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PLEASE REFER TO FILE NO:

11834.01

February 24, 2014

BY EMAIL (sharon.gin@lacity.org and patrice.lattimore@lacity.org)

The Honorable Los Angeles City Council and
Its Planning and Land Use Management Committee
c/o Holly L. Wolcott, Interim City Clerk
200 N. Spring Street, Room 360
Los Angeles, CA 90012

**Re: Council File 14-0171
Planning and Land Use Management Committee Hearing February 25, 2014,
Agenda Item 5; Council Hearing February 26, 2014, Agenda Item 7;
Important Items in the Record (Letter #1) concerning
50-FOOT HEIGHT VARIANCE AT 10550 W. BELLAGIO ROAD –
Case No. ZA 2012-1402-ZV-ZAA-ZAD-1A**

Dear Honorable Councilmembers:

I represent Janice Lazarof, individually and as the trustee owner of 333 Copa de Oro Road, the property that is adjacent to the easterly boundary of 10550 W. Bellagio Road.

There are several important items in the record before the Zoning Administrator ("ZA") that do not appear on the Council File Management System Website for this Council File. Because of size, I will send you these items as attachments to four letters.

The items attached to this letter are listed below:

1. Letter from architect David Applebaum to Zoning Administrator Jim Tokunaga ("the ZA") dated September 24, 2013;
2. Letter from California Energy Designs, Inc. to the ZA dated September 25, 2013;
and

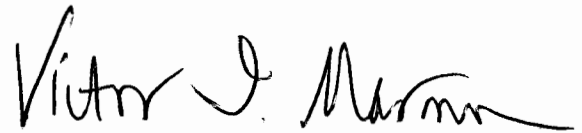
The Honorable Los Angeles City Council and
Its Planning and Land Use Management Committee
February 24, 2014
Page 2

3. Letter from retired Los Angeles City Zoning Administrator Jon Perica to the ZA dated September 25, 2013.

On behalf of Mrs. Lazarof, I urge you to consider the attached before you vote with respect to Council File 14-0171.

Thank you.

Very truly yours,

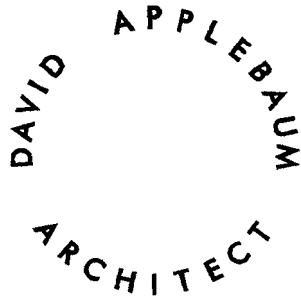
A handwritten signature in black ink that reads "Victor I. Marmon". The signature is written in a cursive style with a large, prominent "V" at the beginning and a long, sweeping tail at the end.

Victor I. Marmon

VIM:et

Attachments (3)

cc: The Honorable Jose Huizar
The Honorable Gilbert A. Cedillo
The Honorable Mitchell Englander



Received
9/25/13

Mr. Jim Tokunaga
Associate Zoning Administrator
c/o Marc Woerschling
City of Los Angeles Department of City Planning
200 N. Spring Street, 7th Floor
Los Angeles, CA 90012

24 September 2013

Re: Case No. ZA-2012-1402-ZV-ZAA-ZAD; CEQA No. ENV-2005-8611-MND –
10550 Bellagio Road – Hearing September 25, 2013

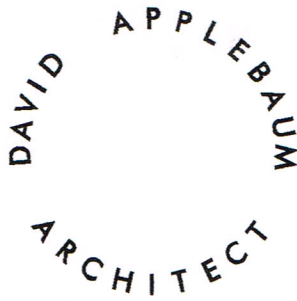
Dear Zoning Administrator Tokunaga:

I have been a California licensed architect since 1990, having received my Master of Architecture degree from UCLA in 1984 and my Bachelor in Environmental Design, *magna cum laude*, from Texas A&M University in 1980 (and awarded Outstanding Alumni in 2010). I joined the American Institute of Architects in 1990 and was certified by the National Council of Architecture Registration Boards in 1991.

I am working with Mr. Victor Marmon, representing Janice and Henri Lazarof of 333 Copa de Oro in Bel Air, which is the property immediately east of the property that is before you in this matter.

I have designed many projects in Bel Air, in other high-end hillside areas within the City of Los Angeles, and in hillside areas in other cities. My work typically includes site planning, which is a key first step in the process of developing a new residence or major expansion, especially in communities such as Bel Air, where no two properties are the same. I am proud that my designs have worked within the natural constraints of the land and environment, while still providing designs that meet my clients' needs and visions for their homes.

page 1



I have visited the site and reviewed the elevations and other drawings submitted by the applicant. Missing from the applicant's submittals is a plot plan. I believe that the request for the zone variance in this Case is not complete without a plot plan for both the Zoning Administrator and the public to assess. However, the application package does contain a drawing entitled "Retaining Wall Exhibit" and, although this drawing does not include much of the information typically found on a plot plan, it does show the outline of a house and some of the other improvements proposed for the site.

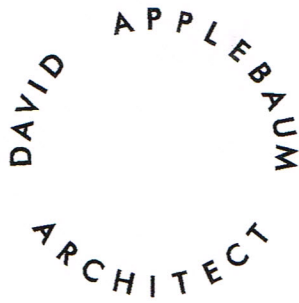
I have also reviewed the applicant's proposed findings for the zone variance, over-height front wall and additional retaining wall, as well as the parcel map conditions and mitigation measures applicable to this property.

Findings

Based on my site visit and my review of the above items, given the conditions of the site, including the size and dimensions of the two lots comprising the site, the setbacks and other zoning constraints applicable to the site, the topography of the site, the location of Stone Canyon Creek and the adjacent indigenous plant buffer zones, and the storm drain and sanitary sewer easement which largely follows the Creek, I am struck by how the proposed design forces a square peg (house) into a rectangular site, rather than creating a design that works with the site.

Given the topography, shape and other physical parameters of the site as well as the zoning and other land use regulations applicable to the site, I am curious why someone would design a house with so much east-west dimension and attempt to squeeze it between the large retaining wall on the east and the Creek on the west. I also do not understand why someone chose to place so much of the house so close to the descending slope adjacent to the Creek, which increases the height and requires the need for a variance to accommodate the current design, results in an imposing block-like structure that does not blend into the neighborhood aesthetic or the site, creates greater impacts on views, and wastes so much of the approximately 54,000 square feet of buildable area on the site.

page 2



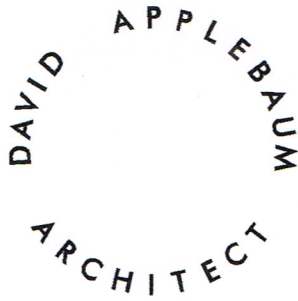
In my professional opinion, the house could easily be designed in a way that maintains the proposed size of 42,409 square feet and associated amenities without requiring a height variance. However, the applicant's package does not include a slope analysis map and other data that would be necessary to confirm that the proposed square footage, lot coverage and other aspects of the house comply with the Baseline Hillside Ordinance (BHO) and other zoning requirements. I have therefore proceeded on the basis that the proposed design, including the square footage, complies with the BHO and other applicable requirements, with the exception of the requested height variance of course.

There are many house designs and site plans that could accomplish this in a manner that works with, not against the site, and does not require a height variance. Instead of an almost square footprint, the house could be laid out in a more rectilinear shape on a north-south orientation (lengthening the house in the north-south dimension and shortening it in the east-west dimension), while still using the existing driveway access from Bellagio Road. The eastern side of the property, bordered by the retaining wall, could be comprised of formal gardens or other landscaping. The western side of the site could be comprised of informal gardens/ landscaping that would merge with the indigenous plant buffer zone along Stone Canyon Creek, thus taking advantage of this natural amenity for the site. The pool(s) and a guest/pool house could be placed in the western portion of the site. Under this site layout, a gate house, a large motor court, and underground parking for at least 20 cars could be provided.

Alternatively, the house could be designed in an arced crescent "C" shape, a serpentine "S" shape, an "L" shape or even a "T" or "Z" shape, still on a north-south axis, and could all be successful layouts.

I could go into the many alternatives that include the choice of putting the pool in the formal gardens to the east and the possible placement of a tennis court, but suffice it to say that the actual site plan, landscaping, mix of amenities, and layout of improvements could be designed in a myriad of ways that would not require a request for a height variance. The key point is that with the relatively large size and relatively flat buildable area

page 3

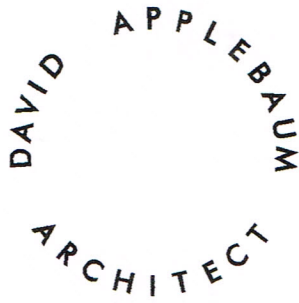


provided by this site, the same size house (assuming current compliance with the BHO and other City requirements), and similar amenities could be designed in many different configurations without the need for any height variance over the 30-foot height limit for a flat roofed house or 36-foot height limit for a sloped-roof house.

The irregular shape and slope of lots in Bel Air provide unique and creative design opportunities for every site, and thus there are no standard house designs or standard site layouts in Bel Air. If you look at the existing homes in the vicinity of this project, you will see that each property has a uniquely shaped house with different house placement, resulting in some properties having houses with more front yard than others, and/or more rear or side yard areas than others. Houses in the vicinity do not uniformly have large front and rear yards.

The applicant states in its proposed finding no. 1 that reasons for its height variance request include "to conceal otherwise unsightly and unattractive mechanical infrastructure including a ten foot elevator shaft and at least fifteen air conditioning units. Based on my experience, residential elevator shafts can easily be accommodated by the 5-foot projection allowed by the Zoning Code, and air conditioning units can be accommodated in a variety of ways that do not require a height variance.

Addressing material contained in the applicant's proposed finding number 4, I believe the granting of a variance would be extremely detrimental and create a dangerous precedent. The applicant focuses on the views of neighbors, but does not recognize the importance of the most common view of the proposed site, which will be people driving up Stone Canyon Road and looking east, toward the west wall of the house. The most over-height component of the design is the west wall, which is the one most people will see and notice. This further supports my earlier statements that the house can and should be redesigned to eliminate the need for a height variance.



Finally, compared to the many projects I have worked on in hillside areas, both in Los Angeles and in other jurisdictions, the relatively flat area created by the applicant's grading between the large retaining wall and Stone Canyon Creek provides a large buildable area which, if designed in a creative, site-sensitive and Code-conscious manner, could result in one of the most attractive estates in Bel Air without the need for any height variance. Further, Stone Canyon Creek is not a hardship, it is an opportunity that if properly incorporated into the site plan and landscape design, could increase the beauty, appeal and value of the property, while maintaining the scale and feel of this neighborhood. Simply put, the project, as designed, is a very clear example of trying to squeeze a square peg into a round (or in this case rectilinear) hole.

Thank you for considering my comments against the zone variance request.

Sincerely,

David Applebaum, Architect



CALIFORNIA ENERGY DESIGNS, INC.

CONSULTING ENGINEERS

*Received.
9/25/13*

September 25, 2013

Jim Tokunaga
Associate Zoning Administrator
c/o Marc Woersching
City of Los Angeles Department of City Planning
200 N. Spring Street, 7th Floor
Los Angeles, CA 90012

Re: Case Nos. ZA-2012-1402-ZV-ZAA-ZAD, ENV-2005-8611-MND
(10550 Bellagio Road) - Hearing on September 25, 2013

Dear Mr. Tokunaga:

California Energy Designs, Inc. is assisting Mr. Victor Marmon, attorney for Janice and Henri Lazarof, the owners of 333 Copa de Oro, which is immediately east of the property before you today. Mr. Richard Gilbert, P.E., founder and Chief Executive, has over 45 years of experience in design of mechanical systems for large homes and commercial properties. We have engineered many high end multi-story estate homes in Bel Air, with various roof types, and almost all having elevators. Gabriel Gagnon, Project Manager, has over 20 years of experience. Together, and with several other professionals, we form the heart of a company that is well known for providing successful designs and solutions for large estate homes similar to the one before you.

We have reviewed the application for a height variance at 10550 Bellagio Road. In the proposed findings for the height variance submitted by the applicant and attached to the Master Land Use Application, the third paragraph under finding number 1, contains the following sentence: "The reason why a variance is being requested is not to increase the usable square footage of the home, but rather to have the home consistent with the character of the neighborhood and to conceal otherwise the unsightly and unattractive mechanical infrastructure including a ten foot elevator shaft and at least 15 air conditioning units." In this letter to you, we will address this point made by the applicant, in a manner similar to our response for the 360 Stone Canyon height variance request. Please note, however, that the applicant's package for 10550 Bellagio does not contain a site plan, nor does it provide floor plans. In lieu of the usual information, we will make some conservative assumptions that would apply to the general conditions known

about the proposed house. We assume, based on current and past information provided by the applicant, that there will be a large underground parking area and basement. We know from the Master Land Use Application that the proposed square footage of the house is almost 43,000 square feet.

Our first reaction to the request, similar to the 360 Stone Canyon request, was "you don't need this kind of space; something else must be going on". A house like this could have roof-top units placed inconspicuously near the middle of a large, flat roof without attic space in a way that would not be visible from most areas on the property or approaching the property from the road. And, although our firm does not do elevator design work, almost all of the large estates we've worked on in Bel Air have elevators, so we work closely with the architects and elevator companies for coordination of equipment location. We have never seen an elevator shaft for a high-end house in Bel Air protrude at all above a flat-roof.

Our objective here is to show there are other solutions to providing a high-end system other than the one currently proposing to use attic and/or roof space. In our business, there are many ways to accomplish our work along with the goals of the owner and architect. The normal design approach to a house of this size is to include a mechanical engineer at a very early stage. This approach provides the architect and owner with more alternatives and solutions to provide a high-quality HVAC system without having to build outside of zoning restrictions such as height limits.

In reviewing available information for the house from your file (Retaining Wall Exhibit and Elevations -- Exhibit A), we find it unusual that the owner of such a house would put the equipment in an area that would require access through the house. This is not typical of high-end estates these days. Owners want equipment in areas where service personnel do not intrude into personal and living areas. We see many systems installed in basements with some equipment in the yard. To avoid seeing equipment in yards, some clients will disguise the area with landscape and trellises, or build underground vaults, which we have been using a lot lately and are seeing more of in this industry.

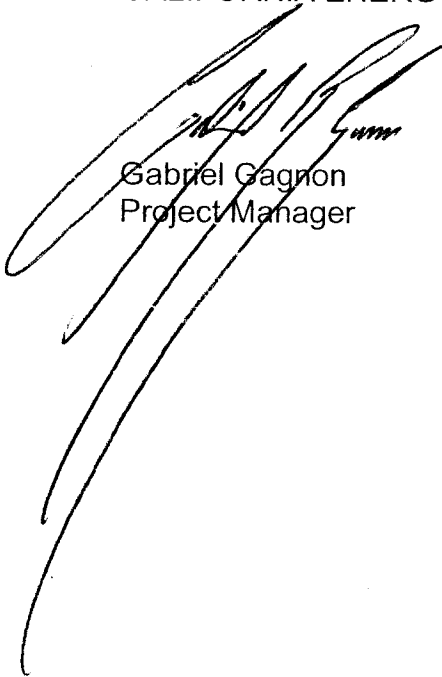
We have considered two alternatives; one entirely in the basement, and one with some equipment in both the basement and the yard or a vault. Exhibit B shows the details of several systems that could easily be entirely within the basement of this house, and only utilizing only 400 square feet of space.

Conclusion: A large estate home, such as the one proposed at 10550 Bellagio Road, does not need mechanical equipment on the roof or in an attic. Our analysis shows there are options that will more than adequately serve this particular house using minimal vertical space, and is similar to the design of thousands of our company's past projects. Based on where the work progress is currently, it is clearly not too late to look at other mechanical alternatives and

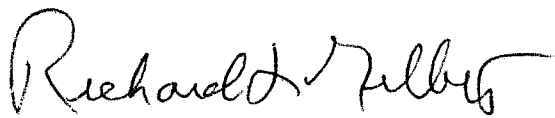
change the mechanical design with little to no impact on the use of living space within this house.

Respectfully submitted,

CALIFORNIA ENERGY DESIGNS, INC.



Gabriel Gagnon
Project Manager



Richard L. Gilbert, P.E.
Chief Executive Officer

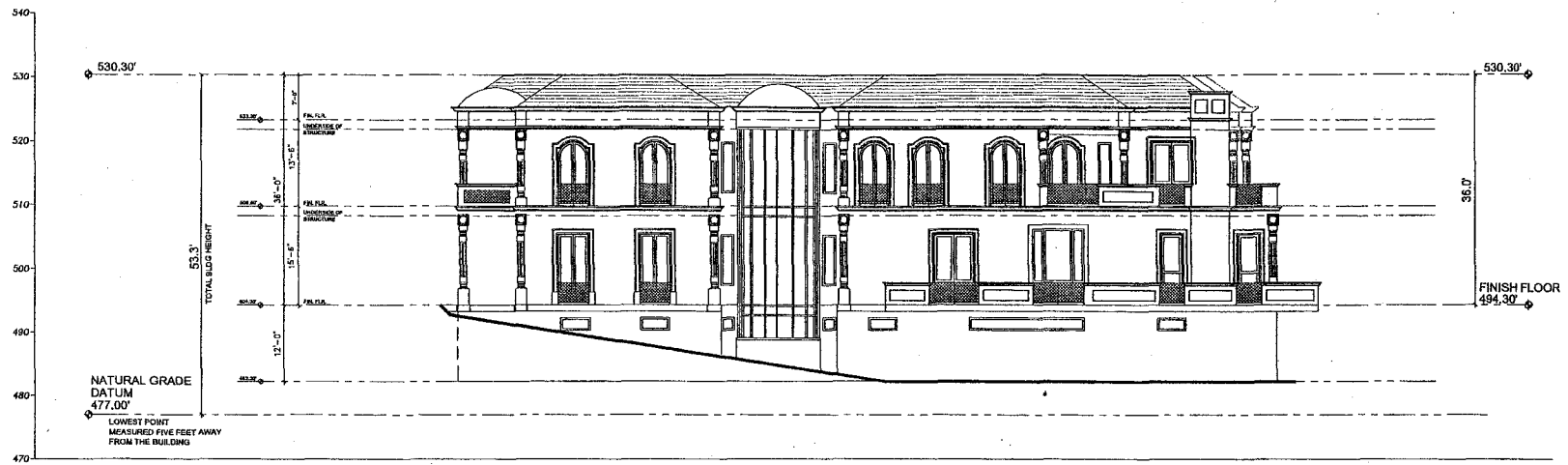


LEGAL / ASSESSOR INFO.

NET SITE AREA 84,567 SQUARE FEET (1.94 ACRES)
PROJECT ADDRESS: 10350 BELLAGO ROAD
DISTRICT MAP: LOS ANGELES, CALIFORNIA 90077
TRACT: 144B153
BLOCK: BEL AIR
NONE

LEGAL DESCRIPTION:

PARCELS A AND B OF PARCEL MAP NUMBER 2005-3998 AS RECORDED
IN PARCEL MAP BOOK 389 AT PAGES 44 AND 45 OF OFFICIAL RECORDS
OF LOS ANGELES COUNTY IN THE STATE OF CALIFORNIA.



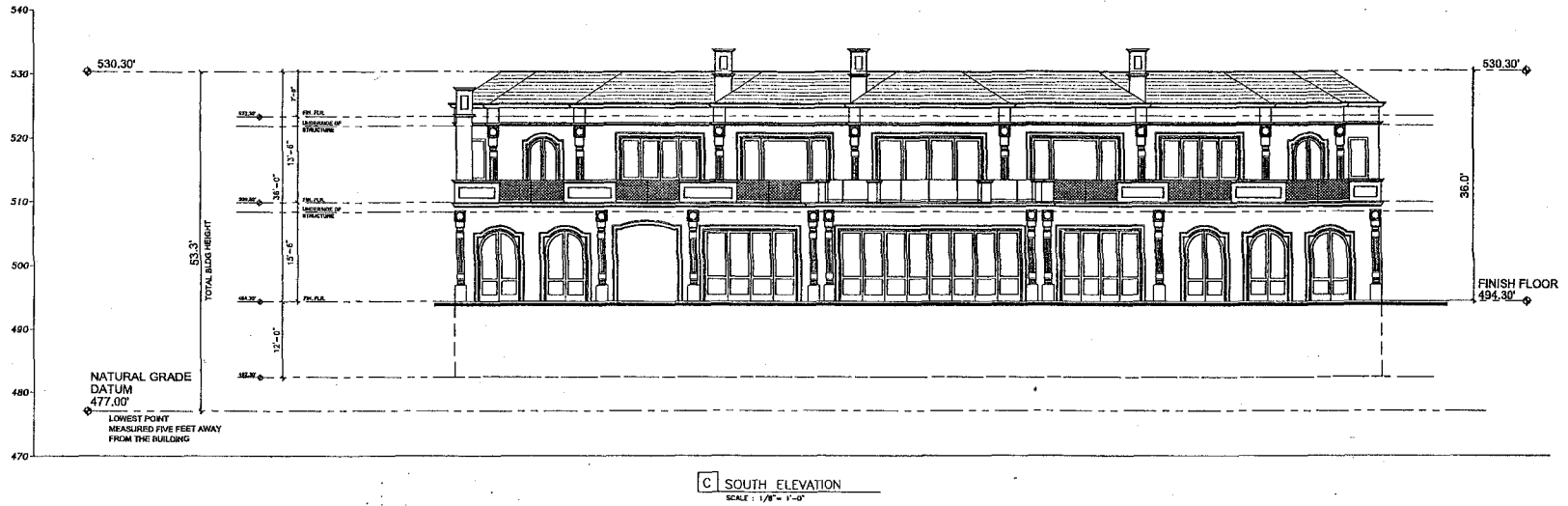
B WEST ELEVATION
SCALE: 1/8" = 1'-0"

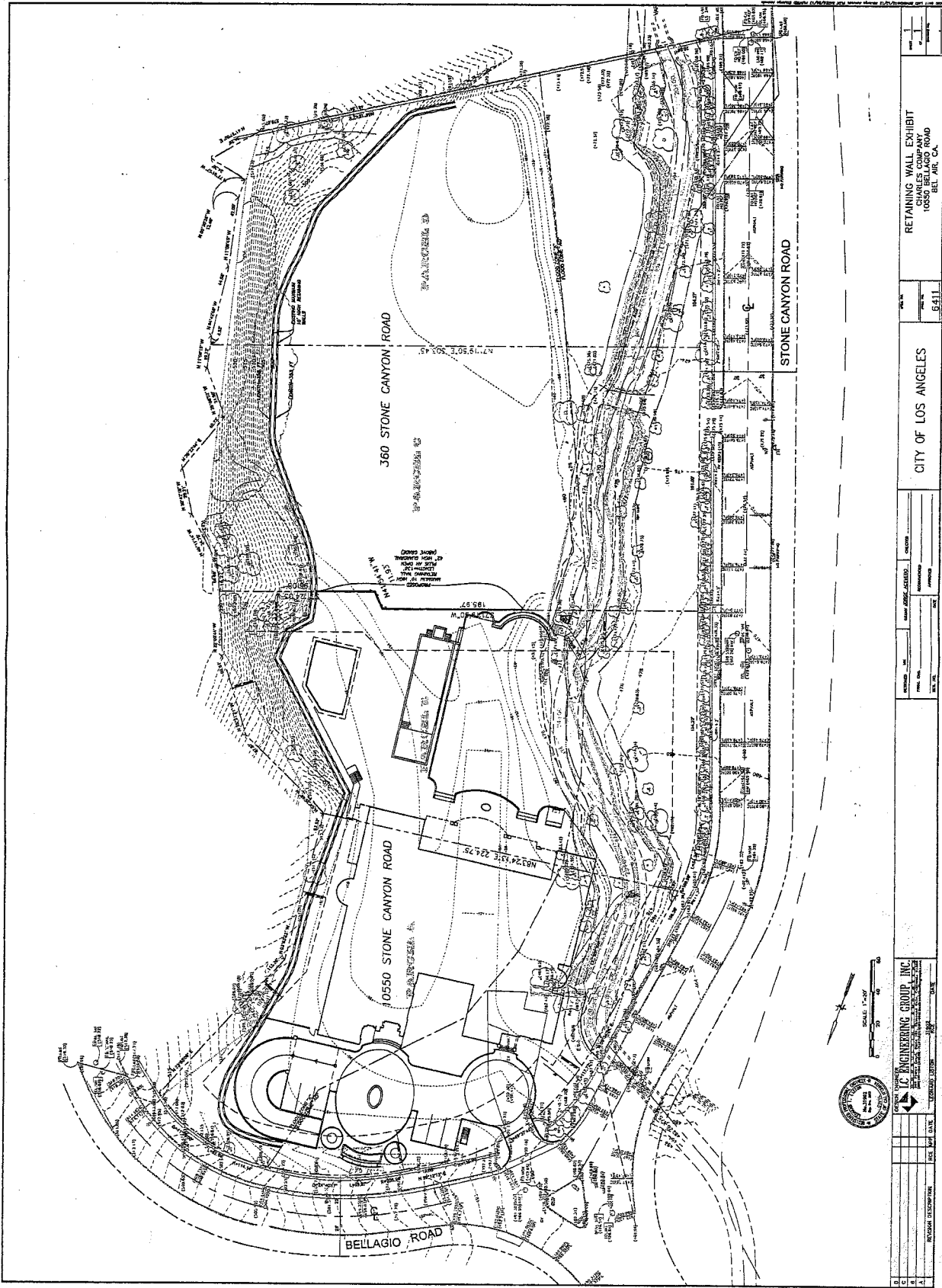
LEGAL / ASSESSOR INFO.

NET SITE AREA 84,567 SQUARE FEET (1.94 ACRES)
PROJECT ADDRESS: 10550 BELLAGO ROAD
LOS ANGELES, CALIFORNIA 90077
DISTRICT MAP: 141B153
TRACT: BEL AIR
BLOCK: NONE

LEGAL DESCRIPTION:

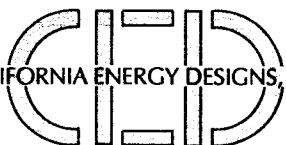
PARCELS A AND B OF PARCEL MAP NUMBER 2005-3998 AS RECORDED
IN PARCEL MAP BOOK 369 AT PAGES 44 AND 45 OF OFFICIAL RECORDS
OF LOS ANGELES COUNTY IN THE STATE OF CALIFORNIA .





RETAINING WALL EXHIBIT 10550 BELLAGIO ROAD BEL AIR, CA		SHEET NO. 6411
CITY OF LOS ANGELES		
DRAWN BY DATE	CHECKED BY DATE	PROJECT NO. DATE
SCALE 1" = 20'		
ENGINEERING GROUP, INC. 10550 BELLAGIO ROAD BEL AIR, CA 90005		

EXHIBIT A



This exhibit demonstrates how much equipment space is needed to house the air conditioning / heating systems for a 43,000 square foot luxury home. The evaluation for this project is based on our design experience that includes some of the largest residential projects in Southern California.

This includes a familiarity with different systems that vary from lite-duty residential systems (furnace / condenser combinations and gas/electric roof-top systems) to commercial 4-pipe chiller systems and geothermal water-source heat pumps. A trend we've pioneered here in Los Angeles is the use of heavy-duty Japanese VRV (variable refrigerant volume) systems to condition these luxury homes.

Our analysis will be based on the HVAC system that most likely needs the most vertical height. Here is our system breakdown:

- a) **Rooftop packaged gas/electric units:** We can safely say, based on our experience that this client probably does not want large mechanical equipment on the roof. It would be almost impossible to totally silence these units, difficult to hide them and equipment on the roof would mean service access at the 2nd Floor level.
- b) **Commercial 4-pipe chiller systems and geothermal water-source heat pumps.** These systems are very expensive to design, install and maintain. They are built to condition a large commercial building. The installers are union shops and the maintenance contracts run in the thousands per year. We have more flexibility to mold our system around the client's needs, but the complexity and high cost is not worth it. It would be extremely unlikely for this system to be installed on any project under 50,000 square feet.
- c) **Mitsubishi City-Multi and Daikin VRV-III Heat Recovery systems:** These 21st Century HVAC systems are known as the "chiller-killers" here in North America. They've been in use in Asia and Europe for over 20 years and are now just starting to make an impact here in North America. These advanced systems utilize computer-controlled inverter compressors that continuously adjust the system's power usage to match the client's thermostat settings and are tailor made for large buildings that are replacing chillers and perfect for these large estates. We can connect up to 64 fan-coils to (1) outdoor condenser and each can operate independently. The only setback is the HVAC installation cost doubles and these large systems need 3-phase power

- d) **Furnace / Condenser split-systems:** These systems are light-residential models and are still the most commonly used in homes of all sizes. They cost the least, are relatively easy to install, easy to maintain and there's no need for a large union shop to install them. The biggest downside is that for each HVAC zone we need a furnace/condenser and for a house of this size, it's hard to find real estate for 18-20 outdoor condensers. It's also no secret to the engineers / installers that the indoor furnaces with the connected coil, filter, plenums and vent pipes are by far the most bulky, cumbersome and need more space than any other of the indoor models. Based on that, I'll base my analysis for space requirements on this system.

Required Tonnage: The total square footage of this project is 43,000 square feet and we're estimating approximately 11,000 square foot of the Basement is conditioned space.

Our estimation for the required tonnage and number of systems is as follows:

Basement: 11,000 square feet/550 sqft/ton= 20 tons of air conditioning.

1st Floor: 16,000 square feet / 400 sqft/ton=40 tons of air conditioning.

2nd Floor: 16,000 square feet/450 sqft/ton=35 tons to air conditioning.

Total: 95 tons of air conditioning

Basement estimated number of zones/systems: 4 split-systems (average size of a/c per/zone: 5 tons

1st Floor estimated number of zones/systems: 8 split-systems (average size of a/c per/zone: 5 tons

2nd Floor estimated number of zones/systems: 7 split-systems (average size of a/c per zone: 5 tons

Furnace locations: The 1st floor a/c systems, which are typically in the basement, can be co-located with the 2nd floor a/c systems within the basement. This option requires dedicated shafts that connect the Basement to the 2nd Floor attic.

Attached (exhibit C) is the specification of a York 98% efficiency gas-fired furnace and is closely related to the other manufacturer's furnaces. The 2010 CMC requires 30" on the electrical side of the system for access, but references the manufacturer's physical data to provide enough height to properly service and remove the furnace if necessary. If installed horizontally, the height of this unit is only 21" and if it's within 10 feet of sink, the unit only needs an additional

3" for the condensate drain slope. We always hang the furnace from the roof joist using 1/8" rods with spring isolators; this adds about 12" on average. This all adds up to a vertical space requirement of only 36" for these furnaces.

Condenser Locations: These condensers are 39.5" in height, require a 6" platform and if installed on the roof usually sit on 5" Mason spring isolators. This adds up to a 50.5" added height. As I mentioned in item A, it's rare to see 13 condensers all located on the roof because there is no way to totally silence them or hide them from view. These units would most likely be installed in the backyard.

Duct sizes/types: A 4-ton system in an attic will have most likely have (3) 12" supply ducts and (1) 18" return duct. In the attic flexible ducts are usually specified because of low cost, ease of installation and sound absorption qualities. The ducts that supply the 1st floor would most likely be in the parking Garage and are made of 24 gage sheet metal that is usually rectangular in nature and has an average height of 10".

Conclusion: A large estate home, such as the one proposed at 10550 Bellagio Road, does not need mechanical equipment on the roof. Our analysis shows there are options that will more than adequately serve this particular house using minimal vertical space, and is similar to the design of thousands of our company's past projects. Based on where the work progress is currently, it is clearly not too late to look at other mechanical alternatives and change the mechanical design with little to no impact on the use of living space within this house.

Respectfully submitted,

CALIFORNIA ENERGY DESIGNS, INC.



Gabriel Gagnon
Project Manager



Richard L. Gilbert, P.E.
Chief Executive Officer





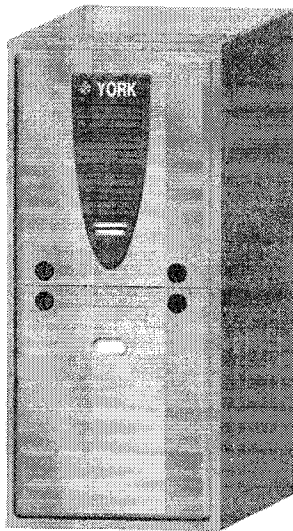
Heating and Air Conditioning

TECHNICAL GUIDE

**UP TO 98%
MODULATING (ECM MOTOR)
GAS-FIRED RESIDENTIAL
MULTI-POSITION GAS FURNACES**

MODELS: YP9C

**NATURAL GAS
60 - 120 MBH INPUT**



Due to continuous product improvement, specifications are subject to change without notice.

Visit us on the web at www.york.com for the most up-to-date technical information.

Additional efficiency rating information can be found at www.gamanet.org.

DESCRIPTION

These compact units employ induced combustion, reliable hot surface ignition and high heat transfer aluminized tubular heat exchangers. The units are factory shipped for installation in upflow or horizontal applications and may be converted for downflow applications.

These furnaces are designed for residential installation in a basement, closet, alcove, attic, recreation room or garage and are also ideal for commercial applications. All units are factory assembled, wired and tested to assure safe dependable and economical installation and operation.

These units are Category IV listed and may be vented either through side wall or roof applications using approved plastic combustion air and vent piping.

WARRANTY

Lifetime limited warranty on both heat exchangers to the original purchaser; a 20-year limited warranty from original installation date to subsequent purchaser.

10-year warranty on the heat exchanger in commercial applications.

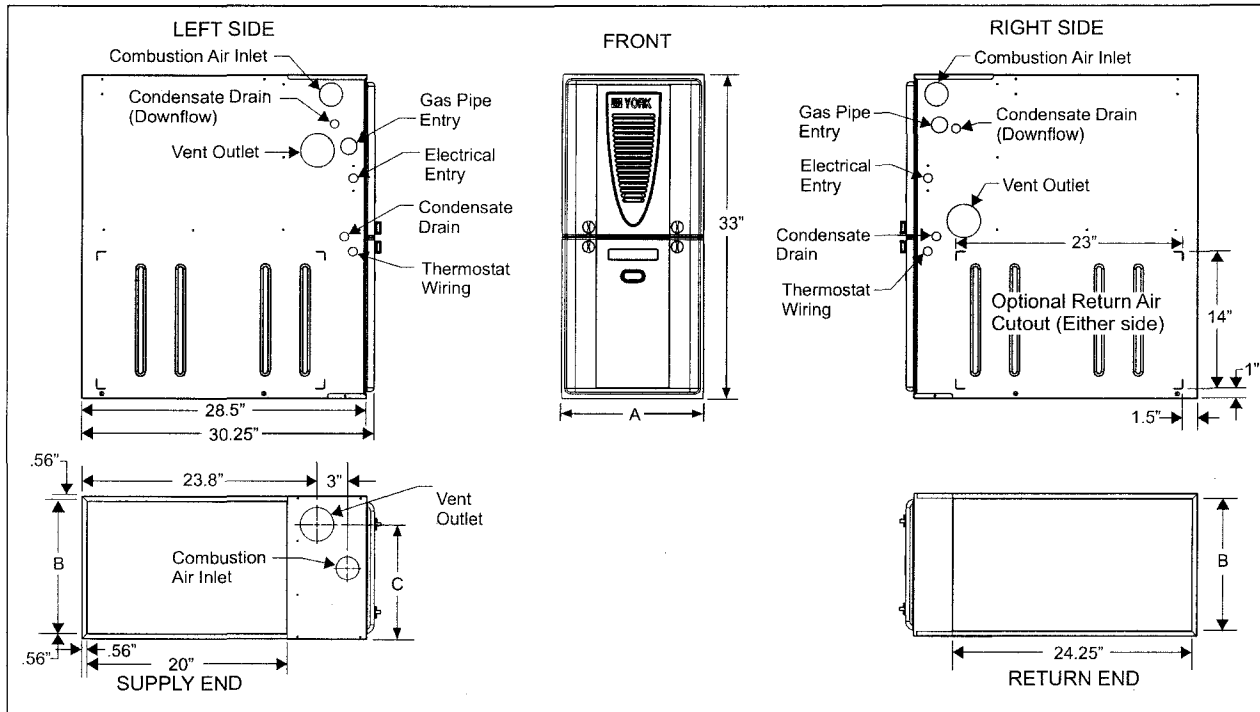
5-year limited parts warranty.

FEATURES

- Modulating heating operation includes:
 - Modulating gas valve, inducer and circulating blower
 - Modulating operation from 100% input to 35% input in 1% increments
- Easily applied in upflow, horizontal left or right, or downflow installation with minimal conversion necessary.
- Compact, easy to install, ideal height 33" tall cabinet.
- ECM variable speed motor for cooling SEER enhancement and continuous fan options for IAQ performance.
- Easy access to controls to connect power/control wiring.
- Built-in, high level self diagnostics with fault code display.
- Low unit amp requirement for easy replacement application.
- All models are convertible to use propane (LP) gas.
- Electronic Hot Surface Ignition saves fuel cost with increased dependability and reliability.
- 100% shut off main gas valve for extra safety.
- 24V, 40 VA control transformer and blower relay supplied for add-on cooling.
- Hi-tech tubular aluminized steel primary heat exchanger.
- Blower door safety switch.
- Solid removable bottom panel allows easy conversion.
- Airflow leakage less than 1% of nominal airflow for ductblaster conditions.
- No knockouts to deal with, making installation easier.
- Movable duct connector flanges for application flexibility.
- Quiet inducer operation.
- Inducer rotates for easy conversion of venting options.
- Fully supported blower assembly for easy access and removal of blower.
- External air filters used for maximum flexibility in meeting customers IAQ needs.
- Venting applications - may be installed as a common vent with other gas-fired appliances.
- Insulated blower compartment for quiet operation.
- 1/4 turn knobs provided for easy door removal.

FOR DISTRIBUTION USE ONLY - NOT TO BE USED AT POINT OF RETAIL SALE

EXHIBIT C



Cabinet and Duct Dimensions

Models	Nominal CFM (m ³ /min)	Cabinet Size	Cabinet Dimensions (Inches)			Approximate Operating Weights
			A	B	C	Lbs
YP9C060B12MP11	1200	B	17 1/2	16 3/8	13 1/4	122
YP9C080B12MP11	1200	B	17 1/2	16 3/8	14 3/4	126
YP9C080C16MP11	1600	C	21	19 7/8	16 1/2	136
YP9C100C16MP11	1600	C	21	19 7/8	18 1/4	142
YP9C100C20MP11	2000	C	21	19 7/8	18 1/4	145
YP9C120D20MP11	2000	D	24 1/2	23 3/8	21 3/4	156

Ratings & Physical / Electrical Data

Models	Input Max/Min	Output Max/Min	Nominal Airflow	Total Unit Amps	AFUE %	Air Temp. Rise Max Input	Air Temp. Rise Min Input	Max Over-Current Protect	Min. wire Size (awg) @ 75 ft one way	Max. Outlet Air Temp
	MBH	MBH	CFM			°F	°F			°F
YP9C060B12MP11	60/21	58/20	1200	7.0	97.5	40-70	20-50	15	14	170
YP9C080B12MP11	80/28	77/27	1200	7.5	97.5	45-75	25-55	15	14	175
YP9C080C16MP11	80/28	77/27	1600	10.0	97.7	45-75	25-55	15	14	175
YP9C100C16MP11	100/35	97/34	1600	10.0	97.7	45-75	25-55	15	14	175
YP9C100C20MP11	100/35	97/34	2000	12.0	97.7	50-80	30-60	20	12	180
YP9C120D20MP11	120/42	116/40	2000	12.0	98.0	50-80	30-60	20	12	180

Annual Fuel Utilization Efficiency (AFUE) numbers are determined in accordance with DOE Test procedures. Wire size and over current protection must comply with the National Electrical Code (NFPA-70-latest edition) and all local codes.

FILTER PERFORMANCE

The airflow capacity data published in the "Blower Performance" table represents blower performance WITHOUT filters.

All applications of these furnaces require the use of field installed air filters. All filter media and mounting hardware or provisions must be field installed external to the furnace cabinet. DO NOT attempt to install any filters inside the furnace.

NOTE: Single side return above 1800 CFM is approved as long as the filter velocity does not exceed filter manufacturer's recommendation and a transition is used to allow use of a 20 x 25 filter.

Recommended Filter Sizes

CFM	Cabinet Size	Side (in)	Bottom (in)
1200	B	16 x 25	16 x 25
1600	C	16 x 25	20 x 25
2000	D	(2) 16 x 25	22 x 25

NOTES:

- Air velocity through throwaway type filters may not exceed 300 feet per minute (91.4 m/min). All velocities over this require the use of high velocity filters.
- Do not exceed 1800 CFM using a single side return and a 16x25 filter. For CFM greater than 1800, you may use two side returns or one side and the bottom or one return with a transition to allow use of a 20x25 filter.

Unit Clearances to Combustibles

Application	Upflow	Downflow	Horizontal
Top	1"	0"	0"
Vent	0"	0"	0"
Rear	0"	0"	0"
Side	0"	0"	1"
Front ¹	0"	0"	0"
Floor	Combustible	Combustible ²	Combustible
Closet	Yes	Yes	Yes
Line Contact	No	No	Yes

- Line contact only permitted between lines formed by the intersection of the rear panel and side panel (top in horizontal position) of the furnace jacket and building joists, studs or framing.
- For combustible floors only when used with special sub-base. All furnaces approved for alcove and attic installation.

ACCESSORIES

PROPANE (LP) CONVERSION KIT -

1NP0680 - All Models

This accessory conversion kit may be used to convert natural gas (N) units for propane (LP) operation.

CONCENTRIC VENT TERMINATION -

S1-1CT0302 (2")

S1-1CT0303 (3")

For use through rooftop, sidewall. Allows combustion air to enter and exhaust to exit through single common hole. Eliminates unsightly elbows for a cleaner installation.

SIDEWALL VENT TERMINATION KIT -

S1-1HT0901 (3")

S1-1HT0902 (2")

For use on sidewall, two-pipe installations only. Provide a more attractive termination for locations where the terminal is visible on the side of the home.

CONDENSATE NEUTRALIZER KIT - 1NK0301

Neutralizer cartridge has a 1/2" plastic tube fittings for installation in the drain line. Calcium carbonate refill media is also available from the Source 1 Parts (p/n 026-30228-000).

SIDE RETURN FILTER RACKS -

1SR0200 - All Models

1SR0402 - All Models

1SF0101 - All Models

BOTTOM RETURN FILTER RACKS -

1BR0517 or 1BR0617 - For 17-1/2" cabinets

1BR0521 or 1BR0621 - For 21" cabinets

1BR0524 or 1BR0624 - For 24-1/2" cabinets

1BR05xx series are galvanized steel filter racks. 1BR06xx are pre-painted steel filter racks to match the appearance of the furnace cabinet.

COMBUSTIBLE FLOOR BASE KIT -

For installation of these furnaces in downflow applications directly onto combustible flooring material, These kits are required to prevent potential overheating situations. These kits are also required in any applications where the furnace is installed in a downflow configuration without an evaporator coil, where the combustible floor base kit provides access for combustible airflow.

1CB0517 - For 17-1/2" cabinets

1CB0521 - For 21" cabinets

1CB0524 - For 24-1/2" cabinets

EAC TRANSITION KITS -

For installation of EAC accessories with these furnaces to provide easy transition of return airflow through the EAC to get the proper sealing and reduced airflow leakage.

1TK1001 - For all models using side return

1TK1017 - For 17-1/2" cabinets using bottom return

1TK1021 - For 21" cabinets using bottom return

1TK1024 - For 24-1/2" cabinets using bottom return

HIGH ALTITUDE - No high altitude kits are required.

ROOM THERMOSTATS - A wide selection of compatible thermostats are available to provide optimum performance and features for any installation.

1H/1C, manual change-over electronic non-programmable thermostat.

1H/1C, auto/manual changeover, electronic programmable, deluxe 7-day, thermostat.

1H/1C, auto/manual changeover, electronic programmable.

* For the most current accessory information, refer to the price book or consult factory.

Blower Performance CFM - Any Position

High / Low Speed Cooling CFM					
060A12		080B12		Jumper Settings	
Hi Cool	Lo Cool	Hi Cool	Lo Cool	COOL Jumper	ADJ Jumper
1305	850	1290	840	A	B
1100	715	1090	710	B	B
1065	690	1015	660	A	A
1000	650	1000	650	B	A
960	625	960	625	A	C
760	495	760	495	C	B
900	585	900	585	B	C
660	430	660	430	D	B
690	450	680	445	C	A
600	400	600	400	D	A
620	400	620	400	C	C
550	400	540	400	D	C
High / Low Speed Cooling CFM					
080C16		100C16		Jumper Settings	
Hi Cool	Lo Cool	Hi Cool	Lo Cool	COOL Jumper	ADJ Jumper
1670	1085	1655	1075	A	B
1295	840	1275	820	B	B
1385	900	1345	875	A	A
1175	765	1160	755	B	A
1245	810	1210	785	A	C
995	645	1000	650	C	B
1055	685	1045	680	B	C
935	605	955	620	D	B
905	590	910	590	C	A
850	550	870	565	D	A
815	530	815	530	C	C
765	500	785	510	D	C
High / Low Speed Cooling CFM					
100C20		120C20		Jumper Settings	
Hi Cool	Lo Cool	Hi Cool	Lo Cool	COOL Jumper	ADJ Jumper
2215	1440	2180	1415	A	B
1765	1145	1760	1140	B	B
1820	1180	1800	1170	A	A
1605	1040	1595	1035	B	A
1635	1060	1620	1050	A	C
1270	825	1255	815	C	B
1445	940	1435	935	B	C
1055	685	1050	680	D	B
1155	750	1160	755	C	A
960	620	960	615	D	A
1040	675	1035	670	C	C
860	560	840	545	D	C

All CFM's are shown at 0.5" w.c. external static pressure. These units have variable speed motors that automatically adjust to provide constant CFM from 0.0" to 0.6" w.c. static pressure. From 0.6" to 1.0" static pressure, CFM is reduced by 2% per 0.1" increase in static. Operation on duct systems with greater than 1.0" w.c. external static pressure is not recommended.

NOTE: At some settings, LOW COOL airflow may be lower than what is required to operate an airflow switch on certain models of electronic air cleaners. Consult the instructions for the electronic air cleaner for further details.

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 Supersedes: Nothing

Johnson Controls Unitary Products
 5005 York Drive
 Norman, OK 73069

YORK®

Heating and Air Conditioning

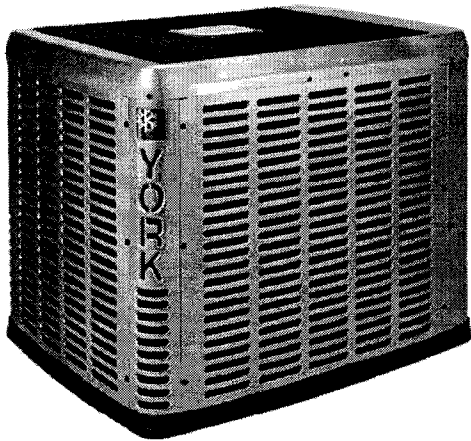
TECHNICAL GUIDE

AFFINITY

SPLIT-SYSTEM HEAT PUMPS

13 SEER – R-410A

MODELS: YZB018 THRU 060*(C)
(1.5 THRU 5 NOMINAL TONS)



Due to continuous product improvement, specifications are subject to change without notice.

Visit us on the web at www.york.com

Additional rating information can be found at www.ahridirectory.org

WARRANTY

Standard 5-year limited parts warranty.
10-year limited compressor warranty.

Extended 10-year limited parts warranty when product is registered online within 90 days of purchase for replacement or closing for new home construction.

DESCRIPTION

The 13 SEER Series unit is the outdoor part of a versatile climate system. It is designed with a matching indoor coil component from Johnson Controls Unitary Products. Available for typical applications this climate system is supported with accessories and documents to serve specific functions.

FEATURES

- **Superior Coil Protection** – A stamped decorative metal coil guard completely protects coil from debris and other large damaging material while a polymer mesh further protects the coil against smaller particles.
- **Isolated Compressor Compartment** – A molded composite bulkhead isolates the compressor from the rest of the unit reducing sound and vibration.
- **Protected Compressors** – Each compressor is protected against high and low pressure as well as excessive temperature. This is accomplished by the simultaneous operation of a high pressure relief valve and temperature sensors which protect the compressor if undesirable conditions occur.
- **Environmentally Friendly Refrigerant** – Next generation refrigerant R-410A delivers environmentally friendly performance, with zero ozone depletion.
- **Durable Finish** – Automotive quality finish provides the ultimate protection from harmful U.V. rays as well as rust creep ensuring long-lasting high quality appearance. A powder-paint topcoat is applied over a baked-on primer, using a galvanized, zinc coated steel base material. The result is a finish that has been proven in testing to provide 33% greater durability than conventional powder-coat finishes.
- **Lower Installed Cost** – Designed to provide enhanced stability by featuring a slide-down control compartment allowing easy access to control components along with angled service valves to reduce overall installation time and cost.
- **Low Operating Sound Levels** – A fan design boasting technology adapted from aeronautic and defense engineering provides for whisper quiet operation by allowing airflow to flow smoothly and efficiently across the fan tips.
- **Filter-Drier** – A factory installed, solid core liquid line filter-drier filters harmful debris and moisture from the system.
- **Easy Service Access** – A full end, full service, access panel with handle makes for easy entry to internal components.
- **Long Lasting Operation** – Strong and durable composite base pan provides added strength while resisting rust and corrosion as well as reducing sound and vibration.
- **Complete System Control** – These heat pumps utilize the unique microprocessor defrost control system to provide optimal comfort as well as monitor the overall system for reliable operation. The defrost control system continuously monitors the space environment to maintain optimum efficiency. It initiates defrost only when necessary to further reduced heating costs and improve reliability. Supplemental heat can only operate below the balance point and then only upon need. In the event improper operating conditions occur (high temperature and/or high pressure), the will automatically shut the system down to extend the life of the heat pump. Rapid cycling is prevented by use of an internal anti-recycle timer. The defrost control features an internal memory to aid the technician in troubleshooting, reducing service time and cost.
- **Agency Listed** - U.L. and C.U.L. listed - approved for outdoor application. The unit is certified in accordance with the Unitary Small Equipment certification program, which is based on ARI Standard 210/240.

FOR DISTRIBUTION USE ONLY - NOT TO BE USED AT POINT OF RETAIL SALE

Received
9/25/13

FROM THE DESK OF JON PERICA
10338 ETIWANDA AVE, NORTHRIDGE, CA, 91326

September 25, 2013

BY HAND DELIVERY AND/OR EMAIL

Office of Zoning Administration
Jim Tokunaga, Zoning Administrator
200 N. Spring Street, Room 763
Los Angeles, Ca 91002

**RE: PLANNING DEPARTMENT FILE -- JUSTIFICATION TO DENY PROJECT
REQUEST – ZA 2012-1402-ZV-ZAA-ZAD.**

Dear Mr. Tokunaga

My name is Jon Perica and I am a retired City Zoning Administrator. I am assisting Victor Marmon on behalf of the owners of 333 Copa de Oro Road, which is adjacent to the subject property.

In the 35 years that I worked in the Planning Department, I acted on over 2,500 Planning Department cases and I know what supportable Zone Variance Findings are. A Variance can only be approved if all the required five findings can be made to support the project. Even the failure to make just one required finding means you cannot approve the project. None of the five findings can be justified by the facts in this Case.

Finding #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.

This finding requires facts that the City's **Zoning Ordinance** caused the applicant practical difficulties or unnecessary hardships that are inconsistent with the purpose and intent of the city's zoning regulations -- in essence that the City caused the applicant practical difficulties or unnecessary hardships that justify the applicant's over-height house request. Here, however, it is the applicant that chose the shape of its lot (I will refer to "lot" throughout because the applicant has tied Parcels A and B for the purpose of developing its house.), it is the applicant who chose the grade of its lot when it put up its almost 20-foot retaining walls and graded this lot and the property to the south, and it is the applicant that chose the design and site of its house -- in short, if there were anything that could be called a practical difficulty or unnecessary hardship, which there is not, it would be the applicant that created it. There is no reason not to comply with the

City's height limitations. The applicant has the legal right to build a 30-foot tall house with a flat roof or a 36-foot tall house with a sloped roof on its 1.94 acre site hillside property that it, not the City, created from a larger parcel. That by-right house can be built to any square footage size as long as the required setbacks, slope formula limits and other zoning regulations are followed. The applicant is not content with building a huge 42,409 square foot house at 36-feet in height but it wishes instead to build a house that measures 53.3 feet in height according to the latest information. A 53.3-foot height house as proposed by the applicant would be over 77% taller in height than the permitted 30-foot height for a flat roofed house.

The applicant's justification for the excessive, over 77% house height increase and alleged unnecessary hardship is that the house is "consistent with the aesthetic goals of the BHO". First, this wording is not required by the language of Finding #1 which requires the applicant to show proof of a City imposed practical difficulty or unnecessary hardship. Second, the BHO was designed to address building mass visible from a public right of way, to discourage tall, boxy structures, and to encourage terraced structures so that the mass of buildings is broken up. The applicant's tall, boxy house is not consistent with neighborhood character, and it is not consistent with the aesthetic goals of the BHO.

"Neighborhood character" includes not building too tall of a home for a lot based on the limiting features of the lot. A large house consistent with other house sizes in the vicinity constructed at the 30-foot limit for a flat roof or the 36-foot limit for a sloped roof can legally be built and would be consistent with the intent of the Baseline Hillside Ordinance. No one is guaranteed a certain over-height house just because they want to build an extremely tall house.

The applicant also attempts to justify the over-height variance as a better design to conceal 15 air conditioning units and a 10-foot elevator shaft. First, these claimed reasons are not justifiable as shown by the letter from David Applebaum to you dated September 24, 2013, and the letter from California Energy Designs to you dated September 25, 2013. Second, these claimed reasons do not address a City created practical difficulty or unnecessary hardship. The City does not tell an applicant where to place his air conditioning units, and air conditioning units can be built at grade level or the units can go in a basement location. Further, the City already permits a more than ample 5-foot projection for elevator housings.

The applicant claims that the way the City measures height in hillside areas causes a hardship. As noted above, the applicant chose the shape and slope of its lot, and the applicant chose the design and location of its house. The City did not make any of these decisions. There could have been alternative decisions made on all of these choices that would have allowed the applicant to have a by-right home. The City did not make the applicant come up with the particular house features that are part of this variance request.

Finally, the applicant incorrectly states that the intent of Baseline Hillside Ordinance is, "to limit structures on hillsides from looming out of the ground". Actually, the BHO was designed to limit "looming structures" by ensuring that the mass of buildings is broken up and that that box-like structures such as the applicant's house have lowered height. Also, the BHO was carefully thought out to cover houses on ridge lines or in areas on the lower parts of hills. The choice to build an over height house in a lower hillside area does not get treated differently under the BHO

and it should not be treated differently in determining whether a required variance finding can be made. All Hillside over height variances are treated the same.

What is the City created hardship that prevents the applicant from building its house on this very large site? The simple answer is that there is **no** City imposed hardship. Having already been allowed to build a 36-foot house with a sloped roof or a 30-foot house with a flat roof, the applicant now simply wants a variance for a 53.3-foot high house when it doesn't need one to have a similar square foot house (assuming that the square footage meets the BHO's requirements). (See Mr. Applebaum's letter.) The house could have been designed differently on a by-right basis, but it was not. Now the applicant wants a special privilege to build an over-height house box-like house that the BHO was designed to discourage.

This is an **applicant** created situation; it is not a City-imposed hardship. The City is not permitted to bailout the poor design of the house with a variance when the applicant has so many options as to how and where to build a new home on this site. The facts don't justify a height variance. Variances are not granted as a "convenience" or special favor but for genuine practical difficulties or unnecessary hardships caused by the City which could not have been avoided by proper planning and design by the applicant. There are many ways for the applicant to build a code-compliant house that do not require a zone variance, so there is **no** City imposed hardship.

Finding #2: There are NOT 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.

This finding requires the identification of special circumstances involving the property that do not generally apply to other properties in the same zone and vicinity.

The subject site is in a Hillside area and has a sloping terrain like the other lots in the same zone and vicinity. This site and the other lots in the same zone and vicinity are irregular in shape and size. Stone Canyon Creek runs through many of the lots in the same zone and vicinity.

The applicant asserts that special circumstances applying to its property are "the flood zone, the narrowness of the property, the water channel that traverses through the property, the flood plain buffer and set back requirements." As Mr. Mike Piszker demonstrates in his letter to you of September 25, 2013, there is no flood zone issue with the property, since the 100 year flood level as proven by the applicant's own civil engineer, is within the banks of Stone Canyon Creek. As Mr. Applebaum's letter to you demonstrates, the property is more than adequate in size for a house of the size proposed by the applicant to be placed on the property (not a special circumstance) and Stone Canyon Creek (the applicant's "water channel") and its vegetation buffer are not impediments to development. The applicant asserts, but does not provide any evidence of any "flood plain buffer". Finally, normal property setbacks applicable to this property are not special circumstances -- they are applicable to other properties in the same zone and vicinity.

The applicant has therefore identified no significant special circumstances that justify this finding.

Because there are no special circumstances for this lot, the applicant is forced to try and argue a non-existent significant characteristic for Finding 2 -- the applicant's false argument is that under the Baseline Hillside Ordinance, the house **has** "to be consistent with the neighborhood", which the applicant then defines as "sizeable front yard, back yard, amenities that are expected on large properties such as a pools and possibly a tennis court." The applicant goes on to say that "[i]f the property doesn't have these characteristics, this is in itself a hardship. There are no standard "sizeable" front yards and back yards in this zone and vicinity and there are no standard amenities. Further no applicant is guaranteed any "standard" or other set of amenities regardless of which lot in the same zone and vicinity is developed. Any lot may have amenity features **depending** on whether or not the features can be placed on the lot by right in conformity with the Zoning Codes.

There is no City requirement to approve a height variance to allow an applicant to have amenity features similar to what other homes in the local area may have. If the requested height variance is not approved, some amenity features may not be added to the lot. (However, see Mr. Applebaum's letter showing that with different designs the house and amenities could be provided and still meet the height requirements.) The applicant is confusing what it "wants to have" on the lot with a variance and what is allowed by right. There is not a City guaranteed approval for all the amenities, house size and lot conditions that existing homes have in the local community. Each lot has its own justifications for particular amenities which may or may not justify having room for every amenity an applicant may want.

Finally, the applicant in essence claims that its desired "big box" house design determines what height it must be permitted to get with a variance. On the contrary, the applicant is permitted to build what the City zoning code permits to be done by right. The applicant's wanting an excessively tall house does not justify the City granting a height variance. The tail does not wag the dog.

Finding #3: The 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 the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question.

Since at least 1970, the Planning Department Office of Zoning Administration has interpreted the "same vicinity" as being within a 500-foot radius of the subject property. Thus, the Planning Department requires all zone variance applications to submit a 500-foot radius map showing all the surrounding uses. This 500-foot distance is the standard City defined distance to review any zone variance case according to the City's interpretations of the vicinity requirements in Finding #3.

The applicant has previously cited 5 possible over-height precedent approvals as justifications for Finding # 3. Four of these cases are too far away to be in the vicinity of this property (2 are over three and eight miles away), and two are not in the same zone as this property. Also, these cases involve lots significantly different in size from the subject property, one lot being 70% larger, or involve measuring house height from an adjacent structure (two involve measurements from an adjacent below grade (tennis court and parking structure under a tennis court) an underground parking area under a tennis court) attached to the house, and not from the house itself. The compared properties are required to have similar physical constraints resulting in special circumstances. Further, citing 5 cases that are not applicable (see above) does not provide evidence of a property right generally possessed by other property in the same zone and vicinity.

The applicant does not cite in its newly submitted proposed findings any precedent approvals that are similar to this request because it knows that there are no valid examples. It argues instead about “many of the approvals” for over-height homes under the earlier Hillside Ordinance which would somehow justify this variance request. Just because other over height homes were approved under the earlier, less restrictive Hillside Ordinance does not justify this grant if the specific details of past grants do not meet the particular characteristics of this lot. Again, on Finding #3, the applicant has not provided evidence that justifies this variance request.

Lastly, the applicant argues that the “home could not have been expanded outward to increase the footage rather than built higher because of the physical characteristics of the property” The applicant has submitted no evidence to support this statement. On the contrary, Mr. Applebaum shows in his letter that the house could have been designed in many different ways to accommodate the square footage desired (if it would otherwise comply with the BHO) and still comply with the height limit. Further, even if the particular characteristics of this lot could not accommodate such a large house and related amenities and still meet the height limit, the applicant could always have designed a smaller square footage house.

Finding #4: The granting of the 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.

A grant of this height request will set a terrible precedent for other homes to be built beyond the by-right limit of 30 feet for a flat roofed house and 36 feet for a sloped roof under the Baseline Hillside Ordinance. The difference between 53.3 feet and 30 feet is a huge impact on visibility and scale. People driving up Stone Canyon will see a huge boxy house facing them that will be out of scale with houses in the same zone and vicinity.

If this request for excessive height is approved, many other future homes would cite this height approval and ask for a similar height.

An additional adverse impact of an approval would be that this lot could be subdivided into 4 lots so it really is an issue of 4 over-height homes that could be built on this current lot. The same applicant also owns the two lots to the south, and there is enough room for at least one

additional lot to be subdivided from those two lots. Therefore, between this site and the adjacent lots, 5 future lots could be created and all 5 of the houses on these lots could have over height 50-foot plus homes built on them. Other developers in hillside areas would no doubt cite a variance on this lot to justify additional over height homes in the future. Once the floodgates of development are opened, it is very hard to close them.

As a justification for this Finding, the applicant claims that the project is consistent with the Baseline Hillside Ordinance because views are not blocked. But views would be blocked by this over height house as demonstrated in Mr. Piszker's letter. Further, the applicant's proposed over height house would not meet Finding 4 because it is detrimental to the Baseline Hillside Ordinance's purposes which encourage terracing of houses that are more in line with natural contours of the land. Further, views from public rights of way would be harmed by the structure proposed. A terraced house that meets the height limit and works with, not against, the contour of the land, rather than the boxy, bulky over-height house proposed, is far more consistent with the purposes and objectives of the Baseline Hillside Ordinance.

Finding #5: The granting of the variance WILL adversely affect any element of the General Plan.

The Land Use Element of the City's General Plan divides the city into Community Plans. The local Bel Air-Beverly Crest Community Plan provides that new residential development is to be "compatible" with adjacent properties.

Chapter 2 (Purpose of the Community Plan) of the Bel Air-Beverly Crest Community Plan provides the following purposes:

- *Preserving and enhancing the positive characteristics of existing residential neighborhoods while providing a variety of housing opportunities with compatible new housing.*
- *Preserving and enhancing the positive characteristics of existing uses which provide the foundation for Community identity, such as scale, height, bulk, setbacks, and appearance.*

Chapter 3 of the Bel Air-Beverly Crest Community Plan also provides the following Residential Land Use Policies:

The intensity of land use in the mountain and hillside areas and the density of the population which can be accommodated thereon should be limited in accordance with the following:

- *The compatibility of proposed developments with existing adjacent development.*
- *Design should minimize adverse visual impact on neighboring single family uses.*

The granting of a 50-foot height variance for the subject property will adversely affect the purpose and policies of preserving and enhancing the positive characteristics of the existing residential neighborhood as follows:

- The proposed height is excessive and not compatible with existing uses and appearances.
- The proposed height does not minimize adverse visual impact on neighboring uses.
- Granting the proposed height variance will set a precedent that will adversely affect the positive characteristics of the existing neighborhood.

Further, granting the requested height variance would start a trend locally to have over-height homes as the new standard and that would fundamentally change the character of the local community. Granting this height variance request sets a bad precedent and opens the door for excessive height homes not consistent with existing community scale. For "consistency" sake, this request must be denied.

Conclusion - Since the factual findings cannot be made for any of the required five findings, the applicant's zone variance request cannot be legally approved. We therefore respectfully request that you deny this zone variance request.


Jon Perica