City of Santa Monica®

Information Item

Date: June 3, 2015

To: Mayor and City Council

From: David Martin, Director of Planning & Community Development

Subject: Transmittal of Occupancy Permit Determination for Property at 737 Raymond Avenue (15ENT-0128).

Introduction

Attached for Council's information is a copy of an Occupancy Permit determination for the property at 737 Raymond Avenue. The subject property is developed with a two-unit residential building located in the OP-2 zoning district. The applicant proposes to occupy the property as a single family residence after the withdrawal of the two units from the rental market, pursuant to the Ellis Act. According to SMMC Section 4.32.130(a), no property or rental units which have been withdrawn pursuant to the Ellis Act shall be subsequently occupied unless an Occupancy Permit is obtained.

Discussion

The current owner of the two-unit apartment building located at 737 Raymond Avenue purchased the site on November 24, 2014. According to the owner, the property had been owner occupied only for many years and Rent Control has no records of a tenant occupying the second unit since 1988. On December 24, 2014, the owner filed an Ellis notice of intent to withdraw from the rental market with the Board. The property was

withdrawn from Rent Control on April 23, 2015, 120 days after filing in compliance with Rent Control law. Rent Control Board staff verified that the property was vacant prior to Rent Control Board certification of the withdrawal.

Pursuant to SMMC Section 4.32.130(c)(1), no more than one unit on the property will be occupied by owners of the property. In such situation, other units on the property may be occupied, provided such occupants do not have any ownership interest in the property and do not pay rent as defined in Section 1801(f) of the City Charter. The Rent Control Board has certified that the owner has complied with the requirements set forth in Government Code Sections 7060.2 and 7060.4 and with applicable regulations promulgated by the Rent Control Board. The application for Occupancy Permit 15ENT-0128 at 737 Raymond Avenue conforms to the provisions of the Government Code and local ordinance.

The determination granting Occupancy Permit 15ENT-0128 was issued on June 3, 2015. Pursuant to SMMC Section 4.32.130 (c)(4) the Planning Director shall make a written report to the Planning Commission and the City Council within five days of approving an Occupancy Permit.

According to Section 4.32.130(c)(4) SMMC, the decision approving this Occupancy Permit may be appealed to the Planning Commission in accordance with the provisions in SMMC Section 9.04.20.24. Any decision of the Planning Commission may be further appealed to the City Council in accordance with the same provisions.

Prepared by: Paul Foley, Principal Planner

Attachments: A. Occupancy Permit Determination
B. Occupancy Permit Application

cc: Planning Commission

ATTACHMENT A

OCCUPANCY PERMIT DETERMINATION

City of
Santa Monica℠

CITY OF SANTA MONICA
CITY PLANNING DIVISION

OCCUPANCY PERMIT DETERMINATION

Case Number:	Occupancy Permit No. 15ENT--128
Address:	737 Raymond Avenue
Zoning:	OP-2
General Plan:	Low Density Housing
Proposed Use:	The applicant proposes to reoccupy an existing duplex as a single family residence in accordance with the Ellis Act.
CEQA Status:	The project is statutorily exempt pursuant to Section 15268 (Ministerial Projects) of the California Environmental Quality Act.
Applicant:	Ryan Afari
Rent Control Status:	The property was withdrawn from Rent Control. The Rent Control Board has certified that the owner has complied with the requirements set forth in Government Code Sections 7060.2 and 7060.4 and with applicable regulations promulgated by the Rent Control Board.

Comments/Conclusion: The applicant proposes to convert and reoccupy an existing duplex as a single family residence in accordance with the Ellis Act. The Rent Control Board staff has verified that the property is vacant. Subsequent to approval of the Occupancy Permit, building permits will be secured for interior and exterior modifications.

Determination

Pursuant to Santa Monica Municipal Code (SMMC) Section 4.32.130(c)(1), the Planning Director finds that no more than one unit on the property will be occupied by owners of the property. In such situation, other units on the property may be occupied, provided such occupants do not have any ownership interest in the property and do not pay rent as defined in Section 1801(f) of the City Charter.

The application for Occupancy Permit No. 15ENT-0128 is:

___ Denied

___ Subject to separate administrative or discretionary review.

_X_ Granted with the following conditions.

CONDITIONS

1. Within ten (10) days of transmittal of City Planning Division approval, the applicant shall sign the Occupancy Permit determination prepared by the City Planning Division.

2. No property or rental units therein which have been withdrawn pursuant to the Ellis Act, Government Code Sections 7060 et seq., shall be subsequently occupied unless an occupancy permit is obtained in accordance with the provisions of this Section.

3. Failure to comply with the conditions shall constitute grounds for revocation of the permit approval. Failure to comply with this condition shall constitute grounds for permit revocation, pursuant to Section 9.04.20.28.040 (SMMC).

Determination by: _____ *Date:* 6.3.15
Amanda Schachter, Zoning Administrator

Case Planner: Paul Foley, Principal Planner

EFFECTIVE DATE OF ACTION: _____

Acknowledgement by Permit Holder

I agree to the above conditions of approval and acknowledge that failure to comply with any and all conditions shall constitute grounds for potential revocation of the permit approval.

Signature	Date
Print name here	Drivers License Number Santa Monica, California

ATTACHMENT B

OCCUPANCY PERMIT APPLICATION

SANTA MONICA RENT CONTROL BOARD MEMO

Date: April 24, 2015

TO: Paul Foley, Principal Planner

FROM: Hakhamanesh Mortezaie, Staff Attorney

RE: 737 Raymond Ave
Occupancy Permit Application 15ENT-0128

Attached is the original application with Board sign-off certifying compliance with state and Board requirements for withdrawal of units in the subject property from the residential rental market.

737 Raymond Avenue is a two unit property that was withdrawn from the rental market under the Ellis Act on April 23, 2015. The Ellis notice filed with the Board states that both units were vacant. The Board's hearings investigator verified that both units are currently vacant in an on-site visit to the property on the date of withdrawal. The occupancy permit states that the units are going to be occupied by the owner.

cc: Ellis File
Site File

City of Santa Monica

CITY OF SANTA MONICA – CITY PLANNING DIVISION

OCCUPANCY PERMIT APPLICATION FOR OCCUPANCY OF PROPERTY FOLLOWING WITHDRAWAL PURSUANT TO THE ELLIS ACT

This part to be completed by City staff

Application Number(s): 15ENT-0128

Filing Date: March 3, 2015
Fee: $
Receipt#:
Received by:

Once a property has been withdrawn from the rental market under the procedures set forth in Government Code Sections 7060 et seq., there are specific requirements that must be met in order for the property to be subsequently occupied. The Planning Division is responsible for reviewing and acting upon occupancy applications. Any interested party can appeal the Planning Division's decision to the Planning Commission, and then to the City Council, in accordance with Subchapter 9.04.20 Part 9.04.20.24 of the Santa Monica Zoning Ordinance. Appeal forms can be obtained at the City Planning counter.

REQUIRED FILING MATERIAL: PROVIDE A COPY OF THE GRANT DEED FOR SUBJECT PROPERTY*

PART 1 GENERAL INFORMATION

PROPERTY ADDRESS: 737 Raymond Avenue

Land Use Element District: Low Density Housing Zoning District: OP-2

Legal Description (Lot, Block, Tract) Lot 137, Block "G", Ocean Park Terrace

APPLICANT
Name: Ryan Afari
Address: 712 N. Elm Drive Beverly Hills, CA 90210 Phone: 310-666-7867
Email: Ryan@parkviewmgmt.com

PROPERTY OWNER
Name: Fred Afari
Address: 712 N. Elm Drive Beverly Hills, CA 90210 Phone: (310) 666-7867
Email: FRED@parkviewmgmt.com

ATTORNEY
Name:
Address: Phone:
Email:

PART 2 WITHDRAWAL COMPLETE
RENT CONTROL BOARD CERTIFICATION *(staff use only)*

Unit identification	Date of withdrawal
737, 737 ½	3/25/15

Rent Control Signature	Title	Date Signed
[signature]	Staff Money	

PART 3 SITE CHARACTERISTICS

Number of Existing Units:	2	Number of Units at site prior to exercise of Ellis Act:	2	
Number of Studio Units:	0	1-BR Units:	1	
2-BR Units:	1	3-BR Units:	0	
4-BR Units:	0	5+BR Units:	0	
Number of Units at site to remain if intended use is approved:	1 (SFR)	Will obtain building permit to combine existing units		
List unit size(s):	1,200 SF + 800 SF			
Number of Parking Spaces:				
Existing	0	Standard	Compact	Tandem
Proposed	0	Standard	Compact	Tandem

Description of all intended on-site uses. Include description of any units to remain vacant:
Single Family Home, combined units

If the existing structure(s) will be altered significantly, please specify proposed alterations:
Exterior façade renovation and interior remodel.

PART 4 INTENDED OCCUPANCY CHARACTERISTICS

To be filled in if this application is for residential occupancy

Applicants who wish to use the property for residential purposes must complete the following:

1. a.) Will a unit be occupied by the owner? ✓ Yes _____ No
   b.) Which unit will be so occupied Both unit # 737 + 737 1/2
   c.) Owner's name Fred Afafi
   d.) Will any of the other units be occupied? _____ Yes X No
   e.) List the name(s) of the person(s) other than owner who will be occupying the units and which units will be so occupied:

Name	Unit No.
N/A	

No more than one unit may be occupied by an owner of the property. The owner can have other persons living in the other units, provided those persons do not have any ownership interest in the property and do not pay rent.

2. Will the property be returned to use as multi-family rental housing? No
   If yes, then the Rent Control Certification below must be completed.

3. Will the property be used as a Cooperative Apartment? No
   If yes, please list owners of undivided interests and their percentage of ownership. A copy of the most recent vesting grant deed must accompany this application.

Name	Unit No.
N/A	

FOR MULTI-FAMILY RENTAL HOUSING – RETURN WITHDRAWN UNITS TO RENTAL MARKET

RENT CONTROL BOARD CERTIFICATION (to be completed by Board Staff Member)

The applicant has complied with requirements set forth in the Government Code Sections 7060.2 and 7060.4 and with applicable regulation promulgated by the Rent Control Board.

Name _____ Date _____

Title N/A

4/23/15

FOR COOPERATIVE APARTMENTS ONLY:

Has a subdivision map been obtained in accordance with Chapter 3 of Article IX of the Santa Monica Municipal Code? _____Yes _____No

Please provide the Tentative Tract Map (TTM) or Parcel Map number and the date of its approval:
Date of Approval _____ TTM No. or Parcel Map No. _____

Date of approval for the Final Tract Map:_____

Cooperative apartment. Pursuant to the City's authority to regulate subdivisions and not regulated by the Subdivision Map Act authorized by Government Code Section 66411, a project of more than four units in which an undivided interest in land is coupled with the exclusive right of occupancy of any apartment located thereon, whether such right is contained in the form of a written or oral agreement, when such right does not appear on the face of the deed.

PART 5 CERTIFICATION

OWNER:

I CERTIFY UNDER PENALTY OF PERJURY that the information contained in this application is correct.

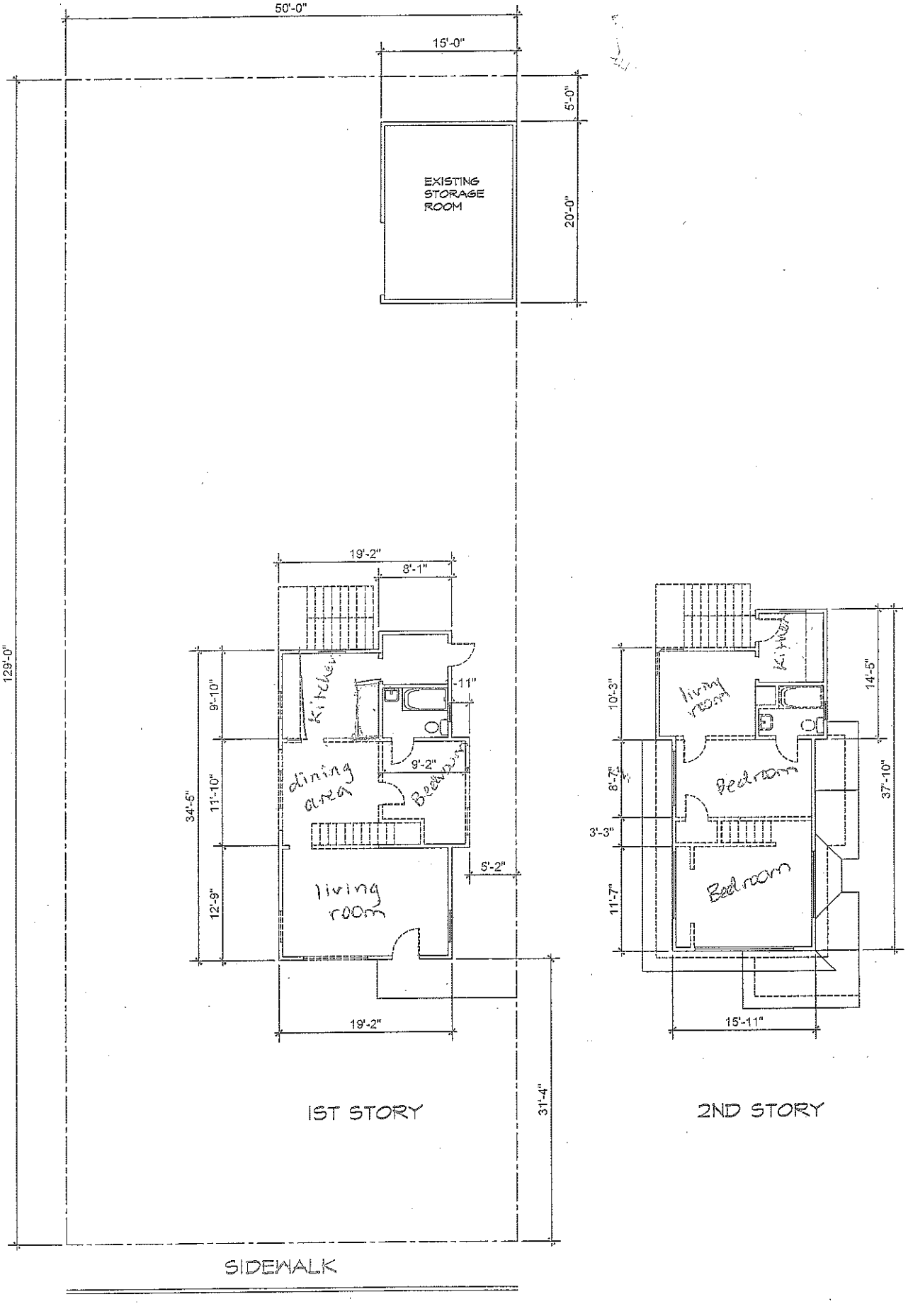
Owner's Signature	Date: 2/27/2015
N 6003182, CALIFORNIA	4/24/2019
Driver's License Number and State of Issuance	Expiration Date

OCCUPANT/S

With this signature, I CERTIFY UNDER PENALTY OF PERJURY I will not transfer money, provide services, or offer other forms of compensation to the owner in exchange for residency within the subject property.

N/A Occupant's Signature	N/A Date
Occupant's Signature	Date
Occupant's Signature	Date
Occupant's Signature	Date
Occupant's Signature	Date

F:\CityPlanning\Share\Templates\Applications\Occupancy Permit Application - Ellis Act.doc
Last Modified May, 2011


50'-0"
15'-0"
5'-0"
20'-0"
EXISTING STORAGE ROOM
129'-0"
19'-2"
8'-1"
9'-10"
11'-10"
12'-9"
34'-5"
Kitchen
-11"
9'-2"
dining area
Bedroom
living room
5'-2"
19'-2"
31'-4"
SIDEWALK
1ST STORY
Kitchen
living room
10'-3"
14'-5"
8'-7"
3'-3"
11'-7"
37'-10"
Bedroom
Bedroom
15'-11"
2ND STORY

APPLICATION FOR BUILDING PERMIT

BUILDING DEPARTMENT, CITY OF SANTA MONICA

This Application Must Be Filled Out in Ink

NOTE DO NOT START WORK BEFORE PLANS ARE APPROVED, AND SETBACK AND SIDE YARD REQUIREMENTS ARE OBTAINED

For Dept. Use Only

No. B1970

Date 11-24-39, 19

Fee, $ 4.00

Plan Checking No. 793

Fee $ 2.00

Checked by

Cement Yo T Tons

No. Bricks

Masonry cu. ft.

LOCATION: Address 737 Raymond st o/s

Lot 137 Block G Tract O.P. Terrace Size of Lot 50 x 120

(FOR DEPARTMENT USE ONLY)

Distance—Curb to Property Line ( )

Minimum Distance—Property Line to Bldg. Line ( ) Map Sheet No.

Minimum Side Yard Width ( ) Use Classification

Minimum Rear Yard Depth ( ) Fire Zone No.

Minimum Distance between Buildings ( )

Is there any existing building on lot? Yes ☐ No ☐ How Used?

Type of Construction: Type 1—Fire Resistive; Type 2—Heavy Timber; Type 3—Ordinary Masonry; Type 4—Metal Frame; Type 5—Wood Frame

Nature of Work: Construction ☐ Enlargement ☐ Alteration ☐ Conversion ☒ Repair ☐

Use of Building Residence No. of Rooms 8 No. of Families 2

Material: Exterior Walls Stucco Plate First Floor Joists 2 x 6 Second Floor Joists 2 x 8

Number of Stories 2 Height to Highest Point 20 Roof Material Comp.

Size Width 19 ft. by Length 34 ft; Total Floor Area 1300 sq. ft.

VALUATION OF PROPOSED BLDG. (Including Plumbing, Gas Fitting, Sewers, Cesspools, Electrical, Painting, Finishing, all Labor, etc.) $ 1500 00

Owner A. J. Oldfield Address 728 Colorado

Contractor P H Bell State License No. 59523 City License No. 3673

Address 1839-10th st Phone No. 2 3465

Architect State License No.

Address Phone No.

NOTE: The granting of a Building Permit does not grant any right or privilege to: (1) Erect any building and/or structure or any portion thereof, upon any street, alley, or other public place or portion thereof; or (2), Use any building and/or structure or any portion thereof, for any purpose that is, or may be prohibited by ordinance of the City of Santa Monica.

The granting of a Building Permit does not affect or prejudice any claim of title to, or right of possession in, the property described in such Permit.

I have read the above application and know the contents thereof; the same is true and correct. I further state that I am familiar with the laws governing building within the City of Santa Monica and State of California, and amendments thereto, and that the above building and/or structure will be built in conformity therewith.

Signed P H Bell, Applicant

NOTE: IF NO PLANS ARE FILED, SHOW LOT AND BUILDING SITE PLAN AND WINDOW SIZES ON OTHER SIDE

CITY OF SANTA MONICA DEPARTMENT OF BUILDING

STREET Raymond NO. 737

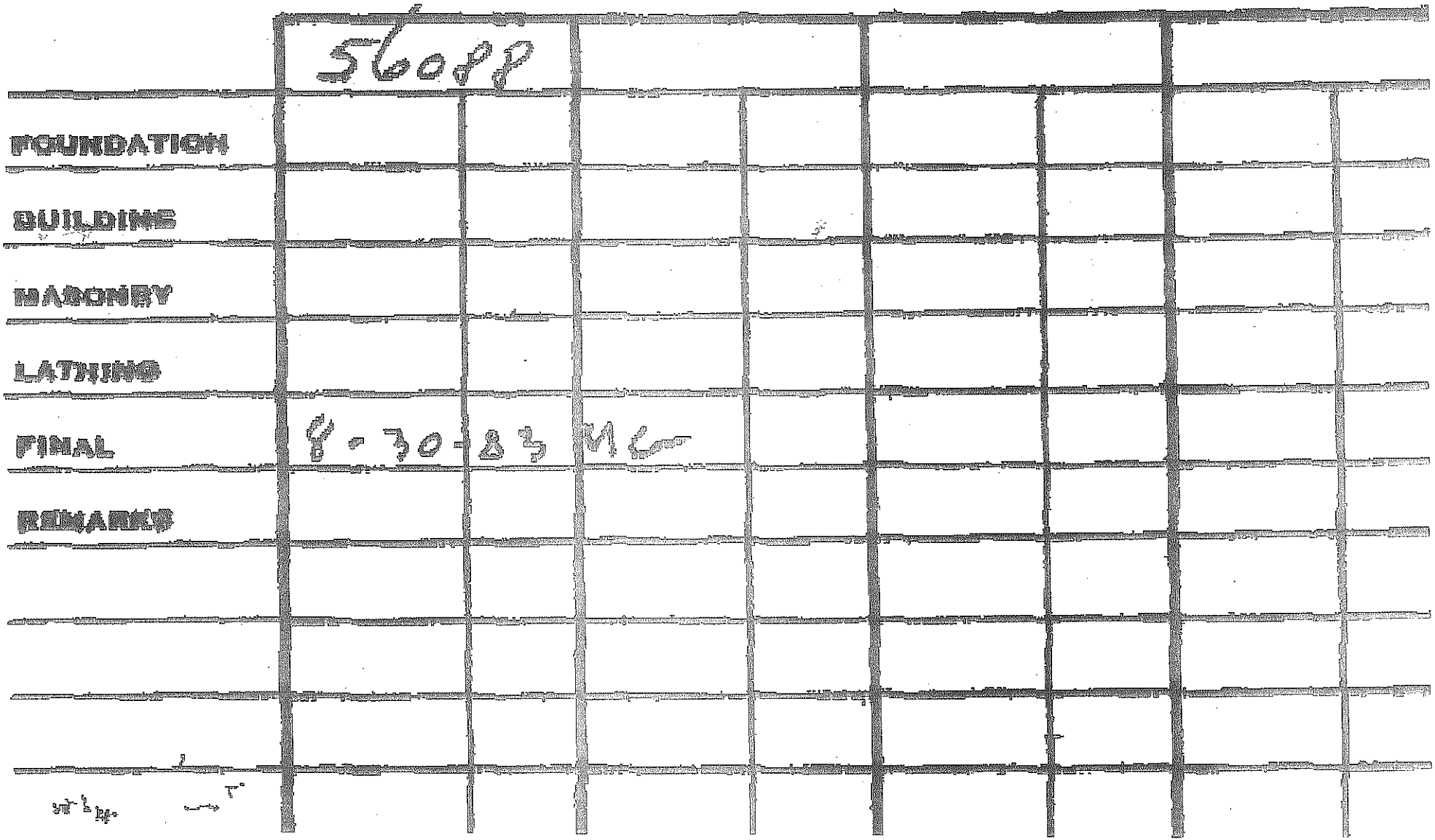
LOT 137 BLOCK G TRACT Ocean Park

OWNER Richard Beetley USE 5/8" dry wall

Letter on file interior-

CONSTRUCT N ☐ ENLARGE Y ☐ ALTER N ☐ CONVERS N ☐ REPA Y ☐ SQ FT

PERMIT	DATE	CONTRACTOR	COST	FEE
B56088	8-10-83	Owner	$ 500	$ 23 DF


5600p
FOUNDATION
BUILDING
MASONRY
LATHING
FINAL
6-30-83 MC
REMARKS

City Use Only

RECEIPTS	CODINGS
No. B 56088	Fire
Date: 8-10-83	Occp. M
Fee $ 23.-	Const. V-N
No. A	App'd. WM
Date:	Date 8/10/83
Fee $	

SANTA MONICA BUILDING & SAFETY
1685 Main Street, Santa Monica, Ca. 90401

BUILDING

PERMIT APPLICATION
(PRINT IN INK OR TYPE)

Applicant's Name Richard Beetley Tel: 452-3870

PROVIDE PLOT PLAN ON OTHER SIDE OF FORM

PROJECT IDENTIFICATION & DESCRIPTION:

A) Street Address 737 Raymond Ave Tax Code:

Legal: Lot 137 Block G Tract Ocean Park Lot Size 50 x 120

B) Class of Work: ___ Dwlg ___ Apts ___ Comm ___ Other: X New Const ___ Altns ___ Repairs

Description: Sides on existing Roof Storage Garage Only
5/8" DRYWALL INTERIOR ON FRAMING OF E. DOOR OPENING & NORTH WALL.

Floor Areas by Use: (e.g. Apts., Office, Parking) Height ft.

No. of Stories 1

TOTAL ESTIMATED VALUATION OF IMPROVEMENTS $500.00

Valuation is the total $ value of all labor, materials, & permanent equipment included in the project. Estimated $ are compared to current construction cost indexes for determination of permit fees.

PRINCIPALS IDENTIFICATION:

A) Owner's Name: Richard Beetley Tel: 452-3870
Address: 2107 Lincoln Blvd.

B) Contractor's Name: Richard Beetley Tel: 452-3870
Address: 2107 Lincoln Blvd

C) Architect/Engineer: Richard Beetley Tel: 452-3870
Address: 2107 Lincoln Blvd

D) Lending Agency: Richard Beetley Tel: 452-3870
Address: 2107 Lincoln Blvd

CERTIFICATIONS & DECLARATIONS:

A) OWNERS DECLARATION:

I hereby affirm that I am exempt from the contractors license law because:

X I will do all work personally or thru wage employees; and this structure is not intended for sale.

___ I will contract with licensed contractors to construct this project.

Signature Richard Beetley Date: August 1, 1983

B) LICENSED CONTRACTORS DECLARATION:

I hereby affirm that I hold an active license under the California Business & Professions Code.

License Class No. City Bus Lic. No.

Signature: Date:

C) WORKMAN'S COMPENSATION INSURANCE DECLARATION & VERIFICATION OF INFORMATION

I hereby affirm that Worker's Compensation Insurance is in effect for all work authorized by this permit and proof of insurance coverage is on file with City.

I certify that I have reviewed this application and that the above information is correct. I agree to comply with all city ordinances and state laws regulating building construction and hereby authorize entry upon the described property for inspection purposes.

Signature: Richard Beetley Date: August 1, 1983

CHECK STATUS X Owner ___ Contractor ___ Principle ___ Authorized Agent

ZONING USE ONLY

Map Sheet ___ CPL ___ Notes:

Use Class ___ PL-BL ___

Yards ___ R ___

Other ___

Plot Plan & Use Approved

By: Date:

EIR & ARB

Exempt ___

Neg. Dec. ___

App'd. ___

Fire ___

Gen. Svs. ___

737

This page is part of your document - DO NOT DISCARD

20141393694

Recorded/Filed in Official Records
Recorder's Office, Los Angeles County,
California

12/23/14 AT 08:00AM

Pages:
0004

FEES:	28.00
TAXES:	NFPR
OTHER:	0.00
PAID:	NFPR

LEADSHEET

20141223020004

00009982816

006559757

SEQ:
07

DAR - Title Company (Hard Copy)

THIS FORM IS NOT TO BE DUPLICATED

E521946

168

RECORDING REQUESTED BY:
California Title Company

AND WHEN RECORDED MAIL TO:

Fred Afari,
P. O. Box 56766
Sherman Oaks, CA 91413

12/23/2014
20141393694

THIS SPACE FOR RECORDER'S USE ONLY:

Title Order No.: 410-1612923-64 Escrow No.: 350691-KS

CORPORATION GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S)
DOCUMENTARY TRANSFER TAX is NOT FOR PUBLIC RECORD
[X] computed on full value of property conveyed, or
[ ] computed on full value less value of liens or encumbrances remaining at time of sale.
[ ] Unincorporated area [X] City of Santa Monica **AND**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Monty Dog, a California Corporation

hereby GRANT(s) to:

Fred Afari, a Married Man as his Sole and Separate Property

the real property in the City of Santa Monica, County of Los Angeles, State of California, described as:
LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A" AND MADE A PART HEREOF
Also Known as: 737 Raymond Avenue, Santa Monica, CA 90405
AP#: 4287-017-039

DATED November 24, 2014

Monty Dog, a California Corporation

By: _____
Christopher Mitchell, President

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
On DECEMBER 24, 2014
before me, K. D. SMITH,
A Notary Public personally appeared
CHRISTOPHER MITCHELL

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.

K. D. SMITH
Commission # 2022072
Notary Public - California
Los Angeles County
My Comm. Expires May 24, 2017

Signature _____ (This area for official notarial seal)

MAIL TAX STATEMENTS TO PARTY SHOWN BELOW; IF NO PARTY SHOWN, MAIL AS DIRECTED ABOVE:

Exhibit "A"

Lot 137 in Block "G" of Ocean Park Terrace, in the City of Santa Monica, County of Los Angeles, State of California, as per Map recorded in Book 6, Page 129 of Maps, in the office of the County Recorder of said County.

ACKNOWLEDGMENT

State of California

County of LOS ANGELES

On DEC 2, 2014 before me, K. D. Smith,

A Notary Public personally appeared

CHRISTOPHER MITCHELL

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

K. D. SMITH
Commission # 2022072
Notary Public - California
Los Angeles County
My Comm. Expires May 24, 2017

(Seal)