

**Warnecke Michael Carl**

2308 West Verdugo Ave.  
Burbank, California 91506-2129  
Lic. #583479  
Phone: (818) 846-3467  
February 6, 2009

**Barbara Greaves  
Legislative Assistant  
Planning and Land Use Management Committee  
Room 395  
200 N. Spring Street  
Los Angeles, Ca. 90012  
Tel. No. (213) 978-1133  
Fax: (213) 978-1040**

**Dear Mrs. Greaves,**


✓ **Re: NOTICE TO APPLICANT/APPELLANTS(S) AND INTERESTED PART  
CF 09-0082  
APCE 2006-8787-ZC  
VTT62900-SL-2A**

**I am requesting help from the city council with the following matter:  
The street El Moran Ave., as far as the city record is concerned, is an  
open street. I was informed by City Streets, that a B-permit was required  
to improve El Moran.**

**My question is why the city did not ask Henry Nunez, Henry Nunez Real  
Estate Inc., Fisher assoc. for a B permit for the improvement of the  
street, since they are redeveloping the land adjacent to a street that the  
Bureau of City streets deems must be improved. (Please see Attach  
letters dated Feb. 2009, Feb. 2008, July 2008, May 2008, Aug & Sept 2006  
and Oct. 2005.)**

**As of now, my client has not had access to his property due to this  
matter. How can the city deny my client access to his property from an  
open street?**

**Thank you,**



**Michael Warnecke**

## **Warnecke Michael Carl**


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### **Summary of events on El Moran St.**

1. On October 17, 2005, meeting with Mr. Bill Larsen regarding the garage on Mr. Pacheco's property. (Please see letter dated October 12, 2005.)
2. On October 17, 2005, Vacate and Security sign was put on the property of Herb Pacheco.
3. On November 09, 2005, submitted plans for replacement of roof and front of garage. (Please see Application for Building Permit and Certificate of Occupancy.)
4. During this time, I spoke with several City Officials regarding the Barricades and Liability.
5. January 5, 2006, the Cultural Heritage Commission moved to include Mr. Pacheco's property in the list of Historic-Cultural Monuments. The property was then adopted on March 17, 2006.
6. On April 20, 2006, Notice To Abate Vacant Structure And File Statement of Intent was received. (Please see letters dated Aug. & Sept., 2006)
7. The property in question, the cabin/garage, was built in the 1920. The permits are on file with the city.
8. The garage was refurbished by Jan. 2007.
9. In Dec. 2007 had a meeting with Ron Olive about the matter of El Moran St. Stated to me that a B- permit is required. ( Please see letter Dated July 25, 2008.)

Any questions please call me at (818) 846-3467 or write me.

Thank you,

  
Michael Warnecke


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## Frequently Asked Questions

### OBTAINING A PUBLIC WORKS PERMIT

#### WHEN DO I NEED TO GET A PERMIT?

Section 62.105 of the Los Angeles Municipal Code (LAMC) requires permits to be obtained for construction in any property, street or other right of way owned by, to be owned by, or under the control of the City. Such improvements may include, but are not limited to sidewalks, curbs, gutters, pavement, grading, sewers, storm drains, bridges, retaining walls, trees and tree wells, culverts, traffic signals, and street lights.

#### WHEN DO I NEED AN "A" PERMIT?

An "A" Permit (LAMC 62.106.a) is issued only for the repair, construction or reconstruction of curbs, sidewalks, driveway approaches or gutters, and work appurtenant to the foregoing, or work within a public easement, where the work contemplated is limited in extent and can be constructed to match existing grades without a survey or engineered plans. "A" Permits are often issued in conjunction with sewer permits which require excavation in a public street. Driveways and sidewalks involving the relocation of water meter and gas valve boxes, street light and traffic signal conduit and pull boxes and parking meters, require coordination with the appropriate agencies.

To obtain an "A" permit, please contact your local District Office.

#### WHEN DO I NEED A "B" PERMIT?

A "B" Permit (LAMC 62.106.b) is issued for extensive public works improvements including the widening of streets and alleys, the changing of existing street grade, construction of bridges, retaining walls, and the installation of sewer, storm drains, street lighting, and traffic signals. Construction plans are usually required which must be signed by a California licensed Civil and/or Electrical and/or Traffic Engineer.

A "B" Permit may be issued for either design or construction, or a single permit can be issued for both design and construction. These permits cover plan check engineering, installation of traffic control devices, inspection, testing during construction, and maintenance of street trees.

"B" Permits are most frequently issued for public works improvements adjacent to land being developed. In these instances, the extent and type of improvements depend on conditions imposed by the Council, City Engineer, Department of City Planning, or some other jurisdictional body in accordance with the Municipal Code, City Charter, State Law, or City Ordinance.

To obtain a "B" permit, please contact your local District Office.

#### WHEN DO I NEED AN "EXCAVATION" PERMIT?

Construction projects which will require public Right-of-Ways to be trenched or excavated must obtain a permit at the appropriate District Office. Electrolier and pull box relocations, monitoring wells, soil borings, potholes drilling in public Right-of-Ways also need to obtain an excavation permit.

Information about the location of underground utilities, as well as construction standards, are obtained at the District Office permit counter. Additionally, excavation and shoring plans are approved and permits needed to commence work immediately adjacent to public Right-of-Ways are issued at this counter. Should special insurance or bonds be required to be posted in connection with the project, these transactions may also be handled at the permit counter.

To obtain an Excavation permit, please contact your local District Office.

#### WHEN DO I NEED A SEWER PERMIT?

Sewer Permits are issued to private individuals or contractors to connect to an existing house connection sewer or to facilitate the construction of a house connection sewer.

There are two types of sewer connection:

1. Property Line Connection: (requires Building & Safety inspection)

This may be a new connection or reconnection to a house connection sewer located at the property line.

2. Main Line Connection: (requires Public Works inspection)

This type of connection is required when the house connection sewer extending to the property line does not exist.

To extend a sewer line from the property line to the City's main sewer, a bonded sewer contractor must perform the work. In most cases an "A" Permit must also be obtained to resurface the asphalt in the public street.

To obtain a Sewer permit, please complete the online application or contact your local District Office.

#### WHEN DO I NEED A REVOCABLE PERMIT?

The purpose of the Revocable Permit or "R" Permit (LAMC 62.118.2) is to grant conditional encroachment of the

**Warnecke Michael Carl**  
**2308 West Verdugo Ave**  
**Burbank, California 91506-2129**

**Lic. #583479**

**Phone: (818)-846-3467**

**July 25, 2008**

**James Gibson**  
**Executive Office Board of Public Works**  
**200 N. Spring St.**  
**Suite 316**  
**Los Angeles, California 90012**

**Dear Mr. Gibson;**

**RE: 2006 El Moran Street**

**(Ref. #08-00854)**

**I am in receipt of William A. Robertson's July 10, 2008 letter responding to my letter of April 24, 2008. (I attached a copy of my April 24 letter which sets forth the background information to this dispute.) I appreciate Mr. Robertson taking the time to answer my inquiry although I do note one error in his letter. He states that my client Herbert M. Pacheco was present at the December 2007 meeting. Mr. Pacheco was not there; his nephew Albert Rodarte attended the meeting.**

**Mr. Robertson's assertion that the city closed El Moran street in 1994 because of surface damage conflicts with (former) councilmember Jackie**

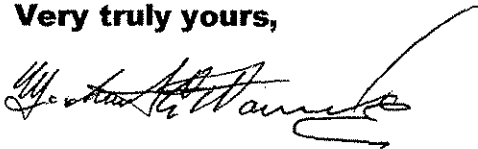
**Goldberg's attempt in August 1999 to close El Moran Street by installing gates at either end of the street. Why would she have made that proposal if the street were already closed? Furthermore, I have been informed that the city told Mr. Pacheco's wife in early 1999 that El Moran Street was being prepared for resurfacing. The old surface was removed prior to installation of a new surface but then the installation was halted without explanation.**

**As set forth in detail in my attached letter of April 24, we have made repeated but unsuccessful requests to several city employees to determine when, why and how El Moran Street was closed and "dead end" signs were posted at either end of the street. In October 2005, Edmund Yew from the Bureau of Engineering told me that proper paper work must be filed before the city can close a public street. "We have never been supplied with that paper work, assuming it was filed at some point.**

**Consequently, my client has instructed me to request a hearing before the Board of Public Works to resolve the issues related to the closure of El Moran Street. He cannot park on adjacent Peru Street due to its narrow width and the "no parking at any time" signs posted on both sides of the street. Without access to El Moran Street, he cannot drive to his garage and park his vehicle(s). The closure of El Moran Street deprives him of the use of his property. He cannot live in his home. He cannot rent the house. And he cannot sell the property. El Moran Street is a public street which, prior to its closure, had been open to traffic since the 1920's. It is my understanding that is the responsibility of the city, not an adjoining homeowner(s), to maintain and repair a public street.**

**I would appreciate hearing from you within 15 days of receipt of this letter.**

**Very truly yours,**

A handwritten signature in black ink, appearing to read "Michael C. Warnecke", with a long, sweeping horizontal line extending to the right.

**Michael C. Warnecke**

Office:

Downtown ☒Van Nuys ☐Date 5/2/08LA Department of Building and Safety  
LA 06 39 137227 05/02/08 11:44AM

273727

PLAN & LAND USE	\$74.00
ONE STOP CITY PL	\$1.00
DEVELOPMT SURCHG	\$5.00
OPERATING SURCHG	\$5.00

Total Due:	\$85.00
Check:	\$85.00

NOTICE: The staff of the Planning Dep  
regardless of whether or not you obtain the services of anyone to represent you.

npartial consideration to your application.

This filing fee is required by Chapter 1, Article 9, L.A.M.C.

Applicant <u>HERB PACHECO</u>			
Representative _____			
Project Address <u>2400 Alessandro Ave</u>			
Telephone Number <u>818-846-3467</u>			
Case Number and Description	Task	SubTask	Ordinance Fee
<u>VTT-62900-SL</u>	<u>A</u>		\$ <u>74</u>
			\$
			\$
			\$
			\$
	Sub Total Fees Paid		\$
OSS Surcharge - 2%			\$ <u>1</u>
Development Surcharge - 6%			\$ <u>5</u>
Operating Surcharge - 7%			\$ <u>5</u>
Expediting Fee			\$
Bad Check Fee			\$
Miscellaneous/Photocopy			\$
			\$
TOTAL FEES PAID			\$ <u>85</u>

( ) Cash

(✓) Check # 1252

( ) Money Order # \_\_\_\_\_

Council District 13Plan Area Silver Lake - Echo park

Processed by

Simon Newman  
 Print & sign

CITY OF LOS ANGELES  
PLANNING DEPARTMENT

## MASTER APPEAL FORM

APPEAL TO THE: \_\_\_\_\_

REGARDING CASE NO.: APCE-2006-8787-ZC

PROJECT ADDRESS: \_\_\_\_\_

This application is to be used for any authorized appeals of discretionary actions administered by the Planning Department. Appeals must be delivered in person with the following information filled out and be in accordance with the Municipal Code. **A copy of the action being appealed must be included. If the appellant is the original applicant, a copy of the receipt must also be included.**

**APPELLANT INFORMATION: PLEASE PRINT CLEARLY**Name HERB PACHECOMailing Address 2006 EL MORAN ST.  
LOS ANGELES, Ca. Zip: 90039

Work Phone: (\_\_\_\_) \_\_\_\_\_ Home Phone: (\_\_\_\_) \_\_\_\_\_

- a) Are you or do you represent the original applicant?  
(Circle One) YES NO
- b) Are you filing to support the original applicant's position?  
(Circle One) YES NO
- c) Are you filing for yourself or on behalf of other parties, an organization or company?  
(Circle One) SELF OTHER
- d) If "other" please state the name of the person(s), organization or company (print clearly or type)

HERB PACHECO

## REPRESENTATIVE

Name MICHAEL C. WARNEKEMailing Address 2308 W. VERDUGO AVEBURBANK, Ca. Zip 91506-2129Work Phone: (818) 846-3467 Home Phone: (818) 444-7794  
CELL**APPEAL INFORMATION**

A complete copy of the decision letter is necessary to determine the final date to appeal, under what authorizing legislation, and what, if any, additional materials are needed to file the appeal.

Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the City (Area) Planning Commission must be filed within 10 days of the written determination of the Commission.

Final Date to Appeal: MAY 9, 2008

**REASONS FOR APPEALING**

Are you appealing the entire decision or parts of it?

☐ Entire ☒ Part

Indicate: 1) How you are aggrieved by the decision; and 2) Why do you believe the decision-maker erred or abused their discretion? If you are not appealing the whole determination, please explain and specifically identify which part of the determination you are appealing.

Attach additional sheets if necessary.

Why is ELMOORE ST. NOT BEING IMPROVED?  
WHERE ON THE SIT. MAP IS THE STREET PECK AVE LOCATED?

**ADDITIONAL INFORMATION**

- Original receipt required to calculate 85% filing fee from original applicants.
- Original applicants must pay mailing fees to BTC and submit copy of receipt.
- Any additional information or materials required for filing an appeal must be provided in accordance with the LAMC regulations as specified in the original determination letter. **A copy of the determination/decision letter is required.**
- Acceptance of a complete and timely appeal is based upon successful completion and examination of all the required information.
- **Seven copies and the original appeal are required.**

I certify that the statements contained in this application are complete and true:

Appellant \_\_\_\_\_

**OFFICIAL USE ONLY**

Receipt No. \_\_\_\_\_ Amount \_\_\_\_\_ Date \_\_\_\_\_

Application Received \_\_\_\_\_

Application Deemed Complete \_\_\_\_\_

Copies provided: ☐ Determination ☐ Receipt (original applicant only)

Determination Authority Notified (if necessary) ☐



**Warnecke Michael Carl**

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Phone: (818) 846-3467

September 14, 2006

**Andrew Longoria  
Board of Building and Safety Commissioners  
201 N. Figueroa St.  
Suite 1050  
Los Angeles, California 90012  
Tel. N.-213-482-0471  
Fax No. 213-482-0477**

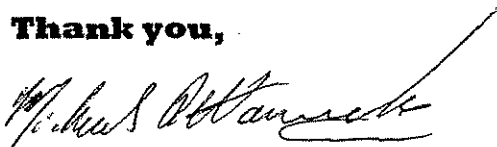
**Dear Mr. Longoria;**

**Re: Staff Report**

**I apologize for not being able to attend your meeting on September 19, due to business obligation. I have read staff report BF# 060084, I agree to all conditions listed in.**

**Marshel Jackson called me back from Streets Services today with Service Request No., SIR 06090737 removal of street barricades.**

**Thank you,**



**Michael Warnecke**

**Warnecke Michael Carl**

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Phone: (818) 846-3467  
September 07, 200

**Council Member Eric Garetti  
C/O Mitch O'Farrell  
City Hall Room 470  
200 N. Spring Street  
Los Angeles, Ca 90012  
Tel No.: 213-473-7013**

**Dear Mr. O'Farrell;**

**Re: Barricade on an open Street at 2006 El Moran St., Los Angeles,  
Ca. 90039**

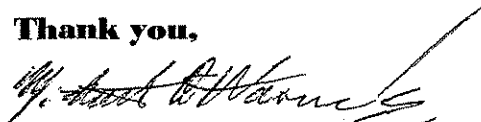
**I am writing this letter on behalf of Herb Pacheco who has retained me as a General Contractor to work on his property at 2006 El Moran St, Los Angeles. The scope of work to be done was to refurbish the garage.**

**My client Mr. Pacheco would like to refurbish the garage to comply with what the city requested. Through my research of the city records it shows as an open Street. I could not find any reason as to whom, when or why the barricades were put on that Street. As far as Street Maintenance or Engineering records are concerned, the street is open.**

**I am requesting at this time that the barricade be removed so that Mr. Pacheco, will have access to his garage/property.**

**Mr. O'Farrell, I would like to have your help on removing barricade by September 18, 2006.**

**Thank you,**

  
**Michael Warnecke**

**Cc: Andrew Longoria**

**Warnecke Michael Carl**

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Burbank, California 91506-2129

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Phone: (818) 846-3467

August 29, 2006

**Andrew Longoria  
Board of Building and Safety Commissioners  
201 N. Figuerga St.  
Suite 1050  
Los Angeles, California 90012**

**Dear Mr. Longoria;**

**On Aug 27, & 28, I spoke with Mr. Steve Perez. He gave me a name of Sean Boswell to call in regards to 2006 El Moran Ave. He had nothing on file for that address. He stated to call Mr. Perez back. I did, and Mr. Perez will look into more information about the street.**

**On Aug 24, I went to the Los Angeles County Assessors office and received copies of what was on file ( ie copies enclosed). They have the house and garage located on lots 21 and 20, Parcel Number 5443-29-31, Block No. 2. The only address on file is 2006 El Moran Ave. Los Angeles,**

**I have spoken with the following people:**

- 1.) Mitch O'Farrell about the street barricade without any luck.**
- 2.) Bruce C. Howell about the barricade results. He has no record of who put them there or information of when it was closed.**
- 3.) Phillip Martinez about any records of closing the street. There are none**
- 4.) Edmund Yu about the street closing. Records show that the street is still an open Street.**

**The correct address for this property is 2006 El Moran Ave., Los Angeles, California. The street was closed approximately ten (10) years ago. With my research, I could not find any reason as to when or why it was closed. As far as Street Maintenance or Engineering records go, the street is open. Mr. Longoria, please help me get the street open to finish the work that the city requested of my client to do.**

**Thank you,**

  
**Michael Warnecke**

Warnecke Michael Carl

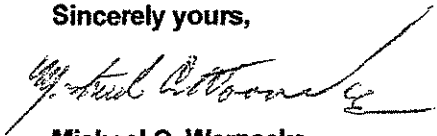
2308 West Verdugo Ave.  
Burbank, California 91506  
Lic. #583479  
Phone: (818) 846-3467  
October 12<sup>th</sup>, 2005

Mr. William M. Larsen  
1645 Corinth Ave.  
Room 209  
West Los Angeles, Ca. 90025

Questions regarding the garage located at 2006 (or 2010) El Moran St, Los Angeles, Ca. 90039

- 1.) Who is to remove the street barricade?
- 2.) Talk with Mitch O'Farrell about whom to talk too help with this problem.
- 3.) Talk with Bruce C. Howell about barricade and have do record of who put it there?
- 4.) Talk with Phillip Martinez about any record of closing the street? None
- 5.) Also Talked to Edmund Yu (yew) about street closing have no record of it.
- 6.) Both Martinez and Yew are from Land Development group and Bureau of Engineering.
- 7.) How do I get the permission to remove barricade so that I can Fix or remodel the garage?
- 8.) Ask for a letter from Elvira Gonzalez, Ladbs to remove barricade or who to talk too?
- 9.) No response at this time.
- 10.) El Moran was barricaded 10 years ago; vandalism accrued to the garage and vehicle over a period of time due to no access to the area in question.

Sincerely yours,



Michael C. Warnecke

10/06/08  
NOTE: 9-2006 MARSHALL JACKSON put in SERVICE  
REQUEST. No. SIR 06090737 to ALLOW ACCESS  
FOR MR. PACHECO'S TO HIS GARAGE. NO ANSWER TO THIS.