

# Hearing Officer Transmittal Checklist

Hearing Date 7/07/15
Agenda Item No. 3

Project Number: R2014-01923-(5)  
Case(s): Variance No.201400008  
Planner: Steve Mar

- Project Summary
- Property Location Map
- Staff Analysis
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions
- Burden of Proof Statement(s)
- Environmental Documentation (ND / MND / EIR)
- Correspondence
- Photographs
- Aerial Image(s)
- Land Use/Zoning Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans
- Approval Correspondence from Public Works, Fire, and Public Health
- Certificate of Compliance No. 201400060
- Crescenta Valley Town Council Correspondence – June 23, 2015
- Public Comment Correspondence and Petition

Reviewed By: 



Department of Regional Planning  
 320 West Temple Street  
 Los Angeles, California 90012

**PROJECT NUMBER**

R2014-01923-(5)

**HEARING DATE**

July 7, 2015

**REQUESTED ENTITLEMENTS**

Variance No. 201400008

**PROJECT SUMMARY**

**OWNER / APPLICANT**

Scott Anderson / SC Planners Inc.

**MAP/EXHIBIT DATE**

6-17-14

**PROJECT OVERVIEW**

The applicant is requesting a Variance for the construction of a new single-family residence on a legal undersized 4,670 sq. ft. lot in the R-1-7500 (Single-family Residence – 7,500 sq. ft. Min Req Area) zone. The Variance is required as a condition of Certificate of Compliance No. 201400060, approved July 2014, which states that all necessary zoning permits, such as a variance, shall be acquired prior to any construction or grading on the property. The 2-story, 2,785 sq. ft. single-family residence (1,789.5 sq. ft. living space) includes an 800 sq. ft. roof deck, a 480 sq. ft. detached 2-car garage, a new driveway, and landscaping.

**LOCATION**

(No address) Vacant lot on Canyonside Rd., 225 ft. north of Canyonside Rd. & Manzanita St., La Crescenta

**ACCESS**

via Canyonside Rd and Maurice Ave.

**ASSESSORS PARCEL NUMBER(S)**

5868-020-012

**SITE AREA**

0.1 Acres

**GENERAL PLAN / LOCAL PLAN**

Los Angeles County General Plan

**ZONED DISTRICT**

La Crescenta ZD

**LAND USE DESIGNATION**

1 – Low Density Residential (1 to 6 du/ac)

**ZONE**

R-1-7500 (Single-family Residence – 7,500 sq. ft. Min. Req. Area)

**PROPOSED UNITS**

1

**MAX DENSITY/UNITS**

6 du/ac

**COMMUNITY STANDARDS DISTRICT**

La Crescenta – Montrose CSD

**ENVIRONMENTAL DETERMINATION (CEQA)**

Class 3 Categorical Exemption – New Construction or Conversion of Small Structures

**KEY ISSUES**

- Consistency with the Los Angeles County General Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
  - 22.56.290 (Variance Burden of Proof Requirements)
  - 22.44.139 (La Crescenta – Montrose CSD requirements)
  - 22.20.105 (R-1 Zone Single-family Residences Development Standards)
  - 22.20.110 (R-1 Zone Height Limits)
  - 22.20.120 (R-1 Zone Yard Requirements)

**CASE PLANNER:**

Steve Mar

**PHONE NUMBER:**

(213) 974-6435

**E-MAIL ADDRESS:**

smar@planning.lacounty.gov



100 ft  
Main St

40 ft

Canyonside Rd

Monte Vista  
L. Crest

Monte Vista

Project Site



**ENTITLEMENTS REQUESTED**

- The applicant is requesting a variance pursuant to Chapter 22.56, Part 2 of Title 22 of the Los Angeles County ("County") Zoning Code ("Zoning Code") for the construction of a single-family residence on a legal undersized lot in the R-1-7500 (Single-family Residence – 7,500 sq. ft. Min Req Area) Zone.

**PROJECT DESCRIPTION**

The applicant is requesting a Variance for the construction of a new single-family residence with on a legal undersized 4,670 sq. ft. lot in the R-1-7500 (Single-family Residence – 7,500 sq. ft. Min Req Area) zone. The Variance is required as a condition of Certificate of Compliance No. 201400060, approved July 2014, which states that all necessary zoning permits, such as a variance, shall be acquired prior to any construction or grading on the property. The 2-story, 2,785 sq. ft. single-family residence (1,789.5 sq. ft. living space) includes an 800 sq. ft. roof deck, a 480 sq. ft. detached 2-car garage, a new driveway, and landscaping.

**SITE PLAN DESCRIPTION**

The site plan depicts a triangular, L-shaped parcel with a lot area of 4,670 sq. ft. The lot contains two street frontages of equal lengths along Canyonside Road and Maurice Avenue. The property abuts three other neighboring parcels, two of which contain single-family residences on the properties to the northeast and to the west. The proposed single-family residence is triangular in shape and will be located near the southwestern-most corner of the property. There will be minimal yard setbacks of 5 feet on three sides of the proposed residence. A detached 2-car garage will be located approximately 42 ft. from the property line along Canyonside Road and will be accessed by a new paved driveway off of Canyonside Road. An existing paved driveway exists off of Maurice Avenue. The front door of the proposed residence will be oriented to face towards Maurice Avenue. The maximum height of the house will be 34 ft. and 4 in. above natural grade.

**EXISTING ZONING**

The subject property is zoned R-1-7500 (Single-family Residence – 7,500 sq. ft. Min. Req. Area).

Surrounding properties are zoned as follows:

- North: R-1-7500 (Single-family Residence – 7,500 sq. ft. Min. Req. Area)
- South: R-1-7500 (Single-family Residence – 7,500 sq. ft. Min. Req. Area)
- East: R-1-7500 (Single-family Residence – 7,500 sq. ft. Min. Req. Area)
- West: R-1-7500 (Single-family Residence – 7,500 sq. ft. Min. Req. Area)

**EXISTING LAND USES**

The subject property is a vacant, undeveloped lot.

Surrounding properties are developed as follows:

- North: Single-family Residences, Open Space
- South: Single-family Residences
- East: Single-family Residences, Open Space
- West: Single-family Residences

**PREVIOUS CASES/ZONING HISTORY**

The previous zoning history of the subject parcel is as follows: R-1 (1932), R-1-7500 (1969).

Certificate of Compliance No. 201400060 – Recorded 7/14/14, confirms that the lot complies with the provisions of the Subdivision Map Act and Title 21 of the Los Angeles County Code as a legally established lot. The lot was legally created in 1963. At the time it was created, the lot did not meet the minimum R-1 lot size of 5,000 sq. ft. and was designated as an “undersized lot.” The Certificate of Compliance contains a condition that prior to any construction or grading on the property, the property owner shall acquire any necessary zoning permits, such as a variance, to adequately mitigate the negative effect of the undersized lot.

Plot Plan No. 201400707 – Pending Plot Plan for a single-family residence with detached garage being processed concurrently with Variance No. 201400008.

### ENVIRONMENTAL DETERMINATION

Los Angeles County (“County”) Staff recommends that this project qualifies for a Categorical Exemption (Class 3 Exemption, New Construction or Conversion of Small Structures) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The project consists of a variance to allow the construction of one single-family residence a lot that is zoned for single-family residential use. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

### STAFF EVALUATION

#### General Plan/Community Plan Consistency

The project site is located within the 1 – Low Density Residential land use category of the Los Angeles County General Plan. This land use designation is intended for areas suitable for single-family detached housing units. The proposed single-family residence is therefore consistent with the permitted uses of the underlying land use category.

The following policies of the General Plan are applicable to the proposed project:

- *Assure that new development is compatible with the natural and manmade environment by implementing appropriate locational controls and high quality design standards.*
- *Protect the character of residential neighborhoods by preventing the intrusion of incompatible uses that would cause environmental degradation such as excessive noise, noxious fumes, glare, shadowing, and traffic.*

The variance would allow the construction of a new single-family residence in an existing residential neighborhood and would be compatible with the existing natural and manmade environment.

#### Zoning Ordinance and Development Standards Compliance

Sections 22.20.105, 22.20.110, and 22.20.120 of the County Code list development standards, height limits, and yard requirements for single-family residences in the R-1 (Single-family Residence) zone. The project abides to the development standards and the zoning's 35 ft. height limit as prescribed under Code.

According to Section 22.20.120, premises in the R-1 zone shall have front yard setbacks of at least 20 feet, side yard setbacks of at least 5 feet, and rear yard setbacks of at least 15 feet. Due to the lot's irregular shape, yard and lot line locations for the property are not clearly defined under Code. However, Section 22.48.040 gives staff the discretion to establish the location of yards and lot lines for irregularly shaped lots. Staff has determined the “front” lot line to be the lot line adjoining Maurice Avenue where the proposed residence's new address will be off of and where the residence's front door will be facing. The “rear” lot line is determined to be

the lot line adjoining Canyonside Road, being the most opposite and distant lot line from the "front" lot line. The remaining three lot lines are considered to be the "side" lot lines. The project is proposing minimal setbacks of 5 feet on three sides of the proposed residence adjacent to the "side" lot lines. Based on these lot line locations, staff has determined that the proposed residence would not encroach upon the required front, rear, and side yard setbacks of the property as proscribed under Code. The proposed garage would be allowed to be placed within the required side yard setbacks because the garage meets lot placement (75 foot distance requirement from the front lot line) and rear yard coverage requirements as prescribed under Section 22.48.140.B.

Pursuant to Section 22.44.139 of the County Code, establishments in the R-1 zone in the La Crescenta - Montrose Community Standards District (CSD) are not subject to any zone-specific development standards. The project site is also not subject to any area-specific standards as prescribed in the La Crescenta – Montrose CSD.

#### Neighborhood Impact/Land Use Compatibility

The single-family residence on the subject property is compatible with the surrounding neighborhood and is a permitted use in the R-1 Zone.

The applicant carries the Burden of Proof to substantiate all facts as follows:

A. That there are special circumstances or exceptional characteristics applicable to the property involved, such as size, shape, topography, location or surroundings, which are not generally applicable to other properties in the same vicinity and under identical zoning classification.

The strict application of the provisions set forth in the zoning ordinance would create a hardship because the zoning ordinance requires lot sizes with twice the lot area of the existing lot. Requiring 7,500 sq. ft. minimum lot size could cause mansionization of the lot if combined with an adjoining lot which would adversely affect the existing small lot and neighboring properties.

B. That such variance is necessary for the preservation of a substantial property right of the applicant such as that possessed by owners of other property in the same vicinity and zone.

The variance is necessary for the preservation of the property and will maintain consistency of development and will not adversely affect the use and enjoyment possessed by other properties. The existing zoning on this property has restricted its use to those uses that are only suitable for R-1 uses and would require a larger lot area than that existing. Therefore, a hardship is created and without the granting of a variance, the property owner will be unable to receive a "reasonable rate of return."

C. That the granting of the variance will not be materially detrimental to the public welfare or be injurious to other property or improvements in the same vicinity and zone.

The granting of the variance would not permit a development which would be more intense than the majority of developments in the immediate vicinity and would not be detrimental to the prevailing character of the neighborhood.

#### Burden of Proof

The applicant is required to substantiate all facts identified by Section 22.56.290 of the County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

### COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

The Los Angeles County Department of Public Works has reviewed the project and recommends approval of the project.

### LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

### PUBLIC COMMENTS

The Crescenta Valley Town Council has reviewed the project and recommended approval of the Variance application in their letter issued June 23, 2015.

Staff has received fifteen letters opposed to the project and one letter in support of the project. The letters opposed to the project are concerned about the project's lot and proposed house square footage amounts, increased vehicular traffic and parking issues caused by a new single-family home, construction traffic during the proposed home's construction, fire safety and emergency access, and loss of a vacant lot. Staff has also received a petition containing fourteen signatures opposed to the project.

### FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

### STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Project Number R2014-01923-(5), Variance Number 201400008, subject to the attached conditions.

### SUGGESTED APPROVAL MOTION:

**I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING, FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES, AND APPROVE VARIANCE NUMBER 201400008 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.**

Prepared by Steve Mar, Regional Planning Assistant II, Zoning Permits East Section  
Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East Section

#### Attachments:

Draft Findings, Draft Conditions of Approval  
Applicant's Burden of Proof statement  
Correspondence  
Site Photographs  
Site Plan, Land Use Map

MM:SM  
7/7/15

**DRAFT FINDINGS OF THE HEARING OFFICER  
AND ORDER  
COUNTY OF LOS ANGELES  
VARIANCE NO. 201400008**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Variance No. 201400008 ("Variance") on July 7, 2015.
2. The permittee, Peter Gonzalez ("permittee"), requests the Variance for the construction of a single-family residence on a legal undersized 4,670 sq. ft. vacant lot ("Project") with no address located approximately 225 ft. north of the intersection of Canyonside Rd. & Manzanita St. in the unincorporated community of La Crescenta ("Project Site") in the in the R-1-7500 (Single-family Residence – 7,500 sq. ft. Min Req Area) zone pursuant to Los Angeles County Code ("County Code") section 22.56.260. The Variance is required as a condition of Certificate of Compliance No. 201400060, approved July 2014, which states that all necessary zoning permits, such as a variance, shall be acquired prior to any construction or grading on the property.
3. The Project Site is 0.1 acres in size and consists of one legal lot. The Project Site is irregular in shape with steep topography and is currently a vacant, undeveloped lot.
4. The Project Site is located in the La Crescenta Zoned District and is currently zoned R-1-7500 (Single-family Residence – 7,500 sq. ft. Min. Req. Area).
5. The Project Site is located within the 1 – Low Density Residential land use category of the Los Angeles County General Plan Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius includes:
  - North: R-1-7500 (Single-family Residence – 7,500 sq. ft. Min. Req. Area)
  - South: R-1-7500 (Single-family Residence – 7,500 sq. ft. Min. Req. Area)
  - East: R-1-7500 (Single-family Residence – 7,500 sq. ft. Min. Req. Area)
  - West: R-1-7500 (Single-family Residence – 7,500 sq. ft. Min. Req. Area)
7. Surrounding land uses within a 500-foot radius include:
  - North: Single-family Residences, Open Space
  - South: Single-family Residences
  - East: Single-family Residences, Open Space
  - West: Single-family Residences
8. The Project Site was zoned R-1 in 1932 and rezoned to R-1-7500 in 1969. Certificate of Compliance No. 201400060 was recorded on July 15, 2014, and confirmed that the lot complies with the provisions of the Subdivision Map Act and Title 21 of the Los Angeles County Code as a legally established lot. The lot was legally created in 1963. At the time it was created, the lot did not meet the minimum R-1 lot size of 5,000 sq. ft. and was designated as an "undersized lot." The Certificate of Compliance contains a condition that prior to any construction or grading on the property, the property owner shall acquire any necessary zoning permits, such as a variance, to adequately mitigate the negative effect of the undersized lot. Plot Plan No. 201400707 is concurrently being processed with the Variance application for a single-family residence with detached garage.

9. The site plan for the Project depicts a triangular, L-shaped parcel with a lot area of 4,670 sq. ft. The lot contains two street frontages of equal lengths along Canyonside Road and Maurice Avenue. The property abuts three other neighboring parcels, two of which contain single-family residences on the properties to the northeast and to the west. The proposed single-family residence is triangular in shape and will be located near the southwestern-most corner of the property. There will be minimal yard setbacks of 5 feet on three sides of the proposed residence. A detached 2-car garage will be located approximately 42 ft. from the property line along Canyonside Road and will be accessed by a new paved driveway off of Canyonside Road. An existing paved driveway exists off of Maurice Avenue. The front door of the proposed residence will be oriented to face towards Maurice Avenue. The maximum height of the house will be 34 ft. and 4 in. above natural grade.
10. The Project Site is accessible via Maurice Avenue to the north and Canyonside Road to the east. Primary access to the Project Site will be via an existing driveway on Maurice Avenue. Secondary access to the Project Site will be via a new driveway with a new garage on Canyonside Road.
11. The Los Angeles County Department of Public Works has reviewed the project and recommends approval of the project.
12. Prior to the Hearing Officer's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 3, New Construction or Conversion of Small Structures, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project consists of a variance to allow the construction of one single-family residence on a lot that is zoned for single-family residential use.
13. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
14. Prior to the Hearing Officer's public hearing, the Department of Regional Planning ("Regional Planning") staff received a letter from the Crescenta Valley Town Council, dated June 23, 2015, recommending approval of the proposed variance. Staff also received fifteen letters opposed to the project and one letter in support of the project. The letters opposed to the project are concerned about the project's lot and proposed house square footage amounts, increased vehicular traffic and parking issues caused by a new single-family home, construction traffic during the proposed home's construction, fire safety and emergency access, and loss of a vacant lot. Staff has also received a petition containing fourteen signatures opposed to the project.
15. [Hearing Proceedings] *To be inserted after the public hearing to reflect hearing proceedings.*
16. The Hearing Officer finds that the project site is located within the 1 – Low Density Residential land use category of the Los Angeles County General Plan. This land use designation is intended for areas suitable for single-family detached housing units. The proposed single-family residence is therefore consistent with the permitted uses of the underlying land use category.

17. The Hearing Officer finds that Sections 22.20.105, 22.20.110, and 22.20.120 of the County Code list development standards, height limits, and yard requirements for single-family residences in the R-1 (Single-family Residence) zone. The project abides to the development standards and height limits as prescribed under Code.

According to Section 22.20.120, premises in the R-1 zone shall have front yard setbacks of at least 20 feet, side yard setbacks of at least 5 feet, and rear yard setbacks of at least 15 feet. Due to the lot's irregular shape, yard and lot line locations for the property are not clearly defined under Code. However, Section 22.48.040 gives staff the discretion to establish the location of yards and lot lines for irregularly shaped lots. Staff has determined the "front" lot line to be the lot line adjoining Maurice Avenue where the proposed residence's new address will be off of and where the residence's front door will be facing. The "rear" lot line is determined to be the lot line adjoining Canyonside Road, being the most opposite and distant lot line from the "front" lot line. The remaining three lot lines are considered to be the "side" lot lines. The project is proposing minimal setbacks of 5 feet on three sides of the proposed residence adjacent to the "side" lot lines. Based on these lot line locations, staff has determined that the proposed residence would not encroach upon the required front, rear, and side yard setbacks of the property. The proposed garage would be allowed to be placed within the required side yard setbacks because the garage meets lot placement (75 foot distance requirement from the front lot line) and rear yard coverage requirements as prescribed under Section 22.48.140.B.

Pursuant to Section 22.44.139 of the County Code, establishments in the R-1 zone in the La Crescenta - Montrose Community Standards District (CSD) are not subject to any zone-specific development standards. The project site is also not subject to any area-specific standards as prescribed in the La Crescenta – Montrose CSD.

18. The Hearing Officer finds that the strict application of the provisions set forth in the zoning ordinance would create a hardship because the zoning ordinance requires lot sizes with twice the lot area of the existing lot. Requiring 7,500 sq. ft. minimum lot size could cause mansionization of the lot if combined with an adjoining lot which would adversely affect the existing small lot and neighboring properties.
19. The Hearing Officer finds that the variance is necessary for the preservation of the property and will maintain consistency of development and will not adversely affect the use and enjoyment possessed by other properties. The existing zoning on this property has restricted its use to those uses that are only suitable for R-1 uses and would require a larger lot area than that existing. Therefore, a hardship is created and without the granting of a variance, the property owner will be unable to receive a "reasonable rate of return."
20. The Hearing Officer finds that the granting of the variance would not permit a development which would be more intense than the majority of developments in the immediate vicinity and would not be detrimental to the prevailing character of the neighborhood.
21. The Hearing Officer finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of the La Crescenta community. On May 11, 2015, a total of 148 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as four notices to those on the courtesy mailing list for the La Crescenta Zoned District and to any additional interested parties.

22. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Department of Regional Planning.

**BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:**

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. There are special circumstances or exceptional characteristics applicable to the property involved, such as size, shape, topography, location or surroundings, which are not generally applicable to other properties in the same vicinity and under identical zoning classification.
- C. Such variance is necessary for the preservation of a substantial property right of the applicant such as that possessed by owners of other property in the same vicinity and zone.
- D. The granting of the variance will not be materially detrimental to the public welfare or be injurious to other property or improvements in the same vicinity and zone.

**THEREFORE, THE HEARING OFFICER:**

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15303 of the State CEQA Guidelines (Class 3, New Construction or Conversion of Small Structures categorical exemption); and
- 2. Approves Variance No. 201400008, subject to the attached conditions.

**ACTION DATE: July 7, 2015**

MM:SM  
7/7/15

c: Hearing Officer, Zoning Enforcement, Building and Safety

**[DRAFT] CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NO. R2014-01923-(5)  
VARIANCE NO. 201400008**

**PROJECT DESCRIPTION**

The project is a Variance for the construction of a new single-family residence on a legal undersized lot subject to the following conditions of approval:

**GENERAL CONDITIONS**

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and

duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
9. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
10. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
11. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
12. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
13. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
14. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

15. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **September 7, 2015**.
16. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.



## VARIANCE BURDEN OF PROOF

In addition to the information required on the application by Chapter 22.56, Part 2, the applicant for a variance shall substantiate to the satisfaction of the Director the following facts:

*(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)*

**A. That there are special circumstances or exceptional characteristics applicable to the property involved, such as size, shape, topography, location or surroundings, which are not generally applicable to other properties in the same vicinity and under identical zoning classification; and**

The strict application of the provisions set forth in the zoning ordinance would create a hardship because the zoning ordinance requires lot sizes with twice the lot area of the existing lot. Requiring 7,500 sq. ft. minimum lot size could cause mansionization of the lot if combined with an adjoining lot which would adversely affect the existing small lot and neighboring properties.

**B. That such variance is necessary for the preservation of a substantial property right of the applicant such as that possessed by owners of other property in the same vicinity and zone; and**

The variance is necessary for the preservation of the property and will maintain consistency of development and not adversely affect the use and enjoyment possessed by other properties. The existing zoning on this property, under Title 22 have restricted this area to only be suitable for single family residences. As the zoning ordinance stands, in this particular case creates a situation where compliance with the regulations will not achieve the intend purpose. Therefore, a hardship is created for this project and without the granting of a variance will leave the lot owner unable to receive an "reasonable rate of return".

**C. That the granting of the variance will not be materially detrimental to the public welfare or be injurious to other property or improvements in the same vicinity and zone.**

Failure to grant the variance would be materially detrimental to the public welfare, because it would not allow development of the site leaving the property vacant and an eyesore to surrounding properties. Also, approval of the request would not permit a development which is more intense than the majority of developments in the immediate vicinity and would not be detrimental to the prevailing character of the neighborhood.

# Property Photos



Photo Key



Photo #1



Photo #2



Photo #3



Photo #4

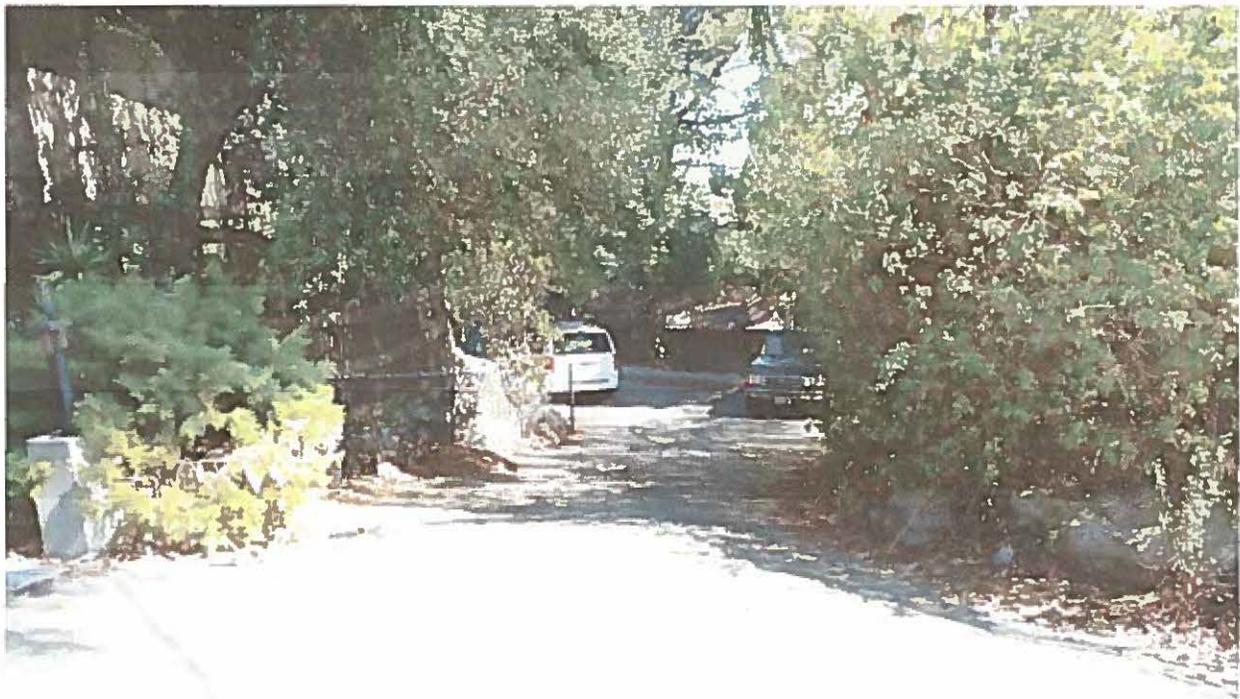
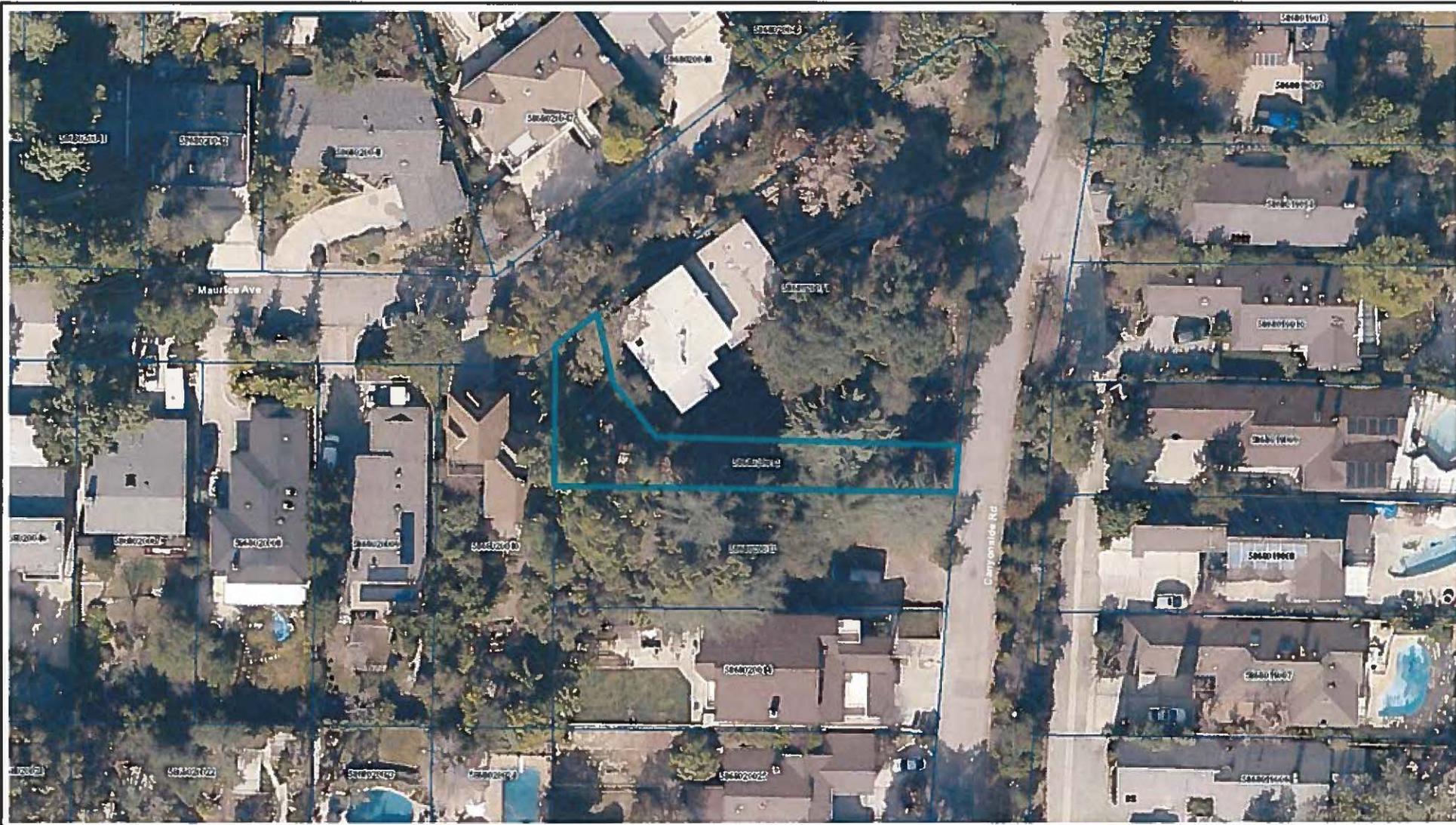


Photo #5



Photo #6



**R2014-01923-(5) / Variance No. 201400008**

**APN #5868-020-012**

Printed: Jun 24, 2015



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# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone (626) 458-5100  
[http //dpw.lacounty.gov](http://dpw.lacounty.gov)

GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

April 2, 2015

IN REPLY PLEASE  
REFER TO FILE: LD-2

TO: Maria Masis  
Zoning Permits East Area  
Department of Regional Planning

Attention Steven Mar

FROM: Art Vander Vis   
Land Development Division  
Department of Public Works

**VAR 201400008, PROJECT NO. R2014-03797-(5)  
SITE PLAN REVIEW  
ASSESSOR MAP BOOK NO. 5868, PAGE 20, PARCEL NO. 12  
UNINCORPORATED COUNTY COMMUNITY OF LA CRESCENTA**

- Public Works recommends approval of this Site Plan.
- Public Works does **NOT** recommend approval of this Site Plan.

We reviewed the site plan dated February 9, 2015, and the requested variance for the subject project in the unincorporated La Crescenta area located on Canyonside Road. The variance is to legalize an existing undersized lot of 4,670-square-feet in the R-1-7,500 Zone with a proposed 2,785-square-foot two-story single family residence and detached 2-car garage.

Per Title 22 of the County Code, single family residences are not subject to road improvements or right-of-way dedication requirements. Please note however, any work within the road right of way such as the construction of the new driveway on Canyonside Road will require a permit from Public Works' Land Development Division, Permit Section.

The building setbacks and the proposed slopes adjacent to Canyonside Road shown on the site plan are adequate to accommodate future road widening.

If you have any questions regarding our review, please contact Ed Gerlits of Public Works' Land Development Division at (626)458-4953 or [egerlits@dpw.lacounty.gov](mailto:egerlits@dpw.lacounty.gov).

ECG:tb

Fire

**Steven Mar**

---

**From:** Collins, Wally [Wally.Collins@fire.lacounty.gov]  
**Sent:** Tuesday, February 17, 2015 8:10 AM  
**To:** Steven Mar  
**Cc:** Le, Tony  
**Subject:** RE: Project No. R2014-03797-(5): Permit Consultation - \*\*DUE 3/9/15\*\*

Hi Steve,

I will not need to review this variance. Fire Department conditions will be addressed during the building permit stage.

Wally

Wally Collins  
Fire Prevention Engineering Assistant II  
Land Development Unit - Fire Prevention Division  
County of Los Angeles Fire Department  
Commerce - (323) 890-4243  
[wally.collins@fire.lacounty.gov](mailto:wally.collins@fire.lacounty.gov)

---

**From:** Steven Mar [<mailto:smar@planning.lacounty.gov>]  
**Sent:** Tuesday, February 10, 2015 4:15 PM  
**To:** Collins, Wally  
**Subject:** FW: Project No. R2014-03797-(5): Permit Consultation - \*\*DUE 3/9/15\*\*

Wally, here's the Variance project for the single-family residence on an undersized lot that I told you about earlier today. I've also attached the site plan to this email. Let me know if Fire would like to formally review it. Thanks.

**Steve Mar**  
County of Los Angeles | Department of Regional Planning  
Zoning Permits East Section  
320 West Temple Street, Room 1346  
Los Angeles, CA 90012  
Phone: (213) 974-6435 | FAX: (213) 626-0434  
[smar@planning.lacounty.gov](mailto:smar@planning.lacounty.gov)

---

**From:** Steven Mar  
**Sent:** Monday, February 09, 2015 2:36 PM  
**To:** Matthew Dubiel; Padilla, Juan; Le, Tony; Clement Lau; Michelle Tsiebos  
**Cc:** Collins, Wally; Amir Ibrahim; Ruben Cruz; Robert Vasquez; Evenor Masis; Julie Yom; Juan Sarda  
**Subject:** Project No. R2014-03797-(5): Permit Consultation - \*\*DUE 3/9/15\*\*

CUP Coordinator,

The consultation package for this project is available at the website below. Please review and provide comments by the date specified above.

Employee ID & unique password are required to enter the site. If you have any technical issues please contact [webadmin@planning.lacounty.gov](mailto:webadmin@planning.lacounty.gov).

PH

**Steven Mar**

---

**From:** Michelle Tsiebos  
**Sent:** Tuesday, February 17, 2015 9:12 AM  
**To:** Steven Mar  
**Subject:** RE: Project No. R2014-03797-(5): Permit Consultation - \*\*DUE 3/9/15\*\*

No, it's not necessary.

Thank you.  
Michelle

---

**From:** Steven Mar  
**Sent:** Tuesday, February 17, 2015 9:10 AM  
**To:** Michelle Tsiebos  
**Subject:** RE: Project No. R2014-03797-(5): Permit Consultation - \*\*DUE 3/9/15\*\*

Yes, the applicant confirmed with me that the property has public water and sewer. So do they not have to go through PH review?

---

**From:** Michelle Tsiebos  
**Sent:** Tuesday, February 17, 2015 9:09 AM  
**To:** Steven Mar  
**Subject:** RE: Project No. R2014-03797-(5): Permit Consultation - \*\*DUE 3/9/15\*\*

Hi Steve,

I received a plan from Teni and Ruben showing a sewer nearby the proposed SFR. I couldn't make the determination if it's within 200 ft of the property. Could you check with the applicant his method of wastewater disposal? If it's through a public sewer, DPH won't have any objection with the variance; otherwise, we have to measure the setbacks for an OWTS.

Thank you.

**Michelle Tsiebos, REHS, DPA**  
Environmental Health Specialist IV  
Land Use Program  
Environmental Health Services  
Department of Public Health  
5050 Commerce Drive  
Baldwin Park, CA 91706  
Ph. (626) 430-5382  
Fax. (626) 813-3016

---

**From:** Steven Mar  
**Sent:** Monday, February 09, 2015 2:36 PM  
**To:** Matthew Dubiel; Padilla, Juan; Le, Tony; Clement Lau; Michelle Tsiebos  
**Cc:** Collins, Wally; Amir Ibrahim; Ruben Cruz; Robert Vasquez; Evenor Masis; Julie Yom; Juan Sarda  
**Subject:** Project No. R2014-03797-(5): Permit Consultation - \*\*DUE 3/9/15\*\*

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20140724087



Pages:  
0005

Recorded/Filed in Official Records  
Recorder's Office, Los Angeles County,  
California

07/14/14 AT 01:31PM

FEES:	27.00
TAXES:	0.00
OTHER:	0.00
PAID:	27.00



LEADSHEET



201407143320019

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SEQ:

04

DAR - Counter (Upfront Scan)



THIS FORM IS NOT TO BE DUPLICATED



**RECORDING REQUEST BY**

Department of Regional Planning  
320 West Temple Street  
Room 1360, Hall of Records  
Los Angeles, CA 90012



**WHEN RECORDED MAIL TO**

Name: SC Planners, Inc.

Address: 619 S. Fremont Avenue, Suite C

City, State: Alhambra, California  
Zip Code: 91803

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**TITLE(S)**

**Conditional Certificate of Compliance**

**RCOC 2014 00060**



**RECORDING REQUESTED BY**

Department of Regional Planning  
320 West Temple Street  
Room 1360, Hall of Records  
Los Angeles, California 90012

**AND WHEN RECORDED MAIL TO**

Name:	SC Planners, Inc.
Street:	619 S. Fremont Ave., Suite C
City:	Alhambra, CA 91803

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

# CERTIFICATE OF COMPLIANCE

## REQUEST FOR CERTIFICATE OF COMPLIANCE

I/We the undersigned owner(s) of record in the following described property within the unincorporated territory of the County of Los Angeles, hereby REQUEST the County of Los Angeles to determine if said property described below complies with the provisions of the Subdivision Map Act (sec. 66410 et seq., Government Code, State of California) and the Los Angeles Code, Title 21 (Subdivisions)

*Scott Anderson*

Signature

Signature

Signature

Scott Anderson

Name & Title (Typed or Printed)

Name & Title (Typed or Printed)

Name & Title (Typed or Printed)

4-1-14

Date

Date

Date

## LEGAL DESCRIPTION

See Attached Exhibit "A"

**EXHIBIT A**

**LEGAL DESCRIPTION**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

**PARCEL 1:**

LOT 11, IN BLOCK "D", OF TRACT NO. 5784, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, SHEETS 1 AND 2, AS PER MAP RECORDED IN BOOK 100, PAGES 18, 19 AND 20 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

**EXCEPT THAT PORTION OF SAID LOT 11, DESCRIBED AS FOLLOWS:**

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 11; THENCE SOUTHERLY ALONG THE EASTERLY LINE THEREOF TO THE SOUTHERLY LINE OF THE NORTHERLY 40 FEET, MEASURED AT RIGHT ANGLES, TO SAID LOT; THENCE WESTERLY ALONG SAID SOUTHERLY LINE, A DISTANCE OF 119.63 FEET; THENCE NORTH 47 DEGREES 23 MINUTES WEST 29.54 FEET; THENCE NORTH 10 DEGREES 26 MINUTES 30 SECONDS WEST TO THE NORTH LINE OF LAST SAID LOT; THENCE EAST, ALONG SAID NORTH LINE, TO THE POINT OF BEGINNING.

**PARCEL 2:**

THAT PORTION OF LOT 10, IN BLOCK "D", OF TRACT NO. 5784, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 100, PAGE 19 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 10; THENCE NORTH 52° 00' 00" EAST 20.30 FEET; THENCE SOUTH 10° 26' 30" EAST, 12.71 FEET; THENCE WEST 18.30 FEET TO THE POINT OF BEGINNING.

APN: 5868-020-012

OWNER(S): Anthony J. Palazzola and Alexandra E. Palazzola

## CERTIFICATE OF COMPLIANCE CONTINUATION

CONDITIONAL CERTIFICATE OF COMPLIANCE NO: RCOC 2014 00060

**CONDITION(S):**

- 1) Prior to any construction or grading on the subject property, the property owner shall acquire an approved Director's Review, Lot Line Adjustment, variances or other zoning permits deemed by the Land Division Coordinating Center of the Department of Regional Planning to adequately mitigate the negative effect of the undersized lot.

**NOTES:**

**THIS CERTIFICATE DOES NOT CONSTITUTE A BUILDING PERMIT.** Prior to authorization to build on this property, the applicant will be required to conform to the County and State regulations. Such regulations include but are not limited to, programs for road and/or drainage right of way dedication, appropriate sanitary sewage disposal, water supply for domestic use and fire suppression, and adequate fire apparatus access.

GEOLOGIC, soils and/or Drainage Conditions may exist on the subject property, which could limit development or necessitate that remedial measures be taken in order to obtain a Building Permit.

### DETERMINATION OF COMPLIANCE

This determination **DOES NOT GUARANTEE** that the subject property meets current design and improvement standards for subdivided parcels. Prospective purchasers should check site conditions and applicable development codes to determine whether the property is suitable for their intended use.

The subject property may be sold, leased, financed or otherwise conveyed without restriction. However, the conditions listed above must be fulfilled before issuance of a building permit or other development approval. These conditions are in addition to any permit requirements which may be imposed.

APN: 5868-020-012



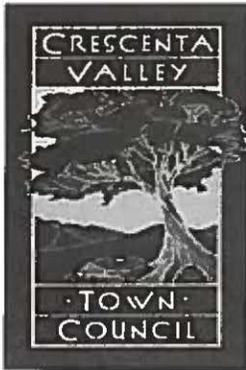
DEPARTMENT OF REGIONAL PLANNING  
County of Los Angeles  
Richard J. Bruckner  
Director

DEPARTMENT OF REGIONAL PLANNING

By: *Roman Alexanian*  
For: Sorin Alexanian

Title Deputy Director

Date 7-9-14



# Crescenta Valley Town Council

June 23, 2015

Mr. Steve Mar  
County of Los Angeles Department of Regional Planning  
320 West Temple Street, Room 1346  
Los Angeles, CA 90012  
[smar@planning.lacounty.gov](mailto:smar@planning.lacounty.gov)

Robbyn Battles  
President

Harry Leon  
Vice President

Leslie Dickson  
Recording Secretary

Kyle Studebaker  
Treasurer

Cheryl Davis  
Corresponding  
Secretary

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Dr. Young Seok Suh

Lisa Griffin, alternate

Kevin Kang, alternate

Charles Beatty, alternate

## **Re: Project R2014-01923-(5) – Requested Entitlement Variance No. 201400008**

Dear Mr. Mar,

On June 18, 2015, the Crescenta Valley Town Council voted 5-to-2 to reject the Land Use Committee's ("LUC") recommendation and **approve the variance regarding the above-mentioned Entitlement.**

The Land Use Committee's Recommendation is attached along with draft Minutes from the LUC's June 11, 2015 meeting. During that Land Use meeting, four speakers were opposed to the variance and the attached petition in opposition was submitted with 14 signatures from neighbors. The original Planning notice to neighbors was incorrect and resulted in confusion because the hearing continued to July 7 was not re-noticed with the correct information regarding the requested entitlements.

Emails received regarding this variance are also attached for your reference.

At the June 18, 2015, CV Town Council meeting, three speakers were opposed to the variance.

The basis for the Town Council's decision was that the lot was legally subdivided when zoning laws allowed that size lot (4,670 sq. ft. on property zoned R-1 (5000)), current zoning is R-1 (7500), the lot is still legal and buildable, the applicant is not asking for yard modifications, there are several other lots in the community that are slightly less than 4,000 sq. ft. and the area is zoned R-1 (7500), and the only way to "mitigate the negative effect of the undersized lot" is to either not build or build a smaller home and there are no codes requiring the applicant to do so. The design of the home is to code and within the required setbacks so the discussion of the variance should avoid comments regarding the actual size and design of the house.

Respectfully,

Robbyn Battles  
President

cc: Nicole Englund, CVTC LUC Chair  
Peter Gonzalez, SC Planners

"The Community that Cares"

Steven Mar

---

**From:** Douglas Farr [mailto:douglas.farr@cityofla.org]  
**Sent:** Wednesday, May 13, 2015 3:11 PM  
**To:** Steven Mar  
**Cc:** Chuck & Kat  
**Subject:** La Crescenta Project R2014-01923-(5)

Steve:

Pursuant to our discussion today regarding the proposed variance on the property north of Manzanita on Canyonside Rd. which is at the end of Maurice Avenue please be advised that I am opposed to this construction.

A 7500 square foot house on a lot which is 4670 square feet is nothing more than mansionization. Mansionization ruins the ambiance of our neighborhood, eliminates what little greenery there is on the lot, gives the feeling of cramped space in an area which is on the edge of Angeles National Forest and substantially reduces the available parking on both Canyonside Road and Maurice Avenue.

Best regards,

Douglas M. Farr  
2236 Maurice Avenue  
La Crescenta, CA 91214-1533

**Steven Mar**

---

**From:** Kathryn Terhune [mailto:kterhune@cityofcrescenta.com]  
**Sent:** Tuesday, May 19, 2015 8:48 AM  
**To:** Steven Mar  
**Subject:** La Crescenta project R2014-09123-(5)

Steve-

My husband (Chuck) and I both object to the proposed variance for building a new home between Maurice Ave. and Canyonside.

A house that size on a smaller lot does not fit with the character of the neighborhood.

Kathryn Terhune

Steven Mar

---

**From:** Catherine Hunter [mailto: ]  
**Sent:** Thursday, May 21, 2015 8:47 AM  
**To:** Steven Mar  
**Subject:** Project Number R2014-01923-(5)

Hello Mr. Mar. I am writing in regard to Project Number R2014-01923-(5) located between Maurice Ave. and Canyonside in La Crescenta. The owner/developer is requesting a variance to build a home on a lot that according to the project overview, is on an "undersized lot" that doesn't meet the "minimum required area" criteria. As I am unable to attend the hearing on June 16, I would like to state my opposition to building a large home on a too small lot. I support the owner's right to build a new home, as long as it is more in scale with the lot. Without proper setbacks, the area is in danger of losing it's semi-rural charm.

Thank you.

Catherine Hunter  
2211 Maurice Ave.  
La Crescenta, CA 91214

June 1, 2015

Steve Mar  
Los Angeles County Department of Regional Planning  
320 W. Temple St.  
Los Angeles, CA 90012

Ref: Project No. R2014-01923-(5), Variance No. 201400008

Dear Mr. Mar,

I am a resident of the Briggs Terrace area of La Crescenta and live just 50 ft east of this project. The proposed project is for a two-story home to be built on a very, very undersized property on a tight road deep in the back side of Briggs Terrace.

I **strongly object** to a code variance for this project, for several reasons:

**1. Increased congestion results in increased safety concern**

- The Briggs Terrace area of La Crescenta is an isolated finger of dense housing surrounded by the Angeles National Forrest on 3 sides.
- We have only one 2-lane road in and out (Shields St) with no sidewalk for pedestrians.
- Briggs Terrace streets are steep grade and narrow.



Photo of Canyonside Rd in front of proposed house – only ~13 ft wide and steep - Parked cars create pinch points for traffic and emergency vehicles

- The local fire department and LA County sheriff's station personnel are always telling us they have great concern about ingress/egress in the case of an emergency requiring evacuation.
  - We conduct annual practice evacuation drills ( last one – May 2015) with in an effort to mitigate the risk – hundreds of residents need to get out on the single, narrow road, while large fire trucks may need to get in on the same narrow road.
- Construction traffic parks in the street creating dangerous pinch points for traffic and emergency vehicles – current example 5547 Canyonside Rd construction.
- Adding more people and cars, when there really isn't really room for another house in the first place, only increases the risk to all of us.

## 2. Increased Fuel for a Large Fire

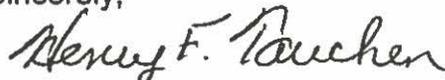
- The Station Fire of 2009 burned up to our back yard – about 150 ft east of this proposed new house.
- The local fire department meets with our neighborhood group, several times a year – they say with all the fuel in our area (trees and large houses) if a fire starts in Briggs Terrace – it will burn everything before they could stop it.
- Adding another large house to a tiny lot will result in a more dense packing of homes, and it will only serve to increase the risk of a fire spreading in an area with a known high risk of wildfires.

## 3. This variance is far too extreme! – and will create future high variances

- The Briggs Terrace area of La Crescenta was originally developed with smaller houses – to match our small narrow steeper streets.
- I always thought lot size codes existed for both safety and aesthetics.
- If projects on severely undersized lots are approved, then there really is no code regarding lot size. The proposed project is not a small variance – the 4670 square foot lot is only 62% of the required size! That means that the variance from code is 38%, and if that size variance is approved, then why bother to have the code at all?
- Approval of such an extreme variance will motivate others to find other little slivers of land – for other extreme variances, based upon this precedence, to squeeze in even more houses.

I respectfully request that you please enforce the code in this case, and do not approve a 38% variance that increases the risk to existing residents.

Sincerely,



Henry F. Tauchen  
5922 Canyonside Rd.  
La Crescenta, CA 91214

**Steven Mar**

---

**From:** LISA DUPUY [mailto:lisa.dupuy@cvcc.com]  
**Sent:** Thursday, June 04, 2015 8:04 PM  
**To:** Steven Mar  
**Subject:** Request for Variance Project # R2014-01923-(5)

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Variance No. 201400008  
Assessor's Parcel # 5868-020-012

Jacques & Lisa Dupuy  
6001 Canyonside Rd.  
La Crescenta, CA 91214

Dear Mr. Mar,

We are writing re: the above referenced parcel/variance numbers.

It is our opinion that placing a single-family dwelling on this severely undersized lot would pose an undue fire hazard in our already fire-prone canyon. We strongly oppose the granting of this variance. Furthermore, squeezing a 2-story house of 2700 sq.ft. onto a less than 5000 sq.ft lot may ruin the natural, cabin-in-the-woods feel of our neighborhood, an atmosphere which keeps our property values strong. At least two large trees would most likely have to come down to accommodate this home, damaging the charm of our neighborhood and lowering our property values.

Our home is within 150 feet of the property in question.

Please get back to me to advise if it is necessary for us to attend the hearing in mid-June.

Thank you,

Lisa Dupuy  
Executive Director  
Crescenta Valley Chamber of Commerce

Jacques Dupuy  
Art Director  
Walt Disney Imagineering

Steve Mar  
Los Angeles County Department of Regional Planning  
320 W. Temple St.  
Los Angeles, CA 90012

4 June 2015

Ref: Project No. R2014-01923-(5), Variance No. 201400008

Dear Mr. Mar,

I am a 17-year resident of the Upper Briggs Terrace area of La Crescenta. The above-referenced project is for a two-story home to be built on a grossly undersized property in this area.

I strongly object to this project for several reasons. First and most importantly, this isolated area is served by a single road in and out. There is great concern about ingress/egress in the case of an emergency requiring evacuation. In fact, we conduct annual evacuation drills with the local fire department and sheriff's station in an effort to mitigate the risk – hundreds of residents need to get out on the single, narrow road, while large fire trucks may need to get in on the same narrow road. Crowding in more people and cars only increases the risk to all of us.

Secondly, this isolated area is located in the foothills, in what is known as a wildland-urban interface zone, with high risk of wildfires; the 2009 Station Fire came within just yards of our homes. In addition, homes in this area are already densely packed. Adding a large house to a very small lot will only increase the density, and will increase the risk of any fire (wildfire or home fire) rapidly spreading.

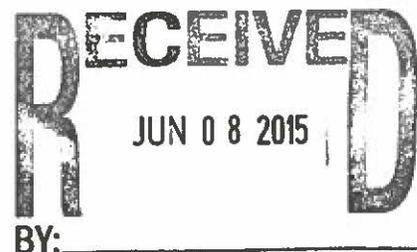
Thirdly, this variance request is for a gross violation of the code regarding lot size. Building codes exist for both safety and aesthetics. But I've watched similar projects executed over the years that I've lived in LA County, and I wonder why the codes aren't enforced? If projects on undersized lots are routinely approved, then there effectively is no code regarding lot size. The proposed project is a variance from code of 38%. If variances of this magnitude are approved, then why bother to have the code at all? Continuing to squeeze large homes onto undersized lots affects both the safety and the aesthetics of our neighborhood.

I respectfully request that you enforce the code, and do not approve this large variance.

Sincerely,

*Catherine J Cagle*

Catherine Cagle  
5922 Canyonside Rd.  
La Crescenta, CA 91214



**Steven Mar**

---

**From:** Sathyanaraya Raghavachary [mailto:sathyanaraya.raghavachary@cityofsanfrancisco.gov]  
**Sent:** Sunday, June 07, 2015 11:13 PM  
**To:** Steven Mar  
**Subject:** OPPOSED to the variance request for 5919, Canyonside

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Steve, this is in ref to Project R2014-01923-(5), variance number 201400008 - it is INSANE to permit this to go forward, given multiple reasons (already overcrowded area, parking issues (esp. during Red Flag days), need for a quick emergency exit, etc.).

Please deny the request.

Thanks,  
Saty

**Steven Mar**

---

**From:** Steven Mar  
**Sent:** Sunday, June 07, 2015 11:29 PM  
**To:** Steven Mar  
**Subject:** Opposition to Proposed Construction Variance Project #R2014-01923-(5)

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Mr. Mar -

My husband and I are residents of Briggs Terrace, at 5918 Canyonside Road, La Crescenta, CA. We recently received a notice of public hearing for a proposed construction variance for Project No. R2014-01923-(5), Variance No. 201400008. We strongly oppose any variance to the existing R-1-7500 zone pursuant to section 22.56.260 of the Los Angeles County Code.

As a Board members of the Crescenta Valley Fire Safe Council, we have been working closely with Los Angeles County Fire to address issues that pose risks for the Briggs Terrace area which is where the property in question is located. We have significant density issues, narrow streets and only one way out for over 330 residences. Allowing construction of buildings which do not meet existing zoning ordinances increase density and pose greater risk to our community. Approval of this variance request will exacerbate already significant issues related to density and egress for all residents of Briggs Terrace. In an emergency, this could create issues with a timely evacuation and subject residents to additional danger.

Another issue related to density is cars parking on the narrow streets of our neighborhoods, making it difficult if not impossible for emergency vehicles to reach our homes. There is a history of a similar sized home on the same street as proposed in this variance that because of its size housed multiple families, resulting in many vehicles parked on the street, even during red flag warnings, increasing the hazard for the entire neighborhood. My understanding is that this project provides for no parking beyond the garage as there is minimal set back of the garage to Canyonside Road. This ensures an increase of street parking.

We plan to attend the hearing on June 16th to voice our opposition but we understand the date may be changed. Please notify us in advance by email if the date of the hearing is changed. We can be reached at [turnerjudy@briggsterrace.com](mailto:turnerjudy@briggsterrace.com). You can also leave a message on our home telephone at 626-291-1111.

Thank you for providing this opportunity to voice our concerns.

Best Regards -

Judy & Steven Turner

Sent from Windows Mail

**Steven Mar**

---

**From:** Veena Sud [mailto:veena@veenasud.com]  
**Sent:** Monday, June 08, 2015 8:47 AM  
**To:** Steven Mar  
**Subject:** Project number R2014-01923-(5) Variance number 201400008

Hello Mr. Mar -- I am a resident of Briggs Terrace, specifically on Maurice Avenue. I am writing to express my strong objection to this new development project in our neighborhood. We were residents during the 2009 fires and it was very difficult to evacuate our street, given the number of vehicles already in the area. On a daily basis, we struggle with the amount of traffic on our very very narrow streets -- many times it is difficult for a sedan to negotiate around parked cars and we, as residents, continue to be concerned about emergency vehicles being able to get through.

Adding more residents, more homes and more vehicles to the Briggs Terrace area, especially the upper area around Canyonside and Maurice definitely poses a threat to the safety of the residents already living in the area. Please keep that in mind. We know it is only a matter of time until we have to deal with another massive wildfire in our neck of the woods -- public safety is of paramount concern to all of the families in the Briggs Terrace area. We hope you take this concern as seriously as we certainly do.

Sincerely,

Veena Sud

Steven Mar

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From: Cynthia Livingston [mailto: ]  
Sent: Monday, June 08, 2015 9:44 AM  
To: Steven Mar  
Subject: URGENT!

As a residence of Briggs Terrace (2221 Phyllis Street, La Crescenta, CA 91214) I am very opposed to the building variance for the property located at 5919 Canyonside. Due to the fact we have one entrance and exit, out of the area, another residence only places the rest of us in harms way during an evacuation. Additional cars parked on our already narrow streets is also unacceptable. PLEASE DO NOT ALLOW FOR THIS BUILDING TO BE CONSTRUCTED!!!

Thank you for listening...  
Cynthia Livingsgton, Ed.D

Project #: R2014-01923-(5) Variance # 201400008

Zoning ordinances create and protect communities. I have reviewed the plans for the proposed construction on 5919 Canyonside Road, in La Crescenta. I am very opposed to allowing this construction variance for a variety of reasons.

The area, known as upper Briggs Terrace, is an area which is unique in an urban setting. The density of population in such an area has a great impact on not only the quality of life for the residents, but also for the fauna which reside in the National Forest which is adjacent. To that end, the lots are zoned to be a minimum number of square feet, so that the overall density does not create a larger impact on the area. Allowing a variance for a house to be built on a sub-standard sized lot materially changes the entire nature of the neighborhood.

In 2009, I was displaced from my home for a number of weeks due to the Station Fire. While I was away, firefighters stood on my deck with hoses, and fought the fire across the canyon, 175 feet away. All of us on Canyonside Road are very aware of the dangers presented by the single access to our community. The property at 5919 Canyonside Road is located at a choke point, where the road bends and narrows. I shudder to think what would happen to our neighborhood, should construction be in progress, with heavy equipment, workers vehicles, dumpsters, etc. when a fire (or any other emergency) took place. The narrow roads are barely enough for fire department vehicles as it is, and the impact of a construction project, on a lot which cannot accommodate the parking of the vehicles and equipment necessary for the project, could result in the catastrophic loss of property or lives.

There is also the issue of setbacks. As currently proposed, the garage for the proposed residence is to be built lot line to lot line, with zero clearance. While currently there are no structures directly abutting this proposed garage, allowing this variance would set a bad precedent. When we have met as a neighborhood, the fire department has warned us of the danger of fire jumping house to house, when structures are built too close together.

Another zoning issue, which the proposed residence seeks to ignore, is that of overall height of the structure. Zoning in the area calls for a maximum of 30' in height. The plans indicate that the proposed structure will be 35' tall at its highest point. That is almost 17% over height. Again, zoning restrictions are there for a reason. Ignoring them creates a bad precedent.

Finally, I am opposed to granting the construction variance due to the involvement of the hillside in the construction. During the winter of 2010, there were multiple times when I could not return to my house due to flooding and debris blocking the street. This was caused by grading which had taken place at the top of the street, coupled with the lack of vegetation (due to the fire) to secure the hillside. As previously mentioned, Canyonside Road is a single access community. Any hillside work, grading, tree removal, etc. has the potential to undermine the stability of the soil, creating a slide and / or debris flow, and potentially impact the entire neighborhood.

For the above stated reasons, I am pleading with the planners to deny the proposed variances, and protect our community.

Thank you for considering my opinions on this matter.



Mercer Barrows

6010 Canyonside Road

La Crescenta, CA 91214

**Steven Mar**

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**From:** Richard Russel [mailto:richard.russel@larp.org]  
**Sent:** Monday, June 08, 2015 3:55 PM  
**To:** Steven Mar  
**Subject:** Protest for Project R2014-01923-(5) Canyonside Rd., La Crescenta

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Mr. Steve Mar  
Case Planner  
Los Angeles County Department of Regional Planning

Project Number R2014 - 01923 - (5)  
APN 5868-020-012

Mr. Mar:

I would like to register my opposition to the zone variance for the vacant lot, 225 feet north of Canyonside Rd. and Manzanta St. in La Crescenta. As you know this lot is extremely narrow and putting a 2750 square foot on an "L" shaped lot of 7500 square foot (.1 acre) is not meeting setback requirements, etc. that exist up here and is contrary to the rural feel we enjoy up here. Emergency ingress and egress is also of concern, given there is only one way in and out of this neighborhood in an emergency. It's actually kind of hard to fathom such a structure not looking like a glorified tall shoebox given the limitations of the property.

I will be unable to attend of June 16th but wish to go on record of voicing my opposition to granting these variances. The owner should be allowed to build a structure provided they meet the building codes that most have adhered to in this neighborhood in the past.

Thank you,

Richard Russel  
2211 Maurice Avenue (across the street from the subject driveway)  
La Crescenta CA 91215

**Steven Mar**

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**From:** Bret Richards [  
**Sent:** Monday, June 08, 2015 5:52 PM  
**To:** Steven Mar  
**Subject:** R2014-01923-(5) and the variance number (201400008

I oppose any new building in the Briggs Terrace area because it is already overbuilt and there is only one way on and one way out. In a dangerous event we could all be trapped.

Sincerely Bret Richards  
5831 Irving Avenue  
La Crescenta, Ca 91214

**Steven Mar**

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**From:** Kathy [redacted]  
**Sent:** Thursday, June 11, 2015 2:29 PM  
**To:** Steven Mar  
**Subject:** Canyon side variance

I have lived at 6023 Canyonside for 42 years. My lot is over 90,000 sq ft. I believe at 7500 sq ft, that is small enough. This lot is just too small.

Thank you,

Tim MacDonald

Sent from my iPad

**Steven Mar**

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**From:** Byron Melendy [mailto:byron.melendy@cityofpasadena.net]  
**Sent:** Thursday, June 11, 2015 4:27 PM  
**To:** Steven Mar  
**Subject:** Project R2014-01923-(5)

We are Byron Melendy and Emily Fong living at 6034 Canyonside Road La Crescenta, CA 91214

We wish to go on record as being opposed to the granting of a variance for construction of a home on upper Canyonside Road (project # above).

We feel that such a structure will upset the balance of the neighborhood in that particular location and the loss of many mature trees will be tragic.

We realize that there are at least 2 very large homes in the immediate area but they sit on large properties and are for the most part not visible from the street. This proposed structure will be quite conspicuous.

The property sits along a narrow section of Canyonside Road. Congestion during construction and possible increased street parking after construction will increase the danger to residents as emergency access will be impaired.

Thanks for your attention.

## Steven Mar

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**From:** Brian Ray Hodge [mailto:brian@urbanclifford.com]  
**Sent:** Wednesday, June 10, 2015 8:42 AM  
**To:** Steven Mar  
**Subject:** Project Number (R2014-01923-(5) and the Variance Number (201400008)

Dear Gentleperson,

I live at 6002 Canyonside Road, across the street and two house up from the proposed project just north of Canyonside and Manzanita. I have lived there for 31 years. I support the development of the eyesore vacant lot with a modest home. I serve on the CVFSC, and I am forwarding my email to some fellow volunteers. For the record, CVFSC has not taken a position on the project. It has not even been discussed by the organization. I have spoken with other CVFSC volunteers who do not object to the project. In my opinion, a nice fire-resistant stucco home would be much better than the current lot with a dense canopy, dry weeds, a wood trailer parked year round, a boat, a small RV and various other vehicles with gas tanks sitting exposed on a lot that is the most likely ignition point for a fire on the entire street.

There is a problem with parking on our narrow mountain streets. It is not limited to a few new houses. I would support the installation of "no parking" signs, particularly around the blind curves where people park in the travel lane and force cars around them into oncoming traffic. But I do not want to create a "firestorm," and leave that to another discussion.

One other issue not mentioned in my email is a potential constitutional problem. If the County has approved the lot, and it is legal, using the zoning ordinance to prevent any development might be a violation of the takings clause. I will not belabor this issue, as I am sure County Counsel is better able to advise you. However, I would not want to see my tax dollars spend defending what may be a losing case.

Thank you for your consideration.

*Brian Ray Hodge*

Laquer, Urban Clifford & Hodge LLP  
225 South Lake Avenue, Suite 200  
Pasadena, CA 91101-3009

PETITION AGAINST VARIANCE

PROJECT #R2014-01923-(5)

VARIANCE # 201400008

	NAME	ADDRESS
1	Tamara S. Blake	6002 Canyonside Rd, LeCrescent
2	Amy Benedict <del>Blair</del>	5617 Canyonside Rd
3	Mark Brodie	" "
4	Kristy Koperski	2350 Jayma Lane
5	Laura Koperski	2350 Jayma Lane "
6	Caitlyn Cagle	5922 Canyonside Rd
7	Kenya F. Tauchen	5922 Canyonside Rd
8	ROBERT A. KOPERSKI	2350 JAYMA LANE
9	Marvin A. Pipkin	6063 Canyonside Rd
10	Bret S. Pipkin	" " "
11	Moses McCullough	2348 Shields St.
12	Avery Lynn (Dillon)	2215 MARZANITA
13	Sharon & Saty Raghavachary	2209 Maurice Ave
14	Genevieve A. McLeod	5936 Canyonside RD

Collected by Sharon Raghavachary