

**REQUEST & JUSTIFICATION FOR:
-- Z. A. DETERMINATION --
-- Z. A. ADJUSTMENT --**

FOR:

2107 PARK DRIVE

REQUESTS

The instant requests are:

- A Zoning Administrator Determination to permit:
 - The addition of a third story to an existing single family dwelling to observe a maximum height of 39 feet, 2 inches, in lieu of a height of 33 feet otherwise permitted in the R1-1VL Zone (when the roof has a slope of 25 percent or greater); a maximum building height of 30 feet, 1 inch within the front yard encroachment plane; and a maximum height of 39 feet, 2 inches within the side yards encroachment planes; all pursuant to LAMC Sec. 12.21-C,10(d).
 - Ten existing/new retaining walls varying from zero feet to 7 feet, 11½ inches in height, pursuant to LAMC Sec. 12.24-X,26(a), in lieu of two walls to a maximum height of 10 feet otherwise permitted by LAMC Sec. 12.21-C,8(a).
 - Three walls within the front yard setback to a maximum height of 4 feet, 4 inches, and three walls within the side yard setbacks to a maximum height of 7 feet, 11½ inches, in lieu of maximum heights of 3½ feet and 6 feet respectively, as otherwise permitted pursuant to LAMC Sec. 12.21-C,1(g).
- A Zoning Administrator Adjustment to permit:
 - Within the front yard setback and the public right-of-way, the remodeled single family dwelling to observe a setback of zero feet, including an attached garage and decks, in lieu of a minimum 5-foot front yard setback as otherwise required on a Standard Hillside Limited Street with a prevailing setback of less than 5 feet, pursuant to LAMC Sec. 12.21-C,10(a)(1)(iv).
 - Within the southerly side yard setback, the remodeled single family dwelling to continue to observe an existing setback of 3 feet, 3 ½ inches at the second

floor level; and a new detached deck adjacent to the swimming pool to observe a setback of 5 feet; in lieu of an 8-foot side yard setback otherwise required pursuant to LAMC Sec. 12.21-C,10(a).

- Within the northerly side yard setback, the remodeled single family dwelling and attached garage to observe a setback of 4 inches. This applies only to the attached garage and a deck for a lineal distance of approximately 20 feet.

More specifically, the single family dwelling and an exterior stairway to observe a setback of 5 feet, 1 inch at the second floor level; the dwelling to observe a setback of 7 feet at the third floor level; and a new detached deck adjacent to the swimming pool to observe a setback of 3 feet, 1½ inches; in lieu of an 8-foot side yard setback otherwise required pursuant to LAMC Sec. 12.21-C,10(a).

- The remodeled existing single family dwelling to contain approximately 3981 square feet of Residential Floor Area, in lieu of the maximum 3622 square feet of Residential Floor Area otherwise permitted pursuant to LAMC Sec. 12.21-C,10(b) for a lot in the R1-1VL Zone.

BACKGROUND & PROJECT DESCRIPTION

The subject property is presently improved with a single family dwelling which was built in 1938 according to the records of the Los Angeles County Assessor. It presently contains approximately 2188 square feet of floor area, according to the architectural plans. The site contains approximately 8537 square feet of lot area according to ZIMAS (8450 square feet according to the architectural exhibits). The property is in the R1-1VL Zone, and is designated for Low Residential density in the Silver Lake – Echo Park – Elysian Valley Community Plan.

Other properties along the northwest side of Park Drive, both northerly and southerly of the subject property are also in the R1-1VL Zone and improved with single family dwellings. Elysian Park is to the east, across Park Drive, in the OS-1XL Zone.

According to the Department of Public Works, Park Drive is a Standard Hillside Limited Street, with a right-of-way width of 70 feet and a roadway width of 29 feet. The calculated prevailing front yard setback along Park Drive is less than 5 feet; therefore, pursuant to LAMC Sec. 12.21-C,10(a)(1)(iv), the minimum required front yard setback is 5 feet.

The site is within the jurisdiction of the East Los Angeles Area Planning Commission and the Greater Echo Park Elysian Neighborhood Council. It is subject to the Hillside Area regulations in the Zoning Code. It is within 70 feet of Elysian Park. It is not subject to either liquefaction or landslide hazards.

Existing improvements. The existing development is a two-story dwelling (actually, functionally a one-story house above a small basement level). The upper level contains a living room, two bedrooms, kitchen, dining room, laundry room, foyer and outside deck. A detached garage is located in front of the dwelling at the lower level.

Proposed improvements. Overall, it is proposed to construct a third-story addition to the existing two-story single family dwelling and do additional interior remodeling; attach the existing garage building to the main dwelling and construct attached decks, construct a new swimming pool and additional site work including decks.

- The additions and remodels will result in a total of 3981 square feet of Residential Floor Area (RFA). Permitted RFA per the slope band analysis is 3622 square feet. The additional 359 square feet is being requested via a zoning administrator adjustment.
- With respect to building heights, the Hillside Area ordinance permits a 33-foot height for a building with a 25 percent or greater sloping roof in the R1-1VL Zone. The existing dwelling is 27 feet, 5 inches in height; the proposed building will have a maximum envelope height of 39 feet, 2 inches. In addition, the dwelling will be 30 feet, 1 inch in height within the front yard encroachment plane, and 39 feet, 2 inches in height within the side yards encroachment planes.
- According to the civil engineer, approximately 111 cubic yards of total grading will occur for the project, comprising approximately 84 cubic yards of cut and 27 cubic yards of fill. No haul route approval will be required.
- With respect to parking, the project will require a total of two spaces, since it fronts on a Standard Hillside Limited Street. Two parking spaces will be provided within the attached garage.
- With respect to required yard setbacks:
 - The minimum required front yard setback is 5 feet; the proposed setback for the main dwelling will be zero feet.
 - The minimum required side yard setbacks are 8 feet; proposed setbacks for various improvements will vary from 4 inches to 8 feet, as will be discussed in the findings infra.
 - The minimum rear yard setback is 15 feet; the proposed setback will be substantially greater than that.

- With respect to the single family dwelling:
 - The first floor will be increased from 281 square feet of RFA to 401 square feet; a 205 square-foot loggia will be removed. That level of the home will contain the attached garage, a playroom and mechanical room.
 - The second floor will be increased from 1572 square feet of RFA to 1918 square feet, plus a 90-square-foot loggia. That level of the home will contain an entry, living room, family room, dining room, kitchen, bedroom and exterior deck.
 - The third floor will be entirely new, and will contain 1442 square feet of RFA. That level of the home will contain the master bedroom suite, two additional bedrooms and an exterior deck.

A total of 10 existing/proposed walls are requested, varying in height from zero feet to 7 feet, 11½ inches. These will be described in detail in the findings infra. Six of those walls will be over the permitted height within the front and side yard setbacks.

**FINDINGS FOR ZONING ADMINISTRATOR DETERMINATION
(PURSUANT TO LAMC SEC. 12.24-E, 12.24-X,7, 12.24-X,26 & 12.24-X,28)**

The instant requests are a Zoning Administrator Determination to permit:

- The addition of a third story to an existing single family dwelling to observe a maximum height of 39 feet, 2 inches, in lieu of a height of 33 feet otherwise permitted in the R1-1VL Zone (when the roof has a slope of 25 percent or greater); a maximum building height of 30 feet, 1 inch within the front yard encroachment plane; and a maximum height of 39 feet, 2 inches within the side yards encroachment planes; all pursuant to LAMC Sec. 12.21-C,10(d).
- Ten existing/new retaining walls varying from zero feet to 7 feet, 11½ inches in height, pursuant to LAMC Sec. 12.24-X,26(a), in lieu of two walls to a maximum height of 10 feet otherwise permitted by LAMC Sec. 12.21-C,8(a).
- Three walls within the front yard setback to a maximum height of 4 feet, 4 inches, and three walls within the side yard setbacks to a maximum height of 7 feet, 11½ inches, in lieu of maximum heights of 3½ feet and 6 feet respectively, as otherwise permitted pursuant to LAMC Sec. 12.21-C,1(g).

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. (LAMC Sec. 12.24-E) THE APPROVAL IS IN CONFORMITY WITH THE PUBLIC NECESSITY, CONVENIENCE, GENERAL WELFARE AND GOOD ZONING PRACTICE. (LAMC Sec. 12.24-X,28)

The proposed new improvements will enhance the built environment in the surrounding neighborhood and will perform a function that is beneficial to the community in at least the following ways:

Building height. The applicant intends to construct a third-story addition to the existing two-story single family dwelling and do additional interior remodeling; attach the existing garage building to the main dwelling and construct attached decks, construct a new swimming pool and additional site work including decks.

- The existing dwelling is constructed on a relatively level portion of the site adjacent to Park Drive. Behind the dwelling, the property slopes substantially downhill, with

an approximately 36-foot change in elevation to the rear property line, yielding a slope of approximately 33 percent. That slope inhibits the locations where additions may feasibly occur; therefore, the proposed additions will be constructed above the existing levels of the present house.

- A benefit from this is that the proposed improvements will cover 32 percent of the lot area of the subject property, below the 40 percent coverage permitted by the Hillside Area ordinance.
- The request for increased height is driven by several factors:
 - The existing dwelling is very small, containing only 1853 square feet of Residential Floor Area (not counting a loggia and the garage). The home contains only two bedrooms and one bathroom. It does not contain a master bedroom or a family room.
 - Given the steepness of the lot, the only practical location for additional floor area is on a third level for the dwelling.
 - The third level of the home will offer 360-degree views of the areas surrounding the home, including Silver Lake and the Hollywood hills to the west, and Elysian Park/Valley and Downtown Los Angeles to the east/south.
 - A third floor for the dwelling will be consistent with very nearby single family homes, including 2115 Park Drive immediately next door to the northeast; and 2127 Park Drive, 2133 Park Drive and 2135 Park Drive to the northeast, all of which are within 128 feet to 265 feet from the subject property.
- Both to the northeast (2115 Park Drive) and the southwest (2101 Park Drive), the abutting dwellings are offset from the location of the applicant's home. A substantial portion of the walls of the northerly dwelling do not directly face the walls of the subject dwelling. The walls of the southerly dwelling do not directly face the walls of the subject dwelling at any point. There exists, in addition, intervening landscaping on both properties. There is no neighboring dwelling immediately to the west behind the subject property. To the east, lie the open spaces of Elysian Park, significantly downhill from the subject property.

With respect to the encroachment planes in the R1 Zone affecting the subject dwelling, in principle, these are intended to provide open area and light for adjacent properties. However, those objectives are unnecessary and otherwise met in the instant case for the reasons described below:

- On the south side of the building, while the existing second floor level of the dwelling observes 3-foot, 3½ inch setback from the side property line, the new third floor will

observe a setback of nearly 9 feet, greater than the required 8-foot side yard setback. As a result, a comparatively minor portion of the roof will extend into the southerly encroachment plan. Further, the immediately abutting dwelling to the southwest is offset from the subject home and does not directly face that side.

- On the north side of the building, the second floor of the home will observe a 5-foot, 1-inch setback from the side property line, which will be greater than the existing 4-foot side yard setback for that level of the existing house. The new third floor will observe a 7-foot setback from the side property line, greater than the second level. However, the encroachment plane on that side of the dwelling cannot be feasibly observed, without reducing the functional size of the master bedroom and third bedroom on the third floor level. This is most apparent on Architectural Sheet No. A5.1 (View No. 2). There is no need to so restrict the volume of the house on that side, in consideration that the immediately abutting dwelling to the northeast is substantially offset from the subject home and does not directly face that side.
- At the front of the building, the existing/proposed house will observe a zero-foot setback from the front property line at the first and second levels. The third level will observe the required 5-foot front yard setback (except in one corner where the setback will be approximately 4 feet), however, a portion of the roof/attic will enter the front encroachment plane. There is no need to so restrict the dwelling on that side, in consideration that the property faces a Standard Hillside Limited Street which has a dedicated width of 70 feet and a roadway width of 29 feet, according to Public Works. Further, on the facing southeast side of Park Drive, the property faces the open, downslope expanse of Elysian Park.

Retaining walls. As described here, the ten existing/proposed retaining walls will serve various purposes:

- Wall No. 1: A wall a maximum of 3 feet, 3 inches in height and 11 feet, 5 inches in length. It will enclose a proposed planter at the front of the dwelling. As such, it may technically not be a retaining wall, because the earth it retains will be level and the wall is low in height. Notwithstanding, it is being included in the requests for the purpose of fully covering all walls.
- Wall No. 2: A wall a maximum of 4 feet in height and 12 feet, 8 inches in length. It will support the two low stairways entering the property at the front from the street.
- Wall No. 3: A wall a maximum of 4 feet in height and 13 feet, 10 inches in length. A portion of this wall is existing, and is/will be located at the front of the property within the public right of way. It will enclose a proposed planter at the front of the dwelling. As such, it may technically not be a retaining wall, because the earth it retains will be level and the wall is low in height. Notwithstanding, it is being included in the requests for the purpose of fully covering all walls.

- Wall No. 4: A wall varying in height from 6 inches to 4 feet, 4 inches (as a plumb line measurement) and 25 feet, 11 inches in length. It will support the slope southerly of the main front stairways leading to the front door of the dwelling.
- Wall No. 5: A wall a maximum of 2 feet, 4 inches in height and 25 feet, 6 inches in length. It is a portion of the existing retaining wall within the public right of way at the front of the home. It will continue to support the slope southerly of the proposed stairways.
- Wall No. 6: A wall zero feet to 7 feet, 11½ inches in height and 17 feet, 3 inches in length. It will retain earth beneath an attached deck at the northwest corner of the dwelling.
- Wall No. 7: A wall varying in height from 6 inches to 7 feet, 11 ½ inches and 41 feet in length. It will retain earth beneath the attached deck along the rear of the house and a planter northerly of the stairs rising from the pool area.
- Wall No. 8: An existing and/or new wall varying from 6 inches to 7 feet, 9 inches in height and 42 feet, 1 inch in length. This wall is/will be located within the southerly side yard setback. It will continue to retain slopes southwesterly of the dwelling.
- Wall No. 9: A wall a maximum of 3 feet in height (as a plumb line measurement) and 24 feet, 10 inches in length. This wall will retain the slope on the southerly side of the stairs rising from the pool area.
- Wall No. 10: A wall 2 feet in height and 19 feet, 7 inches in length. This wall will retain the lower face of the slope adjacent to the pool deck and southerly of the stairs rising from the pool area.

Over-in-height walls within required setbacks. As described supra, 6 existing/proposed walls are/will be located within required yards and will exceed by-right heights:

- Wall No. 2: A maximum of 4 feet in height and 12 feet, 8 inches in length. It will support the two low stairways entering the property at the front from the street.
- Wall No. 3: A maximum of 4 feet in height and 13 feet, 10 inches in length. A portion of this wall is existing, and is/will be located at the front of the property within the public right of way.
- Wall No. 4: Varying in height from 6 inches to 4 feet, 4 inches and 25 feet, 11 inches in length, located at the front of the dwelling.

- Wall No. 6: Zero feet to 7 feet, 11½ inches in height and 17 feet, 3 inches in length. This wall will be located in the northerly side yard setback.
- Wall No. 7: A wall varying in height from 6 inches to 7 feet, 11½ inches and 41 feet in length. A small portion of this wall at its greatest height will be located in the northerly side yard setback.
- Wall No. 8: An existing and/or new wall varying from 6 inches to 7 feet, 9 inches in height and 42 feet, 1 inch in length. This wall is/will be located within the southerly side yard setback.

For all 10 walls as retaining walls, and for the 6 over-height walls located in yards, they will perform a function that is beneficial to the community:

- In consideration of the significant overall topographic differentials within the site, this is a reasonable number of walls and necessary to achieve a safe and stabilized site.
- The existing/proposed retaining walls will variously stabilize and retain certain portions of the site, create areas for open space and recreation/entertainment features, and create areas to provide pedestrian access to the dwelling and its surrounding decks.
- The existing/proposed walls will not be noticeable offsite because none of the walls facing the street will exceed 4 feet, 4 inches in height. Further, no wall at any location on the property will exceed 7 feet, 11½ inches in height. In addition, three of the wall requests are for the continued maintenance of portions of existing retaining walls.
- The walls, where located on the subject property, will not obstruct views from any abutting or nearby properties. Further, at the heights proposed, the walls will be compatible in scale with overall development of the subject property and of neighboring development.

As is normally the case with requests for zoning entitlements, the requirement that it “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” requires interpretation, since most such actions are sought for the primary benefit of a private property owner. The threshold consideration is that such a request must have no adverse impacts upon the surrounding neighborhood or community. That is the case here, as described in the preceding and following findings.

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. (LAMC Sec. 12.24-E)

- The proposed project will be fully compatible with surrounding development. The subject site has been developed with a single family dwelling since at least 1938 (80 years) The proposed use will continue to be as a single family dwelling. Its fundamental impacts will be no different than those for the existing dwelling.
- Partly because the topographic differentials of the site inhibit the locations where additions may feasibly occur, with their construction being above the existing levels of the present house, the proposed improvements will cover 32 percent of the lot area of the subject property, below the 40 percent coverage permitted by the Hillside Area ordinance.
- The use is, and will continue to be, buffered in all directions by various elements:
 - The adjacent dwelling to the north (2115 Park Drive) is offset from the location of the applicant's home. A substantial portion of the walls of the northerly dwelling do not directly face the walls of the subject dwelling. There exists, in addition, intervening landscaping on both properties.
 - The adjacent dwelling to the south (2101 Park Drive) is also offset from the location of the applicant's home. In this instance, the walls of the southerly dwelling do not directly face the walls of the subject dwelling at any point. Again, there exists intervening landscaping on both properties.
 - There are no neighboring dwellings immediately to the west behind the subject property.
 - To the east, lie the open spaces of Elysian Park, significantly downhill from the subject property.
- With respect to parking, the project will provide two parking spaces, as is required by the Zoning Code. These will be located within the attached garage.
- All lighting will be of a low level of intensity and directed onsite. There will be no noise sources on the property not consistent with the quiet enjoyment of a single-family residential dwelling.

Building height: A third floor for the dwelling will be consistent with very nearby single family homes, including 2115 Park Drive immediately next door to the northeast; and 2127 Park Drive, 2133 Park Drive and 2135 Park Drive to the northeast, all of which are within 128 feet to 265 feet from the subject property.

Retaining walls: In order to create geologic safety and stability for the site and to create desired areas for landscape, hardscape and open space recreation/ entertainment features, and to provide pedestrian access to the dwelling and its surrounding decks, ten retaining walls are existing and/or proposed. The retaining walls will stabilize and retain certain portions of the site. Six of the walls are/will be located, of necessity, within required yards and will also be over in height. No wall will exceed 7 feet, 11½ inches in height (as measured per the Zone Code, i.e., from the top of each wall to the lower side of adjacent ground elevation).

In consideration of the significant overall topographic differentials within the site, this is a reasonable number of walls and necessary to achieve a safe and stabilized site. At a maximum of 7 feet, 11½ inches in height, the walls are below the maximum height permitted by the ordinance.

The walls, where located on the subject property, will not obstruct views from any abutting or nearby properties. Further, at the heights proposed, the walls will be compatible in scale with overall development of the subject property and of neighboring development.

The existing/proposed walls will not be noticeable offsite because none of the walls facing the street will exceed 4 feet, 4 inches in height. Further, no wall at any location on the property will be of significant height. In addition, three of the wall requests are for the continued maintenance of portions of existing retaining walls.

Where it is desirable and appropriate, the faces of retaining walls facing property lines will be softened by the inclusion of screening landscaping.

Zoning administrator cases on neighboring properties: Other properties within the immediate vicinity have received approval for over-in-height buildings, retaining walls and over-in-height walls/fences within yards:

- **2011 Park Drive:** In March, 2017, under Case No. ZA 2015-4121(ZAD)(ZAA)(F), a zoning administrator approved:
 - A building height of 45 feet in lieu of an envelope height of 28 feet otherwise permitted by LAMC Sec. 12.21-C,10(d) in conjunction with the addition of a third story to an existing dwelling;
 - Four retaining walls to a maximum height of 6 feet, in lieu of two walls up to 10 feet as otherwise permitted; and
 - A fence to a height of 6 feet within the front yard setback in lieu of 3.5 feet otherwise permitted.

- **2047 Park Drive:** In June, 1993, under Case No. ZA 1993-0205(YV), a zoning administrator approved a 6-foot-in-height retaining wall within the front yard setback in lieu of 3.5 feet otherwise permitted.

- 1925 Avon Street: In September, 2004, under Case No. ZA 2004-3509(ZV), a zoning administrator approved a variance in conjunction with the construction of a third dwelling unit to an existing duplex, to permit an overall building height of 49 feet, 4 inches in lieu of 45 feet otherwise permitted in the RD3-1VL Zone.
- 2327 Vista Gordo Drive: In December, 1991, under Case No. ZA 1991-0867(F), a zoning administrator approved a 6-foot-high chain link fence and gates, with 7-foot-high pilasters and 8-foot-high lights, along the front property line, in lieu of a height of 3.5 feet otherwise permitted.

THE PROJECT SUBSTANTIALLY CONFORMS WITH THE PURPOSE, INTENT AND PROVISIONS OF THE GENERAL PLAN, THE APPLICABLE COMMUNITY PLAN, AND ANY APPLICABLE SPECIFIC PLANS. (LAMC Sec. 12.24-E) (LAMC Sec. 12.24-X,28)

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 within the Los Angeles Municipal Code (LAMC). Except for the entitlements described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code.

The Land Use Element of the City's General Plan divides the City into 35 Community Plan areas. The subject property is located within the Silver Lake – Echo Park – Elysian Valley Community Plan, which designates the subject property for Low Residential land use. The site is not subject to any specific plans or interim control ordinances. The request is consistent with the adopted plan in that the site will contain a single family dwelling, consistent with the provisions of the R1-1VL Zone and in correspondence with the designation of the plan. The General Plan does not specifically designate uses permitted by conditional use or similar quasi-judicial approvals, such as the instant request. LAMC Secs. 12.24-X,7 12.24-X,24 and 12.24-X,28 permit the requested deviations within the zones corresponding to the land use designation. The request is therefore consistent with the use and intensity/density permitted in the adopted plan.

FINDING FOR HILLSIDE BUILDING HEIGHT PURSUANT TO LAMC SEC. 12.28-X,28(b)(3):

THE INCREASE IN HEIGHT WILL RESULT IN A BUILDING OR STRUCTURE WHICH IS COMPATIBLE IN SCALE WITH EXISTING STRUCTURES IN THE VICINITY; AND THE APPROVAL IS NECESSARY FOR THE PRESERVATION AND ENJOYMENT OF A SUBSTANTIAL PROPERTY RIGHT POSSESSED BY OTHER PROPERTY IN THE VICINITY.

- The proposed project will be fully compatible with surrounding development. The subject site has been developed with a single family dwelling since at least 1938 (80 years) The proposed use will continue to be as a single family dwelling. Basically, its potential impacts will be no different than those for the existing dwelling.
- Partly because the topographic differentials of the site inhibit the locations where additions may feasibly occur, with their construction being above the existing levels of the present house, the proposed improvements will cover 32 percent of the lot area of the subject property, below the 40 percent coverage permitted by the Hillside Area ordinance.
- The use is, and will continue to be, buffered in all directions by various elements: The adjacent dwellings to the north and south are offset from the location of the applicant's home. A substantial portion of the walls of the northerly dwelling, and all of the walls of the southerly dwelling, do not directly face the walls of the subject dwelling. There exists, in addition, intervening landscaping on both properties. There are no neighboring dwellings immediately to the west behind the subject property. To the east, lie the open spaces of Elysian Park, significantly downhill from the subject property.
- All lighting will be of a low level of intensity and directed onsite. There will be no noise sources on the property not consistent with the quiet enjoyment of a single-family residential dwelling.
- Other properties within the immediate vicinity of the subject property have enjoyed a property right or approvals to greater building heights, as cited in the preceding findings supra.
- A third floor for the dwelling will be consistent with very nearby single family homes, including 2115 Park Drive immediately next door to the northeast; and 2127 Park Drive, 2133 Park Drive and 2135 Park Drive to the northeast, all of which are within 128 feet to 265 feet from the subject property.

SPECIFIC FINDINGS FOR RETAINING WALLS

WHILE SITE CHARACTERISTICS OR EXISTING IMPROVEMENTS MAKE STRICT ADHERENCE TO THE ZONING REGULATIONS IMPRACTICAL OR INFEASIBLE, THE PROJECT NONETHELESS CONFORMS WITH THE INTENT OF THOSE REGULATIONS. (LAMC Sec. 12.28-4)

In order to create geologic safety and stability for the site and to create desired areas for landscape, hardscape and open space recreation/entertainment features, and to provide pedestrian access to the dwelling and its surrounding decks, ten retaining walls are existing and/or proposed. The retaining walls will stabilize and retain certain portions of the site. No wall will exceed 7 feet, 11½ inches in height (as measured per the Zone Code, i.e., from the top of each wall to the lower side of adjacent ground elevation).

In consideration of the significant overall topographic differentials within the site, this is a reasonable number of walls and necessary to achieve a safe and stabilized site. At a maximum of 7 feet, 11½ inches in height, the walls are below the maximum height permitted by the ordinance.

With respect to retaining walls, the intent of the Zoning Code is to minimize the visual impact of such walls as seen from public view. However, the Code also aims at insuring that development is achieved in a manner to guarantee the safety of occupants of development. In that the Grading Division of the Department of Building & Safety is reviewing the proposed development and design of the walls so as to stabilize the topography of the property, the requested adjustment does not detract from the intent and purpose of the zoning regulations. Granting the adjustment as requested will not jeopardize the integrity of the zoning regulations regarding the height of retaining walls, in that the proposed walls will not exceed the maximum height permitted for such walls. Further, denial of the requests would unfairly prevent the applicant from safely enjoying reasonable use of the subject site.

The overarching spirit and intent of the regulations within the Zoning Code are to provide development which is compatible with neighboring uses and the environment in general. In this instance, as has been described in previous findings, the proposed retaining walls will be highly compatible with neighboring uses and will have no adverse environmental effects, particularly in consideration of the substantial distances between neighboring dwellings and the low height of the walls.

IN LIGHT OF THE PROJECT AS A WHOLE, INCLUDING ANY MITIGATION MEASURES IMPOSED, 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. (LAMC Sec. 12.28-4)

In order to create geologic safety and stability for the site and to create desired areas for landscape, hardscape and open space recreation/entertainment features, and to provide pedestrian access to the dwelling and its surrounding decks, ten retaining walls are existing and/or proposed. The retaining walls will stabilize and retain certain portions of the site. No wall will exceed 7 feet, 11½ inches in height (as measured per the Zone Code, i.e., from the top of each wall to the lower side of adjacent ground elevation).

The walls, where located on the subject property, will not obstruct views from any abutting or nearby properties. Further, at the heights proposed, the walls will be compatible in scale with overall development of the subject property and of neighboring development.

The existing/proposed walls will not be noticeable offsite because none of the walls facing the street will exceed 4 feet, 4 inches in height. Further, no wall at any location on the property will be of significant height. In addition, three of the wall requests are for the continued maintenance of portions of existing retaining walls.

Where it is desirable and appropriate, the faces of retaining walls facing property lines will be softened by the inclusion of screening landscaping.

In consideration of the significant overall topographic differentials within the site, this is a reasonable number of walls and necessary to achieve a safe and stabilized site. At a maximum of 7 feet, 11½ inches in height, the walls are below the maximum height permitted by the ordinance.

THE PROJECT SUBSTANTIALLY CONFORMS WITH THE PURPOSE, INTENT AND PROVISIONS OF THE GENERAL PLAN, THE APPLICABLE COMMUNITY PLAN, AND ANY APPLICABLE SPECIFIC PLANS. (LAMC Sec. 12.24-E). THE ACTION IS IN SUBSTANTIAL CONFORMANCE WITH THE VARIOUS ELEMENTS AND OBJECTIVES OF THE GENERAL PLAN. (LAMC Sec. 12.24-X,28(b))

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 within the Los Angeles Municipal Code (LAMC). Except for the entitlements described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code.

The Land Use Element of the City's General Plan divides the City into 35 Community Plan areas. The subject property is located within the Silver Lake – Echo Park – Elysian Valley Community Plan, which designates the subject property for Low Residential land use. The site is not subject to any specific plans or interim control ordinances. The request is consistent with the adopted plan in that the site will contain a single family dwelling, consistent with the provisions of the R1-1VL Zone and in correspondence with the designation of the plan. The plan does not address minor deviations in the number or height of walls. The request is therefore consistent with the use and intensity/density permitted in the adopted plan.

SPECIFIC FINDING FOR WALLS/FENCES PURSUANT TO LAMC SEC. 12.24-X,28(b)(7)(c)

THE PROPOSED WALL/FENCE WILL NOT BE MATERIALLY DETRIMENTAL TO THE PROPERTY OR IMPROVEMENTS IN THE SAME ZONE AND VICINITY IN WHICH THE PROPERTY IS LOCATED.

This will substantially recapitulate discussion within the previous findings, but it is repeated here for the purpose of making the present finding.

As to the appropriateness of the design and materials of the retaining walls within yards:

- The existing/proposed retaining walls are/will be constructed of masonry. The design and materials will blend well with development within the neighborhood, which contains numerous similar types of improvements.

- At a maximum height of 7 feet, 11½ inches for the walls within required yard setbacks, the request is not excessive in serving the objectives of security and safety.

As to the appropriateness of the location of the fences and gates:

- Two of the six retaining walls located within required yards and also over-height, have long existed on the subject property, in the same locations, with no adverse impacts upon neighboring properties or on traffic along the street. Dwellings are well removed from each other in the vicinity of the subject property and mutually buffered by extensive vegetation. The street is very lightly traveled.
- The proposed locations are consistent with the character of development on adjacent properties within the neighborhood.

As to the effects on the view of adjoining properties and environmental effects:

- The heights of the walls are reasonable and necessary to fulfill their function as retaining walls, and will be well-removed from neighboring properties. Therefore, there will be no impacts upon the views of occupants of adjoining properties. In addition to distances between dwellings, neighboring properties are mutually concealed by extensive vegetation.
- The light, air and ventilation for the subject property and adjoining properties will not be affected because the walls are/will be low in height and will be well removed from adjacent development.
- There will be no lighting related to the existing/proposed walls.

As to security on the subject property which the fences/gates will provide:

- The walls are intended to provide geologic safety within the subject property, rather than to serve purposes of privacy or security.

FINDINGS FOR ZONING ADMINISTRATOR ADJUSTMENT (PURSUANT TO LAMC SEC. 12.28-C,4)

The instant request is a Zoning Administrator Adjustment to permit:

- Within the front yard setback and the public right-of-way, the remodeled single family dwelling to observe a setback of zero feet, including an attached garage and decks, in lieu of a minimum 5-foot front yard setback as otherwise required on a Standard Hillside Limited Street with a prevailing setback of less than 5 feet, pursuant to LAMC Sec. 12.21-C,10(a)(1)(iv).
- Within the southerly side yard setback, the remodeled single family dwelling to continue to observe an existing setback of 3 feet, 3 ½ inches at the second floor level; and a new detached deck adjacent to the swimming pool to observe a setback of 5 feet; in lieu of an 8-foot side yard setback otherwise required pursuant to LAMC Sec. 12.21-C,10(a).
- Within the northerly side yard setback, the remodeled single family dwelling and attached garage to observe a setback of 4 inches. This applies only to the attached garage and a deck for a lineal distance of approximately 20 feet.

More specifically, the single family dwelling and an exterior stairway to observe a setback of 5 feet, 1 inch at the second floor level; the dwelling to observe a setback of 7 feet at the third floor level; and a new detached deck adjacent to the swimming pool to observe a setback of 3 feet, 1½ inches; in lieu of an 8-foot side yard setback otherwise required pursuant to LAMC Sec. 12.21-C,10(a).

- The remodeled existing single family dwelling to contain approximately 3981 square feet of Residential Floor Area, in lieu of the maximum 3622 square feet of Residential Floor Area otherwise permitted pursuant to LAMC Sec. 12.21-C,10(b) for a lot in the R1-1VL Zone.

WHILE SITE CHARACTERISTICS OR EXISTING IMPROVEMENTS MAKE STRICT ADHERENCE TO THE ZONING REGULATIONS IMPRACTICAL OR INFEASIBLE, THE PROJECT NONETHELESS CONFORMS WITH THE INTENT OF THOSE REGULATIONS.

Purposes of an adjustment. Under an adjustment, there need to be site characteristics that make strict adherence to the Code impractical under the circumstances. Such characteristics exist in this instant case, as described in the following findings.

In an adjustment, the applicant does not have to demonstrate that the project is not otherwise possible. The need for approval may be created by the design choices of the applicant. All that is required is that those choices must be reasonable under the circumstances and compatible with neighboring properties.

An adjustment is permission to depart from the literal enforcement of a zoning ordinance and to allow the property to be used in a manner not otherwise permitted, provided that the spirit of the ordinance is observed and substantial justice is done without detrimental impacts to the community.

Yard setbacks in general. The existing dwelling is constructed on a relatively level portion of the site adjacent to Park Drive. Behind the dwelling, the property slopes substantially downhill, with an approximately 36-foot change in elevation to the rear property line, yielding a slope of approximately 33 percent. That slope inhibits the locations where additions may feasibly occur; therefore, the proposed additions are constructed above the existing levels of the present house.

Front yard setback. Within the front yard setback, the remodeled single family dwelling is proposed to observe a setback of zero feet and extend into the public right-of-way, including an attached garage and decks, in lieu of a minimum 5-foot front yard setback as otherwise required on a Standard Hillside Limited Street with a prevailing setback of less than 5 feet. Because the street is not substandard, the request is being filed as a Z. A. adjustment, rather than a Z. A. determination as the Hillside Area ordinance would otherwise permit.

- The existing single family dwelling and presently detached garage currently observe a zero-foot front yard setback. Various improvements, including the front stairway leading to the house and a retaining wall are located within the public right of way.
- The remodeled dwelling will be located at the same point at the front, observing a zero-foot front yard setback at the first and second levels of the house. *The new third level will observe the required 5-foot front yard setback (except in one corner, where it will observe an approximately 4-foot setback).* The existing garage and a new deck constructed above it, will be attached to the house and will also observe a zero-foot front yard setback (the existing garage will lose its legal nonconforming right to a zero-foot front yard setback, when it becomes attached to the dwelling). *All remodeled improvements will not encroach into the required front yard setback, nor hardscape/wall improvements into the public right of way for the street, any deeper than the existing improvements.*
- Prior to the 10-foot dedication to the City for public street purposes, the existing and proposed buildings observed a conforming front yard setback. However, the existing retaining wall was located within the public right of way at that time.

- At the front of the dwelling, the property faces a Standard Hillside Limited Street which has a dedicated width of 70 feet and a roadway width of 29 feet. In addition, on the facing southeast side of Park Drive, the property faces the open, downslope expanse of Elysian Park.

Southerly side yard setback. Within the southerly side yard setback, the remodeled single family dwelling is proposed to continue to observe an existing setback of 3 feet, 3½ inches at the second floor level; and a new detached deck adjacent to the swimming pool to observe a setback of 5 feet; in lieu of an 8-foot side yard setback otherwise required. It is noted that the new proposed deck is detached from the dwelling and therefore its height above grade is irrelevant as to whether it is encroaching into the required southerly and northerly side yard setbacks.

- On the south side of the building, while the existing second floor level of the dwelling observes, and will continue to observe, a 3-foot, 3½-inch setback from the side property line, the new third floor will observe a setback of nearly 9 feet, greater than the required 8-foot side yard setback.
- The adjacent dwelling to the south (2101 Park Drive) is offset from the location of the applicant's home. The walls of the southerly dwelling do not directly face the walls of the subject dwelling at any point. In addition, there exists intervening landscaping on both properties.
- With respect to the new deck adjacent to the swimming pool, a swimming pool is permitted by right within side yard setbacks. The southerly edge of the deck has been designed to align with a descending stairway located on the southerly side of the pool. The deck must observe a 5-foot side yard setback to provide access to the stairway.

Northerly side yard setback. Within the northerly side yard setback:

- The second floor of the home will observe a 5-foot, 1-inch setback from the side property line, which will be greater than the existing 4-foot side yard setback for that level of the existing house. The exterior stairway, which will provide access to the second-floor loggia, will also observe a 5-foot, 1-inch setback.
- The new third floor will observe a 7-foot setback from the side property line, greater than the second level. The new attached deck on the third level will be set back 5 feet, 1 inch, matching the setback of the second level of the building.
- With respect to the existing garage building, it is legal nonconforming where located, 4 inches from the northerly side property line. It will lose its nonconforming rights

when it is attached to the dwelling. The deck constructed atop the garage at the second level will observe the same setback from the northerly side property line.

- The adjacent dwelling to the north (2115 Park Drive) is offset from the location of the applicant's home. A substantial portion of the walls of the northerly dwelling do not directly face the walls of the subject dwelling. There exists, in addition, intervening landscaping on both properties.
- The steps running the length of the building on its north side within the side yard setback (see architectural exhibits A1.0 and A3.1) will be constructed on grade and are therefore permitted by right.
- With respect to the new deck adjacent to the swimming pool, the northerly edge of the deck has been designed to align with the northernmost tip of the combination pool/hot tub. The deck must observe a 3-foot, 1½-inch side yard setback to provide access to all points of the northeasterly edge of the pool/hot tub.

Residential Floor Area (RFA). The remodeled existing single family dwelling is proposed to contain approximately 3981 square feet of Residential Floor Area, in lieu of the maximum 3622 square feet of Residential Floor Area otherwise permitted.

With respect to existing / proposed floor area within the dwelling:

- The first floor will be increased from 281 square feet of RFA to 401 square feet; an existing 205-square-foot loggia will be removed. That level of the home will contain the attached garage, and a new playroom and mechanical room.
- The second floor will be increased from 1572 square feet of RFA to 1918 square feet, plus a 90-square-foot loggia. That level of the home will contain an entry, living room, dining room, bedroom, remodeled kitchen, new family room and exterior deck.
- The third floor will be entirely new, and will contain 1442 square feet of RFA. That level of the home will contain the master bedroom suite, two additional bedrooms and an exterior deck.

The request for increased Residential Floor Area (RFA) is driven by several factors:

- *Primarily, the existing dwelling is very small, containing only 1853 square feet of Residential Floor Area (not counting a loggia and the garage). The home contains only two bedrooms and one bathroom. It does not contain a master bedroom or a family room.*

- The third level of the home will offer 360-degree views of the areas surrounding the home, including Silver Lake and the Hollywood hills to the west, and Elysian Park/Valley and Downtown Los Angeles to the east/south.
- A third floor for the dwelling will be consistent with very nearby single family homes, including 2115 Park Drive immediately next door to the northeast; and 2127 Park Drive, 2133 Park Drive and 2135 Park Drive to the northeast, all of which are within 128 feet to 265 feet from the subject property.
- The remodeled first level of the dwelling was originally intended as a basement level, which would have exempted its 401 square feet of RFA from counting as part of the project and would have removed the need for the adjustment request for additional RFA. However, it could not meet the requirement that the upper surface of the floor above not exceed 3 feet in height for at least 60 percent of the perimeter length of the exterior walls.

The proposed project will be compatible with adjacent development for these reasons:

- Since the dwelling is actually a remodel of the original dwelling and will be constructed primarily above the existing home, its footprint will be virtually unchanged. The original home was constructed in 1938, 80 years ago. The impacts on neighboring properties from a dwelling in that location have been long realized and fully absorbed.
- The proposed size of the dwelling is reasonable and compatible with the community. The applicant is proposing a dwelling size of 3981 square feet, which is reasonable by modern standards for dwelling size, and which will fit comfortably into the local community.
- The use is, and will continue to be, buffered in all directions by various elements: The adjacent dwellings to the north and south are offset from the location of the applicant's home. A substantial portion of the walls of the northerly dwelling, and all of the walls of the southerly dwelling, do not directly face the walls of the subject dwelling. There exists, in addition, intervening landscaping on both properties. There are no neighboring dwellings immediately to the west behind the subject property. To the east, lie the open spaces of Elysian Park, significantly downhill from the subject property.
- It will continue to function as a single family building, with levels of noise and lighting typical for such a structure. All lighting will be of a low level of intensity and directed onsite. There will be no noise sources on the property not consistent with the quiet enjoyment of a single family residential dwelling.

The general purpose and intent of the zoning regulations are to provide development which provides privacy and is compatible with neighboring uses and the environment in general, and creates openness for aesthetics, light and air for the inhabitants, and permit emergency access. Such regulations, however, are written on a citywide basis and cannot take into account individual unique characteristics of a specific property. In the instant case, because of the long existence of the existing/original dwelling, the offset of the immediately abutting dwellings to the north and south, the absence of dwellings to the rear, the proximity of Elysian Park, and substantial landscaping on all properties, there will be no adverse environmental effects, and no impacts upon light, aesthetics or air for either the occupants of the property or any adjacent neighbors. Therefore, the Code's intent to achieve compatibility between respective sites and protect neighboring properties, and the applicant's desire to provide a more functional and livable dwelling, can be accommodated in a manner consistent with the intent and purpose of the zoning regulations.

As stated previously, an adjustment is permission to depart from the literal enforcement of a zoning ordinance and to allow the property to be used in a manner not otherwise permitted, provided that the spirit of the ordinance is observed and substantial justice is done without detrimental impacts to the community. Except for the entitlement described herein, the request is in line with City policies and objectives and is consistent with the general spirit and intent of the Planning and Zoning Code. The project will be subject to numerous conditions which will be intended to protect the public welfare and secure compliance with the requirements set forth in the LAMC. Strict compliance with the Code would impose a substantial and unnecessary burden upon the applicant without serving any real beneficial purpose for either the community or the applicant.

IN LIGHT OF THE PROJECT AS A WHOLE, INCLUDING ANY MITIGATION MEASURES IMPOSED, 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.

This finding will recapitulate, in condensed form, discussion from the previous findings, but which is repeated here in order to make the instant finding. The project's significant features will be compatible with and will not adversely affect or degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety:

With respect to yard setbacks in general, the existing dwelling is constructed on a relatively level portion of the site adjacent to Park Drive. Behind the dwelling, the property slopes substantially downhill, with an approximately 36-foot change in elevation

to the rear property line, yielding a slope of approximately 33 percent. That slope inhibits the locations where additions may feasibly occur; therefore, the proposed additions are constructed above the existing levels of the present house.

With respect to the front yard setback, the property faces a Standard Hillside Limited Street which has a dedicated width of 70 feet and a roadway width of 29 feet. In addition, on the facing southeast side of Park Drive, the property faces the open, downslope expanse of Elysian Park.

With respect to the southerly side yard setback, the adjacent dwelling to the south (2101 Park Drive) is offset from the location of the applicant's home. The walls of the southerly dwelling do not directly face the walls of the subject dwelling at any point. In addition, there exists intervening landscaping on both properties.

With respect to the northerly side yard setback, the adjacent dwelling to the north (2115 Park Drive) is offset from the location of the applicant's home. A substantial portion of the walls of the northerly dwelling do not directly face the walls of the subject dwelling. There exists, in addition, intervening landscaping on both properties.

With respect to Residential Floor Area (RFA): The proposed size of the dwelling is reasonable and compatible with the community. The applicant is proposing a dwelling size of 3981 square feet, which is reasonable by modern standards for dwelling size, and which will fit comfortably into the local community.

The proposed project will be compatible with adjacent development for these reasons:

- Since the dwelling is actually a remodel of the original dwelling and will be constructed primarily above the existing home, its footprint will be virtually unchanged. The original home was constructed in 1938, 80 years ago. The impacts on neighboring properties from a dwelling in that location have been long realized and fully absorbed.
- The use is, and will continue to be, buffered in all directions by various elements: The adjacent dwellings to the north and south are offset from the location of the applicant's home. A substantial portion of the walls of the northerly dwelling, and all of the walls of the southerly dwelling, do not directly face the walls of the subject dwelling. There exists, in addition, intervening landscaping on both properties. There are no neighboring dwellings immediately to the west behind the subject property. To the east, lie the open spaces of Elysian Park, significantly downhill from the subject property.
- It will continue to function as a single family building, with levels of noise and lighting typical for such a structure. All lighting will be of a low level of intensity and

directed onsite. There will be no noise sources on the property not consistent with the quiet enjoyment of a single family residential dwelling.

Zoning administrator cases on neighboring properties: Other properties within the immediate vicinity have received approval for reduced required yard setbacks:

- 2011 Park Drive: In March, 2017, under Case No. ZA 2015-4121(ZAD)(ZAA)(F), a zoning administrator approved a front yard setback varying from zero feet to 17 feet, 2 inches in lieu of 20 feet, 5 inches, and a reduced side yard setback of 5 feet in lieu of 8 feet, in conjunction with the remodel of an existing single family dwelling in the R1-1VL Zone.
- 2053 Park Drive: In January, 2003, under Case No. ZA 2002-4558(ZAA), a zoning administrator approved a new single family dwelling to be located 5 feet from the front property line in lieu of 20 feet otherwise required in the R1-1VL Zone.
- 2047 Park Drive: In June, 1993, under Case No. ZA 1993-0205(YV), a zoning administrator approved a 5-foot front yard setback for a proposed garage in lieu of 18 feet, 6 inches, in conjunction with the construction of a new single family dwelling in the R1-1VL Zone.
- 1947 Vestal Avenue: In July, 2004, under Case No. ZA 2004-1695(ZAA), a zoning administrator approved a zero-foot front yard setback in lieu of 5 feet, in conjunction with the remodel of an existing single family dwelling and garage in the R1-1VL Zone.
- 1925 Avon Street: In September, 2004, under Case No. ZA 2004-3509(ZV), a zoning administrator approved a 2 foot, 9½ inch northerly side yard and 5-foot, 4½ inch southerly side yard, and a 4-foot, 2½ inch front yard setback, in conjunction with the construction of a third dwelling unit to an existing duplex in the RD3-1VL Zone.

The intent of the provisions of the Hillside Area ordinance are to ensure that new or remodeled dwellings will not appear incompatible with neighboring properties in scale or volume, and will be compatible with a hillside setting. That will be the case for the subject property, since the proposed size of the dwelling is reasonable and consistent with other properties in the vicinity, and since the remodeled dwelling will occupy essentially the same footprint as the original dwelling.

In light of the above described elements which include the location, size, height and use of the remodeled dwelling, and buffering (landscaping), the granting of an adjustment will result in development compatible with adjacent properties, and will not adversely affect or further degrade those properties, the surrounding neighborhood, or the public health, welfare and safety.

THE PROJECT IS IN SUBSTANTIAL CONFORMANCE WITH THE PURPOSE, INTENT AND PROVISIONS OF THE GENERAL PLAN, THE APPLICABLE COMMUNITY PLAN AND ANY APPLICABLE SPECIFIC PLAN.

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 within the Los Angeles Municipal Code (LAMC). Except for the entitlements described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code.

The Land Use Element of the City's General Plan divides the City into 35 Community Plan areas. The subject property is located within the Silver Lake – Echo Park – Elysian Valley Community Plan, which designates the subject property for Low Residential land use. The site is not subject to any specific plans or interim control ordinances. The request is consistent with the adopted plan in that the site will contain a single family dwelling, consistent with the provisions of the R1-1VL Zone and in correspondence with the designation of the plan. The General Plan does not address minor deviations in setbacks or residential floor area. The request is therefore consistent with the use and intensity/density permitted in the adopted plan.

RESPONSE TO QUESTIONNAIRE FOR FENCES & WALLS TO 8 FEET (FORM CP-2075)

The following questions repeat the specific information contained in the Findings, as noted below.

1. The environmental effects and appropriateness of materials, design and location of any proposed fence or wall.

See the last finding of the ZAD.

2. The detrimental effects of a fence, wall or hedge on the view which may be enjoyed by the occupants of the adjoining properties.

See the last finding of the ZAD.

3. The security to the subject property which the fence or wall would provide.

See the last finding of the ZAD.

4. 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.

See the first finding of the ZAD.

5. 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.

See the second finding of the ZAD.

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

See the third finding of the ZAD.