

Address of Building 248 WESTMINSTER AVE



CITY OF LOS ANGELES CERTIFICATE OF OCCUPANCY

Note: Any change of use of occupancy must be approved by the Department of Building and Safety.

[ ] This certifies that, so far as ascertained or made known to the undersigned, the vacant land, building or portion of building described below and located at the address complies with the applicable construction requirements (Chapter 9) and/or the applicable zoning requirements (Chapter 1) of the Los Angeles Municipal Code for the use, or occupancy group in which it is classified.\* (Non-Residential Uses)

[X] This certifies that, so far as ascertained by or made known to the undersigned, the building or portion of building described below and located at the above address complies with the applicable requirements of the Municipal Code, as follows: Ch. 1, as to permitted uses, Ch. 9, Arts. 1, 3, 4, and 5; and with applicable requirements of State Housing Law-for following occupancies:\* (Residential Uses)

1  
9  
2  
0  
0  
0  
6

Permit No. and Year 89LA28052

3 STORY, TYPE V-1HR, 60 X 90 OFFICE/RESIDENTIAL BUILDING. B2/R3/M1 OCCUPANCY.

ZI 1105, 1312  
ZA 88-0880

5000317200600001499

Total Parking Required 10 [ ] No Change in Parking requirement.

Total Parking Provided 10 = Standard 9 + Compact 1 + Disabled

ALSO SUBJECT TO ANY AFFIDAVITS OR BUILDING AND ZONING CODE MODIFICATIONS WHETHER LISTED ABOVE OR NOT

Issued By / Office: LA-VN/WLA-SP-C.D. # 6

Bureau: BLDC - BCS

Division: GI-MS-MSS-EQ-BMI-COMM

Owner FRANK SERAFINE  
438 ASHLAND  
Owner's Address SANTA MONICA, CA. 90405

6-7-91

Issued \_\_\_\_\_ By: RS: dt: jea





approval shall be subject to revocation in the manner as provided under Section 12.24, I of the Municipal Code if the conditions imposed are not strictly observed.

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses 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. 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. The Zoning Administrator's determination in this matter will become effective after October 20, 1988, unless an appeal therefrom is filed with the Board of Zoning Appeals. Any appeal must be filed on the prescribed forms, accompanied by the required fee 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.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the report of the Zoning Analyst thereon, the statements made at the public hearing before the Zoning Administrator on September 26, 1988, all of which are by reference made a part hereof, as well as personal knowledge of the property and the surrounding district, I find that practical difficulties, unnecessary hardships or results inconsistent with the general purpose of the zoning regulations would result from a strict enforcement thereof, and that the five requirements and prerequisites for granting a variance as enumerated in the City Charter and in Section 12.27-B,1 of the Municipal Code and the requirements for authorizing a conditional use under the provisions of Section 12.24-C of the Municipal Code have been established by the following facts:

1. The subject property is a level, irregularly-shaped parcel of land bounded by Westminster Avenue on the northwest, Cabrillo Avenue on the northeast, San Juan Avenue on the southeast and Rivera Avenue on the southwest. As a through "island" lot the property has technical frontages of 32.6 feet along the southeast side of Westminster Avenue and 91.8 feet along the northwest side of San Juan Avenue with side yards extending for respective distances of 75 and 112.01 feet along Rivera and Cabrillo Avenues. The property is vacant and classified in the C2-1-0 Zone. All adjoining properties are classified in the C2-1-0 and R4-1-0 Zones and developed with a mixture of single- and multiple-family dwellings except for those to the northwest which are classified in the C2-1 Zone and developed on the Venice P.T.A. Health Center.

Westminster Avenue is a local street improved on a variable dedication of 40 to 70 feet; Rivera Avenue is a local street improved on a variable dedication of 60 to 70 feet; San Juan Avenue

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is a local street improved on a dedication of 70 feet; and, Cabrillo Avenue is an improved street on a dedication of 30 feet.

A review of information attached to the file indicates that it is the intention of the applicant to construct a three-story, 7,980 square-foot artist-in-residence unit and office building on the site with 10 on-site parking spaces. Since artist-in-residence quarters are only permitted in the C2 Zone after investigation and the establishment of findings; and, since the involved building will observe variable reduced yards of 0 to 2 feet in lieu of 15 feet (i.e., required front yards) and 6 feet (i.e., required side yards), conditional use/variance authority is being sought for this purpose in conjunction with the concurrent processing of a coastal development permit application under Case No. CDP 88-022.

In the opinion of the Zoning Administrator, the request has merit as conditioned. The construction, use and maintenance of this proposed building for artist-in-residence and commercial office purposes will serve the dual purpose of providing an economically desirable use of a property while providing needed accommodation for an artist or artisan. In addition, the construction of the building will upgrade the quality of development in the immediate area which is needed and highly desirable. Finally, this area of the Venice community is marginal in nature and the completion of the involved building having a distinctive architectural style will provide an incentive for rehabilitation, conservation and new construction on adjacent properties.

Therefore, it is deemed that the use of the involved property for artists-in-residence and commercial office purposes is desirable to the public convenience and welfare being in harmony with the purposes and objectives of the Venice Community Plan as an element of the General Plan which designates use of the property for commercial/parking uses with corresponding zones of CR, C1, C2, C4 and P.

2. It is further deemed that use of the proposed three-story, one-unit building for artists-in-residence and commercial office purposes will not be harmful to the health, safety or welfare of residents, clients or employees. Further, since the building is new, no displacement of existing commercial uses will result. The Mitigated Negative Declaration issued for the project on August 31, 1988 is deemed to be sufficient in its environmental assessment of the project; and, it is noted that the project site is located in a flood hazard area subject to the provisions of the Flood Hazard Management Specific Plan.
3. At issue is the request for a variance from the provisions of the Zoning Code for the involved artist-in-residence/commercial office building permitting 0-foot front yard setbacks along Westminster and San Juan Avenues in lieu of the 15 feet required; and, permitting a 2-foot side yard setback along Rivera Avenue and a 0-foot side yard setback along Cabrillo Avenue in lieu of the 6 feet required. As previously stated, the property is an island

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remnant being extremely small in size containing approximately 5,340 square feet of lot area. Further, said property is irregular in shape having variable frontages on the adjacent streets varying from a minimum of 32.6 to a maximum of 112.01 feet. This size and shape makes any reasonable development on the property extremely difficult to design or build if it is to be aesthetically attractive as well as functional. In addition, since the property is surrounded on four sides by streets or vacant street dedication, the property is a through lot being further penalized by the requirement for two front yards (i.e., Westminster and San Juan Avenues). In view of the aforementioned considerations and the fact that the property is already separated from adjacent properties by the existing street system, the purpose and intent of the yard requirements to achieve open space and a separation of structures is already met.

Therefore, the requirement for 15-foot front yards and 6-foot side yards as required by current Code provisions would result in practical difficulties and unnecessary hardships inconsistent with its purpose and intent; that special circumstances apply to the property due to size, zoning, irregular shape and location surrounded on all sides by streets and street dedication; that the property is denied a right or use enjoyed by other properties in the same zone and vicinity due to the physical constraints imposed on any reasonable development and required yards; that the granting of the variance will not be materially detrimental to the public welfare or injurious to other properties in the same zone and vicinity; and, that the granting of the variance will not adversely effect any element of the General Plan.

JAMES J. CRISP  
Associate Zoning Administrator

JJC:lmc

cc: Director of Planning  
County Assessor  
Councilwoman Ruth Galanter  
Sixth District  
Bureau of Engineering, Street  
Opening and Widening Division  
Fire Department, Hydrant Unit  
Bureau of Street Lighting  
Street Tree Division, Bureau  
of Street Maintenance  
California Coastal Commission  
Adjoining Property Owners

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FRANKLIN P. EBERHARD  
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

JAMES J. CRISP  
DARRYL L. FISHER  
ROBERT JANOVICI  
WILLIAM LILLENBERG  
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JON PERICA  
JACK C. SEDWICK

CITY OF LOS ANGELES  
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TOM BRADLEY  
MAYOR

DEPARTMENT OF  
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KENNETH C. TOPPING  
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ROOM 600, CITY HALL  
LOS ANGELES, CA 90012-4856  
(213) 485-3851

December 21, 1988

Frank Serafine  
438 Ashland Avenue  
Santa Monica, CA 90405

George Fulks, AIA  
1417 South Georgia Street, Suite 500  
Los Angeles, CA 90015

Re: CASE NOS. ZA 88-0880(CUZ) (YV)  
and CDP 88-022

LETTER OF CLARIFICATION  
248 Westminster Avenue  
Venice Planning Area  
Zone C2-1-0  
D.M. 7187  
C.D. 6

EIR: MND 88-511-CUZ(ZV) (C) (REC)

Department of Building and Safety

On October 5, 1988, the Zoning Administrator issued respective determinations in the subject cases authorizing a conditional use to permit:

the construction, use and maintenance of a three-story artist-in-residence unit and office building on a C2-1-0 zoned site with 10 on-site parking spaces,

and granting a variance to permit:

the construction, use and maintenance of said artist-in-residence/commercial office building observing reduced front yard setbacks of 0 feet from Westminster and San Juan Avenues in lieu of the 15 feet required; and, with said building observing reduced side yard setbacks of 2 feet from Rivera Avenue and 0 feet from Cabrillo Avenue in lieu of the 6 feet required,

and, approving a coastal development permit allowing:

the construction, use and maintenance of a three-story artist-in-residence unit and office building on a C2-1-0 zoned site with 10 on-site parking spaces.

Subsequently, the Zoning Administrator has been advised that in order to accommodate design changes in the structures due to City requirements (i.e., street improvements) and desired refinements, a clarification is needed to permit a 0-foot side yard setback along Rivera Street; permit traffic to back onto Cabrillo Street; and, indicate that the 30-foot height limit imposed does not include the height of the required parapet wall which will attain a maximum height above the roof plate of approximately 3 feet (i.e., a height of 33 feet above the centerline of Westminster Avenue).

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