Request:

Zoning Admonitor’s Adjustment for construction of gate in required front yard setback exceeding 8 feet in height pursuant to 12.28 as required by 12.21.C1.g.

Background/History:

The subject property is a 28,533 square foot, irregularly shaped lot in the RE11-1-HCR zone with a General Plan Land Use of Very Low II Residential (APN: 4392015009). The subject lot is currently developed with a truck parking area and associated landscaping per permit number 14020-10000-01560. However, the applicant’s overall property is composed of several properties, each zoned RE11-1-HCR and is irregularly shaped, with a total lot area of approximately 130,000 square feet (4392015009; 4392016027; 4392016016; 4392015010; 4392016032). The overall site is improved with two single family residences, one cabana/accessory building, two swimming pools, a pool guest house, a carport, a pergola, a detached garage, a pump house, and landscaping with several retaining walls.

The property is in the Hollywood Community Plan, Bel Air-Beverly Crest Neighborhood Council, Hillside and Special Grading Area, Hillside Construction Regulation District, and Very High Fire Severity Zone.

Properties to the north, east, and south are in the RE11-1-HCR zone. Properties directly to the west are located within the City of Beverly Hills. All lots are developed with one- and two- story single-family dwellings, of various architectural styles, and similar lot sizes.

Project:

The applicant is applying for an adjustment to allow the addition of two concrete pilasters and a wrought iron gate and fence above 8 feet in the required front yard setback. The proposed fence/gate varies in height from 5’ 2” on the eastern upslope of the fence and 12’1” to the western downslope of the fence. The fence averages roughly 8’2” for the length of the fence/gate.

There are high traffic areas including Sunset Blvd. located to the south of the proposed gate and the applicant would like to install the gate to provide additional street security for the applicant’s property as well as the other owners to the north of the project site.

There are existing pilasters in the proposed locations which have sunk and are no longer structurally sound. The project proposes reconstructing these pilasters and integrating them with the proposed fence/gate, creating a safer and more aesthetically appealing design. There is an existing gate south of the project site near the intersection of Doheny and La Collina, located outside City of Los Angeles boundary, in the City of West Hollywood. However, this existing gate is routinely left open for utility repair, construction, and trash/waste disposal vehicles. Due to this, the gate does not serve its intended function for additional security for the houses to the North. Additionally, the existing gate sections, consisting of an east and west panel and piers are owned and controlled by the two houses adjoining them respectively. This suggests the existing gate may or may not exist in perpetuity. Finally, this gate is roughly 14’ wide, and the applicants proposed gate will be 18’ wide. As such, any access concerns as they relate to the Fire Department will not be applicable to the proposed gate because the existing gate is narrower. Regardless of this, the applicant intends to comply fully with LAFD requirements for the new gate, should the gate to the north be removed at any point.

La Collina Drive is a Private Street (No. 105, No. 127) fully improved to a width of 18 feet.

Doheny Road is not located in the City of Los Angeles and is fully improved to a width of 38 feet.

Previous zoning related action on the site and in the area include:

Subject Property:

ZA-2009-0238(ZV)(ZAD)(ZAA) On March 13, 2010, the Zoning Administrator approved a case for Zone Variance, two Zoning Administrator determinations and two Zoning Administrator adjustments. The Zone Variance is to allow four kitchens on a single lot. The ZAD’s are to permit nine retaining walls varying in heigh from 2.5’ to 15’ and to permit a lot fronting a substandard hillside street. The ZAA’s are to allow a reduced side yard setback for an existing structure and to permit over-in-height retaining walls in the rear-yard setback. The case was not effectuated.

ZA-2018-392-ZAD On November 13, 2018, the Zoning Administrator approved a case for Zoning Administrators Determination to permit a 1,727 square-foot addition to an existing single-family dwelling on a lot fronting a Substandard Hillside Limited Street with an Adjacent Minimum Roadway width that is less than the 20 feet and on a lot which does not have vehicular access from a 20-foot wide Continuous Paved Roadway from the driveway apron to the boundary of the hillside area.

Surrounding Properties:

ZA-2018-0392-ZAD Zoning Administrator’s determination to permit an addition to an existing single-family dwelling on a lot fronting a Substandard Hillside Limited Street with an Adjacent Minimum Roadway width that is less than the 20 feet as otherwise required by LAMC Section 12.21 C.1 0(i)(2). And a ZAD to permit an addition to an existing single-family dwelling on a lot which does not have vehicular access from a 20-foot wide Continuous Paved Roadway from the driveway apron to the boundary of the hillside area as otherwise required by LAMC Section 12.21 C.1 0(i)(3).

ZA 2006-5644(ZAD) On November 8, 2006, the Zoning Administrator approved the continued use and maintenance of a 7-foot 3-inch wood fence and gates within the front yard setback area of a single-family dwelling in the RE11-1 Zone, at 9342 West Sierra Mar Drive.

ZA 2006-0007(ZAA) On July 17, 2006, the Zoning Administrator approved an adjustment from Section 12.21 -C,5(f) of the Los Angeles Municipal Code to permit the construction, use and maintenance of a 320 square-foot second story recreation room over an existing garage, observing a 1-foot rear yard setback in lieu of the required 5 feet on a property located in the R1-1 Zone, at 1148 Sierra Alta Way.

ZA 2004-7313(ZAD) On May 19, 2005, the Zoning Administrator approved a fence 6 feet in height within the front yard setback in lieu of the 3 feet 6 inches in height allowed under Section 12.21- C,1 (g) of ,the Code, in the RE11-1 Zone, at 1249 North Doheny Drive.

ZA 2003-1449(ZAD) On December 29, 2003, the Zoning Administrator approved an addition to an existing single-family dwelling observing reduced side yards of 6 feet in the northerly side yard and 5 feet 6 inches in the southerly side yard in lieu of the required 8 feet, and an increase in lot coverage to a maximum of 50 percent, in the RE11-1 Zone, at 9288 West Sierra Mar Dr.

ZA 2002-0805(ZAA) On August 28, 2002, the Zoning Administrator approved a Zoning Administrator's Adjustment from Section 12.07.01 -C,1 of the Los Angeles Municipal Code to permit a reduced front yard of 12 feet in lieu of the required 25 feet for the addition of a dining room in conjunction with an existing single-family house in the RE11 Zone, at 9254 West Cordell Drive.

ZA 2002-1 342(ZAA) On July 3,2002, the Zoning Administrator approved an adjustment from Section 12.21-C,5(b) of the Los Angeles Municipal Code to allow a 100 square-foot accessory building (gazebo) in the front yard 18 feet from the front property line in the RE11-1 Zone, at 1140 North Sunset Vale Avenue.

ZA 2000-1358(YV) On October 17, 2000, the Zoning Administrator approved a variance from Section 12.21 -A, 17(c)(2) of the Los Angeles Municipal Code to permit the construction, use and maintenance of an addition to an existing single-family residence resulting in a total height of 48 feet in lieu of the permitted 36 feet; and a variance from Section 12.21-C,5(b) of the Code to permit an accessory living quarters, detached garage and trash enclosure to be located from 5 feet to 40 feet of the front lot line in lieu of the required 55 feet required for accessory structures, in the RE11-1 Zone, at 1230 La Collina Drive.

ZA 2000-1 353(YV) On May 24,2000, the Zoning Administrator approved a variance from Section 12.08-C,2(a) of the Los Angeles Municipal Code to permit a 1.5 side yard setback in lieu of the required 5 feet for a bedroom addition to a single-family residence in the R1-l Zone, at 1148 Sierra Alta Way.

Findings:

1. *Describe what site characteristics or existing improvements make strict adherence to the zoning regulations impractical or infeasible; and explain why the project nonetheless conforms with the intent of those regulations:*

The lot is bisected by La Collina Dr. which is a private street approved under case AA-2008-3670-DPS. Per Section 18.00 of the LAMC, a private street shall be treated as a public street with regards to calculating yard setbacks. This would require front yard setbacks on both sides of La Collina Dr. of 20% the lot depth or 25 feet maximum, making the gate/fence in its proposed configuration impossible, which is the subject of this request.

In reference to the height, the code restricts height of fences for adequate air, sun, privacy and preservation of view corridors. However, the topography of the subject site restricts the ability to construct a fence with uniform height. The grade is higher on the eastern portion of the fence, and lower on the western, requiring the fence to be taller to the west. The applicant indicates there would be practical difficulties relative to meeting the height restrictions, such as increased grading with no significant benefit to the provision of air, sun, privacy, or view corridors to the applicant or other surrounding residents.

Additionally, the gate crosses over the private street, which is allowed if the gate meets LAFD requirements noted below (and confirmed per communication with LAFD Hydrants and Access plan checker attached). The request satisfies the below conditions:

* The gate allows for minimum 40’ stacking distance between the gate and nearest intersecting street (Doheny Dr.).
* The power operated gate will be equipped with Fire Department approved security gate override device.

The request does not satisfy the below condition:

* The gate is not a minimum 20’. However, the proposal is consistent with the approved existing conditions of the private street. The existing street width is 18’ (per PS No 105, 127) which the gate will match.

1. *Describe how (in light of the project as a whole, including any mitigation measures imposed) the project’s location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety:*

The fence/gate is appropriate for this unusually configured lot that is located on a private street. The fence/gate will be compatible with site development in this neighborhood, as fences and garages are located within the front yard setback areas of other properties in the vicinity.

The proposed fence/gate is of a similar height and style to the adjacent fences. It will use light tan and dark grey features in a traditional design which is uniform with the other traditional and Spanish style fences along La Collina, creating a cohesive neighborhood feel. Additionally, landscaping will be used to integrate the gate/fence with the surrounding existing improvements. As such, the configuration and choice of materials along with the landscaping contribute to the general welfare of the neighborhood through an architecturally pleasing and compatible design.

Additionally, operation will be appropriate in the area because there is already an existing gate to the south of the project site. Though as previously mentioned, this gate is outside of the City of Los Angeles and does not effectively contribute to neighborhood security.

1. *Explain why the project is in substantial conformance with the purpose, intent and provisions of the General Plan, the applicable community plan and any applicable specific plan. (Plans can be viewed at http://planning.lacity.org):*

The granting of the variance will not adversely affect any element of the general plan because the Bel Air-Beverly Crest Community Plan designates the subject property for Very Low II Residential density with corresponding zones including the RE11 Zone. The property is not currently within the area of any specific plans or interim control ordinances. The project is in conformance with the City's General Plan in that it seeks to preserve housing by maintaining the same number of dwelling units on the property and promote neighborhood improvement by enhancing the security and aesthetics in the area.

The request is consistent with the adopted plan in as much as the new fence and gate, where proposed to be located, do not constitute additional dwellings within the property.