



MASTER APPLICATION FORM

CITY OF MANHATTAN BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT

Office Use Only

Date Submitted:

Received By:

F&G Check Submitted:

2800 Ocean Dr.

Project Address

PECK'S MANHATTAN BEACH TR SE 40 FT OF LOT 11

Legal Description

Residential High Density

General Plan Designation

RH

III

Zoning Designation

Area District

For projects requiring a Coastal Development Permit, select one of the following determinations<sup>1</sup>:

Project located in Appeal Jurisdiction

Project not located in Appeal Jurisdiction

☐ Major Development (Public Hearing required)

☐ Public Hearing Required (due to UP, Var, ME, etc.)

☐ Minor Development (Public Hearing, if requested)

☒ No Public Hearing Required

Submitted Application (check all that apply)

☐ Appeal to PC/PPIC/BBA/CC

4225

☐ Use Permit (Residential)

4330

☒ Coastal Development Permit

4341

☐ Use Permit (Commercial)

4330

☐ Continuance

4343

☐ Use Permit Amendment

4332

☐ Cultural Landmark

4336

☐ Variance

4331

☐ Environmental Assessment

4225

☐ Park/Rec Quimby Fee

4425

☐ Minor Exception

4333

☐ Pre-application meeting

4425

☐ Subdivision (Map Deposit)

4300

☒ Public Hearing Notice

4339

☐ Subdivision (Tentative Map)

4334

☐ Lot Merger/Adjust./\$15 rec.

4225

☐ Subdivision (Final)

4334

☐ Zoning Business Review

4337

☐ Subdivision (Lot Line Adjust.)

4335

☐ Zoning Report

4340

☐ Telecom (New or Renewed)

4338

☒ Other Rec.Ret./Tech Fee

Fee Summary: (See fees on reverse side)

Total Amount: \$

(less Pre-Application Fee if applied within past 3 months)

Receipt Number:

Date Paid:

Cashier:

Applicant(s)/Appellant(s) Information

Don E. Murphy, Trustee of the DJM Family Trust Dated October 12, 2021

Name

4631 N. 61st Place Scottsdale, AZ 85251

Mailing Address

Owner

Applicant(s)/Appellant(s) Relationship to Property

Brandon Straus, Srour & Associates

310-372-8433 / brandon@esrour.com

Contact Person (include relation to applicant/appellant)

Phone number / email

2615 Pacific Coast Hwy, Suite 206, Hermosa Beach, CA90254

Address

Don.murphy@sheahomes.com

Applicant(s)/Appellant(s) Signature

Phone number / email

Complete Project Description- including any demolition (attach additional pages as necessary)

Completion of a previously permitted but unfinished single-family residence

<sup>1</sup> An Application for a Coastal Development Permit shall be made prior to, or concurrent with, an application for any other permit or approvals required for the project by the City of Manhattan Beach Municipal Code. (Continued on reverse)

# OWNER'S AFFIDAVIT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF ~~CALIFORNIA~~ Arizona  
COUNTY OF ~~LOS ANGELES~~ Maricopa County

I/We Don E. Murphy being duly sworn, depose and say that I am/we are the owner(s) of the property involved in this application and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my/our knowledge and belief(s).

Don E. Murphy  
Signature of Property Owner(s) – (Not Owner in Escrow or Lessee)

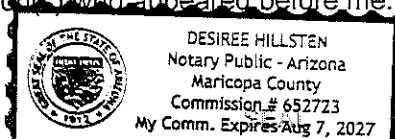
Don E. Murphy  
Print Name

4631 N. 61st Place Scottsdale, AZ 85251  
Mailing Address

Don.murphy@sheahomes.com  
Telephone/email

Subscribed and sworn to (or affirmed) before me this 5<sup>th</sup> day of December, 2024 by Don E. Murphy, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature Des Hillsten  
Notary Public



## Fee Schedule Summary

Below are the fees typically associated with the corresponding applications. Additional fees not shown on this sheet may apply – refer to current City Fee Resolution (contact the Planning Division for assistance.) Fees are subject to annual adjustment.

### Submitted Application (circle applicable fees, apply total to Fee Summary on application)

#### Coastal Development Permit

Public hearing – no other discretionary approval required:	\$ 3,948	✉
Public hearing – other discretionary approvals required:	1,940	✉
No public hearing required – administrative:	1,509	✉
Transfer:	155	

#### Use Permit

Use Permit:	\$ 8,393	✉
Master Use Permit:	10,908	✉
Master Use Permit Amendment:	7,414	✉
Master Use Permit Conversion:	5,035	✉

#### Variance

Filing Fee:	\$ 8,421	✉
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#### Minor Exception

Without notice:	\$ 353	
With notice:	1,575	✉

#### Subdivision

Certificate of Compliance:	\$ 1,652	
Final Parcel Map + mapping deposit:	601	
Final Tract Map + mapping deposit:	601	
Mapping Deposit (paid with Final Map application):	500	
Merger of Parcels or Lot Line Adjustment:	1,184	
Quimby (Parks & Recreation) fee (per unit/lot):	1,817	
Tentative Parcel Map (4 or less lots / units) No Public Hearing:	1,397	
Tentative Parcel Map (4 or less lots / units) Public Hearing:	3,546	✉
Tentative Tract Map (5 or more lots / units) No Public Hearing:	4,074	✉

#### Environmental Review (contact Planning Division for applicable fee)

Environmental Assessment (no Initial Study prepared):	\$ 215	
Environmental Assessment (if Initial Study is prepared):	3,133	

✉ Public Hearing Notice applies to all projects with public hearings and covers the City's costs of envelopes, postage and handling the mailing of public notices. Add this to filing fees above, as applicable:

Coastal Permit – 100 ft. Radius	\$ 182	
Large Family Daycare – 100 ft. Radius	56	
Minor Exception – 300 ft. Radius	129	
Other Permits – 300 to 500 ft. Radius	263	
Code, General Plan, Zoning Amendments	588	

**SROUR & ASSOCIATES**  
Real Estate Development Services Group, Inc  
2615 Pacific Coast Highway, Suite 206  
Hermosa Beach, CA 90254  
brandon@esroure.com 310/372-8433

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DATE: December 5, 2024

TO: Community Development Department

SUBJECT: 2800 Ocean Dr., - Coastal Development Permit Application – (administrative review)

This application is for a Coastal Development Permit (CDP) to complete construction of a previously permitted but unfinished single-family residence. On May 2, 2018, the Community Development Department issued a CDP for construction of a new single-family residence on the subject site. On October 2, 2018, a Certificate of Compliance was recorded for the subject lot. Construction commenced under Building Permit 18-02269, but was not completed prior to expiration of the Building Permit. Currently on site is a three-story structure with enclosed framing.

We consulted with the California Coastal Commission regarding the status of the 2018 CDP. The Coastal Commission staff consider the 2018 CDP to have vested once construction began, and therefore it remains in effect with respect to the California Coastal Act. The purpose of this application is to comply with City requirements, which deem the CDP to have expired when Building Permit 18-02269 expired, prior to completion of the home.

The applicant seeks to complete construction according to the originally approved design in substantial conformity with the original building plans, with minor revisions that may be required to achieve compliance with current building codes.

The project will not deviate from the standards under which it was approved governing setbacks, height, buildable floor area, parking, open space, and other applicable zoning standards governing this zone and Area District.

1. The provisions of the Local Coastal Program incorporate zoning and development standards, and the proposed plans meet all applicable LCP standards, including allowable building area.
2. The project is not on a walk street.
3. The proposed project will provide two on-site parking spaces. Vehicle access will be from Ocean Dr.

Thank you for your review of this project and please do not hesitate to contact us with questions or need for additional information.



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Address  
Don Murphy Don.murphy@sheahomes.com  
Applicant(s)/Appellant(s) Signature Phone number / email

Complete Project Description- including any demolition (attach additional pages as necessary)

Request for Minor Exception for staff review error.

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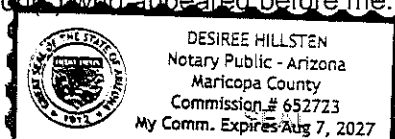
Don E. Murphy  
Print Name

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**SROUR & ASSOCIATES**  
Real Estate Development Services Group, Inc.  
2615 Pacific Coast Highway, Suite 206  
Hermosa Beach, CA 90254  
srourandassociates.com

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January 21, 2025

TO: Community Development Department

SUBJECT: 2800 Ocean Dr. - Minor Exception for City Planning Review Error

This is a request for a Minor Exception for non-compliant construction due to a Community Development staff review error, pursuant to Local Coastal Program Implementation Plan Section A.84.120.

Background

In 2018, the Community Development Department reviewed and approved plans for construction of a single-family residence at 2800 Ocean Drive. On May 2, 2018, the Community Development Department issued a Coastal Development Permit (CDP) for the project. The Community Development Department then reviewed building plans for the proposed house and approved them June 7, 2019. The Community Development Department issued a Building Permit on December 5, 2019, followed by Demolition, Shoring, Plumbing, and Mechanical Permits for construction of the house. Construction of the house began in 2020. The Community Development Department subsequently reviewed and approved revised plans for the house on April 29, 2021, and issued a Revision Permit on May 4, 2021.

The owners of the property began construction in 2020 and continued through completion of the foundation and framing of the three-story structure. After construction began, the couple who owned the property experienced circumstances that caused construction to be suspended. The husband passed away, and the wife experienced dementia. Due to the suspension of construction, the Building Permit expired on March 21, 2022. This triggered expiration of the CDP.

The applicant purchased the property on November 8, 2024, with the intention to complete construction as soon as possible. On December 5, 2024, the applicant submitted an application for a CDP to complete construction of the house according to its approved design. On January 10, 2025, the City completed its first round of review of the plans. The Building and Safety Division and the Public Works Department had no comments on the plans. The Planning Division, however, found that the design did not meet the usable open space requirements in the Local Coastal Program (see attached redlined plan sheet). Specifically, a 32 square feet area on the west side of the building that was approved as usable open space in 2018 does not meet the usable open space requirements.

The definition of Usable Open Space in the Local Coastal Program is set forth in A.04.030. It was in effect in 2018 and has not changed since the Community Development Department initially reviewed and approved the Coastal plan set in May 2018, the building permit plan set in June 2019, and the revision plan set in April 2021. During each of these

reviews, the Community Development Department found that plans for 2800 Ocean Drive complied with the requirements for Usable Open Space under the Local Coastal Program. Since the relevant language of the Local Coastal Program has not changed from the time of the initial approval until today, one can conclude only that the Community Development Department erred in its review and approval of the plans in 2018, 2019, and 2021. Based on the City's approval, the property owners demolished their house and paid for construction of a new house, which is now substantially built.<sup>1</sup>

The foregoing circumstances serve as the basis to make the findings set forth below in support of a Minor Exception, for the sole purpose of allowing completion of construction.

## FINDINGS

- a. The residence has been built in accordance with the approved design and pursuant to a City permit. The City's issuance of a Coastal Development Permit was based on a finding that the approved design is compatible with the scale, mass, orientation, size, setbacks, and height of the properties in the surrounding area. The difference of 32 square feet of open space is so imperceptible as to have no impact on these aspects of the development.
- b. The shortfall of open space will have no impact, detrimental or otherwise, on surrounding neighbors. The difference of 32 square feet of open space is below the threshold of perception of those observing the house.
- c. Adding 32 square feet of open space would present an unreasonable difficulty, because the structure is already built. It would require the redesign, demolition, and reconstruction of the floor plan. Because the lot is a half-lot, any change in design affects all other aspects of design, including locations of interior walls and utilities. Therefore, partial demolition of the structure is not possible, and a reconfiguration to add open space would likely require total demolition.
- d. There are no pre-existing non-conformities with the Zoning Code and Building Safety requirements, because this is a new construction development.
- e. According to the City's findings in the Coastal Development Permit, the development – as designed – is consistent with the General Plan and Local Coastal Program. Because the development was built in accordance with the approved plans, it remains consistent with these various development standards, but for the City's error during review of the plans.

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<sup>1</sup> It could be argued that the Community Development Department simply changed how it applies the language of the Local Coastal Program with regard to open space at some point between 2021 and today. The implication of this change, however, is that the Department's prior application of the language was in error, which is the basis for a Minor Exception where the structure is subsequently built.