



Venice Neighborhood
Council
Post Office Box 550
Venice, CALIFORNIA 90294
310-606-2015.

**Land Use and Planning
Committee Report to
VNC Board of Officers
06/05/2009**



Case Number: APCW-2008-1401-SPE-SPP

Address of Project: 18 and 20 28th Street Venice, CA 90291

The applicant is seeking to legalize an existing fourth unit in an existing three-unit multi-family residential building located on 28th Street, a walkstreet between Pacific and Speedway. In order to legalize the unit the applicant is seeking several discretionary actions namely exemptions from the VCSP density limitations, and guest parking requirements for a four-unit multi-family structure located in a RD 1.5 zone. The unit was illegally constructed by the previous owners. The unit has been rented to the same occupant for the past 12 years at an affordable rental rate. Without the granting of the requested actions, and the subsequent legalization of the fourth-unit, the applicants will not be able to afford to keep the rental property, which is also their place of residence. Additionally, the current occupant, who has rented the unit for approximately 12 years, will be forced to move and find comparable, affordable housing.

Size of Parcel: 5,280 square feet (5,880 including ½ of the adjacent alley abutting rear of the parcel (28th Place) Lot dimensions 60' x 88'

Size of Project: 745 square foot one bedroom dwelling unit (existing)

Venice Subarea: North Venice

Zone: RD 1.5

Permit Application Date: Original Permit Date 4/2/2008, Revised 6/4/2009

Date of Planning Report: 6/06/2009

Date of End of Appeal Period:

Planning Report Prepared by:

Applicant: Stephen and Lorraine Snipper
Address: 20 28th Street Venice, CA 90291

Representative: Howard Robinson of Howard Robinson & Associates, LLC
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Date(s) heard by LUPC: 06/10/2009

Zoning Administration Date: N/A

WLA Area Planning

Commission Dates: 07/19/2009

LUPC MOTION:

STAFF REPORT

Project Description:

The owner/applicant purchased the subject property in 2000 located at 20 28th Street (the "Project"), at which time there were already four residential units constructed on the property. The original certificate of occupancy (CO) for the Project was issued in 1989. The CO, described the approved development of the Project as a two-story triplex multi-family residential property (one unit is below grade), which included a total of 9 bedrooms and provided 8 parking spaces. Sometime after the issuance of the CO, prior to the present owner's purchase of the property, a 745 square foot storage unit was illegally converted into a one bedroom unit. During a routine Building and Safety inspection, the illegal unit was discovered.

The owner/applicant is seeking to legalize the already constructed fourth unit. However, in order to legalize the unit the owner/applicant is requesting the Project be granted several variances/exemptions from the VCSP and the LAMC.

Specifically, the owner/applicant is requesting that the Project be granted a slight variance regarding the dwelling unit density limitation to allow for the fourth unit on site. The Project is located in an RD1.5 zone in the North Venice subarea, the permitted density in this zone is 1 dwelling unit per 1,500 square feet of lot area. The Project lot area is 5,280 square feet, and therefore is only permitted 3.52 units under a strict interpretation of the VCSP.

Additionally, in order to legalize the fourth unit the applicant is seeking an exemption from the VCSP guest parking requirement. The Project is currently compliant with LAMC parking requirements and provides 8 parking spaces.

Lastly, the owner/applicant is in the process of seeking a 1-foot light modification from the LAMC side yard set back requirement.

Applicant described the project on the LUPC Project Form as:

The owner/applicant is seeking to legalize an already existing fourth unit in a two-story multi-family residential building.

Section of Venice Coastal Zone Specific Plan and/or the Los Angeles Municipal Code governing this particular site and application:

VCSP Section 10 F.2.a: Limiting dwelling unit density to 1 unit per 1,500 square feet of lot area.

VCSP Section 13.D: Requiring the provision of off-street guest parking.

LAMC 11.5.7 F: Exemptions from the VCSP.

LAMC 12.28.B: Requiring a six foot side yard setback for a three story residential building.

LAMC 12.20.2.1: Requiring a Coastal Development Permit for the construction of an additional dwelling unit.

Summary of Arguments Against this Project/Issue:

1. The Project is not compliant with the side yard set back, as required by the LAMC for a three-story building located in the RD 1.5 zone.
2. The Project does not provide adequate parking as required by the VCSP, as it does not provide the required guest parking for the fourth unit.
3. The Project's dwelling unit density slightly exceeds the allowable density for a lot of its size, as allowed by the VCSP.

Summary of Arguments For this Project/Issue:

1. The Project already exists, given that it was constructed prior to 2000, and does not require the construction of any additional units.
2. The owner/ applicant purchased the property in 2000 without the knowledge that the subject fourth unit was constructed illegally.
3. The property owner/applicant and occupant of the unit will both be subject to significant financial hardship if the VCSP exemptions being sought are not granted, and the unit is not legalized. The applicant/owner will not be able to afford the property, and the unit occupant of over 12 years, will be forced to find comparable affordable housing in the neighborhood.

Summary of Public Comment: TBD

Summary of Findings by LUPC: TBD

Authors of Report: Kristin McArdle

Date: 06/5/2009

Draft of LUPC Recommended Letter from VNC Board of Officers to Council District 11 and selected others.

Draft of Community Impact Statement

Approximate Hours Spent on this Project by LUPC Staff: