

CITY OF LOS ANGELES
DEPARTMENT OF CITY PLANNING
OFFICE OF ZONING ADMINISTRATION

STAFF INVESTIGATOR REPORT

February 6, 2008

Cathy and Robert Ward (A)(O)
122 Hart Avenue
Santa Monica, CA 90405

Robert Ward (R)
Robert Ward & Associates, Inc.
253 Market Street
Venice-of-America, CA 90291

CASE NO. ZA 2007-5515(ZAD)
ZONING ADMINISTRATOR'S
DETERMINATION – FENCE HEIGHT
251 Market Street
Venice Planning Area
Zone : RD1.5-1-O
D. M. : 108B145
C. D. : 11
CEQA : ENV 2007-5516-CE
Legal Description : Lot 20, Block 7,
Venice of America Tract

Request

A Zoning Administrator's Determination pursuant to the provisions of Section 12.24-X,7 of the Los Angeles Municipal Code to allow the construction, use and maintenance of a new wall/fence and wrought iron gate with heights of 6 feet within the front yard setback area of an existing duplex. The Municipal Code permits a maximum fence height of 3 feet 6 inches in the front yard setback.

Property Description

The site is a rectangular, level, through lot located on the north side of Market Street, between Main Street and Riviera Avenue, in Venice beach. The frontage is 30 feet, while the lot depth is 95 feet, resulting in a lot area of 2,850 feet.

It is fully developed with a duplex constructed in 1953. The building area is 1,200 square feet, 600 per unit.

The Project

On Wednesday, January 30, 2008, at 12:50 p.m., a site inspection was conducted. The neighborhood consists mostly of one-story single-family dwellings with small, narrow front yards. Some of the homes in the neighborhood are remnant cottages which survived the conversion of the former canals to the current residential streets. The proposed wall has not yet been constructed; there is currently a regulation height (42-inch) picket fence and gate at the front property line, and paralleling the easterly side lot line for about 5 feet in from the sidewalk. The new wall will be constructed coincident to the current fence, but a new portion will be built along the westerly side lot line,

extending 18 feet 8 inches from the sidewalk, and ending at the front building line (south elevation) of the residence to the immediate west. It will be a CMU wall with a plaster finish. In addition, a new wrought-iron gate and doorbell/annunciator will be installed at the front walk. The rear duplex unit (253) will continue to take access from the side yard walk.

Several similar situations exist in the neighborhood: 247 Market Street (patio with a recessed 6-foot trellis fence), 239 Market (6-foot hedge), 227 San Juan Avenue (6-foot wooden fence), 1399 Riviera Avenue (20-foot bamboo hedges and 6-foot bamboo fence at the corner of Riviera and Market; also creates visibility issues), and 301-17 Windward Avenue (4-foot to 6 1/2-foot fences). There was no record of any entitlements or Building and Safety violations for the above properties.

Windward Avenue appears to have set a precedent for over-height fences in the neighborhood, as continuous height violations occur from 301 to 317 Windward (at Riviera proceeding eastward). This has created an unsightly effect; there is little, if any, view of the front lawn or gardens, and minimal views of the front entrances. The streets to the north of Windward and west of Riviera are approaching this level of aesthetics. There were a couple of cases on San Juan Avenue, one to two on Horizon Avenue, and approximately five or six on Market Street. During inspection, staff had encountered a pedestrian/resident who had mentioned that the neighborhood had held a series of meetings regarding this very issue (he could not confirm that they were Neighborhood Council meetings). He also stated that the heights were necessary for security purposes.

Subsequently, the Community Planner was contacted and it was confirmed that the Venice Neighborhood Council held a Policy Forum on January 20 regarding front yard structures. The VNC's recommendation was for a maximum height of 42 inches with enforcement and penalties. The transmittal from the Community Planning Bureau is within the case file.

Driveway visibility is not an issue here because the residents take access from the alley, Toledo Court, to the rear. However, this does not negate the fact that pedestrians and bicyclists may use the sidewalk. Singly, the project may not be hazardous, but the north side of Market Street is cumulatively becoming walled and fenced at the sidewalk. Not only does this create a poor aesthetic, it may also be considered unsafe due to crossing hazards at the sidewalk and for home security reasons.

Surrounding Land Uses

The site is virtually surrounded by a Low-Medium II Residential land use designation, zoned RD1.5-1-O. There is a PF-1XL Zone, Public Facilities, occupied by Westminster Avenue School, to the north.

Previous Cases, Affidavits, Permits, and Orders On the Applicant's Property

There are no similar or relevant ZA or CPC cases.

Previous Cases, Affidavits, Permits, and Orders On Surrounding Properties

There are no similar or relevant cases.

General Plan, Specific Plans and Interim Control Ordinances

Community Plan:

The Venice Plan Map designates the property for Low-Medium II Residential land uses with corresponding zones of RD1.5, RD2, RW2 and RZ2.5, and Height District No. 1.

The site is within the Venice Coastal Zone.

Specific Plans and Interim Control Ordinances:

The property is currently within the area of the Venice Specific Plan.

Streets

Market Street is a fully-improved Local Street with a standard dedication of 36 feet, according to the Bureau of Engineering. However, airphotos indicate that the roadway width is approximately 56 feet.

Toledo Court is an unimproved Alley with a standard dedication of 15 feet.

Flood Hazard Evaluation

The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone B, areas between limits of the 100-year flood and 500-year flood.

Environmental Clearance

On November 27, 2007, the project was issued a Notice of Exemption (Article III, Section 3, City CEQA Guidelines), log reference ENV 2007-5516-CE, for a Categorical Exemption, Class 3, Category 6, City CEQA Guidelines, Article VII, Section 1, State EIR Guidelines, Section 15100.

Comments from Other Departments or the General Public

At the time of report preparation, no public agency had submitted any written comments, nor had any correspondence from the general public been received.



ANTONIO ISAIA
Zoning Investigator

Al:rg