



# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5<sup>th</sup> Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

September 6, 2012

CHAIR AND PLANNING COMMISSIONERS

City of Long Beach

California

## RECOMMENDATION:

Approve a request for a Standards Variance and Local Coastal Development Permit to reconstruct a single-family residence at 213 Roswell Avenue (District 3).

APPLICANT:           Marilyn Posca  
                              2619 Lime Avenue  
                              Signal Hill, CA 90755  
                              (Application No. 1205-12)

## DISCUSSION

The proposed project is the reconstruction of a single-family home on the southwest corner of Roswell Avenue and Shaw Avenue. The current condition of the site is with a new foundation for the demolished home (Exhibit A – Location Map and Site Photographs). This item was continued from the July 19, 2012 Planning Commission hearing due to inadequate public noticing. The item has been re-noticed.

The site is a corner lot of 5,842 square feet in the R-1-N district (Single-Family District with Standard Lots). The site was developed with two single-family homes of approximately 1300 square feet each when the applicants purchased the property in October 2004. According to assessor records, the original home was built in 1924 and the second home in 1954. The two single-story homes together cover 45 percent of the lot and were a legal non-conforming use on the property.

In 2008, the applicants requested and were granted approval to complete a major renovation and new perimeter fence on Home "A", at 4130 Shaw Avenue, and continue to live in the remodeled residence.

In November 2011, the applicants requested a building permit to add 140 square feet to the second residence, Home "B", at 213 Roswell Avenue, as part of a remodeling project. This expansion and renovation would have extended the existing bedroom, bathroom, and kitchen and provided a seismic upgrade, and was approved in January 2012.

Subsequent to this approval, Home "B" was completely demolished. Since the lot is zoned R-1-N, which allows one single-family residence per parcel, once more than 50 percent of the perimeter of Home "B" was demolished, the legal non-conforming status of the property to have two residences was forfeited.

The reason the entire home was demolished instead of a portion being remodeled is not entirely clear, but seems to be a result of significant damage that was uncovered once the walls were opened. Reports are that a significant portion of the residence (exceeding 50 percent) was demolished initially, with the western wall framing still in place for several weeks, and then the entire structure was demolished. At present, the foundation has been replaced with new joists. A stop work order and Planning and Building permit approval hold were placed on the property in April 2012.

Similar to other homes in the immediate area, the residence was constructed on top of a pounded sand foundation, and had significantly deteriorated over the decades as evidenced by irregularities in the interior floor. It seems likely that this home should have been rebuilt to repair this damage, but this was not the original request. Once construction began and the foundation and structural damage was exposed, it seems logical that the contractor should have stopped work, called for an inspection and had Building officials confirm that the damage was beyond repair. This was not done.

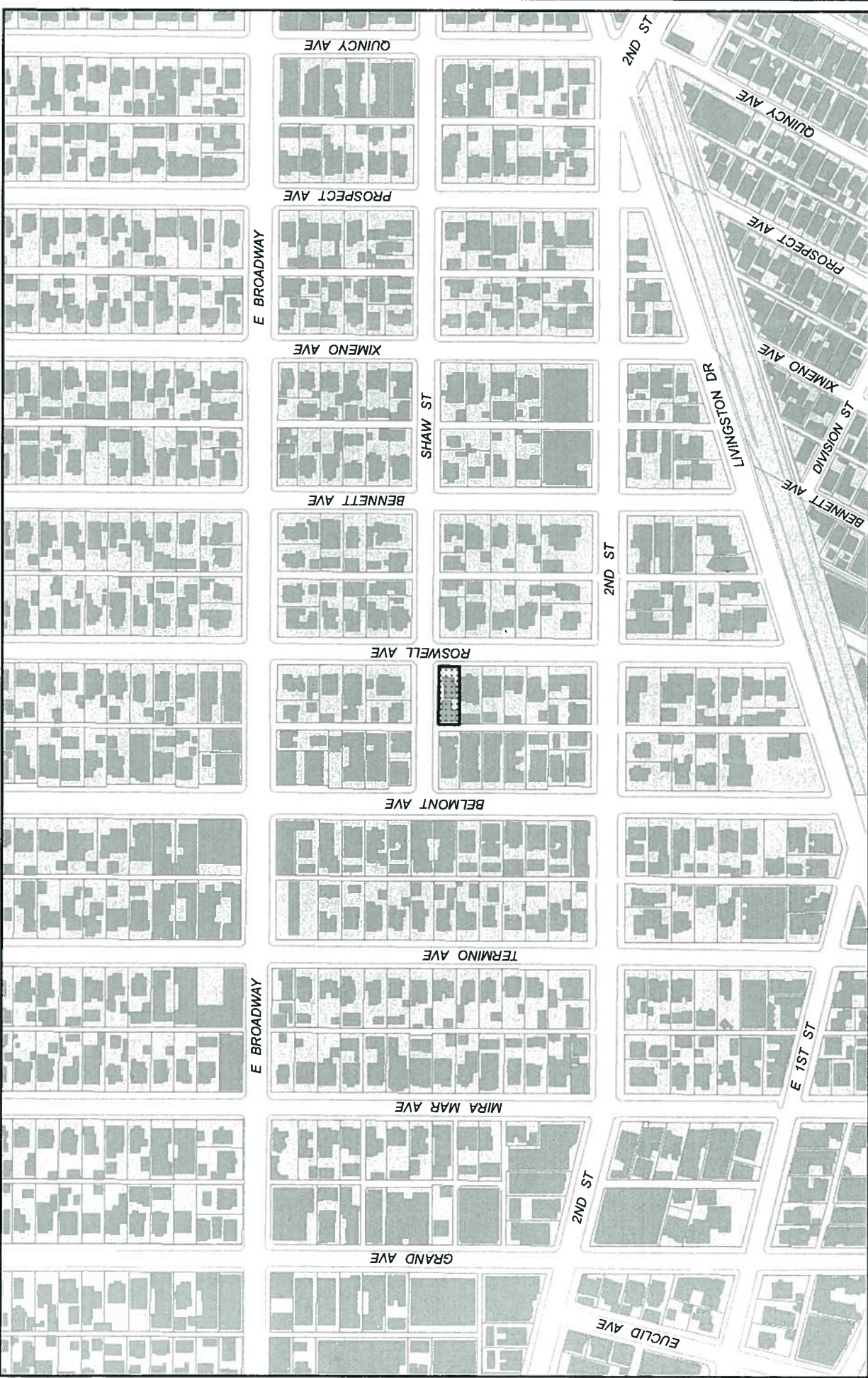
At this time, the applicant is requesting a Standards Variance to reinstate the non-conforming status of the second residence, and rebuild the home as it was configured in the expanded plan from January 2012. The Standards Variance is required since more than 50 percent of the perimeter was demolished. Because the work completed was beyond the approved permit, fees for this application were doubled. Plans and building record information are provided in Exhibit B.

Staff has had a number of conversations with the applicant, project architect, and others familiar with the project. The request is consistent with the prevailing neighborhood development pattern, especially in light of the fact that per zoning, a single-family home covering 50 percent of the lot of up to 3,500 square feet could be built by right on the subject property. Based on the fact that the request is for no more than the original residence and the expansion approved earlier this year, Staff is recommending that the Planning Commission approve this request for a Standards Variance and Local Coastal Development Permit (Exhibit C – Findings and Exhibit D – Conditions of Approval).

### **PUBLIC HEARING NOTICE**

The public hearing was re-noticed, with the applicant paying for the additional postage. Mailed and onsite notices were provided in accordance with the Long Beach Municipal Code. Several public inquiries and two comment letters were received as of the writing of this report and are attached in Exhibit F. These comments question the motivation of the demolition and request clarification about the validity of the request.

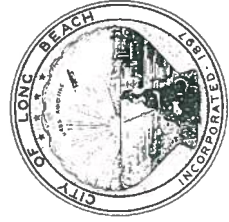




# Exhibit A



**Subject Property:**  
 213 Roswell Ave  
 Application No. 1205-12  
 Council District 3  
 Zoning Code : R-1-N



**INFOR HANSEN8**

6/28/2012 09:00

1

**INFORMATION - APPLICATION# BADD128374**

*Application Type* BADD  
 Addition  
 Application is Locked.  
 Current milestone is Inspections.

*Primary Applicant* MARIANO and POSCA, MARILIN  
 LUCHETTI  
 Current unpaid amount of \$0.00.

*Address* 213 ROSWELL AVE LONG BEACH CA 90803

*Location* Extend (140 sqft.) existing bedroom, bath, kitchen, remodel existing bedrooms, bath, living room, create 1/2 bath, laundry area, change out windows and seismic upgrade.

**Building Holds**

Hold Type	Source	Init Dept	Description	Initiated Date	Initiated By	Released Date	Released By	Released Reason
LOCK	Application	Planning	Front home has been completely demolished. Zone only allows 1 residence, loss of non-conforming rights with demo of front house as there is a 2nd unit in rear property (4130 Shaw Ave)	4/18/2012	ANZETTE			

Job Description

**Status Dates**

*Processed* 10/5/2011 15:55  
*Issued* 1/6/2012 11:55  
*Final*  
*Temp COO*  
*COO*  
*Expires*

**Job Description**

*Work Type* BCOMBO  
 Combo Permit

*Declared Valuation* 60000.00

*Occupancy Type* BSFD  
 Single Family Dwelling

*# of Plans* 0

*Calculated Valuation* 13427.40

*Priority*

*# of Pages* 0

*Actual Valuation* 0.00

*Job Description*  
 Extend (140 sqft.) existing bedroom, bath, kitchen, remodel existing bedrooms, bath, living room, create 1/2 bath, laundry area, change out windows and seismic upgrade.

Application Details

(Tab Not Loaded)

Reviews

(Tab Not Loaded)

Inspections

(Tab Not Loaded)

Conditions

(Tab Not Loaded)

<b><u>Required Licenses</u></b> (Tab Not Loaded)
<b><u>Fees</u></b> (Tab Not Loaded)
<b><u>Bonds</u></b> (Tab Not Loaded)
<b><u>Valuations</u></b> (Tab Not Loaded)
<b><u>Applicants</u></b> (Tab Not Loaded)
<b><u>Sites</u></b> (Tab Not Loaded)
<b><u>Model Homes</u></b> (Tab Not Loaded)
<b><u>Employees</u></b> (Tab Not Loaded)
<b><u>Related Records</u></b> (Tab Not Loaded)
<b><u>Logs</u></b> (Tab Not Loaded)
<b><u>Attachments</u></b> (Tab Not Loaded)

**APPLICATION FOR BUILDING PERMIT**  
**DEPARTMENT OF BUILDINGS AND SAFETY**  
**CITY OF LOS ANGELES, CALIFORNIA**  
 FORM B-101 (1-8-66)  
**APPLICANT FILL IN AREA BELOW**

**213 ROSWELL**  
 Lot No. **B**  
 Sub. Parcel No. **J**  
 Name of Applicant **ELNA STEADMAN ET AL**  
 Name of Property **213 ROSWELL**  
 Description of Property **CONTR**  
 Name of Contractor **SM**  
 Proposed Date **10-1-67**  
 Estimated Cost **1000**

**NEW DRIVE TO**  
**REAR + LANE**  
**TO BACK WAY TR.**

**REVISED TO 1000**

Estimated Cost **5000**

Permitted Work **STUCK COMP**  
**1000**

Estimated Cost **500**

*I hereby certify, as shown on the plans, that the applicant has filed the plans in accordance with the provisions of the Subdivision Map Act, Chapter 4 of the Public Resources Code, as amended, and that the applicant has filed the plans with the Department of Public Works in accordance with the provisions of the Subdivision Map Act, Chapter 4 of the Public Resources Code, as amended, and that the applicant has filed the plans with the Department of Public Works in accordance with the provisions of the Subdivision Map Act, Chapter 4 of the Public Resources Code, as amended.*

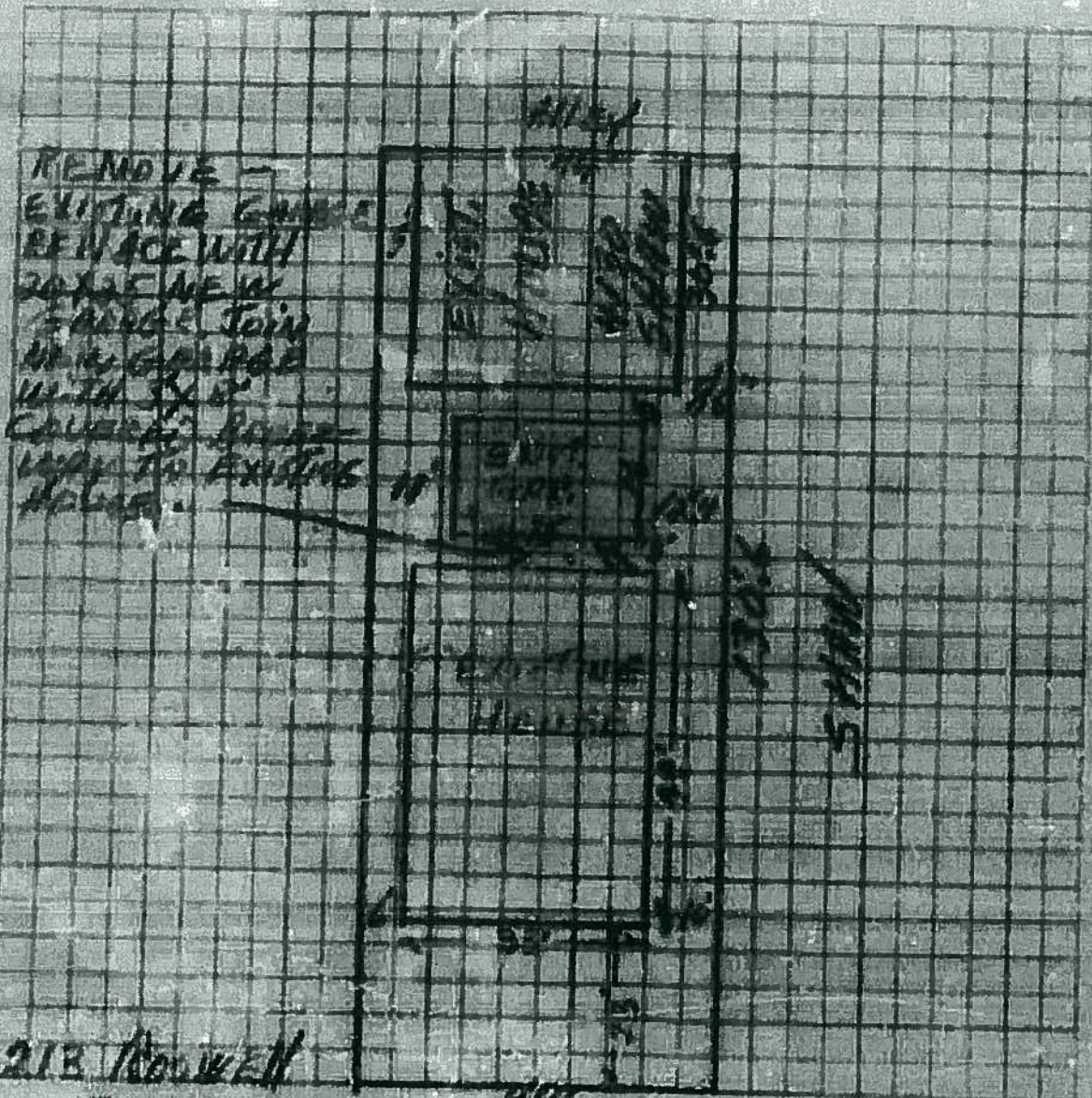
*I hereby certify that the applicant has filed the plans in accordance with the provisions of the Subdivision Map Act, Chapter 4 of the Public Resources Code, as amended.*

**ELNA STEADMAN** **10/12/67**  
**ELNA STEADMAN** **10/12/67**

213 ROSWELL  
 Owner **STEARMAN**  
 Name of Applicant **SM**  
 Name of Contractor **SM**  
 Proposed Date **10-1-67**  
 Estimated Cost **750**  
**116 SF**  
**155 + 155**

DET-13-65 1 0009 UP 6.00  
 added chg for 10-19-67 8928 CP 54

Architect		
Engineer		
Surveyor		
Electrician		
Mechanical		
Plumbing		
Other		
Cost		12150.00



218 Rowell

USE SOFT PENCIL AND DRAW HEAVY LINES.  
 Check owner should be correctly placed.  
 Errors immediately & resubmit Lot Plan.

Have correct legal description and address of property.  
 Note existing streets or Alleys and width of Curb Cuts.  
 Note location of front Auto Parking Space.

Date rec'd \_\_\_\_\_ Clerk  New  Alteration  Addition  Repair  Demolition

Location of Job \_\_\_\_\_  Zone \_\_\_\_\_

Owner's Name 218 Rowell Address 218 Rowell

Lot \_\_\_\_\_

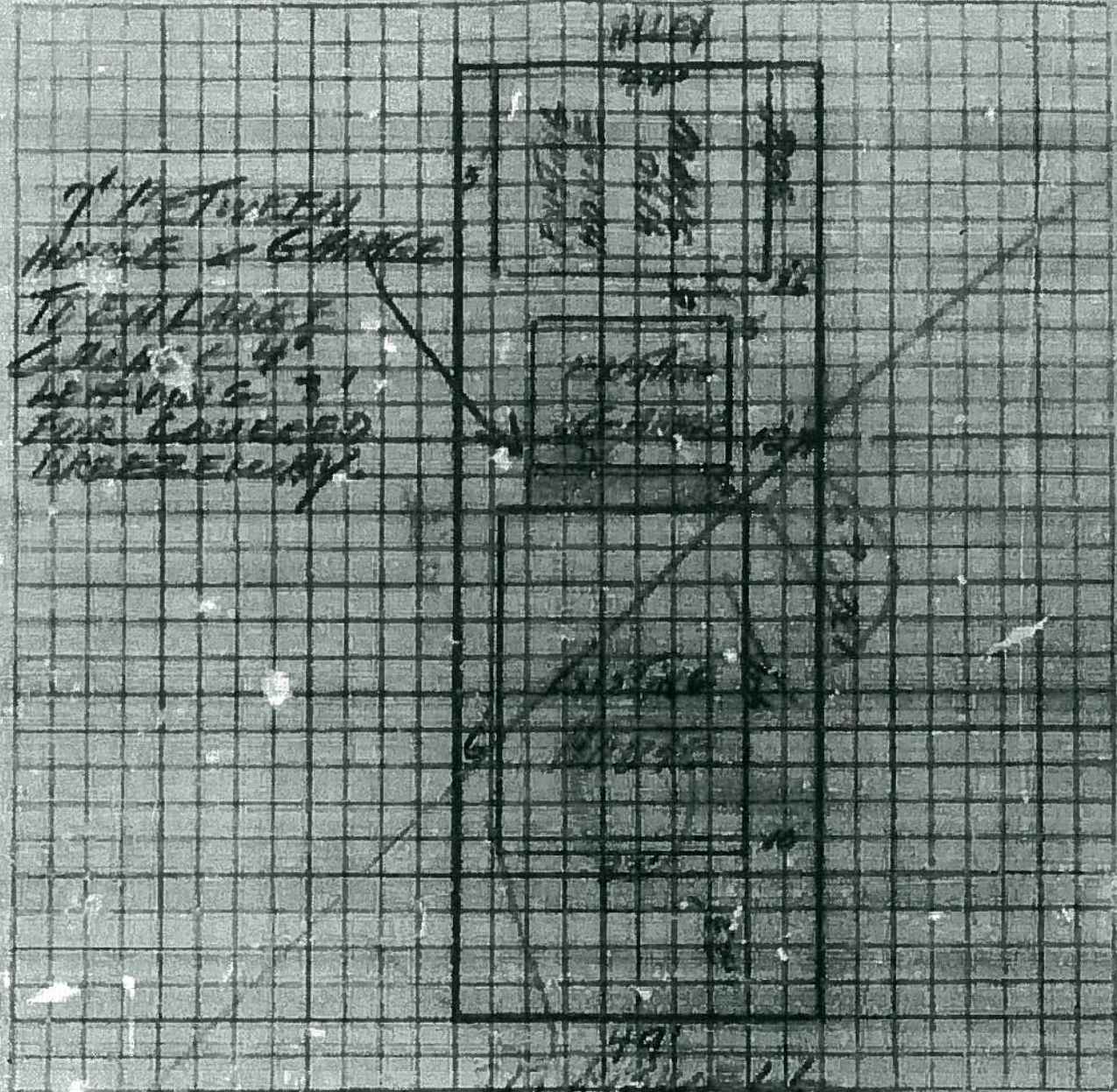
Block \_\_\_\_\_ Tract \_\_\_\_\_

Contractor's Name \_\_\_\_\_ Address \_\_\_\_\_

Valuation of Proposed Work, \$ \_\_\_\_\_ Applicant \_\_\_\_\_ Phone CE 3933

Checked by: \_\_\_\_\_ Field Inspector \_\_\_\_\_ Plan Checker \_\_\_\_\_





**USE SOFT PENCIL AND DRAW SLIGHT LINES.**

North arrow should be correctly placed.  
Draw in pencil only dimensions and lines.

Here enter brief description and address of project.  
Note including Dates or Dates and month of Date On.  
Note also of Work and Month of Dates.

Date Rec'd \_\_\_\_\_ Check One:  New  Alteration  Addition  Repair  Demolition

Location of Job: \_\_\_\_\_ Zone \_\_\_\_\_

Owner's Name: \_\_\_\_\_ Address: \_\_\_\_\_

Lot: \_\_\_\_\_

Block: \_\_\_\_\_ Tract: \_\_\_\_\_

Contractor's Name: \_\_\_\_\_ Address: \_\_\_\_\_

Valuation Of Proposed Work: \$ \_\_\_\_\_ Applicant: \_\_\_\_\_ Firm: \_\_\_\_\_

CHECKED BY: Confirmer: \_\_\_\_\_ Field Inspector: \_\_\_\_\_ Plan Checker: \_\_\_\_\_

APPLICATION FOR COMBINED PERMIT  
DEPARTMENT OF PLANNING AND BUILDING  
CITY OF LONG BEACH, CALIFORNIA  
REGISTRATION: PERMIT INSPECTION: 074109

AFFICANT FILL IN ALL INFORMATION WITHIN HEAVY LINE

APPLICATION FOR COMBINED PERMIT  
DEPARTMENT OF PLANNING AND BUILDING  
CITY OF LONG BEACH, CALIFORNIA

213 Roswell Ave

Remodel Kitchen - Drop up door. Install New water heater Add elect outlets & new circuits

Owner

436-0165

11-9-81

2500<sup>00</sup>

At Law 5449

of

THIS FORM IS A PERMIT WHEN PROPERLY VALUED IN THIS SPACE

NOV -9 '84 015450-000-45.09

24<sup>40</sup>  
45<sup>75</sup>

149

213 ROSWELL

SAM J. WILCOX 406-0165

Box 2811 L.B. 90801

owner

HOME

HOME

REMODEL KITCHEN  
REPLACE WATER  
HEATER, BRING ALL  
ELECTRICAL TO CODE

2,500.00

Sam J. Wilcox

11-9-81

of

3/23/82

## DECLARATIONS

The Declarations below are mandated by the State of California under Section 19825 of the Health and Safety Code. The additional cost of printing and permit application processing added by these requirements can only be passed on to the applicant as they are not recoverable from the state.

### LICENSED CONTRACTOR'S DECLARATION

I hereby affirm that I am licensed under provisions of Chapter 9 commencing with Section 7000 of Division 3 of the Business and Professions Code, and my license is in full force and effect.

License Class \_\_\_\_\_ License No. \_\_\_\_\_

Date \_\_\_\_\_ Contractor \_\_\_\_\_

### OWNER-BUILDER DECLARATION

I hereby affirm that I am exempt from the Contractor's License Law for the following reason (Sec. 7001.5 California Business and Professions Code: Any City which requires a permit to construct, alter, improve, demolish or repair any structure prior to its issuance, also requires the applicant for such permit to file a signed statement that he is a licensed contractor pursuant to the provisions of the Contractor's License Law (Ch. 9 commencing with Sec. 7000) of Div. 3 of the B. & P. C.) or that he is exempt therefrom and the basis for the alleged exemption. Any violation of Sec. 7001.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500.00).

I, as owner of the property, or my employees with wages on the job, will do the work, and the structure is not intended or offered for sale (Sec. 7004 B & P. C.). The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or through his own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the owner-builder will have the burden of proving that he did not build or improve for the purpose of sale.

I, as owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7004 B & P. C.). The Contractor's License Law does not apply to an owner of property for such projects with a contractor's license pursuant to the Contractor's License Law.

I am exempt under Sec. \_\_\_\_\_ B. & P. C. for this reason: \_\_\_\_\_

Date 11-9-81 \_\_\_\_\_ Samuel J. [Signature]  
 Signature of Owner/Builder

### WORKER'S COMPENSATION DECLARATION

I hereby affirm that I have a certificate of coverage to self-insure or a certificate of Worker's Compensation Insurance or a certified copy thereof (Sec. 3200, Lab. C.)

Policy No. \_\_\_\_\_ Company \_\_\_\_\_

- Certified copy is hereby furnished.  
 Certified copy is filed with the Department of Planning & Building.

Date \_\_\_\_\_ Assessor \_\_\_\_\_

### CERTIFICATE OF EXEMPTION FROM WORKER'S COMPENSATION INSURANCE

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 to become subject to the Worker's Compensation laws of California.

Date 11-9-81 \_\_\_\_\_  
 NOTICE TO APPLICANT: After making this Certificate of Exemption, you should become subject to the Work's Comp. provisions of the Labor Code. You must forthwith comply with such provisions or this permit shall be deemed revoked.

### CONSTRUCTION LENDING AGENCY

I hereby affirm that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3907, Civ. C.).

Lender's Name \_\_\_\_\_

Lender's Address \_\_\_\_\_

I certify that I have read this application and state that the above information is correct. I agree to comply with all City and State laws referring to the building construction, and hereby authorize representation of this City to enter upon the above mentioned property for inspection purposes.

Date 11-9-81 \_\_\_\_\_  
 Signature of Owner/Builder

### -IMPORTANT-

Application is hereby made to the Department of Building and Safety, for a permit subject to the conditions and restrictions set forth on the front and rear faces of this application.

1. Each person upon whom a permit is issued and each person at whose request or whose benefit work is performed under or pursuant to any permit issued as a result of this application agrees to, and shall, indemnify and hold harmless the City of Long Beach, its officers, agents and employees from any liability arising out of the issuance of any permit resulting from this application.

2. Any permit issued as a result of this application becomes null and void if work is not commenced within ONE HUNDRED TWENTY (120) DAYS from date of issuance of such permit.



(312) 500-0881

# CITY OF LONG BEACH DEPARTMENT OF PLANNING & BUILDING

325 WEST OCEAN BLVD. • LONG BEACH, CALIFORNIA 90802

## OWNER-BUILDER VERIFICATION

Attention Property Owner:

An 'owner-builder' building permit has been applied for in your name and bearing your signature at 213 Roswell

Please complete and return this information in the envelope provided at your earliest opportunity to avoid unnecessary delay in processing and issuing your building permit. No building permit will be issued until this verification is received.

1. I personally plan to provide the major labor and materials for construction of the proposed property improvement (yes/no) yes

2. I (have/have-not) Have signed an application for a building permit for the proposed work.

3. I have contracted with the following person (firm) to provide the proposed construction:

Name \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_  
Phone \_\_\_\_\_ Contractors License No. \_\_\_\_\_

4. I plan to provide portions of the work, but I have hired the following person to coordinate, supervise, and provide the major work:

Name \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_  
Phone \_\_\_\_\_ Contractors License No. \_\_\_\_\_

5. I will provide some of the work but I have contracted (hired) the following persons to provide the work indicated:

Name	Address	Phone	Type of Work

Signed: Sam J. Miller

OK-LS  
11



**CITY OF LONG BEACH**  
INSPECTION REQUEST LINE (714) 506-3103-05-07

Requester: **Construction**

Project Name: **211 ROSSETTI**

Requester Name: **ROSETTI**

Requester Address: **211 ROSSETTI**

Requester Phone: **926-4000**

Requester Email: **rossetti@longbeach.gov**

**Planning & Building Department**  
335 W. Ocean Blvd.  
(714) 506-0651

Project No. **19-000000**

Project Name: **CONSTRUCTION**

Project Address: **211 ROSSETTI**

Project Phone: **926-4000**

Project Email: **rossetti@longbeach.gov**

Project Status: **COMPLETED**

Project Date: **12/22/2024**

Project Notes: **SEE PLAN**

Project Signature: **[Signature]**

Project Title: **CONSTRUCTION**

Project Description: **CONSTRUCTION**

Project Location: **211 ROSSETTI**

Project Value: **156,120**

Project Type: **CONSTRUCTION**

Project Status: **COMPLETED**

Project Date: **12/22/2024**

Inspector Name: **[Signature]**

Inspector Title: **INSPECTOR**

Inspector Address: **211 ROSSETTI**

Inspector Phone: **926-4000**

Inspector Email: **rossetti@longbeach.gov**

Inspector Status: **COMPLETED**

Inspector Date: **12/22/2024**

Inspector Signature: **[Signature]**

Inspector Title: **INSPECTOR**

Inspector Description: **CONSTRUCTION**

Inspector Location: **211 ROSSETTI**

Inspector Value: **156,120**

Inspector Type: **CONSTRUCTION**

Inspector Status: **COMPLETED**

Inspector Date: **12/22/2024**

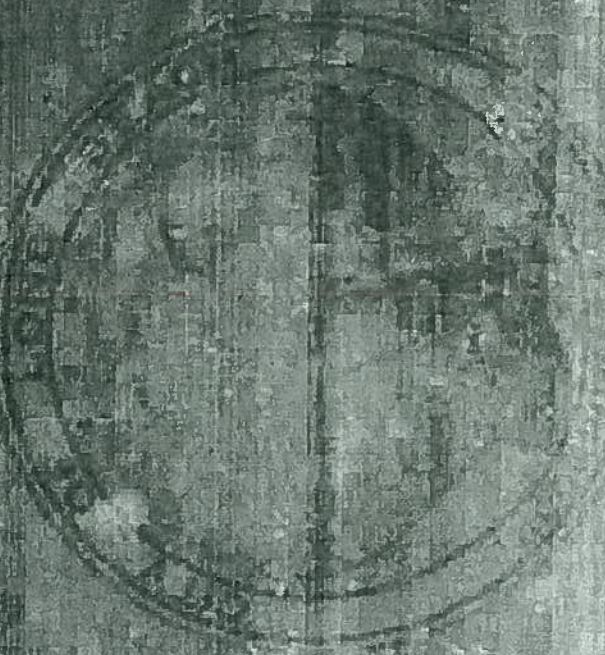
APPLICANT	STATE	ISSUE DATE	ISSUE TYPE	ISSUE NO.	ISSUE DATE
25011580		SEP			08-2-81
LOT	BULK	B			
CLASS 1 1982					

**COMBINATION PERMIT**

COMBINATION

Current Val 2500 Current Region

28:19



*Handwritten signature or initials*

# Certificate of Occupancy

As Authorized by the Building Official  
City of Long Beach

This document certifies that at the time of issuance this structure or portion thereof  
was in compliance with the various ordinances of the City of Long Beach regarding building  
construction or use.

Address 213 ROSEWELL AVENUE

Occupancy Type RESIDENTIAL PERMITS 142050

Portion of Building REMODEL BATHROOM - (COMPLETE)

Mr. Occupant Name \_\_\_\_\_

*A. C. ...*  
Building Official

DATE JULY 1988

Post in a conspicuous place at or about building entrance.





BUILDING	M U L T I P L E	P E R M I T	TOTAL FEE	2,66.30
VALUATION	Current Val	8000	Processing Fee	16.25
STORM WATER	Current Val	8000	Valuation Fee	130.05
VALUATION			TOTAL FEE	14.20
			Valuation Fee	13.20

7-20-01

# Certificate of Occupancy

As Authorized By: **Inc. Building Official**  
**City of Long Beach**

This document certifies that, at the time of issuance, this structure, or portion thereof, was in compliance with the various ordinances of the City of Long Beach regulating building construction or use.

Address: 213 ROSWELL AVE 90803

Occupancy Type: RESIDENTIAL

Permit No.: 32B433

Portion of Building: CNVRT PORTION OF KIT FOR BTHRM, CLOSE (2)  
OPN'GS & ADD (1)WNDW

Max. Occupant Load:

  
Building Official

Date: September 24, 2001

Post in a conspicuous place at or close to building entrance.

**CITY OF LONG BEACH - PLANNING & BUILDING DEPARTMENT**  
 INSPECTION REQUEST LINE (562) 570-6105      333 W. OCEAN BLVD. (562) 570-6651

**LICENSED CONTRACTORS DECLARATION**  
 I hereby affirm that I am licensed under provisions of Chapter 9 (Commencing with Section 7000) of Division 3 of the Business and Professional Code, and my license is in full force and effect.  
 License Class \_\_\_\_\_ License No. \_\_\_\_\_  
 Date \_\_\_\_\_ Contractor \_\_\_\_\_

**WORKER'S COMPENSATION DECLARATION**  
 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 and policy are: Carrier: \_\_\_\_\_ Policy Number: \_\_\_\_\_  
 This Section need not be completed if the permit is for one hundred dollars (\$100) or less.  
 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 to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.  
 Date 12-2-08 Applicant [Signature]

**OWNER-BUILDER DECLARATION**  
 I hereby affirm that I am exempt from the Contractors License Law for the following reason (Sec. 7031 California Business and Professional Code: Any City which requires a permit to construct, alter, improve, demolish or repair any structure prior to its issuance also requires the applicant for such permit to file a signed statement that he is a licensed contractor pursuant to the provisions of the Contractors License Law (Ch. 9 (Commencing with Sec 7000 of Div. 3 of the B. & P. C.) or that he is exempt therefrom and the basis for the alleged exemption. Any violation of Sec 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500.00).  
 \* I as owner of the property or my employees with wages as their sole compensation, will do the work and the structure is not intended or offered for sale (Sec 7044, B. & P. C.: The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or through his own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvements is sold within one year of completion, the owner-builder will have burden of proving that he did not build or improve for the purpose of sale.  
 \* I as owner of the property am exclusively contracting with licensed contractors to construct the project (Sec. 7044, B. & P.C.: The Contractors License Law does not apply to an owner of contracts for such projects with a Contractor(s) License pursuant to the Contractors License Law.)  
 \* I am exempt under Sec. \_\_\_\_\_, B. & P.C. for this reason \_\_\_\_\_  
 Date 12-2-08 Owner [Signature]  
 -IMPORANT-

**WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS, IN ADDITION TO THE COST OF COMPENSATION DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.**  
 I hereby state that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3907, Civ. C.).  
 Lender's Name \_\_\_\_\_  
 Lender's Address \_\_\_\_\_  
 I certify that I have read this application and state that the above information is correct. I agree to comply with all City and State laws relating to the building construction, and hereby authorize representatives of this city to enter upon the above mentioned property for inspection purposes.  
 Signature of Owner or Contractor [Signature] Date 12-2-08

Application is hereby made to the Superintendent of Building and Safety for a permit subject to the conditions and restrictions set forth on the front faces of this application.  
 1 Each person upon whose behalf this application is made and such person at whose benefit work is performed under or pursuant to any permit issued as a result of this application agrees to and shall indemnify and hold harmless the City of Long Beach its officers, agents and employees from any liability arising out of the issuance of any permit from this application.  
 2 Any permit issued as a result of this application becomes null and void if work is not commenced within ONE HUNDRED EIGHTY (180) DAYS from date of issuance of such permit.

JOB ADDRESS 213 ROSWELL AVE		RECEIPT NO. 0444845	DATE 12/02/08	PROJECT NO. R0531874
JOB DESCRIPTION ADD TO KIT&DNRM, RERF, ADD PATIO, CMLPTE INTR RMDL, W/ EL, ME, PL		AREA 24		
OWNER POSCA, MARILLIN S		OCCUPANCY PLANNING 06/25/08 AR		
ADDRESS 325 ROYCROFT AVE		ASSESSOR NO. 7256012024		
CITY LONG BEACH CA 90803		ZONE R1N		
APPLICANT WHEELER, MARK		FSB 15		
CONTRACTOR WHEELER, MARK		S 4		
ADDRESS 325 ROYCROFT AVE		RSB 10		
CITY LONG BEACH STATE CA 90803		CENSUS TR. 5772.00		
STATE LICENSE NO.		TRANSACTIONS		
ARCHITECT/ENGINEER		RECORDS MGMT Per \$37.50		
ADDRESS		DEPUTY INSP. Per \$300.00		
CITY LONG BEACH STATE CA 90803		COMBINATION Per \$1,801.73		
PHONE 562-842-5009		STORM WATER Per \$214.50		
CITY LICENSE NO.		ZONING PLN CH Per		
ARCHITECT/ENGINEER		S.M.I. TAX \$13.00		
ADDRESS		SURCHARGE \$218.90		
CITY LONG BEACH STATE CA 90803		BLDG HEIGHT		
PHONE 562-842-5009		TYPE OF CONST		
VALUATION PRESENT BLDG USE SFD		PROPOSED BLDG USE SFD		
LEGAL DESCRIPTION N TRACT LOT 8 BLK B		PAID BY FEES		
		\$2,585.63		

Paid By: POSCA, MARILIN S      Credit Card      V  
 REGISTERED DEPUTY INSPECTOR REQUIRED - EPOXY ANCHORS  
 REGISTERED DEPUTY INSPECTOR REQUIRED - SPECIAL CASES  
 REGISTERED DEPUTY INSPECTOR REQUIRED - Structural Observation

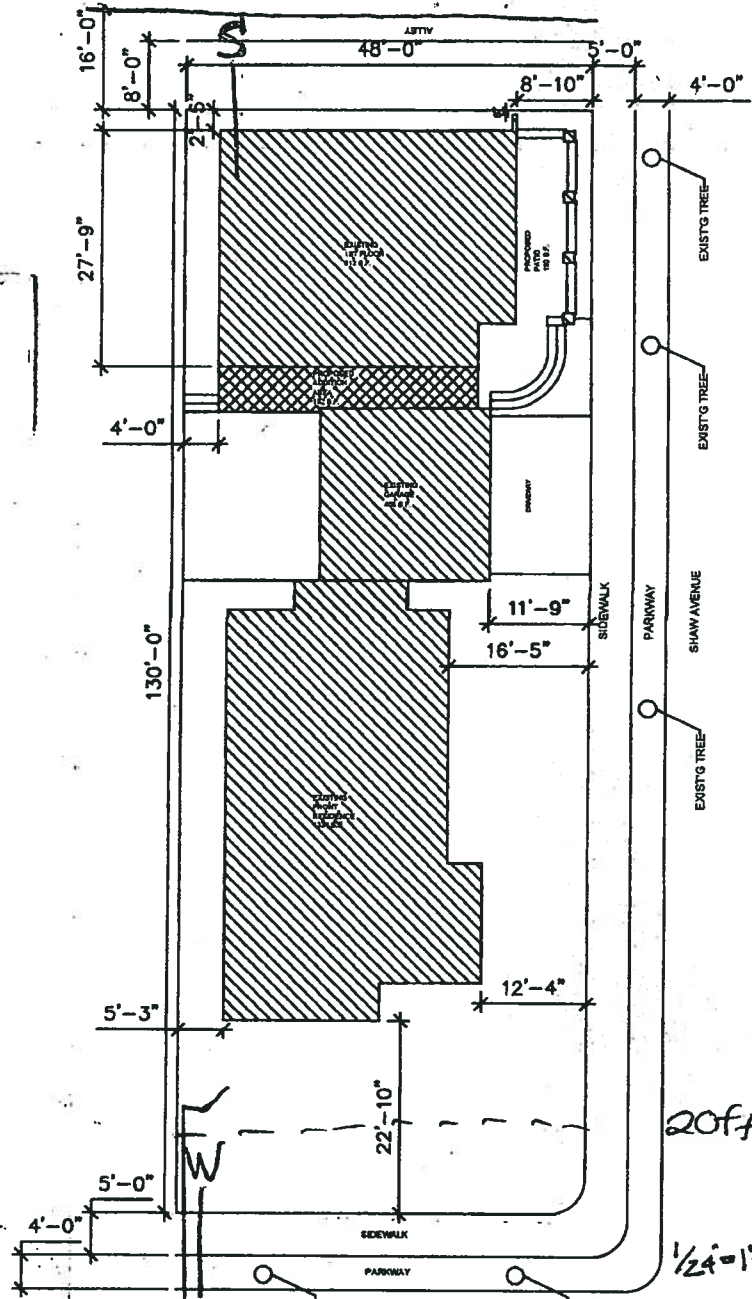
RECORDS MGMT	M U L T I P L E	P E R M I T	TOTAL FEE	37.50
VALUATION	Current Val	130000	Valuation Fee	23.52
DEPUTY INSP.			TOTAL FEE	300.00
			Permit Fee	300.00
3 DEPUTY INSPECT				366.00
COMBINATION			TOTAL FEE	1801.73
VALUATION	Current Val	130000	Processing Fee	37.50
			Valuation Fee	1764.23
STORM WATER			TOTAL FEE	214.50
VALUATION	Current Val	130000	Permit Fee	214.50
			Valuation Fee	214.50

JOB ADDRESS 213 ROSWELL AVE.

PROJECT # 531874

APPROVED  
 APPROVED WITH CC  
 DENIED  
 CITY OF LONG BEACH  
 PUBLIC WORKS - ENGINEERING  
 Date 6/25/08 By RD

NA EASEMENT  
 FLOOD ZONE X



Meters and Service Lines cannot be located in or under any structure or in an inaccessible location.  
 O.K. Long Beach Energy

Per M.K.  
178. m (7)

20ft+ Setback

1/2" = 1'-0"

Roswell Ave

DATE REC'D 6/25/08 Circle one NEW ALTERATION ADDITION REPAIR DEMOLITION

DESCRIPTION QUIT EXISTING INTERIOR + REMODEL - ADD 152 S.F. OF NEW BUILDING. ADD 190 S.F. PATIO

APPLICANT/CONTACT MARILYN POSCA / MARK WHEELER

APPLICANT ADDRESS 213 ROSWELL LB. 90803 PHONE 562/856-5665

LOT 8 BLOCK B TRACT N

DEPARTMENT USE ONLY

ZONE <u>R-1N</u>	Special Set Backs <u>20'</u>	F <u>20'</u>	S <u>4'</u>	R <u>10'/30'</u>	CF to PL <u>12'</u>	CASE NO.
Flood Cert. Req'd <input type="checkbox"/>	Historical Approval Req'd <input type="checkbox"/>	Zoning Approved <input type="checkbox"/>	Planning Stamp Req'd <input checked="" type="checkbox"/>	Special Plan Permit Req'd <input type="checkbox"/>	Redevelopment Approval Req'd <input type="checkbox"/>	Page # <u>N7</u>

# Certificate of Occupancy

As Authorized By The Building Official  
City of Long Beach

This document certifies that, at the time of issuance, this structure, or portion thereof, was in compliance with the various ordinances of the City of Long Beach regulating building construction or use.

Address: 213 ROSWELL AVE

Occupancy Type: R-3 VN

Permit No.: 531874

Portion of Building: ADD TO KIT&DNRM,RERF,ADD PATIO,CMPLTE IN  
TR RMDL,W/ EL,ME,PL

Max. Occupant Load:



Building Official

Date: February 14, 2011

Situs Address: <b>213 ROSWELL AVE</b> <b>LONG BEACH, CA 90803</b>		<a href="#">Print This Page</a>
Assessor Parcel Number: <b>7256012024</b>	Owner: <b>POSCA, MARILIN S</b>	
Legal Description: <b>N TRACT LOT 8 BLK B</b>		
Last Record Date: <b>20060801</b>	Mailing Address: <b>213 ROSWELL AVE</b> <b>LONG BEACH, CA 90803-1534</b>	
Oldest Year Built: <b>1921</b>		
Number of Dwelling Units: <b>2</b>		
Zoning Classification: <b>R-1-N</b>		
PD Subarea:		
Zoning Overlay:		
PD-29 Subzone: <b>0</b>		
General Plan District: <b>100</b>		
General Plan Description: <b>SINGLE FAMILY</b>		
Medical Marijuana Restriction Zone: <b>N</b>	Coastal Zone: <b>Coastal Zone</b>	
PD30 Height:	Redevelopment Area:	
PD30 Setbacks:	Fence Height Limit:	
PD30 Setback Distance:		
PD30 Neighborhood Overlay:	Homeowners Association:	
Special Setbacks: <b>20</b>	Interim Ordinance:	
Setback Conditions:	Within Harbor District:	
Historic District:	Within Liquefaction:	
Historic Landmark:	Oil Operating Area:	
Parking Impacted Area:	Special Restriction Area:	
Within Special Flood Hazard Zone: <b>N</b>	Earthquake Zone:	
Zoning Classification: <b>X</b>	Within Airport Property:	
Base Flood Elev:	Within CDBG:	
FEMA Document: <b>STUDY5</b>	Within Enterprise Zone:	
Effective Date: <b>9/26/2008 12:00:00 AM</b>	Redevelopment Area:	
Outcome Description: <b>N/A</b>	NIS Area:	
FEMA Case No: <b>N/A</b>		
Census 2000 Tract: <b>577200</b>	Council District: <b>3</b>	
Census 2000 Block: <b>1012</b>	Council Representative: <b>GARY DeLONG</b>	
Bldg Insp Comml District: <b>SOUTH</b>	Fire Code Enforce District: <b>FCE 2</b>	
Bldg Insp Res District: <b>3</b>	Fire New Constr District: <b>FNC 1</b>	
Bldg Insp Elec District: <b>EAST</b>	Fire Res Insp District: <b>FRI 2</b>	
Community CE Area:	Health Housing Program Quadrant: <b>EAST</b>	
CE Housing Action Plan:	Health Hazmat CUPA District: <b>42</b>	
CE Corridor Description:		
CE Corridor Phase:	Bus Lic Inspector Area: <b>20</b>	
CE Corridor Name:	Within Lotmerge Area:	
CE Other Proactive Area Name:	Health Food Program District: <b>2</b>	
CE Division Name: <b>EAST</b>		

**STANDARDS VARIANCE FINDINGS****Case No. 1205-012****Date: September 6, 2012**

Pursuant to Chapter 21.25, Division III of the Long Beach Municipal Code, the variance procedure is established to allow for flexibility in the Zoning Regulations. This flexibility is necessary because not all circumstances relative to all lots can be foreseen and evaluated in the writing of such regulations. In order to prevent abuse of the flexibility, certain findings of fact must be made before any variance can be granted. These findings have been incorporated in the Long Beach Municipal Code.

**1. THE SITE OR THE IMPROVEMENTS ON THE SITE ARE PHYSICALLY UNIQUE COMPARED TO THE OTHER SITES IN THE SAME ZONE;**

The subject site was previously developed with two detached units. The unit fronting on Roswell Avenue was inadvertently demolished as part of a permitted remodel likely due to damage uncovered once the walls were opened. As a result of the demolition, the site now only contains a structure that is located at the rear 1/3 of the lot. This is inconsistent with the overall development pattern of the neighborhood that has a unit fronting on Roswell Avenue with another structure, either another dwelling unit or a garage, along the alley. Allowing the inadvertently demolished unit to be rebuilt will bring the site back into consistency with the overall development pattern of the neighborhood and result in a structure that fits within the context of the adjacent lots.

**2. THE UNIQUE SITUATION CAUSES THE APPLICANT TO EXPERIENCE HARDSHIP THAT DEPRIVES THE APPLICANT OF A SUBSTANTIAL RIGHT TO USE OF THE PROPERTY AS OTHER PROPERTIES IN THE SAME ZONE ARE USED AND WILL NOT CONSTITUTE A GRANT OF SPECIAL PRIVILEGE INCONSISTENT WITH LIMITATIONS IMPOSED ON SIMILARLY ZONED PROPERTIES OR INCONSISTENT WITH THE PURPOSE OF THE ZONING REGULATIONS;**

The inadvertent demolition of the front unit resulted in the removal of a legal non-conforming unit that was consistent with the overall development pattern of the neighborhood. While this section of Roswell Avenue has a zoning designation of R-1-N (single family), a number of lots in the immediate vicinity are developed with multiple units. Granting of the Standards Variance to allow the inadvertently demolished unit to be rebuilt does not constitute a grant of special privilege, as the resulting development will be consistent with the existing neighborhood.

**3. THE VARIANCE WILL NOT CAUSE SUBSTANTIAL ADVERSE EFFECTS UPON THE COMMUNITY; AND**

This request is to replace a structure that had been in place for several decades, and will not cause any additional adverse effects once construction is completed.

4. **IN THE COASTAL ZONE, THE VARIANCE WILL CARRY OUT THE LOCAL COASTAL PROGRAM AND WILL NOT INTERFERE WITH PHYSICAL, VISUAL, AND PSYCHOLOGICAL ASPECTS OF ACCESS TO OR ALONG THE COAST.**

The site is located within the coastal zone, and requires a Local Coastal Development Permit. However, the proposed development is the reconstruction of a previous structure in the same location and size, and will not adversely impact the coastal area in terms of replacing affordable housing, or will in no way limit access to the coast by the public.



## **COASTAL PERMIT FINDINGS**

**Case No. 1204-12**

**Date: September 6, 2012**

**1. THE PROPOSED DEVELOPMENT CONFORMS TO THE CERTIFIED LOCAL COASTAL PROGRAM, INCLUDING BUT NOT LIMITED TO ALL REQUIREMENTS FOR REPLACEMENT OF LOW AND MODERATE-INCOME HOUSING**

The site is located within an existing neighborhood. The zoning is currently single-family, but formerly allowed multiple family development. The proposed action would allow the reconstruction of a single-family home on a lot that contained two such dwellings, but is consistent with the predominant neighborhood pattern.

**2. THE PROPOSED DEVELOPMENT CONFORMS TO THE PUBLIC ACCESS AND RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT.**

Chapter 3 of the Coastal Act deals with the public's right to use the beach and water resources for recreational purposes. The chapter provides the basis for state and local governments to require beach access dedications and prohibit development, which restricts public access to the beach and water resources.

The development will not impede public access to the coast, as all development will occur on an existing corner residential lot. Therefore, the proposed development conforms to the public access and recreation policies of Chapter 3 of the Coastal Act.

**STANDARDS VARIANCE  
CONDITIONS OF APPROVAL**

**Case No. 1205-12**

**Date: September 6, 2012**

1. This permit and all development rights hereunder shall terminate one year from the effective date of this permit unless construction is commenced or a time extension is granted, based on a written request approved by the Zoning Administrator, submitted prior to the expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
2. The standards variance is required to allow the legal non-conforming use of a second single-family home on an R-1-N lot in the same location as the previous structure to continue on the subject site because more than fifty percent (50%) of the perimeter has been demolished.
3. All work must be consistent with and completed in accordance with the plans submitted to Long Beach Development Services dated March 23, 2012, as revised during plan check review.
4. This permit shall be invalid if the owner(s) and/or applicant(s) have failed to return written acknowledgment of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30 days from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date). Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval to the satisfaction of the Zoning Administrator.
5. If, for any reason, there is a violation of any of the conditions of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.
6. In the event of transfer of ownership of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by this permit together with all conditions that are a part thereof. These specific requirements must be recorded with all title conveyance documents at time of closing escrow.
7. This approval is required to comply with these conditions of approval as long as the use is on the subject site. As such, the site shall allow periodic re-

inspections, at the discretion of city officials, to verify compliance. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by City Council (Sec. 21.25.412, 21.25.212).

8. All conditions of approval must be printed verbatim on all plans submitted for plan review to Long Beach Development Services. These conditions must be printed on the site plan or a subsequent reference page.
9. The Director of Long Beach Development Services is authorized to make minor modifications to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project. Any major modifications shall be reviewed by the Zoning Administrator or Planning Commission, respectively.
10. Site development, including landscaping, shall conform to the approved plans on file with Long Beach Development Services. At least one set of approved plans containing Planning, Building, Fire, and, if applicable, Redevelopment and Health Department stamps shall be maintained at the job site, at all times for reference purposes during construction and final inspection.
11. All landscaped areas must be maintained in a neat and healthy condition. Any dying or dead plants materials must be replaced with the minimum size and height plant(s) required by Chapter 21.42 (Landscaping) of the Zoning Regulations. At the discretion of City officials, a yearly inspection shall be conducted to verify that all irrigation systems are working properly and that the landscaping is in good healthy condition. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by the City Council.
12. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau must be secured.
13. Separate building permits shall be required for fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.
14. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):
  - Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.;
  - Saturday: 9:00 a.m. - 6:00 p.m.; and
  - Sundays: not allowed

15. Any unused curb cuts shall be replaced with full height curb, gutter and sidewalk and shall be reviewed, approved and constructed to the specifications of the Director of Public Works.
16. The applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the applicant of any such claim, action, or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach.



# NOTICE of EXEMPTION from CEQA

DEPARTMENT OF DEVELOPMENT SERVICES  
333 W. OCEAN BLVD., 5<sup>TH</sup> FLOOR, LONG BEACH, CA 90802  
(562) 570-6194 FAX: (562) 570-6068  
lbs.longbeach.gov

TO:  Office of Planning & Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

FROM: Department of Development Services  
333 W. Ocean Blvd, 5<sup>th</sup> Floor  
Long Beach, CA 90802

L.A. County Clerk  
Environmental Fillings  
12400 E. Imperial Hwy. 2<sup>nd</sup> Floor, Room 2001  
Norwalk, CA 90650

Categorical Exemption CE- 17-038

Project Location/Address: 213 Roswell Ave Long Beach, CA 90803

Project/Activity Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Public Agency Approving Project: **City of Long Beach, Los Angeles County, California**

Applicant Name: Marilyn Posca

Mailing Address: 2619 Lime Ave, Signal Hill, CA 90755

Phone Number: 562-842-5009 Applicant Signature: [Signature]

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 1205-12 Planner's Initials: [Signature]

Required Permits: None Standards Variance

THE ABOVE PROJECT HAS BEEN FOUND TO BE EXEMPT FROM CEQA IN ACCORDANCE WITH STATE GUIDELINES SECTION Class 2 - Reconstruction

Statement of support for this finding: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Contact Person: Steve Gerhardt  
Signature: [Signature]

Contact Phone: 562-570-6288  
Date: 6/15/2012

July 16, 2012

Long Beach City Planning Commission

c/o Department of Development Services: Steve Gerhardt

Long Beach, CA 90802

RE: Standards Variance Application for 213 Roswell (R-1-N); July 19, 2012 Hearing

We object to approval of the requested variance for the following reasons:

1. Untimely public posting of the notice of public hearing, including the on site property notice less than 14 days in advance.
2. Lack of on-site parking and required garages.
3. Lack of required rear yard setbacks.
4. Lack of required lot area coverage.
5. Lack of floor area ratio standards.
6. Lack of sufficient open space provisions as required by zoning.
7. Negative impact on the surrounding community, especially impacted parking.
8. Lack of compelling standards for granting the proposed variance to the benefit of the community.

Of specific note in considering this application, consider that the parking in the area is already severely impacted, including on the specific lot itself: the residents park across their own driveway overnight as well as in the driveway overhanging the sidewalk. This parking situation on the site itself will only deteriorate with the approval of the proposed variance.

We are home owners at 212 Bennett Avenue, previously owners of 213 Bennett Avenue, for the past 34 years. Our neighborhood has remained a stable single family residential community throughout that time. The attractiveness of our neighborhood to the current home owners has been maintained by the long time owners who have worked to preserve the neighborhood's single family quality. If a zoning variance is approved whenever anyone requests one, what confidence can a citizen have in the zoning code or other rules of the City?

Sincerely,

A handwritten signature in blue ink, appearing to read "Mary Lou and Donald Cook". The signature is stylized and somewhat cursive.

Mary Lou and Donald Cook

212 Bennett Avenue, Long Beach, CA 90803

August 26, 2012

Re: Standards Variance Request – #1205-12, 213 Roswell Ave.

Dear Planning Commission Members,

In our letter of July 14<sup>th</sup> (Attached), we expressed our concerns regarding granting the variance request for the 213 Roswell. We want to reiterate our opposition in light of the flagrant violations in the remodeling activities at 213 Roswell. We feel that any further construction on the site must meet all current zoning standards for new construction. The actions of the applicants in this matter show a clear pattern of ignoring our community rules by first demolishing their entire structure and then beginning to rebuild, both without city approval. We urge you to not grant their request for a non-conforming building permit.

Additionally, we would like to provide you with correct information regarding our neighborhood which in the Coastal Permit Findings has been characterized as mostly single story homes in a low to middle class income range.

With respect to this characterization consider the following: The home prices estimated by Zillow.com within the three block area (approximately 400 feet) immediately surrounding the subject property range from \$593,200 to \$1,671,700. The average price for a single family home is \$927,200. This excludes the apartment buildings 100 feet to the west which contribute heavily to our parking problems. These values can hardly be characterized as low income. More correctly the neighborhood is middle to high income.

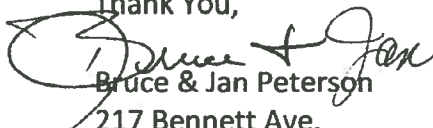
Staff has reported that the neighborhood is characterized by modest homes single story in height. In the two block area in question there are 16 single story, 23 two story homes and 2 condos/apartment buildings (excluding Belmont which is 100% apartments).

Staff concludes that allowing the reconstruction of the subject property as a one story home will be in keeping with the character of the neighborhood and allowing a two story structure that may maximize the building size will be detrimental. From the numbers above, two stories in perfectly in keeping with the current mix.

Attached you will find materials supporting the above statements.

In the mid-80s this community spearheaded efforts to draft and ultimately have adopted a city wide uniform set of zoning standards. We ask that you enforce our zoning laws and protect our neighborhood against this substandard variance request.

Thank You,

  
Bruce & Jan Peterson  
217 Bennett Ave.  
Long Beach, Ca.

July 14, 2012

Long Beach Planning Commission  
333 W. Ocean Blvd.  
Long Beach, Ca 90802

Re: Application # 1205-12 Variance Hearing 213 Roswell Ave.

Dear Planning Commission Member,

We would like to express our concern regarding the proposed rebuilding of the front house located at 213 Roswell Avenue. We have long wondered what was going on at that location when the rear house was rebuilt taking the original garages of the front house.

We now learn that although the front house had a permit to remodel a kitchen and bath adding approximately 100 sq ft., by some strange mistake the whole structure was demolished without city approval and construction of a new residence was begun without plans or city approval.

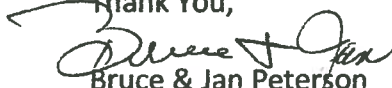
It is quite a leap to believe that the owners went away for a few days and somehow the total structure was demolished except for a back wall which was subsequently removed as well. In an old structure there often problems uncovered during demolition requiring a more extensive removal of the structure than originally permitted. However, in such an instance any contractor working in the City of Long Beach would know to notify the inspector to seek approval for further action.

The city was not notified and the reconstruction was started without approval. Also of note is that the official notice of this variance hearing was not posted on the property in a timely fashion as required by city code. These circumstances taken together have all the appearances of someone trying to work around our city building codes.

While we don't want to see this property stand in limbo, at the same time we strongly believe that since the demolition was extensive, a new structure built in its place needs to meet current building codes for new construction. This should include adequate garage space, proper setbacks, floor area ratios and building height.

We live in a parking impacted R1 area with a street of apartments with little or no parking ½ block from this address. The parking spillover from these units extends for several blocks in all directions . To allow this construction to proceed without off street parking sets a dangerous precedent that a property owner can flagrantly ignore the rules and be rewarded for their efforts.



Thank You,

  
Bruce & Jan Peterson  
217 Bennett Ave.



**Planning Commission Hearing  
September 6, 2012  
Standards Variance Request #1205-12**

**400 Ft. Surrounding Demographics for 213 Roswell Ave.**

4300 Broadway 2 Story \$854.9	224 Bennett 1 Story \$690.0	222 Bennett 1 Story 737.7	220 Bennett 2 Story \$905.3	218 Bennett 1 Story Rental \$3,550	216 Bennett 2 Story \$727.6	 Shaw Street North
4242 Broadway 1 Story \$687.8		223 Bennett 1 Story \$950.1	221 Bennett 1 Story \$860.8		217 Bennett 1 Story \$885.1	
4214 Broadway 1 Story \$700.6		222 Roswell 1 Story \$878.2	220 Roswell 1 Story \$883.6	218 Roswell 1 Story \$593.2	216 Roswell 2 Story \$880.5	
4124 Broadway 1 Story \$921.8		225 Roswell 1 Story \$875.1	223 Roswell 2 Story \$698.0	221 Roswell 2 Story \$1,128.6	219 Roswell 2 Story 1,146.9	
Belmont Ave Apartments	Belmont Ave Apartments	Belmont Ave Apartments	Belmont Ave Apartments	Belmont Ave. Apartments	Belmont Ave. Apartments	
=====	=====	=====	=====	=====	=====	=====
 Shaw Street South	212 Bennett 2 Story \$828.6	210 Bennett 2 Story \$1,060.7	208 Bennett 2 Story \$879.9	206 Bennett 2 Story \$961.6	Condominiums	Condominiums
	213 Bennett 2 Story \$925.9	209 Bennett 2 Story \$951.3	207 Bennett 2 Story Rental \$3,750	205 Bennett 2 Story \$947.2		4235 2 <sup>nd</sup> Street 2 Story \$1,671.7
	214 Roswell 1 Story \$926.5	212 Roswell 2 Story \$1,450.2	206 Roswell 2 Story \$1,236.6	204 Roswell 2 Story \$963.6	4215 2 <sup>nd</sup> Street 2 Story \$1,116.2	4205 2 <sup>nd</sup> Street 2 Story \$958.4
	<b>213 Roswell Subject Property \$882.5</b>	211 Roswell 1 Story \$885.2	209 Roswell 2 Story 4 Plex	207 Roswell 2 Story \$861.7	205 Roswell 1 Story \$697.5	203 Roswell 2 Story \$1,022.0
	Belmont Ave Apartments	Belmont Ave Apartments	Belmont Ave Apartments	Belmont Ave Apartments	Belmont Ave Apartments	Belmont Ave Apartments

Average price of a single family home is \$927,187  
Single story homes in surrounding area 16, two story homes 23

August 24, 2012

Long Beach City Planning Commission

c/o Department of Development Services: Steve Gerhardt

Long Beach, CA 90802

RE: Standards Variance Application for 213 Roswell (R-1-N); September 6, 2012 Hearing

We object to approval of the requested variance for the following reasons:

1. Negative impact on neighborhood, especially severely impacted parking.
2. Lack of on-site parking and required garages.
3. Lack of required rear yard setbacks.
4. Lack of required lot area coverage.
5. Lack of floor area ratio standards.
6. Lack of sufficient open space provisions as required by zoning.
7. Lack of compelling standards for granting the proposed variance to the benefit of the community (or even to realize a neutral effect on the neighborhood).

Of specific note in considering this application, consider that the parking in the area is already severely impacted, including on the specific lot itself: the residents park across their own driveway overnight as well as in the driveway overhanging the sidewalk, on a regular basis. This parking situation on the site itself will only deteriorate with the approval of the proposed variance.

The evolution of the recent construction activity also raises significant cause for concern with regard to the credibility of current and future assertions and assurances by the petitioner(s). Initially, the owner received City approval for minor construction improvements to the front structure. Without notifying the City or requesting further permits, the owner subsequently proceeded to tear down ever increasing parts of the building until nothing was left standing, over a period of several months. Then, a totally new foundation was built. Apparently, at this point the City inspectors issued a stop work order. Only after the City's actions did the property owners bother to request a permit for construction activity that had been going on for months. It is apparent from the initial improvement request to the City from the petitioner, as well as previous construction permits on the back structure by the petitioner, the petitioner was familiar with City building permit process and code regulations. Yet, the petitioner chose to proceed with an entirely new structure without any permits whatsoever.

This lack of adherence to the City's building laws and regulations is by itself more than sufficient to distrust any future assertions and assurances by the petitioner with regard to the construction on this property. Added to this, the notice for the previous planning hearing was not posted in a timely manner, although the petitioner claimed at the beginning of the hearing on July 12 that he had signed an affidavit verifying that he had posted it in a timely manner on July 5, 2012.

It is also notable that the property is listed on the Los Angeles County Property Defaulted Tax Rolls, as of August 24, 2012, giving rise to concerns with regard to the financial strength and capability of the petitioner to proceed and complete significant property construction activity in a timely manner.

We are home owners at 212 Bennett Avenue, previously owners of 213 Bennett Avenue, for the past 34 years. Our neighborhood has remained a stable single family residential community throughout that time. The attractiveness of our neighborhood to the current home owners has been maintained by the long time owners who have worked to preserve the neighborhood's single family quality. If a zoning variance is approved whenever anyone requests one, what confidence can a citizen have in the zoning code or other rules of the City?

Sincerely,

Mary Lou and Donald Cook

212 Bennett Avenue, Long Beach, CA 90803

lacounty.gov



Los Angeles County  
Treasurer and Tax Collector

**Property Tax Payment Inquiry**

Last updated Friday August 24, 2012

Your Annual Tax Information for Fiscal Year 2012-2013 will not be available until the end of Sept online payment, please email us at [info@ttc.lacounty.gov](mailto:info@ttc.lacounty.gov), or call 213-974-2111.

**Defaulted Tax Roll**

Last updated Friday August 24, 2012

AIN Number	7256-012-024	5-Pay Account Number	
Default Year	2012	5-Pay Status	
Redemption Amount	\$4,172.60	5-Pay Installment Amount Due	
Monthly Penalty Amount	\$61.66	5-Pay Due Date	
Amount Paid	\$3,046.32	5-Pay Installment Paid	
Last Payment Date	07/26/2012		

**Message:**

STATE LAW REQUIRES THAT WE APPLY PAYMENTS TO COSTS, PENALTIES AND THE BALANCE. IF YOU HAVE ANY QUESTIONS, PLEASE CALL US TOLL-FREE AT (888) 807-2111.

[Select Another Account](#)

For telephone inquiries visit us at [ttc.lacounty.gov](http://ttc.lacounty.gov) for a list of telephone numbers. Our business hours are 8:00 a.m. to 5:00 p.m. (Pacific), Monday through Friday, excluding Los Angeles. Our office is located on the first floor at the Kenneth Hahn Hall of Administration, 225 North Hill Street.

[Terms of Use](#) | [Privacy & Security Policy](#)

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213 Roswell Project  
Linda Evashwick  
to:  
Steve.Gerhardt@longbeach.gov  
08/28/2012 10:00 AM  
Please respond to Linda Evashwick  
Show Details

History: This message has been replied to.  
August 27,2012

To: Mr. Steve Gerhardt

From: Helen and Linda Evashwick  
204 Roswell Avenue  
Long Beach, CA 90803

Re: Permits requested for project at 213 Roswell Avenue, Long Beach, CA 90803

Dear Mr. Gerhardt:

Thank you very much for returning my telephone call so promptly last week and answering my questions regarding the above project. I apologize for being a bit delayed in sending you this email, as you requested if we wanted to give our input. I was hoping to have an opportunity to discuss it with a few of the neighbors, but I believe you have given my mother and me sufficient information for us to voice our opinion on this matter.

This entire scenario is upsetting. The neighbors were not given sufficient notice about the first meeting. No notice came in the mail. I found out about it a couple of days after the fact when I happened to be walking by the property at 213 Roswell. At least the neighbors were given sufficient notice about this second meeting and were sent official notices in the mail.

It is very difficult to believe that the former house was "inadvertently demolished more than 50 percent of the exterior perimeter." Certainly a concerned owner, especially if the owner is a developer, would keep a close eye on this project, and any contractor who was so incompetent and committed an act of such gross negligence would be held responsible. This act of inadvertent demolition was transparently a planned accident. While one hesitates to reward duplicity, it is a fait accompli, and the issue must be resolved in the manner most befitting the neighborhood.

I have discussed the matter with my mother, Helen Evashwick, who is the homeowner and has lived at 204 Roswell since 1956. Given the information and options you provided us, we have concurred that it would be best just to let the owner rebuild the single-family one- storey home in a manner and style in keeping with the area, as they did with the house at 4130 Shaw. Certainly a two- storey structure on such a small lot and on a corner would be an eye-sore. Although parking is a terrible problem on this block of Roswell, a two-car garage and driveway onto Roswell would be an eye-sore as well and would destroy the long-term harmony of the architecture and buildings on this block.

Thus, my mother, Helen Evashwick, and I, Linda Evashwick Sayers, are of the opinion that the variance should be granted on strict condition that no two-storey structure be built there....ever! No more

accidents.

Thank you for your help and advice regarding this project.

Sincerely,

Helen Evashwick and Linda Evashwick Sayers

Regarding Application #1205-12  
Christine Moore  
to:  
steve.gerhardt@longbeach.gov  
08/27/2012 11:49 AM  
Please respond to Christine Moore  
Show Details

Steve Gerhardt:

I am sending this e:mail in response to a letter I received regarding the proposed construction at 213 Roswell Avenue (Application #1205-12). I have several points I would like to make regarding the request to build a second house on this lot.

First, I understand that the request is being made because the property was "inadvertently" demolished. As I believe the owner is a contractor, I have a hard time believing this was a mistake. Certainly one a professional would not make.

Second, the current owner seems to have a large quantity of cars and trucks that already impact the parking in the neighborhood. They often park across their own driveway as parking in our area is limited. I understand that there will be no new parking available for the proposed new house. This would further impact the already limited spaces available for current residents.

Third, there used to be two small, charming Spanish homes on this lot. I am not sure how two homes were built as I believe that we are zoned for one home only. Now we have one rather large home on the same lot with the proposal of building another one (same size??). I know we all must deal with progress but cramming two large homes on one lot really does change the character of Belmont Heights.

Four, zoning is usually done for a reason. One home on a lot is what we are zoned for. Enough said!

Five, if this (or any) construction is allowed, please make sure the owner understands the ordinance for residential construction. He blatantly ignored the hours that are authorized for construction and we residents had to deal with almost three months of construction on our Sundays before we were forced to have the city contact him. He was not at all receptive to our requests to do construction only during hours approved by the ordinance. Even after the city came out and posted the acceptable hours, Sunday construction (and after 6pm on Saturday) was periodically continued.

Thank you for your time.

Regards  
Christine Moore  
4119 Shaw Street