

Special Instructions for:

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**ZONE / YARD VARIANCE APPLICATION (ZV) / (YV)
ZONE CODE SECTION: 12.27 VARIANCES
ADDITIONS TO NONCONFORMING DWELLING UNITS IN R1 AND R2 ZONES
PARKING IN THE REQUIRED FRONT YARD 12.21 A 5, 12.21 C 1 (g)**

For **ZONE VARIANCES** use the **MASTER LAND USE APPLICATION INSTRUCTION SHEET—500' RADIUS**.

For **YARD VARIANCES** use the **MASTER LAND USE APPLICATION INSTRUCTION SHEET –ABUTTING OWNERS NOTIFICATION**.

For **ADDITIONS TO NONCONFORMING DWELLING UNITS AND PARKING IN THE REQUIRED FRONT YARD** use the **MASTER LAND USE APPLICATION INSTRUCTION SHEET—ABUTTING OWNERS**.

IN ADDITION, FOR PAWN SHOPS, 2 DUPLICATE COPIES OF THE APPLICATION, THE FINDINGS BELOW, THE RADIUS MAP, AND THE FLOOR PLAN ARE REQUIRED.

For **ADDITIONAL INFORMATION/FINDINGS** use additional sheets as necessary.

In order to grant your request the following findings/questions must be addressed to the Zoning Administrator. Please try to explain as best as possible how your request conforms to the following requirements:

1. That 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 zoning regulations in this area have been reduced from R3 to RW1 zoning. This only permits single-family dwellings as future developments. Subdividing this lot into two separate parcels will decrease the density, as there will be one structure per parcel. One structure per parcel will make this property more consistent with the RW1 zoning which aims for a single-family dwelling per lot. This subdivision will give the appearance of two separate single-family dwellings. Each building will have 2 units, which was consistent with the Zoning Code when the building was built in 1948. To comply with R1's strict application will result in the removal of two units from the rental market. This is not the desired effect, nor the intent, of the lot split.

2. That there are 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.

The granting of the increased density will result in a development that is compatible and consistent with surrounding areas. Within this block, there are three, 4-unit complexes to the north and four, 4-unit complex to the south with one 2-unit complex. The lot split will reduce the complex to two, 2-unit complexes, this will give the appearance of a more compatible building within the area, where the bulk of the buildings across the grand canal and all the properties to the east are all single family dwellings.

New construction in this area has caused the demolition of housing units and/or small beach homes, in place, new single-family dwellings have been built. To reduce the density of this lot to a single-family dwelling will result with the removal of two units from the rental market.

3. That 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 to the property in question.

The variance will allow the properties to conform to a great degree to the current Planning Guides and Zoning Code in the Venice Canals. The buildings will now appear to be two single-family dwellings.

The variance will still preserve the Venice Canal's character and appearance. From the front (canal side), the two buildings will appear to be two single family dwellings once the roof connection is removed and one stair moved to the north side of the building of the north building. It conforms to almost all the requirements of the Land Use Element and the General Plan. The access to the canals is not interrupted in any way, and the separation of the roofs will prevent the spread of fire between the two buildings. All the comforts, peace, health, safety, and interest of the canals will be preserved by the variance to leave the density as it exists.

The removal of one unit from each property will reduce the income from both buildings substantially and remove two necessary rental units from the market.

4. That 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 such a variance will not be detrimental to the public welfare or injurious to the property as there are no changes to the buildings and no interior alterations.

No additional square feet that will be added.

Part of the roof and the front balcony, which joins the two buildings will be removed to achieve separate physical structures. A new stairwell will be built to the north side of one of the buildings so both structures will comply with the required side yard setback in-between the structures.

This will generate the appearance of two smaller structures that appear to be single-family dwellings.

5. That the granting of such variance will not adversely affect any element of the General Plan.

Granting the variance of a higher density will allow the same current use as exists today, that is, 2 units per building. To reduce the density to a single-family dwelling will result with the removal of two units from the rental market. Within this block, there are three, 4-unit complexes to the north and four, 4-unit complex to the south with one 2 unit complex. The lot split will reduce the complex to two, 2-unit building, this will give the appearance of a more compatible building within the area. Majority of the buildings across the grand canal and all the properties to the east are all single family dwellings.

Additionally, the buildings measure 1,386 square feet each. The separation will give the appearance of a two separate single-family dwellings achieving consistency with the area.

The granting of the higher density will make certain that any future development will be limited to a single-family dwelling on each lot.

The variance will not negatively impact to the Open Space requirements of the Code. The lot coverage is less than required and the height is under the height limit.

The only open space that falls short is the front yard setback of 14 feet to the front balconies. However, the distance to the building, and not the balcony, from the front property line is 18 feet. The front yard setback requirement is 15 feet.

The parking spaces will remain the same.