



City of
Santa Monica
Planning and Community Development Department
City Planning Division
(310) 458-8341

APPEAL FORM

(Please Type or Print all Information)

Application Number
20ENT-0050

Filed: 2/18/2020
By: _____

APPELLANT NAME: Eric Maurin / Nela Fry

APPELLANT ADDRESS: 1008 Euclid Street Santa Monica, CA 90403

CONTACT PERSON: Eric Maurin Phone: 310.420.0135
(all correspondence will be mailed to this address)

Address: 1008 Euclid Street Santa Monica, CA 90403

ericmfx@gmail.com

PROJECT CASE NUMBER(S) : _____

PROJECT ADDRESS: 1012-1/2 Euclid Street Santa Monica, CA 90403

APPLICANT: Corinna Knight Incorporated

ORIGINAL HEARING DATE: October 8, 2019

ACTION BEING APPEALED: Approval of Major Modification to allow a 20 % reduction of the required rear setback.

19ENT-0298
APPROVED 2/5/2020

Please state the specific reason(s) for the appeal (use separate sheet if necessary):

Is the appeal related to the discretionary action and findings issued for the proposed project? Yes No If yes, explain:

See answer "1" on attachment.

Is the appeal related to the conditions of approval? Yes No If yes, which conditions and why:

See answer "2" on attachment.

Is the appeal related to design issues? Yes No If yes, explain:

See answers "1 - 5" on attachment.

Is the appeal related to compatibility issues such as building height, massing, pedestrian orientation, etc.? Yes No If yes, explain:

See answer "3" on attachment.

Is the appeal related to non-compliance with the Santa Monica Municipal Code? Yes No If yes, which Code section(s) does the project not comply with and why:

SMMC 9.43.100 states: "The proposed project will not significantly affect the properties in the immediate neighborhood as a result of approval or conditional approval of the major modification or be incompatible with the neighborhood character."

See answer "4" on attachment.

Is the appeal related to environmental impacts associated with the project? Yes No If yes, explain:

Is the appeal related to other issues? Yes No If yes, explain:

See answer "5" on attachment.

APPELLANT SIGNATURE:

Eric G. ... / Paula P. Fry

NOTE: A hearing date on the appeal will not be scheduled until sufficient information regarding the basis for the appeal has been received to enable City Planning Division staff to prepare the required analysis for the staff report.

APPEAL FORM ATTACHMENT

(PAGE 1 OF 2)

1. Due to the irregularity of the subject parcel with the rear of the dwelling adjacent to our property, approval of the proposed Major Modification of the required rear setback would significantly impact the privacy and quality of life at our home, open spaces, and the 3-unit apartment building at the rear of our property. With the complete cooperation of the Applicant, I was able to demonstrate this by erecting a 30' story-pole on the subject parcel at the NE corner of the proposed second floor and mezzanine level. The Applicant concurred that the adverse impact to our property would be significant and "irrefutable." Contrary to the findings, there are no existing mature trees along the common parcel line to provide an adequate buffer between the two properties.

2. The approval of the proposed Major Modification of the required rear setback does not comply with the "Conditions of Approval," specifically provisions of Article 9 of SMMC 9.01.020 which state the following objectives: "B. To protect and enhance the quality of the natural and built environment"; and "C. To protect the quality of residential life and activities."

3. Due to the non-conformity of the subject parcel, approval of the proposed Major Modification of the required rear setback would allow a second floor and mezzanine level massing that would significantly and adversely affect the privacy and quality of life at our home, open spaces, and the 3-unit apartment building at the rear of our property.

4. SMMC 9.43.100 states: "The proposed project will not significantly affect the properties in the immediate neighborhood as a result of approval or conditional approval of the major modification or be incompatible with the neighborhood character." For reasons previously stated, approval of the proposed Major Modification of the required rear setback would significantly affect our property which is immediately adjacent to the subject parcel.

APPEAL FORM ATTACHMENT

(PAGE 2 OF 2)

5. After several lengthy discussions with the Applicant, we both agree an alternative plan exists that would satisfy her needs for additional living space, allow her to retain a usable rear yard, and preserve the privacy of our property. Additionally, I believe this alternative would be more compatible with the existing scale, mass and character of the neighborhood. In fact, the Applicant confided that this alternative plan was her original and still preferred design for the addition, but it would likely require a variance, and she was understandably discouraged from pursuing this approach by someone in the City Planning Division claiming that "variances are never approved." So instead, the Applicant chose to design a plan within the limitations of what she hoped would be attainable through Major and Minor Modifications. Due to the irregularity of the subject parcel, this is a unique situation with little or no precedence in the City. While recognizing the request of a variance is not the subject of this appeal, I would hope that the unusual circumstances with the property might warrant the serious consideration of a future variance application that, if approved, could fulfill the needs and desires of both Applicant and Appellant, while meeting the other code requirements of the City.