

## COASTAL DEVELOPMENT PERMIT QUESTIONNAIRE

### A. PREVIOUS ACTIONS:

Has this property ever had an application submitted to the State Coastal Commission or the City of Los Angeles for Coastal Approvals?  
NO

Is this property located within a Specific Plan area, has this project been reviewed and issued any kind of approvals?  
NO. Form 7812, the Geographic Project Planning Referral, due to be completed and in which the project would be granted a VSO.

### B. EXISTING CONDITIONS:

Existing use of land: classification as Multi-Family Residence, duplex/ two units.  
Proposed use of land: Multi-Family Residence, duplex/ two units

### C. GRADING:

Will the project involve any grading of earth, the import or export of dirt and/ or any construction on a Hillside property?  
NO, the site is relatively flat.

### D. PROJECT IMPACTS:

1. Will the development extend onto or adjoin any beach, tidelands, submerged lands or public trust lands?  
NO
2. Will the development maintain, enhance, or conflict with public access to the shoreline and along the coast?  
NO
3. Will alternatives to private vehicle use be provided or facilitated?  
NO  
How will the development affect traffic on coastal access roads?  
It won't, as the project use remains the same.
4. Is the development proposed within or in close proximity to an existing developed area?  
YES, the area is already established and developed with a mix of single and two-story homes.

Will it be visually compatible with the character of surrounding areas? If in a special community or neighborhood, how will it protect the unique local character?

YES, it fits within the range of existing mass, scale and character of the one, two, and three-story homes in the area. The neighborhood character is highly varied, and this is its appeal for many people, for all kinds of people with differing family sizes, lifestyles and tastes live in Venice. The owner has lived in Venice 2 years and is sensitive to building appropriately.

The project proposes demolition of the existing 576 sf unit, and construction of a new, two-story duplex, totaling 2,205 square feet. In 2001 there were two units on the site; one was demo-ed (under permit but without a CDP), one was renovated. The proposed duplex has a two-car garage, two uncovered spots in tandem behind the garage and one guest spot, all accessed from the alley. The neighborhood is residential and is developed with predominantly single family residences of between one and three stories. The neighborhood block along Carroll Canal on the south is developed with 6 one-story, 6 two-story and 6 three-story homes (one under construction); along the north side it has 6 one-story, 5 two-story and 11 three-story homes. A similar mix exists in the block to the west. The project site is five lots east of the Dell Ave Bridge. It has a single-story house to the west and a two-story home to the east, built in 2001.

The existing house of 576 sf consists of a building of 391 sf and a covered patio of 185 sf. It is not included in SurveyLA. It sits 4'-2" from the front property line fronting the canal, and, when the rear building on the site was demo-ed in 2001, underwent renovation. It was altered as follows: the front façade had its original window and front door changed to symmetrical, glass, French doors with arched door heads; the east wall had glass French patio doors added with side lights; wide casings were added to all windows and doors; a large portico was added to the rear, and the parapet was altered to carry decorative clay tile over an architrave. This property and the two to the east were renovated/ constructed simultaneously to have the

same appearance, which may be described as Spanish/ Italianate in style. The proposed duplex will replace this efficiency building.

The proposed project has a largely glass, two-story front façade with second floor balcony and a front deck at the first floor level. The exterior is proposed as stucco with a parapet roof at 25'-3", a 27'-1 5/8" flat roof set back over the dining room, and a roof deck with solar panels to the rear, obscured by the parapet. Visual interest would be provided along the facades with the generous use of glass at the front, a balcony set above a projecting first floor bay window 'box' and through changes in stucco color. The handrails at the roof level are proposed as cable railing. Regarding height, the project's roof parapet sits well within the Venice Specific plan's requirement of maximum 30 feet for a flat roof.

The rear of the building is 15' from the property line, with the first floor garage at 16.5' from the property line so as to fit 3 compact cars behind it, two in tandem with the cars in the garage and one guest spot.

Venice has no singular neighborhood character. Its homes include both cottages of all styles and sizes as well as modern architecture of all sizes, architectural languages and materials. The proposed project is appropriate in massing, scale and character, as it falls well within the range of the surrounding homes. Multiple neighbors have provided their signatures in support of the proposed project.

5. Describe how grading will be conducted so as to minimize alterations to land forms. If on a bluff or in an area of high geological risk, how will the project design assure stability and minimize erosion?  
No grading is planned.
6. Does the development involve diking, filling or dredging of open coastal waters, wetlands, estuaries or lakes?  
NO
7. Is the development coastal-dependent? Will it displace any coastal-dependent facilities?  
NO
8. How will the development affect biological productivity of coastal waters?  
There will be no effect on coastal waters.
9. Is the development proposed near parks or recreation areas or sensitive habitat areas?  
Yes, there is a small park nearby on the corner of Dell Ave and Linnie Canal.
10. Is the development proposed within of adjoining and suitable for agriculture?  
NO
11. What water conservation features are included in the project?  
Fixtures and equipment will follow or exceed LADBS Code requirements and be water saving.  
Permeable ground landscaping will be retained throughout.  
Stormwater mitigation measures are planned to include water retention systems such as Permavoid, below grade, which would feed landscaping.
12. What energy conservation features are included in the project?  
Fixtures and equipment will follow or exceed the LADBS Code requirements. This will include compliance with Title 24, which means that the new walls, roof and floors are properly insulated, the windows are double-glazed and e-rated, and light fittings are predominantly LED. Enabling natural coastal air flow through the home (passive cooling) through appropriate window, door and skylight opening locations will mean little to no need for AC. Solar panels are planned for the roof top, thus offsetting energy consumption from the grid.
13. Describe current location of service lines for necessary utility connections and any extensions or relocations of service lines.  
Water, gas and electrical service lines currently run along the alley to the rear of the property. Only the gas meter will require relocation closer to the alley. The water and electrical points of connection will remain the same.
14. Will the development protect existing lower cost visitor and recreational facilities? Will it provide public recreational opportunities?  
NO. The proposed development is a duplex and will not affect public facilities.

15. Will the development protect or provide low and moderate-income housing opportunities? Will it displace low or moderate-income housing?

NO

16. Is the development proposed within or near a known archeological, paleontological or historic site?

NO

17. List all permits, permissions or approvals required from public agencies for this development and indicate those already applied for or granted.

VSO – The project qualifies for a VSO, per the Geographic Project Planning Referral Form prepared by City Planner, **Juliet Oh**.

Los Angeles City Planning approvals pending.

LADBS plan submission pending.

18. Is the project located:

a. Between the sea and the first public road paralleling the sea? NO

b. Within 300 ft of the inland extent of any beach? NO

c. Within 300 ft of the top of a seaward face of any coastal bluff? NO

## FINDINGS FOR APPROVAL

### 1. The development is in conformity with Chapter 3 of the California Coastal Act of 1976.

The subject site is a relatively flat, rectangular-shaped, corner lot with a width of 30 feet and a depth of 95 feet; and a total lot area of approximately 2,849.9 square feet. The subject property adjoins an alley to the rear (Court D/ Carroll Canal Court). The subject property is zoned RW1-1-0 and designated for Low Medium II Residential land uses in the Venice Community Plan area. The neighborhood and properties immediately surrounding the property are developed with single-family dwellings in the RW1-1-0 zone, ranging in height from one to three stories; the majority of the properties on the fronting canal are one, two and three-story structures with moderate landscaping and vegetation. The subject property is located in the Single Permit Jurisdiction area of the Coastal Zone, and the Liquefaction Zone, the Venice Canals Subarea of the Venice Coastal Zone Specific Plan, the Los Angeles Coastal Transportation Corridor, a Calvo Exclusion Area, Methane Buffer Zone and the Liquefaction Zone. The site is within 5.8 kilometers from the Santa Monica Fault.

The application is for a Coastal Development Permit authorizing the construction of a new, 2,615 square foot multi-family dwelling (duplex), with 5 on-site parking spaces. The project is subject to review for compliance with the Mello Act.

Chapter 3 of the Coastal Act includes provisions that address the impact of development on public services, infrastructure, traffic, the environment and significant resources, and coastal access. Applicable provisions are as follows:

*Section 30211 requires that the new development shall not interfere with the public's right of access to the sea.* The development is located approximately 0.265 miles east from the shoreline and does not share a right of way to the Pacific coast; thus, the development will not interfere with the public's right of access to the ocean. The project consists of a new, 2,615 square foot duplex, with 5 parking spaces, and is limited to the subject property. As such, adequate parking is provided for the project, and public access to the sea will not be affected.

*Section 30244 requires reasonable mitigation measures to reduce potential impacts on archeological or paleontological resources.* The project consists of a new, 2,615 square foot duplex (square foot includes garage), with five on-site parking spaces. The subject site is not located within an area with known Archeological or Paleontological Resources. However, if such resources are later discovered during excavation or grading activities, the project is subject to compliance with Federal, State and Local regulations already in place.

*Section 30250 states that the new development shall be located in areas able to accommodate it, areas with adequate public services, and in areas where such development will not have significant adverse impacts on coastal resources.* The proposed project is located in an urban residential neighborhood developed with single-family dwellings and some multi-family dwellings. The proposed project consists of a new, 2,615 square foot duplex (square foot includes garage), with five on-site parking spaces. The project is located within an existing developed area and will be comparable in size, scale and use with the developed area. The property provides access for emergency vehicles on Carroll Canal Court, the alley at the rear of the property. Adequate parking and setbacks required by local zoning and building and safety requirements are provided. The projects will maintain connections and access to all public services typically used in residential areas, such as water and sewage, waste disposal, gas and electricity. The development will not overload the capacity of public services. Therefore, the proposed development will be effectively serviced and will not have a significant adverse impact on coastal resources.

*Section 30251 states the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.* The subject site and surrounding area are relatively flat, having no views to and along the ocean; no natural land forms will be altered as part of the project. The project proposes a new, 2,615 square foot duplex (square foot includes garage), with five on-site parking spaces, within a residential neighborhood developed with single and multi-family residential structures. The neighborhood is residential and is developed with predominantly single-family residences of between one and three stories. The neighborhood block along Carroll Canal on the south is developed with 6 one-story, 6 two-story and 6 three-story homes (one under construction); along the north side it has 6 one-story, 5 two-story and 11 three-story homes. A similar mix exists in the block to the west. The project site is five lots east of the Dell Ave Bridge. It has a single-story house to the west and a two-story home to the east, built in 2001.

The proposed project has a largely glass, two-story front façade with second floor balcony and a front deck at the first floor level. The exterior is proposed as stucco with a parapet roof at 25'-3", a 27'-1 5/8" flat roof set back over the dining room, and a roof deck with solar panels to the rear, obscured by the parapet. Visual interest would be provided along the facades with the generous use of glass at the front, a balcony set above a projecting first floor bay window 'box' and through changes in stucco color. The handrails at the roof level are proposed as cable railing. Regarding height, the project's roof parapet sits well within the Venice Specific plan's requirement of maximum 30 feet for a flat roof. The rear of the building is 15' from the property line, with the first floor garage at 16.5' from the property line so as to fit 3 compact cars behind it (2 in tandem). As such, the project will not have a significant adverse impact on the integrity of the neighborhood.

*Section 30252 states that the new development should maintain and enhance public access to the coast.* The project proposes a new, 2,615 square foot duplex (square foot includes garage), with five on-site parking spaces, within a residential neighborhood developed with single and multi-family residential structures. The project will not obstruct access to the coast as the area is already established with single- and multi-family residential structures. The subject site is located more than 0.265 miles east of Venice Beach. No permanent structures would be placed within the public right-of-way and public access to the coast would not be impacted.

*Section 30253 requires new development to minimize risks to life and property in areas of high geologic, flood and fire hazard, minimize impacts along bluffs and cliffs, and protect special communities and neighborhoods that are popular visitor destination points for recreational uses.* The property is located within 5.8 kilometers from the Santa Monica Fault. As such, the project is subject to compliance with Zoning, Building and Fire Safety Code requirements that will minimize risks to life and property in geologic hazard areas.

The proposed project will replace the existing single unit on the site with a multi-family residence including two units, per its official classification and required use. The proposed project would have no adverse impacts on public access, recreation, public views or the marine environment, as the property is located within a developed residential area and located approximately 0.265 of a mile from Venice Beach. The project will neither interfere nor reduce access to the shoreline or beach. There will be no dredging, filling or diking of coastal waters or wetlands associated with the request, and there are no sensitive habitat areas, archaeological or paleontological resources identified on the site. The proposed dwelling will not block any designated public access views. As conditioned, the proposed project is in conformity with Chapter 3 of the California Coastal Act.

**2. The development will not prejudice the ability of the City of Los Angeles to prepare a local coastal program that is in conformity with Chapter 3 of the California Coastal Act of 1976.**

Coastal Act Section 30604 a) states that prior to the certification of a Local Coastal Program ("LCP"), a coastal development permit may only be issued if a finding can be made that the proposed development is in conformance with Chapter 3 of the Coastal Act. The Venice Local Coastal Land Use Plan ("LUP") was certified by the California Coastal Commission on June 14, 2001; however, the necessary implementation ordinances were not adopted. The City is in the initial stages of preparing the LCP; prior to its adoption the guidelines contained in the certified LUP are advisory.

As discussed, the project proposes a new, 2,615 square foot duplex (square foot includes garage), with five on-site parking spaces, within a residential neighborhood developed with single and multi-family residential structures. The subject site is zoned RW1-1-0 with a General Plan Land Use Designation of Low Medium II Residential, and Use Code of 0200 Residential – double, duplex or two units, 4 stories or less.

The following are applicable policies from the Venice Coastal Land Use Plan:

Policy I.A.1 identifies general residential development standards regarding roof access structures and lot consolidation restrictions. The project is limited to the development of one lot.

Policy I.A.3 outlines density and development standards for areas designated for single-family dwellings and low density development. The project consists of construction of a new duplex, as permitted by state law.

Policy II.A.3 outlines the parking requirements for multi-family dwellings; two spaces for each dwelling unit and one guest parking space for each four or fewer units. The LUP and SP did not anticipate the provision of multiple units in the RW1 zone so there is not a separate requirement for guest parking for the Canals. The Parking Requirement Table includes a threshold of "40 feet or more in width, or 35 feet or more in width if adjacent to an alley". The lot is 30 feet wide and adjacent to an alley, so guest parking is not required. However, one guest parking is provided. The project maintains a total of five parking spaces on site.

The proposed project is consistent with the policies of the Land Use Plan and the standards of the Specific Plan and will not prejudice the ability of the City to prepare a local coastal program that is in conformity with Chapter 3 of the California Coastal Act.

**3. The interpretative Guidelines for Coastal Planning and Permits as established by the California Coastal Commission dated February 11, 1977, and any subsequent amendments thereto have been reviewed, analyzed, and considered in light of the individual project in making this determination.**

The Los Angeles County Interpretative Guidelines were adopted by the California Coastal Commission (October 14, 1980) to supplement the Statewide Guidelines. Both regional and statewide guidelines, pursuant to Section 30620(b) of the Coastal Act, are designed to assist local governments, the regional commissions, the commission, and persons subject to the provisions of this chapter in determining how the policies of the division shall be applied to the coastal zone prior to the certification of a local coastal program. As stated in the Regional Interpretative Guidelines, the guidelines are intended to be used in “a flexible manner with consideration for local and regional conditions, individual project parameters and constraints, and individual and cumulative impacts on coastal resources. In addition to the Regional Interpretative Guidelines, the policies of Venice Local Coastal Program Land Use Plan (the Land Use Plan was certified by the Coastal Commission on June 14, 2001) have been reviewed and considered. The project consists of a new, 2,615 square foot duplex (square foot includes garage), with five on-site parking spaces, within a residential neighborhood developed with single and multi-family residential structures. The Regional Interpretative Guidelines have been reviewed and the proposed project is consistent with the requirements for the Venice Canals Subarea; the project also complies with the policies of the LUP and standards of the Venice Specific Plan.

**4. The decision of the permit granting authority has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30265(c) of the Public Resource Code, which provides that prior decisions of the Coastal Commission, where applicable, shall guide local governments in their actions in carrying out their responsibility and authority under the Coastal Act of 1976.**

The project consists of a new, 2,615 square foot duplex (square foot includes garage), with five on-site parking spaces, within a residential neighborhood developed with single and multi-family residential structures. The development does not conflict with prior decisions of the Coastal Commission. The Coastal Commission recently took action on the following projects in the Venice Coastal Zone:

- Venice Planner to please provide list of cases:

**5. The development is not located between the nearest public road and the sea of shoreline of any body of water located within the coastal zone, and the development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976.**

Section 30210 of the Coastal Act states the following in regard to public access:

In carrying out the requirement of Section 4 of Article X of the California Constitution maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, right of private property owners, and natural resources from overuse.

Section 30211 of the Coastal Act states the following in regards to public recreation policies:

Development shall not interfere with the public’s right of access to the sea where acquired through use or legislative authorization, including but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

The subject property is located approximately 0.265 of a mile from the closest body of water within the coastal zone. Despite the distance to the water, the project could have a cumulative effect on public access to the coast if it resulted in a loss of on-street parking spaces or did not provide adequate parking for the dwelling. The project will provide five parking spaces on-site. As proposed, the project will not conflict with any public access or public recreation policies of the Coastal Act.

**6. An appropriate environmental clearance under the California Environmental Quality Act has been granted.**

A Categorical Exemption has been proposed, as stated in the Geographic Project Planning Referral Form prepared by City Planner, **Juliet Oh**, consistent with the provisions of the California Environmental Quality Act and the City CEQA

Guidelines. The project proposes a new, 2,615 square foot duplex (square foot includes garage), with five on-site parking spaces, within a residential neighborhood developed with single and multi-family residential structures. The Categorical Exemption for the proposed project is appropriate pursuant to CEQA Guidelines Section 15301 and City CEQA guidelines Article III, Section 1, Class 1, Category 5, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to the CEQA Guidelines Section 12300.2 applies.

The Class 1, Category 5 categorical exemption allows for additions to existing facilities provided that the addition will not result in an increase of more than; 50% of the floor area of the structure before the addition or 2,500 sq. ft., whichever is less; or 10,000 sq. ft.; if the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan, and the project is not located within an environmentally sensitive area. The project consists of a new, 2,615 square foot duplex (square foot includes garage), with 5 on-site parking spaces, within a residential neighborhood developed with single and multi-family residential structures. The projects adds less than 10,000 sq. ft.

Furthermore, the Exceptions outlined in the State CEQA Guidelines 15300.2 do not apply to the project:

- a) Location. The project is not located in a sensitive environment. Although the project is located within the Coastal Zone, the residential neighborhood is not identified as an environmental resource. The proposed project is consistent with the scale and uses proximate to the area. The subject site is not located in a fault zone, nor is it within a landslide area. It is located in a relatively newly defined flood zone, Zone AE (8' BFE – Base Flood Elevation), and is subject to the Flood Management Specific Plan. As required by the Bureau of Engineering, Clean Water Division, the first floor level is set one foot above the 8' BFE, at 9'. FEMA floodproofing requirements for construction will be adhered to. Although the project is located within a liquefaction area, the project is subject to compliance with the requirements of the Building and Zoning Code that outline standards for residential construction.
- b) Cumulative Impact. The project is consistent with the type of development permitted for the area zoned RW1-1-0 and designate Low Medium II Residential use. The proposed new single-family dwelling unit will not exceed thresholds identified for impacts to the area (i.e. traffic, noise, etc.) and will not result in significant cumulative impacts.
- c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The proposed project consists of work typically to a residential neighborhood, no unusual circumstances are present or foreseeable.
- d) Scenic Highways. The project site is not located on or near a designated state scenic highway.
- e) Hazardous Waste Sites. The project site is not identified as a hazardous waste site or is an any list compiled pursuant to Section 65962.5 or the Government Code.
- f) Historical Resources. The subject site and existing structure have not been identified as a historical resource or within a historic district (SurveyLA, 2015), the project is not listed on the National or California Register of Historic Places, or identified as a Historic Cultural Monument (HCM).

Therefore, the project is determined to be categorically exempt and does not require mitigation or monitoring measures. An appropriate environmental clearance has been proposed, as stated in the Geographic Project Planning Referral Form.

## FINDINGS FOR A SPECIFIC PLAN EXCEPTION

SUBJECT PROPERTY ADDRESS: 414 CARROLL CANAL, VENICE, CA. 90291

Because the Venice Canal Subarea sits newly within a Flood Zone there is a fairly newly adopted requirement of having the first floor be at 9', one foot above the 100 year flood line of 8'. This requirement pushes the building volume up substantially, both up into the allowable height limit envelope (which we have been able to adjust for), and 18 ½" over the VSP's 18" front deck maximum height. We are requesting a Specific Plan Exception for a portion of the deck and have an alternative solution. The 18" height limit of front decks in the VSP was instituted prior to the new Flood Zone classification of the Canals. The request is for easing of this standard only alongside the entry to the lower level for deck access from the interior to the exterior deck. The intent/policy of the 18" deck height limit can largely be maintained by the proposed deck layout, as most of the proposed deck fronting on the canal sits at 18".

Specifically, the request is for a 3'-6" 'landing' in line with three steps up from the 18" high deck to the front door and sliding doors on the canal front. The landing maintains the open access between inside and outside as is generally favored in the canals along the canal frontage. The landing would be 1'-6 ½" over the allowable 18 inches. A low 8" barrier is proposed along the 'landing'. 98 sf of the 450 sf front yard would be raised above 18" (incl. landing, steps and low wall). This is 22% of the front yard.

The request is being made as a result of the new classification of the Canals as being within the Flood Zone AE, with a BFE (base flood elevation) of 8'. The finished first floor is thus required to be one foot higher than the BFE, placing it at 9'. This required raising the building up through the allowable build envelope. The building has been modified to comply with the height restrictions of the VSP, but given what the plan needs to accommodate within 2 levels, it doesn't work to step the entry back further than the setback by 6'. It has been stepped back by 18". Much needed space would be removed from the interior, and without a specific plan exception or code amendment this would be effectively re-establishing the first floor setback for all new construction homes as between 18'-21', depending on stair configuration, so that they could also comply with LADBS stair and landing code.

**A. That the strict application of the policies, standards and regulations of the geographically specific plan to the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of such specific plan.**

Accommodating a stair to the deck within the building footprint would be an unnecessary hardship, as it would effectively remove a further 6' of the lower level footprint from the building envelope. Given the small size of the lot and the intention to build only a two-story building for the required duplex, it would not allow the project to accommodate the spaces it needs to. This practical difficulty is easily removed by accommodating steps from the raised first floor down to the deck, which sits largely at the intended 18" height.



As stated above, much needed space would be removed from the interior, and without a specific plan exception or code amendment this would be effectively re-establishing the first floor setback for all new construction homes as between 18'-21' so that they could also comply with LADBS stair and landing code. This is difficult to work with on tight sites such as this one.

**B. That there are exceptional circumstances or conditions applicable to the subject property involved or to the intended use or development of the subject that do not apply generally to other property in the specific plan area.**

The request is being made as a result of the new classification of the Canals as being within the Flood Zone AE, with a BFE (base flood elevation) of 8'. The finished first floor is thus required to be one foot higher than the BFE, placing it at 9'. This required raising the building up through the allowable build envelope, and the building has been modified to comply with the height restrictions of the VSP. Regarding deck access, much needed space would be subtracted from the interior if the building were to comply with the letter of the law, and without a specific plan exception or code amendment this would be effectively re-establishing the first floor setback for all new construction homes as between 20'-21' so that they could also comply with LADBS stair and landing code. This would be damaging to home owners newly building their homes as the lots are already small. The loss is almost 10% of the lower level square footage. In this specific case it would result in the loss of a bedroom. In addition, this lot must accommodate a duplex per its classification, which puts further pressure on square footage.

No homes were required to give up interior space to accommodate stairs to the deck up until a few months ago, prior to the new flood zone classification. The 18" deck height limit made sense when the homes were not required to be elevated by as much as is required now. The older, historic decks of raised foundation homes were established at much higher elevations prior to the 18" limit, so raising the deck partially is in keeping with the general fabric of the decks that front the canals. The request for a partial deck increase in height is highly reasonable, as it is only to be able to get down to the deck from a building that is now required to be raised quite substantially.

**C. That the exception from the geographically specific plan is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property within the geographically specific plan in the same zone and vicinity, but which because of such special circumstances and practical difficulties or unnecessary hardships is denied to the property in question.**

The code regarding Flood Zone compliance results in a substantial raising of the building above grade, and it makes sense to allow homes to have a zone within the front yard to access the dwelling via steps in order to maintain the natural flow of space between the interior and exterior spaces that front onto the Canals. All other home owners enjoy this right. They also do so by having been able to build within the allowable envelope that is set back 15' from the front property line, not having usable space subtracted from their first floor by 5' to 6' from the build envelope, which on a small, narrow lot would be a substantial reduction. Ideally there should be

no penalty regarding access to the exterior because of the Flood Zone change, as the requested adjustment is very reasonable, with very minimal impact. The older decks were built much higher than 18” and some right up to the property line. All three properties to the west have raised decks within the 15 ft setback over 18”, as they are older homes. The proposed deck still maintains views and the general intent of the 18” deck height by stepping down to this elevation efficiently from the interior space.

**D. That the granting of the exception will not detrimental to the public welfare or injurious to the property or improvements adjacent to or in the same vicinity of the subject property.**

Having a portion (22%) of the deck higher than the 18” limit will in no way be detrimental to public welfare or injurious to the property or improvements in its vicinity. The proposed building is set back by 15’ and the request is for a 3’-6” portion of the landing and 2 treads (3 risers) down to the 18” high deck to be higher than the 18”. This neither obstructs views from the public path or neighbors, nor creates an eyesore or hazard. It is not injurious to the property, but is instead necessary for the property to function properly and comply with LADBS code.

The existing building, to be replaced, currently maintains only a 4’ setback from the front property line, and with the proposed construction occurring instead at 15’ setback this constitutes an opening up of space and views to Carroll Canal. The proposed access to the deck necessarily would be up against the building and not disrupt views from the canal path or restrict views of neighbors. The proposed raised portion acts as a landing/walkway alongside the house, and as such will be unfurnished. The main portion that will be furnished and used for gathering is at the allowable 18” height. To the west, the older home on 412 Carroll Canal is setback about 7.5’ from the front property line, currently; to the east the home built 20 years ago has a 15’ setback.

**E. That the granting of the exception will be consistent with the principles, intent and goals of the geographically specific plan and any applicable element of the General Plan.**

The deck height of the VSP was codified when the Flood Zone Map did not include the Canals, and with the reclassification of the Canals, there are new circumstances that will affect all new construction. It made sense previously to be at 18” to keep a sense of openness between the Canals and the front yards, though of the older homes, many have higher decks. As far as is possible, we have proposed a deck within the intention of the VSP by creating a landing and steps to access a larger, lower deck area, which is within the stipulated 18” height. The steps are for function only and for LADBS compliance. They are a highly reasonable request as they respect the intent and goals of the VSP.

