

# RECORD PACKET COPY

STATE OF CALIFORNIA—THE RESOURCES AGENCY

TH 189

PETE WILSON, Governor

## CALIFORNIA COASTAL COMMISSION

SOUTH COAST AREA  
245 W. BROADWAY, STE. 380  
P.O. BOX 1450  
LONG BEACH, CA 90802-4416  
(310) 590-5071

Filed: 6/10/96  
49th Day: 7/29/96  
180th Day: 12/7/96  
Staff: CP-LB  
Staff Report: 8/16/96  
Hearing Date: Sept. 10-13, 1996  
Commission Action:



### STAFF REPORT: PERMIT EXTENSION REQUEST

APPLICATION NO.: 5-88-178-E7  
APPLICANT: Jerald & Larry Yaker  
AGENT: Kelly W. Bixby  
PROJECT LOCATION: 11 & 15 Ketch Street, Venice, City of Los Angeles, Los Angeles County  
PROJECT DESCRIPTION: Construction of a two-story plus loft, 5,920 square foot duplex with two 2-car garages on a vacant 3,220 square foot lot.

Lot Area	3,220 sq. ft.
Building Coverage	1,890 sq. ft.
Pavement Coverage	450 sq. ft.
Landscape Coverage	810 sq. ft.
Parking Spaces	4
Zoning	R3-1
Plan Designation	Medium Residential
Ht abv fin grade	36 feet

### SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that the Commission find that the extension request is consistent with the Coastal Act and grant a new one-year term for the permit.

### LOCAL APPROVAL RECEIVED:

1. City of Los Angeles Approval in Concept No. 88-0020.

## II. FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

### A. Project Description and History

The applicants have requested a one-year extension of Coastal Development Permit 5-88-178 to construct a two-story plus loft, 36 foot high, two-unit apartment structure on a vacant lot located on the Marina Peninsula in Venice (Exhibits #1&3). Coastal Development Permit 5-88-178 was originally approved by the Commission on June 8, 1988, with one special condition. The one special condition limits the roof height of the proposed structure to 36 feet above the elevation of the center of the frontage road. The permit was issued on June 16, 1988.

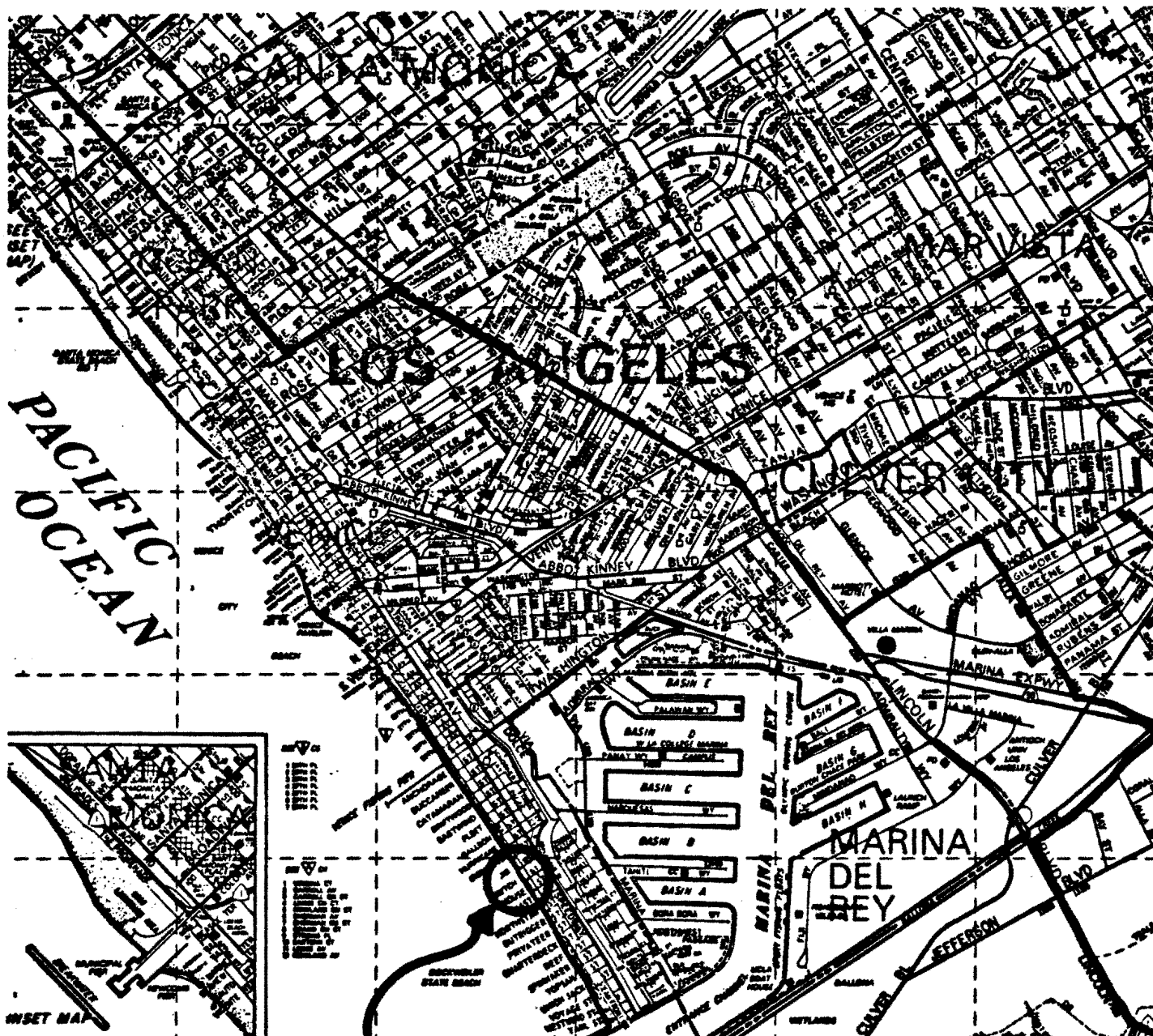
Six previous one-year permit extensions were granted in 1990, 1991, 1992, 1993, 1994 and 1995. The six previous permit extensions were determined by the Executive Director to be immaterial permit extensions because there were no changed circumstances which could have caused the proposed development to be inconsistent with the Coastal Act.

This, the seventh permit extension request, was also determined by the Executive Director to be an immaterial permit extension because there are no changed circumstances which could cause the proposed development to be inconsistent with the Coastal Act. The Executive Director's determination was noticed on July 8, 1996. On July 17, 1996, the Commission's Long Beach office received a letter from Deborah Sarlo objecting to the extension of the permit for the the proposed project on the grounds that the parking for the proposed project is grossly inadequate (Exhibit #4).

### B. Grounds for Objection

On Monday, June 10, 1996, the applicants submitted an application to extend Coastal Development Permit 5-88-178 for a new one-year term. On July 8, 1996, the Executive Director determined and sent notice that there were no changed circumstances which could affect the proposed development's consistency with the Coastal Act.

One objection letter was received within the ten working day period in which an objection could be submitted to the Commission. On July 17, 1996, the Commission received an objection letter from Deborah Sarlo, the owner of an adjacent property (Exhibit #4). The objection letter states that the parking supply for the proposed project is grossly inadequate, and that the project lacks light and air flow and may actually become a "bootleg four-unit building". The objection letter does not state that there are any changed circumstances which could possibly affect the consistency of the proposed development with the Coastal Act.



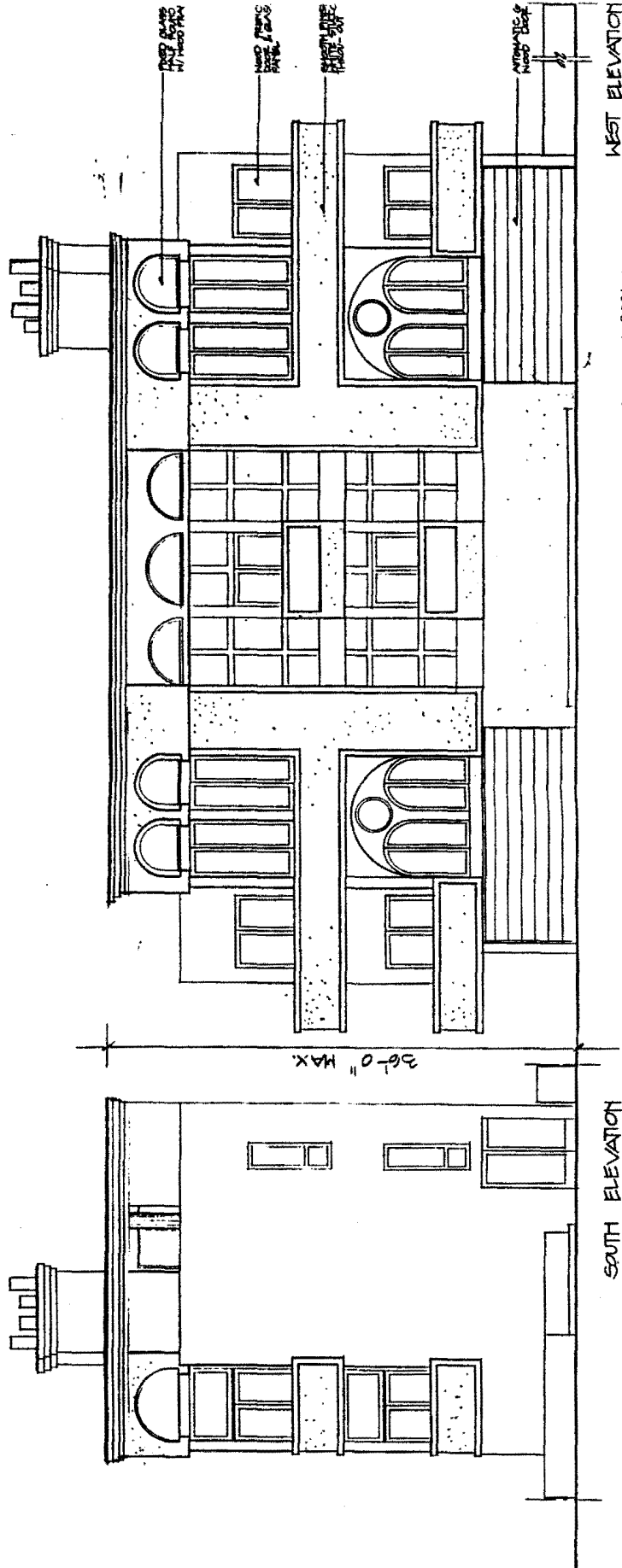
Site

COASTAL COMMISSION

5-88-178-E7

EXHIBIT # 1

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SOUTH ELEVATION

WEST ELEVATION

South Coast District Office

APPROVED  
Permit No. 5-88-178

FOR *[Signature]*

DETECTIVE  
Date: \_\_\_\_\_

**COASTAL COMMISSION**

**5-88-178-E7**

EXHIBIT # 3

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Galerie Michelangelo  
19th & 20th Century Art



RECEIVED

7-22-96

JUL 25 1996

California Coastal Commission  
South Coast Area  
245 W. Broadway #380  
P.O. Box 1450  
Long Beach, CA 90802-4416

CALIFORNIA  
COASTAL COMMISSION  
SOUTH COAST DISTRICT

RE: PERMIT # 5-88-178

Dear Gentleman:

We are writing to you in response to the objection from Mr. Allen Sarlo that you forwarded to our attention. Please also find attached all correspondence that we have had with Mr. Sarlo to date which we feel would be of benefit for you to review as it further lays out how Mr. Sarlo is without merit in his frivolous attempts to have the extension of our permit denied.

First, let us say that Mr. Sarlo himself has made attempts to purchase our property for a price well below market value, and when his offers were refused this only further fueled his fire against us. Back in March of 1995, Mr. Sarlo was using our lot without permission to park his cars and those of his tenants. He further decided that he would like to plant trees and landscape on our lot, so that his children could have their own playground. We explained to him at that time that we could not be responsible if his children were injured on our property. Furthermore, he continued to park cars on our lot. We initially had a small fence around our property and when Mr. Sarlo could no longer use our lot to park on, he actually tore down our fence! We then had to go to the expense of putting up a larger fence around our property.

Then, in May of 1996 Mr. Sarlo wrote to us requesting that we clean up his property as his tenants were expecting important guests from out of town. As this is the beach area, we can not be held responsible every time an act of nature occurs and blows sand around his property. But rather than listen to his hysteria, we accommodated his request and went to the expense of hiring two men to clean up his property.

Now, July of 1996, Mr. Sarlo is suddenly concerned about parking spaces, air flow and lighting. He himself would not be using our area, lot or otherwise, so he should certainly not be concerned about its parking availability, air flow or lighting.

COASTAL COMMISSION

5-88-178-27

EXHIBIT # 5

PAGE 1 OF 7

Galerie Michelangelo  
19th & 20th Century Art



6-3-96

Mr. Allen Sarlo  
fax # 301-9097  
John Douglas Co.  
450 Washington Blvd  
Marina Del Rey CA 90292

Dear Allen:

With regard to your fax dated May 29, 1996 we wish to inform you that we have gone to the expense of sending two men to the Ketch property to remove the weeds that you mentioned. I realize, as I am sure that you do, that sand at the beach is a natural occurrence and I have no control over which way the wind blows it.

Furthermore, while I have done my best to accomodate your request in this instance, I can not continue to go to the expense of having sand and weeds cleared up every time you request it to be done. I am quite sure that you have had to sweep sand off from your living areas many times before, and I expect that it will be necessasry for you to do so in the future.

I sincerely hope that you appreciate the effort that I have gone to so that we could resolve this matter and I hope that you will make every effort in the future to do your part.

Sincerely

*Larry Yaker*  
Larry Yaker

LY/rsk

**COASTAL COMMISSION**

EXHIBIT # 5

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1 Blvd.  
CA 90292  
301-3500  
J) 301-9097

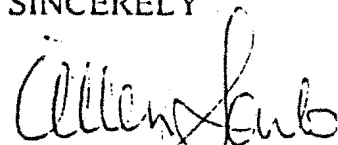
JULY 31, 1995

MS. DEBBIE YAKER  
4 QUARTER DECK #102  
MARINA DEL REY, CA. 90291

DEAR DEBBIE,

I SPOKE WITH MY INSURANCE COMPANY, REGARDING, IF MY CHILDREN WERE INJURED ON YOUR PROPERTY, AND I AM COVERED. THEY SAID IN THE EVENT THAT MY CHILDREN WERE INJURED ON YOUR PROPERTY, YOU ARE NOT RESPONSIBLE. I'M STILL INTERESTED IN FENCING IN THE PROPERTY AND I'M ENCLOSING A COPY OF MY ALLSTATE INSURANCE POLICY. THANK YOU FOR YOUR TIME AND CONSIDERATION IN THIS MATTER. PLEASE CALL ME TO DISCUSS THIS MATTER.

SINCERELY

  
ALLEN SARLO

**COASTAL COMMISSION**

EXHIBIT # 5  
PAGE 5 OF 7

August 30, 1994

TO: GENERAL CONTRACTOR FOR CONSTRUCTION AT 17/19 KETCH

RE: ILLEGAL DUMPING OF MATERIALS ON ADJACENT PROPERTY

MR. GENERAL CONTRACTOR,

I KNOW THAT YOU ARE WORKING FOR MR. ALAN SARLOW OF THE JON DOUGLAS COMPANY AND THAT MR. SARLOW IS PRESENTLY OUT OF THE COUNTRY. YOU SHOULD KNOW THAT YOU HAVE ILLEGALLY DUMPED MATERIALS FROM YOUR CONSTRUCTION PROJECT ON MY PROPERTY. THESE MATERIALS HAVE BEEN COLLECTING FOR OVER TWO WEEKS AND THE PILES ARE CONTINUING TO GROW. OTHERS ARE NOW USING THIS AREA AS A TRASH ZONE. THIS AREA COULD NOW BE CONSIDERED DANGEROUS TO THE NEIGHBORHOOD AND MY LIABILITY INSURER SAYS THIS HAZARD COULD BE YOUR PROBLEM.

YOU MUST STOP USING THIS PROPERTY IMMEDIATELY AND ALSO, IMMEDIATELY REMOVE THE DEBRIS THAT IS NOW THERE.

I HAVE MADE SEVERAL HONEST ATTEMPTS TO CONTACT YOU THROUGH YOUR EMPLOYEES. BUT, EITHER, THEY HAVE NOT FORWARDED THE MESSAGES OR YOU HAVE NOT BOTHERED TO CALL ME.

BY FRIDAY, SEPTEMBER 2, 1994, ALL MATERIALS MUST BE REMOVED FROM THIS PROPERTY. IN ADDITION, NO VEHICLES MAY BE PARKED ON THIS PROPERTY AT ANY TIME. SHOULD YOU FAIL TO COMPLY WITH THESE REQUESTS FURTHER ACTION WILL BE NECESSARY.

IF YOU HAVE ANY QUESTIONS,

DEBORAH YAKER  
NEAL SPELLMAN  
(818) 887 - 9119  
(310) 578 - 0032

**COASTAL COMMISSION**

cc: Alan Sarlow/Jon Douglas Company

EXHIBIT # 5  
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