

Your **PLANNING AND LAND USE MANAGEMENT** Committee

reports as follows:

CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a Variance appeal for property at 1100-1102 South Stearns Drive.

SUBMITS WITHOUT RECOMMENDATION the Categorical Exemption and appeal filed by Eric Hammerlund and Terrence Villines (Todd Elliott, Truman and Elliott, LLP, Representative) from the decision of the Zoning Administrator to deny: a Variance to allow the legalization and continued use of an approximately 790 square foot existing one-story detached third dwelling unit; a Variance to allow no additional parking space to be provided and to allow automobiles to back out of a 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; and an 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 for property at 1100-1102 South Stearns Drive. (The Zoning Administrator approved an Adjustment to permit the continued use and maintenance of the existing walls and a gate.)

Applicant: Eric Hammerlund and Terrence Villines
Representative: Todd Elliott, Truman and Elliott, LLP

ZA-2009-2026-ZV-ZAA-ZAD-1A

(On September 13, 2011, Council adopted Motion [Koretz - Huizar] pursuant to Charter Section 245, asserting jurisdiction over the August 23, 2011 action [Letter of Determination dated August 30, 2011] of the Central Los Angeles Area Planning Commission.)

Fiscal Impact Statement: The CLAAPC reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE – OCTOBER 4, 2011

(LAST DAY FOR COUNCIL ACTION – OCTOBER 4, 2011)

Summary:

At the public hearing held on September 27, 2011, the Planning and Land Use Management (PLUM) Committee considered a Categorical Exemption and appeal filed by Eric Hammerlund and Terrence Villines (Todd Elliott, Truman and Elliott, LLP, Representative) from the decision of the Zoning Administrator to deny: a Variance to allow the legalization and continued use of an approximately 790 square foot existing one-story detached third dwelling unit; a Variance to allow no additional parking space to be provided and to allow automobiles to back out of a 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; and an 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 for property at 1100-1102 South Stearns Drive. (The Zoning Administrator approved an Adjustment to permit the continued use and maintenance of the existing walls and a gate.)

During the discussion of this matter, Planning Department staff provided an overview of the case and the appeal. Testimony was heard from the Applicant's representative. Council District Five also provided testimony in support of overturning the decision of the Zoning Administrator and read into the record the revised findings of fact that would be needed if the Committee were to support this position. The Committee proposed sending the item to Council without recommendation. The Committee stated that there were inconsistencies in the testimony that lacked verification of the assertions made at the meeting. In addition, sending the item to Council without recommendation would allow additional time for both sides to prepare the information as needed. After an opportunity for public comment, the Committee submitted without recommendation the appeal of the decision of the Zoning Administrator denying Variances and an Adjustment for property at 1100-1102 South Stearns Drive.

This matter is now forwarded to the Council for its consideration.

Respectfully submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
REYES:	YES
HUIZAR:	YES
KREKORIAN:	YES

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- Not Official Until Council Acts -