District  
Adjoining Property Owners