

# *Pauline Amond and Associates*

*Land use and Zoning consultants*

## 14518 thru 14520 West Foothill Boulevard Variance findings

1. Explain why the strict application of the zone code would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.

Answer: The property at present is showing the RD3-1XL Zone, however the T and Q have most likely had not been effectuated by posting the fees and the paying of all the many improvements. Meaning the property is still RA-1 and not ready to build homes for the RD3 for Multifamily. The cost of doing all of that with a project of lower density of 7 units would be cost prohibitive to build including a very costly new zone change, the present use of being a business for pool construction has been there since 2003 entitled by the variance filed twice now. It is the intention of the owner to continue the use this site for his office for new pool construction and storage of the fleet of trucks over 5600 pounds.

2. Describe the 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.

Answer: the parcel is approximately one half and is located next to foothill boulevard on a curve in the road that changes directions from going a normal west to east direction to southeast path. The topography slopes from the north to the southwest at 10 percent grade, it is next to a major highway foothill Blvd and is subsequently adjacent to the 210 freeway. It is an odd shaped parcel for the front of it is slanted to the west facing north east. it has unequal sides. one side is 212 feet in length which is adjacent to a five-unit multifamily detached homes, the other side of the subject is 250 feet long and adjacent to a large lot that is connected to the adjoining lot south of it. The zoning and land use is not consistent with what Zimas is showing at this time, some of the properties showing that it is zoned multi family RD3 is actually un-effectuated and still remains the underlying RA-1 zone due to being undeveloped. The property is also not in the vicinity for sewer hookups at this time, making it undesirable still for development of the muti family zone for development

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3. Explain why the 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 the special circumstances and practical difficulties or unnecessary hardships is denied to the property in question.

Answer : The present use has been there legally permitted since 2002, it has been twice approved by zone variance to allow the use of an office and storage of trucks over 5600 pounds and operated in harmony with the neighborhood, there is a use of land permit for the present use and the owner complied with the conditions of the previous variances filed in the past , the property because of the grade and no sewer is still not desirable to develop for home uses without acquiring the other large parcels that are adjacent, until such time that the character of this neighborhood drastically changes as Jon Perica stated in the first approval. The variance is to be approved temporarily so the neighborhood can catch up with community plan, however we are asking for a longer amount of time for this newly filed variance since the use has been operating for over twenty years. There would be no harm in granting it in perpetuity, if the neighborhood surroundings change enough to clash the owners they will eventually want to leave and find other options for work office and storage of said trucks

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4.

Explain why the granting of the variance would not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the subject property is located.

Answer

The grant of the instant request will not be detrimental to the public welfare or injurious to the property or improvements in the area. The requested use has limited hours of operation and results in very minimal activity at the site. The use has been operating for over twenty years and the daily operations do not create a lot of traffic. The primary use of the subject property is to park vehicles and operate the business office. The continued use and maintenance of this location by the applicant will not have any adverse impact.

5. Explain why the granting the variance would not adversely affect any element of the General Plan.

The Sylmar Community Plan designates the subject property for Low Medium I and Low-Density residential development with corresponding zones of RD2, RDI .5, RE9, RS, R1 and RD6 and Height District No. 1. Until such time as the owner or owners of property undertake to change the zones of the subject site and those nearby properties