

Filing justification

Finding for approval of a zone variance for a zero lot area.

1. That the strict application if the provisions of the zoning ordinance would result in the practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.

Strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardship if the existing 29th-31st unit (unpermitted) would not be allowed, because it would result in the dislocation of the current occupant of said 29th-31st unit. Review of the records available shows that on April 2000 a non-profit exemption status was granted for 28 units, from the rent stabilization ordinance under RSU#0492918. The county assessor's records show units built in 1984, which also shows on ZIMAS property profile. Since the records show that the applicant acquired the subject property only in December 23, 2005. The unnecessary hardship/practical difficulties are not self-imposed. The unit has existed long before the applicant acquired the apartment building. The present zoning clarification of R3-1-RIO of the subject property added to the hardship because it limited the number of units to the 25. That meant that the 6 units of the 28 units permitted in 1984 would have zero lot area.

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

There area special circumstances applicable to the subject property, such as the size of the property, which has a lot area of 20,649.4 square feet. In 1984, it was permitted to construct 28 units on the subject property. Under the current zoning classification of the R3-1-RIO subject property will be allowed 25 units only, and even if a density bonus would be applied, the maximum number of units allowed would be 28.

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

The requested variance is necessary for the preservation and enjoyment of a substantial property right or use possessed by other property in the same zone and vicinity. The surrounding property at 15630 Vanowen To the east is developed with 55 units permitted in 1986. Under the current

R3-1-RIO zone said property are allowed 28 units only for it has a lot area of 20,649.4 square feet. Hence the 3 existing unit area with a zero lot area if the R3-1-RIO zone requirements would be applied. An existing property across, Irolo St. is developed with 95 units permitted in 1987. And North West of the property across James M Wood Blvd. is developed with 33 units permitted in 1987.

4. That the granting of the 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 or improvements in the same zone because the surrounding properties are developed with multi-family residential uses of the same or more number of units. Granting the variance will not increase the existing total floor area of the subject property and will not change the existing building envelope.

5. That the granting of the variance will not adversely affect any element of the general plan.

Granting of the variance will not adversely affect any element of the general plan nor will it change the use of the subject property, which is compatible with the existing improvements of the surrounding properties. It will make available one affordable residential unit, which is in line with the cities housing program. Granting the variance will also clean up the records of the Los Angeles city Housing Department, Department of Building & Safety and the Los Angeles County Assessor's Office.