

# MASTER LAND USE PERMIT APPLICATION

## LOS ANGELES CITY PLANNING DEPARTMENT

<i>Planning Staff Use Only</i>	
ENV No.	Existing Zone
APC	Community Plan
Census Tract	APN
	Case Filed With [DSC Staff]
	Date

CASE No. \_\_\_\_\_

APPLICATION TYPE Zone Variance  
*(zone change, variance, conditional use, tract/parcel map, specific plan exception, etc.)*

### 1. PROJECT LOCATION AND SIZE

Street Address of Project 5321 N. Crebs Avenue Zip Code 91356  
 Legal Description: Lot 11 Block \_\_\_\_\_ Tract 26610  
 Lot Dimensions varies Lot Area (sq. ft.) 18090 Total Project Size (sq. ft.) 18090

### 2. PROJECT DESCRIPTION

Describe what is to be done: \_\_\_\_\_  
Zone variance for reduced rear yard setback and to legalize the existing accessory structure for use as a second dwelling unit

Present Use: single family and accessory structure Proposed Use: 2 single family houses

Plan Check No. (if available) \_\_\_\_\_ Date Filed: \_\_\_\_\_

Check all that apply:

<input type="checkbox"/> New Construction	<input type="checkbox"/> Change of Use	<input type="checkbox"/> Alterations	<input type="checkbox"/> Demolition
<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial	<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Tier 1 LA Green Code

Additions to the building: ☒ Rear ☐ Front ☐ Height ☐ Side Yard

No. of residential units: Existing 2 To be demolished 0 Adding 0 Total 2

### 3. ACTION(S) REQUESTED

Describe the requested entitlement which either authorizes actions OR grants a variance:

Code Section from which relief is requested: \_\_\_\_\_ Code Section which authorizes relief: 12.27

Code Section from which relief is requested: \_\_\_\_\_ Code Section which authorizes relief: \_\_\_\_\_

Code Section from which relief is requested: \_\_\_\_\_ Code Section which authorizes relief: \_\_\_\_\_

List related or pending case numbers relating to this site:

**4. OWNER/APPLICANT INFORMATION**Applicant's name Djamshid Younessi & Farahnaz M. Younessi Company \_\_\_\_\_Address: 5321 Crebs Avenue Telephone: ( 818 ) 822-7717 Fax: ( ) \_\_\_\_\_  
Tarzana Zip: 91356 E-mail: \_\_\_\_\_Property owner's name (if different from applicant) Djamshid Younessi & Farahnaz M. Younessi Living TrustAddress: 5321 Crebs Avenue Telephone: ( 818 ) 822-7717 Fax: ( ) \_\_\_\_\_  
Tarzana Zip: 91356 E-mail: \_\_\_\_\_Contact person for project information Harvey Goodman Company Harvey Goodman Civil EngineerAddress: 834 17th Street #5 Telephone: ( 310 ) 829-1037 Fax: ( 310 ) 828-5062  
Santa Monica Zip: 90403 E-mail: sheri@harveygoodman.com**5. APPLICANT'S AFFIDAVIT**

Under penalty of perjury the following declarations are made:

- The undersigned is the owner or lessee of entire site is leased, or authorized agent of the owner with power of attorney or officers of a corporation (submit proof). (NOTE: for zone changes lessee may not sign).
- The information presented is true and correct to the best of my knowledge.
- In exchange for the City's processing of this Application, the undersigned Applicant agrees to defend, indemnify and hold harmless the City, its agents, officers or employees, against any legal claim, action, or proceeding against the City or its agents, officers, or employees, to attack, set aside, void or annul any approval given as a result of this Application.

Signature: [Signature] FARAHNAZ M. YOUNESSIPrint: XDJAMSHID YOUNESSI / FARAHNAZ YOUNESSI**ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_  
(Insert Name of Notary Public and Title)

personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf on which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature (Seal)**6. ADDITIONAL INFORMATION/FINDINGS**

In order for the City to render a determination on your application, additional information may be required. Consult the appropriate Special Instructions handout. Provide on attached sheet(s) this additional information using the handout as a guide.

NOTE: All applicants are eligible to request a one time, one-year only freeze on fees charged by various City departments in connection with your project. It is advisable only when this application is deemed complete or upon payment of Building and Safety plan check fees. Please ask staff for details or an application.

**Planning Staff Use Only**

Base Fee	Reviewed and Accepted by [Project Planner]	Date
Receipt No.	Deemed Complete by [Project Planner]	Date

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

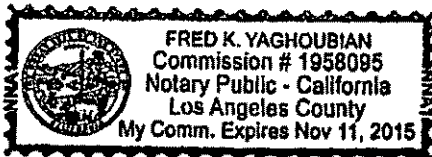
State of California )  
County of LOS ANGELES )

On 3/13/2015 before me, FRED K. YAGHOUBIAN A NOTARY PUBLIC  
Date Here Insert Name and Title of the Officer  
personally appeared FARAHNAZ M. YOUNESSI & DTAMSHAD YOUNESSI  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that he/~~she~~ they executed the same in his/~~her~~ their authorized capacity(ies), and that by his/~~her~~ their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature FRED K. YAGHOUBIAN  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_

Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

☐ Corporate Officer — Title(s): \_\_\_\_\_

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

☐ Corporate Officer — Title(s): \_\_\_\_\_

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_





2



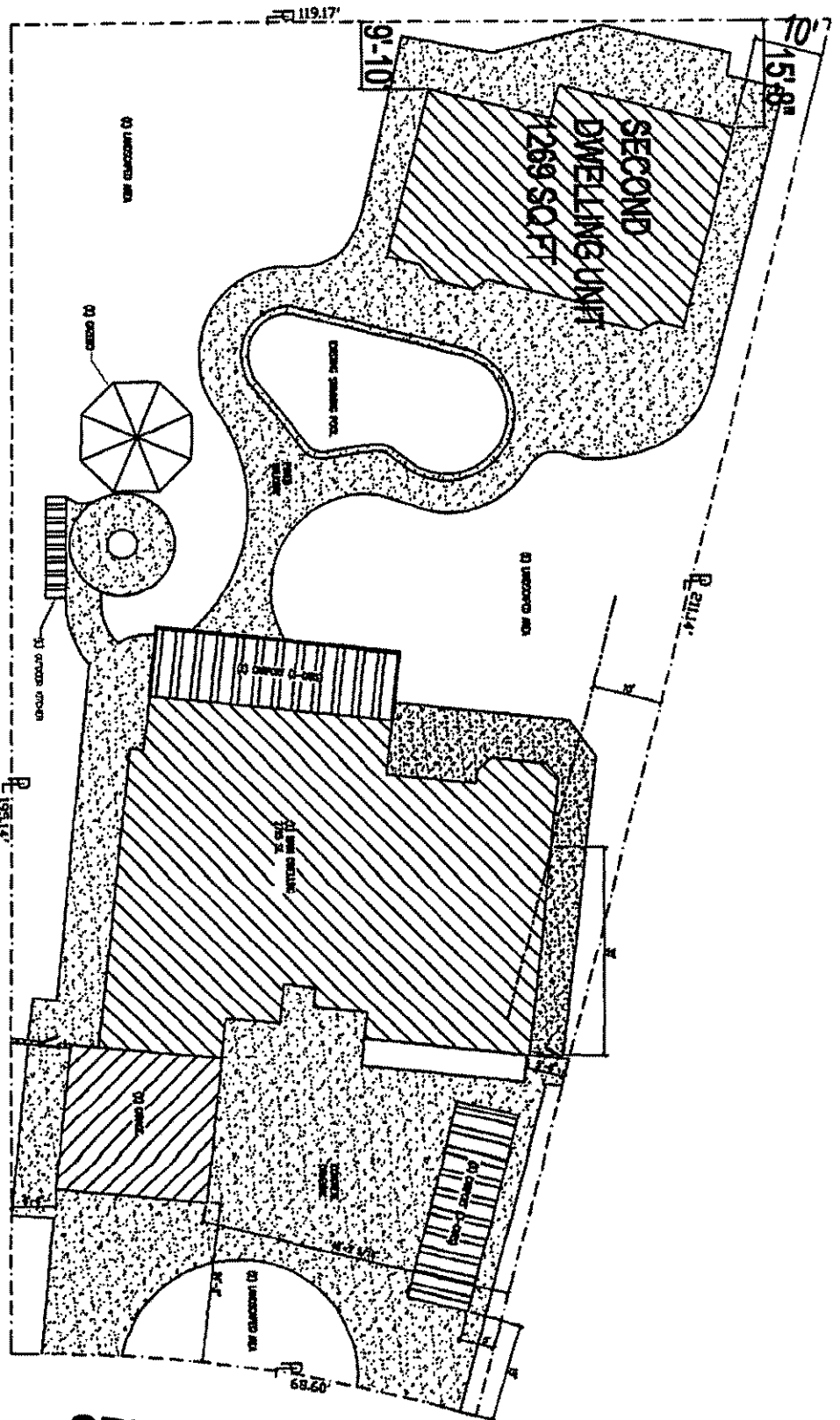
3



4



1



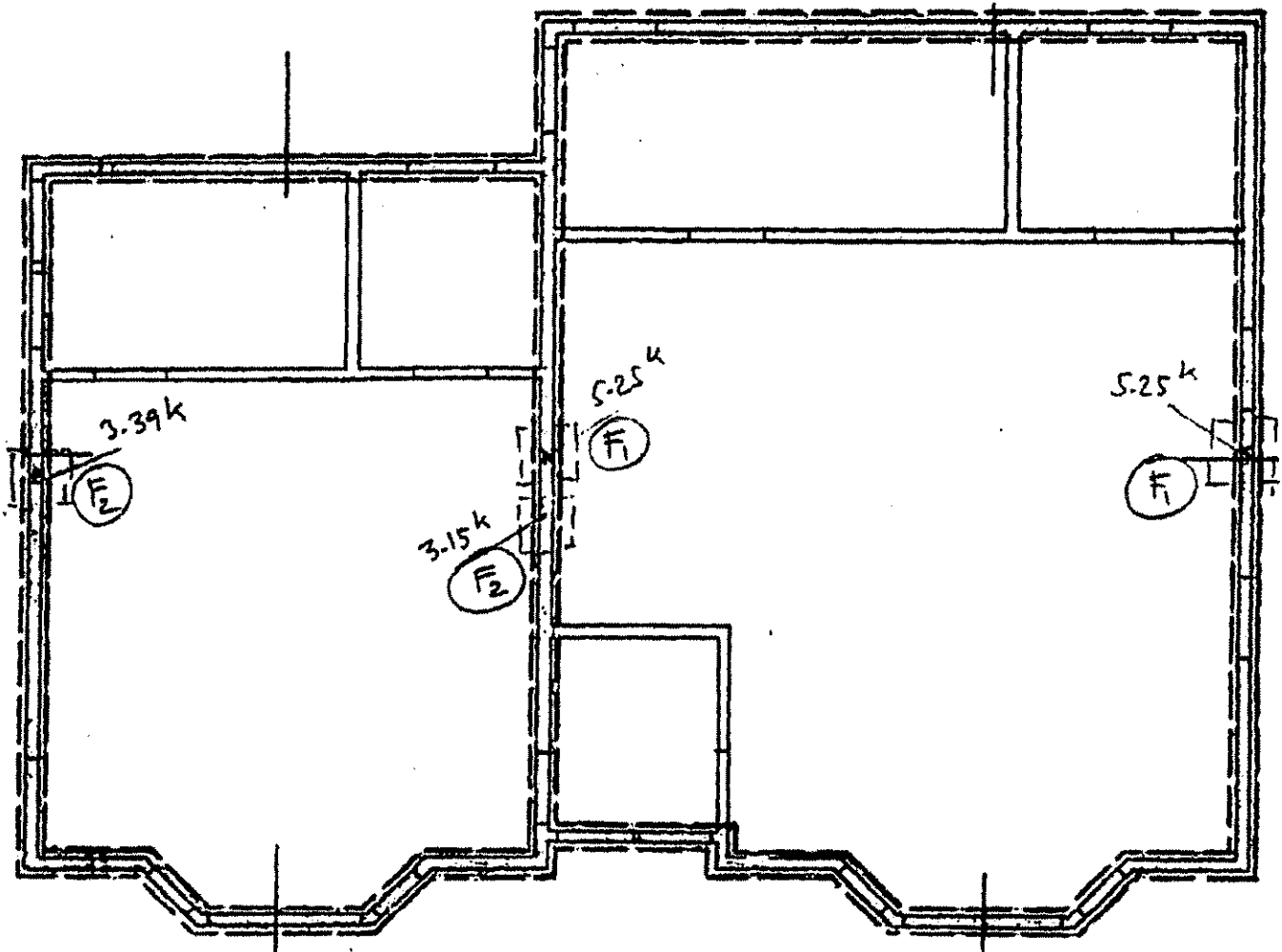
**CREBS AVENUE**

5321 CREBS AVENUE  
TARZANA CA 91356

SOIL: SILTY, SAND

ALLOW. BEARING: 1000 PSF

FOUNDATION DESIGN



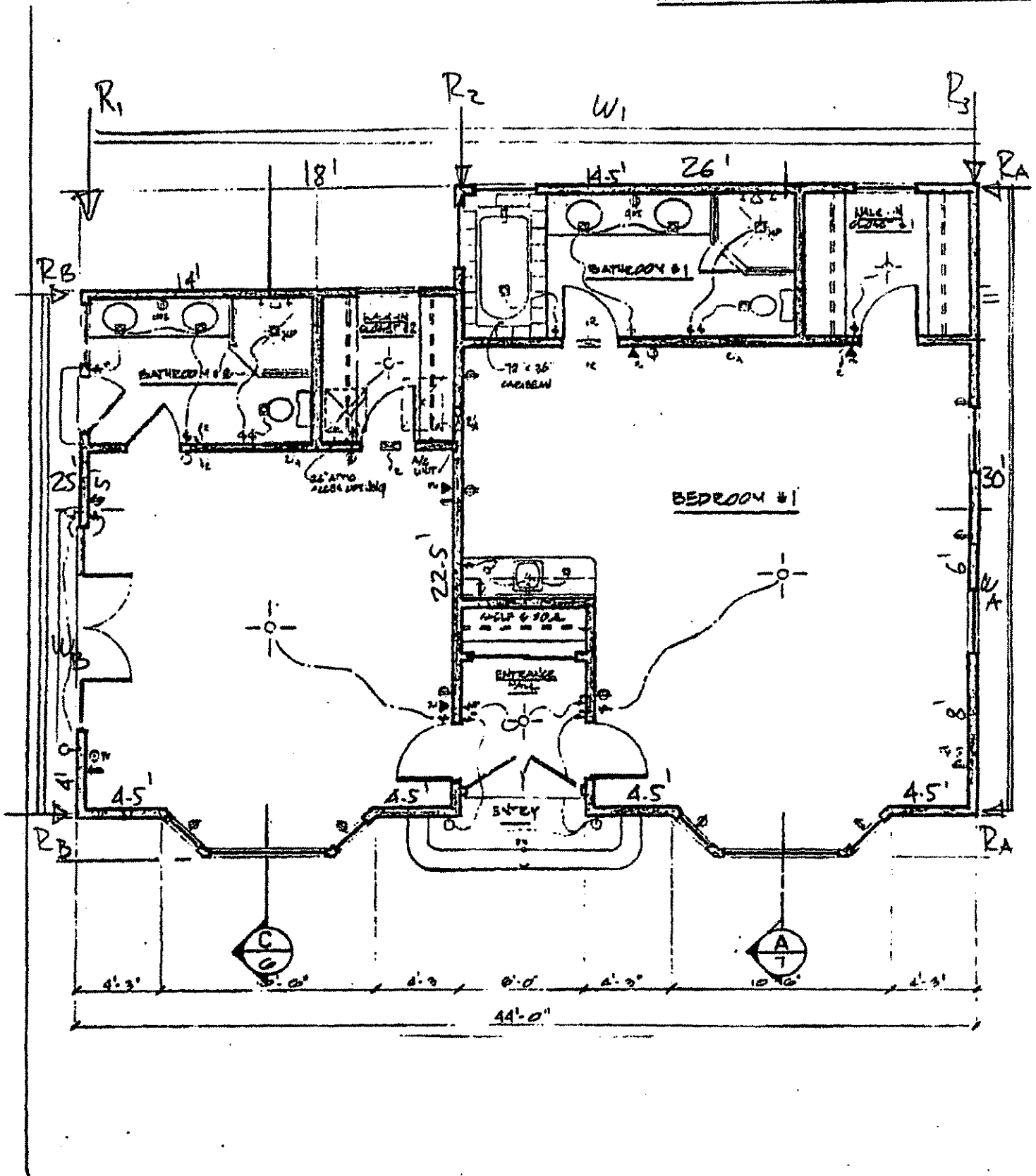
WALL FOOTINGS

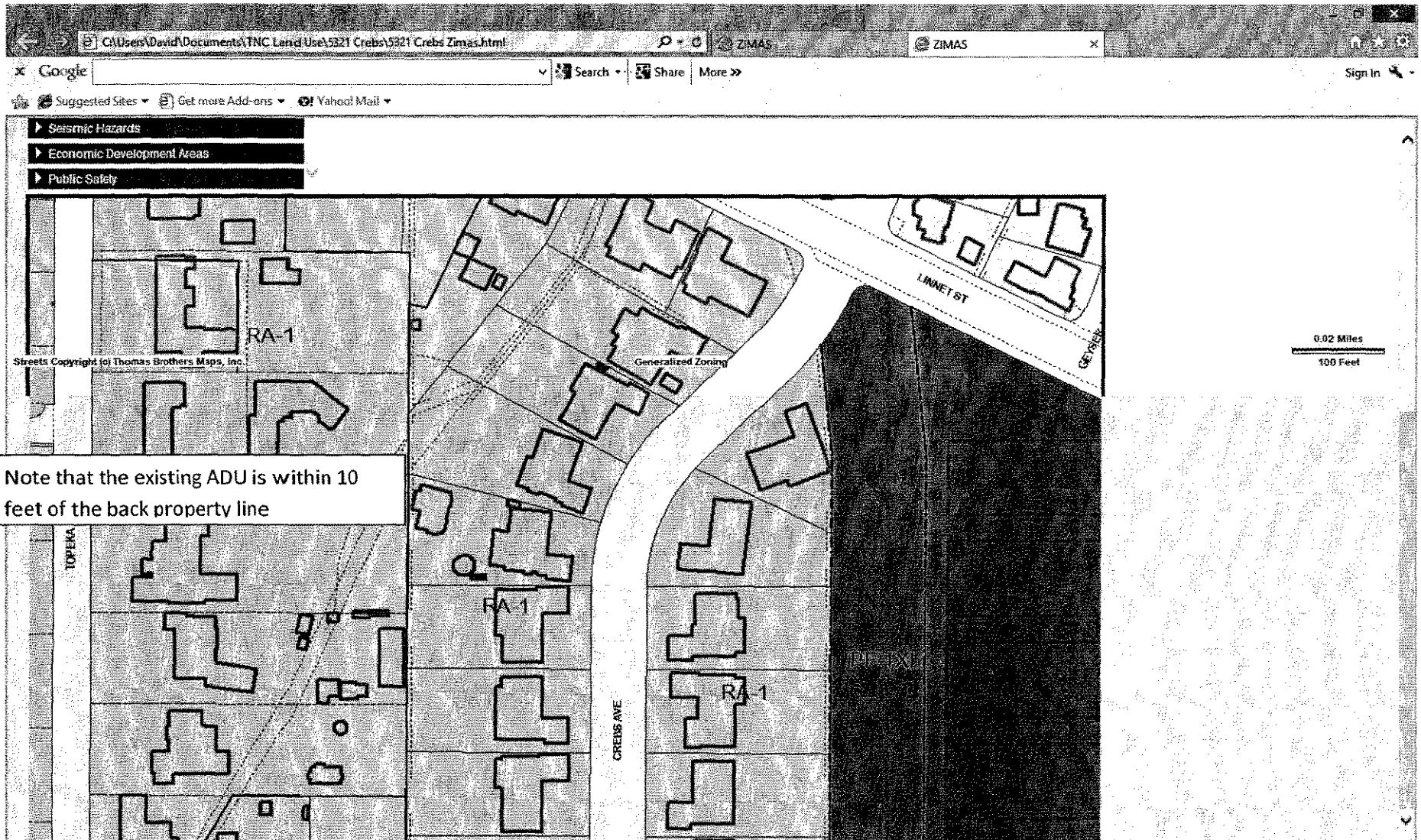
$$\text{MAX. } W \cong \frac{17}{2}(14+16) + 9' \times 15 \text{ PSF} + \frac{8'}{2}(10+40) = \frac{225}{135} \text{ } \frac{200}{560 \text{ PLF} < 1000}$$

12" WIDE "ONE STORY" FTG. OK!



**LATERAL ANALYSIS**





MICHAEL LOGRANDE  
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

PATRICIA BROWN  
R. NICOLAS BROWN  
SUE CHANG  
ANIK CHARRON  
LARRY FRIEDMAN  
EMILY J. CABEL-LUDDY  
LOURDES GREEN  
ERIC RITTER  
MICHAEL S.Y. YOUNG



FILE COPY



CITY OF LOS ANGELES  
CALIFORNIA

ANTONIO R. VILLARAIGOSA  
MAYOR

DEPARTMENT OF  
CITY PLANNING

S. GAIL GOLDBERG, AICP  
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.lacity.org/PLN

March 6, 2008

Mario Perez (A)(O)  
15037 Paddock Street  
Sylmar, CA 91342

Juliet Demari (R)  
Mobilesets/Westline Construction  
3940 Laurel Canyon Boulevard, #931  
Studio City, CA 91604

CASE NO. ZA 2007-2059(ZV)  
ZONE VARIANCE  
15037 West Paddock Street  
Sylmar Planning Area  
Zone : R1-1  
D. M. : 219B145  
C. D. : 7  
CEQA : ENV 2007-2060-MND  
Legal Description : Lot C, PM 3931

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

a Variance from Section 12.08-A, 1 granting the construction, use and maintenance of a second 1,760 square-foot single-family dwelling unit on a 11,010 square-foot lot in the R1-1 Zone,

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 submitted with the application and marked Exhibit "A", except as may be 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.



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6. The front façade shall be redesigned to appear more as the front of the dwelling rather than the side.

#### **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 MARCH 21, 2008, 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 [www.lacity.org/pln](http://www.lacity.org/pln). 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.

#### INDEMNIFICATION

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.

#### 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 4, 2008, 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 property is a level, rectangular-shaped, interior, 11,010 square-foot parcel of land, with a 50-foot frontage on Paddock Street and an even width and depth of 50 feet and 220 feet, respectively. A 4-foot wide easement (not specified) is located along the rear property line.

Most of the property (front and middle area) is a vacant dirt lot, with a one-story detached garage and one-story single-family dwelling located towards the rear of the property. A single concrete driveway runs along the east side of the property and a chain link fence is aligned with the perimeter of the property.

All abutting and adjoining properties are zoned R1-1 and developed with one and/or two single-family dwellings per property. The R1 lots in this area are oversized, ranging from approximately 9,500 square feet to 22,000 square feet, with the most common lot size and dimension similar to the subject property of 11,000 square feet (50 feet wide by 220 feet long).

Paddock Street, adjoining the property on the east, is a Local Street, dedicated a width of 60 feet and improved with concrete curb and gutter.

Previous zoning related actions on the site/in the area include:

#### Subject Property

Building and Safety Permit No. 06010-20000-03695 – Submitted (not issued) on August 15, 2006, for a state approved pre-mfg. One-story 26.67-foot by 64-foot single-family dwelling.

Certificate of Occupancy – Issued November 28, 1989, for the relocation of a one-story single-family dwelling (36 feet 6 inches by 55 feet) and attached garage (VN45761). It should be noted this permit was extended multiple times from 1982. Additionally, the address was corrected from 15037 Paddock (original permit address) to 15035 Paddock.

Older permit information from 1977 indicates the lot was originally a through lot (to Polk Street) and 100 feet wide, and that the existing dwelling may have been located on the front portion of the now east adjoining property.

#### Surrounding Properties

Case No. AA-2007-4105-PMLA – Case pending (hearing not scheduled yet) for the creation of four single-family lots, currently on two parcels of land consisting of approximately 1/2 acre, located at 15037 and 15043 Polk Street.

#### PUBLIC HEARING

Notice of the public hearing was mailed to 227 property owners/occupants within a 500-foot radius of the subject site and interested parties. Notice of the public hearing was posted on the subject site on December 26, 2007. Prior to the public hearing, a Zoning Investigator, staff of the Office of Zoning Administration, conducted a site visit and observation of the surrounding area. Also, prior to the public hearing 30 signatures in support of the request were submitted from property owners on Paddock Street. As observed by the Zoning Investigator, many of which were two signatures per property due to two dwelling units/addresses per property.

The public hearing was held on January 4, 2008 and attended by the project proponent and a representative of the Sylmar Neighborhood Council. Prior to taking testimony, the project proponent was informed that the Office of Zoning Administration had exceeded the

75-day requirement for making a determination. The project proponent elected to have jurisdiction remain with the Zoning Administrator.

The following information was obtained from information presented in the application and research of the Zoning Investigator:

The applicant seeks a variance to allow the construction of a second dwelling unit of 1,760 square feet in an R1 Zoned lot of 11,010 square feet.

As observed by the Zoning Investigator, it appears the subject request would not meet the by-right criteria per LAMC 12.24-W,43 because the second dwelling unit is greater than 640 square feet and the property is within the Hillside Ordinance Area. However, the immediate neighborhood area is flat land.

According to the Applicant, "I am requesting a variance to allow placement of a State approved manufactured home on my property. By this action I hope to improve my existing property and the surrounding neighborhood."

Staff reviewed the submitted plot plan, floor plan and elevations and conducted a site visit on December 27, 2007, at approximately 10 a.m.

The plot and floor plans indicate the second dwelling unit will be 1,760 square feet, 26 feet 6 inches by 64 feet, and located towards the front of the property, observing a 25-foot front yard building setback 5-foot west side yard, and 5-foot east side yard setback. The Zoning Investigator's site observation revealed a building setback that appears to be the same with the east and west adjoining properties and may be the prevailing setback overall.

The driveway is to be a 15-foot wide shared driveway along the east side of the proposed dwelling, extending to the rear. However, when measured to scale and per site observation, the driveway appears to be 10 feet wide.

The plot plan indicates there is a distance of approximately 80 feet from the rear of the proposed second dwelling to the front of the existing single-family dwelling. However, when measured to scale the distance appears to be approximately 66 feet. Between the proposed and existing dwellings is an existing two-car garage in front of the existing dwelling and a proposed two-car carport is proposed at 10 feet from the rear of the proposed second dwelling. When measured according to scale, the plot plan indicates the carport would be 8 feet 9 inches from the rear of the second dwelling. Due to the inaccurate measurements given for the driveway and carport setback, revised plans may be warranted.

The existing dwelling was built in 1945 per ZIMAS information and noted to be 1,178 square feet. Buildings records indicate the dwelling was relocated to its current location. However, the prior location cannot be determined. Floor plan of the second dwelling shows three-bedrooms, and two baths, with the front door facing north (i.e., not towards Paddock Street). The maximum height of the second dwelling is approximately 14 feet.

Staff observation of the area and from ZIMAS research reveals that the neighborhood is fairly uniform in respect to lot sizes (i.e., deep oversized R1 lots) and building setbacks of approximately 25 feet. Additionally, close to half of the

properties along Paddock Street have two single-family dwellings on one lot. These appear to be legal nonconforming second dwelling units, built 1940 to early 1960. The homes are all one-story with a few exceptions such as a new two-story addition and two-story accessory unit at 15015 Paddock Street. The east and west adjoining properties are developed with two single-family dwellings, similar to the proposed request. Both adjoining properties have driveways between the dwellings.

Overall, the second dwelling unit as proposed (i.e., one-story) with parking on-site appears compatible and conforming to the existing neighborhood pattern/density.

At the time of preparation of the Zoning Investigator's report, no public agency submitted written comments and no correspondence was received from the general public.

A representative of the Sylmar Neighborhood Council stated the project proponent's request is scheduled to be considered by the Neighborhood Council ("NC") at its next meeting. He requested the NC be given an opportunity to evaluate the project to ensure compatibility with its surroundings. The Zoning Administrator saw merit in this since the façade facing the street should be redesigned to appear more as the front of the residence rather than side and the proposed fence can be designed to be in harmony with its surroundings. No additional testimony was taken.

After review of the administration record, the Zoning Administrator "Approved in Concept" the request and found justification for the deviation from strict application of the Zoning and Planning Code, as discussed in the Findings. The record was left open until January 11, 2008 for additional information from the Neighborhood Council. No additional information was submitted at the time of preparing the Determination.

#### **MANDATED 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 result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.**

The property is a level, rectangular-shaped, interior, 11,010 square-foot parcel of land, with a 50-foot frontage on Paddock Street with an even width and depth of 50 feet and 220 feet, respectively. A 4-foot wide easement is located along the rear property line. Most of the property from the middle to the front of the site is vacant. A one-story detached garage and one-story single-family dwelling is located towards the rear of the property. A single concrete driveway runs along the east side of the property and a chain link fence is aligned with the perimeter of the property.

The property owner is seeking a Variance from Section 12.08-A,1 to allow the construction of a second 1,760 square-foot single-family dwelling unit on an 11,010 square-foot lot in the R1-1 Zone.



The general purpose and intent of the R1 Zone regulations are to establish and maintain consistency and compatibility between respective uses. Such regulations are written on a Citywide basis and the variance procedure allow the Zoning Administrator to take into account individual unique characteristics which a specific property may have (*see Finding No.2*).

Denial of the project proponent's request would hamper optimal use of an 11,000 square-foot lot. Two dwellings on the property are similar in density as any standard R1 zoned property in the City. Further, the proposed dwelling of approximately 1,760 square feet complies with setback and height requirements and; therefore, is similar and compatible with other dwellings in the area. Denial of the request would unfairly prevent the project proponent from enjoying reasonable use of the subject site.

2. **There are 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.**

There are several special circumstances. One, the subject property, as others in the area, is oversized at 11,000 square feet for the R1 Zone. Two, other properties in the immediate area are also oversized at between 9,500 to 22,000 square feet. Lastly, half of the properties along Paddock Street have two dwellings on a lot.

3. **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 the property in question.**

The project proponent will be granted a substantial property right possessed by other properties in the same zone and vicinity. As observed by the Zoning Investigator, the neighborhood is fairly uniform with respect to lots sizes (i.e., deep oversized R1 lots) and building setbacks (i.e., approximately 25 feet). Additionally, close to half of the properties along Paddock Street have two single-family dwellings on one lot. These appear to be legal nonconforming second dwelling units, built from the 1940's to early 1960's. However, it sets the density and character of the area which property owners wish to keep as evidenced by the letters in support. The east and west adjoining properties are developed with two single-family dwellings, similar to the proposed request.

4. **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.**

The granting of the variance will not be materially detrimental to the public welfare or injurious to the property in that potential impacts are minimized by its design and through the conditions of approval.

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

The Sylmar Community Plan Map designates the property for Low Residential land uses with corresponding zones of RE9, RS, R1, RD6 and per Footnote 1, with a Floor Area Ratio of 1.5:1, a Height District 1, and per Footnote 6. The RD6 Zones permits apartments, attached and detached housing. Approval of two dwellings on the property is consistent with the density permitted by the corresponding zones.

#### **ADDITIONAL MANDATORY FINDINGS**

6. 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.
7. On December 5, 2007, a Mitigated Negative Declaration (ENV 2007-2060-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that with imposition of the mitigation measures described in the MND (and identified in this determination), there is no substantial evidence that the proposed project will have a significant effect on the environment. I hereby adopt that action. This Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street.



R. NICOLAS BROWN, AICP  
Associate Zoning Administrator  
Direct Telephone No. (818) 374-5069

RNB:aln

cc: Councilmember Richard Alarcon  
Seventh District  
Adjoining Property Owners  
County Assessor