



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

## Land Use and Planning Committee

Staff Report to Board of Officers  
**April 15, 2008**



**Case Number:** ZA-2008-610-ZAD  
**LUPC Staff:** Jed Pauker  
**Address of Project:** 630 Broadway Avenue  
**Size of Parcel:** Nominal 40 x 140; 5,183.6 sf  
**Size of Dwelling or Project:** Forty linear feet  
**Venice Subarea:** Oakwood  
**Current Zoning:** RD1.5-1  
**Proposed Zoning:** No change  
**Permit Application Date:** 2/15/8  
**Applicant:** Charlotte Manning  
**Representative:** Kirk Erskine  
**Address:** 8333 Regis Way, Westchester, CA 90045  
**Contact Information:** 310.866.9114  
**Date(s) heard by Advisory**  
**Agency Division of Land:** N/A  
**Date(s) heard by LUPC:** March 26, 2008  
**Zoning Administrator**  
**Hearing Date:** On Hold pending resolution of ZAA issue  
**Community Planning Bureau**  
**Dates:** N/A

**LUPC Motion to Recommend that the VNC Board of Officers (language from minutes):**

**MOTION:** LUPC recommends that the VNC Board of Officers recommend approval of the project as presented, with the fence height not to exceed three and one half feet above natural grade, and the pedestrian entry gate not to exceed a peak height of ten feet eleven inches and a width, including supporting pilasters, of six and three quarters feet.

**Vote: 4 – 2 - 0**

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## **REPORT**

### **Project Description:**

Replace existing 8'-0" tall corrugated sheet metal fence with 8'-0" tall fence of rubble rock and complementary materials, with screened metal sliding gate.

In recent years, Venice's Oakwood subarea has been the focus of increasing attention - from current residents and community groups, realtors, developers and, most recently, the City Attorney. An area with some of Venice's most expansive streets and lots is being actively refurbished, many parcels at a time. It is a dynamic and diversely populated area, currently in great flux.

At one time, Oakwood earned its reputation as an unsafe area. Today, Oakwood reportedly enjoys the second lowest property crime rate in the LAPD Pacific Division's patrol area. At the same time, pockets of crime, victimless and otherwise, continue to circulate within Oakwood. The applicants purchased the subject property in 2002, on a block that appears to have higher overall crime levels than the area norm. These applicants have been affected by recent incidents.

The subject property is a one-story single-family residence, set back about fifteen feet from the sidewalk, with two smaller one-story structures behind the front house. High side fences graduate slightly lower as they extend into the front yard. Many properties on the 600 block of Broadway - particularly on the south side - have high front fences, of greatly diverse character. Many are wall-like and imposing. Some are wrought iron, of varying heights. One or two are modestly slatted, and allow slivers of light and air through. None seems as obviously opaque as the corrugated metal barrier that currently fronts the subject property.

A tour of the surrounding area shows that every block is different. Many types and shapes of foliage exist within or at borders of front yards. A variety of fences exists - older Cyclone models, short and tall wrought iron, and modern fences (sometimes built directly in front of wrought iron), with heights ranging from some three feet to eight feet when measured from the sidewalk.

The applicant seeks approval for a new fence, designed to reflect the character of the house behind it. While LUPC cannot judge a project on its aesthetics, considerations of character and scale must play a role in our discussion.

Regarding character: The proposed fence, which is to include lighting, is intended to continue providing the applicant with a sense of security, while providing the community with an aesthetic that better conforms to the dwelling's character than does the existing ridged wall.

Regarding scale: High fences or hedges exist in front of a significant minority of properties in the surrounding area. While the requested height for the proposed fence may not look grossly out of character for existing conditions, these conditions are unique to the area, and are therefore critical to understanding the project.

The Venice Coastal Zone Specific Plan (Venice Specific Plan, Specific Plan, VCZSP, VSP) is silent regarding fence and hedge heights in the required front yard for most Venice subareas. Oakwood is one of these areas. As such, fence and hedge heights in Oakwood's required front yards are governed by LAMC: fences or hedges in the required front yard can extend to forty-two inches (3½ feet) in height. For this property, however, the fence height can may legally extend to sixty-six inches (5½ feet).

The front yard of this property sits higher than the sidewalk, as do the yards of many other properties on this block and in the area. The prevailing LAMC regulation allows a fence or hedge to extend 3½ feet above the natural ground level in the required front yard. Since this front yard's natural ground level is two feet higher than the sidewalk, the 3½ foot height allowed in the front yard is 5½ feet when viewed from the sidewalk.

The difference in grade between many front yards and their sidewalks creates the perception of greater "fortification" than may be intended. In fact, the vast majority of local front yards, raised or not, displays conforming fences or hedges per LAMC code, even though many appear to be over-height from the street. This tall appearance combines with the wall-like or iron-bar nature of many of the fences. The result is a heightened sense of danger in this block and, less frequently, in the surrounding area. The applicants' experience fulfills the prophecy delivered by these conditions.

Across the street from the applicant's property is a trio of houses, with front yards almost entirely obscured from street view. The combination of high fences and foliage on both sides of the street creates a "blind spot" here, where illegal activity can and does go unnoticed.

The project drawings include a curb cut and sliding gate. While the applicant did not present this feature as a request, it is essential to the project's goals: the curb cut and gate enable occupants to drive onto the property without leaving their vehicles, thereby avoiding risky interactions. The applicant states that the curb cut idea came first. Since the curb cut would require removal of some of the existing fence, the decision was made to replace the entire fence.

It is worth noting that this block's sidewalks are currently being rebuilt. This reinforces the reality that the area is being redeveloped.

This project will set a precedent in whatever form it is approved. The outstanding issue is how the Neighborhood Council and the City can help such applicants achieve full enjoyment of their properties. This project, as conditioned, will simultaneously improve the applicant's quality of life and Oakwood's neighborhood character.

Respectfully submitted,  
Jed Pauker

**Applicant's Requested Action by LUPC/Venice Neighborhood Council:**

ZA Determination to allow above-referenced project.

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

LAMC: 12.22.C.20.f.2:

Front Yards. (Amended by Ord. No. 173,754, Eff. 3/5/01.) In the R Zones, fences, walls, and landscape architectural features of guard railing around depressed ramps, not more than three and one-half feet in height above the natural ground level adjacent to the feature, railing or ramp, may be located and maintained in any required front yard. In the A Zones (including the RA Zone), a fence or wall not more than six feet in height may be located and maintained in the required front yard. In both the A and R Zones, a fence or wall not more than eight feet in height may be located and maintained in the required front yard when authorized by a Zoning Administrator pursuant to Section 12.24 X.7.

**Summary of Arguments Against this Project/Issue:**

Fence as proposed continues proliferation of structures that limit public/private interaction.  
Fence as proposed sets negative precedent of continuing fear in a changing neighborhood.  
Project, as proposed or conditioned, fails to improve security against items thrown over fence.

**Summary of Arguments For this Project/Issue:**

Curb cut and conforming fence combine with lighting to decrease potential for "victimless" crime to occur outside the property.  
Curb cut and conforming fence combine with lighting to improve security for occupants.  
New, conforming fence, with pedestrian gate as proposed, will set positive precedent for surrounding area.  
High natural grade of yard still enables view of house from street.  
Does not affect views for adjacent properties (both currently have tall, un-permitted fences).

**Summary of Public Comment:** No public comment.

**Summary of Findings by LUPC:**

The high natural ground level of many front yards in this area enables property owners to construct higher fences than would normally be allowed. This creates a visual effect of more fortification and less visibility onto, and from, these properties. It also enables the applicant to build a high but conforming fence under existing circumstances. The applicant's plan to include lighting will further increase safety. The proposed curb cut and sliding gate will enable the applicant to drive securely onto the property without risking negative incidents. Finally, allowing the pedestrian gate

to remain as proposed, combined with the rest of the project as conditioned, will set a precedent for a community in need of positive examples from urban pioneers.

**DRAFT OF COMMUNITY IMPACT STATEMENT TO BE ATTACHED TO THIS CASE NUMBER and/or FILE:** Frontage barriers, fences, walls and hedges can define property borders, public versus private space, and establish safety barriers. They can also, however, alter neighborhood character, affect community, openness, space, and light, diminish safety and hinder daily law enforcement duties. Existing regulations limit frontage barrier height to 3 feet, 6 inches, absent extenuating and unique circumstances or if subject properties are in a Fence Height District (unavailable in the Coastal Zone) or in specifically excepted zones as specified in the Ordinance.

**Author of Report:** Jed Pauker

**Date:** 4/15/8