


**TRANSMITTAL TO CITY COUNCIL  
Council Asserting Jurisdiction (Charter Section 245)**

<b>Case No.</b>	<b>C.D. No.</b>
ZA-2009-2026-ZV-ZAA-ZAD-1A	5 ✓
<b>Planning Staff Name(s) and Contact No.:</b>	<b>Last Day to Appeal:</b>
Sue Chang (213) 978-3304	
<b>Name(s), Applicant / Representative, Address, Phone Number and (Email if available).</b>	
<b>Applicant:</b>	<b>Representative:</b>
Eric Hammerlund & Terrence Villines 1100 S. Stearns Drive Los Angeles, CA 90035	Todd Elliot Truman and Elliott, LLP 626 Wilshire Blvd, Ste 550 Los Angeles, CA 90017 (213) 629-5300 telliott@trumanelliott.com
<b>Name(s), Appellant / Representative, Address, and Phone Number (Email if available).</b>	
<b>Appellant:</b>	<b>Representative:</b>
SAME AS APPLICANT	
<b>Final Project Description:</b>	
<p>An appeal of the Zoning Administrator's decision: 1) pursuant to Charter Section 562 and Los Angeles Municipal Code Section 12.27-B, to deny a) a Variance from Section 12.08-A of the Code to allow the legalization and continued use of an approximately 790 square-foot one-story detached dwelling unit resulting in a total of three dwelling units in lieu of the two existing dwelling units that were legally built and allowed to remain on the site in an R1 Zone that otherwise allows one single-family dwelling unit; b) a Variance from Section 12.21-A,4(a) to allow no additional parking space to be provided in lieu of the required one covered space for the third dwelling unit; c) a Variance from Section 12.21-A,5(i)(1) to allow automobiles to back out of the garage where the parking area serves more than two dwelling units and where the driveway access is to a street other than a major or secondary highway, 2) pursuant to Los Angeles Municipal Code Section 12.28-A to deny a Zoning Administrator's Adjustment from Section 12.08-C,3 of the Code to allow a rear yard varying in depth from 3 feet 6 inches to 5 feet 6 inches in lieu of the required 15 feet, and 3) pursuant to Los Angeles Municipal Code Section 12.28-A, to approve a Zoning Administrator's Adjustment from Section 12.21-C,1(g) to permit the continued use and maintenance of the existing walls and a gate ranging in height from 3 feet 4 inches to 5 feet 3 inches with a cumulative height of 7 feet 8 inches in the front yard in lieu of a maximum permitted height of 3 feet 6 inches; and the existing walls ranging from 3 feet 5 inches to 6 feet with a cumulative height of 9 feet 6 inches in the northerly side yard in lieu of the maximum height of 8 feet otherwise permitted in the R1 Zone, all in conjunction with the legalization of a third dwelling unit, which was illegally converted from a recreation room, and existing over-in-height walls in the front and northerly side yards, which were constructed without the required permits, and an appeal of the Zoning Administrator's decision to adopt the action of the City in issuing a Notice of Exemption (Article III, Section 3, City CEQA Guidelines), log reference ENV-2009-2027-CE for a Categorical Exemption, Class 3, Category 2, City CEQA Guidelines, Article VII, Section I, State EIR Guidelines, Section 15100.</p>	

 _____, City Planner	Date: <u>9-15-2011</u>
--	------------------------



## Central Area PLANNING COMMISSION

200 N. Spring Street, Room 272, Los Angeles, California, 900124801

(213) 978-1300

[www.lacity.org/PLN/index.htm](http://www.lacity.org/PLN/index.htm)

Determination Mailing Date: AUG 30 2011

CASE NO. ZA-2009-2026-ZV-ZAA-ZAD-1A  
CEQA: ENV-2009-2027-CE

Location: 1100-1102 South Stearns Drive

Council District: 5 – Koretz

Plan Area: Wilshire

D.M.: 132B173

Legal Description: Lot 390, Tract 7603

Applicant: Eric Hammerlund & Terrence Villines  
Rep.: Todd Elliott, Truman & Elliott, LLP

Appellant: Same

At its meeting on August 23, 2011, the following action was taken by the Central Area Planning Commission:

1. **Denied the Appeal.**
2. **Sustained** the Zoning Administrator's decision dated May 25, 2011, denying: 1) a Variance to allow the legalization and continued use of a one-story detached dwelling unit; 2) denying a Zoning Administrator's Adjustment to allow a rear yard varying in depth from 3 feet 6 inches to 5 feet 6 inches in lieu of the required 15 feet; and 3) approving a Zoning Administrator's Adjustment to permit the continued use and maintenance of the existing walls and a gate.
3. **Adopted the Conditions and Findings.**
4. **Adopted Mitigated Negative Declaration No. ENV-2009-2027-CE.**

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Moved: Commissioner Martorell  
Seconded: Commissioner Acevedo  
Ayes: Commissioners Martorell, Acevedo, Kim and Norton  
Nays: Commissioner Suh  
Vote: 4 - 1

Sheldred Alexander, Commission Executive Assistant  
Central Area Planning Commission

**Effective Date/Appeals: Not Further Appealable**

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

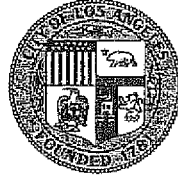
Attachment: Zoning Administrator's Decision Letter dated May 25, 2011

cc: Notification List  
Sue Chang, Zoning Administrator

LINN K. WYATT  
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS  
R. NICOLAS BROWN  
SUE CHANG  
LOURDES GREEN  
MAYA E. ZAITZEVSKY

CITY OF LOS ANGELES  
CALIFORNIA



ANTONIO R. VILLARAIGOSA  
MAYOR

DEPARTMENT OF  
CITY PLANNING  
MICHAEL J. LOGRANDE  
DIRECTOR

OFFICE OF  
ZONING ADMINISTRATION  
200 N. SPRING STREET, 7<sup>TH</sup> FLOOR  
LOS ANGELES, CA 90012  
(213) 978-1318  
FAX: (213) 978-1334  
www.planning.lacity.org

May 25, 2011

Eric Hammerlund (A)(O)  
1100 South Stearns Drive  
Los Angeles, CA 90035

Todd Elliott (R)  
626 Wilshire Boulevard, Suite 550  
Los Angeles, CA 90017

CASE NO. ZA 2009-2026(ZV)(ZAA)(ZAD)  
ZONE VARIANCE, ZONING  
ADMINISTRATOR'S ADJUSTMENT  
AND FENCE HEIGHT  
1100-1102 South Stearns Drive  
Wilshire Planning Area  
Zone : R1-1-O  
D. M. : 132B173  
C. D. : 5  
CEQA : ENV 2009-2027-CE  
Legal Description: Lot 390, Tract 7603

Pursuant to Charter Section 562 and Los Angeles Municipal Code Section 12.27-B, I hereby DENY:

a Variance from Section 12.08-A of the Code to allow the legalization and continued use of an approximately 790 square-foot one-story detached dwelling unit resulting in a total of three dwelling units in lieu of the two existing dwelling units that were legally built and allowed to remain on the site in an R1 Zone that otherwise allows a single-family dwelling unit,

a Variance from Section 12.21-A,4(a) to allow no additional parking space to be provided in lieu of the required one covered space for the third dwelling unit,

a Variance from Section 12.21-A,5(i)(1) to allow automobiles to back out of the garage where the parking area serves more than two dwelling units and where the driveway access is to a street other than a major or secondary highway.

Pursuant to Los Angeles Municipal Code Section 12.28-A, I hereby DENY:

a Zoning Administrator's Adjustment from Section 12.08-C,3 of the Code to allow a rear yard varying in depth from 3 feet 6 inches to 5 feet 6 inches in lieu of the required 15 feet; and

Pursuant to Los Angeles Municipal Code Section 12.28-A, I hereby APPROVE:

a Zoning Administrator's Adjustment from Section 12.21-C,1(g) to permit the continued use and maintenance of the existing walls and a gate ranging in height from 3 feet 4 inches to 5 feet 3 inches with a cumulative height of 7 feet 8 inches in the front yard in lieu of a maximum permitted height of 3 feet 6 inches; and the

existing walls ranging from 3 feet 5 inches to 6 feet with a cumulative height of 9 feet 6 inches in the northerly side yard in lieu of the maximum height of 8 feet otherwise permitted in the R1 Zone,

all in conjunction with the legalization of a third dwelling unit, which was illegally converted from a recreation room, and existing over-in-height walls in the front and northerly side yards, which were constructed without the required permits;

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan and the elevation plan stamp dated May 13, 2011 and marked as Exhibit "A", except as revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Zoning Administrator and the Department of Building and Safety for purposes of having a building permit issued.
6. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
7. The driveway and pedestrian gates shall not open toward Stearns Drive or Whitworth Drive.
8. The height of walls and a gate in the front yard on Stearns Drive shall not exceed 4 feet 9 inches and 5 feet 3 inches, respectively, with a cumulative height of 7 feet 8 inches measured from the sidewalk to the interior walls as shown on Exhibit "A".

The walls within the northerly side yard shall not exceed a maximum height of 6 feet with a cumulative height of 9 feet 6 inches measured from sidewalk to the interior walls as shown on Exhibit "A".

The walls shall be maintained in good repair and shall be kept structurally sound at all times. All repairs shall be made in compatible with the existing dwelling therewith in color and materials.

9. The subject walls and space between the interior and exterior walls shall be landscaped with shrubs, flowers or ground cover such that the exterior of the subject walls are completely covered by climbing vines or similar vegetation within 12 months from the effective date of the subject determination.

Prior to the issuance of any permits, evidence of compliance with this condition such as receipts, photographs, the plant species, etc., shall be submitted to the Zoning Administrator.

10. Within 120 days from the effective date of this determination, a Certificate of Occupancy for the subject walls shall be submitted to the Zoning Administrator indicating that the walls have been constructed in compliance with the conditions required herein.
11. A variance to allow the legalization of the third dwelling unit, which was converted without a permit, is denied herein. Prior to the issuance of any permit or sign off of the plans by the Planning Department staff for the approved walls, a revised plan shall be submitted to the file showing that the third dwelling unit was converted to a recreation room as shown on a Certificate of Occupancy, which was issued on April 17, 1992 pursuant to Permit No. 91WL95120.
12. Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Zoning Administrator for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

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

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within two years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void. A Zoning Administrator may extend the termination date for one additional period not to exceed one year, if a written request on appropriate forms, accompanied by the applicable fee is filed therefore with a public Office of the Department of City Planning setting forth the reasons for said request and a Zoning Administrator determines that good and reasonable cause exists therefore.

**TRANSFERABILITY**

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

**VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR**

Section 12.29 of the Los Angeles Municipal Code provides:

"A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its conditions. The violation of any valid condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

**APPEAL PERIOD - EFFECTIVE DATE**

The applicant's attention is called to the fact that this variance is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or not complied with, then this variance shall be subject to revocation as provided in Section 12.27 of the Municipal Code. The Zoning Administrator's determination in this matter will become effective after JUNE 9, 2011, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted.

**Forms are available on-line at <http://planning.lacity.org>.** Public offices are located at:

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

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

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

### NOTICE

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

### FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report of the Zoning Analyst thereon, the statements made at the public hearing on January 10, 2011, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the five requirements and prerequisites for granting a variance as enumerated in Section 562 of the City Charter and Section 12.27-B,1 of the Municipal Code have been established by the following facts:

### BACKGROUND

The subject property is a level, irregular-shaped, corner, parcel of land located on the southeast corner of Stearns Drive and Whitworth Drive, and is approximately 7,181 square feet. The site, which is within the Wilshire Community Plan, is currently improved with a two-story duplex, and a single-family dwelling unit, with an attached four-car garage.

The on-street parking restrictions on both Whitworth Drive and Stearns Drive are as follows:

#### Stearns Drive:

East side: No parking 10 a.m. to 12 Noon on Mondays due to street cleaning  
West side: No parking 10 a.m. to 12 Noon on Tuesdays due to street cleaning

#### Whitworth Drive:

North Side: No parking 10 a.m. to 12 Noon on Monday due to street cleaning, as well as two hour parking 8 a.m. to 6 p.m. vehicles with permit District No. 52 exempt.  
South side: No parking 10 a.m. to 12 Noon on Tuesdays due to street cleaning, as well as two hour parking 8 a.m. to 6 p.m. vehicles with permit District No. 52 exempt.

Staff indicates that the grade difference from the finished elevation of the first floor of an existing duplex and that of the sidewalk is approximately 4 feet.

Stearns Drive, adjoining the subject property to the west, is a Local Street dedicated a width of 60 feet and improved.

Whitworth Drive, adjoining the subject property to the north, is a Local Street dedicated a width of 60 feet and improved.

Relevant case on the subject property includes:

Notice and Order to Comply- On January 8, 2008 a Notice and Order to Comply, was issued by the Housing Department for the subject illegal unit as well as substandard conditions of the existing improvement on the site.

The following was received to the file:

In Opposition:

- A letter from Sacks Real Estate Consulting on behalf of the owners/occupants of the southerly adjoining property located at 1108 Stearns Avenue in opposition to the applicant's requests. The letter indicates that the southerly adjoining owners/residents have no opinion regarding the existing over-in-height walls.
- Letters from the property owners/residents of 1111 S. Point View Drive, 1108, 1111, 1115, 1118, 1128, 1151, 1171 Stearns Drive.

In support

- A letter signed by the property owners or residents of 1105, 1080 Stearns Drive and 1105, 1111 Point View Street.

[Note: The property owner of 1111 Point View Street withdrew his support]

- Letters from the residents of 1142 and 1165 Stearns Drive.
- The steering committee of the Cathay Square Neighborhood Association in support of the subject application. [NOTE: The subject site is located within the PICO Neighborhood Council.]

PUBLIC HEARING:

The public hearing was held on January 10, 2011 and was attended by the applicant's representative, the southerly adjoining property owners, a representative of the adjoining property owners/residents, a resident in the area and a representative of Council District 5.

The applicant's representatives stated the following:

- The applicant was not aware that the subject third dwelling unit was an illegal unit when he purchased the subject property in 2006. The existing over-in-height fence in the front yard has also existed since 2006.
- A recreation room adjacent to the parking garage containing approximately 790 square feet of floor area was converted to the third dwelling unit by the prior owner and is currently occupied by a tenant.
- The Cathay Square Neighborhood Association voted to support the subject application.
- There are four parking spaces onsite; however, more parking spaces can be accommodated if cars are parked in tandem in the driveway.
- Denial of the request will result in hardship to the applicant because the applicant will be forced to remove the existing dwelling unit.
- Granting the request will result in additional housing opportunity in the area.



- The subject unit is located in the rear of the property and is not visible from the outside. There have been no complaints about the subject third unit.
- The dwelling units on the site are compatible with the surrounding properties that are improved with single- and multi-family dwellings.

One property owner/resident in the area and the representative of Council District 5 spoke in support of the applicant's request.

- The subject unit is hardly visible from the outside and will result in an addition in rental units in the area.
- The property is a large size lot and is not maxed out for development.

The property owners/residents of the southerly adjoining property at 1108 Stearns Drive and their representative stated the following in opposition to the applicant's request.

- The zone of the subject property was changed from R2 to R1 in 1990.
- The 1990 zone change reflects the area as a single-family neighborhood.
- The properties on the entire block and the surrounding properties are improved with single-family dwellings except for the properties along Crescent Height Boulevard where a majority of the properties are improved with residential duplexes.
- Granting the request will result in parking congestion in the area.
- Denial of the request will not result in demolition of the existing dwelling unit, but rather will need to convert the subject unit to a recreation room as previously permitted.
- The southerly adjoining property owners have resided on their property since 1991. Soon after they moved into their property, a recreation room was added on the subject property and was sold to a new owner, who converted the recreation room to a dwelling unit.
- A majority of the properties on the block and in the surrounding area are improved with non-conforming parking and the majority of residents park on the street resulting in parking congestion. The residents have a difficult time finding parking spaces on the street.
- The neighbors oppose the applicant's request; but are hesitant to publicly express opposition.
- Granting the request will set a precedent and will encourage illegal construction similar to the subject unit.
- There is no hardship to justify legalization of the illegal unit; if there is, it is a self imposed hardship.
- The gutter installed on the roof of the subject dwelling unit is encroaching into the southerly adjoining property resulting in discharge of storm water of the subject property into the neighbor's property.

### VARIANCE FINDINGS

In order for a variance to be granted, all five of the legally mandated findings delineated in City Charter Section 562 and Municipal Code Section 12.27 must be made in the affirmative. Following (highlighted) is a delineation of the findings and the application of the relevant facts of the case to same:

1. **The strict application of the provisions of the Zoning Ordinance would not result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.**

The subject case entails a series of requests one of which is a variance to allow three dwelling units in lieu of a single-family dwelling in an R1 Zone. [It is noted that the existing duplex in the front, which was legally built in 1931, is allowed to remain]. The variance requests also include the following:

- a variance to provide no parking for the third dwelling unit; and
- a variance to permit cars to back out onto a local street.

The site is improved with a two-story duplex in the front portion of the property, a detached four-car garage and a one-story single-family dwelling in the rear, which was illegally converted from a recreation room without a permit. The building permit records indicate that an existing residential duplex and a detached four-car garage were constructed in 1931 [Permit Nos. 1260 and 1261]. On April 17, 1992, a Certificate of Occupancy was issued for a recreation room that was constructed adjacent to the detached garage.

The Zoning Information Map Access System [ZIMAS] shows that there are two dwelling units on the subject site containing 4,146 square feet of floor area and the last ownership change occurred on January 11, 2006.

The subject property already exceeds the maximum density permitted by the R1 Zone, which allows a single-family dwelling. Allowing an additional dwelling unit will result in a total of three dwelling units, which is equivalent to 300% of the maximum permissible density.

Allowing a density greater than the maximum dwelling units permitted by the zone is allowed through a variance application, which may be approved only when the required findings can be made in the affirmative. In this instance there is no hardship associated with the requests that relate directly to the zoning provisions and their application. The applicant stated that there is a need for rental housing and the strict application of the zoning ordinance would require the demolition of the third unit and would require a considerable expense to the applicant resulting in practical difficulties and unnecessary hardships. As stated by the representative of the adjoining property at the hearing, denial of the request will not result in demolition of the subject unit; rather, the applicant can convert it back to a recreation room as previously permitted. The requested legalization of the additional unit and its corresponding request to allow no additional parking and reduced setbacks can only be considered as a self-imposed hardship inasmuch as compliance with the Code requirement can be attained and the zoning provisions do not impair the applicant from enjoying the use of the property.

Charter Section 562 states that a variance shall neither be used to grant a special privilege nor to permit a use substantially inconsistent with the limitation on other properties. A variance is an appropriate means to seek relief from a condition that is not self-imposed and to remedy a disparity of privileges. This would be akin to the granting of a special privilege which is otherwise not provided to other property owners who have abided by the zoning limitations on their respective ownerships.

There are no practical difficulties or unnecessary hardships to remove kitchen facilities and to restore the subject unit as a recreation room as it was originally permitted. If there are, such difficulties and hardships are economic in nature and

can be considered to be self-imposed by the property owner. The property owners of the subject site have enjoyed the third dwelling unit, which is not permitted for other property owners in the same zone and vicinity. Granting this variance to allow the third dwelling unit with no required parking space and non-conforming parking and setback would set a precedent in the area and will encourage illegal conversions similar to the subject dwelling unit.

2. **There are no special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.**

The subject property is a record lot with essentially the same characteristics as other properties in the area. The surrounding properties in the project block are zoned R1-1-O, and are improved with single dwelling units except for two properties at 1121-1123 and 1112-1114 South Stearns Drive, which are improved with four and two dwelling units, respectively. The records show that these fourplex and duplex buildings were legally built in the 1920s prior to the zone change to an R1 Zone. There are no special circumstances such as size, shape, topography, location or surroundings that are unique to this property and that would serve as justification to allow the continued use of the illegally converted dwelling unit with no additional parking. The applicant indicates that the third dwelling unit existed on the property when he purchased the property and was not aware of the illegal unit on the site until the Housing Department inspection discovered that the building permit permitted only two dwelling units in January, 2008. The applicant's ignorance of the subject illegal conversion cannot be considered as a special circumstance and there is nothing which sets the site apart from other nearby sites to allow the continuous use of the illegally converted dwelling unit with no additional parking required by the code.

3. **Such variance is not necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships, is denied the property in question.**

All of the neighboring properties in the project block are improved with single-family dwellings except for two properties that are improved with a duplex and a fourplex, which were legally built in the 1920s when such densities were permitted.

No other similarly zoned properties in the same vicinity have been granted any variances to allow greater density than permitted by the zone, especially when such requests are triggered by a non-permitted illegal addition, which was already built without a permit. Further, no other properties in the area were allowed to have more dwelling units than permitted by the code when the required parking spaces are not provided. Granting a variance would have the effect of bestowing a special privilege to one property owner which is not enjoyed by others. No other property has been shown to have such a substantial property right.

It should be noted that other properties in the same zone and vicinity were required to convert illegal units back to their permitted use or density in compliance with the code. The property owner of 1124-1126 South Hi Point Street was required to convert a third dwelling unit, which was illegally converted from a parking garage, to

a recreation room in order to conform to the maximum density permitted by the code. A variance application similar to the subject application was denied for the property owner of 445 North Croft Avenue.

Numerous inquiries, via phone calls and review of the subject file, regarding the subject application were received indicating that other property owners in the area are aware of the subject application. If a variance application is approved to allow illegally converted dwelling units to remain without the required parking space, similar requests will follow resulting in cumulative impacts on traffic, parking and infrastructures and the 1990 zone change ordinance to R1 Zone in the project area will become moot.

4. **The granting of such variance will be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located.**

The residents expressed concerns about a lack of parking in the area. The applicant suggested that additional parking can be provided in tandem along the driveway. The applicant submitted a photograph of a car that appears to be a sports car parked in the driveway indicating that a compact car can fit in the driveway behind the easterly end of the garage. However, such tandem parking will not meet the required parking and there is no assurance that the tenant will only have a car of the size of such a sports car shown in the photograph. The standard and compact parking spaces need a minimum dimension of 8 feet 8 inches by 18 feet and 7 feet 6 inches by 15 feet, respectively. The plan submitted to the file shows that the widest portion of the driveway is 15 feet 7 inches and there is no space to provide the required parking in the driveway.

The code prohibits automobiles backing out of the garage onto a local street when the parking area serves more than two dwelling units. This regulation ensures that a driver backing out onto a local street has a safe distance to avoid any conflict with vehicular and pedestrian traffic. If cars are backing out of the driveway onto the street, the drivers and pedestrians will not have any queuing time to avoid such a conflict resulting in adverse impacts on public safety.

Granting the requests will allow residential development that is substandard and non-conforming in terms of the maximum density permitted, the number of required parking spaces, and the location of parking spaces; therefore, this will result in detrimental impacts on traffic, parking, aesthetics, public safety, infrastructures and land use density planned and zoned in the area.

5. **The granting of the variance will adversely affect any element of the General Plan.**

The Wilshire Community Plan Map designates the property for Low II density Residential land uses with corresponding zones of R1, RS, and RD6 and Height District No. 1. The property is not currently within the area of any specific plans or interim control ordinances.

The applicant and the speakers who spoke in support of the subject application at the hearing indicated that the subject property is a large sized lot and is underdeveloped. It is noted that regardless of the size of the lot, the R1 Zone allows

one single-family dwelling on the site. Further, the subject property contains approximately 7,185 square feet of floor area. The existing duplex and the subject third dwelling unit contain approximately 4,146 and 790 square feet of floor area, respectively for a total of 4,936 square feet. The Baseline Mansionization Ordinance [Z12391] requires a floor area of a maximum of 50 percent of the lot area with additional floor area provided with a varied roof line. The existing 4,936 square feet of floor area are equivalent to approximately 69 percent of the lot area of the subject property, which exceeds the maximum floor area permitted by the Baseline Mansionization Ordinance.

The proposed project will contribute to further congestion along local streets in the vicinity of the subject property. As such, it is not in keeping with the intent of the community plan and Ordinance No. 165,331 designed to mitigate such impacts by establishing design parameters for prospective development in the area. As described in the findings above, the grant will allow development that is substandard and non-conforming.

The zoning code is an implementing tool of the general plan. The granting of the variance to allow development that exceeds the maximum density permitted by the zone and also without the required parking spaces on site will result in detrimental impacts to the surrounding properties and cannot be justified. A variance approval without the required finding in support will adversely affect elements of the General Plan, which promotes uniform development, public safety and preservation of stable residential neighborhoods.

### ADJUSTMENT FINDINGS

In order for an adjustment from the zoning regulations to be granted, all five of the legally mandated findings delineated in Section 12.28 of the Los Angeles Municipal Code must be made in the affirmative. Following (highlighted) is a delineation of the findings and the application of the relevant facts of the case to same:

- 6. The granting of an adjustment will not result in development compatible and consistent with the surrounding uses.**

#### Denial of reduced rear yard setbacks:

The adjustment sought entails various requests to allow a reduced rear yard varying in depth from 3 feet 6 inches to 5 feet 6 inches, and to allow the continued use of existing over-in-height walls and a gate within the front and the northerly side yards.

The site is improved with a duplex unit in the front and a single-family dwelling adjacent to the detached parking garage in the rear. The subject third dwelling unit in the rear was originally built in 1992 as a recreation room, and currently observes the rear yard setback ranging from 3 feet 6 inches to 5 feet 6 inches. The subject request is to allow the existing rear yard setback to remain in conjunction with the legalization of the third dwelling unit, which was converted from the recreation room.

The properties on the project block are zoned R1 and are improved with single-family homes except for two properties, which are improved with a duplex and a fourplex residential dwelling as they were legally permitted prior to the 1990 zone change to R1. There are no other examples on the project block of an illegally

converted dwelling unit that was allowed to observe a reduced rear yard. Granting the request will allow the additional dwelling unit to remain with non-conforming setback resulting in intensification of residential density and non-conforming development that is not compatible with surrounding properties.

Approval of over-in-height walls/gate within the front and northerly side yards:

The existing walls in the front yard vary in height from 3 feet 4 inches to 4 feet 9 inches. The gate in the front yard is 5 feet 3 inches in height. The walls in the northerly side yard vary in height from 3 feet 6 inches to 6 feet. The subject walls were constructed in two tiers with a distance of approximately 3 to 5 feet between the walls. The interior walls are approximately 3 to 4 feet higher in elevation than the exterior walls. The dwelling units are located approximately 5 to 8 feet higher in elevation than the adjoining sidewalk. The code requires a maximum height of 3 feet 6 inches in the front and 8 feet in the side yards for fences and walls in the R1 Zone.

Even though the cumulative heights of the subject walls exceed the required maximum heights if the height is measured from the adjoining sidewalk to the interior walls, the interior and exterior walls are in substantial conformance with the required heights if they are individually measured. The walls will not block the views of the dwelling units on the site and in the surrounding properties. Therefore, the walls and a gate are in keeping with the scale and character of the neighborhood.

7. **The granting of an adjustment will not be in conformance with the intent and purpose of the General Plan.**

Denial of reduced rear yard setbacks:

The Wilshire Community Plan Map designates the property for Low II density Residential land uses with corresponding zones of R1, RS, and RD6 and Height District No. 1. The property is not currently within the area of any specific plans or interim control ordinances.

There are no other properties in the area that were allowed to have additional dwelling units that exceed the permissible density with non-conforming rear yard setbacks similar to the subject request. Granting the requests will result in development that is not consistent with the planned zone and plan designation and detrimental impacts on privacy, noise and public safety; therefore, granting of adjustments will not be in conformance with the intent and purpose of the General Plan that promotes public safety, uniformed, orderly developments and preservation of residential neighborhoods.

Approval of over-in-height walls/gate within the front and northerly side yards:

The plan intends to promote stable residential neighborhoods and to protect property values. The variance request to allow the legalization of the third dwelling unit is denied herein; therefore, only the existing duplex in the front is allowed to remain on the property as well as a recreation room and a garage in the rear. The main use of the property remains unchanged as residential dwellings and is consistent with its zoning classification and plan land use designation. The conditions imposed herein for the subject walls will ensure that the residential neighborhoods will be protected and preserved in conformance with the intent and

purpose of the General Plan. It is noted that the Wilshire Community Plan does not specifically address adjustments.

8. **The granting of an adjustment is not in conformance with the spirit and intent of the Planning and Zoning Code of the City.**

Denial of reduced rear yard setbacks:

The zoning regulations require building setbacks from property lines and restrict certain encroachments into the required yards in order to provide for compatibility between respective properties as well as to ensure privacy, public safety and access in the event of an emergency. In this instance, the Code's desire to achieve compatibility between respective sites and protect neighboring properties and the applicant's desire to provide an additional dwelling unit cannot be accommodated in a manner consistent with the spirit and intent of the zoning regulations, which promote uniformed/orderly development and protect/preserve stable residential neighborhoods.

Approval of over-in-height walls/gate within the front and northerly side yards:

The zoning regulations require a maximum height for the structures in order to provide compatibility between respective properties and to ensure orderly development. Such regulations, however, are written on a citywide basis and cannot take into account individual unique characteristics that a specific parcel and its intended use may have. In this instance, the code's desire to achieve compatibility between respective sites and to protect neighboring properties can be accommodated in a manner consistent with the spirit and intent of the zoning regulations. There is a grade difference on the subject property and the walls were constructed in two tiers such that the walls are substantially in conformance with the maximum height required in the front and side yards if they are individually measured. The project fence/walls will not result in adverse impacts to driveway visibility, air, light or ventilation for the neighboring properties; as such, they are consistent with the intent of the zoning regulations, which is to promote public safety and to preserve residential neighborhoods.

9. **There are adverse impacts from the proposed adjustment or any adverse impacts have not been mitigated.**

Denial of reduced rear yard setbacks:

Allowing the third dwelling unit with the proposed non-conforming building set back from the property line will result in cumulative impacts on aesthetics, public safety, noise and privacy in the surrounding properties and is incompatible with land use density. No mitigation measures are proposed or available to mitigate such impacts.

Approval of over-in-height walls/gate within the front and northerly side yards:

In order to mitigate potential graffiti and aesthetic impacts, a condition is required to plant trees or shrubberies along the subject walls. As approved with conditions, granting the request will not result in adverse impacts.

10. **The site and/or existing improvements do not make strict adherence to the zoning regulations impractical or infeasible.**

Denial of reduced rear yard setbacks:

The request to allow a reduced rear yard setback is in conjunction with the legalization of an illegal dwelling unit resulting in three dwelling units that exceed the maximum permitted density with non-conforming setback. There are no limitations which make strict adherence to the zoning regulations impractical or infeasible as the subject unit can be converted to the intended use as a recreation room with an existing rear yard setback.

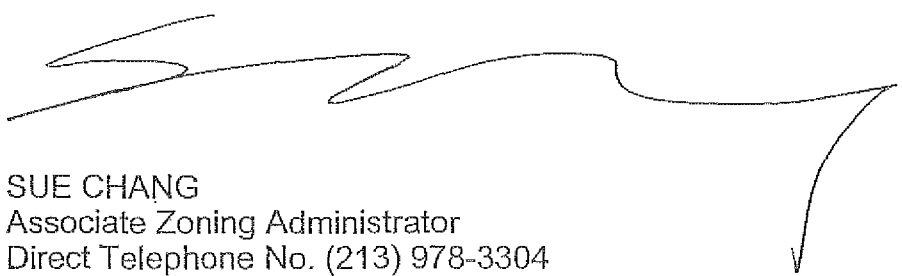
Approval of over-in-height walls/gate within the front and northerly side yards:

The denial of this adjustment would make the project conform to the required height of 3 feet and 6 inches in the front and 8 feet in the side yards even though the subject walls and a gate are substantially in conformance with the required height if they are individually measured and will not result in detrimental impacts to the surrounding properties; therefore, the denial of the request would create unnecessary hardship for the applicant.

The unique situation as stated above, as well as the location, use and design of existing improvements thereon, make the request as proposed, logical because it would allow the functional integration of the subject walls with the neighboring properties.

**ADDITIONAL MANDATORY FINDINGS**

11. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.
12. On June 29, 2009, the project was issued a Notice of Exemption (Article III, Section 3, City CEQA Guidelines), log reference ENV 2009-2027-CE, for a Categorical Exemption, Class 3, Category 2, City CEQA Guidelines, Article VII, Section 1, State EIR Guidelines, Section 15100. I hereby adopt that action.



SUE CHANG  
Associate Zoning Administrator  
Direct Telephone No. (213) 978-3304

SC:lmc

cc: Councilmember Paul Koretz  
Fifth District  
Adjoining Property Owners



Determination Letter  
ZA-2009-2026-ZV-ZAA-ZAD-1A  
Mailing Date: 8/30/11

Council District 5  
City Hall, Room 440  
Mail Stop 208

Applicant  
Eric Hammerlund  
1100 S. Stearns Drive  
Los Angeles, CA 90035

Representative  
Todd Elliott  
626 Wilshire Blvd., Suite 550  
Los Angeles, CA 90017

Appellant  
Terrence Villines & Eric Hammerlund  
1100 S. Stearns Drive  
Los Angeles, CA 90035

Representative  
Truman & Elliot LLP  
626 Wilshire Blvd., Suite 550  
Los Angeles, CA 90017

Janet M. Grady  
1105 Stearns Drive  
Los Angeles, CA 90035

Robert Marvin Miller  
1081 Stearns Drive  
Los Angeles, CA 90035

Bradley J. Stokes  
1080 Stearns Drive  
Los Angeles, CA 90035

Douglas Marceill  
1105 Point View Street  
Los Angeles, CA 90035

David Schulman  
1111 Point View Street  
Los Angeles, CA 90035

Mathis and Donna Chazanov  
1108 Stearns Drive  
Los Angeles, CA 90035

Eric Hammerlund  
1102 Stearns Drive  
Los Angeles, CA 90035

Craig Protzel  
1234 Stearns Drive  
Los Angeles, CA 90035

Valerie Sacks  
8458 Venice Blvd., #101  
Los Angeles, CA 90034

Steve Kaali  
3200 Santa Monica Blvd., #7  
Santa Monica, CA 91404

Hayley Mendell  
1100 Stearns Drive  
Los Angeles, CA 90035

Donna Chazanov  
1108 Stearns Drive  
Los Angeles, CA 90035

Mathis Chazanov  
1108 Stearns Drive  
Los Angeles, CA 90035

Jim McQuiston  
6212 Yucca Street  
Los Angeles, CA 90028

Valerie Sacks  
5800 Wilshire Blvd., #2600  
Los Angeles, CA 90034

Paula Hollins  
1127 S. Point View Street  
Los Angeles, CA 90035

John Darnell  
822 S. Robertson Blvd., Suite 102  
Los Angeles, CA 90035

Eric Hammerlund  
1102 Stearns Drive  
Los Angeles, CA 90035

Rose Iskenderian  
1111 Stearns Drive  
Los Angeles, CA 90035

Tom Fields-Meyer  
1132 S. Point View Street  
Los Angeles, CA 90035

Steve Friedland  
1130 S. Orlando Avenue  
Los Angeles, CA 90035

Tamara Lewis  
114 Stearns Drive  
Los Angeles, CA 90035

Reem Baroody & Gavin James  
1149 Alvira  
Los Angeles, CA 90035

V. Joseph Pica  
1038 S. Alfred Street  
Los Angeles, CA 90035

Susan Shurman  
1043 Hi Point Street  
Los Angeles, CA 90035

Linda Clarke  
City Hall, Room 763  
**Mail Stop 395**

GIS-Fae Tskamoto  
City Hall, Room 825  
**Mail Stop 395**

Sue Chang  
Zoning Administrator  
City Hall, Room 763  
**Mail Stop 395**

Sheldred Alexander  
CEA I  
[Sheldred.alexander@lacity.org](mailto:Sheldred.alexander@lacity.org)

Engineering  
[Quyen.phan@lacity.org](mailto:Quyen.phan@lacity.org)

# MASTER APPEAL FORM

# ORIGINAL

City of Los Angeles – Department of City Planning

APPEAL TO THE: Area Planning Commission  
(DIRECTOR, AREA PLANNING COMMISSION, CITY PLANNING COMMISSION, CITY COUNCIL)

REGARDING CASE #: ZA-2009-2026(ZV)(ZAA)(<sup>ZAD</sup>~~ZAD~~), ~~ENV-2009-2027 CE~~

PROJECT ADDRESS: 1100-1102 S. Stearns Drive, Los Angeles, California 90035

FINAL DATE TO APPEAL: June 9, 2011

- TYPE OF APPEAL:
1.  Appeal by Applicant
  2.  Appeal by a person, other than the applicant, claiming to be aggrieved
  3.  Appeal by applicant or aggrieved person from a determination made by the Department of Building and Safety

## APPELLANT INFORMATION – Please print clearly

Name: Terrence Villines and Eric Hammerlund

- Are you filing for yourself or on behalf of another party, organization or company?

Self       Other: \_\_\_\_\_  
\_\_\_\_\_

Address: 1100 S. Stearns Drive

Los Angeles, California      Zip: 90035

Telephone: (213) 629-5300      E-mail: \_\_\_\_\_

- Are you filing to support the original applicant's position?

Yes       No

## REPRESENTATIVE INFORMATION

Name: Todd Elliott, Truman & Elliott LLP

Address: 626 Wilshire Boulevard, Suite 550

Los Angeles, California      Zip: 90017

Telephone: (213) 629-5300      E-mail: telliott@trumanelliott.com

This application is to be used for any appeals authorized by the Los Angeles Municipal Code for discretionary actions administered by the Department of City Planning.

**JUSTIFICATION/REASON FOR APPEALING** – Please provide on separate sheet.

Are you appealing the entire decision or parts of it?

- Entire  Part

Your justification/reason must state:

- The reasons for the appeal
- How you are aggrieved by the decision
- Specifically the points at issue
- Why you believe the decision-maker erred or abused their discretion

**ADDITIONAL INFORMATION/REQUIREMENTS**

- Eight (8) copies of the following documents are required (1 original and 7 duplicates):
  - Master Appeal Form
  - Justification/Reason for Appealing document
  - Original Determination Letter
- Original applicants must provide the original receipt required to calculate 85% filing fee.
- Original applicants must pay mailing fees to BTC and submit copy of receipt.
- Applicants filing per 12.26 K "Appeals from Building Department Determinations" are considered original applicants and must provide notice per 12.26 K 7.
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the City (Area) Planning Commission must be filed within 10 days of the written determination of the Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (i.e. ZA, APC, CPC, etc...) makes a determination for a project that is not further appealable.

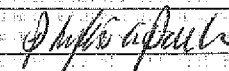
*"If a nonelected decision-making body of a local lead agency certifies an environmental impact report, approves a negative declaration or mitigated negative declaration, or determines that a project is not subject to this division, that certification, approval, or determination may be appealed to the agency's elected decision-making body, if any."*

–CA Public Resources Code § 21151 (c)

I certify that the statements contained in this application are complete and true:

Appellant Signature:  Date: June 8, 2011

**Planning Staff Use Only**

Amount: <u>\$6294.01</u>	Reviewed and Accepted by: <u></u>	Date: <u>6-8-11</u>
Receipt No: <u>280512</u>	Deemed Complete by:	Date:

- Determination Authority Notified  Original Receipt and BTC Receipt (if original applicant)

626 Wilshire Boulevard, Suite 550  
Los Angeles, California 90017  
Tel: (213) 629-5300  
Fax: (213) 629-1212  
www.trumanelliott.com

TRUMAN & ELLIOTT LLP

June 7, 2011

**VIA HAND DELIVERY**

Honorable Franklin Acevedo, President  
And the Honorable Members of the  
Central Los Angeles Area Planning Commission  
City of Los Angeles  
Department of City Planning  
200 North Spring Street, Room 272  
Los Angeles, California 90012

Re: Appeal of Decision of Zoning Administrator (Case No. ZA-2009-2026-ZV-ZAA-ZAD; ENV-2009-8027-CE); 1100-1102 S. Stearns Drive, Los Angeles, California 90035

Honorable President Acevedo and Honorable Commissioners:

On behalf of our clients, Eric Hammerlund and Terrence Villines ("Appellants"), the owners of real property located at 1100-1102 South Stearns Drive, Los Angeles, California ("Property"), we appeal, in part, the May 25, 2011 decision of the Zoning Administrator in Case No. ZA-2009-2026-ZV-ZAA-ZAD, ENV-2009-8027-CE.

Specifically, we appeal the denial of a variance from section 12.08-A of the Los Angeles Municipal Code ("Code") to allow the legalization and continued use of an approximately 790 square foot existing one-story detached third dwelling unit at the Property; a variance from Code sections 12.21-A,4(a) and 12.21-A,5(i)(1) to allow the legalization of the third unit with no additional parking and to allow automobiles to back out of an existing four-car garage at the Property into a street other than a major or secondary highway; and the denial of a zoning administrator's adjustment from Code section 12.08-C,3 to allow a rear yard varying in depth from 3 feet 6 inches to 5 feet 6 inches in lieu of the required 15 feet as part of the existing detached third dwelling unit at the Property.

The third dwelling unit has existed at the Property for almost twenty (20) years without complaint or issue. The Zoning Administrator erroneously denied the variance requests and the zoning administrator's adjustment despite the support of the Council District 5 Office, numerous neighbors, including most abutting neighbors, and the Carthay Square Neighborhood Association.

Central Los Angeles Area Planning Commission  
City of Los Angeles  
June 7, 2011  
Page 2 of 7

Further, the findings of facts to approve the variance can be affirmatively made. The Property is unique from properties in the surrounding area in terms of size, shape, topography, and location, the existing third unit has existed in its current state for almost twenty years without complaint or negative effect on the environment or community and the hardship created by the third unit was not self-imposed. Further, there are numerous other multi-family buildings in the surrounding area, providing conformity with the proposed project. Opponents of the variance opposed the request after twenty years of living next to the third unit without complaint, and provide erroneous data about street parking in the area and that granting the requests would set a precedent for future such requests.

I. Background

Appellants purchased the property in 2006, unaware the third unit was unpermitted as a dwelling unit. In 1992, a prior owner previously converted a permitted recreation room into a third dwelling unit, and has rented out the third unit continuously since that time. Appellants believed the third unit was legally permitted as a dwelling unit because there was a separate electric meter for this unit and the unit maintains a separate address listed as 1102 ½ Stearns Drive.

The third unit comfortably fits within the large 7,181 square foot corner lot, which is almost 700 square feet larger than the adjacent lot and over 1,000 square feet larger than most of the lots on Stearns Drive. The unit is not visible from the street and the Appellants immaculately maintain the Property. Additionally, no construction or alteration of the Property is proposed as part of the project. The granting of the zone variance will not require any exterior or interior alterations to the third unit. The height of the third dwelling unit is consistent with the zoning and the unit complies with all other applicable housing code requirements for the Property.

Suddenly, twenty years after construction and occupation of the unit without issue, an adjacent neighbor opposed the project complaining it would have an adverse effect on the neighborhood. This opposition is erroneous as twenty years of history and accounts of neighbors indicate that there has not been and will not be an adverse impact on the neighborhood caused by this third unit.

II. This Project Is Widely Supported By The Neighborhood and The Council District Office

As indicated above, Appellants have obtained support of abutting and adjacent neighbors as well as other neighborhood residents, excluding the neighbor opposing the request. Many of those neighbors have written letters in support of the proposed project and indicate the unit is an accepted and welcomed part of the neighborhood and has not had a negative impact on the neighborhood.

Further, the Steering Committee representing the Carthay Square Neighborhood Association (CSNA) has voted unanimously in support the request. The CSNA wrote a letter supporting the proposed project for various reasons including,

Central Los Angeles Area Planning Commission  
City of Los Angeles  
June 7, 2011  
Page 3 of 7

- The 3<sup>rd</sup> unit structure, garden wall and parking space pre-existed the purchase by the current owner. These structures have been part of our neighborhood for the past 20+ years and as such should be allowed to remain “as is” on the property.
- The existing structure, garden wall, and off-street parking have been accepted by the immediate neighbors. No complaints have ever been filed.

Moreover, the Council District 5 Office supports the request. Prior to the variance hearing, Appellants met with the Council Office to discuss the proposed project and obtained the District Office’s support. The planning deputy for the District attended the Zoning Administrator’s hearing and spoke in support of the proposed project. Council District 5 supports additional rental housing in the area, where the additional housing does not cause impacts.

### III. The Findings of Facts Can Be Made Affirmatively

All findings for the variance request and adjustment request can be made affirmatively. The Zoning Administrator’s decision improperly relies on erroneous data and indicates the proposed project “will result in detrimental impacts on traffic, parking, aesthetics, infrastructures, [and] public safety... in the area.” However, evidence over the past twenty years of use clearly indicates there has not been a negative effect caused by this unit and no negative impact will be created by the continued use of this unit. The required findings can be made affirmatively for this Property, based on the Code, the General Plan, and similarly approved projects in the City.

#### **1. That the strict application of the provisions of the Zoning Ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.**

Appellants did not know that the third unit at the Property was unpermitted when they purchased the Property in 2006. Accordingly, there is a hardship associated with this request and this hardship was not self-imposed. As indicated below in further detail, the East Los Angeles Area Planning Commission approved the legalization of a similar third unit in 2002 and indicated that “while the current owner did not add the third dwelling unit, the choice to pursue the retention of a dwelling unit remains a hardship.” (City of Los Angeles Case No. ZA-2000-4130(ZV)-A1.) The property was purchased with the non-conforming third unit already in place for over a decade. The current owners did not know that the unit did not conform and invested a great deal of money in refurbishing and rehabilitating the entire property. The owner moved into one of the two legal units in anticipation of moving [his] elderly mother into the small third unit.

Here, Appellants also invested a great deal of money in refurbishing and rehabilitating the entire Property, including refurbishing the third unit, and moved into one of the two legal units at the Property so as to better maintain the Property.

Central Los Angeles Area Planning Commission  
City of Los Angeles  
June 7, 2011  
Page 4 of 7

Additionally, no precedent would be set by granting the variance. The Property is unique in terms of size, shape, topography, and location and accordingly, no other properties in the area, most of which are 1,000 square feet smaller can support an independent third unit without removing off-street parking. Further, the third dwelling unit is completely invisible to passers-by from the street and the Property appears only as a duplex with a detached garage to those viewing the Property from the street level. The circumstances here are unique also because the third dwelling unit currently exists and is otherwise permitted as a recreation room.

**2. That there are special circumstances applicable to the subject property such as size, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.**

Appellant's property is unique. Due to the irregular shape, large size and corner location of the Property, the Property can support a third unit whereas many of the properties in the area cannot support an additional unit. The property is a corner lot, over 700 square feet larger than the adjacent parcel and over 1,000 square feet larger than most parcels on Stearns Drive. The Property is an irregular shaped lot with the third unit tucked in the far corner of the property out of site from the street. The Property is perched on a plateau, over four feet above sidewalk level.

The third unit has existed for more than two decades and has not caused a parking issue on a street where there is no on-street parking issue. There is always sufficient street parking on both Stearns Drive and Whitworth Drive surrounding the Property. (See Exhibit 1, attached photographs indicating sufficient street parking in the evening immediately adjacent to the Property.)

Further, the proposed project conforms to the surrounding area as there are many multi-family properties in the area. A quick drive around the area reveals numerous duplexes and multi-family properties. On Stearns Drive between Whitworth Drive and Packard Drive, there are 2 additional multi-unit buildings (1112 Stearns is a duplex and 1121 Stearns is a 4-plex). Every building on Stearns Drive south of Packard is multi-unit building, either a duplex or more. On Point View Drive, one block east of the Property, between Whitworth and Stearns, there are 4 duplexes (1127 S. Point View, 1112 S. Point View, 1118 S. Point View, and 1122 S. Point View.) Lastly, within the neighborhood, there are two other corner lot triplexes (1178 Hi Point, and 1167 Crescent Heights Boulevard).

**3. That such variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity, but which, because of such special circumstances and practical difficulties or unnecessary hardships is denied to the property in question.**

As indicated above, there are numerous multi-family properties in the immediate area. The granting of the variance for a third unit will not create a new pattern in this neighborhood. Many corner lots in the surrounding area are improved with three units and many other properties in the area have two or more units. If the Applicant were denied the right to use the



Central Los Angeles Area Planning Commission  
City of Los Angeles  
June 7, 2011  
Page 5 of 7

third unit at his Property even though there are other multiple unit buildings in the adjacent area, the Applicant would lose a substantial property right or use possessed by other properties in the same zone and vicinity and a tenant would need to be displaced. The Applicant purchased the Property in good faith with the third unit existing for approximately two decades, unaware that there was a zoning violation. It would create great practical difficulties and unnecessary hardships if the variance were denied.

The Zoning Administrator's examples of properties which have been denied a variance for the legalization of a third unit are not comparable and inappropriate in this case. The property on 1124-1126 Hi Point illegally converted a garage removing on-site covered parking spaces. The request here is not to convert a garage; it does not remove any of the four (4) covered parking spaces at the Property. The unit is not visible from the street. Further, the property at 445 North Croft Avenue is not an appropriate example as it is not the same neighborhood as the Property. It is located far north of Olympic Boulevard, more than 1 mile from the Property. As indicated below, in similar cases, variances for a third units have been granted in unique situations, like those that occur here.

Accordingly, given the special circumstances unique to the subject property, granting the appeal does not, as the zoning administrator asserts, amount to bestowing a special privilege to a single property owner.

**4. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located.**

There is always sufficient street parking on both Stearns Drive and Whitworth Drive surrounding the Property. This third unit at the Property has been occupied for many years without a single parking issue or complaint; there has not been a problem with backing out onto Whitworth Drive in the last twenty years of use of the third unit.

The third unit, which has been in existence for almost two decades, provides rental housing in an area of the City that is moderately dense without any harm to the neighborhood. The loss of any housing unit in the City is undesirable and unwelcome to a City that appreciates the value of rental housing. The neighborhood supports the project and the Council District 5 Office has shown support for the proposed project.

The footprint of the Property will not change and no new construction will be required. The third unit would not be detrimental to the character of the area as the unit is invisible from the street. The neighborhood has existed in this same manner for almost 20 years with no problem. Denial of the variance would result in the loss of a housing unit from the City's current inventory. The imposition of any conditions of approval would assure that the status quo will not change.

Central Los Angeles Area Planning Commission  
City of Los Angeles  
June 7, 2011  
Page 6 of 7

**5. That the granting of such variance will not adversely affect any element of the General Plan.**

Objective 1.1 of the Housing Element encourages the production and preservation of an adequate supply of rental and ownership housing to meet the identified needs of persons of all income levels and special needs. Allowing this third unit, which has existed without complaint for almost two decades, would promote adding increased housing units to the City's stock of rental housing without problem.

**III. City of Los Angeles Precedent Supports Legalization of this Unit.**

In a strikingly similar case to this, the East Los Angeles Area Planning Commission approved a variance request in 2002 allowing the legalization of a third dwelling unit at a duplex property in the City. (See City of Los Angeles Case No. ZA-2000-4130(ZV)-A1.)

In that case, the request was to legalize an existing unpermitted third unit in a multi-level duplex located in the R1 Zone. The property in that case was previously zoned R2, and in 1989, the property was rezoned from R2 to R1. The third unit was in use as a dwelling unit before the applicant purchased the property in 1999, the applicant was actually aware that the third unit had no permits but he was unaware that the unit was in violation of the zoning provisions and thought he could acquire permits retroactively. The intention of the property owner was to allow the applicant's mother-in-law to use the unit, and then rent it out after she no longer used it. Opposition to the variance rested solely "on the basis of anticipated parking problems and a desire not to 'set a precedent' of permitting multiple units in an R1 area."

In a unanimous 4-0 vote, the Area Planning Commission overturned the denial by the Zoning Administrator and held, among other things, that:

- "while the current owner did not add the third dwelling unit, the choice to pursue the retention of a dwelling unit remains a hardship. The property was purchased with the non-conforming third unit already in place for over a decade. The current owners did not know that the unit did not conform... They invested a great deal of money in refurbishing and rehabilitating the entire property, and moved into one of the two legal units in anticipation of moving [his] elderly mother into the small third unit."
- "There is a practical land difficulty which is attributable to the zoning provisions as pertains to the use of the land. The property was previously zoned R2... In 1989, the property was rezoned to R1..."
- The size and construction of the building make the additional unit completely unobtrusive, and in fact, invisible from the street."

The present request shares multiple similarities with the above property. This Property was similarly down-zoned like the above example and the Appellants' obtained the Property

Central Los Angeles Area Planning Commission  
City of Los Angeles  
June 7, 2011  
Page 7 of 7

without knowing the third unit was unpermitted or could not be easily permitted. Further, there were a number of other multi-unit properties in the surrounding areas. Lastly, in both cases, the Property owners invested great sums of money to rehabilitate and maintain the respective properties in immaculate condition.

Although the present request includes a variance to allow no additional parking space in lieu of the required one covered parking space, the property maintains four (4) off-street covered parking spaces with the ability to add a tandem space on the driveway apron behind one of the existing four parking spaces. (See Attached photograph.) Further, there is not a parking problem on this block. As indicated above, photographic evidence shows an abundance of street parking during the evening on a weeknight on both Stearns Drive and Whitworth Drive. There is not a street parking problem in the immediate area. Accordingly, the above request should be approved based on similar precedent in the City.

For the reasons above, we respectfully request that the Central Los Angeles Area Planning Commission grant the appeal and overturn the decision of the Zoning Administrator in this case. The third unit at the Property has existed without problem for almost twenty years, is located at a unique property can that sustain the third unit, and is one of many multi-family properties in the area.

Our client reserves the right to further supplement its asserted grounds for appeal in the future and requests the City promptly notify our office of any date set for an appeal hearing in this matter. If you have any questions, please do not hesitate to contact me at (213) 629-5300.

Sincerely,

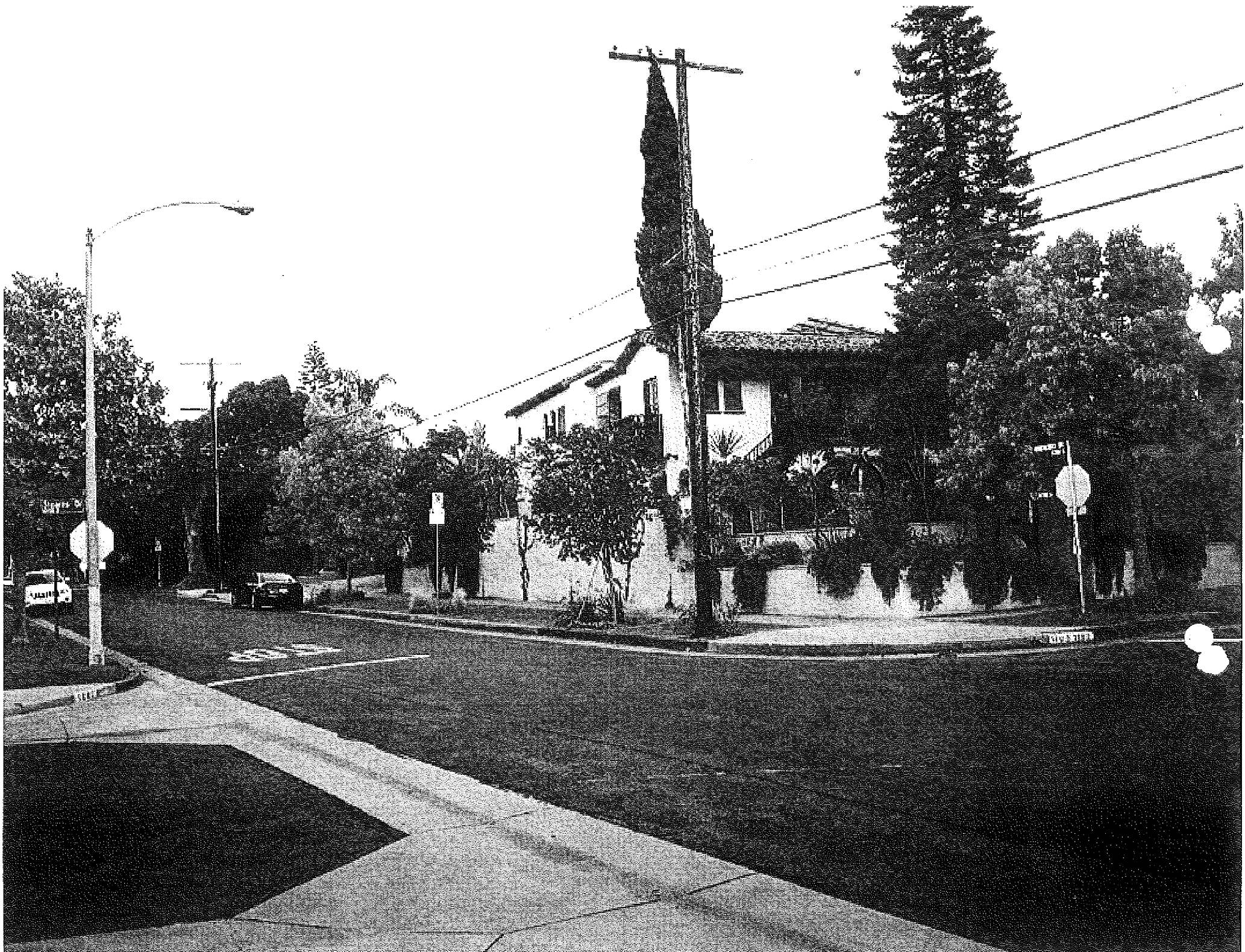


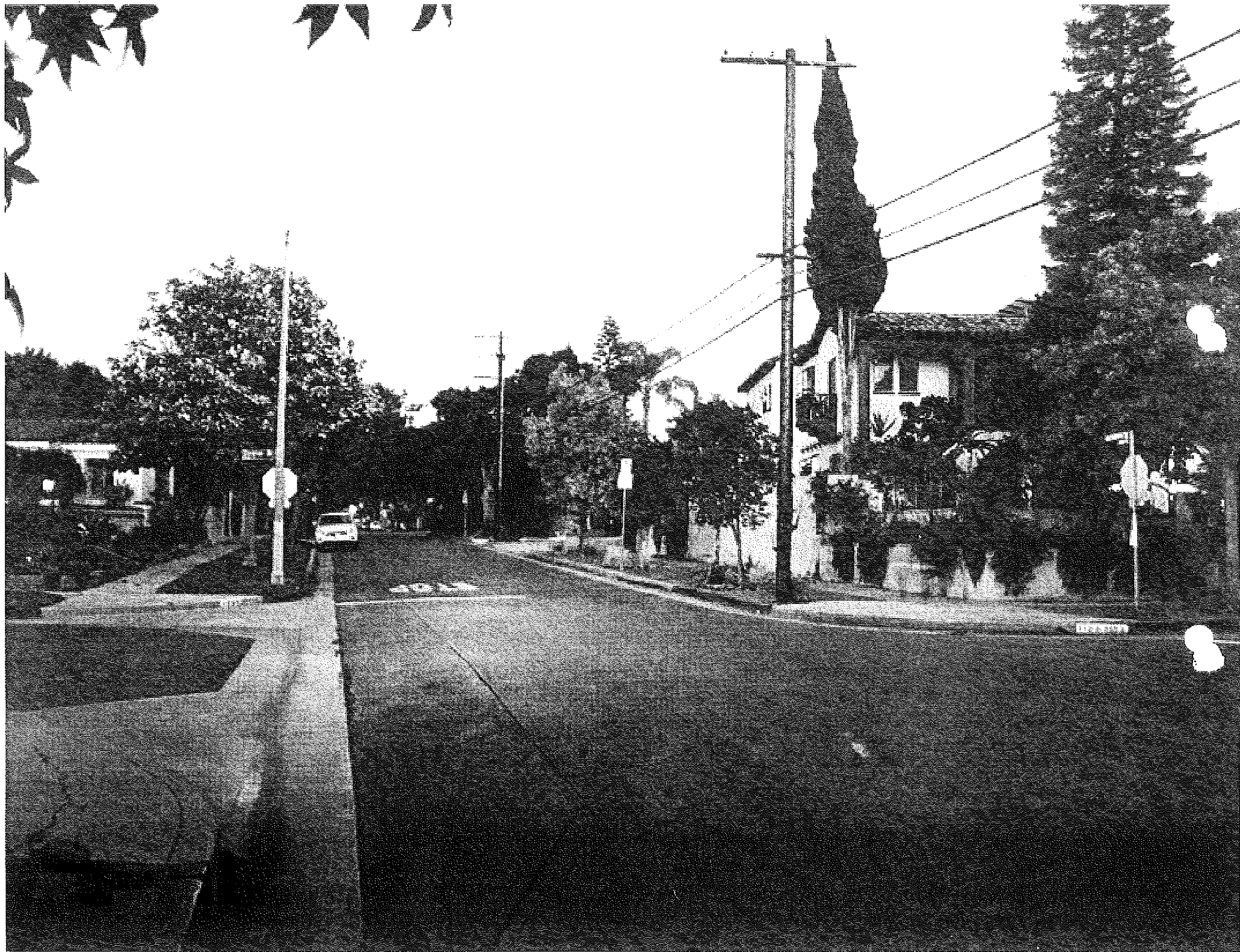
Todd Elliott  
of TRUMAN & ELLIOTT LLP

Enclosure

cc: Christopher Koontz  
Planning Deputy, Council District 5

# EXHIBIT 1





LINN K. WYATT  
CHIEF ZONING ADMINISTRATOR  
ASSOCIATE ZONING ADMINISTRATORS  
R. NICOLAS BROWN  
SUE CHANG  
LOURDES GREEN  
MAYA E. ZAITZEVSKY

CITY OF LOS ANGELES  
CALIFORNIA



ANTONIO R. VILLARAIGOSA  
MAYOR

DEPARTMENT OF  
CITY PLANNING  
MICHAEL J. LOGRANDE  
DIRECTOR

OFFICE OF  
ZONING ADMINISTRATION  
200 N. SPRING STREET, 7<sup>TH</sup> FLOOR  
LOS ANGELES, CA 90012  
(213) 978-1318  
FAX: (213) 978-1334  
www.pfanning.lacity.org

May 25, 2011

Eric Hammerlund (A)(O)  
1100 South Stearns Drive  
Los Angeles, CA 90035

Todd Elliott (R)  
626 Wilshire Boulevard, Suite 550  
Los Angeles, CA 90017

CASE NO. ZA 2009-2026(ZV)(ZAA)(ZAD)  
ZONE VARIANCE, ZONING  
ADMINISTRATOR'S ADJUSTMENT  
AND FENCE HEIGHT  
1100-1102 South Stearns Drive  
Wilshire Planning Area  
Zone : R1-1-O  
D. M. : 132B173  
C. D. : 5  
CEQA : ENV 2009-2027-CE  
Legal Description: Lot 390, Tract 7603

Pursuant to Charter Section 562 and Los Angeles Municipal Code Section 12.27-B, I hereby DENY:

a Variance from Section 12.08-A of the Code to allow the legalization and continued use of an approximately 790 square-foot one-story detached dwelling unit resulting in a total of three dwelling units in lieu of the two existing dwelling units that were legally built and allowed to remain on the site in an R1 Zone that otherwise allows a single-family dwelling unit,

a Variance from Section 12.21-A,4(a) to allow no additional parking space to be provided in lieu of the required one covered space for the third dwelling unit,

a Variance from Section 12.21-A,5(i)(1) to allow automobiles to back out of the garage where the parking area serves more than two dwelling units and where the driveway access is to a street other than a major or secondary highway.

Pursuant to Los Angeles Municipal Code Section 12.28-A, I hereby DENY:

a Zoning Administrator's Adjustment from Section 12.08-C,3 of the Code to allow a rear yard varying in depth from 3 feet 6 inches to 5 feet 6 inches in lieu of the required 15 feet; and

Pursuant to Los Angeles Municipal Code Section 12.28-A, I hereby APPROVE:

a Zoning Administrator's Adjustment from Section 12.21-C,1(g) to permit the continued use and maintenance of the existing walls and a gate ranging in height from 3 feet 4 inches to 5 feet 3 inches with a cumulative height of 7 feet 8 inches in the front yard in lieu of a maximum permitted height of 3 feet 6 inches; and the



existing walls ranging from 3 feet 5 inches to 6 feet with a cumulative height of 9 feet 6 inches in the northerly side yard in lieu of the maximum height of 8 feet otherwise permitted in the R1 Zone,

all in conjunction with the legalization of a third dwelling unit, which was illegally converted from a recreation room, and existing over-in-height walls in the front and northerly side yards, which were constructed without the required permits;

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan and the elevation plan stamp dated May 13, 2011 and marked as Exhibit "A", except as revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Zoning Administrator and the Department of Building and Safety for purposes of having a building permit issued.
6. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
7. The driveway and pedestrian gates shall not open toward Stearns Drive or Whitworth Drive.
8. The height of walls and a gate in the front yard on Stearns Drive shall not exceed 4 feet 9 inches and 5 feet 3 inches, respectively, with a cumulative height of 7 feet 8 inches measured from the sidewalk to the interior walls as shown on Exhibit "A".



CASE NO. ZA 2009-2026(ZV)(ZAA)(ZAD)

The walls within the northerly side yard shall not exceed a maximum height of 6 feet with a cumulative height of 9 feet 6 inches measured from sidewalk to the interior walls as shown on Exhibit "A".

The walls shall be maintained in good repair and shall be kept structurally sound at all times. All repairs shall be made in compatible with the existing dwelling therewith in color and materials.

9. The subject walls and space between the interior and exterior walls shall be landscaped with shrubs, flowers or ground cover such that the exterior of the subject walls are completely covered by climbing vines or similar vegetation within 12 months from the effective date of the subject determination.

Prior to the issuance of any permits, evidence of compliance with this condition such as receipts, photographs, the plant species, etc., shall be submitted to the Zoning Administrator:

10. Within 120 days from the effective date of this determination, a Certificate of Occupancy for the subject walls shall be submitted to the Zoning Administrator indicating that the walls have been constructed in compliance with the conditions required herein.
11. A variance to allow the legalization of the third dwelling unit, which was converted without a permit, is denied herein. Prior to the issuance of any permit or sign off of the plans by the Planning Department staff for the approved walls, a revised plan shall be submitted to the file showing that the third dwelling unit was converted to a recreation room as shown on a Certificate of Occupancy, which was issued on April 17, 1992 pursuant to Permit No. 91WL95120.
12. Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Zoning Administrator for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

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

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within two years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void. A Zoning Administrator may extend the termination date for one additional period not to exceed one year, if a written request on appropriate forms, accompanied by the applicable fee is filed therefore with a public Office of the Department of City Planning setting forth the reasons for said request and a Zoning Administrator determines that good and reasonable cause exists therefore.

**TRANSFERABILITY**

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

**VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR**

Section 12.29 of the Los Angeles Municipal Code provides:

"A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its conditions. The violation of any valid condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

**APPEAL PERIOD - EFFECTIVE DATE**

The applicant's attention is called to the fact that this variance is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or not complied with, then this variance shall be subject to revocation as provided in Section 12.27 of the Municipal Code. The Zoning Administrator's determination in this matter will become effective after JUNE 9, 2011, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://planning.lacity.org>.** Public offices are located at:

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

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

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

### NOTICE

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

### FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report of the Zoning Analyst thereon, the statements made at the public hearing on January 10, 2011, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the five requirements and prerequisites for granting a variance as enumerated in Section 562 of the City Charter and Section 12.27-B,1 of the Municipal Code have been established by the following facts:

### BACKGROUND

The subject property is a level, irregular-shaped, corner, parcel of land located on the southeast corner of Stearns Drive and Whitworth Drive, and is approximately 7,181 square feet. The site, which is within the Wilshire Community Plan, is currently improved with a two-story duplex, and a single-family dwelling unit, with an attached four-car garage.

The on-street parking restrictions on both Whitworth Drive and Stearns Drive are as follows:

#### Stearns Drive:

East side: No parking 10 a.m. to 12 Noon on Mondays due to street cleaning  
West side: No parking 10 a.m. to 12 Noon on Tuesdays due to street cleaning

#### Whitworth Drive:

North Side: No parking 10 a.m. to 12 Noon on Monday due to street cleaning, as well as two hour parking 8 a.m. to 6 p.m. vehicles with permit District No. 52 exempt.  
South side: No parking 10 a.m. to 12 Noon on Tuesdays due to street cleaning, as well as two hour parking 8 a.m. to 6 p.m. vehicles with permit District No. 52 exempt.

Staff indicates that the grade difference from the finished elevation of the first floor of an existing duplex and that of the sidewalk is approximately 4 feet.

Stearns Drive, adjoining the subject property to the west, is a Local Street dedicated a width of 60 feet and improved.

Whitworth Drive, adjoining the subject property to the north, is a Local Street dedicated a width of 60 feet and improved.

Relevant case on the subject property includes:

Notice and Order to Comply- On January 8, 2008 a Notice and Order to Comply, was issued by the Housing Department for the subject illegal unit as well as substandard conditions of the existing improvement on the site.

The following was received to the file:

In Opposition:

- A letter from Sacks Real Estate Consulting on behalf of the owners/occupants of the southerly adjoining property located at 1108 Stearns Avenue in opposition to the applicant's requests. The letter indicates that the southerly adjoining owners/residents have no opinion regarding the existing over-in-height walls.
- Letters from the property owners/residents of 1111 S. Point View Drive, 1108, 1111, 1115, 1118, 1128, 1151, 1171 Stearns Drive.

In support

- A letter signed by the property owners or residents of 1105, 1080 Stearns Drive and 1105, 1111 Point View Street.

[Note: The property owner of 1111 Point View Street withdrew his support]

- Letters from the residents of 1142 and 1165 Stearns Drive.
- The steering committee of the Cathay Square Neighborhood Association in support of the subject application. [NOTE: The subject site is located within the PICO Neighborhood Council.]

**PUBLIC HEARING:**

The public hearing was held on January 10, 2011 and was attended by the applicant's representative, the southerly adjoining property owners, a representative of the adjoining property owners/residents, a resident in the area and a representative of Council District 5.

The applicant's representatives stated the following:

- The applicant was not aware that the subject third dwelling unit was an illegal unit when he purchased the subject property in 2006. The existing over-in-height fence in the front yard has also existed since 2006.
- A recreation room adjacent to the parking garage containing approximately 790 square feet of floor area was converted to the third dwelling unit by the prior owner and is currently occupied by a tenant.
- The Cathay Square Neighborhood Association voted to support the subject application.
- There are four parking spaces onsite; however, more parking spaces can be accommodated if cars are parked in tandem in the driveway.
- Denial of the request will result in hardship to the applicant because the applicant will be forced to remove the existing dwelling unit.
- Granting the request will result in additional housing opportunity in the area.

- The subject unit is located in the rear of the property and is not visible from the outside. There have been no complaints about the subject third unit.
- The dwelling units on the site are compatible with the surrounding properties that are improved with single- and multi-family dwellings.

One property owner/resident in the area and the representative of Council District 5 spoke in support of the applicant's request.

- The subject unit is hardly visible from the outside and will result in an addition in rental units in the area.
- The property is a large size lot and is not maxed out for development.

The property owners/residents of the southerly adjoining property at 1108 Stearns Drive and their representative stated the following in opposition to the applicant's request.

- The zone of the subject property was changed from R2 to R1 in 1990.
- The 1990 zone change reflects the area as a single-family neighborhood.
- The properties on the entire block and the surrounding properties are improved with single-family dwellings except for the properties along Crescent Height Boulevard where a majority of the properties are improved with residential duplexes.
- Granting the request will result in parking congestion in the area.
- Denial of the request will not result in demolition of the existing dwelling unit, but rather will need to convert the subject unit to a recreation room as previously permitted.
- The southerly adjoining property owners have resided on their property since 1991. Soon after they moved into their property, a recreation room was added on the subject property and was sold to a new owner, who converted the recreation room to a dwelling unit.
- A majority of the properties on the block and in the surrounding area are improved with non-conforming parking and the majority of residents park on the street resulting in parking congestion. The residents have a difficult time finding parking spaces on the street.
- The neighbors oppose the applicant's request; but are hesitant to publicly express opposition.
- Granting the request will set a precedent and will encourage illegal construction similar to the subject unit.
- There is no hardship to justify legalization of the illegal unit; if there is, it is a self imposed hardship.
- The gutter installed on the roof of the subject dwelling unit is encroaching into the southerly adjoining property resulting in discharge of storm water of the subject property into the neighbor's property.

### VARIANCE FINDINGS

In order for a variance to be granted, all five of the legally mandated findings delineated in City Charter Section 562 and Municipal Code Section 12.27 must be made in the affirmative. Following (highlighted) is a delineation of the findings and the application of the relevant facts of the case to same:

1. **The strict application of the provisions of the Zoning Ordinance would not result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.**

The subject case entails a series of requests one of which is a variance to allow three dwelling units in lieu of a single-family dwelling in an R1 Zone. [It is noted that the existing duplex in the front, which was legally built in 1931, is allowed to remain]. The variance requests also include the following:

- a variance to provide no parking for the third dwelling unit; and
- a variance to permit cars to back out onto a local street.

The site is improved with a two-story duplex in the front portion of the property, a detached four-car garage and a one-story single-family dwelling in the rear, which was illegally converted from a recreation room without a permit. The building permit records indicate that an existing residential duplex and a detached four-car garage were constructed in 1931 [Permit Nos. 1260 and 1261]. On April 17, 1992, a Certificate of Occupancy was issued for a recreation room that was constructed adjacent to the detached garage.

The Zoning Information Map Access System [ZIMAS] shows that there are two dwelling units on the subject site containing 4,146 square feet of floor area and the last ownership change occurred on January 11, 2006.

The subject property already exceeds the maximum density permitted by the R1 Zone, which allows a single-family dwelling. Allowing an additional dwelling unit will result in a total of three dwelling units, which is equivalent to 300% of the maximum permissible density.

Allowing a density greater than the maximum dwelling units permitted by the zone is allowed through a variance application, which may be approved only when the required findings can be made in the affirmative. In this instance there is no hardship associated with the requests that relate directly to the zoning provisions and their application. The applicant stated that there is a need for rental housing and the strict application of the zoning ordinance would require the demolition of the third unit and would require a considerable expense to the applicant resulting in practical difficulties and unnecessary hardships. As stated by the representative of the adjoining property at the hearing, denial of the request will not result in demolition of the subject unit; rather, the applicant can convert it back to a recreation room as previously permitted. The requested legalization of the additional unit and its corresponding request to allow no additional parking and reduced setbacks can only be considered as a self-imposed hardship inasmuch as compliance with the Code requirement can be attained and the zoning provisions do not impair the applicant from enjoying the use of the property.

Charter Section 562 states that a variance shall neither be used to grant a special privilege nor to permit a use substantially inconsistent with the limitation on other properties. A variance is an appropriate means to seek relief from a condition that is not self-imposed and to remedy a disparity of privileges. This would be akin to the granting of a special privilege which is otherwise not provided to other property owners who have abided by the zoning limitations on their respective ownerships.

There are no practical difficulties or unnecessary hardships to remove kitchen facilities and to restore the subject unit as a recreation room as it was originally permitted. If there are, such difficulties and hardships are economic in nature and

can be considered to be self-imposed by the property owner. The property owners of the subject site have enjoyed the third dwelling unit, which is not permitted for other property owners in the same zone and vicinity. Granting this variance to allow the third dwelling unit with no required parking space and non-conforming parking and setback would set a precedent in the area and will encourage illegal conversions similar to the subject dwelling unit.

2. **There are no special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.**

The subject property is a record lot with essentially the same characteristics as other properties in the area. The surrounding properties in the project block are zoned R1-1-O, and are improved with single dwelling units except for two properties at 1121-1123 and 1112-1114 South Stearns Drive, which are improved with four and two dwelling units, respectively. The records show that these fourplex and duplex buildings were legally built in the 1920s prior to the zone change to an R1 Zone. There are no special circumstances such as size, shape, topography, location or surroundings that are unique to this property and that would serve as justification to allow the continued use of the illegally converted dwelling unit with no additional parking. The applicant indicates that the third dwelling unit existed on the property when he purchased the property and was not aware of the illegal unit on the site until the Housing Department inspection discovered that the building permit permitted only two dwelling units in January, 2008. The applicant's ignorance of the subject illegal conversion cannot be considered as a special circumstance and there is nothing which sets the site apart from other nearby sites to allow the continuous use of the illegally converted dwelling unit with no additional parking required by the code.

3. **Such variance is not necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships, is denied the property in question.**

All of the neighboring properties in the project block are improved with single-family dwellings except for two properties that are improved with a duplex and a fourplex, which were legally built in the 1920s when such densities were permitted.

No other similarly zoned properties in the same vicinity have been granted any variances to allow greater density than permitted by the zone, especially when such requests are triggered by a non-permitted illegal addition, which was already built without a permit. Further, no other properties in the area were allowed to have more dwelling units than permitted by the code when the required parking spaces are not provided. Granting a variance would have the effect of bestowing a special privilege to one property owner which is not enjoyed by others. No other property has been shown to have such a substantial property right.

It should be noted that other properties in the same zone and vicinity were required to convert illegal units back to their permitted use or density in compliance with the code. The property owner of 1124-1126 South Hi Point Street was required to convert a third dwelling unit, which was illegally converted from a parking garage, to

a recreation room in order to conform to the maximum density permitted by the code. A variance application similar to the subject application was denied for the property owner of 445 North Croft Avenue.

Numerous inquiries, via phone calls and review of the subject file, regarding the subject application were received indicating that other property owners in the area are aware of the subject application. If a variance application is approved to allow illegally converted dwelling units to remain without the required parking space, similar requests will follow resulting in cumulative impacts on traffic, parking and infrastructures and the 1990 zone change ordinance to R1 Zone in the project area will become moot.

4. **The granting of such variance will be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located.**

The residents expressed concerns about a lack of parking in the area. The applicant suggested that additional parking can be provided in tandem along the driveway. The applicant submitted a photograph of a car that appears to be a sports car parked in the driveway indicating that a compact car can fit in the driveway behind the easterly end of the garage. However, such tandem parking will not meet the required parking and there is no assurance that the tenant will only have a car of the size of such a sports car shown in the photograph. The standard and compact parking spaces need a minimum dimension of 8 feet 8 inches by 18 feet and 7 feet 6 inches by 15 feet, respectively. The plan submitted to the file shows that the widest portion of the driveway is 15 feet 7 inches and there is no space to provide the required parking in the driveway.

The code prohibits automobiles backing out of the garage onto a local street when the parking area serves more than two dwelling units. This regulation ensures that a driver backing out onto a local street has a safe distance to avoid any conflict with vehicular and pedestrian traffic. If cars are backing out of the driveway onto the street, the drivers and pedestrians will not have any queuing time to avoid such a conflict resulting in adverse impacts on public safety.

Granting the requests will allow residential development that is substandard and non-conforming in terms of the maximum density permitted, the number of required parking spaces, and the location of parking spaces; therefore, this will result in detrimental impacts on traffic, parking, aesthetics, public safety, infrastructures and land use density planned and zoned in the area.

5. **The granting of the variance will adversely affect any element of the General Plan.**

The Wilshire Community Plan Map designates the property for Low II density Residential land uses with corresponding zones of R1, RS, and RD6 and Height District No. 1. The property is not currently within the area of any specific plans or interim control ordinances.

The applicant and the speakers who spoke in support of the subject application at the hearing indicated that the subject property is a large sized lot and is underdeveloped. It is noted that regardless of the size of the lot, the R1 Zone allows



one single-family dwelling on the site. Further, the subject property contains approximately 7,185 square feet of floor area. The existing duplex and the subject third dwelling unit contain approximately 4,146 and 790 square feet of floor area, respectively for a total of 4,936 square feet. The Baseline Mansionization Ordinance [Z12391] requires a floor area of a maximum of 50 percent of the lot area with additional floor area provided with a varied roof line. The existing 4,936 square feet of floor area are equivalent to approximately 69 percent of the lot area of the subject property, which exceeds the maximum floor area permitted by the Baseline Mansionization Ordinance.

The proposed project will contribute to further congestion along local streets in the vicinity of the subject property. As such, it is not in keeping with the intent of the community plan and Ordinance No. 165,331 designed to mitigate such impacts by establishing design parameters for prospective development in the area. As described in the findings above, the grant will allow development that is substandard and non-conforming.

The zoning code is an implementing tool of the general plan. The granting of the variance to allow development that exceeds the maximum density permitted by the zone and also without the required parking spaces on site will result in detrimental impacts to the surrounding properties and cannot be justified. A variance approval without the required finding in support will adversely affect elements of the General Plan, which promotes uniform development, public safety and preservation of stable residential neighborhoods.

### ADJUSTMENT FINDINGS

In order for an adjustment from the zoning regulations to be granted, all five of the legally mandated findings delineated in Section 12.28 of the Los Angeles Municipal Code must be made in the affirmative. Following (highlighted) is a delineation of the findings and the application of the relevant facts of the case to same:

6. **The granting of an adjustment will not result in development compatible and consistent with the surrounding uses.**

#### Denial of reduced rear yard setbacks:

The adjustment sought entails various requests to allow a reduced rear yard varying in depth from 3 feet 6 inches to 5 feet 6 inches, and to allow the continued use of existing over-in-height walls and a gate within the front and the northerly side yards.

The site is improved with a duplex unit in the front and a single-family dwelling adjacent to the detached parking garage in the rear. The subject third dwelling unit in the rear was originally built in 1992 as a recreation room, and currently observes the rear yard setback ranging from 3 feet 6 inches to 5 feet 6 inches. The subject request is to allow the existing rear yard setback to remain in conjunction with the legalization of the third dwelling unit, which was converted from the recreation room.

The properties on the project block are zoned R1 and are improved with single-family homes except for two properties, which are improved with a duplex and a fourplex residential dwelling as they were legally permitted prior to the 1990 zone change to R1. There are no other examples on the project block of an illegally

converted dwelling unit that was allowed to observe a reduced rear yard. Granting the request will allow the additional dwelling unit to remain with non-conforming setback resulting in intensification of residential density and non-conforming development that is not compatible with surrounding properties.

Approval of over-in-height walls/gate within the front and northerly side yards:

The existing walls in the front yard vary in height from 3 feet 4 inches to 4 feet 9 inches. The gate in the front yard is 5 feet 3 inches in height. The walls in the northerly side yard vary in height from 3 feet 6 inches to 6 feet. The subject walls were constructed in two tiers with a distance of approximately 3 to 5 feet between the walls. The interior walls are approximately 3 to 4 feet higher in elevation than the exterior walls. The dwelling units are located approximately 5 to 8 feet higher in elevation than the adjoining sidewalk. The code requires a maximum height of 3 feet 6 inches in the front and 8 feet in the side yards for fences and walls in the R1 Zone.

Even though the cumulative heights of the subject walls exceed the required maximum heights if the height is measured from the adjoining sidewalk to the interior walls, the interior and exterior walls are in substantial conformance with the required heights if they are individually measured. The walls will not block the views of the dwelling units on the site and in the surrounding properties. Therefore, the walls and a gate are in keeping with the scale and character of the neighborhood.

7. **The granting of an adjustment will not be in conformance with the intent and purpose of the General Plan.**

Denial of reduced rear yard setbacks:

The Wilshire Community Plan Map designates the property for Low II density Residential land uses with corresponding zones of R1, RS, and RD6 and Height District No. 1. The property is not currently within the area of any specific plans or interim control ordinances.

There are no other properties in the area that were allowed to have additional dwelling units that exceed the permissible density with non-conforming rear yard setbacks similar to the subject request. Granting the requests will result in development that is not consistent with the planned zone and plan designation and detrimental impacts on privacy, noise and public safety; therefore, granting of adjustments will not be in conformance with the intent and purpose of the General Plan that promotes public safety, uniformed, orderly developments and preservation of residential neighborhoods.

Approval of over-in-height walls/gate within the front and northerly side yards:

The plan intends to promote stable residential neighborhoods and to protect property values. The variance request to allow the legalization of the third dwelling unit is denied herein; therefore, only the existing duplex in the front is allowed to remain on the property as well as a recreation room and a garage in the rear. The main use of the property remains unchanged as residential dwellings and is consistent with its zoning classification and plan land use designation. The conditions imposed herein for the subject walls will ensure that the residential neighborhoods will be protected and preserved in conformance with the intent and

purpose of the General Plan. It is noted that the Wilshire Community Plan does not specifically address adjustments.

8. **The granting of an adjustment is not in conformance with the spirit and intent of the Planning and Zoning Code of the City.**

Denial of reduced rear yard setbacks:

The zoning regulations require building setbacks from property lines and restrict certain encroachments into the required yards in order to provide for compatibility between respective properties as well as to ensure privacy, public safety and access in the event of an emergency. In this instance, the Code's desire to achieve compatibility between respective sites and protect neighboring properties and the applicant's desire to provide an additional dwelling unit cannot be accommodated in a manner consistent with the spirit and intent of the zoning regulations, which promote uniformed/orderly development and protect/preserve stable residential neighborhoods.

Approval of over-in-height walls/gate within the front and northerly side yards:

The zoning regulations require a maximum height for the structures in order to provide compatibility between respective properties and to ensure orderly development. Such regulations, however, are written on a citywide basis and cannot take into account individual unique characteristics that a specific parcel and its intended use may have. In this instance, the code's desire to achieve compatibility between respective sites and to protect neighboring properties can be accommodated in a manner consistent with the spirit and intent of the zoning regulations. There is a grade difference on the subject property and the walls were constructed in two tiers such that the walls are substantially in conformance with the maximum height required in the front and side yards if they are individually measured. The project fence/walls will not result in adverse impacts to driveway visibility, air, light or ventilation for the neighboring properties; as such, they are consistent with the intent of the zoning regulations, which is to promote public safety and to preserve residential neighborhoods.

9. **There are adverse impacts from the proposed adjustment or any adverse impacts have not been mitigated.**

Denial of reduced rear yard setbacks:

Allowing the third dwelling unit with the proposed non-conforming building set back from the property line will result in cumulative impacts on aesthetics, public safety, noise and privacy in the surrounding properties and is incompatible with land use density. No mitigation measures are proposed or available to mitigate such impacts.

Approval of over-in-height walls/gate within the front and northerly side yards:

In order to mitigate potential graffiti and aesthetic impacts, a condition is required to plant trees or shrubberies along the subject walls. As approved with conditions, granting the request will not result in adverse impacts.

10. The site and/or existing improvements do not make strict adherence to the zoning regulations impractical or infeasible.

Denial of reduced rear yard setbacks:

The request to allow a reduced rear yard setback is in conjunction with the legalization of an illegal dwelling unit resulting in three dwelling units that exceed the maximum permitted density with non-conforming setback. There are no limitations which make strict adherence to the zoning regulations impractical or infeasible as the subject unit can be converted to the intended use as a recreation room with an existing rear yard setback.


Approval of over-in-height walls/gate within the front and northerly side yards:

The denial of this adjustment would make the project conform to the required height of 3 feet and 6 inches in the front and 8 feet in the side yards even though the subject walls and a gate are substantially in conformance with the required height if they are individually measured and will not result in detrimental impacts to the surrounding properties; therefore, the denial of the request would create unnecessary hardship for the applicant.

The unique situation as stated above, as well as the location, use and design of existing improvements thereon, make the request as proposed, logical because it would allow the functional integration of the subject walls with the neighboring properties.

**ADDITIONAL MANDATORY FINDINGS**

11. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.
12. On June 29, 2009, the project was issued a Notice of Exemption (Article III, Section 3, City CEQA Guidelines), log reference ENV 2009-2027-CE, for a Categorical Exemption, Class 3, Category 2, City CEQA Guidelines, Article VII, Section 1, State EIR Guidelines, Section 15100. I hereby adopt that action.



SUE CHANG  
Associate Zoning Administrator  
Direct Telephone No. (213) 978-3304

SC:lmc

cc: Councilmember Paul Koretz  
Fifth District  
Adjoining Property Owners

# BTC

## BETTER TECHNOLOGY CORPORATION

201 N. Los Angeles St., Ste. 13A  
Los Angeles, CA 90012  
(213) 617-9600  
Fax (213) 617-9643

14540 Sylvan St., Ste. A  
Van Nuys, CA 91411  
(818) 779-8866  
Fax (818) 779-8870

### MAILING AFFIDAVIT

City Planning Commission  
Case No. \_\_\_\_\_

Deputy Advisory Agency  
Tentative Tract No. \_\_\_\_\_

CF No. \_\_\_\_\_

Parcel Map No. \_\_\_\_\_

Zoning Administrator  
Case No. \_\_\_\_\_

Private Street No. \_\_\_\_\_

Coastal Permit  
Case No. \_\_\_\_\_

Area Planning Commission  
Central Harbor, SV, ELA, SLA, WLA, NV  
Case No. ZA-2009-2026-ZV-ZAA-ZAD-1A

Design Review Board  
Case No. \_\_\_\_\_

SITE ADDRESS: 1100 -1102 SOUTH STEARNS DRIVE

I, Kim Gear certify that I am an employee of BTC, a contractor of the City of Los Angeles, Department of City Planning, State of California, and I did, on the 25<sup>th</sup> day of JULY, 2011 mail, postage prepaid, to the applicant and all parties required by the Municipal Code, as detailed on the official ownership list, a notice of hearing, a true copy of which is attached.

- 500-foot radius
- Abutting the subject site
- Owners and Occupants
- Tenant Notice
- 100-foot coastal notice
- State Coastal Commission
- Adjacent City (ies)
- Applicant and Representative (where indicated)
- city Newspaper Notice
- LA Unified School District, LA County Regional Planning
- Caltrans
- Council's Own Initiative
- Metropolitan Transit Authority
- Certified Neighborhood Council (dept. of Neighborhood Empowerment)
- Council Office and Council District Office
- city Homeowners Associations
- Other
- Appelant

There is a regular daily communication and service by mail between the City of Los Angeles and each of the Addresses to which notices were mailed.

Kim Gear  
BTC Hearing Notice Mailing Clerk



Address Any Communication To:  
**CENTRAL AREA PLANNING COMMISSION**  
200 North Spring Street, Room 272  
Los Angeles, CA 90012  
(213) 978-1300

**NOTICE OF PUBLIC HEARING**  
 INTERESTED PARTIES  
 ABUTTING PROJECT SITE  
 OWNERS AND OCCUPANTS  
 100-FOOT RADIUS  
 500-FOOT RADIUS

concerning property at  
**1100-1102 South Stearns Drive**

**Case No.:** ZA-2009-2026-ZV-ZAA-ZAD-1A  
**Community Plan:** Wilshire  
**Council District No.:** 5

**Hearing Date:** Tuesday, August 23, 2011  
**Hearing Time:** after 4:30 P.M.  
**Hearing Place:** City Hall, 10<sup>th</sup> Floor  
200 North Spring Street  
Los Angeles, CA 90012

The Central Area Planning Commission invites you to attend a hearing regarding the property highlighted above. *The law requires that owners and renters near this site be notified of this hearing.* If you do not wish to attend the hearing, you may ignore this notice.

**The hearing involves** an appeal of the Zoning Administrator's decision: 1) pursuant to Charter Section 562 and Los Angeles Municipal Code Section 12.27-B, to deny a) a Variance from Section 12.08-A of the Code to allow the legalization and continued use of an approximately 790 square-foot one-story detached dwelling unit resulting in a total of three dwelling units in lieu of the two existing dwelling units that were legally built and allowed to remain on the site in an R1 Zone that otherwise allows one single-family dwelling unit; b) a Variance from Section 12.21-A,4(a) to allow no additional parking space to be provided in lieu of the required one covered space for the third dwelling unit; c) a Variance from Section 12.21-A,5(i)(1) to allow automobiles to back out of the garage where the parking area serves more than two dwelling units and where the driveway access is to a street other than a major or secondary highway, 2) pursuant to Los Angeles Municipal Code Section 12.28-A to deny a Zoning Administrator's Adjustment from Section 12.08-C,3 of the Code to allow a rear yard varying in depth from 3 feet 6 inches to 5 feet 6 inches in lieu of the required 15 feet, and 3) pursuant to Los Angeles Municipal Code Section 12.28-A, to approve a Zoning Administrator's Adjustment from Section 12.21-C,1(g) to permit the continued use and maintenance of the existing walls and a gate ranging in height from 3 feet 4 inches to 5 feet 3 inches with a cumulative height of 7 feet 8 inches in the front yard in lieu of a maximum permitted height of 3 feet 6 inches; and the existing walls ranging from 3 feet 5 inches to 6 feet with a cumulative height of 9 feet 6 inches in the northerly side yard in lieu of the maximum height of 8 feet otherwise permitted in the R1 Zone, all in conjunction with the legalization of a third dwelling unit, which was illegally converted from a recreation room, and existing over-in-height walls in the front and northerly side yards, which were constructed without the required permits, and an appeal of the Zoning Administrator's decision to adopt the action of the City in issuing a Notice of Exemption (Article III, Section 3, City CEQA Guidelines), log reference ENV-2009-2027-CE for a Categorical Exemption, Class 3, Category 2, City CEQA Guidelines, Article VII, Section I, State EIR Guidelines, Section 15100.

**APPLICANT:** Eric Hammerlund  
Representative: Todd Elliott

**APPELLANT:** Same

500'radius\_parcel and address list\_owners

#1  
Lotte Samet Trust  
1063 Hi Point  
Los Angeles, CA. 90035

#2  
Natan, Payman E  
1511 Sawtelle S#169,  
LA, Ca 90025

#3  
Philip Felsen Family Trust  
1073 Hi Point  
Los Angeles, CA. 90035

#4  
Charlotte J Garr  
PO Box 67172,  
LA, Ca. 90067

#5  
Segura, Sanita TR Katrina Trust  
6201 Whitworth Dr.  
LA, Ca 90035

#6  
Nathan, Siegfried & Anneliese Trust  
1101 Hi Point  
Los Angeles, CA. 90035

#7  
Boyd, Ealy M & Susanne L  
1111 Hi Point  
Los Angeles, CA. 90035

#8  
Page, Helen, Helen H Page Family Trust  
1115 Hi Point  
Los Angeles, CA. 90035

#9 & 10  
Perl, Harriet M. EtAl(CO-TRS)  
1119 Hi Point  
Los Angeles, CA. 90035

#11 & 12  
King, Berry P & Ronna R.  
1901 Avenue of the Stars, Swt#390  
LA, Ca., 90067

#13 & 14  
Boutin, Alvin R., & Leona E  
1129 Hi Point  
Loos Angeles, Ca 90035

#15 & 16  
Lewis, Mayme H The Mayme H Lewis Tr.  
1135 Hi Point  
Los Angeles, CA. 90035

#17  
Shelly Littauer, Shelly Littauer 2004 Tr.  
1139 Hi Point  
Los Angeles, Ca 90035

#18 & 19  
Key, Garrison c/o Sands & Assoc.  
9606 Santa Monica Blvd. Fl. 3rd  
Beverly Hills, Ca 90210

#20  
Wills, Geoffrey, Wills, Hilary  
1149 Hi Point  
Los Angeles, CA. 90035

#21  
Cannady, William A. Matme J ((TRS)  
1153 Hi Point  
Los Angeles, CA. 90035

#24  
Hewett, Adrian & Meilani  
11377 W. Olympic Blvd.  
LA, Ca 90064

#25  
Gomez, Gaynell R.  
1152 Point View  
Los Angeles, CA. 90035

#26  
Jacobson, Thomas M. & Peggy  
1146 Point View  
Los Angeles, CA. 90035

#27  
Roncinske, Elizabeth Anne  
1142 Point View  
Los Angeles, CA. 90035

#28  
Hoskins, Tommie L & Georga M  
1138 Point View  
LA, Ca 90035

#29  
Schulweis, Seth, Schulweis, Kathleen  
1132 Point View  
Los Angeles, CA. 90035

#30  
Coleman, Sandra P., Sandra P. Coleman Living  
Trust  
1128 S. Point View, Los Angeles Ca 90035

#31 & 32  
Martin, Laura L.  
1124 Point View  
Los Angeles, CA. 90035

#33 & 34  
(CO-TRS) Merlin/Gerber Inter Vivos Family  
1118 Point View  
Los Angeles, CA. 90035

#35,36  
Rob & Pearl Greenberg Fam. Trust 6/17/88  
1112 Point View  
Los Angeles, CA. 90035

#37  
Ordin, David & Batya TRS Ordin Trust  
PO Box 480061  
LA, Ca 90048

#38-a  
Reece-Thorne, Cynthia  
1100 Point View  
Los Angeles, CA. 90035

#40  
Rulla, Christopher A.  
1078 Point View  
Los Angeles, CA. 90035

#43  
Shnaider, Igor & Olga  
1064 Point View  
Los Angeles, CA. 90035

#46  
Schwartz, Ann Marie Revoc. Trust  
1048 Point View  
Los Angeles, CA. 90035

#49  
Pamela F. Sanders Family Trust  
1053 Point View  
Los Angeles, CA. 90035

#52  
(TR) Marilouise R Morgan TR June 1990  
1067 Point View  
Los Angeles, CA. 90035

#55  
Phyllis F & Ira B Klein Revocable Living  
1081 Point View  
Los Angeles, CA. 90035

#58  
Weisberg, Robert, Weisberg, Donna  
6407 Old Goat Road  
Creston, Ca 93432

#61 & 62  
Hollins, Paula  
5441 W. 64th Street  
LA, Ca 90056

#65  
Moe & Sylvia F. Star Revoc. Trust 5/14/93  
1143 Point View  
Los Angeles, CA. 90035

#38-b  
Murray, Kenneth L (ET AL)  
6216 Whitworth  
Los Angeles, CA 90035

#41  
Kaminsky, Michael J. (ET\_AL)  
1072 Point View  
Los Angeles, CA. 90035

#44  
Jeng, Jackson H., Jeng, Annie Chen  
234 S Gale Dr. Apt 309  
Beverly Hills, Ca. 90211

#47  
ameson Family Trust  
1043 Point View  
Los Angeles, CA. 90035

#50  
The Goldie H Bemel Trust of 1994  
1057 Point View  
Los Angeles, CA. 90035

#53  
Walker, O.D. & Gladys.V.  
1071 Point View  
Los Angeles, CA. 90035

#56  
Marceill, Douglas  
1105 Point View  
LA, Ca 90035

#59  
Frank, A. Nicholas & Marsha H. (Trustees)  
1552 Canfield Ave.  
LA, Ca 90035

#63  
Ruben, Shirley (TR) ETAL  
1133 Point View  
Los Angeles, CA. 90035

#66  
Sniad, Jacquelyn M.  
1147 Point View  
Los Angeles, CA. 90035

#39  
Bendell, Spencer & Kelly  
1082 Point View  
Los Angeles, CA. 90035

#42  
Jessel, Paul W & Cenkner, Marie M.  
1068 Point View  
Los Angeles, CA. 90035

#45  
ori Silver Revocable Trust U/D/T DTD 12/06/20  
1054 Point View  
Los Angeles, CA. 90035

#48  
Grunbaum, Dorien  
1047 Point View  
Los Angeles, CA. 90035

#51  
Bush, Ira J CO TR Bush and Vice Family Trust  
1063 Point View  
Los Angeles, CA. 90035

#54  
Mallard, Benjamin F. 11 & Paulett R  
1077 Point View  
Los Angeles, CA. 90035

#57  
Schulman, David I. (ET AL)  
1111 Point View  
Los Angeles, CA. 90035

#60  
Paulson, Margaret L. c/o  
Law Offices of Jeffrey S. Cohen  
20700 Ventura Blvd. Swt 220,  
Woodland Hills, Ca 91364

#64  
Grodsky, Michael E.  
1137 Point View  
Los Angeles, CA. 90035

#67  
Gussman, Cheryl  
843 S., Genesee Ave.,  
LA, Ca 90036



#68 Nisenbaum Family Trust 6/17/88 (ET AL)(TRS) 1157 Point View Los Angeles, CA. 90035	#69 Barnston, Edna TR Barnston Trust 1163 Point View Los Angeles, CA. 90035	#70 Clayton, Wayne D. & Deborah 1152 Stearns Dr. Los Angeles, CA. 90035
#71 Misrahi, Ester 1148 Stearns Dr. Los Angeles, CA. 90035	#72 Katcher, Scott 1142 Stearns Dr. Los Angeles, CA. 90035	#73 Orozco Sr, Jose Luis, Orozco Teresa 1136 Stearns Dr. Los Angeles, CA. 90035
#74 Gloria J. Shepard Family Trust 1132 Stearns Dr. Los Angeles, CA. 90035	#75 Carvalho, Francisco A & Shirley O PO Box 481116, LA, Ca 90048	#76 Johnson, Tim R. 1122 Stearns Dr. Los Angeles, CA. 90035
#77 Adair, Johnathan, F (ET AL) 1118 Stearns Dr. Los Angeles, CA. 90035	#78 & 79 Nejat, Yousef & Nahid 186 N. Clark Drive Beverly Hills, Ca 90211	#80 Chazanov, Mathis & Donna 1108 Stearns Dr., LA, Ca 90035
#81 & 82 Terry Villines, Eric Hammerlund 1102 Stearns Drive, LA, Ca 90035	#83 Stokes, Bradley J 1080 Stearns Dr. Los Angeles, CA. 90035	#84 Dreyfuss, Hans & Rachel (TRS) Living Trust 1076 Stearns Dr. Los Angeles, CA. 90035
#85 Sacks, Semour & Harriet (TRS) Sacks 1072 Stearns Dr. Los Angeles, CA. 90035	#86 Molly D. Campbell 2000 Rev. Tr. DTD 5-26-00 1066 Stearns Dr. Los Angeles, CA. 90035	#87 Goodman, Robert J 1062 Stearns Dr. Los Angeles, CA. 90035
#88 Batton, Susan S. ET AL 1056 Stearns Dr. Los Angeles, CA. 90035	#89 Cimino, Samuel S. 1052 Stearns Dr. Los Angeles, CA. 90035	#90 S Schreiber, Nathan B. 1048 Stearns Dr. Los Angeles, CA. 90035
#91 Dagoberg, Michael & Hai Nguyen 1042 Stearns Dr. Los Angeles, CA. 90035	#92 Rodich, Ida M The Ida Rodich Trust 1038 Stearns Dr. Los Angeles, CA. 90035	#93 Temianka/Stone Revoc. Tr. 7/20/04 1039 Stearns Dr. Los Angeles, CA. 90035
#94 Nielsen, Kevin J. & Mindy 1043 Stearns Dr. Los Angeles, CA. 90035	#95 Sassoon, Joseph & Suzanne Et Al 1049 Stearns Dr. Los Angeles, CA. 90035	#96 Rowland, Joseph David, Wadle, Jessica Lee 1422 Highgate Ave., LA, Ca 90042
#97 Hardy, C L The Hobbit Hideaway Trust c/o MSI 9229 W. Sunset Blvd. Ste 710 LA, Ca 90069	#98 Greene, Ezra J & Erica B 1063 Stearns Dr. Los Angeles, CA. 90035	#99 Anne Splaver Living Trust 4-15-93 1067 Stearns Dr. Los Angeles, CA. 90035

#100  
Fajfer, Lubov  
1073 Stearns Dr.  
Los Angeles, CA. 90035

#103  
Grady, Janet M  
1105 Stearns Dr.  
LA, Ca 90035

#106 &107  
Pedesen, Marvin E.  
1121 Stearns Dr.  
Los Angeles, CA. 90035

#110  
Winter, Caryl E.  
1135 Stearns Dr.  
Los Angeles, CA. 90035

#113  
Glover, Mark Ellison  
1151 Stearns Dr.  
Los Angeles, CA. 90035

#116, 117  
Mraz, Christopher & Bowen-Mraz Judy  
1140 Crescent Heights  
Los Angeles, CA. 90035

#124  
Los Calozo, Richard & Davina ET AL  
1122 Crescent Heights  
Los Angeles, CA. 90035

#128, 129  
Mandel, Matthew B  
1114 Crescent Heights  
Los Angeles, CA. 90035

#134,135  
Krom, Anne S. (TR) (ET AL) 121  
1082 Crescent Heights  
Los Angeles, CA. 90035

#140, 141  
Kasmer Family Trust TR U/A5-22-93  
315 S. Bedford  
Beverly Hills, Ca. 90212

#101  
Gruber, Enid & Anderson, Martin  
1077 Stearns Dr.  
Los Angeles, CA. 90035

#104  
Rose Tr Rose Iskendarian Trust  
1111 Stearns Dr.  
Los Angeles, CA. 90035

#108  
Mc Kennett, David H (ET AL)  
1125 Stearns Dr.  
Los Angeles, CA. 90035

#111  
Andrews, Sydney W., Redondo, Capri  
1141 Stearns Dr.  
Los Angeles, Ca. 90035

#114  
Borghi, George, Borghi, Mindy  
1155 Stearns Dr.  
Los Angeles, CA. 90035

#118, 119, 120  
Lamey, Arnault X.  
9841 Airport Blvd, #600,  
LA, Ca. 90045

#125  
Los Calozo, Richard and Davina  
531 S. Greenwood Ave.,  
LA, Ca, 90035

#130, 131  
Kaye, Harold B. & Vivian (TRS) Kaye Family  
Trust 10-27-82  
1110 Crescent Heights, LA, CA. 90035

#136, 137  
Eglin, Karen  
1074 Crescent Heights  
Los Angeles, CA. 90035

#142, 143  
David Mouallem Family Trust  
POBox 36787  
LA, Ca. 90036

#102  
Miller, Robert Marvin  
1081 Stearns Dr.  
Los Angeles, CA. 90035

#105  
Taryle, Scott & Dafna  
1115 Stearns Dr.  
Los Angeles, CA. 90035

#109  
Berens, Cliff & Nancy  
1131 Stearns Dr.  
Los Angeles, CA. 90035

#112  
Nancy Wileman 1993 Revoc Tr 2-26-93  
5415 Via Donte, Marina Del Rey,  
Ca 90292

#115  
Barens, Gunars & Gaida  
513 S. Mariposa Ave. #204  
LA., Ca 90024

#121,122,123  
Nunes, Joseph C (ET AL)  
1128 Crescent Heights  
Los Angeles, CA. 90035

#126, 127  
Ackerman, Cathy L Thurston, Karen F  
1118 S. Crescent Heights,  
Los Angeles, Ca. 90035

#132, 133  
Rose Equity Holdings LLC  
1114 Crescent Heights  
Los Angeles, CA. 90035

#138, 139  
Leib, Roger K. & Bonnie  
1072 Crescent Heights  
Los Angeles, CA. 90035

#144, 145  
Dias, Eduardo M. & Margarita M (TRS)  
1056 Crescent Heights  
Los Angeles, CA. 90035

500' radius\_ parcel and address  
list\_occupants

#1 Occupant 1063 Hi Point Los Angeles, CA. 90035	#2 Occupant 1067 Hi Point Los Angeles, CA. 90035	#3 Occupant 1073 Hi Point Los Angeles, CA. 90035
#4 Occupant 1077 Hi Point Los Angeles, CA. 90035	#5 Occupant 1081 Hi Point Los Angeles, CA. 90035	#6 Occupant 1101 Hi Point Los Angeles, CA. 90035
#7 Occupant 1111 Hi Point Los Angeles, CA. 90035	#8 Occupant 1115 Hi Point Los Angeles, CA. 90035	#9 Occupant 1119 Hi Point Los Angeles, CA. 90035
#10 Occupant 1121 Hi Point Los Angeles, CA. 90035	#11 Occupant 1125 Hi Point Los Angeles, CA. 90035	#12 Occupant 1127 Hi Point Los Angeles, CA. 90035
#13 Occupant 1129 Hi Point Los Angeles, CA. 90035	#14 Occupant 1131 Hi Point Los Angeles, CA. 90035	#15 Occupant 1135 Hi Point Los Angeles, CA. 90035
#16 Occupant 1137 Hi Point Los Angeles, CA. 90035	#17 Occupant 1139 Hi Point Los Angeles, CA. 90035	#18 Occupant 1145 Hi Point Los Angeles, CA. 90035
#19 Occupant 1147 Hi Point Los Angeles, CA. 90035	#20 Occupant 1149 Hi Point Los Angeles, CA. 90035	#21 Occupant 1153 Hi Point Los Angeles, CA. 90035
		#24 Occupant 1154 Point View Los Angeles, CA. 90035
#25 Occupant 1152 Point View Los Angeles, CA. 90035	#26 Occupant 1146 Point View Los Angeles, CA. 90035	#27 Occupant 1142 Point View Los Angeles, CA. 90035

#28  
Occupant  
1136 Point View  
Los Angeles, CA. 90035

#31  
Occupant  
1124 Point View  
Los Angeles, CA. 90035

#34  
Occupant  
1118 Point View  
Los Angeles, CA. 90035

#37  
Occupant  
1108 Point View  
Los Angeles, CA. 90035

#39  
Occupant  
1082 Point View  
Los Angeles, CA. 90035

#40  
Occupant  
1078 Point View  
Los Angeles, CA. 90035

#43  
Occupant  
1064 Point View  
Los Angeles, CA. 90035

#46  
Occupant  
1048 Point View  
Los Angeles, CA. 90035

#49  
Occupant  
1053 Point View  
Los Angeles, CA. 90035

#52  
Occupant  
1067 Point View  
Los Angeles, CA. 90035

#29  
Occupant  
1132 Point View  
Los Angeles, CA. 90035

#32  
Occupant  
1122 Point View  
Los Angeles, CA. 90035

#35  
Occupant  
1112 Point View  
Los Angeles, CA. 90035

#38-a  
Occupant  
1100 Point View  
Los Angeles, CA. 90035

#41  
Occupant  
1072 Point View  
Los Angeles, CA. 90035

#44  
Occupant  
1058 Point View  
Los Angeles, CA. 90035

#47  
Occupant  
1043 Point View  
Los Angeles, CA. 90035

#50  
Occupant  
1057 Point View  
Los Angeles, CA. 90035

#53  
Occupant  
1071 Point View  
Los Angeles, CA. 90035

#30  
Occupant  
1128 Point View  
Los Angeles, CA. 90035

#33  
Occupant  
1120 Point View  
Los Angeles, CA. 90035

#36  
Occupant  
1114 Point View  
Los Angeles, CA. 90035

#38-b  
Occupant  
6216 Whitworth  
Los Angeles, CA 90035

#42  
Occupant  
1068 Point View  
Los Angeles, CA. 90035

#45  
Occupant  
1054 Point View  
Los Angeles, CA. 90035

#48  
Occupant  
1047 Point View  
Los Angeles, CA. 90035

#51  
Occupant  
1063 Point View  
Los Angeles, CA. 90035

#54  
Occupant  
1077 Point View  
Los Angeles, CA. 90035

#55  
Occupant  
1081 Point View  
Los Angeles, CA. 90035

#56  
Occupant  
1106 Point View  
Los Angeles, CA. 90035

#57  
Occupant  
1111 Point View  
Los Angeles, CA. 90035

#58  
Occupant  
1115 Point View  
Los Angeles, CA. 90035

#59  
Occupant  
1119 Point View  
Los Angeles, CA. 90035

#60  
Occupant  
1123 Point View  
Los Angeles, CA. 90035

#61  
Occupant  
1127 Point View  
Los Angeles, CA. 90035

#62  
Occupant  
1129 Point View  
Los Angeles, CA. 90035

#63  
Occupant  
1133 Point View  
Los Angeles, CA. 90035

#64  
Occupant  
1137 Point View  
Los Angeles, CA. 90035

#65  
Occupant  
1143 Point View  
Los Angeles, CA. 90035

#66  
Occupant  
1147 Point View  
Los Angeles, CA. 90035

#67  
Occupant  
1153 Point View  
Los Angeles, CA. 90035

#68  
Occupant  
1157 Point View  
Los Angeles, CA. 90035

#69  
Occupant  
1163 Point View  
Los Angeles, CA. 90035

#70  
Occupant  
1152 Stearns Dr.  
Los Angeles, CA. 90035

#71  
Occupant  
1148 Stearns Dr.  
Los Angeles, CA. 90035

#72  
Occupant  
1142 Stearns Dr.  
Los Angeles, CA. 90035

#73  
Occupant  
1136 Stearns Dr.  
Los Angeles, CA. 90035

#74  
Occupant  
1132 Stearns Dr.  
Los Angeles, CA. 90035

#75  
Occupant  
1128 Stearns Dr.  
Los Angeles, CA. 90035

#76  
Occupant  
1122 Stearns Dr.  
Los Angeles, CA. 90035

#77  
Occupant  
1118 Stearns Dr.  
Los Angeles, CA. 90035

#78  
Occupant  
1112 Stearns Dr.  
Los Angeles, CA. 90035

#79  
Occupant  
1114 Stearns Dr.  
Los Angeles, CA. 90035

#80  
Occupant  
1106 Stearns Dr.  
Los Angeles, CA. 90035

#81  
Occupant  
1100 Stearns Dr.  
Los Angeles, CA. 90035

#82  
Occupant  
1102 Stearns Dr.  
Los Angeles, CA. 90035

#83  
Occupant  
1080 Stearns Dr.  
Los Angeles, CA. 90035

#84  
Occupant  
1076 Stearns Dr.  
Los Angeles, CA. 90035

#85  
Occupant  
1072 Stearns Dr.  
Los Angeles, CA. 90035

#86  
Occupant  
1066 Stearns Dr.  
Los Angeles, CA. 90035

#87  
Occupant  
1062 Stearns Dr.  
Los Angeles, CA. 90035

#88  
Occupant  
1056 Stearns Dr.  
Los Angeles, CA. 90035

#89  
Occupant  
1052 Stearns Dr.  
Los Angeles, CA. 90035

#90  
Occupant  
1048 Stearns Dr.  
Los Angeles, CA. 90035

#91  
Occupant  
1042 Stearns Dr.  
Los Angeles, CA. 90035

#92  
Occupant  
1038 Stearns Dr.  
Los Angeles, CA. 90035

#93  
Occupant  
1039 Stearns Dr.  
Los Angeles, CA. 90035

#94  
Occupant  
1043 Stearns Dr.  
Los Angeles, CA. 90035

#95  
Occupant  
1049 Stearns Dr.  
Los Angeles, CA. 90035

#96  
Occupant  
1053 Stearns Dr.  
Los Angeles, CA. 90035

#97  
Occupant  
1057 Stearns Dr.  
Los Angeles, CA. 90035

#98  
Occupant  
1063 Stearns Dr.  
Los Angeles, CA. 90035

#99  
Occupant  
1067 Stearns Dr.  
Los Angeles, CA. 90035

#100  
Occupant  
1073 Stearns Dr.  
Los Angeles, CA. 90035

#101  
Occupant  
1077 Stearns Dr.  
Los Angeles, CA. 90035

#102  
Occupant  
1081 Stearns Dr.  
Los Angeles, CA. 90035

#103  
Occupant  
1106 Stearns Dr.  
Los Angeles, CA. 90035

#104  
Occupant  
1111 Stearns Dr.  
Los Angeles, CA. 90035

#105  
Occupant  
1115 Stearns Dr.  
Los Angeles, CA. 90035

#106  
Occupant  
1121 Stearns Dr.  
Los Angeles, CA. 90035

#107  
Occupant  
1123 Stearns Dr.  
Los Angeles, CA. 90035

#108  
Occupant  
1125 Stearns Dr.  
Los Angeles, CA. 90035

#109  
Occupant  
1131 Stearns Dr.  
Los Angeles, CA. 90035

#110  
Occupant  
1135 Stearns Dr.  
Los Angeles, CA. 90035

#111  
Occupant  
1141 Stearns Dr.  
Los Angeles, CA. 90035

#112  
Occupant  
1145 Stearns Dr.  
Los Angeles, CA. 90035

#113  
Occupant  
1151 Stearns Dr.  
Los Angeles, CA. 90035

#114  
Occupant  
1155 Stearns Dr.  
Los Angeles, CA. 90035

#115  
Occupant  
1142 Crescent Heights  
Los Angeles, CA. 90035

#118  
Occupant  
1134 Crescent Heights  
Los Angeles, CA. 90035

#121  
Occupant  
1128 Crescent Heights  
Los Angeles, CA. 90035

#124  
Occupant  
1122 Crescent Heights  
Los Angeles, CA. 90035

#127  
Occupant  
1116 Crescent Heights  
Los Angeles, CA. 90035

#130  
Occupant  
1110 Crescent Heights  
Los Angeles, CA. 90035

#133  
Occupant  
1102 Crescent Heights  
Los Angeles, CA. 90035

#136  
Occupant  
1076 Crescent Heights  
Los Angeles, CA. 90035

#139  
Occupant  
1070 Crescent Heights  
Los Angeles, CA. 90035

#142  
Occupant  
1062 Crescent Heights  
Los Angeles, CA. 90035

#116  
Occupant  
1140 Crescent Heights  
Los Angeles, CA. 90035

#119  
Occupant  
1132 Crescent Heights  
Los Angeles, CA. 90035

#122  
Occupant  
1126 Crescent Heights  
Los Angeles, CA. 90035

#125  
Occupant  
1120 Crescent Heights  
Los Angeles, CA. 90035

#128  
Occupant  
1114 Crescent Heights  
Los Angeles, CA. 90035

#131  
Occupant  
1108 Crescent Heights  
Los Angeles, CA. 90035

#134  
Occupant  
1084 Crescent Heights  
Los Angeles, CA. 90035

#137  
Occupant  
1074 Crescent Heights  
Los Angeles, CA. 90035

#140  
Occupant  
1066 Crescent Heights  
Los Angeles, CA. 90035

#143  
Occupant  
1060 Crescent Heights  
Los Angeles, CA. 90035

#117  
Occupant  
1138 Crescent Heights  
Los Angeles, CA. 90035

#120  
Occupant  
1130 Crescent Heights  
Los Angeles, CA. 90035

#123  
Occupant  
1124 Crescent Heights  
Los Angeles, CA. 90035

#126  
Occupant  
1118 Crescent Heights  
Los Angeles, CA. 90035

#129  
Occupant  
1112 Crescent Heights  
Los Angeles, CA. 90035

#132  
Occupant  
1104 Crescent Heights  
Los Angeles, CA. 90035

#135  
Occupant  
1082 Crescent Heights  
Los Angeles, CA. 90035

#138  
Occupant  
1072 Crescent Heights  
Los Angeles, CA. 90035

#141  
Occupant  
1064 Crescent Heights  
Los Angeles, CA. 90035

#144  
Occupant  
1058 Crescent Heights  
Los Angeles, CA. 90035

#145  
Occupant  
1056 Crescent Heights  
Los Angeles, CA. 90035

#146  
Occupant  
1052 Crescent Heights  
Los Angeles, CA. 90035

#147  
Occupant  
1050 Crescent Heights  
Los Angeles, CA. 90035

#148  
Occupant  
1048 Crescent Heights  
Los Angeles, CA. 90035

#149  
Occupant  
1046 Crescent Heights  
Los Angeles, CA. 90035

#150  
Occupant  
1044 Crescent Heights  
Los Angeles, CA. 90035

#151  
Occupant  
1042 Crescent Heights  
Los Angeles, CA. 90035

#152  
Occupant  
1038 Crescent Heights  
Los Angeles, CA. 90035

#153  
Occupant  
1051 Crescent Heights  
Los Angeles, CA. 90035

#154  
Occupant  
1053 Crescent Heights  
Los Angeles, CA. 90035

#155  
Occupant  
1055 Crescent Heights  
Los Angeles, CA. 90035

#156  
Occupant  
1057 Crescent Heights  
Los Angeles, CA. 90035

#157  
Occupant  
1061 Crescent Heights  
Los Angeles, CA. 90035

#158  
Occupant  
1063 Crescent Heights  
Los Angeles, CA. 90035

#159  
Occupant  
1067 Crescent Heights  
Los Angeles, CA. 90035

#160  
Occupant  
1069 Crescent Heights  
Los Angeles, CA. 90035

#161  
Occupant  
1071 Crescent Heights  
Los Angeles, CA. 90035

#162  
Occupant  
1073 Crescent Heights  
Los Angeles, CA. 90035

#163  
Occupant  
1077 Crescent Heights  
Los Angeles, CA. 90035

#164  
Occupant  
1079 Crescent Heights  
Los Angeles, CA. 90035

#165  
Occupant  
1081 Crescent Heights  
Los Angeles, CA. 90035

#166  
Occupant  
1083 Crescent Heights  
Los Angeles, CA. 90035

#167  
Occupant  
1101 Crescent Heights  
Los Angeles, CA. 90035

#168  
Occupant  
1103 Crescent Heights  
Los Angeles, CA. 90035

#169  
Occupant  
1107 Crescent Heights  
Los Angeles, CA. 90035

#170  
Occupant  
1109 Crescent Heights  
Los Angeles, CA. 90035

#171  
Occupant  
1111 Crescent Heights  
Los Angeles, CA. 90035

Applicant  
Eric Hammerlund  
1102 Stearns Dr.  
Los Angeles, CA 90035

Representative  
Todd Elliott  
626 Wilshire Blvd, Suite 550  
Los Angeles, CA 90017



#146, 147  
Schumm, Gunter & Elke  
1052 Crescent Heights  
Los Angeles, CA. 90035

#148, 149  
Klein, Donald M  
8840 Wilshire Blvd. #207,  
Beverly Hills, Ca. 90211

#150, 151  
Feinberg, Allen S., Ross, Janice F.  
16311 Ventura Bl, S#610,  
Encino, Ca. 91436

#152  
Goldstein, Russell P. ET AL(TRS).  
2557 W. Woodland Dr.  
Anah, Ca. 92801

#153, 154  
Finerty, Patrick M. ET AL c/o First Amer.  
520 N. Central Ave.  
Glendale, Ca. 91203

#155, 156  
Richard Scelfo Family Trust (ET AL)  
4601 Wolfe Way  
Woodland Hills, Ca. 91364

#157, 158  
Hedrick, Orth  
1061 Crescent Heights  
Los Angeles, CA. 90035

#159, 160  
Williams, Ade Kunle  
72 Dapplegrey Ln.  
Rolling Hills, Ca. 90274

#161, 162  
Gelber, Betty S. Liv TR (ETAL)  
2112 Century Park Ln 301  
Century City, Ca. 90067

#163, 164  
Marks, Chryl R.  
1077 Crescent Heights  
Los Angeles, CA. 90035

#165, 166  
Lugo, Jeri M  
1083 Crescent Heights  
Los Angeles, CA. 90035

#167, 168  
Tessel, Lori -Cofsky (ET AL)  
1101 Crescent Heights  
Los Angeles, CA. 90035

#169, 170  
West, Joella  
1107 Crescent Heights  
Los Angeles, CA. 90035

#171, 172  
Terrie Gottstein Trust  
5870 Alpine Woods Dr.  
Anchorage, AK. 99516

#173, 174  
Jones, Earl M. & Josephine J.  
400 Veteran Ave. #315  
LA, Ca. 90024

#175, 176  
Dumouchet, Marcus C/o Prudential  
8687 Melrose Ave.  
LA, Ca. 90069

#177, 178  
Donald & Bettie Landers 1987 (Tr) 6-15-87  
1129 Crescent Heights  
Los Angeles, CA. 90035

C.D. 5  
COUNCILPERSON PAUL KORETZ  
200 N SPRING ST RM 440  
LOS ANGELES CA 90012

Applicant  
Eric Hammerlund  
1102 Stearns Dr.  
Los Angeles, CA 90035

Representative  
Todd Elliott  
626 Wilshire Blvd, Suite 550  
Los Angeles, CA 90017

PICO NEIGHBORHOOD COUNCIL  
5651 W PICO BLVD #102  
LOS ANGELES CA 90019

C.D. 5  
WEST LOS ANGELES FIELD OFFICE  
822 S ROBERTSON BL # 102  
LOS ANGELES CA 90035

C.D. 5  
VALLEY FIELD OFFICE  
15760 VENTURA BLVD # 1020  
ENCINO CA 91436

COUNTY CLERK'S USE

CITY CLERK'S USE

**CITY OF LOS ANGELES**  
 OFFICE OF THE CITY CLERK  
 200 NORTH SPRING STREET, ROOM 360  
 LOS ANGELES, CALIFORNIA 90012  
**CALIFORNIA ENVIRONMENTAL QUALITY ACT**  
**NOTICE OF EXEMPTION**  
 (California Environmental Quality Act Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). Pursuant to Public Resources Code Section 21167 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.

LEAD CITY AGENCY <b>City of Los Angeles Department of City Planning</b>	COUNCIL DISTRICT <b>5</b>
--	------------------------------

PROJECT TITLE * <b>ZA 2009 2026-W</b>	LOG REFERENCE ENV <b>2009 2026-CE</b>
--	--

PROJECT LOCATION  
\* **1100-1102 S. Stearns Drive, Los Angeles, CA 90035**

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:  
\* **legalize existing detached third dwelling unit**

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:  
\* **Eric Hammerlund**

CONTACT PERSON * <b>Todd Elliott</b>	AREA CODE * <b>213</b>	TELEPHONE NUMBER * <b>629-5300</b>	EXT.
---	---------------------------	---------------------------------------	------

EXEMPT STATUS: (Check One)

	STATE CEQA GUIDELINES	CITY CEQA GUIDELINES
<input type="checkbox"/> MINISTERIAL	Sec. 15268	Art. II, Sec. 2b
<input type="checkbox"/> DECLARED EMERGENCY	Sec. 15269	Art. II, Sec. 2a (1)
<input type="checkbox"/> EMERGENCY PROJECT	Sec. 15269 (b) & (c)	Art. II, Sec. 2a (2) & (3)
<input checked="" type="checkbox"/> CATEGORICAL EXEMPTION	Sec. 15300 et seq.	Art. III, Sec. 1

Class 3 Category 2 (City CEQA Guidelines)

OTHER (See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.)

JUSTIFICATION FOR PROJECT EXEMPTION: Apartments, duplexes, and similar structures, designed for not more than four dwelling units or not in conjunction with the building of two or more such structures. In urbanized areas, the exemption applies to single apartments, duplexes, and similar structures designed for not more than six dwelling units or not constructed in conjunction with the building of two or more such units.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

SIGNATURE 	TITLE <b>Planning Asst</b>	DATE <b>6-29-09</b>
FEE:	RECEIPT NO. <b>281325</b>	REC'D. BY 
		DATE <b>6-29-09</b>

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record  
Rev. 11-1-03

IF FILED BY THE APPLICANT:

\* Russell E. Norse  
NAME (PRINTED)

\* SIGNATURE

\* 6/26/09  
DATE

**ZA 2009 2026**