

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
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Staff: CP-LB  
Staff Report: 12/16/2004  
Hearing Date: January 13, 2005  
Commission Action:



CP

**Th5a****RECORD PACKET COPY****STAFF REPORT: CONSENT CALENDAR**

**APPLICATION NUMBER:** 5-04-373

**APPLICANT:** Chris Landon **AGENT:** David Cofrances, Architect

**PROJECT LOCATION:** 728 Marco Place, Venice, City of Los Angeles, Los Angeles Co.

**PROJECT DESCRIPTION:** Demolition of a one-story, 762 square foot single-family residence, and construction of a 28-foot high, two-story, 2,715 square foot single-family residence with an attached two-car garage on a 3,600 square foot lot.

Lot Area	3,600 square feet
Building Coverage	1,593 square feet
Pavement Coverage	505 square feet
Landscape Coverage	1,502 square feet
Parking Spaces	3
Zoning	R2-1
Plan Designation	Multi-Family Residential - Low Medium I
Ht above final grade	28 feet (plus 35-foot high roof access)

**LOCAL APPROVAL:** City of Los Angeles Specific Plan Project Permit, Case No. DIR-2004-3161 (SPP)(MEL)(Appeal), 10/15/2004.

**SUMMARY OF STAFF RECOMMENDATION**

Staff is recommending **APPROVAL** of the coastal development permit with conditions. **See Page Two for the motion.** The applicant, who agrees with the staff recommendation, proposes to build a new two-story, 28-foot high single-family residence in the interior of the developed residential neighborhood known as Milwood. The 3,600 square foot site fronts Marco Place, one of the historic Venice walk streets. Opponents of the proposed project assert that its mass and scale does not complement the existing structures along the walk street as required by the Venice Specific Plan and the certified Venice LUP (i.e., the highest point of the roof is too close to the walk street), and that it is not compatible with the character of the surrounding neighborhood (Coastal Act Section 30251).

The proposed project, which is located one mile inland of the beach, complies with the 28-foot height limit for development along historic walk streets, the density limit, setback requirements and all other specific standards set forth by the Venice Specific Plan, the certified Venice Land Use Plan (LUP) and the City's zoning code. The proposed project has received approval from the City of Los Angeles West Los Angeles Area Planning Commission and is consistent with the R2-1 zoning designation and the surrounding residential land uses. Adequate on-site parking is provided. The proposed project incorporates best management practices (BMPs) to improve water quality in the watershed, including the minimization of impervious surfaces on the project site and the provision of an on-site retention basin/infiltration pit.

Staff recommends that the Commission determine that the proposed project will have no negative effects on visual resources or coastal access, is consistent with community character, the Chapter 3

policies of the Coastal Act and previous Commission approvals, and will not prejudice the City's ability to prepare an LCP.

### **SUBSTANTIVE FILE DOCUMENTS:**

1. City of Los Angeles certified Land Use Plan for Venice, 6/14/01.
2. City of Los Angeles Venice Coastal Zone Specific Plan (Ordinance No. 175,693).
3. Coastal Development Permit 5-92-181-W (Sant – 831 Marco Place).
4. Coastal Development Permit 5-92-245 (Davos – 746 Marco Place).
5. Coastal Development Permit 5-00-005 (Podleski – 839 Superba Ave.).
6. Coastal Development Permit 5-01-360 (Podleski – 2338 McKinley Ave.).

### **STAFF RECOMMENDATION:**

The staff recommends that the Commission adopt the following resolution to **APPROVE** the coastal development permit application with special conditions:

**MOTION:** *"I move that the Commission approve the coastal development permit applications included on the consent calendar in accordance with the staff recommendations."*

Staff recommends a **YES** vote. Passage of this motion will result in approval of all the permits included on the consent calendar. An affirmative vote by a majority of the Commissioners present is needed to pass the motion.

#### **I. Resolution: Approval with Conditions**

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 of the Coastal Act. 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**

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. Interpretation. Any questions of intent or 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

#### 1. Approved Development - Permit Compliance

Coastal Development Permit 5-04-373 approves the demolition of a one-story single-family residence, and construction of a two-story, 28-foot high single-family residence. All development must occur in strict compliance with the proposal as set forth in the application, subject to any special conditions. Any proposed change or deviation from the approved plans, including change in the number of residential units, change to parking supply or change in use, shall be submitted to the Executive Director to determine whether an amendment to this permit is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations. No changes to the approved plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

#### 2. Venice Walk Street Setback and Design Requirements

The approved development shall comply with the following requirements:

- (a) Building Setback. In order to maintain an open and visible access corridor and to enhance visual quality, all balconies and other portions of the structure (except for ground level decks and porches that do not exceed 18 inches in height above the elevation of the walk street sidewalk) shall be set back at least fifteen feet (15') from the Marco Place right-of-way.
- (b) Building Design. In order to enhance visual quality and community character, the side of the building facing the Marco Place walk street shall be designed and constructed with a varied and articulated façade that provides visual interest to pedestrians. Frequent windows and the primary ground floor entrance for the residence shall face the walk street. Porches, bays and balconies, consistent with the setback and height requirements of part (a) above, are encouraged.

- (c) Building Height. The maximum height of the single-family residence shall not exceed 28 feet above the centerline of the fronting right-of-way (Marco Place), except for one roof access structure (stairway enclosure), with a footprint not exceeding one hundred square feet, which shall not exceed 35 feet in height. Chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function are limited to 33 feet above the centerline of the fronting right-of-way.
- (d) Landscaping. In order to enhance visual quality and to preserve the water quality, the building setback area required by part (a) above shall be maintained as a permeable yard area (except for a minimal paved walkway to the building entrance) landscaped with non-invasive and low water use plants.
- (e) Marco Place Right-of-Way. In order to enhance visual quality, prevent vehicular access, and to provide a transitional zone between the Marco Place public sidewalk and the private dwelling, the area situated between the Marco Place sidewalk and the permittee's property line (i.e., within the Marco Place right-of-way) shall be maintained as a permeable yard area (except for a minimal paved walkway to the building entrance) landscaped with non-invasive and low water use plants and enclosed within a 42-inch high decorative fence (e.g. split rail, picket or rustic). The permittee and the proposed development shall not interfere with public pedestrian access to and along the public sidewalk that runs down the center of the Marco Place right-of-way.

The permittee shall undertake and maintain the development in conformance with the approved final plans. Any proposed changes to the approved plans shall be reported to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations. 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.

### 3. Parking

As proposed by the applicant, a minimum of three (3) parking spaces shall be provided and maintained on the site: two spaces in the garage and one space next to the garage.

### 4. Construction Responsibilities and Debris Removal

- (a) No construction materials, equipment, debris, or waste will be placed or stored where it may be subject to wind or rain erosion and dispersion.
- (b) Any and all demolition/construction material shall be removed from the site within ten days of completion of demolition/construction and disposed of at an appropriate location. If the disposal site is located within the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.

- (c) Erosion control/sedimentation Best Management Practices (BMPs) shall be used to control sedimentation impacts to coastal waters during construction. BMPs shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into the sea.

#### **IV. Findings and Declarations**

The Commission hereby finds and declares:

##### **A. Project Description and Background**

The applicant proposes to demolish the existing one-story, 762 square foot single-family residence on the site, and construct a two-story, 2,715 square foot single-family residence with an attached two-car garage (See Exhibits). The 3,600 square foot lot is situated one mile inland of the beach in the Milwood area of Venice (Exhibit #1). The height of the proposed two-story residence is 28 feet above the elevation of Marco Place, one of the historic Venice walk streets (Exhibit #5). On-site parking for the proposed residence would be provided within an attached two-car garage, with vehicular access provided from the rear alley (Exhibit #3). An additional parking space is proposed on the driveway apron located in the 15-foot rear yard setback.

The proposed two-story structure's setback from the public sidewalk in the center of the walk street is 29.8 feet, which is consistent with the setbacks provided along this block of Marco Place (Exhibit #4). The setback from the public sidewalk is composed of a fifteen-foot deep front yard setback on the applicant's lot, and 14.8 feet of the landscaped Marco Place right-of-way (Exhibit #3). The applicant has agreed to maintain the setback area as a landscaped and permeable yard area as called for by the certified Venice LUP. The proposed project would also provide an on-site retention basin/infiltration pit in the front yard (Exhibit #3). The proposed side yard setbacks on the forty-foot wide lot are 3'10" wide.

The proposed single-family residence has been reviewed and approved by the City of Los Angeles West Los Angeles Area Planning Commission. The first City approval, granted on July 8, 2004, was a Director of Planning determination for approval of the Project Permit pursuant to the requirements of the City's Specific Plan for Venice (Case No. DIR-2004-3161). The Director of Planning determined that the proposed single-family residence is compatible in character and scale with the surrounding neighborhood and in compliance with all requirements of the Venice Specific Plan. Andrea D'Amico appealed the Director's July 8, 2004 determination to the West Los Angeles Area Planning Commission. The opponents of the project assert that its mass and scale does not complement the existing structures along the walk street and that it is not compatible with the character of the surrounding neighborhood because the highest point of the roof is too close to the walk street (See Appendix A).

On September 1, 2004, the West Los Angeles Area Planning Commission held a public hearing for the appeal of the Project Permit and voted 2-1 to reject the appeal. A new hearing was required, however, because two votes were deemed to be insufficient to reject the appeal. On October 6, 2004, the Planning Commission held a new public hearing for the appeal and voted 3-2 to reject the appeal and sustain the Director's approval of the Project Permit for the applicant's proposed single-family residence.

The applicant is now requesting Commission approval of the coastal development permit that is necessary to undertake the proposed development. The Commission has recognized in both prior permit and appeal decisions that the Milwood area of Venice, where the proposed project is located, is a unique coastal community. In 1980, the Commission adopted the Regional Interpretive Guidelines for Los Angeles County which included specific building standards for the various Venice neighborhoods, including the Milwood neighborhood. These building standards, which apply primarily to density, building height and parking, reflect conditions imposed in a series of permits heard prior to 1980. The Commission has consistently applied these density, height and parking standards to development in the Venice coastal zone in order to protect public access to the beach and to preserve the special character of the community and its historic walk streets.

On June 14, 2001, the Commission certified the City of Los Angeles Land Use Plan (LUP) for Venice. The certified Venice LUP maintains the City's and Coastal Commission's previous density limits and parking standards for the Milwood area of Venice. The certified LUP increased height limits for buildings with varied or steeped-back rooflines from 25 to thirty feet, except on walk streets, where the height limit was raised from 25 feet to 28 feet. The policies and building standards contained in the certified Venice LUP reflect the Commission's prior actions in the area, the Commission's 1980 Interpretive Guidelines, and the existing character of each Venice neighborhood.

### **Certified Venice LUP Policies**

The Commission adopted the following policy as part of the certified Venice LUP in order to regulate residential development on lots in the Milwood area of Venice that have been designated with the *Multi-Family Residential - Low Medium I* land use designation. The following policy language applies to the project site.

Venice Land Use Plan Policy I.A.6 states:

- **Policy I. A. 6. Multi-Family Residential - Low Medium I Density.** *Accommodate the development of duplexes and multi-family dwelling units in the areas designated as "Multiple Family Residential" and "Low Medium I" on the Venice Coastal Land Use Plan (Exhibits 9 through 12). Such development shall comply with the density and development standards set forth in this LUP.*

#### ***Southeast Venice and Milwood***

*Use: Two units per lot, duplexes and multi-family structures*

*Density: One unit per 2,500 square feet of lot area. Lots smaller than 5,000 square feet are limited to a maximum density of two units per lot.*

*Replacement Units/Bonus Density: Lots greater than 5,000 square feet can add extra density at the rate of one unit for each 2,000 square feet in excess of 5,000 square feet in lot area if the unit is a replacement affordable unit reserved for low and very low income persons. (See LUP Policies I.A.9 through I.A.16).*

*Yards: Yards shall be required in order to accommodate the need for fire safety, open space, permeable land area for on-site percolation of stormwater, and on-site recreation consistent with the existing scale and character of the neighborhood.*

*Height: Not to exceed 25 feet for buildings with flat roofs, or 30 feet for buildings with stepped back or varied rooflines. (See LUP Policy I.A.1 and LUP Height Exhibits 13-16). [28' along walk streets].*

### **LUP Walk Street Design Standards**

The certified Venice LUP also contains specific building design standards that have been designed and adopted in order to preserve the unique character of the Venice walk streets.

Policies II.C.10 and II.C.11 of the certified Venice LUP state:

- **Policy II. C. 10. Walk Streets -- Residential Development Standards.** *New residential development along walk streets shall enhance both public access and neighborhood character. Building materials, colors, massing and scale of new structures shall complement those of existing structures in the neighborhood. Building facades shall be varied and articulated to provide visual interest to pedestrians. Primary ground floor residential building entrances and frequent windows shall face the walk streets. Front porches, bays, and balconies shall be encouraged. In case of duplexes and low density multiple-family buildings, entries shall be located in the exterior building facade for each residential unit, shall face walk streets, and be well-defined and separate.*
- **Policy II. C. 11. Encroachments into Walk Street Right-of-Way.** *Encroachments into City right-of-way shall be limited to grade level uses including gardens, patios, landscaping, ground level decks and fences. The gardens/patios in the right-of-way, between the fences and the buildings, shall be permitted to provide a transitional zone between the public path ways and private dwellings. To create a defensible space, the planting along the walk streets shall not impede the view of walkways by the residents and the view of the gardens by the pedestrian. Creative use and arrangement of permeable paving materials shall be encouraged. Any fence, wall or hedge erected in the public right-of-way shall not exceed 42 inches in height as measured from the existing grade of the public right-of-way. The use of decorative fence patterns such as split rail, picket and rustic is encouraged. New fences shall be located in line with existing fences on the same side of the street.*

The standard of review for the proposed development is the Chapter 3 policies of the Coastal Act. The certified Venice LUP provides specific guidance for the Commission's interpretation of the relevant Chapter 3 policies. Special conditions are imposed on coastal development permits to ensure that approved developments are consistent with the Coastal Act and the certified LUP, when necessary. In order to mitigate the identified impacts, the appropriate special conditions have been applied to this coastal development permit.

Staff is recommending approval of the proposed single-family residence (with conditions) because it complies with the 28-foot height limit, the density limit, all setback requirements, on-site parking requirements, and all other specific requirements set forth by the Venice Specific

Plan, the certified Venice LUP and the Chapter 3 policies of the Coastal Act. Although the proposed two-story structure has an architectural style that is different from many of the existing homes on the street, its design and mass would not have a detrimental effect on community character.

Additionally, the proposed 28-foot high structure would not have a detrimental effect on the historic Marco Place walk street or loom over pedestrians using the public walk street as the proposed house is set back 29.8 feet from the sidewalk. The 29.8-foot setback puts the building in line with the other homes on the same side of the street (Exhibit #4). Finally, the Commission does not have complete review authority over all the projects in the neighborhood because existing single-family residences can be improved and added onto without obtaining a coastal development permit (Coastal Act Section 30610). Although the proposed demolition of an existing house and the construction of a new single-family residence must obtain a coastal development permit, many of the homes in the area have been enlarged to two-story homes without being required to obtain a coastal development permit. Therefore, the Commission is not able to impose on all projects equally the more stringent setback requirements that the opponents are requesting in this case.

Therefore, the proposed project is consistent with community character, and will have no negative effects on visual resources or coastal access. As conditioned, the proposed project is consistent with Chapter 3 policies of the Coastal Act and previous Commission approvals, and will not prejudice the City's ability to prepare an LCP.

#### **B. Community Character**

The development is located within an existing developed area and, as conditioned, will be compatible with the character and scale of the surrounding area, has been designed to assure structural integrity, and will avoid cumulative adverse impacts on public access. Therefore, the Commission finds that the development, as conditioned, conforms with Sections 30250, 30251, 30252, 30253 and the public access provisions of the Coastal Act.

#### **C. Public Access/Parking**

As conditioned, the proposed development will not have any new adverse impact on public access to the coast or to nearby recreational facilities. Thus, as conditioned, the proposed development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

#### **D. Public Recreation**

The proposed development does not interfere with public recreational use of coastal resources. As conditioned, the development protects coastal areas suited for recreational activities. Therefore, the Commission finds that the proposed development is in conformity with Sections 30210 through 30214 and Sections 30220 through 30223 of the Coastal Act regarding the promotion of public recreational opportunities.



**E. Recreation Areas and Parks**

The proposed development will not result in significant degradation of adjacent habitat, recreation areas, or parks and are compatible with the continuance of those habitat, recreation, or park areas. Therefore, the Commission finds that the proposed development conforms with Section 30240(b) of the Coastal Act.

**F. Marine Resources and Water Quality**

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. The development, as proposed and as conditioned, incorporates design features to minimize the effect of construction and post-construction activities on the marine environment. These design features include, but are not limited to, the appropriate management of equipment and construction materials, reducing runoff through the use of permeable surfaces, the use of non-invasive drought tolerant vegetation to reduce and treat the runoff discharged from the site, and for the use of post-construction best management practices to minimize the project's adverse impact on coastal waters. Therefore, the Commission finds that the proposed development, as conditioned, conforms with 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.

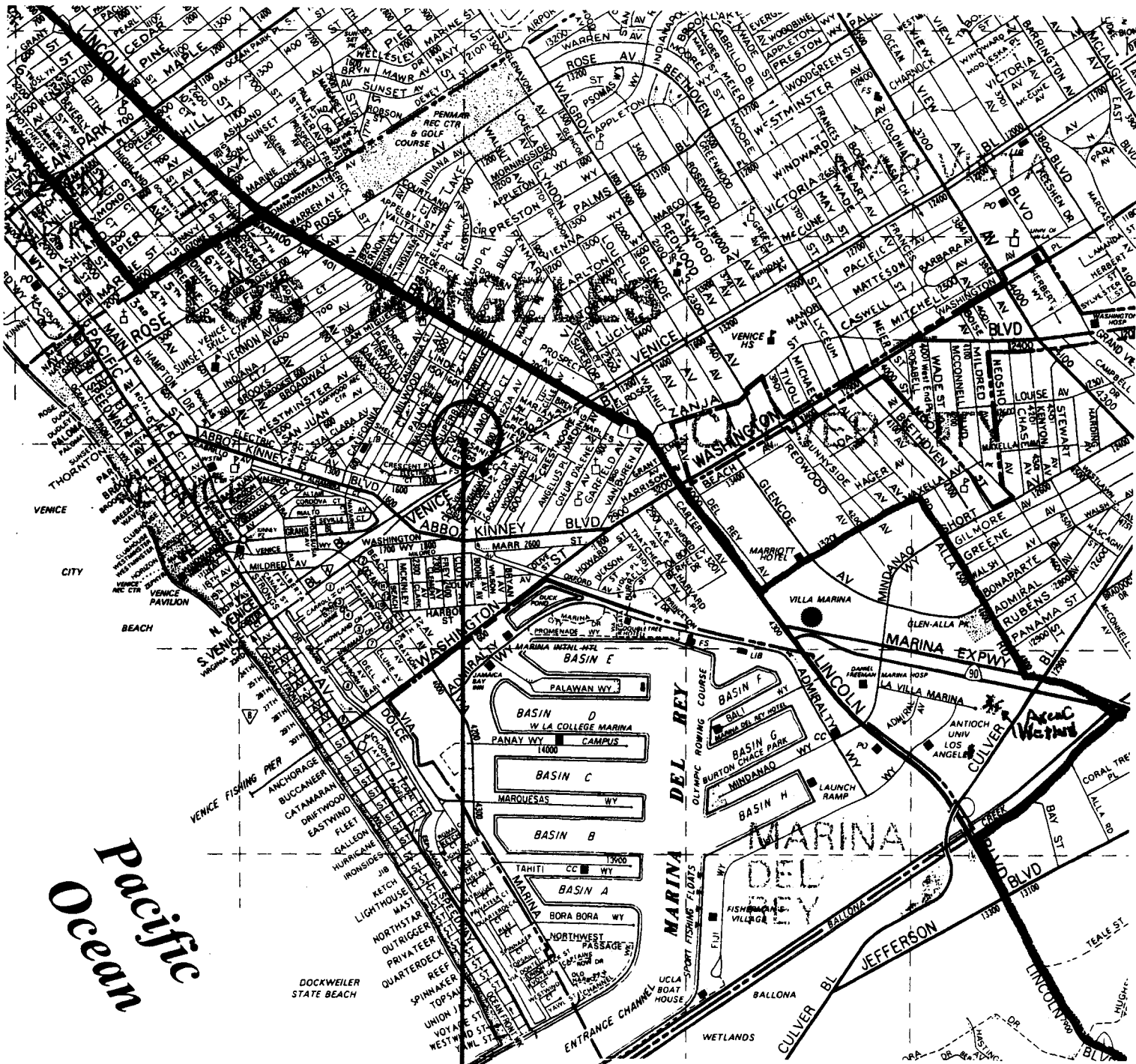
**G. Local Coastal Program**

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 City of Los Angeles Land Use Plan (LUP) for Venice was effectively certified on June 14, 2001. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and the certified Venice LUP. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare an LCP that is in conformity with the provisions of Chapter 3 of the Coastal Act.

**H. California Environmental Quality Act (CEQA)**

As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

# VENICE, CA

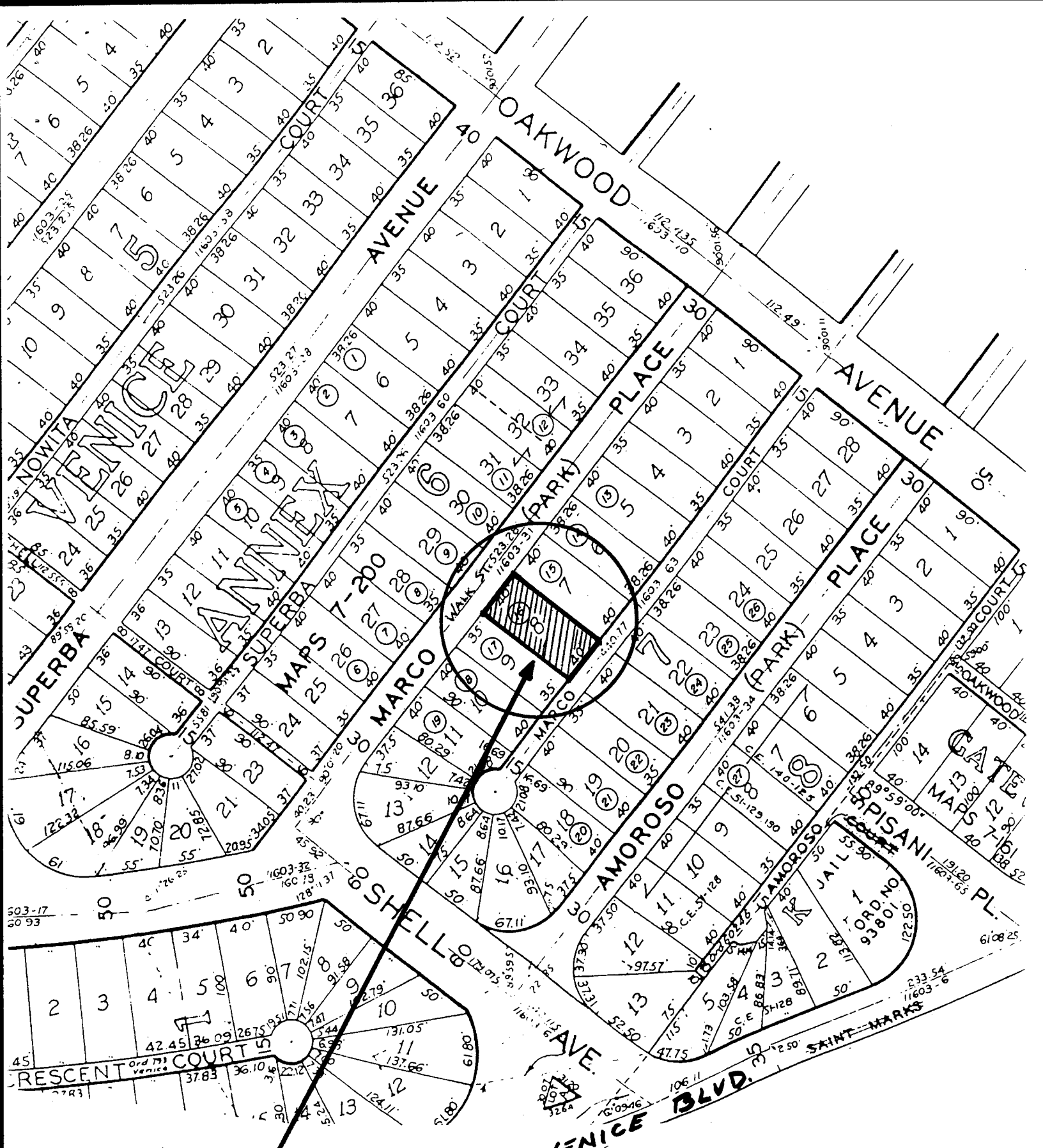


Site: 728 Marco Place

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EXHIBIT # 1

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Site: 728 Marco Place



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EXHIBIT # 2

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MARCO PLACE (No Cars)

Public

Sidewalk

pt. of way

P<sub>2</sub>

P<sub>2</sub>

INFILTRATION / RETENTION BASH  
(SEE DRAINAGE-RECORD)

(E) CONC. SIDEWALK

(N) CONC. SIDEWALK

Front yard

15'  
FRONT YARD SETBACK

TWO STORY SINGLE FAMILY RESIDENCE  
TYPE R2-1

ROOF DECK  
398 SQ. FT.

BARD

2'x2' SKYLIGHTS

9'-0" SIDE SETBACK  
PENTHOUSE + STAIR

(N) 5'-0" HT. CHL. WALL  
(REQ. SEPERATE PERMIT)

(N) 3'x8' W.D. GATE

7'-0" x 15'-0" COMPACT GUEST PRG.

9'-0" BACKYARD SETBACK

(N) CONC. DRIVEWAY

25'-0" x 7'-6" PRG. BACKUP

(E) ALLEY MARCO COURT



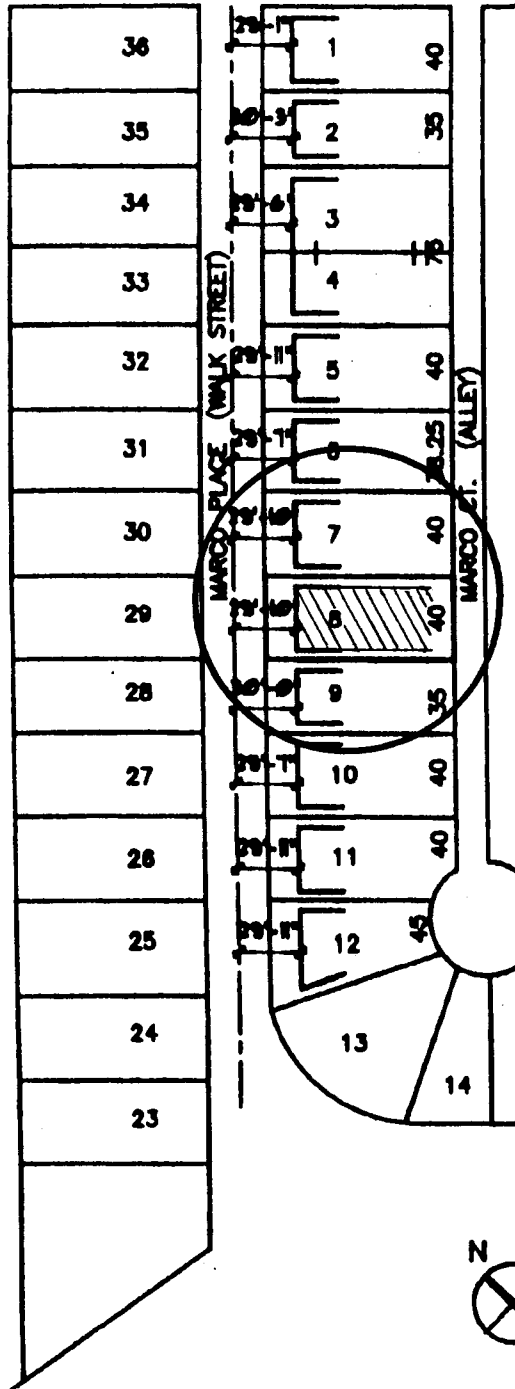
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EXHIBIT # 3

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OAKWOOD AVE.

PREVAILING FRONTYARD SETBACK



DOUBLE LOT

PROJECT

LOT #:	SETBACK FROM C.L. WALK STREET *	TOTAL FRONTAGE (WIDTH)
1	29'-1"	40'-0"
2	30'-3"	35'-0"
3	] 29'-6"	40'-0"
4		35'-0"
5	29'-11"	40'-0"
6	29'-7"	38.25'
7	29'-10"	40'-0"
8	<u>29'-10"</u> *	<u>40'-0"</u>
9	30'-0"	35'-0"
10	29'-7"	40'-0"
11	29'-11"	40'-0"
12	29'-11"	45'-0"
TOTAL	327.41' (11 LOTS)	525.36' (12 LOTS)

← 728 Marco Pl.

\* 15' Frontyard setback plus right-of-way. See Exhibit #3.

SUMMARY

PREVAILING FRONT YARD SETBACK  
 $327.41' / 11 = 29.76'$  AVG. < 30.0'  
 $\therefore$  OK

FRONTAGE  
 $40\% (.4) \times 535.36' = 214.14'$  MIN. REQ'D  
 $468.25' > 214.14'$   $\therefore$  OK

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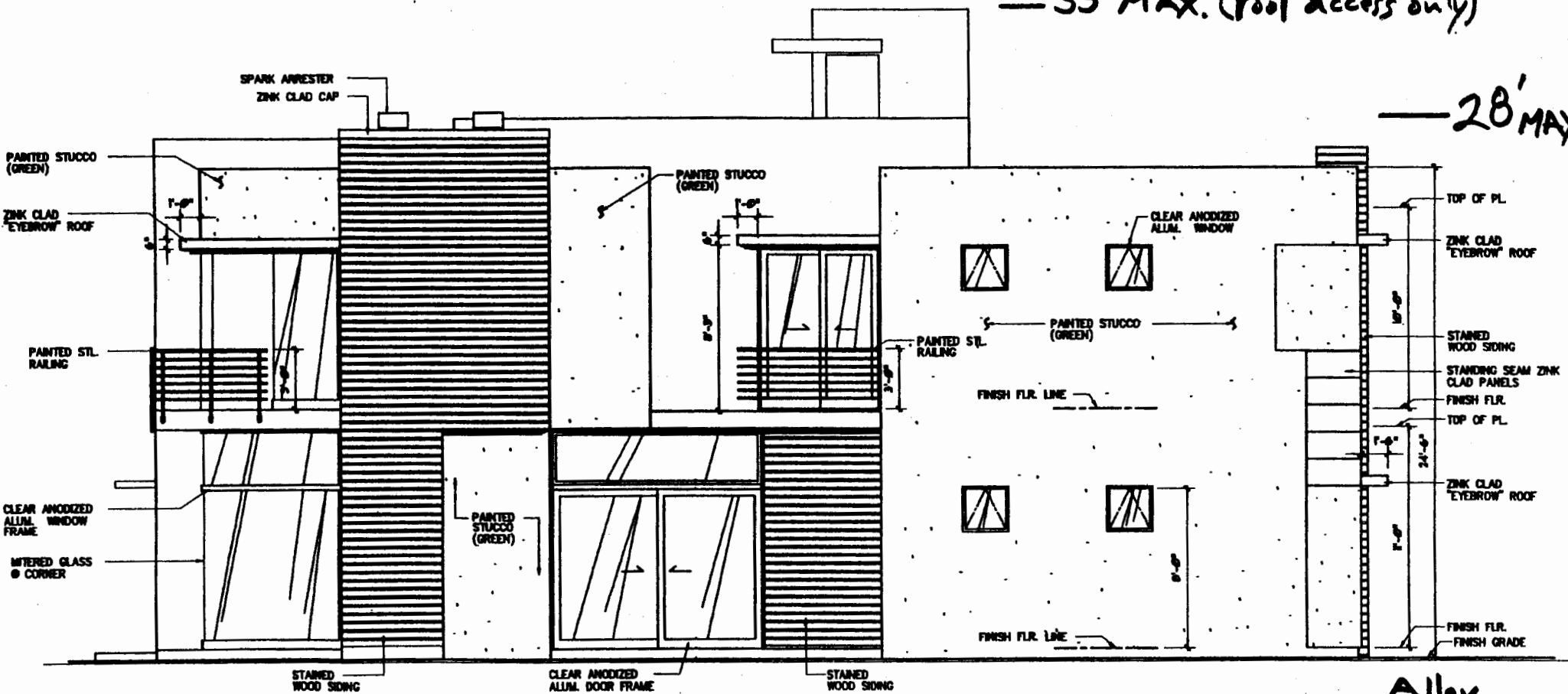
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EXHIBIT # 4

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— 35' MAX. (roof access only)

— 28' MAX



← Walk Street

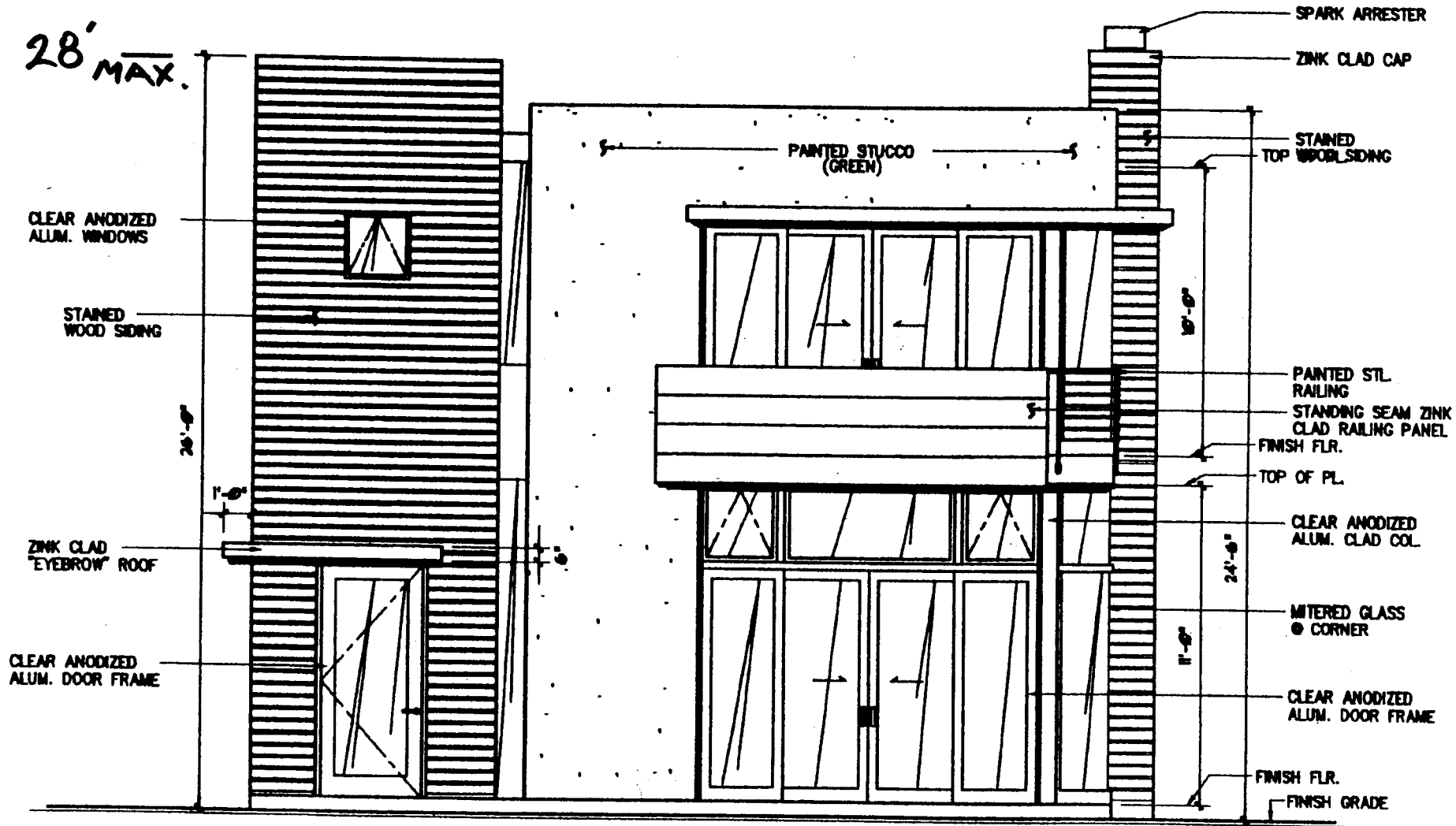
Alley →

# West Elevation

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EXHIBIT # 5

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North Elevation - Facing Walk Street

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EXHIBIT # 6  
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15-04-373

EXHIBIT # 7  
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# **APPENDIX A**

## **APPLICANT'S & OPPONENTS' CORRESPONDENCE**

**5-04-373  
728 Marco Place  
VENICE**

**APPLICANT'S  
CORRESPONDENCE**

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REFER TO FILE NUMBER:  
**01370.01**

November 30, 2004

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Mr. Patrick Kruer  
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7727 Herschel Avenue  
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Ms. Toni Iseman  
Councilmember, Laguna Beach  
2338 Glenneyre  
Laguna Beach, CA 92651

Mr. Scott H. Peters  
Councilmember, City of San Diego  
202 C Street, MS 10-A  
San Diego, CA 92101

**RE: Applicant: Chris Landon/Application No.: 5-04-373  
Construction of Single Family Residence  
Property Address: 728 East Marco Place, Venice, CA 90291  
CEQA No.: ENV-2004-3162(CE)**

Dear Coastal Commissioners:

This firm represents the above-referenced applicant, Mr. Chris Landon ("**Applicant**"), regarding his application for approval from the California Coastal Commission for his construction of a single family residence (the "**Residence**") to be built upon the above-referenced property ("the **Property**") which is located on a "walk street" in Venice, California.

Applicant has been made aware that the same individuals who opposed his permit application at the West Los Angeles District Planning level intend to file with the Coastal Commission documents evidencing their opposition to Applicant's construction of his personal Residence upon the Property (collectively "**Opponents**"). These Opponents are disgruntled area residents who are

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predominately owners of craftsman style homes constructed in the 1940s, and who base their opposition to construction of the Residence on their contention that the "mass" and "scale" of the Residence are incompatible with the character of the surrounding area. The legal brief previously submitted to the West Los Angeles Planning Commission by attorneys for Opponents contains cites to California Coastal Act §§ 30251 and 30253(5) as the legal provisions which would be violated by construction of the Residence. Consequently, on behalf of Applicant, we shall address these contentions.

Coastal Act § 30251 provides, in pertinent part, that "permitted development . . . be visually compatible with the character of surrounding areas." Opponents claim the Residence will not be visually compatible with other homes in the surrounding neighborhoods. Applicant strongly disagrees with this contention and in a separate submission has provided photographs conclusively confirming the architectural diversity of the immediate and surrounding neighborhoods. Moreover, § 30251 is only applicable to "coastal areas", and such term is not defined within the Coastal Act. It is certainly possible the Property is not within a "coastal area" due to how far removed the Property is from the Venice beach area and coastline. In fact, as hereinafter discussed, the Property is barely situated within the "coastal zone" as defined in Coastal Act § 30103. More importantly however, is the fact that both the District Planning Director and the West Los Angeles Planning Commission have determined the Residence is "visually compatible with the character of the surrounding areas."

The Residence will not require a single variance from the building codes applicable to the Property. Those building codes provide **specific** guidelines for the "mass" and "scale" of single family residences to be built on the walk streets of Venice. In addition, the Permit Plan Application submitted by Applicant to the West Los Angeles Planning Department specifically calls for the construction of a single family residence which is smaller, shorter and set back further than otherwise permitted by the Venice Coastal Zone Specific Plan and applicable provisions of the Los Angeles Municipal Code.

The Project Permit Compliance Findings specifically confirmed the following:

1. The Residence is compatible in style and character with the existing neighborhood;
2. The Residence will not be materially detrimental to adjoining properties or the immediate area;
3. The Residence is in conformity with the certified Venice Local Coastal Program;
4. The Residence complies with all applicable development requirements of the Venice Coastal Zone Specific Plan; and
5. The Residence is in compliance with **all** (a) Density; (b) Height; (c) Driveway & Vehicular Access; (d) Walk Street; (e) Parking; (f) Roof Access Structure; and (g) Contiguous Lot Construction standards and requirements.

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The "visually compatible with character of surrounding areas" concept is merely the statutory language which serves as the legal interpretation of the "mass" and "scale" argument being made by Opponents. The Residence has already been determined by the District Planning Director and the West Los Angeles Planning Commission to be visually compatible with the surrounding areas; therefore, the mass and scale of the Residence has also already been determined (at the neighborhood level we should emphasize) to be compatible with the surrounding neighborhood. That the mass and scale of the Residence is visually compatible with the neighborhood is confirmed by the fact the Residence is in strict compliance with all applicable building requirements and the project does not require any variances whatsoever to existing building specifications.

With respect to applicability of provisions contained in Coastal Act § 30253, we are informed Opponents are relying upon subsection (5) thereof which provides, in pertinent part, that new development shall protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses. First, the neighborhood in which the Residence is to be constructed is not a "popular visitor destination point for recreational uses" as required by Coastal Act § 30253(5). Second, the introductory clause to Coastal Act § 30253 further provides that such subsection (5) is only applicable "where appropriate" and, in the present situation, "visitors" do not travel to the area surrounding the Property for recreational purposes. Such an area would be Venice Beach which is far from the Property and of a radically different and distinctive character from that of the area in which the Property is located.

Assuming arguendo that Coastal Act § 30253 is applicable to the Property, the community and neighborhood in which the Property is located does not need to be "protected" from the Residence. No threat whatsoever is posed to the neighborhood by construction of the Residence. Opponents would have the Coastal Commission believe all homes in the neighborhood of the Property are identical and that no existing homes are similar to the Residence. As confirmed by documents and pictures submitted separately to the Coastal Commissioners, there are many non-craftsman style homes in the neighborhood and the community has not "suffered" any detriment to date. In fact, just the opposite has occurred. Property values have skyrocketed as new development in the neighborhood has transformed many dilapidated houses into visually and aesthetically pleasing new homes.

These aforementioned arguments made by Opponents were found to be unpersuasive by both the Planning Director and the West Los Angeles Area Planning Commission in **two** hearings held before such Commission. All of the issues set forth in the brief filed with the Commission on behalf of Opponents were addressed by the staff of the West Los Angeles Planning Commission and the staff determined each and every allegation made by Opponents to be invalid as set forth in the Staff Report dated September 1, 2004. A copy of such staff report is attached hereto and by this reference incorporated herein as Exhibit "A".

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But for the fact the Property lies within the farthest reaches of the "coastal zone" as defined in Coastal Act § 30103, this matter would never come before the Coastal Commission. There is no view of the coastline or the ocean from the Property. In addition, the Property does not serve as access to any coastal area, beach area or the ocean. The Property barely falls within the "coastal zone," and the documents filed by Opponents urging disapproval of the Application are merely one more "end around" attempt by Opponents to impose upon Applicant their personal opinions, tastes, preferences, likes and dislikes in architectural and exterior design.

A review of the legislative history of the Coastal Act, and the rather limited case law which heretofore has interpreted the aforementioned Coastal Act provisions, unequivocally confirms that a single family residence located barely within the "coastal zone" is not the scenario for application of the aforementioned provisions which was envisioned when the Coastal Act was enacted.

In order to provide a more detailed analysis of the issues involved herewith, we attach hereto and incorporate herein as Exhibit "B" a copy of the "brief" we previously filed with the West Los Angeles Planning Commission on behalf of Applicant.

On behalf of Applicant, we respectfully request that this matter be granted a de minimus waiver and that Applicant be permitted to proceed with the construction of the Residence upon his Property.

Yours truly,

KEVIN C. KELLOW,  
A Professional Corporation  
Kevin C. KellowKCK/hss  
Enclosurecc: Mr. Edward Laurence Albert  
P.O. Box 6303  
Malibu, CA 90265



November 30, 2004  
Page 5

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LOS ANGELES CITY PLANNING DEPARTMENT  
APPEAL STAFF REPORT

WEST LOS ANGELES  
AREA PLANNING COMMISSION

CASE NO. DIR 2004-3161-SPP-MEL-A1  
Appeal of a Project Permit Compliance  
CEQA: ENV 2004-3162-CE

DATE: September 1, 2004  
TIME: after 4:30 p.m.\*  
PLACE: West Los Angeles Parking Enforcement Facility  
11214 Exposition Boulevard  
Los Angeles, CA 90064

Location: 728 East Marco Place  
Council District: 11  
Plan Area: Venice: Oakwood, Milwood, Southeast  
Venice Subarea  
Plan Land Use: Low Medium I, Multiple-Family  
Residential  
Zone: R2-1  
District Map: 108 B 145  
Legal Description: Lot 8, Block 7, Venice Annex  
Tract


**PUBLIC HEARING required**  
**EXPIRATION DATE: October 6, 2004**  
**ACTION NOT APPEALABLE**

**SUBJECT: AN APPEAL AGAINST THE ENTIRE DECISION OF THE DIRECTOR OF PLANNING DETERMINATION AND FINDINGS PERMITTING THE DEMOLITION OF AN EXISTING ONE-STORY, SINGLE-FAMILY DWELLING, AND THE CONSTRUCTION OF A NEW 2,715 SQUARE-FOOT, TWO-STORY, SINGLE-FAMILY DWELLING WITH A 399 SQUARE-FOOT DECK, FRONTING ON A WALK STREET IN THE R2-1 ZONE.**

**APPELLANT: Andrea D'Amico**  
**APPLICANT: Chris Landon**

**RECOMMENDATION:**

1. Grant the appeal in part
2. Adopt ENV 2004-3162(CE)
3. Adopt the related findings.

  
Betsy Weisman, Principal City Planner

 FOR HELENE BIBAS  
Helene Bibas, City Planner (213) 978-1176

**Attachments**

- Exhibit A - Appeal Application of DIR2004-3161-SPP-MEL
- Exhibit B - Project Permit Compliance Determination DIR2004-3161-SPP-MEL, dated July 8, 2004
- Exhibit C - ENV2004-3162-CE
- Exhibit D - Project Plans

**ADVICE TO PUBLIC:** \*The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Commission Secretariat, 200 North Spring Street, 5<sup>th</sup> Floor, Room 532, Los Angeles, CA 90012* (Phone No. 213-978-1247). While all written communications are given to the Commission for consideration, the initial packets are sent the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodations to ensure equal access to its programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request no later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1247.

**EXHIBIT A**

## STAFF REPORT

### Subject Property

Property Address: 728 East Marco Place  
Existing Uses: One-story single-family dwelling  
Plan Land Use: Low Medium I, Multiple-Family Residential  
Existing Zone: R2-1  
Site Net Area: 3,600 square feet  
Proposed Project: A Project Permit Compliance to permit the demolition of an existing one-story, single-family dwelling, and the construction of a new 2,715 square-foot, two-story, single-family dwelling with a 399 square-foot deck on a walk street in the Milwood Subarea.

### Surrounding Land Use and Zoning

The properties surrounding the subject site are zoned R2-1 and are predominantly developed with one- to two-story, single-family dwellings.

### APPEAL SUMMARY

On July 21, 2004, Andrea D'Amico, joined by Amy L. Neiman, Edward Lynch, Lisa Zimble, and Evan Dunsky filed an appeal of the Director of Planning Determination and Findings that approved a request for a Specific Plan Project Permit Compliance pursuant to Section 11.5.7 of the Los Angeles Municipal Code (L.A.M.C.) and the Venice Coastal Zone Specific Plan (Ordinance No. 175,693). The project subject to this appeal is the demolition of an existing one-story, single-family dwelling, and the construction of a new 2,715 square-foot, two-story, single-family dwelling with a 399 square-foot deck. The appellant is concerned about this project's design and claims that it is architecturally incompatible with the existing structures of the walkstreet Marco Place, specifically the 700 block. The appellant is also concerned about property line and fire hazard issues, permanent encroachments, roof structure, and the notification of property owners. All issues raised in the appeal are addressed below.

### STAFF RECOMMENDATION

Staff recommends that the Area Planning Commission uphold the decision of the Director of Planning and deny the appeal except for correcting Condition 8a, to read Marco Place.

### APPELLANT'S ISSUES/STAFF RESPONSE

This section responds to the five main points raised in the appellant's report.

**Issue:** The appellant resides at 732 Marco Place, northeasterly abutting the applicant's property. She states that "the block of Marco Place is over 80% characterized by small single story craftsman style residences... The proposed residence is monolithic and box-like in design and does not conform to the Walkstreet standards of the 700 block of Marco Place..."

**Response:** Section 12 of the Venice Coastal Specific Plan ( Ord. No.175,693) provides specific residential development standards for all projects located on walkstreets in the Venice Coastal Zone. There are 44 continuous and non-continuous walkstreets in Venice mostly located in the Marina Peninsula, Silver Strand and North Venice Subareas. Nowita, Marco, Amoroso and Crescent Place are the only ones located in the Milwood Subarea. (See Specific Plan Appendix A for a complete list.) The development standards address massing, scale, facades articulation, building orientation, public right-of-way treatment and permanent encroachment. In addition, a maximum height limit of 28 feet is required for all projects fronting on walkstreets notwithstanding height standards for individual subareas.

The Specific Plan does not prescribe one particular architectural style nor does it contain design guidelines for individual subareas. The proposed project complies with all these standards. The building colors and materials include stained wood siding, clear anodized aluminum door and window frames, steel railing, and stucco painted green which complement existing structures on lots fronting on or adjacent to the project site.

**Issue:** The appellant states that "the plans indicate that a portion of the east and west sides of the proposed residence encroach beyond the property boundaries of the two adjoining properties; that the southeastern portion of the proposed residence encroaches on the existing adjoining residence at 732 Marco Place, by completely overtaking the gas lines to 732 Marco Place..."

**Response:** The Venice Coastal Zone Specific Plan does not regulate property lines, gas lines, nor side yards. The Title Company, Gas Company, and Los Angeles City Department of Building and Safety have the purview of the issues mentioned, respectively.

The applicant has indicated that he contacted the Gas Company regarding the gas lines. He also stated that there are no issues with the owner of the property at 724 Marco Place regarding encroachments into his property.

Furthermore, new residential projects are required to have "ground floor residential building entrances and frequent windows shall face the Walkstreets." (Section 12.A.1)

**Issue:** The appellant states that the paragraph on "Permanent Encroachments is in error because it refers to Nowita Place rather than Marco Place." She also states that the conditions on Permanent Encroachments "should further prohibit permanent hardscape on the 700 block of Marco Place between the proposed residence and the paved walkstreet."

**Response:** Condition 8a on Permanent Encroachments is indeed erroneous. It should read "Marco Place," not Nowita Place. Staff recommends that the APC grant only this portion of the appeal in order to correct the condition.

Section 12 of the Venice Coastal Specific Plan limits permanent encroachments into the public right-of-way to grade level uses including gardens, patios, landscaping, ground level decks and fences. Thus hardscape, including patios and ground level decks are permitted. The fences, hedges or other accessory structures in the Milwood area shall be permitted in stringline with the existing fences but shall not exceed 42 inches above natural grade. Permanent encroachments shall only be permitted by obtaining a revocable encroachment permit from Los Angeles City Department of Public Works.

**Issue:** The appellant states that the condition for the roof access structure is erroneous.

**Response:** The proposed roof access structure is within the confines of LAMC Section 12.21.1 B 3 and the Venice Coastal Specific Plan Section 9C. The proposed roof access structure has a height of five feet and is less than 100 square feet in area. It is sited 48 feet from the front property line, and its visibility from the adjacent public right-of-way is minimized.

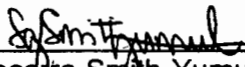
**Issue:** The appellant states that "the city failed to provide notice of this proceeding... Several homeowners in the affected area including the owners of the adjoining property at 732 Marco Place never received the Specific Plan document in the mail."

**Response:** In submitting for a project permit compliance review, the applicant is required to provide typed mailing labels of adjacent and abutting property owners, across the street or alley from, or having a common corner with the subject property. The applicant did provide 10 mailing labels which were used in mailing the decision letter. The mailings for 732 Marco Place and 2306 Dell Avenue were returned to sender. The mailing labels as well as the returned mail are kept in the case file available to the public upon request. The Department does not mail the Specific Plan with the decision letter. It will be mailed to persons requesting a copy.

#### **CONCLUSION AND RECOMMENDATION**

For the reasons stated herein, the Planning Department recommends that the West Los Angeles Area Planning Commission sustain the Director's Determination of approval and adopt the related findings except for the paragraph on Permanent Encroachments that inadvertently stated Nowita Place instead of Marco Place.

**Staff Report prepared by:**



Socorro Smith-Yumul  
Planning Assistant

200 N. Spring Street, Room 532  
Los Angeles, California 90012

Matthew Rodman, President  
Robyn Ritter Simon, Vice President  
Joyce Foster, Commissioner  
Sean Burton, Commissioner  
Elvin W. Moon, Commissioner  
Sheldred Alexander, Commission Executive Assistant

Re: Hearing Case #DIR-2004-3161-SPP-MEL-A1  
Hearing Date: Wednesday, October 6, 2004  
Property Address: 728 E. Marco Place, Venice, CA 90291  
Applicant: Chris Landon

**WEST LOS ANGELES AREA PLANNING COMMISSION  
PROJECT PERMIT COMPLIANCE APPLICATION**

<b>CASE NO.:</b> DIR-2004-3161(SPP)(MEL)-1A	}	<b>Location:</b> 728 East Marco Place
<b>CEQA:</b> ENV-2004-3162(CE)		<b>Council District:</b> 11
<b>APPLICANT:</b> CHRIS LANDON		<b>Plan Area:</b> Venice
<b>APPELLANTS:</b> ANDREA D'AMICO, et.al.		<b>Zone:</b> R2-1
		<b>District Map:</b> 108 B 145
		<b>Legal Description:</b> Lot 8, Block 7, Venice Annex Tract
		<b>Hearing Date:</b> October 6, 2004
		<b>Time:</b> 4:30 p.m.
		<b>Location:</b> Henry Medina Dept. of Trans. 11214 W. Exposition Blvd. Los Angeles, CA 90064

Applicant CHRIS LANDON (hereinafter "Applicant" or "Landon"), through his legal counsel, submits the following written statements for review by the West Los Angeles Area Planning Commissioners in preparation for the upcoming October 6, 2004 hearing on the appeal filed by Appellants.

**I. BRIEF CHRONOLOGICAL HISTORY.**

**A. Filing of the Master Land Use Permit Application.**

On or about May 18, 2004, Landon filed the Master Land Use Permit Application with the Los Angeles City Planning Department. The application was for the

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1 demolition of the existing single-family residence and the construction of a new single-  
2 family residence (the "Landon Residence") at 728 East Marco Place, a Walk Street in  
3 Venice. The application was reviewed by the Planning Department and by letter dated July  
4 8, 2004, the Director of Planning approved a Specific Plan Project Permit Compliance for  
5 the Landon Residence.  
6

7 **B. Director of Planning Approves the Specific Plan Project Permit.**

8 The Permit Plan Application submitted by Landon did not require a single  
9 variance from existing ordinances, and the construction plans specifically called for the  
10 construction of a structure which is smaller, shorter and set back further than otherwise  
11 permitted by the Venice Coastal Zone Specific Plan (the "VSP") and applicable sections of  
12 the Los Angeles Municipal Code. The Project Permit Compliance Findings specifically  
13 identified and unequivocally confirmed the following:  
14

- 15 1. The Landon Residence is compatible in style and character with the  
16 existing neighborhood.
- 17 2. The Landon Residence would not be materially detrimental to  
18 adjoining properties or the immediate area.
- 19 3. The Landon Residence is in conformity with the certified Venice  
20 Local Coastal Program.
- 21 4. The Landon Residence is consistent with the intents and purposes of  
22 the Land Use Plan and Specific Plan which are parts of the Venice  
23 Local Coastal Program, and the policies and provisions of such Plans  
24 and Program support the type and scale of development evidenced by  
25 the Landon Residence.  
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5. The Landon Residence complies with all applicable development requirements of the Venice Coastal Zone Specific Plan (Ord. No. 175,693).

6. The Landon Residence is in compliance with all (a) Density, (b) Height, (c) Driveway & Vehicular Access, (d) Walk Street, (e) Parking, (f) Roof Access Structure, and (g) Contiguous Lot Construction standards and requirements.

C. Appeal to Planning Director's Approval of Landon Residence Project.

By appeal dated July 21, 2004, Andrea D'Amico and several other residents from the neighborhood filed an appeal of the Director of Planning Determination and Findings that resulted in approval of Applicant's permit request. The appeal was filed *before* Appellants had even saw the design plans for the Landon Residence. The appeal was based on rumor and conjecture and is concerned with the personal taste and design style of the Landon Residence. The appeal provides that the design is not compatible with existing structures of the Marco Place Walk Street. Appellant D'Amico also has a gas line which encroaches on Landon's property. However, the gas company has stated it will move the line, so this issue is not a legitimate basis for the appeal and should instead be addressed by the appropriate title compromise. Consequently, it is evident the appeal is personal in nature due to: (i) Appellants having never seen the design plans prior to filing the appeal, (ii) the gas line issue (which is personal to Appellant D'Amico), and (iii) the fact that Appellants want to impose upon Landon Appellants' own personal tastes and preferences of architecture and exterior design. The appeal is not based on any point of law or non-compliance with the law; instead, it is based entirely on personal tastes and preferences. The appeal hearing was



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1 scheduled for September 1, 2004.

2  
3 **D. Appeal Staff Report Recommends Denying the Appeal.**

4 The Appeal Staff Report prepared for the September 1, 2004 hearing by the  
5 Los Angeles City Planning Department Appeals Staff for the West Los Angeles Area  
6 Planning Commission set forth a thorough analysis of each and every argument set forth in  
7 the appeal filed by Appellants – and the Staff denied each and every reason the Appellants  
8 claimed the Landon Residence was “out of character” and not “compatible” with the  
9 neighborhood.  
10

11 **E. Majority Vote Denies Appeal, But Only Three Commissioners Present.**

12 The hearing on the appeal was held on September 1, 2004; however, only  
13 three (3) of five (5) commissioners were present. Two of three commissioners voted to deny  
14 the appeal. Commission President Matthew Rodman pushed for Landon and Appellants to  
15 meet privately during the hearing in an attempt to have the parties resolve their differences  
16 and reach a meeting of the minds. In the interim, President Rodman voted in favor of the  
17 appeal.  
18

19 **F. Without Three Votes the Result is a Failure to Vote.**

20 Since three votes were not cast to either uphold or deny the appeal, the 2-1  
21 vote (in favor of denying the appeal) resulted in a failure to act by the Commission.  
22 Consequently, this same issue will be heard again on October 6, 2004, the very last day to  
23 hear the appeal. It is Applicant’s understanding that the Appeal Staff Report previously  
24 prepared by the Staff will remain the same and therefore wholeheartedly endorses denial of  
25 the appeal.  
26

27 //

28

1                   **II.     RESIDENCE TO BE BUILT BY APPLICANT.**

2                   Applicant intends to remove the presently existing structure located at 728 E. Marco  
3                   Place (the "Property") and build a two (2)-story single-family residence consisting of  
4                   approximately 2,715 square feet. Many houses located in the neighborhood have already  
5                   undergone this same type of renovation and improvement, and there have been no  
6                   detrimental ramifications to other homeowners in the neighborhood. In fact, just the  
7                   opposite has occurred. The improved residences along the Walk Streets have caused  
8                   property values to "skyrocket" thereby providing additional equity and value to all  
9                   homeowners, even those who have not yet renovated their homes. Other renovated homes  
10                  in the neighborhood similar in design to the Landon Residence have established numerous  
11                  precedents that homes such as the Landon Residence are legal and compatible with existing  
12                  structures and Walk Street neighborhoods.

13                   **III.    APPLICANT NOT BUILDING LARGEST STRUCTURE POSSIBLE.**

14                  Appellants have alleged (prior to seeing the design plans) that Landon is building a  
15                  "monolithic" structure which will be out of scale with the neighborhood. However, Landon  
16                  is legally entitled to build a structure much larger than the home he intends to build.  
17                  Appellants claim, in the appeal filed before they saw the design plans that the Landon  
18                  Residence will be "massive", but such allegation is not accurate because Landon is not using  
19                  all the buildable square footage available to him, and Landon is staying well within the legal  
20                  requirements set forth in the General Plan and the Venice Specific Plan. Landon is not  
21                  building the home as tall as it otherwise could be built, or as dense as it could be built, and  
22                  the structure shall have more set backs than what are otherwise required by the VSP and  
23                  other controlling laws.  
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1 IV. VSP REQUIRES NEW STRUCTURES TO COMPLEMENT NOT  
2 REPLICATE EXISTING STRUCTURES.  
3

4 The applicable language of the VSP regarding the building materials, colors, facades,  
5 massing and scale is located at Section 12.A.1 thereof. Such language provides that new  
6 projects along the Walk Streets shall "complement" the building materials, colors, massing  
7 and scale of existing structures. Moreover, the VSP provides that "*building facades shall*  
8 *be varied and articulated to provide visual interest to pedestrians*". Appellants argue that  
9 they do not want anything to be built that is different from the mid-1900s Craftsman-style  
10 cottages and bungalows which were once popular on the Walk Streets. However, while the  
11 historically evocative nature of the Craftsman-style certainly appeals to many, the Craftsman  
12 design does not meet the present-day needs of the Landon family.  
13

14 V. CONCLUSION / PERSONAL FREEDOMS FOR EVERYONE.  
15

16 Appellants want Landon to redesign his entire home to meet the personal opinions,  
17 preferences, likes, dislikes, styles and desires of Appellants, even though none of them will  
18 have paid approximately \$1.5 million to buy the land and build the Landon Residence.  
19 Neither will Appellants have to live in the Landon Residence, nor raise their families in such  
20 residence. Yet, Appellants want Landon to build a home that Appellants approve of (*i.e.*,  
21 in terms of style, architecture, materials, exterior design), regardless of how earnestly  
22 Landon has designed the community-conscientiouS home so that it meets all building  
23 requirements imposed by the VSP and other overlapping applicable laws, and yet does not  
24 overwhelm its neighbors. Since Appellants cannot win their appeal by arguing the law,  
25 Appellants are left with nothing more than to argue that their sense of style is more right or  
26 more appropriate than Landon, thereby ensuring that Appellants will, in essence, be dictating  
27  
28


1 the exact design and configuration of the home in which Landon must live and raise his  
2 family.  
3

4 It is ironic that this issue regarding personal opinions of architectural and exterior  
5 design, of personal tastes, preferences, likes, dislikes and style, is taking place in  
6 architecturally-renowned Venice. When Los Angeles County residents think of Venice, it  
7 is regarded as one of the last bastions of creative, personal artistic expression, individuality  
8 and tolerance. Yet, Appellants refuse to concede that Landon and his family should be  
9 allowed the same freedom of expression enjoyed by other Venice residents, even when  
10 Landon's exercise of such rights is in compliance with applicable laws. Landon readily  
11 acknowledges the rights of his neighbors to develop, decorate and maintain their homes in  
12 whatever style they choose, recognizing that one person's eyesore could be another person's  
13 charming castle. So long as the design and construction of the proposed Landon Residence  
14 is in compliance with all applicable laws, Appellants, too, should acknowledge – especially  
15 because they have chosen to live in such an individualism-revering community as Venice --  
16 the right of Landon and his family to design a own home in the Landons' own style, in the  
17 Landons' own taste, and of the Landons' own liking.  
18

19  
20 Respectfully submitted,

21 Dated: September 28, 2004

22 KEVIN C. KELLOW, APC  
23 A Professional Corporation

24   
25 Kevin C. Kellow  
26 Attorneys for APPLICANT,  
27 Chris Landon  
28



# West Los Angeles Area Planning Commission

200 North Spring Street, Room 532, Los Angeles, CA 90012-4801 (213) 978-1300

Website: <http://www.lacity.org/pln/index.htm>

## DETERMINATION OF THE WEST LOS ANGELES AREA PLANNING COMMISSION

**Mailing Date:** OCT 15 2004

**Case No.:** DIR-2004-3161-SPP-MEL-1A

**CEQA:** ENV-2004-3162-CE

**Location:** 728 East Marco Place

**Council District:** 11

**Plan Area:** Venice: Oakwood, Milwood, Southeast,  
Venice Subarea

**Zone:** R2-1

**District Map:** 108 B 145

**Legal Description:** Lot 8, Block 7,  
Venice Annex Tract

**Applicant:** Chris Landon

**Appellant:** Andrea D'Amico

**At its meeting on October 6, 2004, the following action was taken by the West Los Angeles Area Planning Commission:**

1. **Denied** the appeal.
2. **Sustained** the determination of the Director of Planning dated July 8, 2004 (attached).
3. **Approved** a Specific Plan Project Permit Compliance to allow the demolition of an existing one-story, single-family dwelling and the construction of a new 2,715-square foot, two-story, single-family dwelling with a 399 square-foot deck, fronting on a walk street in the R2-1 Zone.
4. **Adopted** the Findings of the Director of Planning.
5. **Adopted** ENV 2004-3162-CE.

**Fiscal Impact Statement:** There is no General Fund impact as administrative costs are recovered through fees.

This action was taken by the following vote:

**Moved:** Commissioner Ritter-Simon  
**Seconded:** Commissioner Moon  
**Ayes:** Commissioners Ritter-Simon, Moon and Burton  
**Noes:** Commissioners Foster and Rodman  
**Vote:** 3-2

**This action is not further appealable**

*Sheldred Alexander*

Sheldred Alexander, Commission Executive Assistant  
West Los Angeles Area Planning Commission

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

Attachment(s): Director's Determination dated July 8, 2004

c: Notification List

CITY OF LOS ANGELES  
CALIFORNIA

DEPARTMENT OF  
CITY PLANNING  
200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801  
CITY PLANNING COMMISSION

MITCHELL B. MENZER  
PRESIDENT

JOSEPH KLEIN  
VICE-PRESIDENT

RICHARD BROWN  
MABEL CHANG  
DORENE DOMINGUEZ  
JAVIER O. LOPEZ  
PASTOR GERARD MCCALLUM II  
BRADLEY H. MINDLIN  
THOMAS E. SCHIFF

GABRIELE WILLIAMS  
COMMISSION EXECUTIVE ASSISTANT  
(213) 978-1247



JAMES K. HAHN  
MAYOR

EXECUTIVE OFFICES

CON HOWE  
DIRECTOR  
(213) 978-1271

FRANKLIN P. EBERHARD  
DEPUTY DIRECTOR  
(213) 978-1273

GORDON B. HAMILTON  
DEPUTY DIRECTOR  
(213) 978-1272

ROBERT H. SUTTON  
DEPUTY DIRECTOR  
(213) 978-1274

FAX: (213) 978-1275

INFORMATION  
(213) 978-1270  
[www.lacity.org/PLN](http://www.lacity.org/PLN)

**VENICE COASTAL ZONE SPECIFIC PLAN  
DIRECTOR OF PLANNING  
DETERMINATION AND FINDINGS**

July 8, 2004

Chris Landon  
520 Washington Boulevard, #177  
Marina Del Rey, CA 90292

David Cofrances  
71173 N. Thunderbird Terrace  
Rancho Mirage, CA 92270

Department of Building and Safety

**CASE NO. DIR2004-3161(SPP)(MEL)  
PROJECT PERMIT COMPLIANCE  
CEQA: ENV2004-3162(CE)**

Location: 728 East Marco Place  
Council District: 11  
Plan Area: Venice - Oakwood, Milwood,  
Southeast Venice Subarea  
Plan Land Use: Low Medium I, Multiple Family  
Residential

Zone: R2-1  
District Map: 108 B 145  
Legal Description: Lot 8, Block 7, Venice  
Annex Tract

Pursuant to Los Angeles Municipal Code Section 11.5.7 and the Venice Coastal Zone Specific Plan (Ordinance No. 175,693), as the designee of the Director of Planning I hereby approve:

a **Specific Plan Project Permit Compliance** to allow the demolition of an existing one-story, single-family dwelling, and the construction of a new 2,715 square-foot, two-story, single-family dwelling with a 399 square-foot roof deck, fronting on a walk street in the R2-1 zone.

This Specific Plan Project Permit Compliance is subject to the following additional terms and conditions:

- A. **Entitlement:** The use and development of the subject property shall be in substantial conformance with the site, roof, floor and elevation plans labeled "A-0, A-1, A-2, A-2.1, A-3, and A-3.1" date-stamped May 27, 2004, attached to the file.



**B. Administrative:**

1. **Coastal Commission.** Coastal clearance, including a Coastal Development Permit if required, shall be obtained from the Coastal Commission and the use and development of the property shall be in conformance with the conditions required by the California Coastal Commission.
2. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
3. **Municipal Code.** All other use, height and area regulations of the R2-1 zone classification of the subject property, and all other applicable government/ regulatory agencies regulations shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
4. **Venice Coastal Zone Specific Plan.** This Specific Plan Project Permit Compliance is only applicable to the provisions of the Venice Coastal Zone Specific Plan pertaining to density, height, access, parking, roof structures and walk street standards (Section C. below). Whenever the Venice Coastal Zone Specific Plan is silent, all other relevant provisions of the Los Angeles Municipal Code (LAMC) shall apply. Therefore this project is subject to the review and approval of the Department of Building and Safety as to its compliance with the applicable provisions contained in the LAMC.
5. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
6. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendment thereto.
7. **Building Plans.** This determination including all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.

**C. Other Conditions:**

1. **Density.** A maximum of two dwelling units per lot is permitted on R2-1 zoned lots in the Oakwood, Milwood, Southeast Venice Subarea. However, this determination permits only the demolition of an existing one-story, single-family dwelling, and the construction of a new 2,715 square-foot, two-story, single-family dwelling with a 399 square-foot roof deck. A new determination shall be required to permit the construction of a second dwelling unit.

2. **Height.** The proposed project shall be limited to a maximum height of 28 feet, measured as the vertical distance from ground level to the highest point of the roof or parapet wall, excluding roof deck railings that do not exceed 36 inches and are of an open design. Ground level shall be measured from the centerline of Marco Place measured from the projection of the midpoint of the lot frontage.
3. **Access.** Driveways and vehicular access to the subject project shall be provided from the alley, Marco Court, unless the Department of Transportation determines that it is not feasible.
4. **Parking.** The subject project shall have three parking spaces; the third space may be uncovered and in tandem with the other two required covered parking spaces.
5. **Roof Structures.** Roof Access Structures shall comply with LAMC Section 12.21.1B3. Roof Access Structures shall not exceed the 25-foot Flat Roof height limit by more than 10 feet regardless of roof type. They shall be designed and oriented so as to reduce their visibility from adjacent public walkways and recreation areas. The area within the outside walls of the Roof Access Structure shall be minimized and shall not exceed 100 square feet as measured from the outside walls.
6. **Walk Street.** The building materials, colors, articulation, massing and scale of the proposed project shall substantially comply with those specified on the plans. The building colors and materials include: stained wood siding, clear anodized aluminum door and window frames, silver colored steel railing, and stucco painted greyish green. The main exterior shall not be vibrant in color and shall complement the existing buildings on the walk street.
7. **Public Right-of-Way**
  - a. Any existing gardens/patios located within the public right-of-way, between the fences and the property line, shall be maintained to provide a transitional zone between the public pathways and private dwellings.
  - b. No shrub or hedge in the public right-of-way shall be higher than 42 inches. The bottom of tree canopies shall be maintained at least eight feet above the existing grade.
  - c. Any fence erected in the public right-of way shall not exceed 42 inches in height as measured from the existing grade of the public right-of-way. The use of decorative fence patterns such as split rail, picket and rustic is recommended. No fences shall be permitted within five feet of the centerline of the existing public right-of-way.
8. **Permanent Encroachments**
  - a. Permanent Encroachments within the existing public right-of-way of Nowita Place shall be limited to grade level uses including gardens, patios, landscaping and fences and shall be permitted only by obtaining a revocable permit from the City Department of Public Works prior to the issuance of a building permit.



- b. No encroachments including hedges or other accessory structures, shall be permitted within five feet of the centerline of the existing public right-of-way. Fences shall be permitted in stringline with the existing fences. Encroachments shall not exceed 42 inches above natural grade.

#### **OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES - TIME EXTENSION**

All terms and conditions of the Specific Plan Project Permit shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within two years after the effective date of this determination and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void. The Director of Planning or his/her designee may extend the termination date for one additional period not to exceed one year, if a written request on appropriate forms, accompanied by the applicable fee is filed therefore with a public office of the Department of City Planning setting forth the reasons for said request and the Director of Planning or his/her designee determines that good and reasonable cause exists therefore.

#### **TRANSFERABILITY**

This determination runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant.

#### **VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR**

Section 11.00 M of the Los Angeles Municipal Code states in part: "It shall be unlawful to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

#### **APPEAL PERIOD - EFFECTIVE DATE**

The applicant's attention is called to the fact that this grant is not a permit or license and that any permit or license required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code.

The Determination in this matter will become effective after JUL 23 2004, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/ incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of this grant and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. Forms are available on-line at [www.lacity.org/pln](http://www.lacity.org/pln). Planning Department public offices are located at:

Figueroa Plaza  
201 North Figueroa Street, #300  
Los Angeles, CA 90012  
(213) 977-6083

Marvin Braude-San Fernando Valley Constituent Center  
6262 Van Nuys Boulevard, #251  
Van Nuys, CA 91401  
(818) 374-5050

The applicant is further advised that all subsequent contact with this office regarding this grant must be with the decision-maker who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished by appointment only, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

### PROJECT PERMIT COMPLIANCE FINDINGS

1. **The Venice Coastal Development Project is compatible in scale and character with the existing neighborhood, and the project would not be materially detrimental to adjoining properties or the immediate area.**

The subject property is a substandard lot, having a width of 40 feet and a depth of 90 feet, for a total lot area of 3,600 square feet. The subject property and the surrounding area are zoned R2-1. The subject site is presently developed with a one-story, single-family dwelling unit. The proposed project includes the demolition of the existing one-story, single-family dwelling, and the construction of a new 2,715 square-foot, two-story, single-family dwelling with a 399 square-foot roof deck. The surrounding properties are developed with one- to two-story, single-family dwellings. Owing to the nature and characteristics of the immediate neighborhood, the proposed single-family project will be compatible in scale and character with the existing neighborhood or that which is allowed in the Venice Coastal Zone for the Oakwood, Millwood, Southeast Venice Subarea. As further conditioned, the project is not anticipated to be detrimental to the adjoining properties or the immediate area.

2. **The Venice Coastal Development Project is in conformity with the certified Venice Local Coastal Program.**

The subject property is designated Low Medium I, Multiple Family Residential in the Venice Community Plan and zoned R2-1. The proposed project is consistent with the intents and purposes of the Land Use Plan and the Specific Plan which are parts of the Venice Local Coastal Program. Their policies and provisions support this type and scale of residential development in the area. The subject property is located in the area identified as the Oakwood, Millwood, Southeast Venice Subarea. The proposed project complies with all applicable development requirements of the Venice Coastal Zone Specific Plan (Ord. No. 175,693), contained in Sections 8.B, 10.G, 12 and 13.

- a. Density. The proposed project complies with the density requirement which permits a maximum of two dwelling units on R2-1 zoned lots. The proposed project consists of the demolition of an existing one-story, single-family dwelling, and the construction of a new 2,715 square-foot, two-story, single-family dwelling with a 399 square-foot roof deck that will not increase the number of dwelling units on the site.
- b. Height. The proposed project complies with the height requirements which permits projects fronting on walk streets a maximum height of 28 feet. The proposed project has a maximum height of 28 feet.

- c. **Access.** The proposed project complies with the access requirement by providing driveway and vehicular access from the alley, Marco Court.
- d. **Walk street standards.** The proposed project complies with the residential development standards for projects fronting on walk streets. The proposed building materials and colors complement the existing structures in the neighborhood. The proposed ground floor entrance and frequent windows face the walk street.
- e. **Parking.** The parking of the proposed project complies with the parking standard by providing a total of three on-site parking spaces. Two of the spaces are covered in a garage and one space is uncovered.
- f. **Roof Access Structure.** The proposed roof access structure has a height of about five feet and is less than 100 square feet in area. It is sited 48 feet from the front property line.
- g. **Construction on Contiguous Lots.** The subject building occupies one lot which complies with the requirement of Section 8.A.1 that limits the construction of buildings or structures on no more than two contiguous lots.

**3. The project is consistent with the special requirements for low- and moderate-income housing units in the Venice Coastal Zone as mandated by California Government Code Section 65590 (Mello Act).**

The proposed project is located in the Coastal Zone as defined in California Public Resources Code, Division 20, as depicted on the City of Los Angeles Coastal Zone Maps. The project does involve the demolition and development of one residential unit. However, the project is exempt from the Mello Act requirement as set forth in California Government Code Sections 65590 and 65590.1, because the project is an owner-occupied, single-family residence that will be replaced by an owner-occupied, new single-family residence.

**4. The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.**

The requirement to mitigate negative environmental effects is not applicable to the subject project. The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Article VII, Section 1, Class 1, Category 5 of the City CEQA Guidelines. Notice of Exemption No. ENV2004-3162(CE) has been issued on May 18, 2004.

#### **ADDITIONAL MANDATORY FINDINGS**

- 5. Flood Hazard:** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 154,405, have been reviewed and it has been determined that this project is not located in the Flood Zone.

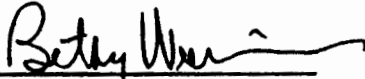
**BACKGROUND/CHRONOLOGY**

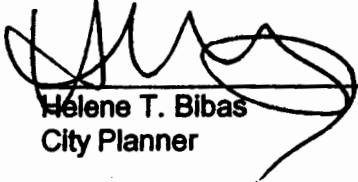
- 05/18/04 City Planning Public Counter receives application, accepts fees, and assigns case numbers DIR2004-3161(SPP) and ENV2004-3162(CE).
- 05/27/04 The Department of City Planning, Community Planning Bureau staff receives file and deems the application package complete for a Specific Plan Project Permit Compliance.
- 07/08/04 The Department of City Planning, Community Planning Bureau staff considers the application and recommends approval to allow the demolition of an existing single-family dwelling fronting on a walk street in the R2-1 zone.

APPROVED BY:

REVIEWED BY:

PREPARED BY:

  
 \_\_\_\_\_  
 Betsy Welsman  
 Principal City Planner

  
 \_\_\_\_\_  
 Helene T. Bibas  
 City Planner

  
 \_\_\_\_\_  
 Socorro Smith-Yumul  
 Planning Assistant  
 (213) 978-1208

- cc: Councilmember Cindy Miscikowski, 11th District  
 Department of Building and Safety  
 Department of Transportation  
 California Coastal Commission, South Coast Regional Office, Charles Posner  
 Adjoining and Abutting Property Owners  
 Grass Roots Venice Neighborhood Council  
 Erica Adams, Los Angeles Housing Department  
 Western Center on Law and Poverty, Attn.: Ms Deanna Kitamura  
 Legal Aid Foundation of Los Angeles, Attn.: Ms Susanne M. Browne

Application # 5-04-373

Property Address: 728 E. Marco Pl., Venice CA 90291

By Applicant: Chris Landon

**Findings From Visual Survey Of  
Architectural Styles, Characteristics and  
Materials Used On  
Venice "Walk Street" Houses  
And A Partial List Of  
Walk Street Home Square Footages**

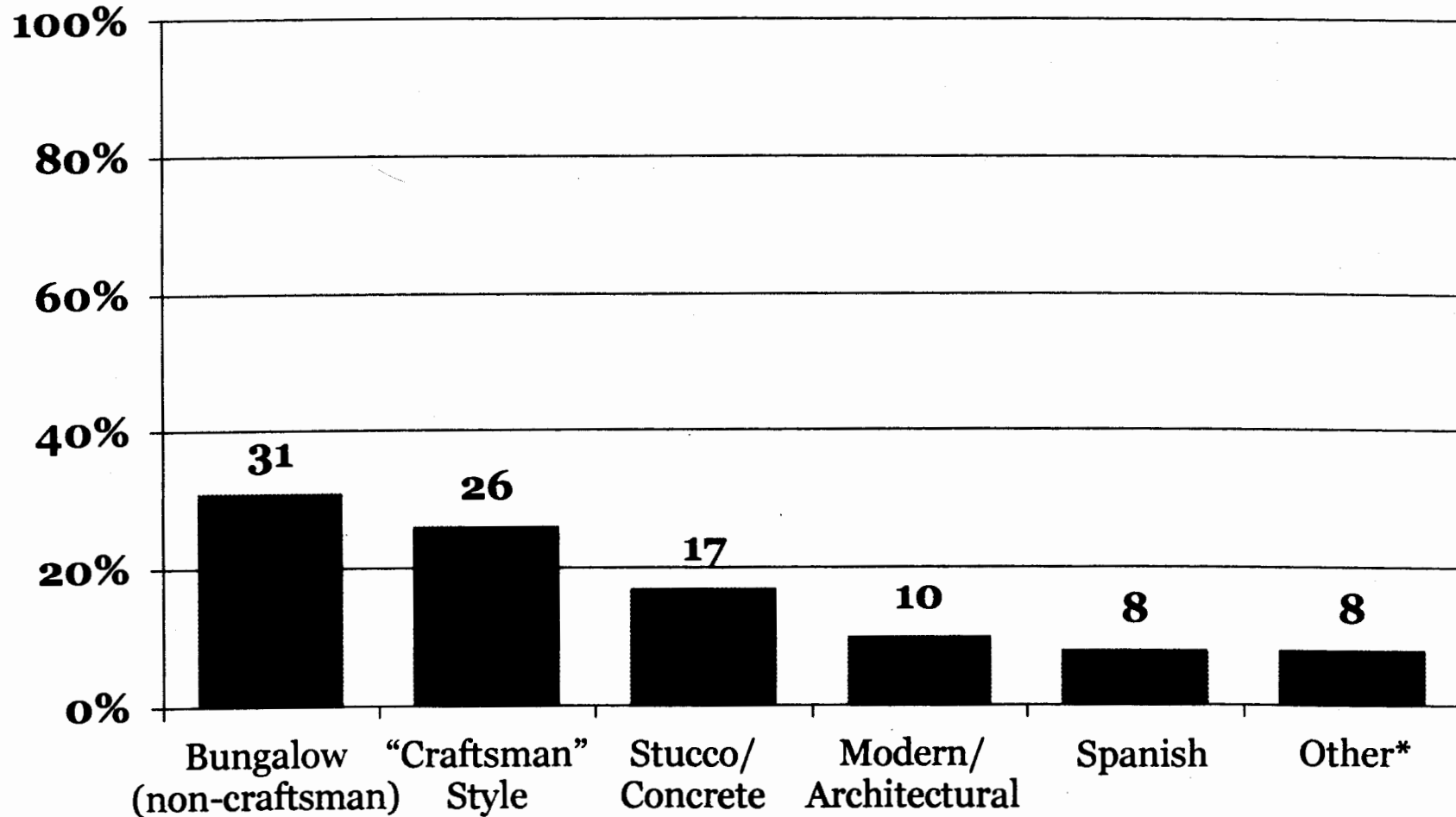
August 2004

Streets surveyed include all four pedestrian walk streets:  
Marco Pl., Amoroso Pl., Nowita Pl., and Crescent Pl.

# Diverse Walkstreet House Styles – Not One Single Style Dominates

(Based on four walkstreets, total of ten blocks)

N=268 houses



\*"Other" is usually a two-story, remodeled/developed home with no single, definable architectural style.

# Numerous Examples Exist Of Walkstreet Houses Using Select Modern Characteristics\*

(Based on visual inspection from the street)

<b>Characteristic</b>	<b>House Count</b>
Flat Roof	43
Metal Windows	39
Front Hardscape	20
Metal Siding Or Railing	14
Roof Deck	11

Note: This visual survey is based only on pedestrian “walkstreet” homes, and based only on what could be viewed from the walkstreet. It does not include any of the paved, traffic streets that are part of the “Walkstreet Neighborhood,” such as Superba, Electric Ave., Shell Ave., Oakwood Ave., Linden, Venezia, Millwood, or Palms Blvd.

\* These characteristics are planned to be part of the architectural design for 728 Marco Place.

# Partial List Of Developed Houses on Walkstreets\* (With Known Square Footage)

(Source: Southland Title Corp., 7530 Glenaoks Blvd., Burbank, CA 91504)

## CRESCENT PLACE (1600 block)

<u>Property Address</u>	<u>Sq. Ft.</u>
1614 CRESCENT PLACE	<b>3,011</b>
1615 CRESCENT PLACE	2,074
1617 CRESCENT PLACE	2,020
1623 CRESCENT PLACE	1,904
1636 CRESCENT PLACE	<b>2,492</b>
1641 CRESCENT PLACE	<b>3,094</b>

\* Developed houses measuring 1800 square feet or less are not included here.  
Houses recently remodeled or developed are not included.



# Partial List Of Developed Houses on Walkstreets\* (continued)

(Source: Southland Title Corp., 7530 Glenaoks Blvd., Burbank, CA 91504)

## MARCO PLACE (700, 800 & 900 blocks)

<u>Property Address</u>	<u>Sq. Ft.</u>		
717 MARCO PLACE	1,910	863 MARCO PLACE	1,974
725 MARCO PLACE	1,827	902 MARCO PLACE	<b>2,372</b>
747 MARCO PLACE	2,138	905 MARCO PLACE	<b>2,374</b>
755 MARCO PLACE	2,129	923 MARCO PLACE	2,084
817 MARCO PLACE	1,996	924 MARCO PLACE	<b>3,564</b>
828 MARCO PLACE	<b>2,277</b>	931 MARCO PLACE	<b>2,858</b>
831 MARCO PLACE	1,963	941 MARCO PLACE	2,094
842 MARCO PLACE	<b>2,396</b>		

\* Developed houses measuring 1800 square feet or less are not included here.  
Houses recently remodeled or developed are not included.

# Partial List Of Developed Houses on Walkstreets\* (continued)

(Source: Southland Title Corp., 7530 Glennaoks Blvd., Burbank, CA 91504)

## NOWITA PLACE (700, 800 & 900 blocks)

<u>Property Address</u>	<u>Sq. Ft.</u>		
709 NOWITA PLACE	1,893	813 NOWITA PLACE	1,838
718 NOWITA PLACE	<b>2,722</b>	824 NOWITA PLACE	<b>2,549</b>
719 NOWITA PLACE	2,038	829 NOWITA PLACE	<b>2,332</b>
720 NOWITA PLACE	<b>2,987</b>	854 NOWITA PLACE	<b>2,390</b>
721 NOWITA PLACE	2,100	858 NOWITA PLACE	<b>2,376</b>
724 NOWITA PLACE	1,975	860 NOWITA PLACE	1,878
726 NOWITA PLACE	<b>2,392</b>	905 NOWITA PLACE	<b>2,269</b>
762 NOWITA PLACE	<b>2,973</b>	906 NOWITA PLACE	1,803
801 NOWITA PLACE	1,959	915 NOWITA PLACE	1,905
810 NOWITA PLACE	1,943	917 NOWITA PLACE	<b>3,145</b>

\* Developed houses measuring 1800 square feet or less are not included here.  
Houses recently remodeled or developed are not included.

# Partial List Of Developed Houses on Walkstreets\* (continued)

(Source: Southland Title Corp., 7530 Glenaoks Blvd., Burbank, CA 91504)

## AMOROSO PLACE (700, 800 & 900 blocks)

<u>Property Address</u>	<u>Sq. Ft.</u>
703 AMOROSO PLACE	1,995
730 AMOROSO PLACE	1,914
736 AMOROSO PLACE	2,334
744 AMOROSO PLACE	2,860
807 AMOROSO PLACE	1,984
815 AMOROSO PLACE	1,812
827 AMOROSO PLACE	2,525
901 AMOROSO PLACE	2,172

\* Developed houses measuring 1800 square feet or less are not included here.  
Houses recently remodeled or developed are not included.

**Application # 5-04-373**

**Property address: 728 E. Marco Place, Venice, CA 90291**

**Applicant: Chris Landon**

# **Personal Letters Supporting Our Case**

(Previously presented at September 1, 2004 and October 6, 2004 hearing for the West Los Angeles Area Planning Commission)

**Attached:**

Twenty Six (26) personal letters from Venice residents including many "Walk Street" and immediate "Walk Street Neighborhood" (abutting or connecting) residents.

Also included is **Jon Tanimoto's** letter (owner/occupant of 724 Marco Pl., the residence next door to our property at 728 Marco Pl.) and **Tom Krauss** (owner/occupant of 725 Marco Pl. our neighbor across the walkstreet)

These letters present strong support for the Landon project from the this Venice neighborhood. They describe the individuality, eclecticness, and diversity of both the architecture and the people in this community. They describe **the character of this community**. These letters also raise the question of how it is possible in this neighborhood, of all places, that the Landon project is being opposed.

February 24, 2004

Chris Landon and Jodi Gusek  
739 Nowita Place  
Venice, California 90291

Dear Chris and Jodi,

As the seller of 728 Marco Place, Venice, California, this is to certify that the west side of the lot is currently being encroached upon by the neighbor's porch and step. The fences also are joined in common both in the front and back. The lot line is designated in the front sidewalk by a city marker. My neighbor, Jon Tanimoto, is aware of this and will be willing to work with you to remove this encroachment when you are starting to build or in the near future.

Sincerely,

David Widom

A handwritten signature in cursive script, appearing to read "David Widom", written in black ink.

JON TANIMOTO

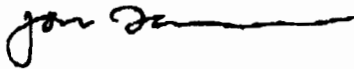
Jon Tanimoto  
724 Marco Place  
Venice, CA 90291

City of Los Angeles  
Planning Department

Re: Case No.:DIR2004-316(SPP)(MEL)

I am the owner and occupant of 724 Marco Place. It has come to my attention that a group appeal has been filed against the entire proposal for construction at 728 Marco Place. I was never consulted about the appeal and was surprised and disappointed to see that comments and concerns were made on my behalf without my knowledge. Page 2 of the appeal cites encroachment, access and fire hazard issues regarding the property line between 724 and 728 Marco Place. Prior to this appeal, I had discussed making modifications to my entry way so that it would reside on my property and would thus accommodate Chris Landon, owner of 728 Marco Place, and his construction plans. I don't believe the stated concerns of the appeal are valid and I do not support this appeal.

Sincerely,



Jon Tanimoto

TOM KRAUSS

To: The West Los Angeles Area Planning Commission

200 N. Spring St. Room 532  
Los Angeles, Ca. 90012

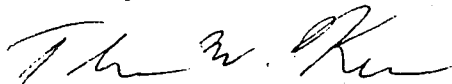
Matthew Rodman, President Robyn Ritter Simon  
Vice President Joyce Foster  
Commissioner Sean Burton  
Commissioner Elvin W. Moon,  
Commissioner Sheldred Alexander Commission Executive Assistant

Re: Hearing Case #DIR-2004-3161-SPP-MEL-A1  
Hearing Date: Wednesday, October 6, 2004  
Property address: 728 E. Marco Place, Venice, CA 90291  
Applicant: Chris Landon

I am a homeowner residing at 725 Marco Place, across the walk street from where Mr. Landon wants to build his house. Although I personally would never build that style of house, I have no problem with Mr. Landon building his house if the Venice Specific Plan approved it. There are a number of contemporary homes on the walk streets and I don't understand why Mr. Landon is being persecuted.

You should have persecuted the gentleman that built that steel monstrosity on Shell Avenue.

Sincerely,



Thomas W. Krauss  
725 Marco Place  
Venice, CA 90291

1 October 2004

To: The West Los Angeles Area Planning Commission  
200 N. Spring St. Room 532  
Los Angeles, Ca. 90012

Matthew Rodman, President  
Robyn Ritter Simon, Vice President  
Joyce Foster, Commissioner  
Sean Burton, Commissioner  
Elvin W. Moon, Commissioner  
Sheldred Alexander, Commission Executive Assistant

**Re: Hearing Case #DIR-2004-3161-SPP-MEL-A1**  
**Hearing Date: Wednesday, October 6, 2004**  
**Property address: 728 E. Marco Place, Venice, CA 90291**  
**Applicant: Chris Landon**

Dear Commissioners:

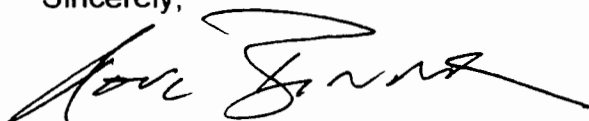
I have lived in the Venice Walk Street Neighborhood for the past 15 years. I enjoy its ambiance, character and neighbors. I do not support the actions some of my neighbors have taken against Chris Landon's project.

Venice has always embraced different styles of architecture and I do not think a group of neighbors have the right to dictate style to a homeowner. My understanding is the project meets the Venice Specific Plan requirements in terms of height, mass and scale without asking for any variance or offset. The Venice Specific Plan is the guideline for the community and should be the final word for the project not the neighbors who have decided to interpret the rules to suit their own tastes.

The great thing about our neighborhood is diversity and if people follow the VSP guidelines they should be allowed to build in a style that suits their own individual needs.

I ask you to **support** the project at 728 Marco Place.

Sincerely,



Doug Binder  
714 Nowita Place  
Venice, CA. 90291



ELAINE AFABLE  
806 NOWITA PLACE  
VENICE, CA 90291

October 2, 2004

Matthew Rodman, President  
Robyn Ritter Simon, Vice President  
Joyce Foster, Commissioner  
Sean Burton, Commissioner  
Elvin W. Moon, Commissioner  
Sheldred Alexander, Commission Executive Assistant

The West Los Angeles Area Planning Commission

Re: Hearing Case #DIR-2004-3161-SPP-MEL-A1  
Hearing Date: Wednesday, October 6, 2004  
Property address: 728 E. Marco Place, Venice, CA 90291  
Applicant: Chris Landon

Dear Honorable Commissioners,

I own a house on a Nowita Place -- a walk street close to where Mr. Landon and his wife are planning to build their new home. I have lived here since the late-1980's and regularly walk my dog on these streets.


I was quite dismayed to find out that the Landons are having problems proceeding with their plans. It is my understanding their plans have been approved by the Venice Specific Plan (VSP), and fully comply with those guidelines. I have seen a rendering of their proposed house, and it looks like it fits nicely in the neighborhood, which is made up of homes in many different styles, shapes, and colors (not all of which I personally like, but it is not my business to dictate what others do with their property if it is legal.)

It took many years to create and implement the VSP. Since the Landon plans comply with the VSP guidelines, they should be able to move forward without delay. The spirit of Venice is to encourage innovative design.

The opposition to this plan seems unfair and frivolous. I strongly urge you to vote against the appeal and allow these good people to proceed.

Thank you for your consideration.

Sincerely,

  
Elaine Afable

# JEFFREY R. MILES

October 1, 2004

**West Los Angeles Area Planning Commission**

200 N. Spring St., Room 532  
Los Angeles, CA 90012

Matthew Rodman, President  
Robyn Ritter Simon, Vice President  
Joyce Foster, Commissioner  
Sean Burton, Commissioner  
Elvin W. Moon, Commissioner  
Sheldred Alexander, Commission Executive Assistant

**Re: Hearing Case #DIR-2004-3161-SPP-MEL-A1**  
**Hearing Date: Wednesday, October 6, 2004**  
**Property address: 728 E. Marco Place, Venice, CA 90291**  
**Applicant: Chris Landon**

To the Commissioners,

As a local homeowner on the next walk street, I want to formally express my support for the applicant, Chris Landon. In this neighborhood, we have a Venice Specific Plan (VSP), and we have it for good reason. It is the guidebook to development in Venice. Mr. Landon's proposed home is in full compliance with the VSP, has met all necessary requirements, was approved by the city with no need for any variance, and he should be allowed to complete his family's home without delay.

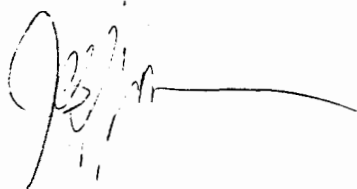
All too often, well intentioned neighbors go beyond their rights to dictate to another on style and taste. This matter seems to meet that criteria. The neighbors who are objecting seem clearly opposed to the inclusion of a "modern" architecture home on the block. They may also be a part of an ever-growing, vocal minority of Venice residents who merely want nothing to be built at all. Anywhere. That's just plain wrong.

Venice has always been a neighborhood with eclectic tastes, interests, and art combined together. Those who walk the streets where I live see many different styles of architecture. Walking by my home is to see a Craftsman, but down the block is a beautiful modern structure. That's the way it should be in Venice.

In conclusion, I feel Mr. Landon should be allowed to build his home, whether the modern architecture appeals to some neighbors or not. He has met all the requirements of the VSP. No variances have been requested. What more can you ask?

What style of architecture will be "out of favor" in the next few years? Need I fear if Craftsman style homes make someone's hit list?

Sincerely,



# Matt Freeman

August 20, 2004

Matthew Rodman, President  
Robyn Ritter Simon, Vice President  
Joyce Foster, Commissioner  
Elvin W. Moon, Commissioner  
Sheldred Alexander, Commission Executive Assistant  
West Los Angeles Area Planning Commission  
200 N. Spring Street, Room 532  
Los Angeles, CA 90012

Re: Hearing Case #DIR-2004-3161-SPP-MEL-A1  
Hearing Date: Wednesday, September 1, 2004  
Property Address: 728 E. Marco Place, Venice, CA 90291  
Applicant: Chris Landon

Dear Sirs and Madams:

I am writing to you regarding the above-referenced case.

I am a Los Angeles native who has always been drawn to the city of Venice. Two years ago, we were fortunate enough to make the dream of living here a reality. What appealed to us about the community (among other things) was the diversity of the population and the freedom of that population to express itself through art, architecture, activism and attitude.

I was dumbfounded when I heard that the plans for Chris Landon and Jodi Gusek's new house on Marco Place had been appealed. We were sorry to hear that Chris and Jodi were no longer going to be our neighbors, but so excited that they had found a beautiful lot onto which they planned to build their dream home. From what I know of their plans, there were no variances requested, only the fantastic blueprint for a home that represents their combined tastes and styles.

On our block (700 block of Nowita - also a walk street in Venice) the houses are unique, eclectic and wonderful; Jeffrey and Holly recently added a second story (to accommodate their growing family) on to their beautiful craftsman home; Ben and Kara have just begun construction on a two-story modern house, with bold use of glass and steel; Sue has a beautiful original craftsman onto which she added a two story garage/workshop that resembles a forward-thinking "craftsman" style. Sprinkled here and there are forty or so others houses including single and two story craftsman homes, homes of modern architecture, and even 1950's track housing bungalows with no particular style whatsoever. To me, that is Venice.

I hope you'll allow Chris and Jodi the freedom to continue with their plans and provide them with the support of your committee.

Sincerely,



Matt Freeman

734 Nowita Place - Venice, California 90291  
(310) 822-8866

To: The West Los Angeles Area Planning Commission  
200 N. Spring St. Room 532  
Los Angeles, Ca. 90012

Matthew Rodman, President  
Robyn Ritter Simon, Vice President  
Joyce Foster, Commissioner  
Sean Burton, Commissioner  
Elvin W. Moon, Commissioner  
Sheldred Alexander, Commission Executive Assistant

Re: Hearing Case #DIR-2004-3161-SPP-MEL-A1  
Hearing Date: Wednesday, October 6, 2004  
Address: 728 E. Marco Place, Venice, CA 90291  
Applicant: Chris Landon

September 28, 2004

Dear Members of the Planning Commission:

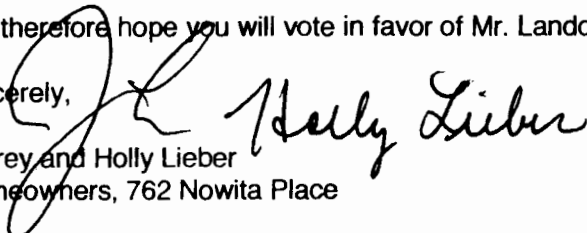
My Wife and I are writing in support of the above mentioned project on the grounds that we feel strongly that development in Venice should be governed by the city building code (in regards to set-backs, height requirement, etc.) and not the capricious esthetic values of individual neighbors.

We ourselves just finished a project (a 2800 square foot craftsman on the 700 block of Nowita Place) in anticipation of our second child and we shudder to think of the chaos and emotional turmoil our family would have been plunged into had the project been subject to the same level of delay as it appears Mr. Landon and Ms. Gusek are being burdened with.

While we respect every home owners right to be part of the development of their neighborhood, we do not think it good policy to enforce a tacit and seemingly arbitrary "esthetics law" to a property in a community as eclectic as ours.

We therefore hope you will vote in favor of Mr. Landon's proposal.

Sincerely,

  
Jeffrey and Holly Lieber  
Homeowners, 762 Nowita Place

**Allan Leavitt - 806 Nowita Place, Venice, California, 90291**

West L.A. Area Planning Commission: Matthew Rodman, President, Robyn Ritter Simon, Vice President, Joyce Foster, Commissioner, Elvin W. Moon, Commissioner, Sean Burton, Commissioner, and Sheldred Alexander, Commission Executive Assistant

**Re: Hearing Case #DIR-2004-3161-SPP-MEL-A1**  
Hearing Date: Wednesday, October 6, 2004  
Property address: 728 E. Marco Place, Venice, CA 90291  
Applicant: Chris Landon

October 2, 2004

Dear West L.A. Area Planning Commission Members,

I'm writing to support the Applicant Chris Landon. I've lived on a Venice walk street since 1987. I own my home, which I remodelled several years ago, and I've seen a lot of changes in this neighborhood. The neighborhood has greatly improved over the years. It's been cleaned up and is more desirable due, in large part, to people remodelling old homes and/or building new ones. Many of the older houses that still exist here were originally built and used as vacation homes, so they are very small and not particularly well-built. They no longer fit the needs of today's residents, many of whom work from home or have families.

I appreciate people like Chris and Jodi Landon for taking good care of their home and garden (on Nowita Pl.), and keeping their fence and plants low along the walk street, as required by law. They purchased their Marco Place property - a small, dilapidated cottage - and plan to build a ~2700 sq. ft. home there. I understand they have carefully designed the proposed house, and fencing, well within the law. (It is the illegal fence heights in this neighborhood that should be dealt with, not conforming homes like the Landons wish to build.)

Chris and Jodi showed me a colored rendering of the proposed home. Even though I personally prefer Craftsman style, I do appreciate modern architecture. I found their design to be very warm. The shape of the house is articulated, with depth and dimension, and looks well thought-out. I particularly like their use of traditional materials and colors, because it compliments other houses in the neighborhood (both the new and the old). I also appreciate that their design is very open to the walk street, with many windows and patio doors opening to the front yard and an upstairs balcony.

It is ludicrous that their design would have any opposition at all. Perhaps the people appealing the VSP's approval of the Landon's design, are trying to make some kind of political statement against recent development. There's a lot of development going on in the neighborhood. Perhaps they are making an example out of the Landons - scapegoating them for other homes built recently by others that they don't like. Like it or not, there will be many more homes built on these walk streets. Why should the Landons be punished for trying to build theirs within the law? If their appellants don't like the law, they should seek to change the law rather than hurt one of their neighbors.

Please vote against this foolish appeal.

Sincerely,



August 21, 2004

**To: The West Los Angeles Planning Commission**  
200 N. Spring St. Room 532, Los Angeles, CA 90012

**Attn:**

**Matthew Rodman, President**  
**Robyn Ritter Simon, Vice President**  
**Joyce Foster, Commissioner**  
**Elvin W. Moon, Commissioner**  
**Sheldred Alexander, Commission Executive Assistant**

**Regarding:**

**Hearing Case #DIR-2004-3161-SPP-MEL-A1**  
**Hearing Date: Wednesday, September 1, 2004**  
**Property address: 728 E. Marco Place, Venice, CA 90291**  
**Applicant: Chris Landon**

As an Architect living on a walk street in Venice I would like to lend my support to this project on the basis that it is the diversity of the entire community that attracted me to this neighborhood 14 years ago. I appreciate the range of architectural styles in my neighborhood. It is one of the things that make Venice an interesting and vital place. There is nothing homogeneous about this community.

My husband, who is also an Architect, and I designed our house eight years ago. We created a house that while modern clearly has a connection to the scale of the context and the materials of the older bungalows that pepper this area. We appreciate the bungalows but do not think that legislating a return to the 1920's is in anyone's best interest.

The idea of imposing an architectural style on any project being built in this community is abhorrent to me. We had a choice. We could have moved to the Ocean Park neighborhood of Santa Monica, where only three architectural styles are sanctioned. We chose the diversity of Venice.

We felt free to express ourselves stylistically, as is the legacy of Abbott Kinney's Venice. I urge you to allow others to do the same.

Sincerely;

Julie Smith-Clementi, Architect  
Principal  
Rios Clementi Hale Studios  
6824 Melrose Ave.  
Los Angeles, CA 90038

Residing at:  
725 Nowita Place  
Venice, CA 90291

# David Cofrances

## Architect

71173 N Thunderbird Terrace  
Rancho Mirage, Ca 92270

August 22, 2004

To: The West Los Angeles Planning Commission  
200 N. Spring Street, Room 532  
Los Angeles, Ca 90012

Attn: Matthew Rodman, President  
Robyn Rittler Simon, Vice President  
Joyce Foster, Commissioner  
Elvin W. Moon, Commissioner  
Sheldred Alexander, Commission Executive Assitant

Re: Hearing Case: #DIR-2004-3161-SPP-MEL-A1  
Hearing Date: Wednesday, September 1, 2004  
Property Address: 726 Marco Place, Venice, Ca 90291

Dear Members of the Planning Commission:

I am writing this letter not only as the Architect of the above-referenced project, but as a former resident of Venice for 17 years. I have lived in houses on Milwood Avenue and Marco Place and have designed and remodeled homes on streets in many areas of Venice including Marco Place, Amoroso Place, Milwood Ave, Rialto, Sunset Ave, Market Street, and Walnut Avenue.

To begin, it seems that it is almost impossible to put a finger on "what is Venice". Venice is not a homogeneous environment. Its residents cross almost all barriers. People of all races, socio-economic backgrounds, sexual orientations, professions (to mention a few characteristics) all call Venice home. Its character is so diverse and wonderful that people come from around the world to view it. We are all given the opportunity to look within and talk about our own characteristics when juxtaposed to the assortment of people, places and characteristics which engulf the community of Venice.

Page Two  
Hearing Case: #DIR-2004-3161-SPP-MEL-A1  
August 23, 2004

When I first moved to Venice over 20 years ago, I was attracted to the area because of its diversity in culture, environment, and architecture. Venice has a creative edge which dictates its particular form of urban development, with many different groups coming together and calling Venice home. Venice retains this diversity in all of its Neighborhoods whether residential or commercial or on a "walk" or "vehicular" street. Venice is known around the world for its "creative spirit" and its ability to embrace many different types of people, no matter how they choose to live. This diversity and freedom of expression creates the context of what is a "Neighborhood" in Venice and establishes the "character" of Venice.

In consideration of the effusive character and nature of Venice, architecture has followed suit. The neighborhoods of Venice contain a variety of architectural styles which support their cultural diversity. There is an untold plethora of home styles in Venice. Their are existing California Bungalows, Craftsman Bungalows, and Spanish-style homes. There are contemporary 70's, 80's, and 90's structures mixed with recent construction and renovations. Older California bungalows have been renovated or had additions built – sometimes in keeping within original styles and sometimes combining divergent vernaculars. Post-war stucco framed homes share the same streets with the modern and contemporary. All told, Venice is a study of how many different styles of architecture can co-habitate and exist within a neighborhood.

All of this being said, the home that I have designed for Chris Landon and his wife Jodi Gusek, which is the subject of this hearing, reflects their individual spirit while satisfying the requirements of the Venice Specific Plan. They wanted a strong interaction with the walk street including front facing entry, expanses of glass and access to the front yard patio. My plan also calls for a second floor balcony to break up the massing and additional visual access to the walk street gardens. Additionally, Chris and Jodi felt it was important to have a courtyard that the house wrapped around, to help them retain a strong relationship with the outdoors.

Most importantly, Chris and Jodi wanted a contemporary home. In the tradition of the many modern architects who have either built homes for their clients or have chosen themselves to live in Venice, the Landon/Guseks want to build a home which embraces the artistic and architecturally varied nature of Venice within a modern vernacular. Unfortunately, the reason we are here today is because the Landon/Guseks chose to express their own character and the way they wish to live their lives by building and living in an architecturally modern home.

Had the Landon/Guseks wanted to build a "Craftsman Bungalow" style home, it appears that much of the current dispute would not have gotten off the ground. But the Landon/Guseks' choice to express their nature and character within in the context of a "modern" home has come under scrutiny.



Page Three

Hearing Case: #DIR-2004-3161-SPP-MEL-A1

August 23, 2004

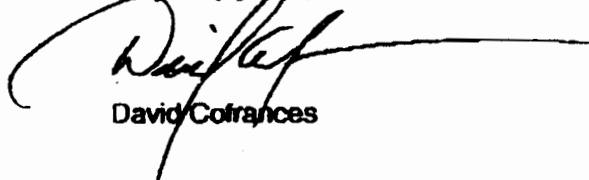
With the exception of the current dispute, questions regarding a home's appropriateness for the Venice Neighborhoods have generally centered on a home's environmental impact. Whenever I design a home to be built in Venice I am cognizant of the many concerns which may arise. Is the home the right size for the lot? Does it conform with Coastal Commission Guidelines? Is the Venice Specific Plan satisfied? In the context of the walk street there is always a consideration of the closeness of neighbors. Accordingly, is there undue impact? But, there has never been a discussion of the physical or design characteristics which the home will possess or an attempt to limit the style of home one could build.

As space in Los Angeles becomes less available a response of building larger and larger homes on smaller and smaller lots has developed. This is something which the Venice Specific Plan protects against. In addition, there must also be consideration of the walk or vehicular street, the environment, a relationship of buildings to gardens, and other specifications.

Additionally, in its guidelines, the Venice Specific Plan specifies that a home must be consistent with the "character of the neighborhood". It does not specify the "type" or "character" of the home, but that the home must coincide with the "character of the neighborhood". As set forth above, the "character" of the neighborhoods and communities which comprise Venice is diverse and resistant to categorization. Therefore, we suggest that this wonderful community be left unaltered and allowed to flourish as always. Under the "character of the neighborhood" test, I feel that all of the requirements of the Venice Specific Plan have been met in the design of the Landon/Guseks' future home.

I, along with the Venice Specific Planning Department and the Landon/Guseks, believe that the home I have designed for the Landon/Guseks supports the character of the neighborhood and satisfies the requirements of the Venice Specific Plan. It is sensitive to environmental issues and it embraces the very nature and character of the communities which make up the neighborhood. We, as a diverse society, should embrace the continued growth and expansion of the community and try to embrace a wide range of lifestyles and aesthetics and avoid fettering the community with any single set of ideas. I request that the plans for Landon/Guseks' home, as submitted, be approved without further delay.

Very truly yours,



David Cofrances

**From:** Roberta Durra <rurra@earthlink.net>  
**Date:** Tue Sep 28, 2004 9:45:59 AM America/Los\_Angeles  
**To:** <chrislandon@comcast.net>  
**Subject:** 728 E. Marco Place

To: The West Los Angeles Area Planning Commission  
200 N. Spring St. Room 532  
Los Angeles, Ca. 90012

Matthew Rodman, President  
Robyn Ritter Simon, Vice President  
Joyce Foster, Commissioner  
Sean Burton, Commissioner  
Elvin W. Moon, Commissioner  
Sheldred Alexander, Commission Executive Assistant

Re: Hearing Case #DIR-2004-3161-SPP-MEL-A1  
Hearing Date: Wednesday, October 6, 2004  
Property address: 728 E. Marco Place, Venice, CA 90291  
Applicant: Chris Landon

We are residents of the Venice walkstreets, living on the 800 block of Marco Place. We built our 2 story, 2200 square ft. home 3 years ago, following all the guidelines of the building department and Venice Specific Plan, as have the Landon's. We did not experience any problems building our house. It is our understanding that when you take the time and expense to submit detailed plans, meeting all of the legal guidelines, you are entitled to build your house.

As Venice residents we have gotten to know many of our walkstreet neighbors while walking our dog. It was on one of these walks that we met Chris and Jodi. Many walkstreet owners do not comply with the 42in front fence regulation and have their properties closed off with fencing or shrubbery. Chris and Jodi have maintained an open space in their front yard, totally accessible to the walk. They are two of the few people who actually take advantage of the charm of the street, using their front yard to sit out and enjoy the view. They care about their property and maintain it immaculately. They are the kind of people you would want living next door. We chose Venice as our home for it's artistic and eclectic feel. Our 800 block of Marco Place has 5 architects who have built their primary residences on the block. Each house is unique and expresses an individual style. While the construction has redefined the walkstreets, it has still kept them very interesting. The property values continue to rise in the neighborhood, in a great part due to the new construction.

It is our understanding that the Venice Specific Plan Department exists specifically to deal with new construction in the Venice area. It is made up of professions who have worked hard implementing guidelines that take into consideration a person's need and right to expand their dwelling, while serving to keep and develop a pleasing ambiance on the walkstreet. These rules include specific height, side yard and parking restrictions. It is not in anybody's best interest to have a person comply with guidelines, only to be told they need to defend their work to please others subjective desires. Overruling the judgment of the Venice Specific Plan will completely undermine the department. Why follow their rules if they are

meaningless?

It would be wonderful if the existing bungalows were spacious enough to house families comfortably. Unfortunately most of them are very small. When trying to expand an existing bungalow and using one level it is difficult to obtain much additional living space. With the small lot sizes, it is only when you build up that you can achieve space that includes modest size bedrooms, bathrooms, kitchen, dining, and living areas. The existing bungalows are known to be poorly constructed and when you open one up, (as we have), you see that structurally there is little to salvage. The reality is that these bungalows are not historically well built craftsman bungalows, such as those in Pasadena. Most are houses that do not have proper foundations or to-code construction.

The Venice walkstreet area is not a gated community with building association fees and a neighborhood board deciding the shape and color of our houses. There have been agencies developed and protocols set to maintain the structural integrity in Venice. The Landon's are being held back by people who have grievances outside of the legal guidelines. Will we next have people wanting to control the landscaping of our houses, and what about our interior design choices that can be seen through our walkstreet windows? It's not right that the Landon's have to hold up construction and incur additional fees when they have followed all of rules, have been given a go-ahead by the appropriate agencies and have designed a tasteful, structurally sound house.

Roberta Durra and Michael Tarne



**DAVID C. PARISI**  
813 AMOROSO PLACE  
VENICE, CALIFORNIA 90291

PHONE: (818) 990-1299  
FAX: (818) 501-7852  
CELL: (310) 721-5823  
EMAIL: DCPARISI@MSN.COM

August 23, 2004

**VIA MESSENGER**

The West Los Angeles Planning Commission  
200 N. Spring Street, Room 532  
Los Angeles, California 90012

Re: Hearing Case No. DIR-2004-3161-SPP-MEL-A1  
Hearing Date: Wednesday, September 1, 2004  
Property Address: 728 E. Marco Place, Venice, CA 90291  
Applicant: Chris Landon

Dear Commission Members:

I am writing to support the application of my neighbor Chris Landon to build a home at 728 E. Marco Place in Venice.

I have lived in Venice since 1995. I first rented a home in the 600 block of Milwood Avenue (about 6 blocks from 728 Marco) and then purchased my home at 813 Amoroso Place in November 2000. I consider Venice my home and I expect to live here the rest of my life.

I fell in love with Venice because it is architecturally so eclectic. Where else can you see, within about 6 square blocks, a house that looks like a large barn (on California), a house with a beautiful Italian courtyard (the corner of California and Shell), a house with living quarters, bedrooms and kitchen in three separate bungalows (700 block of Milwood), a 1960's stucco house with what appears to be a converted trailer as part of the house (corner of Milwood and Shell) or a craftsman style house painted various shades of purple (next door to my house on Amoroso).

On my block alone, there is a craftsman style house, many mid-size stucco covered houses, a Spanish style house (mine), a Cape-Cod style house (on the other side of my house), an apartment building in the middle of the block, and a very modern structure.

The West Los Angeles Planning Commission  
August 23, 2004  
Page 2

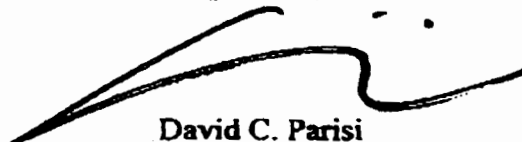
No two houses on my block or near my house, including in the 700 block of Marco Place, are anything alike. This is why Venice was named "*America's Third Funkiest City*" by the authors of *Los Angeles Home Book* (1<sup>st</sup> Ed. 2000), The Ashley Group.

In light of all of this, I was dismayed to learn from a friend that Chris Landon was having difficulty building a beautiful modern structure in the 700 block of Marco Place. Mr. Landon's architect, David Cofrances, is very good – I have personally seen homes he designed in Venice and Santa Monica. Mr. Cofrances' designs blend the interior and exterior of homes so that the yard areas become an extension of the living quarters. While not an architect myself, many times I spoke with Mr. Cofrances about the use of roof decks to expand the available space to place plants. This is exactly what is being done with Chris Landon's future home. Mr. Cofrances is very in touch with the Venice-spirit, having lived in the city for close to 20 years. Mr. Cofrances' design of the Chris Landon' house is certainly eclectic, creative and showcases the eclectic spirit of Venice architects.

It is disappointing to hear that some local residents who are somewhat staid in their thinking are appealing the approval of the Landon plans. I urge the Commission to fully approve the plans for Mr. Landon's house. I too, am not happy with every home on my block. I would prefer that the craftsman house next door to me not be painted shades of purple; I would prefer that the stucco covered houses across the street from me be painted and better landscaped; I think the Cape-Cod style house next to my Spanish style house looks odd. But, this is what makes Venice the Venice that I have come to love. Venice is eclectic – I will not try to make all the houses in my neighborhood conform to my personal style and I trust that this board will not allow a few of my and Mr. Landon's neighbors force Mr. Landon to conform to their style. It is only with a variance of styles in our neighborhood that Venice is a "funky city."

Accordingly, please approve Mr. Landon's plans for his home at 738 Marco Place.

Respectfully,

A handwritten signature in black ink, appearing to read "David C. Parisi". The signature is fluid and cursive, with a long horizontal stroke at the beginning and a small loop at the end.

David C. Parisi

cc: Chris Landon

September 18, 2004

The West Los Angeles Planning Commission  
200 N. Spring St. Room 532  
Los Angeles, Cal. 90012

Hearing Case #DIR-2204-3161-SPP-MEL-A1  
Hearing Date: Wednesday, September 1, 2004  
Property Address: 728 E. Marco Place, Venice, Ca. 90291  
Applicant: Chris Landon

Matthew Rodman, President  
Robyn Ritter Simon, Vice President  
Joyce Foster, Commissioner  
Elvin W. Moon, Commissioner  
Sheldred Alexander, Commission Executive Assistant

Dear Planning Commission:

This letter regarding the above case is to show my support not only for Mr. Landon, but also to express my opinion on this ridiculous complaint.

I have been living on Crescent Place for 20 years, which is one of the walk streets. My husband is a Contractor and we have remodeled many homes in the area, including adding square footage. We also built the house at 818 Nowita Place which was over 2500 square feet. All these homes were built with permits and signed off by the appropriate commissions and agencies.

I also am one of the top realtors in the area, having focused on the walk streets and the surrounding area. Most of the houses are from the 1920's and need to be redone in some fashion. Most are very small beach cottages and the modern family buying into this neighborhood wants to expand and remodel to their own taste and needs. Venice has been known for its artistic creativity, expression and independent spirit. Most of the people moving into this area work at home, such as, writers, actors, artists and architects. Some love the older Craftsman style and some love the more modern style. There is no home owner enforced restrictions as to what style can be built, and there is not one architectural style defining this area at the present time. There are many modern homes that have been built in the past and there are quite a few new ones being built at the present time.

These new buyers and those who are remodeling and rebuilding in the neighborhood have raised the property values to unspeakable prices. Bringing the value of the entire area to a high standard, thus creating lots of equity for those of us who have lived here for many years.

If a restriction is place on what architectural style can be built, this will definitely effect the property values and the upgrading of this neighborhood. This is not a planned community, nor should it be. This area should remain the artistic, creative, eclectic and People should be able to have the freedom to build their own style home. And if the Venice Specific Plan and the City of Los Angeles approve the building, then an owner should have the freedom to build his dream home. After all, isn't that what America is all about.

Hopefully, justice will be served here and a precedent will not be set by a few. Their opinion is not the majority by a long shot.

Thank you.

Sincerely,

  
Suzy Frank

Marta Evry  
758 Palms Blvd.  
Venice, CA 90291  
Sept. 27, 2004

To: The West Los Angeles Area Planning Commission  
200 N. Spring St. Room 532  
Los Angeles, Ca. 90012

Matthew Rodman, President - Robyn Ritter Simon, Vice President  
Joyce Foster, Commissioner - Sean Burton, Commissioner - Elvin W. Moon,  
Commissioner  
Sheldred Alexander, Commission Executive Assistant

Re: Hearing Case #DIR-2004-3161-SPP-MEL-A1  
Hearing Date: Wednesday, October 6, 2004  
Property address: 728 E. Marco Place, Venice, CA 90291  
Applicant: Chris Landon

September 27, 2004

To Whom It May Concern:

We are writing a letter in support of the Applicant Chris Landon. Mr. Landon has been our neighbor for two years. In that time, we have found him and his wife Jodi to be good neighbors and honorable people. To speak plainly, they are people of their word.

We just recently learned that their project on Marco Place has quite literally come under siege by a handful of neighbors who take issue with the architectural style Mr. Landon and wife wish to employ for their new home. But instead of discussing their concerns with the Landons, they have waged a war of attrition on these poor people, hoping the Landon's will run out of patience and resources and will simply go away. It is inconceivable to us why the City would reward this bad behavior by allowing the case to be re-heard after it had already been approved by this commission.

The Landons are not rich developers with an endless supply of capitol at their disposal. They are just newlyweds who have sunk their life savings into a home they hope to spend many years in. They have done everything within their power to follow the rules. They have not, to my knowledge, asked for a single variance or exemption from the Venice Specific Plan.

For all these reasons, we respectfully ask you to please follow the law and approve this project as submitted. Again.

Sincerely,

Marta Evry





August 20, 2004

The West Los Angeles Planning Commission  
200 North Spring Street #532  
Los Angeles, Ca. 90012

Hearing Case #DIR-2004-3161-SPP-MEL-A1  
Hearing Date: Wednesday, Sept. 1, 2004  
Property Address: 728 e. Marco Place, Venice, Ca. 90291

Mr. Matthew Rodman. President  
Ms. Robyn Ritter Simon. Vice President  
Joyce Foster, Commissioner  
Elvin W. Moon, Commissioner  
Sheldred Alexander, Commission Executive Assistant

Dear Planning Commission:

I have been living on the walk streets in Venice for over 18 years and own property. I am a General Contractor and have done remodels on many of the homes in the area as well as new construction.

I have done the homes in Craftsman Style, Contemporary Style, Victorian Style, and also just did "fact lifts" on the existing bungalows. Most of these homes on the walk streets were built in the 1920's with no insulation, knob and tube electrical, and all the other original building materials that were used in those days. Most of them desperately need to be rebuilt and redone as they have become fire hazards.

That being said, the issue at hand is that there is a committee that is trying to dictate what style can be built when it is already established that there are many contemporary homes in the area already. Venice is a free thinking, artistic community and people build to their Own taste. Their homes are built with integrity, to code that fall under the Rules and Regulations of the LA City as well as the Venice Specific Plan. They meet the Standards the city has set for height restrictions, set backs etc. etc. This is not a planned community or development.

There are other properties that are going to be rebuilt or new construction as this area is being improved and upgraded both economically as well as bringing in new architecture. Frank Gehry is building his own home here in Venice. The culture is changing and we as homeowners will only benefit with these changes.

Sincerely,



David A. Gerbasi, General Contractor

**August 18, 2004**

**To: The West Los Angeles Planning Commission**

Matthew Rodman, President, Robyn Ritter Simon, Vice President, Joyce Foster, Commissioner, Elvin W. Moon, Commissioner, Sheldred Alexander, Commission Executive Assistant

**From: Stefan Smith**

**Regarding: Hearing Case: #DIR-2004-3161-SPP-MEL-A1**

**Hearing Date: Wednesday, September 1, 2004**

**Property address: 728 E. Marco Place, Venice, CA 90291**

**Applicant: Chris Landon**

I live and own a home on the walk streets (700 block of Nowita) for about 7 years now.

I choose to live in Venice because of its uniqueness and diversity. Having the **freedom to express your own personal style** in the community combined with the **amazing architecture and creative use of living space** is one of the many highlights of Venice.

This is a **special area where diversity is not only expressed, but also celebrated**. It attracts some of the most well renowned architects, artists, writers, sculptures and educators who add so much to our community.

On any given **walk street there are all styles of homes**. Contemporary to craftsman... cross pollinations of modern and traditional... even styles that you cannot put a label on. Again, this is what makes Venice so wonderful and special.

**The heart of Venice is its individuality. The people here are not all the same. Their homes should be an expression of who they are** as long as it carefully and thoughtfully designed within legal limits according to VSP, and received VSP's 100%, stamped approval.

Chris Landon, who is approved by the VSP, should **not be dictated 'what style'** he should build his home. This is a community of diversity, not a contractor 'planned' sub division where every house is identical.

Thanks!

SS

A handwritten signature in black ink, appearing to be 'Stefan Smith', with a long horizontal line extending to the right.

August 23, 2004

To: The West Los Angeles Planning Commission  
200 N. Spring St. Room 532, Los Angeles, CA 90012

Attn:  
Matthew Rodman, President  
Robyn Ritter Simon, Vice President  
Joyce Foster, Commissioner  
Elvin W. Moon, Commissioner  
Sheldred Alexander, Commission Executive Assistant

Regarding:  
Hearing Case #DIR-2004-3161-SPP-MEL-A1  
Hearing Date: Wednesday, September 1, 2004  
Property address: 728 E. Marco Place, Venice, CA 90291  
Applicant: Chris Landon

As an Architect practicing in Venice and as a resident of the Marco walk street, I would like to lend my support to this project.

This project completely conforms to the Venice Specific Plan without a single request for a variance. The project has been fully approved by the VSP because it was thoughtfully designed within the approved guidelines and rules set forth by the planners entrusted with the future of Venice. The Venice Specific Plan allows for and in many ways encourages the architectural diversity that makes Venice so unique. The modern language of the single-family residence in question conforms to the Venice Specific Plan, and to the existing and future spirit of the walk streets of Venice.

As an Architect and as a Venice resident, it is my understanding that the Venice Specific Plan acts to protect the community from the harmful acts of individuals. Projects that clearly and thoughtfully conform to the VSP should receive equal protection from individuals who cause harm to the community by using the appellent process without basis. This project clearly conforms as already demonstrated by the full approval already received.

It is my hope that the West Los Angeles Planning Commission will deny this appeal and others that challenge projects that completely conform to the approved Venice Specific Plan. Thank you so much for your time and thank you for the work that you are doing to represent the Venice community.

Sincerely;

Michael Sant, AIA  
Principal  
Sant Architects, Inc.  
1613 Abbot Kinney Blvd.  
Venice, CA 90038

Residing at:  
831 Marco Place  
Venice, CA 90291

**JULIE LENTIN  
ALAN SCHNEIDER**

12523 Matteson Ave  
Mar Vista, CA 90066  
310 313-0120 Tel  
310 313-0072 Fax

August 20, 2004

West Los Angeles Area Planning Commission  
Hearing Case #DIR-2004-3161-SPP-MEL-A1  
Hearing Date: Wednesday, September 1, 2004  
Property address: 728 E. Marco Place, Venice, CA 90291  
Applicant: Chris Landon

Dear West Los Angeles Area Planning Commission:

We are local homeowners who have known Chris Landon for more than a decade and Jodi Gusek for several years. We have lived in our current Mar Vista house, which is approximately 1 ½ miles from Marco Place, for two years. Before that we lived in Venice for approximately 15 years. We consider ourselves deeply entrenched members of the local community who care tremendously about the nearby neighborhoods.

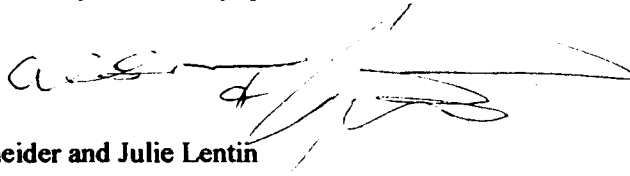
Much of what attracted us to the Venice area is the diverse mix of people who live here. We know of no other area in California that so perfectly melds individuals from different races, beliefs, interests, careers, and perspectives. We cherish the artistic spirit and sense of individualism that Venice represents.

We personally have witnessed the "renaissance" in the nearby neighborhoods. In fact, many friends and neighbors have beautifully rebuilt homes that demonstrate Venice's creativity and individualism, while respecting the interests and needs of the neighborhood. Chris and Jodi have shared their vision and plans for their home with us. We believe that their home will exhibit Venice's artistic values, and would be a welcome addition to the neighborhood.

Chris and Jodi are the embodiment of the local community. Please allow them to express their vision for their home on Marco Place.

Thank you in advance for your assistance in this matter. Please feel free to contact us at the above number if you have any questions.

Sincerely



Alan Schneider and Julie Lentin

September 15, 2004

The West Los Angeles Planning Commission  
200 N. Spring St. Room 532  
Los Angeles, Cal. 90012

Hearing Case #DIR-2204-3161 SPP MEL A1  
Hearing Date: Wednesday, September 1, 2004  
Property Address: 728 e. Marco Place, Venice, Ca. 90291  
Applicant: Chris Landon

Matthew Rodman, President and all other commissioners,

In response to the above complaint and hear for 728 Marco Place. I have been living in Venice nearby the above property for 7 years. I sell real estate in the area. What is so Unique about this area is the diversity of the homes. The older craftsman style side by side with the modern home.

My clients love this area for the artistic and creative approach to their home. This is not a development of standard track homes or a planned community. This is Venice. a free thinking community.

For some committee to try to dictate what style of homes are to be built in an area as versatile as Venice is absurd. This will completely bring the values of the properties down, and keep the community from moving forward.

I hope and pray that you will not let this happen to our community.

Respectfully submitted by,

  
Jonelle Burke

**MICHAEL CATUARA**  
1605 Oakwood Ave.  
Venice, Ca. 90291  
310.822.3489

August 21, 2004

**To: The West Los Angeles Planning Commission**  
200 N. Spring St. Room 532  
Los Angeles, Ca. 90012

Matthew Rodman, President  
Robyn Ritter Simon, Vice President  
Joyce Foster, Commissioner  
Elvin W. Moon, Commissioner  
Sheldred Alexander, Commission Executive Assistant

RE: Hearing Case #DIR-2004-3161-SPP-MEL-A1  
Hearing Date: Wednesday, September 1, 2004  
Property address: 728 E. Marco Place, Venice, CA 90291  
Applicant: Chris Landon

I am writing to offer my clear support for the pending project at 728 E. Marco place. I am a five year resident and homeowner in the Venice walk street community. I decided to purchase my home in this neighborhood precisely for the unique qualities the Venice walk street area has to offer.

The area of Venice bordered by Venice Boulevard, Lincoln boulevard, California street and electric avenue is like no other place in Los Angeles. I walk my dog daily in this neighborhood and five years later I am still awed by the diversity of not only the people I meet but by the houses we have here. We have multi-family complexes, we have houses built almost 80 years ago, we have simple stucco "box" dwellings, we have modern buildings, we have "craftsman" style houses, we have spanish style houses, and we have houses that combine more than one of the elements mentioned above. I am not an architect but I do know what I like. And simply put, I love the variety in my neighborhood.

In specific regards to the case in question, I do not understand how a precedent to limit the housing styles in Venice can be established when clearly one does not presently exist. I chose to live in a community that is not homogeneous and I ask this commission to please keep it that way by not stopping the 728 E. Marco project.

Sincerely

Michael J Catuara

## CAROL ANN WALD

August 21, 2004

The West Los Angeles Planning Commission

200 N. Spring St. Room 532

Los Angeles, Ca. 90012

TO: Matthew Rodman, President; Robyn Ritter Simon, Vice President; Joyce Foster, Commissioner. Elvin W. Moon, Commissioner; Sheldred Alexander, Commission Executive Assistant

RE: Hearing Case #DIR-2004-3161-SPP-MEL-A1

Hearing Date: Wednesday, September 1, 2004

Property Address: 728 E. Marco Place, Venice CA 90291

Applicant: Chris Landon

I have known Chris Landon for several years, and his wife, my close friend Jodi Gusek, for over a decade. Having spent much time at their home on Nowita Place over the years, and consequently having walked the surrounding streets of Venice many times, I disagree in the strongest possible terms with the petitioners' attempt to impose a single style of home architecture on Marco Place.

Venice has long been a haven for creative individuals: writers, actors, and innovative architects and artists. For this reason, the character of Venice's architecture has evolved into a stimulating, eclectic mix of tradition and modernity. Lovingly restored craftsman-style bungalows mingle with mission-revival adobes, glass-and-steel modernist experiments, and every permutation in between. This mix creates the unique character of Venice's streetscape. Approving the petitioners' appeal of the Landon home's design would set a disturbing precedent that would be the first step in shutting down this unique creative ferment.

I have read the Venice Specific Plan, and the appeal of the petitioners, and have compared these with both the plans for the Landon house, and the realities of home styles in the walk streets. The following points refute the petitioners' claims:

1) The Venice Specific Plan stipulates that the design of new homes *complement* those of surrounding homes, not match them. The Landon home's use of colors, materials such as wood and stucco, stone, metal and landscaping has been planned to coordinate with the mix of materials and styles that already exist on Marco Place and the walk streets. The Venice Specific Plan has recognized this by approving the Landon house plans without a single change.

2) The appeal mentions specific objections to certain design elements as incongruent with the home styles of Marco Place: flat roofs, metal windows, metal railings, hardscapes, and roof decks. Numerous existing homes on the walk streets incorporate these elements. No other walk street has been restricted to a certain rigid style. Why, then should the Landon house be prohibited from including similar elements?

Chris Landon and Jodi Gusek are not real estate speculators. They have lovingly designed their dream house—a house that is well within all of the specifications of the Venice Specific Plan—in a neighborhood which they love and respect and plan to make their home for many years to come. I've sat in their front yard on Nowita Place many evenings and watched them chat with neighbors, among whom they are liked and respected. I know they will be just as good neighbors on Marco. Their new home will blend harmoniously with the eclectic aesthetics of Venice in general, and with the styles of Marco Place in particular, adding to the delightful visual variety that makes Venice so special. Please deny the appeal and allow Chris and Jodi to move ahead with their plans.

Sincerely,

Carol Ann Wald



To: The West Los Angeles Area Planning Commission

Matthew Rodman, President, Robyn Ritter Simon, Vice President  
Joyce Foster, Commissioner, Sean Burton, Commissioner  
Elvin W. Moon, Commissioner, Sheldred Alexander, Commission Executive Assistant

Re: Hearing Case #DIR-2004-3161-SPP-MEL-A1  
Hearing Date: Wednesday, October 6, 2004  
Property address: 728 E. Marco Place, Venice, CA 90291  
Applicant: Chris Landon

October 2, 2004

Dir Sir or Madam,

I am writing to express my deep support for Chris and Jodi Landon, the landowners of this property to build the house they have designed. It is my understanding that it fully complies with all local building codes and was approved by staff.

As a Venice property owner and former walkstreet resident, I do not understand how a project that is designed and approved under the Venice specific building codes can be appealed because of concerns about its appropriateness. By definition of the building code, it is appropriate. If there are concerns, they need be addressed by legislators revisiting the building codes, you are not appointed to be activist for a building code different from the one on the books.

Secondly, anyone who lives in Venice knows the area is defined by compelling, dynamic architecture, and our neighborhood has been revitalized by visionaries willing to take rundown properties and turn them into dynamic contributions to our very unique area. This home is completely consistent with other homes approved by staff in the immediate vicinity.

Beyond that, there is a level of absurdity in the constantly changing nature of the appeal.

Venice bungalows of the past served as weekend beach houses and they didn't sell in the million dollar range. The original homes are old, deteriorated, and no one in Venice buys an 800-square foot home for a \$1 million to live in it as-is. Prospective buyers look at the condition of the home, at the character of the area and at the building codes to determine whether or not to make the investment. They cannot and should not have to anticipate arbitrary building requirements that don't exist in code.

Please support this project.

Thank you.

Dan Seaver  
2243 Glencoe Avenue,  
Venice, CA 90291

To: The West Los Angeles Area Planning Commission  
200 N. Spring St. Room 532  
Los Angeles, Ca. 90012

Matthew Rodman, President  
Robyn Ritter Simon, Vice President  
Joyce Foster, Commissioner  
Sean Burton, Commissioner  
Elvin W. Moon, Commissioner  
Sheldred Alexander, Commission Executive Assistant

Re: Hearing Case #DIR-2004-3161-SPP-MEL-A1  
Hearing Date: Wednesday, October 6, 2004  
Property address: 728 E. Marco Place, Venice, CA 90291  
Applicant: Chris Landon

September 28, 2004

My name is Warren Bowman, and I am writing in support of Chris Landon. I have been a Venice resident for 10 years, and have seen many changes during that time. One of the most troubling is the changing character of the neighborhood. In Venice, as elsewhere in Los Angeles, private property is being redeveloped at a rapid rate, and property owners are being allowed to build massive structures almost at will, with zoning variances being handed out for the asking. As an owner of an original 1922 Venice Bungalow, I am appalled at the way the Venice Specific Plan, as well as the general zoning laws, are consistently being ignored.

My sense of general disgust became a sense of outrage when I heard about Chris Landon's case. Here is a property owner who is asking for NO variances, who respects the Venice Specific Plan, and who is trying to develop his property in a way that is sensitive to the neighborhood. And yet this case is being re-heard? After giving away the store to the St. Joseph's Center and many other non-conforming plans, all of a sudden there is a problem with Chris Landon's totally conforming project? Something stinks here, and it isn't El Segundo.

I live on Palms Blvd, just a few blocks from the property in question, and I want to see Chris Landon's plan approved. Development is a fact of life in Venice, and people who try to do the right thing and develop property within the law should be rewarded, not punished.

Respectfully,

Warren Bowman  
758 Palms Blvd.  
Venice, CA 90291  
310-306-4622



September 27, 2004

TO: West Los Angeles Area Planning Commission  
200 N. Spring Street, Room 532  
Los Angeles, California 90012

Matthew Rodman, President  
Robyn Ritter Simon, Vice President  
Joyce Foster, Commissioner  
Sean Burton, Commissioner  
Elvin W. Moon, Commissioner  
Sheldred Alexander, Commission Executive Assistant

RE: Hearing Case #DIR-2004-3161-SPP-MEL-A1  
Hearing Date: Wednesday, October 6, 2004  
Property Address: 728 E. Marco Place  
Venice, California 90291  
Applicant: Chris Landon

Dear Planning Commission Members:

Those who seek to deny Chris Landon permission to build his home based solely on personal aesthetics are wasting your time and the taxpayer's money. The motives of those opposed to the construction of his new home are frivolous and selfish, for what his neighbors truly desire is a slavish imitation of the "traditional" homes they live in, even though many have been altered and updated throughout the years. Modern architecture reflects the scientific and ethical movement of our time, just as the Craftsman home did a century ago. Departure from tradition has always provoked outrage and controversy, but cooler heads have fortunately prevailed in the past and should continue to do so now, if we want our communities to grow and thrive.

Sincerely,

Marc Paykuss  
1026 Marco Place  
Venice, California 90291

The West Los Angeles Area Planning Commission  
200 N. Spring St. Room 532  
Los Angeles, Ca. 90012

Matthew Rodman, President  
Robyn Ritter Simon, Vice President  
Joyce Foster, Commissioner  
Sean Burton, Commissioner  
Elvin W. Moon, Commissioner  
Sheldred Alexander, Commission Executive Assistant

**Re: Hearing Case #DIR-2004-3161-SPP-MEL-A1**  
**Hearing Date: Wednesday, October 6, 2004**  
**Property address: 728 E. Marco Place, Venice, CA 90291**  
**Applicant: Chris Landon**

**Tuesday, September 28, 2004**

**To the West Los Angeles Area Planning Commission,**

**I have lived in Venice Beach for over eleven years; the later three in what is known as the Walk-Street/ Garden area. This neighborhood is very special; home to both successful and starving artists and writers, business men and women, teachers, homeless, etc... It is this melting of cultures that makes Venice so unique, and it is why I and so many others have called it home.**

**This diversity is apparent with a stroll down a typical Venice walk street: older craftsman homes co-exist with modern architecture, and gardens filled with sculpture and lanterns adorn outdoor spaces; each unique to its owners taste.**

**In the case of 728 E. Marco Place, I urge you to consider the damaging consequences of granting an appeal.**

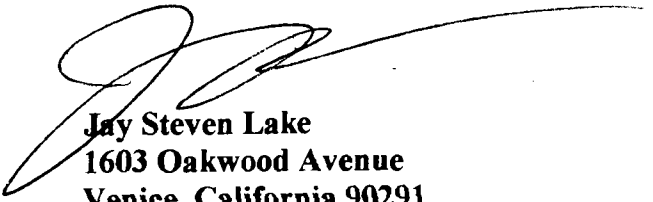
**The home destined for the parcel is in complete compliance with the Venice Specific Plan, and the applicant, Chris Landon, has not requested a single variance or exemption. With regards to the massing complaint, a look around the immediate neighborhood shows that the home is by no means even close to being the largest home in this community.**

**Chris Landon and his wife Jodi Gusek are long time walk street residents themselves. They have taken great care to incorporate the characteristics of the Venice lifestyle into the design of their home. Once again, this design is well within the guidelines of the Venice Specific Plan. To grant an appeal to a handful of homeowners who prefer a more traditional style of architecture is completely unwarranted.**

**I again ask you to take a good look around the neighborhood, not just the 700 block on Marco Place, but on adjacent blocks. One block out of ten walk street blocks, numerous avenues and courts, should not set the precedence for the entire Walk-Street/ Garden neighborhood.**

**I strongly urge you to deny the appeal and allow Chris and Jodi to move forward with their plans.**

**Thank you for your consideration**



**Jay Steven Lake  
1603 Oakwood Avenue  
Venice, California 90291**

**OPPONENTS'  
CORRESPONDENCE**

Chuck Posner  
Staff, California Coastal Commission  
200 Oceangate, Suite 1000  
Long Beach, CA 90802

Re: Request for Notice of CDP application for demolition and rebuild at 728 East Marco Place,  
Venice, CA 90291; City of Los Angeles Project Permit Compliance Case No. DIR2004-3161  
(SPP)(MEL).

Thursday, September 09, 2004

Dear Mr. Posner:

We are residents of the 700 block of Marco Place in Venice, California. We oppose the above-referenced permit application because it cannot be approved in compliance with the findings required by Sections 8.C and 12.A.1 of the Venice Coastal Zone Specific Plan to approve this walk street development.

This house does not belong on our walk street. It is not compatible with the mass and scale of any of the other homes on our block. It towers over its two next door neighbors and presents an unarticulated wall to pedestrians on the walk street.

In order to ensure that we have an opportunity to present our appeal to you and the Coastal Commission, would you kindly email or fax notice of the filing of any application for coastal clearance for development at 728 Marco Place, (AKA 728 East Marco Place) in Venice, CA, to us, (the undersigned), at the numbers below.

Please contact us at the numbers or by the email listed below if we can provide you with further information. We are extremely concerned about this proposed house.

Thank you in advance for your time and consideration.



Lisa Zimble  
740 Marco Place  
Venice, CA 90291  
310-822-7218



Kathleen Donovan  
736 Marco Place  
Venice CA 90291  
310-578-6625

Fax Number: 310-823-6258  
Email: LZimble@aol.com

**RECEIVED**  
South Coast Region

SEP 9 2004

CALIFORNIA  
COASTAL COMMISSION

Chuck Posner  
Staff, California Coastal Commission  
200 Oceangate, Suite 1000  
Long Beach, CA 90802

Re: Request for Notice of CDP application for demolition and rebuild at 728 East Marco Place, Venice, CA, 902091; City of Los Angeles Project Permit Compliance Case No. DIR2004-3161 (SPP)(MEL).

Tuesday, September 07, 2004

Dear Mr. Posner:

We are residents of the 700 block of Marco Place in Venice, California. We oppose the above-referenced permit application because it cannot be approved in compliance with the findings required by Sections 8.C and 12.A.1 of the Venice Coastal Zone Specific Plan to approve this walk street development.

The above referenced project permit compliance determination by the City of Los Angeles Planning Department contains the following condition B.1: "Coastal clearance, including a Coastal Development Permit if required, shall be obtained from the Coastal Commission and the use and development of the property shall be in conformance with the conditions required by the California Coastal Commission." On September 1, 2004, the West Los Angeles Area Planning Commission failed to obtain a majority of three votes to take an action on our appeal and, notwithstanding the Commission President's eloquent support of our appeal, by default (2-1 vote), the Planning Department's threshold determination was left intact. We intend to appeal any application for coastal clearance or a CDP because, among other things, the mass and scale of the proposed structure does not compliment the existing structures on our walk street, as required by the Venice Coastal Zone Specific Plan.

In order to ensure that we have an opportunity to present our appeal to you and the Coastal Commission, would you kindly provide notice of the filing of any application for coastal clearance for development at 728 Marco Place. (AKA 728 East Marco Place) in Venice, CA, by calling Amy Neiman and Evan Dunsky, (undersigned) at the numbers below, and by providing us notice of the opportunity to appeal by sending notice of the application to us at the addresses listed below. We have enclosed two self-addressed, stamped envelopes for your convenience.

Please contact us at the numbers or by the email listed below if we can provide you with further information.

Thank you in advance for your time and consideration.



Evan Dunsky  
740 Marco Place  
Venice, CA 90291  
310-822-7218  
[edunsky@aol.com](mailto:edunsky@aol.com)



Amy Neiman  
737 Marco Place  
Venice CA 90291  
310-823-2622  
[aneiman@comcast.net](mailto:aneiman@comcast.net)



Chuck Posner  
Staff, California Coastal Commission  
200 Oceangate, Suite 1000  
Long Beach, CA 90802

Re: Request for Notice of CDP application for demolition and rebuild at  
728 East Marco Place, Venice, CA, 902091; City of Los Angeles Project  
Permit Compliance Case No. DIR2004-3161 (SPP)(MEL).

Dear Mr. Posner:

I reside at 733 East Marco Place, also known as 733 Marco Place, and along with many of my neighbors, I oppose the above referenced permit because it fails to comply with the findings required by Sections 8.C and 12.A.1 of the Venice Coastal Zone Specific Plan to approve this walk street development.

The above referenced project permit compliance determination by the City of Los Angeles Planning Department contains the following condition B.1: "Coastal clearance, including a Coastal Development Permit if required, shall be obtained from the Coastal Commission and the use and development of the property shall be in conformance with the conditions required by the California Coastal Commission." On September 1, 2004, the West Los Angeles Area Planning Commission failed to obtain a majority of three votes to take an action on our appeal and, notwithstanding the Commission President's eloquent support of our appeal, by default (2-1 vote), the Planning Department's threshold determination was left intact. I and my neighbors intend to appeal any application for coastal clearance or a CDP because, among other things, the mass and scale of the proposed monolithic structure does not compliment the existing structures on our walk street, as required by the Venice Coastal Zone Specific Plan.

In order to ensure that we have an opportunity to present our appeal to you and the Coastal Commission, please provide notice of the filing of any application for coastal clearance for development at 728 East Marco Place or 728 Marco Place, in Venice, CA, by either calling me at 310-560-1745 or providing me notice of the opportunity to appeal by sending notice of the application to Paul Roman

733 Marco Place  
Venice, 90291.

Thank you in advance for your courtesy.

Yours Truly,  
Paul Roman



Andrea D'Amico  
732 Marco Place  
Venice, California 90291

September 27, 2004

Matthew Rodman, President  
Robyn Ritter Simon, Vice President  
Sean Burton, Commissioner  
Joyce Foster, Commissioner  
Elvin W. Moon, Commissioner  
West Los Angeles Area Planning Commission  
200 North Spring Street, Room 532  
Los Angeles, CA 90012-4801

Re: Case No. DIR-2004-3161-SPP-MEL-1A

Dear President Rodman and Honorable Commissioners:

I'd like to propose a solution to this situation. I am the next door neighbor to the proposed development.

First of all we need to dispel the idea that we oppose modern architecture. I personally like modern architecture and have many modern elements in my home. My house is a mid-century structure, a perfect example of the diversity that is Venice. It fits in well with our walk street because it is compatible in mass, scale, color and materials to the existing structures.

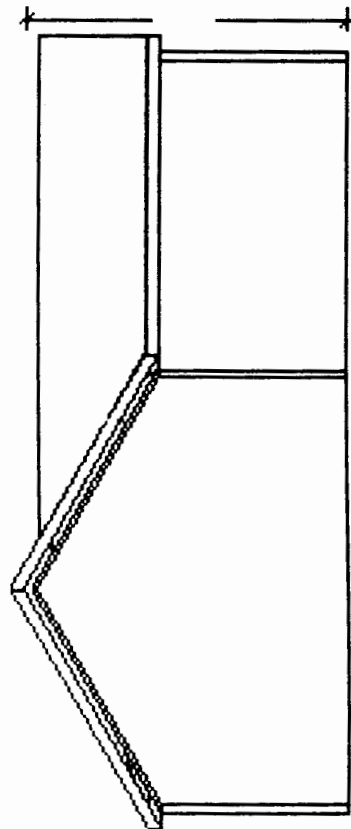
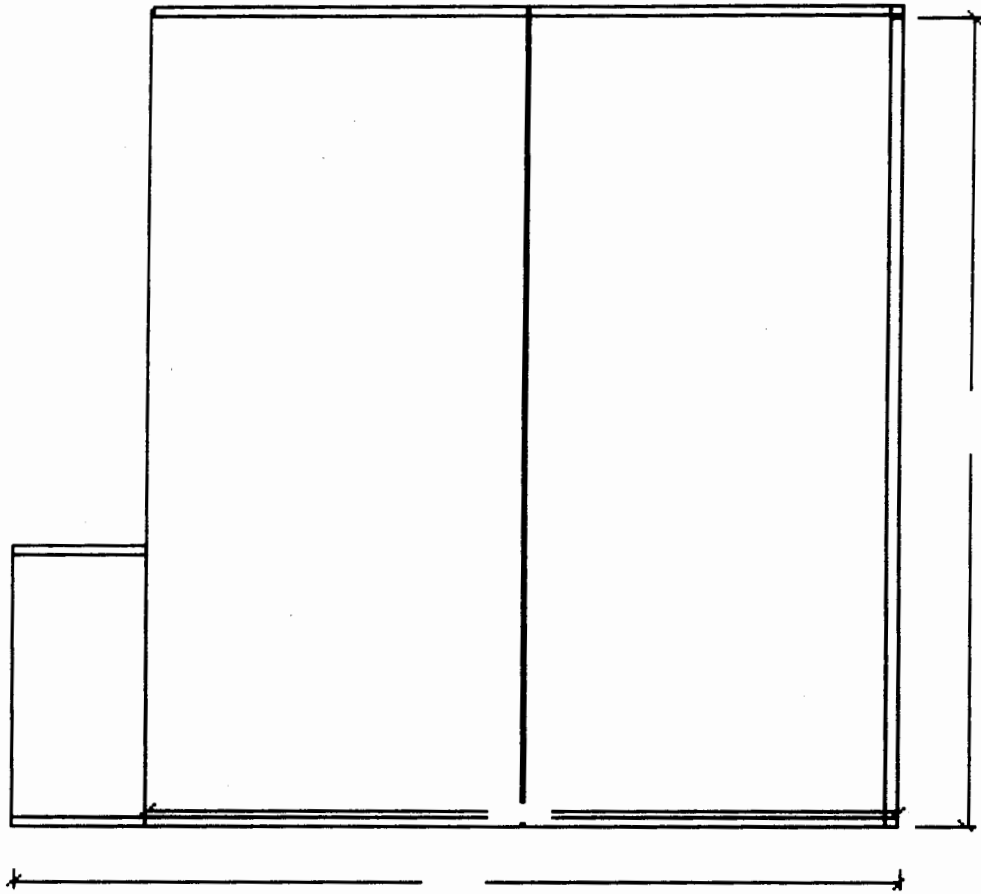
The proposed 728 Marco house might be appropriate on a larger lot on another street in Venice. However, in the intimate setting of the walk street, its 60 x 30 foot straight vertical side wall will block the ocean breeze and the western sunlight of the surrounding area. Its 30 foot straight vertical front façade will block the Southeast morning light and air and loom over the walk street in an imposing way.

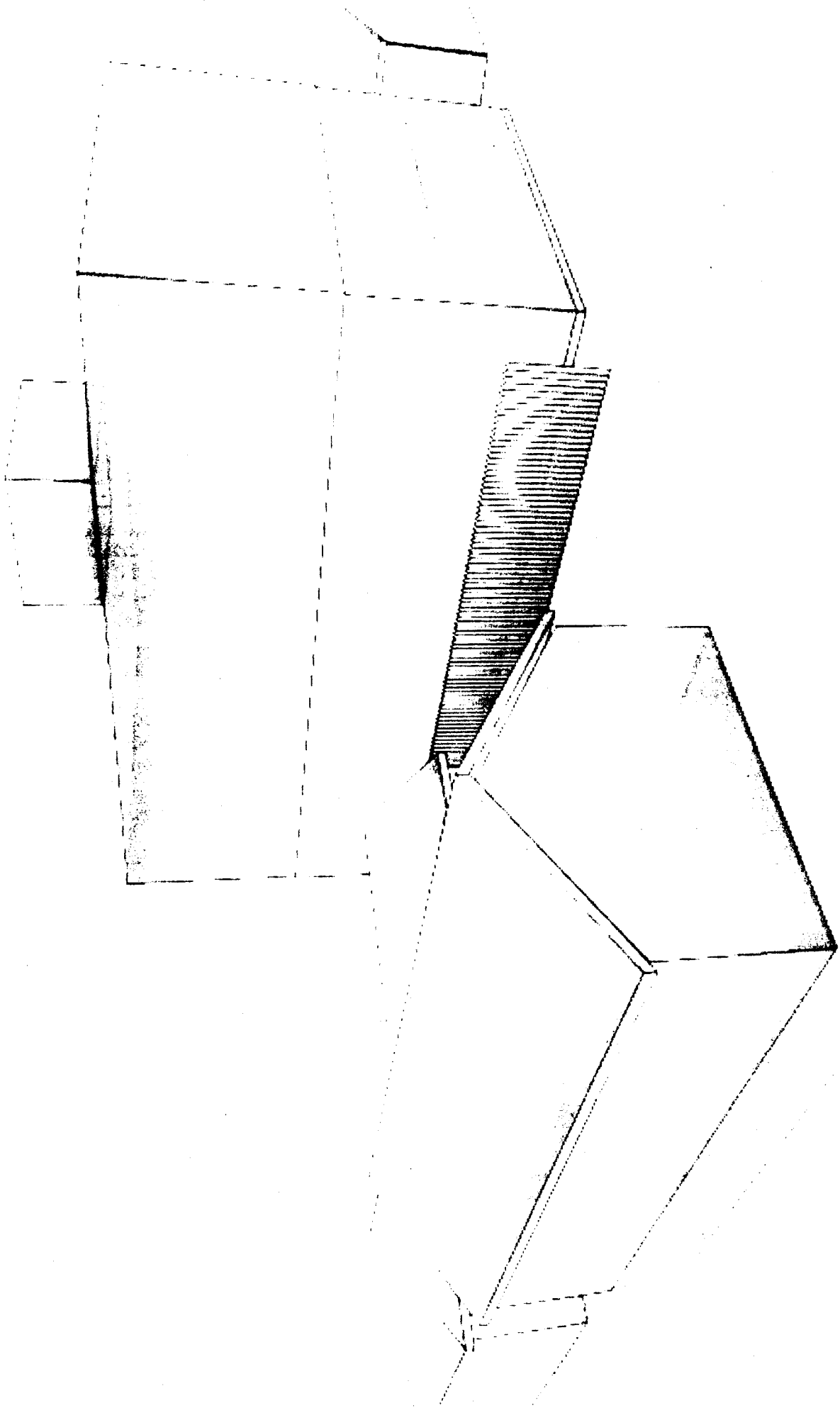
Several weeks ago Jodi showed a neighbor one of her "inspiration photos" of a house built by the same architect, (see attachment #3.) A house similar to this would better complement the existing structures because it has a partial 2<sup>nd</sup> story setback and many articulated details that present as less massive and unyielding. I believe this dispute could be remedied if Chris and Jodi would modify their plans to feature some key elements from their inspiration photo.

President Rodman and Honorable Commission members, please give us the chance to mend this situation by allowing us to come to the table with our new neighbors and work this out. If given the chance I am confident we can come to a workable compromise that will please Chris, Jodi, their architect and their new neighbors. Please grant our appeal in order for us to accomplish this importance compromise so we can all get on with our lives. I see this as the only happy ending to this situation.

Respectfully

  
Andrea D'Amico





RE: Case # DIR2004-3161-SPP-MEL-A1 -- 728 Marco Place, Venice CA 90291

TO: The West Los Angeles Planning Commission

We, the undersigned residents of the 700 Block of East Marco Place and adjacent streets, wish to voice our concern over the proposed house to be built at 728 East Marco Place.

We welcome diversity, and we have no wish to impose a different architectural style on the proposed design than the one which now exists. However, we have examined the plans, and we believe that the massing and scale of the proposed house is incongruous and incompatible with the other houses on the block. We understand that there are provisions in the Venice Specific Plan which provide protection against homes which are incompatible in mass and scale. (Section 12 Part 1A)

We also understand the economics that affect our neighborhood. Many homes on our block have been expanded and improved, but they have done so not only with respect for the above stated section of the ordinance, but also with respect for the existing aesthetic, as called for in Section 3 Part F of the Venice Specific Plan.

We believe that the proposed house at 728 Marco Place is in violation of these provisions. Our block is one of the last walk street blocks in our neighborhood which has not been overdeveloped with overly large homes which crowd their neighbors and the walk street itself. We hope to preserve the special quality of life on our block which these provisions are set forth to protect. We appreciate the attention of the planning board, and it is our hope that the board will help to redress this situation.

Respectfully,

NAME	SIGNATURE	ADDRESS	DATE
EVAN DUNSKI		740 MARCO PLACE	9/25/04
LISA ZIMBLE		740 MARCO PLACE	9-25-04
Andrea Danico		732 MARCO PLACE	9-25-04
John McCann		732 MARCO PLACE	9-25-04
KITCHEN WEST		921 MARCO PLACE	9/26/04
MARK LYNCHYSHYN		721 MARCO PLACE	9/26/04
Kathleen Donovan		736 MARCO PLACE	9/26/04
MATT MALLON		736 MARCO PLACE	9/26/04
NANCY CUNNINGHAM		753 MARCO PLACE	9/26/04
MAURICE ZOH		800 MARCO PLACE	9/26/04
MARSHA GREENMAN		746 MARCO PLACE	9/26/04
Robert Scuto		743 MARCO PLACE	9/26/04
Amy Neiman		737 MARCO PLACE	9/26/04
Susan Austin		745 MARCO PLACE	9/26/04
Dorothy Bruite		745 MARCO PLACE	9/26/04
Manan Bradley-Coh		800 MARCO PL	9/26/04

RE: Case # DIR2004-3161-SPP-MEL-A1 -- 728 Marco Place, Venice CA 90291

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We believe that the proposed house at 728 Marco Place is in violation of these provisions. Our block is one of the last walk street blocks in our neighborhood which has not been overdeveloped with overly large homes which crowd their neighbors and the walk street itself. We hope to preserve the special quality of life on our block which these provisions are set forth to protect. We appreciate the attention of the planning board, and it is our hope that the board will help to redress this situation.

Respectfully,

NAME	SIGNATURE	ADDRESS	DATE
MARK SAILOR	<i>[Signature]</i>	721 AMOROSO PLACE	9/26/04
Tom Wright	<i>[Signature]</i>	709 Amoroso Pl	9/26/04
Clare King	<i>[Signature]</i>	747 MARCO PL	9/26/04
<i>[Signature]</i>	<i>[Signature]</i>	747 MARCO PL	9/26/04
DAN GLASTER	<i>[Signature]</i>	754 MARCO PL	9/26/04
ALI KATLEY	<i>[Signature]</i>	754 MARCO PL	9/26/04
CARY ALLEN	<i>[Signature]</i>	817 MARCO PL	9/26/04
Antonia Allen	<i>[Signature]</i>	817 MARCO PL	09/26/04
Renae Cowley	<i>[Signature]</i>	720 marco pl	9/26/04
<i>[Signature]</i>	<i>[Signature]</i>	720 MARCO PL	9/26/04
Darlene Edwards	<i>[Signature]</i>	713 Amoroso Pl	9/26/04
Hyon Headrick	<i>[Signature]</i>	741 Amoroso Pl	9/26/04
Greg Fitzsimmons	<i>[Signature]</i>	2009 oakwood AVE	9/26/04
* Julio Uchimura	<i>[Signature]</i>	745 MARCO PL	9.26.04
* MARY STEWART	<i>[Signature]</i>	745 MARCO PL	9.26.04

\* out of town, but asked that their names be signed to petition



Alan Seltzer and Amy Neiman  
737 Marco Place  
Venice, California 90291

September 26, 2004

Matthew Rodman, President  
Robyn Ritter Simon, Vice President  
Sean Burton, Commissioner  
Joyce Foster, Commissioner  
Elvin W. Moon, Commissioner  
West Los Angeles Area Planning Commission  
200 North Spring Street, Room 532  
Los Angeles, CA 90012-4801

Re: Case No. DIR-2004-3161-SPP-MEL-1A

Dear President Rodman And Honorable Commissioners:

On September 1, 2004, the West Los Angeles Area Planning Commission ("WLAAPC") failed to take action on our appeal of the Planning Director's Determination and Findings of approval of the above referenced project. We are in receipt of notice that our appeal has been placed on your Commission's October 6 agenda. We request that your Commission grant our appeal and require that the project be redesigned so that the mass and scale of the proposed structure is consistent with and complements the existing structures on our walk street, the 700 block of Marco Place.

For the reasons set forth below, we believe that the Planning Director's Determination and Findings on appeal are inadequate as a matter of law. They incorrectly define the existing neighborhood and walk street structures to which the proposed project must be compared; are devoid of evidence to support findings that the project's mass and scale complies with walk street standards; and ignore evidence that the project would be materially detrimental to adjoining properties and the immediate area.

As a preliminary matter, please be assured that contrary to testimony and discussion at the September 1, 2004 appeal hearing, appellants do not seek to impose any architectural style or historic landmark development regulation on the proposed development of 728 Marco Place. These are false issues as recognized by President Rodman. Our concerns are with the compatibility of the mass and scale of the applicants' plans with existing structures on our walk street, which the Venice Coastal Zone Specific Plan requires for approval.

It would be error for your Commission to presume, as does the Planning Director's findings, that if a proposed structure does not require a variance, its mass and scale is *de facto* consistent with and complementary to the immediate neighborhood. The simple determination that a proposed building is within height and setback restrictions is



ministerial and does not require any exercise of discretion. In contrast, the findings required by the Venice Coastal Zone Specific Plan require the exercise of discretion in determining whether a proposed structure is compatible in scale and character and complements existing walk street structures. The Planning Director's findings err by omitting any explanation of how the applicants' proposed structure, which maximizes development to the limits of height and setback regulations, complements the mass and scale of existing homes on our walk street. As explained below, we respectfully submit that when the appropriate development standards are applied to the proposed project, findings 1, 2 and 4 cannot be made.

### **Required Findings and Development Standards**

To approve this project, the Venice Coastal Zone Specific Plan requires the following relevant findings at Section 8.C:

1. That the Venice Coastal Development Project is compatible in scale and character with the existing neighborhood, and that [it] would not be materially detrimental to adjoining lots or the immediate neighborhood;
2. That the Venice Coastal Development Project is in conformity with the certified Venice Local Coastal Program.

It is axiomatic that to conform to the Venice Coastal Zone Specific Plan, the development project must conform to the following relevant development standards of the Specific Plan:

Section 9.A.2.c., which provides, "For residential Venice Coastal Development Projects, front porches, bays and balconies shall be provided to maximize architectural variety."

Section 12.A.1., which applies to residential development on a walk street and provides in its pertinent part that "... **massing and scale** of new Venice Coastal Development Projects **shall complement those of existing structures on lots fronting on or adjacent to a Walk Street. Building facades shall be varied and articulated** to provide visual interest to pedestrians." (Emphasis added.)

These development standards must be applied to further the purposes of the Specific Plan, which include at Section 3.F:

"To regulate all development, **including** use, height, density, setback, buffer zone **and other factors** in order that it be **compatible in character** with the existing community and to provide for the consideration of aesthetics and scenic preservation and enhancement, and to protect environmentally sensitive areas". (Emphasis added.)

The plain language of the Specific Plan makes clear that "other factors" that must be considered in regulating development to ensure community compatibility and aesthetic preservation are the development standards set forth above, which require articulation and make the applicant's monolithic proposal inconsistent with these standards and the required findings for approval.

### **The Proposed Project Is Inconsistent With Required Development Standards and Findings**

The architectural plans for the proposed house at 728 Marco Place call for a central cut-out courtyard, so that the house will have a "C" configuration. This pushes the enclosed living space to the edges of the setbacks and forces the exterior presentation of the house to be massive and unyielding, with unbroken 2-story flat exterior planes on three sides, and two massive sentry-like pillars of living space flanking a narrow opening to the courtyard on the fourth side, which will be invisible from the walk street by the property line fence and the adjacent house. Therefore, the exterior perspective of the house will present as a solid box that fills the setbacks without articulation or relief.<sup>1</sup>

The applicants' plans undermine and make disingenuous their irrelevant argument that they could have forced more square footage into their proposal. This may have not been made clear at the September 1, 2004 hearing, in part because the applicants failed to provide color elevations, which were requested by Commission members.

The photographs submitted by applicants on August 24, 2004, as examples of allegedly comparable "Walkstreet Neighborhood" residences cannot support findings of approval in this case since they are all located on streets other than the relevant walk street – the 700 block of Marco Place. In their presentation to the Commission on September 1, the applicants did not identify a single existing house with a comparable design anywhere on our walk street. Indeed, of the 26 houses on the 700 block of Marco Place, only 12 have a second story feature, and none have a second story massed at the front setback in the manner proposed by applicants.

In the cases where larger houses have been built on our block, the owners did so by providing articulation in the portion of the development "fronting on... the walk street" as required by Specific Plan sections 9.A.2.c. and 12.A.1. Our neighbors have held themselves to a rigorous standard of compliance with the purpose of the Venice Specific Plan so that their development is "... compatible in character with the existing community and [to] provide[s] for the consideration of aesthetics and scenic preservation..." (Section 3.F)

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<sup>1</sup> As President Rodman commented at the September 1, 2004 hearing, the second story front balcony does not provide articulation as this narrow feature actually protrudes approximately 3 feet into the front yard setback.

While we do not seek to impose architectural style, the compatibility of the character of the proposed development with existing structures is a Specific Plan "purpose" and "development standard" that must be considered. Here, the combination of dissimilar character and mass and scale proposed by the applicants is especially significant, because the perception of emphatic and inappropriate mass in this case will be exacerbated by the fact the character of the proposed residence is not compatible with any of the existing structures on our block.

Attachment No. 1 to this letter contains pictures of every house on our walk street, which show beyond doubt how irreconcilably incompatible and materially detrimental the proposed structure is with our existing walk street. Attachment No. 2 are panoramic photographs of the east, west and middle sections of our walk street, highlighting the compatibility of mass and scale of existing development. These panoramas show that notwithstanding a variety of architectural styles, existing development on our walk street present a compatible and complementary character that provides for aesthetic and scenic preservation consistent with the purpose and development standards of the Specific Plan.

It is remarkable that the applicants seek to force their incompatible monolithic and unyielding residence onto 728 Marco Place when they represented to our neighbors that the house pictured in Attachment No. 3, *which was designed by their own architect*, was one of the inspirations for the very different project they have pursued. Obviously, Attachment No. 3 is much more compatible with applicable walk street development standards because of its articulation and second story setback. The applicants' failure to pursue an articulated design that they knew and represented in advance would be more compatible with existing structures on our walk street is additional evidence upon which your Commission should grant our appeal and reject the applicants' stubborn insistence on constructing their incompatible development project.

Finally, the proposed structure is immediately adjacent to the park in the middle of our walk street block. The rubber tree and swing is a meeting place for neighbors and visitors to our street, who play and gather there. The mass and scale of applicants' proposed structure will intrude on this space and be materially detrimental to the experience of that community space. (See Attachment 4.)

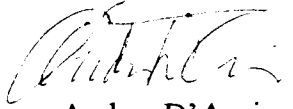
In conclusion, the proposed structure is in violation of both the letter and spirit of the Venice Coastal Zone Specific Plan, which provides for articulation of the exterior facades fronting on a walk street, complimentary massing and scale with adjoining buildings, and consideration of existing aesthetics. Submitted separately is a petition of the residents of the 700 block of Marco Place and our neighbors supporting our appeal.

Unfortunately, the applicants declined to meet with us or show us their plans in advance of the September 1 hearing, and they declined the suggestion from Commissioners that they meet with us to discuss resolution of this appeal. We remain willing to meet with them to do so. If you approve our appeal, we would welcome the opportunity to discuss with the applicants adjustments we believe are simple and self-evident, to bring the house

President Matthew Rodman  
September 26, 2004  
Page 5

into compliance and harmony with the 700 block of Marco Place, while limiting reduction of the square footage of its interior living space.

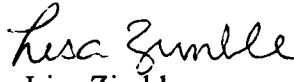
Sincerely,



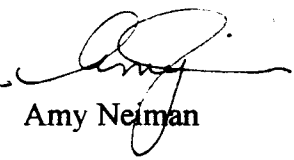
Andrea D'Amico



Evan Dunskey



Lisa Zimble



Amy Neiman

cc: Steven Kaufmann, Esq., Richards, Watson & Gershon  
Co-Counsel for Appellants  
Chuck Posner, California Coastal Commission  
Cindy Misciekowski, City Council Member

*Lia Zimble  
740 Marco Place  
Venice, CA 90291  
Ph. (310) 822-7278 F. (310) 823-6258*

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September 26, 2004

Matthew Rodman, President  
Robyn Ritter Simon, Vice President  
Sean Burton, Commissioner  
Joyce Foster, Commissioner  
Elvin W. Moon, Commissioner  
West Los Angeles Area Planning Commission  
200 North Spring Street, Room 532  
Los Angeles, CA 90012-4801

Re: Case No. DIR-2004-3161-SPP-MEL-1A

Dear President Rodman And Honorable Commissioners:

My neighbors and I come before you for a second time to ask you to take a closer look at the proposed house at 728 Marco Place and to grant our appeal.

Unfortunately there is the mistaken idea floating about that we are opposing Jodi and Chris' proposed home because it is modern, that we are purists who feel like only craftsman architecture should exist on our block, that we think that our block is "special". This is untrue. We are not trying to legislate style and we welcome diversity of all kinds on our block. However, we do think our block is special. The 700 block of Marco Place is one of the few blocks of walk street left that has not been overdeveloped in a way that disregards the Venice Specific Plan.

We oppose the building of a home whose mass and scale is incongruous and incompatible with the rest of our block. We do not care that this house is modern. What we care about is that the front massive and unyielding wall of this home is 28 feet high and that the only visual articulation is a balcony that extends even further out towards the walk street by about three feet. This house is huge and while there are other homes with similar square footage on our block, there are no homes whose mass and scale are so incompatible and so incongruous with the surrounding homes. And there are no homes with this amount of square footage that have an internal courtyard, not facing the walk street, but internal, which makes the mass and scale of this proposed home even more extreme.

At the last meeting on September 1<sup>st</sup>, Chris and Jodi presented a photo display of many other homes on the walk streets that were extremely diverse in their architecture and similarly large in their appearance. To me the photos of those

homes proved our case. The look and feel of those blocks, blocks that were beautiful just five years ago, are what we are trying to avoid. Just because other homes have been built on other blocks that have disregarded the Venice Specific Plan and no one has stopped them, does not mean that these homes should be used as an example. These other walk streets feel like claustrophobic corridors when walking down them. The flow of air and the flow of light that makes our walk street so beautiful has been destroyed on these other walk streets. Watching the unfortunate result of massive over-building on the other walk streets is what has made us feel more strongly and more resolute about protecting our own.

We understand that because the real estate prices are so high in our neighborhood, people buy and then want to build bigger homes. So far everyone on our block, including myself, who has added on has done so in a way as to not crowd the walk street. We did not build interior courtyards. That seems like a lovely idea if you are actually building on a lot with a bit of space, but not when you are building on a 40' lot on a walk street.

Please grant our appeal. We have no problem with Jodi and Chris building a modern home on our block, but we would like them to revise their plans with a little respect for the neighbors and the neighborhood they are moving into.

Thank you.

Sincerely,

  
Lisa Zimble

*Nancy Cunningham*

Lawyer  
1801 Lincoln Boulevard  
Number 107  
Venice, California 90291  
(310) 822-4609

September 2, 2004

Councilwoman Cindy Miscikowski  
200 North Spring  
Los Angeles, California

CASE NO. DIR2004-3161(SPP)(MEL)  
PROJECT PLAN COMPLIANCE  
CEQA: 4NV2004-3162(CE)

Dear Councilwoman Miscikowski:

On September 1, 2004, the City Planning Department applied an illegal standard of compatibility at a hearing challenging approval of the plans to develop property at 728 Marco Place. This interpretation misled two commissioners about the standards to use in making their decision. At issue was the development's compatibility with its immediate neighborhood. During the hearing the central issue became the planning department's failure to comply with the Venice Coastal Zone Specific Plan's Section 8, subsection C as per my attached submission at the hearing. Your representative, Kevin Keller, was present at the meeting and can background you on the evidence and the findings but said that he was not a lawyer and could not contradict the Planning Department on a legal issue.

The Department's position was that uniform standards apply to every walk street in the coastal zone and if a building falls within those gross requirements, there is no other standard to be applied. This clearly contradicts Los Angeles Ordinance No. 175693 which codifies the Venice Coastal Specific Plan. Section 8 subsection C requires findings by the Department of Planning regarding the compatibility of the proposed project with the **immediate** neighborhood. President Matthew Rodman (the only person to walk the 700 block of Marco) applied the Section 8 subsection C standard and voted to deny the application. Vice-President Robyn Ritter Simon and Commissioner Sean Burton relied upon the standard used in the Staff Report. The reliance upon and

application of an illegal standard by the latter two members in judging the application makes their findings void.

How can a city department be permitted to totally ignore the laws of their own city? How can the representative of a council person at a hearing not correct the Department of City Planning when they apply a standard contrary to the law? Development has been permitted to run amuck in Venice. I am very upset that my representative on the City Counsel sanctions illegal findings by a city department and forces her constituents to go to court to have the law as it is written enforced. I hope that this failure by the Planning Department to apply the correct legal standard has not been part of an across the board, intentional, discriminate effort by your office to suppress opposition to various development projects in the Venice Coastal Zone.

Please don't tell reply that I should go through my neighborhood council because they were not at the hearing, but your representative was.

Very truly yours,

Nancy Cunningham

cc: Venice Neighborhood Counsel  
Andrea D'Amico  
Amy L Neiman



John McCunn  
732 Marco Place  
Venice, California 90291

September 26, 2004

Matthew Rodman, President  
Robyn Ritter Simon, Vice President  
Sean Burton, Commissioner  
Joyce Foster, Commissioner  
Elvin W. Moon, Commissioner  
West Los Angeles Area Planning Commission  
200 North Spring Street, Room 532  
Los Angeles, CA 90012-4801

Re: Case No. DIR-2004-3161-SPP-MEL-1A

Dear President Rodman and Honorable Commissioners:

We believe the proposed development at 728 Marco Place **will** need a variance and that the plans submitted to the committee could be considered erroneous due to boundary line errors falsely represented therein.

As any reasonable person could determine by viewing the properties and as noted in Mr. Landon's own surveyor's notes; 732 Marco is the dominant tenement of an easement at the Southwest corner of the property affecting the property at 728 Marco that will render the applicant's parking plans invalid and require that the applicants request a variance. Indeed, a title claim seeking to invalidate this easement was initiated by Mr. Landon and his lawyers prior to the September 1<sup>st</sup> committee meeting due to its relevance to the issue of required variances affecting the scale of this development.

Without the termination of this easement, the plans and more specifically the required parking portion are in error and would need to be re-drafted. Furthermore the survey performed on 728 Marco, and subsequently used for the building plans, is also under investigation by the appellant's Title Company due to a discrepancy with the original plat map found in master book 7, page 200, of the county records. Your Commission should note that even as is, the plans require every inch of the erroneously surveyed lot for the outdoor guest parking space which itself requires the car to be parked at an angle in order to fit.

How can the commission go forward in approving the Director's Findings when a condition exists that could render the applicant's plans inaccurate? I am requesting that the Commission grant our appeal and not approve plans without a variance until this situation and any necessary variances that might be required can be resolved.

Respectfully,



John McCunn

I am Mary Stewart. I have recently married Julio Uchimura who owns 745 Marco Place, and has lived there for ten years. We intend this to be our home for the rest of our lives. I have lived in Venice for thirty years and have long been familiar with the walk streets. I am concerned that the plans for the house have been made unavailable to the neighbors, by the city and the applicants. I feel it is only fair that the current residents on this block, should have the opportunity to learn the construction details, of a massive structure that will affect our lives for many years.

Others neighborhoods in the coastal area have been radically degraded by oversized houses that occupy almost the entire lot. The seven hundred block on Marco Place is filled with modest homes that harmonize, have pleasant front yards with mature trees. I am concerned that as house sizes expand, more of our neighborhoods are covered with concrete which significantly increases runoff, pollution, and overloading the storm drains. The faster the runoff, the less able the soil is able to absorb rain, and recharge the groundwater.

I also have wondered if such a large mass of concrete will absorb sunlight, radiate heat, and block ocean breezes to the small houses to the east of the proposed construction.

Los Angeles City has ruled that front fences be no higher than four feet, to promote neighborliness and a feeling of community. Having a thirty foot wall facing the walk street will interrupt the pleasant flow of yards and plants. It will be like having a fortress on the block. Our neighbors on either side have removed the fences between our homes to increase our enjoyment of our yards, sharing our space with our neighbors, pets and children.

Until we know more about the proposed building I would like to appeal to deny building permission. Thank you for allowing me to state my views.

Mary Stewart

745 Marco Place

Venice, California

September 1, 2004

My name is Kathleen Donovan. I have lived at 736 Marco Place for eleven years. I rented my home for five years and then bought it in 1998. I bought my home because of the surrounding neighborhood. The 700 block of Marco Place is primarily one story craftsman style homes like mine.

The Project Permit Compliance Findings seem to say that this proposed new structure at 728 Marco Place will conform to the walk street standards. This is simply not true. If the decision makers in this case could visit the 700 Marco Place block, this case would be open and shut and this enormous home would not be built on our block.

The proposed structure at 728 Marco Place does not conform to the existing nature of our neighborhood. None of our homes have flat roofs, with huge roof decks. None of our homes are made of stained wood siding, clear anodized door and window frames or silver colored steel railings. None of our homes feature enclosed courtyards.

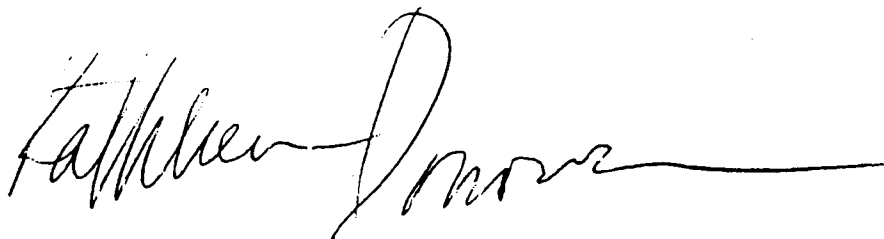
The size of the structure alone is shocking. It is three times larger than 80% of the homes on our block. There have been a number of homes on our block that have built a second story, most notably 740 Marco and 721 Marco. Both homes were similar in size to mine. Both owners needed to expand their home to accommodate their expanding family. Both owners chose to maintain the look of the 700 block and also were extremely conscious of making sure that the façade of their home was varied and articulated and open to the walk street and also that their homes did not overwhelm the walk street.

If compatibility is an issue, I don't understand how any board could say that this proposed building is compatible with the rest of the homes on the 700 block of Marco Place. If this monolithic building were to go up on our block, I can guarantee that even the neighborhood preschoolers would pick it out in their "One of these things is not like the others" game.

In closing, I would like to add that my strong feelings against this home being erected should not be construed as a personal attack against the homeowners. I welcome new neighbors to the block and hope that they would understand the concerns of the residents. The 700 block of Marco Place is truly the last intact historical turn of the century block. We are simply trying to maintain a beautiful open block with porches and yards and windows facing the walk street, not walls and homes that open up into an enclosed courtyard away from the walk street.

Thank you for allowing me to add my concerns to the public record. As everyone on this board can see the residents of the 700 block are very concerned and wish to continue to exercise any rights we have regarding the decisions of this board. Please keep us informed of meetings, hearings or other gatherings that we may attend in connection with our neighborhood.

Thank you,  
Kathleen Donovan

A handwritten signature in black ink, appearing to read "Kathleen Donovan", with a long horizontal flourish extending to the right.

Case No.: DIR 2004-3161-SPP-MEL-A1

### A Case for Respect and Understanding

There is an old saying among California Indians, that everything in this world has a soul.

Every rock, plant, animal, speck of dust, the sky, the water have feelings, and that to live in a world like this takes respect and understanding.

We, the residents in the 700 block of Marco Place, have lived by these unwritten rules for some time; however, concern has been added to our lives in the past few months.

Concern for we have learned that there are plans to insert a wedge, which would disturb the architecturally harmonious quality of this neighborhood.

Respect for the residents of the 700 block has been absent, for the procedure has been conducted behind doors making pertinent information unavailable to the neighbors.

A lack of understanding has been shown by denying information to the residents.

I would urge the Planning Commission members to evaluate the situation and to grant us a postponement of the appeal process, until such time when the neighbors in the 700 Marco Pl block are allowed access the plans and information regarding the project.

The extra time will help to remove the concern factor and have all of us--the applicant included--ready to go ahead in a mutual environment of respect and understanding.

Julio Uchimura  
745 Marco Pl  
Venice, Ca 90291

my name is paul roman

i own the property at 733 marco place  
across from 728 marco.

I have lived and owned property in the neighborhood for 20 some  
years.


both sides had asked me to speak and i had not planned to until  
i saw the elevations on paper and the impact on the block.

i too am building modern art lofts 7 blocks away from marco  
place in a neighborhood of apt. buildings and lofts. Also I am  
going to add on to my house on marco since i have a 2 year old  
son and will need more room. on marco i will be building in the  
bungalow style.

My wife and i had the opportunity to buy houses on Nowita  
where Chris and Jody have their other 2 houses. we chose  
marco because of the smaller bungalows and low fences that felt  
more like a neighborhood. nowita is already built out with mega  
homes that do not compliment the st.

These streets were built at the turn of the century with  
bungalows that were 600 to 1000 sq. ft.. We understand that  
people today need more room including ourselves. the building  
out of my house will be appropriate in size and style to our  
neighbors houses in respect for the neighbors.

Remember that we are just the caretakers of these historical walk  
streets for the next generation. There are plenty of other streets  
nearby that are 1/4 acre lots that will support larger homes if  
people need them without encroaching on the neighborhood.

  
9-1-04

