

MASTER LAND USE PERMIT APPLICATION

LOS ANGELES CITY PLANNING DEPARTMENT

Planning Staff Use Only

ENV No.	Existing Zone	District Map	
APC	Community Plan	Council District	
Census Tract	APN	Staff Approval *	Date

* Approval for Filing by Community Planning or Division of Land Staff, When Applicable

CASE No. **1 ZA 2007 3486**

APPLICATION TYPE Zoning Administrators Adjustment

(zone change, variance, conditional use, tract/parcel map, specific plan exception, etc.)

1. PROJECT LOCATION AND SIZE

Street Address of Project 3681 Shannon Road Zip Code 90027
Legal Description: Lot 18 Block BLK E Tract TR 9050
Lot Dimensions 55 x 83 x 110 x 101 Lot Area (sq. ft.) 50,717,150.0 sq. ft Total Project Size (sq. ft.) _____

2. PROJECT DESCRIPTION

Describe what is to be done: A 375 square foot, third-story bedroom additon, to an existing 3-story single family dwelling where said addition is over the existing garage.

Present Use: Single Family Dwelling Proposed Use: Single Family Dwelling

Plan Check No. (if available) _____ Date Filed: _____

- Check all that apply:
- New Construction
 - Change of Use
 - Alterations
 - Demolition
 - Commercial
 - Industrial
 - Residential
- Additions to the building:
- Rear
 - Front
 - Height
 - Side Yard

3. ACTION(s) REQUESTED

Describe the requested entitlement which either authorizes actions OR grants a variance:

Code Section from which relief is requested: 12.08(c)1 Code Section which authorizes relief: 12.28

A Zoning Administrators Adjustment to allow a 1'-10" westerly front yard setback in lieu of the required 5' for a third floor bedroom addition to an existing three story single family dwelling in the R1-1 zone.

Code Section from which relief is requested: 12.08(c)2 Code Section which authorizes relief: 12.28

A Zoning Administrators Adjustment to allow a 2'-6" northerly side yard setback in lieu of the required 7' for a third floor bedroom addition to an existing three story single family dwelling in the R1-1 zone.

Code Section from which relief is requested: _____ Code Section which authorizes relief: _____

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List related or pending case numbers relating to this site:

SIGNATURES of adjoining or neighboring property owners in support of the request; not required but helpful, especially for projects in single-family residential areas. (Attach sheet, if necessary)

NAME (Print)	SIGNATURE	ADDRESS	KEY # ON MAP

4. OWNER/APPLICANT INFORMATION

Applicant's Name Alfred C. & Gladys (TRS) Rodriguez Company _____
 Address: 3681 Shannon Road Telephone: (323) 660-0086 Fax: () _____
Los Angeles Zip: 90027 E-mail: _____

Property Owner's Name (if different than applicant) _____
 Address: _____ Telephone: () _____ Fax: () _____
 _____ Zip: _____ E-mail: _____

Contact Person for project information F. E. Design
 Address: 943 N. Broadway Blvd Telephone: (213) 687-6963 Fax: (213) 687-6926
Los Angeles, CA Zip: 90012 E-mail: FEDESIGN@SBCGLOBAL.NET

5. APPLICANT'S AFFIDAVIT

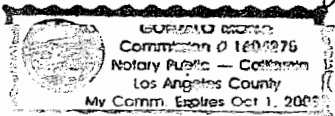
Under penalty of perjury the following declarations are made:

- a. The undersigned is the owner or lessee if entire site is leased, or authorized agent of the owner with power of attorney or officers of a corporation (submit proof). (NOTE: for zone changes lessee may not sign).
- b. The information presented is true and correct to the best of my knowledge.

Signature: _____
 Print: Alfred C. Rodriguez
Gladys Rodriguez
 Date: June 28 2007

Subscribed and sworn before me this (date): 6-28-07
 In the County of Los Angeles State of California
 Notary Public _____
 Stamp: _____

Gonzalo Monje, Notary Public



7. ADDITIONAL INFORMATION/FINDINGS

In order for the City to render a determination on your application, additional information may be required. Consult the appropriate "Special Instructions" handout. Provide on attached sheet(s) this additional information using the hand-out as a guide.

NOTE: All applicants are eligible to request a one time, one-year only freeze on fees charged by various City departments in connection with your project. It is advisable only when this application is deemed complete or upon payment of Building and Safety plan check fees. Please ask staff for details or an application.

Planning Staff Use Only

Base Fee	Reviewed and Accepted by	Date
Receipt No.	Deemed Complete by	Date

**ZONING ADMINISTRATOR ADJUSTMENT (ZAA): AREA, YARDS, HEIGHT;
DENSITY, HEIGHT, FAR > 20% (YV)
BUILDING LINE
REDUCTION IN OPEN SPACE OVER 10%**

ZONING CODE SECTIONS: 12.28 for Adjustment; 12.32 R for Building Lines; 12.21 G for Open Space

The **MASTER LAND USE APPLICATION INSTRUCTIONS SHEET-ABUTTING OWNERS, CP-7809**, should also be followed

ADDITIONAL INFORMATION (ADJUSTMENTS):

- 1. That the granting of such adjustment will result in development compatible and consistent with the surrounding uses.*

The subject property is an interior, irregular shaped 6,898 square foot hillside lot in the R1-1 zone. The property observes a curved 55 foot frontage on the easterly side of Shannon Road with a depth that varies from approximately 83 feet to 101 feet. The property is level at Shannon Road and extends at the level for 20+ feet, then flares out to 110 feet at the rear and simultaneously drops in elevation at an approximate 25% slope. The property is developed with a three level, 3,571 square foot (including basement and attached garage), single family dwelling built in 1935. The attached garage is presently 2'-6" from the northern side property line and 1'-10" from the easterly front property line and was allowed by a 1935 case, YD-87-YV, to be 4" from said side property line. A licensed surveyor has put the property line at 2'-6" from the garage.

In the late 1970's, the applicants terraced their property into five separate levels. The base of the property constitutes two terraces approximately 25 and 30 feet below the elevation of Shannon Road. The third and fourth levels are approximately 10 and 15 feet below the road and the fifth is a t road level. Engineered walls have been constructed to support the various levels.

Surrounding properties are also zoned R1-1 and are developed with two and three level single-family dwellings with similar topographic features. The adjoining property to the east (lot 9), improved with a 1,457 square foot, two-level single-family dwelling, fronts Cadman Drive and is approximately 30' below the applicant's rear property line. The property to the north (lot 17) that fronts Shannon road is improved with a 2,449 square foot, two-level, single-family dwelling and detached garage. The detached garage is level with Shannon Road and the dwelling is approximately 10' lower in elevation from that. The property to the south fronting Shannon Road (lots 19 and 20) is improved with a 6,408 square foot, two-level, single-family dwelling that starts 10-15 feet below Shannon Road. The property to the west (lot 19) fronting Shannon Road is improved with a 3,132 square foot, two-level single-family dwelling approximately 15 feet above Shannon Road.

The Zoning Code for R1-1 governs this project as the building additions since 1992 do not equal 750 square feet as per the Hillside Ordinance.

Planning cases associated with subject property:

YD-87-YV: "a variance be granted to permit the garage portion of the proposed dwelling on Lot 16, Block B, of tract 9050, at 3681 Shannon road, to be constructed within 4 inches of the westerly side property line."

YV 78-393: "the construction and maintenance of an approximate 10 by 21 foot carport not over 8 foot in height to observe a 0 foot southerly side yard, beginning about 1 foot easterly of Shannon Road."

The applicant requests that the existing, northerly side yard and westerly front yard, setbacks for the existing garage be allowed for a 375 square foot bedroom addition directly above. Zoning Code refers to the existing garage as being on the second level, although it is level with Shannon Road, due to a basement and livable area beneath. The addition will be referred to as an addition on the existing third level. The required front and side yard setbacks for the bedroom addition are 5' and 7' respectively and the height of the new addition will be 33'.

The applicant wishes to improve upon their property, make it more functional, and enjoy the same comforts as many of the properties in the surround area. It is not uncommon in the surrounding neighborhood to see very large, two or three story homes settled on the hillside. The dwelling already has a third level so this addition will not be creating any new levels that do not already exist and the additional 375 square feet is still much smaller than many of the surrounding dwellings. The proposed addition will be compatible with the surrounding area in those regards.

The properties surround the applicants will not have their views obstructed from this addition. The subject dwelling was built to its current height in 1935 and already enjoys a third story.

Furthermore, the addition would not further intrude upon the existing setbacks that the dwelling currently observes as the construction would remain along the current building line of the first story. The unique characteristics of the lot make the location of the addition the most viable from a logistical and practical standpoint. Any other location on the subject lot will result in heavy grading and relocation of retaining walls, ect.

Due to these factors, the approval of an adjustment here will result in development compatible and consistent with the surrounding uses.

2. That the granting of the adjustment will be in conformance with the intent and purpose of the General Plan of the City.

The Hollywood Community Plan designates the subject property for Very Low II Residential; the continued use as such is clearly consistent with such Plan designation. The Community Plan states as an objective:

"To encourage the preservation and enhancement of the varied and distinctive residential character of the Community..."

The addition would not change the dwelling from single family; rather, it would enhance the nature and character of the dwelling.

Further, the General Plan supports the maintenance and upgrading of the stable residential areas and the request is consistent with such goals.

3. That the granting of the adjustment is in conformance with the spirit and intent of the Planning and Zoning Code of the City.

Side and rear yard setbacks aim at maintaining reasonable distance between uses and for the purpose of privacy and access around the structure by emergency personnel. The current second floor (level with Shannon Road) of the dwelling legally maintains the setbacks that the applicant is requesting relief from for the addition. There would not be a decrease in, or any intrusion into, the existing yards.

Zoning regulations are written on a citywide basis and cannot take into account individual unique characteristics which a specific parcel may have. In that the subject property is an R-1 zoned lot surrounded by properties that have similar characteristics to those that are being requested, said request does not detract from the spirit and intent of the Planning and Zoning Code of the City. Granting the variance for a reduced side yard is necessary for the preservation and enjoyment of the property right to make improvements to a dwelling. This right is hindered by the construction of the dwelling so close to the property lines. Denial of the request would unfairly prevent the applicant from enjoying reasonable use of the subject site, on par with the way other property owners enjoy their property.

4. There are no adverse impacts from the proposed adjustments or any adverse impacts have been mitigated.

There is adequate distance and light between the subject property and the adjoining properties. The distance between these properties is not to be lessened by granting the request as the requests are asking for the existing setbacks to be maintained for the addition. Any adverse impacts from the proposed height of the addition are mitigated by the fact that the dwelling currently has a third story. The addition will have a positive economical impact for the neighborhood and an attractive site will develop. Additionally, all work will be done to the satisfaction to the Department of Building and Safety. Due to these facts there would be no adverse impacts from the proposed adjustments.

5. The site and/or existing improvements make the strict adherence to the zoning regulations impractical or infeasible.

The strict application of the Zoning ordinance would result in practical difficulties and unnecessary hardships inconsistent with the general purpose and intent of zoning regulations. The code cannot take into account the unique aspects of this request. The unique characteristics of the lot and the nature of the dwellings in the immediate area show that the strict adherence to the code here is impractical. In this instance, the Code's desire to achieve compatibility between respective sites and protect neighboring properties and the applicants desire to provide a more viable/functional, livable dwelling can be accommodated in a matter consistent with the intent and purpose of the zoning regulations.