

## REPORT TO THE HEARING OFFICER

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DATE ISSUED: December 26, 2024

HEARING DATE: January 7, 2025                      AGENDA ITEM: 5

PROJECT NUMBER: PRJ2023-000349-(2)

PERMIT NUMBER(S): Yard Modification No. RPPL2023000478

SUPERVISORIAL DISTRICT: 2

PROJECT LOCATION: 5486 Valley Ridge Avenue, Los Angeles, CA 90043

OWNER: Gregory Rachal

APPLICANT: Isabel Giraldo

CASE PLANNER: Evan Sahagun, Planner  
ESahagun@planning.lacounty.gov

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### RECOMMENDATION

*The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:*

LA County Planning staff (“Staff”) recommends **APPROVAL** of Project Number PRJ2023-000349-(2), Yard Modification Number RPPL2023000478, based on the Findings (Exhibit C – Findings) contained within this report and subject to the Draft Conditions of Approval (Exhibit D – Conditions of Approval).

Staff recommends the following motions:

#### **CEQA:**

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.

#### **ENTITLEMENT:**

I, THE HEARING OFFICER, APPROVE YARD MODIFICATION NUMBER RPPL2023000478 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

## **PROJECT DESCRIPTION**

### **A. Entitlement(s) Requested**

- The applicant, Isabel Giraldo (“Applicant”), requests a Yard Modification to authorize an existing five-foot and eight-inch-tall solid wooden fence within the required front yard setback area, which exceeds the three-foot and six-inch maximum height limit, and to authorize an existing 256-square-foot covered patio attached to an existing single-family residence (“SFR”) with a front yard setback of nine feet and one inch in lieu of the required 20 foot minimum front yard setback, in the R-1 (Single-Family Residence) Zone pursuant to County Code Section 22.110.090 (Modifications Authorized).

### **B. Project**

The Project consists of a Yard Modification to authorize an existing fence and an existing covered patio attached to an existing SFR. The existing SFR, originally built in 1940, is located at 5486 Valley Ridge Avenue in the unincorporated Windsor Hills community (“Project Site”). The Project Site has three street frontages on its west, south, and east sides. Therefore, Staff, on behalf of the Director of Regional Planning (“Director”), determined that there are front yard setbacks on each of these three street frontages pursuant to County Code Section 22.110.080.A (Yard Determination). Fences and walls within the required front yard setback area are limited to a maximum height of three feet and six inches pursuant to County Code Section 22.110.070 (Fences and Walls).

The requested Yard Modification is appropriate for this lot due to its irregular shape and multiple street frontages. If approved, the Yard Modification would provide the residents with more privacy via a taller perimeter fence. Additionally, the Yard Modification would allow the covered patio to remain onsite. The covered patio would otherwise be difficult to locate because there are front yard setbacks on each of the three street frontages.

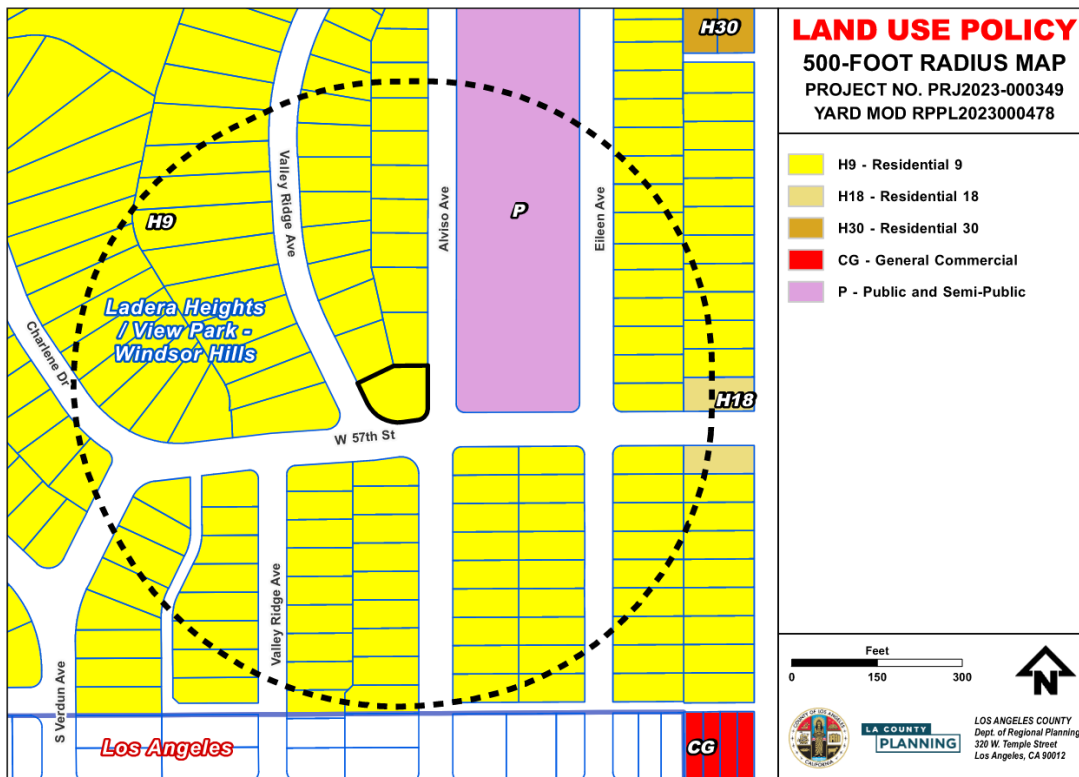
The Applicant also proposes an interior remodel of the existing SFR and new additions to the existing SFR that would increase its floor area by approximately 201.75 square feet. The proposed remodel and new additions are being reviewed separately under Ministerial Site Plan Review No. RPPL2023001011. The proposed additions comply with the required front, side, and rear yard setbacks.

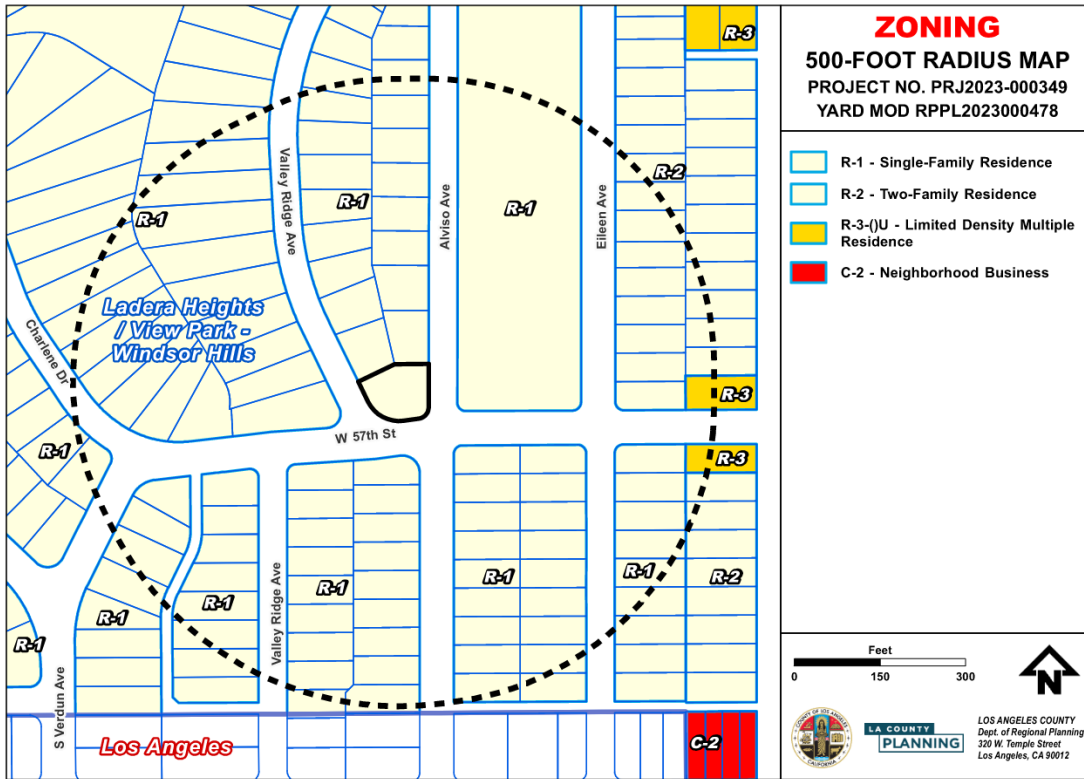
The Applicant also proposes to close the existing curb cut on Alviso Avenue and to replace the existing five-foot and eight-inch-tall solid wooden sliding gate with a new five-foot and eight-inch-tall solid wooden fence that matches the existing fence. The proposed curb cut closure has been conceptually approved by the Department of Public Works and will require review and approval of a Street Improvement Plan.

**SUBJECT PROPERTY AND SURROUNDINGS**

The following chart provides property data within a 500-foot radius:

LOCATION	GENERAL PLAN LAND USE POLICY	ZONING	EXISTING USES
SUBJECT PROPERTY	H9 (Residential 9 – Nine Dwelling Units per Net Acre Maximum Density)	R-1 (Single-Family Residence)	SFR
NORTH	H9	R-1	SFRs
EAST	P (Public and Semi-Public), H9, H18 (Residential 18 – 18 Dwelling Units per Net Acre Maximum Density)	R-1, R-3 (Limited Density Multiple Residence)	School, SFRs, Multifamily residences
SOUTH	H9	R-1	SFRs
WEST	H9	R-1	SFRs





**PROPERTY HISTORY**

**A. Zoning History**

ORDINANCE NO.	ZONING	DATE OF ADOPTION
4988	R-1 (Single-Family Residence)	September 16, 1947

**B. Previous Cases**

CASE NO.	REQUEST	DATE OF ACTION
Ministerial Site Plan Review No. RPPL2023000019	Convert the existing two-car garage into a new detached Accessory Dwelling Unit	Approved on February 22, 2023

**C. Violations**

CASE NO.	VIOLATION	CLOSED/OPEN
09-0003409	Inoperable vehicle on the premises	Closed on March 31, 2011
04-0037044	Violation not found	Closed on March 6, 1997

## **ANALYSIS**

### **A. Land Use Compatibility**

The Project Site is located within a low-density residential area in the unincorporated Windsor Hills community. The General Plan's H9 land use designation and the R-1 Zone allow SFRs. The Project involves the authorization of an existing fence within the required front yard setback area and an existing covered patio attached to an existing SFR within the required front yard setback area and will not increase the density or modify the existing land use pattern of the surrounding area. Therefore, the Project is compatible with the surrounding uses.

### **B. Neighborhood Impact (Need/Convenience Assessment)**

The Project Site is a 0.22-acre lot with three street frontages. Staff, on behalf of the Director, determined that there are front yard setbacks on each of these three street frontages pursuant to County Code Section 22.110.080.A (Yard Determination). The Project Site is unique in this condition because no other residential lot within a 500-foot radius has three street frontages. The requested Yard Modification would provide the residents with more privacy via a taller perimeter fence. Additionally, the Yard Modification would allow the covered patio to remain onsite. The covered patio would otherwise be difficult to locate because there are front yard setbacks on each of the three street frontages. Impacts to the neighboring properties would be negligible because the SFR with a reduced front yard setback has existed on the Project Site since 1940. The existing five-foot and eight-inch-tall solid wooden fence and the existing covered patio attached to the SFR do not pose a hazard to pedestrians and increases the functionality of the property.

To confirm that a reduced front yard setback conforms with the neighborhood pattern, the Applicant provided six examples of neighboring properties with reduced front yard setbacks, located northwest of the Project Site on the west side of Valley Ridge Avenue, as follows:

- 5485 Valley Ridge Ave, CA 90043 – Assessor's Parcel Number ("APN"): 5008-004-006
- 5481 Valley Ridge Ave, CA 90043 – APN: 5008-004-005
- 5475 Valley Ridge Ave, CA 90043 – APN: 5008-004-004
- 5471 Valley Ridge Ave, CA 90043 – APN: 5008-004-003
- 5465 Valley Ridge Ave, CA 90043 – APN: 5008-004-002
- 5459 Valley Ridge Ave, CA 90043 – APN: 5008-004-001

Properties to the northwest were originally built with a reduced front yard setback due to the sloping terrain towards the rear of these lots. Because of this existing condition, a reduced front yard setback on the Project Site is compatible with the surrounding area. Property frontages to the west and east, along West 57<sup>th</sup> Street, are primarily corner side



yards, where buildings are permitted to have a five-foot setback facing West 57<sup>th</sup> Street. Therefore, a reduced front yard setback of nine feet and one inch in lieu of the required 20 feet on the Project Site's frontage along West 57<sup>th</sup> Street will be compatible with the surrounding area.

### **C. Design Compatibility**

The existing fence and covered patio are consistent with the surrounding area. Property frontages to the west and east, along West 57<sup>th</sup> Street, are primarily corner side yards, where buildings are permitted to have a five-foot setback facing West 57<sup>th</sup> Street. The Project Site is the only residential property within a 500-foot radius with three street frontages. The existing fence and covered patio are designed to provide private recreational space and security for the existing SFR given the Project Site's unique and irregular lot shape.

The existing fence and covered patio were built without permits. During the review of this Project, the Department of Public Works noted line-of-sight issues for pedestrians on Alviso Avenue due to the existing curb cut and driveway. To address these issues, the Applicant proposed closing the existing curb cut, removing access to the driveway for on-site parking. This change allowed the Yard Modification for the five-foot and eight-inch-tall fence to be cleared for public hearing by the Department of Public Works and provides a greater level of safety to pedestrians. This change improved the Project Site's compatibility with the surrounding area because it is adjacent to a school with high levels of pedestrian traffic.

### **GENERAL PLAN/COMMUNITY PLAN CONSISTENCY**

The Project is consistent with applicable goals and policies of the General Plan. Consistency findings can be found in the attached Findings (Exhibit C – Findings).

### **ZONING ORDINANCE CONSISTENCY**

The Project complies with all applicable zoning requirements. Consistency findings can be found in the attached Findings (Exhibit C – Findings).

### **BURDEN OF PROOF**

The Applicant is required to substantiate all facts identified by County Code Section 22.196.030 (Findings and Decision). The Burden of Proof with Applicant's responses is attached (Exhibit E – Applicant's Burden of Proof). Staff is of the opinion that the Applicant has met the burden of proof.

### **ENVIRONMENTAL ANALYSIS**

Staff recommends that this Project qualifies for a Categorical Exemption (Class 1 – Existing Facilities and Class 5 – Minor Alterations in Land Use Limitations) under the California Environmental Quality Act (CEQA) and the County environmental guidelines because it is a request to authorize an existing five-foot and eight-inch-tall solid wooden fence within the required front yard setback area, which exceeds the three-foot and six-inch maximum height

limit, and to authorize an existing 256-square-foot covered patio attached to an existing SFR with a front yard setback of nine feet and one inch in lieu of the required 20 foot minimum front yard setback. Therefore, Staff recommends that the Hearing Officer determine that the Project is categorically exempt from CEQA. An environmental determination (Exhibit F – Environmental Determination) was issued for the Project.

**COMMENTS RECEIVED**

**A. County Department Comments and Recommendations**

1. The Department of Public Works granted conceptual site plan approval and cleared the Project for public hearing on April 18, 2024.
2. The Fire Department cleared the Project for public hearing with no conditions in a letter dated March 15, 2023.

**B. Other Agency Comments and Recommendations**

Staff has not received any comments at the time of report preparation.

**C. Public Comments**

Staff has not received any comments at the time of report preparation.

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Report  
Reviewed By: \_\_\_\_\_  
Carmen Sainz, Supervising Planner

Report  
Approved By: \_\_\_\_\_  
Mitch Glaser, Assistant Deputy Director

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LIST OF ATTACHED EXHIBITS	
EXHIBIT A	Plans
EXHIBIT B	Project Summary Sheet
EXHIBIT C	Findings
EXHIBIT D	Conditions of Approval
EXHIBIT E	Applicant's Burden of Proof
EXHIBIT F	Environmental Determination
EXHIBIT G	Informational Maps
EXHIBIT H	Photos
EXHIBIT J	Agency Correspondence