248 WESTMINSTER AVE

Address of Building

08-B-95A (R.11/89)

CITY OF LOS ANGELES CERTIFICATE OF OCCUPANCY



	Note: Any change of use of occupancy must be and Safety.	approved by the Department of Buildin
	This certifies that, so far as ascertained or made known portion of building described below and located at the requirements (Chapter 9) and/or the applicable zoning re Code for the use, or occupancy group in which it is class	address compiles with the applicable construction
	This certifies that, so far as ascertained by or made and building described below and located at the above of the Municipal Code, as follows: Ch. 1, as to permitted requirements of State Housing Law-for following occupa	known to the undersigned, the building or portion address compiles with the applicable requirement
الحجو	Permit No. and Year 89LA28052	,
(C)	3 STORY TUDE IN THE CO. T.	1
(F)	3 STORY, TYPE V-1HR, 60 X 90 OFFICE BUILDING. B2/R3/M1 OCCUPANCY.	/RESIDENTIAL
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	Issued By / Office: LA-VN/WLA-SP-C.D. #_6 BLDQ - BCS	Division: Gi-MS-MSS-EQ-BMI-COMM
	Owner FRANK SERAFINE 438 ASHLAND Owner's SANTA MONICA, CA. 90405	Show Ifke.
	6-7-91 IssuedBy:	RS: dt: jea

CITY OF LOS ANGELES

FRANKLIN P. ESERHARD

ASSOCIATE ZONING ADMINISTRATORS

JAMES J. CRISP

DARRYL L. FISHER

ROBERT JANOVICI

WILLIAM LILLENBERG

JOHN J. PARKER, JR.

JON PERICA

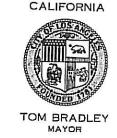
JACK C. SEDWICK

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DEPARTMENT OF CITY PLANNING KENNETH C. TOPPING DIRECTOR

KEI UYEDA DEPUTY DIRECTOR

OFFICE OF ZONING ADMINISTRATION

ROOM 600, CITY HALL Los Angeles, CA 90012-4856 (213) 485-3851

October 5, 1988

Frank Serafine 438 Ashland Avenue Santa Monica, CA 90405

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

Department of Building and Safety

Re: CASE NOS. ZA 88-0880 (CUZ) (YV)
and CDP 88-022
CONDITIONAL USE, YARD VARIANCE
AND COASTAL DEVELOPMENT
PERMIT
248 Westminster Avenue
Venice Planning Area
Zone C2-1-0

Venice Planning Are Zone C2-1-0 D.M. 7187 C.D. 6

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

In the matter of the application of Frank Serafine for conditional use approval and zone variance on a site located in the C2-1-0 Zone, please be advised that based upon the findings of fact hereinafter set forth and by virtue of authority contained in Section 98 of the City Charter and Sections 12.24-C and 12.27-B of the Municipal Code, the Zoning Administrator hereby authorizes, as a conditional use, the use of the site described as Lot A of Tract 475, located at 248 Westminster Avenue, Venice Planning Area, for:

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 also grants a variance from the provisions of Article 2, Chapter 1 of said Code, but only insofar as said variance is necessary 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,

upon the following additional terms and conditions:

1. That the use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A".

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- 2. That all other use, height and area regulations of the Municipal Code be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
- 3. That prior to the issuance of any building permits, the owner of the property shall dedicate and improve all streets, highways and alleys adjoining the subject property, including sidewalk fill-in, street trees, street lights and fire hydrants, to the satisfaction of the Bureau of Engineering, Bureau of Street Lighting Street Tree Division of the Bureau of Street Maintenance and the Fire Department, or post bonds suitably guaranteeing such improvements at no cost to the City.
- 4. That the herein-authorized conditional use shall be of no force and effect unless and until satisfactory evidence is presented to the Associate Zonng Administrator for review and attachment to the file, that a business tax registration certificate has been issued to the applicant by the City Clerk pursuant to Los Angeles Municipal Code Section 21.03 permitting said applicant to engage in business as an artist or artisan.
- 5. That the applicant shall post signs or symbols at designated locations on the exterior of the involved commercial building indicating that said building is used for residential purposes, with the size and design of said signs or symbols and their location provided to the satisfaction of the Fire Department.
- That 10 parking spaces shall be maintained on the site. Further, that said parking spaces shall be located within a completely enclosed garage.
- 7. That all the terms and conditions of Coastal Development Permit 88-022 shall be strictly complied with.
- 8. That all mitigation measures contained in Mitigated Negative Declaration 88-511-CUZ(ZV)(C)(REC), dated August 31, 1988, shall be strictly complied with.
- 9. The use hereby authorized is conditional upon the privileges' being utilized (i.e., the use approved being lawfully conducted on the site) within 180 days after the effective date hereof, and if they are not utilized or construction work (i.e., actual substantial physical improvements installed) is not begun within said time and carried on diligently to completion this authorization shall become void and any privilege or use granted hereby shall be deemed to have lapsed unless a Zoning Administrator has granted an extension of the time limit (the request for the extension having been submitted prior to the expiration of the grant and accompanied by the appropriate fee), after sufficient evidence has been submitted indicating that there was unavoidable delay in taking advantage of the grant. Once any portion of the privilege hereby granted is utilized, the other conditions thereof become immediately operative and must be strictly observed. Furthermore, this conditional use

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:

The subject property is a level, irregularly-shaped parcel of land 1. 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 comunity 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 desginates 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

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 X. CRISP Associate Zoning Administrator

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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

CITY OF LOS ANGELES

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DEPARTMENT OF CITY PLANNING KENNETH C. TOPPING DIRECTOR

> KEI UYEDA DEPUTY DIRECTOR

OFFICE OF ZONING ADMINISTRATION

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).

CASE NO. ZA PAGE 2

In the opinion of the Zoning Administrator the request for clarification has merit. A 0-foot setback along Rivera Street, in lieu of the 2 feet granted, corrects an initial error having no impact on light, air, emergency access or privacy; and, is reasonable when one considers that the third floor of the structure observes a side yard setback of 2 feet and the ground floor observes a side yard setback of 4 feet. The backing of vehicles onto Cabrillo Street is necessary to gain access to on-site parking under the structure with a reduced turning radius occurring due to the 30-foot width of the street. Finally, the 30-foot height limit imposed upon the structure by Condition No. 4 of Coastal Development Permit No. 88-022 does not apply to parapet walls or similar permitted or required projections above the roof plate.

Therefore, Case Nos. CDP 88-022 and ZA 88-0880(CUZ)(YV) are hereby clarified and corrected to permit a 0-foot side yard setback along Rivera Avenue; to permit the backing of vehicles onto Cabrillo Avenue; and, to permit parapet walls having a maximum height above the centerline of Westminster Avenue of 33 feet.

You are advised to correct your copies of the involved determination accordingly, and are further advised that this clarification/correction is in no way intended to change or modify any of the other terms and conditions, of the involved determination which shall remain as originally set forth.

JAMES J. CRISP
Associate Zoning Administrator
JJC:lmc

cc: Director of Planning
County Assessor
Councilwoman Ruth Galanter
Sixth District
California Coastal Commission

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