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Ref: 74611-0001

February 12, 2018

BY EMAIL

Chair Van Ambatielos Building and Safety Commissioners Board of Building and Safety Commissioners 201 N. Figueroa Street, Rm. 1030 Los Angeles, CA 90012 Attn: Dina Elkinawy (email: dina.elkinawy@lacity.org)

> Re: Board File 170118 10830 Chalon Road, Bel Air Appeal of Building Permits

Dear Chair Ambatielos and Commissioners:

We represent Helen and James Zukin, owners and residents of 800 Tarcuto Way, located directly adjacent to the above-referenced Project and subject to all of its effects. As detailed in the appeal LADBS erred and abused its discretion by (1) failing to substantiate its conclusions with substantial evidence; (2) irrespective of any evidentiary basis, failing even to address two bases for the appeal (failure to obtain a haul route approval and use of an unjustified shrinkage factor); and (3) the LADBS (erroneously) determined the omitted issues fell outside its jurisdiction, failing to follow the procedural requirements of section 12.26-K of the Los Angeles Municipal Code ("LAMC"). As staff failed to follow the required procedures, failed to provide any written basis for its Determination on the majority of appeal points, and **acknowledged errors** in the grading calculations, the Director of Planning (the "Director") has no basis for upholding that Determination and must grant this appeal.

1. The Export Calculations Failed to Account for Brush and Other Materials, Though the LAMC Requires It to Do So.

Among other errors and omissions detailed in the appeal, we described errors in the soil grading and export volumes. Based on our first appeal, LADBS staff requested that the applicant substantiate its soil calculations in light of that appeal, but continued to assert no error, as described above. However, the plain language of section 91.7006.7.1 of the LAMC requires inclusion of material other than soils in export calculations:

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Board of Building and Safety Commissioners February 12, 2018 Page 2

> "As used in this division, the term "export" and its derivatives shall be defined as the *earth*, *brush or similar materials transported from a grading site*. The term "import" and its derivatives shall be defined as earth, brush or similar materials transported to a grading site."

(Emphasis added.) In contravention of these provisions, the calculations of export volumes for the Project—as well as the haul route approval—include only soil. The revised calculations submitted by the applicant purported to include brush, but did not include "other similar materials," such as trees and other vegetation, and conveniently estimated that volume at only 30 cubic yards ("c.y."). As a result, the calculations' stated total of about 970 c.y. enabled the applicant to avoid the process for a haul route approval, as well as any environmental analysis.

However, the Property contains a large quantity of vegetation applicant will remove. As described in a letter report prepared by experienced engineer Larry Gray of Spindler Engineering (the "Spindler Letter," attached hereto as Exhibit "B"), the plant material on the Property represents about 420 c.y. of export. Combined with the approximately 940 cubic yards of export already disclosed, this yields a total volume of *at least 1,300 c.y. of total export material*.

As required by LAMC § 91.7006.7.5, export of more than 1,000 c.y. of material requires issuance of a haul route approval prior to issuance of a building permit. Consequently, issuance of a building permit by LADBS without requiring a haul route permit constitutes a violation of the LAMC.

2. The Board Must Require a Haul Route Approval for The Project.

Here, among other things, the determination by the LADBS failed to provide any evidence concerning some determinations, and failed to consider required materials in export calculations. By failing to do so, the LADBS determination is fundamentally and fatally flawed and must be overturned.

Sincerely,

BENJAMIN M. REZNIK NEILL E. BROWER of Jeffer Mangels Butler & Mitchell LLP

BMR:neb Enclosures: Report of Spindler Engineering cc: Ellia Thompson, Esq.



Exhibit A

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SPINDLER ENGINEERING, INC. 16823 Saticov Street

Van Nuys, California 91406

Telephone (818) 782-2788 FAX (818) 782-0111 E-Mail admin@spindlereng.com

December 6, 2017

Mr. Benjamin Reznik Jeffer Mangels Butler & Mitchell LLP 1900 Avenue of The Stars, 7th Floor Los Angeles, CA 90067

Re: 10830 Chalon Road

Dear Ben,

The following is my evaluation of brush and similar materials that will need to be exported from the subject site in order to complete the construction, which is identified on the Building Permits issued 8/11/17. To evaluate materials other than earth that would be exported from the subject property as defined in Section 91.7006.7 of the Code. I visited the site on December the 4th, took pictures, measured and counted trees and observed brush and other similar materials.

I assume that the site will be developed per the Building Permits that were issued 8/11/17 and as such, the property would require the removal of brush, trees and other similar materials in order to develop per the approved permits.

The following is my conservative evaluation of brush and other similar materials.

- There were two large trees laying on the side of the hill that measured approximately 3 feet in diameter. Based on early photographs of these trees, I would estimate them to be at least 100 feet tall. The calculated volume of these trees would produce approximately 56 cubic yards of material.
- I observed 8 trees with cumulative diameter of 2 feet and approximately 70 feet tall, which would produce approximately 92 cubic yards of material.

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- I observed 15 smaller trees with a cumulative diameter of 1 foot, approximately 50 feet tall which would produce approximately 87 cubic yards of material.
- The property is over 23,000 square feet and contains a home with a relatively small footprint. Conservatively I would say there is at least 10,000 square feet of thick brush and smaller trees in addition to the above. If this brush and smaller trees were ground it would add approximately 6 inches of similar material over the 10,000 square feet, which would equal 185 cubic yards of material.
- This would be the total of brush and similar material of 420 cubic yards.

To be on the conservative side, 1 did not include the heavy brush on the Southeast side of the property since I do not know where the property line is located or if the brush on that property will be removed or not.

If we add the brush and similar material to the earthwork calculations to the 8/11/17 permit, this would be 763 cubic yards of dirt plus 420 cubic yards of brush and similar material, total 1,183 cubic yards total.

To remove the 420 cubic yards of brush and similar material which does not compress like dirt, will take more truck loads than will the dirt. I would assume instead of 10 yards per truck load you may only get approximately 7 yards per truck load. This would add 60 additional truck loads to the haul route.

Sincerely,

Jangen

Larry G. Gray SPINDLER ENGINEERING, INC.

LGG:sd



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Exhibit B

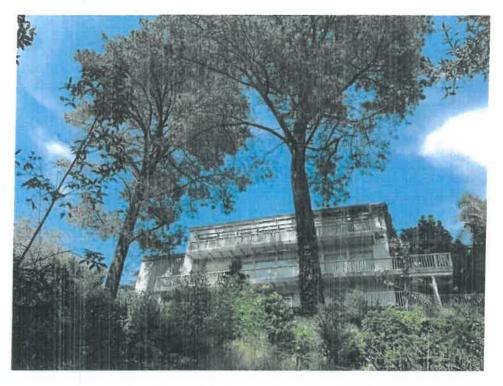
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Photograph 1: Oblique aerial view of the Property, showing the dense vegetation and two large Canary Island pines, prior to their felling.



Photograph 2: Alternate view of the large Canary Island Pine trees.



Photograph 3: Alternate view of the large Canary Island Pine trees, prior to felling.



Photograph 4:

Close-up of one of Canary Island pines after felling. Note the diameter of the trunk relative to the fence height.

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Photograph 5:

Other trees and dense vegetation on the Property, all of which will require removal and hauling.



Photograph 6:

Dense vegetation, brush, and one of the garden walls on the Property, all of which will require removal and hauling.



Photograph 7:

Dense vegetation on the Property, all of which will require removal and hauling.

City of Los Angeles REPORT ON APPEAL FROM DETERMINATION OF SUPERINTENDENT OF BUILDING REFERRED TO THE BBSC WITHOUT RECOMMENDATION FROM THE COMMISSION STAFF

DEPARTMENT STAFF: DINA ELKINAWY

OWNER:

HHP Investments LP P.O. Box 762 Beverly Hills, CA 90213

PETITIONER:

Matthew Kinks, Esq. Representing James and Helen Zukin 800 Tarcuto Way Los Angeles, CA 90077 BOARD FILE: 170118 C.D.: 5 (Councilmember P. Koretz) PLANNING AREA: Bel Air - Beverly Crest OCCUPANCY: R-3/U TYPE: V-B STORIES: Three FIRE DISTRICT: VHFHSZ ZONE: RE20-1-H-HCR STATUS: Issued BUREAU/DIV.: Permit and Engineering/ Plan Check DISTRICT OFFICE: West Los Angeles PRIOR BOARD ACTION: No ORDER: No

JOB ADDRESS: 10830 WEST CHALON ROAD

EXHIBITS:

EXHIBIT A	ZIMAS Parcel Profile Report with vicinity map
EXHIBIT B	Grading Permit No. 16030-10000-08055 for grading work for three-Story
	single family dwelling with basement, and swimming pool
EXHIBIT C	Grading Permit No. 16030-10001-08055 for revised grading quantities to
	Grading Permit No. 16030-10000-08055
APPENDIX A	Appeal package submitted by the appellants
APPENDIX B	DBS-170117-DCP

REQUEST:

Determine that the Department of Building and Safety (LADBS) erred or abused its discretion by issuing Grading Permit No. 16030-10000-08055 under Plan Check No. B16LA17139 and by not revoking the permit that will result in net export in excess of 1,000 cubic yards, thus requiring a haul route.

REFERRED TO THE BBSC WITHOUT RECOMMENDATION FROM THE COMMISSION STAFF. THE POSITION OF THE DEPARTMENT WHEN AN APPEAL REGARDING ERROR OR ABUSE OF DISCRETION IS BROUGHT FORTH TO THE BOARD OF COMMISSIONERS, WILL ALWAYS UNEQUIVOCALLY BE THAT IT DID NOT COMMIT AN ERROR NOR ABUSED ITS DISCRETION IN THE ACTION APPEALED, OTHERWISE THAT ACTION WOULD HAVE BEEN CORRECTED AND THE APPEAL WITHDRAWN.

BACKGROUND:

The subject of this appeal centers on the permit for the grading for a three-story single family dwelling with a basement, and swimming pool located in the Bel Air - Beverly Crest Community Planning Area. LADBS issued Grading Permit No. 16030-10000-08055 (subject permit) under Plan Check No. B17LA17139 on August 11, 2017.

DISCUSSION:

The appellant alleges that the grading permit was issued in error for the reason that the export will exceed 1,000 cubic yards, requiring a haul route per the 2017 Los Angeles Building Code (LABC) section 7006.7.5.

The following is the specific issue identified in the appellants' appeal (APPENDIX A) and the Los Angeles Department of Building and Safety's corresponding responses. The remaining issues indicated in the appellant's package are addressed in the LADBS written determination in the Department of City Planning Case DBS-170117-DCP (APPENDIX B).

Issue No. 1:

"The project will result in net export in excess of 1,000 cubic yards thus requiring a haul route."

LADBS Response to Issue No. 1:

The subject grading permit was issued on August 11, 2017 (Exhibit B) for the export of 763 cubic yards. The permit and submitted grading plans indicated that 4,174 cubic yards will be excavated as cut, 3,411 cubic yards will be compacted as fill and used on the project site, and the remaining 763 cubic yards will be exported from the project site.

The appellant filed the appeal with LADBS on August 24, 2017 which asserts that the quantity of brush to be exported from the site was not included in the grading quantity per the subject grading permit. As a result, LADBS contacted the applicant and requested further detailed calculations for the grading quantity to include shrinkage and bulk factors, and brush to be removed from the project site.

The applicant then submitted revised grading calculations to LADBS on November 28, 2017 under Supplemental Grading Permit No. 16030-10001-08055 (Exhibit C). The grading quantities were revised to include 30 cubic yards of brush, 19.25% shrinkage factor applied to alluvium fill, 5% bulking factor applied to bedrock cut used as fill, and 15% bulking factor applied to bedrock cut used as export. The revised export quantity amounts to 970 cubic yards, which is below the 1000 cubic yard threshold to require a haul route per LABC section 7006.7.5. LADBS deemed the revised grading calculations sufficient and Supplemental Grading Permit No. 16030-10001-08055 (Exhibit C) was issued on December 13, 2017.

CONCLUSION:

LADBS reviewed and approved the Supplemental Grading Permit No. 16030-10001-08055 for the revised grading quantities that totaled an export of 970 cubic yards.

During the plan check process and after permit issuance, LADBS properly complied with all department regulations, policies, and requirements of the LABC, and as a result, did not err or abuse its discretion by not revoking Grading Permit No. 16030-10000-08055.

FRANK BUSH General Manager Superintendent of Building

Dina Elkinawy, P.E. Staff Engineer, Commission Office

CODE:

SECTION 101: TITLE, PURPOSE, AND SCOPE

101.1 Title. This article shall be known as the *Los Angeles Building Code* or *Building Code* or LABC, a portion of the *Los Angeles Municipal Code* (LAMC), and wherever the word Code is used in this article it shall mean the *Los Angeles Building Code*. Article 1.5 of Chapter IX of the LAMC shall collectively be known as the *Los Angeles Residential Code* or LARC. The provisions of the LARC for one- and two-family dwellings shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress and their accessory structures. In addition to the LARC, Sections of Chapters 1, 11A, 11B, 17, 34, 63, 67, 70, 71, 72, 81, 89, 92, 93 and 96, and Section 3109 of the LABC, shall also be applicable to one- and two-family dwellings and townhouses unless stated otherwise.

101.2 Purpose. The purpose of this article is to safeguard life, limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures erected or to be erected within the city, and by regulating certain grading operations within the city.

SECTION 104: ORGANIZATION AND ENFORCEMENT

104.2. Powers of the department and duties of the Superintendent of Building.

104.2.1 General. The powers of the department are enumerated in LAMC Section 98.0403.1. The Superintendent of Building shall have the duty to render interpretations of this code and to adopt and enforce rules and supplemental regulations to clarify the application of its provisions. These interpretations, rules and regulations shall be in conformance with the intent and purpose of this code. The Superintendent of Building shall classify every building into one of the occupancies set forth in Chapter 3 according to its use or the character of its occupancy. The Superintendent of Building shall also classify every building into one of the types of construction set forth in Chapter 6.

104.2.4. Authority to stop work. Whenever any construction work is being done contrary to the provisions of any law or ordinance enforced by the department, the department shall have the authority to issue a written notice to the responsible party to stop work on that portion of the work on which the violation has occurred. The notice shall state the nature of the violation and no work shall be done on that portion until the violation has been rectified and approval obtained from the department.

104.2.5 Authority to stop use or occupancy. Whenever any portion of a building is loaded in excess of the loading for which it was constructed, or whenever it houses an occupancy other than that for which it was constructed, or whenever there is an encroachment upon any required court or yard, the department shall have the authority to order by written notice that such

violation be discontinued. The written notice shall state the nature of the violations and shall fix a time for the abatement thereof. If the violations have not been abated by the expiration of the fixed time, the Certificate of Occupancy shall thereupon be canceled.

106.1. Permits required.

106.1.1. Building permits. No person shall erect, construct, alter, repair, demolish, remove or move any building or structure, nor shall any person commence any liquid washing, compressed air cleaning or steam cleaning of exterior surfaces of any building unless said person has obtained a permit from the department. A separate permit shall be obtained for each separate building or structure except that a group of temporary structures erected on one site for a limited period of time may be included on one permit.

106.3 Permit applications.

106.3.2.6 Stamped plans on job. The stamped set of plans and specifications issued to the applicant shall be kept at the site of the construction or work and shall be available to the authorized representative of the department. There shall be no deviation from the stamped or approved application, plans or specifications without department approval.

106.4 Permits issuance.

106.4.2 Retention and maintenance of approved plans.

106.4.2.1 Retention of plans. The duplicate plans and specifications of every building or structure shall be stamped and retained by the department during the life of such building.

Exception: Plans for the following need not be maintained, except where required by the department:

- 1. Single or multiple dwellings in non-hillside areas which are not part of a common interest development (as defined in Section 1351(c) of the *Civil Code of California*), and not more than two stories and basement in height.
- 2. Garages and other structures appurtenant to buildings described in Item 1 of this exception.
- 3. Farm or ranch buildings.
- 4. Any one-story building where the span between bearing walls does not exceed 25 feet (7620 mm). This exception does not, however, apply to a steel-frame or concrete building.
- 5. Alterations to commercial buildings, apartments and hotels which do not require the signature of a licensed civil or structural engineer or architect.

106.4.5.4. Sections 91.106.4.5.1, 91.106.4.5.2 and 91.106.4.5.3 shall not apply to a building or structure as described in 91.106.4.5.1 that is the subject of a pending zoning application for a specific plan filed prior to the effective date of this ordinance. In the event a specific plan for such property is not approved within 3 years from the effective date of this ordinance, such property shall be required to comply with the provisions of Sections 91.106.4.5.1, 91.106.4.5.2 and 91.106.4.5.3. Insofar as the provisions of Sections 91.106.4.5.1, 91.106.4.5.2 and 91.106.4.5.3 are different than or in conflict with the provisions of a specific plan, the provisions of the specific plan shall govern.

106.4.5.5. Sections 91.106.4.5.1, 91.106.4.5.2 and 91.106.4.5.3 shall not apply to a building or structure as described in 91.106.4.5.1 that will be demolished as part of a project that was subject to California Environmental Quality Act review and for which the corresponding discretionary project approval was issued prior to submittal of the application for demolition preinspection.

106.4.8 Construction site notice.

106.4.8.1 Contents. Any person who obtains the following types of permits shall post a notice, as described below, at the construction site:

- 1. Permit for new structures, except signs,
- 2. Permit for additions to existing buildings,
- 3. Change of use or occupancy permit,
- 4. Demolition permit,
- 5. Relocation permit,
- 6. Swimming pool permit, or
- 7. Grading permit.

The notice shall be on a form entitled "Construction Site Notice" provided by the department and shall include the following information: job site address, permit number, name and phone number of the contractor and owner or owner's agent, hours of construction allowed by code or any discretionary approval for the site, and city telephone numbers where violations can be reported.

106.4.8.2 Location. The notice shall be posted and maintained at the construction site and displayed in a location that is readily visible to the public and approved by the department.

106.4.8.3 Maintenance of notice. The notice shall be displayed after issuance of the permit and prior to the start of construction. The notice shall be displayed continuously during the process of construction until all the work authorized by the permit is inspected and approved by the department. All contact information on the notice, including telephone numbers, shall be correct and maintained current. Failure to display this notice may result in withholding of inspections by the department.

SECTION 110: RESPONSIBILITY OF PERMITTEE

Building permits shall be presumed to incorporate the provision that the applicant, the applicant's agent, employees or contractors shall carry out the proposed work in accordance with the approved plans and with all requirements of this code and any other laws or regulations applicable thereto, whether specified or not. No approval shall relieve or exonerate any person from the responsibility of complying with the provisions and intent of this code.

SECTION 98.0403.1: POWERS OF THE DEPARTMENT AND THE BOARD

(a) Powers of the Department.

- 1. The department is granted the power to enforce all ordinances and laws relating to the construction, alteration, repair and demolition, or removal of buildings or structures in the city, and to the installation, alteration, repair, use, and operation of all heating, plumbing, lighting, ventilating, refrigerating, electrical and mechanical appliances and equipment in those buildings or structures.
- 2. The department is granted the power to enforce all ordinances and laws relating to the construction, alteration, repair, removal or installation of elevators, escalators, console and/or stage lifts, incline cars, manlifts, manhoists, steam boilers, pressure vessels and all connections and appurtenances pertaining to their proper functioning.
- 3. The department is granted the power to enforce the zoning ordinances of the city.
- 4. The department shall have the power and duty to enforce all ordinances and laws relating to grading and control of excessive dust emission.
- 5. The department shall have the power and duty to enforce all portions of the Rules and Regulations of the State Fire Marshal which relate to the construction, alteration, repair, demolition, or removal of buildings, or structures, and to the use and operation of all heating, plumbing, lighting, ventilating, refrigerating, electrical, and mechanical appliances therein. Provided, however, that no application for modification of specific provisions of the Rules and Regulations of the State Fire Marshal shall be granted by the department, unless and until such application shall be first submitted to the Chief Engineer of the Fire Department or his representative for report and recommendation with respect thereto.
- 6. The department shall have the power to enforce those building regulations mandated by State or Federal law to be enforced by the local building department or building official.
- 7. The department shall have the power to enforce States laws relating to buildings, structures and construction activities provided the authority to do so has been allowed or granted by the State and the department has determined to undertake such enforcement.
- 8. The department shall have the power to enforce other ordinances and laws when designated to do so by law.

- 9. In the exercise of the powers enumerated in this subsection, the department shall have the power to apply the building ordinances of the city (Chapter 9 of the code) and those building regulations mandated by State law to be enforced by the local agency, building department or building official to buildings and structures containing one or more air space lots as defined in Chapter 1, Article 2, of the code so as to treat the entirety of such buildings or structures as if they were on or within a single lot, provided:
 - i. That such buildings or structures or portions thereof would otherwise conform to such ordinances and regulations, but for the creation of such air space lots; and
 - ii. That a covenant and agreement, in a form designed to run with the land and satisfactory to the department be recorded with the Office of the County Recorder and a copy filed with the department by the owners binding themselves and future owners and assigns to keep, preserve and maintain all portions of such buildings or structures in accordance with and pursuant to such building ordinances and regulations.
- 10. The department shall have the power to hear and act upon requests for slight modifications in individual cases to the building ordinances of the city, and regulations under Articles 1 through 8 of Chapter IX of the Los Angeles Municipal Code. In granting a request for a slight modification, the department shall determine that the slight modification is reasonably equivalent to the ordinance requirement involved, that a special individual reason makes the strict letter of the ordinance impractical and that the slight modification is in conformity with the spirit and purpose of the code or codes involved.
- 11. The department shall have the power to hear and determine requests for slight modifications for individual cases in the yard area requirements of the zoning ordinance, provided that in each such modification, the Superintendent shall first find that a special, individual reason makes the strict letter of the ordinance impractical and that the modification is in conformity with the spirit and purpose of the ordinance involved. Any action granting a modification shall be recorded and entered in the files of the department.

For structures and additions constructed after January 1, 1995, slight modifications from the yard requirements shall be limited to deviations permitting portions of buildings to extend into a required yard or other open space a distance of not to exceed 20 percent of the width or depth of such required yard or open space. However, for structures and additions existing prior to January 1, 1995, slight modifications may be granted for yard deviations slightly over 20 percent.

Except as expressly provided herein, the Superintendent of Building shall not grant deviations from the lot area, height, or density requirements. Further, the Superintendent shall not grant deviations from the yard requirements relating to the height of fences and walls, or including those for tennis or paddle tennis courts and other game courts.

If the yard regulations cannot reasonably be complied with or it is difficult to determine their application on lots of peculiar shape or location, then the regulations may be modified or determined by the Superintendent of Building. The Superintendent may also waive all or part of the required loading space on unusually shaped lots, oddly located lots, or hillside lots, when such space cannot reasonably be provided or utilized.

Requests for yard modifications as provided in this subsection shall be made in accordance with the procedures established in Section 98.0403.2 of the *Los Angeles Municipal Code*.

12. The department shall have the power to enforce any administrative nuisance abatement determination made by the Zoning Administrator, former Board of Zoning Appeals, City Planning Commission, Director of Planning or City Council. There shall be no administrative appeal to any City official or Board from such an enforcement action by the Department.

(b) Powers of the board.

1. The board shall have the power to hear and act upon appeals filed by any person aggrieved by the department requesting a slight modification under this section, except for those actions permitted in subsection (a)11.

If the board grants a slight modification on appeal, then the board shall make the same findings as required by the department when acting on a slight modification.

2. The board shall have the power to hear and determine appeals from orders, interpretations, requirements, determinations, or actions of the department pertaining to enforcement of specific ordinances, regulations, or laws in site-specific cases. These appeals shall state how the department has erred or abused its discretion in the matter of the appeal. The department shall provide the board with a written report on the appeal. The department, however, may reverse or modify the action appealed at any time prior to final action by the Commission. The board shall hear and make its determination on the appeal no later than the 30th calendar day after the appeal is heard.

Notwithstanding the above, the board shall have no authority to hear and determine appeals from orders, interpretations, requirements, determinations, or actions of the department pertaining to enforcement of specific ordinances, regulations, or laws contained in Chapter I of this code and in other land use ordinances. Any appeal concerning these requirements shall be made to the Director of Planning in accordance with the provisions set forth in Section 12.26 K.

The department shall maintain a file of requests from individuals or groups who wish to be notified of certain determinations on individual job addresses. These requests shall be submitted to the department in writing and shall specify the subject job address, and the address and telephone number where they wish to be notified. The request shall be in force until the end of the calendar year in which the request is filed and the request may be renewed at any time during the subsequent calendar year. The department shall provide a copy of board agendas by U.S. mail to individuals or groups who wish to receive them. The mailing of agendas shall be maintained by a yearly subscription fee of \$50.00. A subscription fee of \$25.00 will be charged if there is less than six months remaining in the calendar year. Fees for individual and/or mail requests for copies of board agendas and other documents shall be as set forth in Los Angeles Administrative Code Sections 12.31 and 12.32.

- 3. The board shall have the power to act in other situations as provided by ordinance or law.
- 4. The board shall have the power to refuse to hear an appeal if the board determines that the appeal is basically a restatement of a previous appeal on the same job and no substantial additional justification has been presented by the appellant.
- 5. The power of the board shall not include the right to hear and act upon any of the following:
 - i. An appeal from the department's action on a request for a slight modification, an appeal of a legitimate department order or an appeal objecting to the department's determination, if such appeal is:
 - a) Filed on or after the date a citation is issued charging a person with a violation of the code or any other ordinance or law enforced by the department, and the appeal in any way involves the citation issuance, an arrest associated with the citation issuance, or the facts or code issues underlying the citation issuance.
 - b) Filed on or after evidence of a violation of the code or any other ordinance or law enforced by the department is presented to and accepted by the City Attorney for criminal prosecution.

If an appeal or request for a slight modification is not filed with 15 days after the department's action on the violation, the action and/or determination of the department shall be final.

- ii. An appeal in violation of limitations placed upon the board's powers as specified in other ordinances, regulations, or law.
- iii. Repealed.
- iv. If the board or Superintendent determines that an appeal or request for a slight modification, filed with the board, relates to department enforcement of laws or access to public accommodations and housing by the physically handicapped, then the matter shall be referred to the Handicapped Access Appeals Commission for its action. The board's jurisdiction shall not include the right to hear appeals from or otherwise review any action, order, or determination of the Handicapped Access Appeals Commission.

- v. An appeal dealing with financial, personnel, or administrative issues or other similar matters.
- vi. An appeal seeking relief from any nuisance abatement determination or enforcement decision of the department relating to any administrative nuisance abatement determination made by the Zoning Administrator, former Board of Zoning Appeals, City Planning Commission, Director of Planning or City Council.

SECTION 98.0403.2 PROCEDURES FOR APPEALS TO THE DEPARTMENT AND TO THE BOARD

(a) Appeals to the department under power granted in section 98.0403.1.

- 1. Such appeals shall be made in writing, upon appropriate forms provided therefor by the department.
- 2. An appeal processing fee of \$130.00 for the first item and \$39.00 for each additional item shall be paid by the appellant prior to the department processing the appeal and making a determination. In addition to the appeal processing fee required by this subdivision, an inspection fee of \$84.00 per inspection shall be paid by the appellant when, in the opinion of the department, the appeal requires a field inspection to verify site conditions. Miscellaneous fees are provided for in Section 98.0415(f) may be collected to prepare a written report.

An additional inspection fee as described in Section 98.0412(a) may be charged by the department for each inspection necessary to verify compliance with the conditions established by the determination of the department.

Exceptions:

- A. No appeal fee shall be required on any appeal from an order arising from an areawide survey, conducted by the department, of buildings used for one family housing, if the work required to bring the unit into compliance with the *Los Angeles Municipal Code* is the same as specified in the order.
- B. No appeal fee shall be required for any appeal on a child-care facility if the owner or operator is a nonprofit child-care organization that has filed a notarized affidavit to that effect with the department.
- 3. If the Superintendent determines that an item of request involves a material, device or method of construction appropriate for a General Approval under Section 98.0501 of the Los Angeles Municipal Code, such request shall be accompanied by a filing fee of \$165.00 for each request submitted which includes such item. A supplemental fee as specified in Section 98.0501(b)4 shall be charged to cover processing time in excess of

one hour. If the department determines that the material submitted with the appeal request substantiates the claim made therein, and no request to hold a hearing is pending the department may grant a conditional approval of such request.

- 4. In any appeal the appellant making the request shall cause to be made, at the appellant's own expense, any tests required by the department to substantiate the claims therein.
- 5. The department may hold any hearings it deems appropriate to consider the appeal.

(b) Appeals to the board under the power granted by section 98.0403.1 (b).

- 1. Such appeals shall be made in writing, upon appropriate forms provided therefor by the department.
- 2. Appeals shall be accompanied by a filing fee based upon the subject of the request as set forth in Tables 4-A or 4-B of this division.

Exceptions:

- A. No filing fee shall be required on any appeal from an order arising from an area-wide survey, conducted by the department, of buildings used for one family housing, if the work required to bring the unit into compliance with the *Los Angeles Municipal Code* is the same as specified in the order.
- B. No filing fee shall be required for any appeal on a child care facility if the owner or operator is a nonprofit child care organization that has filed a notarized affidavit to that effect with the department.
- 3. If the board determines that evidence is required to be taken or that further investigation is necessary to decide any such appeal, the board may refer the matter to a hearing examiner for hearing and report in accordance with provisions of Charter Section 217 or to an ordinance-established advisory board, or may refer the matter to the department for further investigation and report, whichever the board deems most appropriate.
- 4. In any appeal, the appellant or person making such request shall cause to be made, at the appellant's own expense, any tests required by the board to substantiate the claims therein.
- 5. In addition to any other appeal fees required by this subsection, each appeal shall be accompanied by an inspection fee of \$84.00 per inspection when, in the opinion of the department, the appeal requires a field inspection to verify site conditions. The department may charge an additional inspection fee as specified in Section 98.0412(a) for each inspection necessary to verify compliance with the conditions established by the board in any approval or conditional approval.
- 6. Miscellaneous fees as provided for in Section 98.0415 (f) may be collected to prepare a written report.

SECTION 98.0603: EXPIRATION OF PLAN CHECK

If a permit is not secured within 18 months after plans have been filed for checking such plan check shall expire and no permit shall be issued until the plans are rechecked and approved and a new plan check fee paid.

Exception: The department or the board may grant extensions of time if a permit applicant submits in writing sufficient evidence that unusual conditions or circumstances precluded the securing of the permit within the allocated time.

CHAPTER I: GENERAL PROVISIONS AND ZONING

SEC. 11.00. PROVISIONS APPLICABLE TO CODE.

(L) In addition to any other remedy or penalty provided by this Code, any violation of any provision of this Code is declared to be a public nuisance and may be abated by the City or by the City Attorney on behalf of the people of the State of California as a nuisance by means of a restraining order, injunction or any other order or judgment in law or equity issued by a court of competent jurisdiction. The City or the City Attorney, on behalf of the people of the State of California, may seek injunctive relief to enjoin violations of, or to compel compliance with, the provisions of this Code or seek any other relief or remedy available at law or equity. (Amended by Ord. No. 177,103, Eff. 12/18/05.)

Violations of this Code are deemed continuing violations and each day that a violation continues is deemed to be a new and separate offense and subject to a maximum civil penalty of \$2,500 for each and every offense.

As part of any civil action, the court may require posting of a performance bond to ensure compliance with this Code, applicable state codes, court order or judgment.

(M) It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code, shall be guilty of a misdemeanor unless that violation or failure is declared in this Code to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor, may be charged by the City Attorney as either a misdemeanor or an infraction.

Every violation of this Code is punishable as a misdemeanor unless provision is otherwise made, and shall be punishable by a fine of not more than \$1,000.00 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment.

Every violation of this Code that is established as an infraction, or is charged as an infraction, is punishable by a fine as set forth in this Code section, or as otherwise provided in this Code, not to exceed \$250.00 for each violation.

As an alternative enforcement method that may be used in the sole discretion of the City, violations of this Code may be addressed through the use of an Administrative Citation as set forth in <u>Article 1.2 of Chapter 1</u> of this Code. The administrative fines prescribed by <u>Chapter 1</u>, <u>Article 1.2</u> may be sought in addition to any other remedy, including, but not limited to, criminal remedies, injunctive relief, specific performance, and any other remedy provided by law. The remedies provided by <u>Chapter 1</u>, <u>Article 1.2</u> of this Code are cumulative to those prescribed by this Code or other applicable law and are not exclusive. (Added by Ord. No. 182,610, Eff. 8/2/13.)

Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this Code is committed, continued or permitted by that person, and shall be punishable accordingly.

SEC. 12.26. DEPARTMENT OF BUILDING AND SAFETY.

K. Appeals from Building Department Determinations. (Amended by Ord. No. 175,428, Eff. 9/28/03.)

1. **Right of Appeal.** The Director of Planning shall have the power and duty to investigate and make a decision upon appeals from determinations of the Department of Building and Safety where it is alleged there is error or abuse of discretion in any order, interpretation, requirement, determination or action made by the Department of Building and Safety in the enforcement or administration of <u>Chapter I</u> of this Code and other land use ordinances in site-specific cases. This provision shall not apply to requests for extensions of time to comply with any order issued by the Department of Building and Safety. An appeal to the Director of Planning may only be made after the Department of Building and Safety has rendered a decision in writing and provided written justification and findings on an appeal made pursuant to Section <u>98.0403.2</u>(a) of the Code.

Appeals may be filed by any aggrieved person or by any officer, board, department or bureau of the City at the public counter of the Department of City Planning. The filing of an appeal stays, with respect to that site, all enforcement proceedings and actions pertaining to <u>Chapter I</u> of this Code and other land use ordinances pending the Director's decision. However, the filing of an appeal will not prevent the issuance of a building permit or performance of work authorized by the permit when all Code and other land use requirements have been met to the satisfaction of the Department of Building and Safety, and only after consideration of the issues set forth in the appeal to the Department of Building and Safety made pursuant to Section <u>98.0403.2</u>(a). In no case shall the filing of an appeal delay enforcement proceedings or actions related to the abatement of imminent life safety hazards.

2. Filing of an Appeal. The appeal shall be filed at the public counter of the Department of City Planning on a form prescribed by the Department within 15 days after the

Department of Building and Safety has rendered a decision in writing providing justification and findings on the issues set forth in the appeal made pursuant to Section 98.0403.2(a). The appeal to the Director must be accompanied by a written copy of the decision of the Department of Building and Safety, and any written copy of the underlying order, interpretation, requirement, determination or action taken on the matter by the Department of Building and Safety. The appellant shall set forth specifically how there was error or abuse of discretion in the action of the Department of Building and Safety. Each appeal shall be accompanied by a filing fee as specified in Section <u>19.01</u> B. of this Code. (Last Sentence Amended by Ord. No. 181,141, Eff. 5/16/10.)

- 3. **Procedure.** Upon receipt of an appeal in the Department of City Planning, the Department shall notify the owner of the subject property of the filing of the appeal. The Director shall investigate the matter. The Director shall set the matter for hearing if it is likely to be controversial. Notice shall be by mail, shall state the time, place and purpose of the hearing at which evidence will be taken and shall be sent to the applicant, appellant, the Department of Building and Safety, owners of all properties abutting, across the street or alley from, or having a common corner with the subject property, and to all persons known to have an interest in the matter. The Department shall mail the notice at least 15 days prior to the hearing.
- 4. Decision. The Director shall make his or her decision within 75 days after the expiration of the appeal period or within an extended period mutually agreed upon in writing by the applicant and the Director. The Director shall determine whether there was error or abuse of discretion by the Department of Building and Safety. The Director shall place a copy of the findings and decision in the file in the City Planning Department, and furnish a copy of the decision to the applicant, appellant, the Department of Building and Safety, owners of all properties abutting, across the street or alley from, or having a common corner with the subject property, and to all persons known to have an interest in the matter. The Director, as part of the determination, shall make a finding regarding whether the matter may have a Citywide impact. The Director shall find that there is no Citywide impact if the matter concerns only the use of the specific property, or circumstances or issues connected with other zoning matters which are unique to the affected site and would not generally apply to other sites in the City, or would not result in changes in the application of <u>Chapter I</u> of this Code and other land use ordinances to other sites.
- 5. Effective Date of Decision. A decision by the Director becomes final and effective upon the close of the 15 day appeal period, if no further appeal is made.
- 6. **Appeals of Director's Decision.** An applicant or any other person aggrieved by a decision of the Director may appeal that decision to the City Planning Commission on a matter that the Director found may have a Citywide impact, or may appeal to the Area Planning Commission if the Director found the matter may not have a Citywide impact.

An appeal shall set forth specifically the points at issue, the reasons for the appeal, and the basis upon which the appellant claims there was error or abuse of discretion by the Director. The appeal shall be filed within 15 days of the date of mailing of the initial

decision on forms provided by the Department. Any appeal not filed within the 15 day period shall not be considered by the Area Commission or the City Planning Commission. The filing of an appeal stays, with respect to that site, all enforcement proceedings and actions pertaining to <u>Chapter I</u> of this Code and other land use ordinances until a decision by the Area Planning Commission or the City Planning Commission, except as set forth in Subdivision 1. above. Once an appeal is filed, the Director shall transmit the appeal and the file to the Area Planning Commission or the City Planning Commission. At any time prior to the action by the Area Planning Commission or the City Planning Commission on the appeal, the Director shall submit any supplementary pertinent information as he or she deems necessary or as may be requested by the Area Planning Commission or the City Planning Commission.

- 7. Appellate Decision Public Hearing and Notice. Upon receipt of the appeal, the Area Planning Commission or the City Planning Commission shall set the matter for a hearing at which the Commission shall take evidence. Notice of the hearing shall be by mail, shall state the time, place and purpose of the hearing and shall be sent to the appellant, the applicant, the owner or owners of the property involved, the Director of Planning, the Department of Building and Safety, and any other interested party who has requested in writing to be notified. Notice shall be mailed at least 24 days prior to the hearing. When considering an appeal from the decision of the Director, the Area Planning Commission or the City Planning Commission shall make its decision setting forth how there was error or abuse of discretion by the Director.
- 8. Time for Appellate Decision. The Area Planning Commission or the City Planning Commission shall act within 75 days after the expiration of the appeal period or within any additional period as may be agreed upon in writing by the applicant and the Area Planning Commission or the City Planning Commission. The failure of the Area Planning Commission or the City Planning Commission to act within this time period shall be deemed a denial of the appeal from the Director's action.
- 9. Appellate Decision. In considering an appeal, the Area Planning Commission or the City Planning Commission shall be subject to the same limitations as are applicable to the Director under Subdivision 1. above.
- 10. **Procedures and Effective Date of Appellate Decision.** If the Area Planning Commission or the City Planning Commission makes a decision on an appeal pursuant to this section, the appellate decision shall be final and effective as provided in Charter Section<u>245</u>.

EXHIBIT A

P. O. BOX 762

Family Residence

0.600 (ac)

BEVERLY HILLS CA 90213

0100 - Residential - Single



PROPERTY ADDRESSES 10830 W CHALON ROAD

ZIP CODES 90077

RECENT ACTIVITY

DIR-2015-1244-EAF ENV-2014-962-EAF DIR-2017-4247-BSA

CASE NUMBERS

CPC-2016-4087-ZC CPC-2016-4085-CA CPC-1986-829-GPC CPC-1965-18760 ORD-184828 ORD-184827 ORD-183497 ORD-167564-SA3630 ORD-132416 ORD-129279 ORD-128730 ENV-2016-4086-ND

Address/Legal Information 141B149 158 **PIN Number** Lot/Parcel Area (Calculated) 23,376.9 (sq ft) **Thomas Brothers Grid** PAGE 591 - GRID J7 Assessor Parcel No. (APN) 4369022002 TR 9745 Tract Map Reference M B 141-93/96 BLK 1 Block 3 Lot Arb (Lot Cut Reference) 1 141B149 Map Sheet Jurisdictional Information Community Plan Area Bel Air - Beverly Crest Area Planning Commission West Los Angeles Neighborhood Council Bel Air - Beverly Crest **Council District** CD 5 - Paul Koretz Census Tract # 2621.00 LADBS District Office West Los Angeles Planning and Zoning Information Special Notes None Zoning RE20-1-H-HCR Zoning Information (ZI) ZI-2467 HCR Hillside Construction Regulation Supplemental Use District

City of Los Angeles Department of City Planning

11/6/2017 PARCEL PROFILE REPORT (modified version)

ZI-2462 Modifications to SF

Address

	Zones and SF Zone Hillside Area Regulations	
	ZI-2438 Equine Keeping in the City of Los Angeles	APN Area (Co. Public Works)*
General Plan Land Use	Very Low I Residential	Use Code
General Plan Note(s)	Yes	Assessed Land Val.
Hillside Area (Zoning Code		Assessed Improvemen
Specific Plan Area	None	Last Owner Change
Subarea	None	Last Sale Amount
Special Land Use / Zoning	None	Tax Rate Area
Design Review Board	No	Deed Ref No. (City Cle
Historic Preservation Review	No	
Historic Preservation Overlay Zone	None	
Other Historic Designations	None	
Other Historic Survey Information	None	
Mills Act Contract	None	
CDO: Community Design Overlay	None	
CPIO: Community Plan Imp Overlay	. None	Building 1
Subarea	None	Year Built
CUGU: Clean Up-Green Up	None	Building Class
NSO: Neighborhood Stabilization Overlay	No	Number of Units Number of Bedrooms
POD: Pedestrian Oriented Districts	None	Number of Bathroom Building Square Foot
SN: Sign District	No	Building 2
Streetscape	No	Building 3
Adaptive Reuse Incentive Area	None	Building 4
Ellis Act Property	No	Building 5
Rent Stabilization Ordinance (RSO)	No	Additional Information Airport Hazard
Transit Oriented Communities (TOC)	Not Eligible	
CRA - Community Redevelopment Agency	None	Coastal Zone
Central City Parking	No	Farmland
Downtown Parking	No	Urban Agriculture Incenti Zone
Building Line	None	
500 Ft School Zone	No	Very High Fire Hazard Severity Zone
500 Ft Park Zone	No	Fire District No. 1
Assessor Information	THE STREET WATER AND	Flood Zone
Assessor Parcel No. (APN)	4369022002	Watercourse
Ownership (Assessor)		Hazardous Waste / Borde
Owner1	HHP INVESTMENTS LP	Zone Properties
Address	0 PO BOX 762 BEVERLY HILLS CA 90213	Methane Hazard Site
Ownership (Bureau of Engineering, Land Records)		High Wind Velocity Areas Special Grading Area (BC
• • •	HHP INVESTMENTS, L. P.	Basic Grid Map A-13372) Oil Wells

sessed Land Val. \$2.762.525 sessed Improvement Val. \$990.754 st Owner Change 07/03/2012 st Sale Amount \$9 x Rate Area 67 ed Ref No. (City Clerk) 988669 653130 566977 42000 4-767 4-445 3171011-12 1589318-19 1044390 1009200-1 Iding 1 Year Built 1950 Building Class D9B Number of Units 1 Number of Bedrooms 3 Number of Bathrooms 5 Building Square Footage 2,708.0 (sq ft) ding 2 No data for building 2 ding 3 No data for building 3 ding 4 No data for building 4 ding 5 No data for building 5 itional Information ort Hazard 1010' Height Limit Above Elevation 747 980' Height Limit Above Elevation 747 stal Zone None nland Area Not Mapped in Agriculture Incentive No High Fire Hazard Yes erity Zone District No. 1 No d Zone None ercourse No ardous Waste / Border No Properties ane Hazard Site None Wind Velocity Areas No ial Grading Area (BOE Yes

None

This report is subject to the terms and conditions as set forth on the website. For more details, please refer to the terms and conditions at zimas.lacity.org (*) - APN Area is provided "as is" from the Los Angeles County's Public Works, Flood Control, Benefit Assessment.



Seismic Hazards	
Active Fault Near-Source Zone	
Nearest Fault (Distance in km)	0.5283708
Nearest Fault (Name)	Hollywood Fault
Region	Transverse Ranges and Los Angeles Basin
Fault Type	В
Slip Rate (mm/year)	1.00000000
Slip Geometry	Left Lateral - Reverse - Oblique
Slip Type	Poorly Constrained
Down Dip Width (km)	14.0000000
Rupture Top	0.00000000
Rupture Bottom	13.00000000
Dip Angle (degrees)	70.00000000
Maximum Magnitude	6.40000000
Alquist-Priolo Fault Zone	No
Landslide	Yes
Liquefaction	Yes
Preliminary Fault Rupture Study Area	No
Tsunami Inundation Zone	No
Economic Development Are	as
Business Improvement District	None
Promise Zone	None
Renewal Community	No
Revitalization Zone	None
State Enterprise Zone	None
Targeted Neighborhood Initiative	None
Public Safety	
Police Information	
Bureau	West
Division / Station	West Los Angeles
Reporting District	806
Fire Information	
Bureau	West
Batallion	9
District / Fire Station	37
Red Flag Restricted Parking	No

City of Los Angeles Department of City Planning

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CASE SUMMARIES

Note: Information for case summaries is retrieved from the Planning Department's Plan Case Tracking System (PCTS) database.

Case Number:	CPC-2016-4087-ZC
Required Action(s):	ZC-ZONE CHANGE
Project Descriptions(s):	THE ESTABLISHMENT OF AN ENVIRONMENTALLY SENSITIVE HILLSIDE AREA (ESHA)SUPPLEMENTAL USE DISTRICT. THE ESHA DISTRICT WILL ESTABLISH DEVELOPMENT STANDARDS REGULATING RESIDENTIAL FLOOR AREA, HEIGHT, AND GRADING LIMITS. THE ESHA DISTRICT REGULATIONS WILL REQUIRE SINGLE-FAMILY HOME DEVELOPMENT PROJECTS TO GO THROUGH A REVIEW PROCESS AND WILL MANDATE STANDARD HAULING OPERATIONS AS CONDITIONS OF PROJECT APPROVAL.
Case Number:	CPC-2016-4085-CA
Required Action(s):	CA-CODE AMENDMENT
Project Descriptions(s):	THE ESTABLISHMENT OF AN ENVIRONMENTALLY SENSITIVE HILLSIDE AREA (ESHA)SUPPLEMENTAL USE DISTRICT. THE ESHA DISTRICT WILL ESTABLISH DEVELOPMENT STANDARDS REGULATING RESIDENTIAL FLOOR AREA, HEIGHT, AND GRADING LIMITS. THE ESHA DISTRICT REGULATIONS WILL REQUIRE SINGLE-FAMILY HOME DEVELOPMENT PROJECTS TO GO THROUGH A REVIEW PROCESS AND WILL MANDATE STANDARD HAULING OPERATIONS AS CONDITIONS OF PROJECT APPROVAL.
Case Number:	CPC-1986-829-GPC
Required Action(s):	GPC-GENERAL PLAN/ZONING CONSISTENCY (AB283)
Project Descriptions(s):	AB-283 PROGRAM - GENERAL PLAN/ZONE CONSISTENCY - BEL AIR-BEVERLY CREST AREA- COMMUNITY WIDE ZONE CHANGES AND COMMUNITY PLAN CHANGES TO BRING THE ZONING INTO CONSISTENCY WITH THE PLAN. INCLUDES CHANGES OF HEIGHT AS NEEDED. REQUIRED BY COURT AS PART OF SETTLEMENT IN THE HILLSIDE FEDERATION LAWSUIT. (DON TAYLOR)
Case Number:	CPC-1965-18760
Required Action(s):	Data Not Available
Project Descriptions(s):	
Case Number:	ENV-2016-4086-ND
Required Action(s):	ND-NEGATIVE DECLARATION
Project Descriptions(s):	THE ESTABLISHMENT OF AN ENVIRONMENTALLY SENSITIVE HILLSIDE AREA (ESHA)SUPPLEMENTAL USE DISTRICT. THE ESHA DISTRICT WILL ESTABLISH DEVELOPMENT STANDARDS REGULATING RESIDENTIAL FLOOR AREA, HEIGHT, AND GRADING LIMITS. THE ESHA DISTRICT REGULATIONS WILL REQUIRE SINGLE-FAMILY HOME DEVELOPMENT PROJECTS TO GO THROUGH A REVIEW PROCESS AND WILL MANDATE STANDARD HAULING OPERATIONS AS CONDITIONS OF PROJECT APPROVAL.

DATA NOT AVAILABLE

ORD-184828 ORD-184827 ORD-183497 ORD-167564-SA3630 ORD-132416 ORD-129279 ORD-128730

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EXHIBIT B

10830 W Chalon Road		Permit #: Plan Check #: B16LA17139 Event Code:	16030 - 10000 - 0805 Printed: 08/11/17 09:53 A
Grading	City of Los Angeles - Department of I	Building and Safety	Issued on: 08/11/2017
I or 2 Family Dwelling	APPLICATION FOR GRAI	DING PERMIT	Last Status: Issued
Regular Plan Check Plan Check	AND GRADING CERT	TIFICATE	Status Date: 08/11/2017
1. TRACT BLOCK LOT(s)	ARB	COUNTY MAP REF#	PARCELID # (PIN #) 2. ASSESSOR PARCEL#
TR 7656 12 TR 9745 BLK 1 TR 7656 BLK 2 TR 9745 BLK 1	3 2 4 1	M B 119-70/76 M B 141-93/96 M B 119-70/76 M B 141-93/96	141B149 164 4369 - 022 - 002 141B149 173 4369 - 022 - 002 141B149 175 4369 - 022 - 002 141B149 175 4369 - 022 - 002 141B149 158 4369 - 022 - 002
Airport Hazard Area - 980' Height Limit Above Elevation 747 C Area Planning Commission - West Los Angeles C LADBS Branch Office - WLA C Baseline Hillside Ordinance - Yes D	Council District - 5 Certified Neighborhood Council - Bel Air - B Community Plan Area - Bel Air - Beverly Cre Census Tract - 2621.00 District Map - 141B149	st Hillside Grading Hillside Ordinar	HFHSZ ; Area - YES
zones(s): RE20-1-H			·
4. DOCUMENTS ZI - ZI-2438 Equine Keeping in the City of Lc ORD - ORD-13 ZI - ZI-2443 Neighborhood Conservation ICO ORD - ORD-14 ORD - ORD-128730 ORD - ORD-18 ORD - ORD-129279 ICO - Neighbor S. CHECKLIST ITEMS Special Inspect - Grading:Special Hazard Storm Water - LID Project	67564-\$A3630 CPC - CPC-		· · · ·
5. PROPERTY OWNER. TENANT. APPLICANT INFORMATION.		For Cashier's Use Only	W/O #: 6300805
 PO BOX 762, BEVERLY HILLS CA 90213 – Tenant; Applicant: (Relationship: Architect) MANUEL MANUELIAN - MANUELIAN ARCHITECTS 3501 OCEAN VIEW BLVD, GLENDALE, CA 91208 (818) 	667-4172		21
	sed use rading - Hillside		
8. DESCRIPTION OF WORK GRADING FOR 3-STORY SINGLE FAMILY DWELLING OVER B SWIMMING POOL. NO EXCAVATION TO COMMENCE PRIOR T		÷	
9. # Bides on Site & Use: 4 OF 4			(A)
10. APPLICATION PROCESSING INFORMATION BLDG. PC By: Carolynn Nepomuceno OK for Cashier: Roberto Park	DAS PC By: Coord. OK:		<i>5</i>
Signature:	Date: 08/11/2017		8/11/2017 9:52:35 AM
II. PROJECT VALUATION Final Fee Period Permit Valuation: 4,174 cu yd PC Valuation	ion:	GRADING PERMIT GRADING PLAN CHEC	\$1,975.00 K \$135.00
		DEV SERV CENTER S	
	d(s) Due: \$50,100	SYSTEMS DEVT FEE	\$126.60
12. ATTACHMENTS >>> X		CITY PLANNING SUR MISCELLANEOUS	CH \$126.60 \$10.00
		PLANNING GEN PLAN	
For inspection requests, call toll-free (888) LA4BUILD (524-2845). ((213) 482-0000 or request inspections via www.ladhs.org. To speak to 311. Outside LA County, call (213) 473-3231.		GRADING PLAN CHEC	K \$0.00
	0 5 5 F M ★	Permit #: 16030100 Building Card #: : Receipt #: 030110	2017WL82633

P) Cut:	CTURE INVENTORY (Note: Numer	ie measurement da	ta la the format "au	umber / number" implies "chan;	ge fa nameric value / toi	al resulting numeric va	lwe")	16	5030 - 10000 - 0
	4174 Cuyd								
	ort: 763 Cuyd 3411 Cuyd			2					
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APPL	CATION COMMENTS:	<u></u>					In the event that any		
RÀDIN	IG BOND APPROVAL #628363. 30-DA	YEXCAVATION	NOTICES SENT	T 7/11/2017. NO EXCAVATIO	ON TO		is possible that addi electronically and c		
OMME	NCE PRIOR TO 8/11/2017.	1					restrictions. Neverth		
							that required by sect Code of the State of		eaton and Satery
	0			2					
BUILD	ING RELOCATED FROM:								
CONTR	RACTOR ARCHITECT & ENGINEER NA	ME	ADDRESS				CLASS	LICENSE #	PHONE #
	Y-MAX BUILDING CORP			TELLATION ROAD,		CIA, CA 91355	В	702339	(818) 535-55
QU	OBORSI, NADER J		23 ARIZONA,	,	IKVINE	, CA 92606		C46119	(714) 542-12
				<u></u>					······
	PERMIT EXPIRATION/REFUND continuous period of 180 days (Sec. 9								
	& 22.13 LAMC). The permittee may								
	(HS 17951).								
			·····	17. LICENSED CON	TRACTOR'S DECLA	RATION			
	I hereby affirm under penalty of perju								у
	license is in full force and effect. The take prime contracts or subcontracts is			s only: I understand the limital	tions of Section 7057	of the Business and Pi	rofessional Code relate	d to my ability to	
					-MAX BUILDING	COPP			
	License Class; B License	e No.: 702	339	Contractor: HY	-MAA BUILDING	CORF			
•				18. WORKERS' COM	PENSATION DECLA	RATION			
. 1	I hereby affirm, under penalty of perja							× .	
	() 1 have and will maintain a certific this permit is issued.	cate of consent to	self insure for wo	orkers' compensation, as provi	ded for by Section 370	0 of the Labor Code,	for the performance of	the work for which	h
				11 6 d aton 6d 7 1					
	() I have and will maintain workers'			ed by Section 3700 of the Lab	or Code, for the perio	rmance of the work in	or which this permit is	issued. My workers	
	compensation insurance carrier an	nd policy number					CST5007		
	compensation insurance carrier ar				P	olicy Number	C.51500	851	
	Carrier:BENCHMARK IN	<u>s, co.</u>				olicy Number:			
	Carrier:BENCHMARK IN	S, CO.	tich this permit is i		person in any manne	r so as to become subj	ect to the workers' con	pensation laws of	
	Carrier: <u>BENCHMARK IN</u> () I certify that in the performance o California, and agree that if I shou	S, CO. of the work far wh uld become subje	tich this permit is i	compensation provisions of S	person in any manne ection 3700 of the Lal	r so as to become subj for Code, I shall forth	ect to the workers' con with comply with those	pensation laws of provisions.	
	Carrier: <u>BENCHMARK IN</u> () I certify that in the performance o California, and agree that if I show WARNING: FAILURE TO SECURE	S, CO. of the work for wh uld become subje	tich this permit is i ct to the workers' of MPENSATION C	compensation provisions of S COVERAGE IS UNLAWFUL	y person in any manne extion 3700 of the Lal	r so as to become subj for Code, I shall forth	ect to the workers' con with comply with those R TO CRIMINAL PEN	appensation laws of a provisions.	
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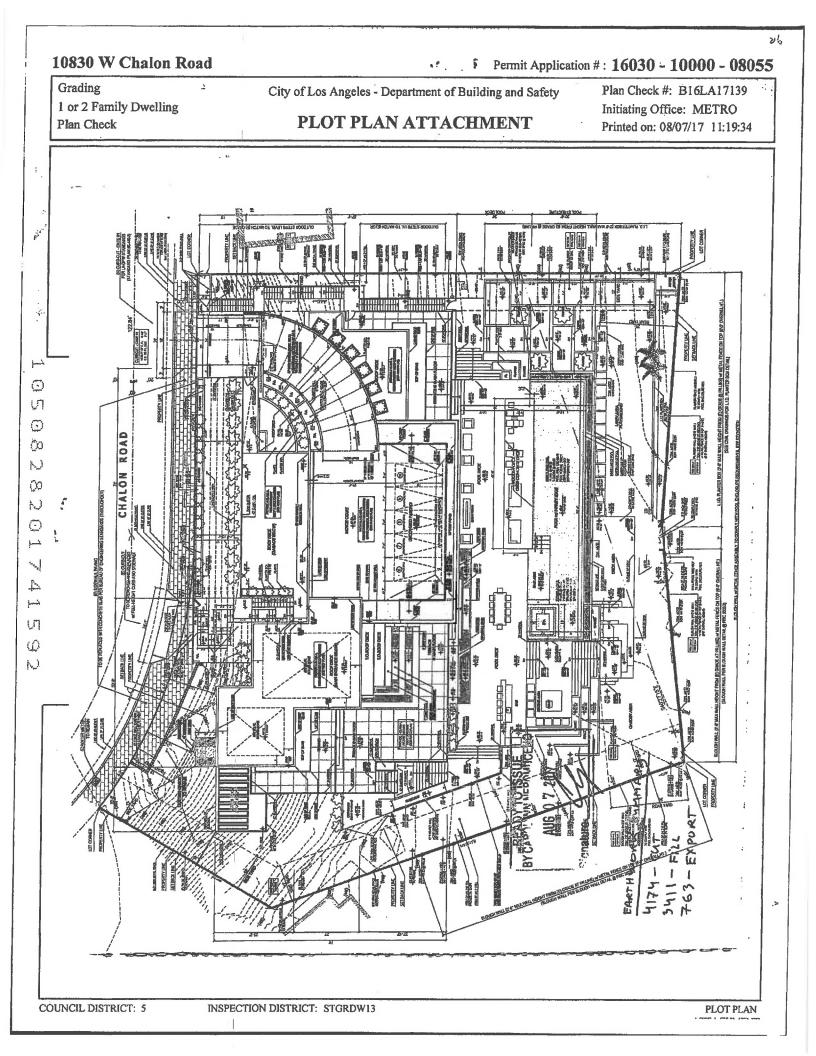


EXHIBIT C

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330 W Chalon Road	, «				Permit #: Plan Check #: Event Code:	B17LA21709) - 10001 - 08055 trinted: 01/23/18 03:39 PM
ading			City of Los Angeles - De	partment of Bu	ilding and Safet	λ.	Issued on: 0	1/23/2018
r 2 Family Dwelling			APPLICATION FO	R GRAD	ING PERM	IT	Last Status: Is	ssued ·
n Check at Counter			AND GRADIN	IG CERTI	FICATE		Status Date: 0	1/23/2018
MCT 7656 9745 7656 9745	BLOCK BLK 1 BLK 2 BLK 1	12 3 12 3		ARB 3 2 4 1	COUNTY MAPRE M B 119-70/7 M B 141-93/9 M B 119-70/7 M B 141-93/9	6 . 6	PARCELID# (PIR #) 141B149 164 141B149 173 141B149 175 141B149 158	2.ASSESSOR PARCEL# 4369 - 022 - 002 4369 - 022 - 002 4369 - 022 - 002 4369 - 022 - 002 4369 - 022 - 002
RCELINFORMATION ort Hazard Area - 1010' Height Lim ort Hazard Area - 980' Height Lim Planning Commission - West Los DBS Branch Office - WLA Sine Hillside Ordinance - Yes ES(S): RE20-1-H	it Above Elev		Council District - 5 Certified Neighborhood Counci Community Plan Area - Bel Air Census Tract - 2621.00 District Map - 141B149			Energy Zone - 9 Fire District - V Hillside Gradin Hillside Ordina Earthquake-Indu	HFHSZ 3 Area - YES	Yes
ADDCUMENTS ZI - 21-2438 Equine Keeping in f ZI - 21-2443 Neighborhood Cons ORD - ORD-128730 ORD - ORD-129279 S. CHECKLIST ITEMS	the City of Lo rervation ICO	ORD - ORI ORD - ORI	D-167564-SA3630	HLSAREA - Y CPC - CPC-18 CPC - CPC-19 CPC - CPC-19 HO - Yes				
Special Inspect - Grading:Excav.	Below 1:1 Pl							
6. PROPERTY OWNER. TENANT. APPA Owner(s): HHP INVESTMENTS LP 0 PO BOX 762, BEVERLY HILI Tenant: Applicant: (Relationship: Architect) MANUEL MANUELIAN - MA 3501 OCEAN VIEW BLVD, GLE	LS CA 90213			F	For Cashler's U	se Only	*	W/O #: 63008055

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N

7. EXISTING USE

10830 W Chalon Road

1 or 2 Family Dwelling

Plan Check at Counter Plan Check

3. PARCEL INFORMATION

ZONES(S): RE20-1-H

LADBS Branch Office - WLA

Baseline Hillside Ordinance - Yes

Grading

L.TRACT TR 7656

TR 9745

TR 7656

TR 9745

8. DESCRIPTION OF WORK SUPPLEMENTAL TO 16030-10000-08055 TO REVISE GRADING QUANTITIES.

9. #Bides on Site & Use:		
10. APPLICATION PROCESSING INFORMATION BLDG, PC By: Carolyna Nepomuceao OK for Cashier: Michael Irigoyen	1	DAS PC By: Coord. OK:
Signature:	2	Date: 01/23/2018
11. PROJECT VALUATION Start For Period Permit Valuation: 0 cu yd	1	PC Valuation:
ewer Cap ID:		Total Bond(s) Due:
ATTACHMENTS & 7		

PROPOSED USE

(70) Grading - Hillside

Airport Hazard Area - 1010' Height Limit Above Elevation 747

Airport Hazard Area - 980' Height Limit Above Elevation 747

Area Planning Commission - West Los Angeles

For inspection requests, call toll-free (888) LA4BUILD (524-2845). Outside LA County, call (213) 482-0000 or request inspections via www.ladbs.org. To speak to a Call Center agent, call 311. Outside LA County, call (213) 473-3231.



LA M CA 102115311 1/23/2018 3:39:05 PM \$0.00 GRADING PERMIT GRADING PLAN CHECK \$0.00 \$0.00 PLAN MAINTENANCE DEV SERV CENTER SURCH \$0.00 SYSTEMS DEVT FEE \$0.00 \$0.00 CITY PLANNING SURCH MISCELLANEOUS \$0.00 PLANNING GEN PLAN MAINT SURCH \$0.00 GRADING PLAN CHECK \$0.00 \$0.00 Sub Total: Permit #: 160301000108055 Building Card #: 2018LA96432 Receipt #: 0102841132 SUPPLEMENTAL TO #16030-10000-08055 TO REVISE GRADING QUANTITIES



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11. STR	UCTURE INVENTORY	(Note: Nemeric measureme	nt data in the format "number / number" impli	a "change in numeric value / total resulting numeric v		16030 - 100	01 - 08(
1981A		(rott rentra Apartician				10050 - 100	VI - VOU
			10				
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		1			2		
	ICATION COMMENTS:					.e. 1-16) is filled to capacit formation has been captured	
SHRINI 15% BU	KAGE FACTOR APPLIED	TO ALLUVIUM FILL, 5% ED TO BEDROCK CUT US	CUT = 4049 CY, RAW FILL = 2888 CY, E3 5 BULKING FACTOR APPLIED TO BEDF 7 ED AS EXPORT. 30 CY BRUSH INCLUI 17 NON-EXEMPT GRADING (BHO)=1	ROCK CUT USED AS FILL, DED IN EXPORT. EXPORT ==	electronically and could no restrictions. Nevertheless to that required by section 199 Code of the State of Califor	he information printed exce 825 of the Health and Safet	
(500+5%	(LOT AREA). NON EXE	MPT EXPORT = 30 CY < 75	SO CY ALLOWED.	, 			
15. BUIL	DING RELOCATED FROM	1					
6. CONT	BACTOR ARCHITECT &	ENGINEER NAME	ADDRESS		CLASS 1	ICENSE# PHONE	
	OBORSI, NADER J		23 ARIZONA,	IRVINE, CA 92606	0		542-1214
0, 0	WHER-BOILDER				ŭ		
	period of 180 days (Se	c. 98.0602 LAMC). Claims	for refund of fees paid must be filed within	rnit issuance. This permit will also expire if no cor one year from the date of expiration for permits g s to conduct an inspection within 60 days of receiv	ranted by LADBS (Sec. 22.12	& 22.13	
			17.0%	MER-BUILDER DECLARATION			
	Professions Code: own employees, pr will have the burde OR Q I, as the owner of the	The Contractors License Lev ovided that such improveme m of proving that he or she d he property, am exclusively o	w does not apply to an owner of property wi nots are not intended or offered for sale. If, i lid not build or improve for the purpose of s contracting with licensed contractors to cons	ill do the work, and the structure is not intended or ho builds or improves thereon, and who does such towever, the building or improvement is sold with ale). struct the project (<u>Sec. 7044, Business and Profess</u> for such projects with a contractor(s) licensed pure	work himself or herself or thr in one year from completion, t <u>tions Code:</u> The Contractors L	ough his or her he owner-builder icense Law	
			18. WORKER	S' COMPENSATION DECLARATION	······		
	I hereby affirm, under p	enalty of perjury, one of the	following declarations :				
	() I have and will main this parmit is issued		to self insure for workers' compensation, as	provided for by Section 3700 of the Labor Code,	for the performance of the wor	k for which	
			insurance, as required by Section 3700 of t	he Lebor Code, for the performance of the work fo	r which this permit is issued. I	Viv workers'	
		ance carrier and policy numb					
	Carrier:			Policy Number:			
				oy any person in any manner so as to become subj is of Section 3700 of the Labor Code, I shall forthe			
		TO SECURE WORKERS' (
			DOLLARS (\$100,000), IN ADDITION	NFUL, AND SHALL SUBJECT AN EMPLOYER TO THE COST OF COMPENSATION, DAMAGE			
) 396-23	3706 OF THE LABOR (notification of asbestos ren 36 and the notification for	NE HUNDRED THOUSAN CODE, INTEREST, AND A noval is either not applicable m at <u>www.aamd.gov</u> . Lead t	ID DOLLARS (\$100,000), IN ADDITION TTORNEY'S FEES. 19. ASBESTOS REMOVAL DECL o or has been submitted to the AQMD or EP, safe construction practices are required when		ES AS PROVIDED FOR IN S Code. Information is available ings due to the presence of lea	ECTION	
) 396-23	3706 OF THE LABOR (notification of asbestos ren 36 and the notification for	NE HUNDRED THOUSAN CODE, INTEREST, AND A noval is either not applicable m at <u>www.aamd.gov</u> . Lead t	7D DOLLARS (\$100,000), IN ADDITION TTORNEY'S FEES. <u>19. ASBESTOS REMOVAL DECL</u> e or has been submitted to the AQMD or EP, eafe construction practices are required when h Services for LA County at (800) 524-5323	TO THE COST OF COMPENSATION, DAMAG <u>ABATION / LEAD RAZARD WARNING</u> A as per section 19827.5 of the Health and Safety a doing repairs that disturb paint in pre-1978 build or the State of California at (800) 597-5323 or <u>w</u>	ES AS PROVIDED FOR IN S Code. Information is available ings due to the presence of lea	ECTION	
artify that nply with poses. I a h any app work de easonably	3706 OF THE LABOR (notification of asbestos ren 36 and the notification fon (7 of the Labor Code. Info (7 of the Labor Code. Info (8) and county ordina realize that this permit is an blicable law. Furthermore, scribed herein, nor the coso y interfere with any access	NE HUNDRED THOUSAN CODE, INTEREST, AND A moval is either not applicable m at <u>wyw.ammf.gov</u> . Lead a mation is available at Health in INCLUDING THE ABO nees and state laws relating 1 application for inspection a neither the City of Los Apge dition of the property nor the or utility easement belongin.	AD DOLLARS (\$100,000), IN ADDITION TTORNEY'S FEES. 19. ASBESTOS REMOVAL DECL to or has been submitted to the AQMD or EP safe construction practices are required when h Services for LA County at (800) 524-5323 20. FINAL VE DECLARATIONS and state that the a to building construction, and hereby authori and that it does not approve of authorize the less nor any board, department officer, or en e soit upon which such work is performed.	TO THE COST OF COMPENSATION, DAMAGE ARATION / LEAD BLAZARD WARNING As per section 19827.5 of the Health and Safety n doing repairs that disturb paint in pre-1978 build s or the State of California at (800) 597-5323 or <u>w</u> DECLARATION bove information INCLUDING THE ABOVE D ze representatives of this city to enter upon the abo work specified herein, and it does not authorize or iployee thereof, make any warranty, nor shall be m i further affirm under penalty of perjury, that the p in the event such work does destroy or unreasonab	ES AS PROVIDED FOR IN S Code. Information is available ings due to the presence of lea <u>www.dbs.ca.gov/childle.sd</u> . ECLARATIONS is correct. J ove-mentioned property for ins permit any violation or failure sponsible for the performance roposed work will not destroy	ECTION at d per section agree to pection to comply or results of or	
) 396-23 5 and 671 5 and 671 have been been been been been been been be	3706 OF THE LABOR (notification of asbestos ren 36 and the notification fon (7 of the Labor Code. Info (7 of the Labor Code. Info (8) and county ordina realize that this permit is an blicable law. Furthermore, scribed herein, nor the coso y interfere with any access	NE HUNDRED THOUSAN CODE, INTEREST, AND A noval is either not applicable m at <u>yww.acmd.cov</u> . Lead a rmation is available at Health m INCLUDING THE ABO nees and state laws relating t application for inspection a neither the City of Los Ange dition of the property nor thi or utility essement belongin, the holder(s) of the essement	AD DOLLARS (\$100,000), IN ADDITION TTORNEY'S FEES. 19. ASBESTOS REMOVAL DECL to or has been submitted to the AQMD or EP; safe construction practices are required when h Services for LA County at (800) 524-5323 20. FINAL VE DECLARATIONS and state that the a to building construction, and hereby authori and than it does not approve or authorize the elles nor my board, department officer, or en soil upon which such work is performed. Ig to others and located on my property, but	TO THE COST OF COMPENSATION, DAMAGE ARATION / LEAD BLAZARD WARNING As per section 19827.5 of the Health and Safety n doing repairs that disturb paint in pre-1978 build s or the State of California at (800) 597-5323 or <u>w</u> DECLARATION bove information INCLUDING THE ABOVE D ze representatives of this city to enter upon the abo work specified herein, and it does not authorize or iployee thereof, make any warranty, nor shall be m i further affirm under penalty of perjury, that the p in the event such work does destroy or unreasonab	ES AS PROVIDED FOR IN S Code. Information is available ings due to the presence of lea <u>www.dbs.ca.gov/childle.sd</u> . ECLARATIONS is correct. J ove-mentioned property for ins permit any violation or failure sponsible for the performance roposed work will not destroy	ECTION at d per section agree to pection to comply or results of or	
) 396-23 is and 671 poly with poses. Is a any app work de easonably stitute ca signin 1) I acco	3706 OF THE LABOR (notification of asbestos ren 36 and the notification fon 17 of the Labor Code. Infor 18 have read this application 18 and county ordina realize that this permit is an olicable law. Forthermore, scribed herein, nor the con y interfere with any access sement(s) satisfactory to th g below, I certify the pat all the declarations abor	NE HUNDRED THOUSAN CODE, INTEREST, AND A moval is either not applicable m at <u>www.acmd.cov</u> . Lead a mation is available at Health in INCLUDING THE ABO nees and state laws relating i application for inspection a neither the City of Los Ange dition of the property nor thi holder(s) of the casement u at:	AD DOLLARS (\$100,000), IN ADDITION TTORNEY'S FEES. 19. ASBESTOS REMOVAL DECL a or has been submitted to the AQMD or EP, safe construction practices are required when h Services for LA County at (800) 524-5323 20. FINAL VE DECLARATIONS and state that the a to building construction, and hereby suthori and that it does not approve or authorize the else nor may board, department officer, or en e soil upon which such work is performed. g to others and located on my property, but will be provided (Sec. 91,0106.4.3.4 LAMC	TO THE COST OF COMPENSATION, DAMAGE ARATION / LEAD BLAZARD WARNING As per section 19827.5 of the Health and Safety n doing repairs that disturb paint in pre-1978 build s or the State of California at (800) 597-5323 or <u>w</u> DECLARATION bove information INCLUDING THE ABOVE D ze representatives of this city to enter upon the abo work specified herein, and it does not authorize or iployee thereof, make any warranty, nor shall be m i further affirm under penalty of perjury, that the p in the event such work does destroy or unreasonab	ES AS PROVIDED FOR IN S Code, Information is available ings due to the presence of les www.dhs.ca.gov/childle.sd. ECLARATIONS is correct. I pre-mentioned property for ins permit eny violation or failure sponsible for the performance roposed work will not destroy by interfore with such easement	ECTION at d per section agree to pection to comply or results of or	
) 396-23 5 and 671 mply with poses. I a h any app work de easonably stitute ca signin 1) I accu Deck	3706 OF THE LABOR of notification of asbestos ren 36 and the notification for 7 of the Labor Code. Infor a all city and county ordina realize that this permit is an plicable law. Forthermore, scribed herein, nor the con y interfere with any access sement(s) satisfactory to th g below, I certify the ept all the declarations abor rration; and	NE HUNDRED THOUSAN CODE, INTEREST, AND A moval is either not applicable m at <u>www.acmd.cov</u> . Lead a mation is available at Health in INCLUDING THE ABO nees and state laws relating i application for inspection a neither the City of Los Ange dition of the property nor thi holder(s) of the casement u at:	AD DOLLARS (\$100,000), IN ADDITION TTORNEY'S FEES. 19. ASBESTOS REMOVAL DECL to or has been submitted to the AQMD or EP cafe construction practices are required when h Services for LA County at (800) 524-5321 20. FINAL VE DECLARATIONS and state that the a to building construction, and hereby authoris and that it does not approve or authorize the eles nor my board, department officet, or en e soil upon which such work is performed. Ig to others and located on my property, but will be provided (Sec. 91,0106.4.3.4 LAMC ar Declaration, Workers' Compensation Dec	TO THE COST OF COMPENSATION, DAMAGE ARATION / LEAD BRAZARD WARNING A say per section 19827.3 of the Health and Safety n doing repairs that disturb paint in pre-1978 build s or the State of California at (800) 597-5323 or <u>w</u> DECLARATION bove information INCLUDING THE ABOVE D ze representatives of this city to enter upon the abo work specified herein, and it does not authorize or ployee thereof, make any warranty, nor shall be m i further affirm under penalty of perjury, that the p in the event such work does destroy or unreasonal c).	ES AS PROVIDED FOR IN S Code, Information is available ings due to the presence of les www.dhs.ca.gov/childle.sd. ECLARATIONS is correct. I pre-mentioned property for ins permit eny violation or failure sponsible for the performance roposed work will not destroy by interfore with such easement	ECTION at d per section agree to pection to comply or results of or	

APPENDIX A

BI 1701 8



REQUEST FOR MODIFICATION OF BUILDING ORDINANCES

NO 5- Corenze

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PERMIT APP. #: See attachment DATE: August 23 2017 JOB ADDRESS: 10830 W. Chalon Road, Los Angeles, California 90077 Block: 8LK 1 Tract: TR 9745 Lot:3 Owner: HHP Investment LP Petitioner.James and Helen Zukin (Matthew Hinks, Esq.) Address: PO Box 762 Address:800 Tarcuto Way City Clty State Zip Phone State Zip Phone Los Angeles CA 90077 310 203-8080 **Beverly Hills** CA 90213 310 550-0151 CODE SECTIONS: See attachment REQUEST (SUBMIT PLANS OR ADDITIONAL SHEETS AS NECESSARY) See attachment JUSTIFICATION (SUBMIT PLANS OR ADDITIONAL SHEETS AS NECESSARY) See attachment Matthew D. Hinks Attorney for Petitioner Position **Owner/Petitioner Name (Print)** FOR CITY DEPARTMENT'S USE ONLY BELOW THIS LINE. 14 1 Concurrences required from the following Department(s) Approved Denied ÷ . Los Angeles Fire Department Print Name_ Śl<u>gn</u> \Box П Public Works Bureau of Engineering Print Name_ Sign Department of City Planning Print Name Sign Department of County Health Print Name Sign \square Other Print Name Sign tana ing si والمتراجع والمراجع DEPARTMENT ACTION Reviewed by: (Staff) (Print) Sign Date GRANTED DENIED 14 A. S. 18. Action taken by: (Supervisor) (Print) Date NOTE: IN CASE OF DENIAL, SEE PAGE #2 OF THIS FORM FOR APPEAL PROCEDURES For Cashiers Use Only **CONDITIONS OF APPROVAL (Continued on Page 2):** LA M CA 101107653 8/24/2017 10:19:18 AM BOARD APPLIC FEE \$130.00 \$7.80 SYSTEMS DEV SURCH (DEPARTMENT USE ONLY) FEES DEV SERV CENTER SURCH \$3.90 130.00 X \$130 + \$39/add Appeal Processing Fee .. (No. of Items) = -X \$ 84.00 Inspection Fee (No of Insp.) = Research Fee ... (Total Hours Worked) = X \$104:00 \$141.70 Sub Total: = 130,00.00 Subtotal..... Development Services Center Surcharge X 3% = 3,90 7,80 Receipt #: 0101780459 X 6% Systems Development Surcharge..... = 141.70 Total Fees Fees verified by: 10830 W CHALON RD Print and Sign Core JOHNSON/ Com

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Page 1 of 2

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APPIBAL

Permit # 17019-30000-02848 (demolition); 16010-10000-05072 (building);16030-10000-08055 (grading); 16020-10000-03332 (shoring); 17020-10000-02213 (retaining wall); 17020-10000-02213; 16047-10000-01982 (pool/spa) (collectively, the "Permits")

10830 W. Chalon Road - Permit Appeal Justification

James and Helen Zukin ("Appellants") hereby appeal the Permits described above. Appellants contend that the Los Angeles Department of Building and Safety ("LADBS") erred and/or abused its discretion in issuing the Permits. In support of this appeal, Appellants contend as follows:

<u>The Project will result in grading in excess of the by-right limits of the Baseline Hillside</u> Ordinance ("BHO")

The Permits were issued by LADBS in connection with the planned demolition of an existing single-family residence, site grading and construction of a new three-story single family dwelling (the "Project"). The subject property is located in the RE20 zone. According to the City's ZIMAS site, the property is 23,376.9 square feet in size. Under the BHO, the maximum by-right grading limit for a lot in the RE20 zone is 500 CY + 5%*lot area, up to a maximum of 2.000 CY. Given the lot's size, the maximum grading quantities allowed for this site is 500 + 1,168.845 = 1,668.845 CY. However, records in the possession of LADBS show that the Project proposes, at a minimum, 1,938 (166 GY cut + 1770 CY fill) CY of non-exempt grading, which is in excess of the maximum amount allowed.

Moreover, Appellants received from the Applicant a notice on June 27, 2017, indicating that Applicant intends to create a 22' deep excavation. Apparently, the excavation has not been counted in the Applicant's calculation of proposed site grading, meaning that the Project will result in grading well in excess of the 1,938 CY indicated on LADBS records and, in fact, well in excess of the 2,000 CY maximum limit for any property in the RE20 zone.

Further, LADBS records report non-exempt grading as grading in the "FRONT, BACK. AND SIDE YARDS OUTSIDE 5' PERIMETER" (168 CY of cut and 1770 CY of fill). The records contain another reference in the exempted volumes showing 170 total CY (35 CY of cut and 135 CY of fill) "INSIDE 5' O/S". Based upon these descriptions, it is plain that the Applicant has not accurately delineated exempt and non-exempt grading.

The BHO provides:

"The Grading activities outlined in the sub-subparagraphs' below shall be exempt from the Grading and/or earth transport limitations established in Paragraphs a and b above. However, any excavation from an exempted activity being used as Fill, outside of a 5foot perimeter from the exempted Grading activities, for any other onsite purpose shall be counted towards the limits established in Paragraph a above.

(1) Cut and/or Fill underneath the footprint of a Structure(s) (such as foundations, understructures including Basements or other completely subterranean spaces – not including pools and sports courts), as well as for water storage tanks, required stormwater retention improvements, and required animal keeping site development that do not involve the construction of any freestanding retaining walls.

(2) Cut and/or Fill, up to 500 cubic yards, for driveways to the required parking or fire department turnaround closest to the accessible Street for which a Lot has ingress/egress rights.

(3) Remedial Grading as defined in Section 12.03 of the LAMC as recommended in a Geotechnical Investigation Report, prepared in accordance with Sections 91.7006.2, 91.7006.3, and 91.7006.4 of the LAMC, and approved by the Department of Building and Safety - Grading Division."

Here, LADBS records show that there is only 168 CY of non-exempt cut, meaning that the Project proposes to take reportedly-exempt soil from underneath the home and distribute it more than 5' beyond the perimeter of the exempted areas. That soil is falsely represented in Applicants' plans as exempt grading when in fact such grading is non-exempt pursuant to the above provision of the BHO. The applicant has thereby significantly understated the amount of non-exempt grading, which is significantly in excess of 2,000 CY.

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The Project will result in net export in excess of 1,000 CY thus requiring a haul route

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The Applicant's plans claim the Project will entail only 763 CY of net export, which is below the 1,000 CY that trips the requirement of a haul route. Haul routes are governed by LAMC section 91.7006.7. Under LAMC section 91.7006.7.1, "export" is defined as "earth, brush or similar materials transported from a grading site." Although that definition plainly includes "brush or similar materials," the Applicants' grading plans take account of soil only and fail to account for the thousands of cubic yards of "brush or similar materials" that will be exported from the Project site.

Further, Applicant's plans show 4,174 CY of total cut and 2,861 CY of total fill. The net is 1,313 CY. Applicant, however, claims that the Project will entail less than 1,000 CY of net export by applying a 1.1925 "shrinkage factor" to the fill quantity. That is erroneous. Applicant's grading plans presumes 4,174 CY of grading of compacted soil. Thus, a 1.1925 expansion factor should have been applied to the cut soil to calculate net export amount resulting in a net export of at least 1,313 CY.

In addition, Applicant is obviously trying to the game system and have it both ways by failing to apply this so-called "shrinkage factor" to the grading calculation for purposes of the BHO. Applicant's plans show at least 1770 CY of non-exempt fill. Applicant should have been required to apply the 1.1925 "shrinkage factor" to the non-exempt fill. Properly calculated, Applicant's plans show 168 + 1770(1.1925) = 2,278.725 CY of non-exempt grading, which is over the by right BHO limit by any measure.

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The Project relies upon an incorrect slope band map

LADBS records indicate that the Applicant's slope band analysis assumed that the slope under the existing house is flat when fix fact, other records depict a steeply-sloping hillside. In this way, the Applicant has overstated the allowable floor area under the BHO.

R. Ble Combone wy Fer i The Project requires discretionary approvals and CEQA review

As set forth above, the Project will result in grading in excess of the by-right limits of the BHO. To permit this amount of grading a discretionary planning department approval is required. Moreover, because the Project will result in greater than 1,000 CY of net export, a haul route approval is also required. Both required approvals trigger the necessity of CEQA review. Given the lack of the required entitlements and failure to conduct CEQA review, LADBS erred and/or abused its discretion in issuing the Permits.

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APPENDIX B

BOARD OF BUILDING AND SAFETY COMMISSIONERS

VAN AMBATIELOS PRESIDENT

E. FELICIA BRANNON VICE PRESIDENT

JOSELYN GEAGA-ROSENTHAL GEORGE HOVAGUIMIAN JAVIER NUNEZ

October 6, 2017

James and Helen Zukin c/o Mathew Hinks, Esquire 800 Tarcuto Way Los Angeles, California 90077 CITY OF LOS ANGELES



MAYOR

DEPARTMENT OF

BUILDING AND SAFETY

201 NORTH FIGUEROA STREET LOS ANGELES, CA 90012

FRANK M. BUSH GENERAL MANAGER SUPERINTENDENT OF BUILDING

OSAMA YOUNAN, P.E. EXECUTIVE OFFICER

10830 WEST CHALON ROAD; DBS-170117-DCP

You are hereby notified that the Los Angeles Department of Building and Safety ("LADBS") has rendered a written determination in response to your appeal concerning the above-referenced matter. The Department's determination is effective <u>October 6, 2017</u>. The report, dated September 14, 2017, is enclosed.

Pursuant to L.A.M.C. §12.26 K, the determination made by LADBS may be appealed to the Director of Planning within 15 days of the effective date of the written determination. If you choose to appeal the determination, you must file the appeal at the public counter of the Department of City Planning no later than <u>October 25, 2017</u>. Please refer to L.A.M.C. §12.26 K (1) through §12.26 K (3) for specific filing instructions. The appeal fee is \$500.00.

If you have any additional questions, you may contact me at (213) 482-0472.

CORA JOHNSON, P.E.

Building Civil Engineer I Permit and Engineering Bureau

Enclosure

c: HHP Investment LP Ifa Kashefi, Permit and Engineering Bureau Chief Siavosh Poursabahian, Senior Structural Engineer 10830 W. Chalon Road

Page 1 Report No. DBS-170117-DCP

REPORT ON APPEAL FROM LADBS DETERMINATION TO THE DIRECTOR OF PLANNING PURSUANT TO L.A.M.C. §12.26 K (Ordinance No. 175,428)

REPORT NO. DBS- 170117–DCP

JOB ADDRESS: 10830 WEST CHALON DRIVE	Date of Report: September 14, 2017
ZONE: RE20-1-H	Effective Date of Determination: October 6, 2017
C.D.: 5 (Councilmember: Paul Koretz)	Deadline to Appeal to DCP: October 25, 2017
PLANNING AREA: Bel-Air-Beverly Crest	Appeal Fee: \$500.00

APPEAL

Determine that the Los Angeles Department of Building and Safety (LADBS) erred or abused its discretion by issuing Building Permit Nos. 16010-10000-05072, 16030-10000-08055, 16047-10000-01982, 16020-10000-03332 and 17020-10000-02213 for the following issues:

EXHIBITS

EXHIBIT A:	Building Permit No. 16010-10000-05072, issued on August 11, 2017, for a 3-story, single family dwelling over basement.
EXHIBIT B:	Building Permit No. 16030-10000-08055, issued on August 11, 2017, site preparation and excavation.
EXHIBIT C:	Building Permit No. 16047-10000-01982, issued on August 11, 2017, for a pool and spa
EXHIBIT D:	Building Permit No. 16020-10000-03332, issued on August 11, 2017, for temporary shoring
EXHIBIT E:	Building Permit No. 17020-10000-02213, issued on August 11, 2017, for a retaining wall supporting deck.
APPENDIX:	Appeal package submitted by appellant on August 23, 2017

OVERVIEW

The subject property is in the community of Bel Air – Beverly Crest in the hills north of Sunset Boulevard adjacent to the Bel Air Country Club in a RE20-1-H zone. The lot is designated within the Hillside Area as defined in Section 12.03 of the Los Angeles Municipal Code (LAMC), which would subject it to the Baseline Hillside Ordinance (BHO).

10830 W. Chalon Road

Page 2 Report No. DBS-170117-DCP

HISTORY

In December 2016, plans were submitted to LADBS for a new three story single family dwelling. In August 2017 the building and grading permit and other associated permits were issued for the new three story single family dwelling.

On August 23, 2017 the petitioners submitted an appeal of LADBS building permit numbers 16010-10000-05072, 16030-10000-08055, 16047-10000-01982, 16020-10000-03332 and 17020-10000-02213; dated August 23, 2017.

DISCUSSION:

The following issues are identified in the appellant's brief (Appendix), along with the corresponding responses from LADBS:

ISSUE NO. 1

The project will result in grading in excess of the by-right limits of the Baseline Hillside Ordinance ("BHO").

LADBS RESPONSE TO ISSUE NO. 1:

Single family dwellings in the RE20 zone, subject to BHO regulations, are limited to a maximum total grading (cut and fill) of 500 cubic yards and five percent of the total lot area in cubic yards. The BHO provisions allow exceptions for certain areas to be exempt from this ordinance, such as cut and fill underneath the footprint of the building, cut and fill up to 500 cubic yards for driveways and fill outside a five-foot perimeter from exempted grading activities.

The appellant contests that grading quantities were incorrectly calculated and results an excess of the maximum grading limits, claiming the following:

- 1. The maximum grading quantities is limited to 1,668.845 cubic yards yet the plans show 1,938 cubic yards of non-exempt grading.
- 2. A notice of excavation dated June 27, 2017 indicates a 22-foot excavation. This excavation was not considered into the grading analysis.
- 3. The records do not accurately delineate the exempt and non-exempt grading.
- 4. The non-exempt cut of 168 cubic yards was incorrectly interpreted as exempt grading.

The appellant is calculating the maximum grading quantity using the lot area (23,376.9 square feet) from the ZIMAS website instead of using the lot area (28,980 square feet) from the survey map that was prepared by a registered civil engineer. When using the survey map's lot area, the maximum grading is 1,949 cubic yards. ZIMAS's terms and conditions clearly state, "the City of Los Angeles, Department of City Planning does not guarantee the accuracy or reliability of the information transmitted from this website." The survey map would be the most accurate source of determining the final lot area of the property. On the approved plans, the 22-foot excavation is clearly indicated on the profile view of the property which is used in calculating the non-exempt and exempt grading quantity. 10830 W. Chalon Road

Page 3 Report No. DBS-170117-DCP

With respect to the records not accurately delineating the exempt and non-exempt grading as well as the non-exempt cut of 168 cubic yards being incorrectly interpreted, the Department concurs and has required that the owner of the property submit supplemental plans for review and approval to correct those issues. LADBS has acted in conjunction with the LAMC and codes under its jurisdiction.

ISSUE NO. 2

The Project relies upon an incorrect slope band map.

LADBS RESPONSE TO ISSUE NO.2:

Single family dwellings subject to BHO require their buildings to be within the maximum Residential Floor Area (RFA). The maximum allowed RFA is determined by a Slope Analysis Map based on a survey of the natural/existing topography, prepared, stamped and signed be a State of California registered Civil Engineer or Licensed Land Surveyor. A Slope Analysis Verification Form (Joint Referral Form) along with the survey is submitted to Department of City Planning (DCP) for review and approval.

According to the slope analysis map, the maximum RFA approved by DCP on March 1, 2016, is limited to 8,076 square feet. The proposed building is 8,071 square feet, below the maximum allowed. The appellant contests that the slope analysis was incorrectly calculated yielding a greater maximum RFA.

The department cannot make a determination on this matter as LADBS has no authority to neither verify nor approve slope band analysis, DCP is responsible for reviewing the Slope Analysis Map and approving the maximum RFA.

Conclusion

LADBS has determined that building permit application numbers 16010-10000-05072, 16030-10000-08055, 16047-10000-01982, 16020-10000-03332 and 17020-10000-02213, for a 3-story, single family dwelling with attached garage was issued in compliance with the grading quantity requirements of the Los Angeles Building Code and Los Angeles Municipal Code. LADBS did not err or abuse its discretion in determining the grading compliance with the BHO provisions nor the accuracy of the slope band map.

Frank Bush General Manager Superintendent of Building

Prepared By: - Sia

Siavosh Poursabahian Senior Structural Engineer

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Listerby affirm: usday practicy of projucy will a nu listerand under the provisities of classics of classics of classics and Professional Code mained to my ability to the professional Code Code mained to the professional Code Code mained to the profession for mained to my ability to the profes	continuous period of 180 days (Sec. 98.0602 & 22.13 LAMC). The permittee may be entit	LAMC). Claims for refund of fees paid must be filed within one	year from the date of expitation for	or permits granted by LAI	DBS (Sec. 22.12	
I hereby effirm, under penalty of perjury, cone of the following dealarations: () I here and will maintain a certificate of consent to self insuce for worker' compensation, as provided fur by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. (4) I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are: Carrier: <u>BENCHMARK INS, COD.</u> Policy Number :: <u>CST3007851</u> (1) Certify that in the performance of the work for which this permit is issued. I shall not employ gap person in any meanmer to as to became subject to the worker' compensation pervisions of Section 2700 of the Labor Code, I shall forthowich northy with these previous. WARNING: FALLURE TO SECURE WORKSING COMPENSATION COVERAGE IS UNA AWAIL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTES AND COVE PUBLIC DOWNER AND THE LADOR CODE, Interaction of the section 1970 of the Labor Code, I shall forthowich due to previous. WARNING: FALLURE TO SECURE WORKSING COMPENSATION COVERAGE IS UNA AWAIL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTES AND THE LADOR CODE, INTEREST, AND TATONNEY PEREST. IDEADRO CODE, INTEREST, AND TATONNEY PERES . IDEADRE 	license is in full force and effect. The following take prime contracts or subcontracts involving	am licensed under the provisions of Chapter 9 (commencing with ng applies to B contractors only: J understand the limitations of S 3 specialty trades.	th Specien 7000) of Division 3 of ection 7057 of the Business and F	the Business and Professi rofessional Code related	ons Code, and my to my ability to	
I have and will maintain a certification of consent to cell finutus for worker' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My worker' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My worker' compensation insurance earier and policy number are: Carrier: <u>BENCHMARK INS, CO.</u> Policy Number: <u>CST5007851</u> California, ref agrees that if I should become subject to the work for which this permit is issued. J shall not employ say person is any manner to as to become subject to the worker's compensation have of California, ref agrees that if I should become subject to the worker's compensation pervisions. WARNING: FAILURE TO SECURE WORKERS COMPENSATION COVERAGE IS UNLAWFUL. AND SIALL SUBJECT AN EMPLOYEE TO CEMDARAL PRAVITES AND CYCLE HARD GOVE. THE RASE COMPENSATION COVERAGE IS UNLAWFUL. AND SIALL SUBJECT AN EMPLOYEE COMPENSATION DECIDENCE OF COMPENSATION DATA AND SATION COVERAGE AND COVER INNORED TO SUBJECT AN EMPLOYEE SECTION STRUCTS SEMMONAL EXCLARATION (LABA BAZAND SAMARUSE) COMPLEXES AND CYCLE AND		18. WORKERS' COMPENSAT	ION DECLARATION			
tilly that notification of asbestos removal is either not applicable or has been submitted to the AQMD or EPA as per section 19827.5 of the Health and Safety Code. Information is evailable at) 396-2336 and the notification form at <u>www.aumd.gov</u> . Leed asfe construction practices are required when doing repairs that disturb paint in pre-1978 buildings due to the presence of lead per on 6716 and 6717 of the Labor Code. Information is evailable at Health Services for LA County at (600) 524-5323 or the State of California at (800) 597-5323 or <u>www.dhr.ca.gov/shildlead</u> . 20. CONSTRUCTION LENDING AGENCY DECLARATION ety affirm under penalty of parjury that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civil Code). Lender's Address :	 I have and will maintain a certificate of conthis permit is issued. I have and will maintain workers' company compensation insurance carrier and policy Carrier. <u>BENCHMARK INS, CO.</u> I certify that in the performance of the work California, and agree that if I should becomwARNING: FAILURE TO SECURE WORKEE CIVIL FINES UP TO ONE HUNDRED THOUGH THE CANADAL AND THE SUP TO ONE HUNDRED THOUGH THE CANADAL AND THE SUP TO ONE HUNDRED THOUGH THE CANADAL AND THE SUP TO ONE HUNDRED THOUGH THE CANADAL AND THE SUP TO ONE HUNDRED THOUGH THE CANADAL AND THE SUP TO ONE HUNDRED THOUGH THE CANADAL AND THE SUP TO ONE HUNDRED THOUGH THE CANADAL AND THE SUP TO ONE HUNDRED THOUGH THE CANADAL AND THE SUP TO ONE HUNDRED THOUGH THE CANADAL AND THE SUP TO ONE HUNDRED THOUGH THE CANADAL AND THE SUP TO ONE HUNDRED THOUGH THE CANADAL AND THE SUP TO ONE HUNDRED THOUGH THE CANADAL AND THE SUP TO ONE HUNDRED THOUGH THE CANADAL AND THE SUP TO ONE HUNDRED THOUGH THE CANADAL AND THE SUP TO ONE HUNDRED THOUGHT THE SUP TO SUPE THE SUP TO ONE HUNDRED THOUGHT THE SUP TO ONE HUNDRED THOUGHT THE SUP TO ONE HUNDRED THOUGHT THE SUP THE SUP TO ONE HUNDRED THOUGHT THE SUP TO ONE HUNDRED THOUGHT THE SUP THE SUP THE SUP TO SUPE THE SUP TO ONE HUNDRED THOUGHT THE SUP THE SUP TO ONE HUNDRED THOUGHT THE SUP THE SUP THE SUP THE SUP THE SUP THE SUP TO SUPE SUP THE SU	nsent to self insure for worken' compensation, as provided for by sation insurance, as required by Section 3700 of the Labor Code, mumber are: 	for the performance of the work f Policy Number: any manner to as to become sub 30 of the Labor Code, I shall forth IALL SUBJECT AN EMPLOYE	or which this permit is is <u>CST50078</u> (ect to the workers' comp with comply with those p R TO CRIMINAL PENA	aued. My workers ¹ 51 ensation laws of wavisions. LTIES AND	2
eby affirm under penalty of parjury that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civil Code). ler's Name [If Any]:) 396-2336 and the notification form al <u>www.aumd.gov</u> .]	icable or hes been submitted to the AQMD or EPA as per section Lead safe construction practices are required when doing repairs t	19827.5 of the Health and Safety that disturb paint in pre-1978 buil	dings due to the presence	of lead per	
21. FINAL DECLARATION 21. FINAL DECLARATION tight that I have read this application INCLUDING THE ABOVE DECLARATIONS and state that the above information INCLUDING THE ABOVE DECLARATIONS is correct. I agree to ply with all eity and county ordinances and state laws relating to building construction, and hereby subhorize representatives of this city to exter upon the above-mentioned property for inspection ones. I realise that this permit is an application for inspection and that it does not approve the work specified foruin, and it does not authorize or permit any violation or failure to ply with any applicable law. Furthermore, neither the City of Los Angeles nor any board, department officer, or employee thereof, make any warranty, nor shall be responsible for the performance smits of any work described herain, nor the condition of the property nor the still upon which such work is performed. I further affirm under penalty of perjury, that the proposed work will not roy or unreasonably interfiere with any access or utility easement belonging to others and located on my property, but in the event such work does destroy or unreasonably interfiere with such ment, a substitute easemetic(s) astifactory to the holder(s) of the easement will be provided (Sec. 91.0106.4.3.4 LAMC). signing below, I certify that: 1 accept all the declarations above namely the Licensed Contractor's Declaration, Worken' Compensation Declaration, Asbestos Removal Declaration. /Lead Hazard Warning,	eby affirm under pensity of parjury that there is a constru			ivi) Cođe).		
tify that I have read this application INCLUDING THE ABOVE DECLARATIONS and state that the above information INCLUDING THE ABOVE DECLARATIONS is correct. I agree to ply with all city and county ordinances and state laws relating to building construction, and hereby subhorize representatives of this city to exter upon the above-mentioned property for inspection power. I realize that this parmit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not applicable have inder the above information of the property for inspection power. I realize that this parmit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not applicable have inter the ordy of Los Angeles not any board, department officer, or employee theroof, make any warraxy, nor shall be responsible for the performance suits of any work described herein, nor the condition of the property nor the stoil upon which such work is performed. I further affirm under penalty of perjury, that the proposed work will not ray or unreasonably interfere with any access or utility easement belonging to others and located on my property, but in the event such work does destroy or unreasonably interfere with such ment, a substitute easement(s) satisfactory to the holder(s) of the easement will be provided (Sec. 9).0106.4.3.4 LAMC).	er's Name (If Any):	Lender's Address :	4			
1) I accept all the declarations above namely the Licensed Contractor's Declaration, Worken' Compensation Declaration, Asbestos Removal Declaration. / Lead Hazard Warning,	ply with all sity and county ardinances and state laws rela poses. I realize that this permit is an application for inspec ply with any applicable law. Purthermore, seither the Cit guard any work described herain, nor the condition of d ory or unreasonably interfere with any access or utility es-	ABOVE DECLARATIONS and state that the above information sting to building construction, and hereby sutherize representative tion and that it does not approve or authorize the work specified 1 y of Los Angeles nor any board, department officer, or employee he property nor the soil upon which such work is performed. I far sement belonging to others and located on my property, but in the	o INCLUDING THE ABOVE I as of this city to enter upon the ab serein, and it does not authorize of thereof, make any warranty, nor s other affirm under penalty of perju-	ove-mentioned property f r permit any violation or f hull be responsible for the ary, that the proposed was	or inspection initure to sperformance k will not	
Construction Lending Agency Declaration, and Final Declaration; and 2) This permit is being obtained with the consent of the legal owner of the property.	Construction Lending Agency Declaration, and Final L	Declaration; and	Asbeatos Removal Declaration / R	and Hazard Warning,	-	
Name: MICHAELBLAHA Sign: Data: Data: Data: Deful/2017 X Contractor Authorized Agent			Date: 08/11/2/	<u>)17</u>	Contractor	Authorized Agent



EQUINE KEEPING CHECKLIST FORM

Septembe

No building permit shall be issued for any building creating new habitable space on a lot located in whole or in part within an Equine Keeping "K" District and/or any fot zoned RA, RE20, RE40, A1, or A2 without completing this form. This form shall be completed and submitted during plan check. For more information on the process, refer to the flowchart.

CHALON Rd., LOS ANGELES, (A 90077 Address: 10830 16010 - 10000 - 05072 PCIS: Please read the following two (2) questions carefully and answer either YES or NO: (1) Is there any equine keeping on any of the adjacent properties? Yes (i.e. an equine, animal keeping enclosure, barn, equine license) (2) is there any equine keeping on your property? Yes (i.e. an equine, animal keeping enclosure, barn, equine license) If the answer to either of the above questions is "yes", you will need to provide a dimensioned site plan that is to-scale and which shows the location of the equine keeping structure and/or enclosure on your lot and any of the adjacent properties and indicate the distances between your proposed habitable room additions, new single family dwelling unit, Accessory Living Quarters or Servant Quarters and such structures and/or enclosures. The information on the site plan shall be verified by LADBS inspection before construction can commence. Please call (888)LA4BUILD or (888)524-2845, for Equinekeeping pre-construction inspection to verify the accuracy of the provided information before starting any construction. For information on the setback requirements from an equine keeping structure and/or enclosure, please see LADBS Information Bulletin No. P/ZC 2002-018. http://ladbs.org/LADBSWeb/LADBS_Forms/InformationBulletins/IB-P-2C2014-018EquineKeeping.pdf Any incorrect information may lead to the revocation of the corresponding permits. EMANOF Property owner or the authorized agent's name:

Property owner or the authorized agent's signature:

Date: 217 1200

	: .	.'			
DEPARTMENT OF BUILDING	AND S	AFETY/	DEPARTM	ENT OF PUBL	IC WORKS
[†] PRELIMI	NARY	REFERR	AL FORM	FOR	
BASELINI	E HILLS	IDE OR	DINANCE N	No. 181.624	

	HILLSIDE	ORDINANCE N	o. 168,159
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	Building and Safety Date: 12/06/2013		PIN: 141B149-158			
	Address: 10830 W CHALON ROAD	Applicant:				
	District Map: 141B149 Tract: TR 9745	Project Description:				
	Block: BLK 1 Lot: 3	Phone:				
	APN: 4369022002	Fax:				
		PCIS No.:				
	Public Works:					
<u>}-</u>	Vehicular Access:					
	anone of the subject let to the baundany of the Lilloide Area		🗋 Yes 📓 No			
0 0	houndary of the Hillside Area?	e subject lot to the	🖬 Yes 🔲 No			
N	3. Is the street adjacent to the subject lot at least 20ft wide? (Note: all streets adjacent to a lot must be considered when the lot has it.)	nuîtiple	M Yes 🗌 No			
I N G	CPR = begins at the driveway apron and must be continuous and without permanent of f' 2" and "3" are Yes: COMPLY WITH HILLSIDE ORD. ZA APPROVAL IS NOT REGT)				
in service	Street Type:					
Ē.	1st Street Name:	R/W width:40' Ro	adway width: 24'			
<u>ن</u> مې	Controlle on a signadia (hiledo hillion on our	그는 것 같은 것 같아요. 정말 것 같아. 것 같아. 것 같아. 가지 않는 것 않는 것 같아. 가지 않는 것 같아. 가지 않는 것 같아. 것 같아. 것 같아. 가지 않는 것 않는 것 같아. 가지 않 않아. 가지 않는 것 않는 것 않아. 가지 않는 것 않는 것 않아. 가지 않는 것 않아. 가지 않아. 가지 않	an Index: P-7237			
v G		Improvement required				
يلية فسل						
	2nd Street Name:	R/W width: Roo	adway width:			
	Lot fronts on a standard hillside limited street		n Index:			
	Lot fronts on a sub standard hillside limited street	Improvement required				
	Comments:					
	Sewer Connection:	ULE NO				
	Lot located less than 200 ft from sewer mainline:					
	Use existing wys and permit	Obtain new connection and new permit				
	Use existing wye, obtain new permit Lot located greater than 200 ft from sewer mainline:	Obtain B-Permit from PW/BOE to construction				
	Obtain LADBS approval for on-site sewer	Obtain B-Permit from PW/BOE to construct new m	ainline 5			
	Public Works Employee completing this form	Print Name: KeltonL, Kir	by			
	Date: 12-6-2013 Phone: 318-5	75-8533 Location: West	-1A			

🚏 The final determination of Hillaide Ordinance applicability shall be made alter any and all dedication/improvements (if required) have been made.

2 . . . 10830 W Chalon Road Permit Application #: 16010 - 10000 - 05072 Plan Check #: B16LA17139 Bldg-New City of Los Angeles - Department of Building and Safety Initiating Office: METRO 1 or 2 Family Dwelling PLOT PLAN ATTACHMENT Plan Check Printed on: 08/07/17 11:18:23 輩 1-4 \odot vП \odot ()O ROAD 1) THE R CHALON 00 λ) \odot ----~ HAVE STRATE LOS OF ST. S. f. <u>___</u> inger 1985 international and the source of the sources of the source of VЛ Ø a van het ŝ 2 COLUMN TO SOUTH WE PLOT PLAN INSPECTION DISTRICT: R5053 COUNCIL DISTRICT: 5

10830 W Chalon Road



Permit #: Plan Check #: B16LA17139

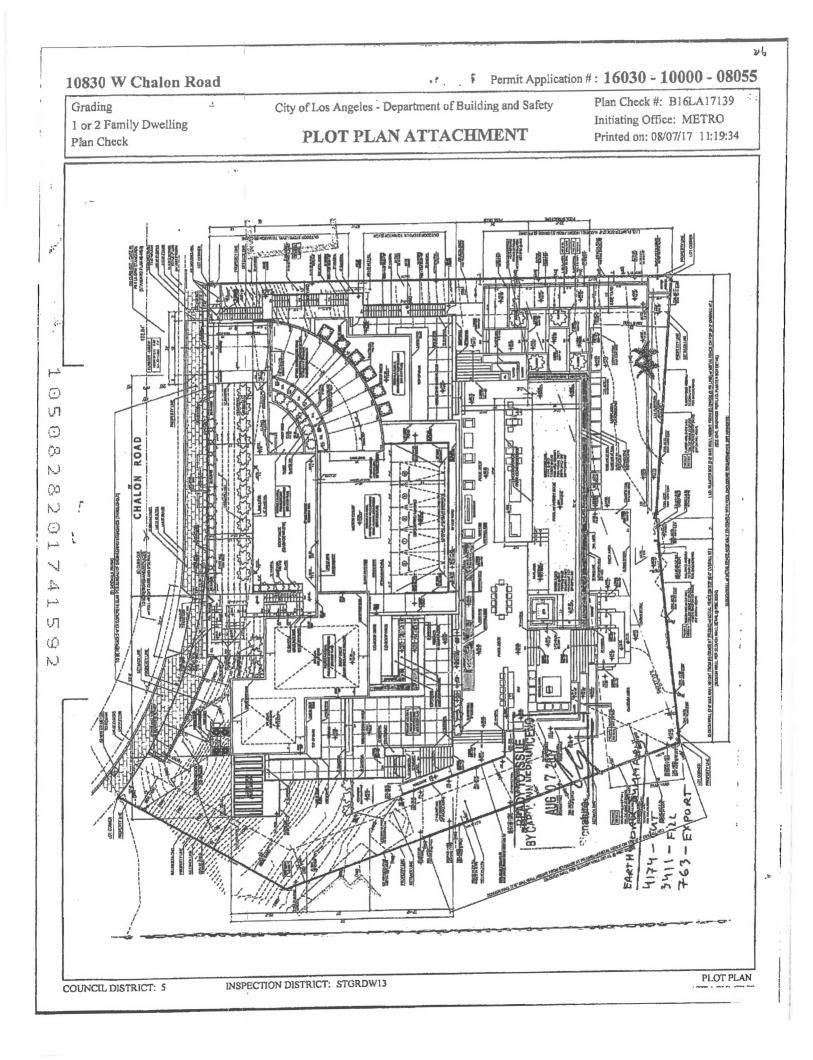
1

16030 - 10000 - 08055

Printed: 08/11/17 09:53 AM

	A STATE	Event Code:	
	ty of Los Angeles - Department of	Building and Safety Issued	on: 08/11/2017
I or 2 Family Dwelling AP	PLICATION FOR GRAI	DING PERMIT Last Sta	atus: Issued
Regular Plan Check Plan Check	AND GRADING CERT		Date: 08/11/2017
I. TRACT BLOCK LOTIS	ARE	COUNTY MAPREFA PARCELID	
TR 7656 12	3	M B 119-70/76 141B149	
TR 9745 BLK 3 TR 7656 BLK 2	2 4	M B 141-93/96 141B149 M B 119-70/76 141B149	
TR 9745 BLK 1 3	ĩ	M B 141-93/96 141B149	
Airport Hazard Arca - 980' Height Limit Above Elevation 747 Certii Arca Planning Commission - West Los Angeles Comm LADBS Branch Office - WLA Const	til District - 5 ied Neighborhood Cauneil - Bel Air - B nunity Plan Arca - Bel Air - Beverly Cro s Tract - 2621,00	st Hillside Grading Area - YES Hillside Ordinance - YES	
Baseline Hillsido Ordinance - Yes Distri ZONES(6): RE20-1-H	st Map - 141B149	Earthquake-Induced Landslic	le Area - Yes
4. DOCUMENTS			
21 - ZI-2438 Equine Keeping in the City of Lc ORD - ORD-13241			
21 - ZI-2443 Neighborhood Conservation ICO ORD - ORD-16756			
ORD - ORD-128730 ORD - ORD-18349 ORD - ORD-129279 ICO - Neighborhoo	7 CPC - CPC- d Conservation ICO - Bel / BHO - Yes	1986-829-GPC	
S. CHECKLIST ITEMS			
Special Inspect - Grading: Special Hazard			
Storm Water - LID Project			
5. PROPERTY OWNER, TENANT, APPLICANT INFORMATION		For Cashier's Use Only	W/O #: 630
Owner(s):			
HHP INVESTMENTS LP 0 PO BOX 762, BEVERLY HILLS CA 90213			
Tenani:			
Applicant: (Relationship: Architect)			
MANUEL MANUELIAN - MANUELIAN ARCHITECTS			
3501 OCEAN VIEW BLVD, GLENDALE, CA 91208 (818) 567-	4172		
7. EXISTING USE PROPOSED I			
(70) Gradin	g • miniside		
B. DESCRIPTION OF WORK			
GRADING FOR 3-STORY SINGLE FAMILY DWELLING OVER BASE SWIMMING POOL. NO EXCAVATION TO COMMENCE PRIOR TO 8/			
- THE REPORT OF THE PROPERTY IN THE CONNECTED FROM TO B			
	4		
4 Bldraon Stir & Use: A OF 4			
APPLICATION PROCESSING INFORMATION			
	PC By: rd. OK:		
ignature:	Date: 08/11/2017	WL DAVI 301022385 8/11/20	
<u>PROJECT VALUATION</u> Final For Period		GRADING PERMIT GRADING PLAN CHECK	\$1,975.00 \$135.00
		DEV SERV CENTER SURCH	\$63.30
ewer Cap ID: Total Bond(s) I			
ATTACAMENTS	tue: \$50,100	SYSTEMS DEVT FEE	\$126.60
	tue: \$50,100	SYSTEMS DEVT FEE CITY PLANNING SURCH	\$126.60 \$126.60
	tue: \$50,100	CITY PLANNING SURCH MISCELLANEOUS	\$126.60 \$10.00
	hue: \$50,100	CITY PLANNING SURCH MISCELLANEOUS PLANNING GEN PLAN MAINT S	\$126.60 \$10.00 URCH \$105.50
Plat Plan For inspection requests, call toll-free (888) LA4BUILD (524-2845). Outsi	ie LA County, cell	CITY PLANNING SURCH MISCELLANEOUS	\$126.60 \$10.00
l'lot Plan for inspection requests, call toll-free (888) LA4BUILD (524-2845). Outsi 213) 482-0000 or request inspections via www.ladbs.org. To speak to a C	ie LA County, cell	CITY PLANNING SURCH MISCELLANEOUS PLANNING GEN PLAN MAINT S GRADING PLAN CHECK	\$126.60 \$10.00 URCE \$105.50 \$0.00
lot Plan or inspection requests, call toll-free (888) LA4BUILD (524-2845). Outsi 213) 482-0000 or request inspections via www.ladbs.org. To speak to a C	ie LA County, cell	CITY PLANNING SURCH MISCELLANEOUS PLANNING GEN PLAN MAINT S	\$126.60 \$10.00 URCE \$105.50 \$0.00
lot Plan or inspection requests, call toll-free (888) LA4BUILD (524-2845). Outsi 213) 482-0000 or request inspections via www.ladbs.org. To speak to a C	ie LA County, cell	CITY PLANNING SURCH MISCELLANEOUS PLANNING GEN PLAN MAINT S GRADING PLAN CHECK Sub Total	\$126.60 \$10.00 URCE \$105.50 \$0.00
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Int Plan or inspection requests, call toll-free (888) LA4BUILD (524-2845). Outsi 213) 482-0000 or request inspections via www.ladbs.org, To speak to a C 11. Outside LA County, call (213) 473-3231.	ie LA County, cell fi Center agent, caïl	CITY PLANNING SURCH MISCELLANEOUS PLANNING GEN PLAN MAINT S GRADING PLAN CHECK Sub Total Permit # Building Receipt	\$126.60 \$10.00 URCE \$105.50 \$0.00

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P) Exp	UCTURE INVENTORY (Note: Nomeric we 1: 4174 Cuyd port: 763 Cuyd 1: 3411 Cuyd	ewaremeet data in De Cornert "samber / sainber" implies "eb	nnge in oomerie valne / total zesulting nomerie va	lue">	6030 - 10000 - 08
RÀDIN	<u>ication comments:</u> NG BOND APPROVAL #628363, 30-DAY EX ENCE PRIOR TO 8/11/2017.	CAVATION NOTICES SENT 7/11/2017. NO EXCAVA:	пон то	In the event that any box (i.e. 1-16) is is possible that additional information electronically and could not be printed restrictions. Nevertheless the informat that required by section 19325 of the to Code of the State of California.	has been captured due to space ion printed exceeds
BUILS	DING RELOCATED FROM:			<u> </u>	
) H	RACTOR ARCHITECT & ENGINEER NAME Y-MAX BUILDING CORP OBORSI, NADER J	APDRESS 28376 CONSTELLATION ROAD, 23 ARIZONA,	VALENCIA, CA 91355 IRVINE, CA 92606	CLASS LICENSE Ø B 702339 C46119	<u>PHONE #</u> (818) 535-5580 (714) 542-1214
2	continuous period of 180 days (Sec. 98.06	his permit expires two years after the date of the permit is 02 LAMC). Claims for refund of fees paid must be filed ntitled to reimbursement of permit fees if the Department	within one year from the date of expiration for	permits granted by LADBS (Sec. 22.12	
		as I am licensed under the provisions of Chapter 9 (comm wing applies to B contractors only: I understand the limit ring specially trades.			у
	this permit is issued.				
	compensation insurance earrier and poli Carrier: BENCHMARK INS. CO		Policy Number:	CST5007851	
		wark for which this permit is issued. I shall not employ an come subject to the workers' companyation provisions of i	y person in any manner so as to become subje	ct to the workers' compensation laws of	
	WARNING: FAILURE TO SECURE WOR	KERS' COMPENSATION COVERAGE IS UNLAWFU IOUSAND DOLLARS (\$100,000), IN ADDITION TO T	l, and shall subject an employer	TO CRIMINAL PENALTIES AND	
96-23	36 and the notification form at www.agmd.go	<u>19. ASBESTOS REMOVAL DECLARA</u> pplicable of has been submitted to the AQAD of EPA as or Lead safe construction practices are required when dou vailable at Health Services for LA Coomy et (800) 524-52	per section 19827.5 of the Health and Safety in ng repairs that disturb paint in pre-1978 build	ngs due to the presence of lead per	
	ma under penalty of perjury that there is a const	29. CONSTRUCTION 1.2.NDING suction lending agency for the performance of the work f		il Code).	· · ·
y alfin	ne (If Any):	Londer's Address :			
			ARATION	CLARATIONS is correct. I agree to	
's Nam fy that ly with ses, 1 m ly with uits of i y or un	a all city and county ordinances and state laws a realize that this permit is an application for ine a any applicable law. Furthermore, neither the C any work described herein, nor the condition o measonably interfere with any access or utility	21. FINAL DEC THE ABOVE DECLARATIONS and state that the above relating to building construction, and hereby authorize rep section and that it does not approve or authorize the work. City of Los Angeles nor any board, department officer, or if the property nor the soil upon which such work is perfor easement belonging to others and located on my property r(s) of the easement will be provided (Sec. 91.0106.4.3.4	nesentatives of this city to enter upon the abor specified herein, and it does not authorize or j employee thereof, make any warranty, nor sh med. I funther affirm under penalty of perjur , but in the event such work does destroy or u	re-mentioned property for inspection permit any violation or failure to all be responsible for the performance of that the proposed work will not	
ify that ly with ults of i y ar un tent, a s ignin l acce Const	a all city and county ordinances and state laws a realize that this permit is an application for ine any applicable law. Furthermore, neither the C any work desoribed herein, nor the condition o measonably interfere with any access or utility substatute castment(s) satisfactory to the holder g below, I certify that:	TE ABOVE DECLARATIONS and state that the above relating to building construction, and hereby authorize rep- section and that it does not approve or authorize the work City of Los Angeles nor any board, department office, or of the property nor the soil upon which such work is perfu- easement belonging to others and located on my property r(s) of the easement will be provided (Sec. 91.0106.4.3.4 seed Contractor's Declaration, Workers' Compensation De al Declaration; and	nesentatives of this city to enter upon the abor specified herein, and it does not authorize or employee thereof, make any warranty, nor shu med. I funiter affirm under penalty of perjur , but in the event such work does destroy or u LAMC).	re-mentioned property for inspection sermit any violation or failure to all be responsible for the performance s, that the proposed work will not areasonably interfere with such	2



10830 W Chalon Road



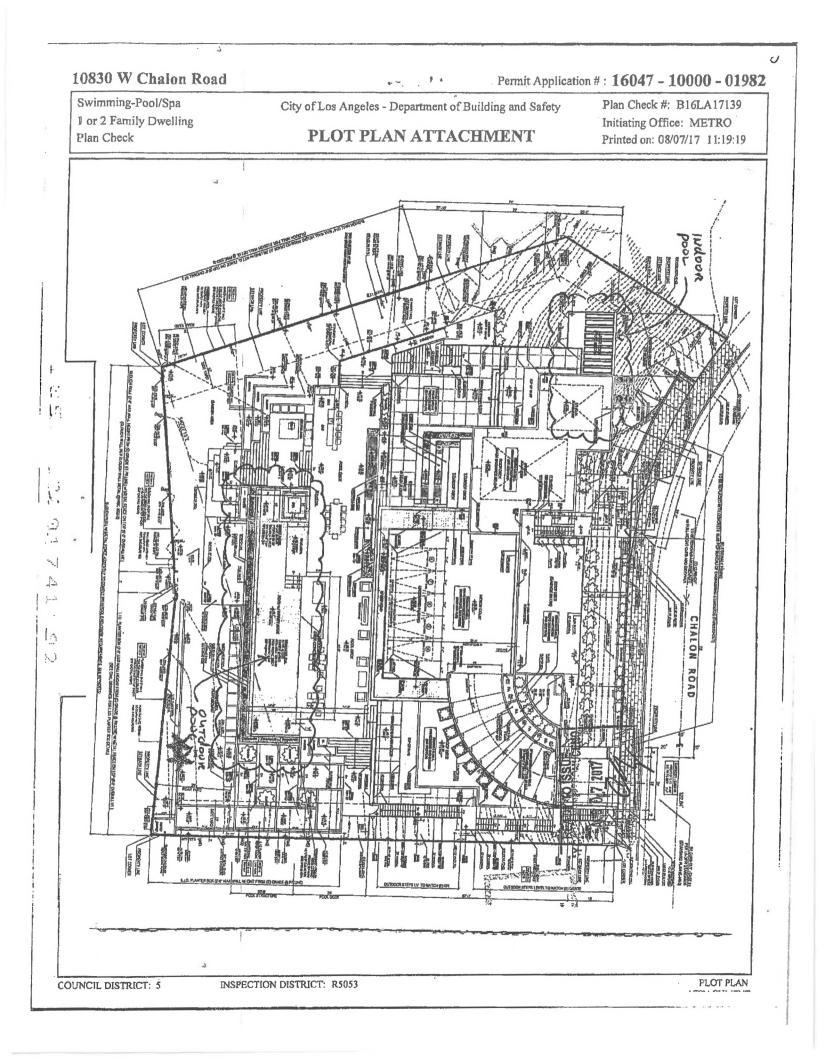
Permit #: • Plan Check #: B16LA17139 Event Code

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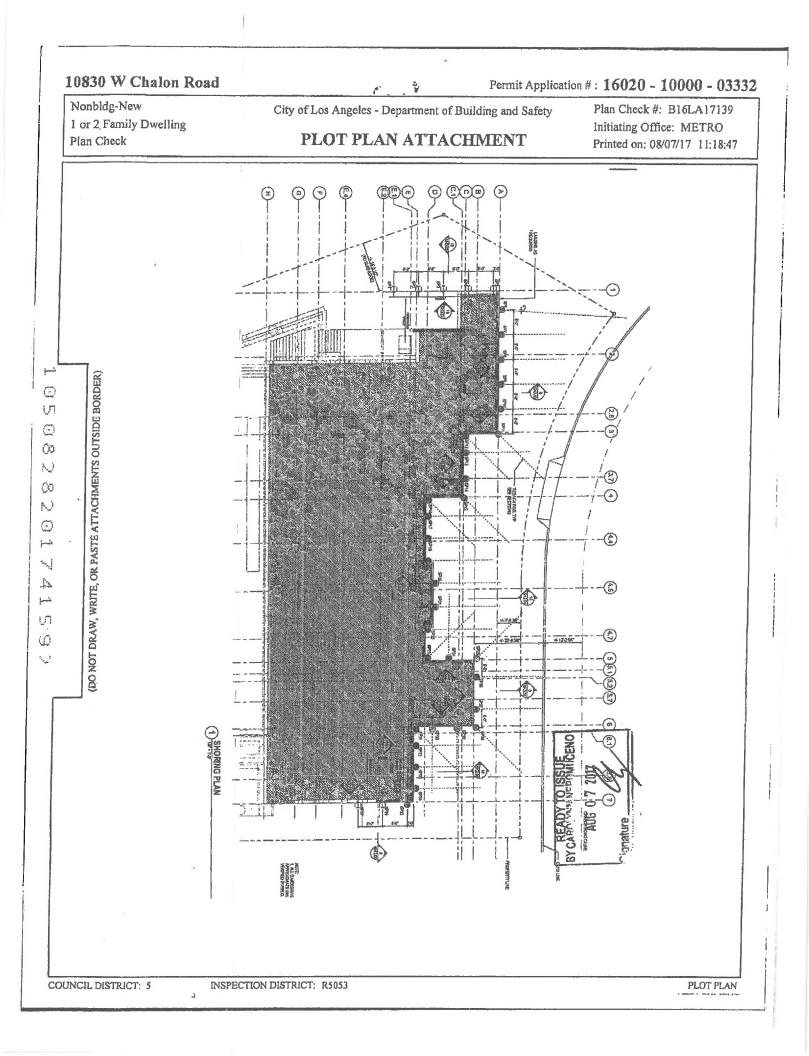
		NOTO:	event Code:		
Swimming-Pool/Spa	1	City of Los Angeles - Dep	artment of Building and Sa	ifety Issued on:	: 08/11/2017
1 or 2 Family Dwelling	А	PPLICATION FOR POC	L. SPA. & SOLAR	R HEATER Last Statu	s: Issued
Regular Plan Check Plan Check		AND CERTIFICAT		CT .	
1. TRACT	BLOCK LOT				te: 08/11/2017
TR 9745	BLK I 3	132	<u>анв социтумар</u> I MB141-93		
3. PARCEL INFORMATION Airport Hazard Area - 1010' Height Airport Hazard Area - 980' Height L Area Planning Commission - West L	imit Above Elevation 7			Energy Zone - 9 Fire District - VHFHSZ Hillside Grading Ares - YES	2
LADBS Branch Office - WLA Baseline Hillside Ordinance - Yes		Census Tract - 2621.00 District Map - 141B149		Hillside Ordinance - YES Earthquake-Induced Landslide	Area - Yes
ZONES(S): RE20-1-H		······································			
4.DOCUMENTS Z1 - Z1-2438 Equine Keeping i Z1 - Z1-2443 Neighborhood Co ORD - ORD-128730 ORD - ORD-129279 <u>5.CHECKLISTITEMS</u> Special Inspect - Concrete>2.5	nservation ICO ORD ORD ICO -	- ORD-167564-SA3630 - ORD-183497 Neighborhood Conservation (CO - Bel / Additional Work - Electrical	HLSAREA - Yes CPC - CPC-18760 CPC - CPC-1986-829-GPC BHO - Yes	Pool Type • Private Pool	
Special Inspect - Grade Beam/ Special Inspect - Structural Ob		Installation - New Pool/Spa Additional Work • Plumbing		Std. Work Descr - Seismic Gas Sh	ut Off Valve
6. PROPERTY OWNER, TENANT, AL	PLICANT INFORMATION	L	For Cashier's	Use Only	W/O #: 6470
Applicant: (Rolationship: Architect MANUEL MANUELIAN - M 3501 OCEAN VIEW BLVD, G	ANUELIAN ARCHIT	- (818) 667-4172			
7. EXISTING USE		<u>PROPOSED USE</u> (20) Fool/Spa - Private			
B. DESCRIPTION OF WORK CONSTRUCTION OF A NEW OUTD ENGINEERED DESIGN. OUTDOOR 32'-0"X11'-0"X4'-0",					
9. # Elides on Site & Use: 2 OF 4					
14. APPLICATION PROCESSING INFORMAT	ION			/I 301022385 8/11/2017 ING PERMIT-RES	7 9:52:08 AM \$541.50
BLDG. PC By: Carolynn Nepomuc	eno	DAS PC By:		ING PERMIT-RES	\$406.13
OK for Cashier: Roberto Park		Coord. OK:		ING PLAN CHECK	\$487.35
Signature:		Date: 08/11/2017		SIDENTIAL	. \$8.08
IL PROJECT VALUATION Final Fee Per				IRV CENTER SURCH IS DEVT FEE	\$45.24 \$90.48
Permit Valuation: \$62,135		: Valuation:		LANNING SURCH	\$65.63
Sewer Cap ID:	To	tal Bond(s) Due:		LANEOUS	\$10.00
LATTACHMENTS			PLANNI	NG GEN PLAN MAINT SUR	CH \$54.69
Plot Plan				G STD COMMISSION SURC	
				NG PLAN CHECK	\$0.00
For inspection requests, call toll-free (8 (213) 482-0000 or request inspections v 11. Outside LA County, call (213) 473	ia www.ladbs.org. To	2845). Outside LA County, call a speak to a Call Center agent, call	BUILDI	NG PERMIT-RES Sub Total:	\$65.00
I HERRICA IN TAXA MAN BAR	-	IN THE AND LAND AND A REPORT OF A DEC	Permit Build	L 1 CO 171 000001 000	
	4 7 1 0 0 0 0	0 1 9 B 2 F N *	Recei		

13. STP								
(P) Con (P) Con (P) Poo (P) Poo (P) Poo (P) Poo (P) Poo (P) Poo (P) Poo	BUCTURE INVENTORY (Nete: Numeric measurement data is the forwat "sumber" sumber" subject "subject value/total result oncrete Construction (P) Spa Depth - Maximum: +3.08 Feet / 3.08 Feet oncrete Construction (P) Spa Length: +11 Feet / 11 Feet old Depth - Maximum: +4 Feet / 4 Feet (P) Spa Length: +11 Feet / 11 Feet (P) Spa Width: +10.3 Feet (P) Spa Width: +10.3 Feet old Depth - Maximum: +5 Feet / 5 Feet (P) Spa Width: +10.3 Feet (P) Spa Width: +10.3 Feet (P) Spa Width: +10.3 Feet old Length: +32 Feet / 32 Feet (P) Misc. Occ. Group: +1445 Sqft / 1445 Sqft (P) Misc. Occ. Group: +1445 Sqft / 1445 Sqft ol Surface Area: +1370 Sqft / 1370 Sqft (P) Misc. Occ. Group: +352 Sqft / 352 Sqft (P) Parking Req'd for Site (Auto+Bicycle): 0 Stalls / Stalls / Stalls / Stalls / S Sol ol Surface Area: +137 Sqft / 1370 Sqft (P) Parking Req'd for Site (Auto+Bicycle): +5 Stalls / S S (P) Parking Req'd for Site (Auto+Bicycle): +5 Stalls / S S ol Width: +11 Feet / 11 Feet ol Width: +18 Feet / 18 Feet (P) Parking Req'd for Site (Auto+Bicycle): +5 Stalls / S S	1						
** Appr	LICATIÓN COMMENTS: roved Seismic Gas Shut-Off Valve may be required. ** SFD 16010-10000-03072, SHORING 16020-10000-03332, GRADING 10000-08055,	In the event that any box (i.e. 1-16) is filled to capacity, it is possible that additional information has been captured electronically and could not be printed due to space restrictions. Neverthetess the information printed exceeds that required by section 15825 of the Health and Safety Code of the State of California.						
s. BUILI	DING BELOCATED FROM:							
(C) H	TRACTOR ARCHITECT & ENGINEER NAME ADDRESS IY-MAX BUILDING CORP 28376 CONSTELLATION ROAD, VALENCIA, 6 2HANG, YAO 538 ROCCO CIRCLE, CORONA, CA							
	PERMITEXPERATION/REFUNDS: This permit expires two years after the date of the permit issuance. This permit will also a continuous period of 180 days (Sec. 98.0602 LAMC). Claims for refund of fees paid must be filed within one year from the date o & 22.13 LAMC). The permittee may be entitled to reimbursement of permit fees if the Department fails to conduct an inspection v (HS 17951).	f expiration for permits granted by LADBS (Sec. 22.12						
	<u>17. LICENSED CONTRACTOR'S DECLARATION</u> Intereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (constituencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect. The following applies to B contractors only: I understand the limitations of Section 7057 of the Business and Professional Code related to my ability to take prime contracts or subcontracts involving specialty trades. License Class: B License No.: 702339 Contractor: <u>HY-MAX BUILDING CORP</u>							
18. WORKERS' COMPENSATION DECLARATION 1 hereby affirm, under penalty of perjury, one of the following declarations: () 1 have and will maintain a certificate of consent to self insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. (S) I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers compensation insurance service and pulley number are:								
	Carrier: <u>BENCHMARK INS. CO.</u> Policy No. () I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as a California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Cod	to become subject to the workers' compensation laws of						
	WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.	VEMPLOYER TO CRIMINAL PENALTIES AND ON, DAMAGES AS PROVIDED FOR IN SECTION						
) 396-23	<u>19. ASBESTOS REMOVAL DECLARATION / LEAD HAZARD WARN</u> It notification of asbestos removal is either not applicable or has been submitted to the AQMD or EPA as per section 19827.5 of the Hea 1336 and the notification form at <u>www.anmd.gov</u> . Lead safe construction practices are required when doing repairs that disturb paint in 6 and 6717-of the Labor Code. Information is available at Health Services for LA County at (800) 524-5323 or the State of California at	If and Safety Code. Information is available at pre-1978 buildings due to the presence of lead per						
	20, CONSTRUCTION LENDING AGENCY DECLARATION irm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued	(Sec. 3097, Civil Code).						
eby affi								
	ime (IF Any): Lender's Address :							
ter's Nan artify the apply with pases. I is apply with esults of troy or u	Ime (If Any):	ar upon the above-mentioned property for inspection of authorize or permit any violation or failure to warmany, nor shall be responsible for the performance really of perjury, that the proposed work will not						
der's Nan artify the nply with pases. I in nply with esults of troy or u ement, a signin	21. FINAL DECLARATION at I have read this application INCLUDING THE ABOVE DECLARATIONS and state that the above information INCLUDING THE th all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this oity to entat realize that this permit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not any applicable faw. Furthermore, neither the City of Los Angeles nor any board, department officer, or employee thereof, make any w of any work described herein, nor the condition of the property mor the soil upon which such work is parformed. I further affirm under p unreasonably interfere with any access or utility ensement belonging to others and located on my property, but in the event such work does a substitute easternel(s) satisfactory to the helder(s) of the easement will be provided (Sec. 91.0106.4.3.4 LAMC). mg below, I certify that:	ar upon the above-mentioned property for inspection of authorize or permit any violation or failure to warranty, nor shall be responsible for the performance enalty of perjury, that the proposed work will not bee destroy or unreasonably interfere with such						
der's Nan mply with pases, I : mply with pases, I : mply with results or u ement, a ' signin () acc Cons	21_EPIAL DECLARATION at I have read this application INCLUDING THE ABOVE DECLARATIONS and state that the above information INCLUDING THE the all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this oity to entat realize that this permit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not thany applicable (aw. Furthermore, neither the City of Los Angeles nor any board, department officer, or employee thereor, make any w of any work described herein, nor the condition of the property mor the soil upon which such owrk is parformed. I further affirm under pure unreasonably interfere with any access or utility essentent belonging to others and located on my property, but in the event such work de a subativute castement(s) satisfactory to the halder(s) of the essentent will be provided (Sec. 91.0106.4.3.4 LAMC). Ing below, I certify that: coupt sill the declarations above namely the Licensed Contractor's Declaration, Workers' Compensation Declaration, Asbestos Removal D saturation Lending Agency Declaration, and Final Declaration; and s permit is being obtained with the consent of the legal owner of the property.	ar upon the above-mentioned property for inspection of authorize or permit any violation or failure to warranty, nor shall be responsible for the performance enalty of perjury, that the proposed work will not bee destroy or unreasonably interfere with such						



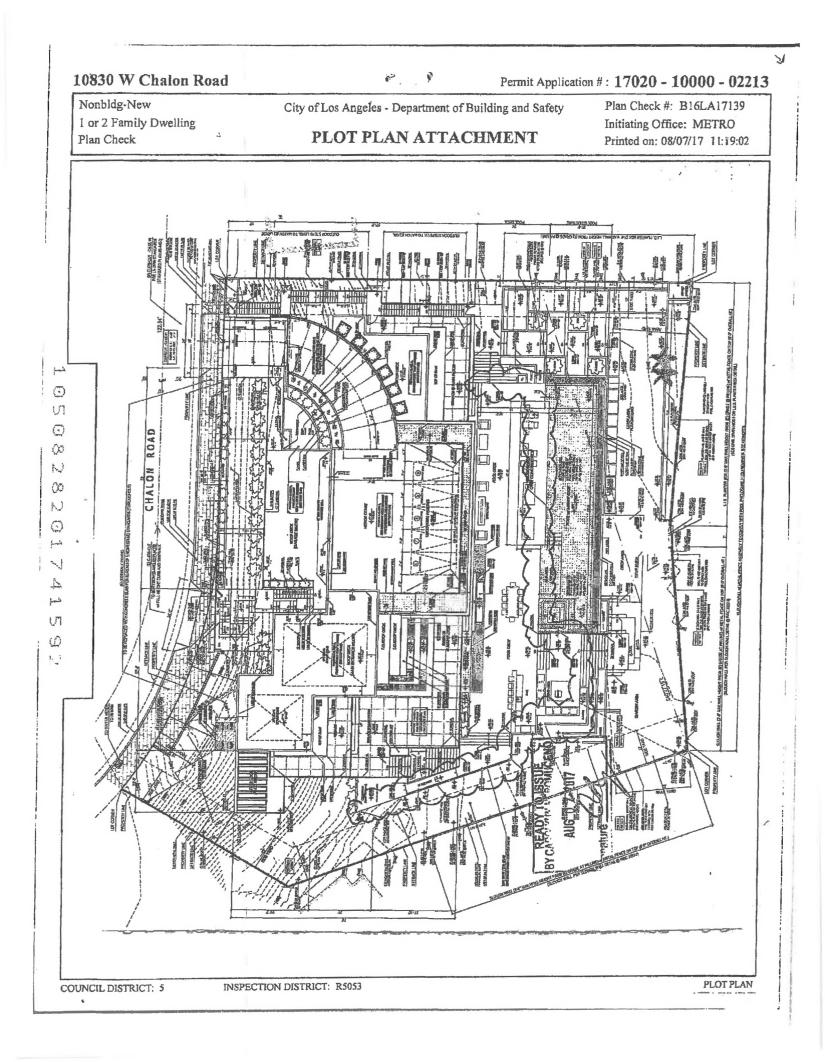
10830 W Chalon Road		Permit #: Plan Check #: B16LA17139 Event Cade:	16020 - 10000 - 033 Printed: 08/11/17 09:51
Nonbldg-New	City of Los Angeles - Department of I	Building and Safety	Issued on: 08/11/2017
1 or 2 Family Dwelling	APPLICATION FOR BUIL	DING PERMIT	Last Status: Issued
Regular Plan Check Plan Check	AND CERTIFICATE OF C	CCUPANCY	Status Date: 08/11/2017
i, TRACT BLOCK LOT(3)	ARD	COUNTY MAP REPA	PARCELID # IPIN # 2. ASSESSOR PARCEL#
TR 9745 BLK 1 3	i	M B 141-93/96	141B149 158 4369 - 022 - 002
J. PARCELINFORMATION Airport Hazard Area - 1010' Height Limit Above Elevation 747 Airport Hazard Area - 980' Height Limit Above Elevation 747 Area Planning Commission - West Los Angeles LADBS Branch Office - WLA Baseline Hillside Ordinance - Yes	Council District - 5 Certified Neighbothood Council - Bel Air - B Community Plan Area - Bel Air - Beverly Cre Census Tract - 2621.00 District Map - 141B149	st Hillside Grading Hillside Ordinan	HFHSZ ; Area - YES
ZONES(5)) RE20-1-H			
ZI - ZI-2438 Equine Keeping in the City of Lc ORD - ORJ ZI - ZI-2443 Neighborhood Conservation ICO ORD - ORL ORD - ORD-128730 . ORD - ORL ORD - ORD-129279 ICO - Neighborhood Conservation ICO - Neighborhood Conservation ICO - Neighborhood Conservation ICO - Neighborhood Conservation Inspect - Concrete>2.5ksi Special Inspect - Field Welding Special Inspect - Grade Beam/Caisson	D-167564-\$A3630 CPC - CPC-	18760 1986-829-GPC	Seructural Stoel
Special Inspect - Orace BeanvCarsson	Special Inspect - Sudetian Ouservation	For Cashier's Use Only	W/O #: 620033
0 PO BOX 762, BEVERLY HILLS CA 90213 Tettant; Applicant: (Relationship: Architect) MANUEL MANUELIAN - MANUELIAN ARCHITECTS 3501 OCEAN VIEW BLVD, GLENDALE, CA 91208 (8)			
	POSER USE Shoring (Temporary)	•	
B. DESCRIPTION OF WORK SHORING FOR A NEW 3-STORY SINGLE FAMILY DWELLING	G WITH BASEMENT	-	12°
2. If Bidgs on Site & Use: 3 OF 4			
10. APPLICATION PROCESSING INFORMATION			
BLDG. PC By: Carolynn Nepomuceno OK for Cashier: Roberto Park	DAS PC By: Coord. OK:		8/11/2017 9:50:42 AM
Signature:	Date: 08/11/2017	BUILDING PERMIT-R BUILDING PLAN CHEC	
11. PROJECT VALUATION Final Fee Period		EI RESIDENTIAL	\$1.86
Permit Valuation: \$14,336 PC Valu	uation;	DEV SERV CENTER SU Systems devt fee	JRCH \$12.60 \$25.19
Sewer Cap ID: Total B	ond(s) Due:	CITY PLANNING SURG	
		MISCELLANEOUS	\$10.00
Plot Plan		PLANNING GEN PLAN CA BLDG STD COMMIS	
For inspection requests, call toll-free (888) LA4BUILD (524-2845) (213) 482-0000 or request inspections via www.ladbs.org. To spea 311. Outside LA County, call (213) 473-3231.	. Outside LA County, call k to a Call Center agent, call	BUILDING PLAN CREC	
		Permit # Building Receipt	
			EXHIBIT D

			4. 5			
13. STRUCTURE INVENTORY (Note: Numeric measure)	urement data in the form	18 "vomber / somber" implies "saage	in numeric value / total resulting aumeric v	value ⁿ)	10	5020 - 10000 - 03
14. APPLICATION COMMENTS: SFD 16010-100000-05072. FOOL 16047-10000-01982.	GRADING 16030-1000	10-08035.		In the event that any is possible that addit electronically and co restrictions. Neverth that required by sect Code of the State of	ional information I uld not be printed eless the information fon 19825 of the H	has been captured due to space on printed exceeds
15. BUILDING RELOCATED FROM:						
15. CONTRACTOR, ARCHITECT & ENGINEER NAME	ADDRESS			CLASS	LICENSE #	PRONE #
C) HY-MAX BUILDING CORP		NSTELLATION ROAD,	VALENCIA, CA 91355	B	702339	(818) 535-5580
		Ocea the state of the second is	The second s			
PERMIT EXPERATION/REFUNDS: Thi continuous period of 180 days (Sec. 98.0607 & 22.13 LAMC). The permittes may be enti (HS 17951).	LAMC). Claims for ret	fund of fees paid must be filed with	in one year from the date of expiration f	or permits granted by LA	DBS (Sec. 22.12	
		17. LICENSED CONT	ACTOR'S DECLARATION			
I hereby affirm under penalty of perjury that license is in full farce and effect. The follow take prime contracts or subcontracts involvin	ing applies to B contrac					
License Class: License No.:	702339	Contractor: HY-M	IAX BUILDING CORP			
		18. WORKERS' COMP	ENSATION DECLARATION			
I hereby affirm, under penalty of perjusy, and () I have and will maintain a certificate of a this parmit is issued.			f for by Section 3700 of the Labor Code	, for the performance of	the work for which	
(3) I have and will maintain workers' compo- compensation insurance carrier and polici		pired by Section 3700 of the Labor	Code, for the performance of the work f	or which this permit is is	sucd. My workers'	
Carrier:BENCHMARK INS. CO.			Policy Number:	CST5007	851	
() I certify that in the performance of the wo California, and agree that if I should become the state of						
WARNING: FAILURE TO SECURE WORK CIVIL FINES UP TO ONE HUNDRED THO J706 OF THE LABOR CODE, INTEREST, A	USAND DOLLARS (S	100,000), IN ADDITION TO THE				
		SBESTOS REMOVAL DECLARATIO	N / LEAD BAZARD WARNING			
nify that notification of asbestos removal is either not app 9) 396-2336 and the notification form at <u>www.agmd.gov.</u> ion 6716 and 6717 of the Lebor Code. Information is ava	licable or has been sub- Lead safe construction	mitted to the AQMD or EFA as per a practices are required when doing n	ection 19827.5 of the Health and Safety cpairs that disturb paint in pre-1978 buil	dings due to the presence	e of lead per	······································
reby affirm under penalty of parjury that there is a constru	ection lending agency fo	20, CONSTRUCTION LENDING AG or the performance of the work for w		ivil Code).		
der's Name (If Any):		Lender's Address :				
		2], FINAL DECLAR				
mify that I have read this application INCLUDING THI pply with all city and county ordinances and state laws ra poses. I realize that this permit is an application for inspa- nply with any applicable law. Furthermore, neither the Ci ssults of any work described herein, nor the condition of troy or unreasonably interfere with any access or utility e ument, a substitute easement(s) satisfactory to the holded?	lating to building constr ction and that h does no ty of Los Angeles nor a the property nor the soil assement belonging to ot	nuction, and hereby authorize represe H apprave or authorize the work spe my board, department officer, or emp I upon which such work is performe thers and located on my property, bu	entatives of this city to enter upon the ab stiffed herein, and it does not authorize o sloyee thereof, make any warranty, nor s d. I further affirm under peralty of perji- t in the event such work does destroy or	ove-mentioned property r permit any violation or hall be responsible for th ary, that the proposed we	for inspection failure to as performance ark will not	
signing below, I certify that:						
9 9	1.C. In the Declarity	ion Worker' Compensation Declar	ation. Ashestos Removal Declaration / I	.ead Hazard Warning,		
1) I accept all the declarations above namely the License Construction Lending Agency Declaration, and Final	Declaration; and					
 I accept all the declarations above namely the License Construction Lending Agency Declaration, and Final This permit is being obtained with the consent of the Name: MICHAEL BLAHA 	Declaration; and			-	Contractor	Authorized Agent



10830 W Chalon Road		Permit #: Plan Check #: B16LA17139 Event Code:	17020 ~ 10000 - 0221 Printed: 08/11/17 09:51 A
Nonbildg-New 1 or 2 Family Dwelling A 1 or 2 Family Dwelling A Regular Plan Check Plan Check Plan Check A LITRACI BLOCK TR 9745 BLK 1	City of Los Angeles - Department of APPLICATION FOR BUIL AND CERTIFICATE OF	Building and Safety DING PERMIT OCCUPANCY COUNTY MAP REF#	Issued on: 08/11/2017 Last Status: Issued Status Date: 08/11/2017 PARCELID# (GIN#)
DLK ()	1	M B 141-93/96	141B149 158 4369 - 022 - 002
Airport Hazard Area - 980' Height Limit Above Elevation 747 C Area Planning Commission - West Los Angeles C LADBS Branch Office - WLA C Baseline Hillside Ordinance - Yes D	Counteil District - 5 Sertified Neighborhood Council - Bel Air - B Community Plan Arca - Bel Air - Beverly Cri Jensus Tract - 2621.00 District Map - 141B149	est Hillside Grading / Hillside Ordinane	Area - YES
ZONES(5): RE20-1-H-HCR <u>4.DOCUMENTS</u> ZI - ZI-2438 Equine Keeping in the City of Lc ORD - ORD-12 ZI - ZI-2462 Modifications to SF Zoues and S' ORD - ORD-12 ZI - ZI-2467 HCR Hillside Construction Regu ORD - ORD-10 ORD - ORD-128730 ORD - ORD-12 <u>5.CHECKLIST ITEMS</u>	32416 ORD - ORE 67564-\$A3630 HLSAREA	- 184828 CPC - Yes CPC	- CPC-1986-829-GPC - CPC-2016-4085-CA - CPC-2016-4087-ZC - Yes
S.EROPERTY OWNER, FENANT, APPLICANT INFORMATION Owner(a). HHP INVESTMENT'S LP D PO BOX 762, BEVERLY HILLS CA 90213 Tenant: Applicant: (Relationship: Architect) MANUEL, MANUELIAN - MANUELIAN ARCHITECT'S 3501 OCEAN VIEW BLVD, GLENDALE, CA 91208 (818)	667 4173	For Cashier's Use Only	W/O #: 7200221
2. EXISTING USE EROPOS			
L DESCRIPTION OF WORK NEW RETAINING WALL FOR BUILT UP DECK		ż	
	DAS PC By: Coord. OK: Date: 08/11/2017	BUILDING PERMIT-RES BUILDING PLAN CHECK EI RESIDENTIAL	\$266.40 \$2.73
Permit Valuation: \$21,000 PC Valuation Sewer Cap ID: Total Bondy LATTACHMENTS Total Point		DEV SERV CENTER SUR SYSTEMS DEVT FEE CITY PLANNING SURCE MISCELLANEOUS	\$33.91 \$33.74 \$10.00
Piol Plan For inspection requests, call toll-free (888) LA4BUILD (524-2845). O (213) 482-0000 or request inspections via www.ladbs.org. To speak to 311. Outside LA County, call (213) 473-3231.		Permit #:	ION SURCHARGE \$1.00
	NAN NUTRY NAN NUTRY N	Building Receipt #	EXHIBIT E

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		mrement dats in the for	mat "namber / number" Implies "c	bange in nomeric value / talul reast	tiog anmeric value	")		17020 - 10000 - 02
	aining Wall Height: 7 Feet aining Wall Length: 205 Feet							ę
	CATEN CARSON					n the event that an	v box (i.e. 1-)6)	s filled to capacity, it
<u>14. AEELA</u>	Cation comments;				i e r t	s possible that add dectronically and c estrictions. Nevert	tional informatio ould not be print teless the inform tion 19825 of the	n has been captured
S. BUILD	ING RELOCATED FROM							
	ACTOR, ARCHITECT & ENGINEER NAME Y-MAX BUILDING CORP	<u>ADDRESS</u> 28376 CC	ONSTELLATION ROAD,	VALENCIA, C	CA 91355	<u>CLASS</u> B	<u>license</u> 702339	<u>phone#</u> (818) 535-5580
	PERMIT EXPRATION/REFUNDS: Thi continuous period of 180 days (Sec. 98.060 & 22.13 LAMC). The permittee may be ent (HS 17951).	LAMC). Claims for	refund of fees paid must be filed	within one year from the date of	expiration for pe	rmits granted by L	ADBS (Sec. 22.1	
	I hereby affirm under penalty of perjory that license is in full force and affect. The follow take prime contracts or subcontracts involvi	ing applies to B contr	the provisions of Chapter 9 (com					
	License Class: B License No.:	702339	Contractor; }	Y-MAX BUILDING COR	P			
	I hereby affirm, under penalty of perjury, on () I have and will maintain a certificate of a this permit is issued. (20) I have and will maintain workers' compe- compensation insurance carrier and polic	consent to self insure f nastion insurance, as r	larations : For workers' compensation, as pro		Labor Code, for			
	Carrier: BENCHMARK INS. CO			Policy Nu	mber;	CST5007	851	
	 I certify that in the performance of the work California, and agree that if I should become 							¢
	WARNING: FAILURE TO SECURE WORK CIVIL, FINES UP TO ONE HUNDRED THO 3706 OF THE LABOR CODE, INTEREST, A	USAND DOLLARS	(\$100,000), IN ADDITION TO					
) 396-233	notification of asbestos removal is either not ap 36 and the notification form at <u>www.aamd.gov</u> and 6717 of the Labor Code. Information is ave	licable or has been an Lead safe construction	on practices are required when do	per section 19827.5 of the Healt ing repairs that disturb paint in p	th and Safety Coo re-1978 buildings	due to the present	c of lead per	
eby affirm	n under penalty of perjury that there is a constru	action lending agency	20, CONSTRUCTION LENDIN for the performance of the work		Sec. 3097, Civil (Code).		
ler's Nam	e (If Any):		Lender's Address :					
sply with a pases. I re- aply with esults of a troy or un	I have read this application INCLUDING THI all city and county ordinances and state laws re alize that this permit is an application for inspe any applicable law. Furthermore, neither the Ci ny work described herein, nor the condition of reasonably interfers with any access or utility e ubstitute assement(s) satisfactory to the holder	lating to building con- ction and that it does ty of Los Angeles nor the property nor the s assement belonging to	struction, and hereby authorize m not approve or authorize the wor r any board, department officer, o oil upon which such work is perf others and located on any proper	information INCLUDING THI presentatives of this city to enter a specified herein, and it does not r employee thereof, make any wa ormed. I further afitm, under per y, but in the event such work doe	r upon the above- t authorize or pen arranty, nor shall (nalty of perjury, t	mentioned property mit any violation o be responsible for t hat the proposed w	for inspection r failure to he performance ork will not	
signing	g below, I certify that:							
Const	pt all the declarations above namely the Licens ruction Lending Agency Declaration, and Final formit is being obtained with the consent of the	Declaration; and		sclaration, Asbestos Removal De	clamion / Lead	Hazard Warning,		
								Charles and the second s



CY. 5 CYPT BE- Ris BRIEFING TO

DES- 170117-02F

Assigned to Marine Many

BLA DBS

ORIGINAL FAXED

REQUEST FOR MODIFICATION OF BUILDING ORDINANCES UNDER AUTHORITY OF LA.M.C. SECTION 98.0403

PERMIT APP. #: See attachment	DATE: August 23 2017	
JOB ADDRESS: 10830 W. Chalon Road, Los Angeles, Californ	ia 90077	
Tract: TR 9745	Block:BLK 1	
	Lot:3	
	Petitioner: James and Helen Zukin (Matthew Hinks, Esq.)	_
	Address:800 Tarcuto Way	_
	City State Zip Phone os Angeles CA 90077 310 203-8080	
Beverly Hills CA 90213 310 550-0151	CODE SECTIONS: Sae attachment	-
REQUEST (SUBMIT PLANS OR ADDITIONAL SHEETS AS NECESSARY)	CODE SECTIONS.	-
12.26 ks appeal		
		_
JUSTIFICATION (SUBMIT PLANS OR ADDITIONAL SHEETS AS NECESSARY) See attachment	-	-
	A	1
101		
1.1. b(1	/	
Matthew D. Hinks	Attorney for Petitioner	
Owner/Pelitioner Name (Print) (Sima)(te)	Position	
FOR CITY DEPARTMENT'S US	E ONLY BELOW THIS LINE	
Concurrences required from the following Department(s)	Approved Danied	Ĭ
Los Angeles Fire Department Print Name	Sign	
Public Works Bureau of Engineering Print Name	Sign	
Department of City Planning Print Name	Slgn	
Department of County Health Print Name	Sign	
Other Print Name	Sign	
DEPARTMENT ACTION Reviewed by: (Staff) (Print)	Sign	
Action taken by: (Supervisor) (Print)	Sign	
NOTE: IN CASE OF DENIAL, SEE PAGE #2 OF	THIS FORM FOR APPEAL PROCEDURES	
CONDITIONS OF APPROVAL (Continued on Page 2	2): For Cashiers Use Only LA (PROCESSIONLY WHEN FEELARE VERIFIEDIng Sa	fety
	LA M CA 101107653 8/24/2017 10:1	
	BOARD APPLIC FEE	\$169.0
(DEPARTMENT USE ONLY)	SYSTEMS DEV SURCH	\$10.3
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	RESEARCH FEE	\$208.0
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evelopment Services Center Surcharge X 3% =	<u>U.31</u>	
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otal Fees	Sub Total:	\$410.9
rint and sign Coren-John Son/Cam St	Receipt #: 0101780456	
	10830 W CHALON RD	

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APPENDIX

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Permit # 17019-30000-02848 (demolition); 16010-10000-05072 (building);16030-10000-08055 (grading); 16020-10000-03332 (shoring); 17020-10000-02213 (retaining wall); 17020-10000-02213; 16047-10000-01982 (pool/spa) (collectively, the "Permits")

10830 W. Chalon Road - Permit Appeal Justification

James and Helen Zukin ("Appellants") hereby appeal the Permits described above. Appellants contend that the Los Angeles Department of Building and Safety ("LADBS") erred and/or abused its discretion in issuing the Permits. In support of this appeal, Appellants contend as follows:

1. The Project will result in grading in excess of the by-right limits of the Baseline Hillside Ordinance ("BHO")

The Permits were issued by LADBS in connection with the planned demolition of an existing single-family residence, site grading and construction of a new three-story single family dwelling (the "Project"). The subject property is located in the RE20 zone. According to the City's ZIMAS site, the property is 23,376.9 square feet in size. Under the BHO, the maximum by-right grading limit for a lot in the RE20 zone is 500 CY + 5%*lot area, up to a maximum of 2.000 CY. Given the lot's size, the maximum grading quantities allowed for this site is 500 + 1,168.845 = 1,668.845 CY. However, records in the possession of LADBS show that the Project proposes, at a minimum, 1,938 (168 CY cut + 1770 CY fill) CY of non-exempt grading, which is in excess of the maximum amount allowed.

Moreover, Appellants received from the Applicant a notice on June 27, 2017, indicating that Applicant intends to create a 22' deep excavation. Apparently, the excavation has not been counted in the Applicant's calculation of proposed site grading, meaning that the Project will result in grading well in excess of the 1,938 CY indicated on LADBS records and, in fact, well in excess of the 2,000 CY maximum limit for any property in the RE20 zone.

Further, LADBS records report non-exempt grading as grading in the "FRONT, BACK. AND SIDE YARDS OUTSIDE 5' PERIMETER" (168 CY of cut and 1770 CY of fill). The records contain another reference in the exempted volumes showing 170 total CY (35 CY of cut and 135 CY of fill) "INSIDE 5' O/S". Based upon these descriptions, it is plain that the Applicant has not accurately delineated exempt and non-exempt grading.

The BHO provides:

"The Grading activities outlined in the sub-subparagraphs below shall be exempt from the Grading and/or earth transport limitations established in Paragraphs a and b above. However, any excavation from an exempted activity being used as Fill, outside of a 5foot perimeter from the exempted Grading activities, for any other onsite purpose shall be counted towards the limits established in Paragraph a above.

(1) Cut and/or Fill underneath the footprint of a Structure(s) (such as foundations, understructures including Basements or other completely subterranean spaces – not including pools and sports courts), as well as for water storage tanks, required stormwater retention improvements, and required animal keeping site development that do not involve the construction of any freestanding retaining walls.

(2) Cut and/or Fill, up to 500 cubic yards, for driveways to the required parking or fire department turnaround closest to the accessible Street for which a Lot has ingress/egress rights.

(3) Remedial Grading as defined in Section 12.03 of the LAMC as recommended in a Geotechnical Investigation Report, prepared in accordance with Sections 91.7006.2, 91.7006.3, and 91.7006.4 of the LAMC, and approved by the Department of Building and Safety - Grading Division."

Here, LADBS records show that there is only 168 CY of non-exempt cut, meaning that the Project proposes to take reportedly-exempt soil from underneath the home and distribute it more than 5' beyond the perimeter of the exempted areas. That soil is falsely represented in Applicants' plans as exempt grading when in fact such grading is non-exempt pursuant to the above provision of the BHO. The applicant has thereby significantly understated the amount of non-exempt grading, which is significantly in excess of 2,000 CY.

The Project will result in net export in excess of 1,000 CY thus requiring a haul route

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The Applicant's plans claim the Project will entail only 763 CY of net export, which is below the 1,000 CY that trips the requirement of a haul route. Haul routes are governed by LAMC section 91.7006.7. Under LAMC section 91.7006.7.1, "export" is defined as "earth, brush or similar materials transported from a grading site." Although that definition plainly includes "brush or similar materials," the Applicants' grading plans take account of soil only and fail to account for the thousands of cubic yards of "brush or similar materials" that will be exported from the Project site.

Further, Applicant's plans show 4,174 CY of total cut and 2,861 CY of total fill. The net is 1,313 CY. Applicant, however, claims that the Project will entail less than 1,000 CY of net export by applying a 1.1925 "shrinkage factor" to the fill quantity. That is erroneous. Applicant's grading plans presumes 4,174 CY of grading of compacted soil. Thus, a 1.1925 expansion factor should have been applied to the cut soil to calculate net export amount resulting in a net export of at least 1,313 CY.

In addition, Applicant is obviously trying to the game system and have it both ways by failing to apply this so-called "shrinkage factor" to the grading calculation for purposes of the BHO. Applicant's plans show at least 1770 CY of non-exempt fill. Applicant should have been required to apply the 1.1925 "shrinkage factor" to the non-exempt fill. Properly calculated, Applicant's plans show 168 + 1770(1.1925) = 2,278.725 CY of non-exempt grading, which is over the by right BHO limit by any measure.

The Project relies upon an incorrect slope band map

LADBS records indicate that the Applicant's slope band analysis assumed that the slope under the existing house is flat when, in fact, other records depict a steeply-sloping hillside. In this way, the Applicant has overstated the allowable floor area under the BHO.

The Project requires discretionary approvals and CEQA review

As set forth above, the Project will result in grading in excess of the by-right limits of the BHO. To permit this amount of grading addiscretionary planning department approval is required. Moreover, because the Project will result in greater than 1,000 CY of net export, a haul route approval is also required. Both required approvals trigger the necessity of CEQA review. Given the lack of the required entitlements and failure to conduct CEQA review, LADBS erred and/or abused its discretion in issuing the Permits.

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