CALIFORNIA COASTAL COMMISSION

South Coast Area Office 200 Oceangate, Suite 1000 Long Beach, CA 90802-4302 (562) 590-5071

Th25c



Click here to go to original staff report

ADDENDUM

March 4, 2016

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: ADDENDUM TO ITEM Th25c, APPLICATION NO. 5-16-0095 (BOLKIN)

FOR THE COMMISSION MEETING OF THURSDAY, MARCH 10, 2016.

1. LETTER FROM APPLICANT/AGENT

Letter from the law firm of Block & Block, representing the applicant, with an account of the chain of events resulting in the premature demolition of two single family residences. It is also indicated that the applicant is in support of Commission Staff's recommendation. However, the applicant is requesting that the Commission grant a reduction of application fee from five times (5x) to two times (2x). Letter attached. (For discussion of the application fee, see Section IV.E on page 13 of the staff report)

2. EX PARTE

BLOCK & BLOCK

A PROFESSIONAL CORPORATION

ALAN ROBERT BLOCK
JUSTIN MICHAEL BLOCK

1880 CENIURY PARK EASI, SUIIE 415 LOS ANGELES, CALIFORNIA 90067-1604 TELEPHONE (310) 552-3336 TELEFAX (310) 552-1850

sender s e-mail alan@blocklaw net

March 3, 2016

VIA FIRST CLASS MAIL AND EMAIL

California Coastal Commission South Coast Area Office 200 Oceangate, Suite 1000 Long Beach, CA 90802

Re: Application No. 5-16-0095 (Bolkin, Los Angeles)

Applicant: Bruce Bolkin

Property Address: 301 & 321 Swarthmore Avenue, Pacific Palisades

Project Description: Request for after-the-fact approval for the demolition of two (2) single family residences on two adjacent lots, and construction of an approximately 5,532 sq. ft., 28 ft. high, two-story single family residence over a 2,183 sq. ft. basement level with an attached 539 sq. ft. two care garage, an outdoor carport, decks, an outdoor swimming pool/spa, property wall/fence, covered veranda and porch totaling 655 sq. ft., a trellis, hardscape and landscape improvements, and a lot tie.

Scheudled:

March 10, 2016

Agenda Item:

Th25c

Dear Commissioners:

Please be advised that this office represents Bruce Bolkin, ("Bolkin" and/or "Applicant"), the owner of the above referenced properties located at 301 and 321 Swarthmore Avenue, Los Angeles (collectively referred to as "Subject Property"). The applicant, now seeks a Coastal Development Permit ("CDP") for an after-the-fact approval for the demolition of two single-family residences on two adjacent, in-fill lots and requests for approval of a lot tie and the construction of a new two-story single family residence and associated development over the Subject Property. As the following facts will evidence, the

¹ The same project was previously before you, on January 13, 2016, as a Consent Calendar item. At said hearing, it was discovered that the existing residences had been demolished and the Commission denied the approval of the Consent Calendar, thus denying the project.

California Coastal Commission

Re: Application No. 5-16-0095 (Bolkin, Los Angeles)

March 3, 2016

Page 2

application of the CDP and it's approval are in conformity with Section 30600(b) of the California Public Resource Code and consistent with past Coastal Commission ("Commission") action. This project deserves your approval.

Applicable Facts

The subject property consists of two adjacent, in-fill lots in a developed area in Pacific Palisades. There are established residences and a public street, Via De Las Olas, existing between the Subject Property and the bluff's edge. As such, the Subject Property is not visible from the Pacific Coast Highway. A true and correct copy of an aerial photograph depicting the location of the Subject Property is attached hereto as **Exhibit 1** and hereby incorporated by reference.

For the past 20 years the Bolkin family owned and resided in one of the previously demolished residences, located at 321 Swarthmore Avenue, Pacific Palisades. In October 2013, an opportunity arose to purchase the adjacent residential property located at 301 Swarthmore Avenue. The opportunity was too good to pass up and the family decided to purchase the adjacent residential property and apply for approvals which would permit them to demolish their home and the older house next door, record a lot tie, and construct a new residence for their family.

Bolkin, through their authorized representatives, filed an application for the proposed development with the City of Los Angeles Planning Department on or about August 21, 2014 At all times relevant to the processing of any and all applications for permits necessary to entitle the property for development before the City of Los Angeles Bolkin was represented by the architectural firm of Burdge & Associates ("Burdge"). As part of the application process, Bolkin submitted the plans for the proposed development to the local home owner's association, the Pacific Palisades Civic League, who reviews proposed development for consistency with community character. On January 26, 2015, the Pacific Palisades Civic League Plan Review Committee held a public hearing and approved the proposed project. Many members of the Committee commented how nicely the project would fit into the neighborhood and praised the project for not maximizing the development opportunities The Committee found the proposed new single family residence to be consistent with the character and scale of the neighborhood. A true and correct copy of the Pacific Palisades Civic League Plan Review Committee cover sheet indicating "approved as submitted" and a stamped copy of the approved plans are attached hereto collectively as Exhibit 2 and hereby incorporated by reference.

California Coastal Commission

Re: Application No. 5-16-0095 (Bolkin, Los Angeles)

March 3, 2016

Page 3

On August 19, 2015, the Chief Zoning Administrator for the City of Los Angeles approved a CDP for the proposed development. Pursuant to the approval the Zoning Administrator's approval became effective on September 2, 2015 unless appealed to the City Planning Department. No appeal was filed.

Not realizing that a separate de novo hearing was required before the Commission for the demolition of the existing single family residences, Burdge, on or before September 24, 2015, applied for and received approvals from the City of Los Angeles to demolish the existing residences existing on the subject properties. A copy of the Applications for Inspection To Demolish Building Or Structure for both 301 and 321 Swarthmore Avenue are attached hereto collectively as **Exhibit 3** and hereby incorporated by reference. Both applications for demolition permits contain Clearance Summary Worksheets evidencing clearance by the City Planning Department. Both houses were demolished on or about October 1, 2015 as Bolkin believed that all necessary applicable approvals from all applicable agencies had been obtained.

On or before November 2, 2015, Burdge realized the subject properties were located within the boundaries of the Coastal Commission's dual permit jurisdiction and submitted and filed CDP Application No. 5-15-1638. The application fee at that time was \$11,080.00. Since the proposed development was consistent with the Chapter 3 Policies of the Coastal Act as found in Public Resources Code Section 30200, et seq, the application for the CDP was placed on the Commission's Consent Calendar for the January 13, 2016 agenda. The subject application was the only matter placed on the Consent Calendar on January 13, 2016. Because the application was placed on the Consent Calendar the applicant's representatives told him it was not necessary to attend the hearing. When the Consent Calendar was called for hearing one person spoke regarding the subject project and at that time advised the Commission and staff that both houses had been demolished. After Commission discussion, a motion was made "to approve the Consent Calendar", rather than "to pull the subject application from the Consent Calendar". The Commission vote to approve the Consent Calendar failed by a 5-5 tie vote and thus the project was denied. The record is clear that many Commissioners did not understand that the permit was denied rather than merely pulled from the Consent Calendar for a full public hearing.

Understanding the impact of not approving the Consent Calendar had on the proposed development, the Commission agreed to waive the six-month waiting period for good cause, which allowed Bolkin to resubmit this application for substantially the same development. As part of the new CDP Application No. 5-16-0095, the applicant is requesting an after-the-fact approval of the demolition of the previously existing structures, as well as a CDP to

California Coastal Commission

Re: Application No. 5-16-0095 (Bolkin, Los Angeles)

March 3, 2016

Page 4

construct the new single family residence. In order to submit said application, Staff required the applicant to pay a new application fee, including a fee five times the amount for the demolition. The new filing fee was \$27,700, \$16,620.00 of which was for the after-the-fact fee for demolition. The original filing fee of \$11,080 was lost.

Applicant's Contention

Pursuant to the Commission Staff Report, Staff is recommending approval of this application pursuant to numerous special conditions. The applicant and Staff are in agreement on all the special conditions as they were the same special conditions that were proposed when this same project came before you at the Commission's January hearing. The proposed project with the recommended special conditions ensure the project is consistent with the Chapter 3 policies of the Coastal Act, including but not limited to Sections 30253, 30251, and 30231, and poses no threat to any coastal resources. The proposed project is in such conformity with the Chapter 3 policies that this same project was on the Commission's January Consent Calendar. This project deserves your approval.

The applicant also respectfully requests the Commission reduce the after-the-fact filing fee for the demolition of the previously existing houses from five times the amount to simply double the amount. The applicant and their family followed the lead of well respected professionals and two demolition permits issued by the City of Los Angeles when they decided to demolish the previously existing single family residences. They take full responsibility for the mistake and have already been penalized more than you can imagine. They moved their family out of their long standing residence prematurely, rented another residence at a considerable expense for a period of time where they should still be in their old residence, lost their \$11,080 filling fee for the original CDP (No. 5-15-1638) and paid another \$27,700 for the filing fee for the subject CDP application. They are truly sorry for the manner in which this has played out and are hopeful that the Commission will grant a reduction to the after-the-fact application fee. See letter from De Ann Heline (Mrs. Bolkin), dated January 20, 2016, attached hereto as **Exhibit 4** and hereby incorporated by reference.

Pursuant to Section 13055 of the California Code of Regulations, filing fees for after-the-fact permits can be reduced when it is determined that "(1) the ATF permit application can be processed by staff without significant additional review time (as compared to the time required for the processing of a regular permit)". In this instance, processing of this application does not rise to the level of significant additional review time as the Staff Report is the same as the previous Staff Report for CDP No. 5-15-1638 except for the portion that discusses the Application Filing Fee for After-The-Fact Development. Our office even

California Coastal Commission

Re: Application No. 5-16-0095 (Bolkin, Los Angeles)

March 3, 2016

Page 5

provided Staff with the demolition permits from the City of Los Angeles and site photographs depicting the subject property in its current state. As such, we respectfully request a reduction to our after-the-fact filing fees.

Conclusion

The applicant is simply requesting that the Commission grant him the ability to update his long standing family home in a manner that is consistent with the surrounding area. The applicant has obtained approvals from the local homeowner association's review board and the City of Los Angeles Planning Department. As such, we respectfully urge you to follow their lead and Staff's recommendation in approving the development as proposed in Application No. 5-16-0095.

I will be present with Mr. Bolkin at the hearing on March 10, 2016 to respond to any of your questions and/or concerns.

Thank you for your anticipated courtesy and cooperation in reviewing this most important matter

Respectfully submitted,

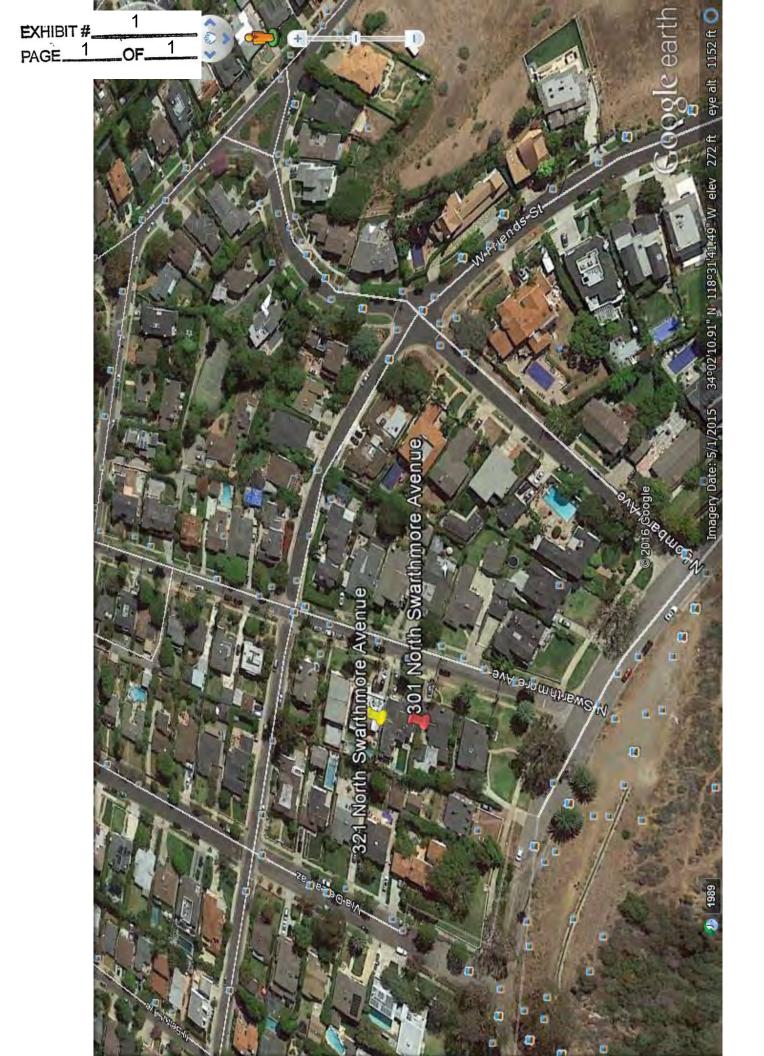
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A Professional Corporation

USTN MICHAEL BLOCK

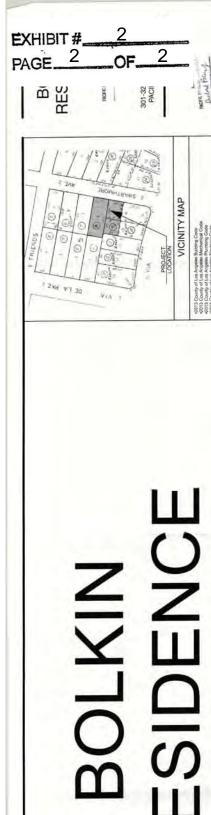
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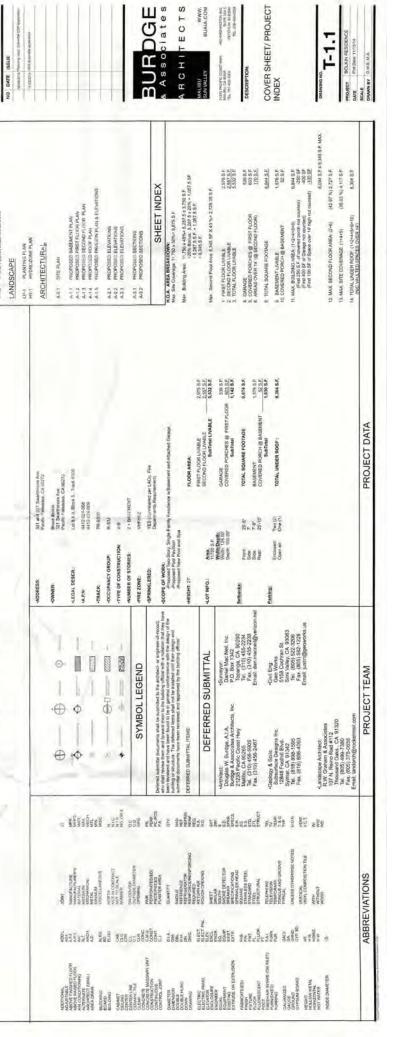
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BRUCE BOLFIN % DOUG BURDGE & ASSOC. 2 12 35 PACIFIC COAST HWY MALIBU, CA 902 65 WE ARE SENDING YOU A Attached Under separate cover via the following items: Shop drawings Prints Plans Samples Specifications COPIES DATE NO. DESCRIPTION II-13-I4 SHTS T-I, Y-I, Z, Y-I, Z, Y-I, HY-I, A-O, I, A-I, I, A-I, Z, A-I, A-I, Y, A-I, Y, A-I, Y, A-I, Y, A-Z, I, A-Z, I, A-Z, Z, A-Z, Z, A-Z, I, A-Z, Z ARROHITECTUARY & CANOSCAPE PAKS THESE ARE TRANSMITTED as checked below: Approved as submitted Resubmit copies for approval For your use Approved as noted Submit copies for distribution As requested Returned for corrections Return corrected prints For review and comment POR BIDS DUE PRINTS RETURNED AFTER LOAN TO US REMARKS PRINTS RETURNED AFTER LOAN TO US						ATTENTION	BRUC	E BOLKIN
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If enclosures are not as noted, kindly notify us at once.



PACIFIC PALISADES, CA

APPLICABLE CODES



Permit and Inspection Report



Permit and Inspection Report

Home

301 N SWARTHMORE AVE 90272

Help

APPLICATION / PERMIT NUMBER: 15019-30000-03001

PLAN CHECK / JOB NUMBER: B15WL04283

Parcel Profile

Report

Plan Check and Permit Information

LADBS Home

LAHD Property **Activity Report** GROUP:

Building

TYPE:

Bldg-Demolition

SUB-TYPE:

1 or 2 Family Dwelling

Disclaimer

PRIMARY USE: WORK DESCRIPTION: (1) Dwelling - Single Family

Demolition of (E) one story SFD (1497 sq. ft.) garage (18'x20") and carport (11 x18) clear the lot

PERMIT ISSUE DATE:

09/24/2015 ISSUING OFFICE: West LA

PERMIT ISSUED: CURRENT STATUS:

Permit Finaled

CURRENT STATUS DATE: 10/16/2015

Permit Application Status History

Submitted

08/18/2015

APPLICANT

Assigned to Plan Check Engineer Corrections Issued

08/18/2015 08/24/2015

VLADIMIR ARUTYUNYAN VLADIMIR ARUTYUNYAN

Applicant returned to address corrections

09/17/2015

BIDYUT RATH

Plan Check Approved

09/18/2015 09/24/2015

MARJAN SHENASI

Issued Permit Finaled

10/15/2015

KENNETH NAGLE

Permit Application Clearance Information

Coastal Zone

Cleared Cleared 09/17/2015 09/17/2015

LADBS

CASSANDRA ZWEEP CASSANDRA ZWEEP

Mello Bill ZA Case

Cleared

09/17/2015

CASSANDRA ZWEEP

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Licensed Professional/Contractor Information

Architect Information

Burdge Douglas W; Lic No : C16899 21235 PACIFIC COAST HWY

MALIBU CA 90265

Contractor Information

Hanover Builders Inc; Lic. No : 709353-B 141 DUESENBERG DRIVE STE 6 WESTLAKE VILLAGE CA 91362

Inspection Activity Information

Inspector Information

KENNETH NAGLE (310) 914-3889 Office Hours: 7:00-8:00 AM MON-FRI

Pending Inspection Request(s)

No data available

Inspection Request History

Final Sewer Cap 10/15/2015 10/15/2015

Permit Finaled Approved

KENNETH NAGLE KENNETH NAGLE

NEW SEARCH BACK

301 N Swarthmore Ave



Application #: Plan Check #: B15WL04283

Event Code:

15019 - 30000 - 03001

Printed: 01/26/16 12:38 PM

Bldg-Demolition 1 or 2 Family Dwelling Plan Check at Counter

City of Los Angeles - Department of Building and Safety

Issued on: 09/24/2015

Plan Check

APPLICATION FOR INSPECTION TO DEMOLISH BUILDING OR STRUCTURE Last Status: Permit Finaled Status Date: 10/16/2015

LTRACT TR 9300

BLOCK LOTES COUNTY MAP REF.# MB 125-55/78

PARCEL ID * (PIN #) 123B125 139

2. ASSESSOR PARCEL 4412 - 024 - 009

3. PARCEL INFORMATION

Area Planning Commission - West Los Angeles

LADBS Branch Office - WLA

Council District - 11

Community Plan Area - Brentwood - Pacific Palisades Census Tract - 2627.06

Coastal Zone Cons. Act - YES District Map - 123B125 Energy Zone · 6 Fire District - VHFHSZ

Hillside Grading Area - YES

Near Source Zone Distance - 0 School Within 500 Foot Radius - YES Thomas Brothers Map Grid - 631-A6

ZONES(S): R1-1

4. DOCUMENTS

ZA - ZA-2014-3098-CDP-MEL ORD - ORD-144020

CPC - CPC-24310 AFF - AFF-20032

CPC - CPC-2000-4046-CA CPC - CPC-2005-8252-CA

5. CHECKLIST ITEMS

Sewer Cap - Permit Required

6. PROPERTY OWNER, TENANT, APPLICANT INFORMATION

BOLKIN, BRUCE I CO TR BOLKIN HELIT 321 SWARTHMORE AVE

PACIFIC PALISADES CA 90272

Applicant: (Relationship: Agent for Owner) MARIO ARELLANES -

21235 PACIFIC COAST HIGHWAY

MALIBU, CA 90265

(310) 456-5905

7. EXISTING USE (07) Carport

(01) Dwelling - Single Family

PROPOSED USE (23) Demolition 8. DESCRIPTION OF WORK

Demolition of (E) one story SFD (1497 sq. ft.), garage (18x20) and carport (1 l'x18), clear

(07) Garage - Private 9. # Bldes on Site & Use:

18. APPLICATION PROCESSING INFORMATION

BLDG PC By, Vladimir Arutyunyan OK for Cashier: Sornkiat Supanyachotskul DAS PC By. Coord, OK:

Date:

For Cashier's Use Only

W/O #: 51903001

IL PROJECT VALUATION & FEE INFORMATION Final Fee Period PC Valuation: Permit Valuation: \$10,000 255 08 FINAL TOTAL Bldg-Demolition 165.00 Permit Fee Subtotal Bldg-Demoliti 42.90 0.00 Plan Check Subtotal Bldg-Demolit 1.30 E.Q. Instrumentation 4.18 12.55 O.S. Surcharge 9.90

Sys Surcharge Planning Surcharge 10:00 Planning Surcharge Misc Fee 8.25 Planning Gen Plan Maint Surchars 1.00

CA Bldg Std Commission Surchar Permit Issuing Fee

Total Bond(s) Due:

0.00

Sewer Cap ID: 12. ATTACHMENTS

Plot Plan

Payment Date: 09/24/15 Receipt No: 0302055492 Amount: \$255.08 Method: Check

For inspection requests, call toll-free (888) LA4BUILD (524-2845). Outside LA County, call (213) 482-0000 or request inspections via

www.ladbs.org. To speak to a Call Center agent, call 311. Outside LA County, call (213) 473-3231.

2015WL67665



i3. STRUCTURE INVENTORY (Note: Numeric measure (P) Floor Area (ZC): -1497 Sqft / 0 Sqft (P) Height (BC): -13 Feet / 0 Feet (P) Height (ZC): -15 Feet / 0 Feet	(P) Type V-B Construction (P) Roof Construction (P) Roof Construction - Wood I (P) Wall Construction - Wood S	ic vaine*}	15019 - 30000 - 0300		
(P) Length: -80 Feet / 0 Feet (P) Stories: -1 Stories / 0 Stories (P) Width: -27 Feet / 0 Feet (P) Dwelling Unit: -1 Units / 0 Units (P) R3 Occ. Group: -1497 Sqft / 0 Sqft (P) U Occ. Group: -558 Sqft / 0 Sqft (P) Provided Standard for Bidg: 0 Stalls / Stalls					
18. APPLICATION COMMENTS:	I. Interport				
Pedestrian Fence is Required DPI 15019 30000-02847,	dated with 2015	Afficiency and the second and the se			
15, BUILDING RELOCATED FROM:		The second secon			
16. CONTRACTOR, ARCHITECT & ENGINEER NAME (A) BURDGE, DOUGLAS W (C) HANOVER BUILDERS INC	ADDRESS 21235 PACIFIC COAST HWY, 141 DUESENBERG DRIVE STE 6,	MALIBU, CA 90265	CI	CENSE# PHONE# .6899 (310) 456-5905 9353 (818) 706-2279	

Permit Application #: 15019 - 30000 - 03001

301 N Swarthmore Ave

agency corresponding to the "Address Codes" shown for each clearance is indicated at the end of this form and it is recommended that you call before appearing in person. Remember to Printed On: 01/26/16 12:36:30. possible. The time to obtain approval from some departments (such as the City Planning Department) may be time-consuming. The address and phone number of the specific CLEARANCE AGENCIES: For city agencies, perform electronic clearance action(s) using PCIS and complete this form. For non-city agencies or PCIS outages, complete this form. Plan Check #: B15WL04283 APPLICANT (REPRESENTATIVE: You are advised to initiate the approval process for the following permit application clearance(s) marked as "Not Cleared" as soon as IMPORTANT: This summary documents the clearance(s) required prior to permit issuance. Most clearance(s) are granted electronically, however this form will also be Plans Filed in: WEST LA completed so that in the event of a computer outage, there is evidence of the clearance action(s). Keep this form with all other documents necessary to obtain the permit. Plan Check Office: WEST LA PC Engineer: Marjan Shenasi Building & Safety Contact bring a copy of the permit application to the clearance agency for their reference. A "Cleared" condition requires no further action on your part. Comments: Approved per 2.a. 2014-3088/CDP-8013. Approved per ARCA 20151155343 recorded 917:2015. He conversation with H. Van Barea. Comments: Approved per 2A 2014-3098-CIPPAMEL. Approved per MCA 20151135343 necedéd 9/172015. Per convension with H. Van Baren. CLEARANCE SUMMARY WORKSHEET Description: Melo Bill Compliance (demo or conversion in Coastal Zone) City of Los Angeles-Department of Building and Safety Description of Work: Demolition of (B) one story SFD (1497 sq. ft.), garage (18×20) and carport (11×18), clear the Jot. Clearance Description and New Status Description: Zonng Administrace Case # 2A-2014-3298-CDP (5019 - 30000 - 0300) INSTRUCTIONS Description: Costal Development Permit Comments: approved per AICA 20131135343 recaded 9/17/2015. Per conversation with II. Van Baren. Phone Phone Date, 09/17/15 Date: 09 17/15 Date: 09/17/15 Bleetmine Cleamines By: CZWEEP Electronio Clearance By: GZWEEP Bleetronio Clearance By: CZMEEP Agency: City Planning Department Agency: City Planning Department Agency: City Planning Department Address Code: 2 Address Code: 2 Address Code: 2 1 or 2 Family Dwelling Plan Check at Counter Bldg-Demolition Cleaned Cleaned Status Cleared

EXHIBIT#_	3
	OF 10
PAOL	

Electronic Clearance [X] By: CZWEEP Date: 09/17/15 Phone:
Comments: Approved per MCA 20151155343 recorded 9/17/2015. Per conversation with H. Van Buren.

Description: Zoning Administrator Case #: ZA-2014-3098-CDP-MEL

Agency: City Planning Department

Address Code: 2

Cleared

End of Clearance(s) for 15019 - 30000 - 03001. Refer to "ADDRESS CODES" sheet for clearance agency address/phone information.

Permit and Inspection Report



Permit and Inspection Report

Home

Help

Parcel Profile Report

321 N SWARTHMORE AVE 90272 APPLICATION / PERMIT NUMBER: 15019-30000-03002 PLAN CHECK / JOB NUMBER: B15WL04285

Plan Check and Permit Information

LADBS Home

LAHD Property **Activity Report** GROUP: TYPE:

Building Bldg-Demolition

SUB-TYPE:

1 or 2 Family Dwelling

PRIMARY USE: Disclaimer

(1) Dwelling - Single Family

WORK DESCRIPTION:

Demolition permit for (E) SFD with attached garage clear the lot

PERMIT ISSUE DATE:

09/24/2015 ISSUING OFFICE: West LA

CURRENT STATUS:

PERMIT ISSUED:

Permit Finaled

CURRENT STATUS DATE: 10/15/2015

Permit Application Status History

Submitted

Assigned to Plan Check Engineer

08/18/2015 08/18/2015 **APPLICANT** VLADIMIR ARUTYUNYAN VLADIMIR ARUTYUNYAN

Corrections Issued Plan Check Approved 08/24/2015 09/18/2015

MARJAN SHENASI

Issued 09/24/2015

Permit Application Clearance Information

LADBS

Permit Finaled

10/14/2015

KENNETH NAGLE

CASSANDRA ZWEEP

Coastal Zone Mello Bill

Cleared Cleared 09/17/2015 09/17/2015

CASSANDRA ZWEEP

ZA Case

Cleared

09/17/2015

CASSANDRA ZWEEP

Licensed Professional/Contractor Information

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Architect Information

Burdge, Douglas W; Lic No : C16899 21235 PACIFIC COAST HWY

MALIBU CA 90265

Contractor Information

Hanover Builders Inc; Lic. No: 709353-B 141 DUESENBERG DRIVE STE 6 WESTLAKE VILLAGE CA 91362

Inspection Activity Information

Inspector Information

KENNETH NAGLE (310) 914-3889 Office Hours: 7:00-8:00 AM MON-FRI

Pending Inspection Request(s)

No data available

Inspection Request History

Final

10/14/2015

Permit Finaled

KENNETH NAGLE

NEW SEARCH

EXHIBIT	#	3	
PAGE	7	OF	10

321 N Swarthmore Ave



Application # Plan Check # 1115WL042B3 Livent Code

15019 - 30000 - 03002

Printed 01/26/16 12:38 PM

lilds Demolitica t or # Faundy Dwelling Plan Check of Counter Plant heck

City of Los Angeles - Department of Building and Safety

faucition: 09/24/2015

APPLICATION FOR INSPECTION TO DEMOLISH BUILDING OR STRUCTURE

Last Status: Permit Finaled Status Date: 10/15/2015

Linker TR 91de march. Loini

COUNTY MAR HET # M H 125-55/78

12311125 119

PARCELIDATERADI ZASSESSOR PARCELA 4412 - 024 - 008

& PARCEL INFORMATION

Area Planning Commission - West Los Angoles LADUS Democh Office - W.A

Council District • 11

Community Plan Area - Brentwood - Pacific Patiendes Census Tract - 2627.06

Constal Zone Cons. Act = YES District Map = 1230125 Imergy Zune + 6 Fire District • VIIII ISZ Hillside Chading Area . YES

Near Source Zone Distance - O School Within 500 Foot Radios - YES Thomas Brothers Map Crid = 631-A6

ZONENSH RI-I

4. DOCUMENTS ZA • ZA-2014-3098-CDP-MEL ORD • ORD-144020

CPC - CPC-2000-4046-CA CPC+CPC-2005-8252-CA

CPC - CPC-24310 CPC - CPC-30627

CDP - CDP-1982-35

8. CHECKLIST ITEMS

Sower Cop - Permit Required

& PROPERTY OWNER, TENANT, APPLICANT INCORMATION

Owner(x). BOLKIN, BRUCE I CO'TR BOLKIN HELP 321 SWARTHMORE AVE

PACIFIC PALISADES CA 90272

Applicant: (Relationship: Agent for Owner) MARIO: ARISLLANES -

7. EXISTING USE

B. DESCRIPTION OF YORK

Demolition permit for (E) SFD with attached garage, clear the lot

(01) Dwelling - Single Family

PROPOSED USE (23) Demolition

(07) Garage - Private

a Stildes on Sire & Use.

IO APPLICATION PROCESSING INFORMATION

BLDG PC By: Vladimir Arutyunyun OK for Cashier, Somkiat Supanyachotskul DAS PC BY: Coord OK:

Date:

For inspection requests, call toil-free (888) LA4BUILD (524-2845) Outside LA County, call (213) 482-0000 or request inspections via www.ladbs.org. To speak to a Call Center agent, call 311. Outside LA County, call (213) 473-3231.

For Cashier's Use Only

W/O #: 51903002

(310) 456-5905

IL PROJECT VALUATION & FRE INFORMATION Vind Fee Period PC Valuation Permit Valuation: \$14,000 329 18 FINAL TOTAL Bldg-Demolition Permit Fee Subtotal Bidg-Demoliti 215.00 55 90 Plumbing 0.00 Plan Check Subtotal Bldg Demolit 1 82 E O: Instrumentation 5.45 O.S. Surchargo 16.36 Sys Surchargo 12 90 Planning Surcharge 10.00 Planning Surcharge Misc Fee Plunning Gen Plan Maint Surchars 10.75 CA Bldg Std Commission Surchar 1.00 0.00 Permit Issuing Fee

Total Bond(s) Due:

Sewer Cap ID: 12 ATTACHMENTS Plot Plan

2015WL67664

Payment Date: 09/24/15

Receipt No: 0302055491

Amount: \$329.18

Method: Check

EXHIBIT#_	3	•
-	OF10	9

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15. BUILDING BELOKKTED PROM.			CAS	14114	610,93419
LECTERACION ARCHITET & EMBELLADAME (A) BURINE, DOUGLAS W (C) HABOVER BUILDERS INC	AMERIA 21235 PACIFIC COAST HWY, 141 DESENBERG DRIVE STE 6	malipo, ca pres Westlake Volase, co	3	-993	

EXHIBIT # 3
PAGE 10 OF 10

Comments: Approved per MCA 20151155343 recorded 9/17/2015. Per conversation with H. Van Buren, Phone: Date: 09/17/15 Electronic Clearance By CZWEEP

Description: Zoning Administrator Case # ZA-2014-3098-CDP

Agency: City Planning Department

Address Code: 2

Cleared

End of Clearance(s) for 15019 - 30000 - 03002. Refer to "ADDRESS CODES" sheet for clearance agency address/phone information.

EXHIBIT # 4

PAGE 1 OF 2

DeAnn Heline
321 Swarthmore Ave.
Pacific Palisades, CA 90272
(Temp. address 610 Via De La Paz Ave, Pacific Palisades, CA 90272)

January 20, 2016

Subject: Coastal Application 5-15-1638 for 301-321 Swarthmore Ave., Pacific Palisades, CA 90272

Dear Coastal Commission,

I just wanted the opportunity to speak on behalf of my family. We have lived at 321 Swarthmore Ave. in the Palisades for 20 years. It is the only house we have ever owned Our children (now 16 and 18) were born there, and we've raised them there. When we felt that we would like to expand and have a bit more room, we looked at other houses, but always felt like we could never leave. We love our neighbors, our location, and our memories too much. So when the opportunity came up to buy the property next to us, we felt it was the perfect solution.

You don't know us, so I don't want you to think for a second that we are the type of people who believe it's just fine to do whatever we want, to play it "fast and loose" or that the rules don't apply to us. That could not be further from the truth. My husband and I are the good students, the follow the rules types. I can show you multiple emails to our architect where we say explicitly "are you sure we are okay to knock down our house?" and "we don't want to be in a position where we have knocked down our house and then something goes wrong or there's some kind of delay." We were not in any way trying to get something over on the commission. We hired a well-respected architect who has done dozens and dozens of homes in Pacific Palisades and Malibu. He has admitted that his office messed up badly regarding the timing of the Coastal Commission review and demolition. We also relied on the City of Los Angeles that gave us a demo permit. With demo permit in hand, we believed we were okay to start the process. There's no doubt that after waiting over a year for City of Los Angeles approval, we were very anxious to get started, but we would NEVER have demoed if we had realized that it was not allowed until Coastal approval.

This is in no way to shove the blame onto others, we realize we have to take responsibility, and we are. But I hope you can understand how these things – the architect telling us we should demo and the City telling us we were okay to demo – led us to proceed with the demo. The first we ever heard that something was wrong was when you denied our approval on the consent agenda. We were shocked. It was then we were informed that we needed Coastal approval to do the demo (not just build the new house) BEFORE tearing down the house. And we thought you were completely aware of the status.

Believe me when I say that no one is feeling the effects of tearing down our house prematurely more than us. We have been living in a smaller rental house that we are paying money for each month with nothing happening. And our neighbors are currently sitting next to a big pile of mud. It is truly an understatement that we would have much preferred to be in our comfortable house that we've lived in for the last twenty years while we waited for all the approvals

We are respectfully asking to please accept our apology, and to please know that there was never any ill intent. We are literally sick over this. We have tried to do everything right and feel horrible that this has happened. That pile of dirt on Swarthmore Avenue is home, and we ask that you please find your way to letting us proceed with construction and to rebuild our family residence as soon as possible.

Sincerely,

DeAnn Heline

EX PARTE COMMUNICATION DISCLOSURE FORM

Filed by Commissioner: Wendy Mitchell
1) Name or description of project: 30/2321 Swarth was Ave.
2) Date and time of receipt of communication: 10 Am 3/4/16
3) Location of communication: LA - Conf Call
(If not in person, include the means of communication, e.g., telephone, e-mail, etc.)
4) Identity of person(s) initiating communication:
4) Identity of person(s) initiating communication.
5) Identity of person(s) on whose behalf communication was made:
DILLO DOIKIN
6) Identity of persons(s) receiving communication:
Alan Rings
7) Identity of all person(s) present during the communication:
- Jastin piece, wendy "lichell,
Complete, comprehensive description of communication content (attach complete set of
any text or graphic material presented):
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2/1/11 1100000 Regulations
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Date Signature of Commissioner
TIMING FOR FILING OF DISCLOSURE FORM: File this form with the Executive
Director within seven (7) days of the ex parte communication, if the communication
occurred seven or more days in advance of the Commission hearing on the item that was the subject of the communication. If the communication occurred within seven (7)
days of the hearing, provide the information orally on the record of the proceeding and
provide the Executive Director with a copy of any written material that was part of the communication. This form may be filed with the Executive Director in addition to the oral

disclosure.

CALIFORNIA COASTAL COMMISSION

South Coast Area Office 200 Oceangate, Suite 1000 Long Beach, CA 90802-4302 (562) 590-5071



Th25c

 Filed:
 02/07/2016

 180th Day:
 08/05/2016

 Staff:
 M. Alvarado-LB

 Staff Report:
 02/18/2016

 Hearing Date:
 03/10/2016

STAFF REPORT: REGULAR CALENDAR

Application No.: 5-16-0095

Applicant: Bruce Bolkin

Agent: Mario Arellanes

Location: 301 & 321 Swarthmore Avenue, Pacific Palisades, Los

Angeles (APN 4412-024-008 & 4412-024-009)

Project Description: Request for after-the-fact approval for the demolition of two

(2) single-family residences on two adjacent lots, and request for approval for the construction of an approximately 5,532 sq. ft., 28 ft. high, two-story single family residence over a 2,183 sq. ft. basement level with an attached 539 sq. ft. two-car garage, an outdoor carport, decks, an outdoor swimming pool/spa, property wall/fence, covered veranda and porch totaling 655 sq. ft., a trellis, hardscape and landscape

improvements, and a lot tie.

Staff Recommendation: Approval with conditions

SUMMARY OF STAFF RECOMMENDATION:

The applicant is requesting an after-the-fact approval for the demolition of two (2) single-family residences. The applicant is also proposing new development including the construction of an approximately 5,532 sq. ft., 28 ft. high single-family residence over a 2,183 sq. ft. basement level with an attached 539 sq. ft. two-car garage, an additional outdoor carport, decks/balconies, an outdoor swimming pool/spa, property wall/fence, covered veranda and covered porch totaling 655 sq. ft., and an outdoor pavilion with a trellis. Landscape and hardscape improvements, and approximately 688 cubic yards of total grading are included. The project site consists of two (2) inland lots located approximately 150 to 200 feet from the Via de Las Olas bluff that descends downs to the Pacific Coastal Highway; the applicant proposes to tie both lots into one lot. There are established residences and a public street (Via De Las Olas) existing between the proposed single

lot and the bluff edge.

Hazards common in the Pacific Palisades area include landslides, erosion, and flooding. Consequently, the proposed project raises issues regarding geologic hazards. In addition, storage or placement of maintenance materials, debris, or waste in a location subject to erosion and dispersion could result in adverse impacts upon the marine environment and water quality. The Commission imposes **Special Condition 1**, requiring that the construction plans be reviewed by an appropriately licensed professional to ensure consistency with all geotechnical recommendations. The Commission also recommends construction-related requirements and best management practices under **Special Condition 2** and **Special Condition 3** in order to minimize adverse construction-related impacts upon marine resource and for erosion control. **Special Condition 4** requires that the applicant conforms to the submitted drainage and run-off control plans to prevent pollution and impacts to water quality. In addition, the applicants are proposing landscaping; therefore, the Commission imposes **Special Condition 5**, which implements the installation of non-invasive, drought-tolerant vegetation and water-conservative irrigation systems.

Staff is recommending **APPROVAL** of the proposed coastal development permit as conditioned.

The City exercises the options provided in Section 30600(b) or 30600.5 of the Coastal Act to issue its own permits without having a certified Local Coastal Program. Within the areas specified in Section 30601, which is known in the City of Los Angeles permit program as the *Dual Permit Jurisdiction* area, the Coastal Act requires that any development which receives a local coastal development permit also obtain a second (or "dual") coastal development permit from the Coastal Commission. The Commission's standard of review for the proposed development in the *Dual Permit Jurisdiction* area is the Chapter 3 policies of the Coastal Act. For projects located inland of the areas identified in Section 30601 (i.e., projects in the *Single Permit Jurisdiction*), the City of Los Angeles local coastal development permit is the only coastal development permit required. The proposed project site is located within the *Dual Permit Jurisdiction Area*. On August 19, 2015, the City of Los Angeles issues Local Coastal Development Permit Case No. ZA 2014-3098(CDP)(MEL) for the proposed project.

TABLE OF CONTENTS

I.	MOTION AND RESOLUTION	4
II.	STANDARD CONDITIONS:	4
	SPECIAL CONDITIONS:	
IV.	FINDINGS AND DECLARATIONS:	7
	A. Project Description & Location	
	B. Hazards	
	C. DEVELOPMENT/COMMUNITY CHARACTER	9
	D. WATER QUALITY	10
	E. Unpermitted Development	11
	APPLICATION FILING FEE FOR AFTER-THE-FACT DEVELOPMENT	13
	F. LOCAL COASTAL PROGRAM (LCP)	15
	G. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)	

APPENDICES

Appendix A - Substantive File Documents

EXHIBITS

Exhibit 1 – Project Location and Parcel Map

Exhibit 2 – Aerial View

Exhibit 3 – Site Plan

Exhibit 4 – Floor Plans

Exhibit 5 – Elevations

Exhibit 6 – LADBS Permit and Inspection Report

I. MOTION AND RESOLUTION

Motion:

I move that the Commission **approve** Coastal Development Permit No. 5-16-0095 pursuant to the staff recommendation.

Staff recommends a <u>YES</u> vote. Passage of this motion will result in approval of the coastal development permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS:

This permit is granted subject to the following standard conditions:

- 1. **Notice of Receipt and Acknowledgment**. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
- 2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
- 3. **Interpretation.** Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
- 4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS:

This permit is granted subject to the following special conditions:

1. Recommendations of the Geotechnical Report. All final design and construction plans shall be consistent with all recommendations contained in the *Preliminary Geologic & Soils Engineering Investigation* (File No. 6194) prepared by SubSurface Designs, Inc., dated April 30, 2014, for 301 & 321 Swarthmore Avenue, Pacific Palisades, CA 90272. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

2. Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris

The permittee shall comply with the following construction-related requirements:

- (a) No demolition or construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion.
- (b) No demolition or construction equipment, materials, or activity shall be placed in or occur in any location that would result in impacts to environmentally sensitive habitat areas, streams, wetlands or their buffers.
- (c) Any and all debris resulting from demolition or construction activities shall be removed from the project site within 24 hours of completion of the project.
- (d) Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters.
- (e) All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.
- (f) The applicant(s) shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.
- (g) Debris shall be disposed of at a legal disposal site or recycled at a recycling facility outside of the coastal zone, pursuant to **Special Condition 3**. If the disposal site is

- located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required.
- (h) All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil.
- (i) Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.
- (j) The discharge of any hazardous materials into any receiving waters shall be prohibited.
- (k) Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible.
- (l) Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity.
- (m)All BMPs shall be maintained in a functional condition throughout the duration of construction activity.
- 3. Location of Debris Disposal Site. The applicant shall dispose of all demolition and construction debris resulting from the proposed project at an appropriate location outside the coastal zone. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required.
- 4. Conformance with the submitted Drainage and Run-Off Control Plan. The applicant(s) shall conform to the drainage and run-off control plan submitted February 3, 2016 to the South Coastal Region Office showing roof drainage designed to divert storm runoff into retention areas per the City's requirements with subdrain pipes and to the street's main storm drain system. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.
- 5. Landscaping Drought Tolerant, Non-Invasive Plants.
 - A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant

shall submit, in a form and content acceptable to the Executive Director, two (2) full size sets of final landscaping plans, which shall include and be consistent with the following:

- i. Vegetated landscaped areas shall only consist of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (http://www.CNPS.org/), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (http://www.cal-ipc.org/), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a "noxious weed" by the State of California or the U.S. Federal Government shall be utilized within the property. All plants shall be low water use plants as identified by California Department of Water Resources (See: http://www.water.ca.gov/wateruseefficiency/docs/wucols00.pdf).
- ii. Use of reclaimed water for irrigation is encouraged. If using potable water for irrigation, only drip or microspray irrigation systems may be used. Other water conservation measures shall be considered, such as weather based irrigation controllers.
- B. The permittee shall undertake development in accordance with the approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

IV. FINDINGS AND DECLARATIONS:

A. Project Description & Location

The applicant is requesting an after-the-fact approval for the demolition of an approximately 1,497 square-foot single-family residence at 301 Swarthmore Avenue and an approximately 3,833 squarefoot single-family residence located at the adjacent lot, 321 Swarthmore Avenue. The applicant is also proposing new development including the construction of an approximately 5,532 sq. ft., 28 ft. high, two-story single-family residence over a 2,183 sq. ft. basement level (Exhibits 4, and 5). The project includes an attached 539 sq. ft. two-car garage, decks/balconies, covered veranda and porch totaling 655 sq. ft., a pavilion with a trellis, a 6 ft. by 6 ft. spa, and a 38 ft. by 13 ft. outdoor swimming pool (Exhibits 3, 4, and 5). The proposed project conforms to the Commission's parking requirement of 2 spaces per residential unit. In addition, the proposed plans include the construction of walls (i.e. CMU or stone veneer) and installation of fences along the perimeter of the property. Hardscape improvements include a concrete driveway with an additional outdoor carport. The applicant has indicated that drought-tolerant, non-invasive vegetation will be used for new landscaping. The project also consists of approximately 688 cubic yards of total grading. Drainage from the roof drains, gutters, and downspouts will be diverted into retention areas per the City's requirements with subdrain pipes and directed to the street's main storm drain system. The proposed project will implement water efficiency and conservation measures (i.e. in landscape installation using drip irrigation and weather-based irrigation controllers), and with other local regulations (i.e. CalGreen) pertaining to high-efficiency plumbing fixtures and low flow rates. Furthermore, the applicant proposes rain water collection and reuse via a cistern to produce extra water for irrigation. Because an outdoor pool is being proposed, the applicant will implement a pool

cover to help minimize evapotranspiration.

The project site consists of two (2) R1-1-zoned (Low Residential) lots within the Brentwood-Pacific Palisades Community of the City of Los Angeles. Both lots, located at 301 Swarthmore Avenue (APN 4411024008) and 321 Swarthmore Avenue (4412024009) are currently vacant, formerly developed with existing single-family residences. The applicant is proposing to tie the two lots together into one (1) large lot (totaling approximately 11,750 sq. ft. of lot area) (**Exhibit 3**). On August 19, 2015, the City Department of Building and Safety approved the applicant's lot tie affidavit, holding the 321 address for the entire property.

B. HAZARDS

Section 30253 of the Coastal Act states, in relevant part:

New development shall:

- (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

Under Section 30253 of the Coastal Act, new development may occur in areas of high geologic, flood, and fire hazard so long as risks to life and property are minimized and the other policies of Chapter 3 are met. When development in areas of identified hazards is proposed, the Commission considers the hazard associated with the project site and the potential cost to the public, as well as the individual's right to use his/her property.

The Pacific Palisades area has a long history of natural disasters, some of which have caused catastrophic damage. Hazards common in this area include landslides, erosion, flooding, and wildfires. The proposed project site is located approximately 120 feet from Via De Las Olas, a public residential street. This street and an existing residence separate the proposed project site from the Via de Las Olas bluff, which has been recognized to be a historic and prehistoric landslide area¹.

The applicant has submitted a geologic and soils engineering report by SubSurface Designs, Inc., as well as a geology and soils review letter from the City of Los Angeles, Department of Building and Safety. The applicant's geotechnical consultant reviewed test borings, the underlying earth material, faulting, groundwater, and site stability of the project site. The report takes into account that the Via a Las Olas landslide (approximately 900 feet wide and 900 feet in length) is

.

¹ <u>Report on Landslide Study Pacific Palisades Area</u>, September 1976, by the U.S. Army Corps of Engineers and the U.S. Geological Survey, pg. 20-27

considered active with its last significant movement reported in 1958, and that the bluff is located approximately 150 from the project site.

The applicant's geologic report concludes that, from a geotechnical perspective, the proposed development is feasible. The City of Los Angeles Department of Building and Safety (LADBS) Grading Division reviewed the geology reports and subsequent updates and found them acceptable. The City of Los Angeles Zoning Administration reviewed the LADBS Grading Division's findings and found the proposed project to be safe from geological hazards and consistent with the Chapter 3 policies of the Coastal Act. The City's Grading Division's conditional approval included conditions addressing geotechnical issues with specific recommendations for site preparation, grading, foundation design and site drainage, which have been incorporated into the geotechnical recommendations. To ensure the applicant complies with those recommendations, the Commission imposes **Special Condition 1**.

To minimize risks to life and property and to minimize the adverse effects of development on areas of high geologic, the proposed development has been conditioned to require: adherence to the geotechnical recommendations and for a drainage and runoff plan to minimize the percolation of water into the hillside or bluff. As conditioned, the Commission finds that the development conforms to the requirements of Section 30253 of the Coastal Act regarding the siting of development in geologically hazardous locations.

C. DEVELOPMENT/COMMUNITY CHARACTER

Section 30251 of the Coastal Act states that:

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...

There are established residences and a public street (Via de Las Olas) existing between the proposed single lot and the bluff edge. The subject site is not visible from the Pacific Coastal Highway and is located within an existing urban residential neighborhood approximately 1,300 feet inland from the beach (Exhibits 1 and 2). The proposed single-family residence will be consistent with the character and scale of the neighborhood. The above-ground floor area of the proposed residence will be limited to two stories and approximately 5,532 square feet. The neighborhood consists primarily of one- and two-story single-family dwellings, varying in size from approximately 3000 sq. ft. to 7,000 sq. ft. on single and double lots. The above-ground floor area of the proposed residence will be limited to approximately 5,532 square feet with the basement level not visible from any public area. Therefore, the visible bulk of the residence will be consistent with the surrounding area.

The City of Los Angeles Zoning Administration reviewed the proposed project and found it to be consistent with Section 30251 of the Coastal Act. On August 19, 2015, the City issued a Local

Coastal Development Permit (Case No. ZA 2014-3098(CDP)).

Therefore, the Commission finds that the development conforms with Section 30251 of the Coastal Act.

D. WATER QUALITY

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30232 of the Coastal Act states:

Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.

Section 30231 of the Coastal Act requires that the biological productivity and the quality of coastal waters be maintained, and where feasible, restored through measures aimed at reducing water resource impacts from proposed development. Section 30232 of the Coastal Act requires protection against the spillage of crude oil, gas, petroleum products, or hazardous materials in relation to any development.

1. Construction Impacts to Water Quality

The proposed development has a potential for a discharge of polluted runoff from the project site. Drainage is directed into the City's main storm drain system, which eventually leads out into the ocean.

Storage or placement of construction materials, debris, or waste in a location subject to erosion and dispersion or which may be discharged into coastal water via rain or wind would result in adverse impacts upon the marine environment that would reduce the biological productivity of coastal waters. For instance, construction debris entering the storm drain system and then coastal waters may cover and displace soft bottom habitat.

To prevent pollution of the coast, the Commission recommends construction-related requirements and best management practices under **Special Condition 2.** The applicant has not designated a disposal site for the proposed grading; therefore, the Commission imposes **Special Condition 3.**

2. Post-Construction Impacts to Water Quality

Drainage from the roof drains, gutters, and downspouts will be diverted into retention areas per the City's requirements with subdrain pipes and directed to the street's main storm drain system. To address water quality, the Commission recommends **Special Condition 4**, which requires that the applicant conforms to the submitted drainage and run-off control plans to prevent pollution and impacts to water quality.

The applicant has indicated that drought-tolerant, non-invasive vegetation will be used for new landscaping. The placement of any vegetation that is considered to be invasive which could supplant native vegetation should not be allowed. Invasive plants have the potential to overcome native plants and spread quickly. Invasive plants are generally those identified by the California Invasive Plant Council (http://www.cal-ipc.org/) and California Native Plant Society (www.CNPS.org) in their publications. Furthermore, any plants in the landscape plan should only be drought tolerant to minimize the use of water (and preferably native to coastal Los Angeles County). The term drought tolerant is equivalent to the term 'low water use' as defined and used by "A Guide to Estimating Irrigation Water Needs of Landscape Plantings in California" prepared by University of California Cooperative Extension and the California Department of Water Resources dated August 2000 available at http://www.water.ca.gov/wateruseefficiency/docs/wucols00.pdf).

The proposed project will also implement water efficiency and conservation measures (i.e. in landscape installation using drip irrigation and weather-based irrigation controllers), and with other local regulations (i.e. CalGreen) pertaining to high-efficiency plumbing fixtures and low flow rates. Furthermore, the applicant proposes rain water collection and reuse via a cistern to produce extra water for irrigation. Because an outdoor pool is being proposed, the applicant will implement a pool cover to help minimize evapotranspiration.

To ensure the proposed project incorporates and implements these measures, the Commission imposes **Special Condition 5**, which implements the installation of drought-tolerant vegetation and water conservative irrigation systems.

The development, as proposed and as conditioned, incorporates design features to minimize the effect of construction and post-construction activities on the marine environment. Therefore, the Commission finds that the proposed development, as conditioned, conforms to Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

E. UNPERMITTED DEVELOPMENT

Within the areas specified in Section 30601 of the Coastal Act, which is known in the City of Los Angeles permit program as the *Dual Permit Jurisdiction* area, the Coastal Act requires that any development which receives a local coastal development permit also obtain a second (or "dual") coastal development permit from the Coastal Commission. For projects located inland of the areas identified in Section 30601 (i.e., projects in the *Single Permit Jurisdiction* area), the City of Los Angeles local coastal development permit is the only coastal development permit required.

The proposed project site is within the *Dual Permit Jurisdiction* area. On August 19, 2015, the City of Los Angeles Office of Zoning Administration approved with conditions Local CDP No. ZA 2014-3098, which authorized the demolition of two single-family residences, a lot-tie for the two abutting lots creating one approximately 11,750 square-foot lot, and construction of a single-family residence with an attached garage, basement, and covered porches.

On October 7, 2015, the applicant submitted a coastal development permit (CDP) application to the Coastal Commission's South Coast District Office as required under Section 30601 of the Coastal Act. The application was assigned CDP No. 5-15-1638.

The project description provided by the applicant for CDP Application No. 5-15-1638 read, in part:

"Demolition of existing 1,497 square foot home located at 301 Swarthmore Ave. and demolish existing 3,833 square foot home located at 321 Swarthmore Ave..."

On January 13, 2016, the Coastal Commission held a public hearing for Coastal Development Permit Application No. 5-15-1638. The project was placed on the Consent Calendar. Public testimony was given at the hearing by a resident of the Pacific Palisades community regarding demolition that had occurred on-site prior to the issuance of the Commission's CDP. The resident provided pictures of the site showing that the two single-family residences proposed for demolition had already been demolished. Subsequently, the Commission denied the approval of the Consent Calendar and, therefore, denied the project.

Section 13056.1(a) of the Commission's regulations prohibits the reapplication for a CDP for substantially the same development for a period of six months from the date of the final decision on the previous CDP application. Here, the applicant has submitted an application for substantially the same development before the end of the six-month waiting period that began on January 13, 2016, which was the date of the Commission's denial of the applicant's previous permit. However, section 13056.1(e) of the Commission's regulations provides that the commission may waive the six-month waiting period for good cause. The Commission waived the six-month waiting period for good cause and allowed the applicant to resubmit a CDP application for substantially the same development as his previous proposal before the end of the six-month waiting period.

The applicant has reapplied with the Commission for a coastal development permit (CDP No. 5-16-0095) to resolve the issues related to the unpermitted development at the site and for the approval of the proposed project, and has paid the appropriate fees.

The applicant has indicated that the demolition of the two formerly existing single-family residences occurred following the receipt of an electronic coastal clearance and a demolition permit from the City of Los Angeles (**Exhibit 6**) that was granted prior to the Commission's action on the second (dual) CDP application. The applicant has stated that he was under the impression that since the City issued a coastal clearance and a demolition permit he was allowed to demolish the residences prior to obtaining the final coastal approval from the Coastal Commission.

Any non-exempt development activity (e.g. demolition) conducted in the Coastal Zone without a valid coastal development permit, or which does not substantially conform to a previously issued permit, constitutes a violation of the Coastal Act. Commission review and action on this permit will

resolve the violations identified in this section once the permit has been fully executed and the terms and conditions of the permit complied with by the applicant.

APPLICATION FILING FEE FOR AFTER-THE-FACT DEVELOPMENT

At the January 2016 Commission hearing for the project (CDP Application No. 5-15-1638), the Commission required that the applicant pay five times the fee for the unpermitted development with the submittal of a new application for the project.

Under this permit application (CDP Application No. 5-16-0095), the applicant is proposing after-the-fact approval of the unpermitted development noted above and described in more detail in the project description. Although the development has taken place prior to submittal of this application, consideration of this application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act.

Section 30620 of the Coastal Act states, in relevant part:

The Commission may require a reasonable filing fee and the reimbursement of expenses for the processing by the Commission of any application for a coastal development permit...

Section 13055 of the California Code of Regulations sets the filing fees for coastal development permit applications, and states in relevant part:

- (d) Fees for an after-the-fact (ATF) permit application shall be five times the amount specified in section (a) unless such added increase is reduced by the Executive Director when it is determined that either:
 - (1) the ATF permit application can be processed by staff without significant additional review time (as compared to the time required for the processing of a regular permit,) or
 - (2) the owner did not undertake the development for which the owner is seeking the ATF permit, but in no case shall such reduced fees be less than double the amount specified in section (a) above. For applications that include both ATF development and development that has not yet occurred, the ATF fee shall apply only to the ATF development. In addition, payment of an ATF fee shall not relieve any persons from fully complying with the requirements of Division 20 of the Public Resources Code or of any permit granted thereunder or from any penalties imposed pursuant to Chapter 9 of Division 20 of the Public Resources Code.
- (i) The required fee shall be paid in full at the time an application is filed. However, applicants for an administrative permit shall pay an additional fee after filing if the executive director or the commission determines that the application cannot be processed as an administrative permit. The additional fee shall be the amount necessary to increase the total fee paid to the regular fee. The regular fee is the fee determined pursuant to this section. In addition, if the executive director or the

commission determines that changes in the nature or description of the project that occur after the initial filing result in a change in the amount of the fee required pursuant to this section, the applicant shall pay the amount necessary to change the total fee paid to the fee so determined. If the change results in a decreased fee, a refund will be due only if no significant staff review time has been expended on the original application. If the change results in an increased fee, the additional fee shall be paid before the permit application is scheduled for hearing by the commission. If the fee is not paid prior to commission action on the application, the commission shall impose a special condition of approval of the permit. Such special condition shall require payment of the additional fee prior to issuance of the permit.

Subsection (d) of California Code of Regulations Section 13055 indicates that the fee for an after-the-fact permit application shall be five times the amount otherwise required, unless reduced by the Executive Director for specified reasons. An after-the-fact permit is a permit involving any non-exempt development activity conducted in the Coastal Zone without a valid coastal development permit, or which does not substantially conform to a previously issued permit.

Subsection (d) of California Code of Regulations Section 13055 indicates that the fee for an after-the-fact permit application shall be five times the amount specified in section (a) unless such added increase is reduced by the Executive Director when it is determined that either: the permit application can be processed by staff without significant additional review time or the owner did not undertake the development for which the owner is seeking the after-the-fact permit. In this case, the Executive Director did not reduce the fee because staff has had to spend significant additional time to review the proposed project as well as researching the (unpermitted) development's history. Also, the current owner and applicant of this permit application did undertake the development for which he is seeking the after-the-fact permit.

The filing fee schedule for residential development provides separate fee categories based on square footage, grading, and a lot line adjustment. Based on the filing fee schedule for the 2014/2015 fiscal year, the permitting fee for residential projects between 5,001 and 10,000 square feet is \$6,648, for the grading amounts between 101 to 1,000 cubic yards is an additional \$1,108, and for the lot line adjustment is \$3,324. The total of all these categorical fees for the proposed project is \$11,080.

For considering calculating the fee for the demolition, the fee would be based on development cost (Section 11.B of the filing fee schedule). Since the demolition is the only aspect of the project that is considered after-the-fact, the fee for the demolition can be separated from the rest of the project and multiplied five times. According to the applicant, the cost of development for the demolition of the two single-family residences totaled approximately \$40,000. The filing fee for development based on cost up to and including \$100,000 is \$3,324. Five times the \$3,324 fee of the demolition is \$16,620.

The fee for the proposed project (\$11,080) plus the after-the-fact fee for the demolition (\$16,620) equals \$27,700. Therefore, the required application fee, including the fees for five times after-the-fact development, is \$27,700, which has been paid by the applicant.

F. LOCAL COASTAL PROGRAM (LCP)

Coastal Act section 30604(a) states that, prior to certification of a local coastal program ("LCP"), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. The Pacific Palisades area of the City of Los Angeles has neither a certified LCP nor a certified Land Use Plan. As conditioned, the proposed development will be consistent with Chapter 3 of the Coastal Act. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 of the Coastal Act.

G. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096 of the Commission's regulations requires Commission approval of coastal development permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The project is located in an urbanized area. Development already exists on the subject site and the proposal will not encroach beyond the foot print of the existing development. The development, as conditioned, is consistent with the Chapter 3 policies of the Coastal Act. **Special Conditions** imposed are intended to mitigate adverse impacts to coastal resources. The **Special Conditions** address the following issues: 1) consistency with all geotechnical recommendations; 2) construction-related requirements and best management practices to in order to minimize adverse construction-related impacts upon marine resource and for erosion control; 3) location of debris disposal site; 4) conformance to the submitted drainage and run-off control plans to prevent pollution and impacts to water quality; 5) final landscape plans to include the installation of drought-tolerant plant species and water conservative irrigation systems. Therefore, the Commission finds that the proposed project is consistent with CEQA and applicable Chapter 3 policies of the Coastal Act.

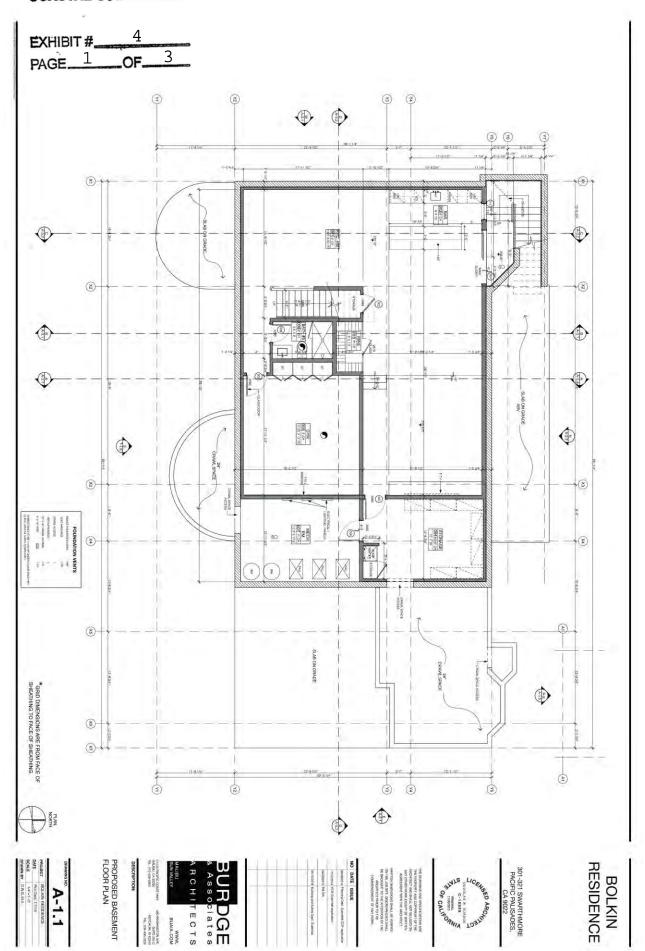
Appendix A - Substantive File Documents

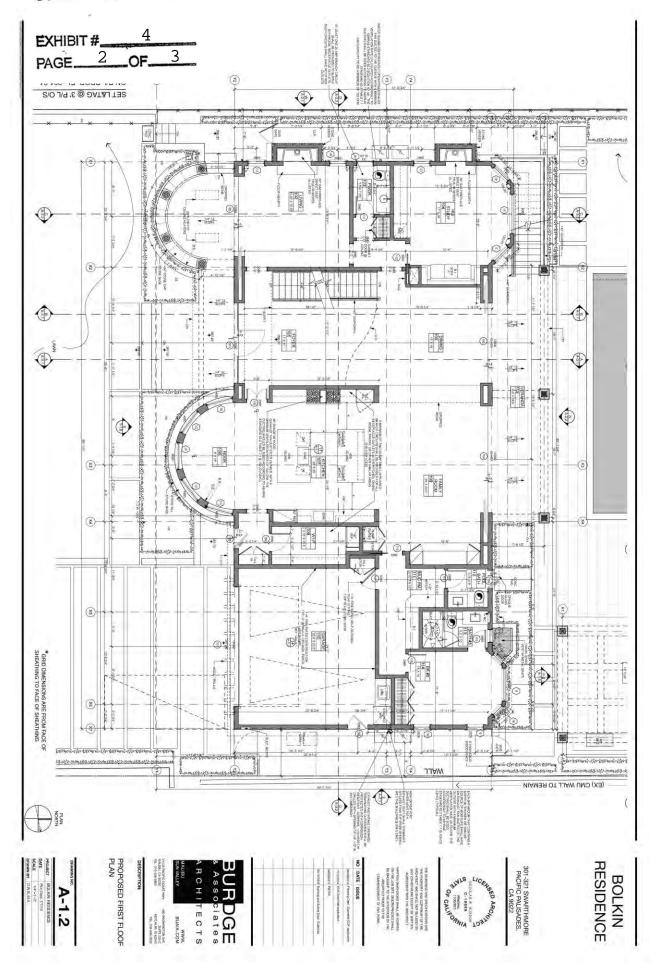
- City of Los Angeles Coastal Development Permit Case No. ZA 2014-3098(CDP)(MEL), dated August 19, 2015
- Coastal Development Permit Application No. 5-16-0095
- Coastal Development Permit Application No. 5-15-1638
- Preliminary Geologic & Soils Engineering Investigation (File No. 6194) prepared by SubSurface Designs, Inc., dated April 30, 2014, for 301 & 321 Swarthmore Avenue, Pacific Palisades, CA 90272
- City of Los Angeles Geology and Soils Approval Letter LOG #84534-01
- City of Los Angeles Permit and Inspection Report for Application/Permit Number: 15019-30000-03001, dated January 27, 2016.

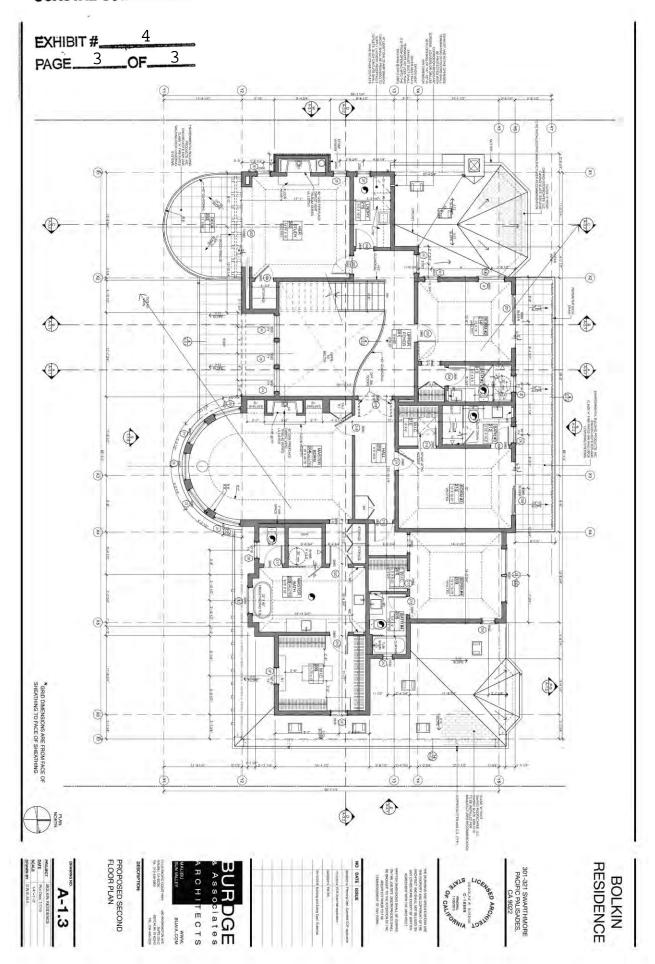


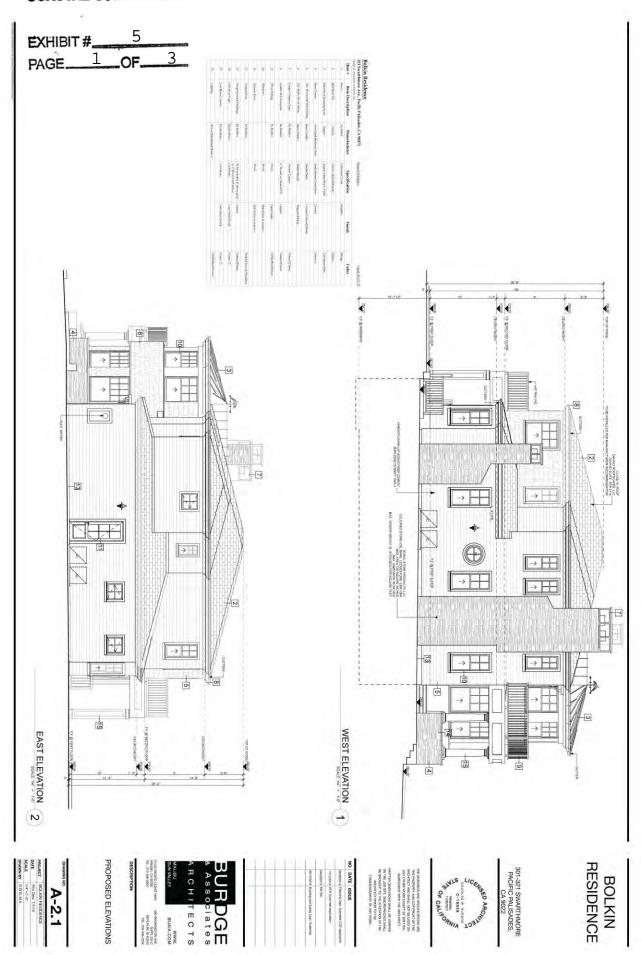


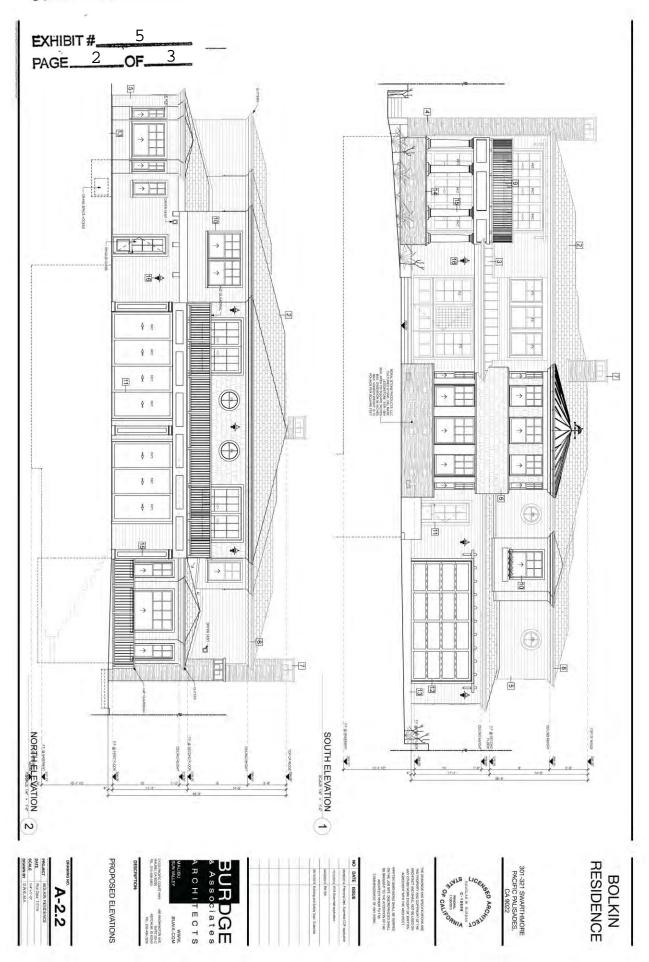
COASTAL COMMISSION 3 EXHIBIT# 1 PAGE__1 OF. VIA DE LA PAZ 71 :3 267.23 TWO STORY SINGLE FAMILY RESIDENCE W/ BASEMENT W/ ATTACHED GARAGE SWARTHMORE AVE. FRIENDS STREET **SWARTHMORE AVENUE** BOLKIN RESIDENCE SITE PLAN OF CALIFORNIA A-0.1 ECTS DGE

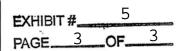




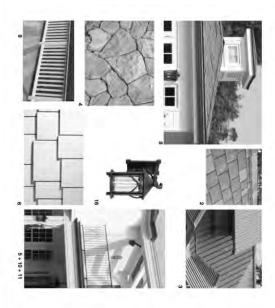








1 Swarth	321 Swarthmore Ave., Pacific Palisades, CA 90272 Burds & Assentes Additions by:	des, CA 90272	Material Schodules		Dated: 06/15/15
Item #	Item Description	Manufacturer	Specification	Finish	Color
-	Stucco	La Estra	California 2 Cost	Smoothe	Minhgo
N.	State Roof Tile	DaVino	DaVinci Slate Bellaforto		Milano
OA.	Metal Roof Standing Seam	Englart	lingfort Mesai Roof A1500		(Salvalume/Fus
4	Stone Verser	StoneYard Building Matri.	Santa Barbara Sandstone	Chisted	Natural
ia.	Ext. Horizontal Wood Siding	James Hardie	HardsePlank	Custom Colonial Smoth	
o.	Est, Stake Wood Siding	James Flandie	HardseShingle	Staggered Edge	
46.	Copper Channey Caps	By Builder	Natural Copper		Natural Pating
æ	Gutters & Downspind	By Ruilder	6' Round w/ Round D.S.	Opper	Natural Patina
¢	Wood Railing	By Builder	Wied	Paint Grate	Oil Rubbed Bonze
10	Windows		Wand	Metal Clad at exterior	
п	Extense Door		Wand	Metal Clad at extensor	
E	Garage Doon	By Builder			Mitch Dixes & Windows
5	Weep Screed & Flashings	By Builder	To be installed 4" above grad	Copper	Natural Patina
4	Cast Stone Cape	Pacific Stone	or 2" above hard surface Cast Stone	Linte Stone Finish	Tonno 27
15	Cast Stone Column	Pacific Stone	CastStone	Lime Stone Finish	Ionno 27
	Lighting	Stoven Handelman Studius			Oil Rubbod Bonzo



STREET ELEVATION 1

EXISTING SIDEWALK

RCHITECTS

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				Building and Survey Dept. Submittel	Bid Sell	HOA Submittel application	

				NO
Statisting	04/20/2015	1102/2014	GB10505014	DATE
Building and Safety Dept. Submittel	Bio Sell	POS Silemittel application	Planning Dept. Submitted CDP application	DATE ISSUE

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BOLKIN RESIDENCE

A-2.3

PROPOSED ELEVATION



Permit and Inspection Report

COASTAL COMMISSION

EXHIBIT	#	6	
PAGE	1	OF	2

301 N SWARTHMORE AVE 90272 APPLICATION / PERMIT NUMBER: 15019-30000-03001 PLAN CHECK / JOB NUMBER: B15WL04283

Plan Check and Permit Information

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LADBS Home						
*	GROUP:	Building				
LAHD Property	TYPE:	Bidg-Demolition				
Activity Report	SUB-TYPE:	1 or 2 Family Dwe	lling			
	PRIMARY USE:	(1) Dwelling - Sing	le Family			
Disclaimer	WORK DESCRIPTION:	Demolition of (E)	one story SFD (1497 sq. ft.)) garage (18'x20')	and carport (11 x18) clea	r the lot
	PERMIT ISSUED:	Yes	PERMIT ISSUE DATE:	09/24/2015	ISSUING OFFICE:	West LA
	CURRENT STATUS:	Permit Finaled	CURRENT STATUS DA	TE: 10/16/2015		
	Permit Application Status	History				
	Submitted	08	/18/2015	APPLICANT		
•	Assigned to Plan Check En	gineer 08	/18/2015	VLADIMIR ARUT	YUNYAN	
	Corrections Issued	ne	12412015	AZEADAMID ADELT	VIINVAN	

Assigned to Plan Check Engineer	08/18/2015	VLADIMIR ARUTYUNYAN
Corrections Issued	08/24/2015	VLADIMIR ARUTYUNYAN
Applicant returned to address corrections	09/17/2015	BIDYUT RATH
Plan Check Approved	09/18/2015	MAR JAN SHENASI
Issued	09/24/2015	LADBS

Permit Finaled 10/15/2015 KENNETH NAGLE

Permit Application Clearance Information

 Coastal Zone
 Cleared
 09/17/2015
 CASSANDRA ZWEEP

 Mello Bill
 Cleared
 09/17/2015
 CASSANDRA ZWEEP

 ZA Case
 Cleared
 09/17/2015
 CASSANDRA ZWEEP

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Licensed Professional/Contractor Information

Architect Information Burdge, Douglas W; Lic No: C16899

21235 PACIFIC COAST HWY

MALIBU CA 90265

Contractor Information

Hanover Builders Inc; Lic. No : 709353-B 141 DUESENBERG DRIVE STE 6 WESTLAKE VILLAGE CA 91362

Inspection Activity Information

Inspector Information

KENNETH NAGLE (310) 914-3889 Office Hours: 7:00-8:00 AM MON-FRI

Pending Inspection Request(s)

No data available

Inspection Request History

Final10/15/2015Permit FinaledKENNETH NAGLESewer Cap10/15/2015ApprovedKENNETH NAGLE

BACK NEW SEARCH



Permit and Inspection Report

COASTAL COMMISSION

EXHIBIT#

321 N SWARTHMORE AVE 90272 APPLICATION / PERMIT NUMBER: 15019-30000-03002 PLAN CHECK / JOB NUMBER: B15WL04285

Plan Check and Permit Information

LADBS Home

GROUP:

Building

LAHD Property Activity Report

TYPE:

Bldg-Demolition

SUB-TYPE:

1 or 2 Family Dwelling

PRIMARY USE: Disclaimer

(1) Dwelling - Single Family

WORK DESCRIPTION:

Yes

Demolition permit for (E) SFD with attached garage clear the lot PERMIT ISSUE DATE:

09/24/2015 ISSUING OFFICE: West LA

CURRENT STATUS:

PERMIT ISSUED:

Permit Finaled

CURRENT STATUS DATE: 10/15/2015

Permit Application Status History

Submitted

08/18/2015

APPLICANT

Assigned to Plan Check Engineer Corrections Issued

08/18/2015 08/24/2015 VLADIMIR ARUTYUNYAN

Plan Check Approved

VLADIMIR ARUTYUNYAN

Issued

09/18/2015 09/24/2015

MAR JAN SHENASI LADBS

Permit Finaled

10/14/2015

KENNETH NAGLE

Permit Application Clearance Information

Coastal Zone

Cleared

09/17/2015

CASSANDRA ZWEEP

Mello Bill

Cleared

09/17/2015

CASSANDRA ZWEEP

ZA Case

Cleared

09/17/2015

CASSANDRA ZWEEP

Licensed Professional/Contractor Information

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Architect Information

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No data available

Inspection Request History

Final

10/14/2015

Permit Finaled

KENNETH NAGLE

NEW SEARCH