

**CALIFORNIA COASTAL COMMISSION**

SOUTH CENTRAL COAST AREA  
 SOUTH CALIFORNIA ST., SUITE 200  
 VENTURA, CA 93001  
 (805) 641-0142

Filed: 11/1/96  
 49th day: 1/14/97  
 180th day: 5/25/97  
 Staff: Betz-VNT  
 Staff Report: 1/16/97  
 Hearing Date: 2/4-7/97

STAFF REPORT: PERMIT EXTENSION REQUEST**W9b**

APPLICATION NO.: 4-92-204-E3

APPLICANT: Brenda Freeman AGENT: Barsocchini &amp; Asso.

PROJECT LOCATION: 28169 Rey de Copas, City of Malibu, Los Angeles County

PROJECT DESCRIPTION: Construction of a 8,472 sq. ft., 35 ft. high from existing grade single family residence, with 3-car garage, private access way, septic system and 4,000 cu. yds. of grading (3,500 cu.yds. of cut and 500 cu. yds. of fill).

LOCAL APPROVALS RECEIVED: City of Malibu, Approval in Concept, dated 9-3-92.

SUBSTANTIVE FILE DOCUMENTS: Coastal Development Permit File 4-92-204.

PROCEDURAL NOTE:

The Commission's regulations provide that permit extension requests shall be reported to the Commission if:

- (1) The Executive Director determines that due to changed circumstances the proposed development may not be consistent with the Coastal Act, or
- (2) Objection is made to the Executive Director's determination of consistency with the Coastal Act.

If three (3) Commissioners object to an extension request on the grounds that the proposed development may not be consistent with the Coastal Act, the application shall be set for a full hearing as though it were a new application. If three objections are not received, the permit will be extended for an additional one-year period. (See C.C.R. Section 13169 (a)(2))

STAFF RECOMMENDATION:

The staff recommends that the extension be granted for the following reasons:

There has been no changes in conditions or circumstances have occurred since the approval of the coastal development permit, therefore, the project remains consistent with the Chapter 3 policies of the Coastal Act.

I. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. Project Description

The proposed project is for the construction of a 8,472 sq. ft., 35 ft. high from existing grade, single family residence, with 3-car garage, private access way, septic system and 4,000 cu. yds. of grading (3,500 cu.yds. of cut and 500 cu. yds. of fill) (Exhibit 1). On November 20, 1992 the Executive Director determined, through the issuance of an administrative permit, that the proposed project, subject to conditions requiring plans conforming to geologic recommendations and removal of excess fill, was in conformity with Chapter 3 policies of the Coastal Act.

The permit has been extended twice and was due to expire on November 20, 1996. The applicant has requested a one year extension of the approved permit. The request was timely received on October 31, 1996 and filed on November 26, 1996.

Staff initially determined that there were no changed circumstances that might affect the consistency of the project with the Coastal Act. Notices of that determination were sent out on November 26, 1996. Staff received one written objection to the extension request on December 5, 1996 from Frank Jansen. (Exhibit 2) The applicant was notified of the objection to the extension request on January 7, 1996 and informed that the item would be scheduled for the next available Commission hearing.

B. Grounds for Extension Approval

On November 20, 1992 the Executive Director determined, through the issuance of an administrative permit, that the proposed development, subject to two special conditions, was in conformity with the provisions of Chapter 3 of the Coastal Act. (Exhibit 1)

Section 13169 of the California Code of Regulations requires that the Executive Director determine whether or not there are changed circumstances that may affect the consistency of the permitted permit with the Coastal Act. Section 30604 (a) of the Coastal Act states that:

(a) Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the Commission on appeal, finds that the proposed development is in conformity with Chapter 3 (commencing with Section 30200) and that the permitted development will not prejudice the ability of the local government to prepare a local costal program that is in conformity with Chapter 3 (commencing with Section 30200). A denial of a coastal development permit on grounds it would prejudice the ability of the local government to prepare a local coastal program that is in conformity with Chapter 3 (commencing with Section 30200) shall be accompanied by a specific finding which sets forth the basis for that conclusion.

This section provides that the Commission shall issue a permit only if the project will not prejudice the ability of the local government to prepare a certifiable LCP. The Executive Director determined in the approval of coastal

development permit 4-92-204 that the proposed project, as conditioned, was consistent with Chapter 3 polices of the Coastal Act and would not prejudice the City of Malibu to prepare a LCP in conformity with the provisions of Chapter 3.

The Executive Director also determined that the project was in conformance with the policies of the Malibu/Santa Monica Mountains Land Use Plan (LUP). Although no longer effective in the City of Malibu, the previous certified LUP continues to provide guidance in permit decisions as to the types of uses and resource protection measures needed in the Malibu area in order to comply with Coastal Act policies.

The letter of objection (Exhibit 2) asserts that the grading and intensity of development would affect the community, especially in access to and from other residences. Secondly, the letter asserts that the view corridor for surrounding residents would be impaired. Third, presence of heavy equipment was asserted to endanger children attending the school below the project site. None of the three assertions constitute "changed circumstances".

Relative to the first assertion, this situation has not changed, it is no different from what existed at the time the permit was granted. Further, even if it were different and the circumstances of the temporary construction practices had changed, this issue is not one which would result in inconsistency with any of the policies of the Coastal Act. Therefore, the temporary disruption of access to and from surrounding residences is not a changed circumstance which would effect the project's consistency with the Coastal Act.

The second assertion is that the project impairs the private view corridor from surrounding residences. Visual and landform alteration impacts were addressed in the original findings and conditions of the permit. The project was found not to be visible from any designated public view area or scenic highway. Potential landform alteration impacts were mitigated through a special condition of approval, as noted in Exhibit 1. Nothing about the view impacts of the project has changed since the permit was first granted, nor does this assertion demonstrate inconsistency with Coastal Act policies. Therefore, there is no changed circumstance relative to visual resources which would affect the project's consistency with the Coastal Act.

The third assertion is relative to the impact of heavy equipment on school children. The use of heavy equipment is not in a sensitive area such as a beach or wetland and is of a temporary nature. Any residual effects of construction were addressed by the findings and conditions of the permit relative to geologic plan conformity and removal of excess fill. Construction of the residence and use of equipment in so doing are not issues that demonstrate inconsistency with Coastal Act policy. For these reasons, the assertion does not present an issue relative to Coastal Act policies as addressed in the original findings and no changed circumstances have been demonstrated relative to the project's consistency with the Coastal Act.

In conclusion, the Commission finds that there are no changed circumstances relative to the proposed project which would affect the project's consistency with the Coastal Act. Therefore, the Commission grants the applicant's request for a one year extension of the permit until November 20, 1997.

## CALIFORNIA COASTAL COMMISSION

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

Page 1 of 8  
Permit Application No. 4-92-204  
Date 10/27/92

ADMINISTRATIVE PERMIT

APPLICANT: Brenda Freeman

PROJECT DESCRIPTION: Construction of a 8,472 sq. ft., 35 ft. high from existing grade single family residence, with 3-car garage, private access way, septic system and 4,000 cu. yds. of grading (3,500 cu. yds. of cut and 500 cu. yds. of fill).

PROJECT LOCATION: 28169 Rey De Copas, City of Malibu, Los Angeles County.

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, appear on subsequent pages.

**NOTE:** P.R.C. Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:  
Friday, November 20, 1992, 9:00 a.m.  
Holiday Inn-Bay View Plaza  
530 Pico Blvd., Santa Monica (310) 399-9344

IMPORTANT - Before you may proceed with development, the following must occur:

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgement and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.

PETER DOUGLAS  
Executive Director

EXHIBIT NO. 1

APPLICATION NO.

4-92-204 E3  
Freeman  
Administrative  
Permit

By:   
Title: Staff Analyst

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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 this permit is reported to the Commission. 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. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. 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.
7. 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.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

The Executive Director hereby determines that the proposed development is a category of development which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an administrative permit. Subject to Standard and Special Conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, 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, and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. If located between the nearest public road and the sea, this development is in conformity with the public access and public recreation policies of Chapter 3.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION:A. Project Description

The applicant proposes the construction of a 8,472 sq. ft., 35 ft. high from existing grade single family residence with a three car garage, private access way, septic system and 4,000 cu. yds. of grading (3,500 cu. yds. of cut and 500 cu. yds. of fill) (Exhibits 1-4). The proposed project is located on Rey de Copas, approximately 300 ft. north of Pacific Coast Highway, in the City of Malibu.

The site is designated Residential I, 1 dwelling per arce, in the formally certified Malibu/Santa Monica Mountains Land Use Plan: this site is 1.13 acres in size. The project site is surrounded by single family residences to the north; a condominium project to the southwest; a church directly south and undeveloped land directly east. The site is not located within an Environmentally Sensitive Habital Area (ESHA) and is in close proximity to the Ramirez Canyon Watershed on the east.

Although the certified Malibu/Santa Monica Mountains Land Use Plan is no longer legally binding upon the new City, many standards contained in the IUP are still applicable to development within the City and will continue to be used as guidance. The Commission recognizes that the legal physical separation between the City and County boundary does not eliminate the natural interrelationship caused by topographic or resource characteristics (i.e. Significant Watersheds and ESHA's). This relationship must be taken into consideration in planning and regulation of development in the Santa Monica Mountains regardless of the defined boundary between City and County. Therefore, the Malibu/Santa Monica Mountains LUP will continue to be used in evaluating projects located within the City wherever applicable.

B. Background

The Commission has previously approved two permit applications for the subject site. In the first Coastal Development Permit issued, 5-82-653 (Freeman), the Commission approved the subdivision of a 2.34 acre parcel into two parcels of 1.16 and 1.18 acres each. This permit was approved with the condition that the applicant purchase one TDC to mitigate the impact of creating a new lot.

Later, the Commission approved Coastal Development Permit 5-90-522 (Freeman), for the construction of a 8,472 sq. ft., 35 ft. high from existing grade single family residence, 3-car garage, septic system and 3,500 cu. yds. of grading (3,500 cu. yds. cut and 500 cu. yds. fill). However, the applicant submitted a request for an extension after the deadline to extend the permit and therefore, the permit expired. Hence, the applicant has applied for the subject permit, which is identical to that which was previously approved under Permit 5-90-522.

B. Geologic Stability

Section 30253 of the Coastal Act states in part that new development shall:

(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(2) Assure stability and structural integrity, and neither create nor

contribute significantly to erosion, 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.

In addition, the Malibu IUP contains the following policies regarding geologic stability:

P147 Continue to evaluate all new development for impact on, and from, geologic hazard.

P149 Continue to require a geologic report, prepared by a registered geologist, to be submitted at the applicant's expense to the County Engineer for review prior to approval of any proposed development within potentially geologically unstable areas including landslide or rock fall areas and the potentially active Malibu Coast-Santa Monica Fault Zone. The report shall include mitigation measures proposed to be used in the development.

The proposed development is located in Malibu, an area which is generally considered to be subject to an unusually high amount of natural hazards. Geologic hazards common to the Santa Monica Mountains include landslides, erosion, and flooding. The applicant is proposing the construction of a 8,472 sq. ft., 35 ft. high from existing grade single family residence with 4,000 cu yds. of grading (3,500 cu. yds. of cut and 500 cu. yds. of fill). The applicant has submitted a Soils and Geologic Exploration Report prepared for the subject property by Tierra Tech Testing Lab which is dated June 23, 1981, as well as an Updated Soils Exploration, dated December 19, 1989. The Updated Report states that:

The subject lot is considered suitable from a soil engineering standpoint for the proposed residential construction when constructed in accordance with the recommendations presented below.

To ensure that these recommendations are incorporated into the design of the project, the Executive Director determines it necessary to require the applicant to submit project plans that have been certified in writing by the geologist as conforming to their recommendation and conforming to the recommendations of the geology and soils reports. As conditioned, the Executive Director determines that the proposed project is consistent with Section 30253 of the Coastal Act and the Malibu Land Use Plan.

#### D. Visual and Landform Alteration

Section 30251 of the Coastal Act states that permitted development shall be sited and designed to minimize the alteration of natural landforms and protect the scenic and visual quality of coastal areas:

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. New development in highly scenic area such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of

Parks and Recreation and by local government shall be subordinate to the character of its setting.

In addition, the certified Malibu/Santa Monica Mountains Land Use Plan contains the following policies which are applicable to the proposed development:

- P82 Grading shall be minimized for all new development to ensure the potential negative effects of runoff and erosion on these resources are minimized.
- P90 Grading plans in upland areas of the Santa Monica Mountains should minimize cut and fill operations in accordance with the requirements of the County Engineer.
- P91 All new development shall be designed to minimize impacts and alterations of physical features, such as ravines and hillsides, and processes of the site (i.e., geological, soils, hydrological, water percolation and runoff) to the maximum extent feasible.
- P125 New development shall be sited and designed to protect public views from LCP-designated scenic highways to and along the shoreline and to scenic coastal areas, including public parklands. Where physically and economically feasible, development on sloped terrain should be set below road grade.
- P129 Structures should be designed and located so as to create an attractive appearance and harmonious relationship with the surrounding environment.
- P130 In highly scenic areas and along scenic highways, new development (including buildings, fences, paved areas, signs, and landscaping) shall:
- be sited and designed to protect views to and along the ocean and to and along other scenic features, as defined and identified in the Malibu LCP.
  - minimize the alteration of natural landforms.
  - be landscaped to conceal raw-cut slopes.
  - be visually compatible with and subordinate to the character of its setting.
  - be sited so as not to significantly intrude into the skyline as seen from public viewing places.
- P134 Structures shall be sited to conform to the natural topography, as feasible. Massive grading and reconfiguration of the site shall be discouraged.
- P135 Ensure that any alteration of the natural landscape from earthmoving activity blends with the existing terrain of the site and the surroundings.

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The building site is located on a 1.12 acre parcel. The majority of the grading for the project will be on the side of a gently sloping hill (roughly 5:1 gradient) and will be for the driveway and excavation.

The applicant proposes 4,000 cu. yds. of grading (3,500 cu. yds. cut and 500 cu. yds. of fill) for the construction of the building pad and accessway. As proposed the development will not be visible from any designated public view area of any scenic highway. The proposed project is located in an area that is developed and the Commission has previously approved the same project located on this site. However, the Executive Director determines it necessary to require the applicant to remove all excess fill material for the main residence to an off-site disposal site. The location of the disposal site must be approved by the Executive Director to insure that natural landforms within the Coastal Zone are maintained. Should the dump site be within the Coastal Zone, a permit shall be required. Only as conditioned is the proposed project consistent with Section 30251 of the Coastal Act and applicable policies of the Malibu LUP.

#### E. Septic System

The proposed development includes the installation of an on-site septic system to provide sewage disposal. The Commission recognizes that the potential build-out of lots in the Santa Monica Mountains, and the resultant installation of septic systems, may contribute to adverse health effects and geologic hazards in the local area. Section 30231 of the Coastal Act states that:

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.

In addition, the Malibu Land Use Plan contains the following policies concerning sewage disposal:

P217 Wastewater management operations within Malibu Coastal Zone shall not degrade streams or adjacent coastal waters or cause or aggravate public health problems.

P218 The construction of individual septic tank systems shall be permitted only in full compliance with building and plumbing codes. Building and plumbing codes shall be revised to permit innovative and alternative methods of wastewater treatment and disposal, provided that installation, operation, and maintenance are acceptable to the Departments of Health Services and County Engineer-Facilities and to the Regional Water Quality Control Board. Such code revisions shall constitute an LCP amendment.

P226 The County shall not issue a coastal permit for a development unless it can be determined that sewage disposal adequate to function without creating hazards to public health or coastal resources will be available for the life of the project beginning when occupancy commences.

A favorable percolation test was performed on the subject property which indicates that the percolation rate exceeds the minimum uniform Plumbing Code requirements for the project. Therefore, the Executive Director determines that the proposed septic system is consistent with Section 30231 of the Coastal Act and the applicable LUP policies.

#### F. Local Coastal Program

Section 30604 of the Coastal Act states that:

- (a) Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a local program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).

Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. On December 11, 1986, the Commission certified the Land Use Plan portion of the Malibu/Santa Monica Mountains Local Coastal Program. While the County prepared and certified LUP is no longer legally effective in the newly incorporated City of Malibu, the previously certified LUP continues to provide guidance as to the types of uses a resource protection needed in the Malibu area in order to comply with Coastal Act policy. The certified LUP contains policies to guide the types, locations, and intensity of future development in the Malibu/Santa Monica Mountains area. Among these policies are those specified in the preceding sections regarding geology, visual and landform alterations and septic system standards. As conditioned, the proposed development will not create adverse impacts and is consistent with the policies contained in the LUP. Therefore, the Commission determines that approval of the proposed development will not prejudice the County's ability to prepare a Local Coastal Program implementation program for Malibu and the Santa Monica Mountains which is consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

#### G. CEQA

Section 13096(a) of the Commission's administrative regulations requires Commission approval of Coastal Development Permit application 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)(i) 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 impact which the activity may have on the environment. **P7 of 12**

In the case of this project, the Environmental Review Board for the City of Malibu analyzed the proposed project. The proposed project is conditioned

will not have significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. Therefore, the proposed project, as conditioned, has been adequately mitigated and is determined to be consistent with the policies of the Coastal Act.

SPECIAL CONDITIONS:

1. Plans Conforming to Geologic Recommendation

All recommendations contained in the Soils and Geologic Exploration Report dated June 23, 1981 and the Update Soils Exploration dated December 19, 1989 by Tierra Tech Lab, shall be incorporated into all final design and construction including foundations, grading and drainage. All plans must be reviewed and approved by the consultants. Prior to issuance of the permit the applicant shall submit, for review and approval by the Executive Director, evidence of the consultants' review and approval of all project plans.

The final plans approved by the consultant shall be in substantial conformance with the plans approved by the Commission relative to construction, grading and drainage. Any substantial changes in the proposed development approved by the Commission which may be required by the consultant shall require an amendment to the permit or a new coastal permit.

2. Removal of Excess Fill

Prior to the authorization to proceed with development, the applicant shall submit to the Executive Director, the location of the proposed dump site for all excess fill material not required for the construction of the building pad or driveway for the main residence.

ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

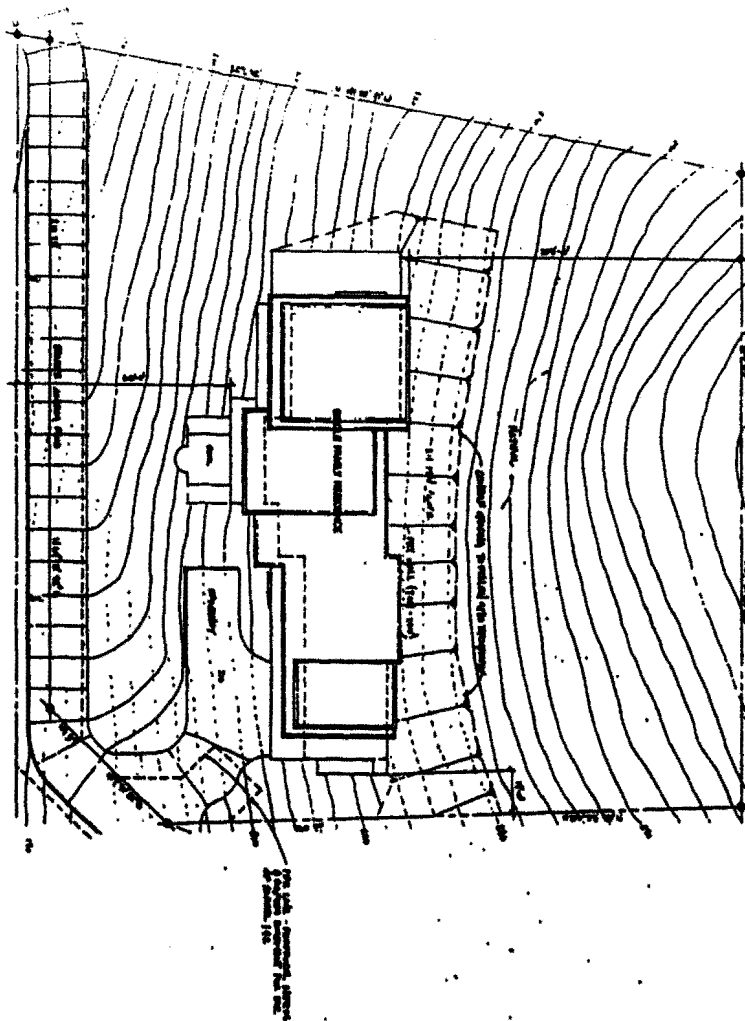
\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date of Signing

0003q

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SITE/ROOF PLAN



Site/roof plan  
3/27/94 (revised)  
3/27/94 (original)  
W. B. HARRIS, ARCHITECT

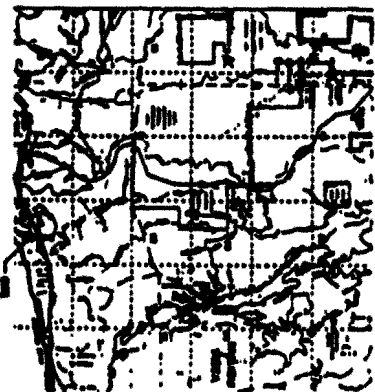
	SHEET INDEX
P1	LOCATION MAP, SITE/ROOF
P2	FIRST & SECOND LEVEL
P3	THIRD LEVEL, POOL, P.A. ELEMENTS
P4	ELEMENTS

**EXHIBIT NO. 1**

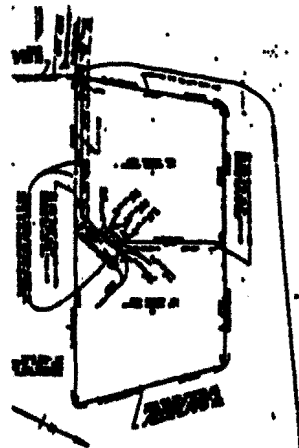
**APPLICATION NO.**  
4-92-204

P9 2072

LOCATION MAP



PROPERTY MAP

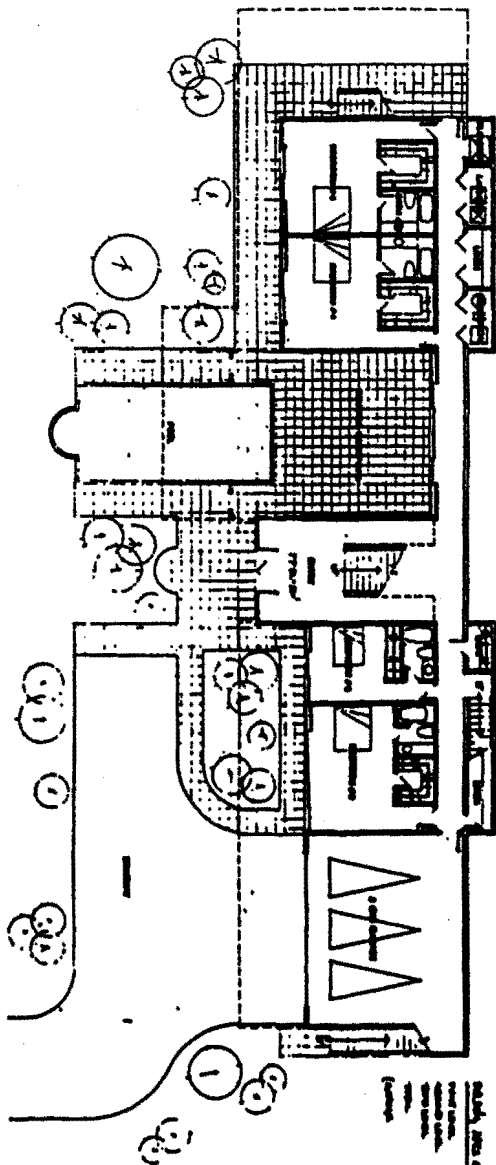


SHEET INDEX  
LOCATION MAP  
SITE/ROOF PLAN

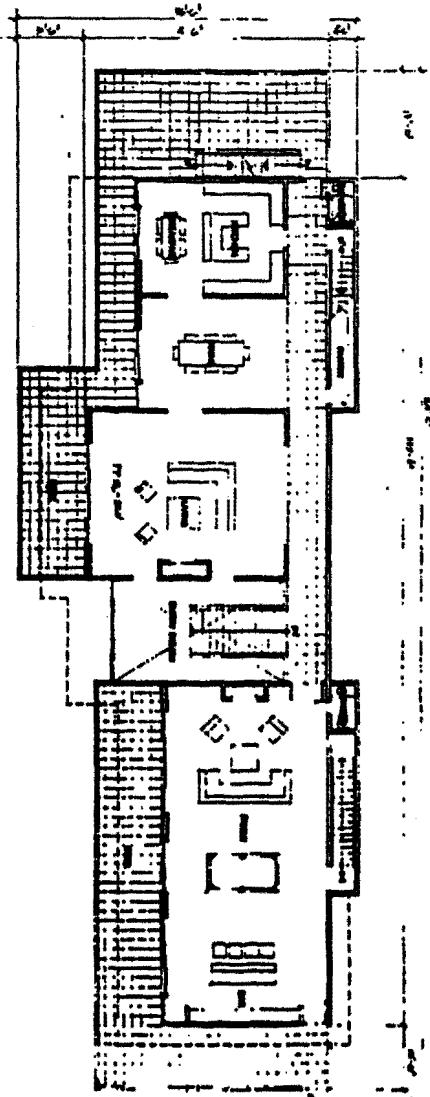
**BARSOCCINI & ASSOCIATES, INC.**  
**ARCHITECTS**  
11000 S. MARCOTTA AVE. • SUITE 202  
SHERMANTON, CALIF. 94404

SINGLE FAMILY RESIDENCE FOR MRS. SPENDA FREEMAN  
2888 REY DE COPAS MALIBU, CA 90266

FIRST LEVEL FLOOR PLAN



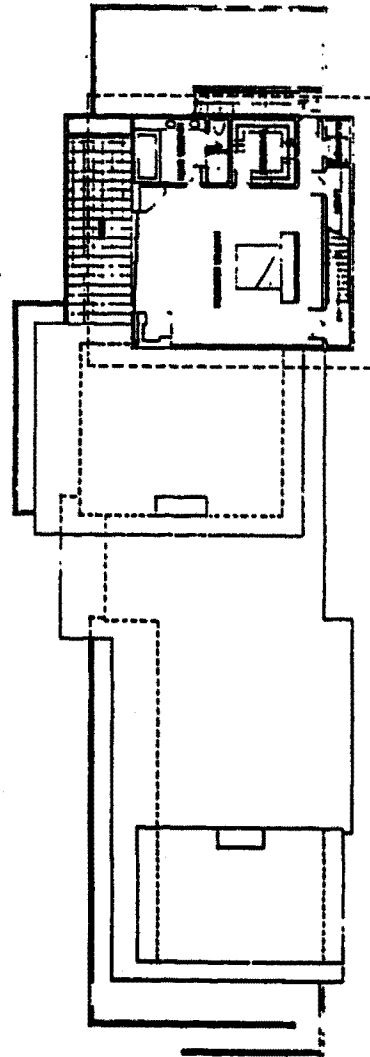
SECOND LEVEL FLOOR PLAN



**EXHIBIT NO. 2**  
**APPLICATION NO.**  
 4-92-204

810-4-12

THIRD LEVEL, FLOOR PLAN

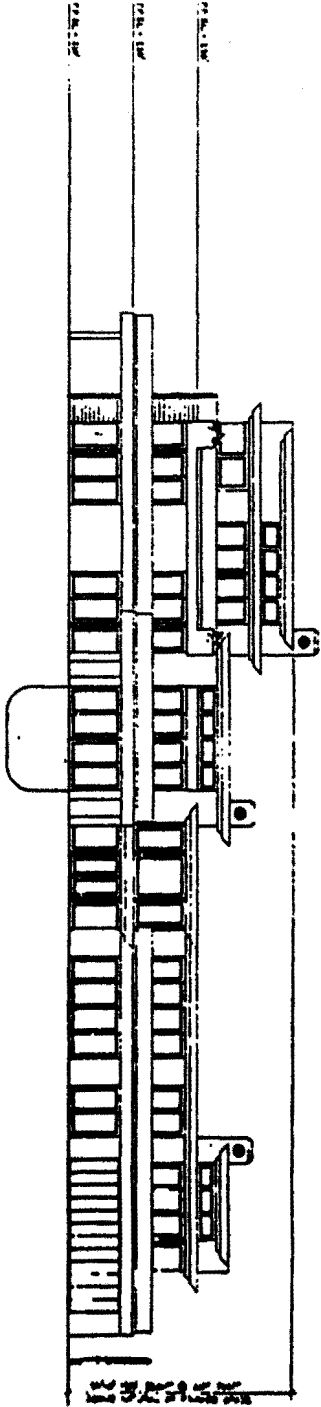


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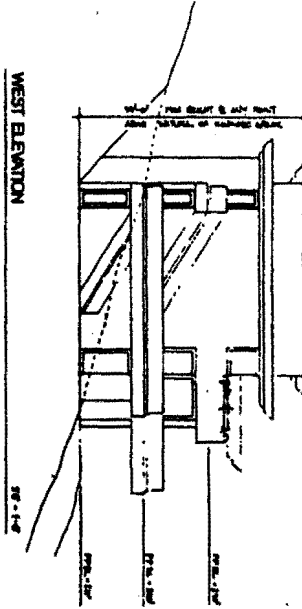
<b>EXHIBIT NO. 3</b>
APPLICATION NO. 4-92-201

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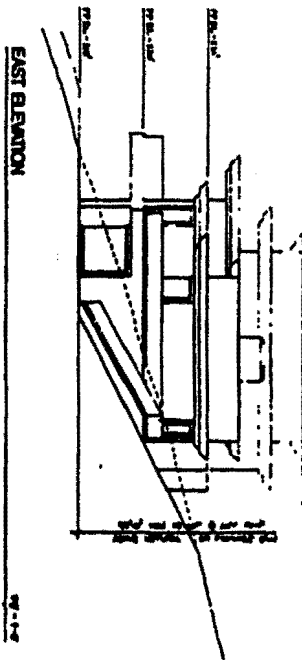
SOUTH ELEVATION



WEST ELEVATION



EAST ELEVATION



<b>EXHIBIT NO. 4</b>
<b>APPLICATION NO.</b> 4-92-204

PIZ 05 12



CHICAGO LETTER

December 4, 1996

Peter M. Douglas  
Executive Director  
California Coastal Commission  
South Central Coast Area  
89 South California Street  
Suite 200  
Ventura, California 93001

**Re: Brenda Freeman - Request for Coastal Development Permit No. 4-92-204  
granted 11/20/96 at 28169 Re De Copas, City of Malibu, Los Angeles County**

Dear Mr. Douglas:

The disruption caused by the heavy grading and massive construction would negatively impact my family and the community at large in numerous ways, the least of which would be the ability to get to and from our own residences. Additionally, the view corridor for the surrounding residents would be impaired, thus causing reduced property values and the resultant economic loss.

Lastly, the subject property and proposed excavation is located directly above a school. Having the property in a state of reconstruction in addition to the heavy machinery required for such a large project in that close a proximity to the school could endanger the children attending the school.

Sincerely,

Frank Jansen  
Sr. Vice President  
Special Projects

FJ/rra

RECEIVED

DEC 11 1996

CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

EXHIBIT NO. 2
APPLICATION NO.
4-92-204-13
Freeman
Written objection