

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
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W14a

A-4-MAL-23-0041 (Muir)

December 13, 2023

CORRESPONDENCE

From: [Jo Drummond](#)
To: SouthCentralCoast@Coastal
Cc: Christensen, Deanna@Coastal
Subject: Public Comment on December 2023 Agenda Item Wednesday 14a - Appeal No. A-4-MAL-23-0041 (Muir, City of Malibu)
Date: Friday, December 8, 2023 4:46:50 PM
Attachments: [Farrer6244buschdrive.MP4](#)

Please confirm receipt...thank you.

Attn: Coastal Commission,

The City of Malibu was the issuing agent on behalf of the Coastal Commission for the CDP-required issues in this instance -- where permits were NOT issued.

There are related violations which, cumulatively, prevented public notice and knowledge of CDP-required work from occurring, and violations resulted.

Significant in this matter of serial development is that an applicant/owner, Karen Farrer, was a public official of the permitting issuing agent of the Coastal Commission, the City of Malibu, which was also the enforcement agent. Ms. Farrer abused her public position to obtain special treatment and concealment of these matters.

Of further significance are the now-obvious methodologies and tactics employed by the applicant to conceal her ownership. During an internal criminal investigation conducted by the City on July 17, 2021, Karen Farrer falsely stated that the property in question was not (never) owned by her, but instead owned by a relative. Those defenses expose Karen Farrer's expectation of entitlement and exemption from standard policy and practices (NO Stop Work Order was officially issued, but, rather, a "Correction Notice" and verbal order to stop work and heads-up in March 2021, that no follow up inspection would occur until "Correction" occurred). Only one month later after it was already built the second story was approved in ESHA without any public input. As a matter to cover her tracks, and distract, and confuse the City and public, changed title as an attempt to conceal and disclaim any association to the illegal activity.

Ms. Farrer further offered, and predicted, that the issue would, nonetheless, be raised by local residents which she characterized as a "vocal minority" in Ms. Farrer's attempt to discredit the malfeasance which, then, were circumstances that Ms. Farrer was actively aware and knowledgeable of or should have known.

When caught by neighbors, the permitting agency -- the officials who work for the City of Malibu were at all times aware of the leadership position and status of the elected official in connection to the property and special privileges, and special treatment, was obtained by the applicant.

Please err on the side of caution. The commission should adhere to the strictest interpretation of the code in this instance due to the flagrant violations as the owner

was a public official of the jurisdiction implementing the Coastal Act (the City of Malibu) of the Coastal Commission. Under this potential conflict of interest the planning director should have directed the entire project immediately to the Coastal Commission. There are procedural requirements to deal with issues like this rather than the favoritism received to fast track this project by avoiding the required CDP altogether on the original project.

The FPPC has also recently been sent the information submitted below.

Regarding the completed and proposed development at 6244 Busch Drive there should be a substantial issue found due to the following facts:

1. The project is violating city codes by increasing the septic system (three times the original size) within the ESHA buffer.
2. The second story was illegally constructed before permits were issued for it and then after was fast tracked with illegal Option 4 on the city of Malibu website using concurrent cdp exemption applications and was built within 7 months from application to finish overstepping true fire victims and regular one to one plus 10% fire rebuild planning verification applications.
3. The septic system needs to be increased to satisfy the needs of the higher density use with the second story which was technically illegally built due to not obtaining the REQUIRED CDP for building within ESHA.
4. The certificate of occupancy was issued before approval of this septic system.
5. A home just this past Monday at 6316 Busch Drive was just denied a permit at the Planning Commission for a pool and decking as it requires a variance to build within the 100 ft buffer in ESHA. This home on the same street should also have applied for a variance for adding both substantial square footage and OWTS in ESHA near a blue line stream.
6. They never obtained approval from California Department of Fish and Game which is required under the Malibu LCP Section 4.4.1. for any new development on sites containing or adjacent to a stream or wetland.
7. It has a current hedge height violation - the hedges along the property are currently over 8 feet high so should come into compliance to be under 42 inches before any further approvals occur.

Please see attached video submitted to both the planning commission and city council regarding 6244 Busch Drive. This led to the removal of illegal Option 4 on the City's website. Option 4 was not even used correctly in this case as there can be NO CDP EXEMPTION for any increased build within ESHA. Again, there should have been public notice for the larger fire rebuild that this application is attached.

Thank you for your consideration of all these items to bring a substantial issue to this case.

Jo Drummond

From: Malibu Township Council

Sent: Friday, December 8, 2023 3:58 PM

To: SouthCentralCoast@Coastal

Cc: Patt Healy

Subject: Re: Public Comment on December 2023 Agenda Item Wednesday 14a - Appeal No. A-4-MAL-23-0041 (Muir, City of Malibu)

Re: agenda item **14A** - Appeal #A-4-MAL-23-0041 6244 Busch Drive Malibu

Position: Find Substantial Issue

Honorable Members of the Coastal Commission,

The Malibu Township Council has been advocating for responsible development in Malibu since 1947.

Based on the following, we respectfully ask that the Commission find substantial issues. The project requires a full hearing:

1. The project almost triples the size of the current septic system in ESHA.
2. Needs a variance if increasing septic size in ESHA which was never granted by the Planning Commission.
3. The original project illegally received concurrent application exemptions for CDP in ESHA even though increasing square footage and usage intensity by 40% when only a 10% increase is allowed for a fire rebuild under the Malibu LCP.
4. The intensity of the use has increased due to the addition of a second story conversion to a second story unit which is not allowed in ESHA.
5. Under the Malibu Local Coastal Program, Fish & Game is required to sign off on the project since it is within 100 feet of a stream ESHA - This approval was never applied for or obtained.

LIP 4.4. Requires the following supplemental information:

- 4.4.1. Applications for new development on sites containing or adjacent to a stream or wetland shall include evidence of preliminary approval from the California Department of Fish and Game.

Thank you, for considering our Position on this matter.

Sincerely,

Malibu Township Council

Patt Healy, Secretary