

Development Standards and the Local Coastal Program
Venice Canals Neighborhood Study Group

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INTRODUCTION:

This report is the product of a volunteer group assembled to assist the Los Angeles Planning Department to establish reasonable guidelines for building and related issues to preserve the unique character of the historic Venice Canals.

Those who participated in this study represent an excellent cross-section of our community. All property owners and residents were encouraged to participate through mailings and word of mouth. Meetings were held on a weekly basis with four additional workshops.

Throughout our discussions a spirit of open-mindedness prevailed. We feel that the following recommendations, while encompassing a wide range of concerns which vary from "diversity" to "drainage," are true to that spirit. Where recommendations do not reflect a group consensus, we have included minority opinions in the commentary section. The format which we have chosen for this written report is as follows:

1. TOPIC

Current Requirements:

Objectives:

Commentary:

Recommendations:

Thank you for giving us the opportunity to contribute to the decision-making process involved in the formulation of the Coastal Land Use Plan. Opportunities such as this are appreciated and should be encouraged. It is expected that Planning Department will use the results of our effort as the basis of the Local Coastal Program for the Venice Canals neighborhood. The members of this group feel strongly that the City staff should continue to keep us involved as the final Coastal Land Use Plan is developed.

ACTIVE PARTICIPANTS:

Coordinator: 'CJ' Cole - property owner, resident
Design Professionals: Toby Watson - property owner, resident
Sid Levee - property owner, resident
Secretary: Caroline Canning - property owner, resident
Committee Members: Jim Asher - property owner, resident
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1. HEIGHT

Current Requirements:

CODE - 30' maximum height, 3 stories allowed.

COASTAL - 30' maximum height.

ICO - 20' maximum height at 10' front setback, stepping back at a 2:1 (horizontal depth : ascending height) ratio to 30' from the front property line, thereafter 30' maximum height.

Objective:

To preserve a sense of scale, light and open space along the canals. To promote architectural diversity among roof lines and overall structures within a reasonable height limitation.

Commentary:

Devising a height limit or formula that would discourage massive box-like structures, promote diversity in roof lines and architectural design, and yet provide adequate living space was one of the greatest challenges for the group. It was acknowledged that height, open space and setback requirements must work together to provide a total "envelope" dimension that would meet the objectives for the neighborhood.

Promoting roof-line diversity remains an important issue; and the participants generally disliked box-shaped houses. One participant adamantly opposes the building of ANY flat-roofed houses in the canals; another is against any building controls.

We generally agree that a 30' height limitation is desirable; but that the present 20' height limitation with a 2:1 slope at the 10' setback, as set forth in the ICO, discourages diversity. The front height maximum of 20', for example, does not allow for an increased ceiling height or gable roof, particularly considering the above-grade construction required for flood control. The "stepping-back" concept encourages "wedge" roof design. If this ICO formula is retained, the group agreed that the front height should be a maximum of 22' at the 10' setback to permit higher ceilings at the setback. The ratio for stepping back to the eventual 30' height was not agreed upon but the suggestions varied from 1:1 to 2 1/2:1. One member wants the 30' height limit to be allowed no closer than 25' from the front property line.

Because the group could reach no decision on the ICO formula, we pursued the possibility of using height averaging (as does Balboa Island). Most agreed that the use of averaging would encourage diversity in roof design. We propose an averaging formula such as the following: a maximum of 30' with an average of 26', but with a separate (possibly lower) average height applicable to the first 10' of building envelope facing the canal. It is feared that a single average would encourage builders to maximize height at canal side, thus defeating the objectives of light and open space.

Placement of roof-top structures (e.g.: heating/air conditioning units, solar panels, satellite dishes, etc.) was discussed but no decision reached, except that satellite dishes are generally agreed to be unsightly and that limits should be placed on what machinery and equipment, if any, may extend above the height limitation.

Recommendations:

1. 30' height limitation.
2. Adopt an average height system similar to that used in Balboa Island in order to encourage roof-line diversity. The group strongly recommends that a separate average for the front of the building be developed to prevent maximizing the height at the canal side. To this end the group makes two proposals, with a request that the City staff prepare more specific guidelines meeting the intent of the proposal:

1. HEIGHT (cont.)

- a. 30' maximum height, 26' average, with a separate 26' average for the first 20' from the canal property line. or,
 - b. 30' maximum height, 26' average, with a maximum height of 25' for the first 20' from the canal property line.
3. If the ICO formula is retained, the group recommends a 22' height limit at the 10' canal-side setback. The ratio for stepping back to the ultimate 30' was not agreed upon.
 4. Prohibit roof-top satellite dishes from exceeding the 30' height limit.

2. OPEN SPACE

Current Requirements:

CODE - Usable open space, such as patio, garden, deck or recreational area, in the amount of 10% of the lot area for each story of main building on the lot; to be counted toward open space the contiguous area must be at least 100 square feet in size; no more than two-thirds of the usable open space required may be located above the first story of the main building;

required yard setbacks do not count toward fulfilling the open space requirement.

ICO and COASTAL - Specifies that 450 square feet of front yard be permeable and open to the sky.

Objective:

To preserve a sense of openness, light and air in the canals, to prevent the proliferation of monolithic structures and to encourage roof line diversity. To create more space for guest parking along the courts.

Commentary:

We generally agree that the requirement of 450 square feet of permeable, open-to-the-sky front yard is desirable. However, the portion of this front yard space in excess of the required 10' front and 3' side setback (if more than 100 square feet) be counted toward the open space requirement. The group does not object to the construction of permeable decks (wood and other materials) over the entire 450 square feet of required permeable front yard if built no higher than 2' above natural grade, in no event should the fence height exceed 42" above the natural grade.

Participants found that the ICO and the CODE were in conflict as to whether open space must be "open to the sky." We universally agreed that, except as set forth below, the intent of the requirement is met only if open space is open to the sky. Most participants agree that coverings for decks, patios and balconies within the open space requirement must be soft, such as awnings. Many in the group fear that "hard" covers would create structures a subsequent owner may be tempted to enclose.

The group is concerned that more and more structures are incorporating roof decks to satisfy the open space requirement, resulting in a "box-shaped, flat-roofed" building envelope. This partially defeats the open space objective. As a result, we have recommended restricting the amount of countable open space on the roof of the uppermost story to no more than one-third of the total required open space. (Wording of this is particularly important to prevent small structures being placed on "top" of the main roof to circumvent the restriction. Participants encourage the City to devise language best suited to eliminating that potential loophole. The group does not want to discourage the building of decks, or even roof decks. (However, roof decks should not be allowed to defeat the objectives of open space.)

As a solution to the serious shortage of guest parking available in the canals, the group developed the concept of an "open-space incentive" to encourage a voluntarily increase in the first story rear setback. Although per "code" tandem parking can not count toward fulfilling parking requirements, the reality is that critical additional parking can be created if automobiles have room to park in tandem at the rear of the structure. The group therefore universally endorses an open space "incentive" which allows increasing the depth of the driveway outside the garage by a minimum of 100 square feet, in addition to the required setbacks, to count toward open space even if under the building and not "open to the sky." While eager to provide such an open space credit, the committee members were very sensitive to an ongoing problem: that is, the creation of spaces which can later be enclosed to provide additional "bootleg" living space virtually undetectable by building authorities. It is important that no posts or other structures be allowed to support the above story so that this space later becomes tempting to enclose. Refinements to this incentive concept may be necessary to wholly eliminate this possibility.

2. OPEN SPACE (cont.)

Recommendations:

Retention of current CODE and ICO open space requirements with the following modifications:

1. Amend definition of open space to add "... except that no more than one third of the total open space requirement may be allocated to the roof of the upper-most story as defined in the zoning code."
2. Amendment definition of open space to state that it "... must be open to the sky, except that a minimum of 100 square feet of open space between the garage and rear required setback which is open on three sides need not be open to the sky."
3. Clarify that the portion of the required 450 square feet of front yard in excess of the required 10' front setback and 3' side setback may be used toward fulfilling the open space requirement, provided it is at least 100 square feet.
4. Allow the use of permeable decks over the entire 450 square feet of required permeable front yard provided such deck does not exceed a height of 2' above natural grade and surrounding front fence does not exceed 42" above natural grade.

3. SETBACKS

Current Requirements:

CODE - Front setback - 10'; Side setback - 10% of lot width, minimum 3' for one-story and two-story buildings, increased at the rate of 1' for each additional story; Rear setback - 15' from center line of court (alley) with 9' rear setback from property line at first story, second story balcony can extend 4' into the rear setback.

ICO and COASTAL - Same as code but requires 450 square feet of permeable yard area between the canal property line and the front of any structure, (ICO only: must be open and unobstructed to the sky). No fill shall be permitted in this yard area. No project shall be permitted in this required yard area with the exception of permeable decks at grade and fences which do not exceed 42" in height. In no case shall this yard be less than 10" wide.

Objective:

To ensure the use of 4' side setbacks for three story buildings.

Commentary:

The participants agree that the 4' side yard requirements for three story buildings must be enforced to bring side yard requirements in compliance with other residential zones. (Refer to Section 4 - BASEMENTS as it relates to setbacks.)

Additionally, in the case of detached garages, all but one member agreed that all structures maintain the above minimum setbacks. No zero lot line structures should be allowed.

Recommendations:

1. Require compliance with the definition of "story" as defined in the zoning ordinance for side yard setbacks. (The zoning code requires 4' side setbacks for 3 story structures.)
2. Setbacks remain per code for front and rear.
3. All structures, including detached garages, shall maintain the minimum 3' side setback.
4. Allow the use of permeable decks over the entire 450 square feet of required permeable front yard provided such deck does not exceed a height of 2' above natural grade and the fence does not exceed 42" above natural grade.

4. BASEMENTS

Current Requirements:

CODE - Below grade basements or cellars are permitted by definition. Building up of yards to create a basement above grade for the purpose of reducing the number of stories is permitted. Building code permits built-up basements to be used a habitable space; zoning code does not permit habitable space in basements.

ICO and COASTAL - Not addressed.

Objective:

To set standards for basements consistent with size and scale of canal lots. To prevent pumping of liquids or other materials into the canals.

Commentary:

There was considerable concern with below-grade basement areas (used for parking and/or living space) which would require pumping of any kind for the removal of water due to construction below the water table. There is a general agreement that below-grade basements should be permitted only if they could be constructed so as to be entirely waterproof.

Another strong area of concern was the build-up of side yards above the natural grade for the purpose of creating an additional floor of living space without compliance with three story requirements for additional side yard setbacks, two stairways and increased open space.

A few people felt that raised side yards should be prohibited altogether to assure fire equipment access.

Recommendations:

1. Below-grade basements shall be constructed only if designed and constructed in such a manner to guarantee they are and will remain fully waterproof. No pumping of any kind, anywhere shall be permitted.
2. The definition of basement from the zoning code shall be incorporated into the building code to ensure that any designated basement is not habitable and that proper side yard setbacks are required for true three story structures.
3. The raising of side yards to no more than 4' above natural grade (the maximum side yard fence height limit of 8' from natural grade was taken into consideration here) is acceptable to create a basement per zoning code.

5. NON-CONFORMING BUILDINGS AND USES

Current Requirements:

CODE - Sect. 12.23

ICO and COASTAL - Not addressed.

Objective:

To encourage construction of additional parking without destroying existing rights as to legal non-conforming uses. To insure that additions to non-conforming structures and/or uses do not result in a larger building "envelope" or "footprint" than new construction would allow.

Commentary:

The group held extensive discussion of how to handle existing older structures which do not provide enough parking to comply with the current code. The group generally feels that owners of these properties currently have no incentive to add badly needed additional parking. The group agrees that, as an incentive to add additional parking, replacement of the square footage destroyed to create the additional parking shall be permitted at a 1:1 ratio and without loss of any previously legal non-conforming uses.

The use of open parking for remodels was also considered. The group acknowledged that one situation cannot be permitted: additions to current structures which eschew covered parking to build out to the a maximum "footprint", creating a situation where a subsequent owner could beg for a variance to enclose the open parking. The group agreed that where the owner of a structure lacking "code" parking seeks to increase its square footage, the final "footprint" of the structure cannot exceed the current allowable "footprint" of new construction minus the square footage of a legal enclosed garage accommodating the same number of cars as those being provided for with the open parking.

The group feels strongly that "grandfathering" in old setbacks to allow for greater square footage or "footprint" than would ordinarily be allowed should not be permitted. This "grandfathering" impinges on others' open space and poses a threat to safety (e.g.: access in case of fire).

Recommendations:

1. The ultimate "footprint" on which a enlarged building rests cannot exceed what would have been allowed under the rules as promulgated here. For example, if a building has a less than Code front setback, it cannot be enlarged all the way back to the rear (opposite) setback permitted by current applicable codes, thus resulting in an excessive "footprint".
2. Where a structure does not provide enclosed "to code" parking, but adequate open parking is provided, an addition to the structure may be allowed without providing enclosed parking, provided, however, that the square footage that would be required to be devoted to enclosed parking is subtracted from the allowable "footprint."
3. Structures which violate side setbacks by more than 6" may not be enlarged without complying to current side setback requirements.
4. As an incentive to provide additional code parking for non-conforming uses, existing dwelling area removed to allow for the creation of said parking may be replaced at a 1:1 ratio without loss of non-conforming use under a variance through the Zoning Administrator's office. The parking requirements for legal multiple-units should be changed to a minimum of one (1) covered and one (1) open parking space per unit, but in no case less than was previously provided, when modifications are made to increase parking.

6. ON-SITE PARKING

Current Requirements:

CODE and COASTAL - 2 cars per dwelling unit.

ICO - Single family dwelling on less than 35' lot - 2 spaces; single family dwelling on lot of 40' or more in width (or 35' or more in width if adjacent to an alley) - 3 spaces. Multiple-units - ???

Objective:

To provide adequate on-site parking for canal residents and guests.

Commentary:

A shortage of available parking, even for residents, poses one of the most critical problems facing the canal neighborhood. Many structures pre-date the present code parking requirements, including a number of multiple-unit residential structures. Many of the older structures provide substandard or no on-site parking because of the lack of adequate rear setbacks and/or the conversion of once-usable garages into habitable space.

To partially alleviate this situation, the committee requests that City Officials require that all "once-garages" be immediately converted back to their original purpose (that of parking vehicles) and that rear setbacks be cleared of "debris" so as to become available for parking of operable vehicles. Further, we recommend that stringent penalties be levied against property owners for non-compliance within one year of adoption.

The committee wants to stress the importance of assuring that in the future, no existing or permitted required on-site parking is converted to living space or uses other than their original purpose.

Additional proposed solutions to this pressing problem are addressed in Section 2: OPEN SPACE and Section 5: NON -CONFORMING STRUCTURES AND USES.

Recommendations:

1. Concur with Code and ICO current minimum requirements (except as stated in Section 5 - NON-CONFORMING STRUCTURES AND USES, Recommendation#2).
2. Immediately take the necessary steps to force the conversion of "once-garages" back to parking use and to enforce the clearance of rear setbacks so as this area becomes available for parking. Impose stiff penalties for non-compliance!
3. In the future monitor and enforce the continued use of permitted required on-site parking for parking only!

7. LOT CONSOLIDATION

Current Requirements:

CODE - None

ICO and COASTAL - None

Objective:

To maintain open space and preserve scale of structures.

Commentary:

For a myriad of reasons, very few lots can be consolidated; therefore some committee members feel that this is a relative non-issue.

Recommendations:

1. Encourage more open space where lot consolidation might occur.

8. DRAINAGE

Current Requirements:

CODE - Side yards drain to the rear.

ICO and COASTAL - Requires all drainage to rear, but front yard runoff may be taken into a French Drain.

Objective:

To insure that each lot contains its fair share of drainage in order to avoid flooding of courts and unnecessary run-off into the canals.

Commentary:

There is a general consensus among participants that drainage is an important, even critical, aspect of our RW-1 designation. It is a necessary reality of our shallow-water table

area which is currently obvious during every rainstorm when many courts are wholly flooded. Moreover, each lot that provides inadequate drainage, increases the run-off and flooding attendant to its neighbors' lots. Accordingly, compliance with drainage requirements is important. Recommendations of the committee represents a compromise in order to allow some flexibility in materials; particularly with sideyard requirements.

The group was somewhat split on sideyard drainage solutions. As a compromise everyone concurred that 50% of the sideyard should remain permeable. One member felt that at least 80% of all open space and setbacks at ground level should be permeable and include 250 square feet of French drains.

The committee generally agrees that the 2' area along the full width of the property at the rear (at the lowest elevation) must consist of permeable materials. However, because of the easement in the rear of the "island" courts, the group was unable to come up with specific wording on the exact location in which to place this drainage, be it on the easement property or totally within the private lot area.

Recommendations:

1. REAR - There shall be a 100 cubic foot French Drain on the "court-side" of the property. The entrance to the French Drain should be located at the low point of the driveway where it meets the court.
2. FRONT - Provide a minimum of 450 square feet of permeable front yard.
3. SIDE - 50% of the sideyard shall consist of permeable material. This can consist of one sideyard that is 100% permeable or 50% of each sideyard, or any combination such that fully 1/2 the square footage consists of permeable materials.
4. Pumping water or other liquid into the canal shall be strictly prohibited.

9. FENCES

Current Requirements:

CODE - 3'6" height at front yard, 8' height at side yard, 8' height at rear yard.
ICO and COASTAL - 42" height maximum at front yard.

Objective:

To establish maximum fence heights. To encourage good fence and wall design.

Commentary:

While the participants agree to live with the recommendations set forth below, no true consensus was reached. Several participants would like to see the height limit of fences reduced to 6' or perhaps a compromise of 7'. Other participants feel that this could impose a hardship where structures were built substantially above grade to meet flood hazard requirements. Others note that not everyone would build to the maximum height merely because the limit was 8'.

Many of the participants feel that rear fences or walls should not be allowed within a 5' setback from the rear property line. A minority opted for no fences within the rear 9'.

The group does concur that all fence heights should be measured from the natural grade only and NOT from a built-up side yard or artificially raised grade or deck.

Recommendations:

1. Encourage well designed fences which are not oppressive or restrictive of light and air between buildings.
2. Maximum front yard fence height shall remain at 3'6", measured from the natural adjacent grade.
3. Fences may be constructed to a maximum of 8' above the natural adjacent grade along the side yard (including built-up side yards).
4. Fences and/or walls shall not extend into the 5' setback from the rear property line.

10. VISUAL BLOCKAGE, TRASH ENCLOSURES AND LANDSCAPING

Current Requirements:

CODE - 42" maximum height of front yard fences and shrubs. No massing of trees.
ICO and COASTAL - Not addressed.

Objectives:

To promote aesthetic quality and safety within the canal neighborhood.

Commentary:

The participants discussed the safety of entering and exiting court intersections, specifically regarding the northwest corner of Howland Canal Court and Dell Avenue where a trash enclosure was thought to obstruct views.

It is felt that well designed landscaping should be encouraged on both the canal side and along the courts and streets. Open views are ideal.

The group feels that all trash containers should be screened from view.

Recommendations:

1. There shall be no visual blockage within a equilateral 10 foot triangle at court and/or street intersections.
2. There shall be no visual blockage of the courts with landscaping that masses above 2 feet in height within 5' of the rear property line.
3. All trash containers shall be screened from view.

11. OFF-SITE PARKING

Current Requirements:

CODE - Off-site parking is not permitted to fulfill on-site parking requirements in residential zones.

ICO and COASTAL - Not addressed with respect to its use to mediate on-site parking requirements

Objectives:

To create fair and reasonable guidelines for the community and public.

Commentary:

The participants had extensive discussions regarding public parking within the canal neighborhood.

We dwelt at length on the desirability of utilizing the unimproved City easement along each side of Dell Avenue for parking and/or landscaping. We noted a trend to landscape this area and debated whether this is desirable to the exclusion of parking. A minority was strongly in favor of retaining the easement for parking purposes. Generally the group feels that the aesthetic appearance of our main street is of utmost importance and its design should reflect the character of the canals and the need for guest parking.

Recommendations:

1. Parking in the canal neighborhood shall be limited for the use of residents and guests under a permit system as there are adequate public parking lots immediately adjacent to the canals.
2. The city shall improve their unimproved public right-of-way along Dell Avenue consistent with the need for landscaping, sidewalks and parking after a properly noticed public hearing.

12. CITY-OWNED LOTS

Current Requirements:

CODE - Not addressed.

ICO and COASTAL - Not addressed.

Objective:

To recommend the disposition and use.

Commentary:

The 12 City-owned lots are all zoned RW-1 as are all of the lots within the canals. There is concern that these lots, under their current zoning, can be used for other than residential single family structures without a special use permit, (if for example they were to be used for parking lots).

The group discussed the possibilities for use/disposition of these lots. The alternatives were: 1) selling all of the lots and utilizing the derived funds to pay for the City expenses incurred in the rehabilitation of the canals, 2) retaining under City ownership some or all of the lots to be used for public use, e.g. parking, parks, green belts.

We discussed whether or not it would be better to have parking only along Dell Avenue to reduce the driving into dead-end courts and to enhance the residential feeling of the canals.

It was pointed out that on a single interior lot the maximum number of cars that could be parked is three. Some of the group are in favor of retaining lots under City ownership as maintained open space with no facilities, e.g. picnic tables, benches, bathrooms, or parking. Others feel that there are many inherent problems with parks or parking lots within residential areas such as maintenance, trash, crime.

Recommendations:

None.

13. BRIDGES, CANALS, DOCKS, PUBLIC BOAT RAMP

Current Requirements:

CODE - Not addressed.

ICO and COASTAL - Not addressed.

Objective:

To maintain historical integrity and safety within public rights-of-way and to enhance the beauty of the waterways. To clarify the legality of non-resident use of docking area not used by residents. To encourage pedestrian and boating public access while prohibiting any commercial ventures wholly inappropriate in a residential area.

Commentary:

While some members like the older bridges (perhaps they are the oldest structures in Venice), others find them unattractive and unsafe.

In regards to the canals themselves, an overwhelming majority of the participants feel the proposed Armorflex banks are an eyesore which, if not tediously maintained, will only collect debris and make it nearly impossible to dock small boats due to the shallow slope. On this topic there is a minority opinion which finds the Armorflex banks acceptable.

One resident made it known that, because the canals are public rights-of-way, technically a non-resident could build a dock along the canals in front of private property. We discussed dock design briefly, but felt it wasn't a matter of high priority, and no conclusions were reached. This matter will be addressed along with the rehabilitation of the canals.

The participants generally agree that the concept of a lagoon and public boat ramp (at the north end of Grand Canal on the Venice Boulevard median strip) should be encouraged. There is, however, deep concern that this could lead to a commercial boat rental or sales concession. The group finds this possibility, or any other form of commercial venture within or servicing the canal residential area, intolerable. We feel it should be noted that while the canals are a public resource, we are, unlike Disneyland, a residential area.

As is currently the case, we feel that only non-motorized boats should continue to be allowed on the canals.

Recommendations:

1. Bridges must be rebuilt in design to replicate the old bridges or in a style such as that of the arching bridge across Eastern Canal.
2. The majority recommend that the use of Armorflex for the canal banks be scrapped.
3. The City should create criteria for dock design for all new private docks to be put in after the canal restoration.
4. Non-residents shall not be allowed to construct docks along the canals in front of private property.
5. No commercial venture of any kind shall be allowed into or surrounding the Venice Canals! The increased traffic, noise and trash for commercial benefit of third parties is vigorously opposed.
6. Public usage of the canals shall be pedestrian-oriented or by non-motorized boat.

14. ZONING AND BUILDING CODE REVIEW BOARD

Current Requirements:

CODE - Not addressed.

ICO and COASTAL - Not addressed.

Objectives:

To police the City Plan Review Staff to assure compliance with existing/new ordinances on all permits issued for new structures as well as remodels/additions.

Commentary:

From our study of the buildings in the canals, it is apparent that current zoning and building code regulations (particularly in regards to remodels) are not being consistently enforced by code.

Recommendations:

1. If the current policy of overlooking violations of zoning and building code with respect to both new construction and remodels/additions continues, we have no choice but to insist upon the creation of a Citizen's Code Review Board comprised of home owners/residents. Note: This is not an architectural review board.